



**City of Lake Elmo
Planning Commission Meeting
Minutes of November 24, 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, Dorschner and Haggard.

COMMISSIONERS ABSENT: None

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: November 10, 2014

Consideration of the November 10th minutes was postponed, as the Planning Commission received the minutes from October 27th.

Public Hearing: Inwood Preliminary Plat and Preliminary PUD Plan

Klatt began his presentation by noting that the PUD Concept Plan was approved in September. He noted that the application for tonight is a Preliminary Plat and Preliminary PUD Plan application submitted by Hans Hagen Homes and Inwood 10, LLC. Klatt outlined the PUD process as a refresher. Moving on, Klatt presented existing conditions of the site. He noted the location of the 5th Street pinch point in between Stonegate Park and the Bremer Bank facility. Klatt also presented the City's Comprehensive Plan, noting the various land uses included on the subject property.

Klatt then presented the approved General Concept Plan, noting the highlights of the plan. Based on the conditions of approval for the General Concept Plan, Klatt provided an overview of the changes to the plan based on the previous approval. First, the 150-unit multi-family building in the northwest corner has been removed. Second, the design speed of the curve of the 5th Street pinch-point has been reduced from 40mph to 35mph. This change reduced the impact to both Stonegate Park and Bremer Bank. Third, the applicant has provided a greater gathering space in the northwest corner on Outlot P. Fourth, the applicant provided for revised access for street D. The 100-foot buffer was maintained and, in some areas, increased. Klatt discussed the other updates to the plan since the Concept Plan stage.

Moving forward, Klatt presented the phasing plan for the development. He noted that the single family residential area is broken up into 4 phases.

Relating back to the Concept Plan approval, Klatt noted that the applicant is requesting that the Planning Commission reconsider three recommendations: 1) They are requesting that the loop road not include sidewalks due to the center planted islands that are used for stormwater management; 2) They are requesting that lifestyle lots be considered along the eastern edge of the plat; and 3) They are requesting that the trail recommendations comply with the County's Comprehensive Trail Plan. Klatt noted that the City Council specifically requested that the Planning Commission reconsider items #1 and #2.

Moving forward, Klatt described the low impact development techniques utilized in the single family residential areas. The planted center island serves as stormwater management and provide green space within each street. Klatt also described the proposed parkland dedication, noting that the applicant is proposing 12.6 acres of park, which exceeds the amount required by the subdivision ordinance. Klatt zoomed in on the southeastern park area and discussed access for the park. He also presented the proposed gathering area in the northwest portion of the site.

Klatt noted that there is additional information in the Staff Report. However, he did want to spend time discussing critical path issues, which include the water tower site and the 5th Street collector road. With regards to the water tower, the City and property owner have reached a preliminary agreement for a site north of 10th Street. Regarding the design of 5th Street, the City has received a study back from SRF consulting that the proposed design at the pinch-point with reduced design speed will function properly. However, there are some additional recommendations with regards to access spacing.

Klatt then provided an overview of general questions that he has received thus far from the Planning Commission or members of the public. He provided clarification on a couple of typos on the staff report. Finally, Klatt presented the findings of fact and conditions of approval as recommended by Staff. He also presented 4 modifications to the conditions of approval (conditions 2, 4 and 9). Klatt welcomed any questions.

Dodson asked if the applicants and Bremer Bank discussed a possible land swap to acquire the additional right-of-way for 5th Street. Klatt noted that the applicants have presented land swaps to Bremer Bank, but they were concerned about their ability to expand their facility. In addition, Bremer was interested in slowing down traffic. Williams asked how locked in the Boulder Ponds alignment is. Johnson noted that Boulder Ponds is completing the land transaction with Bremer Bank to provide for the proposed alignment.

Lundgren asked about street D. Klatt noted that access spacing as specified by the City Engineer informed the design of this road. Lundgren also asked about the City water tower. Klatt noted that the water tower is needed to provide adequate water pressure and storage for the entire area.

Kreimer asked about the maintenance of the central loop road. Klatt noted that while owned by the City, the central island would be maintained by the HOA.

Haggard asked if Outlot P is part of the open space calculation or part of the park calculation. Klatt noted that Outlot P is part of the open space calculation.

Williams asked about the oversizing of the sewer, noting that it would provide additional capacity for expansion of sewer development north of 10th Street. Klatt noted that this is best management practice for engineering to provide additional capacity in case any adjacent properties are in a situation where service is needed. Williams also asked about the density of the multi-family area, wondering if the applicant can come back with a higher density still within the range of the HDR land use category. Klatt explained that it could be done, but would require a Concept Plan Amendment.

Lundgren asked about the access issues identified by the City of Oakdale. Klatt noted that the County is charged with managing access on Inwood Ave. (CSAH 13). The County has a future plan that notes that access in some areas will need to be modified. 9th Street remains a concern identified by the City of Oakdale. Lundgren also asked about the request for a trail on the East side of Inwood Avenue. Klatt noted that it is a good recommendation, but is not currently supported by the County's Transportation Plan.

John Rask, Hans Hagen Homes, presented an overview of the project and discussed the general site amenities that will be incorporated into the development. He noted that there is a substantial amount of berming and buffering that will be incorporated into the project. Rask noted that 5th Street is being privately financed. In addition, he talked about the probable phasing of the project. Hans Hagen views the buildout of the residential area as a 7 or 8 year buildout. Rask spoke about the design standards used for the single family homes.

Moving forward, Rask spoke about the designs for the park areas. He noted that they are conceptual, that the Park Commission will get the opportunity to program these park areas.

Rask talked about the loop roads and the design intent. He noted that sidewalks are not included in order to provide more usable space in the front yards of the homes, as well as providing the internal green space. They are hoping to achieve a unique design with one-way streets, center planted medians and potential for gathering space.

Lundgren noted that the developer did an excellent job preparing their application. Lundgren noted that she was at first hesitant to forego sidewalks on the residential streets, but really liked the one way loop street designs. She also asked why there were so many cottonwood and box elder trees proposed. Rask noted that the box elder and cottonwood trees are the existing trees on the site that have been inventoried.

Dodson asked why the 9th Street access was necessary. Rask noted that access would be beneficial for the future office or commercial uses. Dodson asked about when the HOA would be established as a business entity. Rask provided background information about the structure of HOAs in Hans Hagen neighborhoods. In addition, due to the maintenance that is provided, the HOA starts on sound financial footing. Kreimer asked about the maintenance of the sprinkler systems. Rask noted that the system will be based on a stormwater reuse system from the retention ponds. He also noted that the HOA adopts rules on the irrigation of lawns.

Haggard asked about the size of the commercial in the northwest corner. Rask noted that the conceptual building is a 10,000 square foot footprint. The northwest site is restricted due to the shoreland zoning due to proximity to Armstrong Lake. Haggard also asked how parking is restricted within the loop roads. Rask noted that some signage will be used, and the HOA has strict rules with regards to parking. Haggard asked about the 5th Street cross section. Rask noted that the applicants are using the City's typical cross section. Haggard also asked about the landscaping of back yards within the viewshed of the commercial areas. Rask stated that they had talked to Inwood 10, LLC about having a maintenance agreement in place for landscaping so that they can do additional plantings. Williams suggested adding a condition to require the maintenance agreement for landscaping. Haggard asked about the likely timing of the commercial and multi-family sites. Phase one would start in 2015 and will take 7 years for the residential. The Commercial will serve the residential, so the Commercial will not happen until probably after the residential.

Dorschner asked what information is provided to the buyer of these sites. He noted that often people are surprised when a different use shows up. Rask noted that the entire mixed-use development is presented to the prospective buyers. He added that the owners view the commercial and senior housing as a benefit to the community. Hans Hagen discloses all of this information, and actually uses as a selling point.

Williams asked about the berm along 10th Street, noting that it is located within the County right-of-way. Rask noted that the lots along that area are extra deep, so the right-of-way can be accommodated. Williams asked about reducing the access at the southeastern park. Rask noted that they can likely figure it out, but the design of the park will inform the access. Williams noted that the buffer trail was not moved further west. Rask suggested that the trail be field staked with City staff to minimize tree loss. The best alignment can be accommodated with this approach while maximizing privacy for both Stonegate and the Inwood neighborhood. Williams asked about the

incorporation of theming. There was a general discussion about incorporating theming elements.

Haggard asked about set places for cross-walks for 5th Street, particularly for the multi-family portion of the site to access the park area.

Public Hearing opened at 9:25

Curt Montieth, 331 Julep Ave. N., asked about the installation and maintenance of the street lights. Klatt noted that the developer must install the lights and the City will lease them from Xcel. Montieth asked about snow removal of the loop roads. Montieth asked about the possibility of locating the water tower in the 2-acre park. He noted that he supports the lower design speed of 5th street, as it will slow people down. Montieth noted that design standards in place for the multi-family development, as it may relieve future opposition to that development. Regarding Stonegate Park, Montieth suggested that the park area have adequate parking. He also requested that a berm be put in place in Stonegate Park to buffer some of the nearby residential properties. He requested that Hans Hagen and the Park Commission meet with nearby Stonegate residents to work on the park design.

Clayton Lance, Oakdale resident, noted that they are concerned about 9th Street. It is difficult to make left-hand turns onto Inwood Ave. at this point from 9th Street. Clayton Lance noted that the future commercial users are a concern. He would prefer commercial uses that are not 24 hours a day, 7 days a week.

Kyle Klatt read a letter from the City of Oakdale into the public record. Emily Shively, City Planner, notes that Oakdale does not support restricted access at Oak Marsh Drive and 9th Street. In addition, they recommend a trail be installed on the east side of Inwood Ave. N.

Public Hearing closed at 9:45pm

Klatt addressed a few questions that came up during the discussion. He noted that the proposed homes would not meet the single family garage design standards for width. Klatt also raised an issue related to the design of 1-way streets. Klatt wrapped up by talking about the benefits of planned developments and how they relate to this specific project. Finally, he noted the flexibilities requested by the applicant.

Regarding the conditions of approval, Klatt recommended that the additional condition that the Engineer's comments related to the transportation study be incorporated as a condition of approval.

Williams suggested that the road be narrowed to accommodate a sidewalk on one side of loop roads. There was a discussion about street width and the functionality of these

areas. Williams noted he is concerned about the safety aspect. 30th Street was utilized as an example. Dorschner noted that the comparison is not valid as 30th Street is a collector road and the proposed loop roads would mostly be used for the limited number of homes on that particular street.

Williams noted that he no longer supports requiring designer lots at the end of loop roads adjacent to the Stonegate neighborhood as it added little benefit.

Haggard noted that she is interested in design standards for the commercial and multi-family housing. She would like to see the design standards for the outlot areas be consistent with the single family areas. Larson suggested that the design standards be addressed once the multi-family and commercial areas come forward for development.

Lundgren asked if it would be appropriate to include berms around the residential properties which border the SE Park. Dorschner noted concern about access, visibility and safety. Montieth noted that the berms could be used as sledding hills. There was general discussion about having the park commission look at the berming.

Haggard suggested an additional condition that landscaping be added around the borders of pond #200. She also suggested theming be considered for the communal areas within the loop roads.

Kreimer noted that the 5th Street intersection at Inwood is a gateway. Some theming elements should be incorporated at that location. There was agreement that Street B and 10th Street would be another appropriate location. There was a discussion about theming. Klatt suggested that theming be utilized in the "common elements".

Haggard noted that she would like to see a trail on the west side of the development. There was a discussion about trails.

M/S/P: Haggard/Lundgren, move to provide landscape material along the west side of pond #200 to satisfy the Cities landscape consultant. **Vote: 6-1, motion carried**, with Dorschner voting no.

Williams made a motion to include theming within loop roads and gateways.

Dodson noted his concern about including theming within the loop roads. Dorschner agreed, and suggested that the developer has done an excellent job designing this subdivision.

M/S/P: Haggard/Larson, move to amend original motion to remove the theming components within the common elements within the loop roads, **Vote: 6-1, motion carried**, with Williams voting no.

Williams noted his opposition to the amendment.

M/S/P: Williams/Haggard, move to utilize theming at the gateway of 5th Street and Inwood, and the intersection of Street B and 10th Street, **Vote: 7-0, motion carried unanimously.**

M/S/P: Kreimer/Williams, move to include a trail along 10th Street from Street B to Inwood Ave. N. within the County right-of-way, **Vote: 6-1, motion carried**, with Dodson voting no.

Williams suggested amending finding #1 – after Lake Elmo Comprehensive plan, insert “except for narrowing and extending the commercial areas to the south to the intersection of 5th Street and Inwood avenue”.

Williams suggested amending finding #2 – Add at the end “with exceptions for lot width, lot area, setbacks and 60% rule for garage width”.

M/S/P: Williams/Kreimer, move to amend finding #1 regarding the Comp Plan, **Vote: 7-0, motion carried unanimously.**

M/S/P: Williams/Dorschner, move to amend finding #2 to list exceptions from LDR zoning districts, **Vote: 6-1, motion carried**, with Haggard voting no.

Haggard does not think the garage width rule should be exempt.

Dodson moves to include some considerations related to HOA covenants.

M/S/P: Dodson/Lundgren, move to include HOA have finances in place before homes are built, **Vote: 3-4, motion fails**, with Williams, Larson, Dorschner and Kreimer voting no.

Kreimer noted that the previous concept plan approval included financial participation of the signal at 5th and Inwood. Klatt noted this is still a condition of the Concept Plan.

Kreimer noted that the trail alignment in the Eastern buffer area be as far west as possible.

M/S/P: Williams/Kreimer, move to have the trail alignment in the buffer area will be determined in consultation with the landscaping consultant and planning staff, **Vote: 7-0, motion carried unanimously.**

M/S/P: Lundgren/, move to have the Park Commission look at Stonegate Park and screening and landscaping around the park and along 5th Street. There was a general discussion about park improvements. Lundgren withdrew the motion.

Larson asked about the need to include the discussion about the sidewalks within the loop roads. Williams noted a lack of support for this recommendation.

M/S/P: Dodson/Larson, move to recommend approval of the Preliminary PUD Plan with the conditions outlined in the staff report and added by the Planning Commission based on the findings of fact as amended, **Vote: 5-2, motion carried**, with Haggard and Lundgren voting no.

M/S/P: Haggard/Lundgren, motion that the Park Commission prioritize Stonegate Park, including the Inwood development portion, in light of the overall development plans for the area around this park. **Vote: 7-0, Motion carried unanimously.**

M/S/P: Dodson/Larson motion to recommend that when HOA's are established, before homeowners move into development, that the City makes sure that a bank account and accounting system is set up to ensure that HOA is viable. **Vote: 7-0, Motion carried unanimously.**

Williams asked for a friendly amendment to clarify that developer's agreement include this provision.

Business Item: Sketch Plan - Halcyon Cemetery

Johnson presented an overview of a sketch plan review related to a proposed cemetery that would be located at Lake Elmo Avenue and 50th Street. He noted that a sketch plan has been submitted to the City because a cemetery must be processed as a plat. Staff reviewed the site for land use and zoning. Public utilities, private utilities, access, landscaping and tree preservation, screening and fencing, park dedication, and the subdivision review process.

Johnson noted that the City has received a letter with questions from the property owner adjacent to the proposed cemetery. This letter was distributed to the Planning Commission.

Williams asked why the application is coming forward as a plat since the boundaries are not changing. The applicant stated that they would address this question.

Dodson questioned how the existing house would be used. Johnson stated that the applicant intends to convert the house into a caretakers residence.

Lee Rossow, 11050 50th Street North, addressed the Commission and offered a response to the questions from the adjacent property owner. He noted that: there will be a gate restricting access to the site, there will be lights but they will adjust to lower levels at night, fencing will be used around the perimeter of the property, with wrought iron

along Lake Elmo Avenue and 50th Street North and chain link around the other boundaries, once approved as a cemetery the site can never be used for any other use. There are no dangers for soil contamination since concrete vaults are now used for all burials.

Mr. Rossow explained the rationale for the creation of a new cemetery and noted that the cemetery would be catering to the needs for modern burials.

Bill Sanders, Loukes Associates, Landscape Architect, explained that he has 25 years of experience with cemetery design. He reviewed the proposed plans for the property, and discussed access to the site, parking, use of the building, and other site design considerations. He stated that all bodies would be placed in concrete vaults and would not pose any risk for soil contamination.

Dodson asked for clarification for the ownership of each burial lot. Sanders indicated that the owner will be required to file a plat with the County, but any persons that wish to be buried on the site would purchase a right to be buried in the cemetery. State law requires that a portion of any burial fees be placed into a long-care perpetual maintenance fund for the cemetery. He noted that the tax exempt status takes effect upon filing of a final plat for the property. It was noted that the cemetery will be private and non-denominational, and that Halcyon would not be providing any funeral home services. The overall plan includes space for approximately 1,200 burials.

Williams expressed concern with the access spacing for the proposed driveway and with the overall storm water management plans for the site.

The Commission asked general questions concerning the function and operation of the facility.

Updates and Concerns

Council Updates

None

Staff Updates

1. Upcoming Meetings
 - a. December 8, 2014
 - b.
2. Possible 6:30 meeting start time for next year.
3. Possible Planning Commission Retreat.

Commission Concerns

Dodson asked if cemeteries should be conditional uses.

Larson thanked staff for including the City Council minutes for the Inwood Project.

Haggard thanked staff for the information and staff reports.

Lundgren asked if the agenda could have been amended to accommodate the shorter item first.

Meeting adjourned at 12:11 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant