

Minutes of the proceedings of the Planning Commission of the City of Champlin in the County of Hennepin and the State of Minnesota pursuant to due call and notice thereof

Regular Session
June 20, 2022
City Council Chambers

Call to Order	The Champlin Planning Commission met in Regular Session and was called to order by Chairperson Tim LaCroix at 7:00 p.m.
Pledge of Allegiance	Chairperson LaCroix led the group in the Pledge of Allegiance.
Roll Call	Present were: Chairperson Lacroix, Commissioners Carl Anderson, Matt Bolterman, David Bouchard, Chad Darr, Kathy Manemann, Jordan Simon, Bob Streitz, and Ben Uglem. Absent: none. Also present were Community Development Director Scott Schulte and Associate Planner Lexi Weihe.
Role of the Commission	Chairperson LaCroix briefly reviewed the role of the Commission.
Approval of Agenda (June 20, 2022) Motion	Motion by Commissioner Streitz and seconded by Commissioner Anderson, to approve the agenda of the June 20, 2022 Planning Commission meeting as presented. All voted in favor and the motion carried.
Open Forum	No one was present for open forum.
Approval of Minutes (May 16, 2022) Motion	<p>Commissioner Bouchard noted on page two, the first paragraph, it should state, "...most changes were substantiative structural." He also provided input on the website and email notifications, suggesting that be discussed at a future time. It was noted on page one, the bottom paragraph, it should state, "...substantiative <u>substantive</u>..."</p> <p>Motion by Commissioner Bouchard and seconded by Commissioner Uglem, to approve the minutes of the May 16, 2022, Planning Commission meeting with the noted changes. All voted in favor and the motion carried.</p>
Preliminary Plat and Site Plan for Emery Village Reserve 4 th Addition and Amendment to the Emery Village Reserve 3 rd Addition Planned Unit Development (Project No. 2022-11)	<p><u>Public Hearings</u> The Associate Planner stated that Emery Village is a neighborhood located in the northeast quadrant of Highway 169 and 117th Avenue N. The neighborhood has been developing over the past 17 years and currently has 234 residential units total, along with the memory care home currently under construction across Business Park Boulevard. On June 10, 2019, the City Council unanimously approved the rezoning, final plat, and final planned unit development for Emery Village Reserve 3rd Addition. Emery Village Reserve 3rd Addition covered 4.4 acres south of Goodwill and was approved to include 52 total residential units: four ten-unit condominiums and two six-unit row townhomes along Business Park Boulevard N and Emery Village Drive N. The prior owner constructed the two six-unit rowhomes but did not complete the condominiums. The plat of Emery Village Reserve 3rd Addition subdivided the property for the condominiums into five outlots and was ultimately sold to Champlin Emery Village LLC.</p> <p>The Associate Planner stated that the applicant, Champlin Emery Village LLC, seeks approval of a preliminary plat, site plan and planned unit development (PUD) to fulfill the approved plans for the condominium buildings. She stated that staff recommends approval of those actions contingent upon the conditions noted in the staff report.</p> <p>Chairperson LaCroix asked if the terms of the PUD would remain unchanged.</p> <p>The Associate Planner confirmed that the name change would be the only amendment to the PUD.</p>
Public Hearing	<p>Chairperson LaCroix opened the public hearing at 7:11 p.m.</p> <p>No comments.</p>

Motion

Motion by Commissioner Darr and seconded by Commissioner Manemann, to close the public hearing. All voted in favor and the motion carried.

The public hearing was closed at 7:12 p.m.

Chairperson LaCroix asked what, if any, agreements there would be with the existing association related to the common areas.

The Associate Planner replied that the developer would be required to work with the owner of the 3rd Addition to provide an agreement related to maintenance as there is a shared ingress and egress point.

Commissioner Bouchard asked if there would be direct agreement between the HOAs and if so, what form that would take.

Erin Mather, representing the applicant, replied that there is already a declaration of easement, restrictions and covenants put in place by the prior property owner that applies to this property and the 3rd Addition and deals with the shared access and road. She stated that there will be a separate HOA as there is already an HOA in place for the units to the south. She noted that while there may be efficiencies in using the same contractors for yard and/or snow service, the HOAs would remain separate. She explained that the declaration is already in place between the two property owners. She stated that their intention would be to hold these condominiums as long-term rentals.

Commissioner Bouchard referenced parking and asked if there would be overflow parking into the Goodwill parking lot.

Ms. Mather replied that there is only one small connection point between the private driveway and Goodwill parking, therefore it would not be conducive to shared parking. She stated that each unit has a two-car garage, space in the driveway, and there would be visitor parking as well.

Commissioner Bouchard asked if there have been any anticipated disruptions to Goodwill when connection is made to the sanitary sewer.

Ms. Mather did not anticipate any disruptions from connection. She noted that there have been some separate issues identified with Goodwill's sewer service related to flow and backups which the City utility team is planning to address separately. She stated that they are in agreement to provide a construction timeline in order to line up those improvements.

The Associate Planner replied that the City engineering and utility departments have been working on this issue and is an issue with the Goodwill sewer connection. She stated that there is a condition related to the timing of the paving of the road to ensure that the City would not be tearing up a newly paved road to complete the improvement if City Staff determine it is necessary.

Commissioner Bouchard referenced the cleaning of sediment from retention ponds and asked if the City would be completing that action.

The Associate Planner replied that the applicant would be completing that work on the Emery Village site.

Commissioner Bouchard asked how often that work would need to be done.

The Associate Planner noted that there is a maintenance agreement condition that stipulates the actions that would be necessary on an annual and ongoing basis.

Commissioner Bouchard referenced the proposed renaming of the PUD and noted an inconsistency in the staff report.

The Associate Planner confirmed that the language is correct in both locations of the staff report.

Commissioner Manemann asked if this would be the final phase of this development.

The Community Development Director replied that this would be the final phase of residential development. He noted that Emery Village also holds the parcel on the corner that is vacant but is not residentially zoned.

Chairperson LaCroix asked the applicant for more details on their legal concerns.

Ms. Mather provided more context on their desire to maintain the units as rentals rather than ownership units.

Chairperson LaCroix stated that he does support this development. He noted that he does have a concern with only rentals, specifically as to who would control the rentals within a larger community that has ownership units. He stated that there are at least four HOAs within Emery Village with no master association. He stated that given that the applicant will remain the owner of the 40 units, that will simplify that HOA. He hoped that the associations will find economical and feasible resolutions to the long-term maintenance within the development.

Commissioner Bouchard recognized that originally the intent was to have ownership within the overall development. He stated that perhaps those residents in Emery Village could provide input to their Councilperson prior to the Council meeting.

Chairperson LaCroix stated that he appreciates the transparency of the developer in their intention. He recognized that perhaps other residents would prefer ownership, having common ownership may simplify other concerns related to management.

Commissioner Manemann referenced a recommended revision in the staff report that she did not see in the conditions of approval.

The Associate Planner stated that she spoke with the applicant after the input of the building official and the consensus of staff was to leave that as a recommendation rather than requirement. She confirmed that the applicant is aware of the recommendation.

Commissioner Darr asked the density of R-4 and whether there is a distinction within that guiding related to the type of housing. He also asked if there is any distinction within R-4 related to rental versus owning.

The Associate Planner replied that there is nothing in the code to distinguish between rental and ownership. She stated that this request does meet the density within R-4.

Commissioner Darr stated that the narrative from the applicant states that there is a market demand for townhome style living and asked if the intention was to include condominiums as well. He also asked if the condominiums would be market rate and not subsidized.

Ms. Mather replied that they used townhome and condominium interchangeably. She stated that although these are condominiums they will look and act like townhomes with separate garages, entries, and no shared hallways.

Chairperson LaCroix stated that there does not appear to be a substantive difference between the plans of the previous owner and this owner, noting that the developer has been transparent on their desire to maintain this as rental property. He noted that his concern is more broadly with Emery Village and different HOAs.

Commissioner Darr asked if there was anything included in the original 2019 development proposal that was not included in this request.

The Associate Planner confirmed that the terms from that original approval carry through to this agreement.

Commissioner Darr asked when the applicant would plan to break ground.

Ms. Mather replied that if their approvals are gained, they would plan to begin construction in August.

Commissioner Bouchard referenced the landscaping and tree plan, noting that it appears the same terms would carry forward that were agreed upon in 2019.

Chairperson LaCroix confirmed that those terms will carry forward in the PUD.

Motion

Motion by Commissioner Bouchard and seconded by Commissioner Streitz, to recommend that the City Council approve the preliminary plat for Emery Village Reserve 4th Addition, subject to the following conditions:

1. Drainage and utility easements shall be identified on the plat over all public utilities.
2. A monetary park dedication shall be made to the City of Champlin for \$174,800.
3. The declaration of covenants shall provide the manner of maintenance of the shared private driveway and access drive with Emery Village Reserve 3rd Addition.
4. The condominium plat shall be recorded once the buildings are frames and unit boundaries can be measured.
5. Condominium and Homeowner's Association documents shall be submitted for City review and approval.
6. The developer shall enter into a Maintenance and Operations agreement for the stormwater facilities.
7. The developer shall enter into a site improvement agreement with the City and provide securities to cover all remaining site improvement and escrow associated with the site development.

All voted in favor and the motion carried.

Motion

Motion by Commissioner Darr and seconded by Commissioner Bouchard, to recommend that the City Council approve the site plan for Emery Village Reserve 4th Addition, subject to the following conditions:

1. Construction of the 40 condominiums must be in accordance with the approved planned unit development plan.
2. City staff shall approve the final color scheme of the condominium buildings.
3. Landscape improvements shall be installed consistent with the approved landscape plan. All landscaped areas shall be irrigated.
4. The applicant shall provide protective fencing around the four oak trees along Business Park Boulevard and continue to water throughout the construction process to protect them.
5. The applicant shall obtain an NPDES permit and any other State/Federal permits. Shall be in compliance with the City of Champlin's Manual of Standards for surface water management and erosion control.
6. The applicant must provide a schedule for the development and paving of private drive 1 so the City can schedule the Goodwill sanitary sewer work prior to paving.
7. Accumulated sediment shall be removed from existing stormwater ponds and piping systems. Restoration within the stormwater ponding areas to be performed in accordance with the original design drawings.
8. The development shall pave seven parallel stalls along private drive 1 on Outlot A, Emery Village 4th Addition and install sidewalks extending from private drives 1, 2 and 3 connecting to existing sidewalk along Business Park Boulevard.

All voted in favor and the motion carried.

Motion

Motion by Commissioner Darr and seconded by Commissioner Manemann, to recommend that the City Council approve the planned unit development amendment to alter the PUD name to Emery Village Reserve 3rd and 4th Addition.

All voted in favor and the motion carried.

It was noted that this item will move forward to the City Council for consideration at its July 11, 2022 meeting.

Other Business

Commissioner Darr referenced the Mississippi Crossings development, noting that in previous conversations the developer commented that there would not be a need for additional parking for the apartments. He stated that he has noticed 12 to 14 vehicles parking in the general parking for the site near the apartments, which would suggest those vehicles are visiting the apartments and not the boat launch.

The Associate Planner commented that the Bowline was completing some work on their underground parking for a few days which may have caused some overflow parking for those few days. She stated that engineering is working on concept plans for additional parking at DC Chandler Park for that overall area.

Commissioner Bouchard referenced recent EDA activity which outlined funds being set aside for additional parking and asked if that is related to Chandler Park or separate.

The Community Development Director confirmed that those funds are directly related to parking for Chandler Park.

Adjourn
Motion

Motion by Commissioner Manemann and seconded by Commissioner Uglen, to adjourn the meeting. All voted in favor and the motion carried. The Champlin Planning Commission meeting adjourned at 7:50 p.m.



Tim LaCroix, Chairperson

Attest:



Lexi Weihe, Associate Planner

