

LAKE ELMO PLANNING COMMISSION MEETING
JUNE 13, 1983

Chairman Prince called the meeting to order at 7:45 p.m. when a quorum was present, at the City Hall.

COMMISSIONERS PRESENT: Gifford, Graves, Lundquist, Lyall, Nazarian, and Peterson. (Absent: Dreher, Michels, Moe and Ryberg)

1. MINUTES - M/S/P Gifford/Nazarian. to approve the 5/23/83 Planning Commission minutes as written. (5 ayes; Lyall and Graves abstain.)

2. BROOKFIELD III BUILDING, Site and Building Plan Review - Previous concerns of Commissioners were answered by Dave Loos, Kelly Brookman and Don Raleigh. They commented that the loading dock would be camouflaged by the appearance of only one loading door, a slope leading to the dock, berms, and a southerly screen of 8-10' trees along the north side of ditch. The 20' ditch would be centered on the south property line; the parking lot contains 20 cars per slot (25-car requirement for one area); and the requirement of 2% of the cost to be spent on landscaping would be surpassed with the number of tree plantings. Raleigh said the trees could be replaced if damaged by snow removal. Brookman said the dock would be very discreet and would not be noticed unless a truck were there.

M/S/P Nazarian/Graves to recommend Council approval of the Site and Building Plan for the Brookfield III Building as submitted. (7 ayes)

This will be on the June 21 Council agenda.

PUBLIC HEARINGS

3. DeCOSTER, LARGE LOT SUBDIVISION - John Bodey, purchaser, stated he is subdividing the 10 acres to build a house on the rise; access will be off 15th Street. Commissioners had on hand the application and sketch, and letters from engineer Bohrer and adjacent property owner Armstrong.

● Whittaker - needed engineer's input that drainage would be adequate to handle sewer; Bohrer said requirement should be met with only 1 house on a 10-acre lot even though there are some bad soils on the lot. He wanted a site plan to determine how much more lawn vs. impervious surface they would construct. Water runoff flows into a pond on property shared with Armstrong and should be no problem.

A. Park Donation

● Prince - park donation for 1 house on a 10-acre lot should be established.

● Whittaker - my thought is that if he can only build 1 house since in a 10-acre zone, it should be considered as same way as any 1-lot parcel which is \$175 per house/lot. (Prince agrees.) Ordinance says that fee is to be paid when subdivided.

M/S/P Gifford/Graves that a flat fee of \$175.00 be established for park donations for 1-lot/house subdivisions in RR (rural residential) zoning. (7 ayes)

B. Large Lot Subdivision - Adjacent property owners, Ralph and Helen Pierre, were present to see how improvements would affect the rights to well they retain between the Bodey & Armstrong properties.

- Whittaker - in final site plan, Bodey has to show septic system distance from adjacent wells which is reviewed by engineer.
- Prince - driveway location has been discussed with neighbor and appears okay.

M/S/P Nazarian/Graves to recommend to the Council approval of the DeCoster Large Lot Subdivision of about 11.45 acres (net of roadway) from a 63-acre parcel, described as the easterly 390' of the westerly 780' of the NW 1/4 of the SW 1/4 of Sec. 28, T29N, R22W, subject to approval of the Site Plan by the city engineer. (7 ayes)

This will be on the June 21 Council agenda.

4. BURRWOOD ESTATES, Preliminary Plat - Alvin Schaefer and Bruce Folz, surveyor, were present. Folz explained the preliminary plat drawing; said pipe has been increased to 3' DIA to satisfy 1% overflow requirement of Watershed District and plan has been approved by the Valley Branch Watershed. Drainage is into Springborn Lake (high flood elevation) so nothing in that area would get flooded. Grass and lawn would reduce runoff 30% more than pasture land, and storage of water on property is wasteful.

- Folz noted that the Watershed policy adopted by Lake Elmo is wrong and creates a tremendous amount of wasted pipe and expenditure; and until Lake Elmo petitions to the Watershed, they won't bend. Suggested that city engineer explain exactly what policy is since Folz feels policy was blindly adopted by the City.
- Folz - property is 12.2 acres located 400' south of Highway 36; and northerly 100' is under NSP power line easement (Lot 1); proposed subdivision is for 4 lots and is in R-1 zoning. Setback of 30' from 50' right-of-way line has been accepted by the County. He pointed out lots, driveway accesses, and drainfield areas.
- Prince questioned the safety of the driveway on Lot 4 off 55th Street since it is already a hazardous corner with heavy traffic.
- Prince said Bohrer's letter would have to be addressed with regard to wetlands ordinance septic setbacks.
- Whittaker - City has adopted County ordinance of 75' setback from lakes and 150' from wetlands. (Folz - plan shows 75 feet.)

M/S/P Lyall/Graves to recommend that the Council approve the Preliminary Plat for Burrwood Estates subject to the conditions and approval of the Valley Branch Watershed District and subject to the 75' setback from the wetlands and 30' setback from the 50' County right-of-way. (7 ayes)

This will be on the June 21 Council agenda.

M/S/P Nazarian/Lyall to amend Wetlands Ordinance, Section 306.040.D.5.a, to read: no part of any septic system shall be located closer than 75 feet from the edge of the wetlands' ordinary high-water mark. (7 ayes)

- Whittaker said that high-water mark would be determined by city engineer.

5. PELTIER REZONING, Variance for a Simple Lot Division - Folz presented the "Concept Plan for Peltier Property" with proposed road realignment. Property is about 1/4 mile north of 20th Street and located on unimproved Legion Avenue which is graded and graveled.

A. Roads - Asking that 60' strip along north property line be left for future east/west road to allow for access to inland property so that 20' hill on south line would not have to be cut into and cuts down on through traffic. Also, road could be on Earl Goerss' property.

- Whittaker - Bohrer suggested south alignment so that 3 inter-sections would not be so close together.
- Linda Stone, 2390 Legion Lane North, was present to express her concern (and those of her neighbors) of increased traffic. (Prince said traffic will be addressed when rest of parcel is subdivided.) (Folz - Legion Avenue has an 80' right-of-way and is designed to be a major collector road with feeders planned.)
- Folz said that property owner would maintain his own road or it has to be brought up to city standards (blacktopped at \$3,000).
- Consensus was that proposed north road is most logical as regards difficulty of putting in south road.

B. Ponding/Drainage - Folz - Watershed has waived 1% runoff requirement for this lot and they'll send letter.

- Consensus was to waive the 1% ponding requirement until entire property is platted and it should be specified in development agreement.

C. Rezoning 1.5 Acres from RR to R1 -

M/S/P Lyall/Nazarian to recommend approval by the Council of the amendment to rezone the Peltier 1.5-acre property from RR to R1--as per the legal description: South 250' of the North 435.84' of the West 261.35' of the East 301.36' of Government Lot 3, Section 24, T29N, R21W--and to include both proposals for south road and north road for rezoning. (7 ayes)

D. Platting for One Lot - City is requiring them to plat, even though this involves only one lot, a variance would not be approved.

- Folz - we're requesting a variance that this lot be platted with rest of parcel; about \$800 is added to cost vs. certificate of survey. There is a reasonable justification for long legal descriptions, but this is a very simple metes and bounds description with no irregularities.
- Gifford - I think we should stick to our policy of not allowing any more variances since precedent has been set with previous applications. It's not up to us to pick and choose.
- Lyall - Pattern has been set for this and that's the problem.
- Folz suggested that all property owners in that Section get together and plan for future platting of total property.
- Lundquist - I would accept the variance with the idea that it would be platted with the other lots.

M/S/P Gifford/Lyall to deny a temporary variance from the subdivision ordinance 401.21 and we would require a subdivision plat for this one 1.5-acre lot since we have set this precedent with preceding developments. (6 ayes; Lundquist nay)

E. Park Donation - Consensus was that \$175 park donation would be collected.

F. Building on Unimproved Street - Consensus was that there is no problem since it is an improved public street but not paved.
● Gifford - this is different situation since Legion is graveled.
● Sharon Higgins, adjacent property owner, questioned assessments for paved road. (Folz said that present philosophy of Council is that road improvement would be assessed to people who request it.)

G. Drainage & Utility Easements - These will be dedicated on all sides of the single-lot subdivision so no problem.

M/S/P Graves/Nazarian to recommend approval to the Council for Peltier minor subdivision of 1.5 acres as follows:

- (a) would agree to the plan with the road to the north side of the property,
- (b) waive requirements for ponding on this one lot which would be provided for when entire parcel is divided,
- (c) require a park donation of \$175.00,
- (d) agree to this subdivision on an unimproved street as long as there is a maintenance agreement with the owner since this is an improved public street that is not paved, and
- (e) that drainage and utility easements should be dedicated on all sides.

(7 ayes) This will be on June 21 Council agenda.

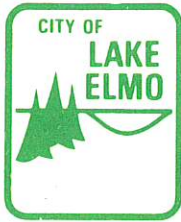
6. LAKE ELMO OIL, Remodeling for Convenience Store and Self-Serve Station, Site and Building Plan Review - Jeannie and Bob Novak were present to state that they want to remodel their service station for economic reasons and presented their Site and Building Plan. They said it was similar to Brooks concept; there would be no service; oil truck not parked there; variances to be considered by Council is that of building line being closer to rear lot line to make room for office area and canopy to be constructed less than 50' from street right-of-way. Driveway is to be widened on north and will be further from intersection which plan has been approved by State Highway Department. Septic system is more than adequate since it was designed for car wash. Pumps will be moved. There are no plans for front plantings since previous plantings have been ruined by Highway 5.

● Prince stated it should be kept in mind that Lake Elmo would like to keep their present businesses.

M/S/P Gifford/Nazarian to recommend approval of the Remodeling of the Lake Elmo Oil service station into a convenience and self-serve center as outlined on the Site and Building Plan submitted. (7 ayes)

The meeting was adjourned at 10:10 p.m.

Submitted by:
Ilene Johnson, Acting Secretary



City of Lake Elmo

777-5510

3880 Laverne Avenue North / Lake Elmo, Minnesota 55042

AGENDA

Lake Elmo Planning Commission

June 13, 1983

7:30 P.M.--Meeting convenes

1. Minutes, May 23 meeting
2. Site and Building Plan review-
Brookfield III Building

PUBLIC HEARINGS:

7:45 P.M.--3. DeCoster-Large Lot Subdivision

E. 390 feet of the Wly. 780 feet of
NW $\frac{1}{4}$, SW $\frac{1}{4}$ of Sect. 28 (1st. Street)

8:00 P.M.--4. Burrwood Estates--Preliminary Plat
(Demontreville Trail & 55th. St.)

8:30 P.M.--5. Peltier Rezoning, Variance for a Simple
Lot Division.

Simple Lot Division review-
Variance to subdivide on unimproved public
street- So. 250 ft. of North 435.84 feet
of the W. 261.36 ft. of east 301.36 ft. of
Gov. Lot 3, Section 24 (2349 Legion Ave.).

9:00 P.N.--6. Site and Building Plan Review-
Remodeling of Lake Elmo Oil for Convenience
Store. (CSAH 17 and Hwy. 5)

NOTICE: Joint meeting with Council on Comp. Plan is
June 14, 1983, - 7:30 P.M.