

CALL TO ORDER

Planning Commissioner Werman called the special meeting of the City of Rockford Planning and Zoning Commission to order on **September 3, 2015** at 5:30 p.m. The meeting was held in the Council Chambers of City Hall, 6031 Main Street, Rockford, MN.

ROLL CALL

Roll call was taken and the following members were present: Werman, Cihlar, and Sand. The following members were absent: Petersen-Biorn. Also in attendance were Planner Scott Richards, Mayor Hafften, Council Members Buoy & Martinson, Administrator Madsen and Deputy Clerk Etzel.

PUBLIC HEARING/Boulder Ridge PUD Amendment & Revised Site Plan

Planner Richards noted the city received request for a PUD Development Stage Plan to amend the setback requirements between the townhome buildings within the Boulder Ridge subdivision. The City approved a final plat for Boulder Ridge, consisting of 56 townhome units and two single family lots at their meeting on 8 June 2004 redeveloping a portion of the Rockford Middle School property. The final plat approval was consistent with the preliminary plat and PUD Development Stage Plan approved by the City Council on 30 December 2003. The PUD Development Stage Plan established the lot requirements and setbacks applicable to the buildings to be constructed within the development. A public hearing to consider amendment of the PUD Development Stage Plan has been noticed for the Planning Commission meeting on 3 September 2015.

The Comprehensive Plan was amended in conjunction with the preliminary plat and PUD Development Stage Plan to guide the subject site for medium density residential uses. Redevelopment of this portion of the Rockford Middle School site with townhome uses was found by the Planning Commission and City Council to be appropriate for the property given its condition and compatibility with surrounding land uses. Uses surrounding the property include single family residential to the north. To the south are commercial properties fronting TH 55 and single family lots guided for future high density residential use. There are single family and town house uses to the west zoned R-3 District guided for high density residential use. The proposed development of lower density townhome is to be a transition between more intensive uses along TH 55 to the single family neighborhood to the north. Two single family lots were required to be platted at the north edge of the subdivision where Winfield Road connected to the existing Winfield Ponds 2nd Addition neighborhood. These lots are subject to the requirements of the R-2 District and are not included in the proposed amendment. The proposed PUD Development Stage amendment does not affect the land use or overall density of the development and it is consistent with the Comprehensive Plan.

The subject site is PUD District with uses and development standards based on the requirements of the R-2, Medium Density Residence District. The PUD district allows for townhome buildings with four units or less as a permitted use. The PUD District allows for subdivision of the townhouses in a unit/base lot configuration, whereby the land under each dwelling is individually owned and surrounded by a common open space outlot. The PUD District also included certain setback flexibility as discussed in subsequent paragraphs.

The PUD District allowed for the townhouse dwellings to be subject to 25 foot setbacks at the perimeter of the property, 25 foot setbacks from public rights-of-way, 15 foot side yard setbacks between buildings and 50 foot rear yard setback. The 25 foot setback from a public right-of-way is 10 feet less than typically required in the R-2 District, but is the functional minimum setback to allow for vehicles to be parked in the driveway.

The 15 feet between townhouse buildings is also five feet less than typically required in the R-2 District for structures on individual lots. A reduction to 15 feet between buildings was determined to be appropriate based on the exterior design and one level floor plan of the planned townhouse buildings. The original developer applied for a PUD Development Stage Plan amendment in 2007 to reduce the required setback between buildings from 15 feet to 11 feet to accommodate a change in the planned townhouse building floor plan. This amendment was not approved by the Planning Commission and City Council.

The current owner of the property is proposing an amendment of the PUD Development Stage Plan to reduce the setbacks between the townhouse buildings from 15 feet to as close as seven feet apart. The amendment of the PUD Development Stage Plan would allow for construction of a new townhouse building plan that is eight feet wider than the originally approved townhouse building design. The proposed PUD Development Stage Plan must be evaluated from a technical standpoint with regards to the Building Code and a revised grading plan. The primary consideration for the Planning Commission and City Council is the aesthetics of the location of the proposed townhouse units relative to one another factoring in the exterior design and mass of the proposed structures.

The developer has not provided plans illustrating the exterior elevations and materials or floor plans for the proposed building. From the revised PUD Development Stage Plan, we can determine that the dwelling units are eight feet wider than those originally approved for the development. The developer should be required to present the exterior elevations and materials and floor plans to the Planning Commission for review and approval. The Building Official is to meet with the developer to discuss building code issues with the proposed townhouse units, including requirements that may be applicable due to the proximity of the building. All building code issues and issuance of a building permit are to be subject to review and approval of the Building Official.

The developer has not provided a landscape plan to support the proposed change in the PUD Development Stage Plan. City staff recommends that a landscape plan be submitted that provides for foundation plantings at the front of each unit as well as placement of an ornamental tree or evergreen tree within the front yard between buildings. The purpose of the landscaping is to screen the proximity of the townhouse dwellings from one another to minimize the visual effect of the reduced setback being requested.

The proposed construction of the proposed wider townhouse buildings and reduced setback area between structures will have an effect on the topography of the development, especially in the area along Winfield Road, which increases in elevation to the north. The developer must provide a revised grading plan for the subdivision based on the proposed PUD Development Stage Plan that allows for maximum 3:1 slopes in the side yards between structures. All

grading, drainage and erosion control issues are subject to review and approval of the City Engineer.

The proposed PUD Development Stage Plan does not affect the location of sanitary sewer and water utilities in place to serve the planned townhouse units.

The revised PUD Development Stage Plan indicates that the proposed townhouse buildings can be constructed within the boundaries of the existing unit lots established with the 2004 final plat. It is noted that the northwest most townhouse building is shown as being centered within the unit lot whereas the original final plat had the lot line between the two unit lots as off-set to the south increasing the separation of this townhouse building from the abutting single family lot to the north. Revision of the unit lot as shown on the submitted PUD Development Stage Plan would require consideration of a revised final plat for that unit lot. Otherwise, no replatting of the existing subdivision is required to allow for the proposed PUD Development Stage Plan and no easements are being encroached upon that would require a vacation process.

In conclusion the proposed PUD Development Stage Plan can be accommodated from a technical standpoint making the primary consideration for the Planning Commission and City Council the aesthetics of the location of the proposed townhouse units relative to one another. Our office recommends any approval of the revised PUD Development Stage Plan for Boulder Ridge be subject to the following conditions:

1. The developer shall present the exterior elevations and materials and floor plans for the proposed townhouse buildings to the Planning Commission for review and approval.
2. All building code issues and issuance of a building permit are to be subject to review and approval of the Building Official.
3. The developer shall submit a landscape plan that provides for foundation plantings at the front of each unit as well as placement of an ornamental tree or evergreen tree within the front yard between buildings, subject to approval of City staff.
4. The developer shall submit a grading plan that maintains a maximum slope of 3:1 between townhouse buildings; all grading, drainage and erosion control issues are subject to review and approval of the City Engineer.

Chair Werman opened the public hearing at 5:37 p.m.

Joanna Miller of 6161 Boulder Ridge Drive is concerned about the spacing between the townhouses. Going from 14' to 7' is not much space. Concerned about only having a house 7' setback from her house. If After further review the townhomes will not affect her house with (about 17'6" to the south and 16'5" on the north). If she was one of the house with 7' setback, she'd be upset. She would not buy a home if there were as close as proposed.

Troy Richey of 8001 Winfield Road is on the north end of the development and questioned the 10' set back. Wants to know where the 15' will remain and where the 7' setbacks are proposed.

Scott Richards noted there would be no change to the setback for the single family homes to the north of the development.

Lois Fox of 6241 Boulder Ridge Drive has concerns about on-street parking, with some houses having three to seven cars parked on the street. She has no issues with the proposed setbacks.

Scott Richards noted the number of proposed driveways will not change from what was platted.

Joanne Miller asked if an ordinance could be passed to not allow on-street parking. Staff noted this would be a concern for the City Council to review.

Commissioner Sand asked if there was a recorded Home Owners Association recorded with the County. Yes.

Quintis Pillai of Bridge Core Asset Management the developer discussed the request to allow 7' setback between the townhomes and would not be noticed on most townhomes. Mainly affect the three townhomes furthers to the north. A design plan was submitted to the city. Mr. Pillai showed a house design, not the same as the existing houses. He feels what he is proposing to build has more character. The basic design will be similar with color and exterior variations. The market has changed since 2005 and the design will change with the times.

Troy Richey asked if the height of the proposed buildings would change and Mr. Pillai stated 6:12 pitch to 10:12 pitch, so they will be higher.

Quintis Pillai introduced Becky O'Brien with ReMax.

There was some discussion about the colors and character of the houses. Quint is proposing earth-tone colors.

Planning Chair Werman closed the public hearing at 5:57 p.m.

The commission discussed the setbacks, mainly affecting the west side of development and not the whole development.

Commissioner Cihlar asked what was gained by the additional 4' and Quint noted more space and openness within the homes.

Commissioner Sand asked about the floor plans. Quint stated some floor plans will be different with the additional square footage. The floor plan will be more open with unfinished basement. The bedrooms and laundry will be on the second level giving the home a modern look.

The Planning Commission agreed with the Planner's recommendations.

MOTION was made by Sand, to recommend the City Council approve the Resolutions approving the PUD with the four conditions as listed.

Motion failed for a second.

Planner Richard noted the plans presented do not included the required setback 10' (site plan is 5') from the north single family lots. If the commission agrees with the recommendation the plans will need to be corrected.

The resolution includes setbacks between detached townhouse buildings shall not be less than seven (7) feet as shown on the PUD Development Stage Plan and there shall be a minimum ten (10) foot side yard setback to any abutting single family lot within the plat.

Deputy Clerk Etzel stated the only recommended change is the 15' between the townhomes being reduced to 7' and no change with the side yard setbacks to the single family homes to the north. Planner Richards noted the plans presented are incorrect with the recommendations.

MOTION was made by Cihlar, seconded by Sand to recommend the City Council approve the Resolutions approving a current setbacks of 7' between the townhomes and the four condition noted.

MOTION CARRIED – VOTING IN FAVOR – WERMAN, CIHLAR, and SAND.

Administrator Madsen noted the recommends 7' is acceptable between the townhomes, but the two townhomes to the north should be 10' side yard setbacks as recommended.

Resolution reduces the setbacks to 7' between the townhomes, but the townhomes to the north next to the single family homes remain with a 10' side yard setback

MOTION was made by Cihlar, second by Sand to rescind the previous motion.

MOTION CARRIED – VOTING IN FAVOR – WERMAN, CIHLAR, and SAND.

MOTION was made by Werman, seconded by Sand to recommend the City Council approve the Resolutions approving and amendment to approve the PUD setback of no less than 7' between the townhomes, noting the two townhomes to the north will remain as originally designed with a 10' side yard setback; along with the other four conditions listed.

MOTION CARRIED – VOTING IN FAVOR – WERMAN, CIHLAR, and SAND.

The recommendation from the Planning Commission for the conditional use permit will be submitted to the City Council at their September 8, 2015 regular meeting for final approval or denial.

***Approve Regular Planning and Zoning Minutes/July 23, 2015**

MOTION was made by Werman, seconded by Sand to approve the July 23, 2015 Regular Planning and Zoning minutes.

MOTION CARRIED – VOTING IN FAVOR – WERMAN, CIHLAR, and SAND.

OPEN FORUM

Chair Werman called for open forum, no one from the public spoke.

Staff Reports

Deputy Clerk Etzel's report included: on July 29th the Council the Conditional Use Permits for Casey's and staff have received a building permit for the project, still seeking a Planning Commissioner to fill a vacant term expiring on December 31, 2015, cancelled September 10, 2015 Planning and Zoning Commission meeting, the upcoming community events, and noted Council Member Denise Kesanen has resigned and Council will be appointing former Council Member Jeannette Graner to fill the vacancy.

Administrator Madsen had a few updates: Lennar is talking about coming back to town, the downtown redevelopment project at the lumberyard, and thanked the Planning Commission for attending the special meeting with little notice and their time on the Commission is appreciated.

ADJOURNMENT

MOTION TO ADJOURN was made by Cihlar, seconded by Sand.

MOTION CARRIED – VOTING IN FAVOR – WERMAN, CIHLAR, and SAND.

Chair Werman adjourned the meeting at 6:18 p.m.

Submitted by Audra Etzel, Deputy Clerk