



City of Lake Elmo

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NOTICE OF SPECIAL MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, October 30, 2006, at 6:30 p.m.
in Council Chambers at City Hall.

AGENDA

Pledge of Allegiance

1. Agenda Approval
2. Zoning Ordinance
3. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of October 23, 2006**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:16 p.m. at the Public Works Facility due to an emergency power outage at City Hall
COMMISSIONERS PRESENT: Lyzenga, Ptacek, Roth, Armstrong, Schneider, Deziel, Van Zandt, McGinnis, and Pelletier (7:30). STAFF PRESENT: Planner Dillerud, Assistant Planner Matzek, and Recording Secretary Anez. Finance Director T. Bouthilet arrived at 7:55 p.m. to notify the assembly that power was restored at City Hall. He left at 7:58 p.m.

Agenda

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

Minutes

M/S/P, Armstrong/Lyzenga to accept the Minutes of September 6, 2006 as presented. Vote: 9:0.

Minutes of September 11, 2006 were not present in the packet.

M/S/P, Lyzenga/Schneider, to accept the Minutes of September 20, 2006 as presented. Vote: 6:0:3, Abstain-Ptacek, Van Zandt, Roth-Absent.

M/S/P, Ptacek/Van Zandt, to accept the Minutes of September 25, 2006 as presented. Vote: 9:0.

Commissioner Deziel said at the end of the Minutes of October 2, 2006, there was discussion regarding the future of RR zoning. Planner Dillerud said it was his impression everyone agreed for the FSD zoning district to have RR standards.

M/S/P, Roth/Deziel, to accept the Minutes of October 2, 2006 as amended. Vote: 8:0:1, Abstain-Ptacek-Absent.

Public Hearing: Amend Code for Accessory Buildings

Planner Dillerud reminded the Commission about a problem with AG non-conforming parcels greater than 10 acres because interpretation of zoning text for accessory buildings was unclear. He said the Council asked the City Attorney to draft clearer language. That new language is now before the Commission.

Commissioner Deziel asked if this code would apply to the small spin-off farms from nominal 40 acre farms. The Planner said that it would apply to those small AG parcels.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:25 P.M.

Nobody came forward to speak.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:26 P.M.

M/S/P, Armstrong/Van Zandt to recommend approval of the new zoning text relating to accessory buildings as drafted by the City Attorney and presented in the Planner's Staff Report.

Commissioner Pelletier arrived at 7:30 p.m.

Commissioner Armstrong said there is a gap for parcels over 40 acres. He said there is a different standard there. He proposed that the text should add "over 40 acres" in AG non-conforming. Vote: 9:0. Commissioner Armstrong was asked by the Chairman to draft new language and the Commission will revisit it.

Zoning Ordinance

Assistant Planner Matzek said the City Attorney recommending keeping existing right-of-way and land filling/grading codes in their existing separate chapters.

The commission agreed that a Communications Tower Permit should be a conditionally permitted use.

Commissioner Helwig said we should keep the last sentence under 154.501, I and delete the rest of the paragraph. Another clause should be added saying it will be allowed only if no space for an antenna is available at the time of application. In the list under A., it should say Water Towers as the first choice where they can be placed. The commission agreed.

A one mile radius was found too restrictive; the commission agreed to strike the one mile distance from page 5 under 154.503 in the introductory paragraph. Allowed Tower Sites on page 3, should be rewritten so that an antenna cannot be freestanding until the applicant proves it is unable to be added to one of our towers. Wording in the last sentence in the first paragraph should be changed from "structure" to "due." The commission agreed.

Page 4, 154.502 Tower Design, B. Keep the existing text so the towers are camouflaged to blend with surroundings. Keep B. 3. The commission agreed.

Page 6, 154.04 Setbacks. The interpretation by the Commission was to keep A, B, C, and D along with the "and/or" stipulation while striking E. Also, strike F because it is similar to D. The commission agreed.

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154.505, C, The height restriction should be increased from more than two times the maximum height in a zoning district to no limit, but the exception should continue to be included. Strike the text beginning with, "Except..." The commission agreed.

154.506, Personal Wireless Service Antennas, the Commission agreed that the entire section could be eliminated. Text should be reworded to say that fences should meet the fence requirements in 154.506, 2.d. The commission agreed.

The Commission agreed to put the entire section of Personal Wireless Service Antennas on hold until staff is able to research and provide more information.

154.507, Satellite Dishes, The Assistant Planner agreed to change number 3 so it does not begin with an exception.

154.508, Commercial and Public Radio..., Commissioner Armstrong said Page 1 of the text already has the relevant restrictions for commercial and public radio in it. The entire section was

problematic for the Commission but will be left in for now. 12. C has another fence in it to be addressed. Chairman Helwig said he sees security fences as a specific use and therefore would need a separate set of fence standards.

Commissioner Armstrong suggested that there be a table for all the types of antennas we regulate, where they can be placed, all that need CUPs, minimum lot sizes and setback requirements, height and other standards. The Commission agreed and said a chart is needed.

The section on height (page 2) should be the only portion kept for the new zoning ordinance. That section can be taken up later with preliminary modifications. The commission agreed. The Planner said that the water tower design was specifically made for co-locating.

On page 15, Amateur Radio Tower height should be 120 feet.

The next meeting will be October 30, 2006 at 6:30 p.m. New districts will be introduced at that time including, FSD and SDR 3.5. That meeting will also address sexually-oriented uses and specialized housing definitions.

The Planner explained that the Planning Commission is obligated to come up with zoning districts and a zoning map. He said it will be close to November 15 before those items are completed.

City Council Updates

The Planner said that at a Special Council Meeting the Council hired Brimeyer Group who said it will be between January and March before a new City Administrator is hired. They also chose to hire a Special Projects Director in the interim, and they are looking at two retired Administrators.

The Hardy house permit was extended to June 30 with specific dates for individual project completion.

The Planner said the Tablyn Park Water Project is on schedule and trees should be asphalted within two weeks.

The Chairman adjourned the meeting at 8:37 p.m.

Respectfully submitted,



Kimberly Anez
Recording Secretary