



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of January 13, 2014**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

**COMMISSIONERS PRESENT:** Williams, Lundgren, Dodson, Haggard, Dorschner, Kreimer and Larson;

**COMMISSIONERS ABSENT:** Yocum and Morreale; and

**STAFF PRESENT:** Community Development Director Klatt and City Planner Johnson.

**Elections:**

M/S/P: Dodson/Lundgren, move to nominate Todd Williams as Chairperson, **Vote 7:0, motion carried unanimously.**

M/S/P: Dorschner/Haggard, move to nominate Dean Dodson as Vice Chairperson, **Vote 7:0, motion carried unanimously.**

M/S/P: Haggard/Dodson, move to nominate Dale Dorschner as Secretary, **Vote 7:0, motion carried unanimously.**

**Approve Agenda:**

Agenda accepted as published.

**Approve Minutes:** December 9, 2013

M/S/P: Dodson/Kreimer, move to accept the minutes as presented, **Vote: 5-0, with Haggard and Dorschner not voting.**

**Public Hearing:** *Comprehensive Plan Amendment – 9434 Stillwater Blvd.*

Klatt began his presentation by explaining important terminology in the Comprehensive Plan related to rural areas. More specifically, he explained the significance of Rural Area Development (RAD), Rural Area Development – Alternate Density (RAD-Alt), Open Space Preservation District (OP) and Open Space Preservation Overlay District (OP-2). RAD-Alt allows for open space project with an increased density than what is allowed in the rural areas under the standard OP Ordinance.

Providing purpose of tonight's hearing, Klatt noted that the City Council has directed the Planning Commission to hold a public hearing to reconsider the appropriate future land use designation for the property at 9434 Stillwater Blvd. (TH-5). He noted that the City Council asked the Planning Commission to consider the specific property at 9434 Stillwater Blvd. because the subject property was not included in the City's original comprehensive planning process in 2005. While other properties were designated with the RAD-Alt classification to meet the City's required growth forecasts, the subject property was changed from RAD to RAD-Alt through a separate comprehensive plan amendment related to a senior living/farm school development.

To put it simply, the Planning Commission is asked to make a recommendation to the City Council on what is the best future land use category for the subject property.

Klatt moved on to explain further history about the site, including the various iterations of proposed development on the site. Currently, there is no active development application that is valid for the site.

Klatt also provided a description of general site characteristics. The site is immediately north of TH-5. The site is bounded by active farms to the north, with Sunfish Lake Park to the northeast. To the west, the site is adjacent to multiple single family lots that are guided rural single family. In addition to showing an aerial map, Klatt presented the future land use map of the Comprehensive Plan, specifically zooming in on the area surrounding 9434 Stillwater Blvd. N.

To aid the discussion, Klatt added that the Planning Commission has reviewed the rural development areas of the City at previous meetings. More specifically, the Planning Commission has discussed 1) a desire to look at development options for smaller rural parcels; 2) that the growth forecast will likely be lowered and less growth is anticipated in these rural development areas; 3) that the RAD alt category could potentially be eliminated in the future as it was initially created to accommodate the Cities 2030 forecast numbers; and 4) that part of the Planning Commission 2014 work plan is to look at rural development areas on a City wide basis.

Klatt retraced the history of the original comprehensive plan amendment action. The staff recommended denial of the comp plan amendment and provided findings related to denial. The Planning Commission unanimously recommended the comp plan amendment for approval. The City Council affirmed the Planning Commission's recommendation with a 4-1 vote.

Klatt highlighted the role of the planning commission in holding public hearing on land use items. In addition, Klatt provided a list of what are appropriate discussion items for the public hearing before the Planning Commission. For example, the action before the

Planning Commission is focused on the appropriate land use category (RAD or RAD-Alt) for the subject property, and not focused on specific development proposals.

Finally, Klatt presented two sets of draft findings for consideration by the Planning Commission. Klatt presented the draft findings from the original staff report that recommended denial. He also presented the draft findings that the City Council made when approving the comp plan amendment in 2010. He noted that staff is not making a specific recommendation at this time. He presented the Planning Commission with two options. 1) Amend the Comprehensive plan to change the subject property from RAD-Alt to RAD 2) Make no change to the Comprehensive Plan and leave the subject property as RAD-Alt.

Dorschner asked if the site is planned for future sewer service. Klatt noted that the site is not currently guided for sewer per the Comprehensive Plan, but City water service is available.

Haggard asked about the land uses that are allowed in RAD under the OP Ordinance. Klatt noted that it is primarily single family homes, with a small allowance for townhomes.

Williams invited the landowner to speak.

Janice Green provided background regarding the history of the site. She noted that the original landowner was presented with the idea of making the original farm into a farm school. The idea of a farm was strongly supported by the land owners and their father. She wanted it on the record that the landowners are requesting the land use guidance for the property to remain RAD-Alt.

Public Hearing opened at 7:47pm.

Larry Weiss, 9302 Stillwater Blvd. N., stated that he moved to Lake Elmo to enjoy open space and rural lifestyle. He noted that he originally supported the farm school, but soon changed his mind when the density of the senior living component increased. He also noted that the original development proposal has fallen through. Due to this status, the land use guidance should be changed back to RAD. He stated that he is willing to work with the property owner on other development projects, but not higher density. He also highlighted some polls or surveys that indicated that the surrounding neighbors were strongly opposed to RAD-Alt and the senior living component.

Ed Nielson, 9498 Stillwater Blvd. N., stated that he moved to a property adjacent to the Friedrich farm in 1997. Nielson provided background information of how the farm school and senior living proposal developed. He also presented a comparison chart of some analysis he completed of surrounding senior living developments. He commented that 98% of the surrounding neighbors are against the previous development proposal.

Stewart Helgeson, 11150 12<sup>th</sup> Street N., stated he has lived in Lake Elmo for 15 years. He stated that it makes no sense to change the land use guidance back to RAD until a project is on the table. If a development proposal comes forward, then the Comp Plan would have to be amended once again. Procedurally, this does not make a lot of sense. If the City does not support a specific project that comes forward, it can address the specific project at that time.

Public hearing closed at 7:56pm.

Haggard stated that it was previously explained that the RAD-Alt designation was necessary on this site to meet the required growth forecasts for the Met Council. She stated that the projections are likely to decrease, so there is no need for the RAD-Alt designation on this property. Haggard made a motion to recommend that the land use guidance for 9434 Stillwater Blvd. N. is changed back to RAD.

Williams stated he supports the motion, but would like to add the following findings of fact. 1) the 2010 Comp Plan amendment was in part based on a specific development that no longer exists; 2) the action in 2010 is very similar to a spot zoning; 3) the RAD-Alt designation is no longer needed to meet the Met Council projections; 4) the neighbors supported the change at the time based on a misunderstanding of the information and their support no longer exists; and 5) higher density development should be provided with public utilities.

Larson asked if farm school can be an allowed use in RAD. Klatt stated that there would have to be an amendment to the zoning code to specifically make it an allowed use.

Haggard asked if the farm school could be done by CUP. Klatt stated that it would need to be specified as a conditionally allowed use in the Zoning Code.

Lundgren asked if there was currently a farm school in Lake Elmo. Klatt stated that there is one in West Lakeland.

Kreimer noted that he supports both motions, but wanted to add that the City still has to meet certain amount of development as guided by the MOU.

Dorschner stated that without changing the land use category back to RAD, the City is stating that higher density is appropriate in this location.

M/S/P: Williams/Dorschner, move to amend the original motion to include 5 additional findings of fact as provided by Chairman Williams to staff, **Vote: 7-0, motion carried unanimously.**

M/S/P: Haggard/Dorschner, move to recommend an amendment to the Comprehensive Plan to change the land use designation from RAD-Alt to RAD at 9434 Stillwater Blvd. N. based on the findings in the Staff Report, **Vote: 7-0, motion carried unanimously.**

**Business Item:** *2014 Planning Commission Work Plan*

Klatt presented the 2014 Work Plan and stated that there a number of large scale items on the plan this year. The items include general Comprehensive Plan initiatives, reducing or eliminating the MOU, updating the Village AUAR, adopting an airport zoning ordinance in the Village Area, becoming more active with the Parks Commission, and working on platting and development reviews.

Haggard asked if the Planning Commission could be provided with the City Council Work Plan to better understand the big picture. Johnson stated that he will be sure to distribute the Council Work Plan.

Larson noted that he is the liaison with the Parks Commission. He is available as a resource, and is willing to help with communication between the Commissions.

The Planning commission reviewed the Work Plan.

Williams asked if specific development standards and general performance standards should be a higher priority.

Dorschner noted that outdoor wood burning furnaces can present a real problem if unaddressed by the City's ordinances. He suggested raising the priority.

Dodson asked about the permit works planning software. He asked if there is a public component. Klatt noted that the City at this time is only using the Building Permit Module. However, there may be opportunities in the future to allow for more external user interaction with the website and software.

Dodson asked what kind of impact the volume of development applications that are on the horizon can have on the staff. Klatt stated that it is hard to prioritize because there are time constraints on applications. The staff has put policies in place so the applications are processed more timely.

Dodson asked about a market study for downtown. Klatt explained that the market study will be used to determine what types of uses and businesses we want to see in downtown. Dodson would like to see this sooner rather than later and would like the priority to be a 2.

Williams asked about the Lake Elmo Ave Village surface water study with Washington County. Johnson stated that this has project has already started and should be listed as

in-progress (IP). The crux of this project is a drainage study for the Village Area, as well as a plan for the reconstruction of Lake Elmo Ave. from 30<sup>th</sup> to TH-5, including streetscape improvements based on the Theming Study.

Dodson asked about the newspaper article indicating that there is a measurable trend showing more growth in the core cities of Minneapolis and St. Paul. Dodson asked if this trend could impact the status of the MOU. Klatt stated that it could and that is probably why the forecast numbers went down. Johnson noted that there is still high demand for single family lots in the metro area based upon feedback from the building community.

Williams wants to see the Village Parkway of the railroad crossing solved. Klatt has been working with the Engineers on this issue. The next step will be submitting the application to create a new crossing and have public meetings. The railroad has indicated that they expect two crossing to be closed to open one new crossing.

Dodson would like to see the review of public community septic systems policy be a higher priority. He would suggest a 2 or 3. Klatt stated that this refers to the 201 community systems, which the city does not have a robust monitoring procedure in place. Dodson would like to add an item for private community septic systems to the list. Klatt stated that part of the oversight of these systems falls under the jurisdiction of Washington County and the Minnesota Pollution Control Agency (MPCA).

Dodson asked about the disaster plan. Johnson stated that it is something the Planning Staff is working on in conjunction with the Building Official.

**Business Item:** *Zoning District Cleanup Amendment*

Johnson talked about the cleanup to remove all outdated and unnecessary zoning districts. This cleanup will improve the organization of the document. The cleanup will remove 26 zoning districts, 19 of which are holding districts. Johnson went through which ones are being removed and which ones are being kept and why. Staff has scheduled a public hearing for the next Planning Commission meeting for this agenda item.

**Updates and Concerns**

*Council Updates*

1. The City Council confirmed the findings for the District 916 CUP at the December 17, 2013 meeting.
2. The City Council formally adopted the Village Land Use Plan at the December 17, 2013 meeting.

3. The City Council approved the Boulder Ponds PUD Concept Plan at the December 17, 2013 meeting.

*Staff Updates*

1. Planning Commissioner Terms
2. Planning Commissioner Journal Articles
3. Upcoming Meetings
  - a. January 27, 2014 – 2 public hearings and one sketch plan
  - b. February 10, 2014
  - c. February 24, 2014

*Commission Concerns - None*

Meeting adjourned at 9:40 pm

Respectfully submitted,

Nick Johnson  
City Planner