



**City of Lake Elmo Planning Commission Meeting
City Council Chambers – 3880 Laverne Avenue North
Minutes of Regular Meeting of
March 11, 2024**

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, Geffre, Rehkamp, Steil, Vrieze

COMMISSIONERS ABSENT: Bohlig

STAFF PRESENT: Interim City Administrator Clark Schroeder, City Planner Sophia Jensen, Administrative Services Director Karissa Goers, Nathan Fuerst with Bolton & Menk

Pledge of Allegiance at 7:00 PM

Approve Agenda:

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

Approve Minutes:

M/S/P: Rehkamp / Geffre made a motion to approve the 2-26-24 meeting minutes. **Vote: 5-0, motion carried unanimously.**

PUBLIC HEARING

- a) 10997 32nd St Variance and Lot Division. David Schmoeckel and Sarah Johnson have submitted variance and lot division applications to split the property located at 10997 32nd St N. The request would split the lots back to how they were originally platted, Lot 9 and Lot 10 of Lake Elmo Park. The variances are required due to the existing structure setbacks and lot dimensions.

City Planner Jensen gave presentation and answered questions.

M/S/P: Steil / Rehkamp moved to open the public hearing at 7:08 PM. **Vote: 5-0, motion carried unanimously.**

Public Comments: None

M/S/P: Steil / Geffre moved to close the public hearing at 7:09 PM. **Vote: 5-0, motion carried unanimously.**

M/S/P: Geffre / Vrieze moved to recommend approval of the lot division and variance requests from David Schmoeckel and Sarah Johnson for the property located at 10997 32nd Street North with the conditions listed in the staff report. **Vote: 5-0, motion carried unanimously.**

PUBLIC HEARING

- b) 5193 Keats Ave Zoning Text Amendment and Comprehensive Plan Amendment. Melvin Ashford with Minnesota Women's Care has submitted a zoning text amendment to include the land use, birth center, as a conditional principal use and postpartum care as a conditional accessory use along with development standards and definitions. The Applicant also submitted a comprehensive plan amendment to reguide the property at PIDs 0202921330001, 0202921310001, and 0202921340003 from Ag Preserve to Rural Area Development since the Ag Preserve Agreement has expired.

City Planner Jensen gave presentation and answered questions.

Applicant Melvin Ashford's representative, Audrey Kopp, 2040 Manning Trail N, spoke and answered questions.

M/S/P: Steil / Vrieze moved to open the public hearing at 7:28 PM. **Vote: 5-0, motion carried unanimously.**

Public Comments:

Emailed comments:

1. Mel and Jane Eder – Provided comments in opposition of the request citing concerns with septic capacity, medical waste, water, traffic, and the remaining acreage.
2. Joyce Sullwold Kelch – Provided comments in opposition of the request citing concerns with traffic, water, and medical waste.
3. Lisa Koll – Provided comments in opposition of the request citing concerns with buildings, traffic, EMS access, waste facilities, pollution and aesthetics.
4. Joan and Steve Ziertman – Provided comments in opposition to the requests citing concerns with the comprehensive plan and rural district intent.
5. George Crocker and Lea Foushee – Provided comments in opposition of the request citing concerns with light pollution, surrounding acreage, toxic substances, medical waste, disruption from EMS, impacts to wildlife.
6. Jane Chars – Provide comments in opposition of the request citing concerns compatibility with the rural character, traffic, floodplain impacts, and environmental concerns.
7. Kirk and Callie Kenneally – Provided comments in opposition of the request citing concerns with the compatibility with the rural character.

Spoken Public Comment:

1. Mel Eder – 4980 Keats Ave – Provided comments supplementing their written statement regarding the public hearing notice policy, citing concerns with the re-guidance and possible future development of the remaining parcel, traffic concerns, and expressed that it would not be beneficial to the rural area.
2. John Ames- 9799 51st St – Stated they support the mission of the applicant but are concerned with the meaning/intent of zoning, the commercial nature of the proposal, future expansion, increased traffic and increased traffic speed which may result in unsafe conditions for residents. .
 - a. Mr. Ames spoke a second time regarding the concerns with the property not being residential in nature.
3. Jane Chars – PO Box 769 - Provided comments supplementing their written statement regarding flood zone and building footprints, water quality and wildlife impacts including light pollution concerns. They outlined the history of the ag preserve, and expressed concerns with the inconsistency of a commercial request in the rural district, utility capacity, and property values.
4. Carmen Thompson – 5170 Kirkwood Ave - Provided comments in opposition of the request citing concerns with inconsistencies between the rural character of the land and the commercial use including negative wildlife impacts, light pollution, traffic access and safety concerns at Keats. Carmen also expressed concerns with assessments to support the business. They also expressed concern about increased crime due to drugs on site and access to police service.
5. Robert Meyer -5220 Keats Ave - Provided comments that they are opposed to the location of the business but support the mission of the agency. They cite concerns with commercial infrastructure as being inconsistent with current surrounding uses and the comprehensive plan, future expansion, and staff's low impact assessment. They were also concerned with the lack of comment from the DNR and were curious about notifications to other properties zoned Ag.
6. Richard Egersdorf – 9960 57th St – Provided comments that they support the mission of the birth center but are in opposition of the request citing concerns with the public hearing notice process and business location in a residential area in addition to resident safety with regard to increased traffic
7. Pat Barrett – 9692 57th St – Thanked the commission for their work. They provided comments in opposition to the request citing concerns with roadway pedestrian safety, water quality/flooding, and inconsistency with the proposal in a rural residential area.
8. Jillian – N/A - Provided comments in opposition of the request citing concerns with the impacts to safety in the community with increased traffic and non-community members entering the community by the way of a transient business operation. Jillian expressed concern over impacts to home value, resident safety, roadway safety, and lighting nuisances.
9. Rod Sessing – 5699 Keats Ave - Provided comments in opposition of the request citing concerns with the definition of the RAD land use guidance and impacts to the rural character. Rod expressed concern over negative tax implications and

lost revenue due to zoning in addition to concerns with refurbishing old building, state inspections, and construction in the floodplain. They also expressed confusion about why the land was purchased without due diligence.

10. Karin Schubert – 5222 Keats Ave - Provided comments in support of the birth center but not in this area of the City. They provided concerns with the public hearing process, utility capacity, traffic speed and capacity.
11. Claudia Stannard – 5230 Keats Ave - Provided comments in opposition of the request citing concerns with safety and hours of operation, delivery traffic, increased traffic related to food, visitors, laundry, waste, EMS traffic, nuisance, and questioned the need for the site citing an option for home birth instead.
12. Adam Slinger – 9849 59th St – Provided comments that they support the business but not in this location. Provided comments in opposition of the request citing concerns with impacts to the rural character, spot zoning, street maintenance, salt and manicured lawn impacts.
13. Bridget Eubank – 9960 57th St - Provided comments in opposition of the request citing concerns with impacts to current residents and loss of rural calm character. Bridget agreed with concerns listed by residents that spoke earlier.

Dan Noyes w/ Blumentals Architecture LLC- The applicant's architect spoke regarding the request and responded to public comment about the residential nature of the operation and that research indicates that there is an increased want for rural birth centers. The applicant is not proposing to expand the use and would meet the proposed text amendment requirements

M/S/P: Steil / Geffre moved to close the public hearing at 8:18 PM. **Vote: 5-0, motion carried unanimously.**

M/S/P: Rehkamp / Steil moved to recommend approval of the comprehensive plan amendment for the property from Agriculture Preserve (AP) to Rural Area Development (RAD) with conditions listed in the staff report. **Vote: 2-3, motion failed** (Aye: Risner, Steil - Nay: Vrieze, Rehkamp, Geffre - did not feel the need to process the removal of the AG Preserve at this time.)

M/S/P: Rehkamp / Geffre moved to recommend approval of the zoning text amendments requested by Minnesota Women's Care as proposed by City Staff. **Vote: 3-2, motion carried.** (Aye: Risner, Steil, Geffre - Nay: Vrieze Rehkamp - felt the property should maintain its preserve guidance.)

New/Unfinished Business

N/A

Communications/Updates

- a) City Council Updates 3-6-2024
 - i. Planning Commission Work Plan – Approved
 - ii. Stillwater Schools Comprehensive Plan Amendment and Rezoning - Approved
 - iii. CEF Solar Conditional Use Permit Extension - Approved
- b) 2024 Planning Commission Handbook

Upcoming Meetings

- i. March 25th 2024
- ii. April 8th 2024

Meeting adjourned at 8:36 PM.

Respectfully submitted,
Diane Wendt
Permit Technician