

Chairman Michels called the meeting to order at 7:45 p.m.

ROLL CALL: Crombie, Lundquist, Dreher, Curran, Forsblad, and Fraser. Alternates Lyall and Gifford, and Administrator Whittaker.

MINUTES: Curran moved, seconded by Crombie, to approve the minutes of May 28, 1980. Motion carried 5-0-4. Fraser, Forsblad, Lyall and Gifford abstaining.

NEW MEMBERS: Chairman Michels introduced the new members and alternates to the Commission.

OAKWOOD ANIMAL HOSPITAL; HEARING ON CONDITIONAL USE PERMIT: Dr. Swanson's, Oakwood Animal Hospital, was a permitted use in Light Industry, under the old Zoning Ordinance. The new ordinance designated this area Rural Residential (RR), which allows this use by Conditional Use Permit, only. Light Industry is proposed for this area after 1990, in the Comprehensive Plan; but the new Light Industry district no longer permits animal hospitals or kennels.

Dr. Swanson gave the background on the use, the site, and the zoning when he purchased the property. He stated the only expansion that has occurred during the past ten years is the impounding service for Oakdale, Lake Elmo, and North St. Paul. Although he did not see the need for a yearly permit; *
amended June 23, 1980. ~~he did not anticipate any problems in operating under a Conditional Use Permit.~~ *he was willing to comply with the regulations.

Chairman Michels closed the hearing at 7:50 p.m.

Curran moved, seconded by Dreher, to recommend granting Oakwood Animal Hospital a Conditional Use Permit and waive the current and future fees for the permit. Discussion:

Curran feels this parcel should have been zoned for its use in the new Zoning Ordinance because it did not require a CUP before the revision; and, he feels the City should waive all fees. The Administrator explained that conditional uses require annual permits; and, are not grandfathered in. These uses tend to be more of a nuisance than others; and, therefore, the Ordinance requires an annual inspection and permit. The fee is charged to cover the costs of reviewing the permit each year.

Current uses would set the limits of the permit. Those are as listed by Dr. Swanson on his application as being animal hospital, crematory, dog pound, sale of pet drugs, equipment supplies, and kennel supplies. Fraser recommended the motion be amended to allow the permit and the fee to be considered separately. Curran and Dreher agreed.

Curran moved, seconded by Dreher, to recommend approval of a Conditional Use Permit for Oakwood Animal Hospital. The conditions of the permit to be defined by existing uses listed on the application. Motion carried 9-0.

Curran moved, seconded by Dreher, to recommend waiving the 1980 Conditional Use Permit fee for Oakwood Animal Hospital. Motion carried 9-0.

This will be on the June 17 Council Agenda at 8 p.m.

HEARING - JOSHUA TAYLOR BUILDING REZONING: Chairman Michels opened the hearing at 8:15 p.m. The current use of the Hagstrom property, including the Joshua Taylor Building was inadvertently omitted on the Zoning Map. This property has been in General Business use and was zoned for General Business before the new Ordinance was approved. The purpose of this hearing is to correct the zoning on this parcel to GB from R1.

Chairman Michels closed the hearing at 8:20 p.m.

Dreher moved, seconded by Fraser, to rezone the Hagstrom property, including the Joshua Taylor Buildings, to GB from R1 per the legal description. Motion carried 9-0.

HEARING - NON-CONFORMING STRUCTURES: This section of the Ordinance is directed at non-permitted uses in a particular zoning district rather than structures. The present ordinance would require a variance to make any structural changes or additions (eg. porch, garage, pool) on any lot that did not meet the minimum standard set in the new ordinance. This was not the intent of this section. The proposed amendment will allow such additions without a variance, although, set-back and drainfield requirement will still have to be met. A variance would still be required should the use change or if change in the septic system is involved. The amendment will alleviate the problem of non-conformance with respect to structures that are being used in conformance with the Zoning Ordinance.

Chairman Michels closed the hearing at 8:40.

Curran moved, seconded by Crombie, to recommend amending the Zoning Ordinance to include that section on Non-Conforming Structures, as drafted by the City Attorney. Motion carried 9-0.

SUNBURROW PLAT: The Planning Commission reviewed a proposed plat located on the west side of Olson Lake Trail in Oakdale. The Commission expresses the following concerns:

1. Lot sizes - $\frac{1}{2}$ A lots too small with no sewer and water
2. Surface Water Run-Off - Existing ponds in the area very high - where will the run-off go? This is a major concern due to the proximity of the plat to the Tri-Lakes area.
3. Low area in the NE corner of the property.
4. What is the proposed use of the outlots?
5. Only one entrance to the subdivision. Overly long cul-de-sacs are not recommended for emergency vehicle service.

The Administrator will send Oakdale a letter citing Lake Elmo's concerns.

MARVIN THURMES - MOVE A HOUSE TO 9189 LAKE JANE TRAIL: Mr. Thurmes land was purchased by the Highway Department for I-94. He has a 1A lot on Lake Jane Trail and needs a formal recommendation from the Planning Commission before he can move his house to this lot. The Commission reviewed pictures of the structure and a letter from the Building Inspector recommending approval of the moving permit. Mr. Thurmes proposed to extend an "L" to the front of the house and add a breezeway and garage. The house meets all the requirements of the ordinance. Lyall asked if there are any restriction in this area concerning the size of a home. The Ordinance requires a home must meet 75% of the average size in the neighborhood, but cannot require more than 940 sq. ft.

Crombie moved, seconded by Dreher to recommend a moving permit be granted to Mr. Marvin Thurmes to move his home from 8430 Hudson Boulevard to 9189 Lake Jane Trail N. Discussion:

THURMES: Lyall expressed concern that the Building Inspector's memo did not address whether this structure met the average home size in this area. Gifford and Lyall requested that the neighbors be notified of this agenda item. The Administrator will see that the notices are sent.

Lundquist stated the basis of judging whether a home should be moved is that it is structurally sound, meets the City Code and looks finished on the exterior, not its compatibility with the neighborhood. Such critique is not considered on a new structure.

Amended June 23,
1980.

*Motion carried 8-0-3. Fraser, Lyall and Gifford abstaining.

*Vote 6-0-3

WILLARD MORTON: Concept Plan

Amended 6/23/
1980 to W.
(west)

Mr. Morton previously presented a joint plan with the owners of the 40A to the *B. The concept was denied by the Council because of the proposed high density and sewer proposal.

The present proposal is for 19 - 1 $\frac{1}{2}$ + lots. There will be two through roads into the development. No roads are proposed to the north and east as this property is owned by Tartan Park. An extension to the adjacent land to the west is proposed. Valley Branch will review the plan and will calculate the pond size for the parcel. This parcel is zoned for this use and is called for in the Comprehensive Plan.

Lyall expressed concern about any development in the City until a permanent solution is reached on drainage and water run-off problems. The Planning Commission requested the Council initiate such a Surface Water Plan, but, to date, no action has been taken.

Soil borings have not been taken, but maps are available from Wood-Grover. The Soils Map Book indicated this area is rated 49B.

The Commission further discussed ponding, run-off and easements.

Crombie moved, seconded by Curran, to recommend approval of the concept plan for Willard Morton for the parcel of land located near County 17 and 70. Also recommended, that the lot lines extend into the pond area and the City obtain a 20 ft. easement through to the pond between two lots (lots 7 thru 11). Motion carried 9-0. The City to retain easement rights over the pond. This item will be on the June 17 Agenda.

WOODBURY PLAN: To be considered at the next meeting.

ADJOURNMENT: 10:00 p.m.

City of Lake Elmo

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Thirty-third and Laverne Avenue
Lake Elmo, Minnesota 55042
777-5510

AGENDA

PLANNING COMMISSION

June 9, 1980

- 7:30 P.M. -- Molly Hedges will take Photos for City Newsletter
 - Meeting convenes
 - Minutes
- 7:45 P.M. -- HEARING--Conditional Use Permit for Oakwood Animal Hospital--Dr. Swanson
- 8:15 P.M. -- HEARING--Rezoning of Hagstrom property (Joshua Taylor Building) from R1 to GB to agree with present use and Comprehensive Plan
- 8:30 P.M. -- HEARING--Amendment to Zoning Ordinance for Non-Conforming Structures
- 8:45 P.M. -- Mr. Marvin Thurmes--8430 Hudson Blvd., Lake Elmo to move house to 9189 Lake Jane Trail
- 9:00 P.M. -- Willard Morton--Present Concept Plan for 40 acres on the NE corner of 17 & 70(formerly Tartan Meadows).
- 9:30 P.M. -- Preview Sunburrow Plat in Oakdale
- 9:45 P.M. -- Review Woodbury Comprehensive Plan