

**MEETING NOTICE**  
**A Regular Meeting of the**  
**Lake Elmo Planning Commission**  
**Will be held on Monday, September 22, 2003 at 7:00 p.m.**

In Council Chambers,  
Lake Elmo City Hall  
3800 Laverne Ave. N.  
Lake Elmo, MN 55042

**AGENDA**

- 1) Pledge of Allegiance
- 2) Agenda
- 3) Public Hearing – Preliminary Plat & PUD Development Stage –  
PRAIRIE RIDGE OFFICE PARK
- 4) Zoning Ordinance Review (Continued)
- 5) Adjourn

**The public is invited to attend.**

9-22

**City of Lake Elmo  
Planning Commission  
Meeting Minutes of September 22, 2003**

The Chairman called to order the special meeting of the Planning Commission at 7:00 p.m.  
COMMISSIONERS PRESENT: Berg, Bunn, Johnson, Sessing, Pelletier, Ptacek, Deziel (7:08). STAFF  
PRESENT: City Planner Chuck Dillerud and Kimberly Schaffel Recording Secretary.

**AGENDA**

**M/S/P, Sessing/Pelletier**, Add Number 5, Draft of Hearing Graphic for Public Hearing on October 14.  
To accept the Agenda as amended. **VOTE: 7:0.**

**PUBLIC HEARING – PRAIRIE RIDGE OFFICE PARK – PRELIMINARY PLAT AND PUD  
DEVELOPMENT STAGE PLAN – PETER & DAN TACHENY, ET AL**

**City Planner**

This is the second of three stages for a PUD Development near Highway 5 and Stillwater Boulevard. The City Council approved the Concept Plan for this project subject to a couple of conditions. This is a seventeen acre site.

A Traffic Impact Study has been done. There is now a secondary access (right-in, right-out) to Highway 5. Both Mn/DOT and Washington County have concurred in this layout. Both agencies expect a traffic signal to be placed at Highway 5 and Stillwater Boulevard at some point in the future.

Seven buildings are still proposed, but now all are single story instead of two-story walkout buildings. The preliminary plat shows some changes to the layout of the building locations; and, the parking areas have been broken up from what was shown on the Concept Plan. Both are positive improvements. They have moved the westernmost building further to the east. The parking is still about twenty feet from the property line, but there is less parking area there.

The road inside the plat, will be a private road and the responsibility of the owners. The site will be served by public water under Highway 5. Other infrastructure issues at the Development Stage include the Landscape Plan. Staff looks to see if the Landscape Plan is generally consistent with what the Site Plan Stage will require. Some of the species will not do well under the growing conditions presented here. There are alternatives that might work better.

Architectural design standards for the buildings have a formula of what is allowable. The Planner has not checked all those formulas yet. The rear of the property may need a little more stone to meet the requirements. The plan shows cedar shake roofing but the applicants have indicated a desire to present an alternative.

Findings include compliance with subdivision standards and public infrastructure; and, that the submission requirements have been met. All outside agencies have responded, although the City Engineer has not yet replied for this stage. Staff recommends approval as presented. Site Plans will be carefully reviewed to be sure they meet the requirements, and a few parking spaces could be replaced with trees.

**Commissioner Bunn**

The watershed letter said they had not yet received sufficient information to permit.

**City Planner**

We do not require actual watershed permitting until the Grading Stage The watershed always makes that comment with review comments on earlier stages.

**Dan Tacheny, Co-applicant**

He presented the shingle alternative they wish to use. It is not substandard to shake or steel. It is more expensive, and they believe it to be superior. It ends up looking like slate. He passed out photos and literature. Cedar shake tends to attract bees, and moss and staining is more likely. These have a fifteen year warranty against algae, and are Class A Fire-Rated.

**Commissioner Deziel**

Do we regulate roofing material?

**City Planner**

Our approved Ordinance dated May 7, 2002, Performance Standards has specific materials specified – not including asphalt shingles. Alternatives can be approved under the PUD, so the applicants do not require a variance for the substitution if the City concurs..

**THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:28 PM**

**Bill Hughes, 9038 31<sup>st</sup> Street North**

He is concerned about exiting traffic pulling onto Stillwater Road. What kind of access will it be? When will construction begin? What about sewage and water for the site?

**City Planner**

They will have full access. Construction will begin this year and continue in stages. It will have ISTS. They will buy the water from Lake Elmo, and we buy it from Oakdale.

**Steve Chlebeck, 9018 31<sup>st</sup> Street**

He is concerned about accidents on Highway 5. Is that water from Oakdale? Will that ever go any further to residents? He has to put in a new well this winter.

**City Planner**

That water can't go much further. There is no Lake Elmo supply west of the Old Village.

**THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:32 P.M.**

**Commissioner Bunn**

As to full access on 6, in traffic analysis they mention conclusions about sight distance. Where is the conclusion it will be all directional access? She did not see that recommendation.

**City Planner**

The County Engineer cover letter does not say it will not be full access, and that normally means that full access will be permitted. The County assumes that the intersection will be signalized in the future; and that will result in a median – reducing access to right in/right out at that point in time.

**Commissioner Berg**

He shares the residents' traffic safety concern even if the County Engineer says it is okay. He thinks it might be a future location for a sign on Stillwater Blvd – west of the underpass - that indicates a driveway is ahead.

**City Planner**

The signal situation might settle it, but that will be years in the future.

**Commissioner Berg**

Finding No. 3, Proof of Parking, has been done before. It would minimize impervious surface. He would like it worded more strongly than in the Staff Report. He views the site as a scenic gateway, and a sensitive area for storm water. He would like the condition to solidly state no more than 140 parking spaces. He would also recommend landscape islands as storm water infiltration areas as we have

recommended in other cases in the past.

**City Planner**

With proof of parking, we limit the number of spaces now, and allow the applicant to come back in the future and ask for the rest of the parking as they need it.

**Commissioner Bunn**

Valley Branch Watershed recommends rain gardens. She asked the applicant to comment on why there are no rainwater gardens in the plan.

**Jim Breault, Metro Land Surveying and Engineers**

They did not think it was necessary. They do not intend to create rainwater gardens. They tend to become depressions, and fill in with weeds which won't be aesthetically pleasing. Because of the prairie-style landscaping, we don't think we need to add them.

**Commissioner Bunn**

What about irrigation?

**Jim Breault, Metro Land Surveying and Engineers**

Irrigation is an option. The prairie grass seed is resilient to drought and the plants probably won't need it. There is no sod in the landscape plan.

**Commissioner Deziel**

If you look at the layout, there are quite a few locations for rainwater garden areas. They would be as desirable to the Planning Commission as landscape islands. Infiltration sites will help as a filtering system.

**Jim Breault, Metro Land Surveying and Engineers**

We could add some, but we did not think it was necessary with the amount of green area already in the plan.

**Commissioner Bunn**

She showed on the map where rainwater gardens could be placed - between buildings/parking and curves in the private road.

**Jim Breault, Metro Land Surveying and Engineers**

We know we have more parking indicated than we actually need.

**Commissioner Helwig**

Should we address the architectural design standards?

**City Planner**

Staff would expect the applicant to meet the requirements on the outside of the building.

**Commissioner Ptacek**

He suggested a straw poll of the Commissioners. We are not willing to change those percentages in the table, but we never discussed roofing.

**Bill Hughes, 9038 31<sup>st</sup> Street North**

He is concerned because of the amount of blacktop. There is a canal under Highway 5 and goes along County Road 6. Water runs off into the pond, then to Eagle Point Lake. He and another resident had to pay for a gate valve. Then it was taken out. What impact will this have? Will we have to pay for another gate valve?

**Jim Breault, Metro Land Surveying and Engineers**

No. That is why they have a basin on the site. Their hydrologist spent a lot of time on this. So has the City Engineer.

**City Planner**

Our Code says that post development run-off cannot exceed 1% of pre-development run-off. The watershed district might be the best to talk to. They have reviewed the model carefully. They don't want that sort of thing to happen.

**Straw Poll**

Asphalt roofing - 7:1 in favor of it. Pelletier: not a strong negative opinion. She doesn't care for the appearance, and does not feel comfortable with a quick decision.

**M/S/P, Berg/Sessing,** To recommend approval of PRAIRIE RIDGE OFFICE PARK PUD Development Stage Plan and the preliminary plat with

Findings 1 and 2 from the Staff Report dated September 18, 2003.

1. The PUD Development Stage Plan complies with the approved Concept Plan, including the Conditions to Concept Plan approval.
2. The application documentation generally complies with the requirements of the PUD Section of the Zoning Ordinance.
3. The proposed off-street parking of 164 spaces is in excess of the Zoning Ordinance minimum requirement of 140 spaces for 35,000 gross square feet of office use. The applicant will show proof of parking; and shall maintain the constructed parking to 140 spaces as the Code specifies.
4. The County should consider signage to identify the new intersection at County Road 6.
5. The Applicant should consider landscape islands and rainwater gardens as suggested by Valley Branch Watershed District and the City Engineer.
6. Compliance with architectural standards of the Code.

**VOTE: 8:0.**

**ZONING ORDINANCE REVIEW (Continued from September 15, 2003)**

An updated draft of the zoning ordinance was distributed.

**Commissioner Bunn**

When will we see Lane Kendig again, and other items about definitions, and other key items? We need to see the real numbers.

**City Planner**

Maybe we should address when the Commission wants to see Lane Kendig again. It will be your ordinance, with your timetable.

**Chairman Helwig**

Does anyone feel they have to have the consultant here?

**Commissioner Bunn**

Can we get the information? Somebody else could deliver it.

**City Planner**

He did not speak to Thompson this week and won't the coming week. There were four items: definitions we have, changes into the text, and charts with numbers in them. He stated he knew it was wanted but didn't realize it was wanted immediately. The fourth requested item was TDR. The Planner will not have the numbers by next Monday.

**Chairman Helwig**

He does not feel it is necessary to have the numbers by Monday.

**City Planner**

If the Commission does not feel that this performance zoning approach is the way to go, now is the time to say so.

**Commissioner Bunn**

She just wants to be sure this is the way to go. If there are political issues, she wants to understand it clearly before hand. Has Lane Kendig looked at these Old Village properties to determine if the zoning he described would work there?

**City Planner**

He was waiting for the acreage for each site. We lost our GIS, now we have it back. He will send the acreages.

**Commissioner Deziel**

We should have some idea of the programming too so we have a spreadsheet of it. We could see how it works as well.

**City Planner**

That requires Lane Kendig to be here.

**Commissioner Sessing**

We can proceed but we will have to deal with the numbers by the 14<sup>th</sup> of October.

**City Planner**

He wants to know how those rough numbers were arrived at. Dick Thompson could do that.

**Commissioner Deziel**

With performance-type zoning, there was strong recommendation in his recent planning commissioner class against it because of the level of sophistication that was required to understand it, and implement it. We will be relying on City Staff for the time, intelligence, and inclination.

**City Planner**

Lane Kendig's answer is that there is software which will perform calculations based on criteria entered. It is still important to know how that number was arrived at. He has no difficulty with the approach.

**Commissioner Bunn**

This ordinance will require sophistication, willingness to impose buffers, landscaping, at levels that we are not used to imposing. The whole system operates on a lot of attention to appearance.

**City Planner**

The City Council authorized the Acting City Administrator to hire an Assistant Planner. That will help us with the aesthetics.

**Chairman Helwig**

Do you want a poll?

**City Planner**

If you think we are on the wrong path, somebody should make a motion.

**Commissioner Bunn**

She is still interested in the concept but has a couple of problems, staffing issues, materials from the consultant are not the quality she expected, overall planning deadlines and moratorium issues, and we

want to move in a more timely fashion. We are experiencing delays on the most important information. This will be challenging to our community, and an asset. It is going to require major education that this is the direction we should go. We need to understand it in order to interpret it and ultimately to educate. She is not clear about the timeline.

**City Planner**

We have an awful lot going concurrently. Something has to give. Some of this stuff will have to be extended. We made a commitment we would do the Comprehensive Plan Public Hearing Stage before the Old Village Moratorium expires. The new Zoning Ordinance is already past that date. He would rather do it right than fast. Is the Commission concerned that we are going down the wrong direction? Or is it too early to make that conclusion?

**Commissioner Ptacek**

He had some reservations, but recommended we look at what the consultant has to offer before we worry about the numbers. He is taking it on faith that it will work here as it has in other communities. We should go forward. He would like a schedule for receipt of the data to satisfy some of the concerns.

**Commissioner Deziel**

He is very excited about the prospect, but skeptical about getting it to work. He is ready to go to a fall-back position if necessary. He would like to see the City do it, but is not sure we are ready for it. It is a big piece.

**City Planner**

Most communities going this route are usually larger than we are. Most of those time, the Commission isn't given the options. He assured the Commission we are capable of administrating it. He does not think it is in our best interest to rush it along. We will try to move forward to get the information. Maybe we better get the actual numbers and get that concern behind us. Maybe we need a breather and get it settled before we get too deep.

**Chairman Helwig**

We could work without the numbers. Move on and make progress. We have plenty to do.

**Commissioner Bunn**

Go through the inventory of questions we gave to the Planner on 9/8. Make sure they do not get lost.

**Commissioner Berg**

We have an end in mind. Create the model we envisioned. The data is important but the vision is better.

**City Planner**

We will have a meeting Monday night, September 29, 2003, at 6:00 p.m.

The final item is the forthcoming public hearing on the Comprehensive Plan Amendment. The Old Village Plan is in the Planning Commission's lap. It is your hearing. It will be held on October 14. He received this Land Use Map on Friday, and distributed it tonight. This is a Land Use Plan. He wants to be sure the narrative is good even if it is challenged. He asked the City Attorney to look at it. He does not like phrases such as, "TDR or equivalent." There are numbers and types here. You almost have to do that or you don't know what you are looking at. We must publish Public Notice on October 1. We will meet on September 29. He is interested in what we see here.

**Commissioner Deziel**

Numbers are in here.

**City Planner**

He would like to see numbers on the map but maybe we should not do that.

**Commissioner Bunn**

What do the numbers add up to? If we are going to performance zoning, we cannot attach specific numbers at this time. Why don't we ask Lane Kendig to do it? Why not a range? Legally, if we put numbers in, what is required?

**City Planner**

Those are maximums. He prefers to have numbers because he needs targets for developers.

**Commissioner Bunn**

We are in the window between the Comprehensive Plan Amendment and the moratorium expiration. Are we amending the 2010 Comp Plan?

**City Planner**

2020 just had a big hole in it. 2010 is what we are working with

**Commissioner Ptacek**

Move forward, and don't get bogged down in numbers. In the narrative, are there purpose and intent type statements that we can make here? We are trying to match adjacent densities, and there has to be incentive for it to become walkable and to bring businesses here. We have a tool for working on this and it is called Performance Zoning. We need purpose and Intent, and the underlying densities.

**City Planner**

We have a fair idea of what a total unit count would be under current zoning. We have a fair idea that half of that could be transferred from green belt to the developed area. The heartburn is how we legally move that other half, TDR, performance zoning, bonuses, etc.

**Commissioner Bunn**

If TDR has different numbers do we have to amend this again? She does not wish that the Planning Commission should appear disingenuous or deceptive because the numbers might change again.

**City Planner**

Yes, but to overcome it we would have to finish our zoning ordinance first.

**Commissioner Ptacek**

The bottom line is that it may be a little more dense, but we got the green belt we wanted.

**Commissioner Bunn**

Without senior housing, it seems a rather low number for incentives.

**Commissioner Deziel**

Aside from the senior housing, it might take some fear out of there. A small incentive to make it happen seems reasonable. We could try to make this fly.

**City Planner**

It is base zoning with units moved and some incentive. We can defend it.

**Commissioner Bunn**

We show multi-use in the Old Village. Is it already zoned that way? Will there be new zoning for that old area?

**City Planner**

No just the undeveloped portion.

**Commissioner Bunn**

Councilmember Siedow objected to the location of the senior housing.



**City Planner**

No, the site on this map is the fire hall, not Lions Park, where the Council Member had objected to.

**Chairman Helwig**

Commissioner Johnson computed the numbers shown on the Land Use Map, and we are right in the ball park.

**Commissioner Bunn**

There will be issues about housing types, buffer requirements, and maintaining character. It is important to get that education process going.

**Adjourned 8:44 p.m.**

Respectfully submitted



Kimberly Schaffel