

The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters.

Lake Elmo Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application.

For each item, the Commission will receive reports prepared by the City Staff, open the hearing to the public, and discuss and act on the application. If you are aware of information that hasn't been discussed, please fill out a "Request to Appear Before the Planning Commission" slip; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated.

AGENDA

LAKE ELMO PLANNING COMMISSION

APRIL 28, 1986

7:30 p.m. Meeting Convenes

1. Agenda
2. Minutes: April 14, 1986
3. 1986 Work Item:
Alternate Uses in Agriculture District:
Options in-between just farming or subdividing.
Discussion with resident large landowners.
(farmers).
4. Comprehensive Plan Update
 - a. Manufactured Housing - 1982 State Law and Attorney General's Opinion.
 - b. 1979 Goal and Policy Statements
 - c. 1990 Future Land Use Plan and Map
 - d. Select review items for 5-12-86 meeting
5. Select alternate date for May 26th meeting
(that Monday is Memorial Day)

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

APRIL 14, 1986

Vice-Chairman Graves called the meeting to order at 7:30 p.m. in the City Council Chambers. Present: Novak, Raleigh, Williams, Schiltz, Haacke, Bucheck, Reuther, Moe (arrived 7:35), Martens (departed 9:40). Absent: Prince

1. Agenda

M/S/P Graves/Schiltz - to approve the April 14, 1986 Planning Commission Agenda as presented. (Motion carried 9-0).

2. Minutes: March 10, 1986

M/S/P Raleigh/Schiltz - to approve the March 10, 1986 Planning Commission minutes as approved. (Motion carried 8-0-1).

Minutes: March 25, 1986

M/S/P Reuther/Martens - approve the March 25, 1986 Planning Commission minutes as amended. (Motion carried 9-0).

3. Concept Plan for Conditional Use Permit:
Utility Building in an R-R Zone-Bob Koltes, NSP

Bob Koltes of Northern States Power was present to explain NSP's desire to construct a small (10' x 20') utility building to house signal relay equipment. The proposed building would be located south and west of the Lauseng Stone business in Section 3, adjacent to Trunk Highway 36.

This is part of a tele-communications system that is initiating from Chicago and stretching northerly through Illinois, Wisconsin and then to Minneapolis and St. Paul and eventually to Duluth. It is owned by five electrical utilities and NSP is not one of them, but NSP has been requested to secure the rights to install this single wire system on our existing transmission lines. There is need for a repeater station every 22 miles. This requires an area that is rocked and fenced which would be 40 feet square. The building would be metal, single story and not used for storage. It does not need water or sewer and would be placed underneath the power lines, 100 feet south of the south line of Highway 36 and 200 feet west of the Peterson Ceramic west property line.

Novak asked if this will be on the NSP easement and Koltes stated that NSP owns that parcel of land under the name of United Power and Land Company.

Raleigh asked if access to the building would be through the Lausen Stone driveway. Koltes answered that a separate entrance

which does not exist will be required onto Highway 36. Access to the building will be used three to four times each month.

Reuther stated that he hated to see things spread apart and asked if the building could be moved closer to a tower and was told that wouldn't be a problem.

Raleigh asked how do you prevent vandalism? Koltes replied that there would be a six foot high chain link fence around it. In addition to this, the building would be steel with rocks inside so it would be bulletproof because the cable system inside is fiberglass.

Williams voiced concern on how the building would look visually, but Graves did add that there is a landscaping ordinance that has to be followed.

Raleigh asked if this would need a Conditional Use Permit or would a rezoning have to be considered. City Administrator Overby stated that a liberal interpretation of the code would be to consider it an accessory use or building, but you don't have that on the site unless you somehow manage to construe the powerline towers as the principal structures and this being the accessory structure.

Buheck asked what the alternate site was for the utility building. Koltes answered that the alternate site was two miles to the west and south of Highway 36 in Oakdale. Buheck suggested looking into Oakdale because they might fit NSP's needs better. City Administrator Overby stated that maybe Oakdale could fit in what NSP is suggesting easier than our having to go through a code amendment and permit process taking longer than the short time frame you had in mind.

Novak stated he doesn't have a problem with the building, but does have a problem with making an exception to the moratorium and this would set a precedent.

M/S/P Moe/Schiltz - to recommend to the City Council that this request by NSP for a utility building in an R-R Zone should be considered under a Conditional Use Permit, with considerations of lower glare-free style lights, earth tone in color for building, landscaping regulations that have to be conformed to, site drainage, security, and should be built as close as possible to the tower. (Motion carried 10-0).

4. Marketing Plan for Dayton-Hudson Land

Betty Herbert and Joe Fogarty of Edina Realty were present to explain the marketing plan for the Dayton-Hudson Land. This land is approximately 820 acres which are in R-R zoning and occupies an area in the City that is bounded by the Regional Park on the north and east, Inwood Avenue on the west, and extending down to I-94 on the south. As a courtesy, they came before the Planning Commission to inform them that they would be marketing this land

and that signs will be put up on the property.

In the marketing plan proposal there are mostly 40, 80 and a couple of 60 acre parcels. They are also proposing an easement along the border of these parcels of land to form an Equestrian Trail to hook up with the park trails.

Novak asked that in your proposal you must be anticipating some type of development. Betty Herbert responded that this is not their concern. They would sell the property like this and what the buyer chooses to do with the property is not part of their proposal. Novak also asked if Dayton-Hudson was aware of our current moratorium, and Fogarty answered that it wasn't discussed in their meetings.

Betty Herbert believes that the moratorium does not come into play here because what they would be selling are existing parcels. There would be no subdivisions at all and their marketing strategy would not discuss any type of development. If they would want to divide, for example, the 73.9 acre parcel into two parcels it is their belief under the state statutes that they are still alright even with a moratorium because it is more than 20 acres and at least 500 feet wide then it doesn't have to go before the municipality for approval.

5. Fire Protection Standards for Planned Building Groups

Fire Chief Fran Pott was present to discuss the information on fire protection standards that was enclosed in the mailing. The main interest was to open up communication between the Planning Commission and the Fire Department about fire protection concerns which should be addressed when they are reviewing proposed developments.

Fire Chief Pott brought up a concern regarding hydrants and gave the example of Highway 5 where there is a sufficient number of hydrants along the southside of the highway, but offer very little protection to the northside of the highway. It is very difficult to get from one of these hydrants to the clinic. If there are any changes in this area the Fire Department would like to see a water system expanded if possible.

Also brought up was the Cimarron Water system where the Fire Department would like to see the developer take a look at the possibility of running a hydrant across the street or doing the whole development with water. Pott commented that this should not necessarily be made a requirement, but the option should be looked at.

The City Administrator, City Engineer, and the Fire Chief will sit down and discuss the recommendation of expanding the water distribution system and securing input from the Fire Department as to where the hydrants are to be located in these expansions.

Another concern related more to long-range planning needs is the

need is for additional fire stations. A proposed second fire station would be in the Tri-Lakes-Maintenance Garage area and the third station would be located in the area of 10th St. and west of Goose Lake.

6. Comprehensive Plan Updatee

A. Goals and Policy Statements

Discussion on Manufactured Housing

Don Moe brought up the policy that states mobile homes should be located only in R-3 zones. Mobile homes no longer exist in the State of Minnesota, but are called manufactured homes and do not have to be in R-3 zoning.

Steve Raleigh - If you want to have a mobile home in Lake Elmo, you must be in an R-3 zone and I will not allow you to convince me that a mobile home is a Wausau Home which is manufactured housing and cannot be in anything but an R-3 zone.

Graves suggested tabling the discussion until the next meeting so the Planning Commission can have a copy of the 1982 Minnesota law on manufactured homes and the legal definition of a manufactured housing versus mobile home parks.

Page 90 Commercial-Industrial

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City Administrator Overby explained there are three categories under permitted uses. 1. manufacturing activities, 2. wholesale trade activities, 3. service activities. We should keep those categories in mind to be able to divide this up and call some light industrial.

Graves stated we have two options. We could leave the area defined as commercial and industrial but go back through the City code and scratch those items that are inappropriate or we could eliminate the zoning if that is the desire of the Planning Commission or leave everything "as-is".

The consensus of the Planning Commission was to proceed with defining the commercial section to begin with.

Goals for Commercial-Industrial Development

*To minimize conflicts between commercial ~~and/or industrial~~ uses and surrounding rural development, such as agricultural and low-density residential.

*To ensure that commercial ~~and industrial~~ projects are designed in a manner that is functional, safe, and esthetically pleasing.

*To ~~provide residents with the best possible access to the supply~~

~~of necessary goods and services.~~ (Graves suggested scratching this statement and consider the type of interpretation that John Schiltz had is being considered or is covered under the performance standards for commercial areas.)

Williams - I'm not so sure we have to provide residents with access to services other than city services.

Raleigh, Reuther and Novak agreed that this goal could be eliminated because it is not needed and cannot be supported.

City Administrator Overby commented that you could interpret the goal as providing for a diverse local economy which offers access to the supply of necessary goods and services.

Schiltz - What you are saying is that any type of business can come in and not provide an access to the public and that is alright. For some reason you have turned it around that the City has to provide an access to that business.

Williams - This point is well taken. As a city we would require a business to provide the best possible access. I would like to interpret this strictly as physical access.

Graves suggested rephrasing the goal statement as follows: To ensure that the developers provide proper access to their place of business.

*To concentrate additional commercial-~~industrial~~ development within the existing town center or at designated points along the I-94 highway corridor, with special emphasis for commercial development in the Sections 32-33 area.

There was discussion if major highway corridors would include Highway 5 and 36 because there was concern about the amount of traffic on Highway 5 and then onto Lake Elmo Avenue.

Graves felt when he proposed designated points along I-94 highway corridor he was considering the development on highway 5 in this area to be included in the existing town center definition.

Williams would like to see some statement that would indicate commercial development be designated in Section 32 with a provision for a modest amount of commercial development along Highway 5.

M/No Second/F Moe/ - suggested rezoning the area to R-R from the eastside of Hagberg's, across the street and all the way to the east city limits.

Lake Elmo resident Steve DeLapp stated that he moved here because he saw Lake Elmo as something "different". He was wondering if there was any way to consider in the Planning Commission discussions how the areas that are being proposed for commercial, industrial use should be for the express benefit of the people

that are living here and not just to reduce the taxes by a quarter of a mil.

Policies for Commercial-Industrial-Development

-Commercial ~~and-industrial~~ development must be located in areas designated for such development.

-All new commercial ~~and-industrial~~-uses located in farm areas must be agriculturally oriented in their operations and defined as permitted uses.

City Administrator Overby stated that this would come under alternate uses in the Ag district. A mailing will be sent to farmers and resident large landowners to attend the next Planning Commission meeting for a discussion on this subject.

-Commercial ~~and-industrial~~-strip development shall be prohibited controlled by zoning. Uses will be concentrated in designated areas and required to front on service or frontage roads adjacent to major thoroughfares. Amended 5-12-86

-Commercial ~~and-industrial~~ proposals must contain plans indicating how the uses will be served by all required public services (including sewer, water, roads, and so on).

-Commercial ~~and-industrial~~-uses must be properly landscaped and screened with vegetative or other buffers to minimize conflicts with adjacent rural land uses.

-Only "clean" non-polluting ~~industrial-~~ commercial uses will be allowed where major public utilities are unavailable to handle toxic or large quantities or wastes.

Novak stated he does not want the term industrial used in our code any place. He would prefer that anything that might be considered industrial be grouped under commercial. Graves recommended against this because if you defined a separate industrial zone that you restrict very tightly you have better control over it.

City Administrator Overby will put together a outline for industrial that will include goals and policies.

M/S/P Moe/Schiltz - to adjourn the Planning Commission meeting at 9:55 p.m. (Motion carried 9-0).