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## MEMO

**Date:** January 14, 2015

**Re:** Planning Commission/Board of Adjustment Report

Dear Mayor and City Council,

The Planning Commission/Board of Adjustment held its regular meeting on January 12, 2015. There were two public hearings, one of which was a previously tabled item, for which the Commission is giving you their recommendations.

### PUBLIC HEARING #1

**Application:** Preliminary plat that would subdivide two existing lots into a total of four to allow for construction of two 2-unit twin homes

**Applicant:** Edward J Gottwalt Revocable Trust

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#### Background Information:

- **Proposal:** *This application was tabled at the December 2014 meeting to allow for submittal of a formal preliminary plat drawing and other required documents/review. Prior to the January 2015 meeting of the Planning Commission, the applicant provided both a preliminary plat drawing showing how future twin homes on the lots would meet required setbacks (including a 16.5 foot setback to the wetland on the property) and a stormwater management plan. The Park Board had also met and given its recommendation regarding park dedication.*

The applicants own two single-family lots within the Hidden Oaks subdivision on the eastern edge of the City. They would like to split each of these lots into two and construct a twinhome on each that would straddle the shared property lines (two twinhomes - four units total).

The Hidden Oaks development was originally platted as a planned unit development (PUD) in 2004. A number of the lots were approved for twinhomes such as is being proposed here immediately adjacent to the lots which are the subject of this proposal.

The lots are already served with sewer and water, with stubs already in for up to four units. Roads and utilities are also already installed.

□ **Location:**

- Applicant: Edward J Gottwalt Revocable Trust
- Legal Description: Lots 22 and 23, Block Three, Hidden Oaks Townhomes CIC #9
- Parcel number(s): 482993000 and 482992000

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**Public Input (from December 2014 public hearing):**

1. One verbal comment was received regarding drainage concerns in the area.
2. One written comment was received from the Morrison County SWCD regarding the required wetland buffer.

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**Planning Commission/Board of Adjustment Action:** The Planning Commission/Board of Adjustment, after reviewing the submitted preliminary plat and stormwater management plan, has recommended approval of the preliminary plat as presented in the Widseth Smith Nolting preliminary plat drawing of "Second Addition to Hidden Oaks" dated January 7, 2015 and on file with the City.

The Parks, Recreation and Tree Board has recommended that the park dedication requirements for this plat be met by a \$100 park fee paid by the applicants to the City (\$50 per new lot) and dedication of any part of the wetland on the properties not already included in the previous dedication of Outlot A to the City. This shall be based on the wetland boundaries as identified in the 2004 platting of the Hidden Oaks subdivision.

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**Findings of Fact:** The following findings of fact are presented by Staff for consideration by the Council based on the discussion at the Planning Commission meeting:

1) **Current Zoning:**

- Subject Property: R-1 (One- and Two-Family Residential) with a Planned Unit Development (PUD) overlay
- Surrounding Properties: R-1 (One- and Two-Family Residential) with a Planned Unit Development (PUD) overlay

2) **Current Land Use:**

- Subject Property: Residential
- Surrounding Properties: Residential – mix of single-family and twinhome lots

3) **Lot size:**

- Lot 22: Approx. 20,637 sq ft (0.47 acres), 127-181 ft width, 138 ft depth
- Lot 23: Approx. 22,862 sq ft (0.52 acres), 160 ft width, 127 ft depth

4) **Sewer/Water:** Each of the lots to be subdivided currently contains two stubs for sewer/water.

5) **Natural Features:**

Floodplain: The property is not within an identified floodplain.

Bluff/Steep Slopes: The property is relatively flat and does not contain any bluffs or steep slopes.

Wetlands: There are wetlands adjacent to these properties which have a required setback of 16.5 feet.

- 6) **Conformity With Comprehensive Plan:** The proposed subdivision conforms to the Comprehensive Plan in that the Plan identifies the area as suitable for "Urban" development with residential densities of 3-4 units per acre. The proposed subdivision would result in a density of 4 units per acre.
- 7) **Drainage:** A drainage and stormwater management plan has been submitted, reviewed by the City Engineer and found to be complete and adequate and the Planning Commission has found the system to be complete and adequate.
- 8) **Easements:** A drainage and stormwater management plan, with utility easements, has been provided by the applicant and reviewed by the City Engineer. The plan has been found to be meet the requirements and intent of the ordinance.
- 9) **Lots:** The proposed lots all abut a publicly dedicated street, are of adequate size to accommodate the anticipated use and meet the other requirements of the ordinance.
- 10) **Park Dedication:** The Parks, Recreation and Tree Board has recommended dedication of a portion of the wetland and a fee of \$100 to meet the park dedication requirements (when the original Hidden Oaks development was approved, the Council accepted donation of OUtlots A, B, C and D (all wetlands) and \$600 to meet the park dedication requirements. The City Council will need to determine, with input from the Planning Commission and the City's Park, Recreation and Tree Board, whether additional dedication is necessary as a result of this subdivision.)

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**City Council Direction:** Action is required at this time by the City Council. The Council can either accept the recommendation of the Planning Commission and approve the preliminary plat, approve the preliminary plat with other conditions that those recommended, deny the preliminary plat or table the application for further information/review.

## **PUBLIC HEARING #2**

**Application:** Ordinance amendments to add a new Section 11.21 (Erosion and Sediment Control) requiring erosion and sediment control practices in certain situations and establishing registration requirements for contractors.

**Applicant:** City of Little Falls

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### **Background Information:**

**Proposal:** The City Engineer has proposed adding a new Section (11.21 - Erosion and Sediment Control) to the City Code requiring erosion and sediment control practices in certain situations and establishing registration requirements for contractors.

The proposed changes are enclosed for your review. The City Engineer will be at the public hearing to present the proposed changes and answer any questions.

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**Planning Commission/Board of Adjustment Action:** The Planning Commission/Board of Adjustment has made a recommendation to adopt the proposed sections of the ordinance as the City is required by its MS4 state permit to adopt such an ordinance. The vote was 4-2 (Gosiak, Hanfler opposed).

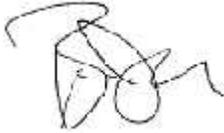
A copy of the recommended ordinance language has been included with your meeting packet separately.

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**City Council Direction:** The City Council may approve the request, deny the request, or table the request if the Council should need additional information from the applicant. If the application is tabled, the Council should provide specific direction as to what additional information is needed.

If you have any questions, please feel free to contact me. I can be reached by phone at (888) 439-9793 or by email at [oleson@hometownplanning.com](mailto:oleson@hometownplanning.com).

Sincerely,



Ben Oleson, AICP  
Hometown Planning  
City of Little Falls Zoning Administrator