



MAYOR & COUNCIL COMMUNICATION

DATE: December 17, 2013

REGULAR

ITEM # 14

AGENDA ITEM: Boulder Ponds PUD Concept Plan

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Mike Bouthilet, Public Works Superintendent
Greg Malmquist, Fire Chief
Matt Moore, South Washington Watershed District

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission unanimously recommends approval of a Planned Unit Development (PUD) Concept Plan for a residential planned development to be named Boulder Ponds of Lake Elmo, located in Stage 1 of the I-94 Corridor Planning Area. In recommending approval of the PUD Concept Plan, the Planning Commission made four findings of fact and recommended 11 conditions of approval.

FISCAL IMPACT: None – All costs incurred to the City through the review of the application are reimbursed by land use application fees and a development escrow.

SUMMARY AND ACTION REQUESTED: The City Council is asked to consider a request by Amaris Company, LLC for a PUD Concept Plan to be called Boulder Ponds of Lake Elmo. The proposed Concept Plan consists of 93 single family lots and a 64-unit multi-family dwelling. The proposed development is located in between the Eagle Point Business Park and the future

Lennar low density residential development (Savona), north of Hudson Boulevard and south of the Stonegate residential subdivision. The Planning Commission held a public hearing on the Boulder Ponds PUD Concept Plan on December 9, 2013. The Planning Commission unanimously recommended the PUD Concept Plan for approval based upon 4 findings of fact. In addition, the Planning Commission is recommending 11 conditions of approval, as shown in Resolution No. 2013-109.

The Planning Commission is unanimously recommending that the City Council approve the Boulder Ponds PUD Concept Plan through the following motion:

“Move to adopt Resolution No. 2013-109, approving the Boulder Ponds PUD Concept Plan.”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: The City adopted the current version of the Comprehensive Plan in April of 2013 (Resolution No. 2013-25). The amendment to the Comprehensive Plan included a new Land Use Plan to accommodate sewered residential and commercial growth in the I-94 Corridor Planning Area. In response to the City’s adopted land use plan, Amaris Company, LLC is proposing a planned development on properties owned by the Louis Damiani Trust (managed by Security Bank & Trust Co.) and Mr. Tim Montgomery. The PIDs for the subject parcels are the following: 34.029.21.33.0001, 34.029.21.32.0001 and 34.029.21.33.0002. The proposed PUD Concept Plan contains a total of 157 residential units (93 single family, 64 multi-family) and is consistent with the land use guidance under the City’s Comprehensive Plan.

Regarding the Planning Commission review of the request, it should be noted that a Public Hearing was held on December 9, 2013. During the Public Hearing, the Planning Commission received the following testimony:

- Mr. Curt Montieth, 331 Julep Ave. N., stated that he wants to ensure that the City is adequately looking at places for parks and recreation for new residents of Lake Elmo. He noted that there is no mention of parks or playgrounds in any of the open space areas in the Boulder Ponds Concept Plan. He noted that if Stonegate Park is to serve as a more regional park, than improvements and upgrades are needed in the park to accommodate increased use.
- Mr. David Anderson, representing Bremer Financial Services, noted that Bremer owns the land just to the west of the subject property. He shared that Bremer has plans to eventually expand their facility in Lake Elmo in the future, and the proposed alignment of the collector road could have an impact on these expansion plans. To protect Bremer’s future plans, it is necessary to preserve land necessary for future expansion, storm water management, parking and other needs. He also noted that the eastern side of the Bremer site contains critical infrastructure related to Bremer’s operation of the facility. He would like to coordinate elements of Bremer’s future facility plans as the Boulder Ponds subdivision moves forward.
- Mr. John Jarros, 429 Julep Ave. N., noted that he also has concerns about the amount of park space, as well as the amount of development in one small area of Lake Elmo. He

believes that the amount of park space will not be adequate. He also requested that the northern buffer trail, which straddles the Stonegate subdivision, be moved further to the south to be in closer proximity to the newly developing neighborhood as opposed to the Stonegate neighborhood.

After testimony was gathered, the Planning Commission discussed the Boulder Ponds PUD Concept Plan. More specifically, the Planning Commission affirmed four of the five findings of fact in the Staff Report, striking the 5th finding related to engineering design standards. The findings of fact by the Planning Commission include the following:

1. That the Boulder Ponds PUD Concept Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Boulder Ponds PUD Concept Plan complies with the general intent of the City's Urban Low Density Residential and Urban Medium Density Residential zoning districts.
3. That the Boulder Ponds PUD Concept Plan complies with the City's Subdivision Ordinance.
4. That the Boulder Ponds PUD Concept Plan complies with the City's PUD Ordinance.

In addition to the findings of fact, the Planning Commission discussed the proposed conditions of approval outlined in the Staff Report. Based upon applicant testimony and general discussion, the Planning Commission decided to amend Conditions #1, 3, 5 and 8. More specifically, related to Condition #1, the Planning Commission asked that a consideration for a right-of-way of 100-feet be allowed at the pinch point between Bremer Bank and Stonegate Park. The Planning Commission felt that a reduced right-of-way was warranted in this location due to the limited area between the Bremer facility and Stonegate Park. Regarding Condition #3, the Planning Commission affirmed a proposed amendment to the condition as presented by Staff at the Planning Commission meeting. The amendment would make the condition more general, so that the City could work with the applicant to provide access to neighboring properties where feasible. Related to Condition #5, the Planning Commission wanted to make it clear that allowances for flexibility from zoning requirements as part of the PUD are not approved until PUD Preliminary Plan approval. Finally, regarding Condition #8, the Planning Commission wanted to support the applicants' ability to allow for meandering sidewalks in the development through the use of maintenance easements. Along with the recommendation for approval, the Planning Commission recommended 11 total conditions of approval. The purpose of the conditions are to inform the applicant's next intended phase of application submittal, PUD Preliminary Plan and Preliminary Plat, as well as document the conditions in the public record. The recommended list of conditions provided by the Planning Commission are found in Resolution No. 2013-109 (Attachment #1).

BACKGROUND INFORMATION (SWOT):

Strengths: Approval of the Boulder Ponds PUD Concept Plan allows the applicants to move forward with the preparation of a PUD Preliminary Plan and Preliminary Plat application. The Planning Commission and Staff both determined that the proposed Concept Plan is consistent with the City's Comprehensive Plan. The proposed planned

development offers unique design that is consistent with the City's desire to promote single family neighborhoods with common open space. Ultimate approval of the development will assist the City in meeting required growth numbers as set by the Memorandum of Understanding with the Metropolitan Council, as well as add users to the City's municipal water and sewer systems.

Weaknesses: N/A

Opportunities: N/A

Threats: The City must continue to work with the applicants and adjacent property owners on the alignment and right-of-way of the 5th Street minor collector road. To allow urban development to occur in the I-94 Corridor, the collector road is a necessary transportation improvement that will serve a significant amount of traffic generated by a variety of residential and commercial properties. The City must continue to stay ahead of the design, alignment and construction to the roadway to ensure that the vision of the City's Land Use Plan is carried forward in the I-94 Corridor.

RECOMMENDATION:

Based on the aforementioned, the Planning Commission is unanimously recommending that the City Council approve the Boulder Ponds PUD Concept Plan through the following motion:

“Move to adopt Resolution No. 2013-109, approving the Boulder Ponds PUD Concept Plan.”

ATTACHMENTS:

1. Resolution No. 2013-109
2. Staff Report, 12-9-13
3. Boulder Ponds Application, Narrative, Concept Plan and Supporting Materials
4. Location Map
5. City Engineer's Report
6. South Washington Watershed District Review Letter
7. 5th Street Alignment Letter, Dale Properties