



City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

**The Lake Elmo Planning Commission will meet at 6:00 p.m., Monday July 12, 1999,
in the Council Chambers of City Hall, 3800 Laverne Avenue North.**

**Please note – 6:00 p.m. early meeting time. The Planning Commission will pursue continued
discussion of the Comprehensive Plan from 6:00 p.m. – 7:00 p.m.**

**Planning Commissioners are reminded to bring their
Municipal Codebooks AND Comprehensive Plan to ALL MEETINGS.**

AGENDA

1. Agenda
2. Minutes – June 28, 1999
3. **PUBLIC HEARING**
Mogren Sod Farm
Keith Mogren & Lo Yik Chi, applicants
Zoning Map Amendment – RR (Rural Residential) to AG (Agricultural)
I-94 & 500 feet North of Manning Avenue
4. **PUBLIC HEARING:**
Jon Whitcomb, applicant – Jon Wesley Investments
Tamarack Farm Estates – Amendment to Conditional Use Permit, OP Development Stage Plan
and Preliminary Plat
5. **PUBLIC HEARING:**
Terry Emerson, applicant
Open Space Residential Development Concept Plan
Keats Avenue (1 mile south of Highway 36)
6. MINOR SUBDIVISION
MFC Properties~Martin Colon, applicant
I-94 & County Road 19 (Keats Avenue)
7. Other
8. Adjourn



NOTE 6:00 Meeting Time

(*Memo regarding the Comprehensive Plan will be sent under separate cover)

**City of Lake Elmo
Planning Commission**

**Meeting Minutes
Monday, July 12, 1999**

*(The Planning Commission met at 6:00 p.m. and continued
its discussion regarding the Comprehensive Plan).*

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 Berg, Brass, Gerard, Helwig, Herber, Lipman, and Mandel. Absent: Commissioners Ptacek, Sedro and Sessing. Also present: City Planner Dillerud.

1. Agenda

**M/S/P Lipman/Helwig – to approve the Agenda as presented.
(Motion passed 8-0.)**

2. Minutes

**M/S/P Lipman/Helwig – to approve the minutes from the June 28, 1999 meeting, as presented.
(Motion Passed 8-0).**

3. PUBLIC HEARING

**Mogren Sod Farm Keith Mogren & Lo Yik Chi, applicants
Zoning Map Amendment – RR (Rural Residential) to AG (Agricultural)
I-94 & approximately 500 feet North on Manning Trail**

Planner Dillerud said Mogren Sod Farms leases the nominal 40-acre parcel as a base for their operation. He said the existing buildings situated on the property are in poor condition. He said the applicant wants to demolish 3 outbuildings and construct new agricultural storage buildings that total approximately 3,200 square feet. He said the applicant, Mogren Sod is not the land owner, but the owners of record have also so-signed the application indicating their approval of the request. He said the Comprehensive Plan guides the land use classification of this parcel as AG. He said staff recommends approval of the rezoning.

**Chairman Armstrong opened and closed the comment portion of the Public Hearing at 7:12 p.m.
NO COMMENTS**

**M/S/P Lipman/Berg – to recommend approval of an Ordinance amending Section 300.07 “Zoning District Map” of the Lake Elmo Municipal Code rezoning parcel number 36-029-21-41-0001, from RR to AG.
(Motion Passed 8-0).**

4. PUBLIC HEARING

**Jon Tamarack Farm Estates – Amendment to Conditional Use Permit, OP Development Stage Plan and Preliminary Plat
Jon Whitcomb – Jon Wesley Investments, Applicant**

Planner Dillerud said the OP Development Stage Plan and Preliminary Plat of Tamarack Farm Estates was approved by the City Council in August of 1997 and the approved plan included 8 single family attached units within 4 structures. He said a Conditional Use Permit was also approved at that time. He said two of the structures have been constructed along with most of the improvements within Tamarack Farm Estates. He said the applicant proposes an amendment to the Conditional Use Permit to rearrange platted property lines of the lots to better accommodate 4 single family detached rather than the approved

4 single family attached. He said it should be noted that the proposed single family attached dwelling units were designed to be served with a private street. He said the current proposed amendment to the Preliminary Plat would continue private street service. He said the proposed amendment to the OP Plan and Conditional Use Permit is in compliance with the OP Ordinance and Comprehensive Plan and the proposed amendment to the Preliminary Plat is in compliance with zoning and platting standards.

**Chairman Armstrong opened and closed the comment portion of the Public Hearing at 7:23 p.m.
NO COMMENTS**

M/S/P Lipman/Mandel – to recommend approval of a resolution approving an Amendment to the Tamarack OP Development Stage Plan/Preliminary Plat and Conditional Use Permit to substitute 4 Single Family Detached Units for 4 previously approved Single Family Attached Units, and rearrangement of Block 1, Tamarack Farm Estates to include the following conditions:

- 1. All applicable conditions of the August 19, 1997 Development Plan and Conditional Use Permit approvals are complied with.**
- 2. Ownership of Outlot A shall be by the Tamarack Homeowners Association or such other entity as approved by the City Attorney.**
- 3. Outlot A shall be subject to an Open Space Conservation Easement running to the Minnesota Land Trust or the City in a form to be approved by the City Attorney.**

(Motion Passed 8-0).

5. PUBLIC HEARING

Open Space Residential Development Concept Plan
Keats Avenue (approximately 1 mile South of Highway)
Terry Emerson, applicant

Planner Dillerud said the site is a 50.5 acre parcel of forested and vacant property with 460 feet of frontage on Keats Avenue. He said the applicant proposes 21 new single family lots and one existing single family residence with individual septic systems for each 1 acre lot. He said a single cul-de-sac public street of 2000 feet length is proposed to serve all lots. He said the public street extending to the South could accommodate future interconnection and alternative access if platting to the south takes place. He said no public park is proposed.

**Tim Freeman
Folz, Freeman & Dupay
(Representing Terry Emerson)**

Mr. Freeman presented a drawing that illustrated the amenities of the site, the woodlands and trail system. He said Planner Dillerud had discussed most of the details regarding this site and said he would be happy to answer questions at the comment portion of the Public Hearing.

Chairman Armstrong opened the comment portion of the Public Hearing at 7:48 p.m.

**Doug Pepin
9591 53rd Street**

Mr. Pepin said he built a home in a development that borders this proposed development a few years ago and asked if the city's septic ordinance has changed since he built. He expressed his concern regarding the size of the proposal.

**Bill Vogel
5055 Keats Avenue North**

Mr. Vogel said he wanted to know where people would park if they were to use the soccer/ballfield. He said he was concerned about the speed limit on Keats Avenue (Co. Rd 19).

John Carlson
4950 Keats Avenue

Mr. Carlson said he built a home in a neighboring development about ten years ago and he said he thinks this development will drive all the wildlife out to the area and is also concerned about the possible run-off that may be created by the additional septic systems.

Karin Schubert
5222 Keats Avenue North

Ms. Schubert said this development looks like Oakdale. She said she was concerned about the run-off, the landscaping standards, a possible monument sign, and wanted to know how much of the woods would be removed. She said she will see bands of houses when going to her barn in the morning and evenings.

Gary Melin
5247 Jerome Avenue

Mr. Melin said he likes the plan. He said he is concerned about the wildlife that exists in the wooded areas and also the water source and septic systems.

George Crocker
5093 Keats Avenue

Mr. Crocker said he is concerned about the entrance of this development being situated across the street (Keats) from his garden. He asked who would maintain the open space. He said he has a big concern regarding the groundwater in the area. He said he does not like the 45 MPH speed limits on Keats, and feels it should be lowered to 30 MPH.

Mary Lou Keran
9535 53rd Street

Ms. Keran said she was not generally opposed to this development, but felt that the location of the trail on the north side of the project may lend itself to youngsters as a crossing point to 53rd Street North, across private property.

George Dege
5193 Keats Avenue North

Mr. Dege said he was concerned about the water, trees and landscaping and septic plans for this proposed development.

Chairman Armstrong closed the comment portion of the Public Hearing at 8:16 p.m.

(Commissioner Berg – exit at 8:17 p.m.)

Mr. Freeman said that the run-off calculations would be addressed at the preliminary plat phase of this proposal. He said the Valley Branch Watershed District would also be scrutinizing this application. He said it was far too early in the process to be looking at what type of sign would be installed. He said the proposed pathway was a closed loop and there was no access to the west.

Planner Dillerud said Keats was a county road and therefore, they had jurisdiction over the setting or changing of speed limits. He said the City Engineer would address his comments regarding well capacity and septic capacity for this site at Preliminary Plat stage. He said he suggested the developer install a communal drainage system. He said he expected some tree loss would occur, but that some trees may be suitable for spadework.

M/S/P Mandel/Gerard – to recommend adoption of a resolution approving the Open Space Residential Development Concept Plan for Terry Emerson with the following conditions:

- 1. Compliance with Architectural Guidelines of the OP Ordinance for structure design.**
- 2. Compliance with the requirements of the City Engineer's Memo.**

3. **Compliance with the performance standards for OP developments specified by Chapter 300 of the City Code.**
4. **Public roadway extension to the south shall be dedicated, not by easement.**

(Motion Passed 6-1). Opposed: Brass; has a sense of caution regarding this development.

Additional comments by the Commissioners were delivered as follows:

Mr. Helwig said he thinks density bonuses for "village greens" should be removed from the OP Ordinance.

Mr. Lipman said he felt this plan complies with the requirements of the OP Ordinance.

Mr. Herber said he would like to see the stand of oak trees preserved.

Mr. Armstrong said although the proposal meets the OP Ordinance standards, he is disappointed that the City Council has not taken the Planning Commission recommendation to reduce density bonuses.

**6. MINOR SUBDIVISION
MFC Properties – Martin Colon, applicant
I-94 & County Road 19 (Keats Avenue)**

Planner Dillerud said the site is vacant and primarily in agricultural use. He said the request for the minor subdivision is requested to legally divide the portion of the site lying south of Hudson Road from the portion lying north of Hudson Road reflecting the existing physical reality. He said staff recommends approval of the proposed minor subdivision finding it in compliance with the provisions of Chapter 400 regarding minor subdivision and the intent of the Comprehensive Plan with regard to compliance with zoning district standards.

**M/S/P Mandel/Herber – to recommend adoption of a resolution approving the Minor Subdivision of PID 34-029-21-44-0001 consistent with the applicant's survey dated February 18, 1999.
(Motion Passed 7-0).**

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

Respectfully submitted, Cynthia Young-Planning Secretary