

AMENDED/APPROVED: JUN 12, 2006
City of Lake Elmo
Planning Commission Meeting
Minutes of May 22, 2006

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Fliflet, Van Zandt, Armstrong, Ptacek, Roth, Lyzenga, McGinnis, and Deziel (7:06 p.m.). STAFF PRESENT: Planner Dillerud and Recording Secretary Anez.

Welcome

The Planner introduced Laurie McGinnis, 2nd Alternate Planning Commissioner and the Planning Commission welcomed her. The Planner also thanked Commissioner Nicole Park for her service on the commission and welcomed her to participate any time.

Agenda

M/S/P, Ptacek/Armstrong to accept the Agenda as presented. Vote: 8:0.

Minutes of April 24, 2006

M/S/P, Armstrong/Van Zandt to accept the Minutes of April 24, 2006 as presented. Vote: 6:0:2
Abstain: McGinnis and Roth-Absent.

Home Occupations

The Planner said the Planning Commission recommendation on March 13, 2006 for a Home Occupations Ordinance was presented to the City Council on March 21 where they tabled to May 9, 2006 for a City Council Workshop. The issue has been returned to the commission with the following Council recommendations.

1. The degree of storage should be limited.
2. Two non-resident employees should be allowed in a home-based business.
3. Licenses should be renewed annually.

The Planner said that Councilmember Smith forwarded the Oak Park Heights Ordinance for Home Occupations for the Planning Commission's consideration.

M/S/P, Fliflet/Roth to change the wording of Number 6-Employees to read, "Two non-resident employees may work in the residence." Vote: 9:0.

M/S/P, Fliflet/Deziel to change the wording of Number 7-Business Vehicles to read, "Three business-related vehicles are allowed at any time, and they must be parked off street at all times." Vote: 9:0.

M/S/P, Fliflet/Roth to modify Number 8-Customer Visits limiting the number of customers from ten per day to five per day. Vote: 8:1 Nay: Armstrong-No problem leaving it at 10.

MOTION by Ptacek to recommend annual licensing of Home Occupations, FAILED FOR A SECOND.

M/S/F, Roth/McGinnis to recommend biannual licensing of Home Occupations. Vote: 1:8, Aye-Roth, FAILED.

M/S/F, Deziel/Fliflet To recommend that there be no limitation to stock in trade but if the City Council does decide to limit volume that it be reserved to inventory only because that will be the type of stock in trade that generates traffic. Vote: 1:8, Aye-Deziel, FAILED. Armstrong-The philosophy is that the city's regulation should only deal with external effects upon neighborhoods, and crossing the threshold of the front door is beyond the scope of what the city should be considering because we have already regulated how inventory gets into or out of the home through traffic, employees, and customer visits.

M/S/P Deziel/Roth to change Number 9 to clarify that deliveries will be limited to six trips per day whether to or from a home. Vote: 9:0.

Zoning Ordinance

The Planner explained the history of our proposed Zoning Ordinance. Nationally recognized Planner, Lane Kendig and TKDA's Planner, came to Lake Elmo to present a workshop on Performance-based Zoning two years ago. The Planning Commission worked on it for several meetings and a draft zoning ordinance was created. The current zoning was adopted in 1979 based on a model from the 1960's. That ordinance has been modified significantly over the last twenty-five years. The existing ordinance still has double definitions and internal conflicts.

The Planner said we now have a different Commission and City Council since we started work on the Zoning Ordinance. The current Council chose not to invite Lane Kendig back, and they think Performance Zoning is not the appropriate tool for the city. The Council prefers a contemporary version of a Euclidian Zoning Ordinance. The Planner has requested the American Planning Association to provide the City examples.

The Planner explained that Euclidian Zoning allows arbitrary standards and Performance Zoning measures a site and use from different perspectives such as bulk, mass, and landscaping. He said the Village Area Plan does suggest Form-based or Design-based Zoning for the Village Area.

The Planner said that now that the Comprehensive Plan has been accepted, the City has nine months to bring the Zoning Ordinance into compliance. The Planner informed the Commission that the new Zoning Ordinance must be adopted by the first week of January 2007. He suggested having a draft by October to present to Council.

Commissioner Deziel said a deficiency of our current Zoning Ordinance is that it failed to take into account what already existed in the R-1 Zone. The Planner agreed that is why there are so many non-conformities.

City Council Updates

The Planner reported that on May 16, Council:

1. Approved a variance for 8009 Hill Trail for a home addition.
2. Approved the Final Plat and Development Agreement for the three lots of Hidden Meadows for the church parcel, homestead parcel, and outlot.
3. Heard a report of the Engstrom team reporting a great deal of input in the form of phone calls, post it notes, and e-mails regarding the Village Area Plan. The team felt the plan was well received and asked for Council direction. Council directed staff to prepare a new contract going forward with the plan to provide additional details, and staff is required to bring it back to Council in June.

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4. Outdoor Social Events was approved as an amendment to the Zoning Ordinance.
5. Approved an RFP for the Park System Plan Update.
- 6.

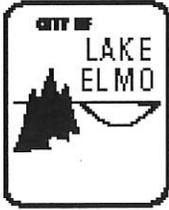
The Planner said the Comprehensive Plan is being formatted for the web within the next couple weeks. He said that he, the Administrator and Finance Director interviewed four candidates for Assistant Planner, and they were all excellent candidates.

Adjourned at 8:09 p.m.

Respectfully submitted,

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

Kimberly Anez
Recording Secretary



City of Lake Elmo

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, May 22, 2006, at 7:00 p.m.

AGENDA

Agenda

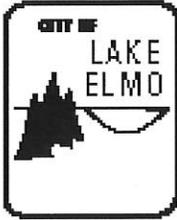
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Home Occupations

Zoning Ordinance

City Council Update

Adjourn



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NOTICE OF MEETING

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AGENDA

MEETING CANCELLED