

AGENDA--PLANNING-ZONING COMMISSION  
City of Lake Elmo, Minn. 55042

MEETING TO BE HELD TUESDAY, JUNE 13, 1978

- 7:30 P.M. Meeting convenes  
Roll Call  
Approval of Minutes
- 7:35 P.M. Richard Bergmann--5833 Lake Elmo Ave. --439-4156  
Application for minor subdivision ("B" SW 1/4  
of the NW 1/4 of Sec. 1) survey in file
- 7:45 P.M. Mrs. Sol Fisher (Helen Miller) 8139-38th. St.  
Application for SUP for Private Hobby dog kennel
- 8:00 P.M. W. J. McCarthy--1900 W. 78th, Mpls, Minn.  
HEARING--Rezoning W2640' of the N. 1000' of NW 1/4  
of Section 2
- 8:45 P.M. Jim Weyer--12751-4th. St. So., Afton, Minn.  
Application for Variance for Lot 7, Krause Addition  
Re: Septic System
- 9:00 P.M. Roger Derrick--Derrick Land Company  
HEARING--Subdividing "Outlot A"--Demontreville  
Highlands, 5th, Addition
- 9:30 P.M. Don Pepin--11227 Stillwater Blvd. 770-2985  
Construct Industrial Building on property  
east of the White Hat Restaurant at 11011 Stillwater  
Blvd.
- 9:45 P.M. Dean Beutel--8866 Stillwater Blvd. No.  
Re: development of 38 acres adjoining Kenridge  
Addition--Jamaca and 212

ITEMS FOR DISCUSSION:

CITY OF LAKE ELMO

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF JUNE 13, 1978

The meeting was called to order at 7:45 PM by Chairman Grace.

Roll Call: Dreher, Lundquist, Michels, Grace, Novak, Sovereign, Crombie (8:15)  
Council: Lyons, Armstrong, Adm. Assistant Whittaker

Richard Bergmann: Minor Subdivision - "B" SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 1

Mr. Bergmann wants to sell six acres after the Minor Subdivision. A&C are one parcel. Access to A&C is requested. The property is not farmable.

Recommendations: 1) Have the Engineer and Planner check against future road needs. (consider Tri-Star/Rossow alignment.)  
2) A & C should not show on registered land survey, only B. The road frontage off Co. 17 will only be 265.71' with the road easement out. This would provide access to the back half of the southern exception C, on which there are two houses.  
3) There should be a Registered Land Survey of all the parcels when the review is complete.  
This request is to be on the June 26, 1978 agenda.

Mrs. Sol Fisher: SUP for Private Hobby Dog Kennel-8139 38th St. N.

All the releases from property owners within 350' are in the file. This SUP to reviewed each year.

Motion by Lundquist to recommend the City Council grant a Special Use Permit to Mrs. Sol Fisher for Meadowmill Kennels, and a Variance if deemed necessary by the City Council, per Page 88 of the Green Book. Seconded by Novak. Motion carried 6-1. Opposed Michels.

W.J. McCarthy: Hearing - Rezoning W2640' of the N. 1000' of NW $\frac{1}{4}$  of Sec. 2

Mr. McCarthy is requesting rezoning of property on Hwy. 36 & Keats to General Business for an Oldsmobile dealership. The proposal provides for access off of Keats Avenue service road in front or to the back. This would be maintained as a private road. The area will be gated off after hours. The dealership will use approximately 42 of the 96 acres. The remaining property would be used for a medical research building or similar use. The power line runs along the rear of the property.

Audience:

P. Herold: Have there been any consultations with the Highway Dept? Yes, the Highway Dept. and Washington Co. have been shown the plans.

M. Eder: Is there any correspondence from the Planner? The Planner and the Engineer have met with McCarthy, but there are no reports back. Mr. Eder expressed concern as to the procedural process and to the need of long range planning, as regards to where commercial property should go.

S. Raleigh: Total rezoning now is out of line. Feels the Comprehensive Plan Revision should be completed before any decisions can be made. Mr. Raleigh presented the PZC with a petition with 68 signatures of residents opposing the request.

E. Stevens: Read a statement in opposition of the rezoning.

T. Armstrong: The statements in the press are not indicative of how the City will vote on the request.

McCarthy Hearing Cont'd: W. McCarthy: Feels this is still a good plan and a good use for property on Hwy 36. It is proposed that 36 is to be upgraded, thus higher traffic density also the powerline makes this property suited for the General Business use.

M. Leslie: Agrees this is not prime residential property. There is one auto dealership in Lake Elmo, what does it contribute to the City, tax base, etc.

D. Grace: These questions will be addressed during the reviewing as will what type of use each parcel should be put to. The PZC is not at the point to make a decision, feedback from the Engineer, Planner and VBWS still have to be secured.

M. Eder: Appalled that this proposal is allowed to be presented without all the criteria met. Feels policies are being ignored.

D. Grace: Many things were omitted from the Comprehensive Plan, thus the revaluation. But this is no reason why a plan cannot be submitted under the present plan.

E. Stevens: If tax benefits reason for consideration, why not seek from other sources? If this property is so desirable why not seek more desirable business. Those that are less destructive to a residential area.

K. Schubert: Why in such a hurry to rezone?

W. McCarthy: Bought dealership presently in Stillwater, there is no room there to expand and needs to upgrade the dealership.

K. Raleigh: Feels since Keats is gravel road, it will become test road for 4-wheel drive vehicles.

W. McCarthy: The dealership has no intention of letting potential customers use Keats as a testing ground.

9:40 PM Hearing closed. It will be back on the agenda when more information is available.

Jim Weyer: Variance for Lot 7, Krause Addition - Septic System

Mr. Weyer has two requests: 1) the Shore Line Management regulation requires a septic system be 75' from the high water line. He is requesting to go to 50'. 2) move the septic within 5' of the lot line. The lot is 200' wide and 175' deep.

Bob Weir confirmed the system more than adequate and could see no problems with the request. The perc tests are done and in order. Motion by Crombie to recommend approval of the variance as requested from the road set-back and also a variance from the Shoreline Management Regulation from 75' to 60'. Seconded by Michels. Motion Carried 5-2 Opposed, Novak and Dreher.

Roger Derrick: Hearing - Subdividing Outlot A - DeMontreville Highlands-5th Addition

Outlot A was not platted with the rest of the property due to the request of the DNR and the City for the possible purchase of the property by the DNR. There are 10 acres, with six lots proposed. The DNR is purchasing the rearing pond and lakeshore. An exception being a 45' parcel between the DNR piece and the City's piece. The recommendations of the Planner were reviewed. Hearing closed at 10:55 PM.

Don Pepin: No appearance

Dean Beutel: 38 acres - Subdivide into three parcels. E 315' of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 16 T29N, R21W lies N of N right-way of T.H. 212, exc. N 125' 00". Parcel A is to be added to the Van Scyoc property. Parcels B&C to have a common access onto Jamaca.

Motion by Crombie to recommend approval of the Minor Subdivision along with the common access to parcels B&C. Seconded by Sovereign Carried 7-0

Minutes: Motion by Lundquist to approve the minutes of May 22, 1978.  
Seconded by Dreher Motion carried 7-0

Mrs. Sol Fisher - Hobby Kennel - further recommendations

This request fits the criteria of a Special Use Permit, as relates to noise, odor, use, and neighbor approval. This venture should not expand beyond that of a hobby kennel, thus no boarding of other dogs.

Motion by Crombie to recommend that there be no signs except on the owners property. Seconded by Michels. Carried 7-0

Bergmann Property: Question how a home was built, within the last year on a two acre parcel in a five acre Ag Zone. No request came before PZC.

Request: The PZC feels there is a lack of communication within the City as to violations of the City Code after the fact.

Derrick Land: Motion by Crombie to recommend concept approval for the Subdivision of Outlot A, contingent on securing soils map indicating suitable drainfield sites on all six lots, prior to preliminary plat approval. Also the five requirements of the Planner and the Engineer are to be met. The 45' of privately owned lakeshore is to be deleted. Seconded by Michels. Motion carried 7-0.

Adjournment: 12:15 PM

Respectfully submitted,

Kathleen Crombie,  
Recording Secretary

(The list of names and addresses attending the Wally McCarthy Hearing are on file with the original copy of the minutes, in the City Office.)

6-13-78

Irish McCarthy - Training - Repeating

- Thomas D. ... 8297 15th St N
- Billy M. Armstrong 8291 15th St N
- Supervisor ... 12231 4th St. So. Apt 101
- Jim Weiser 12751 4th St So, Apt 101
- Dick Bergmann 5833 LAKE ELMO AVE.
- Maynard & Edes 9275 Lake Jane Trail N.
- Melvin Eder 4812 Keats Ave N.
- Dorothy Lyons 10072 N. 10th St.
- Walter McCann 57 Croix Ave Hudson Wisc.
- GEORGE BOND " " " "
- Ray Gerald 9839 - 65th St No.
- ROBERT ZIERTMAN 10193 60th St N L.E.
- Pat Gerald 9839 - 60th St., No.
- Luella ... 10192 - ...
- Karin A. Schubert 5222 Keats Ave. No.
- Harold J. Devore 10133 - 47th No.
- Edward J. Stevens 10133 - 47th St. No.
- JAY S RALPH 3053 KEATS AVE.
- Colleen ... 5093 ...
- Herbert F. Crocker 5093 ...
- James ... 115th ...
- Henry ...

Deering

De Monteville Heights

6-13-78 Derrick Land Co - Subdividing lot A

6-13-78 Dean Smith - 8866 Sutter Blvd

6-13-78 Tom Kuller - 2148 F. Rd Pennell

6-3-75 Thelma Brockie - son De Monteville H.E.

Larathay Lyons 10072 N. 10th St.

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