



**City of Lake Elmo
Planning Commission Meeting
Minutes of April 28, 2014**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Williams, Dodson, Kreimer, Haggard, Yocum, Dorschner and Lundgren.

COMMISSIONERS ABSENT: Larson and Morreale.

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: April 14, 2014

Chairman Williams noted three corrections to the minutes.

There was a general discussion of the minute-taking procedures.

M/S/P: Williams/Dorschner, move to approve the minutes as amended, **Vote: 7-0, motion carried unanimously.**

Public Hearing: Conditional Use Permit – Verizon Wireless Communications Tower

Klatt began his presentation by describing the request. The proposed 125' monopole tower would be located at Oakland Jr. High School at Manning Ave. N. and 10th St. N. Klatt described the exact location of where the proposed tower would be located. Klatt then presented the detailed plans for the tower, noting that the site would be fenced in for safety purposes. Moving forward, Klatt explained the requirements of the City's ordinance, including the proof of need, site ranking requirements, expert review, and other requirements. Kyle also noted that the City's consulting engineer, Gary Lysiak of Owl Engineering, is also in attendance to answer any technical questions.

Haggard asked who would receive financial compensation for the lease agreement for the tower. Klatt noted that the school district would receive compensation.

Gary Lysiak, Owl Engineering, explained his review procedure to the Planning Commission. He noted that a search of existing towers in the areas was completed, and

it was found that no existing structures in the area could accommodate the need of the proposed tower. Lysiak added that there is no negative impact on the operation of Lake Elmo Airport. He also analyzed the proposed pole for loading capabilities, so future facilities can be sited on the proposed tower. Lysiak wrapped up by noting that the proposed tower will not cause any safety or health concerns related to radiation.

The Planning Commission asked various technical questions about the operation of the tower and the site itself.

Blake Conklin, representing Verizon Wireless, requested that condition #4 of the approval be removed, as it is not practical.

Dennis Bloom, Director of Operation of Stillwater Area Public Schools, addressed site-related questions. He addressed the safety concerns of the baseballs entering the fenced in portion of the cell tower. He also noted that additional landscaping is not necessary. Bloom wrapped up by noting that the school district has other properties with monopole wireless towers and the district has not experienced any problems related to the operations of these facilities.

Public Hearing opened at 7:54 pm.

No one spoke. No written comments were submitted.

Public Hearing closed at 7:55 pm.

Chairman Williams asked planning staff about omitting Condition #4. Klatt explained that the purpose of the condition is to not prohibit the siting of future carriers on the site. There was a general discussion about the location of the equipment shelter. Klatt noted that the siting of a future accessory building or equipment would not require an amendment to the conditional use permit.

M/S/P: Dorschner/Dodson, move to approve the Conditional Use Permit to site a 125-foot monopole wireless communications tower at Oakland Jr. High School based on the findings of fact listed in the Staff Report and the conditions in the staff report with amendment to condition #4, **Vote: 7-0, motion carried unanimously.**

M/S/P: Williams/Lundgren, move to amend the previous motion to include the findings of fact listed in the staff report and the conditions in the staff report, including the report from Owl Engineering, **Vote: 7-0, motion carried unanimously.**

Business Item: Shoreland Ordinance Update

Johnson presented information concerning a proposed update to the City's Shoreland Management zoning ordinance. He noted that with recent updates to the City Code to

add sewerage zoning districts in the City, the Shoreland Ordinance needs to be updated to address these new districts. Staff is recommending adopting ordinances similar to those in surrounding communities, which will generally separate the City into sewerage and unsewered development areas.

Johnson reviewed the purpose and intent of shoreland regulations, and described the terminology used for these ordinances. He stated that all construction and development activities within shoreland zones are subject to these special shoreland rules.

Johnson reviewed the content of the proposed ordinance, and discussed the proposed changes that are being recommended by Staff. The ordinance does provide for flexibility from the state rules to allow for development around certain lakes in exchange for riparian dedication to the City of a 200 foot buffer around these lakes.

Lundgren questioned whether or not the City would require the dedication of existing property that has already been platted. Johnson noted that the ordinance would only apply to new developments and does require implementation of a buffer in existing developments.

Williams asked for clarification concerning the riparian dedication and non-riparian dedication lots. Johnson replied that there is a setback of 50 feet for lots adjacent to an area dedicated for riparian purposes. The Commission generally discussed the implications of the riparian setbacks, and suggested changes to clarify the intent of the code.

Lundgren requested that Staff look into regulations concerning the dumping of lawn clippings, leaves, and other materials into lakes. Klatt stated that it would be covered under DNR regulations.

The Commission discussed whether or not other lakes should be included in the riparian dedication requirements. Johnson noted that Staff would research other lakes that should be subject to the riparian dedication requirements. Staff will be meeting with the DNR and will be asking for an update to the classifications.

The Commission felt that it would be helpful to include definitions in the code, but would still like to see the definitions in the definitions section.

The Commission felt comfortable with the code with the changes discussed and asked to bring it to public hearing.

Business Item: *AUAR Update*

Klatt explained the current status of the Alternative Urban Area-wide Review for the Village Area. The AUAR was adopted in 2009 and is valid for 5-years. As no changes or development have occurred in the Village as of May 2014, staff is proposing to submit a technical memorandum update that would extend the validity of the AUAR.

Updates and Concerns

Council Updates – April 15, 2014 Meeting - None

Staff Updates

1. Staff engaged in a general discussion about density calculations with the Planning Commission. Staff would like to adopt a formal definition into the Code so that the same methodology is used moving forward. Johnson distributed 2 handouts to the Planning Commission, one an email back from the Met Council and the other an excerpt from a Planners dictionary which gave real world examples. The way Cities calculate net densities greatly varies. Klatt used Easton village as an example. The Commission asked that staff research how other Cities calculate net density and bring it back to a future meeting.
2. Upcoming Meetings
 - a. May 12, 2014
 - b. May 28, 2014 – Wednesday due to Memorial Day holiday

Commission Concerns -

The Planning Commission discussed whether or not to include further detail about the dissenting vote. They felt that if there was a no vote, the reasons should be stated if desired.

Dodson noted a concern about the utility of the City's design standards manual. He noted that there is not a strong enough tool to require the applicant or developer to change the architectural designs of the building.

Meeting adjourned at 9:35pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant