

FILE

City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

City of Lake Elmo
City Council Workshop
3800 Laverne Avenue North
Lake Elmo, MN 55042
May 25, 2010

6:30 p.m. – 8:30 p.m. (?)

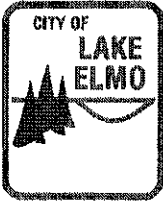
Agenda

1. Consideration of proposed Comprehensive Plan Amendment and Zoning Text changes relating to proposed Farm School and Senior Living Development
2. Adjourn

A social gathering may or may not be held at the Lake Elmo Inn following the meeting.



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MAYOR & COUNCIL WORKSHOP - REVISED

DATE: 5/25/2010
WORKSHOP
ITEM #: 1
DISCUSSION

AGENDA ITEM: Consideration of Proposed Comprehensive Plan Amendment and Zoning Text Changes Relating to Proposed Farm School and Senior Living Development

SUBMITTED BY: Mayor and City Council

THROUGH: Bruce A. Messelt, City Administrator

REVIEWED BY: Kyle Klatt, Planning Director
Dave Snyder, City Attorney

SUMMARY AND ACTION REQUESTED: Resubmitted for Council Discussion at tonight's Workshop is (1) a proposed Comprehensive Plan Amendment, requested from Mrs. Tammy Malmquist, 8549 Ironwood Trail North, and (2) a related Zoning Text/Map Amendment.

At the request of the City Council, all involved City Staff, as well as the Applicant, are invited to be present at tonight's Workshop to assist the City Council in its deliberations. Following tonight's discussion, these two items are to be scheduled for formal consideration at the upcoming June 1st City Council Meeting.

BACKGROUND INFORMATION: These two items have been scheduled at the request of the Mayor and City Council, following direction provided at the May 18th City Council Meeting. The City Council has also previously discussed the proposed Comprehensive Plan Amendment at its May 4th, 2010 meeting. Subsequent items regarding a required OP Open Space Preservation Concept Plan and a Planned Unit Development concept plan were both tabled by the Planning Commission on May 10th, 2010 and are scheduled for reconsideration by the Planning Commission on May 24th.

In their totality, these four actions would allow the establishment of a 40-unit senior living multi-family building, 10 townhouse units, and a farm-themed preschool on a 30.9 acre parcel at 9434 Stillwater Boulevard North.

COUNCIL CONSIDERATIONS: Attached as per Council direction are the questions posed by Council Member Emmons on May 18th, 2010. In addition, the following general questions

are pro-offered for primary Council consideration and deliberation by Council Member Emmons, perhaps as a precursor to discussing some of the more specific questions posed on Tuesday:

1. **Lifecycle Housing** – Is it an issue in Lake Elmo? Should the community have as a priority to provide lifecycle housing? Should the city take steps, if necessary, to provide gaps in that system, ex. senior housing?
2. **Future Up-Zoning Requests?** How do we handle future requests for unique/desirable proposals on lands not currently guided for higher densities? How are we consistent when treating other similar properties?

Can we address the philosophical question of whether it is OK to make “spot” changes to our Comp. Plan and, if so, what are the unique circumstances that justify that? Would we establish special land uses that “qualify,” define some limits to what, and how big it can be, and identify unique characteristics that make it worthy of consideration? Could we then be more consistent with future requests – but still review them on a case-by-case basis? Could there be a pool of RAD-2 that is drawn from, which creates a built in self regulation to how far this could go?

3. **What are the Potential Pitfalls of this Project?** If this project goes forward, what are our big issues (& fears) that we should address (i.e., criteria for the development)?
4. **Senior Housing in the Village?** What about senior housing in the Village area (where it has typically been “guided”)? How do we get there?

Can we come up with a list of tangible steps we will take to make that happen – whether it is in 2 yrs, 3 yrs. or 5 yrs. In the mean time, should this project go forward as an “experiment” since we may need options for seniors now?

STAFF REPORT: As per Council direction, Staff has attached a bulleted summary of the issues raised during its review of the proposed Comprehensive Plan Amendment, the proposed Zoning Text/Map Changes, and the request Open Space and PUD concept plans. In addition, Copies of the two previous two Council Communications are attached.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council take tonight’s Workshop to address amongst itself, with the applicant and with City staff some of the issues requiring additional clarification, definition and/or resolution.

Previous Council direction was to place these two items on the Council Agenda for it June 1st Meeting. Alternatively, the City Council may provide different direction to City staff with respect to the upcoming June 1st Meeting, following tonight’s discussion.

ATTACHMENTS:

1. Questions Posed by Council Member Emmons (May 18th, 2010)
2. Questions Posed by City Staff in previous reports - *Revised*
3. Proposed Comprehensive Plan Amendment – Council Materials
4. Proposed Zoning Text/Map Amendment – Council Materials

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemMayor
- Discussion among Council/Applicant/Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Council Discussion Mayor & City Council
- Council Action/Direction..... Mayor Facilitates

QUESTIONS REGARDING PROJECT RAISED BY CM EMMONS

May 2010

1. Location – could this concept be located within the village planning area? i.e., at the edge of the developed portion in the transition to the large open space around the village (thus be in a rural/open setting).
2. Access/Safety – It seems a west entrance (primary) is very important to allow safer entrance/exit from the development. A secondary exit to Hwy 5 for fire access would seem appropriate. I am concerned the independent fire review we had done does not fully address this issue. One way or another, we should discuss if two entrance/exit points are needed.
3. Affordability – What does this mean? Can we quantify this? They say they will try to do their best, but what assurance do we have that it will be accomplished (& do we agree on what that means to accomplish it)?
4. Quantify the demand for senior housing. Could this siphon demand away from the village area? Could this create a short/mid term drain on demand for senior housing in the village area? If, on the other hand, it is “limitless” then are we going to see multiple other proposals to do seniors projects in areas not guided for higher densities?
5. Precedence – Legally and plain policy consistency. Is this a legal precedence of “spot” changes to the land use plan that might open up future such “spot” requests? Beyond legal grounds, how is this sight different from other rural/agr/OP lands coming in asking for similar “exceptions” and how do we treat people consistently?
6. Buffers – The current layout has a minimal buffer in some areas (ex. SW area). Not having 200’ buffer should not mean having 0’. How will accomplishing a good buffer change the layout? Will that impact the quality of the project?
7. School – What is it? How can it defined better, so we have some assurance what will be there? Will they have and keep animals as part of the program?
8. Open lands – What will they be? Concept shows orchard and vineyard – is that guaranteed? Plan also shows agriculture plus trails – how will those coexist? Maintenance of whatever is the final use should be considered/addressed.
9. Metropolitan Council and enhancing the city’s reputation – MC is a non-issue or possibly a small negative issue. This does not add sewer units, so they will not be satisfied about that. It is also inconsistent and a spot change which may be a negative to them.

10. Height/Elevation of large buildings (3-story). Potential for viewshed impacts. What is the proposed top elevation of the building roofs? Can we fix an elevation & location that they cannot exceed to limit the visual impacts.
11. What does the background zoning allow? What might this look like if developed under the existing regulations?
12. Clarify if Senior Housing is "allowed" in the village area or not. There seems to be confusion on this. How does the village plan's mention of it affect this?
13. Transfer of Density – what is the loss that we are trying to compensate for? Why should that be a priority right now? - long term issue/concern. Met. Council will be more concerned (in short term) about REC and sewer hookups due to financial implications, so why not keep the un-sewered zones as they are instead of "up zoning?"
14. Should we keep the Comp. Plan and Zoning changes together as one action?
15. Fire marshal review was very general and not very enlightening. It seems we need a more in-depth review (ex. two accesses issue) and perhaps we should find a fire chief that is not in a neighboring community of ours, since the project proposer is the fire chief's wife.

Topic	Issue	Addressed? By Whom?
Comp Plan		
Change in Circumstances	<p>There have been no changes in circumstances since the Land Use Section of the Comp Plan was updated in 2006 that warrant revisions to increase or transfer density to the applicant's site.</p>	
Density Locations	<p>Higher density residential development is encouraged in areas that will be served by public sanitary sewer where the provision of these services is more cost-effective and where the City will receive credit towards the REC unit counts mandated under its MOU with the Met Council.</p>	<p>Planning Commission Finding: That recent subdivisions in areas guided for RAD development have been approved at a density below the unit levels anticipated in the Comp Plan. The proposed density increase will be offset by reductions that have previously been approved or acknowledged by the City.</p>
Density Locations	<p>It should be considered within the larger context of where these higher densities may best be integrated with surrounding land uses and where it can best be provided with public services (even if these services are somewhat limited in OP developments).</p>	<p>Planning Commission Finding: That the site is located immediately adjacent to existing R-1 Single Family Residential zoning districts along its southern, eastern, and western boundaries. Other areas guided for RAD development are primarily surrounded by rural residential, agricultural, or public open space uses.</p>
Density Locations	<p>The City is currently working to implement its plan for development in the Old Village Area and the I-94 corridor. Given the current market conditions, the City encourages higher density development in areas that would help off-set the significant infrastructure costs required to serve these areas.</p>	
Density Locations	<p>There has been no discussions with the current property owner of the 103 acre parcels that are guided RAD2 to the west of the applicant's site that it overall density on this site may change (or any of the RAD2 guided property owners.)</p>	
Senior Housing Location	<p>The Housing Chapter of the Comp Plan specifically states that any future senior-specific housing in Lake Elmo will be best accommodated within the Old Village Area due to proximity to goods, services, and public facilities.</p>	<p>Planning Commission Finding: That the proposed project associated with the Comprehensive Plan Amendment will help fulfill a need for senior housing within the community.</p>

Topic	Issue	Addressed? By Whom?
Comp Plan		
Precedent	<p>The applicant's site does not demonstrate any characteristics that are substantially different from other areas guided for RAD development in the City of Lake Elmo or that would indicate that higher density development is more appropriate in this area than any other site within the City</p>	<p>Planning Commission Finding: That the current use of the site as a working farm is unique compared to other properties designated for RAD development in the Comp Plan.</p>
Comp Plan Goals - rural character	<p>A 40-unit multi-family senior-living facility is not consistent with the City's stated goals to preserve and enhance its rural character, especially when planned in areas that are guided for Rural Agricultural Density.</p>	
Comp Plan Goals - Transportation	<p>A new access to support development on the applicant's site does not conform to the City's Transportation Plan that encourages limited access to major collector roads and is inconsistent with the City's access spacing guidelines.</p>	<p>Planning Commission Finding: That the site is located in close proximity to public transportation along State Highway 5, and specifically, a bus route that could provide alternate transportation options for seniors.</p>
Comp Plan Goals - Transportation	<p>Consideration of potential future local, collector and arterial transportation improvements, above those already noted, directly or indirectly resulting from this development, as well as anticipated participation of the applicant in such future improvements</p>	
Market for Property	<p>Build-out of existing empty lots in platted and developed OP developments is encouraged over the creation of new development and service areas in the community.</p>	

Topic	Issue	Addressed? By Whom?
Zoning Text Amendment		
Definitions	Adding definitions for all the terms that are used in the proposed ordinance provisions (What does the term "senior" mean when used with "senior housing"? Is there a specific age that should be regulated differently than others?) Will the housing on the site be age restricted and/or restricted language be added for future use of site?	Staff added suggested language (to address definition)
Definitions	Does the City need to differentiate between a preschool and a "farm-based" preschool?	Staff added suggested language
Setbacks	Including building standards (primarily setbacks) for Senior Housing buildings	Staff added suggested language
Setbacks	Keep a side yard setback for townhouses in OP Districts (a reduction or elimination of side yard setbacks would be appropriate to consider as part of a PUD)	Staff added suggested language
Density Calculation	Determine if wording should continue to read "gross area" as suggested by applicant or remain consistent with existing code and use "buildable area" for determining density ** (See Concept Plan/PUD as well)	Planning Commission recommended retaining applicant's proposed language of "gross area"
School-Aged an Appropriate Use	The ordinance as proposed by the applicant would allow a "farm-based" school for school-aged children. Is a school, or educational programs, for kids older than preschool age appropriate as part of the overlay zoning district?	
Future Developments	The proposed zoning amendment would make subsequent approvals for multi-family senior buildings and farm schools subject only to a land use change request, not a zoning amendment.	
Future Developments	The proposed ordinance amendments do not leave adequate protections in place to buffer and mitigate impacts to surrounding land uses.	
Purpose of OP Developments	The proposed increase in density and types of uses allowed in an OP development is not consistent with purpose of intent of the OP Open Space Preservation Ordinance.	

Topic	Issue	Addressed? By Whom?
Concept Plan/PUD		
Restricted to Senior Housing	Should the City approve a project as a Senior Housing project if there is not an age-restriction associated with the project? Should the City's definition of Senior Housing require an age restriction?	Staff added language in the draft ordinance to both define senior housing and to include it in the list of conditionally permitted uses.
Market Conditions	Is there an appropriate mix of senior living and market-based apartments/condominiums that is acceptable?	
Community Septic System	The applicants are proposing to construct the community septic system, septic control building, and trails within the power line easement.	Added a condition that the applicant shall provide the City with either a statement of acknowledgment and consent from the holder of the power line easement or an agreement that permits certain encroachments into the easement.
Fire Protection and Adequate Water Service levels		Added as a condition that the applicant shall provide utility plans showing an adequately sized connection back to an existing City water main; developer is responsible for all costs associated with providing a minimum water service size of eight inches to an existing main of a larger size
Storm Water Facilities	Who will maintain the storm water facilities? Through an easement or an outlet?	Added as a condition that Storm water facilities required as part of the Storm Water Management Plan shall be platted within outlots and deeded to the city; shall be maintained by the City; applicant shall submit a storm water and erosion and sediment control plan as part of the preliminary plan submissions that complies with the City's recently adopted Storm Water and Erosion and Sediment Control Ordinance
Storm Water Facilities	Feasibility of the site and proposed development to comply with all aspects of the City Code, including the City's new storm water regulations and the resulting impact to the site.	

Topic	Issue	Addressed? By Whom?
Concept Plan/PUD		
Access	Only one access for entire development	Added as a condition that an improvement right-of-way connection be stubbed to adjacent property line to the north or east of the development site
Additional traffic on Highway 5		Added as a condition that the developer shall be responsible for the installation of all improvements to Stillwater Blvd N (SH 5) as specified by MnDOT.
Emergency Access		Added as a condition that the interior City Streets shall address the comments provided by Oakdale Fire Chief.
Proposed Setbacks		Added as a condition that the preliminary plans shall accurately depict the proposed setback between the existing structures and the future entrance road into the development. Compliance with front and side yard setbacks as required under the Zoning Ordinance must be considered as a part of future plan reviews by the City.
Buffer Setback	Is there adequate buffering between uses?	Added as a condition: 1. Additional buffering shall be provided between the proposed multi-family building and adjacent wooded open space protection area. 2. A minimum buffer setback of 50 feet, which includes the proposed roadway system, shall be maintained between the development site and any adjacent property. The City may consider reductions to this setback.
Community Septic System		Added as a condition that any buildings required as part of the community septic system shall either be moved to a more central location within the development or screened from view from adjacent properties.

Topic	Issue	Addressed? By Whom?
Concept Plan/PUD		
Open Space Protection		Added as a condition that the open space preservation areas shall be reviewed for potential inclusion as part of a conservation easement protected by the MN Land Trust.
Calculating density		The applicant believes the road right-of-way has been calculated in the past when determining buildable area in an OP development.
Calculating Open Space		The applicant identified that other OP developments have included storm water ponds in the required open space areas.
Parks and Trails	Consideration of current and future park and recreation issues relating to the site, including trails and trail access, private and public access and amenities, etc.	
Other		
Animals		Additional condition: The keeping of animals associated with the agricultural activities on the site shall comply with all applicable City and Minnesota Pollution Control Agency requirements for the keeping of domestic farm animals.
City Development Objectives	Consideration of overall city development objectives, revisions of the Comp Plan and zoning relating to higher densities; completion of the Village Master Plan and I-94 corridor area review	

Topic	Issue	Addressed? By Whom?
Comp Plan		
Change in Circumstances	<p>There have been no changes in circumstances since the Land Use Section of the Comp Plan was updated in 2006 that warrant revisions to increase or transfer density to the applicant's site.</p>	<p><i>Public comments may or may not have addressed this issue at Planning Commission/Council meetings.</i></p>
Density Locations	<p>Higher density residential development is encouraged in areas that will be served by public sanitary sewer where the provision of these services is more cost-effective and where the City will receive credit towards the REC unit counts mandated under its MOU with the Met Council.</p>	<p>Planning Commission Finding: That recent subdivisions in areas guided for RAD development have been approved at a density below the unit levels anticipated in the Comp Plan. The proposed density increase will be offset by reductions that have previously been approved or acknowledged by the City.</p>
Density Locations	<p>It should be considered within the larger context of where these higher densities may best be integrated with surrounding land uses and where it can best be provided with public services (even if these services are somewhat limited in OP developments).</p>	<p>Planning Commission Finding: That the site is located immediately adjacent to existing R-1 Single Family Residential zoning districts along its southern, eastern, and western boundaries. Other areas guided for RAD development are primarily surrounded by rural residential, agricultural, or public open space uses.</p>
Density Locations	<p>The City is currently working to implement its plan for development in the Old Village Area and the I-94 corridor. Given the current market conditions, the City encourages higher density development in areas that would help off-set the significant infrastructure costs required to serve these areas.</p>	<p><i>Public comments may or may not have addressed this issue at Planning Commission/Council meetings.</i></p>
Density Locations	<p>There have been no discussions with the current property owner of the 103 acre parcels that are guided RAD2 to the west of the applicant's site that the overall density on this site may change (or any of the RAD2 guided property owners.)</p>	<p>Staff recommended no transfers of RAD2 density if the Comp Plan Amendment were to be approved.</p>
Senior Housing Location	<p>The Housing Chapter of the Comp Plan specifically states that any future senior-specific housing in Lake Elmo will be best accommodated within the Old Village Area due to proximity to goods, services, and public facilities.</p>	<p>Planning Commission Finding: That the proposed project associated with the Comprehensive Plan Amendment will help fulfill a need for senior housing within the community.</p>

Topic	Issue	Addressed? By Whom?
Comp Plan		
Precedent	<p>The applicant's site does not demonstrate any characteristics that are substantially different from other areas guided for RAD development in the City of Lake Elmo or that would indicate that higher density development is more appropriate in this area than any other site within the City</p> <p>A 40-unit multi-family senior-living facility is not consistent with the City's stated goals to preserve and enhance its rural character, especially when planned in areas that are guided for Rural Agricultural Density.</p>	<p>Planning Commission Finding: That the current use of the site as a working farm is unique compared to other properties designated for RAD development in the Comp Plan.</p> <p><i>Public comments may or may not have addressed this issue at Planning Commission/Council meetings.</i></p>
Comp Plan Goals - rural character	<p>A new access to support development on the applicant's site does not conform to the City's Transportation Plan that encourages limited access to major collector roads and is inconsistent with the City's access spacing guidelines.</p>	<p>Planning Commission Finding: That the site is located in close proximity to public transportation along State Highway 5, and specifically, a bus route that could provide alternate transportation options for seniors.</p>
Comp Plan Goals - Transportation	<p>Consideration of potential future local, collector and arterial transportation improvements, above those already noted, directly or indirectly resulting from this development, as well as anticipated participation of the applicant in such future improvements</p>	<p>MnDOT cannot outright reject a request for new access. Staff recommendations for future access considerations included as part of concept plan reviews.</p> <p><i>Public comments may or may not have addressed this issue at Planning Commission/Council meetings.</i></p>
Comp Plan Goals - Transportation	<p>Build-out of existing empty lots in platted and developed OP developments is encouraged over the creation of new development and service areas in the community.</p>	
Market for Property		

Topic	Issue	Addressed? By Whom?
Zoning Text Amendment		
Definitions	Adding definitions for all the terms that are used in the proposed ordinance provisions (What does the term "senior" mean when used with "senior housing"? Is there a specific age that should be regulated differently than others?) Will the housing on the site be age restricted and/or restricted language be added for future use of site?	Staff added suggested language (to address definition)
Definitions	Does the City need to differentiate between a preschool and a "farm-based" preschool?	Staff added suggested language
Setbacks	Including building standards (primarily setbacks) for Senior Housing buildings	Staff added suggested language
Setbacks	Keep a side yard setback for townhouses in OP Districts (a reduction or elimination of side yard setbacks would be appropriate to consider as part of a PUD)	Staff added suggested language
Density Calculation	Determine if wording should continue to read "gross area" as suggested by applicant or remain consistent with existing code and use "buildable area" for determining density ** (See Concept Plan/PUD as well)	Planning Commission recommended retaining applicant's proposed language of "gross area"
School-Aged an Appropriate Use	The ordinance as proposed by the applicant would allow a "farm-based" school for school-aged children. Is a school, or educational programs, for kids older than preschool age appropriate as part of the overlay zoning district?	
Future Developments	The proposed zoning amendment would make subsequent approvals for multi-family senior buildings and farm schools subject only to a land use change request, not a zoning amendment.	
Future Developments	The proposed ordinance amendments do not leave adequate protections in place to buffer and mitigate impacts to surrounding land uses.	Planning Commission recommended an increase to the OP-2 buffer setback requirements.
Purpose of OP Developments	The proposed increase in density and types of uses allowed in an OP development is not consistent with purpose of intent of the OP Open Space Preservation Ordinance.	

Topic	Issue	Addressed? By Whom?
Concept Plan/PUD		
Restricted to Senior Housing	Should the City approve a project as a Senior Housing project if there is not an age-restriction associated with the project? Should the City's definition of Senior Housing require an age restriction?	Staff added language in the draft ordinance to both define senior housing and to include it in the list of conditionally permitted uses.
Market Conditions	Is there an appropriate mix of senior living and market-based apartments/condominiums that is acceptable?	
Use of Powerline Easement	The applicants are proposing to construct the community septic system, septic control building, and trails within the power line easement.	Added a condition that the applicant shall provide the City with either a statement of acknowledgment and consent from the holder of the power line easement or an agreement that permits certain encroachments into the easement.
Fire Protection and Adequate Water Service levels	The proposed plan to connect to an existing 4" pipe at the project boundary will not provide adequate levels of fire protection for the proposed buildings.	Added as a condition that the applicant shall provide utility plans showing an adequately sized connection back to an existing City water main; developer is responsible for all costs associated with providing a minimum water service size of eight inches to an existing main of a larger size
Storm Water Facilities	Who will maintain the storm water facilities? Through an easement or an outlot? Feasibility of the site and proposed development to comply with all aspects of the City Code, including the City's new storm water regulations and the resulting impact to the site.	Added as a condition that Storm water facilities required as part of the Storm Water Management Plan shall be platted within outlots and deeded to the city; shall be maintained by the City; applicant shall submit a storm water and erosion and sediment control plan as part of the preliminary plan submissions that complies with the City's recently adopted Storm Water and Erosion and Sediment Control Ordinance
Storm Water Facilities		Future plans will need to address the City's recently adopted storm water ordinance.

Topic	Issue	Addressed? By Whom?
Concept Plan/PUD		
Access	Only one access for entire development.	Added as a condition that an improvement right-of-way connection be stubbed to adjacent property line to the north or east of the development site
Additional traffic on Highway 5	The anticipated traffic levels will require improvements to CSAH 5 (as per MnDOT review comments).	Added as a condition that the developer shall be responsible for the installation of all improvements to Stillwater Blvd N (SH 5) as specified by MnDOT.
Emergency Access	Radius and pavement specifications for interior streets.	Added as a condition that the interior City Streets shall address the comments provided by Oakdale Fire Chief.
Setbacks from Entrance Road	Setbacks from new entrance road cannot be determined from concept plans.	Added as a condition that the preliminary plans shall accurately depict the proposed setback between the existing structures and the future entrance road into the development. Compliance with front and side yard setbacks as required under the Zoning Ordinance must be considered as a part of future plan reviews by the City.
Buffer Setback	Is there adequate buffering between uses?	Added as a condition: 1. Additional buffering shall be provided between the proposed multi-family building and adjacent wooded open space protection area. 2. A minimum buffer setback of 50 feet, which includes the proposed roadway system, shall be maintained between the development site and any adjacent property. The City may consider reductions to this setback.
Community Septic System	The community septic system is located with minimal setback to the property to the north. The infrastructure necessary for the septic system should not negatively impact adjacent properties.	Added as a condition that any buildings required as part of the community septic system shall either be moved to a more central location within the development or screened from view from adjacent properties.

Topic	Issue	Addressed? By Whom?
Concept Plan/PUD		
Open Space Protection	The proposed open space areas may be too small for consideration by the MN Land Trust.	Added as a condition that the open space preservation areas shall be reviewed for potential inclusion as part of a conservation easement protected by the MN Land Trust.
Calculating density	Inclusion of highway right-of-way in calculations for net buildable area and require open space.	The applicant believes the road right-of-way has been calculated in the past when determining buildable area in an OP development.
Calculating Open Space	Inclusion of storm water facilities in required open space areas.	The applicant identified that other OP developments have included storm water ponds in the required open space areas.
Parks and Trails	Consideration of current and future park and recreation issues relating to the site, including trails and trail access, private and public access and amenities, etc.	
Other		
Animals	The keeping of farms animals is regulated by City Code and the MPCA.	Additional condition: The keeping of animals associated with the agricultural activities on the site shall comply with all applicable City and Minnesota Pollution Control Agency requirements for the keeping of domestic farm animals.
City Development Objectives	Consideration of overall city development objectives, revisions not the Comp Plan and zoning relating to higher densities; completion of the Village Master Plan and I-94 corridor area review	