

*Our Mission is to Provide Quality Public
Services in a Fiscally Responsible Manner
While Preserving the City's Open Space
Character*



NOTICE OF MEETING

**City of Lake Elmo Park Commission
3880 Laverne Avenue North
February 20, 2019 6:30 PM**

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a) January 23, 2019
4. Review of Preliminary Plat for Bentley Village
5. Review of Concept Plan for Springs Apartments at Lake Elmo
6. March 2019 Meeting Agenda
7. Communication
8. Adjourn

****Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.*

MINUTES

City of Lake Elmo Parks Commission January 23, 2019

Members Present: Commissioners Mayek, Nightingale, Olinger, Schumacher, Weeks, Zeno and Ames (arrived late)

Staff Present: Public Works Director Weldon, City Planner Prchal

The meeting was called to order by Weeks at 6:30 PM.

New Commissioners Steve Schumacher and Isak Nightingale were sworn in.

Pledge of Allegiance

Motion by Olinger to follow the format of the Council meetings and say the Pledge of Allegiance at the beginning of the meeting, seconded by Weeks. Motion passed 5 to 1.

Select Chair and Vice Chair

Mayek nominated Weeks as Chair, seconded by Olinger. Motion passed unanimously.

Weeks nominated Olinger as Vice-Chair, seconded by Mayek. Motion passed unanimously.

Approval of Agenda

Motion by Zeno to approve the agenda, seconded by Mayek. Motion passed unanimously.

Approval of Minutes

Motion by Zeno to approve the December minutes, seconded by Mayek. Motion passed.

Review Sunfish Lake Park Mountain Biking Proposal

Prchal stated that the funds that have been set aside for trails for Sunfish Lake Park would only cover the cost of one of the trail options outlined in the packet. Staff is looking for feedback as to which trail option to spend more time on.

There is a conservation easement across the park and the proposal must be run past the MN Land Trust. Location of the trails, who is constructing it, how it being constructed, and who will maintain the trails.

Zeno asked Prchal to address concerns people have raised about tree removal, wild life disturbance, and the removal of sense of wilderness. Prchal explained the trail would be moved to accommodate existing trees with minimal removal.

Schumacher asked about Ebikes, he asked about the liability to the City for accidents that may occur. Prchal stated that staff has asked the insurance company and mountain biking is an assumed use within a city and is already covered in our policy and will not increase rates by allowing the use in our parks.

Mayek explained about level one Ebikes do not have a throttle and are more like regular bikes. He also made some comments about his experience using trails in other parks. He said he liked Route 1.

Judith Blackford, 9765 45th St N, is a long-time resident that served on the Parks Commission for 14 years, she worked to ban mountain biking in Sunfish Lake Park. The code was changed and it was sent to the MN Land Trust. When the code was re-codified the banning mountain biking was not included. Blackford talked about the wildlife in the park and the highly erodible soils. She also stated that a previous administrator had suggested that Sunfish Lake Park name was changed to Preserve or Reserve to better reflect the use instead of the word Park that carries with it the ideas of recreation.

Deb Krueger, 4452 Lake Elmo Ave N, said she would like to give her minutes to Judith and suggested that Sunfish Lake Park should be named Preserve or Reserve to better reflect the use or type of park.

Jim Blackford, 9765 45th St N, neighbors the park. He has concerns about how these trails will be maintained in the future. He said that the current trails are not maintained due to lack of funding, the current erosion that has gone into his property is not cleaned up. He talked about how residents have protected this park from other development and should protect it now as a place of nature - that mental health professionals are saying people need. He is concerned about lack of enforcement in the park now with bikes that travel into his property and is concerned what the increase in activity.

Susan Dunn, 11018 Upper 33rd St N, is a long-time resident that served on the Parks Commission for 16 years, Planning Commission, City Council, and Washington committees. She asked if staff and the Commission are aware of the fragile areas of Sunfish Lake Park. She asked that the Commission think of the elderly population in the City and provide trails they can use and enjoy. She asked if the Commission received a copy of the Conservation Easement with the MN Land Trust. She read section 3.4 "Sunfish Park may be used for hiking, cross-country skiing, horseback riding, nature observation or study, and other non-intensive recreational and educational programs or activities that have no more than minimal impact on the conservation value of the protected property". She asked if the gravel pits could be purchased and used for biking or if the money coming from the Tartan Park ballfields could be used. (Prchal explained it is strictly for the replacement of ballfields in Lake Elmo, not for general parks.)

Susan Saffle, 11180 50th Street N, had been established as a passive park. She asked the Commission and staff to reconsider mountain biking in the park. She had a number of questions. What are the costs to repair erosion and loss of unique topography? What are the risks to habitat loss to wildlife and sensitive species? What is the cost of loss of peace and serenity? She feels there is a need to preserve open space and wooded areas. What will happen if there is conflict on the trails? How will enforcement happen? Is the park too small to allow for separate trails? Where in the Land Trust does it allow mountain bike trails to be constructed? She stated the DNR has called Sunfish Lake Park has called it a high

quality hardwood forests as has the Nature Conservancy. She mentioned that the Blandings turtle is a threatened species that inhabits the park.

Mike Pearson 2805 Lisbon Ave N, said he was not there to advocate one way or another on the issue and to make a decision on its merits. He apologized to the new people that tonight had a tough issue and said that not all meetings are like this one. He thanked the commission for volunteering.

Jill Lundgren 8282 Hidden Bay Court N, thanked the commission for volunteering. Asked to pause and consider if we need a second park that allows mountain biking in a sensitive park if have a park with mountain biking trails in Reid Park. Where is the need coming from, was there a petition?

Arlo Frost would like to give his time to Jim Blackford. Blackford thanked Lundgren for asking, "where did this come from". He is concerned about the growing interest in Ebikes. If we ban them, there is no enforcement in the park. He is also concerned about people traveling in the right direction for safety. Blackford would also like to have the Commission to think the decision through and decide if they want to drive all other uses away and make this only a bike park.

Dick Weir 3645 Laverne Ave N, said he was watching the meeting and home. He feels that there are people that only want the park used for what they want it used for and he thinks that it should be for all the people in Lake Elmo. He said that he would have greater concern with horses than with bikes.

Ames apologized for arriving late as he was traveling. He asked if his comments he emailed to the City Administrator had been shared with the Commission. He asked if winter use had been discussed. He explained he has used Sunfish Lake Park in the winter for years and there is a natural conflict between skiers and walkers on the existing trails. He said he has been to other parks where ski trails are separate from other types of trails to avoid the conflicts.

Mayek asked if option one was in place, if there could be more interconnected to the north allowing access from the fire station. He explained if the trails are constructed properly, little erosion occurs, unlike the existing trails.

Zeno mentioned there is a lot of passion for and against the trails. He asked what has the City done to find out from residents where they stand. He asked if the meetings alone are the way to find out what people in Lake Elmo really want. Typically, people that attend the meetings are passionate on one side or another. He would like to know what the City as a whole feels.

Mayek made a motion to approve Route one and Ames seconded the motion to open discussion.

Zeno asked if there is any data on impact to wildlife or if there was a way to know and feels they should try to get this information before a decision is made. He asked how other parks handle intersections.

Ames said the Carver Lake Park in Woodbury they have design features like narrow split rail fence openings that force bikers to slow down at intersections

Mayek responded that nothing says biking has a larger impact than hiking on wildlife.

Schumacher asked how the Land Trust Easement plays into this decision and if any decision could be overturned.

Prchal explained that MN Land Trust wants to see a specific plan before they make a decision. So, staff is asking for a trail to bring to them for an opinion. To this point they have not said mountain biking cannot occur.

Weeks said he would not vote for the motion on the table of approving Route 1 as presented but would support amending it to include reducing the number of crossings, length of trail, and adding a connection point to the northwest and northeast.

Mayek withdrew his original motion and made a new motion to approve route one with a connection to the fire station and to the north east all while minimizing trail crossings and reducing overall length and Ames seconded the motion. Motion passed 5 to 1.

Tony Mazara, 5050 Kirkwood Ave N, stated that he thought people should have a chance to talk and hear what their neighbors think before anything is decided.

February 2019 Meeting

Sunfish Lake Park

Development proposals

Communication

Prchal stated that Council made the change to eliminate a water extension into the Pebble Park as part of the 2019 project. Weldon explained with the stub at the street and the water hydrant, it would provide the opportunity to extend water in the future if needed.

Meeting adjourned at 8:31 p.m.

**Respectfully Submitted,
Tanya Nuss**



STAFF REPORT

DATE: 2/20/2019

BUSINESS ITEM

AGENDA ITEM: 4

TO: Parks Commission
FROM: Ben Prchal, City Planner
ITEM: Bentley Village Preliminary Plat Review
REVIEWED BY: Ben Prchal, City Planner
Ken Roberts, Planning Director

BACKGROUND:

The Parks Commission had an opportunity to review a sketch plan submittal for Bentley Village in October of 2018. With an absence of a quorum there were no comments passed on from the Parks Commission to City Council. The Parks Commission is now being asked to review a Preliminary Plat application from Pulte Homes for a residential subdivision to the south of Savona, which will be called Bentley Village. The preliminary plat includes 240 attached townhomes on a total site area of 41.85 acres. A Preliminary Plat review requires formal action by the Parks Commission. The Commission will recommend approval or denial of the plat, the recommendation will then be passed to the City Council for further consideration with their approval or denial.

ISSUE BEFORE THE COMMISSION:

The Parks Commission being asked to provide a recommendation to the City Council regarding the Preliminary Plat submittal for Bentley Village.

Does the Parks Commission recommend approval or denial of the preliminary plat application as it pertains to park land?

PROPOSAL DETAILS/ANALYSIS

General Information

Applicant: Paul Heuer, Pulte Homes, 7500 Flying Cloud Drive, Ste 670, Eden Prairie, MN 55344

Property Owners: Alan Dale, Stonehenge USA, 6007 Culligan Way, Minnetonka, MN 55345

Location: Part of the southwest quarter of the southeast quarter of Section 13, Township 29 North, Range 21 West, PID: 13.029.21.43.0001

Request: Preliminary Plan Review

Existing Land Use: Vacant

Existing Zoning: RT – Rural Development Transitional

Surrounding Area: North – Savona (Urban Low Density Residential); West – Multi-tenant strip mall and Lampert’s lumber yard (Commercial); East – Vacant land (Commercial) and Savona townhomes (Urban Medium Density); South – Vacant land (Rural Development Transitional guided for Commercial development in 2030 Comprehensive Plan and Mixed Use Commercial in draft 2040 Comprehensive Plan)

Comprehensive Plan: Urban Medium Density Residential (4.5-7 units per acre)

Proposed Zoning: Urban Medium Density Residential

History: Vacant property

Deadline for Action: Application Complete – 1/25/2019
60 Day Timeline – 3/26/2019
Extension Sent – N/A

Applicable Regulations: Article XII – Urban Residential Districts (LDR)
Chapter 153: Subdivision Regulations

Preliminary Plat Review Process:

The Lake Elmo Subdivision Ordinance specifies that as part of the application process for a new subdivision, the applicant must have the preliminary plat reviewed by the Parks Commission.

Preliminary Plat Review:

Staff reviewed the preliminary plat applicant and the comments that follow are all based on specific information provided by the developer. The phases of development going forward will be based on what is approved through the preliminary plan approval. Future phases are not allowed to have substantial conditions added to them.

Density:

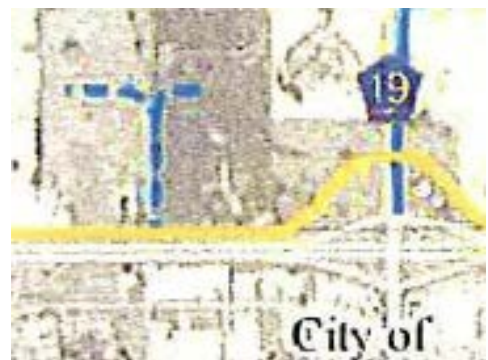
The proposed development includes 240 units. The buildable site consists of 34.83 net acres (excludes wetlands) and 41.58 gross acres. The net density is therefore 6.9 units per acre. This meets the density requirements for the Urban Medium Density land use of 4.5-7 units per acre.

Land Use:

The proposed land use within the development are single family attached homes (townhomes), which are a permitted use within the Urban Medium Density Residential zoning district.

Park Dedication:

The proposed development is within a Neighborhood Park search area of the Comprehensive Plan. Savona Park meets the needs of this search area, as it is located just over 500 feet from the northern edge of the proposed development. Lake Elmo Regional Park and the Stone Gate/Inwood Park are also in close proximity. The developer is proposing to pay fees in lieu of land to satisfy the park dedication requirements. Staff had suggested this be the case during the concept plan review and recommends this for preliminary plat approval. Per the City's Subdivision Regulations, the required cash equivalent payment shall be an amount equal to the fair market value of the percentage of land dedication required for the zoning district (the MDR zoning district requires 10% of the total acreage being developed). The amount is specifically determined by reference to current market data, if available, or by obtaining an appraisal from a licensed real estate appraiser. In summary, the developer will be required to pay 10% of the value of land as park dedication. It is unknown at this time what the final dollar amount will be but it will be the value of 3.48 acres.



Trails:

Sidewalks are being proposed on one side of each street within the development which are private, and there will be a private trail system ranging through the development connecting residents from end to end. Additionally, the City's trail plan indicates a trail connecting 5th Street North to Hudson Boulevard North, a public trail will need to be provided on the street connecting these aforementioned streets.

Amenities:

The development amenities will range from a swimming pool, playground/tot lot, open play areas, and trails. The listed amenities will be private to the development and maintained by the HOA. Though the amenities are considered as park land and do service the development Staff does not advise the Commission to accept these amenities as satisfying the park dedication requirement, because of the private aspect of the amenities, fees in lieu of dedication is recommended by Staff. The attached survey outlines the referenced amenities.

Restrictive Easements:

There is a 50-foot wide natural gas pipeline easement that bisects the western portion of the property in which buildings cannot be placed. There are no lots proposed within this easement. There is also a 21-inch diameter storm sewer pipe with a 30-foot wide easement on the eastern edge of the property. The preliminary plan results in some of this storm sewer and easement to remain in place and some to be realigned.

Standards for Single-Family Attached Dwellings (Townhouses), MDR District. The following outlines standards for single-family attached dwellings as well as the explanation as to how these standards are met within the preliminary plan:

There are more standards which apply for the development, however, the one listed below is specific for open space.

1. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise a minimum of 500 square feet per unit.
 - *A minimum of 557 square feet is provided per unit.* (This comes out to 133,680 of square feet (3 acres) of open space for the development.)
2. Parking: There shall be at least 1 parking space per bedroom unit up to 2 spaces per two or more bedroom units and an additional 10% of parking spaces provided for visitor parking. The applicant has satisfied this requirement by providing a 2 car garage for each of the homes.

Recommended Condition of Approval:

- 1) That the City accept cash in lieu of park land to satisfy the park land dedication requirement.
- 2) The proposed trail and pathway traveling north and south along the roadway shall be public.

FISCAL IMPACT:

There would be no fiscal impact to the City at this time, as the developer would be required to pay for any amendments needed to accommodate the increase in REC units. At the time of development, the developer would be required to pay the City 10% of the assessed value of the land, which would go to the City park dedication fund.

OPTIONS:

- 1) The commission may recommend approval of the preliminary plat with fees in lieu of park land dedication.
- 2) The commission may recommend approval of the preliminary plat with park land dedication in lieu of fee.
- 3) The commission may recommend denial of the preliminary plat.

RECOMMENDATION:

Staff is recommending that the Parks Commission recommend approval for the preliminary plat to the City Council, accepting fees (cash) in lieu of land dedication.

“Motion to recommend approval of the proposed Bentley Village preliminary plat and accept a cash payment in lieu of land dedication to satisfy the park dedication requirement”

ATTACHMENTS:

1. Project Narrative
2. Preliminary Plan layout/survey



“Bentley Village”

**APPLICATION FOR:
PRELIMINARY PLAT & REZONING**

**LAKE ELMO, MINNESOTA
January 25, 2019**

Introduction

Pulte Homes of Minnesota, LLC (“Pulte”) is pleased to be submitting this application.

Our company mission statement is **“Building Consumer Inspired Homes and Communities to Make Lives Better”**. We currently operate under three distinct brands of homebuilding throughout the country: Pulte Homes, Centex Homes, and Del Webb. Pulte’s Minnesota Division has an office in Eden Prairie. We sold approximately 500 homes in the Twin Cities in 2018, all under the Pulte Homes brand.

Pulte will act as both developer of the property and builder of the homes. The primary contact for Pulte is:

Paul Heuer, Director of Land Planning & Entitlement
7500 Flying Cloud Drive, Suite 670
Eden Prairie, MN 55344
952-229-0722
Paul.Heuer@PulteGroup.com

The owner of the property is:

DPS - Lake Elmo, LLC – Alan Dale
6007 Culligan Way
Minnetonka, MN 55345
952-288-2201
adale@stonehenge-usa.com

The surveyor, civil engineer, and landscape architect is:

Alliant Engineering
Primary contact: Mark Rausch
733 Marquette Ave Ste 700
Minneapolis, MN 55402-2340
(612) 767-9339
mrausch@alliant-inc.com

The Property

Legal Description:

That portion of the East Half of the Southwest Quarter and that portion of the West Half of the Southeast Quarter, both in Section 34, Township 29, Range 21, Washington County, Minnesota, described as follows:

Commencing at the West Quarter corner of said Section 34; thence South 00 degrees 00 minutes 40 seconds East, along the West line of said Section 34, a distance of 472.55 feet; thence North 89 degrees 57 minutes 32 seconds East, a distance of 1315.91 feet to the West line of said East Half of the Southwest Quarter; thence South 00 degrees 02 minutes 55 seconds West, along said West line a distance of 714.99 feet to the point of beginning; thence North 89 degrees 55 minutes 22 seconds East, a distance of 212.38 feet; thence Southeasterly along a tangential curve concave to the Southwest having a central angle of 29 degrees 05 minutes 37 seconds, a radius of 1100.00 feet for an arc distance of 558.56 feet; thence South 60 degrees 59 minutes 01 seconds East, tangent to said curve, a distance of 224.27 feet; thence Southeasterly along a tangential curve concave to the North, having a central angle of 68 degrees 21 minutes 23 seconds, a radius of 760.00 feet for an arc distance of 906.71 feet; thence North 50 degrees 39 minutes 36 seconds East, a distance of 410.97 feet; thence Northeasterly along a tangential curve concave to the Southeast, having a central angle of 20 degrees 49 minutes 17 seconds, a radius of 1060.00 feet for an arc distance of 385.20 feet; thence North 71 degrees 28 minutes 52 seconds East, tangent to said curve, a distance of 202.22 feet to the East line of said West Half of the Southeast Quarter; thence South 00 degrees 01 minutes 13 seconds West, along the East line a distance of 1089.33 feet to a line hereinafter referred to as Line 'X'; thence South 89 degrees 40 minutes 54 seconds West, along said Line 'X' and its westerly extension, a distance of 1324.76 feet to the East line of said East Half of the Southwest Quarter; thence South 00 degrees 06 minute 31 seconds West, along said East line a distance of 15.85 feet to the North line of the South 675.00 feet of said East Half of the Southwest Quarter; thence South 89 degrees 53 minutes 57 seconds West, along said North line a distance of 1314.35 feet to said West line of the East Half of the Southwest Quarter; thence North 00 degrees 02 minutes 55 seconds East, along said West line a distance of 774.53 feet to the point of beginning.

Line 'X' is described as follows:

Commencing at the southwest corner of said West Half of the Southeast Quarter; thence North 00 degrees 06 minutes 31 seconds East, assumed bearing, along the west line of said West Half of the Southeast Quarter, a distance of 82.86 feet to the north line of Parcel 29C of Minnesota Department of Transportation Right of Way Plat No. 82-43; thence North 89 degrees 18 minutes 27 seconds East, along said north line, a distance of 40.00 feet; thence North 00 degrees 06 minutes 31 seconds East, a distance of 607.73 feet to the point of beginning; thence North 89 degrees 40 minutes 54 seconds East, a distance of 1284.76 feet to the east line of said West Half of the Southeast Quarter, and said Line 'X' there terminating.

Property Identification Number:

34-029-21-34-0006 west property
34-029-21-43-0003 east property

Address:

9450 Hudson Boulevard, Lake Elmo, MN 55042 – west property
East property has no address

Key Facts

- Existing zoning is R2-PUD
- 2030 Comprehensive Plan indicates Urban Medium Density with a density range of 4.5 to 7 units/acre
- 2040 Draft Comprehensive Plan indicates Urban Medium Density with a density range of 4 to 8 units/acre
- Proposed zoning is MDR Urban Medium Density Residential
- Proposed use is 240 attached townhomes with homeowner's association maintenance
- Gross calculations:
 - West property = 839,837 square feet = 19.28 acres
 - East property = 971,593 square feet = 22.30 acres
 - Total = 1,811,430 square feet = 41.58 acres
 - Gross density = 240 units/41.58 acres = 5.77 units/acre
- Net calculations:
 - Gross area = 1,811,430 square feet = 41.58 acres
 - 5th Street ROW dedication = 294,126 square feet = 6.75 acres
 - Net area = 1,517,304 = 34.83 acres
 - Net density = 6.89 acres
- Dimensions/Setbacks
 - 25-foot front setback
 - 25-foot rear setback
 - 15-foot corner/side setback
 - 20-foot side internal setback (building separation)
- Public utilities and streets
- Local streets are 28-feet wide within a 53-foot right-of-way
- Right-of-way area:
 - Local = 291,556 square feet = 6.69 acres
 - Collector (Road G) = 32,278 square feet = 0.74 acres
 - 5th Street = 294,126 square feet = 6.75 acres
 - Total = 617,960 square feet = 14.19 acres
- Open space area:
 - Open space (public outlots B,H,I) = 138,438 square feet = 3.18 acres
 - Open space (private outlots A,C,D,E,F,G) = 455,577 square feet = 10.46 acres
 - Open space total = 594,015 square feet = 13.64 acres
- Open space/unit requirement = 500 sf
- Minimum open space/unit provided = 557 sf
- Impervious surface requirement = 50% maximum
- Impervious surface provided = 739,433 square feet = 49.8%

Neighborhood Vision

This property is in a very attractive location. It is conveniently located near freeways, parks, and retail. However, its proximity to I-94 (as near as 700 feet) leads to higher levels of noise. This, in

addition to having a commercial property immediately to the south is an indicator that this property is not a strong candidate for detached homes. The ideal use for this property is attached housing as a natural transition between commercial properties to the south and single-family properties to the north. Townhome buyers tend to be more tolerant of freeway noise and more intensive land uses.

Our vision is to create an attractive townhome neighborhood with a focus on convenient access to regional amenities and privately owned recreational amenities within the neighborhood. Key neighborhood traits are:

1. **Access** – Bentley Village is very short drive to I-94 and 494, leading to high level of convenience for homeowners.
2. **Parks** – Lake Elmo Park Reserve is just over one mile from Bentley Village, offering a wide variety of recreational opportunities such as walking trails, swimming, archery, fishing, horseback riding, camping, and cross-country skiing. A City park with a playground is just to the north of 5th Street North with trail access connecting the park to 5th Street North. 5th Street North has a trail along the north side and a sidewalk along the south side. Bentley Village has a wide range of recreational opportunities nearby.
3. **Retail** – A wide variety of retail properties are just blocks away from the neighborhood, including restaurants, Target, Walmart, Trader Joe's, Cabela's, and many others.
4. **Private Amenities** – We are planning the incorporation of private amenities for the use of Bentley Village residents. Not only are such amenities attractive for homebuyers, but they also help to create a sense of neighborhood identity and to facilitate social interaction in a neighborhood.

Neighborhood Design

We have carefully studied the market, the City's Comprehensive Plan, the property, and the surrounding uses and have worked diligently to create a neighborhood layout that is ideally suited for this property. We are very pleased with how our vision and the resulting plan have come together. Below is a description of the various traits and strategies utilized in designing the neighborhood.

Access

The trunk transportation network serving this property is in place. What remains is to connect to the existing network at the safest locations.

We are making two connections to 5th Street North directly across from Jasmine Road North and Junco Road North. By connecting at these locations, we will avoid the introduction of additional connection points to 5th Street North. This results in the safest possible access to 5th Street North.

We are also planning for a 100-foot wide right-of-way to accommodate a future planned collector street which will connect 5th Street North to the commercial properties to the south and ultimately to Hudson Boulevard North. We plan to build the portion of collector street that runs through the subject property and to connect to this street to serve both the west and east properties.

Combined, both the west and east properties have two safe access points with strong internal connectivity between the access points.

Physical Constraints

Near the west edge of the west property, a natural gas pipeline bisects the property. Buildings cannot be placed within this existing 50-foot wide easement. We have designed the neighborhood to comply with these requirements.

On the north side of the west property, an existing overland drainage and utility easement exists. We will extend storm sewer to collect this water and will provide new drainage and utility easements. The old easement will be vacated. We have included an exhibit with this application to facilitate vacation.

Near the east edge of the east property, an existing temporary 21-inch diameter storm sewer pipe within an existing 30-foot wide easement runs through a portion of the property. This storm sewer will be realigned and the easement will be vacated. We have included an exhibit with this application to facilitate vacation.

Parks

It is our understanding that the parks and open space dedicated within properties to the north of 5th Street North satisfy park needs for the area. Therefore, we anticipate paying park dedication fees to satisfy our park requirements. The incorporation of private recreational amenities within Bentley Village will reduce the demand/need for public parks and recreational amenities in the area.

Building Orientation

One important design attribute that can make a townhome neighborhood feel more “livable” is to vary the orientation of the buildings. This prevents the feeling of “barracks” that can sometime occur if attention is not given to how the geometric layout of the neighborhood impacts how it “feels.” We are utilizing this strategy most powerfully at the primary intersection of 5th Street North and the future collector road. Additionally, we have purposely created internal streets that do not run in parallel, thereby preventing the “barracks” feel.

Private Amenities

A key part of creating new neighborhoods is understanding our customers and anticipating their desires. This property is in an attractive location, surrounded by a variety of recreational, retail, and convenience-oriented amenities. Still, many people desire private, social gathering places to form bonds with their immediate neighbors. This is an important priority for many of our customers, and the size of the neighborhood is large enough to economically sustain such amenities. Based on our early market research, we are planning the following private amenities, all to be owned and maintained by a professionally managed home owners association:

- Swimming pool – Early market research is not conclusive regarding a pool. It is possible that we may replace the pool with a dog park or other amenity.
- Playground/tot lot – Although a public tot lot exists north of 5th Street North, this street will increasingly become a barrier as traffic volumes increase. Inclusion of a private tot lot will be desirable.
- Open play areas – We are planning some open play area in both the east and west sides. Residents will find many uses for these versatile spaces.
- Trails

Parking

Adequate parking in a townhome neighborhood is critical and we have a great deal of experience in this area. We have designed the neighborhood to have a significant amount of guest parking (see parking plan). In addition, the parking lot for the pool area is available for overflow parking. It is our understanding that homeowners living in the existing townhome neighborhood to the east have complained about lack of guest parking in their neighborhood. Please be assured that our design differs from the adjacent neighborhood, which primarily includes narrow private streets that do not allow parking. We are utilizing wider public streets that accommodate parking on one side throughout the neighborhood. The difference in guest parking accommodation is substantial.

Changes Since Sketch Plan

The Planning Commission provided comments on the sketch plan application on October 22, 2018. The City Council provided comments on the sketch plan application on November 7, 2018. In addition, City staff provided comments via review memos.

We carefully considered the comments received from all parties and have responded by revising it:

1. Widened right-of-way – One engineering comment was that the 50-foot right-of-way may not be wide enough to easily accommodate the necessary public infrastructure. We worked with the City Engineer to establish a right-of-way width that works well (53 feet) and we have incorporated this into the new neighborhood design.
2. Snow storage – Another engineering comment was that there may not be enough room for snow storage at the end of the two cul-de-sacs. We revised the plan to create a large open area for snow storage at the end of the east cul-de-sacs. The west cul-de-sac was eliminated. See below item 10.
3. Intersection angle – We straightened an intersection to result in it being at a 90-degree angle, which is desirable from an engineering standpoint.
4. Relocated the pool – The old pool location was in a remote area that could cause difficulties related to maintenance. We relocated the pool to a location that will provide much more convenient access for maintenance. It will also increase the attractiveness of the neighborhood by placing the pool in a highly visible location from the streets.
5. Created wider, more beautiful entrances – It is important to us to have neighborhood entrances that are beautiful and welcoming. Entrances set the tone and character of a neighborhood. We have created entrances with landscaped center islands that provide a sense of arrival, beauty, and security and we have utilized standards provided by the City Engineer.
6. Increased perimeter setbacks – We increased the perimeter setbacks from the east, south, and west property lines from the required 20 feet to 25 feet to provide additional space for accommodating drainage and landscaping.
7. Added playground/tot lot – We heard a suggestion to add a private tot lot. After contemplating how busy 5th Street N could be in the future, we felt that a neighborhood of this size would find a private tot lot to be desirable.

8. Added trails – We heard a suggestion to add more private trails. We also heard engineering describe how sidewalks have sometimes been required in Lake Elmo to have sidewalks on both sides of the street. This is a somewhat unusual policy. However, we came up with a solution to both comments. Instead of a secondary (duplicate) sidewalk along the streets, we created a separate private trail system that allows pedestrians to walk or bike through the neighborhood from end to end. The result is a more attractive and functional pedestrian system and less public infrastructure for the City to maintain.
9. Parking – We have heard positive feedback from neighbors about our new neighborhood. However, we have heard complaints within the townhome neighborhood to the east that they lack adequate guest parking. As described above and demonstrated in our parking plan, we are providing a significant amount of guest parking within the neighborhood.
10. Pipeline driven revisions – As we completed preliminary engineering, it became apparent that our storm sewer in the west end of the property would conflict with the existing gas pipeline running through the property. To resolve this conflict, we were forced to move the west pond from the west side of the pipeline to the east side. This resolved the conflict. By bringing the pond into the neighborhood, it also resulted in making the neighborhood feel more open and less dense.

Ordinance Revision Required

As discussed during the sketch plan review process, there is currently a contradiction between the City's Comprehensive Plan and Zoning Ordinance. The 2030 Comp Plan allows a density of 4.5 to 7 units/acre. (The 2040 draft Comp Plan allows a density of 4 to 8 units/acre.) The current zoning ordinance requires a minimum lot area of 4,000 square feet for this land use. These regulations conflict with each other and cannot be reconciled without changing either the Comp Plan or the ordinance.

It is not uncommon for cities to experience this type of contradiction. Typically, the Comp Plan is the "leading" document and ordinances are revised to align with the Comp Plan. We recommend that the ordinance be revised in parallel with processing this application.

Adjacent Land Uses

There are no conflicts with adjacent land uses. Traditionally, townhomes and other multifamily residential land uses are utilized as transitional buffers between more intensive uses and less intensive uses. In this case, single family homes lie to the north. However, 5th Street North lies between these two land uses, providing a significant existing buffer. To the east of the neighborhood lies similar townhomes. To the west lies industrial uses. Properties to the south are guided for Mixed Use – Commercial, a somewhat higher intensive land use. A townhome neighborhood is the ideal transitional land use for this location.

Natural Resources

There are no wetlands or significant tree stands on the subject property.

Justification that Services have Capacity

The subject property is in an area of the City that has recently been developing. In conjunction with the adjacent development, new infrastructure has been designed and extended to and through the area to adequately serve the area.

A new sanitary sewer has been extended through the subject property with service stubs extended into the property. This sewer serves Phase 1 of the Regional Sewer Staging Plan and it discharges to the MCES WONE Interceptor. Our application includes land uses and densities consistent with the Comp Plan, so the sewer has been designed to accommodate this neighborhood.

Water main has previously been constructed along 5th Street North. According to the City engineer memo from the sketch plan review, “the existing water system has sufficient capacity”. Our application includes land uses and densities consistent with the Comp Plan, so the water has been designed to accommodate this neighborhood.

Storm water quantity is traditionally handled on site by limiting post development flows to be equal to or less than predevelopment flows. Due to sandy soils found on site, we will be infiltrating storm water to meet City and Watershed quality requirements. The ponds designed to serve the neighborhood are of sufficient size to serve the new neighborhood.

5th Street North has been recently designed and constructed to serve a fully developed area.

The land use and density proposed with this application is consistent with the Comp Plan. Therefore, all past and current long-term planning for fire, public safety, parks, and schools are unchanged by this application.

Our Homes

Pulte Homes is known for the extraordinary steps that we take to ensure that we are designing and building homes that meet the needs and desires of home buyers. We continually reach out to the public and Pulte homeowners to get feedback to improve our home designs. We call this Life Tested®. Through this intensive process, we have conceived of and incorporated many innovative home design features such as the Pulte Planning Center, Everyday Entry, Super Laundry, Oversized Pantry, and the Owner’s Retreat. This exhaustive process has played a major part in Pulte’s success in “Building Consumer Inspired Homes and Communities to Make Lives Better.”

Townhome Design

Our overall approach in designing the exterior of these two-story townhomes was to “individualize and stylize” each unit. The result is individual units which differ in architecture from all other units within the same building and which vary in color scheme. The result is that each unit will appear unique and distinct within each building and to a substantial degree within the new community. Attached you will find photos of the buildings to be constructed.

Innovative Approach to Rowhome Floor Plans

It is worth noting that our approach to “individualized and stylized” rowhome units extends to the interior as well. Buyers can choose from a range of options that were not typically seen in the previous generation of townhome floor plans:

- a. 3 bedrooms with an option for a 4th
- b. 1st floor sunroom addition with 2nd floor owner’s suite bathroom expansion
- c. Loft
- d. Rooftop terrace

We find that this versatile townhome appeals to a much broader spectrum of demographics than the previous generation of townhomes. This two-story townhome appeals to young, first time homebuyers, young families, and empty nesters in search of homeowner’s association maintenance of the yard, snow removal, and exterior of the buildings.

Phasing & Schedule

The following preliminary schedule for development is envisioned based on current projections and information.

2019	Development of Phase 1
2020	Development of Phase 2
2021 or 2022	Development of Phase 3
2022 or 2023	Development of Phase 4
2024-2026	Full build out

We have created a detailed Phasing Plan that is included with this application. We put a considerable amount of thought into balancing the infrastructure issues and coming up with a workable Phasing Plan. Please also note that the Phasing Plan includes a brief listing of the infrastructure and amenities included within each phase.

This submittal includes:

- *Land Use application*
- *Application fee/escrow of \$15,595*
 - *Preliminary plat = \$1,850 fee + \$10,000 escrow*
 - *Zoning amendment (rezoning) = \$1,245 fee + \$2,500 escrow*
- *This narrative*
- *Parcel info/mailling labels*
- *Survey, engineering, and landscape architecture, phasing, and parking exhibits*
- *Neighborhood rendering*
- *Example home photos*
- *Example home floor plans*



STAFF REPORT

DATE: 02/20/19

REGULAR

ITEM #: 5

TO: Parks Commission
FROM: Ben Prchal, City Planner
AGENDA ITEM: Planned Unit Development Concept Plan Review for Continental Properties
REVIEWED BY: Ken Roberts, Planner Director

BACKGROUND:

The City has received a request from Continental 483 Fund LLC (c/o Gwyn Wheeler) for a review of a Planned Unit Development (PUD) Concept Plan for a 300 unit multi-family residential development on a 17.01-acre parcel to be called Springs Apartments.

ISSUE BEFORE COMMISSION:

The Parks Commission is being asked provide comment on the concept (sketch) plan for the development as it pertains to park land.

PROPOSAL DETAILS/ANALYSIS:

General Information.

- *Property Owner:* DPS-Lake Elmo, LLC of 6007 Culligan Way, Minnetonka, MN 55345
- *Applicant:* Continental 483 Fund LLC (c/o Gwyn Wheeler)
- *Location:* North of Hudson Blvd. N, west of Keats Avenue
- *Site Area:* 20.36 gross acres, 17.01 net acres
- *Land Use Guidance:* 2030 Comprehensive Plan – Commercial, 2040 Comprehensive Plan – Mixed Use Commercial
- *Zoning:* Rural Development Transitional
- *Surrounding Land Use Guidance:* Commercial to the East, Urban Medium Density Residential to the North, Commercial to the West, and Hudson Boulevard and I-94 to South.
- *History:* The property has been used as rural vacant land and possibly as a homestead. There is a wetland on the site that Staff is estimating is about 0.3 acres in size. It is located along the north side of Hudson Blvd about 240 feet west of the east property line of the site (in about the location of proposed Building 15). A large portion of the eastern part of the site is covered in trees.
- *Deadline for Action:* Application Complete: 1-11-2019
60-day timeline: 3-11-2019

CONCEPT PUD PLAN REVIEW

PUD Review Process:

The City Code for PUD's requires several steps in the project review and approval process. Section 154.758 of the City Code provides all the details about the review process and steps. The Planning Commission held a public hearing about the concept plan on February 11th and will report its recommendations to the City Council. The Parks Commission will do the same.

About the Applicant:

Continental 483 Fund LLC. (Applicant) desires to develop a Class A, market-rate apartment community within the City. The company, started in 1979, is based out of Menomonee Falls, WI, and as of 2016 has broken ground on 3,175 apartment homes in 7 states. 65 Springs Apartment communities, similar to this proposed development, have been developed, including three in Minnesota (Apple Valley, Rochester, and Savage). The applicant has indicated in pre-application meetings with Staff that Continental owns and operates all Springs developments and they do not have third party management of their properties.

Concept Plan Review:

The Staff review comments that follow are all based on conducting a high level review of the Concept Plan since the City does not require a lot of detailed information at this stage in the PUD review process. Staff has focused on the bigger picture items for general compliance with the Comprehensive Plan and the City Code and on those things that could be a concern or would otherwise not allow the development to move forward as proposed.

Site Plan:

The proposed site plan includes 15 buildings with 20 units each, eight detached garage buildings (with a total of 42 spaces), 309 surface parking spaces, an approximately 4,300 square foot club house (including a large gathering room, fitness center, kitchen area, coffee bar and office space), pool with sun deck, trash enclosure, mail kiosk, and two pet playgrounds all within a fenced, controlled access community. Many units provide attached, direct-access garages for a total of 120 attached garage spaces for the 300 units.

Unit Type	Number of Units
Studios	30
1-Bedroom	120
2-Bedroom	120
3-Bedroom	30

Impervious:

According to the applicant, the proposed concept plan has 5.58 acres (32.8 percent) of the site as pervious surface and 11.43 acres (67.2 percent) of the site with impervious surfaces. The City Code requires that at least 25 percent of the site have pervious surfaces so, as proposed, the PUD meets this requirement.

Parking:

The City's Zoning Code requires one parking space per studio and 1 bedroom unit, two parking spaces per 2 and 3 bedroom unit and at least one visitor space per four units. With the proposed mix of 300 units, the City Zoning Code requires the developer to provide at least 525 parking spaces on site. In this case, the developer is proposing a total of 562 parking spaces – including attached garage and detached garage spaces and surface parking spaces. The proposed plans include 17 parking spaces to the west of the main entrance drive aisle for the clubhouse.

Consistency with Planned Unit Development Regulations:

Staff has reviewed the proposed plan for its consistency with requirements of Article XVII: Planned Unit Development (PUD) Regulations and has found the following:

- **Intent.** The intent of a PUD is to provide for flexibility in the use of land and the placement and size of buildings in order to better utilize site features and obtain a higher quality of development. A PUD is required for the proposed development, as more than one principal building is proposed to be placed on a platted lot and the proposed garages are larger than the maximum-allowed 1,000 square feet in size.
- **Minimum Requirements.** There are multiple requirements that the applicant will need to meet. However, the requirement listed below is specific towards open space/parks.

A. *Open Space: For all PUDs, at least 20% of the project area not within street rights-of-way to be preserved as protected open space. Other public or site amenities may be approved as an alternative to this requirement. Any required open space must be available to the residents, tenants, or customers of the PUD for recreational purposes or similar benefit. Land reserved for storm water detention facilities and other required site improvements may be applied to this requirement. Open space shall be designed to meet the needs of residents of the PUD and the surrounding neighborhoods, to the extent practicable, for parks, playgrounds, playing fields and other recreational facilities.*

- Being that this is a concept review the applicant is not fully required to submit the level of detail that is needed for preliminary and final review. Because of this applicant has not indicated the amount of open space with the proposed plan. However, based on the fact that 32% of the site is proposed as being pervious Staff estimates that the 20% requirement is achievable. This includes pet areas, green spaces, landscaped areas, and can include stormwater and detention facilities.

Proposed Amenities:

The City's PUD ordinance states that developers may provide amenities with their projects for increased density. In this case the applicant is proposing a housing density of 14.7 units per gross acre (or 17.6 units per net acre), the developer will need to provide amenities with the project to justify the increased housing density above the allowed density range 10-15 units per acre of the future MU-C land use designation. In this case the developer is proposing the following amenities:

- *Underground or structure parking.* The narrative of the application indicates that many units provide attached, direct-access garages. It has not been indicated that this will reduce the surface parking area outside the footprint of the principal structure by 25%, however, as required by the PUD Code.
- *Contained Parking.* By proposing 162 garage spaces for its residents, the proposed development limits the amount of visible surface parking.

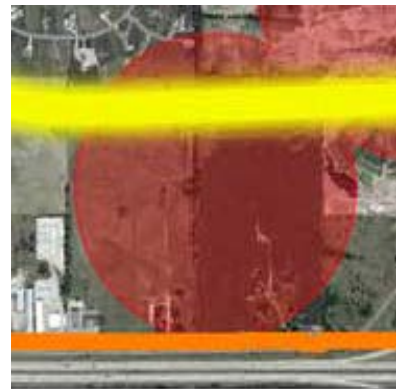
- *Additional Amenities?* Additionally, the City may also consider the allotment of amenity “points” for site amenities that are not otherwise specified within the ordinance. The applicant notes the development will offer the following amenities:
 1. An approximately 4,300 square foot club house (including a large gathering room, fitness center, kitchen area, coffee bar and office space)
 2. **A pool with sun deck**
 3. **Two pet playgrounds.**

Though the intent is to provide amenities to achieve a higher density, Staff believes that the pet playgrounds would constitute open space/park land. Also, they are providing open space that is intended to occupy the residents of that property.

Parkland Dedication:

The proposed development does not propose a public park but does provide recreation for its residents through the club house, pool and open space. This area is already served by Savona Park which means there is not a definite need to provide another small public park.

The proposed development consists of 17.01 net acres, and the required parkland dedication for the Urban High Density Residential zoning district is 10%. The search area for this development has been achieved. Because of this, Staff does not recommend that the City take on responsibility of a public park within this development. It is being recommend that cash in lieu of park land dedication be accepted, the amount would come to the value of 1.7 acres.



Land Acceptable by the City for Park Dedication (10%) and PUD (20%):

Park Dedication (10%).

The City must approve the location and configuration of any park land which is proposed for dedication and shall take into consideration the suitability of the land and for its intended purpose; the future needs of the City for parks, playgrounds, trails, or open space; and the recommendations of the City's Parks Commission.

The following properties shall not be accepted for park land dedications:

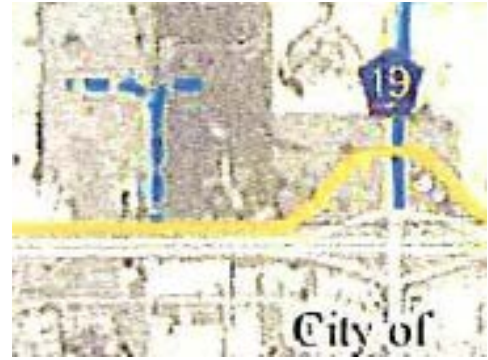
- (1) Land dedicated or obtained as easements for street, sewer, electrical, gas, storm water drainage and retention areas, or other similar utilities and improvements;
- (2) Land which is unusable or of limited use; and/or
- (3) Land within a protected wetland or within a flood plain area unless the Council determines that all of the following criteria are satisfied:
 - (a) Would be in the best interests of the general public;
 - (b) Would be valuable resource for environmental preservation, educational, or habitat preservation purposes;
 - (c) Has an exceptional aesthetic value; and
 - (d) Would not become financially burdensome to the City as a result of maintenance or preservation requirements.

PUD (20%).

Land reserved for storm water detention facilities and other required site improvements may be applied to this requirement. Open space shall be designed to meet the needs of residents of the PUD and the surrounding neighborhoods, to the extent practicable, for parks, playgrounds, playing fields and other recreational facilities.

Trails:

The Comprehensive Plan’s Trail Plan shows a planned trail down the proposed north/south street along the west side of the development. The proposed site plan does not show the future road or a trail or a sidewalk along the future road. Trail connection requirements at and along Hudson Blvd will need to be reviewed. The City should require the developer to install the planned trail(s) and a crosswalk with pedestrian ramps where needed as part of this development.



The applicant does have the opportunity to apply trail credit towards the park dedication requirement. Though, there are no proposed trails internal to the site, which is where the developer would receive credit. Staff does not recommend applying park dedication for the trail/sidewalk along the North South road because it has been planned for through the comprehensive plan.

Recommended Conditions of Approval:

Staff recommends the Parks Commission recommend to the City Council approval of the Concept PUD for the Springs Apartments on Hudson Boulevard with the following conditions: *(know that there are more conditions that will apply to the site, this however, is applicable to the parks portion of the review)*

1. That fees in lieu of public park land dedication be provided as required by 153.15 with future final plat.

FISCAL IMPACT:

There would be no fiscal impact to the City at this time, as the developer would be required to pay for any amendments needed to accommodate the increase in REC units. Concept Plan approval does not afford the applicant development rights. When the property develops, it will have urban services and will pay sewer and water connection charges, building permit fees and the like that the developer and/or contractors will pay.

RECOMMENDATION:

Staff recommends that the Parks Commission recommend to the City Council approval of the proposed PUD Concept Plan for the Springs Apartments to be located on Hudson Boulevard with the recommended condition of approval.

“Motion to recommend approval of the PUD Concept Plan as requested by Continental 483 Fund LLC for PID# 34.029.21.43.0003 for the project to be known as the Springs Apartments located on the north side of Hudson Boulevard, east of the future north-south street, subject to recommended condition of approval.”

ATTACHMENTS:

- Application Narrative and site map
- Larger Aerial map

Applicant's Project Description

SPRINGS[®] apartments

PUD General Concept Plan Request

The proposed site for the Springs Apartment community in Lake Elmo is generally located at the west of Keats Avenue on the north side of Hudson Boulevard, as shown on the enclosed site plan. Continental 483 Fund LLC ("Continental") proposes an up-scale, market-rate apartment community on the 20.36-acre site (17.01 acres excluding right of way).

Continental's proposed apartment community includes 300 homes within 15 residential buildings. The buildings will offer a townhouse design featuring two stories with private, ground-level entrances to each unit. Residents will have a choice between attached, direct-access garages, detached garages and ample surface parking to best fit their needs. There will be a mix of studio, 1-bedroom, 2-bedroom, and 3-bedroom units, as broken down in the chart to the right.

HOME TYPE	NUMBER OF HOMES
STUDIO	30
1-BEDROOM	120
2-BEDROOM	120
3-BEDROOM	30

The proposed land use is consistent with the 2040 Comprehensive Plan Future Land Use designation of Mixed Use-Commercial (MU-C). The subject site will require a rezoning from Rural Development Transitional (RT) to Urban High Density Planned Unit Development (HDR-PUD). The Future Land Use designation of MU-C allows for residential densities up to 15 units per acre; with greater densities allowed through the PUD process. Continental's request proposes a density of 14.73 du/acre.

The existing RT district zoning is an interim holding zone. Rezoning to HDR is required for the proposed density and a PUD is necessary to have more than one principal building per parcel of land. Continental's proposal will meet or exceed the criteria of the base HDR zoning district. Additionally, the Springs will be a high-quality apartment community that is compatible in architecture and scale to existing land uses. Continental would like the opportunity to provide a unique, upscale rental housing option in this very fitting location to support Lake Elmo's growth.



2040 Future Land Use			
AP	LDR	V-MDR	Closed Landfill
RAD	MDR	V-HDR	Institutional
RSF	HDR	V-MU	Park
RSFS	MU-BP	LB	PSP
GC	MU-C	BP	ROW
	V-LDR	C	MUSA 2040 (Revised)