

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

JANUARY 22, 1990

7:30 P.M.

1. Agenda
2. Minutes: January 8, 1990
3. Election of Officers (continued)
 - (1) Chair
 - (2) Vice Chair
 - (3) Secretary
4. Public Hearing River Valley Christian Church
Rezoning from Rural Residential to PF
5. Public/Private Facility draft ordinance
6. Other
7. Adjourn

APPROVED

DATE APPROVED: 1-22-90

DATE ISSUED: 2-9-90

LAKE ELMO PLANNING COMMISSION MINUTES

JANUARY 8, 1990

Vice-Chair Steve DeLapp called the Planning Commission meeting to order at 7:36 p.m. in the Council chambers. Present: DeLapp, Bucheck, Conlin, John, Haacke, Johnson, and Acting Administrator Mary Kueffner. Absent: Stevens, Enes.

1. AGENDA

Add: 8A. Work Plan, 8B. Set Public Hearing for Planned Unit Development Ordinance.

M/S/P John/Johnson - to approve the January 8, 1990 Planning Commission agenda as amended. (Motion carried 5-0-1: Abstain: Haacke: She was not at the last PZ meeting when PUD's were discussed).

2. MINUTES: December 11, 1989

M/S/P Bucheck/Johnson - to postpone consideration of the December 11, 1989 minutes until Item 6. (Motion carried 5-0-1: Abstain: Haacke)

All of the PF discussion was not recorded. The Commission tried to recall all of the changes made to the draft ordinance, but could not. Discussion on P and PF ordinances will continue at this meeting. Therefore, the following motion was made.

M/S/P Bucheck/Johnson - to approve the December 11, 1989 Planning Commission minutes as amended. (Motion carried 5-0-1: Abstain: Haacke).

3. ELECTION OF OFFICERS:

1. Chairperson
2. Vice-Chairperson
3. Secretary

Chairman Rob Enes notified the Vice-Chair he would arrive at the meeting around 8:30 p.m. Therefore, the following motion was made.

M/S/P John/Haacke - to postpone consideration of Election of Officers until Agenda Item 6 or arrival of a seventh member. (Motion carried 6-0).

4. CONCEPTUAL REVIEW: Church as temporary use in GB Zoning District

David Johnson, formerly of Connco Shoes, explained the retail operation of Connco Shoes was sold in November and what remains is a property management Company named OWJ, Inc. They have a 67,000 sq.ft. building and now have a 30,000 sq.ft. empty space within that

building. Johnson has received a request from the Church of Mt. Zion to allow it to lease for three years 11,000 to 12,000 sq.ft. of the Connco Building. As owners of the building, they have no problem with this proposal.

Pastor Bob Worwick and Church Board Member, Ken Morris, indicated the Church has a membership of about 300 and are currently using a school in Woodbury to meet. They will use the offices that are there for offices and Sunday school rooms. The shoe store will be their meeting room.

The Commission discussed the effect on the septic system, signs, and parking area. Prior to the meeting, City Engineer, Larry Bohrer, verbally indicated to the Acting Admin. that there would be no problem with the sewer system for this proposal.

Staff commented they had no objection to the interim use because it was an allowed use (Refer to Page 301-38, GB Zoning, a. permitted uses and structures, (e) religious uses). They did not want the assumption to be made, since they are leasing the building for three years, that they would get a rezoning to PF. The City would not want to lose the commercial tax base.

The Commission explained to the applicants if the church is interested in buying the building, they should come back before the PZ to discuss rezoning.

The Commission had no problem with this request for a church, as a temporary use, in the OWJ, Inc. building at the corner of 694 and 94 in the General Business Zoning District. They suggested staff check with Council members to see if they had any problem with it.

M/S/P Johnson/Haacke - to recommend this request for a church as a temporary use in the GB Zone be handled administratively as far as the lease is concerned. (Motion carried 6-0).

5. George Krueger - Large Lot Subdivision

George Krueger is asking for a large lot subdivision; subdivide a 12 acre parcel from the approximate 60 acres that he owns. Mr. Krueger would retain the 12 acres because he farms this and would like to keep the trees he had planted in the back of the parcel. He will sell the remaining 47+ acres for one single family residential unit.

The code allows for a 4:1 ratio, and what Mr. Krueger proposes is approximately 4:85 to 1; therefore, he would need a variance for lot ratio on both parcels. Staff pointed out Section 401.280E gives the PZ discretion to hold a public hearing on an application for a variance "if the PZ finds that the variance, if granted, may have a substantial effect on the public interests or rights of other property owners".

The consensus of the Commission was to include the variances in the public hearing.

The Commission noted that the driveway would be approx. 1600' long.

M/S/P Johnson/John - to direct the staff to call a public hearing for February 12th for a Large Lot Subdivision, including the variances for the 4:1 ratio on both lots. (Motion carried 6-0).

6. PUBLIC (P) and PRIVATE FACILITIES

M/S/ Bucheck/John - to incorporate discussion in PF zoning district into the 12/11/89 minutes

Bucheck and John withdrew this motion. The Commission decided to approve the 12/11/89 Draft of the PF Ordinance and continued on with the discussion.

Discussion followed on: Suggested wording in District Requirements "(nominal) minimum 10 acres" be included. Should septic requirements be inserted under General Conditions. Section of the State Statutes on cemeteries should be reviewed. Should uses for government owned land and facilities be permitted under a CUP.

Refer to Draft Ordinance of PF and P, PZ Meeting of 1/8/90 reflect the Commission's changes.

For the next meeting, PZ members should come up with a list of conditions they think are appropriate for Public Facilities. The General Conditions will be the same as in Private Facilities, but the Specific Conditions are not appropriate.

The Commission suggested asking the City Attorney whether you can require another government body to operate under a CUP.

M/S/P Bucheck/Conlin - to request permission from the Council to ask the City Attorney the following questions: Can we restrict any other governmental units in the way they use the land in Lake Elmo and where they use it under zoning ordinance (P) Public Facilities. If so, is it appropriate to put conditions on restrictions. (Motion carried 6-0).

The Commission was asked to think about another classification called PU Public Utilities and how should they accommodate essential services in this category.

Dick Johnson indicated the Commission needed to review the ordinances. An example given was Section 301-070 Zoning Districts, Page 301-28--there is only P listed and would have to change to PF and the definition for P would have to change.

7. COMPREHENSIVE PLAN

Councilman Todd Williams encouraged every PZ member to attend at least one PZ seminar every year they are on board. Todd felt even the experienced members would get additional insight and knowledge at these various seminars. The City staff will inform the PZ when they come up.

Williams urged the PZ to follow the direction given by the City Council at its November 21st meeting. The Council requested the PZ to come to a consensus on any changes on the Plan they feel should be made. The consensus does not have to be 100% unanimous.

The PZ called a workshop on the Comprehensive Plan for Thursday, 1/11/90, at 7:00 p.m. in the Conference Room at City Hall.

8. OTHER:

A. WORK PLAN:

The Commission agreed the Work Plan will not be discussed until the Comprehensive Plan is completed.

B. Set up a Public Hearing for PUD's

The Commission requested setting up a public hearing for elimination of the PUD. Staff suggested waiting because "The Forest" application is in the final stages of a Planned Residential Development, and they didn't want to eliminate something that they are still working on.

OTHER: ELECTION OF OFFICERS

Chairman Rob Enes did not show up for the meeting. The Commission desired a seventh member in case of a tie vote and recommended tabling this. Therefore, the following motion was made:

M/S/P Bucheck/John - to table the election of officers until the next PZ meeting. (Motion carried 6-0).

M/S/P Johnson/Conlin - to adjourn the Planning Commission meeting at 10:36 p.m. (Motion carried 6-0).

-----" DELETE
" ADD

DRAFT ORDINANCE of PZ MEETING 1/8/90

LAKE ELMO MUNICIPAL CODE

301.070 D.11

11. PF - PRIVATE FACILITIES AND QUASI-PUBLIC USES

a. Allowed Uses and Structures by C.U.P.

(1) Uses include all privately owned (as opposed to government owned) facilities that provide recreational, social, and religious needs for the general public. Allowed uses include private parks, churches, cemeteries, religious retreat houses, golf courses and club houses, golf driving ranges, tennis and swimming clubs, nature sanctuaries, skating rinks, and low impact uses deemed similar by the Council that are ~~consistent~~ compatible with ~~surrounding~~ neighboring uses.

(2) On-sale intoxicating liquor sales by State license.

b. Accessory Uses and Structures

(1) Uses and structures which are clearly related, incidental, and subordinate to the allowed use and principal structure.

(2) Architectural design of accessory structures must be compatible to the design of principle structure.

c. ~~Minimum~~ District Requirements

(1) Lot Size 10 acres (nominal) minimum
except not applicable for nature sanctuaries.

(2) Lot Width 330 feet minimum on city street
except not applicable for nature sanctuaries.

(3) Minimum building setbacks from property lines:

(a) Front 100 feet
(b) Side 50 feet
(c) Rear 100 feet

(4) Building Height 35 feet maximum

d. Conditions To Be Met:

(1) General Conditions:

- (a) Structures on private facilities must meet architectural standards and all other applicable code requirements established for General Business District Zone.
- (b) On site parking sufficient to accommodate all users.
- (c) Landscaping - trees and shrubs adequate to provide screen where property borders on land with lower intensity uses. Boulevard trees of two inch caliper every 30 feet.
- (d) Noise control - Reference City Code 1507. In general noise emitted by this use shall not exceed levels considered objectionable to surrounding land users.
- (e) Lighting and Glare Control - Reference City Code 1508.
- (f) Traffic Control - Uses must maintain low impact traffic conditions for control of noise, dust, headlight glare and public safety.
- (g) Impervious surface requirements must comply with the covered area requirements for the General Business District.
- (h) Signage shall be for identification purposes only.

(2) Specific Conditions:

- (a) Side and rear setback for graves and markers in cemeteries is 20 feet. Mausoleums and other structures shall meet Minimum District Requirements and General Conditions.
- (b) Recreational facilities, such as golf driving ranges, must be designed to prevent hazardous projectiles from entering adjacent property.
- (c) Minimum lot size for nature sanctuaries is 1.0 acre and minimum lot width is 60 feet.
- (d) Lands designated as nature sanctuaries are not necessarily transferable to other uses allowed under PF. ~~Any use other than as a nature sanctuary shall require reapplication for zoning change.~~

LAKE ELMO MUNICIPAL CODE

301.070 D.11

12. P - PUBLIC FACILITIES

A. Allowed Uses and Structures

(1) Uses include all ~~government~~ city owned lands and facilities . ~~that provide recreational, social, and governmental administrative needs for the general public.~~

(2) Allowed uses for government owned land and facilities under a CUP include parks, DNR recreational facilities, government administrative and Lake Elmo maintenance facilities, playgrounds, athletic fields, and low impact uses deemed similar by the Council that are compatible with neighboring uses. Uses that are prohibited include waste incineration facilities and waste landfills.

b. Accessory Uses and Structures

(1) Uses and structures which are clearly related, incidental, and subordinate to the allowed use and principal structure.

(2) Architectural design of accessory structures must be compatible to the design of principle structure.

c. ~~Minimum~~ District Requirements

(1) Lot Size Not Applicable

(2) Lot Width 125 feet minimum

(3) Minimum building setbacks from property lines:

(a) Front 50 feet

(b) Side 50 feet

(c) Rear 50 feet

(4) Building Height 35 feet maximum

d. Conditions To Be Met:

(1) General Conditions:

- (a) Structures on private facilities must meet architectural standards and all other applicable code requirements established for General Business District Zone.
- (b) On site parking sufficient to accommodate all users.
- (c) Landscaping - trees and shrubs adequate to provide screen where property borders on land with lower intensity uses. Boulevard trees of two inch caliper every 30 feet.
- (d) Noise control - Reference City Code 1507. In general noise emitted by this use shall not exceed levels considered objectionable to surrounding land users.
- (e) Lighting and Glare Control - Reference City Code 1508.
- (f) Traffic Control - Uses must maintain low impact traffic conditions for control of noise, dust, headlight glare and public safety.
- (g) Impervious surface requirements must comply with the covered area requirements for the General Business District.
- (h) Signage shall be for identification purposes only.

(2) Specific Conditions:

The Planning Commission will develop appropriate conditions at their 1/22/90 meeting.

Submitted
1-8-90

Lake Elmo Comprehensive Plan Draft

Comments - W.M. John.

-----00000-----

Ref	Comment
p7, 3rd para., line 4	Replace "resort" by "location"
p8, 1st para., line 3	Complete 198?
7th para., line 3	Insert "the" before "Community"
p9, 4th para., line 4	Change to ".. District as this data becomes available."
p10, 2nd para., line 5	Delete "multiply"
p12, 4th para., line 3	Change to "...means of correcting existing..."
p14, Table 3	Persons per Sq. mile for 1989 should be added
p15, 2nd para, line 6	Home values should be adjusted to reflect inflation
p16, 3rd para.,	There should be some statement as to Lake Elmo's goals for specific population growth or growth rate.
p17, 3rd para.,	An 11 year old survey of housing conditions is no longer relevant, and the conclusion is suspect.
4th para., line5	Delete "major"
5th para., line 3	Replace "whose shoreline" by "which"
p19, 5th para., line 5	Change to "the dangers of ground....increase"

- p 21, 1st para., line 1 Change to "because of the existence of several landlocked lakes and small wetlands...."
- p 24, Table 7 Change dates for proposed ordinances on RE and Freeway Business Zones to 1990.
- p 25, 4th para., line 2 Change 1989 to 1990.
- p 28, 3rd para., line 3 Change to "...careful in only permitting development along I-94..."
- p 31, 5th para., line 3 Change to " At least one contiguous acre, designated as suitable for a septic system drainfield, must be available for every new residence not connected to the WONE interceptor. Uses of this acreage which will prevent subsequent drainfield installations will not be permitted.
- p 31, 3rd para., line 1 Delete "in some cases"
- 6th para., line 2 Add "...on the Future Land Use map."
- p 52, VI. Capital Impr. A listing of these Capital Improvements should be included as an addendum.

DEAPP
Submitted 1-8-90

For at least the last decade Lake Elmo has maintained total municipal spending per capita among the lowest 10% of communities in the entire metropolitan area. Accordingly, the City intends to be careful in permitting along I-94 only development which will not require extension of municipal sewer and water and which will not lower property values on adjacent residential land, and provide a net tax benefit, to property in all local school districts, after accounting for the cost of providing services such as roads, police and fire protection, and City staff attention.

Many of the cities that ring Minneapolis and St. Paul have encouraged commercial/industrial development primarily as a means of increasing tax base without adding children to their school districts. They have been willing to provide the needed city services and risks and sometimes increase local mill rates, in the belief that a reduction in the more significant school mill rate would result in a significant overall tax reduction for residential property. Because Lake Elmo has a minority property valuation in three different school districts, the possible school tax benefits would apply only to the residential property within the school boundaries shared by a new business and most of the benefit would go to residential property in other cities and towns in that same school district. For example, the same new business that results in a slight decrease in taxes for residential property in School District 622 might cause an increase in taxes to residential property in 832 and 834.

3. GOALS AND POLICIES

The present land uses are shown on Map 9. The planned future land uses are shown in Map 10. The following goals and policies will guide the City through the transition from one to the other.

The majority of residents want to preserve and continue the land use pattern of large-lot (low density) development. Where desired by landowners, preservation of land for agricultural and horticultural uses is also a high priority.

a. Agriculture

The following set of goals are aimed specifically at the protection and support of commercial farming operations. As agriculture will continue to be an important land use in Lake Elmo, it must receive support in the adoption of policies and plans for the City's future.

(1) Goals for Agricultural Development:

- * To encourage commercial agriculture as a continuing land use.
- * To protect prime agricultural lands, where requested by landowners, from incompatible forms of development, such as large-lot development subdivisions, that threaten the viability of commercial farming operations.

To: Comprehensive Plan Sub-Committee
From: Rita Conlin, Planning Commission
Subject: Comments for Comp. Plan

Suggest rewording:
Site "G"
Page 47
Paragraph 2

The landfill in Lake Elmo Park Reserve will result in the loss of the Park's special "reserve" status and 300 acres of scenic prairie, woodland, and trails will be eliminated as use for open space and recreational purposes. The majority of visitors who enjoy this park are from outside of the Lake Elmo community, causing the effects of a landfill in the Lake Elmo Park Reserve to be widely felt. If established, this landfill would have negative social, economic, and environmental ramifications to our city. Plans for Commercial and Residential development adjacent and south of the landfill site would have to be drastically reevaluated in view of the certainty of ground water contamination, added traffic, and other nuisance factors associated with a existing landfill.



City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

November 21, 1989

COMMENTS FROM COUNCILMAN CHUCK GRAVES FOR SUGGESTED CHANGES TO THE COMPREHENSIVE PLAN:

1. Page 32, second bullet from top of page:

Add to this bullet: "The dates indicated on the Future Land Use Map show when development can begin along the I-94 corridor. Differences in dates encourage a systematic, staged plan for development".

Also, suggest physical definition of affected area within the I-94 corridor.

Page 32, first bullet under (2) Policies for Commercial Development.

Amend to read: "Commercial development will be in areas that are designated on the Future Land Use Map".

2. Page 36, third bullet, third paragraph, second line: "... agricultural land use and preventing commercial strip development...".

Also, question that this full paragraph may be more appropriately placed in Analysis section.

3. Page 40, #2 Aviation:

Add between second and third sentence:

"Any structures within the Airport Safety Zone shall be limited to a maximum height of one story (10')."

continued . . .

November 21, 1989
COMMENTS, COMPREHENSIVE PLAN

4. Page 48, 4. Waste Management, first paragraph:

delete: "The City's role in the disposition of locally generated waste is subordinated to the authority of the Metropolitan Council".

add: "While the City is free to determine the type and level of participation in solid waste collection programs, it must work within the guidelines of the Metropolitan Council".

afw:

Suggested wording for Page 32, "Policies for Commercial Development", fourth bullet item:

* A new ordinance will be drafted to define the standards for the I-94 Freeway Business District. This ordinance will implement the following policies:

- minimize septage demands on the soil to avoid permanently the need for public sewer;
- balance on-site sewage disposal rates with groundwater recharge rates to maintain ground water quality;
- require individual developments to provide their own source of water, including sufficient supply for required interior sprinkler systems;
- restrict development to a strictly defined area to allow efficient provision of police and fire protection services;
- provide standards for the minimum lot size and aspect ratio for the District;
- provide standards for road widths and layout to enhance the esthetics of the area while maintaining desired traffic behavior;
- provide standards for landscaping to provide an esthetically pleasing area and minimize impact of sights and sounds on the surrounding properties, especially rural residential properties;
- provide for parkland dedication;
- define the permitted uses for the District, ensuring those uses are distinguished from those allowed in the Central Business District;
- ensure the permitted uses are of the low impact, high-quality type

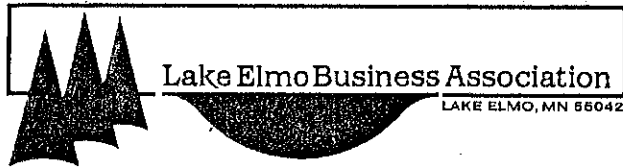
from: Todd Williams

Ann Bucheck

Comp Plan

1. Do we need a map of subwatershed within the city.
2. I disagree with the future land use map
3. Do we need a sentence re: the dump. Stating directly that we oppose it
4. Will we extend our water - I don't think so - we should state it
5. p. 32 - development along 1-94 "at designated points" seems too vague
6. p. 30 neighborhood minimum # of homes - it should be connected to lot size
7. Development along 94 should be RR or RE
8. p. 16 There should be a minimum floor area

I have not gotten thru the check-list that was mailed to our homes on Saturday



February 12, 1990

City of Lake Elmo
Planning Commission
3800 Laverne Avenue North
Lake Elmo, MN 55042

RE: Elimination of Section 301.080, P.U.D
From the Lake Elmo Municipal Code.

Gentlemen and Ladies:

The Lake Elmo Business Association recommends against the elimination of Section 301.080, Planned Unit Development (P.U.D) from the Lake Elmo Municipal Code.

P.U.D. is a procedure the City and property owners can use as a tool to work out an agreement on the use of the owner's land that can benefit both the property owner and the City.

It does not restrict or force the City to do something that is not beneficial or desirable to the City.

The P.U.D process gives the City a flexible tool that should not be removed from the Municipal Code.

"The Forest" a Planned Unit Development in Lake Elmo, proves that the City and a developer can work together to accomplish their goals.

Sincerely,

Michael J. Mazzara
President,
Lake Elmo Business Association