



STAFF REPORT

DATE: 5/16/2017

REGULAR

ITEM #: 17

TO: City Council

FROM: Stephen Wensman, Planning Director

AGENDA ITEM: Rezoning/PUD Amendment – Wildflower at Lake Elmo

REVIEWED BY: Kristina Handt, City Administrator
Emily Becker, City Planner
Mike Bent, Building Official
Greg Malmquist, Fire Chief
Rob Weldon, Public Works Director
Jack Griffin, City Engineer
Sarah Sonsalla, City Attorney

BACKGROUND:

Robert Engstrom Companies is requesting approval of an amendment to the Wildflower at Lake Elmo Planned Unit Development (PUD) Agreement and Plans. When Wildflower at Lake Elmo was approved, the PUD Plans and an associated PUD Agreement were approved that set forth specific site design elements and established specific setbacks, impervious coverages and other zoning specifics associated with the development. Once approved, the plans and agreement determine how the site will develop. Since approval, Engstrom Companies has been seeking additional PUD flexibilities as builders and residential buyers have made proposals that do not meet the strict enforcement of the PUD plan and Agreement that were not foreseen when the PUD plans and PUD Agreement were approved. PUD Amendments are processed as zoning amendments according to Lake Elmo Code Section 154.757 requiring a public hearing. The PUD and Agreement was originally codified in Resolution 2015-24, approved by the City Council on April 14, 2015.

ISSUE BEFORE COUNCIL:

The issue before Council is whether to approve or deny the multiple PUD Amendments requested by Engstrom Companies for the Wildflower at Lake Elmo PUD.

PROPOSAL DETAILS/ANALYSIS:

Robert Engstrom Companies made application for a number of amendments to the Wildflower at Lake Elmo PUD Plans and Agreement. At the Planning Commission, the developer decided to withdraw a number of his requests to those that he feels are essential. The original request included:

1. Reduce the rear yard setbacks on some corner courtyard lots from 20 ft. to 10 ft.
2. Reduce the side yard setbacks on some corner lots from 20 ft. to 10 ft.
3. Allow front doors to face the corner sideyard.

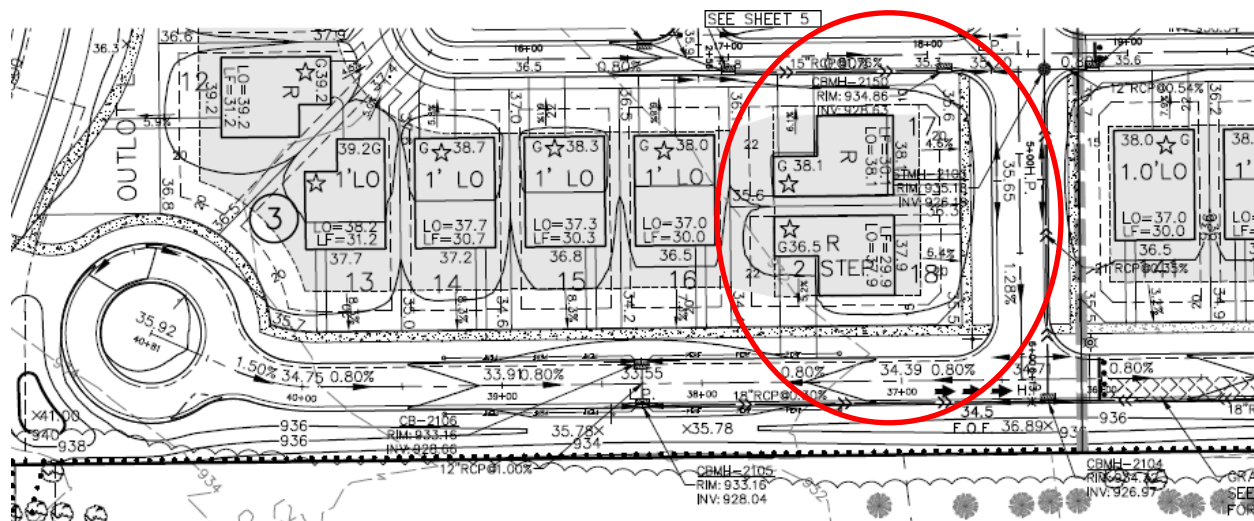
4. To allow the reorientation of certain courtyard lots to allow driveway access locations to be more flexible
5. To reduce the side yard setbacks for Conservancy and Ridge Lots from 15 ft./10 ft. to 10 ft./5 ft.
6. Increase the courtyard lots allowed impervious surface coverage from 50% to 56%.

At the Planning Commission a number of items were withdrawn and the request was reduced to the following:

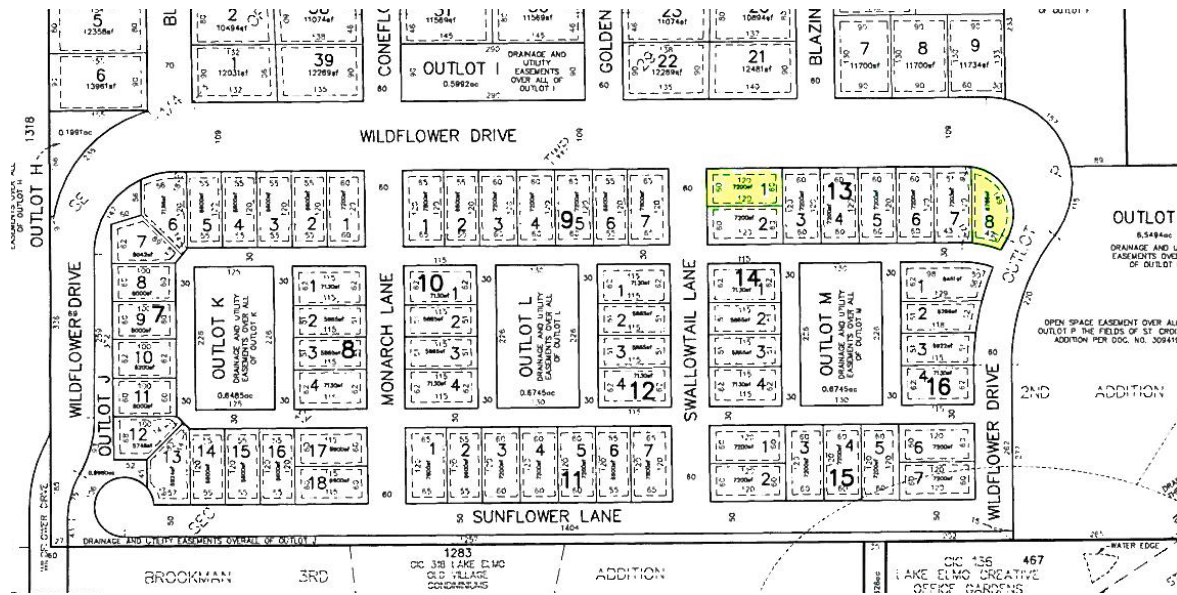
1. Reduce the rear yard setback on Lot 18, Block 3 Wildflower at Lake Elmo 1st Addition from 20 ft. to 10 ft.
2. Reduce the side yard corner setbacks on Lots 1 and 8 Block 13 of the Preliminary Plat from 15ft. to 10 ft.
3. To allow the reorientation Lots 12 and 13, Block 3 Wildflower at Lake Elmo 1st Addition to allow driveway access from Sunflower Lane rather than the courtyard.
4. Increase the courtyard lots allowed impervious surface coverage from 50% to 56%.

1. Reduce Rear Yard Setback on Lot 18, Block 3 Wildflower at Lake Elmo. The rear yard setbacks for the courtyard lots were codified in the PUD Agreement. It was established that the rear yard setbacks would be 20' for all courtyard lots. The developer is seeking to reduce the rear yard setback for 18, Block 3 from 20 feet down to 10 feet to accommodate a specific client and home plan. The Lots 17 and 18 are 5 ft. shorter than similar lots in the development. By doing so, the developer will be essentially eliminating the small rear yard area on this lot, bringing the garage up to the 10 foot drainage and utility easement. The change will also lessen the distance between the garages on 18 and the home being constructed on Lot 16. The distance between the two structures will be reduced from 28'-7" to 18'-7" if the setback is reduced.

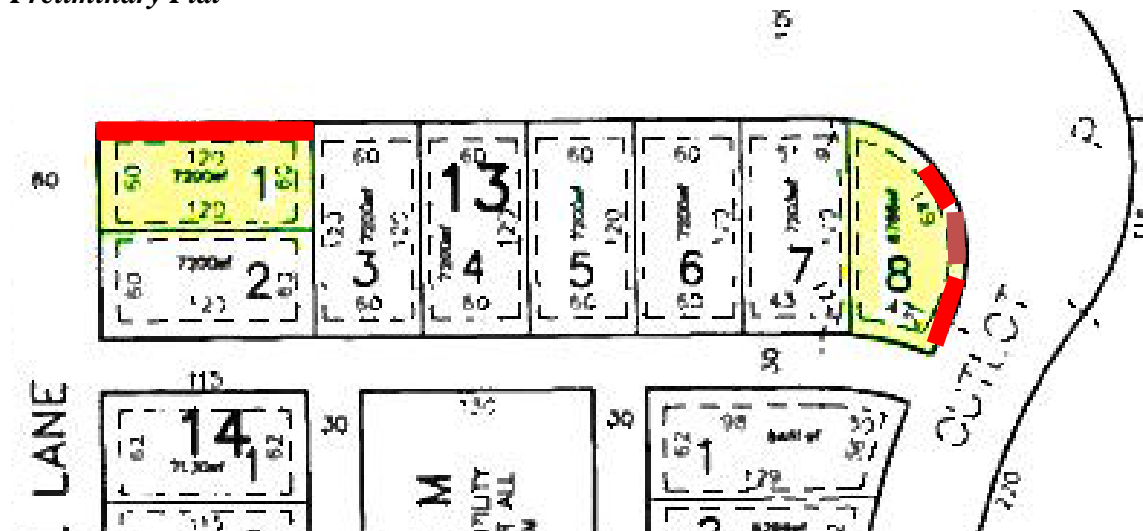
Approved PUD Plan



2. Reduce Corner Side Yard Setbacks for Preliminary Plat Lots 1 and 8 Block 13. The developer is requesting that the corner side yard setbacks be reduced from 15 ft. to 10 ft. to provide more flexibility in home design and layout.



Preliminary Plat

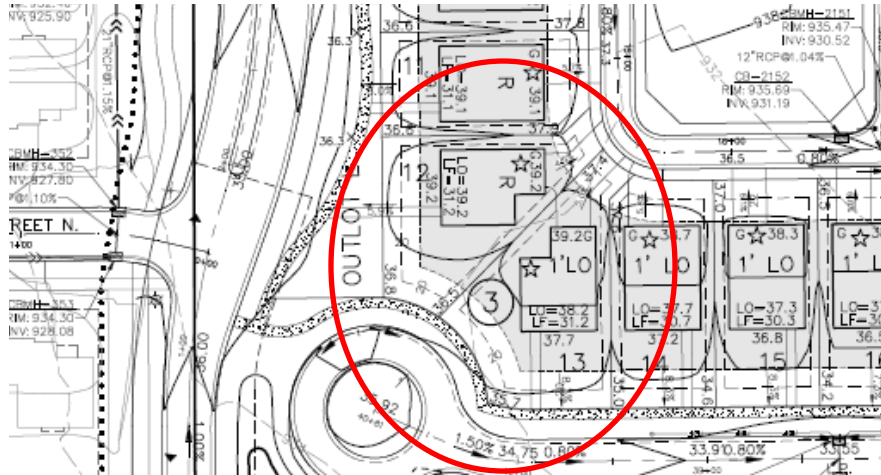


Area in RED represents Side Yard Setback

3. To allow the reorientation Lots 12 and 13, Block 3 Wildflower at Lake Elmo 1st Addition to allow driveway access from Sunflower Lane rather than the courtyard. The developer is requesting flexibility to allow re-orientation Lots 12 and 13, Block 3 Wildflower at Lake Elmo 1st Addition to take driveway access from Sunflower Lane rather than from the courtyard as originally planned. The proposal is a deviation from the concept plan of having garage doors and driveways accessed from the rear and front entrances and sidewalks facing the perimeter streets. Another issue to consider is the curbing in the Sunflower Lane cul-de-sac is a B6-12 curb type,

and is not surmountable. The existing curbing in the cul-de-sac would need to be replaced with a surmountable curb to accommodate a driveway and would need to be replaced prior to the installation of the final lift of asphalt. There may also be public utility or joint trench conflicts associated with this change that would need to be evaluated if allowed. If the Council approves this change, Staff recommends that a condition be added that prior to approval such that the individual building permits for each lot will need to be reviewed by the City Engineer for potential conflicts before the driveway will be allowed by the City.

Approved PUD Plans



4. Maximum Impervious Coverage. The developer is seeking a change to the allowed maximum impervious coverage for the courtyard lots. The PUD Agreement did not address the allowed maximum impervious coverage per lot, so therefore the base zoning district standards apply (MDR). The MDR Zoning District allows a maximum impervious coverage of 50% per lot. The developer is seeking an increase to 56% to allow for some of the changes previously discussed. Any such change would need to be subject to Valley Branch Watershed District approval. The original stormwater management stormwater model was based on impervious surface assumptions. These will need to be reviewed by the VBWD against the changes being proposed.

PUD Flexibility. The PUD process is a give and take process where the City grants flexibility in exchange for higher quality development meeting the objectives identified in City Code Section 154.751. In the case of Wildflower at Lake Elmo, the City allowed smaller streets, lesser setbacks, and tighter arrangement of homes surrounding the courtyards in exchange for a larger preserved open space, trail networks, architecture standards, public art and a variety of lot sizes among other things to justify the PUD flexibility. These features and amenities were codified with the approval of the PUD Plans and PUD Agreement. Now the developer is seeking to amend the PUD, and seeking additional deviations from City zoning, particularly the MDR setbacks and maximum impervious surface coverages with no obvious additional benefit to the City.

Generally, a PUD allows greater “flexibility” in return for concessions or enhancements from the developer. In this case, it is staff’s opinion that additional flexibility is being requested by the developer without any additional benefits to the City. Quite a few of the concessions the developer is requesting benefit the developer and could arguably negatively impact the City or the public.

FISCAL IMPACT:

None.

OPTIONS:

The Council has the following options:

1. Adopt Resolution 2017-__ denying the PUD Amendments
2. Adopt Resolution 2017-__ approving the reduction in the rear yard setback for Lots 17 and 18, Block 3, Wildflower at Lake Elmo 1st Addition from 20 ft. to 15 ft. and to allow Lots 12 and 13, block 3, Wildflower at Lake Elmo 1st Addition to have driveway access from Sunflower Lane N and denying the request to reduce the side yard corner lot setbacks on preliminary plat lots 1 and 8, Block 13 from 15ft. to 10ft.
3. Amend Resolution 2017-__ providing findings for approval or denial for PUD Amendment requests.

PUBLIC HEARING/PLANNING COMMISSION:

A public hearing was held at the Planning Commission on 5/8/2017. At the public hearing only one resident spoke and his question was about the ownership of the courtyard open spaces. It was clarified that these were HOA amenities.

The Planning Commission had a long discussion about the proposal and expressed reluctance to granting the many requests. Rolf Larson felt the Commission should consider all the benefits of the development when considering each request and respect the need for artistic freedom. Commissioner Fields was concerned about creating a precedent that PUDs can be negotiated endlessly. The developer subsequently withdrew a number of the requests from consideration to simplify the request to only focus on those items they feel they need the most flexibility as listed above, items 1-4. The Commission discussed each of the items individually as follows:

Comments Item #1. Dorschner did not agree with the reduced rear yard setback. The developer knew the lot size and planned a home too large for the site. Dodsens felt the setback requests were inappropriate and the need for the setbacks should have been anticipated and planned for up front. Fields was concerned for the adjacent lot owner who is building a home with the expectation of a 20' rear yard setback.

Comments Item #2. The Commission was opposed to the request.

Comments Item #3. Commissioners Dodsens and Dorschner felt the driveway requests were reasonable. Commissioner Dodsens proposed the following finding related to item #3 the Commission finds the preliminary plat design for lots 12 and 13 are problematic in the courtyard and are too close together.

Comments Item #4. Commissioner Dorschner was opposed to the increase in impervious coverage limits and felt the courtyard lots were already condensed and that stormwater would not recharge. The lot size was an issue discussed during the platting of the development. Commissioner Lunquist noted that there was flooding near Bergmans in the Fall and Spring.

Commissioner Dodsen was opposed to the increase impervious coverage. Hartley reminded the Commission that it is probable that if the coverage limit is increased, residents will use all of it.

Findings in support of Item #1:

- Lots 17 and 18, Block 3 of Wildflower at Lake Elmo 1st Addition are shorter, east to west, than other similar corner lots in phase 4.

Findings in support of Item #3:

- The preliminary plat design for lots 12 and 13 are problematic in the courtyard and are too close together.
- The driveway changes are minimal in number and do not represent a change the PUD Concept.

Planning Commission motions:

- To allow lots 12 and 13, Block 3, Wildflower at Lake Elmo 1st Addition PUD to allow driveways with access to Sunflower Lane subject to the 4 conditions of approval. (passed 7-0)
- To reduce the rear yards setback from 20 ft. to 15' for Lots 17 and 18, Block 3, Wildflower at Lake Elmo 1st Addition, subject to the 4 conditions of approval. (passed 4-3)
- To increase in impervious coverage from 50 to 55% subject to the 4 conditions of approval. (motion failed)

RECOMMENDATION:

Staff recommends denial of the PUD Amendment for Wildflower at Lake Elmo Planned Unit Development because the requested changes are not consistent with the concept plan and do not meet any of the PUD objectives. Furthermore, the flexibility requested by the developer does not show any additional benefits to the City which is required for a PUD. Therefore, staff recommends the following motion:

“Move to adopt Resolution 2017-__ denying the Wildflower at Lake Elmo Planned Unit Development PUD Amendment with the based on the findings in the Staff report.”

The Planning Commission recommends the City Council approve Resolution 2017 - __ approving of the a reduction in the rear yard setback for Lots 17 and 18, Block 3 Wildflower at Lake Elmo 1st Addition from 20 ft. to 15 ft. and to allow Lots 12 and 13, block 3, Wildflower at Lake Elmo 1st Addition to have driveway access from Sunflower Lane N. subject to the 4 conditions of approval and based on the established findings approval with the following motion:

“Move to adopt Resolution 2017-__ approving the reduction in the rear yard setback for Lots 17 and 18, Block 3, Wildflower at Lake Elmo 1st Addition from 20 ft. to 15 ft. and to allow Lots 12 and 13, block 3, Wildflower at Lake Elmo 1st Addition to have driveway access from Sunflower Lane N and denying the request to allow an increase in impervious coverage for courtyard lots from 50% to 56% and reduce the side yard corner lot setbacks on preliminary plat lots 1 and 8, Block 13 from 15ft. to 10ft, based on the findings for denial.”

ATTACHMENTS:

- Planning Commission packet, dated 5/8/2017
- Option 1 - Resolution 2017-048 denial

- Option 2 - Resolution 2017-048 approval and denial



STAFF REPORT

DATE: 5/8/16

AGENDA ITEM: 4B – PUBLIC HEAR ITEM

CASE # 2017-19

TO: Planning Commission

FROM: Stephen Wensman, Planning Director

AGENDA ITEM: Rezoning/PUD Amendment – Wildflower at Lake Elmo

REVIEWED BY: Kristina Handt, City Administrator
Emily Becker, City Planner
Mike Bent, Building Official
Greg Malmquist, Fire Chief
Rob Weldon, Public Works Director
Jack Griffin, City Engineer
Sarah Sonsalla, City Attorney

SUMMARY AND ACTION REQUESTED:

Robert Engstrom Companies is requesting approval of an amendment to the Wildflower at Lake Elmo PUD Agreement. PUD Amendments are processed as zoning amendments according to Lake Elmo Code Section 154.757 requiring a public hearing. The PUD Agreement was originally codified in Resolution 2015-24, approved by the City Council on April 14, 2015.

GENERAL INFORMATION

Applicant: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN

Property Owners: Robert Engstrom Companies; 4801 West 81st Street, #101, Bloomington, MN

Location: Part of Sections 12 and 13, Township 29 North, Range 21 West in Lake Elmo, north of 39th Street, west of Lake Elmo Avenue, and south of the northern Village Planning Area boundary line.

Request: Application for a PUD Agreement Amendment

Existing Land Use and Zoning: Vacant outlots and MDR/PUD.

Surrounding Land Use and Zoning: North – vacant/agricultural land, rural residential; west – Village Preserve / LDR zoning; south – offices/General Business zoning; east - open space/ Field of St. Croix II subdivision

Comprehensive Plan: Village Medium Density Residential (3-4 units per acre)/Village Open Space Overlay

History: The property is within the Village Planning Area boundary and municipal sewer service area. The site was historically been used for farming activities. A large portion of the site is located in a FEMA Flood District. The City approved a Comprehensive Plan Amendment in 2014 that removed portions of the site from the open space land category. The City approved a PUD Concept Plan for the property on June 17, 2014, and a preliminary plat and preliminary PUD plans on April 14, 2015. Wildflower 1st Addition received final plat and PUD plan approval on 7/21/15. Wildflower 2nd Addition received final plat and PUD plan approval on 12/6/16.

Deadline for Action: Application Complete – 4/21/17
60 Day Deadline – 6/20/17
Extension Letter Mailed –
120 Day Deadline –

Applicable Regulations: Article XVIII, Chapter 154.750-760, PUD Regulations
Article XII – Urban Residential Districts
Article V – Zoning Administration and Enforcement

REQUEST DETAILS:

Robert Engstrom Companies is requesting approval of an amendment to the Wildflower at Lake Elmo PUD Agreement. The requested changes to the Agreement are:

1. Reduce the rear yard setbacks on some corner courtyard lots from 20 ft. to 10 ft.
2. Reduce the side yard setbacks on some corner lots from 20 ft. to 10 ft.
3. Allow front doors to face the corner sideyard.
4. To allow the reorientation of certain courtyard lots to allow driveway access locations to be more flexible
5. To reduce the side yard setbacks for Conservancy and Ridge Lots from 15 ft./10 ft. to 10 ft./5 ft.
6. Increase the courtyard lots allowed impervious surface coverage from 50% to 56%.

PUD Amendments are processed as zoning amendments according to Lake Elmo Code Section 154.757 requiring a public hearing. The PUD Agreement was originally codified in Resolution 2015-24, approved by the City Council on April 14, 2015.

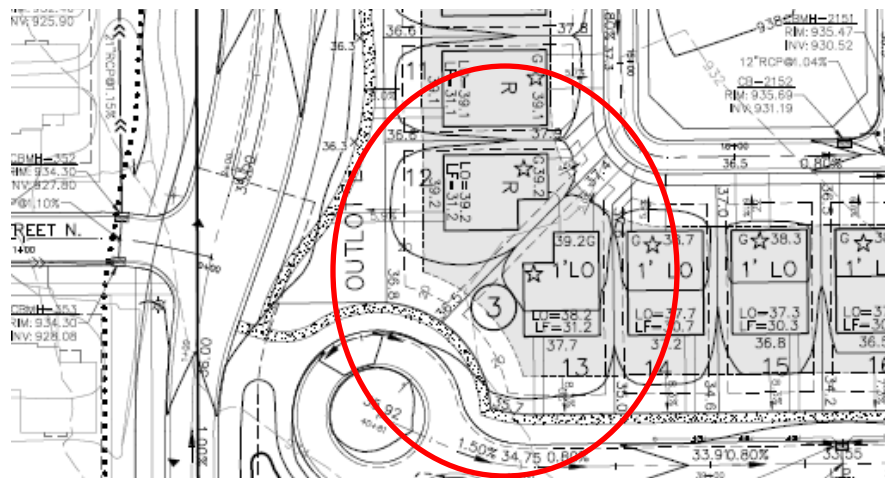
REVIEW AND ANALYSIS:

Robert Engstrom Companies is seeking approval of a PUD Amendment to allow changes to the PUD Plans and to amend the PUD Agreement. When Wildflower at Lake Elmo was approved, the PUD Plans and an associated PUD Agreement were approved that set forth specific site design elements and established specific setbacks, impervious coverages and other zoning specifics associated with the development. Once approved, the plans and agreement determine how the site will develop. Since approval, Engstrom Companies has been seeking additional PUD flexibilities as builders and residential buyers have made proposals that do not meet the strict enforcement of the PUD plan and Agreement that were not foreseen when the PUD plans and PUD Agreement were approved.

1. Rear Yard Setbacks. The rear yard setbacks for the courtyard lots were codified in the PUD Agreement. It was established that the rear yard setbacks would be 20' for all courtyard lots. The developer is seeking to reduce the rear yard setback for Lots, 17 and 18, Block 3 and similar lots in

lot will need to be reviewed by the City Engineer for potential conflicts before the driveway will be allowed by the City.

Approved PUD Plans



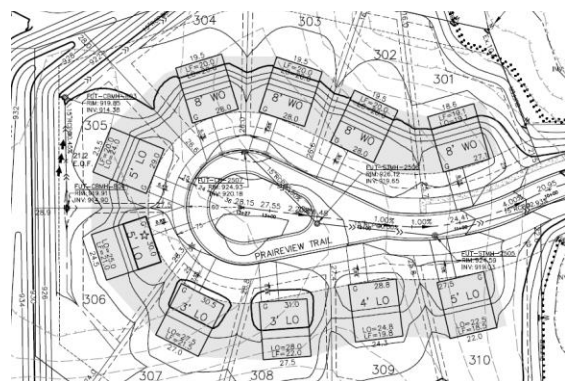
5. Sideyard Setbacks for Ridge and Conservancy Lots. The developer is also requesting a reduction in the side yard setbacks for Ridge and Conservancy lots to allow for larger homes on these lots. The current PUD setbacks are:

SETBACKS

| | RIDGE LOTS | CONSERVANCY LOTS | P |
|----------------|------------|------------------|---|
| FRONT YD. | 25' | 25' | |
| SIDE YD. | | | |
| HOUSE: | 15' | 15' | |
| GARAGE: | 10' | 10' | |
| PUBLIC STREET: | 25' | 25' | |
| DEAD YARD TO | VARIABLE | VARIABLE | |

The developer would like to reduce the House Side Yard Setback to 10 feet and the Garage Side Yard Setback to 5 feet consistent with the LDR Zoning District. This change would result in a more urban look to the Ridge and Conservancy Lots and a loss of some of the openness. This will change the look of the PUD development and is a general deviation from the Concept PUD Plan.

Approved PUD Plans



6. Maximum Impervious Coverage. The developer is seeking a change to the allowed maximum impervious coverage for the courtyard lots. The PUD Agreement did not address the allowed maximum impervious coverage per lot, so therefore the base zoning district standards apply (MDR). The MDR Zoning District allows a maximum impervious coverage of 50% per lot. The developer is seeking an increase to 56% to allow for some of the changes previously discussed. Any such change would need to be subject to Valley Branch Watershed District approval. The original stormwater management stormwater model was based on impervious surface assumptions. These will need to be reviewed by the VBWD against the changes being proposed.

PUD Flexibility. The PUD process is a give and take process where the City grants flexibility in exchange for higher quality development meeting the objectives identified in City Code Section 154.751. In the case of Wildflower at Lake Elmo, the City allowed smaller streets, lesser setbacks, and tighter arrangement of homes surrounding the courtyards in exchange for a larger preserved open space, trail networks, architecture standards, public art and a variety of lot sizes among other things to justify the PUD flexibility. These features and amenities were codified with the approval of the PUD Plans and PUD Agreement. Now the developer is seeking to amend the PUD, and seeking additional deviations from City zoning, particularly the MDR setbacks and maximum impervious surface coverages with no obvious additional benefit to the City.

The request for lesser structure setbacks for the Conservancy and Prairie lots are still consistent with the underlying LDR Zoning District, although somewhat contrary to the PUD Concept Plan. The reorientation of courtyard lots is not a zoning code issue, but a PUD Concept plan deviation. There are some courtyard lots with driveway access, but these were minimized to provide for an improved pedestrian way minimizing driveways and garage doors facing the public street. The requested setback changes can have an impact on the sense of openness, reduction in green space, and impacting the public right-of-ways.

The City does have some latitude in determining denial of the requested PUD amendments. PUD amendments are processed as a rezoning which means that this is a legislative decision by the City. When acting legislatively, the City has broad discretion and will be afforded considerable deference as to its decision by any reviewing court.

Generally, a PUD allows greater “flexibility” in return for concessions or enhancements from the developer. In this case, it is staff’s opinion that additional flexibility is being requested by the developer without any additional benefits to the City. Quite a few of the concessions the developer is requesting benefit the developer and could arguably negatively impact the City or the public.

DRAFT FINDINGS:

In order to deny a rezoning, the Planning Commission shall consider findings and shall submit the same with its recommendation to the City Council. Staff does not find the PUD amendment to be consistent with the Wildflower at Lake Elmo PUD Concept Plans and do not meet any of the Planned Unit Development Objectives, Section 154.751 of the City Code. Staff suggests the Planning Commission review each requested change against the following findings:

1. Generally, the developer has not shown that the additional flexibility being requested with respect to the PUD amendment provides any additional benefits to the City which is required for a PUD.
2. The developer has not shown how the PUD amendment would meet any of the identified PUD objectives set forth in Section 154.751 of the City Code.

3. Reducing the rear yard setbacks on the requested lots will eliminate the already small rear yard area on these lots. It will also bring the garages right up to the drainage and utility easements which may cause access issues for the City in the event that work needs to be performed by the City within these easement areas. Furthermore, the reduction may also result in an increase of impervious surface on the lots beyond the allowed 50 percent.
4. Reducing the corner side yard setbacks does not provide any additional benefits to the City.
5. Allowing the front doors to face the corner side yard which will reduce the setback does not provide any additional benefits to the City.
6. Reorienting driveway access of certain courtyard lots is a deviation from the general concept of the development to have garage doors and driveways accessed from the rear and front entrances and porches from the primary streets. This will result in driveways crossing sidewalks which could cause a public safety issue if pedestrians in the neighborhood are accustomed to there not being driveway crossings on sidewalks. Furthermore, the driveways may cross public utilities or joint trenches that are already installed which may cause additional costs to the City and the property owner in the event that the City needs to perform work in the area and the driveway on the property needs to be removed in order for the City to be able to perform the work.
7. Reducing the side yard setbacks for Ridge and Conservancy lots is a deviation from the concept plan. It also does not provide any additional benefits to the City and may cause impacts to the development's stormwater management.
8. Changing the maximum impervious surface coverage for the courtyard lots may cause impacts to the development's stormwater management. It also does not provide any additional benefits to the City.
9. The requested setback changes will have an impact on the sense of openness and reduction in green space which go against the higher standard of building and site design which is one of the PUD objectives. It also does not provide any additional benefits to the City.

RECOMMENDATION:

Staff recommends denial of the PUD Amendment for Wildflower at Lake Elmo Planned Unit Development because the requested changes are not consistent with the concept plan and do not meet any of the PUD objectives. Furthermore, the flexibility requested by the developer does not show any additional benefits to the City which is required for a PUD. Therefore, staff recommends the following motion:

“Move to recommend denial of the Wildflower at Lake Elmo Planned Unit Development PUD Amendment with the based on the findings in the Staff report.”

If the Planning Commission wishes to recommend approval to one or all of the requested changes, Staff recommends the Commission consider each request separately by motion and to cite findings for each motion. In addition, certain conditions should be considered including:

1. That the PUD amendment be subject to Valley Branch Watershed District review and approval.
2. That any changes to the cul-de-sac curbing on Sunflower Lane occur prior to the installation of the final lift of asphalt.
3. That each building permit related to re-orientation of driveways be reviewed by City Engineer on an individual basis for conflicts with City and private utility or other

infrastructure before the City will approve the driveway being installed in the desired location.

4. That the Preliminary and Final PUD plans be updated to reflect the Amendments.

ATTACHMENTS:

- Applicant's narrative
- Wildflower at Lake Elmo PUD Agreement
- Approved Courtyard Driveway Exhibit
- Developer Exhibit showing courtyard lot changes
- Developer Exhibit showing Prairie and Conservancy Lot areas

Wildflower at Lake Elmo

PUD Amendment

- Garden Villa Homes—(GVH)
 - Requesting review and approval for modifications of PUD subdivision site conditions based on actual construction experience and home owner comments. The Garden Villa Homes (Single Family Detached) are unlike any currently being constructed in Lake Elmo and the Metro area. The homes in Wildflower are intended to be individually custom designed.
- Garden Villa Homes (GVH): Modifications requested
 - GVH Lot Set-Backs—**Flexibility for Lot Conditions**
 - Flexibility requested for some 90 degree turned lots in phases I and III. These lots require additional customization due to unique locations. The advantage of turning the lots on the corners of some areas provides for more privacy, variety of streetscape elevations and roof lines. In addition, better sun orientations and garage locations. Home buyers have been very receptive to these lots and so this indicates that a few of these lots in the Garden Court area are desirable. Therefore, some flexibility in setbacks would make these lots work better
 -
 - GVH Lot Set-backs Modifications—**Permit 10' Easements on all Corner Lots**
 - Due to the enhanced customization of the corner lots and turned lots (which also creates some very interesting street elevations) in Phases I and III, we currently have some corner lots and turned lots that have ten-foot easement off the courtyard drives and a fifteen-foot easement off the streets. We would like to have more flexibility in some of the architectural orientations with ten foot easements on all corner lots.
 - GVH Lot Coverage Percentage—**Increase the Lot area Coverage from 52% to 56%.**
 - The current percentage of lot coverage is 50% currently. We would like to increase this to 56%. Now that there are a number of home owners in Phase I, we recognize that with the concept of patio areas front and back that a little extra coverage would provide homeowners more personalized space to develop for their private use. In addition, the large internal park dramatically reduces the overall lot coverage for each home on all three courtyard blocks.
- Ridge Lots and Conservancy Lots
 - Side Yard set-backs—**Change side yards on Block 1, First Addition to the standard city set-backs of five and ten feet.**
 - Side yard set-backs are currently fifteen and ten feet. This will provide some flexibility for accommodating larger homes on the Ridge Lots.

- **General Landscaping—Average Tree Dimensions for the overall PUD.**
Our approach to landscaping greatly exceeds City requirements. We would like the City to consider some flexibility in how and where we plant the vegetation, based on the fact that we exceed the City's quantity requirements. We request location caliber flexibility due to the fact that we are planting numerous machine-moved trees (4-8" caliber) that exceed minimum caliber size of two and a half inches. We also find that some unique species available at around one and one half inch caliber are a worthy planting stock to create a diversity of species and aesthetic appeal.
- **Storage Shed—Permit an Association Shed for equipment and materials used for maintenance of common areas.**
 - Allow construction of a storage Shed of 400-500 sq. ft.
 - The location to be on the south side of Sunflower Lane at the intersection with Swallowtail Lane. The minimum set-backs to be 2 feet from the south property line and 5 feet from the Sunflower Lane curb. An alternate location might be the Outlot A park of the Second Addition.
- **Entrance Monument—Allow proposed Entrance Monument over small utility lines.**
 - The location is on an Association Outlot and has written approval from Xcel Energy.
- **Public Art—Allow Association-maintained sculptures, Art Forms, and Sidewalk Poetry.**
 - Install a sitting area platform at water's edge in Outlot C of the First Addition.
 - Allow Public Art in locations approved by the Planning Director.

WILDFLOWER

LOT PROFILE (SFD)

| | RIDGE LOTS | CONSERVANCY LOTS | PRAIRIE LOTS | COURTYARD LOTS (Garden Villa Homes) |
|-----------------|------------|------------------|--------------|----------------------------------------|
| QUANTITY | 9 | 13 | 54 | 67 |
| AVG DIMENSION | VARIABLE | VARIABLE | 85'x145' +/- | 60'x115' +/- |
| AVG SIZE (S.F.) | 18,585 | 21,600 | 12,325 +/- | 7,015 +/- |

SETBACKS

| | RIDGE LOTS | CONSERVANCY LOTS | PRAIRIE LOTS | GARDEN VILLA HOMES |
|-------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------|------------------|------------------------------------------------------------------------------|
| FRONT YD. | 25' | 25' | 25' | 20'+ |
| SIDE YD. HOUSE: GARAGE: PUBLIC STREET: | 15' 10' 25' | 15' 10' 25' | 10' 5' 15' | 15' TOTAL 10' (OR 7.5') 5' (OR 7.5') <i>15' 10' PER RES 2015-29</i> |
| REAR YARD TO COURT DRIVEWAY R.O.W. | VARIABLE To maintain bluff vegetation and slope erosion (25' Minimum) | VARIABLE To maintain bluff vegetation and slope erosion (25' Minimum) | 30' | 20'+ |

COURTYARD LOTS:

SPECIFIC CONDITIONS FOR SETBACK DESIGN FEATURES, FRONT, REAR & SIDE YARDS, TO ALLOW FOR OVERLAPPING ARCHITECTURAL AND LANDSCAPE ELEMENTS IN SETBACK AREAS.

| | | |
|----|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A. | FIREPLACE BUILD OUTS (CHIMNEY & VENT BOXES) | 2'-0" MAX. |
| B. | WINDOW BAYS OR BOX OUT FEATURES (CANTILEVERED) | 2'-0" MAX. |
| C. | CANTILEVERED FLOOR AREAS (1 & 2 STORIES) | 2'-0" MAX. |
| D. | FRONT PORCHES | 10'-0" MAX. PAST HOUSE FRONT FACE |
| E. | ROOF OVERHANGS, ALL SIDES | 3'-6" MAX. |
| F. | HIGH FENCES – NOT ATTACHED TO HOUSE (MAX. HT. 6') SIDE YARD SETBACK | 3'-0" MAX. DISTANCE FROM SETBACK LINE |
| G. | LOW FENCES (30"- 42" HT.) – FRONT & REAR YD - ALLOWED, CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS AND GARDEN AREAS. | FRONT YD - 8'-0" INSIDE FRONT YARD P.L. REAR YD: NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE |
| H. | DECKS & PATIOS – FRONT YD. | 6'-0" INSIDE FRONT P.L. |
| I. | DECKS & PATIOS – SIDE YD. | 3'-0" MAX. DISTANCE FROM SETBACK LINE |
| J. | DECKS & PATIOS – REAR YD. | NOT TO EXCEED 12'-0" PAST GARAGE DOOR WALL FACE |
| K. | TRELLIS, ARBORS, GATEWAYS & FEATURES | LOCATION & SIZE TO BE CONSISTENT WITH SIZE OF PRIVATE PATIOS, DECKS & GARDEN AREAS. EXACT FEATURE DESIGN AND LOCATION TO BE REVIEWED AND APPROVED BY R.E.C. DESIGN REVIEW PROCEDURE. |

8-21-2014

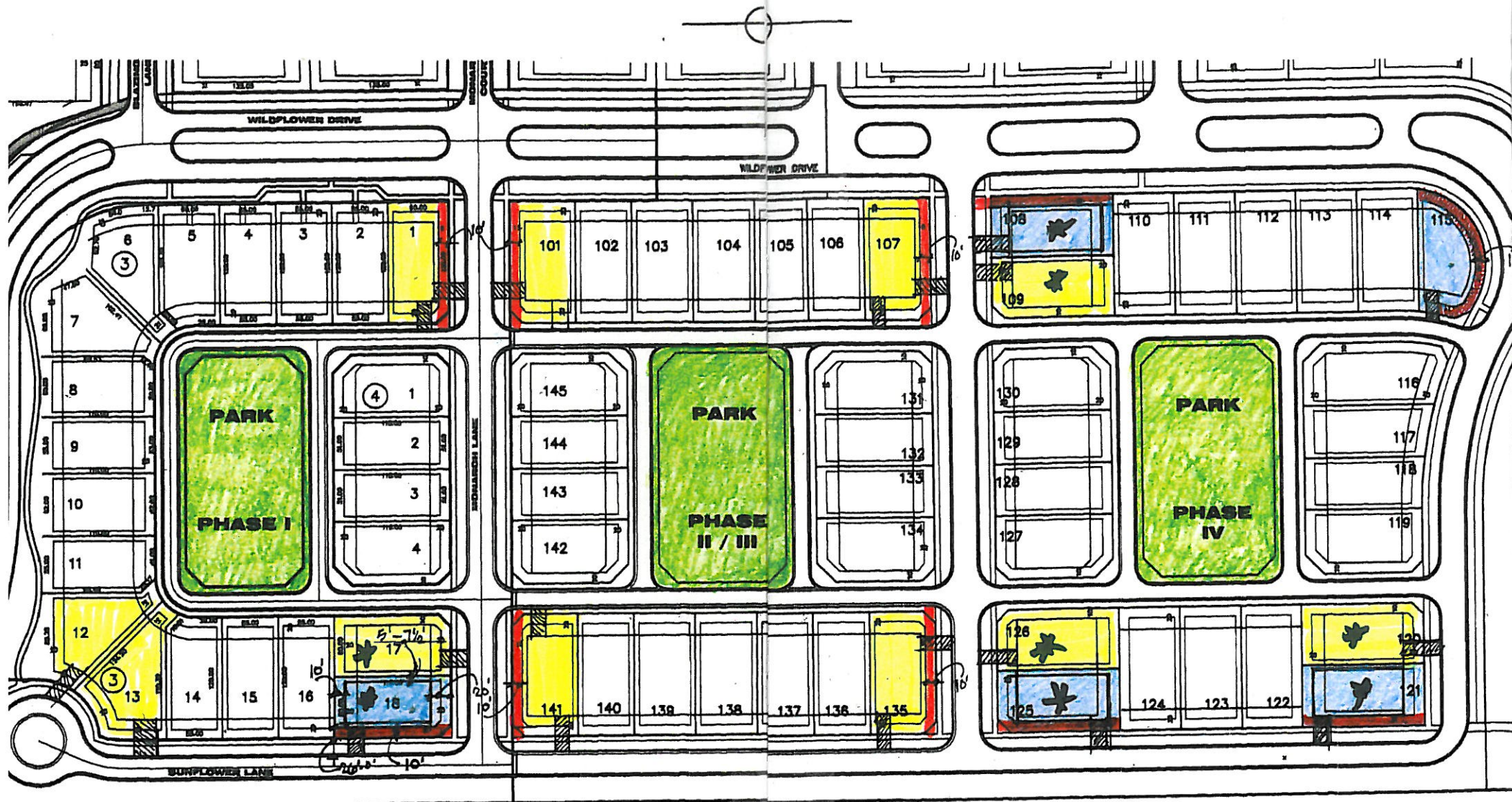
8-26-2014

11-5-2014 - TOTAL LOTS: 143

9-1-2015







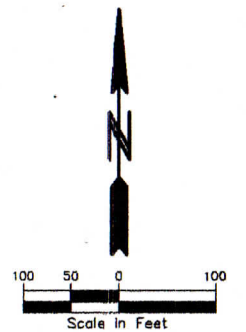
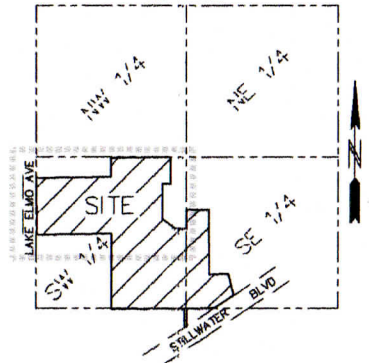
Approved Planned Unit Development Courtyard Driveway Exhibit



**WILDFLOWER AT LAKE ELMO
(Garden Villa Homes - Total 67)
PUD AMENDMENTS:**

DATE: 5-2-2017

- CORNER LOTS WITH 15' SIDE YD SETBACK REDUCED TO 10'  to Lots
- PARALLEL LOTS:
CORNER LOTS THAT AT CERTAIN LOCATIONS ALLOW FOR
FRONT FACING HOMES ON THE LONG SIDE OF LOT:
5 LOTS REQUIRED 
- DRIVEWAY LOCATIONS:
OPTIONAL LOCATIONS SHOWN FOR STREETScape VARIETY 
- REDUCE REAR SETBACKS FROM 20' to 10' 
- ~~ALLOW~~



OUTLOT OWNERSHIP

| | |
|----------|--------------------|
| OUTLOT A | HOME OWNERS ASSOC. |
| OUTLOT B | LAKE ELMO |
| OUTLOT C | LAKE ELMO |
| OUTLOT D | HOME OWNERS ASSOC. |
| OUTLOT E | HOME OWNERS ASSOC. |
| OUTLOT F | HOME OWNERS ASSOC. |
| OUTLOT G | HOME OWNERS ASSOC. |
| OUTLOT H | HOME OWNERS ASSOC. |
| OUTLOT I | HOME OWNERS ASSOC. |
| OUTLOT J | LAKE ELMO |
| OUTLOT K | LAKE ELMO |
| OUTLOT L | HOME OWNERS ASSOC. |
| OUTLOT M | HOME OWNERS ASSOC. |
| OUTLOT N | DEVELOPER OWNED |
| OUTLOT O | HOME OWNERS ASSOC. |
| OUTLOT P | HOME OWNERS ASSOC. |

| | | |
|--------------------------------------|--------|-----------|
| TOTAL GROSS AREA | 119.28 | ACRES |
| TOTAL LOT AREA | 36.24 | ACRES |
| NUMBER OF LOTS | 145 | |
| LARGEST LOT | 26,499 | SQ. FT. |
| SMALLEST LOT | 5,695 | SQ. FT. |
| AVERAGE LOT | 10,889 | SQ. FT. |
| NUMBER OF OUTLOTS | 16 | |
| TOTAL OUTLOT AREA | 62.33 | ACRES |
| LAKE ELMO AVE. N. RIGHT OF WAY AREA | 1.70 | ACRES |
| RESIDENTIAL RIGHT OF WAY AREA | 19.01 | ACRES |
| TOTAL RIGHT OF WAY AREA | 20.71 | ACRES |
| GROSS DENSITY (EXCLUDES OUTLOTS) | 2.55 | LOTS/ACRE |
| NET DENSITY (EXCLUDES OUTLOTS & R/W) | 4.00 | LOTS/ACRE |
| ZONING | PUD | |

The real estate being located in the County of Washington, State of Minnesota, and legally described as follows:

The North Half of Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 12, Township 29, Range 21, Washington County, Minnesota, save and except the following described part thereof: All that part of the Northeast Quarter of the Southwest Quarter of Section 12, Township 29, Range 21, Washington County, Minnesota, described as follows: Beginning at the center of said Section 12; thence due South along the East line of said Northeast Quarter of Southwest Quarter a distance of 1240.5 feet; thence at right angles due West a distance of 200 feet; thence North 55 degrees 00 minutes 00 seconds West a distance of 270 feet; thence due North a distance of 617 feet; thence at right angles due East a distance of 147 feet; thence at right angles due North a distance of 466 feet more or less to the North line of said Northeast Quarter of Southwest Quarter; thence Easterly along the North line of said Northeast Quarter of Southwest Quarter a distance of 274.17 feet to the place of beginning.

And

That part of the Northeast Quarter of the Northwest Quarter of Section 13, Township 29, Range 21, Washington County, Minnesota, described as follows: Commencing at the Northeast corner of said Northeast Quarter of Northwest Quarter of said Section 13, thence West on the North line thereof 35 feet to a point, thence South and parallel to the East line of said quarter section to the North line of Trunk Highway No. 212; thence Northeast on the North line of said Highway to the East line of said quarter section; thence North on the East line of said quarter section to the place of beginning.

Excepting therefrom all of the following described real property: The North 330.88 feet of the Northwest Quarter of the Southwest Quarter of Section 12, Township 29, Range 21, Washington County, Minnesota.

Together with

Outlots O and P THE FIELDS OF SAINT CROIX 2ND ADDITION according to the plat thereof, Washington County, Minnesota.

PIONEEREngineering

CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor under the laws of the State of Minnesota.

Name: John M. Day
Reg. No.: 12299 Date: 05-28-2015

Revisions: 1. 07-02-15 City Watershed Comments

Date: 12-08-2015
Designed: TSS
Drawn: TSS

PLAT EXHIBIT

ROBERT ENGSTROM COMPANIES
4801 WEST 81ST STREET, SUITE 101
MINNEAPOLIS, MINNESOTA 55437-1111

WILDFLOWER AT LAKE ELMO
LAKE ELMO, MINNESOTA

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2017-048

*A RESOLUTION DENYING THE WILDFLOWER AT LAKE ELMO PLANNED UNIT
DEVELOPMENT AMENDMENTS*

WHEREAS, Robert Engstrom Companies, 4801 West 81st Street, #101, Bloomington, MN (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for amendments to the Planned Unit Development (PUD) Plans and PUD agreement for Wildflower at Lake Elmo; and

WHEREAS, the Lake Elmo City Council approved the Wildflower at Lake Elmo Concept Plan on June 17, 2014, and

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on February 23, 2015 to consider the Preliminary Plat and Preliminary Plans for the PUD, and further reviewed said plat and plans at its March 9, 2015 meeting; and

WHEREAS, on March 9, 2015 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Wildflower at Lake Elmo PUD Preliminary Plat and Preliminary Plans; and

WHEREAS, the City Council adopted Resolution 2015-023 approving the Wildflower at Lake Elmo PUD Preliminary Plat and Preliminary Plans on April 7, 2015; and

WHEREAS, the City Council adopted Resolution 2015-060 on July 21, 2015 approving the Final Plat and Final PUD plans for Wildflower at Lake Elmo 1st Addition; and

WHEREAS, the City Council adopted Resolution 2016-106 on December 6, 2016 approving the Final Plat and Final PUD plans for Wildflower at Lake Elmo 2nd Addition; and

WHEREAS, Robert Engstrom Companies made application for amendments to the approved Planned Unit Development Plans and Agreement on April 21, 2017; and

WHEREAS, The Planning Commission held a public hearing on May 8, 2017 and where the developer withdrew several requested changes from consideration; and

WHEREAS, the Planning Commission recommended approval of two amendments and recommended denial of the other; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed Wildflower at Lake Elmo PUD Amendments at a meeting on May 16, 2017; and

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

1. Generally, the developer has not shown that the additional flexibility being requested with respect to the PUD amendment provides any additional benefits to the City which is required for a PUD.
2. The developer has not shown how the PUD amendment would meet any of the identified PUD objectives set forth in Section 154.751 of the City Code.
3. Reducing the rear yard setbacks on the requested lots will eliminate the already small rear yard area on these lots. It will also bring the garages right up to the drainage and utility easements which may cause access issues for the City in the event that work needs to be performed by the City within these easement areas. Furthermore, the reduction may also result in an increase of impervious surface on the lots beyond the allowed 50 percent.
4. Reducing the corner side yard setbacks does not provide any additional benefits to the City.
5. Allowing the front doors to face the corner side yard which will reduce the setback does not provide any additional benefits to the City.
6. Reorienting driveway access of certain courtyard lots is a deviation from the general concept of the development to have garage doors and driveways accessed from the rear and front entrances and porches from the primary streets. This will result in driveways crossing sidewalks which could cause a public safety issue if pedestrians in the neighborhood are accustomed to there not being driveway crossings on sidewalks. Furthermore, the driveways may cross public utilities or joint trenches that are already installed which may cause additional costs to the City and the property owner in the event that the City needs to perform work in the area and the driveway on the property needs to be removed in order for the City to be able to perform the work.
7. Reducing the side yard setbacks for Ridge and Conservancy lots is a deviation from the concept plan. It also does not provide any additional benefits to the City and may cause impacts to the development's stormwater management.
8. Changing the maximum impervious surface coverage for the courtyard lots may cause impacts to the development's stormwater management. It also does not provide any additional benefits to the City.
9. The requested setback changes will have an impact on the sense of openness and reduction in green space which go against the higher standard of building and site design which is one of the PUD objectives. It also does not provide any additional benefits to the City.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a PUD Concept Plan is denied.

Passed and duly adopted this 16th day of May, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2017-048

*A RESOLUTION APPROVING AND DENYING WILDFLOWER AT LAKE ELMO PLANNED
UNIT DEVELOPMENT AMENDMENTS*

WHEREAS, Robert Engstrom Companies, 4801 West 81st Street, #101, Bloomington, MN (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for amendments to the Planned Unit Development (PUD) Plans and PUD agreement for Wildflower at Lake Elmo; and

WHEREAS, the Lake Elmo City Council approved the Wildflower at Lake Elmo Concept Plan on June 17, 2014, and

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on February 23, 2015 to consider the Preliminary Plat and Preliminary Plans for the PUD, and further reviewed said plat and plans at its March 9, 2015 meeting; and

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WHEREAS, the City Council adopted Resolution 2015-060 on July 21, 2015 approving the Final Plat and Final PUD plans for Wildflower at Lake Elmo 1st Addition; and

WHEREAS, the City Council adopted Resolution 2016-106 on December 6, 2016 approving the Final Plat and Final PUD plans for Wildflower at Lake Elmo 2nd Addition; and

WHEREAS, Robert Engstrom Companies made application for amendments to the approved Planned Unit Development Plans and Agreement on April 21, 2017; and

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NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

1. Generally, the developer has not shown that the additional flexibility being requested with respect to the PUD amendment provides any additional benefits to the City which is required for a PUD.
2. The developer has not shown how the PUD amendment would meet any of the identified PUD objectives set forth in Section 154.751 of the City Code.
3. Reducing the corner side yard setbacks does not provide any additional benefits to the City.
4. Changing the maximum impervious surface coverage for the courtyard lots may cause impacts to the development's stormwater management. It also does not provide any additional benefits to the City.
5. Lots 17 and 18, Block 3 of Wildflower at Lake Elmo 1st Addition are shorter, east to west, than other similar corner lots in phase 4.
6. The preliminary plat design for lots 12 and 13 are problematic in the courtyard and are too close together.
7. The driveway changes are minimal in number and do not represent a change the PUD Concept.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a PUD Amendment to allow Lots 12 and 13, Block 3, Wildflower at Lake Elmo 1st Addition PUD driveways to access Sunflower Lane subject to the 4 conditions of approval and to reduce the rear yards setback from 20 ft. to 15' for Lots 17 and 18, Block 3, Wildflower at Lake Elmo 1st Addition are approved, subject to the 4 conditions of approval:

1. That the PUD amendment be subject to Valley Branch Watershed District review and approval.
2. That any changes to the cul-de-sac curbing on Sunflower Lane occur prior to the installation of the final lift of asphalt.
3. That each building permit related to re-orientation of driveways be reviewed by City Engineer on an individual basis for conflicts with City and private utility or other infrastructure before the City will approve the driveway being installed in the desired location.
4. That the Preliminary and Final PUD plans be updated to reflect the Amendments.

Based on the foregoing, the Applicants' application for a PUD Amendments to allow an increased impervious surface coverage for courtyard lots from 50% to 56% and to reduce the side yard corner lot setback from 15 ft. to 10 ft. for preliminary plat lots 1 and 8, Block 13 (preliminary plat dated 11/5/14) are denied.

Passed and duly adopted this 16th day of May, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk