



City of Lake Elmo

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Lake Elmo, Minnesota 55042

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, June 14, 2010, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. December 14, 2009
 - b. April 26, 2010
4. Public Hearings
 - a. OP – OPEN SPACE PRESERVATION DEVELOPMENT CONCEPT PLAN AND PLANNED UNIT DEVELOPMENT: General Concept Plan related to a Farm School and Senior Living Project at 9434 Stillwater Boulevard North – PID's: 15-029-21-31-0001 and 15-029-21-31-0003
5. Business Items
 - a. Distribution of Final Comprehensive Plan Submittal
6. Updates (Verbal)
 - a. City Council;
 - i. June 1, 2010 – Heath Variance – approved
 - ii. Malmquist Comprehensive Plan and Zoning Text Amendment – approved
 - iii. Future meeting on Village Area
 - b. Staff Updates
 - c. Commission Concerns
7. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of December 14, 2009**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:05 p.m. COMMISSIONERS PRESENT: Bidon, Hall, Pearson, Van Zandt, Williams, McGinnis, Van Erem. Absent: Britz, Fliflet, Ziertman, Pelletier; STAFF PRESENT: Planning Director Klatt

Agenda

M/S/P Hall/Williams to approve the agenda as presented. Vote 9:0.

Announcements

Klatt informed the Planning Commission that City Planner Matzek was on maternity leave.

Minutes

M/S/P Van Zandt/Pearson to accept the minutes of the October 26, 2009 meeting. Motion carried; vote 7:0.

Pearson suggested a correction to the November 9, 2009 minutes to remove the septic verbiage in the capital improvements discussion.

M/S/P Pearson/McZGinnis to accept the minutes of the November 9, 2009 meeting with the stated correction. Motion carried; vote 7:0.

M/S/P Pearson/Williams to accept the minutes of the November 23, 2009 meeting. Motion carried, vote: 7:0.

Business Item: *Economic Development Activities*

Klatt reviewed information on economic development, and discussed a policy document that had been developed by the Planning Commission. The Commission has previously drafted a list of potential economic development activities and standards for the City. Klatt explained that the City Council had requested that the Planning Commission submit feedback to City Council and work with the Council to develop a long range plan for economic development. He noted that the City Administrator has recommended creating a business advisory board that is represented by a variety of members. Staff recommended that document be forwarded onto the City Council.

Bidon stated that he would like to see a reference to quality of life in the document

Williams noted that he thought the list of activities should concentrate on what could be done and not what should be done. He indicated that the list should be reduced and/or prioritized.

Van Zandt stated that attracting and sustaining business might go against the City's desire to maintain its rural character. He noted that many other counties have lowered taxes to attract and be aggressive to get businesses, and that we need to decide where we want to be first.

Hall commented that a lot of the items are too general.

McGinnis suggested that the individual activities be grouped into broader categories, noting that some are principles and some are strategies. She stated that Lake Elmo lacks an overall vision for economic development and that the City is instead are making case by case decisions.

Klatt explained that the original motion from the Council to the Planning Commission asked them to identify what steps should be taken to formalize the review of economic activity. He indicated that the draft activities and standards list is intended to make sure both the Council and the Planning Commission are on the same page. He agreed that the Commission could consider how to consolidate or group the activities, and that it might also be advisable to first identify a broader set of goals that apply to economic development.

McGinnis suggested reviewing other cities policies and plans.

Bidon commented that the City should develop in a way that development follows traffic.

Williams recommended that the Commission use the Comprehensive Plan as a guide for developing an overall list of activities.

M/S Willaims/Pearson to request that staff present to the Planning Commission what they feel the is the appropriate section of the Comprehensive Plan that will provide the overall vision that is intended to be addressed by economic development activities within the City of Lake Elmo and then to work with the Commission to go through the list and organize and prioritize it.

McGinnis stated that she does not think the Comprehensive Plan will provide the vision in its entirety and suggested leaving the Commission's options open.

McGinnis suggested an amendment to the original motion to specify that sections from Comprehensive Plan will be used to shape the vision and that Staff will assess other cities to learn about their plans and processes.

M/S/P McGinnis/Pearson to request that Staff present to the Planning Commission what they feel the appropriate section of the Comprehensive Plan that could be used to shape the overall vision that is intended to be addressed by economic development activities within the City of Lake Elmo and then to work with the Commission to go through the list and organize and prioritize it and to further direct Staff to assess other cities to learn about their plans and processes. Motion carried; vote 7:0.

Business Item: *Ordinance Review*

Klatt discussed that there are several Zoning and general City Code amendments that need discussion including setback ordinances, exterior storage, sediment and erosion control, special event permits and agricultural sales and related activities. Williams suggested that Staff interview those who would be impacted by the agricultural sales ordinance, and in particular, to assess how an ordinance might impact those who want to sell produce from their truck.

Klatt stated that sales from a truck would be regulated as a wayside stand, which would not be allowed in commercial zones. He also indicated that the Ordinance also states that a wayside stand cannot sell produce from outside of Lake Elmo and that the Lake Elmo code, unlike others, is very specific about what may be sold. He suggested that the City focus on the short term on agricultural businesses.

Business Item: *2010 Commission Work Plan*

Klatt reviewed a draft 2010 work plan with the Planning Commission. Williams recommended increasing the priority level for planning south of 10th Street.

City Council Updates:

Klatt explained that the Council: adopted the proposed 5-year capital improvement program, approved a variance for Jim Burns, approved certain portions of the Country Sun Farm request for a Conditional Use Permit and rezoning, and has conducted a workshop on accessory buildings.

Adjournment:

The meeting was adjourned 8:55 p.m.

Respectfully submitted,

Kyle Klatt
Planning Director

**City of Lake Elmo
Planning Commission Meeting
Minutes of April 26, 2010**

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, Pelletier, Van Erem, Van Zandt, Williams, and Ziertman. Absent: McGinnis and Pearson. STAFF PRESENT: Planning Director Klatt, Planner Matzek.

Agenda

M/S/P, Williams/Britz, move to approve agenda as presented. Vote: 9:0.

Minutes - March 22, 2010

M/S/P, Williams/Bidon, move to approve minutes as presented. Vote: 8:0. (Pelletier abstained.)

Public Hearing: *Comprehensive Plan Amendment and Zoning Text Amendment*

Planning Director Klatt introduced the item and distributed a series of letters received regarding the two items being discussed. He identified the two components being discussed at the meeting is part of an application requiring four total components for a proposed senior living and farm school development. The applicant is requesting the Comprehensive Plan be amended for the property at 9434 Stillwater Boulevard North to change the land use guidance from RAD (0.45 dwelling units per acre) to RAD2 (2 dwelling units per acre). The zoning text amendment is to change the city code to allow town homes, a multi-unit building, and a farm school. Planning Director Klatt suggested this may be most appropriately achieved by creation of a new overlay district.

Commissioner Williams asked which zoning districts would currently allow a farm school.

Planning Director Klatt said that it may be allowed in the PF (Public and Quasi-Public Facilities) District.

Commissioner Ziertman asked why a Planned Unit Development (PUD) was required.

Planning Director Klatt said that a PUD allows a mix of uses on a site and some potential exceptions to the underlying regulations such as an increase in density allowed.

Council Member Anne Smith provided the commission with a brief history on the current Comprehensive Plan.

Commissioner Hall expressed concern of setting a precedent of allowing the upzoning to RAD2 for this parcel.

Planning Director Klatt said this level of review provides the city with the most discretion to make those decisions. The city should also specify in findings why this location is unique.

Tammy Malmquist, Applicant

Mrs. Malmquist introduced herself and spoke about her day care center and the inspiration for the development. She explained the relationship she had with her neighbor before he died and how the farmer had enjoyed her day care. From that friendship she came up with the idea to combine a farm school with senior housing.

Jan Green, Property Owner

Ms. Green identified herself as the daughter of the farmer. She said she is supportive of the application.

Tim Freeman, FFE – Surveyor and Engineer Firm for applicant

Mr. Freeman said a neighborhood meeting was held to allay concerns of the neighbors before an application was submitted. He said the neighborhood was in support of the application. He went through and addressed the Planning Director's concerns expressed in the staff report.

Commissioner Hall said he was uncomfortable with the suggested movement of density from one property to this one.

Mr. Freeman responded by saying they had thought it was more important to not add units to the city, but would be supportive of the Planning Director's suggestion that this property be allowed more units without taking from another area.

Commissioner Ziertman asked if allowing an increase in density on this parcel without requiring it to come from another property would open this up to all properties to request the same increase.

Council Member Anne Smith gave some background information on the RAD2 designation in the Comprehensive Plan and why the RAD2 district was created.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:29 P.M.

Kimberly Lipman, 8249 Deer Pond Court N

Ms. Lipman distributed a letter she wrote. She said she has lived in the Tri-lakes area for 15 years and is supportive of the proposed changes to the Comprehensive Plan. She said she believes the project is needed and is consistent with the Comprehensive Plan. She asked that her letter be added to the record.

Alan Kupferschmidt, 2769 Legion Avenue North

Mr. Kupferschmidt said he has been living in the city for 39 years and he wants to live near the country, not near the railroad tracks in the Village Area. He is in support of the project.

Bob Crabtree, 3603 Lake Elmo Avenue

Mr. Crabtree said he has lived in the city for 66 years and is supportive of the application.

Julie Beutel, 3415 Jamaca Avenue North

Ms. Beutel said her mother had to move out of town as there is no living area for seniors at this time and she is supportive of the application.

Vint Lewis, 3945 Granada Avenue North

Mr. Lewis said he is representing a man and his wife and read a letter in support of the application on behalf of them as they are out of town on business.

Vicki Linnell, 9402 Stillwater Boulevard

Ms. Linnell stated that she has lived next to that property for 23 years. She is supportive of the application and thinks it will be a positive addition for seniors and children to work together. She will have access to walking trails that she never had available before.

Anne Smith, 12153 Marquess Lane N

Mrs. Smith said she believed the findings staff had written were not consistent with the Comprehensive Plan she spent five months writing.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:49 P.M.

Planning Director Klatt said he had received information from Ed Neilson, who lives directly to the west of the property stating he did not have any objections to the proposal.

Chairman Van Zandt stated there were eight letters in front of him in favor of the application.

Commissioner Fliflet said she has a problem with the idea that senior housing could only be located in the Village Area as there are varying personal preferences. She said that senior housing does not necessarily mean not able-bodied.

Commissioner Pelletier asked Planning Director Klatt how this would affect the Metropolitan Council population requirements for the city. She said her primary concern is traffic safety and would like to know what MnDOT's response was.

Planning Director Klatt said MnDOT's response was that they would prefer the entrance be off of Jamaca Court, but does not say they will not accept the plan unless that is done. He said that the overall population is established with sewerred and non-sewerred area designations. He believes it is more critical to meet the sewerred population identified.

Commissioner Pelletier asked if the bigger structure could be reduced and an increase in the number of townhomes utilized instead.

Mr. Freeman said it would make the project not economically feasible to continue to have an underground parking lot.

Mrs. Malmquist said some seniors would like a sense of community which is why the bigger building is being proposed.

M/S/P, Hall/Ziertman, move to allow the applicant's property to be guided for RAD2 and to leave densities on the remaining RAD2 parcels with the findings provided in the staff report and to add that this was a working farm. Vote: 9:0.

Commissioner Williams stated that the proposal does not talk about affordability and that the city will be penalized if development does not occur in the future sewered areas.

Mrs. Malmquist stated that her goal is to keep the project as affordable as possible.

Commissioner Fliflet wanted it noted that no one spoke against the development at the meeting.

The commission took a five minute break and reconvened at 9:46 p.m.

Planning Director Klatt introduced the second half of the item and gave information on the proposed changes for the zoning text amendment.

Commissioner Fliflet asked why "N/A" was included in the chart.

Mr. Freeman stated that their proposal does not include internal lot lines and that a buffer setback would function for the outer setback.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 10:03 p.m.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 10:03 p.m.

There was a general consensus of the commission for staff to move forward with the creation of an overlay district instead of amending the existing code for OP developments.

M/S/P, Williams/Pelletier, move to table the item in order to review the revised ordinance being proposed. Vote: 9:0.

City Council Updates

Planning Director Klatt provided a verbal update to the commission on the recent discussions and decisions made by the City Council.

Adjournment:

DRAFT

The meeting was adjourned 10:10 p.m.

Respectfully submitted,

Kelli Matzek
Planner

Planning Commission
Date: 6/14/10
PUBLIC HEARING (CONT)
Item: 4a

ITEM: OP Open Space Preservation Concept Plan and Planned Unit Development
General Concept Plan related to a Farm School and Senior Living Project at 9434
Stillwater Boulevard North – PID's: 15-029-21-31-0001 and 15-029-21-31-0003

SUBMITTED BY: Kyle Klatt, Planning Director 

REVIEWED BY: Kelli Matzek, City Planner

SUMMARY AND ACTION REQUESTED

The Planning Commission is being asked to review a request for an Open Space Preservation (OP) Development Concept Plan, and Planned Unit Development (PUD) General Concept Plan related to a proposal to establish a 40-unit senior living multi-family building, 10 townhouse units, and a farm-themed preschool on property located at 9434 Stillwater Boulevard North. The City Council has recently approved a Comprehensive Plan Amendment related to the proposed development in addition to a revision to the Zoning Ordinance to create a new OP-2 Overlay District that will support the uses and densities proposed with the concept plans.

ADDITIONAL INFORMATION:

The Commission opened the public hearing on this item at its May 10th and May 24th meetings, and continued this hearing pending a final decision from the Council regarding the Comprehensive Plan Amendment necessary for the project to move forward. Staff has attached the previous staff report concerning this item with updated information, and would again ask Commissioners to bring the original packet of application materials related to the Senior Living/Farm School proposal to the meeting to help reduce duplicative copying for the meeting.

Since the initial report was prepared several weeks ago, Staff has suggested two additional conditions of approval for consideration by the Commission and has incorporated conditions that were included as part of the Comprehensive Plan amendment approved by the City Council. These new conditions proposed by Staff would read as follows:

- The keeping of animals associated with the agricultural activities on the site shall comply with all applicable City and Minnesota Pollution Control Agency requirements for the keeping of domestic farm animals.
- The open space preservation areas shall be reviewed for potential inclusion as part of a conservation easement protected by the Minnesota Land Trust.

The intent of the latter condition is to help the City evaluate the proposed conservation areas and to determine whether or not these areas may qualify for easements through the Minnesota Land Trust.

The City Council conditions are referenced in the Staff report on this item and can be found as part of Resolution No 2010-017 as attached. Where appropriate, Staff has incorporated the Council conditions into the original list of conditions drafted for previous meetings.

Prior to the May 10, 2010 Planning Commission meeting, Staff met with the applicant and her engineer, and received some feedback regarding the proposed conditions of approval. Some of the more significant issues discussed included the following:

- What is counted towards buildable land for determining the overall density for the site. The applicant's engineer indicated that the City's past practice has been to include road right-of-way in the calculation of buildable area.
- Whether or not the storm water facilities should be counted as open space within the development. The applicant has pointed out that other open space developments approved by the City have allowed storm water ponds to be located in open space areas.
- The applicant wanted to specifically note that the development is permitted to have access on to Highway 5, and will be given permission for a new access by MnDOT.
- There was a question concerning who is responsible for extending water to the site, this question was resolved and will not affect the condition of approval related to the water extension as drafted by Staff.

From a procedural standpoint, the Planning Department has sent notification to the applicant that the City has extended the 60 day review period to 120 days. The deadline for City action on this item is now July 22, 2010. If the Planning Commission takes action on the request on June 14th, the earliest the Council would receive this recommendation would be July 6, 2010 based on the regular meeting schedule (a review at a workshop meeting or special meeting is a possibility, but has yet to be discussed by the City Council).

RECOMMENDATION:

Staff is recommending approval of the request from Tammy Malmquist, 8549 Ironwood Trail North, for an Open Space Preservation (OP) Development Concept Plan, and Planned Unit Development (PUD) General Concept Plan related to a plan for a 40-unit senior living multi-family building, 10 townhouse units, and a farm-themed preschool on property located at 9434 Stillwater Boulevard North, provided the following conditions are met:

- 1) The applicant shall provide the City with either a statement of acknowledgement and consent from the holder of the power line easement that runs along the northern portion of the development site granting permission for the placement of a community septic system, septic control building, and trails within this easement. As an alternative, the applicant may provide an agreement that permits certain encroachments into the easement.
- 2) The application shall submit a storm water and erosion and sediment control plan as part of the preliminary plan submissions that complies with the City's recently adopted Storm Water and Erosion and Sediment Control Ordinance.
- 3) All storm water facilities required as part of the Storm Water Management Plan for the site that the City Engineer recommends be maintained by the City shall be platted as outlots and deeded to the City. The size and location of the outlots shall be sufficient to provide an adequate level of buffering from adjacent properties to the satisfaction of the City Engineer.
- 4) In order to meet requirements for fire protection and adequate water service levels for the proposed buildings, the utility plans shall provide for an adequately sized connection back to an existing City water main. The plans for this connection will be subject to review and approval by the City Engineer. The developer shall be responsible for all costs associated with providing a minimum water service size of eight inches to an existing main of a larger size. The final plans and financing, including any potential oversizing above eight inches requested by the City, shall be included as part of a developer's agreement for the project.
- 5) The developer shall provide a secondary vehicular access to the proposed development, to be devised and developed in conjunction with the City Planner and City Engineer, to include the possibility of a temporary vehicular access until such time as a future area secondary collector is designed and constructed. The developer shall be responsible for constructing this road with the

other site improvements necessary to serve the development unless an alternate plan for construction of road improvements is accepted by the City Engineer.

- 6) The developer shall be responsible for the installation of all improvements to Stillwater Boulevard North (State Highway 5) required by MnDOT and specified in a letter to the City of Lake Elmo dated April 19, 2010. These improvements shall be included as part of the construction plans submitted as part of a developer's agreement for the project.
- 7) The interior City Streets shall address the comments provided by the City of Oakdale Fire Chief, acting on behalf of the City's emergency services personnel, in a letter to the City dated April 14, 2010.
- 8) The preliminary plans shall incorporate appropriate Buffers, Setbacks and Building Heights, as determined by the Planning Commission and City staff, taking into consideration the necessity of a secondary vehicular access, the proposed massing of development structures, and the impact of such on adjoining properties, including, but not limited to, the following specific issues:
 - a. The preliminary plans shall accurately depict the proposed setback between the existing structures and the future entrance road into the development. Compliance with front and side yard setbacks as required under the Zoning Ordinance must be considered as a part of future plan reviews by the City.
 - b. Additional buffering shall be provided between the proposed multi-family building and adjacent wooded open space protection area.
 - c. A minimum buffer setback of 50 feet, which includes the proposed roadway system, shall be maintained between the development site and any adjacent property. The City may consider reductions to this setback consistent with the process to modify the OP District Requirements specified in the OP Open Space Preservation Ordinance.
- 9) Any buildings required as part of the community septic system shall either be moved to a more central location within the development or screened from view from adjacent properties.
- 10) The keeping of animals associated with the agricultural activities on the site shall comply with all applicable City and Minnesota Pollution Control Agency requirements for the keeping of domestic farm animals.
- 11) The open space preservation areas shall be reviewed for potential inclusion as part of a conservation easement protected by the Minnesota Land Trust.
- 12) The preliminary plans shall incorporate the calculation of proposed development density calculations NOT utilizing right-of-way area dedicated for State Highway 5.
- 13) The Planned Unit Development (PUD) and/or Development Agreement shall include specific definitions for Senior Housing and Farm School and incorporate provisions for any future changes regarding such uses to be reviewed and acted upon by the City Council as amendments to the PUD.
- 14) The Planned Unit Development (PUD) and/or Development Agreement shall include specific development phases and/or expectations for timely onset of development and construction activity, beginning no later than 1 (one) year following final City approval of said development, and provision for any future changes regarding such to be reviewed and acted upon by the City Council and to include any future requirement(s) for participation in program designed by the City to transfer density or development rights in accordance with the Comprehensive Plan, Zoning and related ordinances, and development programs in effect at that time.

ORDER OF BUSINESS:

- IntroductionKyle Klatt, Planning Director
- Report by staff.....Kyle Klatt, Planning Director
- Questions from the Commission.....Chair & Commission Members
- Applicant Comments..... Chair facilitates
- Questions of the Applicant.....Chair & Commission Members
- Open the Public Hearing..... Chair
- Close the Public Hearing Chair
- Call for a motion.....Chair Facilitates
- Discussion of Commission on the motion.....Chair Facilitates
- Action by the Planning CommissionChair & Commission Members

ATTACHMENTS:

1. Staff Report – RESUBMITTED (OP/PUD Concept Plan Review)
2. Council Resolution No. 2010-017 (Approving a Comprehensive Plan Amendment)
3. Ordinance No. 08-025 (Establishing an OP-2 Overlay District)
4. Staff Notes from 6/9/10 Public Information Meeting
5. Please Bring Materials Submitted at an Earlier Meeting (4/26/10):
 - o Staff Report
 - o Concept Plan Narrative & Zoning Text Amendment
 - o Farm School and Senior Living Concept Plans
 - o Development Application Form
 - o Response to Incompletion Letter
 - o Review Comments:
 - Minnesota Department of Transportation
 - Valley Branch Watershed District
 - Oakdale Fire Department (Public Safety)
 - City Engineer
 - o Future Land Use Map (Applicant's Site and RAD2 Areas)
 - o Aerial Image of Site

City of Lake Elmo Planning Department
OP Concept Plan and PUD Concept Plan

To: Planning Commission

From: Kyle Klatt, Planning Director

Meeting Date: 5/10/10 – **RESUBMITTED AND UPDATED FOR 6/14/10 MEETING**

Applicant: Tammy Malmquist

Owner: Tammy Malmquist; Marlene Friedrich

Location: 9434 Stillwater Blvd N

Zoning: RR – Rural Residential

Introductory Information

***Application
Summary:***

The Planning Commission has previously received a packet with information concerning an application from Tammy Malmquist, 8549 Ironwood Trail North, for a Comprehensive Plan Amendment, Zoning Text Amendment, Open Space Preservation (OP) Development Concept Plan, and Planned Unit Development (PUD) Concept Plan. The individual elements of this request have been made to allow the establishment of a 40-unit senior living multi-family building, 10 townhouse units, and a farm-themed preschool on a 30.9 acres parcel at 9434 Stillwater Boulevard North. The request would incorporate the existing family care facility that is located adjacent to this property at 9442 Stillwater Boulevard North. As the current owner of the 30.9-acre parcel, Marlene Friedrich has signed as a co-applicant to this request.

The Commission considered the first two components of this request on April 26th and May 10th, and is scheduled to continue a public hearing on the latter two items at its next meeting. The staged review is intended to allow the City to consider the bigger picture items first, and then advance with the detailed plan reviews as warranted. The Planning Commission did recommend approval of the Comprehensive Plan and Zoning Amendments, and the City Council has recently approved both of these specific components of the overall application.

As it currently stands, the Planning Commission is being asked to take action as follows at its June 14, 2010 meeting:

- Consider an Open Space Preservation (OP) Development Concept Plan as described below. A public hearing has been previously opened and continued for this item.
- Consider a Planned Unit Development (PUD) Concept Plan as described below. A public hearing has also been opened and continued for this item.

The plans that are required as part of an OP Development and PUD request were

submitted as part of a larger application package distributed to the Planning Commission at its April 26, 2010 meeting. The Commission is being asked to bring these materials to the next meeting as well to help reduce the amount of copying needed for the next meeting. Please contact Staff if you need an extra copy of this information prior to the meeting.

**Application
Details:**

The four distinct components of the applicants request (and a status update from Staff) are describes as follows:

Comprehensive Plan Amendment. The proposed amendment would change the future land use designation of the parcel located at 9434 Stillwater Boulevard North from RAD (Rural Agricultural Density – 0.45 dwelling units per acre) to RAD2 (Rural Agricultural Density – 2 dwelling units per acre). This change is necessary to move forward with the proposed development because the current designation as RAD would limit the overall number of units on the site to 14 units and the project that has been requested is for 51 units (1.7 units per acre), in addition to the existing single family residential site and proposed farm school. The applicant has proposed shifting density from an area guided for RAD2 west of the applicant’s property to this site in order to avoid any impacts to the overall population projections in the Comprehensive Plan.

STATUS: The Planning Commission recommended approval of the amendment on April 26th, and did not include a density transfer as part of this recommendation. The City Council approved the Comprehensive Plan Amendment at its June 1, 2010 with several conditions of approval. The specific action taken by the Council via Resolution No. 2010-017 is attached to this report and described more fully below.

Zoning Text Amendments. The applicant has requested an amendment to the OP Open Space Preservation Ordinance to add requirements for development in areas that are guided RAD2, and more specifically, to amend the OP District to allow for the proposed multi-family senior living facility and farm-based preschool. The current OP Ordinance does not contain any provisions that would allow residential development to exceed a density of 0.45 units per acre (or 18 units per 40 acres), and although one section ties the maximum allowed density to the Comprehensive Plan, another section very specifically limits densities in OP developments to 18 units per 40 gross acres of buildable land. The other proposed amendments to this section include the following:

- Adding Multi-Family Senior Housing buildings (only in areas guided for RAD2) and Farm Schools for preschool and school-aged children to the list of allowable uses in an OP development.
- Reducing the minimum land area for an OP development from 40 to 20 acres in areas guided RAD2.
- Reducing the amount of contiguous land required in open areas from 10 to 5 acres for land guided RAD2.

- Reducing the required buffer setback in areas guided RAD2 to 50 feet from 200 feet.
- Adding standards for Senior Housing Buildings in the OP minimum district requirements table.

STATUS: The Planning Commission recommended approval of a new overlay district using the standards proposed by the applicant and with some additional language developed by Staff at its May 10, 2010 meeting. The City Council considered the proposed OP-2 Overlay District at its June 1, 2010 and adopted Ordinance No. 08-025 creating a new OP-2 Overlay District and adding new definitions to the City Code. The adopted ordinance is attached for review by the Planning Commission.

OP – Open Space Preservation (OP) Development Concept Plan. The ultimate objective of the Comprehensive Plan and Zoning Text Amendments described above is to allow the development of a 40-unit senior housing building, 10-unit townhouse development, and farm-based preschool on a 30.9-acre property located at 9434 Stillwater Boulevard North. With the adoption of a new OP-2 Overlay District, the applicant is able to submit a request for the proposed development in accordance with the requirements of the OP-2 Open Space Preservation Overlay District. The first step in this process is the submission of a concept plan for review, and all plans and information required as part of this submission have been included as part of the overall application. A few of the details of this proposal include the following:

- The Wunder Years day care would remain in its current location, and would be updated along with the existing house at 9434 Stillwater Boulevard North to match the proposed townhouses.
- A community septic system is planned to serve the development.
- One access is planned off Stillwater Boulevard to serve the project area in the general location now used for access to the existing home and daycare.
- 50% of the project site area would be set aside as permanent open space in accordance with the OP district requirements.
- An open green area is planned within the center of the development area and a common architectural theme is planned throughout the development area consistent with the past agricultural use of the property.

STATUS: A public hearing (continued) and consideration by the Planning Commission on 6/14/10. The Staff report and recommendation is included as part of this report.

Planned Unit Development (PUD) – Concept Plan. In addition to the OP Development concept plan submission, the application also includes a request for a Planned Unit Development concept plan. A PUD is necessary to move forward with the applicant's request since the project includes a mix of uses and activities that would otherwise not be possible under current zoning regulations. The PUD

portion of the request will be considered by the City in conjunction with the review schedule for the OP Development concept plan. The staff review will group the concept plans together for the purpose of providing an analysis of the request in a future report.

STATUS: A public hearing (continued and consideration by the Planning Commission on 6/14/10. The Staff report and recommendation is included as part of this report.

**Property
Information:**

The applicant's property is located near the intersection of Jamaca Avenue North and Stillwater Boulevard North (Highway 5). The current uses consist of the original Friederich family farmstead and related outbuildings and the Wunder Years day care facility. Other than the agricultural fields, each of these uses would be considered a permitted residential and/or agricultural use of the property. The 30.9 acre farmstead is zoned RR – Rural Residential while the day care site is zoned R-1 Single Family Residential and is 29,670 square feet (0.68 acres) in size. Each property currently has its own access to Stillwater Boulevard via two driveways that are approximately 25 feet apart.

Other notable features of the farm property include a larger wooded area in the northeast portion of the site (referred to as the "Oak Savanna" on the concept plans) and gently rolling topography throughout the proposed project area. The 30.9-acre parcel extends westward to Jamaca Court North, and connects to this street via a narrow connection point between two existing homes. The surrounding property uses include single family homes zoned R-1 to the south and east along Stillwater Boulevard, and agricultural uses located to the north and east that are zoned A – Agriculture and RR – Rural Residential. The Washington County Landfill and Sunfish Lake Park is located further to the north and northwest for the latter.

**Applicable
Codes:**

Section 150.175 through 150.189 OP Open Space Preservation

Describes the process and requirements associated with an OP Open Space Preservation development. The applicant has requested an amendment to this section of the City Code in order to allow a multi-family senior living building and farm-based preschool as part of an OP development.

Section 154.020 Amendments

Outlines the process and requirements for requesting an amendment to the Zoning Ordinance. Of particular interest, please note Subsection (J) which reads: "Conformance with Comprehensive Plan. In granting or recommending any rezoning or other permit provided for in this chapter, the Zoning Administrator, the Planning Commission, or Council shall find that the proposed development conforms substantially to the policies, goals, and standards of the Comprehensive Plan."

Section 154.036 RR – Rural Residential

Outlines the general requirements for the RR Rural Residential Zoning District in Lake Elmo.

Section 154.070 through 154.075. Planned Unit Development

Describes the process and requirements for submitting an application for a Planned Unit Development.

Findings & General Site Overview

Site Data:	<p>Lot Sizes: 30.9 acres and 0.68 acres</p> <p>Existing Uses: Single Family Residences/Agricultural/Agricultural Outbuildings</p> <p>Existing Zoning: RR – Rural Residential and R-1 Single Family Residential</p> <p>Future Land Use: RAD – Rural Agricultural Density and Neighborhood Conservation</p> <p>Property Identification Numbers (PID): 15-029-21-31-0001 and 15-029-21-31-0003</p>
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OP and PUD Concept Plan Review:

Concept Plan Analysis:	<p>Rather than proving the Planning Commission with a lengthy review of both the OP Development Concept Plan requirements and PUD Concept Plan requirements, Staff is instead focusing its review on the major issues that need to be addressed prior to the City’s review of preliminary plans for the site. The City’s recently adopted OP-2 Ordinance contains specific development standards the proposed project will need to meet, while the PUD Ordinance includes special requirements and standards that are more general in nature. Given the limited amount of detail required at the concept plan stage, it will be more appropriate to review all required standards with once a preliminary plan is submitted.</p> <p>One of the significant issues that Staff has identified with the project concerns the overall densities being proposed, and specifically, how these densities are calculated. The applicant is reporting that the gross area of the development parcel is 30.9 acre; however, this figure includes over 6 acres that is subject to a MnDOT right-of-way that extends well outside of the immediate project area. Under the current OP Ordinance standards, the maximum density permitted is based on the amount of gross acres of <u>buildable land</u> with a project area. If this requirement was applied to the applicant’s site, Staff would not consider the highway right-of-way to be buildable land, and the applicant site would be calculated at 24.4 acres (or 6.5 acres less than reported in the project description).</p> <p>Please note that the City Code defines buildable land area as follows: “The gross land area less the unbuildable land area that includes hydric and restrictive soils, land with slopes over 25%, wetlands, and areas that cannot accommodate septic systems”. The OP-2 Ordinance revisions as adopted include this language for “buildable land”. If only buildable areas are counted, the applicant would be allowed 49 total units instead of 51 (not counting the existing R-1 property).</p> <p>As part of its review and approval of the Comprehensive Plan Amendment for the property, the City Council specifically noted that the approval was contingent upon</p>
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calculation of proposed density calculations NOT utilizing right-of-way area dedicated for State Highway 5. Based on this determination, the applicant can still propose the density shown on the concept plans if reviewed as part of a planned unit development (PUD). A PUD allows density increases above the base zoning requirements of up to 5% for projects that meet certain criteria. In this case, the bonus would allow an additional 2 units to bring the number back up to the requested amount. If the density bonus is requested in this manner, than the City has the right to seek certain enhancements to the PUD plans before granting the request.

Other issues associated with the concept plans that have been identified by Staff include the following:

Easements. The community septic system (including drain field and septic tanks), septic control building, and a portion of the trail system are all located within a power line easement. The applicant will need to provide the City with a statement of acknowledgement and consent (or an agreement to allow the proposed improvements) from the easement holder prior to the City's consideration of a preliminary plan with these facilities shown in their current location.

Storm Water and Erosion and Sediment Control. The application will need to submit a storm water and erosion and sediment control plan as part of the preliminary plan submissions that complies with the City's recently adopted storm water ordinance. Additionally, the City Engineer has identified several issues that need to be resolved prior to the preparation or these plans, noted as follows:

- Whether or not any proposed storm water ponds should be included as part of the open space calculations, or if these areas should be excluded from these calculations. Staff is recommending that the storm water ponds not be included as part of the required open space since these facilities function as infrastructure needed to support the roads, buildings, and other development that is proposed. The City has historically allowed storm water ponds in open space/conservation easement areas within OP developments.
- Who should be responsible for maintenance of the storm water facilities. In the past the City has required that a homeowner's association be responsible for the storm water ponds within their development. This practice is not consistent with the City's updated Surface Water Management Plan, which calls for greater City oversight of surface water management infrastructure.
- At a minimum, the City's surface water management regulations require that drainage and utility easements be provided to the City for all ponding areas below the 100-year flood elevation. As an alternative to this arrangement, and assuming that the City will be responsible for these areas, Staff is recommending that all storm water ponds be platted as outlots within the development and deeded over to the City as a

requirement of plan approval. This arrangement would provide the City with the most flexibility for dealing with these areas in the future and help avoid any future conflicts over the City's ability to management its storm water areas.

- If the City chooses to keep the storm water ponds as a private responsibility for this development, at a minimum a storm water maintenance agreement between the City and the developer should be executed as part of the development plans. This agreement would specify the standards for future maintenance and upkeep of the storm water pond areas with the development.
- The City Engineer has recommended, regardless of eventual ownership and responsibility, that the storm water features incorporate a minimal buffer area between homes, roads, and other development on the site.

Since the applicant's project is quite different from other open space developments that have been considered by the City in the past, and because the Staff recommendations concerning the plans are being made under a new storm water plan and ordinance, Staff is suggesting that the Planning Commission consider the following options in making its recommendation to the City Council:

- 1) Require all storm water ponds to be platted as outlots and deeded to the City as a condition of approval. These outlots should incorporate buffering from adjacent properties to the satisfaction of the City Engineer. By definition, the City would assume future maintenance responsibilities for the storm water ponds under this option. The separation of the pond outlots from open space area would also remove ponds from the required open space calculations.
- 2) Require drainage and utility easement to be dedicated on the plat for all storm water ponds. The City would then have the option either a) require private maintenance of the ponds through a maintenance agreement or b) assume responsibility for the ponds as a public feature dedicated by easement. Under this scenario, the ponds could either be counted or not counted as open space.

Fire Protection/Water Service. The utility plans as submitted depict an eight inch service line providing water to the site, but this service line connects to existing four inch lines to the west and south of the applicant's property. The minimum pipe size necessary for the developer to provide adequate water service levels to the proposed development is eight inches, which means the current plan does not address the sizing deficiencies that exist outside of the project area. In order to meet the requirements for service levels, the developer will need to provide an eight inch connection back to the existing water mains in the area, one of which is located long Jamaca Avenue and the other of which is located south of Stillwater Boulevard. In order to address this deficiency, the utility plan must be revised to show an adequately sized connection back to

the City's existing mains to the satisfaction of the City Engineer. It is Staff's recommendation that the developer be responsible for all costs associated with this project, and that all final details, including any potential oversizing by the City beyond minimum service levels needed for the site, be addressed as part of the developer's agreement for the project.

Transportation/Access. Staff has identified long-term concerns with the proposed access and lack of connectivity from the proposed development site to other properties eligible for future development in the area. Of particular concern is the lack of a planned secondary access for the site that could provide an alternate access to the buildings on the site. The proposed access to Highway 5 also does not meet the City's access spacing guidelines, and without addressing the need for connectivity to other adjacent developable parcels, the development plans are at odds with the City's recently completed transportation plan that encourages controlling access to major roadways in the future. Regardless of these issues, the applicant will still be permitted to access Highway 5 based on the comments submitted by MnDOT, since there are no access restrictions along this portion of Highway 5.

In order to address the City's concerns regarding future access connections, Staff is recommending that the development plans be revised to show at least one additional connection outside of the project area, to be built with the proposed project. Since there are a few difference ways to accomplish this connectivity, Staff is suggesting that the developer consider the following options:

- Provide right-of-way and build a road connection either to the north (preferred) or to the east of the proposed development that could be used in the future to provide connectivity to the adjacent parcel. If this access is gained to the north, it could eventually lead to a secondary access off of Jamaca Avenue North.
- Provide a dedicated access to the north or east, but leave the eventual construction of this road to a later date in the future.
- Provide right-of-way and build a road connection back to Jamaca Court North from the proposed building site.
- Provide a limited access, emergency vehicle-only connection to Jamaca Court North that could be eliminated when other properties in the area are developed.
- Prepare a plan that uses a combination of the recommendations above and that accomplishes the objectives of a) providing a secondary access in the short term and b) provides for future connectivity and secondary access in the future.

Due to the size of the proposed development (and in particular, the number of residential units that will be accessing the highway), it is Staff's recommendation that the City require a secondary access be planned and

constructed as part of the project. The preferred option is to have a connection made to one of the adjacent properties, which will help ensure that as adjacent properties are developed in the future there will be more than one way in and out of each project area. Another reason for taking this approach is to help minimize the number of new connections that might be required in the future to the major road corridors in the City. As other properties develop in the future, it may even be possible to eliminate the proposed access to Highway 5 for one that meets the City and State's access spacing guidelines.

Other transportation issues that will need to be addressed include constructing the improvements required by MnDOT to the Highway 5 at the entrance to the development, and addressing the concerns expressed by the Oakdale Fire Chief concerning the interior road network.

Buffering/Setbacks. With an application for an OP Development and PUD Concept Plan, the City does not require a significant level of detail to be provided on the site, and certainly not to the degree that will be needed on future plan submissions. There are a few issues that should be considered as these latter plans are developed:

- The entrance road into the development does not appear to leave enough room between the existing structures to meet required setbacks in either the OP District or R-1 District. Staff estimates that there is slightly over 120 feet between the closest two buildings, which would theoretically leave adequate room for a 60-foot right-of-way and street. The applicant's concept plans showing a divided roadway entrance may not leave enough room for required setbacks.
- Staff is recommending that additional buffering be provided between the "oak savanna" open space and the multi-family structure. This area has been identified as the prime open space with the project area and steps should be taken to provide as much protection as possible for the oak trees and other natural features in this part of the site.
- The proposed OP-2 Ordinance Revisions still include a minimum buffer setback of 50 feet that is not being met by the proposed plans. In particular, the access road and driveways associated with the townhouses are come within 10 feet of the adjacent single family residential lots.

Landscaping. The landscape plan that is submitted with the preliminary development plans will need to comply with the OP Ordinance provisions, and the concept plan does not appear to meet these requirements. The OP Ordinance requires 1 tree every 30 feet along a public boulevard, and 10 trees per building site. This issue should be addressed when the more detailed preliminary plans are submitted to the City for review.

General Issues. Staff would like to note that as part of future reviews, the applicant will need to provide more detailed architectural plans for the buildings on this site, and that these plans are a crucial component of the

Planned Unit Development concept. Also, the keeping of animals is associated with the farming activity/preschool will need to comply with any State and City requirements concerning domestic farm animals. Finally, staff recommends that any buildings required as part of the community septic system be either moved to a more central location within the development or screened from view from adjacent properties.

The concept plan is the first step in the process of moving forward with an Open Space Development and Planned Unit Development. The next stages will be a preliminary plan (and preliminary plat) followed by a final plan (and plat). With the additional detailed required at these stages, Staff will be able to conduct a much more throughout review for compliance with the City's development standards. Conditions of approval to address the issues notes above have been drafted for consideration along with the Staff recommendation found below.

**City Council
Action:**

As mentioned above, the City Council adopted the proposed Comprehensive Plan and Zoning Amendments related to this project at its June 1, 2010 meeting. Please note that the Council Resolution approving the Comprehensive Plan amendment included several conditions of approval that must be met in order for the amendment to become effective. These conditions can be summarized as follows:

- Requires final approval of all related zoning amendments and plan submissions (including preliminary and final Open Space and PUD plans) in order for the Comprehensive Plan amendment remain valid.
- Requires certain revisions or actions related to the development plans for the project.
- Directs the Planning Commission to take specific action related to the request or address broader issues associated with the Comprehensive Plan.

Staff has either incorporated Council conditions that would impact the preparation of preliminary plans for the project as part of the original staff recommendation on the concept plans, or has directly added these conditions to the list previously prepared by Staff.

The Council further adopted Ordinance No. 08-025 adding a new OP-2 Overlay District to the City's Zoning Ordinance. This Ordinance has been revised somewhat from the original recommendation made by the Planning Commission, most notably to add definitions consistent with State Statutes concerning preschools, day care centers, and educational institutions. The Council also reduced the maximum height requested for multi-family senior buildings and other minor modifications requested by the applicant with the understanding that flexibility from these standards could be considered as part of the PUD request.

**Public
Information
Meeting:**

One of the conditions that the Council included with the Comprehensive Plan approval directed Staff to prepare a *Proposed Development Fact Sheet* and conduct a public information meeting concerning the project proposal. A fact sheet has been prepared and was distributed to a wide area surrounding the subject property. In addition, the Planning Department conducted a public information meeting on June 9, 2010 to

provide information and discusses the project at an informal review session. 24 people attended this meeting, and the attached notes summarize the comments that were received. The majority of comments received focused on transportation issues and secondary access options, and no one in attendance supported a permanent road connection to Jamaca Court North.

Conclusion: Based on the report and analysis provided above, Staff is recommending that the Planning Commission recommend **approval** of the requests for a OP Development Concept Plan and a Planned Unit Development General Concept Plan, with several conditions of approval.

Additional Information: Comments have been received for all four aspects of the applicant's request from MnDOT, Valley Branch Watershed District, the City of Oakdale Fire Department, and the City Engineer are attached for consideration by the Planning Commission, and were submitted as part of the previous Planning Commission meeting packet.

Recommendation:

Staff is recommending that the Planning Commission recommend **approval** of the request from Tammy Malmquist, 8549 Ironwood Trail North, for an Open Space Preservation (OP) Development Concept Plan, and Planned Unit Development (PUD) General Concept Plan related to a plan for a 40-unit senior living multi-family building, 10 townhouse units, and a farm-themed preschool on property located at 9434 Stillwater Boulevard North, provided the following conditions are met:

- 1) The applicant shall provide the City with either a statement of acknowledgement and consent from the holder of the power line easement that runs along the northern portion of the development site granting permission for the placement of a community septic system, septic control building, and trails within this easement. As an alternative, the applicant may provide an agreement that permits certain encroachments into the easement.
- 2) The application shall submit a storm water and erosion and sediment control plan as part of the preliminary plan submissions that complies with the City's recently adopted Storm Water and Erosion and Sediment Control Ordinance.
- 3) All storm water facilities required as part of the Storm Water Management Plan for the site that the City Engineer recommends be maintained by the City shall be platted as outlots and deeded to the City. The size and location of the outlots shall be sufficient to provide an adequate level of buffering from adjacent properties to the satisfaction of the City Engineer.
- 4) In order to meet requirements for fire protection and adequate water service levels for the proposed buildings, the utility plans shall provide for an adequately sized connection back to an existing City water main. The plans for this connection will be subject to review and approval by the City

Engineer. The developer shall be responsible for all costs associated with providing a minimum water service size of eight inches to an existing main of a larger size. The final plans and financing, including any potential oversizing above eight inches requested by the City, shall be included as part of a developer's agreement for the project.

- 5) The developer shall provide a secondary vehicular access to the proposed development, to be devised and developed in conjunction with the City Planner and City Engineer, to include the possibility of a temporary vehicular access until such time as a future area secondary collector is designed and constructed. The developer shall be responsible for constructing this road with the other site improvements necessary to serve the development unless an alternate plan for construction of road improvements is accepted by the City Engineer.
- 6) The developer shall be responsible for the installation of all improvements to Stillwater Boulevard North (State Highway 5) required by MnDOT and specified in a letter to the City of Lake Elmo dated April 19, 2010. These improvements shall be included as part of the construction plans submitted as part of a developer's agreement for the project.
- 7) The interior City Streets shall address the comments provided by the City of Oakdale Fire Chief, acting on behalf of the City's emergency services personnel, in a letter to the City dated April 14, 2010.
- 8) The preliminary plans shall incorporate appropriate Buffers, Setbacks and Building Heights, as determined by the Planning Commission and City staff, taking into consideration the necessity of a secondary vehicular access, the proposed massing of development structures, and the impact of such on adjoining properties, including, but not limited to, the following specific issues:
 - a. The preliminary plans shall accurately depict the proposed setback between the existing structures and the future entrance road into the development. Compliance with front and side yard setbacks as required under the Zoning Ordinance must be considered as a part of future plan reviews by the City.
 - b. Additional buffering shall be provided between the proposed multi-family building and adjacent wooded open space protection area.
 - c. A minimum buffer setback of 50 feet, which includes the proposed roadway system, shall be maintained between the development site and any adjacent property. The City may consider reductions to this setback consistent with the process to modify the OP District Requirements specified in the OP Open Space Preservation Ordinance.
- 9) Any buildings required as part of the community septic system shall either be moved to a more central location within the development or screened from view from adjacent properties.

- 10) The keeping of animals associated with the agricultural activities on the site shall comply with all applicable City and Minnesota Pollution Control Agency requirements for the keeping of domestic farm animals.
- 11) The open space preservation areas shall be reviewed for potential inclusion as part of a conservation easement protected by the Minnesota Land Trust.
- 12) The preliminary plans shall incorporate the calculation of proposed development density calculations NOT utilizing right-of-way area dedicated for State Highway 5.
- 13) The Planned Unit Development (PUD) and/or Development Agreement shall include specific definitions for Senior Housing and Farm School and incorporate provisions for any future changes regarding such uses to be reviewed and acted upon by the City Council as amendments to the PUD.
- 14) The Planned Unit Development (PUD) and/or Development Agreement shall include specific development phases and/or expectations for timely onset of development and construction activity, beginning no later than 1 (one) year following final City approval of said development, and provision for any future changes regarding such to be reviewed and acted upon by the City Council and to include any future requirement(s) for participation in program designed by the City to transfer density or development rights in accordance with the Comprehensive Plan, Zoning and related ordinances, and development programs in effect at that time.

**Commission
Options:**

The Planning Commission should consider the following options:

- A) Recommend denial of the Concept Plan Submissions with findings of fact that show the plans are not consistent with the Comprehensive Plan (either existing or as proposed by the applicant), or that the Concept Plans do not meet the requirements of the OP Open Space Preservation or PUD Ordinance.
- B) Table taking action on the Concept Plans in order to request additional information from either staff or the applicants.
- C) Recommend approval of the Concept Plans with revised/new/fewer conditions than recommended by Staff. Staff has also provided some alternatives regarding some of these conditions that should also be considered by the Planning Commission.

cc: Tammy Malmquist, 8549 Ironwood Trail
Tim Freeman, Folz, Freeman, Erickson, Inc.; 12445 55th Street N

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2010-017

*RESOLUTION APPROVING AN AMENDMENT TO THE CITY OF LAKE ELMO
COMPREHENSIVE PLAN*

WHEREAS, the City of Lake Elmo has established a Comprehensive Plan that provides a compilation of background data, policy statements, standards, and maps, which help to guide the future physical, social, and economic development of the City; and

WHEREAS, Tammy Malmquist, 8549 Ironwood Trail North, (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) to amend the Lake Elmo Comprehensive Plan, a copy of which is on file in the City Planning Department; and

WHEREAS, the request to amend the Comprehensive Plan was submitted along with multiple zoning requests necessary for the Applicant to move forward with a proposed multi-family senior living facility and farm-based preschool project; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on April 26, 2010 to consider the request to amend the Comprehensive Plan; and

WHEREAS, on April 26, 2010 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the request to amend the Comprehensive Plan; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan at meetings held on May 4th, May 18th, and May 25th, 2010.

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the Applicant has submitted a request to amend the Comprehensive Plan in accordance with the procedures as established by the Lake Elmo Planning Department and Lake Elmo Planning Commission.
- 2) That the request is to amend the Future Land Use Map (Map 1 in Chapter III – Land Use Plan) in the Lake Elmo Comprehensive Plan, and to specifically change the future land use designation of the parcel located at 9434 Stillwater Boulevard North from RAD (Rural Agricultural Density – 0.45 dwelling units per acre) to RAD2 (Rural Agricultural Density – 2 dwelling units per acre).
- 3) That the Comprehensive Plan Amendment will apply to property legally described in the attached Exhibit “A”.

- 4) That the current use of the site as a working farm is unique compared to other properties designated for RAD development in the Comprehensive Plan.
- 5) That the proposed project associated with the Comprehensive Plan Amendment will help fulfill a need for senior housing within the community.
- 6) That recent subdivisions in areas guided for RAD development have been approved at a density below the unit levels anticipated in the Comprehensive Plan. The proposed density increase will be offset by reductions that have previously been approved or acknowledged by the City.
- 7) That the site is located in close proximity to public transportation along State Highway 5, and specifically, a bus route that could provide alternate transportation options for seniors.
- 8) That the site is located immediately adjacent to existing R-1 Single Family Residential zoning districts along its southern, eastern, and western boundaries. Other areas guided for RAD development are primarily surrounded by rural residential, agricultural, or public open space uses.

NOW, THEREFORE, BE IT RESOLVED, that based on the foregoing, the Lake Elmo City Council hereby approves the Applicant's request to amend the Lake Elmo Comprehensive Plan, subject to and contingent upon the following general criteria:

- 1) Submission of the Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that its review has been completed and approved. Acknowledgement of these comments and final adoption of the Comprehensive Plan Amendment will require formal action by the City Council.
- 2) City Council approval of Zoning Ordinance Text or Map Amendments necessary for the Applicant's project to be satisfactorily considered by the City.
- 3) City Council approval of a satisfactory Final Open Space Preservation (OP) Development Plan associated with the Applicant's request to amend the Comprehensive Plan.
- 4) City Council approval of a satisfactory Planned Unit Development (PUD) Final Plan and associated documentation associated with the Applicant's request to amend the Comprehensive Plan and execution of same by the Applicant.
- 5) City Council approval of site development and details.
- 6) Approval by the City of corresponding architectural and design standards, stormwater management and ponding design and facilities and other requested development approvals.
- 7) Approval by the City of necessary development related documents including, PUD Agreement, development agreements, use covenants and other materials in a form satisfactory to the City.
- 8) Compliance with all conditions of approval established hereunder or under subsequent review of this or related requests.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that in addition to the foregoing, the Lake Elmo City Council hereby approves the Applicant's request to amend the Lake Elmo Comprehensive Plan, subject to and contingent upon the following specific criteria:

- 1) Preparation by the City of Lake Elmo of a *Proposed Development Fact Sheet*, to be distributed to the residents and property owners of the area surrounding the proposed development, invitation to the same to an information meeting on the proposed development, and solicitation to the same of comments regarding the proposed development, with results provided to the City Council prior to final adoption of the Open Space Preservation Development and Planned Unit Development (PUD) plans;
- 2) Provision by the Applicant of a secondary vehicular access to the proposed development, to be devised and developed in conjunction with the City Planner and City Engineer, to include the possibility of a temporary vehicular access until such time as a future area secondary collector is designed and constructed;
- 3) Provision of appropriate Buffers, Setbacks and maximum height elevation, as determined by the Planning Commission and City staff, taking into consideration the necessity of a secondary vehicular access, the proposed massing of development structures, and the impact of such on adjoining properties;
- 4) Calculation of proposed development density calculations NOT utilizing right-of-way area dedicated for State Highway 5;
- 5) Inclusion within the Planned Unit Development (PUD) and/or Development Agreement of specific definitions for Senior Housing and Farm School and provision for any future changes regarding such uses to be reviewed and acted upon by the City Council as amendments to the PUD; and
- 6) Inclusion within the Planned Unit Development (PUD) and/or Development Agreement of specific development phases and/or expectations for timely onset of development and construction activity, beginning no later than 1 (one) year following final City approval of said development, and provision for any future changes regarding such to be reviewed and acted upon by the City Council and to include any future requirement(s) for participation in program designed by the City to transfer density or development rights in accordance with the Comprehensive Plan, Zoning and Related Ordinances, and development programs in effect at that time.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that, in approving this Amendment to the Comprehensive Plan, the Lake Elmo City Council hereby commits to undertaking the following necessary planning activities:

- 1) Directs to Planning Commission to complete its review and analysis and forward its recommendations regarding the Open Space Preservation Development and Planned Unit Development (PUD) plans relating to this proposed development as expeditiously as possible;
- 2) Directs City staff to schedule and facilitate timely consideration by the Lake Elmo City Council of planning efforts for timely development of the Old Village area and I-94/10th Street Corridor area; and

- 3) Directs City staff to develop for timely consideration by the Lake Elmo City Council of mechanisms for facilitating transfer of density or development rights among various properties and classifications, in accordance with the goals and objectives of the Comprehensive Plan, Old Village Area Plan, and related land use and zoning objectives.

Passed and duly adopted this 1st day of June 2010 by the City Council of the City of Lake Elmo, Minnesota.

ATTEST:

Dean A. Johnston, Mayor

Bruce Messelt, City Administrator

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 08-025

**AN ORDINANCE ADDING AN OP-2 OPEN SPACE PRESERVATION
OVERLAY DISTRICT TO THE CITY CODE**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title I: General Provisions; Chapter 11: General Code Provisions, by amending section 11.01 Definitions to eliminate existing definitions as follows:

~~**NURSERY, DAY.** A use where care is provided for 3 or more children under kindergarten age for periods of 4 hours or more per day for pay.~~

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title I: General Provisions; Chapter 11: General Code Provisions, by amending section 11.01 Definitions to add the following definitions in alphabetical order with the already existing definitions:

ELDERLY HOUSING (SENIOR HOUSING). A facility consisting of three or more dwelling units, the occupancy of which is limited to persons 55 years of age or older. The facility may include medical facilities or care as an accessory use. Senior housing shall typically consist of multiple-household attached dwellings, but may include other forms of attached or detached dwelling units as part of a wholly owned and managed senior project.

SENIOR HOUSING. *See Elderly Housing.*

PRESCHOOL. A licensed facility for the organized instruction of children who have not reached the age for enrollment in kindergarten. Does not include school-aged child care.

FARM SCHOOL. A facility that supports a school program that emphasizes fostering a child's intellectual, social, physical, and emotional growth, using farm animals, agriculture, and nature as the learning environment and conducted as part of an operational farm.

DAY CARE CENTER – Any facility licensed by the Minnesota Department of Human Services and operated for the purpose of providing care, protection, and guidance to 14 or more individuals during only part of a twenty-four hour day. This term includes nursery schools, preschools, day care centers for individuals, and other similar uses but excludes public and private educational facilities or any facility offering care to individuals for a full twenty-four hour period.

SCHOOLS, PUBLIC AND PRIVATE – Establishments at the primary, elementary, middle, junior high, or high school level that provide state mandated basic education. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before or after school day care. Examples include public and private daytime schools, boarding schools, and military academies. Exemptions: 1) Preschools are classified as Day Care Facilities, and 2) Business Schools and Professional Private Trade Schools.

SECTION 3. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, by adding the following language:

§ 154.067 OP-2 – OPEN SPACE PRESERVATION OVERLAY DISTRICT.

(A) **Purpose.** The purpose of the Open Space Preservation Overlay District (OP-2) is to maintain the rural character of Lake Elmo by preserving agricultural land, woodlands, corridors, and other significant natural features while allowing residential development consistent with the goals and objectives of the city's Comprehensive Plan. This type of development will allow an alternative to large lot, single-family housing and will reduce the cost of constructing and maintaining public facilities and infrastructure. The OP-2 Overlay District allows for higher density development than is permitted under the OP District regulations at a density of up to 2 units per acre. In addition to single-family residences and townhouses, multi-family housing for seniors is permitted in this district.

(B) **General regulation.** All regulations governing the OP Open Space Preservation District, Sections 150.175 through 150.189, shall also apply to properties zoned OP-2 Open Space Preservation Overlay District except as outlined in this section.

(C) **Permitted uses.** Permitted uses and the general requirements of such in the OP-2 Overlay District shall be the same as in the OP District and also include the following:

- (1) Senior Housing
- (2) Farm Schools for pre-school children and school-aged children.
- (3) Townhouses (no more than 50% in any development)

(D) **Development Standards.** The development standards for the OP District shall also apply to properties zoned OP-2 Overlay District unless modified by 4/5 affirmative votes of the City Council and with the following exceptions:

(1) All development within an OP-2 district shall only be permitted as a Planned Unit Development. All requests for flexibility from the standards of this Section shall be considered and documented as part of a request for a Planned Unit Development.

(2) The minimum land area for an OP-2 conditional use permit is a nominal contiguous 20 acres.

(3) Not less than 60% of the preserved open space shall be in contiguous parcels of not less than 5 acres.

(4) *Buffer zones.* A 100 foot setback shall be provided between the property line of the abutting parcel and any structure and a 50 foot setback shall be provided between the property line and any driving surface within an OP-2 development.

(5) *Densities.* The maximum dwelling unit density shall be 2 units per gross acres of buildable land.

(7) *Domestic Farm Animals.* The keeping of domestic farm animals related to an agricultural use or farm-based preschool within a development shall comply with all applicable City and MPCA requirements related to livestock and other domestic farm animals.

(7) *Minimum District Requirement.* The minimum district requirements in the OP-2 Overlay District shall be the same as in the OP Zoning District except as noted below:

OP-2 Overlay District		
	Senior Housing Buildings	Farm-based Preschool
Maximum Building Height:		
Primary Structure	2 stories or 35 feet	35 feet
Accessory Structure	25 feet	25 feet
Minimum Lot Width: ½ acre lot; 1 acre lot	NA	NA
Maximum Impervious Surface Coverage: Calculated on a development-wide basis	25%	25%
Minimum Setback Requirements:		
Front Yard	20 feet	30 feet
Side Yard	10 feet	10 feet
Corner Lot Front	20 feet	30 feet
Corner Lot Side Yard	20 feet	30 feet
Well From Septic Tank	50 feet	50 feet

<i>OP-2 Overlay District</i>		
	<i>Senior Housing Buildings</i>	<i>Farm-based Preschool</i>
Minimum Lot Size:		
Individual Well and Septic System	NA	NA
Individual Well and Communal Drainfield	6,000 square feet per unit	NA

SECTION 4. Effective Date

This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 5. Adoption Date

This Ordinance No. 08-025 was adopted on this 1st day of June 2010, by a vote of ___ Ayes and ___ Nays.

Mayor Dean Johnston

ATTEST:

Bruce Messelt
City Administrator

This Ordinance No 08-025 was published on the ____ day of _____, 2010.

**Open House held at Lake Elmo City Hall
Malmquist Application – Senior Housing and Farm School at 9434 Stillwater
Blvd. N**

June 9, 2010

In Attendance: 24 attendees, Tammy Malmquist (applicant), Kyle Klatt (Planning Director), Kelli Matzek (City Planner)

Comments/Questions:

- Timeframe for construction to begin?
- Secondary access – required or optional?
 - Everyone from neighborhood would like no connection to Jamaca Ct
- Possible connection to the East?
- What is the project going to cost? To the taxpayers?
- Where is the 4-inch water pipe coming from? Ideal Avenue well?
- How far back does the pipe need to be replaced? On which road?
- If Jamaca Ct is another access
 - What road upgrades will be needed? Widening? Not adequate currently
 - Emergency vehicles would have to go past the property, through roundabout and around to use this second access – long way around and doesn't make sense
- It will increase the speed of vehicles on Jamaca Ct N
- Clarify potential East and North access roads for secondary access
- Could the development be sold to another developer?
- Could it turn into rental units?
- Description of trails? Width? Type?
- Timing of roundabout? How many lanes?
- Should consider a left hand turn lane as it is unsafe for seniors to take a left hand turn off of Jamaca Avenue onto Hwy 5
- Was stop light or stop sign considered for Hwy 5 at the location of the development's driveway entrance?
- Any plans to reduce speed on Highway 5?
 - Applicant stated that MnDOT told her signs would be posted identifying 20 mph 1,500 feet on both sides of the roundabout
- Could a metered stop light be considered so it would be tripped by someone leaving the development and would otherwise stay green for Hwy 5 users?
- What were MnDOT recommendations?
- 31st Street's access to Hwy 5 should be addressed and thought through with the escape lane to be added with this application
- It would make more sense to have another access to the North so when that property would develop another access point could be made
- How would the general public be deterred from using an emergency access only road connecting to Jamaca Ct N?
- Where would people park to use the public trails in the development?
- How does it work to have a public trail through private land?

- Are trails going to change from what is shown in the concept plan?
- How can a buffer setback for a barn be reduced to zero? It shouldn't be zero.
- Concern there is no limit on height for barns.
- This property does not have enough acreage as required for a farm
 - Not a farm, but a farm-themed school
- Could they build another barn on the site without a height requirement?
- What animals can they have?
 - It is only 20 acres
- A buffer is needed from the barn to the edge of the development – concern about smells and noise
- Buffer could be reduced to zero and that shouldn't be an option
- Developer has done a nice job trying to address issues
- Signed petition from Jamaca Court residents stating their opposition to an access being added to Jamaca Court

AGENDA ITEM: Distribution of Final Version of 2030 Comprehensive Plan Update

SUBMITTED BY: Kelli Matzek, City Planner

REVIEWED BY: Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review and recommend final adoption of the revised 2030 Comprehensive Plan based on the Metropolitan Council's acceptance of this document at its March 24, 2010 meeting. The action by the Met Council grants Lake Elmo authorization to put the 2030 Update into effect.

Minnesota law requires each local governmental unit to formally adopt the comprehensive plan after the Metropolitan Council's final action. In cases where Metropolitan Council has recommended changes, the local government should incorporate them into the plan or respond to the Council before the governing body finally adopts the comprehensive plan. In Lake Elmo's situation, the Met Council did make several recommendations concerning changes, in addition to the suggestions the City previously received from adjoining communities (primarily Washington County). The requested changes were not significant and all have been incorporated in one form or another into the final document by Staff.

RECENT COMPREHENSIVE PLAN HISTORY:

- In December 2008, the Metropolitan Council granted the City of Lake Elmo's request for an extension until May 29, 2009, to update its Comprehensive Plan and submit the document for review.
- The City submitted the updated chapters to the Metropolitan Council (Parks and Open Space Plan, Transportation Plan, Water Supply Plan, Surface Water Management Plan, Protection of Special Areas Plan) for review on May 29, 2009.
- The City of Lake Elmo provided copies of the Comprehensive Plan update to adjoining communities in May of 2009.
- The City received a response letter from the Metropolitan Council on June 19, 2009 that noted four elements of the plan deemed incomplete: Government Unit Review, Community and Individual Sewage Treatment Systems (ISTS), Housing, and Implementation.
- The City Council authorized staff to submit information to the Met Council in response to the notice of incompleteness regarding the 2030 Comprehensive Plan Update on November 17, 2009.
- The City received notification from the Met Council on January 13, 2010 that the Comprehensive Plan Update was deemed complete for review.
- The Met Council completed its review of the Comprehensive Plan Update at its March 24, 2010 meeting and authorized the City of Lake Elmo to put the Plan into effect.

ADDITIONAL INFORMATION:

The Local Surface Water Management Plan has not been accepted by the Valley Branch Watershed District. In order to gain their approval, some modifications may be necessary and is therefore not ready in a final form.

RECOMMENDATION:

The Planning Commission is being asked to accept the revised 2030 Comprehensive Plan and recommend forwarding the document to the City Council to take final action to put the plan into effect.

Suggested Motion: "Move to recommend acceptance of the 2030 Comprehensive Plan Update in final form"

ATTACHMENTS:

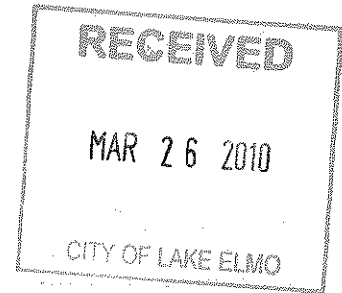
- 1. Lake Elmo's 2030 Comprehensive Plan (CD-ROM; Hard copies available on request.)
- 2. Met Council Notification of Review Completion
 - o Met Council Staff Report regarding Lake Elmo Comp Plan Update

ORDER OF BUSINESS:

- IntroductionKelli Matzek, City Planner
- Report by staff.....Kelli Matzek, City Planner
- Questions from the Commission.....Chair & Commission Members
- Call for a motion.....Chair Facilitates
- Discussion of Commission on the motion.....Chair Facilitates
- Action by the Planning CommissionChair & Commission Members

March 25, 2010

Kyle Klatt, Planning Director
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042



RE: Lake Elmo Comprehensive Plan Update – Post Council Action
Metropolitan Council Review File No. 20599-1
Metropolitan Council District 12, Sherry Broecker

Dear Mr. Klatt:

The Metropolitan Council completed its review of the City of Lake Elmo Comprehensive Plan Update (Update) at its March 24, 2010, meeting. The Council based its review on the staff report and analysis (Business Item 2010-89, attached).

The Council found that the Update meets the Metropolitan Land Planning Act requirements; except for parks, conforms to the regional systems plans; except for housing, is consistent with the *2030 Regional Development Framework*; and is compatible with the plans of adjacent and affected jurisdictions. Therefore the City may place the Update into effect.

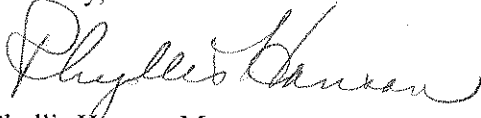
The Council adopted the Advisory Comments and Review Record in the staff report and adopted in the following actions:

1. Authorize the City of Lake Elmo to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
 - a. Revise the Land Use element of the Update upon the City's selection of a development scenario for the Village Area and to submit a comprehensive plan amendment to the Metropolitan Council for review of the land use revision.
 - b. Revise the Update, when the Land Use element of the Update is revised and submitted to the Metropolitan Council for review, to guide the inholdings in Lake Elmo Park Reserve as parks and open space, or a comparable land use designation, on the City's 2030 Land Use Plan map.
 - c. Implement the advisory comments in the Review Record for Transportation, Aviation, Surface Water Management, Housing, and Community and Individual Sewage Treatment Systems.
3. Approve the City of Lake Elmo's Tier II Comprehensive Sewer Plan, contingent upon execution of a Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council consistent with the Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee.

Please consult the attached staff report for important information about the next steps that the City should take. Of particular importance are the Council's actions found on the first page, general Advisory Comments found on Page 2, and specific comments for technical areas found in the body of the report. The final copy of the Update needs to include all supplemental information and changes that were made during the review process, as well as respond to the Council's final actions.

If you have any questions, please do not hesitate to contact Lisa Barajas, Sector Representative, at 651-602-1895. Council staff sincerely appreciate the spirit of cooperation and collaboration exhibited by the City's staff throughout the planning process. Congratulations on successfully completing the plan update process.

Sincerely,



Phyllis Hanson, Manager
Local Planning Assistance

Attachment

CC: Crystal Carlson, MHFA
Tod Sherman, Development Reviews Coordinator, MnDOT Metro Division
Sherry Broecker, Metropolitan Council District 12
Lisa Barajas, Principal Reviewer / Sector Representative
Cheryl Olsen, Reviews Coordinator.

J Community Development Committee Environment Committee

For the Metropolitan Council meeting of March 24, 2010

ADVISORY INFORMATION

Subject: Lake Elmo 2030 Comprehensive Plan Update
Review File No. 20599-1
Tier II Comprehensive Sewer Plan

Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee:

1. Authorize the City of Lake Elmo to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
 - a. Revise the Land Use element of the Update upon the City's selection of a development scenario for the Village Area and to submit a comprehensive plan amendment to the Metropolitan Council for review of the land use revision.
 - b. Revise the Update, when the Land Use element of the Update is revised and submitted to the Metropolitan Council for review, to guide the inholdings in Lake Elmo Park Reserve as parks and open space, or a comparable land use designation, on the City's 2030 Land Use Plan map.
 - c. Implement the advisory comments in the Review Record for Transportation, Aviation, Surface Water Management, Housing, and Community and Individual Sewage Treatment Systems.

Recommendation of the Environment Committee:

Approve the City of Lake Elmo's Tier II Comprehensive Sewer Plan, contingent upon execution of a Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council consistent with the Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee.

Summary of Committee Discussion / Questions:

Community Development Committee

Senior Planner LisaBeth Barajas presented the staff's report and proposed actions to the Community Development Committee. Barajas introduced City representatives Mayor Dean Johnston, City Administrator Bruce Messelt, City Planner Kyle Klatt, and City Engineer Jack Griffin.

Chair Steffen asked for clarification on Environment Committee action, which would be reviewed at the full Metropolitan Council meeting on the same day as the action on the comprehensive plan update. Steffen indicated the need to have the Environment Committee action occur prior to the Council's action on the City's Update.

Chair Steffen asked whether the City is considering amending their development plans to develop in the I-94 corridor rather than the Village Area first, especially given current economic conditions. Barajas clarified that the City has not made changes to the land use or staging at this time, but indicated that the City has been having those discussions internally.

Chair Steffen asked for confirmation on the time frame for the City to put into plan their comprehensive plan and make the changes indicated in the proposed actions. Barajas indicated that State statute requires a plan to be put into effect within 9 months of the Council's final action on the plan, including the required changes. Barajas explained, however, that the proposed actions indicate that the City should make some of those changes when their land use element is updated upon selection of a development scenario for the Village Area, which is expected to occur this year.

Chair Steffen asked whether a time element should be included in the proposed actions. Legal counsel Dave Theisen indicates that the Council may include a time element if they choose, but that it is in statute. Chair Steffen stressed the importance of this issue due to past court action on the comprehensive plan.

Committee member Sanda asked City representatives to speak on these matters. Chair Steffen asked for clarification on whether development of Old Village will happen first or if they intend on changing their land plan to start by I-94 instead. Mayor Johnston indicated that they may not change their land plan because their first 5-year increment was in the Village Area through 2010, with their second along the I-94 corridor starting in 2010. They will be playing catch-up in the current time increment and start in the corridor, but will also pursue development in the Village Area.

Steffen asked about the parks conformance issue. The Mayor indicated that it's a housekeeping issue that will be addressed. The Mayor also discussed affordable the housing needs issue. The Mayor discussed a stipulation in the MOU that allows the City to direct the types of housing to occur within the community, including housing for lifecycle housing, but the words "low income housing" are not well received in his community. It is the City's plan to include lifecycle housing in the Village plan and that they expect to further define that later this year. Steffen discusses the federal definition of affordable housing, which requires a healthy salary to afford the housing, and is not necessarily low-income.

Committee member Bowles asked about the City's planning grant. Barajas confirmed that the City did receive a planning grant and that the second half of that grant is payable upon the City's final adoption of the plan and submittal of a City resolution adopting the plan and a report detailing how the grant dollars were spent.

Committee member Pistilli asked about changes in the land use designations and whether total acreages are consistent with what they were previously. It appears that there are more land use categories than there were previously. Barajas clarified that the City has not made changes to the land use plan, but that there are differences in the number of categories between the existing and future land use categories due to the addition of land use categories for future growth in the Village Area and the I-94 corridor. Those categories were included in the City's 2006 plan and have not changed since the Council's previous review.

Committee member Pistilli asked whether there is an agreement that details that the City develop at a certain rate by a certain time. Chair Steffen confirmed and further explained that that is the case with the MOU and the legal agreement between the Council and the City. Development will be pushed out, but the end date and the final requirements for growth are not changing.

Committee member Pistilli asked whether the Council has held other communities to the 5-year milestones. Chair Steffen explained that due to the past litigation with the City, these items were negotiated with the City, including the 5-year milestones. Pistilli asks if this is similar to LCA grant extensions that were granted due to economic downturn. Steffen confirms that due to the economic downturn, they are similar, but that the City has other development options to pursue.

Messelt added that they are also faced with the 3M contamination issue in the I-94 corridor where they do not currently have sewer infrastructure, while the Village Area has water, but no sewer. As such, they intend on developing those areas concurrently. It is the City's intent to honor the terms of the MOU.

Committee member Broecker and Committee member Wulff thank City staff hard work and good faith efforts.

Motion to approve the proposed actions was made and seconded. The Committee unanimously passed the motion.

Environment Committee

Council member Leppik commented that the advisory comments indicate that the City's parks plan does not conform to the regional systems plan, and that its affordable housing section is not consistent with Council policy. Lisa Barajas, Sector Representative, explained that these items can be corrected. She highlighted the conformance issue with parks, which is a mapping recognition in their land use section. She explained that the City did not revise its land use section because it already planned through 2030, but the City had updated its parks element, which recognizes the full extent of the Lake Elmo Park Reserve. The 2030 Land Use Map needs to guide inholding parcels as parks and open space.

Motion to approve the City of Lake Elmo's Tier II Comprehensive Sewer Plan, contingent upon execution of a Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council consistent with the Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee was made, seconded, and passed unanimously.

C Community Development Committee
Meeting date: March 15, 2010

E Environment Committee
Meeting date: March 9, 2010

ADVISORY INFORMATION

Subject:	Lake Elmo 2030 Comprehensive Plan Update Review File No. 20599-1 Tier II Comprehensive Sewer Plan
District(s), Member(s):	District 12, Council Member Sherry Broecker
Policy/Legal Reference:	Minnesota Statutes Section 473.175
Staff Prepared/Presented:	LisaBeth Barajas, Principal Reviewer, 651-602-1895 Phyllis Hanson, Local Planning Assistance Manager, 651-602-1566 Kyle Colvin, Engineering Services Asst. Manager, 651-602-1151
Division/Department:	Community Development / Planning & Growth Management Environmental Services / Engineering Services

Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee:

1. Authorize the City of Lake Elmo to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
 - a. Revise the Land Use element of the Update upon the City's selection of a development scenario for the Village Area and to submit a comprehensive plan amendment to the Metropolitan Council for review of the land use revision.
 - b. Revise the Update, when the Land Use element of the Update is revised and submitted to the Metropolitan Council for review, to guide the inholdings in Lake Elmo Park Reserve as parks and open space, or a comparable land use designation, on the City's 2030 Land Use Plan map.
 - c. Implement the advisory comments in the Review Record for Transportation, Aviation, Surface Water Management, Housing, and Community and Individual Sewage Treatment Systems.

Recommendation of the Environment Committee:

Approve the City of Lake Elmo's Tier II Comprehensive Sewer Plan, contingent upon execution of a Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council consistent with the Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee.

ADVISORY COMMENTS

City of Lake Elmo 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20599-1 – Council Business Item No. 2010-89

The following Advisory Comments are part of the Council action authorizing the City to implement its 2030 Comprehensive Plan Update ("Update") and approving the City's Tier II Comprehensive Sewer Plan:

Community Development Committee

1. The Council-adopted *Local Planning Handbook* states that the City must take the following steps:
 - a. Adopt the Update in final form after considering the Council's review recommendations; and
 - b. Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.
 - c. Submit to the Council a copy of the City Council resolution evidencing final approval of the Update.
2. The *Council's Handbook* also states that local governments must formally adopt their comprehensive plans within nine months after the Council's final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the plan or respond to the Council before "final approval" of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. Local governmental units must adopt official controls as described in their adopted comprehensive plans and must submit copies of the official controls to the Council within 30 days after official controls are adopted. (Minn. Stat. § 473.865, subd. 1)
4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans or which permit activities in conflict with the Council's metropolitan system plans (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within nine months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

Environment Committee

1. The Council-approved Tier II Comprehensive Sewer Plan becomes effective only after the Update also receives final approval from the City's governing body. After the Update receives final approval from the City and the Tier II Sewer Plan becomes effective, the City may implement its Update to alter, expand, or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan.
2. A copy of the City Council resolution adopting its Update, including the Tier II Sewer Plan, must be submitted to the Council.

Background

The City of Lake Elmo is located in central Washington County. The City is bounded by the City of Grant to the north, the City of Stillwater and the City of Oak Park Heights to the northeast, Baytown Township and West Lakeland Township to the east, the City of Afton to the southeast, the City of Woodbury to the south, and the City of Oakdale to the west. The *2030 Regional Development Framework* (RDF) identifies the City as both Developing and Rural Residential planning areas (see Figure 2).

Applicable Planning History

In September 2002, the Metropolitan Council completed its review of the City's 1998 Comprehensive Plan and found that the City's plan was not consistent with the Council's Regional Growth Strategy and that the plan may substantially depart from and may have a substantial impact on metropolitan system plans. Consequently, the Council required the City to make modifications to its plan. After the City exhausted the administrative law judge and appellate court processes, the Minnesota Supreme Court in August 2004 affirmed prior legal decisions finding that the Metropolitan Council has the statutory authority to require the City to modify its plan.

Subsequently, the City and the Council entered into a Memorandum of Understanding (MOU) in January 2005. The MOU established a framework for the City comprehensive plan revision that focused on planning future urban development that would conform with metropolitan system plans. In June 2005, the City requested an extension of time for submitting its modified 1998 comprehensive plan. Metropolitan Council Resolution 2005-20 granted the requested extension and included numerous requirements and conditions further defining the terms for an acceptable 1998 comprehensive plan.

In September 2005, the Council issued the System Statement for Lake Elmo for the 2008 decennial comprehensive plan update. The City incorporated much of the updated information in their 1998 plan, including wastewater, forecasts through 2030, and land use. In April 2006, the Council reviewed and accepted the City's 1998 comprehensive plan (Business Item 2006-88, Review File No. 18608-1), finding that the plan satisfied the requirements of Council Resolution 2005-20 and the January 2005 MOU.

The MOU and Resolution 2005-20 detail forecasted growth for the City through 2030. The Council's System Statement for the City was revised pursuant to the Council's final action on the City's 1998 comprehensive plan, which included planning through 2030. The revisions included amending the City's geographic planning area to reflect designation of the City's rural area as Rural Residential rather than Diversified Rural; expected splits in flow between the two regional wastewater treatment plants serving the City, but still equaling the totals shown in the MOU and the City's approved 1998 comprehensive plan; and ensuring that forecasts are consistent with those shown in the MOU and the City's 1998 plan.

Because the City's Wastewater and Land Use Chapters plan through the year 2030 and were reviewed against the MOU, Resolution 2005-20, and the regional systems plans in the Council's 2006 review, these items have not been updated for the 2008 decennial review. The City submitted its Comprehensive Plan Update (Update) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. State. 473.175) and the Council's 2005 System Statement requirements.

Rationale

1. Does the proposed Update conform to Regional Systems Plans?
2. Is the Update consistent with Metropolitan Council policies?

3. Is the Update compatible with the plans of adjacent governmental units and plans of affected special districts and school districts?

Conformance with Regional Systems Plans

- | | |
|---|-----|
| 1. Regional Parks | No |
| 2. Transportation, including Aviation | Yes |
| 3. Water Resources Management
(Wastewater Services and Surface Water Management) | Yes |

Consistent with Council Policy Requirements

- | | |
|--|-----|
| 1. Forecasts | Yes |
| 2. Housing | No |
| 3. <i>2030 Regional Development Framework</i> and Land Use | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes |
| 5. Water Supply | Yes |

Compatible with the Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts

- | | |
|-----------------------------|-----|
| Compatible with other plans | Yes |
|-----------------------------|-----|

Funding

The City has received the first half of a \$20,000 planning grant from the Council to facilitate the completion of the Update. The second half will be payable upon successful completion of the Update planning process.

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

Review of the City of Lake Elmo 2030 Comprehensive Plan Update

STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive plans (plans) and plan amendments to the Council for review and comment (Minn. Stat. § 473.864, Subd. 2). The Council reviews plans to determine:

- *Conformance with metropolitan system plans,*
- *Consistency with other adopted Plans of the Council, and*
- *Compatibility with the Plans of other local jurisdictions in the Metropolitan Area.*

The Council may require a local governmental unit to modify any plan or part thereof if, upon the adoption of findings and a resolution, the Council concludes that the Update is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans (Minn. Stat. § 473.175, Subd. 1).

Each local government unit shall adopt a policy plan for the collection, treatment and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary. Each such plan shall be submitted to the Council for review and shall be subject to the approval of the Council as to those features affecting the Council's responsibilities as determined by the Council. Any such features disapproved by the Council shall be modified in accordance with the Council's recommendations (Minn. Stat. § 473.513).

CONFORMANCE WITH REGIONAL SYSTEMS

Regional Parks

Reviewer: Jan Youngquist, CD – Regional Parks System Planning, (651-602-1029)

The Update does not conform to the *2030 Regional Parks Policy Plan (RPPP)*.

The regional parks system facilities in the City include Lake Elmo Park Reserve and the proposed Washington County Central Greenway Regional Trail, which will connect Big Marine Park Reserve, Lake Elmo Park Reserve, and Cottage Grove Ravine Regional Park. The Comprehensive Parks and Recreation Plan of the Update acknowledges these regional parks system elements.

In order to conform to the RPPP, when the City updates its land use element, the future land use guiding for inholding parcels at Lake Elmo Park Reserve must be guided as park and open space, or a comparable land use designation on the 2030 Land Use Map. Inholdings are parcels that are within the boundaries of the park reserve that have not yet been acquired by Washington County, and are shown in red on the attached Figure 6.

Transportation

Roads and Transit

Reviewer: Ann Braden, MTS – Systems Planning, (651-602-1705)

The Update conforms to the *2030 Transportation Policy Plan (TPP)*, adopted in 2004, and addresses all the applicable transportation and transit requirements of a comprehensive plan.

The City is served by elements of two metropolitan highways: I-94 along the City's southern border with the City of Woodbury, and TH 36 along its northern border with the City of Grant. Lake Elmo is within the Metropolitan Transit Taxing District. The western portion of the City is within Transit Market Area III, and the eastern portion is in Market

Area IV. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing. Service options for Market Area IV include dial-a-ride, volunteer driver programs, and ridesharing.

Advisory Comments

Prior to final adoption by the City, the transit element of the Update should incorporate the following revisions:

1. The Transportation Plan references the Laverne Avenue and 34th Street/Stillwater Boulevard (TH 5) Park and Ride. This Park and Ride was closed due to low usage and should be removed from the description and from the Figure 11 map.
2. The Guardian Angels Park and Ride was expanded from 150 spaces to 425 spaces, and usage stands around 300 cars.
3. In the description of existing transit facilities, the summary should also include the Christ Episcopal Church Park and Ride next to Woodbury Lutheran Church Park and Ride. This facility has space for 90 cars and a daily usage of 25 cars.
4. The TH 36 Transit Corridor summary should remove the reference to a proposed park and ride at TH 36 and I-694. Although this site had been included in previous plans, it has been deleted in the current Park and Ride Plan.
5. The I-94 Transit Corridor summary describes the location of the planned park and ride on the south side of I-94 in Woodbury between Keats and Manning Avenue. The location of the new park and ride is proposed to be at I-94 and Manning Avenue.

Aviation

Reviewer: Chauncey Case, MTS – Systems Planning (651-602-1724)

The Update conforms to the TPP and is consistent with Council aviation policy.

Advisory Comments

The City is advised that the Council has approved the MAC 2025 Long-term Comprehensive Plan (LTCP) preferred alternative for the Lake Elmo Airport. Once the joint airport zoning board airport zoning ordinance is approved by MnDOT, the City will need to revise the Update to reference that ordinance.

Water Resources Management

Wastewater Service

Reviewer: Kyle Colvin, ES – Engineering Services, (651-602-1151)

The Update conforms to the *2030 Water Resources Management Policy Plan (WRMPP)*. The Update summarizes the City's vision for the next 20 years or to year 2030. It includes growth forecasts that are consistent with the Council's forecasts for population, households, and employment.

The City is currently being provided with wastewater services via Metropolitan Council Environmental Services (MCES) interceptor 1-WO-500 with treatment provided at the Metropolitan Wastewater Treatment Plan in St. Paul. This service point provides service to those areas of the City served through the southwest corner of the community.

Central and southern Lake Elmo will be provided service through interceptor 806300 which is located near Lake Elmo Avenue North and I-94, and extends into Woodbury. Wastewater from this portion of the City will be conveyed to and treated at the Eagles Point Wastewater Treatment Plan in Cottage Grove. The Metropolitan Disposal System will have adequate capacity for the long-term growth needs of the City as identified in the Update. The Update projects that the City will have 5,200 sewer households and 13,000 sewer employees by 2030.

The Update provides sanitary flow projections in 5-year increments. The rationale for the projections is given in the Update and determined appropriate for planning for local services.

The City is not currently identified as a community impacted by wet weather occurrences. The Update, however, does include a description of an I/I reduction plan which includes televised inspection and cleaning of the sanitary sewer system. Homes and businesses will be checked for sump pump discharge into the sanitary sewer system prior to being issued a Certificate of Occupancy. Should excessive inflow and infiltration be a concern in the future, the City will adopt additional policies to remedy the situation.

Memorandum of Understanding & Resolution

In 2005, the Council and the City entered into a Memorandum of Understanding (MOU), which outlined the City's commitment to construct, connect, and put into service a local wastewater collection system to support forecasted growth through 2030. Later in 2005, the Council passed a resolution (Resolution 2005-20) that established for the City Residential Equivalent Connections (RECs) milestones in 5-year increments through 2030.

The Resolution granted the City a time extension for completion of its comprehensive plan (1998 decennial review), and added a provision for the Council to assess Wastewater Inefficiency Fees (WIFs) to the City for not meeting the pre-established RECs milestones. The Resolution also contained a provision that allowed the City to petition the Council for relief of WIF assessment due to a "protracted downturn in the economy or a long term recession." The City has made this petition to the Council.

Under separate concurrent action, the Council will act on a Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee, and requiring the City to enter into a binding Memorandum of Understanding consistent with the Resolution.

Tier II Comments

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for developing (Developing, Rural Residential) communities. It was found to be complete and consistent with Council policies. Upon adoption of the Update by the City, the action of the Council to approve the Tier II Plan becomes effective. At that time, the City may implement its Update to alter, expand, or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting its Update needs to be submitted to the Metropolitan Council for its records.

Surface Water Management

Reviewer: Judy Sventek, ES – Water Resources Assessment, 651-602-1156

The Update conforms to the WRMPP for local surface water management. The City lies within the South Washington, Browns Creek, and Valley Branch watersheds. The Board of Water and Soil Resources (BWSR) approved the South Washington and Browns Creek District's latest watershed management plans in 2007. BWSR approved Valley Branch Watershed District's watershed management plan in 2005.

The City prepared a local surface water management plan (LSWMP) in March 2009 that was reviewed under separate cover. Council staff found the LSWMP to be consistent with Council policy and with the Council's WRMPP.

Advisory Comments

The City needs to send to the Council the dates that the watershed district approved the LSWMP, the date that the City adopts the final plan, and a copy of the final LSWMP.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

Reviewer: Todd Graham, CD - Research, (651-602-1322)

The forecast-related content in the Update is consistent with the Council's forecasts and with regional policies. The Update uses the forecasts from the Systems Statement issued (revised) by the Council on January 3, 2007, and are presented in Table 1 below.

Table 1. Lake Elmo System Statement Forecasts

	2000	2010	2020	2030
Population - Unsewered	6,863	8,536	9,673	9,700
Population - Metro Sewered	0	1,416	8,730	14,300
Population - TOTAL	6,863	9,952	18,403	24,000
Households - Unsewered	2,347	3,104	3,324	3,527
Households - Metro Sewered	0	515	3,000	5,200
Households - TOTAL	2,347	3,619	6,324	8,727
Employment - Unsewered	1,682	1,250	1,250	1,000
Employment - Metro Sewered	0	1,000	5,950	13,000
Employment - TOTAL	1,682	2,250	7,200	14,000

2030 Regional Development Framework and Land Use

Reviewer: Lisa Barajas, CD - Local Planning Assistance, (651-602-1895)

The Update is consistent with the *2030 Regional Development Framework* and consistent with Council policy for land use. As reviewed in 2006 (Business Item 2006-88, Review File No. 18608-1), the City's land use plan corresponds to the Council requirements detailed in Resolution 2005-20, the MOU, and the *2030 Regional Development Framework*.

The City is continuing to plan to accommodate growth on sanitary sewer services in the Village Area and the Area South of 10th Street North, which is located in the southern part of the City in the I-94 corridor. Both areas include a mix of residential, commercial, and public uses. Residential densities are proposed to be at least 3.5 units per acre in the Area South of 10th Street North and up to 14.5 units per acre in the Village Area. Interim densities prior to the provisions of regional wastewater services will be held at one unit per 20 acres.

Advisory Comments

The City has completed the Village Area Alternative Urban Areawide Review (AUAR), which assesses development scenarios for the Village area upon extension of sanitary sewer services. Council staff reviewed the Village Area AUAR and concluded that the AUAR was complete and accurate with respect to regional concerns (Phyllis Hanson letter, April 8, 2009).

As indicated in that and other correspondence, the City is advised that, upon selection of a development scenario for the Village Area, the Land Use section of the Update will need to be revised, and the City will need to submit a comprehensive plan amendment for that revision to the Metropolitan Council for review.

Housing

Reviewer: Linda Milashius, CD – Livable Communities, (651-602-1541)

Because the Council has agreed that this Comprehensive Plan Update need not include a revised Land Use element until and at such time of the adoption of a redevelopment scenario for the City's Village Area, and because the City does not at present have Metropolitan Disposal System service, the Update does not need to include acknowledgement of the City's share of the region's affordable housing need between 2010 and 2020.

Advisory Comments

The City is advised that when the Land Use element of the Update is revised and submitted to the Metropolitan Council for review, given current sewer household growth forecasts for the City between 2010 and 2020, the Update will need to include the City's share of the affordable housing needs, which is 661 new units. At that time, the Update implementation section will also need to be revised to identify the programs, fiscal devices and official controls, including the guiding of land at medium and high densities for sewer development, to accommodate this need through 2020.

Community and Individual Sewage Treatment Systems (ISTS)

Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)

The Update is consistent with the 2030 Water Resources Management Policy Plan (WRMPP) for ISTS. The Update indicates that there are 2,071 ISTS, 12 community wetland treatment systems, and seven "201" community septic treatment systems operating in the City. The City's "Individual and Community Wastewater Treatment System" Code Chapter 51 is consistent with MPACA Rules and with Council policy requirements.

Advisory Comments

As noted in the Implementation Chapter of the Update, the City will need to revise its ISTS Ordinance by February 2011 to incorporate recent MPCA 7080-7081 Rule revisions (consistent with Minn. Stat. 115.55).

Water Supply

Reviewer: Sara Smith, ES – Water Supply Planning, (651-602-1035)

The Update is consistent with the WRMPP for water supply planning. The Council encourages the City to continue to implement water conservation programs in an effort to promote the efficient use of water.

Resource Protection

Historic Preservation

Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)

The Update addresses historic preservation in the community as required by the MLPA. The Update describes existing historic resources and indicates that the City will work with the Oakdale Lake Elmo Historical Society and the Washington County Historical Society to further protect and preserve historic resources in the community.

Solar Access Protection

Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)

The Update appropriately addresses the protection of access to solar energy as required by the MLPA in the Resource Protection section of the plan. The Update indicates the goal of updating their ordinances and regulations to allow the integration of solar equipment, winder energy, and other similar technologies into development in the community.

Aggregate Resources Protection

Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)

The Update addresses aggregate resources protection as required by the Metropolitan Land Planning Act. Consistent with *Minnesota Geological Survey Information Circular 46* (Circular), the Update acknowledges that there are aggregate resource deposits present in the community. Two primary deposit areas identified in the Circular inventory are the sites of two existing mining operations in the City. The remainder of the identified resource areas have either already been mined or have been urbanized.

PLAN IMPLEMENTATION

Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)

The Update includes a description of and schedule for any necessary changes to:

- Capital Improvement Program Yes
- Zoning Code Yes
- Subdivision Code Yes
- ISTS Code Yes
- Housing Implementation Program Yes

The Update contains an Implementation Program, which describes the official controls and fiscal devices that the City will employ to implement the Update, with a schedule for implementation priorities and a description of special studies undertaken by the City. Detailed implementation strategies are contained in individual chapters of the Update and are reiterated in the Implementation Section.

COMPATIBILITY WITH PLANS OF ADJACENT GOVERNMENTAL UNITS AND PLANS OF AFFECTED SPECIAL DISTRICTS AND SCHOOL DISTRICTS

The City submitted its Update to the adjacent communities, Washington County, affected school districts, affected watershed districts, and other special districts for comment on May 29, 2009. There do not appear to be any conflicts with the plans of adjacent and affected jurisdictions.

DOCUMENTS SUBMITTED FOR REVIEW

- City of Lake Elmo Comprehensive Plan Update (May 29, 2009)
- Supplemental information for community and individual treatment systems, housing and implementation (December 21, 2009)
- Jurisdictional review comments received and capital improvement program (January 19, 2010)

ATTACHMENTS

- Figure 1: Location Map with Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Existing and Future Land Use Tables
- Figure 4: Existing Land Use
- Figure 5: 2030 Future Land Use
- Figure 6: Inholdings at Lake Elmo Park Reserve

Figure 1. Location Map with Regional Systems
 City of Lake Elmo

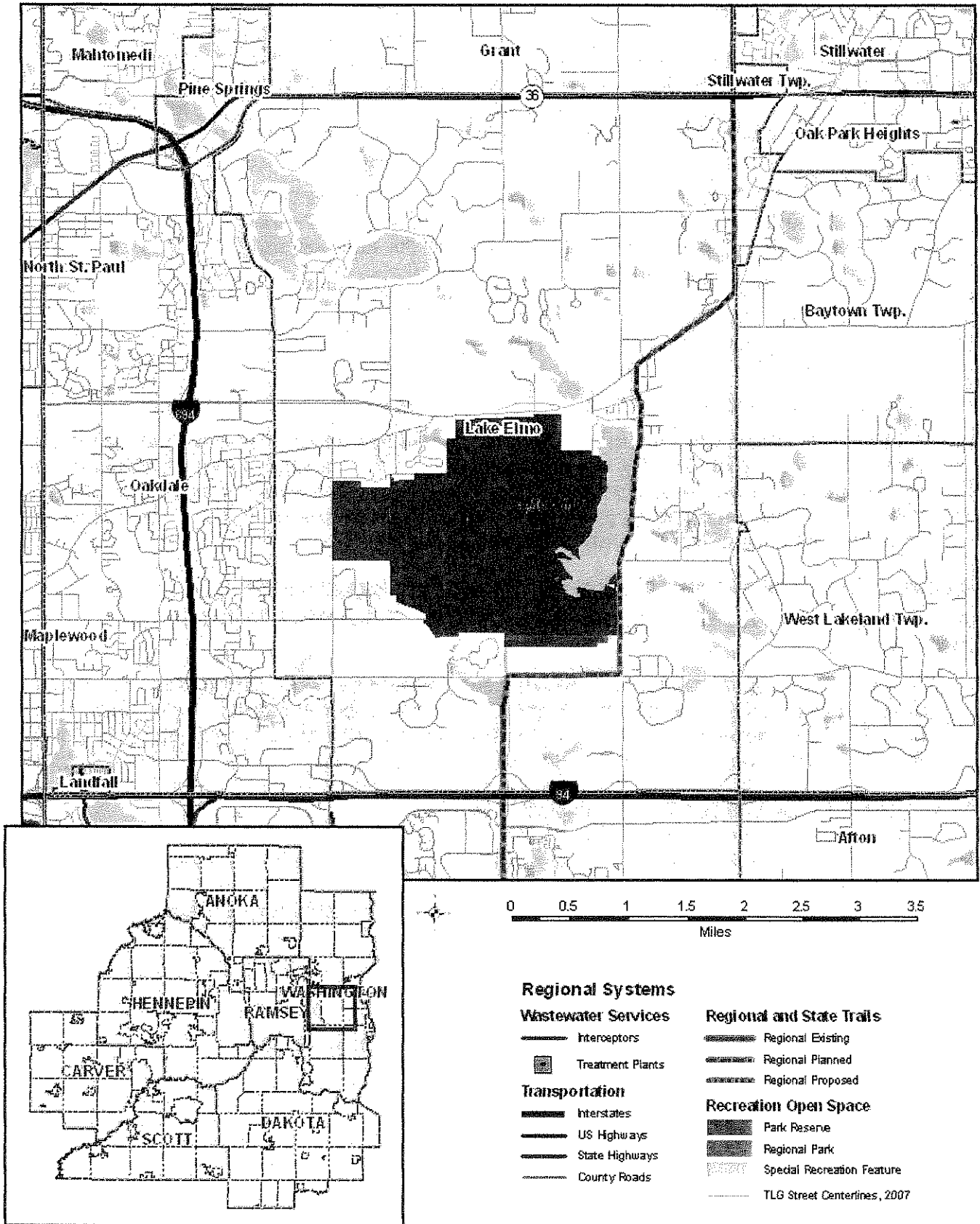
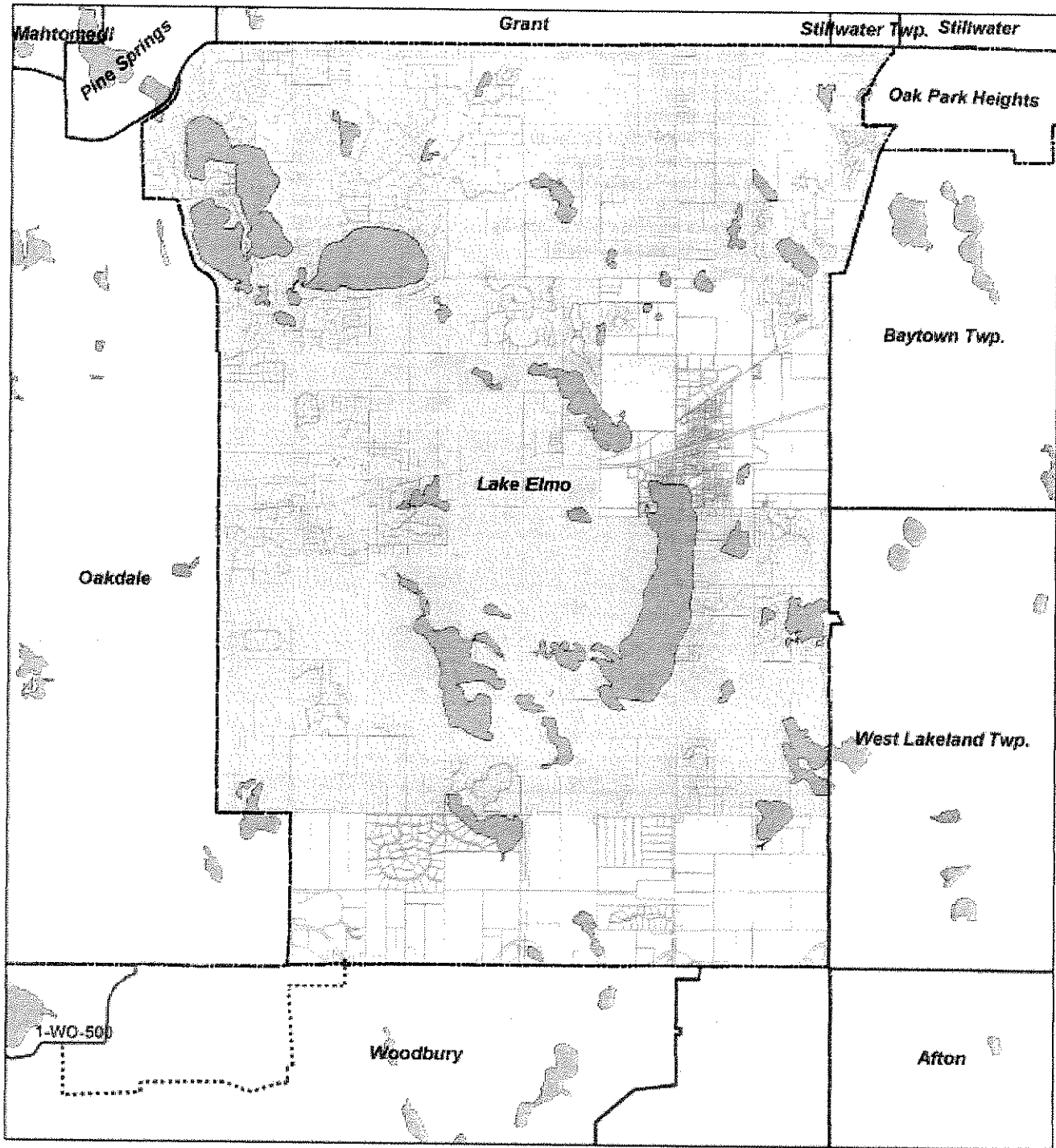


Figure 2. 2030 Regional Development Framework and Planning Areas
 City of Lake Elmo



- | | | |
|---|--------------------|-----------------------|
| — | MCES Interceptor | Framework 2030 |
| ⋯ | Proposed Forcemain | Developing Area |
| — | Proposed Gravity | Rural Residential |

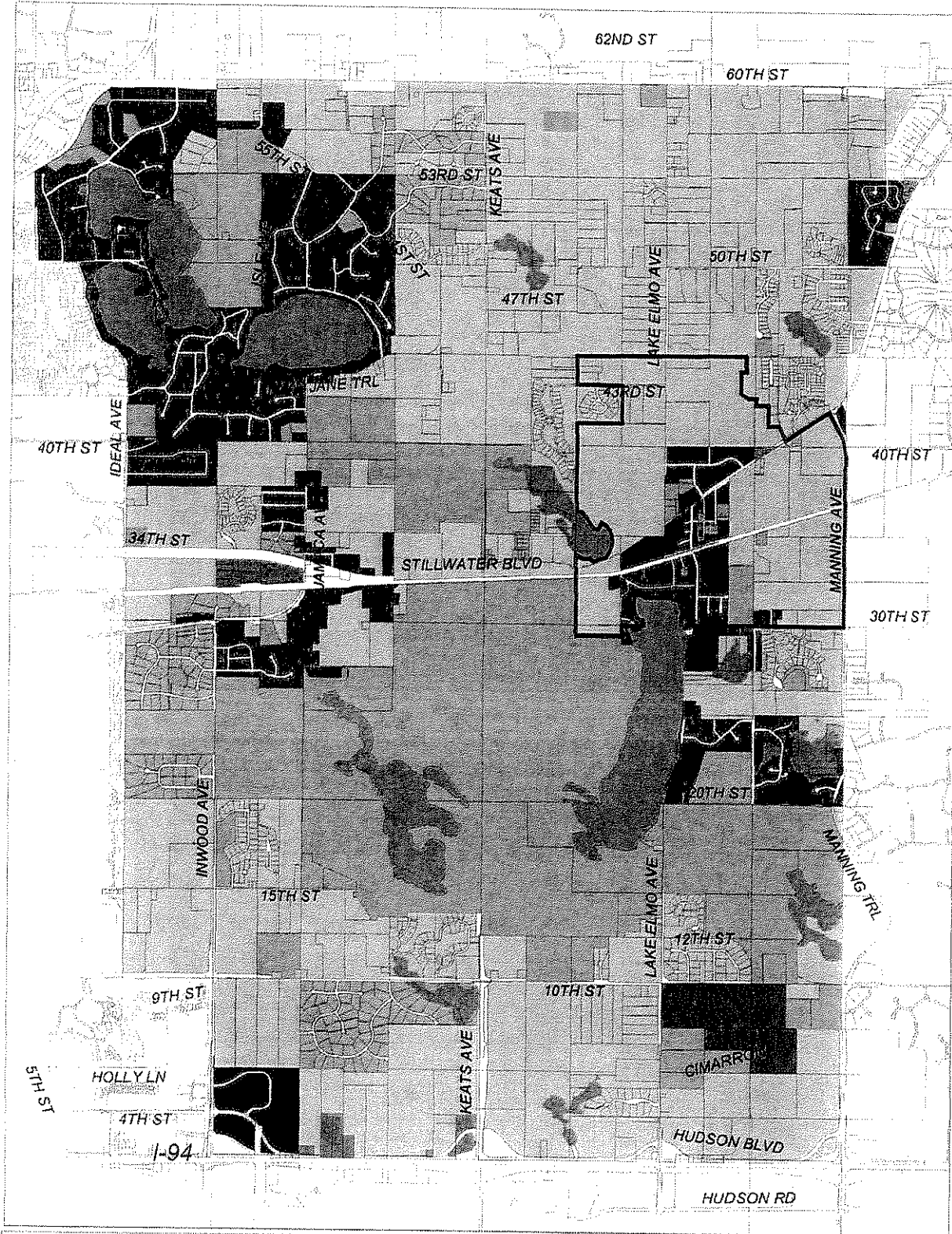
Figure 3. Existing and Future Land Use Tables

City of Lake Elmo

Existing Land Uses	Land Use Descriptions	Area (Acres)
BP	Business Park	121
C	Commercial	114
LB	Limited Business	243
PF	Public/Semi-Public Facilities	3450
RAD	Rural Agricultural Density	7020
RED	Residential Estates Density	760
ROW	Right-of-Way	509
SRD	Single-family Residential Density	1709
URD	Urban Residential Density	169
WAT	Water	1155
TOTAL		15250

Future Land Uses	Total Area (Acres)	Village Area (Acres)	South of 10th (Acres)
BP	362		362
C	58	54	1
LB Future sewer	16		16
LB Non-sewer	45		
NC	1658	116	
PF	3381	23	122
RAD	5029		74
RAD2	142		
RED	691		153
ROW	545	45	161
SRD3.5	1069		1069
URD	169		169
WAT	1155		25
VR-HD	7	7	
VR-LD	77	77	
VR-MU/MD	86	86	
VR-P/S	43	43	
VR-GB	717	717	
TOTAL	15,250	1,168	2,152

Figure 4. Existing Land Use
City of Lake Elmo



EXISTING LAND USE
Lake Elmo Comprehensive Plan 2005 - 2030

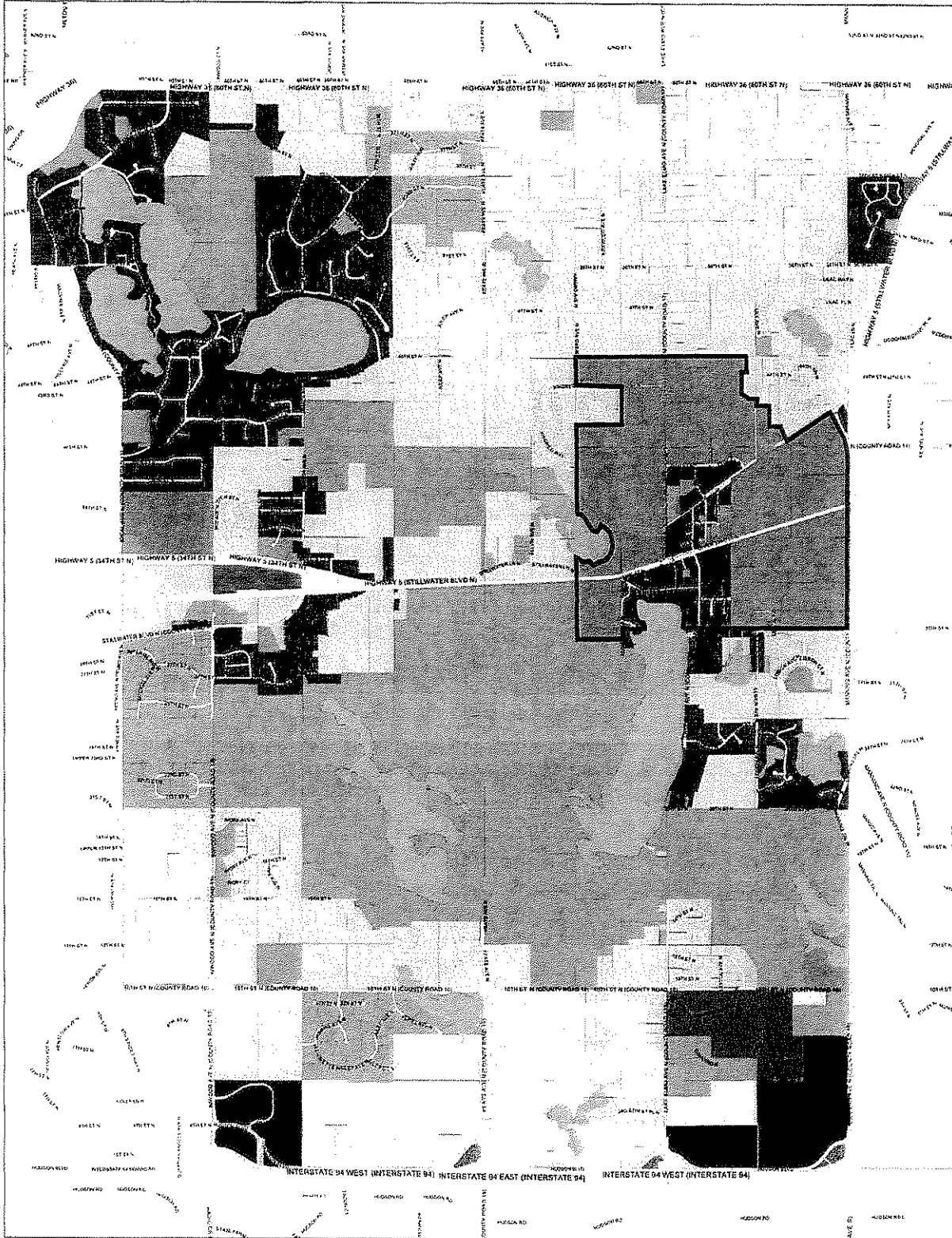
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Map Date: January 24, 2006
Created By: TKDA
COURTESY: ARCHITECTS + PLANNERS

Land Use

C	RED
BP	URD
LB	SRD
PF	ROW
RAD	WAT
Old Village	

Figure 5. 2030 Future Land Use
 City of Lake Elmo

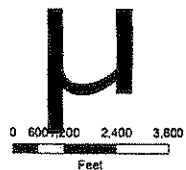


FUTURE LAND USE
 Lake Elmo Comprehensive Plan 2005 - 2030

Limitation of Liability
 This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and city offices, and other sources.

Map Date: January 31, 2006

Created By: **TKDA**
ENGINEERS ARCHITECTS PLANNERS



Land Use	
	C
	BP - 40 Employees/Acre
	PF
	RAD - 0.45 DU/Acre
	RAD - 2 DU/Acre
	URD - Cimarron
	SRD - 3.5 DU/Acre
	LB Future sewer - 40 Employees/Acre
	LB Non-sewer
	RED
	NC
	ROW
	WAT
	VR