

AYOR & COUNCIL COMMUNICATION

DATE: July 21, 2015 REGULAR ITEM # 14 RESOLUTION 2015-056

AGENDA ITEM: Diedrich Property Townhouses (Lennar) – Preliminary Plat

**SUBMITTED BY:** Kyle Klatt, Community Development Director

**THROUGH**: Julie Johnson, City Clerk

**REVIEWED BY:** Planning Commission Nick Johnson, City Planner Jack Griffin, City Engineer

### SUGGESTED ORDER OF BUSINESS:

Introduction of Item .....Community 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 approval of a preliminary plat for a new subdivision as requested by Lennar Corporation. The Subdivision Ordinance requires that the City Council review and approval a preliminary plat before an applicant may proceed with the preparation and recording of a final plat. The subdivision request is being made by Lennar for property presently owned by Tammy Diedrich and Gerhard Rieder within the I-94 Corridor planning area.

**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. The developer is expected to pay the Water Availability Charge for the entire development at the time a final plat is approved (currently \$3,000 per unit) similar to other developments that are connecting to the Lake Elmo Avenue water main.

**<u>SUMMARY AND ACTION REQUESTED:</u>** The City Council is being asked to consider a request for approval of a Preliminary Plat from Lennar Corporation for a 46-unit singled family

attached (townhouse) development to be located on slightly over 15 acres of land immediately east of Lake Elmo Avenue and north of the Hunters Crossing development. The proposed development site is located within the City's I-94 corridor planning area, and is in an area guided for public sewer and water services. The preliminary plat has been prepared in response to the City's Comprehensive Plan for the corridor, which guides this site for medium density urban residential development. The Staff report to the Planning Commission concerning this request is attached to this memorandum, and includes a detailed summary of the request in addition to the detailed Staff review and recommendation. The City Council was scheduled to review this request at the 7/7/15 meeting, but consideration was postponed at request of the applicant. The applicant has now requested that consideration be placed back on the agenda

The Planning Commission is recommending approval of the preliminary plat with several conditions of approval. The suggested motion to adopt the Planning Commission recommendation is as follows:

## *"Move to adopt Resolution No. 2015-056 approving the Lennar Diedrich Townhouses preliminary plat with 16 conditions of approval."*

**LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:** The attached staff report to the Planning Commission provides an overview of the request and a list of comments and recommendations from Staff. In order to address the initial set of comments from the City, the developer prepared an updated site plan prior to the Planning Commission meeting that reduced the overall number of units by two and that changed the originally planned private street to a public street meeting City specifications. Although the construction plans have not yet been updated, the Planning Commission's review focused on the updated site plan. The City will still need to review updated construction plans, and all previous review comments from the City Engineer and County Engineer will need to be addressed by the applicant. Since the Planning Commission meeting the developer has updated the landscape plan to provide a better overview of how the site will look when completed.

The Planning Commission considered the preliminary plat at its June 22, 2015 meeting and conducted a public hearing on the applicant's request at this time. No one spoke at the public hearing.

The Planning Commission discussed the request and specifically issues associated with the timing of improvements to 5<sup>th</sup> Street, the updated site plan, and potential issues associated with the new configuration of lots. The Commission also noted that the developer would need to address an ownership issue in the extreme southwestern portion of the plat. Specifically, Ryland Homes owns a small remnant of land that is sandwiched between 5<sup>th</sup> Street and the Lennar property. This property is shown as part of the Lennar plat, but it may be excluded from the subdivision based on the developers' comments at the meeting. If this is the case, four of the lots need be adjusted in order to provide adequate rear yard setbacks. This is not a major plat concern, but will need to be addressed as part of a final plat submission. The Commission adopted a finding of fact to document their concerns over this issue.

The Commission further discussed the status of parks in this area and the developer's request to pay a fee in lieu of land dedication. Commissioners adopted a motion to include a finding that there are no City parks within <sup>1</sup>/<sub>2</sub> mile of the subdivision site. The Commission also requested one additional condition of approval to clarify that the developer must secure a written agreement from Xcel Energy to perform the planned grading work within the existing power line easement. The conditions of approval as amended by the Planning Commission are incorporated into the draft resolution.

The Planning Commission adopted a motion to recommend approval of the Preliminary Plat with the findings and conditions as noted in the attached Resolution 2015-056. The motion passed unanimously (7-0).

### **BACKGROUND INFORMATION (SWOT):**

Strengths	<ul> <li>The preliminary plat is consistent with the Comprehensive Plan and specifically the Urban Medium Density Residential land use classification.</li> <li>The project will connect to the Cottage Grove sewer interceptor via a connection to the gravity line constructed across the project site late last year.</li> <li>The project will connect to the Lake Elmo Avenue water main recently installed in this area.</li> </ul>
Weaknesses	• The two developers adjacent to 5 <sup>th</sup> Street have not yet agreed to build this road as a joint project.
Opportunities	<ul> <li>The development will include 46 REC units and will pay connection fees for sewer and water service. The developer has committed to paying the water availably charge for the entire development (\$138,000 based on the current fee schedule) with the first phase of the final plat.</li> <li>The project will include the construction of the initial segment of 5<sup>th</sup> Street to the east of Lake Elmo (which must either be constructed as a public project or privately by the developer).</li> </ul>
Threats	• None identified.

**<u>RECOMMENDATION</u>**: Based upon the above background information, Staff report and Planning Commission recommendation, it is recommended that the City Council approve the Lennar Diedrich Townhouses preliminary plat with the 16 conditions of approval as documented in the resolution of approval by taking the following action / with the following motion:

### "Move to adopt Resolution No. 2015-056 approving the Lennar Diedrich Townhouses preliminary plat with 16 conditions of approval."

City Council Meeting July 21, 2015

### **ATTACHMENTS:**

- 1. Resolution No. 2015-056
- 2. Planning Commission Report (6/22/15)
- 3. Application Forms
- 4. Application Narrative and Information
- 5. Location Map
- 6. Tree Inventory
- 7. Review Comments:
  - a. City Engineer
  - b. Washington County
- 8. Preliminary Plat and Plans (20 sheets)
  - a. Revised Site Plan (Dated 6/19/15)
  - b. Revised Landscape Plan (Dated 6/25/15)
  - c. Cover Sheet
  - d. Legend Sheet
  - e. Existing Conditions
  - f. Preliminary Plat
  - g. Preliminary Site Plan
  - h. Preliminary Utility Plan
  - i. Preliminary Grading Plan
  - j. Erosion Control Plan
  - k. Preliminary Seeding Plan
  - 1. Preliminary Street Profiles
  - m. Details
  - n. Landscape Plan
  - o. Tree Preservation Plan

### CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

### **RESOLUTION NO. 2015-056**

### A RESOLUTION APPROVING A PRELIMINARY PLAT FOR THE LENNAR DIEDRICH TOWNHOUSES

**WHEREAS,** the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS,** Lennar Corporation, 16305 36<sup>th</sup> Avenue North, Plymouth, MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Preliminary Plat for the Lennar Diedrich Townhouses subdivision, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, the Lake Elmo Planning Commission held public hearing on June 22, 2015 to consider the Preliminary Plat request; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council from Community Development Director Kyle Klatt for the July 7, 2015 Council Meeting; and

**WHEREAS**, the Lake Elmo Planning Commission adopted a motion recommending approval of the Preliminary Plat; and

**WHEREAS**, the City Council reviewed the Preliminary Plat at its meeting held on July 7, 2014 and made the following findings of fact:

- 1) That the preliminary plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the preliminary plat complies with the City's Urban Medium Density Residential zoning district regulations.
- 3) That the preliminary plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances with the plan revisions as requested by City Staff and consultants.
- 4) That the preliminary plat complies with the City's subdivision ordinance.
- 5) That the preliminary plat is consistent with the City's engineering standards provided the plans are updated to address the City Engineer's comments documented in a letter dated June 17, 2014.
- 6) That there are no City parks located within  $\frac{1}{2}$  mile of the proposed subdivision.

7) That the updated development plans indicate that proposed structures on Lots 29-32 are located too close to the property line and that the development plans must be updated to move these structures to the required setbacks prior to the submission of a final plat.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the preliminary plat for the Lennar Diedrich Townhouses subdivision subject to the following conditions:

- 1) The landscape plan and tree preservation plan shall be reviewed and approved by an independent forester or landscape architect in advance of the approval of a final plat and final construction plans.
- 2) The final landscape plan shall incorporate additional plantings where feasible adjacent to the shared property lines with parcel at 11490 Hudson Boulevard.
- 3) The applicant shall be responsible for updating the final construction plans to include the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated March 3, 2015. The required improvements shall include, but not be limited to the construction of a northbound right turn lane and southbound center turn lane.
- 4) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the Valley Branch Watershed District prior to the commencement of any grading or development activity on the site.
- 5) The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.
- 6) The developer shall be required to pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance. A cash payment in lieu of land dedication shall be paid by the applicant prior to the release of the final plat for recording.
- 7) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site.
- 8) All required modifications to the plans as requested by the City Engineer in a review letter dated June 17, 2015 shall be incorporated into the plans prior to consideration of a final plat.

- 9) The applicant shall update all of the landscaping and construction plans to reflect the updated site plan that includes a public right-of-way within the project area. These updated plan shall be subject to review and approval by the City Engineer.
- 10) Although the updated site plan does not incorporate a private street, any request for flexibility from City regulations and standards must be considered and addressed as part of the final plat submission.
- 11) The final construction plans for the Diedrich Townhouses subdivision shall include, at a minimum, the northern portion of 5<sup>th</sup> Street if a joint construction project between the applicant and Ryland Homes does not proceed in advance of a final plat submission for the applicant's site.
- 12) The architectural covenants for the homeowner's association shall include provisions that discourage blank garage doors. All garage doors shall incorporate windows or decorative trim to minimize the visual impact of the garage-forward home design.
- 13) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements.
- 14) The site plan and construction plans shall be revised to include a sidewalk along at least one side of all streets within the subdivision.
- 15) The applicant shall pay a Water Availability Charge consistent with the Lake Elmo Fee Schedule for the entire development prior to the release of the final plat for recording, regardless of project phasing.
- 16) The developer shall secure a written grading agreement from Excel Energy concerning the proposed grading activity underneath an existing power line easement across the property prior to submission of a final plat.

Passed and duly adopted this 21st day of July 2015 by the City Council of the City of Lake Elmo, Minnesota.

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk



Planning Commission Date: 6/22/15 Agenda Item: 4a – Public Hearing Case # 2015-19

ITEM:	Diedrich Property Townhouses (Lennar) – Preliminary Plat and Conditional Use Permit
SUBMITTED BY:	Kyle Klatt, Planning Director
REVIEWED BY:	Nick Johnson, City Planner Jack Griffin, City Engineer

### SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a Preliminary Plat request from Lennar Corporation for a 46-unit single-family attached (townhouse) development to be located on slightly over 15 acres of land immediately east of Lake Elmo Avenue and north of the Hunters Crossing development. The site is located within the I-94 Corridor Planning Area and is therefore on property that has been guided for public sewer and water services. The application as originally submitted included a request for a Conditional Use Permit to allow the use of a private street to serve the individual townhouse units. The applicant has since updated the proposed site plan and plat to incorporate a public street within the development, which will eliminate the need for a conditional use permit. Staff is recommending approval of the request with conditions as listed in the below report.

### **GENERAL INFORMATION**

Applicant:	Lennar Corpor Plymouth MN	ation (Paul Tabone); 16305 36 <sup>th</sup> Avenue North, Suite 600, 55446
Property Owner:	Tammy Diedri 55125	ich and Gerhard Rieder, 7401 Wyndham Way, Woodbury, MN
Location:	south of the Ci	a 36 in Lake Elmo, north of I-94, east of Lake Elmo Avenue, and imarron Golf Course property. Immediately north of 404 Lake North. PID: 36.029.21.32.0002
Request:	request for a co	r a preliminary plat related to a 46-unit townhouse subdivision. A onditional use permit is no longer need based on the submission of e plan with a public street.
Existing Land Use	e and Zoning:	Vacant with fairly heavy tree cover. Current Zoning: RT – Rural Transitional; Proposed Zoning: MDR – Medium Density Residential
Surrounding Land	Use:	North – Cimarron Manufactured Home Park and golf course; East – Trans-City industrial building; West – Rural Residential property and The Forest residential subdivision: South –

		Hunters Crossing single family residential development; also one existing home site adjacent to Lake Elmo Avenue.
purposes for a lor		MDR – Medium Density Residential, RT – Rural Development Transitional; LDR – Low Density Residential
Comprehen.	sive Plan:	Urban Medium Density Residential $(4 - 7.5 \text{ units per acre})$
History:	purposes f February a	on file with the City. Site has been vacant or used for agricultural for a long period of time. The sketch plan was reviewed by the City in and March of 2015. Staff did not find any information in the City's land or the site that would impact the proposed subdivision.
Deadline for	r Action:	Application Complete – 6/3/15 60 Day Deadline – 8/2/15 Extension Letter Mailed – No 120 Day Deadline – 10/1/15
Applicable 1	Regulations:	Chapter 153 – Subdivision Regulations Article 10 – Urban Residential Districts (MDR) §150.270 Storm Water, Erosion, and Sediment Control

### **REQUEST DETAILS**

The City of Lake Elmo has received a request from Lennar Corporation for a preliminary plat for a 46 unit townhouse development tentatively called the Diedrich Property Preliminary Plat. Please note that the original application and all of the construction plans as submitted were for a 48-unit project utilizing a private street. Due to several issues concerning the original configuration of lots and in order to address City, County, and watershed district comments and concerns, the applicant has submitted a revised site plan that now includes a public street and a reduced number of lots. The applicant may still be seeking some variation from City standards in order to plat a public street, and Staff is suggesting that any variations from the City's zoning and subdivision regulations be addressed at the final plat stage.

The City previously reviewed a sketch plan for the property earlier in the spring of this year, and the current application has been preceded by a Comprehensive Plan amendment that changed the future land use designation of this parcel from HDR – High Density Residential to MDR – Medium Density Residential.

The site under consideration is situated between the Cimarron Golf Course and the Hunters Crossing development north of the planned 5<sup>th</sup> Street corridor and west of Lake Elmo Avenue. The property is currently vacant, and there is no record of any buildings or structures being constructed on the site. When the City was initially planning the trunk sewer line project to serve the Village Area, the original alignment of the trunk sewer through this property followed the northern and eastern property boundaries. After subsequent discussions with the property owners, this alignment was changed to the southern boundary of the site, within what eventually become the planned right-ofway for 5<sup>th</sup> Street. The City has acquired easements for both 5<sup>th</sup> Street and the sewer and water main serving this area that cross the southern property boundary of the applicant's property. These easements may eventually be vacated since the preliminary plat will formally dedicate the required right-of-way for the road, sewer, water, and other utilities as 5<sup>th</sup> Street. A similar dedication of the road and utility right-of-way was provided with Hunters Crossing to the South.

The proposed access into the development is now proposed to occur via a new public road immediately across from the entrance to Hunters Crossing (Lavern Avenue North). The City has previously approved the use of private roads to serve the townhouse units with Lennar's Savona subdivision, and the plan as originally drawn out called for a private road to be used to access the proposed townhouses. The road as originally planned would have been located within a 30-foot wide Outlot, however, the City Engineer expressed concern that this outlot was not wide enough to accommodate all necessary infrastructure (both private and public) to serve the development. In order to address these (and other) concerns, the applicant has propose a modified plan that accommodates a public street meeting all City standards. This updated plan has been submitted as a supplement to the original application materials that still include a 30-foot outlot with a private street. Any future plan submissions and reviews will need to address revised review comments from Staff, and specifically, the City Engineer, prior to approval of a final plat.

The overall site plan is generally consistent with sketch plan submitted earlier this year. The two notable exceptions are that the (now revised) preliminary plat reduced the overall number of units from 50 to 46. The developer is proposing to construct a sidewalk along the main entrance into the development in addition to a sidewalk connecting the western cul-de-sac with the planned 5<sup>th</sup> Street trail. There are no interior sidewalks depicted on the preliminary development plans, and the applicant has stated that they believe that interior sidewalks will not be necessary given the low traffic volumes expected on the interior streets. Staff is recommending that if the project does includes a public street and right-of-way meeting City standards that a sidewalk on one side of all street be included in the final development plans.

One of the reasons that the applicant originally requested the use of a private street is that it would allow them to slightly vary the setbacks of the townhouse units in order to help minimize the visual impact of a row of townhouses all at the same setback. The developer is still looking for ways to add some variation to the setbacks, and will be seeking some minor modifications as part of the final plat submission in order to address this issue.

Consistent with the City's specifications for the 5<sup>th</sup> Street roadway segment, the applicant has provided for a 100-foot wide right-of-way, which will provide sufficient room for the construction of a parkway with turning lanes, 10-foot bituminous trail, sidewalk, trees, lighting, and other design elements as planned by the City. In this case, the applicant is retaining the existing easement width of 110 feet at the intersection of 5<sup>th</sup> Street and Lake Elmo Avenue and narrowing the right-of-way down to match the 100 foot right-of-way platting within Hunters Crossing. Both Ryland Homes and Lennar are still working towards a joint project to build 5<sup>th</sup> Street at one time verses splitting the construction up into northern and southern segments.

The preliminary plat has been developed in response to the City's recently adopted Comprehensive Plan, which identifies all of the applicant's property for urban medium density residential development. The plat incorporates 46 single family attached lots, most of which are designed with widths around 40 feet each. Given the limited access to the site and relatively small nature of the property, the applicant has worked to incorporate some variety into the arrangement of lots as is possible given these restrictions.

Public sanitary sewer service is presently available on the site, which was constructed as part of the Village trunk line project completed late last year. Water was extended to the site as part of the 2014 Lake Elmo Avenue water main project. Like other developments along this line, the developer will be expected to pay the full water availability charges for each planned lot (\$3,000) at the time of the final plat, even if the project is broken up into different stages.

### PLANNING AND ZONING ISSUES

The Diedrich Townhouse site is guided for urban medium density development in the City's Comprehensive Plan, and the appropriate zoning for the site will be MDR – Medium Density Residential. The actual rezoning of the property is a necessary step prior to development of this site that will need to be completed prior to approval of the final plat. The overall subdivision plan has therefore been prepared in order to comply with the district standards for the MDR districts in terms of lot size, lot widths, building setbacks, and other design criteria. Within the MDR district, townhouses are allowed that do not meet minimum frontage requirements or that are located along a private street as a conditional use permit.

The planned road serving the townhouse lots extends due north from 5<sup>th</sup> Street and then splits east and west through the middle of the property to provide access to the townhouses. There are no planned connections to the east, west, or north of the property because these sites have previously been developed or will connect into 5<sup>th</sup> Street once on either side of the site under consideration. Given the site characteristics and the immediately adjacent land uses (which are all different than single family), the applicant has had to design the site as an isolated island that is impractical to connect to adjacent properties. The streets as originally planned and later updated will meet the City's minimum standards for construction.

The sidewalks within the subdivision are limited to those mentioned in the previous section of this report, and there are no sidewalks planned along the east/west private road. Please note that the plat as originally submitted did not dedicate the amount of right-of-way that has been requested by Washington County. The County has previously requested that the developer dedicate an additional 42 feet of right-of-way along Lake Elmo Avenue, and that this right-of-way width be incorporated into the final plat. The additional right-of-way does impact the location of the planned storm water pond over Outlot A, and this pond and associated grading work will need to be adjusted in order to account for the expanded right-of-way. Updated plans must be reviewed and approved by the City, County, and Watershed District prior to the City's approval of a final plat for this subdivision.

As noted in the preceding section, the developer has submitted an updated site plan that retains the same general layout, and configuration of lots, but changes the proposed private street outlot of 30 feet to a public right-of-way 60 feet in width. The additional right-of-way has been requested by the City Engineer to help ensure that there is adequate room for future maintenance and upkeep of public utilities (sewer, water, and other private utilities) within this subdivision. All final construction plans will need to be updated to reflect the public right-of-way and reconfiguration of lots.

The preliminary site plan included as part of the application materials includes a description of the lot size, dimensions, and all required setbacks for the development. All of the lots meet the City's minimum area requirement of 4,000 for single-family attached lots in a MDR district, with the smallest lot proposed at 5,527 square feet. The site plans further illustrate that throughout the subdivision the lots will average 8,782 square feet, which exceeds the minimum requirements by a fairly wide margin.

The following is a general summary of the subdivision design elements that have proposed as part of the Diedrich Townhouses preliminary plat and plans:

Zoning and Site Information:

Existing Zoning: RT – Rural Transitional

PUBLIC HEARING ITEM 4a - ACTION ITEM

- Proposed Zoning:
- Total Site Area:
- Total Residential Units:
- Proposed Density (Net):

MDR - Medium Density Residential

15.11 acres (includes Outlot D of Hunters Crossing)

48 4 units per acre

REC Units from Comp Plan: 57 (based on a gross calculation)

Proposed Lot Dimensional Standards:

- Min. Lot Width: . 40 ft.
- Lot Depth: 134 ft. (140 ft. typical)
  - Lot Area: 4,000 sq. ft. (8,000 typical)
- Front Yard Setback: 25 ft.
- Side Yard Setback: 10 ft. Rear Yard Setback: 20 ft.

Proposed Street Standards:

ROW Width - Local 60 ft. (potentially could be reduced to 50 ft. for a limited access road) ROW Width - Minor Collector 110-100 feet . Street Widths - Local: 28 ft.(per City standard) Street Width - Minor Collector Varies - parkway design proposed

The standards listed above are all in compliance with the applicable requirements from the City's zoning and subdivision regulations, including the revised public street and associated right-of-way. Based on Staff's review of the preliminary plat, the applicant has demonstrated compliance with all applicable code requirements at the level of detail that is required for a preliminary plat. The applicant will need to address the review comments from the City and County, and the final plat and final construction plans will specifically need to be updated to reflect the wider public street right-ofway and expanded Lake Elmo Avenue (CSAH 17) right-of-way. Any variations from setbacks and other standards because of the amended road section will need to be addressed with the final plat.

As with any new subdivision the City Code requires that a portion of the plat be set aside for public park use. In this case, the applicant is not proposing to dedicate any land specifically for a public park, and is instead asking to pay a fee in lieu of land dedication. This is not a site or general location that would suitable for a public park or any specific trail connections; therefore, Staff is supportive of the applicant's request to pay a fee instead of dedicating any public land with the subdivision. The required dedication for the 15.11 acre site would be 1.51 acres, or a cash payment of approximately \$90,000 based on previous appraisals of land in this area.

### **REVIEW AND ANALYSIS**

City Staff has reviewed the proposed preliminary plat, and has forwarded the plans to appropriate reviewing agencies in advance of the Planning Commission meeting. In general, the proposed plat will meet all applicable City requirements for approval, and any deficiencies or additional work that is needed is noted as part of the review record and can be imported in the final plat and final construction plans. The City has received a detailed list of comments from the City Engineer concerning the proposed subdivision; these comments are attached to this report for consideration by the Planning Commission.

In addition to the general comments that have been provided in the preceding sections of this report, Staff would like the Planning Commission to consider the issues and comments related to the following discussion areas as well:

- *Comprehensive Plan*. The proposed subdivision is consistent with the Lake Elmo Comprehensive Plan for this area and with the densities that were approved as part of this plan (as recently amended). The net densities for the development fall within the low end of the range allowed for the urban medium density, and depending on the specific amount of land that will be dedicated for 5<sup>th</sup> Street and Lake Elmo Avenue, this density will be somewhere in the 3.8 to 4.0 units per acre range. Given the site constraints and need to accommodate additional right-of-way within the plat, Staff has found that the proposed density is in keeping the spirit and intent of the Comprehensive Plan for this area. Other aspects of the Comprehensive Plan relate to the Hunter's Crossing subdivision as follows:
  - Transportation. The City's transportation plan calls for the construction of a minor collector road that will connect the eastern and western portions of the I-94 Corridor. Staff views this road as a critical piece of the transportation infrastructure that is needed to serve the densities that have been planned for this area. The City's previous acquisition of easements through this area anticipated the future alignment of 5<sup>th</sup> Street through the southern portion of the applicant's property and the proposed subdivision will officially plat this right-of-way with the final plat. Both Lennar and Ryland are still working towards a joint project to build all of 5<sup>th</sup> Street between their properties later this summer, and regardless of whether or not a joint project occurs, Lennar will need to build at least its half of 5<sup>th</sup> Street in order to provide access to the proposed townhouses. Staff will continue to work with both parties to work towards a joint project that addresses the needs of the private developers and the City for access.
  - **Parks.** The City's park plan identifies proposed locations for neighborhood parks based on the anticipated population that should be served by each park. This subdivision is located at the periphery of a park search area for the area east of Lake Elmo Avenue. During its review of the sketch plan for this subdivision, the Park Commission did not recommend the dedication of land within the subdivision for a new park, and instead agreed with the developer's request to submit a cash payment in lieu of land dedication. Staff anticipates that a larger park that could be designed in conjunction with the School District near Oakland Junior High would better serve existing and future residents in this portion of the City.
  - *Water.* Public water service has been extended to this area via the public improvement project that installed a new water main along Lake Elmo Avenue last year. The final construction plans will need to abide by any recommendations of the City Engineer concerning the extension of water service through this site to service other adjacent sites (which will likely not be required given the exiting development on either side of the applicant's site).
  - Sanitary Sewer. The developer will be required to connect to the gravity sewer main that has been installed under the 5<sup>th</sup> Street right-of-way. The utility plans provided by the applicant document this connection.

- **Phasing**. The Lennar townhouse subdivision is located within the Stage 2 phasing area for the I-94 Corridor. The City's Comprehensive Plan allows the City to consider accelerating development stages when adequate public services are available. In this case, the sewer and water projects already completed help this project meet this threshold. The developer will also be required to pay all water availability charges for the project at the time of platting regardless of project staging.
- **Zoning**. The proposed zoning for the site is MDR Low Density Residential and the subdivision has been designed to comply with all applicable requirements of this zoning district.
- Subdivision Requirements. The City's Subdivision Ordinance includes a fairly lengthy list of standards that must be met by all new subdivisions, and include requirements for blocks, lots, easements, erosion and sediment control, drainage systems, monuments, sanitary sewer and water facilities, streets, and other aspects of the plans. The majority of these requirements have been addressed as part of the City Engineer's comments (which are detailed in the Engineer's comment letter) or have been reviewed as part of Staff's ongoing communications with the applicant regarding the project. The elimination of the private street will help the project comply with several of the concerns previously expressed by the City Engineer and other Staff.
- *Infrastructure*. The developer will be required to construct all streets, sewer, water, storm water ponds, and other infrastructure necessary to serve the development.
- Landscaping. The applicant has provided a landscape plan for the development that is intended to comply with the City's requirements for number, size and spacing of trees along the public streets. This plan should be reviewed by the City's consulting landscape architect prior to the submission of a final plat. The applicant has also submitted a tree inventory that documents the type and size of all trees on the property and all those that will be impacted by construction to determine compliance with the City's tree preservation and protection plan as described below.
- *Tree Preservation and Protection*. The City recently adopted a tree preservation and protection ordinance, and the applicant has prepared a tree inventory and tree preservation plan for the site. Overall, there are 1,387 caliper inches of trees on the subject property, and all of these trees will be removed in order to build the subdivision as planned. This means the developer will need to mitigate for 485 caliper inches (the amount that exceeds the allowed 30% removal) in accordance with the ordinance replacement schedule. The species and mix of replacement plantings should be also be reviewed by the City's consulting landscape architect.
- *Green Belt/Buffer/Screening*. There are no planned green belts or buffers on or around the site under consideration. The proposed landscape plan incorporates plantings along all edges of the property and within the internal outlots.
- *Streets and Transportation*. The proposed street system, as revised, has been designed to comply with all applicable subdivision requirements and City engineering standards. The developer must also commit to the construction of at least the northern portion of 5<sup>th</sup> Street in

order for the project to move forward as a final plat. The timing of this road will be somewhat dependent on whether or not Ryland and Lennar are able to come to an agreement to build 5<sup>th</sup> Street as a joint project. The final construction plans should reflect how 5<sup>th</sup> Street will be built, and must include the northern portion if a join project does not move forward. The City has received and reviewed a complete set of construction plans for 5<sup>th</sup> Street as part of the Hunters Crossing development.

- County Comments. Comments received form Washington County during the concept plan review, which focus on needed improvements to Lake Elmo Avenue (CSAH 17) to serve the development, are included in an attached letter from the County's Senior Planner dated March 3, 2015. Staff is recommending that compliance with the County's comments be added as a condition of approval for the plat.
- *Trails*. The Planning Commission comments during the sketch plan review encouraged the developer to incorporate a trail connection between 5<sup>th</sup> Street and the eastern cul-de-sac. The developer has indicated that given the tight constraints on the site (even with the elimination of four units) that there is not sufficient room to provide for this trail connection. Staff would also like to note that the overall distance from the cul-de-sac to 5<sup>th</sup> Street is not a large distance even without a direct trail connection.
- *Street Names*. Staff has forwarded its recommendation for street names to Lennar, and these names should be included on the final plat documents.
- *Adjacent Parcels.* The proposed landscape plan includes additional plantings between the proposed townhouses and the industrial facility to the east. The landscape plan will need to be updated to reflect the revised site plan, and in particular, the plan should continue to provide for screening between the eastern-most townhouses and the adjacent industrial land.
- *City Engineer Review.* The City Engineer has provided the Planning Department with a detailed comment letter as a summary of his preliminary plat review. Staff has incorporated the more significant issues identified by the Engineer as part of the recommended conditions of approval, and has also included a general condition that all issues identified by the City Engineer must be addressed by the applicant prior to approval of a final plat for any portion of the Diedrich townhouses. With the general site plan revisions that have been proposed by the applicant, the construction plans will need to be updated to reflect this revisions. Any additional comments or concerns from the City Engineer that arise from the plan updates will need to be addressed as part of a final plat submission.
- *Watershed District*. The project area lies within the Valley Branch Watershed District and the developer will need to secure permits from the watershed district in order to proceed with the development as planned. One of the recommended conditions of approval is that the applicant receive plan approval from the watershed district prior to submission of a final plat for the subdivision.
- Storm Water Management. In order to accommodate the County's requirement for additional right-of-way along Lake Elmo Avenue, the developer has had to readjust the size and configuration of the planned storm water basin over Outlot A. The County will not allow any portion of the storm water facility to be located within its right-of-way; therefore, the

PUBLIC HEARING ITEM 4a – ACTION ITEM

plans will need to be updated to reconfigure and adjust the location and size of this pond. These updated plans will be subject to review by the City Engineer and Valley Branch Watershed District. The developer is also requesting to use the proposed pond as part of a water re-use system through lawn irrigation. The City Engineer is seeking additional details concerning this system prior to making any recommendations concerning the viability of the system as proposed.

• *Washington County Review*. County Staff has previously provided review comments to the City concerning the sketch plan for the Diedrich townhouses subdivision to the City in a letter dated March 5, 2015. The most significant of the County's concerns is that the applicant will need to make improvements to the County road system in order to provide the necessary access to the subdivision. As a condition of approval, Staff has noted that the applicant will be responsible for including all improvements to TH17 as required by the County as part of the construction plans for the development. In addition, the County has noted that the required right-of-way dedication for Lake Elmo Avenue should be 92 feet as opposed to the 90 feet shown. This request does impact the proposed storm water plan as noted above.

Based on the above Staff report and analysis, Staff is recommending approval of the preliminary plat with several conditions intended to address the outstanding issues noted above and to further clarify the City's expectations in order for the developer to move forward with a final plat. The recommended conditions are as follows:

### **Recommended Conditions of Approval:**

- The landscape plan and tree preservation plan shall be reviewed and approved by an independent forester or landscape architect in advance of the approval of a final plat and final construction plans.
- 2) The final landscape plan shall incorporate additional plantings where feasible adjacent to the shared property lines with parcel at 11490 Hudson Boulevard.
- 3) The applicant shall be responsible for updating the final construction plans to include the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated March 3, 2015. The required improvements shall include, but not be limited to the construction of a northbound right turn lane and southbound center turn lane.
- 4) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the Valley Branch Watershed District prior to the commencement of any grading or development activity on the site.
- 5) The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.
- 6) The developer shall be required to pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in

PUBLIC HEARING ITEM 4a - ACTION ITEM

the City's Subdivision Ordinance. A cash payment in lieu of land dedication shall be paid by the applicant prior to the release of the final plat for recording.

- 7) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site.
- 8) All required modifications to the plans as requested by the City Engineer in a review letter dated June 17, 2015 shall be incorporated into the plans prior to consideration of a final plat.
- 9) The applicant shall update all of the landscaping and construction plans to reflect the updated site plan that includes a public right-of-way within the project area. These updated plan shall be subject to review and approval by the City Engineer.
- 10) Although the updated site plan does not incorporate a private street, any request for flexibility from City regulations and standards must be considered and addressed as part of the final plat submission.
- 11) The final construction plans for the Diedrich Townhouses subdivision shall include, at a minimum, the northern portion of 5<sup>th</sup> Street if a joint construction project between the applicant and Ryland Homes does not proceed in advance of a final plat submission for the applicant's site.
- 12) The architectural covenants for the homeowner's association shall include provisions that discourage blank garage doors. All garage doors shall incorporate windows or decorative trim to minimize the visual impact of the garage-forward home design.
- 13) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements.
- 14) The site plan and construction plans shall be revised to include a sidewalk along at least one side of all streets within the subdivision.

#### DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Lennar/Diedrich Townhouses preliminary plat:

- That the preliminary plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the preliminary plat complies with the City's Urban Medium Density Residential zoning district regulations.

- That the preliminary plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances with the plan revisions as requested by City Staff and consultants
- That the preliminary plat complies with the City's subdivision ordinance.
- That the preliminary plat is consistent with the City's engineering standards provided the plans are updated to address the City Engineer's comments documented in a letter dated June 17, 2014.

### **RECCOMENDATION:**

Staff recommends that the Planning Commission recommend approval of the Lennar/Diedrich preliminary plat with the 14 conditions of approval as listed in the Staff report. Suggested motion:

"Move to recommend approval of the Lennar/Diedrich preliminary plat with the 14 conditions of approval as drafted by Staff"

### **ATTACHMENTS:**

- 1. Application Forms
- 2. Application Narrative and Information
- 3. Location Map
- 4. Tree Inventory
- 5. Review Comments:
  - a. City Engineer
    - b. Washington County
- 6. Preliminary Plat and Plans (20 sheets)
  - a. Revised Site Plan (Dated 6/19/15)
  - b. Cover Sheet
  - c. Legend Sheet
  - d. Existing Conditions
  - e. Preliminary Plat
  - f. Preliminary Site Plan
  - g. Preliminary Utility Plan
  - h. Preliminary Grading Plan
  - i. Erosion Control Plan
  - j. Preliminary Seeding Plan
  - k. Preliminary Street Profiles
  - l. Details
  - m. Landscape Plan
  - n. Tree Preservation Plan

### **ORDER OF BUSINESS:**

PUBLIC HEARING ITEM 4a – ACTION ITEM

	Report by StaffPlanning Staff
-	Questions from the Commission Chair & Commission Members
-	Open the Public HearingChair
÷	Close the Public HearingChair
-	Discussion by the Commission Chair & Commission Members
-	Action by the Commission Chair & Commission Members

Date Received: 4 29(15 Received By: 5 2000 LU File #: 2015 - 19

# LAKE ELMO

651-747-3900 3800 Laverne Avenue North Lake Elmo, MN 55042

### PRELIMINARY PLAT APPLICATION

Applicant: PAUL TABONE - LENNAR CORPORATION
Address: 16305 35th AVE NOCTH, PLYMANTH UN 55446
Phone # 152 - 249 - 3086
Email Address: PAUL-TABCKLE CLEUN AC. COM
Fee Owner:
Address:
Phone #:
Email Address:
Property Location (Address and Complete (long) Legal Description: <u>LOCATED ALEXIC</u> LALE ELLO AVENUE - PIN # 36 - 029 - 21 - 32 - 0002 - PEFER TO PRELIMINARY PLAT.
General information of proposed subdivision: <u>48 TWU HOWES NTTH</u> <u>HSSQCIMTED WIPPEVEMENTS - PEFER TO PRE-PLAT PLANS</u> <u>4 COVER LETTER.</u>
Conducted pre-application meeting with Staff?
In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.
Signature of applicant: Cul J. Taban Date: 424/2015
Signature of Fee Owner_An_ /in Date: 4/29/2015
Taming Diechiel 4/29/2015

S:\FORMS\Planning Dept Forms - Permits - Forms - Current\Preliminary Plat Application only 10.7.13.docx Revised 3/10/2014 2:31 PM

Date Received: Received By: Permit #:			ELMO	651-747-390 3800 Laverne Avenue Nort Lake Elmo, MN 5504.
LAND USE APPLICATIO	ON			
Comprehensive Plan Zoning D	istrict Amend	Zoning Tex	t Amend 🔲 Variance*(s	see below) 🔲 Zoning Appeal
Conditional Use Permit (C.U.P.)				
Lot Line Adjustment Minor Su				
PUD Concept Plan     PUD Prelin				
Applicant: <u>SAUE - P4</u> Address: <u>Phone #</u> Email Address:			- LENLAR CO	DEPORATION
Fee Owner:				
Address: Phone #				
Email Address:		-		
Detailed Reason for Request: <u>PEFt</u> CWP FOC PEULATE	2 10	ATTACH		UDME - COULULITY
Variance Requests: As outlined in Sectio ractical difficulties before a variance can	on 301.060 C. of	the Lake Elmo	Municipal Code, the app	licant must demonstrate cation are as follows:
n signing this application, I hereby acknow ordinance and current administrative proce procedures and hereby agree to pay all sta bignature of applicant: Rul S	edures. I further	acknowledge ad from the City biD	he fee explanation as our	tlined in the application
	Diedrich		4/29/20	15

## LAKE ELMO

Lake Elmo City Hall 651-747-3900 3800 Laverne Avenue North Lake Elmo, MN 55042

## AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant <u>Gerhard Rieder Tammy Diedrich</u> (Please Print) Street address/legal description of subject property

Signature ammy Diecliul

<u>4/29/15</u> Date 4/29/15

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

Revised 9/11/2013 3:04 PM



Lake Elmo City Hall 651-747-3900 3800 Laverne Avenue North Lake Elmo, MN 55042

### ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant RAUL J. TABOLE	_Date4/24/2015
Name of applicant (Auch J 5 i about (Please Print)	Phone 952-249-3086

Name and address of Contact (if other than applicant)

Revised 9/11/2013 3-04 PM

## LENNAR'

Mr. Kyle Klatt Community Development Director City of Lake Elmo, MN

Dear Kyle:

Lennar Corporation is pleased to submit the preliminary plat application for a twin home community located on the Diedrich property (PIN 36.029.21.32.0002) along Lake Elmo Avenue. The proposed preliminary plat is in substantial conformance with the sketch plat for the property that was reviewed by the City during February. There are some modifications we wish to acknowledge with this submittal.

In finalizing the design and layout, it was determined that homes were too close when private walks were added; private sidewalks were overlapping each other, especially when homes were located around the curves of both cul-de-sacs that were shown in the sketch plat. The wider public rights of way were overdesigned, and also resulted in tight spacing around each cul-de-sac. Additionally, units 38-23 all had fronts located along the same setback line, resulting in a stretch of homes that had no variation in placement. To remedy these issues and open up the design a bit more, 2 units were eliminated to allow more space between the twin homes, resulting in a total of 48 units. The easterly cul-de-sac has also been modified into a loop road with an outlot in a center island. This allowed us to space out the layout of the homes while providing an open space area for residents. Side setbacks have also been modified to a minimum of 7.5 feet.

Because the entire interior street system is now set up as a private street, and side setbacks have been slightly modified to achieve a better fit between units, we are requesting that a CUP be processed as a master plan of development for this site primarily for the private roads, as was done in the townhome area for Savona. It should be noted that the width of the paved area is still 28' back to back; only the right of way has been reduced. The remainder of the site meets the minimum design requirements for the MDR District, with the exception of the modified setback, which can be governed by a CUP. The transition of the interior streets from public to private roads results in the opportunity for a HOA to maintain the streets, and the MDR District Density of 4 to 7 dwelling units per acre can still be achieved when right of way and pond areas are excluded.

16305 36th Avenue N, Suite 600 • Plymouth, MN 55446

### LENNAR.COM

Enclosed you will find the following project documents:

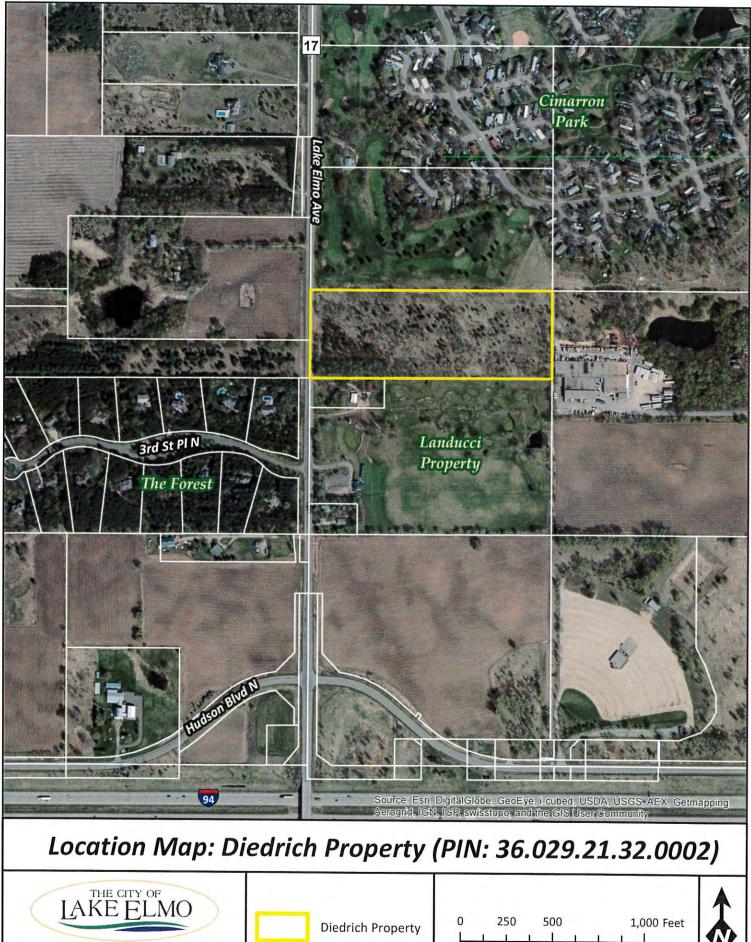
- 5 sets of full-size plans, 1 digital set, 10 reductions size 11x17
- Signed and dated application & escrow deposit check
- Current title commitment
- Mailing labels 750' radius
- Vacation Exhibit for a portion of 5<sup>th</sup> Street

We are confident that this layout enhances the site design from what was initially presented in the sketch plat, and are excited about a new prospective community in the City of Lake Elmo.

Please contact me with any questions, and I look forward to working with you.

Sincerely, < ( aban

Paul J. Tabone Land Entitlement Mgr Lennar Minnesota



Data Scource: Washington County, MN 10-22-2013

		250		500				1,000 Feet	
_	1		1	1	1	1	1		
			1	"=50	00'				

## Diedrich Property Tree Inventory

## Lake Elmo, Minnesota

April 29, 2015

# LENNAR®

Tree Inventory by:

Ken Arndt Forest Ecologist/Wetland Specialist Midwest Natural Resources, Inc. 1032 West Seventh St. #150 St. Paul, MN 55102 (651)-788-0641

Tree Preservation Plans provided by:



2422 Enterprise Drive Mendota Heights, MN 55120 651-681-1914

#	Trop Tog #	Size (DBH ")	Common Marrie	Colombilia Mana		Total	Conifer	Commo
#				Scientific Name	Notes	Remove	Remove	Remove
1	1701 1702	12/10 15	Siberian Elm	Ulmus pumila	offsite			
2		The second se	Honey Locust	Gleditsia triacanthos	offsite		1	
3	1703 1704	15	Siberian Elm	Ulmus pumila	offsite			
4		16/10	Siberian Elm	Ulmus pumila	offsite			
5	1705	8	Jack Pine	Pinus banksiana		8	8	
6	1706	8	Jack Pine	Pinus banksiana		8	8	
7	1707	9	Red Pine	Pinus resinosa		9	9	
8	1708	8	Jack Pine	Pinus banksiana		8	8	
9	1709	8	Jack Pine	Pinus banksiana		8	8	
10	1710	8	Jack Pine	Pinus banksiana		8	8	
11	1711	8	Jack Pine	Pinus banksiana		8	8	
12	1712	8	Jack Pine	Pinus banksiana		8	8	
13	1713	10	Jack Pine	Pinus banksiana		10	10	
14	1714	8	Jack Pine	Pinus banksiana		8	8	
15	1715	9	Jack Pine	Pinus banksiana		9	9	
16	1716	8	Jack Pine	Pinus banksiana		8	8	_
17	1717	8	Jack Pine	Pinus banksiana		8	8	
18	1718	8	Jack Pine	Pinus banksiana		8	8	
19	1719	8	Jack Pine	Pinus banksiana		8	8	
20	1720	8	Jack Pine	Pinus banksiana		8	8	
21	1721	10	Jack Pine	Pinus banksiana		10	10	
22	1722	8	Jack Pine	Pinus banksiana		8	8	
23	1723	8	Jack Pine	Pinus banksiana		8	8	
24	1724	8	Red Pine	Pinus resinosa		8	8	
25	1725	8	Red Pine	Pinus resinosa		8	8	
26 27	1726 1727	<u>12</u> 8	Quaking Aspen Jack Pine	Populus tremuloides		12		12
28	1728	9	Jack Pine	Pinus banksiana Pinus banksiana		8	8	
29	1728	12	Scotch Pine		han a second as designed as a second	9	9	
30	1729	8	Jack Pine	Pinus sylvestris Pinus banksiana	heavy sapsucker damage along trunk			
31	1730	11	Scotch Pine	Pinus sylvestris	heavy sapsucker damage along trunk	8	8	
32	1732	10	Jack Pine	Pinus banksiana	neavy sapsucker damage along trunk	10	10	
33	1733	8	Jack Pine	Pinus banksiana		10	10	
34	1734	8	Jack Pine	Pinus banksiana		8	8	
35	1735	9	Jack Pine	Pinus banksiana		8	8	
36	1735		Jack Pine	Pinus banksiana		9	9	
37	1730		Red Pine	Pinus resinosa		10	10	
38	1738		Red Pine	Pinus resinosa		9	9	
39	1739			Pinus banksiana			9	
40	1739	the second s		Pinus banksiana		10 8	10	
40	1740	www.waterstation.com	the second second second second	Pinus banksiana			8	
41	1741			Pinus sylvestris		8	8	
42	1742			Pinus banksiana		10	10	
44	1743			Pinus banksiana		9 8	9	_
45	1744			Pinus sylvestris	heavy sapsucker damage along trunk	0	8	
45	1745		and the second se	Pinus banksiana	neavy saparerel damage along trunk			
40	1740	and the second s		Pinus banksiana		8	8	
48	1747			Pinus banksiana		8	8	
49	1748			Pinus resinosa		8	8	
50	1750			Pinus banksiana		and the second se	8	_
51	1750		A MARINE AND	Pinus banksiana		9	9	
52	1752			Pinus resinosa	1	9	9	
53	1752			Pinus resinosa		8	8	
54	1754			Pinus resinosa		8	8	
55	1755			Pinus resinosa		10	10	
56	1756			Pinus resinosa		10 8	10 8	

#	Tree Tag #	Size (DBH "	Common Name	Scientific Name	Notes	Total	Conifer	Common
57	1757	8	Red Pine	Pinus resinosa		Remove	Remove	Remove
58	1758	13	Scotch Pine	Pinus sylvestris	heavy sapsucker damage along trunk	8	8	
59	1759	8/6	Red Pine	Pinus resinosa	neavy sapsucker damage along trunk			
60	1760	10	Red Pine	Pinus resinosa		14	14	
61	1761	10	Jack Pine	Pinus banksiana		10	10	
62	1762	8	Jack Pine	Pinus banksiana		10	10	
63	1763	10	Red Pine	Pinus resinosa		8	8	
64	1764	8	Scotch Pine	Pinus sylvestris		10	10	
65	1765	8	Jack Pine	Pinus banksiana		8	8	
66	1766	8	Jack Pine	Pinus banksiana		8	8	
67	1767	9	Red Pine	Pinus resinosa		8	8	
68	1768	8	Jack Pine			9	9	
69	1769	9	Jack Pine	Pinus banksiana		8	8	
70	1769	9		Pinus banksiana		9	9	
71			Jack Pine	Pinus banksiana		9	9	1
	1771	10	Scotch Pine	Pinus sylvestris		10	10	
72	1772	8	Red Pine	Pinus resinosa		8	8	
73	1773	9	Red Pine	Pinus resinosa		9	9	
74	1774	8	Red Pine	Pinus resinosa		8	8	
75	1775	8	Red Pine	Pinus resinosa		8	8	
76	1776	8/6/6	Red Pine	Pinus resinosa		20	20	-
77	1777	8	Red Pine	Pinus resinosa		8	8	
78	1778	8	Red Pine	Pinus resinosa		8	8	
79	1779	8	Red Pine	Pinus resinosa		8	8	
80	1780	8	Red Pine	Pinus resinosa		8	8	
81	1781	9	Red Pine	Pinus resinosa		9	9	
82	1782	9	Red Pine	Pinus resinosa		9	9	-
83	1783	8	Red Pine	Pinus resinosa		8	8	
84	1784	9	Red Pine	Pinus resinosa		9	9	
85	1785	8/7	Red Pine	Pinus resinosa		15	15	
86	1786	12		Pinus sylvestris	toppled but alive			
87	1787	9		Pinus resinosa		9	9	
88	1788	8		Pinus resinosa		8	8	
89	1789	8		Pinus resinosa		8	8	
90	1790	9		Pinus resinosa		9	9	
91	1791	8	the second s	Pinus resinosa		8	8	
92	1792	8		Pinus resinosa		8	8	
93	1793			Pinus resinosa		8	8	
94	1794		and the second se	Pinus resinosa		8	8	
95	1795	and the second sec		Pinus banksiana		9	9	
96	1796			Pinus sylvestris		17	17	
97	1797		and the second se	Pinus sylvestris		8	8	
98	1798		and the second se	Populus deltoides		12		12
99	1799			Pinus resinosa		8	8	
100	1800			Pinus resinosa		8	8	
101	1801			Pinus resinosa		9	9	
102	1802			Pinus resinosa		9	9	
103	1803			Pinus resinosa		15	15	
104	1804		the second design of the secon	Pinus resinosa		9	9	
105	1805			Pinus resinosa		16	16	
106	1806		and a state of the	Ilmus pumila		12		12
107	1807			lcer negundo		13		13
108	1808			linus resinosa		8	8	
109	1809			linus resinosa		9	9	
110	1810	and the second se		inus resinosa		8	8	
111	1811	and the second sec		inus resinosa		9	9	
112	1812	8 F	Red Pine P	inus resinosa		8	8	

#	Tree Tag #	Size (DBH ")	Common Name	Scientific Name	Notes	Total Remove	Conifer Remove	Common
113	1813	8	Red Pine	Pinus resinosa		8	. 8	nemore
114	1814	8	Red Pine	Pinus resinosa		8	8	-
115	1815	8	Red Pine	Pinus resinosa		8	8	-
116	1816	8	Red Pine	Pinus resinosa		8	8	
117	1817	9	Red Pine	Pinus resinosa	2 h-	9	9	
118	1818	15	Siberian Elm	Ulmus pumila		15		15
119	1819	20	Siberian Elm	Ulmus pumila		20		20
120	1820	12	Siberian Elm	Ulmus pumila		12		12
121	1821	14	Siberian Elm	Ulmus pumila		14		14
122	1822	12	Siberian Elm	Ulmus pumila	offsite		1	
123	1823	13	Siberian Elm	Ulmus pumila	offsite			
124	1824	8	Red Pine	Pinus resinosa		8	8	
125	1825	8	Red Pine	Pinus resinosa		8	8	
126	1826	8	Red Pine	Pinus resinosa		8	8	
127	1827	8/8	Red Pine	Pinus resinosa		16	16	
128	1828	8/6	Red Pine	Pinus resinosa		14	14	
129	1829	8	Red Pine	Pinus resinosa		8	8	
130	1830	9	Jack Pine	Pinus banksiana		9	9	
131	1831	8	Red Pine	Pinus resinosa		8	8	
132	1832	9	Red Pine	Pinus resinosa		9	9	
133	1833	10	Red Pine	Pinus resinosa		10	10	
134	1834	8	Scotch Pine	Pinus sylvestris	1	8	8	-
135	1835	9	Red Pine	Pinus resinosa		9	9	
136	1836	8	Red Pine	Pinus resinosa		8	8	
137	1837	8	Scotch Pine	Pinus sylvestris	and and a second s	8	8	
138	1838	8/8/8	Scotch Pine	Pinus sylvestris		24	24	
139	1839	8/8	Red Pine	Pinus resinosa		16	16	
140	1840	9/9	Scotch Pine	Pinus sylvestris		18	18	
141	1841	8	Red Pine	Pinus resinosa		8	8	
142	1842	8	Red Pine	Pinus resinosa		8	8	
143	1843	9	Scotch Pine	Pinus sylvestris		9	9	
144	1844	8	Red Pine	Pinus resinosa		8	8	
145	1845	9/8	Red Pine	Pinus resinosa		17	17	
146	1846	9	Red Pine	Pinus resinosa		9	9	
47	1847	8	Red Pine	Pinus resinosa		8	8	
48	1848	8	Red Pine	Pinus resinosa		8	8	
49	1849	14	Siberian Elm	Ulmus pumila		14		14
50	1850		Red Pine	Pinus resinosa		14	14	
51	1851	8/6	Red Pine	Pinus resinosa		14	14	
52	1852	9.	lack Pine	Pinus banksiana		9	9	
53	1853	8	Red Pine	Pinus resinosa	1	8	8	
54	1854	8 5	Scotch Pine	Pinus sylvestris	4	8	8	
55	1855	8	White Spruce	Picea alba		8	8	
56	1856	8	White Spruce	Picea alba		8	8	
					Totals:	1387	1263	124

Trees that are toppled or have heavy sapsucker damage are not included in totals

Total Inches:	1387
Allowable removal: 30%	416.1
Total Removal:	1387
Removal over threshold:	970.9
Mitigation for conifers: 50%	485.45
486" required mitigation	

## MEMORANDUM

# FOCUS ENGINEERING, inc.

Cara Geheren, P.E.	651.300.4261
Jack Griffin, P.E.	651.300.4264
Ryan Stempski, P.E.	651.300.4267
Chad Isakson, P.E.	651.300.4283

Date: June 17, 2015

To:Kyle Klatt, Planning DirectorFrom:Jack Griffin, P.E., City Engineer

Re: Diedrich Property – Preliminary Plan Review

An engineering review has been completed for the Preliminary Plat submittal for the Diedrich Property. The submittal consisted of the following documentation prepared by Pioneer Engineering:

- Diedrich Property Preliminary Plan Set, Sheets 1-14, L1 and T1, dated June 17, 2015.
- Stormwater Management Plan dated June 3, 2015.

### STATUS/FINDINGS: Engineering has prepared the following review comments:

#### PRELIMINARY PLAT

- Outlot A is proposed as City owned to accommodate the storm water pond with an HOA owned and operated water re-use irrigation system. See comments below under Stormwater Management.
- Outlot B is proposed as HOA owned to accommodate a "Private Street". See comments below under residential streets.
- The applicant must submit to the City written correspondence from the County indicating that adequate CSAH 17 R/W is being dedicated as part of this Plat. If additional R/W is required by the County the Plat must be revised and resubmitted.
- The plat must be revised to include the Xcel Energy Transmission Easement along the north property line.
- Permanent grading and drainage easements are required to implement the improvements as proposed. These easements must be obtained prior to grading activities and prior to the City accepting an application for final plat.

All public improvements constructed to support the development must be designed and constructed in accordance with the <u>City Engineering Design Standards Manual available on the City website and dated February 2015</u>.

### GRADING PLAN, STORMWATER MANAGEMENT AND STORM SEWER SYSTEM

- The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations. Storm water facilities proposed as part of the site plan to meet State and VBWD permitting requirements must be constructed in accordance with the City Engineering Design Standards Manual available on the City website. A finalized storm water management plan must be approved by the City and the VBWD permit must be obtained prior to grading activities.
- The Stormwater Management Plan incorporates storm water re-use through lawn irrigation. The re-use system is necessary for the applicant's plan to meet State and Watershed permit requirements for water quality treatment (volume control). Outlot A is proposed as City owned to accommodate the storm water

pond. The water re-use irrigation system is proposed to be HOA operated and maintained on City property. Details of this plan are limited in the application. The following considerations should be noted.

- Stormwater re-use, when implemented correctly can be an effective method to reduce reliance of potable water use while reducing storm water discharges. It would help to reduce peak demands on the potable water system that typically occurs during the summer irrigation and landscape watering season. These benefits make storm water re-use worth consideration.
- However, the City has no design standards or guidelines for implementation and currently has no experience with storm water reuse operations.
- The two most notable concerns for storm water reuse includes the pollutants in the storm water (addressing treatment needs) and designing a system that provides a properly balanced hydraulic system (sizing the storage, and balancing the drawdown to the projected use in a variable climate).
- Pollutants in the storm water reuse system may be a concern for three basic reasons: 1) the health risks associated with human contact; 2) the impact on the environment given the various uses (i.e. bacteria or chlorides from salts); 3) issues for the system equipment and operational impacts.
- Preliminary Plat should be conditioned upon the following:
  - The developer must sign an operation and maintenance agreement for the storm water reuse system in a form acceptable to the City Attorney. The agreement must indemnify and hold harmless the City from any and all activities related to the developer and HOA's operation of this system.
  - The storm water pond must be designed with a hydraulic capacity acceptable to the City Engineer that ensures adequate flood protection without accounting for any water reuse from the system.
  - The storm water pond must be designed and constructed in accordance with the City Engineering Design Standards.
  - A detailed design of the irrigation system together with a detailed operations and maintenance plan must be submitted prior to any grading or construction activity on the site.
- Per City requirements, all storm water facilities, including infiltration basins, must be placed in Outlots deeded to the City for maintenance purposes. The Stormwater Facility Outlots must fully incorporate the 100-year HWL, 10 foot maintenance bench and all maintenance access roads.
  - The pond grading must be revised to add a 10-foot maintenance bench around the entire pond, per the standard pond detail.
  - The maintenance access road must be revised to access the pond from 5<sup>th</sup> Street North, not CSAH 17.
- Overland emergency overflows or outlets will be required as part of the site plan and must be located within drainage easements, must be in Bold Type on the plans, and must provide 1 foot of vertical separation to the low opening of any building structure. Lot information details must include the lowest opening in addition to the lowest floor elevation.
- The ultimate discharge rate and location is an important consideration to avoid negative impacts to downstream properties. The storm water management plan indicates the pond outfall pipe to discharge to the northerly property. The plan as proposed cannot be implemented without permanent drainage and utility easements from the adjacent property. Permission should be provided to the City prior to accepting a final plat application or allowing grading activities.
- Significant grading is proposed along the northerly property to accommodate many of the proposed building pads. Without written permission to permanently alter grades on the adjacent property, the site would require a redesign. Property owner permission or easements should be provided to the City prior to accepting a final plat application or allowing grading activities.
- The storm sewer system shall be designed to maintain the City standard minimum pipe cover of 3.0 feet.
- Per City requirements all storm sewer pipe easements must be a minimum 30-feet in width.
- The maximum allowable curb run along streets without catch basins is 350 feet. Catch basins should be added along Street B, easterly cul-de-sac to maintain maximum curb run of 350 ft.
- Sump manholes are required prior to all discharge points, located at the last manhole or catch basin prior to leaving a paved area. All sump manholes must be 4-foot deep.

### MUNICIPAL SANITARY SEWER

- Municipal sanitary sewer service is readily available within the 5<sup>th</sup> Street R/W located adjacent to the plat.
- The applicant is responsible to extend the municipal sanitary sewer to the development to serve the proposed properties.
- No trunk sewer oversizing is anticipated. The area can be served without a lift station.
- Sanitary sewer must be realigned to better maintain street centerline alignment.
- The sanitary sewer is proposed to be placed within Oulot B to be HOA owned and maintained as a private street. The Outlot width must be a minimum of 40 feet with a 5 foot drainage and utility easement along each side of the street for the corridor to be acceptable for the placement of publicly owned and maintained utilities.

#### MUNICIPAL WATER SUPPLY

- Municipal water service is readily available within the 5<sup>th</sup> Street R/W located adjacent to the plat.
- The applicant is responsible to extend municipal water into the development to serve the proposed properties.
- Two connection points to the existing City system should be required.
- No trunk watermain oversizing is anticipated for this development.
- Additional hydrants and system valves will be required as part of the final design.
- Watermain must be realigned to maintain 10-foot separation from the sanitary sewer once the sanitary sewer is realigned as previously noted.
- The watermain is proposed to be placed within Oulot B to be HOA owned and maintained as a private street. The Outlot width must be a minimum of 40 feet with a 5 foot drainage and utility easement along each side of the street for the corridor to be acceptable for the placement of publicly owned and maintained utilities.

### TRANSPORTATION IMPROVEMENTS

- Access to the development must be from 5<sup>th</sup> Street as shown, directly across from the Hunters Crossing access roadway.
- The applicant will be responsible to construct the north half of 5<sup>th</sup> Street from CSAH 17 to the east plat edge of the Hunters Crossing development. This improvement must be completed at the developer's cost.
- The plat must dedicate the existing 5<sup>th</sup> Street roadway easement as City R/W. The plan indicates the minimum 100 foot R/W as required. A ten (10) foot utility easement must be provided along the north side of the 5<sup>th</sup> Street R/W.
- The proposed 2-lane collector parkway street (5th Street) design and geometrics must meet all Municipal State Aid design standards for urban streets (8820.9936) for ADT > 10,000; 40 mph design speed; and must be consistent with the detailed parkway cross section installed throughout the remaining corridor segments and as outlined in the 5th Street Collector Design Guidelines as prepared by City staff.
- Right and left turn lanes must be incorporated along 5th Street North per the City design standards to maintain mobility along the Parkway since there is only one travel lane in each direction.
- Additional streetscape amenities are required along 5th Street consistent with the remaining corridor segments. 5th Street Amenities include a north side off-road bituminous trail, minimum 10 foot width with 5 foot clear zone; a south side concrete sidewalk, minimum 6 foot width with 2 foot clear zone; landscaping elements including a center landscape median; and street lighting.
- The applicant will also be partially responsible for the improvements required by Washington County at the intersection of 5<sup>th</sup> Street and CSAH 17.

### **RESIDENTIAL STREETS**

- Street A must include a 50 foot tangent per City standards at the intersection with 5th Street before initiating the proposed horizontal curve.
- Street B, east cul-de-sac geometrics must be revised to eliminate turns greater than 90-degrees.

- It is preferable that Public Streets be constructed to serve this development and designed to meet the City's Engineering Design Standards including R/W width, street width and cul-de-sac radii.
- If the streets remain HOA Privately owned, the following recommendations apply:
  - The street/boulevard section must be widened to allow for adequate ownership and maintenance by the City for the public utilities (watermain, sanitary sewer and storm sewer).
  - The street Outlot should be a minimum width of 40 feet (14 feet pavement + 6 foot boulevard) with 5-foot minimum utility easement on each side. This will enable any future construction activity to remain 100% within the Street Outlot plus the utility easement. No additional encroachment on the properties/sidewalks should be necessary during future construction.
  - The typical section should be updated to include storm sewer and should show the small utilities, demonstrating the 3-foot separation between gas and joint trench.
- Street A vertical alignment should be revised to provide a K = 37 minimum at STA 0+71.00.



**Public Works Department** 

Donald J. Theisen, P.E. Director

Wayne H. Sandberg, P.E. Deputy Director/County Engineer

March 3, 2015

Kyle Klatt Community Development Director City of Lake Elmo 3600 Laverne Avenue North Lake Elmo, MN 55042

## RE: Washington County comments on the concept plan for the Diedrich property by Lennar Homes, City of Lake Elmo

Dear Mr. Klatt:

Thank you for providing the county with the concept plan for the Lennar subdivision on the Diedrich property, in Section 36 ,Township 29N , Range 21W along County Road (CR) 17B/Lake Elmo Avenue in the City of Lake Elmo. The project consists of 50 attached single family residential dwelling units on 12 acres of land. Based on the plan provided, we have the following comments:

- There is currently 50 feet of right-of-way from the center line of County Road (CR) 17B therefore, an additional 42 feet should be dedicated on the plat which should include the existing home site south of 5<sup>th</sup> Street.
- According to the Trip Generation Manual, 7<sup>th</sup> Addition ITE, 2003, this development will generate 478 Average Vehicle Trips (AVT) per day.
- In the future, there will be a traffic signal at the intersection of CR 17B and 5<sup>th</sup> Street and since 5<sup>th</sup> Street will be a collector roadway, a center left turn lane should be provided on 5<sup>th</sup> Street for access to the development.
- Access control must be dedicated to Washington County along the CSAH 17/Lake Elmo Avenue frontage. This should be denoted on the final plat.
- Improvements to County Road (CR) 17B will be completed at the new 5<sup>th</sup> Street section. Washington County is working with the City of Lake Elmo on the planned improvements. The cost of these improvements will be the responsibility of the city.
- The developer or the city must submit the drainage report and calculations to our office for review of any downstream impacts to the county drainage system. Along with the drainage calculations, we will request written conclusions that the volume and rate of stormwater run-off into the county right-of way will not increase as part of the project.

11660 Myeron Road North, Stillwater, Minnesota 55082-9573 Phone: 651-430-4300 • Fax: 651-430-4350 • TTY: 651-430-6246 www.co.washington.mn.us Equal Employment Opportunity / Affirmative Action March 3, 2015 Diedrich Property Concept Plan

- All stormwater ponds should be located outside the county right-of-way.
- Washington County's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards. Minnesota Statute 116.07, Subpart 2a exempts County Roads and County State Aid Highways from noise thresholds. County policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The developer should assess the noise situation and take any action outside of County right of way deemed necessary to minimize the impact of any highway noise.
- Any grading within County right of way will require a Washington County Right of Way Permit.
- All utility connections for the development require Washington County Right of Way permits. Typically, these are the responsibility of the utility companies.

Thank you for the opportunity to comment on this concept plan. If you have any questions, please contact me at 651-430-4362 or <u>ann.pung-terwedo@co.washington.mn.us</u>

Regards,

Ann Pung-Terwedo Senior Planner

Cc: Carol Hanson, Office Specialist

R/Plat Reviews/City of lake Elmo/Diedrich property

