

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

JUNE 11, 1990

7:30 p.m. MEETING CONVENES

1. AGENDA
2. MINUTES: May 14, 1990
3. Site and Plan Review: Guardian Angels Church
4. PUBLIC HEARING: Rezoning from RR to AG and C.U.P. for Golf Driving Range
Applicant: Ray Salus, 404 Lake Elmo Avenue

8:30 p.m. 5. PUBLIC HEARING: 1990 Comprehensive Plan

6. Freeway Business Ordinance:
Draft prepared by PZ Sub-Committee
7. Other
8. Adjourn

JUN 11 1990
Minutes

June 10, 1990

To the city of Lake Elmo Planning Commission and
City Council:

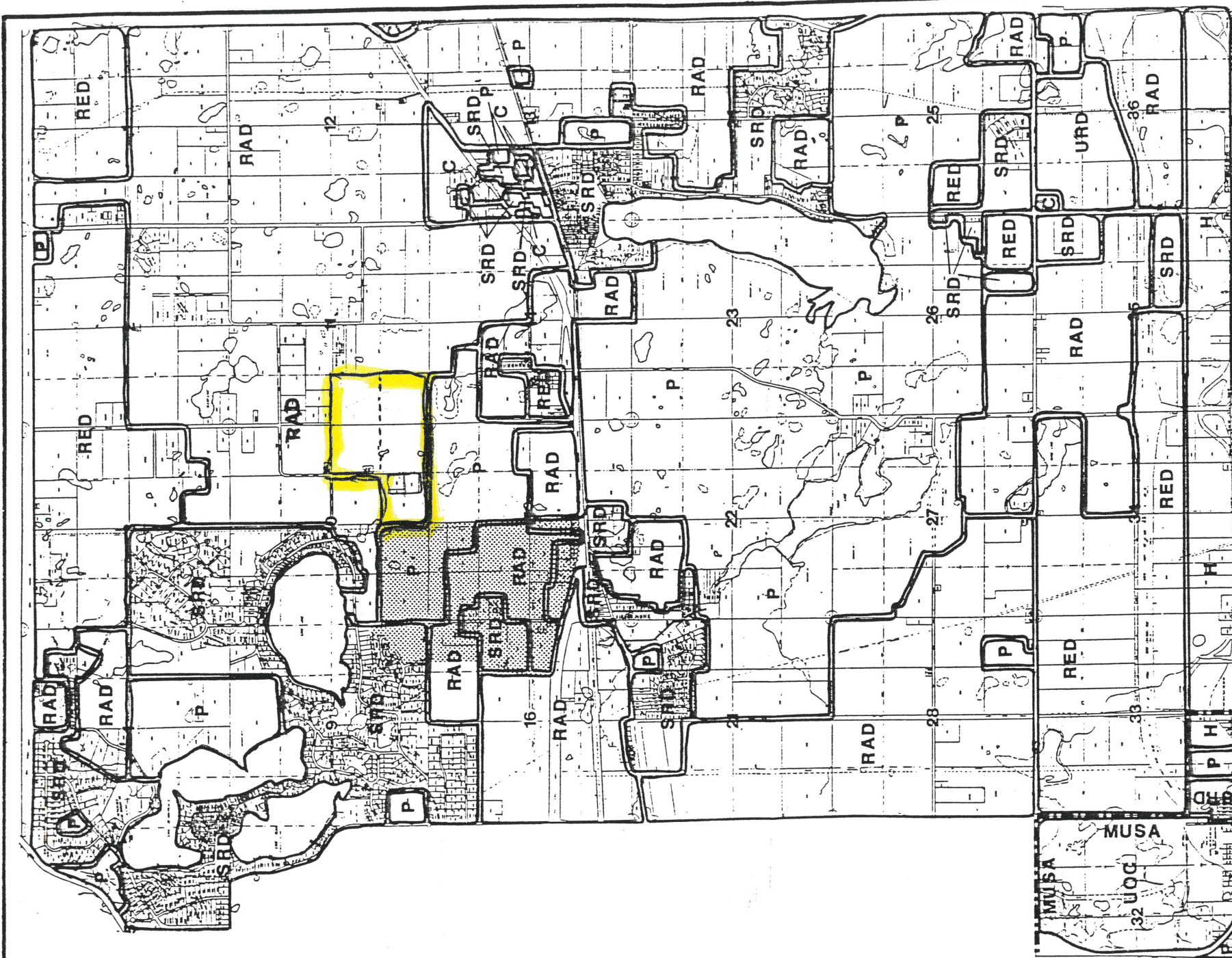
Dear Members,

Our farm is proposed on the future land
use map as R1D. We feel this is too
restrictive for future land use and would
like our land zoned as R1E.

Please let us know your final decision
since we were told you are now listening
to long time property owners of Lake Elmo.

Sincerely,
Charlotte R. Morris
Joseph R. Morris

10500 - 250th St.
Scandia MN 55073
Tel 612-257 1861



lake
elmo
3/21/04

LEGEND

- RAD RURAL AGRICULTURAL DENSITY
- RED RURAL ESTATE DENSITY
- SRD SUBURBAN RESIDENTIAL DENSITY
- URD URBAN RESIDENTIAL
- P PUBLIC-QUASI PUBLIC
- C COMMERCIAL
- UOC URBAN OFFICE / COMMERCIAL
- H HIGHWAY
- Well Advisory Area
SEE FURTHER DESCRIPTIONS &
RECOMMENDATIONS IN THE
GUIDE PLAN TEXT



JAMES R. HILL, INC.
PLANNERS ENGINEERS SURVEYORS

FUTURE LAND USE

DATE: 5-17-90

DATE APPROVED: 6/11/90
DATE ISSUED: 6/22/90

LAKE ELMO PLANNING COMMISSION MINUTES

MAY 14, 1990

Chairman DeLapp called the Planning Commission meeting to order at 7:32 p.m. in the City Council chambers. Present: DeLapp, Bucheck, Johnson, Johnston, Arkell, Stevens, Conlin, Enes (arrived 7:50.), Wilfong, Thomas, Absent: John

1. AGENDA

Add: 4B. Northern Vineyard Proposal

M/S/P Johnston/Stevens - to approve the May 14, 1990 Planning Commission agenda as amended. (Motion carried 9-0).

2. MINUTES: April 23, 1990

M/S/P Johnson/Stevens - to approve the April 23, 1990 Planning Commission minutes as amended. (Motion carried 8-0-1 Abstain: Arkell)

3. Continuataion: Request for Conditional Use Permit
Ron Mack--Ron's Sanitation, 5749 Lake Elmo Avenue

The Planning Commission held a public hearing on this request on April 23rd and tabled a recommendation until the May 14th PZ meeting.

Ray Flynn, Attorney for Ron Mack, presented pictures of Mr. Mack's operation explaining the pictures show a very clean operation. While showing pictures of adjoining properties, Flynn indicated there were very few lines of sight into this property. Mack submitted a material safety data sheet and a letter from Lorene Miller, 5819 Lake Elmo Avenue, stating she cannot see into this property and did not have a problem with the request.

Tim McGill stated he has lived three houses down from Mr. Mack for 28 years and has had no problem with Mr. Mack. He has maintained his property in Maplewood, as is, testified by the pictures.

Ann Bucheck stated she felt Mr. Mack had a clean operation. He would be an extremely good neighbor, but she cannot base her decision on this. The application does not conform to the Comp Plan, and the area is zoned as Rural Residential and not as General Business.

Jim Arkell agreed that this property was not zoned for this type of commercial use. The transfer of ownership would be legalizing the building that was built without a permit.

Debra Wilfong stated the neighbors indicated they want to keep the Rural Residential zoning and the Comp Plan shows Rural Residential. Mr. Mack's operation appears to be a good, clean operation, but is not consistent with the area. As a PZ member, she would be happy to address Mr. Gould's problems.

Joe Gould asked for the names that objected to this request. He stated he would be willing to take out all of his equipment from this property. He asked "how are the Bergmann's able to run their operation with the number of buildings they have? He has commercial property all around him--why shouldn't they be eliminated. What building on his property was put up without a building permit?"

Bill Freahrs reported he had been out looking at the buildings on this property. He asked how the City Council permitted an asphalt plant because it was offensive.

Gordon Bjornson asked the City to check out the other operations around him, such as a neighbor running a concrete business. Bjornson explained Mr. Gould cleaned and fixed up the place from when he bought it.

M/S/P Bucheck/Wilfong - to recommend to the City Council to not grant a Conditional Use Permit to Ron Mack to operate Ron's Sanitation in a Rural Residential Zoning District because this use is not in compliance with our Comp Plan and not compatible to the Rural Residential Zoning District which this property is zoned. (Motion carried 9-0).

4A. Continuation: Request for Conditional Use Permit
Ray Salus: Golf Driving Range, 404 Lake Elmo Avenue

The Planning Commission held a public hearing on this request on April 23rd and tabled their recommendation until the May 14th PZ meeting. At the May 1st City Council meeting, an informal poll of the Council, which was requested by the applicant was made. The consensus was 4-1 in favor of this request.

Ray Salus informed the Commission he has withdrawn his request for a miniature golf course which would remain a grassy area. The proposed berming would be built up 3 feet so the cars would not be seen from the road. He will be planting pine trees on his side of the property.

Rob Enes indicated this property is bordered on three sides by commercial and the fourth side by County Road 17.

Ed Stevens clarified Trans-City is zoned Ag with a C.U.P. for Alternate Ag and Cimarron is a residential area with a C.U.P. for the golf course. This area is designated residential and a driving range would be detrimental to the neighbors.

Tim Beach, Eng. for Ray Salus, reminded the Commission that they voted (6-1) in favor of this concept before The Forest came up.

Debra Wilfong suggested the City stick with the Comp Plan which does not show this area zoned commercial. The increase in traffic does not maintain the rural residential atmosphere.

Ann Bucheck could not find in the code where this application could be permitted in an RR Zoning or under a C.U.P. If it was zoned Ag, it could fit with a C.U.P.

Dick Johnson suggested downzoning it to Ag zoning, which the applicant was in favor of. The golf driving range would preserve open space and was appropriate to the planned area. The land around it is being used for semi-commercial operations. The additional traffic can be handled by the street.

Lonny Thomas asked what affect the golf driving range would have on traffic on County Rd 17.

Administrator Kueffner noted she had talked to Larry Bousquet, Wash., Cty, who stated County Road 17 was designed for 10,000 cars a day. Now, the traffic count was under 4,000 cars.

Jim Arkell suggested a time release period written into the C.U.P., such as, if after a 10 year period, the area would be more residential than now, then this C.U.P. could be changed.

Sue Bradley explained the City just allowed The Forest, and by allowing a commercial business in this area would only decrease the value of the property.

Robert Engstrom stated this property does not have freeway access, does not have the visability; therefore, the possibility of success is remote. Per Wash. Cty Engineer, there is a 4-square intersection; therefore, traffic points will become severe.

Lonny Thomas pointed out that MN Statutes 462.357 Sub. 6. provides that if a use is not listed as a permitted or conditional use, then it is not allowed and the statute firmly prohibits the granting of a variance for it.

Based on our code, Adm. Kueffner pointed out a C.U.P. could be granted in a RR zoning district if it doesn't affect the health, safety and welfare. When this application first came to the PZ, staff suggested they look at this as a commercial recreation of a rural nature such as Springborn's Green Acres whch is permitted in Ag Zoning with a C.U.P.

M/S/F Bucheck/Stevens - to recommend to the City Council to not approve a C.U.P. because the proposed use is not allowed under our C.U.P. Ord. and does not conform to the Comp Plan. (Motion failed 4-5: Enes, Conlin, Johnson, DeLapp, Johnston).

When Councilwoman Armstrong was asked how she viewed this request, she suggested this property be downgraded to Ag with a variance to size (property is 28.5 acre in size where the code requires 40 acres). Downzoning is welcome in the City. There will be no blacktopping, will retain open space by remaining grass, no lights, no public address system. The Forest will not be able to be seen because of the berm and trees. Pine trees should be planted in the front. If the size of the berm is increased, Mr. Salus was reminded of the 1% Rule.

M/S/P Enes/Johnson - to recommend to the City Council that the Planning Commission deems the land use appropriate for a golf driving range for this property at 404 Lake Elmo Avenue, with no recommendation as to method the Council use to allow the proposal, provided the following conditions for a Conditional Use Permit are followed:

1. Existing road frontage be left in its current rural condition with the addition of conifers such as blue spruce to provide additional screening of business;
2. To be consistent with the rural character, a variance will be granted to allow an unpaved driveway and parking lot;
3. Exterior lighting is prohibited except on the east side of the office;
4. A sign will be allowed by the entrance with a maximum of 20 sq.ft. using natural colors. Trees and shrubs shall be used to reduce the visibility of the sign from residential property across the street;
5. A berm shall be constructed to block the view of the cars and tee positions from residential property across Cty. Rd. 17;
6. An office 45' x 30', 1 story, is permitted;
7. Parking for a maximum of 35 cars is permitted;
8. Maximum Hours of operation are 7 a.m. to Sunset;
9. Two rows of shrubs shall be planted in conifers with 8' x 8' spacing on the north, south, east sides of the range. Dead trees shall be replaced and trees shall attain an average height of at least 24" in 5 years;
10. The entrance driveway will be separated from the new entrance to "The Forest" by at least 150 feet;
11. A public address system will not be allowed;
12. No liquor license will be permitted.

(Motion carried 5-4: Wilfong, Buccheck, Arkell, Stevens).

B. Northern Vineyards Proposal

Harry Thrush and K. Nodo informed the Commission of their proposal for a winery with a store with retail sales and planting a vineyard on property (20 acres zoned Rural Residential) located at the southeast corner of DeMontreville Trail and Highway 36. The applicants considered a winery Ag in nature and asked how they should proceed with their proposal.

When this concept plan was before the Commission in 1989, Ann Bucheck indicated she was against the proposal because it was not in compliance with our Future Land Use Map and our Comp Plan. She also had a concern with the increased traffic. Ann considered a winery Ag in nature, but the applicants did not own 40 acres which is the acreage needed for Ag zoning.

Debra Wilfong: Opposed

Ed Stevens, Dick Johnson, Steve DeLapp: The proposal is not compatible with the FLUMap and our Comp Plan. They encourage the retail sales store to be located in the Old Village Area or along I-94 where commercial business is designated on the FLUMap.

Karen Johnston: She had not received enough information on the proposal to make any recommendation at this time.

Rita Conlin: She thought a winery was unique, but had a concern on a retail sales store in that area.

Jim Arkell: He would have to look at the information.

The applicants were directed to talk to our City Administrator about this proposal and receive a copy of the minutes when a concept plan by Northern Vineyards was reviewed by the Planning Commission in 1989.

5. Sub-Committee Reports

Rita Conlin, Chair. of the Freeway Business District Ord., submitted their Sub-Committee Report. The Sub-Committee will meet on May 14th at 7:00 p.m.

Steve DeLapp, Chair of the RE Sub-Committee, reported ideas for RE were reviewed by four sets of developers; such as, Robert Engstrom, Jim Peterson, Pacesetter.

6. May 28th Planning Commission Meeting

The second PZ meeting this month falls on Memorial Day. The PZ Chair has suggested that this meeting be cancelled and that the sub-committees continue working on the RE and Freeway Business Ordinances.

M/S/P Johnson/Wilfong - to cancel the May 28th PZ Meeting because it falls on Memorial Day. (Motion carried 9-0).

M/S/P Arkell/Bucheck - to adjourn the Planning Commission meeting at 10:20 p.m. (Motion carried 9-0).