

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

JUNE 8, 1987

Chairman DeLapp called the Planning Commission meeting to order at 7:30 p.m. in the City Council Chambers. Present: DeLapp, Williams, Bucheck, Reuther, Raleigh, Haacke, Simpson, Johnson, Hunt, Enes, (arrived 8:30 p.m.), and City Administrator Overby. Absent: Stevens

1. Agenda

M/S/P Bucheck/Haacke - to approve the June 8, 1987 Planning Commission agenda as presented. (Motion carried 9-0).

2. Minutes: May 4, 1987

M/S/P Haacke/Reuther - to approved the May 4, 1987 Planning Commission minutes as amended (See page. 8-0-1<Abstain: Hunt>).

Minutes: May 11, 1987

M/S/P Reuther/Simpson - to approve the May 11, 1987 Planning Commission minutes as amended. (See page 8-0-1<Abstain: Raleigh>).

Minutes: May 18, 1987

M/S/P Williams/Haacke - to approve the May 18, 1987 Planning Commission minutes as presented. (Motion carried 6-0-3<Simpson, Johnson, Bucheck>).

3. Upcoming Requests

June 22, 1987

7:45 p.m. PUBLIC HEARING: Preliminary Plat, Tartan Meadows 3rd Addition

8:30 p.m. PUBLIC HEARING: Comprehensive Plan Amendment Request; Concept Plan Review--Federal Land Company Mixed Use/Unique Purpose PUD at C.S.A.H. 19 and I-94.

Commission member Williams requested that the information on this request be sent to them as early as possible and hoped that the Planning Commission would thoroughly look over this information before the meeting.

Ed Gorman, White Hat Restaurant, Site and Plan Review for a proposed addition.

Comprehensive Plan Revisions

4. PUBLIC HEARING: Preliminary Plat for Packard Park 2nd Addition;
Gene Peltier

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

Because Ann Bucheck was an affected property owner, she excused herself from the Planning Commission and went into the audience.

Gene Peltier has applied for an eight lot subdivision to be called Packard Park Second Addition. Also shown was the concept plan for a future Third Addition.

FINDINGS OF FACT:

1. That the easterly 27 acres of this 40 acre parcel was rezoned to R-1 in 1985; therefore, the 14.5 acre Second Addition is properly zoned.
2. That according to the Washington County Soil Survey, all of the lots have at least one acre of land suitable for septic system purposes and will have land sufficient for two separate drainfield sites.
3. That all lots meet the 1.5 acre lot size requirement.
4. That all lots have at least 125 feet of road frontage, as measured at the setback line.
5. A. Legion Avenue

That approximately 250 feet of Legion Avenue will be constructed by the developer to provide access for the development. This road would continue the rural street section identical to Legion Avenue to the south. Proposed street grades are within City Standards.

B. 24th Street

That this street is planned to be constructed as an urban section in accordance with City Standards. Street grades are also within City Standards. The pavement is planned to end just west of 24th Street Court for now and be extended as a through street in the Third Addition.

C. 24th Street Court

That this is an urban design cul-de-sac. The design and street grades meet City Standards. The ending of the 24th Street pavement temporarily at the west end of 24th Street Court will create a cul-de-sac in excess of the 800 foot Code allowance. Section 401.380C, requires a road plan for the remainder of

the tract. The concept plan provided for the Third Addition satisfies that requirement. Therefore, City Engineer Bohrer feels the road can temporarily exceed 800 feet because the concept plan shows it will become a through street in the future.

6. That no drainage plan had been provided.

In City Engineer Bohrer's review of June 4, 1987, he recommended that the preliminary plat not be approved until an adequate drainage plan and runoff calculations are submitted to show that no additional runoff shall leave the site due to the development.

He further stated that additional runoff from this development will occur because of the street surfacing and home construction. Sometimes an argument is made that taking land out of row crops and putting in large residential lawn areas will not create additional runoff. This can be true for certain storms, but not all storms. A long duration low intensity storm will not create runoff from row crops or lawns. But, any storm will create runoff from streets. Therefore, ponding requirements should be enforced.

Jean Durand, stated that in regard to Bohrer's comment that this area should be developed now or the developer make arrangements with the property owner to the south to enlarge the existing ponds to satisfy the ponding requirements, if this is referring to her father's property it is not for sale. Bruce Folz responded that they can put the pond on the Peltier property.

Don Durand, representing his father's property, asked how does the 1% Rule affect his property? Shirley Durand, 2901 Lake Elmo Ave, asked what happens later, is there an obligation for ten years. Jean and Richard Durand stated that they were not flooded until Legion Avenue was put in.

Ann Bucheck stated her concern on the water levels contributing to the problem already there. There could be a Legion Pond created off of 20th and one on 30th. She also addressed the 900 foot cul-de-sac versus the 800 foot cul-de-sac as required by City code. She asked the Planning Commission to not accept the plat because of no drainage plan.

Bruce Folz stated that they would do whatever the City Engineer wanted done. Gene Peltier added that this would be one of the few chances to put a road in going East and West.

Bob and Linda Stone, 2390 Legion Lane, asked why is the basement of a house flooded? They expressed a concern on any increased rate of water running down hill.

Debra Wilfong stated that with any more water, even with the 1% Rule, her home would be saturated.

Chris Lanners had talked to Bernie Meyer and he made the statement that septic systems of people in Eden Park are all going into the pond.

Chairman DeLapp closed the public hearing at 8:50 p.m.

M/S/F Raleigh/Hunt - to continue the public hearing at the June 22, 1987 Planning Commission meeting due to the absence of the drainage plan and the City Engineer's comments on the plan. (Motion failed 3-6<Simpson, Reuther, DeLapp, Williams, Haacke, Johnson>).

David Johnson felt it was up to the City Engineer to tell them what the calculations are based on the character of the land for the volume of the flow. He does not see any purpose served by leaving the public hearing open, because we know what is being asked here--which is to make sure that there is no increase in volume or rate in flow because of problems there now. Johnson suggested recommending approval based on the City Engineer telling them they can meet this specification and disapprove the plat if they cannot.

Marge Williams suggested that rather than to continue the public hearing would be to close the public hearing and to vote to not approve the plat. The plat can be resubmitted with the proper data to the City Council. She felt other issues should be considered by the Planning Commission such as the 800 foot cul-de-sac. They can discuss the scientific data as a fact that there is a 1% runoff, but in fact there is a problem with water that might not be able to be met by statistics. Williams expressed the concern about putting any kind of density development in that area right now until something can be done with that water, particularly on Durand's property. Another question raised was if the plat does meet the 1% Rule, would the opinions of the people change.

Lee Hunt would like the concerned citizens assured that they hear exactly what is going on rather than approve or disapprove it. By keeping a public hearing open we know that they will be back, and we will then have the drainage plan so everyone can ask questions. Hunt suggested that the City Engineer attend the next meeting.

M/S/P Williams/Raleigh - to table a recommendation on the Packard Park Preliminary Plat until they receive a ponding plan from the developer and the City Engineer's comments on the plan. (Motion carried 8-1<Johnson>).

David Johnson felt the Commission had the same concerns as the people have, which is we don't want any increase rate or volume of water going out on their property. We want assurances that, before this project goes forward, they will meet that specification. With this condition, the Commission can recommend the approval. He asked what value is there in tabling?

Marge Williams responded that one of the things she learned at the planning conference was whenever you give approval based on contingencies, those contingencies are very seldom met, because you are not able to police them. It is much better to have appropriate outcome information.

5. Preapplication Sketch Plan--Tartan Meadows 3rd Addition,
Willard Morton

Willard Morton proposes to plat a 19-lot subdivision called Tartan Meadows 3rd Addition. The 37.1 acre development is located at the northeast corner of the intersection of Co. 17 and Co. 70. The land is currently zoned R-1.

Carl Peterson, representing Willard Morton, stated that all lots meet the minimum lot size, the sandy soil type found is good for septic systems, and the three ponds on the site will meet the 1% Rule. A drainage plan will be drawn and submitted for the public hearing.

Steve DeLapp stated that the ordinance requires road frontage of 125 feet not 115 feet as shown in the plan for Lots 6 and 12, Block 1.

The public hearing is scheduled for June 22, 1987.

6. Simple Lot Subdivision, 9345 31st Street, Jim Friedrich

This property is located south of the C&NW Railroad and southeast of 31st Street. Joe Kaiser owns a 6.6 acre parcel and Jim Friedrich owns an adjacent 11.5 acre parcel. Both properties are zoned R-1. Mr. Friedrich wishes to detach a 7.3 acre parcel from his property and sell it to Mr. Kaiser to add it to his property. The result will be that Mr. Friedrich will have 4.46 acres and Mr. Kaiser will have 13.69 acres. No variances are required for this lot division and the subdivision should be granted with two conditions.

Background information was given in City Engineer Bohrer's letter dated June 5, 1987. In 1985 Mr. Kaiser was granted a road frontage variance to build on his existing parcel. A Developer's Agreement was drawn up to provide for a private road to be constructed to certain standards across the Friedrich property which provides common access. The Agreement also provided for an access easement across the north and east lines of the Kaiser property for access to the rear of Friedrich's parcel. Access to the rear of Friedrich's parcel was not available from Friedrich's north parcel because of the pond configuration. The private road is still needed but the access easement is not, because Mr. Kaiser will now be the owner of the southerly property.

Even though the Developer's Agreement was agreed to by the City and Mr. Kaiser, we do not believe Mr. Kaiser ever signed the agreement. Therefore, Bohrer suggests the simple lot division should be conditioned on Mr. Kaiser signing the original agreement but the access easement is no longer required.

M/S/P Williams/Enes - to recommend that the City Council approve the simple lot subdivision for Jim Friedrich at 9345 31st Street subject to the conditions of signing of the Developer's Agreement as stated in City Engineer Bohrer's letter dated June 5, 1987. (Motion carried 9-0).

7. Metro Council Strategic Planning Process

The Metro Council has invited local governments to participate in their strategic planning process. The Planning Commission members will prioritize each issue and add new issue areas. These issues will be put on the agenda for discussion at a later date.

Steve Raleigh felt that the Metro Council needed more visability and they should have a direct liaison with the Metro Council. City Administrator Overby suggested that they invite a Metro Council representative to one of their meetings. Steve DeLapp suggested that all commission members read the MDIF from the Metro Council.

8. Discussion of Public Meeting Process

Marge Williams reported on the two-day conference and one topic discussed was the Marketing of Woodbury. Woodbury had decided to develop so they spent \$50,000 to hire a public relations firm to market their community even though 1000 citizens stated at a public meeting they were against this. Woodbury has managed to sell off all the land east of 13, north of Valley Creek and west of 19 which is approximately 1350 acres. They will put 7500 people in these 1350 acres in three years. While doing this they have managed to slip in rank in taxes. They were 69 out of 95 communities and while they were in the process of marketing and decided to extend their MUSA, their tax rating went down to 63. As they develop, their taxes rise.

Another topic discussed was Tax Increment Financing and an example given was the Hudson Industrial Park.

M/S/P Reuther/Hunt - to adjourn the Planning Commission meeting at 10:30 p.m. (Motion carried 9-0).

The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters.

Lake Elmo Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application.

For each item, the Commission will receive reports prepared by the City Staff, open the hearing to the public, and discuss and act on the application. If you are aware of information that hasn't been discussed, please fill out a "Request to Appear Before the Planning Commission" slip; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated.

AGENDA

LAKE ELMO PLANNING COMMISSION

JUNE 8, 1987

- 7:30 p.m. MEETING CONVENES
1. Agenda
 2. Minutes: May 4, 1987
May 11, 1987
May 18, 1987
 3. Upcoming Requests
 - 7:45 p.m. 4. PUBLIC HEARING: Preliminary Plat for Packard Park 2nd Addition; Gene Peltier
 - 8:15 p.m. 5. Preapplication Sketch Plan--Tartan Meadows 3rd Addition, Willard Morton
 - 8:30 p.m. 6. Simple Lot Subdivision, 9345 31st Street, Jim Friedrich
 - 8:45 p.m. 7. Metro Council Strategic Planning Process
 - 9:15 p.m. 8. Discussion of Public Meeting Process
 9. Other
 10. Adjourn