



City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

**The Lake Elmo Planning Commission will meet Monday, April 12, 1999, at
6:00 p.m. in the Council Chambers of City Hall,
3800 Laverne Avenue, Lake Elmo, Minnesota.**

AGENDA

6:00 p.m. – 7:00 p.m. Continued Discussion: Comprehensive Plan

7:00 p.m.

1. Agenda
2. Minutes – March 22, 1999
3. Waters Bay Subdivision
(Schmidt/Hedges Property) Lake Jane Trail N.
(City Council Referral)
4. Public Facilities Ordinance - Continued
5. Alternative AG (Agricultural) Zoning
6. Other
7. Adjourn

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Approved
Lake Elmo
Planning Commission
Meeting Minutes
Monday, April 12, 1999

**(The Planning Commission met at 6:00 p.m. and discussed the Comprehensive Plan).*

Chairman Armstrong called the regular meeting to order at 7:00 p.m. in the Council Chambers of City Hall, 3800 Laverne Avenue North, Lake Elmo. Present: Commissioners Berg, Brass, Gerard, Helwig, Herber, Lipman, Mandel, Ptacek, Sedro and Sessing. Also present: City Planner Dillerud.

1. AGENDA

M/S/P Helwig/Lipman – to approve the agenda as presented.
(Motion Passed 9-0).

2. MINUTES

Tabled until the April 26, 1999 meeting.

3. Waters Bay Subdivision (Schmidt/Hedges property) Lake Jane Trail
(City Council Referral)

Planner Dillerud said that at its April 6, 1999 meeting, the City Council tabled the Final Plat of Waters Bay, and referred the Plat to the Planning Commission to address the location of the shared driveway for Lot 1 & Lot 2. He said after viewing the videotape of the Planning Commission meeting, the minutes reflect the recommendation for approval of the Preliminary Plat with the condition that the driveway for Lot 1 & 2 is shared with one entrance off Lake Jane Road, but there was no reference regarding driveway location. He asked the Commissioners to recommend by motion whether or not the exact shared driveway location was specified with the February 8 Preliminary Plat recommendation.

Chairman Armstrong said that since he had made the original motion recommending approval of the Preliminary Plat, his intention at the February 8 meeting was to define the location of the shared driveway as being moved further north than what the developer presented.

M/S/P Armstrong/Sedro – to recommend that the shared driveway for Lot 1 & 2 of Waters Bay subdivision, as shown in the drawing presented to the City Council at its February 16, 1999 meeting, be moved further north so as to intersect with Lake Jane Trail at a 90 degree angle and no point of the driveway shall be closer than 15 feet to the south property line of Lot 2.
(Motion Passed 7-0-1). Abstain: Berg

4. Public Facilities Ordinance – continued discussion.

City Planner Dillerud presented the April 8, 1999 draft Public Facilities Ordinance that reflects modifications directed by the Planning Commission. He presented a list of all the PF zoned parcels and color maps of each. He said some commissioners were uncomfortable with the impact the PF amendments may have on existing PF uses in the City. He said a possible solution would be to exempt parcels with existing structures and zoned PF as of the effective date of the ordinance amendments from certain sections of the PF ordinance. He said he had discussed amending the draft with the City Attorney in order to broaden the waiver of standards on existing PF sites.

The Commissioners reviewed the list and maps of the PF zoned parcels. They generally agreed that the variance process was preferable to making further amendments.

M/S/P Mandel/Helwig – to recommend the City Council adopt the April 8, 1999 draft Public Facilities Ordinance, as presented.

(Motion Passed 9-0). (Commissioner Lipman; second alternate-noted-opposed to this motion.)

BREAK – 8:15 – 8:25 p.m.

(Commissioner Herber-exit 8:25 p.m.).

5. Non-Agricultural Uses in the AG (Agricultural) Zoning District

Chairman Armstrong excused himself from the platform, explaining he had a bias regarding this agenda item and stated he had drafted an ordinance adding Section 301.070 D. 1. B. (6) Non-Agricultural Low Impact Uses to the Lake Elmo Municipal Code.

Vice-Chairman Helwig said that years ago, the City held several workshops, which included most of the AG property owners. He said they discussed alternative AG uses, but no amendments to the code were adopted.

M/S/P Sessing/Ptacek – to direct staff to revisit the draft Non-Agricultural Uses in the AG (Agricultural) Zoning District Ordinance, including consideration of Commissioner Lipman's memo (attached), and include the following:

- 1. That Lake Elmo broaden the AG district allowable uses by Conditional Use Permit on the premise that this will provide an incentive for large tract land owners to retain the large land holdings that preserve rural character.**
- 2. That any additional allowable uses be by Conditional Use Permit only, with use-specific CUP standards – much as is now proposed for PF District CUP's. Some potential AG zone uses (such as mining) may require special zoning code sections to address the detailed standards that would be required to assure impacts of the use are properly mitigated.**

(Motion Passed 9-0).

6. Other

City Planner Dillerud said he will not be in attendance at the April 26, 1999 meeting, as he will be attending at a Planning Conference in Seattle.

M/S/P Helwig/Sedro – to meet at the regularly scheduled time on April 26, 1999, and devote the first hour of the meeting to working on the Comprehensive Plan.

(Motion Passed 9-0).

Vice Chairman Helwig adjourned the meeting at 9:20 p.m.

Respectfully submitted, Cynthia Young, Planning Secretary

MEMORANDUM

To: Members, Lake Elmo Planning Commission
From: Eric Lipman, 2nd Alternate
Re: Non-Agricultural Uses in AG Districts
Date: April 12, 1999

Members: As of this writing, I am not sure whether I will be able to arrive in Lake Elmo by six o'clock for the discussion on the Comprehensive Plan Amendments. In the event that I am delayed, please consider the following suggested wording for 301.070 (D)(1)(B)(6).

I am offering this text for two reasons: First, I believe that it better describes the "balancing" that underlies a decision to allow such uses, than does the original ordinance. Second, the proposed language links aesthetic objectives with the City's health, safety and welfare goals, in a way that affords the best chance that each will be given effect during any later court challenge.

(6) Non-Agricultural Low Impact Uses

Purpose: The City recognizes a desire to maintain and preserve open space and agricultural land within the City. The City further recognizes the monetary incentives put upon farmers and large property owners to sell rewards that may be enjoyed by a farmer or large property owner who sells their land for development. The City further recognizes that allowing non-agricultural low impact uses strictly controlled and regulated by Conditional Use Permit, will might allow a farmer or large property owner a more economical interim use of their property that is zoned for agriculture, until such time as municipal services are available on the I-94 Corridor, or additional residential development is appropriate.

Intent: It is the intent of the City to regulate such uses in order to allow non-agricultural or low-impact uses without compromising the so as to balance the competing needs of its residents. Through this regulation, the City hopes to promote economically productive uses of land within agricultural zones, the aesthetic and planning goals of the City's Comprehensive Plan and improved health, safety and welfare of among its residents.