

LAKE ELMO PLANNING COMMISSION MINUTES

MARCH 26, 1984

The meeting was called to order by Vice Chairman Nazarian at 7:00 p.m. in the Council chambers. Present: Graves, Lyall, Gifford, Lundquist, Dreher, Michels, City Administrator Klaers.

Minutes: March 12, 1984:

M/S/P - Dreher/Lyall - To approve the minutes of the March 12, 1984 Planning Commission meeting as amended. Correct spelling error on page 2, paragraph 6; and page 4, paragraph 4. (Motion carried 5-0-2 <Gifford - Graves>)

Discussion on starting time for future Planning Commission Meetings:

The consensus of the Commission was to rotate the starting time in concurrence with daylight savings time. With the commencement of daylight savings time the meetings will start at 7:30 p.m.; with the commencement of standard time the meetings will start at 7:00 p.m.

Crombie Simple Lot Subdivision at 8120 DeMontreville Trail North:

M/S/P - Gifford/Graves - To recommend to the City Council approval of the Simple Lot Subdivision for Brian Crombie at 8120 DeMontreville Trail; with the stipulation, and in accordance with the recommendation from the City Engineer, that when the ponding area is developed for Crombie Estates 2nd Addition that additional capacity is provided for this Simple Lot Division. (Motion carried 7-0)

Discussion: 1-1/2 acre lot size requirement in Business Zones:

Lundquist pointed out that as a technicality, the Stouvenel lot is ~~not~~ 1-1/2 acres; <sup>part of it is in a ponding area.</sup>

(AMENDED 4-9-84)

Michels: - I am not in favor of reducing the size at all. I think it is about time that the people of Lake Elmo decide what direction they want to go. If they want to stay the community they are today, I believe 1-1/2 acres for business is fine. If they want to change, I would like to see someone run for the City Council that states up-front that they want higher density; to bring in sewer, or whatever needs to be done to make Lake Elmo a community where you could have more dense population or business. I think that the Comp. Plan, as it is today, is satisfactory. I believe it was given a lot of thought when it was done. It seems to have met the needs of the community at that time. If there is a change in need, I think we should see it come from the citizens of Lake Elmo. I would like to see someone run on that platform; see where the citizens stand. I will vote against any changes in the Comp. Plan as far as lot size is concerned. I would rather see the citizens make up their minds. I think it would be almost impossible to enforce the regulations (the seven points that would have to be met for less than 1-1/2 acres), and unfair to the city staff.

Klaers explained the potential traffic problems that could be incurred by reducing the lot sizes.

Lundquist: - As long as the City has adopted the posture of not wanting public sewer, I think we should keep the lot size requirement at least 1-1/2 acres, both for business and residential. If the City would ever try to put in a public sewer system, I would support them.

Nazarian: - In light of the 201 Study, could the City justify public sewer? The study indicated that on-site sewer systems were adequate.

Lundquist: - There is a difference between being adequate and encouraging expansion.

Dreher: - Concurs with Michels and Lundquist. I think if you start getting these septic systems too close, it will not work. That's why the public water system was put in the core village; the ground water was polluted. I am in favor of the 1-1/2 acre requirement. We don't want to pollute the ground water any faster than need be.

Gifford: - We've heard that some of the nicest wetlands for rejuvenating water supply are in Section 32, which will probably be eliminated by development.

Dreher: - I know what they are doing with our wetlands in Section 32 and Section 33. The property owners in that section have been hit with assessments; we've been told this is the Section that is going to be developed in Lake Elmo.

Gifford: - We've talked with the Met. Council about providing lower cost housing in Lake Elmo. One of the reasons we could not provide lower cost housing was because of the lot size. Was there ever any question on the part of Met. Council to lower the lot size to make more affordable housing?

Lundquist: - As far as I know, the Met. Council has always recommended ten acres minimum lot size without central sewer.

Klaers advised the Commission that he has requested an opinion from City Planner, Rob Chelseth regarding this proposed lot size reduction. This information will be presented to the Commission at their April 9th meeting.

Nazarian: - Reiterated Michels concerns on whether or not we would be creating more problems by compounding sewage problems in the core village area.

Michels: - Is there any consideration, such as a "buy-out" that the City could give a business in the core village area (such as The Lake Elmo Inn) should the establishment be devastated? If The Lake Elmo Inn did burn down, my opinion is that the City would have a hard time denying him the right to rebuild.

Klaers: - Some cities offer an incentive to relocate. Such as not charging for water hookup or not having to pay park donation; some kind of a tax relief for a short period of time.

Michels: - I would like some direction from the City Council. Should we look into something like this; create a policy as to what we could give someone in that situation to encourage them to move to a different site.

Dreher: - The people in Section 32 have sewer available because back then it was sold on the basis that now is the time to put it in. It was cheaper then to put the pipe under the freeway while it is under construction so we don't have to go under it later. The people in Section 32 have sewer available because they were told when the freeway was under construction that if they didn't take it before the construction was done, they would never get it. The people in Section 32 have paid sewer assessments for twenty years. All we paid for was the construction of the pipe under the freeways (694-494-94), and we were assured that we would have access to public sewer.

1-1/2 Acre Lot Size Requirement in Residential Zones: The feelings of the Commission for reducing the lot size requirement in residential zones is parallel to their feelings on reducing the lot size requirement in business zones.

Assessory Apartments:

Nazarian: - My objections would be the overtaxing of septic systems; and egress - getting out during a fire.

Dreher: - Once your family is raised, and you are not using all the bedrooms, you could have something like this and the sewage would be the same. You are not going to tax the sewage anymore than when the house was used to its original capacity. The egress would be the same. I don't have anything against the assessory apartment if it can be done properly - to have guidelines on the number of people in the house.

Klaers: - Should we explore this further and think about some type of additions to the City Code to regulate these type of assessory buildings? The most common tool in other communities to regulate this type of apartment would be to license all of them which requires an annual inspection.

Discussion of the parking regulations in the City.

Discussion of daycare centers in the City.

Discussion of Lake Elmo's concern for storm water running into Lake Elmo.

The meeting adjourned at 8:50 p.m.

The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters.

Lake Elmo Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application.

For each item, the Commission will receive reports prepared by the City Staff, open the hearing to the public, and discuss and act on the application. If you are aware of information that hasn't been discussed, please fill out a "Request to Appear Before the Planning Commission" slip; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated.

## AGENDA

### LAKE ELMO PLANNING COMMISSION

MARCH 26, 1984

- 7:00 p.m.
1. Meeting Convenes
  2. Minutes: March 12, 1984
  3. Discussion on starting time for future Planning Commission meetings
- 7:20 p.m.
4. Crombie Simple Lot Subdivision at 8120 DeMontreville Trail North
- 7:40 p.m.
5. Discussion: 1-1/2 acre lot size requirement in Business Zones
  6. Preliminary Discussion (as time allows)
    - A. 1-1/2 acre lot size requirement in residential zones
    - B. Assessorly Apartments

MARCH 22, 1984

TO: PLANNING COMMISSION MEMBERS

FROM: PAT KLAERS, CITY ADMINISTRATOR

RE: AGENDA MEMO FOR 3-26-84 PLANNING COMMISSION MEETING

1. Minutes: Attached for your consideration are the minutes from the March 12, 1984 Planning Commission Meeting.

2. Starting Time: At the end of 1983, the Planning Commission held discussions on the starting time for their meetings. At that time, it was determined that Planning Commission meetings would start at 7:00 p.m. (instead of 7:30 p.m.) on a trial basis.

This trial basis is now ending and the group should determine what starting time they desire for future meetings. It makes very little difference to the City Staff, but we basically prefer early starting times.

3. Crombie Simple Lot Subdivision:

Mr. and Mrs. Crombie have applied for a simple lot split at 8120 DeMontreville Trail North.

Their residence is at this address on approximately six acres. They are proposing to split off about 1.5 acres on the east side of the lot. (1.5 acres is required by Code). The Crombie's intend to sell this newly created 1.5 acre eastern lot for a future single family residential development.

No variance is required for this lot split. The staff has no problems with this application and recommends approval. Please review the attached map and the report from City Engineer, Larry Bohrer.

The sections of the Code which relate to simple lot divisions are 401.040 A on page 400-5; and 401.260 A on page 400-16. Note that a park donation will be required and, while not stated in the Code, it has been City policy (by resolution 83-45) to accept \$175 cash in lieu of land to be applied for park activities.

4. Discussion: 1-1/2 acre lot size requirement in business zones

Please review the minutes from the last meeting. It was indicated that the existing business zoned lots in the core village area could be a minimum of 3/4 acre if they meet the seven requirements listed on page 2 of these minutes.

The requirements for knowing the size of the building, use, amount of sewage produced, etc., restricts these smaller lots to individual requests. A large plat of ten or so lots at the 3/4 acre size would not know the uses for each newly created lot. Therefore, under the restrictions listed, this hypothetical ten lot plat should not obtain approval.

Most of these seven requirements are already in the City Code. What this code change would do is essentially make legal what Mr. Stouvenal proposed. This is to have a simple lot subdivision (of a parcel of record) where the new lots wouldn't meet the 1-1/2 acre lot size requirement. In this case, and maybe in other future applications, the requested lot size variance was denied because of lack of the City Code's required hardship.

In our discussion on 3/26/84, we should also look at transportation routes and storm water runoff. According to the City Engineer, not more than 70% of lots can be covered by surfaces (building and parking lot are the main items). For Brookman Addition, there was an area storm water pond required rather than looking at individual lot requirements. In dealing with new plats (most likely at the 1-1/2 acre size) this "area drainage" is the best solution to surface water drainage.

If this 3/4 acre lot size concept proceeds, we should be concerned with transportation routes. These new lots would generally be from lot splits of recorded plats. Business generates traffic and traffic is a concern in laying out plats. When these plats change, so do traffic patterns. This may not appear to be a issue now, but in ten years and after some business development, then traffic may be a problem.

Another issue that needs discussion is "rebuilding" in the core village area along Lake Elmo Avenue. On this issue, many questions will be raised on the sewer systems. Please review the City Code; pages 700-25 to 36 for information on alternative systems to the drainfield requirement. New constructions must use the drainfield system. Holding tanks can be allowed for replacement of an existing system that has failed. Holding tanks should only be allowed for low water use establishments. Unfortunately, the two known holding tanks in the core area are for high water use establishments - the Lake Elmo Inn and the Twin Point. Again, according to the City Engineer, many of the other businesses in the core area have drywells and septic tanks, which in reality, function as holding tanks as they often need to be pumped.

My notes, the last meeting, and my last agenda memo all deal with the question of "can smaller lots handle business activities". I have not addressed the philosophical question raised by Mr. Michels (page 3 of the last minutes) as to whether we will be creating more problems and compounding the sewer problems in the core area. The Commission may want to make comments to the Council on this part of the issue as well as on the physical aspect of the issue.

In my last agenda memo, I indicated that 3/4 acre size lots should be allowed in certain cases. In spite of these comments, I basically think we have a good and sound City Code and Comprehensive Plan. A great deal of time and many discussions went into drafting these documents. I personally like to "play the game" by the established rules and don't like variances to the rules, unless one is really deserving. I can certainly live with the existing Code and Comp. Plan and regardless of any changes, will try to enforce the adopted rules.

5. Preliminary discussion on two work plan items: 1-1/2 acre size lots in residential zones; and assessory housing units.

If time permits, we may want to start discussion on these two 1984 work plan items.

The discussion on 1-1/2 size lots in residential areas may parallel the lot size in business zones discussion. Many question areas will be raised in this discussion including lots in the Tri-Lake area, new lots, core village area lots, the 60% rule, etc. One should keep in mind that, like in the business zones, the 1-1/2 lot size requirement was made for good reasons.....mainly the lack of a municipal sewer system.

The City Code does not address the assessory housing unit issue. I will be interested to hear the concerns and questions from the Planning Commission.

OTHER INFORMATION

1. At the last Planning Commission meeting, there was discussion on obtaining Planning Commission packets in a timely manner. The City Staff sometimes delivers packets to the City Council, but there are eleven Planning Commission members compared to five Council members. Therefore, we do not see delivery of packets as a very viable alternative. One alternative that the Planning Commission may want to consider is picking up your packets at City Hall after 12:00 on Friday afternoons. For Planning Commission members that live close to each other, this may work out very well.

2. Attached for your information are the two most recent City Newsletters. The March 20th edition discusses assessed value changes; and the 1984 City load limits on streets.

3. I have previously mentioned that the City is planning an appreciation dinner for retiring Commission members. The fire chief has retired and four Park Commission members have retired. The only Planning Commission member that retired in 1983 is Bill Peterson. He and his wife plan on attending this appreciation dinner.

This dinner is planned for Thursday, April 12, starting at approximately 7:30 p.m. The cost, excluding drinks, should be under \$11.00 per person. The City Staff will be sending out individual invitations later this week, and all Planning Commission members that are interested in attending should mark their calendars.

4. Discussion on the I-94 Corridor is planned for the first meeting in April. We will then know which site is selected for the racetrack. Everyone should keep the material that was sent out in the last packet for reference at this next discussion.

5. This afternoon I am attending a Metropolitan Council board meeting where the MUSA line in Lake Elmo will be discussed. As you are aware, Lake Elmo has requested the MUSA line to run along the section line between Section 32 and 33 from north to south to 4th Street, then run east to Inwood Avenue and then south to I-94. The Met. Council staff has recommended approval of this request. I will verbally inform you of what takes place at this Met. Council board meeting at our 3/26/84 Planning Commission meeting.

6. Attached for your information is an article on the growth of suburbs in the Metropolitan area. Lake Elmo is not one of the faster growing suburbs, but our population is still estimated to be 6400 by the year 1990.

7. A Landfill Advisory Committee to determine alternative safe drinking water solutions will be formed in mid-April. This committee was anticipated to be meeting in February, but some snags developed on the part of Ramsey County. This committee should start meeting in late April.

8. At the 3/6/84 City Council meeting, VBWD representatives were present to discuss its 1984 plans. At this meeting, the City Council had a number of questions for VBWD and the attached 3/13/84 letter answers many of these questions. I think you will find this letter very interesting.

9. Also at this 3/6/84 Council meeting, VBWD indicated that the 509 Plan "is moving along quite well". This plan calls for the installation of a system of pipes and channels to solve the existing water problems. VBWD has discussed this with Washington County and they verbally endorsed the operating plan. VBWD indicated that the largest problem would be going thru the DNR public hearing process.