

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 11, 1985

7:00 p.m.

Meeting Convenes

1. Minutes: February 25 and 28, 1985
2. Update on Appointments
3. Green Acres CUP Amendment - Application by Howard Springborn for addition of a water slide.
4. 1985 Planning Commission Work Plan
5. Discussion: Recent Planning Seminars
6. March 25, 1985 Planning Commission Meeting
7. Other

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES SPECIAL MEETING
FEBRUARY 28, 1985

Chairman Nazarian called the meeting to order at 7:44 p.m. in the Council Chambers.

Present: Kuettner, Prince, Dreher, Graves, Lundquist and Moe. Also present, Administrator Klaers. Absent: Michels (excused), Schiltz, Lyall.

A special Planning Commission meeting was held on 2-20-85 at 7:44 p.m. in order to hold a scheduled public hearing on the request of Mr. & Mrs. Lyle Slawson for a Large Lot Subdivision.

Chairman Nazarian opened the public hearing at 7:45 p.m. Chairman Nazarian acknowledged that notice of this hearing had been sent to residents within 350' of the property in question and that a follow-up letter was sent from the staff informing them of this special Planning Commission meeting to consider this application and that the notice was published in the legal newspaper.

Mr. & Mrs. Slawson have applied for a large lot subdivision of 80 acres into two nominal 40 acre parcels. The location of the 80 acres in question is approximately 1/4 to 1/2 mile south of Highway 36 and directly west of Keats Avenue. Mr. & Mrs. Slawson indicated that their desire to split the 80 acre parcel into two 40 acre parcels was for the purpose of selling each parcel to two separate individuals for homesites and that the property would remain in the Ag zone.

The Commission reviewed the memo from the City Engineer dated 1-21-85 in which he indicates that he has reviewed the survey for the proposed large lot subdivision. The engineer further indicated that the subdivision meets all the requirements for a large lot subdivision, the 39.7 acre lot sizes are within the definition of the "nominal 40 acre" lot size and no variances are required for this subdivision. Topographical data with contours is usually required, but this requirement has been waived because the contours are not necessary to evaluate the subdivision. The Administrator noted that no right-of-way deeds are required for this subdivision and the City has already received the park donation fee (but will not cash the check until approval is given by the City Council). The applicants have been assured access onto Keats Avenue for this parcel of land and the City does not have any special requirements for driveways.

There were no residents present to offer comments for or against this proposal and Chairman Nazarian closed the hearing at ~~8:51 p.m.~~ 7:51 p.m.
(amended 3-11-85 PZ meeting)

M/S/P Dreher/Graves to recommend to the City Council approval of the Large Lot Subdivision for Lyall A and Mary Jean Slawson described as Parcels A and B from the survey by Bruce Folz dated 12-26-84, located west of Keats Avenue N. and approximately 1/3 mile south of Highway 36. (Motion carried 7-0).

Commission member Kuettner expressed concern over placement of a new home on parcel B and the potential for landlocking the northern portion of the property. She suggested that the a buyer of parcel B be encouraged to place the homesite at such a location that there would be adequate room for a road to reach the northerly portion of the property. In this manner the city is not faced with the controversy such as they have been with the Durand application for an access to a landlocked parcel of land should the property ever be further divided.

M/S/P Moe/Graves to adjourn. (Motion carried 7-0.) The meeting ended at 7:55 p.m.

February 21, 1985

To: Planning Commission Members

From: Pat Klaers, City Administrator

Re: Agenda Memo for 2-25-85 Planning Commission Meeting

1. Minutes : Attached for your review and consideration are the draft Planning Commission minutes from the 2-11-85 meeting.

2. Zoning Workshop Discussion : At the last Planning Commission meeting, there was a brief discussion on the zoning workshop that Carol Kuettner attended. Also at the last meeting, we distributed some handouts that Carol picked up at this workshop. During the last meeting, it was indicated that the commission members would like some time to review the material that was handed out and that this item should be on the next Planning Commission agenda for additional discussion. Please remember to bring the material that was distributed at the last meeting for a follow up discussion on this zoning workshop. I found the information on public hearings to be especially interesting. Additionally, you should note that at the last City Council meeting, the Council authorized administrative approval for Planning Commission members who wish to attend future workshops. This is conditioned upon the total fee for all Planning Commission members that wish to attend such workshops to be under \$100. If we exceed this \$100 amount, we will have to go back to the Council for approval. If we remain under this \$100 amount, we can attend any conference/workshop that we feel is appropriate.

3. Public Hearing to consider Code Amendments : Attached for your information are some sections from the City Code which should be reviewed in order to consider some potential code amendments. This is a public hearing and notice has been published in our official newspaper for this hearing to begin at 7:15 p.m.

A. Section 205.020 Membership **FIRE DEPARTMENT**

This section discusses the Fire Chief submitting all applications or resignations to the City Council for approval. The reality of the situation is that new people are on board and resignations have already taken place before anything gets to the City Council. In August, 1984 the Fire Chief discussed this section of the code with the City Council and everyone agreed that a more appropriate method of notification to the Council would be for the Fire Chief to notify the City Administrator, and in turn, the City Administrator would notify the City Council. Therefore, this code section should have an addition to it and read as follows: "The Fire Chief shall submit all applications or resignations from the Fire Department to the City Administrator. The City Administrator will then notify the City Council of any new applicants or resignations from the Fire Department".

B. Section 210.012 Composition *PARKS COMMISSION*

The City Council wants to consider deleting the section of the code that says "No member may serve more than two consecutive three year terms unless the average years of service for all commission members is less than four years. A member who has served two terms may be reappointed by the City Council after a one year absence". If the Planning Commission and City Council desire a required turnover in the Commission, then this section should remain in the code. However, if the Planning Commission and City Council desire to not require a turnover, and to make appointments based on qualifications and merits, regardless of length of service, then this section should be deleted.

C. Planning Commission Section 204.012 - Composition

(See comments for item B above)

The Planning Commission should feel free to comment on the section of the code that relates to the membership of the Planning Commission, and should feel free to give the City Council different recommendations on the Parks Commission composition and the Planning Commission composition, if it so desires.

D. Street Access - Section 401.380F

Please see the attached report from Larry Bohrer. For this code amendment, Larry is recommending adding a section to our Streets, Alleys, and Curbs section of our code. I think the narrative provided by Larry will cover the concerns of the Planning Commission and City Council. This section will help insure access onto minor streets and not major thoroughfares.

E - Street Requirements in RR zoned clustered developments.
Section 301.070D2e - Cluster Development Standards.

This item is related to item D above. Also see Larry Bohrer's memo. Larry Bohrer is suggesting adding a section to our Cluster Development Standard section of the code under the RR zone. I believe that we should modify Larry's comments somewhat, and change the last sentence to read as follows: "Local streets may be existing or may be required to be provided within the proposed subdivision". This additional phrase of "may be required to be provided" will help insure the City that we will not have a cluster development with all seven lots accessing onto an existing major thoroughfare. However, on a minor City street, this is your typical gridiron development, and it may be appropriate to allow this type of development in these areas.

F. Drainfields in RR and AG Zone - Section 301.070 D1d6 and
D6D2c6 - AG and RR Zoned Minimum District Requirements.

For this code amendment, I would like the Council and Planning Commission to consider adding the phrase which has already been added to our other zoning districts that says as follows: "Placement of the second required drainfield between the trenches of the first drainfield is prohibited". This past fall, we went through the public hearing process and added that section to our code in the R1, R2, GB, HB and I zones. For the sake of being consistent, I believe we should also add that phrase to the RR and AG zone. No mention of drainfields

or trenches is listed in the R3, R4 and P zones, and I don't believe there is any need to add this phrase to those code sections.

- G. Size of Accessory Structures - Section 301.130C and Sections 301.070D1C, D2B, D3B in the AG, RR and R1 zones.

At a previous Planning Commission meeting, the Commission discussed following the County's guidelines for the size of accessory structures in these three zones. Attached for your information is the County Guidelines and some items that was handed out when this was discussed at the 11-26-84 Planning Commission meeting. Please carefully review #14 of Section of 301.130C as this is the area that will need amendments. I am not sure how the Commission desires the wording to be to reflect the County's guidelines, but a narrative change under #14 A, B & C may be required. Additionally, these changes should also be reflected in the individual zoning sections under Accessory Uses and Structures. We may not want to make any changes under the AG zone section, but we should definitely make a change in the R1 section for lots that are larger than 5 acres, but less than 10 acres. Additionally, changes may be desired under the RR section. I don't have the exact wording prepared, so we may have to play around with some verbiage at the meeting for this item.

4. Clapp/Thomson-Bishop rezoning application and pre-platting sketch. This item was discussed in detail at the last meeting, as a public hearing was held for this application. Attached for your information is the same material that was distributed at the last meeting, including the application, list of names of residents notified for the public hearing, a Larry Bohrer report, a Rob Chelseth report, and a letter from one of the residents, Don Novak. The large map showing the preliminary plat is not included as this was distributed at the last meeting. Please remember to bring this map to this meeting as if a recommendation comes from the Commission, I will need to obtain these maps for City Council consideration.

The staff believes that this area is appropriate for single family residential development as it is contiguous to other residential development on the north and east. I further believe that a rezoning to the proposed use of R1 would also be appropriate for the 11 lots in Phase I. At such a time when they desire to develop Phase II, they will have to obtain a rezoning for this area. Additional soil information will be required before a rezoning in this area would be considered.

For additional comments, please review my 2-11-85 Info Memo which discusses this application.

5. 1985 Planning Commission Work Plan : Attached is a brief memo indicating the items that have been previously discussed which should be included in the 1985 Planning Commission Work Plan. Additional items can very easily be added to this Plan, and we should make an attempt to finalize this Plan - either at this meeting or the March 11, 1985 meeting. I will then process the Work Plan through the City Council for its approval. Many of the items on the Work Plan are related to updating on current activities, and the Commission may want to include some more review or work study items that could be considered over a length of time in 1985.

6. Other : This item is on the agenda so that the Planning Commission members can feel free to discuss any relevant activities that are taking place within Lake Elmo.

OTHER INFORMATION

1. SLAWSON LARGE LOT SUBDIVISION PUBLIC HEARING ON THURSDAY, 2-28-85 AT 7:45 P.M. Please note that we are required to hold a public hearing on the Slawson large lot subdivision at 7:45 p.m. in the council chambers on Thursday, February 28, 1985. I notified all the Commission members of this in a separate memo mailed out earlier this week. We will need to have a quorum present for this public hearing. I don't expect any changes in the results of the recommendation, or the City Council action; but, one resident called to complain that she did not get an opportunity to provide input for consideration of this application. I am not sure if anybody will be present for this public hearing, but it was a technical error on the staff's part, and as long as the public hearing notice that was published had February 28, we must follow up by holding this public hearing on this date.

2. I-94 STAFF MEETING WITH PROPERTY OWNERS. The staff has sent out invitations to all the property owners along the I-94 corridor to attend an open informational meeting with the city staff beginning at 7:00 p.m. on Tuesday, 2-26-85. I am encouraging at least the Planning Commission Chairman and Vice Chair to also attend this meeting to help explain the proposal. I also distributed to all the property owners the material prepared by Rob Chelseth, and attached a cover letter helping to explain the situation. I have not received any feedback on who will be attending this meeting, so we could have a room full of people - or very few attending. Any comments that we get from the property owners will be passed on to the Planning Commission and we will be scheduling a public hearing for this Comprehensive Plan and Zoning Code Amendment sometime in later March or early April.

3. Attached for your information is the most recent City Newsletter dated 2-12-85. This Newsletter edition highlights articles on the 1984 Fire Department Annual Report, the resignation of our Maintenance Foreman and the Office Space Committee being formed.

4. Attached for your information is an article from the Minneapolis Star & Tribune dated Friday, February 1, 1985. This article discusses the deep frost in the ground and the potential for flooding this spring.

5. Attached for your information is a letter from the Tri-Lakes Association's president, K. G. Gatzke to the Metropolitan Council relating to the ZYCAD Development on the Oakdale/Lake Elmo boarder north of Highway 5.

6. Wish to inform the Commission that the City has hired Dan Olinger as our full-time temporary employee. This job will last a minimum of six weeks and could go on slightly longer, depending upon the time frame for hiring a maintenance foreman and the weather conditions.

7. At this section in the agenda memo, I usually update the Commission on recent City Council activities. There is nothing dramatic to report at this time, but at the next few City Council meetings, the Council will be considering (1) The code amendments that the Commission is discussing at its 2-25-85 meeting. (2) Appointments to the Planning Commission - once they have reviewed the Planning Commission membership section of the code. (3) Review the City Attorney applications at its 3-5-85 beginning at 6:00 p.m. (4) May be making appointments to the Office Space Committee at its 3-5-85 meeting. Three Planning Commission members have expressed interest in participating on this committee, and if other members are interested, they should feel free to submit their names. (5) Will make a recommendation to VBWD regarding the 509 Plan. The Council may want to request some minor additions or revisions in this Plan. This Plan is on file in City Hall for public review. (6) May be taking some action regarding the high water in the Sunfish Lake area. VBWD and the City are being threatened with lawsuits to stop the pumping from Lake Jane to Park Pond because a group of people around Sunfish Lake believe that this water from City Park Pond is getting into Sunfish Lake unnaturally causing their lake to rise higher than normal. The Council may be taking some action to try to pump water out of Sunfish Lake, or may simply have to continue with past practices and pump from Lake Jane to City Park Pond and do nothing with Sunfish Lake until an actual lawsuit is filed.