



**City of Lake Elmo
Planning Commission Meeting
Minutes of September 14, 2015**

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

COMMISSIONERS PRESENT: Dodson, Dorschner, Fields, Haggard, and Kreimer

COMMISSIONERS ABSENT: Larson, Williams and Griffin

STAFF PRESENT: Community Development Director Klatt, Contract Planner Gozola and Interim Administrator Schroeder

Approve Agenda:

The agenda was accepted as amended.

Approve Minutes: August 24, 2015

M/S/P: Dorschner/Haggard, move to approve minutes as amended, **Vote: 5-0, motion carried unanimously.**

Business Item: Minor Subdivision – Kleis Family Farm

Klatt began his presentation regarding the Kleis Family minor subdivision. This application is to create two new ten acre parcels, leaving approximately 34 acres with the original farmstead at 9130 55th Street Lane. Staff is recommending approval with 4 conditions. 1) Parkland dedication of \$3600 per buildable lot (\$7200) 2) future driveways for the lots be approved by the City Engineer 3) if required, applicant must obtain VBWD approval 4) minimum low floor elevation for lots must be depicted on surveys for building permits.

Tim Freeman, surveyor for project discussed the septic and watershed district issues. He stated that these would not pose a problem in the future.

M/S/P: Dorschner/Kreimer, Move to recommend approval of the Kleis Farmstead Minor Subdivision with draft findings and 4 conditions of approval, **Vote: 5-0 motion carried unanimously.**

Presentation: Gateway Corridor

Lyssa Leitner, Washington County, presented information regarding the metro Gold Line which is the eastern finger of the metro transit. The 1st question a company will ask is regarding the availability of transit. They have chosen to go with rapid transit which will have buses only lanes with 13 stations on the line. This is the safest, most efficient type of transit. This will operate from 5 am until midnight. This will not replace the express buses, but will operate in addition to them.

Dodson asked about the 8-15% return on investment. This return is made up of about 6 factors including, less wear and tear on roads, fuel, vehicles, etc. Dodson also asked about the perception that a train is better than bus. It was stated that the cost of the rapid transit is about half the cost. It will look similar to light rail with the lanes, but without the rails.

Dodson asked if there was anything in the works for Highway 36. Lyssa stated that it is in the works for the planning stages for 2016. They are waiting to see what happens when the bridge opens. Dodson also asked about the risk factors. Lyssa stated that there are risk analysis being undertaken by MnDOT & Met Council. There is a cost risk analysis as well.

Will, East Metro Strong, which has been in existence for about a year and a half. East Metro Strong is made up of a board of 3 counties, 4 Cities, 3 businesses and one non-profit. The goal of the partnership is in support of catalytic transit investment. This will make the eastern metro competitive and draws good economic development and supports the quality of life. They work in support of the many stakeholders and provide technical assistance.

Kreimer asked what the financial implications are to the City. Lyssa stated that there would be zero cost to the Cities budget to build and operate. Dodson asked what the deliverables from the study would be. Will stated that the report will state what types of land uses the corridor can support which will translate to what Lake Elmo can support as well, possibly using a balanced score card. The market study would take 3 months from when they start.

The Commission was supportive of contributing to the study as long as we get something back from it. Will stated that it is really targeted to Lake Elmo needs. Fields is concerned that we are looking at the Lake Elmo long term goals. This market study is looking out to 2040.

M/S/P: Dodson/Fields, move to recommend to the City Council that we move forward with the market study for the BRT, **Vote: 5-0, motion carried unanimously.**

Public Hearing: Legends of Lake Elmo Concept Plan

Gozola began his presentation regarding an application for an open space development concept plan on three unaddressed parcels totaling 110 acres to the North of 50th Street and to the South of the Sanctuary development. The concept plan includes 51 residential lots.

Gozola discussed some of the challenges with the site plan presented. These included the lack of buffers, the access spacing for the 3 lots to the south that front 50th Street, the difficulty with the park and the overall density. The Developer is asking for 3 main deviations that would require a 4/5 Council approval. Those are 1) the density from 40 units to 51 units 2) the lack of buffer setbacks 3) lot design. As far as the development, a very important part would be connections to the east and to Linden Avenue. This would provide not only secondary access to Legends, but also to Sanctuary. The access spacing on 50th street also needs to be looked at to limit access to 50th Street. There were infrastructure issues talked about as well as phasing options.

Fields asked about the buffers. Gozola confirmed that they are not meeting the buffers. Haggard asked about the 20% bonus. Gozola confirmed that the bonus only applies to PUD's, which this is not.

Todd Erickson, project engineer for Legends, answered some of the Commissioners questions. He stated that they are requesting the additional lots in exchange for an extensive trail system which connects the other developments and winds throughout the development. There was a discussion about the different types of sewer systems.

Public Hearing opened at 9:40 pm

Amy Vanderhoff, 11384 50th Street, she supports a housing development, however, would like to see them follow the codes. She is very concerned about the 3 lots to the south that would have a shared driveway. Klatt stated that a shared driveway would need to be evaluated and approved with this project.

Sue Hicks, concerned with the construction access, which seems to have been addressed and also with the lack of buffering.

Austin Anderson, President of Sanctuary HOA, he is concerned with the lack of buffer zones. He would like to see the park in the outlot F area which has been talked about in the past.

Michelle Chickett, 5711 Linden, concerned with the lack of a buffer. Concerned that this development will use Sanctuary as a cut through to 36. She would like to see only the 40 homes allowed by code and would not like to see any other deviations from code. Concerned that the developer will not be held to development agreement as has happened in the past.

Klatt stated that we have much more stringent development contracts in place which have more strict rules for the release of development securities. This will protect the development.

Pam Chickett, 5711 Linden Ave, she is concerned with the streets in Sanctuary. The quality is already poor and adding additional traffic will continue to degrade them. Their neighborhood should not be a cut through to Hwy 36. She also is concerned with the park. She feels that the park in Sanctuary was intended to be a neighborhood park and not a park that people came from other neighborhoods to use.

Tricia Giese, 5805 Linden Ave N, there are numerous children on Linden Ave and is concerned with people using Linden to access 36. She is wondering if the access to 36 could be changed to have a right and left hand turn lane as having Linden go through will add a lot of traffic at rush hour time.

Ben Backberg, 5693 Linden Ave N, has an issue with where the park was moved. He has a problem with the deviation on the number of lots. Would like to see the development staged to start along 50th street.

Suzanne Meyers, 11711 56th Street, would like to see the road and cul-de-sac by her home moved and would like to see buffers.

Joe Weber, 11649 56th Street, there is no buffer from the road to his lot. There is an expectation that there would not be a road that close to their property. He was told by developer when he purchased his home that Linden Trail was never intended to be a through street. Klatt stated that the connection is shown in the 2005 Comprehensive Plan.

Mayor Mike Pearson, 2805 Lisbon Ave, was wondering which council members the developer had talked to about moving the park.

Carolyn Carey, 5701 Linden Ave, was told by developers that the road would not extend outside development. Would not expect to access Legends by road, but by trail only. She would like to see all of the infrastructure completed before homes are allowed to be built.

Lisa Pilla, 11693 56th Street, asked Klatt about how the code applies to buffers. Klatt stated that there is a 100 foot buffer for roads and structures from OP to OP. She would request that the reduction be denied. She would request extensive landscaping.

Correspondence was received from the Hecker's with updated statements regarding additional homes and the buffering.

Correspondence was also received from Greg & Amy Sainsbury that was similar to comments already stated.

Public Hearing closed at 10:30 pm

Klatt stated that a number of years ago, the City went through and re-evaluated buffer setbacks. Most of the projects ended up having exceptions to the buffers. Sanctuary is one of the developments that had an exception to buffer setbacks.

Dorschner asked which council members the developer talked to about the park. Landucci stated that he did not speak to all of the Council members, but did have discussions. He does not like Community Septic Systems. He does not think it is good to rely on the HOA to manage them. He feels setbacks are an issue & phasing should start at 50th Street. He feels number of units should meet the code and the trails might not be manageable.

Haggard is concerned that Sanctuary Park is a public Park and might not be accessible. She likes where the Legends Park is on current plan as it will be accessible. Is concerned about the upkeep of trails and would like Park Commission input on them. Not a fan of the increased density and the buffering is a concern.

Fields is impressed with the overall quality of the development, but feels it was done in a way to maximize the return to the developer. Is not in favor of the current design and is not in favor of deviating from the City standards.

Kreimer likes a lot of things about the development, but sees no reason to go above the City standard for density as this is not a PUD. Wants the buffers adhered to and would like to ensure the construction traffic comes in off of 50th Street.

Landucci stated that without the wetlands, 51 units would be allowed on 110 acres. 40 lots is not enough for this large of a piece of property and the wetlands are not considered in the calculation for open space. Dodson stated that is not a good argument as it is part of the code.

Dodson asked about the MPCA comments regarding the septic system. Gozola stated that the MPCA would review and have to give approval if this moves forward. Klatt discussed community vs. individual septic systems. Dodson feels that there are too many homes to meet the spirit of the OP ordinance. He is concerned with the 3 lots to the south with the proposed shared driveway. He wants the park Commission to check in on this development. He wants to see the phasing changed to start with 50th and feels that eventually, Linden needs to go through.

Haggard stated that this concept plan is close to being what they want and this development will be a highly desirable neighborhood for Lake Elmo. She just has a problem with the deviations.

M/S/P: Dorschner/Fields, move to recommend denial of the Concept plan based on the discussions regarding density being too high, lack of buffer zones being met, and phasing in reverse order, **Vote: 5-0, motion carried unanimously.**

Council Updates – September 1, 2015 Meeting

1. Village Park Preserve Final Plat Extension – Passed.
2. Zoning Text Amendment – Commercial Wedding Ceremony Venue Ordinance – Passed.
3. Inwood 2nd Addition Final Plat – Passed.
4. Savona 3rd Addition Final Plat – Tabled.
5. NE Metro 916 Intermediate School District Final Plat and Preliminary and Final PUD Plans – Passed.

Staff Updates

1. Upcoming Meetings
 - a. September 28, 2015
 - b. October 12, 2015

Commission Concerns

The Commission is concerned about a number of factors regarding the community septic systems. They would like to discuss in the future if the City should move away from allowing OP and possibly going to 2 ½ acre lots. Klatt stated that this discussion should be had as a broader planning issue when looking at the comprehensive plan.

Haggard would like feedback from the Park Commission regarding trails, particularly from a maintenance and standard standpoint. She would also like information regarding when the Parks Commission looks at a development plan. They go to Planning Commission first as they are the Land Use body.

Dodson asked when the Legends Concept plan would go to Council. It will go to Council probably on October 6th or 7th. They discussed the differences between tabling and denying an application.

Meeting adjourned at 11:15 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant