

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

SEPTEMBER 23, 1985

- 7:30 P.M. Meeting Convenes
1. Minutes - September 9, 1985
  2. Review of garage to be moved in to  
4452 Lake Elmo Avenue N. Applicant:  
Neil and Deb Krueger
  - 7:45 p.m. 3. Public Hearing for rezoning from RR to  
R1 on the property legally described  
as Part of Government Lot 2, Section 10.  
Applicant: Raymond Mester
  4. Other

OTHER INFORMATION

Update on City Council action from September 16, 1985:

- Granted a simple lot subdivision to Mary Hunt at 8810 55th Street North.
- Granted variance for three lots in the Clapp/thommsen (Lake Elmo Heights) cluster development. These three lots exceeded the 2 acre maximum allowed in cluster developments.
- Approved the final plat for Midland Meadows on 10th Street North.
- Tabled the application for rezoning from RR to R1 from Gene Peltier until the October 1, 1985 council meeting.
- Were informed by Larry Bohrer that the MPCA has requested additional information regarding the 201 Program. Larry feels that this request will delay the implementation of the 201 Program until the spring of 1986.
- Appointed the staff to write the City Newsletter (effective immediately).
- Accepted the petition from the property owners in Sections 32 and 33 and ordered the City Engineer to proceed with the feasibility study.
- Held a public hearing on the proposed 1986 City Budget. This will be finalized at the October 1, 1985 city council meeting.
- Heard a presentation from the Office Space Committee and will make a decision on this report later this year or early 1986.
- Accepted Carol Kuettner's resignation and asked that the two vacancies on the Planning Commission be noted in the City Newsletter.
- Approved extending the employment of John Tauer in the Maintenance Department thru November, 1985.
- Approved the installation of a street light at Jamaca Avenue and Jane Road.

September 19, 1985

To: Planning Commission Members

From: Marilyn Banister

Re: Agenda Memo for September 23, 1985 meeting.

1. Mr. and Mrs. Krueger would like to move an 18'x36' garage onto their property at 4452 Lake Elmo Avenue North. Attached is the application and site plan showing where the proposed garage will be located. Pictures of the garage will be available at the meeting for your review.

Mr. and Mr. Krueger now own 24 acres of land and are in the process of buying an additional 10 acres. There is presently two accessory structures on the property, and the Krueger's will be before the Council on October 1, 1985 to ask for a variance to allow this third structure.

Please review section 502 of the code which outlines the procedure for moving a structure into the city. Mr. and Mrs. Krueger should be present at this meeting to answer any questions you may have.

2. Public Hearing for rezoning from RR to R1 approximately 18 acres in part of Government Lot 2 in Section 10. Applicant: Raymond Mester.

The application, notice of public hearing, list of residents notified of this proposed rezoning and memo from Larry Bohrer is attached.

The Planning Commission reviewed the concept plan for this proposal at a previous meeting and should have a copy of the plan Mr. Mester provided for reference.

Mr. Mester is applying for the rezoning only as he would like assurance of this before he proceeds with the requirements of a preliminary plat. Mr. Mester should be present to answer any questions the Commission has.

If the Commission views this rezoning favorably, its recommendation to the City Council should be to adopt an ordinance granting the rezoning subject to any recommendations deemed appropriate for this rezoning.

3. There is no "Work Plan" items included in this agenda. Our new administrator will be on staff October 1, 1985 and because of the heavy workload in the city office, we felt that these items could wait for his input.

(OVER)

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

SEPTEMBER 9, 1985

Chairperson Nazarian called the meeting to order at 7:33 p.m. in the City Council Chambers. Present: Graves, Lundquist, Moe, Kuettner, Schiltz, Prince, Lyall and Acting City Administrator Banister. Absent: Novak, Lang.

1. Minutes - August 26, 1985

M/S/P Moe/Kuettner - to approve the minutes of the August 26, 1985 Planning Commission meeting as presented. (Motion carried 6-0-2<Abstain: Prince, Lyall>)

2. Public Hearing for rezoning from RR to R1 in Government Lot 3, Section 24. Applicant: Gene Peltier

Chairman Nazarian opened up the public hearing at 7:45 p.m. in the City Council Chambers.

Nazarian acknowledged the public hearing notice, the address list of the notified adjoining property owners, legal description by Bruce Folz regarding proposed rezoning of the Gene Peltier Property from RR to R-1, and a letter from Larry Bohrer, TKDA to the Planning Commission dated September 5, 1985 regarding the application for rezoning.

Mr. Peltier proposes to rezone approximately 27 acres of land located west of Eden Park Addition. The land is currently zoned RR and it is requested to be rezoned to R-1. The proposed rezoning to R-1 would be consistent with the Comprehensive Plan which lists this area as "Residential" on the Future Land Use Management Plan.

Ann Bucheck, 2301 Legion Ave, N, is concerned about the pond becoming any larger from this development because already they they have lost 25 year old oaks. Bruce Folz explained if Peltier would put this field into corn, you would get twice the run-off than you would if you put it in lawn, long grasses and houses. Development does not necessarily make it worse.

Nazarian does have a concern on the location of the proposed street if 25th street were ever completed.

Bob Krostue, 2121 Legion Ln. N., has a concern on the roadways because Legion Avenue is a "race track" now. Would like to know the proposed access to this property.

Kuettner commented that the question here is whether or not this land is appropriate to be rezoned to R-1. At the time Peltier brings in the plat, another public hearing will be held to treat this formal plat. The streets and water drainage will be taken care of by professionals.

M/S/P Kuettner/Graves - to recommend the approval of rezoning the Gene Peltier property from RR to R1 which is legally described as Part of Government Lot 3, Section 24, Township 29, Range 21. (Motion carried 8-0).

3. Public Hearing for rezoning from RR to R1 in part of Government Lot 2 in Section 10.  
Applicant: Raymond Mester

This public hearing was rescheduled and will be republished because not all of the adjoining property owners were notified of this public hearing.

4. Simple Lot Subdivision at 8810 N. 55th Street  
Applicant: Mary Hunt

Chairman Nazarian acknowledged the legal description of Parcel A and Parcel B for Mary Hunt by Bruce Folz, letter written by Larry Bohrer, TKDA, to the Planning Commission dated September 5, 1985.

Ms. Hunt is proposing to subdivide an existing 7.14 acre tract into two lots. The applicant is asking for a waiver of subdivision regulations which require platting. The cited hardship is the cost of platting. The newly created lots will consist of 4.06 acres and 2.48 acres. The westerly Parcel B has an existing home. Parcel A would be offered for sale.

Roger Johnson has done the soil testing, but has not completed or submitted the results. Folz indicated that there is sufficient suitable soils to create a primary and an alternate drainfield.

M/S/P Schiltz/Lyall - to recommend a waiver of platting requirements for simple lot subdivision as applied for by Mary Hunt. (Motion carried 8-0).

M/S/P Graves/Schiltz - to recommend approval to the City Council to grant a simple lot subdivision contingent on the soil borings and percolation tests and to require that the soils meet the requirements for proper drainage and enough area for two drainfields. (Motion carried 8-0).

5. Simple Lot Subdivision at 3200 Lake Elmo Avenue  
Applicant: Constance Smith

Application withdrawn.

6. Other

Carol Kuettner's Letter of Resignation

Effective October 1, 1985 Carol Kuettner will no longer be a resident of the City of Lake Elmo and will be unable to participate as a member of the Lake Elmo Planning Commission.

M/S/P Moe/Graves - to adjourn the Planning Commission Meeting at 9:06 p.m. (Motion carried 8-0).

September 5, 1985

To: Planning Commission Members

From: Marilyn Banister, Acting City Administrator

Re: Planning Commission Memo for September 9, 1985

1. Public Hearing for rezoning from RR to R1 in Government Lot 3, Section 24. Applicant: Gene Peltier.

Attached is the application, notice of public hearing, list of property owners notified of this proposal, a legal description of the property proposed to be rezoned and a rough draft of the proposed subdivision. I am sure Bruce Folz will be present at this meeting to represent Mr. Peltier and should have a better concept plan.

Please review pages 301-25 thru 301-27 which outlines the procedure for rezoning. If Larry Bohrer has any concerns with this proposal, they will be addressed in his memo.

Mr. Peltier's next step, if this rezoning is approved, is to apply for preliminary plat approval at which time a review of the plan will be made by VBWD, the City Engineer and all the requirements of a preliminary plat will be required of the applicant. However, before Mr. Peltier proceeds with any requirements of a preliminary plat, he wishes to be assured the rezoning.

If the Commission views this rezoning favorably, its recommendation to the City Council should be to adopt an ordinance rezoning this property, subject to the recommendations of the City Engineer.

2. Public Hearing for rezoning from RR to R1 approximately 18 acres in part of Government Lot 2 in Section 10. Applicant: Raymond Mester.

Attached is the application, notice of public hearing, and a list of residents notified of this proposed rezoning.

The Planning Commission reviewed the concept plan for this proposed subdivision at its last meeting and should have a copy of the plan Mr. Mester provided for reference.

As with Mr. Peltier's application, Mr. Mester would like assurance of the rezoning before he proceeds with the requirements of a preliminary plat. Larry Bohrer's memo should address any concerns he has with this application, and Mr. Mester should be present to answer any questions the Commission has.

If the Commission views this rezoning favorably, its recommendation to the City Council should be to adopt an ordinance granting the rezoning subject to the recommendations of the City Engineer.

3. Simple lot subdivision at 8810 N. 55th Street. Applicant: Mary Hunt.

Attached is the application, certificate of survey and legal description.

Ms. Hunt is proposing this simple lot subdivision without benefit of platting which is a requirement when a property is described by metes and bounds, as this property is. The reason for this waiver of platting is because the soil conditions on Parcel B would prohibit the property from being further subdivided.

If the Commission views this simple lot subdivision favorably, its recommendation to the City Council should be to adopt a resolution granting this subdivision, subject to the recommendations of the City Engineer, and subject to a park donation fee of \$250.

4. Simple lot subdivision at 3200 Lake Elmo Avenue. Applicant: Constance Smith. Application withdrawn.

#### OTHER INFORMATION

1. Attached is the most current City Newsletter.

2. The public hearing for the proposed 1986 City Budget will be held on Tuesday, September 17th at 8:30 p.m. Anyone interested in this subject should attend this hearing.

Update on September 3, 1985 City Council Meeting:

- Granted a large lot subdivision to Linda Larson at 4596 Lake Elmo Avenue.
- Granted two shoreland permits to Ken and Sherill Neudahl in Teal Pass Estates 3rd Addition.
- Accepted the 1984 and 1985 Street Improvements. A public hearing for these assessments will be held on Tuesday, September 10th at 8:00 p.m.
- Will work with the City Staff in implementing the Comparable Worth program.
- Hired Robert Overby as our new City Administrator. Bob is currently the Community and Economic Planner for the City of Willmar. He will be on staff October 1st.
- Will interview Newsletter Editor candidates at the September 17, 1985 City Council meeting.
- The City Attorney was instructed to write a letter to Ramsey and Washington Counties indicating Lake Elmo's position on the proposed municipal water supply for the residents affected by the contaminated landfill.



APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

AUGUST 26, 1985

Chairperson Nazarian called the meeting to order at 7:30 p.m. in the City Council Chambers. Present: Novak, Graves (Departed 9:35 p.m.), Lundquist, Moe, Kuettner, Lang, Schiltz and Acting Administrator Banister. Absent: Prince and Lyall.

1. Minutes - August 12, 1985

M/S/P Graves/Kuettner - to approve the minutes of the August 12, 1985 Planning Commission meeting as presented. (Motion carried 6-0-2<Schiltz, Lang>).

2. Public Hearing for Large Lot Subdivision (preliminary plat) for Linda Larson located at the E1/2 of NE1/4 of Section 11 and the E1/2 of the S1/4 of the SE1/4 of Section 2.

Pursuant to published notice, Chairman Nazarian opened up the public hearing at 7:45 p.m. in the City Council chambers.

Mark Vedders, North Northeast Realty, representing Linda Larson explained that the applicant would like to subdivide approximately 91 acres into 9 lots of approximately 10 acres in size. Vedders referred to a letter from Larry Bohrer dated August 22, 1985. Wally Johnson will be doing the perc tests on Parcels H and I, and they will be completed at the end of the week. Nazarian acknowledged the list of adjoining property owners that were notified of the public hearing and the letter dated August 22, 1985 from Larry Bohrer to the Planning Commission members.

City Engineer Bohrer recommended in his letter that before final approval is given the following information should be received:

- A. Comments from County on CSAH 17 60' right-of-way width and driveway access onto CSAH 17.
- B. Perc tests and soil borings on Parcels H and I to show there is at least one acre of suitable soil.
- C. Determination made on future 47th St.
- D. Access for Parcel E.

Kuettner questioned the access to Parcel E. Vedders explained that the County did not have any problem with Parcel E as is. City Engineer Bohrer did have a question on access because a pond extends across the entire frontage of Parcel E. There was a discussion on the suggestion of a shared driveway, but an explanation on how an access will be provided to this lot should be ready for the City Council Meeting.

Schiltz mentioned that the east pond does not show up on the map that Vedders had given to the Planning Commission. According to the Washington County Soil Survey, Parcels H and I may have less than 1.0 acres suitable for drainfield purposes. Bohrer visited the site and found that the site seems to indicate there should be sufficient room, but recommends perc tests and soil borings be provided for these two lots to show their suitability prior to approval.

Nazarian informed Vedders that regarding Parcels H and I septic system drainfield locations are preferential, that is, they take preference over location of the house.

Bohrer brought out in this letter that there are many wet soils which are protected from building upon by the City's Wetland Ordinance. The Soil Survey is at too small a scale for potential buyers or the Building Official to adequately identify the wetlands in relation to the lot lines. Bohrer recommends that the Soil Survey Map be enlarged to the scale of the final survey and superimposed on the survey and the wetland soils identified. This will be the only way the wetlands can be protected during the building phases.

Richard Hesse, 10830 N. 50th St., questioned why does the Planning Commission insist on such large lot divisions in the RR areas. Lundquist replied this is to keep the density down and one of the options is to cluster them and leave the rest of the land open. Hesse looks at it as destroying the rural area which you want to protect by insisting on such large lots. Usually you have 1/2 acre of grass and 9 1/2 acres of weeds and junk because there are no trees.

Hesse quoted out of the Country Journal dated September 1985, regarding urban sprawl, "Four different patterns of development were considered in the study. They ranged from "rural sprawl," with each house surrounded by five acres, to high-density developments on quarter-acre lots. Specific estimates of annual public costs and revenues were made for each pattern. The study verified that each of the development patterns would result in a net deficit for the County, but rural sprawl--would carry the greatest public cost by far. While each house built in a subdivision of quarter-acre lots would cost the County \$705 a year more than it would contribute, each house built on five acres would result in an annual deficit of \$2,231." Local government officials who are interested should write to Robert Gray, American Farmland Trust, 1717 Massachusetts Avenue N.W., Washington, D.C. 20036. Hesse felt that they don't push cluster developing enough, but if you want to develop a 10-acre lot it's automatic, but cluster housing requires a fight.

Nazarian explained that the Planning Commission acts on the applications that come before them and we have an application here from Linda Larson for 10-acre parcels. Linda Larson spoke up and said she was aware of her options, but knew she could not afford to do cluster developing.

M/No Second/No Pass Novak - to table until the next Planning Commission meeting pending perc tests and survey data. (Failed because of no second).

M/S/P Kuettner/Moe - to recommend approval to the City Council for a large lot subdivision (preliminary plat) for Linda Larson located at the E1/2 of NE1/4 of Section 11 and the E1/2 of the 1/4 of the SE1/4 of Section 2 contingent upon the City Engineer's recommendations, a.,b.c.d., outlined in his letter dated August 22, 1985 being addressed to the satisfaction of the City Council. (Motion carried 4-3-1<Novak, Schiltz, Lundquist><Nazarian-Abstain>).

3. Call public hearing for rezoning from RR to R1 a parcel of land described as Part of Government Lot 3, Section 24. Applicant is Gene Peltier.

Mr. Peltier would like to continue a development he started in about 1983 (Packard Park). The outline is proposed to be rezoned to R1 from RR. Bruce Folz had advised Peltier that there will be some problems and will take time in obtaining the survey. Kuettner suggested a location map of the general location of the proposed use within the community for the next meeting. Novak suggested giving Peltier a copy of 404.240. Schiltz suggested the application should be changed to indicate that Peltier wants to rezone at this time only half of the discussed property to R1 from RR and a new property proposal prepared by Bruce Folz has been attached to the application. Graves questioned Peltier's plans to handle the water and this concern should be addressed.

A public hearing will be called for Monday, September 9, 1985 at 8:15 p.m.

4. Call public hearing for rezoning from RR to R1 a parcel of land described as Part of Government Lot 2. Applicant is Raymond Mester.

Mr. Mester is requesting only a Zoning District Amendment and a sketch plan has been provided as to illustrate what Mester has planned.

A public hearing will be called for Monday, September 9, 1985 at 7:45 p.m.

5. Other

There was a discussion on Ag Preserve and the uses that are allowed in Agriculture and Ag Preserve.

Graves and Kuettner discussed the inadequate traffic control at 17 and 5 and what the status is of the warning light at the school. An inquiry will be made to Mn/DOT.

Novak would like to create a file in the office to inform prospective buyers of potential problems in their backyard.

M/S/P Schiltz/Moe - to adjourn the Planning Commission Meeting at 10:20 p.m. (Motion carried 7-0).

August 23, 1985

To: Planning Commission Members

From: Marilyn Banister

Re: Agenda Memo for August 26, 1985 Planning Commission Meeting

1. Linda Larson Preliminary Plat Public Hearing: Attached is the application and a site plan showing the configuration of the proposed lots. Please read pages 400-9 thru 400-13 of the code which cover preliminary plats, and which may answer (or raise) questions for this preliminary plat.

Because all of these proposed lots will access onto Lake Elmo Avenue (County Road 17) a copy of this proposal was sent to Larry Bousquet with the Washington County Public Works Department for his review. I doubt that we will have a response from Mr. Bousquet by the time of the public hearing, but any decision or recommendation that you make should take into consideration his concerns.

Larry Bohrer's report is also attached and this report mentions several things that the Commission should consider before acting on this application.

2. Gene Peltier Rezoning and Concept Plan Review: Mr. Peltier would like to continue a development he started in about 1983 (Packard Park). Attached is a copy of the concept plan (in very rough draft). Please review pages 301-25 thru 301-27 of the city code which covers rezoning and which again, may answer (or raise) questions you have about this rezoning.

A public hearing for this rezoning has been set for September 9, 1985 at 7:45 p.m., however, this date can be changed if the Commission feels a need to do so.

3. Other: I did not include and Work Plan discussion for this meeting. However, if any Commission member would like to bring up any subject for discussion, please feel free to do so.

-----OTHER INFORMATION-----

1. Attached is the latest edition of the Lake Elmo Newsletter.

2. The Council acknowledged Dean Johnston's resignation from the Planning Commission. A notice will appear in the next issue of the Newsletter advertising this vacancy. If any Commission member knows of anyone that is interested, please encourage them to apply for this vacancy.

3. Enclosed are copies of Ordinances 7965, 7966 and 7967 amending portions of the Lake Elmo City Code. Please put these ordinances into your code book as soon as you receive them.

4. Update on City Council action on September 13, 1985:

- Tabled an application for a Shoreland Permit for Mike Wagner at 9040 N. Lake Jane Trail (for an addition to his house) and will rehear the application once the 509 Project is a reality.

- Granted a rezoning and preliminary plat approval to Midland Meadows for the property located on 10th Street (approximately 1/4 mile West of Lake Elmo Avenue).

- Granted preliminary plat approval to Don Bishop for his cluster development of Phase I of Lake Elmo Heights which is located South of CSAH 6 at the intersection of Ideal Avenue.

- Heard concerns from the residents living near Legion Pond about the water problems they are experiencing.

- Discussed the Municipal Water Supply for the residents near the contaminated landfill. A meeting of these residents (headed by Arlyn Christ) has been scheduled for Tuesday, August 27th, 1985 at 7:00 p.m. Anyone interested in this issue is encouraged to attend this meeting.

- Heard from both Larry Bohrer and Dan Olinger that the major street repairs authorized by the City have been completed.

- The City has received about seventeen applications for Newsletter Editor. The Council will review these applications however, anyone interested in this position has until August 30th to submit their application.

- Attached is a copy of the agreement the City entered into with Washington County for composting. This composting site will be located behind the maintenance garage.

- The City Council interviewed five candidates for the City Administrator position. Although no decision has been made, discussion will continue at the September 3, 1985 meeting.