

VILLAGE OF LAKE ELMO
PLANNING AND ZONING COMMISSION
MINUTES OF THE MEETING MAY 29, 1973

Meeting called to order at 7:50 p.m. Members present: Chairman Wm. Lundquist, B. Folz, T. Torseth, J. Zignego. D. Lyons arrived at 10:00 p.m.

Minutes of May 8 were corrected as follows:

Paragraph #5 should read, "...Mr. Morris may be subject to pumping and holding his septic effluent within the next ten years...."

Minutes were approved as corrected.

HEARING -- Doerfler Construction Co., Neil McLouth -- Only Mr. McLouth was in attendance. Mr. McLouth explained the proposal for the removal of dirt to cut down the embankment at Lampert Building Center, Hudson Blvd., Lake Elmo.

The embankment begins at about 50' behind the building and rapidly goes up to 112 feet and then levels off. The proposal is to excavate at a 1% slope from the umbrella shed northerly for 450 feet, with 4:1 slopes abutting the property lines on the east and west. Excavation will be done in stages over three or four years, with approximately 50,000 cubic yards of material being removed.

The final drainage on completion of excavation will drain southerly to the umbrella shed and westerly to the west property line and southerly along the west property line to the highway ditch. The final slope in the excavated area will be 1% to the south and to the west. Upon completion of the project, the final grade must meet the final grade of the abutting property.

Village Office will forward a copy of the plans to the Village Engineer with a note to review the plans for discussion prior to the next Council meeting.

It is agreeable to Mr. McLouth to operate within the 7-to-7 operating hours as defined in the ordinance. Travel route for removal of material will be via Highway 12.

The following recommendations were made by PZC:

1. Mr. McLouth should obtain a certificate of insurance.
2. The requirement to have contours based on 1929 sea level datum should be waived.
3. Village Engineer should personally inspect the property to determine proper drainage area and effect of natural drainage--before approval by Village Council.

4. Property boundary lines are marked due to recent survey for J&W Boat; therefore, requirements for survey should be waived.
5. Village Council should grant a mining permit upon resolution of the above-mentioned points.

Dr. & Mrs. Gordon Lundholm, 2715 Lake Elmo Avenue No., appeared regarding platting of property at this address.

Motion by B. Folz, seconded by J. Zignego, to recommend approval of the preliminary registered land survey as submitted. Mr. Lundholm agreed to donate the necessary land (30 feet) along the southerly and easterly lines of Tract G when and if it becomes necessary, for roadway improvements.

Motion amended by B. Folz, seconded by T. Torseth, that Tract D shall be deeded to the Village for roadway purposes.

Motion, as amended, passed unanimously.

Motion by B. Folz, seconded by J. Zignego, to recommend that a building permit be granted to Dr. Lundholm for Tract E of Registered Land Survey prior to the final completion of the plat, with the Village Council retaining the option to require Dr. Lundholm to bond for the completion of the Registered Land Survey. Setback of the new house should conform with existing structures on adjacent property. Motion passed unanimously.

Don Durand, appeared regarding a road easement and zoning on Peter Durand property. PZC suggested to Mr. Durand that he has two options open to him:

1. In view of accessible city water and the acceptable percolation rate, inquire as to the favorability of 18,500 sq. ft. lot size.
2. Wait until such time that sanitary sewer becomes available; then go with 12,000 sq. ft. lots.

A third possible interim solution would be to allow Mr. Durand to build two houses abutting Lake Elmo Road, leaving a stub-in street and leaving the remainder of the land open.

Several questions were raised by PZC. Any road plan for the area must take into consideration the parcel of land to the north. If the 18,500 sq. ft. lot size is agreeable and the road is run easterly through the middle of Mr. Durand's property, how can the residue tract to the north be serviced and subdivided? Should Mr. Durand bear the total cost of the road improvements? Does a 60-foot easement exist between Taylor's and Dornfeld's?

It was recommended that Mr. Durand be put on the agenda for the next Village Council meeting in the presence of the Village Engineer, so that the Village Engineer can give his opinion on the road plan. The property that Mr. Durand owns is not suited for division into one-acre lots.

Mike Henry, Vali-Hi Drive-In Theatre, appeared regarding a Special Use Permit for a flea market on Sundays right in the drive-in. This property is presently zoned highway business. Flea markets are permitted by a Special Use Permit under highway business zoning. Mr. Henry was informed that he has two options open to him:

1. Obtain the signatures of all abutting property owners within 250' of his property, waiving the public hearing.
2. A hearing will be held at the next PZC meeting for a Special Use Permit.

It is recommended that, at the outcome of the obtaining of signatures or a hearing, the Village Council amend the existing Special Use Permit to include the flea market or issue a separate Special Use Permit for the operation of the flea market.

It was noted by one of the members of the PZC that an unsightly pile of debris presently exists adjacent to the drive-in on the westerly portion of the 20th Century Mobile Home park. It should be determined who is responsible for this debris. One of the PZC members will investigate the problem and inform the Village Council.

Mr. & Mrs. Dean Hedberg, 8415 Deer Pond Trail No., cited examples of building permits that have been approved at about the same time and since they were turned down, on smaller lots than their lot, which was split in July, 1969.

1. Cohn subdivision.
2. Oace Acres 2nd Addition, lot 23, in 1963.
3. Oace Acres 3rd Addition, lot 22, after 1965.
4. Dexter Ziton's property on Jane Road.
5. Oace Acres 4th Addition was approved for less than one-acre lots after the ordinance was in effect.
6. William Rowe obtained a permit for a substantial addition to his house approximately two years ago.

Mr. & Mrs. Hedberg contend that previously platted lots have been subdivided. Theirs was platted land prior to the adoption of any of these ordinances.

PZC recommends that, prior to Village Council's approval, the Village Engineer should look at this property and make a recommendation for a septic and sewer system. Mr. & Mrs. Hedberg were advised to make an

appointment to appear before the Village Council at their June 19 meeting. Village Attorney and Village Engineer's reports should be turned in by that time. PZC will analyze all data and facts available to us by June 12 and include recommendations in the minutes. Village Council will have to make a decision on the 19th regarding any variance.

Several questions were raised:

1. Village Engineer and Watershed Board should determine if the flood plain of Demontreville is 930'.
2. What is the present area of the lot? It appears that substantial fill will be necessary to develop a septic system that is four feet above the flood plain of Demontreville.

Lake Elmo Planning Commission met with the Oakdale Planning Commission on May 21. Some of the conclusions were:

1. Part of Oakdale east of 694 is zoned for residential mainly, and it appears it would be compatible with the adjacent zoning in Lake Elmo.
2. The biggest problem is with some of the developers who are not responsible and who do not follow through with the plans. For example, they have some apartment developments that have not been completed.
3. Perhaps every square mile needs its own local recreation area.

Meeting adjourned at 11:50 p.m.

Respectfully submitted,

Sandy Phernetton
Recording Secretary