



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of October 16, 2019**

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

**COMMISSIONERS PRESENT:** Hartley, Risner, Steil and Weeks

**COMMISSIONERS ABSENT:** Cadenhead and Holtz

**STAFF PRESENT:** Planning Director Roberts, City Planner Ben Prchal

**Approve Agenda:**

M/S/P: Risner/Steil move to approve the agenda as presented, **Vote: 4-0, motion carried unanimously.**

**Approve Minutes:**

M/S/P: Steil/Risner move to approve the September 9, 2019 minutes, **Vote: 4-0, motion carried unanimously.**

M/S/P: Steil/Hartley move to approve the September 23, 2019 minutes, **Vote: 4-0, motion carried unanimously.**

**Public Hearings**

Lake Elmo Senior Housing – Preliminary Plat/PUD (39<sup>th</sup> Street)

Roberts presented that Frisbee Properties LLC is seeking approval of the preliminary Planned Unit Development (PUD) Plan for a 60 unit rental senior housing development to be known as Lake Elmo Senior Living. This development is proposed for a 5 acre parcel on the north side of 39<sup>th</sup> Street North, just to the east of Arbor Glen Senior Living facility.

The Planning Commission held a public hearing and reviewed the concept PUD plans for the proposal on July 8, 2019. On July 16, 2019, the City Council reviewed and approved the Concept PUD plans for this development. This approval was documented in Resolution 2019- 052 and was subject 11 conditions of approval.

The applicant now only has one driveway onto 39<sup>th</sup> St N and there are driveways provided to both sides of the larger building at the rear of the property for fire safety. Roberts explained the trees in the rear of the property will be preserved to provide screening to the residences behind this development.

Hartley asked about the percentage of ornamental trees called out in the report. Roberts explained that they exceed the number of trees and the percentage of ornamental trees to other type of trees exceeds the code requirements.

Risner asked what the height of the larger building is. Roberts explained that since this is a PUD, they have the ability to go up to 45 ft. in height and this building is 42 ft. Risner also asked about lighting and sound from the underground parking.

Matt Frisbie, the applicant, explained that the building height would be around 32 ft. if it did not have the 5/12 pitch roof to look more residential and blend in with the surrounding properties and that brings the overall height to 42 ft. Frisbie explained that lighting will be pointed downward, the fans for the parking will be located interior to the structure, not on the outside, there will be balconies, but with senior residents they do not predict any more noise than out of the residential properties behind this property. Frisbie explained that trash is currently picked up around 7:30 am at Arbor Glen and a similar time would occur for this property since they are next door. He stated there had been questions about head lights, along the back with the tree line and the building would block the light. He said they would be willing to add additional landscaping if there are any gaps in the existing trees.

Steil asked why there will be additional parking spots, the code requires 60, and there will be 75. Frisbie explained there is some additional parking for guests, occasional events, and for people that may come to play Pickleball.

Weeks opened the Public Hearing at 7:35.

Paul Arnts, 4040 Lady Slipper Drive, submitted an email that he composed with neighbors. Instead of a 45 ft. setback to the back property line, they are suggesting a 55 ft. setback to provide more separation and is the same setback as Arbor Glen is to the back property line. He is also concerned about the height of the structure. He stated that Arbor Glen is only a two story building and it appears tall, this will be a three story building.

Diane Thompson 4056 Lady Slipper Rd, lives where the gap in the trees exists and is concerned if they do not plant trees in the opening.

Weeks closed the Public Hearing at 7:40.

Hartley asked about the Valley Branch Watershed District submittal. The applicant said they have recently submitted their updated plans, believe they addressed all of the concerns, and waiting on final approval.

Planning Commission members asked and talked about amenity points including those about theming, rain gardens, landscaping, and recreational amenities on site. They assigned the points for each possible amenity item in the development to send as a recommendation to the City Council.

M/S/P: Hartley/Steil move to approve the preliminary PUD Plan as requested by Matt Frisbee (Ayers Associates) for PID# 13.029.21.22.0013 for the project to be known as Lake Elmo Senior Living located on the north side of 39<sup>th</sup> Street North, east of Arbor Glen, subject to recommended conditions of approval, **Vote: 4-0, motion carried unanimously.**

#### Zoning Ordinance Text Amendment – Accessory Buildings

Prchal presented that City Council directed staff to look into height limitations for accessory buildings in the rural zoning districts. This direction came after a variance request for an accessory structure that was visually similar to the principle structure but was proposed to be over the 22 ft. height limitation that was presented to the Planning Commission and to Council. The City Council thought that existing height limitation requirement may be unnecessarily restrictive for property owners in rural areas.

Planning Commission had discussion about chimneys, cupolas, and similar decorations regarding height and character. Weeks stated she did not want to be restrictive, especially in older areas of the city, but did want to consider adding a condition that new structures cannot impede the view of a lake.

Prchal suggested that if the language around the lakes areas should change it should probably be in the shoreland districts portion of the code, rather than the accessory structure portion.

Risner asked about the new building height measuring definition and measuring to the bottom of the roof truss verses the end of the roof line. It was confirmed to be measured to the bottom of the roof truss. Hartley asked if selecting top of wall plate would be a better measuring choice.

Weeks opened and closed the public hearing since there was no one present for this item.

The Planning Commission agreed the changes should read:

154.406 Accessory Structures, Rural Districts

C. Structure Height, Rural Districts. No accessory building shall exceed the height of the principal structure, with the exception of agricultural buildings, as defined in §154.213. Building projections or features on accessory structures that are not agricultural buildings, as defined in §154.213, such as chimneys, cupolas, and similar decorations are permitted in rural districts.

M/S/P: Hartley/Risner move to approve the suggested amendments to the City Code as it pertains to building height, **Vote: 4-0, motion carried unanimously.**

### **City Council Updates**

1. City Council October 1, 2019 meeting update. Council approved the Union Park Final Plat. They approved the Springs of Lake Elmo Final PUD and Final Plat. Council also approved the Applewood Senior Housing Concept Plan.
2. At the October 15, 2019 meeting City Council approved the Inwood 6<sup>th</sup> Addition minor subdivision and Kwik Trip Fuel Station CUP. Kwik Trip did a traffic study, their engineer determined that once Kwik Trip is open, there will be a need for a traffic signal at Inwood Avenue and 5<sup>th</sup> Street North. The developers of the Inwood PUD contributed a portion of the cost of the traffic signal for Inwood Avenue and 5<sup>th</sup> Street to the City and at the meeting Kwik Trip agreed to pay half of the cities remaining portion of the cost of the new traffic signal.

### **Staff Updates**

1. 2040 Comprehensive Plan Update, it received Met Council Community Development Committee approval and will be before the full Met Council on October 23<sup>rd</sup>. Then staff needs to bring the approved plan back to City Council for final approval.
2. Upcoming meeting
  - a. October 28, 2019 will include the Subdivision Ordinance
  - b. November 13, 2019 a Wednesday, will be the following meeting due to Veteran's Day.

Meeting adjourned at 9:00 pm

Respectfully submitted,

Tanya Nuss  
Permit Technician