



City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

Jan
24
2000

The Lake Elmo Planning Commission will meet at 7:00 p.m.,
Monday, January 24, 2000, in the Council Chambers of City Hall,
3800 Laverne Avenue North, Lake Elmo, Minnesota.

1. Agenda
2. Minutes – January 10, 2000
3. **PUBLIC HEARING:** Amended Application – Comprehensive Plan
Amendment
And Planned Unit Concept Plan
Northeast Annexed Area
Stillwater Investment Corp. & Betty Smith,
applicants
4. Other
5. Adjourn

Approved

Lake Elmo Planning Commission
Meeting Minutes
Monday, January 24, 2000

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

1. AGENDA

- Add: 4.a Discussion; letter from Greg Gerard
4.b Discussion; clarification of Southwest District Land Use Plan

M/S/P Berg/Lipman - to approve the agenda, as amended.
(Motion Passed 7-0). (Sedro and Brass late).

2. MINUTES

M/S/P Sessing/Lipman - to approve the Minutes from the January 10, 2000 meeting, as presented.
(Motion Passed 7-0). (Sedro and Brass late).

Chairman Armstrong said Lake Elmo Planning Commissioner Bob Helwig & wife Gretchen lost their home to a fire on Sunday, January 23. He assured everyone that both Bob and Gretchen were not seriously injured, and offered his best wishes on behalf of the Planning Commissioners.

3. PUBLIC HEARING: Amended Application-Comprehensive Plan Amendment
and Planned Unit Concept Plan
Northeast Annexed Area
Stillwater Investment Corporation & Betty Smith, applicants

Planner Dillerud explained the site is a 90-acre portion of nearly 200 acres annexed from Baytown Township to the City of Lake Elmo in April 1998. He discussed the Municipal Board order, findings and decision, and site history regarding the aforementioned property, as found in the staff report. Planner Dillerud noted the applicants propose a land use classification sufficient to support townhome and single family dwellings. He said the 15-acre commercial site, the apartment site and a portion of the townhouses found in the original application have been eliminated, and the amended application proposes single family detached and townhouse dwellings. He explained the amended application indicates an amendment to the Land Use component of the Comprehensive Plan and suggested reclassification of the entire 90-acre site to SRD (Suburban Residential Development). He said the applicant has provided the Commissioners with a Planned Unit Development Concept for this area as well, but the Land Use should be defined prior to a recommendation.

Planner Dillerud said what is appropriate may be to create a new classification and provide a definition to the Land Use Class-SRD. He said an SRD definition that combines the pre-existing small lot developments of the Old Village and Tri-Lakes, with potential Urban to Rural transition areas is the best approach. He defined SRD as follows:

Areas of the City primarily, but not exclusively, adjacent to lakes where lot sizes and resulting density exceeds that of land use classifications and zoning established in the City in 1990, and existing as platted "lots of record" as of 1999.

Also, areas of the City exhibiting all of the following characteristics:

1. Common ownership of all included tax parcels.
2. Directly abutting the Lake Elmo Corporate Limits with an adjacent local political governmental unit for a distance of at least 1,200 lineal feet, with no public street right-of-way or roadway easement of any type intervening between the site within Lake Elmo and the Corporate Limit with the adjacent city.
3. Abutting properties within an adjacent governmental unit which are currently serviced by Regional Sewer, and which are within the Metropolitan Urban Service Area.
4. At least 2,000 feet of public street frontage on an existing improved street, except County, State and Federal Highways, or frontage roads to a County, State or Federal Highway.
5. No portion of the site may be land use classified or zoned for any of the non-residential land use classes or zones.

The residential dwelling unit density of any newly developed or redeveloped SRD site shall not exceed 2.0 dwelling units per acre, net of DNR Protected Wetland.

John Arkell
Stillwater Investment Co.

Mr. Arkell said he and Mike Gair have spent 4/5 months putting together the amended proposal the Commissioner would discuss, and introduced Mike Gair as the co-author of the plan.

Mike Gair
Vice President
McCombs Frank Roos Associates, Inc.

Mr. Gair explained that creating the amended proposal was a complex issue, partially due to the nature of the jurisdictional "tug-of-war" with the Met Council, neighboring communities, the sewer/water subject, also, this is a complicated piece of ground on the northern boundary of Lake Elmo. He briefly discussed the June 30, 1999 proposal that included mixed uses and a land use intensity of 210 dwelling units, and 115,000 square feet of commercial uses, approximately 12 % open spaces and sanitary sewer and municipal water from Oak Park Heights. He then focused on the drawings that supported the current proposal which indicates land use of: Residential SRD, (147 single family detached and single family dwelling units); approximately 40-47% open spaces; private communal on-site wastewater treatment system; and municipal water from Lake Elmo. He said the modified plan seeks to restrict density to approximately 1.7 units/gross acre; provides environmental systems preservation and protection; precludes municipal sewer extension; includes rational residential density transition from north to south and east to west; responds to adjoining existing land use conditions; is market responsive; terminates urbanization efforts; determines jurisdictional issues; responds to land use planning; and, provides open space and a trail segment linking with the "Old Village."

Mr. Arkell said he had met with the Lake Elmo "neighbors" to the site; and, although they ideally want the parcel to remain as a "raspberry patch", everyone he spoke with expressed support of this development.

Chairman Armstrong opened the comment portion of the Public Hearing at 7:55 p.m.

**Pastor David Malchow
St. John's Church**

Pastor Malchow read a prepared statement (attached).

**John Kern
5649 Stillwater Boulevard**

Mr. Kern said he was a lifelong resident of the area, and wanted to see this parcel remain in Lake Elmo. He noted he felt the amended proposal is far better than the previous application. He said the density seems high, and is concerned about traffic lights. He would not like to see cross lights at 55th/58th and generally supports the project.

**Barb Engle
12058 55th Street**

Ms. Engle explained that Mr. Arkell met with all the residents of the northeast annexed area, and applauded him for making many concessions, including agreeing to installing an 8' high buffer/berm along her abutting property, and his awareness to the DNR protected lake on Manning. She said she felt, ideally, she wants this land to stay in Lake Elmo and not go to Oak Park Heights.

**Nancy Hauth
5775 Manning Avenue**

Ms. Hauth said she appreciates the new plan, but would like to see lower density in the proposal. She suggested the possibility of a cul-de-sac at the end of 55th Street.

**Gary Van Cleve
4931 Lilac Way**

Mr. Van Cleve said he was aware of the "politics" involved with this proposal and wishes the property to stay in Lake Elmo. His concerns are the viewshed, prefers larger lots, and the placement of the wetland treatment center.

**Carol Palmquist
12202 55th Street**

Ms. Palmquist thanked Mr. Arkell for working with all the residents, and encouraged the Planning Commissioners to consider the amended proposal favorably, in order that this area not be annexed to Oak Park Heights.

**Jon Whitcomb
5165 Linden Trail**

Mr. Whitcomb said he met with Mr. Arkell and became aware of the overall proposed development. He said he felt the plan presented the best use of the land, and hoped the Planning Commission would look favorably upon it. He said he knows what an attractive place Lake Elmo is to potential homebuyers, and is aware of the demands on development. He asked that the developer be careful to maintain the beauty of the site, suggesting attention to the Tamarack Bog and tree line located at Tamarack Farm Estates Residential Development.

Chairman Armstrong closed the comment portion of the Public Hearing at 8:20 p.m.

Chairman Armstrong said since there was no official definition for SRD, in order to proceed with the Planned Unit Development Concept it would be necessary to first establish those guidelines.

Commissioners Brass and Mandel stated the higher density proposal went against the general philosophy of the OP Ordinance, and why change now, especially considering how stringent the Commission was when addressing density issues with other development in the City.

Chairman Armstrong said he preferred to see density more comparable to what is allowed within the OP Ordinance than now proposed by the applicant; and, suggested 0.9 units per acre, which he explained was twice the density allowed in the OP.

Commissioner Ptacek said he was not pleased with the small lot sizes, but would consider the idea of "transition" development, and wanted to move forward with defining SRD as something closer to the standards set forth in the OP Ordinance. He asked if the idea for a cul-de-sac at 55th was feasible, to which Planner Dillerud answered, "That has not been addressed. The City Attorney will have to provide ruling on the issue."

Commissioner Sedro asked if the SRD would endanger the Permanent Rural application to Met Council, to which Planner Dillerud replied, "Likely, it would."

Commissioner Sessing said he opposes the higher density in the proposal, and would like to see numbers closer to what is allowed in the OP Ordinance.

Commissioner Gerard reminded the Commission that this was an opportunity to "help ourselves" and make history through compromise. He said he favors the idea of giving direction for a reasonable proposal, which implies "transition" in the SRD definition.

Commissioner Sedro said she likes the idea of larger lots, but sees this application and plan as a proactive approach to development at the site.

Planner Dillerud reminded the Commissioners that it is not appropriate to create a zoning district based upon one specific parcel of land.

M/S/P Gerard/Berg - to adopt the definition for Suburban Residential Development (SRD) as composed by Planner Dillerud in the amended January 24, 2000 memorandum to the Planning Commission as follows:

Areas of the City primarily, but not exclusively, adjacent to lakes where lot sizes and resulting density exceeds that of land use classifications and zoning established in the City in 1990, and existing as platted "lots of record" as of 1999.

Also, areas of the City exhibiting all of the following characteristics:

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3. Abutting properties within an adjacent governmental unit which are currently serviced by Regional Sewer, and which are within the Metropolitan Urban Service Area.
4. At least 2,000 feet of public street frontage on an existing improved street, except County, State and Federal Highways, or frontage roads to a County, State or Federal Highway.
5. No portion of the site may be land use classified or zoned for any of the non-residential land use classes or zones.

The residential dwelling unit density of any newly developed or redeveloped SRD site shall not exceed 0.9 dwelling units per acre, net of DNR Protected Wetland.

(Motion Passed 7-2) Opposed: Brass, Mandel.

M/S/P Brass/Sedro - to direct the City Planner to further examination of the definition of SRD to establish a maximum site depth as measured from the corporate limit line.

(Motion Passed 9-0).

Commissioner Lipman said this proposal is a difficult issue and noted the generous movements to compromise by the developer. He said he felt the 0.9 acre maximum "narrowed the gap", and hoped the developer finds the change a realistic accommodation. He said he would like to keep this development in Lake Elmo, and is eager to find common ground to achieve that goal.

Mr. Gair expressed his concern that the Planning Commission may be acting arbitrarily in this issue as it relates to the very unique piece of property in Lake Elmo.

M/S/P Lipman/Mandel - to table the Planned Unit Development Concept Plan and Comprehensive Plan Amendment discussion to the Wednesday, February 2, 2000 Planning Commission meeting.

(Motion Passed 9-0).

4.a Chairman Armstrong discussed the background of TDR's and PDR's. Commissioner Berg said he served on a Washington County committee that helped draft a proposed PDR Ordinance. He commended Commissioner Gerard for composing the memo, and urged the Planning Commission to take a position of support for the ordinance.

M/S/P Gerard/Lipman - to direct Chairman Armstrong to write a letter to Washington County District Two Commissioner Pulkabeck expressing support for adoption of the PDR Ordinance, excluding any reference to funding.

(Motion Passed 9-0).

4.b Southwest Planning District/Comprehensive Plan

Planner Dillerud asked the Commissioners to clarify the land use guidance for a portion east of CR19, north of I-94 and south of 10th Street. The Commissioners agreed that the designation should be RAD.

Chairman Armstrong adjourned the meeting at 9:45 p.m.

Respectfully submitted, Cynthia Young- Planning Secretary

M

**CITY OF LAKE ELMO
REQUEST TO APPEAR BEFORE THE CITY COUNCIL
OR
PLANNING COMMISSION**

*If you wish to address the City Council or Planning Commission, please follow the suggestions listed below:
(PLEASE PRINT)*

Name: DAVID MALCHOW / PASTOR ST. JOHN'S Phone: 439-5408

Address: 5274 STILLWATER BLVD N,

Agenda Item or Subject you wish to address: Re: STILLWATER INVEST. CORP.
Development

Company of Individual Representing (if applicable) _____

Notes: Please complete this form so that you may be recognized at the appropriate time on the Agenda. You are under no obligation to speak if you decide against it during the meeting. Please state your full name, address and phone number so the record of your comments will be complete in the minutes of this meeting. Thank you!

development will bring some people who have never heard of all that Christ has done for them, within close proximity of our facilities and services.

While St. John's could live with any type of development around us, and our purpose and existence would remain the same, and while we would prefer to stay neutral on the issue, we feel that in this case we should voice our preference. Having been appraised by the City of Lake Elmo of how this land could be developed should it come to be under the jurisdiction of Oak Park Heights, seeing how these 90 acres around us could be divided into three types of development: business, high density, and medium density residences, we as a congregation offer two reasons why we support the development design that is currently proposed. 1) A full one third of our membership resides in Lake Elmo, and so has an interest in seeing their city maintain its current character as much as possible. 2) St. John's is part of Lake Elmo, and so we are bound by responsibility to the City and by consideration to our neighbors in Lake Elmo, to see its character maintained.

In conclusion, we feel that the proposed design will not take away from the character of Lake Elmo, and certainly it is preferable to what it may otherwise be developed as. Therefore, St. John's Lutheran Church goes so far as to support the proposed design of development by Stillwater Investment Corporation. Thank you.

Pastor Dave Malchow

Pastor Dave Malchow

Chairman Jeff Downs

Jeff Downs

RECEIVED

JAN 24 2000

CITY OF LAKE ELMO

ORIGINAL

*Cynthia
Fry
Good*

Greg Gerard

Memo

ORIGINAL

To: Gary Van Cleve, President, Fields of St. Croix Homeowners Association

From: Greg Gerard, Homeowner

Date: 1/17/00

Copy

Re: Board Request

The Washington County Board of Commissioners is holding a hearing on February 1, 2000, to receive comment on an ordinance to establish a Purchase of development rights Program. I encourage our homeowners association board to review the enclosed information describing the program and submit comment supporting the program.

I think the program supports both the open space principles of the Fields of St. Croix and the goals of the City of Lake Elmo. I have submitted comment (copy enclosed) and urge the board to support the PDR through written comment before February 1, 2000.

I would appreciate if you would share the enclosed documents with the other board members and especially Bob Engstrom.

Thanks, Gary.

cc: City of Lake Elmo Planning Commission

RECEIVED
JAN 23 2000
CITY OF LAKE ELMO

G. D. GERARD
4835 LILAC PLACE NORTH
LAKE ELMO MN 55042
651.351.7629

January 17, 2000

Ms. Jane Harper

Office of Administration
Washington County Government
14549 62nd Street North
Stillwater MN 55082

ORIGINAL

Dear Ms. Harper,

Re: Written Comment on PDR

As a resident of the City of Lake Elmo and Washington County I urge the Board of Commissioners to adopt an ordinance establishing a Purchase of Development Rights Program.

I have reviewed the draft of the ordinance and strongly support not only the purpose of the ordinance, but also the proposed policies and procedures. Please note that I am not a large landowner or someone who would have personal financial benefit from the ordinance. My support stems from my personal interest in preservation of the rural character of our county and my volunteer participation as a member of the Lake Elmo City Planning Commission.

Sincerely,

copy

Greg Gerard

*Cynthia
fyi ---
Greg*

cc: City of Lake Elmo Planning Commission
Fields of St. Croix Home Owners Association

RECEIVED
JAN 20 2000
CITY OF LAKE ELMO