

JOINT PLANNING BOARD

CITY OF AVON AND AVON TOWNSHIP

Meeting Date: June 20th, 2013 6:30 p.m.

LOCATION: Avon Town Hall; 16881 Queens Road

- | | | |
|----|---|------|
| 1. | Pledge of Allegiance - | 6:30 |
| 2. | Call Meeting to Order- | 6:32 |
| 3. | Discuss Scott Spanier Rezoning- | 6:42 |
| 4. | Discuss Scott Spanier Preliminary Plat- | 6:47 |
| 5. | Discuss Scott Spanier Final Plat- | 6:52 |
| 6. | Other- | 6:57 |
| 7. | Adjourn Meeting- | 7:00 |

**JOINT PLANNING BOARD CITY OF AVON AND AVON TOWNSHIP
STEARNS COUNTY, MINNESOTA
RESOLUTION # 2013 – 2**

WHEREAS, Scott Spanier, 33633 Poverty Point Drive, Avon MN, has applied for rezoning consideration from Urban Expansion (UE) to Residential 1 (R1); and

WHEREAS, The Joint Planning Board of the City of Avon and the Avon Township, have reviewed all information and heard and received public comments related to above-described parcel and has also reviewed applications and all supporting documentation.

NOW, THEREFORE, BE IT RESOLVED by the Joint Planning Board of the City of Avon and the Avon Township, that the rezoning of 33633 Poverty Point Drive from UE to R1 is hereby approved.

Resolved by the City of Avon this 20th day of June, 2013.

By: _____
Chair, Avon Township

By: _____
Clerk

CERTIFICATION

STATE OF MINNESOTA)
CITY OF AVON) SS.
COUNTY OF STEARNS)

I, James Thares, being the duly appointed, qualified and acting City Clerk/Administrator of the City of Avon, Stearns County, Minnesota DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the affirmative vote of the Avon City Council at a meeting held on June 20th, 2013.

WITNESS my hand as said Clerk/Administrator and the corporate seal of the City this _____ day of _____ 2013.

(SEAL)

James Thares
City Clerk/Administrator

**JOINT PLANNING BOARD CITY OF AVON AND AVON TOWNSHIP
STEARNS COUNTY, MINNESOTA
RESOLUTION # 2013 – 3**

WHEREAS, Scott Spanier, 33633 Poverty Point Drive, Avon MN, has applied for a Preliminary and Final Plat approval for Spanier Estates; and

WHEREAS, on June 20th, 2013, the Joint Planning Board has compiled the attached Finding of Fact and Decision containing its recommendations and has timely reviewed said findings and recommendations.

NOW, THEREFORE, BE IT RESOLVED, by the Joint Planning Board, Preliminary Plat and Final Plat for Spanier Estates is hereby approved, contingent upon the conditions set forth in this resolution.

Resolved by the City of Avon this 20th day of June, 2013.

By: _____
Chair, Avon Township

By: _____
Clerk

CERTIFICATION

STATE OF MINNESOTA)
CITY OF AVON) SS.
COUNTY OF STEARNS)

I, James Thares, being the duly appointed, qualified and acting City Clerk/Administrator of the City of Avon, Stearns County, Minnesota DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the affirmative vote of the Avon City Council at a meeting held on June 20th, 2013.

WITNESS my hand as said Clerk/Administrator and the corporate seal of the City this _____ day of _____ 2013.

(SEAL)

James Thares
City Clerk/Administrator

3. **Public Hearing-Consideration of a request for rezoning property that Stearns County inadvertently rezoned from Residential (R-1) to Urban Expansion (UE) in 2010. Request is made to formally rezone property back to R-1 so it can be platted into 2 lots.**

Applicant: Spanier, Scott

Property: The property in question is the property located at 33633 Poverty Point Drive, Avon, MN. 56310. (Parcel ID 03.01025.0000), Legal: Lot 8 in Section 28, Township 125, Range 30

Planning Case Number: 2013-2

A. REFERENCE & BACKGROUND

Request(s): Rezoning

Deadline for Decision: NA

Land Use Designation: "Residential"

Zoning Designation: UE-Urban Expansion The purpose of this district is to enable the orderly and efficient staging of urban services, including wastewater, water, electric, gas, roads and communications in those areas where cities and townships have entered into an orderly annexation agreement (OAA). Urban services are extended more efficiently and land use patterns are more coherent when cities can grow without being hindered by large lot residential or commercial development. Residential development may only be allowed at a low density, not to exceed one residence per forty (40) acres and agriculture is the primary and preferred land use until annexation.

Current Site Use: The 3.89 acre site currently has one residence.

Project Description: The applicant wishes to rezone property from UE to R-1 to allow for property to be platted into 2 lots.
Residential R-1-The purpose of the R-1 Single Family Residential District is to provide for low-

density, single family residences and directly related complimentary uses.

Additional District Consideration Shoreland Overlay District

10.1.Purpose

The purpose of the Shoreland Overlay District is to protect and enhance the quality of surface waters by promoting the wise utilization of public waters and related land resources. All land within Shoreland located in Stearns County is hereby designated as Shoreland Overlay District and the standards set forth in this Section shall regulate development and other activities within the Shoreland Overlay District.

Requirements for Zoning Amendments

Subd. 9. Zoning Amendments.

- A. Criteria for Granting Amendments: Joint Planning Board Related review

ALTERNATIVE ACTIONS

Decision 1: Resolution to Recommendation for Rezoning

1. Motion to approve Resolution 2013-2 recommending that the Joint Planning Board approve a zoning ordinance amendment rezoning the subject property from UE, Urban Expansion to R-1, Residential, based on findings of fact in said Resolution.
2. Motion to deny Resolution 2013-2 based on findings of fact identified and recorded at the public hearing.
3. Motion to table action on the request for further study.

STAFF RECOMMENDATION

Staff recommends approval of the requested rezoning. As noted in the report narrative, the rezoning of the subject property is consistent with the goals and objectives of the Joint Planning Board Orderly Annexation Area and appropriate given the emerging development and redevelopment pattern of the area.

SUPPORTING DATA

- A. Resolution 2013-2
- B. Aerial Image
- C. Application and Applicant Narrative
- D. Official Land Use Map
- E. Official Zoning Map
- F. Excerpts, Avon Zoning Ordinance, Created by Jolene Foss Stearns County Land Use and Zoning Ordinance

4. **Public Hearing- Consideration of a request for Preliminary Plat and Final Plat for the Highland Terrace portion of Spanier Estates.**

Applicant: Spanier, Scott

Property: The property in question is the property located at 33633 Poverty Point Drive, Avon, MN. 56310.
(Parcel ID 03.01025.0000),
Legal: Lot 8 in Section 28, Township 125, Range 30

Planning Case Number: 2013-3

A. REFERENCE & BACKGROUND

Request(s): Preliminary and Final Plat

Deadline for Decision: NA

Land Use Designation: "Residential"

Zoning Designation: UE-Urban Expansion The purpose of this district is to enable the orderly and efficient staging of urban services, including wastewater, water, electric, gas, roads and communications in those areas where cities and townships have entered into an orderly annexation agreement (OAA). Urban services are extended more efficiently and land use patterns are more coherent when cities can grow without being hindered by large lot residential or commercial development. Residential development may only be allowed at a low density, not to exceed one residence per forty (40) acres and agriculture is the primary and preferred land use until annexation.

Current Site Use: The 3.89 acre site currently has one residence.

Project Description: The project plats the parcel into 2 lots. Lot 1 consisting of 2.17 acres and Lot 2 consisting of 1.72 acres.

Ordinance Requirements:

Preliminary Plats require demonstration that the proposed lots meet the County's zoning and engineering standards.

Plat Standards

The Joint Planning Board must find that the Final Plat is consistent with the term of approval of the Preliminary Plat. In this case, both submitted documents agree, and subject to any changes required by the Joint Planning Board, may be processed together. Staff has concerns about narrowness of access point from proposed Lot 2 to Poverty Point Drive. Further consideration may be given to widening access point in order to allow passage of all types of vehicles.

B. ALTERNATIVE ACTIONS

Decision 1: Resolution of Recommendation for Preliminary and Final Plat Approval

1. Motion to approve Resolution 2013-3 recommending approval of the Preliminary and Final Plat for Spanier Estates as submitted, based on the findings included in this resolution.
2. Motion to deny Resolution 2013-3 recommending a Preliminary and Final Plat, based on findings to be made by Joint Planning Board.
3. Motion to table action on the request, pending additional information as identified by the Joint Planning Board and staff report.

C. STAFF RECOMMENDATION

Staff recommends approval of the Preliminary Plat and Final Plat for Spanier Estates. As noted in the report, the principal effect of the plat is to divide the parcel into 2 lots.

D. SUPPORTING DATA

- A. Resolution 2013-01
- B. Aerial Image/Property Exhibit Map
- C. Zoning Map