



## City of Lake Elmo

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### NOTICE OF MEETING

The City of Lake Elmo  
Planning Commission will conduct a meeting on  
**Wednesday, May 30, 2007, at 7:00 p.m.**

### AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
  - a. April 9, 2007
4. PUBLIC HEARING: VARIANCE: An application to allow construction of a home on a parcel which does not meet the 1.5 acre minimum lot size requirement, does not comply with the 60% of the district's minimum requirements as outlined in 300.09 of City Code, and construction of an on-site septic system within an area of less than one acre – R1 zoning – 8961 37<sup>th</sup> Street North. (Recommended for Tabling)
5. PUBLIC HEARING: ZONING CODE TEXT AMENDMENT: Creation of zoning code regulations to govern the following new zoning districts: Agricultural Sewered Residential Holding District (HD-A-SRD), Agricultural Business Park Holding District (HD-A-BP), Rural Residential Sewered Residential Holding District (HD-RR-SRD), Rural Residential Business Park Holding District (HD-RR-BP), Rural Residential Limited Business Holding District (HD-RR-LB), Residential Estates Sewered Residential Holding District (HD-RE-SRD), Residential Estates Limited Business Holding District (HD-RE-LB), One Family Sewered Residential Holding District (HD-R1-SRD), One Family Agricultural Density Holding District (HD-R1-RAD), Manufactured Home Park Urban Residential Holding District (HD-R3-URD), General Business Sewered Residential Holding District (HD-GB-SRD), General Business – Business Park Holding District (HD-GB-BP), General Business Commercial Holding District (HD-GB-C), Limited Business Sewered Residential Holding District (HD-LB-SRD).

6. PUBLIC HEARING: ZONING MAP AMENDMENT: Rezoning of multiple properties South of 10<sup>th</sup> Street in the City of Lake Elmo to new zoning districts corresponding with the future land use guidance established in the City of Lake Elmo Comprehensive Plan. A copy of the comprehensive plan along with a map identifying all parcels being rezoned is available at City Hall.
7. City Council Updates
  - a. May 15 – Approved authorization for plans and specs for Lake Elmo Avenue Infrastructure Project I-94 to 30<sup>th</sup> 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 30, 2007**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Ptacek, Deziel, Lyzenga, Roth, Schneider, Armstrong, McGinnis, Fliflet, and Van Zandt. STAFF PRESENT: Senior Planner Gozola and Planner Matzek

**Agenda**

M/S/P, Van Zandt/Roth to approve the agenda as presented. Vote: 7:0

**Minutes**

*April 9*

M/S/P, McGinnis/Van Zandt to approve the minutes as presented. Vote: 7:0.

**Public Hearing: Variance at 8961 37<sup>th</sup> Street North**

Planner Matzek said staff received a variance application for the property at 8961 37<sup>th</sup> Street North. A public hearing was noticed for the meeting. Since then, the City Engineers requested additional information regarding the site and the septic system. Since then, the information was received and is currently being reviewed. Staff is requesting the public hearing be opened, any public input be received and the public hearing be tabled to the June 11<sup>th</sup> Planning Commission meeting.

(Armstrong arrived 7:08 p.m.)

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:07 P.M.

M/S/P, Roth/Deziel to table the application to the June 11<sup>th</sup> Planning Commission meeting. Vote: 9:0.

**Zoning Code Text Amendment: South of 10<sup>th</sup> Street Holding Districts**

Chairman Ptacek gave a background of the rezoning process. He stated that the city updated the Comprehensive Plan and the zoning needs to be updated to be in conformance with that plan. Public input was already taken on the Comprehensive Plan and that would not be up for discussion as a part of the meeting. The meeting would be for any comments on the rezoning districts or the zoning map.

Senior Planner Gozola stated that fourteen new zoning districts are being created. The city must guide the development of properties now to allow development in the future to be able to occur in compliance with the Comprehensive Plan. The only changes within the district requirements at this time would be the restriction on the ability of a property to subdivide. Properties within the proposed holding districts would not be allowed to subdivide into parcels of less than 20 acres, or 40 acres as is the case in agriculturally zoned property.

Senior Planner Gozola continued by reviewing the individual districts and the main differences were highlighted for each. The future rezoning out of the holding districts would be based on a two pronged test – when sewer would be available and when the staging plan has the property guided as such. If both are met, the property could be rezoned out of the proposed holding district.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:26 p.m.

*Tim Montgomery, 4102 River Rd S., Afton*

Mr. Montgomery stated that he owns 59 acres along the I-94 corridor. The property is adjacent to Link Recreational and Lampert Lumber. He thinks the proposed zoning is too restrictive of a use for the property. He does not believe it is consistent with adjoining properties. He is concerned that it will be difficult for a developer to use the property as residential and would have trouble paying for the sewer. Although “Integrated Commercial” is not defined anywhere, it is mentioned within the Lake Elmo Comprehensive Plan.

Chairman Ptacek stated that the future use of the property is not up for debate at this public hearing.

Senior Planner Gozola said that in this process informational meetings were held. That type of feedback is important and will be forwarded on to the City Council. However, those issues are not exactly germane to the night’s discussion.

*Bill Weber, MFRA*

He passed on his right to speak.

*Bruce Miller, MFC properties*

Mr. Miller stated he owns two parcels on Keats Avenue. He said the southern parcel is only 5 acres, but there is a minimum 20. He wanted to know what he could do with the property.

Senior Planner Gozola stated that Mr. Miller owns two parcels that have inconsistencies made on them in a previous zoning process and the Comprehensive Plan. The northern property is currently zoned limited business, but is guided for residential and the southern property is zoned residential but guided limited business. In the future, the city would want to consider switching the properties to allow limited business on the southern property and residential on the northern property.

Mr. Miller stated he did not see a holding district for the northern property. He submitted a copy of his tax statements as he has been paying taxes as a commercial property for years.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:37 P.M.

Commissioner Deziel asked if it is possible to zone across a parcel.

Senior Planner Gozola stated that technically by law, it is possible to do so, but as a planner he would recommend against it. He also said there are a couple properties that are incorrectly guided for Public Facilities. Staff will follow up with those changes.

Commissioner Deziel said there appears to be a mistake at Mr. Montgomery's property. He has brought this up before to previous staff, the commission and the city council.

Chairman Ptacek said the guiding plan could not be changed at the meeting at this time.

M/S/P, Roth/Van Zandt to move the rezoning districts be forwarded to Council as submitted by staff. Vote: 9:0.

### **Zoning Map Amendment**

Planner Gozola stated that staff overlaid two existing maps already approved by the city. The future land use map and the current zoning map resulted in the proposed zoning map. There are a few parcels that have split guidance in the Comprehensive Plan and a property incorrectly guided for public facilities. The property owners have been informed and the issues will be addressed in the future.

Commissioner Roth asked if the little parcel right on I-94 and Lake Elmo Avenue is currently zoned PF.

Senior Planner Gozola stated it is currently PF, but he is unsure why. He will look into it.

Commissioner Fliflet asked why the map shows the Forest and Stonegate subdivisions differently than the other areas.

Senior Planner Gozola said the Forest technically has two lots that could be subdivided according to the existing zoning and this would ensure that it would not be further subdivided at this time. Also, the subdivision is currently zoned incorrectly. The lots in the Stonegate subdivision were not divisible.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:51 P.M.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:51 P.M.

M/S/P, Roth/Schneider to move the zoning district map be forwarded on to the City Council as presented. Vote: 9:0.

Chairman Ptacek said that the districts and the zoning map will be at the June 19<sup>th</sup> Council meeting.

Senior Planner Gozola said he would like to alert everyone to a mailing list for updates via email and notices of upcoming meetings.

**City Council Updates**

Planner Matzek said that at the May 15<sup>th</sup> meeting, the council approved authorization for plans and specs for Lake Elmo Avenue Infrastructure Project I-94 to 30<sup>th</sup> Street.

Adjourned at 7:54 p.m.

Respectfully submitted,



Kelli Matzek  
Planner