



CITY OF BAYPORT

CITY COUNCIL

WORKSHOP MEETING

July 31, 2013

AGENDA

PACKET



CITY OF BAYPORT

294 NORTH 3RD STREET
BAYPORT, MN 55003

CITY COUNCIL WORKSHOP
City Hall - Council Chambers
July 31, 2013
6:00 p.m.

***** Please note: There will be no public comment taken at the workshop. *****

CALL TO ORDER

BUSINESS

- Review the status of the preliminary plat application for Phase III-B of the Inspiration development

ADJOURN



CITY OF BAYPORT
294 NORTH THIRD STREET
BAYPORT, MINNESOTA 55003
PHONE 651-275-4404 FAX 651-275-4411

Date: July 30, 2013
To: Mayor and City Council
Through: Logan Martin, City Administrator
From: Sara Taylor, Assistant City Administrator/Planner
Subject: Inspiration preliminary plat application for Phase III-B

BACKGROUND

On May 22, 2013, the city received a preliminary plat application to develop the remaining single-family lots and infrastructure within Inspiration, which has been identified as Phase III-B. City staff has been working with both Bayport Mainstreet Holding (current property owner) and DR Horton (applicant and prospective buyer) to review the site design and engineering submittals over the past several months. City staff has concluded that the overall proposed preliminary plat is consistent with the city approvals granted in 2004 and complies with the zoning and land use intended for the development. As such, staff is recommending approval of the preliminary plat application, subject to several conditions noted in the most recent staff report prepared for the July Planning Commission meeting (see attached document).

On June 10, 2013, the Planning Commission held a public hearing and discussed the preliminary plat application. Several public comments were received at the hearing related to the lot layout, traffic volumes and patterns, architecture standards, landscaping, homeowner's association (HOA) administration, active open space areas, and the importance of retaining the overall "nature inspired" vision for the neighborhood. Upon conclusion of the hearing and discussion, it was the consensus of the Planning Commission to continue consideration of the application to the July meeting, to allow city staff time to work with DR Horton to address the comments and concerns expressed at the public hearing.

Following the June Planning Commission meeting, DR Horton met with both city staff and an advisory committee consisting of five residents from Inspiration to address the issues brought forth at the public hearing. As a result of these meetings, DR Horton agreed to implement and/or modify approximately 40 items in response to requests by city staff and the Inspiration advisory committee and agreed to include these items as revisions to their preliminary plat application (see attached DR Horton email dated July 3 and narrative dated July 12 within July staff report). Based on feedback from the Inspiration advisory committee, city staff and DR Horton received the impression that a majority of the advisory group (and the neighborhood) was appreciative of DR Horton's efforts to address resident concerns and supportive of the revisions to the application. However, there were a few residents that continued to express displeasure with the lack of architectural design requirements.

On July 22, 2013, the Planning Commission resumed discussion on the preliminary plat application. The Planning Commission commended DR Horton for their willingness to modify their original submittals to address comments and/or concerns expressed at the public hearing. However, a few commissioners expressed displeasure with the lack of architectural design requirements and frustration that specific standards were not included in the City's original approval documents for the development, so that the City and HOA could strictly apply and enforce particular architectural standards. City staff explained that although there may have been photographs and visual aids shared with the Planning Commission, City

Council, and prospective home buyers in 2004 to demonstrate historic housing styles and architectural features that would be encouraged and implemented as part of the development, these were not included in the enforceable master documents (see attached “The Art of Placemaking” document). City staff believes that such specific architectural detail was intentionally not included in the master documents, in order to encourage a variety of housing styles, as well as attract high-end custom home builders that may not have a plan that would meet the true definition of a “cape cod” or “craftsman” style of home, but would incorporate other desirable architectural features found in Bayport homes and the surrounding area. Unfortunately, certain residents may have been misled to believe otherwise by the original developer, hence their desire to incorporate more strict architectural standards into the master guiding documents as part of the current application now being considered. The meeting concluded with a 3-1 vote by the Planning Commission recommending approval of the preliminary plat application to the City Council, including staff’s conditions of approval, and the following additional conditions:

- The landscaping requirement shall not include the cost of irrigation and/or retaining walls.
- Design guidelines shall be established to encourage homes that are architecturally compatible with historic neighborhoods, in-line with traditional design standards, and designed/renovated in character and size with the historical nature of the city.
- The HOA Master Declaration shall be amended prior to application for final plat approval of Inspiration Phase III-B to establish a majority membership by Inspiration resident property owners on the HOA Architectural Review Committee (ARC), which ARC members shall be elected by a majority of property owners.
- The architectural requirements applicable to construction of new dwelling units within Inspiration Phase III-B will be incorporated within and made part of the PUD permit, with an administrative section addressing how such guidelines are to be administered with respect to new housing applications and future amendments.

It should be noted that Commissioner Richtman stated he was supportive of the preliminary plat application with staff’s recommended conditions of approval, however, he did not feel the additional conditions related to the architectural standards included in the motion were warranted and therefore he voted nay. Commissioner Todd Gilles was not in attendance, but did express his general support for the revised preliminary plat application in correspondence to city staff prior to the July Planning Commission meeting.

STAFF COMMENTS

The City Council’s role in reviewing the preliminary plat application is to ensure that the overall application complies with the zoning and land use intended for the parcel and is consistent with and compliments the standards approved as part of Phase I of the development. Staff has reviewed the submittal in detail and feels that although there are modifications from the original preliminary plat approved in 2004, the proposal retains the key components intended for the development. Modifications relate primarily to the site design and lot layout, street alignment, a hybrid of the small “village” and large “traditional” lot types included in Phase I, to create a medium sized lot consisting of 7,800 square feet, and a reduction in the total number of lots from 116 to 109. Lot requirements, setbacks, open space, etc. all remain consistent with Phase I. Housing styles and architectural features are also consistent with existing homes and meet the design guidelines stipulated within the HOA master declaration of covenants for the development (see attached DR Horton housing styles). DR Horton has also made a sincere effort to modify their proposal during the review process to address the issues of concern shared by residents and incorporate their suggested improvements both in terms of site design and the architecture of their houses.

For reasons stated above, the architecture and design guidelines were not intended to be incorporated into the master documents for the development, nor enforced by the city. The city does not have an ordinance

regulating architectural standards for any other residential zoning district, and this neighborhood is no different. When Inspiration was originally proposed in 2004, the Planning Commission and City Council were very clear that the covenants and special conditions that were implemented for the development, such as the architectural standards, were not to require additional city resources or become burdensome for the taxpayers and city staff. As such, review and approval of the architectural standards were to be a component and function of the Inspiration homeowners association. Imposing specific architectural standards, the review process needed for such standards, and the enforceability of such standards, may be considered beyond the scope of the city and prompt possible litigation, should such requirements be arbitrary and capricious. As such, staff reiterates the importance of retaining this requirement.

DR Horton is generally agreeable to the landscaping condition recommended by the Planning Commission, but has prepared the following comments related to the other architectural conditions:

- Design guidelines shall be established to encourage homes that are architecturally compatible with historic neighborhoods, in-line with traditional design standards, and designed/renovated in character and size with the historical nature of the city.

DR Horton comment: Not enforceable due to the ambiguous nature of the language. How would any individual or entity be able to prove beyond question whether something either complied or didn't comply with this standard? Will residents that bought from a previous production builder using portfolio homes be required to remodel their homes to comply with this standard?

- The HOA Master Declaration shall be amended prior to application for final plat approval of Inspiration Phase III-B to establish a majority membership by Inspiration resident property owners on the HOA Architectural Review Committee (ARC), which ARC members shall be elected by a majority of property owners.

DR Horton comment: We have no ability to meet this requirement. Any declaration amendment requires 67% vote (not majority) and a consent from Declarant. ARC Guidelines can be amended by the Declarant without a vote and we'd be happy to incorporate amended ARC Guidelines into the PUD Permit, but they don't belong in the Declaration. Aside from that, we are not willing to put control of our ability to build a home in the neighborhood into the hands of people on an elected ARC Board that may not act reasonably and/or in good faith. We are making an investment in land and infrastructure and cannot go into it not knowing if we will be able to get even one building plan approved.

- The architectural requirements applicable to construction of new dwelling units within Inspiration Phase III-B will be incorporated within and made part of the PUD permit, with an administrative section addressing how such guidelines are to be administered with respect to new housing applications and future amendments.

DR Horton comment: This is reasonable if the ARC requirements are no more stringent than what we agreed to in our July 3 email.

WORKSHOP DISCUSSION

At the workshop, Planning Consultant Dan Licht and City Attorney Andy Pratt will provide some additional insight on the preliminary plat and the Planning Commission's recommendation. We hope the discussion will help provide a better understanding of the application, to help guide the City Council in their review of the preliminary plat at their September 3, 2013 meeting when the request is to be considered. We have included Dan's staff report from the July Planning Commission meeting, as well as examples of housing styles, for reference. However, please feel free to contact Sara or Logan prior to the workshop to ask specific questions or if you would like to view additional documentation related to Inspiration or this application.



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PLANNING REPORT - *addendum*

TO: Bayport Planning Commission

FROM: D. Daniel Licht, AICP

RE: Bayport – Inspiration Phase III-B; PUD General Development Plan/Preliminary Plat

REPORT DATE: 18 July 2013

120-DAY DATE: 13 September 2013

TPC FILE: 195.02 – 13.01

A. BACKGROUND

DR Horton, Inc. has entered into an agreement with Bayport Mainstreet Holding (BMH), LLC to acquire Outlot A, Inspiration and has submitted application for a Planned Unit Development (PUD) general development plan and preliminary plat. The PUD general development plan and preliminary plat submitted by DR Horton proposes alterations to the approved subdivision design and PUD standards for this portion of Inspiration. The Planning Commission conducted a public hearing at their meeting on 10 June 2013 to consider the application. Following public testimony and discussion by the Planning Commission, the public hearing was closed and the application tabled to allow the developer an opportunity to respond.

The developer met with a group of residents from the neighborhood following the Planning Commission meeting to discuss issues related to their proposed PUD general development plan and preliminary plat. Based on this meeting, the developer prepared a revised site plan that was submitted via email on 3 July 2013 to both the neighborhood group and City staff. City staff provided formal comments on the revised site plan to which the developer made modifications and resubmitted the revised site plan for consideration by the full Planning Commission. The Planning Commission will again consider the application at their meeting on 22 July 2013.

Exhibits:

- DR Horton Letter dated July 12, 2014
- Inspiration Overall Land Use Component Plan (2004)

B. ANALISYS

Architecture. A significant issue raised at the public hearing and discussed by the developer were residents' concerns regarding architectural requirements for the single family homes to be built within the remaining vacant lots in Phase I, those now final platted in Phase III-A and those that would be built in Phase III-B. The Inspiration Master Declaration of Covenants, Conditions, Restrictions and Easements document establishes the architectural guidelines as a function of the Homeowners Association and outlines administration through an Architectural Review Committee (ARC).

The earliest copy of the architectural guidelines City staff has been provided is dated June 2008. The architectural guidelines are a two page document of basic standards without specific reference to detailed architectural design requirements. The City is not to be involved in subjective or implied interpretation of architectural requirements and the City has not reviewed plans for houses built within Inspiration except as required to determine compliance with the Building Code and Zoning Ordinance. The ARC oversees the review of individual house plans and issues a certificate of compliance with the architectural guidelines that is submitted to the City with the building permit application.

City staff is recommending that the property owner and developer modify the architectural guidelines to include the more specific architectural elements outlined in the email of 3 July 2013. This would be made a condition of PUD general development plan approval and be required to be completed prior to application for final plat approval for any portion of Phase III-B including the following:

- Cedar front porches as standard.
- Concrete porches not allowed as an option available to buyers in the new phases.
- Composite front porch decking as an option available to buyers.
- Add tongue-in-groove wood patio ceilings as an option available to buyers.
- Add porch swing as an option to buyers.
- Add new exterior light fixtures as an option to buyers.
- Garage doors will be painted a color to match/compliment the rest of the home; color to be selected at the design center consultation when the home colors are selected.
- Garage doors will have hardware added as standard.
- Garage doors with windows in the top panel will be an option available to buyers.
- Front doors will be painted a color to match/compliment the rest of the home; color to be selected at the design center consultation when the home colors are selected.
- Two additional front door options that include glass in the main door or side lights have already been added to provide additional options available to buyers.
- Wood grain fiberglass doors with glass options will be added as an option available to buyers.
- The number of color pre-selections will be increased including new colors from Sherwin Williams.

- Color pre-selections will be “retired” once it has been used on 18% of the homes in a phase and/or the overall site so that popular color schemes do not get overused.
- A sales and marketing team will create an “Inspired by Nature” marketing piece to guide buyers toward exterior upgrades and features desired by the neighborhood (front door, garage doors, paint, exterior lighting, patio ceiling, porch swing, landscaping, outdoor living spaces, etc.).
- Utilize available option upgrades when making selections for spec/inventory homes (those that start without a buyer in place) so as to showcase some of the features and enhance diversity.

Homeowners Association. The Homeowners Association was established with the Inspiration Phase I final plat. The issues discussed by the developer and residents with regards to membership on the HOA Board of Directors and Architectural Review Committee are issues that the City is not party to and should not be a consideration of the Planning Commission in evaluating this request.

Development Plan. The following is a summary of the changes as shown on the revised site plan submitted dated 11 July 2013:

- The overall number of single family lots within the area of Phase III-B has been decreased by seven and the total acreage devoted to open space is increased by 0.78 acres from the 2004 PUD general development plan. This is one less single family lot on the revised site plan than the initial Phase III-B development plan dated 16 May 2013.
- The area bounded by Inspiration Parkway North, Primrose Path, Planters Path and Prairie Way has been extensively revised from the initial Phase III-B development plan dated 16 May 2013:
 - Extension of Periwinkle Place between Inspiration Parkway North and Planters Path has been eliminated and a loop street accessing 15 lots is proposed.
 - At the center of the proposed loop street is an open space outlot to be developed as a village green with patio seating, a pergola structure, fire pit and open play area.
 - On the outside of the lots accessed by the loop street is an open space outlot that will be developed with native plantings and trees primarily functioning for stormwater management. A trail between the village green outlot and Inspiration Parkway North will be provided to allow pedestrian access from south portions of the neighborhood through the block to access Barker’s Alps Park. Maintenance of this trail will be an HOA responsibility along with the improvements in the village green.

- The revised site plan includes a landscaped roundabout at the intersection of Inspiration Parkway North and Primrose Path consistent with the original 2004 site plan. The design of the roundabout remains subject to City Engineer approval to ensure adequate turning movements for vehicles navigating the intersection.
- The revised site plan includes additional sidewalks along the south side of Inspiration Parkway North, west of Primrose Path, along Primrose Path, north of Inspiration Parkway, and at the perimeter of the roundabout.
- The proposed Phase III-B subdivision design includes nine lots on the south side of Inspiration Parkway between Stagecoach Trail (CR 21) and Primrose Path. This area was approved to be a landscaped passive open space within Outlot C with the 2004 PUD general development plan and preliminary plat. City staff is recommending that the restoration plan for Outlot C be revised to provide for the same number of plantings as originally approved but that they be shifted to the south of the lots fronting to Inspiration Parkway North to provide visual screening of the back of the houses and rear yards as well as buffering the houses.

Lot Requirements. Inspiration was approved with unique lot requirements that deviated from the standard requirements of the City’s R-2, Single Family Urban Zoning District. The developer is proposing a single set of minimum lot requirements that are larger than the village lots and smaller than the traditional. Within these minimum standards there are three different lot sizes shown on the revised site plan, including seven lots 65 feet wide, 91 lots that are a minimum of 70 feet wide and 11 lots that are a minimum of 80 feet wide. Given the context of the overall site plan and preliminary plat that includes permanent open space and the ability of these lots to accommodate a range of house styles and sizes, the proposed lot requirements are consistent with the intent of the flexibility from the R-2 District standards approved in 2004.

	R-2 District	Inspiration (2004)		Phase III-B
		Village	Traditional	
Min. Lot Area	10,000sf.	5,500sf.	9,600sf.	7,800sf.
Min. Lot Width	75ft.	50ft.	80ft.	65ft.
Min. Lot Depth	130ft.	100ft.	100ft.	100ft.

Setbacks. Likewise, Inspiration was approved with setbacks that deviated from the requirements of the R-2 District, particularly for the small village lots, some of which had alley access, compared in the table below. Except for the side yard setback, the requirements proposed for the modified PUD general development plan and preliminary plat are consistent with the setbacks of the R-2 District. Requiring a 7.5 foot setback from interior side lot lines regardless of whether the building is part of the dwelling or part of an attached garage simplifies construction upon each lot and ensures a minimum 15 foot separation between principal buildings for rear yard access and fire safety. City staff considers the proposed setbacks to be appropriate given the context of the 2004 approvals and the demonstrated ability to construct a variety of house styles and sizes upon these lots.

	R-2 District	Inspiration (2004)		Phase III-B
		Village	Traditional	
Front	20ft.	15ft.	20ft.	20ft.
Side Corner	20ft.	20ft.	20ft.	20ft.
Interior	10ft./House 5ft./Garage	10ft./House 5ft./Garage Total 15ft.	10ft./House 5ft./Garage Total 15ft.	7.5ft.
Rear	30ft.	23ft./House 5ft./Garage	20ft.	20ft.

Open Space. The revised site plan includes six outlots with a preliminary total area of 34.78 acres. Outlots A-D and F are to be deeded to the City, preserved through a conservation easement and held by Minnesota Land Trust and maintained by the Inspiration Stewardship Foundation consistent with the 2004 Inspiration PUD general development plan and preliminary plat approvals.

Landscaping. The revised site plan generally shows proposed landscaping in a general form. The landscaping will be required to be consistent with the types and quantities shown on the original 2004 PUD general development plan as well as the amended open space restoration plan approved in 2012.

Access. The subject site will have access via Stagecoach Trail (CR 21) with an intersection at Inspiration Parkway North, the location of which is the same as approved in 2004, as well as connections to existing local streets within Inspiration Phase I. The design and access of the north intersection of Inspiration Parkway and Stagecoach Trail (CR 21) is subject to Washington County approval. Washington County is requiring that this intersection be designed to allow only three-quarter turning movements prohibiting a left turn from Inspiration Parkway North to southbound Stagecoach Trail. This requirement by Washington County is being made in conjunction with the installation of a traffic signal at Inspiration Parkway South and Stagecoach Trail, which Washington County believes is warranted based on the school development west of the roadway and increasing traffic on Stagecoach Trail (CR 21).

Washington County originally approved a full intersection at this location but has the authority to change the required traffic controls as they deem necessary. With the new development and increased traffic in the area, Washington County finds that additional control of the Stagecoach Trail (CR 21) and Inspiration Parkway North intersection is now warranted, resulting in the required three-quarter intersection design. City staff had extensive discussions with Washington County staff to maintain at least three-quarter turning movements at Inspiration Parkway North and Stagecoach Trail (CR 21) for neighborhood access. With at least three-quarters turning movements at Inspiration Parkway North and Stagecoach Trail, the City Engineer finds that there will be no traffic impacts within the neighborhood as:

- There are a limited number of homes within Inspiration (and seven fewer than originally approved per the revised site plan) and the potential traffic volume on the streets within the neighborhood would not exceed the capacity of a local residential street.
- Some portion of the traffic generated within the neighborhood can still be expected to utilize the intersection at Inspiration Parkway North to access northbound Stagecoach Trail (CR 21).

- Placement of a signal at Stagecoach Trail (CR 21) and Inspiration Parkway North may entice more traffic to utilize that intersection to access southbound Stagecoach Trail (CR 21) even if the turning movements at Inspiration Parkway North were not restricted.

Streets. The Inspiration PUD general development plan and preliminary plat approved in 2004 allowed for platting of 50 foot wide rights-of-way for public streets. The streets were to be constructed at 26 feet wide with either an urban section curb and gutter or rural section ditch as part of the planned drainage train. The developer is proposing to utilize the same street sections as part of Phase III-B but with additional urban sections. A rural section street will be used to match into existing streets with rural section designs. The 26 foot wide streets are to be posted on one side for no parking to provide adequate width for emergency vehicles at all times, which will be done by resolution adopted by the City Council concurrent with approval of a final plat application. All street designs and construction are subject to review and approval by the City Engineer.

Park Dedication. Development of the site remains subject to the Inspiration Master Development agreement entered into with approval of the original final plat on April 4, 2005. The Master Development agreement requires that subsequent final plats of Inspiration after Phase I would satisfy park dedication requirements established in Section 8 of the Subdivision Ordinance through payment of a cash fee in lieu of land equal to 10 percent of the fair market value of the subject site. The fair market value of the subject site is to be determined by an appraiser agreed to by the developer and the City at the time of application for final plat approval.

Development Agreement and PUD Permit. The developer will be required to enter into a separate developer's agreement and PUD permit specifically for Inspiration Phase III-B as a condition of approval for a subsequent application for final plat approval. The City Attorney will coordinate execution of these documents upon final plat approval by the City.

Burial Mounds. Three burial mounds were identified within the area of the Inspiration development and were to be protected by being established as separate outlots within Outlot N, Inspiration approved with the Phase I final plat. No portion of Outlot N is being affected by the proposed Phase III-B development so there will be no negative impacts to the burial mounds. The obligations of the property owner related to the burial mounds remain enforceable under the Phase I development agreement and are not a subject of the current application.

Nature Center. The 2004 PUD general development plan approval included a condition that the nature center to be conveyed to the City for use by the public upon completion of the open space restoration. The conveyance of the nature center hasn't occurred to date. The status of the nature center will need to be resolved between the City and the BMH and the issue should not be a factor in considering the current application. The open space restoration is anticipated to be completed in 2015.

Outlot M, Inspiration. The final plat of Inspiration Phase I included Outlot M at the southwest corner of the development. This parcel is separated from the balance of the Inspiration development by railroad right-of-way and has sufficient area to be a buildable parcel. The Master Developer's Agreement for Inspiration Phase I provides that the City be given first opportunity to acquire the parcel for a future public purpose use. City staff and the developer have discussed the conveyance of Outlot M to the City for \$1. Finalization of the property transfer requires approval of the City Council and would be transacted separately from consideration of the Phase III-B application.

C. SUGGESTED FINDINGS OF FACT AND CONDITIONS OF APPROVAL

The Planning Commission is asked to consider recommending approval of the Inspiration Phase III-B PUD general development plan and preliminary plat subject to the following stipulations:

1. The developer shall revise the plan set dated 16 May 2013 and open space restoration plan to reflect the proposed site plan dated 11 July 2013 and any additional conditions outlined herein and submit these for City staff review prior to City Council consideration of the PUD general development plan and preliminary plat.
2. The developer shall amend the architectural guidelines to include those elements addressed in their email correspondence dated 3 July 2013 prior to application for final plat approval of any portion of Phase III-B.
3. Issuance of a building permit shall be contingent upon certification from the Homeowners Association Architecture Review Committee that the proposed structure complies with the Inspiration architectural guidelines.
4. Single family lots shall be subject to the following lot and setback requirements:

Lot Requirements	
Min. Lot Area	7,800sf.
Min. Lot Width	65ft.
Min. Lot Depth	100ft.
Setbacks:	
Front	20ft.
Side Corner	20ft.
Interior	7.5ft.
Rear	20ft.

5. Outlots A-D and F as shown on the revised site plan shall be deeded to the City, preserved through a conservation easement and held by Minnesota Land Trust and maintained by the Inspiration Stewardship Foundation consistent with the 2004 Inspiration PUD general development plan and preliminary plat approvals.
6. The Homeowners Association shall retain ownership of Outlot E and all improvements therein as well as be responsible maintenance, repair and replacement for the trails within Outlots A and F.
7. The builder shall provide a cash escrow with application for each building permit guaranteeing installation of two street/yard trees to be installed after home construction is complete.
8. The developer shall submit a detailed landscape plan indicating the type, size and quantities of plantings in Outlots A-F to be consistent with the revised restoration plan approved in October 2012 and the developer shall complete the restoration plan prior to the City assuming responsibility for the maintenance of the outlots as has been agreed.

9. The developer shall be required to install plantings at Stagecoach Trail (CR 21) and Inspiration Parkway North in accordance with the landscape plan approved with the 2004 Inspiration PUD general development plan and preliminary plat.
10. Construction of the north intersection of Inspiration Parkway and Stagecoach Trail (CR 21) is subject to Washington County approval and the developer will be required to reimburse the City for all costs related to obtaining the required access and right-of-way permits.
11. The City Council shall adopt a resolution concurrent with approval of a final plat application designating one side of all public streets as no parking zones and the developer shall be required to install no parking signage as deemed necessary.
12. All street designs and construction, including the proposed roundabout at Inspiration Parkway North and Primrose Path, are subject to review and approval by the City Engineer.
13. All grading, drainage and erosion control plans and issues are subject to review and approval by the City Engineer with wetland issues additionally subject to review and approval by Washington County and the Middle St. Croix Watershed District.
14. All sanitary sewer, watermain, storm sewer and street light plans are subject to review and approval by the City Engineer.
15. All easements are subject to review and approval of the City Engineer.
16. Satisfaction of park dedication requirements established in Section 8 of the Subdivision Ordinance shall be through payment of a cash fee in lieu of land equal to 10 percent of the fair market value of the subject site to be determined by an appraiser agreed to by the developer and the City at the time of application for final plat approval.
17. The developer will be required to enter into a separate developer's agreement and PUD permit specifically for Inspiration Phase III-B as a condition of approval for a subsequent application for final plat.
18. The developer shall submit a complete application for final plat in accordance with the approved phasing plan no longer than one year after said approval, or approval of the preliminary plat shall be considered void, unless a request for time extension is submitted in writing by the applicant and approved by the City Council in accordance with Section 4-2-1.16 of the Subdivision Ordinance.

D. RECOMMENDATION

The developer has made a concerted effort to address the comments made at the Public Hearing by the public and the Planning Commission regarding the modifications to the original site plan now presented for approval as Inspiration Phase III-B that maintain original elements of the site design and makes improvements to others. Our office and City staff recommends approval of a PUD general development plan and preliminary plat for Inspiration Phase III-B. The Planning Commission is asked to make a

recommendation on the application. Suggested findings of fact and conditions of approval are stated in section "C" of this report.

- c. Sara Taylor, Acting City Administrator/City Planner
- Andy Pratt, City Attorney
- Barry Peters, City Engineer
- Ron Mullenbach, DR Horton
- Fran Hagen, Westwood Professional Services



July 12, 2013

Ms. Sara Taylor
Interim City Administrator
City of Bayport
294 North 3rd Street
Bayport, MN 55003

RE: Inspiration North Preliminary Plat Application

Ms. Taylor:

As you know, the above-referenced application was tabled at the June 10, 2013 Planning Commission and we were directed to meet with existing residents of Inspiration to discuss their concerns related to the application, as well as their concerns related to association-related matters.

On June 24, 2013, our division president, operations manager and I were able to meet with all five members of the association advisory committee (members that I understand have been asked by the residents at large to represent them in the past and with this request) at our model home. At that meeting, the committee members presented what they had determined to be a neighborhood consensus on main issues, organized under five general areas: homes, association, landscaping, development plan, and transportation. While there was some discussion of possible solutions, we treated this meeting as primarily a listening session. Following the meeting, we went back to the rest of our management team (sales, construction, and purchasing) to discuss ways that we could incorporate what we heard into a specific approach to developing, marketing, building and enhancing the community.

On July 3, 2013 we were able to complete revisions to an alternative neighborhood plan and summarize and present our proposals to the association advisory committee members and to City staff. A copy of the email correspondence and the alternative neighborhood plan (dated July 2, 2013) are included with this letter as Attachment A and Attachment B, respectively. As of the end of the day yesterday, we had received feedback from individuals (some positive and some not as positive), but not anything formal from the committee

members as a whole which we could use to modify the proposal further. It is certainly possible that adequate turnaround time did not exist over the holiday weekend and this week to reach consensus on a neighborhood response. Since I didn't receive specific instruction to share the responses I did receive with you and put them into the public record, I have not attached them to this correspondence. It is my understanding that some members of the committee and/or residents will be in attendance when this matter is brought back before the Planning Commission.

We did also receive comments from City staff. The attached concept plan, dated July 11, 2013 reflects plan revisions requested by City staff. We did, however, maintain some of the proposed mowed paths. The original development plan included 6' wide mowed paths and they were a feature desired by residents during our meeting with the advisory committee. We would propose that these trail (as well as the proposed "bridge feature in Outlot F" be maintained by the association and not the City.

It is our understanding that City staff has discussed their recommendation for restricted access to Stagecoach with County staff and that County staff is unwilling to change their position. As part of this re-submittal, we understand that a complete set of plans will be required to be submitted to City staff prior to City Council consideration of this request. It is also our understanding that neighborhood architectural guidelines would have to be revised per City comments prior to final plat.

Please let me know if you have any questions in advance of the July 22, 2013 Planning Commission meeting at which this item will be further discussed.

Sincerely,

A handwritten signature in blue ink that reads "Ron Mullenbach". The signature is written in a cursive, flowing style.

Ron Mullenbach
Land Manager

From: Ron A Mullenbach
To: "Jason Obler"; "Lee Stoerzinger"; "Nate"; "John Nelson"; "LuAnn Novak"
Cc: "Dan Licht"; Sara Taylor (staylor@cl.bayport.mn.us); James R Slaikeu; Robert M Krostue (RMKrostue@drhorton.com); Linda A Manning; Cory Meyer (cory.meyer@westwoodns.com); Michael Suel; "Fran Hagen"
Subject: Inspiration North
Date: Wednesday, July 03, 2013 1:38:00 PM
Attachments: [13-07-02 Alt Concept Plan 100.sc.pdf](#)

Jason, LuAnn, Lee, Nate and John

Thanks again to you all for the discussion last week. Over the last ten days we've been working with our site designer to incorporate changes to the overall plan and have been meeting internally to discuss if and how we can address non-plan comments. The results of this work is outlined below in roughly the same format as it was presented by the committee.

Homes:

We've had extensive discussions internally about what we can do to address concerns while still bringing a home to the marketplace that will both sell and appraise. We'd be able to do the following:

- Cedar front porches as standard.
- We are willing to no longer allow concrete porches as an option available to buyers in the new phases
- Composite front porch decking as an option available to buyers
- Add tongue-n-groove wood patio ceilings as an option available to buyers
- Add porch swing as an option to buyers
- Add new exterior light fixtures as an option to buyers
- Garage doors will be painted a color to match/compliment the rest of the home; color to be selected at the design center consultation when the home colors are selected
- Garage doors will have hardware added as standard
- Garage doors with windows in the top panel will be an option available to buyers
- Garage door design to match the architecture are already standard; the garage door on the "C" or cottage elevations are a significant design upgrade already standard
- Front doors will be painted a color to match/compliment the rest of the home; color to be selected at the design center consultation when the home colors are selected
- Two additional front door options that include glass in the main door or side lights have already been added to provide additional options available to buyers
- Wood grain fiberglass doors with glass options will be added as an option available to buyers
- We are working on smaller floor area home plans to introduce into the neighborhood and will continue to evaluate, update and expand our home offering on an ongoing basis
- The number of color pre-selections will be increased (we feel strongly that most buyers are overwhelmed by the options if given a full color palette to choose from; buyers can still select whatever they want but we need the pre-selections as a starting point)
- We're considering some new colors from Sherwin Williams <http://www.sherwin-williams.com/homeowners/color/find-and-explore-colors/paint-colors-by-collection/exterior-color-schemes/>
- Color pre-selections will be "retired" once it has been used on 18% of the homes in a phase and/or the overall site so that popular color schemes do not get overused
- Our sales and marketing team will create an "Inspired by Nature" marketing piece to guide buyers toward exterior upgrades and features desired by the neighborhood (front door, garage doors, paint, exterior lighting, patio ceiling, porch swing, landscaping, outdoor living spaces, etc.)
- Our team will utilize available option upgrades when making selections for spec/inventory homes (those that we start without a buyer in place) so as to showcase some of the features and enhance diversity

HOA:

- We support appointing an existing resident to the ARC committee, along with someone from DR

- Horton and someone from the current Declarant to review new applications.
- If Horton becomes Declarant we would appoint a second existing resident to the ARC committee.
- We support immediately adding residents to the HOA board.
- We will commit to a minimum 2 of 5 existing residents on the master board when we are Declarant.
- We support immediately forming a committee to work on monthly educational programming for the Nature Center (which was its original function), most likely only during the summer months, but we're not against it being a year-round function. Some ideas we have thought of include outdoor living spaces design, rain garden design, gardening, making rain barrels, etc. I sit on the planning commission for the Vermillion River watershed and can assist with connecting to some good resources for additional programming.
- We would like to work with the City, current property owners and residents to determine the long term plan for the Nature Center so that it can be an asset to the community.

Landscaping:

- We looked back and the landscaping percentage required has always been and still is 2.5%; it may be that with lower home prices that it seems like this is now lower than it was. Unfortunately, appraisals don't take into account landscaping value so we are not willing to increase the percentage and want to address the issue in other ways
- We are going to add a landscape design consultation into our home buying process for this neighborhood
- The landscape plan will be developed later in the process than it is currently so as to increase the chance that a buyer will be making the decisions

Development Plan:

I've attached the revised neighborhood plan, which incorporate the following concepts:

- Incorporation of active use areas to the open space plan, including a fire pit with pergola and an open play area with turf
- Village green central to the site that eliminates the cut-through route on Periwinkle Place
- Round-about for traffic calming, but also used as a landscaping focal point as you enter the neighborhood
- Entrance median similar to the existing entrance
- Eleven wider lots where we plan to build our wider homes to provide more housing diversity
- Utilized the concept of the mowed trail currently in use by residents as a more natural, lower maintenance alternative for making low traffic pedestrian connections
- Interconnected open space areas to create wildlife habitat corridors
- Trail corridor from the village green to the City park property with a pedestrian crossing "bridge" feature over the stormwater management feature

Transportation:

- Round-about as traffic calming feature where there was previously a 4 way intersection
- City to address access at Stagecoach Trail directly with the County
- Eliminated connection of Periwinkle Place as a through street
- Enhanced trail and sidewalk connections

We're hoping to be able to visit early next week some time with the HOA advisory committee so that we can finalize some type of submittal to the City for the July 22nd Planning Commission. Please let me know what you all think.

Thanks again.

Ron Mullenbach

Land Manager

D.R. Horton, Inc.-Minnesota

20860 Kenbridge Court, Suite 100

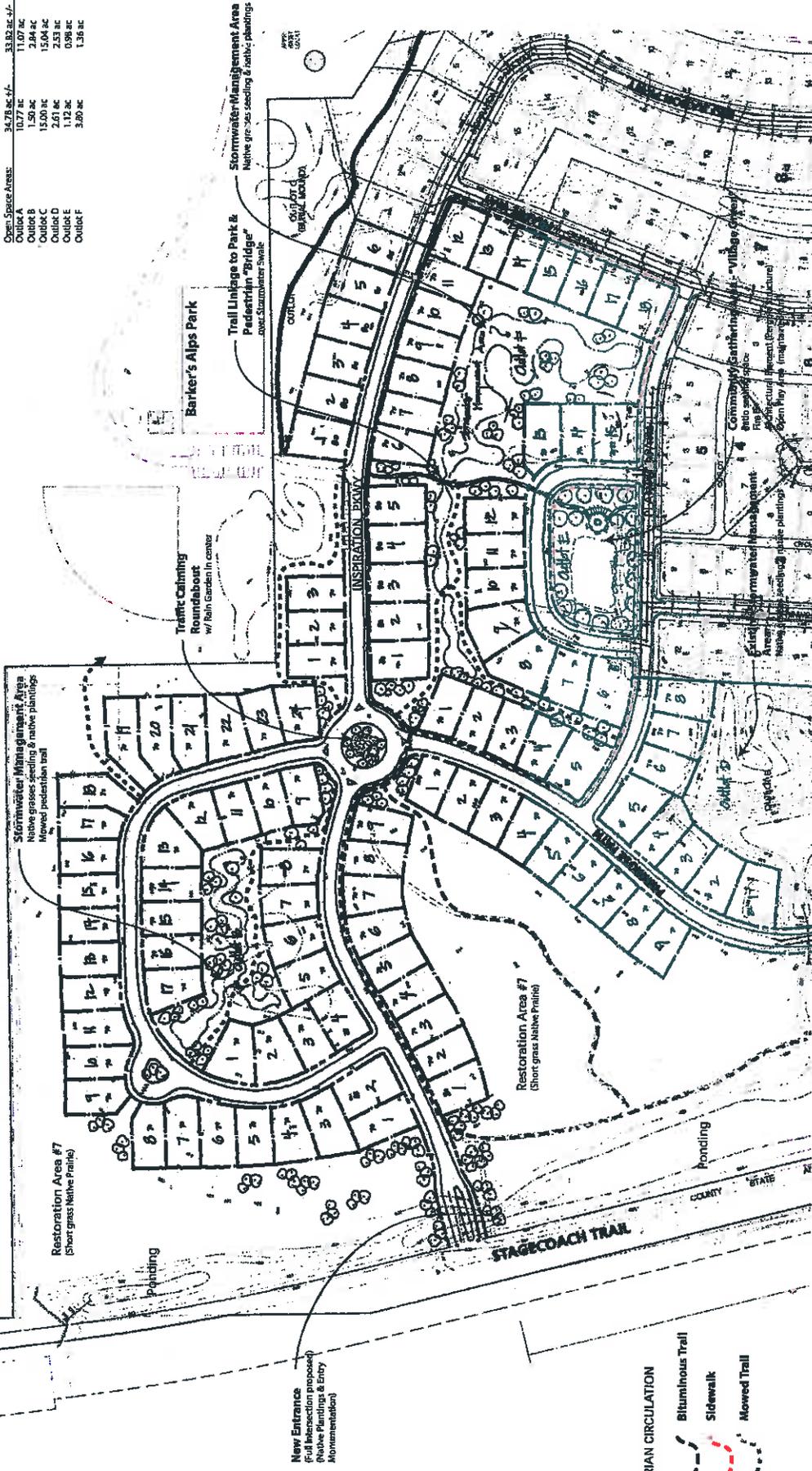
Lakeville, MN 55044

Inspiration North

Alternative Neighborhood Concept Sketch

Concept Comparison:	Current Layout	Original Layout
Proposed Lots:	109	116
- 7' @ 65' wide		
- 51' @ 70' wide		
- 11' @ 80' wide		
- 57' @ 80' wide		

Open Space Areas:	34,78 ac +/-	33,82 ac +/-
Outlet A	10.77 ac	11.07 ac
Outlet B	1.50 ac	2.84 ac
Outlet C	15.00 ac	15.04 ac
Outlet D	2.61 ac	2.53 ac
Outlet E	1.12 ac	0.98 ac
Outlet F	3.80 ac	1.36 ac



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America's Builder

W 23-3015
Westwood

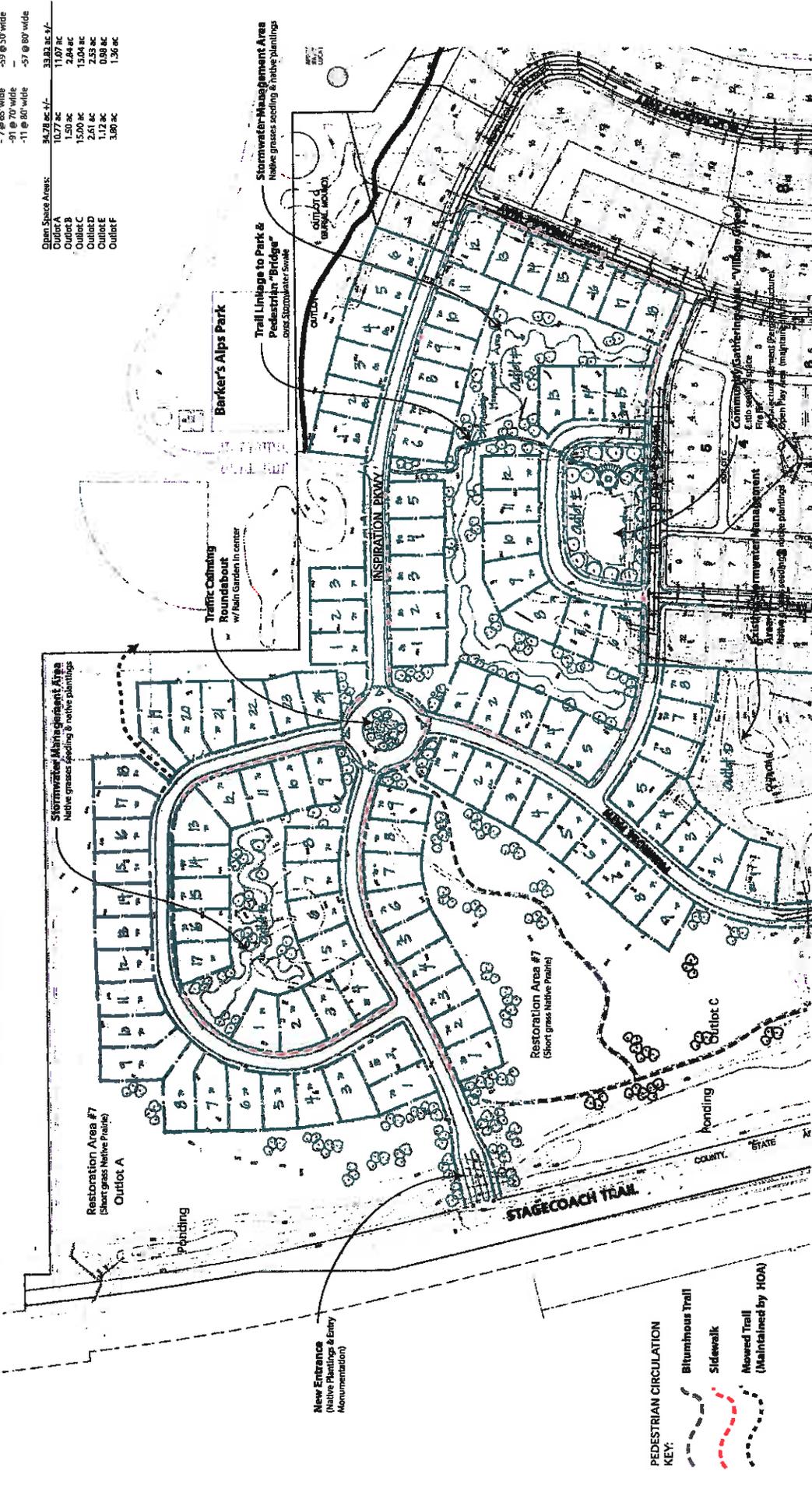


Inspiration North

Alternative Neighborhood Concept Sketch

Concept Comparison:	Current Layout:	Original Layout:
Proposed Units:	109	116
	-7 @ 65' wide	-59 @ 50' wide
	-91 @ 70' wide	-
	-11 @ 80' wide	-57 @ 80' wide

Open Space Areas:	34,78 ac +/-	33,93 ac +/-
Outlet A	10.77 ac	11.07 ac
Outlet B	1.50 ac	2.94 ac
Outlet C	15.00 ac	15.04 ac
Outlet D	2.61 ac	2.53 ac
Outlet E	1.12 ac	0.98 ac
Outlet F	3.89 ac	1.36 ac



D. HOHON
America's Builder

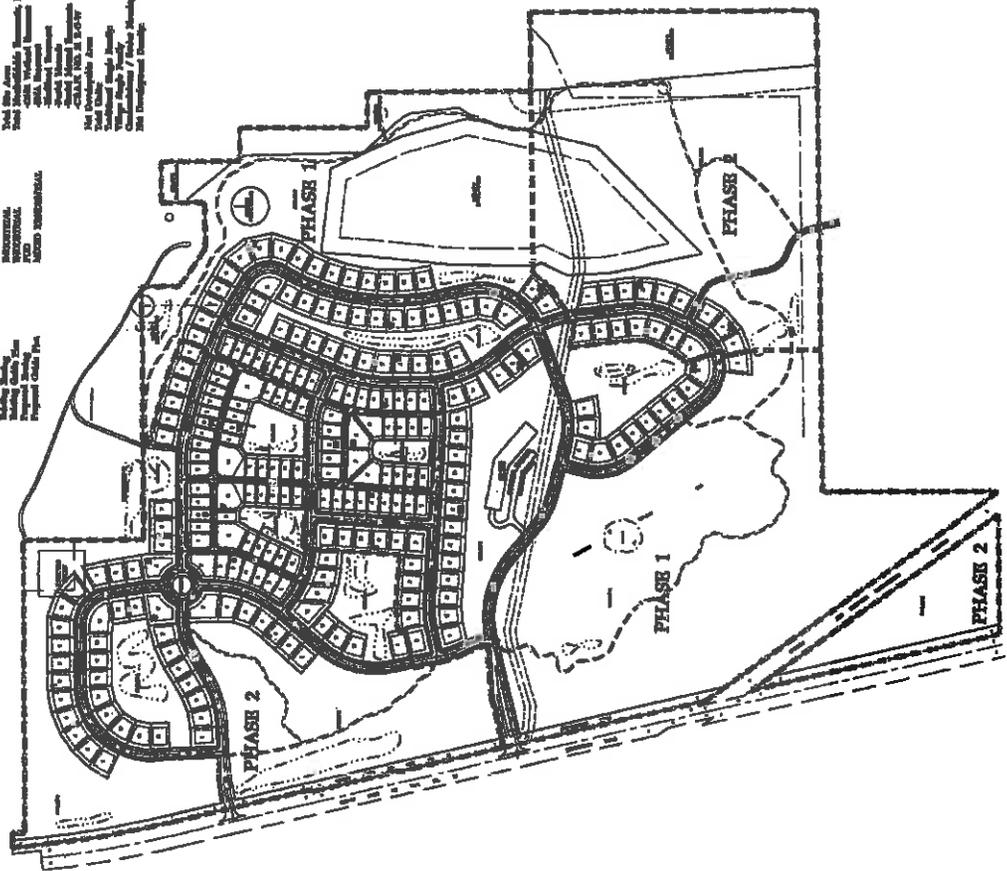
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14 1/2" x 11" (1/4" Scale) **GENERAL**
 1/4" = 1' (1/4" Scale) **PLAN**
 1/4" = 1' (1/4" Scale) **SECTION**

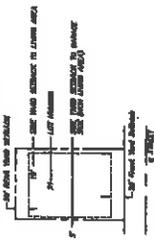
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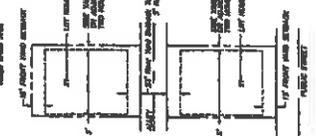
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Typical Residential Single-Story Unit



Typical 1 1/2-Story Single-Story Unit



NOT FOR CONSTRUCTION
 1/4" = 1' (1/4" Scale)

Inspiration

Project by
Contractor Property Development Company

DATE	DESCRIPTION

Contractor Property Development Company
 14 1/2" x 11" (1/4" Scale) **GENERAL**
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THE ART OF PLACEMAKING

Traditional Homes Architectural Design Guidelines

Through collaborative efforts by the best land planners and architects schooled in the art of conservation development, inspiration is designed to incorporate the best of small town architecture and planning with the principals of conservation development. To that end, Architectural Guidelines have been established for the Traditional Homes that will allow builders and homeowners to express their commitment to small town character through the selection of their preferred architectural style.

Inspiration's Architectural Review Committee (ARC) will use these Guidelines to direct approval of individual custom homes or a builder portfolio of homes. We invite the City to include a representative to serve on this Committee to oversee that these guidelines are executed.

The General Guidelines are based on the Founding Values and are addressed by the following criteria:

Home Siting

Careful siting of each home seeks to fit the topography, blend with significant existing vegetation, views, open space and other features that define the character of this neighborhood. These guidelines will further this goal by establishing criteria aimed at achieving quality levels of landscape architecture and sensitive site plans. The goal is beautiful streetscapes and restored open spaces, interesting and complimentary lot amenity features and parking and pleasing design. The individual home siting is also established to take advantage of the sun, surrounding views and to provide for both privacy and front yard neighboring opportunities. Special attention is paid to maintenance of sight lines of other homes to natural or built amenities.

Homes Dominant Streetscenes

Whichever topography allows, the goal is a house dominates streetscenes with a de-emphasis of forward extended garages with doors facing the street. In look-out/walk-out circumstances, forward extended garages would be courtyard/side loaded with doors facing the side yard. Special attention will be paid to corner homesites to take advantage of creative garage placement with side and rear loaded garages.

Architectural Styles

The preferred housing style is a 21st Century fusion of historical style with modern floor plans and material applications. To achieve a consistent streetscene, each home is reviewed by ARC. The home must resemble a particular historical style in its massing and detailing. Individual historical styles dictate the review criteria applied. Roof pitch, massing and materials; front porch massing and columns; windows, trim and siding detail are all appropriately proportioned relative to the intended style. A variety code will be enforced ensuring that no particular home elevation will dominate a streetscene. The same variety code will be enforced for exterior colors as well.

Landscape Planting

Individual home site planting contributes to the whole of the streetscene and is considered part of the overall housing component. Landscapes planting plans are reviewed by ARC to include foundation planting as well as overstory, deciduous and coniferous trees, understorey trees and shrubs. Rain gardens are encouraged in both front and back yards. A prescribed rain garden planting plan will be established for sidewalk shared storm water drainage swales. Flatwork, pool, patios, retaining walls, fencing, exterior dog runs, pools, hot tubs and exterior lighting are all part of plans reviewed by ARC.

* PROVIDED BY PLANNING COMMISSION CHAIR AND INSPIRATION RESIDENT JASON OBLER

Revival/renovate



Simple two-story box-on-box with strong vertical gable to the front which uses a strong shed roof define the Revival/renovate. Appropriate have low-pitched roofs and exterior cladding of narrow clad lap siding. Entrance with a full front porch with round or square columns from roof to floor.

Revival/renovate



Strong square masses, two-and-a-half stories high with wide eaves and a horizontal emphasis define the Revival/renovate. Entrances are framed with double-line treatment and a full-width porch with square supports and wide stairs. Low pitch roof line is typically 12:12.

Colonial



Simple one or two-story box-on-box with projecting wings or attached dependencies define the Colonial house. Two stories deep with four and variations in side symmetry. Central entrance with front porch and recessed door treatment emphasized with decorative moldings. Side-gabled roof front commonly used.

Craftsman



Porches where roof is expressed by distinctive eave, one with beams containing in gable level within the Craftsman house. Typically short, square upper columns rest upon square masonry plant or solid porch columns. Low-pitched gable roof (sometimes hipped) with wide, unadorned eaves overhanging and roof rafters exposed. Decorative beams or brackets under gables.

Shingle



Most shingling and raftering of conditions wood shingles define the Shingle house. Architectural bands with irregular, steeply pitched roof lines and intersecting cross gables and multi-level eaves. De-emphasized decorative detailing but also for a complete design contained within a smooth surface which defines the irregular outline of the house.

Greek Revival



Entrance with elaborate door surrounds, classical columns delineated by their tops and bases which support the porch and six-pane glazing windows define the Greek Revival house. Columns lines commonly emphasized with wide band of trim. Gable or hipped roof of low pitch.

Victorian



Decorative detailing, multi-leveled roof surfaces and ornamental roof features define the Victorian house. One-story porches, either entry or full-width, with diagonal or curving porch-support frames. Windows with detailing interrupted by pilasters or horizontal, vertical or diagonal bands extend from wall surface to emphasis. Gabled roof, usually with steeply pitched with cross gables.

Cape Cod



Small one to one-and-a-half-story houses with decorative moldings character the Cape Cod house. Symmetrical appearance with central entrance and light center ornamentation. Steep roof pitch with side gables and side-vented jacket flares is traditional.

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