

MEMO

Date: February 27, 2014

To: Alexandria Town Board

From: Ben Oleson, Hometown Planning
Zoning Administrator, Alexandria Township

Re: Zoning Administrator's Report

Dear Town Board Members:

The Planning Commission held its regular meeting on February 24, 2014. There was one public hearing for which the Planning Commission is passing on its recommendation to the Town Board.

Attachments, drawings and photos related to the applications are available at: www.hometownplanning.com. Public comments (if any) are also at the same location.

PUBLIC HEARING #1

Application: Preliminary Plat for a three lot subdivision - "Rock Acres".

Applicant: Tim and Sandra Rock

Background Information:

- Proposal:** The application is to re-subdivide two 10 acre lots into three lots of 1.75 acres, 5.54 acres and 12.20 acres. Two of the lots would contain existing homes (5.54 acres and 1.75 acres). The third lot would be deemed an "outlot" and encompass the existing farmland on the western portion of the property (12.20 acres). An outlot is considered unbuildable by the Township's Subdivision Ordinance, unless specifically approved otherwise by the Town Board.

The properties lie within the ALASD regional sewer service district and normally would require connection to the ALASD lines. However, the applicant was granted a variance last fall that allows them to retain the private sewer systems for the two existing homes and does not require extension of any ALASD service lines to any of these proposed lots. The conditions of that variance approval were as follows:

1. That any subdivision of the land be consistent with the conceptual plan presented to the Town Board (three lots total, two of which would contain the existing dwellings on the properties – approximately 6 acres and 2 acres in size – and a third that would be approximately 12 acres in size and have road frontage off of Liberty Road consistent with the road frontage requirements of the Township’s Subdivision Ordinance).
2. That the third lot (approximately 12 acres) be platted as an outlot. Any future development on the lot would require approval by the Town Board.

The Board of Adjustment’s conversation and decision on the above variance was based on an understanding that the applicant only wished to sell the 12 acre proposed “outlot” for farming purposes and that the two other lots were containing existing homes already served by sewer systems. Any development of the outlot with a single home or any other development would have to be requested of the Town Board, who would consider whether to allow an additional private sewer system at that time. A future subdivision of the outlot would be subject to the requirement for connection to ALASD sewer lines.

A letter has been submitted by the Douglas County Soil and Water Conservation District (SWCD) regarding the presence of wetlands on the property that impact Outlot A primarily. See further discussion later in this report and attached letter.

A letter has been submitted by the Douglas County Public Works Director, noting that as a future minor collector, Liberty Road would require a 50 ft right-of-way on each side of the centerline, which would require the applicant to dedicate an additional 17 ft of right-of-way along Liberty Road.

The Public Works letter also notes that if a public road were ever constructed back into Outlot A, the approximate 350 ft distance from the intersection with County Road 73 would not meet the required spacing guidelines between two public roads (min. 660-1320 feet) if it were constructed within the 80 ft width as proposed.

□ **Location:**

- Property Address: 1966 and 2044 Liberty Road NE
- Sec/Twp/Range: 10-128-37
- Legal Description: S 333.51’ of N 667.35’ of SE4NE4 and S 333.17’ of N 1000.52’ of SE4NE4, 10 acre parcels each
- Parcel Number(s): 03-1202-480 (2044 Liberty Rd NE), 03-1202-500 (1966 Liberty Rd NE).

Town Board Direction: The Town Board can accept the recommendation of the Planning Commission, render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

Planning Commission Action: The Planning Commission has recommended approval of the requested subdivision based on findings of fact listed in the next section of this report. As part

of their recommendation for approval, they are also recommending the following conditions of an approval:

1. The applicant shall dedicate enough land so that there is a full 50 ft of right-of-way along Liberty Road for all three proposed lots.
2. The applicant shall submit more detailed documentation from a licensed SSTS designer indicating where the properties can support two private sewer systems for each lot (current compliance inspections showing a compliant system for each of the two existing systems must also be submitted and can serve as evidence of one available site). This documentation need not be submitted prior to final plat approval, but must be submitted by the end of May 2014.
3. No construction or placement of structures or other improvements shall take place on Outlot A unless specifically approved by the Township Board.
4. No future subdivision of Outlot A, or Lots 1 and 2, shall be allowed except in conformance with the requirements of the Subdivision Ordinance, or other applicable ordinances, in effect at the time. This shall include requirements for connection to public or regional sewer system(s).
5. The applicant shall reduce the width of Outlot A along Liberty Road from 80 feet to 66 feet, with the excess 14 feet to be added to the proposed Lot 2.

Recommended Findings: The following findings of fact are presented by the Planning Commission for consideration by the Town Board, based on the Staff Report presented to the Planning Commission and the discussion at the public hearing:

1. **Coordination with existing nearby development:** The proposed development would be similar to the surrounding area which is predominately used for single-family residential or agricultural purposes. The land to the north and west of the proposed development mostly contains agricultural uses (although the 80 acre land to the west has received preliminary approval for a residential plat consisting of 4 residential parcels approx. 15-25 acres in size. Land to the south is used residentially. Land to the east is used for open space purposes and is not developed (it is zoned for rural residential housing).
2. **Consistent with Comprehensive plan.** The proposed development is consistent with the Comprehensive Plan. The area of the development is identified on the Future Land Use Map as "Urban Residential":

Urban Residential: The purpose of this land use category is to provide opportunities for urban density housing in areas that are most readily served by urban infrastructure and services. This category is intended for areas that are currently served by Alexandria Area Sanitary Sewer District (ALASD) infrastructure or are within the identified future service area of ALASD. Within these areas, new residential development will be reviewed to ensure that the proposed density, dimensions, and layout of lots will allow for the efficient use of public infrastructure and the cost-effective provision of public services. A gross urban density of two to three dwelling units per acre or higher is intended

for these areas. Proposed subdivisions that would create oversized lots would be reviewed to allow for a transition to urban densities of housing in an orderly and efficient manner. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.

Typical “lot-block” or “conservation” subdivision designs are both considered appropriate in these areas. Where sensitive or unique natural or cultural resources, such as wetlands, shoreland, etc. are present, a conservation subdivision design with lower densities that protects these resources may be required. Long-term commercial/industrial uses that are incompatible with residential uses should not be allowed in this district. (*Alexandria Township Comprehensive Plan, p. 22*)

3. **Land/soil suitability.** The soils on the site, according to the Douglas County Soil Survey, appear to be generally suitable for residential use (which already exists) and agricultural use (for Outlot A - which is already being used agriculturally).
4. **Agriculturally Important Lands.** The proposed development would preserve the existing use of the land, part of which is used agriculturally. While the remainder of the land is heavily treed, the proposal would not hinder further agricultural use any more than already exists.
5. **Conformance to Applicable Rules and Regulations.** The proposed subdivision conforms to minimum lot dimension requirements. Outlot A meets the minimum requirements for a “flag lot” as outlined in Section 5.3.11 of the Subdivision Ordinance. The lots would not be connected to ALASD sewer, as is normally required, but the applicant has already obtained a variance from that requirement in late 2013.
6. **Self-Imposed Restrictions.** The applicant has not submitted any self-imposed restrictions or covenants.
7. **Adequate Public Facilities.** The applicant is proposing to keep both of the existing homes on these properties served by private sewer systems. Each lot is currently served by a private well, as the Township does not contain a public water supply. Outlot A would not have a sewer or well, as it would be undeveloped.
8. **Debris and Waste.** The applicant does not propose to use any area within the development to bury debris or waste.
9. **Access.** All three proposed lot have more than the required minimum amount of access to public right-of-way. There are no public streets or public street extensions planned for the development.
10. **Lot Arrangement.** All of the proposed lots have adequate space to build and Lots 1 and 2 already have homes on them. There are no foreseeable difficulties in securing land use permits for Lots 1 and 2. Outlot A would be unbuildable without a specific plan presented to the Town Board for their review (approval would not be guaranteed).

11. **Sewage Disposal.** Lots 1 and 2 will continue to be served by their existing private sewer systems. Outlot A would not have any sewer, as it would have no buildings.
12. **Water.** Each of the proposed lots would be served by private wells.
13. **Grading, Drainage and Stormwater Facilities.** There are not any drainage or stormwater facilities planned for the development. The proposed lots have large areas of pervious surface. Because no additional land disturbance is expected for this subdivision request, stormwater ponds or other such facilities are not required.
14. **Highways, Streets, and Alleys.** There are not any proposed streets for the development.
15. **Trails and Sidewalks.** The applicant is not proposing to construct any public trails or sidewalks through this development.
16. **Utilities.** There are existing electrical utility and natural gas utilities marked on the plat survey.
17. **Natural, Unique or Sensitive Features.** Much of the proposed development is covered with trees and tall grasses. No impact on these areas is expected as a result of the subdivision, unless a future owner decided they wanted to clear these areas.

Other Items

- The Commission discussed issues raised by the Zoning Administrator in terms of the lack of clarity regarding regulation of detached accessory buildings. The Commission directed Staff to propose amendments to the ordinance that would more strictly and clearly limit the height of detached accessory buildings, define “story” so as to better identify what type of second level, if any, is allowed in detached accessory buildings, address whether gambrel or similar style roofs meet the limitation on roof pitches greater than 6/12 and more clearly address how, if at all, breezeways should be allowed to make an otherwise detached building be considered attached. All of these changes and regulations would remain applicable only to lots in the Residential Shoreland and Urban Residential zoning districts which are less than 5 acres in size.
- A training session and discussion on a Comprehensive Plan update was tabled due to the length of the meeting and to allow for the Commission to review the existing Comprehensive Plan prior to the March meeting. The Commission emphasized that it intends to move forward with the tabled training and discussion of an initial work plan/timeline for the Comprehensive Plan update at its March meeting.

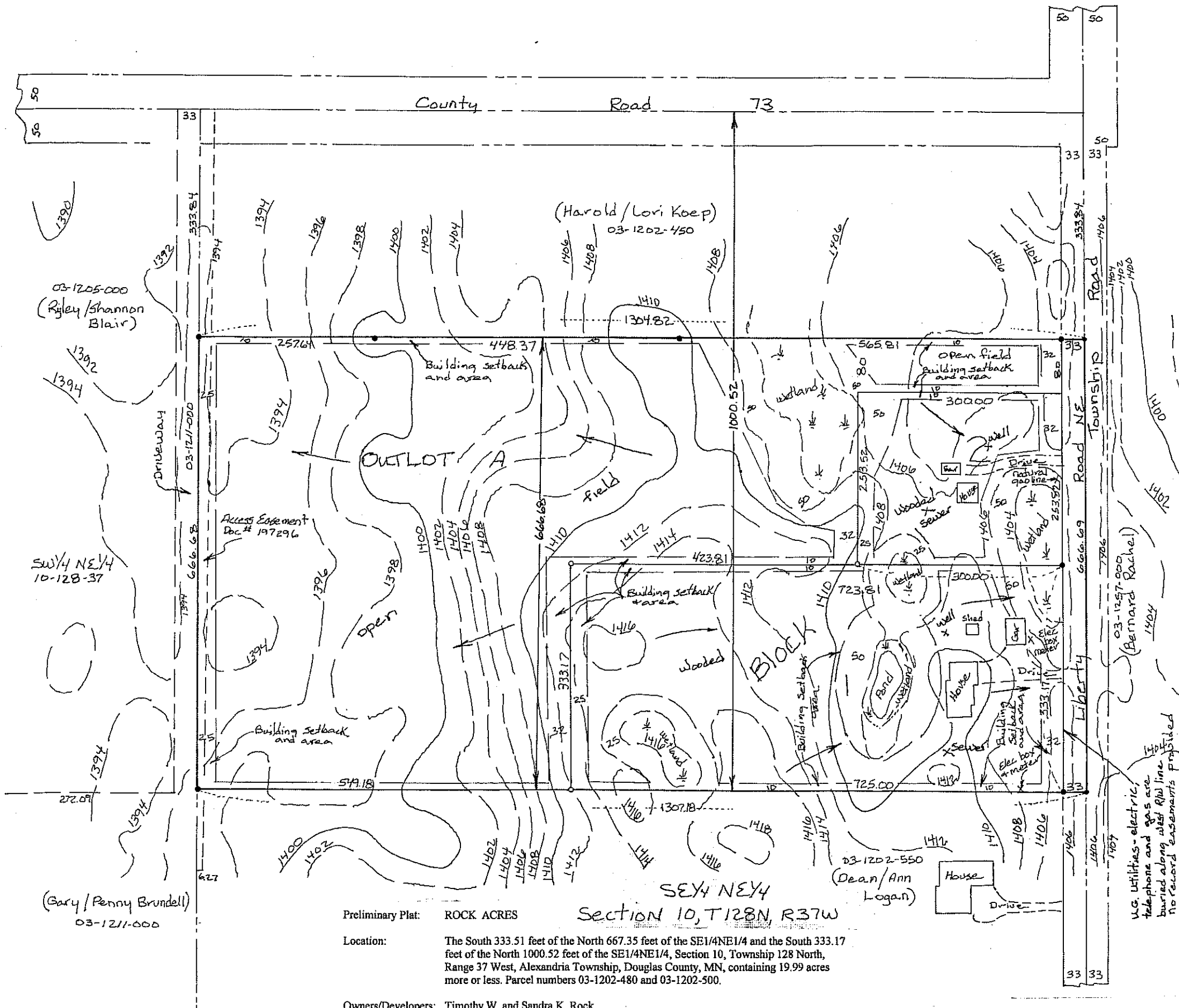
If you have questions or concerns on the items in this report or any other issues, please do not hesitate to contact us. You can reach me by email at oleson@hometownplanning.com or by phone at 888-439-9793.

Sincerely,

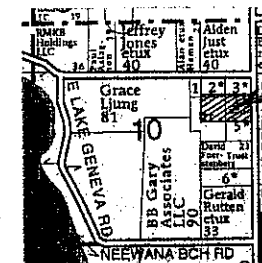
HOMETOWN PLANNING

A handwritten signature in black ink, appearing to read "Ben Oleson". The signature is stylized and somewhat cursive, with a large initial "B" and "O".

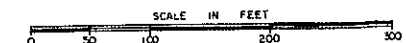
Ben Oleson
Planning and Zoning Administrator



- Proposed Plat Use:** Lots 1 and 2, Block 1, each contain a dwelling structure and will continue being used for single family residential purposes. Outlot A is an open tilled field and will continue being used for farming purposes at the present time.
- Existing Zoning:** Urban Residential (UR)
- Lot Area:** Lot 1 - 5.54 acres
Lot 2 - 1.75 acres
Outlot - 12.20 acres
Public Roadway - 0.50 acre (22001 square feet)
- Road Access:** All lots access onto the existing Township Road (Liberty Road)
- Sanitary Sewer:** Lots 1 and 2, Block 1, each contain existing sanitary sewer systems. No sanitary sewer system is proposed for Outlot A at this time.
- Water:** Lots 1 and 2, Block 1, each contain a private well, no well is proposed for Outlot A at this time.
- Public Roadway:** 33 feet will be dedicated as public road on the final plat for Liberty Road.
- Building Setbacks:** Township Road - 32 feet from right-of-way, Rear yard - 25 feet, Side yard - 10 feet, wetland - 25 feet, protected wetland - 50 feet.
- Easements:** Underground electric (Runestone Electric) telephone (Century Link) and natural gas (Center Point Energy). Utility easements can be placed on final plat as needed.
- No grading construction is required or proposed to prepare these tracts for sale.



Site map



- INPLACE IRON MONUMENT
- 1/2" PIPE SET WITH CAP STAMPED "RLS 19845"
- () RECORD DATA

Preliminary Plat: ROCK ACRES Section 10, T128N, R37W

Location: The South 333.51 feet of the North 667.35 feet of the SE1/4NE1/4 and the South 333.17 feet of the North 1000.52 feet of the SE1/4NE1/4, Section 10, Township 128 North, Range 37 West, Alexandria Township, Douglas County, MN, containing 19.99 acres more or less. Parcel numbers 03-1202-480 and 03-1202-500.

Owners/Developers: Timothy W. and Sandra K. Rock
1966 Liberty Road NE
Alexandria MN 56308
864-354-8354

Surveyor: Rodney F. Eldevik
1211 Maple Drive SE
Alexandria MN 56308
320-763-7566

Certification applies to only those copies that bear my embossed seal.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.
Date: 2/3/14 Registration No. 19845

Sec 10, T128N, R37W, Douglas Co, MN

FILE: 4477 REQUESTED BY: Tim Rock

DRAWN BY: RFE

CHECKED BY: RFE

DATE: 2/3/14

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ELDEVIK LAND SURVEYING, INC.
1211 Maple Drive SE Alexandria, MN 56308
Telephone: 320-763-7566 Fax: 320-763-7504
Rodney F. Eldevik Registered Land Surveyor