

AGENDA--PLANNING-ZONING COMMISSION

CITY OF LAKE ELMO, MINN. 55042

MEETING TO BE HELD TUESDAY, MAY 13, 1975.

- 7:30 P.M.-- Roll Call  
Approval of Minutes  
HEARING: Allied Properties  
Rezoning & Platting for  
"Demontreville Highlands"
- 8:30 P.M.-- HEARING: Paul Emerson Plat--(Eden Park)
- 9:00 P.M -- Variance-- John Friedrich--3263 Lake Elmo Ave.  
Building permit for garage in addition to  
existing garage.
- 9:15 P.M.-- Cary Breheim--8375-38th. ST. No.  
Special Use Permit for swimming pool at above  
address.
- 9:30 P.M.-- Eldon Loescher File. (rezoning)
- 9:45 P.M.-- Maynard Eder File: (Eder, Mayer, Slinde)  
Platting.
- 10:00 P.M,-- Lehart Friedrich  
Discuss lot size (lot 3, Cty. Aud. Plat 8)
- 10:15 P.M.-- Airport Resolution

Note from Chairman: Please make every attempt to be at the meeting promptly at 7:30 P.M., because of the amount of items that have to be considered.

CITY OF LAKE ELMO

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF MAY 13TH, 1975

Meeting called to order by Chairman Johnson at 7:38 P.M.

PRESENT: Johnson, Williams, Dreher, Froehner, Grace, Lundquist, Novak, Sovereign and Armstrong.

MINUTES: Due to heavy schedule, minutes will be held over until next meeting for approval.

DEMONTREVILLE Allied Properties has requested a rezoning of the Crombie Farm  
HIGHLANDS from A to SFS. A presentation was made by Roger Derrick and Robert M. Gottsacker. A list of those persons present at the hearing is contained at Exhibit "A" to these minutes. The total acreage is 125.96, to be divided into lots larger than one acre. Derrick became interested in the property more than two years ago and has developed a few conceptual plans. This Plan is a three phase residential development. There is no sewer or water. The lot size was planned so that it would be too small for later subdivision and yet not too big so that the sewer assessments, when and if they come, would not bankrupt the home owner. There are 93 lots planned.

VERA CHARBOUNEAU What will be done with the rearing pond?

Derrick - an easement will be dedicated to the Village or the Tri-Lakes Association so that it will be cared for.

MRS. JEROME RALEIGH Questioned the size of the lots.

ROY BROGREN Do the lots on the Lake include Lake Shore? Yes

PAUL E. HANSEN In the south-east corner of the Plat isn't the lake shore there publically owned? Derrick unsure and is investigating.

Johnson questioned the feasibility of access to the lake for those who do not own lake shore. Who will own the access and who will care for it. Derrick said they were flexible on this point - possibly the Tri-Lakes Association might want it.

Froehner asked whether there was access from the proposed city park to the lake. Park is acquiring access, but this will not allow docks to be built as with proposal by Derrick for non-lake shore lot owners. Sovereign stated that there should be no docking facilities for non lake shore owners.

ROBERT CHARBOUNEAU Will the lake shore be altered? No.

KEN SOVEREIGN is a member of the Tri-Lakes Subcommittee that is investigating the development. He has gone into the details and checked on the ownership of the development group. He fought any development before, but this looks good. Big homes, large lots, good tax base, phased development, looks good. He is against public use of the Lake by those who do not own lake shore. If the DNR doesn't want the rearing pond, the Tri-Lakes Association does. The recommendation of the subcommittee is to approve the plans, the full board hasn't met yet. A public access would be too much trouble to police and clean up.

Joe Anderlik, city engineer, indicated that an A zoning requires

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING MAY 13, 1975

DEMONTREVILLE five acre lots. No rezoning should be allowed since the  
HIGHLANDS sewer is more than five years away. Lots smaller than 1 1/2  
(Cont) acres must be sewerred within five years. In the framework  
development guide, less than 1 1/2 acre lots are considered  
urban. Derrick - the one acre size came from the ordinance.  
the average is 1 1/4, largest 2.2, and smallest 1 acre. The  
125 foot frontage is also from the ordinance. Gottsacker  
talked about soil and said there were no perc tests yet.  
Sovereign said the soil could be too good for the sewage and  
result in it going right on into the lake because of the  
fine quick drainage. Anderlik said that the lots would pay  
about \$7,000.00 for sewers when and if they came in.  
Possibly \$15,000.00 on the lake shore lots.

The Plat does not have provision for further subdivision.  
Gottsacker - they do not want further subdivision. Derrick  
the lot sizes were designed to prevent further subdivision.  
Anderlik - the ordinance requires that when large lot sizes  
are shown, ther must be further subdivision plans - there is  
no problem with this from an engineering standpoint, just a  
legal requirement.

VERA CHARBOUNEAU in any stipulation, there should be a requirement  
that the lots along the lake cannot be further subdivided.

KEN SOVEREIGN The setback requirement is now 30 feet.  
Sovereign what about lot 15 on the lake, is it buildable?  
Dreher questioned lots 14, 19 & 20, what part was buildable  
on these? The 100 year flood level in 932.

NANCY HANSEN If this project is given an approval will there be  
sewer in five years?

ROBERT CHARBOUNEAU There is a culvert under 13 near his property  
that may carry more water when housing is put in and damage his  
land. Derrick and Gottsacker said that wouldn't happen.  
The City Engineer's letter states that 13 will probably be turned  
over to the city as a collector street.

JESS MOTTAZ Questioned regarding the park in the center of the plat  
Anderlik stated that the collector sewer would follow along the  
oil pipe line and cut through the proposed park.

There are two ponds - one wet all the time and one further back.  
DNR reportedly wants the two ponds and 5-7 acres total. The concept  
of a holding pond was discussed. Gottsacker said that the Nutrient  
Generation in the pond is now 1.16 and that development would add  
.33 to it. A permit to fill will be needed for lots 9-13

As to roads, ther will be ditch blockes every 100 feet to prevent  
erosion and hold the water. City Engineer wants easement from  
Long Lake to DeMontreville Lake, since this is not now park, it  
should be taken for flowage. Derrick said they will give the  
easement.

Block 10 drainage was discussed. Gottsacker said that in Block 2  
Lots 8-12, there will be fill added from the road so that houses  
can be placed. Septic tanks must be one foot into natural soil.  
City Engineer letter questioned the 34% figure for runoff as being  
too low. Block 4, Gottsacker said they would move the road back  
from the lake so there would be 100 feet between road and lake.  
Perc tests will be made by Gottsacker for the area.

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DEMONTREVILLE ROY BROGREN How many acres do you own? 131.8 in this plan  
HIGHLANDS but the total is 290 acres. There is an overall plan on  
(Cont.) file.

MRS. JEROME RALEIGH Will there be low cost housing? Gottsacker  
said that the area not now under consideration will be something  
other than housing

ROY BROGREN What is the PZC idea for the area?

NANCY HANSEN Which school district will it be in. All in 622.

BIRGER HAMMER How will the lots be marketed? All will be sold  
individually to homeowners.

JESS MOTTAZ This hearing is for rezoning ang platting, will the  
Park Commission be getting input?

ROBERT OLSON Asked the location of the rest of the 290 acres.  
At 9:10 P.M. the Public Hearing was closed.

EDEN PARK  
PLAT

Bruce Foltz presented the proposed plat of the Paul Emerson  
Property. Attached as Exhibit "B" is a list of those persons  
present. The area is 77 acres north of Tartan Park. Pete Durand  
owns the land to the west. Morgan owns to the north. The  
Northern Natural Gas line runs through the property north-south.  
One of the problems is with the Watershed District. The Overall  
plan says that Downs Lake will flow to the west into Lake Elmo.  
The plat allows a 40 foot easement to the pond. Downs and Lake  
Elmo should be the same level. Lake Elmo is 884-885 normal and  
891 Flood elevation. The plat leaves the land below 885 in the  
pond and no buildings or drainfield will be below 891. The  
VBWSD has approved the plat. The soil is very granular and erosion  
control during construction is a problem.

There is a 40 foot easement between lots 9 & 10 between Downs  
Lake and the pond. There is also a walking easement around Downs.  
Downs is marginal for recreation it is over 25 acres and in the  
natural fowage, the lake is not meandered, it is fee owned to the  
center. There ia a dedicated 6 acre open space. the area is not  
buildable and the owner will consider a per centage credit or cash  
settlement. The Bonestroo Letter of May 9, was discussed point  
by point. It is attached hereto.

1. Foltz stated that trees will have to be cut, but no more than  
necessary. He asked preliminary approval before the PZC goes into  
too much detail and requires costly analysis on tree cutting.  
Anderlik said the back slope distance should be seen now, for example,  
what about the large amount of fill necessary on lot 4? Foltz  
said that the ordinance doesn't call fro a grading plan at the  
preliminary stage. The fill on lot 4 will be a function of the  
percentage of the street grade 8% local and 6% collector is the city  
standard.

2. Foltz doubts the pipe will be exposed.

3. Cul-de-sacs - Anderlik states that 60 feet is necessary and best  
for snow removal. Foltz - more trees will be taken.

4 - 8 discussed briefly

9. The Pipe Line Company will release part of its easement - 17 feet  
on either side to make the lots buildable.

10 & 11 will be in the grading plan.

12. Perc tests will be run

13. The PZC members questioned the feasibility of the plat in terms

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EDEN PARK of its distance from other development. There is a plat west of  
PLAT (Cont.) Durand. There is proposed in Eden Park 47 lots on 77 acres for  
an average of 1.64 per lot. No rezoning is needed, it is zoned  
for one acre lots.

JOHN LESLIE Owns the corner lot in the SW corner of the proposed  
development. Will his sewer assessment be higher on a corner lot?  
Anderlik No. As to flowage, county road 15 blocked the  
original flowage from Downs Lake to the St. Croix.

PETE DURAND is not in favor of the road on the west of the plat,  
it would take 40 feet of his property. Foltz had proposed to  
Durand that Foltz would build the road if Durand gave him the land.  
The water runs east not west - only once in 25 years did it run  
west.

EARL GOERSS owns property north of the plat. What about 25th  
street, will it come onto his property and cut off 75 feet of  
his land to the south of the road?

JOHN LESLIE How will it affect the taxes?

PAUL EMERSON is the owner of the plat they will be sold over six  
years. He is keeping a lot for himself

JEAN DURAND is against condemnation of the land owned by her  
family on the west of the plat. Foltz had evidently threatened  
or implied that there would be condemnation if the land was not  
given over for the road. The Durands are against this.

LOREN WENZEL What about noise during construction and the airport  
noise. Leslie stated that the noise is not great from the planes.  
The Public Hearing was closed at 10:39 P.M.

FRIEDRICH  
GARAGE

John Friedrich lives at the 32nd Street and Lake Elmo Road on a  
corner lot. The ordinance forbids more than 2 outbuildings on a  
lot and he wants to put an additional garage up. The lot is 150  
X 250. The plans are to enlarge the basement of the present  
garage to another garage. The PZC members felt that this was  
really not a second outbuilding but an enlargement of the first.  
The total square footage would be under 1000 and the project  
appears proper under the ordinances. Friedrich will provide a  
sketch to the building inspector and no variance will be necessary.

BREHEIM  
POOL

Mr. Breheim was not present but Stan Berry of Minnesota Package  
Products, North St. Paul, the pool builder was at the meeting.  
The pool requires a special use permit but it can be granted  
under the ordinance without going through the PZC. See Chapter  
508 of the City Code.

LAUSENG

Mr. Lauseng runs a Landscaping Supply Business on 36. He wants a  
change in his Special Use Permit so he can be open on Sunday from  
10 to 5:00 P.M. His business is located 1 1/4 mile west of County  
Road 17. Johnson found no complaints in the file. Lundquist  
asked about a screen of trees between his business and 36.

MOTION by Armstrong

The PZC recommends to the City Council that, provided the signatures  
of all residents within 350 feet of Lauseng's property are obtained  
to a letter approving the extra hours, the Special use permit be  
changed by the Council to allow the extra hours of 10:00 A.M. to  
5:00 P.M. on Sundays for the rest of the 1975 season.

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LAUSENG SECOND by Sovereign  
(Cont.) VOTE All in favor

LEHART Friedrich questioned the PZC regarding Lot 3 of County Auditor's  
FRIEDRICH Plat 8. He owns the lot and would like to divide it in half.  
This lot is to the west of the Loescher property. He will sell  
half to Earl Goerss for storage facilities for his oil business.  
The PZC told Friedrich to discuss the problem with the City  
Attorney and determine whether the lot sizes will be large enough  
after a subdivision. A house is presently on the east half.

LOESCHER An opinion was received from the City Attorney stating that the  
lot size requirements apply to each unit.  
MOTION by Williams  
Based on the City Attorney's Opinion the PZC rejects the application  
for rezoning and recommends to the Council that it be denied  
because the dwelling proposed will require more square footage  
than is available.  
SECOND by Grace  
VOTE All in favor

DEMONTREVILLE MOTION by Lundquist  
HIGHLANDS In as much as the City of Lake Elmo is currently engaged in revising  
PLAT its comprehensive plan, and inasmuch as sewer plans for the north  
west corner of Lake Elmo are currently under consideration in  
connection with the "Lake Elmo- Tri-Lakes Interceptor Facilities  
Plan" of the Metropolitan Waste Control Commission, it is  
recommended that the PZC ask Allied Properties to defer their  
request for rezoning of DeMontreville Highlands for a few months  
until we have made some progress on our Comprehensive Plan and  
our Tri-Lakes Sewer Plans and that the Chairman of the PZC send  
a letter to Allied Properties with this request.  
SECOND by Grace  
VOTE All in favor.

AIRPORT The original Motion by Williams has been tabled awaiting a public  
MOTION meeting on the airport after discussion the following motion  
was submitted  
MOTION by Williams  
WHEREAS the Lake Elmo Planning and Zoning Commission has reviewed  
the plans and alternatives for expansion and development of the  
Lake Elmo Airport by the Metropolitan Airports Commission; and  
WHEREAS the Lake Elmo P.Z.C. has received opinions from many  
residents of Lake Elmo and other communities in Washington County,  
regarding the above-mentioned plans; and  
WHEREAS the majority of Lake Elmo Residents responding are opposed  
to any expansion and development of the Lake Elmo Airport beyond  
its present facilities; and,  
WHEREAS there appear to be no substantial benefits to be gained by  
Lake Elmo, or by other surrounding communities, or by Washington  
County as a whole, as a result of the expansion and development  
of the Lake Elmo Airport beyond its present facilities; and  
WHEREAS any expansion of the Lake Elmo Airport will be accompanied

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AIRPORT  
(Cont.)

by significantly adverse environmental impacts due to noise, air pollution, and ground water contamination;  
THEREFORE, be it resolved, that the Lake Elmo Planning and Zoning Commission go on record as opposing the expansion and development of the Lake Elmo Airport beyond its present facilities.

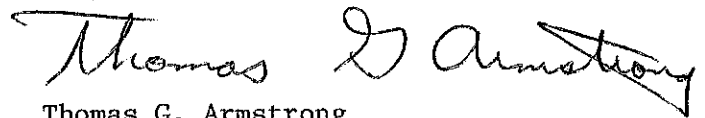
SECOND by Armstrong

VOTE In Favor Johnson, Williams, Froehner, Novak and Armstrong  
Against Dreher, Grace, Lundquist and Sovereign.

ADJOURNMENT The meeting was adjourned at 12:15 A.M. on May 14th

THE NEXT MEETING WILL BE TUESDAY MAY 27th 1975 at 7:30 P.M.

Respectfully submitted,



Thomas G. Armstrong  
Secretary

## EXHIBIT "A"

DEMONTREVILLE HIGHLANDS HEARING

<u>NAME</u>	<u>ADDRESS</u>
Mrs. Ethel Holt	7920 Hill Trail North
Pastor Everett Holt	7920 Hill Trail North
Robert R. Charbouneau	7821 DeMontreville Trail North
Vera E. Charboneau	7821 DeMonteville Trail North
Lyonell Ostrom	4885 Flag Avenue North, New Hope
Mrs. Charles Erickson	1023 Adams Street, Anoka
Renee Guindon	8321 DeMontreville Trail North
Mrs. Lawrence Kleis	9241 60th Street North
Mrs. Jerome Raleigh	5193 Keats Avenue North.
Jeanne Perrin	8108 Hill Trail North
Frank Perrin	8108 Hill Trail North
Roy Brogren	4769 Olson Lake Trail North
Nancy N. Hansen	8024 Hill Trail North
Paul E. Hansen	8024 Hill Trail North
William Schumacher, Jr.	8186 Hill Trail North
Alan McKown	7808 DeMontreville Trail North
L. A. Franta	4968 Olson Trail North
Bernice Schultz	4816 Olson Lake Trail North
Carol Meade	4911 Olson Lake Trail North
LuJean Swanlund	4920 Olson Lake Trail North
Birger J. Hammer	8109 Hidden Bay Trail North
Kenneth N. Lowe	7818 50th Street North
Elma M. Lowe	7818 50th Street North
Veronica Crombie	8014 DeMontreville Trail North
Brian Crombie	
Robert R. Olson	8718 DeMontreville Trail North
Dorothy Lyons	10072 North 10th Street
Jess Mottaz	7982 Hill Trail North
Lenore Mottaz	7982 Hill Trail North
Jol Mead	4911 Olson Lake Trail North



EDEN PARK HEARINGNAMEADDRESS

John H. Leslie	11546 20th Street North
Mr. and Mrs. Peter Durand	11332 20th Street North
Jean Durand	11332 20th Street North
Mr. and Mrs. Paul Emerson	11678 20th Street North
Terry Emerson	11992 10th Street North
Mr. and Mrs. Lren Wenzel	10280 Hudson Boulevard
Mr. and Mrs. LeRoy Augustine	2490 Manning Avenue North
Earl Goerss	3250 Kraft Avenue North
Dorothy Lyons	10072 North 10th Street

2335 W. Trunk Highway 36

St. Paul, Minnesota 55113

Phone: 636-4600

Otto G. Bonestroo, P.E.  
Robert W. Rosene, P.E.  
Joseph C. Anderlik, P.E.

Bradford A. Lemberg, P.E.  
Robert D. Frigaard, P.E.  
Richard E. Turner, P.E.  
James C. Olson, P.E.  
Lawrence F. Feldsien, P.E.  
Glenn R. Cook, P.E.  
Keith A. Gordon, P.E.  
Thomas E. Noyes, P.E.

Charles A. Erickson  
Richard W. Foster  
Robert G. Schunicht  
Marvin L. Sorvala

May 9, 1975

City of Lake Elmo  
Lake Elmo, Mn. 55042

Attn: Mr. Don Mehsikomer

Re: Eden Park Plat  
Section 24

Gentlemen:

We have completed a preliminary review of the Eden Park Plat submitted to our office on April 28, 1975 by Orr-Schelen-Mayeron & Assoc., Inc.

Our review has been based upon the data received. No grade was submitted for 25th Street which should be required to review all potential lot use. The following items are provided to the City for action:

1. Considerable quantities of trees will be covered during grading due to excessive fill. Protection of trees may be desirable using retaining walls if tree life is of concern. The back slope distance should be indicated on a plat for review by the Planning Commission for an objective decision.

2. The gas pipe on Legion Trail will be exposed from station 11+00 to 13+50 if the cut section indicated is provided in full cross-section. Prior to grade or plat approval a full cross-section for this distance in cut must be provided.

3. The radii of cul-de-sacs are shown as 50 feet. The normal radius is 60 feet.

4. The street grade sections are not shown for full street right-of-way width. All slopes must not exceed 3 to 1.

5. Grading for streets must include stump clearing and removal. All future utilities would be a problem in the plat unless this procedure is followed due to excessive fill sections.

6. The park space indicated is basically open space. Use of the land for normal park purposes will be very limited.

7. An easement must be provided for storm sewer and future sanitary sewer on Legion West. This cul-de-sac will require storm sewer.

City of Lake Elmo  
Lake Elmo, Mn. 55042

May 9, 1975

Re: Eden Park Plat

8. A future sanitary sewer will extend from Legion Trail to Legion Avenue through the park area. Easements for this purpose are necessary.

9. The land is zoned single family urban. Future sub-division of lots is indicated on the plat. Some of these future lots indicate houses on the gas easement which would not be permitted. Unless the gas company assures a release for this purpose the following lots look questionable:

Block 1, Lot 7  
Block 2, Lots 4 & 23  
Block 4, Lot 9

10. The house development plan is necessary prior to approval of street grades. In Block 1, lot 3 a house would be placed on 20 feet of fill.

11. The slope of lots for development as the home floor relates to finished street grade is excessive or greater than 15 feet which should be reviewed for the following lots:

Block 2, Lots 2 & 3  
Block 3, Lot 1  
Block 4, Lot 8

12. Percolation data should be provided for septic tank systems. The tree cover and drain field design should be reviewed for practical use on the lots with excessive slope and fill.

13. The Planning Commission should review the Metropolitan Framework Development Guide to relate platting in areas where sanitary sewer is not programmed for 20 years. If an area is outside the sewer service area lot size should be reviewed as the size relates to the proposed Guide. If sewer can be provided in 5 years there should not be concern for development.

Further comments will be provided as the data is received.

Yours very truly,

BONESTROO, ROSENE, ANDERLIK & ASSOCIATES, INC.



Otto G. Bonestroo  
OGB:li

cc: Don Raleigh, Atty.  
Mr. Richard Johnson