



**City of Lake Elmo Planning Commission Meeting
City Council Chambers – 3880 Laverne Avenue North
Minutes of Regular Meeting of
August 28, 2023**

CALL TO ORDER: Commission Chair Risner called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Risner, Bohlig, Rehkamp, Steil, Williams, Vrieze

COMMISSIONERS ABSENT: Geffre, Williams

STAFF PRESENT: City Planner Sophia Jensen, Nathan Fuerst, Planner II, with Bolton & Menk

Pledge of Allegiance at 7:00 PM

Approve Agenda:

M/S/P: Steil / Rehkamp: made a motion to approve the agenda. **Vote: 5-0, motion carried unanimously**

Approve Minutes:

M/S/P: Rehkamp / Bohlig made a motion to approve the 7-24-23 meeting minutes with **Vote: 5-0, motion carried unanimously.**

PUBLIC HEARING

- a) **ROYAL GOLF MINOR SUBDIVISION AND VARIANCE:** Royal Development has submitted a variance and minor subdivision application to collapse the existing Block 1 Lot 2 and move it to the east side of 11455 20th Street North over the existing pool and fitness center for management purposes. The variance is requested in addition to the minor subdivision due to the new lot not having the required frontage on a public street.

Sophia Jensen, City Planner, gave presentation and answered questions.

The applicant, John Parson, Royal Development, 10995 Club West Parkway, #300, Blaine, MN 55449, spoke regarding the reason for the variance.

REVIEW AND ANALYSIS

Minor Subdivision: The City's subdivision regulations allow for certain major subdivision procedures and requirements to be waived when: 1) no more than four lots are being created; 2) when no new public infrastructure or rights-of-way or streets are necessary; and 3) when the proposed lots meet the minimum road frontage and area requirements of the underlying zoning district. The minor subdivision process allows for concurrent review and approval of a preliminary and final plat.

The proposed minor subdivision does not require any new public infrastructure or any new public streets or infrastructure. The request is not adding additional lots, instead an existing lot is being collapsed and relocated. This request will also meet the City's Royal Golf PUD and Golf Course Community zoning lot dimension and bulk building requirements. No tree removal or structure/building changes are proposed as a part of this request. With approval of the variance for road frontage, the proposed plat meets all the City's requirements for a subdivision.

Street Frontage Variance: An applicant must establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 105.12.320 before the City may grant an exception or modification to City Code requirements. These criteria are listed below, along with comments about the applicability of these criteria to the applicant's request.

The proposed variance request would meet all four required criteria set forth in Section 105.12.320(f). The applicant has proven practical difficulties in that it is intending to use the lot in a reasonable manner and keeping in the spirit with the intent of the Golf Course Community zoning district and the Royal Golf Planned Unit Development. The applicant has proven unique circumstances given the unique existing barbell-shaped lot layout (11455 20th St North) and the existing infrastructure location which required the shift in location of the pool and fitness facility. The pool and fitness facility is also not a public place and is used exclusively by the residents of Royal Golf whereas the clubhouse and golf course are public facilities. The applicant has proven that character of locality will not be altered given the structures are to remain the same, only the lot lines will be shifting. Lastly, the proposed request of changing the lot lines should not impair adjacent properties or increase congestion of the public streets.

CITY AGENCY REVIEW:

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This request was distributed to several departments and agencies for review on July 31st 2023. The following departments provided comments on the applications:

- Fire Department Review Memo (8-9-2023) provided comments regarding the requirements of maintaining access to the pool and fitness facility at all times.
- City Engineer Email (8-14-2023) did not have comments on the applications.
- MN DNR – Did not provide a review memo.
- City Attorney (8-17-2023) – Provided a plat opinion that must be addressed prior to release of the final plat for recording. A condition regarding special assessments has also been added based on the Attorney’s review to ensure the assessments will be paid.

DRAFT FINDINGS:

- That the Royal Golf Pool and Fitness Center minor subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Royal Golf Pool and Fitness Center minor subdivisions is consistent with the future development plans of the area and with the standards of the City’s Golf Course Community zoning district and the Royal Golf Planned Unit Development.
- That the Royal Golf Pool and Fitness Center minor subdivision meets the requirements of the City’s minor subdivision regulations and specifically the requirements concerning exceptions to platting.
- The Royal Golf variance request has proven practical difficulties given the applicant is intending to use the lot in a reasonable manner and keeping in the spirit with the intent of the Golf Course Community zoning district and Royal Golf Planned Unit Development.
- The Royal Golf variance request has proven unique circumstances given the unique existing barbell-shaped lot layout (11455 20th St North) and the existing infrastructure location which required the shift in location of the pool and fitness facility. The pool and fitness facility is also not a public place and used exclusively by the residents of Royal Golf whereas the clubhouse and golf course are public facilities.
- The Royal Golf variance request has proven the essential character of the locality will not be altered given the structures are to remain the same, only lot lines will be shifting.
- The Royal Golf variance request will not have an adverse effect on adjacent properties and will not cause there to be an increase in traffic.

M/S/P: Bohlig / Steil moved to open the public hearing at 7:07 PM. **Vote: 5-0, motion carried unanimously.**

Public Comments: None

M/S/P: Vrieze / Rehkamp moved to close the public hearing at 7:07 PM. **Vote: 5-0, motion carried unanimously.**

M/S/P: Steil / Vrieze moved to recommend approval of the Royal Development Pool and Fitness center variance request based on the findings of fact and conditions presented in the staff report. **Vote: 5- 0, motion carried unanimously.**

M/S/P: Steil / Vrieze moved to recommend approval of the Royal Development Pool and Fitness Center minor subdivision request based on the findings of fact and conditions presented in the staff report. **Vote: 5-0, motion carried unanimously.**

PUBLIC HEARING

- a) **DRAKE MOTOR PARTNERS COMPREHENSIVE MAP AMENDMENT AND REZONING:** Drake Motor Partners has submitted applications for a comprehensive map amendment and a zoning map amendment to exchange the zoning of two similar sized parcels adjacent to each other along Hudson Boulevard. The request would change one parcel from Commercial to Right of Way zoning/future land use designation and the other parcel from Right of Way to Commercial.

Nathan Fuerst, Planner II, with Bolton & Menk, gave presentation and answered questions.

REVIEW AND ANALYSIS

COMPREHENSIVE PLAN AMENDMENT REVIEW

The 2040 Comprehensive Plan has the Future Land Use of Parcel #1 designated as Commercial (C) and Parcel #2 as ROW. This Comprehensive Plan Amendment request is a result of a land exchange between the City of Lake Elmo and Drake Motor Partners LE LLC. The parcels’ land use designations are requested to be swapped in order to meet requirements of the land exchange and to be consistent with the remaining portion of the site in accordance with the new ownership and land uses.

The decision to change or amend the Comprehensive Plan is a policy matter for the Planning Commission to make a recommendation
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on to the City Council. Any change to the Comprehensive Plan should be based on findings and criteria to show that the change would be consistent with the goals and policies of the City.

As a condition of approval of the proposed Comprehensive Plan Amendment, the City should require the submission of the necessary Comprehensive Plan Amendment to the Metropolitan Council and the City receiving formal notification from the Metropolitan Council that they have completed their review and that they have approved the proposed plan amendment.

ZONING MAP AMENDMENT REVIEW

In order to meet requirements of the land exchange, the City also will need to approve a zoning map amendment (rezoning) to be consistent with the Comprehensive Plan Amendment (from right-of-way to commercial and vice versa). The overall nature and function of the site will remain the same.

RECOMMENDED FINDINGS

Comprehensive Plan Amendment. Staff recommends approval of the Comprehensive Plan Amendment for the proposed Drake Motor Partners LE LLC parcel, Parcel #1, and the City of Lake Elmo property, Parcel #2, based on the following findings:

- 1) That the applicant has submitted a request to the City of Lake Elmo to amend the Comprehensive Plan in accordance with the procedures as established by the Lake Elmo Planning Department and the Lake Elmo Planning Commission; and
- 2) That the request is to amend the Land Use Plan Map for Parcel 1 from C (Commercial) to ROW (right-of-way); and
- 3) That the request is to amend the Land Use Plan Map for Parcel 2 from ROW (right-of-way) to C (Commercial); and
- 4) That the proposed amendment is consistent with the overall goals and objectives of the Lake Elmo Comprehensive Plan.

M/S/P: Rehkamp / Steil moved to open the public hearing at 7:16 PM. **Vote: 5-0, motion carried unanimously.**

Public Comments: None

M/S/P: Rehkamp / Bohlig moved to close the public hearing at 7:17 PM. **Vote: 5-0, motion carried unanimously.**

M/S/P: Bohlig / Steil moved to recommend approval of a Comprehensive Plan amendment from C (Commercial) to ROW (right-of-way) for Parcel #1 and from ROW (right-of-way) to C (Commercial) for Parcel #2. This recommendation is based on the findings listed in the Staff report and subject to the condition listed in the staff report. **Vote: 5-0, motion carried unanimously.**

M/S/P: Steil / Vrieze moved to approval of a zoning map amendment of Parcel #1 from Commercial PUD (C-PUD) to Public Right-of-Way and Parcel #2 from Public Right-of-Way to Commercial PUD (C-PUD). This recommendation is subject to the City's recommendation to amend the Comprehensive Plan for the parcels and is based on the findings listed in the Staff report and subject to the conditions listed in the staff report. **Vote: 5-0, motion carried unanimously.**

New/Unfinished Business

N/A

Communications/Updates - City Council Updates

- I. Village Districts Design Review Zoning Text Amendment 8-2-2023 - Approved
- II. 8286 Hidden Bay Court Variance 8-15-2023 – Approved
- III. Northstar 1st Addition Final Plat and PUD 8-15-2023 - Approved
- IV. Prairie Skies Final Plat, PUD, Easement Vacation 8-15-2023 - Approved
- V. Easton Village 6th Final Plat 8-15-2023 - Approved

Upcoming Meetings

- i. September 11th
- ii. September 25th

Meeting adjourned at 7:23 PM.

Respectfully submitted,
Diane Wendt
Permit Technician