

**MINUTES
CITY OF ELKO NEW MARKET
PLANNING COMMISSION MEETING
DECEMBER 19, 2023
7:00 PM**

1. CALL TO ORDER

Vice-Chair Hanson called the meeting of the Elko New Market Planning Commission to order at 7:01 p.m.

Commission members present: Hanson, Smith, Pipo, and Ex-Officio Member Anderson

Members absent and excused: Weber, Heimerl

Staff Present: Senior Planner Renee Christianson, Planner Jake Skluzacek, Planner Brandon Malecha

2. PLEDGE OF ALLEGIANCE

Vice-Chair Hanson led the Planning Commission in the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Vice-Chair Hanson asked if there were any changes to the agenda. Senior Planner Christianson informed her that there were no changes.

A motion was made by Smith and seconded by Pipo to approve the agenda as presented. Motion carried: (3-0).

4. PUBLIC COMMENT

None.

5. ANNOUNCEMENTS

None.

6. APPROVAL OF MINUTES

A. A motion was made by Smith and seconded by Pipo to approve the minutes of the October 24th, 2023, meeting as submitted. Motion carried: (3-0).

7. PUBLIC HEARINGS

A. Boulder Heights 4th Addition, KJ Walk, Applicant

- Consider Application to Rezone Property from UR, Urban Reserve to PUD, Planned Unit Development
- Consider Application to Amend PUD Ordinance #148
- Consider Application for Preliminary Plat Approval of Boulder Heights 4th Addition

Senior Planner, Renee Christianson, presented background information related to the project. The original preliminary plat approval of the Boulder Heights development occurred in 2017. It is a total of 130 lots on 50.7 acres. Three phases so far have been final platted. PUD, Planned Unit Development, zoning was used to allow flexibility from the minimum lot size and setback requirements for the original development.

The property recently purchased to create the Boulder Heights 4th Addition is .79 acres and is located to the southeast Boulder Heights 1st Addition. This property acquisition allows KJ Walk to create additional lots along Lydia Lane. Christianson shared that since the .79 acres were not covered under the original preliminary plat approval, a public hearing is needed.

Christianson next shared with the Commission the surrounding neighborhood conditions adjacent to the property and noted that the City's Comprehensive Plan guides this area to a Low-Density Residential designation. Typical uses for this land use include single family detached dwellings. The 5 proposed lots would be located on a total of 1.262 acres which would equal 3.96 units per net acre. This population density falls within the 2.5 to 5 units per net acre required by the Metropolitan Council. In addition, Christianson shared the current and proposed zoning for the property. Rezoning will be necessary to include the recently acquired property with the rest of the PUD. PUD Ordinance #148 would also require an amendment to include the additional property.

The 5 proposed lots for Boulder Heights 4th Addition will be subject to PUD Ordinance #148 with the exception of lot area and lot widths. These standards were lessened slightly to accommodate two lots located on the curve that otherwise would not be allowed for.

Christianson finished her presentation by going over the landscaping requirements, easements, and infrastructure related to the proposed Boulder Heights 4th Addition. Park dedication for a portion of the property has already been satisfied. The Parks Commission has recommended cash-in-lieu of land dedication for the remaining portion. The City's Subdivision Ordinance requires 8% of land to be dedicated for parks or cash contribution equal to 8% of the purchase price of the property to be contributed to the City's Park and Trail Fund.

Staff's recommendation is to approve the request to rezone Lot 1 Block 1 US Developer's Addition from UR to PUD, for the following reasons:

1. Rezoning the property from UR to PUD with R1 underlying zoning is consistent with the City's Comprehensive Plan.

2. The proposed use of the property for residential development is compatible with present and future uses of the area.
3. The proposed use of the property complies with the performance standards contained in the City's Zoning and Subdivision Ordinances, except as specifically identified in the PUD Ordinance for the Boulder Heights development.
4. The proposed residential use of the property can be accommodated for with existing public services and will not overburden the City's service capacity.
5. Traffic generation by the proposed five lot development is within the capabilities of existing streets serving the property.

Staff also recommend approval of the request to Amend and Restate PUD Ordinance #148 for Boulder Heights to include additional land, and to amend the minimum lot size requirements. Finally, Staff recommend the approval of the request for preliminary plat approval of Boulder Heights 4th Addition, containing 5 single-family residential lots, for the following reasons:

1. The proposed plat is consistent with the purpose and intent of the City's 2040 Comprehensive Plan, and standards contained in the City's Zoning and Subdivision Ordinances.

And with the following conditions:

1. KJ Walk, Inc. must enter into a Developer's Agreement with the City of Elko New Market at the time of final plat approval.
2. The preliminary plat is issued for a period of one year and shall become null and void without further action from the Planning Commission or the City Council unless the final plat is filed within one year of the date of the City Council granting preliminary plat approval.
3. Preliminary plat approval is granted in accordance with the Boulder Heights Fourth Addition plan set dated August 25, 2023, containing 5 sheets including:
 - a. Cover Sheet
 - b. Preliminary Plat Drawing
 - c. Grading Plan
 - d. Erosion Control Plan
 - e. Stormwater Pollution Prevention Plan
 - f. Sanitary Sewer and Watermain/Storm Sewer/Street Profiles
 - g. Detail Plates
4. Preliminary plat approval is subject to the City Council vacating the existing drainage and utility easements within the proposed plat, as dedicated in the plat of Boulder Heights.
5. Preliminary plat approval is subject to the recommendations of the City Engineer, Public Works Director, and City Planner.
6. The landscaping plan shall be amended to include two staggered rows of trees on the easterly side of proposed Lot 5 as required by Section 11-5-4 (B) of the City Code.
7. Stormwater calculations and a stormwater management plan must be submitted and approved by the City Engineer prior to final plat approval.

8. The sanitary sewer main near the northeast corner of Lot 5 must be cased, or the drainage and utility easement on proposed Lot 5 be expanded to 30' (feet) from the centerline.
9. A fire hydrant must be added at the east end of Lydia Lane.
10. A "future road extension" sign shall be placed at the east end of Lydia Lane, as shown in the construction detail plates.
11. The existing traffic barricade located at the east end of Lydia Lane will need to be relocated to the east of its current location, as shown in the construction plans.
12. Concrete driveway aprons shall be constructed from the curb to the property line.
13. All boulevards shall be sodded by the developer.

And noting that:

1. The preliminary plat contains 5 lots on 1.232 acres (3.96 units per net acre), meeting the preferred development density identified in the City's Comprehensive Plan.
2. The Parks Commission has recommended cash-in-lieu of park land dedication for Boulder Heights Fourth Addition.
3. The City Engineer and public Works Director have recommended that no temporary cul-de-sac be constructed at the east end of Lydia Lane.

Christianson once again stated the requested actions before the Commission which include the following:

- Hold a Public Hearing
- Provide a recommendation to the City Council regarding:
 - Application to Rezone property from UR to PUD
 - Application to Amend and Restate PUD Ordinance #148
 - Application for Preliminary Plat Approval of Boulder Heights Fourth Addition consisting of five lots

Luke Israelson was present to represent KJ Walk. Israelson mentioned that the services went in with the rest of the development and the hope has always been that they would get additional land to place the additional lots. There were no questions from the Commissioners.

Vice-Chair Hanson opened the public hearing at 7:27 PM.

Jason Krueger was present via Zoom. Krueger was concerned about Lot 5 which is closest to Beard Avenue. Krueger's concern related to the lack of speed signage on Beard Avenue and recent accidents that have occurred on or near the road. The other concern that Krueger brought before the Commission was the proposed lots having a shorter width, which may lead to two-story homes being built. Krueger mentioned that he lived on the corner and had concerns that the two-story homes may lead to a lack of privacy. Krueger finished by stating that he had spoken with a developer in the past and was verbally informed that there would be no more additions to the development.

Hearing no more public comment, Vice-Chair Hanson closed the public hearing at 7:29 PM.

Senior Planner, Renee Christianson, addressed the three concerns raised during the public hearing for the Commission. First, she addressed the speed limit on Beard Avenue stating that it was 55 miles per hour due to it not being posted. Ex-Officio Member Anderson confirmed stating that any township road that is not posted is 55 miles per hour as a default under State Statute. Any request to change the speed limit on Beard Avenue would be required to go through the township rather than the City.

Secondly, Christianson addressed the proposed lot widths. She presented the preliminary plat drawing which showed that only two of the proposed five lot widths are less than what is allowed in the rest of the development, Lot 3 and Lot 4. In the case of these two lots, both are located on a curve which shortens the width of the front yards of the lots. These two lots are proposed at 66 feet in width while the other three lots all are proposed at 80 feet or greater. Discussion took place among the Commission regarding the standard lot widths in the development. Christianson informed them that most lots are 70 feet in width.

Lastly, Christianson addressed the concern about two-story homes being built. Christianson stated that the City does not mandate housing styles in the community as far as layout. The City has not done so in the past and has also not done so for this development. Vice-Chair Hanson thanked Christianson for her input.

Discussion took place on Beard Avenue. Vice-Chair Hanson had a question on if there was a date planned when Beard Avenue would become paved. Christianson informed her that it would likely be dictated by development to the south and that there are no plans currently to pave it as it is not a City street. Ex-Officio Member Anderson agreed with Christianson's assessment.

Commissioner Smith admitted that he liked to see complete development whenever possible in reference to the leftover lots along Lydia Lane. Vice-Chair Hanson appreciated the effort to make use of the empty space for smaller lots. Commissioner Pipo agreed with what the other Commissioners had stated.

A motion was made by Smith and seconded by Pipo to recommend the City Council approve the following applications submitted by KJ Walk for Boulder Heights 4th Addition:

- Consider Application to Rezone Property from UR, Urban Reserve to PUD, Planned Unit Development
- Consider Application to Amend PUD Ordinance #148
- Consider Application for Preliminary Plat Approval of Boulder Heights 4th Addition

Additionally, the motion also directed Staff to research the speed limit information related to Beard Avenue.

Motion carried: (3-0).

8. GENERAL BUSINESS

A. Discuss Planning Commission Goals and Priorities for 2024

Senior Planner, Renee Christianson, presented draft goals and priorities for the Planning Commission in 2024. Christianson stated that these are typically done annually. Christianson presented and explained Staff priorities and discussed the 2024 goals as recommended by Staff. They were presented as follows:

- Review of 2040 Comprehensive Plan
- Continued incremental review and simplification of Zoning and Subdivision Ordinance
 - Research minimum residential lot size requirements and determine if changes are recommended
 - Review and implementation of any zoning regulations necessary as a result of the new recreational cannabis laws
 - Completion of Zoning Ordinance Amendment related to shipping containers
 - Review of zoning regulations related to detached accessory structures
- Continued review of tools that foster housing affordability and diversity
- Provide (internal) educational modules for the Planning Commission
- Identify (external) continuing education opportunities for the Planning Commission

A motion was made by Smith and seconded by Pipo to approve the Planning Commission Goals and Priorities for 2024 as presented by Staff.

Motion carried: (3-0).

9. MISCELLANEOUS

A. History of Planning

Planner, Jake Skluzacek, provided a presentation to the Commission regarding the History of Planning. There was no discussion.

B. Comprehensive Plan Overview

- **Chapter 2 – Issue Identification**

Planner, Jake Skluzacek, provided a presentation to the Commission regarding Chapter 2 of the City’s Comprehensive Plan, Issue Identification. Discussion took place on doing more intermediate surveys of the community. The general consensus among the Commission and Staff is that more frequent surveys may provide value to Staff in guiding future development.

- **Chapter 3 – Policy Plan**

Planner, Brandon Malecha, provided a presentation to the Commission regarding Chapter 3 of the City’s Comprehensive Plan, Policy Plan. There was no discussion.

C. Community Development Updates

Senior Planner, Renee Christianson, provided an update to the Commission concerning pump testing for the purpose of updating the City's water appropriation permit through the Minnesota Department of Natural Resources, MN DNR. The MN DNR had indicated a 6-month time frame for review of the pump testing.

Christianson provided an update on The Preserve to the Commission and mentioned that they are close to completion for the year.

An update was also provided on the Old Town Apartments. Christianson noted that they are hoping for a July opening.

Christianson recapped a meeting Staff had with the new Metropolitan Council representative for the City and noted that the meeting went well. Discussions were held regarding potential redevelopment of property owned by R&F Properties.

Lastly, Christianson noted that the City has recently become and Municipal State Aid City and is now eligible to receive funds through Minnesota's State gas tax for use on certain streets within the City. The change in classification is due to population estimates for the City exceeding 5,000.

D. Planning Commission Questions & Comments

Commissioner Smith had a question on the properties acquired by the City recently. Smith wondered if there was a possibility of moving and selling off any of the structures. Senior Planner Christianson informed him that the City had considered that as a possibility but after further examination of the structures, it was deemed that they would not be sold due to the current conditions and costs involving the relocation.

10. ADJOURNMENT

It was moved by Pipo and seconded by Smith to adjourn the meeting at 8:16 p.m.
Motion carried: (3-0).

Respectively submitted by:



Jake Skluzacek
Planner 1