

**City of Lake Elmo
Planning Commission Meeting
Minutes of February 9, 2011**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Bidon, Britz, Fliflet, Haggard, Hall, Obermueller, Pelletier, Van Zandt and Ziertman. Absent: Van Erem and Williams; STAFF PRESENT: Planning Director Klatt and Planner Matzek.

Chairman Van Zandt asked new commissioners Obermueller and Haggard to introduce themselves.

Election of Officers

Commissioner Van Zandt asked for Chair nominations.

Commissioner Fliflet moved to nominate Commissioner Van Zandt for the Chair position. Commissioner Pelletier seconded the motion.

Commissioner Obermueller moved to nominate Commissioner Williams for the Chair position.

Commissioner Van Zandt moved to nominate Commissioner Fliflet for the Chair position.

After a paper ballot was taken, Planner Matzek announced that Commissioner Van Zandt had been reelected to the Chairman position.

Chairman Van Zandt asked for nominations for the Vice Chair position. He moved to nominate Commissioner Fliflet.

Vote: 8:0. Commissioner Fliflet abstained.

Chairman Van Zandt asked for nominations for the Secretary position. Commissioner Fliflet nominated Commissioner Pelletier. Commissioner Ziertman seconded the motion. Vote: 8:0. Commissioner Pelletier abstained.

Minutes - January 24, 2011

M/S/P, Hall/Britz, move to approve the minutes as presented. Vote: 2:0. Bidon, Fliflet, Haggard, Hall, Obermueller, Pelletier, and Ziertman abstained.

Public Hearing – Zoning Map Amendment: Rezoning two properties off of 27th and 28th St N from Rural Residential to R-1

Planner Matzek summarized the zoning map amendment application. She said two existing, vacant properties off of 27th and 28th Street are currently zoned Rural Residential, but the applicant is asking to have it rezoned to R-1, which is in conformance

with the guidance of the Comprehensive Plan. A house was torn down on the southern property, but the driveway remains through the northern property and connects to 28th Street. Staff is recommending approval with conditions including the removal of access off of 28th Street and relocated to 27th Street.

Bob Clark, Lynsky & Clark Companies

Mr. Clark spoke on behalf of the applicant, the Lake Elmo Bank. He said he hopes the land swap discussed could be done with a future property owner after the bank has sold the property. He said they are okay with moving the existing driveway to 27th Street. He said he was not sure the easement for snow storage was an appropriate request.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:31.

James Kaufhold, 7870 Ironwood Trail

Mr. Kaufhold said additional vehicles on 27th Street would mean more headlights in his bay window. He said if the Valley Branch Watershed District cleaned out the culvert under the existing driveway, it would not flood. He asked if the rezoning would result in more than two buildable lots. He stated that if the city can not store snow on the street, they should not add any driveways to the end of the cul-de-sac.

Terry Ernst, 27th Street

Mr. Ernst said the water runs down the hill at the end of the cul-de-sac. He said the grade is too steep for a driveway and that the existing driveway has worked in that location for many years.

Jon Duerscherl, 1017 Charlton St, West St. Paul

Mr. Duerscherl said he is interested in buying the property from the bank. He said he would prefer to have the driveway continue off of 28th Street as it will cost \$5,000 to put in a new driveway off of 27th Street. He said there is a steep drop off at the end of 27th Street, making it difficult to build a driveway in that location.

Warren Buck, 8905 27th St. N

Mr. Buck said he lives on the end of 27th Street and agrees with Mr. Kaufhold that if the VBWD would clean out the culvert of the creek there would never be a flooding problem again. He said the best access is in it's current location off of 28th Street.

Planning Director Klatt said the Valley Branch Watershed District owns and maintains the culvert, but the street is the city's responsibility. City staff has talked with a representative of the VBWD who has identified past maintenance and a culvert replacement in 1988. Planning staff is suggesting access be off of 27th Street as it is a public concern. He said that a number of properties flood upstream when the culvert plugs with ice and that the existing driveway is below the floodplain elevation and does flood. Staff would like to ensure access for emergency vehicles to the sites, but if the driveway is flooded, access may be more difficult. He said with the addition of another home, this situation should be addressed.

Tom Regan, 8875 27th Street

Mr. Regan said improvements to the creek were made in the park, but not in the location of the culvert. He said it makes more sense for the homes to access off of 28th Street. He does not think someone can put a driveway off of 27th Street. He has lived there twenty-three years and has not seen a problem.

THE PUBLIC HEARING CLOSED AT 7:55 P.M.

Chairman Van Zandt clarified that the staff report mentions the Assistant City Engineer has reviewed the site and found the access for the two homes could be made off of 27th Street at less than a ten percent grade.

Commissioner Fliflet said she does not want to create a new problem by moving the driveways to 27th Street as it would affect an established neighborhood. She said that a shared driveway is not a solution and the grade the public is describing leads her to believe it would not be a good location for a new driveway.

Commissioner Ziertman said she thinks the VBWD is passing the problem onto the city instead of enlarging the culvert to solve the problem. The city should make VBWD be accountable.

Planning Director Klatt said if the commission were to recommend leaving the driveway off of 28th Street, an easement would still be needed over the northern property as the southern property does not have road frontage on 28th Street.

M/S/P, Fliflet/Britz, move to recommend approval of the zoning map amendment, but to remove conditions three and four suggested by staff and instead to require an easement be issued over the northern lot and city owned property; to add language "...considers working with..." so the land swap could occur in the future, but does not hold back the rezoning. Vote: 9:0.

Planning Director Klatt stated that because there was not a quorum at the originally scheduled commission meeting, an additional public hearing will be held at the City Council meeting on March 1, 2011.

Recognizing Outgoing Commissioners

Planning Director Klatt said the city has not typically recognized outgoing commissioners formally, but he would like to take a moment to thank Laurie McGinnis and Mike Pearson for their work on the commission.

Proposed I-94 and Village Area Draft Timeline

Planning Director Klatt identified an aggressive schedule to work on Comprehensive Plan updates for the city's future sewered areas. He said the Village Area and I-94 corridor will be two separate groups as the past work done starts the groups at two different points.

Chairman Van Zandt said he would like the commissioners to be able to volunteer for the groups.

Commissioner Fliflet said she would like to suggest the second commission meeting of the month be to work on the two projects.

Planning Director Klatt said it is difficult to commit to that given the timing of applications, but staff can work towards that. He suggested having two members of the Planning Commission and one member of the City Council on the work groups for the Village Area and I-94 Corridor with a total of seven to ten people. He said Commissioner Williams has expressed past interest in working on the I-94 Corridor group.

Commissioners Pelletier, Bidon, Haggard, Obermueller, Britz, Ziertman and Fliflet all stated their interest was in the Village Area. Commissioner Hall said he was interested in working on the I-94 Corridor group. Commissioner Ziertman said she would work on either group.

Commissioner Fliflet said the number of people involved in the work group should not be limited from the commission, but it would be fine to limit the number of people from outside the commission as it is a process that would be done through the commission anyway.

Planning Director Klatt said if there are five or more members, any meeting would need to be published as a quorum of commissioners would be present.

Commissioner Haggard offered to be an alternate.

Commissioner Obermueller asked if there was a cost effectiveness of having a larger or smaller group.

Planning Director Klatt said he has found from past experience that the commissioners involved in this process could get burnt out from this process if it was solely conducted by the commission and in instances where a quorum couldn't meet, business would have to be postponed.

Commissioner Fliflet suggested four commissioners per work group.

The commissioners for the Village Group: Pelletier, Fliflet, Nadine, Haggard
The commissioners for the I-94 Corridor Group: Williams, Britz, Hall, Bidon

Planning Director Klatt said the second commission meeting of the month should not necessarily be the standard meeting for the work group as it is important to be flexible to other's schedules to allow additional participation.

Exterior Storage Work Group

Planning Director Klatt said an update to the exterior storage ordinance has been discussed previously. The City Attorney has reviewed and interpreted the existing ordinance. Planning Director Klatt said a vast majority of those storing items outside are not in compliance with the existing code. He would like to identify who had previously expressed interest in participating on an exterior storage work group; he does not see it being a large time commitment.

Commissioners Ziertman, Hall, Van Zandt and Fliflet volunteered.

“City Variance Authority” – Article from a League of MN Cities Publication

Planner Matzek summarized recent changes in cities ability to grant variances.

The commission identified that the article was not included in the packet.

Planner Matzek agreed to distribute the article in the future.

Updates

Planner Matzek updated the commission on term limit information.

Chairman Van Zandt asked for an updated chart for full voting members.

Planning Director Klatt updated the commission on recent discussions the city has had with the Early Childhood Family Center’s potential of building within Lake Elmo on 39th Street. He informed the commission that the City Council signed off on the commission’s work plan, but added one item; the drafting of language to allow a Park-and-Ride along the I-94 corridor. He said an ongoing gateway committee group is in the process of discussing mass transit options along that corridor.

Staff Updates

Planning Director Klatt handed out an article from the Star Tribune regarding transportation planning. He encouraged commissioners to attend Government Training Services programs that are available.

Commission Concerns

Chairman Van Zandt congratulated Commissioner Pelletier and Fliflet and welcomed the new commissioners.

Adjournment:

The meeting was adjourned at 9:02 p.m.

Respectfully submitted,

Kelli Matzek
Planner