

Chairman Michels called the meeting to order at 7:40 p.m.

ROLL CALL: Gifford, Prince, Halden, Lundquist, Dreher, Crombie, and Lyall (7:45)

Councillors: Morgan, Mottaz, Novak, Fraser, and Eder (8:00)

MINUTES: March 9, 1981 - Gifford moved, seconded by Dreher, to approve the minutes of March 9, 1981. Motion carried 8-0.

CROMBIE FINAL PLAT: Administrator Whittaker reported that the final plat is in agreement with the Preliminary Plat, the drainage easement is shown, as requested; and that the Park Commission wants a cash donation. This amount will be computed for the April 7 Council meeting. No final approval has been received from Valley Branch.

The Commission asked for a clarification of the notation for Outlot B. Bruce Folz will address this later in the meeting.

Crombie said the City Attorney is drafting a document that will tie the outlots to the lots.

Lundquist moved, seconded by Dreher, to recommend approval of the Final Plat for F. J. Crombie Estates, 1st Addition, subject to Valley Branch approval and a park donation agreement. Motion carried 7-0-1. Crombie abstained.

ROSSOW REZONING - PUBLIC HEARING:

Mr. Rossow is requesting to rezone 3 lots that border Highway 36 359' back from the highway to General Business.

Chairman Michels opened the hearing at 7:47 p.m.

Mr. Rossow was unable to attend the hearing. He will attend the April 13 meeting. Site and building plans have not yet been submitted.

Tim Dwyer, owner of the home on Lot 1, Block 1, surrounded by the Rossow property, asked that his property be included in the request. He did not sign the rezoning application, but the property is included with the Rossow request.

AUDIENCE COMMENTS:

Mrs. Richard Bergman - asked the status of the two driveways that exit onto Highway 36.

Mr. Dwyer said eventually his driveway would be closed off when the road into Tri-Star is complete.

Mrs. Bergman asked what the time limit is on the current plat.

Whittaker said there was no limit when this was platted. The City has been waiting for over a year for Rossow to complete the developers agreement and final plat. When this is finished the road will have to be paved.

Roscow Rezoning

3-23-81

Please Sign

Name	Address
Richard & Nancy Klawitter	3211 N. Duwasso Blvd - St. Paul MN
Robert & Dorothy Zietman	10193-60 St, Lake Elmo, MN
Dick & Eileen Bergmann	5833 Lake Elmo Ave N.
Wally & Gladys Jastochel	4604 Stillwater Pl. Stillwater
Tim & Rhonda Dwyer	11459 60th St N. Stillwater Minn

Richard Bergman - asked that the area proposed be identified. All the highway frontage along 36 is proposed to be rezoned back into the powerline easement. Mr. Bergman had no objection to this rezoning, provided the entire 36 Corridor is restudied. He opposed piece-meal zoning.

Bob Ziartman - submitted a similar proposal two years ago that was denied. He would like to see the entire corridor rezoned General Business.

Mr. Bergman asked what the proposed use for the property south of the powerline is.

Mr. Rossow will have to address this question.

Mrs. Bergman asked the difference between business and commercial uses.

The Administrator said General Business encompasses commercial uses.

None of the neighbors objected to business use along the 36 corridor. They generally felt the City should consider business along this corridor because of commercial pressure from Stillwater and North St. Paul.

The audience and Planning Commission discussed the procedures for reviewing proposed uses.

Mayor Eder said that the Council is not interested in entertaining any change along Highway 36 until the entire area is reviewed. Until that time, the current zoning stands. The Council's position is that no request will be considered independent of a complete study that would change the Comp Plan. He also stated, that the Council instructed Mr. Rossow to remove the building presently under construction, and no rezoning will be considered until this directive is complied with. This building was started without a permit and before the application for rezoning.

Michels stated that the Commission was not involved with the Council's action and are only following procedure by holding the hearing. He said the Planning Commission agrees that the entire corridor should be reviewed before considering individual requests.

Lyall asked why the corridor was not planned GB when the Comp Plan was developed.

Michels said, at the time, it was felt there would not be a demand for GB along 36 before 1990.

Whittaker explained some of the considerations discussed during the Comp Plan hearings such as the fact there are adequate commercial areas in the City now; that this area is the farthest away from any City services; that this area is surrounded by Rural Residential and Agriculture; and there is not an adequate highway system to serve commercial.

Whittaker stated that the only major collector street is County 17; and, that Grant Township indicated they do not intend to permit additional commercial across the highway. An additional constraint is the significant ponding areas that would inhibit constructing a frontage road.

The PZC did consider an alternative plan that provided commercial use where it was practical. The Council decided against this proposal.

Mrs. Ziertman - said that farming in this area is becoming obsolete; and asked what alternatives there are until the City decides to amend the zoning and permit business. She does not think the City's position is fair.

Whittaker said the Council, at that time, considered RR a reasonable and desirable use that would not unduly strain the present public systems, require new roads and provides the property owners a reasonable use of their land. The Council felt it premature to develop Commercial along the 36 Corridor.

Whittaker outlined the suggestion for a Rural Commercial Zone that would serve as a interim use until there was a change in zoning for this area.

Michels asked for a motion to continue the public hearing.

Prince moved, seconded by Gifford, to continue the public hearing for rezoning the property of Lee Rossow until April 13, 1981, at 7:45 p.m. Motion carried 8-0.

Administrator Whittaker advised Mr. Dwyer to sign the Rossow application if he wants his property included in the rezoning request.

FINAL PLAT - F. J. CROMBIE ESTATES: Bruce Folz clarified the notation for Outlot A. He explained that when the 33 ft road right-of-way easement is in the water the developer does not convey any riparian rights to the public for access to the lake. This does not apply to Outlot B because the r-o-w is above the high water.

Folz further explained that if the water comes up within the 33 ft. the public does not have a legal right to access because the road dedication is for road purposes only. The property owner pays taxes to the center of the road on both sides.

DISCUSSION:

A. Parking Lot Standards - The Brookfield developers suggested the City review the current parking lot standards. The Administrator surveyed surrounding communities and determined Lake Elmo's standards are in line with these communities. The current standard was taken from the Washington County standard. The Council and Planning Commission agreed that there was no need to amend the current policy. Currently, the Council and the Zoning Administrator have the authority to negotiate parking sizes, if necessary.

Standards for parking lots and parking space:

copy
of
Council
2/26/81

City of Woodbury-- stalls 9 ft. wide --20' in length --
turning and maneuvering area 300sq ft.

1 space for each 200 sq. feet
of gross floor area--excluding
bathrooms, utilities rooms, etc.

Isle 25 ft. in width

Require concrete curb and gutter in Commercial
and Industrial areas

Multi-family--require concrete curbs

City of Maplewood--10'x20' parking stall (90 degree stall)

1 parking stall for each
200 square feet of gross floor
area--if basement or additional
floors are used for office space
it is 1 parking stall for each
300 square feet in excess of
1000 square feet

24 foot drive isle leading to stall

diagonal parking still 10'x20' but driving isle
could be narrowed down.

12 or less parking stalls must have concrete curb

Minimum setbacks--front--15 ft. from lot line

side and rear--5ft. from lot line

City of Stillwater-- 45 and 30 degree parking

stalls- 18 feet long, 10 feet wide (less for 45 degree)

1 space for each
separate office or suite of
offices plus 1 for each
10 employees

20 feet for turning and maneuvering

CITY of Cottage Grove -- will send copy of their ordinance

9' x 20' parking stall

total 30 sq. ft. stall and maneuvering area - amounts to 24'
aisles.

one space per every 150 of floor area for first 6,000 sq. ft.

one space per every 400 sq. ft. of floor area thereafter

B. Junk Cars - The Planning Commission asked to what extent the City enforces the clean-up of debris, junk and junk cars on private property. Presently, the Building Inspector only enforces the code when a complaint is received. The Council and Commission agreed that when a violation is obvious the Building Inspector should enforce the Code whether or not a complaint has been received.

Novak asked the Administrator to verify what the State is doing along County 5, south of Sunfish Lake and if the necessary shoreland permits have been secured.

Fraser asked who is responsible for the "car on the cable" at the south end of Lake Elmo. Whittaker said the Sheriff's Department is using the car in a contest. Fraser opposes using the lake for this type of activity.

C. Ag Buildings - Limit On Number and Size - The current ordinance does not limit the size or number of buildings in an Ag zone. It was agreed that definitions of agriculture, horticulture, etc. need to be clarified. The members also agreed that ag buildings should be retained on an ag sized parcel (40A) if a farm is subdivided.

Crombie feels a major problem is the lack of restrictions on buildings on 20 acres or more. Whittaker said State Law prohibits the City from requiring building permits for Ag buildings.

Eder suggested the Council and PZC review the Ag Planning Handbook for suggested wording.

D. Ag Zoning - The group discussed the definition of Ag; permitted uses under a CUP; and permitted uses that would better be served in a Light Industrial zone. They discussed if limitations should be imposed on the sale of products in Ag and the nature of the products.

Michels feels until there is a problem that the present regulations should remain unchanged. He opposes rules for the sake of rules.

Crombie does not believe business should be permitted in Ag zones, where code requirements cannot be enforced, when zoned commercial areas must conform to all City standards. He cited examples of how CUP in ag can get out of hand. True Ag is not a problem; but if an Ag zone is permitted a use that is not truly Ag, the City loses control of the use, the structures and is hard-pressed to stop the operation.

The Council and Commission will review the Ag Preserve literature and the Ag Planning Handbook to better define Ag uses.

E. Highway Plans - The Administrator reviewed the roads called for in the Comp Plan.

Crombie proposed that that section of DeMontreville Tr. east of Highlands Trail be abandoned and that Highlands Trail be designated as County 13.

F. Rural Commercial - This was proposed by the PZC as a holding zone that would permit low density commercial development, in areas such as Highway 36, as an alternative to rural residential.

Prince asked where truck and equipment storage (eg E-H Earth-movers) would be permitted in the City. Whittaker said this would fall under Light Industrial. Prince said, currently, LI is not provided in the City.

Fraser does not think the City should feel obligated to provide areas for all possible uses. Some areas that exist today may not possibly be provided for in the future.

Prince suggested considering some LI areas, noting there is alot of vacant land within the City.

Whittaker said a LI area is planned for post 1990.

Crombie opposes rural commercial, stating this would create hodge-podge development with no plan. Commercial endeavors should be developed where it is designated. The City has a plan and it should be adhered to.

Michels stated that the question raised by the PZC was if there was a need for another zone, rather than Ag, this would provide a use for larger parcels until such time as a business zone was designated.

Novak asked if Lake Elmo ever wants the 36 Corridor to be Commercial. She does not feel every highway should be a commerical corridor. Homes can be constructed, such as was done in DeMontreville Highlands, as an alternative. Several members agreed with this position.

Michels said this was suggested only because this was the attitude 1 1/2 years ago.

Eder said the key to keeping the Comp Plan on track is through the property owners. The City should meet with them, outline their options, and encourage them to work and develop within the guidelines of the plan.

G. Dayton-Hudson - The Council reviewed the Planning Commission's recommendations to Dayton Hudson, and agreed with their decisions.

Eder suggested working with the residents in Section 32 to promote development is that area.

Eder reviewed the time-table for the Regional Park,

ADJOURNMENT: 10:30 p.m.



City of Lake Elmo

777-5510

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

AGENDA

JOINT MEETING

Lake Elmo City Council
Lake Elmo Planning Commission

March 23, 1981

- 7:30 P.M. ----Meeting convenes
 --Minutes, March 9 meeting
- 7:45 P.M. ----Public Hearing--Rossow request
 to rezone part of proposed
 Tri-Star Addition from RR to GB
- 8:15 P.M. ----Final Plat--F. J. Crombie Estates
- 8:30 P.M. ----Discussion:
- A. Parking Lot Standards
 - B. Policy, Junk & Junk Cars
 - C. AG Buildings, limit number
 and/or size
 - D. Clarify Ag Zoning
 - E. Highway Plan and MSA Projects
 - F. Rural Commercial
 - G. Dayton-Hudson
- 10:30 P.M.-----Adjourn