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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, February 11, 2013 at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. January 14, 2012
4. Business Items
 - a. ZONING TEXT AMENDMENT – PLANNED UNIT DEVELOPMENT ORDINANCE. The Planning Commission will consider amendments to the City's PUD Ordinance (§154.070) to incorporate current best practices related to the implementation of PUDs, as well as integrating the ordinance into the new structure of the Zoning Code. The Planning Commission held a public hearing on this proposed amendment on 12/10/12 and further discussed the proposed ordinance at the meeting on 1/14/13.
 - b. COMMUNITY DEVELOPMENT DEPARTMENT 2012 ANNUAL REPORT. Staff has prepared a report documenting the Planning Department and Commission activities during 2012. The Commission is asked to review the content of the report and provide any comments or suggestions before the report is submitted to the City Council.
 - c. COMMUNITY DEVELOPMENT DEPARTMENT 2013 WORK PLAN. The Commission is being asked to review a proposed plan of work for 2013 to be submitted to the City Council for review and consideration.
5. Updates
 - a. City Council Updates
 - i. Christ Lutheran Church Lot Size Variance: Approved at the 2/5/13 Council meeting.
 - ii. Valley Branch Watershed District Conditional Use Permit: Approved at the 2/5/13 meeting.
 - b. Staff Updates
 - i. Upcoming Meetings:
 1. Planning Commission Meeting, 2/25/13

- a. Zoning Text Amendment – minimum district standards for LDR Zoning District
 - b. Comprehensive Plan Amendment – Village Land Use Plan
 - ii. Citizen Planner Handbook & APA Planning Commissioner Training Webinar, 4/13/13.
 - c. Commission Concerns
- 6. Adjourn



**City of Lake Elmo
Planning Commission Workshop Meeting
Minutes of January 14, 2012**

Chairman Williams called to order the workshop of the Lake Elmo Planning Commission at 7:00pm

COMMISSIONERS PRESENT: Fliflet, Obermueller, Larson, Kreimer, Reeves, Morreale, Haggard and Williams;

COMMISSIONERS ABSENT: Hall and Haggard;

STAFF PRESENT: Administrator Zuleger, Planning Director Klatt and City Planner Johnson

Election of Officers:

M/S/P: Reeves/Kreimer motion to nominate Todd Williams as Chairman of the Planning Commission; ***motion carried: Vote: 7-0.***

M/S/P: Williams/Kreimer motion to nominate Julie Fliflet as Vice Chairwoman of the Planning Commission; ***motion carried: Vote: 7-0.***

M/S/P: Williams/Reeves motion to nominate Tom Kreimer as Secretary of the Planning Commission; ***motion carried: Vote: 7-0.***

Approve Agenda:

Chairman Williams added a discussion about parliamentary procedure to the Agenda before the approval of the minutes.

Parliamentary Procedure Discussion

Chairman Williams handed out an informational handout regarding Robert's Rules of Order. He noted that the Planning Commission generally follows Robert's Rules for guidance. In addition, Williams declared his intention to vote on all matters, being that he is the Chairman. Also, he noted that members should not vote for items or minutes at which they did not attend. Finally, Williams noted that in Robert's Rules, an abstention vote is the same as voting no. If a Commissioner wishes to not vote on an item, then they should simply not vote as opposed to abstain. The Commission engaged in a discussion regarding voting. To wrap up, Administrator Zuleger noted that tabling an agenda items signals the Planning Commission's intention to return to that item later in the meeting. If the Commission wishes to put off an agenda item to the next meeting, than the correct action is to postpone the meeting.

Approve Minutes: *December 10, 2012*

Chairman Williams suggested one change pertaining to the discussion of the Subdivision Ordinance.

Williams moved to accept the minute of December 10, 2012 as amended; **Vote: 7-0.**

Approve Minutes: *December 18, 2012*

Minutes were accepted as presented.

Public Hearing Item: *Variance – 3549 Lake Elmo Ave N. (Christ Lutheran Church)*

Klatt presented a summary of the request. The request includes a variance for lot size and lot width. The minimum lot size in the GB Zoning District is 1.5 acres, and the minimum lot width in the GB Zoning District is 150'. After describing the request, Klatt shared some information and history about the site. The site is 0.79 acres, and is larger than many of the parcels in the downtown or Village. In addition, he presented a snapshot of the area surrounding Christ Lutheran Church.

Moving on, Klatt explained where the proposed minor subdivision would occur. The parcel would be split so that the Church retained the parking stalls on the northern half of the parking lot, as well as the stormwater retention area. The southern half of the lot would stay with the commercial property to the south. The resulting properties would be 0.25 acres and 0.54 acres.

In terms of the reason for the request, the Church has noted that a potential buyer is only interested in half of the parking area. Klatt explained that the amount of parking required depends on the use of the building. Whatever the ultimate use becomes of the former bank building, Staff is confident that there is enough parking to address the needs of the commercial building. If there is a scenario where more parking is needed, Klatt noted that Staff recommends that the Church and the user of the former bank property should enter a shared parking agreement.

Klatt finished his presentation by noting that Staff is recommending approval of the Variance with the condition that the applicant seek a shared parking agreement with the future user of the former bank building.

Fliflet asked if the shared parking agreement can be structured in a way that the portion of the lot that would be grouped with the commercial user can also be used by the Church. Klatt noted that the agreement could be structured in such way.

Reeves asked if the City would be locked into this variance if the sale of the former bank building fell through. Klatt noted that the shared parking agreement would be recorded on the deed on the former bank building at the time of the split.

Morreale asked what the property could be used for if the future owner was interested in some other use than parking. Klatt noted that under the current zoning, the parcel would not be considered a buildable lot. If the zoning was to change and the parcel was sewerred, than the minimum standards would change.

Obermueller asked about procedural items related to deeds and minor subdivisions.

Mr. Jim Kelly, Christ Lutheran Church, explained the reason for the variance request. He noted that the size of the former bank parcel affects the purchase price for the potential buyer.

Reeves asked if the applicant knew how many parking stalls the potential buyer typically uses in a day.

Mr. Kelly noted that the potential buyer's business does not attract large amounts of walk-up traffic. The potential buyer has noted that the parking would primarily be used for a limited number of employees that work at the business.

Fliflet asked about the amount of parking that is used at peak times for the Church. Mr. Kelly noted that a majority of the church-retained portion of the lot has been used at large services such as Christmas or Easter.

Williams asked if the Church investigated the option of using an easement over the parking area as opposed to splitting the parcel and the proceeding with the sale. Mr. Kelly noted that the Church is interested in the long-term control of the property. Williams also asked if the property is currently tax exempt.

Public Hearing opened at 7:43pm

Williams read a letter into the record from Kathy Weeks, 3647 Lake Elmo Ave. North.

Public Hearing closed at 7:44pm

Obermueller commented that the Church portion of the parking lot may need lighting in the future. She asked that the Church consider including lighting that is consistent with the theming of the downtown area. Klatt noted that the Planning Commission can make a separate motion to encourage the Church to include lighting that is consistent with downtown design or theming.

M/S/P: Reeves/Larson, move to recommend approval of the variance with condition that Church record a reciprocal shared parking agreement with the commercial property, **Vote: 6-1 with Williams voting no.**

Williams noted that he is opposed to the subdivision of a non-conforming parcel into two, smaller non-conforming parcels. He added that a reciprocal shared parking agreement could be recorded between the property-owner after the fact. He noted that he is not in favor of the motion as it stands now.

Fliflet noted that her concerns have been relieved in that the minimum lot standards in the current zoning district reflect lots that are not sewered. Given that the sewer is coming to the Village, she feels that the variance is appropriate. In addition, she supports bringing activity to the downtown that needs additional activity. Kreimer noted that other businesses have a lot less parking than the former bank building would have.

Public Hearing Item: Conditional Use Permit – Valley Branch Watershed District: Raleigh Creek Culvert Removal

Nick Johnson presented staff report and recommendation concerning a request from the Valley Branch Watershed District to remove a culvert located along Raleigh Creek at 28th Street. The request is for a Conditional Use Permit, which is required in order to perform grading work within a Floodplain District.

Fliflet asked about the need for future access to the site. Johnson noted there is one additional buildable lot, but no other land that would need access (most of the land is unbuildable).

Reeves asked if there might be any unforeseen City costs associated with the project. Staff noted that the City Engineer has reviewed the projects and did not anticipate any unusual city costs.

Nathan Campeau of Barr Engineering, representing the Valley Branch Watershed District, had the opportunity to speak as the applicant. He discussed schedule of the project, with the work likely being done in late summer. The VBWD is hoping to do work when the flow in the creek is seasonally dry to minimize potential erosion control issues.

Williams opened the Public Hearing at 8:10 p.m.

Glen Wickleman, 9065 28th St. N., spoke in favor of the project.

Jim Palacek, 2798 Jamley Ave. N., spoke in favor of the project, noting that his trees have been flooded out during the winter due to freezing in the culvert.

Tom Regan, 8875 27th St. N., provided some background history of the culvert and spoke in favor of the project.

Williams closed the Public Hearing at 8:17 p.m.

M/S/P: Fliflet/Kreimer, move to recommend approval of the Conditional Use Permit,
Vote: 7-0.

Business Item: Zoning Text Amendment – Planned Unit Development (PUD) Ordinance

Nick summarized discussion from previous meeting and reviewed the objectives for the proposed amendments to the PUD ordinance. The proposed ordinance include three major changes, including the addition of identifiable objectives for granting exceptions, potential density bonus for projects that meet certain criteria, and a listing of preferred site amenities related to the bonus.

Reeves would like to see the identified objectives better tied to the amenities required for density bonus.

Williams asked Chief Malmquist to discuss which structures require sprinkler systems.

Malmquist noted that under the fire code, single family and twin homes are not required to have a sprinkler system as long as they are under a certain square footage. Malmquist noted that sprinklers will help contain fires, save property and lead to lower insurance rates. He noted that the improvements necessary to add sprinklers to single family homes are relatively minor in terms of cost compared to other work within a residential structure.

Williams suggested that the Planning Commission review the proposed ordinance section by section.

In §800 of the ordinance, the Planning Commission had no comments or concerns.

Regarding §801, Williams asked if the identified objectives should be listed in order of preference. Johnson noted that the objectives do not need to be listed by priority because it is the responsibility of the developers to address which objectives their proposed development is meeting.

Reeves asked if it would read better if the primary objectives were highlighted, followed by descriptions. Johnson noted that that could definitely help.

Williams noted that language within item B, “corridors and transitional areas”, should be removed. The Planning Commission supported this proposal.

Williams suggested that Staff clarify item D.

Williams suggested that “adaptive reuse” be removed from item F.

For item G, Williams suggested compatibility be stressed within and outside of the development. The Planning Commission followed with a discussion on the intent of provision. Reeves suggested keeping language more general.

In item J, Williams noted an editorial change of removing the unnecessary “and”.

Finally, Williams suggested adding a final objective “K” to encourage the inclusion of certain site amenities that are not otherwise specified by this ordinance or other areas of the Code. Reeves shared his concern with this objective potentially being the only objective for which that the applicant complied. He suggested that additional amenities could be considered with the other site amenities in the density sections to keep the ordinance consistent.

In item C of §802, Kreimer noted his concern related to the size of the bonus and the ability of developers to exceed the ultimate number of residential units contained within the City’s land use plans. Johnson reviewed the general development process and explained that Staff can track the number of residential units that are added as projects come forward. Further down the line, the City will have the opportunity to adjust its Comprehensive Land Use Plan to reduce the amount of units if the City is projecting that more residential units will be added than previously agreed to. Fliflet also noted that she has some concern that the 20% might be too much additional density.

Reeves suggested that the number of amenities points be more limited and restricted to things that are only in the identified objectives.

Fliflet noted her concern regarding the objective for open space, noting that clustering would allow more density which might not be the ultimate objective. The Planning Commission and Staff engaged in a general discussion regarding the requirements for open space.

There was additional discussion pertaining to density and floor ratio bonuses. Obermueller expressed her concern that the bonuses may lead to development that does not meet expectations for Lake Elmo. Klatt suggested that PC consider 20% with additional clarification from Staff regarding the relationship of a planned development to the Comprehensive Plan and Memorandum of Understanding with the Metropolitan Council. Additional discussion followed about incentives and how to incorporate them into the Code.

Regarding §803 of the ordinance, Williams suggested that the minimum lot area should be larger than 5 acres, particularly for the I-94 Corridor. He suggested a minimum of 20 acres. The Planning Commission discussed the proposal and determined that 5 acres seemed like a reasonable minimum area.

Fliflet expressed her concern with density bonuses and how they will apply on a site by site basis. She noted that the actual impact of the amenities will depend on the specific site. Reeves shared that some of the descriptors or standards for the amenities are hard to pin down. He also wanted to know how the City can greater incentivize more of the objectives verses the specific site amenities. Johnson noted that some of the standards are more easily quantified while others may be more subjective.

Kreimer noted that he would like to see the language of “maximum density increase”, and the number of amenity points awarded should be subject to Planning Commission/Council review (i.e. points could be assigned a little lower). Staff expressed concern with the process being subjective when different levels of points may be awarded for the same amenity type. Klatt noted that this approach relies on Staff to make judgment calls.

Williams asked if any other amenities should be discussed. They included the following:

- Underground Parking (10) – Larson felt that a range of numbers is more appropriate.
- Historic preservation (10) – There was a general consensus that this was worthy of 10 points.
- Open Space (10)
- Public ROW Dedication (10)
- LEED Standards (5)
- Pedestrian Improvements (5)
- Adaptive Reuse (5)
- Plaza (5) – The Planning Commission suggested that Staff consider a minimum standard rather than percentage.
- Enhanced Storm Water Management (3) – Planning Commission suggested that Staff make this standard more general, as opposed to solely rain gardens.
- Theming – Johnson explained that this standard may be better suited to a range approach as far as the number of amenity points is concerned.
- Natural features (3)
- Landscaping (5) – Williams thought that landscaping could be a range up to 5 points.

Fliflet would like to see more of a range for all of the amenities.

Larson asked if farmland preservation could be included as a separate amenity. There should be some bonus for farming within a development.

The Planning Commission wrapped up its discussion of the PUD Ordinance for the evening. Williams suggested postponing the ordinance for further consideration until next meeting

M/S/P: Williams/Fliflet, move to postpone consideration on PUD Ordinance until next available Planning Commission meeting, **Vote: 7-0.**

Business Item: *2012 Community Development Department Annual Report*

The Planning Commission suggested reviewing the report at the next meeting. Klatt will present the report at the next meeting.

Updates and Concerns - None

Meeting adjourned at 10:56p.m.

Respectfully submitted,

Nick Johnson
Planner



Planning Commission
Date: 2/11/13
Item: 4a
Business Item

ITEM: Zoning Text Amendment – Planned Unit Development Ordinance

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is asked to review a zoning text amendment that would allow for the addition of a new Planned Unit Development (PUD) Ordinance. The Planning Commission held a Public Hearing on 12/10/12 and reviewed the ordinance on 1/14/13, at which time the item was postponed. The purpose of the new ordinance is to implement best practices related to procedure, the incorporation of public amenities, and a structured approach to density bonuses. In addition, the PUD Ordinance is part of an ongoing effort to make significant improvements to the structure and organization of the Zoning Code.

BACKGROUND INFORMATION:

At the meeting on January 14, 2013, the Planning Commission reviewed the proposed PUD Ordinance and made several recommendations on how to improve the ordinance. These changes that have been included in the current draft of the ordinance include the following:

- Several editorial changes were made to the document to reflect the policy recommendations of the Planning Commission.
- Regarding increased residential densities associated with planned developments, a statement was added to §154.802D to reflect the City’s ability to evaluate proposals for additional density in light of the City’s Land Use Element of the Comprehensive Plan. Staff has determined that this statement will be an effective means to evaluate PUD proposals against the City’s overall goals for growth. In other words, requests for increased densities may be denied if the resulting planned development is starkly in contrast with the City’s goals within the Comprehensive Plan.
- At the request of the Planning Commission, certain site amenities may be awarded a range of amenity points based upon the quality and magnitude of the amenity. More specifically, two amenities have been guided for a range of amenity points per the direction of the Planning Commission. These amenities

are Enhanced Landscaping and Theming. However, it should be noted that Staff is hesitant to support this approach to awarding amenity points. The reason is that is that each project will stand on its own merit, and it may be difficult to compare various projects when determining how to award amenity points for a particular amenity. For example, for Enhanced Landscaping, it may be difficult to determine what landscaping plan is deserving of 4 amenity points versus 3 amenity points. In other words, this approach requires the Staff, Planning Commission and City Council to make judgment calls that are not based in any quantifiable standard and may be subjective in nature.

- For the underground, structure or contained parking amenity, Staff removed the requirement for the reduction of surface parking by 75%. Through discussion with the Planning Commission, it was determined that this standard may be difficult to comply with, and as long as the end objective is achieved, a project should be rewarded for reducing visible impact of surface parking.
- Based upon the proposal of the Chief Greg Malmquist, Lake Elmo Fire Department, Staff included fire sprinkler systems for structure not required to install such systems as a site amenity worth of 10 amenity points. Staff agrees with Chief Malmquist that this provision will increase public safety and have other benefits for the community (reduced insurance rates, less hydrants, etc.). In addition, it is likely that most structures that are constructed as part of a PUD would be required to be sprinkled anyway. This amenity would more be focused towards single family and twin homes.
- The standard for the plaza site amenity was changed to remove the percentage standard for size of the plaza. The standard for this amenity now simply reflects a minimum size of 1,000 square feet. Staff feels that this standard will be large enough to achieve the desired effect for plazas in mixed-use, residential or commercial developments in the Village and I-94 Corridor.

In addition to these changes, Staff did consider other ideas presented by the Planning Commission, but did not yet include them to wait for potential consensus. These ideas include the following:

- The integration of active farming or local produce production as a site amenity warranting some level of amenity points.
- Additional amenity points awarded to planned developments that achieve multiple identified objectives (§154.801) of PUDs. This could be structures on a progressive scale, awarding additional points for the higher number of objectives achieved. Staff viewed the identified objectives as a requirement for approval of a planned development as opposed to an amenity itself. In other words, the objectives do not allow a development to come forward solely for the purpose of a density increase.

The Planning Commission is asked to give these two ideas consideration in moving the draft ordinance forward.

With the previously discussed changes, Staff has aimed to address the discussion and review of the Planning Commission in regards to the proposed planned unit development ordinance. In working to improve the Zoning Code, the adoption of a new PUD

Ordinance is another step in updating the Code to reflect improved performance and a structure that are consistent with best practices. Staff will continue to work on updating other elements of the Zoning Code incrementally to achieve better organization and implementation.

RECCOMENDATION:

Staff is recommending that the Planning Commission recommend approval of the proposed PUD Ordinance through the following motion:

“Move to recommend approval of the proposed Planned Unit Development Ordinance in order to incorporate best practices related to the execution of PUDs”

ATTACHMENTS:

- 1. DRAFT PUD Ordinance (§154.800)

ORDER OF BUSINESS:

- Introduction.....Planning Staff
- Report by Staff.....Planning Staff
- Questions from the Commission..... Chair & Commission Members
- Discussion by the Commission..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members

ARTICLE 17. PLANNED UNIT DEVELOPMENT (PUD) REGULATIONS

§154.800	Intent
§154.801	Identified Objectives
§154.802	Allowed Development
§154.803	Minimum Requirements
§154.804	Density
§154.805	Coordination with Other Regulations
§154.806	Phasing and Guarantee of Performance
§154.807	Control of Planned Unit Development
§154.808	Procedures for Processing a Planned Unit Development
§154.809	Application Requirements for General Concept Plan and Final Plan
§154.810	City Cost

§154.800 Intent

This article establishes the procedures and standards for the development of areas as unified, planned developments in accordance with the intent and purpose of this zoning ordinance and the applicable policies of the Comprehensive Plan. Because of the larger size of PUDs and to help achieve the identified objectives for planned unit development sites, this article provides for flexibility in the use of land and the placement and size of buildings in order to better utilize site features and obtain a higher quality of development. Approval of a planned unit development shall result in a zoning change to a specific PUD district, with specific requirements and standards that are unique to that development.

§154.801 Identified Objectives

When reviewing requests for approval of a planned unit development, the City shall consider whether one or more of the objectives listed below will be served or achieved. It is the responsibility of the applicant to provide a narrative of how the proposed planned development meets one or more of the City's identified objectives (A-J). Planned unit developments should not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved.

- A. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches;
- B. Promotion of integrated land uses, allowing for a mixture of residential, commercial, and public facilities;
- C. Provision of more adequate, usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques;
- D. Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing;
- E. Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities;
- F. Preservation of historic buildings, structures or landscape features;
- G. Coordination of architectural styles and building forms to achieve greater compatibility with surrounding land uses;
- H. Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation;
- I. Allowing the development to operate in concert with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objectives will be achieved; and

- J. Higher standards of site and building design than would otherwise be provided under conventional land development technique.

§154.802 Allowed Development

Uses within the PUD may include only those uses generally considered associated with the general land use category shown for the area on the official Comprehensive Land Use Plan. Specific allowed uses and performance standards for each PUD shall be delineated in an ordinance and development plan. The PUD development plan shall identify all the proposed land uses and those uses shall become permitted uses with the acceptance of the development plan. Any change in the list of uses approved in the development plan will be considered an amendment to the PUD, and will follow the procedures specified in Article 3, Administration, for zoning amendments.

- A. *Permitted uses.* The PUD application shall identify all proposed land uses and those uses shall become permitted uses upon the approval of the planned unit development.
- B. *Placement of structures.* More than one principal building may be placed on a platted lot within a planned unit development. The appearance and compatibility of buildings in relation to one another, other site elements, and surrounding development shall be considered in the review process.
- C. *Development intensity.* The PUD may provide for an increase in the maximum gross floor area or floor area ratio by up to twenty percent (20%) of that allowed in the base zoning district, for the purpose of promoting project integration and additional site amenities.
- D. *Density.* The PUD may provide for an increase in density of residential development by up to twenty percent (20%) of that allowed in the base zoning district, for the purpose of promoting diversity of housing types and additional site amenities. Increased residential densities of varying levels will be awarded based upon the provision of a combination of various site amenities outlined in Section 154.804. In addition, the City retains the right to evaluate all proposals for bonus density in accordance with the overall goals of the City's Land Use Element of the Comprehensive Plan.
- E. *Building setbacks.* The PUD may provide for a reduction in or elimination of required setbacks in the base zoning district, provided that a landscaped setback area of the minimum width established for the base zoning district is maintained along the periphery of the adjacent zoning district(s).
- F. *Lot requirements.* The Council may authorize reductions in the area and width of individual lots within a PUD from that required for the base zoning district, provided that such reductions are compensated for by an equivalent amount of open space or other public amenities elsewhere in the planned unit development. Any open space shall not include areas designated as public or private streets. The plan may increase the maximum density beyond that permitted in the base zoning district for the purpose of promoting an integrated project with a variety of housing types and additional site amenities.
- G. *Other exceptions.* As part of PUD approval, the Council is authorized to approve other exceptions to the zoning controls applicable to the base zoning district, such as the maximum height of structures or the minimum off-street parking requirements. Such exceptions shall only be granted when they are clearly warranted to achieve the objectives identified in Section 154.801.

§154.803 Minimum Requirements

- A. *Lot area.* A PUD must include a minimum of five (5) acres for undeveloped land or two (2) acres for developed land within the approved development. Tracts of less than two (2) acres may be approved only if the applicant can demonstrate that a project of superior design can be achieved to meet one or more of the identified objectives listed in Section 154.801, or that compliance with the Comprehensive Plan goals and policies can be attained through the use of the PUD process. The Planning Commission shall authorize submittal of a PUD for a tract of less than two acres prior to submittal of a general concept plan application.

- B. *Open space.* For all PUDs, at least twenty percent (20%) of the project area not within street rights-of-way shall be preserved as protected open space. Other public or site amenities may be approved as an alternative to this requirement. Any required open space must be available to the residents, tenants, or customers of the PUD for recreational purposes or similar benefit. Land reserved for stormwater detention facilities and other required site improvements may be applied to this requirement. Open space shall be designed to meet the needs of residents of the PUD and the surrounding neighborhoods, to the extent practicable, for parks, playgrounds, playing fields and other recreational facilities.
- C. *Street layout.* In existing developed areas, the PUD should maintain the existing street grid, where present, and restore the street grid where it has been disrupted. In newly developing areas, streets shall be designed to maximize connectivity in each cardinal direction, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at a park or other community facility, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.

§154.804 Density

The PUD may provide for an increase in density of residential development by up to twenty percent (20%) of that allowed in the base zoning district. Applicants seeking increased residential density through a Planned Unit Development are required to provide at least one (1) or a combination of site amenities that equal the required amount of amenity points to achieve the desired density bonus.

- A. *Amenity Points and Equivalent Density Increases.* Increases in density will be awarded through a 1:1 ratio with amenity points. For every increase in amenity points for a Planned Unit Development, the applicant will be allowed an equivalent amount of density increase, up to a maximum increase of twenty percent (20%). Table 15-1 outlines the required amount of amenity points to achieve various density increases.

Table 15-1: Amenity Points and Equivalent Density Increases

Amenity Points	Density Increase
5	5%
10	10%
15	15%
20	20%

- B. *Site Amenities.* Site amenities that are eligible for amenity points are listed in Table 15-2, including the associated standards of implementation. Some of the amenities may be awarded a range of amenity point based upon the quality and magnitude of the amenity. Where the amenity does not meet all of the standards required in Table 15-2, no points shall be awarded. Partial points for site amenities shall not be awarded, except as otherwise allowed in Table 15-2.

Table 15-2: Site Amenities

Points	Amenity	Standards
10	Underground, Structure or Contained Parking	Proposed underground, structure or contained parking must be integrated into the building footprint. The purpose of this amenity is to better integrate parking into the site, as well as

		reduce the amount of surface parking visible from the public right-of-way and reduce the amount of impervious surface. The facade of any integrated parking areas must match the architectural design of the principal structure.
10	Historic Preservation	Preservation, rehabilitation or restoration of designated historic landmarks in a manner that is consistent with the standards for rehabilitation of the Secretary of the Interior as part of the development.
10	Additional Open Space	A minimum of fifty percent (50%) of the site not occupied by buildings shall be landscaped outdoor open space. A minimum of fifty percent (50%) of the provided open space shall be contiguous. Open space classifications that qualify may include natural habitat, neighborhood recreation, trail corridors or open space buffers.
10	Public Right-of-Way Dedication	Dedication of land and construction of a public road, trail, pathway, or greenway that is part of an approved City plan, but outside the scope of the immediate project area. Right-of-way improvements should be designed per the specification of the City Engineer.
10	Fire Sprinkler Systems	The installation of fire sprinkler systems, per NFPA 13, 13D or 13R, in structures that are not currently required to install these systems under State Code.
5	Leadership in Energy and Environmental Design	The proposed development shall meet the minimum standards for LEED Silver certification. The project does not have to achieve actual LEED certification; however, the developer must submit the LEED checklist and documentation to the City, approved by a LEED Accredited Professional (LEED-AP), which shows that the project will comply with LEED Silver requirements.
5	Pedestrian Improvements	A site and building design that allows for exceptional and accessible pedestrian and/or bicycle access through and/or around a site. The improvements shall use a combination of trails, landscaping, decorative materials, access control and lighting to create safe, clear and aesthetically pleasing pedestrian facilities through and /or around the site that comply with the Americans with Disabilities Act accessibility requirements.
5	Adaptive Reuse	Significant renovation, rehabilitation and adaptive reuse of an existing building(s), rather than demolition.
5	Plaza	Plazas shall have a minimum area not less than one thousand (1,000) square feet. Plazas for commercial or mixed-use development shall be open to the public during daylight hours.
1-5	Enhanced Landscaping	A Landscaping Plan of exceptional design that has a variety of native tree, shrub and plan types that provide seasonal interest and that exceeds the requirements of the Lake Elmo Design Standards Manual. The landscaped areas should have a resource efficient irrigation system. The Landscaping Plan shall be prepared by a licensed landscape architect. Amenity points shall be awarded based upon the quality and magnitude of the Landscaping Plan.
3	Enhanced Stormwater	Provide capacity for infiltrating stormwater generated onsite

	Management	with artful rain garden design that serves as a visible amenity. Rain garden designs shall be visually compatible with the form and function of the space and shall include long-term maintenance of the design. The design shall conform to the requirements per the Minnesota Stormwater Manual and shall meet the approval of the City Engineer.
1-3	Theming	Significant utilization of various elements of Theming consistent with the 2013 Lake Elmo Theming Project, including but not limited to signage, fencing, landscaping, lighting and site furnishings. Amenity points will be awarded based upon the magnitude or amount of Theming elements integrated into the project.
3	Natural Features	Site planning that preserves significant natural features or restores ecological functions of a previously damaged natural environment.

§154.805 Coordination With Other Regulations

- A. *Coordination with subdivision review.* Subdivision review under the subdivision regulations shall be carried out simultaneously with the review of the PUD. The plans required under this Article shall be submitted in a form that will satisfy the requirements of the Subdivision Ordinance for the preliminary and final plat.
- B. *Coordination with other zoning requirements.* All of the provisions of this Chapter applicable to the original district within which the Planned Unit Development District is established shall apply to the PUD District except as otherwise provided in approval of the Final Plan.

§154.806 Phasing and Guarantee of Performance

- A. *Development Schedule.* The City shall compare the actual development accomplished in the various PUD zones with the approved development schedule.
- B. *Schedule extension.* For good cause shown by the property owner, the City Council may extend the limits of the development schedule.
- C. *Phasing of amenities.* The construction and provision of all of the common open space, site amenities and public and recreational facilities which are shown on the final development plan must proceed at the same rate as the construction of dwelling units, if any. The Development Review Committee shall review all of the building permits issued for the PUD and examine the construction which has taken place on the site. If they find that the rate of construction of dwelling units is greater than the rate at which common open spaces, site amenities and public and recreational facilities have been constructed and provided, they shall forward this information to the City Council for action.
- D. *Guarantees.* A financial guarantee or letter of credit shall be required to guarantee performance by the developer. The amount of this guarantee or letter of credit, and the specific elements of the development program that it is intended to guarantee, will be stipulated in the development agreement.
- E. *Changes during development period.*
 - 1. Minor changes in the location, placement and height of structures may be authorized by the Development Review Committee if required by engineering or other circumstances not foreseen at the time the final plan was approved and filed with the Planning Director.
 - 2. Changes in uses, any rearrangement of lots, blocks and building tracts, changes in the provision of common open spaces, and all other changes to the approved final development plan may be made only under the procedures for zoning amendments, Article 3. Any

changes shall be recorded as amendments to the recorded copy of the final development plan.

- F. *Rezoning to original district.* If substantial development has not occurred within a reasonable time after approval of the PUD Zoning District, the City Council may instruct the Planning Commission to initiate rezoning to the original zoning district. It shall not be necessary for the City Council to find that the rezoning was in error.

§154.807 Control of Planned Unit Development Following Completion

- A. *Final development plan controls subsequent use.* After the certificate of occupancy has been issued, the use of the land and the construction, modification or alteration of any buildings or structures within the planned development shall be governed by the final development plan.
- B. *Allowed changes.* After the certificate of occupancy has been issued, no changes shall be made in the approved final development plan except upon application as provided below:
 - 1. Any minor extensions, alterations or modifications of existing buildings or structures may be authorized by the Development Review Committee if they are consistent with the purposes and intent of the final plan. No change authorized by this Section may increase the cubic volume of any building or structure by more than ten percent.
 - 2. Any building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan unless an amendment to the final development plan is approved under this chapter.
- C. *Amendment required for major changes.* Any other changes in the final development plan, including any changes in the use of common open space, must be authorized by an amendment of the final development plan under the procedures for Zoning Amendments, Article 3.

§154.808 Procedures for Processing a Planned Unit Development.

There are four stages to the PUD process: application conference, general concept plan, preliminary plan and final plan, as described below.

- A. *Application Conference.* Upon filing of an application for PUD, the applicant of the proposed PUD shall arrange for and attend a conference with the Planning Director. The primary purpose of the conference shall be to provide the applicant with an opportunity to gather information and obtain guidance as to the general suitability of his or her proposal for the area for which it is proposed and its conformity to the provisions of this Article before incurring substantial expense in the preparation of plans, surveys and other data.
- B. *General Concept Plan.* The general concept plan provides an opportunity for the applicant to submit a plan to the city showing his or her basic intent and the general nature of the entire development without incurring substantial cost. The plan should include the following: overall density ranges, general location of residential and nonresidential land uses, their types and intensities, general location of streets, paths and open space, and approximate phasing of the development.
- C. *Preliminary Plan.* Following approval of the General Concept Plan, the applicant shall submit a Preliminary Plan application and preliminary plat, in accordance with the requirements described in Section 153.07. The application shall proceed and be acted upon in accordance with the procedures in this ordinance for zoning changes.
- D. *Final Plan.* Following approval of the Preliminary Plan, the applicant shall submit a Final Plan application and final plat, in accordance with the requirements described in Section 153.08. The application shall proceed and be acted upon in accordance with the procedures in this ordinance for zoning changes. If appropriate because of the limited scale of the proposal, the preliminary plan and final plan may proceed simultaneously.
- E. *Schedule for Plan Approval.*

1. Developer presents the General Concept Plan to the Planning Commission for their review and comment.
2. Within thirty (30) days after verification by the Planning Director that the required plan and supporting data are adequate, the Planning Commission shall hold a public hearing, with public notice.
3. The Planning Commission shall conduct the hearing and report its findings and make recommendations to the City Council.
4. The City may request additional information from the applicant concerning operational factors or retain expert testimony at the expense of the applicant concerning operational factors.
5. The Council may hold a public hearing after the receipt of the report and recommendations from the Planning Commission. If the Planning Commission fails to make a report within 60 days after receipt of the application, then the City Council may proceed without the report. The Council may approve the General Concept Plan and attach such conditions as it deems reasonable.
6. Following approval of the General Concept Plan, the application may proceed to the Preliminary Plan phase.
7. Developer presents the Preliminary Plan to the Planning Commission for their review and comment.
8. Within thirty (30) days after verification by the Planning Director that the required plan and supporting data are adequate, the Planning Commission shall hold a public hearing, with public notice.
9. The Planning Commission shall conduct the hearing and report its findings and make recommendations to the City Council.
10. The City may request additional information from the applicant concerning operational factors or retain expert testimony at the expense of the applicant concerning operational factors.
11. The Council may hold a public hearing after the receipt of the report and recommendations from the Planning Commission. If the Planning Commission fails to make a report within 60 days after receipt of the application, then the City Council may proceed without the report. The Council may approve the Preliminary Plan and attach such conditions as it deems reasonable.
12. Following approval of the Preliminary Plan, the application may proceed to the Final Plan phase.
13. Developer presents the Final Plan to the Planning Commission for their review and comment.
14. Within thirty (30) days after verification by the Planning Director that the required plan and supporting data are adequate, the Planning Commission shall hold a public hearing, with public notice.
15. The Planning Commission shall conduct the hearing and report its findings and make recommendations to the City Council.
16. The City may request additional information from the applicant concerning operational factors or retain expert testimony at the expense of the applicant concerning operational factors.
17. The Council may hold a public hearing after the receipt of the report and recommendations from the Planning Commission. If the Planning Commission fails to make a report within 60 days after receipt of the application, then the City Council may proceed without the

report. The Council may approve the Final Plan and attach such conditions as it deems reasonable.

§154.809 Application Requirements for General Concept Plan, Preliminary Plan and Final Plan.

Ten copies of the following plans, exhibits and documents shall be submitted at both the General Concept Plan stage, Preliminary Plan stage and the Final Plan stage.

A. General Concept Plan Stage

1. General information

- a. The landowner's name and address and his/her interest in the subject property.
- b. The applicant's name and address if different from the landowner.
- c. The names and addresses of all professional consultants who have contributed to the development of the PUD plan being submitted, including but not limited to attorney, land planner, engineer and surveyor.

2. Present Status

- a. The address and legal description of the property.
- b. The existing zoning classification and present use of the subject property and all lands within 350 feet of the subject property.
- c. A map depicting the existing development of the subject property and all land within 350 feet of the subject property and showing the location of existing streets, property lines, easements, water mains, and storm and sanitary sewers, with invert elevations on and within 100 feet of the subject property.
- d. Site conditions: Where deemed necessary by the City, graphic reproductions of the existing site conditions at a scale of one (1) inch equals one hundred (100) feet shall be submitted and contain the following:
 - i. Contours; minimum five foot (5') intervals.
 - ii. Location, type and extent of tree cover.
 - iii. Slope analysis.
 - iv. Location and extent of water bodies, wetlands, streams, and flood plains within 300 feet of the subject property.
- e. A written statement generally describing the proposed PUD and showing its relationship to the City Comprehensive Plan.
- f. Schematic drawing of the proposed development concept, including but not limited to the general location of major circulation elements, public and common open space, residential and other land uses.
- g. Proposed design features related to proposed streets, showing right-of-way widths, typical cross-sections, and areas other than streets including but not limited to pedestrian ways, utility easements and stormwater facilities.
- h. Statement of the estimated total number of dwelling units proposed for the PUD and a tabulation of the proposed approximate allocations of land use expressed in acres and as a percent of the total project area, which shall include at least the following:
 - i. Area devoted to residential use by building type.
 - ii. Area devoted to common open space.
 - iii. Area devoted to public open space and public amenities.

- iv. Approximate area devoted to, and number of, off-street parking and loading spaces and related access.
 - v. Approximate area, and floor area, devoted to commercial uses.
 - vi. Approximate area, and floor area, devoted to industrial or office use.
 - i. When the PUD is to be constructed in stages during a period of time extending beyond a single construction season, a preliminary schedule for the development of such stages or units shall be submitted stating the approximate beginning and completion date for each such stage and overall chronology of development to be followed from stage to stage.
 - j. The City may excuse an applicant from submitting any specific item of information or document required in this stage which it finds to be unnecessary to the consideration of the specific proposal.
 - k. The City may require the submission of any additional information or documentation which it may find necessary or appropriate to full consideration of the proposed PUD.
- B. *Preliminary Plan Stage*
1. Preliminary plat and information required by subdivision title.
 2. General information:
 - a. The landowner's name and address and his interest in the subject property.
 - b. The applicant's name and address if different from the landowner.
 - c. The names and addresses of all professional consultants who have contributed to the development of the PUD plan being submitted, including but not limited to attorney, land planner, engineer and surveyor.
 - d. Evidence that the applicant has sufficient control over the subject property to effectuate the proposed PUD, including a statement of all legal, beneficial, tenancy and contractual interests held in or affecting the subject property and including an up-to-date certified abstract of title or registered property report, and such other evidence as the City Attorney may require to show the status of title or control of the subject property.
 3. Present Status:
 - a. The address and legal description of the property.
 - b. The existing zoning classification and present use of the subject property and all lands within 350 feet of the property.
 - c. A map depicting the existing development of the property and all land within 350 feet thereof and indicating the location of existing streets, property lines, easements, water mains and storm and sanitary sewers, with invert elevations on and within one hundred feet of the property.
 - d. A written statement generally describing the proposed PUD and the market which it is intended to serve and its demand showing its relationship to the City's Comprehensive Plan and how the proposed PUD is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of the City.
 - e. A statement of the proposed financing of the PUD.
 - f. Site conditions: Graphic reproductions of the existing site conditions at a scale of one (1) inch equals one hundred (100) feet. All of the graphics should be at the same scale

as the final plan to allow easy cross-reference. The use of overlays is recommended for ease of analysis.

- i. Contours; minimum two foot (2') intervals.
 - ii. Location, type and extent of tree cover.
 - iii. Slope analysis.
 - iv. Location and extent of water bodies, wetlands and streams and flood plains within 300 feet of the property.
 - v. Significant rock outcroppings.
 - vi. Existing drainage patterns.
 - vii. Vistas and significant views.
 - viii. Soil conditions as they affect development.
- g. Schematic drawing of the proposed development concept, including but not limited to the general location of major circulation elements, public and common open space, residential and other land uses.
- h. A statement of the estimated total number of dwelling units proposed for the PUD and a tabulation of the proposed approximate allocations of land use expressed in acres and as a percent of the total project area, which shall include at least the following:
- i. Area devoted to residential use by building type.
 - ii. Area devoted to common open space.
 - iii. Area devoted to public open space and public amenities.
 - iv. Approximate area devoted to streets.
 - v. Approximate area devoted to, and number of, off-street parking and loading spaces and related access.
 - vi. Approximate area, and floor area, devoted to commercial uses.
 - vii. Approximate area, and floor area, devoted to industrial or office use.
- i. When the proposed PUD includes increases in density of residential development above the base zoning district, a statement describing the site amenities to be included within the PUD, and demonstrating that the proposed site amenities sufficiently achieve the desired density bonus. Applicant is required to demonstrate that all site amenity standards have been met in order to be awarded increased density for residential development.
- j. When the PUD is to be constructed in stages during a period of time extending beyond a single construction season, a schedule for the development of such stages or units shall be submitted stating the approximate beginning and completion date for each such stage or unit and the proportion of the total PUD public or common open space and dwelling units to be provided or constructed during each such state and overall chronology of development to be followed from stage to stage.
- k. When the proposed PUD includes provisions for public or common open space or service facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or service facilities.
- l. Any restrictive covenants that are to be recorded with respect to property included in the proposed PUD.
- m. Schematic utilities plans indicating placement of water, sanitary and storm sewers.

- n. The City may excuse an applicant from submitting any specific item of information or document required in this stage which it finds to be unnecessary to the consideration of the specific proposal.
 - o. The City may require the submission of any additional information or documentation which it may find necessary or appropriate to full consideration of the proposed PUD.
- C. *Final Plan Stage.* Development stage submissions should depict and outline the proposed implementations of the Preliminary Plan stage for the PUD. Information from the General Concept and Preliminary Plan stages may be included for background and to provide a basis for the submitted plan. The development stage submissions shall include but not be limited to:
1. A final plat and information required by the City's subdivision ordinance.
 2. Final plans drawn to a scale of not less than 1 inch = 100 feet (or a scale requested by the Zoning Administrator) containing at least the following information:
 - a. Proposed name of the development (which shall not duplicate nor be similar in pronunciation to the name of any plat heretofore recorded in the county where the subject property is situated).
 - b. Property boundary lines and dimensions of the property and any significant topographical or physical features of the property.
 - c. The location, size, use and arrangement including height in stories and feet and total square feet of ground area coverage and floor area of proposed buildings, including manufactured homes, and existing buildings which will remain, if any.
 - d. Location, dimensions of all driveways, entrances, curb cuts, parking stalls, loading spaces and access aisles, and all other circulation elements including bike and pedestrian; and the total site coverage of all circulation elements.
 - e. Location, designation and total area of all common open space.
 - f. Location, designation and total area proposed to be conveyed or dedicated for public open space, including parks, playgrounds, school sites and recreational facilities.
 - g. The location of applicable site amenities, if any.
 - h. Proposed lots and blocks, if any and numbering system.
 - i. The location, use and size of structures and other land uses on adjacent properties.
 - j. Detailed sketches and provisions of proposed landscaping.
 - k. General grading and drainage plans for the developed PUD.
 - l. Any other information that may have been required by the Planning Commission or Council in conjunction with the approval of the Preliminary Plan.
 3. An accurate legal description of the entire area within the PUD for which final development plan approval is sought.
 4. A tabulation indicating the number of residential dwelling units and expected population.
 5. Density calculations, including proposed density bonuses above the base zoning district. To be granted increased density of residential development, the applicant must submit a schedule of site amenities with proposed designs and standards. The applicant must demonstrate that site amenity standards in Table 15-2 have been met to be rewarded additional density.
 6. A tabulation indicating the gross square footage, if any, of commercial and industrial floor space by type of activity (e.g. retail or office).

7. Preliminary architectural "typical" plans indicating use, floor plan, elevations and exterior wall finishes of proposed building, including manufactured homes.
8. A detailed site plan, suitable for recording, showing the physical layout, design and purpose of all streets, easements, rights of way, utility lines and facilities, lots, block, public and common open space, general landscaping plan, structure, including mobile homes, and uses.
9. Preliminary grading and site alteration plan illustrating changes to existing topography and natural site vegetation. The Plan should clearly reflect the site treatment and its conformance with the approved concept plan.
10. A soil erosion control plan acceptable to watershed districts, Department of Natural Resources, Natural Resources Conservation Service, or any other agency with review authority, clearly illustrating erosion control measures to be used during construction and as permanent measures.

§154.810 City Costs

The applicant shall make a deposit of a fee escrow with the City for the purpose of reimbursing any costs directly related to a given development. Such costs include but are not limited to professional fees and expenses incurred by the City for consultants (including but not limited to planners, engineers, architects and attorneys) who the City determines in its sole judgment are necessary to assist in reviewing, implementing or enforcing the provisions of this article. The amount of the deposit, and any addition to it that the City may later require, shall be established by the Planning Director. The City and the applicant may agree to share the costs of consultants based upon a specific written agreement. Any funds not used by the City shall be returned to the applicant at the conclusion of the project.



Planning Commission
Date: 2/11/13
Item: 4b
Business

ITEM: 2012 Community Development Department Annual Report

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner
Rick Chase, Building Official
Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED:

The Planning Commission is asked to review and provide input on the 2012 Community Development Departments Annual Report. The Planning Commission received a copy of the report at the meeting on 1/14/13. Staff will present the report, highlighting the key activities and projects that were undertaken in 2012.

BACKGROUND INFORMATION:

The annual report is intended to summarize activities within the Community Development Department. These activities include all building and planning activities in 2012.

RECCOMENDATION:

Staff recommends that the Planning Commission accept the 2012 annual report with the following motion:

“Move to accept the 2012 Community Development Department Annual Report.”

ATTACHMENTS:

1. 2012 Community Development Department Annual Report

ORDER OF BUSINESS:

- Introduction.....Planning Staff
- Report by Staff.....Planning Staff
- Questions from the Commission..... Chair & Commission Members
- Discussion by the Commission..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members



2012 Community Development Department Annual Report

I. Annual Summary

The Lake Elmo Community Development Department is submitting its annual report for consideration by the City Council and Planning Commission. The following narrative presents a summary of activities undertaken over the course of 2012.

Comprehensive Plan Amendments. The most significant project undertaken by the Community Development Department in 2012 was the ongoing work of amending the City's Comprehensive Plan to revise the I-94 Corridor and Village Land Use Plans. More specifically, the first amendment, focused on the I-94 Corridor and Housing Chapter of the Comprehensive Plan, was accepted by the City Council and authorized for adjacent jurisdiction and Metropolitan Council review on August 21, 2012. Staff anticipates that the external review of this amendment will be completed in early 2013, at which time the Council may officially adopt the amendment. Regarding the Village Land Use Plan, Staff is working to finalize the draft plan and anticipates bringing this Comprehensive Plan Amendment to the Planning Commission for Public Hearing in February of 2013.

Land Use Applications. Through the support of the Planning Commission, the Community Development Department worked on 23 land use applications/projects in 2012, including but not limited to amendments to the Comprehensive Plan, conditional use permits, zoning text amendments, and variances. The most common application processed related to land use was the zoning text amendment, of which the City worked through 8 applications. This uptick in the number of zoning text amendments can be attributed to a number of updates to the Zoning Code for the purpose of preparing the community for sewer growth.

Building Permits. The City of Lake Elmo processed 311 building permits, not including plumbing and mechanical permits, in 2012. The number of permits issued this year is consistent with amount of building activity over the past 5 years. In terms of new single family homes, the City issued permits for 31 new homes in 2012, as opposed to 24 homes in 2011. Through the addition of 31 single family homes and 8 manufactured homes, and the demolition of 3 homes, the City experienced a net increase of dwelling units of 36 units in 2012.

Staffing. Over the course of the year, the City of Lake Elmo added two new employees to the Community Development Department. These employees are Rick Chase, filling the role of Building Official, and Nick Johnson, filling the role of City Planner. With the full-time additions to the Staff, the City is better positioned to prepare for growth in the coming years.

Community Development Preparation Efforts. In addition to several updates to the City's Zoning Code, Staff has worked on two projects to ensure quality development outcomes: Design Standards and Theming. With the support of the Planning Commission, Staff has made significant progress on drafting a Design Standards Manual for development in the sewer districts. Staff anticipates that the manual will be completed in the spring of 2013. Through the support of the I-94 Corridor and Village Work Groups, Staff has also worked with Damon Farber and Associates on a Theming Project, intended to help guide design and amenities within road rights-of-way and public spaces. The Theming Project will also be completed in the spring of 2013.

II. Annual Review: Major Projects

Major projects included in the department's scope of work in 2012 include the following projects chronologically:

3M Legal Preparation. As part of the State of Minnesota's suit against 3M Corporation in regards to groundwater contamination in Washington County, Staff served as a support role to the City Attorney to collect all records pertaining to infrastructure planning in Lake Elmo.

Mn/DOT Landscaping Grant: HWY-5 Tree Planting and Landscaping Project. Once again Lake Elmo's Arbor Day Event on June 2, 2012 included a community planting project supported by a grant from the Minnesota Department of Transportation. Staff was able to obtain over \$17,000 in plant materials through the Community Roadside Landscaping Partnership Program. In addition to working with Mn/DOT landscape architects to manage the project, Staff worked with project supporters to recruit over 60 resident volunteers. The event resulted in a significant beautification for the downtown section of HWY-5 and fulfilled the City's obligation to host an Arbor Day Event as a Tree City USA member.

Village Area Septic System Survey. In order to collect more up-to-date data regarding the status of existing septic systems in the Village, Staff conducted a survey of all property owners in the Village inquiring about the condition and maintenance practices of their subsurface sewage treatment systems. The survey was conducted in an anonymous manner via mail, and had a high response rate of 61%. In addition to gaining valuable perspective on the state of septic systems in the Village, the survey also asked property owners about their interest in being served by municipal sanitary sewer. The results of this question were the following:

- 58.0% of respondents answered that they were interested in sanitary sewer;
- 17.3% of respondents were not interested in sanitary sewer extension; and
- 24.7% of respondents were unknown regarding their interest.

In addition to surveying the Village, three other areas adjacent to the Village were surveyed using the same template to gauge their interest in sanitary sewer connection.

These areas were Legion Ave. N. (immediately south of 30th St.), the south side of 30th St. (between Lake Elmo Ave. and Legion Ave.) and Lake Elmo Ave. N. (between 20th St. and 30th St.). The results pointed toward the greatest interest in sewer being on 30th St., while Legion Ave. was more supportive than not, and Lake Elmo Ave. was not supportive of sanitary sewer connection.

Building Permit Review Process. In another effort towards preparing the City for future growth, Staff evaluated the building permit review process in order to improve efficiency and accuracy. These efforts were led by new Building Official Rick Chase, who worked with both Planning and Engineering to streamline communication and procedure for the building community. Related to these efforts, the City has also researched several permitting and code enforcement applications to improve reporting and records.

Buberl/Nass Detachment. Staff has continued to support the City Attorney in efforts to appeal the court ruling that allowed for the detachment of multiple properties in the northeast portion of the city to Stillwater Township.

Gateway Corridor Technical Committee. In addition to former Mayor Dean Johnston, Staff participated in the Gateway Corridor Technical Committee. The results of this process, known as Alternatives Analysis (AA), led to the selection of a preferred alternative of a route on the south side of I-94 in Woodbury, MN.

I-94 Corridor Work Group. The Planning Department continued to meet with members of the I-94 Corridor Work Group to guide land use planning in the corridor. The group was represented by members of the City Council, Planning Commission and other stakeholders in the area. Meetings with the Work Group served to guide land use planning efforts that have resulted in a draft Comprehensive Plan Amendment.

Village Area Work Group. The Planning Department continued its work with the Village Area Planning Work Group throughout 2012. The Work Group met 16 times during the course of the year and conducted two larger open houses to solicit public feedback. Additionally, the Planning Department sponsored a local business forum to present the plans to village business owners, met with a broader stakeholder group, and presented a draft plan at two separate Planning Commission workshops.

I-94 Corridor Comprehensive Plan Amendment. Through the support of the I-94 Work Group, Staff drafted a Comprehensive Plan Amendment containing updates to the Land Use Plan for the I-94 Corridor. The Land Use Plan contained land guided for residential development of various densities, as well as land guided for commercial and business park development. The Comprehensive Plan Amendment was authorized by the City Council for adjacent jurisdiction and Metropolitan Council review on August 21, 2012. The Amendment is currently being review by the Metropolitan Council. Once the review is over, the City Council may approve the Comprehensive Plan Amendment.

Housing Chapter Comprehensive Plan Amendment. As part of the submission to update the I-94 Corridor Land Use Plan, the City was required to update the Housing Chapter within the Comprehensive Plan to reflect the proposed land use changes. The information contained within the Housing Chapter includes an overview of the existing housing stock, as well as overall population trends provided by census data. The data revealed that the median age of the Lake Elmo population has been consistently rising over the decades. In addition the, there are more residents over the age of 65 than at any time previously. Finally, the American Community Survey data revealed that the median home value in Lake Elmo between 2006-2010 was \$396,500. This may explain the gap within the Lake Elmo population of the 20-40 age cohorts or groups.

Annual State Planning Conference. The Planning Director was able to attend the State Planning Conference in September in Alexandria, MN. He was able to attend sessions related to form-based codes and other innovative planning techniques related to zoning and implementation.

Design Guidelines Manual. In preparation of upcoming development, Staff has worked with the Planning Commission on drafting design guidelines for four (4) development types: high density residential, commercial, business park and mixed-use development. The guidelines are intended to maintain a high quality of standards in site and building design for development in Lake Elmo. With the support of the Communications Specialist, Planning Staff will work on the final layout of the document and complete the project in the spring of 2013. The final version of the document will also incorporate elements from the Lake Elmo Theming Project, which is set to be completed in the spring as well.

Theming Project. Through the direction of Damon Farber and Associates, Staff has been working with members of the various work groups to complete a Theming exercise intended to brand the public space in Lake Elmo with a specific theme in mind. Whereas design guidelines are intended for the private realm, the Theming project is geared towards the public spaces of the community, such as roads and public gathering spaces. The result of this process will be a 'Kit of Parts' that includes various color palettes, site amenities, and other designs that are reflective of the Lake Elmo theme. This project should wrap up in the spring of 2013.

Water Tower Antenna Upgrades. Staff has been working with T-Mobile, AT&T and Sprint to process three requests for equipment upgrades on the downtown water tower at Langly Court North. This project is a part of the wireless communication carrier's efforts to upgrade to 4G service in the area. In addition, Staff also renegotiated the terms of the lease agreements with these wireless communication companies.

Village Open Space Conservation Strategy Review. In order to support work related to the Village Land Use planning efforts, Planning Staff engaged the Minnesota Land Trust in conducting research into the best possible strategies for land conservation in the Village. The Minnesota Land Trust has historically been a strong partner for the City of Lake Elmo, and indicated that they would be willing to participate in additional conservation work in the Village. The strategies explored include possible grant funding

opportunities conservation through development. Whichever strategy that is ultimately employed for conservation in the Village will most likely include support from the Minnesota Land Trust.

Whistling Valley Closeout. Staff worked with the Engineering Department to close out the development agreement and improvements for the Whistling Valley III development. All improvements have been accepted by the City.

Plotter Equipment Acquisition. Staff researched and purchased a new plotter for the Community Development Department. In addition to more accurate and efficient printing, the equipment includes a large scale scanner, allowing Staff to scan engineering and plan-size sheets. This will be important as the City moves to an electronic record retention program (Laserfiche). In addition, the equipment will be useful as Staff work through the subdivision and development process in the coming years.

Dale-Frandsen Sketch Plan Review – Lennar Homes. At the Planning Commission meeting on December 10, Staff presented a review of a sketch plan submitted by Lennar Homes for the Dale and Frandsen properties in the I-94 Corridor. As part of the review, Staff completed an in-depth review by the Development Review Committee, consisting of members of the Planning, Engineering, Public Works and Fire Departments. This review will serve as the baseline as the applicants proceed towards Preliminary Plat. In addition, presenting the Sketch Plan provided the Planning Commission the opportunity to provide input to the applicants.

Village Area Comprehensive Plan Amendment. Over the course of the year, the Planning Commission reviewed draft land use maps for the Village Area plan, and reviewed a draft plan late in 2012. The Commission is on track to review a final draft and conduct a public hearing on a Comprehensive Plan Amendment for the Village in February of 2013. The plan incorporates a revised open space preservation plan and proposes a general mixed-use district over the central portion of the planning area.

City Code Amendments. In 2012, Staff processed ten (10) City Code Amendments, including the following:

- Outdoor Lighting Ordinance Review
- Illicit Discharge Ordinance
- Sewered Zoning Districts
- Definitions and Use Classifications
- Shoreland Standards – Water Oriented Accessory Structures
- Therapeutic Massage Ordinance
- Planned Unit Development (PUD) Ordinance

Land Use Applications. In 2012, Staff processed nine (9) land use applications, including the following:

- Well Site #4 Minor Subdivision: 11240 50th Street North (Mandrinich & City of Lake Elmo)
- Oakdale Gun Club CUP Amendment: 10386 10th Street North
- Bergmann IUP Review: 11211 60th Street North
- Summit Board Shop Grading Permit: 9242 Hudson Boulevard North (Heinen)
- Therapeutic Massage CUP: 11200 Stillwater Boulevard North (Koen)
- Lennar Homes Subdivision: Sketch Plan Review

Board of Adjustment Actions . Planning Staff processed four (4) variances in 2012:

- Lot Size Variance: 5577 Lake Elmo Avenue North (Weber)
- Septic System Variance: 11194 36th Street North (Christ Lutheran Church)
- Lot Size Variance: 8961 37th Street North (Franzwa)
- Accessory Building Setback Variance: 974 Jasmine Avenue North (Jader)

III. Statistical Information

A. Planning Commission Meetings

1. Regular Meetings: 20
2. Workshop Meetings: 2
3. Public Hearings: 15

B. Planning and Zoning Permits

2012 Planning and Zoning Applications					
Planning Applications	Approved	Denied	Pending	Amended	Total
Comprehensive Plan Amendments			2		2
Zoning Map Amendments					0
Zoning Text Amendments	7		1		8
City Code Amendments	1		1		2
Conditional Use Permits	2			1	3
Interim Use Permits				1	1
Sketch Plans	1*				1
Concept Plans					0
Preliminary Plats					0
Final Plats					0
Minor Subdivisions	1				1
Lot Line Adjustments	1				1
Variances	3	1			4
Vacations					0
Sign Permits	2				2
Appeals					0
Other					0

*Sketch Plan reviews do not require formal action by the City.

C. Building Permits: 5-Year Summary

Building Permits Issued (by type): 5-Year Summary								
Year	SF Dwellings - Remodel/Repair	Demo	Manufactured Homes	Multi-Family	Commercial/Ind Remodel/Repair	New Commercial	Single Family	Total
2008	355	12	9	0	31	0	23	430
2009	338	4	12	0	32	0	29	415
2010	265	10	6	0	20	0	26	327
2011	320	2	0	0	24	0	24	370
2012	250	3	8	0	19	0	31	311
Total Units	1278	31	35	0	107	0	133	1853
Average	255.6	6.2	7	0	21.4	0	26.6	370.6

D. Housing Starts: 5-Year Summary

Housing Starts in Lake Elmo: 5-Year Summary					
Year	Single Family	Multi-Family	Manufactured Homes	Dwellings Demolished	Net Increase in Dwelling Units
2008	23	0	18	10	31
2009	29	0	9	4	34
2010	26	0	1	8	19
2011	24	0	0	0	24
2012	29	0	8	3	34
Total Units	131	0	36	25	142
Average	26.2	0	7.2	5	28.4

Respectfully Submitted,



Kyle Klatt
Planning Director



Planning Commission
Date: 2/11/13
Item: 4c
Business

ITEM: Planning Commission 2013 Work Plan

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to provide input on a draft work plan for 2013 for the Planning Department and Commission. The attached work plan represents a broad overview of the projects that are expected to be undertaken by either Staff or the Commission during the current calendar year, and includes an initial attempt by Staff to incorporate completion goals and level of priority for each item.

The intent of the work plan is to help prioritize the projects the Planning Commission will be reviewing in the next several months, and to also help keep the Commission informed about the projects that will be undertaken by Staff during the coming year. It is expected that this will be a working document and that it will help the Commission gauge its progress at achieving some of its goals for the year.

RECOMMENDATION:

Staff recommends that the Planning Commission review the proposed work plan and discuss any items that should be included or modified from the draft document.

ATTACHMENTS:

1. Draft – 2013 Planning Commission Work Plan

ORDER OF BUSINESS:

- Introduction.....Planning Staff
- Report by Staff.....Planning Staff
- Questions from the Commission..... Chair & Commission Members
- Discussion by the Commission..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members

2013 Planning Commission Work Plan - DRAFT

Prepared by the Lake Elmo Planning Commission: 2/11/13

Adopted by the City Council:



Key:

Status :	C – Complete IP – In Progress
Date: (Completion Goal)	A – 0 to 3 months B – 3 to 6 months C – 6 to 9 months D – 9 to 12 months
Admin:	Staff Projects/Initiatives
PL:	Priority Level (1-5 with 1 being the highest priority)

Project and Description

Date (Months) PL Status

ZONING INITIATIVES

Zoning Map Updates

- Adopt map changes necessary to implement Comprehensive Plan amendments for I-94 A 1 IP
- Adopt map changes necessary to implement Comprehensive Plan amendments for Village B 1
- General map updates and corrections D 4

Zoning Permit Tracking

- Develop system for tracking of planning and zoning permits, including Conditional Use Permits, Interim Use Permits, Variances, Planned Developments, and other applications D 3

Zoning Text Amendments (Zoning Code Update)

- Village Mixed Use Zoning District A 1 IP
- Rural Zoning Districts B 2 IP
- Performance Standards C 2
- Accessory Buildings C 3
- Tree Preservation and Protection B 2
- Adequate Public Facilities C 3

Zoning Text Amendments (General)

- Outdoor Lighting Ordinance Revisions D 4
- Exterior Storage D 3
- Outdoor Wood Burning Furnaces D 5
- Domestic Farm Animals (keeping of chickens, bees, goats, and other small animals) C 3

Design Standards Manual			
• Complete draft design standards manual with illustrative documentation	A	1	
Form-based Code			
• Draft form-based code or hybrid ordinance to guide development within the Village Planning Area	B	1	
• Incorporate design standards from Design Standards Manual as part of form-based code	B	2	
Engineering Standards Manual			
• Finalize development manual describing the City's engineering standards for private and public projects	A	1	IP
Permit Software Implementation			
• Install and begin using PermitWorks software to issue and track building permits	A	2	
• Purchase and install Planning Module to track planning and zoning applications	B	3	
Sign Code Update			
• Review sign code for consistency with new zoning districts and economic development goals and objectives	D	3	
Subdivision Ordinance			
• Update public land dedication requirements for new sewerred zoning districts	A	1	
• Review ordinance for consistency with ongoing zoning amendments	B	2	
Development Reviews			
• Lennar residential subdivision EAW, preliminary plat and final plat	C	2	

PLANNING INITIATIVES

Village Area Planning			
• Complete Future Land Use Map and Comprehensive Plan Amendment related to Village Planning Area	A	1	
• Submit Comp Plan Amendment to adjacent communities and Met Council for review	A	1	
• Formal adoption of Village Comprehensive Plan Amendment	B	1	
• Adopt general changes to land use plan to support Village Area Plans	B	2	
• Develop policy for consideration of requests to expand uses in proposed sewer service area	C	4	

I-94/10 th Street Corridor Planning			
• Formal adoption of I-94 Corridor Comprehensive Plan Amendment	A	1	
General Comprehensive Planning			
• Review Comp Plan for consistency with I-94 Corridor and Village land use plan amendments	C	3	
• Consider sustainability section as part land use updates or as a separate element of the Comprehensive Plan	C	3	
• Consider amendments related to properties guided for RAD that are less than 40 acres in size	D	4	
• Review individual projects for compliance with the Comprehensive Plan	C	3	
• Achieve 10-20% quantitative easing in Met Council REC unit mandates and extend deadlines to 2040	D	1	IP
Lake Elmo Theming Project (with Damon Farber Associates)			
• Development of a “community theme” that produces continuity and identity between the three major planning areas and emphasis sustainability	B	1	IP
Park Planning			
• Create a master plan for all City parks, provide assistance to Parks Commission as needed	D	3	
• Review park plan for I-94 Corridor and Village with Park Commission	A	2	IP
• Conduct comprehensive mapping of existing private and public trail systems (using GPS where appropriate)	D	4	
• Identify priority trail segments for implementation, consider revisions to trail plans	D	3	
Capital Improvement Plan			
• Planning Commission review of 2013-2017 Capital Improvement Plan for consistency with the Comprehensive Plan	D	2	
General Planning Studies			
• Identify and review research associated with septic system impacts on lakes and waterbodies	D	5	
• Conduct review of 201 (community) septic system policies and management practices. Develop system for proper oversight, billing, and maintenance of community systems.	D	5	IP
• Prepare study of septic systems in the Village Planning Area; work with Washington County on interim development plan for properties to be served with public sewer service.	C	3	

Economic Development Support			
• Provide support and assistance to City Administrator as needed for economic development activities	D	3	
• Maintain list of business in Lake Elmo on City web site	D	5	
Buberl/Nass Detachment			
• Work on appeal of detachment case at appellate level	C	2	
<u>ADMINISTRATIVE INITIATIVES</u>			
Building Division			
• Monitor status of staffing within building inspection department; consider staffing needs in 2012 and beyond	C	3	
Gateway Corridor Commission			
• Provide staff support for Council until City representative is selected	A	3	
Permit Tracking Software			
• Complete move of planning file system to PermitWorks software	A	3	
Code Enforcement			
• Follow updated code enforcement program with the Building Inspector as the City's code enforcement officer	B	3	
File Archiving and Management			
• Scan Planning and Building Department files into the City laserfische system	D	3	
• Scan plat maps and project plans into system	C	3	
Engineering Projects			
• Provide planning assistance as needed for regional trunk sewer project	A	2	IP
Policy and Procedures Review			
• Streamline and improve policies and procedures for the handling of routine matters (variances, site plan review, setbacks, etc...)	C	1	IP