



MAYOR & COUNCIL COMMUNICATION

DATE: **October 7, 2014**
REGULAR
ITEM # **14**

AGENDA ITEM: Hammes Estates Residential Subdivision - Final Plat (Phase 1)

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
 Kyle Klatt, Community Development Director
 Jack Griffin, City Engineer
 Greg Malmquist, Fire Chief
 Stephen Mastey, City's Landscape Consultant

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission is unanimously recommending that the City Council approve a final plat request from Hammes West, LLC for the first phase of a 163 unit residential development to be located on 78 acres of land west of Keats Avenue and within the City's I-94 Corridor Planning Area. The final plat will include 57 single-family lots, all of which will be accessed off of Keats Avenue (CSAH 19).

FISCAL IMPACT: TBD – the City will be asked to review a developer's agreement concerning the final plat at its October 7, 2014 meeting. The agreement will include a detailed accounting of any development costs that will be the responsibility of the City. The subdivision is included in the Section 34 utility project area, and therefore the developer is being assessed for the costs of the project to bring sewer and water to the site.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request from Hammes West, LLC for approval of a final plat for the first phase of the Hammes Estates residential development. The final plat includes 57 single-family residential lots, and the

related construction plans for the improvements necessary to serve these homes. The City Council approved the Hammes Estates Preliminary Plat on July 1, 2014, which covered approximately 78 acres of land within the I-94 Corridor planning area. There are 163 single family residential lots planned within the entire subdivision, and the final plat covers only a portion of the overall total of units that will eventually be platted. The public improvements associated with the site will be installed by The Ryland Group in conjunction with the applicant.

The Planning Commission considered this matter at its September 22, 2014 meeting and unanimously recommended approval of the final plat subject to 16 conditions of approval.

The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2014-81, approving the final plat for Hammes Estates”

BACKGROUND INFORMATION:

Attached are the original detailed Staff report that was provided to the Planning Commission regarding the applicant's request for a final plat, which includes general information about the application, a summary of the relevant planning and zoning issues, a thorough review and analysis of the final plat (including a draft list of recommended conditions of approval), draft findings, and the Staff recommendation to the Planning Commission.

In addition to the information provided in the Staff Report, it should be noted that the applicant is requesting to amend Condition #13 related to the Minnesota Pollution Control Agency (MPCA) approval letter of the remediation of the soil contamination event on the Hammes site. As demonstrated in the request letter in Attachment #3, the applicants are requesting that the approval letter from the MPCA be provided prior to the issuance of building permit for affected lots as opposed to prior to the release of the Final Plat. The reason for the request relates to the closing of the property by The Ryland Group. If the Final Plat is delayed due to the MPCA approval process, which is estimated to take 30-60 days, the closing or purchase of a large portion of the property by the Ryland Group will also be delayed. After consulting with the Fire Chief and MPCA on the request, staff determined that the request is reasonable and will not create a negative or dangerous situation in the interim period while the review by MPCA is completed. It should be noted that the applicants have submitted a Phase 1 Environmental Review for the site, as well as substantial information regarding the cleanup and disposal of the contaminated soil. The Fire Chief simply want to close the loop by requesting the applicant enter the Voluntary Brownfield Program to ensure that the remediation work that was completed has properly addressed the contamination. Staff recommends that condition #13 be amended per the suggested language from the applicant (Attachment #3).

PLANNING COMMISSION REPORT:

The Planning Commission reviewed the final plat application at its September 22, 2014 meeting. During the meeting, the Planning Commission engaged in discussions regarding the design and locations of the trails, the stormwater facilities, the phasing of the proposed subdivision, and other pertinent topics and questions. In reviewing the final plat, the Planning Commission

recommended two additional conditions of approval: 1) that any trail segment designed as a boardwalk must be able to safely accommodate bicycle traffic, and 2) that the developer must inventory and replace trees that are removed on the City park land due to the installation of the trail. The Planning Commission recommended that the trees be replaced at the schedule or rate required under the City's tree preservation ordinance (§154.257). In addition to these added conditions, the Planning Commission wanted to ensure that the MPCA approve the soil remediation work prior to the City releasing final plat for recording. Further detail of the Planning Commission discussion on the Hammes Estates Final Plat can be found in the 9/22/14 draft minutes.

The Planning Commission recommended approval of the final plat as submitted with 16 conditions of approval. The vote to recommend approval of the Hammes Estates Final Plat was unanimous (Vote: 7-0).

STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS:

Strengths: The proposed final plat is consistent with the approved preliminary plat subject to the conditions being recommended by Staff and the Planning Commission.

Weaknesses: Several conditions of approval must be met by the applicant, including revisions to the final construction plans to address comments from the City Engineer.

Opportunities: Approval of the plat application allows the development plans for the Hammes site to proceed as planned in the Comprehensive Plan. Moving forward with sewer single family growth should allow the City to add additional users to the City's public sanitary sewer system, helping to finance the City's investments in sanitary sewer.

Threats: None

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council approve the Hammes Estates Final Plat subject to 16 conditions of approval through the following motion:

“Move to adopt Resolution No. 2014-81, approving the final plat for Hammes Estates”

ATTACHMENTS:

1. Resolution 2014-81
2. Staff Report to the Planning Commission, 9/22/14
3. Hammes West, LLC Request to Amend Condition #13
4. Application Form
5. Preliminary Plat Response Letter (Westwood Engineering)
6. Final Plat (3 sheets)

7. Final Construction Plans (Sanitary Sewer, Water Main, Storm Sewer and Streets – 17 sheets)
8. Final Construction Plans (Grading, Drainage and Erosion Control – 14 sheets)
9. Final Landscape Plans (4 sheets)
10. Park Location Plan
11. City Engineer Review Memorandum, dated 9/18/14
12. Fire Chief Review Memorandum, dated 9/18/14
13. Landscape Consultant Review Memorandum, dated 8/25/14 and 9/18/14
14. Valley Branch Watershed District Permit
15. MN DNR Permit to Restore Southern Shore of Goose Lake
16. Excerpt of Park Commission Minutes from 7/21/14 Meeting.
17. Goose Lake Park Area Sketch
18. Soil Contamination Remediation Report