



## STAFF REPORT

DATE: 02-25-19

PUBLIC HEARING

AGENDA ITEM: 4A

**TO:** Planning Commission

**FROM:** Ken Roberts – Planning Director

**ITEM:** **Bentley Village** – Zoning Map Amendment, Easement Vacations and Preliminary Plat

**REVIEWED BY:** Ben Prchal, City Planner  
Jack Griffin, City Engineer

### **BACKGROUND:**

Pulte Homes of Minnesota is requesting City approval of several land use applications for a townhouse development to be known as Bentley Village. They include:

1. A zoning map amendment from RT (rural development transitional) to MDR (medium density residential); and
2. Easement Vacation of unused drainage and utility easements on the site; and
3. Preliminary Plat to create the lots and streets for 240 unit townhouse development.

On October 22, 2018 the Planning Commission reviewed and commented on a sketch plan for this development. That sketch plan included 239 attached townhomes on a total site area of 34.621 acres. A Sketch Plan review requires no formal action by the Planning Commission.

On November 6, 2018, the City Council reviewed and commented on the 239-unit sketch plan for this site.

### **ISSUE BEFORE THE PLANNING COMMISSION:**

City staff is asking the Planning Commission to review the proposals, hold a public hearing, provide feedback to the developer and make a recommendation to the City Council on:

1. A zoning map amendment from RT (rural development transitional) to MDR (medium density residential); and
2. The proposed easement vacations; and
3. The preliminary plat for Bentley Village.

## **GENERAL INFORMATION**

<i>Applicant:</i>	Paul Heuer, Pulte Homes, 7500 Flying Cloud Drive, Ste 670, Eden Prairie, MN 55344
<i>Property Owners:</i>	Alan Dale, 6007 Culligan Way, Minnetonka, MN 55345
<i>Location:</i>	Part of the southwest quarter of the southeast quarter of Section 13, Township 29 North, Range 21 West. West PID: 34.029.21.34.0006, East PID 34.029.21.43.0003
<i>Requests:</i>	Zoning Map Amendment, Easement Vacation and Preliminary Plat
<i>Development Site Area:</i>	41.58 gross acres.
<i>Existing Land Use:</i>	Vacant
<i>Existing Zoning:</i>	RT – Rural Development Transitional
<i>Surrounding Area:</i>	North – Savona (Urban Low Density Residential); West – Multi-tenant strip mall and Lampert’s lumber yard (Commercial); East – Vacant land (Commercial) and Savona townhomes (Urban Medium Density); South – Vacant land (Rural Development Transitional guided Mixed Use Commercial in draft 2040 Comprehensive Plan)
<i>Comprehensive Plan (2040):</i>	Medium Density Residential (4-8 units per acre)
<i>Proposed Zoning:</i>	Urban Medium Density Residential (MDR)
<i>History:</i>	Vacant property
<i>Deadline for Action:</i>	Application Complete – 01/25/2019 60 Day Timeline – 03/24/2019 Extension Sent – N/A
<i>Applicable Regulations:</i>	Article XII – Urban Residential Districts Chapter 153 - Subdivision Regulations Section 150.270 – Storm Water, Erosion and Sediment Control

## **PROPOSAL REVIEW/ANALYSIS:**

Pulte Homes of Minnesota is proposing Bentley Village as a medium density townhouse development to be located on the south side of 5<sup>th</sup> Street, west of Keats Avenue and west of the Savona townhouse neighborhood. The developer is proposing a variety of townhouse styles and amenities in 4-6 unit buildings along with ponding areas, an on-site pool, an on-site tot lot/playground, trails and sidewalks and an open play space for the residents.

Since the City’s sketch plan review in 2018, the developer has made several changes to the proposed development. The applicant outlines the proposed changes on pages 6 and 7 of their project narrative. The proposed changes include widening the public street rights-of-way to better accommodate all the public improvements, providing room for snow storage, relocating the pool, increasing the perimeter setbacks, adding a playground/tot lot, adding trails and providing areas for guest parking.

They also revised the layout of the west end of the development because of design conflicts with the existing pipeline running through the site. The plans now show the storm water pond on the east side of the pipeline (instead of on the west side) with a redesigned street and lot layout in this area to work with and around the new pond location.

**Land Use.** The proposed land use within the development is single family attached homes (townhomes), which are a permitted use within the Urban Medium Density Residential zoning district.

**Zoning Map Amendment.** In order for this development to proceed, the City will need to approve a zoning map amendment (rezoning) for the property from RT – Rural Development Transitional to MDR – Urban Medium Density Residential. This proposed designation allows for attached housing (townhouses) and is consistent with the Comprehensive Plan designation (MDR) for the site.

#### **Site Data.**

As proposed, Bentley Village consists of 240 attached single-family homes (townhouses) on a 41.58 acre site. The maximum lot size shown for a townhouse is 1,951 square feet while the minimum lot size is 1,788 square feet.

Total Site Area:	41.58 acres
Residential Areas:	13.75 acres
Outlots:	13.64 acres
Rights-of-way:	14.19 acres
Gross Density:	5.77 units per acre
Net Density:	6.89 units per acre

**Density.** The proposed development includes 240 units. The site is a total of 41.58 acres with no wetland, proposed parkland, or arterial right-of-way. The calculation of net density is as follows: 41.58 acre site – 6.75 acres (5<sup>th</sup> Street ROW) = 34.83 acres. 240 units divided by 34.83 acres = 6.89 units per acre. The net density is therefore 6.89 units per acre. This meets the City's density requirements for the Medium Density land use of 4-8 units per acre.

**Outlots.** The proposed preliminary plat, if approved by the City, would create a separate lot for each townhouse unit, rights-of-ways for the public streets and outlots for the areas around the townhouse lots (the common areas) and for the ponding areas. Outlots A, C, D, E, F, and G are shown for the common areas, Outlot B is shown for the ponding area on the east end of the site and Outlots H and I are for the ponding/infiltration areas in the western part of the development. All outlots would be owned and maintained by a homeowner's association.

**Buffer Areas.** The project is not located in an area that will be subject to required buffering. However, the Zoning Code typically requires developers to provide screening between more intensive and less intensive land uses. Because the property to the north of 5<sup>th</sup> Street is single family residential, the City would usually require this development to provide screening along its north edge (along the south side of 5<sup>th</sup> Street) consisting of either a masonry wall or fence in combination with landscape material to form a screen at least six feet in height and not less than 90% opaque on a year-round basis. The City's Landscape Architect, however, is not recommending this level of screening/planting along 5<sup>th</sup> Street because of the separation (distance) between the two different neighborhoods and because such a plan would be difficult to install along the north side of the site while maintaining the design and visual appeal of 5<sup>th</sup> Street through the area. (Please see Item 10 on page six of his project review comments about this element of the project design).

**Park Dedication.** The proposed development is within a Neighborhood Park search area of the Comprehensive Plan. Savona Park meets the needs of this search area, as it is located just over 500 feet from the northern edge of the proposed development. The developer is proposing and Staff recommends that fees in lieu of land be paid in order to satisfy the park dedication requirements. As per the City's Subdivision Regulations, the required cash equivalent payment shall be an amount equal to the fair

market value of the percentage land dedication for the zoning district in which the subdivided property is located (the MDR zoning district requires 10% of the total acreage being developed), and the amount is to be determined by reference to current market data, if available, or by obtaining an appraisal from a licensed real estate appraiser. In summary, the developer will be required to 10% of the value of land as park dedication.

**Parks Commission Review:** At its February 20, 2019 meeting, the Parks Commission will review the proposed subdivision. Staff is recommending that the Parks Commission recommended the City require the developer make a cash contribution for the parks fund rather making a land dedication to the City for a public park.

**Sidewalks and Trails.** The applicant is proposing six-foot-wide sidewalks on one side of each street (on the inside of each street loop). They also are showing several 8-foot-wide trails on the plans. They would be in the center of each block - near the ponding area in Outlot H, behind Lots 1-9 of Block 5 (in Outlot F) behind Lots 63-71 in Block 1 (in Outlot A) and in the open play area in Block 3. The plans also show a 10-foot trail on the west side of the proposed north/south street (Road G) in the center of the development and behind Lots 19-23 in Block 1 to provide access to the north end of the storm water pond. (See sheets 8 and 9 of the project plans for the locations of the proposed sidewalks and trails).

Because of the proposed sidewalks and the overall design of the site, there may not be a need for three of the 8-foot-wide trail segments shown on the proposed plans. They include:

The trail on the north edge of the proposed ponding in Block 6 generally running east/west in behind Lots 1-20;

The trail behind (south of) Lots 1-9, Block 5; and

The trail behind (south of) Lots 63-71, Block 1 connecting Road D and Road F.

Staff will review all the final development plans including grading, trail and sidewalk plans as part of the City's final plan approval. It appears that removing these three trail segments would decrease the amount of impervious surface on the site, would decrease the length and size of retaining walls and should make grading the site easier to accomplish without having to accommodate the trails.

The City's trail plan indicates the need for a trail connecting 5<sup>th</sup> Street North to Hudson Boulevard North so having a trail along the new north/south street (Road G) is consistent with this requirement.

**Amenities.** The developer plans to provide private amenities within the development. The plans show the developer constructing a pool with guest parking and an open play area in Block 3, a tot lot/playground in Block 6 (near Outlot H) and trails and sidewalks throughout the site. These are proposed to private amenities that will be owned and maintained by the neighborhood Homeowners' Association.

The plans also show 28 off street parking spaces near the pool that would serve the users of the pool and also could also be used as overflow parking for visitors to residents in the development.

**Townhome Design.** According to the applicant, their approach is to "individualize and stylize" each townhouse unit. This means each unit will differ in architecture and will vary in color scheme from all other units within the same building. Staff has attached photos of examples of the townhouses to this memo. Buyers also will be able to choose from a range of options for floor plans that will include three bedrooms with the option of four; a first floor sunroom addition with second floor owner's suite bathroom expansion; a loft; and a rooftop terrace.

All of the building exterior designs and materials will need to conform to the design standards in the Lake Elmo Design Guidelines and Standards Manual including those regarding building facades, rooflines, colors entries, lighting and exterior building materials. At first review, it appears that all the building styles and materials will meet or exceed the City's design standards for townhouses. Homeowners' association fees will include maintenance of the yard, snow removal, and exterior of the building.

**Restrictive Covenants.** The development will be encumbered by several restrictive covenants for the benefit of the residents including architectural guidelines, use restrictions, exterior storage requirements, vehicle parking (RV, etc). The applicant is proposing to develop the HOA documents incorporating any concerns that might arise during the development review process and submitting them to the City for approval before final plat approval.

**Access.** The proposed plans show two access points into the site from 5<sup>th</sup> Street North that would line up directly with existing cross streets - one directly across from Julianne Avenue North and one directly across from Junco Road North. An additional access to the site will be provided from a new north/south street (Road G) connecting to 5<sup>th</sup> Street and ultimately Hudson Boulevard North. The location of the proposed street was a planned connection point between 5<sup>th</sup> Street North and Hudson Boulevard North. The developer should either construct the portion of this street adjacent to the development with a temporary turnaround or work with the development to the south to construct the planned street to make a full connection from 5<sup>th</sup> Street North to Hudson Boulevard North.

**Restrictive Easements.** There is a 50-foot wide natural gas pipeline easement that bisects the western portion of the property in which buildings cannot be placed. There are no lots proposed within this easement. There is also a 21-inch diameter storm sewer pipe with a 30-foot wide easement on the eastern edge of the property. The sketch plan showed some of this storm sewer and easement to remain in place and some to be realigned.

As noted earlier, the developer has revised project plans since the sketch plan review to better ensure their proposed project site and grading plans will work with and around the existing pipelines and the pipeline easement.

**Streets.** Bentley Village is proposed with several new public streets in a 53-foot-wide right-of-way with 28-foot wide street pavement. The applicant will be required to provide a cross section detailing the proposed 53 foot right-of-way with the revised preliminary plat plans, as City engineering standards typically call for a 60-foot right-of-way with 28-foot wide streets. If streets are 28-feet wide, parking will be allowed on both sides of the streets (except where lanes are separated by a median). Additionally, all portions of the 5<sup>th</sup> Street right-of-way that are located on the applicant's property will need to be dedicated with the final plat. Other general review comments from the City Engineer concerning streets are as follows:

- Ten (10) foot-wide utility easements are required on both sides of the public street right-of-way and are to be preserved for small utility installation. The plans must be revised to eliminate all encroachments into the utility corridors. No boulevard trees can be placed in the 10-foot-wide (or any) utility easements.
- Six (6) foot sidewalks must be provided along all continuous residential streets and along other streets as may be required for connectivity.
- All street intersections must be at 90 degrees and maintain 50 feet of tangent with maximum slopes of 2.5% for first 100 feet.
- Residential maximum longitudinal grade is 8% with no sidewalks, 6% where there are sidewalks. It appears these design requirements have been met with the proposed plans.
- Minimum diameter cul-de-sac is 90 feet with 120-foot right-of-way.

**5<sup>th</sup> Street North Right-of-Way.** As noted by the City Engineer, 5<sup>th</sup> Street North was constructed within a permanent roadway easement. This easement area must be dedicated to the City as public right-of-way on the final plat(s) as part of this development approval.

**Street Names.** The developer has not proposed any final street names with this plat. The street names will need to meet the requirements of the City's Street Naming Policy. To meet this policy and to be consistent with the street name pattern in the area, staff is proposing the following street names:

Road A and Road D – 4<sup>th</sup> Street North (from Lots 20 and 51 on the west end to the cul-de-sac on the east end).

Road A – 4<sup>th</sup> Street Lane N. (from Lot 10, Block 5 to Lot 35, Block 5)

Road B – Julianne Avenue North

Road F – 4<sup>th</sup> Street Lane N. (from Lot 21, Block 3 and Lot 42, Block 1 to Lot 62, Block 1).

Road A (n/s) – Jean or Jewel Avenue North (from Lot 36, Block 5 to Lot 50, Block 5).

Road E and Road F – Junco Road North (from 5<sup>th</sup> Street to Lot 42, Block 1)

Road G – June or Jupiter Avenue North

**Transportation Improvements.** The City Engineer commented that there is a need for additional transportation review to evaluate if additional turn lanes should be required on 5<sup>th</sup> Street North including an eastbound right turn lane at Julianna Avenue and west bound turn lanes at Junco Road and/or Julianna Avenue. He also noted that the proposed development will increase traffic movements at the intersection of CSAH -19 and 5<sup>th</sup> Street North and CSAH-19 and Hudson Boulevard. A financial contribution to traffic signal and turn lane improvements by the developer to one or both of these intersections should be considered.

**Development Phasing/Grading Phasing.** The applicant has submitted a phasing plan showing the construction of the development occurring in four phases. Phase 1 would be constructed in 2019 and would include the new north/south street in the center of the site the area to the east of the new street with 63 units, the pool and the eastern stormwater pond. Phase 2 would complete the eastern part of the development in 2020 with 70 units and a street connection to 5<sup>th</sup> Street North. For Phase 3, the applicant would continue the project to the west of the new north/south street with 43 units and the west pond in 2021 or 2022. The final phase, Phase 4, would complete the western end of the site in 2022 or 2023 with 64 units, a tot lot and another street connection to 5<sup>th</sup> Street North. The applicant notes in their project narrative that they expect full build out by 2026 but the pace of the phasing will be driven by market demand for the townhouses.

The grading, utility, street, sidewalk and trail construction for each phase will be subject to the approval of the City Engineer.

**Utilities – Municipal Water Supply and Municipal Sanitary Sewer.** The City Engineer's review memo provides a review of the municipal sewer and water considerations for this development. Public water and sanitary sewer service are available in this area of Lake Elmo and the developer will be extending them into and through the site. As noted in the City Engineer's review, the preliminary plat plans include utility plans that generally meet City engineering standards. He noted the following:

The applicant will be responsible for extending municipal water into the development at its sole cost and will be required to construct a looped watermain network with multiple connection points.

The applicant will be responsible to place hydrants throughout the property at the direction of the fire Department. All fire hydrants shall be owned and maintained by the City.

All utility plans will be subject to the final approval of the City Engineer.

**Grading.** All grading plans and activities shall meet the approval of the City Engineer. The grading plans show extensive grading in the pipeline easement to accommodate the proposed ponding area. This grading activity will require written approval from the pipeline company be submitted to the City. The grading plans also show a very small or no backyard area for Lots 24-42 of Block 1 and for Lots 32-47,

Block 5. There are a variety of retaining walls shown on the plans including a 3-foot-tall to 8-foot-tall wall for Lots 6-15, Block 1. All retaining walls are to be privately owned and maintained. None of these design elements are necessarily prohibited by the City Code, but they demonstrate how tight and difficult the site is and will be for the applicant to develop.

**Impervious Surfaces.** The applicant is proposing to develop the site with 49.8 percent impervious surface coverage. The maximum allowed by the City Code is 50 percent so the current proposed plans would meet the City's maximum impervious surface coverage standard. As the applicant revises the project plans to meet the requirements of the City Engineer or for any other review agency or permit, they will need to ensure the overall project does not exceed 50 percent impervious surface coverage.

**Storm Water Management.** The proposed development site is in the Valley Branch Watershed District (VBWD). The design of the storm water management systems must be compliant with the requirements of the State, VBWD, the City of Lake Elmo Storm Water Management Ordinance, and the City of Lake Elmo design standards manual. The applicant is advised to fully read and comprehend the City's storm water and erosion control ordinance since these standards are different, and in some cases more stringent, than the watershed district.

In his project review, the City Engineer noted the following:

The storm water facilities must be platted as Outlots and they must fully incorporate the 100-year HWL, 10-foot maintenance bench and all maintenance access roads.

The storm water ponds will not be allowed to encroach on to adjacent private lots.

The storm water ponds must be constructed meeting City standards. This includes providing designated maintenance access roads, 20 feet wide, for all storm water facilities that extend from the public right-of-way to the maintenance bench with grades not exceeding 10 percent. Basin grading also must provide a maintenance bench from the access road to all storm sewer inlets and outfall pipe locations.

The City Engineer's review memo further addresses the stormwater management considerations and requirements for this development.

**Environmental Review.** An Environmental Assessment Worksheet (EAW) is not required for a development under 375 attached units in a city within the seven-county Twin Cities metropolitan area that has adopted a comprehensive plan under Minnesota Statutes. Because Lake Elmo meets this description and because the proposed development includes only 239 attached units, an EAW is not required.

**City Engineer Review.** The City Engineer's review comments are found as part of the attachments to this report and are incorporated throughout the report.

**Standards for Single-Family Attached Dwellings (Townhouses), MDR District.** The following outlines standards for single-family attached dwellings as well as explanation as to how these standards are met within the proposed preliminary plat:

1. A maximum of 8 units shall be permitted within a single building. Buildings with more than 8 units may be allowed as a conditional use.
  - *The maximum number of units proposed within a single building is six.*
2. Townhouses shall be located on lots in such a way that each individual unit has a minimum of 15 feet of street frontage. No parking shall be located in the front yard or between the front façade and the street.
  - a. Townhouses that do not meet the minimum requirements for frontage along a street or that have frontage along a private street may be allowed as a conditional use.
  - *It appears that each unit has at least 25 feet of street frontage.*

3. The primary entrance shall be located on the façade fronting a public street unless the townhouses are approved as a Conditional Use under division §154.454 (G) (2)(a) above; an additional entrance may be provided on the rear or side façade.
  - *Public streets are being proposed, and it appears the primary entrance for each unit front a public street.*
4. New housing types should be introduced in limited quantities to increase diversity and housing choice, not to replace whole blocks of existing housing. Therefore, no more than 1/4 of the lineal frontage of a developed block (measured around the entire block perimeter) may be converted to townhouse units, and no further townhouse, two-family or higher-density development is permitted once this threshold is reached.
  - *This is a new development not replacing existing housing.*
5. Townhouse units shall be designed to reflect the general scale and character of existing buildings on surrounding blocks, including front yard depth, height and roof pitch, primary materials, facade detailing and size and placement of window and door openings.
  - *The townhomes are comparable in scale and character of the existing Savona townhomes to the east and provide architectural interest with a variety of townhome styles that will vary with each unit within each building.*
6. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise a minimum of 500 square feet per unit.
  - *The project narrative states there will be 557 square feet of open space per unit.*

**Lot Dimensions and Bulk Requirements.** The proposed preliminary plat provides a lot layout for the townhouse units along with the areas for street rights-of-way, for on-site ponding and for common space. As shown, each townhouse would be on a separate lot ranging in size from 1,781 square feet to 1,951 square feet. The proposed preliminary plat appears to meet many of the lot dimensions and bulk requirements for the Medium Density Residential (MDR) zoning district, as shown below:

Standard	Required	Proposed
Minimum Lot Area	4,000 square feet per unit	1781-1951 square feet
Minimum Lot Width	25 feet per unit	24-25.5 feet
Maximum Impervious Surface	50%	49.8%
Minimum Front Yard Setback	25 feet	Narrative indicates this will be met
Minimum Interior Sideyard Setback (principal buildings)	10 feet	Narrative indicates this will be met
Minimum Interior Sideyard Setback (accessory structures)	5 feet	Narrative indicates this will be met
Minimum Corner Sideyard Setback	15 feet	Narrative indicates this will be met



<b>Minimum Rear Yard Setback</b>	20 feet	Narrative indicates this will be met
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While the total lot area of each townhouse lot in Bentley Village would be less than 4,000 square feet, it is staff's opinion the City should be most concerned with the overall project density and how that relates to the Comprehensive Plan. It is the total number of units and the potential impact those residents would have on public services and facilities that should be of the most importance to the City. In this case, the proposed development, with 6.9 units per acre, is well within the density range of 4-8 units per acre the City has established for medium density housing for this part of Lake Elmo.

If the City wants to accommodate medium density residential development, then the City should change the zoning code standard for the minimum lot size for single-family attached housing (townhouses) and possibly multi-family dwellings from 4,000 square feet to 2,000 – 2,500 square feet. This smaller lot size would accommodate building pads for each unit while allowing land for common areas and street rights-of-ways in an attached housing or multi-family housing development.

### **Issues with Setbacks and Building Placement**

The project plans are not clear in showing that all of the proposed buildings and lots would meet all the required setbacks. Staff has included a detail from Sheet 7 of the project plans that has a typical townhome lot layout showing the proposed lot lines and the building placement. However, staff has identified several locations where it appears that corners of the proposed townhouses (or their patios) might encroach into required setbacks and/or easements or would be too close together to meet the City's 30-foot-spacing requirement to accommodate underground utilities (including storm sewer). These include:

Block 6 – Lots 27 and 51, Lot 28 and Lot 1

Block 1 – Lots 1, 11, 12, 23, 35, 39 (rear corners), Lots 18 and 19, Lots 29 and 30, Lots 34 and 35, spacing between Lots 38 and 39, Lots 42 and 43, Lots 58 and 59 and between Lots 66 and 67, the rear of Lot 71.

Block 2- Rear of Lots 1, 9 and 10, spacing between Lots 10 and 11 and between Lots 16 and 17.

Block 3 Lots 16 and 17 and Lots 20-21.

Block 4 – Lots 18, 19 and 28 (rear corner setbacks).

Block 5 – Lot 1 (rear corner setback)

Staff is recommending the developer revise the project plans to clearly show that all the units will meet all setback requirements and all spacing requirements for underground utilities.

Because of the extensive changes City staff has identified that the applicant needs to make to the plans to meet all City requirements, City staff is recommending the applicant revise all necessary project plans (plat, utilities, grading and drainage, etc.) and then submit the revised project plans to the City for review and approval before the City accepts a final plat applications for the first phase of the development.

**Lot Easements.** The City requires 10-foot-wide drainage and utility easements along all public rights-of-way and rear property lines, five-foot-wide easements along all side property lines and other easements for stormwater management and public utilities as may be needed. The City will require the developer to show all easements (drainage, front, rear and side yard) on the revised preliminary plat (and the final plat) to meet City requirements.

As noted by the City Engineer, these easements must be reserved for small utilities without encroachment by other design elements (storm sewer pipe, retaining walls, buildings, landscaping, storm water retention). It appears there are several locations on the project plans where the design elements are shown in these required easements. As such, the applicant will need to revise the project plans to ensure the easements are reserved and protected for the intended uses (small utility installation).

**Landscaping.** The applicant provided tree preservation and proposed landscaping and tree planting plans for the site. The City's landscape architect has reviewed these plans and provided the City with several comments about them. (Please see his attached memo). In summary, he lists in his memo several findings about the proposed plans including how they are incorrect or deficient including the number and type of proposed trees and plantings as required by the City Code. As such, the applicant will need to make significant revisions to these plans to meet all City Code standards. They also will need revising to reflect the changes to the site and utility plans as required by the City to meet building setbacks and spacing and the all changes required by the City Engineer.

The City should require the applicant to revise the landscape plans and then submit the revised plans at the time they submit all the revised Preliminary Plat plans. These plans will need to adhere to reflect all the changes required by the City's landscape architect and to meet the City's Landscape Requirements.

**Landscape (retaining) Walls.** Throughout the development, the developer has proposed landscape (retaining) walls to control grades. These walls may cross residential property lines and HOA property and some are shown within public rights-of-ways and the outlots. Staff recommends that any walls that cross residential property lines or residential property lines and HOA property be owned and maintained by the HOA. Staff also recommends that the walls shown within public rights-of-way be moved to HOA owned outlots and all retaining walls be owned and maintained by the HOA.

**Subdivision Signs.** Section 154.212(G) (1) (c) of the Zoning Code allows each residential subdivision to have one subdivision identification sign per entrance. The maximum size for subdivision identification sign is 32 square feet in area for the main entrance and a maximum sign area of 24 square feet per sign for all other locations. The developer has not yet proposed any signs and any signs would require a permit from the City.

**Fire Chief and Building Official Comments.** The Fire Chief and Building Official provided the following comments:

- All aspects of this project must meet the 2015 MN State Fire Codes as applicable.
- Determination of sprinkler requirements per code.
- Location of fire hydrants (will be subject to Fire Department approval). Parking spaces that affect required clearances near fire hydrants will not be allowed.
- Roads – private or public, ensure proper widths, allowable parking, proper signage?
- Ensure proper access for emergency vehicles.
- Need details about chemical storage for pool.
- Any additional items identified as the project moves forward.
- All state building code, fire code and city regulations regarding drive lanes, fire lanes, no parking zones and signage shall be met.

**Easement vacations.** There are two drainage and utility easements on this site that the applicant is asking the City to vacate as part of the development approval. A vacation is an action taken by the City Council to give up the City's interest and need for the right-of-way (or an easement) and turning the ownership and responsibility for the corresponding land back to the adjacent or underlying property owner(s). Since the developer will be constructing new utilities (in different locations) and dedicating

new easements to the City with the final plat(s), the City will not have a use for the existing easements. The City should require the applicant to record the easement vacation resolution with the corresponding final plat.

Minnesota Statue outlines the provisions for vacating a public right-of-way or easement. It states in part that "Council may, by resolution, vacate any street, alley, public grounds, public way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting said property. Easement vacations require a public hearing and 4/5 vote by Council only if there has been no petition."

### **PLANNING COMMISSION OPTIONS**

As noted in this report and by reference with the comments and conditions of approval from the City Engineer and the City Landscape Architect, the City will be requiring the applicant to make extensive changes to the proposed development plans. As such, the Planning Commission could:

1. Recommend to the City Council denial of the proposed Bentley Village rezoning and preliminary plat. The Commission would need to prepare findings as to why they recommended denial of the proposal.
2. Recommend to the City Council approval of the proposed rezoning, preliminary plat and easement vacations for Bentley Village. This approval would be subject to the applicant revising their preliminary plat application and plans to meet all the conditions of approval listed in this report and requiring the applicant to submit the revised preliminary plat and construction plans for City approval. Staff would recommend the approval of the revised preliminary plat occur before the City would accept a final plat application for any phase of the development. This process would ensure the applicant has met all city and other agency requirements before proceeding with the construction or final plat of any phase of the development.
3. Recommend to the City Council approval of the proposed rezoning, preliminary plat and easement vacations for Bentley Village. This approval would be subject to the applicant revising their preliminary plat and construction plans to meet all the conditions of approval listed in this report. In this case, city staff would work with the applicant and their team to review and approve the revised plans to ensure the plans meet all city requirements. It also would allow the applicant to apply to the City for clearing and grading permits and for final plat approval while the City and the applicant work through all the final design and plan issues and problems.

### **FISCAL IMPACT:**

There would be no fiscal impact to the City at this time, as the developer would be required to pay for any amendments needed to accommodate the increase in REC units. The Sketch Plan approval does not afford the applicant development rights. When the property develops, it will have urban services and will pay sewer and water connection charges, building permit fees and the like.

### **RECOMMENDED FINDINGS:**

Staff recommends approval of the rezoning, easement vacations and Preliminary Plat for Bentley Village based on the following findings:

1. That the City reviewed the Bentley Village Sketch Plan on November 5, 2018 and the submitted preliminary plat is generally consistent with the city-approved sketch plan.
2. That the Applicant has submitted all application requirements outlined in Section 154.759: Application Requirements for Preliminary Plat.

3. That the Preliminary Plat is consistent with the intent of the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
4. That the Preliminary Plat meets the general intent of the medium density zoning district with modifications.
5. That the Preliminary Plat generally meet the City's Subdivision regulations.
6. That the Preliminary Plat is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandum dated February \_\_\_, 2019.

### **Recommended Findings for Rezoning:**

That the proposed rezoning from RT (rural development transitional) to MDR (medium density residential) for the Bentley village development would be consistent with the Comprehensive Plan.

### **RECOMMENDATION:**

Staff recommends the Planning Commission recommend approval of the rezoning (zoning map amendment) for Bentley Village from RT (rural development transitional) to MDR (medium density residential) with the following motion:

***“Move to recommend approval of the proposed Zoning Map Amendment as requested by Pulte Homes of Minnesota for the Bentley Village development site on the south side of 5<sup>th</sup> Street North from RT to MDR with recommended conditions of approval.”***

Staff recommends the Planning Commission recommend approval of the proposed Bentley Village Preliminary Plat and easement vacations with the following motion:

***“Move to recommend approval of the Bentley Village Preliminary Plat and easement vacations subject to the staff-recommended findings and conditions of approval listed in the staff report.”***

### **Staff recommended conditions of approval for Bentley Village are:**

1. That the City approves a Zoning Map Amendment to rezone the site from RT (Rural Development Transitional) to MDR (Medium Density Residential).
2. That the preliminary plat includes parcels with the PID#s 34-029-21-34-0006 and 34-029-21-43-0003.
3. That all comments and conditions of approval in the City Engineer's Memorandum dated February 17, 2019 be addressed with the revised plans for City review and approval.
4. That revised preliminary plat plans include an overall tree planting and landscape plan and landscape plans for each phase of the development. Landscaping must not conflict with utilities and with pond maintenance access. Boulevard trees are not allowed in the 10-foot-wide drainage and utility easements along the public streets. All landscaping and tree plans shall incorporate the comments and conditions in the Landscape Architect's memo dated February 15, 2019 and shall be approved by the City's Landscape Architect.
5. That the developer shall incorporate each phase of Bentley Village into the Common Interest Agreement concerning management of the common areas and establish a homeowner's association that shall be submitted in final form to the Planning Director before the City will issue a building permit for any structure in any phase of the development. Said agreement shall comply with Minnesota Statutes 515B-103, and specifically the provisions concerning the transfer of control to the future property owners. The HOA documents shall include required maintenance of all private amenities including open space and trails.

6. The applicant shall enter into a landscape license and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed for each platted phase of the development.
7. That the HOA be responsible for the ownership and maintenance of all landscape (retaining) walls within the development.
8. That the developer shall install an HOA owned and maintained children's play structure or other similar improvement on Outlot H as shown on the preliminary plat submittal.
9. That the developer provide the City fees in lieu of park land dedication as required by 153.15 of the City Code with each final plat.
10. That the revised preliminary plat plans include a parking area for the HOA pool/recreation area that meets all applicable standards.
11. That the HOA documents include architectural requirements that require 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features.
12. That the developer submit a sidewalk and trail phasing plan to be approved by City Staff and that the developer/contractor construct the public sidewalks and trails within each phase before the City issues building permits for that phase of development.
13. That the developer install a six-foot-wide public sidewalk on one side of every street in the development.
14. That the Applicant place stormwater ponds within outlots B, D, H and I in separate outlots. All outlots are to be owned and maintained by the HOA.
15. The Preliminary Plat approval is conditioned upon the applicant meeting all City standards and design requirements unless specifically addressed otherwise in these conditions.
16. The revised preliminary plat and Final Plat(s) shall include all necessary public right-of-way and easements for 5<sup>th</sup> Street North.
17. The revised preliminary plat plans shall include a stormwater management plan including a summary report describing the overall management plan and performance criteria for all required storm events.
18. That the applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits and Valley Branch Watershed District approval before starting any grading or construction activities.
19. All storm water facilities shall be privately owned and maintained. A maintenance agreement in a form acceptable to the City shall be executed and recorded with the final plat.
20. That the preliminary plat plans be approved by Valley Branch Watershed District and that the applicant provide the City evidence that all conditions attached to a Valley Branch Watershed District permit will be met before the starting any grading activity on the site.
21. The applicant must provide the City a letter of approval from the owner of the gas main to perform the proposed work in the gas pipeline easement as a condition of preliminary plat approval and before the contractor starts any site work or site grading.
22. The applicant shall provide the City with a copy of written permission for any off-site grading work and storm sewer discharges to adjacent properties before starting any site work, grading and as part of any final plat application.
23. That the applicant or developer address all the comments of the Fire Chief and the Building Official with final site and building plans including the placement of buildings and fire hydrants, street and driveway design, on-street parking and emergency vehicle access within the development.
24. That the applicant revise the project plans to show storm sewer easements and effective maintenance areas with a minimum width of 30 feet with a minimum of 15 feet of clearance from the pipe centerline. This includes locations where underground pipes run between buildings.
25. That there shall be no encroachments into drainage and utility easements and corridors other than those reviewed and approved by the City Engineer and upon execution of an easement

- encroachment agreement. Prohibited encroachments include, but are not limited to trees, landscaping, retaining walls, buildings and storm water retention.
26. That the developer prepare exhibits that clearly identifies the property lines, easements, proposed building locations and the required and proposed setbacks for each of the lots and building site within the development.
  27. That all garage doors be setback at least 25 feet from the street right-of-way to provide off street parking on the driveway to allow vehicle parking without blocking a public sidewalk.
  28. That the applicant update the preliminary plat plans to include street names that are consistent with the City's street naming policy with the names listed herein. All street names shall be approved by the City Council.
  29. The Applicant(s) or developers shall submit a photometric plan for the development for staff review and approval. All lighting must meet the requirements of Sections 150.035-150.038 of the City Code.
  30. Before to the installation or construction of any subdivision identification signs or neighborhood markers within the development, the developer shall submit sign plans to the City for review and obtain a sign permit from the City.
  31. Before the execution and recording of a final plat for any phase of the development, the developer or applicant shall enter into a Developer's Agreement with the City for that phase or project. The Developer's Agreement must be approved by the City Attorney and by the City Council. Each such Developer's Agreement shall delineate who is responsible for the design, construction and payment for the required improvements with financial guarantees therefore.
  32. The applicant or developer shall enter into a separate grading agreement with the City before starting any grading activity in advance of final plat approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site.
  33. That the applicant submit revised preliminary plat and project plans meeting all conditions of approval for City review and approval. The revised applicant/developer project plans shall meet all of the above conditions before the City will accept a final plat application for any phase of the development and before the start of any clearing or grading activity on the site.

#### **ATTACHMENTS:**

1. Preliminary Plat Application and Project Narrative
2. City Maps
3. Colored Site Plan
4. Parking Exhibit
5. Phasing Plan
6. Preliminary Plat and Plans (11x17) (electronic only)
7. Typical Townhouse Lot Detail
8. Building Elevations
9. City Engineer Review Memorandum 2-17-19
10. Landscape Architect Review dated 2-15-19

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
LU File #: \_\_\_\_\_



651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## PRELIMINARY PLAT APPLICATION

Applicant: PAUL HUNES OF MINNESOTA, LLC - PAUL HUNER  
Address: 7500 FLYING CLOUD DRIVE, SUITE 670, KENNA MARINE, MN 55344  
Phone #: 952-229-0722  
Email Address: PAUL.HUNER@PACTGROUP.COM

Fee Owner: DPS - LAKE ELMO, LLC  
Address: 6807 CHILICOTI WAY, MINNETONKA, MN 55345  
Phone #: 952-288-2201  
Email Address: ADALE@STONEHENGE-USA.COM

Property Location (Address and Complete (long) Legal Description: SEE NARRATIVE

General information of proposed subdivision: RESIDENTIAL TOWNHOME NEIGHBORHOOD. SEE NARRATIVE.

Conducted pre-application meeting with Staff?

☒ Yes

☐ No

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 1-11-19

\* Signature of Fee Owner: [Signature] Date: 1-4-19



## ***"Bentley Village"***

**APPLICATION FOR:  
PRELIMINARY PLAT, REZONING, EASEMENT VACATION**

**LAKE ELMO, MINNESOTA  
January 25, 2019**

### **Introduction**

Pulte Homes of Minnesota, LLC ("Pulte") is pleased to be submitting this application.

Our company mission statement is ***"Building Consumer Inspired Homes and Communities to Make Lives Better"***. We currently operate under three distinct brands of homebuilding throughout the country: Pulte Homes, Centex Homes, and Del Webb. Pulte's Minnesota Division has an office in Eden Prairie. We sold approximately 500 homes in the Twin Cities in 2018, all under the Pulte Homes brand.

Pulte will act as both developer of the property and builder of the homes. The primary contact for Pulte is:

Paul Heuer, Director of Land Planning & Entitlement  
7500 Flying Cloud Drive, Suite 670  
Eden Prairie, MN 55344  
952-229-0722  
[Paul.Heuer@PulteGroup.com](mailto:Paul.Heuer@PulteGroup.com)

The owner of the property is:

DPS - Lake Elmo, LLC – Alan Dale  
6007 Culligan Way  
Minnetonka, MN 55345  
952-288-2201  
[adale@stonehenge-usa.com](mailto:adale@stonehenge-usa.com)

The surveyor, civil engineer, and landscape architect is:

Alliant Engineering  
Primary contact: Mark Rausch  
733 Marquette Ave Ste 700  
Minneapolis, MN 55402-2340  
(612) 767-9339  
[mrausch@alliant-inc.com](mailto:mrausch@alliant-inc.com)



# The Property

## Legal Description:

That portion of the East Half of the Southwest Quarter and that portion of the West Half of the Southeast Quarter, both in Section 34, Township 29, Range 21, Washington County, Minnesota, described as follows:

Commencing at the West Quarter corner of said Section 34; thence South 00 degrees 00 minutes 40 seconds East, along the West line of said Section 34, a distance of 472.55 feet; thence North 89 degrees 57 minutes 32 seconds East, a distance of 1315.91 feet to the West line of said East Half of the Southwest Quarter; thence South 00 degrees 02 minutes 55 seconds West, along said West line a distance of 714.99 feet to the point of beginning; thence North 89 degrees 55 minutes 22 seconds East, a distance of 212.38 feet; thence Southeasterly along a tangential curve concave to the Southwest having a central angle of 29 degrees 05 minutes 37 seconds, a radius of 1100.00 feet for an arc distance of 558.56 feet; thence South 60 degrees 59 minutes 01 seconds East, tangent to said curve, a distance of 224.27 feet; thence Southeasterly along a tangential curve concave to the North, having a central angle of 68 degrees 21 minutes 23 seconds, a radius of 760.00 feet for an arc distance of 906.71 feet; thence North 50 degrees 39 minutes 36 seconds East, a distance of 410.97 feet; thence Northeasterly along a tangential curve concave to the Southeast, having a central angle of 20 degrees 49 minutes 17 seconds, a radius of 1060.00 feet for an arc distance of 385.20 feet; thence North 71 degrees 28 minutes 52 seconds East, tangent to said curve, a distance of 202.22 feet to the East line of said West Half of the Southeast Quarter; thence South 00 degrees 01 minutes 13 seconds West, along the East line a distance of 1089.33 feet to a line hereinafter referred to as Line 'X'; thence South 89 degrees 40 minutes 54 seconds West, along said Line 'X' and its westerly extension, a distance of 1324.76 feet to the East line of said East Half of the Southwest Quarter; thence South 00 degrees 06 minute 31 seconds West, along said East line a distance of 15.85 feet to the North line of the South 675.00 feet of said East Half of the Southwest Quarter; thence South 89 degrees 53 minutes 57 seconds West, along said North line a distance of 1314.35 feet to said West line of the East Half of the Southwest Quarter; thence North 00 degrees 02 minutes 55 seconds East, along said West line a distance of 774.53 feet to the point of beginning.

Line 'X' is described as follows:

Commencing at the southwest corner of said West Half of the Southeast Quarter; thence North 00 degrees 06 minutes 31 seconds East, assumed bearing, along the west line of said West Half of the Southeast Quarter, a distance of 82.86 feet to the north line of Parcel 29C of Minnesota Department of Transportation Right of Way Plat No. 82-43; thence North 89 degrees 18 minutes 27 seconds East, along said north line, a distance of 40.00 feet; thence North 00 degrees 06 minutes 31 seconds East, a distance of 607.73 feet to the point of beginning; thence North 89 degrees 40 minutes 54 seconds East, a distance of 1284.76 feet to the east line of said West Half of the Southeast Quarter, and said Line 'X' there terminating.

## Property Identification Number:

34-029-21-34-0006 west property

34-029-21-43-0003 east property

## Address:

9450 Hudson Boulevard, Lake Elmo, MN 55042 – west property  
East property has no address

## Key Facts

- Existing zoning is R2-PUD
- 2030 Comprehensive Plan indicates Urban Medium Density with a density range of 4.5 to 7 units/acre
- 2040 Draft Comprehensive Plan indicates Urban Medium Density with a density range of 4 to 8 units/acre
- Proposed zoning is MDR Urban Medium Density Residential
- Proposed use is 240 attached townhomes with homeowner's association maintenance
- Gross calculations:
  - West property = 839,837 square feet = 19.28 acres
  - East property = 971,593 square feet = 22.30 acres
  - Total = 1,811,430 square feet = 41.58 acres
  - Gross density = 240 units/41.58 acres = 5.77 units/acre
- Net calculations:
  - Gross area = 1,811,430 square feet = 41.58 acres
  - 5<sup>th</sup> Street ROW dedication = 294,126 square feet = 6.75 acres
  - Net area = 1,517,304 = 34.83 acres
  - Net density = 6.89 acres
- Dimensions/Setbacks
  - 25-foot front setback
  - 25-foot rear setback
  - 15-foot corner/side setback
  - 20-foot side internal setback (building separation)
- Public utilities and streets
- Local streets are 28-feet wide within a 53-foot right-of-way
- Right-of-way area:
  - Local = 291,556 square feet = 6.69 acres
  - Collector (Road G) = 32,278 square feet = 0.74 acres
  - 5<sup>th</sup> Street = 294,126 square feet = 6.75 acres
  - Total = 617,960 square feet = 14.19 acres
- Open space area:
  - Open space (public outlots B,H,I) = 138,438 square feet = 3.18 acres
  - Open space (private outlots A,C,D,E,F,G) = 455,577 square feet = 10.46 acres
  - Open space total = 594,015 square feet = 13.64 acres
- Open space/unit requirement = 500 sf
- Minimum open space/unit provided = 557 sf
- Impervious surface requirement = 50% maximum
- Impervious surface provided = 739,433 square feet = 49.8%

## Neighborhood Vision

This property is in a very attractive location. It is conveniently located near freeways, parks, and retail. However, its proximity to I-94 (as near as 700 feet) leads to higher levels of noise. This, in

addition to having a commercial property immediately to the south is an indicator that this property is not a strong candidate for detached homes. The ideal use for this property is attached housing as a natural transition between commercial properties to the south and single-family properties to the north. Townhome buyers tend to be more tolerant of freeway noise and more intensive land uses.

Our vision is to create an attractive townhome neighborhood with a focus on convenient access to regional amenities and privately owned recreational amenities within the neighborhood. Key neighborhood traits are:

1. **Access** – Bentley Village is very short drive to I-94 and 494, leading to high level of convenience for homeowners.
2. **Parks** – Lake Elmo Park Reserve is just over one mile from Bentley Village, offering a wide variety of recreational opportunities such as walking trails, swimming, archery, fishing, horseback riding, camping, and cross-country skiing. A City park with a playground is just to the north of 5<sup>th</sup> Street North with trail access connecting the park to 5<sup>th</sup> Street North. 5<sup>th</sup> Street North has a trail along the north side and a sidewalk along the south side. Bentley Village has a wide range of recreational opportunities nearby.
3. **Retail** – A wide variety of retail properties are just blocks away from the neighborhood, including restaurants, Target, Walmart, Trader Joe's, Cabela's, and many others.
4. **Private Amenities** – We are planning the incorporation of private amenities for the use of Bentley Village residents. Not only are such amenities attractive for homebuyers, but they also help to create a sense of neighborhood identity and to facilitate social interaction in a neighborhood.

## Neighborhood Design

We have carefully studied the market, the City's Comprehensive Plan, the property, and the surrounding uses and have worked diligently to create a neighborhood layout that is ideally suited for this property. We are very pleased with how our vision and the resulting plan have come together. Below is a description of the various traits and strategies utilized in designing the neighborhood.

### Access

The trunk transportation network serving this property is in place. What remains is to connect to the existing network at the safest locations.

We are making two connections to 5<sup>th</sup> Street North directly across from Jasmine Road North and Junco Road North. By connecting at these locations, we will avoid the introduction of additional connection points to 5<sup>th</sup> Street North. This results in the safest possible access to 5<sup>th</sup> Street North.

We are also planning for a 100-foot wide right-of-way to accommodate a future planned collector street which will connect 5<sup>th</sup> Street North to the commercial properties to the south and ultimately to Hudson Boulevard North. We plan to build the portion of collector street that runs through the subject property and to connect to this street to serve both the west and east properties.

Combined, both the west and east properties have two safe access points with strong internal connectivity between the access points.

## **Physical Constraints**

Near the west edge of the west property, a natural gas pipeline bisects the property. Buildings cannot be placed within this existing 50-foot wide easement. We have designed the neighborhood to comply with these requirements.

On the north side of the west property, an existing overland drainage and utility easement exists. We will extend storm sewer to collect this water and will provide new drainage and utility easements. The old easement will be vacated. We have included an exhibit with this application to facilitate vacation.

Near the east edge of the east property, an existing temporary 21-inch diameter storm sewer pipe within an existing 30-foot wide easement runs through a portion of the property. This storm sewer will be realigned and the easement will be vacated. We have included an exhibit with this application to facilitate vacation.

## **Parks**

It is our understanding that the parks and open space dedicated within properties to the north of 5<sup>th</sup> Street North satisfy park needs for the area. Therefore, we anticipate paying park dedication fees to satisfy our park requirements. The incorporation of private recreational amenities within Bentley Village will reduce the demand/need for public parks and recreational amenities in the area.

## **Building Orientation**

One important design attribute that can make a townhome neighborhood feel more “livable” is to vary the orientation of the buildings. This prevents the feeling of “barracks” that can sometime occur if attention is not given to how the geometric layout of the neighborhood impacts how it “feels.” We are utilizing this strategy most powerfully at the primary intersection of 5<sup>th</sup> Street North and the future collector road. Additionally, we have purposely created internal streets that do not run in parallel, thereby preventing the “barracks” feel.

## **Private Amenities**

A key part of creating new neighborhoods is understanding our customers and anticipating their desires. This property is in an attractive location, surrounded by a variety of recreational, retail, and convenience-oriented amenities. Still, many people desire private, social gathering places to form bonds with their immediate neighbors. This is an important priority for many of our customers, and the size of the neighborhood is large enough to economically sustain such amenities. Based on our early market research, we are planning the following private amenities, all to be owned and maintained by a professionally managed home owners association:

- Swimming pool – Early market research is not conclusive regarding a pool. It is possible that we may replace the pool with a dog park or other amenity.
- Playground/tot lot – Although a public tot lot exists north of 5<sup>th</sup> Street North, this street will increasingly become a barrier as traffic volumes increase. Inclusion of a private tot lot will be desirable.
- Open play areas – We are planning some open play area in both the east and west sides. Residents will find many uses for these versatile spaces.
- Trails

## Parking

Adequate parking in a townhome neighborhood is critical and we have a great deal of experience in this area. We have designed the neighborhood to have a significant amount of guest parking (see parking plan). In addition, the parking lot for the pool area is available for overflow parking. It is our understanding that homeowners living in the existing townhome neighborhood to the east have complained about lack of guest parking in their neighborhood. Please be assured that our design differs from the adjacent neighborhood, which primarily includes narrow private streets that do not allow parking. We are utilizing wider public streets that accommodate parking on one side throughout the neighborhood. The difference in guest parking accommodation is substantial.

## Changes Since Sketch Plan

The Planning Commission provided comments on the sketch plan application on October 22, 2018. The City Council provided comments on the sketch plan application on November 7, 2018. In addition, City staff provided comments via review memos.

We carefully considered the comments received from all parties and have responded by revising it:

1. Widened right-of-way – One engineering comment was that the 50-foot right-of-way may not be wide enough to easily accommodate the necessary public infrastructure. We worked with the City Engineer to establish a right-of-way width that works well (53 feet) and we have incorporated this into the new neighborhood design.
2. Snow storage – Another engineering comment was that there may not be enough room for snow storage at the end of the two cul-de-sacs. We revised the plan to create a large open area for snow storage at the end of the east cul-de-sacs. The west cul-de-sac was eliminated. See below item 10.
3. Intersection angle – We straightened an intersection to result in it being at a 90-degree angle, which is desirable from an engineering standpoint.
4. Relocated the pool – The old pool location was in a remote area that could cause difficulties related to maintenance. We relocated the pool to a location that will provide much more convenient access for maintenance. It will also increase the attractiveness of the neighborhood by placing the pool in a highly visible location from the streets.
5. Created wider, more beautiful entrances – It is important to us to have neighborhood entrances that are beautiful and welcoming. Entrances set the tone and character of a neighborhood. We have created entrances with landscaped center islands that provide a sense of arrival, beauty, and security and we have utilized standards provided by the City Engineer.
6. Increased perimeter setbacks – We increased the perimeter setbacks from the east, south, and west property lines from the required 20 feet to 25 feet to provide additional space for accommodating drainage and landscaping.
7. Added playground/tot lot – We heard a suggestion to add a private tot lot. After contemplating how busy 5<sup>th</sup> Street N could be in the future, we felt that a neighborhood of this size would find a private tot lot to be desirable.

8. Added trails – We heard a suggestion to add more private trails. We also heard engineering describe how sidewalks have sometimes been required in Lake Elmo to have sidewalks on both sides of the street. This is a somewhat unusual policy. However, we came up with a solution to both comments. Instead of a secondary (duplicate) sidewalk along the streets, we created a separate private trail system that allows pedestrians to walk or bike through the neighborhood from end to end. The result is a more attractive and functional pedestrian system and less public infrastructure for the City to maintain.
9. Parking – We have heard positive feedback from neighbors about our new neighborhood. However, we have heard complaints within the townhome neighborhood to the east that they lack adequate guest parking. As described above and demonstrated in our parking plan, we are providing a significant amount of guest parking within the neighborhood.
10. Pipeline driven revisions – As we completed preliminary engineering, it became apparent that our storm sewer in the west end of the property would conflict with the existing gas pipeline running through the property. To resolve this conflict, we were forced to move the west pond from the west side of the pipeline to the east side. This resolved the conflict. By bringing the pond into the neighborhood, it also resulted in making the neighborhood feel more open and less dense.

## **Ordinance Revision Required**

As discussed during the sketch plan review process, there is currently a contradiction between the City's Comprehensive Plan and Zoning Ordinance. The 2030 Comp Plan allows a density of 4.5 to 7 units/acre. (The 2040 draft Comp Plan allows a density of 4 to 8 units/acre.) The current zoning ordinance requires a minimum lot area of 4,000 square feet for this land use. These regulations conflict with each other and cannot be reconciled without changing either the Comp Plan or the ordinance.

It is not uncommon for cities to experience this type of contradiction. Typically, the Comp Plan is the "leading" document and ordinances are revised to align with the Comp Plan. We recommend that the ordinance be revised in parallel with processing this application.

## **Adjacent Land Uses**

There are no conflicts with adjacent land uses. Traditionally, townhomes and other multifamily residential land uses are utilized as transitional buffers between more intensive uses and less intensive uses. In this case, single family homes lie to the north. However, 5<sup>th</sup> Street North lies between these two land uses, providing a significant existing buffer. To the east of the neighborhood lies similar townhomes. To the west lies industrial uses. Properties to the south are guided for Mixed Use – Commercial, a somewhat higher intensive land use. A townhome neighborhood is the ideal transitional land use for this location.

## **Natural Resources**

There are no wetlands or significant tree stands on the subject property.

## **Justification that Services have Capacity**

The subject property is in an area of the City that has recently been developing. In conjunction with the adjacent development, new infrastructure has been designed and extended to and through the area to adequately serve the area.

A new sanitary sewer has been extended through the subject property with service stubs extended into the property. This sewer serves Phase 1 of the Regional Sewer Staging Plan and it discharges to the MCEC WONE Interceptor. Our application includes land uses and densities consistent with the Comp Plan, so the sewer has been designed to accommodate this neighborhood.

Water main has previously been constructed along 5<sup>th</sup> Street North. According to the City engineer memo from the sketch plan review, "the existing water system has sufficient capacity". Our application includes land uses and densities consistent with the Comp Plan, so the water has been designed to accommodate this neighborhood.

Storm water quantity is traditionally handled on site by limiting post development flows to be equal to or less than predevelopment flows. Due to sandy soils found on site, we will be infiltrating storm water to meet City and Watershed quality requirements. The ponds designed to serve the neighborhood are of sufficient size to serve the new neighborhood.

5<sup>th</sup> Street North has been recently designed and constructed to serve a fully developed area.

The land use and density proposed with this application is consistent with the Comp Plan. Therefore, all past and current long-term planning for fire, public safety, parks, and schools are unchanged by this application.

## **Our Homes**

Pulte Homes is known for the extraordinary steps that we take to ensure that we are designing and building homes that meet the needs and desires of home buyers. We continually reach out to the public and Pulte homeowners to get feedback to improve our home designs. We call this Life Tested®. Through this intensive process, we have conceived of and incorporated many innovative home design features such as the Pulte Planning Center, Everyday Entry, Super Laundry, Oversized Pantry, and the Owner's Retreat. This exhaustive process has played a major part in Pulte's success in "Building Consumer Inspired Homes and Communities to Make Lives Better."

## **Townhome Design**

Our overall approach in designing the exterior of these two-story townhomes was to "individualize and stylize" each unit. The result is individual units which differ in architecture from all other units within the same building and which vary in color scheme. The result is that each unit will appear unique and distinct within each building and to a substantial degree within the new community. Attached you will find photos of the buildings to be constructed.

## Innovative Approach to Rowhome Floor Plans

It is worth noting that our approach to “individualized and stylized” rowhome units extends to the interior as well. Buyers can choose from a range of options that were not typically seen in the previous generation of townhome floor plans:

- a. 3 bedrooms with an option for a 4<sup>th</sup>
- b. 1<sup>st</sup> floor sunroom addition with 2<sup>nd</sup> floor owner’s suite bathroom expansion
- c. Loft
- d. Rooftop terrace

We find that this versatile townhome appeals to a much broader spectrum of demographics than the previous generation of townhomes. This two-story townhome appeals to young, first time homebuyers, young families, and empty nesters in search of homeowner’s association maintenance of the yard, snow removal, and exterior of the buildings.

## Phasing & Schedule

The following preliminary schedule for development is envisioned based on current projections and information.

2019	Development of Phase 1
2020	Development of Phase 2
2021 or 2022	Development of Phase 3
2022 or 2023	Development of Phase 4
2024-2026	Full build out

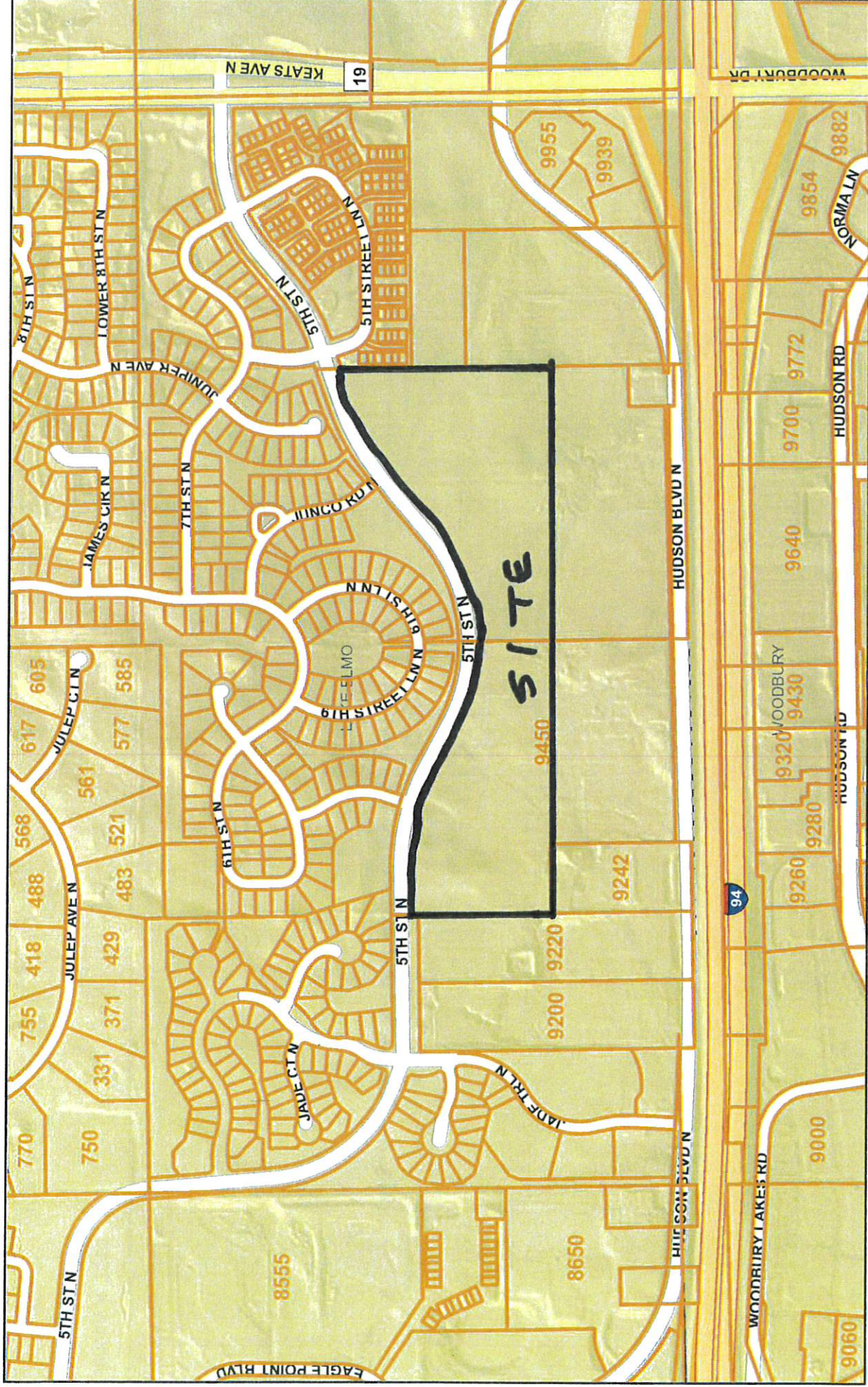
We have created a detailed Phasing Plan that is included with this application. We put a considerable amount of thought into balancing the infrastructure issues and coming up with a workable Phasing Plan. Please also note that the Phasing Plan includes a brief listing of the infrastructure and amenities included within each phase.

*This submittal includes:*

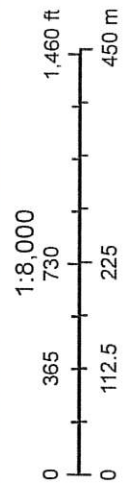
- *Land Use application*
- *Application fee/escrow of \$16,255*
  - *Preliminary plat = \$1,850 fee + \$10,000 escrow*
  - *Zoning amendment (rezoning) = \$1,245 fee + \$2,500 escrow*
  - *Vacation of two drainage and utility easements = \$1,030*
- *This narrative*
- *Parcel info/mailling labels*
- *Survey, engineering, and landscape architecture, phasing, and parking exhibits*
- *Neighborhood rendering*
- *Example home photos*
- *Example home floor plans*



# Washington County, MN



January 4, 2019



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

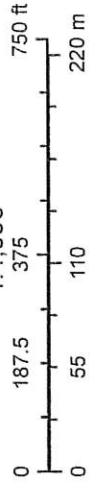


# Washington County, MN



January 4, 2019

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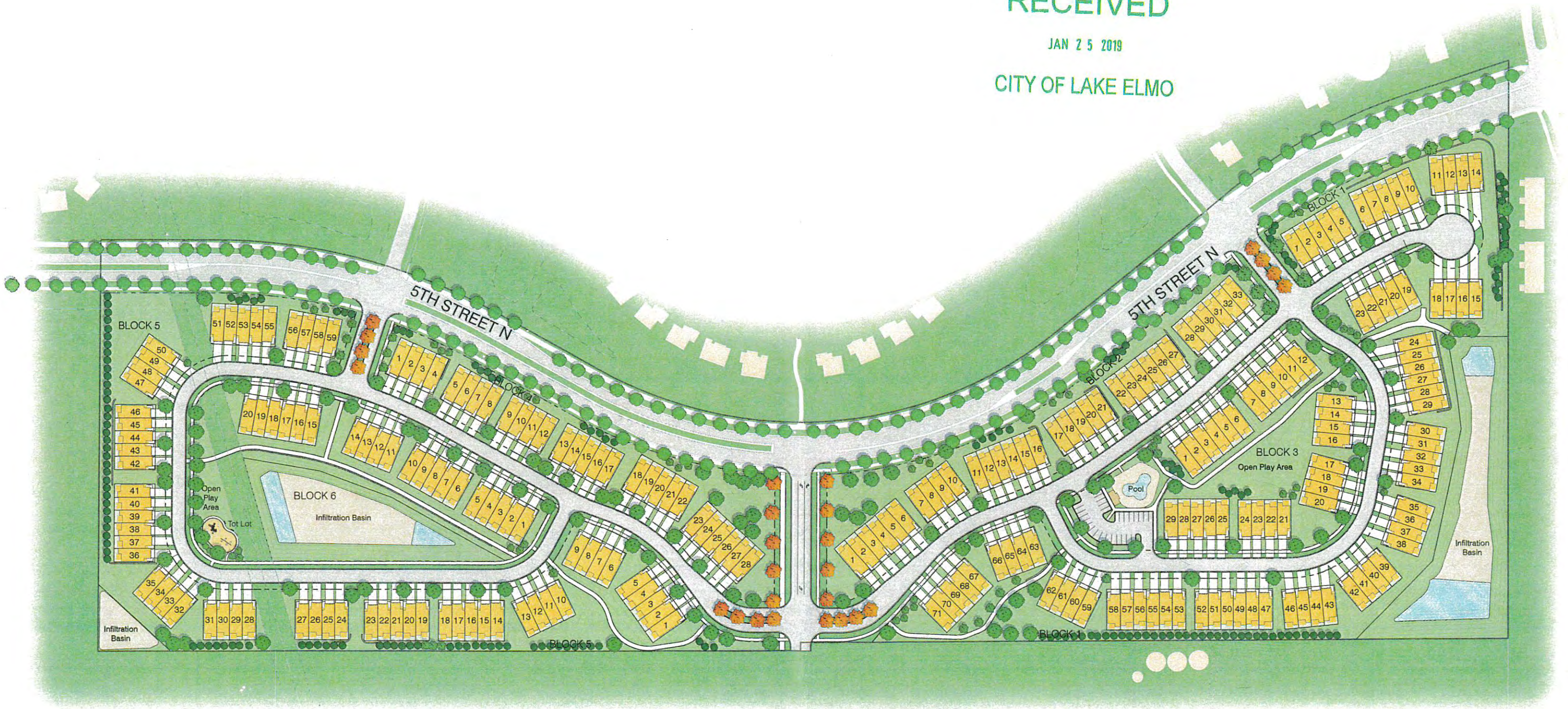




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JAN 25 2019

CITY OF LAKE ELMO



# BENTLEY VILLAGE

Lake Elmo, Minnesota

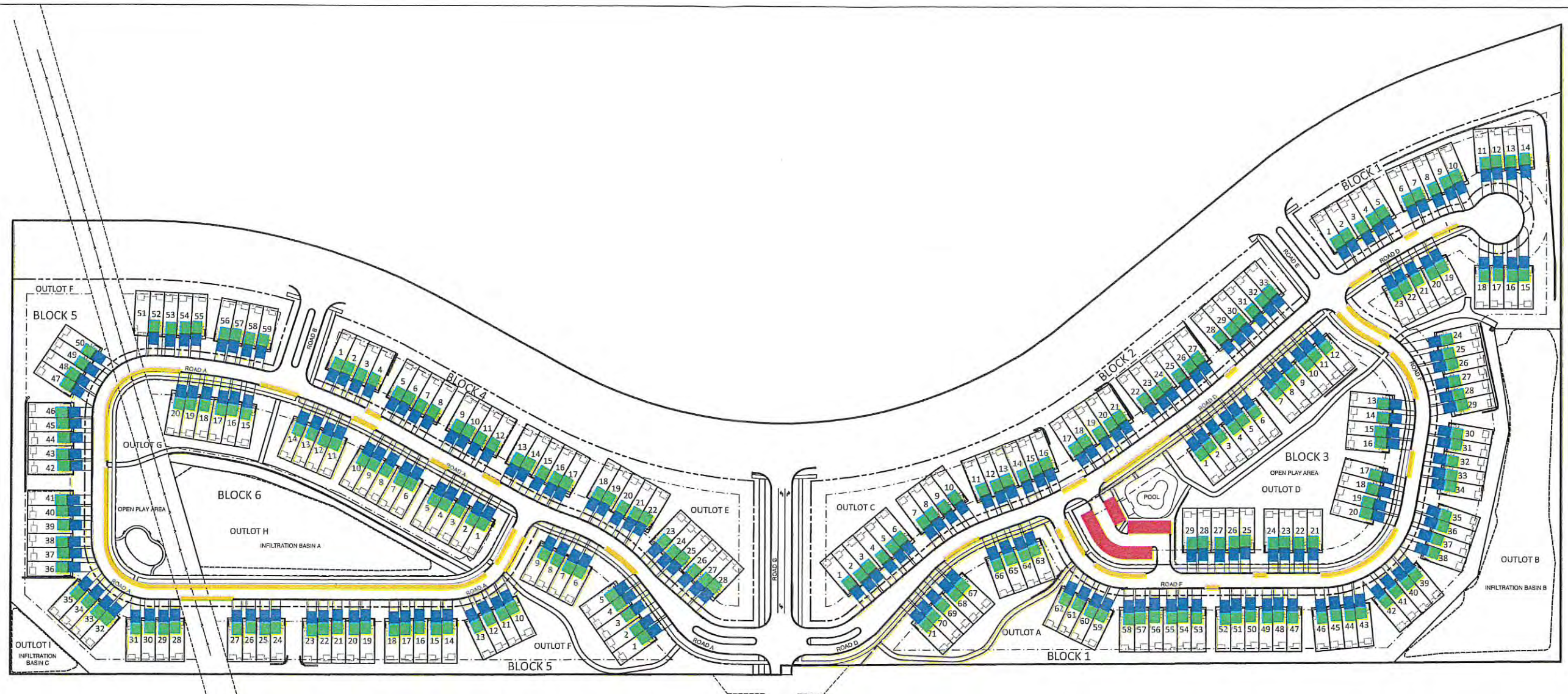


ALLIANT

1/24/2019



\\2018\180165\exhibits\parking exhibit.dwg



## PARKING SUMMARY

### WEST SIDE

PRIVATE DRIVEWAY (2/HOUSE)	214
PRIVATE GARAGE (2/HOUSE)	214
PUBLIC STREET (22' LENGTH)	69

TOTAL 497

TOTAL AVAILABLE PARKING STALLS 1105

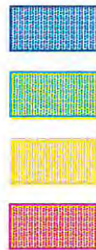
### EAST SIDE

PRIVATE DRIVEWAY (2/HOUSE)	266
PRIVATE GARAGE (2/HOUSE)	266
PUBLIC STREET (22' LENGTH)	48
AMENITY AREA STALLS (9'x20')	28

TOTAL 608

## LEGEND:

- DRIVEWAY PARKING
- GARAGE PARKING
- PUBLIC STREET PARKING
- AMENITY AREA PARKING



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JAN 25 2019

CITY OF LAKE ELMO

## BENTLEY VILLAGE - PARKING EXHIBIT

LAKE ELMO, MINNESOTA



DATE: 1-25-2019  
DRAWN BY: TAS









**BENTLEY VILLAGE**  
**LAKE ELMO, MINNESOTA**  
**PRELIMINARY PLAT SUBMITTAL**  
**PRELIMINARY PLAT - OVERALL**

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

*Mark Ralston*

MARK RALSTON, PE

1-25-11 4348

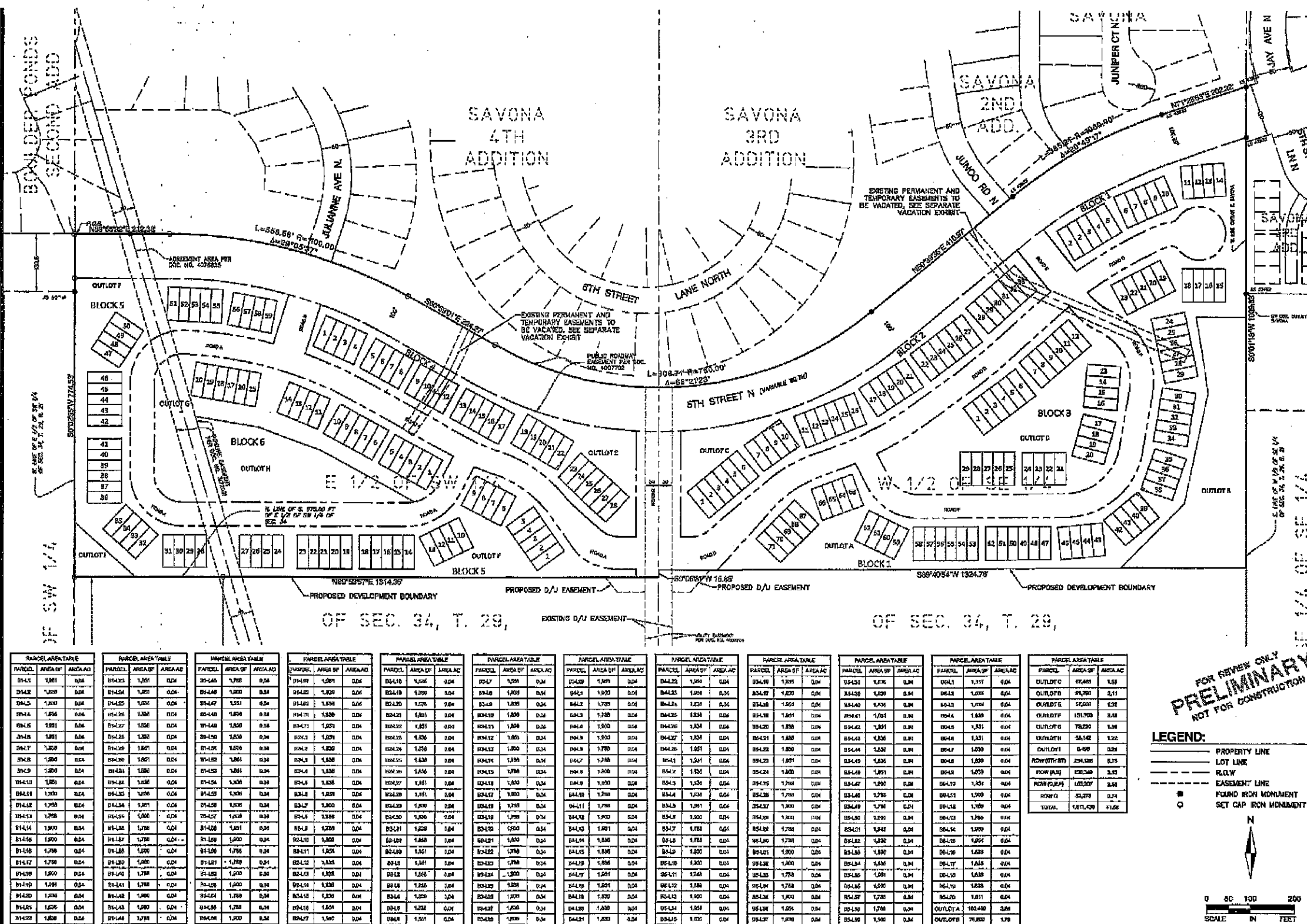
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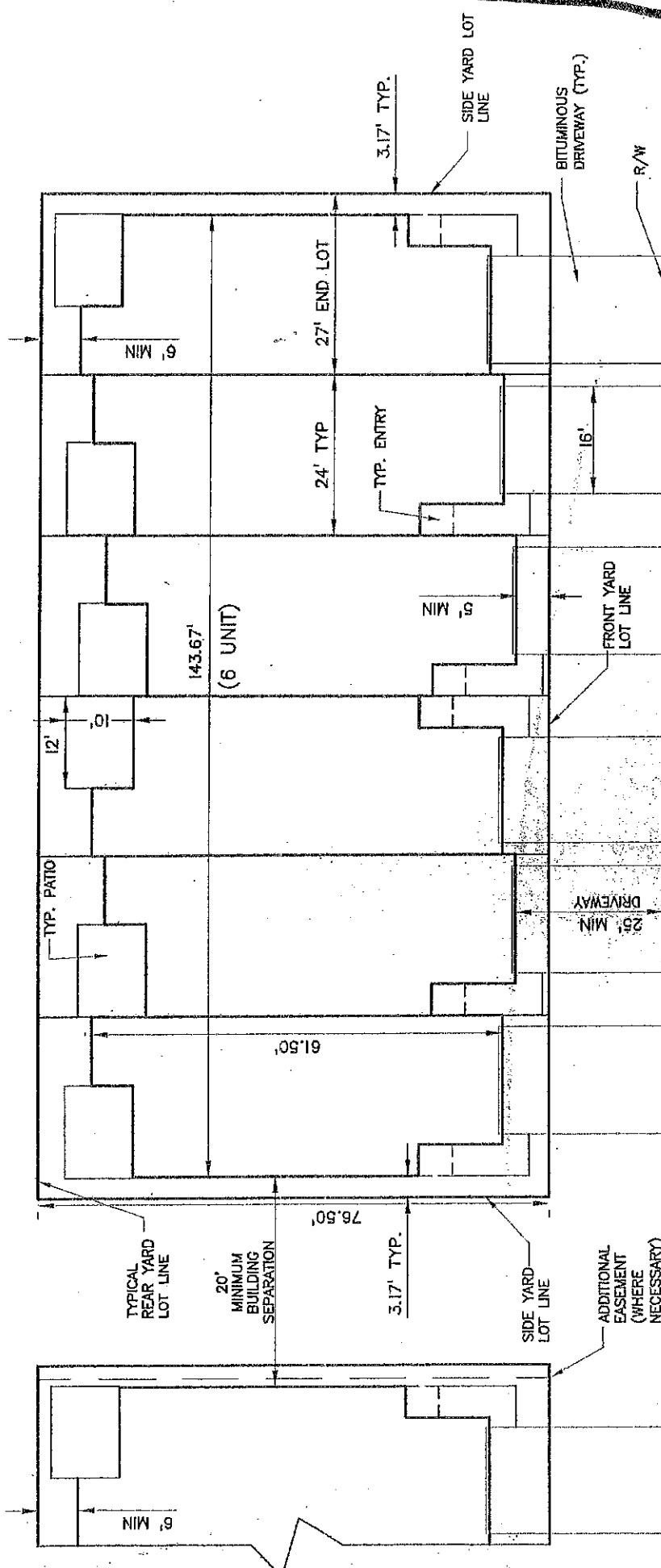
QUALITY ASSURANCE/CONTROL

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4

SHEET 4 of 33





TYPICAL TOWNHOME LOT DETAIL

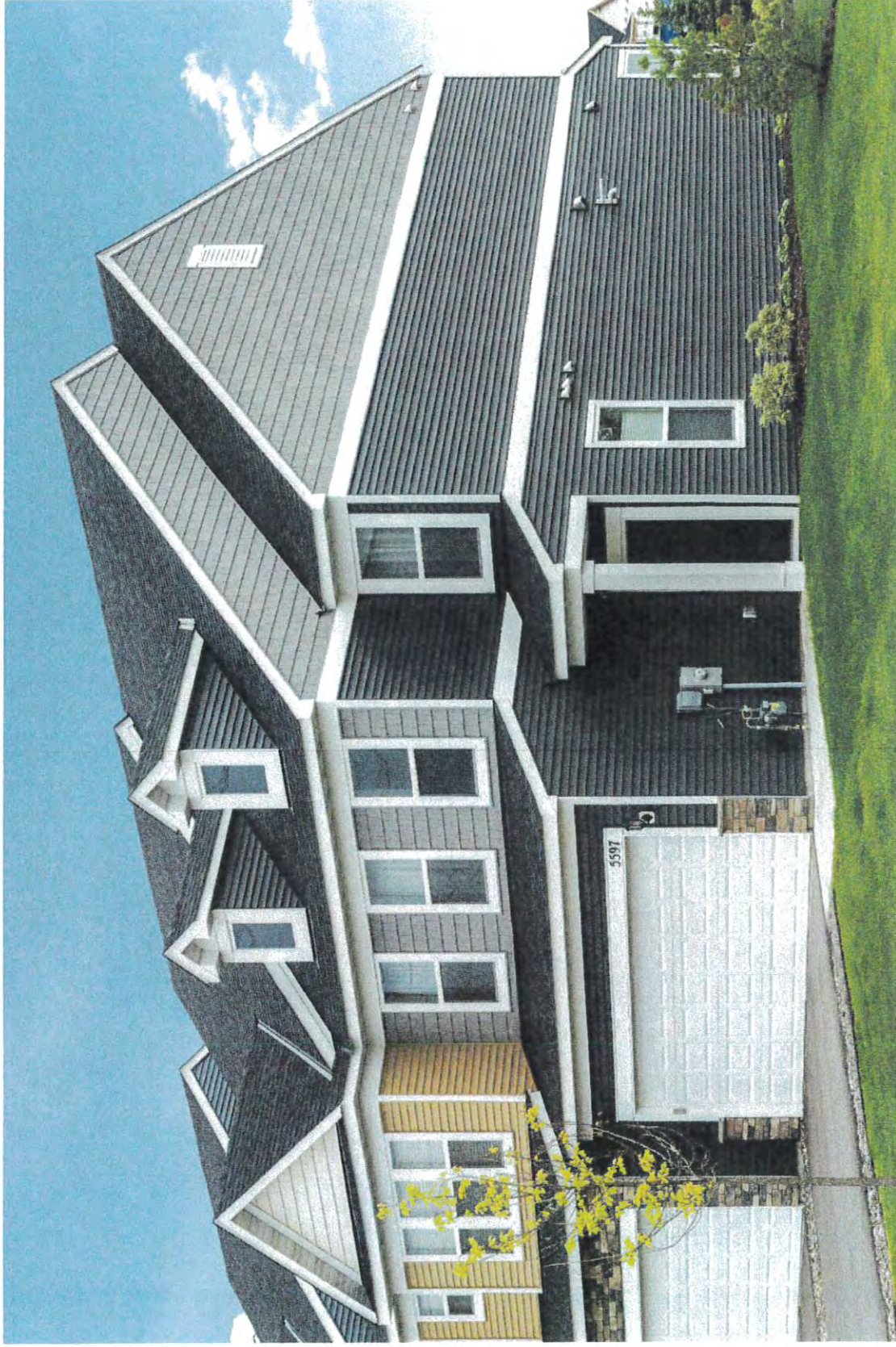


## Example Photos of Elevations





## Example Photos of Elevations





## Example Photos of Elevations





## Example Photos of Elevations



# MEMORANDUM

# FOCUS ENGINEERING, inc.

Cara Geheren, P.E.	651.300.4261
Jack Griffin, P.E.	651.300.4264
Ryan Stempski, P.E.	651.300.4267
Chad Isakson, P.E.	651.300.4285

Date: February 17, 2019

To: Ken Roberts, Planning Director  
Cc: Chad Isakson, Assistant City Engineer  
From: Jack Griffin, P.E., City Engineer

Re: Bentley Village  
Preliminary Plan Engineering Review

An engineering review has been completed for the Bentley Village Preliminary Plat/Plans. The submittal consisted of the following documentation prepared by Alliant Engineering and received on January 31, 2019:

- Preliminary Plat/Plans dated January 25, 2019.
- Stormwater Management Plan dated January 25, 2019.
- Phasing Plan dated January 25, 2019.
- Drainage and Utility Vacation Exhibits dated January 25, 2019.

## STATUS/FINDINGS: Engineering has prepared the following review comments:

### PRELIMINARY PLAT AND PRELIMINARY SITE PLANS

- Preliminary plat approval should be contingent upon all public improvements being designed and constructed in accordance with the City Engineering Design Standards Manual.
- Preliminary plat approval should also be contingent upon the preliminary plans being revised and approved by the City prior to the City accepting an application for any phase of final plat.
- All Outlots (A, B, C, D, E, F, G, H and I) should be shown as HOA owned. Outlot ownership should be identified on the preliminary plat and on all construction plans.
- Drainage and utility easements have been shown over all Outlots. These easements will allow for City maintenance of the storm water BMPS and storm sewer system. However, the preliminary plans must be revised to eliminate all encroachments (buildings, retaining walls, trees, small utility corridors) that result in "effective" maintenance easement areas that are less than City minimum requirements.
- The site plans and preliminary plans must be revised to show a dedicated 10-foot utility corridor along all public streets, including 5th Street North, without encroachment by other design elements (e.g. storm sewer pipe, retaining walls, buildings, landscaping, storm water retention, etc.). The easements have been provided as required but the corridors have not been reserved for the dedicated purpose.
- All storm sewer pipe easements and effective maintenance areas must be a minimum 30-feet in width. Additional width may be required for deeper storm sewer. Significant plan revisions are needed to provide the minimum 15-feet of clearance from the pipe centerline. Storm sewer closer than 15-feet from plat boundaries will require off-site easements over the adjacent property. Retaining walls are not allowed to be constructed over storm sewer.
- Written landowner permission must be submitted as part of the final plat applications for any off-site grading work and storm water discharges to adjacent properties. The proposed off-site easements must be shown on the preliminary site plans, grading plans, and utility plans.



- Typical Townhome Lot Detail. The typical Townhome Lot detail proposes a minimum setback of 25 feet from the right-of-way to the garage door. Preliminary Plat approval should identify this requirement as a condition of approval to ensure that vehicles parked in the driveway do not obstruct sidewalks.
- Driveway connections to City Streets. The site plans and preliminary plans must be revised to show all private driveways within the public right-of-way to be perpendicular to the street.
- Once driveways are shown perpendicular to the street, a detailed street/boulevard plan must be incorporated into the preliminary plans that specifically identifies each on-street parking location, dedicated areas for snow storage, hydrant placement, mail box locations, street light locations, water/sewer service locations, and landscaping improvements. The proposed parking plan does not take these conflicts into consideration.
- Landscape Plans must be revised to avoid planting conflicts with utilities and pond maintenance access. Tree plantings must remain outside of utility easements, including the 10-foot small utility corridor along all public roads, and clear from all storm water maintenance benches and access roads. Tree plantings must be offset a minimum of 10 feet from watermains, hydrants, sanitary sewer mains, storm sewers, and water/sewer services. Water/sewer services must be shown on the landscape plans.
- All proposed retaining walls should be privately owned and maintained.

#### PHASING PLAN

- The phasing plan includes the construction of Road G (North-South Collector Roadway) as part of Phase 1. This is beneficial to direct traffic away from 5th Street and to initiate both the east development and west development from Road G rather than 5th Street.
- The phasing plan must be included in the Final approved Preliminary Plan set.
- The phasing plan should include the watermain, sanitary sewer and storm sewer infrastructure to be completed with each phase of the development, including the storm water basin outfall piping.
- Temporary cul-de-sacs per City standard details will be required with Phase 1 and 3 and should be shown on the phasing plans.

#### TRANSPORTATION IMPROVEMENTS

- 5th Street North Right-of-Way Dedication. The existing collector street to the north of the site (5th Street North) was constructed by Lennar within a permanent roadway easement. This easement area must be dedicated to the City as public right-of-way as part of this development. Per the City design standards for 5th Street, a 10 ft. utility easement corridor along the south side of the 5th Street right-of-way must also be reserved for small utilities with no encroachment from the development improvements.
- Site Access from 5th Street North. The preliminary plans propose three new public street intersections with 5th Street North; one at Junco Road North; one at Julianne Avenue North; and the construction of a new north-south collector street (Road G) that will eventually connect 5th Street North with Hudson Boulevard. All proposed intersections are consistent with approved access configuration along 5th Street.
- Additional Site Access. The new public streets proposed for this development will each have secondary access to the new north-south collector street (Road G) that will eventually connect 5th Street North with Hudson Boulevard. Access spacing appears to be acceptable along the new collector street.
- Road G (New North-South Collector Street) Alignment. Road G is consistent with the City's planning efforts and the proposed street is shown in the approximate location as planned. However, there are existing sanitary sewer and watermain utilities located in the corridor. The design for this new collector street must therefore consider the existing location of these utilities and must be consistent with City right-of-way and boulevard design standards.
- Public Street Typical Sections. The preliminary plan typical sections must be updated to provide all required information consistent with City design standard details. The 10-foot utility corridors must be shown on each side for all public streets to be preserved for small utility installation. Driveway grades must be shown at 4% along boulevards, at 2% along the sidewalk, and can vary up to 10% once beyond

the public right-of-way. Any proposed landscaping within the public right-of-way must be shown on the typical sections for review by the City.

- Road G Typical Section. The Typical Section of Road G (North-South Collector Street) must be determined by the City as the plat moves forward through the process, including required right-of-way width and lane configuration. The preliminary plans propose a 40-foot wide paved street to include two 12-foot drive lanes and one 12-foot center turn lane, within a 100-foot right-of-way. The right-of-way width may be able to be reduced to 80-feet through City staff evaluation. In addition, per City design standards, 10-foot utility easements must be provided along each side of the new R/W. An 8-foot wide bituminous trail is proposed on the east boulevard to connect to the future Hudson Boulevard trail corridor and a 6-foot sidewalk is proposed on the west boulevard.
- 5th Street North Turn Lanes. Eastbound right turn lanes (RTL) along 5th Street are in place at the intersections of Road G and Junco Road but not at Julianna Avenue. A westbound left turn lane (LTL) along 5th Street is in place at the Road G intersection. Additional transportation review is necessary to evaluate if additional turn lanes should be required including an eastbound right turn lane (RTL) at Julianna Avenue and westbound left turn lanes (LTL) at Junco Road and/or Julianna Avenue.
- Road G Turn Lanes Required at intersection with 5th Street. A northbound RLT and LTL is proposed at the intersection of 5th Street North and Road G.
- The proposed development will increase traffic movements at the intersections of CSAH-19 and 5th Street North and CSAH-19 and Hudson Boulevard. A financial contribution to traffic signal and turn lane improvements to one or both of these intersections should be considered.

#### RESIDENTIAL STREETS AND RIGHT-OF-WAYS

- All streets are proposed to be publicly owned and maintained. Public streets are proposed to meet the City's Engineering Design Standard street width of 28-feet with 45-foot cul-de-sac radii. However, the applicant is proposing a reduced right-of-way width from the City standard 60 feet to 53 feet. The reduced width is adequate for the proposed design since boulevard trees are not proposed within the right-of-way and the street section is not centered within the right-of-way. A six (6) foot sidewalk is proposed along one side of all residential streets within a 28-foot right-of-way from centerline and the other side of the street is within a 25-foot right-of-way from centerline with no sidewalk.
- In addition to the 53-foot right-of-way, a 10-foot utility corridor must be preserved for small utility installation along both sides of the street. A 10-foot drainage and utility easement is provided through the overall Outlot easements, however the preliminary plans must be revised to eliminate all encroachments to the utility corridors. The site plans and preliminary plans must be revised to show on the plans the dedicated 10-foot utility corridors along all public streets, including the south boulevard of 5th Street.
- The proposed internal street network is well interconnected creating multiple access routes into and out of the development. Only one short cul-de-sac has been proposed.
- The street plan proposes raised landscaped medians at all entrance points. Divided roadways must be a minimum of 19 feet wide each way from back of curb to back of curb.
- The City Standard boulevard must not exceed a 4% grade to the street. The driveway grades shown on the street typical sections must be removed. Grades exceeding 4% may be used outside the right-of-way.
- Coordinated landscape plans. The boulevard layout does not accommodate boulevard trees within the public right-of-way. No boulevard trees can be placed within the 10-foot utility easements. Landscaping requirements/plans must be planned accordingly.
- The south leg of Road E, at the intersection with Road D, must be revised to provide a minimum 50-foot tangent prior to the start of the horizontal curve. All street intersections must be at 90 degrees and maintain 50 feet of tangent with maximum slopes of 2.5%. Streets must also meet City standards for horizontal and vertical curvature. The City standard minimum horizontal curve radius is 90.
- Residential maximum longitudinal grade is 8% with no sidewalks, 6% where there are sidewalks. These requirements have been met with the proposed plans.

- Surmountable concrete curb and gutter shall be installed along areas with future driveways and B618 curb installed along entrance roadways and roadway stretches with no lots. The plans must be revised to incorporate the B style curb where appropriate.

#### GRADING PLAN, STORMWATER MANAGEMENT AND STORM SEWER SYSTEM

- The site plan is subject to a storm water management plan meeting State, VBWD and City rules. Storm water facilities proposed as part of the site plan to meet State and VBWD permitting requirements must be constructed in accordance with the City Engineering Design Standards Manual. Preliminary Plan revisions are required to comply.
- All storm water facilities and infiltration basins have been placed in Outlots as required. Drainage and utility easements have been proposed over all of each Outlot to facilitate maintenance by the City.
- The Stormwater facility Outlots must fully incorporate the 100-year HWL, 10-foot maintenance bench, and all maintenance access roads.
- Stormwater Ponds must be constructed meeting City standards. Stormwater forebays require a 10:1 safety bench at the NWL with the NWL shown on the plans. Designated maintenance access roads, 20 feet in width, must be provided for all storm water facilities and must extend from the public right-of-way to the maintenance bench with grades not exceeding 10%. Basin grading must also provide a maintenance bench from the access road to all storm sewer inlets and outfall pipe locations.
- Infiltration basin A proposes significant grading within the existing gas pipeline easement. Documentation must be provided by the gas main owner to demonstrate approval for this grading impact. The preliminary plans and existing conditions plan must be updated to show the existing gas main location including pipe size, material and depth.
- The NWL (forebays) and 100-year HWL basin elevations, and 100-year HWL contour must be shown on the plans for each storm water facility to facilitate plan review. The maintenance access roads/benches must be clearly shown to verify no obstructions (including landscaping) within the access locations.
- Infiltration Basin C capacity is required to meet volume control requirements, but the basin must be relocated. Infiltration basins are not allowed in Type D soils. The basin also appears to be within 35 feet of an off-site septic system to the south (see existing conditions plan). No maintenance access is proposed.
- Additional borings are required for each infiltration basin. A minimum of 2 borings are required per basin and must be obtained from within the actual proposed basin location. Additional borings are required for basins larger than 10,000 square feet (see engineering design standards manual).
- Overland emergency overflows have been provided as required. All emergency overflow elevations must be fully protected by drainage easement.
- All lots must have the minimum floor elevation at least 2 feet above any BMP 100-year HWL and at least 1-foot above any emergency overflow point. These conditions appear to have been met with the proposed preliminary plans.
- The 100-year HWL must be calculated and the 100-year HWL contour placed on the plans for all localized catch basin low points and the entire 100-year HWL must be fully protected by drainage and utility easement. This information has not been provided.
- The maximum curb run prior to a catch basin is 350 feet. The preliminary plans appear to meet this standard. Additional CBs may be required along Road F between STA 0+00 and STA 3+62 to enhance drainage through flat area.
- Additional storm sewer and CBs will likely be required along Road G to accommodate the wider street pavement widths and drainage from 5th Street North.
- Minimum storm sewer pipe size is 15-inch except for the storm sewer lead pipe located within paved streets. The storm sewer must be increased to the minimum 15-inch pipe for storm runs from CB218-CB216; CB217-CB216; CB206-CB204; CB319-CB318; CB317-CB316; CB403-CB402.
- The storm water model assumes a 12" x 6" orifice. This detail should be added to the storm sewer plans.



- The storm sewer system shall be designed to maintain the City standard **minimum** pipe cover of 3.0 feet. Drain tile is required as part of the City standard street section at all localized low points in the street. Drain tile considerations may impact the storm sewer design and depth requirements at low points.
- Street Grades. Street profile design should not include minimum grades to allow for construction tolerances. The Road A street profile grades from STA 19+00 to STA 21+50 and Road F street profile grades from STA 1+50 to STA 5+00 should be increased to avoid flat areas and potential standing water in the curb line.

#### MUNICIPAL SANITARY SEWER

- The development is proposing 240 REC units that will be discharged to the MCES WONE Interceptor. This is consistent with the Comprehensive Sewer Plan. The applicant will be responsible to connect to the City sanitary sewer system located along the alignment for the future collector roadway and extend sanitary sewer into the property at applicant's sole cost.
- Reconfiguration of the sanitary sewer connection points may be required. The preliminary plans show the sanitary sewer connection to be made outside of the plat boundaries on the adjacent property to the south. The preliminary plans identify proposed drainage and utility easements necessary to make this connection. Additional drainage and utility easement will be required to meet the City minimum 15-foot from the pipe centerline. Written permission from the adjacent property owner must be submitted with any final plat demonstrating the ability to acquire the necessary easements.
- The applicant may be required to stub sanitary sewer mains to adjacent properties if needed to maintain sewer access to all adjacent parcels (to be reviewed with final plans).
- Any main sewer lines not installed within public right-of-way will require minimum 30-foot easements centered over the pipe (or wider dependent upon the sewer depths) dedicated to the City and in the form of the City's Utility Easement Agreement.
- The preliminary plans must be updated to show the sanitary sewer services.

#### MUNICIPAL WATER SUPPLY

- The applicant will be responsible to extend municipal water into the development at its sole cost and will be required to construct a looped watermain network with multiple connection points. It is assumed that all of the property can be served by the City's high-pressure zone. Watermain should be installed along Road B and connected to existing watermain in 5th Street North at Julianne Avenue and watermain should be installed along Road E and connected to existing watermain in 5th Street North at Junco Road.
- The applicant may be required to provide watermain stub(s) to adjacent properties to maintain water access to all adjacent properties. Watermain stubs should be extended to the adjacent property to the south of the development near the west and east ends of the plat boundaries.
- No watermain pipe oversizing is anticipated at this time. Further review will be completed as the application moves forward through the process.
- Reconfiguration of the watermain connection points may be required. The preliminary plans show the watermain connections to be made outside of the plat boundaries on the adjacent property to the south. The preliminary plans identify proposed drainage and utility easements necessary to make this connection. Additional drainage and utility easement will be required to meet the City minimum 15-foot from the pipe centerline. Written permission from the adjacent property owner must be submitted with any final plat demonstrating the ability to acquire the necessary easements.
- The applicant will be responsible to place hydrants throughout the property at the direction of the Fire Department. Hydrant and system valve requirements and placement will be addressed as part of final plat and construction plan review. All fire hydrants shall be owned and maintained by the City.
- Any watermain lines and hydrants placed within the development will require minimum 30-foot easements centered over the pipe. Easements must be dedicated to the City and be provided in the City's standard form of easement agreement.





**To:** Ken Roberts, City of Lake Elmo Planning Director  
**From:** Lucius Jonett, Wenck Landscape Architect  
**Date:** February 15, 2019  
**Subject:** City of Lake Elmo Landscape Plan Review  
Bentley Village Preliminary Plat, Review #1

### **Submittals**

- Tree Preservation Plan, dated 1-25-2019, received 2-01-2019 .
- Preliminary Landscape Plans, dated 1-25-2019, received 2-01-2019.

**Location:** Northwest quadrant of the intersection of Keats Ave. N & Interstate Hwy 94, Lake Elmo, MN. South of the Savona Development.

**Land Use Category:** Urban Medium Density Residential

**Surrounding Land Use Concerns:** The property to the north (Savona Development) is Urban Low Density Residential and is less intensive land use than this proposed Urban Medium Density Residential. The properties to the west (Lampert's lumber yard), east and south are, or are guided, to be Commercial zones which are more intensive land use than this proposed Urban Medium Density Residential.

**Special landscape provisions in addition to the zoning code:** This proposed development will be required to provide screening along all borders North, South, West and East consisting of either a masonry wall or fence in combination with landscape material that forms a screen at least six feet in height and not less than 90% opaque on a year-round basis.

**Tree Preservation:**

- A. A tree preservation plan has been submitted that does not meet all requirements.
1. Significant trees are appropriately designated:
    - i. Over 6" DBH for hardwood deciduous trees (Birch, Cherry, Hickory, Ironwood, Hard Maples, Oak and Walnut). Tree Tag # 1756, 1757, and 1758 are significant hardwood trees and were not included in the tree replacement calculations.
    - ii. Over 12" DBH for common trees (Ash, Aspen, Basswood, Catalpa, Elm, Hackberry, Locust, Poplar, Silver Maple, Willow and any other tree not defined as a hardwood deciduous tree or a coniferous/evergreen tree). Tree Tag # 992, 994, and 996 are not significant common trees and were included in the tree replacement calculations.

Entire Site		
Total Caliper Inches of Significant Trees On-Site:	915	Cal Inches
Common Trees	280	
Conifer/Evergreen Trees	0	
Hardwood Trees	635	
Significant Inches Removed On-Site	767	Cal Inches
Common Trees	279	
Conifer/Evergreen Trees	0	
Hardwood Trees	488	
30% Tree Removal Limits (Cal. Inches)	Allowed	Proposed
Subtract Common Tree Removals	84	279
Subtract Conifer/Evergreen Tree Removals	0	0
Subtract Hardwood Tree Removals	190.5	488
Removals in excess of 30% allowances		
Removals in excess of 30% allowances	492.5	Cal Inches
Common Removals in Excess of 30% Allowance	195.0	
Conifer Removals in Excess of 30% Allowance	0.0	
Hardwood Removals in Excess of 30% Allowance	297.5	
Common Tree Replacement Needed (1/4 the dia inches removed)	48.8	Cal Inches
Conifer Tree Replacement Needed (1/2 the dia inches removed)	0.0	Cal Inches
Hardwood Tree Replacement Needed (1/2 the dia inches removed)	148.8	Cal Inches
<b>Common Tree Replacement Required @ 2.5" per Tree</b>	20	<b># Trees</b>
<b>Conifer Tree Replacement Required @ 3" per 6' Tall Tree</b>	0	<b># Trees</b>
<b>Hardwood Tree Replacement Required @ 2.5" per Tree</b>	60	<b># Trees</b>

- B. There is a significant tree on the property. Tree ID #2742 – 44" DBH Oak. The tree is not marked for removal.
- C. Tree replacement is required because more than thirty (30) percent of the diameter inches of significant trees surveyed will be removed.

- D. Tree replacement calculations do not follow the current required procedure as of the ordinance updates approved on 9-19-2018:
1. A calculation must be provided which breaks out the number of inches removed for hardwood, evergreen/coniferous, and common trees. The 30% removal figure applies to each category individually and trees over the 30% allowance are to be replaced according to:
    - i. Common tree species shall be replaced with new trees at a rate of one-fourth ( $1/4$ ) the diameter inches removed.
    - ii. Coniferous/evergreen tree species shall be replaced with new coniferous or evergreen trees at a rate of one-half ( $1/2$ ) the diameter inches removed. Since coniferous species are often sold by height rather than diameter inch, the following conversion formula can be used:  $\text{Height of Replacement Coniferous Tree} / 2 = \text{Diameter Inches of Credit}$
    - iii. Hardwood deciduous tree species shall be replaced with new hardwood deciduous trees at a rate of ( $1/2$ ) the diameter inches removed.
- E. This project is residential development; therefore mitigation replacement trees shall be in addition to landscape required tree counts.

### **Landscape Requirements:**

The preliminary landscape plans meet the code required number of trees.

Preliminary Plan (Code Required) Proposed			
Street frontage	5908		Lineal Feet
Lake Shore	0		Lineal Feet
Stream Frontage	0		Lineal Feet
Total Linear Feet	5908		Lineal Feet
/50 Feet = Required Frontage Trees	119		Trees
Development or Disturbed Area	-		SF
Development or Disturbed Area	41.6		Acres
*5 = Required Development Trees	208		Trees
Interior Parking Lot Spaces*	28		Spaces
/10 = Required Parking Lot Trees	0		Trees
Required Mitigation Trees	80		
<b>Required Number of Trees (**)</b>	<b>407</b>		
<b>Total Trees to Date</b>		<b>416</b>	

\* Parking lot landscaping or screening trees are included in landscape required tree Counts.

None if 0 - 30 Parking Spaces

\*\* Residential development - mitigation replacement trees are in addition to landscape required tree Counts.

1. A minimum one (1) tree is not proposed for every fifty (50) feet of street frontage.
2. A minimum of five (5) trees are proposed to be planted for every one (1) acre of land that is developed or disturbed by development activity.

The landscape plans do not meet the minimum compositions of required trees:

- Up to 15% of the required number of trees may be ornamental tree

Master Plan	Qty	% Composition	
Deciduous Shade Trees	168	40%	>25% required
Coniferous Trees	181	44%	>25% required
Ornamental Trees	67	16%	<15% required
<b>Tree Count</b>	<b>416</b>		

A. A landscape plan has been submitted that does not include all requirements.

1. Landscaped areas should be of adequate size to allow proper plant growth, protect plantings from vehicular and pedestrian traffic, and provide adequate areas for plant maintenance.
2. The landscape plan does not include required City standard notes and details.
3. All utilities and pavements are not shown on the landscape plan to review for tree placement conflicts.

- B. The landscape plan does not include the landscape layout requirements:

Topsoil Minimum ..... 6-inch

- C. Interior Parking Lot Landscaping – The development does include interior parking lots, but the number of parking spaces falls below the threshold of additional landscape requirements.
- D. Perimeter Parking Lot Landscaping – The development does not include perimeter parking lots.
- E. Screening – The landscape plan does not meet screening requirements.

Screening is required by City code. Screening shall be used to provide visual and noise separation of intensive uses from less intensive uses. Where screening is required in the City Code between uses or districts, it shall consist of either a masonry wall or fence in combination with landscape material that forms a screen at least six (6) feet in height, and not less than ninety percent (90%) opaque on a year-round basis. Landscape material shall include trees, planted at a minimum of one deciduous or coniferous tree per forty (40) linear feet along the property line. Additional landscape material such as shade trees or trellises may be required to partially screen views from above.

#### **Special Landscape Considerations:**

- A. 5<sup>th</sup> Street – The development is along 5<sup>th</sup> Street, which has been previously or is schedule to be constructed by other developments. No additional landscape requirements are required of this applicant.

#### **Findings:**

1. Indication of 3 trees as significant and 3 trees as not significant was incorrect. This impacts the tree replacement calculation. The application is also using an incorrect tree replacement calculation and not following the updated formula that is required with the updates to Ordinance 08-220 on 9-19-2018. Following the current replacement calculation formula requires less tree replacement than the applicant is proposing.
2. Applicant rounded the required number of trees for road frontage at 118.16 down to 118. Application should round up on any fractions of trees.
3. Too many ornamental trees are used in the landscape plan, exceeding the 15% maximum composition. Applicant should revise the planting plan and schedule as needed to make sure the quantity of ornamental trees is less than 15% of the proposed tree planting.
4. Tree symbols are not drawn to full mature size on the proposed landscape plans and should be updated to make sure there is adequate landscape space between property lines and buildings. An example is on the southern property line where the buildings are approximately 18' from the property line. The Austrian pines are drawn at 12' diameter, while their mature diameter is 30' to 40'. There is not enough room for the mature trees



in this location. Applicant should update the scale of the proposed plantings and make adjustments to the layout (trees or buildings) as required.

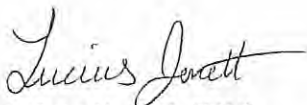
5. City standard landscape details and notes have not been used. Applicant should include the City standard landscape notes and details in the drawings and remove their notes that are no longer applicable.
6. Utilities are not shown on the landscape plans to review for utility conflicts. Applicant should include that layer in the landscape drawings.
7. Topsoil depth is incorrectly labeled in the planting notes on sheet 33 as 4" minimum. City standard is 6" minimum. Applicant should update the note to the correct depth of 6".
8. Top soil depth is to be 6" and is called out correctly on cross-section drawings, however note 1 in the planting notes on sheet 33 states 4" of topsoil. Note needs to be updated.
9. A single, straight row of evergreen trees is inadequate for screening as proposed on the West and South property lines. Vegetative screening should consist of more than one row of evergreen trees and include a row of other trees or native shrubs in front of the evergreens to soften the "development wall" effect. The layout of the proposed screening on the East boundary is the minimum acceptable trees for screening and should include native shrubs to provide additional screening depth. The applicant should reconsider the layout of the proposed vegetative screen or consider other screening elements such as masonry wall or fences in combination with landscape material to provide screening.
10. Requiring full screening along the north property line (5<sup>th</sup> Street) is not recommended as it will interfere with the required boulevard tree plantings in the 5<sup>th</sup> Street Design Guidelines. The proposed plantings along 5<sup>th</sup> street are not drawn to mature scale and when updated may require relocation so the trees are not growing into the 5<sup>th</sup> street boulevard trees or the buildings. Applicant should update the scale of the proposed plantings and make adjustments to the layout (trees or buildings) as required.

**Recommendation:**

It is recommended that condition of approval include:

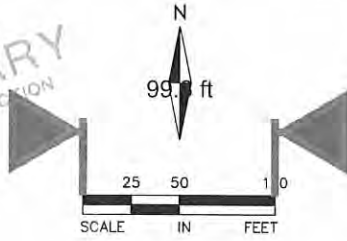
1. Submit a revised landscape plan addressing the findings above.

Sincerely,






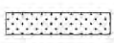




Lucius Jonett, PLA (MN)  
Wenck Associates, Inc.  
City of Lake Elmo Municipal Landscape Architect

FOR REVIEW ONLY  
PRELIMINARY  
NOT FOR CONSTRUCTION



### LEGEND

-  OVERSTORY DECIDUOUS TREES
-  ORNAMENTAL TREES
-  CONIFEROUS TREES
-  FLOWERING & EVERGREEN SHRUBS
-  PERENNIALS
-  INFILTRATION AREA SEED MIX:  
MN STATE SEED MIX 33-262 (DRY SWALE/POND)
-  SIDE SLOPE MIX:  
MN STATE SEED MIX 33-261 (STORMWATER SOUTH & WEST)
-  SOD

Drawing name: X:\2018\180165\plan sheets\Preliminary Plot\180165and.dwg Jan. 24, 2019 - 12:36pm

