

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

JULY 22, 1985

- 7:30 p.m. Meeting Convenes
1. Minutes: July 8, 1985
- 7:45 p.m.
2. Public Hearing: Rezoning and large lot division for Robert Meyer and Frank and Arleen Meyer in Section 3.
- 8:15 p.m.
3. Public Hearing: Preliminary Plat and Final Plat for Don Bishop - Clapp/Thommsen off of CSAH 6.
 4. Large Lot Subdivision for Gordon and Betty Lundholm at 2737 Lake Elmo Avenue.
 5. Site Plan Review: Rich Christenson representing Lake Elmo Family Physicians proposed clinic on Lots 1 and 2 of Brookman Addition.
 6. Discussions:
 - A. Signs
 - B. Golf Courses in RR Zone
 - C. Hutchinson Property

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

JULY 22, 1985

Chairperson Nazarian called the meeting to order at 7:32 p.m. in the Council chambers. Present: Lyall, Kuettner, Novak, Lundquist, Lang (departed 9:30), Prince (arrived 7:37). Absent: Graves, Schiltz, Moe, Johnston

1. Minutes: July 8, 1985

M/S/P Novak/Lang - to approve the minutes of the July 8, 1985 Planning Commission meeting as amended. (Motion carried 5-0-1<Lyall>).

2. Public Hearing: Rezoning and large lot subdivision for Robert Meyer and Frank and Arleen Meyer in Section 3.

The public hearing opened at 7:45 p.m. in the City Council chambers.

Mr. Robert Meyer proposes to subdivide a 10-acre lot from his father's 53-acre parcel. Presently, the entire 53 acres are in Agriculture Preserve. A subdivision of this type is allowed under state law as long as at least 40 acres remain in Ag Preserve. No other dwelling can be built on the property. The 10-acre lot would then have to be rezoned to RR to allow a lot of that size.

All property owners within 350 feet had been notified of this public hearing and a few were present for the hearing.

M/S/P - Prince/Kuettner - to recommend to the City Council to adopt an ordinance rezoning the 10 acre parcel from Ag to RR. (Motion carried 7-0).

M/S/P - Prince/Kuettner - to recommend approval to the City Council to grant a large lot subdivision to subdivide the 10.1 acres from the existing 53 acre parcel. (Motion carried 7-0).

3. Public Hearing: Preliminary Plat and Final Plat for Don Bishop - Clapp/Thommsen off of CSAH 6.

The public hearing was opened to the public at 8:12 p.m.

Although the applicants did not appear for the public hearing, several property owners were present to represent the neighborhood. All property owners within 350 feet were notified of the public hearing.

Denis Conlin, 2915 Inwood Ave. N., stated he has no problems with the new proposed plan. Conlin would not like to see any sewer or water come in. He asked what were the chances of double homes or townhomes being built there. This would be permitted only in an R-2 or R-4 zoning.

M/S/P Kuettner/Lyall - moves to continue the public hearing at the August 12th Planning Commission Meeting. (Motion carried 7-0).

4. Large Lot Subdivision for Gordon and Betty Lundholm at 2737 Lake Elmo Avenue.

Mr. Lundholm proposes to subdivide his property presently consisting of two parcels into three lots. The applicant is asking for a waiver of subdivision regulations which require platting.

Mr. Lundholm stated that he has already donated a 30 foot wide right-of-way for Legion Avenue. Therefore, the recommended road easement at the easterly edge of 0370 has already been done.

There was discussion on cleaning this up, but not to include Lundholm's request to split off the easterly section lot 0370 for two reasons. There is no road frontage at the present time and a contour map should be brought in to determine the amount of buildable land. The Commission questioned the southerly portion of 0360 being zoned as R1 and requests the staff to determine whether it is R-1 or RR. It was shown that according to the zoning map it is zoned R-1.

M/S/P Prince/Kuettner - to recommend to the City Council to take the northern portion of 0360 be adjoined to lot 0370 and the southerly portion 0360 easterly line be pushed back to the 400 foot line from Lake Elmo Avenue to enlarge that lot to 1-1/2 acres. (Motion carried 7-0).

5. Site Plan Review: Rick Christenson representing the Maplewood Family Physicians proposed clinic on Lots 1 and 2 of Brookman Addition.

Mr. Rick Christenson of Anderson/Dale Architects, representing the Maplewood Family Physicians presented a model of the proposed physicians clinic and a site plan for Lot 1, Block 1 of Brookman's Addition. The Maplewood Family Physicians have two clinics. One right off of St. Paul Avenue and, secondly, at the Sun Ray Shopping Center by Byerly's. The property for the Lake Elmo Clinic was purchased on July 1, 1985.

The applicants proposed to comply with the Watershed District's recommended building elevation of 930 because the existing building cannot meet this elevation. There are 58 parking spaces proposed. They will make the appropriate adjustments for the septic field, but have set aside 10,500 square feet for this.

Kuettner expressed concern about the traffic trying to get out of the parking lot and onto Highway 5.

M/S/P Prince/Kuettner - to recommend to the City Council the site plan and a simple lot subdivision (rearranging the lot lines from an east/west lot line to north/south lot line and include renumbering the lots). (Motion carried 6-0).

6. Discussions:

A. Signs

Lundquist suggested that if the entire sign ordinance would need to be rewritten, the commission should get copies of other ordinances to compare with and obtain professional help.

Kuettner feels the sign ordinance is good, but it is the format that could be changed. Also, suggested that when the rough draft is done, someone should attend a Business Association meeting for their input.

Chairman Nazarian will go over the sign package and this will be presented at some later date.

B. Golf Courses in RR Zone.

Prince questioned where should golf courses fall in the zoning code. They are only allowed by Conditional Use Permit in R-3. Kuettner raised the question of what is the difference between a public and a private golf course. Nazarian would like the commission members to come in with ideas next time on how to treat the location of golf courses given as we already have a Tartan Park and a Cimarron golf course in two different zones.

C. Hutchinson Property

Discussion on the Hutchinson Property was tabled and tentatively set for the August 26th Planning Commission Meeting.

M/S/P Prince/Lyall to adjourn the Planning Commission Meeting at 9:58 p.m.

To: Planning Commission

From: Marilyn Banister, Acting City Administrator

Re: Agenda Memo for July 22, 1985 Planning Commission meeting

1. Minutes: Attached for your review are the July 8, 1985 Planning Commission minutes.

2. Public Hearing for Rezoning from AG Preserves to RR and large lot division for Robert Meyer and Frank and Arleen Meyer in Section 3.

Attached is the application, site map showing the proposed subdivision, a letter from the Metropolitan Council stating that what the Meyer's propose is allowed in AG Preserves and a list of the property owners that were notified of this public hearing. Larry Bohrer does have some concerns and his report will be sent to you under separate cover.

What the Meyer's propose is to divide this 12 acres off of the entire 54 plus acres that is in AG Preserves so that their son (Robert Meyer) can build a home on this 12 acres. Please read the letter from the Metropolitan as it explains that what the Meyer's propose is allowed. However, because the 10 to 12 acres that the Meyer's propose to subdivide does not qualify for AG Preserves, a rezoning to RR is necessary. It should be pointed out that although this 10 to 12 acres would not be in AG Preserves, (because of our zoning regulations it must be RR), it is still included as part of the original AG Preserves agreement, and therefore, no other home could be constructed on the remaining 43 acres until such time as the Meyer's initiate expiration of their AG Preserves status, and expiration takes place eight years after that notice is given. All of the benefits and restrictions of agricultural preserves status continue until actual expiration eight years after notice. Another point that should be made is that this rezoning is entirely at the discretion of the local governing body.

If any Commission member would like to read the complete Metropolitan Agricultural Preserves Act, it is available at the city office.

Mr. Meyer should be present at this public hearing to answer any questions you may have.

If the Commission finds this application favorable, its recommendation to the City Council should be to adopt an ordinance rezoning the 10 to 12 acre to RR, and a second recommendation should be to grant the large lot division.

3. Public Hearing for preliminary plat (and final plat) for Don Bishop Clapp/Thommsen at 8451 Stillwater Blvd. N. (That part of the NW1/4 of Section 21, T29N, R21W which lies south of CSAH 6 containing 145.2 acres more or less.

What Mr. Bishop proposes is to subdivide part of this tract shown on the preliminary plan as Phase I (11 lots) under a cluster development. A variance for lots exceeding the 2.0 acre maximum will be heard by the City Council.

Attached is the application, map, and list of residents receiving notice of this public hearing. Larry Bohrer's report will be sent to you under separate cover.

Bruce Folz will be at this meeting, representing Mr. Bishop, to address any concerns of the Planning Commission.

4. Simple lot division for Gordon and Betty Lundholm at 2737 Lake Elmo Avenue.

Attached is the application and site map. What Dr. Lundholm proposes is to add on to parcel 0360 approximately 130 feet by approximately 500 feet, and to subdivide parcel 0370 as shown. There presently is no home located on parcel 0360, and by increasing the size of this lot it would be more conforming to the city code.

Dr. Lundholm is well aware that he would be landlocking the parcel in the back, and that this would not be a buildable lot, but he has no plans to do anything with this property until such time as Legion Avenue would come thru.

The applicant is in reality asking for two ^{Large} simple lot divisions; one for parcel 0370 and the other for parcel 0360. The City Council has had a few applications before it recently where similar requests were made. The Council has waived the platting requirements (which is required when more than one subdivision is requested on an unplatted parcel of land), because the applicants were not creating new lots, (as in parcel 0360) they were making some non-conforming lots more conforming to the city code.

Larry Bohrer's report on this application will be sent to you under separate cover. Dr. Lundholm should be present at this meeting to answer any questions you may have.

5. Site Plan Review: Lake Elmo Family Physicians

Mr. Rick Christenson of Anderson/Dale Architects, representing the Lake Elmo Family Physicians Clinic, will present the site plan for a proposed physicians clinic on Lot 1, Block 1 of Brookman's Addition. This clinic is proposed to be 4500 square feet, with an additional 2600 square feet of area for lease space. This building will connect with the existing building that is now owned by Bill Stouvenel for a total square footage of 10,100 square feet.

The proposal will actually include Lots 1 and 2 of Block 1 of Brookman's Addition, with some minor lot line changes being proposed by the developer. Since the lot line alterations will not change the size of Lots 1 and 2, this may be able to be done administratively.

Mr. Christenson will be present with a model of the proposed clinic, plus soil information and maps, and should be able to answer any questions from the Commission. He will meet with Larry Bohrer on Friday, July 19, 1985 and we should have some kind of a report from Larry available for the meeting.

6. Discussions:

1. Signs: Fred Nazarian and Carol Kuettnner should have more information regarding our current sign ordinance to present to the Commission.

Regarding the sign on Highway 5 that has been discussed at previous meetings, I have talked with Bill Keane from the Minnesota Department of Transportation and he states that there is no State law on setback requirements, nor is there a law governing the size of signs. The State's permit fees are based on the square footage of the sign, but there is no law as to how big, small or high the sign can be. The spacing on an interstate highway is 500', plus they have to be at least 100' away from school or church property. Also, the State only allows signs in Commercial, Industrial or Business Zones. However, Mr. Keane stated these rules apply to new permits, and the State does not get involved in enforcing codes for existing signs.

2. Hutchinson Property: I am still waiting for an opinion for the City Attorney as to whether or not the City can change the Comp. Plan without this being requested by the property owner.

I have enclosed the ordinance (7949) granting a rezoning from RR to Industrial to the Hutchinson property, a memo from Larry Whitaker, and a memo from Ray Marshall in which this rezoning was recinded. The Hutchinson property is now RR - it is not AG.

3. Golf Courses in the RR zone.

OTHER INFORMATION

1. Attached is the most recent Newsletter.

2. Attached is a letter from Washington County regarding the City's approval of the boarding care home.

3. Update on City Council action from July 16, 1985:

- Approved a 3.2 beer license transfer at Cimarron Park.

- Heard the concept plan from Sam Emerson regarding the golf course and approximately 70 homes at the southeast corner of CSAH 13 and CSAH 70. The Council seemed receptive to this concept plan although it should be noted that Mr. Emerson has made no formal application to the City.

- Agreed to enter into a one year contract with Bellaire Sanitation for a recycling center in Lake Elmo (location to be selected by Bellaire and the City).

- Approved a simple lot subdivision and variance to platting requirements to Augustine Taylor.

- Approved a variance for drainfield setback and road vacation for David Strusinski in Lane DeMontreville.

- Larry Bohrer provided a feasibility report on the proposed pumping to Shafer pit from Lake Jane. It was Larry's contention that this pumping would not be feasible as presented. The City Council will go ahead with the public hearing that has been scheduled for Wednesday, July 24th at 8:00 p.m. although it is my understanding that the project will not be ordered.

- The discussion with County Commissioner's Schaefer and Evert has been postponed until the August 6, 1985 City Council meeting.

- Approved the request from the Maintenance Foreman to keep our MEED employee thru September, 1985 to work in the parks.

- Regarding the advertising sign on Highway 5, the Council asked if there have been any complaints regarding this sign and indicated they had no major concerns with the sign. Carol Kuettner explained the concerns of the Planning Commission. The Council instructed the Administrator to contact the property owner and/or Naegle Sign Company and suggest they come in and apply for a variance to the code so that the sign can remain.

- Accepted the resignation of Newslette Editor, Mary Meyer and an article will appear in the Newsletter seeking a replacement.

- Will continue to review the applications for City Administrator.

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

JULY 8, 1985

Chairperson Nazarian called the meeting to order at 7:00 p.m. in the Council chambers. Present: Schiltz, Kuettnner, Novak, Lundquist, Johnston, Prince, Lang and Moe (arrived 7:16). Absent: Lyall, Graves.

1. Minutes: June 24, 1985

M/S/P Schiltz/Kuettnner - to approve the minutes of the June 24, 1985 Planning Commission meeting as presented. (Motion carried 6-0-2<Lang, Prince>)

2. Large Lot Subdivision for Leroy Augustine at 2490 Manning Avenue South.

Mr. Glen Taylor, contractor for Mr. Augustine, presented what Mr. Augustine is proposing to do. It is actually two simple lot subdivisions. He proposes to create parcels A and B, while at the same time adding a parcel of land to the existing parcel (2500 owned by Mr. Schmidt). Mr. Schmidt has asked to purchase this parcel of land from Mr. Augustine as there was some confusion when his house was built, and it appears that his house was constructed very close to the property line. Mr. Schmidt would like this property to prevent a house from being constructed on this parcel, close to his existing house, in the future. Mr. Augustine has indicated that the property that would be added on to the Schmidt property would be of no use to anyone else.

The City Code states that "Platting shall be required for the subdivision of a tract of land which is to be divided into two or more lots or parcels for the purpose of transfer of ownership, building development, or for tax assessment purposes and anyone of the resulting lots or parcels will have a land area of less than five (5) acres".

Johnston - asked if the septic system is 3 feet vertically from the 100 year high flood mark. Would like a clarification for the City Council.

Nazarian stated that the land going to Mr. Schmidt should be deeded as strictly as a single parcel of land (100 x 295 foot strip should be added legally so that it is a single parcel of land, not to be subdivided at any further time).

M/S/P Prince/Kuettnner - to recommend to the City Council adopting a resolution approving a large lot subdivision for Mr. Augustine at 2490 Manning Avenue contingent upon the applicant meeting the requirements outlined in the City Engineer's memo dated July 3, 1985. (Motion carried 8-0).

3. Work Plan

1. Signs (continue discussion)

Lundquist - suggested they discuss the distance between advertising signs. Our code does not say specifically between advertising signs and this should be clarified.

Prince - we should come to some sort of consensus on the definitions, distance between signs and the size of the signs.

Kuettner referred to the beginning of the sign ordinance. The purpose of this section is to protect and regain the natural and scenic beauty of the roadside through the City, etc., and we could restrict the type of sign, (size, elevation) on that basis. She suggested limiting advertising signs only to the I-94 corridor.

Novak - would like to prohibit the possible eight advertising signs along the I-94 corridor.

The sizes of the two basic signs that Neagle will put up is 12' x 25' and 14' x 45'. Prince and Johnston would like to see the 300 foot 12' x 25' sign.

The Commission requested information regarding the size and setbacks for signs from Mn/Dot.

2. Hutchinson Property

In our comp. plan the Hutchinson Property is zoned industrial for the future and the Planning Commission has to address this fact. Do we want to do anything and if we do want to change it how do we do it. Restrictions on the Hutchinson property was requested by Nazarian as currently zoned. Johnston brought up the restrictions of the surface water run-off. A suggestion was made to invite the parties together and discuss their needs and interests and review the restrictions. What is allowed in our industrial zone Nazarian questioned. Copies of 301-45, 46 and 47 have been requested for Dan, Dave, Dean and will be sent. Nazarian would like the commission to come in with some preferred opinions as to what you would like for the next meeting.

3. Other

The Planning Commission meetings will be held at 7:30 effective with the July 22, 1985 meeting.

A memo was discussed from Zack Hansen regarding the Public Works Garage Site as the best composting site.

Referred to a letter regarding the 201 Program-on-site sewer project written by Attorney's Holmes and Graven objecting to this program on the grounds that the program proposes an expensive, inadequate and unreasonable solution to the problems of sewage

LAKE ELMO PLANNING COMMISSION MINUTES JULY 8, 1985 PAGE 3
disposal within the City and the 201 Program is no solution, but
a patchwork attempt to rescue a few septic systems.

Nazarian complemented the Planning Commission on the work done on
the I-94 Overlay and Comp Plan Amendment and the work done on
Hecla. Both were approved by the City Council with a 5-0 vote.

Lundquist brought up that it may be necessary to amend the code
for golf courses and would like this item to be on the agenda for
the next meeting.

Prince suggested to proceed with our own recycling program and has
contacted Bellaire Sanitation and will make a presentation at the
July 16th Council Meeting. Bellaire Sanitation is the only one
that bid for the the County, but a letter will be sent to each
license collection service and ask if they would be interested.

M/S/P/ Moe/Johnston - to adjourn the meeting at 8:48 p.m. (Motion
carried 8-0)