

The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters.

Lake Elmo Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application.

For each item, the Commission will receive reports prepared by the City Staff, open the hearing to the public, and discuss and act on the application. If you are aware of information that hasn't been discussed, please fill out a "Request to Appear Before the Planning Commission" slip; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated.

#### AGENDA

#### LAKE ELMO PLANNING COMMISSION

APRIL 25, 1988

7:30 p.m. MEETING CONVENES

1. Agenda
2. Minutes
3. Downs Lake Estates - Final Plat
4. Continuation of Discussion of 1% Rule
5. Residential Estates
6. Building Heights
7. Comprehensive Plan
8. Other
9. Adjourn

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

APRIL 25, 1988

Chairman DeLapp called the Planning Commission meeting to order at 7:30 p.m. in the City Council chambers. Present: DeLapp, Williams, Kunde, Simpson, Stevens, Haacke, Hunt, Bucheck (arrived 7:35), Johnston (arrived 8:30). Absent: Johnson, Enes

1. Agenda

Move Item #6 after Item #3 and limit the discussion to 15 minutes.

M/S/P Stevens/Simpson - to approve the April 25, 1988 Planning Commission meeting agenda as amended. (Motion carried 7-0).

2. Minutes:

M/S/P Williams/Stevens - to approve the April 11, 1988 Planning Commission minutes as amended. (Motion carried 7-0-1<Abstain: Simpson>).

3. Downs Lake Estates - Final Plat

When the preliminary plat was discussed, it was stated that the barn and the shed were to be removed. The removal of these buildings would decrease the water runoff from the roofs. In regard to this, Ann Bucheck found no where on the final plat did it state that those buildings have to be removed. Ann suggested that this condition be put in. Bruce Folz responded that the buildings were removed three weeks ago.

According to our Code, certificate for approval by the City Planning Commission and City Council shall be prepared for the signatures of the Chairman and Secretary of the Planning Commission. ~~This Final Plat does not follow code because there is not a place designated for the PZ signatures.~~ Ann would like the plats to state whether the Planning Commission approves or disapproves a Final Plat. Bruce Folz responded he and the Washington County Surveyors Office were informed that the Planning Commission Block is no longer to appear on Lake Elmo's Plats. Folz added that our City Attorney stated that it was immaterial--the PZ's signatures could be taken off and it wouldn't make any difference. The Planning Commission does not have any legislative authority to approve or deny.

M/S/P Simpson/Haacke - to recommend approval by the City Council for the Downs Lake Estates Final Plat. (Motion carried 6-1<Buckeck: the plat doesn't follow our code Section 401.250(12)>). Marge Williams was not present to vote.

Amended 5-9-88: At the present time, the code asks for the Planning Commission to sign showing that they have approved the plat. However,

## 4. Building Heights

Al & Susy Williams/Mastro Const. was denied a building height variance at the April 19th City Council meeting. The Council directed the Planning Commission to look at the building height ordinance.

Mr. Mastro was before the Commission to give his agreement that because our code defines Building Height as "the vertical distance between the lowest grade level at the building line and the uppermost point on the roof", that there are many homes in Lake Elmo that exceed the 35 foot limitation. Mr. Mastro made the comment that Building Official Jim McNamara told him and the architect that it was fine and there was no problem.<sup>1</sup> When asked if he (Mastro) had looked at our Building Code before he came in with his plans, he answered he did not.

Letters have been sent to several communities and Washington County asking about building height restrictions. The Planning Commission will discuss this at a later date when responses to these letters have been received.

## 5. Continuation of Discussion of 1% Rule

The Planning Commission discussed City Engineer's Bohrer statement of purpose on the One Percent Rule. The Commission was not clear as to what "annual probability" meant.

The Commission suggested the following wording for the statement of purpose.

1. To restrict the runoff leaving a site so that on the average, over 100 years, the increase in rate or volume of runoff due to new development shall not exceed one percent.

M/S/P Stevens/Haacke - to accept the above statement of purpose for the One Percent Rule; <sup>provided</sup> ~~subject to~~ the new wording does not change the City Engineer's intent. (Motion carried 9-0).

The Planning Commission had made the suggestion at their March 28th meeting that land in its present state be considered grassland for the purpose of runoff computations. Larry Bohrer had added this sentence to paragraph 2(c) in his letter dated April 21, 1988.

M/S/P Haacke/Simpson - to recommend approval by the City Council of the proposed One Percent Rule Ordinance to include the new wording of the statement of purpose and the addition of the sentence to paragraph 2(c) stated in Larry Bohrer's letter dated April 21, 1988; contingent on Larry Bohrer's agreement that this wording does not change his intent (Motion carried 7-2<Bucheck: she would like Bohrer's input before they pass this ordinance along to the City Council--she does not like passing things under conditions; Williams: The Planning plat Commission had a discussion on the One Percent Rule about almost every plat that comes in. We are not sure whether or not the plat meets the One Percent Rule. (Motion on Larry Bohrer's)).

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<sup>1</sup>On Tuesday, April 26th, Building Official Jim McNamara informed Steve DeLapp that he did not say it was all right to build a 42 foot high house.

Chairman DeLapp voted for this ordinance because the City has made it a very important issue. Every development that comes through is that much ~~further-<sup>closer to</sup> away-from~~ the City getting involved in a lawsuit which we could potentially lose without the One Percent Rule Ordinance. DeLapp felt Larry Bohrer has done a superb job on researching plats.

Lee Hunt and Barb Haacke suggested having a workshop for more information about the One Percent Rule so when they make policy they will be more educated. Ed Stevens suggested the Commission purchase the book entitled "Rural Water Planning for the Future" by the American Planning Association.

M/S/P Stevens/Williams - to purchase the book entitled "Rural Water Planning For the Future" by the American Planning Association at a cost of \$10.00. (Motion carried 9-0).

#### 6. Residential Estates

The Commission discussed creating two zoning categories: Residential Estates consisting of 2 1/2 acres and Equestrian Estates consisting of 5 acres. The Commission did not want to provide this optional zoning to all Rural Residential zoning areas because this would increase our population (three-fold) which would mean the rewriting of the Comprehensive Plan. RE zoning was established to lessen the push for commercial development <sup>along</sup> of certain road arteries, and not considered an opening for residential development in the City.

The Planning Commission decided to have a special workshop on Monday night at 7:00 p.m. and will try to have a handout for discussion at the May 3rd City Council meeting.

#### 7. Comprehensive Plan

Marge Williams reported that there will be a more finished draft of the Comprehensive Plan by the next Planning Commission meeting. At this time, she was trying to decipher maps and inserting them in the appropriate places.

M/S/P Stevens/Hunt - to adjourn the Planning Commission meeting at 10:30 p.m. (Motion carried 9-0).