



**City of Lake Elmo
Planning Commission Meeting
Minutes of March 9, 2015**

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

COMMISSIONERS PRESENT: Williams, Dodson, Kreimer, Griffin, Larson and Dorschner

COMMISSIONERS ABSENT: Haggard

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

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: February 23, 2015

M/S/P: Williams/Dorschner, move to approve minutes as amended, ***Vote: 5-0, motion carried, with Griffin not voting.***

Business Item: Wildflower at Lake Elmo cont.

Klatt noted that the application before the Planning Commission is a Preliminary Plat and Preliminary PUD Plan for the Wildflower at Lake Elmo. The Planning Commission held a public hearing on February 23, 2015. The Planning Commission postponed consideration of the application to collect additional information on the following: 1) Raingardens and specifically how many 2) Could the road widths be expanded in place of Raingardens 3) Narrow streets and what are specific problems associated with them 4) Fields of St. Croix drainfield and if there are problems with directing water across it 5) drainage issue near the Krueger property and if there are any issues with the culvert and flooding in this area.

Regarding the culvert on Lake Elmo Ave., the Valley Branch Watershed District engineer, John Hanson, noted that the flooding condition related to the Krueger property is more related to an existing condition. He was confident that the condition would not be made worse by the Wildflower development. Williams asked if staff had contacted Washington County regarding the culvert. Klatt noted that he did not contact Washington County Public Works.

Regarding the Fields of St. Croix drainfield, Klatt noted that the 100-year flood elevation of Goetschel Pond is 908. The drainfield is located at a significantly higher elevation than the 100-year flood elevation. Klatt noted that there does not appear to be any threat of inundation of the drainfield based upon these elevations. Mr. Pace of Fields of St. Croix spoke that staff is correct on the elevations, and there does not appear to be a threat. Williams asked about some properties that previously shared the need to pump water out of their basements, at times utilizing a sump pump. Klatt noted that the area of note with regards to pumping is further to the south.

In discussing the setback from the Eischen well to the stormwater facility, Klatt noted that the MN Dept. of Health has clear setbacks for wells from wet basins. The Eischen well is located outside of the required setback. Klatt also noted that the low floor elevation of the Eischen home meets the required 2 foot separation from the storm water facility.

With regards to the number of rain gardens within the development, the applicant has agreed to remove the rain gardens from the right of way. The condition of approval would still allow the applicant to investigate specific locations for rain gardens with the approval of the City Engineer. Dodson asked the City Engineer about the maintenance costs associated with rain gardens. Jack Griffin noted that exact costs are not available, as the City only maintains 3 gardens at this time. Generally rain gardens are desired to retain water in the local water sheds, but the City has no standards established to ensure a no failure rate.

Street widths were discussed, noting that public works and emergency services do not support narrow streets for access and maneuverability concerns. Klatt recommended that the condition remain in place and the applicant meet with the appropriate staff for final design.

Additional neighbor concerns - Mary Jean Dupuis requested that the nearby grass trail be eliminated from the plan. Staff has included an alternate condition should the Planning Commission support the request of the Dupuis family. Staff does not have a strong preference about this request. Klatt noted that the HOA will own the property, and the City has limited ability to not allow a mowed trail. Williams asked about screening and plantings. Klatt noted that plantings have been installed and are shown on plans. Richard Smith noted two major concerns: 1) timing and location of sewer connection and 2) access road to the property. Staff is recommending that the utility plans be updated to show stub to smith property, and that a condition be added regarding the driveway. Smith also did express concern about future subdivision of the outlot near his property. Klatt noted that staff would contact City Attorney to discuss the addition of a covenant or condition. The Planning Commission asked if all outlots would be a concern for future subdivision. Klatt noted that there are conservation easements that would need to be vacated, and many of the outlots include stormwater facilities, which is integral infrastructure.

Regarding the flood zones, the VBWD noted that they may take the lead in updating the FEMA maps for this area. Staff will draft a letter of support for VBWD to take the lead. Dodson asked how much time it would take to complete the update. Klatt noted not weeks, much longer, but before the 3rd phase of the development comes forward.

MnDOT sent comments that are pretty boiler plate review language of when MnDOT permits would be required.

Klatt presented the proposed findings and conditions of approval. Two findings were added by the Planning Commission, that an exception to the length of a cul-de-sac is justified based on the unique circumstances of the property and the development and that the change in Outlots O and P of the Fields of St. Croix is justified because the developer is providing much larger open space areas as part of Wildflower at Lake Elmo.

Williams asked if the MN Land Trust was party to the conservation easements on Outlots O and P of Fields of St. Croix. Klatt confirmed that they were not party to those easements.

Klatt noted that staff is recommending approval of the Wildflower Preliminary Plat and Preliminary PUD Plan with the recommended 20 conditions. Staff recommends deleting condition #2 and add Condition #20 as it relates to the smith driveway. The Commission needs to decide if condition #21, relating to the removal of the grass trail in Outlot H, should be added.

Dodson asked about conservation easements and the resulting tax situation if only the City is party to the easement as opposed to MN Land Trust. Engstrom stated that the Minnesota Land trust only applies to Phase I of the development.

Engstrom discussed the proposed mowed path through Outlot H. Larson noted that the City has successful trails that are mowed paths in Sunfish Lake Park.

Williams asked if there were additional locations in HOA owned outlots that could have rain gardens. Williams felt that these could be a benefit to the pollinators as well. Engstrom noted that if they find the correct locations in other places, they are not opposed to adding some rain gardens.

Dodson began the discussion by talking about condition #20, the restriction on Outlot G. The Commission would like stronger language to protect it like the other outlots to prohibit any future splitting of the outlot. Williams wanted a separate condition.

M/S/P: Williams/Dodson, move to require the developer and the City to establish a legally binding agreement to prevent further residential or commercial development of all outlots, **Vote: 6-0, motion carried unanimously.**

The Planning Commission discussed the trail near the Dupuis property.

M/S/P: Williams/Larson, move to strike condition #21 related to the removal of the trail near the Dupuis property, **Vote: 6-0, motion carried unanimously.**

M/S/P: Williams/Dorschner, move to strike condition #2, **Vote: 6-0, motion carried unanimously.**

M/S/P: Williams/Dorschner, move to amend condition #3 to require the developer to submit temporary easements to the City prior to grading activity, **Vote: 6-0, motion carried unanimously.**

Condition #3 will now read: Prior to any grading activity, the developer shall submit to the City temporary grading easements from the owner of the lots adjacent to Layton Avenue within the Brookman Addition in order to construct the improvements within this right-of-way as documented in the preliminary construction plans.

There was a discussion about rain gardens.

M/S/P: Dorschner/Kreimer, move to recommend approval of the Wildflower Preliminary Plat and Preliminary PUD Plan with the 21 conditions of approval and the findings of fact as drafted by staff and amended by the Planning Commission, **Vote: 6-0, motion carried unanimously.**

Williams suggested a minor amendment to condition #8 and finding #7 that were grammatical. Dorschner and Kreimer accepted as friendly amendment.

Public Hearing: Boulder Ponds – Zoning Map Amendment, Final Plat and Final PUD Plan.

Planner Johnson presented an overview of a proposed Final Plat, Final PUD Plan, and Zoning Map Amendment associated with a proposed mixed use development to be called Boulder Ponds. He noted that the final plat includes 47 single-family residential lots and represents a portion of the overall area included as part of the development project.

Critical issues are 1) additional easements are required along public ROW and outlots 2) Outlots D,E,G, and L must be dedicated to the City for stormwater facilities 3) written approval from SWWD for modifications to Surface Water Management Plan 4) all

grading, drainage, erosion control, surface water management and utility and street plans approved by City Engineer prior to release of final plat for recording.

Johnson stated that Staff is recommending approval of the Final Plat and Final PUD Plans with 11 conditions, in addition to recommending approval of the zoning map amendments.

Williams questioned preliminary plat condition number 9 concerning the width of the trail. He stated that the developer has indicated that the plans have been updated to reflect the City's request. Johnson noted that the City has been working to establish standards for trail widths, and that the review indicated that the trail width has not yet been reduced.

Williams asked that the completion of 5th Street be tied to the Inwood Development or the platting of Boulder Ponds. Johnson stated that Staff has insisted that the timing of major infrastructure improvements be tied to the amount of development as it occur. Under State Statute, there must be some proportionality between the amount of infrastructure that the City is requiring and the amount of traffic/development. In this case, Staff is agreeing with the developer that the phasing as proposed by the developer is reasonable given amount of work included with the first phase.

Kreimer questioned whether or not the small triangle related to the 5th Street right-of-way on the eastern edge of the plat had been transferred to Boulder Ponds. Johnson confirmed that this lot line adjustment and subsequent transfer of property has occurred.

Kriemer asked about the required driveway setback from street intersections where there is a minor collector road. Engineer Griffin stated that on residential streets, no standard has been established. Engineer Griffin also stated that it is a common occurrence to have driveways near the entrance of a development, but he would not dispute that it can create traffic issues.

Dorschner questions about how to access lots adjacent to the center median in the neighborhood. Staff response was that they would make a U-turn around the median. Engineer Griffin stated that it is a residential road where those turns would be common.

Kreimer asked about the visibility of intersection adjacent to the medians. Johnson noted that this was a concern noted by Staff in the preliminary plat review, and that this could be further reviewed as part of the City's final construction plan review.

Williams asked why a condition was not included specific to the City's theming study. Johnson stated there was no reason it isn't a specific condition.

Williams asked about the purpose of the "lot book" and whether or not this would be used as a basis for building approvals. Johnson indicated that the book would be used by Staff to review the location of homes associates with individual building permits.

Steve Slettner, Consulting Engineer with SEH, discussed the lot book. He noted that this would be the first City that this has been a requirement. He further stated that the book is a tool for helping ensure that the grading, housing type, and setbacks are addressed properly for each lot. This will help ensure that the realtors, builders, and City all are aware of the lot requirements in advance of any construction.

Deb Ridgeway, OP4 Boulder Ponds, spoke regarding the theming and amenities. Williams feels that all developments in the City should be following the Lake Elmo theming to bring continuity and commonality to the City. Klatt stated that since the theming was not a condition of approval at preliminary plat, at this point, the most they could do would be to suggest or encourage it, but not mandate it.

Ridgeway stated that they hope to be back for phase II in a year, but of course that is dependent on sales. Creative Homes will be the builder for phase I and have first right of purchase for phase II.

Kreimer suggested a condition that the developer is strongly encouraged to use high quality materials and use four-sided architecture throughout the project area. He noted that this means that the developer would need to add windows and trim to the sides and rear of homes. The Commission generally noted that the submitted home drawings did not meet this objective.

Dodson felt there was some degree of disconnect with the PUD when there is no defined architecture. His concern comes from the fact that the developer is not the builder. Ridgeway stated that this builder has 2 homes in the parade of homes and she would encourage them to tour those. She also stated that they have a good working relationship with builder and can strongly encourage the 4 sided architecture. They will also set up the HOA and covenants and can regulate the architectural standards.

Public Hearing opened at 8:33 pm

No one spoke and no written comment was received.

Public Hearing closed at 8:33 pm

Slettner indicated that the proposed development will allow more options for creativity along the side and rear of homes because of the coving. He noted that other developments do not necessitate this level of design because they are all on rectangular lots.

Williams suggested a condition of approval: Applicant is encouraged to incorporate multi-sided architecture and view sheds consistent with design concepts and examples shown during the preliminary plat presentation by Rick Harrison. Slettner stated that this would be acceptable to them.

M/S/P: Williams/Dodson move to include a condition that the applicant is encouraged to incorporate multi-sided architecture and view sheds consistent with design concepts and examples shown during the Preliminary Plat presented by Rick Harrison. **Vote 5-0, Motion carried with Griffin abstaining.**

Commission discussed Lake Elmo theming elements.

M/S/P: Williams/Dorschner move to encourage the applicant to incorporate elements of the Lake Elmo theming study into the open space and public areas within the subdivision. **Vote 6-0, motion carried unanimously.**

Williams suggested changes to draft findings and that these be restricted to phase one. Johnson did not think this change would be necessary since future phases would also be bound by the preliminary plat requirements. Johnson requested that Staff be allowed to further review the vision triangle to ensure that plantings within medians do not create a problem for visibility. He suggested amending condition 7 in order to accomplish this.

M/S/P: Williams/Dorschner move to remove the second sentence in condition 7. **Vote 6-0, motion carried unanimously.**

Condition 7 would now read: The Final Landscape Plan shall be revised per the requested modifications of the City Landscape Consultant, documented in a memo dated 3/3/15. The Final Landscape Plans shall be approved prior to the release of Final Plat for recording.

M/S/P: Kreimer/Dodson move to add a condition to state that the final landscape plan shall be reviewed by the City to ensure that road safety issues are properly address by the development, and specifically the site triangle requirements. **Vote 6-0, motion carried unanimously.**

M/S/P: Williams/Kreimer move to recommend approval of the requested Zoning Map Amendment for the Boulder Ponds planned development based on the finding of facts listed in the staff report. **Vote 6-0, motion carried unanimously.**

M/S/P: Dorschner/ Williams move to recommend approval of the Boulder Ponds Final Plat and Final PUD Plans with the conditions as revised by the Planning Commission and based on the findings included in the staff report. **Vote 6-0, motion carried unanimously.**

Updates and Concerns

Council Updates – February 24, 2015 Meeting

1. Wendy Griffin was appointed 1st Alternate to Planning Commission.
2. Hammes Estates 1st Addition Development Agreement Amendment - Approved.
3. Savona Preliminary Plat Resolution Amendment - Approved.

Council Updates – March 3, 2015 Meeting

1. Zoning Text Amendment – adding Liquor Stores to CC Zoning – Approved.
2. Easton Village Final Plat – Approved.
3. Easton Village Developer Agreement – Approved.
4. Lennar Sketch Plan – Reviewed.

Staff Updates

1. Upcoming Meetings
 - a. March 23, 2015
 - b. April 13, 2015
 - c. Future Joint Meeting with EDA

Commission Concerns

Dorschner indicated that he had watched the last meeting, and expressed concern over the Council's statements concerning preferences for development. He stated that the Planning Commission spend a great deal of time reviewing these applications for consistency with the Comp Plan and Zoning Code.

Meeting adjourned at 10:30 pm

Respectfully submitted,

Joan Ziertman
 Planning Program Assistant