

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

OCTOBER 26, 1987

Chairman DeLapp called the Planning Commission to order at 7:35 p.m. in the City Council chambers. Present: DeLapp, Bucheck, Williams, Stevens, Hunt, Enes, Simpson (departed 9:10), Haacke, Kunde, Johnson (arrived 7:45) and City Administrator Overby.

1. Agenda

City Administrator Overby reported it has been tentatively planned for a representative from the AMOCO Pipeline Company attending the next Planning Commission meeting (November 9th).

M/S/P Stevens/Enes - to approve the October 26, 1987 Planning Commission agenda as presented. (Motion carried 9-0).

2. Minutes: October 13, 1987

M/S/P Williams/Bucheck - to approve the October 13, 1987 Planning Commission minutes as amended (See page 3. and page 4)

3. Upcoming Requests

November 9, 1987

7:45 p.m. PUBLIC HEARING: Request for rezoning of a 20 acre parcel to Agricultural classification, contingent upon recording of the deed and transfer to neighboring owner of Agricultural zoned land.

November 23, 1987

Nothing scheduled other than Comprehensive Plan Revisions

4. City Council Update

City Administrator Overby reported that the City Council reviewed the following items related to planning, land use, zoning or economic development at the 10-6-87 meeting.

5. PUBLIC HEARING: Zoning Ordinance Amendment to Section 210.018, Parks Commission Meetings

The proposed ordinance amendment affects the Parks Commission sub-section of the code, specifically section 210.018 Regular Meetings, as follows: the date and time for Parks Commission meetings will be changed from that which is specified in the ordinance to a regular date and time as specified by adopted City policy, as provided by this proposed ordinance amendment. The purpose is to allow future changes in the Parks Commission meeting schedule without further amendment of the ordinance.

Chairman DeLapp opened up the public hearing at 7:50 p.m. in the City Council chambers.

There was no one to speak for or against the proposed amendment.

Chairman DeLapp closed the public hearing at 7:53 p.m.

M/S/P Williams/Haacke - to recommend that the City Council adopt an amendment to Section 210.018 of the 1979 Municipal Code of Lake Elmo to allow the date and time of Parks Commission meetings to be set by City Policy. (Motion carried 9-0).

6. PUBLIC HEARING:      Amendment to the 1986 Comprehensive Plan Highway Transportation Section

This subject was previously discussed on 7-27-87 in regard to the functional classification map and the road construction map. Now, the text of the 1979 Plan section has also been revised and updated by the City Engineer. There was very little concern about the revised narrative, since it basically serves to explain the maps and the City's Municipal Road System for capital improvements planning.

The only section remaining to be changed/updated is the Table showing the Metro Council's traffic assignment zones (new data will be available about November 1st).

Chairman DeLapp opened up the public hearing at 8:00 p.m. in the City Council chambers.

There was no one to speak for or ~~against~~ the proposed amendment.

The Commission decided to leave the public hearing open until they receive the updated table showing the Metro Council's traffic assignment zones.

M/S/P Williams/Hunt - to continue the public hearing to the November 9th meeting to allow addition of the TAZ data. (Motion carried 9-0).

7. Sketch Plan:      DeCoster Large Lot Subdivision

Mr. DeCoster wishes to subdivide 40 acres into two 10-acre lots and one 20-acre parcel. The property is located in the SW 1/4 of the SW 1/4 of Section 28. There will be a request for rezoning of the 20-acre parcel to Agricultural classification contingent on the recording of the deed to the neighbor to the East whose property to the North and East of said 20-acre parcel is zoned Agricultural.

The Planning Commission had no problem with this subdivision because it already was zoned RR and they were just asking to divide the existing lots. They did not like the proportion of the lots from an esthetic point of view, but it did meet the 4:1 ratio required by City Code. The rezoning request will come back to the Planning Commission for downzoning the east half to Agriculture.

M/S/P Williams/Hunt - to change the agenda by discussing the Final Plat for Packard Park 2nd Addition at 8:30 p.m. in order for the Eden Park Residents who planned to attend to be present. (Motion carried 9-0).

8. FINAL PLAT: Packard Park 2nd Addition

The preliminary plat was reviewed by the Planning Commission on August 10, 1987 and approved by the City Council on August 18, 1987.

City Engineer Bohrer has reviewed the final plat of Packard Park 2nd Addition for conformity to the approved preliminary plat dated August 7, 1987 and to the City Code. The ending of 24th Street temporarily at the west end of 24th Street Court will create a cul-de-sac in excess of the 800-foot Code allowance. Section 401.380 C requires a road plan for the remainder of the tract. (Amended 11-9-87) According to the City Engineer the concept plan provided for the 3rd Addition satisfies that requirement. Therefore, the road can temporarily exceed 800 feet because the concept plan shows it will become a through street in the future.

The ponding for this subdivision will be provided and constructed now but located on the applicant's land to the west; which in concept form is shown to be in the 3rd Addition. The proposed 24th Street right-of-way between the 2nd Addition and the west line of the pond, shall be reserved as a permanent easement. This will allow the conveyance of storm water over the unplatted portion of Peltier's property. The pond shall also be reserved as a permanent ponding easement until such time as the 3rd Addition is platted. These two easements do not need to be shown on the plat, but can be granted by separate documents.

The final plat meets all other Code requirements for lot size, road frontage and 1% Rule. Bohrer recommended that the final plat be approved provided that the two easements described above are given to the City.

Planning Commission member Ann Bucheck joined the audience as a concerned adjoining landowner. Speaking for the adjoining landowners, Ann stated they continue to feel the City should not allow Packard Park Second Addition due to the following reasons.

1. According to code 401.380 B a cul-de-sac is to only be 800-feet long and the one drawn is 900 feet long. The developer has stated that he would not put the proposed street through in the 3rd Addition if it was zoned RR. At the present and possibly for many years to come, it will remain zoned RR, if we take exception to the cul-de-sac and the manner in which the street for the future subdivision is drawn as it does not coincide with Lake Elmo's codes.

2. Mr. Peltier does own all of the land, however it is zoned R-1 and RR. We do not feel the city should allow a developer to pond on land which is zoned different than that which he is developing at the present time. We see no reason to have his 3rd Addition zoning changed and feel the ponding should take place in the 2nd Addition,

that parcel which he is developing.

According to Code 401.220 B3 point C, "a proposed design feature is to have provision for surface water disposal, drainage and flood control within the boundaries of the proposed division". We believe that this indicates the pond is not to be outside of the 2nd Addition, but rather inside addition two--it does not meet code.

3. The preliminary plat did not contain two culverts in Eden Park which were within 350 feet of Packard Park. We feel the City needs to check and make sure that these changes were made. This is according to Code 401.240.

4. We feel it is important that you are aware that we met with the City Council on October 6, 1987, regarding water problem in the Eden Park and Durand farm land aread. At that time we asked for a moratorium on any development in the areas that contribute water to the flood zone until the water problems are solved. We will be meeting with them again on November 3, 1987 for an answer to that request, along with others. The Packard Park Addition is land which contributes to the flood zone and we feel it would be unwise to give approval to this development, knowing that large issues have not been resolved regarding the land surrounding Packard Park.

Ann Bucheck handed out the letter which was given to the City Council with their questions for the City Engineer and City Attorney from the Eden Park residents.

Some of the members could not accept the City Engineer's report because of the high water tables. Hunt would have liked to have seen the Developer and the Eden Park group come up with a plan. Because of the concern of possible increase of the water level in Eden park and the length of the 24th Street/24th Street Court cul-de-sac and the diversion of surface water runoff from the 2nd Addition to an off-site ponding area, the following motion was made:

M/S/P Stevens/Hunt - the Planning Commission believes that there is a risk that Packard Park 2nd Addition is likely to increase the water level in Eden Park. Therefore, Packard Park Second Addition should be delayed until the water problem in Eden Park has been taken care of, for example by lowering the level of Downs Lake. The applicant wants to put in a cul-de-sac, which has 90 degree turn in it and is longer than 800' required by the City; that the applicant will not turn the proposed road through ~~in the 3rd Addition~~ (amended 11-9-87) in the adjacent land owned by Gene Peltier unless the land can be developed into R-1 and currently there is no plan by the City to rezone this to R-1; and the City Council only gave approval for the 2nd Addition and not the illegal showing of the 3rd Addition. (Motion carried 5-2-1)  
Haacke: She would go along with what the City experts state that the plat does met the 1% Rule, because this is what they are hired for, but feels the Eden park problem definitely needs to be resolved;  
Johnson: He agrees with the City Staff, but feels the Eden Park problem needs to be resolved and the City has some accountability to the people if it approved these elevations; Abstain: Kunde).

9. Review of General Business Ordinance as Amended by the City Council.

The City Council made some changes to the draft on 10-20-87. The only remaining question concerns how to allow existing industrial manufacturing businesses (Hardwood Lumber and Lake Elmo Feed Mill) without allowing the use district-wide and City-wide. Since City Attorney Knaak's comments were not received, there was limited discussion.

Chairman DeLapp reported that the City Council amended 1(r) to read as follows: Bakeries with production of bakery goods limited to retail sales.

City Administrator Overby explained that part (6.) specified that Existing Industrial businesses should be listed as allowed uses and eliminate all other Industrial uses. The Council didn't say they wanted the Industrial Park district to continue and list just the Hardwood Lumber Business, that two others are the only ones that are Industrial uses or if they wanted these listed in this zoning. The City Council's motion specifically made existing Industrial use allowed uses, but didn't say which district they wanted them in. Chairman DeLapp stated the intent was to eliminate Industrial zoning categories, but to allow Joe Rogers and the Lake Elmo Feed Mill to continue as if they were in Industrial.

M/S/P Williams/Enes - recommend approval by the City Council for the General Business ordinance as amended by the City Council on 10-20-87. (Motion carried 8-1<Johnson: opposed the ordinance because it has no provision for any light assembly business).

10. Comprehensive Plan Update

A. Comprehensive Plan Update - Appendix E,  
Land Needs Forecast - Work Committee Report

This draft appendix was discussed two meetings ago. The Work Committee did not meet so the following motion was made.

M/S/P Williams/Johnson - to have the Work Committee complete a draft and return to the Planning Commission for discussion. No specific time was stated. (Motion carried 9-0).

B. Comprehensive Plan Update - Chapter III,  
Future Land Use Section

A draft of this Chapter section was presented by City Staff for discussion on 9-28-87. An alternate version was presented by the Work Committee on 10-13-87.

City Administrator Overby included an annotated copy of both drafts, with the objective of merging the work committee text into the original text.

M/S/P Enes/Stevens - to table 10B. Chapter III, Future land Use Section in order to consider City Administrator Overby's revised draft. (Motion carried 9-0).

11. Steve Raleigh resignation

A letter was received from Steve Raleigh resigning his seat on the Planning Commission because of personal commitments. The City Council will interview applicants at a future meeting in December.

M/S/P Bucheck/Stevens - to regretfully accept Steve Raleigh's resignation from the Planning Commission with hopes he returns to the Commission when his time becomes available. (Motion carried 9-0).

M/S/P Johnson/Enes - to adjourn the Planning Commission meeting at 10:25 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

OCTOBER 26, 1987

7:30 p.m. MEETING CONVENES

1. Agenda
2. Minutes: October 13, 1987
3. Upcoming Requests
4. City Council Update

7:45 p.m. 5. PUBLIC HEARING: Zoning Ordinance Amendment to Section 210.018, Parks Commission Meetings

8:00 p.m. 6. PUBLIC HEARING: Amendment to the 1986 Comprehensive Plan Highway Transportation Section.

7. Sketch Plan: DeCoster Large Lot Subdivision
8. Final Plat: Packard Park 2nd Addition
9. Review of General Business Zoning Ordinance as Amended by the City Council.
10. Comprehensive Plan Update
  - A. Appendix E - Land Needs Forecast: Work Committee Report
  - B. Chapter III, Future Land Use Section
11. Steve Raleigh resignation
12. Other Business
13. Adjourn