

Draft Lake Elmo Airport Zoning Ordinance

Public Hearing Report

January 23, 2020

A public hearing was conducted at 6:30 p.m. on January 23, 2020 at the Oak-Land Middle School Cafeteria to receive verbal and written comments about the Draft Lake Elmo Airport Zoning Ordinance. Public notice of the hearing was provided (**Item A**).

Present at the public hearing were the following Joint Airport Zoning Board (JAZB) members, who served as Hearing Officers: Rick Weyrauch (Chair, Baytown Township), Ken Roberts (Lake Elmo), Jim Kremer (Oak Park Heights), Dave Schultz (West Lakeland Township), Mary Vierling (West Lakeland Township), Rick King (Metropolitan Airports Commission), and Rod Skoog (Metropolitan Airports Commission).

Metropolitan Airports Commission staff present at the public hearing included Kristin Berwald (Contracts Coordinator & JAZB Secretary), Roy Fuhrman (Chief Operating Officer), Joe Harris (Director, Reliever Airports), Brad Juffer (Manager, Community Relations), Jennifer Lewis (Community Relations Coordinator), Dana Nelson (Director, Stakeholder Engagement), Neil Ralston (Airport Planner), Bridget Rief (Vice President, Planning and Development), Michele Ross (Assistant Manager, Community Relations), Rebecca Townsend (Administrative Assistant), Evan Wilson (Senior Attorney), and Mike Wilson (Lake Elmo Airport Manager).

A total of 47 people signed in on the attendance sheets (**Item B**). Of these, 37 were members of the public. The other 10 were MAC staff, public or agency officials, or JAZB members.

The proceedings of the Public Hearing were transcribed by a qualified court reporter (**Item C**).

Neil Ralston, Airport Planner, provided an overview presentation of the Draft Lake Elmo Airport Zoning Ordinance (**Item D**).

Exhibits A through H were entered into the record by Neil Ralston, Airport Planner, during the public hearing. Exhibits A through H are listed as **Item E** and are available upon request to the JAZB Secretary. Contact information for the Secretary is available on the JAZB web page at:

<https://metroairports.org/general-aviation/airports/lake-elmo/joint-airport-zoning-board-lake-elmo>

All persons in attendance and wishing to do so were given the opportunity to testify and introduce evidence regarding the issues set forth in the Notice of Public Hearing. Verbal testimony was received from eleven members of the public. All verbal testimony was transcribed by the court reporter. In addition, one written comment was received at the hearing.

The public hearing record was kept open until 5:00 p.m. on Friday, February 7, 2020, to receive written comments from interested parties. Twelve written comments were received during the public comment period. These comments, along with responses, are included as **Item F**.

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Item A –

Notice of Public Comment Period and Public Hearing
for Draft Lake Elmo Airport Zoning Ordinance

NOTICE OF PUBLIC COMMENT PERIOD AND PUBLIC HEARING FOR DRAFT LAKE ELMO AIRPORT ZONING ORDINANCE

The Joint Airport Zoning Board (JAZB) for Lake Elmo Airport is developing an *Airport Zoning Ordinance* for land uses in the vicinity of the Airport (*Draft Airport Zoning Ordinance*). The goal is to develop a zoning ordinance that achieves a balance between providing for a reasonable level of safety while allowing for compatible community development. The zoning is being conducted as required by Minnesota Statutes 360.061 – 360.074.

The *Draft Airport Zoning Ordinance* would:

- Limit the height of structures and vegetation out to approximately 1.5 miles from the outer boundaries of the Airport. In most cases, however, the airport zoning height limitations would be less restrictive than maximum heights allowed in the applicable municipal zoning code.
- Regulate certain land uses as described below:
 - Prohibit in JAZB Safety Zone 1 the development of buildings, other structural hazards, and land uses that create assemblies of people. JAZB Safety Zone 1 is fully contained to airport-owned property and off-airport property guided to be non-occupant Public/Semi-Public open space in the City of Lake Elmo.
 - Prohibit in JAZB Safety Zone 2 land uses that (i) create or cause interference with the operations of radio or electronic facilities on the Airport or with radio or electronic communications between the Airport and aircraft, (ii) make it difficult for pilots to distinguish between Airport lights and other lights, (iii) result in glare in the eyes of pilots using the Airport, (iv) impair visibility in the vicinity of the Airport, (v) are deemed a “hazard” to air navigation by the Federal Aviation Administration or Minnesota Department of Transportation, or (vi) otherwise endanger the landing, taking off, or maneuvering of aircraft. The *Draft Zoning Ordinance* does not seek to prohibit the use of rooftop solar panels on homes or restrict the use of FCC-approved amateur radio stations.

Maps in the *Draft Airport Zoning Ordinance* show the precise boundaries for application of the *Draft Airport Zoning Ordinance* and the associated proposed restrictions. A summary map showing the proposed JAZB Safety Zones 1 and 2 is shown on the reverse side of this notice.

THE PUBLIC COMMENT PERIOD ON THE DRAFT AIRPORT ZONING ORDINANCE WILL COMMENCE ON THURSDAY, JANUARY 9, 2020, AND CLOSE ON FRIDAY, FEBRUARY 7, 2020. During this period, written comments will be accepted and must be addressed to:

Secretary to the Lake Elmo Joint Airport Zoning Board
c/o Metropolitan Airports Commission
6040 28th Avenue South
Minneapolis, MN 55450

Comments can also be emailed to lake-elmo.zoning@mspmack.org

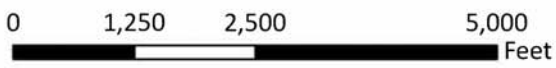
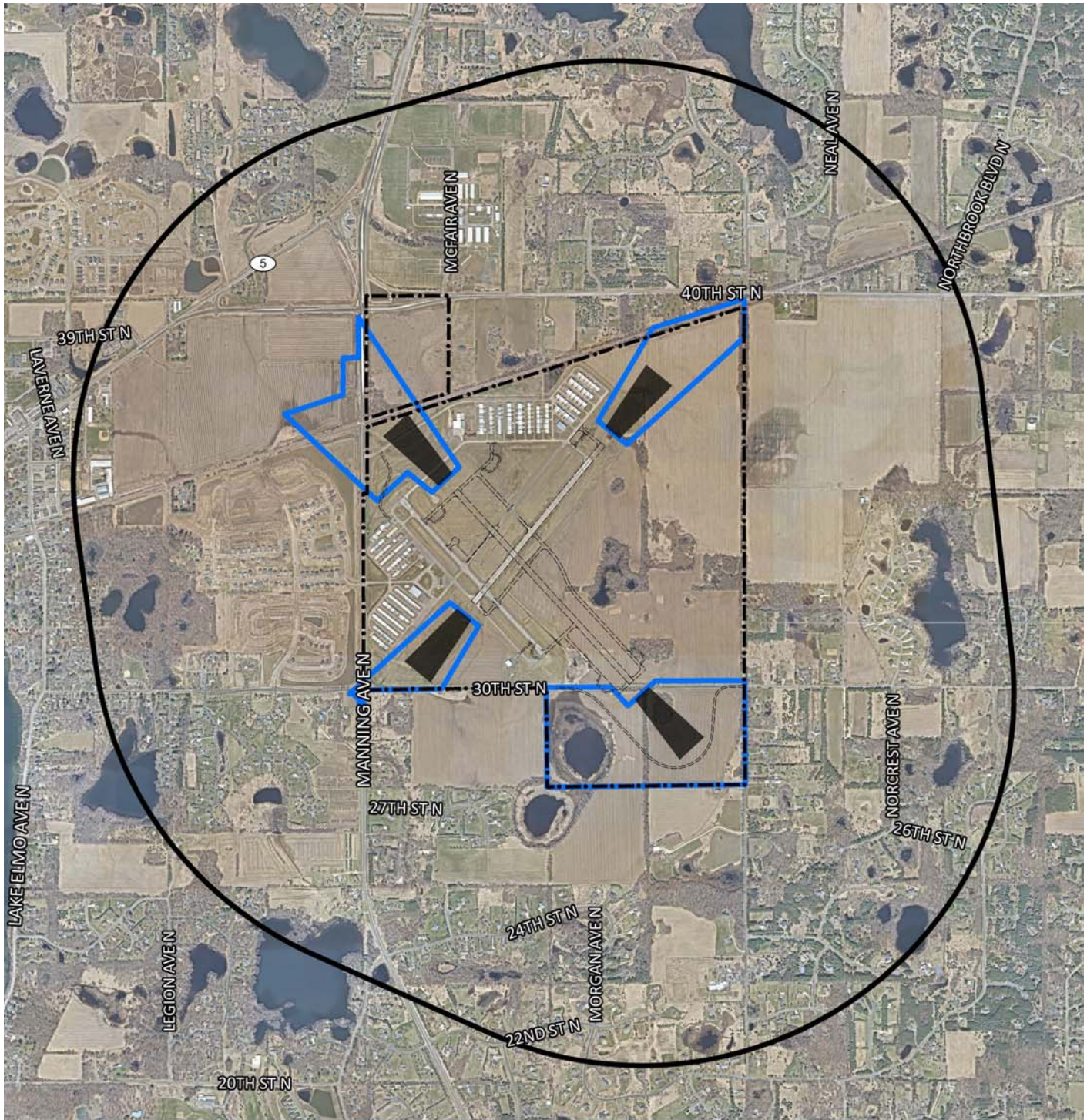
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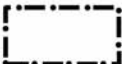




Copies of the *Draft Airport Zoning Ordinance* will be available for review beginning on Thursday, January 9, 2020 at the following locations: the Metropolitan Airports Commission’s Main Office, 6040 28th Avenue South, Minneapolis; the City Halls of Lake Elmo and Oak Park Heights; the Baytown Community Center, 4020 McDonald Drive N., Stillwater; Lake Elmo Aero, 3275 Manning Avenue N, Lake Elmo; and the Lake Elmo Library, 3537 Lake Elmo Avenue N, Lake Elmo. The *Draft Airport Zoning Ordinance* will also be available for review on the MAC website at:

<https://metroairports.org/general-aviation/airports/lake-elmo/joint-airport-zoning-board-lake-elmo>

For further information about the public comment period, the open house or the public hearing, please call Kristin Berwald, Secretary to the Lake Elmo Joint Airport Zoning Board, at (612) 726-8144.

DRAFT LAKE ELMO AIRPORT ZONING ORDINANCE – JAZB SAFETY ZONES



-  Airport Property Line
-  JAZB Zone 1
-  Future Improvements
-  JAZB Zone 2
-  Runway Protection Zones (RPZ)

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For your property in proposed JAZB Safety Zone 1, the *Draft Airport Zoning Ordinance* would:

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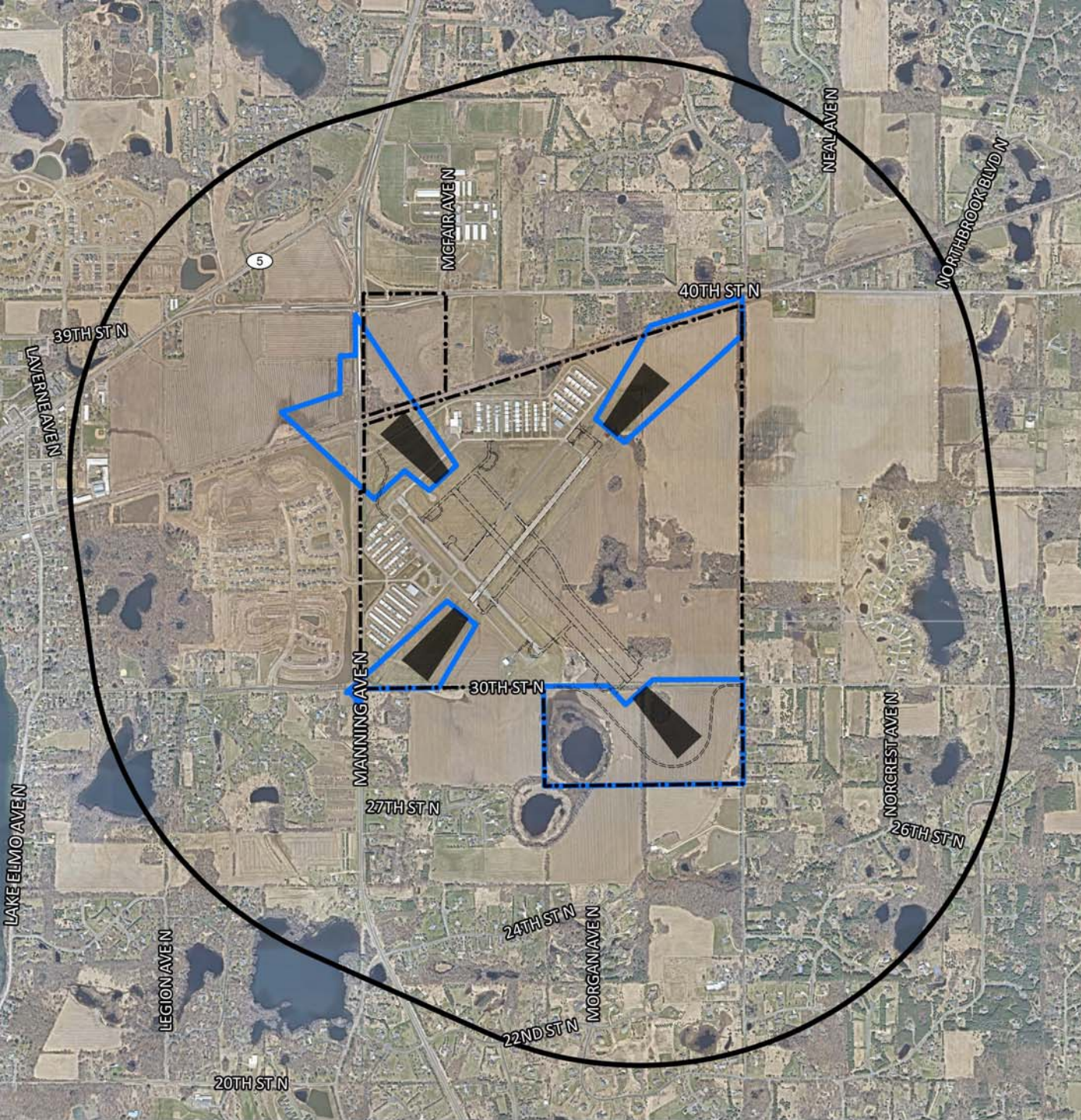
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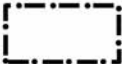



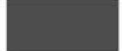
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Item B –
Public Hearing Attendance Sheets

PLEASE SIGN IN

Lake Elmo Airport Joint Airport Zoning Board (JAZB) DRAFT AIRPORT ZONING ORDINANCE

Open House and Public Hearing
Oak-Land Middle School
Thursday, January 23, 2020
5:15 – 8:15 p.m.

By filling this in, you acknowledge that this is public information and may be included in a public document.

<u>Name</u>	<u>Address</u>	<u>E-Mail Address</u>
BOB LAUSHERY	LAKE ELMO AERO	BLACKHERY@LAKEELMOAERO.COM
Dan Selander	Lake Elmo Aero	Dan@lakeelmoaero.com
LISA RUEDY	LAKE ELMO AERO	lisamaeruedy@gmail.com
Nathan Ruedy	LAKE ELMO AERO	nathanruedy@gmail.com
UNITE AIRPORT	WEST LAKELAND	(ANDERSON @ CENTRALLINK.AE)
Leighton Thron	LAKE ELMO AERO	leighton@lakeelmoaero.com
Paul Howe	ST PAUL MO	PCH1719@YAHOO.COM
Mike Wilson	MAC	Mike.wilson@mspac.org
DAKE SCHULTZ	12216 NORFOLK	ds@HULTZ086@COMCAST.NET
B. Kratsher	1400 NORFOLK AVE.	
Dale Wiehe	12260 27th St. N.	
Melvin Letherser	3150 Norman Ave N	Ski and Fish 14816 Yahoo.com
Michelle Ross	MAC	

PLEASE SIGN IN

Lake Elmo Airport
Joint Airport Zoning Board (JAZB)
DRAFT AIRPORT ZONING ORDINANCE

Open House and Public Hearing
Oak-Land Middle School
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<u>Name</u>	<u>Address</u>	<u>E-Mail Address</u>
Patrick Glover	2574 Buffalo St	wb.troy@gmail.com
Dave Screation	711 Manning Ave N.	Guest
Mick Koschmitter	2795 Neal Ave. N.	Mkaschmitter@jchao.com
Ann Bucheck	2301 Legum Ave Lake Elmo	djbucheck@comcast.net
Tom Voigt	2875 Manning Ave N W.L.Tur	tom@TAFEVOJTS.com
Peter Haise	13777 40th St N.. BA Township	
Trisha Flaherty	2482 Northridge Lane N.	StFlaherty@MSN.com
Dan Killo	1891 Oldridge Ave A, St Wmn 55082	dan.killo@comcast.net
Eric Connel	2733 Neal Ave W. land	conne/HP@comcast.net
Amber Sabolung	2690 Northridge Ln	

PLEASE SIGN IN

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<u>Name</u>	<u>Address</u>	<u>E-Mail Address</u>
Eric Sredberg VERNSREDBERG	5197 Linden Tal N, Lake Elmo 2521 NEAL AVEN	eric@sredberg.com
Jim Krenner	5475 OAKGROVE PL. N.	—
Kevin Skaggs	1334 Benson Blvd W Stillwater	KevinSkaggs@gmail.com
Rain Hiller	14353 34th Street Stillwater	pgkruz@aol.com
Bridget Kief	6040 28th Ave S Mpls	bridget_kief@msm.com
PAUL RYBERG	11326 30th Lake Elmo MN	PRYBERG@gmail.com
Rylan Juran	222 E Plato Blvd. Stillwater	rylan.juran@state.mn.us
KAREN HANNAN	1371 N 4th St Stillwater	kaarinhl7@aol.com
MARY VIERLING	2825 NEAL AVE N STILLWATER	—
Tom Vierling	2825 NEAL AVE N STILLWATER	—
Susan Hilpisch	3101 Neal Ave N Stillwater	—
Tom Hilpisch	3101 NEAL AVE N STILLWATER	sthilpisch@msm.com

PLEASE SIGN IN

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Open House and Public Hearing Oak-Land Middle School Thursday, January 23, 2020 5:15 – 8:15 p.m.

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<u>Name</u>	<u>Address</u>	<u>E-Mail Address</u>
Marian Appelt	2655 Neal Ave. N Stillwater	halrandsdakota@comcast.net
KEAL ROBERTS	3880 LAVERNE AVE	KROBERTS@LAKEELMO.ORG
JIFF Holtz	11681 32nd st LE	—
Stephen Buckingham Laura Kaschmitter	2795 Neal Ave N	runnerburao@proo.com
Molly K Olson Stee Levine	2301 Neal Ave N 1408 Cookout St.	molly@mollykolson.com
Denise Cornell	2077 2733 Neal	denise_cornell@comcast.net
Randy Hunt	1330 Neal Ave N. Stillwater	rjhunt@msw.com
Adrianne Matt Wendorff	2698 Northridge Ln 13121 40th St. N Stillwater	AD2698@ASt

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Item C –
Public Hearing Transcript

Item D –
Public Presentation Slides

Item E –

List of Exhibits Entered into the Public Hearing Record

List of exhibits entered into the record during the Public Hearing:

- Exhibit A – Draft Lake Elmo Airport Zoning Ordinance dated January 6, 2020
- Exhibit B – Public Presentation by Neil Ralston, Airport Planner, Metropolitan Airports Commission
- Exhibit C – Notice of Public Comment Period and Public Hearing for Draft Lake Elmo Airport Zoning Ordinance
- Exhibit D – Affidavits of Publication of the Public Notice in the Stillwater Gazette and Pioneer Press
- Exhibit E – Affidavit of Mailing of the Public Notice
- Exhibit F – Affidavit of web posting of the Public Notice
- Exhibit G – Affidavit of GovDelivery distribution of the Public Notice
- Exhibit H – Lake Elmo Joint Airport Zoning Board meeting records for June 25, August 29, October 17, and December 5, 2019.

These exhibits are available upon request to the JAZB Secretary. Contact information for the Secretary is available on the JAZB web page at:

<https://metroairports.org/general-aviation/airports/lake-elmo/joint-airport-zoning-board-lake-elmo>

Item F –

Written Public Comments and Responses