

City of Stewartville
Planning & Zoning Commission
Stewartville Civic Center
December 2, 2019

Members present: Tony Lehrman, Brian Poss, Tom Sinn, Bob Robertson, Maren Schroeder, Randy Swanson and Brent Beyer

Members absent: None

Staff present: City Engineer Obernolte, City Attorney Leth, City Administrator Schimmel and City Clerk Roeder

Present from Southern Hills/Northridge Expansion Project Team: Justin Crable, Atwel LLC, Kevin Bennet, Division V-P Sun Communities, Attorney Howard Roston, Fredrikson & Byron PA.

Chair Lehrman welcomed everyone, noting that this was a continuation of the Nov 6, 2019 meeting to consider the Knolls of Northridge Subdivision, Conditional Use Permit as per Section 1335.04, Zoning Change/Map Amendment from R1 to R3, GDP Amendment and Preliminary Plat approval. Lehrman informed those in attendance that they would not be hearing comments from the public, as that hearing process was held on Nov 6th. He noted that he would like an open conversation between the Planning Commission, Representative of Sun Communities and staff.

Updated Plan:

Crable thanked the Planning Commission and stated that in light of the Nov 6th meeting and comments received from property owners in the Petersen Subdivision, they are submitting a revised plan. He explained that the revised plan differs from the plan presented earlier as follows:

1. Public road shifted from central portion of project to west side of project to significantly increase the distance from the proposed manufactured homes and the single-family homes. Previously, the distance between the existing homes and the proposed homes was around 91' to 105' for those existing homes closest to the lot line. There is now spacing of approximately 225' and more.
2. The buffer yard between the proposed lot line and the manufactured homes was previously 35' wide. There will now be a landscaped yard that measures 95'.
3. The proposed homes that face Petersen Subdivision are now parallel to the new public road and not perpendicular. This reduces the visual impact of the number of proposed homes facing Petersen. And, this also serves to provide for a softer transition between the perpendicular lots to the east and the Petersen neighborhood;
4. This plan continues to provide significantly more open space than what is required by the zoning code. In addition, the provided park space is measurably larger (1.5 acres) than what was provided in the last expansion.

5. 17 additional off-street parking spaces have been added to the revised plan which is an increase over the previous plan by 34%.

Crable stated that the above changes showed very significant changes and they were proud of the plan and felt that it appropriately addressed the comments they heard at the meeting.

Lehrman thanked Crable for the presentation and encouraged discussion from the Planning Commission.

Commission Questions/discussion:

Lehrman asked City Engineer Obernolte to comment on the revised plan. Obernolte stated that due to existing sewer lines, an easement would need to be established and approximately two lots would be eliminated. She also noted, that geographically, the collector street will enter the future industrial park and traffic will be coming to and from that area. She wanted everyone to be aware of the potential traffic to and from the industrial park noting that it could be trucks, etc. She stated that there would be no issues with the water looping. In regards to the intersection at 20th St., she stated that she wanted to study the distance a little more. Crable stated that they followed ordinance for placement.

Robertson stated that he was concerned with the location of the intersection as there are issues now with blowing snow that creates some hazards. He also stated that the berm appears to be only 4' high. Crable stated that it was between 4-5' high, noting that it was higher than the previous plan. Robertson questioned whether it was physically possible to go higher with the berm. Crable responded that the Petersen Subdivision sits lower than this property and felt that 4-5' was high enough.

Robertson also questioned whether they considered a permanent barrier that was asked for by the public. Crable responded that the proposed landscaped buffer has been increased to 95' and with the planting of 137 trees along that the barrier would be sufficient.

Swanson questioned the run-off of the proposed property. Obernolte stated that the drainage design shows the run off was greatly reduced. She stated that the current run-off would be collected into catch basins and distributed into the ponds.

Crable also responded that they would be "tipping" the whole site and that significant amount of dirt work would be done to shifting the site to drain to the east.

Schroeder stated that the Commission heard many comments from the residents during the public hearing regarding the current conditions of Southern Hills/Northridge.

Bennett responded that Sun Communities did their due diligence before purchasing the property, knowing that a substantial amount of improvements would be needed. Since purchasing the property five years ago they have spent just under \$2.5 million in road repairs, pool upgrades, clubhouse remodel, signage and trees. He stated in 2020, plans for another \$100,000 addressing the trees and between \$60,000-\$70,000 would be completed in road work. He noted that as a company, Sun Communities have always increased their assets in their 115 communities. He stressed that they don't ignore any issued and always address the resident's concerns. He noted, that in regards to

foreclosures or homes that are abandoned, they have to go through the court system and that always takes a lot of time.

Questions regarding staff on site was brought up and Bennett responded that they always have staff on site every day. Employee Jeremy Morrison stated that in regards to the soil/dirt run off spoken about at the last meeting, it was address within 24 hours and a silt fence was added. He stated that he was aware of some of the residents cleaning the area before Sun Communities could respond. He also informed the Planning Commission that they have two maintenance people, one office person, one sales representative and one manager on site.

Swanson questioned how many of the current homes are rental units. Morrison responded that out of the 475, Sun Communities owns 110 of them and rent them out. Swanson stated that he was concerned that crime would go up. Morrison reminded the Planning Commission of Sheriff Torgerson's figures that only 25% of the crime is from this area. Bennett stated that Sun Communities does background checks for anyone moving into Southern Hills/Northridge. He stated that he doesn't feel that the crime is any greater than other manufactured communities of this size.

Concerns regarding additional parking was discussed. Crable responded that they have added an additional 17 spaces for a total of 67 spaced in addition to the 2 spaces per lot.

Robertson stated that the plans look like the majority of lots are only suitable for single homes. Crable stated that all lots are acceptable for double homes.

Swanson brought up the concerns noted during the public hearing regarding the storm shelter with it being too crowded, the distance the elderly need to walk/drive to get there. Crable stated that the City's ordinance is more restrictive than State code. Requirements are for 10 sq. ft for every lot and they are providing 7,750 sq. ft. He stated that they also follow all ADA requirements.

Robertson asked if Sun Communities was open to lowering the density/number of lots, noting that he understands it's a math issue and was wondering what they number that they are willing to live with was. He also stated that speaking on behalf of the Planning Commission, 300 isn't an acceptable number. Bennett responded that lowering the density hasn't been considered and noted that 300 is less than what would be allowed. He mentioned again that the amount of open/green space is actually higher than what is required by city ordinance. Bennett noted that the last expansion (71 lots) was filled in just over 2 years and that they couldn't create the housing fast enough. He noted that they feel they can fill 5 sites in a month.

Swanson stated that residents are concerned with the tax base and felt that the expansion would create the need to build a school. Bennett responded that they are unable to answer how many are school age and that there are so many different variables to consider, noting that not all families will have school age children and it's hard to say how many current residents would be leaving the district either by graduating or moving.

Beyer indicated that in regards to fire protection and law enforcement the expansion of 300 homes in a short amount of time would have a big impact for a community of 6,200. Bennett responded that there are benefits that the city isn't considering with people moving to our community , noting that the residents will be buying groceries, gas and food which benefits the business community. He also stated that the city has been preparing for growth as shown by their water/sewer facilities. Beyer stated that although Sun Communities pay taxes, along with the homeowners it is a lower percentage

and noted that valuations of a manufactured home doesn't increase at the same rate as a stick-built home. He asked what the depreciation rate for a manufactured home was. Bennett stated that this would be a question to ask the county assessor's office.

Schroeder agreed it was felt that the growth of 300 additional homes would put a burden on the school district and not just specific to this project.

Lehrman asked Schimmel if he could elaborate on taxes and the cost of fire protection/law enforcement. Schimmel informed the Planning Commission that there was information in their packets for current taxes. He stated that currently the city has 24 hr. coverage for law enforcement. He stated that Council recognizes that as demand for calls come in, the city may have to increase coverage, noting that the public would weigh in on response time and most likely drive the demand for more coverage. He also elaborated on the past few years of talking with the fire department regarding their issue with not finding volunteers to cover day-time hours. He said that they have been researching hiring to help with the daytime hour shortage.

Beyer questioned whether a feasibility study was done to show whether there would be a high demand on fire/police protection. Bennet stated that a study hasn't been done in any other community and they didn't plan on doing one for this project. He noted that the city has planned properly in regards to utilities and students can't be predicted.

The Commission discussed traffic and wondered if the proposed apartment complex (Flats 41) was considered during the recent traffic study. Obernolte stated that 20th St. and 11th Ave were major arterial streets, designed for high traffic. She did note that the intersection signal could be updated so that traffic thru the intersection could run more smoothly.

Schimmel stated that the city engineer has done an excellent job in planning for the future in regards to water/sewer mains, streets, etc. and continue updating for growth capacity. He stated that the recent EAW reflects this planning.

Swanson talked about government subsidy referring to individuals who receive help. Bennet stated that the housing and lot rentals are above the threshold for housing subsidy. He also stated that Sun Communities doesn't participate in HUD and have chosen to opt out of any government assistance.

As there were no further questions/discussion, Lehrman asked the Commission for their consideration of the Zone Change request.

Motion by Beyer, second by Schroeder to recommend to the City Council, denying the zone change as it would not be appropriate because the proposed use would create a significantly negative impact on traffic and safety in the area Unanimously approved.

Staff questioned Sun Communities on whether they wanted to proceed further with the Conditional Use or would like to take time to reconsider the proposal. Crable & Bennett indicated that they would like to proceed with the vote and move on to City Council consideration.

Lehrman asked for consideration of the GDP/Preliminary Plat.

Motion by Robertson, second by Poss to recommend to the City Council denying the GDP/Preliminary Plat, as without the rezoning, the project needs to be re-designed. Unanimously approved.

Lehrman asked for consideration of the Conditional Use Permit.

Motion by Schroeder, second by Beyer to recommend to the City Council, denying the Conditional Use Permit. Based on the following Findings of Facts:

- Based on public testimony received regarding potholes, broken windows, flooded roads and other maintenance issues in the existing manufacture home park owned and operated by Sun Communities, the proposed project is unlikely to be operated and maintained to be harmonious and appropriate in appearance with the existing and intended character of the surrounding area, particularly the adjacent Peterson Subdivision.
- The proposed project will not be adequately served by essential public facilities and services, including police and fire protection and schools. As discussed by Sheriff Torgerson and Superintendent Selfors during the public hearing held on Nov 6th, Stewartville will most likely need an additional dedicated deputy and the school district would unlikely be able to absorb the increase in students in a short amount of time, as projected.
- The proposed project will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community.
- The proposed project may create additional traffic congestion and interference with traffic on surrounding public thoroughfares by increase traffic.

The vote was unanimously approved.

Approval of Nov 6, 2019 Minutes:

Motion by Schroeder, second by Sinn to approve the minutes as submitted. Unanimously approved.

Adjournment:

Motion by Schroeder, second by Robertson to adjourn. Unanimously approved.

Respectfully,

Cheryl Roeder
City Clerk