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Lake Elmo Planning Commission

MEETING NOTICE

Council Chambers
Lake Elmo City Hall

Monday, November 28, 2005, 7:00 p.m.

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### AGENDA

1. Agenda
2. Minutes of November 14, 2005
3. Variance: Smith-Hutton
4. Eagle Point 5<sup>th</sup> Addition, 520 Site Plan (PUD Final Plat)
5. CIP 2006-2010
6. City Council Update
7. Adjourn

**City of Lake Elmo  
Planning Commission Meeting  
Minutes of November 28, 2005**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Lyzenga, Deziel, Ptacek, Sedro, Roth, Fliflet, and Pelletier (, Armstrong 7:12 p.m.). STAFF PRESENT: Planner Dillerud, Administrator Rafferty, Finance Director Bouthilet, and Recording Secretary Schaffel.

**Agenda**

Chairman Helwig added Item 6A: 3M Company. M/S/P, Ptacek/Sedro, to accept the Agenda as amended. VOTE: 8:0.

**Minutes of November 14, 2005**

Commissioner Sedro asked for a change to top of page two because she said she meant that parking spaces are insufficient for controlling traffic.

Chairman Helwig asked that his statement that counting cars visiting a home would be difficult in determining if the visitors were customers or guests.

M/S/P, Sedro/Roth, to accept the Minutes of November 14, 2005 as amended. VOTE: 8:0.

**PUBLIC HEARING: Variances: 10941 32<sup>nd</sup> Street**

The Planner said that the applicant has requested tabling the application in lieu of possible reduction in scale and awaiting discussion at the Valley Branch Watershed District.

The Planner said the application is to remove an existing small home and replace it with a new primary structure. The site is on the north shore of Lake Elmo. Three variances would be required as proposed: distance from OHW of Lake Elmo is closer than 100 feet, lot size is smaller than required, and distance from side yard is closer than 10 feet.

The Planner said that a consideration for this plan is that the home is served by the 201 Septic System. The home as designed would include four bedrooms, and that would bring the 201 System to capacity. There are other homes on this street without room for a backup septic system once the 201 is at capacity.

The Planner said that visual impact from the neighboring lot would be increased substantially because the proposed home is two stories while the existing home is a small single story, and the applicant proposes remaining only eight feet from the property line. He said that homes to east and west are setback essentially the same distance from the lake. Livable areas of neighboring homes range from 762 square feet through about 2,900 square feet. The applicant proposes 3,300 square feet, the largest on this street. The proposed design adds three bedrooms to the 201 septic system.

The Planner said that staff sees little problem with the lot size variance or the setback from the lake. The scale as proposed may be out of character with the neighborhood relative to the largest more contemporary homes in this neighborhood, out of scale with the lot size, and too large for the septic system consideration.

The Planner pointed out that the north end of the lot is a garage 5 feet from the property line and

situated within the right of way easement of 32<sup>nd</sup> Street. Staff suggests the applicant may wish to resolve the garage issue at the same time. A City Council resolution allowing a garage forward of a primary structure will be required and setbacks from the street will have to be met.

The applicant is not present but phoned and requested tabling.

Commissioner Deziel asked if anyone has looked at suitability for the existing foundation. The Planner said a formal building application has not been made, and it would be reviewed at that time. The Building Official could look at the footings if the Commission so desires.

Commissioner Pelletier said she is against a house this size in this neighborhood.

Commissioner Armstrong said he has no problem with rebuilding a home in this condition, and he is concerned about the 60 day rule. His recommendation would be to deny and allow the Council to table in light of the 60 day rule.

Commissioner Lyzenga said with regional sewer coming there will be changes that will affect the lots around the lakes. For a period of time, the cushion should be maintained for backup septic for the neighbors. She would recommend denying the application.

The Chairman opened the public hearing at 7:30 p.m. and at 7:31 he closed the Public Hearing after nobody came forward to speak.

Commissioner Deziel said we should allow the applicant the opportunity for redesign. We can always take it from the table and deny it before the 60 days expire.

M/S/P, Deziel/Sedro, to table per the applicant's request. VOTE: 6:3 (NAY: Armstrong, Lyzenga, Ptacek.)

Commissioners Armstrong and Deziel directed staff to notify the applicant to show up to the next meeting because there is only one meeting remaining this year, and someone will make a motion to deny if the applicant is not present.

#### **Section 520 Site Plan and Final Plan PUD for Eagle Point 5<sup>th</sup> Addition**

The Planner explained that with this application, a parcel will be cut out from Outlot A of Eagle Point 4<sup>th</sup> Addition. An office building will be constructed there. There is a shared driveway with the credit union. Exterior surface for the buildings meets Code requirements. Landscaping meets Code except for one point where the right of way of Hudson Boulevard jogs, and as a consequence the structure does not meet the setback. The applicant has agreed to slide the building over 5 feet so no variance will be required. Parking space quantity is adequate.

The Planner said he recommends approval based upon compliance with the City Engineer, SWWD as found to be reasonable and practical by the City Engineer, submission of a photometric lighting plan and compliance with the Code lighting standards, landscaping to survive two growing seasons, payment of park dedication fees, and modification of the building plan to correct the setback issue.

M/S/P, Sedro/Roth, To recommend approval subject to conditions listed in staff report. VOTE: 9:0.

**PUBLIC HEARING: Capital Improvement Program 2006-2010**

The Planner explained that this Public Hearing is an annual update required by State Statute. The CIP is a team effort of department heads. The Planning Commission will review the Parks portion of the CIP. State Statute requires the Planning Commission involvement as a planning function and less as a financial consideration.

The Finance Director explained the changes to the CIP such as requesting a Code Enforcement Officer and a printer plotter. Civil Defense Sirens are requested based upon the Fire Study completed this year with a recommendation for six new sirens. Vehicles and fire equipment were reviewed. The Finance Director said the amount of money doubled under Heavy Rescue because the city has not kept up with the depreciating equipment. Negative balances in that area of the CIP will have to be addressed. There could be a lease program or capital equipment bonding over a ten year period.

The Administrator said Heavy Rescue is a new vehicle in place of a fire truck going out for a call. When everything is reorganized the city will be down a couple of emergency vehicles. All the necessary equipment for first response is available in this new vehicle. The Chief generally is first on the scene, and second on the scene would be this equipped Command Vehicle that would be a step down from Heavy Rescue.

Commissioner Armstrong asked if the new Fire Station is in the CIP. The Finance Director said it will not be in the CIP until a strategy has been determined and because we had been awaiting Fire Study results.

The Administrator said the Fire Study recommended two different locations for the fire stations. The city has to determine whether to move the existing two stations, add new stations, or some other option.

Commissioner Deziel asked if the fire plan coordinates with neighboring city stations and fire support, and whether these vehicles coordinate with the Fire Study. The Administrator said they do coordinate with the Fire Study. The Fire Study recommended a station at 10<sup>th</sup> Street and near Tapestry.

Commissioner Fliflet asked if some of this cost is based upon relocation of the fire stations. The Administrator said no because the city is looking at it as two replacement stations. He said the city proposed a Joint Powers Agreement with the County Regional Park for siting one of the stations on county land near the Regional Park, and it is under discussion.

Public Works will purchase a new Backhoe as a trade for the small motor purchased this year. The city requests a dump truck at 2010 and a generator at 2007 for the new public works/water tower backup. Revenue from collocation helps offset radio fees. A 1 ton heavy duty pickup truck will be needed in 2008.

The Finance Director said the Parks Commission recommended improvements to parks in Carriage Station for \$40,000 next year and Heights Park \$50,000 over two years for a play field and play structure. Chairman Helwig said he had some calls from residents on 27<sup>th</sup> Street asking why a play structure is being considered for Heights for only three families with kids. The Administrator explained that the city received a lawful petition from residents requesting upgrades to Heights Park. A letter summarizing the petition was submitted for the commission's review.

Commissioner Fliflet asked how City Hall is financed. The Administrator said the capital was raised for the Public Works and City Hall, and it is in reserve. The Finance Director said it is an operational expense for repayment of that bond. Staff recommends replacement of computer networks and equipment in two years. The server is five years old. We don't have luxury of waiting for a new city hall to be built. He said staff has been careful of what we buy because we do not want to support the old facility without consideration for the new facility. Within two years we hope to have built a new city hall.

The Finance Director said Infrastructure Reserves are exclusively for street maintenance and repairs.

Commissioner Deziel asked if we are putting sewer into the streets in the Old Village, how is that coordinated with street maintenance. The Finance Director said that Sewer and water are accounted for in another section of the CIP. Now there is a more elaborate Water CIP compared to previous years. The Planner said we don't know the exact schedule for sewer yet so there is nothing in reconstruction yet due to sewer. He said Laverne needs to be replaced but we wanted to wait until the sewer arrives. Sewer will arrive but it is the plan not to force existing Old Village residents to hook up to it. The Administrator said the CIP is the best vision for the next five years. We will have a better idea of how that will be timed when the Old Village Plan comes in and other plans are achieved.

Commissioner Roth asked how long a street lasts. 10 years said the Planner. They will last longer in the future because we were building to a 5 ton standard and a few years back we began building to a 9 ton standard. Seal coats last longer, mills and overlays last longer. The Planner said annual inspections are performed by the Public Works Superintendent and the City Engineer has a schedule for repairs, coats, and replacements. Commissioner Armstrong asked about the state contribution for MSA. The Planner said the city designates streets for the State Aid System. For every mile of new street we construct, that number for State Aid goes up. State Aid revenues can help offset bonding for streets.

The Chairman opened the Public Hearing at 8:48 p.m., and nobody was in the audience. He closed the Public Hearing at 8:49 p.m.

M/S/P, Ptacek/Deziel, to recommend approval of the CIP 2006-10. VOTE: 9:0.

### **City Council Update**

The Planner said that senior city staff had a clarification meeting with appointed staff at Met Council. The technical items required for our Comprehensive Plan will be submitted next week. Two items were not simple. The Old Village Plan is not in the Comp Plan and the conditions in the Resolution that extended our deadline for submission are another issue. We may need another Public Hearing for the Comprehensive Plan.

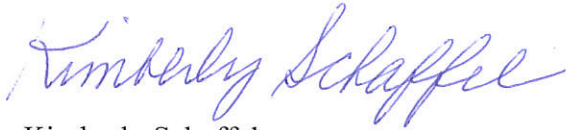
### **3M Company Donation**

Chairman Helwig said the 3M Company donation of land to Oakdale for a sports facility leaves him concerned about new home numbers for the Comprehensive Plan and the affect on the ball park plan for the Old Village Area. The Administrator said that staff found out about the proposed donation when it hit the newspapers. He said there was some indication a few months ago that Oakdale was interested in this type of park. The parcel is below the railroad tracks. This request was made by Oakdale two years ago for another site. 3M's plan is to deed the

parcel to both cities in some fashion. The Administrator discussed it with 3M Company and Oakdale today. The Administrator saw a conceptual drawing for the park for the first time today. The Planner said that converting that land to a park affects the Comp Plan by about 20 units. There was concern that the land remains in the city. Commissioner Armstrong said the title may be held by Oakdale but the land is still in Lake Elmo for zoning and planning purposes.

**Adjourn 8:54 p.m.**

Respectfully submitted,



Kimberly Schaffel  
Recording Secretary