



**City of Lake Elmo
Planning Commission Meeting
Minutes of May 12, 2014**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Williams, Dodson, Kreimer, Larson, Haggard, Dorschner and Lundgren.

COMMISSIONERS ABSENT: Morreale and Yocum.

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson .

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: April 28, 2014

M/S/P: Dorschner/Kreimer, move to approve the minutes as amended, **Vote: 7-0, motion carried unanimously.**

Public Hearing: Hammes Estates Preliminary Plat

Johnson presented information concerning a proposed preliminary plat to be named Hammes Estates that would include 164 single-family residential lots. Johnson started his presentation by reviewing the details of the preliminary plat application and the current site conditions on and around the site.

Johnson noted that the City will need to move forward with amendments to the Shoreland Management Ordinance in order to proceed with the development as proposed due to the current lot size restrictions around Goose Lake. Staff has drafted a revised ordinance and has scheduled a public hearing to consider these ordinance amendments at the May 28, 2014 Planning Commission meeting.

Johnson reviewed the requirements associated with wetlands on the property, and stated that all wetlands and wetland buffers will need to be marked in the field prior to the construction of any homes on the site. He also pointed out issues where the wetland buffers encroach into road right-of-way or trails, and explained that the plat would need to be revised to eliminate these conflicts.

Johnson reviewed other critical issues identified by Staff during the course of its review and as identified in the Staff memorandum to the Planning Commission. He summarized the conditions of approval as drafted by Staff that are being proposed to address the deficiencies noted by Staff as part of the review. He noted that there are enough issues that the applicant will need to resubmit an updated preliminary plat before moving forward with a final plat submission.

Tom Kreimer asked why the recommendation of the landscaping consultant include the option of planting materials in a near-by park. Johnson noted that this requirement is an option under the tree preservation ordinance in cases where no additional trees can be planted on-site.

There was a general discussion concerning the impact of some of the recommendations from Staff, and that the applicant may need to eliminate some lots in order to comply with some of these requirements.

Dodson asked about the reclamation on the site, and what work the developer is allowed to complete earlier in the process. Johnson replied that the City's agreement with the Hammes family concerning the gravel operation allows for the restoration of the site, including grading and rebalancing the property.

The Commission discussed the calculations for park land dedication within the subdivision area. Johnson indicated that the City would accept land for public dedication when the developer builds multi-purpose trail corridors as part of the development. Staff is recommending that trails be dedicated as part of an outlot to the City wherever feasible.

Brian McGoldrick, representing the developer, addressed the Planning Commission and summarized the site characteristics that limit the development potential for the property. He noted that the plan submitted attempts to lay the groundwork for a better development by increasing the lot sizes in the northern portions of the development, which will provide opportunities for custom builders to build homes in the neighborhood. He stated that he is working to develop architectural covenants for the development that will require a high-level of quality in building materials and design.

Kreimer questioned how the trail would cross the narrow inlet of Goose Lake that extends south into the development area. Ryan Bluhm, the project engineer, stated that he is still working on the design for the crossing, which may include a boardwalk or a bridge.

Chairman Williams opened the public hearing at 8:04 p.m.

Todd Ptacek, 812 Julep Avenue, stated that he bought a lot in Stonegate back in the late 1990's. He noted that the Stonegate development included a series of trails that were

promised, but were never finished. Of particular concern is the fact that the trails could not be completed because of the Goose Lake inlet crossing. Mr. Ptacek questioned the spirit and intent of the Comprehensive Plan, and indicated that the original plan included a stepping down of densities away from the highway. He objected to the acceptance of a linear park and the use of the buffer area for a park, and expressed concern that the City would not be able to maintain these trail areas. He asked the Commission to improve the Stonegate Trails and to require the developer to provide their own connection to the surrounding parks.

Wayne Prowse, 697 Julep Avenue, addressed the Commission and expressed concern that the proposed developments were not including enough area for parks within each development. He requested that the development plans include an area for homes on larger lots adjacent to the existing rural area developments. He asked the Commission to include additional park areas and encouraged the Commission to reduce the density of the homes planned adjacent to Stonegate.

Williams read a letter from Walt Krueger, 694 Jewel Avenue, stating his concerns about the location of the trail to the south of his property.

The review letter from Molly Shodeen, DNR, was also entered into the record.

Williams closed the public hearing at 8:23 p.m.

Williams noted that the recommendation included a lot of conditions and that he was not comfortable making a recommendation with the number of issues that are outstanding as part of the preliminary plat. Johnson noted that the technical aspect of the review comments can typically be addressed prior to submission of a final plat, but that the Commission is able to table the application and request the plans to be resubmitted.

Haggard requested that the plat include parkland and that the buffer areas should not count towards the overall dedication requirements. She noted that the City may have additional flexibility to adjust the Comprehensive Plan based on the City's revised forecast numbers.

Dodson expressed concern that there were too many outstanding conditions, and expressed concern that the environmental report should be submitted before the City takes action on the request. He also questioned the lack of park areas and the use of buffer areas for trails.

Johnson stated that the City may seek additional park land beyond the required dedication amount, but would need to buy the additional land if the developer met the land dedication requirements. He commented that the Park Commission has reviewed

the proposed plan and stated its preference for the trail system and connections with improvements to the Goose Lake property.

Larson stated that the Goose Lake property could be improved as part of the Hammes development, and that this would provide for some additional recreation opportunities for the neighboring properties.

There was a general discussion concerning the dedication of land for parks and trails. Johnson noted that the City's policy has been to accept land on which trails are located for public dedication as long as these areas are free from other encumbrances and restrictions.

Haggard stated that she does not want to see any wetland buffers encroaching onto any of the private lots. Dodson noted that the wetlands as shown are much smaller than indicated by aerial photographs, and that the proposed buffer encroachments are not as much of a concern for him.

Kreimer questioned who would be responsible for retaining walls on City-owned outlots. Johnson stated that the City would be responsible for these, and that the staff recommendation is to limit these structures as much as possible in new development.

Kreimer questioned why the buffer around Wetland F needed to extend all the way to the border of Stonegate. Ryan Bluhm responded that the required buffer increases based on the quality of the wetlands, and that Wetland F requires an average buffer of 75 feet. This buffer is larger than some of the other wetlands. He is looking into options for providing trails through these areas, but that the Watershed District requirement will make it difficult to build a paved trail through these areas. He noted that the developer has adjusted the buffer areas to encroach no more than 10 feet into any private lot.

Dorschner stated that the numerous conditions indicate that the issues are being addressed through the review process. He noted that he is supportive of the trail system as opposed to the creation of smaller tot lots.

Williams recommended adding a condition that the developer provide a copy of the declaration related to the common interest community be provided for review by the City prior to consideration of the final plat. There was general consensus to include this condition as part of the Commission recommendation.

Haggard made a motion to postpone consideration of the preliminary plat and have it brought back to Planning Commission once certain issues are addressed. Those issues would include getting the environmental review (condition 5), dedication of trail areas on outlots (condition 14), improvements to Goose Lake Park (condition 18G), access around Wetland A and pond 2 (Condition 16B), trail segment between lots 14 and 15

(condition 16C), and how to address the pinchpoint (18C). Dodson asked that this consideration also include the provision of trail corridors as requested by Staff (14).

Johnson requested that as many of the outstanding issues as possible be addressed prior to further consideration of the preliminary plat by the Commission. Williams noted that the passage of the motion would indicate that the other conditions would be deemed acceptable by the Commission for addressing prior to final plat approval.

Larson seconded the motion with the amendments as noted.

Kreimer expressed concern that the Planning Commission's recommendation did not address the lack of park land within the subdivision. Larson supported the inclusion of additional park land to provide for more recreation opportunities. Johnson stated that the Park Commission did unanimously adopt a motion to recommend approval of the park plan as presented, with improvements to the property south of Goose Lake.

Dorschner asked about the planning for parks and what role the Planning Commission plays. Klatt talked about the park plan the City adopted and was reviewed by the Parks Commission. Operationally, concerns about taking on too much park land and the associated maintenance has been discussed at the Park Commission.

Johnson commented on staffing levels and planning for parks and what the balance is for that. We would need to remember that any park areas that are added need to be maintained.

Mr. Prowse spoke up stating that he feels strongly that there should be a park in this development.

Larson noted that additional clarity between the Park and Planning Commission are needed in the future.

Dodson questions the maintenance costs associated with trails compared to normal parks. Johnson commented that there are some opportunities to provide for less expensive maintenance options associated with trails.

M/S/P: Haggard/Larson, move to postpone consideration the preliminary plat and have it brought back to Planning Commission once certain issues are addressed. Those issues would include getting the environmental review (condition 5), dedicated of outlots (condition 14), improvements to Goose Lake Park (condition 18G), access around Wetland A and pond 2 (Condition 16B), trail segment between lots 14 and 15 (condition 16C), how to address the pinchpoint (18C). Dodson asked that this consideration also include the provision of trail corridors as requested by Staff (14). The other conditions will remain in place until the plat comes back for consideration.

Vote: 5-2, motion carried, with Dodson and Williams voting no. Dorschner indicated that he thought that the issues were properly addressed through the conditions of approval.

Business Item: Village Area AUAR Five-Year Update

Klatt gave an update concerning the Village Area AUAR and explained the mandatory five-year update that is being prepared by the City. He explained that AUAR stands for Alternative Urban Area-wide Review. To provide additional background to the Planning Commission, Klatt explained various forms of environmental review, including EAW, EIS and Phase 1 Environmental Reviews. He noted that the benefit of an AUAR is to study greater cumulative impact of a larger amount of development over a larger land area. He noted that the City completed the AUAR for the Village to study the potential impacts of proposed development associated with the Village Master Plan.

Klatt provided a high level description of the various development scenarios studies in the AUAR. Klatt noted that the AUAR would be eligible for a simple update because no development has been approved to date. To complete the update, staff has to complete a straight-forward technical memorandum. Klatt presented both the City's adopted land use plan for the Village and the Village Master Plan to highlight the similarities. Finally, the technical memorandum will include the status of various infrastructure projects that impact the Village, such as the sewer force main project, the Manning Ave Project, Lake Elmo Ave. Reconstruction, and others.

Dodson asked if the TH 5 realignment will be included in the update. Klatt noted that some reference should be included.

Business Item: Net Density Calculations

Klatt presented the research that staff found on how other Cities and the Met Council define gross and net density. Staff would recommend that the City Council adopt the Met Council Definition.

M/S/P: Dorschner/Dodson, move to recommend that the City Council adopt the Met Council definition for net density, **Vote: 7-0, motion carried unanimously.**

Business Item: Single Family Residential Garage Standards

Klatt began his presentation by explaining what the current development standards are in regards to front yard setback and minimum width of residential garages. He went on to explain why this item should be looked at.

The Planning Commission looked at examples of homes from Gonyea & Lennar to get a feel for these houses.

Williams and Kreimer felt that 60% garage was adequate.

Haggard made a motion to leave the code alone and not go to public hearing. The motion failed for a lack of a second.

M/S/P: Dodson/Kreimer, move to schedule a public hearing for a proposed ordinance amendment to eliminate the garage recession requirements from the LDR zoning district, **Vote 6-1, motion carried**, with Haggard voting no.

Dodson requested that at the public hearing, he would like to see examples of houses that would not meet the City standards. Haggard would also like pictures from the builders requesting the changes demonstrating how that would look.

Updates and Concerns

Council Updates – May 6, 2014 Meeting

1. Verizon Wireless Communications Tower CUP passed with 16 findings of fact and 4 conditions of approval.
2. Zoning Text Amendment – Commercial Wedding Venue Ordinance was adopted.

Staff Updates

1. Upcoming Meetings
 - a. City Council joint workshop Tuesday evening.
 - b. May 28, 2014
 - c. June 9, 2014

Commission Concerns -

Haggard would like joint meeting with Park Commission.

No plans for school district expansion have been presented to the City. Dorchner would request presentation from the school district. Staff will follow up with the School district.

Meeting adjourned at 10:40 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant

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