



City of Lake Elmo

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The Lake Elmo Planning Commission will meet

MONDAY, APRIL 22, 2002, at 7:00 p.m.

In the Council Chambers of City Hall, 3800 Laverne Avenue North,
Lake Elmo, Minnesota

1. Agenda
2. MINUTES: April 8, 2002
3. PUBLIC HEARING: Comprehensive Plan Amendment
Nass/Buberl/Bidon - Amend RAD to C
4. Hiner Site Plan
5. Daniel Rude Variances
6. Land use/Water Quality Relationship: Jeff Berg & Jay Michels
Washington SWCD
7. Other
8. Adjourn

April
22

MINUTES APPROVED: April 22, 2002
LAKE ELMO PLANNING COMMISSION MINUTES

APRIL 8, 2002

Chairman Armstrong called the Planning Commission meeting to order at 7:00 p.m. in the Council chambers. PRESENT: Planning Commission Members: Taylor, Ptacek, Armstrong, Sessing, Sedro, Helwig, (Bunn arrived 7:03 p.m.), (Berg arrived 7:04 p.m.), (Deziel arrived 7:24 p.m.)
MAC Members: Stanley, Talcott, Gustafson

1. AGENDA

ADD Other: LB Zoning

M/S/P Armstrong/Helwig – to approve the April 8, 2002 Planning Commission agenda, as amended. (Motion passed 6-0.)

2. MINUTES: March 25, 2002

M/S/P Armstrong/Sedro – to approve the March 25, 2002 Planning Commission minutes, as presented. (Motion passed 5-0-1:Abstain:Herber).

**3. PUBLIC HEARING: Zoning Variance – Minimum Lot Size
Patrick Kinney – PJK FRealty, Inc.**

Planner Dillerud reported this vacant parcel of 30,403 sq.ft. consists of two separate platted lots; the south lot is Lot 7, Beau Haven and is approximately 19,000 sq.ft. in area; and the north lot is Outlot G Eagle Point Creek, and is 11,400 sq.ft. in area. The two lots are legally combined by Washington County and under single ownership. Dillerud explained that neither the Land Use Plan nor the Zoning Map were amended to change the RE guiding and zoning of the Outlots to SRD and R-1, consistent with the Beau Haven lots. He suggested this should be a City “housekeeping” item regardless of the deposition of this applicant.

The applicant submitted the report of a qualified septic system designer that advised that the site is large enough to support two septic systems. Given the location of the OHW (Flood Elevation) of Eagle Point Creek, Dillerud questioned how the 75 foot OHW setback from the 940 contour would be maintained for both septic drain fields.

Mr. Kinney asked that his proposal be tabled because he had not heard this information before. When asked by a Planning Commission member if this lot would be for his residence, Mr. Kinney answered it will be a single family residence, but the lot would be for sale.

Jon Duffert and Marie Rau, 8364 Stillwater Blvd. N., submitted a petition with names of neighbors in opposition to the proposal, stating a house would not fit into the neighborhood because the lot is very thin. Chairman Armstrong acknowledged a letter

from Dorsey & Whitney, LLC voicing the strong objections of John Duffert and Mare Rau to the variance request.

Chairman Armstrong opened up the Public Hearing at 7:18 p.m.

Alan Markart, 8308 Stillwater Blvd., stated the land is next to his and there's a steep incline and would require much excavation and fill needed to keep from flooding out.

Albert Christ talked about safety issues. He stated that the lot is on a hill and the access is blind.

Chairman Armstrong closed the public hearing at 7:22 p.m.

M/S/P Herber/Sessing – to postpone agenda item at the request of the applicant. (Motion passed 9-0.)

4. **PUBLIC HEARING:** Open Space Preservation Concept Plan
Krongard/Wier

Planner Dillerud reported the proposed OP Concept Plan is comprised of a single 34+ parcel and a 6+ acre portion of a second parcel for a total of 40.74 acres. The existing parcel (Wier) from which the 6+ acres will be taken now exists as a 16.655 acre parcel. If the OP is eventually approved and plated, the remainder of the Wier site will continue to comply with the RR minimum parcel size of 10 acres.

Tim Freeman, Folz, Freeman and Dupay, reported the plan meets the letter and intent of the OP code and will meet the regulations for ponding. Freeman reported that Outlot C has a huge hill, which will not be disturbed. He said people want to gather on village greens, so it is important to keep a village green even if we move lots. He said there is a DNR Protected wetland at the southeast corner; and that there may be additional wetlands along the entire west periphery of the site.

Commissioner Taylor suggested that they move the triangular village green further south to make it larger. Commissioner Sessing would like to see the cul-de-sacs backed away from buffer zones.

Chairman Armstrong opened up the Public Hearing at 8 p.m.

Neil Krueger, 4452 Lake Elmo Avenue N., explained when the MN Design Team visited Lake Elmo, the message from the residents was Listen to the Land. This residential proposal takes 40 acres of farmland for which the highest and best use is Ag. Mr. Krueger pointed out items in the Open Space Ordinance; such as; who is responsible for landscaping that dies and not replaced, the outlots do not give contiguous open space; and homes should be visually absorbed. Mr. Krueger added that the scenic vista is severely interrupted by the high homes on the berm when you drive down 43rd Street. The higher the homes the more light pollution. He stated that buffer zones shall be 100' from

an Ag site, and there are at least two Ag sites around this land. Also, he stated that Krongard Homes does not have a good track record in OPH according to the newspaper.

Doug Olson, 3834 Kindred Way, stated Hamlet on Sunfish Lake outlot is in the MN Land Trust and is a DNR wetland. Planner Dillerud responded that we need a wetland delineation along the west side of the plat.

Dennis Kelly, 4233 Kindred Way, asked if there will be zero use change to the 6 acres. Since the landscape plan has divided the 6 acres. He asked if the City could give a variance for the 40 acres? Dillerud answered the purpose of the 6 acres is to get the total to 40 acres. The purpose of the OP ordinance is to reduce the units ultimately developed in the city.

John Krueger voiced his concern on fragmentation of open space. He made the following comments: Outlot B will not be visible due to the tree line on the north side. Outlot A will not benefit the community in general. The ridge where the homes will be located are 35' tall without basements. He asked why not put them in the lower area where it's not so intrusive. The City should look at all the water flows. The open space ordinance is not subjective, and asked if this property layout constitutes the definition of rural.

Bruce Bolles, 4375 Kimbro Avenue N., stated it would be nice if the houses are lower, such as ramblers. He stated that there are bikers and joggers on the road, and he is concerned with the fast moving traffic in the curve of road. He noted that the 40 mph limit is a joke.

Pete Schiltgen voiced his concern of the cul-de-sacs next to his property and would like them moved to the north. He suggested the developer knock off the southern four lots because he is getting closed in.

Dennis Kelly asked if the lots could be rearranged better because the visuals from 43rd Street would be the back of the houses.

Jim Graupner, 4477 Kimbro Avenue N., indicated development transforms the community, and there is a certain grace about the scene of Schiltgen's Farm. He stated that this is beautiful, precious land; and there is a piecemeal quality here.

Chairman Armstrong closed the Public Hearing at 8:26 p.m.

Tim Freeman, Folz, Freeman and Dupay, stated the maximum the code allows is 35' high houses. The desire would be to place more ramblers. Landscaping is taken care of by a nursery.

Mark Skeie, 4156 Kindred Way, asked if Outlot C would be open to the public. Planner Dillerud responded in the negative.

M/S/P Helwig/Berg - to recommend approval of the open space concept plan, Sunfish Ponds, conditioned upon the three conditions stated in Planner Dillerud's memo; and with the recommendations to move the developed area to the north to create more of a contiguous open space, the cul-de-sac can then be shortened and moved to the north. Berming may not be needed. (Motion passed 9-0.)

5. Conditional Uses in the LB Zoning

M/S/P Armstrong/Sessing - to publish Planner Dillerud's draft of Conditional Uses in the Limited Business Zone, as presented. (Motion passed 9 -0.)

CONVENE AS MAINTENANCE ADVISORY SPECIAL PROJECTS

1. AGENDA

M/S/P Herber/Sessing – to approve the Maintenance Advisory Special Projects agenda, as presented. (Motion passed 9-0.)

2. TKDA – Community Facilities Forecast

1. Richard Thompson provided revised demographic information.
2. Mikaela Huot provided revised and additional information re-Services for other cities
3. Terry Olsen provided a report on Building Inventory Condition Analysis.
4. Next Steps

The TKDA representatives will develop a better fix on the facilities and put the information together for a meeting on May 6th, 7:00 p.m.

3. Public Works Request for Capital Improvement

Public Works Request for Capital Improvement

Planner Dillerud provided a memo with the request of Dan Olinger, Public Works Superintendent, for two capital equipment units: (1) a 1-ton truck with dump box to replace the 1989 unit; and (2) a heated pavement patching trailer – new unit. He reported that both of these units appear in the approved 2002-2006 Capital Improvement Program, with funding for the purchases from the Public Works Equipment Fund.

Rick Gustafson, Public Works Dept., explained the 1-ton truck has a diesel engine and is a heavier truck. The wood chipping top has been eliminated. Dan is still looking into the possibility of purchase vs. lease of the heated pavement patching trailer.

M/S/P Stanley/Talcott – to approve the specifications, as presented, for the 1-ton truck with dump box and recommend approval by the City Council for purchase as described in the City Planner's memo, dated April 4. (Motion passed 13-0).

The Commission adjourn meeting at 10:00 p.m.