

**CITY OF HANOVER
PLANNING COMMISSION MEETING
MAY 23, 2018
OFFICIAL MINUTES**

Call to Order/Pledge of Allegiance

Stan Kolasa called the May 23, 2018, Planning Commission Meeting to order at 7:00 pm. Members present were Stan Kolasa, Jim Schendel, Michelle Armstrong, Dean Kuitunen, and Mike Christenson. Also present Council Liaison Doug Hammerseng, City Planner Cindy Nash, City Engineer Justin Messner, and Administrative Assistant Amy Biren. Guests present: Zach Webber, Deb Krause, Adam Lange, Todd McLouth, Mark Kjolhaug, Dennis Backes, Clark Lee, Chuck Ylitalo, Alyssa Schulze, Darsi Miller, Janet McDaniel, Lauri DeZiel, Wallace DeZiel, Matt Lee, Karl Johnson and a few other residents.

Approval of Agenda

MOTION by Schendel to approve the agenda, seconded by Armstrong.

Motion carried unanimously.

Approval of Minutes from the March 26, 2018 Regular Meeting

MOTION by Schendel to approve the March 26, 2018, minutes, seconded by Armstrong.

Motion carried unanimously.

Citizen's Forum

None

Public Hearing

a. Environmental Assessment Worksheet (EAW) for Crow River Heights West Future Additions

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:01 pm.

Nash reviewed how the EAW was published and that the review period for public comment was nearing an end, specifically closing on Wednesday, May 30, 2018. She presented a video for the Board and guests to watch that outlined what comprises an EAW and the steps taken by the responsible governmental unit. Video link: <https://www.youtube.com/watch?v=juiYV-tKfp0&feature=youtu.be>.

Nash then asked for public comment. As she had received two letters prior to the meeting, she read them for the record. The letters were from Robert Clyne and Shannon Chau, 538 Jandel Avenue NE, and Debra Krause, 579 Jandel Avenue NE. Copies of the letters are attached. She indicated that these letters also applied to the Preliminary Plat Public Hearing as well.

Darsi Miller, 578 Jandel Avenue NE, Hanover: Miller indicated she was concerned about the high-water level and the wetland that is adjacent to her property. She mentioned that in the spring, the water rises and worries that the development will impact the level of the water and possibly cause damage to property and homes. She is neighbors with the Krauses and also echoed their concern about losing the trees adjacent to her property, along with the privacy. Miller asked if there was a compelling reason to connect Jandel with the new development. She stated that she thought having a buffer zone would make the current neighborhood and the future development neighborhood more attractive. Miller also stated her concerns with construction traffic using the streets in Hanover Hills as a throughway to the construction site.

Chuck Ylitalo, 9715 10th Street NE, St. Michael: Ylitalo expressed concern with additional drainage coming through the area and his property and how the proposed homes would be at a higher elevation than his home. He also stated that the previous design (plat) seemed more desirable with less coving and more natural flow to the drainage.

Janet McDaniel, 9834 4th Street NE, Hanover: McDaniel stated that it doesn't take much to move water and then changes can happen. She gave the example of lots on 500-520 Kadler Avenue which have wetlands located on them and how the water drains from Hanover Hills to that area. Changes can affect trees and their lifespan. The developer knows what they are doing: building homes and making money. The City needs to make sure it protects its citizens.

Matt Lee, 9840 Jasmine Avenue NE, Hanover: What is the mitigation of the wetlands and could it please be explained. He also would like to know if the EAW would be revisited in the future.

Justin Messner, City Engineer: With the mitigation of the wetlands, he and staff met with Wright County Soil and Water Conservation District (WCSWCD). They were agreeable to eliminating some of the smaller, incidental wetlands. Outlot F will need some mitigation and the developer may purchase wetland credits at a rate of two (2) to one (1), essentially paying more than if they mitigate onsite.

Clark Lee, 525 Kadler Avenue, Hanover: Please clarify if the wetland is going to be mitigated onsite or not.

Todd McLouth, Loucks Engineering: The wetlands will be mitigated onsite.

Nash responded to M. Lee's question about further review of the EAW. Nash said that the EAW does cover the entire property and is reviewed once prior to preliminary plat approval. The parcel phases will be reviewed again in the future when the final plats are approved. There can be adjustments made at that time if needed.

A question was asked about the increase in traffic. Nash replied that there was a traffic study completed and is part of the EAW. The proposed plan is trying to keep some of the underlying streets and grading that is in place, but changes need to be made due to the wetlands and the desire for them to be in outlots. Since there was a wetland ordinance change since the previous plan, the number of lots being built has reduced to 159 units. The current plan will be less dense and therefore fewer cars. The traffic study did not highlight serious concerns about the added units impacting traffic.

Kolasa closed the Public Hearing and re-opened the Planning Commission meeting at 7:29 pm. Kolas went on to ask the Board members for questions and comments.

Armstrong stated that she, too, had concerns about the high water level in Outlot E. Messner said they looked specifically at the wetlands and the ponds in conjunction with grading in order to ensure that water flowed properly without having to pipe the area. Part of the process was to establish high water levels in each of the wetlands. He went on to say that Outlot F's wetland continues into the Hanover Hills area.

Miller asked if there will be more water flow with the grading. Messner stated that the grading will actually help the water continue through the area as it is supposed to flow. The high water level will also help in making sure wetlands drain correctly.

Armstrong asked for clarification on the emergency overflow and where the water will go to the basins. Messner replied that the overflow goes in the basin, but nothing from the streets would be directed into the basins. He also showed how the grading affects the flow.

Christenson wanted to know if the grading by 10th Street is going to as severe as it appears on the plan. Messner looked at the property on the map and said drainage should be maintained. McLouth said that the berm created (which appears as severe grading) will be used to keep the water from Ylitalo's property.

Nash was asked if a formal motion was needed for the EAW. She replied that the Planning Commission did not need to make a formal motion. After the public comment period closed, a narrative of the comments would be presented to the Council along with the EAW. At the June 5, 2018, Council meeting, it would be decided if an Environmental Impact Statement would be needed or if the EAW could stand alone.

b. Planned Unit Development and Preliminary Plat for Crow River Heights West Future Additions

Kolasa closed the Planning Commission meeting and opened the Public Hearing for the Planned Unit Development (PUD) and Preliminary Plat for Crow River Heights West Future Additions at 7:40 pm.

Nash reviewed the memo provided to the Board members. The developer attempted to utilize as much of the grade as possible that was already existing from the previous plat. The current plan meets the wetland setbacks which the previous one would not. The developer has eliminated the townhomes and all the units will be single family homes situated in a similar coving manner. The front yard setback will be a “build to” line in order to maintain the coving concept. The lot size was reduced from current standards with the main reason being the elimination of wetlands and stormwater ponds as being part of a parcel. All of the ponds and wetlands will be in outlots that are deeded to the City in order for maintenance to be performed. The width of the lots has also been reduced. The rear yard setback of some lots will be reduced in order to maintain the wetland setback. The developer did not request a reduction of the side yard setback as in the previous phase in 2017. Staff would like more discussion on Outlot F. Sidewalks will be constructed in this part of the development on one side of the street. Although the previous developments in this neighborhood do not have sidewalks, it is a standard currently and sidewalks will more than likely will be constructed when streets are reconstructed as part of the pavement management plan. Cardinal Circle Park was designed with the intent of being the park for the proposed development. The developer will still need to pay park dedication fees which can be used for amenities currently absent from the park.

M. Lee stated that it seems like another park would be needed with the amount of families and kids coming to the new development.

Nash reiterated that Cardinal Circle Park was meant to be the park for the entire neighborhood and is an adequately sized park for that size of neighborhood. Armstrong said that there is plenty of space in Cardinal Park to add amenities. Nash replied yes and stated that the City is in the process of updating the Comprehensive Plan and can bring this to the Park Board for further discussion. She went on to say that most cities tend not to put a small, or pocket, park in a neighborhood as it would be under used. She also added that staff would not recommend doing such a small park.

Karl Johnson, 9910 Jasmine Avenue NE, Hanover: He is concerned about the traffic and how drivers do not obey the stop signs or speed limits. He asked for speed bumps as he believes it is just a matter of time before a child is hit by a car. Messner replied that the City often gets requests for speed bumps, but that speed bumps cause further issues with liability and maintenance. He also said that Kadler Avenue is actually under-utilized compared to Kayla. Several residents disagreed with Messner. Messner explained that the traffic study was completed and it stated that the additional traffic from the development could be adequately handled with the existing streets. He went on to say that studies show that speed bumps actually increase speeds as drivers tend to speed up in between the speed bumps. Messner also said that residents can speak to their neighbors when they see speeding and get the message out that it is not acceptable in the neighborhood.

Adam Lange, 9970 Fourth Street NE, Hanover: He moved into the neighborhood about two years ago and he sees a lot of the cars using Kadler as a cut-through from CSAH 20 to Beebe Lake Road. Messner said that increased patrols of law enforcement would be able to help with that.

Ylitalo asked about the rear yard setback of the homes on the north side of the development abutting his property. McLouth replied that the rear yard setback is 30 feet and the lines Ylitalo is looking at are the drainage elevations. Nash said the only lots with reduced rear yard setbacks are those that abut a wetland.

C. Lee requested that the PUD and preliminary plat be tabled due to the fact that the WCSWCD has not met and approved the wetland delineation and mitigation. This decision would not be made until the July 9th meeting.

Kolasa replied that the Planning Commission can send it to Council and Council can table it. The Board's job was to gather information.

Messner also replied that the PUD and plat can be accepted contingent on the developer obtaining all the necessary permits prior to the final plat being approved. The developer also realizes that he continues at his own risk and has to accept the risk of redesigning the plat.

Nash replied as well with the analogy of the chicken and the egg. She said that typically, the PUD and plat come through the City first and that it is contingent on the developer getting the necessary permits.

C. Lee replied that wetlands cannot be filled for economic gain.

A guest asked where these wetlands were located and if they were the low spots in the pasture and field area of the parcel. Messner said that some of the wetlands are located in that area and that some of the wetlands were identified as incidental and caused by past grading. The WCSWCD will make the decision whether or not some of the wetlands are considered significant.

Alyssa Schulze, 10070 Fourth Street NE, Hanover: She is concerned with the heavy traffic and if Jandel is connected to the new development, that will create another cut-through street for drivers. She would rather have only one road with heavier traffic.

M. Lee commented that the previous development was not in conflict with the Comprehensive Plan and that the proposed development is. He thinks that this would be an opportunity for the developer to create different types of lots. He also said that traffic needs to be addressed.

Nash replied that a PUD is at the discretion of the City Council. It is a common practice for a PUD to meet concerns expressed by a city, as has the proposed plan with the wetlands and ponds being outlots instead of on a person's property.

M. Lee said that this plan looks like St. Michael's developments and that is why his family did not move to St. Michael.

Biren read letters from Kelly Baltzell, 795 Kadler Avenue, and Thomas Jones, 540 Kadler Avenue. These letters are attached.

Deb Krause, 579 Jandel Avenue, restated her request for a transition zone between the two neighborhoods saying that she will be closer to neighbors than she previously was before moving to Hanover.

Kolasa closed the Public Hearing and re-opened the Planning Commission meeting at 8:23 pm. He asked if the developer would like to present any information and if the Board members had questions.

Christenson asked what the City is doing to address the issue of law enforcement coverage. He was told that Council would need to address that question. Christenson added that the lot sizes are larger than the previous stage that was approved in 2017.

Kuitunen asked if the previous phases of Crow River Heights followed setbacks or was it a PUD. Nash replied that it was a PUD, but unfortunately, the PUDs in the past were not spelled out as they are currently. Also, the previous PUD would not have met the wetland setback requirements.

Schendel expressed concern to make sure the emergency overflows are certified upon completion and to make sure that lots are certified prior to occupancy. Messner said that is currently the practice.

Christenson asked if it would be reasonable to do this in phases rather than one large preliminary plat. Nash responded that the final plats will come in phases and the area being approved will be smaller. This preliminary plat will not be good for 10 years as the previously one was.

Armstrong asked about the red-lined plat maps that were included in Messner's memo to staff. Messner said that he did a review of the plat and identified problem areas for drainage. He asked for those areas to be corrected. He went on to say that often when preliminary plats are created in CAD, they are not finessed

so some issues may need to be identified. The final plats will address these issues and be given an extensive review prior to approval by Council. During each phase of the development process, a review is completed to ensure that changes have been made and standards are met.

Armstrong asked Backes how many phases will be rolled out. Backes said that the first phase of this plat will be an extension of Jordan Avenue of 26 or 36 homes depending on whether or not the cul de sac is included in the phase.

Hammerseng asked how many phases he was planning. Backes said that he would like to have five or six phases depending on the sales. He would like to do a phase each year.

Armstrong asked if the same builders would be selected. Backes replied at this time, he was planning on the same builders, but this phase will have more expensive homes with more varieties of styles.

C. Lee again stated that this was wasted time since the WCSWCD has not approved any mitigation. Mark Kjolhaug, Kjolhaug Environmental Services, stated that the next two phases will not have any wetland impact.

MOTION by Armstrong to forward the PUD for Crow River Heights West Future Additions with staff recommendations to Council for approval, seconded by Kuitunen.

Motion carried unanimously.

MOTION by Schendel to forward the Crow River Heights West Future Additions Preliminary Plat with staff recommendations and the items covered to Council for approval, seconded by Kuitunen.

Motion carried unanimously.

Unfinished Business

None

New Business

Site Plan for 11234 River Road Parking Lot

Messner showed the parking lot planned for the property located at 11234 River Road. He explained that the entrance and exit is combined and is wide enough to accommodate it should cars be entering and exiting at the same time.

Hammerseng asked if the ratio of regular parking spaces to handicapped spaces were adequate. Messner said that the two spaces indicated is fine for general parking.

Kolasa asked if after the parking lot was completed, would there be follow through with marking the street yellow and no parking signage. Messner said that is the plan. He went on to say that the pole would also be removed from the sidewalk and moved further into the property.

Christenson wondered if anyone had been in contact with the new owner of the property to the north. Messner said no, but that there was parking already in place on the north side of the property.

Kolasa left at 8:50 pm and Schendel took over conducting the meeting.

Hammerseng asked if something was being done with the stormwater from the parking lot. Messner said that a catch basin will be installed and it will drain into the existing stormwater system on River Road.

Christenson asked when this would be happening. Messner said that it would depend on who does the work and if quotes are needed.

MOTION by Christenson to forward the site plan for a parking lot at 11234 River Road to the Council for approval, seconded by Armstrong.

Motion carried unanimously.

Reports and Announcements

Christenson asked about the progress of the pavement project on River Road. Messner said that the project is going very well and slightly ahead of schedule. The contractor has a very aggressive schedule and would like all parts of the project done by June. River Road has been reclaimed and the final grade is almost complete. The paving is scheduled for next week. Armstrong asked about the new road being able to handle any construction equipment if the new development goes in. Messner said that new road was engineered for such heavier traffic, including the Industrial Park traffic and any mining traffic.

Hammerseng said that since staff has moved into the new Public Works facility, Council is starting to think about what should go in the old facility.

Messner added to his initial report that culvert replacement would be starting in Pheasant Run and on Ladyslipper.

Nash reported that she and Messner would start reviewing the Paxmar EAW in about two weeks and that the goal was to have the preliminary plat at the July Planning Commission Meeting.

Biren reported that the City Clean Up day went very well. There were 109 cars that came through. Staff is waiting for expenses before closing out the project.

Adjournment

MOTION by Kuitunen to adjourn, seconded by Christenson.

Motion carried unanimously.

Meeting adjourned at 9:04 pm.

ATTEST:

Amy L. Biren
Administrative Assistant

May 20, 2018

Ms. Cindy Nash, City Planner
Mr. Brian Hagen, City Administrator
City of Hanover
11250 5th St. NE
Hanover, MN 55341-0278

Re: Crow River Heights West Future Additions

Members of the Planning Commission;

We would like to comment for the May 23, 2018 Public Hearing record on the Backes Companies application regarding the Environmental Assessment Worksheet (EAW), Planned Unit Development (PUD), and Preliminary Plat review.

The platted area abuts our property located at 538 Jandel Ave NE, Hanover (Whitetail Preserve). We attach a photo with our lot outlined in blue and the Crow River Heights West area to the east.

In this phase, our area of interest is Outlot B, Wetland 11 of 41,815 sf. This wetland does not physically stop at the development lot lines, rather the actual wetland extends in to our lot. This wetland has seasonal flooding with high water that flows and extends to wetland areas along and in to our east lot line. This extended flow creates seasonal flooding. Per documents, it appears this Outlot B, Wetland 11 is planned to be unmitigated. However, as mentioned in the Wetland Delineation Report page 111, "the wetland has expanded since the time of the previous delineation into the adjacent graded area".

Our concern is knowing if no mitigation will be maintained, or if any mitigation and/or alterations are contemplated that affect this wetland and what protections will be in place during this phase, during home construction, and during homeowner lot work regarding landscaping or water management they may do.

As this Wetland 11 physically extends in to our lot, our interest and expectation is to not create any additional seasonal or non-seasonal high water to our property related to this development – whether through grading, drainage, water runoff, during site work, home construction, and/or homeowner landscaping and water management. This considers Chapter 20 - Zoning Ordinance and Chapter 30 - Subdivision Ordinance and/or other Chapters that may apply. If such conditions were to occur, we would expect mitigation be undertaken by the developer and/or the appropriate Crow River Heights West homeowner(s).

Thank you.
Sincerely,



Robert S. Clyne/Shannon Chau
CLYNE-CHAU LIVING TRUST
538 JANDEL AVE NE
HANOVER MN 55341-4059

MAY 21 2018



Outlet B,
Wetland 11

May 22, 2018

To: The Hanover Planning Commission,

I have lived at 579 Jandel Ave NE since September of 2000 and I have grave concerns about the current Crow River Heights West Third Addition preliminary plat proposed for the property directly north of mine.

When I moved to Hanover 18 years ago I purchased a large wooded lot along with all of my neighbors. I built my home here because I was looking for country living that provided a feeling of community but also allowed for some space and privacy. I was willing to give up the convenience of city water and sewer in order to enjoy the space and openness that the White Tail Preserve neighborhood provided.

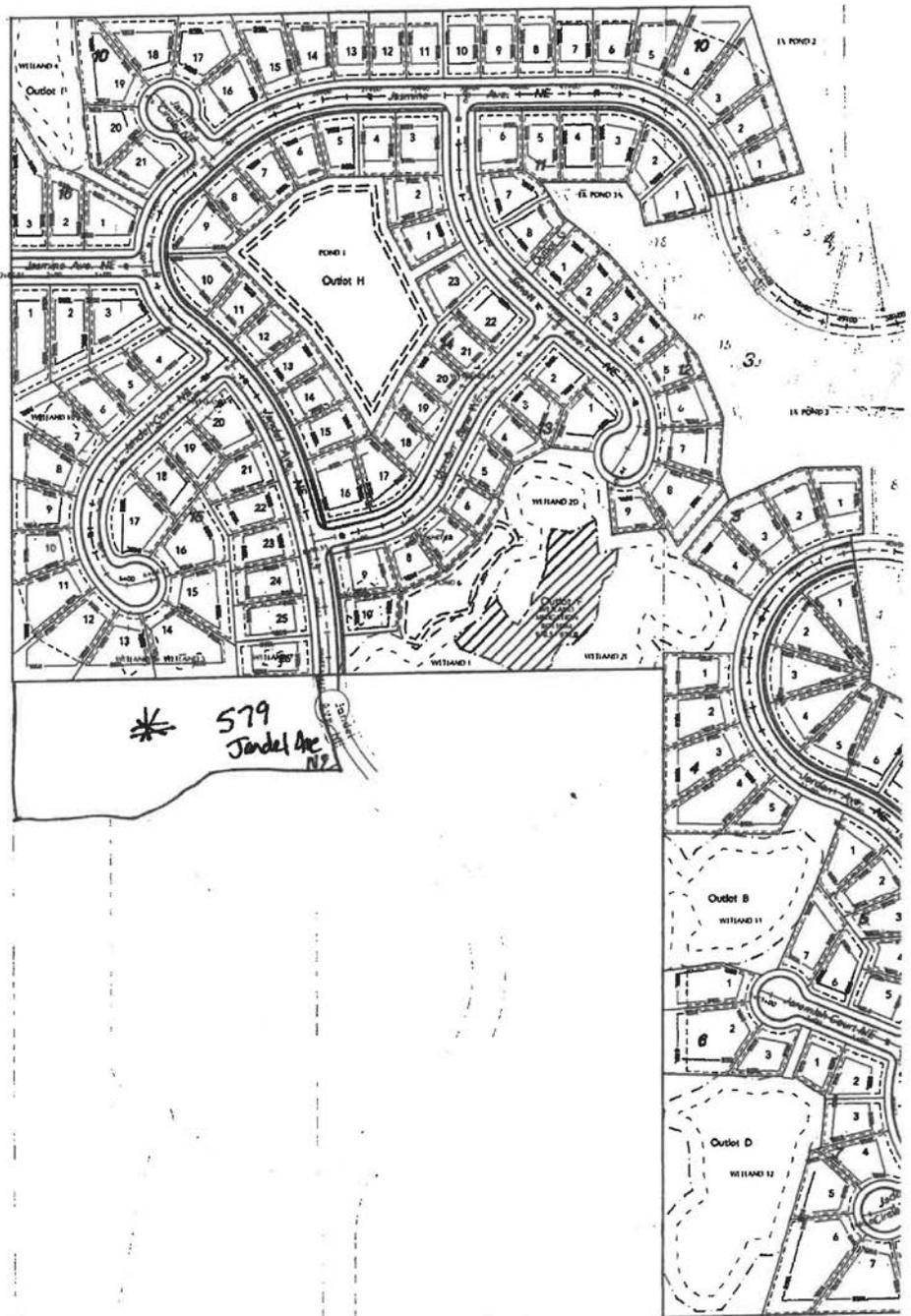
The current plat proposes high density homes to be built directly adjacent to my property. I also noted in the EAW there is a plan to reduce the 9.1 acres of beautiful mature woods north of my property to less than half an acre.

I respectfully request the planning commission consider adding a requirement for a transition zone between my property and the proposed development area 15. This would be consistent with the transition areas included in the plat around the properties of my White Tail Preserve neighbors. I love living in Hanover and I love my house and my property. I pay my taxes and I am a good citizen and steward of this community. Please consider making this change to this proposed plan that would impact my property and lifestyle so negatively.

Regards,



Debra L. Krause
579 Jandel Ave NE
Hanover, MN 55341
612.875.8707



1/2" = 1' 1/2" 1/4" = 1' 1/2" 1/8" = 1' 1/2" 1/16" = 1' 1/2"

Amy Biren

From: Cindy Nash <cnash@collaborative-planning.com>
Sent: Tuesday, May 15, 2018 1:58 PM
To: Kelly Baltzell; bhagen@ci.hanover.mn.us
Cc: Amy Biren
Subject: RE: Crow River Heights West Third Addition

Hi Kelly ---

I'm happy to pass along your comments to the Planning Commission. There is a network of sidewalks planned through this development.

Cindy Nash, AICP, EDFP
Collaborative Planning, LLC

Direct (763)473-0569
Cell (612)702-3845

PO Box 251, Medina, MN 55340

From: Kelly Baltzell <kelly@beyondindigo.com>
Sent: Tuesday, May 15, 2018 1:51 PM
To: Cindy Nash <cnash@collaborative-planning.com>; bhagen@ci.hanover.mn.us
Subject: Crow River Heights West Third Addition

Cindy and Brian,

I will not be able to attend the Public Hearing on Wednesday May 23rd. However, I would like to propose we have sidewalks in this division, places to throw away dog poop, and a dog park. Having lived in Hanover for 11 years now on Kadler Ave. N.E., a sidewalk would take pressure off the street for families/kids walking and cars. We have so many dogs, having a place for them to use versus the parks would be helpful as well. Please let me know how to have these considerations added to the agenda.

Thank you,

Kelly

KELLY BALTZELL, CEO
Beyond Indigo Marketing
kelly@beyondindigo.com
877.244.9322 x123

Thomas R. Jones
540 Kadler Ave. NE
Hanover, MN 55341

5/23/18

City of Hanover
Planning Commission and City Council
11250 5th Street NE
Hanover, MN 55341

Dear Planning Commission and City Council,

I am writing to you in regard to the planning commission meeting scheduled on Wednesday, May 23rd, 2018 to discuss a proposed development plan for Crow River Heights West. The overall site plan I am referring to is labeled C2-0. Because I am unable to attend this meeting in person, I respectfully ask you to accept this letter as my formal statement on the issue.

As I reviewed the aerial photo with the planned area shaded in red and the site plan, I have the following concerns. I ask the planning commission to review each of these items and consider my suggestions. I will also present these to the City Council on Tuesday, June 5th if they are still unresolved.

1. The shaded area on aerial view sets its boarder on the edge of our finished yards. This is not an accurate depiction of the lot lines for 540 Kadler Ave. My official property line goes well into the wetland and at some points even extends beyond it. This problem also seems to exist on the overall site plan as it relates to Wetland 6. I am property number three along Kadler Ave. Though the shape of my property on the plan is correct, I want to be sure that the developer is aware of the wetlands that are included in my plot. These appear very separate when outlining wetland 6 on the plan.
2. No lot or housing dimensions were provided with the plan in the mailer to residents. As such, it looks as though they are very small and do not match the current setbacks as described in our city ordinance for R1A properties. If as a PUD, this plan is not subject to these setbacks, I hereby request the planning commission recommend that the council require these standard ordinances as part of the plan. When the last phase was approved, the developer asked for an 8 foot side yard setback. When this was approved, a member of the council specifically said this was a one-time deal and they expected the standard setbacks in all directions to be followed next time. Please hold the developers to this. (80 foot minimum lot width, 30 foot front yard, 10 foot side yards, 30 foot rear setback, and the structure at least 30 feet from wetlands.)

City of Hanover

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3. If you look at the site plan, proposed lot numbers 3-7 which come off Jordan Ave NE and line Wetland 6 could not possibly be accurate with regard to where the space for Jordan Ave NE currently sits. The ridge where these homes are proposed is only 30-40 feet wide. As such, normal homes with any type of yard will not fit or meet the setbacks. Additionally, homes are required to be at least 30 feet from wetlands. This is impossible as the plan is currently laid out. Either the developer is planning to move Jordan Ave NE, or they are selling a plan that is not aligned with current wetland setback requirements and city ordinances. Either way, this seems to again assume they have control over areas of plots 3-6 on Kadler Ave NE that are not properly represented. I ask that you make them publish the proposed lot and dwelling dimensions prior to the June 5th council meeting.
4. There are currently no additional parks or play structures in this proposal. If they want to add 200 houses, they must make room and plan for an additional playground. The one on Kadler Circle is not enough nor should it have to absorb the use of 400+ additional children. As a resident, I expect developers to plan these areas just as they were during the first phase of Crow River Heights.
5. I am all for additional development. However, please consider working with the school district to see what they can accommodate and how fast. If Hanover is adding 350-400 additional homes between two new developments within the next 2 years, how is Hanover Elementary able to accommodate this influx? Let's make sure we know how this will be solved before granting permits.
6. To be sure all parties know where lot lines are located, I request that all current homeowners with properties which abut the proposed development area have their property lines professionally surveyed and marked prior to any digging or construction. This should not be paid for by the homeowners, but rather by the developer.
7. Finally, due to the massive construction traffic that will be coming in and out, I request that the city require this traffic only enter and exit from Beebe Lake Road. We do not want this traffic flowing through Crow River Heights or Hanover Hills. There are MANY children and families on these streets walking and riding bikes. That number of large trucks is an extreme safety hazard.

Sincerely,
Thomas R. Jones
Resident
661-342-9576-Cell