



3800 Laverne Avenue North
Lake Elmo, MN 55042

(651) 747-3900
www.lakeelmo.org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, March 28, 2016 at 7:00 p.m.
AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. March 14, 2016
4. Public Hearings
 - a. GRADING PERMIT IN EXCESS OF 400 CUBIC YARDS OF MATERIAL - Withdrawn.
 - b. HOME OCCUPATION ORDINANCE: The Planning Commission is being asked to review the Home Occupation Ordinance based on recommendations from the last meeting.
5. Business Items
6. Updates
 - a. City Council Updates – March 15, 2016 Meeting
 - i. Savona 4th Addition Final Plat – Passed.
 - b. Staff Updates
 - i. Upcoming Meetings:
 - April 11, 2016
 - April 25, 2016
 - c. Commission Concerns
7. Adjourn



**City of Lake Elmo
Planning Commission Meeting
Minutes of March 14, 2016**

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

COMMISSIONERS PRESENT: Kreimer, Dunn, Larson, Dodson, Lundquist and Williams.

COMMISSIONERS ABSENT: Fields, Griffin & Haggard

STAFF PRESENT: Planning Director Wensman & Interim Administrator Schroeder

Approve Agenda:

Dunn would like to see a discussion about rebalancing the density in the Village Area. Dunn will discuss with the Planning Director. Schroeder stated there is a workshop scheduled for the City Council to provide direction.

The agenda was accepted as presented.

Approve Minutes: November 23, 2015

M/S/P: Dodson/Williams move to approve the November 23, 2015 minutes, **Vote: 4-0, motion carried.**

Approve Minutes: February 8, 2016

M/S/P: Kreimer/Williams, move to approve the February 8, 2016 as amended, **Vote: 6-0, motion carried unanimously.**

Approve Minutes: February 22, 2016

M/S/P: Williams/Dunn, move to approve the February 22, 2016 minutes as amended, **Vote: 6-0, motion carried unanimously.**

Business Item – Inwood 3rd Addition – Final Plat and Final PUD approval.

Wensman started his presentation by giving the history of the development. Wensman showed the Commission the phasing of the development. Phase 3 has an Island trail connection to 10th Street and has 3 less lots than preliminary plat, making slightly larger lots. Staff is recommending that the trail extend to 10th Street with phase 3.

Unmet Preliminary Plat Conditions are 1) Landscape and Irrigation Plans for 1st addition and 5th Street are not approved 2) There is no maintenance agreement clarifying maintenance responsibilities 3) a required future trail along 10th Street will be addressed with future phases of development.

Wensman went through the findings for approval and 9 recommended conditions of approval which include meeting the engineers comments, HOA agreements and Maintenance agreements.

Williams asked why some conditions needed to be met before the plat was recorded and some were before building permits were issued. Wensman explained that the critical issues were required before the plat was recored to ensure they were completed. The other less significant ones are required before building permits so that it won't hold up the plat.

Dodson is wondering how the retaining walls will be addressed if the HOA agreements have already been filed. Wensman believes that it was included in phase I and if not he would circle back with the City Attorney. Rask stated that they were addressed in the original and this is just a carry over.

Kreimer asked about the 4 foot setback issue and how it is being addressed in this development. Wensman stated there are different techniques used to meet the fire code. Kreimer asked about the center islands and if they were rain gardens. Wensman stated they are not rain gardens, but infiltration basins.

There was discussion about the trail and when the other part of the trail would be constructed. The trail south of block 1 and 4 are being built as part of the phase II development.

John Rask, Inwood Development, talked about the landscaping plans and how they have changed with the City's 5th Street plan. Rask explained what they are doing with the infiltration basins and that the HOA is required to pay for the maintenance.

Williams would like to delete the word landscaping In the second to the last draft finding. Williams would also like to add the words "before any building permits are issued" to condition number 8.

Williams is wondering if the watershed district should approve where the trail is. Rask stated that the Watershed District gave approval for the entire site.

Kreimer would like to add a condition that the East/West trail be built during this phase. Williams is wondering if the condition should be that the trail be constructed in this phase before any building permits are issued. The Commission would like condition 10

to be that all trails within and adjacent to this phase, shall be completed before any building permits are issued.

M/S/P: Williams/Dodson, move to approve Inwood 3rd addition based on the amended findings of fact and the amended conditions of approval, ***Vote: 5-0, motion carried unanimously. (Larson left meeting early)***

Business Item – Home Occupation Discussion

Wensman gave the Commission background and stated that the City Council asked to have the Planning Commission look at this ordinance. In the past, the Planning Commission and City Council did a lot of work on this ordinance, but nothing was adopted. Wensman stated that he has noticed a public hearing to clarify a conflict in the code based on an application that had come forward related to hairdressing/beauty shops.

Williams would like the definition in zoning code 154.012 B.12 E and Chapter 11 to match. Also in the 3rd line add the word “no” so that it reads “that no stock in trade is stored on the premises”. Also in the 4th line “and that entrance to the home occupation is or can be gained from within the structure”. After hair salons, it should say serving no more than 2 customers at a time. Add the word “maximum” in regards to teaching limited to a maximum of 3 students at any time. Dodson stated that there may be some OSHA definitions that might be helpful. Dodson stated that the goal is to regulate what is seen from the outside of the home. Williams stated that the storage should maybe be limited to a certain number of square feet. The Commission is concerned about not allowing any stock in trade on the premises.

Council Updates – March 2, 2016 Meeting

1. Refer Home Occupation to the Planning Commission
2. Palmquist Commercial Wedding Ceremony IUP – Postponed to the 4/5/16 City Council Meeting.
3. Legends Concept Plan – Passed with road connecting.

Staff Updates

1. Upcoming Meetings
 - a. March 28, 2016
 - b. April 11, 2016
2. The new City Planner is Emily Becker.

Commission Concerns

Lundquist would like to see a spreadsheet of current data on the current developments. Some of the things she would like to see is the base address, name of development, number of homes, number of townhouses, price ranges, how many are completed with CO's and the number that have been sold. She believes this is information that the Met Council will want.

Schroeder talked about the Met Council requirements coming up in regards to population, housing units and employees.

There was a discussion regarding what should be included in the spreadsheet. Some Commissioners felt that the price range was not necessary.

Lundquist has heard that the City can require developers to put in upgrades such as the Landucci development could have been required to put in the stop light at 50th Street and Highway 5. She didn't see anything in the code, but it could be something like "if any roads need to be improved due to increased traffic of a new development that we review, we make it a condition of approval for that development that the improvement be made by the developer to the City, State or County standards."

Wensman stated that in the case of the Landucci property, the 50th intersection has the capacity to handle the increased traffic and therefore the developer could not be required to install the improvement. Kreimer stated that with the Inwood development, we did require them to make improvements.

Kreimer asked about Tartan Park and Hammes Estates. Schroeder stated that there would be an announcement on Tartan Park tomorrow night. There is no update on Hammes Estates.

Williams stated that for the Hecker project, it would be a benefit if all traffic exiting the property would turn right leaving the venue. Wensman stated that he will talk to them about it as it was not a condition of approval.

Dunn is wondering about the parking lot for the library. Schroeder stated that the library board wanted different things than what was offered last summer and it is in the library boards hands right now.

Dunn asked about the Manning project. Schroeder went through the phases that will take place on this long term project.

M/S/P: Williams/Lundquist, move that the Planning Commission recommends to the City Council that work begins on looking at form based code for the Village Mixed use zone, ***Vote: 5-0, motion carried unanimously.***

Meeting adjourned at 8:10 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant

DRAFT



PLANNING COMMISSION
DATE: 03/28/2016
AGENDA ITEM: __ – PUBLIC HEARING
CASE #2015-43

ITEM: Home Occupation Ordinance Amendment

REQUESTED BY: Planning Department

SUBMITTED BY: Emily Becker, Planner

REVIEWED BY: Stephen Wensman, Planning Director

SUMMARY:

The Planning Commission last reviewed a revised draft of the Home Occupation definition and provided Staff feedback at its meeting on March 14, 2016. Feedback included adding a “stock in trade” definition, limiting the number of hair salon customers to no more than 2 at a time, and allowing some stock in trade and retail sales ancillary to the business. Staff has revised the draft according to feedback with concern of allowing retail sales, as this may increase the number of deliveries and customer visits to the site, both of which are not regulated in the definition.

RECOMMENDATION:

Staff is recommending the Planning Commission recommend approval of the amendment to the Home Occupation ordinance with the following recommended motion:

- 1) *Move to approve a an ordinance amendment to the home occupation ordinance adding a “stock in trade” definition, limiting the number of hair salon customers to no more than 2 at a time, and allowing some stock in trade and retail sales ancillary to the business.*

ATTACHMENTS:

1. Draft Ordinance No. 08-__

ORDER OF BUSINESS:

- Introduction.....Planning Staff
- Report by Staff.....Planning Staff
- Questions from the Commission..... Chair & Commission Members
- Open the Public HearingChair
- Close the Public HearingChair
- Discussion by the Commission..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-__

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES PERTAINING
TO HOME OCCUPATIONS

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title I: General Provisions; Chapter 11: General Code Provisions, by amending section 11.01 Definitions to amend existing definition **and amends Chapter 154: Zoning Code; Section 12, Subsection B.12.e to amend existing definition** as follows:

HOME OCCUPATION. Any gainful occupation or profession engaged in by the occupant, only, of a dwelling when carried on within a dwelling unit or in an accessory building, provided that no signs other than those normally utilized in a residential district are present, that no stock in trade over 100 square feet is stored on the premises, that no over-the-counter retail sales are involved unless ancillary to the permitted business, and that entrance to the home occupation is or can be gained from within the structure. Uses include professional office, hairdressing hair salons serving no more than 2 customers at a time, or teaching limited to no more than 3 students at any time, and similar uses. A **HOME OCCUPATION** shall not be interpreted to include barber shops, beauty shops, tourist homes, restaurants, disorderly house as defined by M.S. § 609.33, Subd. 1, as it may be amended from time to time, or similar uses. No **HOME OCCUPATION** shall be permitted that creates the need for more than 3 parking spaces at any given time in addition to the parking spaces required by the occupants. **HOME OCCUPATIONS** shall not be carried on except between the hours of 7:00 a.m. and 10:00 p.m.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title I: General Provisions; Chapter 11: General Code Provisions, by amending section 11.01 Definitions to add the following definition:

STOCK IN TRADE. Any equipment, merchandise, or materials necessary to or used in a trade or business.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-__ was published on the ____ day of _____, 2016.



 Under Contract

Development Status Sheet

Updated 3/22/16

Southern Developments

SAVONA - 310 Total

<u>Developer</u>	<u>Builder</u>	<u>Total # Of Homes</u>	<u>Total # of SF Homes</u>	<u>Total # of Townhomes</u>	<u>Building Permits Issued</u>	<u>CO's Issued</u>	<u>Zoning</u>
Savona 1st	Lennar	44	44	0	40	37	LDR
Savona 2nd	Lennar	66	45	21	34	7	LDR/MDR
Savona 3rd	Lennar	120	21	99	18	0	LDR/MDR
		274	154	120	132	81	

BOULDER PONDS - 162 Total

Boulder Ponds 1st	OP 4 Boulder Ponds	Creative Homes	47	47	0	9	2	PUD/LDR
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HUNTER'S CROSSING - 51 Total

Hunter's Crossing 1st	Ryland/Cal Atlantic	Cal Atlantic	22	22	0	17	9	LDR
Hunter's Crossing 2nd	Ryland/Cal Atlantic	Cal Atlantic	29	29	0	12	1	LDR
			51	51	0	29	10	

INWOOD - 537 Total

Inwood 1st	Hans Hagen/MI Homes	MI Homes	40	40	0	32	13	PUD/MDR
Inwood 2nd	Hans Hagen/MI Homes	MI Homes	21	21	0	14	0	PUD/MDR
			61	61	0	46	13	

HAMMES ESTATES - 163 Total 24 month extension to Final Plat Deadline to 10/7/16.

DIEDRICH/REIDER - 48 Total 12 month extension to Final Plat Deadline to 12/1/16.

Northern Developments

EASTON VILLAGE - 217 Total

Easton Village 1st	Chase Development	Multiple	71	71	0	7	0	LDR
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VILLAGE PRESERVE - 91 Total

Village Preserve 1st	Gonyea Homes	Multiple	46	46	0	4	0	LDR
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WILDFLOWER - 145 Total

Wildflower @ Lake Elmo 1st	Engstrom Companies	Multiple	60	60	0	6	0	PUD/MDR
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VILLAGE PARK PRESERVE - 100 Total 6 month extension expired 9/15/15.

952	712	240	400	173
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Year to Date SF Permits issued 2016 = 33

Year to Date TH Permits issued 2016 = 18

On hold