



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

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

**COMMISSIONERS PRESENT:** Williams, Dodson, Kreimer, Larson, Dorschner, Lundgren, and Haggard (7:10 p.m.).

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Community Development Director Klatt, City Planner Johnson and City Engineer Griffin.

**Approve Agenda:**

The agenda was accepted as presented.

**Approve Minutes:** July 14, 2014

M/S/P: Dodson/Kreimer move to approve the minutes with minor corrections to the second to last paragraph on page three to add additional language concerning RAD-ALT areas in the City, **Vote: 4-0, motion carried.** *Commissioners Larson and Dorschner did not vote.*

**Public Hearing:** Boulder Ponds Preliminary Plat and Preliminary PUD Plans

Johnson presented an overview of a proposed preliminary plat and preliminary PUD plan for a multi-use subdivision that would create 98 single family residential lots, one larger 64-unit multi-family lot, and three larger commercial outlots. The proposed development is located within the I-94 Corridor planning area and within a Stage 1 phasing area as identified in the Comprehensive Plan.

Because the application has been submitted as a Planned Unit Development (PUD), the applicant is seeking flexibility from various requirement of the underlying zoning. The applicant is also seeking flexibility to move forward with alternative site plans for certain portions of the development that would allow the construction of additional villa homes in the place of standard single family homes.

Johnson reviewed the staff recommendation with the Planning Commission to recommend approval of the preliminary plat and preliminary PUD plans with 10 conditions of approval. He noted that Staff is recommending revisions to three of the

conditions based on feedback from the applicant. Johnson further reviewed draft findings of approval with the Commission.

Dodson asked what would happen if the HOA went away, and if the City would be on the hook for any landscaping on community outlots. Klatt noted that if the island or median areas are in the right-of-way, the City could potentially be responsible to maintain those areas should the HOA disband.

Dodson asked about the alternate site plans in terms of timing of platting. Johnson explained that the alternate plans would require a preliminary PUD plan amendment. This could be done concurrent with final plat. In general, lots are not platted until final plat.

Haggard questioned how the overall density requirements were determined for the site, and whether these would need to be updated for future phases of the project. Johnson noted that the overall densities were calculated based on the numbers depicted on the submitted plans, and that there may be some minor variations under the terms of the PUD. Staff reviewed the proposed density ranges and found that the alternate plans fall within the range allowed under the Comprehensive Plan.

Dorschner asked about the proposed setbacks, and how the five feet was determined. Johnson commented that the PUD ordinance does allow flexibility in this regard, but that a minimum setback is needed to allow for utility easement areas. In addition, drainage would not be directed between these areas of reduced setbacks. He further commented that the reduced setbacks are consistent with the "coving" concept being planned by the developer.

Williams asked about subdivision ordinance and flag lots. Klatt noted that flag lots are only specifically referenced in the rural zoning districts. However, the minimum street frontage or minimum lot width does relate to the proposed flag lots.

Williams asked about connectivity to the 5<sup>th</sup> Street trail from Outlot B. He noted that this area would be a good connection.

Williams also asked about the density calculation of Outlot K with the proposed multi-family building. Johnson noted that when taking the calculation of the entire area guided for medium density, the density calculation is more in line with the allowed range. Williams questioned whether or not trails are allowed under the power line easement. Johnson noted that trails would be permitted, but other park improvements would be problematic.

Williams questioned the benefits that the City would be receiving by allowing the PUD. Johnson responded that the City would be getting a unique development in the form of lot layouts, all lots backing up onto open space, and coving technique.

Williams asked from staff's perspective if the northern buffer trail can be moved to the south. Kreimer asked what the width of the trail corridor is around the Rossow property. Johnson noted that the trail corridor is 30 feet.

Kreimer asked about rear access from 5<sup>th</sup> Street for Cranky Ape and Lampert Lumber sites. Johnson noted that it would be difficult to gain access to these properties directly from 5<sup>th</sup> St. due to the required access spacing guidelines.

Haggard questioned the planting of trees within the power line easement along the northern edge of the property. Johnson noted that the height of trees would need to be regulated in this area, and this area will be subject to further review by the City's landscape consultant.

Williams asked staff to explain the various PUD objectives. Klatt reviewed that section of the City Code for the Planning Commission.

Dorschner questioned the location of the gas line easement through the property, and the potential impacts to individual homes. Griffin commented that the easement holder will ultimately decide what is and is not allowed, and that typically driveways are permitted.

Deb Ridgeway spoke on behalf of the development team and provided additional information about the proposed product type. Lundgren asked the applicant to further explain the Villa product. Ridgeway noted that Villas are typically one story with main living space on the main level.

Haggard asked who the builder for the project will be. Ridgeway noted that they have not signed a purchase agreement with the builder yet.

Dodson asked how and when the developer will be making a decision on the alternative plans. Ms. Ridgeway replied that the initial phase is a smaller area and will allow them to get started and make additional decisions concerning the Villa alternatives at a later date to see how the market responds.

Haggard asked if the trail could be moved further to the south. Ridgeway suggested that Steve Sletner, project engineer, address questions related to the northern trail.

Steve Sletner with SEH presented an overview of the project and some of the design issues that he was asked to address. He reviewed the plans for the trail and noted that it would be possible to bring the trail further to the south at the extreme northeastern portion of the site. He commented that all of the proposed uses would be allowed by Xcel Energy.

Sletner stated that Northern Natural Gas Company does not have a specific easement across the property, but instead has a general prescriptive right to cross the property. This is being further defined through the platting process working with the gas company. He also noted that the actual placement of houses on each lot will need to be further considered once a specific design has been selected.

Sletner discussed some of the benefits of coving, and noted that it allows the creation of more open space opportunities along each of the streets and within the development. He further stated that the interior islands would be further reviewed to address the City's comments. He suggested that there are different ways to plow the cul-de-sac to help alleviate the concerns of the public works department.

Dodson stated that he would like to see the trail moved further south and away from any adjacent properties. Sletner replied that it would be very difficult to move the trail to the south of the northernmost infiltration basin, but that there may be other opportunities to move the trail outside of this area.

Dodson expressed concern that the City may be in a position to compromise the City Engineer's standards based on the revised conditions as proposed by Staff. Sletner commented that the project cannot move forward without the approval of the City Engineer and that they will be working to resolve all outstanding items.

Kreimer commented that there are a few locations where trail connections do not show up in certain plans. He stated that he would like to see these connections shown on the plans.

Lundgren asked about the spacing between homes in certain portions of the subdivision. Sletner replied that certain homes would be located with 10 feet of separation, but because of the layout of the lots the minimums only occur at a point and then the setbacks taper away to provide more open space for each home.

Rick Harrison presented an overview of the coving development concept and some of the limitations associated with traditional development that are designed to comply only with minimum standards. He noted that the minimum setback of five feet allows for the flaring of adjacent homes to provide more open space between the houses. Harrison reviewed the various aspects of the project that he indicated complied with the objectives of the City's PUD ordinance.

Harrison reviewed the proposed layout for the villa homes, and stated that there would be minimal grading required in order to move forward with the alternative plans.

Dorschner asked why the teardrop design was chosen instead of a more standard circle. Harrison noted that the proposed design helps keep the flow of the traffic moving around the cul-de-sac, but that this could be amended.

Williams asked for clarification concerning the differences between the proposed subdivision and a more typical residential development. Harrison responded that the coving design allow for much greater separation between homes and will create views from each lot that do not directly face an adjoining structure.

Charlie Devine, Edina Realty, stated that the proposed plan was prepared to address the need for higher densities in certain portions of the site, and that typically these densities would be achieved through townhouses. He noted that townhouses are no longer selling very well in the market place, and that the villas appear to be a more viable project while still achieving the City's minimum density requirement. Devine noted that the demand for the Villa homes appears to be very strong. He also stated that the developer is still looking at options for senior housing, which may extend further south into the commercial area.

There was a general discussion concerning the proposed cost of the homes and the market for regional builders.

Public Hearing opened at 9:33 p.m.

Curt Monteith, 331 Julep Avenue North, stated that he lives adjacent to the proposed development. He asked what other facilities would be incorporated into Stonegate Park. Johnson replied that there is some land that will be dedicated for public use outside of the power line easement and that this will provide some opportunities for additional improvements in these areas. He asked that the developer consider adding additional plantings for screening between the proposed development and the private lots in Stonegate.

Williams noted receipt of two letters: Lampert Lumber and John Jaros (429 Julep Ave. N.)

Public Hearing closed at 9:44 pm.

Williams asked how the comments from Lamperts could be addressed. Griffin replied that additional contours would need to be shown for this property in order for him to make a determination concerning how 5<sup>th</sup> Street will match into this site. Griffin reiterated that the access spacing would make it difficult to access this site from 5<sup>th</sup> Street.

Dodson recommended adding a condition to require that the north eastern trail move further south to the greatest extent possible and to add screening along the north side of the trail.

Kreimer asked if the City needed access to infiltration areas. Griffin responded that the City does require access to these areas, and that the proposed trails would provide this access in certain locations.

Williams commented that the proposed development is not much more special than other developments, and expressed concern that the City is not receiving much in exchange for the proposed variations.

Johnson discussed the planned growth for this area under the Comprehensive Plan and the change of moving 5<sup>th</sup> Street south associated with the Boulder Ponds project. Moving the collector road south reduces the amount of land guided medium density housing.

Lundgren expressed concern that the project does not adequately address the park needs for this subdivision. Lundgren also noted confusion over the alternate site plans and process. There was a general discussion about the purpose of the alternate site plans.

There was a general discussion about flag lots. Klatt explained why cities typically try and limit the use of flag lots and maintain a minimum amount of street frontage.

Larson commented that the proposed development is located on a fairly difficult site to develop and includes a wide mix of different uses. He encouraged the developer to incorporate more gathering spaces into the development.

Dorschner questioned whether or not the shifting and angle of each house would be set as part of the project plan, or if each builder would be responsible for determining the layout for each lot. Sletner replied that the developer produces a booklet that depicts the configuration of each lot with the required setbacks and other detailed information. They could provide the City with this booklet. He also noted that the City does review grading and drainage at each building permit.

Dodson stated that the standards as identified in the development manual would need to be incorporated as a condition of approval. The Commission discussed the process under which the development would need to be reviewed at the building permit level for the project to be constructed as proposed. Klatt discussed PUD requirements and how a lot book identifying proper setback could be incorporated.

There was a general discussion about the alternate site plans. Staff reiterated that the applicant would need an amendment to their PUD to pursue one of the alternate site plans. In response to the discussion of the alternate site plans, the applicant requested to remove consideration of the alternate site plans.

There was a general discussion about which objectives the proposed PUD are meeting to fulfill the ordinance requirement. Staff provided their perspective in that they felt that the development did provide unique design techniques that go beyond what is typically done in normal subdivisions. There was some consensus that the development was providing a mix of uses (residential, commercial, public facilities).

Dodson requested an additional condition: The Final PUD plan will include a development lot book for use in granting building permits for the development. Kreimer provided the proposed language for the condition.

Larson requested that the approval include additional consideration for public gathering places, including the planting areas within the cul-de-sac. Ridgeway stated that the developer will review the plans for opportunities to include a gazebo and other gathering spaces into the development plans. Larson noted that this request did not need to be a condition of approval.

M/S/P: Larson/Dodson, move to recommend approval with 12 conditions of approval (10 plus the development lot book and moving the greenbelt trail south in the northeast corner) as recommended by Staff with the findings as drafted by Staff.

Dorschner noted that he is conflicted on this project but will support the motion.

Haggard asked if the list of strong concerns would be expressed to the Council if the Planning Commission recommended approval of the request.

M/S/P: Dorschner/Kreimer, move to amend last finding to state that Plat and PUD Plan achieves objective B from the PUD ordinance.

M/S/P: Larson/Dodson, move to amend Dorschner's motion to add objective A as a finding, **Vote: 1-6, motion fails** with Williams, Haggard, Kreimer, Dorschner, Dodson and Lundgren voting no.

**Vote on Dorschner's motion: 6-1, motion passes** with Lundgren voting no.

**Vote on Larson's original motion to recommend approval of the Boulder Ponds Preliminary Plat and Preliminary PUD Plan with 12 conditions of approval: 5-2, motion carries** with Lundgren and Haggard voting no.

## **Updates and Concerns**

### *Council Updates*

1. Easton Village Preliminary Plat passed with 21 conditions of approval.
2. Village Preserve Preliminary Plat passed with 13 conditions of approval.

3. Holliday Property Comprehensive Plan passed with 2 conditions of approval.
4. Kwik Trip Preliminary Plat, Final Plat and Conditional Use Permit passed with 8 conditions of approval.
5. Zoning Map Amendment passed.

*Staff Updates*

1. Upcoming Meetings
  - a. August 11, 2014
  - b. August 25, 2014

*Commission Concerns - None*

Meeting adjourned at 11:22pm

Respectfully submitted,

Nick Johnson  
City Planner