

**City of Lake Elmo
Planning Commission Meeting
Minutes of September 25, 2006**

Vice Chairman Ptacek called to order the regular meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Lyzenga, Van Zandt, Armstrong, McGinnis, Roth, Schneider, Fliflet, Pelletier, and Deziel (7:02 p.m.). STAFF PRESENT: Administrator Rafferty, Finance Director, Planner Dillerud, Assistant Planner Matzek, Fire Chief Malmquist, and Recording Secretary Anez. ALSO PRESENT: Mayor Johnston and Councilmember Johnson.

Pledge of Allegiance

Agenda Approval

M/S/P, Armstrong/Roth to accept the Agenda as presented. Vote: 9:0.

Public Hearing: CIP 2007-2011

M/S/P, Lyzenga/Van Zandt to move the Public Hearing for the CIP 2007-2011 to later in the agenda after the Minor Subdivision portion of the Agenda. Vote: 9:0.

Public Hearing

Amend Zoning Ordinance-Open Space Preservation Ordinance

The Planner explained that about one year ago the City Council amended the AG and RR Zoning Districts by repealing Conditional Use Permits for OP Developments because pending completion of the 2030 Comprehensive Plan and completion of the Village Area Plan. He suggested that with the 2030 Plan now completed and approved, and the ability to preserve status quo in the Village Area by development moratorium the OP process can now be re-established in the zoning ordinance. In addition, in order to meet population goals of the 2030 Comprehensive Plan, the Open Space Preservation was planned for an increase in density from 16 units per 40 acres to 18 units per 40 acres. By amending the OP ordinance to the increased allowable density, the OP Ordinance will be brought into compliance with the Comprehensive Plan.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:13 P.M.

Nobody came forward to speak.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:14 P.M.

M/S/P, Roth/Armstrong to recommend Section 300.07 and Section 301.06 zoning ordinance amendments as proposed by Planning Staff. Vote: 9:0.

Minor Subdivision-Bergmann

The Planner reported that this is a Minor Subdivision request to deduct 1.33 acres from a large parcel of more than 33 acres and add that acreage to an existing parcel of approximately 5 acres. He noted that this was a companion application to the variance for a second accessory structure that was previously recommended for approval by the Commission and subsequently approved by the Council. He explained that this was initially thought to be a simple Lot Line Rearrangement that would be an administrative action, but the City Attorney has advised that it should be a Minor Subdivision. He reported to the Commission that there has been some confusion over the ownership of the existing 5 acre parcel which resulted in the Planning Staff

Report conclusion as to the legal status of this proposal. He reported that, subsequent to preparation, ownership of the 5 acres was different from ownership of the adjacent parcel.

Colleen Bergmann said they did not record the Contract for Deed for the purchase of the 5 acre parcel from Richard & Eileen Bergmann thinking they would wait until the parcel was joined with their homestead and record it at that time. Their water and electricity serve that barn.

M/S/P, Deziel/Armstrong to approve the minor subdivision as applied for by Mr. and Mrs. Richard Bergmann to separate 1.33 acres from their parcel of approximately 33 acres and to combine that 1.33 acres with the parcel located at 11459 60th Street North. Vote: 9:0.

Public Hearing: CIP 2007-2011

The Planner Reported that the Parks Commission already made recommendations relative to the Parks portion of the CIP.

Finance Director Bouthilet displayed a PowerPoint Presentation and explained the various CIP accounts. He said the CIP is a planning document with a financial component to it.

The Finance Director said the CIP is not an authorization to spend; it is only authority to allocate funds.

Commissioner Fliflet asked the basis for Fund Balances for each department.

The Finance Director said fund balances cycle up and down with replacement of equipment. For instance, civil defense sirens have a life expectancy of 15 to 20 years, and the City will probably start putting aside money toward replacement in ten years. He explained that he is trying to anticipate conservatively what might be needed in the future. For example, if the City decided to construct a two-story city hall where duplicating equipment might need to be provided on each floor, rather than on a single floor as now assumed.

The Finance Director said that Public Works fund balances increase until major equipment purchases are made. He said that the City does not replace vehicles just to meet a replacement schedule, but tries to make the vehicles last as long as possible.

The Finance Director said Infrastructure Reserve has negative fund balances. He reported that \$444,000 was expended on street reconstructions this year alone. There is some revenue from assessments, but \$825,000 of anticipated street cost next year results in a negative Infrastructure Reserve balance, and there is no projected recovery from it within the five year CIP without alternative funding sources such as bonds.

The Planner said the City Engineer maintains a street maintenance plan; and, it is important that these maintenance improvements are made on time or the costs will be much higher because an overlay project could become an entirely new street. State law says that a City can only assess the appraised market value of the street improvement to a parcel. The balance of the improvement cost has to come from the General Fund or bonding.

Fire Chief Malmquist said four to five years ago the fire department stopped purchasing vehicles identical to what it is replacing. All vehicles serve multiple purposes. He identified the existing equipment for each station and the chiefs' vehicles.

Commissioner Deziel asked the percentage of calls serviceable by the grass rigs.

The Chief said that would only be a small percentage of fire calls. He said they might be able to use grass rigs in automobile fires. .

Commissioner Pelletier said she was alarmed by the ladder truck photo that showed the ladder being too short to reach the peak of the house, even with the fire truck right up against the house.

Commissioner Van Zandt said there is no way for the Lake Elmo Fire Department to make a lake rescue since the department does not have a boat.

The Chief said firefighters will commandeer a boat if necessary. For an event while cross-country skiing in the park reserve, firefighters have brought snowmobiles from home when necessary. He said they have standing mutual aid agreements with Woodbury but time is the enemy when having to wait for the ladder truck. Old houses could burn all night. New houses can be in the basement in one-half hour due to their construction.

The Finance Director said there is a place holder of \$50,000 per year for a heavy rescue truck that could pay for a bond or be accumulated to purchase one outright. He said the city can bond up to 2% of the total taxable value of the city and we are currently well below that amount now.

Assistant Planner Matzek reported to the Commission regarding the Park Commission's discussions and recommendations on the CIP. She noted that several projects scheduled for 2006 but not completed were moved to 2007, a that trail improvements were increased in 2007 because some trails were not constructed in 2006 as planned due to topographical constraints.

The Planner said there is no General Fund money used for park acquisitions or development - only park dedication funds.

Commissioner Fliflet asked Why the City waits with park projects when funding is available in the Park Dedication account.

The City Planner responded that the City is trying to spread out the projects and meet needs rather than simply spend the money. He noted that the updated 1990 Park Plan will provide a much better picture of true park CIP needs.

Commissioner Fliflet asked why the City can't transfer smaller amounts into accounts from accounts where there are healthy fund balances (such as Parks and Administration) instead of having to bond.

Finance Director said it gives a false sense of security to do the accounting that way, and, for instance, the Park Dedication Fund can only be used for certain things. He said that the residents of tomorrow should help to pay for things that will be used when they are here, and that speaks to the use of bonding.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:43 P.M.

Nobody came forward to speak.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:44 P.M.

M/S/P, Roth/Van Zandt to recommend the Capital Improvement Program 2007-2011 to the City Council as presented.

Break at 9:56 p.m. and reconvened at 8:51 p.m. The assembly agreed that the meeting will end at 9:30 p.m.

Zoning Ordinance

Assistant Planner Matzek began on page F5. The commissioners asked to add a two-year growing season to this section of the code like current code has in the Site Plan section. We do require a landscape plan on newly platted lots. Commissioner Deziel asked about screening for future in some areas. The Planner said this is not a guarantee of screening beyond two years.

154.299 D planting trees in utility easements and height restrictions for overhead utility lines. Under A add the landscaping required on an "improved" lot.

154.300 2B Multiple Family Uses. Use "affect" not "effect." The text should say "subject to or consistent with fence ordinance." The Commission agreed.

154.300 D "All exterior storage shall be screened except as provided by.." and reference the Outdoor Storage Section of code.

154.301 Landscaping Requirements. The Planner said this is a substitute for what is in the existing code but much more specific standards. He said he wants to be sure the City Forester thinks this code makes sense.

The Assistant Planner Matzek will research other cities to see if there is text regarding the visibility for high/dense plantings in the median. If so, she will try to incorporate such a paragraph.

Commissioner Schneider did not believe one tree per dwelling unit seemed like enough, 154.301 A3.

M/S/P, Deziel/Van Zandt to approve this 154.301 Required Landscaping section of the proposed code with stipulation that it is reviewed by the City Forester to be sure it is appropriate. Vote: 9:0.

The Planner introduced draft district descriptions and standards. There will be a purpose for each district. This should be reviewed carefully because the Planner created them himself and they were not garnered from other code.

Under permitted uses in AG the code should read one dwelling unit per 40 acres. That should be the first permitted use under 1.A.

2.d. Rural nature is not defined but at the same time, that would allow us to deny a go-kart facility or water park. Commissioner Armstrong would like those words reinstated. Armstrong/Schneider to add rural nature back into 2.d. Uses Permitted by Conditional Use Permit in the AG Zoning District. Vote: 9:0.

Accessory Uses the Planner recommended deleting and Structures.

Farm buildings and farm drainage and irrigation systems should be added back in somewhere. Put it under 1.A. including farm buildings and farm drainage and irrigation systems. The Commission agreed.

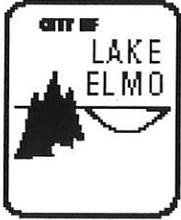
Cluster zoning provision that preceded our OP Ordinance. Should delete it from both AG and RR. It has hardly been used.

Adjourned at 9:38 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, September 25, 2006, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Agenda Approval
3. Public Hearing: CIP 2007-2011
4. Public Hearing: Amend Zoning Ordinance
Open Space Preservation Ordinance
5. Minor Subdivision – Bergmann
6. Zoning Ordinance
7. Adjourn

**City of Lake Elmo
Special Planning Commission Meeting Minutes
September 20, 2006**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 6:32 p.m. COMMISSIONERS PRESENT: Armstrong, Schneider, Fliflet, Pelletier, Deziel and McGinnis (6:38), Pelletier (6:41), and Lyzenga (6:50). STAFF PRESENT: Planner Dillerud, Assistant Planner Matzek, and Recording Secretary Anez. ALSO PRESENT: Councilmember Johnson.

Agenda

M/S/P, Armstrong/Schneider to add a comment for Liz Johnson as 1A, and to accept the Agenda as amended. Vote: 5:0.

Councilmember Liz Johnson

Councilmember Johnson thanked the commission for their extra work and time spent with the revision of the Zoning Ordinance. She asked them to think on different levels; she suggested they take it a notch above what they might want in their neighborhoods to what the community might want as a whole. She said that unique neighborhoods and pieces should be preserved. There are many ways to control something other than to establish an ordinance. Just because it is written does not mean it is a good fit for Lake Elmo. She asked them to look at different options and suggested they might challenge staff to look for better alternatives too.

Zoning Ordinance

City Planner Dillerud said he drafted several zoning districts and will send them out next week. The next big challenge will be the special overlays such as Shoreland. Then the Zoning Map will be the last thing done by the Planning Commission.

Assistant Planner Matzek said that the proposed code regarding recreational vehicles added a 72 hour grace period in part A and limited to one vehicle stored outside, only in the rear yard, as close to the garage as possible, and ten feet from the lot line. Part C allows a special permit by the Building Official.

Commissioner Fliflet agreed parking RVs should not be allowed in dense housing neighborhoods. She suggested different restrictions for different lot sizes.

Commissioner Pelletier said there are covenants in her own neighborhood. She is thinking about the Village Area. She would allow it on larger lots, adequately screened.

Commissioner Fliflet would also support multiple pieces of equipment on larger lots.

Assistant Planner Matzek said larger acreage has bigger buildings for storage. This section is for exterior unscreened storage.

Chairman Helwig said more acreage is discriminatory and he would like to see equality.

Commissioner Armstrong said we could have a sliding scale. Part A at top of D7 says it has to be fully screened. We are only talking about unscreened storage. Unless it is a concern for health, safety or welfare, it should be allowed in some form.

Commissioner Lyzenga arrived at 6:50 p.m.

M/S/P, Armstrong/Deziel to make the following changes:

Regarding Storing of Personal Property in Residential Zoning Districts under #8 on page D7 expand to say recreational vehicles, boats, and trailers (in the title) under the following conditions:

- b. in residential districts is redundant so delete it.
- b1. one piece or more.
- c. is a good section to have but for readability put it into section 2 above A.8.b.2 not a.5.b.2 so it is clearer. Eliminate c.
- d. may not need it. It is a given. Delete it.

Change Building Official to Zoning Administrator. Staff could also improve the readability of it.

The Planner said Assistant Planner Matzek chose Building Official and perhaps it should be Zoning Administrator. Building Officials don't like to deal with zoning, they prefer building code.

Vote: 8:0.

Commissioner Fliflet said that in 154.225 Section 8 c, she would like a defined period not to exceed some time frame. They should not get an exemption because of topography of the lot. If your lot precludes what is acceptable to neighbors then you should have to store it elsewhere.

Motion Fliflet to remove letter c on D8-Failed for a second.

Commissioner Lyzenga said that is a service issue; not a storage issue. We should have a defined time period. Seasonal storage might be okay. She would suggest that it read not to exceed 6 months.

Commissioner Armstrong said it could be allowed in special circumstances of topography or special neighborhood circumstances such as the Tri-Lakes area.

Commissioner Deziel suggested that maybe we could allow it in shoreland areas. On riparian properties a boat may be stored in the front yard if the topography does not allow it.

Commissioner Lyzenga said with the advent of the three car garage the result is additional vehicles or toys along with a requirement to hide them. Seasonal outside storage is reasonable.

Commissioner Deziel said the approach of one size fits all may not be the way to go. Tri-lakes are more wooded than other areas of the city.

Chairman Helwig said the Zoning Administrator has some flexibility and the authority to make those decisions in any neighborhood.

Commissioner Fliflet said a time limit is better.

M/S/F, Fliflet/Lyzenga to change the permission not to exceed 6 months per annum in D8c.

Commissioner Pelletier said that 6 months seems excessive. She is uncomfortable with any limit. She asked the Planner if that was typical in other cities.

The Planner said front yard prohibitions on storage of recreational vehicles is nothing like any other city he has ever seen and that exists in the ordinance today.

Commissioner Schneider asked for a defined seasonal period.

Vote: 2:6 Deziel and Lyzenga = Aye. Commissioner Fliflet didn't support the motion because it is too long a time period.

Commissioner Armstrong handed out modifications to 154.226 D and E.

M/S/P, Armstrong/Schneider to amend 154.226 D and E as presented.

Commissioner Deziel said a man on 30th uses this type of vehicle to sell pumpkins. Maybe there should be an exception for AG sales.

Commissioner Armstrong said a MN Constitution Article written in the 1850's says people in AG are not required to get a license to peddle the goods grown on their property.

M/S/P, Deziel/Schneider to amend the motion to add "except for allowed agricultural sales" (under e). Change "or" to a comma, and seasonal agricultural sales of products grown on site.

Vote to amend: 8:0.

Vote on motion: 8:0.

154.233 Swimming Pools

Assistant Planner Matzek said that changes made were in response to Building Department suggestions. 18,000 gallons is not currently written but that is what they enforce (and 12 inches in depth or more).

M/S/P, Fliflet/Schneider to add any in-ground pool and/or having a capacity of 18,000 gallons and 12 inches in depth or more. Vote: 8:0.

10 feet from any septic tank and 20 feet from any drainfield was included in the Building Official's suggestion.

154.233 Section N on page D15 should be a four foot fence. The commission agreed.

Commissioner Fliflet said that regarding swimming pools, safety covers are much safer than fences. They lock and children cannot get into them.

Assistant Planner Matzek said the problem with covers is that people have to remember to put on the cover. Insurance companies have looked at it and they prefer a fence.

Commission Pelletier agreed that covers can be much better than fences but she has a problem with an unattended pool, if even for a moment, a child can run and jump in while it is unattended.

Assistant Planner Matzek said that code for fencing is written primarily for toddlers.

D15n change it to four feet. The commission agreed.

Commissioner Deziel said he thought spires and steeples were constitutionally protected according to a teleconference a few years ago.

M/S/P, Armstrong/Deziel to delete E2 d entirely regarding height restrictions near airports.
Vote: 8:0.

Regarding building height exceptions, public utilities and transmission towers were not added back in.

In 154.252, under Performance Measures in GB add LB and BP and PF only under A on E2, and e3B should be removed. The commission agreed.

154.253 Yard Requirements

Assistant Planner Matzek said this is redundant to another part of the code. She suggested removing the first two paragraphs.

Delete first paragraph and move second paragraph to non-conforming. The Commission agreed.

Assistant Planner Matzek said the third paragraph is all new. You can not use adjacent space as part of your pervious surface.

M/S/P, Armstrong/Schneider Last sentence change "about" to "around." Change "open space" to "pervious surface" in all parts of that paragraph. Vote: 8:0.

Permitted Encroachments on Required Yards.

Within 154.253 A3 could remove "recreational and". The commission agreed.

Motion Pelletier to cut size of a gazebo to maximum of 250 square feet-Failed for a second.

Within 154.253 A3, remove "detached outdoor living rooms or gazebos not exceeding 500 square feet." Everyone agreed.

Commissioner Armstrong said he would prefer a variance for the reduction of a required yard rather than a CUP. The Planner said he will ask the city attorney about it. A CUP is more open ended. Uses should be for CUPs, when it comes to performance standards he would prefer a variance. The Planner will revisit when the answer arrives.

Required front yard setbacks should also be checked with the City Attorney.

The Chairman called for a break at 8:14 and reconvened the meeting at 8:21 p.m.

154.257

Commissioner Fliflet asked why we would limit to 14 units. The Planner said in order to avoid huge complexes.

M/S/F, Schneider/Fliflet to reduce the limit of the number of units from 14 to 7.

Commissioner Deziel said anti-monotony codes or cookie cutter design is more of the objection.

Commissioner Armstrong said he would prefer to be strict with design standards but numbers don't concern him very much. Uniqueness will come with specifying materials.

Vote: 1:7, Schneider Aye. FAILED.

154.258 Single Family Dwellings

Assistant Planner Matzek said the minimum house size now says 22 feet in width, and our existing code says 20 feet.

M/S/P, Lyzenga/Armstrong to remove 154.258 E. Vote: 8:0.

M/S/P, Armstrong/Schneider Strike 154.273 in its entirety. Vote: 8:0.

M/S/P, Armstrong/Fliflet to strike 154.274 Drive-in Business in its entirety.

The Planner said this is for the existing drive-in theater business only. If it is removed can the owners then remove their fence and other items that are covered in this code?

Vote: 7:0:1 Abstain-Deziel concern for inability to regulate the existing drive-in theater.

City Council Update

The City Planner reported that the Apostolic Church site regarding and rezoning was postponed for twelve months. They must come back with plans or at least a schedule for their church within that time.

He reported that Oak Park Heights has requested a meeting of tow City Councils to consider the annexation request of Nass, Buberl, and Bidon for their 53 acres. The Lake Elmo Council has decided not to meet with Oak Park Heights on this topic due to lack of interest in the topic, but advised Oak Park Heights that staff can discuss it with staff in Oak Park Heights.

Commissioner Schneider asked about the Family Center.

The Planner said that a final site decision was postponed by the school district. The District asked their site selection consultant to review criteria for selection.

Councilmember Johnson said three cities want the Family Center in their municipalities. The Stillwater Board of Education will make the final decision as to the location.

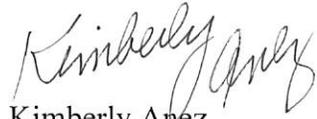
Councilmember Johnson said the Council is not open to any land in Lake Elmo going into other communities not only because of our growth needs but also for our open space/rural design goals. There was no City Council interest in pursuing the Nass/Buberl/Bidon annexation..

APPROVED: OCT. 23, 2006

The Planner reported that the Council also adopted an ordinance to impose a no trailer parking ordinance, and authorize towing vehicles and trailers parked illegally. The area of concern and posting is primarily for the Tri-Lakes area, and related to the public boat launches at DeMontreville and Lake Jane.

Adjourned at 9:10 p.m.

Respectfully submitted,



Kimberly Anez
Recording Secretary



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NOTICE OF SPECIAL MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
WEDNESDAY, September 20, 2006, at 6:30 p.m.
In Council Chambers at City Hall.

AGENDA

Pledge of Allegiance

1. Agenda Approval
2. Zoning Ordinance
3. City Council Update
4. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of September 11, 2006**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Van Zandt, Roth, Deziel, Ptacek, Pelletier, Armstrong, Lyzenga, Schneider, Fliflet, and McGinnis. STAFF PRESENT: Planner Dillerud, Administrator Rafferty, Assistant Planner Matzek, and Recording Secretary Anez. ALSO PRESENT: Councilmember Liz Johnson.

Pledge of Allegiance

Agenda

M/S/P, Ptacek/Armstrong to add City Council Updates and accept the Agenda as amended.
Vote: 9:0.

Zoning Ordinance

Planner Dillerud explained where the Planning Commission is with regard to work on the Zoning Ordinance. More extra meetings will be necessary. Wednesdays, September 20 and October 18 were selected. A timeline was distributed by the Assistant Planner. The commission agreed 9:0.

M/S/P, Deziel/Roth, To move Swimming Pools from the Building Code to the Zoning Code.
Vote: 9:0.

Mining was removed from the Zoning Ordinance originally because we only have existing and will not allow any additional. The Planner will ask the City Attorney about whether we should incorporate it into the new Zoning Ordinance.

M/S/P, Deziel/Fliflet to leave noise where it is now in the Code. Vote: 9:0.

The Assistant Planner resubmitted the information from the last meeting into legislative format and incorporated changes from the last meeting.

Add: "Or utility extensions," on D-4 paragraph I. 9:0.

Add "notwithstanding" meaning "in spite of" in accordance with the definition used in state statutes on D-7 A92. 9:0.

A single recreational vehicle. 9:0.

M/S/P, Armstrong/Ptacek to combine 5 and 9 into the title of recreational vehicles, boats, and trailers and combine both paragraphs because they overlap each other. Vote: 9:0.

25 feet for recreational vehicles seemed restrictive. 15 feet from right of way or from the curb or from the property line.

Boats and trailers stored anywhere but in the rear yard.

M/S/P, Ptacek/Fliflet Boats and trailers less than 25 feet in size stored in rear yard only. Everything must be stored and distance from property line more than 10 feet. Vote: 6:3
Armstrong, Deziel, and Roth Opposed.

The Planner said the commission could recommend Code worded to allow in other yards by CUP where a rear yard is not accessible.

Maximum length 24 feet, one item, five feet from rear or side lot line. In front yard only in your driveway.

The Planner said there is a need for exceptions.

M/S/P, Armstrong/Roth add it to the work plan and move forward. Vote: 9:0.

D-8, 154.227 B Exterior Storage in All Districts

Add no vehicle may be used for SALE except seasonal sales in AG zone. First determine what you are trying to ban and then go into exceptions. No vehicle or temporary structure may be used for primary business. No business or storage shall be conducted in non-residential districts from vehicles, cargo containers, tents, trailers except those specifically permitted by permit or CUP. Get more specific.

M/S/P, Armstrong/Lyzenga To strike B under 227 and add D under 226 and direct staff to draft something to see what we are trying to ban or move it somewhere else. Vote: 9:0.

154.228 Give it more than four days. 14 days, leave it as it is (7 days), Section E in 154.227. Keep 228 just for unlicensed.

M/S/P, Armstrong/Roth Passenger vehicles and trucks which are incapable of _____, move it up to 227 E allowing fourteen days and make 228 unlicensed passenger vehicles and trucks will be allowed to remain seven days. Vote: 9:0.

154.22 Defining Junk will be moved to definitions

154.229 Bulk Storage Liquid should be only 1,000 gallons. Not broken don't fix it.

154.230 Radiation and Electrical Interference

Strike out Fall out Shelters?

154.231 Explosives

154.232 Common Open Space and Amenities. Leave it in.

City Council Updates

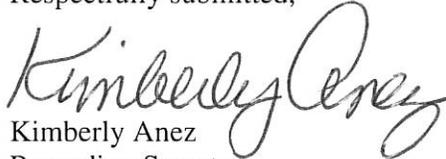
The Planner said the Bergmann variance was passed and the minor subdivision will come forward. Apostolic Bible Church to amend the Comprehensive Plan back to RAD and RR. The church was not ready, and it was tabled for a full Council. Planner reported status of Village Master Plan. MPCA, Mn/DOT, county and property owners to get the plan executed meetings this next week. 2020 plan for LEAirport. Which of 3 options for future airport concept, add more hangars on east side, extending sw/ne runway 3200 feet, or extending to 3900 feet and all options included adding onto hangars. Council opted for no growth. Xcel back to site in West Lakeland Township for Fly Ash. Environmental assessment scoping worksheet was filed. Council said to go ahead and comment. The City is still supporting our neighbors in our objections.

APPROVED: 11-13-06

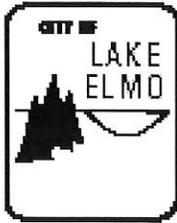
Administrator Rafferty presented a reminder of the Open House for the Public Works Facility. 9 to noon on Saturday. PFC Contamination Information Meeting will be held Thursday night beginning at 6 p.m. at Oak-Land Junior High.

Adjourned 8:39 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kimberly Anez". The signature is written in black ink and is positioned above the printed name and title.

Kimberly Anez
Recording Secretary



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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, September 11, 2006, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Agenda Approval
3. Zoning Ordinance
4. Adjourn

**City of Lake Elmo
Special Planning Commission Meeting
Minutes of September 6, 2006**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 6:30 p.m. COMMISSIONERS PRESENT: Schneider, Roth, Lyzenga, Deziel, McGinnis, Fliflet (6:31), Armstrong (6:32), and Van Zandt (6:39). STAFF PRESENT: Planner Dillerud, Assistant Planner Matzek, Administrator Rafferty, and Recording Secretary Anez.

Pledge of Allegiance

Agenda

M/S/P, Roth/Lyzenga to accept the Agenda as presented. 6:0.

Minutes

M/S/P, Lyzenga/McGinnis to accept the Minutes of August 14, 2006 as presented. 4:0:2 Abstain: Schneider/Roth-Absence.

M/S/P, Lyzenga/Roth to accept the Minutes of August 28, 2006 as presented. 8:0.

Commissioner Fliflet noted that she was absent on July 10, 2006.

Zoning Ordinance

Planner Dillerud presented the restructured zoning ordinance presentations saying they were operating from an outline. The Assistant Planner picked out sections for topics from our code including the orphans.

M/S/P, Armstrong/Fliflet to amend Section 154.220 Purpose to include the existing text between "...development performance standards." and "These standards are..." of the proposed text and to delete the word "urban." 9:0.

Commissioner Armstrong asked for future code to be presented in legislative format.

In 154.221 Dwelling Unit Restriction under the added letter "f," to add the word "only" at the end of the sentence.

Remove the text "General Development Lake" from our code as we do not have any lakes with that designation in Lake Elmo and replace with "Natural Environment Lake."

Add the definition from the American Planning Association for "dwelling group" to the definition section of the code.

In 154.222 Lot Provisions Section F, move "no structure shall be constructed" to the beginning of the sentence.

To entirely remove 154.222 Lot Provisions Section G regarding Minimum Area Requirements for Lots Without Public Sanitary Sewer because it is archaic and is addressed in Section 700.

A straw vote was taken to entirely remove Minimum Area Requirements for Lots Without Sanitary Sewer. 9:0.

The Commission recommended district standards for septic systems in every zoning district.

A straw vote was taken to accept section 154.222 as presented. 9:0.

M/S/P, Armstrong/Schneider to delete the original text first sentence of 154.223 and include a, b, and c. 9:0.

154.224 Traffic Sight Visibility

The issue of sight visibility at intersections was discussed. Existing Lake Elmo code is contradictory in that it states obstructions must be both 15 and 100 feet from the right-of-way. The proposed code states a 30 foot distance. Chairman Helwig said the 100 feet came from the old AG zoning district.

Discussion was had regarding the height clearing within the sight triangle.

M/S/P, Roth/Armstrong to change the zoning ordinance to read that the sight visibility triangle should be measured at 30 feet. 9:0.

M/S/P, Deziel/Van Zandt to measure the 30 feet for the sight triangle from the curb line. 9:0.

M/S/P, Deziel/Fliflet to keep the sight triangle clear at a height from 2.5 feet to 10 feet. 9:0.

The Commission recommended keeping the last sentence from 154.224 Traffic Sight Visibility part A3 regarding excessive traffic.

M/S/P, Fliflet/Deziel to delete the exception sentence that begins, "The exception to this requirement shall be..." in 154.224 part B, and to strike 154.224 part C as redundant. 9:0.

A straw vote was taken for 154.225 Storing of Personal Property In Residential Zoning Districts part A2 to add "anchored or fixed" and shall be set back 10 feet from lot lines. 9:0.

A straw vote was taken for 154.225 part A3 that six months are fine unless there is an active building permit. 9:0.

A straw vote was taken for 154.225, part A7 to remove number 7 in the AG Zoning District. 9:0. The Commission also recommended changing part 8 to "stacked firewood."

The proposed code 154.225 part A9 regarding recreational vehicles will be revisited at next meeting.

A straw vote was taken to keep 154.226 as presented. 9:0.

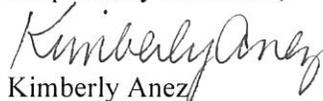
A straw vote was taken to delete "(as defined in subsection 1335.04)" from 154.227. Commissioner Armstrong identified Part A as needing to be reworded. Part B change "open" to "exterior."

A straw vote was taken for 154.227 part C to add, "except where permitted as a CUP in specific zoning districts" and to delete the portion of the original text in the first paragraph that reads, "(as defined in subsection 1335.04)." 9:0.

The Commission decided to continue the discussion on the zoning code beginning at 154.228 at the next meeting.

Adjourned at 8:18 p.m.

Respectfully submitted,



Kimberly Anez
Recording Secretary