

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

MAY 12, 1986

7:30 p.m. Meeting Convenes

1. Agenda
2. Minutes: April 28, 1986
3. Procedural Guidelines - City Attorney

PUBLIC HEARING:

- 7:45 p.m.
4. Proposed Charitable Gambling Ordinance
 5. Comprehensive Plan Update
 - a. 1979 Goal and Policy Statements
 - (i) Transportation
 - (ii) Public Utilities
 - b. 1990 Future Land Use Plan and Map
 - (i) Terms and definitions
 - (ii) Inclusion of Agricultural areas on map
 - c. Select review items for 5-27-86 meeting
 6. Other
 7. Adjourn

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

APRIL 28, 1986

Chairperson Prince called the meeting to order at 7:32 p.m. in the City Council Chambers. Present: Graves, Novak, Raleigh, Haacke, Bucheck, Williams, Moe (arrived 7:38 p.m.), Reuther (arrived 7:52 p.m.). Absent: Martens, Schiltz

1. Agenda

M/S/P Graves/Raleigh - to approve the April 28, 1986 Planning Commission Agenda as presented. (Motion carried 7-0).

2. Minutes: April 14, 1986

M/S/P Graves/Raleigh - to approve the April 14, 1986 Planning Commission minutes as presented. (Motion carried 6-0-1<Prince>).

3. 1986 Work Items

Alternate uses in Agriculture District:
Options in-between just farming or subdividing.
Discussion with resident large landowners. (farmers)

In 1985 the Planning Commission had placed this topic on that year's work plan, but the actual meeting discussion was never held. The question to be considered is: what kinds of additional permitted uses would be appropriate to allow in agricultural zoning districts in order to give landowners some alternatives between strictly farming uses or rezoning for residential development.

Meeting notices had been mailed to resident landowners in all of the city's agricultural districts in order to encourage their attendance and input.

In attendance for the meeting were:

Mr. & Mrs. Richard Klawitter
Dick Bergmann
Pete Schiltgen
Howard & Irene Springborn
Tom Armstrong
Steve Korhel

Pete Schiltgen - You should look at the quality of the land before you consider a zoning change or allowing a specific use for a specific parcel. It's very productive land and he would hate to see it used for anything other than farming. I feel that obvious Ag uses such as horse boarding, tree or sweet corn selling, or a storage building should be allowed uses. Then when someone comes in with something that is not obvious those uses should be scrutinized more.

Tom Armstrong presented a comprehensive plan draft and explained suggested uses permitted by Contract in Agricultural Preserve Zones. The purpose of the contract shall be to allow the landowner to obtain reasonable return from the agricultural land and still maintain the open spaces and preservation of agricultural use. This item would provide some flexibility and then you wouldn't have to go back and amend the code when a new idea is presented. Each contract use would have to be proven acceptable by the Planning Commission and the City Council.

Nancy Prince felt that a CUP would be accomplishing the same thing and doesn't see a need for additional contracts. Armstrong brought up that a CUP is limited to whatever you have stated and you have to amend it everytime somebody comes in with a different idea. Such ideas as "pick your own" and "open sales lots" should be allowed.

Dick Bergmann - I am more than happy with the situation that exists now, and I think the nice land should be left as farm land. The corridor on 36, from the power lines to the highway, might be a good situation if it was rezoned commercial and behind that kept agriculture because there is alot of traffic on that road and it has good exposure. Bergmann felt that some of this land isn't the best for farming and he wouldn't want to see houses there.

Steve Raleigh stated that one of the major categories that is not listed now is anything in retail sales where you expect people to drive in and park their cars and buy something.

Howard Springborn - All we want to do now is finish our second addition after we get the first addition sold. Otherwise, we would like to keep the farm the way it is.

Chairperson Prince asked the landowners whether it concerns them if the Planning Commission would not allow them to subdivide their land. Pete Schiltgen felt this was an impossible question to answer because things change. If he had to make a decision now, he would say preserve the land.

4. Comprehensive Plan Update

- a. Manufactured Housing - 1982 State Law and Attorney General's Opinion.

Commission member Don Moe pointed out at the 4-14-86 meeting that the statement about mobile homes under the Policies for Residential Development Section appears to indicate that mobile homes are only allowed in R-3 zones in Lake Elmo.

The commission discussed the Attorney General's Opinion (11-10-82) which defined mobile homes as a "manufactured home". This law also prevents local units of government from restricting mobile homes to specific zones.

The following policy statement was amended:

--Mobile homes will be located in mobile home parks R-3 zones where public services such as sanitary sewer can be provided for such high density developments or where allowed by statutes.

When the Planning Commission gets to the point where they will be revising/updating the local code and ordinances, this non-comformity with state laws can be corrected by code amendment language drafted by the City Attorney.

b. 1979 Goal and Policy Statements

The discussion at the 4-14-86 meeting concluded at the end of the old Commercial-Industrial Development goals and policies section. At the request of the Planning Commission, City Administrator Overby drafted a new Light-Industrial Development goal and policy section. The new draft was reviewed.

Commission member Novak suggested that the Industrial category be eliminated completely. He based this request on the Section 32-33 landowners request to eliminate Industrial in this section. Novak also felt that an existing industrial zone anticipates such development that is incompatible for Lake Elmo and inconsistent with our policy statements.

Commission members Williams and Raleigh both stated that Lake Elmo is a place to live; not to work and because of the rural nature, lack of sewer and urban services. We don't have the facilities here to provide jobs. This is encouraging development that doesn't fit the community.

Reuther - I have no problem with light industrial; such as, very light, clean manufacturing at the most in the Section 32 corner.

Moe - I want to keep the general business uses down there, but no heavy industrial.

Haacke - As long as General Business would stay the way it is, I wouldn't have any problem taking out Industrial.

Bucheck - I would be in favor of dropping industrial. For instance, a nice business such as a bakery could be put into General Business and we could get rid of the unfavorable ones.

Williams - I would agree to delete Industrial for all the same reasons mentioned.

Graves - I have no problem with eliminating Industrial, but we should have a separate business zone that would allow for businesses such as kennels.

Reuther - If this is the area that seems to be the prime location for any development in Lake Elmo, you should be able to give some

options to people that own the land. As long as you leave manufacturing limited by CUP in the General Business Zone, I would have no problem in eliminating Industrial.

M/S/P Novak/Raleigh - to recommend eliminating the Industrial Area from the Comprehensive Plan, but to include a list of acceptable light industries. (Motion carried 8-1<Prince: I still have uncertainties of eliminating Industrial from Section 32-33>).

(Amended 5-12-86)

M/S/P Novak/Buchek - to recommend to the City Council to eliminate the Industrial Area from the Comprehensive Plan and to review and consolidate a list of acceptable and appropriate industrial uses into General Business or Commercial. (Motion carried 6-1<Schiltz: I feel that Prince, who voted against the original motion, should be in attendance to vote again on this motion>).

Policies Page 91

Delete: ----- Add: _____

There was some discussion if feedlots were allowed as commercial Ag use and questioned how do we regulate the number of animals which should be addressed in the City code.

~~--Protect sand, gravel and limestone deposits as a valuable resource through the enactment of regulations limiting development within these areas.~~

Graves - I feel that this statement tries to avoid potential problems when you have development on top of an economically developable mineral resource. When the State of Minnesota acquires title to any property at some point, they keep the mineral rights.

Williams - This is too specific of a statement and not a major concern to the community, so we could scratch the policy statement. Graves agreed with eliminating this statement because it is difficult to decide what is economical in the future and how to regulate against that, but to have a "buyer beware type of thing" on personal development of land. Graves also stated that we have ordinances prohibiting mining within the City limits regardless of whether it is economical, so we can deal with the problem that way.

City Administrator Overby stated that if the Metro Council doesn't like the policy being eliminated, then they would let the City know.

~~--Restrict development from areas containing unique or endangered forms of vegetation and wildlife.~~

Commissionmember Buchek stated the reason for her request to

eliminate the words "unique and endangered" was because if you left them in, it was narrowing the category. The more inclusive category would restrict development from all areas containing any form of vegetation and wildlife. This would affect all of Lake Elmo, and it was suggested that no action be taken on this policy statement. (Amended 5-12-86)

Moe - There are some ponding areas within Section 32-33, and this policy states that we would restrict development in those areas. I think if that is really the intent we would have a conflict between that and what we have here for a policy. One way to get around that would be to recommend to the City to buy up what we consider to be prime wetland area and put it into some type of wildlife sanctuary.

Williams - Another way to handle this is to make some restrictions when they come in and want to build next to a wetland and find they couldn't fill it in, then they would have to put the land in a Preserve. One example is the UFE building in Stillwater with the pond beside and the egrets living there. This could be controlled by a statement in the code that wildlife and wetlands areas are not encroached upon.

d. Select review items for 5-12-86 meeting

It was suggested that the Planning Commission review the following: Transportation, page 92, through the 1990 Future Land use Plan and Map and to consider if the names have to match with the zoning code terminology.

5. Select alternate date for May 26th meeting.

Since May 26th is Memorial Day, the Planning Commission will meet on Tuesday, May 27th at 7:30.

Change in Chairmanship

At the request of Nancy Prince and with the consensus of the Planning Commission Chuck Graves will become Chairman and Nancy Prince will be the Vice-chair.

M/S/P Moe/Reuther - to adjourn the Planning Commission meeting at 10:00 p.m.