

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 26, 1985

7:00 p.m.

Meeting Convenes

1. Minutes: April 22, 1985
2. Application by Larry Gray to move a house into the David Nelson Estates Subdivision.
3. Discussion: 1985 Work Plan

May 9, 1985

To: Planning Commission Members
From: Patrick D. Klaers, City Administrator 
Re: May 13, 1985 Planning Commission Meeting

The Monday, May 13, 1985 Planning Commission meeting has been cancelled for a variety of reasons. I have confirmed this cancellation with Planning Commission Chairman, Fred Nazarian.

Mainly, the meeting is being cancelled because of a lack of applications and agenda items.

The next scheduled meeting falls on a holiday (Memorial Day) Monday, May 27, 1985. I believe by this time other applications will be received in city hall and will need to be reviewed by the Planning Commission so that they can get to the City Council in early June. In this regard, we are planning to hold a meeting on Tuesday, May 28, 1985 beginning at the usual time - 7:00 p.m.

Even if applications are not received which require the Planning Commission's attention, we will meet on this date and time to, at the very least, review the 1985 Planning Commission Work Plan.

If the Planning Commission met on May 13th to work on the Work Plan, and then cancelled the second meeting in May, some applications that need Planning Commission review may not get to the City Council until later June, and this could disrupt the proposed schedules of the applicants. Therefore, I find it more appropriate to hold a meeting in later May, even though this meeting date falls on a holiday, and cancel the earlier May Planning Commission meeting.

Attached on the following page are some additional comments and update on City activities.

Enjoy the week off from a Planning Commission meeting and I will see everyone on Tuesday, May 28, 1985 at 7:00 p.m. for a rescheduled Planning Commission meeting.

To: Planning Commission Members
From: Patrick D. Klaers, City Administrator *PK*
Re: Update on Current City Activities

1. Attached for your information are the approved April 8, 1985 and draft April 22, 1985 Planning Commission minutes.
2. Attached for your information is the most current City Newsletter dated April 23, 1985. This Newsletter edition highlights the article on a boating ban being in effect on Lake Jane, and the hiring of a City Attorney, Mr. Frederic Knaak.
3. Attached for your information are the VBWD minutes from its March 14th, March 28th and April 3rd meetings. These minutes should keep the Commission informed on how VBWD is proceeding in handling our current water problems, and how the 509 Plan is proceeding.
4. Attached for your information is an article on mosquitos in the Twin City area. I copied this article to you, not because I am excited about mosquitos, but because of the third paragraph in the article that states "State Climatologist Earl Kuehnast said 1983-84 was the wettest two year period since record keeping began in 1836". I find that this fact is very interesting and is a major part of our current water problems that we are experiencing. With a typical rainfall and snow season, the water problems that we are experiencing now would be greatly reduced. However, because of the existing conditions that we must react to, there is a great deal of pressure for temporary surface water solutions and for the immediate implementation of the 509 Plan.
5. Attached for your information is an article from the Minneapolis Tribune regarding the Lake Pulaski high water situation. This situation in the western part of the metropolitan area is not unlike the problems we are experiencing on Lake Jane. If the residents on Lake Pulaski are successful in having the DNR reset their OHWM, this may have some spinoff benefits in Lake Elmo. If this takes place, we may also be working to alter some of the established high water marks on our area lakes so that when the 509 Plan is implemented, it will be more effective for the long term future of our area.
6. Attached for your information is a letter from the DNR to Mr. Magnuson regarding his inquiry to help eliminate the water problems on Lake Elmo. The most important aspect of this response from DNR Commissioner, Joseph Alexander is the last four words of the letter which states that they will do everything possible to help the local Watershed "as provided by law". The DNR has often stated that their hands are tied in helping local communities because of the laws which they are charged with enforcing.
7. Attached for your information is a report from the Fire Chief, Fran Pott regarding Lake Elmo's response to weather related disasters. I requested this memo to put myself more at ease so that if a tornado or something of that nature took place in Lake Elmo, we would be prepared to handle, with the assistance of our neighboring communities, the potential problems that would arise. It seems to me that we are as well prepared for such an emergency as can be reasonably expected.

8. Attached for your information is an article from the Stillwater Gazette dated 4-30-85. This article talks about citizens complaints that are received at City Hall. While the article deals with Stillwater, many of the issues and procedures can be directly applied to Lake Elmo. Nile's comments about problems with the appearance of property is also very true in Lake Elmo.

9. Wish to inform the Planning Commission that the State, County and City weight restrictions - or load limits, have been removed from our area streets. These limits were removed on Monday, April 29th.

10. The staff is in the process of sending the proposed Comp Plan I-94 changes to the Met Council for its formal review. The review process is ninety days. A public hearing for the Comp Plan amendment and proposed zoning code interstate corridor overlay district will be held at the 6-24-85 Planning Commission meeting and at the 7-2-85 City Council meeting. The Comp Plan change requires a Planning Commission public hearing, and the zoning code amendment requires a City Council public hearing, and we are considering the changes concurrently. Our Planning Consultant, Rob Chelseth, will make a presentation at both meetings.

Update on recent City Council action:

A. Authorized the City to initiate a bicycle registration program for the children in our area. This is not a licensing procedure, but a registration that will cost fifty-cents for a Lake Elmo sticker that has a number attached. This will help the deputies when they locate a missing bike - to return it to the proper owner. This is more of a service to the community and is definitely not a money making proposition.

B. Officially received and accepted the 1984 City Audit. The City's financial picture improved in 1984, but the property taxes last year were up and State Aids were down. In 1985, we see this trend being reversed and we know that the mil rate has decreased in 1985.

C. Tabled consideration of the Bill Eder application. The Council, like the Planning Commission, is having a very difficult time coming to a fair and justified determination of what should be allowed in this area.

D. Heard a presentation from Zack Hansen regarding composting in the area. Bruce Dunn, Arlyn Christ and Nancy Prince will be working as a group to try and locate an appropriate site for such a composting program. Additionally, the Council heard Nancy speak briefly about recycling proposals for the Lake Elmo area. We are hopeful that a program can be set up with a dropoff location being in the VFW parking lot. Confirmation of this location being acceptable to the VFW will come sometime in later May or early June.

E. Approved the final plat for Teal Pass 3rd Addition contingent upon the applicant entering into a developer's agreement and paying the required park donation fee. This was recommended by the Planning Commission at its last meeting.

F. Heard a report from VBWD member, Dick Murray on the progress that is being made on lowering the level of Lake Jane. The electric pump that has been long awaited is now installed and operating. In an effort to get Lake Jane lower, the sandbags on the Olson weir will remain for a short period of time, and will then be removed.

G. Concurred with the Planning Commission that the speed of vehicles along Highway 5 for the safety of children in the area is a major concern, as is the traffic flow patterns from Lake Elmo going north trying to enter onto the western route of Highway 5. In this regard, the Council requested that I try to have a Mn/DOT District 9 staff member attend a future Council meeting to discuss what, if anything, can be done to help eliminate these current problems and potentially dangerous situations.

H. Hired Dan Olinger as our Maintenance Foreman. Dan replaces Dave Wisdorf and we are all confident that he will be able to do a very good job for the City.

I. Hired an Administrative Secretary, Sharon Lumby from Lakeland. Sharon will begin on May 20, 1985. The staff has long awaited this addition to our work crew, and will help eliminate some of the backlog of paper work that has been happening since Kathy Crombie left the office.

LAKE ELMO PLANNING COMMISSION MINUTES

APRIL 22, 1985

APPROVED

Chairman Nazarian called the meeting to order at 7:00 p.m. in the City Council Chambers. Present: Graves, Johnston, Kuettner, Land, Lundquist (arrived 7:15), Lyall, Novak, Prince (arrived 7:15). Administrator Klaers. Absent: Moe, Schiltz.

1. The Planning Commission was introduced to the new second alternate Planning Commission member, Dan Novak, 8520 Ironwood Trail.

2. Minutes: April 8, 1985

M/S/P Graves/Lyall - To approve the minutes of the April 8, 1985 Planning Commission meeting as amended (see additional comments from Graves on page 5). (Motion carried 6-0-1 <Nazarian>)

3. Sue Ayde from Bellaire Sanitation to discuss a recycling program.

Ms. Ayde stated she has had a recycling dropoff in Mahtomedi for three years, and would like to start one in Lake Elmo. It is a portable recycling center with a lowboy trailer which holds color coded containers for different recyclable material. There is an additional container for newsprint. The site would be supervised at all times, to eliminate for one thing people dropping trash off at the side. There would be no cost to the City for this service. She would like to establish a monthly pickup in Lake Elmo for glass, metals and newspapers.

Prince stated that in talking with the County she discovered that the Washington County Board authorized the Public Health Department to issue a Request for Proposals for recycling service in the southern two-thirds of the County. The RFP asks recyclers to explain how they would set up recycling service if they are selected. As a result of the RFP, the County will eventually enter into two contracts, one for the middle third and one for the southern third of the County. The RFP specifies that the minimum service the County will consider is bi-weekly collection of recyclables (newspaper, corrugated cardboard, glass containers and tin, bimetal and aluminum cans) at drop-off sites. She feels that the City would be stepping in the wrong direction to make any plans at this point with Bellaire as the City does not know what plans Maroney's might be interested in doing. She also felt it would be safest at this point to work with the County organization as we would be working with a structure that is already set up. However, if the City is not happy with the bid and the plan that a professional hauler puts into the County for our area, we can work with the County at that point. It would probably be wise for the Planning Commission to recommend to Bellaire Sanitation that they put in a bid for the Lake Elmo area. Also, by providing a site for a dropoff center the County would have more leverage in working with the people who put in the bids for our area. Therefore, it would be appropriate for the Planning Commission to recommend to the City Council to chose a site in the City so that when the bids come in to the County, it wouldn't end up as being just one site at Oakdale and Lake Elmo sitting here with nothing.

Ms Ayde stated she questions the proposal the County has setup for this program. Washington County is looking only to recycle five percent, which is not a very large margin. Also, some of the equipment that they require to process this material leaves an independent company such as Bellaire unable to afford to take part in the program.

Kuettner suggested that Bellaire put together its proposal and give the Planning Commission a copy of the proposal, so it could have some input to the County.

It was also pointed out that all of the proposals should be reviewed by the City, not just Bellaire's proposal.

4. Final Plat for Teal Pass Estates 3rd Addition

The Commission reviewed the memo from the City Engineer dated April 18, 1985 in which he states that he has reviewed the preliminary and final plat for Teal Pass Estates 3rd Addition and has checked it for conformity with the City Code and the previously submitted preliminary plat for Lake Jane Estates 3rd Addition. It was noted that the name was changed after Lake Jane Estates was platted.

The Engineer finds the final plat to be in conformity with the original preliminary plat and the City Code and recommend its approval. Also, ponding capacities have previously been checked and approved by the VBWD. Construction plans and specifications will be checked and approved by the City Engineer prior to the City signing the final plat.

Dennis Peck, representing Mr. and Mrs. Neudahl, stated that the Neudahl's have the responsibility of connecting the road into Fox Fire, and bringing that south. There has been some work done at the upper end of the cul-de-sac which makes it unrealistic to take out and move the entire cul-de-sac. It was decided that this issue will be discussed with the developer at a future time.

Regarding the old farm house, Mr. Neudahl stated there is a farmhouse garage that will be completely torn down and a couple of old out buildings that will be torn down, but the farmhouse itself will remain standing. The current developer's agreement states that the farmhouse must remain unoccupied, which it is and will be until the road is completed and accepted by the City.

Prince stated that some of the residents in Fox Fire have complained about some "stuff" that is up against the hill. She suggested that this "stuff" be removed so the Neudahl's don't have angry neighbors on their back.

Johnston/Prince - To recommend to the City Council final plat approval for Teal Pass Estates 3rd Addition subject to the applicant entering into a developer's agreement with the City. (Motion carried 7-1-1-<Lyll> <Novak>)

Lyll stated he has nothing personal against the Neudahl's, or the way they are handling the development, but has to be consistent with his objections and concerns about excess water getting into the City.

5. Simple lot subdivision and zoning code variances on parcel of land east of Lake Elmo Avenue and south of RR tracks. Applicant: Bill Eder.

This application was tabled from the previous Planning Commission meeting as there was a question as to whether or not the 50' easement was recorded with the County.

This application will require a variance from the lot size of 1-1/2 acres, a variance for the road frontage requirement of 125 feet, a variance for the septic system requirements for the easterly lot, and some type of private road agreement with the City that provides access to all of these parcels which includes potentially five sites thru Mr. Willard Eder's driveway. Willard Eder is the father of the applicant, Bill Eder.

Mr. Eder stated that the plat in question was never recorded with the County. If the plat would have been recorded, the lots would already exist and there would be no need for a subdivision.

Kuettner stated she has two concerns with this proposal. The first concern is Willard Eder's septic system. If we allowed this to be subdivided, and part of the property had to be given back for Willard Eder's septic system, there could be some additional expenses for the 201 Program. The second concern is the driveway. It looks like the driveway could be widened. There is no way she could vote for this under the present circumstances.

Eder stated that the driveway could be widened but he would have to remove a pretty good sized tree. He wouldn't want to do this, but if he had to he would have no problem with this.

Lyall stated the lot could be subdivided in such a way that the amount of property needed for Willard Eder's septic system would remain with parcel 42, which shouldn't have any effect on the 201 Program.

Lundquist stated that sometime in the future the 30' strip could be converted into a road when the antique shop expires. The antique shop is on a substandard lot and probably wouldn't be allowed to be rebuilt if something happened to the existing building.

Lyall stated that if Lot 41 was divided the way the applicant wants to do it, maybe the smaller portion of the lot is not buildable, but that has to be worked out later when someone wants to do something with it. If the largest portion is what he wants to build on, it wouldn't make any difference if the smaller piece of property is buildable or not.

Kuettner stated that if we allowed this subdivision, it would allow somebody else to come in and request the same variances that we would give Bill Eder for the smaller piece of property.

Lundquist stated if the smaller portion is not buildable, we shouldn't create it as a separate lot.

Johnston stated that we need sufficient information to demonstrate that the lots would be buildable if we allowed the subdivision. It is fairly clear to him that there is not enough information to support

this subdivision. There are too many unknowns that have not been properly addressed.

M/S/ Prince/Graves - To recommend to the City Council approval of this subdivision due to the following factors: the lot size is similar to lot sizes in the area, to accept the fact that it will be a subdivision on a private driveway and the only reason to look upon that favorably is because there are already existing homes on that private driveway, and contingent upon the fact that the westerly fifty feet of lot 41, which is proposed as the septic system site for Willard Eder in conjunction with the 201 Program be deeded to lot 42, and if the easterly section of Lot 41 has acceptable percolation tests. (Motion failed 4-4-1 <Lundquist, Johnston, Kuettner, Nazarian> <Novak>)

Kuettner stated she could not possibly vote in favor of this motion mainly because of the driveway, but also because it wouldn't be necessary to subdivide, and by subdividing we are creating two potentially buildable lots. If the Council granted this subdivision, we would be putting them in the position of having to grant a second person the same variances that are being granted this person.

Graves stated the one extenuating circumstance is the existence of the Shultz property. He personally feels that sometime in the future there will be a city road put in on the fifty foot easement. He supports the motion Prince put forth, and does not feel we would be in any worse shape than we are at the present.

Lyll concurs with Graves and added that there is a division between the potential subdivision, and it is a logical division. The only reason they want to divide the property is because of the Schultz property. He does not see where having the parcel in two pieces rather than one would create any more difficulty than there is today.

Prince stated that she did not include any provisions about the road in her motion because she would prefer to leave that to the discretion of the Engineer and the City Council.

Johnston stated that there are so many "unknowns" with this application. There is work that could be done to demonstrate that the lots are buildable, there is the provisions of the road, and this falls on the shoulders of the applicant. We are speculating about a lot of unknowns; we are creating a difficult situation for the City and we are creating a potential difficult situation for residents in the area. There has not been a satisfactory discussion on how the road could be made satisfactory for future residents, it hasn't been demonstrated that the lots are buildable, and if they are not buildable, there is no reason to subdivide them.

Lang stated that the motion has enough contingencies in it that the Planning Commission could move on the application. The quality of the road has been deferred to the City Engineer. What is our concern about the quality of the road? If the residents are dissatisfied with the quality of the road, at some point they will ask for it to be improved. They residents that live there are obviously not concerned with the road.

Nazarian stated that his only reason for voting no on this proposal is

the private road as opposed to a public road and the width and load bearing capacities of the road.

6. Planning Commission 1985 Work Plan

Prince suggested that "Signs" be included in the discussion regarding the I-94 overlay district.

The Administrator suggested that the Commission read the "Sign" section of the code and discuss this issue at the next Planning Commission meeting.

The Commission discussed potential changes to the sign ordinance and what changes they feel should be made to the ordinance. Some of the suggestions were changing, but regulating the type, quality, spacing and height of the signs.

Lundquist pointed out that the State of Minnesota has banned advertising signs along state highways on any land not zoned commercial or industrial. They have taken down all of the signs on agricultural land.

This topic will be brought back to the Commission for further discussion at a later date.

Regarding #9 of the Work Plan relating to "Speed sign, traffic light or some kind of traffic control on Highway 5 and CSAH 17 (near the school)" Prince suggested that she would at least like to see some kind of a speed control sign by the school.

Graves stated that he would like to see some kind of a light at the intersection of County Road 17 and Highway 5, especially during the late afternoon rush hour.

Kuettner suggested the possibility of a three-way stop sign for this location.

Graves and Kuettner both feel that traffic control of some kind should be a non-negotiable requirement for a school zone.

M/S/P Graves/Kuettner - To recommend that the City Council, in the interest of safety, approach the State of Minnesota and request some kind of traffic control measures in front of the school, such as school warning sign, blinking lights, or stop sign. (Motion carried 9-0)

7. Other

1. House moving application by Jed Weir

The Planning Commission discussed the memo from the Building Official in which he indicates that Mr. Weir is requesting premission from the City to move in a three bedroom rambler, about twenty-five years old, to his lot on 43rd Street. A soil boring and percolation test has been completed and indicates soil conditions to be favorable for an on-site sewage system. A percolation rate of 19 m.p.i will be used to determine the necessary size of the drainfield and septic tank. The owner is fully aware of the building codes that govern a moved-in

structure and realizes that the house must meet all existing codes. The Building Official recommended approval of Mr. Weir's request as all ordinances can be met without any variances.

Prince feels the house looks small and asked if it conformed to the City Code for size of structure.

The Administrator stated that the Building Official has indicated that Mr. Weir is aware that the house must meet all existing codes.

Prince asked about the pond on Mr. Weir's property. There is some earthmoving equipment and some piles of dirt and asked what is happening there.

Mr. Weir stated they are digging to make a bigger pond.

M/S/P Lyall/Graves - To recommend to the City Council that based on the information received from the Building Official approval be given to Jed Weir for moving in a three bedroom rambler. (Motion carried 8-0-1 <Novak>)

Kuettner stated that the homes (Mr. Pott's and Mr. Weir's) seem to be placed extremely far off of the street (282 feet). She feels we are creating quite a setback, and wonders if people are advised, when they apply for building permits, that they could be creating problems for themselves by having such a long driveway.

It was pointed out the the City Code has regulations on setbacks for minimum distances, but not for maximum distances.

M/S/P Graves/Kuettner - To adjourn the meeting (9:45 p.m.)

To: Planning Commission Members

From: Patrick D. Klaers, City Administrator

PK

Re: Agenda Memo for 4-22-85 Planning Commission Meeting

1. Introduction of new second alternate Planning Commission member, Daniel Novak.

At the last City Council meeting, Mr. Daniel Novak was unanimously appointed to the Planning Commission as the second alternate. This action was taken by the Council after they held an interview with Mr. Novak.

Attached for your information is the application that Dan submitted to the City Council for this appointment. Dan lives at 8520 Ironwood Trail which is south of the railroad tracks, but can be better described as the western central part of the City.

You may recall Dan as he spoke before the Planning Commission and City Council in regards to the Clapp/Thommsen rezoning application.

2. Minutes: April 8, 1985

Attached for your consideration and review are the draft Planning Commission minutes from the April 8, 1985 meeting.

3. Sue Ayde from Bellaire Sanitation regarding a recycling program.

Sue Ayde from Bellaire Sanitation has called the City office to initiate a recycling program in the City of Lake Elmo. She will be working at the landfill site during clean up days to test the interest in the community for such a recycling program. Sue will have material to hand out to the Commission and will discuss other programs that she has initiated in neighboring communities.

As this has been an interest to the Planning Commission in the past, I felt it was appropriate for her to make her presentation to the Planning Commission before proceeding to the City Council. I believe that Sue will be discussing some type of a monthly pick up in Lake Elmo, and would need to establish a location and time frame for this pick up so that adequate publicity of the program could be given in the City Newsletter. Without our residents being made aware of this program, the recycling of metals, newspapers and glass has a very limited chance of success.

I look forward to an interesting and information presentation from Sue at this meeting.

4. Final Plat for Teal Pass Estates 3rd Addition.

Ken Neudahl is now prepared to proceed with the final plat for Teal Pass Estates. I believe Ken or his representative, Dennis Peck will be present at this Planning Commission meeting to make a presentation.

Attached is the final plat and related map material, plus a report from the City Engineer, Larry Bohrer.

Teal Pass Estates had its preliminary plat approved a number of years ago and has been developing the land in stages with smaller final plats of the original preliminary plat. What this proposal consists of is the final 11 lots that were included in the original preliminary plat. With the approval of this final plat, it will complete the development of all the lots that were proposed originally.

The final plat is in compliance with the preliminary plat. All drainage requirements have been met, and no variances are required with this final plat. This final plat will complete the street system that was required originally, and if the Council approves this final plat following the Planning Commission's recommendation, a developer's agreement will be entered into between the City and Mr. Neudahl which will outline the construction standards for the street and other typical requirements that are imposed upon a developer.

The staff has no problems with this application and finds it to be in compliance with the preliminary plat and recommends approval. The City Engineer and I had a meeting with Mr. Neudahl and Mr. Peck prior to the submission of this final plat, so all of our concerns have been met.

5. Simple lot subdivision and zoning code variances: Application by Bill Eder.

I do not have much to add to the information I provided you at the last meeting regarding this application. At the last meeting, a public hearing was held for Mr. Eder's application for a simple lot subdivision and numerous zoning code variances for a parcel of land that is east of Lake Elmo Avenue and south of the railroad tracks.

Attached for your information is the application and a memo from the City Engineer, which was distributed before the last meeting. I suggest that all Planning Commission members once again take a drive by this area to review the site. This is a very cumbersome and confusing application as the existing parcel of record is separated by another existing parcel of record.

Planning Commissioner Bill Lundquist has informed the staff that all the parcels shown on the map in Larry Bohrer's report were recorded prior to 1970. The key question in this application is whether or not the easement was officially recorded, and at the last Planning Commission meeting, the Commission put the burden of proof regarding this easement upon the applicant. I expect that Mr. Eder will be present at this meeting to provide us with a further update on the status of this easement.

This application will require a variance from the lot size of 1-1/2 acres, a variance for the road frontage requirement of 125 feet, a variance for the septic system requirements for the easterly lot, and some type of private road agreement with the City that provides access to all of these parcels which includes potentially five sites thru Mr. Willard Eder's driveway. Willard Eder is the father of the applicant, Bill Eder.

The staff has a lot of problems with this application. Our major concern is the road frontage issue. If the simple lot subdivision application was withdrawn, this would be a much simpler application, but still a difficult decision would have to be made by the Commission and the Council.

Some type of action should be taken by the Commission at this meeting as the public hearing has been rescheduled before the City Council for the zoning code variances on May 7th, 1985.

The concern with the long private driveway is that Willard Eder will not always be living in this house where the driveway goes thru, and a new homeowner may not be happy with this situation. Additionally, the City, over a period of time, ends up taking over the maintenance and ownership of these long private roads. This most recently has taken place in 1984 with Jane Road North.

The Commission and the Council, in the past, have expressed concerns over applications that require more than one variance. Also, the Council has clearly established a policy that prohibits lot subdivisions that do not have public road frontage. This has been done in a number of cases where the Council has allowed the construction of one home on a landlocked parcel served by a long private driveway, but never has allowed a subdivision to take place.

The hardship that will be explained by the applicant will most likely be the lack of a public street. This is a very true statement, but this concern is also the reason why the staff is recommending denial of the subdivision in order to prevent future homes from being constructed in this area.

Even with the subdivision application being withdrawn, the staff would still have to recommend denial of the application. This recommendation for denial is even stronger with the subdivision application being included.

6. Planning Commission 1985 Work Plan

Attached for your information is the 1985 Planning Commission Work Plan. I put this Work Plan in a somewhat different format than what you have seen in the past as I think it makes it easier to follow and to group activities under one heading. I think it would be appropriate for the Commission to move forward on work item #9 so that the Council can get a resolution up to the County so that some type of study can be done on this area. I also believe we should start looking at item #18A considering the recent application we had for signs, and the fact that we will most likely be receiving additional requests when I-94 is completed. And aside, the staff has been a little bit bogged down by the shortage of manpower, but we anticipate proceeding very soon with item 1A - the I-94 Overlay District Corridor Zoning Code and Comp Plan work.

*****OTHER INFORMATION*****

1. Attached for your information is the most recent City Newsletter dated April 9, 1985. This Newsletter issue highlights an article on the Council's denial of the Springborn's CUP amendment for their proposed waterslide.
2. Wish to acknowledge that a "slow - now wake" boating restriction has been placed on Lake Jane as this lake is above flood level 924. This action is authorized by ordinance 7964 which is attached, and was adopted in 1984. This ordinance makes no reference to boating activities on Lake Olson or Lake DeMontreville which were included in the resolution that was used to draft this ordinance. The Washington County Sheriff's Department has been notified of this boating restriction.
3. The blast of winter that took place on Sunday, March 31st produced about 15" of snow which makes March, 1985 the third snowiest March in history in Minnesota. For 1985, we received over 72" of snow, and was ranked as the 10th snowiest winter on record. Until the winter of 1981/82, only one winter season on record had as much as 85" of snow. Since this 1981/82 winter, Minnesota has averaged approximately 85" of snow per season.
4. Attached is a letter from Washington County relating to recycling efforts in the South Washington County area. You might want to review this letter as recycling is also on the Planning Commission agenda with Sue from Bellaire Sanitation making a presentation.
5. Attached is a copy of the personal profile that the Washington County Review did on Ken Carroll from our maintenance department. This article highlights Ken's work and homelife.
6. Attached is an article on the landfill and drinking water supply issue from the April 11, 1985 Minneapolis Tribune. This is the first article the Tribune has done on this problem, and it must be acknowledged that it is impossible to cover all aspects of the problem in a brief one page article. You should note that Ramsey County, Washington County and the City of Lake Elmo will be meeting on Monday, April 29th to negotiate terms and conditions for installing a public water supply system in the area. The major point of agreement between all three agencies is that the only solution that will solve our problems in the area is a public water supply system. We must still negotiate on the size, cost and area to be served by this system.
7. Attached for your information is the "Waste Forum" from Washington County. This is the second issue. Again, you should note that they have a paragraph on recycling.
8. Attached for your information is a flyer from Mn/DOT relating to the I-94 construction schedule.

9. Update on City Council action from 4-16-85

1. Hired Mr. Frederic Knaak as our Civil City Attorney. He is from the lawfirm of Rauenhurst and Carlson.
2. Approved the Riek rezoning from RR to AG as recommended by the Planning Commission.
3. Denied the Olson sign CUP and variances as recommended by the Planning Commission.
4. Authorized the use of the Consulting City Planner, Rob Chelseth, for assistance in the accessory structure code amendments that are being proposed and discussed.
5. Withdrew the petition to VBWD for the pumping of Sunfish Lake to park property.
6. Scheduled interviews for the maintenace foreman position with five applicants prior to the May 7, 1985 meeting.
7. Authorized the staff to select a finalist from the Administrative Secretary applicants. This finalist will then be review by Council member Armstrong and Mayor Morgan, and hopefully will be employed shortly thereafter. Formal approval by the Council will take place on the 7th of May.
8. Approved the wording for the Lake Elmo Lake Rule Signs that will be installed at the DeMontreville and Jane public accesses. These four rules state: 1. No littering; 2. No boats above slow/no-wake speed 6:00 p.m. until Noon; 3. Boats operating over 5 mph must travel counter clockwise; 4. Boat Launching is restricted to public accesses.
9. Approved a citizens group to do work on constructing a walkway access to DeMontreville Park. We have an easement between property lines for an access, but the property owners would like to construct an access at a different location off of DeMontreville Trail, across the street from Lake DeMontreville. The neighborhood group will be furnishing the labor and materials for the development of this entrance to DeMontreville Park.