

MAHTOMEDI PLANNING COMMISSION
MEETING MINUTES
MAY 10, 2023

Chairperson Alex Rogosheske convened the regular Planning Commission meeting at 6:30 p.m. with the following members in attendance: Chantell Knauss, Peter Frank, Tony Chesak, Greg Maples, Dan Soler and Lacey Smieja. Also in attendance were Planner Hannah Rybak, Engineer John Sachi, and Office Assistant Luann Tembreull.

ORGANIZATIONAL BUSINESS

Following Planning Commission appointments each year, the commission acts on organizational items. The Commission elects a Chair to work with staff in preparing the monthly agenda, facilitate the Commission meetings and act as a spokesperson for the Commission at appropriate times. The Commission also elects a Vice Chair to perform the same duties in the absence of the Chair. Over the past year, Alex Rogosheske served as Chair and Dan Soler served as Vice Chair.

Commissioner Smieja moved, and Commissioner Solar seconded the motion to appoint Alex Rogosheske to serve as Chair of the Planning Commission through April 2024. Commissioner Chesak moved, and Commissioner Maples seconded the motion to appoint Dan Soler to serve as Vice Chair of the Planning Commission through April 2024. The motion was unanimously approved.

APPROVAL OF THE AGENDA

Commissioner Maples moved, and Commissioner Frank seconded the motion to approve the agenda as presented. The motion was unanimously approved.

APPROVAL OF THE MARCH 15, 2023 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Soler moved, and Commissioner Knauss seconded the motion to approve the minutes of the March 15, 2023 regular Planning Commission meeting as written. Chair Rogosheske abstained from voting since he was not in attendance at the March 15 meeting. The motion was unanimously approved.

4. PUBLIC HEARINGS

4a. CONSIDER APPROVAL – Request from Prelude Holdings on behalf of Phil Dommer for a Minor Subdivision to divide the parcel into two (2) lots at 928 Griffin Avenue.

Planner Rybak provided a power point presentation and said the applicant is requesting a minor subdivision to split the subject parcel into two lots. The existing home would remain on the proposed Parcel B, and a new single-family home would be constructed on proposed Parcel A. The existing detached garage and driveway sit on proposed Parcel A, and will be demolished. A new detached garage will be constructed to serve the existing home on proposed Parcel B, along with partial removal of the existing deck to meet the side yard setback requirement from the newly created property line.

4a. (Continued)

The demolition of the existing garage, and partial removal of the deck must occur prior to the recording of the minor subdivision, as they would not meet required setbacks from the property line that will run between both proposed lots.

Planner Rybak stated the following criteria are being met regarding this request:

1. The division will result in no more than three (3) new lots.
2. The lot being divided is in a location where conditions are well defined.
3. The newly created property lines will not cause any resulting lot to be in violation of the Zoning Code.
4. The proposed division is prepared by a registered land surveyor and must show the original lot and the proposed subdivision.

She noted that per city ordinance, parkland dedication due to the city for this newly created lot will be in the amount of \$3,000.

City Engineer Sachi noted that he has reviewed the application and had the following comments:

- Appropriate side, front and rear lot line drainage and utility easements will be required. Legal descriptions are to be provided by the applicant and the City of Mahtomedi Attorney will draft the easements and include them as part of the minor subdivision agreement.
- There is no sanitary sewer and water available to the new home site along Griffin Ave. The existing home is served from the corner of Ivy Street and Griffin Avenue with long service lines. There is sewer and water mains at each of the intersections of Griffin/Ivy and Griffin/Hanson, but no sewer and water along Griffin between these two intersections. The developer just submitted his proposed new water and sewer lines to the property which will run from the corner of Ivy and Griffin with new lines to Parcel A and Parcel B. The City will have to review and approve a plan for the extension of utilities to serve the new home site. The developer will be responsible for the cost of any utility extensions needed to serve the new lot. If an extension of public utilities is involved, an agreement would need to be part of the minor subdivision agreement and would include a section on how payment for the public infrastructure would be needed.
- A final grading and erosion control plan will be required to be approved by the City Engineer as part of the building permit application and will require all of the appropriate setbacks for wetlands and buffer zones from the adjacent wetland. It should be noted that the submitted survey elevations do not conform with the elevations the City has within the County GIS and Datafi programs. The applicant will be required to rectify this grading plan and all rooftop drainage should be directed to a green area to maximize infiltration potential.

4a. (Continued)

Engineer Sachi noted that the City is aware of drainage issues in this area and plans to work on a solution within its Capital Improvement Plan.

Planner Rybak stated that based on the criteria in this report and submitted plans, staff recommends approval of the requested minor subdivision as submitted with the following conditions.

1. The Applicant must enter into a minor subdivision agreement with the City.
2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.
3. The Applicant shall pay \$3,000 cash in lieu of parkland dedication.
4. Appropriate side, front and rear lot line drainage and utility easements will be required. Legal descriptions are to be provided by applicant and the City Attorney will draft the easements and include them as part of the minor subdivision agreement.
5. A final grading and erosion control plan will be required to be approved by the City Engineer as part of the building permit application and will require all of the appropriate setbacks for wetlands and buffer zones from the adjacent wetland.
6. Any permits necessary from the RCWD must be obtained.
7. The minor subdivision agreement will not be released by the City for recording until a plan for sanitary sewer and water service to the properties has been developed by the property owner and approved by the City Engineer.

Upon a question by Commissioner Frank, Engineer Sachi reiterated that the lot split will not be recorded at the county until all seven (7) conditions are met.

Applicant, Phil Dommer, stated that the deck is in disrepair and is coming down soon.

Upon a question by Commissioner Soler, Mr. Dommer noted that there will be new driveways at both Parcel B and Parcel A.

Chairperson Rogosheske opened the public hearing at 6:48 p.m.

Vicki Krawczeski of 184 Ivy Street stated that there is a problem with flooding in her back yard and cannot handle any more water draining there. She is requesting that no additional drainage from this new home run onto her property. She would also like to know who is paying for the new water and sewer lines.

Doug Duffy of 850 Griffin Avenue stated that in the past, this property requested a lot split and was approved to split the lot into three (3) lots. He is worried with flooding and erosion. He noted that the area was a wetland at one time and his property is the lowest in the area.

4a. (Continued)

Ms. Tyrell of 185 Ivy stated that she has lived in her home for 40 years and when Griffin Avenue was cemented, many of her trees were taken down. She is also very concerned about all the water in the area.

Hearing no further comments, the public hearing was closed at 6:55 p.m.

Upon a question from Chair Rogosheske, Engineer Sachi noted that drainage of the new home will be directed to the swale between Parcel A and Parcel B and also to the east of the new home and away from Ivy Street. He stated that the costs for the new water and sewer lines and restoration of the street after the lines are put in, will be the responsibility of the applicant. Engineer Sachi also noted that he himself will be approving the grading plans for the new lot which will include silt fence etc. for erosion control.

Upon a question from Commissioner Smieja, Engineer Sachi noted that the past approved three (3) lot split never went forward because the cost for the new water and sewer lines ended up being extremely costly.

Upon a question from Commissioner Frank, Engineer Sachi stated that improvements to the drainage problems in this area by the City are not in the Capital Improvement Plan in the near future, but if a petition by the affected neighbors was received yet this year, it could move the improvements to take place sooner rather than later.

Upon a question from Commissioner Soler, Engineer Sachi stated that the costs to residents to improve the drainage problems in this entire area would cost the affected residents about 25% of the total cost of the project and that the City would pick up 75% of the costs.

Upon a question from Commissioner Frank, Engineer Sachi noted that if the neighbors submitted a petition to the City this year, a project could possibly take place as soon as 2024.

Commissioner Chesak stated that he would encourage residents in the neighborhood get a petition together with signatures requesting the City improve the drainage issues in this area.

Upon motion by Commissioner Soler, seconded by Commissioner Maples, the Commission recommends the City Council approve a resolution approving a minor subdivision at the property located at 928 Griffin Avenue as outlined in Exhibit C. The motion was unanimously approved.

CITY OF MAHTOMEDI
WASHINGTON COUNTY, MINNESOTA
RESOLUTION NO. _____

**RESOLUTION APPROVING A MINOR SUBDIVISION AT THE PROPERTY LOCATED AT 928
GRIFFIN AVE., PID: PID: 20.030.21.43.0037**

WHEREAS, the City of Mahtomedi received a request from Applicant, Phil Dommer, on behalf of property owner, Prelude Holdings LLC, for a minor subdivision resulting in two lots at the property located at 928 Griffin Ave. on March 20, 2023, legally described as follows:

(Per Certificate of Title No. 76943, property situated in Washington County, Minnesota)

Lot Six (6) and Seven (7), Block One (1),
EAST SHORE HEIGHTS,
Excepting the Southerly 100 feet of Lots 6 and 7, Block 1,
According to the recorded plat thereof on file and of record in the office of the Registrar of Titles in
and for said County

WHEREAS, the Applicant has requested a minor subdivision to allow for the division of the property to create two residential lots; and

WHEREAS, the Planning Commission reviewed and considered the request based on the related documents shown in the Applicants' Application at their regular meeting on May 10, 2023; and

WHEREAS, the City Council can approve a minor subdivision if it finds that the standards for minor subdivisions as described in Chapter 11, Section 11.02, Subdivision 10, E: Minor Subdivision of the Mahtomedi City Code have been met; and

WHEREAS, the City Council has reviewed and considered the reports, documents, testimony, and other materials presented.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the Applicant's minor subdivision request based on the following findings of fact:

1. All required information for a minor subdivision has been supplied.
2. The minor subdivision meets the requirements for Minor Subdivision Approval;
3. The lot to be divided is in a location where conditions are well defined;
4. The newly created property lines will not cause any resulting lot to be in violation of the Zoning Code;
5. The proposed division was prepared by a registered land surveyor;

6. The minor subdivision request is consistent with the City's Comprehensive Plan; and
7. The minor subdivision is consistent with the City's Subdivision Regulations and Zoning Ordinance for property in the R1-D – Low-Density Residential Zoning District.

NOW THEREFORE BE IT FURTHER RESOLVED that the Applicant must meet the following conditions for minor subdivision approval:

1. The Applicant must enter into a minor subdivision agreement with the City.
2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.
3. The Applicant shall pay \$3,000 cash in lieu of parkland dedication.
4. Appropriate side, front and rear lot line drainage and utility easements will be required. Legal descriptions are to be provided by applicant and the City Attorney will draft the easements and include them as part of the minor subdivision agreement.
5. A final grading and erosion control plan will be required to be approved by the City Engineer as part of the building permit application and will require all of the appropriate setbacks for wetlands and buffer zones from the adjacent wetland.
6. Any permits necessary from the RCWD must be obtained.
7. The minor subdivision agreement will not be released by the City for recording until a plan for sanitary sewer and water service to the properties has been developed by the property owner and approved by the City Engineer.

Adopted by the City Council of the City of Mahtomedi on May 16, 2023.

Richard Brainerd, Mayor

Attested:

Jerene Rogers, City Clerk

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6. UPDATE - CITY COUNCIL AND OTHER COMMISSION ACTIVITIES AND INFORMATIVE ITEMS.

Copies of the recent City Council and other City Commission minutes may be found on the City's website.

7. ADJOURNMENT

There being no further discussion, Commissioner Chesak moved, and Commissioner Knauss seconded the motion to adjourn the regular Planning Commission meeting at 7:18 p.m. The motion was unanimously approved.

Respectfully submitted by Luann Tembreull, Office Assistant.

APPROVED:

Alexander Rogosheske

ALEX ROGOSHESKE
CHAIRPERSON

ATTESTED:

Luann Tembreull

LUANN TEMBREULL
OFFICE ASSISTANT