

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.

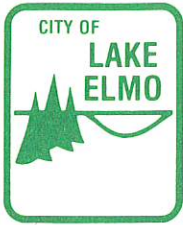
AGENDA

LAKE ELMO PLANNING COMMISSION

SEPTEMBER 11, 1989

7:30 p.m. MEETING CONVENES

1. AGENDA
2. MINUTES: August 28, 1989
3. PUBLIC HEARING: Large Lot Subdivision:
Rezoning RR to PF (Scott Blasko)
4. Council Directives/Actions
 - A. Architectural Standards
 - B. Residential Estates/I-94 Freeway Corridor
5. OTHER
6. ADJOURN



City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

September 8, 1989

TO: Rob Enes, Chair., Planning Commission
Members, Planning Commission

FROM: Pat Morrison, City Administrator

RE: City Council Direction/Action

A. Architectural Standards:

The City Council, at their meeting of September 5th, expended a considerable amount of time reviewing the details of the Planning Commission's recommendations for architectural standards, and was privy to receipt of discussion from affected business representatives.

Directive: The Council requested receipt of the Planning Commission's rationale for limiting usage of glass to a "maximum of 50% or less of the building.

The Council, by motion, also requested that the Planning Commission submit this information prior to their consideration of the ordinance, or this terminology will be dropped from the delineated standards.

A second motion directed the City Attorney to prepare the Ordinance as incorporating standards agreed upon by the Council at this meeting.

B. Residential Estates/I-94 Freeway Corridor Ordinances:

In response to the Council directive to have the draft RE ordinance before them at their September 5th Council meeting, the Planning Commission at their last meeting requested the Council delineate their goals/objectives for the Ordinances.

The Council, at their meeting of September 5th took no action on this request. There appeared to be somewhat of a consensus, by some members of the Council, that at this time it was more important for them to concentrate on the completion of the Comprehensive Plan.

P.C. Member, Dave Johnson, was also at the meeting. If you have any questions relative to Council actions, please do not hesitate to call me.

APPROVED

LAKE ELMO PLANNING COMMISSION MINUTES

AUGUST 28, 1989

Chairman Enes called the Planning Commission meeting to order at 7:35 p.m. in the City Council Chambers. Present: Enes, DeLapp, Dave Johnson, Dick Johnson, John, Conlin, City Administrator Morrison and Deputy Clerk Kueffner. Absent: Bucheck, Johnston, Stevens, Haacke.

1. AGENDA

M/S/P Dave Johnson/Dick Johnson - to approve the August 28, 1989 Planning Commission agenda as presented. (Motion carried 6-0).

2. MINUTES: August 14, 1989

M/S/P Dick Johnson/DeLapp - to approve the August 14, 1989 Planning Commission minutes as amended. (Motion carried 4-0-2 Abstain: Conlin, Dave Johnson).

Because there was not a quorum at the August 7th meeting, the Commission considered the meeting a Planning Commission Workshop.

3. Simple Lot Subdivision: John Hanner, 8151 Hill Trail N.

John Hanner would like to proceed with a Simple Lot Subdivision at 8151 Hill Trail N. and submitted a preliminary survey showing the elevations and the area below the 932 Flood Zone elevation. Mr. Hanner had proposed a three lot subdivision in December of 1986 which the Planning Commission reviewed and recommended the application be denied based on the number of variances required. This application did not go to Council at the applicant's request.

There are no variances required with this application, as it relates to the simple lot subdivision, and granting approval would not create a substandard lot, nor would it violate this Ordinance or the Zoning Ordinance.

The applicant has applied for a variance to the 100 foot setback requirement from the Ordinary High Water Mark. The reason for the variance request is because a house could be built on the property and meet the 100 foot setback. The applicant feels that the area he would like to put the house is the most desirable location for a house on the lot.

Steve DeLapp visited the site and reported that the site the applicant proposes to put the house is the most desirable and practical place for a house as the lot is heavily wooded and a minimal amount of trees would have to be disturbed. It was noted that if the applicant was required to meet the setback, fill would have to be placed on the site, which in the opinion of the Planning Commission, would disturb and take away from the natural esthetically pleasing topography of the lot.

M/S/P DeLapp/Dick Johnson - to recommend approval of the Simple Lot Subdivision requested by John Hanner at 8151 Hill Trail N., conditioned on a favorable recommendation from the City Engineer and the Department of Natural Resources; contingent upon the applicant paying a park dedication fee of \$450 for the newly created lot. Also, the variance requested for setback from the Ordinary High Water Mark be granted based on the topography of the land and the wooded lakeshore. (Motion carried 6-0).

4. Simple Lot Subdivision: James Palecek, 2798 Jamley Avenue N.

James Palecek, 2798 Jamley Avenue N., would like to proceed with a Simple Lot Subdivision. The applicant has submitted a preliminary plan and Certificate of Survey for a two lot subdivision which would create one additional lot adjacent to the Palecek homestead on Jamley Avenue. All of the information submitted has been complete. The proposed subdivision meets all of the size requirements setbacks, frontage and easement dedication requirements. No variances are required.

M/S/P DeLapp/Dick Johnson - to recommend to the City Council approval of the simple lot subdivision requested by James and Vivian Palecek at 2798 Jamley Avenue North, conditioned on a favorable recommendation from the City Engineer, and contingent upon the applicant paying a park dedication fee of \$450 for the newly created lot. (Motion carried 6-0).

5. Large Lot Subdivision - Concept: Will Stenzel (50th Street)

Will Stenzel has applied for a three-lot (large-lot) subdivision. Mr. Stenzel is proposing to buy the property, if the subdivision is granted from the current owner of the property, George Krueger. Staff review indicated the following:

Lot Area: Each proposed lot is at least 10 acres (as required in the RR Zoning district). However, Parcel A exceeds the 4:1 ratio as required in Section 301.070 D.2.c.(2) of the code.

Lot Frontage: None of the three proposed lots have the required 300 feet of frontage on a public road. Although Parcel A shows an overall width of 328.24feet, when you deduct the proposed 50 foot road easement, the frontage is reduced to approximately 278 feet.

Streets: The property is currently zoned Rural Residential, and therefore, does not meet the criteria for a private road.

Park Dedication: Since the current owner of the property will retain a parcel, three new lots would be created, each requiring a \$450 per lot park dedication fee.

Staff review indicated that there would be needed, at a minimum, three variances (1) Lot ratio for parcel A; (2) Road Frontage on a public road for all three parcels; (3) Private road.

Rita Conlin: The concept of a private road is nice, but in reality, we have to follow our ordinances.

Steve DeLapp: We have to deal with what the code states, now, which states Mr. Stenzel cannot have a private road. Stenzel would have to convince the Council to change the road regulations in order to do what he has proposed.

Wyn John: The road should follow our normal city standards. Circumstances change, private roads change to public roads and could create further expenditures. He suggested meeting with Mr. Day in regard to coming into the property from the west rather than the north.

Dave Johnson: We want an orderly City, maintain our street standards, and plan for the future through streets. He suggested getting in touch with the neighbor, Mr. Day.

Rob Enes: We have to go by our Code, this application does not meet the code, so he was not in favor of the concept, particularly a private road.

Dick Johnson: From a public safety standpoint, he was not in favor of a 1,900 foot cul-de-sac, whether it is private or public. No hardship was demonstrated by the applicant. There are other alternates to this proposal for developing this land. Dick encouraged the applicant to talk to the neighbor, (Mr. Day), to the west.

6. Subcommittee Reports

1. Residential Estates Ordinance.
2. I-94 Freeway Corridor Ordinance

Rita Conlin, Chair. of the I-94 Freeway Ord., reported the committee (Conlin, Dave Johnson, DeLapp, Enes) met at 6:30 before the PZ meeting. The committee agreed that proper direction from the Council was needed and the following proposals were ~~recommended~~ discussed:

- a. that the PZ direct the City Staff to draw up a proposal for the I-94 Freeway Corridor Ord.;
- b. that the PZ make a request to the Council as for clarification of criteria and timeframe in which it would like to have the PZ act concerning the I-94 Freeway Ord. and the RE Ord.;
- c. that a referendum to the Council be drawn up by a third party concerning the RE and I-94 Ord.;
- d. that the PZ request from Council specific guidelines for Ord. dealing with RE and I-94;
- e. that the PZ request Council approval of Page 30, 31, Commercial Goals and Policies, of the PZ's Approved Comp Plan so the PZ can use this as guidelines.

Steve DeLapp and Dave Johnson explained the PZ voted to not have a Freeway Business District and not to have RE. Then the Council, three months ago imposed these provisions on the Comp Plan. When the Council makes up their minds as to what they want in those districts, then the PZ has a basis for describing how to accomodate those desires.

Wyn John And Dick Johnson responded the PZ should be giving the Council some thoughts and philosophies for them to pick from and to comment on.

M/S/P DeLapp/Dave Johnson - to request Council clarification of criteria and timeframe in which the they would like to have the Planning Commission act on the I-94 Freeway Corridor Ordinance. (Motion carried 4-2: Wyn John: The PZ should be giving the Council some ideas or philosophies and have the CC determine which ideas to chose; Dick Johnson: The PZ should set up an ordinance so the Council could have something to comment on. He felt this was a "cop-out"--the Council might as well write the Ordinance.)

M/S/P Dave Johnson/DeLapp - to send the Council pages of the Staff's and PZ's Comprehensive Plan regarding Residential Estates and request direction from the Council in order to proceed with specific guidelies. (Motion carried 5-1: Conlin: You should set standards in our zoning ordinance, not in the Comprehensive Plan.)

M/S/P DeLapp/Dave Johnson - to adjourn the Planning Commission meeting at 9:28 p.m. (Motion carried 6-1).