



# City of Lake Elmo

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Aug.  
13

The Lake Elmo Planning Commission will meet in the Council Chambers of City Hall, 3800 Laverne Avenue North, Lake Elmo, Minnesota, on Monday, August 13, 2001.

## AGENDA

1. Agenda
2. **PUBLIC HEARING:**      **Preliminary Plat & ReZoning** (*continued from July 23*)  
**Variance**  
Hiner Development  
Watercolors Office Park  
Keats & Hudson Boulevard
3. **PUBLIC HEARING:**      **Amend PUD Development Plan**  
**Preliminary Plat (RePlat)**  
**Site Plan/PUD Final Plan**  
United Properties/Davern 11., Inc.  
Northeast Quadrant of Inwood Avenue and Hudson Blvd.
4. Meeting Notice – Monday, August 20, 2001
5. Other
6. Adjourn

Approved 8/27/01

Lake Elmo  
Planning Commission

Meeting Minutes  
Monday, August 13, 2001

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

1. AGENDA

- Add: 5.a August 20, 2001 Tours of Buberl Recycling & Fields of St. Croix WTS  
5.b Zoning Code Language - "Equivalent"  
5.c Zoning Code Language - "Fitness Centers in GB"  
5.d Interviews with Consultants - RFP's Comp Plan  
5.e Lighting "American Flags"

M/S/P Helwig/Sessing - to approve the agenda, as amended.  
(Motion Passed 5-0).

2. PUBLIC HEARING: Preliminary Plat & rezoning (*continued from July 23*)  
Variance  
Hiner Development/Watercolors Office Park  
Keats Avenue & Hudson Boulevard

Planner Dillerud explained that the purpose of the Public Hearing was to address a variance application by Hiner Development, which seeks relief from the terms of the Code that states there shall be no more than one principal building on any (1) one parcel of land. He explained that the applicant had not, as yet, prepared or submitted the required "findings of fact" regarding variances. He also noted that the reason so much attention to detail to this plan was this was the final time the Planning Commission would review and make recommendations concerning this proposal. His recommendation was to hold the Public Hearing, but table until the August 27 meeting.

Chairman Armstrong opened and closed the Public Hearing, at 7:07 p.m. - NO COMMENTS

M/S/P Armstrong/Deziel - to table the Hiner Development Variance case until the August 27, 2001 Planning Commission meeting.  
(Motion Passed 9-0).

3. PUBLIC HEARING: Amend PUD Development Plan  
Preliminary Plat (RePlat)  
Site Plan/PUD Final Plan  
United Properties/Davern II, Inc.  
Northwest Quadrant of Inwood Avenue & Hudson Blvd.

Planner Dillerud introduced the proposals as three separate, but interconnected planning issues. He described the site as the major portion of the previously approved Eagle Point Business Park,  
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located at the Northeast Quadrant of Inwood Avenue and Hudson Boulevard, in the Limited Business Zoning District. He explained that the Amended PUD portion of the proposal updates and expands the Preliminary Plat that created the outlots in 1999 as: a 6.32 acre lot in the southeast corner of the overall site; and, a lot of approximately 4 acres at the extreme northwest corner of the site. A Site Plan/ PUD Final Plan to be discussed later would be situated on the 6.32 acre lot. He said in addition to the 2 lots/blocks, the plat also proposes 5 outlots of which A, B, and C would be for future platting, Outlot D sold to the City for well/pump/storage, and, Outlot E intended to be a landscaped area. He explained the third faction of the proposal as a site for Davern II, Inc., which proposes the creation of a multi-building office complex. He responded to questions stating that no retail would be allowed, and that the proposal is subject to the PUD Master Sign plan.

George Burkhardts introduced Tom Dunsmore and David Ficek, principles of Davern II, Inc.

Mr. Dunsmore presented several photographs and sketches of completed Davern II projects in 5 other locations around the Twin Cities. He said the market encouraged small business owners who preferred to own their 1,200 -2,500 square foot office spaces rather than rent. He noted there is little to no turnover in this well-received market.

Mr. Ficek presented several additional project exhibits. He explained the concept of condominium office as "townoffices." He stated his projects catered to the small business owner, and offered a softer touch to the separation of business park and residential areas with somewhat of a "homey" feel, classified as "residential friendly." He noted that 10 of the proposed "townoffices" had already been reserved.

Planner Dillerud mentioned that in the Business Park Zone, a series of permitted uses are allowed, and possibly, occupancy may be an issue, meaning some uses may need Conditional Use Permits.

Commissioner Mandel expressed his concern regarding exterior surfaces and fireplaces.

Mr. Dunsmore said he would assure the minimum standards be addressed in the exterior design of the buildings.

Commissioner Sedro asked what the meaning of "low turnover" meant.

Mr. Dunsmore said the project was expected to be complete by October 2002, and since 1981, in a 12-unit project, only one owner had sold; Shoreview none since completion, and a one-year waiting list existed. He welcomed the Planning Commissioners to tour any of the facilities.

Mr. Burkards expressed his support for this proposal stating as the market changes, he is generally open to the new proposals, and like the project, in general. He also reviewed other United property projects by previewing the Master Plan (Lot 1, Block 2), stated Outlot E will be landscaped; presented landscape design plans approved by MnDOT and Washington County; presented a signage plan; and, explained that HDR leased space in Oakdale, was still a great company, but did not have the capital to complete the proposed project in Lake Elmo.

Chairman Armstrong opened and closed the comment portion of the Public Hearing at 8:05 p.m.  
NO COMMENTS

Commissioner Deziel asked if the Conditional Use Permits would be different between tenants.

Planner Dillerud said, yes, each occupant would need to meet the standards of Business Park Zoning or, the standards of the PUD or they would be required to apply for a Conditional Use Permit.

Commissioner Taylor asked how much control the City has over landscaping at the site.

Mr. Burkards stated that United Properties consistently has very extensive landscaping proposals.

Planner Dillerud reminded the Commissioners that the City Council has already approved a very elaborate landscaping and master signage plan.

Chairman Armstrong stated he has mixed feelings regarding this proposal. He said he was intrigued with the general idea of townoffices, and thought by concept, this would be a good transition plan, but, this is special land, it is a Business Park, and when the City allowed for sewer, he felt the intent was to create more development similar to the High Pointe Medical Campus. He said he was concerned that this proposal is not what was promised, and was willing to wait for what was promised. He expressed his concern regarding the departure from appropriate exterior materials, stating that when Heart of America came in, they were given a break from the rigid office structures [exterior finishing], and were allowed to proceed with softer, less expensive materials. He said he felt this left the door open for more of the same. He said he thought the Davern concept might work in other areas of Lake Elmo, but still held with the idea that the City was not getting what it was originally sold with this proposal.

Commissioner Deziel said he had a hard time grasping how a tall building could possibly be construed as "rural."

Chairman Armstrong stated that the City was originally told by United Properties that the City could not attract large commercial companies without offering sewer, so the City did provide sewer and would try for companies like State Farm or West Publishing. He said the townoffices could exist without sewer services, and said the City should utilize this site to the highest tax base as possible. He noted that when crossing over the I-94 corridor to Woodbury, the architecture is all brick, stone, and glass, and said he was worried that Lake Elmo was settling for less. He suggested the City wait it out for commercial development more like Woodbury.

Commissioner Sedro said, since Met Council considers the number of jobs cities provide, wouldn't a large company meet that need?

Planner Dillerud said, not exactly - forecast of jobs in the area is directly related to the square footage of the structure. He also noted, that in earlier discussions, the Corporate Woods Overland Park Development in Kansas was what the City Council had in mind for business park development.

Mr. Burkards said State Farm initially chose Lake Elmo, but Lake Elmo did not want State Farm. He said after discussing other projects like Corporate Woods in Overland Park, Kansas, the sites are significantly different. He said Corporate Woods has rolling hills and woodlands-this site is not like that. He also said he took offense at the comment that density equals the character of a project. He said the units were not for rental, rather sale to prime tenants who would be good neighbors. He said United Properties had looked at several other proposals for the site, and he felt this was a good choice, and they [United Properties] were not driven to make a land sale.

Commissioner Ptacek said he agreed with Chairman Armstrong, and wanted to see the same quality of commercial structures as in Woodbury with solid anchor tenants, and agreed that this concept might work better in other locations in Lake Elmo, perhaps similar to the Carriage Station project.

Commissioner Taylor said she did not see this proposal as a lesser quality exterior than glass, brick or stone.

Commissioner Brass said the positioning of the buildings next to the High Point project did not seem to fit.

**M/S/P Armstrong/Ptacek - to recommend the City Council deny the amended Planned Unit Development Stage Plan for United Properties based on the following:**

1. The proposed exterior surface material does not meet the "equivalent" standard;
2. The proposed multiple buildings on the site does not meet the standards for Business Park;
3. The proposal does not meet the overall expectation, and is less than what was anticipated of the originally approved Planned Unit Development Plan.

(Motion Passed 7-2). Opposed: Deziel - Thinks the "siding" was another issue, and asked to put that aside for now; thinks the Planning Commission disapproves of a lot of things and the real world does not work that way; personally, does not understand why we give people such a hard time when it is difficult enough to do [development]; supports the idea, thinks it is good, and irks him that we keep people from doing things. Taylor: Likes the plan as long as it is tastefully landscaped and looks good.

**M/S/P Armstrong/Ptacek - to recommend the City Council deny the Section 520 Site Plan/Final Planned Unit Development Plan for Lot 1, Block 1 Eagle Point Business Park 2<sup>nd</sup> Addition per the plans staff dated August 7, 2001.**

(Motion Passed 7-2). Opposed: Deziel, Taylor.

**M/S/P Armstrong/Ptacek - to recommend the City Council approve the Preliminary Plat of Eagle Point Business Park 2<sup>nd</sup> Addition per plans staff dated August 7, 2001, subject to:**

1. Submission of a landscape plan and program for ownership and perpetual maintenance of Outlot E prior to Final Plat release by the City;
2. Compliance with the terms and conditions of the Development Agreement for the Eagle Point Business Park, including preparation of a Supplemental Development Agreement prior to submission of the Final Plat to the City Council.

(Motion Passed 9-0).

**5.a August 20, 2001 Planning Commission will tour Buberl Recycling and The Fields of St. Croix Wetland Treatment System - 6:00 p.m., and meet at City Hall.**

**5.b Zoning Code Language "Equivalent"**

Chairman Armstrong stated the exterior materials standard for "equivalent" seemed ambiguous, and requested the City Council either eliminate the provision or expand the list.

M/S/P Armstrong/Helwig - to direct staff to find a definition of "equivalent" and report to the City Council that the Planning Commission is not comfortable with the language, and request they either expand the material list, or eliminate the language from the Municipal Code.  
(Motion Passed 9-0).

#### **5.c Zoning Code Language - "Fitness Center" in GB Standards**

Planner Dillerud said that at times, a "use" will come forth to occupy space in the General Business Zone that is not permitted, and was not anticipated. He asked the Planning Commission to initiate an amendment to the GB standards adding "fitness centers" as a permitted use, by Conditional Use Permit.

M/S/P Helwig/Deziel - to direct staff to call a Public Hearing to incorporate "Fitness Centers" as a Conditional Use within the General Business (GB) Zoning District.  
(Motion Passed 9-0).

#### **5.d RFP's for Community Facilities**

Planner Dillerud reported that the Planning Commission at its August 27, 2001 meeting would interview the 3 Consulting Firms that responded to the Community Facilities Section of the Comprehensive Plan. He suggested addressing regular planning business at the 6:00 p.m. - 7:00 p.m. hour and follow with the 3 interviews, which would consist of a 15-minute presentation, ½ hour for questions, and 15 minutes for discussion between interviews.

#### **5.e American Flag Lighting**

Commissioner Helwig reported that there are several American Flags flying in the City, which are not lighted and/or taken down at night. He asked if the City could advertise the proper procedure for lighting of flags.

Secretary Young said she would contact the American Legion for flag lighting procedures, and note it in the City Newsletter, and see that the information is inserted on the Lake Elmo City Website.

**Chairman Armstrong adjourned the meeting at 9:10 p.m.**

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Respectfully submitted, Cynthia Young-Planning Secretary