

Chairperson
Chris Kwapick

Planning Commissioners
Bill Buesing
Taelor Johnson
Dawn Kulousek
Valerie Quarles
Isaac Mitchell
Eric Thorson



515 Little Canada Road
Little Canada, MN 55117
www.littlecanadamn.org

Staff Liaison
Corrin Wendell

**Regular Meeting of the
Little Canada Planning
Commission**

Thursday, August 11, 2022

5:30 p.m.

City Center Council
Chambers

A G E N D A

1. Call To Order - 5:30 P.m.
2. Roll Call
3. Adopt Agenda
4. Approval Of Minutes
 - A. July 14, 2022 Minutes

Documents:

[07-14-2022 PC MINUTES.PDF](#)

5. Meeting Open To The Public
Note: This is a courtesy extended to persons wishing to address the Commission concerning issues that are not on the agenda. This discussion will be limited to 15 minutes.
6. Commission Business Action Items & Recommendations
 - A. Consider A Revised Plan For Preliminary Plat & Variances For Single-Family Residential Development (Villas Of Gervais Lake) At 0 Edgerton Street

Documents:

[PRELIMINARY PLAT AND VARIANCE -VILLAS OF LAKE GERVAIS 0 EDGERTON.PDF](#)

7. Reports From Staff
8. Reports From Commissioners
9. Adjournment

This agenda is subject to change by additions and deletions.

**MINUTES OF THE REGULAR MEETING
PLANNING COMMISSION
LITTLE CANADA, MINNESOTA**

JULY 14, 2022

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 14th day of July, 2022 in the Council Chambers of the City Center located at 515 Little Canada Road in said City.

Chair Chris Kwapick called the meeting to order at 5:30 p.m. and the following members of the Planning Commission were present at roll call:

PLANNING COMMISSION: Kulousek, Kwapick, Mitchell, Buesing, Thorson, and Quarles.
Absent: Johnson.

ALSO PRESENT: Community Development Director Corrin Wendell

ADOPT AGENDA

The agenda was approved as presented.

MINUTES

Commissioner Mitchell made a motion to approve the June 9, 2022 Planning Commission minutes as submitted. Commissioner Buesing seconded the motion. The motion was unanimously approved.

OPEN TO THE PUBLIC

No comments.

PUBLIC HEARING

**COMMISSIONER BUSINESS: PRELIMINARY PLAT AND VARIANCE – 0
EDGERTON STREET – CASE #1414**

The Community Development Director presented a request for preliminary plat to subdivide the parcel to build eight single family homes and variance for a reduction in the rear yard setback and lot depth of each lot, and lot size reduction for six of the eight lots. She reviewed details of the proposed preliminary plat, major subdivision requirements, zoning code requirements, variance requirements, and variance findings. She also provided input from the Development Review Committee and other City staff members. She stated that the City Council will hold a public hearing on July 27th.

Chair Kwapick asked if the hardship for the variance would be the wetlands to the north.

The Community Development Director replied that with the topography of the site, it was best for the cul-de-sac to begin on the northern side of Edgerton noting that there will be a slope to get to those properties. She identified the floodplain on the northern part of the parcel, which

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eliminated the opportunity to build on that portion. She stated that the homes then had to shift to the south and the road still had to be fit in as well. She noted that there are only a few of these properties left to develop and the applicant did their best to work with the conditions of the site.

Commissioner Quarles asked if the applicant has completed a wetland delineation.

The Community Development Director confirmed that the applicant is working with the Watershed District on that.

Commissioner Quarles stated that she was unsure whether that area would be a wetland or floodplain.

The Community Development Director confirmed that they will continue to work with the watershed and recognized that the acreage of the site may change based on the delineation.

Commissioner Quarles asked what would happen if the wetland were the full area of the floodplain and it changes the density above four units per acre.

The Community Development Director stated that if that were the case, they would come back to review as they would need to reduce the number of lots to meet four units per acre or less.

Chair Kwapick asked if the variance would still be required if one lot were eliminated.

The Community Development Director replied that if there were a reduction in the number of lots, that may shift the parcels and the lot area perhaps could increase but was unsure that would impact the rear yard setbacks.

Chair Kwapick stated that he was not concerned with the lot size, but more the setback especially for those that will go against the homes on Schletty Drive.

Commissioner Quarles stated that she understands that lot depth may not be something they can avoid if the desire is to have a standard cul-de-sac with homes on both sides of the street. She stated that the issue of lot size, however, seems to be one that could be fixed as she did not see a practical difficulty that would result in needing eight homes.

Commissioner Buesing stated that the City went through an almost two-year process to review and update the City Code. He stated that while he understands there are hardships, they have required other developers to meet the standards. He did not believe lot depth would be achieved because a street is needed and therefore supports that request. He stated that he does believe the side yard setback should be met, unless flexibility was provided to the other recent development request the City approved.

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The Community Development Director reviewed the required front, rear, and side yard setbacks. She stated that the other development request asked for a reduced front yard setback but met all other setback requirements. She noted that this request does meet the required side yard setbacks.

Commissioner Mitchell asked how the development of the roadway would result in any adjustments.

The Community Development Director replied that the applicant would create a new street to support the units in the development which would gain access from Edgerton. She stated that the roadway would be built to City standards.

Commissioner Quarles asked the slope of the roadway.

The Community Development Director replied that the slope would be to eight percent.

Commissioner Quarles asked the height of the retaining wall.

Sean Keatts, Cara Builders, replied that the height is not yet known for the retaining wall.

Chair Kwapick welcomed any members of the public to provide input.

Justin Parta, 2655 Edgerton Street, stated that R-1 requires a maximum of 35 percent impervious without wetland area and asked if that is met.

The Community Development Director confirmed that as proposed each lot would meet impervious standards. She explained how that is calculated.

Mr. Parta stated that the variance is requested for six of the eight lots to have lots under 10,000 square feet with a few of those under 8,000 square feet. He stated that the layout would make it impossible to meet the rear setback. He stated that Schletty Drive is almost identical but all of those lots meet the lot size requirements. He stated that the development could meet the lot size requirements by removing one lot. He believed there would be a market value impact to everyone already existing in the neighborhood if this is constructed. He recognized that it would be difficult to build on this lot and believed that more than one survey should be completed. He stated that he purchase his home 12 years ago, the developer that built his development proposed to build three homes on this property and the City denied the request. He noted that the request is now for eight homes. He noted that the original issue was related to Edgerton Street access and that will remain as an issue. He stated that he has no problem with someone developing the property, but this will place a cul-de-sac against his backyard. He believed that this should be looked at differently.

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Aaron Doeden, 2680 Edgerton Street, supported the comments of the previous resident. He agreed that the City previously denied a request to build three homes on the lot. He stated that decision supported his decision to purchase his home. He stated that if he would have known that this property could be developed to this extent, it would have impacted his decision to purchase his home. He stated that if this is passed, he would most likely sell his home immediately. He stated that he would propose to purchase the property through GoFundMe donations and propose a trail or free mini golf course on the property. He believed that would be a better idea for everyone. He wished people luck not sliding down the sloped street into traffic on Edgerton. He recognized the right to build on property but did not believe a street should be created. He stated that while he appreciates the spirit of the law as it was mentioned, it is the letter of the law that must be followed.

Jessica Turcotte, 2674 Schletty Drive, commented that the lots in her development are very different because of the steep slopes. She stated that anything that happens with the watershed will need to be watched closely as she already has two sump pumps and has regraded her yard twice in attempt to manage the water. She recognized the option for park dedication and asked if the developer would plan to donate land which would allow the walking path around the lake to be kept. She also referenced a previous proposal which had three lots using a shared driveway or private drive and ultimately did not pass. She stated that she spoke at those meetings asking about setbacks and was told that she would not have to worry about it because the lots would be large, and they would want trees and privacy. She asked why the road would not be placed forward, similar to a frontage road, that would allow for larger homes and maintain the character of the neighborhood. She referenced the setback variances and believed that there are ways to build on the property that does not require a rear yard setback variance. She stated that the economic realities are not considered as a hardship. She stated that if three homes were okay, she would wonder if the density has been changed for the property that would allow for the additional homes. She stated that a home on her street recently sold for \$700,000 and believed that having homes of 4,000 square feet backing up to homes of about 1,200 square feet would impact values. She wanted to ensure that things are being built that fit the tone of the neighborhood, do not impact the culture of the lake, or cause issues with stormwater or privacy.

Nate Preuss, 2728 Edgerton Street, stated that he has a number of concerns with the proposal. He stated that he walks his dog four to five times per day and his office overlooks the park. He commented that the park is appreciated and well used by residents and this development would have an impact on the adjacent residents and residents as a whole that use the park. He commented that what would have to be done to build on the property would have impacts on other properties, to the lake and to the creek. He stated that there is a blind spot on Edgerton where the proposed road is supposed to connect. He asked what would be done to address that safety concern as Edgerton is a dangerous street, noting that his mailbox has been hit multiple times per year.

Cathy Venette, 2682 Schletty Drive, stated that as this has been discussed her neighborhood has been meeting to discuss the impacts this would have. She stated that a big reason they purchased their property is because of the views of the park and privacy. She noted that this development

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would change the feel of the neighborhood. She noted that these homes would look down into their windows. She expressed concerns with water management as the trails in the park regularly flood, even in a light rain. She asked if the path around the lake would remain as many residents enjoy that amenity. She also agreed that it does not seem feasible to connect a road with eight homes onto Edgerton at the grade that would be needed.

Robin Bludorn, 2679 Schletty Drive, echoed the comments of her neighbors. She stated that they have been in their home for 3.5 years and love the overlook of the park. She commented that if that is taken away, it would take away the reason she purchased her home. She expressed concerns with safety as well, noting that she cycles on the road and there are already concerns. She noted that she would also have concerns with vehicles using the slope proposed to get on Edgerton in the winter. She stated that when thinking about development they should ask what this will add to the neighborhood and noted that this development will instead take away value from existing homes, views of the park, and add safety concerns. She stated that perhaps a small development would better fit on the property.

Mr. Sean Keatts, applicant, commented that he does understand the concerns expressed. He stated that he has built homes for 15 years and spends a lot of time creating homes to fit with the neighborhood. He stated that this would add opportunity for eight families to come into Little Canada with homes ranging from 2,500 to 3,500 square feet. He stated that this land is not part of the park, and he would not impact the park in any way as all the work would remain on private land. He commented that the walking path is not on the private property. He stated that the overall width of the land is 248.6 feet and with the size of the road required, that would dictate the depth of the lots. He stated that the survey identifies a lot size and buildable area size but noted that he would not be building to the full extent of the buildable area. He recognized the concern with the neighborhood but noted that he would work with residents and provide a product that would fit into the area.

Commissioner Mitchell stated that he is very concerned with flooding.

Mr. Keatts stated that the land will be graded to ensure the drainage is not pushed onto other properties. He stated that they are working with the Watershed District to develop plans that will meet all required codes. He stated that the water from the site will be routed to designated holding areas to manage the water onsite. He stated that he would be willing to meet with existing residents to address their concerns.

Chair Kwapick thanked the residents for providing their input tonight. He stated that this is not the last opportunity for the residents to provide input as the City Council will be holding a public hearing. He noted that this is preliminary plat, and additional work would be done between this time and consideration of final plat.

Commissioner Thorson asked for details on the meeting with the Watershed District.

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The Community Development Director replied that the next meeting with the watershed would be Wednesday. She noted that if the plan needs to be adjusted due to the delineation, that plan would come back to the Commission. She stated that if that were to occur, a new letter would be sent to notify residents as well.

The Community Development Director stated that she was not working at the City when the three homes were proposed. She reviewed the density range for R-1, but was unsure what the density range was previously, which could have allowed less homes.

Commissioner Buesing commented that if this approved tonight, it would be for preliminary plat. He asked if comments could be made if approval is recommended.

The Community Development Director confirmed that conditions or additional comments could be added. She noted that this would return to the Commission for consideration of final plat as well, which would be scheduled for August.

Commissioner Kulousek confirmed that whether or not the Commission recommends approval, this will still move forward to the City Council.

Commissioner Quarles stated that when there are motions of approval with conditions, those conditions should be specific. She stated that she is not comfortable with the lot size, as six of the eight lots are closer to the R-2 standards than the R-1 standards. She stated that the lot depth variances are unavoidable and believed that a cul-de-sac would be needed as well. She stated that when looking at variance criteria, they must consider whether this is the only way to use the property and she did not believe this is the only use of the property. She stated that if there were a development of six or seven homes, more of the standards would be met and the developer could still build rambler starter homes. She recognized that park dedication is not the purview of the Commission, but would love to see 10 percent of land donated along the existing path on the northern boundary. She stated that she cannot comfortably approve this when there are 24 variances. She stated that she would be excited to see the developer come back with a slightly lower number of lots.

Commissioner Buesing stated that he would support a motion that would require the minimum lot size to be met, but recognized that the lot depth and rear yard setback variances will be unavoidable.

Commissioner Quarles noted that would be a significant change to the layout as it would eliminate at least one lot.

Chair Kwapick explained that the Commission is a recommending body, therefore the same plan could be presented to the City Council with the recommendation of the Commission.

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Commissioner Thorson stated that perhaps the vote should just be based off the request as is, and the concerns and comments of the Commission could still be communicated to the Council.

Commissioner Quarles stated that she would recommend denial as presented. She noted that the applicant would then have the option whether to make adjustments or continue to the City Council.

The Community Development Director replied that the City Council will review the entire proposal, regardless of the recommendation of the Commission. She noted that the Council may add conditions and/or changes that would need to be made between preliminary and final plat. She confirmed that she would communicate the concerns and conditions stated by the Commission and residents to the Council.

Chair Kwapick confirmed that minimum lot size, improved sight lines at the proposed connection to Edgerton Street, contingency on the Watershed District decisions, stormwater management, and concerns for privacy by neighbors are the main priorities.

Kwapick introduced the following motion:

RECOMMENDING THE APPROVAL OF A PRELIMINARY PLAT AND VARIANCE APPLICATION FOR THE PROPERTY LOCATED AT 0 EDGERTON STREET (PID 052922340061) TO SUBDIVIDE THE PARCEL INTO EIGHT LOTS AND A REDUCTION IN THE REAR YARD SETBACK AND LOT DEPTH FOR LOTS 1-8, AND A LOT SIZE REDUCTION FOR LOTS 2-5 OF BLOCK 1 AND LOTS 1 AND 2 OF BLOCK 2; ADDRESSING THE FOLLOWING:

- ***CONCERNS WITH MINIMUM LOT SIZE***
- ***IMPROVED SIGHT LINES AT THE CONNECTION TO EDGERTON***
- ***CONTINGENCY ON THE DECISIONS AND INPUT OF THE WATERSHED DISTRICT***
- ***ADDRESSING CONCERNS RELATED TO STORMWATER MANAGEMENT AND PRIVACY.***

The foregoing motion was duly seconded by Mitchell.
Ayes (5). Nays (1) (Quarles). Motion passed.

REPORTS FROM STAFF

Community Development Director commented that the City is having a Community Build for Rondeau Park on Friday and Saturday and that volunteers are encouraged to sign up to help build a new playground for the community.

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REPORTS FROM COMMISSIONERS

No comments.

There being no further business, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Amanda Staple
TimeSaver Off Site Secretarial, Inc.



STAFF REPORT

TO: Chair Kwapick and Planning Commission Members

FROM: Jane Kansier, AICP, Senior Planner, Bolton and Menk
Corrin Wendell, AICP, Community Development Director

DATE: Thursday, August 11th, 2022

RE: Preliminary Plat and Variance – 0 Edgerton Street (PID 052922340061)

ACTION TO BE CONSIDERED

To consider approval of a Preliminary Plat and Variance application for the property located at 0 Edgerton Street (PID 052922340061) to subdivide the parcel into seven lots. A Variance is requested for a reduction in the rear yard setback and lot depth of each lot.

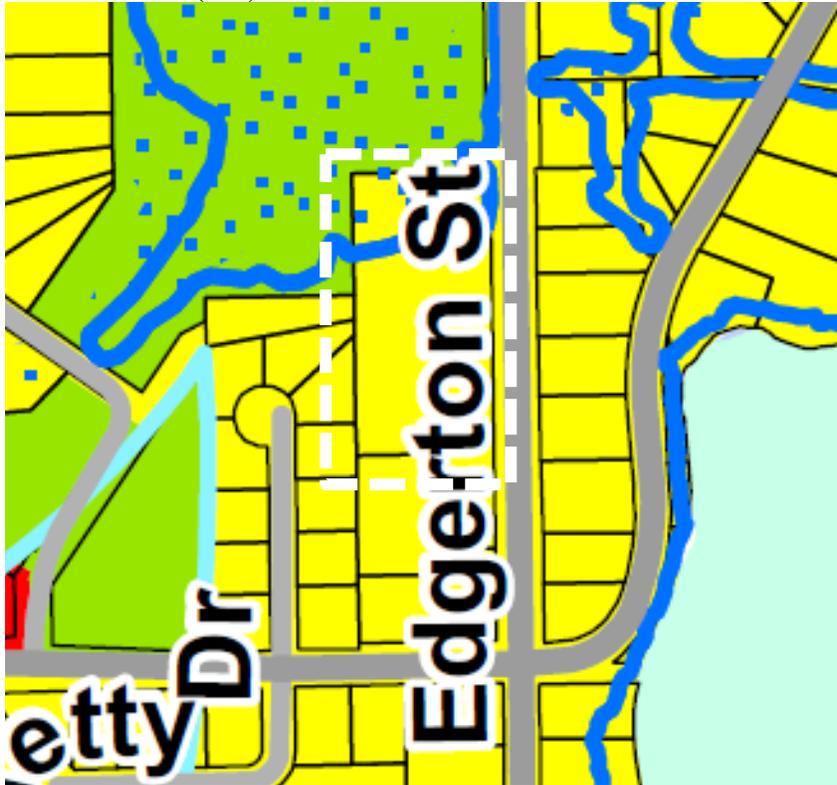
BACKGROUND

At the Planning Commission meeting on July 14th, the Planning Commission reviewed the application and recommended approval (5-1) with additional guidance to the City Council. At the City Council meeting on July 27th, the City Council reviewed the application as well and listened to input from the public during the public comment period. The City Council tabled the discussion until their August meeting and referred the application back to the Planning Commission to review changes that have been made to the Preliminary Plat site plan given new information from the watershed district, input from the residents, and recommendations from the Council meeting.

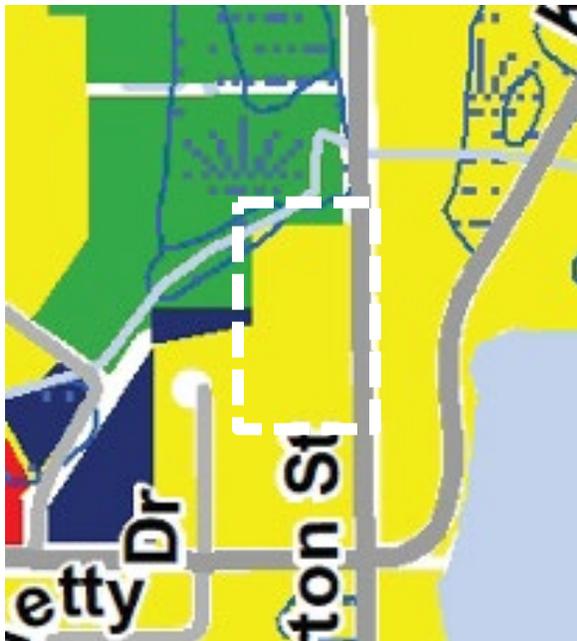
For the revised Preliminary Plat, the following items have been modified:

- One lot has been eliminated on the north end of the parcel, total lots decreased from 8 lots to 7.
- An outlot has been created on the north end of the parcel to accommodate stormwater management.
- All 7 lots now meet the R-1 district requirement for lot area, (10,000 sq ft), which eliminates the need for the request for this type of variance.
- The watershed district continues to review the application for compliance with their requirements. The City Engineer is working closely with the watershed district in evaluating the upcoming soil borings results and next steps in approvals.
- The road width of the development may change from 28 feet in width to 26 feet in width to reduce impervious surface and stormwater management. This will be evaluated by the City Engineer.
- The street grade has been reduced from 8.0% to 7.5% with the inclusion of a longer flat area (2.5%) near the curve and intersection with Edgerton Street.
- More retaining walls, some rather large, have been added to the plan to reduce steep grades within the site. The City Engineer will continue coordinating with the Developer and his Engineer on modifications to the grading plan.

ZONING MAP (R-1)



COMPREHENSIVE PLAN FUTURE LAND USE MAP (Yellow, Low Density Residential)



FINDINGS

What is a Major Subdivision?

A major subdivision is a division of a single parcel, lot, or tract into four or more separate parcels, lots, or tracts. Subdivision by definition is the division of land by platting, conveyance, registered land survey or other means into four or more lots, plats, sites or other divisions.

Major Subdivision Filing Requirements:

- 1) Legal Description of land you want to divide.
The applicant has provided a legal description to the City as shown on the application.
- 2) Proposed split line(s). Clearly identify each new parcel.
The applicant has provided the proposed split lines clearly identifying each new parcel as shown on the certificate of survey.
- 3) Dimensions of all property lines and Proposed use and area of each new lot.
The applicant intends on utilizing the parcels as R-1, Low Density Residential for single-family homes. The applicant has provided the dimensions of all property lines as shown on the survey. The applicant will be seeking a Variance for the Rear Yard Setbacks for each lot and Lot Depth reduction for each lot as described below:

| Block 1, Lot Number | Lot Area | Lot Width | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Lot Depth |
|---------------------|-----------|-----------|--------------------|-------------------|--------------------|-----------|
| 1 | 10,000 sf | 75 ft | 30 ft | 30 ft | 7.5 ft/30 ft | 98.59 ft |
| 2 | 10,000 sf | 75 ft | 30 ft | 30 ft | 7.5 ft/7.5 ft | 98.50 ft |
| 3 | 10,000 sf | 75 ft | 30 ft | 30 ft | 7.5 ft/7.5 ft | 98.50 ft |
| 4 | 10,000 sf | 75 ft | 30 ft | 30 ft | 7.5 ft/7.5 ft | 98.50 ft |
| Outlot A | 23,987 sf | | | | | |
| Block 2, Lot Number | | | | | | |
| 1 | 11,000 sf | 85 ft | 30 ft | 30 ft | 7.5 ft/30 ft | 98.50 ft |
| 2 | 10,000 sf | 75 ft | 30 ft | 30 ft | 7.5 ft/7.5 ft | 98.50 ft |
| 3 | 22,831 sf | 117.48 ft | 30 ft | 30 ft | 7.5 ft/30 ft | 98.50 ft |

Section 904.020 R-1, Low Density Residential states the requirements for parcels within the R-1 zoning district.

| | Front | Side | Corner Side | Rear |
|----------------------|-----------------------|------------------|-----------------|------|
| Single-Unit Dwelling | 30 ^{1, 2, 3} | 7.5 ⁴ | 20 ⁵ | 40 |
| Driveway | Not applicable | 5 | 20 | -- |
| Parking ⁶ | 10 | 5 | 20 | 5 |
| Porch | 22 ² | 7.5 | 20 ² | 30 |
| Deck | 22 ² | 7.5 | 20 ² | 30 |

Table 904-4: Minimum Lot Dimensions, R-1 District

| | Area | Width | Depth |
|---------------------------------|--------|-------|-------|
| Single-Family Detached Building | | | |
| Interior lot | 10,000 | 75 | 130 |
| Corner lot | 11,000 | 80 | 130 |

- 4) Existing and proposed drainage and contour plan. The easements must be reflected on the survey.
The applicant has provided drainage and utility easements as shown on the certificate of survey. The Watershed District is reviewing the northern area of the parcel for stormwater requirements as it lies within the Zone A floodplain.
- 5) Location and widths of proposed utility easements.
The applicant has provided utility easements as shown on the certificate of survey. The applicant complies with this standard.
- 6) Existing street rights-of-way, railroad and utility rights-of-way, parks and other public open space, permanent building and easements within the existing lot and adjoining lots.
The applicant has provided new street right-of-way as shown on the certificate of survey. Street improvement and right-of-way dedication will include a cul-de-sac extending from Edgerton Street for a distance of approx. 414 feet (max 500 ft). The proposed street is consistent with City standards and with sanitary sewer and water facilities. The roadway will be developed with concrete curb and gutter and bituminous street pavement. Underground private utilities of gas and electric are planned.
- 7) Areas, other than street and utility easements, that you intend to dedicate for public use, including their areas.
The applicant describes no other areas used for public use other than the public cul-de-sac street that will be constructed. There will be an Outlot A created at the northern end to accommodate stormwater requirement.
- 8) Scale of the drawing and north arrow.
The applicant has provided a north arrow as shown on the certificate of survey.
- 9) Certificate of Survey.
The applicant has provided a certificate of survey.

Section 915, General Development Requirements:

Off-Street Parking and Loading: 1, 2, and 3-unit buildings, (2) spaces per dwelling unit for residents' use counting the space in the driveway. *The proposal complies with this requirement and provides 2 spaces per unit.*

Section 915.140, Landscaping and Screening:

Single-family detached houses shall have at least one overstory tree per house, with a minimum caliper size of 2.0 inches. Existing trees may count toward this requirement. *The proposal will outline the Landscaping Plan and Tree Preservation in the Final Plat stage.*

Zoning Code Section 917.080, Variances:

The variance process is intended to provide limited relief from the strict requirements of this ordinance in those cases where the reasonable conditions of a particular requirement will create practical difficulties because of circumstances unique to the property. It is not intended that variances be granted to allow a use not permitted by the underlying zoning district, nor to merely remove inconveniences or financial burdens that the requirements of this ordinance may impose on property owners in general. Variances are intended to address extraordinary, exceptional or unique situations that were not caused by the applicant's act or omission. Variances may be allowed from restrictions placed on nonconformities.

Criteria for Approving a Variance:

1. A variance may be approved only if these criteria are met:

a. The request is in harmony with the purposes and intent of this ordinance.

b. The variance is consistent with the Comprehensive Plan.

c. The applicant can demonstrate that there are “practical difficulties” in complying with the regulation(s) in question. Determination of whether practical difficulties exist shall be based on the following:

1. The property owner proposes to use the property in a reasonable manner permitted by this ordinance;

2. The plight of the land owner is due to circumstances unique to the property not created by the landowner;

3. The variance will maintain the essential character of the locality.

2. Practical difficulties include, but are not limited to, inadequate access to direct sun light for solar energy systems.

3. Economic considerations alone shall not constitute a sufficient basis for a Variance if reasonable use for the property exists under the regulation.

4. Variances shall be granted for earth-sheltered construction as defined in Minnesota Statutes 216C, Subd. 14, when in harmony with this ordinance.

5. The City Council may impose conditions in the granting of a variance. Such conditions must be directly related to and bear a rough proportionality to the impact created by the variance.

The applicant has submitted supplemental information regarding the existing conditions and unique circumstances related to this property. Cara Builders seeks a Variance for the reduction in the rear yard setback and lot depth for Lots 1-7.

Block 1, Lot

| Number | Rear Yard Setback | Requirement |
|---------------|--------------------------|--------------------|
| 1 | 30 ft | 40 ft |
| 2 | 30 ft | 40 ft |
| 3 | 30 ft | 40 ft |
| 4 | 30 ft | 40 ft |
| 5 | 30 ft | 40 ft |

Block 2, Lot

| Number | Rear Yard Setback | Requirement |
|---------------|--------------------------|--------------------|
| 1 | 30 ft | 40 ft |
| 2 | 30 ft | 40 ft |
| 3 | 30 ft | 40 ft |

| Block 1, Lot | | |
|---------------------|------------------|--------------------|
| Number | Lot Depth | Requirement |
| 1 | 98.59 ft | 130 ft |
| 2 | 98.50 ft | 130 ft |
| 3 | 98.50 ft | 130 ft |
| 4 | 98.50 ft | 130 ft |
| 5 | 98.50 ft | 130 ft |

| Block 2, Lot | | |
|---------------------|------------------|--------------------|
| Number | Lot Depth | Requirement |
| 1 | 98.50 ft | 130 ft |
| 2 | 98.50 ft | 130 ft |
| 3 | 98.50 ft | 130 ft |

The lot configuration of the parcel proves to be unique as well as the floodplain (Zone A) located at the northern part of the property and the placement of the city standard cul-de-sac prevent some of the lots from conforming to the regular standards of the R-1 District.

City staff does not find this proposal to be detrimental to the public health, welfare, or injurious to other property in the territory in which the property is situated.

The physical aspects of the property are the main reason for the variance request in that it produces an extreme hardship that is limited to the configuration of the site along with the floodplain located on the site. In addition, under Minnesota law, we find that practical difficulty has been met, meaning (1) the property owner proposes to use the property in a reasonable manner permitted by the ordinance, (2) the owner's plight is due to circumstances unique to the property not created by the property owner.

The request for variance is not based on an economic hardship and solely based on the physical aspects of the site and is the best and highest use of the property.

Development Review Committee:

The Development Review Committee is made up of city staff including the City Administrator, Community Development Director, Public Works Director, City Engineer, Code Enforcement, Fire Chief, and Building Official. The proposal has been reviewed by the committee and comments have been provided to the applicant.

Site Plan reviews include the following:

- Land use, setbacks, number of housing units, land coverage, parking, environmental impacts, traffic circulation,
- Landscape improvements, vehicle and pedestrian movements, drainage and utilities, security, fire protection, life and safety issues, grading, site preparation, right-of-way, easements, tree preservation, outdoor trash,
- Screening, signage, stormwater, wetlands, exterior lighting, and storm sewer alignment.

Preliminary Engineering Comments:

Engineering staff has performed a cursory review of the proposed development. Generally, the proposed infrastructure to serve the development meets the City's engineering guidelines. As the development plan progresses, engineering staff will perform a higher level of design review on the following elements: site grading, underground utilities, stormwater management, street, and erosion control. All future engineering comments will need to be addressed prior to final plat approval.

Agencies:

The RWMWD (Ramsey Washington Metro Watershed District), DNR, and Ramsey County continue to review this development proposal. Following the initial meeting with a RWMWD representative, the City was informed that the Watershed would require a zero run-off condition for the development. This is due to the existing conditions of the site and how it currently handles infiltration and runoff. The existing site includes a large basin area at the north end of the parcel that has no outlet, and per the drainage calculations has zero run-off in the existing condition. It is very unusual for a site to have zero runoff in existing conditions, however this site currently infiltrates stormwater very well. Based on the Ramsey-Washington Watershed rules, any increase in runoff rates for a proposed development would require a variance. The current stormwater management plan maintains the zero runoff rate, however final soil conditions have not been verified. This will be provided prior to consideration of approval of the Preliminary Plat currently anticipated at the August 24th City Council meeting.

Park Dedication:

Per City Code, parcels that are subdivided are subject to a park dedication fee of either a portion of the land donated to the City or a fee in lieu of donated land. This will be negotiated through the Development Agreement process.

Comprehensive Plan:

The proposal is consistent with the Comprehensive Plan. The Plan states that the R-1 Low Density Residential District is reserved for a density range of 2.5 to 4 units/acres.

The density of this project is stated below:

- Total acres: 3.13 acres (136,342 sf)
- Total (infrastructure) area: 0.62 acres (26,717 sf) of proposed right-of-way
- Outlot A which includes the floodplain area (23,987 sf) has been netted out

Density: 7 units/ Net acres 1.96 acres (85,638 sf) is 3.57 units/acre

Public Comments:

City staff has received comments related to this proposal prior to the Planning Commission meeting on July 14th and July 27th. At the meeting on the 14th and 27th, there was additional public comment related to the development. These comments are noted below:

- Lot sizes could be made larger
- Preferred front yard setback variances to rear yard setback variances
- Continue watershed involvement in review of the development
- Allow a one-sided fronted road instead of a cul-de-sac
- Concerns for stormwater impact
- Concerns about privacy for homes on Schletty
- Concerns on Edgerton access/driveway/slope

Planning Commission:

At their meeting on July 14th, the Planning Commission recommended approval (5-1) to the City Council, with the following conditions:

- Concerns with minimum lot size
- Improved sight lines at the connection to Edgerton Street
- Contingency on the decisions and input of the Watershed District
- Addressing concerns related to stormwater management and privacy

Public Hearing:

A Preliminary Plat and Variance requires a Public Hearing and the City Council opened the hearing on July 27th, 2022. Public hearing notice letters were sent to addresses within 350 feet of the parcel as well as to the Pioneer Press for publication.

Next Steps:

The proposed development will follow the process schedule below:

July 14th – Planning Commission Preliminary Plat and Variance

July 27th – City Council Preliminary Plat and Variance

August 11th – Planning Commission Preliminary Plat and Variance

August 24th – City Council Preliminary Plat and Variance

September – Planning Commission Final Plat and Variance

September – City Council Final Plat, Variance and Development Agreement

RECOMMENDED ACTION

To consider approval of a Preliminary Plat and Variance application for the property located at 0 Edgerton Street (PID 052922340061) to subdivide the parcel into seven lots. A Variance is requested for a reduction in the rear yard setback and lot depth of each lot.

