

Lyssa Leitner, Washington County, presented information regarding the metro Gold Line which is the eastern finger of the metro transit. The 1<sup>st</sup> question a company will ask is regarding the availability of transit. They have chosen to go with rapid transit which will have buses only lanes with 13 stations on the line. This is the safest, most efficient type of transit. This will operate from 5 am until midnight. This will not replace the express buses, but will operate in addition to them.

Dodson asked about the 8-15% return on investment. This return is made up of about 6 factors including, less wear and tear on roads, fuel, vehicles, etc. Dodson also asked about the perception that a train is better than bus. It was stated that the cost of the rapid transit is about half the cost. It will look similar to light rail with the lanes, but without the rails.

Dodson asked if there was anything in the works for Highway 36. Lyssa stated that it is in the works for the planning stages for 2016. They are waiting to see what happens when the bridge opens. Dodson also asked about the risk factors. Lyssa stated that there are risk analysis being undertaken by MnDOT & Met Council. There is a cost risk analysis as well.

Will, East Metro Strong, which has been in existence for about a year and a half. East Metro Strong is made up of a board of 3 counties, 4 Cities, 3 businesses and one non-profit. The goal of the partnership is in support of catalytic transit investment. This will make the eastern metro competitive and draws good economic development and supports the quality of life. They work in support of the many stakeholders and provide technical assistance.

Kreimer asked what the financial implications are to the City. Lyssa stated that there would be zero cost to the Cities budget to build and operate. Dodson asked what the deliverables from the study would be. Will stated that the report will state what types of land uses the corridor can support which will translate to what Lake Elmo can support as well, possibly using a balanced score card. The market study would take 3 months from when they start.

The Commission was supportive of contributing to the study as long as we get something back from it. Will stated that it is really targeted to Lake Elmo needs. Fields is concerned that we are looking at the Lake Elmo long term goals. This market study is looking out to 2040.

M/S/P: Dodson/Fields, move to recommend to the City Council that we move forward with the market study for the BRT, ***Vote: 5-0, motion carried unanimously.***

**Public Hearing: Legends of Lake Elmo Concept Plan**

**Lake Elmo Planning Commission Minutes; 9-14-15**

Gozola began his presentation regarding an application for an open space development concept plan on three unaddressed parcels totaling 110 acres to the North of 50<sup>th</sup> Street and to the South of the Sanctuary development. The concept plan includes 51 residential lots.

Gozola discussed some of the challenges with the site plan presented. These included the lack of buffers, the access spacing for the 3 lots to the south that front 50<sup>th</sup> Street, the difficulty with the park and the overall density. The Developer is asking for 3 main deviations that would require a 4/5 Council approval. Those are 1) the density from 40 units to 51 units 2) the lack of buffer setbacks 3) lot design. As far as the development, a very important part would be connections to the east and to Linden Avenue. This would provide not only secondary access to Legends, but also to Sanctuary. The access spacing on 50<sup>th</sup> street also needs to be looked at to limit access to 50<sup>th</sup> Street. There were infrastructure issues talked about as well as phasing options.

Fields asked about the buffers. Gozola confirmed that they are not meeting the buffers. Haggard asked about the 20% bonus. Gozola confirmed that the bonus only applies to PUD's, which this is not.

Todd Erickson, project engineer for Legends, answered some of the Commissioners questions. He stated that they are requesting the additional lots in exchange for an extensive trail system which connects the other developments and winds throughout the development. There was a discussion about the different types of sewer systems.

Public Hearing opened at 9:40 pm

Amy Vanderhoff, 11384 50<sup>th</sup> Street, she supports a housing development, however, would like to see them follow the codes. She is very concerned about the 3 lots to the south that would have a shared driveway. Klatt stated that a shared driveway would need to be evaluated and approved with this project.

Sue Hicks, concerned with the construction access, which seems to have been addressed and also with the lack of buffering.

Austin Anderson, President of Sanctuary HOA, he is concerned with the lack of buffer zones. He would like to see the park in the outlot F area which has been talked about in the past.

Michelle Chickett, 5711 Linden, concerned with the lack of a buffer. Concerned that this development will use Sanctuary as a cut through to 36. She would like to see only the 40 homes allowed by code and would not like to see any other deviations from code. Concerned that the developer will not be held to development agreement as has happened in the past.

Klatt stated that we have much more stringent development contracts in place which have more strict rules for the release of development securities. This will protect the development.

Pam Chickett, 5711 Linden Ave, she is concerned with the streets in Sanctuary. The quality is already poor and adding additional traffic will continue to degrade them. Their neighborhood should not be a cut through to Hwy 36. She also is concerned with the park. She feels that the park in Sanctuary was intended to be a neighborhood park and not a park that people came from other neighborhoods to use.

Tricia Giese, 5805 Linden Ave N, there are numerous children on Linden Ave and is concerned with people using Linden to access 36. She is wondering if the access to 36 could be changed to have a right and left hand turn lane as having Linden go through will add a lot of traffic at rush hour time.

Ben Backberg, 5693 Linden Ave N, has an issue with where the park was moved. He has a problem with the deviation on the number of lots. Would like to see the development staged to start along 50<sup>th</sup> street.

Suzanne Meyers, 11711 56<sup>th</sup> Street, would like to see the road and cul-de-sac by her home moved and would like to see buffers.

Joe Weber, 11649 56<sup>th</sup> Street, there is no buffer from the road to his lot. There is an expectation that there would not be a road that close to their property. He was told by developer when he purchased his home that Linden Trail was never intended to be a through street. Klatt stated that the connection is shown in the 2005 Comprehensive Plan.

Mayor Mike Pearson, 2805 Lisbon Ave, was wondering which council members the developer had talked to about moving the park.

Carolyn Carey, 5701 Linden Ave, was told by developers that the road would not extend outside development. Would not expect to access Legends by road, but by trail only. She would like to see all of the infrastructure completed before homes are allowed to be built.

Lisa Pilla, 11693 56<sup>th</sup> Street, asked Klatt about how the code applies to buffers. Klatt stated that there is a 100 foot buffer for roads and structures from OP to OP. She would request that the reduction be denied. She would request extensive landscaping.

Correspondence was received from the Hecker's with updated statements regarding additional homes and the buffering.

Correspondence was also received from Greg & Amy Sainsbury that was similar to comments already stated.

Public Hearing closed at 10:30 pm

Klatt stated that a number of years ago, the City went through and re-evaluated buffer setbacks. Most of the projects ended up having exceptions to the buffers. Sanctuary is one of the developments that had an exception to buffer setbacks.

Dorschner asked which council members the developer talked to about the park. Landucci stated that he did not speak to all of the Council members, but did have discussions. He does not like Community Septic Systems. He does not think it is good to rely on the HOA to manage them. He feels setbacks are an issue & phasing should start at 50<sup>th</sup> Street. He feels number of units should meet the code and the trails might not be manageable.

Haggard is concerned that Sanctuary Park is a public Park and might not be accessible. She likes where the Legends Park is on current plan as it will be accessible. Is concerned about the upkeep of trails and would like Park Commission input on them. Not a fan of the increased density and the buffering is a concern.

Fields is impressed with the overall quality of the development, but feels it was done in a way to maximize the return to the developer. Is not in favor of the current design and is not in favor of deviating from the City standards.

Kreimer likes a lot of things about the development, but sees no reason to go above the City standard for density as this is not a PUD. Wants the buffers adhered to and would like to ensure the construction traffic comes in off of 50<sup>th</sup> Street.

Landucci stated that without the wetlands, 51 units would be allowed on 110 acres. 40 lots is not enough for this large of a piece of property and the wetlands are not considered in the calculation for open space. Dodson stated that is not a good argument as it is part of the code.

Dodson asked about the MPCA comments regarding the septic system. Gozola stated that the MPCA would review and have to give approval if this moves forward. Klatt discussed community vs. individual septic systems. Dodson feels that there are too many homes to meet the spirit of the OP ordinance. He is concerned with the 3 lots to the south with the proposed shared driveway. He wants the park Commission to check in on this development. He wants to see the phasing changed to start with 50<sup>th</sup> and feels that eventually, Linden needs to go through.

Haggard stated that this concept plan is close to being what they want and this development will be a highly desirable neighborhood for Lake Elmo. She just has a problem with the deviations.

M/S/P: Dorschner/Fields, move to recommend denial of the Concept plan based on the discussions regarding density being too high, lack of buffer zones being met, and phasing in reverse order, **Vote: 5-0, motion carried unanimously.**

#### **Council Updates – September 1, 2015 Meeting**

1. Village Park Preserve Final Plat Extension – Passed.
2. Zoning Text Amendment – Commercial Wedding Ceremony Venue Ordinance – Passed.
3. Inwood 2<sup>nd</sup> Addition Final Plat – Passed.
4. Savona 3<sup>rd</sup> Addition Final Plat – Tabled.
5. NE Metro 916 Intermediate School District Final Plat and Preliminary and Final PUD Plans – Passed.

#### **Staff Updates**

1. Upcoming Meetings
  - a. September 28, 2015
  - b. October 12, 2015

#### **Commission Concerns**

The Commission is concerned about a number of factors regarding the community septic systems. They would like to discuss in the future if the City should move away from allowing OP and possibly going to 2 ½ acre lots. Klatt stated that this discussion should be had as a broader planning issue when looking at the comprehensive plan.

Haggard would like feedback from the Park Commission regarding trails, particularly from a maintenance and standard standpoint. She would also like information regarding when the Parks Commission looks at a development plan. They go to Planning Commission first as they are the Land Use body.

Dodson asked when the Legends Concept plan would go to Council. It will go to Council probably on October 6th or 7<sup>th</sup>. They discussed the differences between tabling and denying an application.

Meeting adjourned at 11:15 pm

Respectfully submitted,





**City of Lake Elmo  
Planning Commission Meeting  
Minutes of October 26, 2015**

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

**COMMISSIONERS PRESENT:** Dodson, Dorschner, Fields, Haggard, Larson, Williams, and Kreimer

**COMMISSIONERS ABSENT:** Griffin

**STAFF PRESENT:** Contract Planner Gozola and Interim Administrator Schroeder

**Approve Agenda:**

The agenda was accepted as presented.

**Approve Minutes:** October 12, 2015

M/S/P: Williams/Dorschner, move to approve minutes as presented, **Vote: 7-0, motion carried unanimously.**

**Public Hearing – Preliminary and final Planned Unit Development (PUD) Home 2 Suites**

M/S/P: Dorschner/Dodson: move to table the Preliminary and Final Planned Unit Development (PUD) Home 2 Suites, **Vote: 7-0, motion carried unanimously.**

**Public Hearing – Open Space Concept Plan – Legends of Lake Elmo**

Gozola began his presentation for an application for an open space development concept plan on 110 acres to the North of 50<sup>th</sup> Street north and South of the Sanctuary Development. This concept plan has been revised from a previous submission and now includes 44 residential lots. Gozola stated that the phasing has been changed to go from south to north, the number of lots has decreased from 51 to 44, which is still over the 40 that is allowed by code. The buffers have been extended. Gozola talked about the septic areas and some things related to that.

Gozola pointed out some lots that could potentially have issues with the buildable area, especially if people want to put in pools or other structures. Staff feels that the secondary access connecting to Linden Ave is critical, even though there is opposition from Sanctuary residents. This connection is critical for both developments for safety and access issues.

There are 2-4 deviations requested which will require a 4/5 vote from the Council. Those are higher density, not meeting the buffer setbacks on some lots, lot design with the communal drainfield, and that some lots are on the prime farm land.

The entry point has been changed per the City Engineer suggestion to meet access spacing.

Kreimer asked if there was a setback for the drainfield to the property line. Gozola stated that there is not one.

Dorschner asked if there has been any preliminary soil testing on these sites, or if this is just preliminary.

Todd Erickson, project engineer, talked about the drainfield sites. He stated that the tanks and pipes are all privately owned.

There was a brief discussion regarding the park.

Council member Fliflet, 4577 Lily Ave, spoke regarding the termination of Linden Ave. She feels public safety includes more than just emergency response time. She is concerned that it will become a cut through route to highway 36 which would create a safety concern. She would like the Planning Commission to consider eliminating the connection.

Public Hearing opened at 8:10 pm

Danny Hecker, 11658 50<sup>th</sup> Street, supports the overall concept of the development. They are the most affected neighbor and they are asking that the required setbacks be maintained.

Jeff Kloewer, 11928 56<sup>th</sup> Street, main concern is the road connection and how the access to highway 36 will change.

Michelle Chickett, 5711 Linden Ave N, opposed to the road connection. Linden is narrow and curvy and there are some blind spots. The idea of a cul-de-sac is a good one as it would be available if needed for emergency purposes.

Pamela Chickett, 5711 Linden Ave N, agrees with previous speakers and would like them to consider that there is over 100 kids in their neighborhood. Would be creating a very unsafe situation for kids in Sanctuary and Legends.

Carolyn Carey, 5701 Linden Ave N, she lives close to where this road connects. She would like to see the 2 neighborhoods connected by a trail and one that could be used for emergency vehicles.

Amy Vanderhoff, 11384 50<sup>th</sup> Street, is concerned about the 10 acre area next to Hecker's being used for septic. Feels that the code should be met with no deviations. The 200 foot buffer setback is not being met in South corner and is also concerned with driveways that would go out to 50<sup>th</sup> Street.

There were 2 emails received from Greg Sansbury and Suzanne Meyers asking that Linden not be connected.

Public Hearing closed at 8:30 pm

M/S/P: Williams/Fields, move to find that the land use is consistent with the comprehensive plan. **Vote: 7-0, motion carried unanimously.**

The Planning Commission decided to break up the details into discussions about the park, sewer, Linden Ave and buffer setbacks.

Discussion was had regarding a possible park in this development. Williams suggested possibly restricting discussion to if the Planning Commission would like to see a park in this development or not.

M/S/P: Williams/Haggard, move to recommend a park be included in the development and that the developer meet with the park commission to determine the best location.

M/S/P: Williams/Haggard, move to amend the above motion to read that the Planning Commission requests the Park Commission to consider if a park should be included in this plan and if so, where the best location would be. **Vote: 7-0, the original motion as amended carried unanimously.**

Larson would like it noted that the discussion of the Park should also factor in that in this area having a park could be a safety issue so that kids are not playing in the street.

M/S/P: Fields/Larson, move to recommend that the developer provide a Cul-de-Sac by Linden Ave with a provision for an emergency access. **Vote: 2-5, motion failed.**

Dorschner, Larson and Williams are opposed to the motion. Larson feels the added cost for plowing is a factor. Williams brought up the fact that the code does not allow a cul-de-Sac longer than 600 feet which this is. The stub has always been there and should go through.

M/S/P: Dorschner/Williams, move to recommend that Linden Ave be connected through from Legends of Lake Elmo and Sanctuary as shown on the concept plan. **Vote: 5-2, motion passed.**



M/S/P: Williams/Dorschner, move to recommend that a connection road be constructed between Linden Ave and the west property line. **Vote: 6-0, motion passed, (Larson did not vote as left the room).**

M/S/P: Fields/Dorschner, move to recommend that all setback requirements be met with the exception of the Eastern Boundary. **Vote: 7-0, motion passed, Unanimously.**

Gozola clarified that the buffer setback is for any structure or driving surface.

M/S/P: Haggard/Dodson, move to recommend an amendment to the motion to add in some sort of physical delineator between the property line of Carriage Station and the East side of the development in places where there is a small amount of open space. **Vote: 5 -3, motion passed.**

Williams suggested possibly a 2 foot tall marker or sign designating the open space.

M/S/P: Williams/Haggard, move to amend the original motion to insert the words "adjacent to Carriage Station". **Motion Withdrawn.**

Dodson started the discussion about the drainfield issue. He likes this proposal better than the communal drainfield. The City Engineer comments are that the drainfield should be on the individual lots and the lots should be bigger.

M/S/P: Williams/Dodson, move to postpone consideration of the drainfield portion only until they receive the staff evaluation of these types of systems which are allegedly in Sunfish Ponds and Whistling Valley. **Vote: 7-0, motion passed, Unanimously.**

Williams asked if there was any information regarding how the land trust feels about the drainfields on the open space. He would like that as part of the research as well.

M/S/P: Williams/Dorschner, move to recommend that prior to preliminary plat, all recommendations from the City Engineer in his letter dated October 22, 2015 be addressed. **Vote: 7-0, motion passed, unanimously.**

Haggard thinks it is weird that the trail goes in front of the homes and they get credit as parkland for what is virtually a sidewalk.

M/S/P: Williams/Dorschner, move to recommend that this proposal include a constructed trail along the north side of 50<sup>th</sup> Street along the property. **Vote: 7-0, motion passed, Unanimously.**

Gozola stated that the trail was already part of the Engineers recommendations and would already be covered.

The Planning Commission discussed the number of lots. 40 per code or the proposed 44. The developer stated that they came in with 44 as the engineer is requiring concrete curb which is very expensive. Dorschner asked if they will be able to meet the buffer setback requirement. The developer stated that it would be very difficult to put together a quality development and meet those setbacks. There was discussion about postponing vs. denial.

M/S/P: Dorshner/Williams, move to postpone consideration until Developer comes back with an alternate plan to address the setbacks and sewer concerns. **Vote: 7-0, motion passed, Unanimously.**

Business item to discuss the public hearing notice regarding changes to RR & AG. What direction would the Commission like to take? Should all of the 6 items be considered at the same time? Council Member Fliflet suggested that maybe the scope of the public hearing should be broader to be able to discuss all the uses that were added. The consensus was to have a meeting to discuss the current uses in the rural districts.

#### **Council Updates – October 20, 2015 Meeting**

1. Hammes Plat Extension - Tabled

#### **Staff Updates**

Tartan Park has been sold, but the purchaser has not been made public knowledge yet. They will bring that back once it is known.

Metro Transit is looking to put a park and ride in at 94 and Manning. This would probably happen in 2017. This would be independent of the BRT. The question to ask is if this is something the City wants.

1. Upcoming Meetings
  - a. November 9, 2015
  - b. November 23, 2015

#### ***Commission Concerns***

Dorschner is concerned about adding agenda items the night of the meeting. He is concerned about Council members coming and driving their meeting. Would like to stick to the agenda items that are in the packet.

Meeting adjourned at 10:50 pm

Respectfully submitted,