

Mayor:
Dean Johnston
Council members:
Rita Conlin
Steve DeLapp
Liz Johnson
Anne Smith

Lake Elmo City Council

Tuesday

March 1, 2005

3800 Laverne Avenue No.
Lake Elmo, MN 55042
777-5510 777-9615 (fax)

Please read:

Since the City Council does not have time to discuss every point presented, it may appear that decisions are preconceived. However, staff provides background information to the City Council on each agenda item in advance; and decisions are based on this information and experience. In addition, some items may have been discussed at previous council meetings.

If you are aware of information that has not been discussed, please fill out a "Request to Appear Before the City Council" form; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated. Items may be continued to a future meeting if additional time is needed before a decision can be made.

5:30 p.m. – Interviews for Planning Commission Vacancies

Agenda

City Council Meeting Convenes 7:00 PM

Pledge of Allegiance

1. Agenda

2. Minutes:

February 15, 2005

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. PUBLIC INQUIRIES:

B. PUBLIC INFORMATIONAL:

✓(1) Water Ski Show: Joe Kiesling 8/13

✓(2) St. Croix Valley Family

Center: Doris Karls

(3) Planning Commission Appointments

Public Inquiries/Informational is an opportunity for citizens to bring the Council's attention any items not currently on the agenda. In addressing the Council, please state your name and address for the record, and a brief summary of the specific item being addressed to the Council. To allow adequate time for each person wishing to address the Council, we ask that individuals limit their comments to three (3) minutes. Written documents may be distributed to the Council prior to the meeting or as bench copies, to allow a more timely presentation.

4. CONSENT AGENDA

A. Resolution No. 2005-019: Approving Claims

APPROVE 5-0

Those items listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion under a Consent Calendar format. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.

5. FINANCE

A.

6. NEW BUSINESS

7. <u>MAINTENANCE/PARK/FIRE/BUILDING:</u> A.	
8. <u>CITY ENGINEER'S REPORT:</u> A. Water Tower Storage Tank Design — <i>TABLED</i> B. Resolution No. 2005-020: Approve Plans and Authorize Advertisement for Bids, Water System Interconnect — Phase II — <i>REMOVED</i>	Tom Prew
9. <u>PLANNING, LAND USE & ZONING:</u> A. Septic and Shoreland Setback Variance, 8784 Lake Jane Trail:Gibson B. Comprehensive Plan Modifications (From February 28 th Planning Commission Meeting)	C. Dillerud
10. <u>CITY ATTORNEY'S REPORT:</u> A.	
11. <u>CITY ADMINISTRATOR'S REPORT:</u> A. <i>REGIONAL PARK COMP. PLAN</i>	
12. <u>CITY COUNCIL REPORTS:</u> A. Mayor Hunt B. Council Member Conlin C. Council Member DeLapp → <i>DECISION PROCESS</i> D. Council Member Johnson E. Council Member Smith	
<u>March 2nd, 7 p.m.</u> , INFORMATIONAL MEETING: City's Surface Water Pollution Prevention Plan <u>March 8, 5:30 p.m.</u> Council Committee Meetings <u>March 9, 7 p.m.</u> Community Improvement Committee Meeting <u>March 10, 5:30 p.m.</u> , SPECIAL Finance, Legal, Legislative, Personnel Council Committee Meeting	BOARD OF REVIEW: <u>May 4, 4-6 p.m.</u> CLEAN UP DAY: <u>May 21st, 8-Noon</u>

LAKE ELMO CITY COUNCIL MINUTES

FEBRUARY 15, 2005

1. AGENDA
2. MINUTES: February 1, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Susan Kane – Housing for Disabled
4. CONSENT AGENDA:
 - A. Resolution No. 2005-016 and Resolution No. 2005-017: Approve Claims
 - B. Lease Agreement with Washington County Fairgrounds for Clean Up Day
 - C. Escrow Reduction Prairie Ridge Office Park
5. FINANCE:
 - A. Monthly Operating Report
6. OLD BUSINESS: (Moved to Item 11)
 - A. Planning Commission
 - (1) Vacancies
 - (2) 60-day Appointments
 - B. Fire Study Status
 - C. Library Tax
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Update on Building Dept.
8. CITY ENGINEER'S REPORT:
 - A. Approve Design for Water Tower
 - B. Public Works Building
9. PLANNING, LAND USE & ZONING:
 - A. Letter of Credit – Fields II and Little Bluestem
 - B. Resolution 2005-018, Met Council Draft Water Resources Plan
 - C. Street Naming Ordinance
 - D. Resolution Nos. 2005-012, 013, 014: Preliminary/Final Plan, Section 520 Site Plan and PUD Amendment – City, County Credit Union, Eagle Point
 - E. Contract Planning Services – Comp Plan Modifications
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
 - A. Ordinance No. 97-147: Planning Commission Composition
 - B. Ordinance No. 97-148: Parks Commission Composition
 - C. Council Committee Appointments – Council member Conlin
12. CITY COUNCIL REPORTS:
 - A. Council Input on Comprehensive Plan
13. ADJOURN Council Meeting
14. Finance, Legal, Legislative, Personnel Council Workshop
 - (a) Council input to the planning Commission on Comprehensive Plan
 - (b) Guidelines for Council Meetings (Postponed to Council Committee Meeting)
 - (c) Discussion with Developers (Postponed to Council Committee Meeting)

Mayor Johnston called the Council meeting to order at 7:00 p.m. in the Council chambers. PRESENT: Conlin, Smith, Johnston, Johnson, DeLapp, City Engineer Prew, City Attorney Filla, Maintenance Supervisor Mike Bouthilet, City Planner Dillerud, Finance Director Tom Bouthilet and Administrator Rafferty.

1. AGENDA

ADD: Discussion with developers, 8B. Public Works Building, 9F. Calendar for Planning Commission meetings on the Comprehensive Plan, Library Tax Move 11B,

M/S/P Johnson/Smith - to approve the February 15, 2005 City Council agenda, as amended. (Motion passed 5-0).

2. MINUTES: February 1, 2005

M/S/P Johnson/Smith - to approve the February 1, 2005 City Council Minutes, as amended. (Motion passed 5-0).

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. Susan Kane – Housing for Disabled

Lake Elmo residents, Susan and Dennis Kane, explained they are parents of a child with special needs and wished to call the Council's attention to the lack of homes for adults with special needs or developmental disorders in Lake Elmo. Ms. Kane stated this is the Council's opportunity as they work on the Comprehensive Plan to make possible such housing in the Old Village that would meet their children's needs. She noted as children with developmental delays grow into adults, parents would like to have them live in the community they have grown up in.

4. CONSENT AGENDA:

A. Resolution No. 2005-016 and Resolution No. 2005-017: Approve Claims

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-016 approving claim numbers 240, 241, DD339 through DD349, 26863 through 26869 that were used for staff payroll dated February 3, 2005, claim numbers 242, 26871 through 26922, in the total amount of \$133,330.43. (Motion passed 5-0).

M/S/P DeLapp/Smith – to adopt Resolution No. 2005-017 approving claim number 26870 in the total amount of \$180.00. (Motion passed 4-0-1: Abstain: Johnson reclude herself from the vote because she had a personal interest in Johnson Construction.).

B. Lease Agreement with Washington County Fairgrounds for Clean Up Day

Clean Up Day is scheduled for Saturday, May 21, 8 a.m. until Noon, at the Washington County Fairgrounds. Staff requested approval of the lease agreement with the Washington County Ag Society in the rent amount of \$103 and a \$50 damage deposit.

M/S/P Johnson/Conlin – to authorize the Mayor to sign the Lease Agreement with Washington County Ag Society for use of the Washington County Fairgrounds for Clean Up Day and approve the rental fee of \$153.00. (Motion passed 5-0.)

C. Escrow Reduction Prairie Ridge Office Park

The City Engineer recommended a reduction in the escrow placed with the City for grading and landscaping improvements at the Prairie Ridge Office Park. The engineer certified reduction of the Letter of Credit from \$190,000 to \$20,000 to cover the landscaping improvements that remain to be completed. The City Planner advised that the Letter of Credit expires on April 30, 2005 and should be extended to at least October, 2006 to cover two full growing seasons on the landscaping yet to be installed on the site.

Council member DeLapp pointed out that lighting has been an issue. Planner Dillerud reported he wrote a letter to the developer asking him to get the lights turned off at an earlier hour and to take care of the two lights at each exits points. The planner has not seen a response to that letter.

M/S/P DeLapp/Johnson – to approve reduction of the Site Plan escrow for the Prairie Ridge Office Park (Bremer Bank Letter of Credit #S120010221) from \$190,000 to \$25,000 until the lighting issue is corrected and on the condition that said Letter of Credit be renewed to a date no earlier than October 31, 2006. (Motion passed 5-0).

5. FINANCE:

A. Monthly Operating Report - Informational

6. OLD BUSINESS: (Item moved to 11)

A. Planning Commission

(1) Vacancies

(2) 60-day Appointments

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Update on Building Dept.

The Summary Building Report provided for January, 2005 reported one new residential building permit issued and no new commercial building permits. Council member DeLapp commented that the building permit detail summary provided each month does not state where the permit is located. He would prefer being alerted on areas of septic problems, etc. This will be a topic for a Public Safety Council Committee Meeting.

The City Planner reported code enforcement began semi-monthly meetings to review complaints, and they have picked out four complaints to follow through legally. Attorney Filla is preparing an update for the next council committee meeting. A systematic code enforcement program for 2006 budget should be considered because there will be a cost involved and probably not covered by penalties.

8. CITY ENGINEER'S REPORT:

A. Approve Design for Water Tower

The City Council agreed to place a new water storage tank in Sunfish Lake Park. The two questions needed to be addressed was what will be the design of the tower and exactly where it will be sited in the park.

A few residents, whose properties abut the park area, expressed concern that the water tank would be an eyesore within the park and have potential impact on their property values. The cost to move it as far west as possible would cost the city \$30,000-\$40,000. This water tower would serve not only the new Tapestry development, but also serves future neighborhoods.

M/S/P DeLapp/Johnson - to advise the property owners, located one half mile radius from the location of the storage tank in Sunfish Lake Park, of an informational meeting to discuss the design of the tower at the March 1st Council meeting. (Motion passed 5-0.)

B. Public Works Building.

Terry Olsen, TKDA architect, presented a drawing the public works building resembling a barn and showing the pitch roof was eliminated and an updated floor plan. Council member DeLapp asked that the barn door and the cupola be made a little larger. The Public Works Supervisor stated he has been involved in the planning stage and approved the design proposal.

M/S/P Johnson/DeLapp - to authorize TKDA to create plans and specifications for the Public Works building, as presented. (Motion passed 5-0.)

9. PLANNING, LAND USE & ZONING:

A. Letter of Credit – Fields II and Little Bluestem

The Planner advised the Council that the City Park improvements required to be constructed by Robert Engstrom Companies as a condition of approval for the Fields of St. Croix II and Tana Ridge plats have not been completed as of this date. The most significant improvement incomplete is the City Park that lies between Fields II and Tana Ridge. That park was to have been constructed by the developer per plans approved by the Park Commission as satisfaction of the Park Dedication requirements for Fields II, Little Bluestem and Tana Ridge. In addition, the developer-installed landscaping within the plat remains short of that of the approved landscape plan, and there may be infrastructure "punch list" items to be completed as well.

The Planner requested direction from the Council whether the City should present a sight draft in the full amount of Letter of Credit #1804 (on or before February 27, 2005) and utilize the funds to complete the required improvements within the plat, or approve renewal of the Letter of Credit.

The most recent Letter of Credit renewal/extension expire on February 27, 2005. The development agreement between Robert Engstrom Companies and the City specifies that all public infrastructure and landscape improvements within the Fields of St. Croix 2nd Addition were to be completed by September, 2000.

M/S/P Johnson/DeLapp - to notify Robert Engstrom Companies that it may renew the subject Letter of Credit in the full amount for not more than 30 days (i.e. to March 27, 2005.) During that 30 day period Robert Engstrom Companies must present to the Council both complete plans for project improvements that remain incomplete (primarily the park and project landscaping), and a detailed schedule for the completion of those improvements. A council decision regarding further extension of the Letter of Credit will be based on their approval of the plans and schedule presented. Any plans/schedules presented by the developer must be on one of the March 1st or March 15 city council agendas. (Motion passed 5-0).

If the lender does not approve a 30-day extension of Letter of Credit #1804 at the close of business on February 25, 2005, the City will present the lender with a Sight Draft for the full amount of the Letter of Credit.

B. Resolution 2005-018, Met Council Draft Water Resources Plan

The City Planner reported the Metropolitan Council is considering a draft of their Water Resources Policy Plan as is required every 10 years by State Statute. The draft plan covers Regional Policy regarding Waste Water (Sewers), Storm/Surface Water and Water Supply. On February 8, the Public Works Council Committee reviewed the proposed City comments on the draft plan that had been prepared by staff and directed that those comments be incorporated into a resolution for City Council consideration. A draft Resolution was submitted for approval.

M/S/P Johnson/Smith - to adopt Resolution No. 2005-018 offering City Council comments on the Metropolitan Council Draft Water Resources Plan. (Motion passed 5-0).

C. Street Naming Ordinance

At their February 8 meeting, the Council's Public Health and Safety Committee directed staff to draft Council action that would reintroduce a uniform street naming system within the City that follows the general pattern (Alphabetical west-to-east) of the 1971 Agreement, but which also allows some street naming latitude as long as the alphabetical range is adhered to. This reintroduction of the uniform street naming system was brought to the City's attention by the Lake Elmo Fire Department and the Washington County Sheriff's Department.

M/S/P DeLapp/Smith - to adopt Ordinance No 97-149, A Uniform Street naming And Numbering System. (Motion passed 5-0.)

D. Resolution Nos. 2005-012, 013, 014: Preliminary/Final Plan, Section 520 Site Plan and PUD Amendment – City, County Credit Union, Eagle Point

On February 8, the Finance, Legal Council Committee reviewed the subject package of applications with the applicant. The committee directed that this application be placed back on the Council agenda to decide if it wants to reverse the Planning Commission recommendation regarding denial of asphalt shingle substitute.

M/S/P Johnson/DeLapp – to approve Resolution No. 2005-012, A Resolution Approving the Preliminary Plat and Final Plat of Eagle Point 4th Addition. (Motion passed 5-0).

M/S/P Johnson/Conlin – to approve Resolution No. 2005-013, A Resolution Approving the PUD Plan Amendment for Eagle Point Business Park 4th Addition, Lot 1, Block 1 to allow the use of asphalt shingles of a grade similar to that used on the Prairie Ridge Office Park. (Motion passed 4-1 DeLapp)

M/S/P Johnson/Johnston – to adopt Resolution No. 2005-014, A Resolution Approving the Section 520 Site Plan for City and County Credit Union. (Motion passed 3-2: DeLapp, Smith)

E. Contract Planning Services – Comp Plan Modifications

The City Planner reported the Finance, Legal, Legislative, Personnel Council Committee recommended the City retain TKDA planning and engineering assistance as is required to complete the 2005 Comprehensive Plan modifications. Based on the time element, the Planner believed the strategy would be expedient and in the best interests of the City rather than the alternative of going through a lengthy RFP process to secure such assistance.

M/S/P DeLapp/Johnson - to approve the use of the planning and engineering contract services of TKDA for the 2005 modifications to the comprehensive plan, not to exceed the \$9,000 in the existing planning budget as reported in the Monthly Operating Report. The planner will bring in a new proposal if the cost exceeds the \$9,000. (Motion passed 5-0).

Planning Commission Comprehensive Plan Meeting Schedule

The City Planner provided a schedule of meetings for the Planning Commission and Council to work on the Comprehensive Plan.

M/S/P Johnson/DeLapp - that all the Planning Commission and/or City Council meetings as scheduled, or any future meetings, related to the Comprehensive Plan be televised. (Motion passed 5-0).

10. CITY ATTORNEY'S REPORT:

11. CITY ADMINISTRATOR'S REPORT:

Mayor Johnston requested that the Planning Commission appointments be moved to the Planning Commission section of the meeting following a decision regarding the appointment process.

Council member Johnson made the following motion because she wanted to make sure that the Council didn't delay appointments. She said the Planning Commission has a rigorous schedule and voiced her concern on losing the experience members.

M/S/F Johnson/DeLapp – to amend the Council agenda to address Item 6A. Planning Commission Appointments. (Motion failed 2-3:Johnston, Smith, Conlin)

A. Ordinance No. 97-147:Planning Commission Composition

The City Administrator reported the Council asked the Finance, Legislative Council Committee to review the code relating to Planning Commission appointments, terms and limits. He recommended that the appointment process for parks or any commission should be consistent. The committee agreed with this proposed practice change. The final changes pertaining to the appointment process have been incorporated in Ordinance No. 97-147.

M/S/P Johnson/DeLapp – to adopt Ordinance No. 97-147, amending Section 210.03 relating to Planning Commission Composition, as amended (change term to terms). (Motion passed 5-0.)

B. Ordinance No. 97-148:Parks Commission Composition

M/S/P Johnson/DeLapp – to adopt Ordinance No. 97-148, amending Section 225.03 relating to Parks Commission Composition, as amended (change term to terms). (Motion passed 5-0).

C. Council Committee Appointments – Council Member Conlin

At an earlier Council meeting, the Council approved Mayor Johnston's recommendation for Council Committees be organized for 2005 as follows:

Finance, Human Resources, Legislative Policy, Personnel: Liz Johnson, Chair, Anne Smith, Member

Public Health and Safety: Anne Smith: Chair, Member to be determined after filling Council vacancy

Public Facilities: Steve DeLapp, Chair, Member to be determined after filling Council vacancy

M/S/P Smith/DeLapp – to approve Rita Conlin as a member of the Public Health and Public Facilities Council Committees. (Motion passed 5-0.)

6. OLD BUSINESS:

A. Planning Commission

- (1) Vacancies
- (2) 60-day Appointments

The City had received the resignation from Jennifer Pelletier from the Planning Commission. With this resignation, there are three vacancies on the Commission. Council Member Smith indicated she talked to Ms. Pelletier, who would like an extension of a leave of absence for six month.

M/S/P Smith/DeLapp – to approve Jennifer Pelletier’s request for an extension of a leave of absence for six months from the Planning Commission. (Motion passed 5-0).

There are six applications on file: Jule Fliflet, Gloria Knoblauch, Tom Kreimer, Deborah Lyzenga, Leroy Rossow and Mark Sandstrom. At its January 4th 2005 meeting, the Council adopted a policy procedure for filling commission vacancies.

(2) 60-day Appointments

At its January 4th meeting, the Council appointed Todd Ptacek, Rodney Sessing, and Charlie Schneider to the Planning Commission for 60 days.

M/S/P Smith/DeLapp - appoint Charlie Schneider to his first three year term on the Planning Commission. (Motion passed 5-0).

M/S/P Johnson/DeLapp – to approve the 60-day extension of the Planning Commission appointments of Todd Ptacek and Rod Sessing. (Motion passed 5-0).

The City Administrator advised that it was not appropriate to reinterview, but consider the appointments of Todd Ptacek and Rod Sessing.

M/S/P Johnson/DeLapp - to advertise the Planning Commission vacancies with an application deadline of February 25th, 4:30 p.m. and schedule interviews for March 1st starting at 5:30 based on the number of applications. (Motion passed 5-0.)

B. Fire Study Status

Mayor Johnston asked when the Council will have the opportunity to submit input on the Final Fire Study report. The administrator responded that he, Planner Dillerud and the Fire Chief have reviewed the study which reviews projected needs, services and considers locations of neighboring fire services as an informational item. This is a professional study and will be presented to the Council in 30 days.

C. Library Tax

Mayor Johnston believes that Washington County should be spending the local tax money of a Lake Elmo branch rather than using it to fund libraries in other parts of the county. Washington County receives about \$215,000 per year from Lake Elmo taxpayers in the form of a library tax. He said the County is taking Lake Elmo’s money with no

incentive to spend it here. Johnston suggested the City investigate the process by which the City could remove itself from the library system and how quickly money would become available. He requested council support for a procedure of requesting tax money for a dedicated library account used by the City.

M/S/P DeLapp/Smith – to direct staff to define process by which the City could remove itself from the Washington County Library system and request the tax money from Lake Elmo taxpayers to be used for a dedicated library account used by the City. (Motion passed 5-0.)

Council member Smith said she read the article in the Pioneer Press stating Washington County Library System was looking at a kiosk for the City. Smith said she was not in favor of a kiosk, but wanted a library for herself and to take her kids to look for books to read.

RESIDENTS

12. CITY COUNCIL REPORTS:

Council Input on Comprehensive Plan.

Mayor Johnston and Council members Johnson, Conlin submitted individual statements of input to the Planning Commission as to the key elements they would like to have considered during the planning process. Council members DeLapp requested that the Planning Commissioners remember the difference between planning and implementation. He gave his verbal comments detailing his proposal for comprehensive plan revision and will submit those comments in writing. These written comments have been made part of these minutes. Council member Smith noted that her top priority was protecting the residents south of 10th street. She added that with two residents that live south of 10th Street, Commissioners Ben Roth and Todd Ptacek, she felt the City had a very capable Planning Commission.. Council member Smith's verbal comments are in written form and made part of these minutes.

Discussion was continued to the Council Committee workshop.

13. Adjourn Council Meeting at 10:23 p.m.

14. Finance, Legal, Legislative, Personnel Council Workshop

Attendees: Chair Liz Johnson, Council member Anne Smith, Mayor Dean Johnson, Council Members Rita Conlin and Steve DeLapp, Planner Dillerud, Administrator Rafferty and Finance Director Bouthilet.

(1) Council Input to the Planning Commission on Comprehensive Plan: There was a short discussion on the key elements submitted by the Council on what they would like to have considered during the planning process. Planner Dillerud responded there was a consensus on items from the Council and that the Planning Commission would not have any difficulty considering the issues the Council members submitted. He believed those items of input were already addressed in the existing comprehensive plan. Dillerud noted there was not any great dispute among the Council members regarding policy.

(2) Guidelines for Council Meetings: (Postponed to next Council Committee workshop)

(3) Discussion with Developers: (Postponed to next Council Committee workshop)

(4) Adjourn workshop at 11:15 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-012 Approving the Preliminary Plat and Final Plat of Eagle Point 4th Addition

Resolution No. 2005-013 Approving the PUD Plan Amendment for Eagle Point Business Park 4th Addition to allow the use of asphalt shingles

Resolution No. 2005-014 Approving the Section 520 Site Plan for City and County Credit Union

Resolution No. 2005-016, 2005-017 Approve Claims

Resolution No. 2005-018 Met Council Draft Water Resources Plan

Ordinance No. 97-147:Planning Commission Composition

Ordinance No. 97-148:Parks Commission Composition

DRAFT

Comprehensive Plan for Lake Elmo 2010, 2020, 2030 Council Input

Given that we are planning our city for the next 25 years, at which time Lake Elmo likely will be fully developed, we must consider carefully community needs which are important now and which will be important in 25 years. My input includes four land use issues and three planning process issues.

LAND USE ISSUES

1. **Employment Corridor** – The Met Council agreement specifies that we use 1300 REC units for non-residential development. Using these REC units to create a business park offering a diversity of jobs to match the professional skills of our residents provides a real benefit for our citizens. Doing so will use approximately 2% of the land in Lake Elmo while providing residents with the opportunity to work near where we live. This reduces commuting time and contributes to our quality of life.
2. **Residential Development south of Tenth Street** – Under the terms of the Met Council Agreement, we have the opportunity to create a model senior community. This type of community can be based around a care center and contain a diversity of housing types and price ranges to fit the varied needs of our aging population while having only a minimal impact on surrounding neighborhoods. Many cities fail at creating a senior community because they rush to complete a discrete "project" rather than planning a comprehensive community.
3. **Middle Income Housing** – By requiring that every homeowner purchase 2.5 acres of land to build a housing unit, Lake Elmo is raising the cost of home ownership beyond the reach of our teachers, firefighters, police officers, and other middle income professionals. By zoning a portion of Lake Elmo for 1 acre lots we have an opportunity to make living in Lake Elmo an affordable option for professional families in the middle income range. Creating an area where the density requirement is one home per acre will preserve the possibility for moderately priced housing in the future. As an example, the area north of Stillwater Blvd, east of County 13, and south of Highway 5 is a potential location for a more dense neighborhood where there may be less upward pressure on home prices in the future. Most people on one acre lots are very pleased with the rural character these lots provide in comparison to other housing options available elsewhere.
4. **Housing for the Disabled** – Every community has a small number of children with disabilities. As these children grow into adulthood, they need housing options which may include care or supervision. Lake Elmo needs to ensure that the housing needs of these citizens of Lake Elmo are addressed in our Comprehensive Plan.

PLANNING PROCESS ISSUES

5. **Buffering existing neighborhoods south of Tenth Street.** – One of many benefits of a clustered senior community is that it can contain a variety of housing types and density levels. This gives us more flexibility to create buffering around existing residences. For example, the density for a care facility may range from 20 to 30 units per acre. One level townhomes are typically built with 3 to 4 units per acre. This diversity allows us to create a well planned, clustered senior community that meets the market needs and allows us to place these homes in manner which will buffer them from existing homes.
6. **Voting Demographics** – Our Comprehensive Plan will define development over the next 25 years, during which Lake Elmo will experience significant, steady population growth. This growth must be carefully staged to ensure the interests of voters from existing neighborhoods, who value the rural character of our community, are not overwhelmed by new residents who do not yet share that value. The longer we delay carefully staged development, the higher the risk that a large influx of new residents in a short period of time will lead to election results that could change our development philosophy and destroy the character of our community.
7. **Population Calculations** – Population projections must be made using realistic calculations – the use of artificially high projections is not acceptable within the terms of the agreement with the Met Council. Inflated estimates bring the potential for mandatory redevelopment if it is determined we have not planned in substantial, good faith compliance with Met Council requirements. The typical density for senior housing is 1.5 people per residence. The typical density for "Active Senior" housing is 1.8 people per residence. The typical density for single family residential housing is 2.5 people per residence. We can use 2.5 people per residence in our calculations only when we are planning housing which justifies that density.

Dean Johnston
February 15, 2005

RECEIVED
FEB 17 2005

February 18, 2005

To: Lake Elmo Planning Commission:

From: Steve DeLapp

Subject: Approach to Comp. Plan Modifications Required by Met Council
My request to the Planning Commission is that we accept the requirements by the Met Council and clearly understand the difference between "implement" and "plan for". With great effort our City came out of the fight with the Met Council with some lofty planning expectations and a minimum of "in-the-ground" requirements. We started with a requirement of stopping all development in the City for two years and then beginning a 30 year plus phase-in of sewer development and redevelopment, leading to a population of approaching twice the population of Oakdale. We ended with a far different requirement, one that might in the end leave our City with no negative consequences to the residents from the existing 2020 Comp. Plan. We do not have to grow any faster than we show in the existing 2020 Comp Plan, but we need to show how we could accept limited urban growth south of 10th Street post 2020.

We have agreed to allow the Met Council to bring two very restricted sewer pipes into our City coming west from the Eagle Point Development and coming north up Lake Elmo Avenue. The total capacity that the Met Council is extending up to our City limits is with enough to sewer 8,700 Residential Equivalent Connections, (one household of any size, or ten employees, equal one REC unit). We are required to show how we could accept 6,600 REC's, 100 existing in Eagle Point Development, and 6,500 new REC's. We need to show provisions for connecting to 1,500 new or existing dwelling units and a small number of new businesses by the end of our existing 2000 Comp Plan planning period in 2020.

All required the REC's can be shown for installation between now and 2020, in Cimarron, the Old and extended Old Village area. All the of business connections can be made within the existing Eagle Point Development, or immediately adjacent to it. The only difference from the existing, rejected Comprehensive Plan, and our revised Comprehensive Plan, is that we must create a "Post--2020 Staged Urban Growth Zone", comparable to those in all Metro Area urbanizing cities, south of 10th Street.

This is my proposal, consistent with our agreement, and consistent with maintaining the intent of our existing 2020 Comp. Plan, and consistent with the City Council's promise of minimizing impact on existing residents in the City. It is the proposal that resulted directly from the meetings with Peter Bell and is exactly what the Met Council has specified, without an implied option for the City to accelerate urban growth:

1. Continue housing and commercial development north of 10th Street almost exactly as currently planned, with the substitution of 1,000 REC's for existing or new housing in the Old Village Area.

2. Show the replacement of the package sewer system in Cimarron with Metro sewer.
3. Limit pre-2020 business development south of 10th Street to Eagle Point Development and to the minimum amount of adjacent land, if any, consistent with the 2030 Development Framework.
4. Show the undeveloped land south of 10th Street as "Post--2020 Staged Urban Development".
5. Allow developers to accelerate high density, urban growth in selected areas south of 10th Street if they transfer the permanent development rights from low density rural land, whose owners are willing to send their existing development rights. (TDR).

This planning work should take a minimum of time and almost no changes to the existing Comp. Plan, as post 2020 development south of 10th Street will not be detailed and all land use will look exactly the same on the maps north of 10th Street. No population numbers need to appear on the map other than to stipulate the build-out population for north of 10th Street and that the staged growth south of 10th Street is "planned" to reach a population of 24,000 people by 2030. (I would remind the Commission that the Met Council defines a household as something like 2.5 or 2.85 persons. When the final tally of new housing population north of 10th Street is counted in 2020, our actual population will be much higher than Met council of 2.5 -- perhaps approaching the 4 to 5 people per unit in Carriage Station -- if we do not put an emphasis on low occupancy housing units.)

To summarize:

Limit change pre-2020 to the exact specifications of the Agreement. Show the feasibility of urban growth south of 10th Street with a post-2030 staged growth area.

Anything further will increase, or accelerate the increase of, urbanization in the City, and should only be considered, after the City's revised Comp. Plan is approved by the Met Council and has the full backing of the City residents.

By our agreement with the Met Council, unlike other cities in the 7 County Metro Area, we cannot be forced to accept additional development mandates, such as compliance with the "Livable Cities Act" etc., through 2030. In the end, if we do not induce additional development, we may be able, to reduce overall development. After all we have between 15 and 25 years to further reduce the impact of our Agreement.

MET COUNCIL – COMP PLAN (COUNCIL INPUT)

Liz Johnson – 2/15/05

Now that we have an agreement we need to look at how it will be implemented to achieve the agreement.

- ✓ My expectations are that we honor the agreement.
 - We meet the population expectation requirement
 - We meet the REC unit requirement.
 - We approach this with the intentions to honoring the agreement.

My input in regards to implementation:

- ✓ We work towards finding ways in which to protect the current residents south of 10th street.
- ✓ We work towards achieving the identified needs of the community throughout the last 10 years. Example:
 - Senior Housing – and place it in the area south of 10th street.
 - This not only has been an identified need for many years but is a great tool to help us reach our population goal with little or no impact on some of our systems (less traffic than single family housing units, no impact on the school system, less potential city service needs as many times they take care of their own roads, etc., in their community)
 - We could look at having the more full service care senior housing complex system south of 10th street with additional senior apartment type of housing within the old village also.
 - I do not believe it is a “here” or “there” type of situation.
 - Middle Income Housing –
 - There is a need to have some middle income housing for families that provide needed professional services in our community but are unable to afford housing above middle income level.
(Teachers, fire fighters, etc.)
 - Housing for Residents with Disabilities – This could be part of the Old Village plan.

(See Reverse Side)

MET COUNCIL – COMP PLAN (COUNCIL INPUT)

Liz Johnson – 2/15/05

- **Job Opportunities within our Community**
 - This provides opportunities for our citizens to work within their own community.
 - This decreases the amount of time parents are away from their children, which increases the time that parents can spend providing guidance to their children.
 - This decreases the amount of traffic throughout the Twin Cities area.
- ✓ **Planned growth (staging growth) of REC units so the infrastructure can accommodate the growth.**
 - Starting in 2007 the business corridor along I94 could develop as REC units are made available. This would also start provide tax revenue in order to help manage the infrastructure needs. (Addresses REC units and commercial development requirements.)
 - Starting in 2007 the Senior Housing Complex could be developed. (Addresses REC units and population.)
 - Starting 2008 (Cottage Grove connection available) growth planned in the old village area. (Addresses REC units and population.)
 - Between 2010 and 2030 have staged growth in the rest of the planned residential development south of 10th street. (Addresses REC units and population.)
 - Non-REC unit population growth (to meet the 2030 population requirement) – occurs between 2010 and 2030. (OP Developments)

Rita Conlin - Key Elements/Ideas/Concepts for Revised Comp Plan
02/15/2005

1. Based on the settlement, we have two primary constants to work with, 6,600 recs, 24,000 pop. I believe the rest is for Lake Elmo to determine.
2. Plan for staged development & growth.
3. Prevent hopscotch development; establish controls such that each area staged for development is 50% (??) complete before allowing development to begin in the next area.
4. Establish buffer standards to protect existing rural residential areas south of 10th
5. Establish landscaping standards south of 10th for streets, parking lots, residential and business development that promotes a rural feel. The more trees, shrubs etc, the more the sound of I94 traffic will be absorbed. What other things can be done to lessen the impact of dense development???
6. Establish architectural standards south of 10th that are harmonious to the existing landscape and rural feel.
7. Take a look at senior housing from the senior perspective, i.e., where do the seniors of Lake Elmo want to live, Old Village vicinity or along I94? What type of housing do they prefer, high-rise, multilevel apartment-like, townhouse?? What amenities do they want?
8. Is a mix of life-cycle housing appropriate for south of 10th, single family, apartments, town homes for residential south of 10th?
9. Challenge city staff to provide model city examples where the community desired to retain a rural atmosphere or another type of unique identity. How did they do it? Think cutting edge.
10. Ensure public hearings are adequately advertised and that the public has opportunity for input.

Anne Smith - Elements for Revised Comp Plan

1. Protect residents south of 10th Street. Use of landscape architecture to provide buffers between existing neighborhoods and any new developments.
2. Senior Housing; We need to address where it will go and how much we will need in the coming two decades. (Growth Study)
3. Housing for Disabled; Needs are similar to those of seniors. Could we combine these two or perhaps have them adjacent to each other? (Shared trail systems, access to Park Reserve, close to services which could possibly be inside the main care facility such as grocery, theatre, barber and beauty salon etc...).
4. Corporate Woods Development along I-94. Many urban areas such as Kansas City, Houston, Boston, etc... have designed office parks that are unobtrusive. It is important to meet our Code Requirements so that we are able to use all 1300 REC units.
5. Phased Development; It is important not to front-end load or back-end load all of our development.

With that said, I feel we have a very capable Planning Commission with two residents living south of 10th Street, Todd Ptacek and Ben Roth. I think it is important to let the Commission do its job.

LAKE ELMO CITY COUNCIL MINUTES

FEBRUARY 1, 2005

6:00 P.M. – Interviews for City Council Appointment

1. AGENDA
2. MINUTES: January 18, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. PUBLIC INQUIRIES
 - B. PUBLIC INFORMATIONAL
 - (1) Introduction of Representative Mike Charron
 - (2) Council Appointment
4. CONSENT AGENDA:
 - A. Resolution No.2005-011: Approving Claims
 - B. Ordinance No. 97-145:2005 Fee Schedule
5. FINANCE:
6. NEW BUSINESS:
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Ordinance 97-146: Park Hours
8. CITY ENGINEER'S REPORT:
 - A. Proposed Public Works Garage:Terri Olsen, TKDA
 - B. Change to Water Tower Project
9. PLANNING, LAND USE & ZONING:
 - A. Eagle Point Business Park: Resolution No. 2005-012 Approving the Preliminary Plat and Final Plat of Eagle Point 4th Addition, Resolution No. 2005-013:Denying the PUD Plan Amendment, Resolution No. 2005-014; Approving the Section 520 Site Plan for City and County Credit Union
 - B. Trails Plan Open House
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
 - A. Ordinance 97-147: Planning Commission Composition, Appointments
 - B. Ordinance 97-148: Parks Commission Composition
 - C. CIC Appointment
 - D. Met Council Proposed Agreement
12. CITY COUNCIL REPORTS:

Mayor Johnston called the meeting to order at 7:00 p.m. in the Council chambers. PRESENT: Johnston, Smith, Johnson, DeLapp, City Engineer Prew, City Attorney Filla, Finance Director Tom Bouthilet, City Planner Dillerud, Administrator Rafferty and Recording Secretary Schaffel.

1. AGENDA

Public Inquiries-B3: Oakdale Water Presentation.

City Administrator's Report-11E: Met Council Workshop with Planning Commission on Feb. 7, 2005.

Appointment of Councilmember and Oath of Office before the Minutes.

M/S/P Johnson/DeLapp, to approve the February 1, 2005 City Council agenda, as amended.

(Motion passed 4-0).

1.B. **COUNCIL APPOINTMENT**

M/S/P Johnson/DeLapp to appoint Rita Conlin as Councilmember by unanimous ballot. (Motion passed 4:0). Administrator Rafferty administered the Oath of Office to Rita Conlin. Council member Conlin joined the council.

2. **MINUTES:** January 18, 2005

No. 12 Planner Dillerud was not present. Absent council member was Liz Johnson.

M/S/P DeLapp/Smith to approve the January 18, 2005 City Council minutes, as amended. (Motion passed 3-0-2 Abstain: Johnson-Conlin)

3. **PUBLIC INQUIRIES/INFORMATIONAL:**

A. **PUBLIC INQUIRIES:**

B. **PUBLIC INFORMATIONAL**

(1) **Introduction of Representative Mike Charron**

Mike Charron introduced himself as the new state representative for this district. He commended the city council on the negotiations with the Met Council. Mayor Johnson said they will create a legislative agenda at the next council committee meeting.

(3) **Oakdale Water Update**

Jim Kelly a Lake Elmo Environmental Commissioner who works for the Minnesota Department of Health and Mike Santoro from 3M gave an update on newly discovered contaminants in Oakdale water. Mr. Kelly said trace levels of PFOF and PFOA have been found in Oakdale municipal wells sampled as a result of two disposal sites where these chemicals were found. Concentrations are low and considered safe over a lifetime of drinking the water. They do not anticipate finding the chemicals in Lake Elmo wells. Mr. Kelly said the ability to test for these chemicals was discovered in the last 18 months. Mayor Johnston said we are fortunate we have people of Jim Kelly's caliber working for the city.

4.CONSENT AGENDA:

A. **Resolution No.2005-011: Approving Claims**

Mayor Johnson asked the total billed by Lindquist and Venum the Met Council litigation firm, and if we have reached the end. Finance Director Bouthilet said that the cost over 16 months totals \$364,723. Administrator Rafferty said he believes this is the end of billings.

M/S/P Johnson/DeLapp, to adopt Resolution No. 2005-011, A Resolution Approving Claim Numbers 237, 238, DD329 through DD338, 26805 through 26816 which were used for staff payroll dated January 20, 2005, claims 26817 through 26862 in the total amount of \$115,472.62. (Motion passed 5-0).

B. **Ordinance No. 97-145:2005 Fee Schedule**

M/S/P Johnson/DeLapp, to adopt Ordinance No. 97-145:2005 Fee Schedule. (Motion passed 5-0).

5. **FINANCE:**

6. **NEW BUSINESS:**

7. **MAINTENANCE/PARK/FIRE/BUILDING:**

A. Ordinance 97-146: Park Hours

Administrator Rafferty explained that the city has an inconsistent policy regarding parks hours. The Council Committee directed staff to prepare an ordinance that is enforceable. A Special Permit can be issued to groups. Councilmember Smith said we received a 10 page letter from a woman who uses the park at night, and reminded council to read that letter. Councilmember DeLapp said he was sad we have to lock our parks.

M/S/P Johnson/DeLapp, To adopt Ordinance No. 97-146, an ordinance amending Section 1355.07 Public Park Hours of the Lake Elmo Municipal Code.

Administrator Rafferty said having the provision in the code does not mean a permit is granted. Safety and other considerations will be considered. (Motion passed 4:0:1 Abstain: Conlin)

8. **CITY ENGINEER'S REPORT:**

A. Proposed Public Works Garage: Terri Olsen, TKDA

Administrator Rafferty said the city has been planning municipal facilities over many months. Terri Olsen said they have separated Public Works from City Hall allowing for an agrarian setting to blend with a rural location. If bids are low enough there are add-on amenities. Administrator Rafferty said this facility is programmed within budget constraints, with input of Public Works Committee and MAC. The cost of \$2.1 million is well within target for this facility meeting all interests identified. Mayor Johnston was surprised they call it rural character. Councilmember Smith asked how much of the cost is in the appearance. Ms. Olsen will find out. They began with a base building with a flat roof, stick built and changed to a pre-engineered building and different roof. The council decided to review the next agenda item and this one collectively.

B. Change to Water Tower Project

The City Engineer said the water system plan is to connect the Old Village with Lake Jane moving the water tower to the new Public Works building site. Higher elevation of 20-30 feet saves some money. A second water main will be needed between Highway 5 and Tapestry. It will cost \$200,000 more by moving it. There are practicalities to having it on the same site. Administrator Rafferty said we would spend that \$200,000 later anyway. The Finance Director said the WAC charges should support this project. Councilmember DeLapp said he thought we would have an image of a farm and a silo. The City Engineer said it will take one year to build and will not be operational until 2006. Administrator Rafferty said there is a June construction date.

M/S/P, Smith/DeLapp to send it back to committee because this proposal may not fit in architecturally. (Motion passed 5-0).

M/S/P DeLapp/Johnson to site the water tower in Sunfish Lake Park. (Motion passed 4-0-1 Abstain: Conlin).

9. **PLANNING, LAND USE & ZONING:**

A. Eagle Point Business Park: Resolution No. 2005-012 Approving the

Preliminary Plat and Final Plat of Eagle Point 4th Addition, Resolution No. 2005-013; Denying the PUD Plan Amendment, Resolution No. 2005-014;
Approving the Section 520 Site Plan for City and County Credit Union

The Planner said the application from United Properties was unanimously recommended by the Planning Commission. The PUD item of issue was the request to substitute asphalt shingles for the code requirement for roofing. The Planning Commission voted 5-2-1 to deny the PUD amendment to allow asphalt shingles.. Item 9A includes a communication from a tenant in Eagle Point with reference to glare from the standing seam metal roofs.

Councilmember Smith said the site plan asks us to approve 10,000 square feet, and only six thousand square feet of building are to be constructed, per the applicant.

The Planner responded that the site plan presented is for the entire 10,000 square feet, with site area, parking and all site features sized for the 10,000 square feet. The site plan also shows the entire 10,000 square foot building footprint. On that basis the staff and Planning Commission has determined that the 10,000 square foot standard is complied with.

The Planner asked the City Attorney if it is okay to put and take uses when it is in the PUD. The City Attorney said the council has latitude with PUD's because they are designed to give more than what you get from normal zoning. He also said that if there is a variation from 10,000 square feet building requirements, Council has the right to reject a 6,000 square feet building.

Dale Glowa of United Properties introduced Pat Pierce, president of City and County Credit Union, Steve Dowdy the architect, and George Burkards. Mr. Glowa said Eagle Point Business Park was a thoughtful PUD they spent months developing with the City Council in 1999. The Credit Union building site plan is sized to accommodate 10,000 square feet. He noted that specifications regarding roof materials were silent when this PUD was approved, now they are requesting the PUD to be amended for additional roofing material, to include a timberline asphalt roof. He advised the Council that metal and cedar are loud in a rainstorm, with ice concern sliding off as well. The glare is another concern. Asphalt won't do that. The Planner said we have until March 7 to decide.

Steve Dowdy with Pope Associates said his company has been asked to redesign drive-up canopies with metal roofs several times because of sound and ice problems.

George Burkards said United Properties has spent \$4,000,000 in the park. Signs, monuments, and bridges were created for appearance. He said the quality of all of the buildings are good. Councilmember DeLapp said perceptions of architecture in this part of Lake Elmo are not good.

M/S/P Johnson/Conlin to table the United Properties applications until the next meeting.

Pat Pierce of City and County Credit Union said part of the plan includes a conference room to use by the community at no cost. They are trying to be a good neighbor.
(Motion passed 4-1 Johnston- Thinks they should have approved it.)

B. Trails Plan Open House

The Planner said an Open House was not anticipated in the contract.

Councilmember DeLapp said he believes it is important to involve the public, and he therefore supports the Letter of Agreement to cover the added costs for the Open House.

M/S/P DeLapp/ Johnson to direct staff to sign the Letter of Agreement and to approve the additional expenditure of \$1,448 to cover the additional cost associated with the City's contractual agreement for a Trails System Plan (\$240) and the cost for support and materials for the Trails Plan Open House (\$1,208). (Motion passed 5-0).

10. CITY ATTORNEY'S REPORT:

13. CITY ADMINISTRATOR'S REPORT:

A. Ordinance 97-147: Planning Commission Composition, Appointments

Administrator Rafferty said terms for both commission should be the same so they should be considered together.

B. Ordinance 97-148: Parks Commission Composition

Mayor Johnston said it was not his intention to have term limits. His idea was only to review commissions after two terms. Councilmember DeLapp agreed-if a commissioner is here for nine years, we almost have to change the rules to keep them.

M/S/P, Smith/DeLapp to send composition for both Planning and Parks Commissions back to council committee for further discussion. (Motion passed 5-0)

Todd Ptacek said two commissioners were appointed for sixty days. Mayor Johnston said the time limit will not expire. He said it is a process issue first, and then they will address appointments.

C. CIC Appointment

Administrator Rafferty said an application was received from Brenda Anderson.

M/S/P DeLapp /Smith To appoint Brenda Anderson as a member of the Community Improvement Commission. (Motion passed 5-0).

D. Met Council Proposed Agreement

Administrator Rafferty introduced the agreement's achievement versus the Met Council Resolution 2002-30. The Planner explained where we stand today before we affirm the agreement with the Met Council. A list of modifications for our Comp Plan was attached to Res. 2002-30. The most important element of this agreement is a credit for existing Cimarron and Old Village housing and for the planned Old Village expansion. Old Village streets and water mains can be upgraded simultaneously with sanitary sewer construction. A second key element is that the city can continue with clustering north of 10th Street. The majority of the city will be allowed to maintain its rural character. 3rd key element is that the Lake Elmo Interceptor has been dropped. Instead there will be two sanitary one from the west and one from Cottage Grove in the south. The City will have the option to use the additional units for redevelopment, environmental issues, or other uses after 2030. Population planned was about 13,000 people at buildout. This plan is 24,000 capped. These are the issues and numbers we have to show in our Comprehensive Plan.

Former Mayor Lee Hunt said he is convinced this is the best the city can do. It is consistent with the first meeting with the governor, and he urged approval.

Administrator Rafferty introduced the ten point agreement and the process for approval.

Mayor Johnston said this is a better plan than what was originally proposed. It is not negotiable, and he urged approval. Councilmember DeLapp said transfer of density might help to facilitate development below 10th Street.

M/S/P, Smith/Johnson, To approve Resolution 2005-015.

Ben Roth asked for clarification because he does not think the agreement requires that much density below 10th Street. Mayor Johnston said the average of 3 units per acre is in the agreement.

Todd Ptacek asked if it is the council's intention to average those units and lower density to buffer existing neighborhoods. Mayor Johnston said that is his intention.

The Planner said units per acre or open space can be used to achieve that end.

Councilmember Conlin said this has been an open process, and it is probably the best settlement we are going to get. She will support it. Councilmember DeLapp supports it as he interprets it, though it was not an open process. He said he will not vote for it unless the language is changed to protect existing residents. Councilmember Johnson said both negotiating teams got us the best we can expect.

Former Mayor Hunt said this agreement has all of the compromises within the ranges the city council came up with. It is not great but it is reasonable.

The City Attorney said amending a Comprehensive Plan is just the first phase of legislative effort to adopt official controls. Substantial changes will have to be made to those controls and regulations. Direct the planning commission as you will.

Councilmember DeLapp said if we agree, it will have the least impact on the last Comp Plan. It does not have to be inserted. Councilmember Smith agreed. Councilmember Conlin said now is not the time.

(Motion passed 4-1, DeLapp – Agreement can be modified, there is ambiguity among the council.)

12. CITY COUNCIL REPORTS:

Administrator Rafferty asked for a joint workshop on 2/7/05 with the Planning Commission.

Mayor Johnston said the council might need a workshop first.

The council decided to meet from 6 to 8 and then join the Planning Commission at 8:00 p.m.

Councilmember Johnson congratulated John Schiltz of Lake Elmo Inn for being named one of the top ten chefs in the metropolitan area.

Councilmembers Smith and Councilmember Johnson attended the basic conference for newly elected officials, it was a good orientation, and they would like to avail themselves of all opportunities to get up to speed. Administrator Rafferty said March said strategic planning is scheduled for March.

Councilmember Smith welcomed Brenda Anderson into Community Improvement and hopes others will want to participate.

Councilmember Conlin thanked everyone for their support.

Adjourned 9:53 pm

Respectfully submitted,

Kimberly Schaffel
Recording Secretary

Lake Elmo City Council March 1, 2005	Agenda Section: PUBLIC INFORMATIONAL	<u>No. 3B(1).</u>
<u>Agenda Item:</u> Water Ski Show: Joe Kiesling		
<p><u>Background Information for March 1, 2005:</u> Joe Kiesling, Tri-Lakes Assoc., is requesting Council approval of a Water Surface Use Permit for the Annual Water Ski Show on Lake Jane, August 13, from 1-5 p.m. The Tri-Lakes Assoc. has secured the appropriate insurance coverage and the Sheriff's Department will sign off on the permit pending Council approval. The Fire Department will be contacted to provide an emergency vehicle.</p> <p>Mr. Kiesling will be in attendance to request a variance from surface water rules for the days of this event and a "No Parking" permit to park from Jamaca Avenue to Jane Road North.</p>		
<u>Action Item:</u> M/S/ to approve the permit request of Joe Kiesling, on behalf of the Tri-Lakes Association, to hold a Water Ski Show on Lake Jane, August 13, 2005, from 1-5 p.m. based on the submittal of the appropriate information and on past favorable requests.	<u>Person responsible:</u> S.Lumby	
<u>Attachments:</u> <ol style="list-style-type: none"> 1. Water Surface Use Permit 2. Insurance certificate 		



WASHINGTON COUNTY

OFFICE OF THE SHERIFF

LAW ENFORCEMENT CENTER

15015 62ND STREET NORTH • P.O. BOX 3801 • STILLWATER, MINNESOTA 55082-3801

(651) 430-7800

Facsimile Machine: (651) 430-7803

Commitment to Excellence

WATER SURFACE USE APPLICATION

Permit for a Contest, Race, Regatta or other
Event on or in the Waters of This County



JAMES J. FRANK
SHERIFF

STEVEN F. POTT
CHIEF DEPUTY

Applicant Information:

Organization: Tri-Lakes Assoc. Phone: _____

Address: _____

Contact Person:

Name: Joe Kiesling Home Phone: (651) 779-4663

Address: 9359 Jane Rd. Work Phone: _____

Lake Elmo

Lake where event will be held: Lake Jane

What portion of the lake will be used: _____

Type of Event: 2005 Water Ski Show

Date of Event: 8-13-05 Alternate Date: _____

Structures or Buoys needed for the event: _____

All applications must be signed by a representative of the City or Township where the event will be held.

All applications must be received by the Sheriff's Department at least two weeks prior to the event. All Insurance Certificates must be received at least 10 days prior to the event. Send the application and proof of insurance to the following address along with a self-addressed, stamped envelope:

Washington County Sheriff's Office Sgt. Jerry Cusick
15015 62nd St. No.
P.O. Box 3801
Stillwater, MN 55082-3801

Signature of Applicant: _____ Date: _____

City/Township Representative: _____ Date: _____





WASHINGTON COUNTY

OFFICE OF THE SHERIFF

LAW ENFORCEMENT CENTER

15015 62ND STREET NORTH • P.O. BOX 3801 • STILLWATER, MINNESOTA 55082-3801

(651) 430-7600

Facsimile Machine: (651) 430-7603

Commitment to Excellence



JAMES J. FRANK
SHERIFF

STEVEN F. POTT
CHIEF DEPUTY

GENERAL REQUIREMENTS FOR A SUMMER EVENT HELD ON OR IN THE WATER

The following is a list of General Requirements for a Water Surface Use Permit for an Event. There may be additional requirements due to unique concerns with a particular event.

Applicant must obtain and pay for a Comprehensive General Liability Insurance policy in the amount of \$300,000 per person and \$1,000,000 per occurrence. The policy must be non-cancellable. The policy shall name the County of Washington, its' officials and employees, and the City or Township where the event will be held, as additional insureds for the term of the permit. A Certificate of Insurance must be supplied to the Sheriff's Office at least ten (10) days prior to the event. The Washington County Risk Manager will verify that the insurance requirements are met before the permit is issued.

The applicant must contact the local police departments that will be affected by the traffic, spectators, or participants of the event.

The applicant must make arrangements for emergency medical services at the site of the event.

The applicant must provide an adequate number of approved toilet facilities for use by the participants and spectators.

The applicant is responsible for removal of all debris, litter and trash from the event area immediately after the event.

The event is not allowed to interfere with any public accesses to the lake.

All watercraft must be properly licensed and equipped as required by Minnesota State Statutes. Any exemption from any of these rules must be requested on the application. If an exemption is granted, the boats are not allowed to leave the event area.

The applicant must provide two (2) boats equipped with first aid equipment. These boats will also be used to help keep spectators out of the area of the event.



CERTIFICATEHOLDER

CITY OF LAKE ELMO AND WASHINGTON COUNTY
3800 LAVERNE AVE N.
LAKE ELMO, MN 55042

PRODUCER

American Specialty Insurance Services, Inc.
142 North Main Street
Roanoke, Indiana 46783

INSURED

USA Water Ski Association
1251 Holy Cow Road
Polk City, FL 33868-8200

This certificate is issued as a matter of information only and confers no rights upon the certificateholder. This certificate does not amend, extend, or alter the coverage afforded by the policy below.

TRI LAKES ASSOCIATION
6045 LAKE ELMO AVE N.
STILLWATER, MN 55082

COVERAGES - THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITION OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

United States Fidelity and Guaranty Company GL Policy Number D255L00157
Effective:01-NOV-04 12:01 AM Expires:01-NOV-05 12:01 AM

COVERAGE LIMITS IN DOLLARS

General Aggregate	5,000,000
Products-Completed Operations Aggregate	1,000,000
Personal and Advertising Injury	1,000,000
Each Occurrence	1,000,000
Damage to Premises Rented to You (Any One Premises)	50,000
Medical Expense Limit (Any One Person)	Excluded

ADDITIONAL INFORMATION / RESTRICTIONS / SPECIAL ITEMS

- The Certificateholder is only an Additional Insured with respect to liability caused by the negligent acts or omissions of the Named Insured.
- Owned Watercraft Liability excluded.
- Coverage is effective January 24, 2005.
- Coverage for Wakeboard School and Ski School operations is excluded.
- The General Liability policy is subject to a \$50,000 per occurrence Self-Insured Retention with a \$100,000 annual aggregate.

CANCELLATION - SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATEHOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

Form No. UWSU_000002

Certificate No. 1000328332



David Harris
Authorized Representative

Lake Elmo City Council March 1, 2005	Agenda Section: PUBLIC INFORMATIONAL	<u>No 3B(3)</u>
<u>Agenda Item:</u> Planning Commission Appointments		
<p><u>Background Information for March 1, 2005:</u> The City Council adopted a procedure for filling Commission vacancies. At the February 15th meeting, the Council directed staff to follow that procedure and to advertise for Planning Commission applications with a deadline for applications, February 25, 4:30 p.m. The Council asked that interviews be scheduled starting at 5:30 p.m., March 1st. There were six applications on file at City Hall.</p> <p>At the February 15th meeting, the City Council appointed Todd Ptacek and Rod Sessing to the Planning Commission for 60 days. The City currently has two vacancies, First Alternate and Second Alternate.</p> <p>Staff is requesting Council direction for filling Planning Commission vacancies.</p>		
<u>Action Items:</u>	<u>Person responsible:</u> S. Lumby	
<u>Attachments:</u>		

4A.

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2005-019
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 243, 244, DD350 through DD362, 26923 through 26954, were used for Staff Payroll dated February 17th, 2005, claims 26955 through 26998, in the total amount of \$337,401.25 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 1st day of March, 2005.

Dean A. Johnston
Mayor

ATTEST:

Martin J. Rafferty
City Administrator

Accounts Payable Computer Check Proof List

User: administrator
Printed: 02/25/2005 - 8:52 AM

SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:10000 SESSION A	10,000 Lake Chapter Seminar - Nonstructural Fire and Safety Check Total:	175.00 175.00	03/01/2005	Check Sequence: 1 101-420-2400-44370	ACH Enabled: No
Vendor:ACEHARD 02156691	Ace Hardware Sealer, hook, nozzle stem Check Total:	27.34 27.34	03/01/2005	Check Sequence: 2 101-430-3100-42150	ACH Enabled: No
Vendor:ADVGR 9302	Advanced Graphix, Inc. Decals - Public Works Check Total:	85.19 85.19	03/01/2005	Check Sequence: 3 101-430-3100-44040	ACH Enabled: No
Vendor:ARAM 629-5654615	Aramark Linen - City Hall Check Total:	50.84 50.84	03/01/2005	Check Sequence: 4 101-410-1940-44010	ACH Enabled: No
Vendor:ATTWI 023-2750230	AT&T Wireless Floater Phone - Fire Dept. Check Total:	20.49 20.49	03/01/2005	Check Sequence: 5 101-420-2220-43210	ACH Enabled: No
Vendor:AVAYA 2720563369	AVAYA Inc. Telephone Maint. Contract Check Total:	150.36 150.36	03/01/2005	Check Sequence: 6 101-410-1940-44040	ACH Enabled: No
Vendor:BIFFS W247922	Biff's Inc. Portable - Sunfish Lake Park Check Total:	74.26 74.26	03/01/2005	Check Sequence: 7 101-450-5200-44120	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: CADIGMC GCCS69512	Cadillac Pontiac-GMC Repair Door - GMC Truck Public Works Check Total:	391.35 391.35	03/01/2005	Check Sequence: 8 101-430-3100-44040	ACH Enabled: No
Vendor: CARQUEST D371441	Car Quest PVC Split Check Total:	3.37 3.37	03/01/2005	Check Sequence: 9 101-430-3100-42150	ACH Enabled: No
Vendor: EARLANDE 0064515-IN	Earl F. Andersen, Inc. Stop Sign, Yield Sign Check Total:	480.21 480.21	03/01/2005	Check Sequence: 10 101-430-3100-42260	ACH Enabled: No
Vendor: EMAUTO ST020805-3	Emergency Automotive Technology Inc. Emergency Lights - new loader Check Total:	279.56 279.56	03/01/2005	Check Sequence: 11 410-480-8000-45400	ACH Enabled: No
Vendor: EMERGAPP 20552 20766	Emergency Apparatus Maint. Battery Replacement - 3187 Tank Leak - 3183 Check Total:	235.05 1,082.90 1,317.95	03/01/2005 03/01/2005	Check Sequence: 12 101-420-2220-44040 101-420-2220-44040	ACH Enabled: No
Vendor: EMSUSA 294306 294694	Emergency Medical Supply, Inc. Medical Supplies - Fire Dept. Medical Supplies - Fire Dept. Check Total:	297.55 124.15 421.70	03/01/2005 03/01/2005	Check Sequence: 13 101-420-2220-42080 101-420-2220-42080	ACH Enabled: No
Vendor: FIREINST 1387	Fire Instructors Assoc of MN Annual Membership Check Total:	10.00 10.00	03/01/2005	Check Sequence: 14 101-420-2220-44330	ACH Enabled: No
Vendor: FORCE 01221656	Force America Parts for PW Truck Hydraulics Check Total:	24.27 24.27	03/01/2005	Check Sequence: 15 101-430-3100-42210	ACH Enabled: No
Vendor: FXL March 2005	FXL, Inc. Assessing Services for March 2005 Check Total:	1,700.00 1,700.00	03/01/2005	Check Sequence: 16 101-410-1550-43100	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: GARELICK 56283	Garelick Steel Co, Inc Steel, steel bars - Public Works Check Total:	122.47 122.47	03/01/2005	Check Sequence: 17 101-430-3100-42210	ACH Enabled: No
Vendor: GENESIS IVC00344 IVC00344	Next Genesis Productions Greg's Laptop Data Recovery Check Total:	112.50 112.50 225.00	03/01/2005 03/01/2005	Check Sequence: 18 101-420-2220-44300 101-410-1520-43180	ACH Enabled: No
Vendor: GRTSTILL 2038	Greater Stillwater Chamber Annual Membership Check Total:	325.00 325.00	03/01/2005	Check Sequence: 19 101-410-1320-44330	ACH Enabled: No
Vendor: GUSTAF Emp. Claim	Richard Gustafson Boots - Public Works Check Total:	183.60 183.60	03/01/2005	Check Sequence: 20 101-430-3100-44170	ACH Enabled: No
Vendor: JOHNSBR LSS 1005777140	Brian Johnson Safety Can and Funnel Check Total:	46.86 46.86	03/01/2005	Check Sequence: 21 101-420-2220-42400	ACH Enabled: No
Vendor: JOHNSRAD 163919	Johnson Radio Communications Antenna, Mount, Charger - New Loader Check Total:	51.12 51.12	03/01/2005	Check Sequence: 22 410-480-8000-45400	ACH Enabled: No
Vendor: League12 18426 18426 18426 18426 18426 18426 18427 18427 18427 18427 18427 18427 18427 18428 18429	League of Minnesota Cities Insurance Trust Ins. Premium - Admin Ins. Premium - Fire Dept. Ins. Premium - Bldg. Dept. Ins. Premium - Public Works Ins. Premium - Parks Ins. Premium - Water Dept. Ins. Premium - Admin Ins. Premium - Fire Dept. Ins. Premium - Bldg Dept. Ins. Premium - Public Works Ins. Premium - Parks Ins. Premium - Water Dept. Ins. Premium - Admin Ins. Premium - Admin	26,018.00 11,507.00 827.00 7,197.00 1,680.00 6,058.00 3,982.87 1,689.88 136.56 1,820.74 398.29 390.66 187.00 459.00	03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005	Check Sequence: 23 101-410-1320-43610 101-420-2220-43630 101-420-2400-43630 101-430-3100-43630 101-450-5200-43630 601-494-9400-43610 101-410-1320-43610 101-420-2220-43630 101-420-2400-43630 101-430-3100-43630 101-450-5200-43630 601-494-9400-43610 101-410-1320-43610 101-410-1320-43610	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	62,352.00			
Vendor:LINDVENN 298770-0840	Lindquist & Vennum P.L.L.P. Comp Plan Appeal Check Total:	281.90 281.90	03/01/2005	Check Sequence: 24 101-410-1940-43020	ACH Enabled: No
Vendor:MALMQ Emp. Claim	GregMalmquist Milage - LMC Training Check Total:	27.08 27.08	03/01/2005	Check Sequence: 25 101-420-2220-43310	ACH Enabled: No
Vendor:McCarthy 20142	McCarthy Well Company Pump Performance Inspections Check Total:	210.00 210.00	03/01/2005	Check Sequence: 26 601-494-9400-42270	ACH Enabled: No
Vendor:METROCA 02107021	Metrocall Inc. Pagers - Fire Dept. Check Total:	83.21 83.21	03/01/2005	Check Sequence: 27 101-420-2220-43210	ACH Enabled: No
Vendor:MNDOH Q1 1820009	MN Department of Health Quarterly Service Conn. Fee Check Total:	816.00 816.00	03/01/2005	Check Sequence: 28 601-494-9400-43820	ACH Enabled: No
Vendor:NORTHTOO 0261063828	HSBC Business Solutions Heat shrink tubing, tape, disks Check Total:	26.06 26.06	03/01/2005	Check Sequence: 29 101-430-3100-42150	ACH Enabled: No
Vendor:ONECALL 5010505	Gopher State One-CallOne Call Concepts, Inc Line Locates for January Check Total:	118.90 118.90	03/01/2005	Check Sequence: 30 101-430-3100-44300	ACH Enabled: No
Vendor:PERA 468344	PERA PR Batch 2 2 2005 PERA Employer Share PR Batch 2 2 2005 PERA Employee Share Overpaid Check Total:	1,372.72 1,265.95 -46.68 2,591.99	02/17/2005 02/17/2005 02/17/2005	Check Sequence: 31 101-000-0000-21704 101-000-0000-21704 101-000-0000-21704	ACH Enabled: No
Vendor:PRESS 02/14-02/23	StevenPress Cable Operator - Council Meeting 2/15	54.00	03/01/2005	Check Sequence: 32 101-410-1320-43620	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
02/14-02/23	Cable Operator -Planning Mtgs 2/14, 2/23 Check Total:	108.00 162.00	03/01/2005	101-410-1910-43620	
Vendor:QUALAIR 8146	Quality Air Valve Replacement - Fire Dept. Check Total:	518.00 518.00	03/01/2005	Check Sequence: 33 101-420-2220-44010	ACH Enabled: No
Vendor:QUICKSI 6228819	Quicksilver 3 Courier Deliveries Check Total:	79.41 79.41	03/01/2005	Check Sequence: 34 101-410-1910-44300	ACH Enabled: No
Vendor:QWEST 651714-2209 456	Qwest Hudson Lift Station Check Total:	35.96 35.96	03/01/2005	Check Sequence: 35 602-495-9450-43210	ACH Enabled: No
Vendor:ROGERS 12332 12332	Rogers Printing Services Printing - Permit Applications Printing - Utility Billing Envelopes Check Total:	171.46 121.42 292.88	03/01/2005 03/01/2005	Check Sequence: 36 101-420-2400-42030 601-494-9400-42000	ACH Enabled: No
Vendor:RUD 02/14-02/23 02/14-02/23 02/15-02/22	DianePrince-Rud Cleaning - City Hall Cleaning Supplies Cleaning - Fire Hall Check Total:	240.00 18.36 240.00 498.36	03/01/2005 03/01/2005 03/01/2005	Check Sequence: 37 101-410-1940-44010 101-410-1940-42110 101-420-2220-44010	ACH Enabled: No
Vendor:S&T 01JR6960 01JR6960 01JR6960 01JR6960 01JS6439 01JS7146	S&T Office Products, Inc. Paper Binders -Planning Files - Bldg Dept. Dividers - Fire Dept. Ink Cartridges Pens, Paper, Folders Check Total:	103.26 88.18 20.41 10.91 53.76 101.90 378.42	03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005	Check Sequence: 38 101-410-1320-42000 101-410-1910-42000 101-420-2400-42000 101-420-2220-42000 101-410-1320-42000 101-410-1320-42000	ACH Enabled: No
Vendor:SPRINT 0526076028-3	Sprint Laptop Connection - Fire Dept. Check Total:	66.15 66.15	03/01/2005	Check Sequence: 39 101-420-2220-43210	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:STATETRE April 5 Seminar	State Treasurer Seminar - Karl Horning Check Total:	35.00 35.00	03/01/2005	Check Sequence: 40 101-420-2400-44370	ACH Enabled: No
Vendor:TKDA 000200500629 000200500635 000200500637 000200500638 000200500638 000200500638 000200500638 000200500638 000200500652	TKDA, Inc. SW Mgmt Plan & MS4 Water Sys Interconnection Water Tank Project NPDES Permitting Utility Permits, Staff Meetings MSA Reporting and Meetings VFW Lights Change Order 55th St Vacation, 8784 Lake Jane Tr Var. Public Works Building Gibson Variance, Sunfish Ponds/Lake Wildflower Shores Grading, Tapestry, EPB City Council Migs Attendance - T. Prew Check Total:	1,320.60 13,488.69 1,923.15 104.56 3,427.36 418.22 52.28 731.89 21,113.32 888.71 1,936.88 200.00 45,605.66	03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005 03/01/2005	Check Sequence: 41 603-496-9500-43030 601-494-9400-43030 601-494-9400-43030 603-496-9500-43030 101-410-1930-43030 402-480-8000-43030 404-480-8000-43030 409-480-8000-43030 410-480-8000-46200 602-495-9450-43030 803-490-9070-43030 101-410-1930-43030	ACH Enabled: No
Vendor:TREMM Emp. Claim	MichaelTremain Airfare - Indianapolis - Training Check Total:	271.40 271.40	03/01/2005	Check Sequence: 42 101-420-2220-43310	ACH Enabled: No
Vendor:WAS-SHER 44094	Washington County Law Enforcement Contract Jul-Dec 2004 Check Total:	176,910.71 176,910.71	03/01/2005	Check Sequence: 43 101-420-2100-43150	ACH Enabled: No
Vendor:XCEL 0073-736-544048	Xcel Energy 3014 Jamley - Public Works Check Total:	22.95 22.95	03/01/2005	Check Sequence: 44 101-430-3100-43810	ACH Enabled: No
	Total for Check Run: Total Number of Checks:	297,549.98 44			

**City of Lake Elmo
Planning Commission Meeting
Minutes of February 28, 2005**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Sedro, Deziel, Armstrong, Ptacek, Schneider, and Roth. STAFF PRESENT: Administrator Rafferty, Planner Dillerud, Recording Secretary Kimberly Schaffel.

Pledge of Allegiance

Agenda

M/S/P, Ptacek/Deziel, To accept the Agenda as presented. VOTE: 7:0.

Minutes of February 14, 2005

M/S/P, Ptacek/Deziel, To accept the Minutes of February 14, 2005 as presented. VOTE: 7:0.

PUBLIC HEARING: Variance for Septic – Gibson

The Planner introduced the application for a septic system variance. The applicant's representative was present. The site is on the south shore of Lake Jane. The applicant proposes to replace the septic system. The location puts 75 square feet of the new drainfield within the shoreland setback of Lake Jane. The Planner said this plan is the second location chosen which impacts the site less than the first site chosen. The DNR, city engineer, and the city planner indicate this is the best location for the septic system.

The Planner said this is a septic, Chapter 700 variance. Based upon recommendations of DNR and the City Engineer, and based upon Findings in the Staff Report, staff recommends approval.

Commissioner Schneider asked if the well for the neighbor to the west is indicated on the site plan.

The Planner said the neighbor's site was checked and that is the well that was found.

Applicant's Representative, Mo Anderson

The square footage of the drainfield within the OHW of Lake Jane is only one little corner.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:09 P.M.

THE CHAIRMAN CLOSED THE PUBLIC HEARING 7:10 P.M.

M/S/P, Armstrong/Ptacek, To recommend approval of the variance for a septic system for Mr. Gibson based upon the recommendation of the City Engineer that states this is the best design and a minimal request and based upon Findings and recommendations of the City Planner.
VOTE: 7:0.

PUBLIC HEARING: DEER GLEN

The Planner explained that there this agenda item represents a series of applications to develop more than 100 acres. The applications are for Preliminary Plat, Comprehensive Plan Amendment, Rezoning, an OP Concept Plan, and a Conditional Use Permit to locate a church. The site fronts on Highway 36 and Keats Avenue. The Preliminary Plat shows 40+ acres in the
Lake Elmo Planning Commission Meeting Minutes of February 28, 2005

<p>Lake Elmo City Council March 1, 2005</p>	<p>Agenda Section: CITY ENGINEER'S REPORT</p>	<p><u>No 8A.</u></p>
<p><u>Agenda Item:</u> Water Tower Design and Color Section, Water System Interconnect Project</p>		
<p><u>Background Information for March 1, 2005:</u> The City Engineer reported that at the February 15th meeting, the Council requested him to review the tank location west from the public works site. The location would be approximately 800 feet west of the public works building. This location is as far west and north as it can be moved without placing it in the woods. The City Engineer has determined this is a feasible alternative.</p> <p>Property owners, within a one-half mile radius of the location of the water tower, have been invited to offer their input on the water tower design.</p> <p>The City Engineer requests Council direction on the style and color scheme of the tank and authorization to proceed with plans and specifications for a water tower in Sunfish Lake Park, approximately 800 feet west of the new Public Works Building.</p>		
<p><u>Action Items:</u> Motion: _____, Second _____, to indicate the style of tank along with the color scheme and authorize the City Engineer to proceed with plans and specifications for a water tower in Sunfish Lake Park, approximately 800 feet west of the new Public Works Building, as verified by the City Engineer in his memo dated February 24, 2005.</p>	<p><u>Person responsible:</u> T.Prew</p>	
<p><u>Attachments:</u> Letter from Tom Prew dated February 24, 2005</p>		

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

1500 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, MN 55101-2140

RECEIVED

FEB 24 2005

(651) 292-4400
(651) 292-0083 Fax
www.tkda.com

February 24, 2005

Honorable Mayor and City Council
City of Lake Elmo, Minnesota

Re: Water Tower Design and Color Selection
Water System Interconnect Project
City of Lake Elmo, Minnesota
TKDA Commission No. 13186.000

Dear Mayor and City Council:

At the last City Council meeting we were requested to look at a tank location west from the public works site. We have done that and have determined at the staff level that it is a feasible alternative.

The location would be approximately 800 feet west of the public works building. This location is as far west and north as it can be moved, without placing it in the woods.

At Tuesday's meeting we will present a drawing with different colored water towers at this location.

We have investigated the concept of building only a stand pipe (silo) water tower, with a portion of the standpipe being used actively and the remainder in reserve for fire protection. For this system to match the required height and volume, it would be 25-feet in diameter, and 135 feet high. With this small diameter, we would have severe icing problems inside the tower. Also hydraulically, the system would be difficult and expensive to operate. High capacity pumps would be needed to maintain fire flows, along with back-up power generators. We would also need low flow pumps to maintain sufficient pressure in the system. Because of the cost and operational issues, we would not recommend this type of system over the standard styles of water tower that we have discussed.

City Council Action Requested

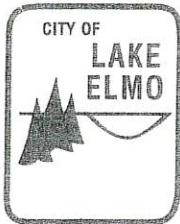
Authorize the City Engineer to proceed with plans and specifications for a water tower in Sunfish Lake Park, approximately 800 feet west of the new Public Works Building. Please indicate the style of tank along with the color scheme in your motion.

Sincerely,



Thomas D. Prew, P. E.
City Engineer

TDP:arw



City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

February 25, 2005

TO: Lake Elmo City Council
Martin Rafferty
Chuck Dillerud

FROM: Sharon Lumby, City Clerk

SUBJECT: Planning Commission Interviews

Please find the following schedule for the Planning Commission Interviews starting at **5:30 pm., on March 1st**, before the regularly scheduled Council meeting. Applications are attached. Box lunches will be provided at 5:00 p.m. from the Lake Elmo Inn.

5:15 pm Nicole Park

5:30 p.m.	LeRoy Rossow
5:45 p.m.	Mark Sandstrom
6:00 p.m.	Deb Lyzenga ① 1 ST ALT
6:15 p.m.	Tom Kreimer
6:30 p.m.	Gloria Knoblauch
6:45 p.m.	Julie Fliflet ② 2 ND ALT

→ STEVE

4-1 JONATHAN OPPOSES



City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 Fax 777.9615

RECEIVED
FEB 25 2005



APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 2/25/05

Name Nicole R Park
Address 404 Lake Elmo Ave North
Phone Number W) 612 240 2876 H) 612 240 2876

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? Making a new comprehensive plan for the old village area and 10th St. South to 94 East.
2. What do you see as the role and function of the Planning Commission?
To make decisions about all issues brought to the commission with keeping in mind all of the cities residents and their wishes for the city.
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?
I enjoy working with people and am a good listener. I believe that everyones voice matters. I have a lot of experience working with people
4. How much time do you have, or are you willing to devote to Planning Commission activities?
I am able to devote whatever time that is needed to be a strong, valuable member.
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?
I am part owner of Country Air Golf Park located at 404 Lake Elmo Ave N. in Lake Elmo and my family currently resides on the property.

(3. cont)

Please complete and return to the City Office

at both my small business and five years experience in the Real Estate business. I believe we cannot keep change and progress from happening and so in dealing with it →

- 3.) we must use caution and think through all aspects and issues regarding the change with open minds.

530

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 Fax 777.9615

APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: Dec. 30/02

Name LeRoy J Rossow
Address 11050 50th St. Lake Elmo, Mn 55042
Phone Number (W) 651 439 6184 (H) 651 439 6327

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?

How and when to expand the proper use of the available unuse land. ...

2. What do you see as the role and function of the Planning Commission?

To meet the needs of the public and help decide the various issues as necessary ...

3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

Old enough to know and understand, No one can serve the needs and requests of everyone.

4. How much time do you have, or are you willing to devote to Planning Commission activities?

WHAT every public volunteer should be able to understand, all the time that is necessary.

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

L E. resident for 18 yrs. Associated in area 35 yrs Owned land in Lake Elmo 33 yrs

Please complete and return to the City Office

SEP 20 2004

5:45

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 Fax 777.9615



APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 9/17/04

Name MARK L. SANDSTROM
Address 3201 MILLER AVE NO. LAKE ELMO
Phone Number W (651-248-9591) H (651-458-5542)

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? HIGH DENSITY HOUSING.
2. What do you see as the role and function of the Planning Commission?
REPRESENTING LAKE ELMO FOR THE BENEFIT OF LAKE ELMO.
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?
I HAVE DEVELOPMENT EXPERIENCE, (COMMERCIAL & RESIDENTIAL)
I HAVE OVER 20 YRS OF RESIDENTIAL CONSTRUCTION EXPERIENCE.
I HAVE A REAL ESTATE L.I.S. IN MN. AND WIS.
I'VE BEEN THRU A NUMBER OF TOWN & CITY PLANNING MEETINGS.
4. How much time do you have, or are you willing to devote to Planning Commission activities?
WHAT EVER IT TAKES
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?
I HAVE NO SPECIFIC DEVELOPMENT INTEREST, I WOULD
LIKE TO SERVE TO MAKE SURE, TO THE BEST OF
MY ABILITY LAKE ELMO IS SUCCESSFUL IN WHAT
EVER IS THE BEST FOR OUR COMMUNITY.

Mark L. Sandstrom

Please complete and return to the City Office

6:00

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 Fax 777.9615

RECEIVED
FEB 08 2005



APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 2/8/05

Name DEBORAH LYZENGA

Address 21 CIMARRON

Phone Number W) 958-5950 H) 436-4869

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?

(SEE ATTACHMENT)

2. What do you see as the role and function of the Planning Commission?

|| ||

3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

|| ||

4. How much time do you have, or are you willing to devote to Planning Commission activities?

|| ||

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

|| ||

Please complete and return to the City Office

**APPLICATION FOR
PLANNING COMMISSION APPOINTMENT
(QUESTIONNAIRE ATTACHMENT)**

1.) The future development of Lake Elmo has been decided upon, in concept, with the recent agreement reached with the Met Council. The challenge now is to translate that intention into a feasible and acceptable Comprehensive Plan that meets the negotiated requirements, but primarily satisfies and preserves the existing character of the City. The present legacy of Lake Elmo is one of a pioneer. It has not relied on formulas and regional pressures to define it's community standards, and The City must continue to be unique and innovative as we move ahead. We have seen, in neighboring communities, what results when development occurs based on economic formulas, with little regard for the residents who call it "home". The City must continue to be a leader and inventor when it comes to developing new methods of blending growth and residential spaces in a fashion that serves everyone's needs, and keeps Lake Elmo a desirable place to live and work.

2.) The role and function of the Planning Commission is to investigate and generate recommendations relating to growth and development within The City. It is important that the Planning Commission receive input from the public, the City staff, the City attorney, and other outside sources. The Planning Commission should listen, debate, educate, and ultimately develop conclusions that are presented to the City Council for action.

3.) I have been a resident of Lake Elmo for the past 7 years. In the 1980's I was employed with TKDA & Associates, and worked frequently with Larry Bohrer on projects in Lake Elmo. I was very involved with the septic system upgrades in the Old Village, and became familiar with The City's development philosophy. I was also involved with development projects in other surrounding communities. Recently I have been the chair of the Community Improvements Commission, and have worked to upgrade the gas lines within the Cimarron neighborhood. I am committed to remaining a resident of Lake Elmo, and wish to participate in the planning process mandated by the Met Council.

4.) It is my understanding that the Commission meets bi-monthly. I would be able to attend those meetings regularly. My time outside those scheduled meetings would be limited to 5 to 10 hours per month.

5.) I own my home in the Cimarron neighborhood, and rent the land that it occupies. My mother also owns a home in Cimarron, and similarly rents the space.

Submitted by Deborah Lyzenga

6:15

RECEIVED

JAN 24 2005

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 Fax 777.9615

APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 1/24/05

Name: Tom Kreimer

Address: 772 Jewel Avenue North

Phone Number: W) 612-673-6631 H) 651-501-9794 CELL) 651-238-6738

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?

The Metropolitan Council ruling and how Lake Elmo chooses to implement the required changes are the major planning and development issues in the city. If Lake Elmo is forced to develop, let's do it right and do everything we can to retain the character of the city.

2. What do you see as the role and function of the Planning Commission?

The Planning Commission should represent various areas of the city and various interests and have the ability to assist in making decisions in the best interest of the city and its residents.

3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

I grew up in Stillwater and have lived in Lake Elmo for over 6 years. My wife and I chose Lake Elmo because of the character of the city and because we thought this would be a wonderful place to raise our family. While my educational background is accounting and finance, I've always been very interested in land development, housing, and city planning. I haven't missed a "Parade of Homes" since I starting driving all over the Twin Cities to see homes and developments in 1986.

4. How much time do you have, or are you willing to devote to Planning Commission activities?

I am willing to devote the time necessary to get the job done. I have active children and a demanding wife and job, but I think most people have these or similar issues. My wife supports my decision to apply for the Commission.

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

I am a homeowner in Stonegate.

Please complete and return to the City Office

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 Fax 777.9615

6:30

APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

RECEIVED

Date: 1/07/03

JAN 7 2003

Name Gloria Knoblauch

CITY OF LAKE ELMO

Address 9181-31 St. N.

Phone Number W) _____ H) 777-6471

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? Sewer along Hwy 94 to be used by businesses and zoned accordingly. Building affordable housing for our seniors and young families.

2. What do you see as the role and function of the Planning Commission?

Advise the city council on zoning and variances.

3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

I was on the Park's commission for 3 terms ending in Feb. 2000. I regularly attend city council meetings. I belong to the Oakdale-Lake Elmo Historical Society.

4. How much time do you have, or are you willing to devote to Planning Commission activities?

I need to spend 2 hrs. reading the packet. I like to do research on special topics.

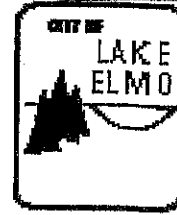
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

We own an acre of land (with house) in Friedrichsville

RECEIVED
SEP 03 2004

Original
6:45

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 Fax 777.9615



APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 9/1/04

Name Julie Fliflet

Address 4577 Lily Ave N

Phone Number W) 651-265-0727 H) 651-439-2171

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? Keeping the "rural" feel of Lake Elmo while at the same time growing + keeping up with the times to develop our area in a way that gives residents services + facilities that they want and that will contribute to a better way of life.

2. What do you see as the role and function of the Planning Commission?

To look in detail at planning issues affecting Lake Elmo + make recommendations to the City Council regarding those issues.

3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

I am a business woman - and have been for 13 years. I am a CPA, + I am well educated. I am a very analytical person + have the ability to see the big picture on issues. I am not afraid to give my opinion + speak my mind. I try to consider all viewpoints on issues + arrive at the best possible solution for all involved.

4. How much time do you have, or are you willing to devote to Planning Commission activities?

From my understanding there are 2 meetings per month and that there is also some time involved in studying issues + gathering information that will be discussed at those meetings. My schedule will allow me to devote that time to Planning Commission activities.

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

We have a home in Tana Ridge

Lake Elmo City Council March 1, 2005	Agenda Section: CITY ENGINEER'S REPORT	<u>No 8B.</u>
<u>Agenda Item:</u> Approve Plans and Authorize Advertisement for Bids Water Systems Interconnect Phase II		
<p><u>Background Information for March 1, 2005:</u> The City Engineer reported that plans and specs are complete on the second phase of the Water Systems Interconnect Project. This phase of the project installs 12-inch water main from the intersection of Tapestry Drive and 45th Street, to the existing public works building. This project will allow us to disconnect from the City of Oakdale's water system in the Lake Jane area.</p> <p>The City Engineer recommends Council approval of the plans and authorizing the advertisement for bids.</p>		
<p><u>Action Items:</u> Motion: , Second , to adopt Resolution No. 2005-020, A Resolution Approving Plans and Authorize Advertisement for Bids, Water Systems Interconnect Phase II, as verified by the City Engineer in his memo dated February 24, 2005.</p>	<p><u>Person responsible:</u> T.Prew</p>	
<p><u>Attachments:</u> Letter from Tom Prew dated February 24, 2005 Resolution 2005-020</p>		

February 24, 2005

Honorable Mayor and City Council
City of Lake Elmo, Minnesota

Re: Approve Plans and Authorize Advertisement for Bids
Water Systems Interconnect Phase II
City of Lake Elmo, Minnesota
TKDA Commission No. 13186.000.003

Dear Mayor and City Council:

Plans and Specifications are complete on the second phase of the Water Systems Interconnect Project. This phase of the project installs 12-inch watermain from the intersection of Tapestry Drive and 45th Street, to the existing public works building.

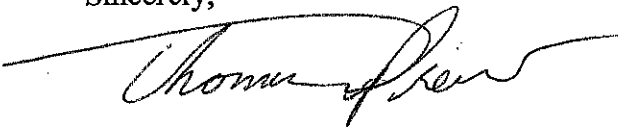
This project will allow us to disconnect from the City of Oakdale's water system in the Lake Jane area.

We have specified that this project be performed by directional drilling. The boulevard area on Lake Jane Trail is very congested, and this method will allow us to construct the pipe without replacing all of Lake Jane Trail. We will be installing services along the watermain to provide water to adjoining properties when they are ready to connect to it.

City Council Action Requested

Approve the enclosed Resolution approving the Plans and authorizing the Advertisement for Bids.

Sincerely,



Thomas Prew, P. E.
City Engineer

TDP:arw
Enclosure

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2005-020
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND
ORDERING ADVERTISMENT FOR BIDS
WATER SYSTEMS INTERCONNECT PHASE II**

WHEREAS, the City Engineer has prepared plans and specifications for the Water Systems Interconnect Phase II and has presented such plans and specifications to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAKE ELMO, MINNESOTA:

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. Th City Clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for two weeks, shall specify the work to be done, shall state that bids will be opened and considered by the Council at the March ~~25~~, 2005 Council meeting, in the Council chambers of the City Hall, and that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk for 5% of the amount of such bid.

ADOPTED BY THE COUNCIL this 1st day of March, 2005.

Dean A. Johnston, Mayor

ATTEST:

Martin J. Rafferty, City Administrator

Lake Elmo City Council March 1, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9A
<u>Agenda Item:</u> Septic and Shoreland Setback Variance – 8784 Lake Jane Trail (Gibson)		
<u>Background Information for March 1, 2005:</u> On February 28 the Planning Commission will conduct a Public Hearing and adopt a recommendation regarding this application to construct a new septic drainfield that encroaches a total of 75 square d\feet into the OHW setback from Lake Jane. Since there is no other on-site option, the encroachment is minimal, and both the City Engineer and DNR recommend approval we believe the Commission will conclude its work on the application on February 28. We are sending the matter along to the Council in anticipation of that Commission action so that this relatively minor issue can be concluded expeditiously.		
<u>Action items:</u> Motion to adopt the appropriate Resolution. (a draft consistent with the February 28 Planning Commission recommendation will be provided on March 1)	<u>Person responsible:</u> City Planner	
<u>Attachments:</u> <ol style="list-style-type: none"> 1. Planning Staff Report to Commission 2. City Engineers Memo 3. DNR Letter 4. Applicant's Documentation 	<u>Time Allocated:</u>	

**LAKE ELMO PLANNING COMMISSION
STAFF REPORT**

Date: February 25, 2005 for the meeting of February 28, 2005

Applicant: Robert Gibson

Location: 8784 Lake Jane Trail

Requested Action: Chapter 700 Variance for Septic Setback from OHW

Land Use Plan Guiding: SRD

Existing Zoning: R-1

Site History and Existing Conditions:

The 1.5 acre lot was platted well before present zoning, septic and Shoreland standards were in place by the City. A 1350 square foot home and septic system were constructed on the lot in 1973. City records reveal no Planning or Building applications/permits of significance to this request since that time.

Discussion and Analysis:

The applicant has determined that a new septic drainfield is required for the property. The septic designed has reviewed the lot and has determined that only one location is available on the lot for a drainfield of the size required. This location places the new drainfield 65 feet from the OHW of Lake Jane at the single closest point. Since the drainfield is proposed at an oblique a angle to the OHW, only 75 square feet of the drainfield area will actually encroach on the OHW setback.

The City Engineer and DNR have both reviewed this application and recommend approval due to the minimal degree of OHW encroachment proposed, and the lack of any alternative drainfield sites on the lot.

Findings and Recommendations:

Variances to the standards of Chapter 700 (the City's septic ordinance) and Chapter 300 (Shoreland) are both processed in the same manner as zoning variances, with specified Findings required by the Code.

In the terms of those Code-prescribed Findings Staff suggests the following regarding this application:

1. The property can not be put to reasonable use without the granting of the variance requested. The physical constraints of the lot mandate the proposed site as the only location possible for a new drainfield.
2. The variance requested does result from physical circumstances found on this property. While the physical constraints are not specifically unique to this property, the fact that the lot design predates present City septic and Shoreland standards is a significant factor supporting approval of the requested variance.

3. Granting of the variance will not change the essential character of the neighborhood.

Planning Commission Actions Requested:

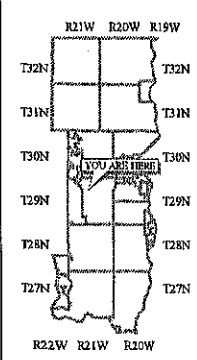
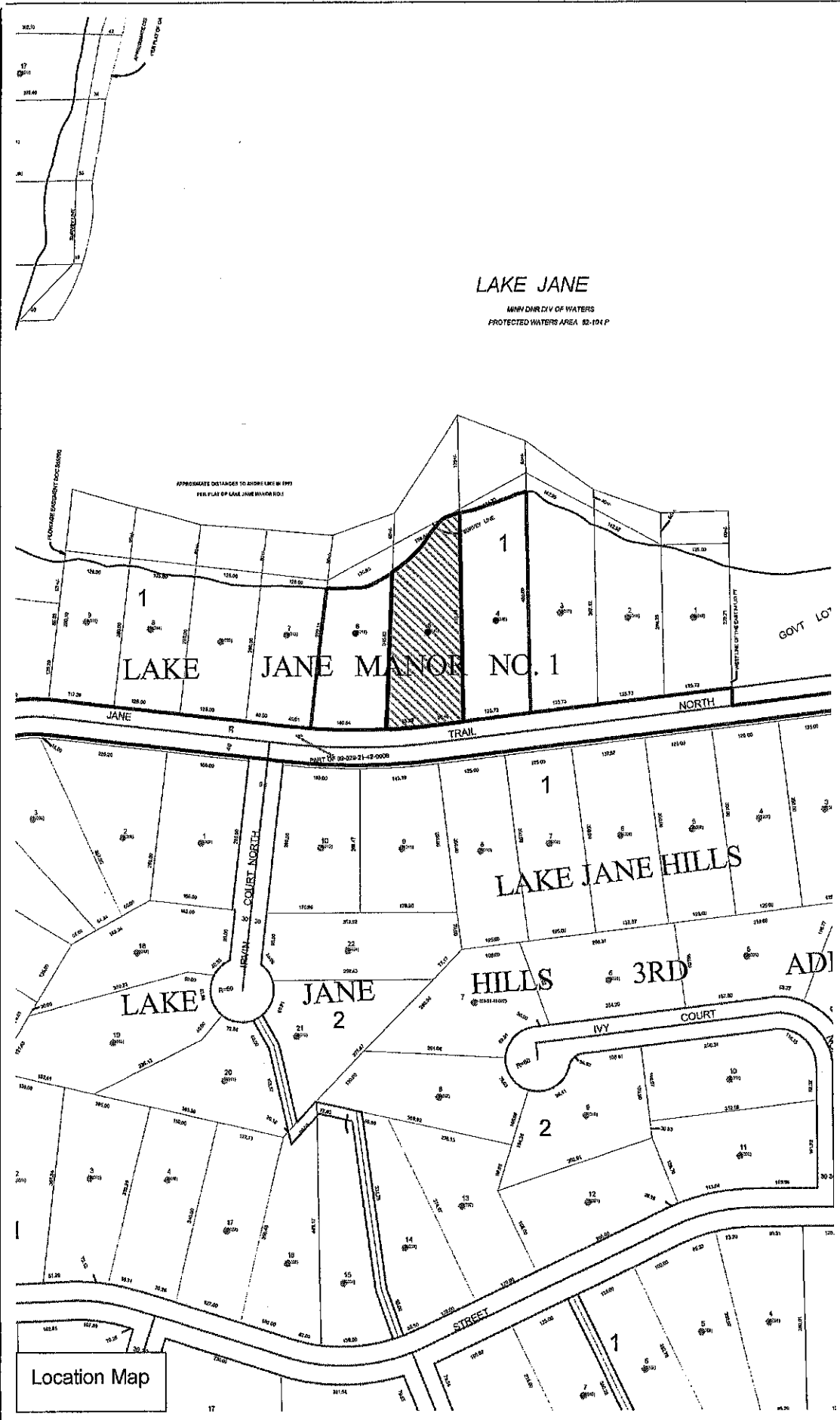
Staff suggests that the foregoing Findings support a recommendation for approval of the requested variance, based on those Findings.

A handwritten signature in black ink, appearing to read "C. Dillerud", written over a horizontal line.

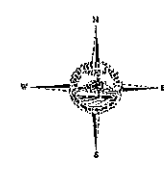
Charles E. Dillerud, City Planner

Attachments:

1. Location Map
2. City Engineer's memo
3. DNR Comments
4. Applicant's Documentation



Vicinity Map



This drawing is the result of a compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Source: Washington County Surveyor's Office, Phone (651) 450-6876

Parcel data based on AS400 information

Location Map

CITY OF EAST OAKDALE
570 KALMIA
LAKE ELMO MN 55042

GIBSON,ROBERT F & DELORES M
8784 LAKE JANE TRL N
LAKE ELMO MN 55042

GOULD,ROBERT L & KATHLEEN E
8802 LAKE JANE TRL N
LAKE ELMO MN 55042

SCHMIDT,JEAN M
8766 LAKE JANE TRL N
LAKE ELMO MN 55042

*MR. MAURITZ ANDERSON
3555 WILLOW LAKE BLV
VADNAIS HTS, MN 55110*

RECEIVED
JAN 13 2005

1500 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, MN 55101-2140

(651) 292-4400
(651) 292-0083 Fax
www.tkda.com

MEMORANDUM

To:	<u>Chuck Dillerud</u>	Reference:	<u>8784 Lake Jane Trail</u>
Copies To:	<u></u>		<u>Septic System Variance Request</u>
	<u></u>		<u>City of Lake Elmo, Minnesota</u>
From:	<u>Thomas Prew, P. E. <i>TP</i></u>	Comm. No.	<u>13267.001</u>
Date:	<u>January 14, 2005</u>	Routing:	<u></u>

I have reviewed the revised variance request for the Gibson property at 8784 Lake Jane Trail and have the following comments.

Lake Jane is a recreational development lake. The setback for a septic system is 75 feet from the OHW.

The applicant has submitted a revised design dated January 13, 2005. They have moved the location of the mound such that the required variance is only about 75 square feet. This design would require the removal of 3 very mature trees. This design appears to be the best design for this lot.

Due to the minimal nature of the variance request, and the lack of other available options on this lot, I recommend approval of the variance request.

Revised Plan

*Information
to Mr Anderson
on 1-18-05
KAB*

Kimberly Schaffel

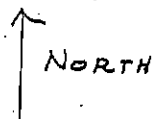
From: Travis Germundson [travis.germundson@dnr.state.mn.us]
Sent: Friday, February 11, 2005 11:38 AM
To: Kimberly Schaffel
Subject: Preliminary Plat of Deer Glen

Kim,

I looked through the materials you sent and determined that the Parcels are not located within a designated floodplain or shoreland area. Therefore, I we have no administrative oversight nor comments to offer on this particular plat.

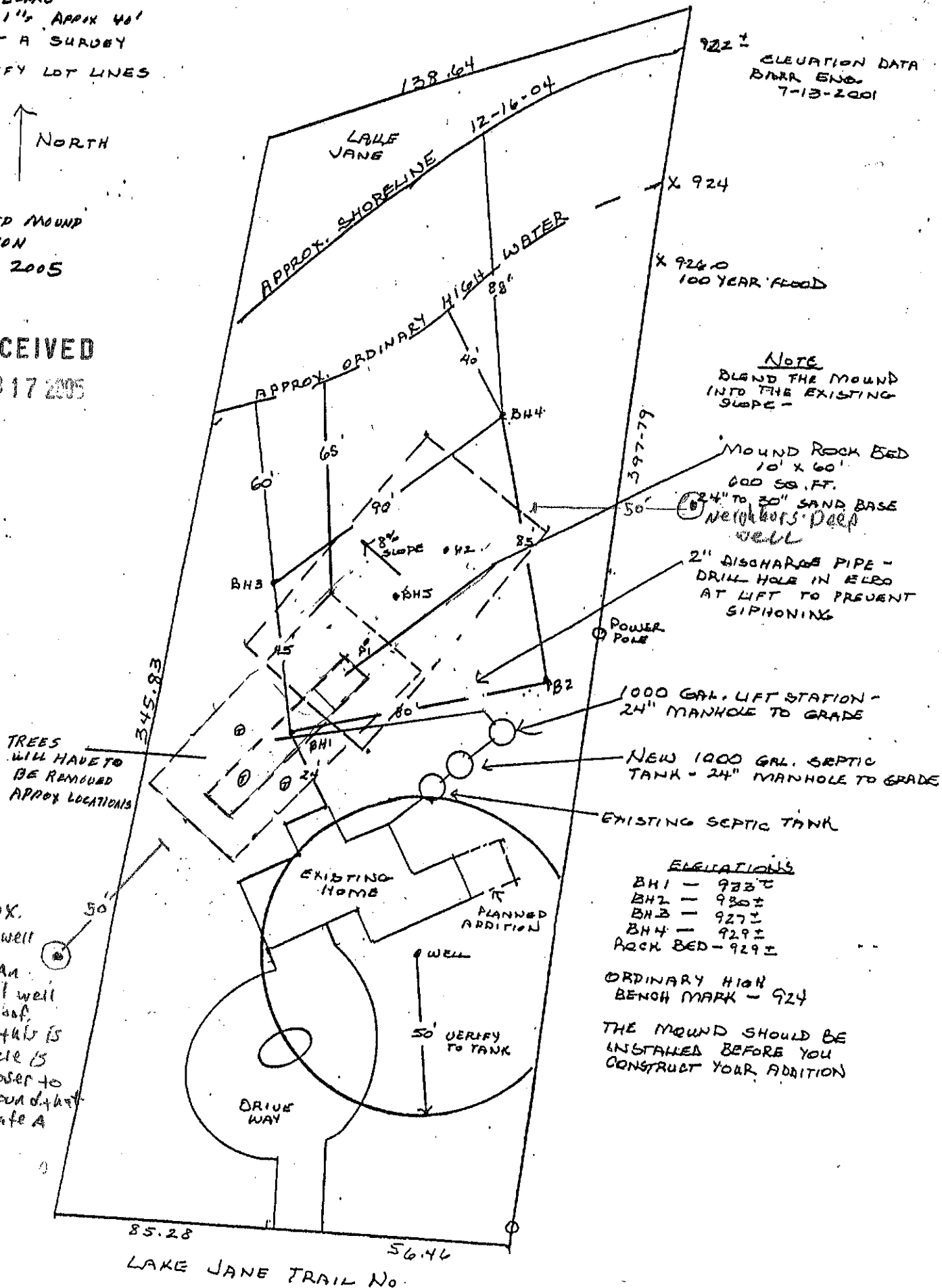
If you need or would like the full size plats back I can drop them off.

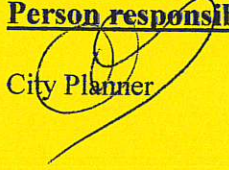
ROBERT GIBSON
8784 LAKE JANE TRAIL NO.
LAKE BLAND
SCALE 1" = APPROX 40'
NOT A SURVEY
VERIFY LOT LINES



REVISED MOUND
LOCATION
1-12-2005

RECEIVED
FEB 17 2005



Lake Elmo City Council March 1, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9B
<u>Agenda Item:</u> Comprehensive Plan Modifications - Policy		
<p><u>Background Information for March 1, 2005:</u></p> <p>The Planning Commission will be (hopefully) completing their initial work on the Planning Policy modifications to the Comprehensive Plan that are responsive to the Met Council Memo of Understanding at its February 28 meeting. If so, we remain "on schedule". In anticipation of success on Monday, I have attached the latest draft, along with my cover memo to the Commission explaining the changes from the February 23 draft – minimal in number.</p> <p>The Commission will address any additional guidance the Council may provide at its (the Commission's) March 7 Workshop, and then begin work on the Land Use Plan modifications responsive to the Policy.</p>		
<p><u>Action items:</u> Council guidance to the staff and Planning Commission regarding modifications to the Planning Policy section of the Comprehensive Plan.</p>	<p><u>Person responsible:</u>  City Planner </p>	
<p><u>Attachments:</u> 1. Cover memo to Commission and February 25 Draft Policy</p>	<p><u>Time Allocated:</u></p>	

MEMO

(February 25, 2005 for the Meeting of February 28, 2005)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Comprehensive Plan – Policy Draft

We have attempted a quick turn from your Wednesday Workshop. I have made some modifications to both the Planning Policy Draft based entirely on Kim's notes from the Workshop. Since our Word "tracking" system was giving me trouble, I have had to resort to an alternative draft mark-up process. The deleted text is just that – deleted, without the marginal note. You will have to refer back to the earlier draft to see what is gone. New text is **bold**, underlined, and *italics* (***all three***). As of 12:20 PM on Friday I have not heard from any commissioners regarding other modifications.

Our calendar calls for presenting the Commission-proposed draft of modified Planning Policy for City Council review and comment at the March 1 Council meeting. I am hoping that the Commission agrees that we are far enough along on February 28 to do so. If so, I will deliver the attached with any other modifications the Commission may wish to the Council on March 1.

CITY-WIDE PLANNING POLICY

Due to its proximity to Downtown St. Paul and desirable physical land characteristics, future residential and commercial development in Lake Elmo is inevitable. Unless the pressure for development is recognized, the ability of the City to accommodate future growth, while preserving the rural character and natural environment, may be forfeited. The following general planning and development policies are not intended to preclude growth and development within Lake Elmo, but to limit and guide that growth and development in a manner that will allow reasonable growth to take place, while preserving the character and features of Lake Elmo that make the City a unique and desirable community:

1. Develop land use and infrastructure plans to accommodate household and population forecasts of the 2030 Regional Development Framework.
2. Encourage the majority of the new households created in areas north of 10th Street North, and outside of the Old Village Planning to be efficiently developed in a rural context in the form of Open Space Development cluster neighborhoods.
3. Guide new community growth in keeping with the geographic assignments and decennial household, population, and employment targets established by the Memorandum of Agreement entered into by the City and the Metropolitan Council in January, 2005.
4. Limit Metropolitan Urban Service Area (MUSA) expansion to the area that can be served from the Regional Wastewater Interceptors specified; in the wastewater volumes specified by the aforementioned Memorandum of Agreement, and staged consistent with a City adopted development Staging Plan.
5. Adopt a MUSA expansion development staging plan/schedule that will comply with at least the minimum number of Regional Wastewater Residential Equivalent Connections (REC's) specified for Lake Elmo by the 2030 Regional Water Resources Plan, but that will also limit total annual City household and employment growth to a use mix and scale that remains sustainable in the context of providing municipal services/infrastructure and local government fiscal responsibility.

Agricultural Preservation

In keeping with the general policies enumerated above, existing operating agricultural uses and qualifying alternative uses that preserve the open space within the community shall be supported. These uses shall be encouraged to continue operations, and to retain large land holdings that contribute to operating efficiency.

In keeping with the general policies enumerated above, the City shall affirmatively establish and pursue specific strategies and seek resources to assist existing agricultural uses in remaining a viable alternative to urbanization for landowners, consistent with the concept of "a right to farm".

The provision of municipal infrastructure and services to areas of the City where operating agriculture exists shall not be in a manner that results in an economic or operational disincentive to continue agricultural use of the land.

Residential Development

All residential units should be designed, sited, and constructed to conserve energy in lighting, cooling, and heating processes.

Allowable Residential Densities by land use classification are as follows:

RAD (Rural Agricultural/Diversified) – 1 Unit in 40 gross acres for areas zoned AG (1999 Zoning District); and 4 Dwelling Units in 40 gross acres in areas zoned RR (1999 Zoning District); or ?? Units per 40 gross acres in Open Space Development projects only, regardless of zoning.

FU (Future Urbanized Development - Sewered) – 1 dwelling unit in 20 gross acres in areas designated on the Land Use Plan for future urbanization and wastewater treatment by the Regional Wastewater System (MUSA). The FUDS classification shall be limited to areas south of 10th Street and areas surrounding the Old Village in accordance with the Old Village Plan.

NC (Neighborhood Conservation)

Density shall be limited to a maximum of 1 dwelling unit per acre and only where it is demonstrated that a wastewater treatment strategy is available that is suitable to protect the public health and environment, as determined by the City.

RE (Rural Estate) – 6 dwelling units per 20 gross acres, with no individual dwelling unit on less than 2 ½ acres. This classification relates to 1999 zoning district RE. Areas of the City eligible for this classification shall be limited to those north of 10th Street North excluding the areas within the Old Village Plan.

URD (Urban Residential) – Average Density of 3.0 dwelling units per gross acre. This classification is intended for the Old Village as designated by the Old Village Plan and areas of the City south of 10th Street North serviced by, or planned for service by, publicly owned central water and sewer. Eligible areas of the City shall not be classified URD until the City Council has specifically approved the provision of Regional wastewater service and public water supply to the area within 180 days of the URD classification date.

The primary style of residential dwelling unit within RAD, RE and NR land use classifications shall be single family detached. In recognition of the City's policies regarding future housing resources reflecting a balance of affordability and housing type, Life Cycle Housing and housing designed for residents with physical challenges is specifically encouraged in URD classified areas and the Old Village.

Residential neighborhood design shall result in developments with quality architectural detailing, landscaping and street design that fosters the pedestrian, slows traffic, and provides adequate access for roadway maintenance and emergency vehicles.

The Land Use Plan shall be based on natural features such as:

- a. Soils, wetlands, woodlands, and severe slopes
- b. Urbanization limitation strategies

- c. Existing agriculture
- d. Other factors

Within the designated RAD classifications, residential land development shall be primarily, as opposed to exclusively, responsive to the Open Space Development (OP) Section of the Zoning Ordinance; and preserve 50% of the gross land area within such developments by means of permanent open space conservation easements, and clustered dwelling unit groupings.

The Open Space Preservation District section of the Zoning Ordinance shall specify design standards for residential development within the RAD classification.

Residential development shall be responsive to the Goals prescribed by the Housing Element of the Lake Elmo Comprehensive Plan.

Non-Residential Development

Consumer retail land use will be planned and/or approved only to the extent that existing consumer retail use within the City and consumer retail use in adjacent communities are clearly demonstrated to not adequately provide retail goods and services for the residents of Lake Elmo.

While Lake Elmo is bordered on the north and south by Principal Arterial roadways, the City does not agree with the concept that the traffic counts represented by those roadways is the basis for non-residential land use at interchanges/intersections or in a service road "strip" arrangement. Non-residential land use within the City should be local need driven, not traffic count driven.

Non-residential land use shall be focused in two geographic areas of the City: the I-94 Corridor (Primarily Office/Research); and, as in-fill and renovation, in the Old Village. Limitation of non-residential land use to those geographic areas will enhance the City policy of retaining the rural character of the community, while, in concert with existing and planned non-residential uses in adjacent communities and existing non-residential within the City, the residents of the City will enjoy reasonable access to employment opportunities, and required goods/services.

Consistent with Old Village policy, new linear non-residential development along State Highway 5 should not be allowed; and, the City should encourage existing non-residential uses along State Highway 5 to adhere to Old Village policy regarding expansion and renovations.

All non-residential development shall be required to maintain high quality standards of site, structure and landscape design. Uses within the Old Village shall comply with the design standards and regulations adopted for that geographic area.

Alterations to the natural environment; or site layout, signage, lighting or structure architecture in excess of Code requirements, to enhance the visibility of a non-residential use to vehicular traffic shall be considered substantial evidence that the use is intended to serve other than City residents.

Non-residential uses in the I-94 corridor shall be principally office/research in character. The term office/research shall preclude uses that are primarily engaged in manufacturing, assembly, warehousing, retail sales/service and hospitality except to the extent that such precluded uses directly and demonstrably serve the primary office/research uses of the area, within Lake Elmo. Also precluded is any use that introduces truck traffic except as such truck traffic is clearly incidental to a specific office/research use.

Housing

It shall be the Policy of the City, by adopted plans, programs and development regulations to provide for a variety of housing types for all people of all stages of the life cycle. It should also be the Policy of the City to encourage retention and development of housing affordable to a broad range of incomes while maintaining a fiscally responsible ratio of municipal services provided to real estate tax revenue to support those municipal services. Examples of adherence to these housing policies include:

1. Preservation the moderate cost housing alternatives represented by the Cimarron Manufactured Housing neighborhood.
2. Affirmative City actions to address neighborhood design responsive to the unique requirements of persons with physical disabilities, such as walkable access to public and private goods, services and amenities.
3. Support for senior and age restricted housing initiatives within the Regional Sewered areas of the Old Village and/or South of 10th Street North that demonstrate high standards of design, materials, and resident amenities. Ease of resident access to goods and services within the context the Non-residential Development Policies of this Plan should be an important locational determinant in recognition of the reduced mobility of senior and age-restricted residents.
4. **Support** of expanded opportunity for development of new housing resources affordable to families of moderate income within the areas of the City planned for service by Regional Wastewater Treatment. **This may included housing density bonuses, but City financial subsidy in support of those housing opportunities is not implied by this Policy.**

It is equally important for the City to actively pursue retention of well-maintained existing housing and neighborhoods. Adoption of and systematic enforcement of City codes that address housing and neighborhood maintenance, together with timely rehabilitation and improvements to municipal infrastructure will be important components of addressing this policy.

By zoning and other City codes the City should encourage housing development that respects the natural environment of the community while striving to accommodate the need for a variety of housing types and costs.

The City will support the availability of a full range of services and facilities for its residents in proportion to the intensity of development within a geographic area of the City.

Environmental Protection

Encourage farmers to work closely with the Soil and Water Conservation District and utilize sound soil erosion prevention practices, such as contour plowing, strip cropping, minimum tillage, shelterbelts, and other similar practices.

Regulate the location and design of non-farm animal confinement areas to minimize pollution and nuisance problems.

Require all residential developments to conform to the limitations presented by natural features, including soils, drainage patterns, topography, and woodlands.

Require subdivisions to be designed to utilize the natural drainage system, including, but not limited to ponds, wetlands and watercourses and groundwater recharge.

Adopt and enforce strict regulations regarding the design, location, and maintenance of on-site sewage treatment systems based on compliance with PCA Rule 7080.

Restrict development from areas containing unique or endangered forms of vegetation and/or wildlife.

Strictly regulate development in floodplain, wetland and Shoreland areas in compliance with State and Federal mandates.

Municipal Services

Provision of municipal services will remain proportionate to the intensity of development within geographic areas of the City. Provision of municipal services will not be in a manner that drives intensive development, but rather responsive to the intensity of development specified by the Comprehensive Plan. Examples of actions that are responsive to this Policy include:

1. Design and acquire infrastructure and other City capital purchases to minimize future operations and maintenance expense, particularly full time City staff.
2. Maximize the utilization of citizen volunteers where appropriate.
3. Maximize the benefits of technology in City operations and municipal services.
4. Emphasize preventative measures to avoid the occurrence of problems.

Transportation

The focus of motorized transportation planning and resulting infrastructure should be trips with origins and/or destinations within the City, servicing Lake Elmo residents.

Vehicular trips not originating and/or ending within Lake Elmo should not be encouraged through planning or infrastructure improvements by local, County, State or Federal Agencies.

Interstate 94 and State Highway 36 shall remain the primary vehicular corridors for traffic with origins and/or destinations not in Lake Elmo.

The location of State Highway 5 in the center of the Old Village, coupled with the present and forecasted volume of traffic on that roadway, presents numerous safety and urban design issues which will require mitigation if the Old Village is to best serve as the center piece of the community. The City, with the cooperation and assistance of the Minnesota Department of Transportation and Washington County should continue to explore measures to reduce or eliminate the issues that are caused by State Highway 5 in the center of the Old Village.

The City shall investigate street segments that may benefit from traffic calming.

The City should support retention of the Expressway cross section of State Highway 36, with signalization of key at-grade intersections. Improvement of the Highway 36 corridor to Parkway standards should also be encouraged and supported.

The City should encourage, support and become advocates of public transit service to the City, particularly commuter rail service to the St. Croix Valley area via the existing rail corridor. This should include planning for one or more transit hubs to serve HOV, bus and commuter rail options at appropriate geographic locations.

The City should design, construct and maintain the minimum acceptable grid system of collector streets. Where State Aid funds are expended for such construction, State Aid design standards should be incorporated. Where State Aid funds are not used the collector streets should be constructed to a paved section designed to minimize impervious surfacing and piped storm water conveyance.

While not located in Lake Elmo, the Lake Elmo Airport will continue to be a transportation facility that will impact the City. The City should continue to vigorously oppose all initiatives to broaden the operating capabilities of the Lake Elmo airport from the existing recreational aviation to corporate or commercial aviation, by runway lengthening or other related improvements.

City policy and plans should recognize Lake Elmo Airport safety and noise zones based on recreational aviation only.

I-94 Freeway Corridor Planning Policy

The I-94 Corridor, extending from Inwood Avenue on the west to Manning Avenue on the east, and generally defined as extending north to 10th Street North will, other than the limited-scale Old Village, be the focal point of urbanized development within the City served by Regional Wastewater Treatment through community build-out by 2030. Planning Policy specific to this geographic area includes:

1. Preservation of the present Rural Character and living environment of the existing residential neighborhoods south of the 10th Street – Stonegate, The Forest, and Midland Meadows. Urban intensity development of land adjoining these neighborhoods must be so designed as to preclude externalities of that urban development (such as through traffic, exterior lighting, noise, and trespass) from negatively impacting the existing residential neighborhoods either physically or financially. Any public utility extensions (water and sewer) to lands adjoining these neighborhoods should not result in the City ordering of public water and sewer extensions into these existing neighborhoods unless specifically requested to by 2/3 (two thirds) majority of the homeowners.
2. **The costs for extensions of Public water and sewer service shall be born exclusively by those property owners that, as determined by the City, benefit from said extensions and service.**
3. All development/redevelopment shall be subject to a Development Staging Plan that either regulates development geographically, or in terms of the number of Residential Equivalent (REC) units permitted to be constructed annually – or both. The Staging Plan shall become an Official element of the City Comprehensive Plan. All areas not served by Regional Wastewater shall be planned and zoned at a density of 1 dwelling unit per 20 acres of land until such point in time as the Staging Plan specifies development at a higher density can take place.
4. Non-residential uses shall be limited to those specified by the Non-residential Use section of this Planning Policy. The overall scale of non-residential use should be limited to approximately 20% of the net developable land south of 10th Street (including presently vacant land within Eagle Point Business Park, and Highpointe Health Campus). Non-residential development should result in employment averaging 40 employees per acre developed, and such employment should primarily be of a professional, technical and management type.
5. Residential development shall be served by Regional wastewater treatment and shall be at a average gross density of 3 dwelling units per acre, and may be of higher density depending on the carrying capacity of the land and infrastructure. The incorporation of multiple housing styles, types, and levels of affordability shall be encouraged, while avoiding

geographic concentrations of lower cost housing, housing styles and housing types. Residential development may include senior and/or age-restricted housing as a self-contained neighborhood that could include amenities, multiple care levels and other services designed for those residents. A total of 3,700 REC's of Regional Wastewater Service shall be reserved for residential development subject to the Development Staging Plan.

6. The Cimarron Manufactured Housing Neighborhood is found to be an important housing resource of the City. It is important to retain that resource. Not less than 500 REC's of Regional Wastewater Service shall be reserved for use of the Cimarron neighborhood at such time as the existing private wastewater system is determined to be in need of replacement or major reconstruction.

NOTE: THIS IS TOTALLY NEW TEXT FOR THE OLD VILLAGE POLICY SECTION. MUCH OF THIS IS TAKEN FROM THE PREVIOUS COMP PLAN WORD-FOR-WORD. THERE NO LONGER WOULD BE A SEPARATE SECTION OF "OLD VILLAGE PLANNING POLICY" IN THE COMP PLAN

2/25/05

OLD VILLAGE POLICY

Due primarily to its central location characteristics such as the library, the post office, the elementary school and City administrative offices, the Village Area offers opportunities unique to the Lake Elmo community. These opportunities are further enhanced by the historic residential and commercial development pattern at a scale and density of a true rural center, rather than contemporary suburban or exurban development patterns found elsewhere in the developing fringe of the Twin Cities region.

It shall be the Planning Policy of the City to acknowledge the opportunities of the central location and historic development patterns presented by the Old Village Area, and incorporate those unique characteristics into policy and plans for housing preservation, rehabilitation and development that will be of benefit to both the Village Area and the entire Lake Elmo community. Examples of actions responsive to this Policy would include:

1. Plans for new housing development adjacent to existing Village Area housing shall reflect the character and scale of that existing development.
2. New housing within the Village Area shall be located so as to benefit from proximity to the central location characteristics of the Village that have been identified.
3. New housing within the Village area shall be located and designed to reduce reliance on vehicular movement within the Village Area to access public/private goods and services.
4. All development and redevelopment within the Old Village shall be responsive to the adopted Old Village Plan.
5. Reservation of at least 1000 REC's of Regional Wastewater treatment capacity for service to the Old Village area. A continuing reservation of at least 500 REC units shall be maintained to provide Regional Wastewater Service to all existing residential and non-residential properties within the Old Village now served by ISTS. The remaining REC's shall be made available - consistent with the city-wide Development Staging Plan -- for new development within the Old Village, only if said new development is consistent with the Old Village Plan.

The City, by its policies and plans, shall support affordable and Senior Housing to be located within the Village Area, responsive to the foregoing location/access housing policies.

Traffic volume and speed on Stillwater Boulevard (State Highway #5), traversing through the center of the Village, is a safety problem; detracts from the sense of unity between the north and south portions of the Village; negatively impacts traffic circulation within the downtown portion of the Village; and, seriously restricts pedestrian movements within the Village.

The Village Area appears to be one of the best locations for future mass transit facilities serving Lake Elmo such as Park/Ride. The possibility of the rail corridor becoming a mass transit resource for the community should be considered.

Convenient and safe pedestrian/bike circulation within a community not only reduces the air quality degradation and accident risks of the vehicular alternative, but also strengthens the sense of community through resident interaction. Much of the Village, particularly south of Highway 5, has historically developed at a density and in a pattern that encourages pedestrian/bike circulation.

Examples of actions responsive to this Policy would include:

1. Land use and public facility planning for the Village area should include options for a mass transit hub that could serve bus as well as future commuter rail service or light rail.
2. Land use planning for the east Village area should recognize and address the impact of the existing Lake Elmo Airport. The Metropolitan Airports Commission should be affirmatively advised of Village land use plans that will preclude certain future operations and expansion of the airport. It shall be the policy of the City to oppose any expansion of the Lake Elmo Airport.
3. Safe and convenient Pedestrian/Bike circulation interconnected within the Village shall be a primary component of all Village Plans. Pedestrian/Bike corridors shall be oriented and located to emphasize access to the Village Central Business District, parks and other areas of the Village where Public and Private goods, services and facilities are located.

4. The City, with the cooperation and assistance of the Minnesota Department of Transportation and Washington County should continue to explore measures to reduce or eliminate the issues that are caused by State Highway 5 in the center of the Old Village.

(DRAFT FEBRUARY 25, 2005)

CITY-WIDE PLANNING POLICY

Due to its proximity to Downtown St. Paul and desirable physical land characteristics, future residential and commercial development in Lake Elmo is inevitable. Unless the pressure for development is recognized, the ability of the City to accommodate future growth, while preserving the rural character and natural environment, may be forfeited. The following general planning and development policies are not intended to preclude growth and development within Lake Elmo, but to limit and guide that growth and development in a manner that will allow reasonable growth to take place, while preserving the character and features of Lake Elmo that make the City a unique and desirable community.

1. Develop land use and infrastructure plans to accommodate household and population forecasts of the 2030 Regional Development Framework.
2. Encourage the majority of the new households created in areas north of 10th Street North, and outside of the Old Village Planning to be efficiently developed in a rural context in the form of Open Space Development cluster neighborhoods.
3. . Guide new community growth in keeping with the geographic assignments and decennial household, population, and employment targets established by the Memorandum of Agreement entered into by the City and the Metropolitan Council in January , 2005.
4. Limit Metropolitan Urban Service Area (MUSA) expansion to the area that can be served from the Regional Wastewater Interceptors specified; in the wastewater volumes specified by the aforementioned Memorandum of Agreement., and staged consistent with a City adopted development Staging Plan .
5. Adopt a MUSA expansion development staging plan/schedule that will comply with at least the minimum number of Regional Wastewater Residential Equivalent Connections (REC's) specified for Lake Elmo by the 2030 Regional Water Resources Plan, but that will also limit total annual City household and employment growth to a use mix and scale that remains sustainable in the context of providing municipal services/infrastructure and local government fiscal responsibility.

Agricultural Preservation

In keeping with the general policies enumerated above, existing operating agricultural uses and qualifying alternative uses that preserve the open space within the community shall be supported. These uses shall be encouraged to continue operations, and to retain large land holdings that contribute to operating efficiency.

In keeping with the general policies enumerated above, the City shall affirmatively establish and pursue specific strategies and seek resources to assist existing agricultural uses in remaining a viable alternative to urbanization for landowners, consistent with the concept of "a right to farm".

The provision of municipal infrastructure and services to areas of the City where operating agriculture exists shall not be in a manner that results in an economic or operational disincentive to continue agricultural use of the land.

Residential Development

All residential units should be designed, sited, and constructed to conserve energy in lighting, cooling, and heating processes.

Allowable Residential Densities by land use classification are as follows:

RAD (Rural Agricultural/Diversified) – 1 Unit in 40 gross acres for areas zoned AG (1999 Zoning District); and 4 Dwelling Units in 40 gross acres in areas zoned RR (1999 Zoning District); or ?? Units per 40 gross acres in Open Space Development projects only, regardless of zoning.

FU (Future Urbanized Development - Sewered) – 1 dwelling unit in 20 gross acres in areas designated on the Land Use Plan for future urbanization and wastewater treatment by the Regional Wastewater System (MUSA). The FUDS classification shall be limited to areas south of 10th Street and areas surrounding the Old Village in accordance with the Old Village Plan.

NC (Neighborhood Conservation)

Density shall be limited to a maximum of 1 dwelling unit per acre and only where it is demonstrated that a wastewater treatment strategy is available that is suitable to protect the public health and environment, as determined by the City.

RE (Rural Estate) – 6 dwelling units per 20 gross acres, with no individual dwelling unit on less than 2 ½ acres. This classification relates to 1999 zoning district RE. Areas of the City eligible for this classification shall be limited to those north of 10th Street North excluding the areas within the Old Village Plan.

URD (Urban Residential) – Average Density of 3.0 dwelling units per gross acre. This classification is intended for the Old Village as designated by the Old Village Plan and areas of the City south of 10th Street North serviced by, or planned for service by, publicly owned central water and sewer. Eligible areas of the City shall not be classified URD until the City Council has specifically approved the provision of Regional wastewater service and public water supply to the area within 180 days of the URD classification date.

The primary style of residential dwelling unit within RAD, RE and NR land use classifications shall be single family detached. In recognition of the City's policies regarding future housing resources reflecting a balance of affordability and housing type, Life Cycle Housing and housing designed for residents with physical challenges is specifically encouraged in URD classified areas and the Old Village.

Residential neighborhood design shall result in developments with quality architectural detailing, landscaping and street design that fosters the pedestrian, slows traffic, and provides adequate access for roadway maintenance and emergency vehicles.

The Land Use Plan shall be based on natural features such as:

- a. Soils, wetlands, woodlands, and severe slopes
- b. Urbanization limitation strategies
- c. Existing agriculture
- d. Other factors

Within the designated RAD classifications, residential land development shall be primarily, as opposed to exclusively, responsive the Open Space Development (OP) Section of the Zoning Ordinance; and preserve 50% of the gross land area within such developments by means of permanent open space conservation easements, and clustered dwelling unit groupings.

The Open Space Preservation District section of the Zoning Ordinance shall specify design standards for residential development within the RAD classification.

Residential development shall be responsive to the Goals prescribed by the Housing Element of the Lake Elmo Comprehensive Plan.

Non-Residential Development

Consumer retail land use will be planned and/or approved only to the extent that existing consumer retail use within the City and consumer retail use in adjacent communities are clearly demonstrated to not adequately provide retail goods and services for the residents of Lake Elmo.

While Lake Elmo is bordered on the north and south by Principal Arterial roadways, the *City does not agree* with the concept that the traffic counts represented by those roadways is the basis for non-residential land use at interchanges/intersections or in a service road "strip" arrangement. Non-residential land use within the City should be local need driven, not traffic count driven.

Non-residential land use shall be focused in two geographic areas of the City: the I-94 Corridor (Primarily Office/Research); and, as in-fill and renovation, in the Old Village. Limitation of non-residential land use to those geographic areas will enhance the City policy of retaining the rural character of the community, while, in concert with existing and planned non-residential uses in adjacent communities and existing non-residential within the City, the residents of the City will enjoy reasonable access to employment opportunities, and required goods/services.

Consistent with Old Village policy, new linear non-residential development along State Highway 5 should not be allowed; and, the City should encourage existing non-residential uses along State Highway 5 to adhere to Old Village policy regarding expansion and renovations.

All non-residential development shall be required to maintain high quality standards of site, structure and landscape design. Uses within the Old Village shall comply with the design standards and regulations adopted for that geographic area.

Alterations to the natural environment; or site layout, signage, lighting or structure architecture in excess of Code requirements, to enhance the visibility of a non-residential use to vehicular traffic shall be considered substantial evidence that the use is intended to serve other than City residents.

Non-residential uses in the I-94 corridor shall be principally office/research in character. The term office/research shall preclude uses that are primarily engaged in manufacturing, assembly, warehousing, retail sales/service and hospitality except to the extent that such precluded uses directly and demonstrably serve the primary office/research uses of the area, within Lake Elmo. Also precluded is any use that introduces truck traffic except as such truck traffic is clearly incidental to a specific office/research use.

Housing

It shall be the Policy of the City, by adopted plans, programs and development regulations to provide for a variety of housing types for all people of all stages of the life cycle. It should also be the Policy of the City to encourage retention and development of housing affordable to a broad range of incomes while maintaining a fiscally responsible ratio of municipal services provided to real estate tax revenue to support those municipal services. Examples of adherence to these housing policies include:

1. Preservation the moderate cost housing alternatives represented by the Cimarron Manufactured Housing neighborhood.
2. Affirmative City actions to address neighborhood design responsive to the unique requirements of persons with physical disabilities, such as walkable access to public and private goods, services and amenities.
3. Support for senior and age restricted housing initiatives within the Regional Sewered areas of the Old Village and/or South of 10th Street North that demonstrate high standards of design, materials, and resident amenities. Ease of resident access to goods and services within the context the Non-residential Development Policies of this Plan should be an important locational determinant in recognition of the reduced mobility of senior and age-restricted residents.
4. Support of expanded opportunity for development of new housing resources affordable to families of moderate income within the areas of the City planned for service by Regional Wastewater Treatment. *This may included housing density bonuses, but City financial subsidy in support of those housing opportunities is not implied by this Policy.*

It is equally important for the City to actively pursue retention of well-maintained existing housing and neighborhoods. Adoption of and systematic enforcement of City codes that address housing and neighborhood maintenance, together with timely rehabilitation and improvements to municipal infrastructure will be important components of addressing this policy.

By zoning and other City codes the City should encourage housing development that respects the natural environment of the community while striving to accommodate the need for a variety of housing types and costs.

The City will support the availability of a full range of services and facilities for its residents in proportion to the intensity of development within a geographic area of the City.

Environmental Protection

Encourage farmers to work closely with the Soil and Water Conservation District and utilize sound soil erosion prevention practices, such as contour plowing, strip cropping, minimum tillage, shelterbelts, and other similar practices.

Regulate the location and design of non-farm animal confinement areas to minimize pollution and nuisance problems.

Require all residential developments to conform to the limitations presented by natural features, including soils, drainage patterns, topography, and woodlands.

Require subdivisions to be designed to utilize the natural drainage system, including, but not limited to ponds, wetlands and watercourses and groundwater recharge.

Adopt and enforce strict regulations regarding the design, location, and maintenance of on-site sewage treatment systems based on compliance with PCA Rule 7080.

Restrict development from areas containing unique or endangered forms of vegetation and/or wildlife.

Strictly regulate development in floodplain, wetland and Shoreland areas in compliance with State and Federal mandates.

Municipal Services

Provision of municipal services will remain proportionate to the intensity of development within geographic areas of the City. Provision of municipal services will not be in a manner that drives intensive development, but rather responsive to the intensity of development specified by the Comprehensive Plan. Examples of actions that are responsive to this Policy include:

1. Design and acquire infrastructure and other City capital purchases to minimize future operations and maintenance expense, particularly full time City staff.
2. Maximize the utilization of citizen volunteers where appropriate.
3. Maximize the benefits of technology in City operations and municipal services.
4. Emphasize preventative measures to avoid the occurrence of problems.

Transportation

The focus of motorized transportation planning and resulting infrastructure should be trips with origins and/or destinations within the City, servicing Lake Elmo residents.

Vehicular trips not originating and/or ending within Lake Elmo should not be encouraged through planning or infrastructure improvements by local, County, State or Federal Agencies.

Interstate 94 and State Highway 36 shall remain the primary vehicular corridors for traffic with origins and/or destinations not in Lake Elmo.

The location of State Highway 5 in the center of the Old Village, coupled with the present and forecasted volume of traffic on that roadway, presents numerous safety and urban design issues which will require mitigation if the Old Village is to best serve as the center piece of the community. The City, with the cooperation and assistance of the Minnesota Department of Transportation and Washington County should continue to explore measures to reduce or eliminate the issues that are caused by State Highway 5 in the center of the Old Village.

The City shall investigate street segments that may benefit from traffic calming.

The City should support retention of the Expressway cross section of State Highway 36, with signalization of key at-grade intersections. Improvement of the Highway 36 corridor to Parkway standards should also be encouraged and supported.

The City should encourage, support and become advocates of public transit service to the City, particularly commuter rail service to the St. Croix Valley area via the existing rail corridor. This

should include planning for one or more a transit hubs to serve HOV, bus and commuter rail options at appropriate geographic locations.

The City should design, construct and maintain the minimum acceptable grid system of collector streets. Where State Aid funds are expended for such construction, State Aid design standards should be incorporated. Where State Aid funds are not used the collector streets should be constructed to a paved section designed to minimize impervious surfacing and piped storm water conveyance.

While not located in Lake Elmo, the Lake Elmo Airport will continue to be a transportation facility that will impact the City. The City should continue to vigorously oppose all initiatives to broaden the operating capabilities of the Lake Elmo airport from the existing recreational aviation to corporate or commercial aviation, by runway lengthening or other related improvements.

City policy and plans should recognize Lake Elmo Airport safety and noise zones based on recreational aviation only.

I-94 Freeway Corridor Planning Policy

The I-94 Corridor, extending from Inwood Avenue on the west to Manning Avenue on the east, and generally defined at extending north to 10th Street North will, other than the limited-scale Old Village, be the focal point of urbanized development within the City served by Regional Wastewater Treatment through community build-out by 2030. Planning Policy specific to this geographic area includes:

1. Preservation of the present Rural Character and living environment of the existing residential neighborhoods south of the 10th Street – Stonegate, The Forest, and Midland Meadows. Urban intensity development of land adjoining these neighborhoods must be so designed as to preclude externalities of that urban development (such as through traffic, exterior lighting, noise, and trespass) from negatively impacting the existing residential neighborhoods either physically or financially. Any public utility extensions (water and sewer) to lands adjoining these neighborhoods should not result in the City ordering of public water and sewer extensions into these existing neighborhoods unless specifically requested to by 2/3 (two thirds) majority of the homeowners.
2. **The costs for extensions of Public water and sewer service shall be born exclusively by those property owners that, as determined by the City, benefit from said extensions and service.**
3. All development/redevelopment shall be subject to a Development Staging Plan that either regulates development geographically, or in terms of the number of Residential Equivalent (REC) units permitted to be constructed annually – or both. The Staging Plan shall become an Official element of the City Comprehensive Plan. All areas not served by Regional Wastewater shall be planned and zoned at a density of 1 dwelling unit per 20 acres of land until such point in time as the Staging Plan specifies development at a higher density can take place.
4. Non-residential uses shall be limited to those specified by the Non-residential Use section of this Planning Policy. The overall scale of non-residential use should be limited to approximately 20% of the net developable land south of 10th Street (including presently vacant land within Eagle Point Business Park, and Highpointe Health Campus). Non-residential development should result in employment averaging 40 employees per acre developed, and such employment should primarily be of a professional, technical and management type.
5. Residential development shall be served by Regional wastewater treatment and shall be at a average gross density of 3 dwelling units per acre, and may be of higher density depending

on the carrying capacity of the land and infrastructure. The incorporation of multiple housing styles, types, and levels of affordability shall be encouraged, while avoiding geographic concentrations of lower cost housing, housing styles and housing types. Residential development may include senior and/or age-restricted housing as a self-contained neighborhood that could include amenities, multiple care levels and other services designed for those residents. A total of 3,700 REC's of Regional Wastewater Service shall be reserved for residential development subject to the Development Staging Plan.

6. The Cimarron Manufactured Housing Neighborhood is found to be an important housing resource of the City. It is important to retain that resource. Not less than 500 REC's of Regional Wastewater Service shall be reserved for use of the Cimarron neighborhood at such time as the existing private wastewater system is determined to be in need of replacement or major reconstruction.