



City of Lake Elmo

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, August 13, 2007, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. None.
4. Public Hearings:
 - a. ZONING CODE TEXT AMENDMENT: Review of an ordinance to control the location of sexually oriented businesses within the City.
5. Business Items:
 - a. None
6. Informational Items:
 - a. City Council Updates
 - i. August 7 – Response to Metropolitan Airports Commission (MAC) draft comprehensive plan amendment for the Lake Elmo Airport
 - ii. August 7 – Approved a negative need for an environmental impact statement for the Village sanitary sewer extension based upon an Environmental Assessment Worksheet (EAW)
 - iii. Upcoming planning commission items
 - iv. 1994 Article on City Center
7. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of August 13, 2007**

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

Agenda

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

Minutes

None.

Public Hearing: Zoning Code Text Amendment; Sexually Oriented Businesses

Senior Planner Gozola introduced a draft sexually oriented uses ordinance. He explained this ordinance is very similar to the one reviewed by the commission last fall. He said cities are legally required to provide a space in the city for sexually oriented businesses, with the exception of live performances if a city is within 50 miles of such a facility. The proposed ordinance uses 1350 foot buffers around school property, church properties, public spaces, and all residential areas to identify a proper location for sexually oriented businesses. The buffers are intended to reduce the negative impacts. The 1350 foot buffer reduces the potential location to two properties in the city. By adding the requirement that the use be allowed only in the Business Park zoning district, the options are reduced to one location in Lake Elmo.

Commissioner Fliflet asked if the city was required to provide a certain sized parcel.

Senior Planner Gozola said the city is only responsible for creating a location where it would be permitted by city code and not for ensuring that the size or covenants, if there are any, allow that use on site.

Commissioner Schneider asked if the parcel would be covered by the Eagle Point Business Park Conditional Use Permit (CUP).

Senior Planner Gozola said it would.

Commissioner Fliflet asked if there was anything precluding the city's ability to identify a site that is already being used for another business.

Senior Planner Gozola said that if it can be done objectively, a parcel that already has a use on it may be identified as an appropriate location.

Commissioner Armstrong asked if other cities had used the 1350 foot setback.

Senior Planner Gozola said that communities have to look at the land uses and identify what is appropriate in each city.

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

No one spoke.

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

Commissioner Armstrong said the office park would need to come in and have their CUP amended and would need to want to sell their property to that type of business.

Commissioner Fliflet asked if this ordinance could be challenged.

Senior Planner Gozola said the ordinance has been reviewed by the City Attorney.

M/S/P, Roth/Van Zandt, motion to recommend approval of the ordinance as presented.
Vote: 9:0.

City Council Updates

Planner Matzek said the Metropolitan Airports Commission (MAC) submitted a draft comprehensive plan amendment for the Lake Elmo Airport. At the August 7th City Council meeting a response was approved to be sent to MAC.

Senior Planner Gozola said that although it was not required, an Environmental Assessment Worksheet (EAW) was done for the sewer line. At the August 7th Council meeting, the City Council approved that no further environmental review was needed as identified in the results of the EAW. Senior Planner Gozola went on to identify upcoming planning commission items: pool covers, Mencke variance, LCD billboards. The city is looking to hire a full time planning director.

Adjourned at 7:23 p.m.

Respectfully submitted,



Kelli Matzek
Planner