



MAYOR & COUNCIL COMMUNICATION

DATE: July 1, 2014
CONSENT
ITEM # 13

AGENDA ITEM: Hammes Estates Preliminary Plat

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Greg Malmquist, Fire Chief
Stephen Mastey, City’s Landscape Consultant
Ann Pung-Terwedo, Washington County Public Works
Molly Shodeen, DNR
John Hanson, Valley Branch 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 has previously reviewed a Sketch Plan for the proposed Hammes Estates single family residential subdivision. The City’s Subdivision Ordinance requires that the City Council review and approve a Preliminary Plat before an applicant may proceed with the preparation and recording of a Final Plat.

FISCAL IMPACT: TBD – The City will require that the applicant enter into a developer’s agreement with the City to specify the financial responsibilities for various aspects of the subdivision and related public improvements.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a preliminary plat request from Hammes West, LLC for a 163-unit single family residential subdivision to be located on approximately 78 acres within Stage 1 of the City’s I-94 Corridor Planning Area. The proposed plat would be located on property owned by Ellie Hammes and

Dorothy Lyons and located immediately west of Keats Ave. N. (CSAH 19) and approximately 1,300 feet south of 10th Street N. (CSAH 10). The preliminary plat has been prepared in response to the City's adopted Comprehensive Plan for the corridor, which guides the subject property as Urban Low Density Residential (LDR).

Staff and the Planning Commission are recommending that the City Council approve the preliminary plat with 17 conditions of approval with the following motion:

“Move to adopt Resolution No. 2014-55 approving the Hammes Estates Preliminary Plat subject to 17 conditions of approval.”

BACKGROUND INFORMATION:

Attached are the original detailed Staff reports that were provided to the Planning Commission regarding the applicant's request for a Preliminary Plat, which includes general information about the application, details concerning the request, a summary of the relevant planning and zoning issues, a thorough review and analysis of the Preliminary Plat (including a draft list of recommended conditions of approval), draft findings, and the Staff recommendation to the Planning Commission. Because the Planning Commission postponed consideration of the Preliminary Plat during its initial review meeting, Staff prepared a table as part of the Staff Report dated 6/23/14 to document how the resubmitted plans addressed many of the outstanding issues identified as part of the original review on 5/12/14.

It should be noted that the applicants applied for a variance to allow for reduced riparian dedication and structure setbacks to the southern man-made channel of Goose Lake. The Planning Commission held a public hearing on the request on 6/23/14 and recommended denial of the variance. Instead of recommending approval of the variance, the Planning Commission encouraged the applicant to close off the southern channel of Goose Lake by following the DNR permitting process. By completing this process, the applicant should be able to proceed with the residential subdivision as planned. However, the Planning Commission and Staff are recommending that the lots impacted by the required 150-foot riparian dedication (Lots 1-6, Block 10 and Lots 1-5 and 11-12, Block 9) may not be final platted until the DNR permitting process to cut off the southern channel is complete. This condition allows the plat to proceed as planned, but addresses the DNR's concern about closer encroachment to Goose Lake.

PLANNING COMMISSION REPORT:

The Planning Commission initially reviewed the Preliminary Plat application at its May 12, 2014 meeting and conducted a public hearing on the request at this time. During the public hearing, the Planning Commission received the following testimony:

- Todd Ptacek, 812 Julep Avenue North, shared his experiences living in the Stonegate subdivision, noting that the trails that were included in the development were never finished. He noted his concern that the connection to the Goose Lake property was cut off due to the man-made southern channel of Goose Lake. He stated that he did not agree

with the acceptance of the entire buffer area as parkland dedication, even with a trail improvement. Finally, he stated that the density should be stepped back from Stonegate and other existing subdivisions in the I-94 Corridor.

- Wayne Prowse, 697 Julep Avenue North, expressed concern that the proposed subdivision was not providing enough parkland. He requested larger lots and reduced next to Stonegate. He encouraged the Planning Commission to require more parkland.
- Chairman William read a letter submitted by Walt Kreuger, 694 Jewel Avenue North, expressing his desire to have the buffer trail located further to the south in the buffer area.
- Chairman Williams also entered a brief email from Molly Shodeen, DNR, into the public record, stating that there should be some riparian buffering around the southern channel of Goose Lake.

The Commission closed the public hearing, but elected to postpone taking action on the application until Preliminary Plans were resubmitted to address the numerous outstanding issues identified in the Staff Report dated 5/12/14.

Because the Commission received comments from several individuals during the hearing, and also heard testimony from the Park Commission chair and additional individuals at the July 29th meeting, Staff has attached a copy of the Commission's approved June 22nd meeting minutes along with a copy of the draft minutes from the June 29th meeting. These minutes also include a detailed description of the Planning Commission's discussion and action on the preliminary plat.

In addition to Condition #16, requiring the southern channel of Goose Lake to be closed off before Lots 1-6, Block 10 and Lots 1-5 and 11-12, Block 9 may be final platted, the Planning Commission also recommended that the buffer trail along the northern portion of the property be moved to the south whenever feasible. Moving the trail further to the south, as requested by the Stonegate landowners, has been difficult due to the fact that impervious surfaces are not allowed within wetland buffer areas per Valley Branch Watershed District Rules. This rule has necessitated the trail to be located to the north in many areas, as there are many wetland along the northern portion of the site. The final list of conditions is included in Resolution 2014-055.

The Planning Commission recommended approval of the preliminary plat as submitted with 17 conditions of approval. The vote to recommend approval of the Hammes Estates Preliminary Plat was unanimous (Vote: 7-0).

STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS:

Strengths: Approval of the Preliminary Plat with the 17 conditions as recommended by the Planning Commission and Staff allows the applicant to move forward with the preparation of a Final Plat application and final construction documents for a new single family residential subdivision in Stage 1 of the I-94 Corridor Planning Area.

Weaknesses: None

Opportunities: Approval of the plat application allows the development plans for the Hammes site to proceed as planned in the Comprehensive Plan. Moving forward with

sewered single family growth should allow the City to add additional users to the City's public sanitary sewer system, helping to finance the City's investments in sanitary sewer. Finally, requiring that the southern channel of Goose Lake be closed off before Lots 1-6, Block 10 and Lots 1-5 and 11-12, Block 9 may be final platted allows the plat to move forward, but at the same time addresses the water quality concerns for Goose Lake.

Threats: None

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and Staff is recommending that the City Council approve the Hammes Estates Preliminary Plat subject to 17 conditions of approval through the following motion:

“Move to adopt Resolution 2014-55, approving the Hammes Estates Preliminary Plat subject to 17 conditions of approval.”

ATTACHMENTS:

1. Resolution 2014-55
2. Staff Report to the Planning Commission, 6/16/14
3. Staff Report to the Planning Commission, 5/12/14
4. Location Map
5. Application Form and Project Narrative
6. Hammes Estates Preliminary Plat, dated 6/6/14
7. Hammes Estates Preliminary Landscape and Tree Preservation Plans, dated 5/2/14
8. Illustrative Park Plan
9. Parkland Credit Exhibit w/Area Calculation
10. City Engineer Review Memorandum, dated 6/16/14
11. City Landscape Consultant Review Memorandum, dated 5/7/14
12. Washington County Review Memorandum, dated 5/6/14
13. MN DNR Review