

BAYPORT PLANNING COMMISSION

February 20, 2007

6:00 p.m.

**Bayport City Hall – Council Chambers
294 North 3rd Street**

A. CALL TO ORDER

B. SWEARING IN OF NEW MEMBER RAY VALLEY

C. APPROVAL OF MINUTES

- January 16, 2007 regular meeting

D. PUBLIC HEARINGS

E. OLD BUSINESS

- Consider Application 2007-01 for a comprehensive plan amendment, rezoning, development stage PUD, and preliminary plat for the residential development “Hidden Shores”, contingent upon annexation from Baytown Township
(continued from the January meeting)

F. NEW BUSINESS

G. GENERAL INFORMATION

H. OPEN FORUM

I. ADJOURNMENT

**CITY OF BAYPORT
PLANNING COMMISSION MEETING MINUTES
CITY COUNCIL CHAMBERS
JANUARY 16, 2007
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice thereof, Commissioner Schneider called the regular Bayport Planning Commission meeting of January 16, 2007, to order at 6:00 p.m.

ROLL CALL

Commissioners Present: Commissioners Tom Mabie, Jennifer Schneider, Judith Seeberger, and Ron Wolfe

Commissioners Absent: None

City Staff Present: Administrator Mike McGuire, Assistant Administrator/Planner Sara Taylor, City Council Liaison Alternate Torry Kraftson, Engineer Barry Peters, and Planning Consultant Mike Darrow

SWEARING IN OF NEW MEMBER JUDITH SEEBERGER

Administrator McGuire administered the Oath of Office to Judith Seeberger.

ELECTION OF CHAIRPERSON

It was moved by Commissioner Schneider and seconded by Commissioner Wolfe to appoint Tom Mabie as the Chairperson of the Planning Commission for a term of two years, or until his term expires. Motion carried.

ELECTION OF VICE CHAIRPERSON

It was moved by Commissioner Schneider and seconded by Commissioner Seeberger to appoint Ron Wolfe as the Vice Chairperson of the Planning Commission for a term of two years, or until his term expires. Motion carried.

APPROVAL OF MINUTES

It was moved by Commissioner Seeberger and seconded by Commissioner Schneider to approve the December 18, 2006 meeting minutes as presented. Motion carried.

PUBLIC HEARINGS

Consider Application 2007-01 for a comprehensive plan amendment, rezoning, development stage PUD, and preliminary plat for the residential development "Hidden Shores," contingent upon annexation from Baytown Township: Planning consultant Mike Darrow reviewed the four applications submitted by Lynskey & Clark Companies for Hidden Shores, a proposed development consisting of 30 two-family homes on 26.76 acres. The property is currently in Baytown Township; however the City of Bayport and Baytown Township have approved an annexation agreement for the property, subject to approval of all development applications. The initial 60-day review period ends February 16, 2007. The property is proposed to be rezoned as R-PUD. A man-made pond is proposed as the central amenity, and certification would be required regarding its capacity to hold the water, as well as addressing maintenance issues. The conditions of approval were reviewed, and it was noted that the Washington County Department of Transportation has expressed concern with

access to the development and the proposed roundabout, which will need to be revised. Engineer Peters responded to concerns and recommendations listed in his staff report and noted that he is awaiting additional information from the developer. It was recommended that a detailed tree removal inventory be required and grading for the project be adjusted to stay within the property boundaries.

Chris Nass, 4703 Stagecoach Trail, Stillwater, Minnesota, stated he owns the property to the south of the proposed development. He expressed concern with access to the property via 47th Street, as well as safety issues with increased traffic. He stated he was opposed to the roundabout and may move his driveway access onto 47th Street, from Stagecoach Trail.

Dan Ridgway, 337 North 5th Street, Bayport, Minnesota, spoke to the density of the proposed development and stated he is in favor of requiring a similar amount of open space for Hidden Shores, as was required of the nearby Inspiration development.

Rick Schneider, 1 North Lakeside, Bayport, Minnesota, owns property to the north of the proposed development and expressed concerns with the density of the project. He inquired about the pond dimensions and questioned whether the sewer lines could be run from Inspiration. He was concerned that installation of utility lines would result in the removal of mature trees and is also concerned with water runoff on to his property. Engineer Peters stated the land would be cut back and leveled as part of the grading plan. Mr. Schneider noted the proposed grading plan encroaches on to his property.

Mark Putman, landscape architect for the project, stated the developers are confident that Washington County's access issues can be resolved. He stated the goal of the development is to provide a new style of housing for the area, specifically for people looking to reduce their property maintenance efforts. He reviewed the highlights of the planning for the development. He stated the density is 2.2 homes per acre, which is low by most standards, and the open space is 62%. He responded to staff concerns and believes the issues identified can be resolved. Moving the homes further back from the road is not feasible for noise reduction; however the vegetation growth at the entry should help attenuate traffic noise.

Dan Ridgway, 337 North 5th Street, Bayport, Minnesota, stated there was opposition to a high density of twin homes when Inspiration was initially proposed and doubts that the community's attitude has changed.

It was moved by Commissioner Schneider and seconded by Commissioner Seeberger to close the public hearing. Motion carried.

Commissioner Schneider indicated the latest residential survey revealed that residents highly valued a small town feel, the environment, and had traffic concerns. She requested an analysis of the additional city costs that would be incurred and questioned whether the development would pay for itself. She questioned whether the pond should be considered public space given the private docks proposed. If the pond is maintained by the homeowner's association (HOA), it should not be factored into the open space component. She would like the density reduced and prefers open space rather than a pond. Chairperson Mabie voiced concerns with the pond management. Commissioner Wolfe indicated he would prefer fewer units, with more space in between them. He stated he was not opposed to the twin home concept. Commissioner Seeberger voiced concern with the number of units proposed and stated she has seen pond features in other planned developments that do not

hold up. She is concerned with increased traffic in the area. Engineer Peters stated Washington County was exploring some type of traffic control in the area.

Mick Lynskey, Lynskey & Clark Companies, said the pond would be lined and a mechanism is in place for filling and maintaining the water level, all at the expense of the HOA. He said the proposed density is necessary to support the water feature amenity.

Administrator McGuire stated that the homeowner's association would maintain the proposed lake.

Upon further discussion, a 60-day extension was recommended in order to provide staff and the developer time to revise the plans to address the Planning Commission's concerns regarding the water feature, density, traffic, and open space.

It was moved by Commissioner Schneider and seconded by Commissioner Wolfe to continue the discussion of a comprehensive plan amendment and rezoning to R-PUD to allow a residential planned unit development on 26.76 acres of land known as "Hidden Shores", which is located west of Barkers Alps Park, south of 5th Avenue North and east of Stagecoach Trail North and contingent upon annexation from Baytown Township, until the February 20, 2007 Planning Commission meeting. Motion carried.

A 60-day extension was recommended in order to provide staff and the developer time to revise the plans to address the Planning Commission's concerns regarding the water feature, density, traffic, and open space.

OLD BUSINESS – None

NEW BUSINESS

Consider approval of 2007 application due dates and meeting calendar: Planning Commission meeting dates are proposed for the third Monday of the month, except for January and February when it is proposed to meet on the third Tuesday, due to the Federal holidays.

It was moved by Commissioner Schneider and seconded by Commissioner Seeberger to approve the 2007 application due dates and meeting calendar for the Planning Commission. Motion carried.

GENERAL INFORMATION

Planning Commission vacancy: Lois Bjorlie was thanked for her 2 ½ years of service on the Planning Commission, as she elected not to pursue reappointment to the Planning Commission. City staff is reviewing applications for this vacancy and will make a recommendation for City Council consideration at the February meeting.

OPEN FORUM – None

ADJOURN

It was moved by Commissioner Seeberger and seconded by Commissioner Wolfe to adjourn the meeting at 7:40 p.m. Motion carried.

MEMORANDUM

DATE: February 12, 2007

TO: Planning Commission (February 20th meeting)

FROM: Mike Darrow, Planning Consultant
Sara Taylor, Assistant City Administrator/City Planner

SUBJECT: Consider a comprehensive plan amendment, rezoning, development stage PUD, and preliminary plat for the residential development "Hidden Shores", contingent upon annexation from Baytown Township (continued from the January meeting)

A. BACKGROUND

Since the January meeting, staff has met with the applicant to discuss the application and review the comments made by the Planning Commission. During this meeting, much of the conversation focused on the correlation between the proposed number of units and the water feature. The applicant stated that in order to provide and fund a high-level amenity such as the proposed lake, it would be necessary to retain all of the proposed units. However, since the Planning Commission expressed an opposition to the units proposed, the applicant felt there to be no other option but to redesign the plan, and eliminate the proposed lake, in order to reduce the unit count (see attached letter from the applicant).

B. STAFF COMMENTS

During recent conversations, staff has advised the applicant to pursue one of two options; 1) Make every effort to address concerns and incorporate as many of the suggestions made at the last meeting into the revised plan, and request the Planning Commission make a recommendation to the City Council based on this information, or 2) Withdraw the application and start the process over with a revised plan.

Because a reduction of units in the current plan is not feasible, it appears that the applicant is leaning toward revising the development plan and removing the lake. However, the applicant is requesting additional time to work on both the current plan and possible layouts for a new plan, which would be presented at the March meeting.

D. RECOMMENDATION

Based on the comments and request from the applicant, staff recommends the Planning Commission adopt a motion to approve the applicant's request for additional time to revise the current development plan for "Hidden Shores" and develop a possible layout for a new plan. Staff also recommends the Planning Commission adopt a motion to continue discussion of the application at the March 19, 2007 meeting.

January 17, 2007

RE: Bayport - Hidden Shores - 60 Day-
Extension Letter
SEH No. A-BAYP00703.00 Minneapolis

Mr. Mick Lynskey
118 S. Main Street
Stillwater, MN 55082

Dear Mr. Lynskey:

Our office serves as the planning consultant for the City of Bayport. The purpose of this letter is to provide official notification that the City of Bayport will extend the review period for the Hidden Shores Comprehensive Plan, Rezone, Preliminary Plat and PUD application for a period not to exceed 60 days in order to complete the processing of the application through the City Council. The City has extended the 60-day review period in order to receive detailed landscaping plans, a tree removal plan and information pertaining to the maintenance of the pond. The revised plans must also incorporate the comments made by Joe Lux and must also respond to concerns regarding open space and density. As you are aware the lack of public open space and amount of units within the site area were concerns made by the Planning Commission last evening.

Our office received your completed application on December 18, 2006. This letter provides official notification that the City of Bayport will utilize its option, pursuant to MN Statutes 15.99, to extend the review deadline for an additional sixty (60) days. Pursuant to the extension, the City Council will render a decision on the application by no later than Tuesday, April 17, 2007.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.

Michael Darrow
Planning Consultant, City of Bayport

md

c: Mike McGuire,
Sara Taylor, Assistant Administrator
Nick Vivian, City Attorney

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February 12, 2007

Bayport Planning Commission
294 N. 3rd Street
Bayport, MN 55003

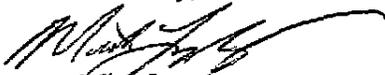
Dear Planning Commissioners:

On January 16, 2007 we came before you for a variety of requests related to the preliminary plat of *Hidden Shores of Bayport*. At that meeting, you continued our request and asked that we come back after incorporating your comments and requests in to our plan. Along with your comments and requests we were also given an extensive list of items from your outside planning consultants. In order to comply with that list, we will incur more significant expenses. We feel that the information requested is appropriate for the plan we have proposed, but based on the comments you made; it does not seem very prudent to proceed with compiling that information.

We listened to your comments and deemed that most of them related to the proposed water feature and number of units. We make an effort to put our best foot forward first. Therefore; we did not want to waste your time or ours by first bringing you a plan that would incorporate significantly higher rates of density. If we had done so, that would have allowed us to remove units in order to give us all a sense of "compromise". Unfortunately, to provide the level of amenities that we were proposing, it required all 60 units to fund it. Removing 6-8 units takes away from that funding but does not take away any of the costs of infrastructure. Whether this neighborhood would be 52 units or 60 units it would "feel" the same as you drive through, but the cost to construct the improvements would be substantially the same either way.

So, in response to your requests regarding the water feature and the removal of units we are currently exploring other plans that will incorporate removal of the water feature and reduction in the number of units. I am sorry that we have not created a final concept of this plan yet. I was out of town with my family and we have also been working on other projects in addition to this. I regret that I can not be present at your February 20th meeting to speak with you in person. For some time, I have been slated to present a plan to the city council of another municipality. If for some reason, I get bumped from that agenda, then I will be present at your meeting. Otherwise, we are diligently preparing to be at your future meeting in March. Please accept this letter as a waiver to the "60 day rule". We certainly appreciate your time and consideration. We look forward to working together with you to create a meaningful neighborhood that we will all be proud of.

Sincerely,



Mick Lynskey
Lynskey & Clark Companies