



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 24, 2007, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. August 13, 2007
4. Public Hearings:
 - a. **CONDITIONAL USE PERMIT:** Application from HAIRitage 'Hous to allow therapeutic massage as a component of the full service salon currently located at 9242 Hudson Boulevard, Suite 3; HD-GB-SRD zoning; PID 34-029-21-34-0004.
 - b. **MASTER PLAN AMENDMENT:** Application from the Carmelite Monastery to amend the approved Master Plan for the site to add an accessory structure; PF zoning; PID 09-029-21-12-0001.
 - c. **CONDITIONAL USE PERMIT:** Application from Common Grounds Church to establish a CUP for the church and add the keeping of horses for operation of the "Hoof Prints" ministry; PF zoning; PID 14-029-21-32-0024. – Recommended for tabling
 - d. **CONDITIONAL USE PERMIT AMENDMENT and VARIANCE:** Application from E&E Properties LLC to allow enlargement of the existing bus parking lot and the addition of a car parking lot for employee vehicles at 11530 Hudson Boulevard North. A variance is also requested to allow more than 4% of the land to be utilized by the existing "non-agricultural low impact use;" HD-A-BP zoning; PID 36-029-21-43-0001.
5. Business Items:
 - a. None.
6. Informational Items:
 - a. City Council Updates
 - i. September 18 – Pool Barrier ordinance
 - b. City website update
7. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of September 24, 2007**

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

Agenda

M/S/P, Armstrong/Van Zandt, to approve the agenda as presented. Vote: 9:0.

Minutes

August 13, 2007

M/S/P, Roth/McGinnis, to approve the minutes as presented. Vote: 9:0.

Public Hearings:

Conditional Use Permit (CUP) - HAIRitage 'Hous

Planner Matzek provided an overview of the request for a conditional use permit to authorize therapeutic massage at 9242 Hudson Blvd. The business originally opened up at the site in 2006 and included two treatment rooms as a component of the salon. Upon being notified that a CUP was necessary, the applicants discontinued the use and submitted a formal application. Staff is recommending approval of the request.

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

No one spoke.

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

Commissioner Fliflet asked if proof of insurance and certifications were provided.

Planner Matzek stated that it is required in the definition section of city code.

M/S/P, Deziel/Fliflet, move to recommend approval subject to staff's findings and conditions. Vote: 9:0.

Master Plan Amendment – Carmelite Monastery

Planner Matzek provided an overview of the request showing the commission the location of the proposed garage structure in relation to the rest of the monastery property. She stated staff found the request reasonable and meets other requirements for site plan approval.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:11 P.M.

Father Pat McCorkell, Jesuit Retreat

Father McCorkell provided a history of the neighboring monastery dating back to the 40s. He had a concern of the noise the trucks and equipment would make as well as from the future garage. He also expressed concern about the impact those vehicles would have on the shared driveway. He would like access for the Carmelite Monastery to be examined now or at some point in the future.

Father John Burns, Carmelite Monastery

Father Burns said the woman's community been there since the 50's and the men's monastery was approved in the early 1990's. He said the proposed garage is smaller than the existing garage and would be made using brick and masonry. He does not believe the shared road would be damaged. Father Burns said that no heavy equipment would be brought through the site on the days of silence. He said the building would be used for storage of equipment, a small bathroom for two employees on the site, and a workroom area to package artistic reproductions of art produced on the site. The online sale of the artwork has been occurring since the monastery opened. Father Burns said the road is a legally shared private roadway.

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

Commissioner Armstrong said he would not like to force the property owner to combine the properties in order to meet the setback requirements.

Chairman Ptacek asked if access was an issue with this proposal.

Planner Matzek confirmed that the monastery received a variance for the road access and is independent of this application.

M/S/P, Armstrong/Van Zandt, to recommend approval subject to staff's findings and conditions. Vote: 9:0.

Common Ground Church

Senior Planner Gozola recommending tabling the item as the applicant had provided additional history to staff that may alter a staff recommendation. He asked that the public hearing be tabled to the October 22nd Planning Commission meeting.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:32 P.M.

M/S/P, Fliflet/Helwig, motion to table the public hearing to October 22nd. Vote: 9:0.

Conditional Use Permit Amendment and Variances – E&E Properties LLC

Senior Planner Gozola said the existing use is permitted by conditional use permit at 11530 Hudson Boulevard North. The applicant is requesting additional parking space to allow the additional buses currently parked in Afton to be parked at this site. He stated that because there is not a definition for identifying the site area, he would recommend it include all the areas such as landscaping, berming, and stormwater ponding as those would not be necessary without the use. He said that although the 2002 approval of the original CUP did not include the gravel parking lot as hardcover, he would suggest including that in the calculation now given that there is not a definition for impervious

surface. Senior Planner Gozola stated that three variances would be needed with approval of the CUP amendment: the site area would exceed the size limit, the hardcover would exceed the limit, and the traffic generated by additional buses would exceed that allowed. He suggested one way in which to handle this transitional parcel would be to look at an interim use ordinance. Staff is recommending denial of the application.

Terry Emerson, applicant

Mr. Emerson stated that the parking lot was not originally calculated in the impervious surface calculation, but the pond was sized correctly to account for the parking lot. Laidlaw requested he apply for this application so the company can plug all the buses in during the winter. The increase in buses would not impact anyone else.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:56 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:56 P.M.

Commissioner Armstrong said there are three existing businesses that use this same ordinance in the city. He said all the applications were handled in the same way. The four percent restriction was only to apply to the use such as parking and buildings and not the other items such as berms and ponds.

Commissioner Deziel said the city should look at an interim use ordinance.

Senior Planner Gozola an interim use ordinance would need to be added to the city code. He said a conditional use permit runs with the property whereas an interim use ordinance identifies a sunset time or date for a use.

M/S/P, Deziel/Van Zandt, to recommend denial of the requested conditional use permit amendment and variances and to immediately schedule work on an interim use ordinance. Vote: 7:2.

City Council

Senior Planner Gozola said the pool barrier ordinance was discussed at the September 18th Council meeting. The City Council voted 4:1 to keep the existing ordinance in place. He said the new city website is functioning, but will continue to be enhanced.

Adjourned at 8:27 p.m.

Respectfully submitted,



Kelli Matzek
Planner