



**City of Lake Elmo
Planning Commission Meeting
Minutes of October 26, 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, Larson, Williams, and Kreimer

COMMISSIONERS ABSENT: Griffin

STAFF PRESENT: Contract Planner Gozola and Interim Administrator Schroeder

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: October 12, 2015

M/S/P: Williams/Dorschner, move to approve minutes as presented, **Vote: 7-0, motion carried unanimously.**

Public Hearing – Preliminary and final Planned Unit Development (PUD) Home 2 Suites

M/S/P: Dorschner/Dodson: move to table the Preliminary and Final Planned Unit Development (PUD) Home 2 Suites, **Vote: 7-0, motion carried unanimously.**

Public Hearing – Open Space Concept Plan – Legends of Lake Elmo

Gozola began his presentation for an application for an open space development concept plan on 110 acres to the North of 50th Street north and South of the Sanctuary Development. This concept plan has been revised from a previous submission and now includes 44 residential lots. Gozola stated that the phasing has been changed to go from south to north, the number of lots has decreased from 51 to 44, which is still over the 40 that is allowed by code. The buffers have been extended. Gozola talked about the septic areas and some things related to that.

Gozola pointed out some lots that could potentially have issues with the buildable area, especially if people want to put in pools or other structures. Staff feels that the secondary access connecting to Linden Ave is critical, even though there is opposition from Sanctuary residents. This connection is critical for both developments for safety and access issues.

There are 2-4 deviations requested which will require a 4/5 vote from the Council. Those are higher density, not meeting the buffer setbacks on some lots, lot design with the communal drainfield, and that some lots are on the prime farm land.

The entry point has been changed per the City Engineer suggestion to meet access spacing.

Kreimer asked if there was a setback for the drainfield to the property line. Gozola stated that there is not one.

Dorschner asked if there has been any preliminary soil testing on these sites, or if this is just preliminary.

Todd Erickson, project engineer, talked about the drainfield sites. He stated that the tanks and pipes are all privately owned.

There was a brief discussion regarding the park.

Council member Fliflet, 4577 Lily Ave, spoke regarding the termination of Linden Ave. She feels public safety includes more than just emergency response time. She is concerned that it will become a cut through route to highway 36 which would create a safety concern. She would like the Planning Commission to consider eliminating the connection.

Public Hearing opened at 8:10 pm

Danny Hecker, 11658 50th Street, supports the overall concept of the development. They are the most affected neighbor and they are asking that the required setbacks be maintained.

Jeff Kloewer, 11928 56th Street, main concern is the road connection and how the access to highway 36 will change.

Michelle Chickett, 5711 Linden Ave N, opposed to the road connection. Linden is narrow and curvy and there are some blind spots. The idea of a cul-de-sac is a good one as it would be available if needed for emergency purposes.

Pamela Chickett, 5711 Linden Ave N, agrees with previous speakers and would like them to consider that there is over 100 kids in their neighborhood. Would be creating a very unsafe situation for kids in Sanctuary and Legends.

Carolyn Carey, 5701 Linden Ave N, she lives close to where this road connects. She would like to see the 2 neighborhoods connected by a trail and one that could be used for emergency vehicles.

Amy Vanderhoff, 11384 50th Street, is concerned about the 10 acre area next to Hecker's being used for septic. Feels that the code should be met with no deviations. The 200 foot buffer setback is not being met in South corner and is also concerned with driveways that would go out to 50th Street.

There were 2 emails received from Greg Sansbury and Suzanne Meyers asking that Linden not be connected.

Public Hearing closed at 8:30 pm

M/S/P: Williams/Fields, move to find that the land use is consistent with the comprehensive plan. **Vote: 7-0, motion carried unanimously.**

The Planning Commission decided to break up the details into discussions about the park, sewer, Linden Ave and buffer setbacks.

Discussion was had regarding a possible park in this development. Williams suggested possibly restricting discussion to if the Planning Commission would like to see a park in this development or not.

M/S/P: Williams/Haggard, move to recommend a park be included in the development and that the developer meet with the park commission to determine the best location.

M/S/P: Williams/Haggard, move to amend the above motion to read that the Planning Commission requests the Park Commission to consider if a park should be included in this plan and if so, where the best location would be. **Vote: 7-0, the original motion as amended carried unanimously.**

Larson would like it noted that the discussion of the Park should also factor in that in this area having a park could be a safety issue so that kids are not playing in the street.

M/S/P: Fields/Larson, move to recommend that the developer provide a Cul-de-Sac by Linden Ave with a provision for an emergency access. **Vote: 2-5, motion failed.**

Dorschner, Larson and Williams are opposed to the motion. Larson feels the added cost for plowing is a factor. Williams brought up the fact that the code does not allow a cul-de-Sac longer than 600 feet which this is. The stub has always been there and should go through.

M/S/P: Dorschner/Williams, move to recommend that Linden Ave be connected through from Legends of Lake Elmo and Sanctuary as shown on the concept plan. **Vote: 5-2, motion passed.**

M/S/P: Williams/Dorschner, move to recommend that a connection road be constructed between Linden Ave and the west property line. **Vote: 6-0, motion passed, (Larson did not vote as left the room).**

M/S/P: Fields/Dorschner, move to recommend that all setback requirements be met with the exception of the Eastern Boundary. **Vote: 7-0, motion passed, Unanimously.**

Gozola clarified that the buffer setback is for any structure or driving surface.

M/S/P: Haggard/Dodson, move to recommend an amendment to the motion to add in some sort of physical delineator between the property line of Carriage Station and the East side of the development in places where there is a small amount of open space. **Vote: 5 -3, motion passed.**

Williams suggested possibly a 2 foot tall marker or sign designating the open space.

M/S/P: Williams/Haggard, move to amend the original motion to insert the words "adjacent to Carriage Station". **Motion Withdrawn.**

Dodson started the discussion about the drainfield issue. He likes this proposal better than the communal drainfield. The City Engineer comments are that the drainfield should be on the individual lots and the lots should be bigger.

M/S/P: Williams/Dodson, move to postpone consideration of the drainfield portion only until they receive the staff evaluation of these types of systems which are allegedly in Sunfish Ponds and Whistling Valley. **Vote: 7-0, motion passed, Unanimously.**

Williams asked if there was any information regarding how the land trust feels about the drainfields on the open space. He would like that as part of the research as well.

M/S/P: Williams/Dorschner, move to recommend that prior to preliminary plat, all recommendations from the City Engineer in his letter dated October 22, 2015 be addressed. **Vote: 7-0, motion passed, unanimously.**

Haggard thinks it is weird that the trail goes in front of the homes and they get credit as parkland for what is virtually a sidewalk.

M/S/P: Williams/Dorschner, move to recommend that this proposal include a constructed trail along the north side of 50th Street along the property. **Vote: 7-0, motion passed, Unanimously.**

Gozola stated that the trail was already part of the Engineers recommendations and would already be covered.

The Planning Commission discussed the number of lots. 40 per code or the proposed 44. The developer stated that they came in with 44 as the engineer is requiring concrete curb which is very expensive. Dorschner asked if they will be able to meet the buffer setback requirement. The developer stated that it would be very difficult to put together a quality development and meet those setbacks. There was discussion about postponing vs. denial.

M/S/P: Dorshner/Williams, move to postpone consideration until Developer comes back with an alternate plan to address the setbacks and sewer concerns. **Vote: 7-0, motion passed, Unanimously.**

Business item to discuss the public hearing notice regarding changes to RR & AG. What direction would the Commission like to take? Should all of the 6 items be considered at the same time? Council Member Fliflet suggested that maybe the scope of the public hearing should be broader to be able to discuss all the uses that were added. The consensus was to have a meeting to discuss the current uses in the rural districts.

Council Updates – October 20, 2015 Meeting

1. Hammes Plat Extension - Tabled

Staff Updates

Tartan Park has been sold, but the purchaser has not been made public knowledge yet. They will bring that back once it is known.

Metro Transit is looking to put a park and ride in at 94 and Manning. This would probably happen in 2017. This would be independent of the BRT. The question to ask is if this is something the City wants.

1. Upcoming Meetings
 - a. November 9, 2015
 - b. November 23, 2015

Commission Concerns

Dorschner is concerned about adding agenda items the night of the meeting. He is concerned about Council members coming and driving their meeting. Would like to stick to the agenda items that are in the packet.

Meeting adjourned at 10:50 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant

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