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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, June 9, 2014 at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. May 28, 2014
4. Public Hearing
 - a. WILDFLOWER AT LAKE ELMO-PUD CONCEPT PLAN & COMPREHENSIVE PLAN AMENDMENT. The Planning Commission is being asked to review a request for a Planned Unit Development (PUD) Concept Plan for a proposed residential subdivision to be called Wildflower at Lake Elmo. This application has been submitted by Robert Engstrom Companies, and is a follow-up to a previous submission for a subdivision sketch plan that was tabled by the Planning Commission earlier this spring. The concept plan includes 145 single-family lots on a total site area of approximately 117 acres, roughly half of which would be preserved as open space. The Planning Commission will also be considering a related request to amend the City's Comprehensive Plan to allow residential development to occur on two small areas within the proposed Wildflower at Lake Elmo subdivision that are currently guided for RAD – Rural Area Development and Open Space.
5. Business Items
 - a. ZONING TEXT AMENDMENT – EXTERIOR STORAGE. Staff will present proposed updates/perfecting amendments to the City's provisions related to exterior storage.
 - b. ZONING TEXT AMENDMENT – SCREENING. Staff will present proposed updates/perfecting amendments to the City's provisions related to screening.
6. Updates
 - a. City Council Updates – June 3, 2014 meeting:
 - i. Perfecting Comp Plan Amendment passed (Vote: 5-0).
 - ii. Shoreland Amendment Ordinance passed (Vote: 5-0).
 - iii. Garage ordinance passed (Vote: 5-0).

- b. Staff Updates
 - i. Upcoming Meetings:
 - June 23, 2014
 - June 30, 2014 – Special meeting requested
 - July 14, 2014
 - ii. Planning Commissioners Journal – “What Planners Do”
 - c. Commission Concerns
7. Adjourn



**City of Lake Elmo
Planning Commission Meeting
Minutes of May 28, 2014**

Vice Chairman Dodson called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Dodson, Kreimer, Larson, Dorschner, and Haggard joined at 7:15pm.

COMMISSIONERS ABSENT: Morreale, Williams, Yocum and Lundgren.

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson.

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: May 12, 2014

M/S/P: Dorschner/Kreimer, move to approve the minutes as amended, **Vote: 4-0, motion carried unanimously.**

Public Hearing: Zoning Text Amendment – Shoreland Ordinance Update

Johnson started his presentation by going over the proposed ordinance which would add the recently adopted urban development districts to the City's Shoreland regulations. A request was made to add a definition for dedicated riparian areas. This ordinance was submitted to all the appropriate agencies. VBWD was the only one to submit comments. There was a face to face meeting with the DNR, but to date the City has received no formal comments.

Dorchner asked about the performance standards for water oriented accessory structures. He asked when the provisions were last amended. Johnson noted that the performance standards were amended to allow for larger structures used as boat houses. In addition, a reduced setback is also allowed for water oriented accessory structures. Dorschner noted his concern that the proposed ordinance amends the structure height of water-oriented structures back to 10' at the request of the DNR, while one individual property owner got to build a boathouse at a larger dimension.

Kreimer asked about which lakes should be selected for riparian dedication. Johnson noted that staff reviewed the registered public water bodies in the community and

determined that the only water bodies that would benefit from riparian dedication would be Goose and Kramer Lakes.

Dodson asked for clarification regarding Ordinary High Water Level in Table 17-3. Johnson provided clarity.

Public Hearing opened at 8:24pm.

No one spoke and the only written comment was from the VBWD.

Public Hearing closed at 8:24pm.

Dorschner discussed water oriented accessory structures. He noted that he is disappointed that the boathouse structures are not allowed to have a roof.

The Planning Commission would like an interpretation from the City Attorney regarding what enclosed would mean.

M/S/P: Dorschner/Larson, move to strike “with an additional roof” in subsection 4.a.v., ***Vote: 5-0, motion carried unanimously.***

M/S/P: Dodson/Kreimer, move to recommend approval of the amended Shoreland Ordinance with inclusion of Dedicated Riparian area Definition, ***Vote: 5-0, motion carried unanimously.***

Public Hearing: Zoning Text Amendment – Performance Standards Attached Garages

Klatt began his presentation by explaining what the current development standards are in regards to front yard setback and minimum width of residential garages. He noted that the City has received feedback from a number of builders that the existing performance standards related to attached garages are problematic. Staff is proposing an ordinance amendment to address the builder concerns. It would raise the percentage of allowable garage width from 60% to 75% of the total front facade.

Public Hearing opened at 7:58pm.

Joe Jablonski, Lennar Homes, shared his experiences in the dimensions of single family homes. He noted that Lennar homes does not offer single family homes that do not have 3-car garages, as it was not conducive to their marketing. He also noted that Lennar attempts to add architectural features to their homes to add visual interest around the area of the garage. Larson asked if the garages can be reversed to add visual interest. Jablonski noted that the garage side is typically determined by the grading plan and elevations of the lot. Haggard asked for clarifications on which Lennar elevations or

house types met the City's ordinance. Jablonski noted that close to 75% of the home types that were distributed to the Planning Commission do not meet the performance standards. Larson asked about wider lots. Jablonski noted that the same concern exists, as many of their house types remain the same regardless of width of lot.

Craig Allen, Gonyea Company, spoke about his experience with the custom home builders who Gonyea Company works with. He noted that these performance standards have an indirect consequence of limiting creativity with the home styles. Allen also noted that Gonyea and the stable of custom builders they work with build very few homes that do not have three-car garages.

Michael Ramme, Ryland Homes, noted that they do not build any two-car garage homes. The market at this time for single family homes is demanding three-car garages. Ramme noted that requiring garages to be recessed 4 feet adds to the redundancy of neighborhoods. Dodson asked about Ryland's experiences around the Metro area. Ramme noted that he has not encountered other communities that address performance standards for attached garages. Larson asked if it were possible for the building community to be more creative with their design to add variety. Mr. Ramme noted that Ryland has an anti-redundancy clause in their neighborhoods.

Public Hearing closed at 8:32 pm.

Staff discussed their perspective about the architectural standards of attached garages.

Haggard stated her points to the Planning Commission.

Dodson discussed his position related to the architectural standards of single family homes.

Kreimer noted that he supports the interpretation of measuring the garage doors themselves individually. He noted that plats have been approved with smaller lots, and it is the City's responsibility to make it work. Kreimer added that he would support making the minimum lot widths larger, as in retrospect he thinks that was a mistake.

Klatt shared the purpose statement of the City's Zoning Code. Most things such as adequate spacing and height, serve a specific public purpose while percent of garage really doesn't serve a particular public purpose. Design standards are typically used to preserve a community asset while this policy is a private one.

Haggard stated that these standards were devised based on hours of meetings. The lot requirement was dropped at the request of the builders which was probably a mistake. Rather than allowing a larger percentage of garage, she would rather see a wider lot.

M/S/P: Dorschner/Kreimer, move to amend 457.A.2 to read “the width of the visible garage door surface area when closed shall not exceed 60% of the width of the entire principal building façade (including garage) fronting the primary street, **Vote: 4-1, motion carried**, with Haggard voting no.

M/S/P: Dodson/Dorschner, move to recommend approval of the amendments to Section 154.457 of the zoning code concerning attached garages with the amended changes related to garage door width, **Vote: 4-1, motion carried**, with Haggard voting no.

Public Hearing: Minor Comprehensive Plan Amendment – Density Ranges

Klatt started his presentation related to the proposed minor comprehensive plan amendment. This amendment would clarify the density ranges in the Urban Districts. The intent of the perfecting amendment is to close artificial gaps that exist between land use categories in the City’s plan. This will provide clarity, and the change is now possible due to the termination of the MOU with the Metropolitan Council. There would be no changes to Urban Low or High Density, only Urban Median Districts. There would be a minor adjustment to VMX. There would be no requirement for external review based on the districts being looked at.

There was general discussion about the appropriate ranges for the land use categories as part of the plans. The Planning Commission suggested that the number not overlap. An example would be 2.5 to less than 4.

Public Hearing opened at 9:41pm.

No one spoke and no written comments were received.

Public Hearing closed at 9:42 pm.

M/S/P: Dorschner/Kreimer, move to recommend approval of the Minor Comprehensive Plan amendment to remove gaps in the density ranges within the Comprehensive Plan and Table 3-B, as well as changing the ranges to avoid overlap of density ranges, **Vote: 5-0, motion carried unanimously**.

Updates and Concerns

Council Updates – May 20, 2014 Meeting

1. City Code Amendment – Driveway width Perfecting Amendment passed.
2. City Code Amendment – Net Density Passed.
3. Street Vacation – Approved a partial vacation of 12th Street.

4. Developer's Agreement – Approved the Savona Developer's Agreement.

Staff Updates

1. Upcoming Meetings
 - a. June 9, 2014
 - b. June 23, 2014
2. MOU now terminated by the City and Metropolitan Council. The 2040 forecast was also adopted, noting a population of 20,500.
3. Staff will send out Planning Commissioner's web articles.

Commission Concerns -

Planning Commission hoped to discuss what the MOU termination means for the City's Land Use Plan. Klatt offered some ideas about how to complete some high level analysis.

Planning Commission would like to get presentation from Stillwater School District to know how they are planning to accommodate our growth.

Meeting adjourned at 10:04 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant



PLANNING COMMISSION
DATE: 6/9/14
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2014-17

ITEM: Wildflower at Lake Elmo PUD Concept Plan and Comprehensive Plan Amendment

SUBMITTED BY: Kyle Klatt, Community Development Director

REVIEWED BY: Nick Johnson, City Planner
Jack Griffin, City Engineer

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review a request for a Planned Unit Development (PUD) Concept Plan for a proposed residential subdivision to be called Wildflower at Lake Elmo. This application has been submitted by Robert Engstrom Companies, and is a follow-up to a previous submission for a subdivision sketch plan that was tabled by the Planning Commission earlier this spring. Rather than resubmitting a revised sketch plan for this subdivision, the developer has instead decided to address the Comments as part of a request for a PUD Concept Plan. The application has therefore moved into the City's formal review process, and should be considered as a new application. As noted in the following report, the developer has been working to address the comments he received as part of the sketch plan review.

The Planning Commission is also asked to take action on an additional related request to amend the City's Comprehensive Plan to allow residential development to occur on two small areas within the proposed Wildflower at Lake Elmo subdivision that are currently guided for RAD – Rural Area Development and Open Space. During the Planning Commission's review of the sketch plan, these amendments were identified as necessary for moving the project forward.

The proposed subdivision would be located immediately north of the Brookfield Addition along 39th Street and would extend to the northern limits of the Village area boundary. The concept plan includes 145 (up two from the previous sketch plan) single-family lots on a total site area of approximately 117 acres, roughly half of which would be preserved as open space. The PUD Concept Plan does require a public hearing and Staff is recommending that the Planning Commission recommend approval of both the Concept Plan and the requested Comprehensive Plan amendments.

GENERAL INFORMATION

Applicant: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN

Property Owners: Premier Bank, 2866 White Bear Avenue, Maplewood, MN

Location: Part of Sections 12 and 13, Township 29 North, Range 21 West in Lake Elmo, north of 39th Street, west of Lake Elmo Avenue, and south of the northern Village Planning Area boundary line. PID Numbers 13.029.21.32.00001, 12.029.21.34.0001, 13.029.21.21.0001 and 12.029.21.43.0013.

<i>Request:</i>	PUD Concept Plan and Comprehensive Plan Amendment
<i>Existing Land Use:</i>	Agriculture, Woods/Natural Vegetation, Wetlands, Open Space
<i>Existing Zoning:</i>	RT – Rural Transitional Zoning
<i>Surrounding Land Use:</i>	North – vacant/agricultural land, rural residential; west – agricultural land (future Village residential); south – offices, business park land; open space/ Field of St. Croix II subdivision
<i>Surrounding Zoning:</i>	RT – Rural Transitional; RR – Rural Residential, GB – General Business
<i>Comprehensive Plan:</i>	Village Medium Density Residential (3-4 units per acre)/Village Open Space Overlay
<i>Proposed Zoning:</i>	MDR – Urban Medium Density Residential
<i>History:</i>	Property was included in Village Planning Area boundary and municipal sewer service area as defined in the 2013 Village Land Use Plan. Site has historically been used for farming activities, including the growing of agricultural crops. A large portion of the site is located in a Flood District. A small number of the residential lots and Outlots O and P are located on part of the open space land associated with the Fields of St. Croix second addition.
<i>Deadline for Action:</i>	Application Complete – 5/23/14 60 Day Deadline – 7/23/14 Extension Letter Mailed – No 120 Day Deadline – 9/23/14
<i>Applicable Regulations:</i>	Article 10 – Urban Residential Districts (MDR) Article 16 – Planned Unit Development (PUD) Regulations Chapter 153 – Subdivision Regulations

REQUEST DETAILS

The City of Lake Elmo is in receipt of a Planned Unit Development (PUD) Concept plan from Robert Engstrom Companies concerning a proposed residential subdivision to be located within the northern portion of the Village Planning Area as defined in the Comprehensive Plan. The subdivision would be located on land formerly known as the Heritage Farm and Premier Bank property, which consists of 101 acres within the Village Planning Area. In addition to the 101 acres that Mr. Engstrom has agreed to purchase from Premier Bank, the proposed development also includes land that was previously included as part of the open space dedication for the Fields of St. Croix second addition. Because this land was included in the open space calculations for this Open Space development, the applicant will need to modify the terms of an existing conservation easement in order to develop this area as shown on the sketch plan for Wildflower at Lake Elmo.

A second component of the proposal, and a critical element of the application in front of the Planning Commission, is a request to amend the City's Comprehensive Plan to allow residential development to occur on two small areas within the proposed Wildflower at Lake Elmo subdivision that are currently guided for RAD – Rural Area Development and Village Open Space Overlay. These amendments would be split between two portions of the Village Planning Area as follows:

- 12 lots that would be platted on land immediately north of the Schiltgen Farms “Parcel B” development and immediately east of Lake Elmo Avenue. This land is guided both for RAD – Rural Area Development and as part of the Village Open Space Overlay. The proposed amendment would remove these designations for the area to be subdivided and establish a new land use designation of V-LDR (Village Urban Low Density Residential).
- Outlot P of Fields of St. Croix Second Addition. The proposed amendment would change the future land use designation of the western portion of this outlot from RAD – Rural Area Development to V-MDR (Village Urban Medium Density Residential). If approved, the amendment would allow the platting of roughly 17 lots that encroach into this outlot (which would then be replatted as part of the Wildflower subdivision). Outlot P is also subject to a conservation easement held by the City of Lake Elmo that would need to be vacated in order for any portion of this outlot to be replatted into residential building sites.

The entire development site is slightly over 117 acres, which includes the 101-acre Premier Bank land, the 15 acres of open space associated with the Fields of St. Croix Second Addition development, and a smaller strip of land that provides access to the Smith farmstead property to the north of the applicant’s site. Of the 117 acres, roughly half would be used for residential development, while the remainder would be preserved as open space or used for storm water infiltration and retention. As noted in the attached project narrative, the applicant is proposing to use the open space for natural habitat restoration and creation, with a focus on providing a landscape that is friendly towards bees, butterflies, and other pollinators. This philosophy would be carried forward into the residential areas, where the developer will work to incorporate pollinator-friendly plants within these areas.

Overall, the project will include 145 single-family residential lots, the majority of which will be located on the higher portion of the property directly north of the Brookman Addition commercial area along 39th Street. A small number of lots are proposed on the lower part of the site along Lake Elmo Avenue, and the applicant has indicated that he will be providing public sanitary sewer services to these lots in order to address previous review comments. The primary access into the subdivision will be provided over an existing right-of-way that was previously platted within the Brookman Addition south of the applicant’s site. The access through the Brookman Addition will follow the common boundary between the Engstrom property and land immediately to the west now owned by the Gonyea development company. The proposed development plans call for an expansion of this right-of-way in order to accommodate an enhanced wider parkway-style entrance into the subdivision.

In addition to cooperating over the future location of the 39th Street access that will serve their residential developments the Gonyea and Engstrom Companies have also been coordinating the siting of a smaller park area to be shared by both developments. This park area would be located essentially in the middle of the two developments and accessible via roads from either development. With the significant amount of open space being set aside within Wildflower at Lake Elmo, the applicant is not proposing any additional land dedication for parks. The sketch plan was previously reviewed by the Park Commission, and the Commission was open to the idea of the City participating in the long-term maintenance and preservation of the proposed conservation land. The City will need to work with the applicant to define the City’s responsibilities for this open space, and to establish an appropriate plan for ownership and upkeep of this area.

The proposed internal street pattern follows a fairly rigid grid system, with larger lots located further to the north. Within the southern half of the residential area, the applicant is proposing a unique lot layout that incorporates small green courtyards surrounded by homes on smaller lots. This layout

will allow the homes to face the front of the streets around the block, while moving all garages and vehicular accesses to a secondary road around the courtyard. These courtyard homes are intended to serve a different market than has typically been served in Lake Elmo, and would provide for a traditional streetscape and environment that is very attractive for pedestrians.

Other major features of the plan being presented include the creation of larger storm water facilities to the east of the residential areas along State Highway 5 and the development of an extensive trail and path system providing access to the conservation areas and to the rest of the Village Planning Area. The applicant is no longer proposing to construct any community/commercial buildings within the common open space areas adjacent to Highway 5.

One of the reasons the applicant has elected to pursue a Planned Development is that the development proposal includes certain elements that do not conform to City requirements, including the following:

- The applicant is proposing to construct streets that are 18-feet in width to serve the rear portions of the courtyard homes. The City's street standard is 28 feet for public streets. Staff is recommending approval of this exception because these lots are also served by a street meeting standards in the front of all of these lots (with one additional exception noted below).
- The extreme southern street within the project area is shown at 18-feet. As per the City Engineer's comments, Staff is willing to accept a 24-foot road within a 50-foot right-of-way under the terms decreed in the City's Engineer's comments.
- While the courtyard homes will average 7,000 square feet in size, these lots will include several that are 6,000 square feet. The minimum lot size in the MDR zoning district is 7,000 square feet.

By recommending approval of the PUD Concept Plan, the Planning Commission would also be recommending approval of the exceptions described above. In addition, the developer has prepared a list of additional setback requirements for the design features associated with these homes as noted in the attached submission materials. Staff is suggesting that all requested exceptions and any additional development requirements be included in a separate PUD planning document at the preliminary platting stage of the project.

Staff has completed an internal review of the concept plan, and general comments from Staff and recommended conditions of approval are included in this memorandum.

BACKGROUND

The proposed sketch plan is located within the Village Planning Area and is therefore located within the one of the City's future sewer service areas. The Comprehensive Plan guides this area as urban medium density residential at a density of 3 to 4 units per acre, which is consistent with the residential land use classification used for areas closer to the core of the Village. When considering the entire area of 117 acres, the overall gross density proposed is very low at only 1.2 units per acre; however, the net density calculation (which removes wetlands, floodplains, steep slopes, and other undevelopable areas) is closer to the low end of the medium density range at roughly 3 units per acre (approximately 135 homes on 45 acres).

Given its location within the Village Planning Area, there are several issues and details that will need to be resolved for the proposed project to move forward. Most critically, the project falls under the scope of the AUAR Mitigation Plan, and the components of this plan that may be relevant to the

applicant's project must be addressed at the preliminary platting stage. As noted below, Staff is recommending approval of the PUD concept plan and Comprehensive Plan Amendments with several conditions of approval to address the most significant outstanding issues, and more critically, to ensure that the development as proposed cannot move forward with the conservation easement over Outlot P of the Fields of St. Croix still in place.

Staff has provided comments where appropriate in following section to identify elements of the plan that need to be further addressed by the applicant.

The applicant's submission to the City includes the following components:

- *Concept Plan Overview.* The attached narrative includes a general overview of the project with additional details concerning some of the unique aspects of the Wildflower at Lake Elmo development.
- *Existing Conditions.* The applicant has provided detailed surveys depicting the existing conditions in and around the project area.
- *Concept Plan.* The PUD Concept Plan includes a proposed configuration of roads, lots, and other public spaces on the applicant's site. While the plan provides initial dimensions for many of the various lots and streets, some details are still missing and will need to be further reviewed for compliance with the City's standards and regulations. The general lot sizes of 7,200 to 11,200 square feet meet the City's requirements for the MDR – Medium Density Residential zoning district (7,000 square feet is the minimum allowed in this district), with the exceptions notes above for the courtyard homes.
- *Color Plan Rendering.* The applicant has provided a colored drawing that highlights the conservation areas, green space and wetland areas within the development.
- *Typical Courtyard Homes Block.* The applicant has submitted a sketch of a typical block within the courtyard home area. The developer is proposing to establish a homeowners association for the development that will be responsible for the maintenance of the areas between and around homes and the common "courtyard park" areas internal to the lots.

The Staff review comments that follow are all based on conducting a high level review of the concept plan since there is not a lot of detailed information that is required at this stage in the development process. Staff has instead focused on the bigger picture items and those things that would otherwise not allow the development to move forward if they contrasted with elements from the Comprehensive Plan, Village AUAR Mitigation Plan, or the City Code.

STAFF REVIEW COMMENTS:

Members of the Community Development, Public Works, Engineering, and Fire Departments have previously reviewed the sketch plan, while the City Engineer has provided an additional review of the PUD Concept Plans. The Staff comments for this project are as follows:

- *Land Use:* The proposed residential development is consistent with the future land use map, which guides this area for Village Urban Medium Density and open space. Using the City's recently adopted definition for "net density", the project falls right at three units per acre, which is at the low end of the MDR land use range.

- **Buffer Areas/Green Belt.** A minimal open space/green belt buffer is preserved as part of the Wildflower development. Because residential lots now encroach closer to adjacent residential sites that were excluded from the Village Planning Area, Staff is recommending that the developer provide additional details concerning the buffering techniques that will be used to ensure the spirit and intent of the City’s village open space buffer is met as part of a future preliminary plat submission.
- **Comprehensive Plan Amendments.** The following amendments have been requested as part of the application to the City:
 - A Comprehensive Plan amendment to change the western portion of Outlot P of Fields of St. Croix Second Addition from RAD – Rural Area Development to V-MDR (Village Urban Medium Density Residential).
 - A Comprehensive Plan Amendment to change roughly eight acres immediately east of Lake Elmo Avenue and north of the Schiltgen Farms – Parcel “B” area from RAD – Rural Area Development and Village Open Space Overlay to V-LDR (Village Urban Low Density Residential).
- **Zoning Map Amendments.** The following amendments will be necessary to move this project forward. Please note that such rezoning area typically requested as part of a preliminary plat submission:
 - A Zoning Map Amendment to change the zoning of this development area from RT – Rural Transitional to MDR – Medium Density Residential or LDR – Low Density Residential (for the smaller 12-lot area). Some form of public or open space zoning may be appropriate for the conservation areas depending how this land is owned and managed.
- **Density:** The net density calculation for the site is right at three units per acre, which at the minimum end of the MDR range of three to four units per acre.
- **Village Guiding Principles.** The Village Land Use Plan incorporated the 13 guiding principles from the Village Master Plan. Of these principles, the proposed Wildflower at Lake Elmo will implement several of them, including:
 - Principle 1 - Evoke a sense of place: Build on existing assets to preserve the small town, rural character of Lake Elmo, maintaining the Old Village as the heart of the city.
 - Principle 2 - Balance natural and built systems: Integrate development within a green framework of parks, trails and the open space greenbelt.
 - Principle 7 - Improve connectivity: Provide a balanced network for movement that links local neighborhoods and Village Area attractions with city-wide and regional systems, paying equal attention to cars, bicycles, pedestrians and transit.

- Principle 11 - Become a great model: Encourage other communities to ‘raise the bar’ by demonstrating low impact development, best practices and sustainability.
- **Lake Elmo Theming Study.** As Robert Engstrom Companies move forward with the preparation of a preliminary plat, Staff is strongly encouraging the applicant to incorporate elements from the Lake Elmo Theming Study into the design of the project. The inclusion of various theming elements would help augment the implementation of several of the guiding principles noted above.
- **Zoning.** The City recently adopted new urban development districts, including urban low density, medium density, and high-density residential zoning districts. In general, the concept plan has been designed to comply with the medium density district standards in regards to lot area, setbacks, and other dimensional standards. The smallest lots that average 7,000 square feet are consistent with the MDR district requirements. The City has not adopted any special zoning for the Village Residential areas, and Staff is recommending that the City rezone applicant’s site to LDR/MDR at the time of preliminary plat review. Zoning changes as noted above will be necessary for the project to move forward as proposed.
- **Land Use and Zoning Flexibility.** Proposed lot layouts and street widths in some cases do not meet minimum zoning requirements. The City’s PUD Ordinance allows for some flexibility from zoning and subdivision requirements. Single family homes are permitted in the underlying MDR zoning, and exceptions have only been requested for the courtyard home areas.
- **Conservation Easements.** The developer is proposing to trade additional open space to the north of the development in exchange for being able to develop land that is currently subject to a conservation easement. There are approximately 17 lots that would be platted across the Premier Bank parcel on to land that is presently owned by Robert Engstrom Companies, but currently encumbered by said easement. This land would also be used for some of the subdivision’s storm water facilities. The applicant has met with the Fields of St. Croix Homeowner’s Association to discuss the land use change on this parcel, and both parties have indicated to Staff that there is a general agreement to allow the easement vacation to move forward. The developer will need to submit a formal request to the City to eliminate these easements as the City is the sole easement holder.

Natural Resource Areas. The Village AUAR included an analysis of ecologically sensitive areas within the planning area, and a portion of the primary ecological areas are found on the northern portions of the applicant’s property. These ecologically sensitive areas are all located with the proposed conservation areas. The applicant’s plan for habitat restoration is very much in line with the mitigation plan adopted as part of the AUAR.

Wetlands. The ecologically sensitive areas discussed above include wetlands, but will be protected from impacts through the platting process as part of the open space preservation areas within the development.

- **Parks and Open Space.** The proposed plans include the creation of a shared park with the neighboring development. The Park Commission will need to continue to work with the applicant at developing a long-rang plan for the conservation area.

- ***Sidewalks and Trails.*** The sketch plans include an extensive series of paths and trails. The developer will need to work with the City to establish which are private and which are public. Trails around storm water facilities should be public since they will likely be located on storm water outlots dedicated to the City.
- ***Subdivision Review Process.*** In order to proceed with the subdivision of the land included in the concept plan area the applicant will need to prepare a preliminary plat application. At this stage there is much more information required as part of the submission process, which also requires a public hearing.
- ***Public Utilities.*** The applicant has been cooperating with other property owners within the Village to extend sanitary sewer services to the site from the south. The City has also been coordinating with these owners to run the eventual sewer service line under 39th Street. The sewer would then follow the 39th Street connection road into both the Engstrom and Gonyea North developments. The City Engineers comments include multiple references concerning the developer's need to properly plan for the extension of public services to the site.
- ***Landscaping.*** The applicant has not provided any details concerning landscaping for the site, which must be submitted at the time of preliminary plat submission. The applicant will also need to submit a tree preservation and protection plan as part of this application. The plan as submitted avoids any significant impacts to the portions of the site covered with trees and other vegetation.
- ***City Street Standards.*** The roads as proposed do not meet the minimum requirements and standards for residential streets, and in particular, the City's typical cross section for such streets. The streets as depicted on the sketch plan range in size from 28 feet wide to 18 feet wide; the City's typical section calls for a 28 foot wide street. Since the submission of the sketch plan for the project, the developer has revised the streets so that all streets with the exception of streets internal to the courtyard homes comply with the City's minimum standards.
- ***State Highway 5 Access.*** The project no longer includes any access to Highway 5, and the main entrance is located off of 39th Street. The sketch plan does eliminate an existing access driveway that connects directly to Highway 5. This driveway would be routed to one of the local streets within Wildflower at Lake Elmo.
- ***39th Street Access.*** The developer will need to construct the new road connecting the development with 39th Street as part of the public improvements associated with the project. The developer is encouraged to work with the neighboring property owner to build this road (Gonyea will have a similar requirement with its Gonyea North development). Engstrom Companies has requested that the City consider expanding the existing 60-foot right-of-way through the Brookman Addition to 90 feet on order to provide additional room for a trail and enhanced landscaping.
- ***Environmental Review.*** The proposed Easton Subdivision is located within the area covered by the Village AUAR. As such, the City and the developer will need to comply with the

AUAR Mitigation plan that was adopted with the Final AUAR. The most critical elements of the Mitigation Plan that must be addressed include the following:

- *Floodplain Management.* While the northern portion of the applicant's site includes a large floodplain area, there is no development proposed within these areas.
 - *Storm Water Management.* The storm water management plan for Wildflower at Lake Elmo will need to meet the AUAR requirements in addition to City ordinances and Valley Branch Watershed District standards.
 - *Natural Resource Areas.* Preservation of the primary ecological areas is one of the goals of this development.
 - *Transportation.* The developer is proposing a new access to Highway 5 that was not identified in the AUAR. As noted above, Staff is recommending that a transportation engineer be retained to provide recommendations concerning this proposed connection. In general, Staff does not believe that the proposed Highway 5 access would substantially alter the findings and conclusions from the AUAR; however, there are potential safety concerns associated with this connection that warrant further study before this access can be shown on a preliminary plat.
 - *Potential Environmental Hazard Sites.* There are no identified hazard sites on this property.
- *Storm Water Ponds.* In accordance with the City's Engineering and Design Standards, all storm water facilities must be located on an outlot dedicated to the City. The developer will need to provide access to these ponds to allow for future maintenance.
 - *City Engineer Review.* The City Engineer's has submitted comments as outlined in the attached letter. The Engineer has previously noted that he would need to see additional details before commenting on any proposed storm water management plan, and in particular, questioned how storm water runoff would be directed by applicant.
 - *Fire Chief Review.* The Fire Chief has previously asked that the roads within the development be designed in accordance with Minnesota Fire Code standards. He did express concern that the proposed roads interior to the courtyard homes would be difficult to maneuver through, especially if parking were allowed on these streets.

PROPOSED FINDINGS:

Based on the above comments and analysis, Staff is recommending that the Planning Commission recommend approval of the PUD Concept Plan and the Comprehensive Plan amendments described above. Staff has also found that the PUD plans, including the creation of a larger conservation area in exchange for a reduction of the existing conservation easements within the Fields of St. Croix second addition is warranted and consistent with the objectives of a PUD listed as follows:

- A. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches;
- B. Promotion of integrated land uses, allowing for a mixture of residential, commercial, and public facilities;

- C. Provision of more adequate, usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques;
- D. Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing;
- E. Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities;
- F. Preservation of historic buildings, structures or landscape features;
- G. Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses;
- H. Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation;
- I. Allowing the development to operate in concert with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objectives will be achieved; and
- J. Higher standards of site and building design than would otherwise be provided under conventional land development technique.

RECCOMENDATION:

Staff is recommending that the Planning Commission recommend approval of the PUD Concept plan for Wildflower at Lake Elmo subject to the following conditions:

- 1) The applicant shall submit a formal request to the City to remove the existing conservation easements over Outlot P of the Fields of St. Croix Second Addition. The concept plan must be revised if the City Council does not agree to the requested removal.
- 2) The proposed road providing a connection to 39th Street shall be included as part of the improvement plans for Wildflower at Lake Elmo.
- 3) The preliminary plat shall include landscape plans that incorporate additional screening and buffering of residential properties located to the east and northeast of Wildflower at Lake Elmo.
- 4) The Preliminary Plat will address all comments from the City Engineer in a letter to the City dated June 2, 2014. In particular, the preliminary development plans shall address the provision of public sewer and water to the subdivision.
- 5) The Comprehensive Plan Amendments related to Wildflower at Lake Elmo must be approved before the City can take action on a preliminary plat.
- 6) All storm water retention and infiltration areas must be dedicated to the City and platted as outlots on the preliminary plat unless otherwise directed by the City Engineer.
- 7) The developer shall define the purpose and use of the proposed streets, and specifically for those streets that do not meet current City engineering and design standards. All streets shall be dedicated for public use subject to any parking restrictions as recommended by the City Engineer.
- 8) The most southerly street running east and west shall be designed in accordance with the recommendations of the City Engineer.
- 9) A public trails must be located outside of wetland buffer zones.
- 10) The small residential area and cul-de-sac immediately east of Lake Elmo Avenue shall be provided with public sanitary sewer service.

- 11) The applicant shall secure all necessary permits from Washington County for the proposed access off of Lake Elmo Avenue North.
- 12) The developer shall work with the property owner immediately to the south of Wildflower at Lake Elmo concerning the proposed expansion of the existing Layton Avenue right-of-way. The developer will also give consideration to adding a second access point to 39th Street.
- 13) The developer shall submit a PUD plan as part of any future preliminary development plans. The City of Lake Elmo agrees to a reduced road right-of-way to serve the rear yards of the courtyard homes. The PUD Plan shall include all requested departures from City ordinances and development standards.
- 14) The developer shall prepare a plan for ownership and management of the proposed conservation areas as part of preliminary PUD plans.

Staff is further recommending that the Planning Commission recommend approval of amendments to the Comprehensive Plan to change the western portion of Outlot P of Fields of St. Croix Second Addition from RAD – Rural Area Development to V-MDR (Village Urban Medium Density Residential) and to change roughly eight acres immediately east of Lake Elmo Avenue and north of the Schiltgen Farms – Parcel “B” area from RAD – Rural Area Development and Village Open Space Overlay to V-LDR (Village Urban Low Density Residential) subject to the following condition:

- 1) Submission of the Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that its review has been completed and approved.

ATTACHMENTS:

1. Application Form
2. Concept Plan Overview
3. Contact Information
4. Wildflower Lot Size and Design Summary
5. Legal Description
6. City Acknowledgements
7. Layton Avenue Wetland Delineation Report
8. Existing Conditions Surveys (4)
9. Wildflower at Lake Elmo Concept Plan
10. Typical Courtyard Homes Block
11. City Engineer Comments – June 2, 2014
12. Proposed Comprehensive Plan Amendments

ORDER OF BUSINESS:

- IntroductionCommunity Development Director
- Report by StaffCommunity Development Director
- Questions from the Commission Chair & Commission Members
- Open the Public HearingChair
- Close the Public Hearing.....Chair

- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

Date Received: _____
Received By: _____
Permit #: _____



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

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan PUD Preliminary Plan PUD Final Plan

Applicant: ROBERT ENGSTROM COMPANIES
Address: 4801 W. 81ST ST. #101 BLOOMINGTON, MN. 55437
Phone #: 952-893-1001
Email Address: ROBERTENGSTROM@GMAIL.COM

Fee Owner: PREMIER BANK
Address: 2866 WHITE BEAR AVE MAPLEWOOD 55109
Phone #: 651-855-1114
Email Address: LNATH@PREMIERBANKS.COM

Property Location (Address and Complete (long) Legal Description):
WILD FLOWER AT LAKE ELMO
A 39 1/2 AVE NO.
(LEGAL ATTACHED)

Detailed Reason for Request: SEE ATTACHED

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

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: [Signature] Date: 5/22/14
Signature of fee owner: _____ Date: _____

Wildflower at Lake Elmo Concept Overview

Robert Engstrom Companies has acquired a 101-acre site from Premier Bank. The site is located immediately west of the second phase of The Fields of St. Croix and in close proximity to the Old Village of Lake Elmo. The developable land conforms with the medium density designation of the City of Lake Elmo Comprehensive Plan.

Approximately 60 acres, when combined with an out-lot from The Fields of St. Croix, will be dedicated to Natural Habitat restoration and creation, along with surface water management.

A preliminary site plan has been prepared, which indicates four different types of residential housing products. 67 lots are approximately 60x120' in a Garden Court setting that has interior park-like features in the center of the block, similar to our long-lasting Summit Place development in the Cathedral Hill district of St. Paul. This product would have association-maintained exterior grounds and be attractive to baby-boomers, singles, and busy two-income families. Target price range is estimated at \$300-400,000. The second product is 80 and 90 foot wide lots of 135', suitable for custom homes. Another grouping of nine lots overlooks a proposed wetland area and prairie. Another product is ten high-value sites on the bluff overlooking the Nature Conservancy. The last product is 11 lots at a lower level, adjacent to Lake Elmo Avenue and adjoining the Natural Conservancy. Wildflower is intended to capitalize on the national Healthy Communities movement. The sidewalks and pathways, will be convenient walking and biking opportunities and most of the pathway design will be bituminous and a lesser amount will be mowed grass paths through the prairie. The landscape philosophy is to include some bee and pollinator-friendly plants as part of each homeowner's landscape. Public art might include distinctive benches, street signs, mailboxes, and sculpture. Dark-skies street and home lighting will be friendly to pollinators and people alike.

Our company has successfully developed two landmark developments within a 1/2 mile of this site--Cloverdale Farm and The Fields of St. Croix, 1st and 2nd Addition. The Fields of St. Croix, 2nd Addition is contiguous to this property. Both of these neighborhoods have significant prairie installations, thereby helping to create a synergistic impact with the new natural habitat, which will feature native plants, trees, shrubs, and prairie. Our thought given to innovative land plans, landscape architecture, architectural control, and respect for the land itself will make Wildflower at Lake Elmo a distinctive addition to the Lake Elmo Village Center.

Legal Description Attached

Staging-The initial development will be one of the 22-lot courtyard clusters and approximately 25 larger, detached lots on the easterly portion of the site. We selected the east side in order to minimize construction traffic through completed areas.

The Fields of St. Croix Agreement-In order to help with the conversion of the farmland into natural habitat and surface water management, an agreement has been reached to facilitate the development depicted on the attached site plan. A green-space buffer and driveway access is designed to be complementary to the existing ten-acre Smith residence and grounds. Similarly, the land plan is friendly to the two existing residential parcels.

The Wildflower Conservancy-The 60-acres devoted to natural habitat will be installed by the developer. The prairie and play field area will be owned by the Wildflower Community Association. The major conservancy area will be a separate entity with bituminous trails and passive areas open to the public. It is intended that the Conservancy will be covered by a Conservation Easement to the City of Lake Elmo. The long-term finances and maintenance responsibilities still need discussion with the City of Lake Elmo. This area more than covers the park dedication requirement, therefore, any help from other developments would be appreciated.

Public Art-The development will have distinctive landscape designs, such as benches, lighting fixtures, mailboxes, and free-standing sculptural features. The grand two-lane, divided streets with a 20' median will lend itself to interesting landscape design, as well as some bio-retention areas for surface water management. Any cooperative art-scape ideas with the City of Lake Elmo would be welcomed.

Architectural Review Process - We will maintain the same process used at pas REC projects located in Lake Elmo. The process requires builders, home owners and designers to submit preliminary plans for our review and approval. Plans will be guided to meet the architectural parameters established by REC and our consultant team to comply with good practices for style, architectural character and finishes.

Wildflower at Lake Elmo

Planned Unit Development (PUD) General Concept Plan Application

Landowner: Robert Engstrom Companies
4801 W 81st Street, Suite 101
Bloomington, MN 55436
952-893-1001
(Contract Purchaser)

Applicant: Robert E. Engstrom
(Address & contact information above)
robteengstrom@gmail.com

Consultants Gerald Mazzara
Design Forum, Architecture & Landscape Architecture
4801 W 81st Street
Bloomington, MN 55437
612-618-7406

Paul Thomas
Pioneer Engineering & Surveying
2422 Enterprise Dr
Mendota Hts, MN 55120
651-251-06605

Kelly Bopray
Bopray Environmental Services
N7831 920th St
River Falls, WI 54022
715-307-4577

Braun Intertec
Soils Engineers
Erik Johnson
11001 Hampshire Ave S
Minneapolis, MN 55438
952-995-2426

Netzell Legal Services, LLC
Tim Netzell
7900 International Dr, Suite 300
Bloomington, MN 55425
952-851-7877

WILDFLOWER

LOT PROFILE (SFD)

	BLUFF LOTS	CONSERVANCY LOTS	LARGE LOTS	COURTYARD LOTS
QUANTITY	10	12	56	67
AVG DIMENSION	VARIABLE	VARIABLE	85'x145' +/-	61'x115' +/-
AVG SIZE (S.F.)	18,585	21,600	12,325 +/-	7,015 +/-

SETBACKS

	BLUFF LOTS	CONSERVANCY LOTS	LARGE LOTS	COURTYARD LOTS
FRONT YD.	25'	25'	25'	20'
SIDE YD.	25' (10' & 15')	25' (10' & 15')	15' (5' & 10')	15' (5' & 10' or 7 1/2' & 7 1/2')
REAR YD.	VARIABLE To maintain bluff vegetation and slope erosion	VARIABLE To maintain bluff vegetation and slope erosion	30'	22'

COURTYARD LOTS:

SPECIFIC CONDITIONS FOR SETBACK DESIGN FEATURES, FRONT, REAR & SIDE YARDS, TO ALLOW FOR OVERLAPPING ARCHITECTURA AND LANDSCAPE ELEMENTS IN SETBACK AREAS.

A.	FIREPLACE BUILD OUTS (CHIMNEY & VENT BOXES)	2'-0" MAX.
B.	WINDOW BAYS OR BOX OUT FEATURES (CANTILEVERED)	2'-0" MAX.
C.	CANTILEVERED FLOOR AREAS (1 & 2 STORIES)	2'-0" MAX.
D.	FRONT PORCHES	10'-0" MAX. OR 6'-0" INSIDE FRONT P.L.
E.	ROOF OVERHANGS, ALL SIDES	3'-6" MAX.
F.	HIGH FENCES – NOT ATTACHED TO HOUSE (MAX. HT. - 5'- 6')	3'-0" MAX. SIDE YD.
G.	LOW FENCES (30"- 36" HT.) – FRONT & REAR YD - ALLOWED, CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS AND GARDEN AREAS.	FRONT YD OR 6'-0" INSIDE FRONT P.L. REAR YD: NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE.
H.	DECKS & PATIOS – FRONT YD.	6'-0" INSIDE FRONT P.L.
I.	DECKS & PATIOS – SIDE YD.	3'-0" MAX.
J.	DECKS & PATIOS – REAR YD.	NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE.
K.	TRELLIS, ARBORS, GATEWAYS & FEATURES	LOCATION & SIZE TO BE CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS & GARDEN AREAS.

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

The North 1/2 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 12, Township 29, Range 21, Washington County, Minnesota, save and except the following described part thereof: All that part of the Northeast 1/4 of the Southwest 1/4 of Section 12, Township 29, Range 21, Washington County Minnesota, described as follows: Beginning at the center of said Section 12; thence due South along the East line of said Northeast 1/4 of Southwest 1/4 a distance of 1240.5 feet; thence at right angles due West a distance of 200 feet; thence North 55°00" West a distance of 270 feet; thence due North a distance of 617 feet; thence at right angles due East a distance of 147 feet; thence at right angles due North a distance of 466 feet more or less to the North line of said Northeast 1/4 of Southwest 1/4; thence Easterly along the North line of said Northeast 1/4 of Southwest 1/4 a distance of 274.17 feet to the place of beginning.

AND

That part of the Northeast 1/4 of the Northwest 1/4 of Section 13, Township 29, Range 21, Washington County, Minnesota, described as follows: Commencing at the Northeast corner of said Northeast 1/4 of Northwest 1/4 of said Section 13, thence West on the North line thereof 35 feet to a point, thence South and parallel to the East line of said quarter section to the North line of Trunk Highway No. 212; thence Northeast on the North line of said Highway to the East line of said quarter section; thence North on the East line of said quarter section to the place of beginning.

EXCEPTING THEREFROM all of the following described real property: The North 330.88 feet of the Northwest Quarter of the Southwest Quarter of Section 12, Township 29, Range 21, Washington County, Minnesota.

NOTE: The precise legal description of the Property is to be confirmed by an updated Title Commitment (defined herein). It is the intent of the parties that the Property consists of the real property owned by the Seller as identified as PID Nos. 12.029.21.32.0001, 12.029.21.34.0001 and 13.029.21.21.0001, consisting of approximately 101 acres. In the event that the correct description of the Property established in the Title Commitment should differ from the description set forth herein, the description set forth in the Title Commitment shall be deemed to automatically replace the description set forth herein.

AND

OUTLOTS O AND P, THE FIELDS OF ST. CROIX



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 Robert Engstrom Date 5/22/14

Name of applicant Robert Engstrom Phone 952-893-1001
(Please Print) COMPANIES

Name and address of Contact (if other than applicant) _____



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 Robert E Engstrom
(Please Print)

Street address/legal description of subject property _____
WILDFLOWER AT LAKE ELMO
ACCESS OFF 39th AVE. NO.
LEGAL ATTACHED

Robert E Engstrom
Signature

5/22/14
Date

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.



Memorandum

To: Bob Engstrom, Robert Engstrom Companies
Kyle Klatt, City of Lake Elmo
John Hanson, Valley Branch Watershed District

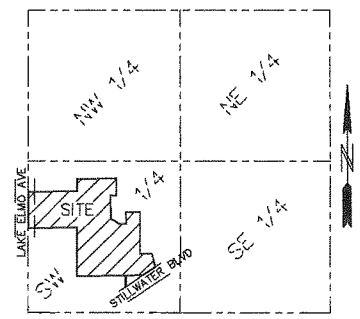
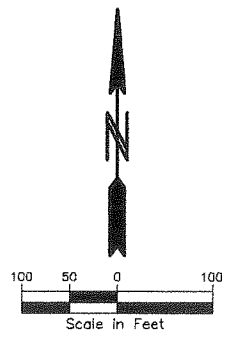
From: Kelly Bopray

Subject: Layton Ave. N. Wetland Delineation Report

Date: October 21, 2013

Attached please a copy of the wetland delineation report for the unimproved section of Layton Avenue N., north of 38th Street in Lake Elmo. This site was not included in the original wetland report for "The Conservancy/Wildflower at Lake Elmo" site. This area will be the access route to the site and at the request of the City Engineer was reviewed for potential wetlands. The site location map is in the wetland delineation report. I have concluded there are no wetlands on the site.

If you have any questions please feel free to call me at 715-307-4577.



- | | | | |
|--|--------------------------------------|--|--|
| | Denotes concrete | | Denotes catch basin |
| | Denotes gravel | | Denotes catch basin beehive |
| | Denotes bituminous | | Denotes cast iron monument |
| | Denotes culvert | | Denotes electric box |
| | Denotes tree line | | Denotes fire end section |
| | Denotes storm sewer line | | Denotes flag pole |
| | Denotes sanitary sewer line | | Denotes natural gas meter |
| | Denotes water line | | Denotes gate valve |
| | Denotes overhead utility lines | | Denotes hand hole |
| | Denotes underground television line | | Denotes semaphore |
| | Denotes underground telephone line | | Denotes service |
| | Denotes underground fiber optic line | | Denotes telephone box |
| | Denotes underground electric line | | Denotes test hole |
| | Denotes underground gas line | | Denotes television box |
| | Denotes fence (barbed wire) | | Denotes water well |
| | Denotes fence (chain link) | | Denotes monitoring well |
| | Denotes fence (wood) | | Denotes mailbox |
| | | | Denotes control point |
| | | | Denotes found iron pipe |
| | | | Denotes judicial land mark |
| | | | Denotes light pole |
| | | | Denotes manhole other than sanitary or storm |
| | | | Denotes pick nail |
| | | | Denotes utility pole |
| | | | Denotes lawn sprinkler valve |
| | | | Denotes lawn sprinkler head |
| | | | Denotes sanitary or storm manhole |
| | | | Denotes hydrant |
| | | | Denotes spike |
| | | | Denotes sign |
| | | | Denotes cleanout |
| | | | Denotes tree |

LEGAL DESCRIPTION PER TITLE COMMITMENT

The real estate being located in the County of Washington, State of Minnesota, and legally described as follows: The North Half of Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 12, Township 29, Range 21, Washington County, Minnesota, save and except the following described part thereof: All that part of the Northeast Quarter of the Southwest Quarter of Section 12, Township 29, Range 21, Washington County, Minnesota, described as follows: Beginning at the center of said Section 12; thence due South along the East line of said Northeast Quarter of Southwest Quarter a distance of 1240.5 feet; thence at right angles due West a distance of 200 feet; thence North 55 degrees 00 minutes 00 seconds West a distance of 270 feet; thence due North a distance of 617 feet; thence at right angles due East a distance of 147 feet; thence at right angles due North a distance of 466 feet more or less to the North line of said Northeast Quarter of Southwest Quarter; thence Easterly along the North line of said Northeast Quarter of Southwest Quarter a distance of 274.17 feet to the place of beginning.

AND

That part of the Northeast Quarter of the Northwest Quarter of Section 13, Township 29, Range 21, Washington County, Minnesota, described as follows: Commencing at the Northeast corner of said Northeast Quarter of Northwest Quarter of said Section 13, thence West on the North line thereof 35 feet to a point, thence South and parallel to the East line of said quarter section to the North line of Trunk Highway No. 212; thence Northeast on the North line of said Highway to the East line of said quarter section; thence North on the East line of said quarter section to the place of beginning. Excepting therefrom all of the following described real property: The North 330.88 feet of the Northwest Quarter of the Southwest Quarter of Section 12, Township 29, Range 21, Washington County, Minnesota.

AND

Outlets Q and P THE FIELDS OF ST. CROIX 2ND ADDITION according to the plat thereof, Washington County, Minnesota.



2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: 681-9488
www.pioneereng.com

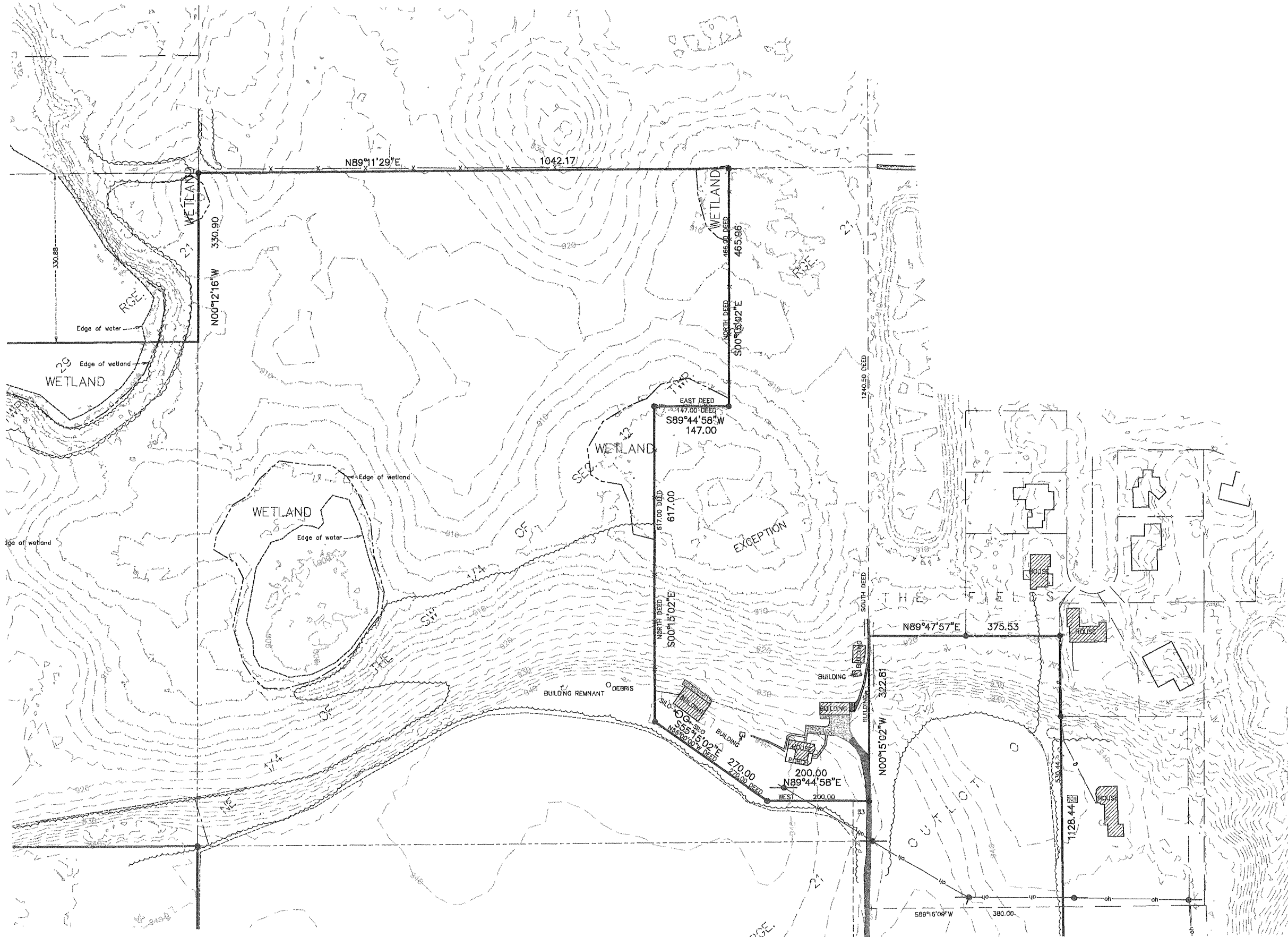
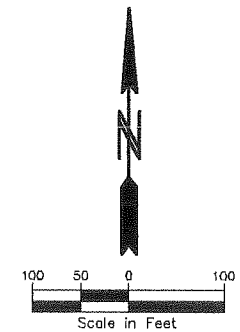
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor under the laws of the State of Minnesota.
Name: Peter J. Hawkinson
Reg. No. 42299
Date: 05-22-2014

Revisions:
Date: 5-22-14
Designed:
Drawn: KTH

EXISTING CONDITIONS

ROBERT ENGSTROM COMPANIES

WILDFLOWER AT LAKE ELMO
LAKE ELMO, MINNESOTA



- Denotes concrete
- Denotes gravel
- Denotes bituminous
- Denotes culvert
- Denotes tree line
- Denotes storm sewer line
- Denotes sanitary sewer line
- Denotes water line
- Denotes overhead utility lines
- Denotes underground television line
- Denotes underground telephone line
- Denotes underground fiber optic line
- Denotes underground electric line
- Denotes underground gas line
- Denotes fence (barbed wire)
- Denotes fence (chain link)
- Denotes fence (wood)
- Denotes catch basin
- Denotes catch basin beehive
- Denotes cast iron monument
- Denotes electric box
- Denotes flared end section
- Denotes flag pole
- Denotes natural gas meter
- Denotes gate valve
- Denotes hand hole
- Denotes semaphores
- Denotes service
- Denotes telephone box
- Denotes test hole
- Denotes television box
- Denotes water well
- Denotes monitoring well
- Denotes mailbox
- Denotes control point
- Denotes found iron pipe
- Denotes judicial land mark
- Denotes light pole
- Denotes manhole other than sanitary or storm
- Denotes pk nail
- Denotes utility pole
- Denotes lawn sprinkler valve
- Denotes lawn sprinkler head
- Denotes sanitary or storm manhole
- Denotes hydrant
- Denotes spike
- Denotes sign
- Denotes cleanout
- Denotes tree

PIONEERengineering
 CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

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 Mendota Heights, MN 55120
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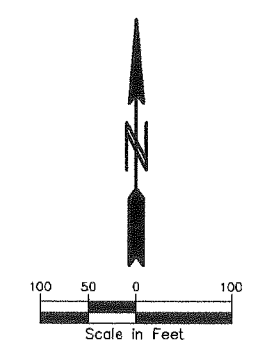
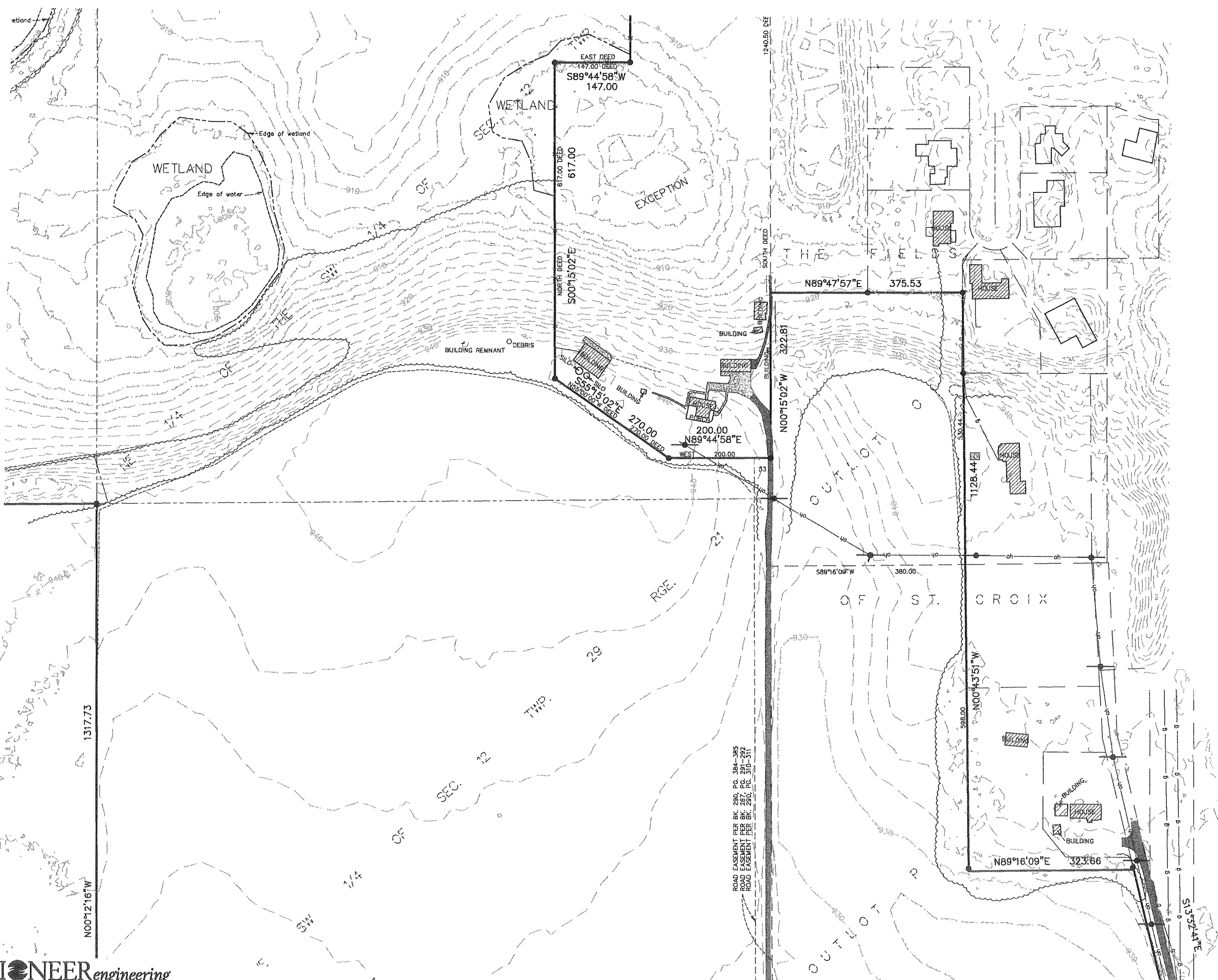
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor under the laws of the State of Minnesota.
 Name: Peter J. Hawkinson
 Reg. No. 42299 Date 05-22-2014

Revisions:
 Date: 5-22-14
 Designed:
 Drawn: KTH

EXISTING CONDITIONS

ROBERT ENGSTROM COMPANIES

WILDFLOWER AT LAKE ELMO
 LAKE ELMO, MINNESOTA



- Denotes concrete
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 Fax: 681-9488
 www.pioneereng.com

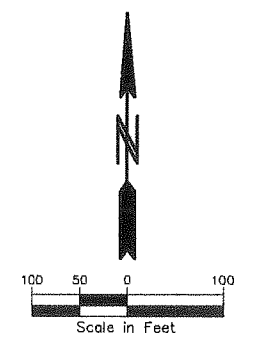
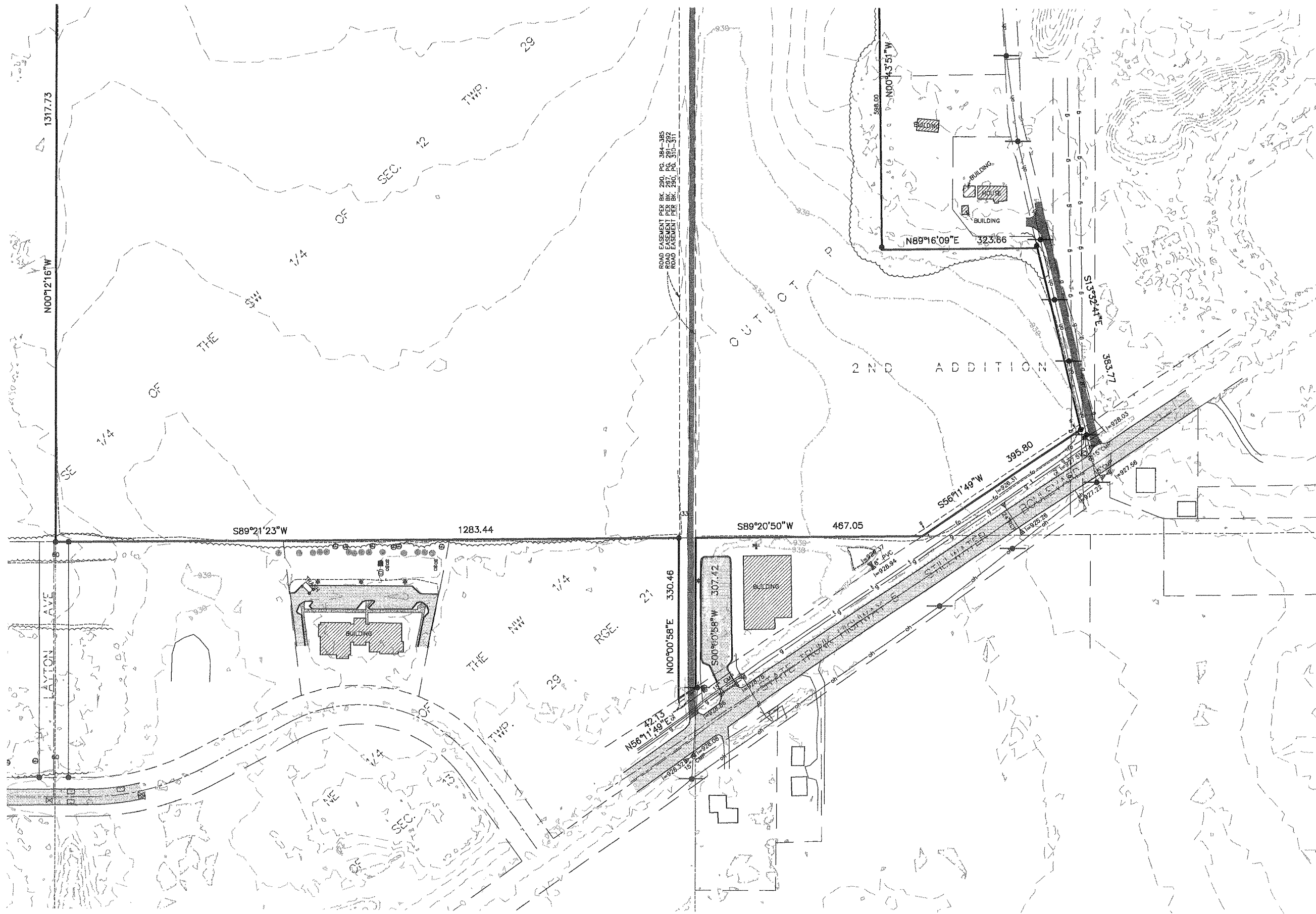
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor under the laws of the State of Minnesota.
 Name: Peter J. Hawkinson
 Reg. No. 42299 Date 05-22-2014

Revisions:
 Date: 5-22-14
 Designed:
 Drawn: KTH

EXISTING CONDITIONS

ROBERT ENGSTROM COMPANIES

WILDFLOWER AT LAKE ELMO
 LAKE ELMO, MINNESOTA



- Denotes concrete
- Denotes gravel
- Denotes bituminous
- Denotes culvert
- Denotes tree line
- Denotes storm sewer line
- Denotes sanitary sewer line
- Denotes water line
- Denotes overhead utility lines
- Denotes underground television line
- Denotes underground telephone line
- Denotes underground fiber optic line
- Denotes underground electric line
- Denotes underground gas line
- Denotes fence (barbed wire)
- Denotes fence (chain link)
- Denotes fence (wood)
- Denotes catch basin
- Denotes catch basin beehive
- Denotes cast iron monument
- Denotes electric box
- Denotes flared end section
- Denotes flag pole
- Denotes natural gas meter
- Denotes gate valve
- Denotes hand hole
- Denotes semaphore
- Denotes service
- Denotes telephone box
- Denotes test hole
- Denotes television box
- Denotes water well
- Denotes monitoring well
- Denotes mailbox
- Denotes control point
- Denotes found iron pipe
- Denotes judicial land mark
- Denotes light pole
- Denotes manhole other than sanitary or storm
- Denotes pk nail
- Denotes utility pole
- Denotes lawn sprinkler valve
- Denotes lawn sprinkler head
- Denotes sanitary or storm manhole
- Denotes hydrant
- Denotes spike
- Denotes sign
- Denotes cleanout
- Denotes tree

PIONEER Engineering
 CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
 2422 Enterprise Drive
 Mendota Heights, MN 55120
 (651) 681-1914
 Fax: 681-9488
 www.pioneereng.com

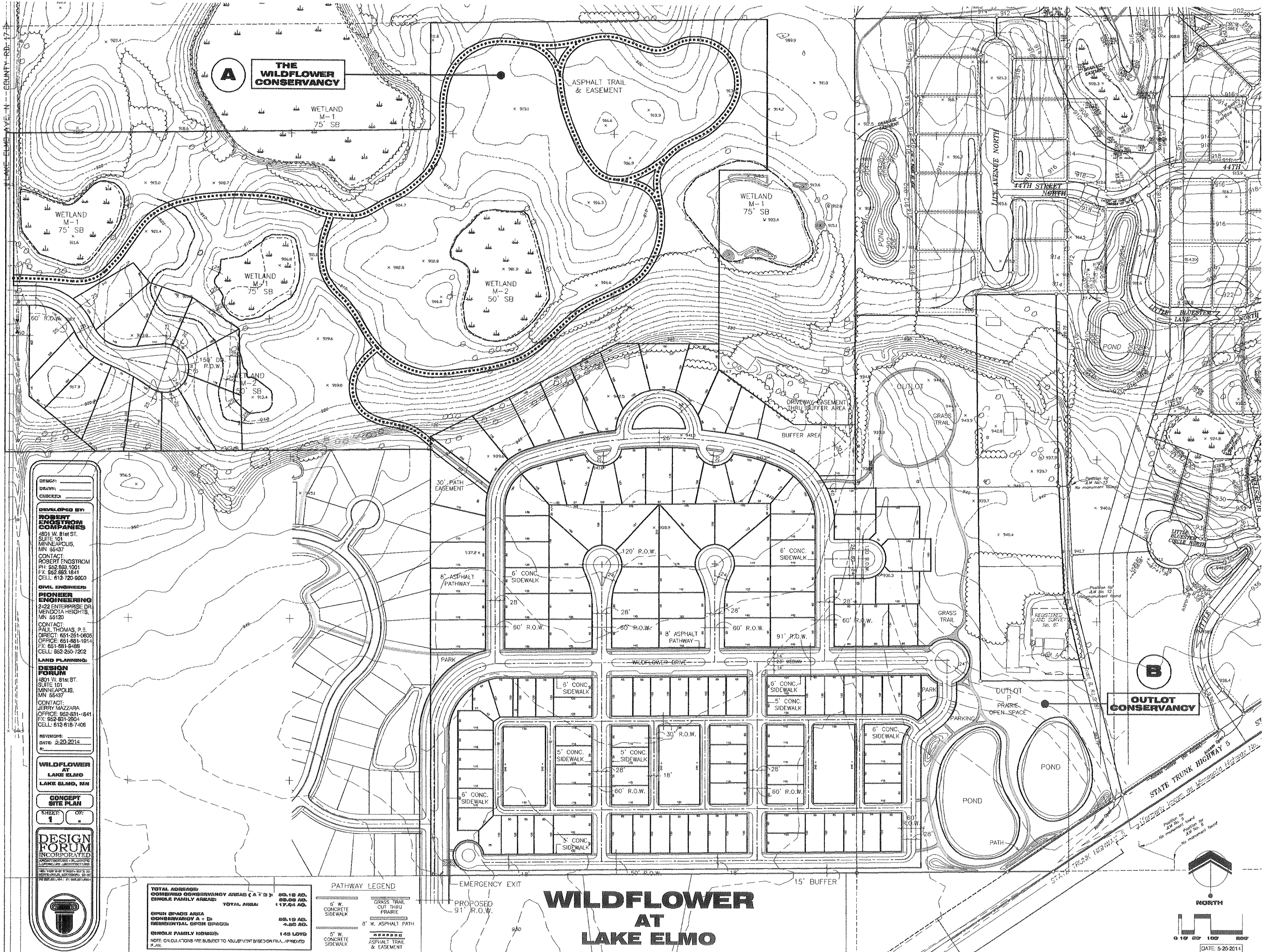
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor under the laws of the State of Minnesota.
 Name: Peter J. Hawkins
 Reg. No.: 42299
 Date: 05-22-2014

Revisions:
 Date: 5-22-14
 Designed:
 Drawn: KTH

EXISTING CONDITIONS

ROBERT ENGSTROM COMPANIES

WILDFLOWER AT LAKE ELMO
 LAKE ELMO, MINNESOTA



A THE WILDFLOWER CONSERVANCY

B OUTLOT CONSERVANCY

DESIGN: _____
 DRAWN: _____
 CHECKED: _____

DEVELOPED BY:
ROBERT ENGTROM COMPANIES
 4801 W. 81st ST.
 SUITE 101
 MINNEAPOLIS, MN 55437
 CONTACT: ROBERT ENGTROM
 PH: 952-893-1001
 FX: 952-893-1841
 CELL: 612-707-9850

CIVIL ENGINEER:
PIONEER ENGINEERING
 2422 ENTERPRISE DR
 MENOTA HEIGHTS, MN 55120
 CONTACT: PAUL THOMAS, P.E.
 DIRECT: 651-281-0605
 OFFICE: 651-681-1814
 FX: 651-681-9489
 CELL: 952-250-7202

LAND PLANNING:
DESIGN FORUM
 4801 W. 81st ST.
 SUITE 101
 MINNEAPOLIS, MN 55437
 CONTACT: JERRY MAZZARA
 OFFICE: 952-831-8414
 FX: 952-831-2204
 CELL: 612-618-7406

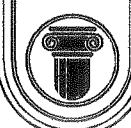
REVISIONS:
 DATE: 5-20-2014
 #:

WILDFLOWER AT LAKE ELMO
 LAKE ELMO, MN

CONCEPT SITE PLAN

SHEET 1 OF 1

DESIGN FORUM INCORPORATED
 4801 W. 81st ST., SUITE 101
 MINNEAPOLIS, MN 55437
 PH: 952-831-8414
 FX: 952-831-2204
 CELL: 612-618-7406



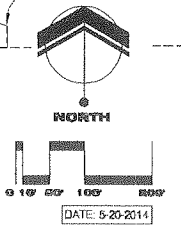
TOTAL ADDRESS:	89.18 AD.
CONSERVANCY AREAS (A + B):	49.08 AD.
SINGLE FAMILY AREAS:	117.84 AD.
TOTAL AREA:	256.10 AD.
OPEN SPACE AREA (CONSERVANCY A + B):	89.18 AD.
RESIDENTIAL OPEN SPACE:	4.80 AD.
SINGLE FAMILY HOMES:	143 LOTS

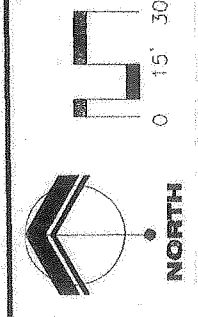
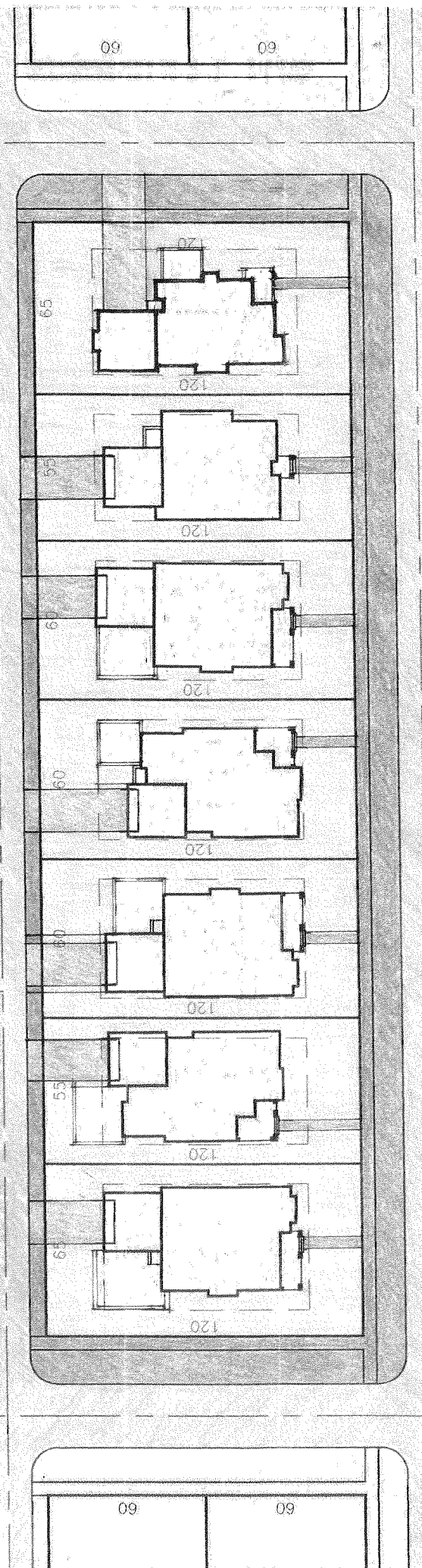
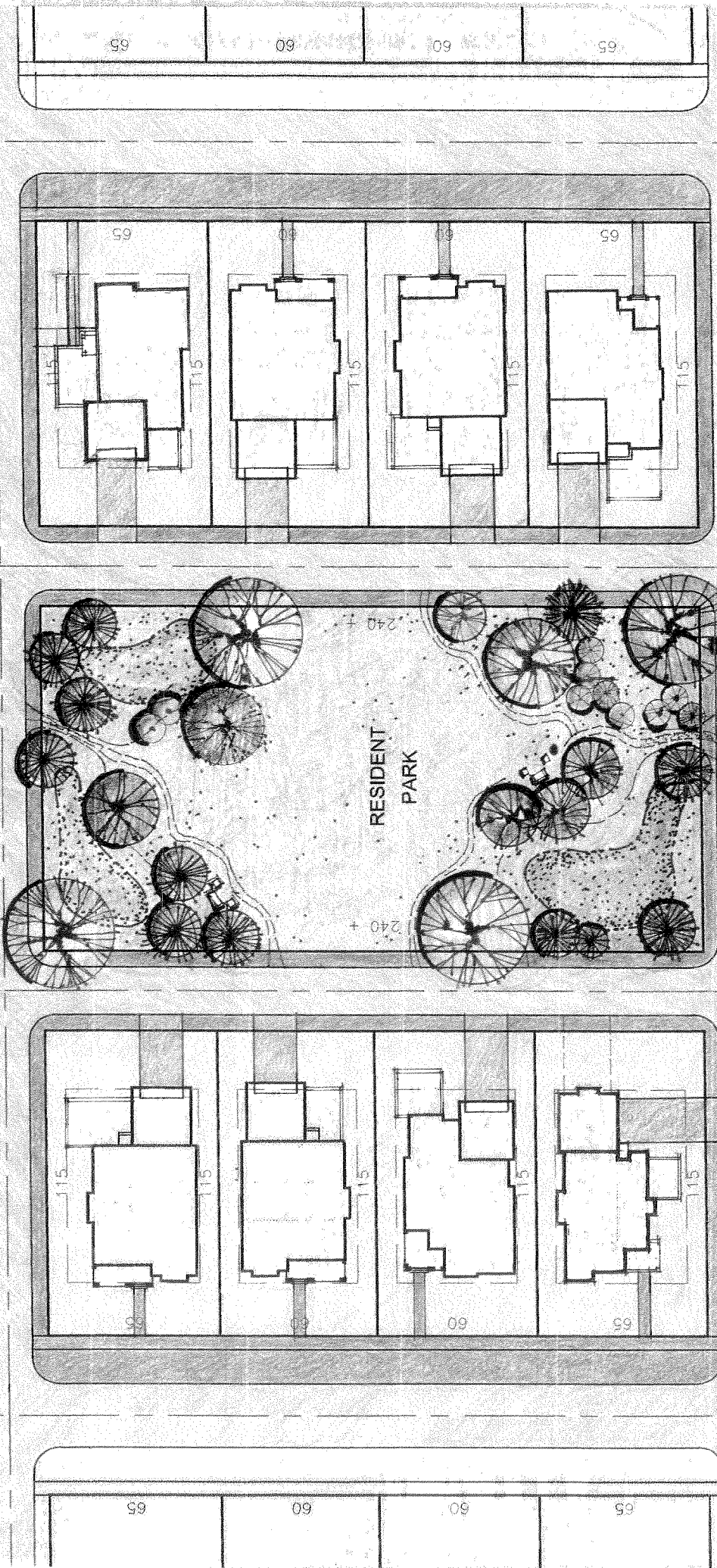
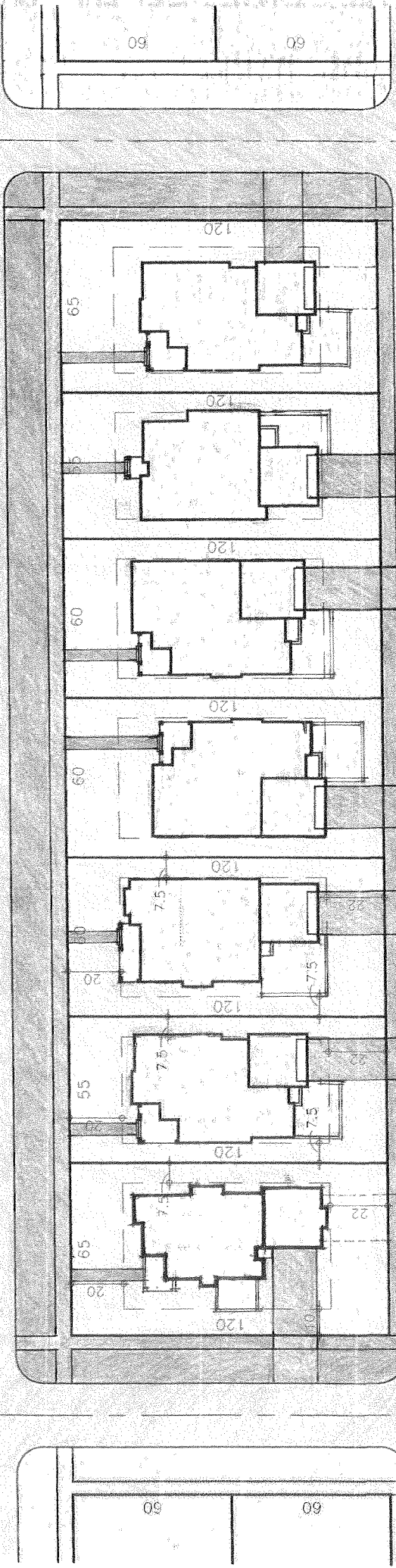
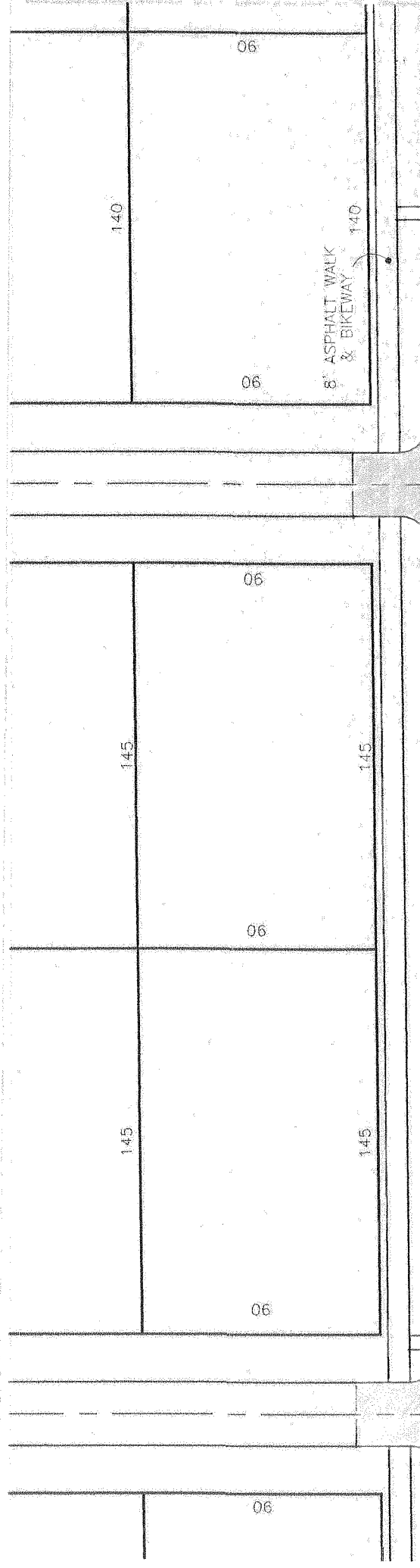
NOTE: CALCULATIONS ARE SUBJECT TO ADJUSTMENT BASED ON FINAL PROVIDED PLAN.

PATHWAY LEGEND

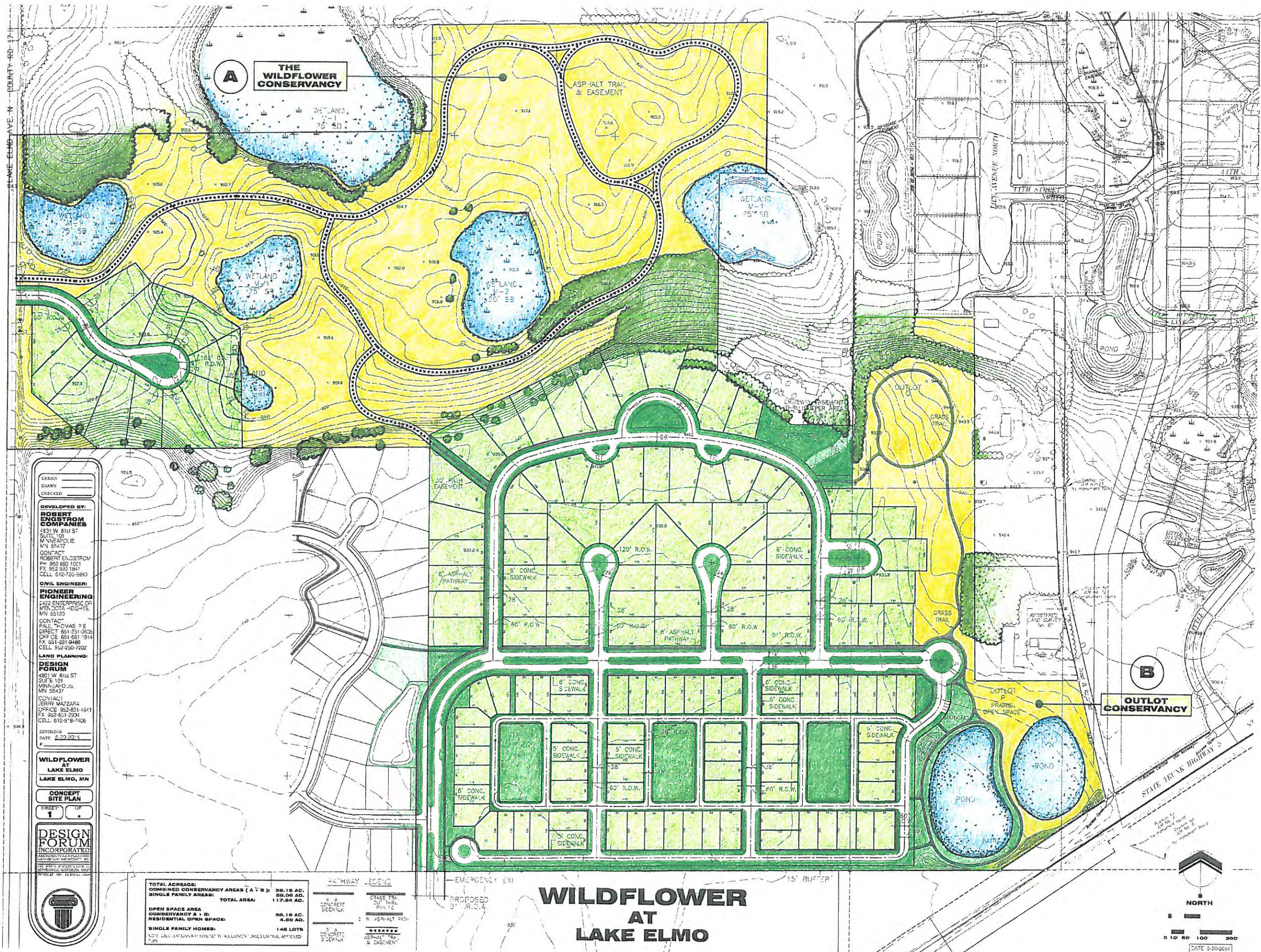
5' W. CONCRETE SIDEWALK	GRASS TRAIL CUT THRU PRAIRIE
5' W. ASPHALT PATH	6' W. ASPHALT PATH & EASEMENT
5' W. CONCRETE SIDEWALK	

WILDFLOWER AT LAKE ELMO





TYPICAL COURTYARD HOMES BLOCK



A THE WILDFLOWER CONSERVANCY

B OUTLOT CONSERVANCY

DESIGN
DRAWN
CHECKED

DEVELOPED BY:
ROBERT ENGSTROM COMPANIES
4801 W 81st ST
SUITE 101
MINNEAPOLIS, MN 55427
CONTACT: ROBERT ENGSTROM
PH: 952-893-1001
FX: 952-893-1841
CELL: 612-726-9990

CIVIL ENGINEER:
PIONEER ENGINEERING
1422 ENTERPRISE DR
MINNEAPOLIS, MN 55425
MN 55123
CONTACT: PAUL TOIVAS, P.E.
DIRECT: 651-231-0036
OFFICE: 651-681-1914
FX: 651-681-0488
CELL: 952-250-7202

LAND PLANNING:
DESIGN FORUM
4801 W 81st ST
SUITE 101
MINNEAPOLIS, MN 55427
CONTACT: JERRY MAZZARA
OFFICE: 651-681-6841
FX: 651-681-0291
CELL: 612-918-7406

REVISIONS:
DATE: 6-23-2014

WILDFLOWER AT LAKE ELMO, MN

CONCEPT SITE PLAN

SHEET 1 OF 1

DESIGN FORUM INCORPORATED
ARCHITECTURAL & PLANNING
111 WEST COCKERILL
MINNEAPOLIS, MN 55408
TEL: 612-339-1100
WWW.DESIGNFORUM.COM



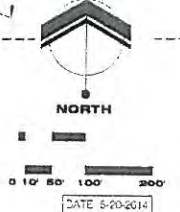
TOTAL ACREAGE:	58.18 AC.
COMBINED CONSERVANCY AREAS (A & B):	59.06 AC.
SINGLE FAMILY AREAS:	117.24 AC.
TOTAL AREA:	234.48 AC.
OPEN SPACE AREA CONSERVANCY A & B:	59.18 AC.
RESIDENTIAL OPEN SPACE:	4.89 AC.
SINGLE FAMILY HOMES:	148 LOTS

NOTE: CALC. LUMINAIR SERVICE TO ADJUSTMENT. DESIGN ON THE APPROVED PLAN.

PATHWAY LEGEND

	CONCRETE SIDEWALK
	GRASS
	ASPHALT PATHWAY
	CONCRETE SIDEWALK
	ASPHALT TRAIL & EASEMENT

WILDFLOWER AT LAKE ELMO



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 2, 2014

To: Kyle Klatt, Planning Director
Cc: Nick Johnson, City Planner
From: Jack Griffin, P.E., City Engineer
Re: Wildflower at Lake Elmo
Sketch Plat Engineering Review

We have received a Concept Plan submittal for the above referenced development proposal consisting of the following exhibits/documentation received on May 29, 2014.

- Concept Plan Narrative and application dated May 22, 2014.
 - Concept Site Plan dated May 20, 2014, Sheet 1, prepared by Design Forum Incorporated.
 - Existing Conditions dated May 22, 2014, prepared by Pioneer Engineering.
-

We have the following review comments:

COMMENTS

- The phasing plan indicates the first phase to begin on the east side of the development. With street access, sewer and water all coming from the west, it should be noted that the preliminary plans and construction plans must evolve to near completion for the entire development to facilitate this phasing strategy; providing assurance to allow utility installation within future R/W.

MUNICIPAL WATER SUPPLY

- The project narrative and plans do not address water service for the development. As part of the Village municipal urban service area, the development must be served by the Lake Elmo municipal water system.
- Municipal water supply is available along 39th Street North and along State Highway 5. Connections to both locations will be required as well as a stub to the adjacent property to the west.
- The applicant is responsible to extend the municipal water supply to the development site at developers cost. Watermain distribution lines will need to be looped wherever reasonably possible. The proposed site plan facilitates watermain looping very well.

MUNICIPAL SANITARY SEWER

- The project narrative and plans do not address sewer service for the development. As part of the Village municipal urban service area, the development must be served by the Lake Elmo municipal sanitary sewer system.
- A sanitary sewer lift station will be required to provide municipal sewer service for the 12 lots proposed with access from CSAH 17. This lift station is not a part of the City's comprehensive sewer plan and would therefore be added infrastructure.

- Municipal sanitary sewer is not currently available to the development. The applicant is responsible to extend the municipal sanitary sewer to the development site at developers cost. We understand that the developer is part of a collaborative group pursuing a trunk sanitary sewer extension project to route the sewer along the east side of the Village from the Reid Park lift station to State Highway 5. The applicant has also submitted an escrow to partially secure and support the sanitary sewer improvement project along 39th Street North. In addition the applicant will be responsible for the extension of municipal sewer from 39th Street N. to the property to be developed. Preliminary Plat approval should be conditioned upon sewer service being brought to the development.
- Consideration should be given to stubbing municipal sanitary sewer to the northeast of this development for a future potential extension for relief of failing wastewater management systems. A 10-inch sewer line will need to be extended through this development to the northeast corner.

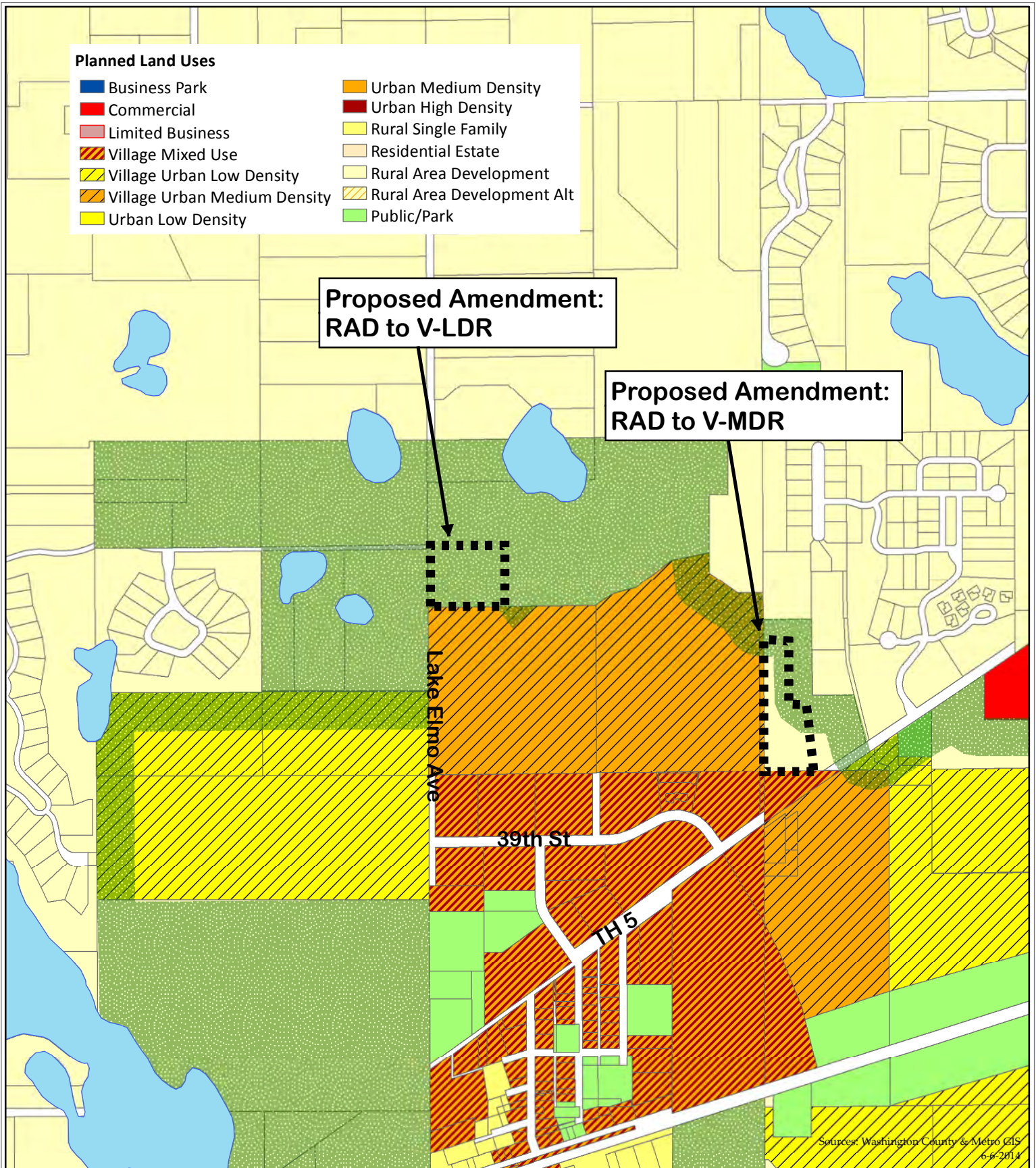
STORMWATER MANAGEMENT

- Stormwater facilities shall be in accordance with the requirements listed in the City of Lake Elmo Engineering Design Standards in addition to the requirements of the Valley Branch Watershed District.
- All storm water ponds, infiltration basins and other facilities that are constructed with the purpose to fulfill the rate and volume control requirements of the VBWD rules must be placed within Outlots dedicated to the City for operation and maintenance purposes and with no other restrictions on the City. The Outlots must contain the entire facility including the HWL elevation together with maintenance access roads and graded areas that allow safe access to all storm sewer outfalls and structures.
- The proposed trails adjacent to the ponds must be placed such that the trail subgrade is 1 foot above the pond HWL at all points.
- The minimum 25 foot wetland buffer width must be placed fully outside of any proposed lots. Additional buffering may encroach on lots if contained within a defined easement. The current plan shows wetland buffer encroachments on 3 of the 12 lots located in the northwest part of the plan.
- No utility piping is shown on the drawings. However, it should be noted that all easements for City utilities must be a minimum of 30 feet with the pipe centered on the easement. Wider easements may be required for deep pipes to meet OSHA excavation requirements.

STREETS AND TRANSPORTATION

- It is recommended that a second access connection be pursued along 39th Street North or the development access is combined with the Fields of St. Croix entrance. The development proposes 133 lots with one access. Secondary access may be completed with later phases for the development but should be accommodated as part of the overall development plan.
- The access to Lake Elmo Avenue requires Washington County approval. Improvements along CSAH 17 (Lake Elmo Avenue) as required by Washington County will be the responsibility of the developer. Improvements should be included as part of the preliminary plat.
- Some streets are proposed with 30 foot R/W and 18 foot paved streets. The project narrative does not define the use and purpose for these streets. A clearly defined purpose and use for these streets must be provided to allow further review on the minimum required widths and potential additional requirements. Because these streets appear to act more like “Alleys” the following considerations are recommended:
 - Consideration should be given to requiring these streets to be privately owned and maintained.
 - If publically owned and maintained, minimum widths for both R/W and pavement section must be further reviewed by all City staff to establish minimums for the defined purposes.
 - Example restrictions that must apply to accept less than standard minimums:
 - Less than standard minimums should be considered only when acting as secondary street to any given lot. The primary street must always meet the City standard.

- No public utilities, except minimal storm sewer necessary to facilitate drainage will be allowed within these R/W, and storm sewer can be allowed only when centered within the 30 foot R/W.
 - No private utilities will be allowed within these R/W.
 - No parking can be allowed. No parking signs must be installed to designate the no parking zones.
- The remaining proposed “primary” streets do not all comply with City minimum design standards. The following considerations are recommended:
 - The street along the southern part of the plat requires a minimum 60-foot R/W and 28 foot street width since this street serves as the primary street access to several proposed residential lots. If private utilities are allowed within the 15 foot buffer area, the 50 foot R/W may be acceptable. The Street should be centered within the “60 foot area (R/W plus first 10 feet of Buffer)” to meet the minimum City boulevard areas on each side.
 - Since this street is single sided by residential properties a reduced pavement width may be considered if appropriately signed. A 24 foot minimum pavement width could be allowed if the street is signed “No Parking” along one side.
 - The proposed emergency exit should be eliminated by connecting the road as a full intersection.
 - All streets must be centered within the proposed R/W.
 - The proposed parking near Outlot P must be parallel parking or a bump out design be utilized that extends further into Outlot P.
 - The two smaller “eyebrows” located on the northern loop street should be eliminated since they require increased maintenance while adding no additional lot potential.
 - Consideration should be given to extending the 8-foot trail along the northern loop street to connect to the trail at Outlot O.
 - Some sidewalks are proposed at 5 foot widths instead of the City standard 6 foot sidewalk. A 5 foot sidewalk seems appropriate when sidewalk is provided along both sides of the street, otherwise the City standard 6 foot sidewalk should be provided.
- All streets must include concrete curb and gutter on both sides of the road.



**Proposed Comprehensive
Plan Amendment**

Wildflower at Lake Elmo Concept Plan



Robert & Marcy Eischen
Mary Jean Dupuis

Date: June 4, 2014
To: Kyle Klatt & Lake Elmo Planning Commission
Subject: Wildflower Proposal

Please consider this letter as our written comments in reference to the recently received Notice of Public Hearing from the City of Lake Elmo scheduled for June 9th 2014 at the Lake Elmo City Hall for the Wildflower Planned Unit Development Concept Plan by Robert Engstrom Companies.

In the initial planning of the Fields of St Croix II development, we were personally contacted by Bob Engstrom, the developer for our support. Perhaps he didn't need our support at that time but he was gracious enough to have meetings with us. In addition, we attended council meetings dealing with FOSC II proposals. There was also a meeting with Washington County dealing with Land Trusts.

The west side of our properties is adjacent to the Engstrom Outlots O & P. Lots O & P go west to Richard Smith's (our neighbor) driveway. Bob & Marcy Eischen have lived in their Lake Elmo home since 1969 ~ some 45 years. Mary Jean Dupuis has lived in her home since 1973 ~ 41 years.

During the planning and review process for the FOSC II all three of us neighbors understood by our meetings with Bob Engstrom and from the City Council meetings that the land to the immediate west and south of our properties would be part of the open space for FOSC II. That section of land was required as open space for the development to proceed. This property was also a part of the natural flow of water or water shed and part of it held large amounts of runoff water during early spring & after heavy rains.

We were assured by Mr. Engstrom that those outlots would never be developed for homes and would always remain open space exclusively for farming, perhaps a tree farm or wildflowers. We all understood that this adjacent property to ours was in a long term agricultural land trust or conservation easement. Plus ~ we do not understand taking lots from an existing development and re-allocating them for a new development.

Mr. Engstrom did a very nice job with FOSC II. Our support for that development was all based on the fact that it would never be developed for home building.

When we moved here ~ 45 & 41 years ago there was nothing except open fields which was part of our life style. We did know however that someday some of this area would be developed. We have a lot of history with Lake Elmo and view it as a proud developing community with rural roots. We don't know if there are legal issues regarding the development of the outlots but there are certainly ethical and verbal commitments by the developer to consider. Any housing on those outlots would be very unsatisfactory to us on land that was never supposed to be developed.

We anticipate that the Planning Commission and ultimately the Council will support the rural tradition and history of this land and most importantly represent the residents of Lake Elmo in dealing with the Wildflower proposal.

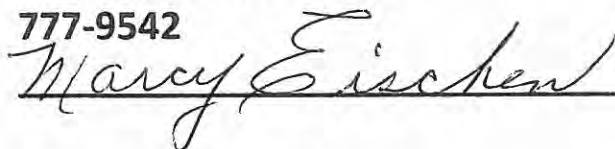
In conclusion we would like to add that Mr. Engstroms's property development history is exemplary including the proposed Wildflower development of which we support except for the afore mentioned exceptions. We ask that the original intention of the outlots be preserved and honored by the City and Mr. Engstrom.

Cordially

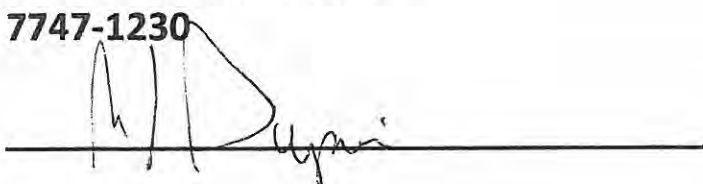
Robert Eischen
11674 Stillwater Blvd N
Lake Elmo MN 55042
777-9542



Marcy Eischen
11674 Stillwater Blvd N
Lake Elmo MN 55042
777-9542



Mary Jean Dupuis
11676 Stillwater Blvd N
Lake Elmo MN 55042
7747-1230





PLANNING COMMISSION
DATE: 6/9/14
AGENDA ITEM: 5A – BUSINESS ITEM
CASE # 2014 – 31

ITEM: Zoning Text Amendment - Exterior Storage Ordinance Update

SUBMITTED BY: Casey Riley, Planning Intern
Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is asked to review a draft Exterior Storage Ordinance intended to update the City’s exterior storage requirements. The exterior storage provisions are currently located in Chapter 150 – General Provisions. In addition, there are provisions related to exterior storage in Article IX – Rural Districts (§154.407), Article X – Urban Residential Districts (§154.458) and Article XI – Village Mixed-Use District (§154.509). Moving forward, staff would recommend having all exterior storage provisions located in one location in the Code (likely Chapter 150). In terms of the City’s existing exterior storage ordinance (§150.001), all existing provisions were carried forward in the draft ordinance. After researching best practices from other communities, staff is recommending some additions. The additions are summarized as follows:

- Exterior storage of common yard items, such as outdoor cooking equipment, lawn and garden equipment outdoor furniture, was added for clarification.
- Exterior storage of materials related to yard and garage sales is addressed.
- Exterior storage of rain barrels for storm water reuse was also added.

In addition to these proposed addition, staff would ask the Planning Commission to consider how to address storage of boats, recreational vehicles and trailers in urban districts. In urban districts, it is very difficult to store these items in rear yards due to the lack of navigable area between structures in these districts. For that reason, many communities allowed these items to be stored in driveway or off-street parking areas in front of homes. Staff would like the Planning Commission to consider whether to allow storage of these items in front of homes in urban districts.

Finally, staff is also recommending to rename §150.002 from “All Districts” to “Refuse”, as the code section addresses garbage and refuse on site. This title/name change is intended to make the code section more identifiable and easier to use.

RECCOMENDATION:

No formal action is required at this time. The Planning Commission is asked to provide initial feedback regarding the draft exterior storage ordinance. This feedback will inform a future draft, at which time staff intends to hold a public hearing.

ATTACHMENTS:

1. Draft Exterior Storage Ordinance, dated 6/5/14
2. Existing Exterior Storage Ordinance (§150.001) and Related Provisions (§154.407, §154.458 and §154.509)

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning Staff
- Questions from the Commission Chair & Commission Members
- Discussion by the Commission Chair & Commission Members

DRAFT EXTERIOR STORAGE ORDINANCE

§ 150.001 Exterior Storage

- A. *Purpose.* The purpose of this Ordinance is to provide for the regulation of exterior storage in the city of Lake Elmo and to prevent the accumulation of excessive amounts of materials and equipment on real property. The accumulation of visible excessive storage is found to create unsightly conditions which can reduce the value of real property, create fire and safety hazards, and promote deterioration in the community.
- B. *Agricultural and Residential Districts. Prohibited Without Screening.* In agricultural and all residential districts, all personal property must be stored within a building or fully screened from view so as not to be visible from adjoining properties and the public right-of-way, except for the following:
1. Laundry drying, clothesline pole and wires;
 2. Recreational equipment and other non-motorized play equipment;
 3. Outdoor furniture, lawn and garden equipment, and outdoor cooking equipment;
 4. Construction and landscaping materials and equipment currently (within a period of 6 months) being used on the premises;
 5. Agricultural equipment and materials within the Agricultural, Rural Residential and Rural Development Transitional zoning districts;
 6. Off street parking of licensed operable passenger automobiles, pick-up trucks and accessory equipment;
 7. In residential zoning districts, recreational vehicles, boats and trailers less than 25 feet in length, all-terrain vehicles, and snowmobiles may be stored in the rear or side yard more than 10 feet from each property line;
 8. Merchandise being displayed for temporary sale, known as a garage or yard sale, are limited to two (2) per calendar year per residence, not to exceed four (4) days in length;
 9. Firewood intended for personal use, provided it is setback at least 5 feet from the property line and ten (10) feet from any habitable structure;
 10. Rain barrels, meaning a storage container that holds rainwater intended for reuse including a manufactured, built-in-outlet, spigot or faucet for draining and use of the stored water.
- C. *Commercial Districts.* In commercial districts, the storage of exterior materials must be screened from view as to not be visible from adjacent public streets and adjacent residential properties, by a wing of the principal structure or a screen wall constructed of the same materials as the principal structure. Height of the structure or screen wall must be sufficient to completely conceal the stored materials from the view at eye level (measured at 6 feet above ground level) on the adjacent street or property.
- D. *Semi-Public and Public Districts.* In semi-public and public districts, exterior storage of personal property associated with a permitted use may be permitted, provided the property being stored correlates to a use permitted by the zoning code and respects the intent and purposes of the zoning code. Storage of exterior materials must be screened from view as to not be visible from adjacent public streets and adjacent residential properties.

§ 150.002 REFUSE

- A. In all districts, all refuse, rubbish, waste material, or garbage (as defined in § 11.01) shall be kept in an enclosed building or properly contained in a closed container designed for such purposes. Refuse collection areas shall be screened from the public right-of-way.
- B. The owner of vacant land shall be responsible for keeping the land free of refuse, rubbish, or garbage.

DRAFT

Attachment #2
Exterior Storage – Existing Provisions

EXTERIOR STORAGE

§ 150.001 PROHIBITED WITHOUT SCREENING.

(A) *Storage of property in Agricultural and Residential districts.* All personal property shall be stored within a building or fully screened so as not to be visible from adjoining properties and public streets, except for the following:

- (1) Laundry, drying;
- (2) Recreational equipment commonly used in residential yards;
- (3) Construction and landscaping materials, and equipment currently (within a period of 6 months) being used on the premises;
- (4) Off-street parking of licensed operable passenger automobiles and pick-up trucks;
- (5) Boats and trailers less than 25 feet in length, if stored in the rear yard more than 10 feet distant from any property line;
- (6) Merchandise being displayed for sale in accordance with the provisions of the zoning code;
- (7) Farm implements in the AG Zoning District; and/or
- (8) Firewood storage for personal use.

(B) In non-residential districts, exterior storage of personal property may be permitted by conditional use permit provided the property is so stored for purposes relating to a use of the property permitted by the zoning code and will not be contrary to the intent and purpose of the zoning code.

(1997 Code, § 1340.03)

(C) *Existing uses.* Existing uses shall comply with the provisions of §§ 150.001 *et seq.* within a reasonable time, not to exceed 6 months following the enactment of this code.

(1997 Code, § 1340.02) [Penalty, see § 10.99](#)

§ 150.002 ALL DISTRICTS.

(A) In all districts, all refuse, rubbish, or garbage (as defined in § 11.01) shall be kept in an enclosed building or properly contained in a closed container designed for the purposes.

(B) The owner of vacant land shall be responsible for keeping the land free of refuse, rubbish, or garbage.

(1997 Code, § 1340.04) [Penalty, see § 10.99](#)

§ 154.407 ACCESSORY USES.

A. *Exterior Storage in Residential Districts.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

1. Laundry drying
2. Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six (6) months shall be screened or stored out of view of the primary street on which the house fronts.
3. Agricultural equipment and materials, if they are used or intended for use on the premises.
4. Off-street parking and storage of vehicles and accessory equipment, as regulated in Article 5, Section 155.67.
5. Storage of firewood shall be kept at least ten (10) feet from any habitable structure and screened from view from adjacent properties.
6. Outdoor parking

B. *Temporary Sales.* Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two (2) per calendar year per residence, not to exceed four (4) days in length.

§ 154.458 ACCESSORY USES.

A. *Exterior Storage in Residential Districts.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

1. Laundry drying
2. Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six (6) months shall be screened or stored out of view of the primary street on which the house fronts.
3. Agricultural equipment and materials, if they are used or intended for use on the premises.
4. Off-street parking and storage of vehicles and accessory equipment, as regulated in Article 5, Section 155.67.
5. Storage of firewood shall be kept at least ten (10) feet from any habitable structure and screened from view from adjacent properties.
6. Outdoor parking

B. *Temporary Sales.* Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two (2) per calendar year per residence, not to exceed four (4) days in length.

§ 154.509 ACCESSORY USES

A. *Exterior Storage on Residential Parcels.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

1. Laundry drying

2. Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six (6) months shall be screened or stored out of view of the primary street on which the house fronts.

3. Agricultural equipment and materials, if these are used or intended for use on the premises.

4. Off-street parking and storage of vehicles and accessory equipment, as regulated in Article 5, Section 155.67.

5. Storage of firewood shall be kept at least ten (10) feet from any habitable structure and screened from view of adjacent properties.

6. Outdoor parking

B. *Temporary Sales*. Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two (2) per calendar year per residence, not to exceed four (4) days in length for each event.



PLANNING COMMISSION
DATE: 6/9/14
AGENDA ITEM: 5B – BUSINESS ITEM
CASE # 2014 – 31

ITEM: Zoning Text Amendment - Screening Ordinance Update

SUBMITTED BY: Casey Riley, Planning Intern
Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is asked to review a draft Screening Ordinance intended to update the City’s screening requirements. Staff would propose to move the screening requirements to Article V – General Regulations of the Zoning Code. Currently, there are existing screening requirements in Chapter 150 – General Provisions. In terms of the City’s screening provisions (150.020) all existing provisions were carried forward in the draft ordinance. After researching best practices from other communities, staff is recommending some additions. The additions are summarized as follows:

- Screening provisions were added related to parking areas and driveways adjacent to residential zones.
- Provisions were added to screen trash and refuse areas.
- Provisions were added to better define the screening techniques that would be permitted, including fences, berms, landscape materials, etc.

Overall, staff needs to conduct additional research to confirm that these proposed additions are consistent with all other City ordinances (i.e. fencing, off-street parking, landscaping, etc.) Staff is providing this as a discussion time at this point. In staff’s judgment, the screening provisions should be located in the Zoning Code. This ordinance update is part of the broader effort to update the Zoning Ordinance as a whole.

RECCOMENDATION:

No formal action is required at this time. The Planning Commission is asked to provide initial feedback regarding the draft screening ordinance. This feedback will inform a future draft, at which time staff intends to hold a public hearing.

ATTACHMENTS:

1. Draft Screening Ordinance
2. Existing Screening Ordinance (150.020)

ORDER OF BUSINESS:

- Introduction.....Planning Staff

- Report by StaffPlanning Staff
- Questions from the Commission..... Chair & Commission Members
- Discussion by the Commission Chair & Commission Members

DRAFT SCREENING ORDINANCE

§ 154.206 SCREENING REQUIREMENTS

- A. *General Screening:* Screening shall be required in all zones where:
1. Any off street parking area contains more than four (4) parking spaces and is within thirty (30) feet of an adjoining residential lot;
 2. The driveway to a parking area of more than six (6) parking spaces is within fifteen (15) feet of an adjoining residential zone.
 3. The screening shall be greater than five (5) feet high and shall not encroach within fifteen (15) feet of any street or driveway.
 4. In the case of screening along a street, the screening shall be setback fifteen (15) feet from the street right-of-way.
- B. *Commercial, Business, Industrial screening.* Where any business (structure, parking, or storage) is adjacent to property zoned or developed for residential use, that business or industry shall provide screening along the boundary of the residential property. Screening shall also be provided where a business, parking lot, or industry is across the street from a residential zone, but not on the side of a business or industry considered to be the front.
- C. *Exterior Storage.* All exterior storage shall be screened as required by § 150.001.
- D. *Rooftop Mechanical Equipment:* All mechanical equipment located on roofs shall be screened or placed out of view of the public right-of-way, with the exception of solar energy equipment.
- E. *Loading Docks and Trash Containers:* In high density residential, commercial and industrial districts,
1. Loading docks shall be screened from view from adjacent streets and adjacent property unless they are at the rear of the building which abuts another commercial use. The property owner may provide a 30 foot landscaped area between the dock and the property line where screening is not possible.
 2. All exterior trash containers shall be screened on at least three sides and shall not be visible from any street or right-of-way.
- F. *Materials:* Required screening may be achieved with fences, walls, hedges, earth berms, and other landscape materials. Earth berms shall not be steeper than a 3:1 ratio. All materials, including landscaping, shall have a minimum opacity of 75 percent year round.

Print

Lake Elmo, MN Code of Ordinances

SCREENING

§ 150.020 REQUIRED SCREENING.

(A) *Screening.* Screening shall be required in residential districts for any off-street parking area which contains more than 4 parking spaces and is within 30 feet of an adjoining residential lot.

(B) *Business, industrial screening.* Where any business or industrial use (structure, parking, or storage) is adjacent to property zoned or developed for residential use, that business or industry shall be screened along the boundary of the residential property. Screening shall also be provided where a business, parking lot, or industry is across the street from a residential zone, but not on the side of a business or industry considered to be the front.

(C) *Exterior storage.* All exterior storage shall be screened as required by § 150.001.

(D) *Mechanical apparatus on roofs.* All mechanical apparatus on roofs shall be screened.

(E) *Loading docks.* Loading docks shall be screened from all streets and adjacent property unless they are at the rear of the building which abuts another commercial use. The property owner may provide a 30 foot landscaped area between the dock and the property line where screening is not possible.

(1997 Code, § 1345.01) Penalty, see § 10.99

MEMO TO PLANNING COMMISSIONERS – SUBJECT: What Planners Do

by Carolyn Braun

Editor's Note: This is the first in a series of informal discussions about different aspects of planning. Our panelists: Carolyn Braun (who also provides some introductory remarks), Lee Krohn, Glynis Jordan, and Larry Frey.

Do you know the daily activities of your planning staff? Have you been to the planning offices during regular work hours? Do you know what is required to apply for a planning or zoning approval? Have you called staff before a meeting to ask a question or raise a concern? Let's go behind the scenes and take a look at a "typical" day of one planning professional.

Upon arriving in the morning, Planning Director Tim Fairbanks reviews the messages he didn't get to yesterday and listens to new messages. He checks his schedule and begins making phone calls.

The receptionist hands Tim a message. A citizen is out in the lobby and has some zoning questions. Tim quickly finishes the call and goes to the counter. To answer the questions, Tim pulls the planning records, but finds the information he wants is missing. He promises to look further, takes the citizen's phone number, and walks back to his office.

After returning more calls, it's time for the weekly development review meeting. Along with Tim, those attending include the City Engineer, Fire Chief, Zoning Administrator, Building Inspector, and a

Community Development Department staff member. The meeting lasts two hours, and goes over current applications and site plans. During the discussion, it is determined that one plan will need to be reviewed by the state department of transportation. Another plan is still incomplete, though staff had requested additional information from the applicant the previous week.

After returning to his office, Tim calls the state department of transportation, explains the project, and puts a copy of the plans in the mail. Next he calls the applicant with the incomplete plan, and sets up a meeting for the following day. Tim explains that the project application will have to be taken off the Planning Commission's upcoming agenda since there will not be enough time for staff to review any new information provided by the applicant before the meeting.

After lunch, Tim meets with a citizen who has concerns about a project neighboring his property that is scheduled for review by the Planning Commission. Following that meeting, Tim has an appointment with Jeff Newman, the newly appointed Planning Commissioner. Tim takes some time to explain the format of the Commission's meetings, and gives Jeff the upcoming meeting packet. Tim emphasizes to Jeff the importance of thoroughly reading the material before the

meeting, so that he can contact staff prior to the meeting with any questions or requests for additional information. Tim also suggests that Jeff allow time to visit project sites before the meeting, but cautions him to limit conversations with the applicant when out at the site.

... Such is a "typical" day in the life of a professional planner. Planners spend much of their time gathering information, sifting out the facts, and then distilling what they've found out – all the while drawing on their experience and training. They can and should be a valuable resource for you as a planning commissioner, whether through the reports they prepare for your meetings or in responding to your questions.

Understanding that staff is there to help you doesn't mean you have to agree with their recommendations. It should mean, however, that you have a respected professional you can trust and count on for sound information.

Lee Krohn:

Carolyn is certainly right on target in explaining that professional planners serve as a clearinghouse for all sorts of information, opportunities, and resource sharing. We also provide professional analysis of applications or issues before our boards, highlighting issues of conformance or concern, summarizing issues, and offering a range of alternative decisions as appropriate.

From an organizational perspective, I also think it's critical for staff and planning boards to have a clear understanding of their respective roles and responsibilities. In this context, as a staff planner I see my role as being in service to my boards, as broadly defined as needed to help us all do our jobs as best we can. This helps us work together efficiently and effectively. They don't hang me out to dry; I don't take it personally if they don't agree with all of my recommendations.

Glynis Jordan:

I feel strongly that the board or commission should be able to use staff whenever possible. Therefore I impress upon any of the board members that they can call or email anytime about a question or concern. It builds their respect for staff as sources of valuable information, and it helps keep project applications on track. However, we try to discourage impromptu visits from board members due to our often unpredictable schedules. Appointments, even on short notice, work best.

On Respect –

Glynis Jordan:

Cultivating an atmosphere of mutual respect between staff and commission is essential. Hopefully, commissioners will come to respect the hard work their staff does and staff's ability to act as counselors between conflicting stakeholders

(oftentimes different departments within the city or county government), and their knowledge of the profession. No one says commissioners and staff have to agree, but showing respect is vital to the relationship.

Lee Krohn:

I think it's important that we remember to thank our volunteer board members often; the job is not easy, and the hours are long. Personally, I thank my board members at the end of every background meeting memo, and verbally at the close of every meeting. They know it comes from the heart, and I think they find this small gesture meaningful.

Glynis Jordan:

Many times with a good working relationship between staff and commission, the commission will let staff know when they may be headed in an opposite direction, or when they'd like more information. Again, it's all about communication and respect.

Consistency and precedence should also be respected and commended by both sides – having the ability to stand up for what you believe should never be frowned upon as long as the atmosphere remains professional.

And then, when its all over – you go for a beer (or soft drink!) and laugh and understand that we're all just people trying to do our jobs.

On the Role of the Commission's Chair –

Lee Krohn:

Another vital role is that played by the planning board's chair. A chair's role can be more than just "banging the gavel," if you will, and announcing cases. Done well, it involves running an effective

meeting, managing board and public input, ensuring fair but not interminable proceedings, managing the evening's agenda, and knowing how and when to bring cases or evenings to a tactful close.

As planning director, I do work closely with the chairs of our town planning commission and development review board to brief them on agendas, cases, "hot button" issues, known or anticipated complications... and also on longer term scheduling and timing of priorities, projects, and hearings. I know that the chairs always appreciate these advance briefings and strategies, and this is reflected in how well they run their meetings.

Please know that these briefings are not intended in any way, nor are they used in any way, to bypass proper procedure or decisionmaking. Rather, the intent is to help the process run effectively and efficiently.

Glynis Jordan:

I agree with what Lee just said, and would add that a good chair can bring out the best in other members and in staff.

Sometimes there are a few strong willed members and sometimes there are silent members. A good chair will bring out the needed discussions and debates in an atmosphere that remains professional and doesn't move into a bashing of any one idea over another. A good chair will also know when to pull the plug on inappropriate comments or behavior by members of the board, by staff, or by the public.

I also concur that there can be valuable benefits from sitting down with the chair prior to the meeting and going over

things, in effect discussing a "game plan" for the meeting. This does not mean pigeon-holing the end result, but rather figuring out how to bring out the relevant issues for discussion.

Larry Frey:

I definitely agree with Lee and Glynis that fostering a "relationship" between the staff planner and the chair is required. I think the best chairs need our close input so that they can run effective meetings. I also think they need to understand the behind the scenes stuff that can occur with applicants, such as refusing to submit information requested by staff, shoddy work, and the last minute submittal of plans and other filings.

Lee Krohn:

I am never afraid to make my boards aware of these kind of problems when they arise. Indeed, there have been times when significant new information that had been requested by staff well in advance was not received until the hearing itself. Having informed my board of this, they would ask immediately "has staff had a chance to review this." If I said "no," they would invariably move to recess the hearing.

When boards fail to do this, and agree to review major new information "at the table," it offers clear encouragement to applicants to continue this poor practice.

Larry Frey:

To avoid this problem from even coming up at the hearing, we've added language in our city's land use regulations that allows staff to not place a request on the meeting agenda if the information is provided late.

continued on page 3



Carolyn Braun is Planning Director for the City of Anoka, Minnesota (population 18,200), located

in the Twin Cities metro area. She also served as a planning commissioner for thirteen years, including eight as chair. Carolyn is the author of "Planning From Different Perspectives," which appeared in PCJ #24, Fall 1996.



Lee Krohn has been Planning Director for the Town of Manchester, Vermont (population 4,180) since 1989. He is a former

chair of the Putney, Vermont, Planning Commission, and past President of the Vermont Planners Association. Lee is also a member of the PCJ's Editorial Advisory Board.



Glynis Jordan is Deputy Director of City-County Planning for Forsyth County (population 320,000) &

Winston-Salem (190,000), North Carolina. She previously served as Director of Land Use Administration for the City of Pueblo, Colorado, and as a staff planner with the Burlington, Vermont, Planning Department.



Larry Frey is the Director of the Department of Development Services for Bradenton, Florida, a Gulf

Coast community of approximately 50,000, south of Tampa. He has over twelve years' public/private experience in planning and development. Larry also serves on the PCJ's Editorial Advisory Board.

What Planners Do

continued from page 2

On Pre-Meeting Workshops, Work Sessions, and Retreats –

Larry Frey:

One of the things we've done in Bradenton to make our planning commission meetings run better is to schedule pre-meeting workshops. We hold this workshop on the Monday prior to our commission's monthly Wednesday meeting.

The workshops are informal and are designed to allow staff to provide our commissioners with a detailed, technical discussion of proposed projects scheduled for the upcoming meeting. The meeting is publicly noticed. However, members of the public are not allowed to comment unless the chair allows it. The applicant will attend and speak if desired.

While it can be difficult to get all members to attend the workshop (since it represents an extra afternoon of time), they've found these sessions quite helpful. These kind of extra meetings are certainly more staff intensive. But I think they serve an important purpose through clarification of difficult or controversial issues. The end result is to avoid unnecessary continuances or tablings of requests at the regular meeting. In other communities where I've worked, similar informal meetings have been held in neighborhoods affected by a proposed project.

Carolyn Braun:

About three or four years ago, we started holding monthly work sessions to discuss broader planning topics, such as the comprehensive plan or zoning ordinance amendments. There are no minutes taken at these meetings. They are sim-

ply discussions – often quite lively – with no action taken. This format allows commissioners to freely discuss issues in an informal setting. It also provides a time for them to get to know one another better. As such, they learn to accept each other's opinions and not to take differences of opinion personally. Occasionally, we add a "fun" team-building activity to the mix. While the meetings are publicly posted and open to anyone, rarely does anyone other than staff and the commissioners attend.

Lee Krohn:

At one point in years past, when our planning board and I were (literally and figuratively) under serious attack, we planned a separate set of work sessions with an organizational management consultant to regroup, clarify, and reconfirm roles and responsibilities.

In accordance with the law, we noticed all of these publicly. We decided to hold them in a different location than our usual meetings to help stimulate fresh thinking. As anticipated by the consultant, the early public intrigue and interest quickly passed as the audience realized that these were internally focused work sessions with little of actual public interest. It all worked well, and helped get us back on a positive track.

On Orienting New Board Members –

Lee Krohn:

It is important for staff to provide an orientation for all new board members on all aspects of process and product: from things like the mechanics of meeting schedules and the timing of staff memos, to broader issues such as board responsibilities and priorities for the coming year.

Carolyn Braun:

We also meet with the new commissioner, explain the format and content of meetings, provide copies of documents – such as the comprehensive plan and zoning ordinance – and provide information about current projects and policy discussions.

Glynis Jordan:

We hold an orientation meeting, but try not to overwhelm the new person with a room full of people. We'll cover basic things such as the jurisdiction of the board, and an explanation of the staff's role. We probably don't spend enough time explaining how to conduct oneself or what to do at a meeting.

I've found that new board members often have difficulty putting their arms around exactly what they are charged with. Most come in familiar with responsibilities they'll have in reviewing site specific projects. But it is rarer for new members to have thought about the responsibilities they have as planning board members to the broader community.

Obviously, there's also a learning curve for most new members. Interestingly, new members often learn quickest by observing how their fellow board or commission members act, and what they ask at meetings. Therefore it's important to understand the power that more experienced members hold, often unknowingly. How they respond to staff and the public, their view of their role as stewards of the community, and their pride in serving on the commission – all of these things strongly pave the way for the learned behaviors of the new members. So it's not necessarily staff who are the principal teachers! ♦