



**City of Lake Elmo
Planning Commission Meeting
Minutes of May 22, 2017**

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

COMMISSIONERS PRESENT: Dorschner, Larson, Kreimer, Dodson, Emerson, Williams, Lundquist and Hartley

COMMISSIONERS ABSENT:

STAFF PRESENT: Planning Director Wensman

Approve Agenda:

M/S/P: Dorschner/Larson, move to approve the agenda as presented, ***Vote: 7-0, motion carried unanimously.***

Approve Minutes: May 8, 2017

M/S/P: Williams/Lundquist, move to approve the May 8, 2017 minutes as amended, ***Vote: 7-0, motion carried unanimously.***

Public Hearing – Concept Plan – GWSA Planned Unit Development

Wensman started his presentation regarding the PUD Concept plan for GWSA land development for a 279 single family detached dwelling development on 99.12 acres with a net density of 2.9 Development units per acre. This development is a PUD as it falls within the Shoreland of Sunfish Lake. The developer is requesting flexibility from the shoreland regulations and the V-LDR district regulations. An AUAR was completed and no further environmental review is required.

Wensman went through the objectives of a PUD. This proposal meets those objectives. They are proposing to provide more than required amenities, considering dedication for Reid Park, and the development will extend sewer to the Hamlet development. There is 23% open space with a possible additional 7 acres of parkland dedication for Reid Park. 50% of the shoreland is required to be protected open space. A tiering analysis is needed, complying with the shoreland ordinance with the preliminary plat application. The concept plan does not include street stubs to the north or south for possible future subdivision. In the V-LDR zoning, the allowable density is 2.49 units per acres, which can be increased by 20% through amenity points. The total potential amenity points is 23.

Larson asked how many more households 23 points would give them. Williams asked if the current plan includes bonus density. Wensman stated that their plan includes the increase of 20% assuming the amenity points will be awarded.

There are a number of deviations being requested with this plan. The V-LDR calls for minimum lot width of 70 feet. They are proposing 140 lots to be 55 feet wide and 133 lots to be 65 feet wide. The required minimum lot area is 9000 square feet, they are proposing lots from 6800-14,000 square feet. There are also deviations from some of the setbacks. These need to be evaluated for impacts, especially the request for the front setback to be reduced to 15 feet on side loaded garages. In the Comprehensive plan, there is an identified buffer of approximately 200 feet wide along the west and north property lines. The concept plan shows a buffer to the north of 20 feet and to the west. 10 feet wide. This buffer needs to be enlarged or substituted with landscaping and berming with a landscape easement, which would require City Council approval. The developer is proposing a private HOA owned park with a pool and small playground near the north entrance. There is also a proposed HOA owned open green space that is in the center of the development. The parks commission is recommending no dedicated parkland rather, they recommend cash in lieu. The Comprehensive Plan identifies the need for trails to connect Lake Elmo Avenue to Hamlet on Sunfish and Sunfish Ponds trails. Currently the trails in Hamlet on Sunfish and Sunfish Ponds are private HOA owned trails. The Parks Commission recommended connecting these trails provided the City can obtain ownership and maintenance responsibility of currently private trails. Staff does not recommend connecting public trails to private HOA trails, as would be the case with a trail to Sunfish Ponds.

The Staff and the City Engineer recommend the development provide street stubs to the north and two to the South. The County has stated that there will be no further access granted on CSAH 17 from this development south to Hwy 14. There are no trees on the site, so no tree preservation plan is required. A phasing plan is needed to understand when sewer can be expanded to serve the Hamlet neighborhood. Wetlands and buffers need to be contained in outlots, which this plan does not show and there is no stormwater management plan. It will be up to the Planning Commission and City Council to determine how many amenity points will be awarded to this development. The developer did not provide enough detail in the narrative or concept plan to properly determine amenities being proposed. Staff has identified a number of findings. There is concern that the pool being so close to the entrance of the development could cause parking congestion on the public street. Staff is recommending parking be provided for the pool/playground area.

Dodson asked about the Village Parkway. Wensman stated that the Village Area Plan showed the parkway deadending, so it doesn't make sense to extend it when it doesn't actually lead anywhere.

Craig Allen, GWSA, stated that there are no trails shown, but it is understood that there will need to be some. The other amenity points, would come from providing 10 or so more acres of open space than is required. The Concept Plan will provide trails, theming, the clubhouse and pool, the street lighting and fencing to fit theming. The enhanced landscaping will meet the V-LDR Zoning buffer requirements, and they require their builders to put in additional landscaping. There will be architectural requirements for this development as well. There will be 3 acres dedicated to the City adjacent to Reid Park. The developer feels that is worth 10 amenity points. Allen stated that the demand in the market seems to be for the smaller lots and taking the lot savings and putting it into the house. Allen stated that they would prefer to provide buffer landscaping and berming in a landscape easement on the lots vs. a wide buffer of land.

Dorschner is wondering if Acsah 17 street access could be put in to be shared with the Schiltgen Farm. Allen stated that their vision for the stub to the south would be right in the middle of the south property line of the development.

Public Hearing opened at 8:20 pm

Stephanie Buss, 3849 Kindred Way, she lives in Hamlet on Sunfish Lake, she understands that there was a traffic study done, but she finds it really hard to believe that the current 2 lane road will accommodate the traffic that this development along with the others will generate. Wensman stated that the County has determined that once this road reaches 12,000 trips per day it will necessitate the need for a 4 lane road and that this development will not trigger that threshold.

Josh Peltier, 4167 Kirkwood Lane N, he lives in Sunfish Ponds, he would like the Planning Commission to keep in mind the lower densities of the 2 developments that this new development will abut. GSWA is asking for deviations from such things as density and he would just like the Planning Commission to keep in mind that the neighborhoods that this will abut to are all 1 acre lots.

There were no other written communications or phone calls.

Public Hearing closed at 8:25 pm

Dorschner asked about the time frame for the Hamlet sewer connection. Wensman stated that the connection must take place by the end of 2020 or it would trigger fines or a requirement to replace their community septic at a great expense.

Williams stated that overall he thinks this is a good development. He is a little concerned with the density. Overall he does not feel that they have received sufficient justification for the proposed density bonus. Hartley agrees because the plans do not reflect what the developer is saying they will do. Williams stated that sidewalks and

trails are required and are not considered additional amenities. The pool and clubhouse are private amenities, so as far as he is concerned, those do not count as amenity points for a plaza.

M/S/P: Williams/Lundquist, move to add a finding that the current Concept PUD Plan does not provide justification for a density bonus of more than 10 points under the City PUD ordinance, **Vote: 7-0, motion carried unanimously.**

Dorschner wants to point out that the sewer situation with Hamlet should be a caution to them when approving open space developments with community septic and expecting the HOA to maintain them.

Larson asked what kind of amenities the Planning Commission would like to see to receive the requested points. Williams stated that they are all in the PUD ordinance.

Dodson asked about having the main entrance moved from the north section of the development to be across from 39th Street as an extension of the Village Parkway and to locate the pool and clubhouse amenity more toward the center. Allen stated that the turn lane was already installed at the northern entrance when Lake Elmo Avenue was done and they would like to use it for the first phase. Allen stated that they plan to phase the development starting with the northeast section and that is the quickest route to get the sewer to Hamlet. Dodson would like to see the full landscape plan at preliminary plat to know if it is worthy of amenity points.

Hartley wanted to clarify that smaller lots does not necessarily mean smaller houses. Dodson stated that the higher density does not necessarily scare him. Larson stated that the smaller the lots get, the more open space that is needed for kids to play.

Williams stated that the motion they just passed would substitute for finding number 6 in the staff report.

M/S/P: Williams/Kreimer, move to add a finding #8 that the proposed green space buffers on the north and west are too narrow as shown , **Vote: 7-0, motion carried unanimously.**

Kreimer stated that he feels going down to 10 or 20 feet for the buffer overlay, even with additional landscaping is way too narrow. Williams thinks that a 100 foot buffer with berming and extensive landscape screening is needed to provide adequate screening for existing residents. Lundquist had suggested to the developer that they possibly purchase an easement from one of the properties on 43rd street to put in an additional access. Hartley would like to see this buffer not rely on the existing landscaping or distances to homes on properties to the north or west. The developer should be responsible for the buffer.

M/S/P: Kreimer/Williams, move to modify condition #12 that the developer provide off street parking for the proposed HOA clubhouse/pool area, **Vote: 7-0, motion carried unanimously.**

M/S/P: Hartley/Williams, move that the side yard setbacks be the 10 ft./5 ft. as described by the V-LDR district, or an alternative of 7.5 ft. on each side with all structures, including window wells being outside of easements, **Vote: 7-0, motion carried unanimously.**

The Planning Commission is concerned about the 15 foot front yard setback for garages. It would help if they had exhibits to look at.

M/S/P: Dodson/Williams, move to have the Village Parkway design carry through in this development with the southern road at least to the first street stub providing access to the south, **Vote: 7-0, motion carried unanimously.**

M/S/W: Hartley/Williams, move to change the setback for side loaded garages to 20 feet, but the garage side facing the street must have a window area of at least 4 X 4, **motion withdrawn.**

Wensman suggested a finding such that the Commission is open to a smaller setback if there are architectural features on the garage wall facing the street. Then the developer can come back with ideas, rather than being specific at this time.

M/S/P: Williams/Dodson, move to add a finding that the Planning Commission is open to reducing the front yard setback for side loaded garages to 20 feet provided there is sufficient architectural detail on street facing wall, **Vote: 4-3, motion carried.**

M/S/F: Kreimer/Dodson, move to amend the motion from 20 feet to 15 feet, **Vote: 3-4, motion failed.**

Dorschner is not in favor of reducing the setback to 20 feet, but is in favor of having architectural detail on side load garages, regardless of the setback.

Wensman requested that the first condition be struck because it is unknown how the lots will be split at this time.

M/S/P: Dodson/Williams, move to strike condition #1 in the staff report, **Vote: 7-0, motion carried unanimously.**

M/S/P: Williams/Dorschner, move to recommend approval of the Concept PUD with the amended findings and conditions, **Vote: 7-0, motion carried unanimously.**

Hartley stated that they did not talk about the reduced lot sizes. He feels the range proposed for a development this size is curious. He is wondering why we would reduce it from the 9000 sf. required for mixed use to 6800 sf. Williams asked what the average lot size was. Emerson stated that he calculates it to be around 9400 sf. Williams stated that the average is close to 9000 sf., then he is ok with the range.

City Council Updates – May 16, 2017 Meeting

- i) Zoning Map Amendment VMX Rezoning – passed
- ii) Zoning Text Amendment V-LDR/VMX – passed
- iii) Wildflower PUD Agreement Amendment - tabled

Staff Updates

- 1. Upcoming Meetings
 - a. June 12, 2017
 - b. June 26, 2017
- 2. MAC CEP Report

Commission Concerns

Kreimer wanted to thank Commissioner Fields for his service the last couple of years.

Dodson asked what the status of the solar ordinance is. Wensman stated that he has not had a chance to follow up with building of fire staff for feedback.

Dorschner heard a very good speaker through his work and gave the contact info to Wensman. There might be an opportunity for a workshop for the Commission.

Williams stated that starting at page 476 of the link that Wensman sent regarding solar, there is a model ordinance for Minnesota which everyone should read.

Larson stated that there are also solar shingles that could change things as well.

Wensman asked the Commission if there would be a better way to frame these concept PUD's. Hartley stated that it is difficult to award points for items that the developer says they are going to do, vs. what is on the plan. Dodson stated he likes that the concept plan is more of a sketch so that they can give feedback for changes. Emerson thinks that when people come in with a PUD there are so many variables and it is hard to judge a development until it is all set up.

Wensman stated that sometime it is hard to put conditions on something that is still nebulous. Williams stated that they don't really have enough experience to know how to rate the amenities being presented. Wensman suggested that maybe at Concept plan there should be more of a free dialog vs. conditions and approvals. This is likely going to be suggested in a PUD ordinance change. Hartley pointed out that sometimes

what the developer thinks an amenity for the development is an amenity to the City. Hartley thinks that it should be clear in the ordinance what an amenity for the City is. Dodson is concerned that if the developer comes back and has not addressed a lot of these issues, they would have to deny. Wensman suggested that he will reach out to developer and recommend that they sit down with staff to review the plans before moving forward with preliminary plat stage.

Meeting adjourned at 9:52 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant