

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

November 26, 1990

7:30 p.m. Meeting Convenes

1. Agenda
  2. Minutes--October 22, 1990
  - \* 3.B Public Hearing (continuation)  
Arabian Hills - Rezone & Preliminary Plat
  4. Concept: R1 Preliminary Plat - Clifford Atkins
  5. Limited Business: Update from Workshop with  
City Council, Planning Commission, Sub-Committee,  
and property owners/business people.
  6. Other
  7. Adjourn
- \* 3A. PETITION TO AMEND FUTURE LAND USE MAP IN  
THE COMP. PLAN.

LAKE ELMO PLANNING COMMISSION MINUTES

October 22, 1990

Chairman DeLapp called the Planning Commission meeting to order at 7:35 p.m. in the Council Chambers. Present: DeLapp, Conlin, Arkell, Dick Johnson, Johnston, Stevens, Bucheck, Enes (arrived 8:45), Administrator Kueffner, City Planner Black. Absent: Wilfong, Thomas, John.

1. AGENDA

M/S/P Stevens/Arkell - to approve the October 22, 1990 Planning Commission Agenda as presented. (Motion carried 7-0.)

2. MINUTES: October 8, 1990

M/S/P Johnston/Stevens - to approve the October 8, 1990 Planning Commission minutes as amended. (Motion carried 7-0.)

3. Residential Estates Ordinance (Update)

At the last City Council meeting, the Council directed the Planning Commission to review the City Engineer's, Building Official's and City Planner's rationale and make a recommendation for adequate septic drainfield site.

Administrator Kueffner questioned the rationale in requiring one (1) dedicated acre for drainfields, or sewage treatment. Chairman DeLapp stated that it was the Council's interpretation of the code.

Administrator Kueffner talked with surrounding communities and Washington County and her research shows the standard for drainfields is 5,000 square feet on an existing platted lot, and 10,000 square feet on all new subdivisions. Also, the City Building Official reported to the Administrator the largest drainfield he has seen in Lake Elmo was 1,300 square feet. (The City Engineer and the City Planner have already indicated their rationale on drainfield requirements.) The Commission discussed .5 acre would allow for four separate drainfields (5,000 square feet each). It was brought up some existing homes have two separate drainfields so they can periodically switch off to maintain the system. It was discussed the building code would force larger septic systems if needed to support, for example, group homes.

Roger Kolstad stated he has talked with Pete Ganzel at Washington County, and he stated the County's requirements for septic drainfields is 10,000 square feet. The County's reasoning is 5,000 square feet should last a minimum of 20 years, then a person can switch over to the second 5,000 square feet and use this until it fails, and then switch back to the first drainfield after 5 to 10 years of resting and that drainfield will work again.

Steve Korhel, 5540 Keats Ave., asked why the Commission was downsizing septic systems. Chairman DeLapp reiterated the Commission's discussion. City Planner Black stated they are not downsizing septic systems.

Administrator Kueffner suggested as food for thought (for existing houses) any house that is more than 50% destroyed, such as by fire, would have to rebuild to present code, and would 20,000 square feet be reasonable for existing houses.

M/S/P Johnson/Johnston - the Planning Commission recommend to the City Council that the septic drainfield regulation be modified to read: a minimum of 20,000 contiguous square feet of land to be dedicated for septic use system, and a minimum of one (1) acre of land be required for a building site above the flood plain and free of any easements, and the 20,000 square feet set aside for the septic system can be part of the one (1) acre building site. (Motion carried 7-1, against: Conlin - would favor 15,000 square feet.)

City Planner Black suggested the motion expand the wording of "flood plain" to include swamps, wetland, lowlands, bogs, etc. Commissioner Johnson suggested Black's comments be brought to City Council's attention for consideration.

#### 4. Residential Estates Support Ordinance (Update)

Chairman DeLapp stated he talked to 3M's traffic engineer, and if over 120 to 150 cars per hour, typically translated to 800 to 1,000 cars per day, it is suggested at this point to have streets wider than two 12 foot lanes. This engineer thought that anything under 800 cars per day did not warrant larger streets, the odds for conflict are miniscule. According to MDOT, a 12 foot lane is all that's required for a semi-trailor.

Administrator Kueffner asked Chairman DeLapp to please bring comments from outside experts in writing, and also asked why he does not talk to the City Engineer? Chairman DeLapp responded "The City does not have a traffic engineer, we have a civil engineer. 3M's traffic engineer does not design septic systems. It's a totally different situation."

Commissioner Johnson stated that staff is making a recommendation to the City Council, the Commission still has differences of opinion, and suggests that if the Chairman or Commission want to make a motion or specific comment with regard to staff's recommendation to do so.

M/S/P Stevens/Buckheck - to stand by the Commission's prior recommendation of 24 foot roads with 4 foot gravel shoulders. (Motion carried 5-3, against: Conlin - in favor of 28', Johnston - in favor of 28', Johnson - in favor of 28'.)

The Commission's consensus on cul-de-sacs was to leave it at 800 feet. The Commission discussed the minimum requirement of 150' between driveways. Administrator Kueffner demonstrated a flaw in this requirement.

M/S/P Enes/Conlin - to eliminate the minimum requirement of 150 feet between driveways. (Motion carried 8-0.)

M/S/P Enes/Stevens - to require a minimum distance of fifteen feet (15') from the edge of a property line to the nearest edge of the driveway in the Residential Estates Zoning District. (Motion carried 8-0.)

5. Arabian Hills: Rezoning and Preliminary Plat

At the request of the applicant, this application has been postponed until further notice.

6. Freeway Business Zoning District (I-94)

Administrator Kueffner stated it was suggested, after the election so as not to become a political issue, that a couple Council members and a couple Planning Commission members meet with some members of the business community for an informal "jam" session to discuss uses and where the City is going and exchange some ideas.

Chairman DeLapp stated he is not convinced that the 10 or so businesses that Lake Elmo has have people in the community who would be representative of the kinds of businesses we're talking about to bring into town and that professional assistance such as Mike Black, Opus, Ryan Const., etc. would be more helpful.

Administrator Kueffner stated there are more than 10 businesses in Lake Elmo and asked what is wrong with a couple Council members, and a couple Planning Commission members sitting down and exchanging ideas? We want the grassroots of it right now.

Chairman DeLapp stated that the people in the business community right now already are here.

Administrator Kueffner responded not necessarily, property owners on I-94 are potential business owners.

Chairman DeLapp responded they are zoned RR and they're going to sell their land to some developer.

Administrator Kueffner stated that (they intend to sell their land) is not a fact. We should give these people the courtesy of sitting down and talking with them face to face. Administrator Kueffner is suggesting a couple business people from the old district, a couple business people on I-94, and a couple property owners on I-94 that are within the the future land use designated commercial. These people have a stake in what will be allowed in the Freeway Business District.

M/S/P Bucheck/Johnston - to table dicussion of the Freeway Business Zoning District until further direction from City Council. (Motion carried 8-0.)

As a point of discussion, Commissioner Conlin stated perhaps time would have been saved if this "jam" session would have taken place before this point in time.

#### 7. Woodbury's Major Comp Plan Amendment

City Planner Mike Black reviewed the Comp. Plan amendment proposed by Woodbury and gave the Commission an update. Woodbury is requesting Met. Council include approximately 2,522 acres be included in the MUSA. This expansion will be done with no impact on Metro line systems namely transportation, open space, roads, or sewers. The three interceptors that serve Woodbury now would be used to handle the additional sewer needed for the proposed area. The Commission decided to review the amendment and if there are any issues raised to bring them up before the next meeting, and they appreciate staff and Mike Black bringing this to the Commission's attention.

#### 8. Request from Everett Beaubien

Mr. Beaubien, 3691 Kelvin, has requested a concept review of a proposed subdivision and variance to frontage on a public improved street. The Planning Commission received a drawing indicating the request for another homesite allowed off of the private road, without the required frontage on a public improved street. Mr. Beaubien has also proposed donating to the City approximately three acres of land across Sunfish Lake from his home so it can be combined with Sunfish Park.

Commissioner Conlin stated she had visited Mr. Beaubien at the proposed area, and gave the Commission an overview of the drawing. Some of the Commissioners decided they needed to go out to the site and look at the area before making a decision. The Commission could not come to a consensus on this proposal.

M/S/P Johnston/Enes - to get additional information and visit the site before making a decision, and then write a letter to Mr. Beaubien with the Planning Commission's recommendation. (Motion carried 7-1, against: Conlin - believes the Commissioner's had plenty of time to visit the site before the meeting.)

M/S/P Enes/Arkell - to Adjourn the Planning Commission meeting at 10:25 p.m. (Motion carried 8-0.)

Commissioner Enes gave the Commission two FYI's: on 10th Street and Manning Avenue in Afton there is a development for sale of five acre lots with a brand new road, showing this is feasible. Also, for new members, that haven't received any GTS (Government Training Centers) in the mail, they offer some totally awesome seminars on planning and land use. Suggested for new members is "Annual Planning Institute: the Basics". The City will pay for these seminars.



(5) Principal Building Setbacks from Property Lines:

- (a) Front 100 feet minimum
- (b) Side (interior) 50 feet minimum
- (c) Side (corner) 80 feet minimum
- (d) Rear 100 feet minimum
- (e) Collector/Arterial Street 150 feet minimum

(6) Frontage on Public Roadway

150 feet minimum except 70 feet at the end of cul-de-sacs.

- (7) Parking 2 enclosed spaces minimum (200 s.f. minimum per space). 2 exterior spaces with minimum setback of 50 feet from any property line.

- (8) Hardsurface coverage 15% maximum.

(9) Septic Drainfield Regulation

- (a) All newly subdivided lots shall have a minimum of 20,000 contiguous square feet of land to be dedicated for septic system use and can be part of the one acre building site.
- (b) Placement of the second required drainfield between the trenches of the first drainfield is prohibited.

4 of 4 Received

NOV 15 1990

AC

11/9/90

A PETITION REQUESTING AN AMENDMENT TO THE  
LAKE ELMO COMPREHENSIVE PLAN  
Dated May 30, 1990

THE AMENDMENT:

On page 30 of the Lake Elmo Comprehensive Plan, dated 5/30/90, is the cities Future Land Use Map. On this map we are requesting that the "DIP" area (please see attachment for definition) be removed from the "RED" zoned section, that borders the south side of Highway 36, and be put back into an "RAD" zoning classification.

OUR REASONS:

1. "spot zoning" is illegal. The inclusion of the dip area in the Highway 36 "RED" zone, breaks the horizontal boundary of this section. We are concerned that not only does this appear to be an example of spot zoning, but that its existence may encourage other similar zoning attempts in our area.

2. A new bridge in the Stillwater area is considered by many to be a reality. If it does happen, Highway 36 will become a FREEWAY and access to Keats avenue may be denied. This would cause all those living in and around the "DIP" area to find alternative routes of exit.

3. Including the "dip" area in the Highway 36 "RED" zone, does not seem consistent with the manner in which the other zones were drawn. The "DIP" appears to have been included to favor one particular landowner. None of the adjoining landowners approve of this zoning decision.

4. Although the city tried to notify everyone affected, and certianly exceeded its notification requirement. There was almost "complete surprise" by the residents that live in and around the "DIP" area, when the reality of the future land use map decision was realized.

We are asking that you restore what we had, and change the "DIP" area back to an "RAD" zoning classification.



A PETITION REQUESTING AN AMENDMENT TO THE  
LAKE ELMO COMPREHENSIVE PLAN  
Dated May 30, 1990

* date *	name	address	* age
11-14-90	Gene Kachel	5540 Keats Ave N.	> 18
11-14-90	Harvey M. Kachel	5540 Keats Ave N.	718
11-14-90	Christine Hermanson	5545 Keats Ave N.	718
11-14-90	Thomas Hermanson	5545 Keats Ave	718
11-14-90	Mel Eder	4890 Keats Ave N.	43
11-14-90	Marge Demylling	1530 Bellanes	718
11-14-90	Cynthia M. Kalcigh	5055 Keats Ave No.	718
11-14-90	George A. Dege	5193 KEATS AVE N.	718
11-14-90	K. Rhein	5193 Keats Ave No	718
11-14-90	<del>Elaine F. Dege</del>	<del>5193 KEATS</del>	718
11-14-90	Center Dege	5193 Keats Ave No.	718
11-14-90	Ken A. Schulert	5222 Keats Ave N	718
11-14-90	Ed Schulert	5222 Keats Ave N	718
11-14-90	Cynthia J. Strahm	5240 Keats Ave. N.	718
11-14-90	Dele Egeren	5250 Keats Ave No.	> 18
11-14-90	Sam Egeren	5250 KEATS Ave No	718
11-14-90	Ken Olson	5435 Keats Ave No	> 18
11-14-90	Elaine Kalcigh	5435 Keats Ave N	718
11-15-90	...	...	...
11-15-90	...	...	...
11-15-90	...	9353 53rd St	718
11-15-90	...	9353-55th St	718
11-15-90	Verne Y. Thatcher	9320 No. 53rd St.	718
11-15-90	John W. Thatcher	" "	718

777-4542

777-1174

779-9075

## Notice of Public Hearing

The Lake Elmo Planning Commission will hold a public hearing on Monday, December 17, 1990 at 7:30 p.m., at City Hall, 3800 Laverne Avenue, to consider a petition presented to the City for an amendment to the Comprehensive Plan. Said petition requests that the property, located in the Southeast 1/4 of Section 3, T29N, R21W, with designated Future Land Use of RED, Rural Estates Density, be amended to a Future Land Use of RAD, Rural Agricultural Density.

All persons who wish to speak regarding this proposed amendment to the 1990 Comprehensive Plan will be given that opportunity at this public hearing.

Mary Kueffner  
City Administrator  
November 27, 1990

Published St. Croix Valley Press December 5, 1990

Norcott Investment Co.  
Attn: Larry Lisle  
5926 Bass Lake Rd.  
Crystal, MN 55429

Steve & Nancy Korhel  
5540 Keats Avenue N.  
Lake Elmo, MN 55042

Don Richie  
9393 55th St. N.  
Lake Elmo, MN 55042

Thomas Hermanson  
5545 Keats Avenue N.  
Lake Elmo, MN 55042

Jerry Dreis  
9480 53rd St. N.  
Lake Elmo, MN 55042

Keith Raleigh  
5435 Keats Avenue N.  
Lake Elmo, MN 55042

William Horwath  
9440 53rd St. N.  
Lake Elmo, MN 55042

John & Helen Regenold  
626 W. Cottage Avenue  
St. Paul, MN 55117

Richard Rengstorf  
9400 53rd St. N.  
Lake Elmo, MN 55042

David & Cynthia Sterholm  
5240 Keats Avenue  
Lake Elmo, MN 55042

Russell W. Wegwerth  
9377 53rd St. N.  
Lake Elmo, MN 55042

George Dege  
5193 Keats Ave. N.  
Lake Elmo, MN 55042

Catherine Crocker  
5093 Keats Ave. N.  
Lake Elmo, MN 55042

Rolf Schubert  
5222 Keats Avenue N.  
Lake Elmo, MN 55042

Mary Kane  
5010 Keats Ave. N.  
Lake Elmo, MN 55042

Pete & Pam Eggen  
5250 Keats Avenue N.  
Lake Elmo, MN 55042

Arlene Meyer  
11601 Capri Dr.  
Sun City, AZ 85351

Robert & Marie Meyer  
5220 Keats Ave. N.  
Lake Elmo, MN 55042

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: November 26, 1990

AGENDA TOPIC: Public Hearing (continuation) Arabian Hills Rezoning & Preliminary Plat.	ITEM NO. 3.
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At the request of the applicant, this application was postponed until the Residential Estates and supporting ordinances were adopted by the city council. This has now been done, and the applicant has asked that the application be put back on the table.

I should point out that the city council will consider a petition from residents in the area of this proposed R.E. development asking that the "dip" be removed from the Future Land Use Map (as potential R.E. development) and that it revert back to RAD. I will update you at the table on the actions taken by the city council on November 20th.

Mike Black is in the process of reviewing this Arabian Hills revised plan (revised to meet the standards adopted for the RE Zoning District).

Since the city office closed on Friday, if Mike's review is not included in this packet, it will be sent to you directly, under separate cover.

As usual, feel free to call me if you have any questions or concerns you would like to address prior to the meeting.



**JAMES R. HILL, INC.**  
PLANNERS ENGINEERS SURVEYORS

9401 JAMES AVE. So., SUITE 140, BLOOMINGTON, MN 55431 612/884-3029 FAX 884-9518

MEMORANDUM

TO: Lake Elmo Planning Commission  
FROM: Michael J. Black  
DATE: November 20, 1990  
Re: Zoning and Preliminary Plat Review  
ARABIAN HILLS

Mr. Roger Kolstad, Northern Lakes Diversified, Inc., has requested further review and a recommendation by the Planning Commission on the rezoning and preliminary plat of Arabian Hills. A public hearing was opened at the September 24, 1990 meeting and continued to the October 8, 1990 meeting. The applicant requested tabling again on October 8th and on October 22nd until complete plans, as required by City Ordinance, could be prepared and delivered to the City for further review and consideration.

The following new exhibits/plans have been provided by the applicant:

1. Soils Overlay Map.
2. Preliminary Plat dated November 13, 1990
3. Drainage Plan.
4. Grading Plan.
5. Road Profile and Street Section.
6. Stormwater Report/Calculations.
7. Soil Borings and Percolation Tests.

REVIEW AND COMMENTS

The subject property consists of 63.92 acres and is located in the south half of Section 3 between the temporary cul-de-sac of 53rd Street North and Keats Avenue North. The property is designated RED Rural Estate Density on the Comprehensive Guide Plan. The property is currently zoned R-R Rural Residential.

The preliminary plat of Arabian Hills is in general compliance with the RE zoning standards and later in this report, I will recommend approval of the zoning subject to certain conditions.

The plat includes 19 single family lots, 1 outlot and park land consisting of 4.3 acres to be dedicated to the City. The total of 19 single family lot does conform to the RE density standard of 3.33 acres per lot. However, the maximum density allowed in the RE zone can only be achieved if all other performance standards of the RE zoning regulations can be met.

All the lots do conform to the minimum lot area requirement of 2.5 acres and they all have a minimum frontage of 150 feet on a public roadway. The applicant has not clearly demonstrated compliance with the following standards:

C. (3) Configuration: Lots must be configured to contain a circle with a diameter of 250 feet minimum.

C. (4) Area of Building Site: A minimum of 1.25 acres of land above the floodplain and free of any drainage easements.

C. (9) Septic Drainfield Regulation: All newly subdivided lots shall have a minimum of 20,000 square feet of land to be dedicated for septic system use and suitable for that use. This land may comprise up to two separate areas each of which is contiguous to the 1.25 acre building site or contained within it and each of which contains at least 10,000 contiguous square feet.

These standards affect Lots 1, 2 and 3, Block 3 in the following ways:

Lot 1, Block 3: A 250 diameter circle does not fit on this lot. Also, it would be impossible to have a driveway without crossing the "dedicated" 20,000 square feet drainfield area.

Lot 2, Block 2: The building site area is less than 1.25 acres and the secondary drainfield area is not contiguous to the building site.

Lot 3, Block 3: The building site area is less than 1.25 acres and the secondary drainfield area is not contiguous to the building site.

All other lots do meet the minimum building site and drainfield area requirements. The applicant has not however provided additional soil and percolation tests for the expansion of 20,000 square feet drainfield areas on lots within severe limitations for on-site sewer systems (Lots 5 and 9, Block 1, Lot 7, Block 2 and Lots 1, 2, and 3, Block 3).

OUTLOT A. At the October 8, 1990 Planning Commission meeting, it was recommended that no outlots be allowed in a subdivision plat. It is the intention of the applicant to deed Outlot A to the abutting property owner to the west. I do not see a problem with this provided that Outlot A and the adjacent property are consolidated at the County as one parcel of land. However, I also recognize that the inclusion of an outlot is contrary to the Planning Commission's recommendation.

PARKLAND. The applicant intends to satisfy the park dedication requirement by dedicating 4.3 acres (6.7% of 62.92 total area) parkland to the City. It is my understanding that the City's Park Commission has recommended the land dedication. I point out that access to the "parkland" is different than what was originally shown. Also, most of the "parkland" will be below the 100 year flood elevation of 957.

SITE GRADING. Minimal grading will be done to construct 53rd Street North and to facilitate proper site drainage. The grading plan submitted does not include plans for erosion control or reseeding details for all disturbed areas. Site drainage will be routed into five ponds on the subject property. Culverts and outlet structures will be constructed as recommended by the City Engineer.

STREET DESIGN. The plans submitted do include a proposed street section and street grades which appear to be acceptable. The steepest grade is slightly over 6% between Lot 6, Block 2 and Lot 5, Block 1.

The distance of surface drainage in the street to proposed storm sewer catch basins seems to be excessive (greater than 500 feet). The City Engineer will comment on this.

A comment was made at the public hearing that there is poor sight distance at the proposed intersection with Keats Avenue. I drove the area and do not agree that the intersection will be a problem.

LANDSCAPING. A site landscaping plan has not been submitted.

#### RECOMMENDATION

I recommend that the Planning Commission pass a motion recommending to the City Council approval of the rezoning from RR Rural Residential to RE Residential Estate for the following reasons:

1. The property is designated as RED on the City's Comprehensive Land Use Plan.
2. The residential development and density of the RE zone will be compatible with adjacent properties.
3. The RE zone will not be a negative impact on adjacent properties.

and that this recommendation be subject to:

1. The redraft of the plat of Arabian Hills so all minimum performance standards are complied with and,
2. The approval of the preliminary plat of Arabian Hills.

I also recommend to the Planning Commission that you table action on the preliminary plat, if the applicant requests that you do so, in order to reconfigure Lots 1, 2, and 3, Block 3 to meet all performance standards. This may require the elimination of a lot.

If the applicant does not request to be tables, than I recommend denial of the preliminary plat of Arabian Hills for the following reasons:

1. Lot 1, Block 3 does not conform to the 250 feet circle configuration.
2. Access to Lot 1, Block 3 is not possible without crossing the dedicated drainfield area.
3. Lot 2, Block 3 does not meet the minimum building site area of 1.25 acres.
4. Lot 2, Block 2 does not have the minimum drainfield area contiguous to the building site.
5. Access to Lot 2, Block 3 is not possible without crossing the dedicated drainfield area.
6. Lot 3, Block 3 does not meet the minimum building site area of 1.25 acres.
7. Lot 3, Block 3 does not have the minimum drainfield area contiguous to the building site.
8. Additional soil and percolation tests have not been provided for the expanded 20,000 square foot drainfield areas on Lots 5 and 9, Block 1 and Lot 7, Block 2 and Lots 1, 2, and 3, Block 3.



**QKW**

**QUENTIN K. WOOD & ASSOC. INC.**  
Civil Consulting Engineers

270 Sylvan Lane • Fridley, MN 55432 • (612) 574-0454

Mr. Mike Black  
James R. Hill, Inc.  
9401 James Ave. So  
Bloomington, Mn. 55431

November 16, 1990

Re: ARABIAN HILLS, Lake Elmo

Dear Mike;

We are submitting another set of preliminary development plans for Arabian Hills to the City of Lake Elmo. The plans follow your recommendations of your October 18, memorandum to the Planning Commission.

I am requesting on behalf of the developer - Nelson Properties. and myself, that you not require the erosion control details, landscaping plan and other construction related details until the development concept is approved. We will be very happy to design and present them for the record and for your approval as soon as we know what the approved development plan is. We have no argument that these items are necessary. Mr. Nelson, the developer, would be requiring these items to protect his investment, even if they were not required by the city and the watershed district.

We have already compiled the preliminary general specifications for all construction work involved and will be sending this data to you as soon as we can relate it and modify it to the specifics of this development.

All details of this project will be submitted to you and to Barr Engineering when they can be generated based on an officially approved concept development plan.

Your review was very thorough and professional. Nice work!

Thank you for your consideration on this matter.

Sincerely,

Quentin K. Wood PE,

QUENTIN K. WOOD & ASSOCIATES INC.

CC: Nelson properties  
Roger Kolstad  
Caren Chandler, Barr Engineering  
Larry Bohrer, TKDA

ARABIAN\CPLANNER.LTR

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: November 26, 1990

AGENDA TOPIC: Proposed R1 Concept

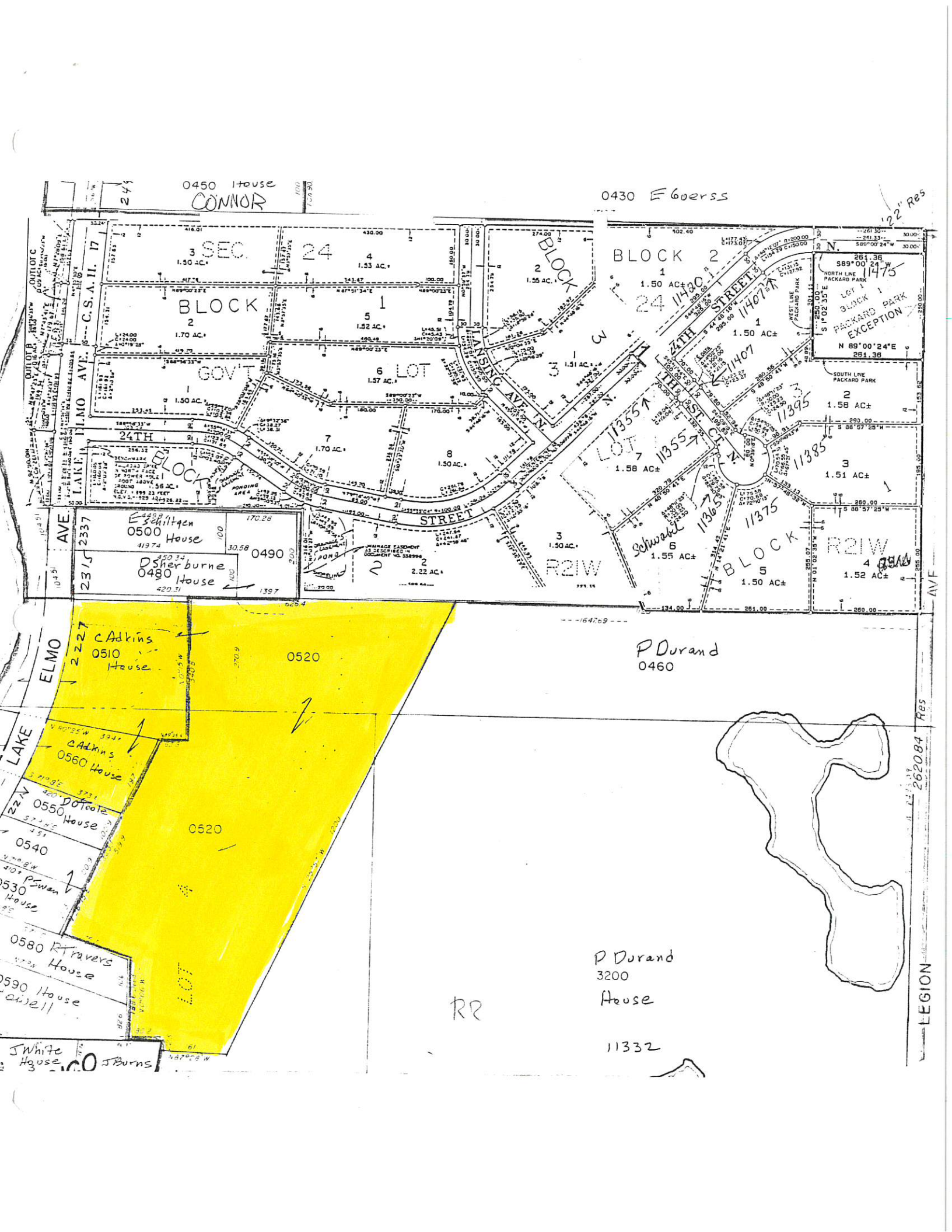
ITEM  
NO. 4.

Attached is a (very rough) concept for a R1 subdivision submitted by Cliff Atkins, 2227 Lake Elmo Avenue N.

The current zoning map shows very clearly that both of Mr Atkins' lots on Lake Elmo Ave. (0510 and 0560) are in the R1 zoning district. With that in mind, it appears to me that the lot in back (0520) should be connected to one of the lots in the front (it makes no difference which one).

The Future Land Use Map shows this property to be SRD - which I'm sure you know is R1.

Mr. Atkins is looking for direction from the Planning Commission to proceed with this rezoning and preliminary plat.



0450 House  
CONNOR

0430 E Goerss

122' Res

3 SEC. 24

BLOCK 2

BLOCK 2

1 1.50 AC±

261.36  
589°00'24"W  
11475

LOT 1

PARKARD PARK  
EXCEPTION

N 89°00'24"E  
281.36

SOUTH LINE  
PACKARD PARK

2 1.58 AC±

8 88°57'25"W

3 1.51 AC±

1

1.52 AC±

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41374

0480 House  
Dsherburne  
420.31

0490

0510 House  
CAdkins  
2227

0550 House  
Doforte  
451

0580 R Travers  
House

0590 House  
White

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0520

P Durand  
0460

P Durand  
3200  
House

11332

RR

262084 Res  
LEGION AVE

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: November 26, 1990

AGENDA TOPIC:     Limited Business	ITEM NO.           5.
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As you know, we had a workshop with the Commission's Limited Business subcommittee, two members of the City Council, several members of the business community, and two City Council-elects.

The consensus from that meeting was to have Mike Black put together an ordinance for the freeway, based on comments made at the workshop.

Mike Black's proposed draft ordinance is attached for your review.



**JAMES R. HILL, INC.**  
PLANNERS ENGINEERS SURVEYORS

9401 JAMES AVE. So., SUITE 140, BLOOMINGTON, MN 55431 612/884-3029 Fax 884-9518

MEMORANDUM

TO: Planning Commission  
FROM: Mike Black  
DATE: November 20, 1990  
RE: Limited Business District Standards

Attached to this memorandum is another draft of the proposed LB - Limited Business Zoning District. This draft is the result of a meeting held at City Hall on Saturday, November 17, 1990. Others present at the meeting were Mayor Sue Dunn, Councilman Todd Williams, Planning Commissioners Rita Conlin, Wyn John, Dick Johnson (Councilman-elect), and Ed Stevens, Dave Johnson (Mayor-elect), Mary Kueffner, Kelly Brockman, Gene Peltier and Mike Mazzara. The purpose of the meeting was to seek input for the final draft of the LB zoning district standards.

The meeting was worthwhile because many view points were expressed as to the type of land uses which should be allowed in the LB zone. And, I believe the meeting ended with a positive note. However, we did at times "wonder off" the subject of LB permitted uses and standards to discuss the idea of serving the area with sanitary sewer and how that future planning for sewer may change the land use regulations. In fact, opinions were expressed that the discussion of the future sanitary sewer to the area was not "wondering off" the subject but should be the subject and should be openly discussed.

The purpose of this memorandum is to suggest to you that prior to discussion of the proposed LB zoning standards I strongly advise that you again review the policies for Commercial Development written in the Comprehensive Plan (pages 27 and 28). The zoning standards should be written to carry out these policies. I also point out that on page 47 of the Comprehensive Plan and under paragraph d on that page it states: "There are no plans to extend public sewer beyond the current MUSA line".

The attached draft of the LB zoning regulations includes permitted, accessory and conditional land uses. The permitted use listed are I believe those uses which the majority feel should be allowed in the LB zone. The list of conditional uses and especially the limited retail land uses should be carefully considered. As drafted, it is the intention that the limited retail land uses would be supportive to and subordinate to the permitted land uses in the district.

It is important to be clear in our district purpose and to write precise standards to implement that purpose.

LB - LIMITED BUSINESS DISTRICT

(A) Purpose

The purpose of the Limited Business District is to establish a comprehensive planned framework for development along I-94. 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) To encourage a high quality development standard for structures within the district properties, which are among the most visible in the City.
- (2) To protect the natural environment, in accordance with City Ordinances.
- (3) To limit development to comply with the capacity of regional and local road systems.
- (4) To limit development by setting stringent requirements for on-site sewer systems in order to avoid a pre-mature expansion of the Metropolitan Urban Service Area line and sanitary sewer facilities.
- (5) To establish permitted, accessory and conditional uses in order to stimulate local economic prosperity along the interstate corridor and within the Metropolitan Rural Service Area while closely monitoring the magnitude of development so not to prematurely demand the expansion of local governmental services.

(B) Permitted Uses. Permitted uses are as follows:

- (1) Clinics for human care including medical, dental, osteopathic, chiropractic and optometric offices.
- (2) Finance, insurance, real estates, and investment offices.
- (3) General offices including administrative, executive, and corporate headquarters.
- (4) Professional offices providing services such as legal, engineering, architectural, accounting, auditing and bookkeeping.
- (5) Travel and employment agencies.

(C) Conditional Uses. Conditional Uses are as follows:

- (1) Banks and financial services with drive-up windows.
- (2) Exterior storage yard (not allowed in front yard and subject to screening requirements).
- (3) Health clubs including tennis, racketball, aerobics, weight lifting, swimming, weight loss clinic (all facilities to be housed inside).
- (4) Limited retail uses including:
  - (a) retail sales clearly accessory to the principal use of the land such as the compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the foregoing when conducted in the building occupied primarily by medical, dental, osteopathic, chiropractic or optometric offices.
  - (b) The retail sale of commodities marketed to the local sub-regional such as:
    - (1) Greenhouses and nurseries, landscaping services, flowers and floral accessories.
    - (2) Art sale and gallery.
    - (3) Furniture, home furnishings and related equipment.
    - (4) Vineyard and winery produce and sale.
    - (5) Sporting goods, skiing, bicycles, motorcycles, snowmobiles, boats and clothing.
  - (c) Other retail sales marketed toward the automobile traffic and of an impulse nature such as gasoline sales, convenience store and deli foods may be allowed as part of the overall larger development and where said use is clearly subordinate to other permitted land uses.
- (5) Full service restaurants where food is served to a customer and consumed while seated at a counter or table and not including fast-food service, drive-through service or take-out orders.

(D) Permitted Accessory Uses.

Permitted accessory uses shall include required off-street parking, loading areas and signs as regulated in this ordinance. Only accessory structures which are clearly incidental and subordinate to the business will be permitted.

(E) Minimum District 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 a residential zone 100 feet
- (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 a residential zone 100 feet
- (6) Maximum Building Heights: 35 feet
- (7) Maximum Lot Coverage by all structures: 25%
- (8) Maximum Total Lot Coverage of all impervious surface: 50%
- (9) Sewer Discharge: No sewer discharge shall exceed a ratio of 3.0 SAC units per 3.5 acres. SAC units shall be determined according to Section 309 h. and i.

(F) Special District Requirements.

Due to the high visibility of the Limited Business zone, the following architectural, parking, landscaping, lighting and glare standards shall be in addition to other existing standards in the zoning code relating to the same:



(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.

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Where areas abut residential districts, a buffer area of a minimum depth of 75 feet will be required. Such a buffer area shall be completely constructed and approved by the City prior to all final City inspections for construction on site. Prior to the issuance of a building permit or commencement of any improvements on site, the owner shall provide the City with a financial security, approved by the City Attorney, to assure construction of the buffer area.

(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.

## Notice of Public Hearing

The Lake Elmo Planning Commission will hold a public Hearing on Monday, December 17, 1990 at 7:30 p.m. at City Hall, 3800 Laverne Ave. N. to receive public comment and pass on to the City Council a recommendation on the proposed Limited Business (LB) Zoning district.

The proposed LB ordinance will affect property along the I-94 corridor, as defined in the 1990 Lake Elmo Comprehensive Plan, including the Future Land Use Map.

### LB - Limited Business District

#### (A) Purpose

The purpose of the Limited Business District is to establish a comprehensive planned framework for development along I-94. The City has determined that it is in the best interest of the City and the region to responsibly manage growth in this district. 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. Specific development goals within the district include the following:

- (1) To encourage a high quality development standard for structures within the district properties, which are among the most visible in the City.
- (2) To protect the natural environment, in accordance with City Ordinances.
- (3) To limit development to comply with the capacity of regional and local road systems.
- (4) To limit development by setting stringent requirements for on-site sewer systems in order to avoid a need for expansion of the Metropolitan Urban Service Area line and sanitary sewer facilities.
- (5) To establish permitted, accessory and conditional uses in order to stimulate local economic prosperity along the interstate corridor and within the Metropolitan Rural Service Area while closely monitoring the magnitude of development so not to prematurely demand the expansion of local governmental services.

#### (B) Permitted Uses Permitted uses are as follows:

- (1) Clinics for human care including medical, dental, osteopathic, chiropractic and optometric offices.
- (2) Finance, insurance, real estates, investment offices banks (with no drive-up windows).

- (3) General offices including administrative, executive, and corporate headquarters.
- (4) Professional offices providing services such as legal, engineering, architectural, accounting, auditing and bookkeeping.
- (5) Travel and employment agencies.

(C) Conditional Uses Conditional Uses are as follows:

- (1) Banks and financial services with drive-up windows.
- (2) Health clubs including tennis, racketball, aerobics, weight lifting, swimming, weight loss clinics (all facilities to be housed inside).
- (3) Limited retail uses including:
  - (a) retail sales clearly accessory to the permitted principal use of the land, for example: the compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the foregoing when conducted in the building occupied primarily by medical, dental, osteopathic, chiropractic or optometric offices.
  - (b) The retail sale of commodities marketed to the local area such as:
    - (1) Greenhouses and nurseries, landscaping services, flowers and floral accessories.
    - (2) Art sale and gallery.
    - (3) Furniture, home furnishings and related equipment.
    - (4) Vineyard and winery produce and sale.
    - (5) Sporting goods, skiing, bicycles, motorcycles, snowmobiles, boats and fishing gear (all storage restricted to inside).
- (5) Full service restaurants where food is served to a customer and consumed while seated at a counter or table.
- (6) Golf courses, Club houses, Golf sales, Driving ranges.

(D) Permitted Accessory Uses

Permitted accessory uses shall include required off-street parking, loading areas and signs as regulated in this ordinance. Only accessory structures which are clearly incidental and subordinate to the business will be permitted.

(E) Minimum District 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 a residential zone 150 feet
- (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 a residential zone 100 feet
- (6) Maximum Building Heights: 35 feet
- (7) Maximum Lot Coverage by all structures: 25%
- (8) Maximum area to be covered by buildings, parking lots, driveways and other hard surfaces:

<u>Lot size</u>	<u>Covered Area</u>
Up to 4 acres	45% of lot size
Larger than 4 acres to 8 acres	35% of lot size
Larger than 8 acres	25% of lot size

- (9) Sewer Discharge: No sewer discharge shall exceed a ratio of 3.0 SAC units per 3.5 acres. SAC units shall be determined according to Section 309 h. and i.
- (10) Minimum Building Floor Size: 4,000 square feet

(F) Special District Requirements

Due to the high visibility of the Limited Business zone, the following architectural, parking, landscaping, lighting and glare standards shall be in addition to other existing standards in the zoning code relating to the same:

(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 concrete or 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 area so as to break up expanses of paved areas.

(3) Landscaping

All yard area 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 abut 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 prior to all final City inspections for construction on site. Prior to the issuance of a building permit or

commencement of any improvements on site, the owner shall provide the City with a financial security for a minimum of 24 months, approved by the City Attorney, to assure construction of the buffer area.

(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.

(5) 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.

All persons who wish to be heard regarding approval and adoption of this proposed zoning district will be given that opportunity at this public hearing. Written comments will be accepted at the City Office until 4:30 p.m., December 17, 1990.

Mary Kueffner  
City Administrator  
November 28, 1990

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Crossroads Collision Center  
8910 Hudson Blvd.  
Lake Elmo, MN 55042

Northland Co.  
3500 W. 80th St.  
Bloomington, MN 55431

MN/DOT  
Transportation Bldg.  
St. Paul, MN 55155

Steve & Muriel Kopesky  
122 Puma Ln.  
Mahtomedi, MN 55115

Douglas DeCoster  
W. 2074 1st Bank Bldg.  
332 Minnesota St.  
St. Paul, MN 55101

Roy & Lucille Durow  
9120 Hudson Blvd.  
Lake Elmo, MN 55042

Timothy Montgomery & Louis Damiani  
12232 Akron Ave.  
Rosemount, MN 55068

William Durow  
10263 Manning Ave.  
Hastings, MN 55033

Gene Peltier  
10376 Hudson Blvd  
Lake Elmo, MN 55042

John Blomquist  
Suite 700  
360 N. Robert St.  
St. Paul, MN 55101

Leonard & Louanne Hanson  
10824 Hudson Blvd.  
Lake Elmo, MN 55042



Bruce Peltier  
220 Lake Elmo Ave.  
Lake Elmo, MN 55042

The Forest in Lake Elmo Partnership  
4801 W. 81st Street S.  
Bloomington, MN 55437

Dolan Family Partnership  
Daniel & Mary Dolan  
600 W. Seventh St.  
St. Paul, MN 55102

Lampert Bldg.  
36 S. Snelling Ave.  
St. Paul, MN 55105

James Dovolis  
1113 E. Franklin Ave.  
Minneapolis, MN 55404

Dale Properties  
4825 N. France Ave.  
Minneapolis, MN 55429

Countryside Inn Motel  
Delores Flatau

9730 Hudson Blvd.  
Lake Elmo, MN 55042

Walter Ebertz  
810 S. McKnight Road  
St. Paul, MN 55128

Federal Land Co.  
3470 Washington Dr.  
Eagan, MN 55122

Donald Regan  
2866 White Bear Ave.  
St. Paul, MN 55128

Robert & Grace O'Neal  
2040 Edgumbe Road  
St. Paul, MN 55116

Jeff & Cindy Salus  
275 Lake Elmo Ave.  
Lake Elmo, MN 55042

Ray Salus  
404 Lake Elmo Ave.  
Lake Elmo, MN 55042

Trans City Inv.  
2284 W. 7th St.  
St. Paul, MN 55116

Jamie Olson  
7715 Robe Manzel Rd  
Granite Falls, WA 98252

Secure Properties  
2325 S. Buttercup  
Mesa, AZ 85208

Dayton Dev.  
c/o DHC Property Tax Dept.  
777 Nicollet Mall  
Minneapolis, MN 55402

James & Mildred Ryan  
944 Pineview Ct.  
St. Paul, MN 55128

Lake Elmo Inn  
3443 Lake Elmo Ave.  
Lake Elmo, MN 55042

Lake Elmo Hardwood Lbr.  
11320 Upper 33rd St.  
Lake Elmo, MN 55042

Gisela's Interiors  
3479 Lake Elmo Ave.  
Lake Elmo, MN 55042

Savanna Designs  
3511 Lake Elmo Ave.  
Lake Elmo, MN 55042

Lake Elmo Custom Mold  
3520 Laverne Ave.  
Lake Elmo, MN 55042

D.H. Dockendorf  
P.O. Box 199  
Lake Elmo, MN 55042

Lake Elmo Motors  
11179 N. Stillwater Blvd.  
  
Lake Elmo, MN 55042

Lake Elmo Branch Library  
3459 Lake Elmo Ave.  
Lake Elmo, MN 55042

Gibbs Lumber  
3687 Layton Ave.  
Lake Elmo, Mn 55042

Wood Specialists  
11090 N. Upper 33rd St.  
Lake Elmo, MN 55042

Micro-Sota  
3549 Lake Elmo Ave.  
Lake Elmo, MN 55042

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Lake Elmo Barber Shop  
3251 Lake ELmo Ave.  
Lake Elmo, MN 55042

Village Hair Care  
3517 Lake Elmo Ave.  
Lake Elmo, MN 55042

Salon Elite  
3515 Lake Elmo Ave.  
Lake Elmo, MN 55042

Headlines Hair Studio  
3476 Lake Elmo Ave.  
Lake Elmo, MN 55042

Lake Elmo Repair  
11179 N. Stillwater Blvd.  
Lake Elmo, MN 55042

Lake Elmo Oil  
11127 N. Stillwater Blvd.  
Lake Elmo, MN 55042

Hagbergs Country Market  
11325 Stillwater Blvd  
Lake Elmo, MN 55042

Brookman Motors  
11144 N. Stillwater Blvd  
Lake Elmo, MN 55042

Twin Points Tavern  
11199 N. Stillwater Blvd.  
Lake Elmo, MN 55042

Leslie's Floor Decor  
11227 N. Stillwater Blvd  
Lake Elmo, MN 55042

Village Upholstery  
11074 N. 35th St.  
Lake Elmo, MN 55042

Lake Elmo Feed Mill  
11123 Upper 33rd St.  
Lake Elmo, MN 55042

Fireside Antiques  
3417 Lake Elmo Ave.  
Lake Elmo, MN 55042

White Hat Restaurant  
Attn: Ed Gorman  
11011 Stillwater Blvd.  
Lake Elmo, MN 55042

C.A. Gerbitz  
11299 N. Stillwater Blvd  
Lake Elmo, MN 55042

MinnHealth PA  
Lake Elmo Clinic  
11240 N. Stillwater Blvd  
Lake Elmo, MN 55042

Lake Elmo Chiropractic Family Practice  
3394 Lake Elmo Ave.  
Lake Elmo, MN 55042

Lake Elmo Family Eye Clinic  
3394 Lake Elmo Ave.  
Lake Elmo, MN 55042

Mitchell's Fly Shop  
3394 Lake Elmo Ave.  
Lake Elmo, MN 55042

Lake Elmo Bank  
11465 39th Street N.  
Lake Elmo, MN 55042

Lake Elmo Pharmacy  
11240 N. Stillwater Blvd.  
Lake Elmo, MN 55042

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Kirk Dahl, D.D.S.  
11325 N. Stillwater Blvd.  
Lake Elmo, MN 55042

Jennifer Tschumper  
Stillwater Area Chamber of Commerce  
c/o Lake Elmo Business Assoc.  
Birck Alley Bldg.  
423 S. Main Street  
Stillwater, MN 55082

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THE PLANNING COMMISSION MEETING  
FOR NOV. 12, 1990 HAS BEEN CANCELLED  
DUE TO VETERAN'S DAY.

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