

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

MARCH 23, 1987

Chairman DeLapp called the Planning Commission meeting to order at 7:32 p.m. in the City Council chambers. Present: DeLapp, Williams, Bucheck, Reuther, Raleigh, Hunt, Simpson, Stevens, Enes, Johnson, and City Administrator Overby. Absent: Haacke.

1. Agenda

M/S/P Stevens/Enes - to approve the Planning Commission agenda as presented. (Motion carried 9-0).

2. Minutes: March 9, 1987

M/S/P Stevens/Hunt - to approve the March 9, 1987 Planning Commission minutes as amended. (See 4. Sketch Plan-Large Lot Subdivision & Rezoning and 7. Other). (Motion carried 8-0-1 Abstain: Williams).

3. Upcoming Requests

April 13, 1987

Public Hearing to consider an ordinance amendment to eliminate the Planned Unit Development section of the Code.

April 27, 1987

Public Hearing: Preliminary Plat for Phase II, Springborn Green Acres

Public Hearing: Rezoning of Agricultural Property to General Business, Conditional Use Permit; Howard Gelb (old Lehman Mushroom Co. building)

Set date for second meeting in May--regular date falls on Memorial Day (Monday, May 18th alternate)

M/S/P Williams/Bucheck - to set Monday, May 18th as the replacement for the second Planning Commission meeting in May. (Motion carried 9-0).

The Planning Commission thanked City Administrator Overby for adding the Upcoming Requests on the agenda because it gives the commission time to research upcoming items.

4. Site and Building Plan Review:

Addition to Lake Elmo Elementary School

The 916 and 834 School Districts presented a site and building plan for a 11,900 square foot addition to the Lake Elmo Elementary School at 11030 Stillwater Blvd. for special education classrooms for the NE Metropolitan Intermediate School District 916. The addition would be

on the north end of the east wing at the location of the present bituminous play area. Additional work includes constructing a new bituminous play area to replace the one lost to the building addition and constructing a gravel fire access lane.

Those present were Don Loe and Dan Parker, Stillwater Area Public School; Tom Tapper, NE Metropolitan Intermediate School District 916; and Bill Martin from ATS&R Architects. A public hearing is scheduled for the April 7th City Council meeting for variances from the side yard setback, requirements from off-street parking requirements and from ponding requirements in the Public Facility zoning district.

The Planning Commission had concerns about the following variances in the letter of March 19, 1987 from City Engineer Bohrer:

- a. Setbacks - a variance is requested from the 50' sideyard setback. The addition would be setback the same distance from the property line as the existing building - approximately 30'.
- b. Parking - Ten additional spaces will be provided as a part of this project. The exact location remains to be determined.
- c. Septic System - The existing system is located north of the northwest wing of the building and the proposed expansion of the system will be adjacent to that system. The City Engineer has evaluated that proposal and found it to be viable.
- d. Drainage - The architect indicated that a meeting will be held with the Brookman Associates to find out if the school will be allowed to drain into their existing holding pond. If the Brookman Associates do not allow this storm water run off to be held in their pond, then a waiver of the holding pond requirement would be requested due to the possibility of a hazardous condition being on this site. This is in concurrence with the recommendations of the City Engineer.

The Planning Commission asked that the following items should be addressed.

- a. The applicant must show that some decision has been made by the Brookman Associates about whether or not the holding pond may be used for run off from the Special Education addition run-off site.
- b. The applicant must show that the School District has discussed the purchase of an additional 20' of land to the east of the school site so that a variance would not be required and the 50' setback could be achieved.

- c. The applicant must demonstrate that the theoretical capacity of the septic system has not been reached on this site. The School District must show that there is capacity available for future school additions to the school building.

A concern was raised that the area considered for Special Education students is the last area in which the Lake Elmo Elementary School can be expanded.

District 916 would be entering into a joint power agreement with District 834 for a period of 10 years. At the end of the ten years, the school district has the option to purchase the existing facility by buying it back based on the existing value.

- d. The applicant must show that other sites in the School District #916 area have been evaluated for potential Special Education addition sites and that Lake Elmo Elementary School is the best location for that Special Education addition.
- e. The applicant must present a map of the NE Metropolitan Intermediate School District 916 area indicating those locations being proposed for additions to existing schools.
- f. The architect will review the parking requirements along the west side of the site to be certain that room exists for providing parking spaces.

Commission member Hunt stated that scheduling a special meeting is an extremely extraordinary measure the commission is going through. Expediting the timeframe is not being done for the financial gain of the school district or anyone else. This is being done for the benefit of students who are totally innocent and should not be punished.

Chairman DeLapp clarified that the commission had no problem with this proposed facility as part of the Lake Elmo Elementary School. This will not be setting a precedent for having extra meetings.

M/S/P Williams/Johnson - to table the discussion on the proposed school addition Site and Building Plan review until additional information addressing the above six items is received at a special planning commission meeting on Monday April 6, 1987 at 7:30 p.m. (Motion carried 8-1<Buckcheck: would be willing to meet and discuss the additional information, but has a concern that the City Council receives all the informaion for the public hearing>).

5. Amendment of Industrial Zoning District

At the March 9, 1987 meeting, discussion on this subject centered upon the following points:

--Retain a zoning district separate from GB, but change the title from Industrial to something else. The only uses would be existing uses currently in the Industrial zoning district or manufacturing uses in the GB Zone. It was not clear whether the uses in this new district would be allowed, or allowed by conditional use permit.

--Existing manufacturing businesses in the old village--

C.A. Gerbitz - GB Zoning. Rezone
Lake Elmo Hardwood Lumber - Ind. Zoning. Rezone
Lake Elmo Custom Mold - GB Zoning. Rezone
Lake Elmo Oil fuel storage - Ind. Zoning. Rezone

City Administrator Overby presented a draft amendment for a Limited Commercial Zoning District which was written along with City Planner Rob Chelseth's recommendations and based on the discussions of the last meeting.

Marge Williams recapped that the commission's intent in the Comprehensive Plan was to entirely eliminate the Industrial use because we are a rural residential community. The commission acknowledged there are some commercial activities that are industrial, but if they came in today they would not be allowed. The intent, under the Comprehensive Plan, was to eliminate any possibility that any other businesses like these would ever come in because the commission felt this was not the direction the community wanted to go. Williams supported the CUP because it acknowledges those businesses that are here, but it also makes some very stringent requirements as to allowing them to continue. It also stated that there can be no other businesses.

City Administrator Overby responded that the only way you can say there are no other business is to make the existing uses non-conforming and permitted. If you do this, he asked what zoning would you put these in? Also, if these uses are listed in any zone, whether they are permitted or conditional, someone has the right to apply.

M/S/P Hunt/Raleigh - to reopen the question decided on March 9, 1987 concerning changing the name of the Industrial Zone to an unnamed category and go through and eliminate the industrial uses that are not now being utilized. (Motion carried 9-0).

Ed Stevens suggested it might be for the best if Commission member Williams in cooperation with City Administrator Overby design a draft ordinance for discussion at the next meeting because it was difficult to follow all the conflicting propositions and wastes meeting time.

Tom Simpson felt it should be made clear that the commission is not setting up a situation where by use of a CUP someone can take a lumbermill, which is allowed under a CUP, and put it any where you want to in General Business.

M/S/P Stevens/Simpson - to have a small volunteer committee to look at how to address the current industrial uses in the City within the scope of the Comprehensive Plan which would include policy direction on concept of General Business and design a draft ordinance that seems to be appropriate to accomplish the ends that the commission has been discussing and to submit it at the next planning commission meeting. (Motion carried 8-0-1<Abstain: Johnson>).

David Johnson agreed with the elimination of the Industrial zone. Johnson viewed Industrial as raising from some elemental level (some product through heat or chemical procees) to a final product that is shipped. He does not see assembling components as an industrial use or objectionable.

6. 1987 Planning Commission Work Plan

The Planning Commission is required to submit its annual work plan to the City Council by May 1st each year. City Administrator Overby felt the following items should have top priority:

- #1 - Finish the Comprehensive Plan amendment/update process.
- #2 - Review/comment/recommend to City Council.
- #3 - Ordinance amendment for the "one percent rule"

Since the one percent rule has been successfully challenged by the City of Oakdale, City Engineer Bohrer recommended that the City Attorney review the case and advise the City as to the correct procedure to adopt the one percent rule. In this way the City can avoid a possible legal challenge.

Ann Bucheck had talked to Mark Harris on the West Lakeland Planning Commission and they both agreed it would be worthwhile to trade ideas.

Steve Raleigh volunteered to submit a draft of the sign package, at some future date, to the commission for their consideration.

M/S/P Williams/Hunt - to table Item #6 and continue the discussion at the next regular planning commission meeting. (Motion carried 9-0).

M/S/P Johnson/Stevens - to adjourn the Planning Commission meeting at 10:50 p.m. (Motion carried 9-0).

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

MARCH 23, 1987

7:30 p.m. Meeting Convenes

1. Agenda
2. Minutes: March 9, 1987
3. Upcoming Requests
4. Site and Building Plan Review :
Addition to Lake Elmo Elementary School
5. Amendment of Industrial Zoning District
6. 1987 Planning Commission Work Plan