



**City of Lake Elmo Planning Commission Meeting
City Council Chambers – 3800 Laverne Avenue North
Minutes of Regular Meeting of
March 13, 2023**

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

COMMISSIONERS PRESENT: Steil, Vrieze, Williams

COMMISSIONERS ABSENT: Risner, Rehkamp

STAFF PRESENT: City Planner Sophia Jensen, Jenni Faulkner- Bolton & Menk

Pledge of Allegiance at 7:00 PM

Approve Agenda:

M/S/P: Vrieze / Williams: made a motion to approve the agenda. **Vote: 3-0, motion carried unanimously** (Risner, Rehkamp absent)

Approve Minutes:

N/A

Public Hearing:

a) Variance - 2621 Innsdale Ave. Bryant Olson has submitted a variance request for a home addition to encroach on required setbacks in the Residential Estate zoning district.

City Planner Jensen gave presentation and answered questions.

Applicant Brian Olson answered questions.

DRAFT FINDINGS:

1. Strict enforcement of the code would create the inability for any proposed addition to the home. Due to the narrow and long lot layout the front and sides of the home are already encroaching setback requirements while the septic system restricts any addition to the rear of the home.
2. The property owner is not responsible for the lot layout nor the existing legal nonconformity of the building encroachment into setbacks. The home was built in 1987. The current owner purchased the home in 2019.
3. The proposed request should not alter the character of the neighborhood. The proposed residential addition fits architecture and use of surrounding homes. The home is to remain a single family unit.
4. The proposed request should have no negative effect on light and air to adjacent properties the home would not encroach easements and would remain a fair distance from neighboring dwelling units. Property values should not be diminished from the request. The request should not increase congestion in the public street.

No public comments

M/S/P: Vrieze / Williams moved to open the public hearing at 7:09 PM. **Vote: 3-0, motion carried unanimously.** (Risner, Rehkamp absent)

Public hearing closed at 7:09

M/S/P: Vrieze / Williams moved to recommend approval of a variance request to reduce front and side yard setback requirements of the Residential Estate Zoning district for the property located at 2621 Innsdale Ave N, with the conditions of approval listed in the staff report. **Vote: 3-0, motion carried.** (Risner, Rehkamp absent)

b) **Preliminary Plat and PUD. PID # 34.029.21.44.0006 and 34.029.21.44.0004.** Drake Motor Partners LE LLC has submitted an application for a four lot subdivision with one lot proposed as an auto dealership, one lot as a fast food restaurant, and two vacant lots.

Faulkner with Bolten & Menk gave presentation and answered question.

Applicant Jon Hauser with Drake Real Estate spoke regarding the project and answered questions.

Tom Meyer, Civil Engineer with Landform, answered questions.

RECOMMENDED FINDINGS:

Recommended Findings for Preliminary Plat/Preliminary PUD. Staff recommends approval of the Preliminary Plat/Preliminary PUD for PID 34.029.21.44.0006 and 34.029.21.44.0004 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 complies with the general intent of the C- Commercial zoning district with PUD modifications.
3. That the preliminary PUD Plan generally complies with the Lake Elmo Design Guidelines and Standards Manual.
4. That the preliminary plat generally complies with the City's Subdivision regulations.
5. That the preliminary plat generally complies with the City's design standards.
6. That the preliminary plat generally complies with the City's Zoning Code with the exceptions provided for in the PUD.
7. That the preliminary plat and PUD Plan must be revised to address the comments noted in the City Engineer's memorandum.
8. That the preliminary PUD Plan must be revised to be consistent with City's landscape plan and tree replacement standards pursuant to the Landscape Architects memo.
9. That the preliminary plat and PUD Plan must be revised to address the comments noted in the Fire Department memo.
10. That the preliminary PUD Plan meets the minimum requirements for a PUD.
11. That the preliminary PUD Plan meets items a, c, d, and i from the identified PUD objectives identified in Section 105.12.1130. 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. The shared access drive and stormwater ponding areas allow for more efficient use of land.
 - b) Promotion of integrated land uses, allowing for a mixture of residential, commercial, and public facilities.
 - c) Establishment of appropriate transitions between differing land uses. This overall PUD provides a buffer between the interstate highway and residential uses. There are site specific plantings proposed to buffer the adjacent high density residential uses and there is opportunity for future buffering with future uses on the northerly part of the PUD.
 - d) 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. This is achieved with shared stormwater ponding.

- e) Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for lifecycle housing to all income and age groups.
 - f) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.
 - g) Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses.
 - h) Creation of more efficient provision of public utilities and services, lessened demand on transportation, and/or the promotion of energy resource conservation. With the proposed private access drive, there will be less demand on public services.
 - i) Establishing measures to protect and preserve groundwater storage.
 - J) 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.
12. That the site will be served by public utilities, not have a detrimental impact on traffic, supply adequate off-street parking.
 13. That the proposed land uses will be compatible both in terms of internal site plans, and with regard to adjacent land uses.
 14. That the site complies with wetland, stormwater management requirements.
 15. That the use will maintain standards of architectural design and building quality consistent with the uniform building code and all other applicable city codes,
 16. That the proposed use will not create fiscal problems for the city or adversely impact the health, safety, or welfare of the city.
 17. That the proposed uses will bring commerce and employment to the city.

M/S/P: Vrieze / Williams moved to open the public hearing at 7:47 PM. **Vote: 3-0, motion carried unanimously.**
(Risner, Rehkamp absent)

There were 4 emailed comments, 3 were not in favor, 1 asked for higher standards of development be required by the City of Lake Elmo.

Public Comments

Leanna Dworak, 177 Junco Rd. N., has concerns regarding light, noise, additional traffic and possible home value depreciation.

Dana Larson, 205 Junco Rd. N., has concerns regarding the height of the building, removal of tree's and size of the retaining wall and possible home value depreciation. Dana asked with is the benefit this project would bring to the community.

Theresa & Patrick Kennedy, 173 Junco Rd. N., has concerns regarding the project being a car dealership instead of small shops, height of the building, trash enclosures, large signs, light pollution, noise, tree removal.

Shelby Tietel, 9741 4th St., has concerns regarding the previous 4th concerns, and landscape and tree preservation plan not having complete information and are not up to city standards.

Chloe Yang, 193 Junco Rd., has concerns regarding, light pollution, signs, noise, environmental impact, screening.

Public hearing closed at 8:07

M/S/P: Vrieze / Williams moved to recommend denial of the preliminary PUD plan and preliminary plat as requested by Jon Hauser for the subject property based on the findings of fact and recommended conditions of approval listed in the staff report. **Vote: 2-1, motion carries. (Vrieze & Williams- Aye, Steil – Nay)** (Risner, Rehkamp absent)

Vrieze is in favor of denial due to foot candles lights, sign height, landscape plan needs more definition, screening definition.

Williams is in favor of denial due to the location and missing information.

Steil is not in favor of denial even though he agrees with other commission members.

c) Text Amendment – Article VIII. The City of Lake Elmo has initiated a text amendment to Article VIII Environmental Performance Standards for topsoil requirements.

City Planner Jensen gave presentation and answered questions.

M/S/P: Vrieze / Williams moved to open the public hearing at 8:29 PM. **Vote: 3-0, motion carried unanimously.** (Risner, Rehkamp absent)

No public comments

Public hearing closed at 8:30

M/S/P: Steil / Vrieze moved to recommend adoption of the proposed text amendment, for topsoil requirements, in Section 105.12.480 Landscape Requirements as presented. **Vote: 3-0, motion carried unanimously.** (Risner, Rehkamp absent)

New/Unfinished Business

N/A

Communications/Updates - City Council Updates

1. Crossroads PUD Amendment 3-7-2023 - passed

Upcoming Meetings

- a) March 27, 2023
- b) April 10, 2023

Meeting adjourned at 8:33 PM.

Respectfully submitted,

Diane Wendt
Permit Technician