

File 604



# City of Lake Elmo

3800 Laverne Avenue North  
Lake Elmo, Minnesota 55042

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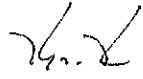
## NOTICE OF MEETING

The City of Lake Elmo  
Planning Commission will conduct a meeting on  
**Monday, November 14, 2011, at 7:00 p.m.**

### AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
  - a. None
4. Public Hearings
  - a. CHRIST LUTHERAN CHURCH EXPANSION – CUP AMENDMENT, VARIANCE, SITE PLAN REVIEW: Christ Lutheran Church, 11194 36<sup>th</sup> Street North, has submitted an application to expand its current facility and make other improvements to increase accessibility, improve entrances into the building, provide better interior circulation, and to provide additional space for learning and hospitality. The request includes the reconfiguration of Laverne Avenue to utilize a portion of the right-of-way for parking and a drop-off area in front of the church. The variance would allow an expansion into existing setbacks on the east and west sides of the building.
  - b. CAPITAL IMPROVEMENT PLAN: Review of a 5-year capital improvement plan for the city of Lake Elmo for the years 2012 to 2016.
5. Updates
  - a. City Council Updates:
    - i. November 9, 2011 Joint Meeting with Library Board
  - b. Staff Updates
    - i. **Upcoming Meeting:** November 16, 2011 – I-94 Planning Area Open House
  - c. Commission Concerns
6. Adjourn

Planning Commission  
Date: 11/14/11  
**Public Hearing**  
Item: 4b

ITEM: Hold a public hearing on the 2012-2016 Capital Improvement Plan  
SUBMITTED BY: Kyle Klatt, Planning Director   
REVIEWED BY: Joe Rigdon, Interim Finance Director  
Jack Griffin, City Engineer

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**SUMMARY AND ACTION REQUESTED:** As part of its responsibility to review and approve a Comprehensive Plan for the City, the Planning Commission is also required to review a five-year capital improvement plan (CIP), which is typically prepared in conjunction with the preparation of a budget for the following year. Staff scheduled a public hearing to review the 2012-2016 Capital Improvement Plan with the Planning Commission on October 4, 2011; however, the draft CIP was not finished at this time and the Commission continued the public hearing until its November 14, 2011 meeting.

A draft CIP has now been completed by the City's Interim Finance Director, and is attached for review by the Planning Commission. Staff is recommending that the Planning Commission recommend approval of 2012-2016 Capital Improvement Plan for the City.

**Recommended Motion #1:** To open and conduct a public hearing on the proposed 2012-2016 Capital Improvement Plan

**Recommended Motion #2:** To close the public hearing on the proposed 2012-2016 CIP

**Recommended Motion #3:** To forward the proposed 2012-2016 CIP and the comments received during this Public Hearing to the City Council for subsequent review, assessment and adoption.

**BACKGROUND:** Attached, please find the 2012-2016 Capital Improvement Plan (CIP). MN State Statutes views the Capital Improvement Plan as an element of the Comprehensive Plan, which requires a Public Hearing by the Planning Commission and subsequent formal adoption by the City Council. Consistent with State Statute a Notice of the Public Hearing was published in the City's official newspaper.

The draft 2012-2016 CIP has been compiled by City staff, with input from the various agencies and departments, prioritized by the City Administration, and initially reviewed and discussed by the City Council at a recent public meeting.

**ADDITIONAL INFORMATION:** The purpose of a Capital Improvement Program is to provide a multi-year plan of major projects and related expenditures. It is intended to be used as a tool for identifying future infrastructure projects and to prevent duplication of projects (i.e. street reconstruction project followed in a subsequent year by a water main project). The CIP is also used as a long term financial guide to identify expenditures and related funding sources.

**Major projects planned for 2012:**

- o Library building improvements
- o Park improvements and maintenance

- o 50<sup>th</sup> Street and Kimbro Avenue road improvements
- o Keats Avenue road improvements
- o Street seal-coating
- o Street and water quality improvements
- o Fire department site planning
- o I-94 to 30<sup>th</sup> Street sewer trunk force main
- o Village Parkway trunk sewer (phase 1)
- o Well and pump house #4 construction
- o Keats trunk water main extension
- o Rain garden improvements
- o City facilities improvement

**RECOMMENDATION:** Staff is recommending that the Planning Commission continue the public hearing concerning the Capital Improvement Plan and recommend approval of 2012-2016 Capital Improvement Plan for the City.

**ORDER OF BUSINESS:**

- Introduction ..... Planning Director
- Report by staff..... Planning Director
- Questions from the Commission.....Chair & Commission Members
- Applicant Comments..... Chair facilitates
- Questions of the Applicant.....Chair & Commission Members
- Open the Public Hearing..... Chair
- Close the Public Hearing ..... Chair
- Call for a motion..... Chair Facilitates
- Discussion of Commission on the motion..... Chair Facilitates
- Action by the Planning Commission ..... Chair & Commission Members

**ATTACHMENTS (1):**

1. Draft 2012-2016 Capital Improvement Program

Fund/Category	Project	Detail or Street From/To	2012	2013	2014	2015	2016	Future	Funding Source
City of Lake Elmo Capital Improvement Plan 2012 to 2016									
Library (206)	Library Improvements		\$60,000	\$0	\$0	\$0	\$0	\$0	Library Property Tax Levy
Total Library (206)			\$60,000	\$0	\$0	\$0	\$0	\$0	
Park Dedication (404)									
Parks	Pebble Park	Improved Ballfield	\$50,000						Park Dedication Fees
Parks	DeKornville Park	Plants Shelter	\$10,000						Park Dedication Fees
Parks	DeMontreville Park	Resurface Basketball Court	\$5,000						Park Dedication Fees
Parks	Stonestate Park	Parking Lot	\$10,000	\$10,000					Park Dedication Fees
Parks	Sunfish Lake Park West	Signs / Urns / Urns signage	\$5,000						Park Dedication Fees
Parks	Sunfish Lake Park	Playset / Trails	\$12,000						Park Dedication Fees
Parks	Sunfish Lake Park	Tennis Court Resurfacing	\$12,000						Park Dedication Fees
Parks	Legion Park	Tennis Court Resurfacing	\$2,000						Park Dedication Fees
Parks	Sunfish Lake Park	West-side Development	\$2,000		\$2,000				Park Dedication Fees
Parks	Sunfish Lake Park	Prairie establishment	\$4,000						Park Dedication Fees
Parks	Sanctuary	Future Amenities	\$50,000	\$100,000	\$50,000				Park Dedication Fees
Parks	Trail Improvements		\$180,000	\$128,000	\$52,000				
Total Park Dedication (404)			\$180,000	\$128,000	\$52,000				
Infrastructure Reserves (409)		(2012 projects, not including sealcoating, budgeted in 2012 Street Improvements Fund #419)							
Infrastructure	Sealcoating (see 2011 detail below)		\$25,000	\$30,000	\$135,000				Fund Balances/General Fund Transfers
Infrastructure	50TH/KIMBRO AVENUE	47TH ST TO CSAH 17	\$900,000			\$140,000			70% Property Tax Levy, 30% Assessments
Infrastructure	DEMONTEVILLE TRAIL CIR N	DEMONTEVILLE TRAIL PLACE TO CUL-DE-SAC	\$84,000						70% Property Tax Levy, 30% Assessments
Infrastructure	DEMONTEVILLE TRAIL CIR N	DEMONTEVILLE TRAIL CT TO CUL-DE-SAC	\$90,000						70% Property Tax Levy, 30% Assessments
Infrastructure	DEMONTEVILLE TRAIL PL N	47TH ST TO TH 36	\$1,000,000						70% Property Tax Levy, 30% Assessments
Infrastructure	KEATS AVENUE (MSAS)	DEMONTEVILLE TRAIL N TO CUL-DE-SAC	\$45,000						70% MSA Funds, 30% Assessments
Infrastructure	HYTRAIL AVEN	HIGHLANDS TRAIL N TO 69TH ST N	\$18,000						70% Property Tax Levy, 30% Assessments
Infrastructure	59TH ST N	HIGHLANDS TRAIL N TO 69TH ST N	\$18,000						70% Property Tax Levy, 30% Assessments
Infrastructure	59TH ST N	HIGHLANDS TRAIL N TO 69TH ST N	\$82,000						70% Property Tax Levy, 30% Assessments
Infrastructure	HIGHLANDS TR N	HIGHLANDS TRAIL N TO 69TH ST N	\$47,000						70% Property Tax Levy, 30% Assessments
Infrastructure	HIGHLANDS TR N	HIGHLANDS TRAIL N TO 69TH ST N	\$168,000						70% Property Tax Levy, 30% Assessments
Infrastructure	HIGHLANDS TR N	HIGHLANDS TRAIL N TO 69TH ST N	\$82,000						70% Property Tax Levy, 30% Assessments
Infrastructure	HIGHLANDS TR N	HIGHLANDS TRAIL N TO 69TH ST N	\$38,000						70% Property Tax Levy, 30% Assessments
Infrastructure	69TH ST N (WEST)	HIGHLANDS TRAIL N TO 69TH ST N	\$78,000						70% Property Tax Levy, 30% Assessments
Infrastructure	MANNING AVENUE	West City Limits to Inwood Avenue (CSAH 13)	\$750,000						70% MSA Funds, 30% Assessments
Infrastructure	IRWIN AVENUE	TH 38 TO LINDEN AVE	\$170,000						70% Property Tax Levy, 30% Assessments
Infrastructure	37TH ST N	38TH ST TO 37TH ST	\$194,000						70% Property Tax Levy, 30% Assessments
Infrastructure	36TH ST N	JAMACA AVE TO IRWIN AVE	\$194,000						70% Property Tax Levy, 30% Assessments
Infrastructure	38TH ST N	JAMACA AVE TO IRWIN AVE	\$350,000						70% Property Tax Levy, 30% Assessments
Infrastructure	39TH ST N	CSAH 13 (IDEAL AVE) TO INNSDALE AVE N	\$350,000						70% Property Tax Levy, 30% Assessments
Infrastructure	39TH ST N	CSAH 13 (IDEAL AVE) TO INNSDALE AVE N	\$350,000						70% Property Tax Levy, 30% Assessments
Infrastructure	INNSDALE AVE N	39TH ST TO 38TH ST N	\$1,500,000.00						70% Property Tax Levy, 30% Assessments
Infrastructure	20TH ST/MANNING TR (MSAS)	CSAH 17 TO MANNING AVENUE							
Infrastructure	KELVIN AVE N	NEW SUBDIVISION ROAD TO STILLWATER LANE							
Infrastructure	KELVIN AVE N	MN TH 5 (STILLWATER BLVD) TO STILLWATER LANE N							
Infrastructure	9th ST N	Jasmine Ave to East End	\$130,000						70% Property Tax Levy, 30% Assessments
Infrastructure	9th ST N	Jasmine Ave to East End	\$87,000						70% Property Tax Levy, 30% Assessments
Infrastructure	Jasmine Avenue N	10th St. N. To 9th St. N	\$81,000						70% Property Tax Levy, 30% Assessments
Infrastructure	Jasmine Avenue N	9th St. N. To Jasmine Ave Place	\$82,000						70% Property Tax Levy, 30% Assessments
Infrastructure	Jasmine Avenue N	Jessie Ave Place to Jasmine St.	\$84,000						70% Property Tax Levy, 30% Assessments
Infrastructure	Jasmine Avenue N	Jasmine St. To Juliet Ave.	\$68,000						70% Property Tax Levy, 30% Assessments
Infrastructure	Jasmine Avenue N	Jasmine Ave to East End	\$68,000						70% Property Tax Levy, 30% Assessments
Infrastructure	24th St. N	Lake Elmo Ave to Lansing Ave.	\$78,000						70% Property Tax Levy, 30% Assessments
Infrastructure	24th St. N	Lansing Ave to 24th St. Ct.	\$132,000						70% Property Tax Levy, 30% Assessments
Infrastructure	24th St. N	24th St. Ct. to Lehigh Ave	\$54,000						70% Property Tax Levy, 30% Assessments
Infrastructure	24th St. N	24th St. N. To North End	\$81,000						70% Property Tax Levy, 30% Assessments
Infrastructure	24th St. N	24th St. To Leagon Lane	\$81,000						70% Property Tax Levy, 30% Assessments
Infrastructure	Legion Avenue N	Legion Lane to Legion Ln	\$132,000						70% Property Tax Levy, 30% Assessments
Infrastructure	Legion Avenue N	Legion Lane to 20th St. N	\$54,000						70% Property Tax Levy, 30% Assessments
Infrastructure	20th St. N	20th St. N. To North End	\$47,000						70% Property Tax Levy, 30% Assessments
Infrastructure	20th St. N	20th St. N. To North End	\$235,000						70% Property Tax Levy, 30% Assessments
Infrastructure	Manning Trail N	20th St. N. To 18th St. N.	\$87,000						70% Property Tax Levy, 30% Assessments
Total Infrastructure Reserve (409)			\$1,755,000	\$1,844,000	\$750,000	\$2,429,000	\$549,000	\$87,000	

Fund/Category	Project	Detail or Street From/To	2012	2013	2014	2015	2016	Funding Source
City of Lake Elmo Capital Improvement Plan 2012 to 2016								
Vehicle Replacement (Formerly Capital Acquisitions) (410)								
Fire	Ladder Truck		\$600,000					New Equipment Certificates paid by property taxes
Fire	Replace Engine 1		\$625,000					Capital Fund Balance
Fire	2 Laptops for Trucks		\$5,000					New Equipment Certificates paid by property taxes
Fire	T-1 Tender		\$40,000		\$450,000			New Equipment Certificates paid by property taxes
Fire	Replace Duty Car (C1)				\$90,000			New Equipment Certificates paid by property taxes
Fire	Utility Vehicle U2		\$35,000					Capital Fund Balance
Fire	Pick-up Truck		\$2,000,000					New Equipment Certificates paid by property taxes
Public Works	Single tandem dump truck		\$45,990					Capital Fund Balance
Public Works	Mini excavator				\$15,000			New Equipment Certificates paid by property taxes
Public Works	Upgrade S38 Steer to Dedicated Track					\$45,000		Capital Fund Balance
Public Works	Mower							New Equipment Certificates paid by property taxes
Public Works	Leader							Capital Fund Balance
Total Vehicle Replacement (Formerly Capital Acquisitions) (410)			\$866,000	\$989,000	\$555,000	\$45,000	\$0	
City Facilities (411)								
City Hall	New City Hall site acquisition, if needed							
City Hall	New City Hall building plans/specifications							
City Hall	New City Hall construction							\$250,000 TBD
City Hall	City Hall Interior Improvements							\$250,000 TBD
City Hall	City Hall Parking Lot							\$4,000,000 New bonds paid by property taxes
City Hall	City Hall Annex Interior Improvements		\$25,000					Capital Fund Balance
City Hall	City Hall Annex Exterior Improvements		\$30,000					Capital Fund Balance
City Hall	Relicensing/Skiing		\$5,000					Capital Fund Balance
City Hall	Internal/External Repairs		\$10,000					Capital Fund Balance
Fire	New fire station 1 site acquisition, if needed		\$500,000					Capital Fund Balance
Fire	New fire station 2 site acquisition, if needed							New bonds paid by property taxes
Fire	Station 1 construction		\$40,000				\$4,000,000	Capital Fund Balance
Fire	Station 1 Interior Improvements		\$10,000					Capital Fund Balance
Fire	Rehabilitate/Renovates		\$10,000					Capital Fund Balance
Fire	Station 1 Parking Lot		\$5,000					Capital Fund Balance
Fire	Station 2 Interior Improvements		\$7,000					Capital Fund Balance
Fire	Station 2 Exterior Improvements		\$7,000					Capital Fund Balance
Public Works	Public Works hoist system		\$2,000					Capital Fund Balance
Public Works	Public Works Storage Facility		\$2,000					Capital Fund Balance
Public Works	Public Works back parking lot		\$25,000					Capital Fund Balance
Total City Facilities (411)			\$735,000	\$500,000	\$0	\$0	\$4,000,000	
Village (413)								
Village - Sewer	1-94 to 30th Street Trunk Force main		\$3,500,000					State Grants/Bonds/TBD
Village - Sewer	Village Parkway Trunk (Phase 1)		\$278,000					Development
Village - Sewer	Village Parkway Trunk (Phase 2)		\$278,000					Development
Village - Sewer	Trunk Gravity from 1st Station to Lake Elmo Ave							TBD
Village - Water	Trunk Gravity from 30th to 1st Station		\$385,500					TBD
Village - Water	Village Parkway Trunk (Phase 1)							Development
Village - Water	Village Parkway Trunk (Phase 2)		\$385,500					Development
Village - Streets	OLD VILLAGE STREET & STORM							\$3,800,000 TBD
Village - Streets	OLD VILLAGE STREET & STORM							\$3,900,000 TBD
Village - Surface Water	Old Village Storm Controls							\$2,800,000 TBD
Total Village (413)			\$5,778,000	\$663,500	\$355,500	\$0	\$0	\$10,682,000
Water (601)								
Water	Well and Pump house #4		\$1,370,000					State Grants/Bonds/TBD
Water	Kent's trunk water main extension		\$620,000					State Grants/Bonds/TBD
Water	Trunk Water main							\$2,775,000 TBD
Water	SW Area Water Main Extension							\$5,300,000 TBD
Water	Fluence Storage Tank #1/A							\$1,600,000 TBD
Water	Well # 5 (South of 10th Street)							\$960,000 TBD
Total Water (601)			\$2,290,000	\$0	\$0	\$0	\$0	\$10,635,000

Fund/Category	Project	Detail or Street Front/To	2012	2013	2014	2015	2016	Future	Funding Source
City of Lake Elmo Capital Improvement Plan 2012 to 2016									
Sewer (602)									
Sewer	Sewer study south of 10th St.		\$25,000						Net Assets
Sewer	Sewer/pumper letter truck			\$200,000					TBD
Sewer	Trunk Oversizing South of 10th St	Cost TBD by 2011 Study							TBD
Sewer	Trunk Gravity from LS to Lake Elmo Ave							\$200,000	Bonds/Net Assets
Sewer	Trunk Gravity from 30th St. to UP-Railroad							\$162,000	Bonds/Net Assets
Total Sewer (602)			\$25,000	\$200,000	\$0	\$0	\$0	\$362,000	
Surface Water (603)									
Surface Water	Rain Garden Improvements			\$35,000	\$35,000	\$35,000	\$35,000		Net Assets
Surface Water	Village Regional Infiltration		\$35,000	\$35,000	\$35,000	\$35,000	\$35,000		TBD TBD by Study
Total Surface Water (603)			\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$0	
Radio Replacement (701)									
Radio Replacement	Radio Replacement								Net Assets accumulated from General Fund annual transfers
Total Radio Replacement (701)			\$0	\$0	\$0	\$0	\$0	\$0	
Information Technology (IT) Replacement (702)									
Administration	City Hall network		\$2,500						Net Assets accumulated from General Fund annual transfers
Administration	Replacement equipment		\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	Net Assets accumulated from General Fund annual transfers
Finance	Finance software upgrade		\$19,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	Net Assets accumulated from General Fund annual transfers
Building Inspection	Bldg Permit Upgrade		\$6,500						Net Assets accumulated from General Fund annual transfers
Total IT Replacement (702)			\$35,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	
Furniture, Fixtures, & Equipment (FFE) Replacement (703)									
Fire	Turnout Gear (26 sets)		\$28,600	\$28,600					Net Assets accumulated from General Fund annual transfers
Fire	SCBA's								Net Assets accumulated from General Fund annual transfers
Total FFE Replacement (703)			\$28,600	\$28,600	\$0	\$100,000	\$100,000	\$0	
Total City			\$9,778,000	\$4,201,500	\$1,790,000	\$2,873,500	\$5,048,500	\$27,178,500	

Planning Commission  
Date: 11/14/11  
**PUBLIC HEARING**  
Item: 4a

ITEM: Conditional Use Permit Amendment and Variances: Christ Lutheran Church Expansion

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Ryan Stempiski, City Engineer

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### **SUMMARY AND ACTION REQUESTED**

The Planning Commission is being asked to consider a request from Christ Lutheran Church, 11194 36<sup>th</sup> Street North, for a Conditional Use Permit amendment and variances related to an expansion of its present facility. The specific action requested from the City is as follows:

- Conditional Use Permit Amendment to allow the expansion of a church within a PF – Public Facility Zoning District.
- Variances from the required 50-foot side yard setback to allow an addition to the building that is set back 8 feet from the Laverne Avenue right-of-way and 38 feet from the western property line.
- A Variance to allow the expansion of the existing facility, including new classroom and general meeting space, without an increase in the number of off-street parking stalls available to the Church.

### **ADDITIONAL INFORMATION:**

The attached Staff report includes a detailed review of the application along with a Staff recommendation.

### **RECOMMENDATION:**

Staff is recommending that the Planning Commission table the Conditional Use Permit amendment and variance requests by the applicant in order to ensure that all of the City's review comments can be address by the Church.

Being cognizant of the applicant's desire to continue moving forward with the project in a timely manner, Staff has prepared an alternate recommendation for consideration by the Planning Commission based on the draft findings included in the detailed Staff report This recommendation is for approval of the permits requested (Conditional Use Permit amendment and variances) with specific conditions of approval as follows:

1. The applicant shall submit a septic system inspection report prepared and signed by a licensed septic inspector verifying that the current septic system is compliant with Washington County regulations, and that: a) address the available capacity of the system and states its ability to accommodate the additional use created by the expansion project, or provide a design for its expansion, and b) includes a description o the current system type and components, dimensions, and capacity.

2. The proposed building addition must meet all requirements of Chapter 4 of the Washington County Development Code.
3. The applicant shall provide a detailed narrative to describe the purpose and need for a second water service connection, including projected water uses. The proposed connections shall be subject to review and approval by the City Engineer.
4. The applicant shall pay a Water Availability Charge based on any increase in the Residential Equivalent Connection calculation for the new addition.
5. The applicant shall provide detailed plans and specifications for all work proposed with the City right-of-way in accordance with the City's Design Standards Manual. These plans shall indicate existing conditions, including roadway widths and all public and private utilities within the roadway, and incorporate information as requested by the City Engineer.
6. Any work proposed within a City right-of-way shall only be allowed upon the approval of an improvement/developer's agreement between the City of Lake Elmo and the applicant.
7. The applicant shall provide a calculation for the existing and proposed impervious coverage on the site.
8. The applicant shall submit a storm water management and a drainage and erosion control plan for the site prior to the issuance of a building permit or before any work with may commence within a public right-of-way.
9. The applicant shall submit a lighting plan that includes the light pole details and standards (pole height and type, fixture type, and photometric plans). All new lighting shall conform to Section 150.035 through 150.038 of the City Code.
10. The applicant shall submit a landscape plan for review and approval that provides for replacement of any trees removed as part of the site work. The applicant shall work with the City to identify suitable locations for replacement street trees on the site, giving preference to any suitable locations within the Laverne Avenue boulevard. The applicant shall also consider the conversion of existing or planned paved boulevard areas to natural vegetation where possible as part of the planned street improvements.
11. The applicant shall maintain existing screening and buffering located between the Church site and adjacent residential uses.
12. The applicant shall work with the City to identify appropriate modifications to the no parking designations in the area as part of the proposed street improvements to Laverne Avenue.

**ORDER OF BUSINESS:**

- Introduction.....Planning Director
- Report by staff .....Planning Director
- Questions from the Commission ..... Chair & Commission Members
- Applicant Comments .....Chair facilitates
- Questions of the Applicant ..... Chair & Commission Members
- Open the Public Hearing .....Chair



- Close the Public Hearing.....Chair
- Call for a motion ..... Chair Facilitates
- Discussion of Commission on the motion ..... Chair Facilitates
- Action by the Planning Commission..... Chair & Commission Members

**ATTACHMENTS:**

1. Staff Report
2. Application Form
3. Application Narrative
4. Location Map
5. Location Map/Aerial Photograph
6. Review Letter from TKDA
7. Review Letter from Valley Branch Watershed District
8. Site Plans
9. Architectural Drawings
10. Site Survey (Large Plan-Size Document)

City of Lake Elmo Planning Department  
**Conditional Use Permit Amendment and Variance Request**

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*To:* **Planning Commission**

*From:* Kyle Klatt, Planning Director

*Meeting Date:* **11/14/11**

*Applicant:* **Christ Lutheran Church**

*Owner:* Christ Lutheran Church

*Location:* **11194 36<sup>th</sup> Street North**

*Zoning:* PF – Public and Quasi-Public Open Space/Public Facilities

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***Introductory Information***

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***Application  
Summary:***

The City of Lake Elmo has received an application from Christ Lutheran Church, 11194 36<sup>th</sup> Street North, to expand its current facility and make other improvements intended to increase accessibility, improve entrances into the building, provide better interior circulation, and to provide additional space for learning and hospitality. In order to move forward with its plans, the Church has requested the following specific action from the City:

- A Conditional Use Permit amendment to allow for the expansion of an existing structure that pre-dates the City's zoning regulations. Because a Church is permitted by Conditional Use Permit in the PF – Public Facility Zoning District, an expansion or major modification to the building requires a new permit (or amendment) from the City.
- A variance from the side yard setback requirements within a PF –Public Facility zoning district. The site plan submitted by the applicant indicates that the proposed additions to the building will be set back 8 feet from the Laverne Avenue right-of-way and 38 feet from the western property line, both of which are side yard setbacks. The PF zoning district requires a minimum side yard and corner side yard setback of 50 feet.
- A variance from the parking requirements for a PF – Public Facility Zoning District to allow the expansion of a building without an increase in available off-street parking.

The expansion into the existing side yard setbacks would allow the Church to create upgraded entrances into the facility in the form of two new vestibules and covered roof canopies over both of these entrances. Please note that the application narrative provided by the applicant does not seem to accurately portray the setbacks shown on the site plan for the eastern entrance. In addition, the applicant has provided setbacks (and has shown the building setback lines on the site plans) from property lines and

not from the official right-of-way lines. Staff has taken scaled measurements from the site plans and used the right-of-way lines to determine the official setback variance being sought as noted above.

The proposed plans also call for a major reconfiguration of Laverne Avenue as part of the eastern entrance improvements. The applicant is proposing to reconstruct the boulevard along Lavern Avenue to create a drop-off area for visitors to the Church and to install a new sidewalk within the street right-of-way along the length of its property. These improvements would tie in with the overall plans to improve access into the Church facility. Although the request to improve the right-of-way is technically a separate action for consideration by the City, Staff is recommending that these improvements be considered as part of the overall site plan review by the Planning Commission and included in the Planning Commission's recommendation to the City Council.

The attached site plans highlight the proposed changes to the building that are being sought, and also show the reconfiguration proposed for Laverne Avenue. The applicant has also provided a detailed narrative explaining the project and the need for the improvements.

**Property  
Information:**

The Christ Lutheran Church building was initially constructed in the 1950's, and the facility has been expanded and improved at various times over the past several years. The most recent major renovation/expansion occurred in 1996, since that time there is no record of any other significant improvements in the City records. The facility includes several different components, including the sanctuary, offices, atrium, classrooms, conference room, kitchen, and other ancillary functions. Because the facility has been expanded various times in a piecemeal fashion, and given the age of many of the improvements, the Church would like to improve overall access throughout the facility and create additional space for church functions.

The applicant's site is located within the heart of the Village Planning Area, and is one of a series of PF – Public Facility uses that is scattered amongst the residential and commercial uses within the Village. The Church also owns the former Lake Elmo Bank building at 3549 Lake Elmo Avenue North, and uses the parking lot accessory to this building to help provide for the parking demand around the Church on Sundays and during other peak usage times. The attached site survey includes all of the property owned by the Church in this area, which is spread between four separate parcels of land.

In addition to the parking provided on the old bank property, the church has a small amount of parking along the west side of the facility (mostly handicapped stalls) and a larger parking lot immediately north of the building. This parking lot has direct access to Laverne Avenue and indirect access to 36<sup>th</sup> Street along a driveway that runs the length of the church property. In total, there are 33 parking stalls located on the main church site, with an additional 37+ stalls on the old bank site. Just using the parking calculations for the main sanctuary, which has a maximum seating capacity of 266, the church would need to provide 67 parking stalls for the building (4 per seat in the main

assembly hall). The Zoning Ordinance notes that other uses within the facility should be factored into the final evaluation of parking for the site. Since the church is already short on parking for the main assembly hall by itself, any expansion of classroom/meeting space will require a variance from the City's parking standards.

Within the Village area, it is not uncommon for buildings to be located at reduced setbacks from the street and to not provide the required amount of off-street parking otherwise required by the Zoning Ordinance. The City recently revised its requirements for the GB – General Business District in the Village area to allow for reduced setbacks and the waiver of parking requirements. The applicant's proposal is therefore not out of character compared to the commercial uses that are located in close proximity.

The Church is located in an area that has experienced storm water flooding issues in the past, and although the proposed project will not require a Valley Branch Watershed District, the applicant's plans should incorporate storm water mitigation measures to manage the additional runoff from proposed increases in impervious coverage for the site.

**Applicable  
Codes:**

**Section 154.063 PF – Public and Quasi-Public Open Space**

- (B) *Uses allowed by conditional use permit*
- (2) Places of Worship

Sections A through F contain the district regulations for the PF Zoning District

**Section 154.018 Conditional Use Permits.**

(A) Granting/Denial. Outlines the general requirements for all conditionally permitted uses in Lake Elmo.

(K) Amendment. In accordance with Section 154.018 K of the Zoning Ordinance, an amended conditional use may be administered in a manner similar to that required for a new permit.

**Section 150.017 Variances.**

(A-I) Variances. Identifies procedures and requirements for the processing and review of a variance application. Please note that this section was recently updated by the City to comply with revisions to Minnesota State Statutes.

**Findings & General Site Overview**

**Site Data:**

*Lot Size:* 1.14 acres (3 parcels, including street right-of-way)

*Existing Use:* Place of Worship (includes accessory uses)

*Existing Zoning:* PF – Public and Quasi-Public Facilities

*Property Identification Numbers (PID):* 13.029.21.21.0020; 13.029.21.23.0060; and 13.029.21.23.0061

**Application Review:**

**General  
Review  
Requirements**

The establishment of the Christ Lutheran Church on the applicant's property pre-dates the current zoning regulations, which now would require a "place of worship" to secure a Conditional Use Permit in order to be permitted on the site. In situations like this, the proper procedure is to review any expansions or alterations on the site as though a Conditional Use Permit was previously granted. The applicant has therefore submitted their request as a Conditional Use Permit amendment to expand the facility in the manner depicted on the attached site plans.

In addition the Conditional Use Permit amendment request, the applicant is also seeking approval of specific variances, due in part to the current location of the church on a small parcel of land within the City's Village Planning area. The current configuration of the church leaves no room for an expansion that meets the City's underlying zoning requirements as most of the facility is already located within required setback areas. The City's PF zoning district applies to only a few structures within the Village, in which larger setbacks and significant parking requirements are generally out of place.

The City's requirements for the two components of the applicant's request are noted below.

A major component of the plans also includes a request to reconfigure the right-of-way along Laverne Avenue, which Staff is suggesting that the Planning Commission review as part of the overall project. Should this aspect of the planned improvements move forward, the applicant will need to enter into a separate agreement with the City concerning the proposed work. This agreement would ultimately serve as the City's authorization to proceed with the improvements that are proposed.

**General Staff  
Review**

The City Engineer has provided an initial review letter of the applicant's plans, requested additional information in order to complete the City's review. The comments focus on the following aspects of the project: 1) septic system compliance and capacity, 2) Water service connections, 3) work within the City right-of-way, and 4) additional application requirements. While some of the information that has been requested could be submitted at a later date, Staff is concerned that some of the requested information is critical to evaluate all potential impacts from the proposed project.

Although many of these details could be addressed through conditions of approval, Staff is recommending at this time that the Planning Commission table this request in order to assure that all questions and issues identified by Staff have been addressed. Knowing that the applicant is on a schedule and would like to proceed sooner than later with the improvements, Staff will be drafting suggested conditions of approval as part of an alternative course of action that could be taken by the Planning Commission.

While the Conditional Use Permit and Variance requests each have specific standards that must be met by an applicant, the request to make improvements within the Laverne Avenue right-of-way are not subject to these same requirements. As such, the

proposed work does represent a fairly major change to the street, and would have the following impacts on the surrounding neighborhood:

- There are four larger trees (two ash and two maple trees according to the applicant) along Laverne Avenue that would need to be taken down to make room for the proposed driving/drop-off lane. Although these trees could be replaced with new trees elsewhere on the site, there is very little room on the site to do so, and almost no room within the boulevard to maintain trees within the City right-of-way.
- Parking is not allowed along the eastern edge of Laverne Avenue, and is instead allowed only along portion of the street. The proposed drop-off area would eliminate approximately eight parking stalls within the street if parking were not allowed within this new area. The fire chief has recommended that this lane be marked as a fire lane, which would eliminate all parking along the Church's portion of Laverne Avenue.
- Should the City agree to move forward with the plans for Laverne Avenue as proposed, Staff would recommend that the parking/no parking situation along this street be revisited by the City Council. It may make sense to move the "no parking" signs to the opposite side of the entire street since there are seven homes along the east side of the street and only three along the west side of the street. The overall parking situation should be considered as part of any request to modify the boulevard in front of the Church.
- The proposed boulevard work would remove nearly all of the pervious landscaping presently along Lavern Avenue in front of the Church, and adequate storm water plans will be needed to ensure that the additional storm water runoff will not contribute to existing drainage deficiencies in the area.
- If the applicant is permitted to move forward with its project within the City's right-of-way, Staff would like to propose that some additional green space be reclaimed within the boulevard area along Lavern Avenue that is adjacent to the northern parking lot exit. The entire boulevard adjacent to this parking area is paved, but could provide some room for replacement trees and landscaping next to the street.

Prior to reviewing the specific CUP and Variance criteria, Staff would like to add the following additional comments concerning the proposed site development plans:

- The maximum impervious coverage requirement in the PF Zoning District for a lot under five acres is 39.5%. The applicant most likely exceeds this amount, and has been asked to document the actual percentage with the proposed improvements. Should a variance be needed, it will need to be addressed as part of the City's review.
- Although screening of PF structures next to residential districts is addressed by the Zoning Ordinance, this screening is not required across a street. There is also a row of hedges along the applicant's western property line that provides screening between the Church and a residential use. Staff is not

	<p>recommending that any additional screening be required as part of the current request.</p> <ul style="list-style-type: none"> <li>In general, the proposed improvements should not significantly alter the impacts of the Church facility on the surrounding properties. The most significant neighborhood impact will be from the work proposed with the right-of-way and the loss of existing street trees that help maintain the residential character of the area. Any increase in impacts associated with traffic, noise, property values, and other factors will be minimal when compared to the present situation.</li> </ul>
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<p><b>CUP Review Requirements:</b></p>	<p>The two sections of code that contain CUP requirements for this project include the PF District regulations and Conditional Use Permit section. First, the PF District requirements contain specific criteria for "Places of Worship". These requirements, with Staff comments, are as follows:</p> <ul style="list-style-type: none"> <li>Direct access is provided to a public street classified by the Comprehensive Plan as major collector or arterial. <i>None of the routes immediately adjacent to the Church is a collector or arterial road; however, the old bank building is adjacent to Lake Elmo Avenue, which would meet this requirement. Since the church's location predates the Zoning Ordinance, this condition will not apply.</i></li> <li>No use may exceed 235 gallons wastewater generation per day per net acre of land. <i>The applicant did not provide a figure for the amount of waste water generated by the Church. The proposed improvements will not significantly increase the demand; however, since the maximum seating capacity of the church will not change with the proposed work. The City Engineer has requested a system inspection report to complete the City's review.</i></li> <li>No on-site sewer system shall be designed to handle more than 5,000 gallons per day. <i>A review conducted by the City Engineer when the 1996 project was submitted for review indicated that the drainage system consisted of a 1,000 tank with a 600 square foot drain field area. Although this is below the threshold for a PF zoning district, the City Engineer has requested additional information and clarification concerning the location and capacity of the current system on the site, and confirmation that the facility is able to comply with current County septic requirements.</i></li> <li>Exterior athletic fields shall not include spectator seating, public address facilities or lighting. <i>There are no athletic fields on this site.</i></li> <li>No freestanding broadcast or telecast antennas are permitted. No broadcast dish or antenna shall extend more than 6 feet above or beyond the principal structure. <i>There are no broadcast antennas on the site.</i></li> </ul> <p>The City is also required to make findings specific to the Conditional Use Permit. For these types of applications, the burden is on the City to show why the use should not</p>
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be permitted due to impacts that cannot be controlled by reasonable conditions. These findings include the following:

1. Effects on the health, safety, morals, convenience, or general welfare of surrounding lands
2. Existing and anticipated traffic conditions including parking facilities on adjacent streets and land
3. The effect on utility and school capacities
4. The effect on property values of property in the surrounding area
5. The effect of the proposed use on the Comprehensive Plan

Provided that all additional submission requirements and application details are provided to the City, Staff would offer the following proposed findings in response to the standards listed above:

1. *The proposed use is to expand and make renovations to an existing facility that will increase accessibility, improve entrances into the building, provide better interior circulation, and to provide additional space for learning and hospitality. Since all of these activities are currently occurring on the premises, the proposed improvements will not significantly alter the current operation or impacts associated with the facility. The proposed improvements will reduce neighborhood impacts by creating clearly designated entrance and exit points while removing all short-term vehicle trips from the traveling lanes of Laverne Avenue.*
2. *The propose improvements will allow for a more efficient use of parking areas around the site and will create a designated drop-off area away from residential uses.*
3. *The proposed use would have no effect on utility capacities. The City will collect a Water Availability Charge for any additional water capacity that is anticipated from the new addition.*
4. *The proposed amendment would have no effect on property values of surrounding lands.*
5. *The proposed improvements are consistent with the City's Comprehensive Plan considering that the Christ Lutheran Church property is guided for public facility uses according to the future land use map.*

**Variance Review  
Requirements:**

An applicant must also establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 154.017 before an exception or modification to city code requirements can be granted. These criteria are listed below:

1. **Practical Difficulties.** A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under



consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.

2. **Unique Circumstances.** The plight of the landowner is due to circumstances unique to the property not created by the landowner.
3. **Character of locality.** The proposed variance will not alter the essential character of the locality in which the property in question is located.
4. **Adjacent properties and traffic.** The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

Given the information that has been submitted by the applicant and pending further review by the Planning Commission, staff would offer the following suggested findings specific to the variances that have been requested by the applicant:

1. *The proposed building additions and the applicant's desire to improve the entrances into an existing facility are a reasonable use of the property. There are no portions of the applicant's site that could accommodate any extension of the existing building without a variance. The structure has been modified at various times in its past, and any accessibility improvements would be difficult to accomplish within the existing footprint of the building due to the current mix of different building elevations, materials, and styles.*
2. *The applicant's site is unique because it is a small parcel located within the Lake Elmo Village Area and is zoned PF – Public Facility. It is the only church located within the City's central business district, and it is surrounded by commercial and residential structures with a variety of setbacks and building sizes.*
3. *The proposed building additions will not change the essential character of the locality because the entrance improvements represent a small portion of the overall building footprint. The City's central business district is comprised of a wide mix of commercial and residential uses, many of which are located very close or immediately adjacent to public right-of-way.*
4. *The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. The proposed additions to the building will not alter or increase any of the existing traffic patterns in the surrounding*

*neighborhood.*

**Conclusions:** Based partially on the review comments submitted by the City Engineer, Staff is recommending that the Planning Commission table the Conditional Use Permit amendment and variance requests by the applicant in order to ensure that all of the City's review comments can be address by the Church. Should the Planning Commission decide to make a recommendation at its meeting based on the information and facts presented, Staff has prepared an alternate recommendation for consideration by the Commission. This alternate recommendation is for approval, but with a series of conditions that address the need for additional information concerning the request. The alternate recommendation and recommended conditions are listed below.

**Resident Concerns:** Staff has not received any feedback from neighboring property owners regarding the proposed Conditional Use Permit amendment. This action requires a public hearing to be conducted by the Planning Commission at which time members of the public may address the Commission regarding this application.

**Additional Information:** The Valley Branch Watershed District has reviewed the proposed site plans and found that the work would not require a permit from the Watershed District. The District's comments regarding erosion control have been included as part of the conditions drafted by staff.

**Conclusion:**

The Christ Lutheran Church, 11194 36<sup>th</sup> Street North, has applied for a Conditional Use Permit amendment and variances from the side yard setback and PF – Public Facility parking standards to expand its current facility and make other improvements intended to increase accessibility, improve entrances into the building, provide better interior circulation, and to provide additional space for learning and hospitality.

The request also includes proposed improvements to the Lavern Avenue right-of-way that are being submitted in conjunction with the zoning applications. These right-of-way improvements are being reviewed as part of a larger project and are included in the Staff recommendation that follows. These improvements could also be considered as a separate issue should the Planning Commission find it appropriate to review the application in such a manner.

**Commission Options:** The Planning Commission has the following options:

- A) Table taking action on the request and consider the application again at its December 12, 2011 meeting.
- B) Recommend approval of the conditional use permit amendment request, with

the conditions as recommended by Staff;

C) Recommend denial of the conditional use permit amendment request.

The 60-day review period for this application expires on December 7, 2011, but can be extended an additional 60 days if more time is needed to complete the City's review.

**Staff Rec:** **Staff is recommending that the Planning Commission** table the Conditional Use Permit amendment and variance requests by the applicant in order to give the applicant and City additional time to adequately respond to and address the review comments from the City Engineer.

As an alternate recommendation, Staff has prepared findings of fact to support approval of the applicant's request, and has drafted the following conditions of approval for inclusion with a recommendation of approval by the Planning Commission:

1. The applicant shall submit a septic system inspection report prepared and signed by a licensed septic inspector verifying that the current septic system is compliant with Washington County regulations, and that: a) address the available capacity of the system and states its ability to accommodate the additional use created by the expansion project, or provide a design for its expansion, and b) includes a description of the current system type and components, dimensions, and capacity.
2. The proposed building addition must meet all requirements of Chapter 4 of the Washington County Development Code.
3. The applicant shall provide a detailed narrative to describe the purpose and need for a second water service connection, including projected water uses. The proposed connections shall be subject to review and approval by the City Engineer.
4. The applicant shall pay a Water Availability Charge based on any increase in the Residential Equivalent Connection calculation for the new addition.
5. The applicant shall provide detailed plans and specifications for all work proposed within the City right-of-way in accordance with the City's Design Standards Manual. These plans shall indicate existing conditions, including roadway widths and all public and private utilities within the roadway, and incorporate information as requested by the City Engineer.
6. Any work proposed within a City right-of-way shall only be allowed upon the approval of an improvement/developer's agreement between the City of Lake Elmo and the applicant.

7. The applicant shall provide a calculation for the existing and proposed impervious coverage on the site.
8. The applicant shall submit a storm water management and a drainage and erosion control plan for the site prior to the issuance of a building permit or before any work with may commence within a public right-of-way.
9. The applicant shall submit a lighting plan that includes the light pole details and standards (pole height and type, fixture type, and photometric plans). All new lighting shall conform to Section 150.035 through 150.038 of the City Code.
10. The applicant shall submit a landscape plan for review and approval that provides for replacement of any trees removed as part of the site work. The applicant shall work with the City to identify suitable locations for replacement street trees on the site, giving preference to any suitable locations within the Laverne Avenue boulevard. The applicant shall also consider the conversion of existing or planned paved boulevard areas to natural vegetation where possible as part of the planned street improvements.
11. The applicant shall maintain existing screening and buffering located between the Church site and adjacent residential uses.
12. The applicant shall work with the City to identify appropriate modifications to the no parking designations in the area as part of the proposed street improvements to Laverne Avenue.

**Denial  
Motion**

To deny the request, you may use the following motion as a guide:

**Template:**

**I move to recommend denial of the request by the Christ Lutheran Church to amend a conditional use permit and further to recommend denial of the applicant's request for variances... (please site reasons for the recommendation)**

**Approval  
Motion**

To approve the request, you may use the following motion as a guide:

**Template:**

**I move to recommend approval of the request by the Christ Lutheran Church to amend a conditional use permit and further to recommend approval of the applicant's request for variances based on the findings provided in the staff report...(or cite your own)**

**...with the conditions outlined in the staff report.**

*CUP Amendment/Variance Request: Christ Lutheran Church  
Planning Commission Report; 11/14/11*

cc: Jim Lohmann, Christ Lutheran Church  
Kevin Busch, Busch Architects

Fee \$750.00

### City of Lake Elmo DEVELOPMENT APPLICATION FORM

- Comprehensive Plan Amendment
- Zoning District Amendment
- Text Amendment
- Flood Plain C.U.P. Conditional Use Permit
- Conditional Use Permit (C.U.P.) Amended
- Variance \* (See below)
- Minor Subdivision
- Lot Line Adjustment
- Residential Subdivision Sketch/Concept Plan
- Site & Building Plan Review
- Residential Subdivision Preliminary/Final Plat
  - 01 - 10 Lots
  - 11 - 20 Lots
  - 21 Lots or More
- Excavating & Grading Permit
- Appeal
- PUD

APPLICANT: Jim Lohmann CLC 1194 26<sup>th</sup> St. No. Lake Elmo 55042  
(Name) (Mailing Address) (Zip)

TELEPHONES: 651-439-8984  
(Home) (Work) (Mobile) (Fax)

Architect  
FEE OWNER: Kevin Busch Busch Architects 3104<sup>th</sup> Ave. So. Mpls, MN 55415  
(Name) (Mailing Address) (Zip)

TELEPHONES: 612-333-2279 651-216-3634 612-339-2336  
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): (see attached)

DETAILED REASON FOR REQUEST: (see attached)

RECEIVED
OCT - 7 2011
CITY OF LAKE ELMO

\*VARIANCE REQUESTS: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the Applicant must demonstrate a hardship before a variance can be granted. The hardship related to this application is as follows:  
(see attached)

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_  
Signature of Applicant KC Busch Date 10-6-2011

**Christ Lutheran Church**  
11194 36<sup>th</sup> Street North  
Lake Elmo, MN

**Request for Variance – Description and Hardship**

a. List of Property Owners: Christ Lutheran Church

b. Legal Description: DESCRIPTION OF PROPERTY SURVEYED

(Per Deed Record No. 84, Page 607)

All that part of the Northwest quarter (NW1/4) of Section Number Thirteen (13), in Township number Twenty-nine (29) North, of Range number Twenty-one West, described as follows, to-wit;

Beginning at a point in the center of the Elmo Road (so-called) at a point Six hundred and seventy (670) feet Northerly of the Northwest corner of Lot Number One (1) of Block number One (1) of Elmo Park, as surveyed and platted and now of record in the Office of the Register of Deeds in and for said County; thence Easterly on a line parallel to the North line of said Section One hundred and eighty (180) feet to a point, being the point of beginning; thence Northerly on a line parallel to the center line of said road Two hundred and seventeen and eighty one-hundredths (217.80) feet; thence Easterly on a line parallel to the North line of said Section Two Hundred (200) feet; thence Southerly on a line parallel to the center line of said road Two hundred and seventeen and eighty one-hundredths (217.80) feet; thence Westerly on a line parallel to the North line of said Section two hundred (200) feet, to the point of beginning, except Twenty (20) feet on the West Side of said lot which is to be used for private alley, and Thirty three (33) feet on the East side, and Thirty (30) feet on the South side, which is to be used for Public Road.

And

(Per Quit Claim Deed Document No. 192551)

The West Twenty (20) feet of Lot Thirty-nine (39) County Auditor's Plat No. 8, Washington County, Minnesota.

And

(Per Warranty Deed Document No. 192552)

Lots Eight (8) and Nine (9), Block Two (2), Cloverdale, According to the plat thereof, on file and of record in the Office of the Register of Deeds, Washington County, Minnesota.

And

(Per Special Warranty Deed Document Nos. 1123102 (Torrens) and 3155545 (Abstract))

Parcel 1 (Torrens):

The South Forty (40) feet of Lot Twenty-nine (29) and all of Lot Thirty (30), County Auditor's Plat No. 8 as surveyed and platted and now on file in the Office of the Registrar of Titles of Washington County, Minnesota being the Village of Lake Elmo, Minnesota.

Parcel 2 (Abstract):

Lot Twenty-nine except the South 40 feet thereof, County Auditor's Plat No. 8.

1. Parcel Identification Numbers: Cloverdale, Block 2, Lot 8 and Lot 9 (1302921230020); County Auditor's Plat No. 8, Lots 39, 29, 30. (1302921230060); (1302921230053).
2. Parcel Size: 67,158 sf; 1.54 acres.
3. Existing Use of Land: Religious organization; Business; Parking.
4. Current Zoning: P/PF; R-1; GB – see drawings for locations of each.

c. State the Provisions of the Lake Elmo Code...

1. 154.063 PF Public and Quasi-Public Open Space

- a. E. Minimum Requirements: Setback of Primary Structure, 50 feet all four sides of structure.

- d. Christ Lutheran Church (CLC) seeks a variance from the building setback requirements found in the Lake Elmo Municipal Code. The current requirement is 50 feet from each property line. Christ Lutheran Church has operated out of its present building for over 55 years. It is hoping to make improvements to the building that include accessibility, entrances, interior circulation, and additional space for learning and hospitality. After many rounds of space planning and design, we determined that the best places to expand our entrances and interior circulation structure were on the east and west sides of the building. Both sides involve extending the building out into the present setback area. On the east side, the proposed building would extend out into the setback 5 feet, with an additional 7 feet when the roof canopy is included. On the west side, the building extension also includes an entrance vestibule extending about 7 feet into the setback area with another 7 feet for a roof canopy. The original building was built prior to formal planning codes and the west end of it is about 11 feet into the setback. The roof canopies do not include enclosed space.

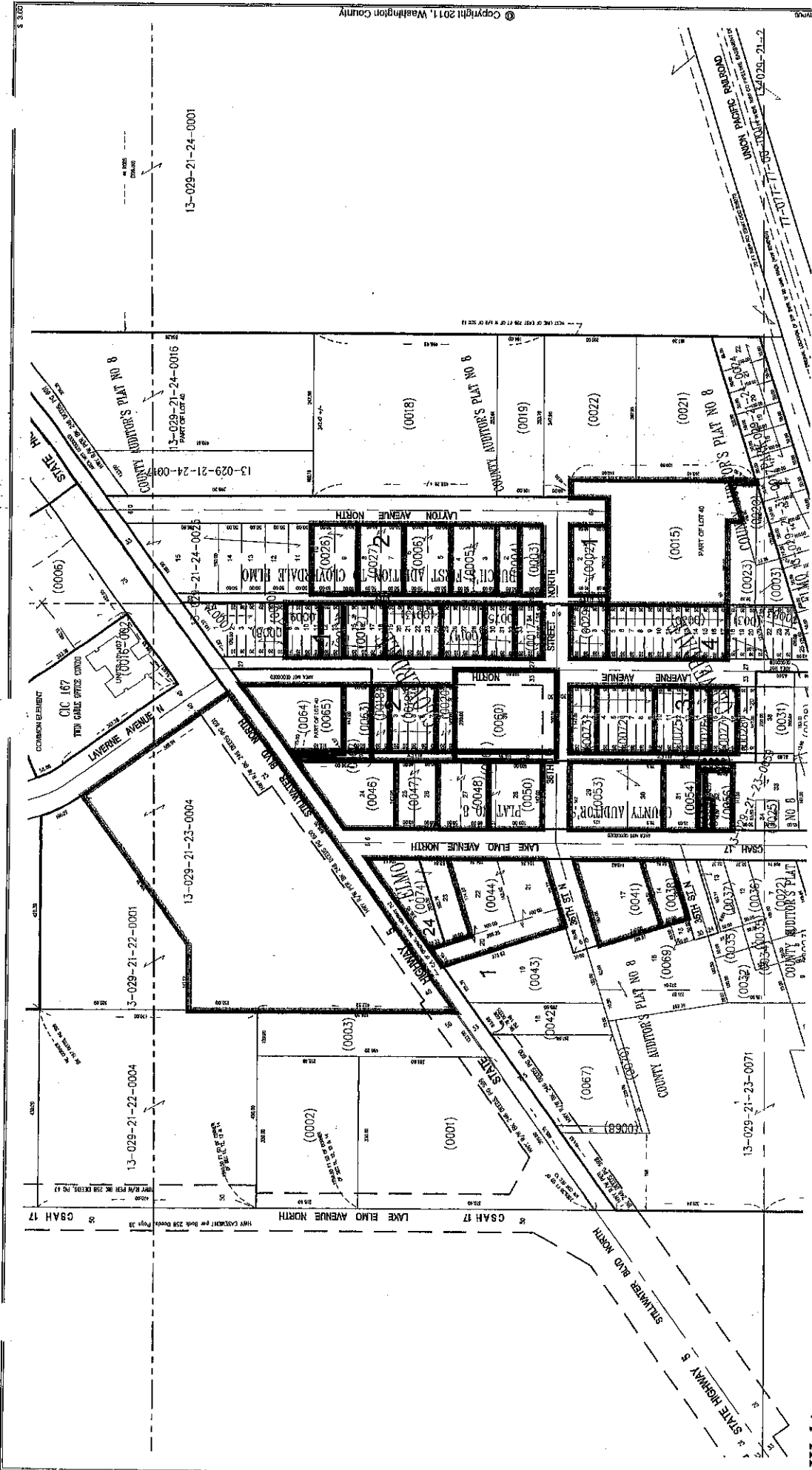
CLC has been an important entity within the Lake Elmo Village area for many years. Our plan is to continue to be a community oriented church, remaining in the Village area for years to come. As we anticipate future growth of our community and as our building needs change over time building updating (construction) is a must so that we can operate our programs successfully and so we can invite and accommodate newer members of our village who may wish to join us.

- e. Jim Lohmann, CLC church member and Building Committee chair, and Kevin Busch of Busch Architects, Inc., architect for the project, met with Lake Elmo Planning Director Kyle Klatt on September 15, 2011, to review the plans that the church has been working on and intending to present to the planning Commission and City Council for approval. There had been other, informal discussions between church leaders and city staff in the year prior to this meeting.
- f. Many plan options were presented and discussed during our two-year planning period. The present setback requirements don't allow us to improve and expand in a way that is efficient spacewise or economically. Our hardship is that without the variance the church would be forced to do nothing or forced to expand the building in such a way that was neither conducive to good building planning nor provide the type of improvements that are greatly needed.
- g. The church property was first built upon and added unto prior to the more formal and restrictive ordinances were in place. Initial structures did not (could not) anticipate future restrictions on property use.



- h. Christ Lutheran Church has been a member and a fixture in this neighborhood for over 60 years. We don't believe the variance will have any view, air, or noise impact on our neighbors. On the west side, our proposed building extension, except for the roof canopy, does not extend further out into the setback area than the existing building. On the east side the Laverne Avenue Right-of-Way establishes extensive space between the church building and neighboring homes.

Thank you for your consideration.



THE DRAWING IS THE RESULT OF A COMPARISON AND REPRODUCTION OF THE ORIGINAL RECORDS OF THE WASHINGTON COUNTY OFFICE OF RECORDS AND CLERK. THE DRAWING IS NOT RESPONSIBLE FOR ANY DISCREPANCIES BETWEEN THE PROPERTY LINES AS SHOWN AND THE ACTUAL LOCATIONS. PROPERTY LINES AS SHOWN ARE FOR REFERENCE PURPOSES AND MAY NOT REPRESENT ACTUAL LOCATIONS.

MAP LAST UPDATED: January 22, 2011

NO ADDITIONAL CHANGES HAVE BEEN REPORTED TO DATE.

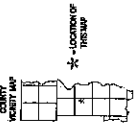
DATE OF CONTIGUIS: April 2001 DATE OF PHOTOGRAPHY: NEW

PROPORTION INFORMATION (METERS)

1:1	1:2	1:3	1:4	1:5	1:6	1:7	1:8	1:9	1:10
1:11	1:12	1:13	1:14	1:15	1:16	1:17	1:18	1:19	1:20

SECTION NUMBER

22	21	12	11
23	24	13	14
25	26	15	16
27	28	17	18
29	30	19	20
31	32	21	22
33	34	23	24
35	36	25	26
37	38	27	28
39	40	29	30
41	42	31	32
43	44	33	34
45	46	35	36
47	48	37	38
49	50	39	40
51	52	41	42
53	54	43	44
55	56	45	46
57	58	47	48
59	60	49	50
61	62	51	52
63	64	53	54
65	66	55	56
67	68	57	58
69	70	59	60
71	72	61	62
73	74	63	64
75	76	65	66
77	78	67	68
79	80	69	70
81	82	71	72
83	84	73	74
85	86	75	76
87	88	77	78
89	90	79	80
91	92	81	82
93	94	83	84
95	96	85	86
97	98	87	88
99	100	89	90



SECTION-DISTRICT INDEX

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100

NORTH

SCALE: 1 inch = 200 feet

LEGEND

- DNR PROTECTED WATERS
- DNR PROTECTED WETLAND
- STATE HIGHWAY
- COUNTY ROAD
- MUNICIPAL BOUNDARY
- PLAT BOUNDARY

Washington County

PUBLIC WORKS DEPARTMENT

SURVEY AND LAND MANAGEMENT DIVISION

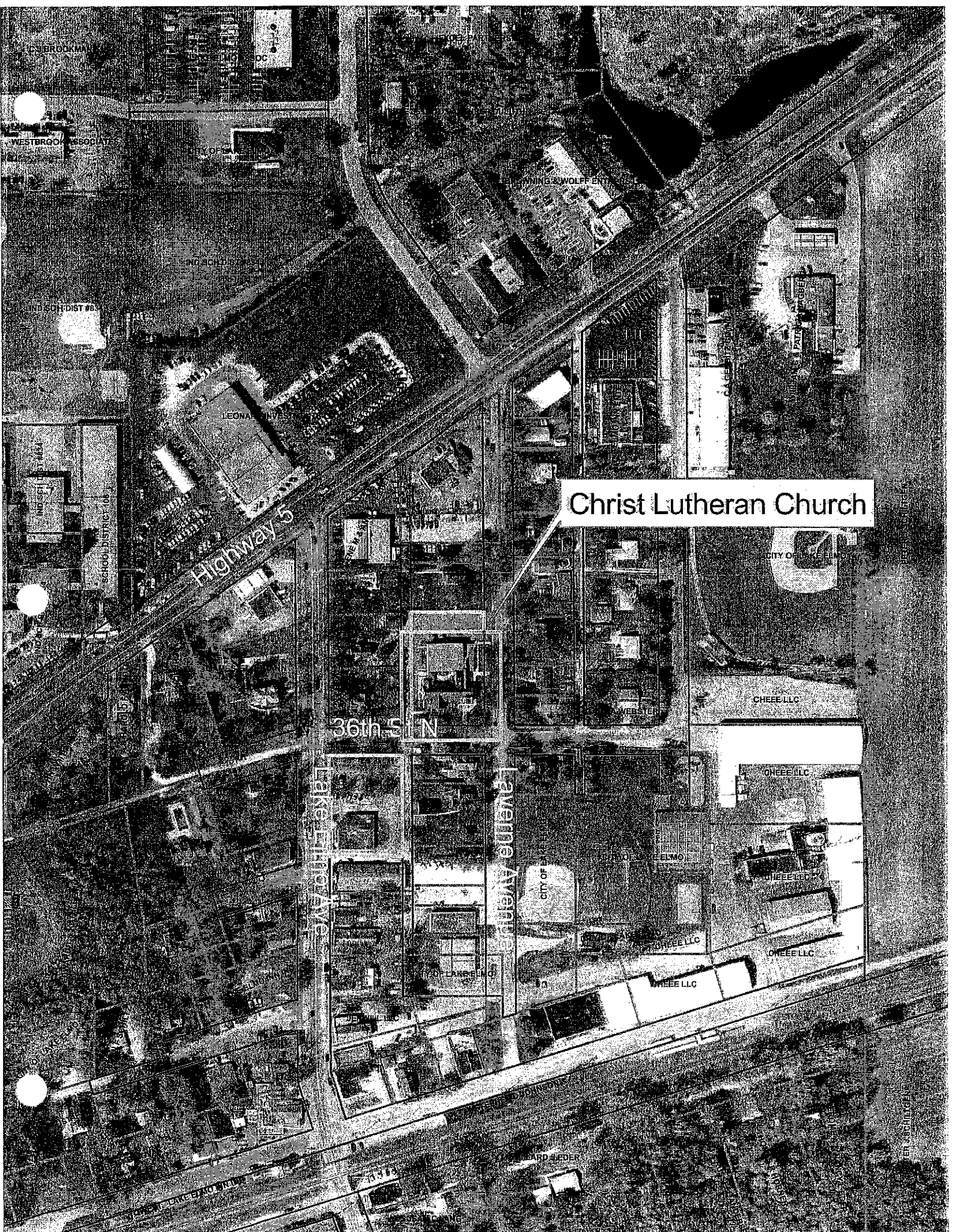
1400 WEST 10TH AVENUE, SUITE 200

SPokane, Washington 99201-0200

(509) 325-8277

www.wa.gov/washingtoncounty

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Christ Lutheran Church

# MEMORANDUM

# FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261  
Jack Griffin, P.E. 651.300.4264  
Ryan Stempski, P.E. 651.300.4267

Date: October 31, 2011

---

To: Kyle Klatt, Lake Elmo Planning Director      Re: City of Lake Elmo  
Christ Lutheran Church  
Cc: Jack Griffin, P.E., City Engineer      Building Expansion  
Review of Variance Request  
From: Ryan Stempski, P.E.

---

We have received the variance request and Building Expansion plans for the proposed Christ Lutheran Church expansion located at 11194 36<sup>th</sup> Street. The following items were received:

- Request for Variance – Description and Hardship (3 Page List)
- Plan Set (7 pages) dated October 5, 2011, submitted by Busch Architects, Inc.

**This application is incomplete.** Additional items must be submitted before a review of this application can be completed by engineering staff. Please request the applicant to provide and address the following additional items.

### **Septic System Compliance and Capacity:**

- A septic system inspection Report must be provided and signed by a Licensed Septic Inspector verifying that the current system is compliant with Washington County regulations.
- The Report must address the available capacity of the system and state its ability to accommodate the additional use created by the expansion project; or provide a design for its expansion.
- The Report must include a description of the current system type and components, dimensions, and capacity.
- The proposed building addition must meet all requirements of Chapter 4 of the Washington County Development Code.

### **Water Service Connection:**

- The applicant is requesting a second water service connection for the building. The applicant must provide a detailed narrative to describe the purpose and need for the second service connection, including projected water uses.
- Only one connection to the Watermain is recommended for the property pending the applicant's explanation. With a new service connection, the existing service should be abandoned.
- Plumbing permit fees will apply to this proposed work.
- Additional Water Available Charge (WAC) units may apply for this expanded facility use.

**Work in the Public Right-of-way:**

- This Plan is proposing improvements within the public R/W. Additional information is needed to evaluate the impact of these improvements to other existing or future facilities and uses of the R/W to determine whether the R/W encroachment can be allowed.
- Detail plans must be provided to indicate the existing conditions including roadway widths and all public and private utilities within the roadway. Utility locates will be required for this information.

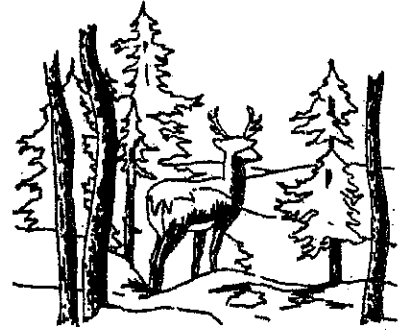
**Additional Application Requirements:**

- A calculation of the total added impervious surface must be provided on the application and reported in square feet. The Plan must include necessary Stormwater mitigation measures for applicable city and/or VBWD ordinance requirements.
- The application indicates new light poles. The plans must provide light pole details and standards including pole height and type, fixture type and photometric plans.

Should the application move forward the applicant will be required to provide detailed plans and specifications for all work located in the Public R/W prior to gaining final approval of the application. Details must include but not be limited to the following *(All construction details must be in accordance with the City's Design Standards Manual)*:

- Typical Sections for the proposed bituminous street and concrete sidewalk.
- Plan details for all work in the R/W including water service connections, curb details, pavement marking details, and sign details.
- A detailed drainage and grading plan to demonstrate positive drainage within the R/W.
- Concrete curb and gutter and valley gutter will be required along the proposed improvement. All grades must meet or exceed 1% longitudinal grade.
- Signing and striping will be required for the Drop-Off area.
- Parking and no parking requirements along Laverne Avenue must be evaluated along both sides of the street for this area.
- Landscape Plan must be included to address removal of existing trees.
- A development agreement will be required with security sufficient to address all proposed improvements to be installed in city R/W.
- An Ownership and Maintenance Agreement will be required to address the proposed ownership and maintenance of the proposed infrastructure within city R/W.

November 4, 2011



Mr. Kyle Klatt  
City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

**Re: Christ Lutheran Church Addition**

Dear Kyle:

Thank you for submitting information regarding the proposal at the Christ Lutheran Church. On behalf of the Valley Branch Watershed District (VBWD), I have reviewed the information and this letter provides my comments.

The proposed project involves constructing new sidewalks, paving along Laverne Avenue North, and expanding the church with a small building addition. The project does not require a VBWD permit because it will create less than 6,000 square feet and does not involve other activities regulated by the VBWD.

Temporary erosion control measures should be installed prior to any earthwork. The erosion control measures should be inspected during construction and maintained as needed. Disturbed areas should be vegetated as soon as possible after disturbance, and no later than 14 days after final grading.

The site is near an area of Laverne Avenue North that floods frequently. While the proposed amount of imperviousness is less than the amount that triggers the need for a VBWD permit, stormwater volume control practices are encouraged wherever feasible.

If you have any questions, please contact me at 952-832-2622.

Sincerely,

John P. Hanson, P.E.  
BARR ENGINEERING COMPANY  
Engineers for the District



DAVID BUGHECK • LINCOLN FETECHER • DALE BORASH • JILL LUCAS • EDWARD MARCHAN

VALLEY BRANCH WATERSHED DISTRICT • P.O. BOX 838 • LAKE ELMO, MINNESOTA 55042-0538

[www.vbwd.org](http://www.vbwd.org)



214 4TH AVENUE SOUTH  
 SUITE 300  
 MINNEAPOLIS, MINNESOTA 55415

TEL: 612.332.2279  
 FAX: 612.332.2278

CONSULTANT

CITY REVIEW SET  
 10.5.2011

**CERTIFICATION**

I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A duly LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: OCTOBER 11, 2011  
 PROJECT: RENOVATION AND REMODELING OF CHRIST LUTHERAN CHURCH  
 PROJECT NO.: 10-08

COMMISSIONED BY: NCL, INC.  
 DRAWN BY: NCL, INC.  
 CHECKED BY: NCL, INC.  
 DATE: OCTOBER 11, 2011

DESIGNER: NCL, INC.  
 PROJECT NO.: 10-08

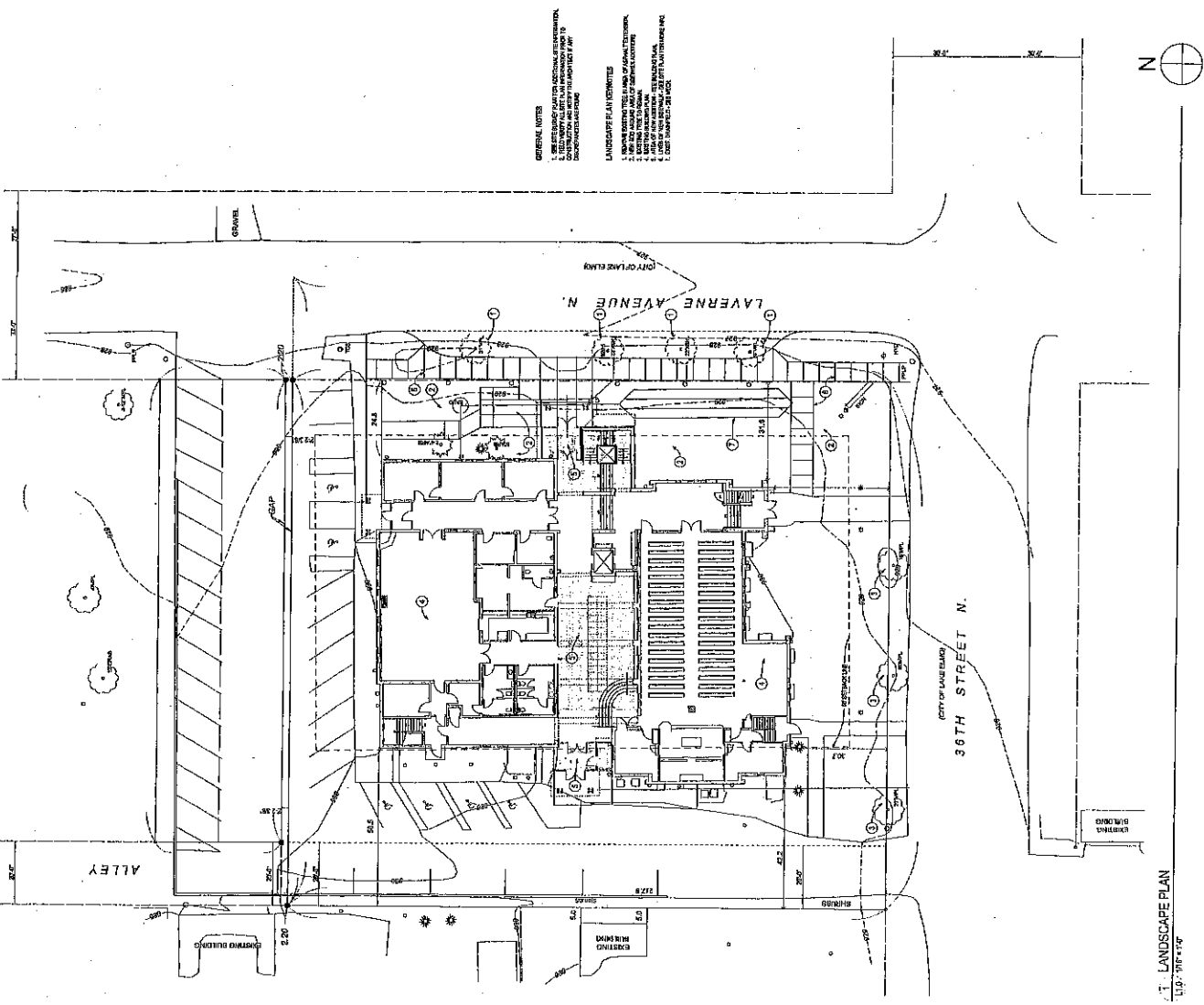
PROJECT TITLE:  
 RENOVATION AND REMODELING OF CHRIST LUTHERAN CHURCH  
 1118 36TH STREET NORTH  
 LAKEELAND, MINNESOTA

OWNER:  
 CHRIST LUTHERAN CHURCH  
 1118 36TH STREET NORTH  
 LAKEELAND, MINNESOTA

SHEET TITLE:  
 LANDSCAPE PLAN

SHEET NO. 1 OF 1  
 SCALE: AS SHOWN  
 DATE: 10/11/11

**L1.0**



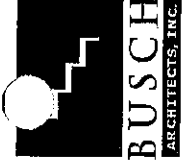
**GENERAL NOTES**

- SEE EXISTING LAYOUT FOR EXISTING UTILITIES.
- EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.
- NEW UTILITIES SHALL BE INSTALLED AS SHOWN.
- PROTECT ALL EXISTING UTILITIES.

**LANDSCAPE PLAN NOTES**

- PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF LAKEELAND, MINNESOTA.
- SEE EXISTING LAYOUT FOR EXISTING UTILITIES.
- PROTECT ALL EXISTING UTILITIES.
- NEW UTILITIES SHALL BE INSTALLED AS SHOWN.
- PROTECT ALL EXISTING UTILITIES.

T. LANDSCAPE PLAN  
 1/8" = 1'-0"



26 4TH AVENUE SOUTH  
SUITE 1000  
MINNEAPOLIS, MINNESOTA, 55415  
Tel: 612.331.2270  
Fax: 612.332.2298

CONSULTANT

CITY REVIEW SET  
10.5.2011

**CERTIFICATION**

I HEREBY CERTIFY THAT THIS INFORMATION ON WHICH THIS PLAN IS BASED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I AM A LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: OCTOBER 2, 2011

PROJECT NO.: 100110001

COMMISSIONER: [REDACTED]

OWNER: [REDACTED]

DESIGNED BY: [REDACTED]

DATE: [REDACTED]

REVISION DATE: [REDACTED]

PROJECT TITLE: [REDACTED]

PROJECT LOCATION: [REDACTED]

PROJECT ADDRESS: [REDACTED]

PROJECT CITY: [REDACTED]

PROJECT STATE: [REDACTED]

PROJECT ZIP: [REDACTED]

PROJECT COUNTY: [REDACTED]

PROJECT DISTRICT: [REDACTED]

PROJECT ZONING: [REDACTED]

PROJECT SUBDIVISION: [REDACTED]

PROJECT LOT: [REDACTED]

PROJECT ACRES: [REDACTED]

PROJECT SQUARE FEET: [REDACTED]

PROJECT PERMITS: [REDACTED]

PROJECT APPROVALS: [REDACTED]

PROJECT COMMENTS: [REDACTED]

PROJECT NOTES: [REDACTED]

PROJECT DETAILS: [REDACTED]

PROJECT SPECIFICATIONS: [REDACTED]

PROJECT SCHEDULE: [REDACTED]

PROJECT BUDGET: [REDACTED]

PROJECT RISK: [REDACTED]

PROJECT QUALITY: [REDACTED]

PROJECT SAFETY: [REDACTED]

PROJECT ENVIRONMENT: [REDACTED]

PROJECT COMMUNITY: [REDACTED]

PROJECT ECONOMY: [REDACTED]

PROJECT CULTURE: [REDACTED]

PROJECT HISTORY: [REDACTED]

PROJECT FUTURE: [REDACTED]

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PROJECT IMPACT: [REDACTED]

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PROJECT CHALLENGE: [REDACTED]

PROJECT OPPORTUNITY: [REDACTED]

PROJECT SOLUTION: [REDACTED]

PROJECT INNOVATION: [REDACTED]

PROJECT SUSTAINABILITY: [REDACTED]

PROJECT RESILIENCE: [REDACTED]

PROJECT ADAPTABILITY: [REDACTED]

PROJECT FLEXIBILITY: [REDACTED]

PROJECT SCALABILITY: [REDACTED]

PROJECT GROWTH: [REDACTED]

PROJECT PROGRESS: [REDACTED]

PROJECT SUCCESS: [REDACTED]

PROJECT ACHIEVEMENT: [REDACTED]

PROJECT REALIZATION: [REDACTED]

PROJECT COMPLETION: [REDACTED]

PROJECT DELIVERY: [REDACTED]

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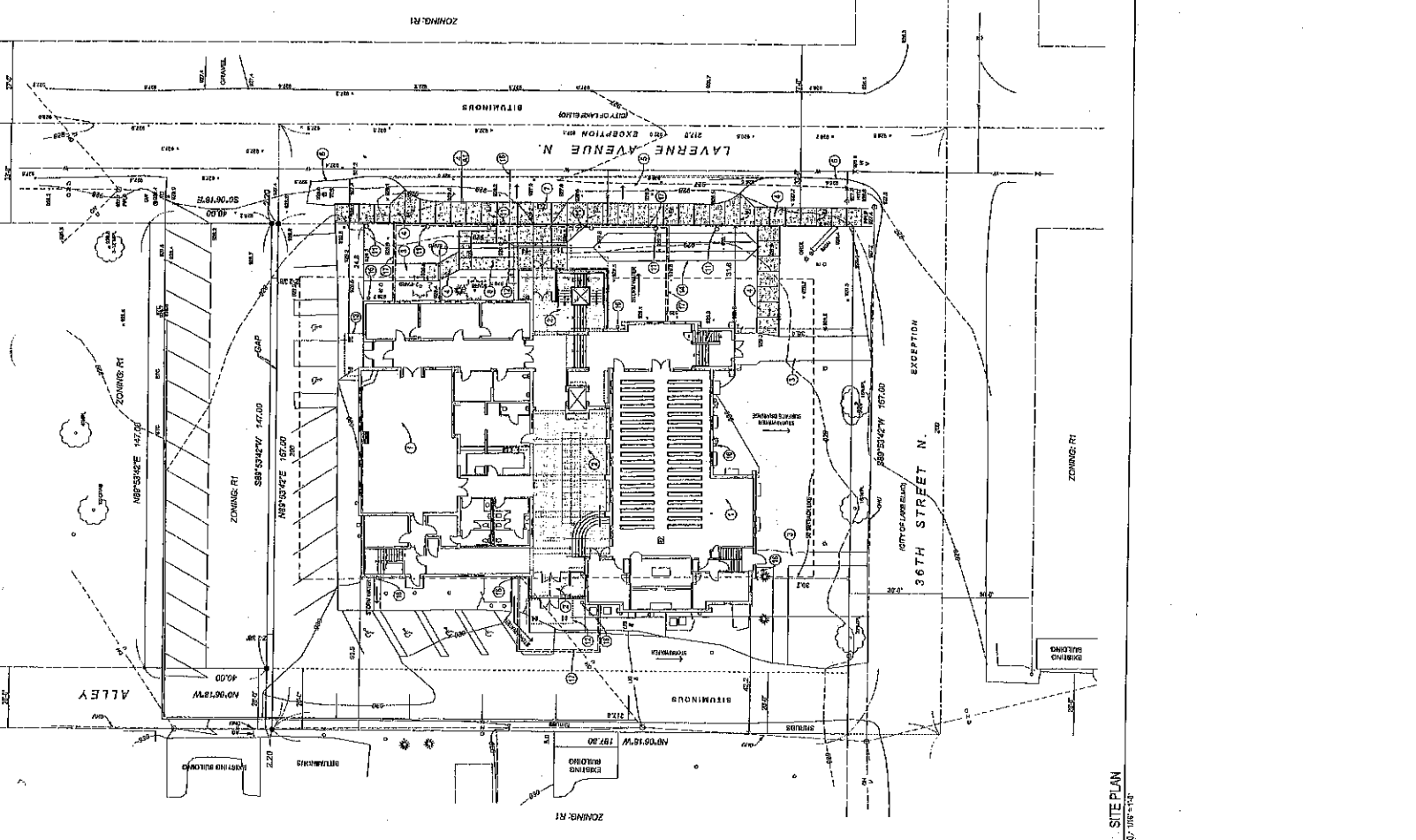
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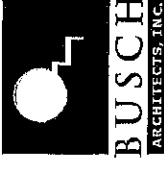
1. SITE PLAN  
10.5.2011

**A1.0**  
SHEET NO. 2 OF 7  
DATE: 10/5/11

**OWNER**  
CHRIST LUTHERAN CHURCH  
100110001  
LAVERNE, MINNESOTA

**SHEET TITLE**  
SITE PLAN  
UTILITY PLAN





310 WY ANDRUS COURT  
SUITE 1108  
MINNEAPOLIS, MINNESOTA 55415  
Tel: 612.333.2279  
Fax: 612.339.2395

CONSULTANT

CITY REVIEW SET  
10.5.2011

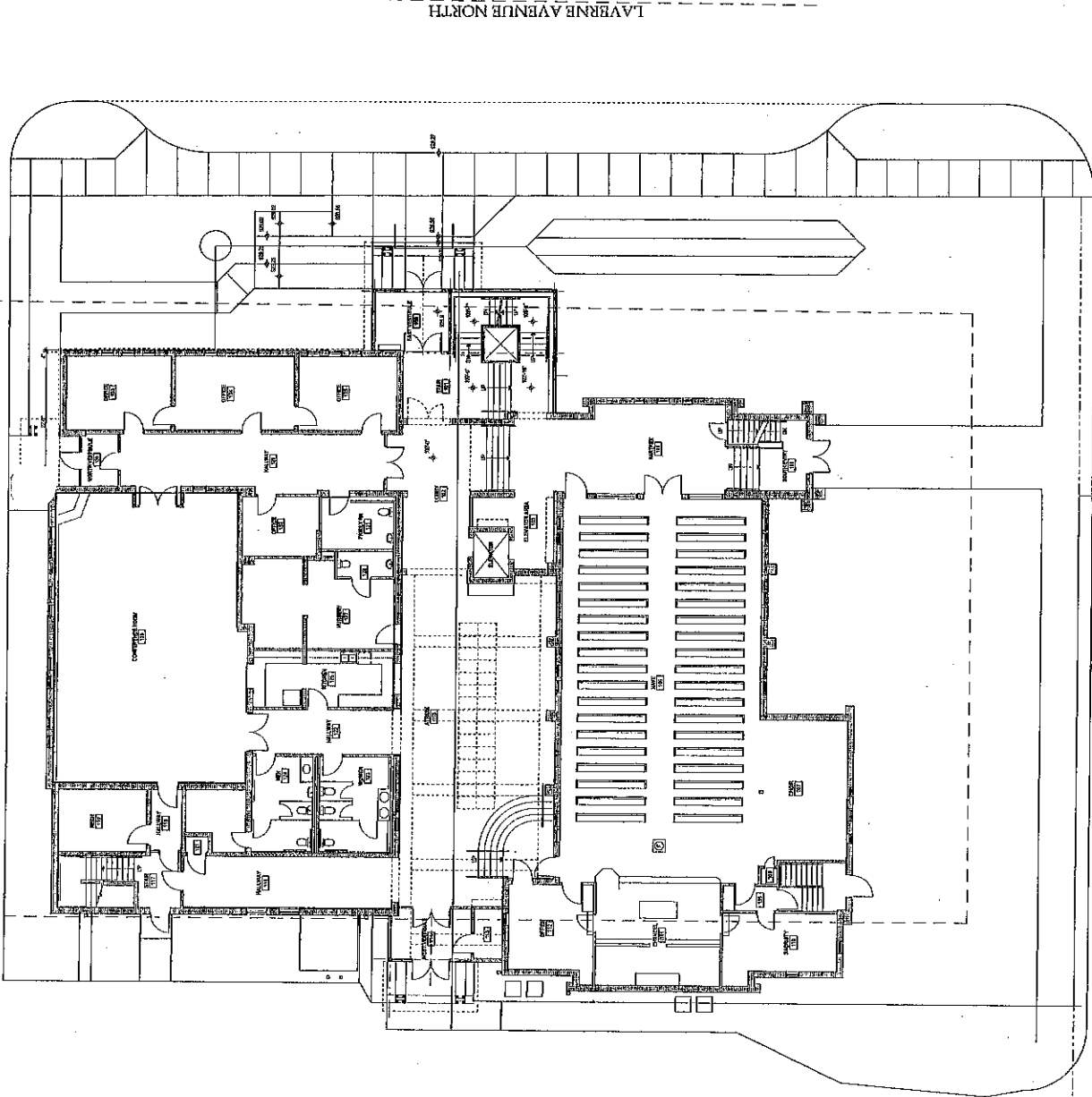
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PROJECT NAME: CHRIST LUTHERAN CHURCH  
COMMISSION NO.: 09-08  
DRAWN BY: MCR, RL  
CHECKED BY: MCR  
DATE: 09/06/2011  
END DATE: 09/06/2011  
PERSON DATES:

OWNER: CHRIST LUTHERAN CHURCH  
1154 36TH STREET NORTH  
LACEDALE, MN 55022

SHEET TITLE: MAIN LEVEL PLAN

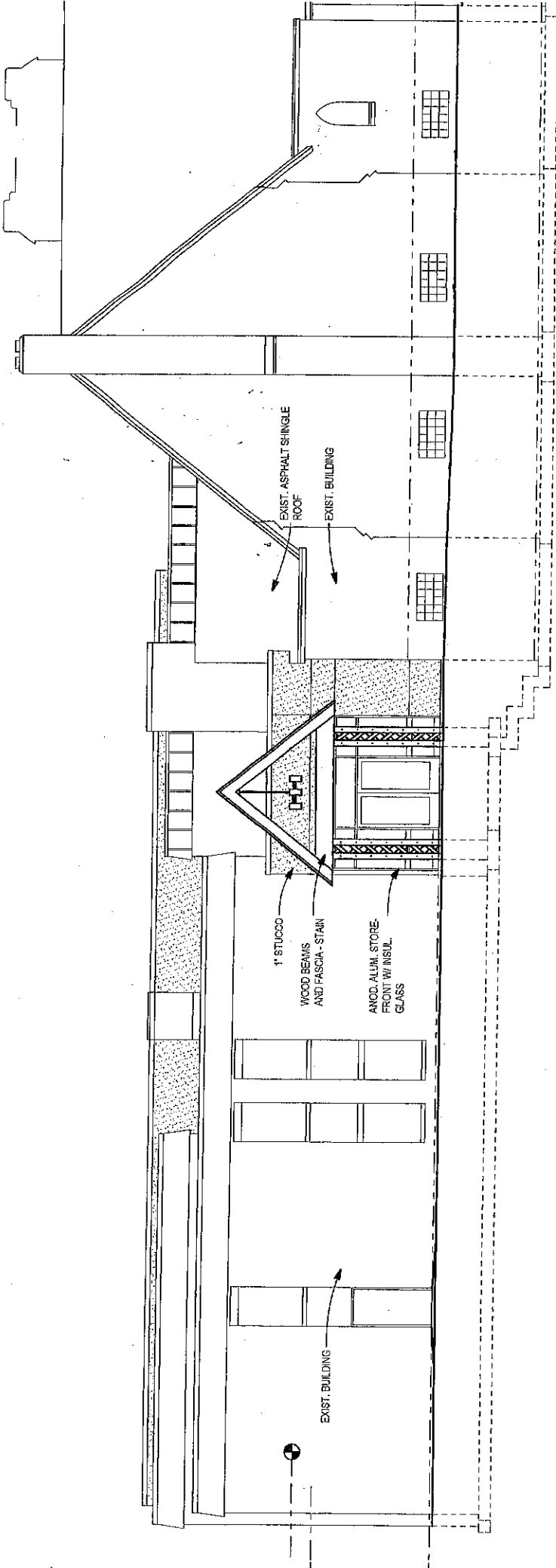
SHEET NO. 3 OF 7  
DATE: 10/05/2011

A2.0



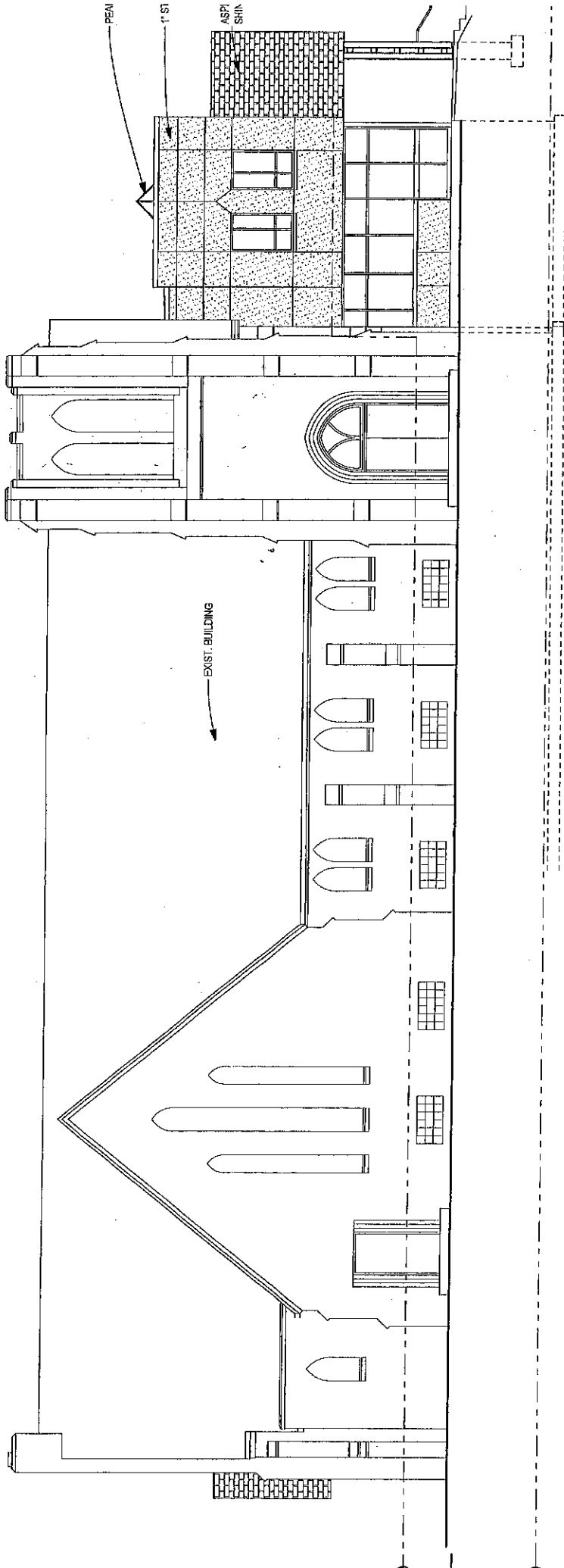
36TH STREET NORTH

1. MAIN LEVEL PLAN  
1/8" = 1'-0"



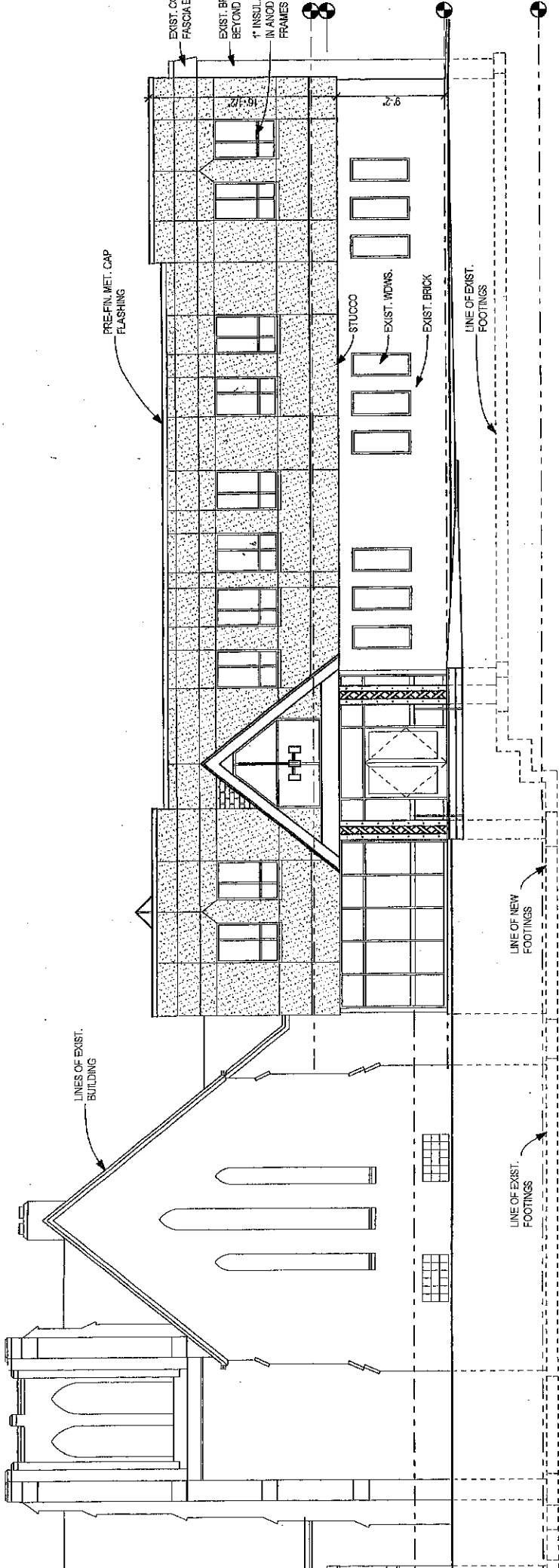
2 EAST ELEVATION

3.0 / 1/8" = 1'-0"



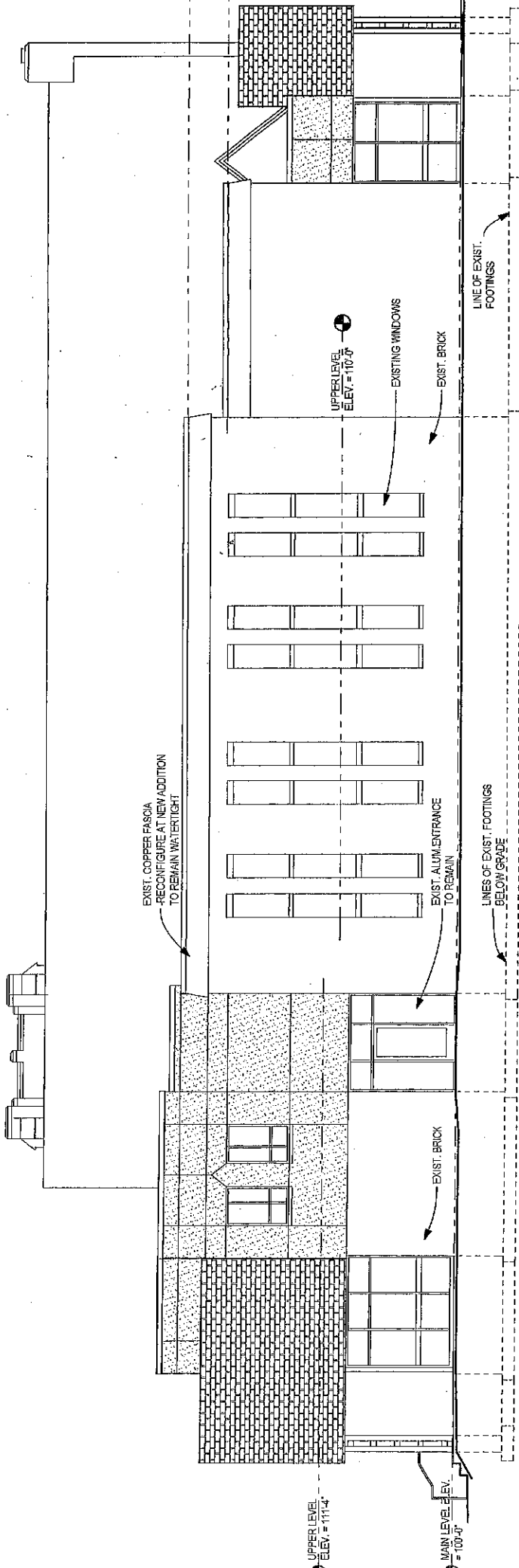
1 SOUTH ELEVATION

A3.0 1/8" = 1'-0"



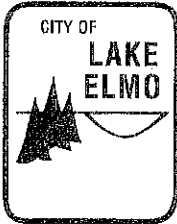
NORTH ELEVATION

1/8" = 1'-0"



1 WEST ELEVATION

3.1 1/8" = 1'-0"



# City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

November 4, 2011

To I-94 Planning Area Property Owners and Stakeholders:

The City of Lake Elmo has been working over the past few months on a public participation process for reviewing future sewerred areas. As a part of this process, the City is scheduling an open house for those interested in future growth in Lake Elmo. This open house will focus specifically on the areas guided for sewerred development south of 10th Street (see map on back for locations).

**What: Open House to Discuss Future Sewerred Development South of 10th Street**

**Why:** To present information and gather input/feedback from interested parties

**When:** Wednesday, November 16th from 6:00 p.m. to 8:00 p.m.

**Where:** Lake Elmo City Hall  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

City staff will present information on some components of the Comprehensive Plan, review the City's growth requirements for 2015 and beyond, and display a **draft** example of a future land use plan. There will be time to ask questions of staff and opportunities to provide written comments.

Please feel free to contact me if you have any questions in advance of the open house.

Sincerely,

Kyle Klatt  
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