

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

March 26, 1990

7:30 p.m. MEETING CONVENES

1. AGENDA

2. MINUTES: March 12, 1990

7:45 p.m. 3. PUBLIC HEARING:
Trans-City Investment's Request for an Amendment to
C.U.P. for Outside Storage
11490 Hudson Blvd.

8:15 p.m. 4. Bob Healy, Recomp Inc.
Compost Site at I-94 and County Road 15

8:30 p.m. 5. Discussion on Modeling Ordinance

8:45 p.m. 6. Update on Comprehensive Plan/Future Land Use Map

7. Other

8. Adjourn

APPROVED

DATE OF APPROVAL: 3/26/90
DATE OF ISSUE: 4/6/90

LAKE ELMO PLANNING COMMISSION MINUTES

MARCH 12, 1990

Chairman DeLapp called the Planning Commission meeting to order at 7:33 p.m. in the City Council chambers. Present: DeLapp, John, Bucheck, Johnston, Johnson, Stevens, Arkell, Wilfong, Thomas and Acting Admin. Mary Kueffner. Absent: Conlin, Enes.

1. AGENDA

Add: 6. Planning Commission Meetings, 7. Conditional Use Permit

M/S/P Bucheck/Stevens - to approve the March 12, 1990 Planning Commission agenda as amended. (Motion carried 9-0).

2. MINUTES: February 26, 1990

M/S/P Stevens/Arkell - to approve the February 26, 1990 Joint Planning Commission/City Council minutes as amended. (Motion carried 9-0).

3. PUD - Elimination (Continuation)

At the February 12, 1990 meeting, the PZ held a public hearing to consider eliminating Section 301.080 Planned Unit Development from the Lake Elmo Municipal Code. The Commission closed the public hearing and postponed making a recommendation to the City Council.

Ann Bucheck noted she had talked to Mike Mazzara, who said that he didn't personally have any strong opinions on PUD's, one-way or another, but was asked to write the letter on behalf of the Lake Elmo Business Assoc.

M/S/P John/Stevens - to recommend to the City Council elimination of Section 301.080 PUD Ordinance from the Lake Elmo Municipal Code based on reasons regulating PUD's: (Reasons a,b,c,d, stated on page 131 in "The Job of the Planning Commissioner") and the PZ suggests the staff look into the entire ordinance or elimination of any cross-reference that needs to be deleted.

- a. Carefully drafted procedural guidelines including a combined zoning and subdivision ordinance for PUD development applications to reduce processing time.
- b. Professional persons either as staff or design review board members to review the development design.
- c. A good grasp on how a PUD will relate to the community's general plan.
- d. To know how effective the homeowner association will be in the future when the facilities they manage will need repairs, more maintenance, and more funds.

All the above reasons require a level of supervision and control which would necessitate a staff much longer than the current one. At present the City has no intention of employing the additional personnel needed for PUD's. (Motion carried 9-0).

4. Concept by Ron's Sanitation

Mr. Ron Mack of Ron's Sanitation presented a concept for a conditional use permit in an Rural Residential Zoning District. Mr. Mack is proposing purchasing the Joe Gould property (10 acres) at 5749 Lake Elmo Avenue and have his son, Jeff, live in the house. He would store his equipment (2-16 yd. trucks, 2-18 yd. trucks, and 1 small recycling trailer) in the two large pole barns. Mr. Mack explained that these trucks would come in and out off of Hwy 36 and would depart empty at 7 a.m. and arrive empty every evening at 4 or 4:30. Pictures were shown of his trucks. Mr. Mack talked to several neighbors and they thought his proposal would be an improvement on what is there now. He asked if the Commission would object to this controlled use by CUP on this property using the buildings that are existing and making a bad situation better.

The PZ was polled:

Lonny Thomas: I don't care for the precedent set in approving this application based on this proposal would be better than what we have now on this property. We now have a person that is violating the city ordinances. I would not be receptive to the argument that we would be happy to take this guy because he is better than the guy that is in there now. It would have to be decided if it would be cost effective on settling for this proposal rather than fighting this in court. I believe this proposal is a reasonable operation to put in.

Dick Johnson: Mr. Mack is asking for a CUP and it is the Commission's obligation to review the application. If the Commission turns it down because it would be establishing a precedent, then the City should be prepared to take Mr. Gould to court and have him tear down the non-complying buildings. As a practical approach, let's deal with the issues that are involved and give Mr. Mack our position. This has been a problem area. Mr. Mack would be storing his trucks inside the barns under a CUP where conditions can be outlined and controlled by the City. This is an opportunity that we should take advantage of and call a public hearing to find out what the adjoining property owners have to say about the proposal.

Steve DeLapp: If the City Council thinks it is appropriate for Mr. Gould to put up a building without a permit and not make him tear it down, then, I think this proposed use is better.

Ann Bucheck: I don't like the idea we are not making Mr. Gould clean up his property. I would be in favor of the proposal because it seems we are fighting a losing battle, and I would rather have someone there who is more responsible.

Debra Wilfong: I have no concern on the operation under a CUP, but am concerned on the environmental things that may come up in the future on this property. I don't like the fact Mr. Gould is getting away with something illegal.

James Arkell: I look favorably on the concept for the use on this land and would like to see a more comprehensive proposal.

Ed Stevens: I would like to see the proposal.

Karen Johnston: A CUP gives the City an opportunity to control a use and make good use of the property and not make it further detrimental to health and safety.

Wyn John: I have mixed feelings. It would be a better situation than what we have now. I have a concern on admitting if someone cares to ignore local regulations, we cannot do anything about it..this is not the right way to go about it. I would like to see us control the use in the area.

Based on response of the Commission to the proposed concept, the applicant will come in with a detailed plan and apply for a CUP. The staff will proceed with setting up a public hearing.

5. COMPREHENSIVE PLAN

The City Council will hold a workshop on the Comprehensive Plan/Future Land Use Map on March 15th, Thursday, from 4:30 to 6:30 p.m. at City Hall. There will be discussion on overall density and possible limits and standards of the new flexible zoning. All PZ members are welcomed.

6. PLANNING COMMISSION MEETINGS

The Commission discussed changing the starting time of their meeting to 7:00 p.m. rather than 7:30 p.m. Some of the members had a problem with an earlier starting time. After some discussion, the following motion was made:

M/S/P Bucheck/Johnston - the PZ will follow the procedure: Meetings convene at 7:30 p.m., times will be set for agenda items, meetings will be completed within two hours, for the next four meetings and then evaluated. (Motion carried 9-0).

7. CONDITIONAL USE PERMITS

Mary Kueffner reported the Mayor has asked the Commission to deal with the application by Ray Salus for a Golf Driving Range. Kueffner referred to Section 301.21; Conditional Use Permits may be granted or denied in any district by action of the governing body. She suggested the PZ consider a CUP for this Golf Driving Range in an RR Zone. The Commission asked for a copy of the conditions set for Mr. Blasko's Golf Driving Range in the PF Zoning.

M/S/P Johnson/John - the PZ recommended the City staff ask Ray Salus to apply for a CUP for a Golf Driving Range in a Rural Residential Zoning District. (Motion carried 9-0).

7. OTHER

The Commission will receive copies of the Washington County Zoning Ordinance and the Afton Zoning Ordinance. A (15 min.) discussion on the model ordinance is scheduled for the next PZ meeting.

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