
CITY OF LITTLE FALLS

BOARD OF ADJUSTMENT/ PLANNING COMMISSION

March 19, 2015



AGENDA
PLANNING COMMISSION
 Conference Room, City Hall
 March 19, 2015, 6:30 p.m.

P	A	Member	P	A	Member
		Bieganek, Justin			Schilling, Kara
		Dahlberg, Doug			Schulte, Ray
		Gosiak, Frank			Silbernick, Keith
		Hanfler, Jeremy			Oleson, Ben (Zoning Official)
					Kimman, Greg (City Engineer)

CALL TO ORDER: Planning Commission Chairperson

ADOPT THE AGENDA: March 19, 2015

APPROVAL OF MINUTES: January 12, 2015

PUBLIC HEARINGS:

- 1) Rezoning request from R-1 One and two Family District to R-3 Multiple-Family Residential District.
 - a. Applicant: Scott Gall (Owner: Wayne and Karen Gall)
 - b. Legal Description: Part of Government Lot 4, Section 19, Township 129, Range 29.
 - c. Property Address: 1115 Lindbergh Drive, Little Falls
 - d. Parcel number(s): 491258000

OLD BUSINESS:

- 1) None

NEW BUSINESS:

- 1) Discussion – Derosier Drive development
- 2) Discussion – Future MN DoT Improvements to Trunk Highway 27
- 3) Discussion – Storage POD regulations

NEXT MEETING: Monday, April 13, 2015

ADJOURNMENT:

AGENDA
PLANNING COMMISSION
 Conference Room, City Hall
 January 12, 2015, 6:30 p.m.

P	A	Member	P	A	Member
x		Bieganek, Justin		x	Schilling, Kara
x		Dahlberg, Doug	x		Schulte, Ray
x		Gosiak, Frank	x		Silbernick, Keith
x		Hanfler, Jeremy	x		Oleson, Ben (Zoning Official)
			x		Kimman, Greg (City Engineer)

CALL TO ORDER: The Planning Commission Meeting was called to order by Frank Gosiak, Planning Commission Chairperson, at 6:30 p.m.

ADOPT THE AGENDA: A motion was made by Hanfler, seconded by Silbernick to adopt the agenda as presented. Motion carried.

APPROVAL OF MINUTES: A motion was made by Dahlberg, seconded by Schulte to adopt the minutes as presented. Motion carried.

PUBLIC HEARINGS:

- 1) (Tabled from December 2014 meeting) Preliminary Plat that would subdivide two existing lots into a total of four to allow for construction of two 2-unit twin homes.
 - a. Applicant: Edward J Gottwalt Revocable Trust
 - b. Legal Description: Lots 22 and 23, Block Three, Hidden Oaks Townhomes CIC #9
 - c. Parcel number(s): 482993000 and 482992000

Kimman summarized and reviewed the request explaining why the request was tabled previously. He also updated the Planning Commission on the status of the request and reported that the request met all setbacks and conditions required for approval. He recommended that the Planning Commission approve the request as presented. A motion was made by Hanfler, seconded by Silbernick to approve the preliminary plat. Motion carried.

- 2) 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.
 - a. Applicant: City of Little Falls

Kimman summarized proposed ordinance amendments. Public hearing opened at 6:37 pm. There was no public comment. Public hearing closed at 6:50 pm. Commission discussed some questions and scenarios that could arise with the proposed amendments for clarification. A motion was made by Silbernick, seconded by Bieganek to approve the proposed amendments as presented. Motion carried.

OLD BUSINESS:

- 1) Update regarding City Attorney input regarding “dual use” parking as discussed at the December 2014 regular meeting.

Oleson provided a summary of the previous discussion in regards to “dual use” parking. He also updated the Planning Commission on his discussion with the city attorney and the suggested options provided by the city attorney. The Planning Commission discussed the options available and

recommended that the city staff construct a rough draft of an ordinance change in relation to “dual use” parking.

NEW BUSINESS:

1. **Discussion of proposed new policies – Greg Kimman, Little Falls City Engineer**
 - a. **Municipal Separate Storm Sewer System (MS4) Stormwater Program Illicit Discharge Detection and Elimination Program**

Kimman summarized the proposed new policy and how it related to the new proposed ordinance section 11.21 (Erosion and Sediment Control). A motion was made by Schulte, seconded by Silbernack to approve the proposed new policy as presented. Motion carried.

- b. **Municipal Separate Storm Sewer System (MS4) Stormwater Program Enforcement**

Kimman summarized the proposed new policy and how it related to the new proposed ordinance section 11.21 (Erosion and Sediment Control). A motion was made by Schulte, seconded by Silbernack to approve the proposed new policy as presented. Motion carried.

NEXT MEETING: Monday, February 9, 2015

ADJOURNMENT: A motion was made by Silbernack, seconded by Schulte to adjourn at 7:14 p.m. Motion carried.

Minutes submitted by Doug Dahlberg, Secretary.

Minutes approved on

STAFF REPORT

Application: Rezoning request from R-1 One and two Family District to R-3 Multiple-Family Residential District.

Applicant: Scott Gall

Background Information:

- **Proposal:** The applicant is requesting that the property at 1115 Lindbergh Drive be entirely rezoned to R-3 (Multiple-Family Residential District). The property is currently within two zoning districts - the majority is within the R-1 (One and two Family District) with a small corner that is zoned R-3. The applicant is contemplating eventual development of the property into multi-unit residential dwellings and the zoning change would be necessary to allow for such development.
 - **Location:**
 - Legal Description: Part of Government Lot 4, Section 19, Township 129, Range 29.
 - Property Address: 1115 Lindbergh Drive, Little Falls
 - Parcel number(s): 491258000
 - **Property Owner:** Wayne and Karen Gall
-

Applicable Statutes/Ordinances/Court Decisions:

Little Falls City Code

11.04: ADMINISTRATION AND ENFORCEMENT

E. Amendments:

1. This chapter may be amended according to the provisions of the city charter.
2. Initiation: Proceedings for amendment of this chapter shall be initiated by: a) a petition of the owner or owners of the actual property, the zoning of which is proposed to be changed; b) a recommendation of the planning commission; or c) by action of the council.
4. Action By Planning Commission: Within sixty (60) days after the date or receipt of the petition by the zoning administrator, the planning commission shall make a written report to the council stating its findings and recommendations, unless the applicant, in writing, requests an extension of time.
5. Action By Council: On receipt of the written report from the planning commission, the council shall hold a hearing within thirty (30) days after the receipt of the report and recommendations from the planning commission. If the planning commission fails to make a report within sixty (60) days after receipt of the application, then the council shall hold a public hearing within thirty (30) days after the expiration of said sixty (60) day period, unless the applicant, in writing, requests an extension of time. Failure to receive a report from the

planning commission as herein provided shall not invalidate the proceedings or actions of the council. The council shall give not less than ten (10) days nor more than thirty (30) days' notice of time and place of such hearing published in the designated legal newspaper, and such notice shall contain a description of the land and the proposed change in zoning. At least ten (10) days before the hearing, the council shall order the zoning administrator to mail an identical notice to the owner and to each of the property owners within three hundred feet (300') of the outside boundaries of the land proposed to be rezoned. Failure to mail the notice or failure of the property owners to receive the notice shall not invalidate the proceedings. At the time of hearing, the council may take final action upon the application or it may continue the hearing from time to time for further investigation and hearing. The council may also request further information and report from the planning commission.

6. Referral To Planning Commission: The council shall not rezone any land or area in any zoning district or make any other proposed amendment to this chapter without having first referred it to the planning commission for their consideration and recommendation.

7. Effect Of Denial: Rezoning applications may be denied by motion of the council and such motion shall constitute a finding and determination that the proposed rezoning is not in the best interest for the physical development of the city. No application which has been denied wholly or in part shall be resubmitted for a period of six (6) months from the date of said order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the planning commission. (Ord. 801, eff. 6-3-1974)

11.05: ZONING DISTRICTS AND MAP

G. R-3 Multiple-Family Residential District:

1. Permitted Uses:

- a. Any use permitted in the R-2 district.
- b. Multiple dwellings. (Ord. 801, eff. 6-3-1974; amd. Ord. 80, 5th Series, eff. 8-18-2003)

2. Conditional Uses:

- a. Any use permitted as conditional in the R-2 district.
- b. Commercial, retail and service facilities of an ancillary nature, designed to serve the occupants of a multiple dwelling complex having at least seventy five (75) units.
- c. Motels.
- d. A residential facility serving seven (7) through sixteen (16) persons and licensed by the state department of human services.
- e. A daycare facility serving fifteen (15) through twenty five (25) persons and licensed by the state department of human services.

(Ord. 801, eff. 631974; amd. Ord. 58, 3rd Series, eff. 12121988; Ord. 80, 5th Series, eff. 8-18-2003)

4. Lot Area, Floor Area, Height, Lot Width And Yard Requirements:

- a. There shall be no height restriction on buildings in the R-3 district, except that any structure exceeding three (3) stories or forty five feet (45') shall be set back from the nearest property line a distance equal to one-half (1/2) the building height.
- b. A side yard abutting a street shall not be less than thirty feet (30') in width.

Findings of Fact: The following findings of fact are presented by Staff for consideration by the Planning Commission:

Current Zoning:

- o Subject Property: One and Two Family Residential (R-1) and a small portion which is already Multiple-Family Residential District (R-3)
- o Surrounding Properties: One and Two Family Residential (R-1) to the north and east. Multiple-Family Residential District (R-3) to the north and west. One and Two Family Residential (R-1) and PUD (golf course) across the Mississippi River.

Current Land Use:

- o Subject Property: Single-family residential
- o Surrounding Properties:
 - West: Primarily single-family residential
 - East: Single family residential and Mississippi River
 - South: Vacant R-3 zoned land and Mississippi River
 - North: Vacant R-1 zoned land

Lot size: Approx. 1.4 acres (subject parcel only)

Sewer/Water: The property is connected to City sewer/water (there appear to be four sewer/water stubs into this property)

Natural Features:

Floodplain: The property is identified as being partially within floodplain. The majority of the lot rises at least 8-10 feet above the floodplain elevation.

Bluff/Steep Slopes: There are steep slopes on the property leading down to the Mississippi River. The majority of the property, however, is relatively flat.

Wetlands: Any wetlands on the property appear to be at the shoreline with the Mississippi River and would not directly impact any building area.

Comprehensive Plan:

The property is identified for future use as “Urban” (3-4 units per acre).

**PROPOSED
LAND USE**

The plan has the following land uses:

AGRICULTURE - RURAL

This designation includes rural uses, hobby farms, agriculture and, in some instances, very large lots all of which are not planned for urban development by 2020 unless growth or other circumstances dictate otherwise in which case an amendment to the plan will be evaluated.

RESIDENTIAL

Country and Suburban- This designation is for country and suburban style residential development and related uses served by City water and sewer at a density of 1-3 units per acre.

Urban (Single-Family)- This designation is for primarily single-family residential and compatible, associated uses, e.g. churches. Density would be 3-4 units per acre.

Medium Density (Residential)- This designation is for residential and associated public type uses including single-family, two-family and townhouses at a density of 4-10 units per acre.

High Density (Multi-Family Residential)- This designation is for townhouses, apartments and condominium developments at a density in the range of 10-30 units per acre.

**PROPOSED LAND
USE COMPARED
TO ZONING**

Table 1-1 is a matrix which shows the relationship between the Comprehensive Plan and the zoning districts.

Table 1-1

COMPREHENSIVE PLAN COMPARISON TO ZONING DISTRICT			
Comprehensive Plan		Zoning Ordinance	
<i>Land Use Designations</i>	<i>Density</i>	<i>Comparable Zoning Districts</i>	<i>Minimum Lot Area per Dwelling</i>
RESIDENTIAL			

COUNTRY AND SUBURBAN	1-3 units/ac	R-1.C Country Homes, One-and-Two Family Residential District	16,000 sf per dwelling, 2.7 units/acre
		Planned Unit Development-Country Homes, PUD- CH	Min lot size 16,000 sf/20,000 sf
URBAN (SINGLE-FAMILY)	3-4 units/ac	Mississippi Headwaters Corridor District (Morrison County)	Interim Lot 11,000 sf per dwelling Corner Lot 12,000 sf per dwelling
		R-1 One-and-Two Family Residential District	Interior Lot- 11,000 sf per dwelling, 3.96 units/acre Corner- 12,000 sf per dwelling, 3.63 units/acre
MEDIUM DENSITY	4-10 units/ac	R-2 One-and-Two Family Residential District	9,000 sf for one and two units, 4,500 sf per dwelling. 9.68 units/acre
HIGH DENSITY(MULTI-FAMILY RESIDENTIAL)	10-30 units/ac	R-3 Multiple-Family Residential District	Max. Density 29 units/acre
		R-4 Mobile Homes Residential District	Refers to MN Mobile Home Law

Planning Commission Action: The Planning Commission may approve the rezoning request, deny the request, or table the request if the Commission should need additional information from the applicant. If the Commission should approve or deny the request, it should state the findings which support either of these actions. If the application is tabled, the Commission should provide specific direction as to what additional information is needed.

Staff Comments: As the Planning Commission considers this application, Staff would make the following comments:

1. The property is already partially zoned R-3 (a small corner at its northwest side).
2. Property immediately to the north and west is zoned R-3.
3. Property immediately to the north and east is zoned R-1.
4. The adjacent properties along the Mississippi River are both largely or completely undeveloped, but appear to have much greater portions which are within floodplain. The property that is the subject of this rezoning request is thus somewhat of an "island" in between two partially undevelopable properties (the property to the southwest does have some areas that appear to be developable and is currently zoned R-3).
5. There is some potential conflict between the City's zoning map and its 2006 Comprehensive Plan in that the Comprehensive Plan calls for 3-4 units per acre in this area (consistent with R-1 zoning) and the Zoning Map identifies portions of this same area as zoned R-3 (allowing for densities higher than 3-4 units per acre). The City may wish to consider updating its Comprehensive Plan if the 2006 Plan no longer reflects the desires of the City for this area.

6. Under R-1 zoning requirements for new lots, this parcel could be split into three (very nearly four) residential lots. This would allow for up to 6 dwelling units.
7. Under R-2 zoning requirements for new lots, this parcel could be split into five residential lots. This would allow for up to 10 dwelling units.
8. Under R-3 zoning requirements, this parcel could potentially have about 6-7 twin homes (12-13 total units), 5 four-plexes (20 total units) or a 25 unit apartment building (two-bedroom apartments). There are other possibilities depending on how many units in a building and/or how many bedrooms in an apartment that could result in fewer or more units allowed. There would also be setback, stormwater managment and other regulations that may impact the number of allowable units in a future R-3 development.



Parcel ID 491258000
 Sec/Twp/Rng 19-129-29
 Property Address 1115 LINDBERGH DR
 LITTLE FALLS

Alternate ID n/a
 Class 4BB-Residential Non-Homestead SFD
 Acreage 1.440

Owner Address WAYNE E & KAREN M GALL
 5507 PARTRIDGE RD
 ROYALTON MN 56373

District LITTLE FALLS WEST-#482-HRA



Phone: 320-616-5500
Fax: 320-616-5505

Fee Paid \$275.00

Date Filed 1/27/2015

Receipt Number 79000
v4776

Application For: REZONING, VARIANCE AND CONDITIONAL USE

Have you reviewed Chapter 11, Section 11.04 of the City Code dealing with zoning laws of the City of Little Falls? (available online: www.cityoflittlefalls.com)

Yes X No _____

Street Address of Property 1115 Lindbergh Drive

Legal Description of Property ~~49.1258.000~~
See attached

Parcel Identification Number 49.1258.000

Owner - Name Wayne Gall Phone 320-355-2616
Address 5
City Royalton State MN Zip 56373

Applicant (if other than owner) -

Name Scott Gall Phone 320-267-7371
Address 217 1st St NE
City LITTLE FALLS, MN State MN Zip 56345

Type of Request - Rezoning Variance _____ Conditional Use _____ Other _____

Description of Request Rezoning from R-1 TO R-3

Reason for Request For future Building of 4-6
plex.

Present Zoning Classification R-1
Existing Use of Property single Family house
Existing Use and Zoning of the Surrounding Area (two blocks) single family
homes. & Duplexes.

Has a request for a variance, special use permit, or rezoning on the subject site - or any part thereof - been previously sought?

Yes _____ No When _____

Signature of Applicant/s Gott Ball

Date 1/27/15

I am the legal fee owner of the property described on this application and I consent to this application

Signature of owner/s Wayne E. Ball Karen M. Ball

Approved _____ Denied _____ by the Planning Commission on _____
Date

Approved _____ Denied _____ by the City Council on _____
Date

Mailing Address: City of Little Falls, P.O. Box 244, Little Falls, MN 56345