

3880 Laverne Avenue North
Lake Elmo, MN 55042

(651) 747-3900
www.lakeelmo.org

NOTICE OF MEETING

The City of Lake Elmo

Planning Commission will conduct a meeting on

Monday May 13th 2024

at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes of April 22nd 2024
4. Public Hearing
 - a) **Bridgewater Village Zoning Text Amendment.** Bridgewater Bancshares Inc has submitted a zoning text amendment application to amend City Code Section 105.12.410 Table 5-2 to amend the minimum parking requirements for financial institutions.
5. New/Unfinished Business
 - a) N/A
6. Communications/Updates
 - a) City Council Updates – 5/7/2024
 - i. PF District Zoning Text Amendment
 - ii. Kramer Lake Overlook Comprehensive Plan Amendment
 - iii. Birth and Haven Comprehensive Plan Amendment and Zoning Text Amendment
 - iv. Chavez Property Comprehensive Plan Amendment and Zoning Map Amendment
 - b) Upcoming Meetings
 - i. May 28th 2024 – Tuesday - **Canceled**
 - ii. June 10th 2024
7. Adjourn
8. Planning Commission Training
 - a) Immediately after their regular meeting, the Planning Commission will move to the Community Room for their annual commissioner training. The training is open to the public.

***Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.



**City of Lake Elmo Planning Commission
Meeting City Council Chambers – 3880 Laverne
Avenue North Minutes of Regular Meeting of
April 22, 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, Bohlig, Dean, Rehkamp, Steil, Vrieze

COMMISSIONERS ABSENT: None

STAFF PRESENT: Community Development Director Jason Stopa, City Planner Sophia Jensen, Consulting Planner Nathan Fuerst with Bolton & Menk

Pledge of Allegiance at 7:00 PM

Accept Commissioner Geffre's resignation.

Approve Agenda:

M/S/P: Bohlig/ Vrieze made a motion to approve the amended agenda. **Vote: 6-0, motion carried unanimously**

Approve Minutes:

M/S/P: Vrieze / Rehkamp made a motion to approve the 4-8-24 meeting minutes. **Vote: 6-0, motion carried unanimously.**

PUBLIC HEARING

- a) **Kramer Lake Comprehensive Plan Amendment.** Tamarack Land Development has submitted a comprehensive plan amendment to revise the MUSA Growth and Phasing Plan (Map 3-7) for PID 35.029.21.44.0012 and 35.029.21.43.0001 from the 2030-2040 (blue) phase to the 2020-2030 (pink) phase.

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

Applicant Dan Willenbring, with Tamarack Land Development, 400 Tangle Wood Lane, Marine on St Croix, spoke and answered questions.

M/S/P: Steil / Bohlig moved to open the public hearing at 8:00 PM. **Vote: 6-0, motion carried unanimously.**

Public Comments:

Ann Bucheck, 2301 Legion Avenue N, Emailed public comment in favor of denying this project.

Susan Dunn, 11018 Upper 33rd Street N, is in favor of denying this project.

Ben Roth, 10819 3rd Street Place N, is in favor of denying this project.

M/S/P: Rehkamp / Vrieze moved to close the public hearing at 8:08 PM. **Vote: 6-0, motion carried unanimously.**

M/S/P: Vrieze / Steil moved to recommend the City Council deny the request of Tamarack Land Development for a Comprehensive Plan amendment with the findings propose by the Planning Commission and condition

proposed by staff **Vote: 6-0, motion carried unanimously.**

New/Unfinished Business

N/A

Communications/Updates:

a) City Council Updates – 4/9/2024

- a) Old Village Moratorium Workshop
- b) Crosswalk Policy

b) City Council Updates – 4/16/2024

- c) 10997 32nd Street Variances and Lot Division - Approved
- d) Animal Inn CUP Amendment and Variance – Approved

c) Upcoming Meetings

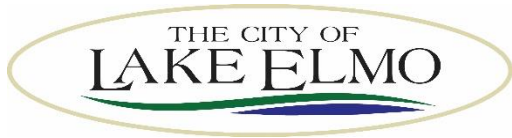
- i. May 13th 2024
- ii. May 28th 2024 - Tuesday

Meeting adjourned at 8:17 PM.

Respectfully submitted

Diane Wendt

Permit Technician



STAFF REPORT

DATE:5/13/2024

Item#: 4a – Public Hearing

Motion

TO: Planning Commission
FROM: Nathan Fuerst, AICP, Consulting Planner
AGENDA ITEM: **Public Hearing – Bridgewater Bank Zoning Text Amendment**
REVIEWED BY: Jason Stopa, Community Development Director
Sophia Jensen, City Planner

BACKGROUND:

Bridgewater Bank (the “Applicant”), has recently received preliminary plat approval for its proposed Bridgewater Village Development, along with a Conditional Use Permit for a drive through associated with a financial institution. The development is currently in a final plat review.

After the preliminary plat approval, the Applicant contacted the City to identify a request to build fewer parking stalls than are currently required for a financial institution. The rationale for the request was that modern banks need fewer stalls to fully park the use.

The Applicant is seeking to reduce the overall number of stalls required from 1 space per 100 square feet, to 1 space per 200 square feet. Instead of a variance, Staff identified a zoning text amendment which would reduce the requirement for any current or future bank built in the City.

ISSUE BEFORE THE PLANNING COMMISSION:

The Planning Commission is being asked to hold a public hearing and make a recommendation to the City Council on the proposed Zoning Text Amendments.

GENERAL INFORMATION:

Applicant: Jerry Baack, Bridgewater Bank
Property Owner: Bridgewater Bancshares
PID#s: 1202921440023 and 1202921440024
Current Zoning: Village Medium Density Residential (V-MDR), Commercial (C)
Deadline: Application Complete – 4/11/24
60 Day Deadline – 6/10/24
Extension Letter – n/a
120 Day Deadline – n/a

PROPOSAL ANALYSIS:

Land Use Review

The Applicant is proposing to amend Table 5-2 of LEC 105.12.410 to change the ratio of stalls required for a Financial Institution. Financial Institutions are defined in City Code as follows:

Financial institution means provision of financial and banking services to consumers or clients. Walk-in and drive-in services are generally provided on site. Typical uses include banks, savings and loan associations, savings banks, credit unions, lending establishments, and drive-up automatic teller machines (ATMs).

Although the code is periodically updated, it has likely been years since the specific parking requirements for financial institutions were revisited. In the last decade, the industry has changed greatly in terms of how services are delivered. Many bank customers utilize digital services across a variety of different devices to replace the need to physically visit a bank, and banks have reduced the number of employees on site as a result. This trend is not expected to stop given recent advances in self service ATMs and other digital assistance technologies.

Current code requirement: 1 space per 100 sq ft of usable floor area

Applicant proposed code revision: 1 space per 200 sq ft of usable floor area

Staff proposed code revision: 1 space per 200 sq ft of gross floor area

Example proposed: 6000 sq ft bank building (staff estimate <15 full time employees)

- Current Code parking requirement – 60 stalls
- Proposed Code parking requirement – 30 stalls

Other Area Municipal Ordinances

- Stillwater – 1 stall per 200 sq ft floor area
- Woodbury – 1 stall per 200 sq ft floor area (offices)
- Cottage Grove – 1 stall per 250 sq ft floor area
- Forest Lake – 1 stall per 200 sq ft floor area (offices/retail)
- Blaine – 1 stall per 400 sq ft floor area
- Hugo – 1 stall per 250 sq ft gross floor area

Information provided by Bridgewater Bank:

Bridgewater Bank Locations Parking Data:

Name	Address	Number of Parking Spaces	Number of Employees	Approx. Number of Square Feet	Approx. Parking Space to SF Ratio
Bridgewater Bank – Greenwood Branch	21500 MN-7 Shorewood, MN 55331	28	13 Full Time	5,640 SF	1 space/201 SF
Bridgewater Bank – Orono Branch	2445 Shadywood Road Orono, MN 55331	19	7 Full Time	4,100 SF	1 space/215 SF
Bridgewater Bank – Uptown Branch	3100 Hennepin Ave Minneapolis, MN 55408	18	11 Full Time	4,500 SF	1 space/250 SF

PROPOSED TEXT AMENDMENT LANGUAGE:

The City must determine whether the proposed reduction in parking for any current and future Financial Institution is warranted. Staff are supportive of the request given the information presented above in this report. Staff propose a change to gross floor area due to the ease of interpretation, and consistency with other retail or service uses found in City Code.

The Applicant’s narrative and request are found in the attachment to this report, however, staff are proposing to modify those requests to better fit with the City’s ordinance. Table 5-2 in its entirety, with the proposed revisions, is attached to this report.

Changes to LEC 105.12.410, Table 5-2 are proposed by staff as follows. Text with ~~red~~ **strikethrough** text is to be deleted, text with blue underlined text is to be added:

Use	Minimum Parking Requirement	Notes
Financial Institution	1 space per 100 <u>200</u> square feet of usable <u>gross</u> floor area	

FINDINGS AND CONDITIONS:

This is a legislative decision, and the City has the most discretion in amending its comprehensive plan and zoning ordinance. The Planning Commission should think broadly about the implications of changing the Zoning Ordinance. Discussion should focus on other current financial intuitions or future proposals for such development.

Zoning Text Amendment Findings:

In order for the zoning text amendment to be approved, the City must find:

1. The proposed change is consistent with standards found in the City’s zoning ordinance for areas where financial institutions are permitted; and
2. The proposed change is consistent with the City’s Comprehensive Plan.

Zoning Text Amendment Condition(s):

Not suggested.

PUBLIC HEARING:

A public hearing was sent to surrounding property owners on April 29, 2024 and published in the City’s official newspaper shortly thereafter. No public comment had been received at the time this report was written.

FISCAL IMPACT:

There is no fiscal impact to the City at this time. Parking will become less expensive for developers.

OPTIONS:

- Recommend approval of the proposed amendments.
- Recommend changes to the proposed amendments.
- Recommend denial of the proposed amendments.

RECCOMENDATION:

The Planning Commission should hold a public hearing and discuss the Applicant's request.

Staff suggest the Planning Commission recommend approval of the zoning text amendment, with any modifications, to the City Council.

Example Motion:

“Move to recommend approval of the zoning text amendments requested by Bridgewater Bank as proposed by City Staff”

ATTACHMENTS:

- Application Materials
- Table 5-2



BRIDGEWATER BANK – LAKE ELMO BRANCH: ZONING TEXT AMENDMENT NARRATIVE & DOCUMENTATION

ATTENTION:

Sophia Jensen, City Planner, The City of Lake Elmo
CC: Nathan Fuerst, Consultant Planner, Bolton & Menk, Inc.

DATE OF APPLICATION: April 11, 2024

APPLICANT:

Jerry Baack, Bridgewater Bancshares
4450 Excelsior Blvd, Ste 100 Saint Louis Park, MN 55416
952-893-6866
jerry.baack@bwbm.com

ARCHITECT:

Jeff Wrede, Momentum Design Group
755 Prior Ave North, Ste 301A Saint Paul, MN 55104
612-554-9992
jeff@mdgarchitects.com

Matthew Haller (primary contact), Momentum Design Group
755 Prior Ave N, Ste 301A Saint Paul, MN 55104
612-799-1791
matt@mdgarchitects.com

PARCEL ID NUMBER: 1202921440023

LEGAL DESCRIPTION: THAT PART OF THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA, WHICH LIES SOUTHEASTERLY OF MINNESOTA STATE HIGHWAY NO. 5, AND WHICH LIES SOUTHWESTERLY OF COUNTY STATE AID HIGHWAY NO. 14 AND 15 (WASHINGTON COUNTY HIGHWAY PLAT NO. 33) AND THAT PART OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA, AND WHICH LIES SOUTHEASTERLY OF STATE HIGHWAY NO. 5; TOGETHER WITH THAT PART OF THE NORTH 50 RODS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA, WHICH LIES



WESTERLY OF COUNTY STATE AID HIGHWAY NO. 15 (WASHINGTON COUNTY HIGHWAY PLAT NO. 33), AND WHICH LIES NORTHERLY OF PARCEL 8 OF WASHINGTON HIGHWAY RIGHT OF WAY PLAT NO. 178, RECORDED AS DOCUMENT NO. 4120980 IN THE RECORDER'S OFFICE OF WASHINGTON COUNTY, MINNESOTA SECTION 12 TOWNSHIP 29 RANGE 21

PROPOSED LANGUAGE FOR ORDINANCE AMENDMENT:

Original Zoning Ordinance for reference: Section 105.12.410(f) Table 5-2: Specific Minimum Off-Street Parking Requirements, Row 28, Columns 1 & 2 “Financial Institution – 1 space per 100 square feet of usable floor area.”

We request that Section 105.12.410(f) Table 5-2: Specific Minimum Off-Street Parking Requirements, Row 28, Columns 1 & 2 should be revised to read “Financial Institution – 1 space per 200 square feet of usable floor area.”

NARRATIVE DESCRIBING REASON FOR REQUESTED ZONING AMENDMENT:

Advances in online banking technology have allowed banks to have a smaller physical footprint and require fewer people, both clients and employees, to be present in person to provide and receive services. This results in fewer parking spaces required and at existing banks more spaces consistently being unused. It would be a better use of resources to reduce the amount of excess impervious surfaces and instead increase the amount of green space allowing for the property to be more attractive, to provide better drainage, and to aid in aquifer recharge with this increase in pervious site surface area.

The ratio proposed in our text amendment is supported by parking data from Bridgewater Bank’s other branches, from MDG’s investigations of other local banks, and from the codes of other municipalities in the surrounding area. Representatives from Bridgewater Bank have supplied the parking data and indicated that the amount of parking provided at each of these locations is more than enough currently and is anticipated to be reduced even more in the future as online banking technology continues to advance.

Bridgewater Bank Locations Parking Data:

Name	Address	Number of Parking Spaces	Number of Employees	Approx. Number of Square Feet	Approx. Parking Space to SF Ratio
Bridgewater Bank – Greenwood Branch	21500 MN-7 Shorewood, MN 55331	28	13 Full Time	5,640 SF	1 space/201 SF
Bridgewater Bank – Orono Branch	2445 Shadywood Road Orono, MN 55331	19	7 Full Time	4,100 SF	1 space/215 SF
Bridgewater Bank – Uptown Branch	3100 Hennepin Ave Minneapolis, MN 55408	18	11 Full Time	4,500 SF	1 space/250 SF

Other Local Bank Locations Parking Data (estimated):

Name	Address	Number of Parking Spaces	Number of Employees	Approx. Number of Square Feet	Approx. Parking Space to SF Ratio
Wings Credit Union - Woodbury	660 Woodbury Dr. Woodbury, MN 55125	26		7,507 SF*	1 space/288 SF
Bremer Bank – South St. Paul	633 Concord St. S South St. Paul, MN 55075	29		7,500 SF	1 space/259 SF
North American Banking Company - Roseville	2230 Albert St. N Roseville, MN 55113	35		9,500 SF*	1 space/271 SF

*Square foot estimation based on Google Earth aerial measurements

Example Parking requirements for Banks in other municipalities:

Minneapolis, MN - library.municode.com/mn/minneapolis/codes

Table 541-1 Specific Off-Street Parking Requirements

“Bank or Financial Institution

Minimum: 1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.

Maximum: 1 space per 200 sq.ft. of GFA”

St. Louis Park, MN - stlouisparkmn.gov/home/showpublisheddocument

Article V. Special Provisions, Sec. 36-361., Table 36-361 (a)

“Bank

One space per each 250 square feet floor area”

Maple Grove, MN - library.municode.com/mn/maple_grove/codes

Maple Grove Code of Ordinances, Article IX. Sec. 36-868.

“(16) Retail stores and service establishments: At least one off-street parking space for each 200 square feet of floor area.”

Stillwater, MN - library.municode.com/mn/stillwater/codes

Stillwater Code of Ordinances, Article V. Sec. 28-349.

“Banks

One for each 200 square feet of floor area”

White Bear Lake, MN – whitebearlake.org/sites/default/files

White Bear Lake Code of Ordinances, Sec. 1302.050. Subd. 8.

“(q) Retail Store and Service Establishment. At least one (1) off-street parking space for each two hundred (200) square feet of floor area.”



As you can see, the request to lessen the parking requirement to 1 space per 200 square feet of usable floor area is keeping with current banking practices and other city parking requirements for financial institutions in the metro area.

Thank you for the opportunity to present our findings and we look forward to working with you.

Sincerely,

Momentum Design Group, LLC.

A handwritten signature in black ink, appearing to read 'Jeff Wrede'.

Jeff Wrede, Architect
Partner

Table 5-2: Specific Minimum Off-Street Parking Requirements

<i>Use</i>	<i>Minimum Parking Requirement</i>	<i>Notes</i>
Residential Uses		
Household Living		
Single-family detached dwelling	2 spaces per dwelling unit	
Two-family dwelling	1 space per 1-bedroom unit two spaces per 2-bedroom or larger unit. Single-family attached dwellings shall provide an additional ten percent of parking spaces for visitor parking. Multifamily dwellings shall also provide one visitor space per four units	
Single-family attached dwelling		
Multifamily dwelling		
Senior (elderly) housing	1 space per dwelling unit	If senior housing may be converted to general housing in the future, proof of additional parking shall be required
Secondary dwelling	1 space per secondary dwelling unit	
Live-work unit	2 spaces per dwelling unit	At least one of the required spaces shall be accessible for client parking
Mobile home park	2 spaces per dwelling unit	
Group Living		

Group home, group residential facility, halfway house, congregate housing	1 space per employee on the largest shift plus one visitor space for every four residents based on capacity	
Semi-transient accommodations	1 space per bedroom, plus one space for each full-time staff equivalent	Parking study required
Public and Civic Uses		
Cemetery	As determined by the planning director	
College or university, other adult learning center	To be determined by the planning director based on parking study	Parking study required
Community services	Parking equal to 30 percent of the capacity of persons or as determined by the planning director based on parking study	
Day care center (see under accessory uses for family day care)	1 space per employee on largest shift plus one space per seven students based on capacity; or one space per ten students if an off-street drop-off and pick-up space is provided	
School, public or private	1 space per staff member plus one space per five students of legal driving age based on design capacity	Existing schools not meeting this standard may be required to develop a parking management plan, but shall not be required to add the minimum number of spaces
Public assembly	1 space per each four seats based on design capacity	
Religious institution, place of worship	1 space per each six seats or ten feet of pews in the main assembly hall	Existing institutions not meeting this standard may be required to develop a parking management plan, but shall not be required to add the minimum number of spaces
Services		

Business center	Total of parking requirements for individual uses, excepting any that meet the shared parking requirements in LEC 105.12.410(g)	
Commercial kennel, commercial stable	1 space per employee on the largest shift plus one space per six animals	
Communication services	1 space per 400 square feet of gross floor area, plus one space per company vehicle stored on the site	
Educational services	1 space per staff member plus one space per five students of legal driving age based on design capacity	
Financial institution	1 space per 100 200 square feet of usable <u>gross</u> floor area	
Funeral home	1 space per 100 square feet of floor area in the main assembly room plus one space per staff member	
Transient accommodations, lodging	1 space per guest room, plus additional space for meeting or restaurant facilities	Meeting and restaurant facilities may require additional parking, based on square footage of each use as defined in this table
Medical facilities	5 spaces per medical professional, or one space per 200 square feet of gross floor area	
Membership organization (clubs, lodges, etc.)	1 space per 300 square feet of gross floor area	
Nursing and personal care	1 space for each four beds, plus one space per employee on the largest work shift	
Offices	3 spaces per 1,000 square feet of gross floor area	
Personal services	1 space per 300 square feet of gross floor area	

Repair and maintenance shop	1 space per 400 square feet of gross floor area	
Self-service storage facility	1 space per 300 square feet of office or sales area	The apron in front of the storage units shall be wide enough for two cars to pass
Trade shop	1 space per 300 square feet of office or sales area, plus one space per 3,000 square feet of storage area	
Transportation services	1 space per 300 square feet of office or sales area, plus one space per vehicle kept on premises	
Veterinary service	3 spaces per veterinarian, or one space per 200 square feet of gross floor area	
Food Services		
Drinking and entertainment	1 space per three customer seats or each 100 square feet of interior space (the greater), plus one space per 200 square feet exterior seating area.	
Drive-in restaurant, fast food restaurant, standard restaurant	1 space per three customer seats or each 100 square feet of interior space (the greater), plus one space per 200 square feet exterior seating area. Drive-throughs shall provide queuing space for at least three vehicles in advance of the menu board and three vehicles between the menu board and pick-up window	
Sales of Merchandise		
Garden center, building supplies sales	1 space per 250 square feet of gross floor area plus one space per 2,000 square feet of outside sales or display area	
Furniture and appliance sales	1 space per 800 square feet of gross floor area	

General retail	1 space per 250 square feet of gross floor area	Includes any retail uses not specifically listed in this table
Shopping center	1 space per 250 square feet of gross floor area	Shared parking provisions (LEC 105.12.410(g)) are encouraged to be used where applicable
Wayside stand	1 space per 400 square feet sales area	Spaces need not be paved, but shall be adequately separated and screened from the street and adjacent properties, as determined by the planning director
Wholesaling	1 space per 250 square feet of indoor sales area plus one space per 2,000 square feet of storage area	
Automobile/Vehicular Uses		
Automobile maintenance services, commercial vehicle repair, gas station	1 space per 250 square feet of gross floor area used for sales or customer service plus two spaces per service bay	Service bay shall not be counted as a parking space
Automobile parts/supply	1 space per 250 square feet of indoor sales area plus one space per 2,000 square feet of storage area	
Automobile rental	1 space per 250 square feet of gross floor area plus adequate storage space for rental vehicles maintained on site	
Car wash	1.5 spaces per bay, plus four stacking spaces per bay, plus one space per employee on the largest shift	
Vehicle sales and storage lots	1 space per 250 square feet of indoor sales area plus one space per 2,000 square feet of outside sales or display area and one space per 2,000 square feet of storage area	
Outdoor Recreation Uses		
Campgrounds and trailering	1 space per site, plus spaces required for other uses	

Golf course	5 spaces per hole plus additional space for meeting or restaurant facilities	
Marina	As determined by the planning director	Parking study may be required for large or multiple-use facilities
Outdoor entertainment	As determined by the planning director	
Outdoor recreation facility	1 space per three persons based on maximum occupancy load, plus one space per employee on the largest shift or as determined by parking study	Parking study may be required for large or multiple-use facilities
Parks and open areas	No requirement	
Restricted recreation	As determined by the planning director	Parking study may be required
Swimming pool	1 space per 150 square feet of pool area	
Indoor Recreation/Entertainment		
Adult establishment	1 space per 250 square feet of gross floor area	
Indoor athletic facility	1 space per 250 square feet floor area plus two spaces per tennis or racquet games court and one space per 150 square feet of pool area	
Indoor recreation	Bowling alleys: five spaces per lane. Other facilities: one space per three persons based on maximum capacity	
Agricultural and Related Uses		
Agricultural production and services	No requirement	

Agricultural support	1 space per 300 square feet of indoor sales or office area plus one space per 1,000 square feet of outside sales or display area and one space per 2,000 square feet of storage area	
Forestry operations	As determined by the planning director	
Production, Processing and Storage		
Non-production industrial, light industrial, heavy industrial	1 space per 1,000 square feet gross floor area up to 20,000 square feet plus one space per 2,000 square feet in excess of 20,000 square feet, or per five regular employees, whichever is greater	Additional parking may also be required for office or retail space, as specified in this table. Includes other industrial uses largely carried on in enclosed buildings and not individually listed
Motor freight and warehousing	1 space per 300 square feet of office or sales area, plus one space per 3,000 square feet of storage area	
Landfill, resource extraction, salvage/recyclable center	2 spaces per three employees on the largest shift, based on maximum planned employment	Includes other industrial uses largely carried on outdoors
Utilities, Transportation and Communications		
Air transportation	As determined by the planning director	
Broadcasting or communication tower	No requirement	
Essential services	As determined by the planning director	
Local transit, railroad transportation	2 spaces per three employees on the largest shift, based on maximum planned employment	
Accessory uses		
Animals, domestic	No requirement	

Home occupation	No requirement unless specified in conditional use permit	
Bed and breakfast	1 space per guest room in addition to dwelling unit requirements	
Family day care, group family day care	1 space per employee not residing on the premises plus one drop-off space	
Kennel, private; stable, private	No requirement	
Interim Uses		
Interim use	As determined by the planning director	



**BOLTON
& MENK**

Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

MEMORANDUM

Meeting Date: May 13, 2024
To: Lake Elmo Planning Commission
From: Nathan Fuerst, AICP, Consulting Planner
Jenni Faulkner, Consulting Senior Planner
Subject: Planning Commission Training

Action Requested: Review the contents of this memo and come to the meeting prepared with any questions.

Overview

The Planning Commission plays a key role in the governance of Lake Elmo. City community development staff have held yearly trainings for the Planning Commission to help educate or refresh the commission on its roles and responsibilities. Bolton and Menk staff have been asked to assist the City's community development department in this task.

Purpose

Commission members who are new, and even continuing members are well served by periodic training. This is critical because a well-trained commission works more smoothly for the community, members feel more fulfilled, and less risk is presented to the City as a result of land use decisions. It is common practice to hold instruction for City Commissions and Councils on an annual basis. One way to do this is with a League of Minnesota Cities training, which commissioners have been offered. In-person trainings are often most desired to facilitate a back and forth discussion.

Content

This discussion will cover the basics of Community Planning, a discussion on the City's zoning ordinance, clarification on open meetings, and information commonly referenced by Planning Commissions. An agenda is appended to this report.

Do you have a question or request for content? Please feel free to reach out to Sophia Jensen, City Planner.

Next Steps

This is a training; no action is required by the Commission.



Real People. Real Solutions.

**City of Lake Elmo
Planning Commission
Planning 101**

May 13, 2024

AGENDA

1. Introductions
2. What is Planning (PowerPoint)
3. Lake Elmo Development Pressures
 - Water
 - Infrastructure
4. Open Meeting
5. LMC Handbook for MN Cities, Chapter 13 – Comprehensive Planning, Land Use, and City-Owned Land ([handout](#))
6. Questions? Call us.

Other Resources:

- LMC Planning Commissioner Training – [Link Here](#)

Community Planning

A “How To” Guide



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& MENK**

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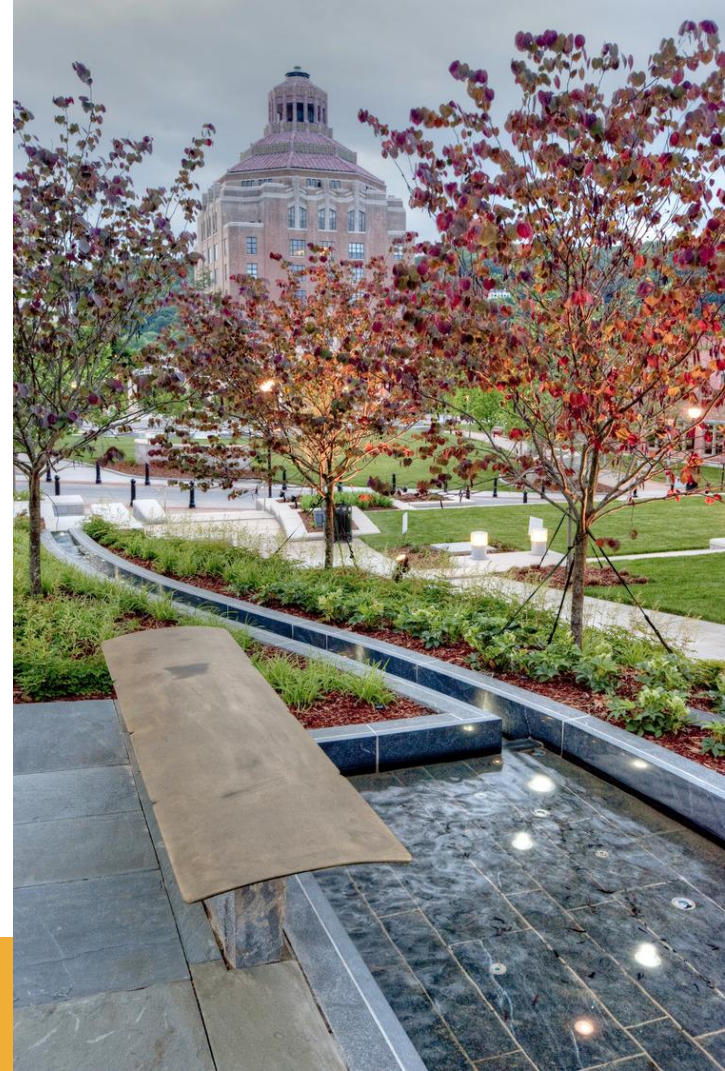


Community Planning

Also known as Urban Planning

Goal of planning: maximize **health, safety, and economic well-being** of all people in our communities. This involves thinking about:

- How we can move around our community
- How we can attract and retain thriving businesses
- Where we want to live, and opportunities for recreation



Planning helps create communities of lasting value.



Community Planning

Planners work with residents and elected officials to guide an entire community or region's layout. Planners **take a broad view and look at how the pieces of a community fit together** like pieces of a puzzle.

Then, planners make **recommendations on how the community should proceed.**



One of the greatest challenges for planners is to imagine what can and should happen to a community:

- How it should grow and change
- What it should offer residents 10, 15, or even 20 years into the future.

Why is Planning Important?

Shaping a Community

Planning helps set policies and goals that foster a distinctive sense of place.

Encouraging Public Dialogue

Provides a process for stakeholders to have their voices heard.

- Robust public input = a strong plan and public support
- Subsequent planning decisions that are consistent with an approved plan's policies are less likely to be controversial

Balancing Competing Interests

Planning can strike a balance between competing demands on land by creating orderly and rational development patterns.

Protecting Public Investments

Planning is a good way to avoid digging up last's years new road for this year's new sewer pipe.

Supporting and Justifying Decisions

The product of good planning provides a factual and objective basis to support zoning and land use decisions and can be used to defend decisions if challenged in court.

Who Plans?

Public Officials – Council, Mayor, City Clerk, Planning Director, City Administration, Planning Commission, EDA, Park Board/ Department, Fire/Police, Public Works, Library, School Board, DNR, DOT, etc.

Developers – are happy to figure out land use and transportation issues for their project, but may not have the whole city in mind

Planning Professionals – Seek out open-minded professionals who can look over your shoulders and point out unintended consequences

Public – the best way to serve the residents of the city is to involve them in planning for their city

- **Stakeholders** – people who have a stake in city can include; major businesses, utility companies, other organizations
- **Youth** – They have the most to gain or lose in the future. What do they want in 5-10 years?

Questions?



What types of plans?

Long Range Planning – land use + Comprehensive Plans

Redevelopment – strategic redevelopment plans

Master Planning – Downtowns + Campus Areas + Recreational Areas

Housing Studies – housing needs and analysis

Small Area Plans – Neighborhoods + Sites

A Comprehensive Plan



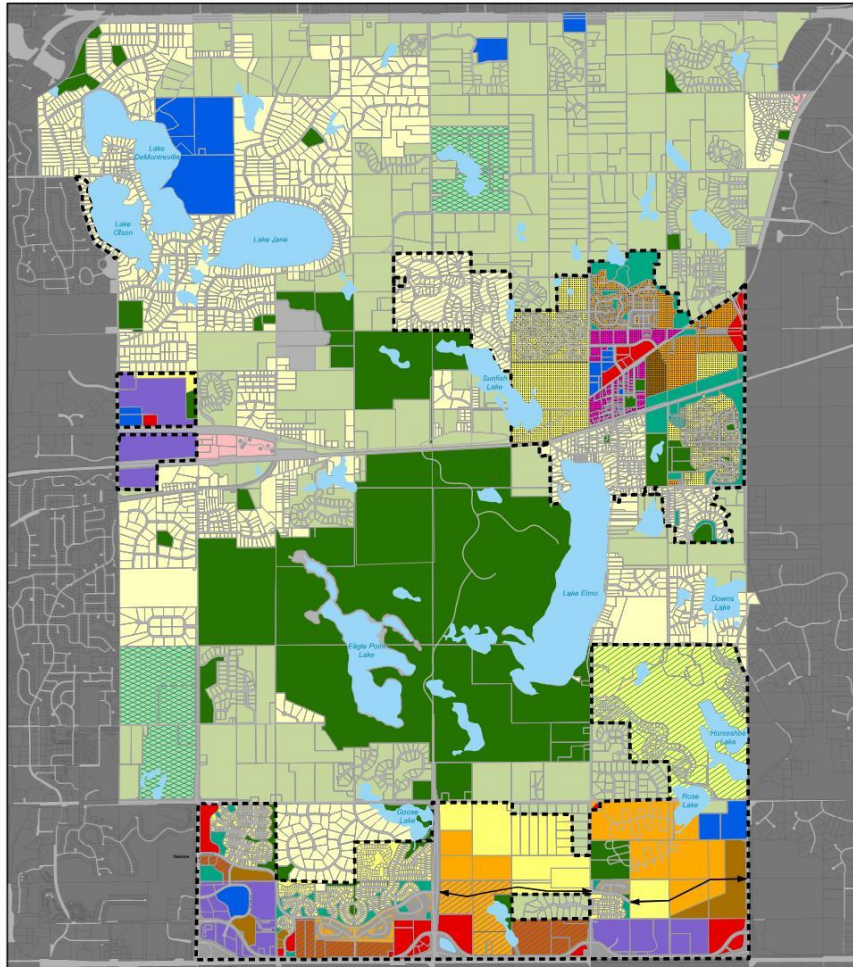
The PLAN can guide the future actions of a community by providing a vision for the future with long-range goals and objectives.

It's comprehensive in:

- **Geography** – Covering the entire city and beyond (extended into future urban service areas)
- **Subject Matter** – Covering all subjects related to the physical development of community: population and job growth, land use, transportation, utilities, parks, environmental, public facilities, schools, etc.
- **Time Horizon** – Most plans are written to provide direction for future activities over a 10-20 year period

Implementing Your Comprehensive Plan

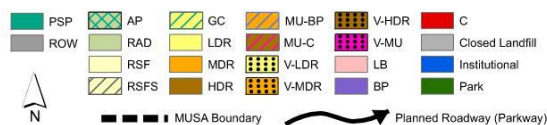
Future Land Use Map



2040 Future Land Use

0 1800 3600 5400 7200 Ft

Map Date: January 2023



Support/deny development proposals

Support/deny zoning code and changes

Guide public investments in infrastructure, public property, city services, etc.

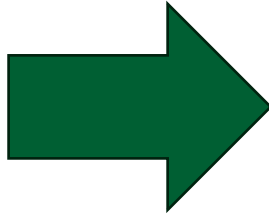
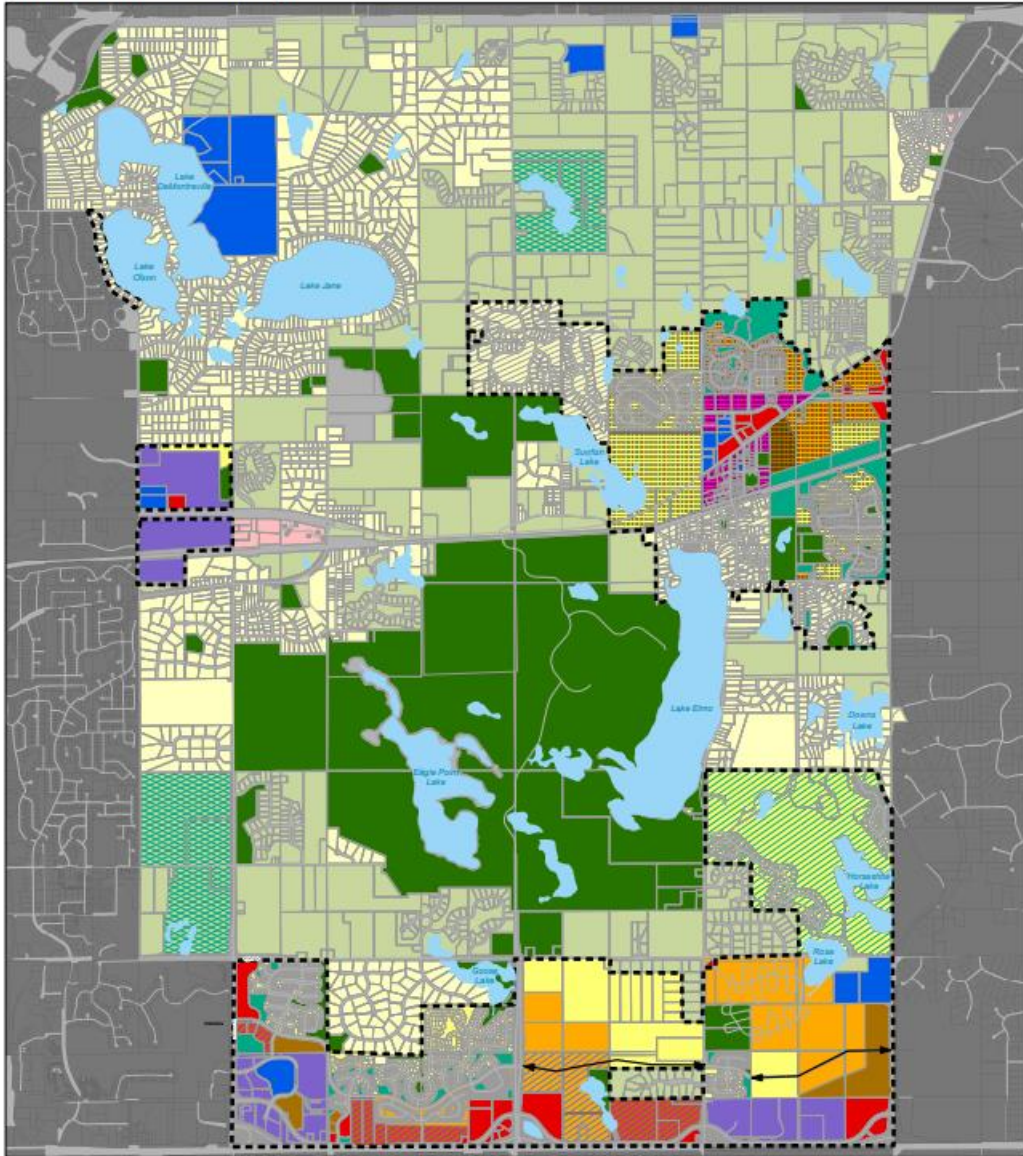
- Roadways, sidewalks, bike facilities, etc.
- Parks and open space
- Community facilities and public buildings
- Public health and safety programs
- Other city programs and initiatives

Form the basis for grant applications

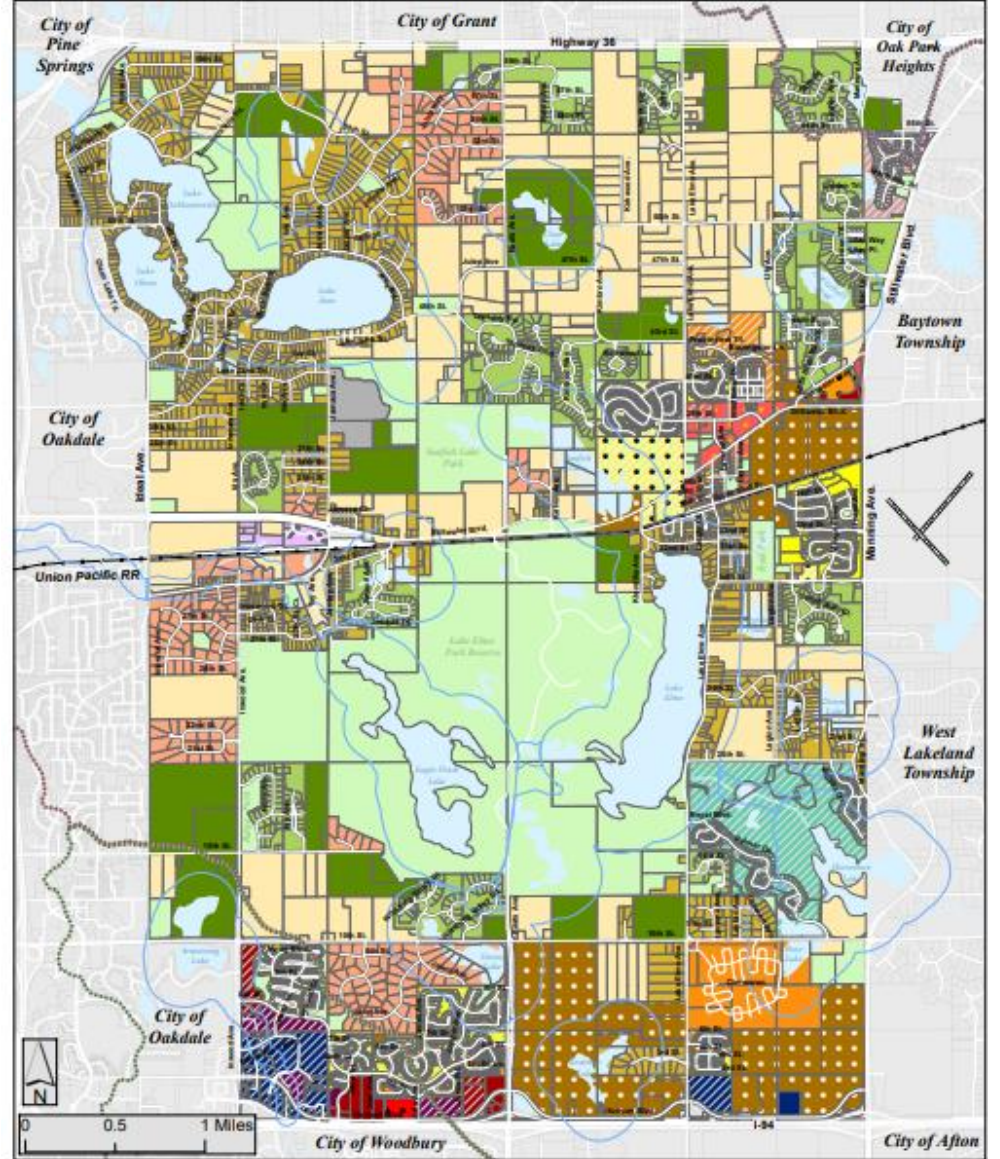
Guide other plans

- CIP, Parks Master Plans, Preservation Plan

Future Land Use Map



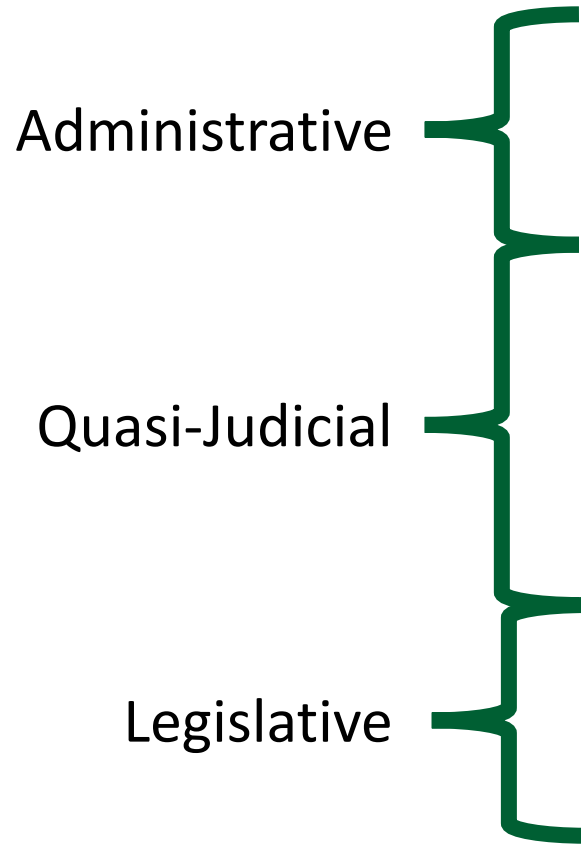
Lake Elmo Zoning Map



Basis For Planning Authority in Minnesota

- State and local authority defined by supreme court case law:
 - Village of Euclid v. Ambler Realty
- Local authority in Minnesota is granted by the State
 - County Enabling Legislation
 - MN Statutes 394.21-394.37
 - City Enabling Legislation
 - MN Statutes 462.351-462.365

Planning Tools



Pyramid of Discretion



Source: League of Minnesota Cities

Questions?



Administrative Decisions

Building Permits

- New Homes
- New Construction
- Additions and Decks

Zoning Permits

- Tree Removal Permits
- Fence Permits



Examples:

- Decks
- Lil' Explorers Daycare Site Plan Review

Examples:

- Sheds
- Fences

Quasi-Judicial Decisions

Land Use Permits

- Variances
- Conditional Use Permits
- Interim Use Permits

Subdivision and Development

- Planned Unit Developments
- Preliminary and Final Plat
- Site Plan Review



Examples:

- Shoreland Variances
- Bridgewater Bank Drive-Thru CUP

Examples:

- Frisbee Minor Subdivision
- Bridgewater Village Subdivision

Legislative Decisions

Zoning/Ordinance Amendments

- Map
- Text
- Interim Use Permits

Comprehensive Plan Amendments

- Text
- Charts and Data
- MUSA
- Future Land Use Map



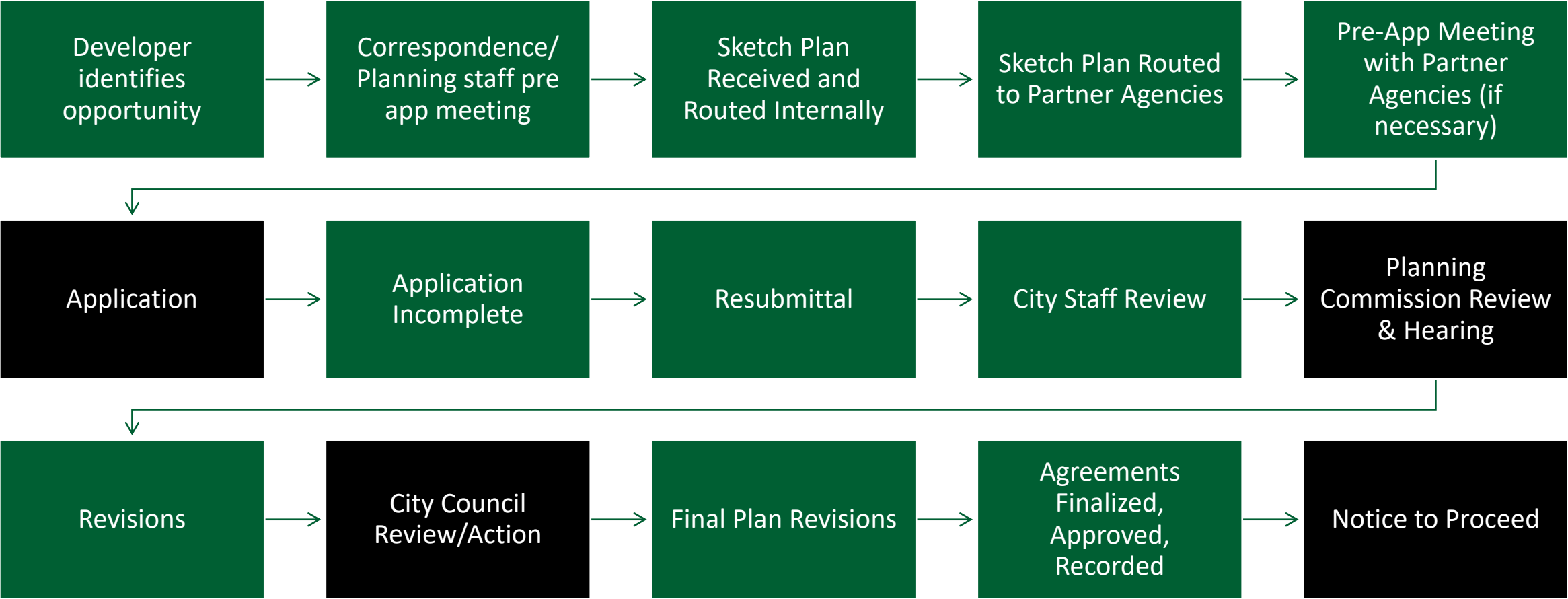
Examples:

- Birth and Haven
- Process Improvement/Housekeeping Amendments
- Top Soil Requirements

Examples:

- North Star Subdivision (Schiltgen farmstead)

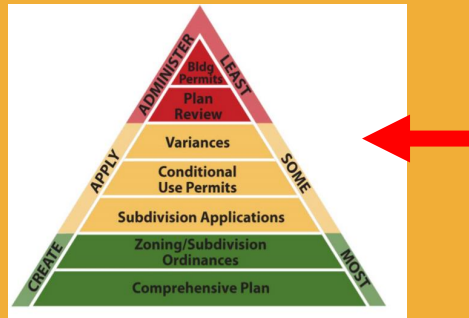
Development Review: what actually might happen



Questions?



Variances



(Quasi-Judicial)

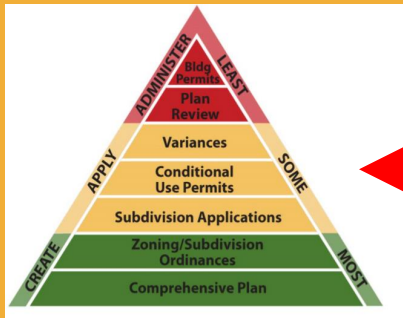
What Staff focuses on:

- Statutory “practical difficulties” test
- Review for potential Ordinance Changes
- Anticipate questions and need for information
- Recommend mitigating conditions

What the Commission should focus on:

- Findings of fact!
- Least discretionary based on well defined conditions and *reasonableness*
- State Statute required “practical difficulties” test
- No precedent – it’s case by case

Conditional Uses



(Quasi-Judicial)

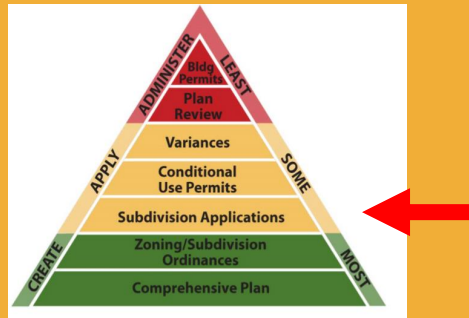
What Staff focuses on:

- Understanding the land use, reviewing similar uses
- Interagency review
- Review for potential adverse impacts
- Identify and recommend prescriptive conditions
- Anticipate enforcement challenges

What the Commission should focus on:

- Understand use is allowed, with conditions
- Public comments/hearing feedback
- Additional mitigating Conditions allowed
 - Conditions must have a rational basis
- Consistency with Comp. Plan and Zoning

Subdivision



(Quasi-Judicial)

What Staff focuses on:

- Land use controls and guidance (including density)
- Environmental impacts
- Infrastructure needs
- Park dedication needs
- Development layout/configuration
- Inter/Intra agency coordination

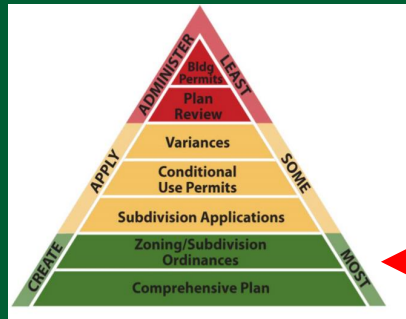
What the Commission should focus on:

- Consistency with Comp. Plan and Zoning
- Understanding the bigger picture
- Public comments/hearing feedback
- Some discretion with conditions and modifications
 - Need a rational basis!

Questions?



Zoning Ordinance



(Legislative)

What Staff focuses on:

- Consistency with Comprehensive Plan
- Compatibility/unanticipated consequences
- Legal implications (MN statutes, non-conformities)
- Coordination with other regulations (design standards)
- Coordination with levels of government (Met Council)

What the Commission should focus on:

- What's missing?
- Consistency w/ Comp Plan?
- Public hearing/comment
- What problem are we solving?
- What problems are we creating?
- What goal are we achieving?

PUD's (via Zoning Ordinance)



(Legislative)

What Staff focuses on:

- Created via Ordinance
- Creation of rules for development and land uses
- Lots of decision-making authority
- What flexibility?
- What benefits above and beyond?
- What goal are we achieving?
- Consistency w/ Comp Plan?

What the Commission should focus on:

- Public hearing/comment
- What's missing?
- Consistency w/ Comp Plan?
- What problem are we solving or creating?

Comprehensive Plan



(Legislative)

What Staff focuses on:

- Facilitating a good planning process
- Understanding local, state, and regional plans and policies
- Anticipating decennial cycle and identifying study areas
- Coordination with adjacent/affected jurisdictions
- Connecting demographic and regulatory trends with City plans and infrastructure investments

What the Commission should Focus on:

- Creation of community centered vision
- Being informed - understanding the bigger picture, demographic, and regional trends
- Being inclusive - public comments/hearing feedback
- Asking questions where clarity is needed

Questions?



Hang in there, baby!

Overview: Commissioners' Role

- Implement the Zoning Code & Comprehensive Plan
- Hold public hearings
- Make recommendations to the City Council
- Understand when role is quasi-judicial – need to be mindful of this as recommendations are formulated
- Commissioners can bring ideas to the commission and staff for formal consideration

Overview: Commissioner Best Practices

- Make sure the public understands their role and influence
- Are the public's concerns applicable & relevant to the request?
- Can the concerns be mitigated? If so, how? Be specific...
- Important the public trusts their government – staff, Commissions and Councils should work together while understanding their unique roles in the process
- Ask important questions ahead of time to make sure you get a meaningful answer from staff
- Catching staff in a “gotcha” moment contributes to distrust in the system

Overview: Staff's Role

- Staff doesn't decide anything – only makes recommendations
- What does the Zoning Code say?
- What does the Comprehensive Plan say?
- Is there precedent to consider?
- Are there any special studies that may impact a recommendation?
- Recommendations are based on a set of facts & interpretation of various codes and studies
- Interpretations are based on purpose & intent of code, relevant studies, and how to mitigate real and/or perceived negative impacts

Overview: Staff Best Practices

- Endeavor to bring only approvable applications forward (this starts before the application is even submitted) – not always possible
- Be honest with applicants & property owners – no guarantees
- Uphold the strictest interpretation of the Zoning Code – allows Commissions and Councils to provide relief verses additional restriction
- Make sure conditions of approval are practical & enforceable
- Create thoughtful findings of fact – both to approve and deny – articulate the why as clearly as possible by citing code, precedent, other relevant studies, and public comment
- Don't be afraid to update ordinances!

Other Roles

- Attorney
- Engineer
- Landscape Architect
- City Departments (Public Works, Building, Fire, etc.)
- Watershed
- County
- Met Council
- State of Minnesota
 - DOT
 - MPCA
 - DNR

Planning for Success

- Questions on a Staff Report or issue? Ask us!
- Thorough discussions at the Planning Commission
 - Staff support by providing good detail
 - Commission findings of fact to support recommendations for City Council action
- Keep up to date on best practices for commissioners and councilors (via resources like LMC)
- Next Steps – Yearly Work Plan Discussions

Thank You

*Jenni Faulkner + Nathan Fuerst, AICP
Urban Planners*

