



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of July 22, 2013**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:01 p.m.

**COMMISSIONERS PRESENT:** Williams, Haggard, Larson, Morreale, Dodson and Kreimer;  
**COMMISSIONERS ABSENT:** Reeves and Dorschner; and  
**STAFF PRESENT:** Planning Director Klatt, City Planner Johnson and City Administrator Zuleger.

**Approve Agenda:**

The Planning Commission accepted the agenda as presented.

**Approve Minutes:** *June 24, 2013*

M/S/P: Kreimer/Dodson, move to accept the minutes of June 24, 2013 as amended to include mention that the Hammes Estates Sketch Plan lacks a neighborhood park, **Vote: 4-0, Motion Carried, with Haggard not voting.**

**Public Hearing:** *Savona Preliminary Plat – Lennar Homes*

Klatt began the Staff presentation by explaining the Planning Commission's role in reviewing preliminary plat applications. He noted that plat applications are subject to the City's Subdivision Ordinance, wherein the rules of land subdivision are established. These ordinances include provisions related to grading, streets, utilities, storm water management and other considerations related to establishing new subdivisions or other development.

Klatt moved on to present a general overview of the Preliminary Plat application submitted by US Homes Corporation (Lennar Homes). The subdivision is located on 112 acres and includes 310 residential units. He then provided a location map that highlighted all the parcels of land that are included in the application. He also described the existing land uses that surround the proposed subdivision.

Regarding utilities, Klatt noted that the applicant and other landowners in the area have submitted a petition to extend sanitary sewer and water to the proposed development site west of Keats Avenue North (CSAH 19). This project would extend utilities throughout the Stage 1 development area identified in the Comprehensive Plan, making

connection to sanitary sewer and water possible for other parcels in the area. The project also includes a lift station.

Klatt noted that the parcels included in the application are currently zoned Rural Development Transitional (RT). As far as the history is concerned, the Planning Commission reviewed a Sketch Plan on December 10, 2012. In addition, the City Council approved the Environmental Assessment Worksheet required for the project on July 2, 2013.

Regarding the City's Comprehensive Plan, Klatt explained how the proposal relates to the City's Planned Land Use Map. The proposal is consistent with the Comprehensive Plan in terms of land use, density and expected number of residential units for the area. Klatt noted that the proposal shifts the minor collector road in the I-94 Corridor to the south. This change enlarges the area guided for Low Density Residential, as the collector road serves as the boundary in the City's Comprehensive Plan.

Moving on, Klatt described how the proposed subdivision compares to the City's zoning districts. He highlighted the basic details of the proposed residential lots that will be included in the subdivision.

Getting to the plat application itself, Klatt presented the basics of the proposal. In addition, he gave an overview regarding the Staff Report. Regarding action, Klatt noted that Staff has identified 27 conditions of approval. The largest of these included the greenbelt buffer of 100 feet, there needs to be adequate room for a 30 foot trail set back to the exception lot, the developer is responsible to install new median and a trail connection across Keats to the East and the full 10% park dedication. There were also a number of Engineer conditions that including a secondary access and realignment of the street. These conditions would be required to be resolved in advance of Final Plat approval. Klatt noted that the developer has requested to modify conditions 17, 18, and 24. Staff recommends that language can be added to condition #18 to allow secondary access to the north. In addition, Staff is comfortable with the language proposed for condition #24 related to the 429 public improvement project.

Klatt did note some base findings for the Planning Commission. In addition, Klatt noted that Staff is recommending that the Planning Commission recommend the preliminary plat application for approval to the City Council with 27 conditions of approval.

Morreale noted that he is confused regarding the density in the proposal. He felt that the proposal should adhere to the low end of the allowed density range, which is 2.5 units per net acre. Klatt explained that the comprehensive plan approved a range of density that was 2.5 to 4 and was not specific to numbers. Klatt also stated that it should be noted that this proposal is described in net density terms, which includes the park and open areas as well.

Haggard asked about the requirements of parkland dedication vs. open space. Klatt noted that the Comprehensive Plan does not require open space, but it is encouraged. The Subdivision Ordinance requires parkland dedication at time of subdivision (10% in this case). Haggard also asked what the fee in lieu of parkland dedication would be. Klatt noted that it would be the equal market value of 4.6 acres. He did not venture what that would equate to.

Williams asked what the determination of the Park Commission was regarding the Savona concept for parkland. Klatt noted that Staff did locate the minutes for that meeting. There was no formal motion from the Park Commission regarding the Savona Concept. Williams also asked about acreage of Reid Park. Klatt stated that Reid Park is 2.6 acres with parking, 1.9 acres without.

Larson asked about the park structures included in the tot lot. He would like to see seating and shade for people to watch their children.

Morreale asked why the City would accept fee in lieu of land dedication when there is a need for more parkland. Klatt noted that the Parks Commission has expressed concern about the City's ability to maintain additional parkland when there is a need for maintenance for the City's existing facilities. Staff felt that this development was so close to the Park Preserve that people in this development would probably use those facilities in addition to City parkland.

Kreimer asked if the applicant has to present the types of homes they intend to build, including information about pricing and architectural style. Klatt noted that this type of information is typically not reviewed in a plat.

Dodson asked about the budgetary/financial implications of the new development proposal. Administrator Zuleger noted that sewer and water extensions costs come from enterprise funds, and the tax revenue from the new homes will pay for additional public safety considerations, such as sheriff deputies and fire protection.

Haggard asked about the pedestrian crossings of 5<sup>th</sup> Street. Klatt noted that with any improvement there would be a crosswalk, but no controlled intersection. Administrator Zuleger also noted that there is a 10' bituminous trail on the north side of 5<sup>th</sup> Street and 6' sidewalk on the south side of 5<sup>th</sup> Street. These facilities will aid pedestrian circulation on 5<sup>th</sup> Street.

Haggard asked about the architectural design of the townhome area. Klatt noted that the applicant has not submitted any additional information and that it is not required until the final plat. Williams noted that there is only so much level of detail that the City can evaluate the proposal on at Preliminary Plat.

Morreale asked if the City is allowed to make the developer lower the density of the proposal to 2.5 units per acre. Klatt noted that the Planning Commission would have to make findings that support why the request does not comply with the Comprehensive Plan. Klatt noted that the proposed density currently does comply with the requirements of the Comprehensive Plan. If the City wanted to stick to the 2.5 units per acre density requirement, the Comprehensive Plan would need to be amended to reflect this requirement.

Williams asked about Outlot K. Klatt noted that the area includes all the common areas of the townhome portion of the development. Johnson noted that Outlot K is private and would be part of the Homeowners Assoc. for the townhomes. This is consistent with a common interest community and the roads in Outlot K are private. The townhome area will also require a CUP for the current configuration.

Williams asked about the wording of Condition #17, 18, and 24 per the applicant's request. Klatt shared the requested language of Condition #17 would be to work with the engineer to find the best solution for the road alignment, 18 would be that there be a secondary access to the north and 24 would be that there would be no final plat approval until the order of the 429 improvements.

Joe Jablonski, Lennar Homes, spoke representing the applicant. Regarding the discussion of density, he noted that the gross density of the single family area is 2.04 units per acre. The net density is driven up to 3.0 units per acre due to the open space, storm water facilities, and roads that are included on the site. Regarding different elevations and architectural styles, Mr. Jablonski highlighted the variety that Lennar brings in an attempt to avoid redundancy. There are currently 6.1 acres in park land and that number could go up if the tot lot in the townhome area was included. In terms of open space and ponding, Jablonski noted that there is 26.6 acres. Regarding 5<sup>th</sup> Street, Mr. Jablonski noted that Lennar's vision for 5<sup>th</sup> Street is very similar to the City's vision. He noted that the design of the parkway makes a good pedestrian environment. Moving on, Jablonski spoke about the townhome portion of the plat, noting that there is sufficient parking to serve the site. He also spoke about Condition #17, pertaining to the alignment of Streets A and E. He noted that Lennar is opposed to the alignment because they are concerned that this alignment would encourage speeding.

Dodson asked about the finances of the Common Interest Community. Jablonski noted that there would be financial reserves for the structures, landscaping, streets and other elements as dictated by the state of Minnesota.

Morreale noted that it looks like the applicant is proposing a nice community. He wanted to know who is responsible to maintain a large portion of the landscaping. Jablonski noted that the open areas would be maintained by the HOA. Home owners would be responsible to maintain the trees in front of their property.

Public Hearing opened at 8:35pm.

Wayne Prowse, 697 Julep Ave. N., noted that he would like to talk about density and parks. He noted that he does not think that it is appropriate for kids to play in the street. He also noted that he is concerned about the parking facilities in the subdivision. The second issue that he wanted to discuss was the density included in the proposed subdivision. He is concerned that the neighborhood will not be a quality environment. He feels that the neighborhood is too dense.

Greg McGrath, 15<sup>th</sup> St. Ct., asked where the funding is coming from for the utilities. Zuleger noted that the extension is being assessed to the property owners. McGrath asked where the water utility is coming from. Zuleger noted that the temporary solution is from Oakdale. The system will be hooked up to the Lake Elmo City water system once water is extended down Inwood Ave. North. McGrath then inquired about the Landscape Plan of the proposal. He asked who is responsible to ensure performance. Zuleger noted that the City will not release the financial credit for the landscape plan until the plan has been fully executed.

Williams asked Staff if there have been any written comments submitted. Klatt stated that there were no other written comments received.

Nancy Andert, 697 Julep Ave. N., asked where sewer will be dug to serve the site. Klatt noted that the sewer will be extended from the Eagle Point Business Park along Hudson Blvd. to Keats Ave. north to a lift station to the north of the subject parcel.

Public Hearing closed at 8:48pm

Morreale began the discussion by talking about the City's park system. He noted that the Stonegate Park is not large enough to serve all of the homes that are prepared for this area. In addition, he noted that he is concerned about on-street parking. Finally, Morreale noted that he prefers that the trail follow closer to the Lennar subdivision as opposed to closer to the Stonegate neighborhood.

Larson asked if the property to the north could collaborate with Lennar on a larger, more traditional park to serve the entire area. Zuleger noted that the Parks Commission made recommendations about adding parkland in the north central area of the Hammes property. Larson asked if the residents of the proposed development could walk to the park in the Hammes neighborhood. Staff confirmed that the park that ultimately serves the Hammes property would be accessible to the residents of the Lennar neighborhood.

Dodson asked about transit facilities that may serve the site. Zuleger noted that 5<sup>th</sup> Street would be able to be served by local transit service. Johnson stated that transit planning is always being evaluated by Metro Transit when Comprehensive Plans are amended.

Haggard addressed the comment made by Mr. Prowse, recommending that the City only allow parking on one side of the street. She said that this recommendation is based on consideration for public safety and children walking and biking in the neighborhood. Klatt noted that the City's base standard is a 28' wide street. The City also requires 2 off street parking spaces per home and additional parking for multi-family. Haggard noted that she prefers parking on one side of the street only and no overnight parking. Morreale and Dodson both noted that it is difficult to eliminate on-street parking completely. Currently the City parking ordinance allows a 48 hour maximum.

Williams noted that he could not find any conditions related to the required permits for watershed district. Klatt stated that it is part of the engineers report and is covered under Condition #11.

Kreimer noted that he did not agree with the realignment of Streets A and E. He suggested deleting Condition #17. Next, Kreimer noted that the Landscape Plan utilized Linden Trees, which tend to be negatively affected by Asian Beetles. Williams commented that species should be conditioned upon salt tolerance and other considerations. Moving on, Kreimer noted that 5<sup>th</sup> Street may be moved to the South. He noted that he has concern about moving the plat forward when this issue is not resolved. Klatt noted that if they have to revise their plat, it would require a public hearing before the Planning Commission. Kreimer also asked about the alignment of Street A with the proposed development to the North. Regarding the trail along Stonegate, Kreimer wanted to ensure that this is moved further south. Kreimer noted that he feels strongly that there should be more parkland in the neighborhood. He suggested having a joint park between the Lennar and Hammes.

Haggard asked about parking considerations. Klatt noted that the conditions only address the items or requirements of the Subdivision Ordinance, Zoning Code, or Comprehensive Plan that are currently lacking. If the Planning Commission wishes to have a broader discussion about parking, Klatt recommended evaluating parking City wide as opposed to subdivision by subdivision.

Zuleger suggested adding to Condition #3 & #4 that the trail in Outlot A be move to the south closer to the Savona neighborhood. This would meet the spirit of the greenbelt buffer agreement.

Williams asked for a straw vote. First, he asked if there should be more parkland in the plat. Most of the Commissioners agreed that more parkland would be prudent.

Klatt presented information about neighborhood parks vs. regional parks. He also mentioned that the City was looking for some park dedication money to help fund a future community sports complex in the Village Area that would serve the entire Lake



Elmo community. Klatt also stated that the park plan has a suggested ratio of parkland dedication based on national standards of 11 acres per 1000 residents.

M/S/P: Williams/Morreale, move to postpone consideration of the Plat until the Planning Commission receives consultation regarding the parkland from a member of the Parks Commission, **Vote: 5-1, Motion Carried**, with Haggard voting no.

Larson asked if consideration of the parkland will include collaboration with neighboring properties.

Morreale noted that he is still concerned about the parking issue. Klatt noted that parking is not directly addressed in the Subdivision Ordinance. He recommended not making parking regulations subdivision by subdivision. Rather, the City should evaluate parking ordinances City wide, not neighborhood by neighborhood.

The Planning Commission had consensus regarding the changes related to other Conditions of the Plat: delete #17 and revise #4.

**Business Item: Zoning Text Amendment – Landscape Requirements.**

Johnson presented a proposed amendment to the Zoning Ordinance to add a new section concerning landscaping that will replace three existing sections of the code that deal with landscaping requirements. Johnson reviewed the existing sections of the ordinance that address landscaping, including the Subdivision, Site Plan Review, and Open Space Preservation (OP) Ordinances. He stated that it is important to organize the landscape requirements into one location in the code.

Johnson reviewed the general outline and requirements of the proposed landscape ordinance.

Morreale asked if the ordinance requires a minimum caliper measurement of 2.5 inches versus 1 inch. Johnson replied that the new ordinance specifies minimum sizes of landscape materials, including trees, in Table 6-1.

Kreimer asked about a maximum height requirement on the Code. Johnson replied that this standard is referencing a situation with a berm. He also asked who would be responsible to replace dead trees planted by the developer on private lots. Johnson noted that he would look into other options related to the timing of tree installation.

Dodson expressed concern over the approval of landscaping plans and how a developer could be held responsible for this work once their project is completed. Dodson asked if the ordinance could address situations in which a developer prefers to keep more open space or to restore native prairie areas, and if the City can require developers to plant

trees that are native to Minnesota. Johnson explained that he would research this issue.

Williams commented that the correct plant species for the correct area should be an important consideration of the ordinance.

The Commission requested clarification on some of the specific aspects of the draft ordinance, and requested that Staff provide a red-lined version of the ordinance with any changes made by Staff prior to further discussion on this matter.

### **Updates and Concerns**

There will be a special Planning Commission meeting on July 29<sup>th</sup>. The Lennar Development will be brought back and the staff will make an effort to have Parks Commission Chair Weiss and others there.

### **Council update**

Council Update – The City Council adopted the Administrative and Enforcement Ordinance at the July 2nd meeting with some minor changes. They removed the design and demolition standards until the design standards manual is done.

The City Council adopted the fence ordinance at the July 16th meeting with some minor changes regarding solid wall fences up to 6 feet on properties smaller than ½ acre.

The City Council approved plans and specifications for the section 34 utility project at the July 16th meeting.

Meeting adjourned at 10:15pm

Respectfully submitted,

Nick Johnson  
Planner