



**City of Lake Elmo
Planning Commission Meeting
Minutes of December 9, 2019**

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

COMMISSIONERS PRESENT: Cadenhead, Hartley, Holtz, Risner, Steil and Weeks

COMMISSIONERS ABSENT: none

STAFF PRESENT: Planning Director Roberts, City Planner Prchal

Approve Agenda:

M/S/P: Cadenhead/Hartley move to approve the agenda as presented, **Vote: 5-0, motion carried unanimously.**

Approve Minutes:

M/S/P: Hartley/Risner move to approve the November 13, 2019 minutes, **Vote: 5-0, motion carried unanimously.**

Public Hearings

Conditional Use Permit Amendment

Prchal presented that the 834 School District is requesting an amendment to the CUP for their school bus terminal. They want to amend Condition #9 of the approved CUP from *“the property shall be connected to City Sewer and Water prior to operation of the bus terminal”* to *“[t]he School District may operate its bus terminal at the property using the well and septic system (septic tank and temporary toilets) either until the School District connects to City sewer and water or until December 31, 2020, whichever comes first. The School District agrees to connect to City sewer and water within 30 days after it becomes available.”* Staff is recommending denial of the amendment to the CUP for the transportation center at 11530 Hudson Blvd N.

Holtz asked about the sprinkler requirement, if it can operate on well water, if there is an alternative fire hookup tank that could assist. Staff said that the school district could answer those questions. Holtz also asked about the City revoking a CUP.

Weeks opened the Public Hearing.

Kristen Hoheisel – Executive Director of Finance and Operations for District 834 – 1875 Greeley St S – she is also a resident at 5802 Lily Ave. She explained the system they are using is the one that was in place when they purchased the building she also read a narrative about the fire suppression to address Commission member questions. Added heat and smoke detection in all maintenance bays and offices that will alert with horns and strobes and is monitored continually by Summit Fire. The original maintenance bays have a hook up where a pumper truck can connect to the building to extinguish the fire. She went on to explain that the School District is looking to extend the CUP since they have met all the requirements they could and have spent \$2 million on the property. The developer has to provide the water and sewer to the property so the School District may make the connection since it runs along other properties within the overall development.

Cadenhead asked if there is a time line. Hoheisel answered that there is cautious optimism and that the developer is currently working with the City Administrator and City Council to get a 429 improvement project or something worked out.

Holtz pointed out that the location is not far from the original bus location and that it located in the most heavily populated and growth area for the district. Holtz asked if the Planning Commission denied the extension and the City Council revoked the CUP what would the impact be to the district and the students.

Hoheisel answered that if a location could be found to store the buses, every route would need to be altered to allow additional time for travel. A new location would bring additional costs to invest in and in additional drive time for the buses. She explained that since it is winter also, that can lead to many delays already. She explained this was a long term investment in the site. She explained the site is larger than the previous site, to house more buses and employees. She also stated that they will be looking to establish a new contract with a bus service and having a facility helps with the negotiation process and reduces costs.

Weeks closed the Public Hearing.

Terry Emmerson – 2204 Legion Lane Cir N – developer. Explained that he is working on getting easements and property owners to cooperate on services. He explained that he could provide smaller service lines that could service the property but not continue toward the future developments to the east. The City wants a 24 inch mainline sewer down and extend toward Manning.

Nick Dragisich - Baker Tilley St. Paul – representing Emerson spoke and answered questions. Has established that the City will obtain the easements across private property for the utilities. He explained the most recent setback is the relocation of the

gas line. He said that the development is a benefit to the City, additional time is needed to complete the items.

Discussions about waiting to doing it correctly by obtaining the easements and running the larger sewer line

M/S/P: Holtz/Cadenhead move to approve the request for an amendment to Condition #9 of the CUP. The Planning Commission is recommending that *“the School District may operate its bus terminal at the property using the well and septic system (septic tank and temporary toilets) until the School District connects to City sewer and water or until December 31, 2020, whichever comes first.”*, **Vote: 5-0, motion carried unanimously.**

Planned Unit Development – Final Plan Review

Roberts presented that the City has received a request from Frisbee Properties LLC for the approval of the final Planned Unit Development (PUD) Plan for a 60 unit rental senior (ages 55 plus) housing development to be known as Lake Elmo Senior Living. This development is proposed for a 5 acre parcel on the north side of 39th Street North, just to the east of Arbor Glen Senior Living facility.

On October 16, 2019, the Planning Commission held a public hearing and reviewed the preliminary PUD plans and recommended approval of the preliminary PUD plans, subject to conditions.

On November 5, 2019, the City Council approved the preliminary PUD plans with 20 amenity points for increased density, subject to the conditions listed in the staff report.

Cadenhead asked about the connection to utilities and repair of roadway. Roberts explained that there is a stub to the property and the driveway entrance would be the only area needing repair.

Hartley pointed out that the language of the code seems to penalize properties for adding additional trees and landscaping.

Weeks asked what changes have been made. Roberts stated that it is mainly tweeks to meet Engineering and Watershed requirements. Holtz mentioned that it is now clear they will be retaining the large trees at the rear of the property which had been a concern to residents.

Weeks opened the Public Hearing. No one from the public spoke.

The applicant – Matt Frisbee stated things are moving along as hoped and expected. He said he hopes to get started end of March or beginning of April and wrap up most of construction within a year, with final patio homes within 18 months.

Weeks closed the Public Hearing.

M/S/P: Cadenhead/Steil move to recommend approval of the request for approval of the final PUD Plan as requested by Matt Frisbee (Ayers Associates) for PID# 13.029.21.22.0013 for the project to be known as Lake Elmo Senior Living located on the north side of 39th Street North, east of Arbor Glen, subject to recommended findings and conditions of approval as listed in the staff report, **Vote: 5-0, motion carried unanimously.**

Minor Subdivision – DPS Lake Elmo

Roberts reported that the Planning Commission is being asked to consider a minor subdivision request from Continental 483 Fund (Continental Development) and Alan Dale (the property owner) to divide approximately 69 acres of land into four separate development parcels. The proposed minor subdivision would facilitate the transfer of separate parcels to developers before the recording of their respective final plats. This includes the site (proposed Outlot D) for the construction of the Springs Apartments to be located on the northeast corner of Hudson Boulevard and Julia Avenue North. Staff is recommending approval of the minor subdivision, subject to conditions.

Hartley asked how the City obtains Julia Avenue in this approval. Roberts explained that there are already utilities and the City has easements for those they will also dedicate street easements. When the Springs purchases the property and wants to develop, they will need to Final Plat and establish a lot and block, at that time there will be a Right-of-Way platted and when Pulte develops, they will plat their Right-of-Way for Julia and 5th Street.

Weeks opened the Public Hearing. No one from the public spoke. Weeks closed the Public Hearing.

M/S/P: Hartley/ Holtz move to recommend approval of the proposed DPS Lake Elmo minor subdivision that will subdivide the property between Hudson Boulevard and 5th Street north into four development parcels, subject to the applicant/owner dedicating to the City a 100-foot-wide street easement for future Julia Avenue and removing Outlot E from the subdivision. **Vote: 5-0, motion carried unanimously.**

New Business

Driveway Ordinance Code Amendment

Prchal presented that the City reviewed Code Language pertaining to driveway curb cuts in 2018. During that review it was determined if a lot was able to meet specific conditions then a second curb cut could be allowed. One of the main limiting factors to this is the road classification. Additional access would not be allowed for lots that face a collector or arterial roadway.

Cadenhead suggested that the language is simplified. Hartley pointed out that the way it is written it would still restrict some properties.

M/S/P: Holtz/Hartley move to recommend approval of the proposed changes, amending "...properties addressed to a road that is..." to "...properties having access to a road that is..."

Vote: 5-0, motion carried unanimously.

Staff and Commission Updates

At the November 19, 2019 meeting City Council adopted all the changes the Subdivision Ordinance except the sketch plan review they changed that to require a staff review of the sketch plan review.

Roberts said there will be no meeting on December 23rd and that the City is looking for new Planning Commission members. There is one current vacancy and at least one other member that will not be reapplying. Everyone thanked Hartley for his service. Hartley thanked everyone for their service as well.

Meeting adjourned at 8:44 pm

Respectfully submitted,

Tanya Nuss
Permit Technician