

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

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

Agenda

M/S/P, Williams/Hall, move to approve as presented. Vote: 8:0.

Minutes - May 24, 2010

M/S/P, Hall/Pearson, move to approve as presented. Vote: 4:0. Abstained: McGinnis, Pelletier, Van Zandt, and Williams.

June 14, 2010

Commissioner Ziertman said on the second to last page she said that although the developer was referring to accessory buildings as agricultural buildings she believes it does not meet that definition criteria. She also wanted it stated that she agreed with Commissioner Williams that the land with the accessory buildings on it should not be counted as open space.

M/S/P, Pearson/Ziertman, move to approve as amended. Vote: 5:0. Abstained: Bidon, Hall, and Pelletier.

Business Item – Administrative Enforcement Item

Planning Director Klatt stated that the City Council directed staff to update the enforcement section of code so an alternative penalty method could be utilized.

Planning Intern Bailey said the proposed administrative process and resulting ordinance would allow a quicker process and would create a system of compliance. The court procedures currently in place often take more time than residents would like to see. Because the cost would be split evenly between the city and the resident, this would be less expensive than the other route.

Commissioner Williams suggested that after license add the words “or permit.”

Planning Director Klatt said that the city’s general policy has been to operate in response to complaints. He elaborated that in instances where staff finds something is not being compliant then there is follow up. He said the City Council asked staff to do periodic sweeps for illegal signage.

Commissioner Williams asked who is being authorized to issue the citation.

Planning Intern Bailey said it would typically be the Building Official, but it could be opened up to other staff.

Planning Director Klatt said it should not be limited to just city employees as the ordinance should give continued authorization to the Washington County Police Department.

Planning Intern Bailey said she will look into the typos pointed out by the commission.

M/S/P, Williams/Pearson, move to recommend with amendments. Vote: 8:0.

Business Item – *General Planning Update Items: I-94 Corridor Planning; Zoning Ordinance; Future Planning Issues*

Planning Director Klatt said this topic was to discuss items being dealt with at the staff level and is not intended for an in-depth conversation. He said Washington County has adopted new rules for sewage treatment systems which the city must respond to by the end of September. He stated that staff has discussed a process for proceeding with zoning regulations for implementation of development in the village area and the I-94 corridor. Planning Director Klatt said the City Council recently discussed the arrangement of land uses guided in the I-94 area and what the market would support. The council discussed creating a master plan or vision for that corridor, possibly through a committee.

Chairman Van Zandt stressed the importance of using mass transit whenever possible and said he would like to see that as part of the discussion. He said he was impressed with the Arendt information shown before the meeting and suggested implementing some of the ideas set forth in the DVD such as a site walk for development applications.

Planning Director Klatt verbally gave information to the commission about form based codes.

Commissioner Williams said he recently attended a training session that was inline with the Arendt presentation. He suggested using this process along the I-94 corridor, in the Village area and throughout the city. He asked for a schedule of when the commission will get into the details of the future development.

Planning Director Klatt said the details are in the next step and there is an outline of the process. He said one of the key issues is to figure out how to make the Open Space Preservation (OP) development process easier for developers as the city does not require OP developments. He said additional future discussion is needed on the transfer of development rights concept.

Commissioner Williams suggested finding some models for transfer of development rights that have been tested in court elsewhere to use as a model.

Commissioner Pearson suggested looking at Troy Township by Hudson, WI.

Chairman Van Zandt said the city needs to consider options like tax forgiveness and giving free land to get businesses into the city.

Planning Director Klatt handed out a code example from Leander, Texas and gave some information on form based codes.

Commissioner Hall said that form will dictate the function of the building.

Commissioner Pelletier said she would recommend a task force made up of residents, commission members, council members, a landscape architect, and property owners in the village area and the I-94 corridor.

Commissioner Williams said he understands a task force for the I-94 area, but that the Village Area committee worked for years on this topic already.

M/S/P, Pelletier/Pearson, move to recommend a task force for visioning in the I-94 corridor. Vote: 8:0.

Updates

Planning Director Klatt said that the wayside stand ordinance amendment was approved. He said the home occupation ordinance was tabled and the Heath easement was vacated which allowed them to build their garage. He said the City Council will be presented with the rural area density analysis the commission previously saw and staff will move forward with an urban area analysis.

Commission Concerns

Commissioner Williams asked if there are regulations that would regulate the selling of animals or lawn ornaments as he recently saw signs advertising such.

Van Zandt – we don't have staff to police the short term events

Planning Director Klatt state the existing code regulates kennels and that the selling of lawn ornaments would fall under home occupation or garage sale regulations.

Commissioner Hall said he had attended a training session and received a follow up email from the Minnetonka attorney regarding the issuance of variances and a recent court case. He thought it would be beneficial to forward to other commissioners.

Adjournment:

The meeting was adjourned 8:37 p.m.

Respectfully submitted,

Kelli Matzek
Planner