

**ITEM:** Consider Approval of a PUD Final Development Plan and First Reading of Ordinance No. 885 for a Property Rezoning for the Locust Development Second Addition

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**SUMMARY AND ACTION REQUESTED:**

The City Council is being asked to approve a Planned Unit Development (PUD) Final Development Plan and then give a first reading of Ordinance No. 885 for a Property Rezoning from Mixed Use Development District (MU) to PUD, both for the Locust Development Second Addition. The City Council approved the Preliminary Plat and PUD Conceptual Development Plan on August 25, 2008, after review and recommendation by the Planning Commission. The following is a summary of what the applicant is proposing for this PUD Plan:

- The 6.7 acre parcel for this proposed development is currently described as Outlot B, Locust Development, which is zoned Mixed Use Development district (MU). The applicant is proposing to rezone the property to PUD, with an underlying zoning of High Density Residential district (R-5) for the apartment building and Gateway Commercial district (C-3) for the three commercial parcels.
- The proposal is to subdivide Outlot B into four parcels. Three of these parcels would remain undeveloped at this time. The fourth parcel would be the location for a 45-unit apartment building. The development would be serviced by two existing public streets (Heritage Drive and Jefferson Road) and two new public streets (Declaration Street and Legacy Lane).
- Although form-based codes have not yet been implemented into the City's Land Development Regulations, Staff has worked with the applicant to incorporate form-based code concepts into the development. These include locating the apartment building close to Heritage Drive; articulating the building frontage facing the street; narrower street and right-of-way widths, designated on-street parallel parking that will serve future businesses, and sidewalks on both sides for Declaration Street and Legacy Lane.
- The following findings are part of the recommendation for the property rezoning (the adoption of findings is required by City Code Section 34-805 (f) (5)):
  - The rezoning is consistent with the Comprehensive Plan designation of Mixed Use.
  - The site plan for the development provides for many of the form-based code concepts anticipated in the City's draft Land Development Code.

At the September 30, 2008, Planning Commission meeting, the Commission recommended approval to the City Council of the PUD Final Development Plan for the Locust Development Second Addition with the following condition:

1. Prior to the issuance of a building permit for the three commercial parcels, the applicant will submit a site plan review application for review and approval for the proposed buildings on Lots 2 and 3, Block 1, and Lot 1, Block 2. The following information should be included with the application packet:
  - a. If parking proves insufficient for the commercial buildings facing Declaration Street, additional parking will be provided in Lot 1, Block 2, of the development.
  - b. At the time a site plan review application is submitted, the applicant will also provide an easement document to the City which allows for public access to the sidewalks to be installed along Declaration Street and Legacy Lane.

City Staff also recommends approval of the PUD Final Development Plan and property rezoning, with the above noted conditions.

**RELATED INFORMATION:**

When the PUD Conceptual Development Plan was approved by the City Council, the applicant was requested to provide additional information when the PUD Final Development Plan was submitted. The following are the revisions to the site plan since the PUD Conceptual Development Plan was approved:

1. Apartment building exterior building materials: The apartment building will be constructed using Hardie cement siding, wood accents, and brick and/or stone for base materials (see sheets A30-A32). These materials meet the requirements outlined in City Code Section 34-1008.
2. Height of apartment building: The building will be approximately 36’-38’ in height (see sheets A30-A32).
3. Apartment building entrances: Each entrance on Heritage Drive has a separate entrance to the street. The applicant has provided two options for the material to be used for the entrance to the streets: stone pavers or concrete (sheet L1). Staff recommends that concrete be used since paving stones do not create the interaction to the street that a true hard surface walk would provide.
4. Dimensions for underground parking stalls: Sheet A10 shows the stall dimensions for the underground parking in the apartment building. There will be 45 total stalls provided with 43 of these being 19.5’x 9’ in size, and two being 14.7’x 9’ in size (for compact cars). Required stall dimensions by City Code Section 34-1013 (g) are 9’x18’ for standard spaces and 8’x16’ for compact cars. Therefore, the standard parking spaces meet City Code requirements, but the two compact spaces are slightly smaller in width than City Code requires. However, these dimensions can be altered with a PUD. There is a 24-foot wide drive aisle provided.
5. Design plans for service connections: The applicant has provided locations and sizes for utility service connections to the apartment building. The size of both the water and sanitary sewer service connections is 6”. This has been reviewed and approved by the City Engineer.
6. Access Agreement: As a condition of approval of the PUD Final Development Plan, the applicant was required to submit a copy to City Staff prior to the City Council meeting of the written agreement that will allow access to Lots 1, 2, and 3, Block 1, of the private drives and parking areas on those parcels, and describe the maintenance responsibilities for the upkeep and repair of these drives and parking areas. After the Planning Commission meeting on September 30, 2008, a copy of the agreement was submitted and reviewed by City Staff and the City Attorney.

**REQUESTED BY:** Eugene Jasnoch, 2015 Heritage Drive, Northfield

**SUBMITTED BY:** Dan Olson, City Planner

**ATTACHMENT:**

Ordinance #885  
Resolution 2008-118

1. Site Location Map
2. Draft Planning Commission minutes from September 30, 2008
3. PUD Final Development Plan (9 sheets)

ORDINANCE NO. 885

AN ORDINANCE REZONING CERTAIN PROPERTY IN THE CITY OF NORTHFIELD, RICE COUNTY, MINNESOTA, FROM MIXED USE DEVELOPMENT DISTRICT (MU) TO PLANNED UNIT DEVELOPMENT (PUD)

THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN:

Upon the recommendation of the Northfield Planning Commission, the following described property is hereby rezoned from Mixed Use Development District (MU) to a Planned Unit Development (PUD) district in accordance with the PUD Final Development Plan on file in the Community Development office dated September 22, 2008. Except as modified by the Plan, the requirements of the R-5 (High Density residential) zoning district shall apply as the underlying zoning to Lot 1, Block 1, and the requirements of the C-3 (Gateway Commercial) zoning district shall apply as the underlying zoning to Lots 2 and 3, Block 1, and Lot 1, Block 2. The official zoning map of the City of Northfield, as set forth by authority of Northfield Code Sec. 34-837, shall be amended accordingly to PUD:

- Block 1, Lots 1-3
- Block 2, Lot 1

all in Locust Development Second Addition, Northfield, Rice County, Minnesota

This Ordinance shall be effective 30 days after publication or upon the filing for record of the plat of Locust Development Second Addition, whichever occurs later.

Passed by the City Council of the City of Northfield this 13th day of October 2008.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Published: \_\_\_\_\_

VOTE:      \_\_\_ LANSING   \_\_\_ BOND   \_\_\_ DAVIS   \_\_\_ DENISON  
             \_\_\_ NELSON   \_\_\_ POKORNEY   \_\_\_ VOHS

CITY OF NORTHFIELD, MINNESOTA  
CITY COUNCIL RESOLUTION 2008-118

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTHFIELD, MINNESOTA APPROVING A PLANNED UNIT DEVELOPMENT (PUD) FINAL DEVELOPMENT PLAN FOR LOCUST DEVELOPMENT SECOND ADDITION

WHEREAS, Jasnoch Construction is seeking approval of a PUD Final Development Plan to allow a 45-unit apartment building on one parcel in the development, and create three commercial parcels that will be developed in the future; and,

WHEREAS, The Plan provides for many of the form-based code concepts anticipated in the City's draft Land Development Code; and,

WHEREAS, the Planning Commission has recommended approval of the PUD Final Development Plan with a condition.

NOW, THEREFORE BE IT RESOLVED THAT the City Council adopts the findings of fact contained in Exhibit A.

BE IT FURTHER RESOLVED THAT the PUD Final Development Plan shown in Exhibit B is hereby approved with the following condition:

1. Prior to the issuance of a building permit for the three commercial parcels, the applicant will submit a site plan review application for review and approval for the proposed buildings on Lots 2 and 3, Block 1, and Lot 1, Block 2. The following information should be included with the application packet:
  - a. If parking proves insufficient for the commercial buildings facing Declaration Street, additional parking will be provided in Lot 1, Block 2, of the development.
  - b. At the time a site plan review application is submitted, the applicant will also provide an easement document to the City which allows for public access to the sidewalks to be installed along Declaration Street and Legacy Lane.

PASSED by the City Council of the City of Northfield on this 13<sup>th</sup> day of October 2008.

ATTEST

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

VOTE:        \_\_\_ LANSING   \_\_\_ BOND   \_\_\_ DAVIS   \_\_\_ DENISON  
              \_\_\_ NELSON   \_\_\_ POKORNEY   \_\_\_ VOHS

EXHIBIT A  
FINDINGS OF FACT

RESOLUTION 2008-118  
PUD Final Development Plan  
Locust Development Second Addition  
October 13, 2008

1. Adequate property control is established and provided to ensure compliance with the approved development plan and to define legal responsibilities for maintenance.
2. The interior circulation plan plus access from and onto public right-of-way does not create congestion or dangers and is adequate for the safety of project residents and the general public.
3. Nearby streets are sufficiently constructed so that development of the proposed apartment building and three commercial lots will not create undue demands for off-site transportation improvements by others.
4. The architectural design of the project is reasonably compatible with structures and uses in the area within 350 feet of the boundaries of the proposed project, including but not limited to exterior materials, height and building style.
5. The property is guided for mixed-use on the Future Land Use Map. The mixture of residential and commercial uses for the development is compatible with this designation.
6. There is sufficient public infrastructure available to support the PUD site plan.

**ITEM:** Consider Approval of a Final Plat for the Locust Development Second Addition

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**SUMMARY AND ACTION REQUESTED:**

The City Council is being asked to approve a Final Plat for the Locust Development Second Addition. At the August 25, 2008, City Council meeting, the Council approved the PUD Conceptual Development Plan and Preliminary Plat for the Locust Development Second Addition. The following is a summary of what the applicant is proposing for this development:

- The 6.7 acre parcel for this proposed development is currently described as Outlot B, Locust Development, which is zoned Mixed Unit Development district (MU). The applicant is proposing to rezone the property to PUD, with an underlying zoning of High Density Residential district (R-5) for the apartment building and Gateway Commercial district (C-3) for the three commercial parcels.
- The proposal is to subdivide Outlot B into four parcels. Three of these parcels would remain undeveloped at this time. The fourth parcel would be the location for a 45-unit apartment building. The development would be serviced by two existing public streets (Heritage Drive and Jefferson Road) and two new public streets (Declaration Street and Legacy Lane).
- Stormwater retention will be provided by a storm water retention pond, which will be constructed at the same time of other public improvements, in Lot 1, Block 2, which is also the location for commercial building(s). The ponds will be sized to meet the requirements set forth in the Surface Water Management Plan. Infiltration will be provided in the open space south of the proposed apartment building. Stormwater will be discharged from the site through a storm sewer extension under Jefferson Road.

At the September 30, 2008, Planning Commission meeting, the Commission recommended approval of the Locust Development Second Addition Final Plat with the following condition:

1. Sewer Availability Charges (SAC) and Water Availability Charges (WAC) of \$94,388 will be paid by the applicant when the Final Plat is signed by the Mayor and City Clerk.

Staff also recommends approval of the Final Plat with the above noted condition.

**RELATED INFORMATION:**

A condition of approval of the preliminary plat for the Locust Development Second Addition was that the applicant would provide detailed plans of the storm water management plan for Staff review and approval. Those plans have now been submitted reviewed, and approved by Staff (Attachment #2). The Final Plat has also been reviewed by Engineering and Planning Staff and found to be in compliance with the City's subdivision regulations. There is no expenditure of public funds for any infrastructure.

**REQUESTED BY:** Eugene Jasnoch, 2015 Heritage Drive, Northfield

**SUBMITTED BY:** Dan Olson, City Planner

**ATTACHMENTS:**

Resolution 2008-118

1. Final Plat documents for Locust Development Second Addition (9 sheets)

CITY OF NORTHFIELD, MINNESOTA  
CITY COUNCIL RESOLUTION 2008-119

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTHFIELD, MINNESOTA  
APPROVING A FINAL PLAT KNOWN AS LOCUST DEVELOPMENT SECOND ADDITION

WHEREAS, the applicant, Jasnoch Construction, has submitted a Final Plat entitled Locust Development Second Addition, formerly known as Outlot B, Locust Development; and,

WHEREAS, the parcels shown on the attached plat meet the minimum requirements established for the Locust Development Second Addition Planned Unit Development (PUD) Final Development Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

The Final Plat shown in Exhibit A is hereby approved with the following condition:

1. Sewer Availability Charges (SAC) and Water Availability Charges (WAC) of \$94,388 will be paid by the applicant when the Final Plat is signed by the Mayor and City Clerk.

PASSED by the City Council of the City of Northfield on this 13th day of October 2008.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

VOTE:        \_\_\_ LANSING   \_\_\_ BOND   \_\_\_ DAVIS   \_\_\_ DENISON  
              \_\_\_ NELSON   \_\_\_ POKORNEY   \_\_\_ VOHS

**ITEM:** Consider Approval of a Development Agreement for the Locust Development Second Addition

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**SUMMARY AND ACTION REQUESTED:**

The City Council is being asked to approve a Development Agreement between the City and Eugene E. Jasnoch for the Locust Development Second Addition. This Agreement is the normal development contract that the City requires all developers who are subdividing land to execute. Approval of this contract will enable Mr. Jasnoch to proceed with the development of a multi-family residential apartment building and three commercial lots, and ensure that the public improvements will be completed according to City standards. The public infrastructure that will be installed are public streets and utilities as shown on the plat. There is no public expenditure for these improvements.

**RECOMMENDATION:**

Staff recommends that the City Council approve the Agreement subject to inconsequential edits by City Staff.

**RELATED INFORMATION:**

The Development Contract is designed to document responsibilities of the Developer and the City as part of the subdivision process. Typically, as part of a subdivision, there are "plat" improvements that are installed which might include such public infrastructure as water mains, sewer mains, street improvements, storm sewer facilities and similar infrastructure. Additionally, the Agreement allows for securing the installation of infrastructure through the use of escrows or letters of credit and the withholding of building permits until public infrastructure is installed. Furthermore, the Agreement outlines other financial responsibilities of the developer, including Water and Sewer Availability Charges. Noteworthy aspects of this Agreement include:

1. The park dedication fee requirements for this project have previously been met with the dedication of land for Char Carlson Park.
2. The developer is constructing two new public streets called Declaration Street and Legacy Lane.
3. Based on review of documented development history of this area, Sewer Availability Charges (SAC) and Water Availability Charges are required for this development. The developer is anticipated to ask for a waiver from these fees due to his recollection of previous agreements with the City. At the time this report was drafted, written documentation to support this request was not available. A summary of the documented history is attached.

**PROPOSED MOTION FOR CONSIDERATION:**

*The City Council of the City of Northfield approves a Development Agreement with Eugene E. Jasnoch for the Locust Development Second Addition.*

**REQUESTED BY:** Eugene Jasnoch, 2015 Heritage Drive, Northfield

**SUBMITTED BY:** Dan Olson, City Planner

**ATTACHMENT:**

1. Development Agreement
2. Development History

