



**City of Lake Elmo
Planning Commission Meeting
Minutes of September 9, 2013**

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

COMMISSIONERS PRESENT: Williams, Dorschner, Dodson, Larson, Kreimer, Lundgren and Haggard;

COMMISSIONERS ABSENT: Morreale; and

STAFF PRESENT: Planning Director Klatt.

Approve Agenda:

The Planning Commission accepted the agenda as presented.

Approve Minutes: August 26, 2013

M/S/P: Larson/Dorschner, move to accept the minutes of August 26, 2013 as presented,
Vote: 7-0, Motion Carried.

Public Hearing: *Variance (Cont.) – 09.029.21.22.0025 (Hill Trail N)*

Klatt began his presentation by explaining an application was received from Dean & Gayle Dworak for a Variance to allow for the construction of a single family home on a lot that is not considered a lot of record under the Zoning Ordinance due to its size. Staff has found that the required criteria for a lot size variance have been established. At the August 26th Planning Commission meeting, the Public Hearing was held and testimony was heard. The public hearing was continued to give the applicants time to submit a septic design that meets the County requirements for a permitted system. The applicants are also looking at updates to their site plan to incorporate some of the concerns heard.

Public hearing re-opened at 7:03pm.

Mr. Dean Dworak, 12325 Upper Heather Ave, Mr. Dworak said that they are getting close on making the changes to the site plan. The septic design will be dropped off to him tomorrow and then he can take everything to Pete Ganzel for his input.

Williams asked Mr. Dworak if he had any objections to allowing for any additional extensions of the Variance application. Dworak noted that he had no objections.

Lake Elmo Planning Commission Minutes; 9-9-13

Mr. Paul Hanson, 8024 Hill Trail N, noted that he and his wife currently own the property. He noted that they originally purchased it to be an investment property, or to build a retirement home on the lot. Over the years, they have worked hard to improve the property, including removing of all the buckthorn.

Dodson asked if there were any comments from the DNR. Klatt said that the DNR usually doesn't comment, unless the septic design does not meet County standards.

Dorschner asked Mr. Hanson if he intended to build on this lot when he bought it. Hanson stated that he didn't when he originally bought it, but has thought about it in more recent years. He stated that the City did not make any guarantees that the lot was buildable when he purchased the property.

Steve Iverson, 8108 Hill Trail, sent an email to the Planning Commission. He also spoke and asked about the minimum lot sizes and minimum lot size for septic systems. He felt that if this Variance passes, then the ordinance really needs that regulates lot size should be reviewed. He noted that the septic ordinance is in place to protect the lakes, aquifer, soil and groundwater. If the variance is approved, there will be other property owners that will be coming forward to ask for an identical Variance. He noted that building a home on a lot is irreversible and can't be changed once new construction is built. He feels this Variance is in direct conflict with the ordinance.

Williams asked if we could have a summary of all the lot sizes both vacant and occupied, in the Hill Trail area so they can have a better understanding of how this fits and how many potential Variance requests there would be. Dorschner would also like to know which ones are homesteaded.

Kreimer would like to know when the lot size regulations were put into place in comparison to when the Hanson's bought their property. Klatt stated that it is very likely that there was an acre and a half requirement. There is also a requirement for this area that if a lot is being sold, the City needs to sign off on it.

Dorschner asked if the MOU affected this area. Williams stated that the MOU only applied to sewered areas.

M/S/P: Haggard/Lundgren, move to continue the public hearing for the Variance request at 09.029.21.22.0025 (Hill Trail N) for further consideration at the next available Planning Commission meeting to allow the applicant more time to submit a septic design that will meet Washington County approval: ***Vote: 7-0, Motion Carried Unanimously.***

Business Item: Zoning Text Amendment – Village Mixed Use (VMX) Zoning District

Klatt began his presentation reviewing the proposed zoning Text and Map amendment that would create a new mixed use zoning district within a large portion of the Village planning area. This would be a stand-alone district. The VMX zoning would replace the current zoning for several lots in the Village that have Rural Single Family (RS) and General Business (GB) zoning. This ordinance has been previously reviewed by the Planning Commission and is being brought back for further discussion prior to a public hearing on the proposed ordinance. The design standards manual will be brought back to the next meeting as well.

Haggard asked if it might be beneficial to have a workshop with the members of the Old Village Work Group so that the history of how this VMX district unfolded can be explained. They could talk about their vision and the walkability. There was support for such a workshop and they could also possibly look at the design standards manual.

Williams asked if there should be minimum and maximum sizes of parcels should be residential in the VMX area. Klatt said that he would question how it would be implemented.

Haggard asked about the timing of the Met Council approval of the Village Land Use Plan. Klatt noted that the Village plan was deemed incomplete because the sewer plan was not updated. Now that the city has updated the Wastewater Plan, it should not be a lengthy process to approve the Village Land Use Plan.

Klatt stated that part of this ordinance will be more specific to civic purposes vs. parks and open space purposes. This will make it much more clear what these lands should be used for.

Dorschner asked if the Land Use Plan intended the area to be a gathering or destination place. Haggard stated that the Village group wanted to bring enough people to support the commercial businesses without it getting to be a tourist destination.

Larson asked what would be the maximum size for a commercial business. Klatt stated that there would not be a maximum requirement, but we could add it. There also are no restrictions for developers to combine parcels. There is the ability to specify standards for specific uses through Article 7 in the Zoning Code

Klatt stated that it might be helpful for staff to get design review information to the Planning Commission. There has been some open houses in the past, and we have a document that has been reviewed by both the Planning Commission and City Council.

The Commission felt that Veterinary organizations should be a conditional use. They also felt that there should be some standards for the Restaurant with the Drive through and also for farmers markets.

The Commission wanted more information about the wayside stand. They were wondering if there could be wayside stands in the VMX area.

The Commission was concerned about the outdoor recreation facilities in the VMX district. Klatt will look at the definition, but he thought it excluded the bigger uses like go-karts.

Dodson asked about indoor/outdoor storage facilities. Klatt said that if it is not listed, it would not be allowed. The Commission felt it should just be left off the list. Water Oriented Accessory structures can be removed from the list as there wouldn't be any in the VMX area.

The Commission felt that the lighting design should reference the City's outdoor lighting ordinance.

Williams felt that 154.505 B-2 needs to be changed to 25 feet of frontage to be consistent with the table. He also wanted to know why there was outdoor storage allowed for repair shops, but not for Trade shops. This should be consistent.

The Commission felt that the parking facility should be allowed to have an entrance on the primary street and we should allow below ground parking.

Staff is looking for a recommendation from the Planning Commission on if there should be a required review process for the demolition of buildings in the VMX zoning.

Dorschner felt that it could hinder some really good opportunities because of the process. Williams felt that if there was no demolition review, there must be really good design standards in place. Larson felt there should be both for safety and to keep the aesthetic character of the area. Klatt stated that based on the Comprehensive Plan, he noted that a review process would be appropriate. Another option would be to identify buildings that should be deemed historic sites. Dodson liked that idea because then owners would know and could alert potential buyers.

There was discussion about the size of the garages in the residential area. Some would like to see them be rear loaded with an alley as they currently are. Haggard asked how many new single family homes Klatt thought there would be. Klatt suggested that there be a provision that new single family home developments not be allowed in this area as then it will be built a little denser. Klatt thought that a single family home development would not be consistent with the required densities. The Commission wanted to look at this further.

To wrap up, Klatt stated that the design standards will only apply to Multi-family and commercial development.

Updates and Concerns

Council Updates

1. Holding Tank Variance – discussed and approved 9/3/13 City Council meeting.
2. Sign Variance, 3712 Layton Ave – discussed and approved at the 9/3/13 City Council meeting.
3. Comprehensive Plan Amendment – Wastewater Facilities – discussed and approved at the 9/3/13 City Council meeting.

Staff Updates

1. Planning Commission meetings upcoming on September 23rd and October 14th.

Commission Concerns –

Williams encouraged any new members to go to some training sessions. There is also a site to be notified for upcoming meetings.

Meeting adjourned at 10:20pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant