



STAFF REPORT

DATE: 6/6/2017

REGULAR

ITEM #: 16

MOTION

TO: City Council

FROM: Stephen Wensman, Planning Director

AGENDA ITEM: Wildflower at Lake Elmo Planned Unit Development Amendment

REVIEWED BY: Sarah Sonsalla, City Attorney
Rob Welden, Public Works Director
Mike Bent, Building Official
Jack Griffin, City Engineer
Emily Becker, City Planner

BACKGROUND:

Robert Engstrom is requesting an amendment to the Wildflower at Lake Elmo Planned Unit Development (PUD). The Planning Commission held a public hearing on May 8, 2017 and made recommendations to Council. On May 16th, the City Council reviewed the PUD amendment request and tabled the item to allow Staff and the developer time to negotiate a give and take consistent with PUD regulations.

ISSUE BEFORE COUNCIL:

The issue before Council is whether to approve or deny the PUD Amendment request

PROPOSAL DETAILS/ANALYSIS:

Robert Engstrom had requested a number of changes to the Wildflower PUD and presented this request to the Planning Commission. At the Planning Commission the list of requested changes was reduced as the developer withdrew those items that were of lesser importance to the developer. These request to the City Council was for the following amendments to the PUD:

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%.

The Council tabled the planning item in order to allow Staff and the developer time to negotiate a give and take consistent with PUD regulations. Staff met with the developer and based on the negotiation the

developer will execute an agreement with the City to take over plowing of the “alley” streets in the courtyard areas in exchange for the following PUD Amendments:

1. Allowing LDR setbacks in the Conservation and Prairie Lots. (Staff Comments) *This request was withdrawn at the Planning Commission, but again requested as part of the negotiation. The requested setbacks are consistent with the base zoning for these lots. It is unlikely that every lot will be built to the setback lines due to the larger size of these lots.*
2. Reduced rear yard setback on Lots 17 and 18, Block 3, Wildflower 1st Addition from 20' to 15' (Staff Comments). *This request is consistent with the Planning Commission's recommendation. The reduction in the setback is proportional with the reduction in lot size as compared to other similar courtyard lots.*
3. Allowing Driveway Flexibility on Lots 12, 13 and Lot 17, Block 3, Wildflower 1st Addition; and the highlighted lots in phase 3 shown on Exhibit A below. (Staff Comments) *This request appears to be reasonable in that it is limited to a few lots in the first and third phase of the development. Staff recommends the approval be conditioned on building permit review by the City to ensure there are no unforeseen conflicts or safety issues.*



Exhibit A - Phase 3 Courtyard Lots and Driveway Flexibility

4. Allowing up to 6% impervious coverage beyond the 50% coverage if the additional impervious utilizes pervious paving for the courtyard lots. (Staff Comment) *The coverage limits will essentially remain at 50% as long as the pervious pavers are functioning correctly.*
5. Allow a single 400 sq. ft. storage structure to be located on Outlot A, Wildflower 2nd Addition subject to a 10' setback from public R/W and an additional 200 sq. ft. covered trellis area attached to the garage. (Staff Comment) *The developer had previously requested this and pulled it from consideration. The need for the structure is for HOA storage of maintenance equipment and materials. The request appears reasonable as long as the structure adheres to the same setback from streets as the adjacent homes and the City is able to review the building permit for unforeseen conflicts and safety issues.*

RECOMMENDED FINDINGS:

1. The PUD amendment is consistent with the Comprehensive Plan designation for the subject property.
2. The PUD amendment is generally consistent with the Wildflower at Lake Elmo PUD Concept Plan and Preliminary PUD Plans.
3. The PUD amendment has provided the City additional benefit in exchange for additional PUD flexibility consistent with the PUD regulations.
4. The PUD amendment meets the PUD objectives set forth in Section 154.751 of the City Code.
5. The PUD amendment will have no impact on stormwater management for the development.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff is in support of the above mentioned PUD Amendments with the following conditions of approval:

1. Flexible driveways on subject lots and the storage structure on Outlot A, Wildflower at Lake Elmo 2nd Addition are subject to City review of individual building permits for unforeseen conflicts or safety issues.
2. That any changes to street curbing as a result of modified driveway locations occur prior to the installation of the final lift of asphalt being installed.
3. That an agreement be prepared and approved by the City Attorney and executed by the City and the Developer that gives responsibility for snow plowing of the “alleys” surrounding the courtyards to the HOA.

FISCAL IMPACT:

The Agreement for snow plowing by the Wildflower at Lake Elmo HOA will save the City approximately \$100,000 by allowing the public works department to forego the purchase of a dedicated snow removal equipment it would have needed to plow the narrow alleys. It will also save the City in Staff time mobilizing the specialized equipment to the area each snow fall.

OPTIONS:

The Council has the following options:

1. Adopt Resolution 2017-048 approving the PUD Amendment
2. Deny Resolution 2017-048 and provide reasons for denial
3. Amend and adopt Resolution 2017 -048 approving the PUD Amendment.

RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2017- 048 approving of the PUD Amendment with the following motion:

“Motion to adopt Resolution 2017-048 approving Wildflower at Lake Elmo PUD amendments.”

ATTACHMENTS:

- Resolution 2017-048
- Letter of agreement Robert Engstrom
- VBWD review email

**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 tabled the item to the June 6, 2017 City Council meeting; and

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

FINDINGS

1. The PUD amendment is consistent with the Comprehensive Plan designation for the subject property.
2. The PUD amendment is generally consistent with the Wildflower at Lake Elmo PUD Concept Plan and Preliminary PUD Plans.
3. The PUD amendment has provided the City additional benefit in exchange for additional PUD flexibility consistent with the PUD regulations.
4. The PUD amendment meets the PUD objectives set forth in Section 154.751 of the City Code.
5. The PUD amendment will have no impact on stormwater management for the development.
6. That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land with the following amendments:
 - Conservation and Prairie Lots will have setbacks consistent with the LDR zoning.
 - Reduced rear yard setback on Lots 17 and 18, Block 3, Wildflower 1st Addition shall be 15 feet.
 - Driveway locations will be flexible on Lots 12, 13 and Lot 17, Block 3, Wildflower 1st Addition; and the highlighted lots in phase 3 shown on Exhibit A
 - Up to 6% impervious coverage is allowed beyond the 50% impervious coverage maximum for the courtyard lots if the additional impervious utilizes pervious paving.
 - A single 400 sq. ft. storage structure shall be allowed on Outlot A, Wildflower 2nd Addition subject to a 10' setback from public R/W and an additional 200 sq. ft. covered trellis area attached to the garage.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a PUD Concept Plan is approved with the following conditions:

1. Flexible driveways on subject lots and the storage structure on Outlot A, Wildflower at Lake Elmo 2nd Addition are subject to City review of individual building permits for unforeseen conflicts or safety issues.
2. That any changes to street curbing as a result of modified driveway locations occur prior to the installation of the final lift of asphalt being installed.

3. That an agreement be prepared and approved by the City Attorney and executed by the City and the Developer that gives responsibility for snow plowing of the “alleys” surrounding the courtyards to the HOA.

Passed and duly adopted this 6th day of June, 2017 by the City Council of the City of Lake Elmo, Minnesota.

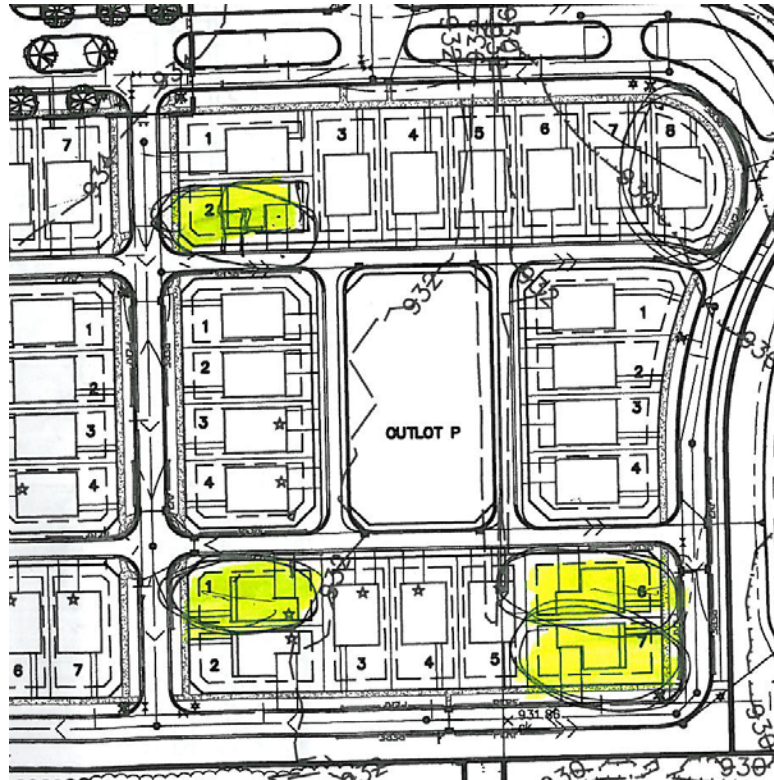
Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

RESOLUTION NO. 2017-048
EXHIBIT A

Phase 3 Courtyard Lots with Driveway Flexibility



May 30, 2017

Attn: Stephen Wensman
Planning Director
City of Lake Elmo

Re: Wildflower at Lake Elmo
Proposal for compromise

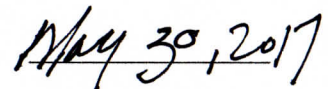
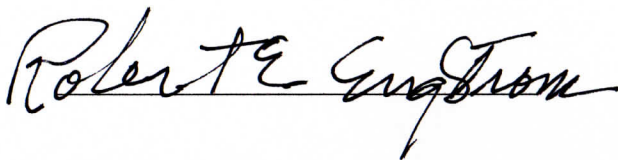
The Wildflower HOA will enter into an agreement with the City to be responsible for plowing the 'alleys' in the courtyard areas for:

1. Allowing LDR setbacks in the Conservation and Prairie Lots.
2. Reduced rear yard setback on Lots 17 and 18, Block 3, Wildflower 1st Addition from 20' to 15'.
3. Allowing Driveway Flexibility on Lots 12, 13 and Lot 17, Block 3, Wildflower 1st Addition; and the highlighted lots in phase 4 (third courtyard). See exhibit -
4. Allowing up to 6% impervious coverage beyond the 50% coverage if the additional impervious utilizes pervious paving for the courtyard lots. Pavers can be used for driveway and / or patio areas.
5. Allow a single 400 sq. ft. storage structure to be located on Outlot A, Wildflower 2nd Addition subject to a 10' setback from public R/W and an additional 200 sq. ft. covered trellis area attached to the garage.
6. Flexible driveways on subject lots are subject to City review of individual building permits for additional issues.
7. That any changes to street curbing as a result of modified driveway locations occur prior to the installation of the final lift of asphalt being installed.

Above items approved per agreement negotiated with Stephen Wensman, City of Lake Elmo, May 30, 2017.

Robert Engstrom Companies / Wildflower Homes Association:

Date:



Stephen Wensman

From: John P. Hanson <JHanson@barr.com>
Sent: Monday, May 15, 2017 10:56 AM
To: 'John Molinaro'
Cc: 'Robert Engstrom'; paultengstrom@mac.com; Chad Isakson (chad.isakson@focusengineeringinc.com); Paul A. Thomas; Stephen Wensman
Subject: RE: Wildflower at Lake Elmo - PUD Amendment - Stormwater Volume

Hi John,

Thanks for the clarifications on Friday and this morning.

The provided stormwater treatment volume is adequate for the PUD amendment request for addition impervious surfaces.

Proof (such as date-stamped photos of the basins immediately after an approximate 1.1 inch storm and again 48 hours afterward) will need to be submitted to show the infiltration basins drain dry before the VBWD will release any surety. If the infiltration basins don't drain dry within 48 hours, site changes will be required.

Thanks,

John

John P. Hanson, PE, ENV SP
Valley Branch Watershed District Engineer
Barr Engineering Co. | 4300 MarketPointe Drive | Bloomington, MN 55435
office: 952.832.2622 | cell: 612.590.1785
JHanson@barr.com | www.barr.com | www.vbwd.org

resourceful. naturally.



From: John Molinaro [mailto:johnm@PioneerEng.com]
Sent: Friday, May 12, 2017 8:14 AM
To: John P. Hanson <JHanson@barr.com>
Cc: 'Robert Engstrom' <bob@engstromco.com>; paultengstrom@mac.com; Chad Isakson (chad.isakson@focusengineeringinc.com) <chad.isakson@focusengineeringinc.com>; Paul A. Thomas <pthomas@PioneerEng.com>; Stephen Wensman <SWensman@lakeelmo.org>
Subject: RE: Wildflower at Lake Elmo - PUD Amendment - Stormwater Volume

John,

I have had conversations with Bob Engstrom regarding his development and the revised PUD that they have put forward. The developer would appreciate a response addressing the attached memo.

The PUD amendment issue is being brought before the council on Tuesday the 16th of May. A response from the Valley Branch would go a long ways towards gaining approval of the request. Due to the Planning Commission being hesitant to approve/pass any storm water revision, as they are under the impression that the Wildflower Development is causing flooding on the Krueger Tree Farm. (Per the opinion gained by the developer at the PC meeting on May 8th)

The memo outlies the existing oversizing of the infiltration practices. Compared to the amount that the propose PUD amendment change could potentially use of that excess.

A response received today would be greatly appreciated.

Thanks,

John Molinaro, PE, LS
Project Engineer
Direct Dial: (651) 251-0640
Email: johnm@pioneereng.com

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From: John Molinaro
Sent: Thursday, May 04, 2017 4:04 PM
To: John P. Hanson <JHanson@barr.com>
Cc: Robert Engstrom <bob@engstromco.com>; paultengstrom@mac.com; 'Design Forum' <designforum2000@yahoo.com>; Chad Isakson (chad.isakson@focusengineeringinc.com) <chad.isakson@focusengineeringinc.com>; Paul A. Thomas <pthomas@pioneereng.com>
Subject: Wildflower at Lake Elmo - PUD Amendment - Stormwater Volume

John,
Please find attached a memo detailing the implications of the proposed PUD amendment on the Original Site Stormwater Management Plan.

Please contact me with any questions that you may have.

Thanks,

John Molinaro, PE, LS
Project Engineer
Direct Dial: (651) 251-0640
Email: johnm@pioneereng.com

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