

**City of Lake Elmo
Planning Commission Meeting
Minutes of April 12, 2010**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Bidon, Britz, Fliflet, Hall, , Van Zandt, Williams, McGinnis. Absent: Ziertman, Pelletier, Pearson, Van Erem; STAFF PRESENT: Planning Director Klatt, Planning Intern Bailey

Agenda

M/S/P Hall/Williams to approve the agenda as presented. Vote 9:0.

Minutes – None

Public Hearing: *Eder's Century Pines Preliminary and Final Plat*

Klatt reviewed the staff report concerning a preliminary and final plat application for a new subdivision to be named Eder's Century Pines. Staff recommended approval of the preliminary and final plat with conditions.

Craig Hinzman, Folz Freeman and Erickson, spoke on behalf of the applicants and noted that road easements exist on the property that would be vacated and rededicated as part of the subdivision request.

Fliflet asked whether or not the proposed subdivision was consistent with the Comprehensive Plan. Klatt replied that the plat complied with the Rural Residential zoning requirements, and therefore would be considered consistent with the Comprehensive Plan, which guides this area for Rural Agricultural Development.

Williams expressed concern with the storm water management plan, and asked if a storm water plan would be required on each lot in the subdivision. Klatt indicated that a plan would only be required once a building permit was sought on the vacant lots in within the plat. Williams noted that the watershed district seemed to be asking for a more comprehensive plan for the entire property. Klatt noted that this issue could be clarified with the watershed district prior to the recording of the final plat.

The Commission generally discussed the merits of requiring an overall storm water plan for the property. Klatt noted that with the large size and small number of new lots being proposed it would be very difficult to accurately try to predict where and how much building might take place on each lot.

Fliflet questioned whether or not the acceptance of a plat below the allowed density in an OP Open Space Preservation District would have implications on the population projections in the Comprehensive Plan. Klatt stated that a Comprehensive Plan should be updated periodically in response to changes conditions and that the City could not reject a plat that met the underlying zoning and subdivision requirements.

Fliflet suggested that the City identify areas where higher density development should be allowed before it is no longer available for development.

Van Zandt opened the public hearing at 7:43 p.m. No one spoke and the hearing was closed at 7:43 p.m.

M/S/P Fliflet/Pearson to recommend approval of the preliminary and final plat for Eder's Century Pines with the conditions as outlined in the Staff report. Vote 7:0.

Public Hearing: *Surface Water Management Ordinance Revisions*

Klatt explained that the Planning Commission was being asked to consider revisions to the City Code pertaining to the recently adopted Surface Water Management Ordinance. The proposed revisions will either eliminate conflicting language or add references to the newly adopted ordinance.

Van Zandt asked how a resident might be able to deal with a storm water issue that originates on property outside the City of Lake Elmo. Klatt indicated that it would depend on who the permitting authority would be and that he would look into this issue a little further.

Williams questioned why all zoning districts did not include a reference to the new regulations. Klatt replied that the requirements are typically triggered by a new subdivision, building permit, or other permit outside of the specific zoning district requirements.

Van Zandt opened the public hearing at 8:05 p.m. There were no public comments and the hearing was closed at 8:05 p.m.

M/S/P Hall/Williams to recommend approval of amendments to the Surface Water Management and Drainage and Erosion Control sections of the City Code as presented. Vote 7:0.

Business Item: *Home Occupation Ordinance*

Bailey reviewed a Staff report concerning a proposed update to the Home Occupation provisions in the Zoning Ordinance. She noted that the draft ordinance was prepared to closely follow a draft previously considered by the City several years ago. Bailey also stated that she had received some feedback from Commissioner Pelletier who was on the Commission when this issue was last considered; this feedback supported the current direction taken by the Planning Commission with regards to this issue.

Van Zandt asked why the ordinance would not allow gravel parking areas. Klatt suggested that home occupations observe the residential parking standards in the Zoning Ordinance.

The Commission generally discussed the issues associated with the storage of goods and materials, and in particular, equipment related to a contractor's businesses.

Fliflet suggested language that would allow exceptions for garage sales.

Hall indicated that it would be good to include a statement that a home occupation must comply with all underlying zoning requirements.

There was a general discussion concerning how to measure adverse impacts associated with a home occupation. The Commission discussed that adding references to underlying zoning standards should help quantify the impacts that would otherwise exceed those associated with a single family home.

The Commission reviewed issues associated with deliveries to home occupations, and by general consensus, found that deliveries normally associated with a residential areas should be acceptable.

McGinnis requested that craft sales be included in the definition for a home-based business. Williams suggested that the ordinance include an overall definition for home occupations and then to define a home office and limited home based business under this broader category. The Commission decided, by consensus, to keep the definitions that are included in the draft ordinance.

City Council Updates:

Klatt reported that the City Council has asked Staff to develop an administrative fine ordinance. Bailey gave the Planning Commission a brief update concerning the work done to date that will be used as the basis for a new ordinance. Klatt also stated that the Minnesota Department of Transportation will be upgrading the Highway 5/Jamaca Avenue intersection to a round-a-bout later this summer.

Adjournment:

The meeting was adjourned 9:37 p.m.

Respectfully submitted,

Kyle Klatt
Planning Director