

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES**

March 22, 2011

CALL TO ORDER

Vice Chair Wenner called the meeting of the March 22, 2011 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

The following members were present: Vice Chair Wenner; Commissioners Ferrington, Mons, Proud, Schumer, and Solomonson.

Chair Feldsien was absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Schumer, seconded by Commissioner Mons to approve the agenda as submitted.

VOTE: Ayes - 6 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Schumer, seconded Commissioner Solomonson to approve the March 1, 2011 Planning Commission minutes as submitted.

VOTE: Ayes - 5 Nays - 0 Abstain - 1 (Schumer)

Commissioner Schumer abstained because he did not attend that meeting.

REPORT ON CITY COUNCIL ACTIONS

City Planner Nordine reported that the City Council approved the minor subdivision for Carl Johnson, 5277 Hodgson Road and modified the conditions requiring shared driveway access. Shared driveway access is encouraged, but not required.

NEW BUSINESS

MINOR SUBDIVISION

FILE NO.: 2413-11-06
APPLICANT: JOHN & BETH MICHAELSON
LOCATION: 435 SNAIL LAKE ROAD

Presentation by City Planner Kathleen Nordine

A similar subdivision was approved in 2004 but it was not recorded. John and Beth Michaelson have submitted a Minor Subdivision application to divide the property into three parcels. The existing home will remain on Parcel A. Parcel B will be a newly created parcel that will be developed in the future with a single-family home. Parcel C is a 14.5-foot strip of land along a portion of the north property line that will be divided off and then combined with the property at 266 Harbor Lane. Minor subdivision requests are reviewed by the City to ensure that the proposed parcels comply with the R1, Detached Residential District minimum lot standards. Please see the attached plans.

Parcels A and B comply with City Code standards. Structures on Parcel A will comply with all required setbacks from the new property line. The City will require that City sewer and water be connected to Parcel B. The structure setback range for Parcel B is 30 feet to 47.95 feet. A grading plan is required.

Parcel C consists of a 14.5-foot strip of land to be combined with the property at 266 Harbor Lane.

Comments received expressed no concern for the subdivision, however, Ramsey County encouraged the natural drainage pattern to be retained and that the future structure comply with the required structure setbacks.

The application was reviewed and found to be in accordance with the standards of the Development Regulations. Therefore, staff recommends the Planning Commission recommend approval of the minor subdivision to the City Council, subject to the conditions in the staff report.

Commission Discussion

Commissioner Mons asked if Parcel C includes any portion of the pond, would the owner of Parcel B have to obtain permission, if the pond were to be treated. City Attorney Filla stated that if the pond was dedicated as a public easement in 2004, Parcel C would be subject to that easement. It would not make any difference how many property owners encroached on the easement. Nothing could be done to the pond without City consent. Consent from other

property owners would not be needed.

Ms. Nordine stated that the pond was created as part of the plat for Harbor Lane. There is a public utility and drainage easement over the pond.

Commissioner Ferrington asked where water drains from to the pond. Ms. Nordine stated that there is some overflow from the road, Harbor Lane. There is also a pipe that drains into the pond. Commissioner Ferrington noted that one agency recommendation is to preserve the natural topography. It will be difficult to locate a building pad on the slope. Ms. Nordine responded that drainage will be designed to go around the building pad and maintain the same directional flow. The concern is to not have direct drainage to county land.

Commissioner Proud asked if the City will have sufficient access to maintain the pond. Further, he asked if Parcel B can be developed without encroachment and a need for a variance. Ms. Nordine stated that there is an easement from Harbor Lane to the pond for access. There will also be a 15-foot easement along the east boundary line for access. There is sufficient buildable area on Parcel B. A variance is not anticipated.

MOTION: by Commissioner Mons, seconded by Commissioner Schumer to recommend the City Council approve the minor subdivision application submitted by John and Beth Michaelson for 435 Snail Lake Road, subject to the following conditions:

1. The minor subdivision shall be in accordance with the plans submitted, dated February 21, 2011.
2. The applicant shall pay a Public Recreation Use Dedication fee as required by Section 204.020 of the Development Regulations before the City will endorse deeds for recording.
3. Public drainage and utility easements shall be conveyed to the City as required by the Public Works Director. The applicant shall be responsible for providing legal descriptions for all required easements. Easements shall be conveyed before the City will endorse deeds for recording.
4. Prior to the issuance of a building permit on Parcel B, a grading and drainage plan must be submitted to the City Engineer for review and approval.
5. Municipal water and sanitary sewer service shall be provided to the new lot.
6. The applicant shall enter into a development agreement with the City. The agreement shall be executed prior to the City's release of the deeds for recording.
7. Parcel C shall be conveyed only to the owners of the property at 266 Harbor Lane, who shall combine the Parcel with the existing lot to create a single tax parcel.
8. This approval shall expire after one year if the subdivision has not been recorded with Ramsey County.

This recommendation for approval of the Minor Subdivision is based on the following findings of fact:

1. The subdivision is consistent with the policies of the Comprehensive Plan and in compliance with the regulations of the Development Code.

2. The proposed lots conform to the adopted City standards for standard riparian lots.
3. Municipal water and sanitary sewer service are available for each proposed parcel.

Discussion:

Commissioner Solomonson expressed concern that there may be some drainage to the east. Although drainage goes to an immediate underpass, he asked if drainage is from south to north. Also, he asked how if there is any concern with the underpass filling with water if there is some drainage to the east. Ms. Nordine stated that the goal is to maintain the current flow of drainage. There will be some flow to the east.

Commissioner Mons stated that he has been in the area frequently and never noticed any standing water. He agreed to accept a friendly amendment to add to condition No. 4, that a grading and drainage plan that shows continuance of existing drainage patterns must be submitted to the City.

Commissioner Solomonson stated that he accepts condition No. 4 as written by staff.

VOTE: Ayes - 6 Nays - 0

MISCELLANEOUS

Council Assignments

Commissioners Ferrington and Proud will respectively attend the April 4th and April 18th City Council meetings.

ADJOURNMENT

MOTION: by Commissioner Schumer, seconded by Commissioner Mons to adjourn the March 22, 2011, Planning Commission meeting at 7:23 p.m.

ROLL CALL: Ayes - 6 Nays - 0

ATTEST:

Kathleen Nordine
City Planner