



## **MAYOR & COUNCIL COMMUNICATION**

**DATE:** April 21, 2015  
**REGULAR**  
**ITEM #** 11

**AGENDA ITEM:** Boulder Ponds Zoning Map Amendment, Final Plat and Final PUD Plan

**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

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### **SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....Community 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:** Planning Commission

**FISCAL IMPACT:** TBD – the City will be asked to review a developer's agreement concerning the final plat at its April 21, 2015 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 OP4 Boulder Ponds, LLC for approval of a zoning map amendment, final plat and final PUD plan for the first phase of the Boulder Ponds planned residential development. The final plat includes 47 single-family residential lots, and the related construction plans for the improvements necessary to serve these homes. The City approved the Boulder Ponds Preliminary Plat and Preliminary PUD Plan on September 16, 2014, which covered approximately 58 acres of land within the I-94 Corridor planning area. There are 98 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 Planning Commission considered this matter at its March 9, 2015 meeting and unanimously recommended approval of the requested zoning map amendment. The suggested motion to adopt the Planning Commission recommendation is as follows:

***“Move to adopt Ordinance 08-118, approving the Zoning Map Amendment for the Boulder Ponds planned residential development.”***

In addition, the Planning Commission unanimously recommended approval of the Boulder Ponds Final Plat and Final PUD Plan subject to 14 conditions of approval. The suggested motions to adopt the Planning Commission recommendation is as follows:

***“Move to adopt Resolution No. 2015-24, approving the Final Plat and Final PUD Plan for the Boulder Ponds planned residential development.”***

#### **BACKGROUND INFORMATION:**

Attached is the original detailed Staff report that was provided to the Planning Commission regarding the applicant’s request for a zoning map amendment, final plat and final PUD plan. The staff report 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.

It should also be noted that the applicants have submitted updated final plat and final construction documents. These plans are currently being reviewed by the City Engineer and Community Development Department. From a high-level review standpoint, it appears that many of the conditions of approval found in the Engineer’s report (Attachment #9), Fire Chief’s report (Attachment #10) and Landscape Consultant’s report (Attachment #11) have been addressed. Staff will continue to work with the applicant to get all construction plans approved.

#### **PLANNING COMMISSION REPORT:**

The Planning Commission reviewed the final plat application at its March 9, 2015 meeting. At the meeting, a public hearing was held, necessitated by the zoning map amendment and final PUD plan actions. No one spoke during the public hearing, and staff did not receive any written or electronic correspondence regarding the application.

With regards to the review of the Boulder Ponds Final Plat and Final PUD Plan, the Planning Commission discussed three additional conditions to add to the approval of the application. First, the Planning Commission recommended further study of planting material in the medians of Jade Trail in proximity to 5<sup>th</sup> Street. Staff will further review these plantings to ensure that vision triangles are clear. In addition to the median plantings, the Planning Commission

discussed the designs of single family homes and theming elements in the development. As recommended conditions of approval, the Planning Commission is encouraging the applicant to incorporate multi-sided architecture in the single family homes and incorporate theming elements from the DFA Theming Study into the public spaces. It should be noted that the Planning Commission intentionally used the language “encourage” as these requirements were not previously included as conditions for the Preliminary Plat approval. To respond to this discussion, the applicant has submitted the draft Architectural Guidelines document for the Boulder Ponds development. The draft architectural guidelines generally call for architectural features on all 4 sides of the home. Further detail of the Planning Commission discussion on the Boulder Ponds Final Plat can be found in the 3/9/14 minutes.

In reviewing the proposed zoning map amendment, the Planning Commission unanimously recommended approval based on the following findings:

- 1) The City of Lake Elmo approved the Boulder Ponds Preliminary Plat and Preliminary PUD Plan on September 16, 2014.
- 2) The requested zoning map amendment is consistent with the appropriate zoning as guided by the approved Boulder Ponds Preliminary Plat and Preliminary PUD Plan.
- 3) Municipal sanitary sewer and water utilities are presently available to the site on both the western and southern border.

In addition, the Planning Commission recommended approval of the Boulder Ponds Final Plat and Final PUD Plan with 14 conditions of approval. The vote to recommend approval of the Boulder Ponds 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. Construction of the development would include the minor collector road 5<sup>th</sup> Street, which is necessary to serve the I-94 Corridor according to the City’s Transportation Plan.

**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 Boulder Ponds planned development 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 Boulder Ponds Zoning Map Amendment through the following motion:*

***“Move to adopt Ordinance 08-118, approving the Zoning Map Amendment for the Boulder Ponds planned residential development.”***

*In addition, the Planning Commission and Staff are recommending that the City Council approve the Boulder Ponds Final Plat and Final PUD Plan subject to 14 conditions of approval through the following motion:*

***“Move to adopt Resolution No. 2015-24, approving the Final Plat and Final PUD Plan for the Boulder Ponds planned residential development.”***

**ATTACHMENTS:**

1. Ordinance 08-118
2. Resolution No. 2015-24
3. Staff Report to the Planning Commission, 3/9/15
4. Location Map
5. Application Forms and Project Narrative
6. Zoning Map Exhibit
7. Final Plat (4 sheets)
8. Final Landscape Plan
9. City Engineer Review Memorandum, dated 3/4/15
10. Fire Chief Review Memorandum, dated 2/23/15
11. Landscape Consultant Review Memorandum, dated 3/3/15
12. **MATERIALS AVAILABLE BUT NOT ATTACHED – Available at**  
**<http://www.lakeelmo.org/boulder-ponds>**
  - a. Final Construction Plans (52 sheets)
  - b. Turning Radius Exhibit
  - c. Development Lot Book Letter and Example