

**City of Lake Elmo
Planning Commission Meeting
Minutes of January 9, 2012**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Fliflet, Hall, Obermueller, Pelletier, Van Zandt, Williams, and Ziertman. Absent: Haggard. STAFF PRESENT: Planning Director Klatt and Interim Planner Johnson.

To begin the meeting, Planning Director Klatt provided an update regarding Planning Commissioner appointments as decided by the City Council. With these updates, the City Council reappointed Commissioner Williams to his first full term as a Full Voting Member and Commissioner Fliflet to the position of 1st Alternate. In addition, Commissioner Bidon resigned from his position as a Full Voting Member due to his property being included in the recent detachment petition which was made official January 3rd, 2012. Due to these developments, Commissioners Obermueller and Haggard are both moved up to the position of Full Voting Members of the Lake Elmo Planning Commission.

Election of Officers

Commissioner Hall nominated Commissioner Williams for the position of Chairman for 2012.

Commissioner Fliflet nominated Chairman Van Zandt for the position of Chairman for 2012.

Commissioner Williams withdrew his nomination as Chairman.

M/S/P, Williams/Hall, move to elect Chairman Van Zandt to the position of Chairman of the Lake Elmo Planning Commission for 2012, Vote: 7-0.

Commissioner Fliflet nominated Commissioner Pelletier for the position of Vice Chairman.

Commissioner Pelletier withdrew her nomination and nominated Commissioner Williams for the position of Vice Chairman of the Planning Commission.

M/S/P, Pelletier/Ziertman, move to elect Commissioner Williams for the position of Vice Chairman of the Lake Elmo Planning Commission, Vote: 7-0.

Commissioner Hall inquired as to what role the secretary serves on the Planning Commission.

Planning Director Klatt notes that the position is required by City Ordinances. In addition, the Secretary would act as Vice Chairman or Chairman given the absences of one or both of these members.

Commissioner Williams nominated Commissioner Hall for the position of Secretary.

M/S/P, Williams/Ziertman, move to elect Greg Hall to the position of Secretary, Vote: 7-0.

Planning Director Klatt also provided an update regarding the status of former Commissioner Bidon.

M/S/P, Williams/Hall, move to approve the agenda, vote: 7-0

Minutes- December 12, 2011

M/S/P, Hall/Obermueller, move to accept the minutes from the Planning Commission meeting on 12/12/2011, Vote: 5-0. Abstained: Williams and Pelletier.

Public Hearing- None

Business Item – Planning Commissioner Annual Report

The Planning Commission is being asked to review and comment on an annual report for the Planning Department and Planning Commission. The report includes a summary of yearly activities and other projects tasked to the Planning Department and Planning Commission.

Planning Director Klatt highlighted the tasks completed by the Village Area Work Group and South of 10th Street Area Work Group. In terms of land use applications, the numbers received were about the same as last year. However, the number of applications is still down from the period of the early 2000's. Regarding the close out of development agreements, the Staff has dedicated many hours to the Whistling Valley development, working with the bonding company to complete the infrastructure and landscaping improvements.

Commissioner Fliflet asked about the senior living/farm school project on Highway 5.

Planning Director Klatt explained that the Planning Commission did not meet about this item in 2011, but the Staff did complete some review work on this project. It may be helpful to submit this project as an action item in the report.

Chairman Van Zandt inquired about the review of buffer setbacks within OP districts.

Planning Director Klatt noted that the OP buffer setback project occurred in 2010 as well.

Planning Director Klatt explained that the annual report highlights a large number of projects that received a significant amount of Staff attention. These projects include the ECFC application, the City of Lake Elmo Library project, the detachment petition, and providing support to the City Attorney for the 3M lawsuit. These projects have required a great deal of Staff time.

Commissioner Fliflet questioned whether or not some of these projects are the best use of Planning Staff time.

Planning Director Klatt explained that a large majority of these matters required Planning Staff attention due to the nature of the information that needed to be collected. In addition, Planning Director Klatt noted that due to the resignation of one staff member, the Planning Department has been short staffed for some time.

Regarding the future planning projects, Planning Director Klatt noted that he would like to shift emphasis and Staff time towards the future land use planning and Zoning Code updates for the Village Area and South of 10th Street Area.

Chairman Van Zandt asked how long Interim Planner Johnson will be working for only 20 hours a week.

Planning Director Klatt explained that this arrangement is a short-term solution until the full-time position of planner is filled.

Chairman Van Zandt also questioned whether or not the Planning Commission needs to replace former Commissioner Bidon on the South of 10th Street Area Work Group.

Planning Director Klatt explained that the Planning Commission is not mandated to have three members serving on that work group.

Planning Director Klatt then discussed the Memorandum of Understanding (MOU) with the Metropolitan Council. He noted that the City of Lake Elmo has received a four year extension on the growth of REC units, but the final number of necessary REC units within the MOU has not changed.

Commissioner Pelletier asked about the rationale of the Met Council in not changing the final population growth projections since the recession.

Planning Director Klatt explained that the Met Council has a blueprint for regional growth.

Commissioner Obermueller asked whether the detachment petition, now officially approved, will shift the Met Council's growth projections.

Planning Director Klatt noted that this area was guided for rural development, and therefore would not drastically affect the projections. Nevertheless, this issue should be highlighted for the Met Council.

Planning Director Klatt noted that accessory building review began in 2011, and needs to be further studied and discussed in 2012. In addition, he explained that the Home Occupation Ordinance should be completed sometime in early 2012. In addition, Staff has completed a review of the community septic 201 system.

Commissioner Williams highlighted that the Staff is focusing on City owned 201 systems, which is distinctly different from other private systems that were installed in that project.

Planning Director Klatt noted that additional attachment or expansions of the 201 system is not recommended and is currently under review due to a recently received application.

Commissioner Fliflet inquired as to whether Internships would be a good route for filling Staff vacancies beyond the summer time.

Chairman Van Zandt asked whether now is the appropriate time to inquire about a future intern.

Planning Director Klatt explained that we should determine whether a future intern is possible sometime in January or February.

Planning Director Klatt described the work that the Staff has done to implement the Mn/DOT landscaping grant for 2011 and 2012.

Commissioner Fliflet noted that the cub scouts may be a good source for volunteers for the landscaping project.

Planning Director Klatt noted that the number of land use applications were comparable to 2010. However, changes related to the application of variances caused an increase in the number of variance requests. Regarding building permits, Planning Director Klatt noted that most of the permits have been for remodeling projects. There were 24 new homes constructed in 2011.

Planning Director Klatt then described the ongoing research into Form-Based Code, as well as Staff's ongoing participation with the Gateway Corridor Technical Committee. Some of the alternatives have stations being located in Lake Elmo. The Staff will keep the Planning Commission up to date on important developments.

Commissioner Williams noted that the Staff completed a Visual Preference Survey.

Planning Director Klatt noted that this project received strong participation from the community and will be important in developing architectural and form standards for the Village and South of 10th Street areas in the future.

Regarding to the Capital Improvement Program, Planning Director Klatt noted some important projects that may need attention in the future. Related to economic development activities performed by Staff, the City worked to update its directory for Lake Elmo businesses. In addition, Staff also administered a survey to willing local business owners to find out how the Staff can improve its outreach to local businesses.

Planning Director Klatt highlighted other activities completed by Staff in 2011, including the AT&T antenna and Washington County trail access meetings.

In addition, Planning Director Klatt noted that Staff is tracking the development agreement for Whistling Valley, and hope to complete this project by the end of the spring.

Regarding City Code amendments, the Staff worked to amend or review several ordinances. These include:

- Fence Ordinance
- Variances (Zoning Administration)
- GB District Amendments (ECFC Facility)
- Temporary Electrical Inspections
- Park and Ride Facilities
- Municipal Purchases of Private Land
- Stormwater Control
- Major Zoning Ordinance updates

Planning Director Klatt then highlighted the statistics from 2011. The Planning Commission met 22 times and conducted 24 public hearings. The City processed a total of 370 building permits during 2011. In addition, Staff reviewed 29 land use applications. According to the 2010 Census, the population of Lake Elmo was 8,069. This population is 1,883 less than projected for 2010 in the Comprehensive Plan (840 fewer households than projected). The growth rate for Lake Elmo over the last 10 years was 17.6%.

Planning Director Klatt completed his presentation and opened the conversation up to questions and comments.

Commissioner Pelletier expressed frustration regarding the expectations of the Metropolitan Council regarding the growth of Lake Elmo. She expressed doubt that the size of projected population growth will be possible within the timeframe determined under the MOU.

Planning Director Klatt explained that the projections are related to a proportion of regional growth within proximity to existing and future infrastructure. In addition to this

point, Klatt noted that the City may want to consider guiding immediate future development towards the South of 10th Street area where sewer is already in place. Until we know that the necessary infrastructure will be constructed in the Village Area, it is more uncertain. Finally, he noted that Staff should always keep appropriate projections based upon regional and local knowledge in mind when planning for the future.

Commissioner Williams noted that the City of Lake Elmo should be compared to other communities in the Metropolitan area as opposed to the whole state.

M/S/P, Williams/Fliflet, move to accept the Annual Report as submitted, Vote: 7-0.

Business Item – Planning Commission Work Plan

Planning Director Klatt noted that the work plan is important in communicating the goals of the Planning Commission to the City Council. He then explained the key/legend relating to the planning activities, highlighting the level of priority and a guide for completion date. Moving forward, Planning Director Klatt highlighted the major projects that are set for 2012.

Commissioner Fliflet asked why the outdoor burning ordinance has higher priority than the outdoor lighting ordinance. Considering the attention that this issue has drawn, she felt that we need to raise the priority of the outdoor lighting ordinance. Her concerns include the fact that the code is not enforced, particular residential areas do not want to keep their private lights on at night, and that there are some areas of the city that should have street lights to increase safety.

Commissioner Pelletier noted that the ordinance does not effectively relate to some of the residential areas. Some of the residential areas have greater density.

Chairman Van Zandt made a comment relating to signage and lighting. He noted that 3M made a presentation to the Rotary in which they presented different LED lighting strategies that would be appropriate for Lake Elmo. Chairman Van Zandt noted that it would be helpful for the Staff to complete some research about what types of lighting are available to residents and craft the future code that way. He also noted that 3M is developing technologies that would be beneficial to Lake Elmo.

Planning Director Klatt summarized the Commissions' concerns regarding the outdoor lighting ordinance.

Chairman Van Zandt noted that knowledge about lighting would be helpful in working with developers to install attractive and effective lighting.

Planning Director Klatt asked if there were any other specific concerns regarding lighting and specific locations.

Commissioner Fliflet noted that lights continue to be on late at night at Rockpoint Church.

Commissioner Ziertman noted that many insurance companies require lighting for safety reasons.

Commissioner Hall suggested that the outdoor lighting ordinance be increased in priority.

Commissioner Williams noted that Carriage Station HOA requires that homes keep their outdoor lights on throughout the night, which is in conflict with City Code.

Commissioner Williams asked about projects that do not have a status determined (Complete or In Progress).

Planning Director Klatt explained the methodology of the Work Plan. He noted that right now this is a working document, and will be changed with the comments of the Planning Commission and City Council.

Commissioner Williams noted that there are not tasks related to land use and housing planning for the South of 10th St. Area.

Planning Director Klatt explained that these planning activities will be completed for the South of 10th Street area, just as in the Village Area. For some reason, the tasks for the Village were described with more detail.

Commissioner Williams felt that the work plan should be as specific as possible.

Planning Director Klatt noted that the land use and housing sections of the Comp Plan are areas of focus. He also noted that future comp plan sections will be split into three areas of development: Village area, South of 10th St. area, and rural development areas.

M/S/P, Fliflet/Hall, move to approve 2012 work plan as amended with the increased priority of the outdoor lighting ordinance, Vote: 7-0.

Planning Director Klatt asked the Commission whether someone would like to attend the City Council meeting describing the Planning Commission annual report and work plan.

Chairman Van Zandt said that he would attend, along with other volunteers.

City Council Updates- *Comprehensive Plan Amendment and Rezoning for 5577 Lake Elmo Ave.- Withdrawn by the Applicant*

Planning Director Klatt explained that the applicant intends to submit an application for a variance relating to this matter. This matter would not be submitted to the Commission until February.

Staff Updates- *Buberl/Nass/Bidon Property Detachment*

Planning Director Klatt explained where the property in question is located. He then explained how the detachment process was completed. This matter was ruled on by an administrative judge, approving the detachment effective as of 1/3/2012. If this order stands, the Planning Commission will be required to update the Comp Plan to reflect these changes.

Commissioner Hall asked how this detachment affects the owner's property rights in terms of subdivision.

Planning Director Klatt explained that owners of the detached properties will petition to join one of the adjoining cities, and whichever city they are able to join will determine the development possibilities.

Commissioner Williams asked why the property owners did not initially petition to join Oak Park Heights.

Planning Director Klatt explained that it is not possible by law to directly detach to another city without the consent of both of the cities involved.

Commissioner Pelletier asked about how the closing of a street influenced this decision.

Planning Director Klatt explained that the property owners felt that they would not be able to develop their land to its potential.

Commission Concerns- *None*

Adjournment

The meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Nick M. Johnson
Interim City Planner