

**City of Lake Elmo  
Planning Commission Meeting  
Minutes of January 12, 2009**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:01 p.m. COMMISSIONERS PRESENT: Anderson, Fliflet, Hall, Pelletier, Ptacek, and Van Zandt. Absent: Deziel, Helwig, McGinnis, Pearson, and Roth. STAFF PRESENT: Planning Director Klatt and Planner Matzek

**Election of Officers**

Commissioner Robert Van Zandt was nominated for Chair by Commissioner Fliflet.  
Vote: 5:0. Van Zandt abstained.

Commissioner Todd Ptacek was nominated for Vice Chair by Commissioner Pelletier.  
Vote: 5:0. Ptacek abstained.

Commissioner Julie Fliflet was nominated for Secretary by Commissioner Pelletier.  
Vote: 5:0. Fliflet abstained.

**Agenda**

M/S/P, Ptacek/Hall, to approve the agenda as presented. Vote: 6:0.

**Minutes**

Minutes were not available.

**Public Hearing: Variance and Lot Line Adjustment**

Planning Director Klatt summarized the variance and lot line adjustment application to move an internal lot line between the properties at 8186 and 8190 Hill Trail North. Although a lot line adjustment could be administratively approved, because one of the legally non-conforming lots would become more non-conforming to lot size, a variance is required. The property at 8186 Hill Trail North would be reduced in size by 470 square feet. The minimum lot size requirement variance is from both the R-1 zoning district and the Shoreland District. Staff is recommending approval of the application as the topography, the area's function as a drainage way, and the need for maintenance make it a unique situation.

*Jim Dillon, Co-Applicant*

Mr. Dillon stated that the retaining walls in this area range in size from three feet to fifteen feet high. The original owners built the retaining walls and provided incorrect information on the property line location. Mr. Dillon said he has spent 18 years maintaining the area to ensure it does not become a drainage problem.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:23 p.m.

Planning Director Klatt said city staff received a phone call from a neighbor in support of the application.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:24 p.m.

M/S/P, Ptacek/Pelletier, move to recommend approval of the variance application. Vote 6:0.

**Business Item**

*Sign Ordinance Project Update*

Planning Director Klatt stated that consultant Ben Gozola was planning to attend the meeting, but did not due to the inclement weather. Mr. Gozola had completed the Agricultural Business and Off-Premise sign code update in 2008. He has now begun work on updating the remaining sign code and has held an open house to receive public input before a draft ordinance is created.

*Planning Commission Terms*

Planning Director Klatt said that some changes had been implemented by the council in 2008 to utilize the existing code regarding commissioner terms which had previously not been enforced.

Commissioner Fliflet said she thought it was strange that if a commissioner had served for three years and wanted to serve an additional three year term that the person would need to be interviewed again. She asked if that is what the City Council had wanted as she would expect the council to know the commissioner from watching their meetings.

Planning Director Klatt said the City Clerk stated that is what the City Council wanted; commissioners' whose term was expiring was in the same pool of interviewees.

Commissioner Ptacek said he spoke with the previous City Administrator and she stated that was what the council wanted.

Planning Director Klatt said that an alternate is not a part of the interview process unless they would like to become a full voting member. The City Clerk identified that there was a break from past practice.

Chairman Van Zandt said he would like the decision made on how the three vacant positions on the commission would be filled.

*2009 Work Plan*

Planning Director Klatt handed out the 2008 and 2009 work plans. He stated what was accomplished in 2008 and what projects were in progress.

Commissioner Pelletier said the review of the outdoor lighting ordinance has been on the work plan as long as she can remember. She said the Village Area AUAR was a dramatic task, but was curious as to how to get this item started.

Planning Director Klatt said the items on the 2008 work plan were prioritized and the lighting ordinance was given a number three. Staff tries to work on the items as time allows and other high priority items were accomplished first.

Commissioner Fliflet said she would like to finish the home occupation ordinance which was started two years ago. She said it is difficult to work on a project over a long period of time when commission members change. She would like to see a work plan of what will get done on a smaller work plan of only 4-5 items.

Planning Director Klatt said that a fair amount of projects were accomplished in 2008 and some items were intended to take a longer time, such as the AUAR. He suggested the commission select one or two critical code amendments.

#### *2009 Meeting Schedule*

M/S/P, Anderson/Hall, move to approve the meeting schedule as presented. Vote: 5:0. Ptacek abstained as he believed they should spend more time on it.

#### **Informational Item: Government Training Services**

Planner Matzek stated that training is provided by a private company in the spring of each year. The registration fee would be paid by the city if a commissioner would like to attend. At the time of the meeting, the dates and times had not been released.

#### **Council Updates**

Planning Director Klatt said that the T-Mobile Tower Application was reviewed at the December 9<sup>th</sup> meeting, but that an extension was approved by the applicant to February 10<sup>th</sup>. A workshop will be held tomorrow night at 6:30 p.m. to receive additional feedback, but that no decisions would be made at that time.

Commissioner Pelletier asked if the application were approved, if it would be setting a precedent for future applications.

Planning Director Klatt said that it would not as the city's regulations will be reviewed, but that there are federal regulations that restrict what a city can regulate.

Planning Director Klatt said the Interim Use Permit for Terry Emerson at 11530 Hudson Boulevard was approved, but that the use has not taken place as additional plantings were required. He also stated that a moratorium on wireless telecommunication towers was put in place and staff was asked to put together an outline.

Adjourned at 8:26 p.m.

Respectfully submitted,

Kelli Matzek  
Planner