



## City of Lake Elmo

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### NOTICE OF MEETING

The City of Lake Elmo  
Planning Commission will conduct a meeting on  
**Wednesday, October 10, 2007, at 7:00 p.m.**

### AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
  - a. August 27, 2007
4. Public Hearings:
  - a. ORDINANCE: Zoning changes. Changes to the official zoning map to reflect current land use and to correct the map in accordance with past zoning decisions.
    - i. Properties proposed to be rezoned to Public Facilities (PF) include PIDs 02-029-21-21-0003 (Rockpoint Church);
    - ii. and 09-029-21-44-0001 and 09-029-21-44-0003 (City owned park land).
    - iii. The property at 11530 Hudson Boulevard is proposed to be rezoned to HD-A-BP in accordance with a rezoning action in 2002.
5. Business Items:
  - a. Interim Use Ordinance
6. Informational Items:
  - a. City Council Updates
    - i. October 2 – HAIRitage ‘Hous therapeutic massage CUP - approved
    - ii. October 2 – Carmelite Monastery Master Plan Amendment – approved
    - iii. October 2 – E&E Properties CUP Amendment and Variances – denied
7. Adjourn

**City of Lake Elmo  
Planning Commission Meeting  
Minutes of October 10, 2007**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Armstrong (7:12), Deziel, Fliflet, Helwig, Pelletier, Ptacek, and Roth. STAFF PRESENT: Senior Planner Gozola and Planner Matzek

**Agenda**

M/S/P, Helwig/Deziel, to approve the agenda as presented. Vote: 6:0.

**Minutes – August 27, 2007**

M/S/P, Pelletier/Helwig, to approve the minutes as presented. Vote: 6:0.

**Public Hearings**

**Ordinance – Rezoning: Rockpoint Church, Two properties at Lake Jane Hills Park, 11530 Hudson Boulevard**

Senior Planner Gozola provided the Planning Commission with information on the four parcels proposed for rezoning. He said the proposed rezonings are to correct inconsistencies between the Comprehensive Plan and the existing zoning or past rezonings. He began by explaining that the Rockpoint Church site had previously been identified for rezoning to Public Facilities, but had been done so by resolution instead of ordinance. Senior Planner Gozola said another proposed rezoning would include two properties off Jamaca and 42<sup>nd</sup> Street which are known as Lake Jane Hills Park. He identified the fourth parcel as 11530 Hudson Boulevard, which was previously rezoned to Agricultural in 2002, but had not been reflected on the city's official zoning map. Therefore, this parcel was incorrectly placed in a holding district for Rural Residential instead of Agricultural.

Commissioner Helwig asked how many acres were involved with the church development.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:07 P.M.

*Kirby Spike, 9670 53<sup>rd</sup> Street N*

Mr. Spike said he is the Chairman of Rockpoint Church which is on twenty acres. He stated that the entire site is 108 acres.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:08 P.M.

M/S/P, Helwig/Fliflet, to recommend approval of the rezoning of Rockpoint Church. Vote: 6:0.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:09 P.M.

No one spoke on the two properties located at Lake Jane Hills Park.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:09 P.M.

M/S/P, Pelletier/Deziel, to recommend approval of the rezoning of the two park parcels.  
Vote: 6:0.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:10 P.M.

No one spoke on the rezoning for 11530 Hudson Boulevard.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:10 P.M.

M/S/P, Roth/Pelletier, to recommend approval of the rezoning of the parcel at 11530 Hudson Boulevard. Vote: 6:0.

### **Interim Use Ordinance**

Senior Planner Gozola provided the Planning Commission with information on what an interim use permit (IUP) is and how it could function. He said an IUP is much like a conditional use permit, but with a specific date or trigger event when the use would end. He said he was looking for direction on how the commission would like to proceed with the wording of the ordinance.

Commissioner Armstrong arrived at 7:12 p.m.

Chairman Ptacek identified that the sewer is going to dictate in some areas when an IUP would expire. He said it was difficult to come up with a laundry list and asked staff to find out what other cities have listed as uses for IUPs.

Commissioner Armstrong said the ordinance can not just list uses, but needs to have the boundaries for the uses identified.

Senior Planner Gozola stated that all of the potential uses did not need to be identified at that time, but it would be important to focus on establishing the tool to begin with.

Chairman Ptacek suggested reviewing the list of CUP items and reviewing the conditions.

Commissioner Pelletier asked who would determine which application would be applied for if a use was listed as both a CUP and an IUP.

Senior Planner Gozola said that under each use there would be a different set of criteria, so the applicant could look at the options and determine which application to apply for.

Chairman Ptacek said he would like to see the purpose and intent included in the language.

Commission Helwig recommended putting limitations of use expansions.

Commissioner Fliflet said the statute provided says termination must be identified with certainty, but below it says it can be changed with a change in code which seems contradictory. She also said that the proposed business park south of 10<sup>th</sup> street will occur when a company comes in and not necessarily at the moment sewer becomes available. She suggested as the ordinance is crafted that information is taken into consideration.

Commissioner Armstrong suggested a two year standard renewal date with a minimal renewal fee. He said the renewal could be on the consent agenda at the Council if no issues are identified. He asked staff to work on a definition for impervious surface and clarify the site area for non-agricultural low impact uses.

### **City Council Updates**

Senior Planner Gozola said the Council approved the CUP for Hairitage 'Hous and the Master Plan Amendment for the Carmelite Monastery. He said that they denied the application for the CUP amendment at 11530 Hudson Boulevard.

Chairman Ptacek asked if anything was resolved regarding the planning commission terms.

Senior Planner Gozola said the Council set an overall term limits of three years and two consecutive terms.

Commissioner Fliflet asked if there was discussion on public input with time limits.

Senior Planner Gozola said both the council and the public will have a time limit in an effort to condense discussions and to keep meetings moving forward.

Adjourned at 8:02 p.m.

Respectfully submitted,



Kelli Matzek  
Planner