CITY OF MILACA PLANNING COMMISSION AGENDA March 13, 2023 6:00 P.M. 255 1ST ST E, CITY HALL COUNCIL ROOM

| 1. | Open Regular Planning Commission Meeting | |
|----|--|------------------------------|
| 2. | Call to Order/Roll Call Brett Freese, Hayden Hultma Millam, Pam Novak, Brad Tolzman | n, Arla Johnson, Joel |
| 3. | Approve minutes from December 5, 2022 | MB2 nd AIFO |
| 4. | Open Public Hearing: to consider a request from CKW De a final plat for Boulder Ridge Fourth Addition. The proper Development. The applicant is asking for a duplex in Part <i>Time Public Hearing Opened:</i> Time Public Hearing Closed: | ty is zoned R-2 Planned Unit |
| 5. | New Business a. Preliminary Plat Request from CKW Developers for Boulder Ridge Fourth Addition | MB2 nd AIFO |
| | b. Final Plat Request from CKW Developers for Boulder Ridge Fourth Addition | MB2 nd AIFO |
| | c. Planned Unit Development Amendment | MB2 nd AIFO |
| | d. Fill vacancy for Laurie Gahm | MB2 nd AIFO |
| 7. | Miscellaneous | |
| 8. | Adjourn | |

City of Milaca Planning Commission

December 5, 2022 - 6:00 pm

- 1. Members present: Hayden Hultman, Brett Freese, Brad Tolzman Laurie Gahm, Arla Johnson, Pam Novak; Members absent: Joel Millam
- 2. Others present: Phil Carlson, City Planner; Tammy Pfaff, City Administrator; Dolores Katke, Norris Johnson, City Council Representative; and Milaca citizens (see attached list)
- 3. Motion made by Arla Johnson and seconded by Laurie Gahm to accept October 11th, 2022 Secretary minutes, motion carried.
- 4. Public Hearing/New Business, opened at 6:02pm
 - a. Rezoning application from Eric and Jill Hardy at 420 10th St. NE to multi-family development.
 - a. Citizen's Discussion
 - i. Brenda Follmuth Brought up the question of whether there is truly an apartment shortage in Milaca and if a housing study has been done; Tammy Pfaff confirmed there is a housing shortage per a housing study. Worry of high density of housing and the potential for an increase in crime.
 - ii. Dean Dehart Voiced concerns regarding the objection for apartments in his backyard and mentioned moving to the area for the solitude of his yard and the area.
 - iii. Denise M. Concerned about decreased property values.
 - iv. Brad Weitgenant Expressed concerns regarding water run-off, installation of holding ponds, the accessibility and accommodation of the current city water and sewer systems.
 - To all of these questions and concerns, Tammy Pfaff confirmed all has been discussed with City Works and all utilities will allow for this establishment.
 - v. Angela Garatt Studied the current land use plan and questioned some of the items requested for the rezoning application.
 - b. With no other Citizen's Discussion warranted, Public Hearing was closed at 6:43pm.
- 5. Much discussion was had between commissioners and Phil Carlson. Based on Findings of Fact for Approval, as noted below, it was decided there was no reason to deny the request for the rezoning.
 - a. The lot at 420 10th St. NE is situated between a single family residential neighborhood on the west and industrial land and use to the east, south, and north.
 - b. The proposed zoning designation as R-3 Multiple Family Residential provides a buffer and transition between the abutting land uses, a desirable land use pattern.
 - c. The city's Future Land Use Plan and Zoning Map should be in conformity. Amending the Future Land Use Plan to H-D High Density Residential to match the requested R-3 Zoning is appropriate.
 - d. There is a need for more multi-family housing in Milaca, which this property could help provide.

- e. The request satisfies the factors for rezoning in section 156.150 (D) of the Milaca Zoning Code.
- f. A motion was made by Brett Freese and seconded by Laurie Gahm to approve the rezoning as presented. All voted in favor, aside from one member. Motion carried.
- g. This manner will be taken to the City Council Meeting on December 14th, 2022 for final approval.
- 6. With no further business to be discussed, Motion made by Arla Johnson, seconded by Laurie Gahm to adjourn. Meeting adjourned at 7:00pm.

Respectfully submitted,

Pam Novak



Planning Report

Date: March 13, 2023

To: Milaca Planning Commission

From: Phil Carlson, AICP, Phil Gravel, PE, Stantec

Request: Planned Unit Development Amendment, Preliminary & Final Plat

Boulder Ridge 4th Addition, Boulder Ridge Residential PUD

Owner: CKW Developers

Applicant: Shawn William, CKW Developers

Address: 11th Avenue NE and 8th Street NE

PIDS: 21-130-0170, 21-130-0520, 21-130-0530, 21-130-0540, 21-130-0550

Zoning: R-2 – 1 & 2 Family Residential

INTRODUCTION

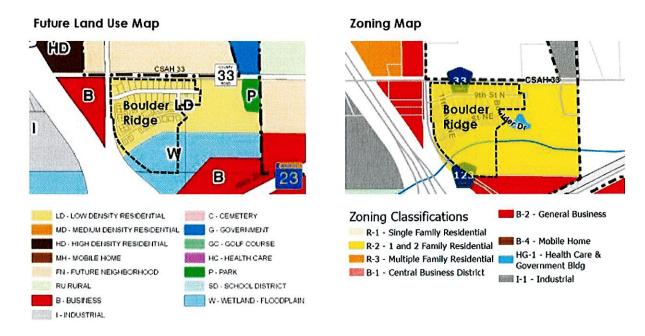
The Boulder Ridge residential plat is a partially developed PUD with 27 single family lots, 20 lots for duplex and fourplex units, and 12 outlots for future development. The current request is to revise the PUD and plat to change four of the outlots that were proposed as fourplexes (16 units) to 6 duplex lots (12 units) on Outlots B, C, D, and E. Only one new duplex on what is now Outlot B is proposed to be built at this time. The arrangement of the private streets serving this part of the development – 11th Avenue NE and 8th Street NE – will not change, and the general location of the structures on the new lots would not change significantly from the previous plat.



The property is guided Low Density Residential and zoned R-2-1 & 2 Family Residential. See map excerpts on the next page. The PUD is a zoning overlay that regulates how it is to be developed.



Re: Boulder Ridge 4th Addition - PUD & Plat



Planned Unit Development

Milaca's PUD zoning district standards note the following:

156.043 (A) *Purpose.* The purpose of the planned unit development district (PUD) is to permit great flexibility in the use and design of structures and land in situations where modification of specific provisions of this chapter will not be contrary to its intent and purpose or significantly inconsistent with the planning on which it is based, and will not be harmful to the neighborhood in which the districts occur.

The original PUD was approved in 2004 with variations from the zoning standards of lot size and lot frontage requirements. Undeveloped portions of the plat are reserved in outlots. Some of the single family, duplexes, and fourplexes in Boulder ridge are built, but not all of the lots. The current request stays within the general provisions and intent of the previous PUD approval and the reconfigured outlots will reduce the overall density on the property. See graphics at the end of this report.



Re: Boulder Ridge 4th Addition - PUD & Plat

RECOMMENDATION

The proposed plat and PUD amendment are relatively minor and reasonable. The request should not be controversial.

We recommend that the Planning Commission recommend approval of the revised PUD and Boulder Ridge 4th Addition preliminary and final plat, with the following conditions:

Conditions of Approval

- 1) The applicant will submit a full preliminary and final plat, to be reviewed and approved by the city engineer and city attorney and recorded with the county prior to a building permit being issued for the proposed duplex on Outlot B or other future development.
- The applicant will submit plans and information on grading, drainage, stormwater management, water and sewer as required by the city engineer.

Findings of Fact for Approval

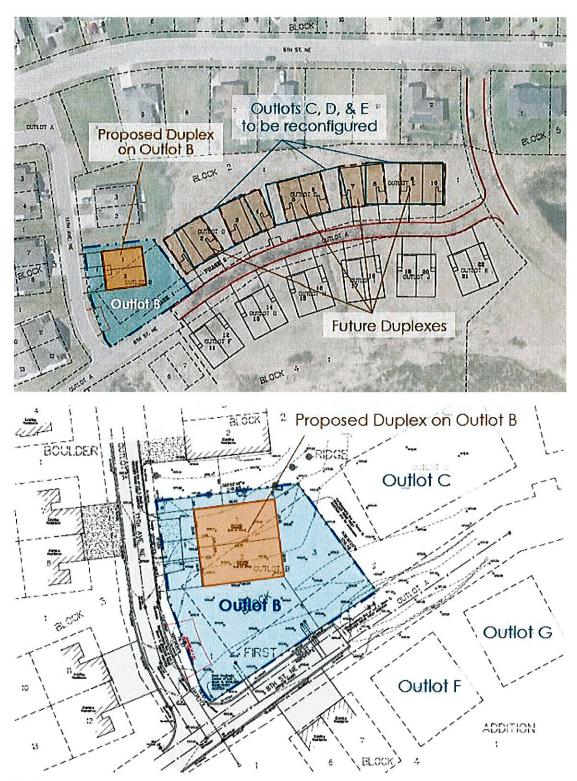
- 1) The Boulder Ridge plat was approved in 2004 with a variety of housing types under the city's PUD zoning standards.
- 2) The current request reconfigures some of the outlots, changing from 16 units in fourplexes to 12 units in duplexes.
- 3) The proposed changes meet the intent and purpose of the city's PUD standards.

60-DAY DEADLINE

The application was received on February 14, 2023. The PUD amendment – a zoning application – has a 60-day deadline for final action. The preliminary plat has a separate 120-day deadline. The deadline for final action by the City Council per State statue 15.99 on the PUD is April 16, 2023; the deadline for the preliminary plat is June 15, 2023. As a practical matter, both actions will likely be handled at the same meeting.



Re: Boulder Ridge 4th Addition - PUD & Plat



Design with community in mind

PRELIMINARY SUBDIVISION PROCEDURES

City of Milaca

PROCEDURE

1. Application for Permit

Application for the issuance of a Preliminary Subdivision shall be made in writing and referred by the Zoning Administrator to the Planning Commission. All of the filing requirements must be submitted 20 days prior to the regular Planning Commission meeting at which the review is to be held. All required information must be received before the applications will be placed on a Planning Commission meeting agenda. The application shall contain a written and graphic explanation of the request. The applicant shall also, at the time of filing such application, pay a fee of \$200.00 plus \$10 per purposed lot or dwelling, as well as a \$2,000.00 escrow fee for associated engineering and legal expenses.

2. Public Hearing

The Planning Commission shall hold at least one public hearing on each application for a Preliminary Subdivision after notice of the hearing has been published in the official newspaper for at least 10 days before said hearing. The Planning Commission shall also cause a notice to be mailed to each of the owners of property located within 350 feet of the boundary lines of the property upon which such use has been requested. The Planning Commission decision will serve as a recommendation to the City Council and the final decision will be made by the City Council. The applicant or a representative thereof shall appear before the Planning Commission in order to answer any questions concerning the proposed preliminary subdivision.

3. City Council Action

The Planning Commission shall make a recommendation for approval, approval with stipulations or disapproval to the City Council at their next meeting. The Preliminary Subdivision becomes effective upon City Council approval and filing of any necessary papers, if they are required.

CITY OF MILACA



255 1st ST E
MILACA MN 56353
(320) 983-3141
(320) 983-3142 FAX
www.cityofmilaca.org

APPLICATION FOR PRELIMINARY PLAT REQUEST

Application is hereby made for a Preliminary Plat for

| | • |
|--|------------------------|
| BOULDER RIDGE FOURTH ADDITIO | N CKW DEVOLOPERS |
| Subdivision Name | Owner's Name |
| Legal Description of Property: PART OF LOT BLOCK 2 RIDGE FIRST ADDITION, M | AND GUTLET B - BOULDER |
| RIDGE FIRST ADDITION, M | ILLE LACS COUNTY, MN |
| • | |
| Address of Property: (N/R) | |
| Owner Name: CKW Developers | |
| Owner Address: 11428 29385 A | v E |
| PRINCETON | mn 55371 |
| City | State Zip Code |
| Telephone: (412) 282-62 | 60 |
| Applicant's Name: SHAWN WILL | AMS |
| Applicant's Address: 11428 2934 | ed AVE |
| Street Address PRINCETON | MW 5537/ |
| <i>C</i> ity | State Zip Code |
| Applicant Telephone: (612) 282 - 6 | 260 |

| The following information is submitted in support of this application: |
|---|
| Completed Application for Preliminary Plat + Amendment 10.00 |
| Fee of \$200 plus \$10 per proposed lot or dwelling unit Sa.14.23 |
| Escrow Fee of \$2000 for associated engineering and legal expenses |
| Legal Description of property attached |
| 16 copies of a Site Plan |
| Other ******************************* |
| I fully understand that all of the above required information must be submitted at least 20 days prior to the Planning Commission meeting to ensure review by the Planning Commission on that date. |
| Applicant's Signature |
| Date_ FEB 14 2023 |
| Comments/Revisions 2023 - BEINGING IN (1) TWIN HOME |
| 2024 - WOULD LIKE to BRING (2) MORE IN, |
| |
| ********************* |
| Received By: |
| City Agent's Signature Clubins at he |
| Date 02.14.23 |

PRELIMINARTY PLAT DATA REQUIREMENTS

The owner or subdivider shall prepare a preliminary plat that conforms to the City's Subdivision Code and contain the following information:

Identification and Description.

- 1. Proposed name of subdivision, not the same as any existing subdivision.
- Date and North Point.
- 3. Scale of Plat, not less than one (1) inch to two hundred (200) feet. The plat shall utilize a bar scale. (Standard Engineer Scale).
- 4. Indication of any proposed covenants.
- 5. Location map indicating location of proposed subdivision in relationship to general known area.
- 6. Legal description of proposed subdivision.
- 7. Title opinion of title insurance policy indicating fee ownership of land to be subdivided.

Existing Conditions and Proposed Design Features.

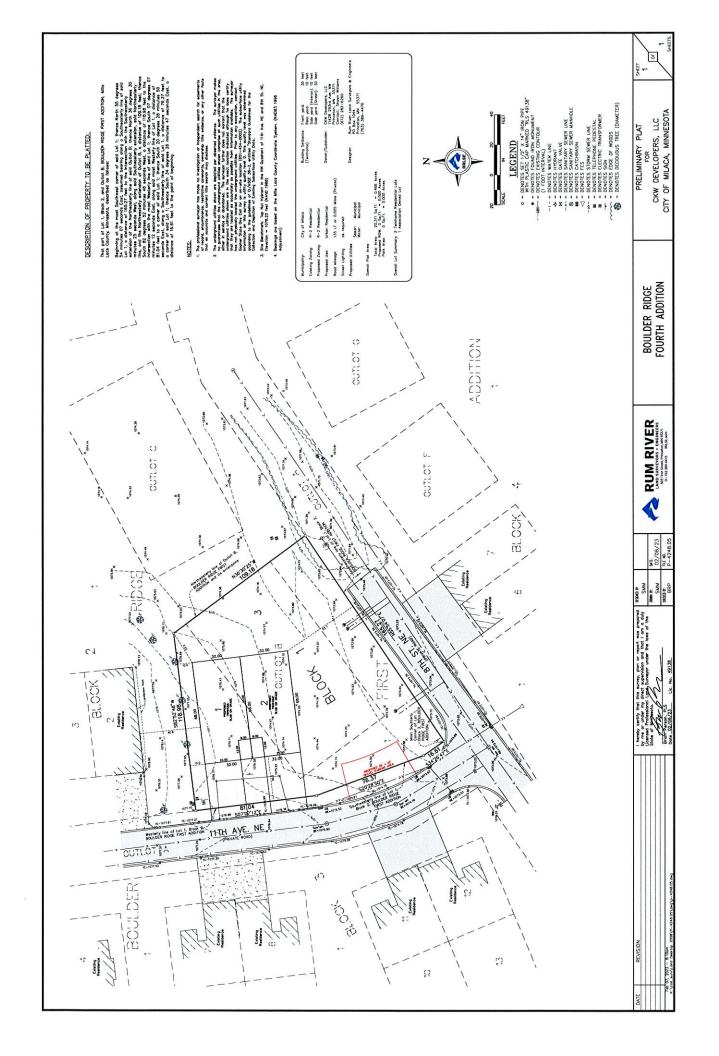
- 1. Boundary line of proposed subdivision to such a degree of accuracy that no major changes are necessary in preparing the plat.
- Zoning of land within and abutting the subdivision within three hundred (300) feet.
- Layout, dimensions and acreage of proposed lots and blocks.
- 4. Name, location and right-of-way width of existing or proposed streets, highways, alleys, sidewalks, and pedestrian ways.
- 5. High water mark of all lakes, rivers, streams and wetlands.
- 6. Location and dimensions of existing and proposed public sewer and water systems.
- 7. Existing and proposed storm water drainage system including drainage easements and drawing or water movements. Data should include sizes, grades, catch basin locations, manholes, hydrants, street pavement width and type.
- 8. Boundary lines of adjoining un-subdivided or subdivided land adjoining the purposed plat.
- 9. Proposed zoning changes, if necessary.
- 10. Minimum front, side, and rear yard setbacks as required the Zoning Ordinance.
- 11. Location, dimensions, sizes of areas, other than streets, alleys, pedestrian ways, and utility easements, proposed to be dedicated or reserved for public uses.

12. Existing topography, including contour lines at two (2) foot or less, intervals. Water courses, wetlands, rock outcrops, power transmission poles and lines, and other significant features shall also be shown. United States Geological Survey (U.S.G.S.) Data may be used for all topographic mapping where feasible.

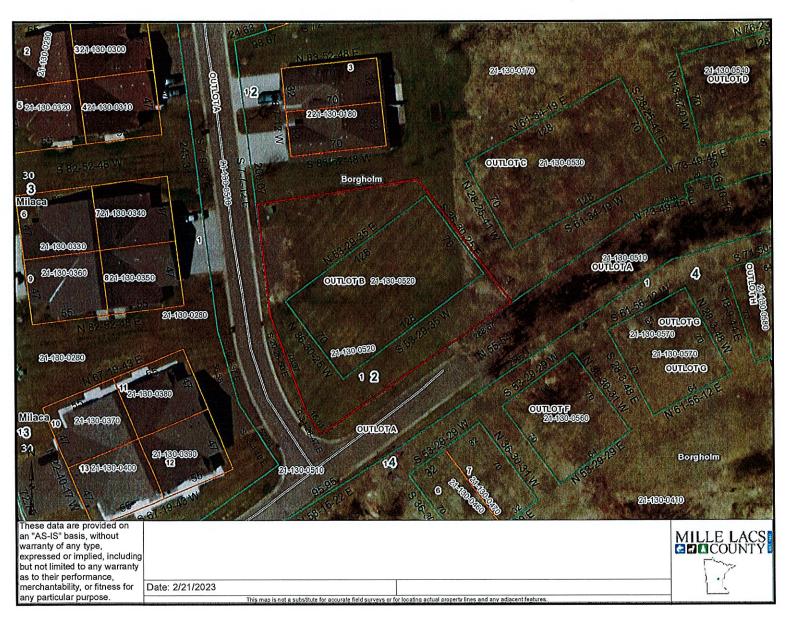
<u>Supplemental Information</u>. The following information may be required if it is deemed necessary and appropriate by the Zoning Administrator.

- 1. Soil survey, grading plan, soil erosion and sediment control plan, and landscaping plan.
- 2. Statement of proposed use of development including type and number of structures and units.
- Statement of adequacy of existing or proposed utilities to accommodate or serve the proposed development.
- 4. Statement relative to the relationship of the proposed subdivision with existing or potential adjacent subdivisions.
- 5. Statement of estimated costs of proposed required improvements.
- 6. Other information deemed necessary by the Zoning Administrator, Planning Commission, City Council or City Engineer.
- 7. Soil borings and percolation tests for each proposed lot for on-site sewage disposal systems if area being subdivided does not have a municipal system.
- 8. A copy of all existing and proposed private restrictions (restrictive covenants) shall be submitted.
- 9. An environmental impact study of the subdivision.

Updated: September 2005



Preliminary Plat



FINAL SUBDIVISION PROCEDURES

CITY OF MILACA

After approval of the preliminary plat, the final plat may be prepared. It shall incorporate changes, modifications, and revisions required; otherwise, is shall conform to the approved plat.

In the case of large subdivisions, to be developed in stages, the subdivider may be granted permission to prepare a plat for only the portion of the approved plat which he/she proposes to develop at this time, provided such portion conforms with all the requirements of these regulations. The subdivider may be required, as a condition of approval, to submit an estimated time schedule for further staging of the platting and recording.

All plats shall comply with the provisions of Minnesota State Statutes and the requirements of this regulation.

The subdivider shall file sixteen (16) copies of the final plat with the City Zoning Administrator no later than six (6) months after the date of approval of the preliminary plat. If this is not done, the approval of the preliminary plat will be considered void unless an extension is requested by the subdivider and granted in writing by the governing body.

The subdivider shall submit, with the final plat, a current Abstract of Title or a Registered Property Certificate along with any unrecorded documents and an Opinion of Title by the subdivider's attorney.

Procedures

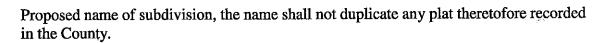
- 1. The subdivider shall fill out a Final Plat application with the City of Milaca after the Preliminary Plat has been approved by the City Council.
- 2. The applicant shall furnish the city with sixteen (16) copies of the Final Plat at least twenty (20) days prior to the Planning Commission meeting at which it is to be considered.
- 3. The Planning Commission shall hold a public hearing on the Final Plat. Public hearing notice shall be published at least ten (10) days prior to the Planning Commission meeting at which time the item will be heard. Notices shall be sent to property owners within a 350-foot radius at least ten (10) days prior to the public hearing by the City.
- 4. The sub-divider or representative thereof shall appear before the Planning Commission at the public hearing, in order to answer any questions concerning the Final Plat.
- 5. The Planning Commission will recommend approval or denial of the Final Plat to the City Council.
- 6. The application is placed on the City Council agenda with the report and recommendations of staff and Planning Commission. Final Plat approval is either granted or denied by the City Council. Grounds for denial shall be set forth in proceedings and reported to the applicant.

- 7. If the final plat is approved, the governing body shall sign the plat and the subdivider shall then record it with the County Recorder within one hundred eighty (180) days or the approved plat shall be considered void.
- 8. The subdivider shall, immediately upon recording, furnish the City Zoning Administrator with a reproducible copy, either cron-aflex or its equivalent, of the recorded plat and two (2) prints. An electronic format, as approved by the City Engineer, of the recorded plat will also need to be submitted to the City. Failure to furnish such copies shall be grounds for refusal to issue building permits for the lots within the plat.
- 9. Upon receiving approval of the plat for a portion of the Preliminary Plat, the subdivider shall not be required to request a continuation of the recognition of the preliminary plat so as to maintain its approval except that in the event a zoning amendment is adopted which requires a larger minimum lot size for land not yet platted and recorded, the larger minimum lot size may be required for any additional platting.

Date Required for the Final Plat

The plat shall be prepared by a land surveyor who is registered in the State of Minnesota and shall comply with the provisions of Minnesota State Statutes and of this regulation. All of the information required for the Preliminary Plat shall also be required on the Final Plat. This information is listed below.

Identification and Description



Legal description of the property.

Name and address of the record owner, and any agent having control of the land, subdivider, land surveyor, engineer and designer of the plan.

Graphic scale not less than one (1") inch to one hundred (100') feet.

North point and key map of area showing well known geographical points for orientation within one-half (1/2) mile radius.

Date of preparation.

Existing Conditions

6.

- 1. Boundary lines shall be shown clearly and to such a degree of accuracy that conforms to the plat in that no major changes are necessary in preparing said final plat.
- 2. Existing zoning classifications for land in and abutting the subdivision.
- 3. Total acreage.

- 4. Location, right-of-way width, and names of existing or platted streets or other publicways, parks, and other public lands, permanent buildings and structures, easements and section lines, corporate and school district lines within the plat and to a distance of one hundred (100') feet beyond shall also be indicated.
- 5. Location and size of existing sewers, water mains, culverts, or other underground facilities within the preliminary plat area and to a distance of one hundred (100') feet beyond. Such data as grades of surfaces of underground structures and locations of catch basins, manholes, hydrants, and street pavement width and type, shall also be shown.
- 6. Boundary lines of adjoining unsubdivided or subdivided land, within one hundred (100') feet, identified by name and ownership, but including all contiguous land owned or controlled by the subdivider.
- 7. Topographic data, including contours at vertical intervals of not more than two (2') feet except where the horizontal contour interval is one hundred (100') feet or more, and one (1') foot vertical interval shall be shown. Water courses, marshes, wooded areas, rock outcrops, power transmission poles and lines, and other significant features shall also be shown. U.S.G.S. datum shall be used for all topographic mapping where available. At least one permanent benchmark shall be set within each subdivision to be platted and the location and elevation of this benchmark shall be shown on the preliminary plat.
 - a. City Engineer may waive and/or change the number of required benchmarks.
- 8. A copy of all proposed private restrictions shall be submitted.
- 9. Percolation tests and soil borings as required by the City Engineer.
- 10. If severe soil limitations for the intended use are noted by the City Engineer, a plan or statement indicating the soil conservation practice or practices to be used to overcome said limitation shall be made part of the permit application.
- 11. A construction storm-water permit from the MPCA.
- 12. An environmental impact study may be required by the City Engineer.

Subdivision Design Features

- Layout of proposed streets, showing right-of-way widths, and proposed names of streets.
 At the City's discretion, the name of any street shall conform to the City of Milaca Uniform Street Naming and Building Numbering System.
- 2. Locations and widths of proposed alleys, pedestrian ways, and utility easements.
 - 3. Layout numbers and preliminary dimensions of lots and blocks.
- Proposed front and side street building setback lines.
- 5. Location and size of proposed sanitary sewer lines and water mains. FXI STING SEWER
- 6. Gradients of proposed streets, sewer lines and water mains. No CHANGE

- Maximum high-water level where platted areas abut on or contain lakes, rivers, or 7. permanent ponding basins.
- Areas, other than streets, alleys, pedestrian ways, and utility easements, intended to be 8. dedicated or reserved for public use, including the size of such area or areas in acres.

Other Information

- Statement of the proposed use of lots stating type of residential buildings with number of 1. proposed dwelling units; type of business or industry so as to reveal the effect of the development on traffic, fire hazards, and congestion of population. TWN HOME -2 SEPERME WITS
- 2. Source of water supply.
- Provisions for sewage disposal, surface water drainage and flood control. 3.
- If any zoning changes are contemplated, the proposed zoning plan for the areas, including 4. dimensions.
- Other information as may be requested by the City Engineer, Planning Commission or 5. City Council.
- Where the subdivider owns property adjacent to that which is being proposed for the 6. subdivision, the Planning commission may require that the subdivider submit a sketch plan of the remainder of the property so as to show the possible relationships between the proposed subdivision and future subdivision. If any event, all subdivisions must be shown to relate well with existing or potential adjacent subdivisions and land use.

Updated: March 2005

CITY OF MILACA



255 1st ST E MILACA MN 56353 (320) 983-3141 (320) 983-3142 FAX www.cityofmilaca.org

APPLICATION FOR SUBDIVISION FINAL PLAT

| Application is her | eby made for a Final | Plat for BOULDER Subdivision Name | RIDGE F | OURTH | MOTIGOR |
|--------------------|--|--------------------------------------|---|----------------|---------|
| | | y the Milaca City Cou | ncil on Fes l | 4 202 | 3 |
| Legal description | | V 3 4 | n = R - 1 | Boulder | |
| PART OF PIR | | K 2 AND OUT | , · · · · · · · · · · · · · · · · · · · | | |
| Owner Name: | CILW DEVEL | opers | | | |
| Owner Address: | 11428 293 Street Address | PINE | | | |
| | PRINCETON | Myl | 5537/ Zie | Code | |
| Telephone: | (612, 282 | -6260 | | | |
| Applicant's Name | C. C | ulles / | SHAWN V | VILLIAM | 5 |
| Applicant's Addr | ess: /1428 Street Address | Z93ºP AVE | | | |
| | PRINCETON | l MN State | 55 z | 37/ ip Code | |
| Applicant Teleph | one: 612, 28 | 32-6260 | | | |

| in the Preliminary Plat Procedures and Data Required for Preliminary Plat: |
|--|
| Completed Application for Subdivision |
| Complete Preliminary Plat check list |
| Fee of \$100 PD. 62.14.23 Ck.#3333 Recupt #-16830 |
| Legal Description of property to be divided |
| 16 copies of the proposed plat |
| Rezoning Application, if applicable |
| Other |
| I fully understand that all of the above required information must be submitted at least 20 days prior to the Planning Commission meeting to ensure review by the Planning Commission on that date. Applicant's Signature Date FEB 1474 Z023 |
| Comments/Revisions CKW DEVELOPERS ARE PLANMING |
| ON PLATING (1) thur Home INTO THE HOA, |
| NETT YEAR PLANNING ON BRINGING IN (2) MORE |
| ************************************** |
| City Agent's Signature Colous Catter |

The following information is submitted in support of this application as described

נה BLOCK 13 K 10 20° TO □ 1.00 E δ 1771 O 9TH ST. NE c1 BLOCK ധ SH ST WE (C) 11TH AVE. NE OUTLOT A

PUD Resision