



City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

The Lake Elmo Planning Commission will meet Monday, February 8, 1999, at 7:00 p.m. in the Council Chambers of City Hall, 3800 Laverne Avenue North, Lake Elmo, Minnesota.

AGENDA

1. Agenda
2. Minutes Revised Draft January 11, 1999
 Draft January 25, 1999
3. **Public Hearing:** Schmidt/Hedges
 Preliminary Plat
 8766 Lake Jane Trail
4. Comprehensive Plan Update Strategy
5. Other
6. Adjourn

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**Commissioners, Please bring your Municipal Codebooks and Comprehensive Plan to the meeting. If you need a copy of the Comprehensive Plan, please call me, and I will bring copies to the meeting.
Thanks! Cyn*

APPROVED

**Lake Elmo
Planning Commission**

**Meeting Minutes
Monday, February 8, 1999**

Chairman Armstrong called the meeting to order at 7:00 p.m. in the Council Chambers of City Hall, 3800 Laverne Avenue North, Lake Elmo, Minnesota. Present: Commissioners Brass, Helwig, Herber, Mandel, Ptacek, Sedro and Sessing. Absent: Commissioners Berg, Gerard and Lipman. Also present: City Planner Dillerud.

1. AGENDA

**M/S/P Sedro/Brass – to approve the agenda, as presented.
(Motion Passed 7-0).**

2. MINUTES

M/S/P Sessing/Herber – to approve the amended minutes from the January 11, 1999 meeting as presented.

(Motion Passed 7-0).

M/S/P Helwig/Sedro - to approve the amended minutes from the January 25, 1999 meeting.

(Motion Passed 7-0).

3. PUBLIC HEARING: Schmidt/Hedges, Preliminary Plat 8766 Lake Jane Trail

Planner Dillerud said the proposed preliminary plat is the division of a 12.2-acre site into three single-family building lots. He said the Shoreland Overlay Ordinance and the Floodplain Ordinance control the home and septic locations for all three resulting lots. He said that there are no zoning ordinance variances requested. He said the City had received a concurrent application for a variance from the City Sanitary Code to permit mound wastewater treatment systems, and that the City Council will hear testimony at a public hearing regarding such variance. He said the proposed lots meet the R-1 and Shoreland District requirements regarding area, lot width and street frontage. He said the applicant proposes to create three outlots along the west shore, and their intent is to combine the outlots with existing adjoining lots to the west. He said it is important that the outlots do not become "freestanding" tax parcels which could become likely candidates for tax forfeiture in the future. He said if the combinations not occur by the submission of Final Plat, the Final Plat must eliminate the outlots, and be included in the land area of Lot 1. He said City Engineer had reviewed this proposal and his comments are included in a memo dated February 4, 1999. He said the City Attorney had also reviewed this proposal and sees no problems at this time. He said he recommends approval of this preliminary plat subject to compliance with the requirements of the City Engineer's letter of February 4, 1999 and approval by the City Attorney of the form and sequence of conveyance of Outlots A, B and C to adjoining property owners.

Tim Freeman

Folz, Freeman & Dupay

(Representing applicant, Kelly Schmidt)

Mr. Freeman presented a drawing that illustrated the preliminary plat. He noted the placement of the three driveway entrances off Lake Jane Trail and their lengths to the possible homesites. He said if the applicant was not able to secure the outlots to the adjoining property owners, all outlots would go with Lot 1 calculations.

Chairman Armstrong opened the comment portion of the public hearing at 7:25 p.m.

Douglas Taylor
8586 Lake Jane Trail North

Mr. Taylor read a prepared statement (attached).

Joe Kiesling
9359 Jane Road North

Mr. Kiesling said he had some concerns regarding the length of the driveway proposed in Lot 1. He also said he had some concerns regarding the OHW in relation to the longer driveway at Lot 1.

Scottie Lyall
4515 Birchbark Trail

Mr. Lyall said he wanted to know what would be happening with the swampy area of Lot 1.

Don Conlin
8572 Lake Jane Trail

Mr. Conlin read a prepared statement (attached) from the Hedges Pond Association.

John Mayek
8630 Lake Jane Trail

Mr. Mayek said he had concerns about future grading and the long-term effects on Lake Jane that may occur when the proposed homes are built.

Robert Horning
8991 Jane Road North

Mr. Horning asked if grading and filling of any parts of this proposed site would be allowed.

Thomas Love
8552 Lake Jane Trail

Mr. Love stated his concerns regarding the possible problems with how this proposal, if approved, would effect Lake Jane.

Chairman Armstrong closed the public hearing at 7:40 p.m.

Mr. Freeman said, referring to the 926 contour line, the elevation for the proposed driveway to Lot 1 was at 4 feet above the 100-year flood elevation mark. He said the developer is proposing no mass grading, only that each individual homeowner would do the minimum grading necessary at the time of construction. He said the real value to this site is not only Lake Jane, but also the wooded areas, and expects the homeowners will want to preserve them, as well. He noted that City Code has clear restrictions on the amount of grading that can occur. He said he thought the developer would be favorable to accomplishing 2 driveway entrances instead of 3, if the City would allow that.

M/S/P Armstrong/Sessing –to recommend Resolution No. 99-___, a resolution approving the preliminary plat for “Waters Bay” based upon the following findings:

- 1. The proposed plat meets or exceeds the standards of Chapter 400 (Subdivision) of the Lake Elmo City Code, and,**
- 2. The proposed plat meets or exceeds the standards of Chapter 300 (Zoning) of the Lake Elmo City Code for the R-1 Zoning District, the Shoreland Overlay District, and the Flood Plain District.**

and, the following conditions shall be attached:

1. Compliance with the requirements of the City Engineer's review letter of February 4, 1999.
2. Approval by the City Attorney of the form and sequence of conveyance of Outlots A, B, and C to adjoining property owners.
3. The driveway for Lot 1 and Lot 2 is shared with one entrance off Lake Jane Trail.

(Motion Passed 6-1). Opposed: Herber; does not believe Lot 1 should be developed.

4. Comprehensive Plan Update Strategy

Planner Dillerud said he had five areas that he suggested the Planning Commission focus on regarding the Comprehensive Plan Update:

1. All Policies/Goals in the Comprehensive Plan should be placed at the beginning of the document, and reviewed for currency.
2. Incorporate the OP, and not have it as a separate entity to the Comprehensive Plan
3. Update Forecasts – Population, Households and Employment
4. Incorporate the decision by Met Council regarding the amount of sanitary sewer available to Lake Elmo at the I-94 Corridor site. Planning Commission will take over the responsibilities of the I-94 Corridor Task Force.
5. Incorporate the recommendations of the Village Commission.

Chairman Armstrong adjourned the meeting at 9:15 p.m.

Respectfully submitted – Cynthia Young, Recording Secretary

FEB. 8, 1999

TO: THE CITY COUNCIL OF LAKE ELMO

WE ARE THE IMMEDIATE NEIGHBORS ON THE SOUTH OF THE HEDGES PROPERTY. ALTHOUGH ALL THE PROPERTY OWNERS ON LAKE JANE WILL BE INDIRECTLY AFFECTED BY THIS DEVELOPMENT, WE FEEL THAT WE ARE THE MOST DIRECTLY AFFECTED. THEREFORE, WE WOULD LIKE TO GO ON RECORD COMMENDING TIM FREEMAN ON HIS WILLINGNESS TO MEET WITH THE SEVEN MEMBERS OF THE HEDGES POND ASSOCIATION AND THEN LATER MEETING WITH US OVER OUR CONCERNS REGARDING A DRIVEWAY BORDERING OUR PROPERTY.

AT THIS TIME WE ARE CONCERNED ABOUT FOUR DRIVEWAYS (OURS INCLUDED) EACH AT 65 FOOT INTERVALS ON A 90 DEGREE ANGLE ON LAKE JANE TRAIL. JUST LAST WEEK A VEHICLE ROLLED OVER IN OUR FRONT YARD CAUSING SOME DAMAGE AND THIS IS NOT THE FIRST TIME. ALTHOUGH WE ARE DEEPLY CONCERNED BY THE ENVIRONMENTAL IMPACT OF THIS LONG DRIVEWAY ON LOT 1 (ALONG WITH SAFETY ISSUES) WE WILL ABIDE BY THE COUNCIL'S DECISION ON THIS MATTER. HOWEVER A POSSIBLE ALTERNATIVE WOULD BE ONE DRIVEWAY SHARED BY LOTS ONE AND TWO, OR JUST DEVELOPING TWO LOTS, NOT THREE.

DOUGLAS & DIANNE TAYLOR
8586 LAKE JANE TRAIL N.

DATE 2-8-99

TO: PLANNING COMMISSION & CITY COUNCIL (LAKE ELMO)
FROM: HEDGES POND ASSOCIATION
SUBMITTED BY: DON CONLIN - TREASURER

SUBJECT: SCHMIOT/HEDGES PRELIMINARY PLAT

THE PURPOSE OF THIS LETTER IS TO STATE OUR POSITION RELATED TO THE DEVELOPMENT OF THE SUBJECT PROPERTY.

THE PRELIMINARY PLAT APPEARS TO MEET THE REQUEST AS STATED IN OUR LETTER OF 11-14-98 TO THE CITY COUNCIL WHICH REJECTED A BRIDGE OVER THE CHANNEL BETWEEN HEDGES POND AND LAKE JANE.

A POTENTIAL PROBLEM IS THE ROUTING OF THE DRIVEWAY TO LOT B. ONE OF OUR ASSOCIATION MEMBERS WHO OWNS THE ADJACENT PROPERTY WANTS ASSURANCE THAT THIS DRIVEWAY WILL NOT BE VISIBLE. LOCATING THIS DRIVEWAY SUFFICIENTLY DISTANT FROM THE PROPERTY LINE OF THE "TAYLORS" AND PROVIDING A VISIBLE BARRIER LIKE TREES & SHRUBS MAY BE SATISFACTORY. THE ASSOCIATION SUPPORTS THIS ACTION.

D/C