



City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

www.LakeElmo.Org

Fax: 777-9615

Lake Elmo Planning Commission
MEETING NOTICE
Monday, February 14, 2005, 7:00 p.m.

In Council Chambers
Lake Elmo City Hall
3800 Laverne Avenue N.
Lake Elmo, MN 55042

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AGENDA

1. Pledge of Allegiance
2. Agenda
3. Minutes: January 24, 2005 (Will be handed out.)
4. **Minor Subdivision and Section 520 Site Plan**; Mike Lynsky
(Brookman/Raleigh –Land Owners); North Side of 39th Street North, West of
State Highway 5
5. Comprehensive Plan Modifications
6. City Council Update
7. Adjourn

**City of Lake Elmo
Planning Commission
February 14, 2005**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Deziel, Ptacek, Armstrong, Sessing, Sedro, Schneider, and Roth. STAFF PRESENT: Planner Dillerud, Recording Secretary Schaffel, and Administrator Rafferty.

Agenda

M/S/P Sedro/Armstrong, To accept the agenda as presented. VOTE: 8:0.

Minutes

M/S/P Ptacek/Sedro, To accept the minutes of January 24, 2005 as presented. VOTE: 8:0.

Minor Subdivision and Section 520 Site Plan – Lynskey

The Planner introduced the application by Mike Lynskey and Lake Elmo Business Park Co. to subdivide a parcel within BROOKMAN 3RD ADDITION. The applicant proposes to take a portion of Lot 1, Block 3 and a portion of Lot 2, Block 3 to create a new parcel, and then to construct a 10,000 square feet office building. The applicant wishes to share a driveway with the remaining portion of Lot 2. This will result in fewer curb cuts on the city street.

The Planner said an unusual feature of this application is the absence of a wastewater treatment plan. The applicant is considering a holding tank until sewer arrives in the Old Village. An office facility is a relatively light user of water. The parking lot lighting plan appears to be noncompliant with the code. If the poles are reduced in height, that could correct the problem. The building surface materials appear not to meet architectural standards of the code.

The City Engineer's report arrived on Friday and was distributed to the commissioners.

Tim Freeman, Folz, Freeman, Erickson

Mr. Freeman explained that the vacation of the drainage and utility easements on the former lot lines would be traded for easements on the outside lines of the newly created lot. There are only two bathrooms in the building. The applicant desires to use a holding tank and pump it until sewer becomes available. The cost to pump is expected to be less than the cost of a drainfield that would soon be abandoned. He said that Brookman Pond drainage calculations were based on general business development in the Old Village. The concern of the watershed district should be alleviated now. The driveway is located for sight distances and safety.

The Planner said he did not address stormwater in his report. If impervious surfacing is kept at or below standards, it should not present a stormwater concern.

Commissioner Deziel said there is no policy on mandatory sewer. The Planner agreed.

Mike Diem, Archnet

Mr. Diem explained that while the building will be faced with brick, those walls will not be load bearing. However, the bricks are a full four-inches thick. Stone accents will be for planters. Siding will be horizontal cedar lap. They would like to use asphalt timberline-style shingles on the roof. They would be interested in pursuing a variance if necessary, if there are any changes recommended to the appearance of the building.

Chairman Helwig asked the applicant whether they wanted to continue. Mr. Freeman said they did want to continue.

Commissioner Armstrong said he is concerned about the use of a holding tank. It is not good environmental or procedural policy based on assumptions for sewer to approve a substandard wastewater system. He said it is a great office building but there are procedural and code issues.

Commissioner Sedro said if the commission wants to allow the GB Code to allow asphalt shingles, she would not object. As long as they are not permitted she will not vote to approve them.

Commissioner Ptacek said he is torn on the holding tank issue; it is not good policy. As for the shingles, the commission set the standard high for the look and feel they wanted. He said he could bend but not until the commission is directed by Council to review it.

M/S/P Armstrong/Sedro To recommend denial of the minor subdivision and Section 520 Site Plan based upon procedural and code compliance issues. VOTE: 6:2. Roth-Could move forward subject to requirements to not allow a holding tank and asphalt shingles only with a variance. Deziel-Thinks it could be worked out.

Comp Plan Modifications

The Planner said we have approximately six weeks to meet number eight of the Memorandum of Understanding (MOU). Therefore, a meeting schedule has to be established. The Commission must have a public hearing for the Planning Policy and Land Use Plan with City Council approval by April 15, 2005, and distribution to our neighboring cities. That will be the heart of the Comprehensive Plan modifications. After Council approval, then the map work can begin. He said the Land Use Plan will deal principally with the area of the city south of 10th Street. Nothing will be left to chance. That will not be completed by April 15.

A discussion regarding calendar meetings ensued. The Planner will prepare alternative draft options of Policy and Land Use for the Commission to review. Adjustments can be made on numbers north and south of 10th Street to meet the density requirements. Timing of growth can be determined by the city. Sewered units expected in the region in the new Water Resources Policy Plan are minimums.

The Planner said there are several ways to approach the staging. We can set a geographic line on a map, and the line can keep moving as areas become sewerred. We can create sewer sub-districts and our Capital Improvement Program can be set up the same way. We can approve plats based upon numbers of building permits to be issued per year but that is a more difficult way to manage it.

The Planner said that whatever is planned south of 10th Street must be planned in consideration of what will be done north of 10th Street. Policy statement alternatives will have to deal with existing developments south of 10th to prevent negative impact to those developments. The planner said he will structure these items with options. The Policy Statement is basically intact, and little will have to be changed.

The Administrator said one consideration that came up in a work session with the City Council is recognizing there is a limited amount of time to accomplish this task. The Council is holding a

workshop on February 15 to help formulate policy. They will turn it into a document for the Planning Commission to consider as the new policy is drafted.

The Planner said that implementation will not be dealt with until the Comprehensive Plan is submitted. Then zoning will be the issue.

The Planner said there is one component important to the Comprehensive Plan and that is fiscal impact. Existing factors such as the miles of streets, acres of parks, population, service levels of police, fire, etc., all increase the figures. Cities that did not plan for this type of fiscal impact are in the top ten of municipal tax rates because they allowed more development than they could afford. If we do not want existing Lake Elmo residents subsidize new Lake Elmo residents then we should perform a fiscal analysis to prove the policy we establish.

Commissioner Deziel asked if our analysis projects an increased cost to existing residents, how can that be mitigated.

The Planner said by reducing services and increasing revenue through tax base adjustments. Commercial/Industrial has a higher tax rate than Residential. A city gains with C/I because services rendered are fewer.

City Council Update

The Planner reported that Eagle Pointe Business Park and City and County Credit Union were tabled for Council Committee where they will discuss square footage and asphalt shingles, they will finish tomorrow night. He said the draft Trails Master Plan Open House is set for February 16, 2005. The Trails Plan will be applicable to our new Comprehensive Plan.

The Administrator said that a Planning and Parks Commission Appointment Process Ordinance has been created by recommendation of Council Committee. He said the major change is that commission appointments will follow the individual. Two three year terms are allowed, and an additional term will be considered in conjunction with the applicant pool. Three sixty day appointments are still on hold. The Council will address the appointments process after the ordinance is passed. The process for appointments will be establishing a time and date for interviews conducted by the City Council.

Chairman Helwig said we need those three commissioners as soon as possible. He urged that it be considered a top priority.

The Planner announced the resignation of Commissioner Pelletier.

Commissioner Sedro said her understanding of state statutes is that planning commissioners are not to be political appointments. She asked for the criteria. The Council used to take applicants in the order they applied.

The Administrator said the plan now is to interview all applicants. Policy has changed from time to time. With the new ordinance, level of experience will be a consideration. If we lose more than 50% of experience in a given year, the City Council can adjust the terms. There are no term limits, just a consideration after two terms, allowing more community involvement.

Mayor Johnston said the intention was no term limits. After two terms, a commissioner will just pool with the rest of the candidates. The first two terms are essentially automatic.

Commissioner Armstrong said this is not a radical departure from the past. Commissioners serve at the pleasure of the Council.

Commissioner Deziel said he would hope they will keep current commissioners at this crucial time.

Commissioner Ptacek asked if the three commissioners whose appointments are pending are to be interviewed again.

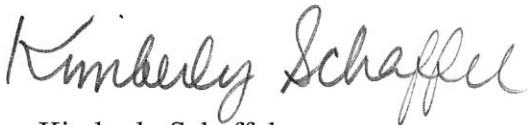
The Administrator said that one will be appointed to his three-year term, two will be put back in the pool with other applicants because they have served longer than six years.

Chairman Helwig asked the Planner what happened to the commission's request for a Public Hearing to add Home Occupations in the Rural Residential Zoning District for a public hearing to add it as a use into Rural Residential.

The Planner said he will pick it up again; it was overlooked.

Adjourn 8:42 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kimberly Schaffel".

Kimberly Schaffel
Recording Secretary