

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

NOVEMBER 28, 1988

Chairman DeLapp called the Planning Commission meeting to order at 7:30 p.m. in the City Council chambers. Present: DeLapp, Stevens, Hunt, Enes, Kunde, Haacke, Bucheck, Johnson, Williams (arrived 7:53 p.m.), Johnston (arrived 8:25 p.m.) and City Administrator Morrison.

1. Agenda

M/S/P Hunt/Enes - to approve the November 28, 1988 Planning Commission agenda as presented. (Motion carried 8-0).

2. Minutes: November 14, 1988

M/S/P Stevens/Enes - to approve the November 14, 1988 Planning Commission minutes as amended. (See Item #3. Apostolic Church)

3. REZONING: Apostolic Church--RR to PF (Continued from 11/14)

Jeffrey Roos, of the Apostolic Bible Church, requested in his letter a continuance of their rezoning application until the first regular commission meeting in January, 1989. In talking to City Administrator Morrison, Mr. Roos stated, based on discussion with the Commission, they were rethinking their application for rezoning of a smaller area (10 acres) which would be sufficient for a church and parking lot.

Ed Stevens felt it would be very difficult for a future PZ and CC to say "we only let you in under these conditions, and we wouldn't rezone another 5 or 10 acres." Practically speaking, after they have been here a few years and owned that land, the discussion that lead to this restriction will be forgotten. As long as they own this land there is a possibility that it will be ultimately utilized for the church.

Ed asked if they could show the applicants where the City will allow a church. Administrator Morrison responded the City does not currently indicate PF Zoning on the Land Use Plan map. Morrison suggested this zoning could be incorporated on the Future Land Use Map. In order for the Staff to receive input on applications, Chairman DeLapp suggested that each Commission member be asked questions on how they personally feel about the application.

Chairman DeLapp reported he called David Wortman and E. Claussen whose <sup>households</sup> had signed statements indicating they had no objections to a church. Mr. Wortman did not know what he was zoned and was not aware of what his wife signed, as he was out of town. When told he was under RR Zoning, 1 house per 10 acres, with its current land use being ~~corn~~ agriculture, Wortman stated, under no circumstances did he want a church and would write a letter stating his position.

DeLapp also talked to E. Claussen, who personally signed the statement, because she was shown a sketch of the church and asked, if the church was built toward Inwood, would this bother her. She was not thinking in terms of parking lots. When Steve indicated it was zoned

for housing, 1 house per 10 acres, she felt this was much better and would send a letter with her comments.

M/S/P Enes/Williams - at the request of Mr. Roos, the Apostolic Bible Church's rezoning application will be tabled until the first regular Planning Commission meeting in January of 1989. (Motion carried 9-0).

#### 4. Comprehensive Plan

Since the draft of the Comprehensive Plan was typed by Marge on her IBM Compatible PC, the office cannot automatically copy her disk on the City's Apple computer. Lee Hunt and Todd Williams are transferring this document from the IBM Compatible, to a Macintosh and then to the City's Apple II.

Marge recommended funds be spent for charts and graphs for the Comp Plan update. Chairman DeLapp suggested the Commission ask for authorization for Wash. Cty. Planning Dept. to update the map with every platted lot shown based on records from the City and MnDot.

#### 5. Construction Requirements/Standards Form

Rob Enes updated the Commission on the forms he is drafting for all zoning districts in the City listing their standards on items such as accessory bldgs, setbacks, lighting. A separate form will be available for remodeling projects, additions and decks. Inspections, inspectors names and telephone numbers will also be added.

Ann Bucheck stated people are not aware the City requires building permits for additions, decks or remodeling projects. ~~Ann gave~~ (Amended)\* herself, as an example, of building a deck without a permit and her neighbor who built a deck over the clean-out of his septic system. 12-12-88  
The Commission suggested the Newsletter inform homeowners that building permits are needed for any type of construction and, according to our code if permits are not pulled, they will be doubled-fee. obtained, the fee will be doubled.

#### 6. 1988 Planning Commission Work Plan

The following comments reflect the Commission's discussion on each work plan item:

(1) Review, comment and make recommendations to the City Council on zoning and subdivision applications.

The Commission added the applications should be reviewed in accordance to the Comprehensive Plan. A checklist would be helpful.

(2) Complete the revision of the Comprehensive Plan.

The Commission suggested the ordinances need to be updated to comply with the Comprehensive Plan.

\*Amended 12-12-88

Ann and Steve cited examples of construction projects built without necessary building permits.

(3) Adopt an ordinance to incorporate the "one percent rule" for drainage and ponding requirements.

The Commission appreciated the work Mary Kueffner did in composing the "One Percent Rule" ordinance as approved by the City Council.  
(DELETED)

(4) Section 32-33 Discussion (DELETED, but the Commission would be willing to discuss it.)

(5) Consider local response to State of MN proposed revision to Shoreland Management regulations.

Administrator Morrison stated new shoreland regulations ~~have come~~ when they come out will probably be stricter than the City's rules. The City will review the new regulations when appropriate and will get input from the PZ if they wish to review. Set up a sub-committee to determine which properties are affected by the shoreland ordinance; compose a list of affected property owners for all lakes.

(6) Large Lot Subdivision

The Commission incorporated this item into the RE Zoning District.

(7) Regional Park (DELETED)

(potential landfill site & bike access from City).

M/S/P Bucheck/Johnson - to ask the Parks Commission to look into a future bike access path into the Regional Park from Klondike (cul-de-sac). (Motion carried 9-0).

(8) Restrictions (stronger) for accessory structures in the R1 Zone--the size and number of parcels of less than five acres. Definition of garage and storage accessory structures. Size and number of accessory structures in RR Zone on parcels of twenty acres or more.

(9) Conditions or possible restrictions on residential subdivisions where large accessory structures exist.

(10) Meet with the County and adjacent community planners to discuss common issues.

The Commission decided this would be done on an "as-needed" basis.

(11) Index for Code Books (DELETED)

Administrator Morrison stated, it is hoped, codification of our code can be accomplished with the 1990 Budget.

(12) Future Road Plan

This item will be left on because the Commission had to address the few areas that are landlocked or have poor entrances and exists, and how engineering costs can be passed back to the developers.

(13) Watershed 509 Plan and compatibility with local code. (DELETED)

(14) Soil loss limits - study model ordinances (DELETED) This item has been addressed by City Engineer Bohrer and Maintenance Foreman Olinger.

(15) Retention of wildlife habitat and wetland areas--adequacy of wetland overlay district.

(16) Study the need for an historic Building/Architectural Design Overlay District in the Old Village Area.

M/S/P Williams/Haacke - recommended to the City Council a committee be established, composed of PZ members, business owners and interested residents (5 to 7 members), to study an Historic Building/Architectural Design Overlay District (may include, but not limited to, signage, main street restorations, lighting, architectural building standards) in the Old Village area. (Motion carried 9-0).

(17) Adopt an ordinance to incorporate a Pipeline Safety Zone in City's subdivision and platting regulations.

A Utility Setback will be discussed to include power lines and changing buidling setback to 100' from a pipline rather than 50' of a pipeline.

(18) Sign/Billboard Ordinance.

The Commission, with input from the Business Association, will address signs on I-94 and Hwy 5.

(19) Discuss possible zoning forms in the MUSA

The Commission felt the concept plan has been developed for Section 32, but are there alternatives. (This item was lowered in priority.)

(20) Review aesthetics of road design. (This item will be included in RE Zoning.)

(21) Review sideyard setbacks relative to lot size.

(22) Rework maximum allowable lot <sup>coverage</sup> density and square footage for commercial and residential areas. (DELETED)

(23) Building height limitation--Eliminate the exception which allowed broadcast transmission towers. (This item will be moved up in priority.)

(24) Amend the Subdivision Ordinance (Section 401) regarding the length of cul-de-sacs and the definition of permanent and temporary cul-de-sacs within subdivisions and outside subdivisions. (DELETED because item will be addressed under RE Zoning).

(25) Amend the Subdivision Ordinance (Section 400-14, 400-15) requesting the signatures on the Certificate for approval by the Chairman and Secretary of the Planning Commission.

The Subdivision Ordinance needs correction.

(26) Code Enforcement Policy and Problems. (DELETED The Commission felt the City Council should address this.)

(27) Residential Estate Zoning. (This item was moved up in priority).

New Work Item:

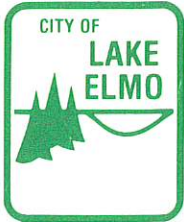
Consider creation of a, volunteer, City Forester Position: set up a Foreststation policy in regard to RE Zoning. Consider transportation allowance for Forester. Would have to work closely with the Parks and Maintenance Dept. The staff will look into the need, when and if appropriate, and make a recommendation to the City Council if determined necessary.

M/S/P Williams/.Enes - based on the above discussion, the 1989 Work Plan items will be prioritized at the next PZ meeting. (Motion carried 9-0).

7. City Administrator Morrison updated the Commission on planning issues.

An RE meeting is scheduled for next week with City Engineer Bohrer, Planner Mike Black and staff. A copy of the RE Ordinance will be sent to the PZ when it is sent to the City Council.

M/S/P Enes/Hunt - to adjourn the Planning Commission meeting at 9:45 p.m. (Motion carried 9-0).



## City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

January 20, 1989

TO: Planning Commission

FROM: Pat Morrison, City Administrator

RE: Deletion of Sentence in 11/28/88 Planning Commission Minutes

As you may recall, at the January 9, 1989 P.C. Meeting, member Bucheck stated the intention of the Planning Commission's motion to amend the November 28th minutes was by removing the second sentence of the second paragraph of No. 5, rather than deleting in our usual manner by crossing out the sentence.

I have contacted the City Attorney to determine the legality of removing verbage from the minutes. He advises strongly against this practice and advised the staff should continue to amend minutes by lining out, rather than erasing.

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 MEETING

NOVEMBER 28, 1988

7:30 p.m. MEETING CONVENES

1. Agenda
2. Minutes: November 14, 1988
3. REZONING: Apostolic Church--RR to PF  
(Continued from 11/14)
4. Comprehensive Plan
5. Construction Requirements/Standards Form  
Rob Enes
6. 1989 Work Plan
7. Administrator's Report
8. Adjourn