



City of Lake Elmo

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, May 14, 2007, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. March 26, 2007
4. PUBLIC HEARING: Development Preliminary Plan (also known as OP Development Stage Plan), Preliminary Plat, and Conditional Use Permit: An application to allow an Open Space Preservation development called Whistling Valley III (West) located north of 10th Street and west of the existing Whistling Valley I development. ~ Ben Gozola
5. Draft Interim Zoning Ordinances Open Houses (Village Area, South of 10th Street) – verbal update ~ Ben Gozola
6. Rock Point Church – Hard Hat Tour – verbal update
7. City Council Updates
 - a. May 1 – Discover Crossing CUP Amendment denial
 - b. May 15 – Consider authorization for plans and specs for Lake Elmo Avenue Infrastructure Project I-94 to 30th Street (trunk sanitary sewer, water main extension, street reconstruction, trail, and storm sewer improvements)
8. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of May 14, 2007**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Ptacek, Helwig, Lyzenga, Pelletier, Roth, McGinnis, Fliflet, Van Zandt, Armstrong (7:03) and Deziel (7:08). STAFF PRESENT: City Engineer Ryan Stempski, Senior Planner Gozola and Planner Matzek.

Agenda

M/S/P, Helwig/VanZandt to approve minutes as presented. Vote: 8:0.

Minutes

March 26, 2007

M/S/P, Helwig/Lyzenga to approve as presented. Vote: 8:0.

Whistling Valley III, Preliminary Plan, Plat, CUP,

Senior Planner Gozola introduced the application for Preliminary Plan, Preliminary Plat, and Conditional Use Permit for the Open Space Preservation (OP) development Whistling Valley III. The applicant is looking to plat six lots in the development. At the concept stage, the City Council decided to review this as a stand alone development and therefore, the deviations would require a 4/5 vote. The first deviation is that the property is less than the 40 acre minimum. The second request is to allow the open spaces to be less than 10 acres in size. The third is to reduce the buffer from Whistling Valley I. The fourth deviation is from where the trees would be planted. Staff is requesting right-of-way be extended to the west to a large parcel that could be developed as an OP development in the future. Applicants have proposed right-of-way for future road connection to the north to possibly connect up with 15th Street North.

City Engineer Stempski said he has worked with the applicant on the road system and the dimensions of the proposed hammerhead. They have submitted all necessary permits for extending the septic to this area.

Planner Gozola said the property is within the shoreland district, but in reviewing the shoreland regulations, found that the application meets the requirements. Staff is not recommending any public parks and would recommend cash-in-lieu of land dedication. Some concerns were brought up at the concept stage by the neighbor Mr. Kaufhold. The City Engineer has worked with Mr. Kaufhold to address his concerns.

Chairman Ptacek asked if there was a drainage problem on the site.

Engineer Stempski said the watershed district reviewed the site for any drainage concerns.

Commissioner Fliflet asked how condition number twelve as stated in the staff report was enforceable.

Senior Planner Gozola stated that a new system is being developed where the planning department will review building permits. The condition follows the intent of an OP development.

Commissioner Deziel said he is confused as to why the council would want to view the development as a stand alone project.

Senior Planner Gozola stated that by looking at it as a component of the others, a 4/5 vote would not be required. The concern with viewing it as a part of the existing developments was a concern of precedent.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:27 P.M.

Dave Sorenson, Applicant

Mr. Sorenson stated that a meeting was held with Mr. Kaufhold to work out his concerns. He will leave the two dead-ending access points for now.

Mr. Jim Kaufhold, 8780 North Ironwood Trail

Mr. Kaufhold stated that everything has been worked out as far as the berm adjacent to his son's property. The plans had showed there was supposed to be erosion control. The developers said they had it hydroseeded, but he believed it was not done. Mr. Kaufhold asked that his comments have no bearing on the current application.

Chairman Ptacek asked Engineer Stempski to talk with Valley Branch Watershed District.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:32

Commissioner Fliflet asked why the middle lot at the bottom was designed in that way.

Mr. Sorenson stated that it was challenging with the setbacks and the elevations. That lot was larger to provide more flexibility in housing placement. There are two ponds located below the two lots. There are also trees and contours to work around.

M/S/P, Pelletier/Van Zandt to recommend approval of the requested preliminary plan, preliminary plat, CUP, and deviations from the OP development standards based on the applicant's submission, the contents of the report, public testimony and other evidence available to the Council. Vote: 8:1. (Deziel opposed, he believed it should have been viewed as a combination of Whistling Valley I and II; the precedent was set incorrectly by allowing it as a stand alone.)

Draft Interim Zoning Ordinances Open Houses

Senior Planner Gozola stated that both open houses for the rezoning of the Village Area and South of 10th Street went well. People were invited to sign up with email addresses for distribution lists.

Rock Point Church – Hard Hat Tour

Planner Matzek stated that the Rock Point Church has invited the Lake Elmo City Council and Commissions to attend a tour of the church. City staff is currently working out the details of the date and time.

City Council Updates

Planner Matzek said that on May 1st, the Council denied the CUP Amendment application for Discover Crossing. On May 15th, the Council will be considering the authorization for plans and specs for Lake Elmo Avenue Infrastructure Project I-94 to 30th Street.

Adjourned at 7:42 p.m.

Respectfully submitted,



Kelli Matzek
Planner