



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of June 22, 2015**

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

**COMMISSIONERS PRESENT:** Dodson, Dorschner, Williams, Fields, Larson, Kreimer and Griffin (arrived at 7:05pm)

**COMMISSIONERS ABSENT:** Haggard

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

**Approve Agenda:**

The agenda was accepted as presented.

**Approve Minutes: June 8, 2015**

M/S/P: Williams/Dodson, move to approve minutes as presented, ***Vote: 5-0, motion carried with Kreimer not voting.***

**Public Hearing: Preliminary Plat and Conditional Use Permit – Lennar Homes**

Klatt started his presentation regarding a Preliminary Plat request from Lennar Corporation for a 46-unit single family attached (townhouse) development. The proposed development is located on slightly over 15 acres of land immediately east of Lake Elmo Avenue, west of the Trans-City manufacturing building, north of the Hunter's Crossing Development and immediately south of the Cimarron Manufactured Home Park and golf course. Staff is recommending approval of the request subject to 15 recommended conditions of approval.

Klatt provided an overview of the proposed development area. He noted that the proposed twin-home development is located on the north side of the planned minor collector road 5<sup>th</sup> Street with Hunters Crossing located on the south side.

With regards to history of the property, it has been historically used for agricultural purposes. The current zoning of the property is RT – Rural Transitional. The Sketch Plan was reviewed in February of 2015. In addition, it should be noted that that the future land use guidance of the property was changed from High Density to Medium Density Residential in October of 2013. The density of the Medium Density Residential land use category is 4-7.49 units/acre. Klatt stated that the proposed density is very close to 4

units/acre, and the limited size of the parcel does make the development potential on the site difficult. Regarding utilities, sewer and water are available to the site. As part of the agreement to extend watermain down Lake Elmo Avenue, the applicants are expected to pay all of the Water Availability Charges for this development up front as opposed to paying for each phase. Klatt also presented a subdivision design summary highlighting all of the dimensional standards proposed for the development.

Regarding dimensional standards, one important standards that recently changed was the street width and proposed ownership of the street. The applicants were previously proposing a private street. However, due to concern over how the City will maintain its sewer and water infrastructure, the applicants are now proposing a public right-of-way and street that meet City standards. In addition to the road standard issue, the applicants also are required to provide right-of-way along the County road (17) and additional stormwater management facilities. These changes resulted in the subdivision previously having 48 residential units to now having 46 twin-home units.

In terms of future updates to the plan, Klatt noted that the applicant is considering applying for exemption of the front-yard setback requirements to bring homes closer to the street. In addition, the applicant is reviewing the feasibility of using the storm water retention ponds as a reuse facility for irrigation.

Klatt then provided an overview of the staff report, which includes review comments on the construction of 5<sup>th</sup> Street, the Lake Elmo Ave. improvements, the watershed district review, the landscape and tree preservation plans, and other components. Klatt then provided an overview of the recommended conditions of approval. He then outlined draft findings for the proposed approval of the Preliminary Plat application.

Fields asked where the closest park or open space area is located to this proposed development. Klatt noted that Oakland Jr. High School is the closest recreation area.

Williams asked about proposed condition # 3 regarding the CSAH 17 improvements. He asked why it is the responsibility of this applicant and not both them and the Landucci property. Klatt noted that if it is a joint project, both applicants will be responsible. If it is 2 separate projects, each applicant will be responsible for their portion.

Williams asked about design review of the structures for the proposed development. Klatt noted that single family attached structures (which these are) do not fall within the design review process.

Williams asked if it was premature to take action on the plat given that the construction plans will need to be updated. Klatt stated that staff is confident that there is sufficient time for the applicant to update their plans for the final plat.

Larson asked about trail facilities in the area. Klatt noted that 5<sup>th</sup> Street will provide trail connection throughout the area. Dodson asked about trail facilities on Lake Elmo Avenue. Johnson responded with the history of trail and facility planning by the County on the CSAH 17 corridor.

Kreimer asked about the two proposed townhomes in the southeast of the property that encroach onto the Hunters Crossing property. Lennar developers stated they will respond to that question.

Kreimer asked about the maintenance of the exterior of the homes. He asked if there would be an HOA that maintains the exterior of the homes and yards.

Kreimer asked about the setback for Trans City building. Klatt stated that under current standards it would need to be 100 feet, but it is grandfathered in. Any changes to the building would need to meet this requirement. It is currently used for light industrial and any new use would be light industrial.

Dorschner asked about the estimated number of REC units per the Comp Plan (57) and proposed number of twin homes in this development (46). Klatt explained that estimates for the purposes of the Comp Plan are calculated using gross density. This calculation does not take into account right-of-way, wetlands, and other factors that will reduce the developable area. Klatt noted that the fact that the proposed number of units is less than anticipated. However, now that the City is removed from the MOU with Met Council, the development being less than estimated should not present any problems for the City.

Fields asked what the parkland dedication amount would be should the City want a total dedication of land and not fees. Klatt stated that for this site, 1.5 acres would be required to be dedicated in a pure land dedication.

Dodson asked about a condition of approval or finding related to the conflict or encroachment on the southeast corner of the site. There was discussion about an additional finding or condition to resolve this conflict.

Paul Tabone, Lennar Homes, spoke about the architectural elevations of the proposed twin homes. He noted that they intend to construct homes similar to the elevations they presented at Sketch Plan. Tabone then discussed the two plans that were completed for the site; one design with private streets and another with a public street meeting City standard. He noted that the public street and other adjustments to stormwater led to the proposed development with 46 units. Tabone acknowledged that Lennar will need to work with Ryland Homes on the triangle in the southeast corner of the site. With regards to maintenance of the development, Tabone noted that the HOA will maintain all of the grounds and exterior facades of the structures. Regarding the light industrial use to the East, Tabone noted that they met with Trans-City investments.

Lennar also met with the owners of the Cimarron Park golf course. Both parties were receptive to collaborating on a landscaping plan that would help buffer the different land uses.

Fields asked how tall the industrial building is to the east. Tabone noted he estimates it is 20 to 25 feet tall.

Griffin asked where the stormwater outlet is for the pond. Tabone stated that it goes into a storm drain system within 5<sup>th</sup> Street. If there is a storm event, there is still the outlet to the property to the North, however, there can be no more water going to a property than the existing condition.

Williams asked about the proposed grading in the power line easement. Tabone noted that Lennar has contacted the easement holder, but has yet to receive formal written permission. Dodson asked what the area would look like should the permission not be granted. Tabone noted that the fallback is a retaining wall.

Kreimer asked what the center island in the road would look like. Would it be an amenity area? Tabone said that at a minimum it would be grass. They don't however want to overload the area as the engineer stated it would be a staging area should there be a watermain break or some other maintenance work.

Klatt updated the Commission on 2 previously asked questions. First the current standards for setbacks of commercial to residential is 150 feet for the building and 100 feet for a parking lot. Trans City is at 20 feet. The distance from this site to the Junior High is actually 2/3 of a mile.

Public Hearing opened at 8:10pm

No one spoke.

The City received no written or electronic correspondence.

Public Hearing closed: 8:11

Williams stated his support to recommend approval of the development. He recommends changing condition #4 to require a watershed district permit prior to submitting final plat to the City. Williams also suggested that the applicant receive written approval for construction in the easement area as part of final plan submittal. Dodson suggested this should be condition #16. There was agreement by the Planning Commission that both conditions #15 and #16 be added.

M/S/P: Larson/Dorschner, move to add a draft finding that there are no parks within close proximity to the development, **Vote: 7-0, motion carried unanimously.**

M/S/P: Williams/Kreimer, move to add a draft finding that lots 29-32 are too close to the southern boundary of the plat and this issue must be remedied in some fashion as part of final plat application, **Vote: 7-0 - motion carried unanimously.**

M/S/P: Williams/Dodson, move to recommend approval of the Lennar/Diedrich preliminary plat with the 16 conditions of approval and findings as amended, **Vote: 7-0 - motion carried unanimously.**

Dorschner noted he supports the City standard for streets. The width of the street must be maintained to allow for adequate street parking. Klatt noted that they must meet the 28-foot street standard.

Kreimer noted that he does not support reducing the rear yard setback along the northern portion of the property due to the golf course to the north. The applicant noted that other developments on golf courses include a disclosure. Williams noted that he has played the course several times and a conflict is not likely.

**Business Item: Zoning Text Amendment – Accessory Building Setbacks Urban Residential Districts.**

Johnson is seeking direction from the Planning Commission on whether to proceed on a Zoning Text Amendment to reduce the rear yard setback for accessory buildings in the urban residential districts. In LDR, MDR and HDR, the rear yard setback is not differentiated between accessory buildings and principal buildings and is currently 20 feet from rear yard. Staff is recommending a change from 20 feet to 10 feet for rear yard setback for accessory structures in urban districts. This setback would be consistent with other Cities that were researched. These structures are typically not very large and are sometimes regulated further by covenant.

There were general questions from Planning Commissioners about the accessory building code.

M/S/P: Dorschner/Williams, move to recommend that staff draft a Zoning Text Amendment to change the rear yard setback for accessory structures in urban residential districts from 20 feet to 10 feet, **Vote: 7-0 motion carried unanimously.**

**Business Item: Zoning Text Amendment – Subdivision Identification Signs**

Johnson is seeking direction from the Planning Commission on whether to proceed with this Zoning Text Amendment regarding Subdivision Identification Signs. Currently staff would interpret the sign code as only allowing one subdivision sign. The areas to discuss would be number of signs, content, whether sub-monuments would be allowed, and a definition of subdivision. Johnson stated that most Cities allow 2 signs and some

determine the number based on number of entrances to the subdivision. The content to consider would be changeable copy, and some Cities only allow the name of the Subdivider. However, Johnson wanted to do more research and talk to the City Attorney regarding the content issue due to 1<sup>st</sup> Amendment rights with signage. The number of signs would relate to the total subdivision and not each phase.

The Planning Commission had a discussion about subdivision signs. They asked to see some examples of sub-monuments. Johnson brought up an example from Boulder Ponds. It is a stone column with the name. Klatt stated we might want to survey some of the developers to get their opinion about why they would want more signage. The Commission felt that clarification for the ordinance was necessary. They felt that number might be based on size of development and number of entrances. Johnson stated that they might want to require a comprehensive sign plan so that developers do not just include the signs on their landscape plans. The Planning Commission liked the Comprehensive Sign Plan idea.

M/S/P: Williams/Fields, move to direct to prepare a Zoning Text Amendment related to subdivision identification signs, **Vote: 7-0 motion carried unanimously.**

#### **Council Updates – June 9, 2015 Meeting**

1. Phase I downtown Street and Utility Project – City concurrence to award contract approved.
2. Cooperative Agreement with Washington County approved
3. Easton Village Development Agreement amended.
4. East Village Trunk Sewer Agreement Approved.
5. Zoning Text Amendment – Freeway Signs denied with written findings.

#### **Staff Updates**

1. Upcoming Meetings
  - a. July 13, 2015
  - b. July 27, 2015

#### **Commission Concerns**

Commissioner Dorschner noted his concern about recent staff resignations.

Meeting adjourned at 9:25 pm

Respectfully submitted,

Joan Ziertman  
Planning Program Assistant