



**City of Lake Elmo
Planning Commission Meeting
Minutes of September 8, 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, Lundgren, Dorschner and Haggard

COMMISSIONERS ABSENT: None

STAFF PRESENT: Community Development Director Klatt and City Administrator Zuleger

Approve Agenda:

M/S/P: Haggard/Lundgren, move that no new items are brought up after 10:30 pm;
Vote: 0-7, motion fails.

The agenda was accepted as presented.

Approve Minutes: August 25, 2014

M/S/P: Williams/Lundgren, move to approve the minutes as amended; ***Vote: 6-0, motion carried, with Dorschner not voting.***

Public Hearing: Village Park Preserve – Preliminary Plat

Klatt started his presentation on the application for Village Park Preserve which is a follow through from the concept plan. There are 104 single family residential units located on 64 acres immediately west of Manning Avenue and north of 30th Street within the Southern portion of the Village Planning Area.

One critical issue that needs to be addressed is storm water management. This plan pulls water away from 30th street to a spot that is much better to be managed. A condition of approval is written approval of affected property owners. There is also watershed district approval required. Another item would be the formal approval of the Comprehensive Plan Amendment by the Metropolitan Council. There should be additional buffering for the McLeod property. The MAC would also like some input into the storm water areas so that there is no problem with attracting waterfowl.

Klatt presented draft findings to the Planning Commission. Staff is recommending approval with 13 conditions of approval.

Klatt stated that there is a 3 year growing period that the developer is responsible for maintaining the storm water ponds.

Dave Gonyea with Gonyea Company stated that they are planning to put additional screening in for the McLeod property. He stated that they will eliminate 2 lots in the South West corner and put in 2 more infiltration basins.

Dodson asked Dave Gonyea if he sees any problems with getting approvals from all the agencies before the final plat. Gonyea said he does not see any problems with that.

Public Hearing opened at 8:42 p.m.

No written comments were received.

James McLeod, 11580 30th Street, concerned about the intersection of 30th street and Manning. There have been numerous accidents there because it is so difficult to see on 30th Street, especially at night. He feels it is imperative that a street light be there as well as potentially a stop light. He also feels that drainage will be a huge problem. He also asked where the sewer line is on the map. Gonyea explained that on the map. Mr. McLeod would like to have a sewer line stubbed up to his property.

Vonnie McLeod, 11580 30th Street, concerned that there are too many homes on too small of lots.

Sue Dunn, 11018 Upper 33rd Street, is concerned with all of the conditions of approval and is very concerned with the surface water plan. She would like to see a moratorium on development until a comprehensive surface water plan is in place.

Public Hearing closed at 8:57 pm.

There was a general discussion about a traffic light at 30th and Manning and that in the future that would probably take place. There was also a general discussion about the railroad crossing.

Zuleger stated that the work on Manning is going to commence in 2016 with a roundabout at 10th street and Manning. Probably the installation of the 30th street traffic lights would be more in 2017-2018.

Kreimer asked about the 1% watershed district requirement for rate and volume control and was wondering if that was incorporated into this plan. Klatt stated that they will need to meet that and additional work needs to be done on the plans.

Williams stated the plan meets zoning requirements and net density. The only problem he sees is storm water management.

M/S/P: Williams/Dodson, move that condition number 13 be changed to state that the developer submit a letter from the MAC agreeing to the design of storm water facilities acceptable to the City prior to submitting Final Plat application, **Vote:7 -0, motion carried Unanimously.**

Haggard does not agree with giving a credit for parkland for a piece of land that is not connected. Dodson agrees that it seems that it is wooded and might not be developable. Gonyea stated that it was developable and was what the City asked for.

Dodson was wondering how many of these conditions would be resolved prior to Final Plat. He is concerned about the Storm water getting ironed out before Final Plat. Williams pointed out that a number of the conditions specifically state that they must be done before final plat.

M/S/P: Larson/Dorschner, move to recommend approval of the Village Park Preserve preliminary plat with the 13 conditions of approval as drafted by staff based on the findings of fact listed in the staff report, including the amendment to number 13 **Vote:6 -1, motion carried, with Haggard voting no.**

Lundgren asked about the feasibility to get a stub sewer line down to the McLeod property. Dave Gonyea expressed his willingness to work with the McLeods to get a stub sewer line down to their property.

Business Item: Savona Second Addition – Final Plat

Klatt began his presentation regarding the continuation of the discussion of the Final Plat for Savona 2nd addition that was reviewed at the 8/25/14 Planning Commission meeting. First addition has 2 model homes currently under construction. The Planning Commission wanted to see more of the items resolved before Final Plat approval was given. The developer has removed 2 lots to comply with some of the requests of the Planning Commission. Six conditions of approval have been met. There are now 8 conditions of approval which are more Final Plat checklist items before the plat is recorded.

M/S/P: Dodson/Williams, motion to reword condition #4 to state that a common interest agreement concerning the management for both the single family and multi-family areas within Savona, and establishing a homeowners association for both these areas shall be submitted in final form to the Community Development Director. The Declaration shall comply with Minnesota Statute 515B for transfer of control to the Homeowners. **Vote: 7-0, motion carried, unanimously.**

M/S/P: Dodson/Larson, move to recommend approval of the Savona 2nd Addition Final Plat with the 8 conditions of approval as drafted by staff and amended by the Commission and findings of fact in the staff report, **Vote: 7-0, motion carried, unanimously.**

Business Item: Inwood Planned Unit Development (PUD) – General Concept Plan

Klatt began his presentation regarding the continuation of the discussion of the PUD Concept plan for the Inwood Plan. Klatt mentioned that although the public hearing was closed, generally the Planning Commission will let the public make comments. He noted that some of the Planning Commission members did go and visit the Lakes Development in Blaine. The developer has made a number of updates. Cul-de-sac L has been reduced, no lots encroach into the greenbelt buffer, there is increased area adjacent to Stonegate Park. Single family lots were reduced from 281 to 273. There is an updated net density calculation and an open space plan. Staff is recommending approval based on 17 conditions of approval. Staff would also like clarification of 5 previous motions made at the previous meeting to see if they are still valid.

John Rask, Hans Hagen, spoke regarding some of the changes. They are working with the watershed to preserve a couple of wetlands. They are working with the Park Commission regarding the Park and one cu-de-sac was made a pass through. The buffer was extended to the edge of the trees, so the buffer is over the 100 feet required. Rask talked about the PUD ordinance and the requirements that relate to the Comprehensive Plan. Rask stated that a third of the site is open space. He spoke to the density of the development which is within the density range required by the Comprehensive Plan. Rask spoke about what they were trying to accomplish with this development.

Haggard asked about outlot G in the commercial area and asked if it would be developed in the future. Rask responded that it is regulated by the Watershed District and there can be no more than 30% impervious. Each island is an Infiltration basin. They don't have specific users for the commercial, so at this point it is just a concept. Haggard also asked about the buffering between different uses.

Todd Ptacek, 812 Julep Ave, feels that things are moving too quickly and there should have been a moratorium until the numbers were refigured. Just because the numbers are met doesn't mean that it is a good development. With a PUD ordinance, it also gives the City flexibility. It seems wrong to count filtration basins as open space. Also was wondering about the 300 foot property notification. Klatt clarified it is 350 feet.

John Olfelt, 914 Jewel Ave, disappointed that this is such a dense development.

Randy Hederson, 820 Jasmine Ave, totally against having such small width of lots. Also asked about the buffer and how many trees are going to be removed. There will be trees removed to put in the trail in the wooded area. Also feels that the park might be too far away for people in the development.

Tom Fitzgerald, 877 Jasmine Ave Place, has been asked by neighbors to present a petition stating their opposition of this development. Fitzgerald read the petition. The petition had 95 signatures and was submitted for the record.

Mark Enright, 724 Julep Ave, objects to what he considers high density going in next to Stonegate. Feels that the City is moving too quickly. Feels that it would have been respectful if all Stonegate residents would have been notified regardless of the 350 foot rule. Has traffic concerns regarding 10th Street as there are already issues without this development. Asked about definition of open space. Klatt talked about what it is and will see if there is a definition.

Nancy Andert, 697 Julep Ave, appalled by all of this development. Feels there should be a smooth transition as stated in the Comprehensive Plan. Feels we should slow down on all the development. Feels that whatever the developer wants, the City has been changing the code or issuing variances. Why should a PUD be different from any other development?

Michael Lancette, 832 Jasmine Ave, seems that the developer is asking for a lot with the PUD and the City is asking for very little. Would like the motion to include single family homes on the east side of the development. This is a PUD and there should be concessions on both sides.

Curt Monteith, 331 Julep Ave, a number of years ago there was a 55 year and older proposal to the West of Stonegate. He supported it at that time because he felt it was much less dense than what they could end up with.

Wayne Prowse, 697 Julep Ave, against the variances, especially the small lot sizes. Feels that there is enough development surrounding Stonegate and feels that the area cannot absorb the additional traffic along 10th Street. Hans Hagen told him that the City requested the money instead of more parkland. He feels that there is not enough parkland to support the area. He feels that the City is representing the wishes of developers vs. the wishes of the residents.

Sue Dunn, 11018 Upper 33rd Street, what has happened to this City when a home is called a product. What about the school district, parkland, roads. It is time to hit the pause button. The word moratorium doesn't have to scare people and we should be able to develop in a thoughtful and sensitive way that is compatible with Lake Elmo. The City hasn't made adjustments to the Comprehensive Plan, even though the rec units have been reduced.

An email was received from Bob Streeter, the Community Development Director of Oakdale, which was read into the record. Oakdale is concerned with the reduced access to 9th Street and Oak Marsh drive. They would like to work with City of Lake Elmo and County staff to find a mutually agreeable solution.

Greg Milner, was wondering how many people signed the petition. 95 people signed.

Dodson would like to have the benefit to the City of the PUD in this case. Klatt stated that there are 3 things that are needed to be done for a PUD and the City feels they have met those things. The other things are a little more subjective. It is a different product than other developers are doing. The PUD is used as a tool when a developer wants to do something that isn't strictly allowed. In this case they are trying to provide a more unified development.

Williams stated that in this case it allows for a better storm water plan when multiple parcels are rolled together and one plan is brought forward.

Haggard asked if the staff or Council have been looking at lowering the densities now that the forecast has been decreased. Zuleger stated that staff and Council have been looking at rebalancing those numbers, especially in higher density areas such as along Manning. They are looking at possibly more office park and other options.

Lundgren asked what the original rec units were that were mandated. Zuleger responded that we were mandated 6600 total rec units. Zuleger stated that we did not specifically deal with rec units, but dealt with population numbers. Lundgren asked how many rec units have been approved already. Savona has approved a little over 100 rec units. Zuleger stated that with the plats in process including this one would put us up around 1700 rec units.

Williams stated that one thing he sees as making a big difference is extensive landscaping. He would like to see more spruce trees along the buffer of Stonegate.

Kreimer agrees that we do not have anything else like this and the HOA maintained yards are very nice. However, the 38 foot lots are not acceptable and he is not in favor of granting variances for such small lots. Feels that even if you can't see the development from Stonegate, there are other impacts to consider such as light, noise, traffic, etc.

M/S/P: Kreimer/Lundgren, move to recommend denial of the Inwood PUD Concept Plan because it does not conform to the Comprehensive Plan and does not meet the City's PUD Ordinance, **Vote: 2-5, motion fails**, with Haggard, Dorschner, Williams, Dodson and Larson voting no.

Larson spoke in favor of the development. He feels it is a quality development and is a unique product where people will be proud to live. Dodson also struggles with what else could go here instead of this development.

Kreimer stated that the land use plan was designed to put the traffic between 5th street and Hudson. Dodson asked about the traffic study by the County. Kreimer stated that he read someone's comment that there may be a need for a signal there, so clearly there is concern about the traffic.

Dodson stated that after the tour of the Lakes, they have a good idea of what it will look like and there are a lot of positives with the mix of products and the HOA maintained area. Dodson stated that sewered lots are by nature going to be higher density. On the negative, he wasn't all that comfortable with the back yards, but that is not what he would be in the market for.

Kreimer stated he is not comfortable with the apartments because it will add a lot more traffic.

Haggard feels that the density numbers that are created by the multi family is way out of line. She also feels that the commercial land should not be counted in. She feels that with a PUD, the City is able to ask for a reduction.

Dorschner is very uncomfortable with the 36 foot wide lot. He feels that Stonegate won't be happy with any development on that property. Feels we need to decide what is the lesser evil.

Lundgren thinks the density is too high. Klatt stated that they do have the authority to make recommendations.

The Planning Commission came up with a list of conditions and voted on each one individually.

1. All Multi-family housing, including senior housing should be south of 5th street to be consistent with the Comprehensive Plan. **Vote: 5-2, motion carried**, with Larson and Dodson voting no.
2. Add Sidewalks on one side to all roads in the residential areas, except for 9th Street. **Vote: 7-0, motion carried unanimously.**
3. Situate the trail in the east buffer area as far west as possible. **Vote: 7-0, motion carried unanimously.**
4. Lots in neighborhoods E (lots 9-14) F (lots 7-11) and H (lots 7-12) be made designer lots. **Vote: 7-0, motion carried unanimously.**
5. Require a 5 foot side yard setback. **Vote: 2-5, motion failed**, with Larson, Dodson, Haggard, Williams and Kreimer voting no.
6. Park Commission should consider a park to be located toward the end of neighborhood G. **Vote: 7-0, motion carried unanimously.**

7. The maximum density of the high density residential remain at 15 units per acre. **Vote: 7-0, motion carried unanimously.**
8. All Cul-de-sacs must meet the City standard for maximum length. **Vote: 6-1, motion carried,** with Dodson voting no.
9. Applicant must work with the City to submit design standards to the City as part of the Preliminary PUD Plan application for the City's use in reviewing building permits. **Vote: 7-0, motion carried unanimously.**

M/S/P: Larson/Dorschner, move to recommend approval of the Inwood PUD Concept Plan with the findings of fact and 17 conditions of approval as drafted in the staff report, along with the 8 additional conditions voted on by the Planning Commission, for a total of 25 conditions **Vote: 5-2, motion carried,** with Kreimer and Lundgren voting no.

Business Item: Hunter's Crossing Final Plat

Klatt began his presentation for a Final plat for Hunter's Crossing. The Final plat is consistent with the preliminary plat. The final plat for phase I is for 22 single family homes. The critical issues with this development are 5th street construction and phasing, 5th street final construction plans, storm water easement on eastern property, and final checklist for plat approval.

Dodson was wondering why an HOA was required. Klatt said that there is some common area that needs to be maintained.

Williams is wondering why the temporary access road is not shown on the plat. Klatt stated that the engineer is requesting an easement for the access road.

Larson asked why there is no trail shown on the plat. Klatt stated that there is a trail plan that will circle the development and there is a sidewalk on 5th street once it is built.

Haggard is wondering where the safe pedestrian cross walk will be. Klatt stated that when the plans for 5th street come forward, that will be part of the plan.

Dorschner asked why this is phased for a temporary access. Klatt stated that the northern property owner is not interested in building the road and does not want to be assessed for it. Zuleger stated that they are working on an agreement with the northern property owner that the road will be built within 5 years.

Lundgren asked what happens if second addition never materializes. Klatt stated that there will not be over 25 homes built until the road goes in. The road will need to be addressed before any other activity can take place there.

Williams asked about the grading. Currently there is an existing berm going into the driving range. Will that be kept?

Dodson asked Rust what the HOA will do. Rust responded that it will maintain landscaping, monument, mailboxes, architectural standards, protected lands, etc. Dodson feels that it isn't a lot of benefit for the conflict that it can create.

M/S/P: Williams/Lungren, move to require an easement for the temporary access road shown on the final plat. **Vote: 7-0, motion carried unanimously.**

There was more discussion regarding the HOA and Klatt stated that it might go beyond the authority the Planning Commission has for land use planning.

M/S/P: Williams/Dorschner, move to have at the beginning of the draft findings the blanket statement "with the exception of the items noted in the staff report", **Vote: 7-0, motion carried unanimously.**

Haggard stated that she is disappointed that the landscape requirements have not been met. She would like to make sure that we hold true to the landscape standards. Lungren stated that the words "generally acceptable" is too vague.

M/S/P: Haggard/Kreimer, move to recommend approval of the Hunter's Crossing Final Plat with the 12 conditions as drafted by staff and the Planning Commission and would like to have the landscape plan be in full compliance before going to City Council, **Vote: 7-0, motion carried unanimously.**

Updates and Concerns

Council Updates

1. Savona Conditional Use permit passed.

Staff Updates

1. Upcoming Meetings
 - a. September 22, 2014
 - b. October 13, 2014

Commission Concerns –

Haggard brought up the timing of the packet. 1 business day is not enough time to review.

Dorschner mentioned that we are moving too fast and it is too much for the staff. If we need more staff, we need to get more staff. Zuleger stated that we might bring in a Planning Consultant just to work on Hans Hagen. Fees and escrows will be used against Planning and Building staff. Dorschner also asked about the school district. Zuleger responded that he is working with Planner Johnson and the school district on these concerns. They are also meeting with sheriff Hutton to talk about the impact to police services.

Haggard would like to have a joint meeting with Council to talk more about the recs and what we are on pace for.

Dodson asked about the deadline requirements for developments. Klatt stated that the deadlines are already included in the staff report. Zuleger stated that the developers are going to be told that if a complete submittal isn't received 2 weeks before the meeting, it won't hit the meeting. Klatt stated that we are trying to move to electronic, but that may be a ways out yet.

Meeting adjourned at 12:30 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant