

**City of Lake Elmo
Planning Commission Meeting
Minutes of March 28, 2011**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Bidon, Britz, Fliflet, Hall, Haggard, Pelletier, Van Zandt, Williams and Ziertman. Absent: Obermueller. STAFF PRESENT: Planning Director Klatt and Planner Matzek.

Agenda

Minutes – March 7, 2010

M/S/P, Hall/Williams, move to approve as presented. Vote: 6:0. Abstained: Britz, Haggard, Pelletier.

Public Hearing – Zoning Text Amendment to allow Park and Ride Uses

Planner Matzek introduced the item, stated the Council's direction to consider the use for inclusion near the Interstate 94 corridor, and asked the commission to provide a recommendation. She asked the commission to consider if the suggested zoning district – HD-RR-LB would be the appropriate locations for that type of use; if the use should be permitted, conditionally permitted or an interm use; and if there should be additional regulations for the use such as a height limitation.

Commissioner Williams asked if I-94 was a public transit route.

Planner Matzek said that the corridor is guided in the Metro Transit long range plans as a transit route and it is currently being studied for various transit options. She said changing the ordinance to allow the use would be setting the table if there was interest in someone coming forward with that use.

Commissioner Fliflet asked if a park and ride would generate any revenue for the city versus having a commercial type use on that land.

Planning Director Klatt said it would depend on who owns the property. He said if it was owned by a public entity like Metro Transit they would not pay property taxes, but if it were owned privately and a public entity leased the land, there would be property taxes. He said the purpose of providing a park and ride is to provide residents with a service.

Commissioner Williams asked what other properties are guided for Limited Business within a quarter mile of the interstate.

Planner Matzek said the properties being suggested are the only properties guided for Limited Business. There is an area at the intersection of Manning Avenue and Hudson Boulevard that is guided for a business park and everything else guided for sewer in this area is identified as residential.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:22 P.M.

Jake Ebertz, 1147 Clipper Way; Woodbury

Mr. Ebertz said his family owns property off of Keats and the frontage road. He said to think of the property right on the Highway as residential is a mistake.

Planner Matzek said that there is a meeting later that week starting a public process to revisit the future land use map.

Chairman Van Zandt said that in other communities, businesses have found that building near park and rides have been a good investment.

Mr. Ebertz said he would encourage the park and ride.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:27 P.M.

Commissioner Fliflet said she is opposed to a park and ride at the proposed locations. She said there are two prime locations for businesses and that is where the park and rides are identified. She suggested on Manning Avenue south of the freeway would be a better location, but said she thinks the I-94 task force should discuss the options. She said she would be more in favor of allowing the use as an interim use instead of a conditional use because it is in the holding district.

Commissioner Hall thought a conditional use permit would be more applicable given that this would be a part of the regional infrastructure. He said existing park and rides are at capacity now.

Commissioner Bidon said he thinks this is premature and does not see any real benefits for Lake Elmo. He said he would rather see a park and ride on Highway 5 near the airport.

Commissioner Pelletier said if it is on Manning Avenue she would like the safety of Oakland Junior High considered as the school is just up the road.

Chairman Van Zandt said he found statistics that say western Wisconsin will continue to grow and utilize I-94 which will only increase the traffic.

Commissioner Haggard asked about the timing.

Planner Matzek said that at preliminary discussions with the Metro Transit group, staff made them aware of the upcoming discussions for potential park and ride locations. However, their study of alternative transit options along the I-94 corridor is going to be a year long and if the city were interested in taking additional time to study this, it would not impact potential funding.

Commissioner Fliflet asked how many people live south of Highway 5, because that is the population that would utilize the park and ride other than populations from other communities.

M/S/F, Williams/Fliflet, move to recommend that no action be taken at this time, neither the inclusion of a Park and Ride as a use within the Limited Business district nor selection of any particular parcels along I-94 for a park and ride. 1. The Planning Commission is in favor of park and rides in the general sense. 2. The particular proposal is too soon as it is unknown if or where public transit will be located in this corridor. 3. There is little financial benefit to Lake Elmo to divert the very few limited business areas to most likely tax exempt uses. 4. We should wait until the I-94 Work Group has made its recommendations for zoning categories and zoning locations in this corridor before taking action. Vote: 4:5. Against: Bidon, Britz, Van Zandt, Ziertman, Pelletier

M/S Pelletier/Fliflet, move to recommend adding a Park and Ride as a conditional use in the HD-RR-LB district with the condition that the I-94 Work Group address this issue in a timely manner.

Commissioner Williams said if the Commission and Council approve it, it would not come back in front of the Commission unless an application were made.

Commissioner Pelletier withdrew her motion.

M/S/P, Pelletier/Ziertman, move to recommend adding a Park and Ride as a conditional use in the HD-RR-LB district. Vote: 5:4. Against: Bidon, Hall, Williams, Haggard.

Business Item – Zoning Code Update and Form Based Zoning Discussion

Planning Director Klatt introduced the item and showed potential revisions to the uses and definitions in the city code in order to simplify and to increase usability of the zoning code. He showed the comparisons of current code versus the proposed language, but did not provide an analysis.

Commissioner Williams said he is confused as the proposed districts do not match.

Commissioner Fliflet suggested that although most uses would be fine if they looked a certain way on the outside, there are some uses the city would not want anywhere in the city and would like to have a list of excluded uses.

Planning Director Klatt said he would need to check with the attorney to see if that is allowed.

Commissioner Pelletier asked if a use is not listed, does that mean it is not allowed.

Planning Director Klatt said some city codes are more explicit in stating that, but Staff's interpretation has been if it is not listed, it is not allowed.

M/S/P, Williams/Van Zandt, the commission is in favor of the complete shift in code format and that the additional step of defining uses not allowed within the city be completed as well. Vote: 9:0.

The Commission asked to defer discussion on the zoning districts to the next meeting.

Business Item – Zoning Text Amendment – Public Purchase of Land

Planning Director Klatt said this item will come before the Commission at their next meeting. He said the City Engineer has been trying to site a well on one acre in the northeast area of the City. The City must be fee owners of the land, but is having difficulty in finding an area for purchase that would not impact the existing property owner. He said Staff will be looking for general guidance to allow an underlying property owner to have underlying development rights retained if the City needs property for public purposes.

Commissioner Williams said he is in favor of this proposal for any parcel that is ten acres or greater, but when you smaller lots such as the R-1 district are involved, making the lots smaller could drastically alter the neighborhood.

Updates

Planning Director Klatt said the City will not be moving forward with the Commission's recommendation for the zoning text amendment and rezoning for the ECFC in the Village Area as the two parties were unable to come to a master agreement governing the purchase or lease of the site.

Commission Concerns

Chairman Van Zandt said he would like the Commission to receive the packets earlier.

Adjournment:

The meeting was adjourned 9:24 p.m.

Respectfully submitted,

Kelli Matzek
Planner