

LAKE ELMO PLANNING COMMISSION MINUTES

APRIL 23, 1984

The meeting was called to order by Chairman Prince at 7:00 p.m. in the Council Chambers. Present: Lundquist, Dreher, Michels, Graves, Moe and Alternate Kuettnier and Administrator Klaers.

1. INTRODUCTION OF NEW PLANNING COMMISSION MEMBER, CAROL KUEITNER:

Chairman Prince and the Commission Members introduced themselves and identified the areas of the City they represented to the new 2nd Alternate Member, Carol Kuettnier.

2. MINUTES: APRIL 9, 1984:

- Correction - Howard Michels name to be included with members present at the April 9, 1984 meeting.

M/S/F Graves/Michels to approve the minutes of April 9, 1984, as amended. Carried 6-0-1. Kuettnier abstained.

3. DISCUSSION ON DATE FOR SECOND PLANNING COMMISSION MEETING IN MAY:

The Commission tentatively agreed to hold their second meeting in May on Tuesday, May 29 because of the Memorial Day Holiday falling on their regular meeting night of May 28.

4. DISCUSSION ON TWO ADDITIONS TO THE 1984 PLANNING COMMISSION WORK PLAN:

A. Additional Permitted Uses in the RR and AG Zoning Districts: Administrator Klaers noted that previous Commission discussion indicated that the Commission wanted to consider adding and/or deleting permitted used in the RR and AG zoning districts.

Commission Comments:

-Prince - Based on Council discussion of the Smith request, there is more concern about products being brought in and sold from a location than if the product were produced on site and sold.

-Moe - Council and Planning Commission have to reach a mutual agreement as to what they will or will not allow in a given district; where are we going with this community; who or what is going to support Lake Elmo in 15 to 20 years - do not believe kennels or horse farms will be the answer; what do\* we want here.

-Prince - believe the "towns people" would like to continue to encourage the small businessman to locate here. If this is, in fact, the attitude of the community, then we have to take steps to encourage and provide for this type of business.

*\*Amended at 5-14-84 P2 meeting*

-Moe - does not believe small businesses are going to be able to "pay the freight".

-Dreher - the 15-20 year plan was that sewer would be available in Section 32 and that this area would provide the general business and industrial development in the City. The City cannot expect any major commercial development until sewer is available. The City will not develop any better in the future than it has in the past or is developing today until sewer is available within the City.

-Prince - very difficult to address requests from property owners who own larger parcels, such as 10 acre pieces, that want to use their land for some type of business. The property is too small to farm and too large to mow or be used as just a single family home site.

-Michels - questioned the attitude of the Council concerning the import of a product to a site for sale vs sale of the same product when it is produced on site. Cannot see the problem or justification for denial.

-Moe - agreed with Michels position.

-Prince - does not see that having 10 acre business sites throughout the City is a bad concept, given the development posture of the City today, which is to retain a rural atmosphere throughout the City.

-Graves - suggested the mini-farm concept that is found extensively in Washington state, Oregon and California. Small land owners are operating mini-truck farms and growing speciality produce such as strawberries and the like. Maybe Lake Elmo should encourage development of this type of concept as a means of answering what 10 acre landowners can do with their property.

-Prince - Guidelines, worked out between the Planning Commission and Council, would have to be developed so that it is clearly understood what can and cannot be produced and sold and/or brought in on site. Possibly, this concept should be considered in either/or the RR and AG zones.

-Kuettner - explained the Council's attitude concerning the sale of products grown on-site vs bringing in products to sell, was based on their concern about the long term effect that could be created by causing a conflict between single family living next to business. They are looking at the long range plan of what is going to be done with the City. Not all ten acre parcels would be conducive to agri-business because of potential future land use problems.

-Lunquist - stated that the County has had similar problems concerning the sale of produce and land area. He referred the Commission to the County's Performance Zoning Book and explained some of the standards outlined in the book. 10 acres may not be large enough, may need 40 acres in order to have enough leeway to operate an agri-type business. Should never zone or allow anything in a "holding" zone - it is better to have a plan showing potential uses with and without sewer, than not to have any plan.

-Moe - if a resident is required to have 10 acres, he should be allowed to do something other than grow grass on it.

-Lundquist - recommended the Commission develop a comprehensive list of other land uses in the Rural Residential and Agriculture zones for discussion.

-Klaers- informed the Commission that the City Planner and City Engineer will be attending the next meeting and recommended that the Commissioners lists be available for the City Planner to review and comment on at that time.

B. 401.380F Subdivisions Abutting Major Right-Of-Ways:

-Lundquist - recommended limiting the number of accesses for subdivisions on major highways. He cited Beau Haven on Stillwater Boulevard as an example of multiple accesses on a major thorofare where visibility is limited.

The City Engineer will address this issue when he attends the 5-14-84 meeting.

The Commission requested the Administrator to draft an amendment to Section 401.380F of the City Code which would clearly state that access into subdivisions should be limited to possibly one access with one road when a subdivision is abutting or to be served off a major right-of-way. (This will require a Public Hearing in June, 1984.)

5. PUBLIC HEARING FOR LARGE LOT SUBDIVISION (40 ACRES) AND ROAD FRONTAGE VARIANCE FOR MILTON KLOHN:

Before opening the public hearing Chairman Prince requested Mr. Klohn to review the background of his request. Mr. Klohn explained that it was determined to be too expensive to rejuvenate the buildings on the Torseth farm and that the best route to pursue would be to purchase raw land and build new buildings. The plan is for a broodmare farm, not a stable. It will be a place where a horse is brought before foaling. After the foal is born the mare leaves, is rebred and returns to foal again. The barn is designed to have two foaling stalls with living quarters for the personnel attending the mare(s) during foaling. Mr. Klohn stated he preferred the cluster development concept in conjunction with the broodmare farm whereby the home/property owners of the cluster could be a part of or participant in the broodmare concept.

Chairman Prince opened the Public Hearing to Consider a Large Lot Subdivison with Variance for Road Frontage for Milt Klohn at 7:48 p.m.

Mr. Klohn is proposing to purchase the southerly 40 acres of a 145 acre parcel located at the intersection of Stillwater Boulevard and Inwood Avenue N. The 145 acre parcel is presently owned by RD-JV Investment Co. (Clapp-Thompson). The property is currently zoned RR. A road frontage variance will be required since the 40 acre parcel only has 684 ft. of frontage on Inwood where 1300 is required in the RR zoning district.

Property: The parcel is 684' wide and approximately 2,580' deep. Approximately 120' to 150' of property abutting Inwood has been excluded from the 40 acres to provide for the upgrading of 13B (Inwood Avenue) by Washington County. The 40 acres is exclusive of the right-of-way.

A boundary survey of the entire 145 acre tract and outlining the 40 Klohn parcel was distributed.

Cluster Development: Mr. Klohn distributed a sketch of a proposed cluster showing six angled 1 1/2 acre lots with one 31 acre lot where the barn, outdoor arena and parking area would be located. He proposed a marginal access street with a 50' right-of-way and a 24' blacktop pad. The street would cul-de-sac and turn around at the barn lot and have 125 feet of frontage on the street. No home is proposed for the 31 acre site at this time. This lot would be used only for the broodmare operation. Mr. Klohn indicated that ultimately he would like to construct a home at this location, but this is a future possibility. Administrator Klaers stated that the City would prefer to just have the barn at this location since there will be living quarters in the barn.

Mr. Klohn explained that it is his intention to sell the six clustered lots to arabian horse owners who would utilize the barn facility. These homeowners would be able to utilize the indoor and outdoor arenas if they have animals boarded in the large barn facility. The homesites would be fenced and an over-all continuity of appearance developed between the homes and the barn.

Barn: Mr. Klohn distributed a sketch plan of the proposed barn. The dimensions would be 120' x 150'; wood and metal construction; low profile type architecture; 56 stalls with two foaling stalls all the exterior stalls will have windows; an indoor arena; lounge/living area with attached porch.

#### Comments and Discussion:

##### Land & Soils -

Mr. Klohn indicated that they hope to work with the Clapp Thompson Planner, who is developing a proposal for the 100 acres to the north, on the layout for road access; but, they are not willing to sell any additional property to Klohn because of their plans for the remainder of their property. Mr. Klohn does anticipate getting an additional 25' to 40' wide strip along Inwood as a result of the Clapp Thompson development to the north.

Lundquist - recommended that Klohn purchase any residue land if he anticipates pursuing the cluster development concept.

Klohn - indicated it is not economically feasible at this time for him to purchase additional land from Clapp Thompson, but would like to purchase additional property in the future. He also indicated that he will have a professional planner do the design work for the cluster.

Dreher - questioned whether we should not be getting some feedback from Oakdale, since this property abuts Oakdale on the west boundary of the property. Believes Oakdale has some sewer and water development planned for the property that abuts the Klohn land.

Michels - noted that the land in this area is typically poor for drainage - have been problems with this area in the past and questioned if soils are suitable for septic systems. Klaers stated that the City Engineer will be reviewing the soils.

Prince - recommended that the Engineer check the soils and ponding areas and verify that each lot that is proposed will perc. Also, the large barn lot should be checked. The lot sizes and or configurations may need to be adjusted because of the soils.

Lots -

Prince - referred to the nuisance factor such as odor, manure removal, loose animals, etc. for the residents in the cluster and in the area.

Klohn - plans to sell lots to horse people; fences will be put up; the barn area will be separated from the closest lot; manure will be cleaned out of the barn daily and piled at the rear of the barn site and will be removed 2 to 3 times a week, this storage area will be 300'-400' from any home. Mr. Klohn does not believe this will cause any problems for homes in the area. The manure will not be spread on the property site.

Graves - recommended drafting a performance standard requiring a set schedule for removing the manure from the site as a means of protecting the homeowners and the City from future problems. He also recommended that the entrance to the lot where the barn will be located should not be gated or in any way obstruct this area for emergency vehicles.

Klohn - the horses will graze in the back of the barn area. Believe that the homeowners with horses boarded should be given the opportunity to ride their animals in the arena areas.

Klaers - clarified this statement - horses will be fed and kept inside the barn area the majority of the time with occasional grazing periods outside. There will be no recreational riding provided.

Klohn - stated that only four of the lots will be sold. Two of the lots will be owned by Klohn family members; and, only people keeping horses in the barn would have riding privileges. Would not be depending on the open land area to feed the animals. Not intending to have the horses as grazing animals; would not object to having a statement in the ordinance that prohibited the feed/grazing of animals on broodmare farms.

Prince - agreed that a no grazing stipulation should be included.

Moe - should include a definition in section 301.040 clarifying a commercial riding stable.

Klaers - may also want to include the number of horses per acre and maximum size of structure (barn) in the definition; or could just make these requirements a part of the CUP.

Klaers recommended that the Commission table action on the Large Lot Subdivision until May 14 in order to consider the overall concept. He also suggested that consideration should be given to the frontage variance question in as much as if the cluster concept is developed by Mr. Klohn the frontage for the clustered lots can be met within the cluster, thereby negating the rural residential large lot frontage requirement of 1300 ft. Also, if just the large lot subdivision were considered without the cluster development, the lot shapes would be different with the back portion of the property being non-accessible or landlocked.

Klohn - hope to encourage his planner to work out a design plan to be presented to the City Planner for comment by the next meeting. Also plan on getting the soil borings done. Also, suggested that the riding restrictions could be included in property covenants.

Chairman Prince closed the hearing at 8:40 p.m.

Administrator Klaers noted that he felt this type of operation will increase land valuation and be a good source for tax revenue. Ultimately to realize this Broodmare Farm operation Mr. Klohn will require the large lot subdivision, a code amendment to permit broodmare farms in RR, a CUP to permit the operation of the broodmare farm in RR and a subdivision plat for a cluster development.

M/S/P Graves/Dreher to table any recommendation on the application for Milt Klohn for a large lot subdivision and variance pending further consideration and review by the Planning Commission.

Motion carried 7-0.

Lundquist - noted that the Commission will also have to address the size of the barn. Will we allow oversized structures with a CUP?

There being no further agenda items the Commission moved to adjourn.

M/S/P Michels/Dreher to adjourn the Planning Commission meeting at 8:50 p.m. Motion carried 7-0.

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

MAY 14, 1984

- 7:30 p.m. Meeting Convenes
1. Minutes: April 23, 1984
  2. Milt Klohn application for large lot subdivision and road frontage variance (continued from 4-23)... application withdrawn .
- 7:45 p.m. 3. Public Hearings:
- A. Zoning code amendment: Application from Milt Klohn to allow broodmare farms in RR and Ag zones with a CUP.... application withdrawn.
  - B. Platting Code Amendment: include a time limit on applicants for meeting the conditions of simple lot subdivisions.
  - C. Zoning Code Amendment: to prohibit the placement of the required second drainfield between the trenches of the first drainfield in all zoning districts.
4. Discussions with City Engineer, Larry Bohrer
- A. 201 Update.
  - B. Sewer installation in Section 32.
  - C. Previous sewer assessments in Section 32.
  - D. Subdivisions abutting major right-of-ways city code section 401.380F.
  - E. Other.

(OVER)

5. Reports from City Planner, Rob Chelseth  
(Discussion as time allows)
  - A. Other land uses that should be considered to be permitted in the RR zone, on 10 and 40 acre parcels, and in the Ag zone.
  - B. The size of accessory structures in RR and Ag zones.



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## AGENDA

### LAKE ELMO PLANNING COMMISSION

APRIL 23, 1984

- 7:00 p.m. Meeting Convenes
1. Introduction of new Planning Commission member, Carol Kuettner.
  2. Minutes: April 9, 1984
  3. Discussion on date for second Planning Commission meeting in May.
  4. Discussion on two of the items that have been added to the 1984 Planning Commission Work Plan.
    - A. Other uses for the land that should be considered to be permitted in the RR zone on 10 and 40 acre parcels; and in the Ag zone
    - B. 401.380 F. Subdivisions abutting major right-of-ways
- 7:45 p.m. 5. Public Hearing for a large lot subdivision (40 acres) and road frontage variance for Mr. Milton Klohn; east of Inwood to the City limits and approximately 1/2 mile south of CSAH 6. Legal description: the west 2548 feet of the south 684 feet of the nw quarter of Section 21, Township 29N, Range 21 West.

APRIL 19, 1984

TO: PLANNING COMMISSION MEMBERS

FROM: PAT KLAERS, CITY ADMINISTRATOR

RE: AGENDA MEMO FOR 4-23-84 PLANNING COMMISSION MEETING

1. PLANNING COMMISSION APPOINTMENT: At the 4-17-84 City Council meeting, Carol Kuettner was appointed as the second alternate to the Planning Commission. Carol is a homeowner on the western side of the City, just north of Highway 5. Attached for your information is Carol's application, which she submitted to the Council, and a memo to the Council indicating that she would not be able to attend the interviews on 4-17-84, and some of the activities she is involved in for Lake Elmo.

There were a number of applicants for this position, but the Council majority felt that Carol's commitments and involvement in Lake Elmo activities merited her appointment to the Planning Commission. Carol has been out of town, so I am not sure if she will be in Lake Elmo for the Planning Commission meeting.

2. MINUTES: Attached for your consideration are the minutes from the 4-9-84 Planning Commission meeting.

3. SECOND PLANNING COMMISSION MEETING IN MAY: The second scheduled meeting for the Planning Commission in May falls on a legal holiday (Memorial Day 5-28). Traditionally, when a meeting falls on a holiday, the scheduled meeting is cancelled. However, there may be items that need consideration before the first Council meeting in June and, therefore, we may have to arrange another date for this second meeting in May. Logically, it would be Tuesday, May 29th, but the staff is open to other dates the Commission desires. Also, if some of the applications do not develop, and no Council agenda items for the June 5th 1984 meeting requires Planning Commission recommendations, this meeting could be cancelled. The end result may be that we have to be somewhat flexible and "play it by ear" to see what type of agenda items surfaces for the second meeting in May.

4. ADDITIONAL TWO ITEMS TO 1984 WORK PLAN: Attached are the sections of the City code which relate to (A) permitted land uses in Agricultural and RR zones; (B) subdivisions abutting major right-of-ways. I don't have any comments to offer on these agenda items and I will be looking for input from the Commission as to what the staff can do or provide the Commission in order to facilitate future discussions on these items.

5. KLOHN PUBLIC HEARING FOR LARGE LOT SUBDIVISION: The following comments will be somewhat of a sketchy review of the application as Mr. Klohn is out of town this week and we have not received the certificate of survey for the parcel of land which he proposes to subdivide.

Based on the information that was previously received relating to a rectangular sized lot for a subdivision, Mr. Klohn requested that we publish a public hearing notice for this application. Attached is a rough map showing the proposed location for this subdivision. If we receive the material on this proposed subdivision from Mr. Klohn before the Planning Commission meeting, the staff may have a review to present at the public hearing. This review of a 40 acre large lot subdivision is generally brief and somewhat simple. Please be aware that this public hearing could be cancelled if the configuration of the large lot changes. Mr. Klohn is still negotiating for a 40 acre square shaped parcel that would meet all City Code requirements. This square shaped parcel could be approved as a large lot subdivision administratively and, therefore, no review or public hearing at the Planning Commission level would be required. This is the part of the application and broodmare farm concept that is unknown at this point.

Regardless of the material that is received from Mr. Klohn, if the rectangular lot is the plan Mr. Klohn wants to proceed with, then the public hearing notice remains valid. Therefore, the Planning Commission, again regardless of the material received, can hold the public hearing and receive citizen input at this hearing on the proposed large lot subdivision and intended uses for this land. The Planning Commission could table final action on this application until staff has reviewed the material and made a recommendation to the Planning Commission.

Attached is a 4-9-84 letter from the City Planner with a general review of the Klohn proposal. If the large lot subdivision application is for a rectangular parcel, a road frontage variance is required. This 1300 feet of road frontage is required in the City Code based on the possibility of future 10 acre lot subdivisions needing 300 feet of road frontage for each lot. In the Klohn application, this will not be the case. Mr. Klohn will be proposing a future cluster residential development. Additionally, if Mr. Klohn has a square shaped parcel with adequate frontage on Inwood Avenue, he would be in effect, land locking the back 40 acres until a road on the Lake Elmo/Oakdale boarder is developed. Therefore, a variance for the road frontage on a rectangular parcel could be approved based on (A) a future cluster type development would require a cul-de-sac and does not need the required 1300 feet of road frontage on Inwood Avenue; and (B) the unusual physical characteristics of the land to prevent land locking the back 40 acres along the Lake Elmo/Oakdale boarder.

If and when approval is received for the rectangular large lot subdivision and road frontage variance, the recommendation should include that only a cluster type development would be allowed and this must include a public cul-de-sac for providing adequate road frontage for these newly created residential lots.

The next step in the Klohn broodmare farm concept is a code amendment to allow broodmare farms to be permitted in RR zones with a CUP. Attached is a letter from the City Planner dated 4-10-84 which addresses this future code amendment application. This code amendment is planned to receive a public hearing before the Planning Commission on 5-14-84. The definition in Rob's 4-10-84 letter may need to be revised to include a maximum number of horses per acre and a minimum area of land.

I must indicate to the Planning Commission an error or mistake on my part in handling the Klohn concept. Mr. Klohn requested to appear before the City Council to present this concept (as the City Council has final approval) but I should have either run this concept before the Planning Commission first, or should have waited until the concept was at a more advanced stage. Either way, I have some difficulty as the concept has been informally endorsed before a definite application is made, and without the benefit of a public hearing. On the other hand, waiting for concept approval would require Mr. Klohn to spend a large amount of time and money before he is certain that he is not proceeding contrary to Council desires.

This is a totally new concept to Lake Elmo and I am still learning the Lake Elmo "style of operation". In the future, I will make an earnest attempt to have concepts reviewed by the Planning Commission before they advance to the City Council.

Again, at this stage, parts of the Klohn broodmare farm concept are still sketchy. The staff hopes that the actual CUP to operate a broodmare farm application from Mr. Klohn will be considered at a later meeting and after the code amendment has been processed. At that time, the staff and Commission may be able to address many of the concerns discussed at the 4-9-84 Planning Commission meeting.

All in all, discussion on this Klohn concept application should be interesting.

#### OTHER INFORMATION

1. Attached for your information is the most recent City Newsletter dated 4-10-84. This Newsletter contains an article on the recently authorized Punch Card Voting Equipment.
2. Wish to inform you that the "Spring Clean Up Day" is scheduled for Saturday, May 5th from 8:00 a.m. to 12:00 p.m. The location will be the old landfill site. Dave Wisdorf's memo to the City Council on this activity is again attached.
3. The City still has not received word from Washington County as to the status of the proposed landfill committee. The intention of this committee is to make recommendations on the alternatives to providing safe drinking water to the residents effected by the contaminated landfill. The holdup on this committee at this point is receiving appointments from Ramsey County. I will keep you informed as this committee progresses.
4. The Parks Commission is planning an "Adopt A Tree Day" for Saturday, May 19th from 9:00 a.m. until 12:00 noon. The City will be providing trees at Sunfish Park to residents neighboring City parks and to other interested residents. A Newsletter article on this activity will be published in the 5-8-84 Newsletter edition.

5. Attached for your information is a St. Paul Dispatch article on the Lake Elmo Regional Park.

6. Attached is the approved 1984 Planning Commission Work Plan. At the next City Council meeting, the staff will be informing the Council about the four items the Commission desired to have added to this plan as discussed at the last Planning Commission meeting.

7. Update on City Council Actions from the 4-17-84 meeting.

- unanimously approved the DeCoster large lot subdivision per recommendation by the Planning Commission at its 4-9-84 meeting.

- as you can tell by the agenda, appointed Carol Kuettner to the Planning Commission.

- authorized the liquor license transfer of the Twin Point Tavern to Dennis and Tracy LaCroix.

- approved the plans and specifications and authorized the City to advertise for bids for improvements of Jane Road North. This improvement project received extensive discussion last summer and a compromise was finally reached as to the type of improvements that should be included in this project.

- endorsed Washington County's proposal for entrance into the Regional Park from the south. Attached is a letter from Washington County Parks Director, Jack Perkovich, describing the entrance, plus a sketch indicating the entrance.

- requested the City Engineer send a letter to VBWD that would indicate the Council's desire that VBWD use administrative funds to find a method to stop pumping into City Park Pond and to begin pumping towards Eagle Point Lake. This letter will also indicate that the Council will take a very strong stance regarding future requests to increase the pumping level into City Park Pond. Last year, VBWD came to the Council a number of times to ask for increased pumping into City Park Pond

- instructed the staff to advertise for bids for the re-surfacing of the three tennis courts in Pebble Park. This is included in the 1984 Park CIP.

- tabled any discussion on the recommendations from the Planning Commission that were determined at the 4-9-84 meeting. These recommendations related to lot size, 60% rule, accessory apartments, and additions to the work plan. The Council desired to see the approved minutes from the Planning Commission meeting before reviewing the Planning Commission's recommendations. These items will be brought back to the City Council at its 5-1-84 meeting.