

**DRAFT OFFICIAL MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
November 1, 2023**

St. Michael Council Chambers

7:00 p.m.

**PRESENT:** Chair Shannan Marshall, Vice-Chair Brian Mielke, Commission Members Deborah Briggs, Jason Gaskins, Kyle Hartnett and Council Liaison Tom Hamilton. Also present were Community Development Director Marc Weigle, Associate Planner Joy Isaacson, and Engineering/Planning Assistant, Communications Specialist Katie Langland. Commission Members Trevor Ash and Aaron Craig were excused. Chair Shannan Marshall called the meeting to order at 7:00 p.m., declaring a quorum present. The pledge of allegiance was said.

**Set Agenda.** Commissioners Hartnett/Gaskins **moved** to set the agenda with the addition of the historic catholic church reuse, holiday party date and December 6 meeting update. All voted aye.

**Consent Agenda.** Commissioners Hartnett/Gaskins **moved** to approve the consent agenda which included the minutes of the October 4, 2023, Planning Commission Meeting and 2024 Planning Meeting Schedule. All voted aye.

**Legacy Bay Farms 5<sup>th</sup> Addition Final Plat**

Weigle informed the commission that Capstone Homes submitted a final plat for Legacy Bay Farms 5<sup>th</sup> Addition which includes 57 lots and several outlots. It is similar to the Master PUD Plan and includes 14 detached townhomes, 10 detached villas, 1 small single-family home and 32 medium single-family homes which will connect County Road 35. He explained next year County Road 35 will become four lanes out to Jamison Avenue, and then narrowed down to two lanes, but reconstructed to this new access point.

He explained the park dedication schedule according to the overall PUD Plan agreement. With this phase, there is a recommendation of a 2.29-acre land dedication to be a portion of North Uhl Lake Park. He also explained that the City is currently undergoing a park plan update and there could be some modifications with the developer and Council on park dedication as the park plan discussion progresses.

Marshall asked when the construction on North Uhl Lake park is scheduled to start. Weigle said it was originally estimated around 2028; but the developer has not platted as many lots as originally anticipated, so it most likely would be later. Hartnett asked if the plat reflected the original PUD, which Weigle confirmed it was consistent.

Commission Members Hartnett/Gaskins **moved** to recommend approval to the City Council a **Final Plat** for 57 lots and 6 outlots, consistent with:

- Legacy Bay Farms 5<sup>th</sup> Addition Final Plat by Carlson McCain
- Construction Plans Sheets 1 through 30, dated 10/05/23 by Carlson McCain
- Phase V Grading Plans Sheets 1 through 10, revised 10/05/23 by Carlson McCain
- Landscape Plan Sheets 1 through 3, revised 10/25/23 by Carlson McCain

and with the following conditions:

1. Developer shall enter into a Subdivision Agreement with the City;
2. Developer shall provide for review by the City Attorney a title commitment establishing that

Owner has marketable title to the Subdivision;

3. Developer shall deed approximately 2.29 acres of PID 114-370-000110 (Outlot K, Legacy Bay; Farms) to the City for park dedication, according to the Legacy Bay Farms Master PUD Plan Agreement;

4. Developer shall pay Sanitary Sewer, Water and Stormsewer Trunk fees according to the fee

in effect at the time of recording the plat (2023 rates per REU are \$2,828, \$1,124, and \$2,989,

respectively) less any credit for trunk oversizing as approved by the City Engineer;

5. All plans and improvements are subject to the City Engineering Department and WSB (stormwater consultant) review, approval, and inspection;

6. The Plat shall be subject to the Master Planned Unit Development Plan Agreement for Legacy Bay Farms recorded at Wright County as document number A1430990 dated June 15, 2020; including but not limited to setbacks, landscaping, easements, and Homeowner's Association (HOA) inclusion and responsibilities;

7. Developer shall install 2 cobra lights at the intersection of CSAH #35 and Iverson Ave NE

meeting Wright County Highway Department standards;

8. Street lighting shall be provided by Xcel at Developer's cost with staff's review and approval of the plan.

All voted aye.

### **Discussion Items**

10560 31<sup>st</sup> Place NE- Lot Reconfiguration. Weigle said this is a unique set of parcels located off 31<sup>st</sup> Place NE where the property owner would like to reconfigure the parcels so the existing house would sit on approximately two acres and the undeveloped portion of the land could be sold as a separate parcel. He explained the two parcels and another home share one access with minimal frontage. Staff felt this would clean up the parcels and make it more attractive to a potential buyer. Marshall asked about reconfiguration of the driveway to the two-acre parcel; which Dan Berning, the property owner realtor representative said would be a condition for the larger parcel if/when the larger parcel sells. Commission briefly discussed the zoning of the area, road connection configuration and easements. Hartnett suggested a condition where if the variance is approved, it would expire at a future date if the parcels were to re-develop.

Project Updates. Weigle provided various project updates and answered questions of the Commission.

Historic Catholic Church. Weigle said the St. Michael Catholic Church rents out part of the original sanctuary to another church, but they only utilize part of the space. They have inquired about adding a retail use/bookstore in the church, which Weigle informed commission that the church is currently zoned Public/Institutional. He said they could request to be rezoned to

downtown commercial or for the City to amend the ordinance allowing retail accessory uses in the Public/Institutional District.

Marshall inquired about the parking associated with this building. Weigle said there is some flexibility with parking because it's located in the downtown area and the bookstore use does not anticipate significant or peak parking demands. He mentioned that proof of parking could be provided with a condition that it would need to be built if parking issues arised. Mielke said the lot is full during the day in the summer and fall. Hartnett inquired about the re-zoning back and forth process and conforming/non-conforming rights. Briggs said parking is a concern of hers, Harnett mentioned we could add a condition regarding parking concerns and that he thought this use would be a good addition to the downtown area. Commission consensus was they would be receptive to allowing retail uses as an accessory use, but through the Conditional Use Permit process.

Holiday Party Recognition. Commission should add Thursday, December 21 to their calendars for the annual holiday recognition event for commissioners and a guest to attend.

Upcoming meetings/Ordinance Update.

Weigle informed Commission that the December 6 meeting might be a potential joint workshop meeting with Council and HGKi following the regularly scheduled meeting.

Foxtail Meadows/Workshop Ordinance Discussion. Weigle briefly informed Commission that part of the workshop would be to discuss the current ordinance requiring the living area to be at least 50% of the garage width, which builders have expressed is a unique requirement. Centra Homes (Foxtail Meadows) will be bringing in proposed revisions to eliminate twinhomes and add detached townhomes but they'd like to vary from that requirement and consider lesser side yard setbacks.

Commissioners Hartnett/Gaskins **moved** to adjourn at 7:52 p.m. All voted aye.

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Katie Langland, Planning Assistant