



*Our Mission is to Provide Quality Public Services in a
Fiscally Responsible Manner While Preserving the City's
Open Space Character*

NOTICE OF MEETING

City Council Meeting

Tuesday, April 1, 2014 7:00 P.M.

City of Lake Elmo | 3800 Laverne Avenue North

AGENDA

- 7:00** A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Order of Business
- E. Approval of Agenda
- F. Accept Minutes
1. Accept March 18, 2014 City Council Meeting Minutes
- G. Council Reports
- Mayor
 - Council
- 7:10** H. Public Comments/Inquiries
- I. Proclamation – National Library Week Proclamation
- J. Consent Agenda
2. Approve Payment of Disbursements and Payroll
3. 2014 Seal Coat Project – Approve Plans and Specifications and Authorize Ad for Bids;
RESOLUTION NO. 2014-20
4. Family Means CUP; **RESOLUTION NO. 2014-21**
5. Site Plan Review Ordinance; **ORDINANCE 08-105**
- K. Regular Agenda
- 7:15** 6. Horning Lot Size Variance; **RESOLUTION NO. 2014-22**
7. Launch Properties CUP Concept Plan and Zoning Map Amendment; **RESOLUTION NO. 2014-23,**
ORDINANCE 08-106
- L. New Business
- 8:05** 8. Joint Services Agreement with ISD 916
9. Approve the Joint Powers Agreement with the Stillwater School District for the Establishment of
a Multi-use Park at Oakland Junior High School
- M. Staff Reports and Announcements
- City Administrator
 - City Attorney
 - Planning Director
 - City Engineer
 - Finance Director
 - City Clerk
- 9:00** N. Adjourn

Item times are estimates and subject to change

***Note: The Public is advised that there may be a quorum of Library Board Members in attendance as observers. No official action can or will be taken by the Library Board at this meeting.

**LAKE ELMO CITY COUNCIL MINUTES
MARCH 18, 2014**

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
MARCH 18, 2014**

Mayor Pearson called the meeting to order at 7:00 pm.

PRESENT: Mayor Mike Pearson and Council Members Justin Bloyer and Mike Reeves.

Also Present: City Administrator Zuleger, City Attorney Brekken, Community Development Director Klatt, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell.

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

Council Member Reeves asked that Item 14 be added to the agenda.

MOTION: Council Member Reeves moved TO APPROVE THE MARCH 04, 2014 CITY COUNCIL AGENDA AS AMENDED. Mayor Pearson seconded the motion. MOTION PASSED 3-0.

ITEM 1: ACCEPT MINUTES

THE MARCH 04, 2014 CITY COUNCIL MINUTES WERE APPROVED AS PRESENTED BY CONSENSUS OF THE CITY COUNCIL.

COUNCIL REPORTS:

Council Member Bloyer: took the predictive index survey. He thought it was pretty amazing and was impressed with results. It was money well spent if it helps the staff. Council Member Reeves added that it identifies who we are and how we work.

Mayor Pearson: attended gateway corridor meeting; attended Library Board meeting; attended County/City joint project for Lake Elmo Ave. reconstruction open house. He thanked church for accommodating the open house. Some comments were about connecting to sewer; held Meet the Mayor; attended bond request meetings.

Council Member Reeves: attended Meet the Mayor and found it really interesting; Enjoyed the first episode of The Mayor Show; attended Parks Commission meeting on 3/17/14.

Public Comments

Library Director Linda Orsted spoke about the library. Spring break activities – train your brain. Working to get kids active as well as quiet time to search out favorite books; Will be screening Disney movie about Norway; have e-books available at library on two different platforms – Overdrive and Freading. To use, patron simply needs a library card from Lake Elmo Library; Library Board voted to change the reimbursement – still one card per household, but from any library system in MN.

CONSENT AGENDA

1. Approve Payment of Disbursements and Payroll
2. Accept Financial Report dated February 28, 2014
3. Accept Building Report dated February 28, 2014
4. Approve League of MN Cities Insurance Trust Waiver Form – Annual Renewal
5. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30th St. – Pay Request No. 6.
6. 2014 Seal Coat Project – Joint Services Agreement with Baytown Township

MOTION: Council Member Bloyer moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Council Member Reeves seconded the motion. MOTION PASSED 3-0.

REGULAR AGENDA

**LAKE ELMO CITY COUNCIL MINUTES
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ITEM 8: SCHILTGEN FARM PARCEL B SKETCH PLAN REVIEW.

Community Development Director Klatt provided overview of the Schiltgen Farms North sketch plan submission. Explained the key issues that staff and the Planning Commission have identified as needing to be resolved prior to prelim plat. Mr. Klatt also explained the parkland, storm water retention, and open space discussions previously held.

The proposed trails along with cul-de-sacs versus more grid-like planning were discussed. Mr. Klatt explained that the comp plan calls for more traditional style (grid-like) layout in the village area. Staff has asked for more direct route to connect the east and be in line with the village land use plan.

The county's concerns, including screening/berming on CSAH 17/Lake Elmo Ave. were noted. Both parks and planning commission have reviewed application.

Mayor Pearson asked Mr. Griffin about traffic impact on street with various methods. Mr. Griffin noted that gridded does not necessarily mean straight roads. They can be curved and meandering. Important thing is to have connectivity. Connectivity benefits efficiency.

Developer Dave Gonyea stated that they were open to idea of adding pocket park. Council consensus was supportive of having something available to neighborhood. Mr. Gonyea addressed the county's concerns for Lake Elmo Avenue and noted that addressing it is in his interest. He also noted that they are considering using theming fencing. Mr. Gonyea further addressed the through-road and his concerns regarding the increased traffic.

Council Member Bloyer asked which lots were quickest to sell. Mr. Gonyea said road safety has an impact on which lots sell first. Families with kids prefer cul-de-sacs and not through roads. Mr. Gonyea also explained their approach to storm water management.

Mr. Bloyer asked about price point. Homes will probably start at \$450K to \$600K. Houses across the street will be probably \$500 to \$750K due to larger lots. The architecture, density, and lot sizes were discussed.

Mr. Gonyea asked for direction on the cut through road to the east. Council and staff discussed the benefits and concerns with connectivity and overall maintenance. Council consensus is in favor of a small neighborhood park and additional trail connections.

No formal action taken.

ITEM 9: ACCESSORY STRUCTURE ORDINANCE AMENDMENT; ORD. 08-104, RES. NO. 2014-16

Community Development Director Klatt explained the ordinance amendment proposal. It is a minor amendment. Mr. Klatt pointed out the changes that staff recommends are different than what the Planning Commission formally recommended regarding the side entry garages.

Council Member Bloyer asked about attached garages and why they are included in accessory use structures. Mr. Klatt stated that because attached garages are subordinate to the main structure. The attached garage is considered an accessory use but not an accessory structure.

MOTION: Mayor Pearson moved TO ADOPT ORDINANCE 08-104 AS AMENDED, REORGANIZING AND UPDATING THE CITY'S ACCESSORY STRUCTURE PROVISIONS

**LAKE ELMO CITY COUNCIL MINUTES
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WITHIN THE ZONING CODE, AND FURTHER AMEND BY STRIKING “UNLESS THE GARAGE IS SIDE-LOADED” FROM § 154.456 B(1)(A),(B) AND § 154.508 B(1)(A),(B). Council Member Reeves seconded the motion.

MOTION TO AMEND:** Council Member Bloyer moved to **AMEND EXEMPT STRUCTURE TO ADD #8 WATER ORIENTED STRUCTURES AS PERMITTED IN ACCORDANCE WITH CITY SHORELAND STRUCTURES.** Mayor Pearson seconded the motion. **MOTION PASSED 3-0.

ORIGINAL MOTION PASSED 3-0.

Mayor Pearson thanked staff for completing this item.

MOTION TO AMEND:** Mayor Pearson moved to **ADOPT RESOLUTION 2014-16 TO ALLOW FOR SUMMARY PUBLICATION OF ORDINANCE 08-104.** Council Member Reeves seconded the motion. **MOTION PASSED 3-0.

ITEM 10: ACCESSORY 2013 INTERNAL LOAN REPAYMENT; RES. NO. 2014-17

Finance Director Bendel provided an overview of the \$200,000 internal loan repayment from the Village Fund to the General Fund.

MOTION:** Council Member Reeves moved **TO APPROVE RESOLUTION NO. 2014-17, APPROVING AN INTERNAL LOAN FUND REPAYMENT, FROM THE VILLAGE FUND TO THE GENERAL FUND IN THE AMOUNT OF \$200,000 EFFECTIVE DECEMBER 31, 2013.** Council Member Bloyer seconded the motion. **MOTION PASSED 3-0.

ITEM 11: 39TH STREET NORTH: STREET AND SANITARY SEWER IMPROVEMENTS - ACCEPT PETITION AND AUTHORIZE FEASIBILITY REPORT; RES. NO. 2014-18

City Engineer Griffin provided overview of the proposed project. It was noted that the City has heard from 3 of the 5 property owners with interests in affected parcels. It was pointed out that if the project is not completed, the city will be liable for the feasibility study costs with no way to recoup. Owners have voiced desire to have the city contribute because the street is a higher used MSA road. Mr. Griffin explained the project schedule. It is aggressive due to the timing of some of the steps required through the 429 petition process. A public hearing would be required if not 100% petition.

Council Member Reeves asked about the amount at risk and the amount owners desire the City to contribute. The amount at risk is \$9,400 for the feasibility study. An actual contribution amount has not been specified. Possible ranges of 10-30% have been discussed.

MOTION:** Council Member Reeves moved **TO APPROVE RESOLUTION NO. 2014-18, DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF FEASIBILITY REPORT FOR THE 39TH STREET NORTH: STREET AND SANITARY SEWER IMPROVEMENTS, IN A NOT TO EXCEED AMOUNT OF \$9,400.** Council Member Bloyer seconded the motion. **MOTION PASSED 3-0.

NEW BUSINESS:

ITEM 12: DOWNTOWN LAKE ELMO MARKET AREA PROFILE

Community Development Director Klatt provided overview of the study. The study will involve local business owners and officials and give the city a market profile for the downtown. Anticipated staff time

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involvement is unknown, but it is believed to be beneficial to staff. Council consensus is positive that the business owners are being involved.

MOTION: Council Member Bloyer moved **TO AUTHORIZE STAFF TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF MINNESOTA EXTENSION SERVICE TO COMPLETE A MARKET AREA PROFILE FOR LAKE ELMO IN A NOT TO EXCEED AMOUNT OF \$750.** Council Member Reeves seconded the motion. **MOTION PASSED 3-0.**

ITEM 13: APPROVE WASHINGTON COUNTY MUNICIPAL WATER COALITION RESOLUTION; RES. NO. 2014-19

City Administrator Zuleger gave an overview of the Washington County Municipal Water Coalition and its purpose. Mr. Zuleger also gave summary of the resolution itself. Council Member Reeves voiced his support for the resolution.

MOTION: Mayor Pearson moved **TO APPROVE RESOLUTION NO. 2014-19, TO ENTER INTO THE INTERGOVERNMENTAL AGREEMENT REGARDING WATER SUPPLY.** Council Member Reeves seconded the motion. **MOTION PASSED 3-0.**

ITEM 14: APPROVE LASERFICHE RIO UPGRADE EXPENDITURE

City Clerk Bell explained the background of the item and the reason for the timing of the item. This upgrade expense was not budgeted for in the 2014 budget due to the amount not being available until now. Roseville IT did not provide the proposal until just before the council meeting preparation. Roseville needs the agreement approved by 3/19. Clerk Bell also explained the benefits of the software. If the City were to purchase this software on its own, it would cost more than \$20,000, so the benefit is great. It was also pointed out that the use of this software is instrumental in the 2014 Plan of Work goal of reducing the use of paper.

MOTION: Council Member Reeves moved **TO APPROVE THE 2014 LASERFICHE RIO UPGRADE AND DEPLOYMENT AGENCY COST CONTRIBUTION.** Council Member Bloyer seconded the motion. **MOTION PASSED 3-0.**

SUMMARY REPORTS AND ANNOUNCEMENTS

City Administrator Zuleger: attended bonding bill meetings. Upcoming legislative hearing on bill on Thursday 8:45AM.; reported Washington County Board of Commissioners passed resolution in support of water funding; working on Joint Powers Agreement with school district for park; working on obtaining water security/letters of credit issues for Lake Elmo Ave. So far City has secured \$1.3 million; City will be discussing joint services for utilities with Oakdale; commended Mike Bouthilet for his attending utility management seminar; Council transportation workshop is moved to April 8. The joint Planning/Council commission will now be in May.

City Attorney Brekken: no report.

Community Development Director Klatt: working on ordinance on commercial wedding venue; Planning Commission will be taking it up if the Council support moving forward. Council Member Reeves asked about the number of events cap. Mr. Klatt responded that it is based on Afton's ordinance and applicant. Council consensus is that Planning Commission should go forward with item. Question was asked about what type event are involved. At this point, just ceremonies, but the Commission has discussed expanding it. The applicant has not indicated anything but ceremonies thus far.

City Engineer Griffin: MS4 permit has been accepted and now posted for public review. Due to deep freeze this winter, road conditions will be poor this spring. Road restrictions will be enacted soon.

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Finance Director Bendel: attended Finance Committee meeting. Still looking for two more members; audit follow-up work is continuing; working on sewer and water cash flows.

City Clerk Bell: working on several HR issues including Predictive Index. Encourage the entire Council to take the survey; working on the 39th St 429 petition; CFL light bulbs obtained through the County recycling grant are available for residents to promote recycling. Notice will be in newsletter and on website;

Mayor Pearson adjourned the meeting at 9:03 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Adam R. Bell, City Clerk

CITY OF LAKE ELMO

NATIONAL LIBRARY WEEK 2014 PROCLAMATION

WHEREAS, libraries are the heart of their communities, campuses, and schools;

WHEREAS; librarians work to meet the changing needs of their communities, including providing resources for everyone and bringing services outside of library walls;

WHEREAS, libraries and librarian volunteers bring together community members to enrich and shape the community and address local issues;

WHEREAS, librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content;

WHEREAS, libraries offer programs to meet community needs, providing residents with computer classes and financial planning services to both teens and older adults

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities;

WHEREAS, libraries, librarians, library workers, and supporters across America are celebrating National Library Week.

NOW, THEREFORE, BE IT RESOLVED that I Mike Pearson, Mayor of Lake Elmo proclaim April 13-19, 2014 as

NATIONAL LIBRARY WEEK

I encourage all residents to visit the library this week to take advantage of the wonderful library resources available at your library. *“Communities matter @ your library.”*

Signed this April 01, 2014

Mike Pearson, Mayor



MAYOR & COUNCIL COMMUNICATION

DATE: April 1, 2014
CONSENT
ITEM #2
MOTION

AGENDA ITEM: Approve Disbursements in the amount of \$146,429.29

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECOMMENDER: Finance

FISCAL IMPACT: \$146,429.29

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$146,429.29. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

LEGISLATIVE HISTORY: NA

BACKGROUND INFORMATION/STAFF REPORT: The City of Lake Elmo has the fiduciary responsibility to conduct normal business operations. Below is a summary of current claims to be disbursed and paid in accordance with State law and City policies and procedures.

Claim #	Amount	Description
ACH	\$ 9,442.16	Payroll Taxes to IRS & MN Dept of Revenue 3/20/14
ACH	\$ 6,086.04	Payroll Retirement to PERA 3/20/14
DD5406-DD5431	\$ 28,597.70	Payroll Dated (Direct Deposits) 3/20/14
41120-41152	\$ 101,823.39	Accounts Payable 4/01/14
2330-2337	\$ 480.00	Library Card Reimbursement 4/01/14
TOTAL	\$ 146,429.29	

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the aforementioned disbursements in the amount of \$.

ATTACHMENTS:

1. Accounts Payable – check registers

Accounts Payable To Be Paid Proof List

User: CathyB

Printed: 03/27/2014 - 12:30 PM

Batch: 008-03-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Amazon Inc AMAZONIN										
60457-8781-0320	03/10/2014	313.61	0.00	04/01/2014	Books	Inv 60457-8781-032040-4	-	No		0000
206-450-5300-42500	Library Collection Maintenance									
60457-8781-0320	03/10/2014	115.89	0.00	04/01/2014	Teen Books	Inv 60457-8781-032040-4	-	No		0000
206-450-5300-42500	Library Collection Maintenance									
60457-8781-0320	03/10/2014	37.65	0.00	04/01/2014	Children's Books	Inv 60457-8781-032040-4	-	No		0000
206-450-5300-42500	Library Collection Maintenance									
60457-8781-0320	03/10/2014	174.90	0.00	04/01/2014	DVDs	Inv 60457-8781-032040-4	-	No		0000
206-450-5300-42500	Library Collection Maintenance									
60457-8781-0320	03/10/2014	28.46	0.00	04/01/2014	Wii Games	Inv 60457-8781-032040-4	-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	60457-8781-0320 Total:	670.51								
	AMAZONIN Total:	670.51								
	Amazon Inc Total:	670.51								
Blue Tarp Financial NORTHTOO										
563091234	03/11/2014	109.99	0.00	04/01/2014	Pump	Pump	-	No		0000
601-494-9400-42400	Small Tools & Minor Equipment									
	563091234 Total:	109.99								
	NORTHTOO Total:	109.99								
	Blue Tarp Financial Total:	109.99								
Bolton & Menk, Inc BOLTONME										
0164475	02/28/2014	860.00	0.00	04/01/2014	2013.126 Section 34 Water & Sewer	-	-	No		0000
601-494-9400-43030	Engineering Services									
	2013.126 Section 34 Water & Sewer									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
0164475	02/28/2014	1,290.00	0.00	04/01/2014	2013.126 Section 34 Water & Sewer	2013.126 Section 34 Water & Sewer	-			0000
602-495-9450-43030	Engineering Services									No
	0164475 Total:	2,150.00								
0164476	03/30/2014	862.50	0.00	04/01/2014	Well No 4 Connecting Watermain		-			0000
601-494-9400-43030	Engineering Services									No
	0164476 Total:	862.50								
	BOLTONME Total:	3,012.50								
	Bolton & Menk, Inc Total:	3,012.50								
	Car Quest Auto Parts									
CARQUEST	03/24/2014	99.37	0.00	04/01/2014	Service Parts	2055-314107, 313968	-			0000
313968	101-430-3125-42210				Equipment Parts					No
	313968	47.82	0.00	04/01/2014	Misc Oils	2055-314107, 313968	-			0000
	101-430-3120-42120				Fuel, Oil and Fluids					
	313968 Total:	147.19								
314107	03/25/2014	23.11	0.00	04/01/2014	Service Parts	2055-314107, 313968	-			0000
101-430-3125-42210	Equipment Parts									No
314107	03/25/2014	11.56	0.00	04/01/2014	Brake Fluid	2055-314107, 313968	-			0000
101-430-3120-42120	Fuel, Oil and Fluids									No
	314107 Total:	34.67								
	CARQUEST Total:	181.86								
	Car Quest Auto Parts Total:	181.86								
	Century Power Equipment									
CENTPOW	03/25/2014	71.78	0.00	04/01/2014	Blower service parts	Blower service parts	-			0000
619224	101-430-3120-42210				Equipment Parts					No
	619224 Total:	71.78								
	CENTPOW Total:	71.78								
	Century Power Equipment Total:	71.78								
CenturyLink										
CENTURYL	03/19/2014	125.80	0.00	04/01/2014	Phone Service - Library	3/19/14 Billing	-			0000
03.19.14	206-450-5300-43210				Telephone					No

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
03.19.14	03/19/2014	38.44	0.00	04/01/2014	Internet Service - Library		-	No		0000
206-450-5300-43250	Internet					3/19/14 Billing				
	03.19.14 Total:	164.24								
	CENTURYLINK Total:	164.24								
	CenturyLink Total:	164.24								
City of Roseville										
CTYROSEV										
218456	03/11/2014	2,635.58	0.00	04/01/2014	Monthly IT Svcs - March 2014		-	No		0000
101-410-1450-43180	Information Technology/Web					Invoices 218456 & 218496				
	218456. Total:	2,635.58								
218496	03/11/2014	87.10	0.00	04/01/2014	Monthly Telephone - Admin - Mar 2014		-	No		0000
101-410-1320-43210	Telephone									
218496	03/11/2014	13.75	0.00	04/01/2014	Monthly Telephone - Bldg Insp - Mar 2014		-	No		0000
101-420-2400-43210	Telephone					Invoices 218456 & 218496				
218496	03/11/2014	13.75	0.00	04/01/2014	Monthly Telephone - Comm - Mar 2014		-	No		0000
101-410-1450-43210	Telephone					Invoices 218456 & 218496				
218496	03/11/2014	13.75	0.00	04/01/2014	Monthly Telephone - Eng - Mar 2014		-	No		0000
101-410-1930-43210	Telephone					Invoices 218456 & 218496				
218496	03/11/2014	27.50	0.00	04/01/2014	Monthly Telephone - Finance - Mar 2014		-	No		0000
101-410-1520-43210	Telephone									
218496	03/11/2014	38.15	0.00	04/01/2014	Monthly Telephone - Planning - Mar 2014		-	No		0000
101-410-1910-43210	Telephone					Invoices 218456 & 218496				
218496	03/11/2014	181.75	0.00	04/01/2014	Monthly Telephone - PW - Mar 2014		-	No		0000
101-430-3100-43210	Telephone					Invoices 218456 & 218496				
	218496 Total:	375.75								
	CTYROSEV Total:	3,011.33								
	City of Roseville Total:	3,011.33								
Colemer Jamie										
COLEMER										
3.17.14	03/17/2014	24.88	0.00	04/01/2014	Reimb uniforms		-	No		0000
101-430-3100-44170	Uniforms					Riemb uniforms				
	3.17.14 Total:	24.88								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
COLEMER Total:		24.88								
Colemer Jamie Total:		24.88								
Delta Dental Of Minnesota										
DELTA	03/15/2014	1,736.55	0.00	04/01/2014	April 2014 Dental Coverage	Inv 5457335	-	No		0000
5457335	Medical Insurance	1,736.55								
101-000-0000-21706	DELTA Total:	1,736.55								
Delta Dental Of Minnesota Total:										
		1,736.55								
Emergency Automotive Tech, Inc										
EMERGAUT	01/13/2014	2,255.10	0.00	04/01/2014	Lighting upgrade to CV2		-	No		0000
22382	Repairs/Maint Eqpt	2,255.10								
101-420-2220-44040	22382 Total:	594.20								
22383	02/03/2014	594.20	0.00	04/01/2014	Lighting upgrade to CV1		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt	594.20								
22383	22383 Total:	2,849.30								
EMERGAUT	EMERGAUT Total:	2,849.30								
Emergency Automotive Tech, Inc Total:										
		2,849.30								
Emergency Response Solutions										
EMERGRES	03/13/2014	240.00	0.00	04/01/2014	Replace Class A Foam		-	No		0000
1769	Miscellaneous	240.00								
101-420-2220-44300	1769 Total:	240.00								
EMERGRES	EMERGRES Total:	240.00								
Emergency Response Solutions Total:										
		240.00								
Ferguson Waterworks, Inc #2516										
FERGUSON	03/11/2014	62.04	0.00	04/01/2014	Parts		-	No		0000
67800-1	Water Meters & Supplies	62.04								
601-494-9400-42300	67800-1 Total:	62.04								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	FERGUSON Total:	62.04								
	Ferguson Waterworks, Inc #2516 Total:	62.04								
Gumatz Beckie GUMATZ										
Conf mileage	03/25/2014	33.50	0.00	04/01/2014	Reimb conference mileage		-			No 0000
101-410-1320-43310	Mileage									
	Conf mileage Total:	33.50								
	GUMATZ Total:	33.50								
	Gumatz Beckie Total:	33.50								
	Holiday Credit Office									
HOLIDAYC										
1400012574096	03/15/2014	542.73	0.00	04/01/2014	Fuel		-			No 0000
101-420-2220-42120	Fuel, Oil and Fluids									
	1400012574096 Total:	542.73								
	HOLIDAYC Total:	542.73								
	Holiday Credit Office Total:	542.73								
	Hotsy Equipment of Minnesota									
HOTSYS										
45152	03/10/2014	40.14	0.00	04/01/2014	Snap Switch		-			No 0000
101-430-3100-44010	Repairs/Maint Bldg									
	45152 Total:	40.14								
	HOTSYS Total:	40.14								
	Hotsy Equipment of Minnesota Total:	40.14								
	Insurance Trust League of MN Cities									
BERKLEY										
46050-46051	03/02/2014	24,808.00	0.00	04/01/2014	Insurance - Admin		-			No 0000
101-410-1320-43610	Insurance									
46050-46051	03/02/2014	4,266.00	0.00	04/01/2014	Insurance - Fire		-			No 0000
101-420-2220-43630	Vehicle Insurance									
46050-46051	03/02/2014	248.00	0.00	04/01/2014	Insurance - Building Dept		-			No 0000
101-420-2400-43630	Insurance									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
46050-46051	03/02/2014	16,085.00	0.00	04/01/2014	Insurance - Public Works		-			0000
101-430-3100-43630	Insurance									No
46050-46051	03/02/2014	3,171.00	0.00	04/01/2014	Insurance - Parks		-			0000
101-450-5200-43630	Insurance									No
46050-46051	03/02/2014	6,499.00	0.00	04/01/2014	Insurance - Water		-			0000
601-494-9400-43610	Insurance									No
46050-46051	03/02/2014	143.00	0.00	04/01/2014	Insurance - Sanitary Sewer		-			0000
602-495-9450-43610	Insurance									No
46050-46051	03/02/2014	1,663.00	0.00	04/01/2014	Insurance - Library		-			0000
206-450-5300-43630	Insurance									No
	46050-46051 Total:	56,883.00								
	BERKLEY Total:	56,883.00								
Insurance Trust League of MN Cities Total:		56,883.00								
KORTH ERIC										
KORTHER										
03242014	03/24/2014	68.75	0.00	04/01/2014	Cable Op - 3/24/14 - Planning Comm		-			0000
101-410-1450-43620	Cable Operations									No
03242014	03/24/2014	25.00	0.00	04/01/2014	Cable Op - 3/24/14 - Planning Comm- Bonus		-			0000
101-410-1450-43620	Cable Operations									No
	03242014 Total:	93.75								
	KORTHER Total:	93.75								
KORTH ERIC Total:		93.75								
Lake Elmo Oil, Inc.										
LEOIL										
Various	02/21/2014	154.00	0.00	04/01/2014	Fuel		-			0000
101-420-2220-42120	Fuel, Oil and Fluids									No
	Various Total:	154.00								
	LEOIL Total:	154.00								
Lake Elmo Oil, Inc. Total:		154.00								
Library Ideas										
Library!										
36665	02/28/2014	3.50	0.00	04/01/2014	Pay-as-you-go February 2014		-			0000
206-450-5300-42000	Office Supplies									No

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
	36665 Total:	3.50								
	Library Total:	3.50								
	Library Ideas Total:	3.50								
Menards - Oakdale										
MENARDSO										
35696	01/07/2014	0.90	0.00	04/01/2014	Light ballasts - short pay		-	No		0000
101-430-3100-42210	Equipment Parts									
35696 Total:		0.90								
39714	03/05/2014	77.94	0.00	04/01/2014	Heavy Duty Hose		-	No		0000
101-430-3100-42210	Equipment Parts									
39714 Total:		77.94								
MENARDSO Total:		78.84								
Menards - Oakdale Total:		78.84								
Miller Excavating, Inc.										
MILLEREX										
18038	03/21/2014	5,721.28	0.00	04/01/2014	Water main exc & Mat'ls; 2767 LE Ave		-	No		0000
601-494-9400-44030	Repairs\Maint Imp Not Bldgs						Water main excavation & Materials			
18038 Total:		5,721.28								
18039	03/21/2014	5,962.50	0.00	04/01/2014	Water main exc & Mat'ls; Various		-	No		0000
601-494-9400-44030	Repairs\Maint Imp Not Bldgs						Water main excavation & Materials			
18039 Total:		5,962.50								
MILLEREX Total:		11,683.78								
Miller Excavating, Inc. Total:		11,683.78								
MN Chapter of APA										
MN APA										
NA	03/25/2014	25.00	0.00	04/01/2014	Job posting fee; APA MN Website		-	No		0000
101-410-1910-44300	Miscellaneous						Job posting fee; Planning intern			
NA Total:		25.00								
MN APA Total:		25.00								
MN Chapter of APA Total:		25.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
North American Salt Company										
NAMERICA										
71141838	03/07/2014	3,959.16	0.00	04/01/2014	Road Salt Inv 71141838	Salt various invoices	-	No		0000
101-430-3125-42290	Sand/Salt									
	71141838 Total:	3,959.16								
71142667	03/10/2014	1,906.28	0.00	04/01/2014	Road Salt Inv 71142667	Salt various invoices	-	No		0000
101-430-3125-42290	Sand/Salt									
	71142667 Total:	1,906.28								
71144372	03/12/2014	3,777.25	0.00	04/01/2014	Road Salt Inv 71144372	Salt various invoices	-	No		0000
101-430-3125-42290	Sand/Salt									
	71144372 Total:	3,777.25								
71145166	03/13/2014	1,826.33	0.00	04/01/2014	Road Salt Inv 71145166	Salt various invoices	-	No		0000
101-430-3125-42290	Sand/Salt									
	71145166 Total:	1,826.33								
	NAMERICA Total:	11,469.02								
North American Salt Company Total:										
		11,469.02								
P.I. Midwest										
PIMIDWES										
AF5687	02/05/2014	3,100.00	0.00	04/01/2014	PI Annual License Fee up to 50 ee's	PI Annual License fee	-	No		0000
101-410-1320-44370	Conferences & Training									
	AF5687 Total:	3,100.00								
	PIMIDWES Total:	3,100.00								
P.I. Midwest Total:										
		3,100.00								
River Country Cooperative										
RIVRCOOP										
141352	02/28/2014	419.36	0.00	04/01/2014	Fuel		-	No		0000
101-420-2220-42120	Fuel, Oil and Fluids									
	141352 Total:	419.36								
	RIVRCOOP Total:	419.36								
River Country Cooperative Total:										
		419.36								
S&T Office Products, Inc.										
S&T										
01QG4733	03/12/2014	-19.09	0.00	04/01/2014	Credit memo - Library		-	No		0000
206-450-5300-42000	Office Supplies									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
01QG4733 Total:		-19.09								
01QG8374	03/12/2014	23.37	0.00	04/01/2014	Office Supplies - Admin		-			0000
101-410-1320-42000	Office Supplies									No
01QG8374	03/12/2014	73.16	0.00	04/01/2014	Office Supplies - Planning		-			0000
101-410-1910-42000	Office Supplies									No
01QG8374	03/12/2014	7.95	0.00	04/01/2014	Office Supplies - Finance		-			0000
101-410-1520-42000	Office Supplies									No
01QG8374 Total:		104.48								
S&T Total:		85.39								
S&T Office Products, Inc. Total:		85.39								
Sam's Club										
SAMSCLUB										
101-420-2220-44300	03/13/2014	33.76	0.00	04/01/2014	Restock rehab supplies		-			0000
Miscellaneous										No
101-410-1940-44300	03/13/2014	69.68	0.00	04/01/2014	City Hall supplies		-			0000
Miscellaneous										No
Total:		103.44								
SAMSCLUB Total:		103.44								
Sam's Club Total:		103.44								
TDS Metrocom - LLC										
TDS										
6517798882	03/13/2014	133.15	0.00	04/01/2014	Analog Lines - Fire	651-779-8882	-			0000
101-420-2220-43210	Telephone									No
6517798882	03/13/2014	208.57	0.00	04/01/2014	Analog Lines - PW	651-779-8882	-			0000
101-430-3100-43210	Telephone									No
6517798882	03/13/2014	123.75	0.00	04/01/2014	Analog Lines - Lift Station Alarms	651-779-8882	-			0000
602-495-9450-43210	Telephone									No
6517798882	03/13/2014	43.25	0.00	04/01/2014	Analog Lines - Well House #2	651-779-8882	-			0000
601-494-9400-43210	Telephone									No
6517798882 Total:		508.72								
TDS Total:		508.72								
TDS Metrocom - LLC Total:		508.72								

Invoice #	Inv Date	Amount	Quantity	Emt Date	Description	Reference	Task	Type	PO #	Close POLine #
Truck Utilities Inc.										
TRKUTI										
266846	03/21/2014	27.02	0.00	04/01/2014	Hyd Hose Parts	Hyd Hose Parts	-	No		0000
101-450-5200-42210	Equipment Parts									
	266846 Total:	27.02								
	TRKUTI Total:	27.02								
Truck Utilities Inc. Total:		27.02								
Washington County										
WASRADIO										
78346	03/17/2014	309.06	0.00	04/01/2014	800 Radio Fees	800 Radio Fees	-	No		0000
101-430-3100-43230	Radio									
	78346 Total:	309.06								
78347	03/17/2014	3,800.76	0.00	04/01/2014	Qtrly user fee for 800 MHz radios		-	No		0000
101-420-2220-43230	Radio									
	78347 Total:	3,800.76								
	WASRADIO Total:	4,109.82								
Washington County Total:		4,109.82								
Water Conservation Svs Inc.										
WATERCON										
4839	03/17/2014	272.40	0.00	04/01/2014	Water main break location: 10833 33rd St		-	No		0000
601-494-9400-44300	Miscellaneous									
	4839 Total:	272.40								
	WATERCON Total:	272.40								
Water Conservation Svs Inc. Total:		272.40								
White Anita										
Whiteani										
3.18.14 CC	03/18/2014	55.00	0.00	04/01/2014	Cable Oper - 3/18/14 - CC Mtg		-	No		0000
101-410-1450-43620	Cable Operations									
	3.18.14 CC Total:	55.00								
	Whiteani Total:	55.00								

Invoice # Inv Date Amount Quantity Emt Date Description Reference Task Type PO # Close POnline #

White Anita Total: 55.00

Report Total: 101,823.39



MAYOR & COUNCIL COMMUNICATION

DATE: April 1, 2014
CONSENT
ITEM # 3

AGENDA ITEM: 2014 Seal Coat Project – Resolution No. 2014-20 Approving Plans and Specifications and Ordering Advertisement for Bids

SUBMITTED BY: Ryan Stempki, Assistant City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Mike Bouthilet, Public Works
Cathy Bendel, Finance Director

SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):

- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate.....Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT: None.

The total estimated project cost for the 2014 Seal Coat Project is \$213,000. The project will be paid through the Infrastructure Reserve Fund (Fund No. 409). Approval of this resolution does not commit the council to the project costs. Once contractor bids are received, the actual construction costs will be known and the council will be asked to consider entering into a contact to complete the work.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving, *as part of the Consent Agenda*, Resolution No. 2014-20, thereby approving the plans and specifications and ordering the advertisement for bids for the 2014 Seal Coat Project. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-20, thereby approving the plans and specifications and ordering the advertisement for bids for the 2014 Seal Coat Project.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

In accordance with the annual street maintenance program, the City Council ordered, on February 18, 2014, the preparation of plans and specifications for the 2014 Seal Coat Project. In addition, the City Council approved a Joint Service Agreement with West Lakeland Township and a Joint Service Agreement with Baytown Township as part of a shared services arrangement to pursue this work in a more cost effective manner. Through a shared services arrangement, the fixed costs for the design, obtaining bids, and administering construction is shared between each community, thereby lowering the overall costs. In addition, by combining the City and Township projects together, staff hopes to promote a more competitive bid environment that may result in a reduced unit price to lower each community's respective construction costs.

The combined project includes the plans and specifications to seal coat approximately 8 miles of streets in Lake Elmo (see attached Project Location Map), 2 miles of streets in West Lakeland Township and 1.7 miles of streets in Baytown Township. A project schedule is attached. With the approval of Plans and Specifications, the bids would be presented to council for award at the May 20, 2014 council meeting. The work is scheduled to be substantially complete by July 18, 2014 and has a final completion date of August 22, 2014.

West Lakeland and Baytown will reimburse Lake Elmo for the portion of the work completed on their Township roads in accordance with the project Joint Service Agreements. Each Township will also be reimbursing the City \$3,000 for the administration and engineering services associated with the project, and they will be directly responsible for the construction oversight for the work completed on their respective roadways.

In 2013, the City completed a crack seal project for these city street segments in preparation of this year's seal coat application. The 2014 Seal Coat Project now provides the design documents for seal coating these same street segments to complete the maintenance process.

RECOMMENDATION:

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Resolution No. 2014-20, thereby approving the plans and specifications and ordering the advertisement for bids for the 2014 Seal Coat Project. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-20, thereby approving the plans and specifications and ordering the advertisement for bids for the 2014 Seal Coat Project.”

ATTACHMENT(S):

1. Resolution No. 2014-20
2. 2014 Seal Coat Project Location Map
3. Project Schedule

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2014-20

**A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND
ORDERING ADVERTISEMENT FOR BIDS
FOR THE 2014 SEAL COAT PROJECT**

WHEREAS, pursuant to a motion passed by the City Council on the 18th day of February, 2014, FOCUS Engineering, Inc. has prepared plans and specifications for the 2014 Seal Coat Project and has presented such plans and specifications for approval.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

1. Such plans and specifications, a copy of which is on file at Lake Elmo City Hall and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper an advertisement for bids upon making of such improvements under such approved plans and specifications. The advertisement shall be published for at least 21 days, shall specify the work to be done, and shall state that sealed bids provided to the City Clerk prior to the specified bid date and time and accompanied by a bid bond or cashier's check made payable to the City of Lake Elmo in an amount not less than 5% of the amount of such bid will be considered

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIRST DAY OF APRIL
2014.**

CITY OF LAKE ELMO

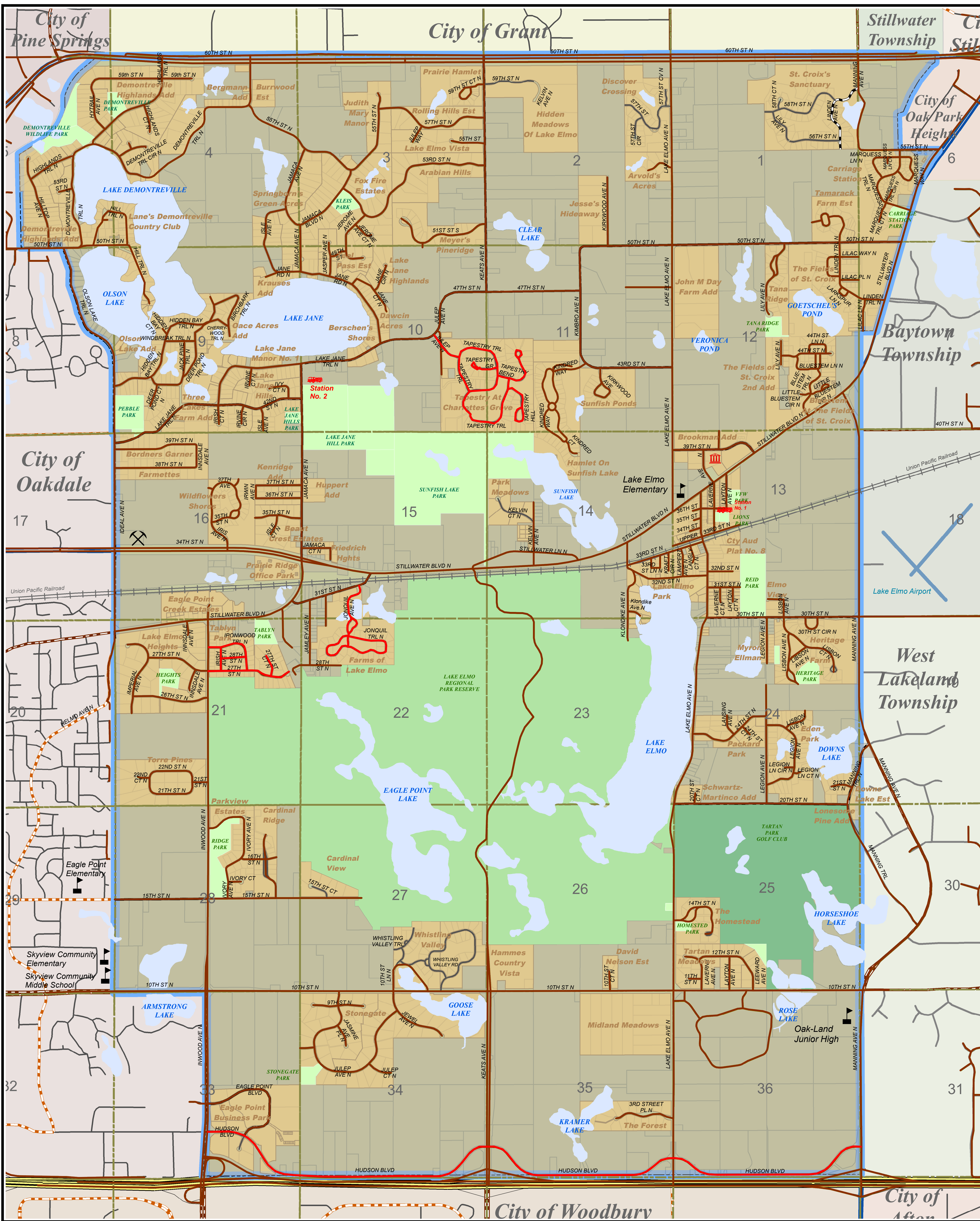
By: _____

Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk



2014 SEAL COAT PROJECT LOCATION MAP

2014 SEAL COAT



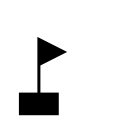
City Hall
3800 Laverne Avenue N
651/777-5510
www.lakeelmo.org



Public Works Building
3445 Ideal Ave N
651/233-5414



Fire Stations
Station No. 1
3510 Laverne Ave N
651/770-5006



Station No. 2
4259 Jamaica Ave N
651/779-8882

Schools



Parcels



Subdivisions



City Parks

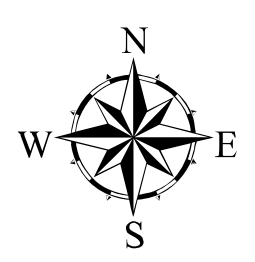


Golf Course



Lake Elmo Regional Park Reserve

Lakes



0 0.15 0.3 0.6
Miles

Map Date: February 2014

Created By:



FOCUS ENGINEERING, inc.

CITY OF LAKE ELMO
2014 SEAL COAT PROJECT
PROJECT NO. 2014.118

PROJECT SCHEDULE

February 18, 2014	Council orders preparation of Plans and Specifications.
April 1, 2014	Presentation of Plans and Specifications. Council Approves Plans and Specifications and Orders Advertisement for Bids.
April 5, 2014	Placement of Advertisement for Bids. –Oakdale-Lake Elmo Review. Publication on April 9 – Quest CDN. Publication on April 2
May 1, 2014	Receive Contractor bids.
May 20, 2014	City Council accepts bids and awards Contract.
May 23, 2014	Process and send out Contract Documents.
June 6, 2014	Receipt of Contractor’s Bonds/Legal Review.
June 10, 2014	Conduct Pre-Construction Meeting and Issue Notice to Proceed.
June 11, 2014	Contractor begins Work.
July 18, 2014	Substantial Completion of Work (including sweeping of excess aggregate).
August 22, 2014	Final Completion of Work (including Punchlist and final documentation).



MAYOR & COUNCIL COMMUNICATION

DATE: April 1, 2014

CONSENT

ITEM #4

AGENDA ITEM: Family Means CUP Amendment

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Community Development Director

SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: The Planning Commission and Staff recommend approval of the Conditional Use Permit (CUP) Amendment request by Family Means to construct a community center in the Cimarron Manufactured Home Park. The community center will allow Family Means to provide expanded and improved programming to youth in Cimarron Park, providing a service that will benefit the greater Lake Elmo community.

FISCAL IMPACT: None – All City review costs were recuperated through the required application fee

SUMMARY AND ACTION REQUESTED: The City Council is asked to approve a CUP Amendment request by Family Means to construct a community center in the Cimarron Manufacture Home Park as part of the Consent Agenda. The community center will be utilized to provide expanded after-school and summer programming to youth ages 6-18 in Cimarron Park. The Planning Commission held a public hearing on 3/24/14 and unanimously recommended approval of the request.

The Planning Commission and Staff are recommending that the City Council approve the CUP Amendment request as part of the Consent Agenda. If removed from the Consent Agenda, the CUP Amendment request can be approved through the following motion:

“Move to adopt Resolution No. 2014-21, approving the Conditional Use Permit Amendment request by Family Means to allow for the construction of a community center in the Cimarron Manufactured Home Park.”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:

The Cimarron Manufactured Home Park was approved by the Town of East Oakdale in 1967 via Special Use Permit (Attachment #6). As part of the approval of the manufactured home park, various accessory uses that would be permitted in the future were also identified in the approval. Community centers were identified as one of the permitted accessory uses. As Cimarron Park proceeded with various accessory uses, such as the golf course, the City processed the request as a Conditional Use Permit (CUP) Amendment. Following this established procedure, Family Means requesting an amendment to Cimarron Park’s CUP to proceed with the construction of the community center. To provide further clarification, it should be noted that Special Use Permits, which were common during this time period, have now been replaced by CUPs procedurally.

The Planning Commission held a public hearing on the CUP amendment request at its meeting on 3/24/14. No one spoke in favor or against the request. The Planning Commission voiced their support of the project. After discussing a few questions related to parking and programming, the Planning Commission unanimously recommended the CUP Amendment request for approval (Vote: 5-0).

BACKGROUND INFORMATION (SWOT):

Strengths: Allowing for the construction of a community center allows the Family Means organization the expanded space and facilities to improve after-school and summer programming for youth in Cimarron Park and the greater Lake Elmo community.

Weaknesses: None

Opportunities: Family Means currently operates after-school and summer programming in the existing clubhouse of Cimarron Park. Allowing for the construction of the community center will allow Family Means to serve a larger population of youth, as well as provide expanded and improved programming for the population.

Threats: None

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council approve the CUP Amendment request as part of the Consent Agenda. If removed from the Consent Agenda, the CUP Amendment request can be approved through the following motion:

“Move to adopt Resolution No. 2014-21, approving the Conditional Use Permit Amendment request by Family Means to allow for the construction of a community center in the Cimarron Manufactured Home Park.”

ATTACHMENTS:

1. Resolution No. 2014-21
2. Planning Commission Report, 3/24/14
3. Location Map
4. CUP Application Form and Narrative
5. Community Center Plan Sets
6. Cimarron Park Special Use Permit
7. CUP Required Findings (§154.106.A)

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2014-21

*A RESOLUTION APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO
ALLOW FOR THE CONSTRUCTION OF A COMMUNITY CENTER WITHIN THE CIMARRON
MANUFACTURED HOME PARK*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Family Means, 1875 Northwestern Avenue, Stillwater, MN (“Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit Amendment to allow the construction of a community center for the purpose of providing after-school and summer programming to children between the ages of 6 and 18 within the Cimarron Manufactured Home Park (901 Lake Elmo Avenue North, Lake Elmo, MN); and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on March 24, 2014; and

WHEREAS, the Lake Elmo Planning Commission submitted its report and recommendation concerning the Conditional Use Permit Amendment request to the City Council as part of a Staff Memorandum dated April 1, 2014; and

WHEREAS, the City Council considered said matter at its April 1, 2014 meeting.

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining said Conditional Use Permit (CUP) are found in the Lake Elmo Zoning Ordinance, Section 154.106.
- 2) That all the submission requirements of said Section 154.106 have been met by the Applicant.
- 3) That the proposed Conditional Use Permit Amendment is to allow the construction of a community center to serve youth in the Cimarron Manufactured Home Park as more fully described in application materials submitted to the City.
- 4) That the proposed Conditional Use Permit Amendment will apply to leased property legally described in Exhibit A.
- 5) That a community center is a permitted accessory use per the approved Special Use Permit for the Cimarron Manufactured Home Park.

- 6) That the proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city.
- 7) That the proposed use conforms to the City of Lake Elmo Comprehensive Plan.
- 8) That the proposed use is compatible with the existing neighborhood.
- 9) That the proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.
- 10) That the proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring uses.
- 11) That the proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- 12) That the proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- 13) That the proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
- 14) That vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- 15) That the proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Conditional Use Permit Amendment is granted.

Passed and duly adopted this 1st day of April by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk



PLANNING COMMISSION
DATE: 3/24/14
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2014-13

ITEM: Family Means Conditional Use Permit Amendment

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Rick Chase, Building Official
Greg Malmquist, Fire Chief

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to hold a Public Hearing to review an amendment to the Conditional Use Permit for the Cimarron Manufactured Home Park. The proposed amendment to the CUP is to allow for the construction of a 4,000 square-foot youth center to serve as an accessory use to the existing manufactured home park. The youth center will be run by the Family Means organization to accommodate after-school and summer programming for young residents of Cimarron between the ages of 6-18. Staff is recommending that the Planning Commission recommend approval of the CUP amendment request.

GENERAL INFORMATION

Applicant: Family Means (Arba-Della Beck); 1875 Northwestern Avenue, Stillwater, MN 55082

Property Owners: Equity Lifestyle Properties, Inc. (Kate Yunke); 901 Lake Elmo Avenue North, Lake Elmo, MN 55042

Location: Part of Sections 36, Township 29 North, Range 21 West in Lake Elmo, immediately east of Lake Elmo Avenue (CR-17) and immediately south of 10th Street (CSAH 10). PID Number: 36.029.21.21.0001.

Request: Conditional Use Permit (CUP) Amendment

Existing Land Use: Manufactured Home Park w/various accessory uses

Existing Zoning: MDR – Urban Medium Density Residential

Surrounding Land Use: North – gasoline station and neighborhood convenience store, and Tartan Meadows rural single family neighborhood; west – Midland Meadows rural single family neighborhood; south – vacant land guided for Urban Medium Density Residential (MDR) and Business Park (BP); east – Oakland Jr. High School and vacant/agricultural land guided for Urban High Density Residential (HDR).

Surrounding Zoning: RS – Rural Single Family (west and north); CC – Convenience Commercial (north); RT – Rural Development Transitional District (south and east)

Comprehensive Plan: Urban Medium Density Residential

History: Property was given approval through a Special Use Permit to operate a manufactured home park in 1967. As part of the approval for the manufactured home park, various accessory uses were also permitted, including a golf course, utility buildings, and a community center. As the park proceeded with the construction of the various accessory uses, such as the golf course in 1988, the City processed that additional uses via a Conditional Use Permit. Therefore, the proposed community center related to the Family Means youth programs is being processed as an amendment to Cimarron Park’s existing Conditional Use Permit. It should be noted Special Use Permits have been replaced by Conditional Use Permits in current land use law or best practice.

Deadline for Action: May 1, 2014 (60 day time deadline per State Statute)

Applicable Regulations: §154.106 Conditional Use Permits

REQUEST DETAILS

The City of Lake Elmo is in receipt of a proposed amendment to the Conditional Use Permit (CUP) for the Cimarron Manufactured Home Park. The CUP amendment has been submitted by Family Means, a non-profit organization that runs after-school and summer programming for youth in the Cimarron Manufactured Home Park. Family Means currently runs similar programming inside the existing clubhouse and office of Cimarron Park. However, due to a lack of space (900 square feet) within the existing facilities, the applicants have noted that they are unable to expand programming in Cimarron Park to provide a greater variety of programs and services. Due to this limitation, Family Means is proposing to construct a 4,000 square-foot youth center in the southeast corner of the existing parking lot that serves the clubhouse and office. As guided by the established procedure of adding other accessory uses to the manufactured home park in the past, the proposed use requires an amendment to Cimarron’s existing CUP.

BACKGROUND

The building proposed by Family Means is intended to increase capacity for after-school and summer programming for youth within the Cimarron manufactured home park. Family Means is currently providing some programming within a 900 square-foot space in the basement of the existing clubhouse/office of Cimarron Park. However, as stated in the provided narrative, they would like to expand their capacity and programming to serve greater numbers of youth with expanded activities. The proposed youth center would allow them to accomplish these goals. The applicants first met with staff in 2012 to discuss this proposal. At the meeting, staff instructed the applicants that the review of the youth center would be processed as an amendment to their existing CUP (formerly Special Use Permit). As instructed by staff, the applicants are now moving forward with their proposal by submitting an application for an amendment to the existing CUP.

The applicant’s submission to the City includes the following components:

- *Narrative.* The attached narrative includes a general overview of the project with additional background information regarding the organization and the intended use of the structure. The structure will have a teen area and a children’s area, as well as additional space for quiet study, computer stations and a commercial grade kitchen. The applicants have noted that there is adequate parking for the facility with 108 total parking spots at the end of construction. In addition, the narrative provides important details about how the structure will be served by the domestic sanitary sewer and water systems within Cimarron Park. Finally, it is noted that the project will result in an overall reduction in the amount of impervious surface.
- *Lease Agreement.* Family Means have entered into a 30-year lease agreement with Equity Lifestyle Properties, Inc., the owners of Cimarron Park, to lease the area needed for the construction of the new youth center. In addition, the lease also provides access to common areas surrounding the building, including the dedicated parking spots for the facility.
- *Plan Sets*
 - *Lease Description Sketch.* The sketch includes a description of the area to be leased for the youth center, as well as information relating to existing conditions and topography.
 - *Grading, Drainage, Erosion Control and Utility Plan w/Details.* The grading and utility plan shows the proposed grading as well as the proposed utility connections. The sanitary sewer service for the building will connect to the existing 6” service line for the clubhouse and office. The proposed water service will be connected via a 6” service line on the northern side of the structure. The plan also shows a proposed rain garden on the east side of the site to address updated conditions related to drainage and storm water runoff. It is the City’s understanding that the applicant has prepared the submitted plan in coordination with the Valley Branch Watershed District. Finally, the plan includes measures to address erosion and sediment control.
 - *Landscape Plan.* The Landscape Plan includes the species and location of a variety of plantings proposed for the site. The plan includes 6 trees and multiple varieties of shrubs and perennials. Upon review of the City’s landscape ordinance, Staff found the proposed landscape plan to be consistent with the City’s requirements.
 - *Building Plans and Elevations.* The applicants have provided elevations from the south and west sides of the proposed youth center, as well as the out or storage building. Building plans are also provided, showing how the interior space will be utilized in the youth center.
 - *Site Plan Sketch.* The Site Plan Sketch shows consistent information that supports the other documents in the plan sets. The sketch also demonstrates how the resulting parking lot will be striped in order to accommodate adequate parking facilities. The sketch and narrative note that 108 parking stalls will result from the redesign. However, when counting the stalls on the sketch, staff counted 95 parking stalls. Staff would request that the applicant verify the final number of parking stalls in advance of the building permit being approved.

In reviewing the submitted materials, staff has determined that the applicants have provided a complete and thorough application to review the proposed amendment to Cimarron’s CUP. In order to further review the proposed use, staff reviewed the application in accordance with the City’s

ordinance pertaining to conditional use permits. In addition, staff did review the history of the site to better understand how to process the request.

STAFF REVIEW COMMENTS:

In terms of the history of the manufactured home park, Cimarron Park was granted a Special Use Permit by the Town of East Oakdale in 1967 (Attachment #4). As part of this approval, various accessory uses were identified that could be constructed accessory to the manufactured home park at a later date. These accessory uses included a nine-hole golf course and a community center/office. In reviewing this application, staff has determined that the proposed youth center is an accessory use that is consistent with the original approval of the park. It should be noted that cities no longer issue special use permits, as these types of approvals have been replaced by conditional use permits (CUPs).

In reviewing the proposed amendment to the CUP, staff reviewed the request according to the required finding of the City's CUP Ordinance. The required findings include 12 findings that relate to minimizing potential impacts or nuisances associated with the proposed use. For the convenience of the Planning Commission, staff has provided the 12 required findings in Attachment #5. In reviewing the 12 required findings for granting a conditional use permit, or an amendment to that permit in this case, staff has found that the proposed use meets all of the required findings. In the judgment of staff, the proposed use is an expansion of a use that is currently occurring within the Cimarron clubhouse/office that will positively impact the community. In addition, there are no nearby land uses in close proximity that would be negatively impacted by the construction of the youth center in this location. After reviewing the required findings, staff finds that the proposed use would not conflict with the City's requirements for granting an amendment to the existing Conditional Use Permit. For these reasons, staff is recommending that the Planning Commission recommend approval of the proposed amendment to the CUP. To facilitate the review by the Planning Commission, staff can address any questions related to specific findings if needed.

The Fire Chief also reviewed the proposed youth center. The site will contain a fire hydrant in close proximity, and the structure will be sprinkled. The Fire Chief also wanted to know whether or not the facility could serve a dual purpose as an additional storm shelter in cases of extreme weather. Staff will follow up with the applicants and representatives of the manufactured home park to discuss any possibilities.

RECCOMENDATION:

Staff is recommending that the Planning Commission recommend approval of the proposed amendment to the Conditional Use Permit for the Cimarron Manufactured Home Park to allow the construction of a 4,000 square-foot youth center through the following motion:

“Move to recommend approval of the Conditional Use Permit Amendment submitted by Family Means to allow for the construction of a 4,000 square-foot youth center at the Cimarron Manufactured Home Park”

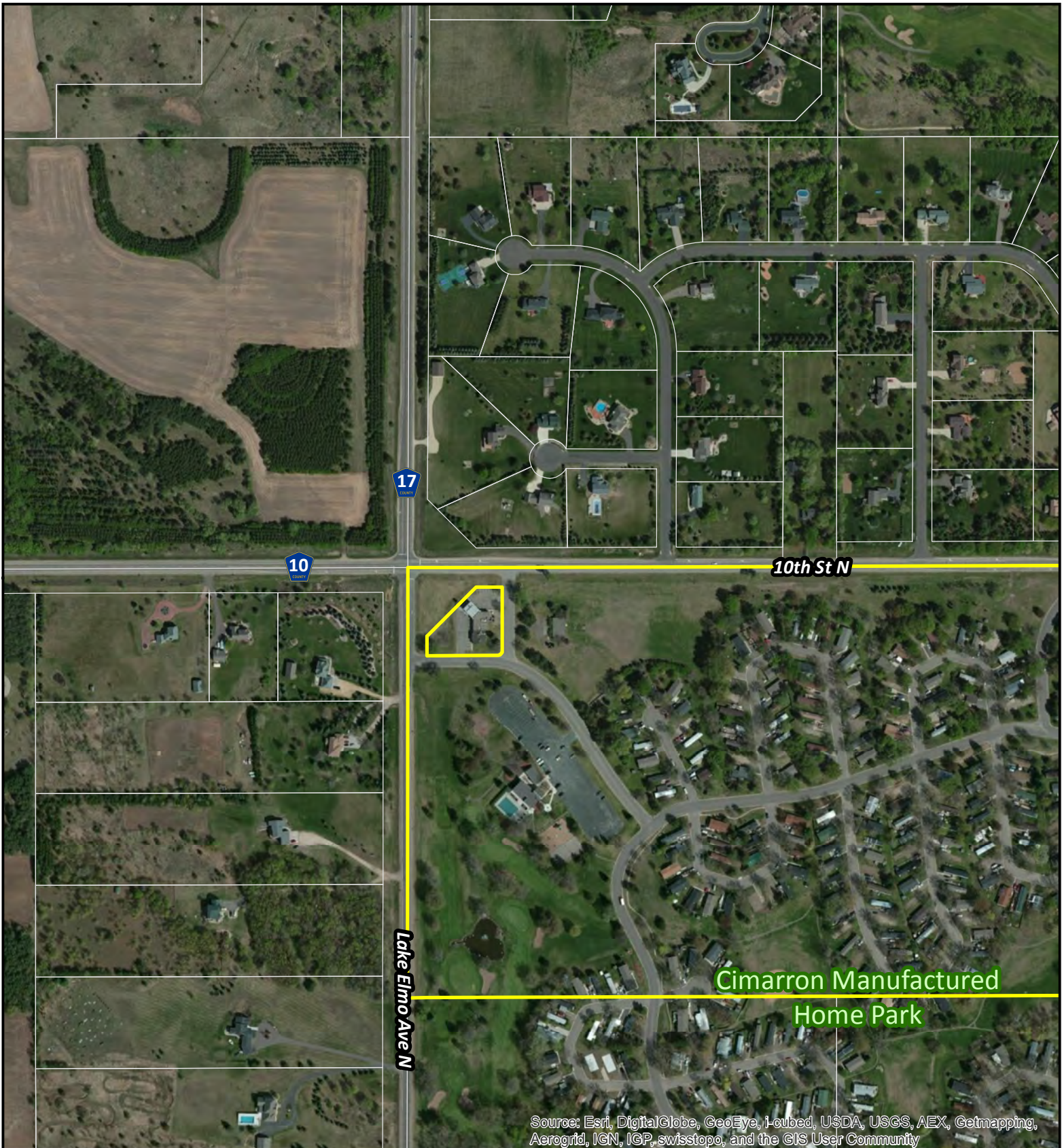
ATTACHMENTS:

1. Location Map

2. Application Form & Narrative
3. Youth Center Plan Sets
4. Cimarron Park’s Approved Special Use Permit
5. CUP Required Findings (§154.106.A)

ORDER OF BUSINESS:


- IntroductionPlanning Staff
- Report by StaffPlanning Staff
- Questions from the Commission Chair & Commission Members
- Open the Public HearingChair
- Close the Public Hearing.....Chair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

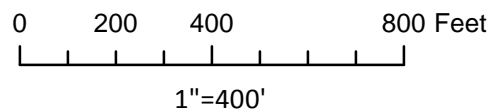


Location Map: Family Means CUP Amendment



Data Source: Washington County, MN
3-19-2014

 Project Location
901 Lake Elmo Ave N



Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal

Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
AMENDMENT

Lot Line Adjustment Minor Subdivision

Applicant: Family Means, Arba-Della Beck, President / Brian Larson, AIA, architect

Address: 1815 Northwestern Avenue, Stillwater MN 55082

Phone # owner: 651-439-4840 architect: 651-430-0056

Email Address: owner : abeck@familymeans.org
architect : brian@larsonarchitectsllc.com

Fee Owner: Equity Life Style Properties Inc. / Cimarron Park Manager, Kate Junke

Address: 901 Lake Elmo Ave. N. 55042

Phone # 651-436-8180

Email Address: cimarron park - mgr@equitylifestyle.com

Property Location (Address and Complete (long) Legal Description): SEE ATTACHED DRAWING/SURVEY. LEASE
901 Lake Elmo Ave. N., Lake Elmo 55042 DESCRIPTION SKETCH

Detailed Reason for Request: SEE ATTACHED LETTER: Conditional Use Permit
Amendment to add a Community Building in an existing parking
lot to accomodate after-school and summer programs for
Cimarron children ages 6-18.

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

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

REPRESENTING FAMILY MEANS - BRIAN LARSON, AIA
Signature of applicant: [Signature] Date: MARCH 3 2014

City Use Only

Planning: Zoning District: _____ Date: _____

Reviewed by: _____ Date: _____

Subject to the following conditions: _____

Engineering: Reviewed by: _____ Date: _____

Subject to the following conditions: _____

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN MN 55042
03/03/2014
REVISED -03/18/14

Application for Conditional Use Amendment:

Cimarron Community Building 901 Lake Elmo Avenue North, Lake Elmo, MN 55042

Cimarron Park

Equity LifeStyle Properties, Inc.
Kate Yunke, Property Manager
901 Lake Elmo Avenue North, Lake Elmo, MN 55042
651-436-6188

Owners/Lessees:

Arba-Della Beck, President
FamilyMeans
1875 Northwestern Avenue
Stillwater, MN 55082
651-439-4840

Architect:

Brian Larson, AIA
Larson Architects, LLC
807 N. 4th Street
Stillwater MN 55082
651-430-0056

Project Background

FamilyMeans is a private nonprofit social services agency founded in 1963 by Stillwater area community leaders. Their Youth Development Initiative provides on-site after-school and summer enrichment programs for Cimarron children and teens. FamilyMeans has 20 years of experience providing high quality youth programs. Local law enforcement and Equity LifeStyle Properties (ELS) management have publically credited their Cimarron program as instrumental in reducing juvenile crime within the community.

The Cimarron youth programs have outgrown their existing space, located in the basement of the Cimarron golf clubhouse and business office. This 900 square-foot space limits the number of youth who can participate, as well as the variety of programming that can be offered.

FamilyMeans and ELS have entered a 30-year lease agreement, allowing FamilyMeans to construct a new 4,000 sf one-story building and 500 sf outbuilding at the south end of the Cimarron clubhouse parking lot. The larger building will support and allow for the growth of Cimarron's youth programming. Youth currently have the opportunity to explore art, science, music, sports, cooking and computer skill-building in an open free-choice environment. Expanded summer programming offers a soccer club, bike program and entrepreneurial garden project. Activities also include field trips and community service efforts. Help with school work is available daily, and teens explore post-secondary education options.

Project Narrative

As noted above, the proposed Cimarron Community Center building is located near the community entrance and existing offices and golf clubhouse. The new building and its yard occupy one end of an existing parking lot adjacent to existing playground and court areas, and are a short distance from the offices and the community pool. With its rear yard greenspace, the project reduces the overall impervious area of the site, and its location allows shared use of the existing parking lot. When striped as indicated, the remaining parking lot could provide 108 parking spaces (including the 15 spaces needed for this new facility) . The plans have been developed in consultation and with support from the ELS/Cimarron local staff, who have concluded that this number of spaces will be more than adequate for all parking needs.

The main building is a gable-roofed, slab-on-grade wood-framed structure with porches on both sides. Adjacent to the main building is an outbuilding with a seasonal bike shop and storage areas for outdoor recreation. The two buildings form edges to an outdoor play area bounded on the remaining sides by a earth berm and the playground areas.

The main building's plan is symmetrical, with a teen area and a children's area on each side separated by a movable wall partition . Each side has its separate entrance from the parking lot/drop-off area to the north, as well as direct access to the outdoor play area to the south. In the center of the building are large activity multi-use spaces , with high (12'-0") ceilings. The center movable wall partition can be folded into a pocket, allowing the entire center area to be opened for special events. There are also quiet rooms to the south, facing the play yard, for study, art or small group activities. A central commercial-grade kitchen will be used for preparing food and for teaching purposes. On both the north and south sides of the building there are outdoor porches protecting entrances and providing space for small gatherings out of the elements.

The site development of the building and yard will result in removal of some existing parking , and a net gain in pervious green space. As part of the reconfiguration of parking lot stormwater systems, a raingarden/bioswale is proposed that can help infiltrate and treat stormwater runoff from site and building. Smaller nearby raised bed gardens may be constructed to support the program's gardening and produce initiative.

A new 6" PVC line sanitary sewer service for the new building will be connected to the existing 6" sanitary sewer line running from the existing clubhouse/office building to the sanitary main in the street. Most of the usage from toilets, sinks, kitchen and other wastewater will be simply transferred from the program's current use in the existing building to the new building. Any increase in usage from the new facility should easily be accommodated: according to the Chris Chvala, Cimarron Utility Director, the Cimarron wastewater treatment facility has an average flow of 72,000gal. with a capacity of 120,000 gal. The water service to the new building will via a new 4" line connected to the existing water service near an adjacent fire hydrant. Chris Chvala indicated that water pressure in this area is good, with few other sites using the existing 6" main in the street. Once a sprinkler contractor is engaged, water flow rates at the site will be verified.

Summary

The primary use of the proposed new Community Building for after-school and summer programs (currently housed by the existing clubhouse) appears to conform and be compatible with uses in the immediate area. Its scale, appearance and character differentiates enough to provide its own identity, but is also compatible with the existing office/clubhouse and the surrounding residential neighborhood. No additional parking will need to be created, with the existing parking lot providing all of the spaces needed. The overall net impervious surface area will decrease as a result of this project, with the addition of green space in the rear yard.



Equity LifeStyle Properties, Inc.
Two North Riverside Plaza, Suite 800
Chicago, Illinois 60606
(312) 279-1400
(312) 279-1715 Fax

Direct Dial: (312) 279-1674
Direct Fax: (312) 279-1675
E-mail: walter_jaccard@equitylifestyle.com

July 25, 2013

By Federal Express

Arba-Della Beck
FamilyMeans
1875 Northwestern Ave. S.
Stillwater, MN 55082
651 789 4001

Dear Arba-Della:

Enclosed is a fully signed original of the Ground Lease for Family Means' new facility at the Cimarron Village Manufactured Home Community.

Sincerely,

Walter B. Jaccard
Vice President – Legal

Enclosure

GROUND LEASE

THIS GROUND LEASE made and entered into as of the 1st day of July, 2013, by and between MHC Cimarron, L.L.C., a Delaware limited liability company (the "Lessor"), and FamilyMeans, a Minnesota nonprofit corporation (the "Lessee").

Lessor and Lessee, for and in consideration of the keeping by the parties of their respective obligations hereinafter contained agree as follows:

ARTICLE I Leased Premises

Upon the terms and conditions hereinafter set forth, and in consideration of the payment of the rents and the performance by Lessee of the covenants and agreements, to be kept and performed by Lessee, Lessor does hereby lease, let, and demise to Lessee and Lessee hereby leases from Lessor, the premises, situate, lying, and being in Washington County, State of Minnesota, together with certain easements for the benefit of the premises, all as described on **Exhibit "A"** attached hereto, and all other rights, privileges, easements and appurtenances belonging to or in any way pertaining to said premises including, but not limited to, the right to use in common with others the "Common Area", as defined and described on **Exhibit "B"** attached hereto (all of the foregoing being hereinafter collectively referred to as the "Leased Premises").

LESSEE HEREBY ACCEPTS THE LEASED PREMISES IN ITS "AS IS" CONDITION, SUBJECT TO THE EXISTING STATE OF TITLE (WITHOUT EXPRESS OR IMPLIED WARRANTY OF LESSOR WITH RESPECT TO THE CONDITION, QUALITY, REPAIR OR FITNESS OF THE PREMISES FOR A PARTICULAR USE OR TITLE THERETO, ALL SUCH WARRANTIES BEING HEREBY DISCLAIMED BY LESSOR AND WAIVED AND RENOUNCED BY LESSEE).

SIGNATURE PAGE FOR GROUND LEASE

IN WITNESS WHEREOF, Lessor and Lessee have hereunto set their hands and seals, the day and year above written.

LESSOR:

MHC Cimarron, L.L.C.,
a Delaware limited liability company

By: [Signature]
Its: RONALD C. Bunce, Sr. Vice President

STATE OF Arizona)
) ss.
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me this 22nd day of July, 2013, by Ronald C. Bunce, the Senior Vice President of MHC Cimarron, L.L.C., a Delaware limited liability company, on behalf of said company.

[Signature]
Notary Public



LESSEE:

FamilyMeans, a Minnesota non-profit corporation

By: [Signature]
Its: Board Chair

STATE OF MINNESOTA)
) ss.
COUNTY OF Washington)

The foregoing instrument was acknowledged before me this 3 day of July, 2013, by Jennifer Gillespie, the Board Chair of FamilyMeans, a Minnesota non-profit corporation, on behalf of said corporation.

[Signature]
Notary Public

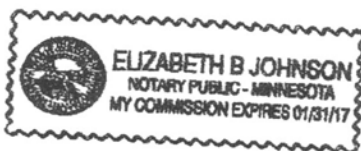
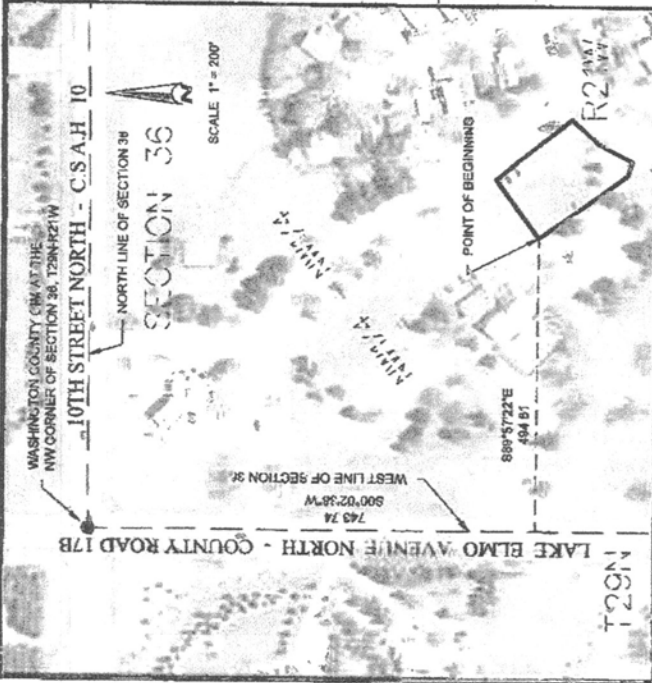


EXHIBIT "A"

Leased Premises/Permitted Exceptions

Legal Description and Graphic Depiction of Leased Premises



PROPOSED LEASE PARCEL DESCRIPTION

That part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota described as follows:

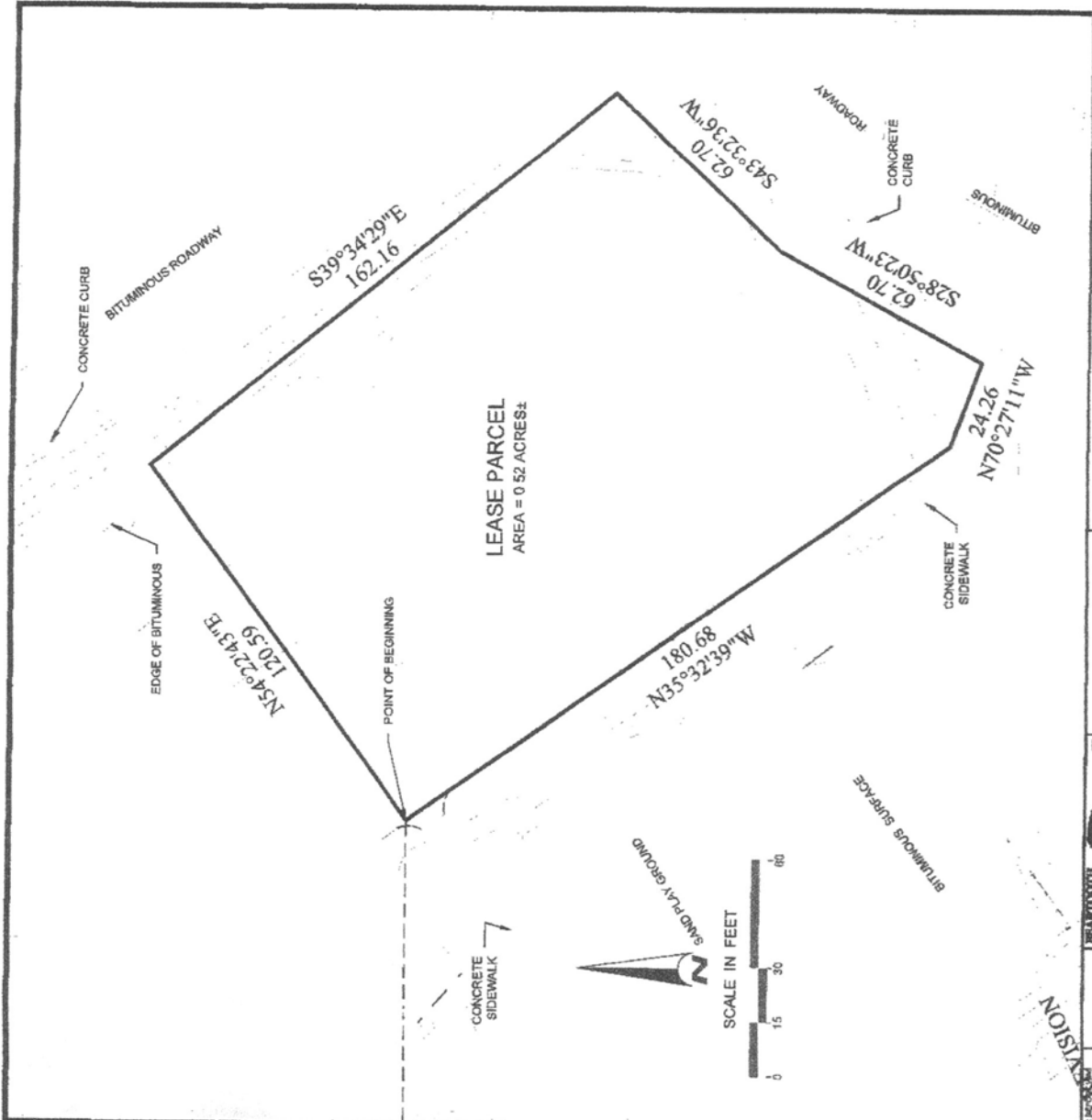
Commencing at the northwest corner of said Section 36; thence South 00 degrees 02 minutes 38 seconds West, bearing oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the west line of said Section 36 a distance of 743.74 feet; thence South 89 degrees 57 minutes 22 seconds East 494.61 feet to the point of beginning; thence North 54 degrees 22 minutes 43 seconds East 120.59 feet; thence South 39 degrees 34 minutes 29 seconds East 162.16 feet; thence South 43 degrees 32 minutes 36 seconds West 62.70 feet; thence South 28 degrees 50 minutes 23 seconds West 62.70 feet; thence North 70 degrees 27 minutes 11 seconds West 24.26 feet; thence North 35 degrees 32 minutes 39 seconds West 180.68 feet to the point of beginning, containing 0.52 acres, more or less.

TOPOGRAPHY SHOWN HEREON IS BASED ON FIELD SURVEY PERFORMED IN JUNE OF 2011 BY BEARTOOTH DESIGN, INC.

ORIENTATION OF THIS BEARING SYSTEM IS THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD83, 1986 ADJUSTMENT.

AERIAL PHOTOGRAPHY IS FROM A FLIGHT BY THE NATIONAL GEODETIC ASSOCIATION AND OBTAINED FROM THE MINNESOTA NORTH STAR MAPPING WEB SITE.

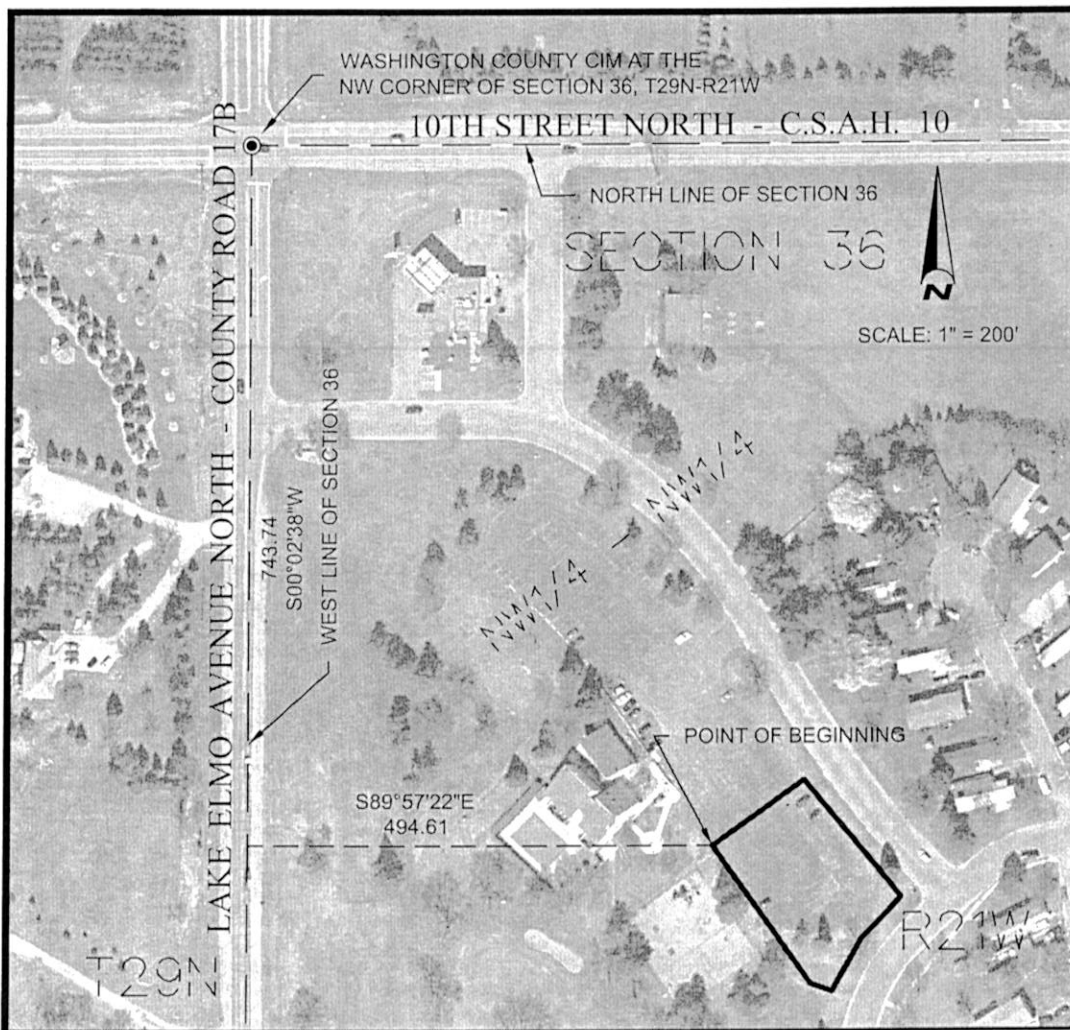
NO.	DATE	BY	REVISION
1			
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4			



REAL TOOTH DESIGN, INC. 311 TOWNSHIP 29 NORTH, RANGE 21 WEST, SECTION 36, WASHINGTON COUNTY, MINNESOTA 55042 PHONE: 612-338-1111 FAX: 612-338-1112		DRAWN BY: G.D. CHECKED BY: G.D. DATE: 05/23/11	FAMILY MEANS 1875 NORTHWESTERN AVENUE STILLWATER, MN 55042	LEASE DESCRIPTION SKETCH	SHEET 01 OF 01 SHEETS
WASHINGTON COUNTY CORNER AT THE NW CORNER OF SECTION 36, T29N R21W		CIMARRON SITE LAKE ELMO, MN 55042			

EXHIBIT "B"

Common Area



PROPOSED LEASE PARCEL DESCRIPTION

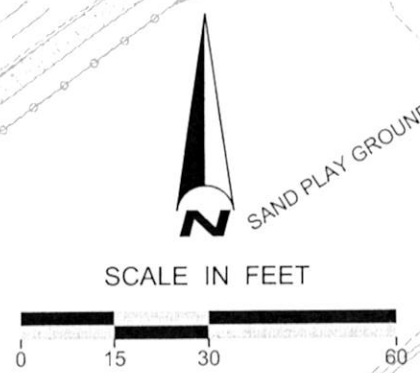
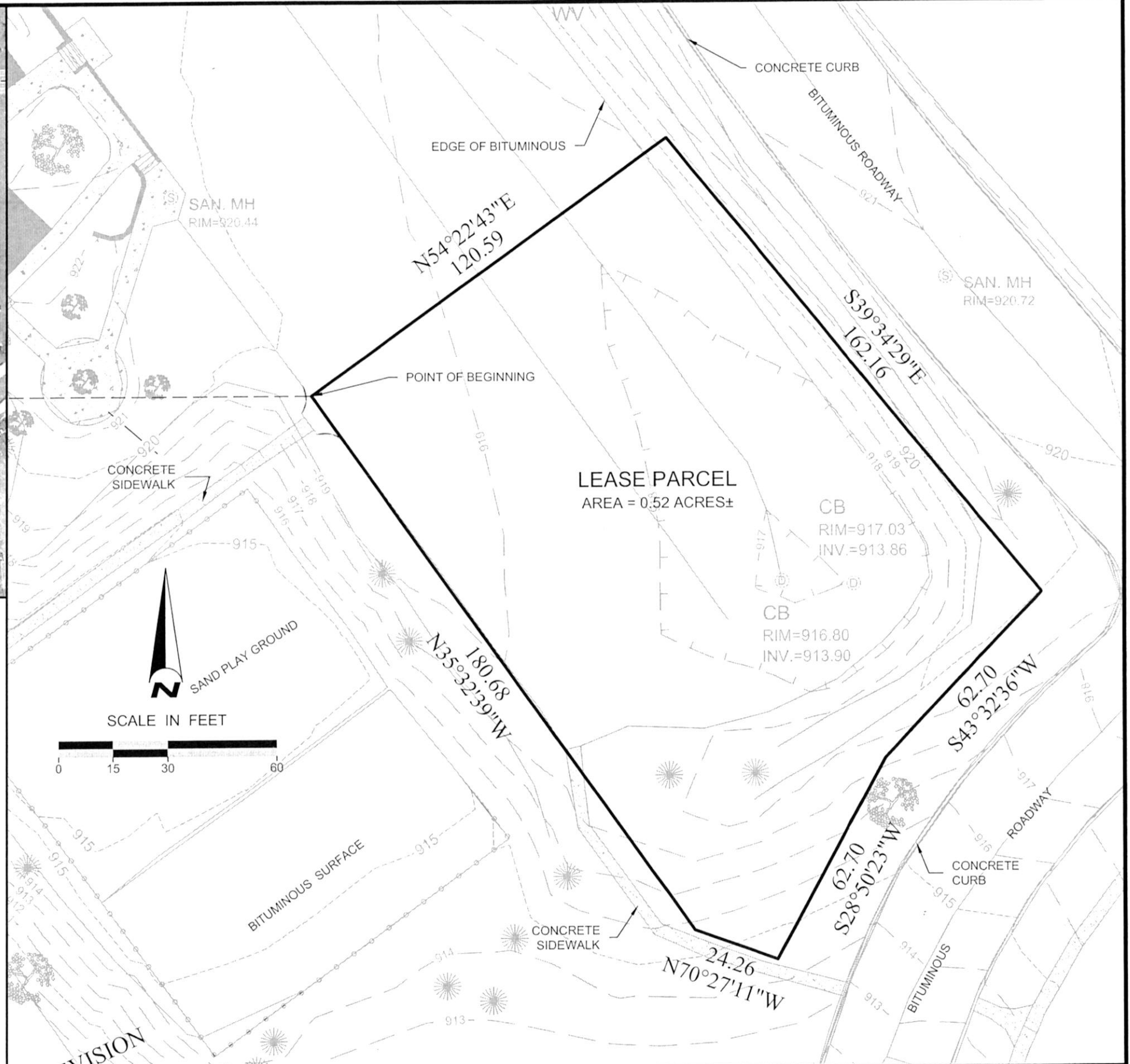
That part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota described as follows:

Commencing at the northwest corner a said Section 36; thence South 00 degrees 02 minutes 38 seconds West, bearing oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the west line of said Section 36 a distance of 743.74 feet; thence South 89 degrees 57 minutes 22 seconds East 494.61 feet to the point of beginning; thence North 54 degrees 22 minutes 43 seconds East 120.59 feet; thence South 39 degrees 34 minutes 29 seconds East 162.16 feet; thence South 43 degrees 32 minutes 36 seconds West 62.70 feet; thence South 28 degrees 50 minutes 23 seconds West 62.70 feet; thence North 70 degrees 27 minutes 11 seconds West 24.26 feet; thence North 35 degrees 32 minutes 39 seconds West 180.68 feet to the point of beginning, containing 0.52 acres, more or less.

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DRAFT COPY SUBJECT TO REVISION

Plot Date: 04/12/2013
 Drawing name: X:\0123_FamilyMeans01_CimarronSite_PlotSketch_LeaseParcel.dwg
 Xref: CimarronTopo

NO	DATE	BY	REVISION
6			
5			
4			
3			
2			
1			

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 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 04/12/2013
 DATE: XXXXX2013
 LICENSE # 17252

DESIGN BY: DLD
 DRAWN BY: DLD
 BDI PROJECT NO: 0123-001

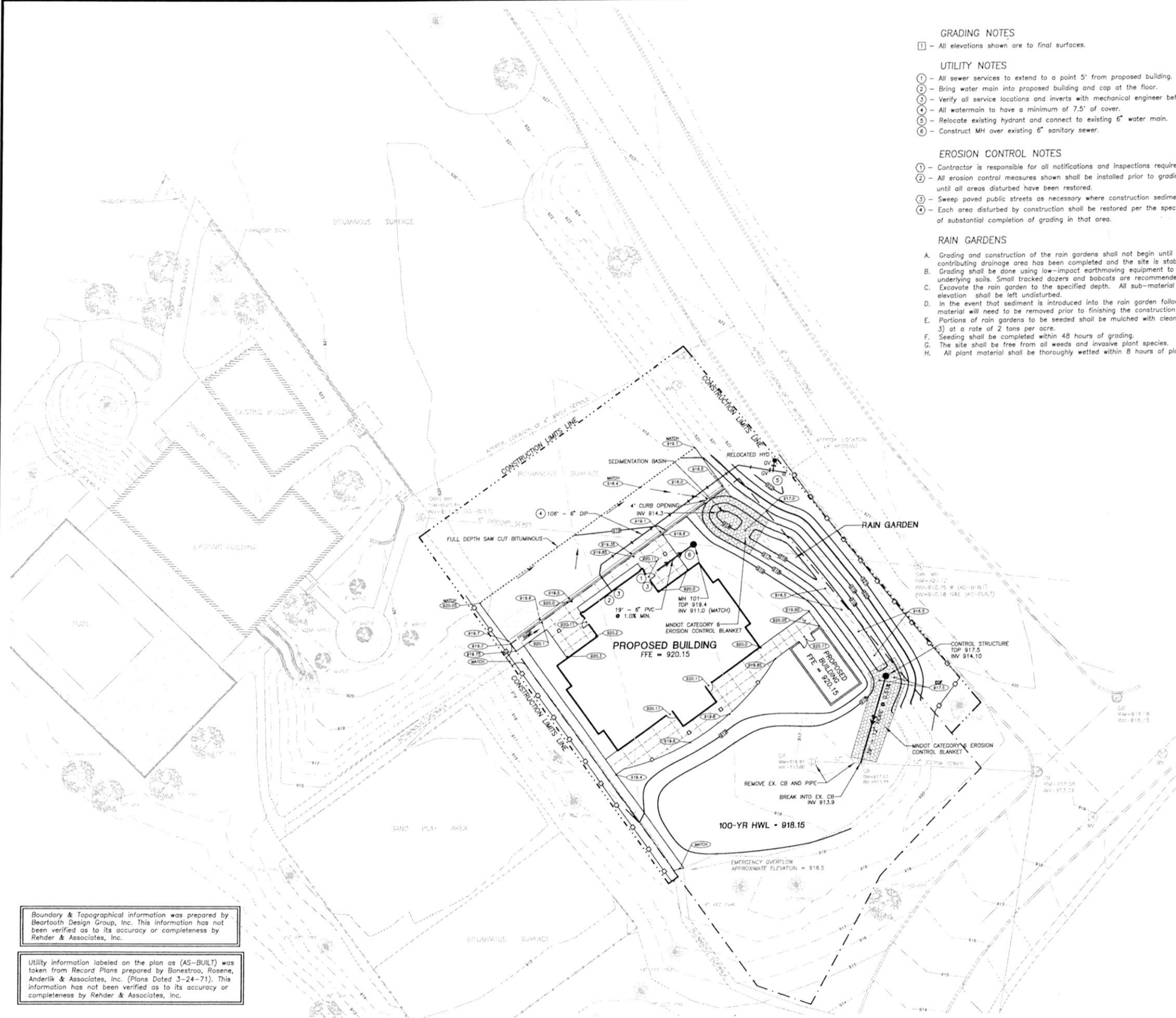
BEARTOOTH DESIGN, INC.

2315 PERIWINKLE AVENUE NORTH
 STILLWATER, MN 55082-1634
 (651) 436-1787 - dave@beartooth.com

FAMILYMEANS
 1875 NORTHWESTERN AVENUE
 STILLWATER, MN 55082

CIMARRON SITE
 LAKE ELMO, MN 55042

LEASE DESCRIPTION SKETCH
 SHEET 01 OF 01 SHEETS



GRADING NOTES

- 1 - All elevations shown are to final surfaces.

UTILITY NOTES

- 1 - All sewer services to extend to a point 5' from proposed building.
- 2 - Bring water main into proposed building and cap at the floor.
- 3 - Verify all service locations and inverts with mechanical engineer before construction.
- 4 - All watermain to have a minimum of 7.5' of cover.
- 5 - Relocate existing hydrant and connect to existing 6" water main.
- 6 - Construct MH over existing 6" sanitary sewer.

EROSION CONTROL NOTES

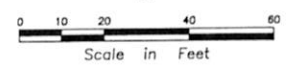
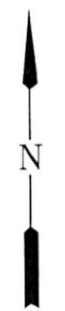
- 1 - Contractor is responsible for all notifications and inspections required by the Watershed or City.
- 2 - All erosion control measures shown shall be installed prior to grading operations and maintained until all areas disturbed have been restored.
- 3 - Sweep paved public streets as necessary where construction sediment has been deposited.
- 4 - Each area disturbed by construction shall be restored per the specifications within two weeks of substantial completion of grading in that area.

RAIN GARDENS

- A. Grading and construction of the rain gardens shall not begin until all construction in the contributing drainage area has been completed and the site is stabilized.
- B. Grading shall be done using low-impact earthmoving equipment to prevent compaction of underlying soils. Small tracked dozers and bobcats are recommended.
- C. Excavate the rain garden to the specified depth. All sub-material below the specified elevation shall be left undisturbed.
- D. In the event that sediment is introduced into the rain garden following excavation, this material will need to be removed prior to finishing the construction process.
- E. Portions of rain gardens to be seeded shall be mulched with clean grain straw (MnDOT Type 3) at a rate of 2 tons per acre.
- F. Seeding shall be completed within 48 hours of grading.
- G. The site shall be free from all weeds and invasive plant species.
- H. All plant material shall be thoroughly wetted within 8 hours of planting.

PROGRESS PRINT
 2-26-14

- LEGEND**
- PROPOSED MANHOLE
 - PROPOSED GATE VALVE
 - PROPOSED STORM SEWER
 - PROPOSED SANITARY SEWER
 - PROPOSED WATERMAIN
 - ▭ PROPOSED CONCRETE
 - ▭ PROPOSED STD. DUTY BITUMINOUS
 - PROPOSED CONTOUR
 - PROPOSED ELEVATION
 - SILT FENCE
 - CONSTRUCTION LIMITS
 - BOUNDARY/ROW/BLOCK LINE
 - DRAINAGE ARROW
 - EXISTING CONTOUR
 - x 995.50 EXISTING ELEVATION



Boundary & Topographical information was prepared by Beartooth Design Group, Inc. This information has not been verified as to its accuracy or completeness by Rehder & Associates, Inc.

Utility information labeled on the plan as (AS-BUILT) was taken from Record Plans prepared by Bonestroo, Rosene, Anderlik & Associates, Inc. (Plans Dated 3-24-71). This information has not been verified as to its accuracy or completeness by Rehder & Associates, Inc.

LARSON ARCHITECTS

837 FOURTH STREET
 STILLWATER, MINNESOTA
 55082

Telephone:
 651-430-0056
 lra@larsenarchitects.com

Consultants
Rehder & Associates, Inc.
 Civil Engineers, Planners and Land Surveyors
 2560 Federal Drive, Suite 110
 Eden Prairie, Minnesota 55344
 Phone: 612-455-8001
 Fax: 612-455-0797
 email: info@rehder.com
 PROJECT NO.: 141-2720.010
 DRAWING FILE: 2720010.DWG

Revision	No.	Date	Description

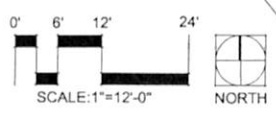
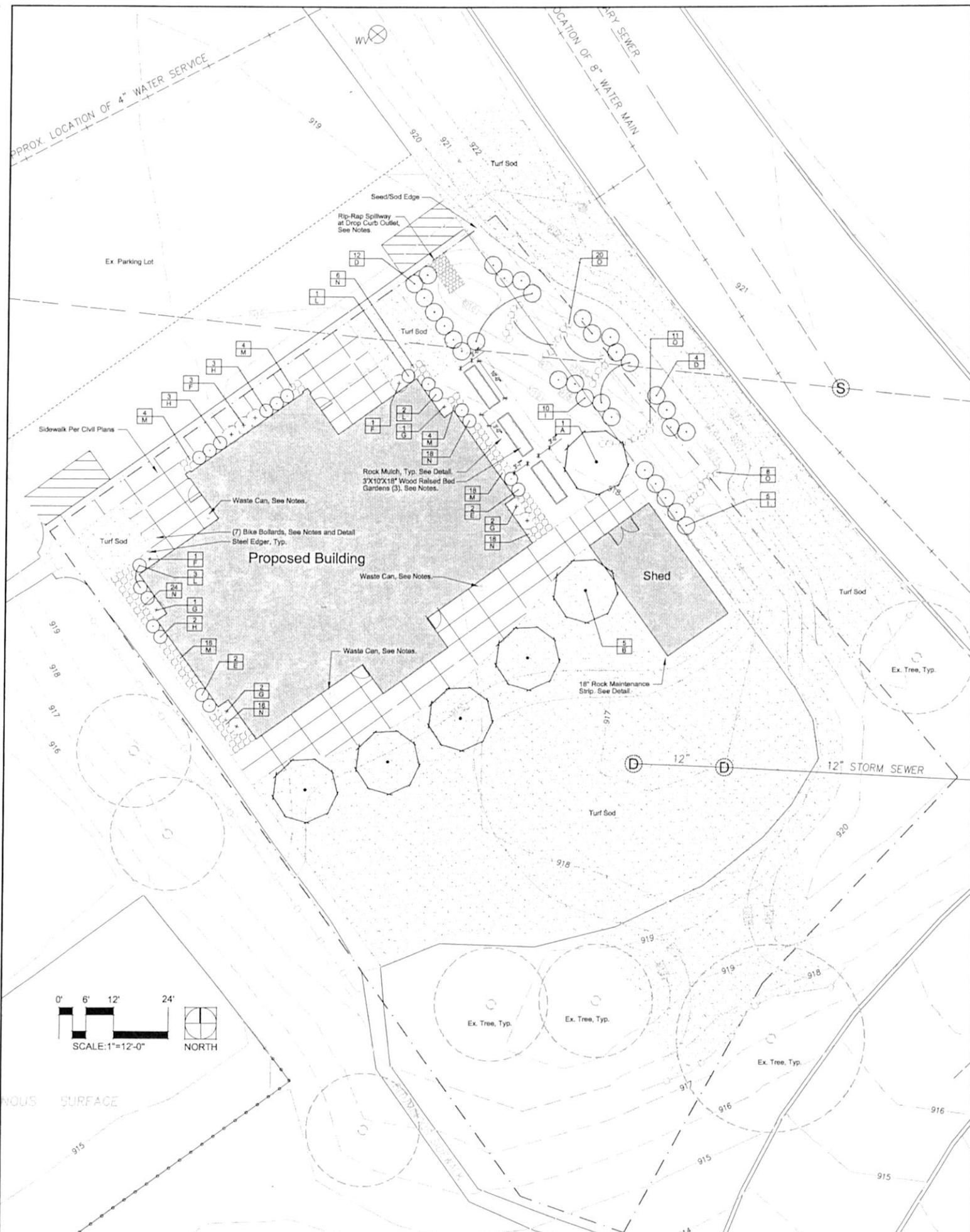
Date: 1-29-2014
 Project No.:
 Drawn By: NPA
 I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed professional engineer under the laws of the State of Minnesota.
 Signed:
 License # 16525

Cimarron Community Center
 901 Lake Elmo Ave. N.
 Lake Elmo, MN 55042

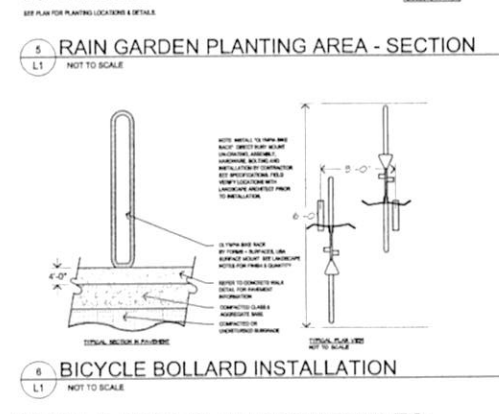
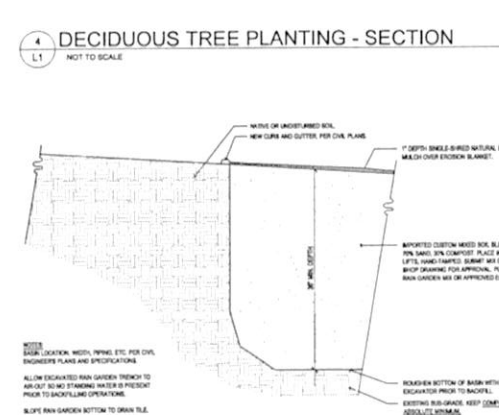
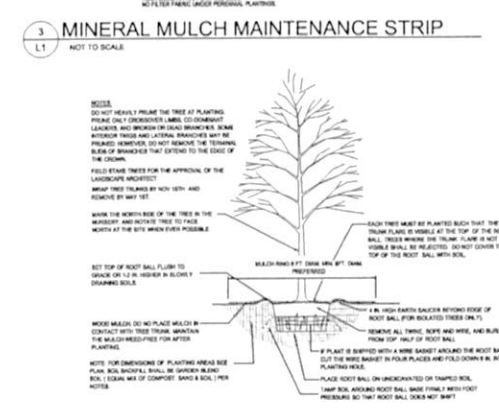
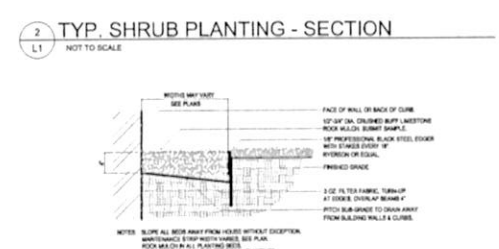
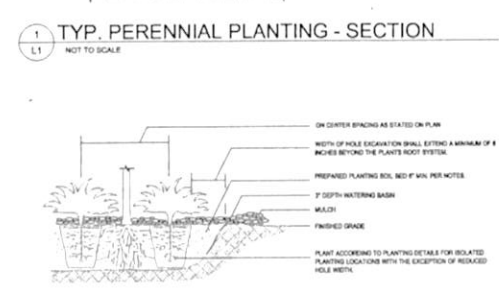
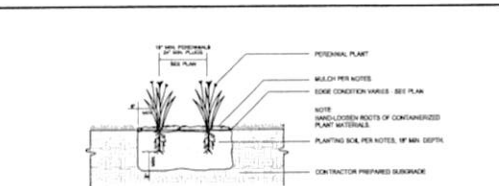
Sheet Title
**GRADING,
 DRAINAGE,
 EROSION
 CONTROL &
 UTILITY PLAN**

Sheet Number

C1



PRELIMINARY LANDSCAPE PLAN



DETAILS, NOTES, AND SCHEDULES:

Planting Palette:

TREES:

Qty	Key	Scientific Name	Common Name	Size	Root	Notes
1	A	<i>Syringa reticulata</i>	Japanese Tree Lilac	6' Hgt.	B&B	
5	B	<i>Amelanchier x grandiflora</i>	Autumn Brilliance Serviceberry	6' Hgt.	B&B	3-Cane Clump

SHRUBS:

Qty	Key	Scientific Name	Common Name	Size	Root	Notes
16	D	<i>Cornus alba</i> 'Sibirica 'Red Gnome'	Red Gnome Dogwood	#2	POT	
4	E	<i>Diervilla lonicera</i>	Dwarf Bush Honeysuckle	#2	POT	
5	F	<i>Taxus x media</i> 'Dark Green'	Dark Green Yew (Spreading)	#5	POT	
6	G	<i>Juniperus chinensis</i> 'Old Gold'	Old Gold Juniper	#5	POT	
8	H	<i>Spiraea japonica</i> 'Neon Flash'	Neon Flash Spirea	#2	POT	
15	I	<i>Salix purpurea</i> 'Nana'	Dwarf Blue Arctic Willow	#2	POT	

PERENNIALS:

Qty	Key	Scientific Name	Common Name	Size	Root	Notes
6	L	<i>Calamagrostis x acutiflora</i>	Feather Reed Grass	#1	POT	
48	M	<i>Echinacea purpurea</i> 'Tomato Soup'	Tomato Soup Coneflower	#1	POT	
84	N	<i>Hemerocallis 'Pumpkin Festival'</i>	Pumpkin Festival Daylily	#1	POT	
39	O	<i>Iris sibirica</i> 'Sky Wings'	Sky Wings Siberian Iris	#1	POT	

- Landscape Plan Notes:**
- Tree caliper must be four inches (4") depth natural single-shred hardwood mulch for trees outside of a plant bed. Install per tree planting detail.
 - By submitting a bid, the contractor attests that they personally walked the site and understood the existing conditions as they relate to the new improvements shown. No change orders will be considered for claims of unknown existing conditions or similar, above grade.
 - All plant material shall comply with the latest edition of the American Standard for Nursery, American Association of Nurserymen. Unless noted otherwise, deciduous shrubs shall have at least 5 canes at the specified shrub height. Plant material shall be delivered as specified.
 - Plant takes precedence over plant schedule if discrepancies in quantities exist.
 - All proposed plants shall be located and staked as shown.
 - Adjustment in location of proposed plant material may be needed in field. Should an adjustment be required, the client will provide field approval. Significant changes may require city review and approval.
 - The project landscape contractor shall be held responsible for watering and properly handling all plant materials brought on the site both before and after installation. Schedule plant deliveries to coincide with expected installation time within 36 hours.
 - All plant materials shall be fertilized upon installation as specified.
 - The landscape contractor shall provide the owner with a watering schedule appropriate to the project site conditions and to plant material growth requirements.
 - If the landscape contractor is concerned or perceives any deficiencies in the plant selections, soil conditions, drainage or any other site condition that might negatively affect plant establishment, survival or guarantee, they must bring these deficiencies to the attention of the landscape architect & client prior to bid submission.
 - Contractor shall establish to his/her satisfaction that soil and compaction conditions are adequate to allow for proper drainage at and around the building site.
 - Contractor is responsible for ongoing maintenance of all newly installed material until time of owner acceptance. Any acts of vandalism or damage which may occur prior to owner acceptance shall be the responsibility of the contractor. Contractor shall provide the owner with a maintenance program including, but not limited to, pruning, fertilization and disease/pest control.
 - The contractor shall guarantee newly planted material through one calendar year from the date of written owner acceptance. Plants that exhibit more than 10% die-back damage shall be replaced at no additional cost to the owner. The contractor shall also provide adequate tree wrap and desiccant protection measures for the plantings during the warranty period.
 - This layout plan constitutes our understanding of the existing conditions. Contractor shall inspect the site prior to bid submission and verify existing conditions to their own satisfaction. Submission of a bid constitutes acceptance of existing conditions.
 - The landscape contractor shall be responsible for obtaining any permits and coordinating inspectors as required throughout the work process.
 - Plant size & species substitutions must be approved in writing prior to acceptance in the field.
 - The landscape contractor shall include an irrigation system as a bid-alternate for the new improvements shown. Use Hunter Industries or equal. Bid to include internal house connection from the main building water line beyond the meter, atmospheric vacuum breaker, backflow device, time clock, main line, lateral lines, valves, heads, drip tubing, etc. Include the cost of plumbing and electrical in bid. All irrigation-related work to comply with Minnesota Uniform Building Code and City of Lake Elmo Plumbing Code permitting and regulations. Test irrigation system prior to plant installation. Include (1) fall shut-down and (1) spring start-up service in bid.
 - All edge shall be professional grade black steel edger, 1/8" thick, Ryerson or Equal. Anchor every 18" on-center (minimum). Submit sample.
 - Landscape Contractor is responsible for coordination with the Owner to protect the new and existing improvements on and off-site during landscape work activities. Report any damage to the Owner immediately.
 - Unless otherwise noted/indicated, plant beds shall receive 2" depth buff limestone mulch (5/8" to .75" dia) without weed mat. Do not use weed mat under perennials or annuals. Submit mulch sample for Owner approval.
 - Protect existing conditions to remain and report any damage outside the construction limits to the general contractor immediately.
 - All sod areas shall be prepared prior to planting with a hand rake to provide a firm planting bed free of stones, sticks, construction debris, etc. Any alternate seed mixtures, rates, & application method noted shall be submitted to the landscape architect for approval. Sod areas outside plant bed limits disturbed by work within the scope of this project phase.
 - Remove all demolition materials from the site the same day removal occurs. Stockpiling is not allowed.
 - The Landscape Contractor shall furnish samples of all landscape materials for approval prior to installation.
 - The Landscape Contractor shall clear and grub the underbrush from within the work limits to remove dead branches, leaves, trash, weeds and foreign materials, if applicable.
 - The landscape contractor shall contact Gopher State One Call no less than 48 hours before digging for field utility locations.
 - The landscape contractor shall be responsible for coordinating site staging location with Owner to minimize impact on driveway access.
 - The general contractor shall be responsible for procurement of site furnishings, storage, on-creating, assembly, & installation. Furnishings noted as surface-mount shall have a quick-bolt anchor concealed with an escutcheon plate or bolt painted to match furnishing color. Use stainless steel hardware and tamper-proof bolts.
 - Rip-Rap stone for rain garden inlet storm water dispersion shall be field stone (MnDOT Type III or better), 4"-6" diameter, hand-placed over filter fabric erosion control mat to a depth of 8" (min). Slope edges of filter fabric every 18" and ensure all fabric is covered by rip-rap material. Hand-shape a V-wash down the middle of the rip-rap bed. Refer to Civil Engineer's plans for grading and storm water piping. Match width at curb outlet opening.
 - Site Furnishings shall consist of the following products & quantities:
- | Product | Manufacturer | Quantity | Model | Comment | Moving | Color |
|--------------------|----------------|----------|--------------|-----------------|---------|-------|
| Dispatch Waste Can | Forma+Surfaces | 04 | SLDIS-220-1Q | Including Liner | Surface | Black |
| Black Bollard | Forma+Surfaces | 07 | CLYMPA | Random Finish | Surface | Black |
- Contact Mike Konieczny, Forma+Surfaces Product Rep. at (651) 402-1432, for material quotation.
- The Landscape Contractor shall furnish samples of all landscape materials for approval prior to installation.
 - Native Seed Area:
 - Mixed Height Mesic Grass Mix (Rain Garden Area)
 - Rate: 40 lbs. per acre
 - Mixed Height Mesic Wildflower (Forb) Mix
 - Rate: 100 lbs. per acre
 - Application: DrB into compacted seed bed then install EC blanket per Note #33 below.
 - Vendor: Prairie Restorations, Inc. or Equal.
 - Install Curlex Net-Free Erosion Control Straw Blanket with Bio-degradable Corn Starch Staples after seeding is completed per note #32. Apply 1" depth of natural double-shred hardwood mulch chips over blanket. Prairie seeding contractor shall provide the Owner with a proposal for (2) additional years of prairie maintenance. In addition to the (1) year warranty, it shall be the Owner's option to continue maintenance of the native prairie areas. Maintain under warranty per MnDOT Seeding Manual, 2007 edition.
 - Landscape contractor to furnish and install (3) raised bed planters for gardening. Construct out of clear 2X12 cedar planks, reinforce with cedar 2X4's at inside corners. Use epoxy screws and pre-drill all holes. Fasteners are to be flush with wood surface. Finished above-grade dimensions: 3'-0" Wide, 12'-0" Long, 18" Tall. Install 4oz. filter fabric on sub-grade, then add 2" washed pea rock, then another layer of filter fabric, then 16" imported planting soil.

Consultant:

cdg

Calyx Design Group, llc
Landscape Architecture
Sustainable Design
Master Planning

1583 Berkeley Avenue
St. Paul, MN 55105

Telephone: 651.334.5498
Internet: www.calyxdesigngroup.com
E-mail: info@calyxdesigngroup.com

Project:

at

901 Lake Elmo Avenue North

LAKE ELMO, MN

Certification:

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.

Print Name: Benjamin D. Hartberg, ASLA

Signature: _____
Date: XX/XX/XX MN License # 48084

SCALE: AS NOTED
DATE: 2/16/2014
REVISIONS:
2/17/2014 OWNER REVIEW

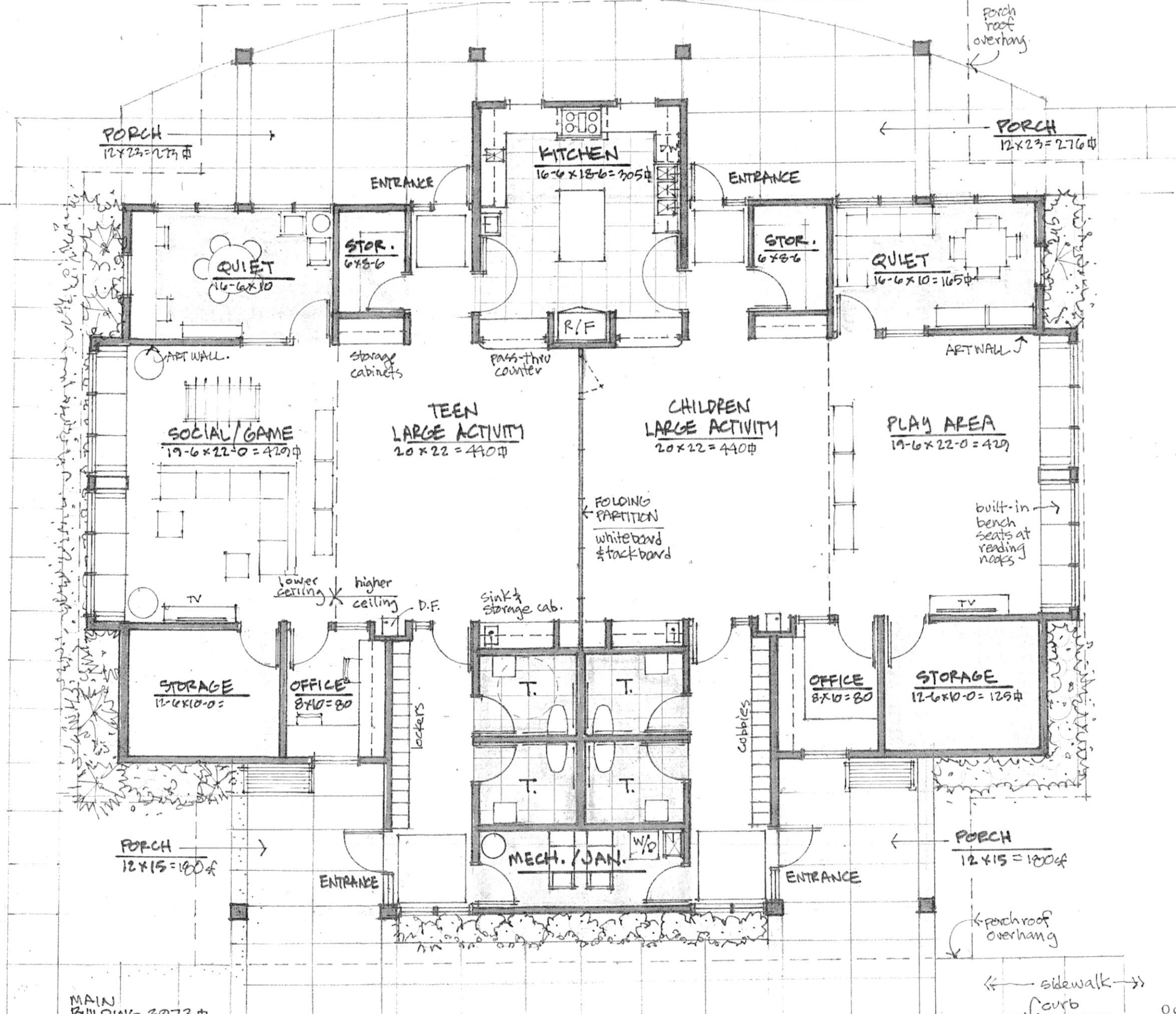
LANDSCAPE PLAN

L1

PLAN

MAIN BUILDING 3973#

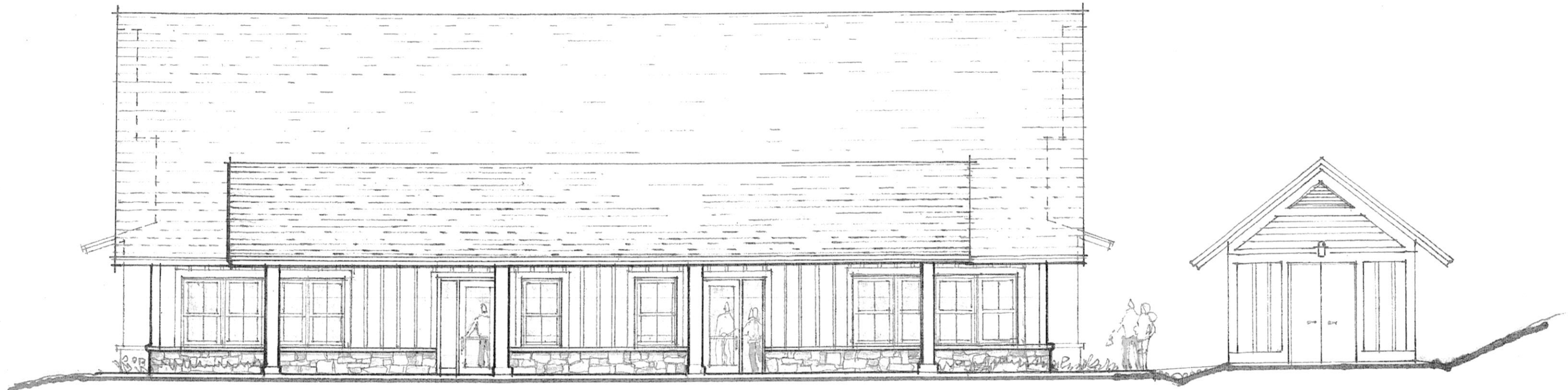
Cimarron Community Center



October 7, 2013



WEST ELEVATION 1/8"



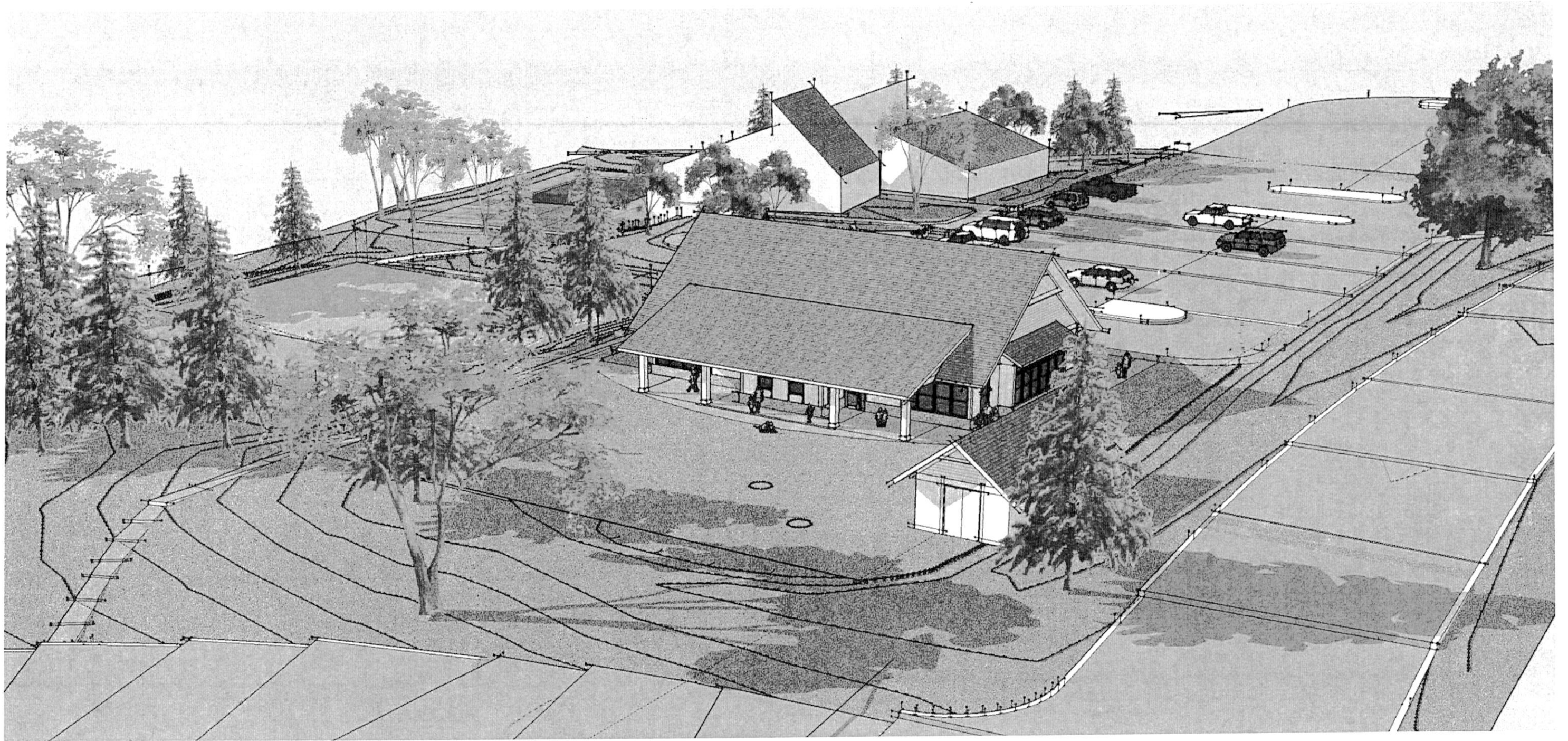
SOUTH ELEVATION 1/8"

ELEVATIONS

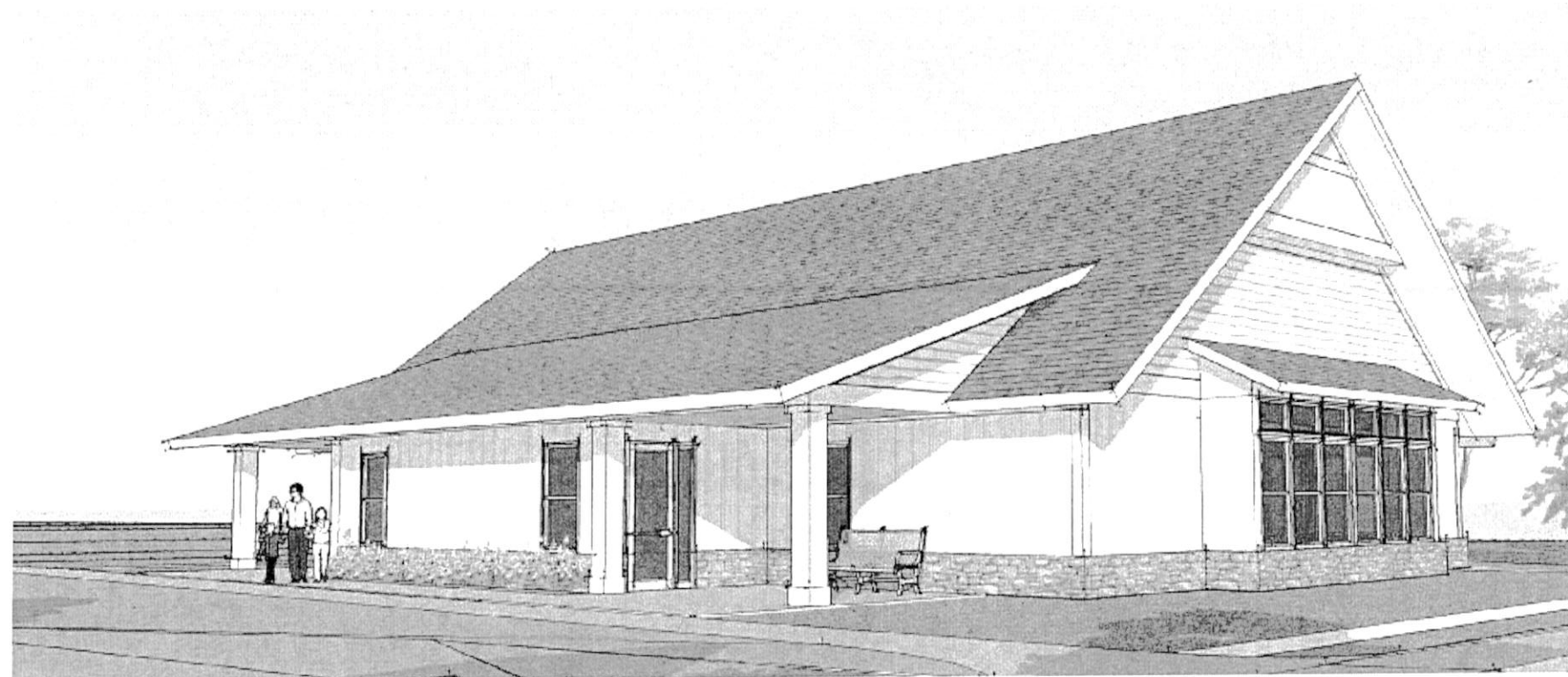
Cimarron Community Center

October 7, 2013

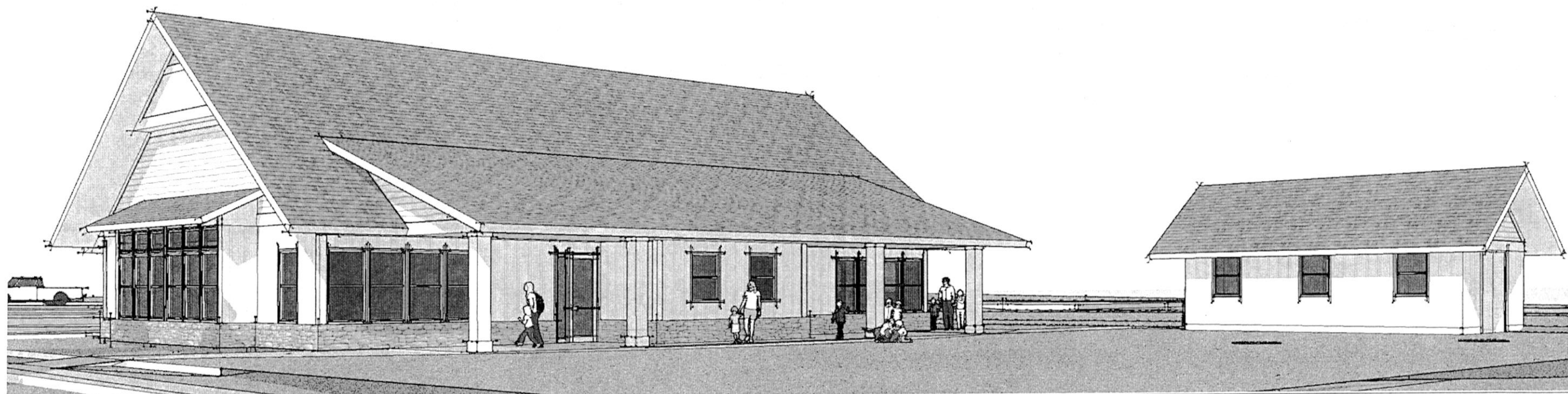
Larson Architects LLC 807 North Fourth Street Stillwater Minnesota 55082 651.430.0056



Aerial View from the Southeast

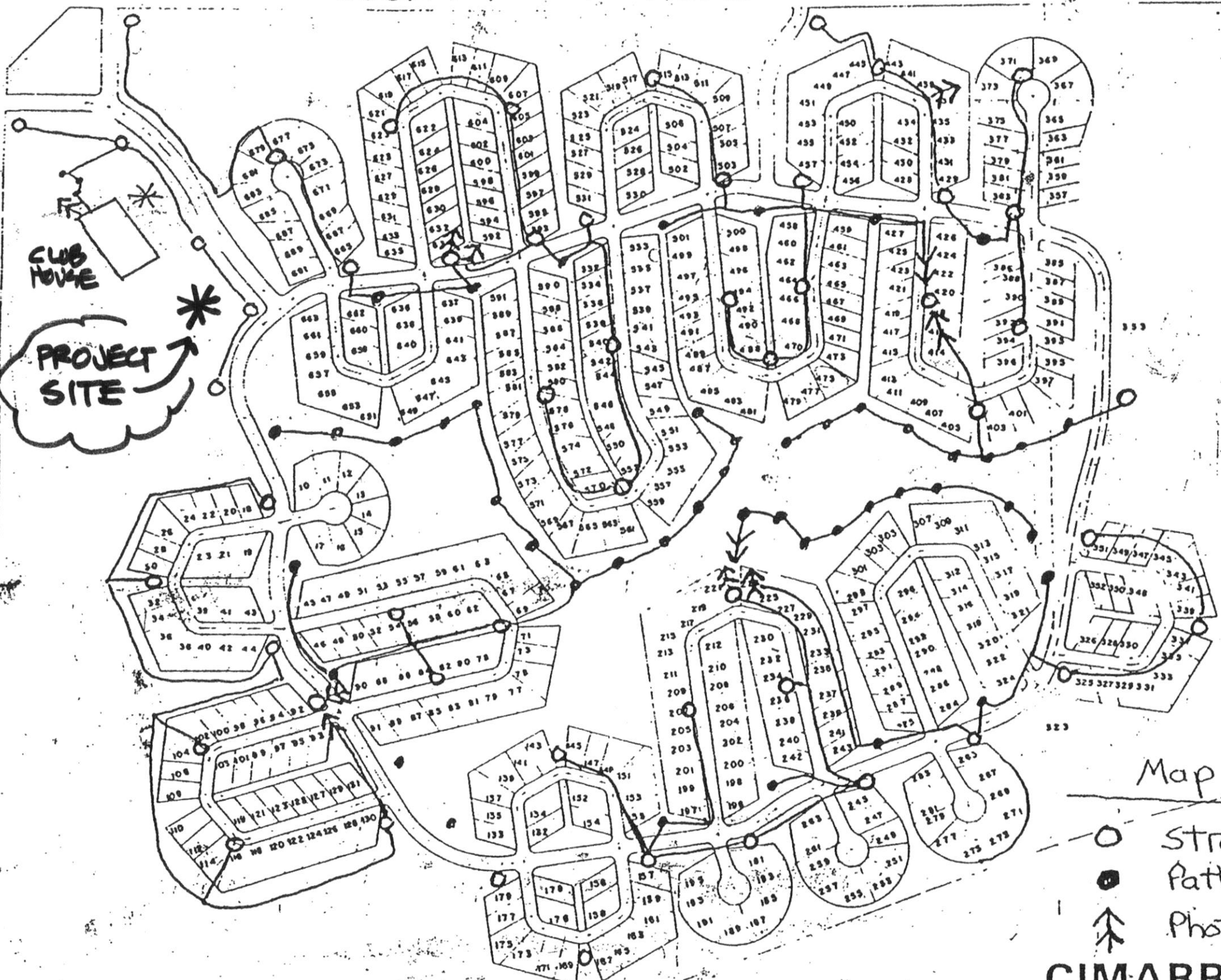


View From Northwest



View from Southwest

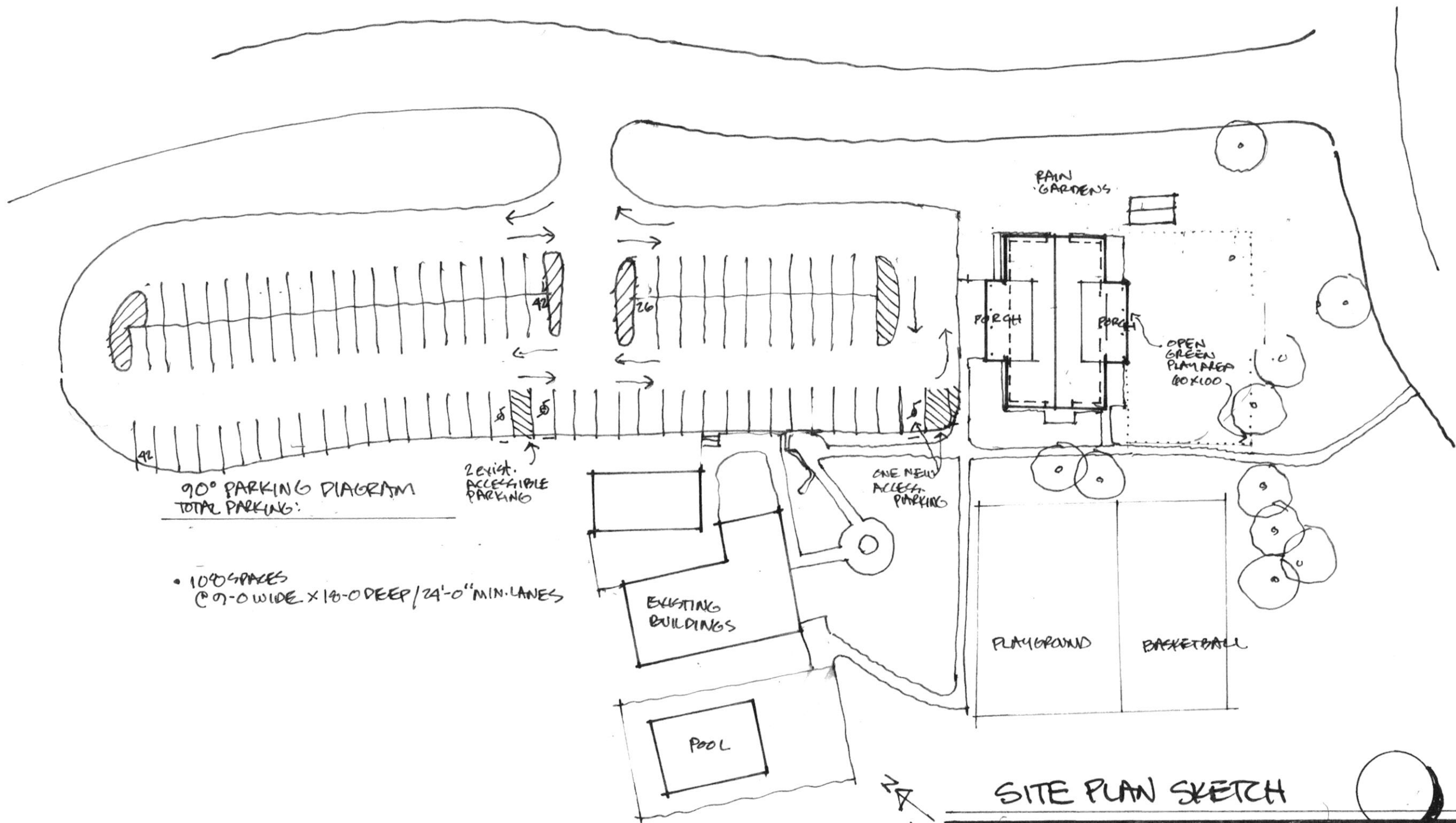
COUNTY ROAD NO 70



Map Key

- Street Light
- Path Light
- ↑ Photo cell/circuit

CIMARRON



SITE PLAN SKETCH

LARSON ARCHITECTS

02.28.14

1:50

LEGAL DESCRIPTION

Mobile Home Site:

The West 10 Rods of the NW 1/4 of the NE 1/4; all that part of the N 1/2 of the NW 1/4, Section 36, Township 29, Range 21, except the West 700 feet of the North 630 feet thereof; all that part of the South 1/2 of the NW 1/4 and the SW 1/4 of the NE 1/4, all in Section 36, Township 29, Range 21, lying Northerly of the proposed Interstate Highway No. 94, County of Washington, State of Minnesota

EXHIBIT A

Exhibit B: East Oakdale Mobile Home Park

Drainage: Ultimate drainage of the site will be thru the natural drainage course to Horseshoe Lake. The development itself will be properly graded and will contain two ponding areas not only for esthetic reasons, but also for partial storage of the storm water runoff. The drainage system will consist of concrete storm sewers, manholes, curb inlets, and other appurtenances necessary to provide for complete drainage of the site, according to approved plans and specifications by the Town Engineer.

Sanitary Sewer and Water Systems: The site will be served by a central sanitary sewer and water system approved by the Minnesota Health Department and the Town Engineer. The sewage system will provide for an on-site sewage treatment plant with an approved method of effluent disposal, and a collection system of pipes serving each lot. The water system will consist of a deep well of adequate depth and capacity, pumping facilities, distribution system to serve each lot, hydrants, valves, and other appurtenances necessary to provide for a complete central water system.

Lot Size, Setbacks, and Density: The site will consist of approximately 170 acres, in which 505 mobile home lots will be developed for an overall density of approximately three per acre.

Land to be used for parks and recreation will exceed the 10 per cent requirement. The lots will vary in size from a minimum of 45' x 100' to 60' x 100', all of which will back onto an open space which will be developed as either parks, parkways, or golf course. Mobile homes will be at least 20 feet apart, be 20 feet from the front lot line, and be 10 feet from the rear property line. No trailers will be located closer than 125 feet from the edge of the traveled part of a public road and no closer than 30 feet to a public road right of way. All lot corners will be staked to designate lot lines.

Roads and Walkways: All roadways within the development will be private, requiring no maintenance from the township. The width of the roadways will be as follows:

Main entrance: 41 feet, back of curb to back of curb

Ring Road and secondary entrances: 36 feet, back of curb to back of curb

Residential roads: 32 feet, back of curb to back of curb

All roadways will consist of S512 concrete curb and gutter, 2 inches of MHD 2341 bituminous pavement, 4 inches of class 5 gravel base and 4 inches of sand sub-base.

Walkways will be constructed throughout the parks, parkways and adjacent to the curb on one side of the Ring Road. Walkways will be hard surfaced and be four feet wide.

Guest parking to be provided for on residential streets on one side only. Residential streets are 10 feet wider than required to accommodate guest parking.

Electrical, Gas, and TV Services: All electrical and gas service mains will be buried, including a TV cable to each lot. Electrical service will be at least 50 amps to each lot.

Lot Improvements: Each mobile home lot will have, including previously listed improvements, the following:

1. Bituminous paved parking area for two cars.
2. Concrete patio.
3. Outdoor enclosed storage with canopy according to approved plans.
4. Landscaping, varying on each lot but in accordance with the approved overall landscaping plan for the development.

Community Facilities: Provided within the development will be the following community facilities:

1. Utility buildings having washer and dryer facilities.
2. Tot lots conveniently located near the utility buildings.
3. Park and parkways within and along the perimeter of the development will be landscaped according to approved plans, with security lighting and walkways throughout.
4. Nine hole, 2345 yard, golf course along the north and west perimeter of the development.
5. Community center to include recreational rooms, mobile home park office, swimming pool, tennis court, and putting green all according to approved plans.

Special Conditions or Restrictions as Imposed:

- 1 - Submission of final plans and specifications in substantial compliance with said preliminary plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the Trailer Coach Park;
- 2 - Execution of Development Agreement between the Town of East Oakdale and Pemtom, Inc. providing for:
 - a. A development performance bond in amounts and with sureties satisfactory to the Town Board; and
 - b. Provision for a limitation of .24 school-age children per mobile home.
- 3 - Conformance to the requirements of Section 8 of Ordinance No. 32, subject to granted variances thereto.
- 4. The permit shall outline and detail operational requirements necessary to fulfill the intent of Ord. #2 and Ord. #32 so there will be no misunderstanding. Such permit must be reapplied for and renegotiated sixty days prior to expiration of any current permit in effect. (Permits are issued Approved - Denied for one year and run concurrent with Minnesota Dept. By the Planning Commission of the of Health's Mobile Home Permit.)
Town of East Oakdale on _____, 1967.

/s/BAT
/s/RRW

Approved - ~~Denied~~
By the Board of Supervisors of the
Town of East Oakdale on June 29, 1967.

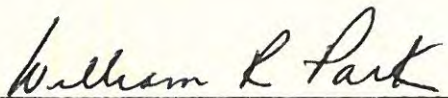
/s/Robert R. Watson
Chairman Town Board
East Oakdale

ATTEST: /s/ William R. Park
Clerk, Town of East Oakdale

STATE OF MINNESOTA)
COUNTY OF WASHINGTON) ss
TOWN OF EAST OAKDALE)

I, The undersigned, being the duly qualified and acting Clerk of the Town of East Oakdale, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract zoning form, find that the same is a full, true, and complete transcript therefrom.

WITNESS my hand as such Clerk and the corporate seal of the Town this 11th day of July, 1967.



Town Clerk, William R. Park



FINDINGS OF FACT: CONDITIONAL USE PERMIT

All applications for Conditional Use Permits in the City of Lake Elmo shall be reviewed according to the following required findings (§154.106.A):

1. The proposed use will/will not be detrimental to or endanger public health, safety, comfort, convenience or general welfare of the neighborhood or city because: _____

2. The use or development does/does not conform to the City of Lake Elmo Comprehensive Plan because: _____

3. The use or development is/is not compatible with the existing neighborhood because: _____

4. The proposed use does/does not meet all specific development standards for such use listed in Article 7 of the Zoning Ordinance because: _____

5. If the proposed use is in a flood plain or shoreland area, the proposed use does/does not meet all specific standards for such use in §150.250-257 (Shoreland Ordinance) and Chapter 152 (Flood Plain Management) because: _____

6. The proposed use will/will not be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will/will not change the essential character of the area because: _____

7. The proposed use will/will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures because: _____

8. The proposed use will/will not be served by adequate public facilities because: _____

9. The proposed use will/will not create excessive additional requirements at public cost for public facilities and services and will/will not be detrimental to the economic welfare of the community because: _____

10. The proposed use will/will not include excessive production of traffic, noise, smoke, fumes, glare or odors because: _____

11. Vehicular approaches to the property will/will not create traffic congestion or interfere with traffic on surrounding public thoroughfares because: _____

12. The proposed use will/will not result in the destruction, loss or damage of a natural or scenic feature of major importance because: _____

Exhibit A

Lease Parcel Legal Description:

That part of the Northwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota described as follows:

Commencing at the northwest corner of said Section 36; thence South 00 degrees 02 minutes 38 seconds West, bearing oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the west line of said Section 36 a distance of 743.74 feet; thence South 89 degrees 57 minutes 22 seconds East 494.61 feet to the point of beginning; thence North 54 degrees 22 minutes 43 seconds East 120.59 feet; thence South 39 degrees 34 minutes 29 seconds East 162.16 feet; thence South 43 degrees 32 minutes 36 seconds West 62.70 feet; thence South 28 degrees 50 minutes 23 seconds West 62.70 feet; thence North 70 degrees 27 minutes 11 seconds West 24.26 feet; thence North 35 degrees 32 minutes 39 seconds West 180.68 feet to the point of beginning, containing 0.52 acres, more or less.



MAYOR & COUNCIL COMMUNICATION

DATE: April 1, 2014
CONSENT
ITEM # 5
ORDINANCE 08-105

AGENDA ITEM: Site and Building Plan Review Ordinance

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Community Development Director

SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission and Staff recommend repealing the Site and Building Plan Review Ordinance to improve operational efficiency and remove redundant and unnecessary provisions related to the review of building permits for permitted uses on pre-existing platted lots.

FISCAL IMPACT: None

SUMMARY AND ACTION REQUESTED: The City Council is asked to consider repealing the Site and Building Plan Review Ordinance as part of the Consent Agenda. The ordinance contains outdated information and requirements related to landscaping, storm water management and other provisions that no longer apply. In addition, it presents procedural inefficiencies that are not common amongst other communities.

The Planning Commission and Staff are recommending that the City Council repeal the Site and Building Plan Review Ordinance as part of the Consent Agenda. If removed from the Consent Agenda, the ordinance can be repealed through the following motion:

“Move to adopt Ordinance 08-105, repealing the Site and Building Plan Review Ordinance.”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:

In the judgment of staff, the Site and Building Plan Review Ordinance was originally adopted to ensure adequate plan preparation and orderly development in Lake Elmo. However, now that the City’s Zoning Code and other ordinances have since been updated, many provisions in the ordinance are now redundant or unnecessary. From a procedural standpoint, the ordinance (subsection B) requires the Planning Commission and City Council to review development or construction proposals for permitted uses on pre-existing platted lots. From a comparison perspective, this requirement is atypical in other communities, where Planning Commission and City Council review is only required for instances of platting, land subdivision and conditional uses. Now that the City has adopted the Design Guidelines and Standards Manual, staff now recommends processing building permits for permitted uses on platted lots administratively, as is the typical practice in most cities. Repealing the Site and Building Plan Review Ordinance would allow the City to proceed with growth of the community in a more efficient manner.

The Planning Commission reviewed the proposed action at its meeting on 3/24/14. There was minimal discussion of the proposed action. The Planning Commission unanimously recommended that the ordinance be repealed (Vote: 5-0).

BACKGROUND INFORMATION (SWOT):

Strengths: Removing redundant and unnecessary provisions in the City Code helps avoid confusion, making the process more straightforward for the applicant. In addition, processing building permits for permitted uses on platted lots administratively allows the City to be operationally efficient. Operational efficiency is important during a growth phase.

Weaknesses: None

Opportunities: The proposed action provides the City the opportunity to remove redundant and unnecessary provisions from the City Code, allowing for better communication with the applicant/taxpayer. In addition, repealing the ordinance allows the City to process building permits for permitted uses on platted lots administratively, improving operational efficiency.

Threats: Requiring Planning Commission and City Council review of all building permits for permitted uses on platted lots adds additional workload to these bodies. In addition, requiring Planning Commission and City Council review for permitted uses on platted lots is not common amongst other communities, putting Lake Elmo at a competitive disadvantage in some cases.

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council repeal the Site and Building Plan Review Ordinance as part of the Consent Agenda. If removed from the Consent Agenda, the ordinance can be repealed through the following motion:

“Move to adopt Ordinance 08-105, repealing the Site and Building Plan Review Ordinance.”

ATTACHMENTS:

1. Ordinance 08-105
2. Planning Commission Report, 3/24/14
3. Site and Building Plan Review Ordinance

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-105

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
REPEALING OUTDATED PROVISIONS RELATED TO SITE AND BUILDING PLAN REVIEW

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 151: Building Regulations, by repealing City Code Section 151.070 in its entirety.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 08-105 was adopted on this first day of April 2014, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

This Ordinance 08-105 was published on the ____ day of _____, 2013.



PLANNING COMMISSION
DATE: 3/24/14
AGENDA ITEM: 5B – BUSINESS ITEM
CASE # 2014 - 19

ITEM: Zoning Text Amendment – Site and Building Plan Review Ordinance

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review the Site and Building Plan Review Ordinance. Staff is recommending to strike the ordinance with the intent of improving operational efficiency by administratively processing construction projects for permitted uses on existing platted lots. This recommendation is based upon the fact that the City has a full-time administrative, planning, engineering and building staff who are able to process these requests administratively. In addition, the newly adopted design review process should aid staff in the review of building permits for permitted uses on existing platted lots. The requested action does not require a public hearing, as the ordinance is not located in the Zoning Code. Staff is recommending that the ordinance be struck.

REQUEST DETAILS

City staff has been working on an updating the Zoning Code and other Code sections to prepare for what is anticipated to be a busy growth phase for the community. In order to improve operational efficiency in advance of this growth period, staff is proposing to strike the Site and Building Plan Review Ordinance. The main reason to strike the ordinance relates to Section B, which reads the following:

“(B) *Review of Zoning Administrator.* The Zoning Administrator shall review the site and building plans for the purpose of determining their compliance with this section and other applicable city ordinances. The Zoning Administrator shall have 60 days in which to complete the review of the site and building plans. During the same 60-day period, the Council and Planning Commission shall also review the site and building plan and refer the plan to other city staff for review for the same purpose.”

Per the required procedure established under this ordinance, permitted uses on pre-existing platted lots also have to be reviewed by the Planning Commission and City Council. When reviewing this procedure compared to other communities, this requirement can only be described as atypical. In staff’s judgment, this ordinance language is likely remnant when the City did not have a full-time planning, building and engineering staff to review the construction projects in the community. In addition, now that the City has developed and adopted a design review process, staff is more prepared to assume the responsibility of processing these types of requests administratively. To be clear, staff would only process construction projects administratively in cases where the proposed use was a permitted use under the City’s Zoning Code, and the property is a pre-existing platted lot. In a significant proportion or majority of development projects, some platting or land subdivision will be required. In addition, applicants proposing a use that under the City’s Code is a conditional use will always be required to apply for a conditional use permit, which addresses many of the uses that have

potential impacts or nuisances associated with them. Both of these processes require a public hearing. It is only in cases where the proposed use is permitted and the lot is already platted where the staff administrative review would occur.

In addition to the improving operation efficiency component, there are other provisions within this ordinance that are no longer applicable. For example, the City has adopted new landscaping provisions and requirements. Therefore, the landscaping provisions within the Site Plan Review Ordinance are no longer necessary. Other requirements included in the ordinance, such as lighting, surveys, building plans, storm water management plans and other requirements are already addressed by other ordinances and by the City’s building permit process. In other words, the Site Plan Review Ordinance is currently outdated and only adds additional unnecessary review. Staff would recommend striking this ordinance to improve efficiency and reduce confusion.

As stated in the summary, the proposed action does not require a public hearing because the ordinance is not in the City’s zoning code. Staff is bringing the proposed action before the Planning Commission because it does relate to land use and development. Now that the City’s design review process is in place, staff recommends proceeding with removing this ordinance to improve operational efficiency.

RECOMMENDATION:

Staff is recommending that the Planning Commission recommend striking the Site and Building Plan Review Ordinance (§151.070) through the following motion:

“Move to recommend striking the Site and Building Plan Review Ordinance.”

ATTACHMENTS:

- 1. Site and Building Plan Review Ordinance (§151.070)

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning Staff
- Questions from the Commission Chair & Commission Members
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

Print

Lake Elmo, MN Code of Ordinances

§ 151.070 SITE AND BUILDING PLAN REVIEW.

(A) *Information required.* Except as hereinafter provided, every person, before commencing construction or alteration of a structure, shall submit to the Zoning Administrator the following documents and information:

(1) A survey drawing by a registered engineer or land surveyor showing pertinent existing conditions, accurately dimensioned;

(2) A complete set of preliminary drawings prepared by an architect, landscape architect, engineer, or planner showing:

(a) An accurately scaled and dimensioned site plan indicating parking layout including access provisions, designation of locations of principal and accessory buildings, landscaping, in conformance with the zoning code and division (A)(3) below;

(b) Fences or walls or other screening, including height and type of material in conformance with Chapter 1500 and the zoning district regulations;

(c) Lighting provisions, type, and location;

(d) Curbs;

(e) Building elevations, sections, and outline specifications, including material proposed;

(f) Existing and proposed land elevations in 2 foot contours, drainage provisions, and utility provisions as may be required, including water, sewer, drainfield, lake shore, flood plain, airport or environmental overlay districts; and

(g) Existing limitations imposed by zoning.

(3) Landscaping and screening plan.

(a) Complete landscaping, screening, and erosion control plans shall be prepared and signed by a professional landscape architect or professional site planner with educational training or work experience in land analysis and site plan preparation. These plans shall include:

1. Detailed natural land analysis, including vegetation, soil types, and slopes;

2. Man-made features (berms, fences, and the like);

3. Details of all proposed vegetative landscaping materials including: placement, Latin name/common name, caliper/height, and quantity;

4. Details of proposed non-vegetative landscaping materials; and

5. Planning and construction schedule for completion of landscaping and screening plans.

(b) The final landscaping and screening plan must be approved by the Council/engineer at the time of the site plan review.

(c) The plan for landscaping shall include ground cover, bushes, shrubbery, trees, sculpture, fountains, decorative walks, or other similar site design features or materials in a quantity having a minimum value in conformance with the following table:

<i>Project Value (Including building construction, site preparation, and site improvements)</i>	<i>Percentage of Total Project Value to Be Allocated to Landscaping</i>
Below \$1,000,000	2%
\$1,000,001 to \$2,000,000	1 and 3/4%
\$2,000,001 to \$3,000,000	1 and 1/2%
\$3,000,001 to \$4,000,000	1 and 1/4%
Over \$4,000,000	1%

(d) All landscaping must be guaranteed for 2 growing seasons, with a bond or security .

(4) A Storm Water Management Plan and/or and Erosion and Sediment Control Plan as required in § 150.273.

(B) *Review of Zoning Administrator.* The Zoning Administrator shall review the site and building plans for the purpose of determining their compliance with this section and other applicable city ordinances. The Zoning Administrator shall have 60 days in which to complete the review of the site and building plans. During the same 60-day period, the Council and Planning Commission shall also review the site and building plan and refer the plan to other city staff for review for the same purpose.

(Am. Ord. 9764, passed - -)

(C) *Exceptions.* The following types of construction or alteration are exempt from the site and building plan review provisions of this section:

(1) The construction or alteration of a single or double family detached dwelling and buildings accessory thereto; and

(2) The construction or alteration of any building where the Building Inspector estimates that the total cost of the construction or alteration will not exceed \$2,500, provided that in no event shall buildings be constructed or altered in violation of the Uniform Building Code or city ordinances.

(1997 Code, § 520.01) (Am. Ord. 08-024, passed 4-20-2010) Penalty, see § 10.99



MAYOR & COUNCIL COMMUNICATION

DATE: April 1, 2014
REGULAR
ITEM #6
RESOLUTION NO. 2014-022

AGENDA ITEM: Horning Lot Size Variance – Lot 9 of Krause’s Addition

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick Johnson, City Planner

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission considered an application for a lot size variance at its March 24, 2014 meeting. The Commission is recommending approval with the draft findings and conditions of approval as specified in Resolution 2014-022.

FISCAL IMPACT: N/A – if the parcel were considered a buildable lot, the City would have collected an assessment for the subject lot as part of a recent road project. The Planning Commission is recommending that the applicant pay a fee in lieu of this dedication at the time a building permit is issued for the site.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request from Suzanne Horning (as Trustee of the Suzanne R.W. Horning Trust) for a variance that would classify Lot 9 of Krause’s Addition to Lake Elmo as a buildable lot. The lot currently does not meet the City’s minimum lot size for a lot of record in a RS – Rural Single Family Residential Zoning District. The applicant has also requested a variance from Section 154.017 of the Zoning Ordinance, which states that any variance granted by the City “shall expire if work

does not commence within 12 months of the date of the granting of the variance. The applicant has asked that the 12-month time limit be waived for this request.

The suggested motions to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2014-22 approving a Variance from the minimum lot size requirements in a RS District and the maximum time for which a variance is valid.”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: The attached staff report to the Planning Commission provides an overview of the request and the draft findings that have since been slightly modified by the Planning Commission. The Commission conducted a public hearing concerning the variance at its March 24, 2014 meeting and received the following comments from neighboring property owners:

- Christine Cirilly, representing the applicant, stated that the applicant has been paying property taxes on the property as a building lot since 1985. She noted that the applicant intends to build a home that is consistent with the character of the neighborhood.
- Greg Zeipelt, 4940 Jamaca Avenue North, stated that, prior to purchasing his house immediately to the north of the applicants lot, he had been informed this lot was not buildable. He discussed the existing drainage in the neighborhood, and pointed out that drainage has gotten worse since the 2012 road project.
- Bill and Valerie Brass, 8930 Jane Road North, expressed concern about setting a precedence for allowing building on other substandard lots in the neighborhood. They also expressed concern about drainage in the area, and noted that the eastern portion of their lot collects water that drains from the subject property.
- Jason Brash, 9030 Jane Road North, explained that he recently moved to Lake Elmo and chose it for the open space and large lots. He encouraged the Planning Commission to keep it this way.

The Planning Commission generally discussed the drainage around the site; Staff responded that the City Engineer has been out to look at this area, but ultimately found that the water is draining to a low area in the neighborhood that has been previously designated as a ponding area. The Commission recommended the addition of two conditions of approval and asked that an existing condition be modified to require that any future construction on the site not exacerbate the existing drainage situation in the neighborhood.

The Planning Commission adopted a motion to recommend approval of the variance request with the findings and conditions as noted in the attached Resolution 2014-021. This resolution includes the conditions as revised and recommended by the Planning Commission. The motion passed unanimously.

BACKGROUND INFORMATION (SWOT):

- | | |
|----------------------|--|
| Strengths | <ul style="list-style-type: none">• The Planning Commission found that the applicant met the City's four variance criteria.• The variance will allow the applicant to build on a lot that has previously been considered buildable by the City. |
| Weaknesses | <ul style="list-style-type: none">• The City will need to track this variance to ensure the five-year deadline is met. |
| Opportunities | <ul style="list-style-type: none">• The variance will allow the current and past tax assessment for the property to match the classification as a buildable lot. |
| Threats | <ul style="list-style-type: none">• The neighbors in attendance at the public hearing expressed concern over the existing drainage situation on the lot and the loss of open space in the neighborhood. |

RECOMMENDATION: The Planning Commission is recommending that the City Council approve the request from Suzanne Horning (as Trustee of the Suzanne R.W. Horning Trust) for a variance that would classify Lot 9 of Krause's Addition to Lake Elmo as a buildable lot and to allow the variance to remain valid for longer than one year subject to conditions. The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2014-22 approving a Variance from the minimum lot size requirements in a RS District and the maximum time for which a variance is valid.”

ATTACHMENTS:

1. Resolution No. 2014-022
2. Planning Commission Staff Report – 3/24/14
3. Application and Project Narrative
4. Existing Site Conditions/Survey
5. Location Map
6. Krause's Addition Plat
7. Septic System Report – Tom Trooien

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2014-022

*A RESOLUTION APPROVING A VARIANCE FROM THE MINIMUM LOT SIZE
REQUIREMENT IN A RS DISTRICT AND FROM THE MAXIMUM TIME FOR WHICH A
VARIANCE IS VALID*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Suzanne Horning (as Trustee), 8991 Jane Road North, (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district and to waive the one-year deadline for completion of the work proposed under the variance; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.109; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on March 24, 2014; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated April 1, 2014; and

WHEREAS, the City Council considered said matter at its April 1, 2014 meeting.

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining said Variance are found in the Lake Elmo Zoning Ordinance, Section 154.109.
- 2) That all the submission requirements of said Section 154.109 have been met by the Applicant.
- 3) That the proposed variance includes the following components:

- a) A variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district. The subject lot is 0.785 acres in size and the minimum required size to be buildable is 0.9 acres.
 - b) A variance to waive the one-year deadline for completion of the work proposed under the variance.
- 4) That the Variance will be located on property legally described as follows: Lot 9 of Krause’s Addition to the City of Lake Elmo, Washington County, Minnesota. PID 09.029.21.11.0015.
 - 5) That the strict enforcement of Zoning Ordinance would cause practical difficulties and that the property owner proposes to use the property in a reasonable manner not permitted by an official control. ***Specific findings: That the proposed use is reasonable because the lot was platted as a buildable parcel and all other parcels of similar size have had houses constructed on them since the subdivision was approved. The property is very close to meeting the required 0.9 acre minimum lot size requirement, and construction of a home on this lot will not be any more obstructive than structures built on lots meeting the 0.9 acre requirement. The applicant also purchased the lot at the time it was a buildable parcel. The applicant has demonstrated the ability to install a complaint septic system on the property. A five year deadline for construction of a home on the property is a reasonable period of time for this work to be completed.***
 - 6) That the plight of the landowner is due to circumstances unique to the property not created by the landowner. ***Specific findings: That the applicant’s property is unique due to former platting of this property as a buildable lot and continued classification of the property as buildable since the lot was subdivided. The applicant purchased the property with the understanding that a house could someday be built on the property, and City records indicate that the lot was indeed buildable at the time of purchase. Other homes on neighboring smaller lots were constructed prior to the adoption of the City’s zoning regulations.***
 - 7) That the proposed variance will not alter the essential character of the locality in which the property in question is located. ***Specific findings: The applicant’s lot is larger than several of the lots in the surrounding neighborhood and is close to the minimum size needed to be considered buildable. The lot is of sufficient size to allow the installation of a compliant septic system and to allow the placement of a home on the parcel consistent with neighboring structures.***
 - 8) That the proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. ***Specific findings: No impacts above and beyond those considered normal for any other single-family lot in the surrounding neighborhood would be expected should the variance be granted.***

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicant's application for a Variance is granted, subject to the following conditions:

- 1) The driveway for the future home of the lot shall access Jane Road North. Driveway access to Jamaca Avenue North shall be prohibited.
- 2) The applicant shall provide a drainage easement for the portion of the lot that collects storm water runoff from the subject property and adjacent parcels prior to the issuance of a building permit for the site. The specific location of the drainage easement shall be approved by the City Engineer.
- 3) The variance shall be valid for a period of five years, but may be renewed upon review and approval by the Board of Adjustment.
- 4) A grading, erosion control, and storm water management plan shall be submitted in conjunction with a building permit for the property. This plan shall not exacerbate any existing drainage issues and must be designed to mitigate any additional runoff from any future construction on the site.
- 5) The applicant shall secure any required permits from the Valley Branch Watershed District prior to commencing any grading or construction activity on the site.
- 6) The applicant shall submit a letter from Washington County that an approved septic system can be located on the site prior to the issuance of a building permit for the site.
- 7) The owner shall pay a fee comparable to the assessments levied against other homes in the neighborhood for the 2012 Jane Road North road project that shall be collected at the time a building permit is issued for the site.

Passed and duly adopted this 1st day of April 2014 by the City Council of the City of Lake Elmo, Minnesota.

Michael Pearson, Mayor

ATTEST:

Adam Bell, City Clerk



PLANNING COMMISSION
DATE: 3/24/14
AGENDA ITEM: 4B – PUBLIC HEARING
CASE # 2014-08

ITEM: Horning Lot Size Variance – Krause’s Addition, Lot 9
SUBMITTED BY: Kyle Klatt, Community Development Director
REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a request from Suzanne Horning (as Trustee of the Suzanne R.W. Horning Trust) for a variance that would classify Lot 9 of Krause’s Addition to Lake Elmo as a buildable lot. The lot currently does not meet the City’s minimum lot size for a lot of record in a RS – Rural Single Family Residential Zoning District. The applicant has also requested a variance from Section 154.017 of the Zoning Ordinance, which states that any variance granted by the City “shall expire if work does not commence within 12 months of the date of the granting of the variance. The applicant has asked that the 12-month time limit be waived for this request.

GENERAL INFORMATION

Applicant: Briggs and Morgan (Christine Cirilli), 2200 IDS Center, 80 South 8th Street, Minneapolis, MN acting on behalf of:
Suzanne Horning (Trustee), 8991 Jane Road North

Property Owners: Suzanne and Robert Horning Trust, 8991 Jane Road North

Location: Lot 9 of Krause’s Addition to Lake Elmo. PID Number 09.029.21.11.0015

Request: Variance – Lot Size and Time Limit for Completion

Existing Land Use: Vacant parcel, prior recreation use (tennis courts) accessory to 8991 Jane Road North

Existing Zoning: RS – Rural Single Family

Surrounding Land Use: Single family residential

Surrounding Zoning: RS – Rural Single Family

Comprehensive Plan: Rural Single Family

Proposed Zoning: No Change

History: Krause’s Addition was platted in 1963. The home at 8991 Jane Road North (across the street and also owned by the applicant) was constructed in 1979. The City granted a lot size variance for the subject property in 1985, but no home was ever

built on the site. A permit to install a tennis court on the subject property was approved later in 1985.

Deadline for Action: Application Complete – 2/3/14
 60 Day Deadline – 4/3/14
 Extension Letter Mailed – No
 120 Day Deadline – 6/3/14

Applicable Regulations: 154.450 – RS – Rural Single Family Residential Zoning District
 154.109 – Variances (Administration and Enforcement)
 150.250 – Shoreland Overlay District

REQUEST DETAILS

The City of Lake Elmo has received a request from Briggs and Morgan, PA acting on behalf of Suzanne Horning, for a variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district. The application also includes a request for the City to waive the one-year deadline for completion of the work proposed under the variance. In this case, the applicant has requested that the variance be granted without a deadline so that a home could be built on the lot at an unspecified time in the future. The applicant is therefore not proposing to construct any buildings on the property, and is instead seeking a variance to classify the lot as a buildable parcel in advance of any specific building plans for the property.

The lot under consideration is 0.785 acres (34,195 square feet) in size and the minimum lot size within the RS – Rural Single Family Residential zoning district is 1.5 acres. As an existing lot of record, otherwise known as a lot that was platted prior to the City’s zoning regulations becoming effective, this property would be considered buildable if it met 60% of the district’s minimum lot size. The applicant would therefore need at least 0.9 acres (39,204 square feet) for this lot to be considered buildable under the current zoning regulations.

The site is currently occupied by a tennis court that was built in the mid-1980’s, and has served as an accessory use to the home located at 8991 Jane Road North. Should the variance be approved, the applicant intends to convey the lot to her children as a buildable lot, although she has not provided any specific time frame for a home to be constructed. The application materials include a septic system analysis documenting that a system compliant with Washington County septic regulations may be constructed on the property. For the purposes of this report, the septic designer assumed that a new home would be built on the same area presently occupied by the tennis court.

In addition to the above-referenced septic report, the applicant has provided a detailed project narrative with an analysis of the required variance findings. The applicant has also provided a detailed survey of the lot showing the existing topography, drainage patterns, tree cover, and improvements that are currently situated on the property. There are no specific site development plans, and any future construction on this property will need to comply with the City’s zoning and subdivision requirements (with the exception of minimum lot size should the variance be granted).

BACKGROUND

The lot that is the subject of the variance request is part of Krause’s Addition to the City of Lake Elmo, which was platted in 1963 when this area was still part of East Oakdale Township. The attached copy of the plat shows that the lot is the same size as it was when originally subdivided. It

likely would have been considered buildable up to the incorporation of the area into the City of Lake Elmo and the adoption of City zoning regulations in the late 1970's. The home at 8991 Jane Road North was constructed in 1979, and it appears that this property (Lot 7) and the subject property (Lot 9) have been under common ownership since at least this time. In June of 1985, a previous owner applied for and was granted a variance by the City to grant Lot 9 status as a buildable lot. It appears that this action was taken in response to the City's adoption of the 1.5-acre minimum lot size for single-family residential lots in this neighborhood. No home was ever constructed after the granting of the variance, and a tennis court was installed on the property later in 1985.

As noted in the application materials, the present owner acquired the property sometime in 1985. It appears that the property transfer occurred after the construction of the tennis court. Additionally, the applicant has described that City assessed the subject property as a buildable lot in 1985 for a City project. Based on this information, it does appear that the City would have considered the lot to be a buildable lot at the time the property was purchased by the applicant. The applicant has also pointed out that the property has been assessed as a buildable lot the entire time that they have owned it.

When the City was planning for the reconstruction of Jane Road North in 2012, the Planning Department was asked to review the assessment rolls for the project and to identify vacant, buildable parcels that would need to pay an assessment. Lot 9 of Krause's Addition was not deemed buildable because it does not meet the 60% size requirement referenced above. Because the current Zoning Regulations include a one-year time limitation concerning the time frame for construction of projects subject to a variance, it is Staff's opinion that the 60% requirement does apply in this situation. The applicant has therefore submitted a variance request in order to re-classify this property as a buildable lot.

The applicant's parcel is situated at the intersection of Jamaca Avenue North and Jane Road North, and is approximately 230 feet north of Lake Jane. Other than a tennis court, there have been no other improvements constructed on the site. There is a fairly heavy amount of tree cover surrounding the tennis court around the periphery of the lot. All of the surrounding lots are occupied by single family residential homes. In general, the properties to the north and west are larger lots (1.5 acres), while the properties to the south and east are smaller lots (generally under 1 acre). In particular, there is a cluster of homes along the northern edge of Lake Jane that are very similar in size, and sometimes smaller, than the applicant's parcel.

PLANNING AND ZONING ISSUES

In reviewing the applicable codes that apply to the subject property, Staff would like the Planning Commission to consider the following as it reviews this request:

- **RS District Setbacks.** Any new construction on the lot will need to comply with all required setbacks for the RS District. The portion of the lot that abuts Jamaca Avenue North is considered the front property line, and is therefore subject to a slightly larger setback.
- **Driveway Access.** Although the City Code does not include any restrictions on the location of a driveway on the property, Staff is recommending that any future driveway access Jane Road North instead of Jamaca Avenue North, since the latter is the less traveled roadway in adjacent to the lot.

- **Impervious Coverage.** The RS District allows a maximum impervious coverage of 25% while the Shoreland Ordinance limits lot coverage to 15% or 6,000 square feet, whichever is greater. The tennis court currently occupies 7,395 square feet, which is 21.6% of the lot. At the time a new house is constructed on the property, the applicant will need to comply with the maximum impervious coverage allowed under the Shoreland Ordinance.
- **Shoreland Setbacks.** The lot is far enough away from Lake Jane that any new structure will be able to comply with structure and septic system setbacks.
- **Drainage Area.** There is an existing drainage area immediately to the west and to the northwest of the applicant's lot, and it appears that a portion of the drainage area is also located on this lot. While the adjacent Sprinborn's Green Acres plat includes a drainage easement over the adjacent lots, there is currently no such easement in place on the applicant's property. Staff is recommending that the applicant be required to provide a drainage easement over the portion of the lot that collects storm water runoff as a condition of approval and prior to the issuance of any building permits for the property.
- **Septic and Drainfield Areas.** The subject parcel is large enough to meet the City's minimum requirement of 20,000 square feet for a primary and secondary septic system site.
- **Surrounding Lots.** The neighboring lots within the public hearing notification area range in size from 11,424 square feet (0.26 acres) to 83,025 square feet (1.9 acres), and of these 13 lots, the average size is 41,592 square feet (0.95 acres).
- **Variance Expiration.** The City Code specifies that variances are valid one year from the date a variance is issued. If construction has not taken place within one year, the variance becomes void. While the applicant has requested a full waiver of this requirement, Staff is recommending that the City maintain a specific deadline for construction of a home on the parcel. Staff is suggesting five years as a reasonable expectation.

REVIEW AND ANALYSIS

An applicant must establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 154.017 before an exception or modification to city code requirements can be granted. These criteria are listed below, along with comments from Staff regarding applicability of these criteria to the applicant's request.

- 1) **Practical Difficulties.** A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.

Under this standard, the City would need to find that the classification of the subject parcel as a buildable lot is a reasonable use of the property not otherwise permitted under the zoning ordinance. In this instance, the property was originally platted as a buildable lot and there is evidence in the

City's records that the current owner purchased the property with the understanding that it was a buildable lot. Additionally, the lot is consistent in size with other parcels platted at the same time and that have subsequently been built upon. The property has direct access to a platted and improved street, and a house can be placed on the property in manner consistent with the surrounding homes. Concerning the time extension associated with the variance request, Staff is recommending that a 5-year deadline is a reasonable expectation for construction of a new home. Proposed findings related to this criterion are as follows:

***FINDINGS:** That the proposed use is reasonable because the lot was platted as a buildable parcel and all other parcels of similar size have had houses constructed on them since the subdivision was approved. The property is very close to meeting the required 0.9 acre minimum lot size requirement, and construction of a home on this lot will not be any more obstructive than structures built on lots meeting the 0.9 acre requirement. The applicant also purchased the lot at the time it was a buildable parcel, and the continued use of the property for a tennis court is not reasonable given the separation of this parcel by road right-of-way from any others under common ownership. The applicant has demonstrated the ability to install a compliant septic system on the property. A five year deadline for construction of a home on the property is a reasonable period of time for this work to be completed.*

- 2) **Unique Circumstances.** The plight of the landowner is due to circumstances unique to the property not created by the landowner.

In order to demonstrate compliance with this standard, the Planning Commission would need to identify those aspects of the applicant's property that would not pertain to other properties within the same zoning classification. In this case, the lot was platted as a buildable lot within an older subdivision. Other properties in the area were platted at a later date and under a different set of regulations. The property owner also purchased the lot as a buildable lot, and the site has been assessed as such for the past 25 years. Again, Staff is suggesting some findings that could be considered by the Planning Commission as follows:

***FINDINGS:** That the applicant's property is unique due to former platting of this property as a buildable lot and continued classification of the property as buildable since the lot was subdivided. The applicant purchased the property with the understanding that a house could someday be built on the property, and City records indicate that the lot was indeed buildable at the time of purchase. Other homes on neighboring smaller lots were constructed prior to the adoption of the City's zoning regulations.*

- 3) **Character of Locality.** The proposed variance will not alter the essential character of the locality in which the property in question is located.

A formal set of findings related to this standard is suggested as follows:

***FINDINGS:** The applicant's lot is larger than many of the lots in the surrounding neighborhood and is close to the minimum size needed to be considered buildable. The lot is of sufficient size to allow the installation of a compliant septic system and to allow the placement of a home on the parcel consistent with neighboring structures.*

- 4) **Adjacent Properties and Traffic.** The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

Proposed findings for this criterion are as follows:

FINDINGS. *No impacts above and beyond those considered normal for any other single-family lot in the surrounding neighborhood would be expected should the variance be granted.*

Please note that the applicant has also provided a set of findings as part of the attached narrative and supporting documentation included with the application.

Considering the potential findings of fact as suggested in the preceding section, Staff is recommending approval of the variance request based on the findings noted in items 1-4 above and with conditions of approval related to the drainage area on the site, the location of the driveway access, and the time limit for the expiration of the variance.

DRAFT FINDINGS

Please refer to the comments in the previous section. Staff will be reviewing these findings with the Commission at its meeting.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the request from Briggs and Morgan, PA acting on behalf of Suzanne Horning, for a variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district and from the maximum time of one year for which a variance is valid. This recommendation includes the following conditions of approval:

- 1) The driveway for the future home of the lot shall access Jane Road North. Driveway access to Jamaca Avenue North shall be prohibited.
- 2) The applicant shall provide a drainage easement for the portion of the lot that collects storm water runoff from the subject property and adjacent parcels prior to the issuance of a building permit for the site. The specific location of the drainage easement shall be approved by the City Engineer.
- 3) The variance shall be valid for a period of five years, but may be renewed upon review and approval by the Board of Adjustment.
- 4) A grading, erosion control, and storm water management plan shall be submitted in conjunction with a building permit for the property.
- 5) The applicant shall secure any required permits from the Valley Branch Watershed District prior to commencing any grading or construction activity on the site.

The suggestion motion for taking action on the Staff recommendation is as follows:

“Move to recommend approval of the request for a variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district and from the maximum time of one year for which a variance is valid, subject to the conditions of approval as recommended by Staff”

ATTACHMENTS:

1. Application Form
2. Application and Project Narrative

- 3. Existing Site Conditions/Survey
- 4. Location Map
- 5. Krause’s Addition Plat
- 6. Septic System Report – Tom Trooien

ORDER OF BUSINESS:

- IntroductionCommunity Development Director
- Report by StaffCommunity Development Director
- Questions from the Commission Chair & Commission Members
- Open the Public HearingChair
- Close the Public Hearing.....Chair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

Fee \$ _____

City of Lake Elmo DEVELOPMENT APPLICATION FORM

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

APPLICANT: Suzanne Horning, as Trustee (see attached) 8991 Jane Road North, Lake Elmo, MN 55042
(Name) (Mailing Address) (Zip)

TELEPHONES: 239-765-8708 (Florida Phone Number)
(Home) (Work) (Mobile) (Fax)

FEE OWNER: Suzanne Horning, as Trustee (see attached) 8991 Jane Road North, Lake Elmo, MN 55042
(Name) (Mailing Address) (Zip)

TELEPHONES: 239-765-8708 (Florida Phone Number)
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): Krause's Addition Lot 9
Subdivision Cd 37425

DETAILED REASON FOR REQUEST: Please see attached.

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

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

Suzanne Horning 4/13/14
Signature of Applicant Date Signature of Applicant Date



2200 IDS Center
80 South 8th Street
Minneapolis MN 55402-2157
tel 612.977.8400
fax 612.977.8650

February 3, 2014

Christie J. Cirilli
(612) 977-8926
ccirilli@briggs.com

VIA E-MAIL

Kyle Klatt
Planning Director
Lake Elmo City Hall
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Application for Variance - Krause's Addition, Lot 9 Subdivision Cd 37425

We represent Suzanne Horning, as Trustee of the Suzanne R.W. Horning Qualified Personal Residence Trust (the "Applicant"), in connection with her application for a variance. The Applicant requests that the City grant a variance for the property legally described as Krause's Addition, Lot 9 Subdivision Cd 37425, located in the City of Lake Elmo (the "Property").

Please find attached as exhibits written statements as required by the Variance Procedure for the City of Lake Elmo. Also included with this letter is (1) the Applicant's completed and signed land use application form; (2) verification of the Applicant's ownership of the Property; (3) address labels for the certified list of property owners located within three hundred fifty (350) feet of the subject property obtained from and certified by a licensed abstractor; (4) the proposed septic design plan for the Property; and (5) copies of a certified survey depicting the Property.

We look forward to working with you in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Christie J. Cirilli".

Christie J. Cirilli

CJC

cc: Sue Horning
Dan Cole

Kyle Klatt
February 3, 2014
Page 2

EXHIBIT A

(List of Current Property Owners/Applicant)

Suzanne R.W. Horning, Trustee of the Suzanne R.W. Horning Qualified Personal Residence Trust under Agreement dated December 26, 2008, by Quit Claim Deed dated December 26, 2008, filed December 31, 2008, as Document No. 3720033.

Kyle Klatt
February 3, 2014
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EXHIBIT B

(List of Site Data)

1. Legal Description: Krause's Addition, Lot 9 Subdivision Cd 37425
2. Parcel Identification Number: 09.029.21.11.0015
3. Parcel Size (in acres and square feet): 0.785 acres/34,194.6 square feet
4. Existing Use of Land: Vacant parcel
5. Current Zoning: R1 One-Family Residential District

Kyle Klatt
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EXHIBIT C

(Provision of Zoning Code for which Applicant seeks a variance)

The Applicant is seeking a variance under Sections 154.041 and 154.080 of the Zoning Code. Section 154.041, which applies to R-1 One-Family Residential Districts, requires a minimum buildable lot size of 1-1/2 acre per unit without sanitary sewer or 24,000 square feet per unit with sanitary sewer. Section 154.080 contains an exception to this for any “existing lot.” An “existing lot” is defined as “a lot or parcel of land in a residential district which was of record as a separate lot or parcel in the office of the County Recorder or Registrar of Titles, on or before the effective date of th[e] chapter.” Section 154.080 states that “[a]ny [existing] lot or parcel of land which is in a residential district may be used for single-family detached dwelling purposes, provided the area and width of the lot are within 60% of the minimum requirements of this chapter; provided, all setback requirements of this chapter must be maintained; and provided, it can be demonstrated safe and adequate sewage treatment systems can be installed to serve the permanent dwelling.”

The Property at issue therefore qualifies as an exception to the general lot requirements of Section 154.041 and must instead comply with the 60% (0.90 acre) lot requirement of Section 154.080. At 0.785 acres, the Property falls just short of the buildable lot requirements for existing lots in R1 One-Family Residential Districts. As a result, the Applicant is seeking a variance to the existing lot requirement contained in Section 154.080.

Finally, the Applicant is seeking a variance from Section 154.017 of the Zoning Code, which mandates that any variance granted by the City “shall expire if work does not commence within 12 months of the date of granting such variance or if that use ceases for more than 6 consecutive months.” Because the Applicant desires to convey the Property to her children through her estate for buildable-lot purposes, any such work performed on the Property would not commence until after the twelve (12) month period required under Section 154.017 of the Zoning Code.

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EXHIBIT D

(Written Description of Proposal)

The Applicant proposes the issuance of a variance to Section 154.080 of the Zoning Code and request that the Property, at 0.785 acres, be characterized as a buildable lot under the Zoning Code.

The Applicant further requests a variance to the requirement under Section 154.017 that work be commenced within twelve (12) months of the variance's issue date. The variance to the buildable lot size will be of no use to the Applicant without a variance to this requirement as well.

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EXHIBIT E

(Narrative of Pre-Application Discussions)

Christie Cirilli, Attorney with Briggs & Morgan, P.A. (the “Applicant’s Counsel”) spoke with Kyle Klatt, the Planning Director for the City of Lake Elmo (the “Planning Director”), on behalf of the Applicant. Applicant’s Counsel discussed Applicant’s pursuance of a variance under Section 154.017 of the Lake Elmo Zoning Code. Applicant’s Counsel inquired regarding the current standard for variances applied by the City of Lake Elmo. The Planning Director confirmed that the “practical difficulties” standard, as discussed in Minnesota Statutes 462.357, had been adopted by the City and incorporated into Section 154.017 of the Lake Elmo Zoning Code.

The Planning Director stated that the Property had been characterized as a non-buildable lot since 1979, but acknowledged that the Property was improperly assessed and taxed as a buildable lot during the Applicant’s ownership of the Property. Applicant’s Counsel explained to the Planning Director that the Property was being assessed and taxed as a buildable lot when the Applicant purchased the Property, and as a result, the Applicant believed she was buying land with buildable lot value. Applicant’s Counsel explained to the Planning Director that the Property was of little or no value to the Applicant or anyone else without characterization as a buildable lot because the Applicant was interested in transferring the Property via her estate to her children for buildable purposes. The Planning Director acknowledged the erroneous taxation of the Property, despite stating that the zoning classification of the property is separate and distinct from the taxation of the parcel – meaning that the fact that the Property was taxed as a buildable lot does not change the fact that it was characterized as unbuildable under the zoning code. The Planning Director confirmed, however, that the fact that the Applicant purchased the parcel at a buildable lot price and for buildable lot value would be considered by the Planning Commission in its decision of whether or not to grant a variance.

The Planning Director explained that he was not sure how much application of the new “practical difficulties” standard would affect the Planning Commission’s analysis and issuance of variances. The Planning Commission has not had many variance applications come before it since the new standard took effect. The Planning Director informed Applicant’s Counsel that, if the Planning Commission were to grant a variance for the Property, work would have to be commenced on the Property within 12 months of the date the variance was granted – otherwise, the variance would expire. Applicant’s Counsel responded that this may be an issue for Applicant, and an additional variance may be requested to waive this requirement.

The Applicant also separately had conversations with the City regarding her Property. In particular, the Applicant spoke with Dean Zuleger, the City Administrator for the City of Lake

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Elmo, who informed the Applicant that he was unaware of any issues with the buildable nature of the Property. Mr. Zuleger acknowledged that other buildable lots in the area were of a similar size to the Property and that he did not see any reason why the Property should not be buildable as well. The discussions with Mr. Zuleger also revealed a prior variance that was issued for the Property in 1985. Upon following up with the Planning Director, there was not much information on file with the City regarding said variance, only that a variance was issued at that time regarding the buildable nature of the Property. This prior variance supports the current application for a variance for the Property.

The Applicant's Counsel further had discussions with Mr. Klatt regarding a variance passed by the Lake Elmo City Council on October 15, 2013, which variance was passed despite a recommendation from the Planning Commission to deny such variance. The property related to the variance request was of a considerably smaller size than the Applicant's property and was located on the shoreline. Mr. Klatt explained that the primary reason for granting the variance was that the property had room for adequate septic systems, and as a result the City Council passed the variance.

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EXHIBIT F

(Explanation of Applicant's Practical Difficulties)

Section 154.017 of the Zoning Code states that a variance shall be granted "where strict enforcement of the [Zoning Code] would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter." Under this Section, the "practical difficulties" standard means that "the property owner proposes to use the property in a reasonable manner not permitted by an official control."

The Applicant is proposing to use the Property in a reasonable manner not permitted by an official control. At 0.785 acres, the Property has been characterized as a non-buildable lot by the Zoning Code, which has a buildable lot size requirement for existing lots of 0.90 acres. The Applicant is proposing to reclassify the Property as a buildable lot prior to her conveyance of the Property through her estate. Given that the Property's acreage constitutes roughly 87% of the buildable lot size requirement, the Property is very close to meeting the required buildable lot size under the Zoning Code. As a result, it is unlikely that any structure built on the Property (that complied with the Zoning Code's building requirements) would be notably more obstructive than structures built on lots meeting the minimum 0.90 acre requirement.

The Property is zoned for residential use and the Applicant will have no use for the Property if it is not classified as a buildable lot. The other lots surrounding the Property are not much larger than the Property and were grandfathered in under the Zoning Code, as the Property at issue should have been. The Property was a platted lot approved by the City at its current size and was intended to be buildable. Therefore, classifying the Property as a buildable lot will not alter the "spirit and intent of the chapter."

Given that the proposed use of the Property is not unreasonable and that the Property should have been previously grandfathered in under the Zoning Code, the Planning Commission should grant a variance given the particularly unusual circumstances of the Applicant, as described on Exhibit G.

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EXHIBIT G

(Explanation of Applicant's Unique Circumstances)

Section 154.017 of the Zoning Code further states that a variance shall only be granted where "[t]he plight of the landowner is due to circumstances unique to the property not created by the landowner." The Applicant at issue has particularly unusual circumstances, which are not by fault of her own.

The Applicant was not the subdivider of the surrounding development and therefore did not create the problem. At the time the Applicant purchased the Property in 1985, the Applicant believed the Property was buildable. The Property was platted and approved by the City at its current size. The surrounding lots were of a similar size and were characterized as buildable. The Applicant paid a buildable lot value for the Property and has been paying taxes, assessed by Washington County, Minnesota, on that buildable lot value for the past twenty-seven (27) years. As a result, the Applicant had good reason to believe that she owned buildable land. The Applicant's belief that the land was buildable affected her decision to purchase and retain the Property.

The Property was specifically characterized as an assessable lot on the City's assessment role on September 10, 1985, at which time the City held a meeting for approval of a special assessment by local property owners. By characterizing the Property as an assessable lot, the City was acknowledging the value the Property was receiving from City improvements and assessing a fee on the Property for those improvements. The Property does not, however, receive any value from City improvements if it is not also buildable. As a result, the City's characterization of the Property as an assessable lot suggests that the Property was intended to be buildable as well.

The Applicant had no reason to believe that her land was not buildable. Any plight of the Applicant was due to the error of other parties. As a result, the Applicant has unique circumstances that she has not created and which justify the City's grant of a variance for the Property.

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EXHIBIT H

(Essential Character of Neighborhood)

In order to obtain a variance from the City, the Applicant is required to show that the issuance of a variance would not alter the essential character of the neighborhood in which the Property is located. In other words, the Property must be consistent and not interfere with the use of the property surrounding it.

The Property is located in Krause's Addition of the City of Lake Elmo. Other lots within Krause's Addition that have houses built on them are not discernibly different in size than the Property. As previously stated, many of these lots were grandfathered in when the Zoning Code requirements changed, and the Property at issue should have been grandfathered in as well. Furthermore, the City Council recently granted a variance on October 15, 2013 for a lot of a considerably smaller size than the Applicant's property, constituting approximately 0.4 acres of land. The City Council's primary reason for granting the variance was that the property had adequate room for appropriate septic systems on the property. The Applicant's Property also has adequate room for appropriate septic systems on the property, with room for both a primary and backup drainfield location, as demonstrated by the septic design submitted in connection with the application. In addition, unlike the property at issue in the October 15, 2013 variance request, the Applicant's property is not located on the shoreline and therefore any building on the Applicant's Property won't interfere with any of the neighboring property rights associated therewith.

Springborn's Green Acres, which adjoins the Property to the North, contains two lots (Lot 2 and Lot 3) that both have less buildable area than the Property at issue, due to drainage and utility easements that bisect each lot. Lot 2 and Lot 3 are shown to each constitute 1.6 acres, but their buildable lot areas are actually only 150 feet by 170 feet due to the easements burdening each lot. Therefore, if granted a variance, the buildable lot area of the Property at issue would be greater than that of both Lot 2 and Lot 3 in Springborn's Green Acres.

Given the size of lots surrounding the Property and adequate room for appropriate septic systems on the property, the issuance of a variance for the Property would not alter the essential character of the neighborhood.

THE HORNING PROPERTY

LOT 9, KRAUSE'S ADDITION

49XX JAMACA AVENUE NORTH

CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA



KEMPER & ASSOCIATES INC.
 PROFESSIONAL LAND SURVEYORS

NEW BUILDING
 49XX JAMACA AVENUE NORTH
 LAKE ELMO, MINNESOTA 55112
 Email: kempers@kempers.com
 Phone: 612-835-1111



VICINITY MAP
 (NO SCALE)

FLOODPLAIN SUMMARY
 The Floodplain Summary is based on the Flood Insurance Rate Map (FIRM) for the City of Lake Elmo, Minnesota, dated 11/11/09. The property is located in Flood Zone X-1, which is a Special Flood Hazard Area (SFHA). The Flood Zone X-1 is a Special Flood Hazard Area (SFHA) that is subject to flooding from 100-year return period floods. The Flood Zone X-1 is a Special Flood Hazard Area (SFHA) that is subject to flooding from 100-year return period floods.

ZONING REQUIREMENTS

The property is zoned R-1 (Single-Family Residential). The zoning requirements for R-1 are as follows:
 - Minimum Lot Area: 10,000 sq. ft.
 - Minimum Front Yard Setback: 25 feet
 - Minimum Side Yard Setback: 5 feet
 - Minimum Rear Yard Setback: 10 feet
 - Maximum Height: 35 feet
 - Maximum Coverage: 30%
 - Maximum Intensity: 1.5 stories
 - Maximum Floor Area Ratio: 0.35



49XX JAMACA AVENUE NORTH
 LAKE ELMO, MINNESOTA



49XX JAMACA AVENUE NORTH
 LAKE ELMO, MINNESOTA



JAMACA AVENUE NORTH, ADJACENT TO PROPERTY
 SHOWS EXISTING INTERFERING COVERAGE



PROPERTY LINE, ADJACENT TO PROPERTY
 LAKE ELMO, MINNESOTA



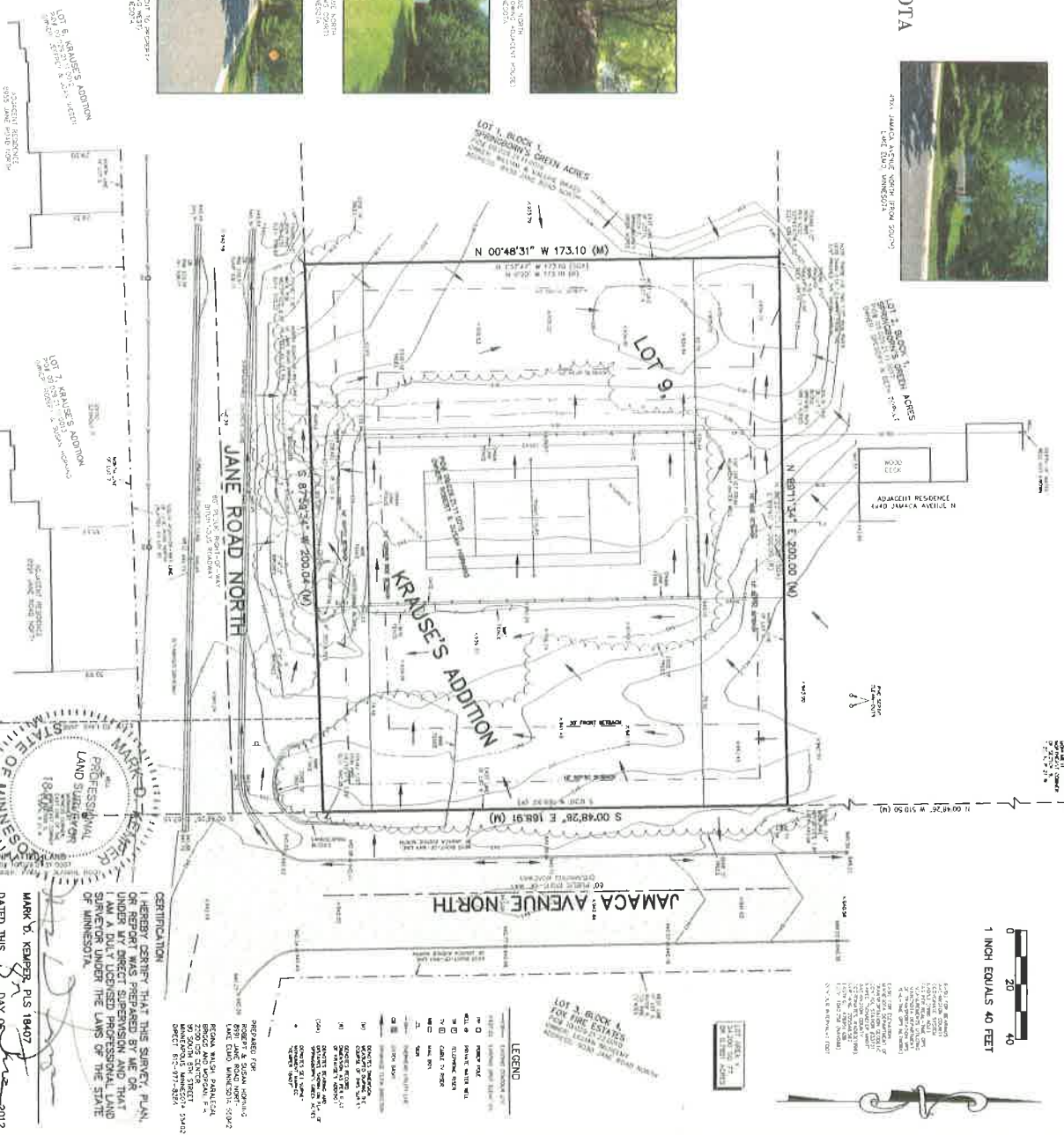
49XX JAMACA AVENUE NORTH
 LAKE ELMO, MINNESOTA



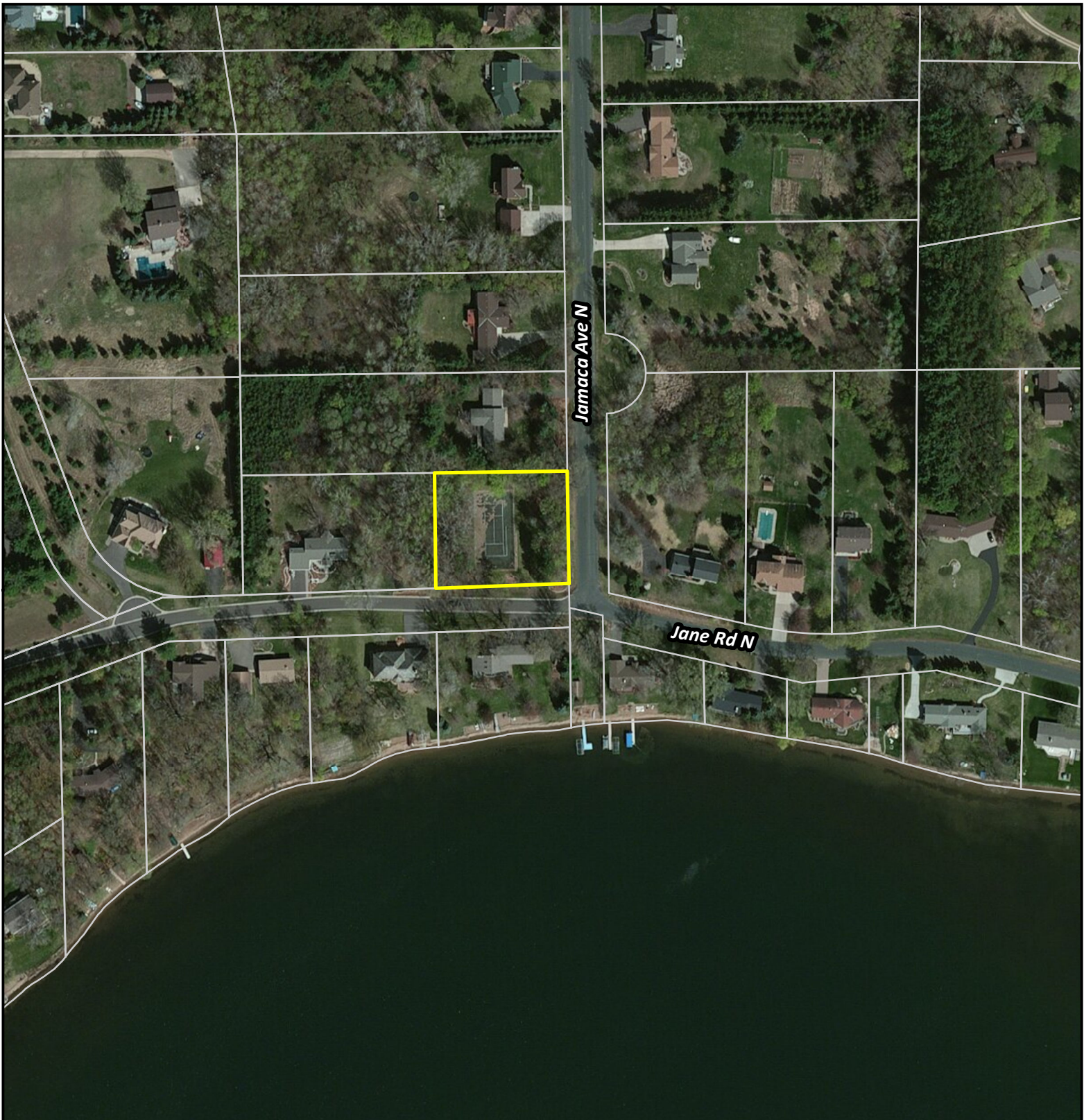
49XX JAMACA AVENUE NORTH, ADJACENT TO PROPERTY
 SHOWS EXISTING INTERFERING COVERAGE

CERTIFICATE OF SURVEY

12084 (12084.DWG)



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 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
 MARK D. KEMPER, PLS 18407
 DATED THIS 8th DAY OF June 2012



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

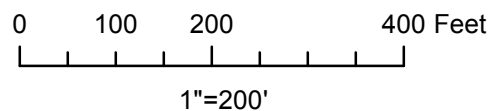
Location Map: 09.029.21.11.0015



Data Source: Washington County, MN
2-26-2014



Variance Request
09.029.21.11.0015



KRAUSE'S ADDITION

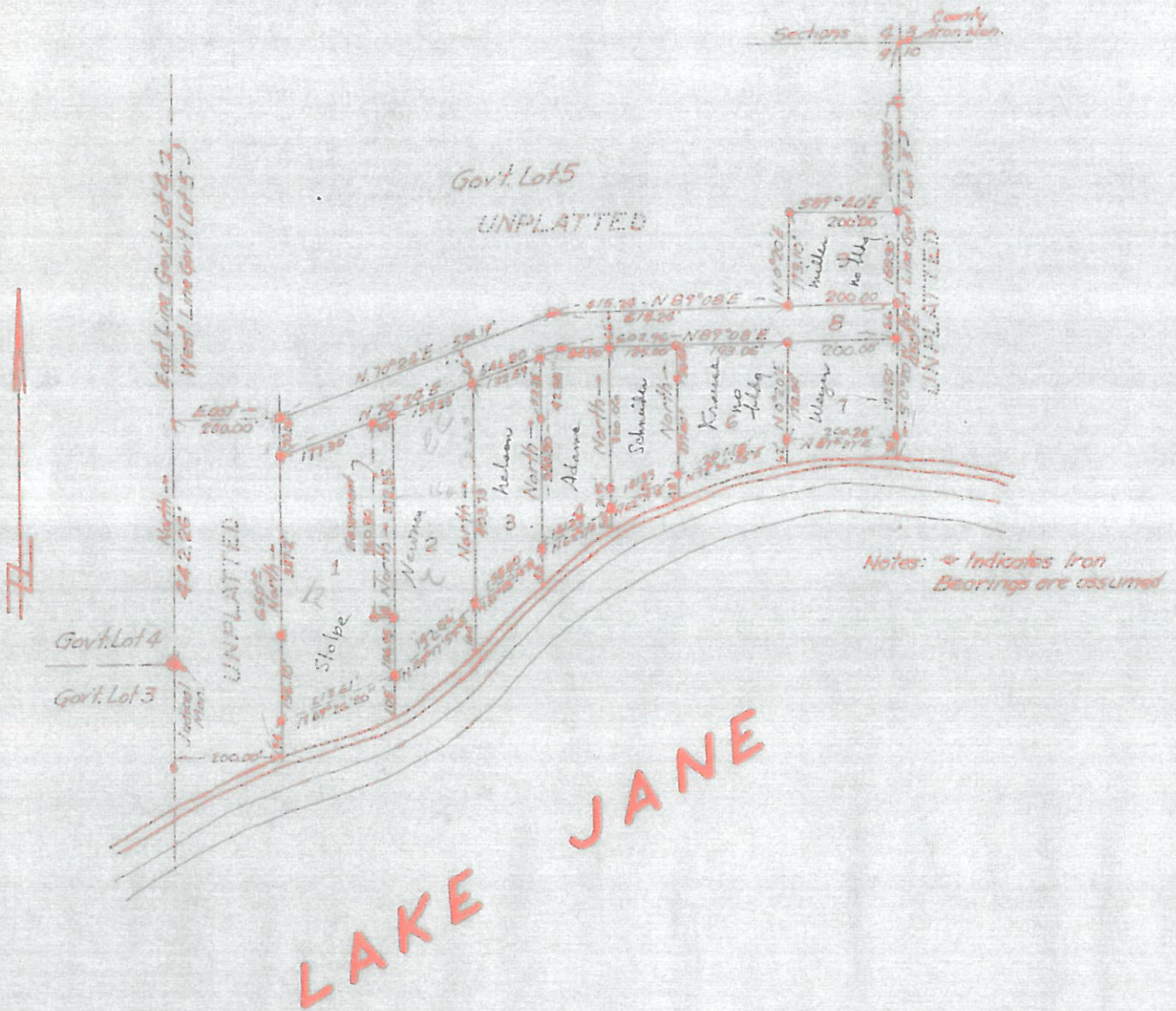
PART OF GOVT. LOT 5 SECTION 9, T. 29 N., R. 21 W.

EAST OAKDALE TOWNSHIP - WASHINGTON COUNTY

MINNESOTA

SCALE: 1 IN. = 200 FT.

J.R. Hoffman
Surveyor



I have surveyed the property described on this plat and to having placed iron monuments at same are correct, there is no undrained road nor easement on or across same the land conveyed in fee in each recorded plat the same as the land shown on this plat in preceding each particular recorded

This plat approved and accepted by the Town Board of Washington County, Minnesota this 27th day of 1911

Maximilian
Chairman, Town Board,

MOUND SYSTEM DESIGN

INDIVIDUAL SEWAGE TREATMENT SYSTEM

Owner's Name	SUZANNE HORNING
Job Site Address	LOT 9, KRAUSE'S ADDITION 49XX JAMACA AVE.
City or Township	LAKE ELMO
Use of Building	SFD


Design Flow Rate	750	Perc Rate	16-30	Land Slope	1	Percent
Two Required Tank Sizes	1500 Gallons	1000 Gallons	Lift Station Tank Size	1200	Gallons	
Rock Bed Width	10	Rock Bed Length	75			
Required Absorption Width	20	Feet	Depth of Clean Sand Fill at Upslope Edge of Rock Layer		Feet	
Minimum Downslope Dike Width After Accounting for the Absorption Area	13	Feet				
Minimum Upslope Dike	10	Feet	Minimum Length of Dike	95	Feet	
Any Other Special Conditions THIS DESIGN IS INTENDED TO DEMONSTRATE SUITABILITY OF LOT FOR SEPTIC PURPOSES ONLY IN ORDER TO OBTAIN A ZONING VARIANCE. ANY CHANGES OF FUTURE HOUSE OR SEPTIC LOCATION WILL REQUIRE ADDITIONAL TESTING OR SIZING TO SEPTIC SYSTEM						

COMPLETE THE PRESSURE DISTRIBUTION SYSTEM WORK SHEET ATTACHED.

This design must be accompanied by a site plan that clearly shows the location of the area tested and approved by the following (MOUND SYSTEMS SITE PLANS MUST CLEARLY SHOW THE LOCATION OF THE MOUND):

1. Use an appropriate scale and indicate direction by use of a north arrow.
2. Show ALL property boundaries, rights-of-way, easements, wetlands. If necessary, an enlarged detail of house site may also be required.
3. Show location of house, garage, driveway and all other improvements existing or proposed.
4. Show location and layout of sewage treatment mound, and back-up mound.
5. Show location of water supply (well and/or community supply line).
6. Dimension all setbacks and separation distances.

This system has been designed by a Pollution Control Agency (PCA) Certified Professional.

Designer Name	TOM TROUEN	PCA Certification #	1568
Address	12020 SQUARE LAKE TR. STILLWATER MN 55080	Phone #	612-594-4496
Signature		Date	8-11-12

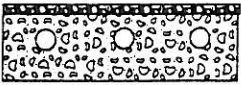
MOUND DESIGN WORKSHEET

(For Flows up to 1200 gpd)

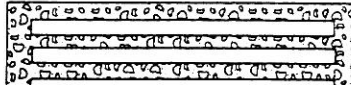
<p>A. FLOW Estimated <u>750</u> gpd or measured _____ x 1.5 = _____ gpd.</p> <p>B. SEPTIC TANK LIQUID VOLUMES <u>1500</u> gallons + 1000</p> <p>C. SOILS (refer to site evaluation)</p> <ol style="list-style-type: none"> Depth to restricting layer = <u>29</u> inches _____ feet Depth of percolation tests = <u>12</u> inches Texture <u>SILT LOAM</u> Percolation rate <u>16-30</u> mpi Land slope <u>1</u> % 	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5">Estimated Sewage Flows in Gallons per day (gpd)</th> </tr> <tr> <th>Number of Bedrooms</th> <th>Type I</th> <th>Type II</th> <th>Type III</th> <th>Type IV</th> </tr> </thead> <tbody> <tr><td>2</td><td>300</td><td>225</td><td>180</td><td rowspan="8" style="text-align: center; vertical-align: middle;">60% of the values in Type I, II or III columns</td></tr> <tr><td>3</td><td>450</td><td>300</td><td>218</td></tr> <tr><td>4</td><td>600</td><td>375</td><td>256</td></tr> <tr><td>5</td><td>750</td><td>450</td><td>294</td></tr> <tr><td>6</td><td>900</td><td>525</td><td>332</td></tr> <tr><td>7</td><td>1050</td><td>600</td><td>370</td></tr> <tr><td>8</td><td>1200</td><td>675</td><td>408</td></tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">Septic Tank Capacities (in gallons)</th> </tr> <tr> <th>Number of Bedrooms</th> <th>Minimum Liquid Capacity</th> <th>Liquid capacity with garbage disposal</th> </tr> </thead> <tbody> <tr><td>2 or less</td><td>750</td><td>1125</td></tr> <tr><td>3 or 4</td><td>1000</td><td>1500</td></tr> <tr><td>5 or 6</td><td>1500</td><td>2250</td></tr> <tr><td>7, 8 or 9</td><td>2000</td><td>3000</td></tr> </tbody> </table>	Estimated Sewage Flows in Gallons per day (gpd)					Number of Bedrooms	Type I	Type II	Type III	Type IV	2	300	225	180	60% of the values in Type I, II or III columns	3	450	300	218	4	600	375	256	5	750	450	294	6	900	525	332	7	1050	600	370	8	1200	675	408	Septic Tank Capacities (in gallons)			Number of Bedrooms	Minimum Liquid Capacity	Liquid capacity with garbage disposal	2 or less	750	1125	3 or 4	1000	1500	5 or 6	1500	2250	7, 8 or 9	2000	3000
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7, 8 or 9	2000	3000																																																								

D. ROCK LAYER DIMENSIONS

- Multiply flow rate by ~~0.83~~ ^{1.00} to obtain required area of rock layer: $A \times 0.83 =$
 $\frac{750 \text{ gpd} \times 0.83 \text{ sq. ft./gpd} = 750 \text{ sq. ft.}}$
- Select width of rock layer (max 10' if <120 mpi max 5') = 10 ft.
- Length of rock layer = area ÷ width =
 $\frac{750 \text{ sq. ft.} \div 10 \text{ ft.} = 75 \text{ ft.}$



Width 10 ft
<120mpi <10'
>120mpi <5'



Length 75 ft

E. ROCK VOLUME

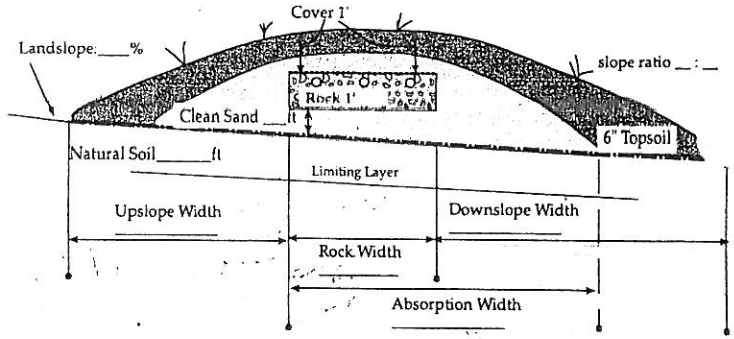
- Multiply rock area by rock depth to get cubic feet of rock; $750 \text{ sq. ft.} \times 1 \text{ ft.} = 750 \text{ cu. ft.}$
- Divide cu. ft. by 27 cu. ft./cu. yd. to get cubic yards;
 $\frac{750 \text{ cu. ft.}}{27} = 28 \text{ cu. yd.}$
- Multiply cubic yards by 1.4 to get weight of rock in tons; $28 \text{ cu. yd.} \times 1.4 \text{ ton/cu. yd.} = 39 \text{ tons.}$

F. ABSORPTION WIDTH

- Percolation rate in top 12 inches of soil is 16-30 mpi
 Texture SILT LOAM
- Select allowable soil loading rate from table;
.60 gpd/ft²
- Calculate adsorption width ratio by dividing rock layer loading rate of 1.20 gpd/ft² by allowable soil loading rate;
 $1.20 \text{ gpd/ft}^2 \div .60 \text{ gpd/ft}^2 = 2.00$
- Multiply adsorption width ratio by rock layer width to get required adsorption width;
 $10 \times 2.00 \text{ ft} = 20 \text{ ft}$

Absorption Width Sizing Table			
Percolation Rate in Minutes per Inch (MPI)	Soil Texture	Gallons per day per square foot	Ratio of Absorption width to Rock Layer Width
Faster than 0.1	Coarse Sand	1.20	1.00
0.1 to 5	Sand	1.20	1.00
0.1 to 5	Fine Sand	0.60	2.00
6 to 15	Sandy Loam	0.79	1.52
16 to 30	Loam	0.60	2.00
31 to 45	Silt Loam	0.50	2.40
46 to 60	Clay Loam	0.45	2.67
60 to 120	Clay	0.24	5.00
Slower than 120	Clay	0.20	6.00

G. MOUND SLOPE WIDTH & LENGTH
(landslope 1% or more)



1. Subtract rock layer width from absorption width to obtain minimum downslope width
 $20 \text{ ft} - 10 \text{ ft} = 10 \text{ feet}$

2. Calculate minimum mound size

a. Determine depth of clean sand fill at upslope edge of rock layer:

Separation 3' - $2 \text{ ft} = 1 \text{ feet}$

b. Add depth of clean sand for separation (2a) at upslope edge, depth of rock layer (1 foot) to depth of cover (1 foot) to find the mound height at the upslope edge of rock layer;

$1 \text{ ft} + 1 \text{ ft} + 1 \text{ ft} = 3 \text{ feet}$

c. Enter table with landslope and upslope ratio. Select berm multiplier of 3.85

d. Multiply berm multiplier by upslope mound height to find upslope width:

$3 \times 3.85 = 12 \text{ feet}$

e. Multiply rock layer width by landslope to determine drop in elevation;

$10 \times 1 \% \div 100 = .1 \text{ feet}$

f. Add depth of clean sand for slope difference (2e) at downslope rock edge, to the mound height at the upslope edge of rock layer (2b) to find the downslope mound height;

$3 \text{ ft} + .1 \text{ ft} = 3.1 \text{ feet}$

g. Enter table with landslope and downslope ratio. Select downslope multiplier of 4.17

h. Multiply downslope multiplier by downslope mound height to get downslope width:

$3.1 \times 4.17 = 13 \text{ feet}$

i. Compare the values of step G.1 10 and Step G.2h 13

Select the greater of the two values as the downslope width: 13 feet

j. Total mound width is the sum of upslope (G.2d) width plus rock layer width (D.2) plus downslope width(G.2i);

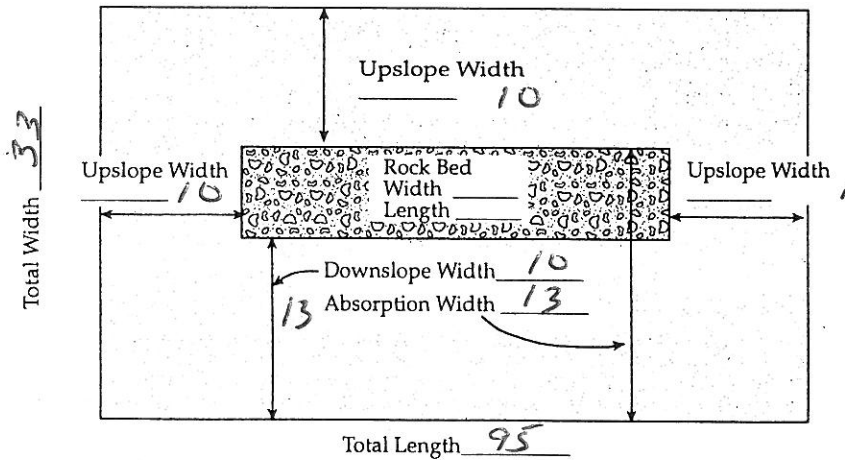
$10 \text{ ft} + 10 \text{ ft} + 13 \text{ ft} = 33 \text{ feet}$

k. Total mound length is the sum of upslope width (G.2d) plus rock layer length (D.3) plus upslope width (G.2d);

$10 \text{ ft} + 10 \text{ ft} + 75 \text{ ft} = 95 \text{ feet}$

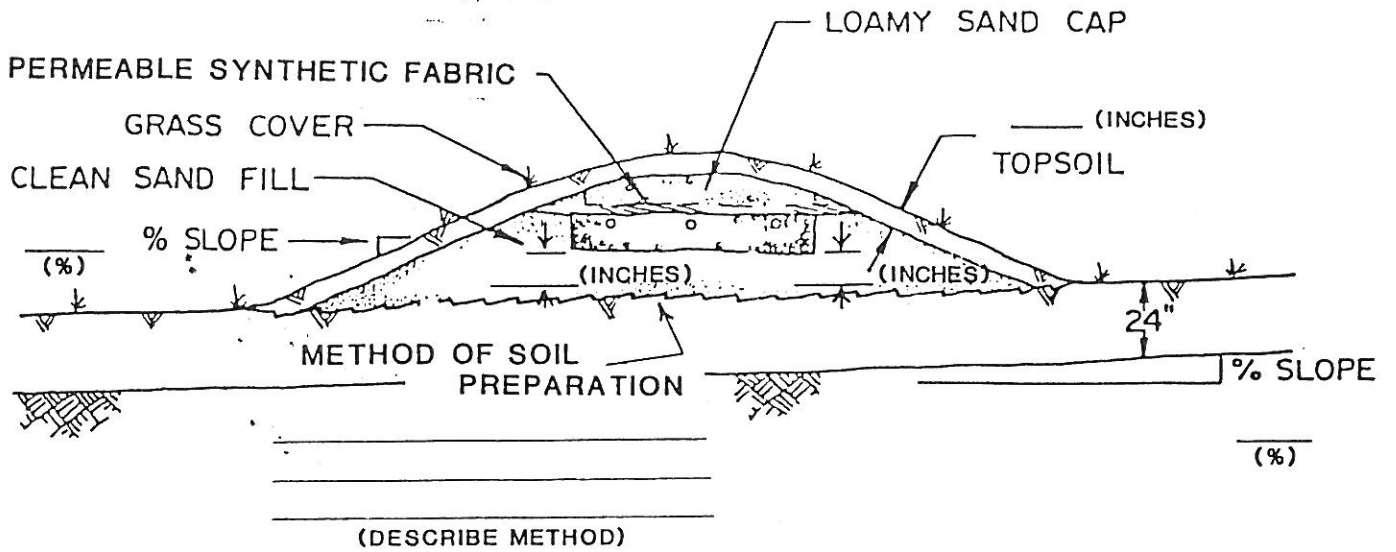
SLOPE MULTIPLIER TABLE

Land Slope, in %	UPSLOPE multipliers for various slope ratios						DOWNSLOPE multipliers for various slope ratios				
	3:1	4:1	5:1	6:1	7:1	8:1	3:1	4:1	5:1	6:1	7:1
0	3.0	4.0	5.0	6.0	7.0	8.0	3.0	4.0	5.0	6.0	7.0
1	2.91	3.85	4.76	5.66	6.54	7.41	3.09	4.17	5.26	6.38	7.53
2	2.83	3.70	4.54	5.36	6.14	6.90	3.19	4.35	5.56	6.82	8.14
3	2.75	3.57	4.35	5.08	5.79	6.45	3.30	4.54	5.88	7.32	8.86
4	2.68	3.45	4.17	4.84	5.46	6.06	3.41	4.76	6.25	7.89	9.72
5	2.61	3.33	4.00	4.62	5.19	5.71	3.53	5.00	6.67	8.57	10.77
6	2.54	3.23	3.85	4.41	4.93	5.41	3.66	5.26	7.14	9.38	12.07
7	2.48	3.12	3.70	4.23	4.70	5.13	3.80	5.56	7.69	10.34	13.73
8	2.42	3.03	3.57	4.05	4.49	4.88	3.95	5.88	8.33	11.54	15.91
9	2.36	2.94	3.45	3.90	4.30	4.65	4.11	6.25	9.09	13.04	18.92
10	2.31	2.86	3.33	3.75	4.12	4.44	4.29	6.67	10.00	15.00	23.37
11	2.26	2.78	3.23	3.61	3.95	4.26	4.48	7.14	11.11	17.65	30.00
12	2.21	2.70	3.12	3.49	3.80	4.08	4.69	7.69	12.50	21.43	43.75

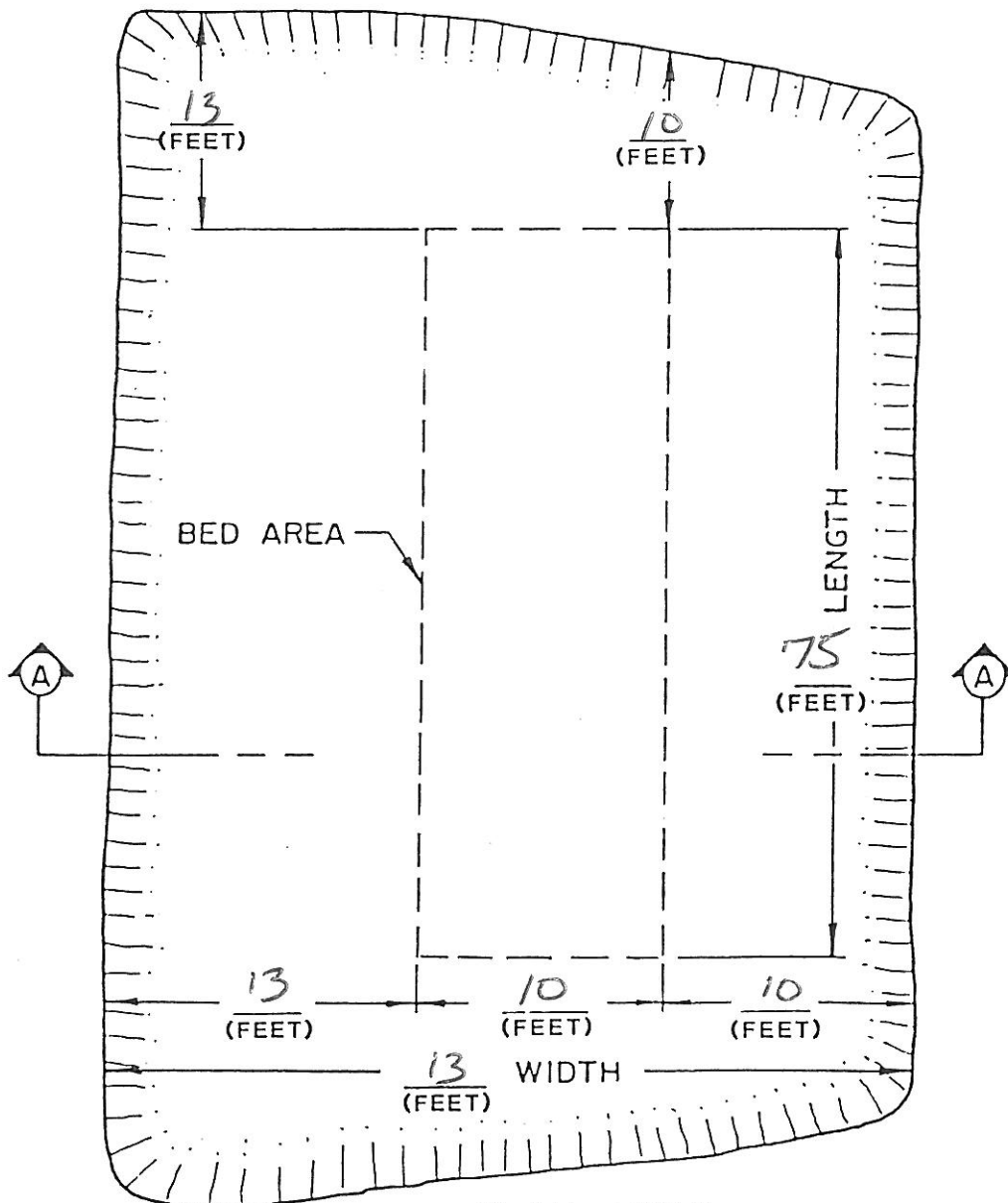


Final Dimensions:
33 x 95

MOUND



CROSS SECTION A-A



PLAN VIEW

Test hole location P1 Hole # _____

TIME	INTERVAL (MINUTES)	WATER DEPTH	WATER DROP (fraction)	WATER DROP (decimal)	PERC RATE CALCULATION
<u>12:45</u> <u>1:15</u>	START 30	<u>8</u> <u>6 1/4</u>	<u>1 3/4</u>	<u>1.75</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ A
<u>1:15</u> <u>1:45</u>	REFILL 30	<u>8</u> <u>6 3/4</u>	<u>1 13/16</u>	<u>1.81</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ B
<u>1:45</u> <u>2:15</u>	REFILL 30	<u>8</u> <u>6 3/8</u>	<u>1 5/8</u>	<u>1.63</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ C
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ D
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ E
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ F
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ G
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ H

- conversion
- 1/16 = .06
 - 1/8 = .13
 - 3/16 = .19
 - 1/4 = .25
 - 5/16 = .31
 - 3/8 = .38
 - 7/16 = .44
 - 1/2 = .5
 - 9/16 = .56
 - 5/8 = .63
 - 11/16 = .69
 - 3/4 = .75
 - 13/16 = .81
 - 7/8 = .88
 - 15/16 = .94

P2

TIME	INTERVAL (MINUTES)	WATER DEPTH	WATER DROP (fraction)	WATER DROP (decimal)	PERC RATE CALCULATION
<u>12:50</u> <u>1:20</u>	START 30	<u>8</u> <u>6 1/8</u>	<u>1 7/8</u>	<u>1.88</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ A
<u>1:20</u> <u>1:50</u>	REFILL 30	<u>8</u> <u>6 1/4</u>	<u>1 3/4</u>	<u>1.75</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ B
<u>1:50</u> <u>2:20</u>	REFILL 30	<u>8</u> <u>6 1/2</u>	<u>1 1/2</u>	<u>1.5</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ C
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ D
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ E
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ F
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ G
---	REFILL	---	---	---	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{\text{(Decimal)}} = \frac{\text{PERC}}{\text{PERC}}$ H

- conversion:
- 1/16 = .06
 - 1/8 = .13
 - 3/16 = .19
 - 1/4 = .25
 - 5/16 = .31
 - 3/8 = .38
 - 7/16 = .44
 - 1/2 = .5
 - 9/16 = .56
 - 5/8 = .63
 - 11/16 = .69
 - 3/4 = .75
 - 13/16 = .81
 - 7/8 = .88

Date: 8-11-12

Project Location: 49XX JAMACA AVE LAKE ELMO, MN 55042

Client: _____ Borings made by: TOM TROOEN

Address: _____ Lic. # 1568

Boring method: Auger Pit Probe Other _____

Color classification system: Munsell Other _____

Boring Number B1
 Surface Elevation _____
 Soil type at system depth: _____

Boring Number B2
 Surface Elevation _____
 Soil type at system depth: _____

Depth (Feet)	Texture	Color
7" -	LOAMY TOPSOIL	10YR 3/2
1 -	FINE SILT LOAM	10YR 4/6
2 -		
3 -		
43" -		
4 -	SANDY SILT LOAM	7.5YR 5/6
5 -		
6 -		
60" -		
7 -		

Depth (Feet)	Texture	Color
6' -	LOAMY TOPSOIL	10YR 3/2
1 -	FINE SILT LOAM	10YR 4/6
2 -		
3 -		
38" -		
40" -	SANDY SILT LOAM	7.5YR 5/6
4 -		
5 -		
6 -		
7 -		

Slope: 1 %
 End of boring at 6 feet.

Standing water table: yes no
 Present at _____ feet of depth,
 _____ hours after boring.

Mottled soil: MOTTLES @ 52"
 Observed at _____ feet of depth.
 Not present in boring hole _____
 Observations and comments:

Slope: 1 %
 End of boring at 46" feet.

Standing water table: yes no
 Present at _____ feet of depth,
 _____ hours after boring.

Mottled soil: MOTTLES @ 40"
 Observed at _____ feet of depth.
 Not present in boring hole _____
 Observations and comments:

Soil Boring Log

Date: _____

Project Location:

Client: _____ Borings made by: _____
 Address: _____

City _____ State _____ Zip _____ Lic. # _____

Boring method: Auger _____ Pit _____ Probe _____ Other _____
 Color classification system: Munsell _____ Other _____

Boring Number B3
 Surface Elevation _____
 Soil type at system depth: _____

Boring Number _____
 Surface Elevation _____
 Soil type at system depth: _____

Depth (Feet)	Texture	Color	Depth (Feet)	Texture	Color
-	LOAM/TOPSOIL	10YR 3/2	-		
1-	FINE SILT LOAM	10YR 5/6	1-		
2-			2-		
3-	SAND/SILT LOAM	7.5YR 4/6	3-		
4-			4-		
5-			5-		
6-			6-		
7-			7-		

Slope: 1 %
 End of boring at 38" feet.

Standing water table: yes no
 Present at _____ feet of depth,
 _____ hours after boring.

Mottled soil: MOTTLES @ 29"
 Observed at _____ feet of depth.
 Not present in boring hole _____.

Observations and comments:

Slope: _____ %
 End of boring at _____ feet.

Standing water table: yes no
 Present at _____ feet of depth,
 _____ hours after boring.

Mottled soil:
 Observed at _____ feet of depth.
 Not present in boring hole _____.

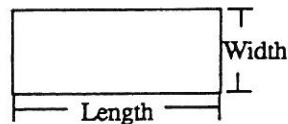
Observations and comments:

Sizing of Pump Station

1. Determine Surface Area

Rectangle = Area = L x W

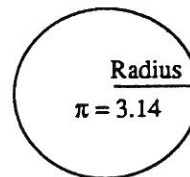
5 x 10 = 50 square feet



Circle = Area = $\pi \times (\text{Radius})^2$

3.14 x _____ x _____ = _____ square feet

Other = Get Surface Area from Manufacturer
_____ square feet



2. Calculate Gallons Per Inch

There are 7.5 gallons per cubic foot of volume, therefore you must multiply the area times the conversion factor and divide by 12 inches per foot to calculate gallons per inch

Area x 7.5 + 12

50 x 7.5 + 12 = 31 gallons/inch

3. Calculate Gallons to Cover Pump (with 2 inches of water covering pump)

(Height (in) + 2 inches) x gallons/inch

(10 + 2) x 31 = 370 gallons

Estimated Sewage Flow in Gallons per Day (gpd)				
Number of Bedrooms	Type I	Type II	Type III	Type IV
2	300	225	180	60% of the values in the other column
3	450	300	218	
4	600	375	256	
5	750	450	294	
6	900	525	332	
7	1050	600	370	
8	1200	675	408	

4. Calculate Total Pumpout Volume

A. To maximize pump life select sump size for 4 to 5 pump operations per day.

750 gpd + ~~4~~ = 150 gallons per dose

B. Calculate drainback

a. Determine total pipe length, 50 feet.

b. Determine liquid volume of pipe, 10 gallons per 100 feet. (see page F-13)

c. Multiply length by volume: Drainback quantity =

50 feet x 10 gallons + 100 ft. = 5 gallons.

C. Total pump out volume equals dose volume + drainback

150 gallons per dose + 5 gallons = 155 Total gallons

Pipe diameter (inches)	Gallons per 100 feet
1	4.49
1.25	7.77
1.5	10.58
2	17.43
2.5	24.87
3	38.4
4	66.1

5. Calculate Volume for Alarm (typically 2 to 3 inches)

Depth (in) x gallons/inch =

31 x 2 = 62 gallons

6. Calculate Reserve Capacity (75% the daily flow)

Daily flow (see page D-7) x .75 =

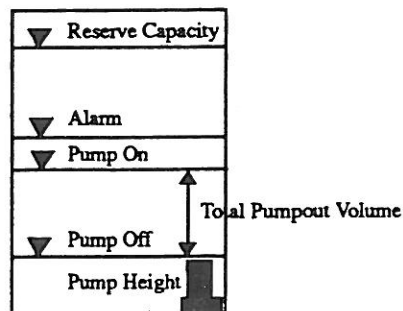
750 x .75 = 560 gallons

7. Calculate total gallons

gallons over pump + gallons pumpout + gallons alarm + gallons reserve
3 + 4 + 5 + 6

370 + 155 + 62 + 560 = 1147 gallons

USE A 1200 GALLON PUMPTANK



8. Total Depth (Total gallon divided by gallon per inch)

Total Gallon + gallon/inch

_____ + _____ = _____ inches

9. Float Separation Distance (equal total pumpout volume)

Total pumpout volume + gallons/inch

155 + 31 = 5 inches

PUMP SELECTION PROCEDURE

A. Determine pump capacity: gravity distribution

- Minimum required discharge is 10 gpm
- Maximum suggested discharge is 45 gpm

pressure distribution
see pressure design worksheet

Selected pump capacity: 30 gpm

Perforation Discharges in gpm				
head (feet)	perforation diameter (inches)			
	1/8*	3/16	7/32	1/4
1.0 ^a	0.18	0.42	0.56	0.74
2.0 ^b	0.26	0.59	0.80	1.04
5.0	0.41	0.94	1.26	1.65

^a Use 1.0 foot for single-family homes.
^b Use 2.0 feet for anything else.
* Potential for plugging

B. Determine head requirements:

- Elevation difference between pump and point of discharge.

8 ± feet

- Special head requirement:

If pumping to a pressure distribution system, five feet for pressure required at manifold. If gravity system, zero. 5 feet

- Friction loss

a. Enter friction loss table with gpm and pipe diameter. Read friction loss in feet per 100 feet from table.

F.L. = 1.55 ft./100 ft of pipe

b. Determine total pipe length from pump to discharge point. Estimate by adding 25 percent to pipe length for fitting loss. Equivalent pipe length times 1.25 = total pipe length

50 x 1.25 = 62.5 feet

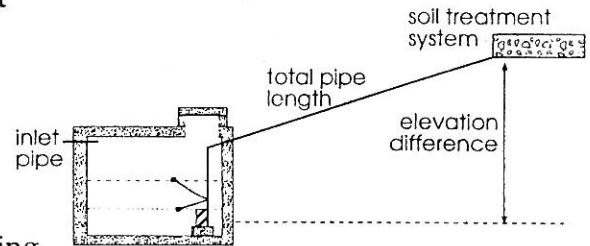
c. Calculate total friction loss by multiplying friction loss in ft/100 ft by equivalent pipe length.

Total friction loss = 62.5 x 1.55 ÷ 100 = 1 feet

- Total head required is the sum of elevation difference, special head requirements, and total friction loss.

8 + 5 + 1 (1) (2) (3c)

Total head: 14 feet



flow rate gpm	Friction Loss in Plastic Pipe Per 100 feet		
	nominal pipe diameter		
	1.5"	2"	3"
20	2.47	0.73	0.11
25	3.73	1.11	0.16
30	5.23	1.55	0.23
35	6.96	2.06	0.30
40	8.91	2.64	0.39
45	11.07	3.28	0.48
50	13.46	3.99	0.58
55		4.76	0.70
60		5.60	0.82
65		6.48	0.95
70		7.44	1.09

C. Pump selection

- A pump must be selected to deliver at least 30 gpm (Step A) with at least 14 feet of total head (Step B).

Table III Minimum Setback Distances (Feet)

Feature	Sewage Tank	Soil Treatment Area
Water Supply Well less than 50 feet deep and not encountering at least ten feet of impervious material.	50	100
Any other water supply well or buried water suction pipe	50	50
Buried pipe distributing water under pressure	10	10
Occupied buildings and buildings with basements or crawl spaces	10	20
Non-occupied structures	5	10
Property lines	10*	10*
Above ground swimming pools	10	10
In ground swimming pools	10	10
The Ordinary High Water Mark of:		
Natural Environment Lakes and Streams	150*	150*
Recreation Development Lakes and Streams	75*	75*
General Development Lakes and Streams	75*	75*
All unclassified waters	75*	75*
St. Croix River Rural Districts	150*	150*
St. Croix River Urban Districts	100*	100*
Blufflines:		
St. Croix River Blufflines	40*	40*
Shoreland Blufflines	20*	20*