



City of Lake Elmo

3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

(651) 777-5510 Fax: (651) 777-9615
www.LakeElmo.Org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, April 24, 2006, at 7:00 p.m.

AGENDA

1. Agenda Approval
2. Minutes
 - a. April 10, 2006
3. PUBLIC HEARING: Variance~8009 Hill Trail
4. PUBLIC HEARING: Variance~Rockpoint Church
5. Site Plan Continued: Rockpoint Church
6. PUBLIC HEARING: Text Amendment~Fences as Screening and Security
7. PUBLIC HEARING: Text Amendment~
Performance Standards in PF Zoning District
8. Outdoor Social Events
9. Metro Transit Park and Ride
10. Review: Setbacks in RR Zoning
11. City Council Update
12. Adjourn

The public is invited to attend.

**City of Lake Elmo
Planning Commission Meeting
Minutes of April 10, 2006**

Vice Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. in
COMMISSIONERS PRESENT: Deziel, Schneider, Lyzenga, Armstrong, Roth, Fliflet, Pelletier. STAFF
PRESENT: Administrator Rafferty, Planner Dillerud, and Recording Secretary Anez.

Agenda

M/S/P, Armstrong/Roth, To accept the Agenda as presented. Vote: 8:0.

Minutes

Commissioner Fliflet was present at the last meeting.

M/S/P, Roth/Pelletier, To accept the Minutes of March 27, 2006 as amended. Vote: 8:0.

Preliminary Plat Continued: HIDDEN MEADOWS OF LAKE ELMO

The Planner explained this application was tabled after the Public Hearing was conducted on March 27, 2006. The City Engineer's Memo reflects a few items of concern and there remains the issue of increasing the vegetative screening buffer on the easterly boundary because it is reduced from 200 to 100 feet with the neighboring parcel being eligible for OP development in the future. An e-mail received from the Engineer this afternoon was distributed.

M/S/P, Deziel/Lyzenga, to remove from the Table the preliminary plat of HIDDEN MEADOWS OF LAKE ELMO. Vote: 8:0.

Paul Danielson, Kimley-Horn Associates

Mr. Danielson presented a slide show with photographs of the site and the church site. He presented his plans for landscaping within the buffer zones that showed the planting of six foot spruce trees at the edge of the tree line within the new backyards. He said the site is gently rolling and the area of the buffer is at the toe of a slope where it would be impractical to try to build a berm where there are already concerns for drainage due to the topography of the site.

Mr. Dyer

Mr. Dyer asked about access for his neighbor who is landlocked. He said that neighbor has an ingress and egress easement across his property. He said he has approached the applicants several times since 2004. He said he was hoping that as a good neighbor, the applicants would provide access for the landlocked parcel as well as for him to subdivide in the future. He suggested it would increase tax revenue and might help with density issues. He also suggested that the developer would be better served by doing it. He asked if it is incumbent upon the developer to think about the effect on neighboring parcels, and that he is not a fan of pocket developments. He observed that the Church members have no other options to get out of the site toward Lake Elmo Avenue. He asked if Minnetonka has had issues with that type of development and whether it is successful.

The Planner said:

- The City can and often has established street stubs.
- To what extent it is done is relative to policy.
- Minnetonka had few if any through streets in the 1960's and 1970's. It was successful in some cases and in others it created public safety problems. The City of Minnetonka corrected some of the problems at considerable expense.
- The Lake Elmo City Council's desires have been, during his tenure, to maintain pocket neighborhood communities with a tight grid of thoroughfares.

The Planner said his concern was whether or not the existing tree line would be year round effective, and he has not been to the site to make that determination. He noted that evergreen trees and the planting

scheme would be fine under normal circumstances. He suggested that another option would be not to build two-story houses on those lots along the east property line.

The Planner said the original preliminary plat had a street stub to the east boundary but the City Council ordered it removed.

M/S/P, Armstrong/Deziel to recommend approval of the preliminary plat, development stage plan and conditional use permit for HIDDEN MEADOWS OF LAKE ELMO conditional upon implementation of the landscape plan presented tonight and conditional upon compliance with the City Engineer's comments and recommendations and the conditions and recommendations of the Valley Branch Watershed District Permit. Vote: 8:0.

Site Plan Continued: Rockpoint Church

The Planner said the hearing for variances for the church site have been scheduled for April 24, 2006. The site plan remains on the table.

Commissioner Deziel requested a legal opinion on the constitutionality of city regulation of religious symbols like the proposed steeple.

Mr. Danielson said the site plan has changed slightly from the computer animation shown last year.

Minutes and Structure

Administrator Rafferty said the City needed to organize better because minutes were becoming unwieldy. He reported that Staff researched the League and received an opinion from the City Attorney for presentation to the City Council. He noted that the idea is not to limit comment but to put it into the appropriate context such as in the form of a motion. The Administrator said a policy still needs to be created for retention of tapes and DVD's.

Commissioner Fliflet asked for clarification as to how to present information to the Council.

The Planner said information is presented to Council in the form of motions and he explains to the Council why votes are split. He said motions should always include Findings.

City Council Update

The Planner said a variance for a large home on both Lakes DeMontreville and Olson was denied by Council on a split vote because of concerns for the number of future bedrooms. A Public Information Forum on the Village Area Master Plan will be held on April 19 at the Elementary School, presentation at 6:30 p.m. and at 7:30 p.m. a set of story boards with time for questions, answers and comments. The Council will then decide whether to move forward at their first meeting in May. The Met Council Board meets tomorrow on the Lake Elmo Comprehensive Plan. Council has directed another workshop be established with Lane Kendig for the Zoning Ordinance. Home Occupations will be addressed at the Council Workshop April 19.

Adjourned 7:58 p.m.

Respectfully submitted,

Kimberly Anez
Recording Secretary

**City of Lake Elmo
Planning Commission Meeting
Minutes of March 27, 2006**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Fliflet, Park, Van Zandt, Deziel, Roth, Schneider, Armstrong, Pelletier. STAFF PRESENT: Planner Dillerud, Administrator Rafferty, and Recording Secretary Anez.

Agenda

M/S/P, Pelletier/Van Zandt to accept the agenda as presented. Vote: 9:0.

Minutes of February 27, 2006

Commissioner Fliflet page two halfway down the page, it should say Home Office.

Commissioner Pelletier page one may vote last sentence only Pelletier stated... Page three crazy to try to regulate Avon and those types of home parties-delete it.

M/S/P, Fliflet/Van Zandt to approve as amended. Vote: 7:0:2, Abstain: Roth and Schneider: Absent.

Minutes of March 13, 2006

Commissioner Fliflet page three motion to remove number six. Limit the number of hours not lateness of hours.

M/S/P, Roth/Fliflet to approve the Minutes of March 13, 2006 as amended. Vote: 7:0:2, Abstain: Armstrong and Pelletier: Absent.

M/S/P, Fliflet/Schneider to ask Council for clarification about why they would not want to read commentary and discussion points on planning issues.

Administrator Rafferty said staff will bring guidelines for the agenda to the next meeting.

Vote: 9:0.

Public Hearing: Preliminary Plat, Development Stage Plan and Conditional Use Permit for HIDDEN MEADOWS OF LAKE ELMO (Formerly known as Deer Glen)

The Planner said the applicant has submitted two related applications on a 108.62 acre site at Keats and Highway 36. The preliminary plat is for a 68 acre portion of the 108 acres. The balance of the site has been previously preliminarily platted including the church site, the homestead site, and the roadway.

Staff observed the preliminary plat essentially responds to the Concept Plan layout as approved. The Landscape Plan for the project is responsive to the OP Ordinance and Section 400 Subdivision requirements. Condition Number 5 for the east property line appears to have an existing tree line substituting for the 200 foot buffer. The City is looking for cross-sections to demonstrate the effectiveness of that buffer. The City Engineer indicates a number of items in an e-mail memo dated March 23, 2006, where there was not enough information provided by the applicant for him to finish a review. Staff recommends waiting for that supplemental information because of their number.

Paul Danielson, Engineer, Kimley-Horn and Associates

A change was made for the residential portion of the site and it was his intent to wait for a favorable response from the Planning Commission before submitting all of the engineering plans. He asked for a recommendation of removing some box elders in order to plant evergreens within that tree line. He said the conditions of the City Engineer are not a deal breaker and they could comply with submission requirements in time for the City Council Meeting. The cul-de-sac on the southwest corner was an issue. That was what was proposed at Concept Stage and the purpose is to slow down traffic and provide more green spaces. City standards for cul-de-sacs need to be provided. Cross sections for retaining walls were submitted. Those that require guard rails based on State standards will receive them. He is not sure it is necessary to get VBWD approval in order to get City approval. Storm sewer profiles were included in the submittal but he will provide as necessary. Septic system was provided in package for the church. Watermain sizing is not a huge issue. Trail widths and locations are not part of the City system so they were changed to loop within the neighborhood. Stubbing the trail to the east was discouraged by the Council. Conifers require a certain amount of light and the box elder canopy is too dense for them to survive. Roundabout was to calm traffic and to add nodes of common green space and broke up asphalt.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:35 P.M.

Jim Dyer, 5435 Keats Avenue

The Keats/Highway 36 intersection is going to fail and something needs to be done. It may not be the developer's fault or fully their responsibility. Pockets of development are all that are being created and you can't drive through neighborhoods anymore like you can in the Tri-lakes Area. Another parcel of land south of Outlot E or Outlot F of 20 acres will be further landlocked to the north by this development. The developers are not interested in providing access to the south property line. That outlot would be a nice driveway for the landlocked parcel to the south. Maybe residents could drive down this street instead of Keats Ave.

Steven Ziertman, 5761 Keats Avenue

Owner to west of the church location. The trail changed from the original design. He would like to be sure the trail maintains the appropriate setback from his property line. The road is already in going into the church in the development. The city is putting the horse before the cart. The road should not have gone in until this application was approved.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:41 P.M.

Pat Kinney, Developer

Mr. Dyer contacted the church asking the question about right of way. At this point we are too far into the plans to change them now. The Council did not want the road going through to the east, why would they put one in to the south. The southeast corner is hilly. They would have to redesign the whole plat two years into it.

M/S/P, Armstrong/Schneider to table the preliminary plat, OP Development Stage Plan, and Conditional Use Permit of HIDDEN MEADOWS OF LAKE ELMO to the April 24, 2006 Meeting. Vote: 9:0.

M/S/P, Armstrong/Schneider to amend the previous motion, and table the preliminary plat until such time as the Planner can return it to the Planning Commission. Vote: 8:01: Abstain:

Deziel-. Would like an opportunity to comment before tabling. He would prefer not to table as a first motion.

520 Site Plan: Rockpoint Church (Formerly Lakewood Evangelical Free Church)

The Planner explained that this application deals only with twenty acres of the 108 acres. The preliminary plat approved in the past creates this site. This site will have to be final platted before commencement of construction of the church. He referred to the Planning Staff Report and three variance issues that have been identified therein.

Richard Stuhlman, BWBR Architects

He reported that this is virtually the same building as the commission has looked at for two years. When approval was received for the Preliminary Plat in May, they developed drawings seen now by the Planning Commission. The exterior building materials were discussed in a meeting with the City Planner. Building and steeple height were also discussed. The highest point of the building is 49.5 feet to the peak of the roof at the front. The steeple and the cross tower is 58 feet tall. He noted that Lake Elmo zoning ordinance standards height standards said unoccupied spaces can be 25 feet higher than occupied adjoining spaces.

Paul Danielson, Kimley-Horn

They can comply with 20 feet setback by moving the parking lot west eight feet and keep same amount of parking.

Tom Durag, BWBR Architects

The highest point of the building is just over 49 feet. There are a number of planes that can make heights unclear. The church is about two football fields from the east property line. The southeast wall seems to be the one with the issue now and that side is a walkout. Classrooms under the sanctuary caused them to add windows and change the overall height of the church. They could abandon the windows and add soil or change the roof but would prefer a variance.

The elevation at the top of the spire tower is 58 feet and the cross is higher to around 70 feet high. The square footage of the building is about 25,000 square feet of footprint and 54,000 square feet of space over two stories.

The Planner said he might have misunderstood the drawings but he will discuss it with them. Unoccupied structure additional height of 25 feet does conflict with other areas of the code. The Planner will ask the City Attorney which controls in this case.

M/S/P, Roth/Schneider to table the application for the Rockpoint Church pending redesign or variance applications by the applicant. Vote: 9:0.

The meeting recessed at 8:24 p.m. and reconvened at 8:34 p.m.

Fences: Review Fencing as a Buffer Between Incompatible Land Uses

The Planner explained that the Council at the last Council Workshop has asked for a review of the Fence Ordinance with regard to fencing as screening between commercial and residential uses. There are several ways to allow fencing to be used as screening. Carriage Station was a PUD and Council allowed the evergreens to provide screening between the residential and commercial portions of that development. There are many areas in the City where this would apply. Perhaps screening can be done by the residential user when the commercial user does not.

M/S/P, Roth/Deziel to publish a hearing notice to consider an amendment to the fencing ordinance as indicated in the Staff Report of March 22, 2006. Vote: 9:0.

City Council Updates

Text amendments to the Code for drive-up windows, outdoor social events, and home occupations were all referred to the Council Workshop of April 11 for discussion. They will reconsider the Haire Variance because their normal meeting date was changed. The Village Area Master Plan was presented at the Council Workshop and they directed a public open house on April 19, 2006 at the Elementary School at 6:30 p.m. Commissioners should try to attend. They may then submit it to the Planning Commission for public hearing. The Met Council Staff has recommended our 2030 Comprehensive Plan be approved without further modifications and that is expected to be heard and endorsed on April 12, 2006 by the full Met Council Board. The City Council suggested direction for review of the Zoning Ordinance. Lane Kendig will be contacted for another presentation. At that point, the Council will direct the Commission on the form of the new Zoning Ordinance.

Adjourn at 8:48 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kimberly Anez".

Kimberly Anez
Recording Secretary

**LAKE ELMO PLANNING COMMISSION
STAFF REPORT**

Date: April 19, 2006 for the Meeting of April 24, 2006

Applicant: Jason & Shannon Tacheny

Location: 8009 Hill Trail

Requested Action: Zoning Variances - Lot Area and Street Setback

Land Use Plan Guiding: SRD

Existing Zoning: R-1 (Shoreland Overlay)

Site History and Existing Conditions:

Washington County Assessor records indicate that this home was constructed in 1945 and today contains a total of 1,148 square feet of living area. There have been numerous building permits issued for replacements, remodels, porch and new detached garage since City records have been kept on this address. A single user 201 septic system was installed on the site in the mid-1980's along with several other sites in the Tri-Lakes and Old Village areas.

County records reveal the site area to be 17,629 square feet.

Discussion and Analysis:

The applicants propose construction of a 2 story addition to the east end of house of approximately 1100 square feet which we understand will be utilized for a family room (ground level and 3 additional bedrooms (second story). The applicant states that the existing house floor plan only includes one legal bedroom. The applicant's plan for the addition is not compliant with R-1 or Shoreland standards as follows:

1. The site area is substantially non-conforming with the "pre-existing parcel" area standard of both R-1 and Shoreland – 39,204 square feet required, and 17, 629 square feet existing.
2. The addition would be located 27.5 feet from the street property line on Hill Trail. R-1 standards require a minimum 30 foot street set back.

The applicants have suggested that the "hardship" here relates to the size of their family and the lack of sufficient bedrooms to properly house a family of that size. While that does not constitute a hardship alone (except a self-imposed hardship), a single family detached home with only a single legal bedroom (which likely was 2 legal bedrooms under 1945 codes – if any applied) could be considered a hardship for any property owner.

The street setback proposed (27.5 feet where 30 feet is required) exactly matches the existing setback of the 1945 house footprint. No additional encroachment to Hill Trail will result. As is often the case with properties in the Hill Trail neighborhood, site area is seriously below current R-1 and Shoreland standards – even by applying the "pre-existing" parcel clause of the Zoning Ordinance. Seldom is there a reasonable option available to increase the parcel area – as is the case here. Where this has been the case in recent variance applications (most of which have been

riparian to one lake or another) the City has generally looked to a Finding of whether the house addition, or new house, would be in keeping with the area of the site and other homes in the immediate neighborhood as to scale – a reasonable use. A second factor that must be considered is the impervious coverage of the site that will result from the home addition or new home. Within the Shoreland overlay this is limited to 15% or 6,000 square feet – whichever is greater.

The septic system design capacity should be a factor as well where an increase in the bedroom count is proposed – as it the case here. From City records it appears that the 201 system serving this residence was designed for 2 bedrooms. Should these variances be approved, the system must be enlarged to a 3 or 4 bedroom capacity.

Findings and Recommendations:

Based on the foregoing staff suggests that the following mandatory Findings are appropriate:

1. The property can not be put to reasonable use without the granting of the variance requested. The subject residence was designed/constructed 60 years ago – well before public health/safety standards existed. Application of those standards today limits the existing residence a 1 bedroom, which is neither in character with the balance of the neighborhood nor is a reasonable use of the property.
2. The variance requested does result from circumstances unique to properties where principal structures were constructed prior to adoption of City Zoning and Shoreland Regulations; and, the circumstances of the variance were not solely created by the applicant in that context.
3. Granting of the variance will not change the essential character of the neighborhood.

The foregoing Findings support a recommendation for approval of the variances requested.

Planning Commission Actions Requested

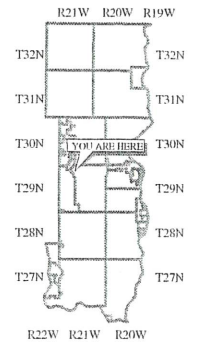
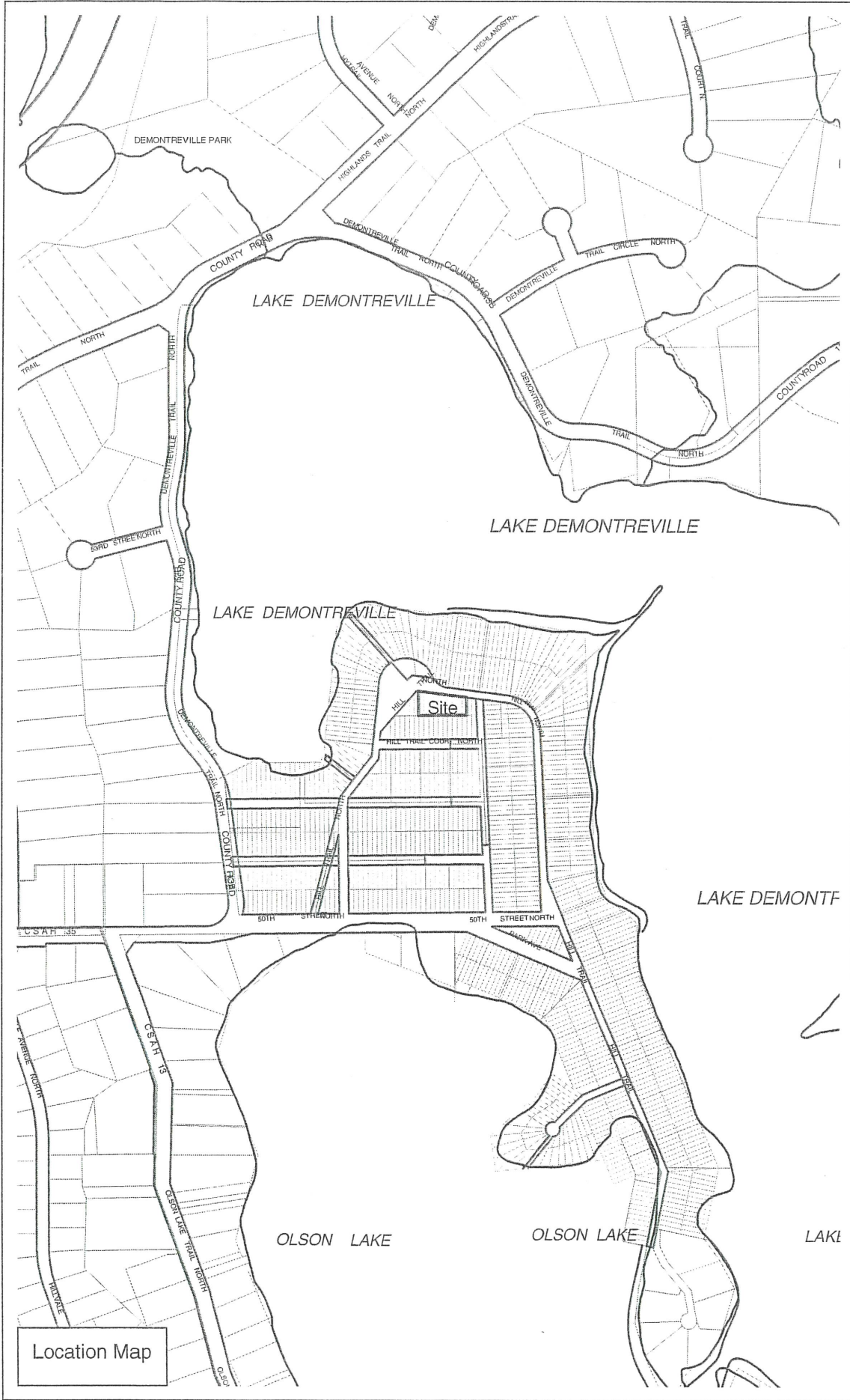
Motion to recommend approval of variances for lot area and street setback at 8009 Hill Trail based on Findings of the Planning Staff Report of April 19, 2006, and plans staff dated April 19, 2006 subject to a condition that the septic system be upgraded to a 3 or 4 bedroom capacity concurrently with the house addition.



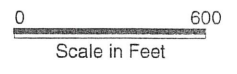
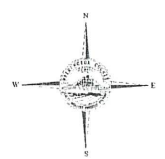
Charles E. Dillerud, City Planner

Attachments:

1. Location Map
2. Applicant's Documentation



Vicinity Map



Location Map

This drawing is the result of a compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Source: Washington County Surveyor's Office.
Phone (651) 430-6875

Parcel data based on AS400 information.

Kimberly Anez

To: Jim Mcnamara
Subject: FW: 8009 Hill Trail

-----Original Message-----

From: Thomas D. Prew [mailto:prew.td@tkda.com]
Sent: Wednesday, March 22, 2006 12:34 PM
To: Kimberly Anez
Cc: Jim Mcnamara
Subject: RE: 8009 Hill Trail

Kim

The septic was designed for 3 bedrooms in 1988. Additional bedrooms and other fixtures will require expanding the drainfield and possibly the septic tank. Jim should review this.

Soil shows high mottling.

Tom

From: Kimberly Anez [mailto:kim.anez@lakeelmo.org]
Sent: Wednesday, March 22, 2006 12:15 PM
To: Thomas D. Prew
Subject: 8009 Hill Trail

Hi, Tom!

We have another remodel request on Hill Trail at 8009. This time, the guy wants to add three bedrooms and "convert" an "existing bedroom" to a den area. He says the electric panel closet and the size of the window to outside means it cannot be counted as a bedroom, however, the county assessor web site says there are two bedrooms. In either case, he wants to add three bedrooms. His address file shows part of the 201 system. Number 7277, sheet 38 of 107 sheets, commission number 8064, signed by Larry Bohrer. Notes say:

Connected to Orangeberg Building Sewer 12 feet from septic tank. Installed 1250 gal. septic tank. 500 gal. pump station with 1/3 h.p. pum. 2 inch thick insulation under driveway. Constructed 661 s.f. of 3 feet wide trenches with 2 feet of rock under pipes.

Can he add on any bedrooms? Would we consider him as adding three or only two bedrooms (assuming what he is telling me about Code being true)?

Pumping records show pretty good maintenance, pumping every two to three years.

Whether he needs a variance or not, we still need to know he has the capacity to add this many (how many?) bedrooms, right?

:) Kim

Kimberly Anez
City of Lake Elmo

kim.anez@lakeelmo.org

See letter from 1986. If sig of 762 would be 3 bedrooms. sig of actual is 661. KAT

City of Lake Elmo
Planning Department
3800 Laverne Ave. N
Lake Elmo, MN 55042

Jason and Shannon Tacheny
8009 Hill Trail North
Lake Elmo, MN 55042

Re: Development Application Form

Property Location (address and complete (long) legal description):

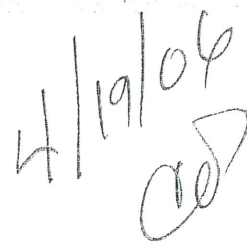
8009 Hill Trail North
Lake Elmo, MN 55042
Lots 300-309
Lanes Demontreville Country Club
Property Id Number: 0502921440036
Property ID#: 0502921440036

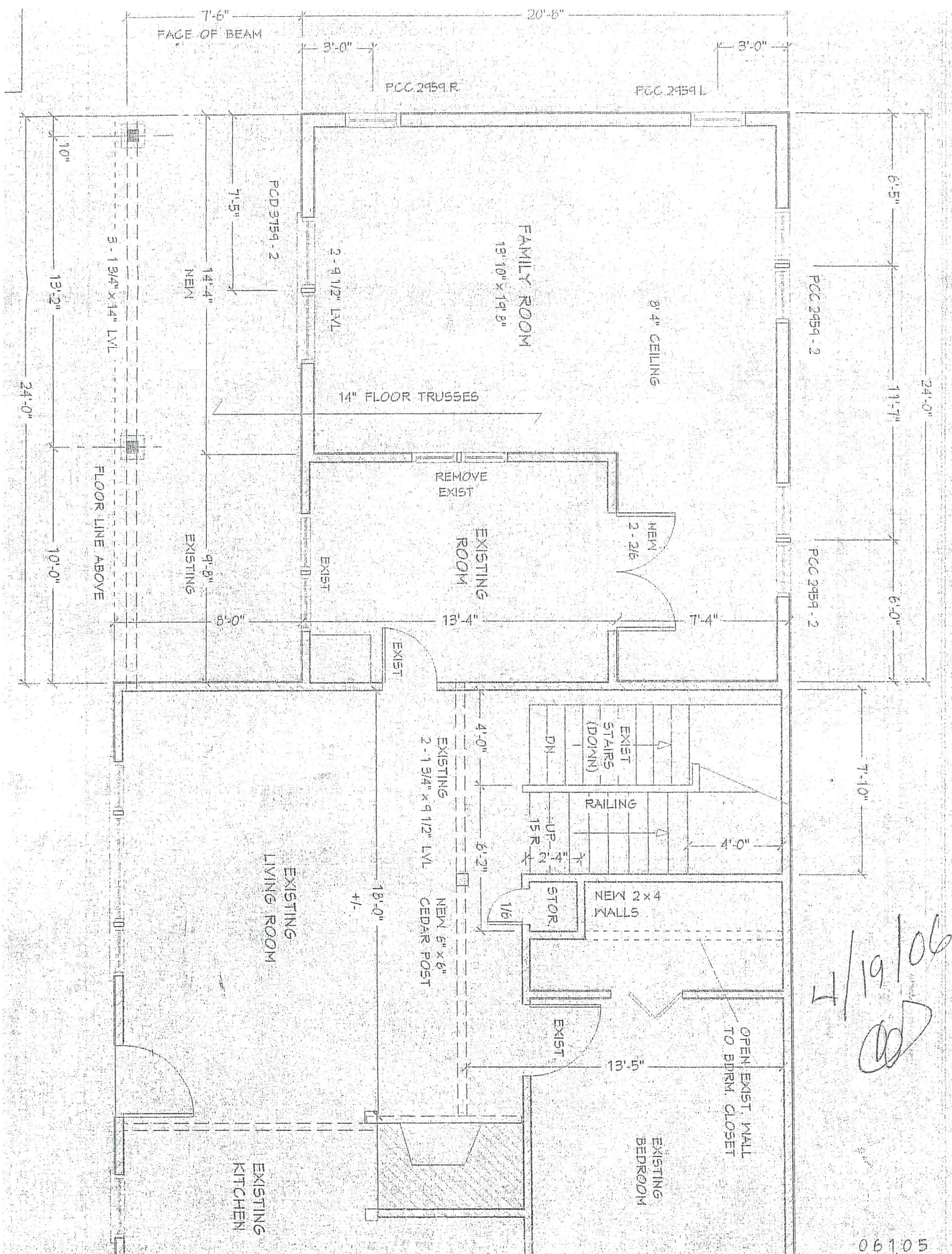
Detailed Reason for Request:

Existing front of structure is 27 1/2" feet +or-5" from lot line.
We would like to put an addition on our home so that we can have more bedrooms.

Variance Request:

Our house currently has only 1 bedroom; we have three children that don't have rooms of their own. This is a hardship for us, not only having no room to put our children, but not enough space in our house to accommodate for a family of five. The zoning was changed after the house was built; we only have one bedroom that is up to code. Contemporary standards are 3 - 4 bedrooms, the second bedroom isn't even a bedroom or considered a bedroom, there is a circuit breaker box in the room, and the windows aren't large enough for egress. Also we understand, Septic upgrades May be Required, Should this Variance be approved.
JMT





DATE:

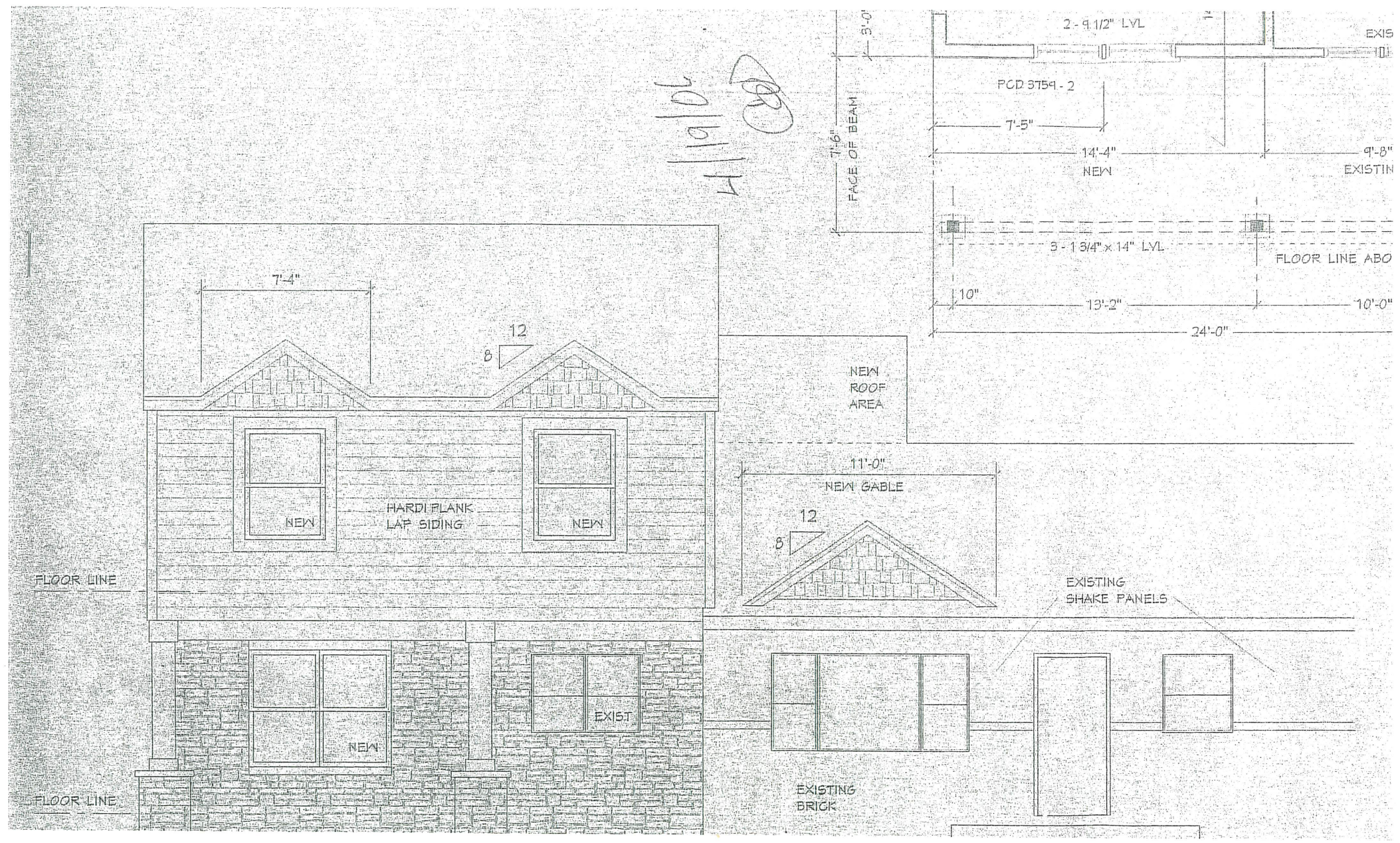
10/24/05
11/04/05
11/25/05

SANDBOE DRAFTING & DESIGN

1674 DELL STREET
WHITE BEAR LAKE, MN

651-770-5369
55110

4/19/06
[Signature]



CERTIFICATE OF SURVEY

FOR: JASON TACHENY

651-983-7087

PROJECT LOCATION:

8009 HILL TRAIL NORTH
LAKE ELMO, MINNESOTA

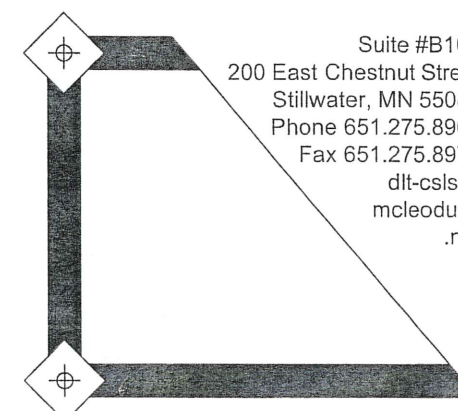
4/19/04



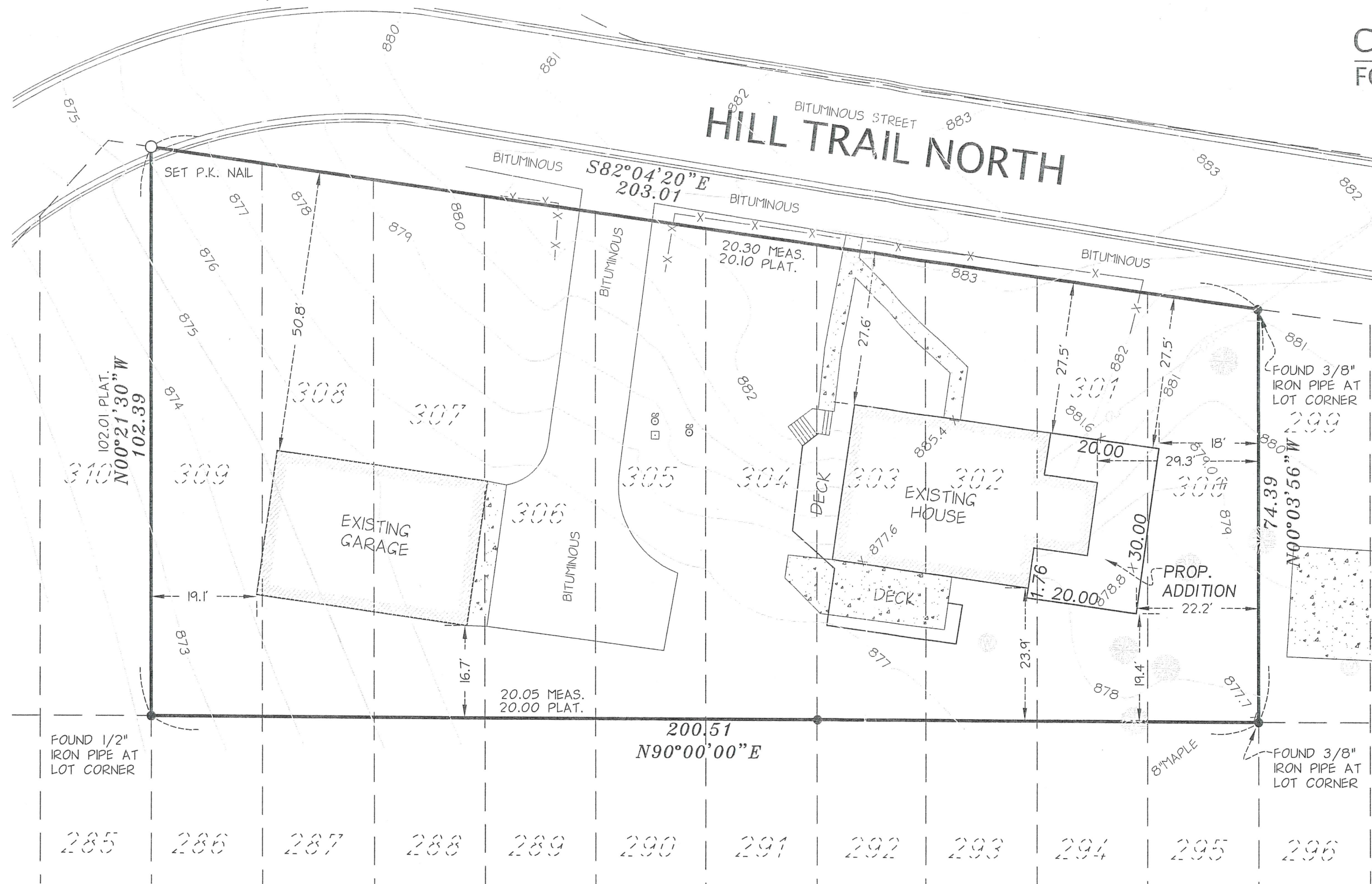
CATCH BASIN
HYDRANT
SIGN
WATER VALVE
UTILITY POLE
LIGHT POLE
TELE/ELEC BOX
GAS VALVE
OVERHEAD WIRES
WELL
MANHOLE
CULVERT
GAS METER
FENCE
CONCRETE

• DENOTES FOUND
1/2" IRON PIPE
○ DENOTES SET 1/2" IRON
PIPE MARKED RLS 25718

Suite #B100
200 East Chestnut Street
Stillwater, MN 55082
Phone 651.275.8969
Fax 651.275.8976
dlt-csls@
mcleodusa
.net



CORNERSTONE
LAND SURVEYING, INC



AREA SUMMARY:

TOTAL AREA = 6,632 SQ. FT.

CERTIFICATION:

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

DANIEL L. THURMES
License. No. 25718

Date 7-5-05

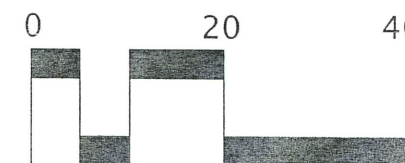
NOTES:

UNDERGROUND UTILITIES NOT LOCATED OR SHOWN.
EASEMENTS, IF ANY, MAY EXIST. THERE WAS NO EFFORT
MADE TO RESEARCH RECORDED OR UNRECORDED
EASEMENTS.
BEARINGS SHOWN ARE ASSUMED.
CONTOURS SHOWN ARE FROM WASHINGTON COUNTY
ORTHO PHOTO DATE APRIL, 2000.

REV. 7-12-05 ADD PROP. ADDITION.

EXISTING LEGAL DESCRIPTION

(as provided by the owner)
Lots 300 thru 309, inclusive, LANE'S DEMONTREVILLE
COUNTRY CLUB ADDITION, Washington County, Minnesota.



SCALE: 1 INCH = 20 FEET

1950
2158
650

**LAKE ELMO PLANNING COMMISSION
STAFF REPORT**

Date: April , 2006 for the Meeting of April 24, 2006

Applicant: Lakewood Evangelical Free Church

Location: Southeast Quadrant of Keats Avenue and State Highway 36

Requested Action: Zoning Variance – Sidewall Height

Land Use Plan Guiding: PF

Existing Zoning: PF

Site History and Existing Conditions:

On April 28, 2005 the City Council approved several concurrent applications related to the 20 acre site for which this Site Plan is here presented. Regarding this site, the City approved a Preliminary Plat creating the site and the public road that would serve the site; a Comprehensive Plan Amendment changing the classification of the site from RAD to PF, a rezoning of the site from RR to PF; and a Conditional Use Permit for a church facility on the 20 acre site. No Section 520 Site Plan was approved at that time, however. An OP Concept Plan was also approved for the balance of the overall 108 acres owned by the applicant by a separate action.

Subsequent to the 2005 approvals Valley Branch Watershed District issued a grading permit for the north portion of the 108 acres site (including the subject 20 acres and public street). The City Engineer also reviewed and approved the installation of water main in the public street. That installation was inspected during construction by City consultants, and includes trunk water main needed by the City for system looping purposes. The City Engineer is now preparing plans and specifications to extend City water main from the Sanctuary neighborhood to the Discover Crossing neighborhoods and then to this site during 2006.

The Planning Commission first considered a site plan for the 50,000+ square foot Rockpoint Church facility on April 10, 2006. That application was tabled pending proper variance hearing Notice when it was discovered by staff that there were four implied variances from PF or other zoning standards – exterior materials, sidewall height, steeple height, and parking setback.

Discussion and Analysis:

Since the April 10 Planning Commission meeting two of the four variances noted have ceased to be required and/or requested. The applicant has submitted revised site plan eliminating the parking setback issue; and, the staff has conferred with the City Attorney and secured his opinion regarding the internal Zoning Ordinance standards conflict related to the steeple height. The fourth variance – exterior materials – is also addressed by another Hearing on the April 24 Planning Commission agenda that, if adopted, would amend the PF district standards to incorporate the same architectural performance standards as were adopted for the commercial zones in 2002.

The City Attorney has advised that the apparent conflict between the general height limitation found in Section 300.12 of the ordinance (likely a 1980 vintage standard), and those that were

adopted specifically for the PF district in 2000 should be viewed in terms of both intent and timing. It was clearly the City's intent in the 2000 PF standards to address places of worship (and their special architectural needs related to symbolism). Since those special standards also clearly post date the general standard of 300.12 it is the PF standard that is applicable. No variance is required for the steeple/cross proposed by the Rockpoint site plan.

Staff has previously advised the Commission that the 2002 application of the amended architectural performance standards should have been extended to the PF zone as well as the commercial zones – and we thought it had been when during earlier advice the applicants. The Rockpoint site plan is responsive to those 2002 standards. If the Code amendment to extend those standards to PF is recommended by the Planning Commission on April 24 and adopted by the City Council on May 2, no variance or modification of exterior surfacing will be required on the Rockpoint site plan.

Assuming the foregoing, the only remaining variance is that for sidewall height. The PF standard for sidewall height is 35 feet. The Rockpoint site plan proposes a widely varying sidewall height (depending on where and which side of the building is measured). There are locations where the sidewall height ranges up to 49 feet. By a March 29, 2006 letter from the Rockpoint architects (BWBR) the applicant has presented its case for hardship based primarily on the physical characteristics of the site.

Findings and Recommendations:

The Commission should be aware that staff had previously advised the applicant's consultants/architects that there would be a height compliance issue with the plan they had brought to a pre-application meeting with staff.

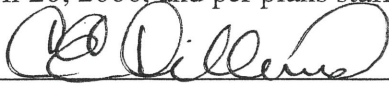
The applicant argues (by the March 29, 2006 letter) that the efficient site utilization dictates the "extra" finished level of the building, and that dictates the sidewall height proposed. Clearly, the actual site chosen (from an initial 108 acres of "choices") would suggest the "walkout" design proposed. Clear also is the applicant's argument that, by adding the extra level to the building, impervious coverage of the site is reduced from what it would be should the building's "program" be built without the extra level. The single question that results appears to be whether that argument constitutes a hardship in terms of the reasonable use of the property. Given this is a unique structure to Lake Elmo by any measure, and the overall characteristics of the site and its relationship to surrounding lands, staff suggests that the sidewall height proposed does constitute a reasonable use of the property, and the following findings are suggested:

1. The property can not be put to reasonable use without the granting of the variance requested. The proposed sidewall height variance applies to only a portion of the building and relates to both utilizing the site contours as they appear naturally and minimizing the impervious coverage of the site by creating floor area vertically rather than horizontally.
2. The variance requested does result from circumstances unique to this Place of Worship use and the physical characteristics of the site.
3. Granting of the variance will not change the essential character of the neighborhood.

These Findings and recommendation assume that the amendment to the PF performance standards will be recommended by the Planning Commission and adopted by the City Council thereby removing the variance action for exterior surfacing.

Planning Commission Actions Requested:

Motion to recommend approval of a variance for the Rockpoint Church to allow sidewalls of the structure to extend to a maximum of 49 feet based on the Findings of the Planning Staff Report of April 20, 2006, and per plans staff dated April 20, 2006.

A handwritten signature in cursive script, appearing to read "C. Dillerud", is written over a horizontal line.

Charles E. Dillerud, City Planner

Attachments:

1. Applicant's Documentation and Graphics



March 29, 2006

RECEIVED
APR 05 2006

Mr. Chuck Dillarud
Planning Department
City of Lake Elmo
3800 Laverne Avenue
Lake Elmo, Minnesota 55042

Re: Variance Request Rockpoint Church
Lake Elmo, Minnesota
BWBR Commission No.: 2005.091.00

Architecture • Interior Design

Dear Chuck and Members of the Planning Commission:

As a result of the Commission's action to table the final site plan submittal at last night's meeting (March 27, 2006), I am writing to request variances for the items noted in the Lake Elmo Planning Commission Staff Report dated "March 23, 2006, for the meeting of March 27, 2006".

In regard to the "Discussion and Analysis" section, we have the following comments:

- Item No. 1: No comment.
- Item No. 2: Submittal documents and construction drawings will be modified to correct parking setback.
- Item No. 3: No comment.
- Item No. 4: It is our understanding that it is the Planning Commission's intent to amend the PF Zoning requirements to match exterior materials performance standards of the commercial zoning district, which would allow approximately 20% of the exterior surface, proposed to be pre-finished architectural grade metal. In the interest of time and uncertainty as to when this amendment would be considered, we hereby request that a variance be accepted and approved to allow the exterior walls of the proposed church building be clad and trimmed with approximately 20% architectural metal. The project scope and scale is very much of a commercial nature, and in keeping with those types of material usage. The hardship is only that it was only an oversight by the City that the PF ordinance was not amended along with the business/commercial zone ordinance when that was modified.
- Item No. 5: The structural side wall on the southeast exterior wall of the church exceeds 35' in height. The wall in question has a sloping roof edge varying from 40' to 49' above grade (see elevation 1C/513, Partial Exterior Elevation). We hereby request a variance to allow this condition to exceed the 35' maximum in this location considering the following reasons:

Lawson Commons

380 St. Peter Street, Suite 600

Saint Paul, MN 55102-1996

651.222.3701

fax 651.222.8961

www.bwbr.com

G:\0509100\Admin\Letter\2006-03-28 Dillarud Variance Request.doc

- The site surrounding the church and neighborhood is made up of rolling hills, a mature, heavily forested area to the south of the building. The east property line is over 600' – two football fields, from the building's east wall. All other walls of the building are under the 35' height maximum, again the exception being the east/southeast wall of the Sanctuary.
- To be sensitive to the site, the church chose to place program space under the Sanctuary to minimize the footprint of the building. The position of the church on the side of a hill, gave us the opportunity to open both floors of the church on the south and east sides to the views and day-lighting, allowing a walkout condition from the lower level and windows into the classrooms below the Sanctuary on the upper floor. This planning and design is favorable to the general use of the lower level spaces.
- The views of this southeast wall from the neighboring, proposed housing development, the adjacent eastern property owner, and the general public is very limited from view due to the nature woods and the distances (see sheets C-1 and 200.2CR).
- If forced to comply with the 35' height restriction, one solution would be to maintain the higher grades and retaining walls around to the east/southeast against the building, artificially covering the lower wall and the opportunity for views and day-lighting into the lower level. Another solution would be to construct a mansard-type false roof appendage to the southeast wall that would drop the effective sidewall to 35' above grade. Clearly these two options are poorer solutions to the design of the building.
- The hardship of this variance request, to allow the building side wall in this one area of the building to exceed 35', is in fitting the building to the site in good design practice to accommodate classroom space with day-lighting and views. We ask for your consideration and approval of this request.
- Item No. 6: In response, and in clarification of the "District Requirements in PF Zoning District", ordinance regarding "Unoccupied Structure Above the Highest Point of the Roof", our interpretation is as follows:
 - The building height is governed by the "Principal Structure Height – Maximum – with Structure", and is established as 50 feet...
 - In the next category down, unoccupied structure above the highest roof is established at 25'. Our building's highest roof point (Sanctuary) is 49'-4" above grade, suggesting that the highest point of the cross be established at 74'-4" above grade.

The masonry "pier" structure, to which the cross is attached, is also unoccupied and the established height is 60'-0" above grade on the drawings.

- In your response letter of March 23, 2006, you indicate that there is a conflict between sections of your ordinance. Our design is based on the District Requirements noted above.
- So as not to delay the review and approval of this submittal, we will request a variance to overcome the conflict and establish the cross height maximum as 75' above grade and the supporting masonry pier height maximums at 60' above grade.
- Item No. 7: Exterior site lighting manufacturer cut sheet is attached for the fixture in question. This fixture head allows a 20' height pole on a 3' high concrete base with a 90 degree cut off angle.

Item No. 8: No comment.

Please call with questions in any of this regard. We hope for a speedy and successful outcome. We are positive the built outcome will be a great addition to the neighborhood and the Lake Elmo Community. Thank you for your cooperation.

Respectfully,

If you have any questions, or require additional information, please call me at 651/290-1997.

Sincerely,

BWBR ARCHITECTS, INC.

Tom Dornack
Project Manager

Attachment

c: Chuck Palmer, Building Committee Chair, Lakewood Evangelical Free Church
Paul Danielson, Project Manager, Kimley Horn
Peter G. Smith, Principal-In-Charge, BWBR Architects

/ce

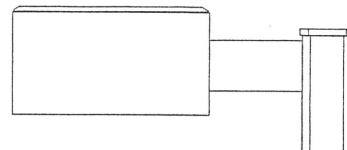
Notes:

Job:

Type:

FORM 10 SQUARE

EH/H/HT ARM MOUNT



GENERAL DESCRIPTION: The Gardco arm mounted Square Form 10 products are sharp cutoff luminaires for high intensity discharge lamps up to 1000 watts. The EH units are manufactured from mitered extruded aluminum and finished in an Architectural Class 1 anodizing. The H and HT style luminaires are deformed aluminum with a thermoset polyester finish. Both products can accept one of eight (8) interchangeable and rotatable precision segmented optical systems.

ORDERING

PREFIX	CONFIGURATION	DISTRIBUTION	WATTAGE	VOLTAGE	FINISH	OPTIONS

Enter the order code into the appropriate box above. Note: Gardco reserves the right to refuse a configuration. Not all combinations and configurations are valid. Refer to notes below for exclusions and limitations. For questions or concerns, please consult the factory.

PREFIX

EH14	14" Square Extruded Luminaire
EH19	19" Square Extruded Luminaire
H14	14" Square Fabricated Luminaire
H19	19" Square Fabricated Luminaire
HT19	19" Tall Square Fabricated Luminaire
H26	18" Square Fabricated Luminaire

CONFIGURATION

1	Single Assembly	3@120	Triple at 120°
2	Twin Assembly	4	Quad Assembly
2@90	Twin Assembly at 90°		
3	Triple at 90°		

DISTRIBUTION

Horizontal Lamp

1	Type I
3	Type III
4X	Type IV (19"/T19" only)
FM	Type IV
Q	Type V

Type 4X optics supplied with sag glass lens standard.

Vertical Lamp

VS	Type V
	14" and 19" supplied with acrylic sag lens. 26" supplied with sag glass lens. Medium base, 200w max on 14" units.

FC3V* Full Cutoff Type III
FCVS* Full Cutoff Type V

*19" 320PSMH only. Supplied w/MS320/BU/ED28/LLC/PS lamp

WATTAGE

14"	19"	T19"	26"
100MH ¹	250MH	1000MH ^{10,12}	1000MH
150MH ¹	400MH		
175MH		750PSMH ¹¹	750PSMH ¹¹
200MH	250PSMH ¹	1000PSMH ^{10,12}	1000PSMH ¹
250MH ¹	320PSMH ¹		
	350PSMH	750HPS	750HPS
175PSMH ¹⁸	400PSMH ¹		1000HPS
	450PSMH ¹		
100HPS			
150HPS ³	250HPS		
	400HPS		

1. Medium base lamp
2. Available with vertical lamp optics only.
3. Operates 55V lamp.
4. M138 or M153.
5. Uses BT37 lamps only.
6. M132 or M154
7. M135 or M155
8. M137 or M152
9. Available with Horizontal optics only.
10. Available with 4X and VS optics only.
11. M149 only. Horizontal optics require MS750/PS/BU/HOR/BT37 lamp
12. For 1000w HT19 w/4X optics, see warning below:

For 1000 Metal Halide, use:

Brand	Product Code	Catalog Number
Venture	53702	MS1000W/HOR/BT37/3K
G.E.	18205	MVR1000/U/BT37
Venture	15332	MH1000W/U/BT37

For 1000 Pulse Start, use:

Brand	Product Code	Catalog Number
G.E.	10389	MVR1000/U/BT37/PA
Venture	49111	MS1000W/HOR/T25/PS

WARNING: Use of other lamps voids warranty

VOLTAGE

120	240	347	QUAD
208	277	480	120/208/240/277, Factory tied to 277V.

MH	Metal Halide
PSMH	Pulse Start Metal Halide
HPS	High Pressure Sodium

FINISH

EH and H26

BLA	Black Anodized
BRA	Bronze Anodized
NA	Natural Aluminum Anodized
OC	Optional Color Paint Specify RAL designation as shown in Color Selection Guide. ex: OC-RAL7024
SC	Special Color Paint Specify. Must supply color chip.

H/HT Style

BRP	Bronze Paint
BLP	Black Paint
OC	Optional Color Paint Specify RAL designation as shown in Color Selection Guide. ex: OC-RAL7024
SC	Special Color Paint Specify. Must supply color chip.

OPTIONS

F	Fusing In Head	CD	Clear Drop Diffuser EH Style only
LF	In-Line/In-Pole Fusing	MF	Mast Arm Fitter
PC	Photocontrol and Receptacle N/A with 480V.	MU	10° Uptilt Bracket
PCR	Photocontrol Receptacle only	UB	Quick Disconnect for Ballast Tray
POLY	Polycarbonate Sag Lens In lieu of flat glass. N/A with 4X optics. 450w maximum.	AP	Adjustable Knuckle - Pole Mount Only available with 1 way and 2 @ 180° mounting
HS	Internal Houseside Shield Supplied standard with FM optics.	AT	Adjustable Knuckle - Tenon Mount Fits 2 3/8" tenon. N/A with 14" units
QS	Quartz Standby	PTF2	Pole Top Fitter - 2 3/8" Dia. Tenon
SG	Sag Glass Lens In lieu of flat glass Supplied standard with 4X optics and 26" VS	PTF3	Pole Top Fitter - 3-3 1/2" Dia. Tenon
		PTF4	Pole Top Fitter - 3 1/2-4" Dia. Tenon

Gardco Lighting reserves the right to change materials or modify the design of its product without notification as part of the company's continuing product improvement program. The 4X optical system is protected by U.S. patent number 5690422.

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A Genlyte Company

Gardco Lighting
2661 Alvarado Street
San Leandro, CA 94577

800/227-0758
510/357-6900 in California
Fax: 510/357-3088
www.sitelighting.com



FORM 10 SQUARE

EH/H/HT ARM MOUNT

SPECIFICATIONS

GENERAL: Each Gardco Square Form Ten arm mount is a sharp cutoff luminaire for high intensity discharge lamps. Units are designed with half-cube proportions. Internal components are totally enclosed, rain-tight, dust-tight and corrosion resistant. No venting of optical system or electrical components is required or permitted. Luminaires are completely assembled with no disassembly required for installation. Lamping requires no lifting or hinging of the luminaire housing, disturbing wiring or exposing uninsulated live parts.

HOUSING: Extruded housings (EH style) are offered in 14" and 19" sizes and are composed of precisely mitered anodized aluminum extrusions. Fabricated (H style) units are available in 14", 19", T19" and 26" sizes and are one piece, multi-formed aluminum with an integral reinforcing spline and a single concealed joint. All units feature a press formed aluminum top which is welded to the housing sides. Pressure injected silicone provides a continuous weathertight seal at all miters and points of material transition.

ARM: Extruded aluminum arm is prewired and secured to fixture by contractor. Assembly is suitable for mounting to pole without requiring access to luminaire.

LENS: Mitered, extruded anodized aluminum door frame retains the optically clear, heat and impact resistant tempered flat glass in a sealed manner using hollow section, high compliance, memory retentive extruded silicone rubber. Luminaires with Type 4X optics and 26" VS units feature a sag glass lens and VS unit employs sag acrylic lens. Concealed stainless steel latch and hinge permit easy toolless access to the luminaire.

OPTICAL SYSTEMS: The segmented Form Ten optical system is homogeneous sheet aluminum, electrochemically brightened, anodized and sealed. The segmented reflectors are set in faceted arc tube image duplicator patterns to achieve IES Types I (1), III (3), IV (FM), and V (Q - horizontal lamp and VS - vertical lamp) distributions. The mogul lampholder is glazed porcelain with a nickel plated screw shell with lamp grip - all securely attached to the reflector assembly. 100MH units have medium base lampholder. All Metal Halide units in the 19" and 26" housings have lamp stabilizers ensuring precise arc tube positioning.

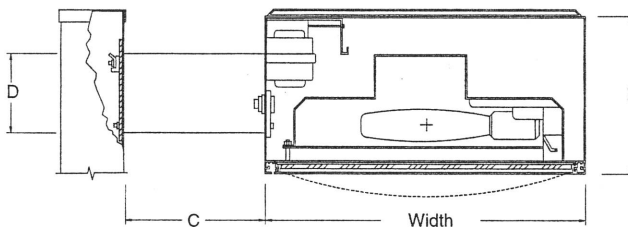
ELECTRICAL: Each high power factor ballast is the separate component type, capable of providing reliable lamp starting down to -20° F. The ballast is mounted on a unitized tray and secured within the luminaire, above the reflector system. Component-to-component wiring within the luminaire will carry no more than 80% of rated current and is listed by UL for use at 600 VAC at 150°C or higher. Plug disconnects are listed by UL for use at 600 VAC, 15A or higher.

FINISH: Extruded housings (EH style) are standard with natural, bronze, or black Aluminum Association Architectural Class I anodized finish. Special color polyester finishes are available.

Formed housings (H style) are standard with a chromatic acid pretreatment and an epoxy undercoat. The finish coat is a thermosetting polyester baked at 450° F to achieve an H-2H hardness measure. 26" H style units are also offered with optional Architectural Class I anodized finish.

LABELS: All fixtures bear UL or CUL (where applicable) Wet Location labels.

DIMENSIONS



Size	Width	B	C 1-2 way	C 3-4 way	D
14	14"	7"	2"	6"	5"
	35.56 cm	17.78 cm	5.08 cm	15.24 cm	12.70 cm
19	19"	10"	2"	9"	5"
	48.26 cm	25.40 cm	5.08 cm	22.86 cm	12.70 cm
T19	19"	12"	2"	9"	5"
	48.26 cm	30.48 cm	5.08 cm	22.86 cm	12.70 cm
26	26"	12"	12"	12"	8"
	66.04 cm	30.48 cm	30.48 cm	30.48 cm	20.32 cm

Size	EPA's (ft ²)			Approximate Weight (lbs)		
	Single	Twin	3/4	Single	Twin	Quad
14	1.1	2.3	2.9	30	60	120
19	2.1	4.0	5.5	55	110	220
T19	2.2	4.3	6.4	65	130	260
26	3.5	7.0	8.9	95	190	380

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79115-43/1104

cross hgt.
pier hgt.

side wall surface area ranges from
5'-0" to 15'-0" over ordinance.

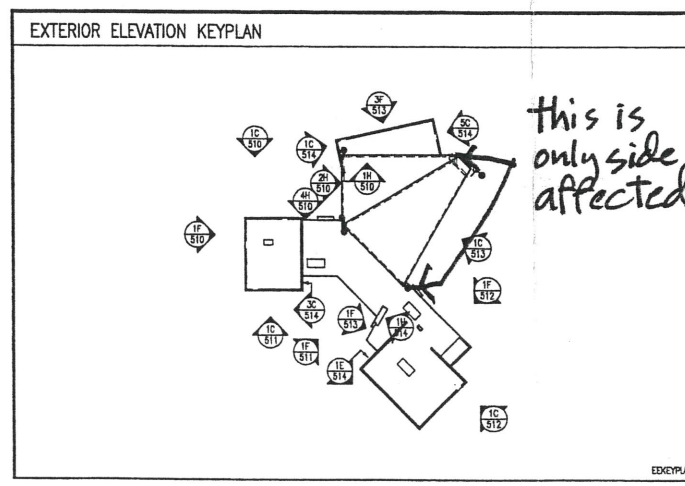
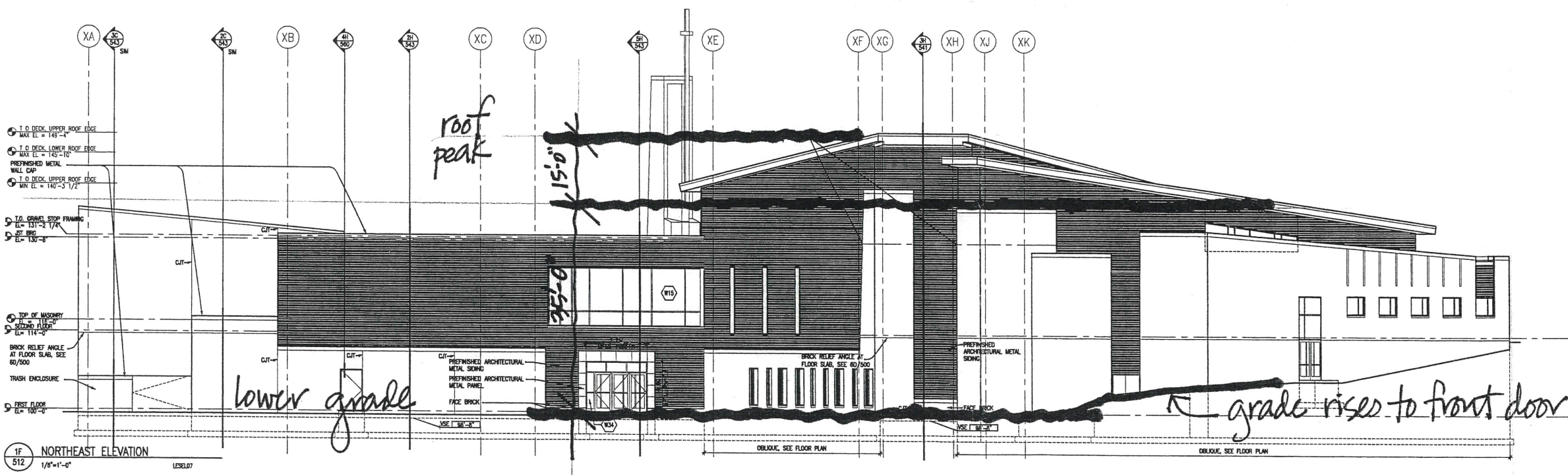
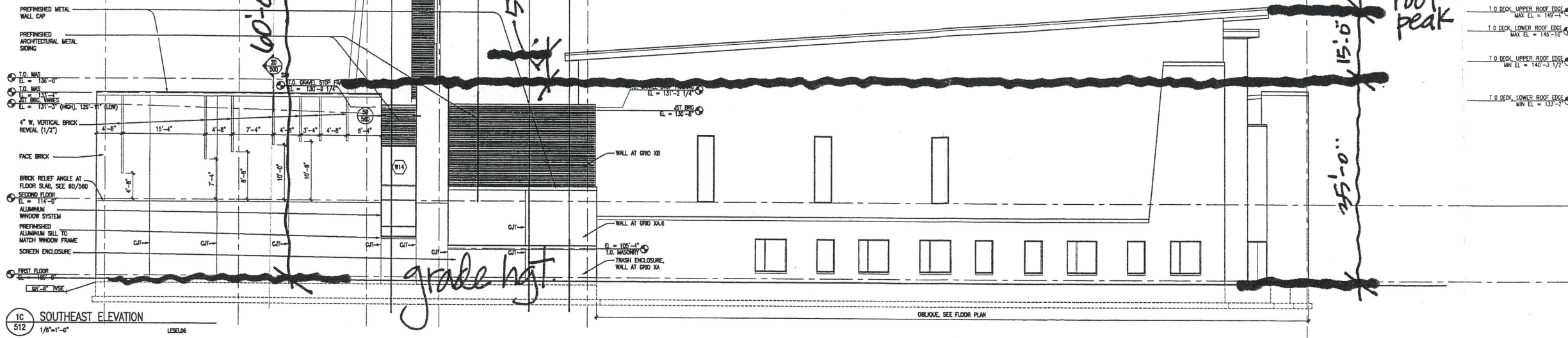
roof peak

grade hgt.

roof peak

lower grade

grade rises to front door



Rockpoint

Lake Elmo, Minnesota



Lawson Commons
380 St. Peter Street, Suite 600
Saint Paul, MN 55102-1996
651.222.3701

Consultants

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

Name

Date 2-10-2006 Reg. No. 20095

Issued For

Item	Date
OWNER REVIEW	09/30/05
EX. PRICING	10/14/05
REVIEW SET	01/23/06
CD BID ISSUE	02/10/06
SITE PLAN SUBMITTAL	3-2-06

Date	Drawn
02/10/06	CP/JLW/MRB
Comm. No.	Checked
2005.091.00	KF

Sheet Title

EXTERIOR ELEVATIONS

as proposed for variance

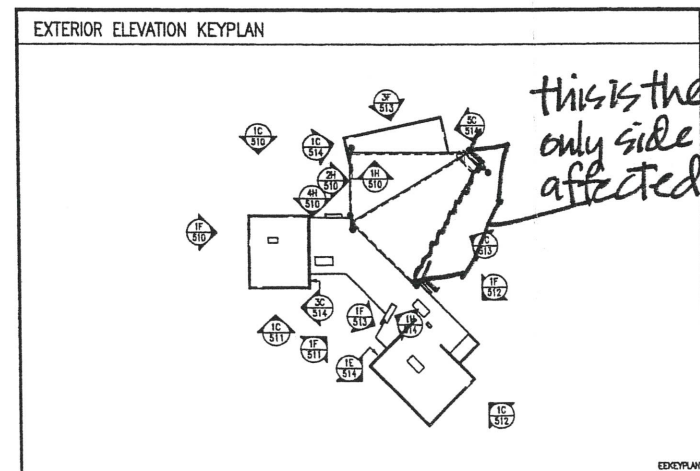
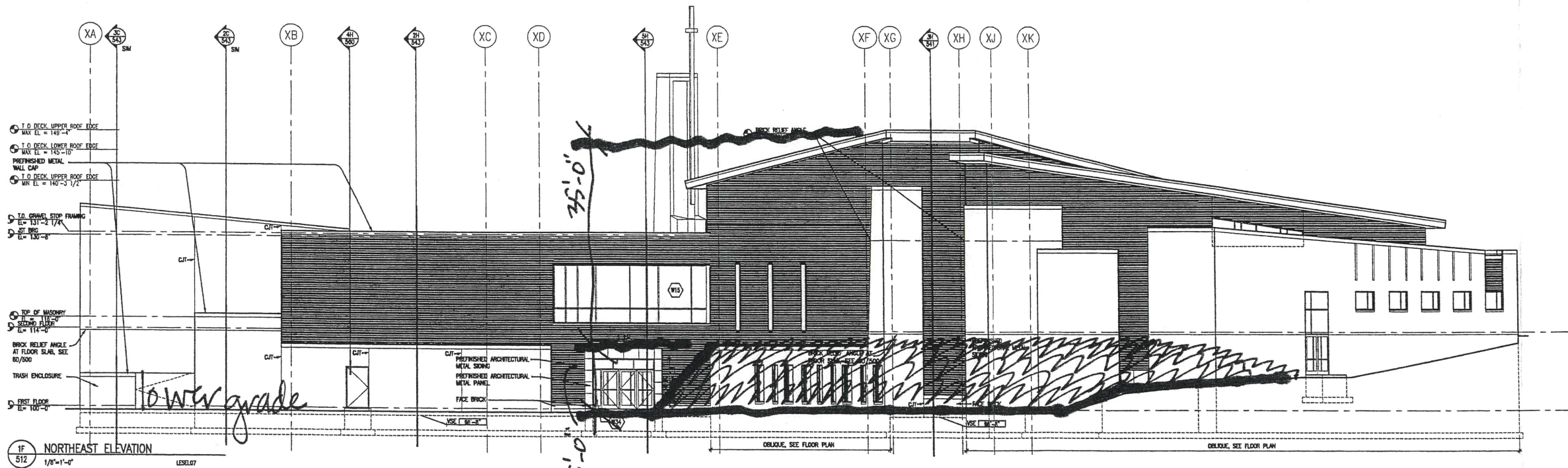
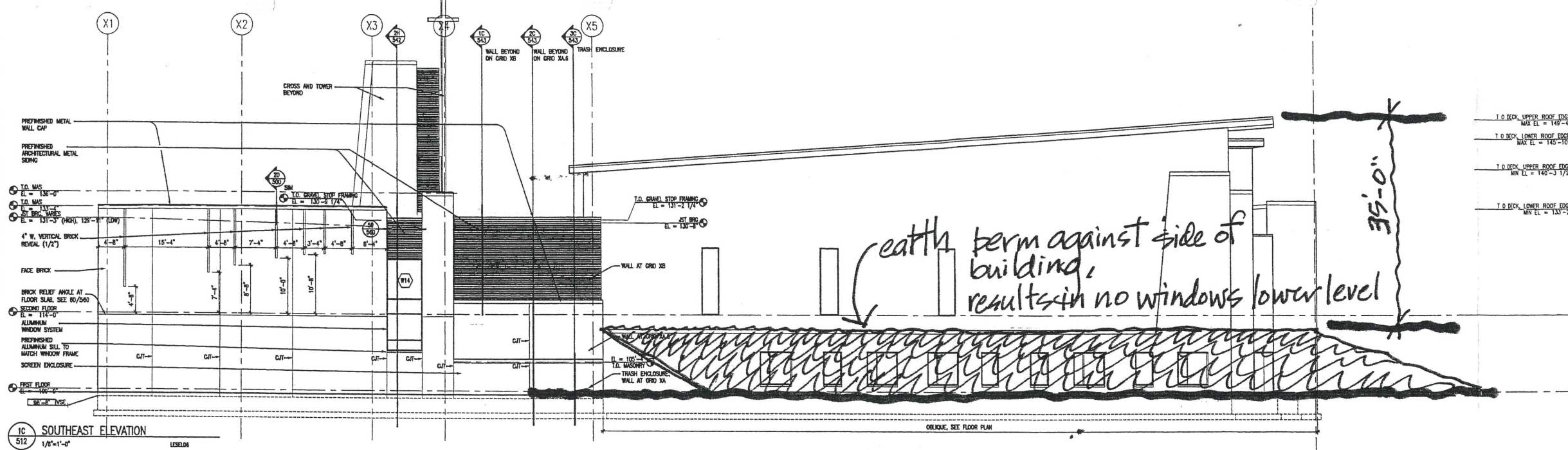
Sheet No.

512

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Larson Commons
380 St. Peter Street, Suite 600
Saint Paul, MN 55102-1996
651.222.3701
Consultants



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of Minnesota.

Home
Date 2-10-2006 Reg. No. 20095

Item	Date
OWNER REVIEW	09/30/05
DD PRICING	10/14/05
REVIEW SET	01/23/06
CD BID ISSUE	02/10/06
SITE PLAN SUBMITTAL	2-2-06

Date 02/10/06 Drawn CP/ALW/MRS
Comm. No. 2005.091.00 Checked KF

Sheet Title
EXTERIOR ELEVATIONS
earth berm option

Sheet No.
512



Lawson Commons
380 St. Peter Street, Suite 600
Saint Paul, MN 55102-1996
651.222.5701

Consultants

Date: 2-10-2006 Reg. No. 20095

Item	Date
OWNER REVIEW	09/30/05
DO PRICING	10/14/05
REVIEW SET	01/23/06
CD BID ISSUE	02/10/06
SITE PLAN SUBMITTAL	3-2-06

Date	Drawn
02/10/06	CP/JLW/MRB
Comm. No.	Checked
2005.081.00	KF

Sheet Title

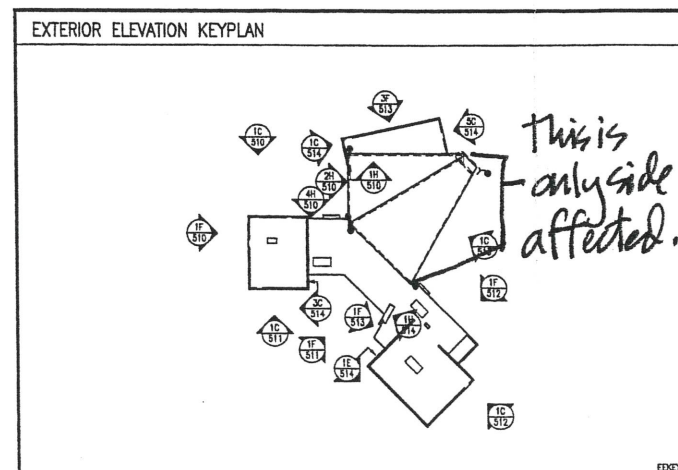
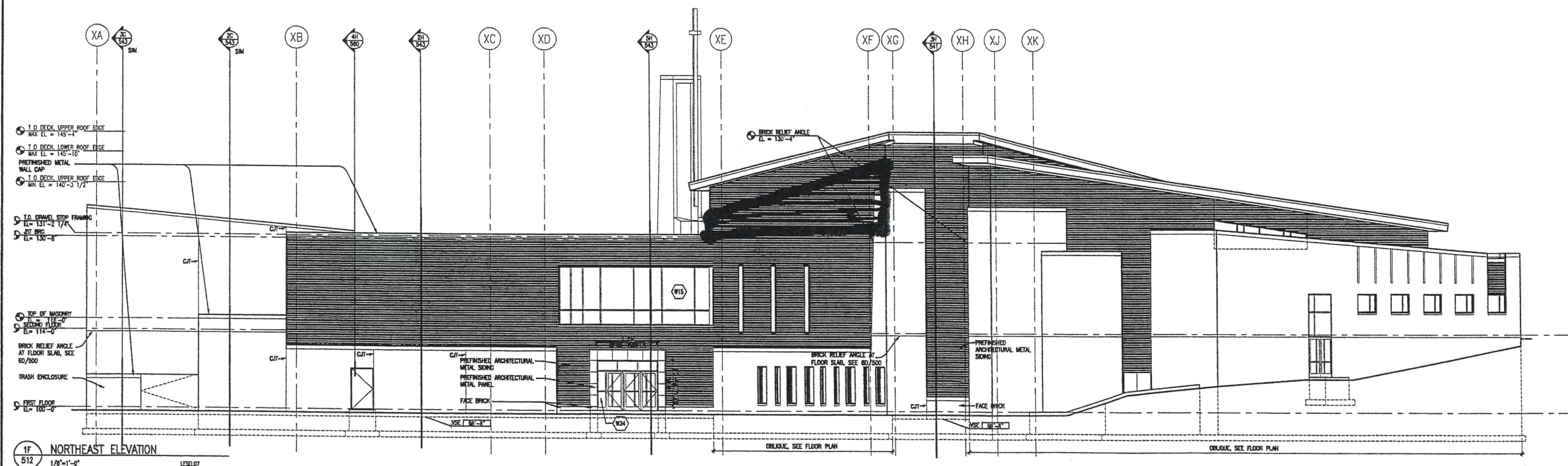
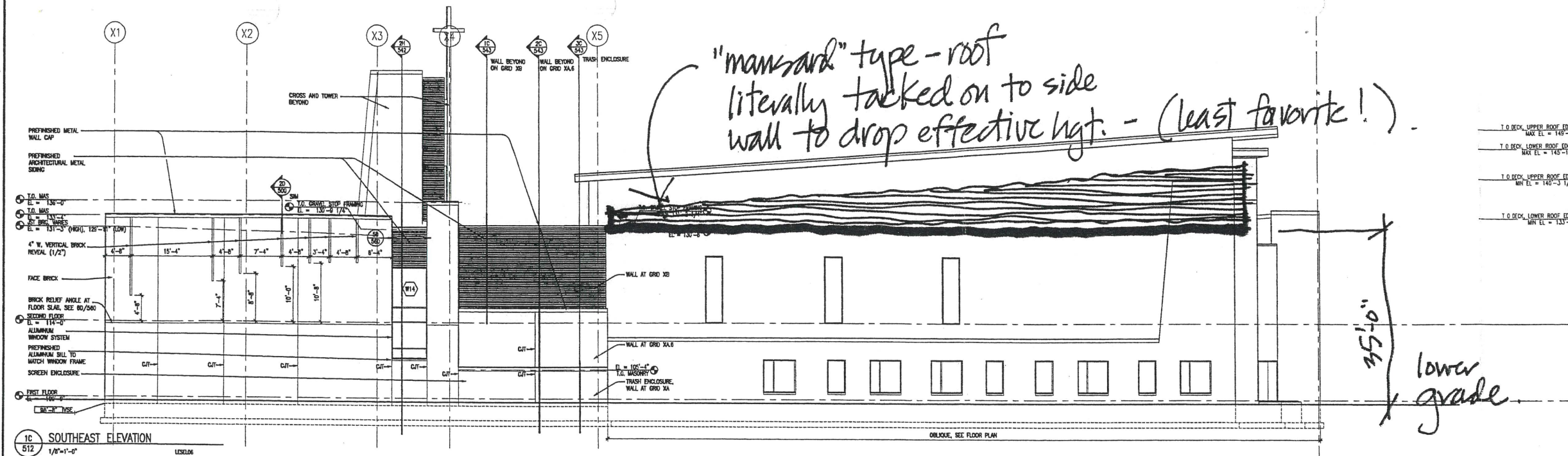
EXTERIOR ELEVATIONS

"mansard" roof option.

Sheet No.

512

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**LAKE ELMO PLANNING COMMISSION
STAFF REPORT**

Date: March 23, 2006 for the Meeting of March 27, 2006

Applicant: Lakewood Evangelical Free Church

Location: Southeast Quadrant of Keats Avenue and State Highway 36

Requested Action: Section 520 Site Plan

Land Use Plan Guiding: PF

Existing Zoning: PF

Site History and Existing Conditions:

On April 28, 2005 the City Council approved several concurrent applications related to the 20 acre site for which this Site Plan is here presented. Regarding this site, the City approved a Preliminary Plat creating the site and the public road that would serve the site; a Comprehensive Plan Amendment changing the classification of the site from RAD to PF, a rezoning of the site from RR to PF; and a Conditional Use Permit for a church facility on the 20 acre site. No Section 520 Site Plan was approved at that time, however. An OP Concept Plan was also approved for the balance of the overall 108 acres owned by the applicant by a separate action. The Preliminary Plat responsive to that Concept Plan appears elsewhere on this agenda. No Final Plat or Development Agreement has been approved for any of the overall 108 acre site.

Subsequent to the 2005 approvals Valley Branch Watershed District issued a grading permit for the north portion of the 108 acres site (including the subject 20 acres and public street). The City Engineer also reviewed and approved the installation of water main in the public street. That installation was inspected during construction by City consultants, and includes trunk water main needed by the City for system looping purposes. The City Engineer is now preparing plans and specifications to extend City water main from the Sanctuary neighborhood to the Discover Crossing neighborhoods and then to this site during 2006.

Discussion and Analysis:

This Staff Report addresses only the compliance with PF standards for "Places of Worship" and other applicable City Codes for the Section 520 Site Plan submitted for the 200 acre parcel. Staff findings regarding compliance are as follows:

1. All PF zoning structure set backs appear to be complied with.
2. While there are no parking set back standards specific to the PF zone, Section 300.13, Subdivision 6 specifies that there shall be no off-street parking within 20 feet of a public street right-of-way. The applicant proposes 15 off-street parking spaces closer than 20 feet from the public street right-of-way at the northwest corner of the parking lot. A site redesign or variance will be necessary.
3. Sufficient parking lot interior landscape islands are provided.
4. The exterior materials performance standards for the PF zoning district were not amended in 2002 as were those of the commercial zoning districts. A copy of those PF standards is

*Repeated
Submission
April 24, 2006
for Planning
Commission
Meeting*

attached. We note that the only allowable exterior surfacing materials in the PF zone are "brick, stone, and glass". This site plan submission depicts approximately 20% of the exterior surface proposed to be "pre-finished architectural metal". Either a plan revision or a variance would be required. All sloped roofing is proposed to be "standing seam metal" which is permitted by PF performance standards.

5. PF standards provide for a maximum building height of 50 feet., but no structure side wall exceeding 35 feet in height. With measurement of building height on a pitched roof taken from the mid point of the pitch slope it appears that the roof height of the structure complies with the 50 foot standard. However, it also appears that that structure side walls exceed the 35 foot maximum height at several locations – in some places nearly 50 feet. Either s redesign or a variance would be required.
6. Section 300.12 of the Zoning Ordinance specifies that no building shall exceed 35 feet in height, including "...church spires...". It would appear that the PF standards as to building height may supersede that standard (one more internal conflict of the Zoning Ordinance), but inclusion of church spires in that limitation would seem to imply that if the **PF** height standard is 50 feet, church spires must be included in the maximum height calculation. Either the church spire needs to be reduced in height or a variance applied for.
7. The exterior lighting plan appears to potentially comply with Section 1350 standards for nonresidential sites. The levels of illumination forecasted are within the limits specified by the ordinance (except with 20 feet of the light source – now permissible). We do not find "cut sheets" of the light fixtures specified (by model number only) so we can not ascertain the degree of cut-off angle for those fixtures. That fixture information will be required to enable a determination as to whether a 20 foot or 30 foot fixture height must be used. The site plan specifies a 23 foot fixture height (including the 3 foot base – which must be included).
8. The site landscape plan is extensive and should comply with the Section 520 standards for value as a percentage of project costs.

The only outside reviews requested for this site plan have been to the City Engineer and Valley Branch. Both have recently responded and their review comments are attached. Staff does not detect any major issues raised by those reviews, but recommends the usual conditions of approval to include compliance with Engineer and Watershed recommendations.

Findings and Recommendations:

The Commission should be aware that staff had previously advised the applicant's consultants that there would be a height compliance issue with the plan they had brought to a pre-application meeting with staff. The project architects (BWBR) have submitted a letter dated March 1, 2006 addressing the building height issue. It appears that the architects are arguing that height should be measured only from the "primary entrance" building elevation. I see no such reference in the City Code definition of building height. Staff was not at the time of that pre-application meeting aware that the PF zone was excluded (but should not have been) from the amended Performance Standards adopted for all commercial zones in 2002.

Based on the foregoing staff review it appears that this site plan proposes at least three design features that are non-compliant with City Code standards. If it is the applicant's intention to continue to pursue those non-compliant design features (height, exterior surfacing materials and parking set back) it will be necessary to publish Legal Notice and conduct a hearing on the resulting variance applications. That Hearing can not take place until at least the April 10 Planning Commission meeting.

The modifications required to the site plan (structure) that would be required should the applicant decide to redesign for Code compliance (or should applied-for variances be denied) are significant. We do not recommend this site plan review processing move beyond the Planning Commission until the non-compliance issues are resolved in some manner.

Planning Commission Actions Requested:

Staff recommends the Rock Point Church Section 520 Site Plan be tabled pending either redesign of the project for City Code compliance or consideration of an application for variances to those Code standards. The completed application date is March 5, 2006 . For compliance with the State 60 day w\review requirement the last meeting at which the Commission can consider this matter is April 24, and the last meeting at which the City Council can act is May 2, 2006.

A handwritten signature in dark ink, appearing to read "C. Dillerud", is written over a horizontal line.

Charles E. Dillerud, City Planner

Attachments:

1. Location Map
2. City Engineer's Memo
3. Valley Branch Review
4. Applicant's Documentation and Graphics

Chuck Dillerud

From: Thomas D. Prew [prew.td@tkda.com]
Sent: Thursday, March 23, 2006 3:42 PM
To: Chuck Dillerud
Cc: Kimberly Anez
Subject: Rock Point Church

Rockpoint Church Site Plan Review

Septic

1. The project requires a State Permit. They have submitted this plan for review to the MPCA. The final permit will not be done for a few months.
2. The developer will build the entire septic system at one time. The church is not scheduled to open until April 2007.
3. A monitoring plan, mitigation plan and operating plan and emergency response plan is required for City Approval.
4. Sewage could back-up into the church basement should the lift station lose power. A Emergency response plan is necessary.

Drinking Water.

1. The City is currently designing a watermain to provide water to this subdivision. Water should be available this summer.
2. The Fire Chief should review hydrant placement around the building.
3. The watermain through the residential portion of the subdivision will need to be completed in order for this building to have water service.
4. Watermain within the site will be private. However the City will need to witness all testing of it.

Drainage

1. A VBWD permit is required.
2. Developer shall submit a copy of their NPDES permit and SWPP.
3. Final acceptance of the project by the City cannot occur until all disturbed have turf established and no erosion is present.

Streets

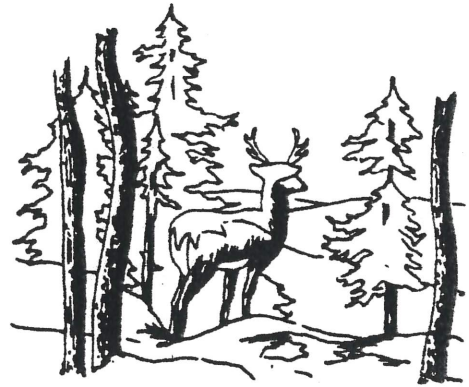
1. A temporary turn-around is required on the end of the street unless the residential portion of the project is completed this summer.
2. Catch basin castings shown on the plan are correct, however those that have been delivered in the field are not.
3. Construction of the public street should be part of a Developer's Agreement.

Tom

Thomas D. Prew, P.E.
Senior Registered Engineer
Municipal Services Division
phone: 651/292-4463
fax: 651/292-0083
e-mail: prew.td@tkda.com

TKDA
1500 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, Minnesota 55101-2140
www.tkda.com

March 22, 2006



Mr. Chuck Dillerud
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Hidden Meadows (Deer Glen) and Rockpoint Church (Lakewood Evangelical Free Church)

Dear Mr. Dillerud:

Thank you for submitting the materials regarding the proposed Hidden Meadows (formerly known as Deer Glen) and the Rockpoint Church (formerly known as Lakewood Evangelical Free Church). The Rockpoint Church information is for the wastewater treatment system. The Valley Branch Watershed District does not regulate nor have standards for wastewater treatment systems, so my comments within this letter are regarding the Hidden Meadows materials.

The Valley Branch Watershed District Managers approved a permit for the Deer Glen subdivision and the Lakewood Evangelical Free Church on November 11, 2004. Construction of the church began last fall. The plans that you provided appear consistent with the plans that were approved by the Valley Branch Watershed District for the church, but not for the subdivision. Therefore, a new Valley Branch Watershed District Permit will be required.

The current plans show substantial grade changes, additional residential lots, and longer, realigned roads. These changes will add more impervious surfaces than that of the previous plans and could affect the hydrology to the wetlands and the flood levels of the low areas. The developer will need to provide the necessary stormwater management features to handle the additional runoff produced from the additional impervious surfaces, show that wetlands will not be negatively impacted, and ensure that the proposed homes will be protected from flooding.

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

Sincerely,

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

c: Lincoln Fetcher, VBWD President
Paul Danielson, Kimley-Horn and Associates, Inc.



LINCOLN FETCHER DAVID BUCHECK DONALD SCHEEL DALE BORASH DUANE JOHNSON

VALLEY BRANCH WATERSHED DISTRICT
P.O. BOX 838

www.vbwd.org
LAKE ELMO, MINNESOTA 55042-0538



Kimley-Horn
and Associates, Inc.

RECEIVED
MAR 05 2006

March 3, 2006

Mr. Chuck Dillerud
City of Lake Elmo
Planning Department
3800 Laverne Avenue North
Lake Elmo, MN 55042

■
Suite 345N
2550 University Avenue West
St. Paul, Minnesota
55114

Re: Rockpoint Church (formerly known as Lakewood Evangelical Free Church)
Final Site Plan Submittal

Dear Mr. Dillerud:

On behalf of the Lakewood Evangelical Free Church (LEFC), Kimley-Horn and Associates, Inc. (KHA) is submitting a Final Site Plan for your review and approval. As you are aware, LEFC received several approvals (with several conditions) for their 108 acres of property within the City of Lake Elmo. The property is "L-shaped" bounded by Trunk Highway (TH) 36 on the north, Keats Avenue on the west, and rural residential (but largely undeveloped) on the east and south. A portion of the west property abuts rural residential developed lots.

The approved OP Development/Concept Plan shows the entire 108.62 acres and was divided into the same three parcels as previously shown. Parcel A is the 20 acre parcel that was reguidd and rezoned along with a conditional use permit (CUP) to public facility (PF). The LEFC building would be constructed on this parcel. Parcel B is a 69.37 acre parcel that we are requesting a CUP for an OP development within the current RR zoning. Parcel C is an 18.97 acre parcel that we are requesting be maintained at the current RR zoning.

LEFC has decided that as part of the move to Lake Elmo the church will be renamed to Rockpoint Church. In addition, shortly the developer of the OP residential development will be submitting a preliminary plat. The name of the development will be Hidden Meadows of Lake Elmo. Therefore, it was determined that the final plat for Rockpoint Church should be called Hidden Meadows of Lake Elmo. We do not intend to use the previous name of "Deer Glen".

Other Issues

Wastewater System

The previous submittals have indicated that Parcel A and B will be served by a community wastewater system. North American Wetland Engineering, P.A. (NAWE) has reviewed their previous work and has made minor changes to the layout to confirm that the development proposed by Parcels A and B can be adequately accommodated in the



are identified as "constructed wetlands treatment area". We have included the final plans for the wastewater treatment and disposal plans for your approval.

Water System

It is our understanding that the City will extend public water to the site from the east. Our design includes the construction of the trunk water main through the site.

Storm Sewer

Storm sewer for the site has previously approved and permitted by the Valley Branch Watershed District (VBWD) with several conditions. The church area and roadway does not need to be modified at this time. A revised submittal will be made to VBWD as part of the OP preliminary plat process.

Final Plat

LEFC will be submitting the final plat in the next week or so. It is our intention to have the final plat ready to go to City Council at the same time the final site plan is ready for City Council approval.

Submittal Information

The following information is enclosed as part of this submittal package:

- Final Site Plan drawings (4 copies of full-size plans and one reduced 11x17 copy) of the following drawings:
 - Existing Conditions and Removals Plan (sheet 200.CD)
 - Grading, Drainage, and Erosion Control Plans (Sheets 200.1CG and 200.2CG)
 - Roadway, Watermain Plan and Profile (Sheet 200.1.CR)
 - Church Driveway Plan and Profile (Sheet 200.2CR)
 - Site Plan (Sheet 200.1CS)
 - Site Plan Spot Elevations (Sheet 200.2CS)
 - Utility Plan (Sheet 200.CU)
 - Paving Plan (Sheet 200.CP)
 - Civil Details (Sheet 210-212)
 - Landscape Plan (Sheets L1.1 through L1.4)
 - Site Lighting Plan (Sheet 900.0T)
 - Site Photometric Plan
 - Building Elevations (Sheets 510-514)
 - Wastewater Treatment System Plans (11x17 only)
 - Development Application Form including clarification of code issues
 - Check for \$1,150



Kimley-Horn
and Associates, Inc.

Mr. Chuck Dillerud
March 3, 2006
Page 3 of 3

Thank you for the opportunity to submit this plan for your review and we look forward to working with you, other City staff, and elected officials. If you have any questions or need additional information, please contact me at 651-643-0407.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Paul B. Danielson, P.E.
Project Manager

C: Chuck Palmer, LEFC
Grant Nelson, LEFC
Tom Dornack, BWBR Architects
Gary Ehret, Kimley-Horn and Associates
File No. 160502006.2.001

March 1, 2006



Mr. Chuck Dillarud
Planning Department
City of Lake Elmo
3800 Laverne Avenue
Lake Elmo, Minnesota 55042

Re: **Rockpoint Church**
Lake Elmo, Minnesota
BWBR Commission No.: 2005.091.00

Dear Chuck:

Architecture • Interior Design

There are two concerns you raised in our January 17, 2006, meeting. We offer these clarifications regarding building height and exterior building materials as they relate to ordinance compliance in Chapter 3, Subd. 4., minimum District Requirements.

1. With regard to building height:
The primary entrance floor elevation, on the north elevation that faces Highway 36, is noted as floor elevation 114'-0". The secondary entrance floor elevation, the south elevation that faces the woods, is noted as elevation 100'-0". The principal structure height, the Sanctuary roof, is sloped from elevation 140'-3-1/2" up to elevation 149'-4". The top of the Cross Tower, an unoccupied structure, is noted as elevation 158'-0", 8'-8" above the highest roof elevation of the Sanctuary, and 24'-8" above the lower roof elevation of the Fellowship Room roof of 133'-4" – the portion of the building which the Cross Tower is most adjacent.
2. With regard to building materials:
The primary exterior building wall materials are brick and glass, about 80% of all wall material. The other 20% of exterior building wall material is architectural metal wall paneling, either flat or ribbed. These types of architectural grade metal panel are used commonly on corporate, public, and institutional facilities. BWBR can provide samples upon request.

If you have any questions, or require additional information, please call Richard Stuermer at 651/290-1894, or Tom Dornack at 651/290-1997.

Sincerely,

BWBR ARCHITECTS, INC.

A handwritten signature in black ink that reads "Tom Dornack". The signature is stylized with a cursive-like flow.

Tom Dornack
Project Manager

Lawson Commons
380 St. Peter Street, Suite 600

Saint Paul, MN 55102-1996

651.222.3701

fax 651.222.8961

www.bwbr.com

c: Chuck Palmer, Building Committee Chair, Lakewood Evangelical Free Church
Peter G. Smith, Principal-In-Charge, BWBR Architects

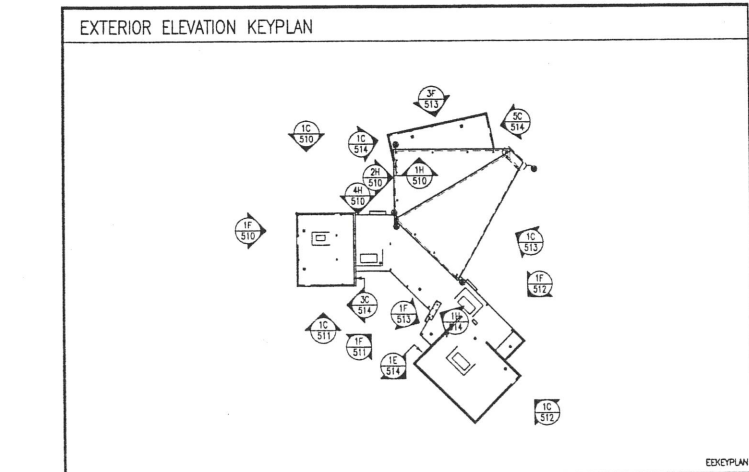
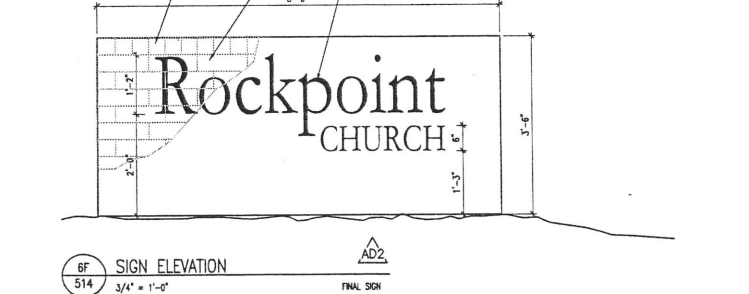
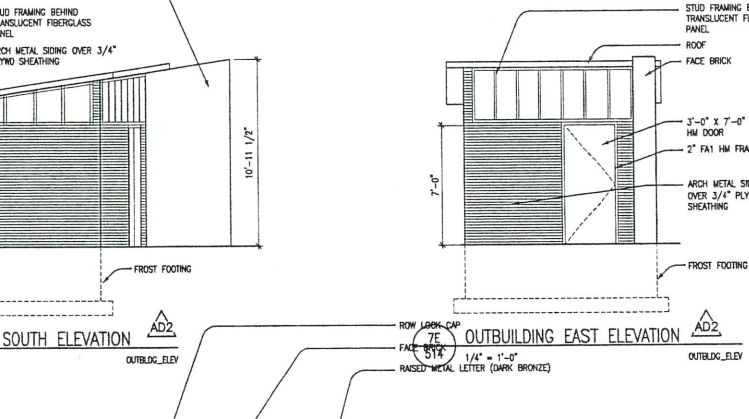
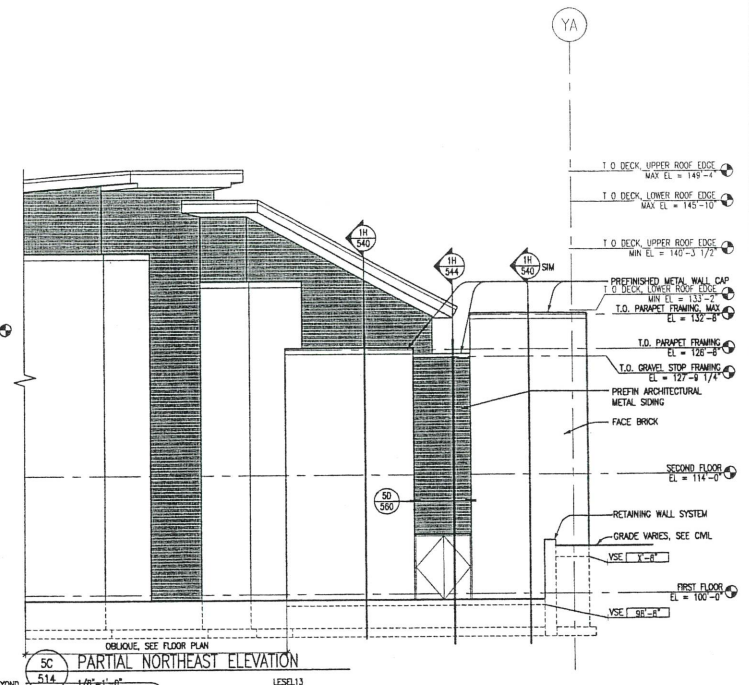
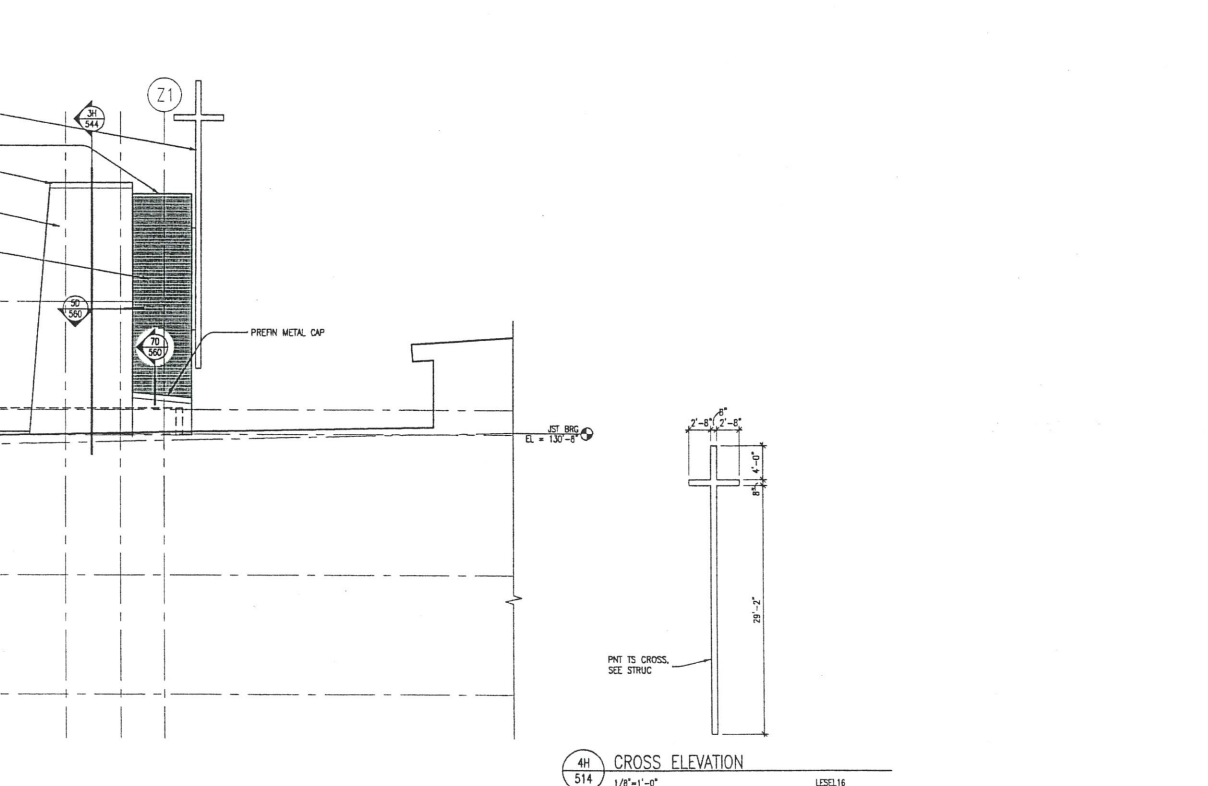
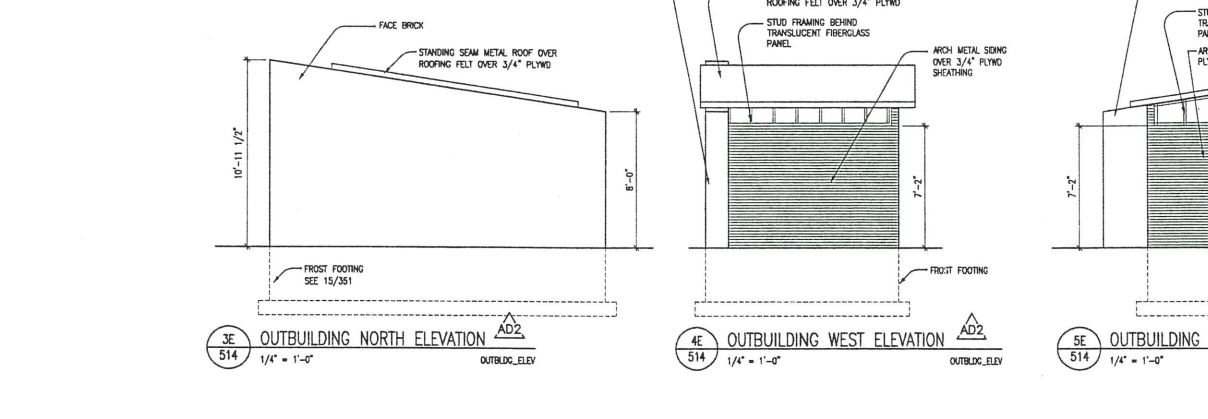
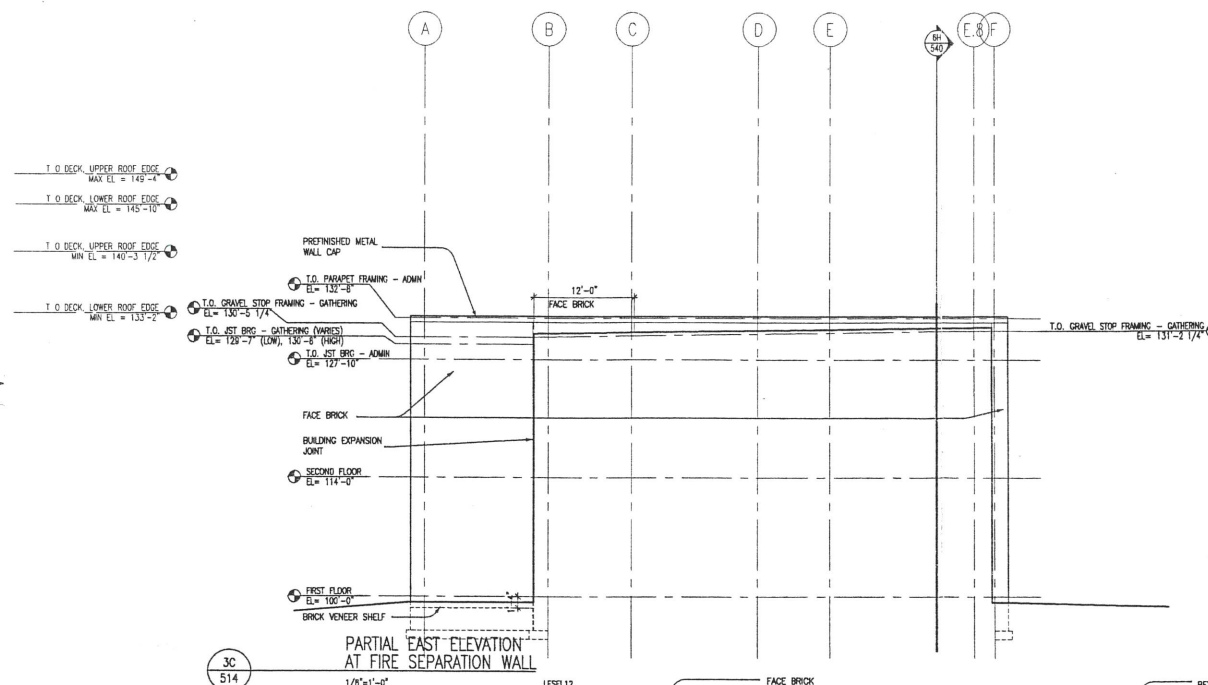
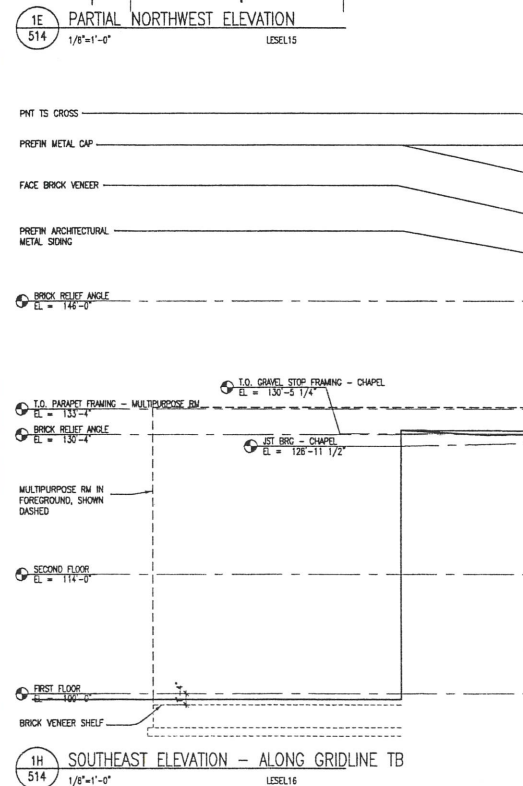
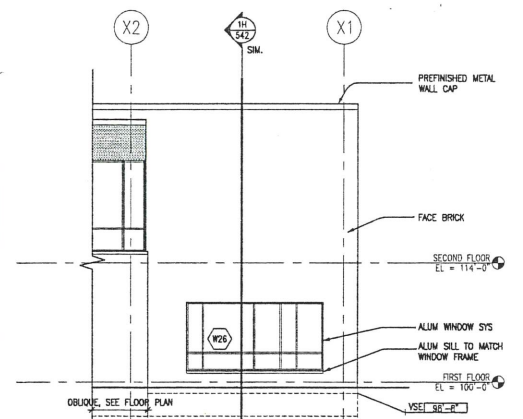
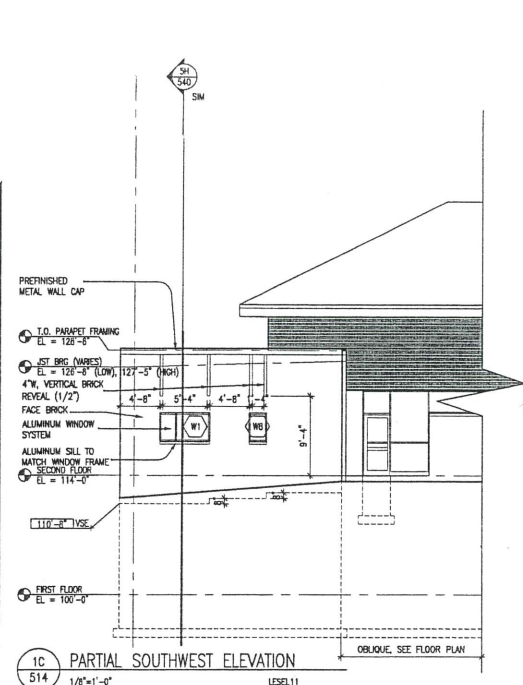
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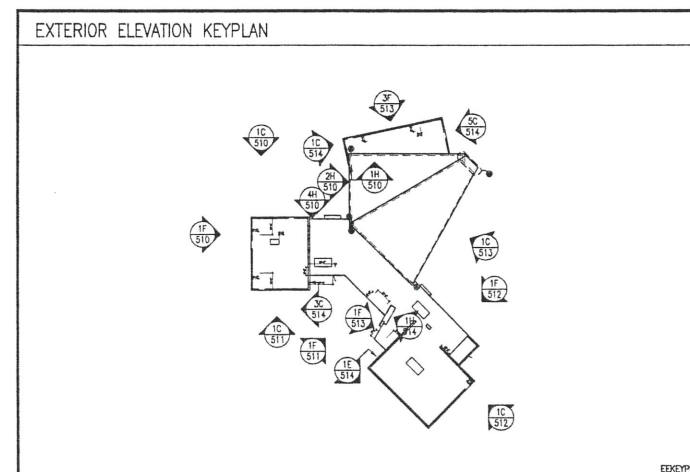
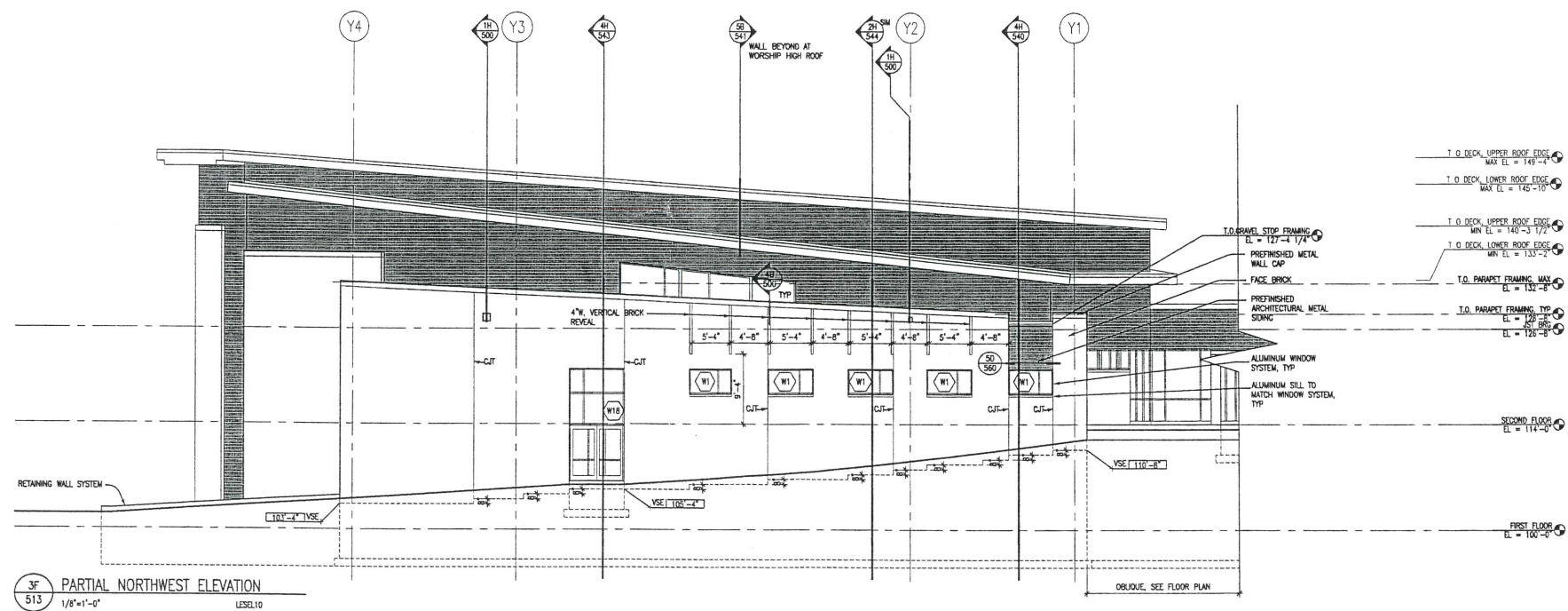
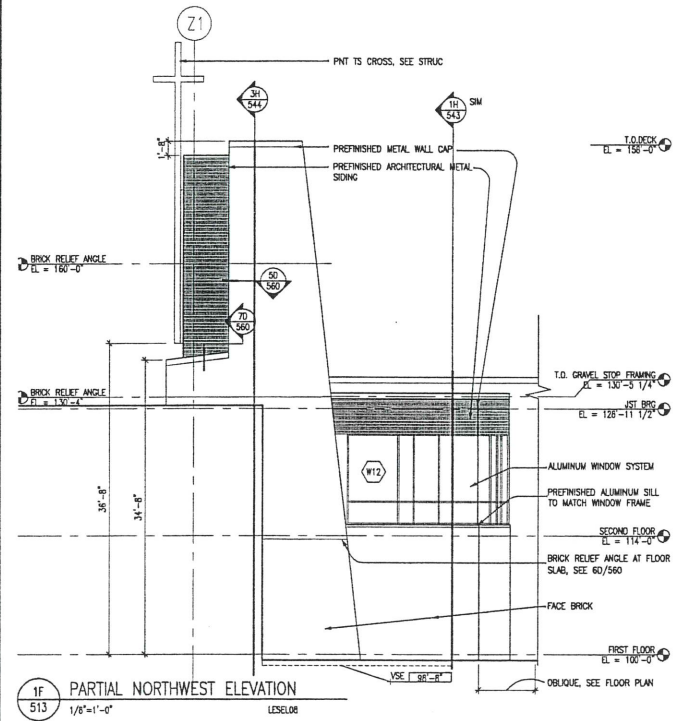
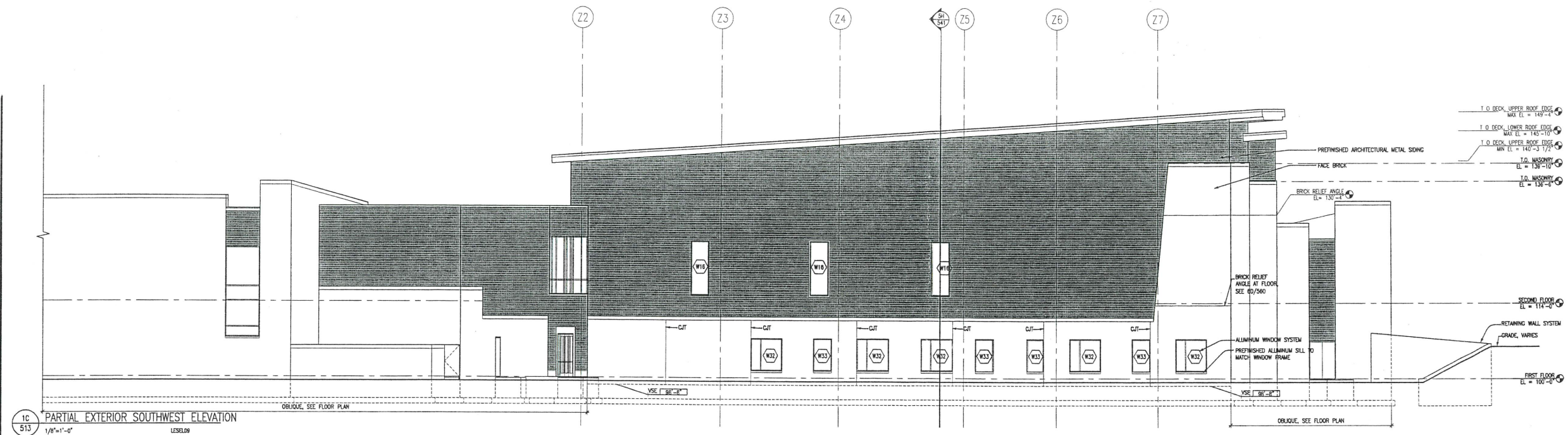
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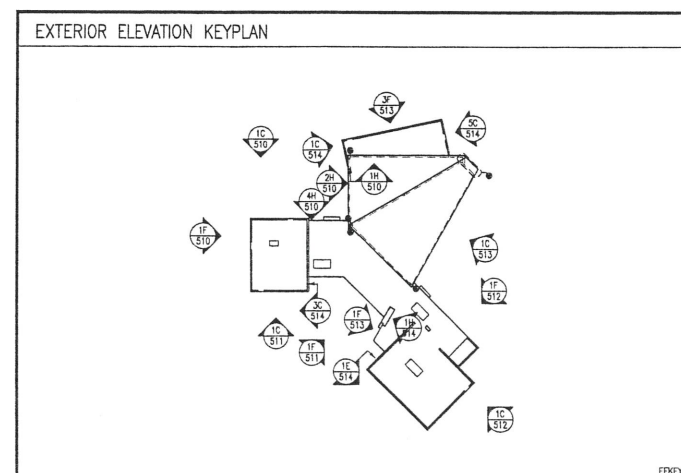
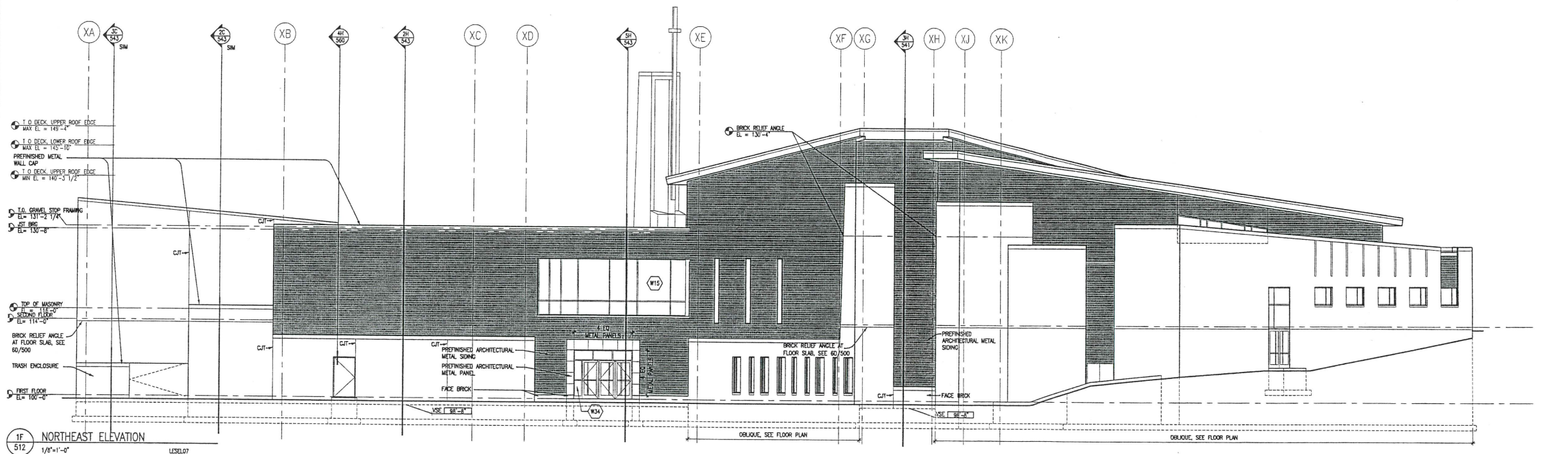
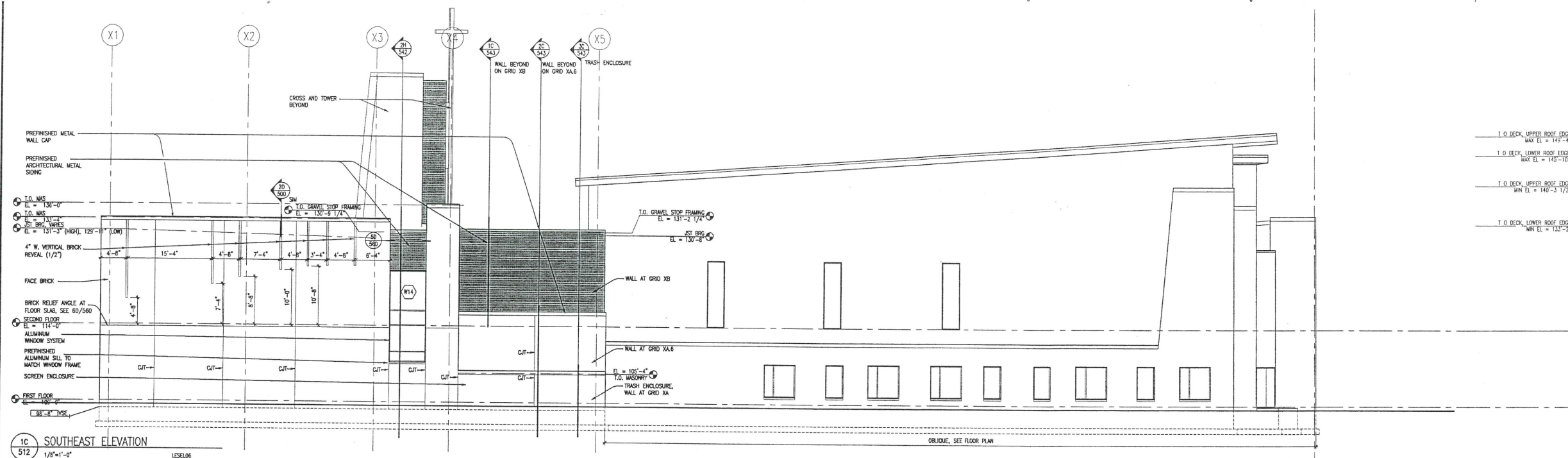
The Northwest $\frac{1}{4}$ of Section 2, Township 29, Range 21, excepting therefrom the following described parcels:

1. The Westerly 660 feet of the Southerly 825 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.
2. The South 1,125 feet of the West 1,100 feet of the Northwest $\frac{1}{4}$, except the West 660 feet of the South 825 feet, except the South 400 feet of the West 1,100 feet.
3. The North 425 feet of the South 1,550 feet of the West 1,100 feet of the Northwest $\frac{1}{4}$.
4. The South 400 feet of the East 440 feet of the West 1,100 feet of the Northwest $\frac{1}{4}$.

All in Washington County, MN.









Lawson Commons
380 St. Peter Street, Suite 600
Saint Paul, MN 55102-1996
651.222.3701

Consultants

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of Minnesota.

Name: *Peter G. Smith*
Date: 2-10-2006 Reg. No. 20095

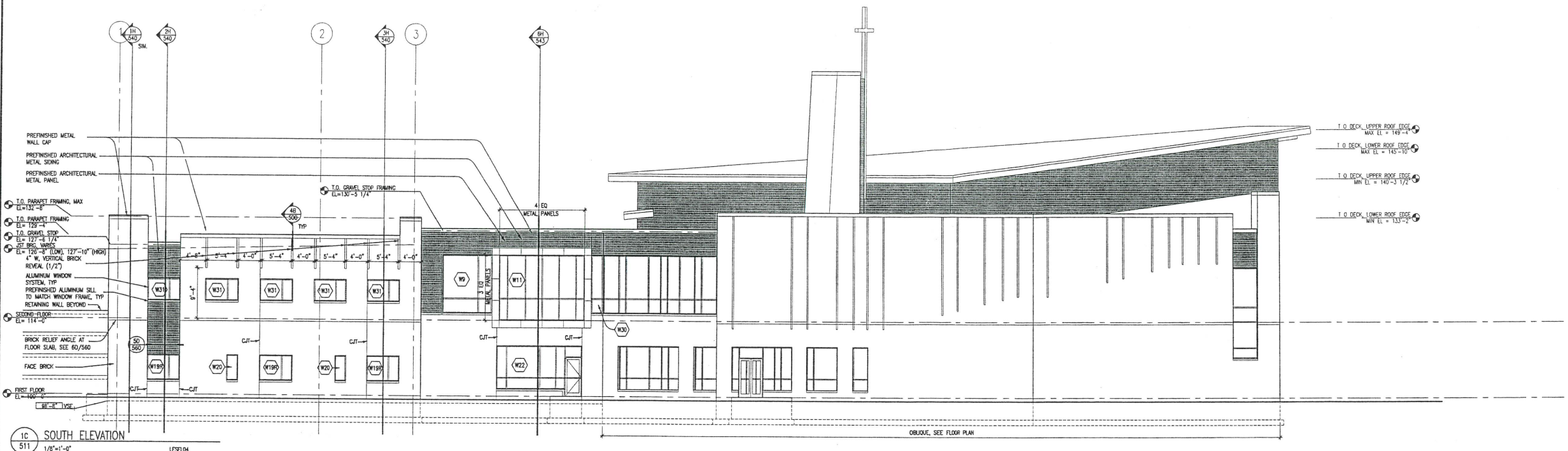
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Item	Date
OWNER REVIEW	09/30/05
DO PRICING	10/14/05
REVIEW SET	01/23/06
CD BID ISSUE	02/10/06
SITE PLAN SUBMITTAL	3-2-06

Date	Drawn
02/10/06	CP/JLW/MRB
Comm. No.	Checked
2005.091.00	KF
Sheet Title	

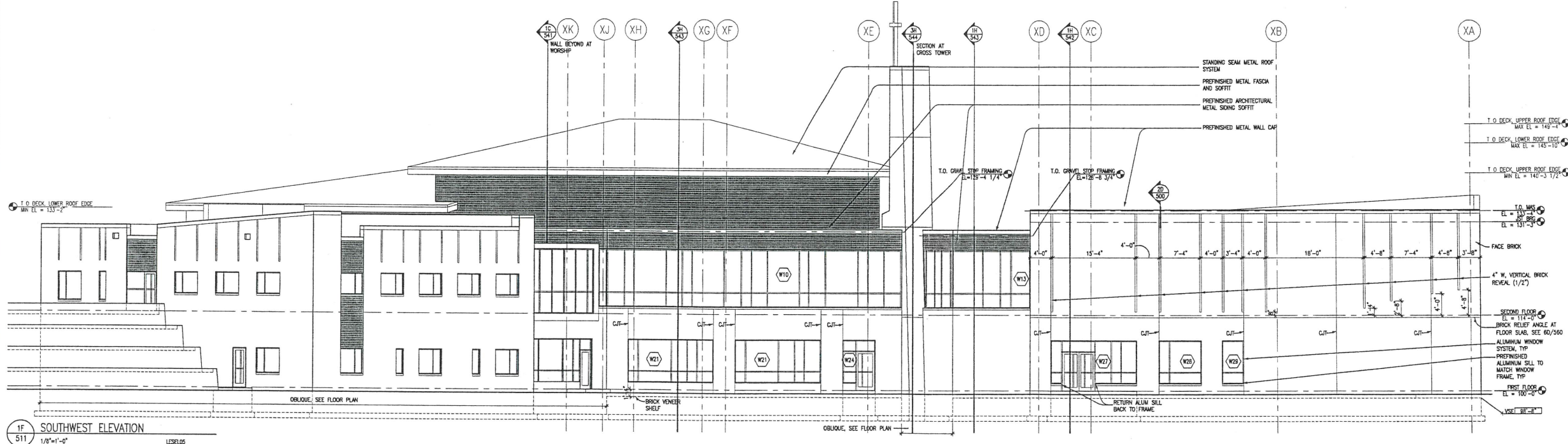
EXTERIOR ELEVATIONS

Sheet No.

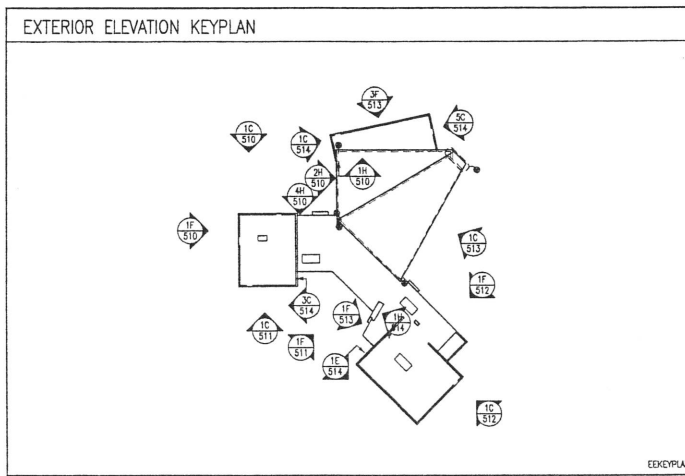
511



1C 511 SOUTH ELEVATION
1/8\"/>



1F 511 SOUTHWEST ELEVATION
1/8\"/>





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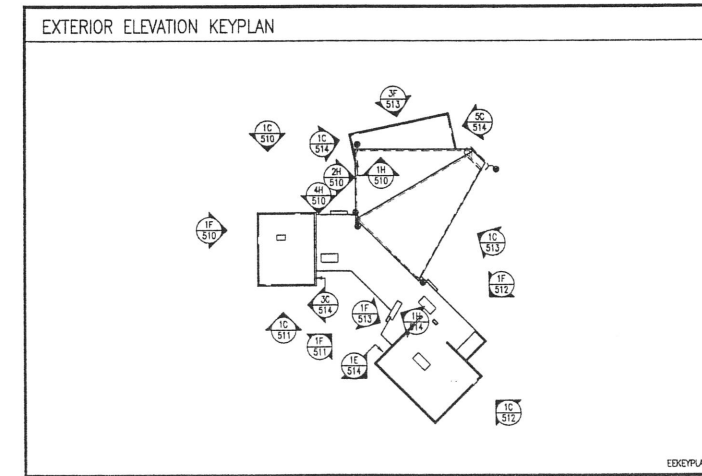
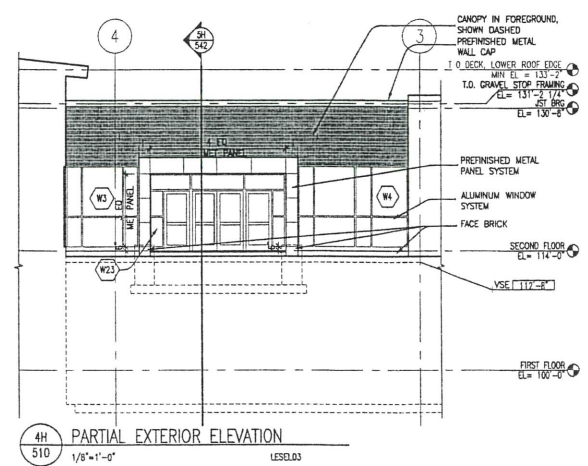
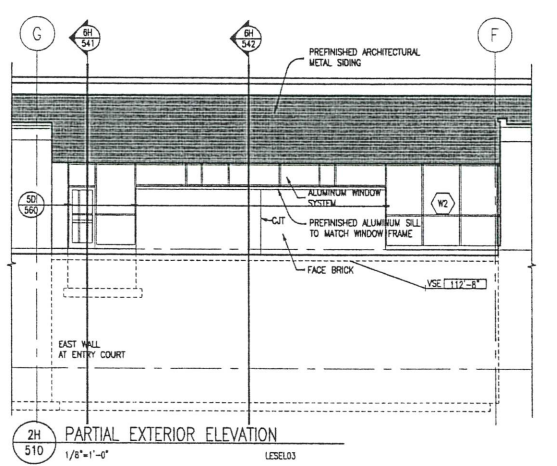
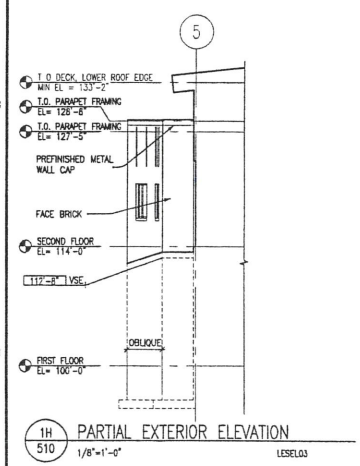
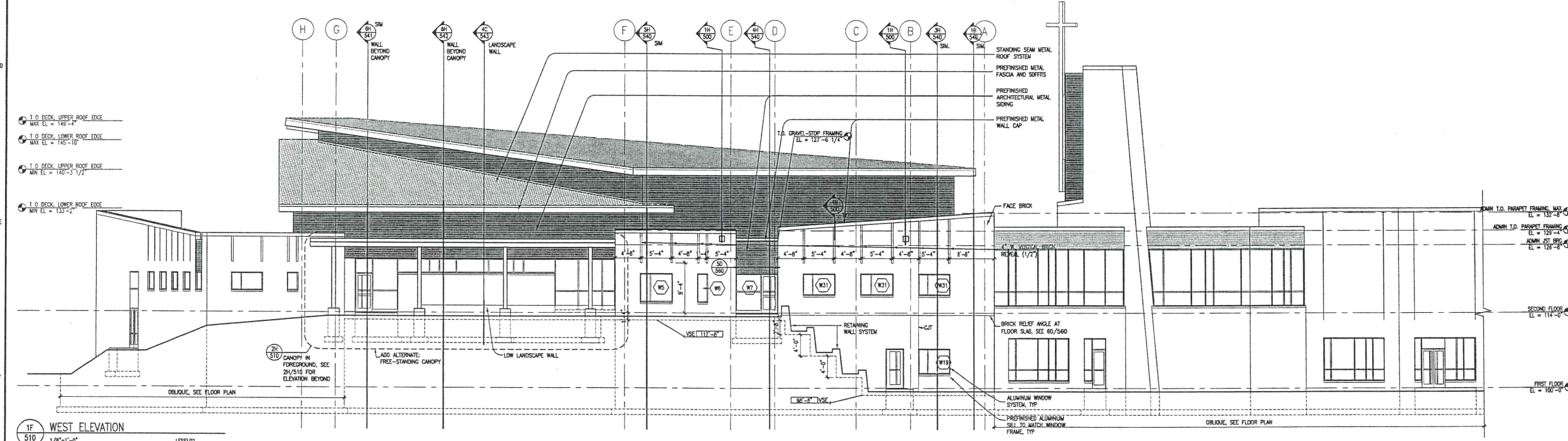
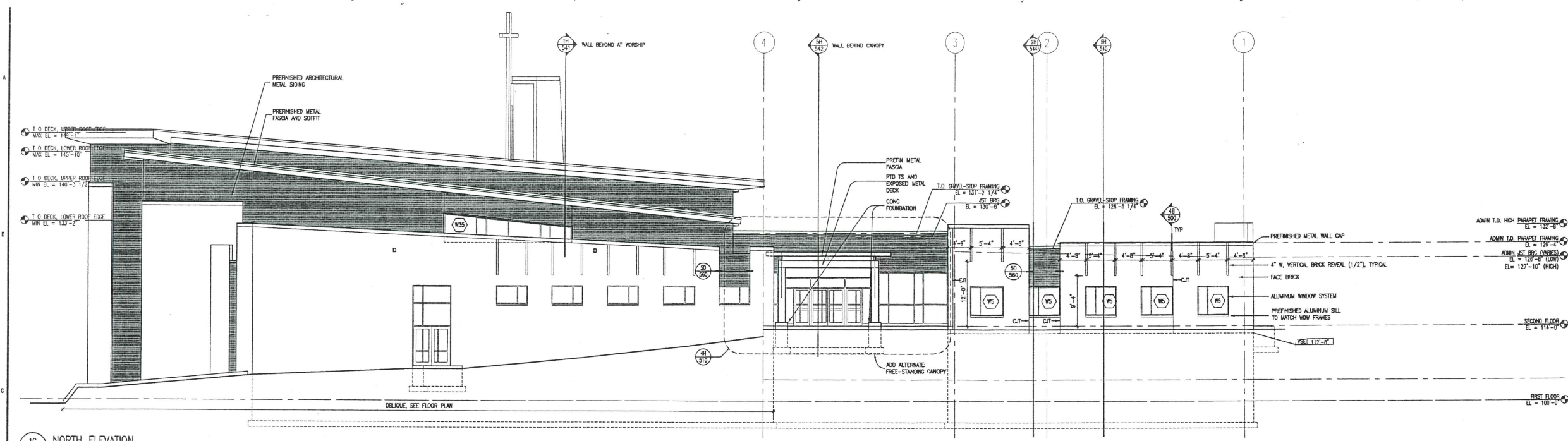
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of Minnesota.

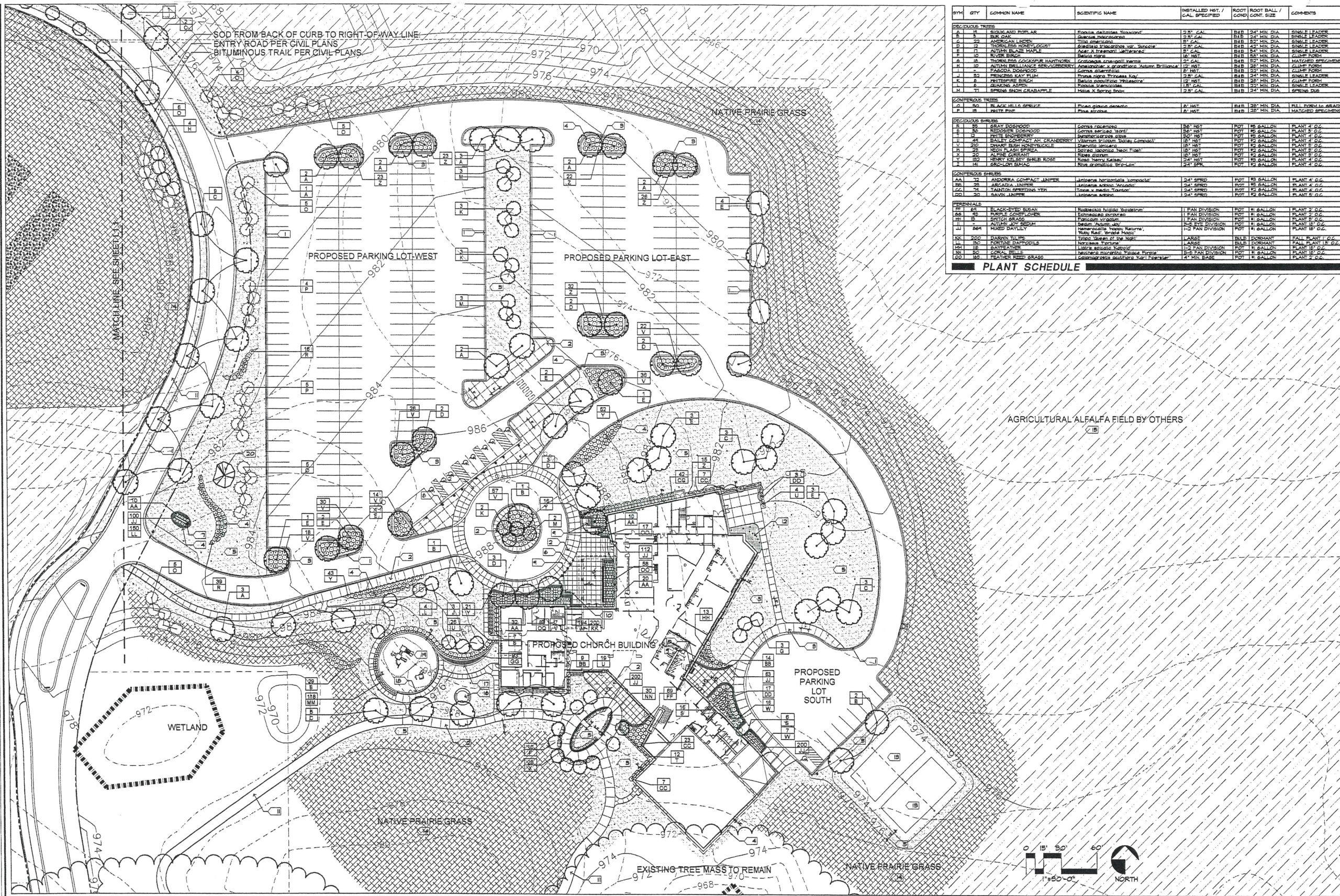
Name: *Robert G. Smith*
Date: 2-10-2006 Reg. No. 20095

Item	Date
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SITE PLAN SUBMITTAL	3-2-06

Date	02/10/06	Drawn	CP/JLW/MRB
Comm. No.	2005.091.00	Checked	KF
Sheet Title	EXTERIOR ELEVATIONS		

Sheet No.
510
Copyright BWB R Architects





SYM	QTY	COMMON NAME	SCIENTIFIC NAME	INSTALLED HT. / CAL. SPECIFIED	ROOT BALL / COND	ROOT BALL / CONT. SIZE	COMMENTS
DECIDUOUS TREES							
B	14	BURCH AND BIRCH AS	<i>Betula debilis</i> Swallow	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
D	14	RED OAK	<i>Quercus rubra</i> L.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
E	22	AMERICAN LARCH	<i>Larix laricina</i> Koch	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
F	12	THORNED BLACK LOCUST	<i>Rhus glabra</i> L.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
G	12	AMERICAN HAWTHORN	<i>Ilex verticillata</i> L.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
H	12	RED BELLIED HORNET	<i>Amelanchier canadensis</i> Mill.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
I	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
J	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
K	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
L	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
M	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
N	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
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T	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
U	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
V	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
W	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
X	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
Y	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
Z	12	AMERICAN BURNING BUSH	<i>Euonymus alatus</i> (Roi) Maxim.	20' CAL	BIB	24" MIN DIA	SINGLE LEADER
CONIFEROUS TREES							
A	10	BLACK HILLS SPRUCE	<i>Picea canadensis</i> (Mill.) B.S.P.	15' HT	BIB	24" MIN DIA	PLANT 4.0 G.
B	10	WHITE PINE	<i>Pinus strobus</i> L.	15' HT	BIB	24" MIN DIA	PLANT 4.0 G.
DECIDUOUS SHRUBS							
C	10	AMERICAN DOGWOOD	<i>Cornus florida</i> L.	15' HT	POF	15 GALLON	PLANT 4.0 G.
D	10	RED DOGWOOD	<i>Cornus sericea</i> (Roi) Mill.	15' HT	POF	15 GALLON	PLANT 4.0 G.
E	10	WHITE DOGWOOD	<i>Cornus sericea</i> (Roi) Mill.	15' HT	POF	15 GALLON	PLANT 4.0 G.
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CONIFEROUS SHRUBS							
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PLANT SCHEDULE

Rockpoint
CHURCH

Lake Elmo Campus
Lake Elmo, Minnesota

B W B R
ARCHITECTS

Lawson Commons
380 St. Peter Street, Suite 600
Saint Paul, MN 55102-1996
651.222.3701

Consultants

Landscape Architecture

Damon Farber Associates
923 Nicollet Mall
Minneapolis, Minnesota 55402
phone 612.332.7522
fax 612.332.0936
www.damonfarber.com

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota.

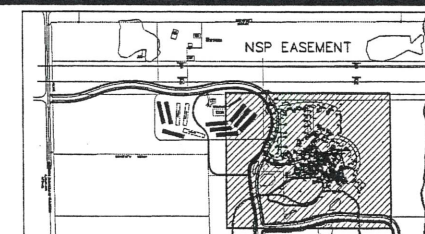
Name
Date: 2/10/06 Reg. No. 12538

Issued For

Item Date

L1.2

Copyright BWBR Architects



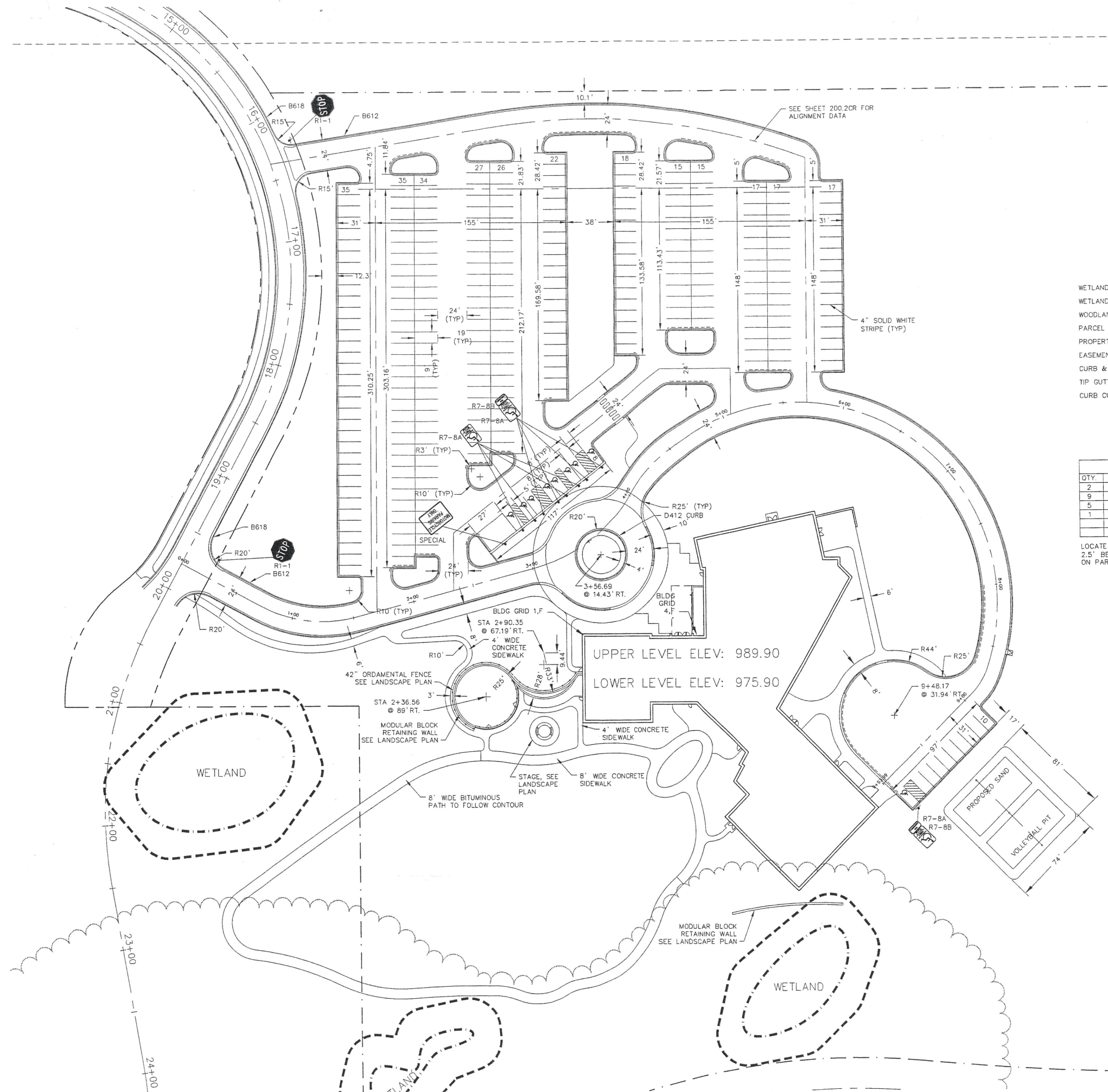
LOCATOR MAP

- CURB AND GUTTER SHOWN FOR REFERENCE. SEE CIVIL PLANS FOR LAYOUT & DETAILING.
- CONCRETE SIDEWALK PER CIVIL DETAILS. HAND-TOOL JOINTS AS SHOWN.
- 6'-6" DIAMETER LIMESTONE MULCH HAND PLACED. FILL SURFACE VOIDS WITH 3/4"-1 1/2" DIAMETER CRUSHED LIMESTONE MULCH. SEE DETAIL L1.1.3
- 1/8"x8" BLACK RYERSON STEEL EDGER, TYP. SEE SPECIFICATIONS.
- TURF SOD PER SPECIFICATIONS.
- STEEL TRAFFIC BOLLARD. SEE DETAIL SHEET L1.4, TYP. (B). PLACE 5'-0" ON-CENTER.
- MONUMENT SIGN PER ARCHITECTURAL PLANS. MAINTAIN 30' CLEAR SIGHT TRIANGLE. POWER FEED PER ELECTRICAL PLANS. CONFORM TO CITY OF LAKE ELMO SIGNAGE REGULATIONS.
- TRAFFIC SIGNS PER CIVIL PLANS.
- LANDSCAPE FORMS 6' METAL BENCH PER DETAIL SHEET L1.3.
- LANDSCAPE FORMS METAL CIGARETTE ASH URN PER DETAIL SHEET L1.3.
- BITUMINOUS TRAIL OVER CONTRACTOR PREPARED SUB-GRADE. SEE CIVIL PLANS, DETAILS AND SPECIFICATIONS. SEED DISTURBED AREAS WITH NATIVE PRAIRIE SEED MIX PER SPECIFICATIONS.
- 4" DEPTH 3/4"-1 1/2" CRUSHED LIMESTONE MULCH OVER WEED BARRIER.
- PROPOSED SAND VOLLEYBALL COURTS PER DETAIL SHEET L1.4. REFER TO CIVIL PLANS FOR GRADINGS AND SUB-SURFACE DRAINAGE PIPING.
- PROPOSED MEDIUM HEIGHT NATIVE PRAIRIE GRASSES. REFER TO SPECIFICATIONS.
- PROPOSED AGRICULTURAL ALFALFA OVER BALANCE OF EXISTING CROPLANDS. FIELD PREP, SEEDING AND HARVESTING, MAINTENANCE PER AGREEMENT BETWEEN CHURCH AND LEASEE.
- 'STAGE' PLATFORM CONSTRUCTED OF MODULAR BLOCK AND UNIT PAVING. SEE DETAIL SHEET L1.3 AND SPECIFICATIONS.
- MODULAR BLOCK RETAINING WALL. SEE CIVIL PLANS FOR WALL ELEVATIONS. CERTIFIED ENGINEER WALL DRAININGS BY WALL MANUFACTURER. ANCHOR 'HIGHLAND' SERIES. SEE SPECIFICATIONS.
- 42" ORNAMENTAL METAL FENCE. TYPICAL. SEE DETAIL SHEET L1.3 AND SPECIFICATIONS.
- PLAYWORLD SYSTEMS PLAY EQUIPMENT IN SAND TOT LOT AREA. WITH CONCRETE CURB CONTAINMENT EDGE. SEE DETAIL SHEET L1.4 AND SPECIFICATIONS. FUTURE ROCK MONUMENT. QUARRY BLASTED DRESSER TRAP BOULDER OR SIMILAR.

NOTE:
LANDSCAPE CONTRACTOR SHALL COORDINATE IRRIGATION SLEEVES WITH THE GENERAL CONTRACTOR PRIOR TO PAVING INSTALLATION.
REFER TO SHEETS L1.1, L1.3 & L1.4 AND SPECIFICATIONS FOR ADDITIONAL CONTRACTOR REQUIREMENTS.

PLAN NOTE TAGS

G:\RockPoint\PLAN SHEETS\BWB\200-1CS.dwg March 02, 2006 - 8:41am



LEGEND

WETLAND AREAS	---
WETLAND BUFFER	---
WOODLANDS	---
PARCEL LINE	---
PROPERTY LINE	---
EASEMENT LINE	---
CURB & GUTTER (B612)	---
TIP GUTTER OUT	---
CURB CUT SECTION	---

SIGN TABULATION			
QTY.	SIGN NO.	SIZE	DESCRIPTION
2	R1-1	24" x 24"	STOP
9	R7-BA	12" x 18"	ACCESSIBLE PARKING
5	R7-BB	6" x 12"	VAN ACCESSIBLE
1	SPECIAL	24" x 30"	MOTORCYCLE PARKING ONLY

LOCATE ACCESSIBLE PARKING SIGNS
2.5' BEHIND CURB AND CENTERED
ON PARKING STALL, SEE DETAIL



BUILDING GRID COORDINATES		
GRID	NORTHING	EASTING
1,F	204566.41	483592.91
4,F	204566.41	483683.83

SEE ARCHITECTURAL PLAN
FOR BUILDING GRID LAYOUT

PARKING STALL TABULATION	
279 PARKING STALLS	
9 ADA ACCESSIBLE STALLS	

Rockpoint
ENGINEERS

Lake Elmo Campus
Lake Elmo, Minnesota



Lawson Commons
380 St. Peter Street, Suite 600
Saint Paul, MN 55102-1996
651.222.3701

Kimley-Horn
and Associates, Inc.
2550 UNIVERSITY AVE. WEST, SUITE 345N
ST. PAUL, MINNESOTA 55114
TEL. NO. (651) 645-4197
FAX. NO. (651) 645-5116

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed professional engineer under the laws of the State of Minnesota.

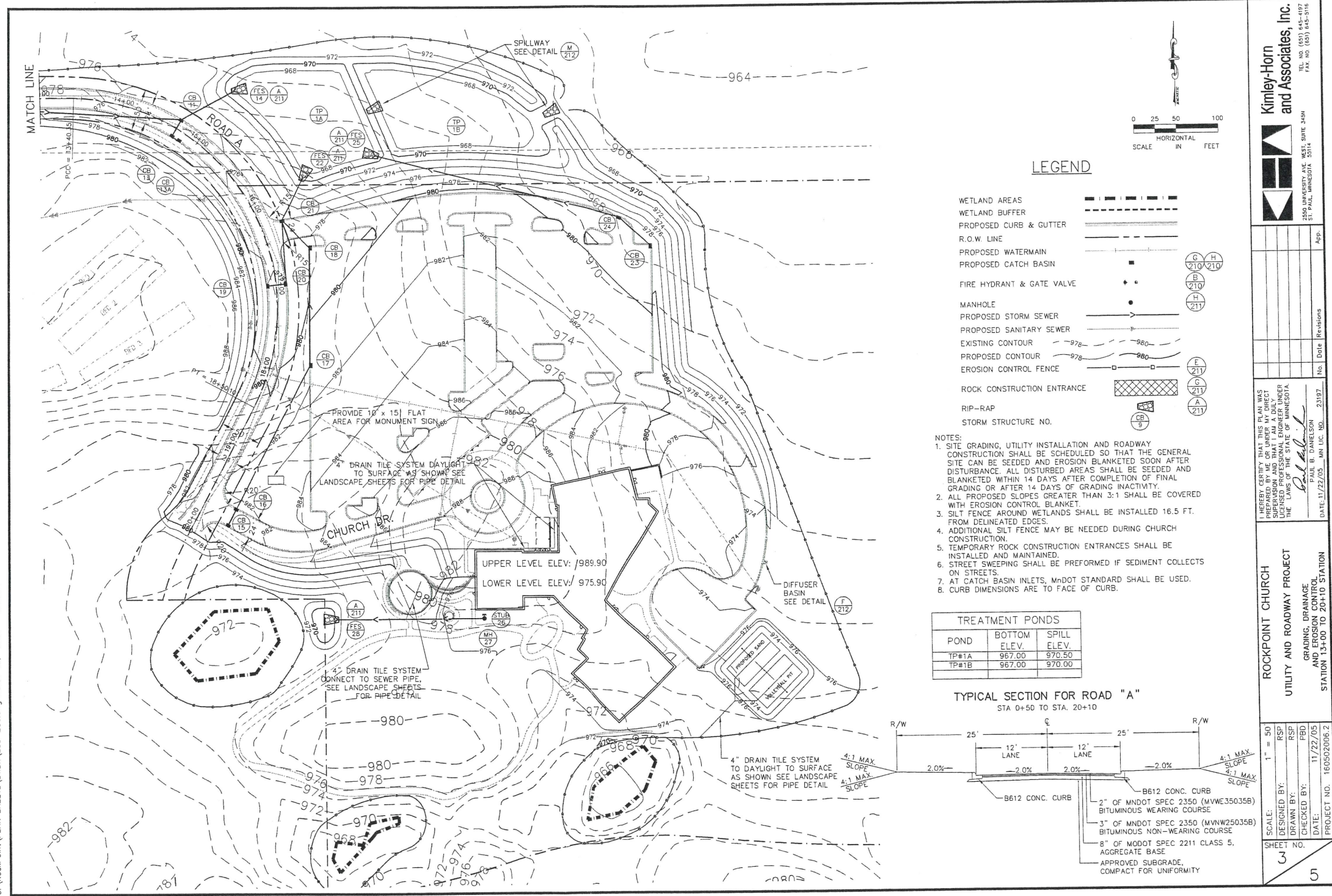
Name: *Paul M. Smith*
Date: 02/10/06 Reg. No. 23197

Issued For	
Item	Date
DD SET	10/14/05
QA SET	01/20/06
FINAL	02/10/06

Date	Drawn
NOV. 15, 2005	RSP
Comm. No.	Checked
	PBD

Sheet Title
SITE PLAN

Sheet No.
200.1CS



NOTE:
22"x34" SHEET SIZE REQUIRED FOR
PROPOSED IMPROVEMENTS WITHIN
PUBLIC RIGHT OF WAY.

MEMO

(April 20, 2006 for the Meeting of April 24, 2006)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Fences as Screening

On March 27, 2006 we advised the Commission that the City Council had requested the Commission to review the fence provisions of the City Code regarding screening of residential properties from adjacent commercial buildings and uses. The March 22 Staff Memo on the subject is attached.

As directed by the Commission staff has published a Notice of Public Hearing to consider the amendments suggested by that March 22 memo. A Planning Commission recommendation to the City Council regarding this proposed amendment is requested – following the Public Hearing.

MEMO

(March 22, 2006 for the Meeting of March 27, 2006)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Fence Ordinance Modification

At the March 14 City Council Workshop meeting a Council Member advised that a residential property neighboring the Carriage Station Professional Park had recently requested a permit for a fence along their common property line with the Professional Center. That fence was to screen the residence from the Professional Center parking facility. The fence desired to result in the necessary screening would not be compliant with the residential fence regulations of the City – 72 inches, but all areas above 42 inches must be 75% open to air and light.

Section 1345 of the City Code provides that, *“Where any business or industrial use (structure, parking or storage) is adjacent to property zoned or developed for residential use, that business or industry shall be screened along the boundary of the residential property.”* Section 1345 goes on to define screening as, *“...as fences at least 5 feet high or earthen berms at least three feet high with compact evergreens or deciduous hedges which extend at least three feet beyond the object to be screened, or vegetative or landscaping materials sufficient to provide a complete screen to the same height, to block visual access.”*

In the case of the Carriage Station, the developer of the office park and the residential neighborhood was the same; and, the 2000-2001 applications, reviews and approvals by the City were essentially concurrent - using the PUD provisions of the zoning ordinance. A sizable portion of the pre-development Carriage Station site was planted with mature coniferous trees. A significant feature of the project(s) design was the retention and transplanting of many of the coniferous trees as project screening along 55th Street North and elsewhere – including the commercial/residential screening between the office complex and the homes adjacent to the west in Carriage Station. It was the City's position at that time (2001) that this transplanting of mature coniferous trees along the residential/commercial property line was a more aesthetically pleasing response to Section 1345 provisions than would be a wood fence. The last clause of the Section 1345 definition of “screening” appeared to anticipate this approach as well.

Provisions such as Section 1345 are common in most City Codes. Any residential/commercial conflicts due to adjacency are mitigated by the commercial site. There are always, however, pre-existing (to the Code provisions) circumstances where no such mitigative requirements have been placed on the commercial site. Lake Elmo is not immune to that situation as one thinks about the Old Village and even the commercial

sites along Hudson Blvd. (even though no residential use adjoins – yet). That being the case, it does appear reasonable to broaden the general fence regulations somewhat to allow the residential property owner the right to screen from adjacent commercial uses where those commercial uses were not required to themselves screen, or where the passage of time has demonstrated that the screening that was provided is inadequate or has failed to be effective in some other manner.

It appears that this situation could be addressed by some minor changes to the language of Section 302.06 “Fences as Screening and Security as Required by This Code”. Numbered sub-Paragraph #1 of that section could be expanded as follows:

1. Required fences for screening and security purposes in Agricultural and Residential zoning districts shall be set back from all property lines equal to the required structure set back of the zoning district in which they are located, **except where residential uses share a common property line with commercial uses or commercial zoning districts.**

Should the Commission agree with this suggested amendment, or itself determine another solution would better address the situation the Council Workshop has identified, we will publish a formal Hearing Notice to consider such an amendment on April 10 or April 24.

MEMO

(April 20, 2006 for the Meeting of April 24, 2006)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Architectural Performance Standards – PF Zoning District

In 2002 the Planning Commission and City Council invested several meetings/drafts into amending the architectural performance standards for all commercial zones. The intent of planning staff (and, I believe, the Commission and Council) was that those same performance standards would apply to the PF zone. That is logical in that any structures most likely to be proposed in the PF district will be of the scale and character of commercial structures in most cases.

I have attached the proposed amendment to the PF standards which is the subject of this Public Hearing. This amendment reads exactly as the current standards in the LB, GB and BP zoning districts, and would replace the current PF standards – which read exactly like the prior commercial zone standards. I do not recommend that these PF standards be modified or customized further. Consistency in standards for like zoning districts is a desirable attribute in a zoning ordinance.

Staff recommends the Planning Commission recommend to the City Council that the PF zoning district standards be amended to delete all existing performance standards and that the standards staff dated April 20, 2006 be adopted.

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 97.

AN ORDINANCE AMENDING THE LAKE ELMO MUNICIPAL CODE
SECTION 300.07 SUBD. 4. ~~M5~~ AND ITS SUBDIVISIONS RELATING TO
ARCHITECTURAL PERFORMANCE STANDARDS IN THE
LIMITED BUSINESS ZONING DISTRICT

Section 1. Amendment: Section 300.07, Subd, 4. ~~M5~~ and its subdivisions are hereby amended to read as follows:

4. Performance Standards.

a. Purpose and Intent

It is the purpose and intent of the City, by the adoption of the performance standards of this subdivision, to ensure commercial buildings constructed within the City are of a high quality of exterior appearance, consistent with the terms of Non-Residential Development Policy #5 of the 2000-2020 Lake Elmo Comprehensive Plan. It is the Finding of the City that a limited selection of primary exterior surfacing materials meets this standard of quality.

It is the further Finding of the City that several specific exterior surfacing materials are appropriate, and of sufficient quality, to be utilized only as accent materials in varying percentages. The variations of percentage of specific accent materials relates to a Finding by the City as to the relative quality and rural character of those respective accent materials.

b. Architectural and Site Plan Submittals.

New building proposals shall include architectural and site plans prepared by registered architect and shall show the following as a minimum:

- i. Elevations of all sides of the buildings,
- ii. Type and color of exterior building materials,
- iii. Typical general floor plans,
- iv. Dimensions of all structures,
- v. Location of trash containers, heating, cooling and ventilation equipment and systems,

c. Applicability – Structure Additions and Renovation

Additions to existing structures resulting in an increase of gross floor area of the structure of less than 100%; and/or installation of replacement exterior surfacing of any portion of an existing structure shall be exempt from the standards of this subdivision where it is found that the new or replacement exterior surfacing proposed is identical to that of the existing structure.

Where additions to an existing structure result in an increase in the gross floor area of the existing structure of 100% or greater, the entire structure (existing structure and structure addition) shall be subject to the standards of this subdivision.

d. Performance Standards – Primary Exterior Surfacing

The Primary Exterior Surfacing of structures shall be limited to natural brick, stone, or glass. Artificial or veneer brick or stone shall not qualify as complying with this performance standard.

Primary Exterior Surface shall be defined as not less than 70% of the sum of the area of all exterior walls of a structure nominally perpendicular to the ground. All parapet or mansard surfaces extending above the ceiling height of the structure shall be considered exterior surface for the purposes of this subdivision. Windows and glass doors shall be considered a primary surface, but the sum area of such glass shall be deducted from the wall area for purposes of the 70% Primary/30% Accent formulas of this section. Doors of any type or material, except glass, shall not be considered a primary exterior surface.

Each wall of the structure shall be calculated separately; and, individually comply with the 70/30 formula.

e. Performance Standard – Exterior Surfacing Accents

Not more than 30% of the exterior wall surfacing, as defined by paragraph D. above, may be of the following listed Accent Materials, but no single Accent Material, except natural wood, may comprise more than 20% of the total of all Accent Materials; and, no combustible materials shall be used:

- i. Wood Siding
- ii. Cement Fiber Board
- iii. Standing Seam Metal
- iv. Architectural Metal
- v. Stucco
- vi. Poured in Place Concrete (Excluding "tilt-up" panels)
- vii. Architect Metal Panels or Sheets
- viii. Porcelain or Ceramic Tile

f. Performance Standard – Accessory Structures

All Accessory Structures shall comply with the Exterior Surfacing requirements specified by this subdivision.

g. Performance Standard – HVAC Units and Exterior Appurtenances

All exterior equipment, HVAC and trash/recycling and dock areas shall be screened from view of the Public with the primary exterior materials used on the principal structure.

h. Performance Standard – Visible Roofing Materials

Any roofing materials that are visible from ground level shall be standing seam metal, fire-treated cedar shakes, ceramic tile, clay tile, concrete or slate.

i. Applicability – New Construction

The standards of this subdivision shall be applicable to all structures and buildings constructed in the City, on and after the effective date of this subdivision. The performance standards of this subdivision shall not be in any manner minimized by subsequent Planned Unit Development Plans or Agreement.

Section 2. Effective Date: This ordinance shall become effective upon its passage and publication according to law.

MEMO

(April 20, 2006 for the Meeting of April 24, 2006)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Outdoor Social Events in the AG Zone

The City Council considered the Commission's recommendation regarding the subject at its April 18, 2006 Regular Meeting. The Council decided to table the matter and refer it back to the Planning Commission for further work. While as of April 20 we do not have the draft City Council Minutes from April 18 yet, my notes indicate that the two major issues the Council desires the Commission to further review and address in the ordinance were traffic forecasting/control and the maximum scale of the events (now 500 persons – if the site is large enough. The Council addressed other concerns that would best be addressed case-by-case with the individual Conditional Use Permit conditions.

We will have the draft Council Minutes from April 18 available at the April 24 Planning Commission meeting.

MEMO

(March 9, 2006 for the Meeting of March 13, 2006)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Zoning Ordinance Text Amendment – Commercial Outdoor Social Events

As directed by the Commission on February 27, 2006, staff has published an Official Notice of a Public Hearing to consider amendment to the Zoning Ordinance text to allow issuance of a Conditional Use Permit in the AG zoning district for commercial outdoor social events as requested by a Lake Elmo property owner. We have attached a HEARING DRAFT of how such an amendment could appear – using the content suggestions of Commissioner Armstrong from the February 27, 2006 Commission Minutes (and a couple of additional restrictions).

Please note that this addition to the list of AG Conditional Uses is structured differently than the other CUP uses on the list with “Required Conditions”. This is preferred zoning practice to provide the Public and applicants advance notice of minimal CUP conditions that are expected. That does not, however, preclude the staff from recommending and the Commission and/or City Council from including additional conditions found to be necessary to preserve the Public health, safety and general welfare – or, denying a CUP on the basis that those same concerns can not be reasonably assured. An applicant simply meeting those required conditions does not mean automatic CUP approval, nor if the CUP is approved, additional conditions.

Following the public Hearing Commission action is requested to either recommend a disposition (approve or not) of the proposed amendment to the City Council, or; refer the proposed amendment back to the staff for further work.

March 9, 2006

Draft ZO Amendment – Commercial Outdoor Social Events

Amend Section 300.07 Subdivision 4A2 (Conditional Uses) by adding:

- h. Commercial Outdoor Social Events, subject to the following required conditions:
 - i. A site tax parcel area not less than 10 acres.
 - ii. No existing permanent or newly constructed structures may be used.
 - iii. Events limited to twice weekly during the months of May to October.
 - iv. Attendance at events shall be limited to 20 persons per site to a maximum of 500 persons.
 - v. Compliance with City Code Ambient Noise standards.
 - vi. All parking shall be off-street, and shall be set back and/or adequately screened from adjoining properties.
 - vii. No event shall continue later than 10:00 PM.
 - viii. On-site portable sanitation adequately sized for the events.

**Public Hearing: Consider Code Amendment ~
Outdoor Social Events in AG Zoning District**

The Planner said the draft Code amendment is generic for all AG properties. The City of Stillwater said they have a CUP or SUP for musical events only. The Planners said he took Commissioner Armstrong's factors into consideration and drafted for Municipal Code 300.07, 4.A.2. to add another Conditional Use to those already there. He said that is a more contemporary way to draft an ordinance.

The Planner distributed a letter from Carol Palmquist received on March 1, 2006.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:05 P.M.

Nobody spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:06 P.M.

M/S/F, Deziel/Roth To limit No. 4 for Outdoor Social Events to ten guests per acre.

VOTE: 1:7 Failed. (Yea-Deziel)

M/S/P, Ptacek/Roth to limit Number 4 in the standards for Outdoor Social Events that attendance at events should be no more than 20 persons per acre, with a maximum of 500 persons, including event staff.

VOTE: 8:0.

M/S/P, Roth/Fliflet to limit sound to comply with the City Noise Ordinance.

The Planner read from the noise ordinance and said no sound above certain measurable thresholds should be discernible beyond the property line.

VOTE: 7:1 Ptacek-The intention was for no amplified sound.

M/S/P, Fliflet/Deziel to remove Number 6 from the standards for Outdoor Social Events because there is no reason to limit the hours. 7:1 Nay~Schneider-Can picture this being a hassle.

M/S/P, Ptacek/Fliflet to move forward with the text amendment for Outdoor Social Events subject to Conditions 1-9, eliminating Number six and to include the other amendments already made. VOTE: 8:0

March 9, 2006

Draft ZO Amendment – Commercial Outdoor Social Events

Amend Section 300.07 Subdivision 4A2 (Conditional Uses) by adding:

h. Commercial Outdoor Social Events, subject to the following required conditions:

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- vii. No event shall continue later than 10:00 PM.
- viii. On-site portable sanitation adequately sized for the events.

MEMO

(April 20, 2006 for the Meeting of April 24, 2006)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Metro Transit Park/Ride – I-94

The new Director of Transportation Services at the Metropolitan Council has approached the City Administrator regarding a potential permanent park/ride facility in Lake Elmo to replace the temporary facility now operated by Metro Transit at Guardian Angels Church. The City Council briefly reviewed the Director's letter and attached map at its April 11 Workshop, and referred the matter to the Planning Commission for advice and recommendations. I believe the City Council is requesting the Planning Commission's comments as to:

1. Should the City support a Park/Ride facility in Lake Elmo – regardless of location; and, if so,
2. Which of the three locations suggested by Metro Transit would be preferred for such a facility.

Ms. McCarthy has not, by her March 20 letter, provided specifics regarding the proposed facility. Most of what City staff knows of the proposal is based on information provided the City in 2004 related to a Metro Transit federal grant proposal to construct such a facility, as follows:

1. The facility would have a 500 car capacity.
2. The facility is designed to serve a dedicated bus route from Lake Elmo to Minneapolis – now operating out of Guardian Angels.
3. The buses utilizing this facility will be of special design utilizing alternative fuel to diesel.
4. The original federal grant application specified \$4 million to construct the facility, and another \$4 million to purchase the special buses.

Ms. McCarthy has indicated in her letter that enhanced transit service to the Cimarron neighborhood from this new facility could be a significant advantage to Lake Elmo residents. She also suggests that a Metro Transit Park/Ride site in Lake Elmo could also be utilized as a water tower site by the City. There is no question that a water tower site will be required south of 10th Street and remotely located from the Eagle Point Well #3. We requested advice from the City Engineer as to which of the 3 sites Ms. McCarthy has suggested would be suitable (from a topographic perspective) as a City water tower site.



Metropolitan Council

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Grant for transit
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RECEIVED
MAR 22 2006

March 20, 2006

Martin Rafferty, City Administrator
City of Lake Elmo
3800 Laverne Ave North
Lake Elmo, MN 55042

Dear Mr. Rafferty,

As you may know, Nacho Diaz recently retired as the Metropolitan Council's Director of Metropolitan Transportation Services. I would like to introduce myself as the new Director. I am a registered professional engineer with a civil engineering, construction management and transportation background. My transportation experience includes both roads and transit in the private and public sectors.

I would like to talk with you about the potential permanent park-and-ride in the I-94 East corridor. My understanding is that there has been some previous discussion between City of Lake Elmo and Metropolitan Council staff regarding a park-and-ride including possible sites. I also understand that the City of Lake Elmo is interested in constructing a water tower on a potential park-and-ride site and would like to learn more about that concept.

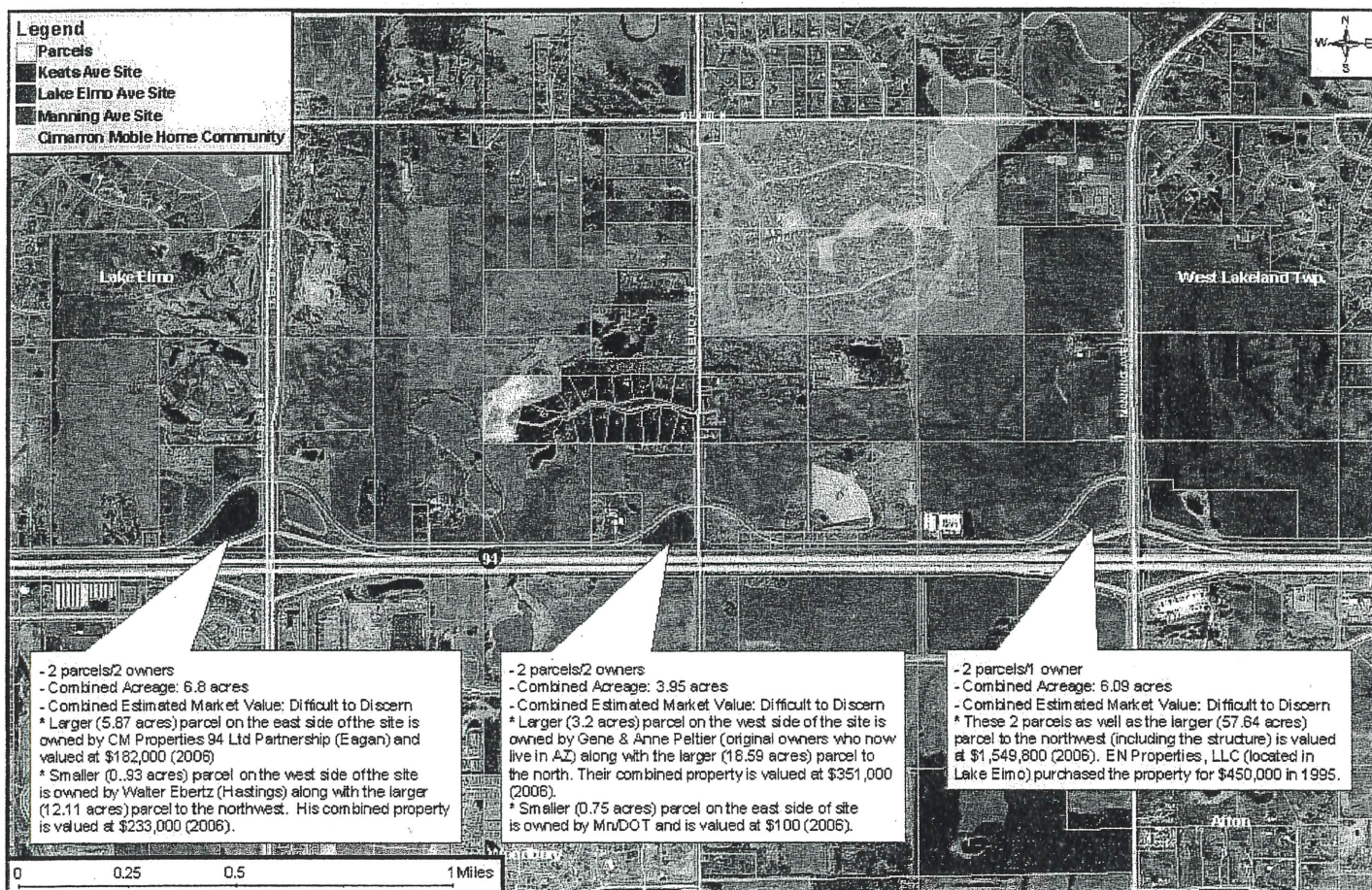
A meeting would also offer the opportunity for me to share with you some possible enhanced bus service concepts in conjunction with start-up of operations at a new park-and-ride – specifically service for Lake Elmo's Cimarron neighborhood.

I hope you agree that the potential joint use of a water tower and park-and-ride facility plus enhanced bus service could be a starting place for us to discuss our needs and possible solutions. Please give me a call at (651) 602-1754 to arrange a meeting. I look forward to hearing from you.

Sincerely,

Arlene McCarthy
Director, Metropolitan Transportation Services

cc: Tom Weaver, Regional Administrator



Potential Site Locations

I-94 East Corridor Park-and-Ride Facility Capacity Expansion



DRAFT
For Discussion Purposes Only

Figure __

March 27, 2006 (Revised)

MEMO

(April 20, 2006 for the Meeting of April 24, 2006)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Setbacks in the RR Zoning District

At its April 11, 2006 Workshop the City Council was asked to consider amending the RR district standards to substitute setback standards equivalent to those now found in the RE district. Council members observed both that the RE standards are more current than the RR standards and that it seemed logical that the 10 acre parcels of RR should have setback standards at least as great as those of the 2.5 acre parcels of the RE zone. A comparison of the current standards follows:

<u>Standard</u>	<u>RR</u>	<u>RE</u>
Lot Width	300 feet	150 feet
Front (Street) Setback	30 feet	100 feet
Side Setback	10 feet	50 feet
Rear Setback	40 feet	100 feet
Arterial Street Setback	50 feet	150 feet

In both cases the setbacks for accessory structures are the same as for principal structures.

Staff requests the Commission's direction regarding proceeding with any amendments to RR district standards; and, if so, which standards should be considered for amendment. A Notice of Hearing will be required. This will not be able to be heard by the Commission until the meeting of May15, if so directed.