

**City of Lake Elmo
Planning Commission Meeting
Minutes of October 26, 2009**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Anderson, Bidon, Britz, Fliflet (7:02 p.m.), Hall, McGinnis, Pearson, Van Erem, Van Zandt, and Williams. Absent: Ziertman.

Agenda

M/S/P, Anderson/Hall, move to approve. Vote: 8:0.

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Commissioner Britz said the third motion on the last page does not reference the development, which should be Whistling Valley I.

M/S/P, Pearson/Williams, move to approve as amended. Vote: 7:0. Abstain: McGinnis and Van Erem.

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Commissioner Britz said that on page three, the first vote for Whistling Valley II failed, the second vote that passed should be for Whistling Valley II, not III.

M/S/P, Hall/McGinnis, move to approve as amended. Vote: 9:0.

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M/S/P, McGinnis/Pearson, move to approve as presented. Vote: 7:0. Abstain: Anderson and Van Erem.

Public Hearing – FEMA Floodplain Maps and Ordinance Revision

Planning Director Klatt introduced this item. He said the city must revise the floodplain ordinance and to adopt the revised maps in order to be eligible for emergency funds from FEMA. Staff is recommending approval of the draft ordinance.

Commissioner Fliflet asked what the reasoning was behind not allowing manufactured homes in the floodplain.

Planning Director Klatt said that structures such as accessory buildings, recreation vehicles and manufactured homes are not allowed because they float and could cause damage to other buildings.

Commissioner Williams asked if there was any involvement of the watershed districts in the process.

Planning Director Klatt said that the VBWD was involved in the early discussions. He said the information that went into the new maps came from either the watershed district or Washington County to increase accuracy.

Commissioner Williams suggested adding the watershed district as a reference for permitting in the ordinance along with the DNR is so it is clear. He asked what the difference was between “water control structures” and “levees, etc.”

Planning Director Klatt said that could be looked into, but that language was provided in the model ordinance.

Commissioner Williams said the ordinance allows driveways to be constructed two feet below the flood level, but suggested it should be less than one foot. He asked if the “governing body” mentioned under 6.23 includes the Planning Commission.

Planning Director Klatt suggested the language be clarified to include the commission.

Commissioner Williams suggested taking out the reference to insurance rates in 10.37 as they change, referencing the permit fee schedule in 10.43 b, and asked how the city would keep track of fifty percent value added to the cost of a structure over the life of the structure as identified in 11.13.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:22 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:22 P.M.

M/S/P, Williams/Bidon, move to recommend model ordinance with corrections suggested be forwarded to the reviewing agencies. Vote: 9:0.

Public Hearing - CUP Amendment for Country Sun Farm & Greenhouses

Planner Matzek said this application has been tabled in the past and has since been expanded to include the rezoning of a parcel to allow the movement of an existing greenhouse to another property. She said that because that is a significant change to the application, staff is renoting the application for the November 9th meeting. Therefore, staff is asking that the public hearing be continued and closed.

THE CHAIRMAN REOPENED THE PUBLIC HEARING AT 8:25 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING at 8:25 P.M.

M/S/P, Williams/Anderson, move to table the application. Vote: 9:0.

Business Items – OP Buffer Setback Review

M/S/P, McGinnis/Anderson, move to recommend a 100 foot buffer setback from the North, South, West and East edge of the Tamarack Farms development. Vote: 8:1. Bidon opposed.

M/S/P, Bidon/Williams, move to recommend a 100 foot buffer setback from the North, South, and West and a 200 foot setback from the East edge of the Sunfish Ponds development. Vote 9:0.

M/S/P, Pearson/Hall, move to recommend a 50 foot buffer setback from the North, West, and East and a 100 foot setback from the South edge of the Hamlet on Sunfish Lake development. Vote: 9:0.

M/S/P, Bidon/Williams, move to reconsider the buffer setback recommendations for the St. Croix's Sanctuary development. Vote: 9:0.

Commission Bidon suggested the buffer setback be reduced to zero feet from the West edge.

Planner Matzek said the recommended 50 feet has a minor impact on the few properties near the West edge as there is a minimum 30 foot wide outlot that separates the lots from the edge of the development. The buffer setback would have minimal impact on the properties.

Commissioner Bidon said he did not think it was intended to have a buffer setback and has a hard time with the setbacks that cross onto private property.

M/S/P, Fliflet/Anderson, move to recommend a 100 foot buffer setback from the North, a 200 foot setback from the South, and a 50 foot setback from the West and East edge of the Cardinal Ridge development. Vote: 9:0.

M/S/P, Williams/Fliflet, move to recommend a 100 foot buffer setback from the North and West and a 200 foot setback from the South and East edge of the Wildflower Shores development. Vote: 9:0.

Commissioner Williams recommended a 0 foot buffer setback from the West in the Heritage Farms development because all the properties adjacent to the development are smaller and the intent of the ordinance is to buffer larger existing lots from the smaller, more dense properties.

M/S/P, Fliflet/Williams, move to recommend a 0 foot buffer setback from the West and South and a 50 foot setback from the East and North edge of the Heritage Farm development. Vote: 9:0.

Business Items – Comprehensive Plan Update/Required Revisions

Planning Director Klatt said that the city had submitted the Comprehensive Plan update, but received a letter from the Metropolitan Council stating it was incomplete. He said the

three things identified to be submitted were an update to the number of individual septic systems, figures for affordable housing, and an implementation section. Planning staff will bring back a new section for implementation and will address the other questions with the Metropolitan Council staff. A public hearing will be held at the next commission meeting.

City Council Update

Planning Director Klatt said that the variance application for 8199 Hill Trail North was approved at the October 20th City Council meeting.

Adjourned at 9:25 p.m.

Respectfully submitted,

Kelli Matzek
Planner