

PLANNING COMMISSION MINUTES

DATE: February 24, 2020

TIME: 4:30 p.m.

PRESENT: Chairman Buelow, Commissioners Olson, Marks, Boettcher, Hall, and Shortridge

ABSENT: Commissioners Ballard, Hahn, and Paddock

STAFF PRESENT: City Planner Carlos Espinosa, Assistant City Planner Luke Sims, City Engineer Brian DeFrang, Community Development Directory Lucy McMartin, Community Services Director Chad Ubl

The meeting was called to order at 4:31 p.m. by Chairman Buelow.

Approval of Minutes – February 10, 2020

The minutes from the Planning Commission meeting of February 10, 2020 were reviewed. Commissioner Boettcher moved to approve the minutes. Commissioner Olson seconded the motion. All members present voted aye.

Public Hearing – Updated St. Croix Heights Preliminary Plat

Mr. Espinosa provided an overview of the plan being presented to the Commission, which is updated from the previous year's application which has changed to accommodate the Bluffland Ordinance setback requirements. The application was previously tabled and the applicants pursued variances to the 50-foot blufftop setback, replacement requirements for a road in a bluffland area, and also for stormwater requirements in bluffland areas. The updated application complies with the blufftop setbacks, road two was relocated, and the plat will preserve permeable surfaces to serve as a replacement for pervious surfaces to be added. Seventy-three lots are still proposed and will be in two phases. Phase one will have a combination of twin homes and single family structures for a total of 12 units. Phase one would come in for a final plat after approval of this preliminary plat followed by a final plat for phase two. Mr. Espinosa noted that as there are blufflands in the plat, the application is processed under the cluster ordinance which allows for variations. In this case, the variations are to reduce the front yard setback to 20 feet, reduce side yard setbacks, and reduce rear yard setbacks. Regarding the proposed setback variations, City staff is recommending approval as the revised plat adheres to blufflands regulations, petitioner is proposing outlots for public use, and the plat provides needed housing based on the need identified in the 2016 Housing Study. The applicant also proposed variations to the subdivision regulations. The proposed variations are to reduce the public right-of-way from 60 feet to 50 feet, pavement width from 36 feet to 32 feet, substituting curb and gutter along the road for swales and permeable surfaces, and to not include sidewalks

PLANNING COMMISSION MEETING MINUTES
FEBRUARY 24, 2020
PAGE 2

as required to be placed on one side of the street. When last proposed, the preliminary plat had a 22-foot road and 10-foot shared use path which has been changed to a 32-foot road with sidewalk or shared use path. City staff's recommendations related to variations to the subdivision standards are to approve the variations to right-of-way width, curb and gutter, and pavement width, but with the recommendation to include sidewalks. City staff recommends this as the Comprehensive Plan recognizes the amenity value and suggested requirement for sidewalks which are difficult to include after the fact, reduction in right of way width allows more developable land, reduction in pavement width and no curb and gutter saves 23,660 square feet of pavement and 59,015 feet of curbing, and sidewalks provide an off-street option for residents to use and potentially access future sidewalk and trail connections in the future. Regarding park dedication, the petitioner is proposing to dedicate 29 acres of land at no cost instead of a fee of \$43,800. Land proposed to be dedicated will be around the perimeter of the plat and may be used to connect future trails. The final outlot will serve as a potential connection to another subdivision should it ever develop to the west. City staff recommends accepting the dedication. Mr. Espinosa noted that the applicant is proposing permeable areas to meet stormwater requirements, which City staff is recommending approval for. Future trail access is also a consideration before the Planning Commission, which previously included an outlot near Garvin Heights Road to serve as a trail connection. City staff recommends reintroducing a 20-foot wide outlot adjacent to Lot 1, Block 5 to serve as that trail connection. Stormwater in phase one will be addressed with the existing facilities in the adjacent Meadows Subdivision and exact size and location will be determined under City Engineer's review but preliminary locations have been approved and found to be satisfactory.

Brian Wodele and Jake Perrine from Johnson and Scofield Surveying and Engineering came forward to speak on behalf of the applicants. Regarding the changes from the past preliminary plat which was tabled, the proposal was changed to address the physical street width, working within the bluff setback, and constructing streets outside of the bluff area. The proposed changes to the road include a removal of a shared use path and a 32-foot width, which has been approved by the City Engineer and the City Fire Department. The proposed width is similar to 19 of the 20 rural subdivisions previously approved in Winona. Four of the 20 subdivisions also have a 50-foot right-of-way rather than a 60 foot right-of-way.

Commissioner Shortridge asked if the applicant was aware the code had changed since those previous subdivisions had been constructed. Mr. Wodele responded in the affirmative.

Addressing sidewalks, Mr. Wodele noted that they did not feel that sidewalks were appropriate in this subdivision as some lots would require the landowner to clear 340 feet of sidewalk in a snow event and that there are two lots in which this would be the case. He, also noted, that there are 65 lots that have between 100 and 200 feet of

**PLANNING COMMISSION MEETING MINUTES
FEBRUARY 24, 2020
PAGE 3**

frontage and there are concerns that the residents would have to clear 100 to 200 feet of frontage each snow event. Additionally, one of the outlots which will be City owned has a frontage of roughly 512 feet and the City would be responsible for clearing that in snow events. The applicant feels the sidewalk would not be feasible and adding sidewalks makes coming out ahead on construction more difficult. Compared to every other subdivision, this would be the only one with sidewalks, including the adjacent Meadows Subdivision which has none. Regarding the bluff setback, the applicant changed the proposal to meet the blufflands setbacks without any variation required and removing all road construction from the bluff areas. This required movement of lot lines and massaging of lot areas to meet the requirements and the proposal lost two buildable lots from phase one because of the re-shuffling and three lots were cut in half to make six total lots in phase two to accommodate. Regarding Outlot G, the applicant proposed removing it as the elimination of the shared use path no longer creates something to connect to and that there is sufficient room with the right-of-way for a path in the future. Adding Outlot G back will remove lot area. Mr. Wodele wanted to stress that there will be a full hydrology analysis and engineering plan that will be subject to City Engineer's review if this preliminary plat is approved and the Planning Commission will have an opportunity during final plat to approve or deny based on the City Engineer's recommendation. Mr. Wodele also noted that the nationally accepted standard for parkland dedication is four acres per 1,000 populations. The proposed subdivision will be 29 acres for roughly 290 residents and far exceeds the national standard for dedication.

Commissioner Shortridge asked if the stormwater ponds and areas would be included in the 29 acres they are proposing to dedicate. Mr. Wodele responded that this was correct. Commissioner Shortridge asked how much of the 29 acres would be usable for parks or trails. Mr. Ubl responded that it is difficult to say in acreage but when it was walked by City staff it may be suitable for a neighborhood trail system with a standard trail width of 10 feet. He noted there are some steep slopes but there is space for hiking, potentially mountain biking.

Commissioner Olson asked if there would be an area with playground equipment for children. Mr. Ubl responded that City staff would not recommend playground equipment in this area as the areas proposed are not open green space for playground systems or structures. Commissioner Shortridge added that a lot of this is steep woods and not green open space.

Chairman Buelow mentioned that there is a county park across highland drive and whether this should be an area that something should be included. Mr. Ubl mentioned that there is a neighborhood park near the water tower which staff would determine as adequate for the Wincrest Subdivision. Mr. Ubl mentioned that an asset serving kids and families in the subdivisions to the south becomes difficult because of the crossing of

PLANNING COMMISSION MEETING MINUTES

FEBRUARY 24, 2020

PAGE 4

Garvin Heights Road. He mentioned that the crossing is difficult but some families do currently cross it.

Commissioner Shortridge asked who maintains the trails if these become neighborhood trails. Mr. Ubl mentioned that Park Maintenance would maintain the trails.

Chairman Buelow opened the public hearing.

Randall Burgett, 102 Buck Ridge Drive, came forward to speak. Mr. Burgett mentioned he was the third house built in the Meadows Subdivision and is very familiar with the area. He mentioned that he does not believe sidewalks should be installed even though the neighborhood is an active, walking neighborhood. He noted that drifting snow is a huge issue that will create clearance problems. He mentioned that he has hiked through the area hundreds of times and that the steep areas here are perfect for trails. He thought it would be a wonderful hiking area and an asset to the City. He supported Outlot G being re-added to the plat.

Leon Bowman, 2287 Garvin Heights Road, and the Chair of Wilson Township, came forward to speak. Mr. Bowman thanked the Planning Department for keeping him informed. Mr. Bowman mentioned that he supports the removal of sidewalks because it creates additional drainage concerns into Wilson Township including a culvert that almost had to be replaced. He noted that almost a mile of sidewalk four to five feet wide is a large addition of impermeable surfacing. He raised additional concerns about the proposed ponding and where the overflow will go and that it is a major concern for Wilson Township. He mentioned that he lived in Goodview in Wee Valley and they didn't have sidewalks and they were good. However, he mentioned that looking at trails was a good idea and dedicating sidewalks to the trail system instead. He also asked for a definition of "significant" as the proposed 73 units would not create a "significant" traffic issue on Garvin Heights Road but he believed there would be a significant concern and that there is a lot of traffic on the hill as a result. He noted there may be a need for a roundabout now with all of the additional traffic and there may be a need to slow things down. Mr. Bowman also raised a concern about the use of swales instead of curb and gutter, especially in relation to holding the road in place as sod doesn't act similarly to curb and gutter. He asked if catch basins would be put in anywhere. He also asked if somebody would maintain the swales and the ponds. He mentioned that old ponds from the 1970s weren't maintained. He also raised concern about steep slopes related to the outlot on the south end.

No further members of the public coming forward to speak, the public hearing was closed.

Commissioner Hall asked City staff about the proposal for sidewalks and what the feeling behind that was. Mr. Espinosa mentioned that the Comprehensive Plan recommends sidewalks on both sides and that it increases mobility and that it is

PLANNING COMMISSION MEETING MINUTES
FEBRUARY 24, 2020
PAGE 5

incredibly difficult to add sidewalks in after the fact. Mr. Espinosa noted while the lots proposed here are large, if a property owner in town is on a corner lot that person is shoveling close to 200 feet of sidewalk as well. The City would maintain the sidewalk adjacent to its outlot in this case. He also noted that there is a sidewalk in the Valley Oaks Subdivision along the main drag to connect to a park and it is staff's understanding that it is well liked and well used. Additionally, Valley Oaks 7th Subdivision has sidewalks on both sides. Commissioner Shortridge added that it is a dead end street in that location as well.

Commissioner Shortridge raised a concern over the concept of a cluster development as a title to slide under the Bluffland Ordinance and whether this is truly a cluster development. Mr. Espinosa mentioned there are two chief characteristics. The first is small lot design, which is not represented here. The other key characteristic is the preservation of open space, which is being done in this case. By adhering to the bluffland regulations, the housing is being clustered or put in a location that is non-bluffland and has previously been used for farming. Commissioner Shortridge asked if the open land should be open, usable land, not steep, unbuildable land. Commissioner Shortridge mentioned that there are important maintenance concerns that were raised and that the land preserved isn't really usable space. Chairman Buelow expressed agreement that the acreages don't really represent small lots.

Commissioner Hall asked whether permeable pavement would be possible to use in this case. Mr. Perrine mentioned that the use of permeable pavement is typically not used in northern climates as there are some issues with freeze-thaw cycles and the cost is quit high. With the conformance requirements from the last proposal to this one, the cost of permeable pavement isn't feasible in this case.

Commissioner Olson asked how water would be directed to the ponds. Mr. Perrine responded that the water will be transported via the roadway swales and along drainage easement along lot lines, which will be natural drainage ways from the road which is the highpoint.

Commissioner Shortridge asked who maintains the swales or ditches in this case. Mr. Perrine mentioned that the City would maintain it as it would all be dedicated to the City as part of the right-of-way. Chairman Buelow asked how driveways would be facilitated and Mr. Perrine mentioned that there would be culverts and it would be addressed in the final plat. Commissioner Marks mentioned that there are some driveways that do have culverts and some that don't in the Meadows Subdivision and it has been an issue. Commissioner Shortridge raised concern about the City having to maintain all of the culverts. Mr. DeFrang mentioned that over time the culverts tend to fill in from sand and salt from the roads. Mr. DeFrang mentioned that there is not staff capacity to clear ditches every year and that he was not aware of the Meadows Subdivision issue raised by Commissioner Marks. He mentioned that a 15 inch culvert should handle the

PLANNING COMMISSION MEETING MINUTES

FEBRUARY 24, 2020

PAGE 6

requirements in this case and that there are concerns about those filling up. Commissioner Marks asked to clarify if there is a requirement for property owners to maintain culverts and ditches similar to sidewalks. Mr. DeFrang noted that there is not such a requirement as the City is predominantly curb and gutter and that provision was never added to City Code or ordinance. Commissioner Shortridge asked if the addition of curb and gutter would impact the road width. Mr. DeFrang mentioned that the addition of curb and gutter may bring the curb to curb width up to about 36 feet, which is typical. Commissioner Boettcher asked if there is sufficient water for major drain offs, do proposed streets have regular drains that lead elsewhere. Mr. DeFrang mentioned that swales allow for some overflow but drains and pipes do have a limited capacity and that the proposal may have some chokepoints where those pipes are to lead to ponds. He noted there could be some ponding during flash rain events and it is usually not volume that is the problem but the speed that it comes. Commissioner Shortridge asked how curb and gutter would work. Mr. DeFrang mentioned that most of the streets are designed for 10 year flood events and that the street acts as a conduit and water would stay in the street leading to catch basin, storm sewer, and then into the ponds. Mr. DeFrang mentioned that the outlet of the subdivision cannot exceed pre-development conditions so the proposal from the applicant will have to be as good as or better than the existing condition. Commissioner Shortridge asked about the location of the ponds. Mr. DeFrang noted that access will be difficult, but putting the ponds below the subdivision is where the water will go anyway, so it makes sense in that regard. Commissioner Buelow asked about maintenance of the drainage areas and ensuring that they are not impacted. Mr. DeFrang said that the easement areas need to be defined and equipment should not be used over them to ensure they work as intended. Commissioner Olson asked if there would be a different system from curb and gutter. Mr. DeFrang mentioned that it will be a ditch system but right now the specifics have not been determined. Mr. Espinosa mentioned that one of the conditions as recommended by City staff is that stormwater facilities will have adequate access for City maintenance. Commissioner Shortridge asked about the maintenance of a road without curb and gutter versus maintenance of a road with curb and gutter. Mr. DeFrang mentioned that there are some roads in town without curb and gutter and occasional you have a large event where some people may park on it but it is rare. Commissioner Shortridge asked to clarify that it will really be maintenance more than anything. Mr. DeFrang mentioned that is true and there isn't staff to address it all each year. Chairman Buelow mentioned that it saves the developer money to not do so. Mr. DeFrang mentioned that it saves about \$15 per foot for curb and gutter and \$30 per foot for sidewalk but you save on square footage of pavement. Mr. DeFrang also addressed permeable pavement and said the City doesn't have the equipment to maintain permeable pavement at this time so while it is a good concept; it isn't practical at this time.

Chairman Buelow mentioned that he likes the sidewalk requirement. Commissioner Shortridge noted that the City has to start somewhere but he mentioned that he wasn't

PLANNING COMMISSION MEETING MINUTES
FEBRUARY 24, 2020
PAGE 7

certain the concern about sidewalks creating additional drainage issues can't be addressed.

Commissioner Shortridge mentioned that Outlot G presents a good connection for future connectivity. He also noted that a narrower road presents one more reason to get people up out of the way.

Commissioner Shortridge mentioned that he still has some concerns about this being considered a cluster development. He asked City staff if the blufflands setbacks would be an issue if it wasn't a cluster development. Mr. Espinosa mentioned that if it wasn't processed through the cluster ordinance, the applicant would have to come before the Board of Adjustment for variances. Mr. Espinosa directed the Commission to the cluster criteria in their packets and mentioned that it gives direction to the Planning Commission about what should be looked at when considering whether a subdivision should be looked at under the Cluster Ordinance. Commissioner Shortridge asked if staff felt it met the criteria. Mr. Espinosa mentioned that there would essentially be clustering of the homes in the land currently used as farmland and is clustered because of the Bluffland Ordinance. Commissioner Shortridge mentioned that in this case the houses are being put in the land that is developable regardless, not setting aside developable land to be used for natural space, a viewscape, easily accessible for the handicapped or elderly, but it is steep slopes and lands. Mr. Espinosa mentioned that is for the Commission to consider today but there is land being dedicated but there is no requirement for it to be flat parkland. Commissioner Shortridge mentioned that the Cluster Ordinance says something different. Mr. Espinosa mentioned that the ordinance is in the Commission's packets and that the information is in front of them for consideration.

Commissioner Boettcher mentioned that there are areas that need to be developed but criteria must also be met. In this case, the Planning Commission is not asking for anything that is out of the question and the requests are legitimate for now and the future.

Commissioner Olson moved to approve the application with staff's recommendations. Commissioner Hall seconded the motion.

Commissioner Shortridge asked to confirm that Outlot G was included in that motion. Commissioner Olson mentioned that this is correct.

Commissioner Marks mentioned that sidewalks are important to include and increases safety. She raised concern over the swales and driveways impacting them.

Commissioner Shortridge mentioned that he has a fundamental issue with the Cluster Ordinance being used in this way and also has a housing concern and it shouldn't be used for another cookie cutter subdivision. He noted that the Cluster Ordinance should

PLANNING COMMISSION MEETING MINUTES

FEBRUARY 24, 2020

PAGE 8

not be used to skirt the code and that the type of housing would be different if it looked more like a typical cluster development. Chairman Buelow mentioned that this is an improvement on the plan the Commission looked at last year. Commissioner Shortridge expressed worry that using the Cluster Ordinance for developments that are actual cluster developments may just create cookie cutter McMansion subdivisions that skirt some requirements. Chairman Buelow asked if the Cluster Ordinance dictates lot size. Mr. Espinosa mentioned that the Cluster Ordinance calculation provides a maximum number of lots but not lot size. He noted that the proposal before the Commission is well under that calculation. Mr. Espinosa also mentioned that the Bluffland Ordinance requires that proposed subdivisions that have blufflands in them be reviewed according to the Cluster Ordinance and that the Commission ensures that it meets the purpose and requirements of the Cluster Ordinance. Commissioner Shortridge mentioned that the purpose and requirements further point out the need for smaller lots. Chairman Buelow mentioned that he is in agreement with Commissioner Shortridge.

No further comments forthcoming, the Commission voted on the motion at hand. The Commission voted to approve 5-1 with Commissioner Shortridge dissenting.

Other Business

Chairman Buelow asked about the sand piles proposed by the Corps of Engineers. Ms. McMartin mentioned that the City Council will hold a pre-council meeting and comments are open on the Corps website and there is a public comment period upcoming in March as well.

Commissioner Olson asked if there was any progress with the shallow subsidy housing project on Mankato Avenue. Ms. McMartin mentioned that sometimes the proposals take two applications and that City staff has been in communication with the developer and they are deciding whether to re-submit.

Chairman Buelow asked about the upcoming meeting about the Mankato Avenue reconstruction. Ms. McMartin mentioned it is on Tuesday, February 25th at the Armory.

Adjournment

On a motion from Commissioner Olson, and second by Commissioner Shortridge, the Planning Commission unanimously voted in favor of adjournment at 6:02 p.m.



Luke Sims

Assistant City Planner