



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of May 27, 2015**

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

**COMMISSIONERS PRESENT:** Dodson, Dorschner, Williams, Fields, and Griffin

**COMMISSIONERS ABSENT:** Haggard, Kreimer, and Larson

**STAFF PRESENT:** Community Development Director Klatt

**Approve Agenda:**

The agenda was accepted as presented.

**Approve Minutes: May 11, 2015**

M/S/P: Williams/Dorschner, move to approve minutes as presented, ***Vote: 5-0, motion carried unanimously.***

**Public Hearing: Zoning Text Amendment – Commercial Wedding Ceremony Venues in the RR zoning district.**

Klatt began his presentation regarding the Zoning Text Amendment to allow Commercial Wedding Ceremony venues in the Rural Residential zoning district as an interim use. It is current allowed in the AG and RT zoning. The applicant is also asking to increase the maximum number of guests allowed from 150 to 200 with additional restrictions such as hours, no wedding receptions, etc.

If this Zoning Text Amendment passes, there would be a separate public hearing that would be heard for the interim use application.

Things to consider would be that the Comprehensive Plan contains numerous statements about maintaining the rural character in the City, an interim use does not run with the land, but is for a limited time and can be re-evaluated, and sites zoned AG and RT can be in as close a proximity to neighborhoods as RR parcels.

Staff heard from a number of residents in the area, and the main concern was traffic on 50<sup>th</sup> Street. The current estimate of traffic on 50<sup>th</sup> street is estimated at 500 trips per day and is expected to increase to 1500 trips per day by 2030. The average home

generates an estimated 10 trips per day. The proposed wedding venue would need 67 parking spaces to meet the ordinance standard.

Staff is recommending approval of the Zoning Text Amendment with 2 more restrictions added to limit the applicability in the Rural Residential zone to properties that 1) Have historically been used as farmsteads for the surrounding farmland and 2) Utilize a barn or other historic agricultural building over 75 years old for the wedding ceremony.

Klatt talked about the Planning and Zoning discretion pyramid. This particular item falls in the green, or towards the bottom of the pyramid which is having the most discretion, while the interim use permit is farther up and has less discretion if an application meets the ordinance requirements. This would be the time to decide if this is an appropriate use in the RR zoning district. Klatt went through the current code on Commercial Wedding Ceremony and highlighted what would be changed.

There was some discussion about the 2 additional restrictions and if they should remain.

Danielle Hecker, the applicant, spoke regarding her desired outcome in requesting the ordinance change. She wants to preserve the historic barn and rural lands through a new use. She met with many of the neighbors and the adjoining developer and got mostly positive feedback, except for the traffic concern.

Public Hearing opened at 7:56 pm

Reid Gilbertson, 11421 50<sup>th</sup> Street, is in opposition to the proposal. He does not feel it fits the current intent to continue the agricultural use. In addition, he does not feel a 10 acre parcel was intended for farming. These sites are intended for single family dwellings. He feels that the RR district was excluded from the wedding ordinance for a reason. The traffic at this venue would all be leaving at the same time and it would be difficult to get out to highway 5.

Brett Thompson, 11491 50<sup>th</sup> Street, noted similar concerns to Reid Gilbertson. The traffic will be concentrated going in and going out. He is concerned about noise generated from the events. He also noted that there is not a large group asking for the ordinance change, and the City shouldn't make the change just for 1 individual.

There were 3 letters received and put in the public record. 2 letters were in opposition to the request and 1 included concerns regarding traffic.

Klatt also spoke to a resident who did not want to give their name who expressed that they were opposed.

Klatt stated that the barn is 226 feet from the north property line. Property line to the west is about 150 feet. Klatt stated that the code states that setbacks are from

residential homes and there currently are not any that would apply. However, with the new OP development, that could be a problem.

Public Hearing closed at 8:12 pm

Williams stated that businesses are allowed in AG as a means to provide an income to the farmers so that they do not have to sell off land to developers. RR land is typically land that has already been developed, so it can't be sold off for development. This land is already at the minimum. He states that in this circumstance the justification would be to preserve the historic barn.

Dodson feels that for wedding venues you need an attractive location to attract customers. He feels that it does give an attractive character of the community.

Fields asked what other commercial, retail or other would be allowed in RR. Klatt stated that there is agricultural entertainment, agricultural sales, cemetery, commercial kennel, private kennel, private stable, greenhouses and wayside stands. On other larger sized agricultural parcels the City allows for limited non-agricultural use.

Dorschner stated that he struggles between the traffic and trying to preserve the rural character. He feels that the ordinance is fairly restrictive to protect the surrounding neighbors. He likes the applicant wanting to partner with other Lake Elmo businesses is a plus as well.

Dodson stated that the traffic issue should be separated and discussed at the interim use application that is not before them now. Dorschner felt the interim use should maybe be given a year and revisited.

Griffin stated that the Comprehensive Plan would seem to support this. The barn venue seems to be becoming a popular venue. She also feels that the traffic should be discussed at the interim use permit stage.

Fields stated that they could have the same traffic issues with an agricultural venue as well and that would be an allowed use.

Williams thinks the only justification for this change is the preservation of a historic structure in a residential zone. He feels there should be some sort of certification that the structure is 75 years old and has been used for an agricultural use.

Klatt stated that there would be a lot of cost associated with renovating a historic barn to be able to bring it up to a standard to use for this venue. There has also been a number of barns restored in open space neighborhoods for community buildings.

Williams is not in favor of increasing the number of guests. One of the reasons it was restricted was for anticipated traffic and noise problems. He feels we need to have experience with an actual operation before we raise that number. The average guest count is 140 and seems to be decreasing over time.

Dorschner asked if a variance could be applied for if they had an unusually high venue. Klatt stated that they could, but would need to meet all of the variance criteria which could be difficult.

Dodson disagrees with not increasing the number based on the average. Hecker stated that the average was probably based on all types of wedding venues.

M/S/P: Dorschner/Fields, move to recommend approval of the request to amend the Zoning Ordinance to allow Commercial Wedding Ceremony Venues as an interim use permit within the City's RR – Rural Residential zoning districts and to increase the maximum number of guests allowed at each event from 150 to 200 with the additional restrictions 1) have historically been used as a farmstead for the surrounding agricultural land and 2) that would use a barn or other historic agricultural building that is older than 75 years for the wedding ceremonies, **Vote: 5-0, motion carried unanimously.**

Williams made a motion to amend Dorschner's motion that the number of allowed guests be changed from 200 to 175. This motion failed for lack of second.

Klatt stated you could be more restrictive than what is in the code, but not be more lenient. He believes that you can request additional conditions like landscaping, but he would like more time to research that and talk to the City attorney.

#### **Business Item: 2015 Systems Statement – Growth Management Update**

Klatt presented a verbal update concerning the City's 2015 Systems Statement and recent discussions with the City Council concerning the City's growth staging plan. Discussions concern rural area planning, transit planning and planning for the 2015 system statement. Staff would like to see this done as a larger planning effort. The Planning Department has been busy this spring with a large amount of developments coming forward with their construction plans, but will be starting to spend more time regarding the growth management.

The City Council has asked staff to bring forward some growth management strategies. Staff is recommending adopting some kind of policy document with criteria for when there is enough development in stage 1 to move forward to stage 2. There should be a public facilities ordinance to ensure that growth pays for growth, and expanding on the language that we already have. Klatt stated there could also be some interim steps the City could take to slow growth to plan against the new numbers.

Klatt stated that the Planning Commission would be involved in this process as there is a public process to go through. Klatt stated that the rapid transit line could play a large role in the growth of the area. There was a general discussion regarding the infrastructure costs.

Council Updates – May 19, 2015 Meeting

1. United Land/Bremer Minor Subdivision – passed.
2. Inwood Final Plat and Final PUD Plans – passed.
3. Inwood Developers Agreement – passed.

Staff Updates

1. Upcoming Meetings
  - a. June 8, 2015
  - b. June 22, 2015

*Commission Concerns*

Dorschner stated that the Commission should be patient with the Planning Staff as they have a lot of work right now.

Klatt stated that Casey is still working with the City regarding gateway issues.

Dodson asked the Commission to start thinking about what they would like to receive from staff to start looking at the larger planning issues.

Meeting adjourned at 8:40 pm

Respectfully submitted,

Joan Ziertman  
Planning Program Assistant

## Kyle Klatt

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**From:** jenniferpelletier@comcast.net  
**Sent:** Wednesday, May 27, 2015 12:19 PM  
**To:** Kyle Klatt  
**Cc:** Dean Zuleger  
**Subject:** Re: Tonight's agenda item / wedding facility in RR

Adding an "edit" below in bold type

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**From:** jenniferpelletier@comcast.net  
**To:** "Kyle Klatt" <kyle.klatt@lakeelmo.org>  
**Cc:** "Dean Zuleger" <DZuleger@lakeelmo.org>  
**Sent:** Wednesday, May 27, 2015 12:13:33 PM  
**Subject:** Fwd: Tonight's agenda item / wedding facility in RR

Dear Planner Klatt and members of the Planning Commission,

I'm writing to you regarding tonight's agenda item: the proposed code change in the RR zoning district to add wedding ceremonies. Initially, I had no questions or concerns. However, after thinking through this request (and realizing that we're dealing with a city wide code change), I do wish to express some thoughts for consideration. I am a previous planning commissioner myself, and live across the street.

Comment/Concern:

1) **The ingress and egress ~ 50th street.** This road has no shoulder for pedestrian and/or bike traffic (**it DOES have a trail along half of the road, but not the entire stretch**). There are many children in the area that use the road, and it has become not only busier due to through traffic heading to Hwy. 5 or CSAH 17, those who use the road frequently drive well over the 40MPR limit. In fact, there is a speed indicator sign out on the road as we speak. **QUESTION** for the commission: what would adding multiple wedding ceremonies add to this growing problem? Again, there is no shoulder on this road.

2) **Regarding the overall change in the zoning code:** I'm not opposed to this type of business. In fact, I think it's a wonderful use of space. However, my concern is that a wedding facility in one area of the zoning district RR could look very different in another area. I'm hoping that the Planning Commission does its due diligence and not only addresses all areas affected, but considers adjacent parcels that may be affected as well.

3) **New development:** the land immediately next to this parcel is slated for a new development. Where will this traffic flow? Consider this in addition to a wedding facility, on a road with no shoulder. This is another important question that I'd like the PZ to address.

( ) Possible solutions:

- a) limited the maximum # of visitors (issue: how would the city monitor this?)
- b) discuss/limit the number of ceremonies allowed per day

c) discuss a time of day with which all visitors need to off the premises (i.e.: nothing past 6pm, etc)

*To be clear, it is not my intent to come across as though I am against the project.* However, as a previous planning commissioner, these are important questions/concerns that I think deserve to be addressed. This could have a significant impact on current adjacent parcels, and the future development that will be coming in right next door.

Sincerely,  
Jennifer Pelletier

4884 Lily Ave. North

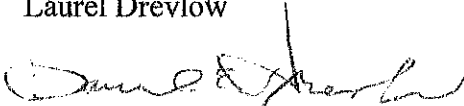
We live in the neighborhood on 50<sup>th</sup> street north in Lake Elmo. It is not a business district. I cannot speak for all of my neighbors but I would guess it is unlikely that any of them moved to our neighborhood to be closer to businesses. There are reasons that communities define places for businesses to exist and separate places for people to live. It allows businesses to carry on their commerce without concern for the noise, pollution, disruption, distress, or danger that is generated by their industry being imposed on innocent village residents. Zoning is intended to allow sellers to pursue their trade while protecting people who are just trying to live peaceably in a neighborhood.

Some may think that a wedding/event center would cause little disruption to a community. As, I am sure, all of you on the planning commission are well aware, that would be incorrect. And while the long, straight stretch of pavement that has already converted our quiet little street into a thoroughfare for people speeding from parts west toward the high school and businesses in Oak Park Heights, creating the business that is proposed this evening will cause the amount of traffic to increase exponentially. The amount of noise and pollution will seriously detract from our ability to live peacefully in our homes and yards. The danger to people who enjoy evening strolls down the sidewalks of our neighborhood will be multiplied unacceptably.

Recent newspaper reports note that 61% of all wedding party members arrive at the ceremony in an intoxicated state. These same individuals will be driving their cars (because people who are drunk typically do not make good choices about these things) at high speeds (because people who are drunk typically believe they can drive better than they can) past our homes, our yards and our neighbors and our neighbors' children. This is a risk no sensible person would willingly take for their own neighborhood. And we trust that our planning commission is membered by sensible people and you will not place Lake Elmo citizens at unnecessary risks.

We are fortunate to have excellent options for special events in the city of Lake Elmo. We will be well served to patronize those individuals who positioned their businesses in an appropriate business district and keep our neighborhoods neighborly and safe.

Laurel Drevlow

  
11421 N. 50<sup>th</sup> St  
Lake Elmo



## Wendy Griffin

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**From:** Rebecca Tenpas <bigbangcreations@q.com>  
**Sent:** Wednesday, May 27, 2015 11:58 AM  
**To:** kklatt@lakeelmo.org  
**Cc:** Wendy Griffin  
**Subject:** planning meeting for 5/27/15

To Kyle and those concerned regarding the planning committee meeting on 5/27/15,

I am writing in regards to the zoning text amendment for commercial weddings on a property on 50th St. N., Lake Elmo. I am a resident of 50th St. N. and cannot attend the meeting tonight. I am strongly against this amendment for several reasons. The first is the increased traffic through our neighborhood associated with this type of venue. There will also need to be parking for a large amount of vehicles. This kind of change will set a precedence for non-residential use of property in rural residential areas.

We have gone through a lot changes in this area over the last several years and the voices of the few people who have lived and moved here for the rural environment are slowly becoming unheard. This and other developing proposals would never be considered or proposed in a development neighborhood, but because we are not formally considered a "neighborhood", it seems to is an open target.

Please voice my opinions at the meeting tonight in my absence.

Sincerely,  
Rebecca Tenpas