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3 **REGULAR MEETING**
4 **OF THE**
5 **VADNAIS HEIGHTS PLANNING COMMISSION**
6 **NOVEMBER 24, 2020**

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11 **OPEN MEETING**

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13 Chairperson Evan Cordes called the Regular Meeting of the Vadnais Heights Planning
14 Commission to order at 7:02 p.m. on November 24, 2020.

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22 **ROLL CALL**

23 Evan Cordes, Chairperson	Present
24 Linda Bigelbach	Absent
25 Edward Caillier	Absent
26 Brian Carnes	Present
27 Curt Cooper	Present
28 Martin Jokinen, Vice Chairperson	Present
29 Joseph Stumph	Absent
30 Jerry Moynagh, First Alternate	Present
31 Terri Dresen, Second Alternate	Present

32
33 Also present: Kevin Watson, City Administrator; Nolan Wall, Planning/Community
34 Development Director; Jeff Melcoch, Cable Producer; and Council Liaison Youker.

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47 **APPROVAL OF AGENDA**

48 Upon motion by Commissioner Cooper, seconded by Commissioner Jokinen, it was

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50 “RESOLVED, to approve the November 24, 2020, Regular Meeting Agenda as
51 presented.”

52
53 Ayes – 6 Nays – 0

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55 The motion carried.

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67 **APPROVAL OF MINUTES**

68 Upon motion by Commissioner Jokinen, seconded by Commissioner Cooper, it was

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70 “RESOLVED, to approve the minutes of the October 27, 2020, Regular Meeting
71 as presented.”

72
73 Ayes – 5 Nays – 0 Abstain – 1 (Carnes)

74
75 The motion carried.

48 **OPEN TO THE PUBLIC**

49

50 Chairperson Cordes opened the floor to the public at 7:06 p.m. for questions and comments
51 on items not on the agenda.

52

53 As no one wished to address the Commission, Chairperson Cordes closed the meeting to
54 the public at 7:06 p.m.

55

56 **PUBLIC HEARINGS**

57

58 A. Planning Case 20-020 – Harstad Hills, Inc. – Concept Planned Unit Development
59 Plan at 3922, 3920, 3910, and 3904 McMenemy Street (Bluebird Grove).

60

61 Planning/Community Development Director Wall provided a presentation with
62 background information stating the applicant has submitted a Concept Planned Unit
63 Development (PUD) Plan to begin the review process for a proposed single-family
64 residential housing development on the subject properties. He said Harstad Hills, Inc., with
65 consent of the property owners, was proposing to subdivide portions of 6 existing
66 privately-owned parcels into a 19-lot single-family residential housing development. Wall
67 noted that generally, the proposed development area lies north of Tessier Trail, south of
68 Colleen Drive, east of McMenemy Street, and west of Bear Avenue North. The proposed
69 development plan is “concept” in nature and subject to change as a result of the review
70 process, staff recommendations, public comments, and Planning Commission/City Council
71 discussion. He said the applicant has negotiated agreements with the existing property
72 owners to purchase all or portions of their property to facilitate the proposed development.
73 The Concept Plan proposes to subdivide 2 lots with access to McMenemy Street, 13 lots
74 on a new cul-de-sac by dedicating right-of-way to extend Williams Street to connect
75 Tessier Trail and Colleen Drive, and 4 lots on a new cul-de-sac by extending Bear Avenue
76 North through existing right-of-way. According to the applicant, the new homes will be
77 custom-built and priced in the \$400,000-\$700,000 range with a diversity of construction
78 styles. He noted timelines which would include rezoning and preliminary plat process,
79 Planning Commission and City Council public hearings, and action requested by
80 VLAWMO. Wall shared aerials of the subject properties and outlined the request in detail,
81 including building setbacks, and said the proposed development did not disturb any
82 wetland areas. He spoke about impacts to Tessier Trail, traffic impacts as outlined by SEH
83 that totaled 178 new daily trips, then commented on stormwater management standards
84 and drainage and said the proposal meets the current PUD standards. Wall shared that the
85 developer held a neighborhood open house and referred to comments made there as well.

86

87 Commissioner Carnes commented about the dead end at the north end of Tessier Trail and
88 asked if there had been a sign placed on it stating that the road continuation of Colleen
89 Avenue as future development was always planned. Wall responded that the development
90 was approved prior to his being at the City but would follow up to see if signage had ever
91 been placed about future development in this area.

92

93 Commissioner Moynagh asked if drainage plans have been submitted that would outline
94 impacts from this new development or as is now. Wall said drainage plans are not required
95 to be submitted at this point as part of process but would occur in the future.

96 Chairperson Cordes asked Wall to talk about the right-of-way on Bear Avenue and where
97 it came from and the timeline of the proposal. Wall replied that when the development was
98 platted in 1939 there may have been some speculation about future connection to future
99 neighborhoods, similar to similar areas.

100
101 Martin Harstad, applicant, shared his background and work in the City that included over
102 200 homes, adding that he was a resident of Vadnais Heights for many years. He explained
103 that the project would be developed by him but built by his son as fully custom-built homes
104 and that they already have interest from residents in the immediate community. He shared
105 comments on stormwater ponding in detail and how it would operate in the development
106

107 Commissioner Jokinen asked if the project is feasible without the four lots to the east of
108 the wetland. Harstad said it would be possible but noted the site is being offered for sale
109 by a trust and that sale price is built on buildable acres and the seller has some expectations.
110 The trustee believes the right-of-way is there for them as well as continuation of the road.
111

112 Commissioner Dresen asked about average home price and how the range will be from
113 \$400,000 to \$700,000. Harstad explained how markets drive pricing and how lots set the
114 baseline for the price of a home and until you know the cost of the improvements to the
115 site, you won't know what the final price will be.
116

117 Commissioner Jokinen asked if underground stormwater basins were being considered.
118 Harstad said underground basins were usually done for commercial development or if it
119 was felt there was not enough space for above ground but said they felt there is adequate
120 space available for ponding.
121

122 Chairperson Cordes opened the public hearing at 7:40 p.m. and reviewed the public
123 comment process.
124

125 Paul Buzicky, 470 Bear Avenue North, commented about the desire to retain the dead-end
126 street due to concerns about increased traffic and safety concerns for his two kids and pets.
127 Also concerned about the embankment and maintenance of the area. He said he is also
128 concerned about water pooling in his front yard and potential basement flooding, and
129 concerns about the road coming through his front yard and the developer's comments made
130 at the open house about the resulting road impacts.
131

132 Troy Kunze, 500 Bear Avenue North, asked why the City would have installed sewer in
133 this area but no water, why did the property owner plant trees on an easement, why was a
134 house allowed to be built so close to an easement, why was a garage allowed to be built
135 feet from an easement a large portion of the driveway allowed to be paved if a road was
136 planned for this area, and asked why was Tessier Trail and why would the City construct a
137 road and a park if this was a long term plan. He shared concerns about drainage and how
138 the City was not acting in good faith regarding water runoff and suggested the applicant
139 withdraw their request and the City place a moratorium on building in this historic area
140 until these questions have been addressed. Kunze submitted a letter for the record.
141

142 Commissioner Moynagh asked that home locations be identified during testimony relative
143 to the proposed development.

144 Hans Henning, 486 Bear Avenue North, spoke about the estimated 178 new trips and asked
145 if those trips included Bear Avenue. Henning said he is against the extension of Bear
146 Avenue North as there is not sufficient access for emergency vehicles currently. He shared
147 drainage concerns, spoke about the current turnaround and access for Bear Park, concerns
148 about turns and potential accidents, and snow clearing impacts. Wall responded that the
149 new trips included all new trips for all roads combined.

150

151 Chairperson Cordes noted Holly Wanless, emailed comments for the record.

152

153 Gary Peterson, 410 Colleen Drive, shared concerns about wetland impacts as part of this
154 project and the creation of a dam and reasons for the cul-de-sac instead of a new road
155 connecting to the County road. He shared concerns about health and safety with potential
156 of delays for emergency vehicles and the need to better acclimate to surrounding properties
157 and align projects with the adopted Comprehensive Plan.

158

159 Joe Hausladen, 409 Colleen Drive, said he has lived in the neighborhood for 40 years and
160 spoke about the feeling of community. He said he would be concerned about the amount
161 of traffic that would go through the area and impacts to safety. He spoke how the
162 development would affect neighborhood character, deliveries, and water impacts and
163 shared concerns about dumping that has been occurring in the wetlands and potential
164 contamination.

165

166 Ken Meyer, 3834 Tessier Trail, spoke about previous plats that had been presented over
167 the years and size of lots and drainage concerns, and desire to complement existing homes
168 in the area and need to take into account the adjacent properties and larger homes and water
169 impacts. He spoke about potential of road deterioration due to increased traffic, wetland
170 delineation, and covenants.

171

172 Cheryl Lapen, 541 Bear Avenue North, shared concerns about yard and privacy losses,
173 flooding, loss of trees and wildlife, water and property value impacts and the need to take
174 care of the current property owners.

175

176 Abby Burdick, 491 Bear Avenue North, shared concerns regarding drainage and impacts
177 to Lake Linda, traffic concerns with small children and potential loss of neighbors who
178 would move if developed, property taxes and police impacts and then asked what the
179 benefit was to the existing neighborhood should the development be allowed.

180

181 Jason Miller, 424 Colleen Drive, said his largest concern is how water impacts to the soil
182 in this area which is mostly clay and does not absorb water quickly and with his house
183 being in the lowest area how it may result in water drainage concerns. He also shared
184 concerns about impacts to wildlife.

185

186 Glen Gleason, 3870 Tessier Trail, spoke against the proposed number of variances and how
187 this development would allow property values to be maintained, appearances and lot sizes
188 and the need for a wetland study to determine impacts to trees.

189

190 Marc Al, 3854 Tessier Trail, shared about the lack of signage regarding any future
191 development of the area and street, water impacts and drainage and water mismanagement

192 and potential liability, and the need for speed bumps if developed that should not be at the
193 cost of current homeowners.

194

195 Emily Sutherland, 3869 Tessier Trail, shared concerns about the number of children who
196 live on the street then asked why requirements were in place if the number of variances
197 could be requested. She spoke about impacts to trees from construction of so many new
198 homes and how requirements must have changed from when they built as they had to
199 replace many trees.

200

201 Justin Lamphere, 3890 Tessier Trail, spoke about the danger to children from increased
202 traffic, drainage and water issues and water impacts to his backyard, and concerns about
203 traffic increases. He noted that his wife Kelly Wolf has sent an email with her comments.

204

205 As no one else wished to address the Commission, Chairperson Cordes closed the public
206 hearing at 8:48 p.m.

207

208 Harstad thanked the public for their comments and said they would take the input into
209 consideration and respond as they continue their planning. He shared the development
210 would be a single-family development with attached garages and no common ground
211 within the project then shared how they intended to work with Mr. Buzicky to minimize
212 the disruption at his home through different suggestions such as landscaping or berming.

213

214 Chairperson Cordes asked about raising the roads. Mr. Harstad said they were not planning
215 on raising the roads in this area as it would provide good walkout lots and that the cul-de-
216 sac would remain close to the existing grade.

217

218 Wall advised that the Planning Commission is asked to review the proposed Concept PUD
219 Plan and provide feedback to the applicant.

220

221 Commissioner Carnes said it was difficult to comment without a drainage plan but said he
222 would like to see fewer lots in this development and have them conform better to the other
223 lots. He said he would need to know what VLAWMO would be requiring and then noted
224 the easement on Bear Avenue was in place prior to people moving into the current
225 neighborhood.

226

227 Commissioner Moynagh said it appeared the largest issues were regarding water impacts.
228 He said the number of variance requests was less than originally requested but was not
229 pleased with the 75-foot lot widths but said if the developer addressed the water issues
230 above and beyond for the neighborhood there could be some give and take relative to lot
231 sizes. He asked if there was an agreement in place regarding signage for future
232 developments and asked if the signage was actually in place then added bonding should be
233 available to cover any road damage. Commissioner Moynagh commented about the
234 roundabout on Bear Avenue North being too close to one lot and asked if the extra land
235 would be maintained by the property owner or the City and if it would be landscaped or
236 bermed.

237

238 Chairperson Cordes asked how approval for the home at 470 Bear Road and City owned
239 right-of-way occurred and how a home could be built against the border of the easement.

240 He said the approval appeared to be a poor decision on the City’s part and would like to
241 see a solution be made and suggested a private driveway instead of a cul-de-sac to minimize
242 the impact as no one will ever purchase this property in the future. He added the concept
243 should be explored to have the road come up from McMenemy unless not allowed by the
244 County.

245
246 Commissioner Cooper commented how less variances were best and the importance of
247 following City Code then said he was not sure how the easement was allowed in its current
248 place and stressed the need to have the water concerns addressed.

249
250 Commissioner Jokinen said he walked the site earlier and saw how drainage would be a
251 concern as there has been standing water in the past that resulted in trees being uprooted
252 due to the water. He said the water impacts need to be addressed in order to get the density
253 the developer wants in this project.

254
255 Commissioner Dresen said the City has to support and protect current residents while
256 promoting strategic, sustainable growth but felt this project did not support the current
257 residents and stressed the need to address the water concerns.

258
259 B. Planning Case 20-019 – Joshua Eckton – City Code Amendment for Wineries.

260
261 Planning/Community Development Director Wall provided a presentation with
262 background information stating the applicant was requesting the applicant was proposing
263 amendments to Chapters 4 and 38 of the City Code concerning wineries, contained in Draft
264 Ordinance 746. The applicant is a local business owner currently operating
265 winery/meadery in a neighboring community and was exploring space/land in the City
266 Center District for a new use that required the proposed amendments to the City Code to
267 operate. If the request in this case was approved, the applicant would likely go through the
268 site plan/conditional use permit process for the proposed use. Staff recommends approval
269 of the City Code amendment request contained in the draft Ordinance 746 and noted all
270 definitions would comply with State Statute and included different license types.

271
272 Commissioner Cooper asked if the definitions included honey-based products. Wall said
273 that was possible, adding the applicant had a current use but was looking for a new site in
274 the community and would better explain their needs. He said the code amendment would
275 offer opportunities for others and how the City had added microbreweries to City Code in
276 order to be proactive and how a winery would add to that.

277
278 Chairperson Cordes asked about types of products that included sherry but not fortified
279 wine and encouraged that be added to allow for the making of port wine.

280
281 Chairperson Cordes opened the public hearing at 9:10 p.m.

282
283 As no one wished to address the Commission, Chairperson Cordes closed the public
284 hearing at 9:10 p.m.

285
286 Upon motion by Commissioner Carnes, seconded by Commissioner Cooper, it was
287

288 “RESOLVED to recommend approval of the proposed Ordinance 746 amending
289 Chapters 4 and 38 of the City Code, concerning wineries, as presented.”

290
291 Ayes – 6 Nays – 0

292 The motion carried.

293
294 **NEW BUSINESS**

295
296 None.

297
298 **OLD BUSINESS**

299
300 None.

301
302 **REPORTS**

303
304 A. Council Liaison

305
306 Council Liaison Youker encouraged City residents to contact City Hall to share their
307 addresses for mapping of holiday light displays.

308
309 Commissioner Moynagh encouraged the public to consider donating to organizations that
310 participated in the Give to the Max Day on November 19.

311
312 B. Planning Commissioners

313
314 The Commission wished everyone a happy Thanksgiving.

315
316 C. Staff

317
318 Planning/Community Development Director Wall shared that TCO Sports Garden was
319 issued their certificate of occupancy and would be opening soon.

320
321 City Administrator Watson congratulated new Council Members Steve Rogers, who would
322 be filling a current vacancy, and Eric Goebel, after confirmation following a recount
323 process and said he looked forward to working with both new members.

324
325 **NEXT MEETING**

326
327 The next Planning Commission meeting will be held on December 22, 2020.

328
329 **ADJOURN MEETING**

330 Upon motion by Commissioner Carnes, seconded by Commissioner Cooper, the meeting
331 was adjourned at 9:15 p.m.

332
333 Respectfully submitted,
334 Cathy Sorensen
335 *TimeSaver Off Site Secretarial, Inc.*