

## MAYOR AND COUNCIL COMMUNICATION

DATE: 1/19/2016

**REGULAR #18**

### **MOTION**

**AGENDA ITEM:** Rezone Inwood Booster Station to PF Zoning District

**SUBMITTED BY:** Stephen Wensman, Planning Director

**THROUGH:** Clark Schroeder, Interim City Administrator

**REVIEWED BY:** Jack Griffin

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### **SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item.....Staff
- Report/Presentation .....Staff
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

### **SUMMARY AND ACTION REQUESTED:**

The City of Lake Elmo is requesting the rezoning of the Inwood Booster Station property, PID# 21.029.21.31.0002 from Rural Residential to PF – Public or Semi-Public Zoning District with the following motion:

***“Move to approve Ordinance 08 - \_\_ approving a Zoning Map Amendment to  
rezone the Inwood Booster Station property, PID# 21.029.21.31.0002 from RR  
-Rural Residential to PF – Public or Semi Public”.***

### **BACKGROUND AND STAFF REPORT:**

The City of Lake Elmo negotiated the sale of property for the 75 foot x 90 foot, .16 acre, Inwood Booster Station to be located adjacent to CSAH 13 (Inwood Avenue). A 15 foot setback from the current roadway easement is being preserved for future County right-of-way as required in the County’s Comprehensive Plan, leaving a 75 foot x 75 foot parcel upon which to site the booster station. Public facilities, such as the Booster Station, should be zoned PF–Public or Semi-Public as guided in the Comprehensive Plan.

On January 11, 2016, the Planning Commission held a public hearing to rezone the parcel from RR - Rural Residential to PF – Public or Semi Public. At the public hearing, two residents spoke: Mr. Vejtruba, 8457 26<sup>th</sup> St. N, and Mr. Eberhard, the former land owner that negotiated with the city of the sale of the .16 acre parcel. Both residents asked questions of the planning commission,

but neither opposed the rezoning. The Planning Commission recommended approval of the rezoning.

**FISCAL IMPACT:**

The Inwood Booster Station is part of a 3.5 million dollar public project. The City has invested 18 months of staff time, \$45,000 in site acquisition, plus engineering and design of the facility.

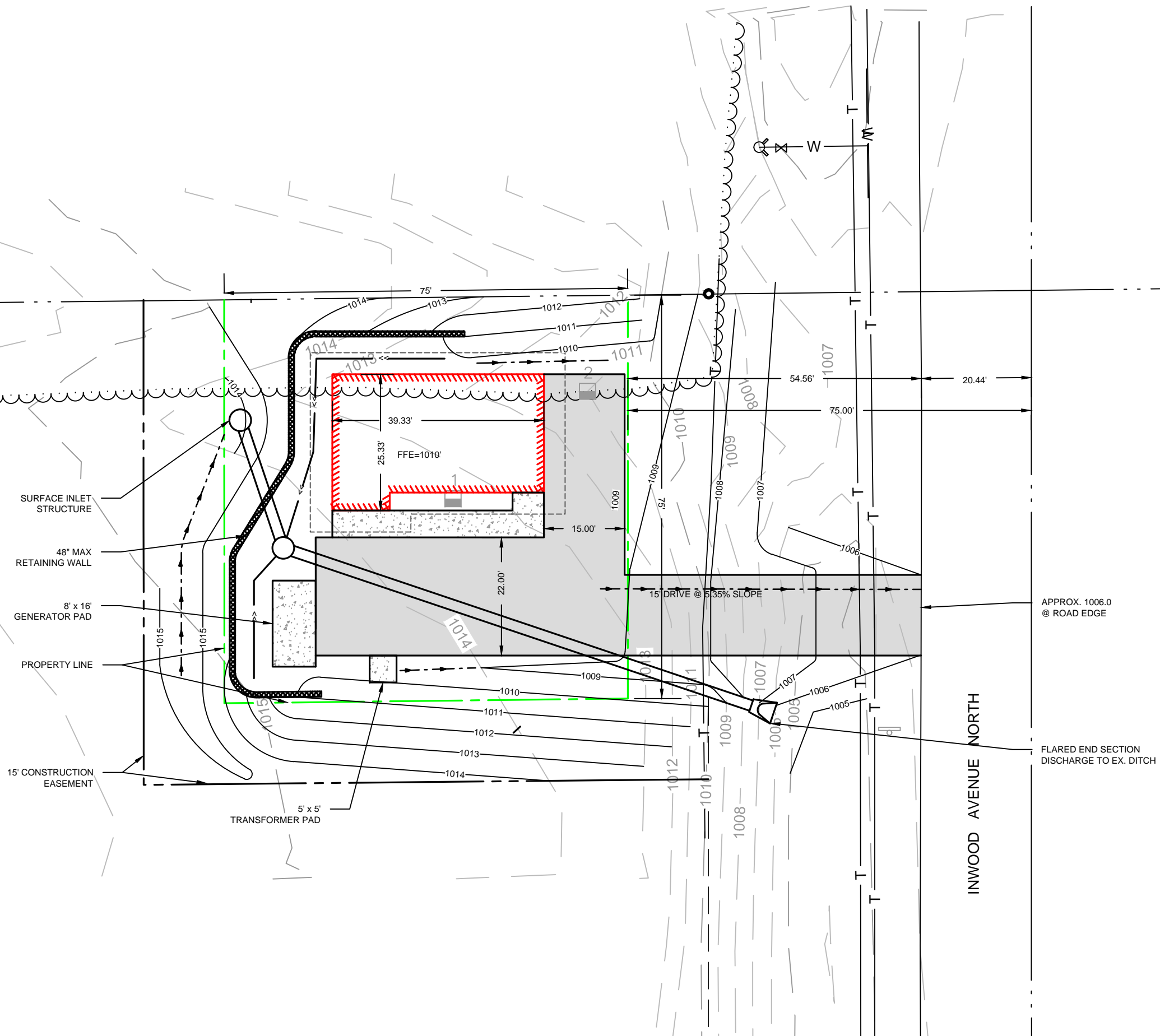
**RECOMMENDATION:**

The City of Lake Elmo is requesting the rezoning of the Inwood Booster Station property, PID# 21.029.21.31.0002 from Rural Residential to PF – Public or Semi-Public Zoning District with the following motion:

*“Move to approve Ordinance 08 - \_\_ approving a Zoning Map Amendment to  
rezone the Inwood Booster Station property, PID# 21.029.21.31.0002 from RR  
-Rural Residential to PF – Public or Semi Public”.*

**ATTACHMENT(S):**

- Planning Commission 1/11/2016 Planning Report
- Inwood Booster Station Exhibit
- Location Map



PROJECT NO.:	09880003	SCALE:	AS SHOWN	NO.	DATE	REVISION	BY
PROJECT DATE:		DRAWN BY:	CES				
F.B.:		CHECKED BY:	LAJ				
PLOT DATE:	12/18/15	P:\9800s\9880s\9880\09880003\CADD\C3D\9880003 Design.dwg					

I HEREBY CERTIFY THAT THIS PLAN, REPORT, OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_ REGNO \_\_\_\_\_  
Date Registration No.

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EXHIBIT L

INWOOD BOOSTER STATION  
CITY OF LAKE ELMO  
WASHINGTON COUNTY, MN

FILE NO.  
09880003  
SHEET  
EXHIBIT L



PLANNING COMMISSION  
DATE: 01/11/16  
AGENDA ITEM: 5c/d – PUBLIC HEARING  
CASE #2015-45

City of Lake Elmo Planning Department  
**PF Zoning District Text Amendment – Rezoning to PF Zoning District**

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**To:** Planning Commission  
**From:** Stephen Wensman, City Planner  
**Meeting Date:** January 11, 2016  
**Applicant:** City of Lake Elmo  
**Legal Address:** All that part of the North 75.00 feet of the East 150.00 feet of the North ½ of the SW ¼ of Section 21, Township 29 North, Range 21 West, Washington County, Minnesota, which lies westerly of the west line of Parcel 3 of the WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 98 – C.S.A.H. 13, according to the recorded plat thereof.  
**PID#** 21.029.21.31.0002  
**Owner:** City of Lake Elmo  
**Comprehensive Plan:** Public or Semi Public

***Summary and Request:***

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<b><i>Application Summary:</i></b>	The City of Lake Elmo is requesting a zoning text amendment to exempt <i>essential services</i> from the dimensional and buffer requirements of the PF - Public or Semi-Public Zoning District. In addition, the city is requesting the rezoning of the Inwood Booster Station property from Rural Residential to PF – Public or Semi-Public Zoning District.
<b><i>Recommendation:</i></b>	Staff is recommending that the Planning Commission recommend approval of the zoning text amendment to exempt essential services from the dimensional and buffer requirements of the PF - Public or Semi-Public Zoning District, and recommend approval of the rezoning of the Inwood Booster Station property, PID# 21.029.21.31.0002, from Rural Residential to PF – Public or Semi-Public Zoning District with the following motions:  <ol style="list-style-type: none"><li>1) <b><i>Move to approve a zoning text amendment exempting essential services from the dimensional and buffer requirements of the PF - Public or Semi-Public Zoning District.</i></b></li></ol>

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- 2) *Move to approve a rezoning of Inwood Booster Station property from RR-Rural Residential to PF- Public and Semi-Public Zoning District.*

**Attachments:** Location Map  
 Draft Ordinance Amendment 97-\_\_  
 Property Exhibit.

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### ***Zoning Text Amendment and Rezoning***

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**Review:** The City of Lake Elmo negotiated the sale of property for the 75 foot x 90 foot, .16 acre, Inwood Booster Station to be located adjacent to CSAH 13 (Inwood Avenue). A 15 foot setback from the current roadway easement is being preserved for future County right-of-way as required in the County's Comprehensive Plan, leaving a 75 foot x 75 foot parcel upon which to site the booster station. The Inwood Booster Station is an essential part of the city's water distribution system. By definition, public utilities are considered an essential service in the City Code of Ordinances:

***§ 154.012, Subd. B, 11***

***ESSENTIAL SERVICES.*** *Underground or overhead gas, electric, steam, or water distribution systems; collection, communication, supply, or disposal system, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, or other similar equipment and accessories, but not including buildings or transmission services.*

Essential services are a permitted use in all zoning districts, however, the City's comprehensive plan guides publicly owned facilities, such as essential services to the PF Zoning District.

***§ 154.203 ESSENTIAL SERVICES.***

*Essential services as defined by this Ordinance are permitted in any district, provided that a site plan for any new or expanded service facility is filed with the Planning Department. The City Council may require site plan review of large facilities, upon the recommendation of the Planning Director.*

The original parcel and the newly created parcel for the Inwood Booster Station are presently zoned RR-Rural Residential. The new Inwood Booster Station parcel should be zoned PF – Public or Semi-Public as guided in the city's comprehensive plan.

Upon review of the proposed rezoning to PF – Public or Semi-Public, it became apparent that the new parcel was non-conforming with the PF Zoning District dimensional, and buffer requirements. The requirements are important for most land uses, however, *essential services* are generally incidental and subordinate to the surrounding land uses, whatever they may be. In addition, it serves the welfare of the public to have the least amount of property in public ownership while serving the

essential needs of the public. For this reason, the City is requesting the amendment to exempt essential services from the district's dimensional, and buffer requirements of the PF Zoning District.

The PF District requirements are as follows:

*Minimum Lot Width: 100 feet*

*Minimum Lot Depth: 150 feet*

*Setbacks from property lines: 50 feet*

*Buffer Requirement: 50 feet*

As part of the purchase agreement, the city has the right to provide landscaping within the first 15 feet to the south and west of the parcel, upon permission for right of entry by the seller. The City is planning to provide a landscape screening of the Inwood Booster Station parcel.

### ***Recommendation:***

Staff recommends the Planning Commission recommend approval of the zoning text amendment and zoning map amendment with the following motions:

- 3) ***Move to approve a zoning text amendment exempting essential services from the dimensional and buffer requirements of the PF - Public or Semi-Public Zoning District.***
- 4) ***Move to approve a rezoning of Inwood Booster Station property from RR- Rural Residential to PF- Public and Semi-Public Zoning District.***