



**City of Lake Elmo
Planning Commission Meeting
Minutes of February 10, 2014**

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

COMMISSIONERS PRESENT: Yocum, Dodson, Haggard, Dorschner, Kreimer, Larson and Lundgren

COMMISSIONERS ABSENT: Williams and Morreale

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson

Approve Agenda:

Dodson suggested tabling Items 5D and 5E. He noted that Ms. Carol Palmquist was unable to attend, so it would make more sense to have that discussion when she would be present. Also, the cul-de-sac discussion was brought forward by Chairman Williams, and it would be beneficial to have him present for that discussion.

M/S/P: Dorschner/Lundgren, move to amend the agenda by eliminating Items 5D and 5E, **Vote: 7-0, motion carried.**

Approve Minutes: January 27, 2014

Haggard requested that the minutes reflect that the Planning Commission suggested that one acre be the minimum size for both chickens and bees, not just chickens.

Dodson asked that the minutes reflect that Dorschner commented on the City Council decision related to the proposed Comprehensive Plan Amendment at 9434 Stillwater Blvd. N. He asked that the City Council respect the Planning Commission's time when requesting that they review a land use item at the direction of the Council.

M/S/P: Haggard/Larson, move to approve the minutes as amended, **Vote: 6-0, motion carried,** with Lundgren not voting.

Public Hearing: Zoning Map Amendment – Savona Subdivision.

Klatt introduced the Zoning Map Amendment by providing background information about the Savona residential subdivision. He noted that the Savona site now has access to utilities as a result of substantial completion of the Section 34, 429 Utility Project. In addition, the Savona Subdivision also has an approved Preliminary Plat. Given these two

considerations of status, it makes sense to now rezone the site to the zoning districts that are consistent with the City's Comprehensive Plan. He also noted that the applicants have submitted a Final Plat for the 1st Phase of the single family area.

Haggard asked if Staff did any calculations about the total number of units as guided by the Comp Plan compared with in the approved Savona Preliminary Plat. Klatt noted that he does not have the Comp Plan figures for these parcels at this time. However, it should be noted that the applicants chose to move the 5th street minor collector road to the South. Moving the road made the area guided for Urban Low Density Residential – LDR larger, thereby decreasing the total number of projected units slightly.

Public Hearing opened at 7:21pm.

No one spoke.

Public Hearing closed at 7:21pm.

M/S/P: Kreimer/Lundgren, move to recommend approval of the Zoning Map Amendment to rezone the parcels associated with the Savona residential subdivision from Rural Transitional District to Urban Low Density Residential and Urban Medium Density Residential, **Vote: 7-0, motion carried unanimously.**

Business Item: Savona Final Plat – First Phase

Klatt introduced the item by providing information about the status of the Savona Subdivision. He noted that the subdivision has an approved Preliminary Plat. The purpose of the Final Plat action is to ensure that the applicants have met the conditions of approval that are established at the Preliminary Plat approval. Klatt explained that while the City has significantly more discretion in requesting revisions to a Preliminary Plat, the Final Plat step is more of a procedural review to ensure consistency with the Preliminary Plat. Klatt noted that there are 44 single family lots in the proposed Final Plat, which likely represent a two-year build-out for Lennar Homes, the applicant.

Klatt presented an aerial map of the general area of the Final Plat. He highlighted the properties that are included in the application, highlighting the new property boundaries that have resulted from the land transaction between Dale Properties and Lennar.

Klatt presented the general statistics of the Final Plat, as well as the plat itself. He noted that Outlot F is the area guided for future townhome development. Outlot A is the future area of residential homes. The applicants are proposing to mass grade almost the entirety of the site included in the Final Plat.

Klatt noted that Staff has found that the Final Plat application is generally consistent with the approved Preliminary Plat. Staff is recommending approval of the Final Plat with several conditions. The conditions are primarily related to requested updates and changes to the Construction Plans. Klatt also noted that Staff is recommending that these changes be completed before the City releases the Final Plat. Related to additional review of the plans, Klatt noted that the Valley Branch Watershed District did provide approval with multiple conditions for the storm water permit for the site. He also noted that Washington County provided comments regarding the improvements to Keats Ave. N. Klatt noted that Staff is also recommending that a trail improvement be installed on the west side of Keats Ave. as part of this project. This trail would allow for future connection to the Lake Elmo Regional Park Reserve. Finally, Klatt suggested that one condition be added to change the name of Jewel Ave. on the Final Plat to Juniper Ave. to avoid confusion related to address numbering.

Haggard asked if the northern boundary of the final plat area should include a 100-foot buffer. Klatt noted that no buffer is programmed here due to the adjoining property being guided for low density development. The area in question is actually the location of the power-line easement.

Haggard also noted that the names of the outlots are not consistent on the various plan sets.

Dorschner asked why the City would hire a consultant to review the landscape plan, which relates to Condition #7. Klatt noted that the plans would be reviewed by an independent consultant to review the proposed species and location of plant materials. The City wants to ensure that these plant materials are properly located, installed and have the best chance to survive.

Haggard asked about the location of the requested trail improvement on Keats Ave. Klatt noted that these improvements would occur in the County right-of-way.

Dodson asked for clarification on the ownership of the various outlots.

Ryan Bluhm, representing Lennar Homes, addressed some of the questions of the Planning Commission. Regarding the attempt to relocate the existing pine trees on the site, he noted that the sandy soils did not allow for transplant. Also, he noted that Lennar has agreed to install the trail along Keats Ave. within the County right-of-way.

Lundgren asked about the likely number of bedrooms in each home. Ryan Bluhm estimated that the homes would include anywhere between 3-5 bedrooms.

Haggard asked for more information about the mailboxes. Bluhm noted that the Post Office is now requiring that these mail boxes be clustered.

Kreimer noted that Linden trees in the Stonegate neighborhood have been decimated by Asian Beetles.

Dodson thanked Ryan Bluhm for addressing the Planning Commission's questions.

Dodson noted that he thinks that the City should take a larger role in maintaining common open spaces. In addition, HOAs made up of residents that are often not properly equipped to deal with the many broad issues that a neighborhood may face. Dodson suggested removing condition #5 from the recommended list of conditions. Haggard agreed that neighborhoods are sometimes not equipped to deal with some of these issues, but she does not think it's fair that the City maintains common spaces for certain neighborhoods. Kreimer noted that neighborhoods will likely include much more robust landscaping than the City is equipped to maintain.

Dorschner asked how many HOAs would likely serve the development. Bluhm noted that two HOAs are likely; one HOA for the single family area and one HOA for the townhome area.

Klatt also provided comments regarding HOAs. First, he stated that the City does not have enough capacity to maintain many common open areas.

Lundgren asked about condition #16. Klatt provided further explanation of the process.

Haggard asked if it would be possible to beautify the mail boxes a little bit. Bluhm noted that it could be possible. Haggard also asked if the monument sign has to read "A Lennar Development". Bluhm noted that the applicant would prefer to keep the Lennar name on the monument.

M/S/P: Haggard/Dorschner, move to add a condition that the Planning Commission would encourage the applicant to incorporate the design elements of the City's Theming Study into the proposed mailboxes within the Savona Subdivision, **Vote: 7-0, motion carried unanimously.**

M/S/P: Lundgren/Dorschner, move to recommend approval of the Savona Final Plat with the 15 conditions of approval as drafted by staff and the Planning Commission, **Vote: 6-1, motion carried,** with Dodson voting no.

Dodson wanted it known that he voted against the motion due to condition #5, related to the requirement of establishing an HOA to maintain common open areas.

Business Item: Zoning Text Amendment – Livestock Ordinance

Planner Johnson started discussion by stating that they are bringing back a revised version of the ordinance based on the discussion at the last meeting. The most

significant change is raising the minimum lot size for bees from ½ acre to one acre. From earlier discussion, it appears that the Planning Commission would also like to see that change for chickens as well. Johnson noted that this is a fairly conservative approach based on what other communities are doing.

Based on the fact that the public notice for the Planning Commission was only intended to address moving the Livestock Ordinance out of Zoning Code, there will be another public hearing next Tuesday night at the City Council meeting. This public hearing will allow the public to give more input on the proposed amendments to the City's Animal Ordinance, including the addition of bees and chickens on smaller lots.

Kreimer said that the Planning Commission wanted a 25 foot setback from an occupied residential lot for chickens and bees.

Dodson was wondering why Johnson considers the proposed ordinance conservative or cautious. Johnson stated based on the research that staff has completed of what other communities have in their code related to bees and chickens, the proposed approach is fairly conservative.

Dodson wanted clarification of chart because it was a little confusing regarding chickens on less than 5 acres.

Kreimer stated we would need to change the chart to one acre and there is a section that needs to be amended for the setbacks.

Haggard is wondering if it should state that the coops need to be in the backyard. Johnson stated that a coop would follow the accessory structure setback.

M/S/P: Kreimer/Larson, move to recommend approval of the adoption of Animal Ordinance, amending the Zoning Code concerning Livestock and Kennels and amending the Animals Chapter of the General Regulations of the City of Lake Elmo, **Vote: 6-1, motion carried**, with Lundgren voting no.

Lundgren wanted to make her position clear that she voted against the motion because she feels that the proposed ordinance does not provide enough opportunity for smaller parcels to have chickens and bees.

Business Item: Zoning Text Amendment – Accessory Structures

Nick Johnson presented a summary of proposed Zoning Ordinance amendments to revise the regulations concerning accessory buildings. Staff is proposing to eliminate the existing accessory building provisions and replace these sections with new language. The City has previously adopted general accessory building requirements as part of the specific zoning district standards.

Johnson noted that the City has a wide variety of land uses that add some complexity to the drafting of an accessory building ordinance. He reviewed the specific ordinance revisions that are being proposed, and stated that Staff is seeking initial feedback from the Commission before proceeding with a public hearing on the changes.

The Building Official has recommended eliminating or increasing the maximum door size allowed for storage/tool sheds and maintain a minimum setback of six feet between accessory buildings and principal buildings.

Haggard questioned the exceptions that will be allowed, and if these exceptions could create problems for smaller lots. Johnson noted that other ordinance provisions, including impervious coverage limits, still would apply and would limit the number of location of allowed structures and buildings.

Dodson asked how often Staff receives questions related to accessory buildings. Johnson replied that a large number of permits are specific to or include accessory buildings.

Dorschner suggested that the ordinance should only include a maximum size and should not necessarily need to limit the space devoted to vehicle parking.

Yocum commented that the requirements for lots under 1 acre in size can be somewhat restrictive. Johnson cited examples in other communities that allow larger buildings on smaller parcels.

Dodson questioned that requirement for garages to be located behind the primary façade of a building. Johnson stated that this requirement applies only to urban residential districts and not rural districts.

Haggard stated her preference for fewer buildings and larger attached garages on smaller residential lots. Klatt noted that the Commission has previously discussed the size of accessory buildings and considered language that would not allow a detached garage to exceed the size of the principle structure on a lot.

The Commission generally agreed to eliminate the 1,000 square foot limit for the parking of vehicles.

Johnson suggested that the Planning Commission examine the maximum structure size in preparation for the next meeting.

Klatt noted that he has received inquiries in the past from rural property owners that would like to see an allowance for additional structures for keeping animals.

There was a general discussion concerning the number of buildings allowed, and whether or not it is more important to regulate the overall size or number of buildings allowed.

Johnson stated that this matter will be brought back for further review at a future meeting.

Updates and Concerns

Council Updates

1. Zoning Text Amendment – Zoning District Cleanup passed at the Feb 5, 2014 City Council Meeting
2. The City Council reviewed the Easton Village Sketch Plan at the Feb 5, 2014 City Council Meeting.
3. Approval of the agreement to sunset the Memorandum of Understanding with the Met Council at the Feb 5, 2014 City Council Meeting.

Staff Updates

1. Planning Commission discussion series – “Ma’am, We’re here for you”, to be discussed at February 24 meeting.
2. Upcoming Meetings
 - a. February 24, 2014
 - b. March 10, 2014

Commission Concerns

Dodson asked that all the Planning Commissioners read Chairman Williams’ letter regarding cul-de-sacs. Staff will provide more input.

Haggard stated it would be helpful to have some additional training or education on how to better read surveys and construction plans.

Dodson noted his concern about radon. Klatt noted that the Minnesota State Building Code likely has provisions related to radon. Dorschner stated that the Building Code does address radon. In addition, State law requires notification for radon.

Meeting adjourned at 10:05pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant