

The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters.

Lake Elmo Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application.

For each item, the Commission will receive reports prepared by the City Staff, open the hearing to the public, and discuss and act on the application. If you are aware of information that hasn't been discussed, please fill out a "Request to Appear Before the Planning Commission" slip; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated.

AGENDA

LAKE ELMO PLANNING COMMISSION

FEBRUARY 13, 1989

7:30 p.m.

MEETING CONVENES

1. Agenda
2. Minutes: January 23, 1989
3. Concept for Preliminary Plat and Rezoning
Applicant: Arlyn Christ
4. Concept for Rezoning and Large Lot Subdivision
Applicant: Gilbert Sullwold
5. Comprehensive Plan: Marjorie Williams
6. Residential Estates Zoning
7. Impervious Surface Coverage
8. Other
9. Adjourn

LAKE ELMO PLANNING COMMISSION MINUTES

DRAFT

JANUARY 23, 1989

Chairman Enes called the Planning Commission to order at 7:30 p.m. in the City Council chambers. Present: Enes, DeLapp, Bucheck, Haacke, Kunde, Stevens, Dick Johnson, Johnston (arrived 8:10), Conlin, John, and City Administrator Morrison. Absent: Dave Johnson

1. Introduction of new Planning Commission members:

Chairman Enes introduced and welcome the three new Planning Commission members: Richard Johnson (full voting member), Rita Conlin (1st Alternate), and Wyn John (2nd Alternate).

2. Agenda

Add: 8A. Committee Assignments and explanations, 8B. January 24th and January 25th Oakdale meetings, 8C. Proposed Response on Meeting Times, 8D. January 24th-Special City Council Meeting.

M/S/P DeLapp/Stevens - to approve the January 23, 1989 Planning Commission agenda as amended. (Motion carried 9-0).

3. Orientation for New Planning Commission Members

Lake Elmo Municipal Code Books and the Role of the Planning Commission Member Instruction book will be given to the new members. The staff will sign them up to receive the Minnesota Planning Assoc. Newsletter and the Metro Monitor. Chairman Enes encouraged the new members to enroll in the Govt. Training Seminars for Planning Commission members.

4. Minutes: January 9, 1989

M/S/P Stevens/Bucheck - to approve the January 9, 1989 Planning Commission minutes as amended. (Motion carried 8-0-1 Abstain: Dick Johnson).

5. PUBLIC HEARING: Ziertman/Washenberger, Large Lot Subdivision

Chairman Enes opened up the public hearing at 8:05 p.m. in the City Council chambers.

Mr. Robert Ziertman, 10193 60th St., has applied for a Large Lot Subdivision to create a lot of 1.15 acres for his daughter, Diane Washenberger, to build a house on.

The public hearing notice was duly published and sent to surrounding property owners. An area map showing surrounding land use and a sketch of the proposed lot was provided.

This application meets all requirements for a lot in the Rural Residential Zoning District. Chairman Enes had talked to Mr. Ziertman about providing a survey with legal descriptions for the newly created lot and remaining Ziertman property and payment of a park dedication fee of \$450.00 for the newly created lot.

As a point of information, Mr. Ziertman informed the Commission he has negotiated with Mr. Thomas Hermanson, 5546 Keats Ave. N., to buy four acres from him. Mr. Hermanson owns Parcel 37002-2810, 6 acres. After deleting these 4 acres for Hermanson, 11.5 acres to Washenberger, Mr. Ziertman will own 124 acres.

Chairman Enes closed the public hearing at 8:15 p.m.

The Commission felt this application appeared to be clean-cut and met all requirements for a lot in the Rural Residential Zoning district. They suggested Mr. Ziertman show in the overall plan the 4 acres he will be selling to Mr. Hermanson.

M/S/P Stevens/Haacke - to recommend approval by the City Council for a Large Lot Subdivision of 11.5 acres to Robert Ziertman/Diane Washenberger at Keats and TH36; subject to the applicant providing a survey with legal descriptions for the newly created lot and remaining Ziertman property and the applicant paying a park dedication fee of \$450.00 for the newly created lot. (Motion carried 9-0).

6. SITE PLAN REVIEW: Savanna Design, Jim Hagstrom

Jim Hagstrom is proposing to remodel his existing building at 3511 Lake Elmo Avenue by constructing a business office, retail sales area, and provide storage. The remainder of the lot will be improved by providing parking.

Mr. Hagstrom has operated his landscape business from this location since at least 1983. Both a contractor's office and retail sales of garden supplies are allowed in General Business. Mr. Hagstrom stated he is not changing the size of the building, but creating more of a store front image to include an awning. There will be decorative fencing and a shade house for plant habitation. The trees are not sold on a retail basis, but as landscape design.

City Engineer Bohrer had commented in his letter to the Commission that the existing lot is about 0.49 acres, the existing septic system was installed new in 1983. The proposed office generates a minimal amount of sewage. The alternate drainfield site would be under the open sales lot. The number parking spaces required is determined by the use and the site plan shows that 9 spaces are proposed and a variance would be required. The Code requires that all non-residential parking areas be surfaced with asphalt or concrete. The parking lot should be sloped to drain to Lake Elmo Avenue or the alley, and the parking lot is proposed to be 4 feet from the rear property line. Bohrer pointed out the Code requires 5 feet and the site plan should be revised to show 5 feet.

Bohrer's calculations reveal that the building, driveway, parking area, and walk cover 42% of the lot area. The Code specifies 20% maximum for lot size up to 1.5 acres. A variance is required.

The Commission expressed this proposal was an improvement over what exists today. They brought up the code requirements for the GB zone for lot size, setback, parking and covered surface can work

in a new subdivision, but does not work well in the existing Old Village and suggest an Historical Overlay Ordinance be created for this area with new standards.

Mr. Hagstrom can provide 6 or 7 parking spaces and relies on street parking primarily. One handicap parking space must be provided. A sign was suggested showing there was parking available in the back. A variance for parking will be required.

The Commission did not consider the outdoor display area a open sales lot. It was only used as a storage area and a display area for trees and shrubs.

M/S/P Haacke/Johnson - to recommend to the Council the Site Plan Review for proposed alterations to Savanna Designs at 3511 Lake Elmo Avenue be accepted; (3) Variances granted for the impervious surface coverage, to allow for 7 parking spaces, and to allow for gravel coverage in parking area with blacktop of driveway; based on the inappropriate Code requirements in the Old Village Area. (Motion carried 9-0).

7. Comprehensive Plan Update

The Commission developed the following work schedule on the Comprehensive Plan.

Target Date	WORK SCHEDULE FOR COMPREHENSIVE PLAN Event
1/23/89	Establish Subcommittee Draft - 20 pages Chapter I
2/13/89	Maps - Draft Form Complete Draft of Comp Plan
2/20/89	PZC comments to Subcommittee
~ 2/20-2/25/89	Subcommittee Revise Plan
2/27/89	Revised Plan to PZC
3/13/89	Planner Review (Reviewed by Met Council or Planner)
3/27/89	Formal PZC Approval - Send to City Council
4/4/89	City Council Review

Discussion followed on: Resolutions should be found from 1980 and be incorporated in the plan, Ask the City Administrator to find out who the planner would be at the Met Council that would review our Comp Plan and leave the decision up to the Subcommittee to decide if it will be the 1986 or 1989 Comprehensive Plan.

M/S/P DeLapp/Johnson - adopt the proposed Comprehensive Work Plan as stated. - (Motion carried 9-0).

8A. Committee Assignments and Explanations

1. Parliamentarian - Ed Stevens
2. Open Space, Landscaping - John, DeLapp, Conlin (Suggest they work with the Parks Com.)
3. Wetlands - Bucheck
4. Streets/Roads - Kunde, Dick Johnson
5. Business Liaison - Johnston, Haacke, Enes
6. Historical Preservation (Old Village Area) - Haacke, DeLapp, Williams
7. Comprehensive Plan - DeLapp, Dick Johnson, Haacke, Kieffner
Ex-officio: Marge Williams, Adm. Morrison
8. Land Use Ordinance Review - Enes, John, Dick Johnson, DeLapp, Morrison

Meeting dates of the Subcommittees will be set at a formal PZ meeting. People, other than PZ members, can be on the Subcommittees, provided a PZ member is on the committee.

M/S/P Bucheck/Haacke - to approve the Committee Assignments and Explanations, as stated, with Subcommittees meeting dates and place be set by the PZ at their formal meetings. (Motion carried 9-0).

8B. Meetings:

Steve DeLapp advised the Commission of a meeting at the Oakdale City Hall on January 24th to discuss a proposal of building 120 homes on Olson Lake Trail. Residents have banded together to fight this proposal.

The Woodbury Planning Commission will discuss the feasibility report made on the proposed detachment/annexation of the I-94 properties in Lake Elmo on January 25th. The Woodbury Council will meet on January 30th.

8C. Proposed Response on Planning Commission Meeting Times

Steve DeLapp provided a draft of the response of the Planning Commission to the request from the Council on a proposal to replace one of the two regularly scheduled monthly meetings with a monthly workshop based on previous input from commission members.

The following deletions were made: Delete "Saturday" in the 2nd paragraph before workshops. On the 1st paragraph on the last page, delete the last sentence and replace with: "We suggest that this effort be carried out for a trial period of 6 months, at which time the Staff and Commission will report to the Council on extending this method".

M/S/P Bucheck/DeLapp - to forward the response of the Planning Commission to the City Council on their request for comment on the proposal to replace one of the two regularly scheduled monthly meetings with a monthly workshop; but to include the requested deletions and replacement. (Motion carried 7-0-2 Abstain: Stevens: he did not have enough time to read the entire draft; Johnson).

8D. Special City Council Meeting on January 24th

Ann Bucheck advised the Commission that planners will be interviewed by the Council on January 24th at City Hall and felt this would be of interest to the Commission. Also, the Residential Estates Zoning Ordinance will be presented to the Council by Planner, Mike Black. Since the Commission has not seen this proposed ordinance, Ann felt commission members should attend to hear the discussion. Chairman Rob Enes advised that he would attend this Tuesday meeting.

M/S/P Johnson/Haacke - to adjourn the Planning Commission meeting at 10:40 p.m. (Motion carried 9-0).

LAKE ELMO PLANNING COMMISSION MINUTES

APPROVED

JANUARY 26, 1988

Chairman DeLapp called the Planning Commission meeting to order at 7:35 p.m. in the City Council chambers. Present: DeLapp, Williams, Hunt, Johnson, Simpson, Kunde, Stevens. Absent: Bucheck, Haacke, Johnston, ~~Enes~~

1. Agenda

Add: 8. Discussion on Sign Ordinance, 9. Adjourn

M/S/P Stevens/Hunt - to approve the January 26, 1988 Planning Commission meeting agenda as amended. (Motion carried 7-0).

2. Minutes: December 14, 1987

M/S/P Williams/Hunt - to table the December 14, 1987 Planning Commission meeting minutes for further discussion on Chapter III, Future Land Use Section of the 1986 Comprehensive Plan. (Motion carried 5-0-2<Abstain: Johnson, Hunt>).

Minutes: January 11, 1988

M/S/P Williams/Hunt - to approve the January 11, 1988 Planning Commission meeting minutes as amended. (Motion carried 6-0-1<Abstain: Simpson>).

3. New Planning Commission Members and Planning Books and Information; Marge Williams

Commissionmember Marge Williams reported that Ann Bucheck had gone to the Washington County Planning Agency and gathered books that would be informative to the Planning Commission. After reading several of these books, Marge suggested purchasing 10 copies of Job Description of the Planning Commission Member for each member at a total cost of less than \$150. Other books will be purchased to go into a library that will be set up for information that is needed by the Planning Commission members.

Marge proposed that the Commission set up an in-service training program for new planning commissioners. A packet would be made up with job descriptions, how comprehensive plans are written and to include whatever else that is needed to help inform them. Marge has talked to Afton and found out they hold three meetings a year for in-service training.

M/S/P Stevens/Hunt - to direct Marge Williams to set up a sub-committee to develop an in-service training program for new Planning Commission members which should include having access to planning books. (Motion carried 7-0).

4. Section 32/33 Alternate Financing--
T.I.F. General Overview
Lee Hunt and Dave Johnson

Dave Johnson reported on Tax Increment Financing after talking to several people from the Hubert Humphrey Institute. Dave also talked

to Don Slater, who did not feel confident to come in and discuss this with the Commission, but gave Dave the name of Douglas Hartman as an alternate source of information.

Dave explained that tax increment financing is a tool used by cities to finance certain types of real estate development costs. The primary purposes of TIF are to attract private investment that will: 1) redevelop blighted areas, 2) provide housing for low and moderate income individuals and families, or 3) result in increase employment opportunities and tax base. Most cities finance these costs by issuing tax-exempt bonds, and the tax increments from the resulting development are used to make annual principal and interest payments on the bonds. While TIF does not change the amount of taxes paid by a developer, it does change the distribution of these taxes. Instead of being shared by the city, county, and school district, tax increment typically go to the city to pay development costs. In theory, the various taxing jurisdiction will later benefit from TIF because it induces new developments that would not have occurred without this financing tool.

The Minnesota Tax Increment Financing Act of 1979 must be used to establish a tax increment district and its financing plan. According to the act, districts may be one of three types: (1) a redevelopment district (25 years), which is designed to induce development on blighted land; (2) an economic development district, (7-8 years), designed to increase cities' tax base and employment as well as to discourage Minnesota businesses from moving to other states and (3) a housing district, which is intended to encourage housing development for low and moderate income individuals and families.

Johnson explained that at times, TIF has been used in ways that are inconsistent with the basic intent behind TIF. Major problems of tax increment financing are listed in "Executive Summary" pamphlet Johnson had received. Two of the problems listed were:

--In some instances cities have established tax increment district that intentionally capture taxes from development that is already occurring rather than induce new development. This practice prevents other taxing jurisdictions from collecting taxes they would otherwise receive.

--Cities are pooling tax increments among districts or establishing large project areas in which tax increments can be spent. These practices enable a city to spend excess tax increments from an existing district rather than decertifying the district. This weakens the statutory restrictions on the use of excess increments that apply to districts established after August 1, 1979.

In addition, there is the question of whether tax increment financing results in an excess public investment in development activities. To the extent that cities use tax increment financing to induce retail and commercial development, TIF may only succeed in shifting where that development occurs within the state. A subsidized development that brings more jobs and tax base to one city may ultimately result in few jobs and decreased tax base elsewhere in the metropolitan area.

Johnson has talked to the Lake Elmo Bank and Maplewood State Bank and it appears to him that you will not find anybody that will loan money unless you have a specific project/site in mind.

In order to have knowledgeable people come in and put on a TIF seminar, Lee Hunt found you needed to pay between \$200-\$800. Lee had talked to Wayne Vasilis, Community Development Specialist, Washington County, and he distributed pamphlets on Tax Increment Financing.

Information ~~distributed~~ available:

Tax Increment Financing
Funding Commercial Development with Future Tax Receipts
May 1984
Dept. of Energy & Economic Dev., Commercial Development Div.
in cooperation with League of MN Cities

Tax Increment Financing
American Planning Association

Financing Infrastructure to Support Community Growth
by Douglas R. Porter, Richard B. Peiser
Dev. Comp Series

Public Incentives and Financing Techniques for Codevelopment
by Gary E. Stout, Joseph E. Vitt

Lee explained there were 38 states that have TIF and Minnesota allows TIF on new development, in general. He found that the trend seems to be limiting TIF rather than broaden it because it is difficult to determine financial gains or losses and requires lots of upfront work to be done--if not, a City gets burned badly. TIF is for larger cities and larger staff. Types of information that would be needed: Land inventory--developable land and what would it support, what soil would support building, what type of development--how dense, what type of services are needed. Hunt felt we should compare the overall result in regard to what happens to that land for revenue if we develop it commercially, or R1 which includes sewer, RR without sewer or RE zoning. TIF is done when it is for the good of the City. Hunt suggested a review from City Attorney Knaak of changes that have occurred recently with TIF.

Dave Johnson stated that if we do decide to develop, then TIF is the only realistic way to go about it. In order to reduce our risk by spreading this over a 7-8 year period, it has to be site specific. Hunt felt the risk was high to Lake Elmo based on the budget. Another problem he sees is the cost to put in sewer is a very high risk to the City and low for the developer. Hunt would not be in favor to do TIF based on our current Comprehensive Plan.

There are such Individual Development Revenue Bonds where the city issues bonds and the developer is fully responsible for payment of the bond. The legislature is closing loopholes down. A follow-up on case studies to see if finance has been effective would cost money and it

was suggested the City share the cost of this study. Hunt has talked to City Council members who would not support the study at this time. The Commission suggested bringing someone in to talk to them.

Marge Williams talked about "impact fees" which local governments are forcing the person who benefits, pays--this is the way of the '80s.

Chairman DeLapp talked with Mayor Hudalla, Bev Peterson who reiterated what Mattson has stated--only TIF approval on a site specific proposal. Johnson agreed that it had to be project/site specific and it enhances the neighborhood was the only way of lending city support because of the risk.

Marge Williams explained the difference between Oakdale and Lake Elmo is that Oakdale is interested in developing every inch of their land and Lake Elmo is not interested. This would change the focus and philosophy of Lake Elmo.

The consensus of the Planning Commission was to look at it on an individual basis--to have the developer come in with a specific project/site proposal--in order to examine the risk to the City. Therefore, the following motion was made.

M/S/P Williams/Hunt - to recommend to the City Council that the Planning Commission could not approve or recommend TIF; but recognizes alternate ways of financing for the developer who has a project and site specific that would enhance the neighborhood. (Motion carried 7-0).

Chairman DeLapp handed out copies of the petition for detachment of certain lands from the City of Lake Elmo and annexation of the same to the City of Lake Elmo submitted by Attorney Lyle Eckberg representing Harvey and Evelyn Brockman; Meriwn and Eileen Campbell, Joseph and Dorothy Brockman and Robert and Luella Fraser.

Oakdale wants Section 32, but it cannot go to Oakdale unless there is a 4-1 vote, DeLapp stated. Marge found out in a booklet that this property can only be annexed as property is developed. Annexation is always toward the more developed areas. Oakdale may have TIF in place to develop a parcel rather than Lake Elmo.

Tom Simpson expressed his feelings with diversity in one town is desirable but incompatible in another such as in Section 32. He is more in favor of them going to Oakdale.

Marge Williams asked if the City was prepared for very high services and changes in our schools.

Johnson felt we were unique by being on the corner of two freeways and has a chance to put commercial in and get three times as much tax money.

Williams responded that there was a different economy in 1988 than in 1984 and 1985. Companies are not out looking to expand and gave the example of the Woodbury Mall which is having difficulty finding anchor stores.

Marge Williams and Lee Hunt recommended that the Lake Elmo Planning Commission meet with the City Council to discuss what information they have learned so far in regard to the annexation to Oakdale. Chairman DeLapp will discuss making this a City Council agenda item with the Mayor in advance so he could lead the discussion and ask questions.

Three Section 32 property owners were in the audience and asked by Chairman DeLapp if they had anything to say. They had nothing to add, but felt the discussion was very interesting.

Chairman DeLapp also handed out a notice of a public information meeting being held on February 2, 1988 at 7:00 p.m. to learn about the I-494 Access Improvement Study being conducted by the City of Woodbury. Included in these street improvements may be the construction of an interchange on I-494 near Tamarack Road, the construction of an interchange on I-494 near the Woodbury/Maplewood City limits, and the extension of Bielenberg Drive into Lake Elmo and the extension of Weir Drive into Oakdale.

5. Comprehensive Plan Work Committees Format--
Marge Williams

Marge Williams had met with Lucy Thompson of the Metro Council on February 1st, 1988 to discuss the 29 pages of the 1986 Comprehensive Plan that was submitted for their approval. Marge found the plan did not have any meat to it because the appendices should be the body of the documents and not inserted as Appendixes. Basically, the City Administrator did not follow the Metro Council format, but became inovative and came up with his own format. Consequently, the plan became confusing and unreadable.

The Comprehensive Plan should have Inventory, Analysis, Policy Plan, Implementation Plan and Conclusion. A copy of Minnetonka's Table of Contents was handed out as an example.

Marge suggested that a committee be formed to work on the 1986 Comprehensive Plan in order to change it to correspond to the recommended format by the Metropolitan Council. This committee will meet on Saturdays.

M/S/P Williams/Hunt - to suggest a work committee meet on Saturdays to work on the 1986 Comprehensive Plan in order to make it more consistent with the recommended format by the Metro Council. (Motion carried 7-0).

6. R.E. (Residential Estates)
Natural Features & Resource Assessment

Chairman DeLapp submitted a draft on Residential Estates zoning--one family residential zoning for the Planning Commission's review.

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

JANUARY 11, 1988

Chairman DeLapp called the Planning Commission meeting to order at 7:35 p.m. in the City Council chambers. Present: DeLapp, Williams, Stevens, Kunde, Haacke, Enes, Bucheck, Johnson, Hunt. Absent: Simpson.

M/S/P Bucheck/Enes - to nominate Steve DeLapp for the position of Chairman of the Planning Commission. (Motion carried 9-0).

M/S/P Bucheck/Hunt - to nominate Margorie Williams as Vice-chairman of the Planning Commission. (Motion carried 9-0).

M/S/P Enes/Williams - to nominate Ann Bucheck as Secretary of the Planning Commission. (Motion carried 9-0).

1. Agenda

Add: 6. Update on Chapter V-Technical Data Appendices, 7. Building Code Enforcement, 8. Ordinances

M/S/P Williams/Bucheck - to approve the January 11, 1988 Planning Commission agenda as amended. (Motion carried 9-0).

2. Minutes: November 23, 1987

M/S/P Williams/Bucheck - to approve the November 23, 1987 Planning Commission minutes as presented. (Motion carried 7-2-0 Abstain: Johnson, Stevens).

Minutes: December 14, 1987

M/S/P Williams/Stevens - to table the December 15, 1987 Planning Commission minutes for further discussion on Chapter III Land Use Management. (Motion carried 9-0).

3. Upcoming Requests

January 25, 1988

Section 32-33 Discussion
Comprehensive Plan Update

4. City Council Update was provided.

5. Section 32-33 Discussion

A. Work Committee Report

Chairman DeLapp explained that they were expecting to have a response from Oakdale as to how they wanted to address this issue of annexation and tax increment financing, etc. The Commission was then going to

take their proposal and see how it fits into Lake Elmo's possibilities and make a determination that would be best for everybody. After hearing nothing, DeLapp called the Community Development Director Fred Bromer and asked what was going on because the information was ready one day before the December 14th Planning Commission meeting. Bromer stated he did not know what DeLapp was talking about.

DeLapp then called Craig Mattson, Oakdale City Administrator, who informed him that when this topic came up on the City Council agenda in Oakdale that he was ordered to have nothing to do with the topic whatsoever. But if anybody wanted to attend the Lake Elmo Planning Commission meeting on January 11th, it would be fine with them. In the minutes it was recorded that no one indicated they would be able to attend. A copy of these minutes were sent to Section 32-33 landowners.

B. Further Discussion

David Johnson explained his reaction to Oakdale's comments was that when the City Council was asked to allow staff to prepare information to identify what they might as a City do in respect to this property in terms to facilitate the commercial development on there, the reaction of the City Council was they do not want to go through and lay out before them and get into a bidding war because this was not their intention.

Carl Rudeen stated in his discussion with an Oakdale Councilmember who stated that they are not sending anyone because they do want to get into a hassle with the City of Lake Elmo on a political basis. He felt if the people of Section 32 wanted to come in and join Oakdale all they had to do was get a petition with signatures and sent it through the proper channels without coming to Lake Elmo to ask them if they can do it. Marge Williams responded that the State Statutes state that the two cities would have to be in an agreement--the people cannot decide.

Bob Dreher reported that 100 percent of the propertyowners in Section 32 have signed this petition. Not all the people in Section 33 have signed this petition. Rudeen added that if it goes over a certain number of acres the petition doesn't have to be signed by 100 percent of the property owners. Dave Johnson was surprised to hear this and felt that some propertyowners within Section 32 took it upon themselves to petition because he is not a party of this and has 25 acres in Section 32.

Marge Williams commented that a lot of cities were going into Tax Increment Financing. The towns of Eagan and Apple Valley have done this and their taxes are going sky-high. The most recent information they are getting, not only from the Metropolitan Council but from other Planning Commissions around the nation, is that they are going back to the old attitude. Developers pay for their own developing and the City should not take on that risk. This is being pushed by the Metropolitan Council and by people in the planning business, but also by a networking of cities nationwide because cities are going broke financing development projects.

Lee Hunt referred to Oakdale's City Council minutes of November 24, 1987 where Mayor Hudalla asked the Council if they would have interest in a development to be located north of the Oakdale Mall which would be rental units and would include 24 senior citizen units. Councilmember Merle felt that the developer would be using the senior citizen housing as a way to obtain tax increment financing and asked that Mayor Hudalla tell them no. Hunt felt perhaps we should start to look at creative ways to go around tax increment finances that might have the same affect. A special use ^{fee} ~~team~~ would serve the same function, but removes some risk from the City and places it on the end user of the property. Hunt would like to have a commitment from the people who will be moving in and putting ⁱⁿ businesses that they would be staying around also.

Rudeen added that there is a string of houses out there that need sewer and the easiest way for them to get it is to hook onto the sewer that comes under the road. Marge Williams expressed the point that the cost for upgrading their septic system versus going on a sewer system. Just because the sewer assessments were paid it does not mean that this ends the financial responsibility. Once sewer comes there are hookup charges and continuing assessment charges on sewer use.

Ann Bucheck asked the large property owners if anyone had come to them and proposed to buy their land. The answer given by Mrs. Brockman was that many developers have. Ann asked what have these developers said to them regarding sewer and water. Mrs. Brockman answered that they came to Lake Elmo asking for information and the City just laughs at them. The developers would rather go to Oakdale rather than try to work with the City and end up bickering as is happening now at this meeting.

Mrs. Brockman further explained that they have had many close agreements, but were contingent on ~~unless~~ sewer and water was being available. They have gone through an Environmental Impact Study and found out how much it would cost for all of their property--but someone came in from the outside, who didn't own a square inch of land on that property, took over the whole meeting. None of the property owners could say anything--all they talked about was how much is this going to cost the rest of Lake Elmo. The property owners said they don't want to bear all the costs, but they have to have some type of 20 year financing--they can't expect propertyowners to bear \$300,000-\$400,000 up front.

Ann asked the propertyowners if they had an Oakdale address and a developer bought their property at this time, ^{what} would they expect ^{from} the City of Oakdale or what type of financial treatment would have to take place for the sewer and water to come through. Mrs. Brockman responded that Oakdale would charge them over a period of time, but Lake Elmo wants them to pay up front. DeLapp stated that Oakdale told him on the telephone they would not front money for development. They guaranteed him that under no circumstance would they do this.

Barb Haacke felt that regardless if whether Oakdale will or won't help them, if these propertyowners think they will and they want to become

part of Oakdale, she doesn't understand why we want to hang onto them.

Mrs. Brockman stated this was something they didn't want to do, but was forced to do it referring to a letter from their attorney, Lyle H. Eckberg, which stated that the Minnesota Municipal Board acknowledges receipt of the petition for concurrent detachment and annexation from the City of Lake Elmo to the City of Oakdale.

Dave Johnson, ConnCo Shoes, felt the discussion at this point was digressing not progressing. His understanding was the Council charged the Planning Commission to look at the proposal that was before them and review it as an advisory capacity and respond back to the Council. If the Planning Commission recommends that they do not think that the City should do anything, the propertyowners would know and then they can go on. It is not what Oakdale will do or not do, that is for them to decide. DeLapp interjected that he already determined that because Oakdale will not put any water or sewer in Section 32 unless there is a signed contract which was told to him by Craig Mattson. Johnson said this was a startling development to him and he would follow this up with a phone call to Mr. Mattson.

Chairman DeLapp further stated that there isn't any City willing to spend any amount of money to bring in sewer and water without a project in mind that they are fully happy with and the financing is sound. Craig Mattson stated that if there is such a project Lake Elmo would be just as happy with it as they are--so why would Lake Elmo want the land annexed.

Ed Stevens felt the City was asked by the Section 32 propertyowners if they wanted to compete with Oakdale. No way is Lake Elmo going to try to compete with Oakdale to see which one can offer more inducements to the landowners to stay in Lake Elmo and not to go to Oakdale. Stevens added that it looks to him that Oakdale has turned around and has had second thoughts and said maybe they don't want to spend the money. Now it appears the landowners come here and say if Oakdale won't do it, maybe Lake Elmo will do it after all. The landowners echoed that this was not the scenario at all.

Ann Bucheck tried to move the meeting along by clarifying a few items. Right now in our Comprehensive Plan they have said all along, it was the developer's responsibility to put in any kind of improvements that are needed in order to develop his property. She asked the property owners if they are asking if the City is willing to get bonds to help with water and sewer and if so under what circumstances. Johnson (Connco Shoes) felt this would be helpful and they could progress with this. Bucheck recapped what the propertyowners want to know what are the rules and regulations and how might they compromise from what the norm is.

Councilmember Don Moe explained that on November 17th the Council charged the Planning Commission to work with the Section 32-33 landowners. He asked the Commission who have they talked to and what figures have they come up with. Marge Williams responded that they are not paid to do this. Moe told the Commission that the Council

gave them the direction to do this work and report back to them in 60-90 days. DeLapp added that Moe cannot order them to do City Administrator's work--the commission was asked to review a proposal by the City of Oakdale that would be forthcoming.

Bucheck felt that one issue to discuss is that the landowners would like some kind of help with financing of sewer and water. Barb Haacke stated that the City Administrator was going to have someone from the HRA to come and speak to the Commission on finances. Bob Drehrer said there were State Agencies that could provide information on financing. Another issue to look into was Section 414 in the State Statutes regarding annexation. A landowner asked who was going to educate the Mayor because he had stated at a Council meeting that the Section 32 landowners couldn't leave, except over his dead body.

Williams suggested contacting the MN Economic Development Council because they have individuals with this expertise. Johnson (ConnCo Shoes) suggested inviting a credible individual come in to explain Tax Increment Financing. DeLapp felt he has attended enough seminars to know exactly what Tax Increment Financing is--in reality, it is the City willing to do this without a development.

Williams brought up another issue which is quality of life ^{which} and is very difficult to put a dollar on. If you have land and want to develop it and make money, quality of life means nothing. But if you are an average citizen who lives here and enjoys their low taxes and the area, there is a quality of life you have to examine whether it is worth becoming somewhat like Oakdale which has a bad reputation as far as quality of life.

Lee Hunt felt approaching a bank would be an alternative to Tax Increment Financing which has the same effect. The financing would be against the land and the development, it would not be paid up front, but in installments much the way Tax Increment Financing would. It could be staggered such that the payment would not start until the land would be developed. Perhaps the Bank of Lake Elmo would be willing to promote development. Hunt believes the Bank of Lake Elmo would be very happy to see as much development as they could. DeLapp gave the example if he wants to rebuild his septic system, would he go to the bank or go to the City for the money.

Lee Hunt wanted to go on record that he would be glad to work with anyone involved from the landowners or the Planning Commission and see what they could do about approaching and getting private financing. He is not a representative of the City, the City is not saying they will be making any guarantees to the bank. If the Bank is willing to promote development and the landowners are willing to work with them (along with Lee), ^{of} to see if a ^{they} proposal could come up with a proposal in the next couple ^{of} weeks. Lee will report back to the Planning Commission. Commission member Dave Johnson volunteered to work with Lee Hunt on finding alternative financing methods other than Tax Increment Financing.

M/S/P Williams/Haacke - to have Lee Hunt and Dave Johnson look into alternative financing for Section 32. (Motion carried 9-0).

M/S/P Bucheck/Stevens - to have Lee Hunt and Dave Johnson contact the appropriate individuals to attend the Planning Commission meeting so the Commission could learn about Tax Increment Financing or any other financing. (Motion carried 9-0).

Mr. Rudeen stated that the Mayor wished to spend \$125,000 to stop a landfill which is their money that they paid in taxes and the City has saved it, which is good. He was not in favor of a landfill which will not bother them in Section 32, why should they contribute. Rudeen pointed out the imbalance and felt this was the same thing they were asking of them. DeLapp explained that they look at this as one city. Rudeen interrupted DeLapp that he was looking at one City his way--no development and no help from the City.

Marge Williams suggested that Section 32-33 discussion be put on the February meeting agenda and suggested the landowners call the City Office or Chairman DeLapp to confirm the meeting date.

6. Comprehensive Plan Update

A. Assignment of review sections to Planning Commission members

Commissionmember Ed Stevens presented a draft of the Parks and Open Space System for the Planning Commission's review. Stevens commented that he did not have the exact figures of the area of the parks, but hoped that whoever put the figures in used the correct figures. Ed felt the following paragraph should be added: "A potential threat to park land in Lake Elmo is the proposal to locate a sanitary landfill in the Regional Park. All governmental agencies in Lake Elmo, several in the surrounding areas, a citizens group are united in opposition of this degradation of park land".

DeLapp reported that he was approached by a Parks Commission member who had a policy that he would have liked proposed to him. This member felt it was time to figure out a way to get land donated to these people so they can go to their own park by their development and not have to go to other (people's) parks. DeLapp talked to this member about this draft and he felt this was great and just what the Parks Commission was talking about.

Ed Stevens will call Nancy Hansen to confirm the area of the parks and the policy of requiring park land and report back to the next meeting.

Ann Bucheck commended Ed on a fine job he did on the Parks and Open Space System Section.

M/S/P Haacke/Hunt - to approve Appendix H Parks and Open Space System replacing H. Recreation Facilities of the 1986 Compresnive Plan to include the paragraph regarding the landfill; contingent on the area of the parks within the City is confirmed. (Motion carried 9-0).

Chairman DeLapp passed out a work draft of the Appendix F. Natural Features and Resource Assessment for the Planning Commission's review.

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

DECEMBER 12, 1988

Chairman DeLapp called the Planning Commission meeting to order at 7:30 p.m. in the City Council chambers. Present: DeLapp, Williams, Bucheck, Haacke, Enes, Stevens, Kunde, Johnson, Administrator Morrison. Absent: Hunt, Johnston

1. Agenda

Add: 6. Other

M/S/P Haacke/Enes - to approve the December 12, 1988 Planning Commission agenda as amended. (Motion carried 8-0).

2. Minutes: November 28, 1988

M/S/P Stevens/Haacke - to approve the November 28, 1988 Planning Commission minutes as amended. (Motion carried 8-0).

3. Concept: CUP & Variance
(Ad Venture Media, Inc.; J. Olson)

Jamie Olson, representing Ad Venture Media and a part owner of slightly more than one acre in Section 36 along I-94 which she felt was difficult, if not impossible, to put it to any other use other than a sign structure, lighted 10' x 20' advertising sign. A variance is needed for the sign location because the sign would be less than the minimum 3,000 ft. horizontal distance that is required between advertising signs which are located on the same side of the street. There has been two previous applications and this application is identical to that which was denied in 1986.

DeLapp asked for the names of the other owners be put on the application. DeLapp added that the applicant has to show a hardship and an economic hardship was not a valid reason for granting a variance. He also made the applicant aware of our ordinance stating signs may only be lit during normal business hours. The applicant stated she may consider a variance to this ordinance.

Administrator Morrison suggested Ms. Olson contact the Deputy Clerk with the owners' names and then a public hearing will be scheduled before the Planning Commission.

4. Comprehensive Plan

Commissionmember Williams reported when she was going through the 201 Program file, she found a a memo from Administrator Whitaker, June 22, 1982, stating there had been an amendment to the 1979 Comp Plan to include the 201 Project. On July 6, 1982 a Resolution was passed by the City Council, but this amendment had not been placed in the Comp Plan.

While reading through the old minutes, Marge had found several amendments to the Comp Plan that were never printed in a format and physically placed in the Plan. She suggested the Commission research this and to make sure these amendments be put into a working copy of the Comp Plan.

The Commission expressed their appreciation of the time and effort Marge has dedicated to drafting the Comp Plan and expressed their desire to have her continue working on the Plan until it was finished.

M/S/P Stevens/Bucke - to recommend to the City Council to authorize and request Marge Williams continue on as a volunteer semi-official member of the PZ commission in order to work on the Comprehensive Plan. (Motion carried 8-0).

5. 1989 Work Plan Prioritization

Item 9 Future Road Plan

M/S/P Enes/Haacke - to change Item 9 Future Road Plan - to Review the Future Road Plan with possible insertion into the current Comp Plan. (Motion carried 8-0).

M/S/P Enes/Haacke - to recommend to the City Council approval of the proposed 1989 Planning Commission Work Plan, prioritized as listed, with additional definition of Future Road Plan. (Motion carried 8-0).

6. Other

(Amended 1-9-89)

Letters, which will be sent to Marge Williams & Lee Hunt, were read ~~A letter, which will be sent to Marge Williams, was read~~ offering the Planning Commission's deep appreciation for the dedicated service she has given to the community by serving on the Planning Commission.

M/S/P Enes/Kunde - to adjourn the Planning Commission meeting at 8:35 p.m. (Motion carried 8-0).