



City of Lake Elmo

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Lake Elmo, Minnesota 55042

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, January 22, 2007, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Minutes
 - a. November 13, 2006
 - b. December 11, 2006
4. PUBLIC HEARING: Variance to Lot Width ~ 3200 Lake Elmo Avenue
 - a. Minor Subdivision – 3200 Lake Elmo Avenue
5. Update on Met Council Extension
6. System Statement – verbal update
7. Scheduling Second Joint Workshop – City Council & Planning Commission
8. Discussion of Planning Commission Work Plan
9. City Council Updates
 - a. January 16 – WHISTLING VALLEY WEST request for concept redesign
 - b. January 20 – Village Area Infrastructure Workshop, 9 a.m.
 - c. January 23 – Village Area Financing, 6 p.m.
 - d. February 1 – Joint Workshop City Council & Planning Commission
10. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of November 13, 2006**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Van Zandt, Deziel, Schneider, Roth, McGinnis, Pelletier, Ptacek, Fliflet, and Armstrong (7:02 p.m.). STAFF PRESENT: Planner Dillerud, Assistant Planner Matzek, and Recording Secretary. ALSO PRESENT: Councilmember Johnson.

Agenda

M/S/P, Van Zandt/Roth to accept the Agenda as presented. Vote: 9:0.

Minutes

M/S/P, Roth/Pelletier to accept the Minutes of September 11, 2006 as presented. Vote: 9:0.

Zoning Ordinance

The Planner introduced draft zoning district regulations for Public Facilities, Business Park, and Neighborhood Conservation. There are very few proposed changes proposed to PF and BP.

Public Facilities

The Commission suggested amending PF to exclude site certified regional sewer from the maximum wastewater generation requirement. The Commission agreed.

Business Park

A list of uses in chart form was presented and it was similar to that created by Lane Kendig when performance zoning was discussed as an option earlier in the year. The Planner said it seemed sensible to use for most zoning districts because there is a great deal of duplication. If the Planner can deal with all the exceptions in a reasonable fashion, he said he would like to use the chart.

Architectural Standards have been removed along with Lighting from the individual districts because they are now covered elsewhere.

Neighborhood Conservation

The Planner said the locations of the proposed district are existing areas currently zoned R-1 as well as the Carriage Station neighborhood. Few parcels do not currently have a structure on them.

The purpose of this district is to conserve what exists, and not to increase house sizes, setbacks, densities, etc. The neighborhoods that would fall in this zoning district have a wide variety of characteristics, even from each other.

Commissioner Pelletier asked if the proposed lot size of 18,500 is a good average for lots in those neighborhoods. The Planner agreed it was.

Building Setback from Property Lines should say, "Adjacency averaged, whichever is less." The Commission agreed.

M/S/P, Armstrong/Van Zandt to delete the septic and water supply portion of the table because the purpose of this district is to eliminate non-conformities and that provision creates further non-conformities. Vote: 9:0.

The Commission suggested adding the text "Minimum of 18,500 square feet" for lot size within the table. Commissioner Armstrong suggested adjacency averaging the minimum lot size of 18,500 square feet and it should only apply to lots of record. Also, that should be stated elsewhere in that district as well as in the table. Lots are not buildable without adequate wastewater treatment.

M/S/P, Roth/Van Zandt to recommend approval of the revised zoning district for Neighborhood Conservation. Vote: 9:0.

M/S/P, Roth/Deziel to recommend approval of the revised zoning district for Business Park. Vote: 9:0.

M/S/P, Roth/Deziel to recommend approval of the revised zoning district for Public Facilities. Vote: 9:0.

Zoning Map

The Planner said our task is not to worry what zoning exists today. Our only goal is to match our Zoning Map to our Land Use Plan within the Comprehensive Plan.

Definitions

The Assistant Planner reviewed definitions. She distributed an ordinance defining Agriculture and Farm, Rural. Automobile Detailing Shop can be removed. The Commission questioned the need for a separate definition of major and minor Automobile Repair. The Assistant Planner said it offers gradients of intensity to reflect gradients of uses. The Commissioners questioned why we are adding definitions for uses we don't have because it causes confusion. They suggested it should occur with the use first and then have a definition. The Assistant Planner said it is something that could be looked at soon.

Commissioner Armstrong said our code should stand alone and definitions should not wag the dog. Without direct follow-through, it is not a good idea to add those definitions prematurely.

The Planner said that just because it is listed in the definitions does not mean it is allowed.

M/S/P, Roth/Armstrong, to put back into the definitions, the old automobile repair definition and remove the new minor and major definitions for auto repair. Vote: 7:2, Nay: Deziel/Armstrong.

M/S/P, Roth/Fliflet, to only include definitions for words that are in the code and to exclude any definition that is not already in the code. Vote: 7:2, Nay: Van Zandt/Ptacek.

Commissioner Fliflet recommended changing bed and breakfast stays to 14 days.

It was suggested to delete one of the definitions for "Building."

Commissioner Armstrong would like to keep the existing definition of "Club." He suggested combining the two definitions, keeping the long definition and deleting the short definition, or rename the short one "Lodge."

Staff was asked to look at the definitions of "Day Spa" and "Therapeutic Massage" to identify any overlap. A more generic definition for "Day Spa" may be appropriate as well as adding the text "and similar services."

The Commission asked for a more clear definition for "Director of Public Safety."

Commissioner Armstrong talked about the Green Acres program. He requested a closer look at the definition of "farms." The Commission left off at the definition of "Farm" and would like to pick up at that location at the next meeting.

City Council Updates

The Planner reported that the ordinance was changed to allow for seasonal sales. The Council has requested to review the City Code regarding terms for Planning Commissioners; this topic will be on the next council agenda. Outdoor Commercial Social Events is also on the next agenda.

The Chairman adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Kimberly Anez
Recording Secretary

DRAFT

**City of Lake Elmo
Planning Commission Meeting
Minutes of December 11, 2006**

Vice Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Van Zandt, Deziel, Lyzenga, Pelletier, Fliflet, Schneider, Armstrong, and (7:05) McGinnis. STAFF: Interim Administrator Bouthilet, Assistant Planner Matzek, and Recording Secretary Anez. ALSO PRESENT: Special Projects Director Susan Hoyt, Mayor D. Johnston and Councilmember Johnson.

Agenda

M/S/P, Armstrong/Van Zandt to accept the Agenda as presented. Vote: 8:0.

Minutes

M/S/P, Lyzenga/Deziel to accept the Minutes of November 27, 2006 as presented. Vote: 7:0:1.
Abstain: Pelletier.

Public Hearing: CUP Amendment~Oakdale Gun Club

The Assistant Planner said the gun club sits on 62 acres with an extensive history since 1965. Previous amendments to the CUP included a caretaker house and an accessory structure. The applicants wish now to add an accessory building for storage.

Schneider asked about the overhang size being exceptionally large.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:05 P.M.

A letter from Knappogue Farm which was signed by Jackie McNamara was read into the record by Commissioner Pelletier and will be made a part of these minutes.

Richard McNamara, Knappogue Farm

Mr. McNamara said he was not present to complain about the club or the new building but addressed the sound especially in summer months. He said they cannot hear themselves talk at their farm. He would like a barrier constructed or time constraints for operation and without everybody shooting all at once. He wondered if there are more people at the gun club these days as the past year has been really loud. He said they have noticed it more since the Gun Club relocated the driveway. He said it really is a health and safety issue with all that noise. He invited anyone to walk in the back portion of their forty acres and they would not hear themselves think.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:09 P.M.

Jerome Marah, Director of the Gun Club

Mr. Marah said he has been with the club since 1975 and held this position since 1976. He said the club has done extensive work for sound reduction. They contract for independent sound studies. Every time they do a sound study, they perform it on the extreme southern boundary for those neighbors. The contractors have been unable to record 70db leaving the site. They are generally 65-68 db depending on the wind. The shooting ranges are under cover. They have almost completely enclosed one of the gun ranges. They are working to enclose other ranges too to keep noise within boundaries. They have looked at planting more trees as well, but trees only deafen sound a bit.

Mr. Marah said that traffic in and out of the driveway was a concern for the neighbors across the street so the club relocated their driveway further to the west, making it safer. He said the overhang for the storage building will be for a canopy for the rain.

Commissioner Pelletier asked the hours of operation.

Mr. Marah said they are open to the public from 8 a.m. to 4 p.m. On November 19, 2006, they closed until the 1st Saturday in June 2007. The range is open each year on Saturday and Sunday until mid-October and then open to the public every day after that from 8 to 4. Forty-five minutes before sunset, club members must stop shooting. Timetables are taken from the DNR hunting regulation book. Mr. Marah said they once had complaints about shooting at sunrise but that was goose hunters elsewhere.

Assistant Planner Matzek said Building Official/Code Enforcement Officer Jim McNamara went out to the site after a verbal complaint was received last week followed by the letter from Knappogue Farm, and after inspecting the site said there were no violations of the CUP.

M/S/P, Armstrong/Schneider to recommend approval of an Amendment to the Conditional Use Permit of the Oakdale Gun Club for construction of a 36 X 60 accessory structure for storage.
Vote: 9:0.

PUBLIC HEARING: Rezoning to Village Residential

Assistant Planner Matzek explained that this rezoning of the Village Area will be responsive to the Village Area Master Plan. The specifics of that plan are not yet finished so specifics as to use and density are not yet available. The proposal presented tonight is flexible enough to allow for the completion and implementation of the Village Area Master Plan.

The Assistant Planner also noted that the city has requested an extension from the Met Council because the zoning districts and map are required to be submitted by January 16, 2007, and it will be difficult to meet that deadline given the loss of key staff members. The City Council will review the extension request at their next meeting.

Chairman Ptacek said he spoke with the City Attorney and staff and both recommendations are to request an extension of our deadline.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:24 P.M.

Jose Chaves, 3505 Kelvin Avenue North

Mr. Chaves said his property is south of Hamlet on Sunfish Lake, next to Schiltgen Farm, and indicated on the map that it was just west of the Village Area and adjacent to Sunfish Lake. He said the parcel is landlocked. He would like to find road access for that property. He has tried for a long time and there is no access. He hopes he will learn how this plan will affect him and his access. Preliminary surveying estimates say it is buildable and meets setbacks. He was assured when Hamlet on Sunfish was constructed that the city would not allow him to become landlocked but that is what happened.

Peter Coyle, Larkin and Hoffman

Mr. Coyle he said he is attending the meeting on behalf of the Screamers whose affected land is on the northeast tip of the Village Area at Highway 5 and Manning. He asked if the substance of

the Village Plan is still being created. He asked if a Land Use Map was ready. With respect to Village Residential zoning, he asked if 3 units per acre minimum will be required. He asked if allocations of the density were still to be determined. He questioned staff's schedule and why the public hearing is being conducted if we don't have the substance of the Village Plan tonight. He asked if this hearing was driven by deadlines of Met Council and asked when will there be another hearing.

Commissioner Ptacek explained that there have been delays due to staffing resources. The city does not have an exact date for the next public hearing.

Assistant Planner Matzek said it will be renoticed in the future. She said she would like City Attorney Filla at the next public hearing.

Todd Williams, Old Village Resident

Mr. Williams explained his extensive history as a councilmember and commissioner for the city, and said he is very familiar with this concept for the Village Area. He has been to all the public meetings and the one issue of most concern is the total number of units. He said he understands PUDs and the need for flexibility but he wants to know how many total houses will be in the Village Area. Normally, the number of units would not be given, but a density. There is an escape clause written into this code that reads, "Unless part of a PUD" which would put no limit on the number of units. He said he thinks it should be corrected. The Comp Plan mentions a number of units to be accommodated in the Old Village. This code will be a matter of law when it is passed and it is important for it to be clarified and pinned down better than it is.

The Commission agreed those points were well taken.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:35 P.M.

Commissioner Deziel said the city does want PUDs.

Commissioner Lyzenga said she would like to clarify that tonight we are not designing the Village area but going through the formal process of reclassification.

Assistant Planner Matzek clarified that this rezoning is tied to the Village Plan. This is the connecting piece and not just a name change. She explained that existing homes will not have to be torn down if they do not meet new setbacks.

Susan Hoyt, Project Director for Village Master Plan

Ms. Hoyt introduced herself and said she is here to learn as well. She said that the PUDs brought forward in the future will develop criteria for the number of homes and even for home designs. This is a kind of transition zone and transition discussion.

Commissioner Fliflet asked if there will be a public hearing for Village Master Plan details.

Ms. Hoyt said she believes the Master Plan will define the area with clear criteria. She said she believed that property owners would like to know what they could do in some detail, and some of that is not available tonight.

Commissioner Armstrong said he would like to pass it quickly because of the Met Council. He said that last time the city requested an extension, a wastewater impact fee was also given. He

said the Planning Commission has been left out of the loop with regard to the Village Plan. The code before the Commission is pretty generic and little to be afraid of.

M/S/P, Armstrong/Fliflet to amend 3A, Uses permitted in VR by Conditional Use Permit in front of townhouse add single family detached. Vote: 9:0.

M/S/P, Armstrong/Deziel Amend 2A under VR to read, "One family detached dwellings, one unit per 20 nominal acres." Vote: 9:0.

Commissioner Armstrong said that in and of itself this code is harmless, the Commission will have the right to see PUD Plans as they are submitted, and judge them as they come in. He said this code is vague but it needs to be at this point. He is comfortable with the text now.

Commissioner Pelletier asked if there will be another opportunity to speak for residents at some point.

Interim Administrator Bouthilet said there will be public hearings for specific design standards after they become available.

Assistant Planner Matzek said that CUPs and PUDs will also require public hearings.

Commissioner Armstrong said he would like the Planning Commission to create some PUD guidelines so applicants know what would the City would like to see: setbacks to existing homes, landscaping, more stringent buffering, etc. He said he would like a clean draft after changes have been implemented into this draft.

Interim Administrator Bouthilet said with all the public hearings for all the other zones, we cannot meet the January 8 meeting deadline.

Commissioner Lyzenga said if we cannot meet the deadline, she would rather the Commission be more thoughtful in their work.

M/S/P, Armstrong/Van Zandt, to table VR zoning text for a fresh draft until a future date uncertain. Vote: 9:0.

Variances ~ Millers on Bennett Avenue

The Assistant Planner said the applicants for this variance withdrew their application, and they plan to have a meeting with staff after the holidays.

Zoning Districts

Commissioner Pelletier asked about General Business zoning district allowable uses such as cafes and restaurants limited to full table service. She would like a coffee shop without full service as well.

Commissioner Lyzenga thought it would need to be incidental to something like a bakery.

Commissioner Van Zandt said we have to get more creative or we are not going to have a village like the City would want to claim. The City needs to have something more than just the Lake Elmo Inn.

Commissioner Ptacek suggested the Commission either propose a change or ask a question that can be answered.

Commissioner Pelletier asked if the Assistant Planner can bring back proposed text for GB coffee shops.

M/S/P, Deziel/Lyzenga to allow coffee shops as a permitted use in the General Business Zoning District. Vote: 9:0.

Commissioner Armstrong said there are blanks in some districts with regard to impervious surface percentages.

Assistant Planner Matzek will come back with Impervious Surface Percentages for each Zoning District.

Commissioner Van Zandt left the table at 8:38 p.m. and returned at 8:40 p.m.

The Assistant Planner was asked to bring NC back to the next meeting with regard to average lot sizes in neighborhoods.

Commissioner Armstrong distributed a list of Amendments to the various zoning districts and they are attached. The Commission reviewed them.

M/S/P, Armstrong/Van Zandt to recommend approval of the list of distributed zoning district Amendments with the exception of Item 14. Vote: 9:0.

2007 Planning Commission Meeting Schedule

M/S/P, Deziel/McGinnis to adopt the 2007 Planning Commission Meeting Schedule. Vote: 9:0.

City Council Updates

Assistant Planner Matzek informed the Commission the Eagle Point Business Park 7th Addition was approved at the last City Council meeting.

Adjourned at 9:00 p.m.

Respectfully submitted,

Kimberly Anez
Recording Secretary

City of Lake Elmo Planning Department
Minor Subdivison Review

To: Planning Commission

From: Ben Gozola, City Planner

Meeting Date: 1-22-07

Applicant: Constance K. Smith

Location: 3200 Lake Elmo Avenue

Current Zoning: R1 – One Family Residential

Introductory Information

Request: The applicant is seeking a minor subdivision to create one additional lot.

Site Data: Parcel size = 4.47 acres
Property Identification Number: 13-029-21-33-0021
Existing Use – One single family dwelling

Minor Subdivision Review

IN GENERAL:

Proposed Density: Proposed density for the subdivision is 2 lots created on 4.47 acres, for an overall density of 0.45 units per acre (or 2.24 acres per lot).

Staff Comments: The proposed density is allowable in the R1 district provided each lot meets required minimum lot standards.

Lot Configuration:

The following table summarizes the minimum lot requirements and how the proposed subdivision compares:

	<u>SIZE</u>	<u>WIDTH</u>
REQUIRED:	1.5 acres	150'
Parcel F:	1.596	≈ 42'
Parcel G:	2.876	≈ 250'

Staff Comments: Because Lake Elmo is classified as a recreational development lake, the required lot with for both parcels is 150 feet (325.06 subd. 3). Clearly Parcel G meets this criteria, but Parcel "F" technically does not for the following reasons:

- The front of a corner lot such as Parcel "F" is defined as "the shortest dimension of a public street."
- Lot width is defined as "the horizontal distance between the side lot lines of a lot measured at the setback line."

Given the above two definitions and measuring the width parallel to Lake Elmo Avenue, Parcel F is nonconforming and a variance for lot width will be required. Given that variance criteria will likely be hard to address, the better option available to the applicant would be to shift the proposed lot line such that parcel "F" only includes frontage on 32nd Street North. The angle of the existing northwestern side lot line will allow the 150' width requirement to be met at the front yard setback.

Future parcel development:

- This proposal would fully divide the property under its current zoning and comprehensive plan designations.

Lot Access:

- The location of the existing driveway entrance onto Lake Elmo Avenue should be corrected as a component of this project. While we understand the applicant's position that the existing driveway has been in its current location since the early 1900's, it is staff's position that traffic on Lake Elmo Avenue has changed drastically since that time and will only increase in the future. Limiting access points to higher functionally classed roads will improve the safety of the overall corridor, and ensure that motorists must only worry about interacting with other vehicles at major intersections. Given that Parcel "F" has adequate access to 32nd Street North, staff would recommend that the existing driveway be relocated onto 32nd Street, and be at least 100 feet from the intersection with Lake Elmo Road. This will provide a 40-foot wide area on the lot which should assist the applicant in selecting the best location to save as many trees as possible as a result of the driveway relocation.

Adjacent parcel dev.:

- The proposed subdivision will have no impact on development of adjacent lots.

Easements:

- The applicant should be required to provide standard drainage and utility easements around the perimeter of both lots. Standard easements according to TKDA are 10 feet from the front and rear property lines; 5 feet from side property lines (unless utilities are present); and 20 feet from the lakeshore.

Variance Requests:

- As Lake Elmo is classified as a recreational development lake, the required lot width for both parcels is 150 feet (325.06 subd. 3).
- As noted in the review of "lot configuration," the proposed Parcel "F" requires a 108' variance from the required 150' width requirement if the proposal in its current form is to be approved.

(cont.)

▪ By code, a variance can only be granted where the city finds the request can successfully address the following criteria:

1. *There are special circumstances or conditions affecting the applicant's land that the strict application of the minimum standards of this section would deprive the applicant of the reasonable use of that land.*

By shifting the proposed lot line such that Parcel "F" only has frontage on 32nd Street North, the applicant can conform to the width requirement, so not granting the requested variance is certainly not depriving the applicant of any reasonable use of the land. **This criteria is not met.**

2. That the granting of the variance will not be detrimental to the public welfare or injurious to other property.

Granting of the variance provides the applicant an avenue to argue that the existing driveway should be allowed to remain in its current location which is arguably more dangerous than if the driveway were relocated to access 32nd street at least 100' from the intersection with Lake Elmo Avenue North. As elimination of the current access is in the public's interest, staff believes granting the request would be detrimental to the public. **This criteria is therefore not met.**

3. That the variance required by reason of unusual hardship relating to the physical characteristics of the land.

As stated, the applicant can create a conforming lot by changing the location of the proposed lot line. **This criteria is therefore not met.**

4. Because none of the variance criteria appear to be satisfied, staff is recommending that the proposal as shown be denied, or approval be conditioned upon the proposed lot line being shifted such that Parcel "F" only has frontage on 32nd Street North and that the width requirement is satisfied.

**Resident
Concerns:**

- Neither staff, nor the applicant, has received any concerns from residents regarding the proposed project to date.

INFRASTRUCTURE:

Road System:

- No new roads are proposed as part of this subdivision.

**Water
System(s):**

- Engineering would recommend the City require the new home to connect to the municipal water system.
- Staff would recommend the existing and proposed future home be connected to the municipal water system.

- Sanitary System(s):**
- Both lots are proposed to be serviced by individual sewage treatment facilities.
 - Note that the septic system for the existing home is proposed to be replaced by a new system within the identified septic area on Lot G. Lot F would also be served by a new septic site within its own boundaries.
 - Staff would encourage the applicant to take all necessary precautions to ensure the proposed septic sites are not accidentally impacted prior to construction of the proposed septic systems.
 - The City Engineer has reviewed the septic information provided by the applicant and found that there appears to be sufficient room on each lot for a primary and back-up septic system.
- Storm water /Ponds:**
- None are required as part of this subdivision. However, proposed grading changes may need to be reviewed with future building permit applications.
- Utilities:**
- According to **Sec. 400.14.**, all utilities are to be located underground.
 - If the existing home has above ground utilities, approval of the subdivision should be contingent upon said utilities being placed below ground.
- Sidewalks & Trails:**
- No sidewalks or trails are recommended as part of this minor subdivision.
- Parking Facilities:**
- There are no parking issues for the proposed project.
- Required Signage:**
- No new signage is required as a result of this development.

ENVIRONMENTAL & OTHER NEIGHBORHOOD IMPACTS:

- Wetlands & Drainage:**
- The wetlands on this site have not been delineated to staff's knowledge, but there is no indication of wetlands that may impact the buildable area on each of the proposed lots. The VBWD indicates that there may be a wetland near Lake Elmo Avenue, but it would not be a concern given the proposed building locations.
 - As the VBWD is the Local Government Unit responsible for the Wetland Conservation, it is important for the applicant to receive the applicable permits and approvals as soon as possible.
- Erosion Control:**
- Silt fence should be shown at the construction limits for the proposed houses or driveways with the future building permit application.

- Flood Plain & Steep Slopes:**
- The subject property is in the floodplain.
 - According to FEMA map number 2705050010B, the base flood elevation for Lake Elmo is 889.0 from July 2, 1979.
 - Although topography is not provided on the survey, access to both parcels and/or construction does not appear to occur in this area.
 - Staff is unable to determine if there are steep slopes or bluffs on site that would effect development on this parcel.

- Traffic:**
- The addition of a single lot will not significantly increase traffic volumes.

- Tree Preservation:**
- Within the shoreland regulations, vegetation alterations are permitted as necessary for the construction of structures and sewage treatment systems. (325.06 Subd. 5A.)

- Required Plantings & Screening:**
- No plantings or special screening devices are required as part of this subdivision.

- Docks**
- Staff did not find anything in code regulating docks.

CHARGES, FEES, & RESPONSIBILITIES:

- In General:**
- As always, the applicant is responsible for all fees related to the review of this application (including but not limited to engineering, wetland, and legal reviews; environmental consultants; or other such experts as required by this application).

- Park Dedication:**
- Section 400.15 of City Code requires all subdivisions of land to dedicate a reasonable portion of land to the City for public use as parks, trails, or open space. The percentage for the R1 district is 10%.

4.47 acres * 10% required dedication = 0.447 acres of land (or 19,471 square feet)

- Because three or less parcels are being created, the maximum cash-in-lieu contribution will be determined by the most recent Council resolution determining such.

- Sewer Area Charge:**
- As this subdivision will not access municipal sewer services, there will not be a sewer area charge assessed.

Water Area Charge: ■ As this subdivision will access municipal water services, there will be a \$1,200 charge for the existing home and a \$4,000 charge for the proposed new home.

Building Permit Fees: ■ Additional building permit fees will be required with applications.

Ownership & maintenance: ■ As there are no stormwater ponds or outlots proposed, there is no need for a homeowners association.

Conclusion

The Planning Commission is asked to examine the proposed minor subdivision and recommend whether it meets all conditions necessary for approval. Keep in mind that an approval at this point provides the applicant the ability to file subdivision with the County. All desired/required changes must be addressed at this time.

The 60-day review period for this application expires on 2-12-07.

Commission

Options: The Planning Commission has the following options:

- A) The Planning Commission may recommend approval of the requested minor subdivision based on the applicant's submission, the contents of this report, public testimony and other evidence available to the commission.
- B) The Planning Commission may recommend denial of the requested minor subdivision based on the applicant's submission, the contents of this report, public testimony and other evidence available to the commission.
- C) The Planning Commission may table the request for further study.

Recommended

Action: Staff recommends option A: Approval of the requested preliminary plat with the following conditions:

1. The proposed lot line shall be shifted such that Parcel "F" only has frontage on 32nd Street North, and that the width requirement is satisfied;
2. The existing driveway shall be relocated onto 32nd Street, and be at least 100 feet from the intersection with Lake Elmo Road;
3. All above ground utilities servicing the existing home (if any) shall be placed underground prior to accepting an application for final plat;
4. Standard drainage and utility easements shall be provided to the City around the

- boundaries of all lots, wetlands, and lakes as guided by the City Engineer;
5. Silt fence shall be shown at the construction limits for the proposed house, driveway and street that will be constructed with this development;
 6. The applicant shall obtain and adhere to all necessary permits and approvals from the VBWD;
 7. The applicant shall pay a cash-in-lieu fee of \$_____ to satisfy the city's park dedication requirements.
 8. Compliance with any additional requirements established by the City Engineer and City Attorney.

cc: Constance Smith, *Applicant*
Carolyn Smith Horttor, *Applicants*
Tony Darlin, *Applicant's Attorney*

December 15, 2006

Kelli Matzek, Assistant Planner
City of Lake Elmo
City Hall
3800 Laverne Avenue
Lake Elmo, MN 55042

VIA HAND DELIVERY

**Re: Minor Subdivision application / Variance request pursuant to City Code § 153.10
3200 Lake Elmo Ave. N.
Our File No.: 48220.1**

Dear Ms. Matzek:

Our firm represents Carolyn Smith Horttor and Constance K. Smith in regard to their Minor Subdivision application for 3200 Lake Elmo Ave. N. This letter is in response to your October 17, 2006, letter in which you found the application incomplete. Please make this submittal a part of the record for the Minor Subdivision application. In addition, you indicated that if a variance was sought, no additional fee would be needed and that the reasons for the request should be presented. We have enclosed the original fee that you returned.

Please consider this letter a request pursuant to City Code § 153.10 for a variance to the requirements that Parcel F have 125 feet of frontage on both 32nd Street North and Lake Elmo Avenue N. and that the existing driveway, which has been in its present location since 1912, be moved 20 feet from the intersection of 32nd Street North and Lake Elmo Avenue N. A more detailed explanation of the requests follows.

The Lake Elmo Avenue N. Frontage Requirement. City Code § 153.13 provides that "no subdivision shall be permitted which will result in a lot with less than the minimum frontage on a public street as required by the zoning code except where a variance is granted as provided by this chapter." As shown on the Survey that was submitted as part of the Minor Subdivision application, Parcel F is 139.93 feet wide on 32nd Street North, which meets the 125 foot frontage requirement, but only 25 feet wide on Lake Elmo Avenue N.

The dimensions and frontages for Parcel F are identical to what the City approved for the Minor Subdivision and sale of the adjacent parcel at 11075 32nd Street North from Constance K. Smith to her other daughter in 1986. I have enclosed the August 28, 1986, Survey that was approved by the City as a part of this subdivision. As shown on the August 28, 1986, Survey, the dimensions and frontages for Parcel "B-1" are identical to the proposed Parcel F.

The property has been owned by the Smith family since 1964, and it was Mr. Smith's plan to have each daughter build on it. I understand that the City Council was aware of this in 1986 when the initial request for the subdivision of the property into the proposed 3 parcels was submitted and approved by the City. Ms. Smith now seeks the approval of the proposed Minor Subdivision and variance so that Parcel F, the middle parcel, can be sold to her other daughter, Carolyn — the co-applicant. The proposed variance will not be detrimental to the public welfare or injurious to other properties, is related to the physical characteristics of the land, and the request is for a reasonable use of the land.

The Relocation of the Driveway Requirement. You have requested that the existing driveway be moved 20 feet from the intersection of 32nd Street North and Lake Elmo Avenue N. However, the driveway cannot be moved away from the intersection because there is a drain field in this area which is at a lower elevation, approximately 50 feet lower, and which typically floods in the spring. I have enclosed photographs of the existing driveway and drain field.

Also, my clients are not aware of a car accident or problem with the existing location since its construction in 1912. Finally, the Washington County Department of Transportation has approved the application for the new driveway on Lake Elmo Avenue N., which will serve Parcel G, a copy of which is enclosed. Washington County indicated that the curb ends need to be tapered similar to the existing driveway. Again, the proposed variance to the 20 foot setback requirement for the existing driveway to serve Parcel F will not be detrimental to the public welfare or injurious to other properties, is related to the physical characteristics of the land, and the request is for a reasonable use of the land.

In regard to the other matters referenced in the October 17, 2006, letter, the applicants will agree to a condition that neither parcel have access to Lake Elmo Avenue North across the other's parcel. As explained above, both parcels will have a separate access drive to Lake Elmo Avenue North. However, both parties ask that the existing drive between the homes be permitted as long as Constance K. Smith or a related party owns Parcel G.

In regard to the septic sites, you have indicated that Parcel G must have a primary and secondary septic site location on the parcel in which it is serving. I have enclosed color coded drawings from Eklin Soil Testing and Inspections, Inc. that show that both Parcel G and Parcel F will have primary (orange highlight) and secondary (pink highlight) site locations. The existing septic area on Parcel F will not be used, and a new lift station on Parcel G will be constructed. Of course, the private sewage systems will be installed in accordance with the standards established by the City, namely City Code Chapter 51, and the final plans will need to be approved before any construction is commenced.

In regard to your question regarding the square footage of existing and proposed buildings, the construction drawings for the single-family home on Parcel F have not been finalized. It is expected to have approximately 3,000 to 4,000 square feet of living space with a 2-4 car garage. The existing home on Parcel G has approximately 5,142 square feet of living space.

CONCLUSION

I hope this letter better explains the application and variance request and answers your questions. Please submit the Minor Subdivision application and variance request to the Planning Commission for its review and recommendation to the City Council. If possible, we ask that the variance requests be considered first at the hearings so that the Minor Subdivision application can be tabled if needed. Please call should you have any questions or concerns regarding the foregoing.

Sincerely,

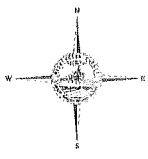
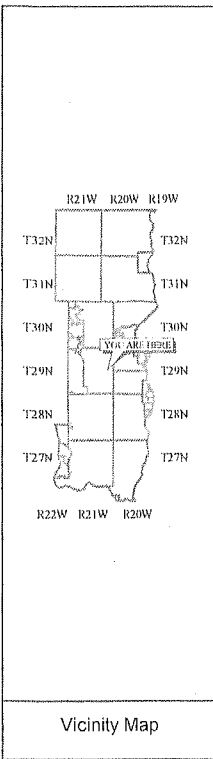
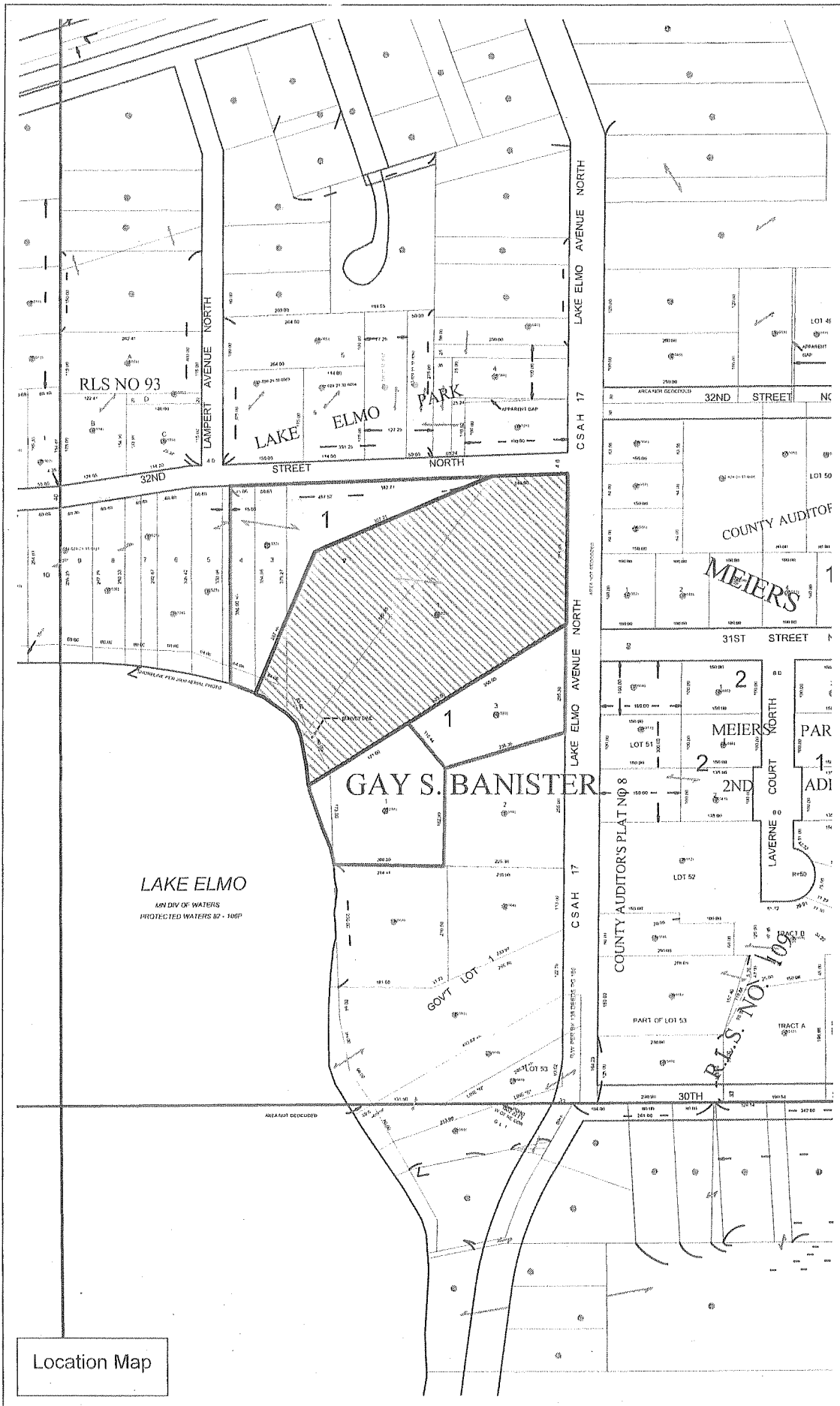


Anthony A. Dorland
Attorney At Law
(612) 877-5258
DorlandA@moss-barnett.com

cc: Carolyn Horttor







0 269
Scale in Feet

Location Map

This drawing is the result of a compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Source: Washington County Surveyor's Office. Phone (651) 436-6875

Parcel data based on AS-600 information

Kelli Matzek

From: Thomas D. Prew [thomas.prew@tkda.com]
Sent: Thursday, January 18, 2007 8:29 AM
To: Kelli Matzek
Subject: RE: variance - 3200 Lake Elmo Avenue

Kelli

Here are my comments for the lot split/variance at 3200 Lake Elmo Avenue

Plat

Drainage and utility easements are necessary along all lot lines. Similar to new subdivisions I would recommend 5-foot side yard and 10 foot front and rear yard easements.

Streets

The existing driveway should be realigned to enter off of 32nd street rather than Lake Elmo Avenue. The current driveway is too close to the intersection.

Drainage

The creation of new impervious surface may need a VBWD permit. Infiltration may be required.

An inspection of the property for wetlands should be done. There appears to be one near the existing driveway. Its hard to tell if others exist on the property.

Septic system

The applicants submitted a site evaluations for each new lot. there appears to be sufficient room on each lot for a primary and back-up septic system.

Water

There is watermain in 32nd street and Lake Elmo Avenue. The new lot should connect to the public water system. There appears to be a very limited amount of room the lot to locate a new well.

Let me know if you have any questions.

Tom

Thomas D. Prew, P.E.
Senior Registered Engineer
Municipal Services Division
phone: 651/292-4463
fax: 651/292-0083
e-mail: thomas.prew@tkda.com

TKDA
444 Cedar Street
Saint Paul, Minnesota 55101-2140

1/18/2007



Minnesota Department of Natural Resources
DNR Waters - 1200 Warner Road, St. Paul, MN 55106-6793
Telephone: (651) 772-7910 Fax: (651) 772-7977

January 12, 2007

RECEIVED

Ms. Kimberly Anez
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Minor Subdivision for 3200 Lake Elmo Ave. N., City of Lake Elmo, Washington County

Dear Ms. Anez:

The Department of Natural Resources has reviewed the materials on the minor subdivision for 3200 Lake Elmo Avenue North, received January 8, 2007, located in the shoreland district of Lake Elmo (82-106P). Based upon our review of the documents submitted we have the following specific comments to offer:


Minimum lot sizes and setbacks must be applied to all lots created since the adoption of the shoreland controls. In accordance with your shoreland district ordinance (Section 325.08 Subd. 3) each lot shall meet the minimum lot size and dimensional requirements outlined in Section 325.06, Subd. 2 and 3. The ordinance requires that both parcels have a 150' lot width measured at the midpoint of the building line. Parcel F would not meet that requirement as currently surveyed. Allowing this minor lot split is not consistent with the general purpose and intent of your ordinance.

Even if the lot was subdivided back in 1986 as referenced in Mr. Anthony Dorland's December 15, 2006-letter, it still could not be considered a separate parcel of land for the purpose of sale if under the same ownership, unless each individual lot meets the minimum lot standards (Section 325.07 Subd. 1. C.) This contiguous lot rule has been challenged several times in the courts and upheld.

Therefore, I recommend that the proposed variance request/minor subdivision not be approved, since this request fails to substantially comply with the state minimum standards and the present lot can be put to reasonable use.

In accordance with the city ordinance, the Department is to be advised of the action taken on this request within 10 days of final action. If the current proposal is approved, copies of the hearing minutes, findings of fact and other relevant documents should also be forwarded. Please contact me at (651) 772-7914 should you have any questions regarding these comments.

Sincerely,



Travis Germundson
Area Hydrologist

c: John Hanson, Valley Branch Watershed District
Jay Riggs, Washington Conservation District
City of Lake Elmo Shoreland File

DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929

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RECEIVED

January 12, 2007



Ms. Kelli Matzek
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Minor Subdivision, 3200 Lake Elmo Avenue North, Lake Elmo

Dear Ms. Matzek:

Thank you for forwarding the variance request for the above-referenced project. The project involves a minor subdivision, which requires a Valley Branch Watershed District Permit (VBWD). This letter provides my preliminary comments. I will review the project more thoroughly once a VBWD permit application is submitted.

Background

The project site lies at the northeast corner of Lake Elmo. The property was subdivided in 1986, and now the property owner is proposing to be re-divided it through the City's minor subdivision process.

Water Quality

With a maximum depth of 137 feet, Lake Elmo is the deepest lake in the metropolitan area and one of the deepest lakes in the state. Because of its depth, Lake Elmo is likely fed by the Jordan-Sandstone bedrock aquifer. The lake has excellent water quality.

Lake Elmo is a marl (having a calcium carbonate lake bottom) lake. Lakes of this type are more common to central and northern Minnesota, and as such, Lake Elmo is a unique feature within the VBWD. Lakes of this type are generally deep and low in biological productivity. Because Lake Elmo is a marl lake, fine calcium carbonate particles suspend in the water and might reduce the lake's transparency. Since 1986, Lake Elmo's average summer transparency depths have been deeper than eight feet. The lake's total phosphorus and chlorophyll a concentrations have met the VBWD's guidelines for excellent water quality since the late 1970s.

Water Quantity

The outlet for Lake Elmo is at the southeast side of the lake. Water from Lake Elmo discharges into a ditch that runs through Tartan Park. Lake Elmo drains to Horseshoe Lake and ultimately the St. Croix River. The VBWD 100-year flood level of Lake Elmo is Elevation 991.0.

Concept Plan

The proposed concept plan shows a possible driveway, house, and mound septic system location for the new lot, and a proposed driveway for the existing house. It appears that the existing home's septic system is proposed to be on the new lot.

The following techniques could be used to further protect Lake Elmo:

- Reducing impervious surfaces.
- Eliminating unused areas of the existing driveway, loosing the soil under it, and vegetating the area with deep-rooted vegetation.
- Constructing the new house and driveway so that compaction in pervious areas is prevented.
- Constructing rainwater gardens on each lot to collect runoff from the houses and driveways.
- Directing roof drains to pervious areas.



LINCOLN FETCHER DAVID BUCHECK DONALD SCHEEL DALE BORASH DUANE JOHNSON

VALLEY BRANCH WATERSHED DISTRICT
P.O. BOX 838

www.vbwd.org
LAKE ELMO, MINNESOTA 55042-0538

- Using porous pavement for the new driveways.
- Establishing wide, unmowed vegetative buffers between the homes and the lake

Wetland Issues

No wetland delineation report has been submitted to the VBWD for the project. The topography suggests that there could be a wetland on the existing parcel, near Lake Elmo Avenue. However, no grading appears to be proposed in this area.

The VBWD is the Local Government Unit responsible for administering the Wetland Conservation Act (WCA). The developer will need to follow all of the rules and regulations spelled in the WCA, and submit all of the necessary documentation. The VBWD will then review the information, forward the information to the appropriate agencies for comments, and ensure the proposal conforms to the WCA and other VBWD wetland rules and regulations. The intent of the WCA is to avoid wetland impacts.

Miscellaneous Comments

The VBWD will require the following:

- The new home's basement must be no lower than Elevation 893.0.
- A permanent buffer strip at least 35-feet wide, measured perpendicular to the Ordinary High Water level (Elevation 885.6) and extending 35 feet inland, should be established. A mowed access and shoreline is allowed, but should not exceed 22 feet for the new lot and 30 feet for the existing lot. Access paths should not be located where concentrated runoff will flow to the lake.

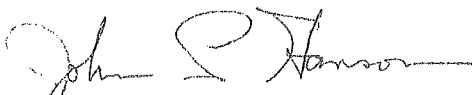
Permit Requirements

The proposed project will require a permit from the VBWD, and a complete permit application packet should be submitted to me. Permit application material can be obtained from the District's website, www.vbwd.org, or from me. Once a complete VBWD permit application is submitted, I will review the project for conformance to the VBWD's rules and regulations, including:

- Stormwater rates and volumes
- Water quality treatment
- Flood levels and minimum floor elevations
- Wetland delineations and protection
- Erosion controls

If you have any questions, please contact me at 952-832-2622.

Sincerely,



John P. Hanson, P.E.
BARR ENGINEERING COMPANY
Engineers for the District

c: VBWD Managers (via e-mail)
Carolyn Smith Horttor, 1959 N. Park Drive, St. Paul, MN 55119



WASHINGTON COUNTY TRANSPORTATION & PHYSICAL DEVELOPMENT
11660 Myeron Road North • Stillwater, Minnesota 55082
Phone: (651) 430-4300 • Fax: (651) 430-4350

OFFICE USE ONLY
Permit No. 2006-A-080
County Road 17
Right-of-Way Width
Municipality Lake Elmo
Permit Fee \$ 150.00

APPLICATION FOR STREET OR DRIVEWAY ACCESS PERMIT

Attach a drawing of the property, present and proposed access and relation to the county road And any adjacent streets.

Applicant: Carolyn Smith Horther, 1959 N. Park Dr. St. Paul 55119, Tel. 651 738-3891
Property Owners: Constance K. Smith, 8200 Lake Elmo Ave. N. Lake Elmo 55042, Tel. 651 777 7864
Legal Description of Property (abbreviate if necessary) and Street Address:

Purpose of Access: [X] Driveway, [] Street, [] Commercial (Specify type), [] Field Entrance
Is a Building to Be constructed? [X] No, [] Yes (Type)
Will the Building be: [] Temporary or Permanent, [X] Permanent
Property is in: [] Platted or Unplatted area
Distance from center of highway to front of building: feet
No. of present driveways to property: 1
Exact location of proposed driveway to property: Between 2 phone poles on 8200 Lake Elmo Ave. N.
Exact location of present driveway to property: Corner of 32nd St & Lake Elmo Ave. N (on South side)
Date needed:
Estimated completion date: Summer 2007

OFFICE USE ONLY
A deposit of \$ _____ payable to Washington County Treasurer, in the form of a Certified Check or Cashier's Check shall accompany the application and will be returned upon final acceptance by the County. No interest shall be earned or paid on this deposit. It is the responsibility of the permit holder to notify the County when the work is completed. Cashier's Check or Certified Check, No. _____

I (We), the undersigned, herewith make application for permission to construct the access at the above location, said access to be constructed to conform with the regulations of Washington County and to any special provisions included in the permit. It is agreed that all work will be done to the satisfaction of Washington County. It is further agreed that no work in connection with this application will be started until the application is approved and the permit issued. It is expressly understood that this permit is conditioned upon replacement or restoration of the highway to its original or to a satisfactory condition. It is further understood that this permit is issued subject to the approval of local city, village, or township authorities having joint supervision over said street or highway.

9/28/06
Date

[Signature]
Signature of Applicant

DO NOT WRITE BELOW THIS AREA

ACCESS DRIVEWAY PERMIT AUTHORIZATION - PERFORMANCE REQUIREMENTS

As a condition of this permit, culvert is required: [] Yes, [X] No, [] Storm Sewer, Culvert Size _____ x _____
Culvert aprons required: [] Yes, [X] No

If the work is not completed by the date given on this application, the cost of completing unfinished construction by County forces may be deducted from the deposit. In the event that construction has not started by this date, this permit becomes null and void and the permit fee shall be forfeited and the deposit shall be refunded.

SPECIAL PROVISIONS: After cutting curb for new driveway, paved curb ends need to be tapered similar to current drive-way - Please give me a call if you have any questions or want to meet at site

Permission is hereby granted for the construction of the driveway as described in this application, said driveway to be constructed in accordance with all regulations of Washington County and subject to the above requirements and special provisions.

All work to be completed by 7/1/07

Approved: Carol Hanson 430-4313
Authorized Signature Washington County Transportation & Physical Development

11-7-06
Date

CERTIFICATE OF SURVEY

LOT 1 AND PART OF LOTS 2 & 3, BLOCK ONE, LAKE ELMO PARK,
CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA

MINOR SUBDIVISION SURVEY

PREPARED FOR:

CONSTANCE K. SMITH
3200 Lake Elmo Avenue North
Lake Elmo, Minnesota 55042

AND:

CAROLYN SMITH HORTTOR
1959 North Park Drive
St. Paul, Minnesota 55119

PARCEL F

That part of Lots 1, 2 and 3, Block 1, LAKE ELMO PARK, according to the plat thereof on file and of record in the Office of the County Recorder, Washington County, Minnesota described as follows:

Commencing at the northeast corner of said Lot 1; thence South 87 degrees 08 minutes 37 seconds West, bearings are based on the Washington County Coordinate System, South Zone, along the north line of said Lot 1, a distance of 139.93 feet to the most easterly corner of said Lot 2; thence South 66 degrees 07 minutes 57 seconds West, a distance of 357.21 feet to the point of beginning; thence North 66 degrees 07 minutes 57 seconds East, a distance of 357.21 feet to said most easterly corner of Lot 2; thence North 87 degrees 08 minutes 37 seconds East, along said north line of Lot 1, a distance of 139.93 feet to said northeast corner of Lot 1; thence South 00 degrees 37 minutes 37 seconds East, along the east line of said Lot 1, a distance of 25.00 feet; thence South 68 degrees 10 minutes 53 seconds West, a distance of 115.00 feet; thence South 53 degrees 07 minutes 00 seconds West, a distance of 351.18 feet; thence South 35 degrees 57 minutes 24 seconds West, a distance of 217 feet, more or less, to the shore of Lake Elmo; thence northwesterly, along said shore of Lake Elmo, a distance of 73 feet, more or less, to its intersection with a line that bears South 22 degrees 38 minutes 25 seconds West from the point of beginning; thence North 22 degrees 38 minutes 25 seconds East, a distance of 286 feet, more or less, to the point of beginning.

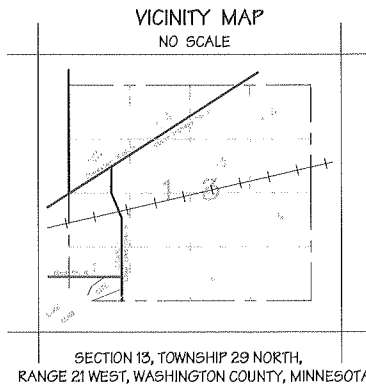
This parcel contains 1.596 acres, more or less.

PARCEL G

That part of Lots 1, 2 and 3, Block 1, LAKE ELMO PARK, according to the plat thereof on file and of record in the Office of the County Recorder, Washington County, Minnesota described as follows:

Commencing at the northeast corner of said Lot 1; thence South 00 degrees 37 minutes 37 seconds East, bearings are based on the Washington County Coordinate System, South Zone, along the east line of said Lot 1, a distance of 25.00 feet to the point of beginning; thence South 68 degrees 10 minutes 53 seconds West, a distance of 115.00 feet; thence South 53 degrees 07 minutes 00 seconds West, a distance of 351.18 feet; thence South 35 degrees 57 minutes 24 seconds West, a distance of 217 feet, more or less, to the shore of Lake Elmo; thence southeasterly, along said shore of Lake Elmo, a distance of 143 feet, more or less, to its intersection with the southeasterly line of said Lot 1; thence North 56 degrees 49 minutes 39 seconds East, along said southeasterly line of Lot 1, a distance of 568 feet, more or less, to the southeast corner of said Lot 1; thence North 00 degrees 37 minutes 37 seconds West, along said east line of Lot 1, a distance of 250.39 feet to the point of beginning.

This parcel contains 2.876 acres, more or less.



Building Setbacks and Minimum Lot Requirements:

City of Lake Elmo for RI - One Family Residential, on a Recreational Development Lake

MINIMUM REQUIREMENTS:	
LOT SIZE	1 1/2 acre
LOT WIDTH	150 FEET
SEPTIC AREAS	2-10,000 SF AREAS
BUILDING SETBACKS	
FRONT	30 FEET
SIDE	10 FEET
SIDE CORNER	25 FEET
REAR	40 FEET
ARTERIAL STREET	50 FEET
CHW	100 FEET
SEPTIC SETBACKS	
FROM PROPERTY LINE	10 FEET
FROM FOUNDATION	20 FEET
FROM CHW	75 FEET
FROM WELL	50 FEET

Maximum height residential structure is 35 feet

ORDINARY HIGH WATER:

The Ordinary High Water elevation for Lake Elmo is 865.6 (NGVD 1929)

LEGEND

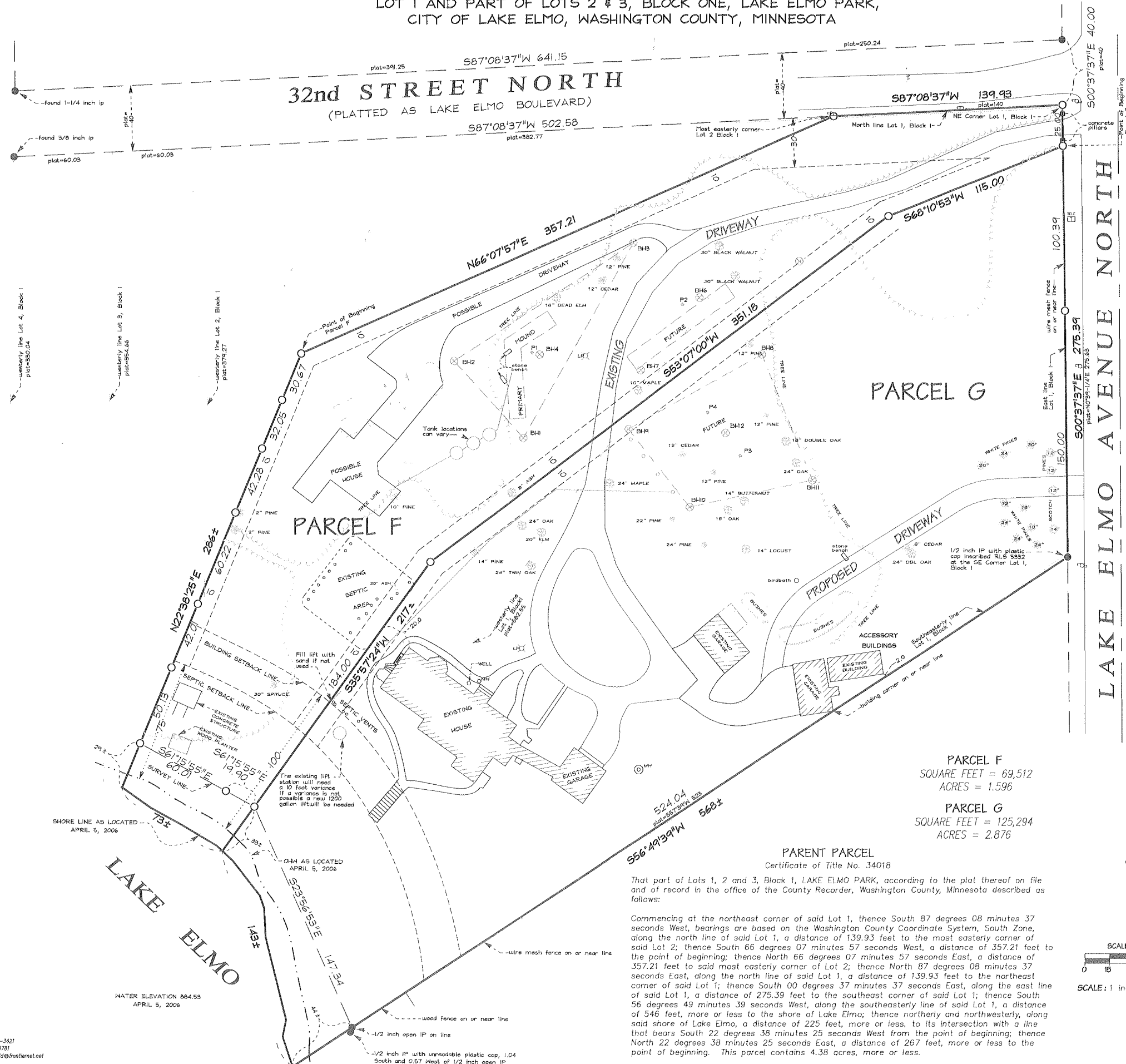
Orientation of the bearing system is based on the Washington County Coordinate System South Zone. Distances are in feet and decimals of a foot.

- plat= Denotes recorded values from the Plat of LAKE ELMO PARK.
- Denotes wooded area.
- Denotes a bituminous surface.
- Denotes a concrete surface.
- Denotes a 1/2 inch inside diameter by 18 inch iron pipe monument, set with a plastic cap inscribed ANEZ RLS 13775 from previous survey dated 10-10-1985.
- Denotes a 1/2 inch inside diameter iron pipe monument found unless otherwise indicated.
- Denotes utility pole.
- Denotes light post.
- Denotes man hole.
- Denotes soil boring location.
- Denotes wire mesh fence.
- Denotes setback line.

Soil tests were taken by Ekin Soil Testing 1985 Ridgewood Ave., White Bear Lake, MN 55110

SURVEY PREPARED BY:
Landmark Surveying, Inc.
21150 Ozark Avenue North - P.O. Box 65
Scandia, Minnesota 55073

Office number: 651-433-3421
Fax number: 651-433-4781
E-mail address: info@landmarksurveying.com



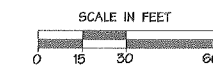
PARCEL F
SQUARE FEET = 69,512
ACRES = 1.596

PARCEL G
SQUARE FEET = 125,294
ACRES = 2.876

PARENT PARCEL
Certificate of Title No. 34018

That part of Lots 1, 2 and 3, Block 1, LAKE ELMO PARK, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota described as follows:

Commencing at the northeast corner of said Lot 1, thence South 87 degrees 08 minutes 37 seconds West, bearings are based on the Washington County Coordinate System, South Zone, along the north line of said Lot 1, a distance of 139.93 feet to the most easterly corner of said Lot 2; thence South 66 degrees 07 minutes 57 seconds West, a distance of 357.21 feet to the point of beginning; thence North 66 degrees 07 minutes 57 seconds East, a distance of 357.21 feet to said most easterly corner of Lot 2; thence North 87 degrees 08 minutes 37 seconds East, along the north line of said Lot 1, a distance of 139.93 feet to the northeast corner of said Lot 1; thence South 00 degrees 37 minutes 37 seconds East, along the east line of said Lot 1, a distance of 25.00 feet to the southeast corner of said Lot 1; thence South 56 degrees 49 minutes 39 seconds West, along the southeasterly line of said Lot 1, a distance of 546 feet, more or less, to the shore of Lake Elmo; thence northerly and northwesterly, along said shore of Lake Elmo, a distance of 225 feet, more or less, to its intersection with a line that bears South 22 degrees 38 minutes 25 seconds West from the point of beginning; thence North 22 degrees 38 minutes 25 seconds East, a distance of 267 feet, more or less, to the point of beginning. This parcel contains 4.38 acres, more or less.



SCALE: 1 inch = 30 feet

Official copies of this map are crimp sealed.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Joel T. Anez Minnesota License No. 13775

Date

MEMO

(January 18, 2007 for the Meeting of January 22, 2007)

To: Lake Elmo Planning Commission

From: Kelli Matzek, Assistant Planner
Susan Hoyt, Project Director

Subject: Update on Metropolitan Council extension

At a Metropolitan Council meeting held on Wednesday January 17, 2007, the request for an extension from the City of Lake Elmo was approved.

The six month extension will expire on July 12, 2007. The City will submit monthly reports to the Metropolitan Council in the interim.

**Lake Elmo
PLANNING COMMISSION
2006 Work Plan**

1. Home Occupations
2. 2007 – 2011 Capital Improvement Plan
3. Zoning Code Update
4. Review/Amend Sign Code
5. Review/Amend Outdoor Lighting Standards
6. Review/Amend Street Design Standards