

Chairman Michels called the meeting to order at 7:42 p.m.

Commissioners present: Dreher, Nazarian, Lyall, Mazza and Lundquist. Excused absence: Gifford, Moe and Prince.

1. MINUTES:

M/S/P Lyall/Nazarian to approve the minutes of February 8.

2. ED GORMAN - REVIEW VARIANCE FROM STREET SET BACK FOR RESTAURANT EXPANSION AND SITE PLAN FOR EXPANSION:

Mr. Gorman is proposing to expand the White Hat Restaurant and is requesting a variance from the front yard setback. 50' from r-o-w is required, 33 feet is requested. He reviewed the setbacks of structures on adjacent property; and will provide a detailed map indicating setbacks and structures along Highway 5 for the Council. The parcel is 75 ft. from the center line of Hwy. 5.

The new addition will be 33' x 46'6". The size of the entire restaurant will then be 61', across the front x 46'6". The parking area will be reoriented to the east and south of the building and provide 83 parking spaces. The front and west side of the building will be landscaped. Gorman outlined the location of the present drainfield site and the location of a new site. A holding pond is proposed at the south east corner of the parking lot. Total land area of the site is approximately 6 acres.

--Dreher - an alternate drainfield site will need to be identified.

--Gorman - an alternate site can be identified south of the restaurant.

Mr. Gorman noted that even with the variance he will be further back from the right-of-way than any of the adjacent property or buildings; and that his parcel has the largest right-of-way of any adjacent property or buildings. There is 140' of r-o-w in front of the restaurant.

--Dreher - questioned the possibility of Co 17 being extended as a through street - the addition would eliminate any chance of a road extension.

--Whittaker - there has never been a plan to extend a road south through this parcel. This plan will not effect opening a street south of the Gorman property. Does not see any other problems - parcel will have a greater setback than any other building in the area. Code provides for averaging set backs - this request would be within the average setback if a line were drawn between the Schiltgen barn to the west and the Riemenschneider house (MSI Insurance building) to the east.

--Dreher - questioned, if he is within the average setback provided in the Code, the necessity of a variance. Code give him the "go ahead"

--Whittaker will verify the 'averaging' provision with the City Attorney to determine if a variance is required.

M/S/ Dreher/Nazarian to recommend approval of a variance to permit a 33 ft. front yard variance from Highway 5 right-of-way, based on the following considerations:

1. The 33ft. setback is within the limit of the "average" setback of adjacent buildings, as provided by the City Code.
2. The Gorman property is at the widest part of the roadway for Highway 5.

2. GORMAN VARIANCE - Motion continued -

3. The location and angle of the existing building is a limiting factor for expansion.
4. Setbacks in commercial/business areas, all through town, vary in distance.
5. The proposed design provides a safer traffic flow.
6. The proposed expansion enhances the aesthetics of the area.

Discussion:

--Dreher - recommended approaching Mn/DOT on installing turn lanes on the south side of Highway 5 into the White Hat, and on the north side of Highway 5 onto County 17 (by Lake Elmo Elementary School).  
 --Gorman - in response to a question about eliminating the 6'6" vestibule/entry, Gorman indicated the addition would still fall in the right-of-way area, putting the addition to the east of the existing building would create problems with entering the parking area - would create a dog-leg traffic pattern.

Motion carried 6-0.

Should the City Attorney determine a variance is not necessary, the proposal will go to the Council for preliminary site review.

3. CODE REVISIONS:

- A. 300-22 - 301.060 D.4. - Add "City Administrator shall call public hearings".  
 300-25 - 301.060 E.4. - Same as above  
 300-24 - 301.060 D.8.10a,12- Leave 8. & 10a as is, delete 12
- B. Frontage on Public Street  
 300-7 - #61 - Delete reference to private road  
 300-7 - #83 - Same as above  
 300-67 - Add Sec. 1 to 301.090 to cover frontage on a public street.  
 Sec. 1 - "all lots or parcels shall have direct adequate physical access for emergency vehicles along the frontage of the lot or parcel on a dedicated and approved public roadway to the width derived from applying the lot width requirement in each zoning district.

C. Screening and Parking Islands

Whittaker suggested the Commission form a committee to review the landscape/screening requirements of area communities.

--Lyall - recommended getting a cost estimate to retain a professional in this field to develop a plan.

--Whittaker - will contact City Planner, Rob Chelseth, for help in possibly finding a university student who would be interested in working with the Commission on developing a landscape criteria. Nazarian offered to review the material and work on the committee.

D. Shoreland Ordinance

- 300-48 - amend the Ordinance, once a sewer regulation is adopted, to require compliance with WPC-40.

Shoreland Ordinance Continued -  
300-48

- Add the following statement:  
"The strictest provision of the City Code prevails where there is a discrepancy between the Shoreland Ord. and another section of the Z.O.

- 300-55 - 301.080 C.4 - include "recreational facilities" after 'common open space' and 'open space'.
- 300-63 - 301.080 E.3.d.(1) - Correct State to Stage.
- 300-72 - 301.130 C.14.c. - amend wording to say "cannot have an accessory building over 1,000 sq. ft. in residential (R-1) area".

--Dreher - questioned the size of accessory buildings in Rural Resident. Feels 2,000 sq. ft. on a 10 acre parcel may be too restrictive. In this large lot area (10A) a larger building can be compatible to the area. People buy large lots because they need more space, for whatever reason, and should not be restricted as though they have an 1 1/2 acre lot. Larger building would enable them to store vehicles, recreational equipment, e.g. boats, and 'junk'. Better inside a building rather than outside. Recommended permitting a maximum of 4,000 sq. ft. for an accessory building in RR; and on parcels over 10 acres or between 10 and 20 acres, prorate the size of the building square footage. Agreed with the 1000 sq.ft. limit in R-1.

M/S/ Dreher/Mazzara to recommend amending the Zoning Ordinance to permit up to two accessory buildings, with a maximum of 4,000 combined sq. ft. on a 10A parcel in RR. Motion carried 5-1. Lundquist opposed.

The Commission generally agreed that there should be no limit on building size in Ag on parcels over 10 acres.

- 300-71 - 301.130 C.9. - agreed with past recommendation to eliminate the need for variance - Code is clear on when a garage may be located in front of the principal building.

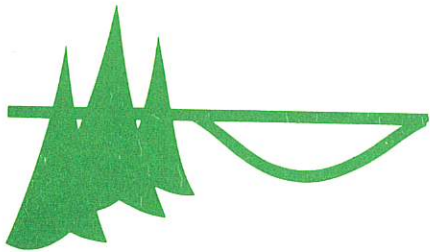
4. STREET LIGHTS:

Whittaker reported that the deputies expressed no problems with the high pressure sodium lights. He reviewed the cost differences between mercury and sodium lights. He also explained NSP policy and charges for installing lights within a development. The only way the City can get around the monthly charge is to own the system, then, the only NSP charge is for replacement bulbs and power.

--Nazarian - the City should not bear the brunt of construction and/or installation.

The Commission agreed that the standards set forth by the City Engineer in his memo of February 4, 1982, should be incorporated into the present Street Lighting Requirement.

ADJOURNMENT: 9:45 p.m.



# City of Lake Elmo

## AGENDA

### LAKE ELMO PLANNING COMMISSION

February 22, 1982

in the

(FIRE HALL)

7:30 P.M.--Meeting convenes

1. Minutes of Feb. 8, meeting
2. Ed Gorman-review Variance from street set back for restaurant expansion and site plan for expansion

8:00 P.M.--3. Code revisions

- A. Page            Section            Item/Comment
- |        |            |  |
|--------|------------|--|
| 300-22 | 301.060D.4 | Calling hearings                                 |
| 300-25 | 301.060E.4 | "            "                                   |
| 300-24 | 301.060D   | 8, 10a, 12 - resolve conflicts on annual renewal |
- B. Frontage on public street
- |            |  |
|------------|--|
| Page 300-7 | #61 - change to public street only   |
|            | #83 - ditto  |
| 300-67     | Add Section I to 301.090 "all lots or parcels shall have direct adequate physical access for emergency vehicles along the frontage of the lot or parcel on a dedicated and approved public roadway to the width derived from applying the lot width requirement in each zoning district. |

C. Screening and parking islands

Submit suggestions from other cities to sub-committee to review for Sections: 301.070 D7d (3)  
8d (3)  
9d (3)  
301.130 E. 4 f  
and g

- D. Complete review of Jan. 11 memo from page 300-48 on
4. Street light standards