



**City of Lake Elmo
Planning Commission Meeting
Minutes of June 18, 2018**

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

COMMISSIONERS PRESENT: Emerson, Pearce, Dorschner, Weeks, & Hartley

COMMISSIONERS ABSENT: Kreimer, Dodson, Lundquist & Johnson

STAFF PRESENT: Planning Director Becker & City Administrator Handt

Approve Agenda:

M/S/P: Weeks/Hartley, move to approve agenda as presented, ***Vote: 5-0, motion carried unanimously.***

Commissioner Emerson joined the audience as this topic could be considered a conflict of interest.

Public Hearing – Zoning Text Amendment, Preliminary and Final Plat, Zoning Map Amendment and Conditional Use Permit

Becker started her presentation regarding the ZMA, Preliminary and Final Plat, Bus Terminal Ordinance ZTA and Conditional Use Permit application from Stillwater Area Schools. This application is to rezone a portion of the subject property to Business Park, Preliminary and Final Plat to subdivide the property located at 11530 Hudson Blvd, ZTA to allow “bus terminal” as a conditionally permitted principal use within Business Park Zoning district and a conditional use permit to operate a school district transportation center on the subject property.

The first thing that needs to be considered is the zoning map amendment. The preliminary and final plat application cannot be approved without that. The request is to change the zoning from rural development transitional to Business Park for 11 acres of the subject property.

This property is in the MUSA area and the applicant needs to provide a plan of how to bring sewer to the site. The applicant would be responsible to bring sewer and water to the site at their cost and there might be easements that would need to be obtained. The application did not address the extension of utilities.

The Zoning Text Amendment request is to allow “bus terminals” as a conditionally permitted principal use on properties zoned Business Park. If approved, the applicant would seek a conditional use permit to authorize a permanent bus terminal on the subject property. Currently local transit is not an allowed use in any of the zoning districts. In determining if this use should be added in the business park zoning, we would look to the Comprehensive Plan.

While this use would create approximately 200 jobs on the 11 acres, the jobs being created don’t really fit in the category of jobs that this land use category is intended to have. This use does not fit the category of “high quality site and building architectural design”. Additionally it would not add to increased revenues for the community as it would be tax exempt. The use does not necessarily provide a harmonious transition to residential development as most business activities are conducted outside and there is a significant amount of traffic at peak times.

While not recommended by staff, if this application was permitted to move forward, the City would want to create standards. If this use is allowed to move forward, staff is recommending that standards be implemented to limit the use to this site only.

There is an 8000 gallon fuel tank to be relocated to the existing facility. Bulk storage over 2000 gallons may be approved by Council if not detrimental to health safety and general welfare. There are some zoning requirements specific to this and MPCA requirements. The bus washing area will need expected sewer capacity for wastewater.

Becker went through the recommended findings for denial. Staff is recommending denial based on these findings. Becker did not go through the findings for approval but stated if the Planning Commission does recommend approval, there should be conditions of approval.

Hartley asked where the location of the sewer is that would need to be run to the property. Becker showed the maps that depict the locations.

Brian Zeller, Greystone Commercial, representing Terry Emerson, has been working to find a developer interested in the whole 70 acre parcel for 4 years. When they first starting looking, this parcel was not considered commercial. They have pre-paid over \$500,000 to bring water to the site. This development would also build a new frontage road to a future controlled intersection.

Kristin Hoeheisel, Stillwater School District, stated that with the growth in Lake Elmo, there will be many more students to provide for. The school district did previously occupy this site and they were a good neighbor. The School district wants to work collaboratively with the community.

Dorschner is wondering why the school district is specifically interested in this site vs. expanding in some other location like Oak Park Heights. Hoeheisel stated that Stillwater School District serves approximately 150 square miles and their central location is off of I94. This property, location and building is a good fit for the school district.

Hartley clarified that it is not gasoline stored on site but diesel fuel. This is significant because gasoline is more dangerous than diesel fuel.

Public Hearing opened at 7:45 pm

No one spoke and there were no written comments.

Public Hearing closed at 7:46 pm

M/S/P: Weeks/Hartley, move to recommend approval of the request from Stillwater Area Public Schools for a Zoning Map Amendment to rezone Lot 1 Block1, Four Corners from Rural Development Transitional to Business Park, **Vote: 4-0, motion carried unanimously.**

M/S/P: Weeks/Hartley, move to recommend approval of the request from Terry Emerson for the Four Corners preliminary and final plat to subdivide the property located at 11530 Hudson Blvd N in to Lot 1, Block 1, Four Corners, along with three separate outlots with the recommended conditions from staff, **Vote: 4-0, motion carried unanimously.**

Weeks feels that even though 11 acres will become tax exempt, she feels there is a greater benefit to the City and the area. Weeks stated that this would bring municipal services to this area at no cost to the City which might encourage more businesses to come to the area. Weeks stated that trips per day in comparison, Vali Hi drive-in has 800 spots. Weeks feels that the impact of the traffic for this area seems pretty small.

Hartley stated that there may come a time where the value of the land increases and this usage no longer fits. This is a relatively low impact installation that could be torn down and used for something else in the future. Hartley's only reservation is that governmental agencies do not respond to market changes as much as private entities.

Pearce feels the benefits outweigh the negatives. Dorschner also feels there is a lot of benefit and the infrastructure will be put in place which will make things move faster. Dorschner feels that in the scheme of things, 11 acres is not a lot of land.

M/S/P: Weeks/Pearce, move to recommend approval of the request from Stillwater Area Public Schools for a Zoning Text Amendment to allow a local transit as a conditional use within the Business Park zoning district with the standards as outlined in the staff report, **Vote: 4-0, motion carried unanimously.**

Hartley wants the definition to distinguish that this use is not for pickup or drop off of passengers. Dorschner feels that the standards really limit where the use would go anyway. Becker stated that it something that would go in the standards and the public hearing notice did not specify looking at the definition. Hartley stated that either place would be appropriate as long as it is included. Weeks thinks it is already covered with the school district language.

M/S/P: Weeks/Hartley, move to recommend approval of the request from Stillwater Area Public Schools for a Conditional Use Permit to allow a school district transportation center at the property located at Lot 1, Block 1, Four Corners with the conditions as recommended by Staff, ***Vote: 4-0, motion carried unanimously.***

There was discussion of if the parking lot should be paved or gravel. Becker stated that it is a standard of the zoning code that any parking lot 5 spaces or more must be paved. The school district can ask for a variance from that standard if they wish. That request would require a separate application and public hearing.

Public Hearing – Variance Request 8990 Lake Jane Trail

Becker stated that the applicant has requested that this item be tabled.

Public Hearing opened at 8:27 pm

No one spoke and there were no written comments.

Public Hearing closed at 8:27 pm

Public Hearing – General Planned Unit Development (PUD) Concept Plan – Camping World and Gander Outdoors

Becker stated that the applicant has requested that this item be tabled.

Public Hearing opened at 8:28 pm

No one spoke and there were no written comments.

Public Hearing closed at 8:28 pm

M/S/P: Hartley/Weeks, move to table this item until a complete application has been received, ***Vote: 4-0, motion carried unanimously.***

Public Hearing – General Planned Unit Development (PUD) Concept Plan 11530 Hudson Blvd

Becker started her presentation regarding a request from Terry Emerson for a General Planned Unit Development (PUD) Concept Plan for a 15.77 acre commercial development which includes a park and ride and commercial development in the southeast corner of 11530 Hudson Blvd. The zoning would be both commercial and convenience commercial. The applicant has requested a PUD because it is proposing to have more than one building on one lot.

The applicant is asking to construct a park and ride facility on outlot C along with a commercial development to the North on outlot B. While a park and ride is not a commercial use, with this use, there is potential to attract more businesses. The park and ride proposes 550 parking spots, including 12 handicap parking spaces, electric charging stations, bike racks, overhead canopy and a restroom building. This property is in the MUSA and therefore municipal services would be required.

Generally this application seems to be consistent with the commercial and convenience commercial zoning districts. There is not enough information provided to determine a complete analysis if the requirements have been met. One thing that is obvious is that the park and ride parcel would be over on impervious surface of 60% maximum. There is a 20% open space requirement, but the applicant can come back and demonstrate what amenities are being provided in exchange for the flexibility of the plan.

This development will change the alignment of Hudson Blvd which is desirable by the City. An easement will need to be obtained from the North property owner as the realignment at Manning extends past the property line. There are 3 access points, with one being shared which will need to change to a right-in/right-out and center median as well as turn lanes. Water is available at Hunter's Crossing, but easements will need to be obtained across adjacent properties.

Pearce is wondering why no trail or pedestrian access is required. Becker stated that the engineer has required one to the North. Pearce is wondering if the stoplight would be part of this development. Becker stated that this development might trigger the traffic light. Handt stated that if it was determined that this development triggered a signal light, the developer would pay for it. Hartley is wondering if because this is a PUD, a lot of this is negotiated as part of the developer agreement. Becker stated that it is negotiated up front as conditions of approval. Dorschner is wondering if infrastructure including the road realignment could be considered an amenity. Becker stated that those things are a requirement of any development, so that is not unique. Hartley would argue that the road realignment would be an amenity. Handt stated that it is standard practice to require developers to put the road where they need to be.

Brian Zeller, Greystone Commercial, representing Terry Emerson, stated that it is fully anticipated by the property owner that the stoplight will be needed, but it is at least 2 years out. Zeller would argue that anyone that benefits, should share the cost.

M/S/P: Hartley/Weeks, move to recommend approval of the Four Corners 2nd addition PUD Concept Plan as requested by Terry Emerson for the southwest corner of 11530 Hudson Boulevard with recommended conditions of approval, ***Vote: 4-0, motion carried unanimously.***

There was some discussion of the cost share of the traffic light and how that would work. It would be the expectation of the city that those be paid for by the developer.

Public Hearing – Zoning Text Amendment – remove self-storage facilities

This item is proposing the removal of self-storage facilities as an allowed use within the Commercial and Business Park zoning districts.

Public Hearing opened at 9:05 pm

No one spoke and there were no written comments.

Public Hearing closed at 9:05 pm

M/S/P: Weeks/Hartley, move to recommend removal of self-storage facilities as an allowed use within the Commercial and Business Park zoning Districts, ***Vote: 4-0, motion carried unanimously.***

M/S/P: Weeks/Dorschner, move to reconsider the approval for the PUD Concept Plan as requested by Terry Emerson so that the public hearing can be held, ***Vote: 4-0, motion carried unanimously.***

Public Hearing opened at 9:09 pm

No one spoke and there were no written comments.

Public Hearing closed at 9:09 pm

M/S/P: Weeks/Hartley, move to recommend approval of the Four Corners 2nd addition PUD Concept Plan as requested by Terry Emerson for the southwest corner of 11530 Hudson Boulevard with recommended conditions of approval, ***Vote: 4-0, motion carried unanimously.***

City Council Updates – None

Staff Updates

1. Upcoming Meetings

- a. July 9, 2018
- b. July 23, 2018

Meeting adjourned at 9:10 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant