



MAYOR & COUNCIL COMMUNICATION

DATE: March 3, 2015
REGULAR
ITEM # 10

AGENDA ITEM: Easton Village – Final Plat (Phase 1)
SUBMITTED BY: Kyle Klatt, Community Development Director
THROUGH: Dean Zuleger, City Administrator
REVIEWED BY: Planning Commission
Nick Johnson, City Planner
Jack Griffin, City Engineer

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 is recommending that the City Council approve a final plat request from Easton Village, LLC for the first phase of a planned 217 unit residential subdivision to be located on 98.47 acres within the Village Planning Area. The final plat will include 71 single-family lots located within the southern portion of the subdivision.

The Planning Commission considered the final plat at its January 26, 2015 meeting and a summary of the Commission’s report and recommendation are included below.

The City Council tabled taking action on the final plat at its February 3, 2015 meeting and is being asked to continue its discussion on this matter at its March 3, 2015 meting.

FISCAL IMPACT: TBD – Staff has been working the developer to draft a developer’s agreement for review by the Council at its March 3rd meeting. The agreement includes a detailed accounting of any development costs that will be the responsibility of the developer and/or the City. As per the Staff recommendation, the developer has also prepared plans for the Eastern

Village Trunk Sewer line that will be included as part of the Easton Village developer's agreement.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a final plat request from Easton Village, LLC for approval of a final plat for the first phase of the Easton Village residential development. The final plat includes 71 single-family residential lots, and the related construction plans for the improvements necessary to serve these homes. The City Council approved the Easton Village Preliminary Plat on July 15, 2014, which covered approximately 98.5 acres of land within the Village planning area. There are 71 single-family residential units planned within the entire subdivision, and the final plat covers approximately one-third of the overall total of units that will eventually be platted.

The Planning Commission considered this matter at its January 26, 2015 meeting and recommended approval of the final plat as presented and subject to conditions of approval.

The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-07 approving the final plat for Easton Village”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: Since the City Council's February 3rd meeting, Staff has been working with the developer to resolve issues concerning the developer's responsibility to pay for and construct public improvements within the subdivision, and to address concerns that the developer be required to pay for his fair share of the future construction costs for the planned Village Parkway railroad crossing. The development agreement for Easton Village (which is scheduled for review by the Council on March 3rd) includes all required developer payments to the City, specifies the amount of overall financial security required for the project, and requires that the developer enter into an agreement with the City to submit funds that will be held in escrow by the City to cover his proportional costs for the crossing based on the number of REC units platted.

The developer has also submitted updated plans for review by the Watershed District and the City concerning the storm water management plan for the site, and has since received an updated permit from the Valley Branch Watershed District for this work. Since the Council's last meeting, the developer has further requested that the plans for the Eastern Trunk Sewer line be incorporated into the developer's agreement. This means that the Easton Village construction project will include not only the localized improvements necessary to serve the subdivision, but will also incorporate the larger regional sewer project that will provide the needed connection to the trunk lines already installed by the City (and that are otherwise unusable until this connection is made). The Eastern Trunk Sewer line will be constructed privately, with no additional City payments to make the final connection to the 30th Street lift station.

The attached Staff report to the Planning Commission includes detailed information concerning the final plat in addition to the staff review and analysis of the request. The preliminary plat was approved by the City Council on July 15, 2014, and this approval included a series of conditions

that must be met by the applicant. Included in the Staff analysis is a line-by-line review of the conditions attached to the preliminary plat.

The Planning Commission considered the proposed final plat at its January 26, 2015 meeting and recommended approval with revisions one of the conditions of approval as drafted by Staff to require additional issues to be disclosed on the proposed disclosure statement. The Commission also requested a minor modification to one of the draft findings of approval.

As part of its review, the Commission asked several questions concerning the proximity of the subdivision to the Lake Elmo Airport, Union Pacific Railroad, and Manning Avenue. In order to help ensure that future property owners and builders are aware of the potential noise impacts from these uses, the Commission is recommending that a disclosure statement be provided to the initial buyer/builder of lots within Easton Village. The requirements for such a statement and the exact wording for the disclosures will be included as part of the development contract for this subdivision. The Commission's draft condition as revised (condition number 8) is included as part of Resolution 2015-07.

The Commission also discussed the request from the Metropolitan Airports Commission (MAC) that a barrier be installed between the residential lots and the storm water ponding area along Manning Avenue. The developer indicated that they would like to install a horse fence consistent with the City's theming study with lower shrubs to act as a barrier, and that they would be further discussing this concept with MAC.

The Planning Commission adopted a motion to recommend approval of the final plat consistent with the findings as noted in the attached Resolution No. 2015-007 and including all conditions of approval as listed in the resolution. The vote on the motion passed with a vote of 5 to 1. The dissenting Commissioner explained that she wanted to see more information on the individual houses and more details concerning the park land dedication before voting on the final plat.

BACKGROUND INFORMATION (SWOT):

Strengths

- The proposed plat is consistent with preliminary plat subject to the conditions being recommended by Staff and the Planning Commission.
- The developers agreement for the project will include construction of the Village Eastern Trunk Sewer Project, which is needed to utilize the City's existing trunk sewer installed within 39th Street and between Highway 5 and the railroad right-of-way
- The applicant received an updated permit from the Valley Branch Watershed District concerning the storm water management plan.

Weaknesses

- Several conditions of approval must be met by the applicant, including revisions to the final construction plans to address

comments from the City Engineer.

- Opportunities**
- The final plat, in conjunction with the Eastern Village Trunk Sewer project, will complete a missing and critical portion of the Village sewer system. Without Easton Village and the related public improvements, the 39th Street sewer project will not be connected to the lift station along 30th Street.
 - The project represents the first Village subdivision to include a portion of the Village Parkway.
 - The developer has agreed to pay for a proportional amount of the planned railroad crossing improvements based on the number of REC units being platted. The proposed escrow agreement will set the stage for future contributions from benefiting property owners/developers.

- Threats**
- The project is located adjacent to the airport, and as such, there is potential for noise and visual impacts to the future residents of this subdivision. Because the preliminary plat area is located outside of the immediate noise and safety zones, the conditions of approval as drafted are advisory in nature.

RECOMMENDATION: The Planning Commission and Staff are recommending that the City Council approve the final plat for Easton Village with 11 conditions of approval. The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-07 approving the final plat for Easton Village”

ATTACHMENTS:

1. Resolution No. 2015-07
2. Illustrative Subdivision Drawing
3. Subdivision Street View Rendering
4. Valley Branch Watershed District Permit Review Memorandum 2-20-15
5. **ALL MATERIALS FROM PREVIOUS MEETING AVAILABLE BUT NOT ATTACHED:**
 - a. Planning Commission Staff Report – 1/26/15
 - b. Application Form
 - c. Applicant Memorandum – Southwest Grading
 - d. City Engineer Review Letter
 - e. Landscape Architecture Review Letter
 - f. Metropolitan Airports Commission Review Letter
 - g. Sample Airport Disclosure Notification
 - h. Baytown Township Comments
 - i. Easton Village Final Plat

- j. Landscape and Tree Preservation Plan – Phase I
- k. Tree Survey
- l. Grading and Erosion Control Plan – Phase I (electronic only)
- m. Street and Utility Plan – Phase I (electronic only)
- n. Landscape and Tree Preservation Plan - All Phases (electronic only)