

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 14, 1990

- 6:30 p.m. Residential Estates Sub-Committee Meeting
- 7:00 p.m. Highway/Office Business Sub-Committee Meeting

7:30 p.m. MEETING CONVENES

1. AGENDA
2. MINUTES: April 23, 1990
3. Continuation: Request for Conditional Use Permit
Ron Mack--Ron's Sanitation, 5749 Lake Elmo Avenue
4. Continuation: Request for Conditional Use Permit
Ray Salus: Golf Driving Range, 404 Lake Elmo Avenue
5. Sub-Committee Reports
 - a. R.E.
 - b. Highway/Office Business District
6. May 28th Planning Commission Meeting
7. Other
8. Adjourn

DATE OF APPROVAL: 5/14/90
DATE ISSUED: 6/8/90

LAKE ELMO PLANNING COMMISSION MINUTES

APRIL 23, 1990

Chairman DeLapp called the Planning Commission meeting to order at 7:31 p.m. in the City Council chambers. Present: DeLapp, Bucheck, Enes (Arrived 8:05 p.m.), Johnson, Stevens, Conlin, Johnston, Wilfong, Thomas and City Administrator Mary Kueffner. Absent: John, Arkell

1. AGENDA

Add: 5. Verbal Update on Residential Zoning Ordinance

M/S/P Stevens/Conlin - to approve the April 23, 1990 Planning Commission agenda as amended. (Motion carried 8-0).

2. MINUTES: April 9, 1990

M/S/P Stevens/Johnson - to approve the April 9, 1990 Planning Commission minutes as amended. (Motion carried 7-0-1: Abstain: Johnston).

3. PUBLIC HEARING: Ron Mack, dba
Ron's Sanitation Request for a Conditional Use Permit to Operate Sanitation Business in Rural Residential Zoning District.

Chairman DeLapp opened up the public hearing at 7:35 p.m. in the City Council chambers.

Ron Mack, dba Ron's Sanitation, has requested a Conditional Use Permit to allow for the housing of sanitation trucks and equipment in the Rural Residential Zoning District. Mr. Mack explained his son would be living in the house and all the trucks would be housed in the pole barn. He indicated he recycles in Woodbury and Oakdale, and there would be times cans would be stored for a short time on the property. There would be no rubbish stored on vehicles overnite.

Ron Webber, 5577 Lake Elmo Avenue, suggested the City stick to the Comprehensive Plan. Why have a C.U.P.--you might as well open it up to commercial for the entire City. We should not give up one evil for a lesser evil.

Richard Bergmann, 5833 Lake Elmo Avenue, stated the zoning is RR and asked how can you allow a commercial business in there. Just because the buildings are existing doesn't mean it's right for him. Permitting this business with a C.U.P. would start a precedent. He pointed out that under the pole barn there is a dump, and we should clean up what we have before we move on.

Eileen Bergmann, 5833 Lake Elmo Avenue, stated the Future Land Use Map shows 2.5 acre residential lots planned for the Lundquist property. There is no Light Industry planned. This application should be in this category.

Dan Powers, 5685 Lake Elmo Avenue, stated Mr. Mack has increased his proposal by two trucks since he talked to him and said nothing about recycling. Mr. Mack has no intention of living there. There would be truck maintenance going on. There will be visual pollution because we can see the trucks and noise pollution due to the crushing of cans. This property is zoned RR, and we should keep it this zoning. I understand Mr. Mack was denied this same application in Woodbury and Oakdale.

Ron Mack responded he had applied in Maplewood, but was not turned down. He had plans drawn up, but found \$23,000 in assessments and taxes had to be paid and the seller wanted him to pay it plus the selling price.

Joan Powers, 5685 Lake Elmo Avenue, asked why can't the buildings be torn down if they have been built without a permit. The property has a nice house on it, and it could remain residential.

Bill Lundquist, 5744 Lake Elmo Avenue, indicated the truck traffic would not bother him. The City has turned down similar applications.

Chairman DeLapp closed the public hearing at 8:04 p.m.

Debra Wilfong: How long are recyclables stored? How would you control rodents? Mack: Only thing that stays longer than 3 days is pop and beer cans. The gasoline tanks on the property belong to J. Gould. I have no plans for storage of gas. We have put deacon out before. Gould would have to clean up the property.

Rita Conlin: Do you anticipate growing? Mack: No, I only pick up recyclables from my own customers in two communities. Conlin voiced her concern on what effect Citra-Sol Orange degreaser, which is sprayed on the containers, would have on the well water when these containers are washed. Mack submitted information on Citra-Sol.

Ed Stevens: Mr. Gould's operation should have been taken care of by the City. Mr. Mack would have to make sure it is cleaned up. By allowing a C.U.P., this would be legalizing what Gould was doing. It will be the Council's decision if they want Gould or Mack there.

Lonny Thomas: He had a concern on the buildings being up to code if they were built without a permit and inspections. Mack answered he had talked to Jim McNamara, Building Official, who has looked at the buildings and had no concerns. Thomas had some environmental questions and inquired as to how the parties to the purchase agreement had allocated the environmental risks.

Dick Johnson: He asked Mr. Mack if he would never have a reason to store a commercial dumpster on the property. Could you live with such conditions as not washing trucks on site and limiting the number of dumpsters. Mack said, "I cannot say never."

Ann Bucheck explained that it has been the past practice of the PZ to postpone consideration of a request for two weeks after a public hearing. Therefore, she made the following motion:

M/S/P Bucheck/Johnson - to postpone consideration on Ron Mack's request for a C.U.P. in Rural Residential Zoning until the next PZ meeting, May 14, 1990. (Motion carried 9-0).

The purchase agreement will be copied to the PZ. Ann Bucheck suggested the PZ read the zoning code pamphlet written by Gunnar Isberg. Mr. Mack invited the PZ or anybody to visit his place of business and see for themselves the amount of recyclables stored.

4. PUBLIC HEARING: Ray Salus Request for a Conditional Use Permit to Operate a Golf Driving Range and Minature Golf Course in the Rural Residential Zoning District

Chairman DeLapp opened up the Public Hearing at 9:00 p.m. in the City Council Chambers. The public hearing notice was published and adjacent property owners were notified.

Ray Salus, 404 Lake Elmo Avenue, has requested a Conditional Use Permit to allow a Golf Driving Range and Minature Golf Course in the Rural Residential Zoning District. Tim Beach, Project Engineer, explained they would be removing the Box Elder trees and replacing with Blue Spruce. With the trees and the berm in place, the parking lot would not be seen from the road. Mr. Salus indicated he wants a country effect; he will be restoring the old silo, erecting a brick wall and pond, and make it look like the entrance is going into a residential area.

Sandy Bradley, 520 Lake Avenue N., stated she has lived there for 33 years and was adamantly against the proposal. The area is zoned Rural Residential and any commercial development in a residential area destroys the area and reduces property values. By approving the CUP, you are permitting a commercial business in a residential area, even if you don't change the rezoning. The entrance and exit is facing a county road and across a prime housing development. In time a request will come in for later hours, lights, a larger parking lot and elimination of the berm. This still is a request for a commercial business in a Residential area.

Dan Krawczyk, NHD-Cimarron, stated the owners of Cimarron have reviewed the plan, finds the proposal beneficial to them, and would be in favor of it.

Curt Lange, Admin. for Trans-City Investment, stated he was in favor of the application and looks at the area along I-94 as commercial.

Chairman DeLapp closed the public hearing at 9:26 p.m.

Debra Wilfong: With the trees and berm in place, you would not see the parking lot from the road. Would there be a problem with traffic for the new housing development.

Karen Johnston: What are the hours of operation? What is the projected business volume? Ray Salus: The hours of operation would be 7:00 a.m. to 9:30 p.m. The parking lot would hold 45 cars. He expects 50-75% full which would be approx. 30 cars with a 45 minute total stay.

Lonny Thomas: Based on this information, this would be approx. 1000 cars a day. Tim Beach felt 1000 cars was too high.

John Sandstrom stated he lives on 31st Street, but has lived in Cimarron for 8 years and felt a golf driving range would be quiet, no lights, and correlates with the rural nature the City just loves.

Dick Johnson: What would the Club House consist of? R.Salus: There would be a counter to dispense buckets of balls, sell pop and hot dogs, a small pro shop and a sitting area. There would be no video games, no public address system, no lights and would not be open to parties and would close down at the end of the season. The maintenance equipment will be stored at his place.

Ray Salus stated he would be doing the majority of the work himself, and he still had to grade the area and seed it.

Steve DeLapp: This proposal and the traffic involved would change the character of the neighborhood.

M/S/P Conlin/Wilfong - as past practice, the PZ recommended postponing a recommendation for two weeks until the May 14th PZ meeting. (Motion carried 8-1: Enes.)

Tim Beach expressed their disappointment that a recommendation could not be made tonight so they could proceed to the City Council. Because of no decision, Mr. Salus is prevented from proceeding with his grading and seeding. They were delayed before because the PZ was asked to fix the PF Ord. which they never did. Now, they were asked to apply through the C.U.P. route.

5. OTHER

Residential Estates Zoning Sub-Committee:

Steve DeLapp reported that he and Ann Bucheck were the only members from their sub-committee that met and put some ideas together for the RE Ord.

Highway Business Zoning Sub-Committee:

Rita Conlin reported the Highway Business Sub-Committee will meet on April 30, 1990 at 7:00 p.m. at the City Hall.

M/S/P Stevens/Wilfong - to adjourn the Planning Commission meeting at 10:15 p.m. (Motion carried 9-0).