

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 24, 1990

7:30 p.m. MEETING CONVENES

1. AGENDA
2. MINUTES: September 10, 1990
3. PUBLIC HEARING: Residential Estates Zoning District
4. PUBLIC HEARING: Rezoning and Preliminary Plat Arabian Heights
5. Request from Cliff Adkins, 2227 Lake Elmo Avenue to plat Residential Estates on less than 20 acres
6. Repeal R-1 Zoning District
- * 7. Supporting Ordinances for RE Zoning District
8. Other
9. Adjourn

* Tabled till the next meeting

LAKE ELMO PLANNING COMMISSION MINUTES
September 10, 1990

Vice Chairman John called the Planning Commission meeting to order at 7:35 p.m. in Council Chambers. Present: John, Johnson, Johnston, Conlin, Arkell, Bucheck, Wilfong, Enes, City Planner Black, Administrator Kueffner. Absent: DeLapp, Thomas, Stevens.

1. AGENDA

M/S/P Arkell/Enes - to approve the September 10, 1990 Planning Commission Agenda. (Motion carried 8-0.)

2. MINUTES: August 27, 1990

M/S/P Johnson/Enes - to approve the August 27, 1990 Planning Commission minutes as presented. (Motion carried 4-0-4, abstain: Conlin, Bucheck, Johnston, Wilfong.)

3. Residential Estates Ordinance: Call Public Hearing

The Commission combined Kolstad's concept pre-application for Arabian Heights with discussion of the RE Ordinance to examine this code being put to use on a typical application.

Commissioner Conlin felt that if any change were to be made that the setbacks for front and rear could be cut down to 75', this may cut down on requests for variances.

The Commission asked Administrator Kueffner to get comments from the City Attorney on the RE Ordinance as soon as possible.

M/S/P Johnston/Bucheck - to call for a Public Hearing for adoption of the new Residential Estates Ordinance for September 24, 1990. (Motion carried 8-0.)

4. Concept Pre-Application: Arabian Heights

Roger Kolstad of Northern Lakes Diversified presented a concept review for a preliminary plat of a 19-lot subdivision to be called Arabian Heights owned by Northern Lakes Diversified. Kolstad stated that his biggest problem was the setbacks, due to the land configuration. Kolstad found two lots which could possibly need variances because they may not meet the 250' circle. Kolstad cannot tell at this time where the drainage will be. Kolstad had no problem with park dedication (the Parks Commission will review this proposed park at their September 17, 1990 meeting).

City Planner Mike Black stated that the lot density meets the 6 lots per 20 acres. It appears a couple lots do not meet the 150' frontage on public roadway. Black suggested Out lot "A" and lot 5 be encompassed as one parcel to avoid a future land locked parcel if Out lot A were to be sold to another party. Black went out to the property site and looked at the drainage, soil and proposed lots. It appears that most of the lots will meet the 250' circle,

but there were several lots (Block 1-lots 6 & 10, Block 3- lots 4, 3, 4 & 5) that may be unsuitable for septic systems due to severe lot configuration, drainage and poor soil. Kolstad was reminded that the RE Ordinance states that all newly subdivided lots shall have at least one acre of land dedicated for septic system use, and that mound systems are not allowed for new housing. Black suggested that Kolstad get perc tests before platting.

Administrator Kueffner mentioned to the Commission that there is a provision in the platting where the Planning Commission could address variances at the time of platting and could make recommendations to the City Council.

Planner Black stressed that we must be very careful with plat reviews and variances so as not to send a message to developers that the City will entertain variances to the minimum standards during the plat review process because there is always a case in every plat that something just doesn't work right. If some lots don't meet the ordinance then don't allow them, or change the Ordinance if you find it not practical.

Commissioner Johnson stated that the only time a variance should be allowed is when there is a definite hardship on the land.

Commissioner Enes added to not forget that lots don't have to be the minimum size, some lots may have to be larger in order to meet the Ordinance and this should be tried first before a variance is considered. Commissioner Wilfong added that a Walk-out is not a good reason for a variance. Commissioner Bucheck offered Ordinance 401.270 C. states: A variance shall be granted only where the City Council finds: 1. That there are said special circumstances or conditions affecting the applicant's land that the strict application of the minimum standards of this Ordinance would deprive the applicant of the reasonable use of that land. 2. That the granting of the variance will not be detrimental to the public welfare or injurious to other property. 3. That the variance required by reason of unusual hardship relating to the physical characteristics of the land.

Vice Chairman John stated that it appears Kolstad has made an honest attempt to meet the RE Ordinance.

M/S/P Johnson/Conlin - to call for a Public Hearing on Arabian Heights preliminary plat and re-zoning for September 24, 1990. (Motion carried 8-0.)

5. Freeway Business District

Commissioner Conlin stated that this Ordinance as it exists is too restrictive and she was hoping that more Permitted Uses would have been added. The Purpose in this Ordinance sets the criteria and as long as a business is condusive, it should be accepted. Traffic should not be considered a problem since this is not a residential area, it is a Highway frontage road. And it is unrealistic not to expect some services to increase in order to get high quality

businesses.

Vice Chairman John stated that they were trying for substance and tax generation. Commissioner Johnson stated that there was an attempt to broaden the Permitted Uses and to make it more specific, because the more gray areas there are the harder it is to enforce.

Administrator Kueffner suggested that the Commission go through the General Business Ordinance Permitted Uses and add some of those to this Freeway Ordinance with the specifics, because presently this Ordinance is of subjectable interpretation. The Purpose does not define, it is somewhat general.

Vice Chairman John stated that the Commission is not unanimous on this Ordinance and suggested that it be referred back to the Sub-committee to be re-written. Commissioner Conlin suggested that item 5, 6 & 7 in the Purpose could be incorporated into the first paragraph of the Purpose.

Administrator Kueffner offered to write up a few suggestions for Permitted Uses and how they could be more specific and would bring them to the October 8, 1990 Planning Commission meeting.

M/S/P Bucheck/Johnston - to have Administrator Kueffner: 1. Write a Purpose incorporating 5, 6 & 7 from the present Purpose, 2. Write on a separate piece of paper any more Permitted Uses that she feels should be in this code, 3. Page 3 & 4 - pull out things that are already code; and the Planning Commission is requested to submit to Mary Permitted Uses they would like in this Ordinance by October 1st. Mary will have this done for the October 8, 1990 Planning Commission meeting (Motion carried 8-0.)

6. Volunteers for Household Hazardous Waste Pickup in Woodbury

Rita Conlin, Dick Johnson, Wyn John and Karen Johnston volunteer to assist with the Household Hazardous waste pickup for Saturday, September 29 at Woodbury High School, 2665 Woodlane Drive (Hours: 9:00 a.m. to 3:00 p.m.). A training session will be held either Wednesday or Thursday prior to Saturday the 29th. Lunch will be provided.

M/S/P Johnson/Johnston - to adjourn the Planning Commission meeting at 10:05 p.m. (Motion carried 8-0.)

NOTICE OF PUBLIC HEARING

The Lake Elmo Planning Commission will hold a public hearing on Monday, September 24, 1990 at City Hall, 3800 Laverne Avenue N., Lake Elmo, Minnesota, at 7:30 p.m. to consider adoption of a new zoning district: Lake Elmo Municipal Code; Section 301.070 D Residential Estates; to wit:

301.070 D.

4. Residential Estates

A. Permitted Uses and Structures

- (1) One single family detached dwelling per lot within planned subdivisions of at least 20 acres, nominal.

B. Accessory Uses and Structures

- (1) Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted uses and structures, see Section 301.130 C. ACCESSORY USES AND STRUCTURES.

- (a) No more than two detached accessory structures with a combined total not to exceed 1200 square feet.
- (b) Accessory structure shall be architecturally compatible with principle structure.
- (c) Accessory Structures for the sole use by occupants of the principle structure.
- (d) Home Occupations as set forth in Section 301.040 (65) of this code.

C. Minimum District Requirements

- (1) Lot Size 2 1/2 to 10 acres nominal
- (2) Lots per Density 6 lots per each 20 acres of gross land area.
- (3) Configuration: Lots must be configured to contain a circle with a diameter of 250 feet minimum. The ratio of lot length to width shall be a maximum of 3:1. Flag lots are prohibited. (a definition of a flag lot to be typed here).
- (4) Principle Building Setbacks from Property Lines:
 - (a) Front 100 feet minimum
 - (b) Side (interior) 50 feet minimum
 - (c) Side (corner) 80 feet minimum
 - (d) Rear 100 feet minimum
 - (e) Collector/Arterial Street 150 feet minimum
- (5) Frontage on Public ROADWAY
150 feet minimum except 70 feet at the end of cul-de-sacs.
- (6) Parking 2 enclosed spaces minimum (200 s.f. minimum per space). 2 exterior spaces with minimum setback of 50 feet from any property line.

(7) Hardsurface coverage 15% maximum.

(8) Septic Drainfield Regulation

(a) All newly subdivided lots shall have at least one acre of land dedicated for septic system use. This acre may consist of a maximum of two separate parcels neither of which may consist of less than 0.4 acres.

(b) Placement of the second required drainfield between the trenches of the first drainfield is prohibited.

All persons who wish to be heard regarding this proposed zoning district will be given that opportunity at this public hearing. Written comments will be accepted until the time of the public hearing.

Mary Kueffner

City Administrator

St. Croix Valley Press Sept. 12, 1990

(5) Frontage on Public Roadway

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at the end of cul-de-sacs.

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(b) Placement of the second required drainfield between
the trenches of the first drainfield is prohibited.

NOTICE OF PUBLIC HEARING

The Lake Elmo Planning Commission will hold a public hearing on Monday, September 24, 1990 at 7:30 p.m. at City Hall, 3800 Laverne Ave. N., Lake Elmo, Minnesota, to consider the request of Roger E. Kolstad, agent for Charles R. Nelson/Northern Lakes Diversified for rezoning from Rural Residential (RR) to Residential Estates (RE) and preliminary plat approval of a 19 lot subdivision to be known as Arabian Hills. The property consists of approximately 63.92 acres and is legally described as follows:

The Northwest Quarter of the Southeast Quarter, the north 91.3 feet of the Southwest Quarter of the Southeast Quarter, and that part of the Northeast Quarter of the Southeast Quarter lying northerly of the south 610 feet thereof. All in Section 3, Township 29, Range 21, Washington County, Minnesota.

All persons who wish to be heard regarding this proposed rezoning and preliminary plat will be given that opportunity at this public hearing. Written Comments will be accepted up until the time of the public hearing.

Mary Kueffner

City Administrator

September 7, 1990

St. Croix Valley Press, Sept. 12, 1990



City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

September 17, 1990

Dear Resident/Property Owner

The City has received an application for preliminary plat approval of a 19-lot subdivision to be known as Arabian Hills. A copy of the public hearing notice relative to this request is attached along with a map showing area of subdivided property.

If you have any questions regarding this proposed subdivision prior to the September 24, 1990 public hearing, please don't hesitate in calling.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Kueffner", is written over the typed name.

Mary Kueffner
City Administrator

Norcott Investment Co.
Attn: Larry Lilles
5926 Bass Lake Rd.
Crystal, MN 55429

Don Richie
9393 55th St. N.
Lake Elmo, MN 55042

Jerry Preis
9480 53rd St. N.
Lake Elmo, MN 55042

William Horwath
9440 53rd St. N.
Lake Elmo, MN 55042

Richard Rengstorf
9400 53rd St. N.
Lake Elmo, MN 55042

Russell W. Wegwerth
9377 53rd Avenue N.
Lake Elmo, MN 55042

Arlene Meyer
5220 Keats Avenue N.
Lake Elmo, MN 55042

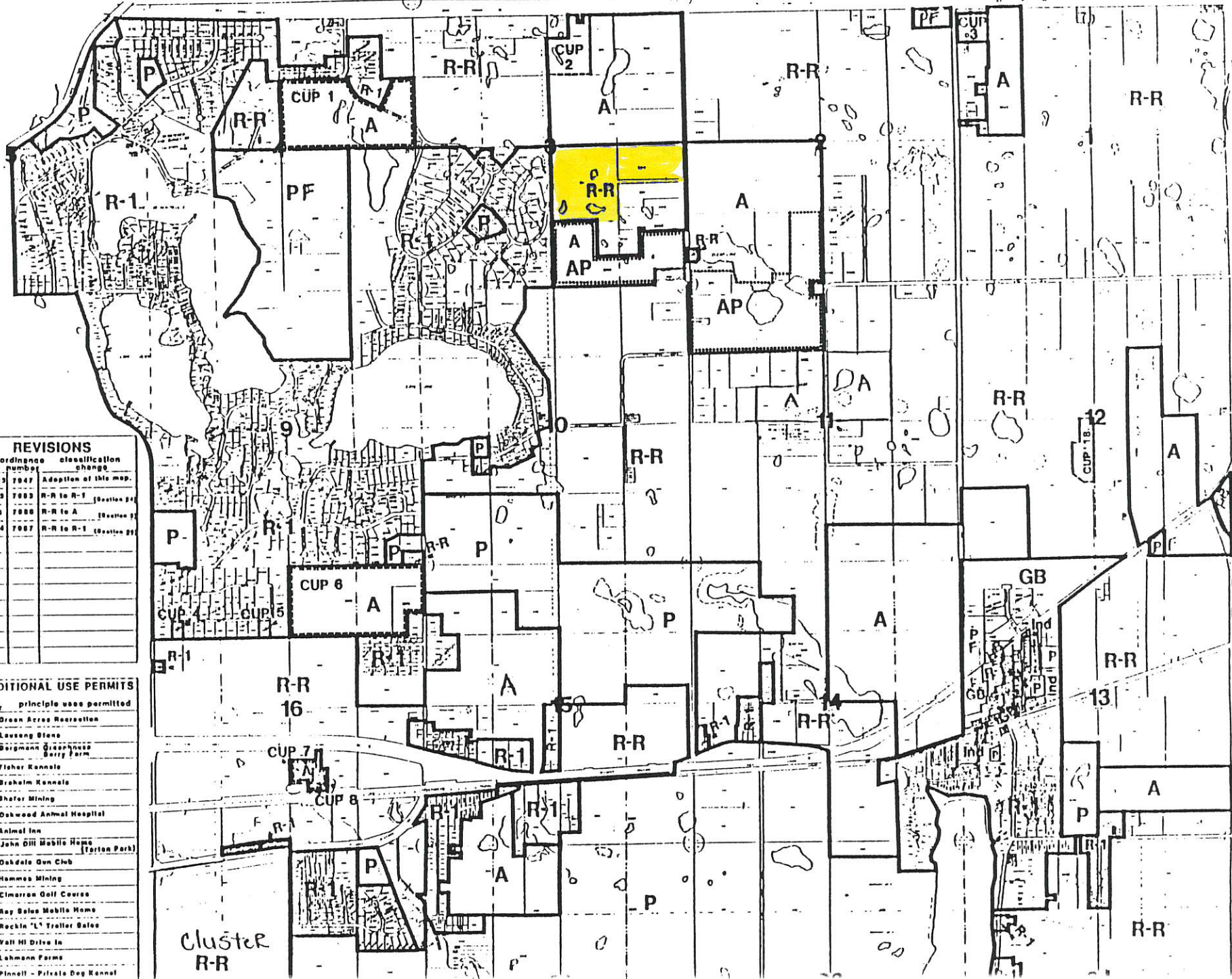
Rolf Schubert
5222 Keats Avenue N.
Lake Elmo, MN 55042

Pete & Pam Eggen
5250 Keats Avenue N.
Lake Elmo, MN 55042

Steve & Nancy Korhel
5540 Keats Avenue N.
Lake Elmo, MN 55042

Thomas Hermanson
5545 Keats Avenue N.
Lake Elmo, MN 55042

Keith Raleigh
5435 Keats Avenue N.
Lake Elmo, MN 55042



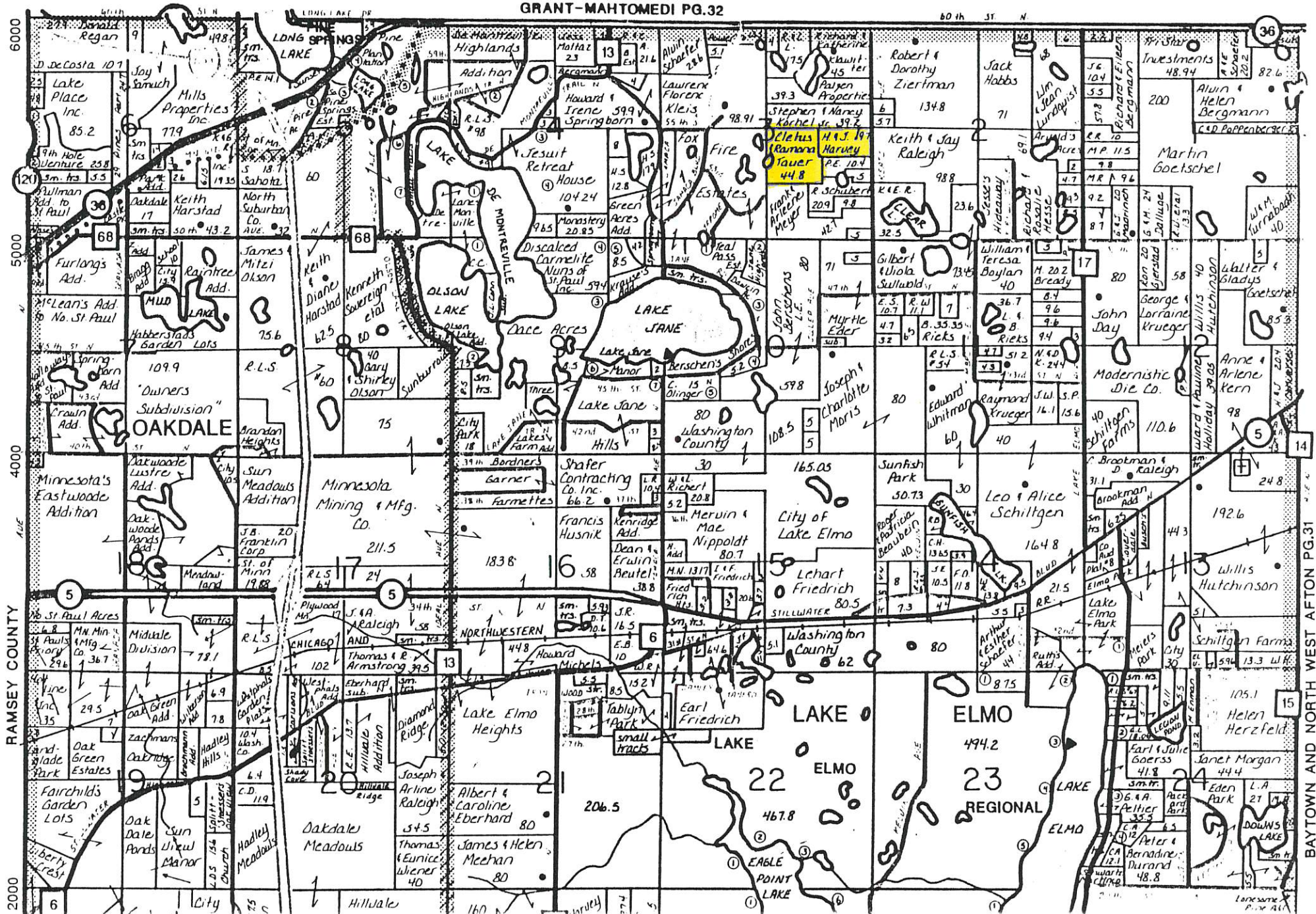
REVISIONS		
date	ordinance number	classification change
3/10/83	7047	Adoption of this map.
9/21/83	7083	R-R to R-1 (Section 9)
7/8/83	7088	R-R to A (Section 9)
1/28/84	7087	R-R to R-1 (Section 9)

CONDITIONAL USE PERMITS	
number	principle uses permitted
1	Green Acres Recreation
2	Leasing Stone
3	Bergmann Greenhouse Barry Farm
4	Fisher Kennels
5	Broholm Kennels
6	Shafer Mining
7	Oakwood Animal Hospital
8	Animal Inn
9	John Hill Mobile Home (Torton Park)
10	Oakdale Gun Club
11	Hammes Mining
12	Cimarron Golf Course
13	Ray Salvo Mobile Home
14	Reckin 'L' Trailer Sales
15	Yatt Hi Drive In
16	Lehmann Farms
17	Pinnell - Private Dog Kennel

VILLAGE OF OAKDALE
VILLAGE OF LAKE ELMO

T.29N. - R.21W.

GRANT-MAHTOMEDI PG.32



FIRE ESTATES



LOT N01° 30' 32" W BLOCK 1 1408.51

STEPHEN T. & NANCY
N89° 00' 10" E
76

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: September 24, 1990

AGENDA TOPIC: Request from Cliff Adkins, 2227 Lake Elmo to plat RE on less than 20 acres	ITEM NO. 5.
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Cliff Adkins, 2227 Lake Elmo Avenue, has requested that the City consider allowing him to plat his approximate 16+ acres into a RE subdivision.

I have attached a copy of Mr. Adkins' property to show you its proximity to other development.

Mr. Adkins realizes that you have not yet adopted the RE Ordinance, and would, therefore, ask that you consider his request.

SECTION

23

1570 R of S Line

LAKE ELMO

MINN STATE DNR DIV. OF WATERS
Protected water 82-106 P

ELMO

LAKE

N.

AVE. per original Govt notes

0440
2491 0450 House
Eugene + Gloria Cannon

KAREN CHANDLER
BARR ENGR CO.
? Glenroy Rd.
mpts.

830-0555
Rt. reflow from Downs CK TO LE

GOVT LOT
Gene + Ann Peltie
0470

Ed + Mrs Schiltgen
2337 0500
41974 House

2315 0480 House
D Sherburne

Clifford + Marion
-0510 Atkins
2227

0560 House

221 0550 Doyette

0540 House

0520

0520

0490

10.31

104.91

10.31

2227

394+

373+

413+

394+

373+

329

63.8

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30.58

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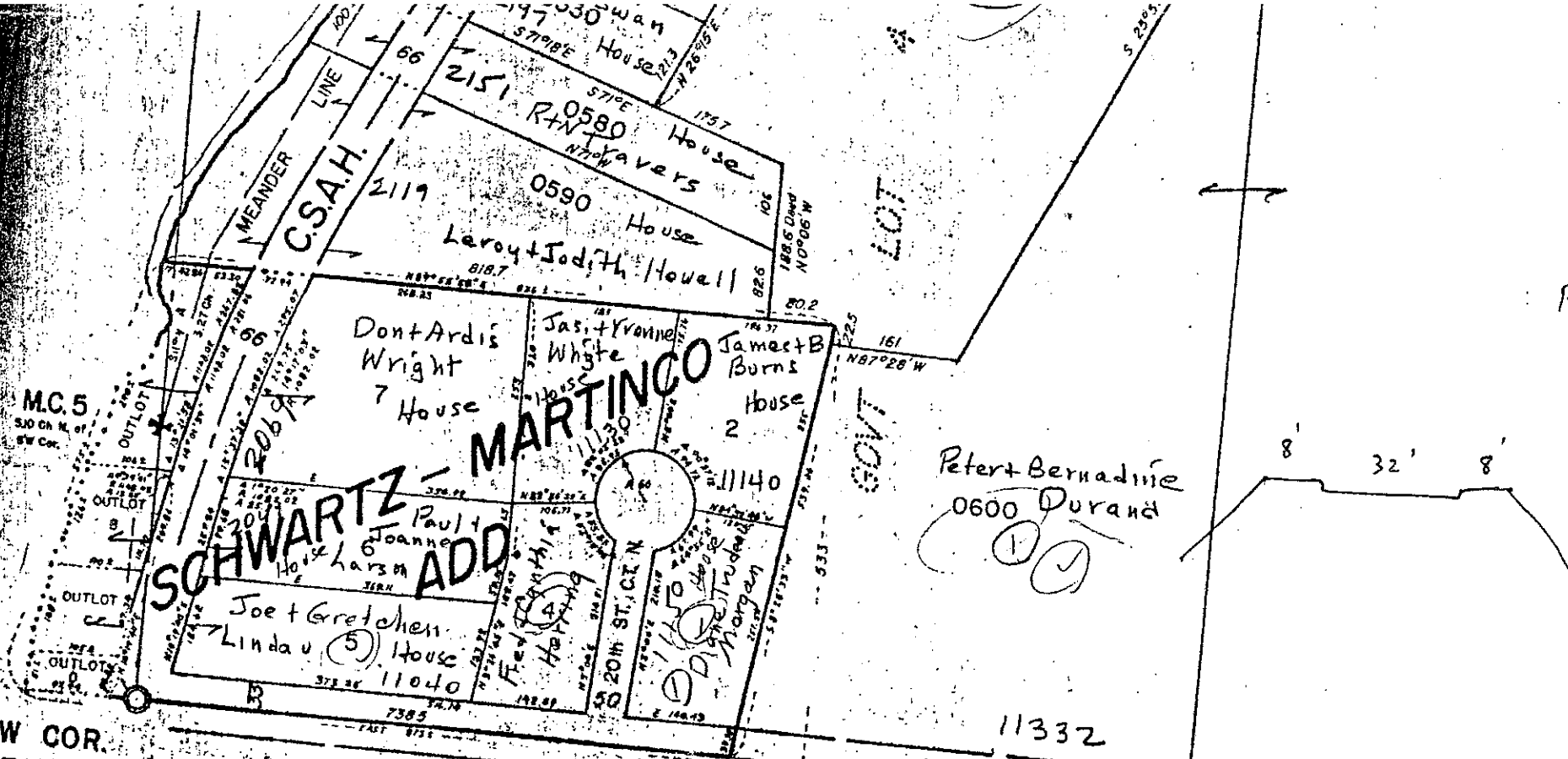
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SW COR.
SEC. 24

THIS DRAWING IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE WASHINGTON COUNTY OFFICES AFFECTING THE AREA SHOWN AND IS TO BE USED ONLY FOR REFERENCE PURPOSES. THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

JRH 4/22/75 PRJ REV: JRH 9/17/76: PRJ B-31-84:

CAST IRON MONUMENT

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: September 24, 1990

AGENDA TOPIC: Repeal R-1 Zoning District	ITEM NO. 6.
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Attached is a draft resolution that will prohibit any further rezoning to R1 within the City.

What the Planning Commission should do is recommend that the Council:

- (1) adopt the resolution, and
- (2) direct the PZ to prepare an ordinance prohibiting any further R1 zoning.

NOT ADOPTED

RESOLUTION NO. 90-

RESOLUTION FOR THE CITY OF LAKE ELMO
REFERRING AMENDMENT TO ZONING ORDINANCE TO PLANNING COMISSION
FOR CONSIDERATION

WHEREAS, the City of Lake Elmo has its zoning ordinances codified under Section 301 of its Municipal Code; and

WHEREAS, the current zoning ordinance provides for and defines an R-1, one-family residential medium density zoning district; and

WHEREAS, the City of Lake Elmo has amended its Comprehensive Plan; and

WHEREAS, the Comprehensive Plan provides for the elimination of the R-1 zoning district; and

WHEREAS, it is the intent of this Council that the zoning ordinance be consistent with the Comprehensive Plan as amended;

NOW, THEREFORE, BE IT RESOLVED that the City Council for the City of Lake Elmo proposes that its zoning ordinance be amended to prohibit the rezoning of any land within the City of Lake Elmo to the R-1 zone which is currently not so zoned; and

BE IT FURTHER RESOLVED that the above proposed amendment to the zoning ordinance be referred to the Planning Commission for study and report back to the City Council pursuant to Section 301.060 E.5. of the Municipal Code.

ADOPTED, by the City Council of the City of Lake Elmo this day of _____, 1990.

Susan Dunn, Mayor

ATTEST:

Mary Kueffner, City Administrator