



City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

MEETING NOTICE

The Lake Elmo Old Village Special Projects Planning Commission will meet

Monday, May 12, 2003, at 7:00 p.m.

In Council Chambers,
Lake Elmo City Hall
3800 Laverne Ave. N.
Lake Elmo, MN 55042

AGENDA

- 1) Pledge of Allegiance
- 2) Agenda
- 3) Minutes of April 28, 2003
- 4) Old Village Streetscapes
- 5) Old Village Neighborhood Design Study
- 6) City Council Update
- 7) Old Business
- 8) Adjourn

The public is invited to attend.

5-12

City of Lake Elmo
OLD VILLAGE SPECIAL PROJECTS
PLANNING COMMISSION MEETING
Minutes of May 12, 2003

Chairman Helwig called to order the meeting of the Old Village Special Projects Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Meldahl, Johnson, Pelletier, Sedro, Berg, Bunn, Williams, John, and Deziel (Buckcheck, Herreid 7:07 P.M.) COUNCIL MEMBERS PRESENT: DeLapp, Johnston. STAFF PRESENT: Chuck Dillerud, City Planner and Kimberly Schaffel, Recording Secretary.

PLEDGE OF ALLEGIANCE

AGENDA

M/S, Bunn/Pelletier, To accept the Agenda as presented. **VOTE: 10:0 PASSED.**

MINUTES

M/S, Johnson/Sedro, To accept the Minutes of April 28, 2003 as presented. **VOTE: 8:0:2 (Abstain: Williams/John) PASSED.**

OLD VILLAGE STREETSCAPES

Staff Report, Chuck Dillerud

The City Engineer was asked to take the cost estimates and modify them into a tiered approach – Basic Improvements, Aesthetics, and Finishing Improvements for the streets and sidewalks plan. The Planner was asked to check into the funding possibilities. The Planner thought there was tax abatement from the Eagle Point project that was meant to pay for this project.

The Planner reported that there is \$40,500 of Tax Abatement from Eagle Point which was levied and collected, and the Council allocated it to the Old Village in 1999. He does not believe there was tax abatement levied in 2001 and 2002. It also appears there was nothing included for 2003.

What would be the abatement levy for 2004? He suspects it would be close to \$100,000. What about the three years we missed? That will be answered by the tax abatement attorney. It could be added at the back end of the ten year cycle.

The City Planner looked at the jurisdiction of Lake Elmo Avenue from Highway 5 to just beyond the railroad tracks. That is a County State Aid Highway which gives the County and Mn/DOT jurisdiction over design and features. He met with Sandy Cullen, Transportation Director for Washington County and County Engineer Theisen last week, and they were very supportive of Streetscapes Improvements. They would assist with waivers to Mn/DOT standards in order to accomplish it. They might also be able to help with some funding if the timing is right.

The County continues have interest in turn backs of county roads within the city. If they do that, the road is usually in good shape at the time of the turn back. They would like to turn back Lake Elmo Avenue from 10th Street to the freeway, and it is in good shape. They may be willing to pledge the maintenance money from turn backs toward the Old Village street improvement project.

The City Planner advised that the City has run out of time this year to execute the streetscapes project. We can turn the idea into construction plans with the available Tax Abatement \$40,000, and prepare our waivers and approvals for next year's construction season. We can then apply the balance of this year's tax abatement, and next year's tax abatement to the construction.

Commissioner Bunn

Is the sidewalk along that area south of the railroad tracks part of the plan? We have the \$40,000 now and might get the \$100,000 next year, and we might get some county assistance, but she is unclear how that will pay for this plan even next year.

City Planner

We don't know what the county will pay and he is not sure what tax abatement will be. We will have a much better feel for it at the end of this calendar year.

Commissioner Bunn

We are talking about not even discussing it again until the end of this year. She would like to know some kind of timeline for the funding.

City Planner

It has to be bid as a public project, and that takes time. The City can design the details during the winter months, and be ready to go next spring. We need to look closely at the funding issue. He will provide the probable funds available figures by the end of the year.

Commissioner Bunn

She would like the council members present to take note that Tax Abatement funds were not levied over a couple of years, and the Planner indicates that the turnover of finance directors may have contributed to this. There were also water assessments that weren't collected for a couple of years at one time, and we continue to have turnover with finance directors. She would like to have the Council find more effective ways to check what is happening. For a project like this to be held up for years, after all the years of work, because we are missing hundreds of thousands of dollars in levy is disturbing.

Commissioner Williams

It would be in everyone's best interest if we could get a very early read from the tax abatement attorney whether we can collect these funds retroactively, or at the end of the levy term. There may be some time-consuming legal steps that must be done that we should begin this fall.

M/S, Williams/John, To ask the City Council to authorize the tax abatement attorney to give us a legal opinion on whether we can collect those funds retroactively or at the back end of the ten-year cycle.

Councilmember DeLapp

Many cities borrow on anticipated revenue for the future.

Commissioner Bucheck

She is supportive, but doesn't know the legality, and she would like to know now rather than years down the road.

Commissioner Sedro

Were the businesses notified of a Tax Abatement amount, or will this be a surprise?

City Planner

This is an added increment on the overall tax capacity rate equal to the abatement due - one to them, one to the city. The property owners are not impacted as to the taxes they pay in any manner.

Commissioner Berg

He supports the motion but does not have the false expectation that we will do something sooner than later.

Commissioner Williams

He has no illusions it could be done this year even if we got a windfall. He understands we can bond for the project. Let's just get the information and go from there.

City Planner

The City did something similar to what Mr. Delapp suggests with the 50th Street Project. The bond payments are partly paid from a portion of the City's annual State Aid allocation over 10 years.

Commissioner John

The Planner indicated it was not a tax on the properties themselves, but over the city. That means every taxpayer has more to pay?

City Planner

Yes, they do. When the tax levy was certified to the county, the overall tax capacity levy was about 20%, and another very small percentage goes for tax abatement.

Commissioner John

If it relates to past years, there is no way that I, as a taxpayer, will cough up what was due two or three years ago. The City will have difficulty collecting it.

City Planner

He does not think that collecting Tax Abatement retroactively would be legal in any case.

Chairman Helwig

He supports the motion without the retroactivity. He would surely balk at that as a taxpayer. He prefers adding it to the end of cycle, plus we get more income as a result of it.

Councilmember Delapp

When they applied for this, the schools, the county, and the City were to be contributors for this project. The County refused to participate. The City ended up being the only contributor.

VOTE: 11:1 (Helwig) PASSED.

Commissioner Bunn

When the Commission got these project estimates, the consultant just dropped whole categories. We were also raising questions about some of the line item components, like the lights. They went from 54 to zero lights. Could there be some mid point? The Commission would like to see the alternative components as they requested.

Commissioner Berg

This becomes more than an Old Village issue because of the possibility of a turn back further down Lake Elmo Avenue.

Bucheck

Have we ever taken back streets?

Planner

Yes, the Hudson Blvd. from Inwood to Manning was taken back from the State last year.

OLD VILLAGE NEIGHBORHOOD DESIGN STUDY

Staff Report, Chuck Dillerud

The Planner reviewed and explained the latest draft of the Old Village Neighborhood Study Power Point Old Village Planning Commission Meeting Minutes of May 12, 2003

Presentation.

Councilmember DeLapp

He would like to say something other than "develop" that can be substituted on that second slide.

City Planner

Design.

Commissioner John

Plan.

City Planner

Whoever makes the presentation will speak and enhance the text of the slides slides.

Councilmember DeLapp

What do poor soils mean for residents?

City Planner

Poor soils are poor for septic systems. It is relevant to not putting houses in there with ISTS. No constructed wetlands could be placed there either.

Commissioner Bunn

These are not the corrected slides she sent. The verbiage and appearance has changed. Mostly it is wording. These are not the most recent changes.

Commissioner John

We should go ahead with the presentation even if it is slightly different.

Commissioner Bunn

Option 3 slide shown is different than what was changed by the subcommittee.

Councilmember DeLapp

Could another line item be added for the number of businesses allowable in each of the three options?

City Planner

He could try to figure that out but it could be difficult.

Commissioner Sedro

Spot density in Option 3 is the same or less than we have in the Old Village today. That should be stated.

Commissioner Williams

We need to be precise about the number of homes per acre when we speak of density in the Old Village. The Old Village includes areas with much larger lots. The area around Reid Park, south of the tracks has lots that are a good deal larger than lots downtown.

City Planner

The idea is to, with the plan for undeveloped areas, to match the spot density of adjacent existing Old Village neighborhoods

Councilmember DeLapp

The TDR slide says, "Gains extensive open space buffer." That would be a good place to say, "Some of the buffer zones would be held in common and some would remain in private hands."

Commissioner Sedro

Do we have to be careful how the open space areas are set up so some future City Council cannot do anything to alter it?

Commissioner Bucheck

The Minnesota Land Trust has to preserve it so our councils and the Met Council cannot get their hands on it.

Councilmember DeLapp

The most serious issue is that any open space can be taken by Eminent Domain. Something has to be put in place to make that eventuality very undesirable.

The Planning Commissioners could take a role in presenting some of this. It would make it more personal if some of the commissioners presented rather than just Thorbeck and the City Planner.

City Planner

This is very schedule sensitive. The Council will not wish to renew this moratorium.

Commissioner Bunn

Chuck and aa City Council Member, "This is what we came up with and this is our Comp Plan." The consultants should present their own stuff. We shrunk it to bullet points. Thorbeck can present the more detailed slides as a verbal presentation.

Commissioner Bucheck

Isn't that why we hired them? They could do it better.

Commissioner John

After Thorbeck's portion,, the Planner could pick up the ball again and remind the public of our goals.

City Planner

The objectives we chose are similar to the Comp Plan policies.

Commissioner Bunn

If we are to explain the Old Village Plans to the city residents, we need to accurately portray what is in the Comp Plan - farmland, not just open space, and pedestrian/bicycle focus. If we are supposed to use the Comp Plan as the criteria, then we should use the Comp Plan in our examples.

City Planner

Over time, the retention of farm land has morphed a little bit from the larger scale cash crop. It still leaves the door open for truck farms or tree farms, but not necessarily corn or soybeans.

Commissioner Sedro

It is important to show Comp Plan goals. Many may not remember. They could even be tacked up somewhere in the room as a constant reference.

Commissioner John

A printout with just the goals or put at the beginning, middle, and end of the presentation.

Commissioner Sedro

The transit hub will be a negative. That will be controversial.

Commissioner Berg

That is the point, to get the feedback.

Chairman Helwig

One out fifty knows about the Comp Plan.

Commissioner Williams

Use all four introductory slides. Regarding apparent discrepancies between slides seen tonight and Commissioner Bunn's last draft, though he was part of the first meeting where they identified the problems, he did not do the modifications for these new slides. That was done by Commissioners John and Bunn, and they did a superior job. Send Kim the correct version of the slides and she can send them to those of us who want it so we can stick to that schedule.

Commissioner Pelletier

Regarding the Highway 5 crossing, is it going to happen? She thinks it is one of the largest priorities. Safety is important, or else why do we include it in our Comp Plan goals?

City Planner

Comp Plan goals were compiled in 1999-2000 year. They have talked about going over or under. Anything is possible if we can pay for it.

Commissioner Bunn

Maybe we should be showing those Comp Plan goals.

Commissioner Buccheck

We were hoping the consultants would show us how to do this.

City Planner

They were told to provide us with what Village Scale Housing would mean on those 1,000 acres.

Commissioner Buccheck

What about businesses here? Those people will come with many questions? We need to address that.

Commissioner Deziel

We should leave it to the creativity of the public. He would love the input. He would hate to drop the Highway 5 crossing issue because we cannot solve it. We don't have to present ourselves as knowing everything.

Chairman Helwig

The Chairman agreed with Commissioner Deziel. Mention it, don't dwell on it. Acknowledge it and indicate that we are brainstorming it.

Commissioner Johnson

She recommends the side-by-side type of Power Point presentation talking about housing goals and Comp Plan goals where they are comparable. Keep them in there. The public knowing that is an unresolved concern is important. That is the feedback we are hoping for. What do they want the most?

Farmland/preserving open space are complimentary statements that support each other within Thorbeck's and our Comp Plan.

Commissioner Bunn

A heading that indicates this is a subset of the Comp Plan goals that will actually overlap. These are the four Comp Plan goals that are being addressed by the Thorbeck plan.

City Planner

How much do we want to go ahead now? It will be difficult to get together again before the June 10 forum. He suggested delegating the packaging and publication to the subcommittee.

Commissioner Williams

Why not? Essentially since all the info is ready. The subcommittee could massage it over the next week. OVSPPC could meet in a special meeting to put on the final stamp of approval. He thought the facilitator or Thorbeck was going to come up with a hard copy handout for people to have with them. He hasn't seen them yet.

Planner

We looked at a draft of those. You worked on those postcards.

Commissioner Bunn

Postcards are not handouts. With the time constraints, the publicity outlet was to get into the Lake Elmo Leader this month in a large piece with the three options and a summary of the entire study.

Commissioner Deziel

He trusts the work of the subcommittee, instead of bogging us down, let us empower them to go forward to take care of the refinements.

M/S, Deziel/Sedro, To empower the subcommittee to make the necessary Power Point refinements in order to move the project forward.

Commissioner Bucheck

How do we publicize it? Mailing to 300+ in Old Village Mailing list, hopefully a *Leader* feature, power point on our .ORG web site, and the second forum in our newsletter.

Commissioner Williams

Send Press Releases to the other newspapers.

Commissioner Bunn

The Facilitator indicated that we mail to the entire city, not just the Old Village.

Commissioner Pelletier

She would like to see it mailed City-wide.

Chairman Helwig

We didn't know we had the newspaper at that time.

Commissioner Johnson

PSA's are sent to newspapers that will or won't print it. She would like to invite the City. She would like all that feedback.

Commissioner John

He would endorse sending the post card. The *Leader* weekly may cause edits of our important points. It is our duty to tell the public exactly what we are supposed to do and not subject it to editing.

Commissioner Johnson

We can direct people to our website, to our invites in the papers, etc. Get the announcement and invitation out to 100% of the addresses.

VOTE: 10:0:2 (Abstain: John and Bunn) PASSED.

M/S, Williams /Deziel, To adopt the schedule as printed to include dates only. **VOTE 12:0 PASSED.**

M/S, Bunn/John, Send 2 mailings to all residents of city: postcards and then the newsletter. **VOTE: 12:0.**

CITY COUNCIL UPDATE

The City Planner reported that on May 5, the City Council approved the Gustafson variance 5:0; and, the Whistling Valley OP Development Stage Plan was approved 5:0 without changes to either. Mn/DOT was asked to remove the Klondike Avenue sign westbound, which was just installed. TKDA will be contracted for our new Zoning Ordinance. The City Council authorized our attorneys to appeal the decision regarding the Met Council.

Commissioner Berg

What about land protection and easements? We have many more questions than we have answers for.

Commissioner Sedro

In our recent training, Bob Lockyear taught us a lot from the Green Corridor Project. There might be County money available to us to assist with purchase of the Old Village Open Space areas.

Adjourned at 9:05 p.m.

Respectfully submitted,



Kimberly Schaffel
Recording Secretary