

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

November 24, 1986

7:30 p.m. Meeting Convenes

1. Agenda
2. Minutes: November 10, 1986
3. Site and Building Plan Review :
Brooks Superette
4. Concept Plan : Conditional Use Permit for
Alternate Use in the Agricultural Zoning District;
Thomas G. Armstrong
5. 1986 Comprehensive Plan Appendices
 - A. Population
 - B. Housing
 - C. Local Economy
6. Other Business
7. Adjourn

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

NOVEMBER 24, 1986

Chairman Graves called the Planning Commission meeting to order at 7:33 p.m. in the City Council chambers. Present: Graves, Haacke, Moe, DeLapp, Bucheck, Novak, Reuther, Williams, Raleigh, Johnson, Hunt and City Administrator Overby.

1. Agenda

Add: 1A. Introduction of New Planning Commission Members, 2A. City Council Procedures, 6A. Communication with the City Council, 6B. I-94 Overlay District.

M/S/P Novak/Graves - to approve the November 24, 1986 Planning Commission agenda as amended. (Motion carried 7-2<Buckeck, DeLapp>).

A. Introduction of New Planning Commission Members

The Planning Commission introduced themselves to the new alternate members and welcomed Lee Hunt and David Johnson "on-board".

2. Minutes: November 10, 1986

M/S/P DeLapp/Graves - to approve the November 10, 1986 Planning Commission minutes as presented. (Motion carried 9-0).

A. City Council Procedures

Chairman Graves brought up the procedure involved with the City Council addressing at their meeting those items such as the ordinances that the Planning Commission had not addressed at their last meeting. He raised the question, "Is it proper procedure and if so, what is the purpose of the Planning Commission having public hearings if the Planning Commission does not take action after the Public Hearings on the basis of the information received."

City Administrator Overby tried to clarify with reading (E. Amendments) on Page 301-25 of the code book. City Attorney Knaak's opinion was that the update of the Comprehensive Plan was initiated by the City Council, not by a property owner or by the Planning Commission. The language of the code was intended for the City Council's authority to act on zoning changes. Graves questioned bringing up one paragraph on page 301-25 for an interpretation and felt you could bring up section E4. Hearing for another interpretation.

City Administrator Overby felt the rationale was not to dismiss the input from the Planning Commission, but the problem was the timetable we had to operate under. (The plan and zoning amendments

should be published before the moratorium deadline.) Graves understood this, but felt the City Council or the City Administrator should have indicated that they wanted to have an extra meeting to meet the time schedule. Overby had talked to the Mayor and City Attorney about an extra meeting, but they felt it was necessary to go ahead.

Commissionmember Novak felt that the sequence was all right because the Planning Commission had done the reviewing and made recommendations on the items that the City Council reviewed and made motions on. Novak did have a problem with the way the City Council received the misinformation. Graves explained that the correct procedure was for the Planning Commission to hold a public hearing and then make a final, formal recommendation to the City Council. The Commission did not take action after the public hearing on any of the City ordinances except for the two that were on the agenda.

Chairman Graves pointed out that he asked the City Administrator to get in touch with the Mayor or to come up with options that would be available to allow the Commission to act on these proposed ordinances after the public hearing prior to the City Council taking action so that they could meet the time schedule. This does make him wonder what the purpose of the Planning Commission is if the City Council wouldn't allow them to pursue the proper procedure.

3. Site and Building Plan Review: Brooks Superette

Brook's Superette wishes to construct an addition to their existing convenience store/gasoline sales building located on the corner of County Road 70 (10th Street) and County Road 17 (Lake Elmo Avenue). The proposed addition is approximately 30 feet deep and 50 feet wide and to be located immediately to the rear of the existing building.

In the City Engineer's Site Plan Review letter, Bohrer stated that the original site plan for Brook's Superette was reviewed and approved in August, 1980. At that time a storm water holding pond was constructed of sufficient size to meet the 1% rule for both the first phase of construction and for the future second phase. Since the existing ponding capacity is sufficient for the proposed addition and he could not find no other concerns for the proposed improvements, Bohrer recommended approval of the site plan.

Some of the concerns that were brought up by the Planning Commission members were: define the existing and new parking spaces, expanding further commercial development in that area, what was approved in 1980, lot size variance, septic system capacity and the overlap of fire exit doors by the restroom doors at the east end of the addition.

M/S/P Raleigh/Graves - to table Brooks' Superette Addition for more information to address the above concerns. (Motion carried 9-0).

4. Concept Plan: Conditional Use Permit for Alternate Use
in the Agricultural Zoning District; Thomas G. Armstrong

Thomas G. Armstrong described his farm site using an aerial photo to indicate how the land is being used. His land has been put into sharecropping which is on a rental/shared costs basis and the area in Oakdale was rented to the Hmongs. Mr. Armstrong explained his plan was to maintain a family farm and he had no intention to put it into development "as long as he is alive".

Armstrong went through the ordinance conditions relating to his proposed land. The proposed area will not be visible to passers-by after a few years when all of the trees mature. The water runoff goes mainly to the Cottage Ravine Watershed, although the land is split by the boundary between Cottage Grove Ravine and the Valley Branch Watershed District. City Engineer Bohrer will inspect the site to ensure that on-site ponding requirements are met.

Chairman Graves raised the question during a previous meeting that the vegetative screening be high enough to meet the landscape requirements at the time the CUP is issued, not several years later. Graves requested a statement from our City Attorney indicating whether the City is allowed to take action on this request while the Writ of Mandamus lawsuit is pending.

Steve DeLapp asked about a reference to lighting controls and pollution potential in the ordinance and how it is addressed in the alternate use plan.

Lake Elmo resident Hugh Madson pointed out his earlier suggestion to include the requirement for all buildings in the City to have building permits. Also, under Item No. 5 in the ordinance allowing horticultural uses raises the concern whether the renters using the farmland are allowed. Mr. Armstrong responded that part 1.a(10) includes joint ownership or ownership by association or rental.

Joe DeLaney stated his experience with storage of his car in Armstrong's building. Before that, the car was stored in his father-in-laws, Mr. Schiltgen's farm building. The car was purchased from a Wisconsin farmer who had it stored in his barn.

Graves pointed out that no action is required at this time since this is informational only.

5. 1986 Comprehensive Plan Appendices

A. Population

Dan Novak pointed out the inconsistencies between the Comprehensive Plan (pg. 25) and the appendices and asked that these inconsistencies be identified for the next meeting because the population forecast is crucial data.

M/S/P Moe/DeLapp to table Appendix A until the next meeting for further identification. (Motion carried 9-0).

B. Housing

There was discussion on how the figures are compared to values in other metro communities and were the figures adjusted to constant dollars. It was suggested to table Appendix B until the data was clarified.

M/S/P Moe/Williams - to table Appendix B until the data is clarified. (Motion carried 9-0).

C. Local Economy

There was a question on how the employment forecasts were derived because it was felt the figure was too high. A request was made for an explanation on this chart.

M/S/P Raleigh/Moe - to table Appendix C for further information. (Motion carried 9-0).

6. Other Business

A. Communication with the City Council

Dan Novak brought up the subject of how could the communication be improved between the Planning Commission and City Council. A suggestion was made to assign one Planning Commission member to attend each City Council meeting for possible clarifications, add the Findings of Fact to the Background Information and describe the strength of vote and list the reasons for and against.

Marge Williams felt that some major points and philosophical arguments were lost in the transmittal of information to the City Council.

B. I-94 Overlay District

Concerns were raised on strengthening the language of the I-94 Overlay District ordinance since it was passed by the City Council. City Attorney Knaak, Rob Chelseth, City Engineer Bohrer and City Administrator Bohrer will be meeting to draft an I-94 overlay district. Any Planning Commission member may submit their suggestions in writing for this meeting. City Administrator Overby will try to itemize the ideas and bring them to the next meeting. Ann Bucheck also suggested having the City Council come to their meeting to discuss the I-94 Overlay District.

M/S/P Moe/DeLapp - to adjourn the Planning Commission meeting at 10:37 p.m. (Motion carried 9-0).