



# MAYOR & COUNCIL COMMUNICATION

**DATE:** March 15, 2016

**REGULAR**

**ITEM: 10**

**AGENDA ITEM:** Savona 4<sup>th</sup> Addition Final Plat

**SUBMITTED BY:** Stephen Wensman, Planning Director

**THROUGH:** Clark Schroeder, Interim City Administrator

**REVIEWED BY:** Emily Barker, City Planner

**SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....Staff
- Report/Presentation.....Staff
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

**SUMMARY AND ACTION REQUESTED:**

US Home Corporation, DBA Lennar Corporation is requesting Final Plat of Savona 4th Addition, the fourth and final phase of the planned 310 unit residential development on 112.6 acres west of Keats Avenue and within Stage 1 of the City’s I-94 Corridor Planning Area. The Savona 4th Addition plat will include 78 single-family lots and 5 outlots over 36.14 acres of land, all of which will be accessed via an extension of the 5th Street Parkway off of Keats Avenue and previous Savona phases. Staff and the Planning Commission recommend the City Council approve Resolution 2016-16 granting approval of Savona 4<sup>th</sup> Final Plat with conditions.

**REVIEW:**

As noted in the Staff Report for the Planning Commission, the Savona 4th Addition is in substantial conformance with the approved preliminary plat. There remain a number of outstanding issues related to previous phases of this development including landscaping, irrigation, landscape maintenance agreement, and off-site grading agreements. Staff has been working diligently with Lennar to work through the issues, and significant progress has been

made. Staff is confident that the remaining issues will be satisfied before or soon after Final Plat approval.

**RECOMMENDATION:**

Staff and the Planning Commission recommend the City Council approve Resolution 2016-16 granting approval of Savona 4<sup>th</sup> Final Plat with conditions.

**ATTACHMENTS:**

- Planning Commission Report packet for 2/22/2016
- Planning Commission Minutes 2/22/2016
- Resolution 2016-16

Cul-de-sac and if the City Engineer had comments about that. Wensman stated that they are not in favor as they are harder to maintain and snow plow. Lundquist asked about a round about to slow traffic. Erickson stated that roundabouts are typically used at a 4 way intersection, but they could look into that.

Larson stated that there a number of options to use to slow traffic like treads and bump outs.

Williams is suggesting an additional condition to read “to reach and file an agreement with the City the required agreement with the Hecker family for a driveway from the new road and the buffer encroachments”.

Williams is also concerned about the configuration of the open space. There are a lot of long thin outlots that he does not feel meets the spirit of the ordinance. Haggard had the same concern and adding the ghost lots, will take some of the open feeling away. Kreimer is ok with it as shown as these are larger lots which makes it harder to accommodate the open space.

There is concern about the driveway for lot 40 from an access management standpoint. The Heckers are being required to remove their driveway and this lot might be creating the same sort of situation.

M/S/P: Williams/Haggard recommend approval of the Legends concept plan dated 1/25/16, based on the findings of fact as earlier discussed, and with the conditions as listed in the staff report, with the additional one regarding the agreement with the Heckers, **Vote 6-1, motion carried.** Dunn voted no as she would like to see the street connection as a cul-de-sac.

M/S/P: Williams/Lundquist, move to amend the motion to include the trail shown in the northwest corner on the concept plan dated 2/22/16 as part of the concept plan, **Vote 7-0, motion carried unanimously.**

#### **Business item - Final Plat –Savona 4th**

Wensman started his presentation regarding Savona 4<sup>th</sup> which is the final phase of the Lennar development. This phase is for 78 single family lots over 20.4 acres. This phase will complete 5<sup>th</sup> street from Keats to Boulder Ponds. This phase is LDR. The issues to discuss are setbacks, lot fit, landscaping and agreements. The setback issue is that LDR setback is principal building 10 feet and garage 5 feet. If there is living space behind the garage, what do you do? Preliminary Plat report talks about averaging. How should we move forward? Lot fit is that they lost some lots due to ponding and other issues and they are adding back 2 lots in this phase. They seem to still meet the requirements and staff feels it is acceptable. They would like to use the boulders from their development

for landscaping. The City engineer wants to review to ensure there is no problem getting to storm ponds. There are a number of agreements that need to be resolved.

Paul Tabone, Lennar, explained the phasing of the trail. He spoke about the lot fit and the setback issue. Lennar would like to continue with the setbacks that they used in 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> addition in 4<sup>th</sup> addition. He touched on adding 2 lots which conforms to the Preliminary Plat. They are working on finalizing the landscape plan. Tabone stated that they are meeting with staff next week to discuss the agreements. He explained some of the issues they are trying to work through.

Kreimer is concerned about the street names. They are not in a good sequence. It was in the Fire Chiefs comments. He would like the street names to be reviewed.

Williams would like 2 minor changes to the draft findings. On the 4<sup>th</sup> bullet point, he would like to add after requested by the City Landscape Architect the words "letter dated 2/10/16." On the last bullet after requested by the City Engineer the words "letter dated 2/15/16."

M/S/P: Williams/Larson, move to recommend approval of the Final Plat for Savona 4<sup>th</sup> addition with draft findings and conditions of approval included in staff report and as amended, **Vote 6-0, motion carried unanimously.** (Haggard left meeting early).

M/S/F: Williams/Larson, move that the Planning Commission endorse using aerially spaced boulders in erosion control structures pursuant to the landscape architect approval, **Vote 1-5, motion fails.**

M/S/P: Kreimer/Dunn, move that the Planning Commission endorse using boulders in erosion control structures pursuant to the landscape architect approval, **Vote 6-0, motion carried unanimously.**

M/S/P: Williams/Kreimer, move that the Planning Commission endorse the 7.5 foot average setback for Savona 4<sup>th</sup> addition and that in no case should living space be closer than 7.5 feet and also that the code be changed to increase the lot width and change the setbacks for future developments, **Vote 6-0, motion carried unanimously.**

#### **Council Updates – February 16, 2016 Meeting**

1. Commercial Wedding Ceremony Ordinance – Passed.
2. Commercial Wedding IUP – Passed.
3. ZTA Senior Living – Passed.
4. Arbor Glen – Rezoning & Conditional Use Permit – Passed.
5. Appointment of Kristina Lundquist as 2<sup>nd</sup> Alternate.

#### **Staff Updates**

**CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2016-16**

*A RESOLUTION APPROVING A FINAL PLAT FOR SAVONA 4TH ADDITION*

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

**WHEREAS**, U.S. Home Corporation (d/b/a Lennar), 16305 36<sup>th</sup> Avenue North, Suite 600, Plymouth, MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Savona 4th Addition, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on July 22, 2013 to consider the Savona Preliminary Plat and continued discussion on the Preliminary Plat until its July 29, 2013 meeting; 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 for the August 6, 2013 City 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 request at its August 6, 2013 meeting and adopted Resolution No. 2013-064 approving the Preliminary Plat; and

**WHEREAS**, the Lake Elmo Planning Commission met on February 22, 2016 to review the Final Plat for Savona 4<sup>th</sup> Addition consisting of 78 single-family detached residential lots; and

**WHEREAS**, on February 22, 2016 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Savona 4<sup>th</sup> Addition with conditions; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Savona 4th Addition at a meeting held on March 15, 2016; and

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:

## **FINDINGS**

- 1) That the procedure for obtaining approval of said Final Plat is found in the Lake Elmo City Code, Section 153.08.
- 2) That all the requirements of said City Code Section 153.07 related to the Final Plat have been met by the Applicant.
- 3) That the proposed Final Plat for Savona 4th Addition consists of the creation of 78 single-family detached residential lots.
- 4) That the Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on August 8, 2013 and revised on November 25, 2013.
- 5) That the Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the Final Plat complies with the City's Urban Low Density Residential zoning district.
- 7) That the Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachments thereof.
- 8) That the Final Plat complies with the City's subdivision ordinance.
- 9) That the Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer.

## **CONCLUSIONS AND DECISION**

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Final Plat for Savona 4th Addition subject to the following conditions:

- 1) That Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer complying with the Engineer's memorandum dated February 15, 2016 prior to release of the final plat by City Officials.
- 2) That the developer comply with the 3 items identified in the Landscape Architect's review memo dated February 10, 2016 prior to release of the final plat by City Officials.
- 3) That the Developer comply with the Fire Chief's review memo dated December 22, 2015 prior to release of the final plat by City Officials
- 4) That the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design,

construction, and payment of the required improvements with financial guarantees therefore prior to release of the final plat by City Officials

- 5) A Common Interest Agreement concerning management of the common areas of Savona 4th Addition and establishing a homeowner's association shall be submitted in final form to the City prior to the issuance of any building permit within this subdivision.
- 6) That a 3-year maintenance plan for commonly held HOA and City outlots and rights-of-ways to be incorporated into the HOA covenants and Landscape and Irrigation License Agreement, prior to release of the final plat by City Officials
- 7) That a Landscape and Irrigation License Agreement be executed for the maintenance of commonly held HOA and City outlots and rights-of-ways prior release of the final plat by City Officials.
- 8) The applicant shall provide evidence that all conditions attached the Valley Branch Watershed District permit for the final plat and associated grading work have been met prior to the commencement of any grading activity.

Passed and duly adopted this 15th day of March, 2016 by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk