



City of Lake Elmo

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, September 26, 2011, at 7:00 p.m.

*****PLEASE NOTE: A recording of Randall Arendt's presentation "Land Matters – Rethinking Main Street" from his June 2009 seminar in Minnesota will be presented before the meeting beginning at 6:00 p.m. in the City Council Chambers at City Hall. Any Commissioners or members of the public who wish to view this video are invited to attend at this time.*****

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. July 11, 2011
 - b. August 8, 2011
4. Business Items
 - a. Comprehensive Plan Staff Updates:
 - i. I-94 Corridor Work Group
 - ii. Village Work Group
 - iii. Highway 36 Corridor (Verbal)
 - b. Results of Visual Preference Survey (Verbal)
5. City Council Updates
 - a. September 20, 2011:
 - i. Country Sun Farms Interim Use Permit – Approved
 - ii. Durand Septic Variance for Holding Tanks – Tabled
 - iii. Rockpoint Church CUP Amendment (Overflow Parking Lot) – Approved
 - b. Staff Updates
 - c. Commission Concerns
6. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of July 11, 2011**

Planning Director Klatt called to order the meeting of the Lake Elmo Planning Commission at 7:01 p.m. COMMISSIONERS PRESENT: Hall, Obermueller, Pelletier, Bidon, Haggard, and Williams (7:02). Absent: Van Zandt, and Fliflet. Abstained: Ziertman. STAFF PRESENT: Planning Director Klatt and Planning Intern Johnson.

Planning Director Klatt noted that Commissioner Van Zandt will not be able to attend due to illness. He asked that we keep Commissioner Van Zandt in our thoughts and prayers. Planning Director Klatt went on to explain that a motion must be made to nominate an acting chair, being that Vice Chair Fliflet is also absent.

M/S/P, Hall/Pelletier, move to nominate Commissioner Williams to acting as Chair for the meeting. Vote: 6:0

Agenda

M/S/P, Hall/Haggard, move to approve the agenda. Vote: 6-0

Minutes- *None.*

Public Hearing- *Variance Request 9940 59th Street Court North*

ACTING CHAIR WILLIAMS OPENED THE PUBLIC HEARING AT 7:02 PM

Planning Director Klatt explained that the City received an application to rebuild a damaged structure in a floodplain district that is not elevated above the regulatory flood protection elevation and is instead design to internally flood. The building requires a variance because it is larger than the allowable 500 square feet in size to utilize internal flood proofing. Planning Director Klatt went on to explain the other flood proofing options. These options include elevating the structure with fill, or elevating through other methods, such as stilts. However, these options proved far too costly to the homeowner.

Moving forward, Planning Director Klatt outlined the four criteria of the new variance ordinance. Following these criteria, he noted the additional criteria pertaining to variances with flood plain zones, as provided by FEMA. Planning Director Klatt noted that the applicants have fulfilled the requirements for variances in flood plain districts.

Commissioner Williams wanted clarification as to the flood plain in the map being a Flood Fringe District. Planning Director Klatt explained that some flood zones have not been designated Flood Fringe or Floodway, but that the City's ordinances allow the use of the Ordinary High Water level of lakes to delineate fringe areas
Planning Director Klatt reviewed the site plan, noting that the structure was built before the adoption of the zoning ordinance, thereby being larger than what the zoning district allows.

Planning Director Klatt then explained the conditions being attached by the recommendation of Staff, which come from the FEMA recommended conditions for wet flood proofing. He then mentioned that Staff will monitor the progress to ensure that the conditions will be met.

The applicant, Doug Lovett, 9940 59th St. Ct. N., explained the central reasons for the variance request. The applicant used the old structure for storing agricultural equipment. He also noted that the applicants have a mortgage against their house and barn, and that the insurance reimbursement will only be paid in full if full replacement occurs.

Doug Lovett also explained that the Ordinary High Water (OHW) mark for the pond is 954.9 and that the water level has been decreasing the last ten years. In addition, he stated that the current level is 946 and that there have been no flooding issues with the home or barn in the past. Regarding plans for the new barn, the dimensions are in fact a little smaller than the previous structure. The applicant noted that the plans meet all State standards. Finally, the applicant stated that if the variance is not granted then it will be difficult to continue the agriculture operation.

Joan Ziertman, 5761 Keats Ave N., speaking as a member of the public, noted that she is in favor of the project. She also reiterated that the building is solely used for storage related to the applicant's agricultural business.

ACTING CHAIR WILLIAMS CLOSED THE PUBLIC HEARING AT 7:31 PM

Commissioner Pelletier asked the applicant about the slope towards the pond. Doug Lovett noted that the slope towards the pond is quite gradual and that barn is out of sight.

Planning Director Klatt made a note that Staff forwarded this variance to MN DNR, but was unable to solicit a response or review due to the State government shutdown. He also noted that the City has the right to determine what constitutes a minimal structure in a Flood Fringe District. Finally, Planning Director Klatt stated that the DNR did not have any concerns when speaking with Staff.

Commissioner Williams asked about why the City Ordinance specifies a size of 500 square feet as the size of an allowable minimal structure. Planning Director Klatt explained that this size most likely comes from the State standards for minimal buildings in such a case. The size of 500 square feet is similar to the size of a two car garage.

Commissioner Pelletier asked whether this particular situation could arise in the future with more development coming to Lake Elmo. Planning Director Klatt does not feel that this will be a large issue moving forward due to the fact that new construction generally uses fill for flood proofing.

M/S/P, Pelletier/Obermeuller, to approve the variance request for 9940 59th St. Ct. N. with the attached conditions written by Staff.

Commissioner Williams suggested that condition #3 read “it must be designed to allow for the automatic exit and entry of flood waters”. Commissioner Hall explained that the purpose of flood mitigation is so that there is no hydrostatic pressure on either side. If the water enters, it can exit from the same point.

Commissioner Williams asked to add that there has been no historical evidence of flooding as the fourth finding of fact. He stated that this is important in terms of approving the variance.

Commissioner Obermueller voiced her support for organic farming in Lake Elmo.

Motion carried. Vote: 6:0 with Commissioner Ziertman abstaining from the vote.

Public Hearing- *Variance Request 5761 Keats Avenue North*

Planning Director Klatt introduced the variance request for 5761 Keats Ave. N. He also noted that this request would be reviewed under the criteria in the new variance ordinance.

Planning Director Klatt review the staff report and recommendation with the Planning Commission. He described the request of the variance, which would allow an additional 2,400 square foot accessory building to be constructed on an 11-acre parcel that already has a 2,500 square accessory building.

Klatt noted that the applicant’s property exists in the current code as a Wayside Stand because they do not have a permanent structure for their sales business; an agricultural business requires more property. In addition, the property is zoned Rural Residential, which exists as more of a hybrid, as opposed to Agricultural. He also noted that if the property was larger than the 20 acre benchmark to qualify as an agricultural building, then there would not be any problem with the construction of an additional accessory building. The fact that the accessory building is there second on the property, a variance is required. Planning Director Klatt explained that with the Rural Residential zoning, only one accessory building is allowed. According to this designation, the applicants are allowed one building up to 2,500 square feet because their property is between 10 and 15 acres.

Planning Director Klatt further reviewed the revised criteria related to variances with the Planning Commission. Klatt provided reviewed the possible options for the Planning Commission.

Klatt also outlined two conditions that should be included if the Planning Commission approves the Variance. First, the building should be used solely for agricultural purposes,

not for personal storage, home business, or as vehicle storage. In addition, Staff would like additional screening to the East.

Commissioner Obermueller asked where the future residential development will be located in this area. Planning Director Klatt explained that this will occur directly to the East of the applicant's property, but with a 200 ft. buffer.

Commissioner Haggard asked if the developers of this residential area are required to provide screening. Planning Director Klatt explained that the developers have not submitted a final plat, but that a 200 ft. buffer typically is considered an adequate separation. He added that he has not seen any landscaping plan for this future development.

Commissioner Obermueller asked whether the Church can choose not to develop their property. Klatt explained that there is a development agreement in place and infrastructure in place that should encourage the Church to proceed. However, the City cannot force them to proceed.

Commissioner Williams asked which barns the applicants currently use for storage. The applicant, Steve Ziertman, 5761 Keats Ave. N., explained that they are currently using the barns owned by Rockoint church to store their equipment, but that the church will no longer let them store their equipment in these buildings.

Commissioner Obermueller asked about how Staff came to find that the property was not unique in terms of agriculture and the size of lot. Planning Director Klatt explained that agricultural designation is used by the County to designate a tax rate for the property, which is separate from how the City may have the property zoned. In addition, he added that most of the other properties of similar size in the community are not being actively farmed.

Planning Director Klatt noted that Commissioner Ziertman is recusing herself from her duty as a Commissioner for tonight due to the fact that she is applying for a variance.

The applicant, Joan Ziertman, 5761 Keats Ave. N., wanted to make a note that other large properties that are zoned rural residential have difficulty with this designation and getting additional accessory structures.

Joan Ziertman also explained how the staff outlined the process in terms of Zoning Text Amendments or Zoning Map Amendments. She also noted that they contemplated a Zoning Map Amendment to rezone their property as Agriculture, but that would make their lot nonconforming. She also asked the Planning Commission to move this issue through to the City Council as soon as possible due to the difficult timing of their agricultural operation, as opposed to tabling the item. Finally, she also noted that other properties that are zoned Agriculture are not using for that purpose but still building additional accessory structures.

Joan Ziertman went on to describe the history of the property and the agricultural activities there. She then described why they are requesting the variance.

Commissioner Williams wanted further explanation of how much storage space is needed. Joan Ziertman explained that they calculated how much storage space they use at their alternative storage site, and decided 2,400 square feet is the size that is necessary.

Joan Ziertman referenced the city-wide planning policy from the Lake Elmo Comprehensive Plan, which states that “preserving and enhancing the rural character and features of Lake Elmo that make the city a unique and desirable community”. She felt that the City Zoning Code is “big-picture” and the variance should be used as a tool when special circumstances exist.

The applicant then explained why she felt that the variance findings were met. First, she addressed finding #3, explaining that there will be no future homes to the North, so the character of locality will not be altered.

Addressing finding #1, “practical difficulties”, Joan Ziertman explained that their use is certainly reasonable and that their property is designated for agricultural use by the State and Washington County. In addition, one 2,500 square foot accessory building is not enough for their farming operation.

Joan Ziertman then addressed finding #2, “unique circumstances”, stating that the use of the property should apply in this case, and that she did not find anything regarding use not qualifying in the state statute. Additionally, she noted that their 10 acre property has more productive farm land than many other larger properties in the community. Finally, Joan Ziertman noted that they did not choose to relocate their storage space; it had to be vacated.

Commissioner Williams asked how much of the property is tilled. Joan and Steve Ziertman noted that over 90% is productive due to the fact that whatever isn't tilled is used for hay production.

Commissioner Williams wants to know how the existing accessory building is currently being used. Steve and Joan Ziertman answered that one shed has some personal items mixed with farm equipment, while the other shed is packed with agricultural equipment. In addition, during harvest time for pumpkins, all of the personal items are removed for the storage of pumpkins.

Commissioner Bidon asked about the height of the buildings. Steve Ziertman stated that it would be 10 ft., standard height.

Haggard asked if the finished look of the building would match the surrounding structures. Steve Ziertman noted it will match the other accessory building.

Commissioner Bidon noted that the building they are requesting is not that large, and that it is difficult to engage in agricultural activities with only one 2,500 square foot accessory building.

Commissioner Williams asked about how the property is divided in terms of tax purposes. Joan Ziertman responded that 1 acre is classified as homestead and the rest is agricultural for tax purposes.

ACTING CHAIR WILLIAMS OPENED THE PUBLIC HEARING AT 8:56 PM.

Doug Lovett, 9940 59th St. Ct. N., noted that he is a neighbor of the applicant and that they borrow equipment from one another. In addition, it has become increasingly difficult to successfully farm higher value products due to the large amount of equipment required.

Planning Director Klatt read the other two emails of support from Heidi and Steve Moller, 9580 53rd St. N., and Bonnie and Leonard Geran, 109874 57th St. N., that were not in the planning packet.

Commissioner Williams noted that other letters of support were attached as part of the Planning Commission report on this item.

ACTING CHAIR WILLIAMS CLOSED THE PUBLIC HEARING AT 9:00 PM.

Commissioner Bidon noted that if agriculture is to continue to survive here, it must be supported. In addition, he felt that the building is not that large.

Commissioner Obermueller noted that local agriculture is important to the character of Lake Elmo, and that the fact that Washington County classifies the use as agricultural strengthens the case for the variance.

Commissioner Haggard noted that she visited the site and she felt that the next door neighbor would not be affected due to the appropriate screening.

Commissioner Williams asked the Commission about how they should deal with the 2nd finding about unique circumstances. First, he went over the other three findings. No Commissioner had any concern with findings #3 and #4. In terms of finding #1 and #3, Commissioner Williams noted the importance of differentiating the property in question from other 10 acre Rural Residential properties.

Commissioner Obermueller noted that the amount of land used in agricultural production may be a good benchmark for differentiating it from other properties.

Commissioner Hall stated that the property is not unique in its physical attributes. He also noted that he believes that a variance is not the best method to address this issue due to the fact that the practical difficulties are a result of the applicants overextending their

ability to farm that much product in 10 acres. Additionally, he wanted it known that he felt that this project does benefit the community, but a variance is not the best way to support this.

Joan Ziertman noted that she believes that unique circumstances does not exclude use and history of the property.

Commissioner Hall noted that how the County determines its classification is strictly for tax purposes and is not based on the other elements of zoning.

Commissioner Pelletier stated that all the Commissioners want to promote this activity, but is not sure how it affects future land decisions in the big picture. She then asked how many parcels in the city were 10 acres an under. Planning Director Klatt commented that density studies were made when the Comprehensive Plan was updated, but we don't have data on how the properties are being used.

Commissioner Williams questioned whether we can recommend approving the variance, but at the same time recommend studying the zoning text amendment in terms of additional accessory buildings in cases of building for agricultural purposes.

Commissioner Bidon explained that additional equipment storage is necessary to protect the investment made by farmers who are farming on smaller properties.

Commissioner Haggard noted that she is okay with approving the request due to the fact that the building is properly screened and out of sight. She then asked Commissioner Williams if this is what he had in mind for Zoning Text Amendment. Commissioner Williams replied that he is thinking about land 10 acres or more which is aggressively farmed (high percentage).

Commissioner Haggard stated that she would not feel comfortable with a Zoning Text Amendment until she knew what the other similar properties in the community looked like.

M/S/P, Bidon/Obermueller, to approve the variance request to allow construction of a second detached accessory building on the applicants' property with the condition that the building is used only for agricultural use, and that the acreage would be substantially used for farming.

Commissioner Williams indicated that he would like to include that the Planning Commission make a recommendation to look at the issue of Zoning Text Amendment and accessory buildings again.

Planning Director Klatt noted that he heard two additional conditions in the discussion of the Planning Commission. Based on the Commission's discussion, Staff recommended that the approval statement for finding #2 should include the size of the agricultural product and that there is a history of farming (established farm) to qualify as a unique circumstances.

Motion carried. Vote 5:1, with Commissioner Hall voting nay and Commission Ziertman abstaining form the vote.

M/S/P, Hall/Pelletier, that City Council direct the Staff and Planning Commission to consider amendments to the Zoning Ordinance to allow for accessory agricultural structures on parcel between the range of 10 to 40 acres in certain districts within Lake Elmo.

Motion carried. Vote 6:0

Business Items- *Vote to appoint an interim vice chair.*

M/S/P, Pelletier/Hall, move to appoint Commissioner Williams as interim vice-chair until Chair Van Zandt returns. Motion carried. Vote: 6:0

Updates

City Council updates

Planning Director Klatt noted that the variance ordinance was approved by City Council.

Planning Director Klatt then described an appeal decision made by the City Council concerning a lot line interpretation. This decision was reversed.

Adjournment

Meeting adjourned at 10:04PM

Respectfully submitted,

Kyle Klatt
Planning Director

**City of Lake Elmo
Planning Commission Meeting
Minutes of August 8, 2011**

Chair Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:01 p.m. COMMISSIONERS PRESENT: Hall, Obermueller, Pelletier, Bidon, and Williams (7:02). Absent: Haggard and Ziertman. STAFF PRESENT: City Planner Matzek and Planning Intern Johnson.

Agenda

Commissioner Williams would like to propose a change to the agenda where the Commission will make an announcement about the Visual Preference Survey on Wednesday, August 10 from 6:30 to 8:00 pm.

Commissioner Fliflet publically welcomed Commissioner Van Zandt back.

M/S/P, Williams/Bidon, move to approve the agenda as amended. Vote: 6-0

Minutes- *None.*

Chair Van Zandt made an announcement about the Visual Preference Survey.

Public Hearing- *Variance Request 2860 Lake Elmo Avenue North*

Planner Matzek introduced the variance request for 2860 Lake Elmo Ave. N. She stated the variance requested is to allow two holding tanks to be located within the side yard and lakeshore setback as well as to be allowed for more than 12 months. The applicant, Clyde Durand, wishes to sell his property and must update his waste system to bring it up to Code. She stated that the small R-1 property is just 0.14 acres in size and is not guided for future sewer connection, nor is there capacity on the City's 201 system. Planner Matzek then explained the variance criteria and offered three options: approval with a document recorded against the property identifying frequent pumping may be necessary, approval with a restriction for seasonal use only or denial.

Chair Van Zandt asked how much it costs to pump these holding tanks. In addition, Chair Van Zandt asked why the applicant could not plug into the sewer on Lake Elmo Ave.

Planner Matzek noted that the applicant told her that it cost around 200 dollars to pump the holding tanks. She then explained that the future sewer pipe going by the applicant's property would be a force main, and therefore cannot attach to residential properties.

Commissioner Fliflet asked why the holding tank system is only viable for 12 months.

Commissioner Obermueller asked about the design of the holding tank system regarding an alarm, as well as inquired about what type of system is currently employed. In

addition, Commissioner Obermueller asked whether or not there are any other properties that are restricted to seasonal use.

Pete Ganzel, Washington County Department of Public Health and Environment

Mr. Ganzel noted that holding tanks are not recommended for a residential property due to the high water use and high cost. He then explained the difference between a cesspool and dry well. Mr. Ganzel noted that these types of systems are no longer allowed under County ordinance, because they are considered a health threat.

Commissioner Fliflet asked which situation would be better; the current dry well system or the holding tank system.

Pete Ganzel responded that the holding tank system is definitely better. However, a future buyer of this property would have to be informed of the associated cost of frequently pumping these holding tanks.

Clyde Durand, the applicant

Mr. Durand explained the history of the family property. He noted that the cesspool was installed in the 1960's. He also said he thought his property was grandfathered in.

Commissioner Williams asked whether or not the applicant had discussed obtaining property across the street for a septic system.

The applicant stated that he felt that the adjacent property owner would not be interested in this scenario.

CHAIR VAN ZANDT OPENED THE PUBLIC HEARING AT 7:31 P.M.

Donald Durand, 2860 Lake Elmo Ave. N.

Mr. Durand stated that he does not want a septic system in his front yard as he may sell in the future and thought that would deter buyers. He also asked Planner Matzek about where the holding tanks would be in relation to the High Water Mark.

Planner Matzek noted that the Valley Branch Water District requested that the holding tanks be placed 5' higher than where they are currently proposed. She reiterated that this is a recommendation, not a requirement.

Donald Durand asked whether there would be alarm systems, as well as whether or not the tanks could be placed in the road right of way.

Planner Matzek noted that there would be alarms and that placing the tanks in the road right of way was not possible by condition of Washington County.

Clyde Durand, the applicant, noted that his property had been flood proofed up to the 100 year flood level.

CHAIR VAN ZANDT CLOSED THE PUBLIC HEARING AT 7:38 P.M.

Commissioner Fliflet asked for guidance from Planner Matzek in terms of similar situations or examples.

Planner Matzek noted that in another case on Klondike Ave. the property owner had a septic system on a property across the street. The case required a variance and the City attached a condition for a one acre easement as it was owned by the same property owner at the time. Planner Matzek also highlighted a case in Stillwater Township where the property was restricted to seasonal use.

Commissioner Fliflet noted that the holding tanks appear to be the best option, and that the financial burden at this point falls on the homeowner.

M/S/P, Fliflet/Hall, move to approve the variances requested to allow two holding tanks with the condition that a document be recorded against the property. Vote: 5-1
(Commissioner Williams voted no)

Public Hearing- Variance Request 2976 Lake Elmo Avenue North

Planner Matzek introduced the variance request at 2976 Lake Elmo Ave. to construct an addition to the home within the 100' setback of the OHW line setback. Planner Matzek also noted that the addition to the home does meet all other setback criteria other than the OHW line setback.

Commissioner Obermueller asked why there is an issue of tree replacement.

Planner Matzek explained that because the property is in a shoreland district, and therefore requires more stringent review of which trees are planned to be removed.

John and Bonnie Butenhoff, the applicants

Mr. Butenhoff explained that they are planning this addition for safety reasons relating to the long distance between the home and the garage. During the winter months, the path to the garage becomes icy. The applicants noted that they are getting older and feel that attaching the garage would be wise for safety reasons. In addition, they stated that they would like to add a rain garden in the front of the home to help mitigate storm water runoff from Lake Elmo Avenue.

Commissioner Williams asked why they don't simply tear down the old garage.

The applicant noted that the existing structure is sturdy and in good shape.

CHAIR VAN ZANDT OPENED THE PUBLIC HEARING AT 8:04 P.M.

Donald Durand, 2860 Lake Elmo Ave.

Mr. Durand noted that three previous families have moved from this property because of the safety issue related to backing out of the driveway on to Lake Elmo Ave. Mr. Durand

noted he supports the granting of this variance because it will allow the applicant to back out of their garage and turn around to approach Lake Elmo Avenue straight on.

PUBLIC HEARING CLOSED AT 8:05 P.M.

Commissioner Fliflet asked why the narrow part of the structure is a bridge.

The applicant explained the bridge is an architectural feature, as well as allowing for the rain garden to exist underneath.

M/S/P Williams/Obermueller, move to approve the variance with the conditions outlined as well as an addition condition that no part of the new structure is closer to the OHW than the original structure. Vote 6:0

Public Hearing- *Interim Use Permit Request 11211 North 60th Street*

Planner Matzek introduced the item. She said the ordinance has been revised over the past few years and the applicants now need an Interim Use Permit for an Agricultural Sales Business to allow the sale of produce grown off-site. She said their request is for 10 years, or until the sale of the property to a non family member. She said the structure that is used for these sales is existing and does not require any additional construction.

Commissioner Williams asked about the staff condition that 40 acres continually be used for the agricultural sales business. He also asked if it would make sense to combine properties.

Planner Matzek noted that Staff is not concerned about the agricultural operation as a whole shrinking to below 40 acres as they currently own 149 contiguous acres.

Keith Bergmann, the applicant

Mr. Bergmann noted that these sales activities of products grown off-site have been going on for many years. The applicant went on to explain the history of the site and the order in which property was purchased. He said the note regarding the outstanding drainage permit issue arose from the natural gas line project done in 2009. Mr. Bergmann expressed concern regarding the trip generation issue in terms of amount of property used in the calculation.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:28 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:28 P.M.

Commissioner Fliflet noted that this type of family business is what Lake Elmo should encourage.

M/S, Fliflet/Van Zandt, move to approve the Interim Use Permit with the attached conditions and with a clarification on which land would be utilized for calculating trip generation.

M/S/P, Williams/Hall, move to amend the motion to clarify that there should be at least 40 acres within the Interim Use Permit. Vote: 6-0.

Public Hearing- *Conditional Use Permit Amendment 5825 Kelvin Avenue North*
Planning Intern Johnson introduced the item by giving a background of the request. He said the church is requesting an additional 84 parking stalls that is compliant with all setback requirements. He said the applicant would like to leave the parking lot unpaved for five years. He explained that the City is requesting an easement to allow construction of a larger watermain because the plat for the residential portion of the development has been delayed.

Commissioner Fliflet inquired about the future growth of the Church. She wanted to ensure that the parking lot would be large enough to compensate for the future growth of the Church.

Commissioner Obermueller asked when the plantings for screening would occur.

Planning Intern Johnson noted that this should occur as soon as the parking lot is constructed.

Commissioner Bidon wanted to inquire about the drainage plan for the parking lot.

Planner Matzek noted that the City Engineer did evaluate the site and felt there was enough infiltration areas around the parking lot to compensate for storm water management needs.

Commissioner Fliflet noted that she has heard a lot of complaints regarding the lights in the parking lot of the Church being on late at night.

Planner Matzek noted that this is a code enforcement issue.

Bob Brydges, Executive Pastor at Rockpoint Church

Mr. Brydges spoke about the issues pertaining to congestion related to a lack of parking, in some cases causing safety concerns. He also noted that they would like their staff to park in the overflow lot so guests have easier access to parking. Bob Brydges noted that class 5 rock will be used for the overflow lot. In regard to the lighting concern, he noted that the lights work on a timing system and are not on all night. Mr. Brydges noted that the congregation has grown to around 1500 people. High points during Sunday services are 950 people spread over two services.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:59 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:59 P.M.

M/S/P, Obermueller/Hall, move to recommend approval of the request with the attached conditions noted in the staff report, as well as a condition ensuring that screening is planted as soon as the lot is constructed.

Commissioner Williams requested a friendly amendment be added to attach another condition in which the Church should provide a landscape plan and storm water management plan. He noted that Bremer Bank supplied a much more detailed plan of their parking lot.

Commissioner Obermueller accepted the friendly amendment.

Vote: 6:0.

Business Items- *Visual Preference Survey announcement*

Chair Van Zandt made an official announcement regarding the Visual Preference Survey on Wednesday, August 10th at City Hall.

City Council Updates

Planner Matzek noted that the City Council approved the Ziertman variance, as well as the Lovett Variance. Planner Matzek also noted that an appeal regarding a fence permit was passed as well.

Staff Updates

The Planning Department wanted to publicly welcome back Chairman Van Zandt, as well as notify the Planning Commission that this would be Planning Intern Johnson's last meeting.

Commission Concerns

The Planning Commission thanked Planning Intern Johnson for his work.

Adjournment

Meeting adjourned at 9:06 PM

Respectfully submitted,

Kelli Matzek
City Planner

Planning Commission
Date: 9/26/11
Business Item
Item: 4a

ITEM: South of 10th Street Group Planning Update

SUBMITTED BY: Kelli Matzek, City Planner

REVIEWED BY: Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED

The Planning Commission is being asked to spend a portion of its next meeting to receive an update from Staff regarding the South of 10th Street Work Group. A committee of three Planning Commissioners, two City Council members, and two property owners have met five times since May of 2011 to discuss potential updates to the Comprehensive Plan focusing on the area south of 10th Street in Lake Elmo. This Committee has been charged with ultimately working on and developing a Vision Statement and Goals, a revised future land use plan, and a revised sewer staging plan which can be incorporated into the City's Comprehensive Plan. It is expected that this group will continue to meet throughout the fall and winter, and periodically report back to the Planning Commission as a whole on its progress.

In addition, three meetings have been held with an established Stakeholder Group which consists of property owners in and near the area guided for sewer development. City Staff has met with Washington County public works staff as well as MnDOT to discuss the future sewer area South of 10th Street.

BACKGROUND INFORMATION

Transportation planning for this area has been a recent topic discussed as a major collector road is designated in the City's Comprehensive Plan to bisect the area guided for sewer development. Other applicable staff, such as the City Engineers have been brought in for discussions.

An open house is being scheduled for mid to late October for the existing neighborhoods in this area – Stonegate, The Forest and Midland Meadows.

The next two Work Group meetings are scheduled for October.

Staff will give a presentation with a little more detail concerning the past discussions by the work group and the future steps that will be undertaken by this group during the Planning Commission meeting.

RECOMMENDATION:

Staff is asking the Planning Commission to provide Staff with its comments regarding the work group's progress to date. Individual members of the work group are also encouraged to share their thoughts with the Commission as a whole.

ORDER OF BUSINESS:

- IntroductionCity Planner

- Report by staffCity Planner
- Questions from the Commission Chair & Commission Members
- Call for a motion Chair Facilitates
- Discussion of Commission on the motion Chair Facilitates
- Action by the Planning Commission..... Chair & Commission Members

ATTACHMENTS:

1. None.

Planning Commission
Date: 9/26/11
Business Item
Item: 4b

ITEM: Village Work Group Planning Update

SUBMITTED BY: Kyle Klatt, Planning Director 

REVIEWED BY: Kelli Matzek, City Planner

SUMMARY AND ACTION REQUESTED

The Planning Commission is being asked to spend a portion of its next meeting to receive an update from Staff regarding the Village Work Group. A committee of four Planning Commissioners, two City Council members, and one at large citizen has met five times over the past several months to discuss potential updates to the Comprehensive Plan focusing on the Village Planning Area. This Committee has been charged with ultimately working on and developing implementation strategies for the Village area that can be incorporated into the City's Comprehensive Plan. It is expected that this group will continue to meet throughout the fall and winter, and periodically report back to the Planning Commission as a whole on its progress.

BACKGROUND INFORMATION

At Staff's direction, the Village Work Group created a list of meeting topics and has met to discuss these topics at various times this summer. The complete list of meeting subjects has been attached, and the meetings that have been conducted to date can be summarized as follows:

1. *Introductory meeting.* The objectives for the group were discussed and past Village planning efforts were reviewed.
2. *Design Examples.* The work group discussed and highlighted design examples and characteristics that they found attractive and that could be incorporated into a future Village area development. The group also discussed the future location of a new downtown area and how density will play a role in future Village development.
3. *Scale and Walkability.* This meeting focused on the importance of walkability in terms of successful development in the new downtown. The group reviewed maps demonstrating specific distances from the Village core, and where development could be located in a manner that best promotes walking. Denser residential development was seen as a key factor in supporting a walkable village.
4. *Character of the Village Area.* The work group discussed what the overriding character of development in the Village should be. Design standards were viewed as a critical component of future planning, and the group suggested which types of standards were most appropriate for Lake Elmo.
5. *Design Standards and Options for Implementation.* This meeting included a brief overview from Staff concerning the variance mechanisms available to promote or regulate good design. The group concluded that there was no one specific tool that could address all of the City's expectations.

The next meeting of the work group, tentatively scheduled for later in October, will include a more hands-on exercise of mapping out what the future land use patterns will look like given some of the parameters that have previously been established by the City Council. In addition to integrating the work group's direction from the previous meeting, the Council has established an overall housing unit count of 931 new residential units in the Village, which must be allocated in a manner that achieves the objectives that the group has been establishing (in addition to following the overall direction of the 1997 Village Master Plan). This is certainly not a simple task, but never-the-less; the work group has thus far been very enthusiastic about moving this project forward.

Staff will give a presentation with a little more detail concerning the past discussions by the work group and the future steps that will be undertaken by this group during the Planning Commission meeting. Please note that the attached meeting topics list includes future meetings that are tentative at present, including a planned meeting with the larger land owners within the future development areas.

RECOMMENDATION:

Staff is asking the Planning Commission to provide Staff with its comments regarding the work group's progress to date. Individual members of the work group are also encouraged to share their thoughts with the Commission as a whole.

ORDER OF BUSINESS:

- IntroductionPlanning Director
- Report by staffPlanning Director
- Questions from the Commission Chair & Commission Members
- Call for a motion Chair Facilitates
- Discussion of Commission on the motion Chair Facilitates
- Action by the Planning Commission..... Chair & Commission Members

ATTACHMENTS:

1. Village Work Group – Meeting Topics List

FUTURE MEETING TOPICS (UPDATED LIST)

Village Planning Work Group and Stakeholder Group

Work Group

Meeting	Date	Suggested Topic
1	5/19/11	Introductory meeting
2	6/16/11	Design Examples/Consideration of Good Design Principles
3	6/20/11	Scale/Walkability
4	7/7/11	Character of the Village
5	7/20/11	Design Standards/Options for Implementation
6	10/25/11	Conceptual Land Use Map Update Review
7		Concepts for Mixed Use Development
8		Commercial Development
9		Public and Private Infrastructure
10		Parks and Trails
11		Sustainability
12		Zoning for Village
13		Preliminary Comprehensive Plan Update Draft
14		Refined Draft
15		Final Draft

Stakeholder Group

Meeting	Date	Suggested Topic
1	10/13/11	Meeting with Larger Landowners (Developing Areas)
2		Meeting with Business Community
3		Meeting with Village Residents
4		Visual Preference Survey
5		Design Standards
6		Public Spaces and Infrastructure
7		Preliminary Draft - Comprehensive Plan Update