

City of Lake Elmo

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Old Village Special Projects
And Planning Commission
MONDAY, September 9, 2002 at 7:00 p.m.
Council Chambers, City Hall, 3800 Laverne Ave. N.,
Lake Elmo, Minnesota

AGENDA

1. Agenda
2. Minutes (Postponed)
3. Variance from OHW: McAdam/Mogren
4. Other Business
5. Adjourn

OLD VILLAGE SPECIAL PROJECTS

1. Old Village Design Study
Guest: Thorbeck Architects
2. Green Belt Moratorium
3. Audio Conference
4. Other Business
5. Adjourn

9/9

**OLD VILLAGE SPECIAL PROJECTS PLANNING COMMISSION
MEETING MINUTES
SEPTEMBER 9, 2002**

Vice Chairman Helwig called the meeting of the Planning Commission to order at 7:04 p.m.
COMMISSIONERS PRESENT: Taylor, Bunn, Deziel, Berg, Ptacek. STAFF PRESENT: City Planner, Charles Dillerud; and Administrative Secretary, Kimberly Schaffel.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT

Our two Planning Commission Alternates, Mark Deziel and Julie Ann Bunn have been appointed as regular members. There are now two Planning Commission vacancies.

AGENDA

Motion/Second, Berg/Ptacek, to accept the agenda as amended. VOTE: 6:0 PASSED.

MINUTES

There are no draft minutes to present.

VARIANCE FROM ORDINARY HIGH WATER – McADAM/MOGREN

Staff Report, City Planner, Charles Dillerud

The Lake Elmo Planning Commission was asked to consider a request by Robert McAdam and Bob Mogren for a Variance to **Section 325.06 Shoreland Standards, Subd. 4. A Setback from Ordinary High Water Level** of Lake Jane to construct a Principal Structure 51 feet from the Ordinary High Water Level where 100 feet is required. Notice was published, and affected property owners were notified. The property is known as Property I. D. No. 09.029.21.41.0002, and generally described as:

Part of Government Lot 7, Section 9, Township 29 North, Range 21 West, Washington County, Minnesota, lying easterly of Lake Jane Manor No. 1, and northerly of the Centerline of Lake Jane Trail North.

The property is located on the south shore of Lake Jane, just west of Jamaca. The specific parcel is called Government Lot 7. It consists of approximately two acres after road easement exclusion.

The applicant proposes to build a home on this heavily wooded, undeveloped parcel. The amended application relocates the proposed residence five feet further from Lake Jane Trail than indicated on the diagram, and does meet front setback from the road of 30 feet. The entire proposed home lies within the 100 feet setback from Ordinary High Water. The septic is setback the correct amount of 75 feet. There are four Findings required to determine "hardship" and basis for approval of a variance.

The DNR was notified, and responded with a written report. They recommend an alternative site and/or building design, proposed vegetation clearly identified on the site plan, the use should be consistent with all applicable flood plain regulations for both city and watershed district, and wetlands should be evaluated for compliance with federal and local regulations. The DNR says that some sort of variance will be required but the scale and manner of variance requested in this application is excessive.

Numerous inquiries over the years have resulted in an assumption that this parcel was not buildable. Up until recently, City Code said that a mound system could not be primary. Soil testing performed on the site recommends a conventional drainfield system as primary. The site is large enough to become a home site. The remaining issue is whether to issue a variance.

The proposal may go beyond what is reasonable, although the applicant has made efforts to reduce the depth of the home. Readjustment and restructuring might reduce encroachment. Also, nothing is shown

on the site plan indicating the degree of vegetative cover that will be lost.

This lot can be put to use without the degree of variance, with a different design, and modified placement. Some manner of hardship exists. Staff recommends either denying the application as presented or tabling to allow the applicants to consider the mitigating modifications.

Commissioner Bunn

Is the 2,500 square feet of footprint similar to other homes in the neighborhood?

City Planner

Yes, of the newer homes, some are larger, and some are smaller.

Commissioners Berg and Helwig

Commissioner Berg remembered variances for existing homes being granted but not for new construction. Commissioner Helwig remembered a couple of variances for additions in that neighborhood that were denied.

City Planner

He remembered three, two approved and one denied. The degrees of setback requested were probably close to this one. Those were dealing with existing homes. The 100 feet of setback standard was developed by the DNR three decades ago. We were required by state law to adopt that standard. The primary DNR consideration seems to be appearance from the water; secondary seems to be the impact such as run off, vegetation, etc. They appear to be ready to concur with some degree of variance, just not what is being presented here today.

Commissioner Helwig

Are there one or two applicants?

City Planner

Mr. Mogren owns the land; Mr. and Mrs. McAdam propose to buy it if they can build their home on it.

Bob McAdam, Applicant

He is a home builder by trade. The proposed conforming septic is located to the west. That is why the house is located where it is. By locating the drainfield between the house and the neighbor, he creates a buffer. The lot is wooded to the waterline. He called the DNR today; the man he spoke to was not opposed. He did not realize the house is only 26 feet deep. It is difficult to build a narrower house. That is why the house is long. The basement will be at 930 feet elevation. The lower garage was designed so vegetation will not have to be removed to accommodate storage on the site for boats, etc. He is trying to save all the trees he can.

Commissioner Taylor

Will they be accessing the garage from the lake only for storage and to save trees?

Bob McAdam, Applicant

Asking for a triple upper garage is mainly for resale. The lower garage only has access to the lake. The footprint of the house is only 2240 square feet; the porches make it 2400-2500. It is a walkout basement.

Commissioner Deziel

He noticed the pitch of the roof is low.

Bob McAdam, Applicant

All but the very center of the roof is low. He displayed a picture. He said the portico is shown in the wrong place on the diagram. He will only need a small amount of fill in a couple of areas.

Commissioner Deziel

How much of the existing vegetation will be maintained?

Bob McAdam, Applicant

He would like to clear twenty feet on the lakeside, and then thin it out. He likes the trees between his home and the lake. He will not object to any cutting limits between the house and the road. The proposed septic site has the best soils.

Commissioner Taylor

Is it the only possible septic site?

Bob McAdam, Applicant

The plan shows two more in the eastern part of the site, both are mounds. He wanted to stay in the middle of the lot.

City Planner

The applicant spent time with staff before the application. He originally had two variances; one from the road and one from the water. We are less concerned with the road if a variance there would allow this house to get further from the lake. Also, the primary septic to the west will take out trees as well. You cannot have septic with that much tree cover.

Bob McAdam, Applicant

A standard drainfield can go between trees. The trees will not die if they put the drainfield in there. He has built a lot of homes in Lake Elmo and Baytown. This will be his residence.

Commissioner Helwig

If going to a mound system, you would have to destroy trees.

Bob McAdam, Applicant

The best way to go in with the driveway allows fill removed for the driveway to fill in other areas that are dug out for the house.

Commissioner Helwig

Has the Building Official looked at this site and building plan?

City Planner

No. The other three options for septic would have to be mounds.

Bob McAdam, Applicant

Trees on either side of the proposed drainfield will screen the property line and the house.

Commissioner Helwig

He asked if two tanks were part of the design for this four bedroom house.

Bob McAdam, Applicant

Yes, and the septic was designed before an option to purchase was taken on the lot.

Commissioner Bunn

She asked how Mr. McAdam would feel about moving the house to closer to the road, and adding a road setback variance. That would require less fill and a smaller driveway.

Bob McAdam, Applicant

That would be fine with him if he needs two variances and can get them. The amended plan only moved it five feet from the original plan.

AT 7:42 P.M., VICE CHAIRMAN HELWIG OPENED THE PUBLIC HEARING

Commissioner Bucheck

If a variance allows him to build and it floods; is the city liable?

City Planner

The first buildable floor is 3 feet above the 100 year flood line. The city has no liability.

Dick Johnson, Neighbor

He owns Lot 1, Lake Jane Manor, and is the adjoining neighbor to the west. He had discussions with Mr. McAdam who seems to be trying to make a reasonable attempt to preserve the site and vegetation. This is the first application that has come this far; it never became a public matter before. However, he is a builder; he may intend to live there but houses get sold. The Planning Commission needs to look at the future. Trees could be clear cut there; there is beautiful vegetation along the shore. There are only a couple of lots on this lake where natural shore vegetation exists. Cattails filter the water from drainage areas and filter excess nutrients. It is very important to keep natural vegetation there. The City should look at the DNR allowing 50 feet of beach. Everybody kills the vegetation and makes a lawn down to the lake.

He can agree with a variance of only 10 or 20 feet for shoreland but fifty feet is of concern. He is chagrined by the DNR report. They don't seem to take much of a stand. Another concern is whether the proposed drainfield location meets the city standard of fifty feet from his well. It is very close to his well which is almost due west of that drainfield.

The subdivision of property shows two parcels at that location. He would like to know the future use of that parcel to the east. He is worried that owner will come for a variance. He would like to see the two parcels under one owner.

The property was designated as unbuildable for many years; the owner pays low taxes. Now deeming it buildable seems unfair not to collect those taxes. The site was entirely flooded once well past the Ordinary High Water level; all the trees were killed, they drowned. Many since are still decomposing. There weren't any young birches then but when all the old ones died, the young ones sprouted.

Commissioner Helwig

With the advent of the mound system ordinance, it makes it a legal, buildable lot.

City Planner

The assumption was that was the impediment; now the last few years of shoreland overlay district has been the impediment. He asked the Valley Branch Watershed District about assessment records for this lot. There was some but we don't know how much. There must have been some assumed purpose for this land back then. We do not place a notice of buildable or non-buildable on the record.

The lot to the east may someday come before us. That lot would be very far below the standards. It would barely be 60% of what is buildable by area.

Bob Mogren, Property Owner/Applicant

He is one of the property owners, along with Dick Shiner. The reason those lots were split, was that Mike Dahl Construction was given the lot as lake access for owners on the other side of the road. Mike just never gave it to them, he kept it. He hopes this application will pass. He may be able to find out what was assessed when that drainage assessment went through.

Bob McAdam, Applicant

In 1987 a drain was put into Lake Jane lowering it 18 inches from Ordinary High Water. His intent is to

live there. They lived in their last home twenty-three years. Aerial photographs show vividly the path going down to the existing dock. He will use the same dock as it exists.

Mike Billstein

He is the homeowner next door to Dick Johnson. Mr. Billstein said is an excessive setback variance. There are numerous properties on Lake Jane that have no buildings now but if you put this home into the fifty feet mark, it increases the possibility if you grant this one, that development would become excessive. Currently many lots, like this one, are improved with just docks now. They may qualify under the conditions being proposed here.

The public landing is not monitored; it is a very small lake. There are eight parking spots for boats. People park along the roads, and will accept a \$20 ticket; they come back repeatedly.

Mound systems do not take up much room. Trees are fragile; you can try to put drainfields in between trees but you never know until it is done what will survive. He is concerned that this proposal is too excessive.

VICE CHAIRMAN HELWIG CLOSED THE PUBLIC HEARING AT 8:03 P.M.

City Planner

We should address the issue of the vegetation on the site. He would like the applicant to address it. It would be possible to preserve it with a conservation easement. In that case if the property is sold later, the covenant will still be there.

Commissioner Deziel

On this particular layout, and with the DNR recommendation, he does not understand the design concern. The house seems narrow, and it plans for a low profile 4.5 pitch roof instead of 12 pitch. That preserves the view of the lake for neighbors across the street. Vegetation clarification and potential covenants would be good. There is still the flood plain area concern, and wetlands that are not part of the lake itself. He would favor a second variance decreasing to 25 feet the setback in the front yard.

Commissioner Bunn

She agrees with most of what Commissioner Deziel said, the City Planner's Findings, and the DNR remarks. The house appears to be in the optimal location. The garage could be smaller. There should be a vegetative covenant. The house is similar in size to the neighbors'. She would be willing to support either variance situation.

Commissioner Taylor

She lives on part of the lake. She maintains a naturally preserved frontage. Everyone else mows to the lake. She is very concerned about the amount of encroachment and the size of this proposed structure.

Bob McAdam, Applicant

Even locating the house within fifty feet of Ordinary High Water, he would still be 100 feet from the vegetation line. Mr. Mogren could go down and clear cut it at anytime; nothing prevents that.

Commissioner Berg

He would consider the variance if he can get some of these contingencies in writing. He would propose a tree removal inventory; the County recommends a two to one replacement with mature trees. He is concerned for preservation of shoreland. He would like to know what is proposed for preserving the vegetation. He would be in favor of two variances to set the home back farther. Another condition should be not to subdivide this lot.

Commissioner Helwig

He informed the applicant that his application may be tabled tonight at the applicant's request or the

commission can make a decision and a recommendation to the council.

Bob McAdam, Applicant

He requested that the commission table the request for a variance.

Motion/Second, Ptacek/Berg, to table at the request of the applicant to allow proposed revisions by the applicant that will provide information regarding the length of the shoreline, a reduction of the encroachment into the setback from Ordinary High Water, a tree inventory; a covenant to preserve vegetation to the same degree, and no future subdivision of this parcel. **VOTE: 6:1 (Taylor) PASSED.**

Dick Johnson, Neighbor

He is concerned that the distance between the proposed drainfield and his well may not meet the setback requirements. He would like proof that it is far enough away.

AUDIO CONFERENCE

The commissioners unanimously requested the purchase of the first, second, and fourth conferences from the American Planning Association. The City Planner will order them.

THE PLANNING COMMISSION ADJOURNED AT 8:20 P.M.

VICE CHAIRMAN HELWIG RECONVENED AS THE OLD VILLAGE SPECIAL PROJECTS PLANNING COMMISSION MEETING AT 8:30 P.M.

Staff Report, City Planner, Charles Dillerud

Tonight is the initial presentation of Dewey Thorbeck and Bob Sykes that have been hired by the city to create the Old Village Neighborhood Design Study. The purpose of tonight's meeting is to see what they have to date, determine modifications, and to work with the alternatives presented to you. The plan is to go into public forums with three alternatives. In order to stay on schedule we have to complete this stage tonight. Sarah Harris broke her foot and will not be here tonight. The commission may wish to consider another special meeting before the September 23rd pre-forum activities, and create a forum structure with Sarah Harris.

Dewey Thorbeck, Thorbeck Architects

Mr. Thorbeck introduced Bob Sykes of the Land and Water Design Institute, and Mr. Barnhill who will be helping with tonight's presentation.

He said he would like the commission to review the report in progress, and comment on ideas and concepts. He would like a rough idea of dates for the two public forums. He would like to have two to four weeks between those forums in order to react to suggestions and modify the concepts. Because the commission may want to put this on a web page in the future, they did it in Power Point.

When calculating surrounding properties not yet built upon, you end up with about 1,000 acres. Under current zoning, this could result in over 400 houses being built. Natural forces are revealed when you look closely at this area. The land looks quite flat but there are ridgelines to the north and south. These ridgelines indicate the natural direction of drainage. One of them comes from the northwest, right through town, and merges with another right outside of town that comes from the north. Soils were identified by Bob Sykes with assistance from the county. He showed the areas that have poor soils for septic systems or basements. Those poor soils tend to generally follow drainage patterns. He also showed potential areas for storm water collectors. If designed according to soils and drainage patterns, the city could handle the drainage.

Bob Sykes, Land and Water Design Institute

He emphasized that the areas identified on the maps for ponding and septic are more than what is needed for 400-plus homes. This allows flexibility in determining where to direct the water. There is a dissected

pattern in terms of drainage and ridgelines. It is very important to understand those distinctive patterns are what make this place and land unique. The interruption of development patterns to accommodate these areas gives character to future development. Some of the lines shown to designate drainage areas are actually fifty feet wide on the ground. This is the beginning of a green infrastructure, which creates a system to integrate the Old Village and some open space.

600 homes could be accommodated by the septic area(s) shown. Those systems would take the most land area and hold open space. Pond areas were determined by natural depressions, some already have culverts. Those are logical places to locate a control structure. The purpose is to meet the water quality standards of the state, and to prevent downstream flooding. Wastewater would be moved to the designated areas via a vacuum or pressure system rather than a gravity system.

Commissioner John

Would the needs of all those homes be met by the two largest constructed wetlands shown, or all the areas indicated on the map?

Bob Sykes, Land and Water Design Institute

All the areas shown would be needed. Different planning options will determine where and how many will be needed. These are areas where soils are appropriate. They also provide a buffer between development and green space. Standard drainfields would require roughly the same amount of land.

Commissioner Deziel

Is there septic potential for the homes existing in the Old Village? 300 homes in the Old Village could potentially need some backup. He thought one of the objectives was to accommodate those homeowners who may need some access to common treatments.

Bob Sykes, Land and Water Design Institute

You can draw in as much wastewater treatment capacity as you want. He stopped at 600 homes. This plan tells us there is plenty of room for even more treatment areas. The question to ask yourselves is how much do you want to dedicate to wastewater systems as opposed to farmland?

Dewey Thorbeck, Thorbeck Architects

Option 1

This plan shows existing zoning at 16 units/per 40 acres. Open Space is a possibility within the current zoning allowing a 20% increase in development that could increase that number to 480 houses. You would still have to deal with stormwater and wastewater conditions.

Option 2, Compacted Concept (Transfer Density)

This option allows housing to be more compact in some areas, similar densities to current development. This introduces ideas like a horse farm with an arena and horse grazing areas around the Schiltgen Homestead; commercially zoned areas with businesses on the ground floor and apartments above; developing a greenway from Lions Park, new Senior Housing on the existing Parks and Fire Station Number 1 site, and a transit stop on Highway 5. The eastern side of the city would remain open for storm and wastewater.

Option 3, Connected Greenways (Transfer Density)

This plan shows the horse farm with pasture and drainage zones. A vertical green corridor is shown through town, connecting the north to the south. Police, fire, library, etc., could all be part of a community center at the west entrance into town. This option does not change street patterns except where city hall is now. Commercial development would be offices with apartments above, next to townhouses. A Senior Housing Unit could be built where parks, and fire department number one, are now located. This option would work with alleys as in the existing Old Village, with similar density, carrying that density further east. This option reserves a lot of land that can stay in Agricultural Development. One question to ask ourselves is how do we define the nature of agriculture? Various

possibilities include a tree farm or vegetable growers; permanently keeping the land open, just transferring density. Every Planned Unit Development is a form of land transfer.

Current PUD Zoning allows 400 homes plus a possibility of 20% for Open Space Development which equals 480 homes. Option 3 depicts an additional 20% incentive to the property owners bringing development up to about 600 units. The commission must look at what is reasonable but all properties must be treated the same.

Engineering deals with water issues. The land will dictate the character of development in a positive way, reflecting the history of the area.

Bob Sykes, Land and Water Design Institute

Option 3 shows a Lot and Block plan with alleys. Housing interrupted with drainage ways enhances the constructed form, and it weaves a more traditional fabric for the City of Lake Elmo. He looked at three plats with various size lots. Some similar patterns already exist in the city. He looked at street spacing, and the land needed for drainage. One signature of a rural landscape is a road without curbs. In order to keep the rural feel, you create roadside swales. With downstream problems, the best way to treat water is to do it as closely to where it falls from the sky as possible. As you lay streets, you must create temporary storage areas. Street trees would be planted on either side of a swale. Narrower streets are better for stormwater quality and safety. Alleys keep garages off the main street and provide service entrances.

Dewey Thorbeck, Thorbeck Architects

There is existing Old Village design precedent for all of these designs. There are the issues of density, affordability, and housing changes for lifestyle changes, widths, alleys, lot size and street alley/issues, walkways, boulevards, swales, and trees. The streets are created for vehicles, and to allow paths for residents. There are commercial areas of shops with apartments or offices upstairs. There are places to congregate, walk, ride bikes to, etc. Highway 5 can become a pedestrian zone. Parts of the design are conducive to walkouts. Pedestrian paths can connect constructed wetlands that can be made to be very beautiful.

As we get closer to the public forums, there will be photos of existing housing in Lake Elmo to help connect the plans and ideas with what we see in existing areas.

Commissioner John

Will photos of our wetland treatment systems look as attractive? In a permanent agriculture area, is there a minimal size someone is willing to farm? Will it reach a point where it collapses and then gets developed?

Dewey Thorbeck, Thorbeck Architects

Wetland systems need about three years after planting for the beauty to begin. You need to promote agriculture to get the support for it. You do not need a lot of land for some of these ideas. The big agriculture areas may slowly fade away.

Bob Sykes, Land and Water Design Institute

In York, Pennsylvania, they looked at combining housing with agriculture. Large scale farms are not compatible with housing and equipment activity at harvest time. There are different types of agriculture from large scale to smaller scale more compatible with housing. There are issues of pilferage by people who have never lived on agricultural lands. The landscape would definitely change but still be productive.

Commissioner Williams

In Option Two, what determined that road location?

Dewey Thorbeck, Thorbeck Architects

The density of homes determined that line. Lake Elmo Avenue borders one side; the proposed road would border the other side.

Commissioner Deziel

What are the possibilities of rainwater gardens and wetland plants, rather than swales or ditches?

Bob Sykes, Land and Water Design Institute

At this scale, these are gross plans; we would like to make room for them. They could include all of those options, bio-retention, rainwater gardens, ditches, swales, but rainwater gardens have a messy look.

City Planner

We tried rural section roads once in the Parkridge Estates Subdivision with mixed results. It was hard to get homeowners to accept a ditch in front of their homes. One-quarter have converted to culverts. The second issue is how to deal with a boulevard canopy of trees. Trees will not grow in a swale, plow trucks will hit them on the street side or if grown on the other side of the swale, will they really be a canopy? In new developments, this has not been successful so far.

Bob Sykes, Land and Water Design Institute

Is this something we should look at and pursue answering those questions?

Dewey Thorbeck, Thorbeck Architects

We should not all be running off our water into rivers and the Gulf. Try to keep the rainwater here. As a citizen weighs the options, they might like it. Curb and gutter will shoot the water through town.

Commissioner John

Local surface water sponges need to be created rather than send that water to the Gulf. He likes the presentation as it exists in terms of zoning, and showing what it would look like overlaying the densities.

City Planner

City Code provides up to 20% bonus in a PUD. How can we rationalize an additional bonus? Somehow we have to come up with a way to provide an incentive for landowners to go along with our plan.

Commissioner Williams

Development costs for smaller lots are much less than 2.5 acre developments. As soon as lot area limits were dropped with Open Space Developments, developers jumped on it. We do not have to offer incentives, it is simple economics.

Commissioner Deziel

There would be 20% more that cost less and sell for more.

Commissioner Williams

The current zoning of the 2.5 acre minimum was established after many years of debate and public hearings, and rework of the Comprehensive Plans. In his opinion, the majority of residents don't want a city in this city; they want the country.

Dewey Thorbeck, Thorbeck Architects

We are not asking for approval. We are looking at the process.

Commissioner Pelletier

Her concerns are still the denser housing north of 5. With the big highway there, it is fragmented.

City Planner

The Metropolitan Council will reject our Comprehensive Plan tomorrow when they vote. He quoted from Old Village Special Projects Planning Commission Meeting Minutes of Sept. 9, 2002

their resolution. They don't want us to do anything with Highway 5. We have to figure another way - over or under it.

Commissioner Bucheck

She agrees with Commissioner Williams. She is concerned about taxes in the City. Fire, police, and safety are expensive for 400 to 600 new homes. Two or three years ago we had a meeting with Old Village residents who did not want more houses; they wanted senior housing; they wanted traffic control. There will only be more traffic if we put in a transit stop.

Commissioner Deziel

He is concerned with the lack of attached garages and the addition of alleys resulting in more impervious surface dedicated to driveways. We have cars and we have to deal with them.

Commissioner Williams

The first option will happen naturally. The second has dedicated green space. The third one would be a possibility if we tried to increase density. These are not just to show extremes; they need to be presented this way.

Commissioner Bunn

She did not interpret the three options as escalating only in units.

Dewey Thorbeck, Thorbeck Architects

Density is not the only issue. You need to get the residents to see the larger vision, that if they try to hang on for a little bit longer, there ought to be something in it for them.

Commissioner John

The concern is if we do nothing, we will likely end up with Option 1. If we coordinate it we have an opportunity to meet goals. We want to keep it rural in spite of tremendous pressures from the Twin Cities.

Commissioner Deziel

The public will have to come along as well as the large landowners. Wetland wastewater treatments that could serve existing Old Village residents may make it more attractive as a selling point.

Commissioner Bunn

Option 3 has better water management. This is a permanent and comprehensive issue for the Village.

Dewey Thorbeck, Thorbeck Architects

No matter what, a lot of water is going to come down through town. The point is that we can get landowners and developers to work around and with that. We need to get this done by the end of the year; work this out, and put it on the web.

City Planner

Sarah indicated she can come in next week for a special meeting. Three weeks to one month is her recommendation to properly market. The minimum is one month or five weeks from now. Three to four weeks between each forum for Dewey to respond and revise brings us to mid-October and mid-November. Can we get a decision by year end? We need to be committed to landowners that this won't drag out as it did in the past. A decision rendered by year-end by the City Council.

Commissioner Taylor

Set a deadline.

City Planner

After the election we will know who will be sitting and voting.

Dewey Thorbeck, Thorbeck Architects

Present concepts, get public input, then create the text. Sarah will determine how it will be marketed.

Commissioner Bunn

A survey could be conducted by phone or by website.

Commissioner John

We also have use of the Cable Slides, the website, and the newsletter.

Commissioner Williams

He hopes the Council would make their decision by the last meeting held in December.

Commissioner John

Three weeks from now would be October 4 and October 31 for the second one. Keep it out of the influence of the election.

Commissioner Bucheck

What about the Metropolitan Council?

City Planner

They have to see it eventually. This would be a major amendment to the Comprehensive Plan. There is little doubt that they would approve it.

Commissioner Bucheck

There must be a Public Hearing before Comprehensive Plan approval.

City Planner

The Council can decide what they like, and give us an idea before we submit it.

Commissioner Helwig

Get Sarah's input. We need her. Set it up and do it on Monday September 16, from 6-7, with the City Council.

The general consensus was that everything looks good in terms of ideas and drawings.

GREEN BELT PRESERVATION DEVELOPMENT MORATORIUM

Commissioner Julie Ann Bunn

The moratorium issue was tabled after a discussion by the Acting Chair who suggested the Old Village Special Projects Commissioners should hear about it. A portion of the second part of the original letter is about Sunfish Ponds, which is now a Preliminary Plat approved by both the City Council and the Planning Commission. The timing made it appear to have something to do with the Sunfish Ponds Project but that was not the case. The discussion in the Planning Commission meeting determined that a moratorium is legal. It can be done; it was done before. A new idea broached by Council Member DeLapp was to ask for a moratorium on the green belt area and the red area, which is village-scale housing. Those could both be lost while we wait. There will be further loss of options with any continued platting. Tonight's presentation is encouraging. It might get us going before the landowners preempt us. She provided copies of a sample Motion.

M/S, BUNN/JOHN, that the Old Village Special Projects Planning Commission recommend to the City Council that it place a one year moratorium, with possible six month extension, on platting in the Green Belt and Village-Scale Housing (red and green shaded map, page 35 of 2020 Comprehensive Plan) areas of the Old Village in order to retain development options in those areas while the Village Scale Housing

Study is completed, and plans for its implementation are initiated.

Commissioner Williams

His views on density are well-known. The State Legislature gives the City power to impose moratoria, and we should use this power to preserve our options, especially when there are Comprehensive Plan issues.

Commissioner Deziel

Why was Sunfish Excluded?

City Planner

Excluding it would be his recommendation. Preventing them from developing after preliminary plat approval would be bad faith by the City.

Commissioner Bunn

What length of time would be recommended?

City Planner

We could always lift it.

Commissioner Taylor

She has a problem infringing on people's property rights. We did this once before not too long ago. She is also concerned about densities.

Commissioner Bucheck

If the landowners were spoken to, we don't need it.

Commissioner Berg

As previously stated, he supports the concepts but there is no time right now. The public process is going on. We don't have to be underhanded now; that would only sour the whole process now.

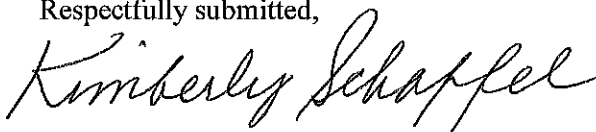
Commissioner Helwig

We have gone through a couple of moratoriums, one on Public Facilities and one in the Old Village, and accomplished little but to make people in town very unhappy. The perception is, "What are you covering up?"

VOTE: 3:5:1 FAILED. FAVOR: BUCHECK, BUNN, WILLIAMS; AGAINST: TAYLOR, DEZIEL, BERG, HELWIG, JOHN; ABSTAINED: PELLETIER.

THE MEETING ADJOURNED AT 10:31 P.M.

Respectfully submitted,



Kimberly Schaffel
Recording Secretary