

CITY OF BAYPORT
CITY COUNCIL AND PLANNING COMMISSION JOINT MEETING MINUTES
COUNCIL CHAMBERS
FEBRUARY 27, 2023
5:00 P.M.

CALL TO ORDER

Pursuant to due call and notice, Mayor Hanson called the joint Bayport Planning Commission and City Council meeting of February 27, 2023 to order.

ROLL CALL

Members present: Mayor Michele Hanson and Councilmembers John Dahl, Ethan Gilmore, Katie Hill and Connie Carlson (arrived 5:12 p.m.) and Planning Commissioners Elizabeth Kelly, Orin Kipp, Coleen Siegfried, Carl Bliss, and Aaron Ochs (arrived 5:20 p.m.)

Staff present: Interim City Administrator Matt Kline, Assistant City Administrator/Planner Sara Taylor, City Attorney Tom Loonan, City Engineer John Parotti and Planning Consultant Dan Licht

PUBLIC HEARINGS

1. Consider annexation petitions for +/-26.2 acres owned by Bradley and Janet Anderson and +/-1.5 acres owned by James and Christine Otto Trust located in Baytown Township along with a proposed concept plan for subdivision of single family lots submitted by GreenHalo Builds, LLC and Sovereign Land Services, LLC: Planner Licht presented the details of the two annexation petitions for properties within Baytown Township, along with the proposed concept plan for development. He clarified that the annexation petitions were submitted by the property owners, not initiated by the city. As a result, state statute requires the city to respond to the petitions. Planner Licht gave an overview of the entire project, stating the properties do abut Bayport and city sewer and water utilities can be provided to these properties to allow for the proposed development. He also reviewed the criteria by which the city shall consider the annexation petitions as set forth by Minnesota Statutes, including that the subject area is now, or is about to become, urban or suburban in character, that municipal government in the area proposed for annexation is required to protect the public health, safety, and welfare, and that the annexation would be in the best interest of the subject area. Should the City Council express preliminary support for the concept plan and annexation at this meeting, the city would be required to hold a subsequent public hearing in the future to consider formal adoption of the ordinance for annexing these properties into the city.

Planner Licht proceeded to provide details on the two properties proposed for annexation, which are located east of Stagecoach Trail (CSAH 21) and south of 5th Avenue North (CSAH 14). The Andersen parcel contains a single-family dwelling and detached accessory buildings, is heavily wooded at the perimeter, and has areas of steep slopes and wetlands along the north and east areas of the site. The Otto property consists of three lots that are currently undeveloped, as they do not meet the minimum zoning requirements for development in Baytown Township. Planner Licht noted that the development would be consistent with city's housing policies as adopted within the Comprehensive Plan and preservation of sensitive environmental features as permanent open space will allow for a density of 5 dwelling units per acre to meet the goals established by the Metropolitan Council's Thrive MSP 2040 regional plan. The character of the lots and surrounding open space within the development will be similar to that of the existing urban character in Bayport, especially that of the Inspiration neighborhood, as well as compatible with existing and potential future rural single-family dwellings in the area.

Upon annexation to the city, properties must be designated into a zoning district to allow for and regulate land uses. The zoning ordinance establishes two single family residential zoning districts and a planned unit development district that can allow for development, subject to unique and specific performance standards. The lot requirements of the R-2, Single Family Urban District and the PUD Planned Unit Development District for the Inspiration 3rd Addition would be the best approach for zoning the subject site to allow for development of the concept plan, as proposed. The Public Works Director and City Engineer have indicated that it is feasible to extend city sewer and water utilities to the parcels with a preferred connection through the People's Congregational Church property and looping of services to 5th Avenue North (CSAH 14). The concept plan illustrates up to 60 single family lots, 48 feet in width, with 7.5 foot side setbacks, similar to Inspiration. The city standard for streets is a 60 foot right-of-way with a minimum 32 foot paved surface, curb and gutter, and a sidewalk on one side on the street. The sole access point for the development is proposed via 47th

Street. Stormwater management will be required to comply with Middle St. Croix Watershed Management Organization regulations, with an emphasis on stormwater reuse and other water conservation measures.

Planner Licht introduced applicants John Sharkey and Mark Fearing of GreenHalo Builds, LLC to present an overview of the proposed development. Mr. Sharkey noted that EcoHaven homes would feature sustainable and solar components, consisting of 2,000 - 2,500 square feet, and contain ample outdoor living areas. Mr. Fearing stated that based on market research, GreenHalo has settled on a price point similar to the Villas of Inspiration, in the range of \$600,000. Following the presentation, Planner Licht and the applicants fielded questions from councilmembers and commissioners regarding potential impacts of the development, including environmental, traffic, water system demand, and school capacity. Feasibility regarding the ability to obtain a utility easement through the church property, and whether alternative connection routes exist was also discussed, as well as meeting water service demands and the ability to achieve a reasonable buildout timeline within the next few years.

Mayor Hanson opened the public hearing and the following were heard:

Bob Dickie, 15887 35th Street South, Afton/People's Congregational Church spoke on the lack of affordable housing in Washington County and inquired whether GreenHalo could redesign their development to better accommodate housing at a lower price point.

Paul Spilseth, Baytown Township/People's Congregational Church spoke about the various ways the church utilizes their property adjacent to Barker's Alps Park and noted the church is currently engaged with a landscape architect to create a comprehensive plan for their land use.

Stephanie Marty, 263 Primrose Path, Bayport requested clarification on which parcels would be annexed and plans for possible future development adjacent to Inspiration.

Planner Licht noted the following individuals submitted written comments prior to the meeting:

Daniel Elder, Washington County Public Works Director noted that the county would need to review any plans moving forward with regards to Stagecoach Trail (CSAH 21).

William and Sheila Klein, 4760 Stagecoach Trail, Baytown expressed concern whether their driveway would need to be relocated in conjunction with the annexation.

Christopher Jirovec, 4782 Stagecoach Trail, Baytown questioned how the annexation and/or development would affect property values, traffic, and existing tree canopy, and requested clarification on who initiated the annexation and development.

Deb Staloch, 223 5th Street South, Bayport requested clarification regarding the property's proximity in relation to protected burial grounds east and south of Inspiration.

It was moved by Councilmember Carlson and seconded by Councilmember Dahl to adopt the written public comments into the public hearing record of the meeting minutes. Motion carried 5-0.

It was moved by Councilmember Dahl and seconded by Councilmember Carlson to close the public hearing. Motion carried 5-0.

Following the public hearing, discussion ensued regarding why only a portion of land owned by the Ottos was being petitioned for annexation and whether there was any benefit to including all of the parcels. Jim Otto responded by clarifying that they are not seeking annexation of the parcels that contain their current homestead and rural outbuildings at this time, as they do not comply with Bayport zoning requirements. However, he noted that annexation may be a consideration at some point in the future. The consensus of the City Council and Planning Commission was in support of the annexation and concept development plan, noting the project would result in a substantial contribution to the city's park improvement fund, increase tax capacity, preserve existing environmental features as permanent open space, enhance connectivity through trails, and feature sustainable building materials and concepts.

It was moved by Commissioner Ochs and seconded by Commissioner Kipp to approve the proposed concept development plan for subdivision for +/-26.2 acres owned by Bradley and Janet Anderson and +/-1.5 acres owned by James and Christine Otto Trust and upon roll call being taken thereon, the following vote via voice:

Elizabeth Kelly - aye Carl Bliss - aye Orin Kipp - aye
Coleen Siegfried - aye Aaron Ochs – aye

It was moved by Councilmember Gilmore and seconded by Councilmember Dahl to approve the proposed concept development plan for subdivision for +/-26.2 acres owned by Bradley and Janet Anderson and +/-1.5 acres owned by James and Christine Otto Trust and upon roll call being taken thereon, the following vote via voice:

Michele Hanson - aye Connie Carlson- aye Katie Hill - aye
John Dahl - aye Ethan Gilmore - aye

It was moved by Councilmember Gilmore and seconded by Councilmember Hill to proceed with the annexation petition for +/-26.2 acres owned by Bradley and Janet Anderson and upon roll call being taken thereon, the following vote via voice:

Michele Hanson - aye Connie Carlson- aye Katie Hill - aye
John Dahl - aye Ethan Gilmore - aye

It was moved by Councilmember Gilmore and seconded by Councilmember Carlson to proceed with the annexation petition for +/-1.5 acres owned by James and Christine Otto Trust and upon roll call being taken thereon, the following vote via voice:

Michele Hanson - aye Connie Carlson- aye Katie Hill - aye
John Dahl - aye Ethan Gilmore - aye

ADJOURNMENT

It was moved by Councilmember Carlson and seconded by Councilmember Dahl to adjourn the meeting at 6:36 p.m. Motion carried 5-0.

Interim City Administrator/Clerk