



**City of Lake Elmo
Planning Commission Meeting
Minutes of November 26, 2018**

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

COMMISSIONERS PRESENT: Dodson, Dorschner, Weeks, Hartley, Kreimer, Lundquist, Pearce

COMMISSIONERS ABSENT: Johnson

STAFF PRESENT: City Planner Prchal, Consulting Planner Haskamp and Planning Director Roberts

Approve Agenda:

M/S/P: Lundquist/Hartley, move to approve the agenda as presented, ***Vote: 7-0, motion carried unanimously.***

Approve Minutes: October 22, 2018

M/S/P: Dorschner/Lundquist, move to approve the October 22, 2018 Minutes as presented, ***Vote: 7-0, motion carried unanimously.***

Public Hearing – Final Plat, PUD Plans and Easement Vacation – Royal Golf 3rd Addition

Haskamp started her presentation regarding Final Plat, PUD Plans and Easement Vacation for Royal Golf 3rd Addition. This addition is for 67 residential lots which includes 33 single family villa style townhomes and 34 traditional single family detached homes. The Final Plat and PUD plans is generally consistent with Preliminary Plat. The only change is the modification of Kings Lane which was shown as a loop road at Preliminary Plat and is now proposed as two cul-de-sacs in the Final Plat. As a result, forty original villa lots fronting Kings Lane have been reduced to 33 villa lots. General circulation is maintained in the broader development along Palmer Drive. The proposed cul-de-sacs do meet the city standards.

The proposed density for this addition is approximately 1.48 Units per acre. Losing 7 lots will not cause a departure from what was approved in preliminary plat because there was a gain of 7 Villa lots in phase II and it balanced out. Haskamp went through

the conditions of approval which includes paving the unfinished trail in phase 2, paying fee in lieu of landscaping and \$1 million donation to parks fund.

Hartley asked if there is language that emphasizes that the trails in this development are public trails. Haskamp stated that there is sidewalk in the right of way that would be public. The 30 foot trail corridor that was specifically identified as public, is not in this phase.

Dodson is wondering if there is Villa lots in the next phases and how likely it is that the number of lots will change. Haskamp stated that the next phases include a mix of housing types. Haskamp stated that it is hard to know what the likelihood of a change would be. Dodson stated that he feels the loss of 7 lots and the change of the street design would be a significant change. Haskamp stated that her first reaction was that it was a significant change but after reviewing Phase I and Phase 2, the lot count is the same as the Preliminary Plat.

Roberts stated that in his experience, it is common to have changes from Preliminary Plat to Final Plat because of many factors. Some of those might be market changes, engineering, etc.

Jim Felton, Royal Development, stated that there are 2 cul-de-sac's because each one has a different builder with a different style and price point. The density decreased because they went from single family homes to Villas as this area is closest to the Homestead development. Instead of being 2 story single family homes, they will be one story villas.

Public Hearing opened at 7:32 pm

Planner Prchal received some general questions before the meeting, but nothing for or against the plan.

Public Hearing closed at 7:33 pm

Hartley is wondering what the mechanism is to ensure that the development meets the density of Preliminary Plat. Roberts stated that it is continuity of staff. Haskamp stated that the Preliminary Plat is an entitlement and the developer is only allowed to do what was approved with Preliminary Plat and what was approved for each phase. Kreimer stated that he is not concerned with the developer wanting less density. It appears that the Villa lots are what is in demand and he could see them wanting to put more of them in and going higher.

M/S/P: Lundquist/Pearce, move to recommend approval of the Royal Golf Club at Lake Elmo 3rd Addition Final Plat and PUD Plans based on the findings of fact and conditions outlined in the Staff Report, **Vote: 7 0, motion carried unanimously.**

Weeks stated that if there is any question about what the Million dollar donation is, there was a motion and discussion at the December 19, 2017 City Council meeting.

M/S/P: Dorschner/Lundquist, move to recommend approval of the easement vacation request to vacate existing drainage and utility easements over Outlot T, subject to conditions of approval, **Vote: 7 0, motion carried unanimously.**

Business Item – Final Plat – Wyndham Village

Haskamp started her presentation regarding the Final Plat for Wyndham Village. The proposed subdivision creates 10 single family residential lots that will be accessed from a single cul-de-sac. There is an existing home on the subject site that will be moved and relocated to lot 7 as described and approved during the Preliminary Plat process.

Final Plat is consistent with Preliminary Plat. There is one difference between the Preliminary Plat and Final Plat which is that Lot #1 was required to be widened which it has been. Haskamp went through the recommended conditions of approval and changes that need to be made such as the Northern Natural Gas Easement reflected on Final Plat, determination of Park Dedication, Landscape revisions, etc.

Hartley asked if the legal issues have been worked out regarding the shared drainage pond with the developer to the East. Haskamp stated that is a condition that needs to be met before recording of Final Plat. Haskamp stated that the applicant is also still working with the watershed district.

Kreimer asked if the Planning Commission needed to be concerned at this point about how the home will be located on Lot 7. Haskamp stated that the permitting process and zoning review will take care of the placement of the house in terms of setbacks, impervious and those types of things. However, the landscape easement will need to be in place before the final plat is recorded.

Roberts stated that he is confident that between staff and the applicant they can get the plan for Lot 7 to work. The latest plan is really about the only place that the house can go to meet all of the zoning requirements because of the pipeline and the garage on the West end.

Dorschner is wondering if having the pipeline this close to structures is typical. Haskamp stated that in cases like this, the easement area is typically overestimated to ensure that there is enough space in case someone does encroach. In this case, there is an additional condition that all structures stay 20 feet away from the pipeline easement as an additional buffer.

Joe Bush, developer, stated that for the lots that have the pipeline in the backyard, a drawing showing how the home and potential structures could be placed to meet the setbacks. Bush stated that the lots in this development with the pipeline have more depth than the lots in Northport that have the same pipeline in the backyard. Bush stated that additional work has been done to address the City Engineers concerns and those plans have been sent to the City Engineer for review.

Dorschner is wondering if this development helps in the City's density counts. Haskamp stated that it does not as this development was accounted for at 10 units.

M/S/P: Hartley/Dodson, move to recommend approval of the Wyndham Village Final Plat with the findings and conditions in the staff report, ***Vote: 7 0, motion carried unanimously.***

Business Item – Proposed amendments to Chapter 32 as it related to the Planning Commission

Prchal started his presentation regarding revision of Planning Commission ordinance Chapter 32. The Parks Commission was recently reviewed, so it seemed logical to do the same for the Planning Commission at this time. The first item to discuss would be the number of members on the Planning Commission. Staff is suggesting having 7 full voting members and no alternates. Dodson stated that his concern would be not being able to meet the quorum. Staff is recommending removing the language regarding a secretary as those duties are performed by staff.

Roberts stated that in the previous cities he has worked for, the Planning Commission only reviewed Final Plat if there was a substantial change. Roberts is thinking about making that change to the subdivision ordinance. If a Final Plat meets all of the conditions of Preliminary Plat, there really isn't anything to discuss. Roberts stated that it is for staff and the City Council to determine that all of the conditions have been met.

Prchal went through a number of items that can be eliminated and possibly written into bylaws. There were a number of items that were consolidated and grouped in a different way.

Hartley is concerned about taking out the posting of the agenda and packet. Hartley feels that posting the agenda and packet is good for transparency and it gives the public information. Hartley does not feel this is an onerous task for the staff to continue to do. Prchal stated that just because it isn't listed here, doesn't mean that it will not continue to be done. Hartley stated that if it is left in, it is a good check point to make sure it gets done.

Roberts stated that if the Commission feels it is important to keep in, that can be done, or it could be added to the bylaws. Pearce feels it is important to have it somewhere for transparency.

The Planning Commission feels that reducing to 7 full voting members would be fine and might simplify for voting purposes. Kreimer's only concern would be about not having quorum. Kreimer feels that if they reduce the number to 7, they might need to tighten the language for removal so that a spot isn't taken by someone that doesn't show up.

The Planning Commission liked the Hugo ordinance in regards to removal and would like some of that incorporated. Hartley is not in favor of removing the term limits. Weeks is in favor of removing the term limits because sometimes it is hard to get people to apply and especially with the Parks Commission you get people with a lot of history. Hartley stated that sometimes it is good to get new blood.

Weeks and Dorschner feel that removing the term limits would help if no one applies. There would not be an obstacle to someone continuing to serve on the Planning Commission. Dorschner also feels that institutional knowledge is helpful for the City, especially if there is not long term staff. Weeks stated that the City Council can suspend that clause at their discretion. Hartley feels that it is important to have a variety of voices so that the Planning Commission does not become an "Old Boys Club". The City has a variety of neighborhoods and a variety of ideas and it is important not to have the same people on the Commission for long periods of time. The majority of the Planning Commission feels that the term limits should be removed, with Weeks and Hartley dissenting.

M/S/P: Dodson/Hartley, move to recommend approval of the amendments to Chapter 32 as it pertains to the Planning Commission that were presented in the staff report and discussed at the meeting, ***Vote: 7 0, motion carried unanimously.***

City Council Updates – November 7, 2018

1. 7962 Hill Trail Variance – Both passed
2. 9843 & 9829 Whistling Valley Road Easement Vacation – passed
3. Cedar Pet Clinic CUP Amendment – Withdrawn
4. Bentley Village Sketch Plan Review

City Council Updates – November 20, 2018

1. None

Staff Updates

1. Upcoming Meetings
 - a. December 10, 2018

Meeting adjourned at 9:18 pm

Respectfully submitted,

Joan Ziertman
Building Permit Technician