



**City of Lake Elmo
Planning Commission Meeting
Minutes of August 25, 2014**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Williams, Dodson, Kreimer, Larson, Lundgren, and Haggard (arrived 7:15)

COMMISSIONERS ABSENT: Dorschner

STAFF PRESENT: City Planner Johnson

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: July 28, 2014

M/S/P: Dodson/Kreimer, move to approve the minutes as presented; ***Vote: 5-0, motion carried.***

Public Hearing: Savona Second Addition – Final Plat and Conditional Use Permit

Johnson presented an overview of the Savona Second Addition proposed Final Plat and Conditional Use Permit.

Paul Tabone, Lennar Homes, introduced himself to the Planning Commission.

Dodson asked about the structure of the Common Interest Communities proposed for the development. Tabone noted that the two areas, single family and townhome areas, are two separate Home Owners Association. Dodson asked how the common interest agreement is established and at what point does the builder transfer management of the association to the residents/property owners. Tabone noted that an employee of Lennar serves on the board. The management is not transferred until there is enough residents to properly manage the neighborhood.

Williams asked why Lennar has not gotten a buffer easement or met some of the other conditions. Tabone stated that the easement process is complicated and that they are working on securing it. Johnson stated that these things will be addressed before the final plat is released for recording. That is what the City has to get compliance.

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Williams is wondering about the landscape plan and is disappointed that it isn't completed.

Public Hearing opened at 7:48 p.m.

No one spoke.

No written comments were received.

Public Hearing closed at 7:49pm.

Williams asked if everyone agrees with the draft findings. Williams recommended amending finding #4 to say with the exception of the items covered in the conditions.

Larson noted that he is disappointed that the buffer is the minimum 100 feet and that the landscape plan is not available to show the landscaping there.

M/S/P: Dodson/Kreimer, move to recommend approval of the CUP with the finding related to design to be stricken, **Vote: 6-0, motion carried unanimously.**

Williams noted that he is not satisfied with the answers received this evening.

M/S/P: Haggard/Lundgren, move to postpone consideration of the Final Plat until the items necessary for Final Plat as identified in the staff report are addressed, **Vote: 4-2, motion carried,** with Dodson and Larson voting no.

Public Hearing: Inwood PUD Concept Plan

Johnson presented an overview of the Inwood PUD Concept Plan. This is a PUD Concept plan on 157 acres that has a mixed use of single family, single family attached, multi-family, senior townhomes and commercial use.

John Rask, Hans Hagen Homes, spoke about the Inwood PUD Concept Plan. He spoke about the ponding proposed for the development, and the impact of removing these areas from density calculations. The berming and landscapes for the Hans Hagen developments are important. Rask spoke about the demographic that the development is intended for, including seniors, smaller families and singles. He also spoke about the island green spaces in the single family residential area. He continued by describing the Lifestyle Housing product that Hans Hagen is building, including strong architectural details.

Moving forward, Rask addressed multiple questions posed by the Planning Commission. He noted that the applicants have conducted in-depth analysis on the shoreland provisions.

Lundgren asked how the Hans Hagen product would be different than the product they are building in Woodbury. Rask stated that the Woodbury product is much different as it was one they took over from Ryland and had to retro fit into the neighborhood. Rask noted that the most comparable project to the one being proposed is the Lakes in Blaine. Lundgren also noted the Concept is lacking a community gathering place. Rask noted that each street has individual gathering places, but is not focused on ballfields as there are not many young families. Rask stated the additions to Stonegate Park will change based on feedback from staff and Park Commission.

Dodson asked what role the HOA has in maintaining the properties. Rask noted all of the grounds are maintained by the HOA. The homeowner is responsible to maintain their individual house. The applicants offer al-a-carte maintenance services, such as gutter cleaning. Dodson asked if there is an architectural control committee. Rask noted that the builder serves as the architectural control until the HOA is established well enough to control the architecture.

Haggard thanked the applicant for providing the Concept Design Booklet. She asked about the location of streets and trails. In addition, she asked if the applicants considered incorporating theming. Rask talked about this being a walkable community with trails and sidewalks. They will look at the Damon Farber theming.

Kreimer asked if the designer product allows basements. Rask confirmed that the designer product does allow basements and the lifestyle homes do not have basements. Kreimer asked about neighborhood amenities that are provided. Rask noted that neighborhood amenities, such as pool or clubhouse, are not as desired for the homeowner due to the fact that many of the buyers do not live there year-round. The expectation is lower HOA fees. Kreimer asked about landscaping provided. Rask noted that a base package is provided. If the owners want additional landscaping, they must pay extra and the design must be approved by the HOA. Kreimer asked about the setbacks. He noted that it is must be difficult to fit certain amenities. Rask said it is the minimum and there would typically be 8 feet combined and there are access easements.

Lundgren asked about community gardens. Rask noted that they are exploring the possibility of community gardens in a project they are working on in Dayton. Lundgren noted if the developer provides storm shelters for homes with no basement. Rask noted that sometimes there is a request for a storm shelter or for a self-contained box that goes in the master bedroom closet that is storm proof.

Public Hearing opened at 9:53 p.m.

Nancy Andert, 697 Julep Ave. N., noted that they are appalled by the proposed development. They noted when looking for a home, they looked for 2.5 acre lots. She

noted that the City must be tired of hearing from Stonegate, but if you lived in Stonegate, you would fight against the density too. Stonegate has requested low density lots, not high density. Andert read the plan statement for Low Density Residential. There should be a smooth transition of density from urban land uses to rural land uses. She stated that the residents do not want this level of density near Stonegate. The Comprehensive Plan should not be changed. She complimented the Design and Concept Booklet, but noted that the result of such a development is not as nice.

Mike Lancette, 832 Jasmine Ave. N., noted that he shares the same concerns as Ms. Andert. Lancette noted that if the density will be increased, then the buffer should be increased. He noted his concern that the area is inhabited by wildlife. Lancette added that the proposed trail should be located closer to the proposed neighborhood, not Stonegate. He added that the buffer is very important, and it should be done in a thoughtful way. He asked if there needed to be a tree inventory. Staff confirmed that the applicant will need to submit a plan at preliminary plat stage.

Curt Monteith, 331 Julep Ave. N., lives adjacent to Stonegate Park. He noted that he is disappointed with the growth that has occurred this far. He asked that the City and Planning Commission be considerate for Stonegate. Monteith noted that parking would be appreciated on the southwest portion of the park. He asked questions about access to the site, particularly on 10th Street. He asked if 10th Street is planned for a four-lane road. Johnson explained the reasoning about the park area. He noted that the Park Commission will be reviewing the Concept Plan on 9/15/14. Monteith asked about trails to and from the park and asked about price point for single family homes. Rask stated that they are between 300-400K.

2 letters were received, one from Molly Shodeen, area Hydrologist for the DNR and one from Tom Fitzgerald, 877 Jasmine Place Ave Place N. The letter from Mr. Fitzgerald is opposed to the development because of impacts to Stonegate. The DNR has concerns that they will work with the applicant to resolve. The letters were entered into the record.

Public Hearing closed at 10:19pm.

The Planning Commission took a brief recess and returned at 10:23pm.

Kreimer noted that he does not agree with finding #1 and #2. He does not believe that the multi-family area in the northwest corner is consistent. In addition, allowing single family areas that require exceptions is not acceptable.

Larson noted that he thinks the land uses have moved slightly, but the areas are generally the same. He noted support for the commercial area along Inwood Ave. N., as well as the location of the multi-family. He noted that parking must be improved for

Stonegate Park. Larson encourages dialogue with the Stonegate neighborhood on the Park and the buffer. He noted support for the draft findings.

Haggard noted that she thinks the plan may not be consistent with the Comprehensive Plan. She would like additional time to visit the Blaine and other development sites completed by Hans Hagen.

Williams noted that he has concerns about the residential details. He notes that he does support the draft findings, but has some conditions. His proposed condition is that the lifestyle home should not be located immediately adjacent to the Stonegate area. He noted that he supports the proposed uses in the plan except for the multi-family area in the northwest corner is too dense. He added that the trail should be concentrated on the west half of the buffer. Williams added that there should be some park/gathering area in the northwest portion of the development. Finally, he added that a 4' sideyard setback is too small, that a 5' would be a reasonable minimum. He thinks that the front and rear yard setbacks are ok.

Kreimer notes he is concerned about the size of the lots. We require 8000 square feet and the applicant is asking for flexibility of 5000-6500 square feet.

Haggard voiced her concern about the sideyard setbacks. She feels we should stay with ordinance which was already a compromise.

Lundgren is concerned that 20% of the single family homes which are low density are at 38 feet when 60 feet is required.

Larson noted that the proposed product is different than a typical single family home, as it is association maintained. Therefore, it is warranting an exception.

Dodson asked if the highest density amount for low density can even be met with our standards. Johnson stated that it would be difficult. Dodson brought up possible coving to address the resistance to reduced setbacks.

Johnson talked about the purpose of the PUD Ordinance. If a developer has a different concept or product type, sometimes deviations are warranted or necessary.

Haggard stated that she likes the concept and the elements that they have included, but the sideyard setbacks are smaller than should be.

Williams suggested condition 2a where the minimum setback would be 5' for all single family detached housing.

M/S/P: Williams/Kreimer, move to require a 5-foot sideyard setback for all of the single family detached housing, **Vote: 4-2, motion carried**, with Larson and Dodson voting no.

Haggard noted that she wished to see the development before making a decision on the sideyard setbacks.

Hans Hagen talked about the market demographic and future trends in housing. Hans Hagen talked about all the dynamics at play in new home construction. He invited the Planning Commission to go out and look at The Lakes in Blaine.

Wayne Prowse, 697 Julep Ave, spoke about why he came out to Lake Elmo. He feels that they were promised low density housing around Stonegate.

M/S/P: Williams/Dodson, move to add to condition #6 “the location, size and design of the park will be subject to review by the Park Commission. It is recommended that the Park Commission consider the inclusion of a small park area or gathering space in the northwest portion of the development, **Vote: 6-0, motion carried unanimously.**

Haggard discussed her concern about garage dominant design. The Planning Commission engaged in a discussion about garage doors.

M/S/P: Dodson/Lundgren, condition #19 move that the applicant must work with the City to submit their residential design standards to the City as part of the Preliminary Plat application, **Vote: 6-0, motion carried unanimously.**

Williams suggested that the plat should be revised to include 2 rows of designer product.

M/S/P: Williams motion to require single family designer lots on east side of the development, motion fails for lack of a second.

Hans Hagen noted that the applicant is happy to include increased landscaping and design standards, but if the City wants to require different product types on the east side of the development, then the proposed development will not work and the entire plan must be scrapped.

Larson presented strong support for the project and noted his concern about micro-management of the process.

Lundgren noted that going beneath the standards does not feel right.

Haggard stated that the City is getting things in return for the decrease in lot width and size.

M/S/P: Williams/Kreimer, move to include the Theming elements consistent with the Damon Farber Branding and Theming Study should be included in the public amenities

throughout the proposed development, **Vote 3-3, motion fails**, with Haggard, Larson and Dodson voting no.

There was a discussion about the multi-family area in the northwest corner of the development.

Kreimer was wondering if a traffic light would be appropriate at the intersection of Street B and 10th street. Rask stated that an EAW is required and part of that is a traffic study. The traffic study does not require a traffic light at 10th Street. Johnson stated that at the recent transportation meeting with the County, this intersection came up and they were not confident that a traffic light was warranted at that intersection.

M/S/P: Kreimer/Lundgren, condition #20 move to change the proposed land use of the area in the northwest corner to Commercial or Residential, Haggard offered friendly amendment to change to 15 units per acre maximum for residential, **Vote: 5-1, motion carried**, with Dodson voting no.

M/S/P: Larson/ Kreimer, move to recommend approval of the Concept Plan with the findings of fact listed in the Staff Report and the conditions of approval as amended.

M/S/P: Williams/Haggard, move to postpone consideration of the previous motion until the September 8th Planning Commission meeting and that the Planning Commission members are encouraged to visit the Lakes development in Blaine. **Vote: 4-2, motion carried**, with Larson and Dodson voting no.

Updates and Concerns

Council Updates

1. RAD Alt Comprehensive Plan Amendment to eliminate the RAD Alt zoning passed.

Staff Updates

1. Upcoming Meetings
 - a. September 8, 2014
 - b. September 22, 2014

Commission Concerns –

Haggard – more time to review packet.

Williams – on breaks

Meeting adjourned at 12:00pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant

Minnesota Department of Natural Resources

Ecological and Water Resources Division
Central Region Headquarters
1200 Warner Road, Saint Paul MN 55106
Telephone: (651) 259-5845
Fax: (651) 772-7977



August 25, 2014

Nick Johnson
City Planner
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Comments on Inwood PUD Concept Plan

Dear Nick,

The MNDNR has three comments regarding the Inwood PUD Concept Plan:

1. The City of Elmo's shoreland ordinance does not comply with the State's shoreland rules that limit the level of impervious surface to 25 percent (MR 6120.3300 Subp. 11). The MNDNR has not approved the City's recent shoreland ordinance (adopted June 11, 2014). We have several concerns with the current ordinance, including that the impervious surface limit of 30 percent, and how the language regarding water-oriented accessory structures and the 150-foot riparian dedication requirement in the ordinance are being applied by the City.
2. Integrate greater natural vegetative cover in the open space area to achieve the intent of the open space design criteria of the PUD provisions (MR 6120.3800 Subp 6. B.).
3. Retain and enhance the existing vegetative buffer along the stream to maintain natural drainage hydrology.

DNR has the authority to approve PUDs until a local government has adopted shoreland ordinance provisions consistent with the state shoreland rules (MR6120.3800 Subp 1). We would prefer to not have this approval authority and would instead encourage the city to adopt shoreland rules that comply with the statewide shoreland rules. We would like to meet at your earliest convenience to discuss the concerns we have with the shoreland ordinance and to continue the process of ordinance approval by MNDNR.

Sincerely,

Molly Shodeen
Area Hydrologist

mndnr.gov
An Equal Opportunity Employer

Nick Johnson

From: Tom FitzGerald <tfitzgerald@carbonair.com>
Sent: Monday, August 25, 2014 6:24 PM
To: Nick Johnson
Subject: Fwd: Hans Hagen Homes proposed PUD on 157 acres of land on the SE Corner of Inwood and 10th Street
Attachments: image001.jpg

Please see below

Thanks

Tom Fitzgerald

Sent from my iPad

Begin forwarded message:

From: Tom FitzGerald <tfitzgerald@carbonair.com <mailto:tfitzgerald@carbonair.com> >
Date: August 25, 2014 at 5:07:59 PM CDT
To: "'kklatt@lakeelmo.org <mailto:kklatt@lakeelmo.org>'" <kklatt@lakeelmo.org <mailto:kklatt@lakeelmo.org> >
Subject: Hans Hagen Homes proposed PUD on 157 acres of land on the SE Corner of Inwood and 10th Street

Mr Klatt,

I am going to try to make the planning commission meeting this evening but may not be able to attend. I am a resident of Stone Gate. I live at 877 Jasmine Ave Place North, Lake Elmo, MN 55042.

I am opposed to this planned development based on the density being requested, the types of dwellings proposed (town homes and apartments) and the requested reduced set backs. I think we all realize that this land will be developed and we have accepted that. However, I don't feel that we should accept any developments that are more dense than the density specified in the memorandum of understanding with the Met Council. The homes in Stone Gate are mid to upper level homes with large lots and a development of any kind adjacent to it with lower valued properties will negatively effect the property values in Stone Gate. A development with apartments, which I assume will be rentals, will have a particularly negative effect on our homes' values. I also don't feel a development of this type is consistent with Lake Elmo's traditional rural feel.

Those of us that live in Stone Gate have accepted that the bulk of the new development required by the Met Council was going to happen on land directly adjacent to our development. We are in effect bearing the burden of all this new development for all the residents of the city. I do not think that it is unreasonable to ensure that these developments are no more dense than they have to be and that the planning commission only approve those developments that will not negatively effect the values of already existing homes in Stone Gate.

I hope to see you at the meeting this evening. If I can't make it, I wanted you to know my thoughts.

Thanks

Thomas M. FitzGerald

President and CEO

Carbonair Environmental Systems, Inc.

1480 County Road C West

Roseville, MN 55113

(651) 202-2953 Direct

(612) 599-3752 Mobile

tfitzgerald@carbonair.com <mailto:tfitzgerald@carbonair.com>