



**City of Lake Elmo
Planning Commission Meeting
Minutes of March 10, 2014**

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

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

COMMISSIONERS ABSENT: Morreale;

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

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: February 24, 2014

Chairman Williams noted that he did not abstain from voting regarding the February 10th minutes, he did not vote on the minutes because he was not in attendance at the previous meeting.

M/S/P: Kreimer/Lundgren, move to approve the minutes as amended, **Vote: 7-0, motion carried unanimously.**

Public Hearing: *Zoning Text Amendment – Accessory Building Ordinance*

Johnson reviewed various revisions to the draft Accessory Building Ordinance, made as a result of the last meeting. He noted that the draft was revised to allow for additional accessory building square footage through a Conditional Use Permit process. He also stated that Staff is still researching the potential impacts of the 60/40 house to garage ratio in urban residential and mixed-use districts.

Williams questioned why garages are encouraged to be side or rear loaded when this would be difficult to accomplish with smaller lots. Johnson stated that this was intended to communicate the City's design preference at the time, but that it would not be something that could be enforced.

The Commission generally discussed the implications of the existing language concerning garages. Williams suggested revising this provision so that the garage could be set back from the primary façade or be side or rear loaded.

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Klatt noted that the City Engineer also provided input to ensure that vehicles parked on driveways would not interfere or encroach onto sidewalks.

Yocum questioned whether or not Lennar had given the City any feedback on this provision. Johnson noted that Lennar was more concerned about the lot width and side yard setbacks.

Klatt noted that the code was intended to prohibit “snout houses” so that garages were not the dominant feature of the landscape.

M/S/P: Williams/Larson, move to add language to 154.456.B.1.a and b to state “unless the garage is side loaded”.

Dorschner stated that the City is not gaining much by adopting this language. Larson commented that the best examples of side-loaded garages occur on curved streets.

Vote: 6-1, motion carried, with Dorschner voting no.

Dodson noted that the same provision should be applied to the VMX district.

Williams noted that they should not have taken any action until after the public hearing.

Williams asked if the City allows accessory apartments or secondary dwellings in accessory buildings. Johnson replied that the City Code allows for secondary dwellings as a conditional use.

Williams questioned the language concerning accessory building height compared to the principal building. Klatt stated that the intent of this provision was to restrict the height of the accessory building to either 22 feet or no higher than the principal building.

Public Hearing opened at 7:30pm.

Dave Gonyea, Gonyea Company, asked whether or not the code would require garages to be side or rear loaded. Williams stated that the code language encourages, but does not require this. Gonyea stated that front loaded garages are often required on a smaller lots.

Staff noted that there were not written comments submitted for the public record.

Public Hearing closed at 7:34pm.

MSP: Williams/Dodson, move to add similar language regarding side loaded garages within the VMX district (see above), **Vote: 6-1, motion carried**, with Dorschner voting no.

There was a general discussion concerning the provision that requires a detached accessory building to be 22 feet in height or no higher than the principle building, whichever is higher.

M/S/P: Dodson/Williams, move to strike “whichever is higher” in 154.08 C2 and 154.4563c.2, **Vote: 6-1, motion carried**, with Dorschner voting no. Dorschner stated that he feels that 22’ in height is an adequate standard regardless of the height of the principal structure.

M/S/P: Dodson/Dorschner, move to recommend approval of the accessory building ordinance as amended, **Vote: 7-0, motion carried unanimously**.

Business Item: *Schiltgen Farms Parcel B Sketch Plan*

Johnson reviewed a sketch plan that has been submitted by Gonyea Homes for a proposed residential development in the northern portion of the Village Planning Area consisting of 101 single family sewerred homes on approximately 40 acres of land presently owned by Pete Schiltgen. He noted that the project includes a portion of Lake Elmo Avenue, which will need to be platted as road right-of-way as part of the subdivision.

Johnson reviewed staff comments concerning the plan: access and access spacing on Lake Elmo Avenue; park dedication, trails and landscaping/buffering along CSAH 17.

Haggard asked if roads taken out of the calculation when calculating net density. Johnson noted that different cities define net density differently. However, generally roads are not counted towards the area in a net density calculation. Staff is working on this definition to make sure that it is consistently applied throughout the City.

Lundgren asked if there is any plan to do construction on Lake Elmo Avenue. Johnson noted that no construction is currently planned in the County CIP north of Trunk Highway 5. Williams noted that there would be improvements required as part of the proposed subdivision such as a turn lane on Lake Elmo Avenue. Johnson sated that Staff is asking that the developer provide a trail along Lake Elmo Avenue.

Kreimer asked if the trail would continue north. Johnson said that extending the trail north makes sense if the northern parcel is developed as a nature preserve.

Dodson questioned why 39th street could not extend across Lake Elmo Avenue and serve that parcel. Johnson stated that it would in the future and would provide secondary access to the future residential neighborhood west of CSAH 17.

Williams expressed concern that the proposed subdivision represents a typical suburban layout and not a traditional grid pattern that would be expected as part of the Village Land Use Plan. Johnson replied that the gridded street pattern can be challenging because of constraints of the property such as access management required by the County. The gridded street pattern also does increase the amount of infrastructure and impervious surface. Nevertheless, the land use plan calls for greater connectivity. Klatt provided comments concerning gridded and traditional neighborhood design. Klatt stated that there needs to be some flexibility in the plans while still meeting the intent of the Comp Plan. Staff would like to see connectivity through sidewalks and trails.

Williams stated that he feels that the Land Use Plan encourages more uniformity between neighborhoods.

Haggard asked how the housing would be consistent with the Old Village character. She shared her concern that it will not be consistent.

Johnson discussed general market trends of housing and its application to this site. Alley loaded homes are not in demand right now. The City needs to be careful about over programming these developments where the market won't support them.

Larson shared some comments concerning park and lack of play areas for children within the development. Johnson noted that the applicant is not opposed to looking at a neighborhood park, but has been focusing on the expansion of Reid Park through land adjacent to the park also being developed by Gonyea Company. The City is currently looking at joint powers agreements with the school district for parks at Lake Elmo Elementary and Oakland Junior High. Klatt stated that the property to the North is guided for open space in the Comprehensive Plan and the party looking at developing that parcel is looking to put in a Nature Preserve with bees and butterflies and natural plantings.

Haggard stated that she would like to see better access to parks. Yocum stated that she would like to see a smaller park for neighborhood kids.

Williams asked if the northern portion that is covered by trees buildable. Johnson stated that it is not, and the area was not included in net density calculations.

Dodson would like to see a trail connection with the Cul-de-sacs for a more walkable neighborhood.

Dave Gonyea noted that they are not opposed to putting in a small park and are looking for feedback from the Park Commission. Williams suggested putting in a shared park with adjoining property owner to the east.

Williams stated that it is not the objective to have a series of monumented developments that feel separate from the Village. Gonyea commented that the proposed layout does create more connectivity and provides for a different feel to the neighborhood. In his opinion, it is much more walkable neighborhood than if it was in a grid pattern.

Williams stated that he would like to see additional roads that connect to adjacent development and would recommend that one of the cul-de-sac roads go through the development to the east.

Gonyea stated that they would consider the road connection, and that it may not significantly alter project.

Haggard asked how the proposed is consistent with the existing Old Village. Gonyea stated that they are trying to make as consistent as possible by making it walkable, providing connections to school and other points of interest, adding trees and fencing and other elements to the plan.

Johnson stated that the County's likely request to move the access further north will have some implications on how the streets flow through the development.

Kreimer asked what the typical lot width is for Gonyea. Gonyea stated that is between 80 – 95 feet in width for custom lots and they have gone down to 65-70 foot in some instances. They generally build larger homes.

Kreimer asked if Gonyea is planning on working with different builders. Gonyea stated that on a project like this they will probably bring in 5-6 different builders with different home plans. Dodson asked if the 65' wide lots will be starter homes. Gonyea stated will be in the 400k to 550k range.

Williams noted that drainage on the property slopes northwest to southeast. Pete Schiltgen commented that storm water flows more to the east and then south. Gonyea stated that there was a wetland delineation done for the site.

Dorschner would like to see connectivity to the east. Feels that if we can get connectivity to flow towards the downtown that would be the goal.

Kreimer also want to see better walkability. Would like to see trails through cul-de-sac in cases where streets do not extend through. Would like to see a park in the development and a trail along Lake Elmo Avenue.

Johnson asked the Planning Commission to clarify expectations and direction.

Williams suggested the Commission come up with street alternatives:

Street alignment alternatives

- 1) As presented
- 2) Trail from middle cul-de-sac the North/South street to the east
- 3) Connected road through to the east (extending cul-de-sac to neighboring property)

Yocum suggested looking at Interlochen parkway in Woodbury as an example.

Dorschner state that he would rather see trail connection if Lake Elmo access needs to move further to the north, otherwise it may generate too much through traffic.

Dodson not as concerned with curvilinear pattern.

There was a general consensus to make road connectivity a priority, and to otherwise provide trail connections where direct road access would not be possible.

Business Item: *Outdoor Wedding Venue Ordinance*

Klatt started his presentation by reviewing the draft ordinance of the Outdoor Wedding Venue Ordinance that was discussed at the last meeting. Klatt presented the specific standards in order to allow the accessory use of weddings to proceed. The specific performance standards include food, alcohol, noise, lighting, and other standards that are intended to mitigate potential nuisance. Klatt noted that the use would be processed under the interim use permit process. Related to potential nuisance, Klatt noted that amplification of noise would only be allowed during the wedding ceremony, not during the reception.

Dodson asked if other types of events would be allowed, such as anniversaries, graduation parties, bar mitzvahs, etc. He asked why the events have to be restricted to religious events. Dodson noted that it may be a slippery slope allowing only certain types of events, but not others. The Planning Commission noted that not all weddings are religious events. Dodson noted that to allow some type of use on agricultural sites, he would like to expand the types of uses that occur.

Larson asked about the timeframe of when the events would be allowed. Klatt noted it is May through October. Larson also asked if it would be appropriate to require notification of adjacent properties. Klatt noted that notice is sent out to all properties

within 350 feet for a public hearing at the Planning Commission. In addition, the interim use permit allows for the City to review the permit when it expires.

Williams noted that he is in agreement with Dodson in that there may be other events that should be allowed in addition to weddings. Haggard noted her concern about the level of noise with other events. She added that enforcement of the City's noise ordinance is difficult.

Kreimer noted that he supports limiting the activity to weddings, as well as limiting the number of activities per week. Kreimer noted that he would be interested in the thoughts of the City Council so that the Planning Commission does not invest too much time before learning their perspective.

Klatt noted that the frequency restriction of limiting the number of events per week could be added back into the ordinance. Dorschner suggested limiting the number events per year, such as 10 events. Williams suggested restricting the number of hours per day as well to minimize the impact.

Williams asked the Commission if everyone is in agreement that there should be some allowance for these special events. Everyone agreed that there should be some allowance. Williams noted that some more thought into mitigating potential nuisance, particularly hours and frequency of operation, noise and the provision of alcohol.

Williams asked about State Statutes with regard to serving alcohol from grapes grown on-site. Klatt noted that Staff is doing additional research. Dodson noted his confusion between the various types of wines. Klatt noted that if alcohol is sold, a liquor license is required. There was a general discussion about alcohol. Staff will research this issue more.

Williams noted that the Planning Commission would like some feedback from the City Council.

Haggard asked about a number of provisions, including portable toilets, lighting, and signage. Williams suggested providing links to the other ordinances.

Kreimer suggested being more specific with regards to having portable toilets. Klatt stated that the specifics would be spelled out as part of the IUP.

Haggard asked how hard it is to revoke an interim use permit. Klatt noted that if the conditions of the interim use are violated, it can be revoked. Klatt explained that it depends on how the IUP agreement is written up, but it is not as difficult to revoke as a CUP.

Haggard also asked about the number of cars allowed to park on the site. Klatt noted the interim use permit review process can address many of these concerns. Each permit will be written based on site conditions.

Dodson asked about security. Klatt stated that an applicant would need to provide contact information for any security that is required.

Klatt asked if the Planning Commission would like to see a revised draft before a public hearing is scheduled. The Planning Commission confirmed that they would like to see a draft before setting up a public hearing.

Updates and Concerns

Council Updates

1. No updates from the previous City Council meeting
2. City Council is planning a joint workshop with the Planning Commission to discuss Thrive 2040 population forecasts – April or May.
3. The 3/11/14 City Council workshop is dedicated to downtown planning. They will be talking about a market study for downtown, business improvements, EDA and discussion of TIF and the County reconstruction of Lake Elmo Avenue.
4. The first open house for the Lake Elmo reconstruction project will take place 3/13/14 at Christ Lutheran Church from 4-7pm. This will be a good information gathering process for the City, VBWD, and Washington County.

Staff Updates

1. Upcoming Meetings
 - a. March 24, 2014
 - b. April 14, 2014

Commission Concerns -

Williams suggested that the Planning Commission take another look and discuss the sketch plan for Easton Village after the Park Commission review. Klatt stated that it could be brought back at a future meeting, but to keep in mind that they could come in with the preliminary plat at any time. Kreimer thinks if it is more than a few tweaks it should come back. Larson stated that some of the changes were based on Planning Commission recommendations and the larger changes were based on the Park Commissions recommendation that there not be a park in the northwest corner.

Dorschner is wondering if there has been any thought put into the need for schools with all of the upcoming development. Johnson stated that staff made a presentation to ISD 834 and they have the City's projection for growth. They could possibly put a school down along the I94 corridor and that would accommodate new growth down there along with the kids that currently go to Lake Elmo Elementary from Woodbury. Dorschner would like to see the schools integrated more into the neighborhood areas so that they would feel more like neighborhood schools and the kids could walk to them vs. in the more commercial areas.

Yocum was wondering if they could get a map that shows all the developments and what currently surrounds them.

Meeting adjourned at 10:20 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant