



City of Lake Elmo

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, July 23, 2007, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. July 9, 2007
4. Public Hearings:
 - a. None
5. Business Items:
 - a. Direction to Examine Pool Covers
 - b. Sexually Oriented Uses
6. Informational Items:
 - a. City Council Updates
 - i. July 10 – Lake Elmo Comprehensive Airport Plan
 - ii. July 17 – Verbal Update on the I-94 to 30th Street Infrastructure Project
 - iii. July 18 – Rezoning/Holding District approval
 - iv. July 18 – Planning Grant
 - b. 2007 Work Plan – verbal update
 - c. Planning Director Position Posted
 - d. Volunteer Recognition Event – September 21, 2007
7. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of July 23, 2007**

Vice Chairman Pelletier called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Pelletier, Lyzenga, Van Zandt, Helwig, Schneider, Deziel, Armstrong, and McGinnis (7:05). STAFF PRESENT: Senior Planner Gozola and Planner Matzek.

Agenda

Vice Chair Pelletier added "6E – Ensure Commissioners have copies of the Comprehensive Plan."

M/S/P, Helwig/Armstrong to accept the Agenda as amended. Vote: 7:0.

Minutes

July 9, 2007

M/S/P, Deziel/Van Zandt to accept the Minutes of July 9, 2007 as presented. Vote: 6:0.

Abstain: Helwig

Public Hearings: None.

Business Items: Direction to Examine Pool Covers

McGinnis arrived at 7:05.

Senior Planner Gozola said that staff and the council have received requests asking the city to review the existing ordinance requiring fences around pools. The request would be to allow pool covers in lieu of fences. The Council placed this on the 2007 work plan. The two main arguments for pool covers are that they provide a complete barrier to the water and that fences may not be kept up and would then not prevent access to the water. The argument for fences is that they are a permanent fixture whereas a pool cover can be removed.

Commissioner Deziel asked for a source to the comment of pool covers as a viable option as listed on the third to the last page. He also asked for a source on the comment saying no death has occurred at a pool with a cover.

Senior Planner Gozola said staff will be researching standards and the information was provided by those interested in installing pool covers.

Commissioner Van Zandt said there is an automatic latch on a gate. He asked what controls whether a pool cover is actually reinstalled.

Senior Planner Gozola said there may not be anything requiring the covers to be put back over the pools. Some covers have a key system and the hope would be an adult would

open and close it. One option would be to require an alarm system so if someone falls into the pool, an alarm would go off.

Commissioner Armstrong said if the ASTM standard has a universal code for covers, there should be a reference to that in the code. He suggested staff look at surrounding cities ordinances. He is hesitant to take out the fence requirement.

Commissioner Lyzenga suggested larger portable pools should be required to have something as well.

M/S/P, Armstrong/Lyzenga, to direct staff to hold off on the ordinance as the burden should be on the person interested in changing the ordinance.

Senior Planner Gozola stated that there was no application, but direction by the Council to look at the ordinance.

Commissioner Helwig asked how the staff enforcing a pool cover code would know what is allowable. He suggested requiring both a fence and a pool cover.

Senior Planner Gozola said it would be specifically identified in the code. The expenses for requiring both a fence and a cover would be a deterrent for those wanting to put in a pool due to the expense.

Vote: 5:3 (opposed: Deziel, Schneider, McGinnis)

Sexually Oriented Uses

Senior Planner Gozola said that this issue was brought up last fall, but due to staff turnover has been postponed until now. By not having a code restricting sexually oriented uses, the city leaves itself open. In February a moratorium was put in place regarding these uses. In the packet provided studies were provided regarding the negative impacts of sexually oriented uses. The League of Minnesota Cities has recently shifted the way cities can regulate some of the uses. If there is a live performance place within 50 miles of the city that type of use can be prohibited. The ordinance can be drafted to have buffers from certain types of land uses. The uses can not be precluded entirely due to freedom of speech.

Commissioner Deziel said it is important to ensure to cover all areas the city finds inappropriate for this use.

Informational Items

a. City Council Updates

Planner Matzek stated that someone from the Metropolitan Airport Commission (MAC) talked to the Council on July 10th and received Council input on a proposed extension to the existing runway.

Commissioner Deziel asked if MAC has any requirements to compensate owners.

Planner Matzek said MAC stated at this time they were not going to buy out properties.

Senior Planner Gozola said at the July 17th Council meeting, TKDA explained the options reviewed for street infrastructure project from I-94 to 30th Street.

Senior Planner Gozola stated that the rezoning/holding districts for the Village Area and South of 10th Street were approved.

Senior Planner Gozola said the Council authorized staff to submit an application for a \$20,000 grant for comprehensive planning.

b. Work Plan

Senior Planner Gozola identified items on the approved work plan which have been accomplished and which are in progress.

c. Planning Director Position Posted

Senior Planner Gozola stated that the city has begun advertising for a new Planning Director position.

d. Volunteer Recognition Event

Planner Matzek stated that the city has annually held a volunteer recognition event. Although it is usually held in the winter, this year a picnic will happen on September 21st.

e. Ensure Commissioners have copies of the Comprehensive Plan

Vice Chair Pelletier questioned the commissioners if there were concerns regarding outdated copies of the Comprehensive Plan. If the plans are outdated, updated versions should be obtained.

Commissioner Schneider asked if it was possible to get quarterly information about building permits or building starts.

Senior Planner Gozola said he will check to see if that information is available.

Adjourned at 7:50 p.m.

Respectfully submitted,



Kelli Matzek
Planner