



**City of Lake Elmo
Planning Commission Meeting
Minutes of May 30, 2018**

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

COMMISSIONERS PRESENT: Pearce, Emerson, Johnson, Dodson, Lundquist, Dorschner, Weeks, & Hartley

COMMISSIONERS ABSENT: Kreimer

STAFF PRESENT: Planning Director Becker and City Administrator Handt

Approve Agenda:

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

Approve Minutes: May 7, 2018

M/S/P: Hartley/Lundquist, move to approve the May 7, 2018 minutes as amended, ***Vote: 7-0, motion carried unanimously.***

Public Hearing – Final Plat and Planned Unit development and PUD Plans

Becker started her presentation regarding the Final Plat and PUD Plans for OP4 Boulder Ponds 3rd and final phase of the residential areas. This application consists of 33 single family detached residential units and 1 outlot PID #04.029.21.32.0038. There are a few changes from preliminary plat. Lot 17 is being platted as a larger lot with some of the other lots being smaller. The intent is to come back at a future date to amend the PUD and add additional lots where that larger lot is. That is not being considered at this time.

There are other revisions since preliminary plat. One of those is that there are decreased lot widths. There are 15 lots that do not meet the 60 ft. minimum lot width and two that do not meet the rear yard requirement of 30 feet. There was no indication of flexibility for minimum lot width with the resolution of preliminary plat approval. There were many of the lots outside of 3rd addition that did not meet the minimum lot width. The Developer will be required to submit a lot book to demonstrate that the homes will work on the lots. The landscape plan was revised to remove some items from outlot J which is actually in 2nd addition. The items that were removed were not a

condition of approval. The preliminary plat showed construction of turn lanes on Hudson Blvd. A recommended condition of approval is that this be done before building permits are issued for 3rd addition. The driveway for Lot 6 Block 2 must access Jade Trail N. In regards to landscaping, the required number of trees is not met. There needs to be additional buffering and screening north of trail.

Steph Griffin, Excelsior Group, stated that the plan with the larger lot is to come back to add make that into 3 lots that would be consistent with the rest of the development. If they cannot move forward or it isn't approved, it would be sold as one larger lot.

Dorschner is wondering why those additional lots are not being platted now and why they needed to make the width of the other lots narrower. Griffin stated that the product that they are doing in 3rd addition is market driven and they are HOA maintained yards. Griffin stated that did not bring those forward now as it is a timing issue. The builder wants to move forward with the development, and those lots will require a PUD Amendment which will take more time.

Public Hearing opened at 7:19 pm

No one spoke and there were no written comments.

Public Hearing closed at 7:20 pm

M/S/P: Hartley/Lundquist, move to recommend approval of the Boulder Ponds 3rd Addition Final Plat and Final PUD Plan with 13 conditions of approval as drafted by Staff based on the findings listed in the Staff Report, **Vote: 7-0, motion carried unanimously.**

Public Hearing – Comprehensive Plan 2040 Update

Becker stated that there have been some significant changes since the last public hearing. The Urban Reserve category has been removed and replaced with a combination of Low, Medium and High Density Residential. There have been new chapters distributed including chapter 7, the transportation plan, chapter 8 surface water, Chapter 9 wastewater and chapter 10 the water plan. There were also updates to the land use chapter, housing chapter and implementation chapter. The plan is due to the Met Council by December 31, 2018. Before it is submitted, it needs to go through adjacent jurisdictional review. It can take up to 6 months to get comments back so they are looking for feedback to move this along to the City Council to get approval to submit for adjacent jurisdictional review.

Jennifer Haskamp, Swanson Haskamp Consulting, will present to the Planning Commission the changes from the last meeting. The new sections provided all have to do with infrastructure. The water and transportation sections had to also be updated to reflect the changes to the other chapters because all of the projections have to carry

through to all chapters. With the removal of the urban reserve, it was a bit of a balancing act to make the infrastructure and the numbers work. Some of the density needed to be removed from the Village area due to municipal sewer capacity issues. Taking out the urban reserve brings the numbers to the 23,735 population that was in the 2030 plan which is the maxed out number. In the rural area, there are about 500 households planned for in this planning period. When the urban reserve came out, adjustments had to be made in the staging plan to accommodate for the infrastructure.

Haskamp talked about the transportation plan. A number of maps demonstrated the planned capacity, the future connections and the bikeway and trail system. Dodson asked if there were action items that the City would be doing to accommodate future transportation. Haskamp stated that the existing County Roads can support the planned growth. That's the East/West and North/South County roads. The City has planned for 5th Street which will be a primary connector road that will serve the planning area. The implementation section talks about some of those improvements and how to implement them. The 2 new major roadways will be 5th street and the Village Parkway.

In the surface water, water supply & wastewater chapters the projections must match up with population, household and employment forecasts contained in the Land Use Chapter. These chapters are the technical implementation of the land use and housing chapters. Portions of the Local surface water plan were updated, but it needs to be fully updated to comply with state statute. The wastewater is pretty straight forward and is from a regional system perspective. The individual treatment systems also have to be addressed in the plan as well as the community systems.

Dorschner asked about the staging areas because there would be infrastructure required. Haskamp stated that if the City allows development to occur outside the current staging area, it could impact land that is in the current stage. That can be a problem when land owners in current stage feels they have certain entitlement.

Dodson asked why the density in the Village needed to be reduced and move to the southern area. Haskamp stated it is a two part answer. The total unit count is the issue. The Engineer had planned for a certain number of units in the village area and once the urban reserve was added back in, the number was over what the engineer had planned for in the Village.

Hartley is wondering if the analysis was done from the perspective that once the City moves to stage 3, all of stage 2 is completed. Haskamp stated that it is her understanding that the analysis was done with a unit cap in the Village Planning area that did not equate to a number of units that were in the MUSA area. There were parcels in the MUSA that did not have density assigned to them.

Pearce is wondering why there is a difference in density in the Village area vs. the I94 area. Haskamp stated that the 2030 plan had differences and they are carrying that

through. Becker stated that in addition there is limited municipal sewer capacity in the Village Area, so there is already a unit capacity problem.

Dodson asked about the commercial properties and how those SAC units are counted. Haskamp stated that since the MOU expired, those SAC units are irrelevant and only count towards the required employment numbers.

Lundquist asked about the article in the source that talks about the Village area consisting of new commercial and high density, and an overlay consisting of an Old Village District, Elmo Station District, and Civic District. There is no longer a green belt buffer required around the Village area as there was in the 2030 plan. Haskamp stated it is in the balanced growth and development chapter. Lundquist feels strongly that the green belt buffer should be kept. Haskamp stated that it is not to eliminate the green belt, but to look at how to make connections. There is a proposed green network map that shows where open space and trails should make connection that essentially accomplishes what the buffer from the last plan set out to do. Additionally, most of the properties in which the buffer from the last plan was located have been developed.

Dodson asked how the City will implement the affordable housing requirement. Haskamp stated that the zoning will accomplish that. High density, Village Mixed Use and Mixed Use Commercial all comply with affordable housing.

Dorschner is wondering why RS is allowed to have 2 dwelling units in unsewered, but not sewerred. Becker stated that it is the same land use designation for sewerred vs unsewerred, so the standards should be the same. Dorschner is also wondering about the percentages in the south planning area it only comes to 52%. Haskamp stated that when urban reserve was taken out, the percentages were probably not adjusted for.

Dodson asked about the airport safety zones and if it changes the density along those areas. Haskamp stated that the runway protection zone does not encroach into the Village Planning Area. The safety zones will likely have different criteria, but they have not been established yet. Those areas are in the last stage of the planning area and would be at 2035 plus, except for the commercial area.

Hartley is wondering if there are existing requirements for safety zones A & B. Haskamp stated that she doesn't think the City has an overlay district for that. Hartley is asking if there are currently requirements for the safety zones that the MAC enforces. Haskamp stated that there are things that are strongly encouraged, but not requirements.

There was some discussion about the wastewater services chapter and what type of growth the current system will support.

Lundquist asked about the storm water runoff and flooding and there is no reference to pollution. Should there be something in there regarding the PFC and pollution of Lake

Elmo Lake and the cleanup. Haskamp stated that they are required to list the impaired waters. Haskamp stated that this document is supposed to serve more as an executive summary vs work program. The surface water management plan serves as the implementation. That plan needs to be updated, but it is a large document.

Becker stated that the water supply plan is basically the DNR permit. It was submitted to the DNR in December 2017 with the population numbers from the 2015 system statement. The DNR has not reviewed the application yet. The population projections have been revised and it has been resubmitted to the DNR.

Public Hearing resumed at 8:34 pm

Jim Ogren, 11790 Little Bluestem Ct, is wondering how the determination was done to decide what property would be low density and what property would be medium density that was taken out of urban reserve. Ogren thinks that the higher densities should be the ones closer to downtown.

Haskamp stated that there is a unit constraint in the Village Planning area. All of the urban reserve parcels were given the low density designation with the exception of the property that is along the CSAH 14 realignment. This was given the medium density designation because it will be along a major roadway.

Stephanie Lorang, 9918 7th Street, is concerned about the new mixed use business park designation, especially in regards to the land directly across from Savona. This was previously guided as Urban Medium Density. Lorang is concerned because there is no zoning for this new category and they don't know what could be allowed there. The density would change from 4-8 units per acre with UMD to 6-10 units per acre.

Becker stated that in the 2030 Comprehensive Plan, the parcel referenced was actually guided as mixed use. That parcel is a little different and per the 2030 Comprehensive Plan could develop as medium density or if it developed with adjoining parcels could develop as straight commercial. The project that was referenced, did not need a Comprehensive Plan Amendment because of that provision. Haskamp stated that at the 6-10 unit per acre density, you would not end up with a multi-story apartment building. The unit count would not work. It is more likely to be townhomes or row homes.

Ann Buecheck, 2301 Legion Ave, is wondering about the 35 foot height restriction and if that is still in place. Buecheck would like to encourage the City to require the buffering in the Village Planning area. Buecheck is wondering why the center of the Village area has changed from a combination of residential and commercial to just commercial. Haskamp stated that it is guided for Village Mixed Use which is a combination of residential and commercial which is what it was guided in the 2030 plan. Buecheck is encouraging the City to not include truck terminals in the business park. Buecheck would like to see something included about maintaining the existing farms, providing a

healthy water supply, not draining the aquifers, and use of private sewer systems. Bucheck is wondering if there should be talk about a historic district as there are a number of buildings and homes that have been here for many years. Bucheck would strongly encourage the City to eliminate Tax Increment Financing. Bucheck would like to see the rate and volume standards restored to what they were in the past because we will have problems with this much development.

Jackie McNamara, 10321 10th Street, is glad that the reserve property designation was eliminated. McNamara would like clarification for her farm and the system capacity. She would like to know if a developer is interested in the property if sewer could be brought in from one direction or the other. Handt stated that the sewer is a long distance from this property and the developer would need to pay to have it brought to the property. Everything to the West of Keats is on one interceptor, and everything to the East of Keats is on the other interceptor. The Lift station for the area East of Keats is at Lake Elmo Ave and Hudson. There is a trunk service line that runs up Lake Elmo Ave to the Village, but that is not designed to serve other areas.

David Screamon, 711 Manning Ave, owns the property that has the possible airport impact. He would like to see the map updated to show the existing and proposed runway.

Public Hearing closed at 9:01 pm

Dodson is thinking that the Planning Commission should have a resolution for each chapter that is voted on and any concerns can be listed in the minutes.

M/S/P: Dodson/Lundquist, move to accept Chapter 1 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Dorschner/Johnson, move to accept Chapter 2 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/F: Lundquist/Pearce, move to amend Chapter 3 to include a greenbelt buffer around the Village to still be denoted on the map, **Vote: 1-6, motion failed.**

Dorschner feels there is a lot of buffers and green built in with the trails. Dorschner doesn't want to be handcuffed by putting a boundary around a certain area when the City doesn't know how that area will develop. Johnson doesn't feel that having that specifically on the map would be helpful. Hartley feels that if it is applied inside the MUSA, it forces more density somewhere else. Weeks stated that the greenbelt was from the previous comprehensive plan and was not very well defined.

M/S/F: Pearce/Lundquist, move to amend Chapter 3 of the Comprehensive Plan to change the guidance of the property North of 5th Street and East of Keats to Medium Density Residential, **Vote: 2-5, motion failed.**

Dorschner does not support the motion because he does not feel it will be harmful to the surrounding property owners. It is across a main arterial street, and the same concerns were raised by this development on the other side with an apartment building. The numbers have to be met, and if this property is changed, the density will need to be moved. Weeks stated that the sewered areas need to be developed with densities to pay for the infrastructure. The mixed use is to help invite commercial and allow some flexibility. Handt pointed out that the line for 5th Street is on the map arbitrarily. The City will not know exactly where 5th Street will be built until the development comes through.

M/S/P: Dodson/Dorschner, move to amend Chapter 3 of the Comprehensive Plan to include both proposed and existing flyways on the map, **Vote: 7-0, motion carried unanimously.**

M/S/P: Dorschner/Johnson, move to accept Chapter 3 of the Comprehensive Plan as amended and recommend for City Council approval, **Vote: 6-1, motion carried with Lundquist voting nay. Lundquist would like the 2 amendments included and for the City Council to be aware of them.**

M/S/P: Dorschner/Johnson, move to approve Chapter 4 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Hartley/Dodson, move to approve Chapter 5 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Lundquist/Dorschner, move to approve Chapter 6 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Lundquist/Hartley, move to approve Chapter 7 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Dorschner/Lundquist, move to approve Chapter 8 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Lundquist/Dorschner, move to approve Chapter 9 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Lundquist/Dorschner, move to approve Chapter 10 of the Comprehensive Plan as presented and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Dodson/Hartley, move to change the term ISSTS to SSTS for the community septs and would like it spelled out vs an acronym, **Vote: 7-0, motion carried unanimously.**

M/S/P: Johnson/Dodson, move to conduct an ongoing review of chapter 150 in light of the recent water issues, **Vote: 7-0, motion carried unanimously.**

M/S/P: Dorschner/Hartley, move to approve Chapter 11 of the Comprehensive Plan as amended and recommend for City Council approval, **Vote: 7-0, motion carried unanimously.**

M/S/P: Hartley/Dodson, move to recommend approval of the Comprehensive Plan as amended and recommend for City Council approval for adjacent jurisdictional review, **Vote: 7-0, motion carried unanimously.**

The Planning Commission thanked the consultant for all of their time to come up with a plan that is very well done.

Business Item – Self Storage facility discussion

Becker started her presentation regarding self-service storage. Should self-service storage be removed as an allowed use within the Business Park and Commercial Zoning districts? With the 2040 draft plan, this use would not be consistent. It would not provide the number of jobs necessary per acre. It might be more appropriate for the Mixed Use Commercial.

Dorschner is concerned that with the existing self-storage business, how many more we need. This use takes up a lot of land for the tax base that we get out of it. Hartley stated that as a City, we want to maximize the value of our commercial land. Johnson stated that the storage facilities typically are interim uses that turn into something else down the road of more value.

Weeks is wondering if self storage is taken out of that part of the code and the existing ones become legal non-conforming can they come in for a variance for expansion. Becker stated that they would not be allowed to expand because you cannot do a use

variance. Wassatch Storage on Hudson Blvd have, however, indicated with the site plan submitted with their Conditional Use Permit, where future buildings could be located. They would be allowed to expand per this site plan.

Dorschner stated that self-service storage facilities do not employ many people, so to meet employment numbers and bring vitality to Lake Elmo, this use is not the way to do it.

Dodson is leaning towards adding additional standards. Becker does not understand how adding standards would address the concerns regarding low tax base and low employment rates.

Weeks feels that the Comprehensive Plan is trying to help the City in terms of tax base and employment, which would be a good thing for the City. Weeks feels that if self storage is taken out of the code, the Planning Commission could possibly look at adding to the business mixed use zone. Johnson is concerned about not allowing certain types of businesses based on certain criteria.

City Council Updates – May 15, 2018 Meeting

- a. 2040 Comprehensive Plan Extension Request
- b. Golf Cart Ordinance – passed
- c. Accessory Structure update – passed
- d. Variance 9369 Jane Road – passed
- e. Easton Village 4th Final Plat and Developer Agreement - passed

Staff Updates

- 1. Upcoming Meetings
 - f. June 4, 2018
 - g. June 18, 2018

Meeting adjourned at 10:09 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant