



**City of Lake Elmo Planning Commission  
Meeting  
City Council Chambers – 3800 Laverne  
Avenue North  
Minutes of Regular Meeting of July  
25, 2022**

**CALL TO ORDER:** Commission Chair Steil called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

**COMMISSIONERS PRESENT:** Graen, Rehkamp, Steil, Vrieze

**COMMISSIONERS ABSENT:** Risner, Mueller

**STAFF PRESENT:** Planning Director Just

**Pledge of Allegiance** at 7:00 PM

**Approve Agenda:**

M/S/P: Rehkamp / Vrieze made a motion to approve the agenda. **Vote: 4-0, motion carried unanimously.** (Risner, Mueller not in attendance).

**Approve Minutes:**

M/S/P: Graen / Rehkamp made a motion to approve 7-11-22 minutes. **Vote: 4-0, motion carried unanimously.** (Risner, Mueller not in attendance).

**Public Hearings:**

1. **Zoning Map Amendment, Preliminary Plat & Planned Unit Development (PUD)** Inland Development Partners has submitted application for a 244 unit townhome project on the south side of the intersection of 39<sup>th</sup> Street and Stillwater Boulevard (PID 1302921240028). Applicant would use a portion of VFW Park for roadway access to the project.

Director Just gave presentations and answered questions.

Steven Eggert and Steve Schwanke of Inland Development Partners (“Applicant”) are requesting approval of a zoning map amendment (rezoning), preliminary planned unit development (PUD) and preliminary plat for a 31 acre parcel on the south side of the intersection of Stillwater Boulevard and 39<sup>th</sup> St. N. (PID 13.029.21.24.0028). The plan depicts 244 single-family attached (townhome) units with the southern 147 units to be for-sale units and the northern 97 units to be rental units. A Conditional Use Permit (CUP) is required for the single-family attached use in the Village High Density Residential (V-HDR) District. As depicted the number of units is consistent with allowed density and no bonus density is proposed.

**Recommended Finding for Rezoning:** Staff does not recommend approval of the rezoning at this time. Once the Applicant provides a legal description of the areas to be rezoned and the ownership of Outlot G is determined an appropriate finding would be that the proposed rezoning will be consistent with

the land use designation of the site which is Village Medium Density Residential, Village High Density Residential and Park as depicted in the 2040 Comprehensive Plan.

**Recommended Findings for Preliminary Plat/Preliminary PUD.** Staff recommends **denial** of the Preliminary Plat and PUD for the 31 acre parcel on the south side of the intersection of Stillwater Boulevard and 39<sup>th</sup> St. N.9450 Hudson Boulevard (PID 13.029.21.24.0028) based on the following findings:

1. That the preliminary PUD Plan would be consistent with the intent of the 2040 Lake Elmo Comprehensive Plan and the 2040 Land Use Map for this area.
2. That the preliminary PUD Plan **may** comply with the general intent of the Village Medium Density Residential, Village High Density Residential Public and Semi Public Facilities Village zoning districts with PUD modifications.
3. That the preliminary PUD Plan **may** generally comply with the City's Zoning Code if all exceptions are identified and granted.
4. That the preliminary PUD Plan **does not** generally comply with the Lake Elmo Design Guidelines and Standards Manual.
5. That the preliminary plat **does not** generally comply with the City's Subdivision regulations.
6. That the preliminary plat **does not** generally comply with the City's engineering design standards.
7. That the preliminary plat **does not** generally complies with the City's Zoning Code.
8. That the preliminary PUD Plan must be revised to the satisfaction of the City Engineer to be consistent with the City's engineering standards and as noted in the City Engineer's memorandum **before it can be recommended for approval.**
9. That the preliminary PUD Plan must be revised to be consistent with the City's landscape plan and tree replacement standards pursuant to the Landscape Architects memo.
10. That the preliminary PUD Plan must be revised to the satisfaction of the Fire Chief to be consistent with the City's fire department memo **before it can be recommended for approval.**
11. That the preliminary PUD Plan **does not** meet the minimum requirements for a PUD including minimum lot area, open space and street layout.
12. That the preliminary PUD Plan meets one or more of the required PUD objectives identified in Article 18 including providing: Planned unit developments should not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved.
  - a. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches. *Not met.*
  - b. Promotion of integrated land uses, allowing for a mixture of residential, commercial, and public facilities. *Not met.*
  - c. Provision of more adequate, usable, and suitably located open space, recreational amenities, natural resource protection and other public facilities than would otherwise be provided under conventional land development techniques. *May be met.*
  - d. Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing. *The mix of rental and for-sale units meets this requirement.*
  - e. Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities. *May be met.*

- f. Preservation of historic buildings, structures or landscape features. *N/A*
- g. Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses. *May be met.*
- h. Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation. *Not met.*
- i. Allowing the development to operate in concert with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objectives will be achieved. *Not met.*
- j. Higher standards of site and building design than would otherwise be provided under conventional land development technique. *Not met.*

## **FISCAL IMPACT:**

Approval of a Zoning Map Amendment, Preliminary Plat and Preliminary PUD grant entitlements to a developer. The plat and plans depicted should not be approved as-is as there are many unknown costs to the tax payer based on the number and extent of exceptions to City standards that are requested and not requested but identified by staff.

Public hearing opened at 7:10 PM.

Public hearing closed at 7:10 PM. Will reopen after applicant presentation.

Applicant Steve Schwanke (100 Lake St West #200 Wayzata, MN) spoke regarding this project and the water management, and answer questions.

Commissioner Graen asked for clarification regarding the greenspace and parking. Mr. Schwanke said that the ball park information was only an example, as they are not proposing to put in a ball park but will be putting in a public trail.

Commissioner Vrieze asked for clarification regarding the connection at VFW Park. And asked who would own the rental units. Mr. Schwanke said that Inland Development would be the owners.

Mr. Clark Wittland (733 Marquette Avenue, Minneapolis, MN) Alliant Engineering. Spoke regarding water management.

Commissioner Graen asked whether traffic would cause issues. Mr. Wittland mentioned that a traffic analysis had not been done.

Commissioner Graen asked if the Greenway Trail would be going thru this property. Director Just said that the Park Commission does have other options to be considered.

Public hearing opened at 7:52 PM.

There were three emails in support of the Schiltgen East PUD Preliminary Plan Application from:

John & Nicole Malone (5064 Marquess Trail Court N. Lake Elmo, MN)

David & Katie Peterson (9985 Tapestry Road N. Lake Elmo, MN)

Aaron Runk (9497 Jane Road N)

No public speakers.

Public hearing closed at 7:53 PM

Commissioner Vrieze mentioned that there is still a long way to go before approval. He is not in favor.

Director Just presented the City Staff and Agency reviews and the minimum requirements.

Commissioner Graen mentioned that this should be tabled as this is a good development, but needs a more finalized plan. Commissioner Rehkamp agreed.

M/S/P: Graen / Rehkamp motioned to table the proposed Zoning Map Amendment until August 22<sup>nd</sup>, 2022, to allow the applicant to further refine their application and submit documentation to meet the standards set forth by the city. **Vote: 3-1. Motion carried.** Graen, Rehkamp, Steil – Aye / Vrieze – Nay (Risner, Mueller not in attendance)

M/S/P: Graen / Rehkamp motioned to table Preliminary PUD/ preliminary plat for the same reasons as previous motion. **Vote: 3-1. Motion carried.** Graen, Rehkamp, Steil – Aye / Vrieze – Nay (Risner, Mueller not in attendance)

5 minute recess

## **New Business**

**Advisory Communication to City Council** – Commissioner Graen has drafted an advisory communication to the City Council.

An official communication from the Planning Commission must be from the entire commission.

Commissioner Graen spoke to the reasoning behind drafting this communication.

Director Just answered question posed by commissioners.

Not all Planning Commissioners feel the same way regarding this advisory communication.

M/S/P: Graen / Rehkamp motioned to send this advisory communication to the City Council **Vote: 2-2. Motion not carried.** Graen, Vrieze – Aye / Rehkamp, Steil – Nay (Risner, Mueller not in attendance)

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## **Communications/Updates - City Council Updates**

### **a. July 12 Workshop**

- Impervious Surface. Directed staff to draft an update to the definition of impervious surface to eliminate examples and directed staff to revise the allowable impervious on unsewered lots in the Shoreland Zone to be consistent with the DNR Model Shoreland Zoning Ordinance.
- MDR/HDR. Instead of adopting increased setbacks only on named streets in the south planning area the Council directed staff to bring forward a text amendment requiring an increased setback for all residential development fronting a public street in the South Planning Area except that zoned GCC and LDR.

### **b. July 19 Meeting**

- Approved Side Yard Setback Variance Request for 1567 Ivory Ave N

- Tabled Preliminary Plat and PUD, Zoning Map Amendment and Conditional Use Permit for 9450 Hudson
- Adopted Zoning Text Amendment – Limit residential uses to no more than 80% in Mixed-Use Commercial and Mixed-Use Business Park Districts

**Upcoming Meetings**

- a. August 8<sup>th</sup>, 2022
- b. August 22<sup>nd</sup>, 2022

Meeting adjourned at 9:00 PM.

Respectfully submitted,

Diane Wendt  
Permit Technician