



MAYOR AND COUNCIL COMMUNICATION

DATE: 4/19/16

CONSENT

ITEM #: 12

MOTION

AGENDA ITEM: Comprehensive Plan Map Amendment to Expand Old Village MUSA

SUBMITTED BY: Stephen Wensman, Planning Director

THROUGH: Kristina Handt, City Administrator

REVIEWED BY: Jack Griffin, City Engineer

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item.....Staff
- Report/PresentationStaff
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

PUBLIC POLICY STATEMENT

N/A

SUMMARY AND ACTION REQUESTED:

City Staff and the Planning Commission are requesting the City Council consider a request by 3 resident petitioners to have their properties be added to the Village MUSA area in order to participate in the City's Old Village Phase 2 Street and Utility Improvement Project. Staff and the Planning Commission recommend approval with the following motion:

“Move to approve Resolution 2016-32 to amend the City’s Comprehensive Wastewater Facilities Plan, adding 3 residential parcels, PID #s 24.029.21.22.0019, 24.029.21.22.0020 and 24.029.21.22.0021, to the Village MUSA area”.

BACKGROUND AND STAFF REPORT:

The Planning Commission held a public hearing on April 11, 2016 and recommended approval to add the 3 parcels to the Village MUSA area. Stephen Johnson, one of the petitioner’s was in attendance to speak in favor. Prior to approval by the City, City Staff intends to have all three petitioners sign a waiver, waiving their rights to contest future assessments related to the project. The waiver is presently being reviewed by the City Attorney, and signed waivers are anticipated prior to the City Council meeting on April 19, 2016.

Comprehensive Plan amendments require a 4/5 vote by the City Council. The Comprehensive Plan Map Amendment is also subject to the Metropolitan Council's review and approval. The Metropolitan Council has reviewed the proposal and had waived adjacent jurisdictional review. Staff anticipates Metropolitan Council approval as this is a minor amendment.

The subsequent Comprehensive Plan Amendment for properties within the MUSA was pulled from the agenda pending further clarification from the Metropolitan Council regarding proper land use designations for properties within the MUSA.

RECOMMENDATION:

City Staff and the Planning Commission recommend approval of the Comprehensive Plan Map Amendment with the following motion:

“Move to approve Resolution 2016-32 to amend the City’s Comprehensive Wastewater Facilities Plan, adding 3 residential parcels, PID #s 24.029.21.22.0019, 24.029.21.22.0020 and 24.029.21.22.0021, to the Village MUSA area”.

ATTACHMENT(S):

- Planning Commission Report and Attachments, April 11, 2016
- Planning Commission Minutes, April 11, 2016
- Resolution 2016-32

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2016- 32

*A RESOLUTION APPROVING AN AMENDMENT TO THE CITY OF LAKE ELMO
COMPREHENSIVE PLAN MAP, AMENDING THE OLD VILLAGE MUSA IN THE
WASTEWATER FACILITES PLAN.*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, The City of Lake Elmo has established a Comprehensive Plan that provides complication of background data, policy statements, standards, and maps, which help to guide the future physical, social, and economic development of the City; and

WHEREAS, three residents have petitioned the city to be added to the Old Village MUSA, PID#s 24.029.21.22.0019, 24.029.21.22.0020 and 24.029.21.22.0021, a copy of which is on file in the City Planning Department; and

WHEREAS, the City is presently planning for the Old Village Phase 2 Street and Utility Improvement Project of which the three properties will be included within the project with little to no additional expense to the City;

WHEREAS, the City a map of the proposed MUSA expansion was prepared indicating the affected properties to be added to the MUSA of the City; and

WHEREAS, the notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.109, and MN State Statute 473.858; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on the matter on April 11, 2016; and

WHEREAS, the Lake Elmo Planning Commission has submitted its recommendation of approval to the City Council; and

WHEREAS, the City Council considered the said matter at its April 19, 2016 meeting; and

NOW, THEREFORE, based on the testimony elicited and the information received, the City makes the following:

Findings

1. The expansion of the MUSA and the addition of the three parcels will not add significant additional cost to the City's Old Village Phase 2 Street and Utility Improvement Project.
2. The property owners have petitioned the City to join the MUSA and the City's Old Village Phase 2 Street and Utility Improvement Project.
3. The Metropolitan Council has administratively reviewed the amendment and has appeared to have no objection and has waived adjacent jurisdictional review.
4. The expansion of the MUSA is consistent with improving the health, safety and welfare of the City of Lake Elmo residents.
5. The said petitioners have waived their rights to appeal the future assessments related to the City's Old Village Phase 2 Street and Utility Improvement Project.

NOW, THEREFORE, BE IT RESOLVED that based on the foregoing, the Lake Elmo City Council does hereby approve the Lake Elmo Comprehensive Map Amendment, expanding the Old Village MUSA, subject to and contingent upon the following:

1. The Metropolitan Council's approval of the Comprehensive Plan Map Amendment.

This resolution was adopted by the City Council of the City of Lake Elmo on this 19 day of April, 2016.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



PLANNING COMMISSION
DATE: 3/28/2016
AGENDA ITEM: __ – PUBLIC HEARING
CASE # 2016-09

ITEM: Public Hearing for Comprehensive Plan Map Amendment

SUBMITTED BY: Stephen Wensman, City Planner

REVIEWED BY: Emily Becker
Jack Griffin

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a Comprehensive Plan Map Amendment request by the City of Lake Elmo to include 3 residential properties in the Village MUSA area and to re-guide parcels in the Village MUSA with the Rural Single Family designation to Urban Low Density with the following motions:

“Move to recommend approval of an amendment to the City’s Comprehensive Wastewater Facilities Plan, adding 3 residential parcels, PID #s 24.029.21.22.0019, 24.029.21.22.0020 and 24.029.21.22.0021, to the Village MUSA area,” and

“Move to recommend approval to amend the Comprehensive Land Use Plan by reguiding parcels in the Village MUSA with the Rural Single Family designation to Urban Low Density”.

GENERAL INFORMATION

Applicant: City of Lake Elmo

Location: PID #s 24.029.21.22.0019, 24.029.21.22.0020 and 24.029.21.22.0021

Zoning: RS – Rural Single Family District

Comprehensive Land Use Designation: Rural Single Family

Proposed Land Use Designation: Urban Low Density

Deadline for Action: N/A

Applicable Code/Plans: Comprehensive Wastewater Facilities Plan
Comprehensive Land Use Plan

REVIEW:

The City of Lake Elmo is planning for the Old Village Phase 2 Street and Utility Improvement project and three property owners have petitioned the city to be included in the project to hook up to the city’s wastewater system. The three parcels, located at 2915, 2929 and 2945 Lake Elmo Avenue N., are to the south of the current Village MUSA area boundary as depicted on Map 6-1 in the City’s Comprehensive Wastewater Facility Plan. To include the properties in the MUSA, a comprehensive plan map amendment is required. The Phase 2 project will require the reconstruction of Lake Elmo Avenue adjacent to these properties and the inclusion of these parcels easily fits into the existing project. The cost of hooking up to the city system will be paid for by the petitioners.

In addition, many of the residential properties in the Old Village Phase 2 Street and Utility Improvement project receiving sewer are guided for Rural Single Family in the Comprehensive Land Use Plan. Rural Single Family is defined as being, “largely serviced by private on-site well and septic systems.” The corresponding land use guide for sewer urban lots is Urban Low Density. Reguiding the Village sewer properties to Urban Low Density will bring the land use designation in conformance with the amended Village MUSA area. Subsequent to the comprehensive plan amendment, the corresponding properties should be rezoned from RS – Rural Single Family to LDR – Urban Low Density Residential.

The proposed comprehensive plan map amendments will require a 4/5th affirmative vote by the City Council and approval by the Metropolitan Council. Because this project and the affected properties are more than the ¼ mile distance from an adjacent community the City has been granted a waiver from adjacent community review by the Metropolitan Council as a part of this amendment.

RECOMENDATION:

Staff recommends that the Planning Commission recommend approval of the comprehensive plan map amendment with the following motions:

“Move to recommend approval of an amendment to the City’s Comprehensive Wastewater Facilities Plan, adding 3 residential parcels, PID #s 24.029.21.22.0019, 24.029.21.22.0020 and 24.029.21.22.0021, to the Village MUSA area,” and

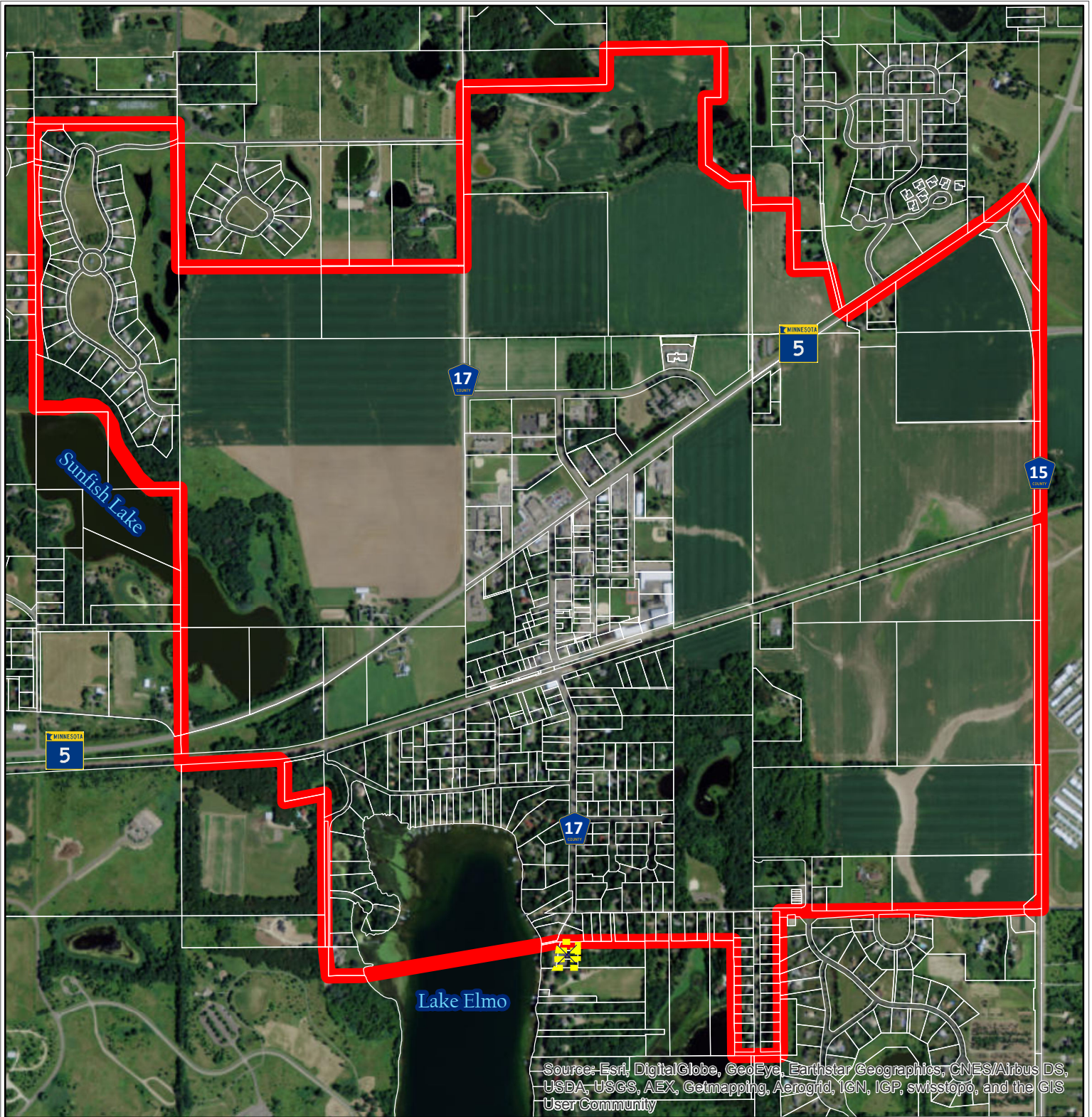
“Move to recommend approval to amend the Comprehensive Land Use Plan by reguiding parcels in the Village MUSA with the Rural Single Family designation to Urban Low Density”.

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning Staff
- Questions from the Commission Chair & Commission Members
- Open the Public HearingChair
- Discussion by the Commission Chair & Commission Members

ATTACHMENTS:

- Comprehensive Wastewater Facility Plan, Map 3-8 before
- Comprehensive Wastewater Facility Plan, Map 3-8 after
- Proposed MUSA Amendment Map
- Comprehensive Land Use Plan, Map 3-3 before
- Comprehensive Land Use Plan, Map 3-3 after
- Petition from property owners
- Location Map



Village MUSA - Proposed

Village MUSA - Existing

Source: Washington County & Metro GIS
3-16-16

Proposed Village MUSA Amendment

