



City of Lake Elmo

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Wednesday, November 14, 2007, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. October 10, 2007
4. Public Hearings:
 - a. ZONING CODE TEXT AMENDMENT: An ordinance to amend regulations governing non-agricultural low impact uses and to allow such as an interim permitted use in the HD-A-BP zoning district.
 - b. ZONING CODE TEXT AMENDMENT: An ordinance to allow temporary accessory buildings as an interim permitted use in the PF zoning district for local, county, and state government facilities. – **request for indefinite tabling**
5. Business Items:
 - a. CITY CODE RENUMBERING ORDINANCE: Review ordinance revising numbering system for city code book.
6. Informational Items:
 - a. City Council Updates
 - i. November 5
 1. 8186 Hill Trail N Septic Variance – approved
 2. Common Ground Church CUP – denied
 3. Impervious Surface Ordinance – approved
 4. Rezoning properties – tabled
 5. Planning Director position – approved

6. Amend Planning Commissioner appointment and termination to be consistent with other commissions – approved
 7. Direction to study options for off-site signage – approved
- b. December 2007 meeting schedule – Cancel December 24th meeting

7. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of November 14, 2007**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Ptacek, Armstrong, Deziel, Schneider, Pelletier, Van Zandt, and McGinnis (7:05). STAFF PRESENT: Senior Planner Gozola and Planner Matzek.

Agenda

Chairman Ptacek asked to add item 5b. "Planning Commission Procedures"

M/S/P, Pelletier/Armstrong, move to approve the agenda as amended. Vote: 6:0.

Minutes - October 10, 2007

M/S/P, Pelletier/Deziel, motion to approve the minutes as presented. Vote: 3:0. Three abstentions: Armstrong, Van Zandt, and Deziel.

Zoning Code Text Amendment – Non-Ag Low Impact Uses

Senior Planner Gozola identified two separate ordinances being proposed based on the previous commission meeting - the first ordinance establishes an interim use ordinance tool and the second establishes Non-Agricultural Low Impact Uses as an interim use in the HD-A-BP zoning district. He expressed concern on how the site for the Non-Agricultural Low Impact Use would be calculated and that gravel was not counted toward the requirement. He said that option one provided is the text suggested by the commission at the last meeting.

Commissioner McGinnis arrived at 7:05 p.m.

Commissioner Armstrong suggested adding the proposed language of accepting the legal description of the Non-Agricultural Low Impact Use site to the commission's proposed language.

Commissioner Pelletier asked if there was a legal reason a council could deny a legal description.

Senior Planner Gozola said that would be a question for the city attorney.

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

No one spoke.

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

M/S/P, Pelletier/Van Zandt, motion to move forward with the proposed ordinance with an amendment to subdivision F and directing staff to consult the city attorney. Vote: 7:0.

M/S/P, Deziel/Schneider, motion to move forward the ordinance regarding the interim use ordinance. Vote: 7:0.

Zoning Code Text Amendment – accessory building as an interim use in the PF district

Senior Planner Gozola asked that the item be tabled indefinitely as it was determined after reviewing city code that the city does not need to seek this permit to replace the trailer on the city hall site.

M/S/P, Armstrong/Van Zandt, move to table the item indefinitely. Vote: 7:0.

City Code Recodification

Senior Planner Gozola said this item was provided at the last meeting at which time a public hearing was held. The commission had requested further time to review the recodified code.

Commissioner Armstrong said he saw some misspellings and a couple link connections did not work. He said he would hope a review committee would catch any mistakes.

M/S/P, Deziel/Schneider, move to remove the item from being tabled. Vote: 7:0.

M/S/P, Armstrong, McGinnis, move to approve the recodified code and ask the council to set up a review committee of either staff or commissioners to review the document. Vote: 7:0.

Planner Matzek said she believed the City Clerk and City Attorney had reviewed all the recodified sections except for the zoning chapter.

Planning Commission Procedures

Commissioner Deziel asked how a commissioner would add items to an agenda and asked if they need to submit reminders for items on a commission's work plan.

Chairman Ptacek said he does not think it is incumbent on commissioners to direct staff's time, but that commissioners are free at any time to make motions to bring forward items they believe are not being addressed.

Commissioner Deziel said that the city has not been treating applicants uniformly. He said that sometimes a person is told that a code must be changed to allow what they are requesting and the application is tabled and sometimes they are told to apply and are denied because the code does not allow what they are requesting. He said the city should have a more consistent practice.

Commissioner Armstrong said residents have two routes – they can apply for a variance or they can request an ordinance amendment. He said that commissioners have the right to sponsor a code language change without an application.

Senior Planner Gozola said staff will always try to work with applicants so they do not make that kind of application. He said that the list of conditionally and interm permitted uses will be constantly evolving.

Commissioner Deziel said that in the case of Common Ground Church, it never came up to add horses to the ordinance. He said he thinks an ordinance change should be part of the options provided to an applicant. He said the commission needs to move forward with the neighborhood conservation area as it will decrease the overall workload of the commission.

M/S/P, Deziel, Armstrong, move to direct staff to bring forward the draft text for the Neighborhood Conservation District to the next meeting. Vote: 7:0.

Council Updates

Planner Matzek said the septic variance at 8186 Hill Trail N was approved at the November 5th Council meeting. Also approved at that meeting was the impervious surface ordinance, the planning director position, the amended Planning Commissioner appointment and termination to be consistent with other commissions, and the direction to study options for off-site signage. The Common Ground Church CUP was denied and the four properties proposed for rezoning was tabled.

Planner Matzek pointed out that the December 2007 meeting schedule identifies the potential canceling of the December 24th meeting.

Adjourned at 8:11 p.m.

Respectfully submitted,



Kelli Matzek
Planner