

Klawitter Hearing

Name	Address
Ronald B Kam	5010 Keats Ave N.
Jay S Raleigh	5055 KEATS AV N
E. Raleigh	5193 Keats Ave.
Richard	5545 Keats Ave N.
Richard Klawitter	3211 W. Owasco Blvd.
Katherine L Klawitter	" " " "
Karee W. Onstad	9134 N. St. Croix Trail
Quo Hansong	432 amanon
Gail A. Reid	9597 N. 60 th St., Lake Elmo
Duane E Reid	9597 N. 60 th St., Lake Elmo
Daisy J. Miller	872 So. 3rd St., Ilwaco
Pat Herold	9839 - 60 th St., The Lake Elmo
Ray Herold	" " " " "
Nancy Zartman	10193 - 60. st N. L. E. -
Mary Lawson	5550 Keats Ave No., Lake Elmo

1-26-81

Public Hearing

Klawitter Inc Immunity ^{LEW}
~~Jactan Meadows~~

Name

Address

Ruben Laursen

9591-NO-60th. Lake Elmo

Nail Reil

9597- No 60th St. Lake Elmo

Mary Swanson

5540 Keats Lake Elmo

Mrs. Buhel

5545 Keats and n Lake Elmo

E. Raleigh

5193 Keats Ave.

Pat Herald

9839-60th St. No.

Ray Herald

9839-60th St No.

James Ousted

9134 N. ST CROIX TRAIL

Richard Klawitter

3211 W. Ouwasson Blvd.

Kathy Klawitter

" " " "

Jonathan Zietman

10193-60th N. Lake Elmo

Just Zietman

" " " "

1-26-81

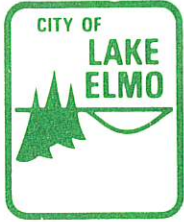
Public Hearing - Jantan Meadows

Name

address

Mr. John Reshi

1154 ^{2042 74} Lake Elm



City of Lake Elmo

777-5510

P. O. Box J / Thirty-third and Laverne Avenue / Lake Elmo, Minnesota 55042

AGENDA

LAKE ELMO PLANNING COMMISSION

January 26, 1981

- 7:30 P.M. -----Meeting convenes
-Minutes, January 12
-Schedule Hearing for
F.J. Crombie Estates--Concept Plan and
Preliminary Plat
- 7:45 P.M. -----Public Hearing: Preliminary Plat
for Tartan Meadows
- 8:15 P.M. -----Public Hearing: Amendment to Zoning
Ordinance to permit
Tree Trimming Services
by Conditional Use Permit
in Agricultural
- 8:45 P.M.-----Public Hearing: Richard Klawitter--Rezone
property at 9839-60th. St.No.
to Ag. and Conditional Use
Permit for tree trimming
service.
- 9:30 P.M.-----Report: Howard Michels, Kroy Industries

Chairman Michels called the meeting to order at 7:35 p.m.

ROLL CALL: Crombie, Lundquist, Forsblad, Gifford and Prince (9:15).
Also Administrator Whittaker

MINUTES: January 12, 1981 - Correction - Tartan Meadows, paragraph 2
stub street....

Michels moved, seconded by Gifford, to approve the minutes of January 12, 1981, as amended. Motion carried 5-0.

F. J. CROMBIE ESTATES - SCHEDULE HEARING: Bruce Folz reviewed the request of Veronica M. Crombie to rezone 29 acres from RR to R-1, for concept approval on an overall plan, and preliminary plat approval to subdivide two lots. The concept shows 13 1/2 acre lots and 8 outlots. Mrs. Crombie intends to plat only the 1st Addition (2 lots) at this time; but request concept approval for both additions.

Recommendations from the Planner and Engineer will be ready for Planning Commission review at the February 10 meeting.

Michels moved, seconded by Gifford, to schedule a public hearing to consider the rezoning and preliminary plat approval and concept approval for F. J. Crombie Estates on February 10, 1981, at 7:45 p.m. Motion carried 4-0-1. Crombie abstained.
Amended 2/9/81 to February 9, 1981,...

TARTAN MEADOWS - PUBLIC HEARING ON PRELIMINARY PLAT:

Chairman Michels opened the hearing at 8:00 p.m.

Administrator Whittaker reported that he had contacted Steven Schmidt, property owner to the west of Tartan Meadows. Mr. Schmidt had expressed no concerns or objections on the proposed road alignment in Tartan Meadows.

Audience Comments:

John Leslie, Tartan Park - expressed concern about drainage in the Tartan Park area and downstream.

Tom Foster, Engineer from Wood Grover and Associates outlined the drainage area and explained the impounding area that is designed to contain run-off from a 100 year storm. He stated this pond will decrease the amount of downstream run-off.

Mr. Leslie state he will object to any new development in this area until there is relief for the total flood problems in Tartan Park and other areas of Lake Elmo.

Mary Leslie - stated there are many letters on file recommending no development in this area until an outlet is provided.

Administrator Whittaker reviewed the City Engineer's report approving the drainage plan.

Mr. Foster said Valley Branch has reviewed the plan and approved the drainage plan.

Michels referred to an early letter from Valley Branch on the plan noting the south 8 acres, that drain into Little Sunfish, may cause additional run-off in a lesser rain storm shall retain more water in a heavy rain. The City has not received final approval from Valley Branch on the drainage plan, at this point. The Administrator will contact Valley Branch for their additional comments.

Mr. Wood said Valley Branch reviewed the plan at their December meeting and passed a resolution approving the concept and drainage plan.

The Commission agreed the developer has satisfied all the requirements of the City, therefore, felt a recommendation to approve the preliminary plat was in order. They expressed concern about the overall surface water problems in the City and said they understood and are aware of the concerns expressed by Mr. Leslie. Michels closed the hearing at 8:30 p.m.

Crombie moved, seconded by Lundquist, to recommend approval of the preliminary plat for Tartan Meadows subject to written approval from Valley Branch on the drainage plan. The PZC also recommends a temporary cul-de-sac be built at the end of 12th Street, at the west edge of the plat. Motion carried 5-0.

PUBLIC HEARING: AMENDMENT TO THE ZONING ORDINANCE TO PERMIT TREE TRIMMING SERVICES BY CONDITIONAL USE PERMIT IN AGRICULTURE:

Chairman Michels opened the hearing at 8:37 p.m.

The City Attorney advised that this type of use can be permitted under Ag, with an ordinance change. The Commission must decide if this is a reasonable use in this zone.

Audience Comments:

Bob Briggs - Attorney - commented on why this would be a favorable change. He recommended the Commission look at the City's total zoning plan and asked where this type of business would fit into the community. There are not many areas zoned for this type of business. Therefore, this type of business is precluded from coming into the community. He feels this should be a use allowed on a conditional basis in Ag. Where would this business go if not in Ag?

Michels feels a CUP offers the best control, therefore, he favors this as a conditional use in an Ag zone.

Gifford feels this use is no different than uses presently permitted by Conditional Use Permits.

Crombie agrees this is more of the same, and now is the time to end this type of procedure. He feels this is a business and should be zoned as such. He opposes CUP's in general.

ZONING AMENDMENT HEARING: Crombie does not feel tree trimming is an agricultural use and feels by allowing it under a CUP the City is skirting the fact it is a commercial business. He reminded the Commission that a car dealer (Wally McCarthy) was turned down on a rezoning for General Business and he feels this request falls under the same heading.

Ray Herrold stated that there was much public opposition to Mr. McCarthy's request, whereas, there is no opposition to this proposal from the neighbors.

Crombie stated he supported the McCarthy rezoning and favored the business area along Highway 36 recommended by the Planning Commission. The Council decided against this recommendation, therefore, he opposes any amendment to the ordinance that would allow general business uses under Conditional Use Permits unless the property is zoned and taxed for that type of use.

Mrs. Reil - felt this request was not to run a business; but only to store equipment.

Administrator Whittaker said the intend has always been to run a business from this location. He said the Klawitters did not request the Ag zoning; but are following the PZC recommendation. They will do whatever the City requires in order to operate their business from this location.

Gifford asked what the consensus of the neighborhood is.

Mrs. Reil said she is one of the closest neighbors and had no objection to either business or ag zoning.

Whittaker replied that the neighborhood indicated at the last meeting that they would not like General Business in this area.

Other neighbors in the audience voiced no opinion.

Bob Briggs restated his opinion that this property is not suited for residential use.

Crombie disagreed that residential use is not possible on this property. He also said that when a business such as Lauseng Stone goes in on a CUP, and an investment is made by the property owner, the City will never be able to rescind the permit. He feels Lauseng should be zoned for his use. He said he feels there is adequate area along Highway 12 that would accomodate this type of business. Also, if this business is permitted on Highway 36 other business would expect like consideration.

Michels closed the hearing at 9:00 p.m.

Michels moved, seconded by Gifford, to recommend the City Council amend the Zoning Ordinance to permit "Tree Trimming Services" by Conditional Use Permit in an Agricultural Zone.

Motion carried 3-2. Crombie and Forsblad opposed. Crombie feels this should be a zoned use. Forseblad does not feel tree trimming fits the definition of Agriculture.

PUBLIC HEARING - RICHARD KLAWITTER REZONE PROPERTY AT 9839 60th STREET N.
TO AG AND A CUP FOR TREE TRIMMING SERVICE:

Chairman Michels opened the hearing at 9:05 p.m.

Audience Comments:

Bob Briggs summarized the Klawitter's business. He said one building will be constructed for equipment storage. The Klawitters submitted an alternate location for the building. Mr. Briggs explained the reasons why he does not feel this property is suited for residential use.

Mary Slawson - asked about the sale of wood by-products. The Klawitters said that if there is opposition to selling wood products, they are willing to eliminate that part of the request.

Dorothy Ziertman said they would oppose any wood burning on site. They do not object to equipment storage.

Mr. Briggs said that if the sale of wood chips was permitted the chipping could be done at a dump site and trucked in.

Lundquist questioned hauling in wood by-products.

Michels asked if the Commission would be opposed to the sale and storage of wood chips and/or fire wood. Lundquist and Crombie said they would be opposed, stating this is a totally different question than equipment storage.

Gifford said because of the recent surge in wood as a fuel source, a site within the City to purchase fire wood would be advantageous, if it is not objectional to the neighbors.

Gifford, Michels, Forsblad and Prince would not oppose the sale and/or storage of wood chips or fire wood as a part of the permit.

The size of the building proposed is 9,000 sq. ft. Mr. Klawitter said this could be altered, if necessary. The Commission prefers the building to be located as shown on Plan 2 (south of the power-line).

The Administrator reminded the Commission that Ag zoning will be locked in if the 9,000 sq. ft. building is constructed as the maximum size accessory building in Residential zones is 2,000 sq. ft.

Chairman Michels closed the hearing at 9:35 p.m.

Crombie asked if a permit is required to construct the pole building.

The Administrator said a permit is not required to put up an Ag building in an Ag zone; and that he would have to see if this is an Ag building.

Crombie asked about limiting additional buildings on the site. He anticipates possible expansion and questions what control the City will have since no Code restrictions are required in Ag.

Mr. Briggs said the Klawitters are willing to obtain a permit and meet any code requirements.

The Administrator will check the Code on Ag buildings in Ag.

Gifford moved, seconded by Lundquist to recommend the City Council rezone the property at 9839 60th Street N. to Ag from RR. Motion carried 5-1. Crombie opposed.

Gifford moved, seconded by Prince, to recommend the City Council approve a CUP for Richard Klawitter to run Klawitter Tree Trimming Service at 9839 60th Street N., with the following conditions:

The Pole Building be located south of the powerlines, per Plan 2
 No wood cutting, storing, chipping or burning of trees on the premises (trees to be cut elsewhere and trucked in)
 No storage of uncut trees on the premises
 Single access to Highway 36
 Tree service equipment may be used to plow snow in the winter
 Storing and selling of wood chips and firewood will be permitted on the premises
 3-7 employees
 No maximum number for pieces of equipment
 Owners will secure building permits for all buildings.

Motion carried 4-1. Crombie opposed.

This approves the buildings as shown on Plan 2. Any future changes in the site plan should be approved before construction. Annual inspection and review will be made.

KROY INDUSTRIES: Howard Michels reported on the public hearing for Kroy Industries in Oakdale. He said that the project would get sanitary sewer from 15th Street, water from 10th Street, that all parking would be in the rear of the building complex (away from 10th Street, on the north side of the buildings), the buildings would be 4 stories high on the 10th Street side and be set into the earth so that only two stories are above ground on the north side. Helmo Avenue would eventually run along the east side of the project. He also said that this drainage would not go under 10th Street, as there is no culvert under 10th and none is proposed. Eventually 29% of the land will be hardsurface - roads or roofs.

ADJOURNMENT: 10:30 p.m.