

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

AUGUST 27, 1990

7:30 p.m.

MEETING CONVENES

1. AGENDA
2. MINUTES: August 13, 1990
3. Limited Business Ordinance
4. Update on Comprehensive Plan and Residential Estates Ordinance
5. Other
6. Adjourn

LAKE ELMO PLANNING COMMISSION MINUTES
August 13, 1990

Secretary Bucheck called the Planning Commission meeting to order at 7:05 p.m. in the Council Chambers. Present: Johnson, Conlin, Arkell, Thomas, Enes, Stevens, Bucheck, John (arrived 7:15), Johnston (arrived 8:45), City Planner Mike Black and Administrator Kueffner. Absent: DeLapp and Wilfong. Council members present: Hunt and Williams.

1. AGENDA

M/S/P Stevens/Enes - to approve the August 13, 1990 Planning Commission agenda. (Motion carried 7-0).

2. MINUTES: July 23, 1990

M/S/P Conlin/Johnson - to approve the July 23, 1990 Planning Commission minutes as ammended. (Motion carried 7-0).

3. SITE & PLAN REVIEW: Guardian Angels Church

Ken Konrad (Chairman of Building Committee), Pat McGuire (MCL Architects), Tom Kyлло (MCL Architects) and Al Gardner attended this meeting as representatives for the Church. Tom Kyлло presented blue prints and asked for questions from the Planning Commission.

The Commission questioned the parking stall size. Pat McGuire stated that a variance will be requested for 9' x 18' spaces (Ordinance is 10' x 20'). Mr. McGuire does not believe this size will create a hardship on the parishoners.

The Commission also questioned the purpose of the bell tower. Pat McGuire explained that a bell tower will "sign" the church and that the 50' height will help it to be seen from the interstate highway. Mr. McGuire stated that a variance will be requested for the bell tower (Ordinance is 35'). He also addressed a safety question by stating that no flammable materials will be used in the construction of the bell tower.

M/S/P Conlin/Enes - to recommend that the City Council change the PF Ordinance to exempt churches from the 35' maximum height signage ordinance. (Motion carried 6-2 Bucheck: didn't think the Ordinance should be changed unless all materials are non-flammable, Thomas: Support motion to investigate reasonableness of exemption, but not enough evidence to support exemption of all church structures.

The Commission asked if there was a contingency plan for septic and parking. Tom Kyлло replied that there was (to the north).

Commissioner John asked Administrator Kueffner if the applicants have copies of the ordinance requirements on landscaping and she answered that yes they do.

M/S/P Conlin/Enes - to recommend that the City Council approve the Site Plan Review presented by Guardian Angels Church subject to the variances for parking and the bell tower in review of the information provided by Larry Bohrer. (Motion carried 7-0).

4. JOINT MEETING WITH CITY COUNCIL - COMPREHENSIVE PLAN

City Planner Mike Black mentioned the fact that he and the Commission have now gone through the Comprehensive Plan book page by page, all the maps, graphs and charts and the only area left open is the I-94 corridor. Based on previous discussion, Black presented the Commission with two maps (one of Limited Business District Concept and a corresponding Land Use Map). Black's reasoning on the buldge (1/2 mile up County Road 19) is that it is a major intersection, there is excellent access off the freeway, it provides opportunity for a limited business district as a good area for an office park. Black also does not see developing residential to the north for a long time due to the gravel pit (on both sides of County Road 19).

Commissioner Stevens mentioned that there is also service road access on County Road 15, so why create a buldge at all. Black responded that it would not be a good idea to encourage continual growth all the way to the east at this point, that it is a better idea to open up a small area at first and see what develops and how quick it develops.

Commissioner Thomas wondered why encourage growth to the north. Black stated that he first looked at limiting the land use designation to the east and using the agriculture zone as a holding zone until the timing is right for opening the corridor especially since sanitary sewer will not be introduced for a long, long time, and second he looked at compatible and wise land use in terms of the transportation system.

Commissioner Enes commented that from a traffic stand point County Road 19 is ideal since it is already a divided highway and has large shoulders. Also, if the corridor is opened to the east it will attract "junk" businesses, not quality businesses which we are trying to achieve.

Commissioner Johnson suggested a compromise of going 3/8 of a mile up County Road 19. Secondly Johnson agrees with the concept of not opening up the corridor because businesses are going to want to develop at the intersections.

Commissioner Bucheck offered that West Lakeland and Afton don't appear to have plans for commercial development along I-94 and wondered what Woodbury has planned.

Administrator Kueffner stated that Woodbury has a MUSA line stopping at County Road 19 and they will allow development, but will probably follow closely the standards set by Lake Elmo. Councilman Hunt stated that he has talked with members of Woodbury's Council and they would like to spec out uses compatible with Lake Elmo.

Commissioner Arkell was concerned about businesses requesting large and high signs. City Planner Black noted that with the type of businesses we will be attracting, there will not be a demand for high visibility signage. Councilman Williams offered that the philosophy of the limited business zone is not going to cater to the traveling public, it is not ment to pull people in from the highway.

City Planner Black went over his memo on the meeting with the Metropolitan Council and explained the changes they want implemented into the Comprehensive Plan. Black will write these ammendments to fit the requirements and hopes to have these done when the Council is presented with the Comprehensive Plan.

M/S/P Enes/Johnson - to recommend that the City Council adopt this Comprehensive Plan as the Planning Commission has recommended it to be ammended from the day of the Public Hearing. (Motion carried 8-1, against: Bucheck, reason: not in favor of the Future Land Use map).

The next order of business was the RE Ordinance. Commissioner Bucheck brought up item C(6) Area of Principal Structure as being discriminatory. Discussion followed with statements that most developers have covenants providing for large square footage and recent housing developements have proved more than adequate without this standard being imposed at all.

M/S/P Johnson/Thomas - to remove item C (6) Area of Principal Structure from the RE Ordinance. (Motion carried 6-3 Stevens: Soap box type houses will be built and lower the value of the area. Bucheck: Wants the City Attorney to look at this standard. Arkell: Still in favor of setting some kind of minimum.)

Councilman Hunt suggested that the Planning Commission pass this RE Ordinance on to the City Council with Adiministrator Kueffner and City Planner Black to put all comments and recommendations together to present to the City Council. It was the consensus of the Planning Commission to proceed with this suggestion.

The last order of business was the Limited Business (Freeway) Ordinance. City Planner Black went over the Ordinance with the Planning Commission and noted some changes he had made. Uses Permitted by Conditional Use Permits was added because more conditions, restrictions and review can be placed on certain businesses.

Commissioner John stated that C.U.P.'s were eliminated from the Ordinance because they've created problems in the past. Discussion ensued regarding the differences between the subcommittee draft and Mike Black's draft and it was decided that the Planning Commission would like another meeting to go over this Ordinance before sending it on to the City Council.

M/S/P Conlin/Thomas - to table this discussion on the Limited Business Ordinance until the August 27, 1990 Planning Commission meeting and to then compare and consolidate the two draft Ordinances before sending it on to the City Council. (Motion carried 9-0).

M/S/P Enes/Conlin - to Adjourn the Planning Commission meeting at 10:20 p.m. (Motion carried 9-0).

Freeway Business District

(A) Purpose

The purpose of the Freeway Business District is to establish a comprehensive planned framework for development. The City has determined that it is in the best interest of the City and the region to responsibly manage growth in this district. Specific development goals within the district include the following:

- 1) Limitation of development to ensure reasonable traffic operations because traffic generation resulting from existing and future development has the potential to overload the capacity of regional and local road systems.
- 2) Encouragement of a high quality development standard for structures within the district because properties within the district are among the most visible in the City. It is in the best interest of the City and individual properties to encourage a high quality development standard for structures within the district.
- 3) Protection of the natural environment, including areas of steep slopes, mature trees, flood plains/wet lands, open space and drainage.
- 4) Promotion of neighborhood stability and protection of property values through the use of buffers between land uses of different intensity.
- 5) Minimization of demand on soil in order to permanently avoid the need for public sewers.
- 6) Ensuring that sewage disposal rates are sufficiently low to maintain ground water quality.
- 7) Regulation of development to prevent significant increased need for fire or police protection.
- 8) Restriction of uses to control businesses which result in significantly increased municipal burdens, including police, fire, traffic, and general loss of the rural residential atmosphere. Of specific concern is the aspect of consumer/retail businesses which would generate traffic and visitors out of proportion to the area being defined.
- 9) Development which is consistent with the Comprehensive Plan.

(B) Permitted Uses

- Clinics, medical offices
- Financial Institutions - banks
- Laboratories - medical, dental
- Office, administrative, corporate headquarters, professional, medical research
- Greenhouses and nurseries with retail sales
- Vinyard and winery with retail sales limited to wine
- Inside Storage
 - 1. No outside storage will be permitted
 - 2. Security guard and fenced area is required
- Mortuary, funeral homes

(C) No Conditional uses will be permitted

(D) No Accessory Uses will be permitted

(E) Only Accessory Structures which are clearly incidental and subordinate to the business will be permitted.

(F) Minimum Lot Requirements

- 1) Lot Area : 3.5 acres
- 2) Minimum Lot Width: 300 feet
- 3) Minimum Lot Depth : 400 feet
- 4) Building Setback From Property Lines:
 - a. Front 100 feet
 - b. Side 50 feet
 - c. Side (street) 100 feet
 - d. Rear 50 feet
 - e. Any line adjacent to 150 feet
a residential zone
- 5) Parking Setback from Property Lines :
 - a. Front 50 feet
 - b. Side 50 feet
 - c. Side (street) 50 feet
 - d. Rear 50 feet
 - e. Any line adjacent to 100 feet
a residential zone
- 6) Maximum Building Height : 35 feet
- 7) Maximum Lot Coverage by All Structures : 25%
- 8) Maximum Total Lot Coverage, Including Building, Parking, All Driveways, Sidewalks and All Other Impervious Surfaces : 50%

(G) PERFORMANCE STANDARDS

(1) Architectural Standards

(a) It is in the best interest of the City to promote high standards of architectural design and compatibility with surrounding structures and neighborhoods. New building proposals shall include architectural plans prepared by a registered architect and shall show the following :

- (1) Elevations of all sides of the buildings.
- (2) Type and color of exterior building materials.
- (3) Typical general floor plans.
- (4) Dimensions of all structures.
- (5) Location of trash containers, heating, cooling and ventilation equipment and systems, and rain water diversions.

(b) Unadorned prestressed concrete panels, concrete block and unfinished metal shall not be permitted as exterior materials.

(c) All roof top or ground mounted mechanical equipment and exterior trash storage areas shall be completely shrouded and enclosed with materials compatible with the principal structure.

(2) Parking

All drives and parking lots shall be constructed with blacktop, and with concrete curb and gutters. Where appropriate sidewalks may be required.

Parking lot landscape areas, including landscape islands, shall be reasonably distributed throughout the parking lot areas so as to break up expanses of paved areas.

(3) Landscaping

All yard areas shall either be landscaped green areas or open and left in a natural state. Yards to be landscaped shall be landscaped attractively with lawn, trees and shrubs in accordance with a plan prepared by a landscape architect. Areas left in a natural state shall be kept free of litter, debris and noxious weeds. Yards adjoining any residential zone shall contain a buffer area consisting of berming, landscaping and/or fencing for the purpose of screening noise, sight, sound and glare. A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the site plan.

Where areas abutt residential districts, a buffer area of a minimum depth of 100 feet will be required. Such a buffer area shall be completely constructed and approved by the City before all City inspections and licenses are finally approved. Prior to obtaining a building permit or other authority to commence

construction on the subject property, the owner of such property shall provide the City with a bond in an amount determined by the City to be sufficient to cover all costs of constructing the buffer area as proposed by the owner and approved by the City. The bond shall be released to the owner only upon the completion of all construction of the buffer area and maintenance of the area for not less than 24 months which shall be approved as satisfactory to the City.

(4) Lighting and Glare

Plans for new developments shall include a lighting plan denoting the location, type and height of lighting fixtures and the illumination patterns shown on a site plan. Glare, whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line.

(H) Boundaries

The Freeway Business District shall be bounded on the west by _____, on the north by _____, on the east by _____, and on the south by _____.

(I) Sewage Disposal

No use shall be allowed unless it is determined by the City that the sewage disposal rate of the proposed use will not affect ground water quality.

Septic systems must be approved by the City Engineer and comply with existing City ordinances, and public health requirements.

(J) Traffic

No use shall be allowed unless the property owner provides a road plan acceptable to the City, which shall demonstrate, at a minimum, that the proposed use and resulting traffic will not adversely affect the then existing traffic of the City.

All private roads must comply with existing City ordinances, with construction and maintenance being the sole responsibility of the property owner.

(K) Parkland Dedication

A Park dedication fee, in land or money value at the discretion of the City Council, will be required. This dedication will be additional to the buffer zone defined in paragraph (3) Landscaping, above.

(L) Signs

All signs shall comply with existing City ordinances. Lighting is not permitted.

Mike Black's

HB - HIGHWAY BUSINESS

(A) Purpose and Intent. This section applies to the HB - Highway Business District located in the south end of the City along the I-94 corner. The Highway Business district is intended to provide an adequate area for the development of compatible uses which principally offer employment opportunities and business services to Lake Elmo residential. It is the intent of this district to promote a high quality of business design and development that produces a positive visual image and minimizes adverse impacts from traffic congestion, noise, odor, glare and similar problems. Such districts will be located within the areas indicated for such use on the Future Land Use Map in the Comprehensive Guide Plan.

(B) Permitted Uses and Structures

- Business, commercial or trade school.
- Clinics, medical office.
- Financial institutions - banks.
- Laboratories - medical, dental.
- Office, administrative, executive, professional, medical research.
- Personal service and repair establishments such as barber and beauty shops, dry cleaning and shoe repair.
- Printing, publishing and related distribution agencies.
- Studios - art, music, photo, decorating, dancing, health, etc.

(C) Conditional Use Permit

- Greenhouses and nurseries with retail sales.
- Mortuaries, funeral homes.
- Pet and animal shops, clinic, taxidermists.
- Restaurants.
- Sports and fitness clubs.
- Theaters (indoor).

(D) Accessory Uses and Structures

Uses include retail sales and structures which are clearly incidental and subordinate to the permitted and conditional uses and structures.

(E) Minimum District Requirements

- | | |
|-----------------------|-----------|
| (1) Lot Area | 2.5 acres |
| (2) Minimum Lot Width | 200 feet |

- (3) Minimum Lot Depth 300 feet
- (4) Building setback from property lines:
 - (a) Front 75 feet
 - (b) Side 30 feet
 - (c) Side (street) 75 feet
 - (d) Rear 50 feet
 - (e) any line adjacent to a residential zone 100 feet
- (5) Parking setback from property lines:
 - (a) Front 30 feet
 - (b) Side 20 feet
 - (c) Side (street) 30 feet
 - (d) Rear 20 feet
 - (e) any line adjacent to a residential zone 50 feet
- (6) Maximum Building Heights 35 feet
- (7) Maximum Lot Coverage by all structures 25%
- (8) Maximum total lot coverage including building, parking, driveways, sidewalks and all others impervious surface 70%

(F) Performance Standards

(1) Architectural Standards

(a) It is not the intent of the City to restrict design freedom unduly when reviewing project architecture in connection with a site and building plan. However, it is in the best interest of the City to promote high standards of architectural design and compatibility with surrounding structures and neighborhoods. New building proposals shall include architectural plans prepared by a registered architect and shall show the following:

- (1) Elevations of all sides of the buildings.
- (2) Type and color of exterior building materials.
- (3) Typical general floor plans.
- (4) Dimensions of all structures.
- (5) Location of trash containers and of heating, cooling and ventilation equipment and systems.

(b) Unadorned prestressed concrete panels, concrete block and unfinished metal shall not be permitted as exterior materials. The City may at its sole discretion allow architecturally enhanced block or concrete panels.

(c) All rooftop or ground mounted mechanical equipment and exterior trash storage areas shall be enclosed with materials compatible with the principal structure.

(2) Parking

All drives and parking lots shall be constructed with blacktop, and concrete curb and gutters. Where appropriate, sidewalks may be required.

Parking lot landscape areas, including landscape islands shall be reasonably distributed throughout the parking lot area so as to break up expanses of paved areas.

(3) Landscaping

All yard areas shall either be landscaped green areas or open and left in a natural state. Yards to be landscaped shall be landscaped attractively with lawn, trees, shrubs in accordance with a plan prepared by a landscape architect. Areas left in a natural state shall be kept free of litter, debris and noxious weeds. Yards adjoining any residential zone shall contain a buffer area consisting of berming, landscaping and/or fencing for the purpose of screening noise, sight, sound and glare.

A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the site plan.

(4) Lighting and Glare

Plans for new developments shall include a lighting plan denoting the location, type and height of lighting fixtures and the illumination patterns shown on a site plan. Glare whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line.

Dear Commission members,

As you discuss the Limited Business ordinance I would like you to consider the following items. I am only speaking for myself, so please feel free to ignore any of this if you wish. The items listed below are some of the ones I will use when I evaluate your recommendations.

Above all, though, I want to see a recommendation from the planning commission on Limited Business that includes uses and standards that you people feel are appropriate, not what you think will pass the council. Some reasoning behind your recommendations would be helpful, and could be given in writing or at a workshop.

1. Property Tax Base -

As you consider uses to be allowed in this zone I would ask you to consider the types of buildings that customarily house those sorts of uses. The more expensive a building is the more it should generate in property tax revenues. As a city we should have a goal of maximizing the tax revenue from any commercial areas, while meeting the service needs of our residents.

As an informational note, the city has been averaging about 40 new houses a year over the last couple years. These new homes have conservatively averaged \$150,000. This means that the cities tax base has been increasing by \$6 million/yr. With our new Residential Estates zoning I think we might see that more than double to \$12 - \$15 million/year. Remodeling and additions to homes will also add to the Tax Base, but normally will require negligible increases in required services from the city.

2. Services and Taxes -

It looks at this time like the state legislature will continue its trend of cutting commercial real estate taxes. If this trend does continue the cost of city services will continue to shift to the homeowner. Because of this it is important to insure that any uses have a minimal impact on our police and fire departments. It is also important to insure that these uses will never need sanitary sewer. In other words, we should insure that any commercial development will continue to pay its own way years after it is completed.

3. Clientele -

I think as a city we should avoid the type of uses along 94 that require enticing drive by traffic on the freeway to get off to use those services. Also, uses should not generate significant numbers of new cars a day.

4. Hours -

Businesses that operate 24 hours or late night hours should be avoided. Businesses normally operating Mon - Fri during normal office hours would be the most preferable from the standpoint of needing city services.

5. Open Space -

Businesses that seem to be compatible with open spaces, such as office parks would be very desirable. In this case we might trade off some tax revenues for lower density higher quality development, that hopefully will have a lower long term service cost.

Lee Hunt (Lee Hunt)