



City of Lake Elmo

3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

(651) 777-5510 Fax: (651) 777-9615
www.lakeelmo.org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, September 14, 2009, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. June 8, 2009
4. Public Hearings
 - a. VARIANCE: Consideration of an application to permit the construction of a 147 square-foot addition to the house which increases the non-conforming impervious surface coverage at 8199 Hill Trail North.
 - b. CONDITIONAL USE PERMIT AMENDMENT: Consideration of an application to amend an existing CUP for Country Sun Farm & Greenhouse at 11211 60th Street.
 - c. ZONING TEXT AMENDMENT: Consideration of the addition of definitions to Chapter 11 of the city code as well as revisions to section 154.081 regarding permitted encroachments.
5. Business Items
 - a. Sanctuary Landscape Plan Revision
 - b. Buffer Setbacks in Open Space Preservation Developments
 - c. Economic Development Activities
6. City Council Updates
 - a. August 18, 2009 – Variance for porch at 8618 Ironwood Trl - approved
7. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of June 8, 2009**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Anderson, Britz, Hall, McGinnis, Pearson, and Van Zandt. Absent: Bidon, Fliflet, Van Erem, and Ziertman. STAFF PRESENT: Planning Director Klatt and Planner Matzek.

Agenda

Minutes – April 22, 2009

Commissioner Pearson was in attendance at the meeting.
M/S/P, Hall/Pearson, approve as amended. Vote: 6:0.

May 11, 2009

M/S/P, Anderson/Hall, approve as presented. Vote: 4:0. Abstention: McGinnis and Pearson.

Public Hearing – None

Business Items – Discussion of Economic Development Activity

Planning Director Klatt summarized what economic development means, how that activity pertains to Lake Elmo and to provide input to the Council regarding potential activities and standards.

Chairman Van Zandt stated that cities and/or a state can offer incentives to businesses to locate in their jurisdiction, should the government choose to utilize one of those incentives. He said that like nearby cities have done, Lake Elmo needs to think about what would make the city a destination and then what other amenities are needed to support the destination location. He said that transportation is an issue as the city does not have a park and ride or much for bus routes.

Commissioner Hall said you notice where Lake Elmo's boundaries are when you drive on the main routes as the city is markedly different than neighboring communities. The city must have different policies and those should be identified.

Planning Director Klatt stated that the city has taken some strict stances in the Comprehensive Plan with the land use guidance and in the city code. This has restricted what can be done, some of which find this to be a positive.

Commissioner McGinnis said she would like to support the path of being proactive in the economic development. She said she leans more to inclusivity and is nervous about identifying which businesses should be included.

Commissioner Anderson said she thinks a vision statement would be helpful although there is current mention of the rural character of the city.

Commissioner Pearson said it might be helpful to come up with a list of existing businesses in the city and see if they have some thoughts of missing opportunities.

Commissioner McGinnis suggested polling other cities of a similar size to see how they went about promoting economic development in their communities.

Commissioner Anderson said the city will receive helpful data with the 2010 census.

The commission felt this was a worthwhile effort and the commission would like to be involved.

Business Item – *Future Meeting Schedule and Long-Range Planning Issues*

Planning Director Klatt suggested that specific meetings or times be set for review of long-range planning issues at the commission meetings especially with upcoming development in the city.

The commission felt a second meeting a month would be worthwhile beginning in September as long as the agendas were well utilized.

City Council Updates

Planning Director Klatt identified that the Comprehensive Transportation Plan was approved on May 19, 2009 at the Council meeting.

Planner Matzek said that the Hugel variance at 2931 Jonquil Trail North was approved after the site plan had been revised to be more in conformance with the recommendation of the commission.

Planning Director Klatt identified that an open house was planning to be held that Wednesday for the Wireless Telecommunication Tower Ordinance.

Planning Director Klatt said that a predominant planner was giving a free talk in the upcoming weeks and encouraged commissioners to contact him if they would like to attend.

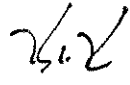
Adjourned at 8:20 p.m.

Respectfully submitted,

Kelli Matzek
Planner

Planning Commission
Date: 9/14/09
Public Hearing
Item: 4a

ITEM: Hold a public hearing to consider an application from Greg and Kathy Lohmer for a variance from the maximum impervious coverage ratio to permit the construction of a 174 square foot addition at 8199 Hill Trail North – R1 zoning – PID 09-029-21-23-0006

SUBMITTED BY: Kyle Klatt, Planning Director 
REVIEWED BY: Kelli Matzek, City Administrator

SUMMARY AND ACTION REQUESTED

The Planning Commission is being asked to conduct a public hearing and consider a request from Greg and Kathleen Lohner for a variance to allow the construction of a 147 square foot addition to the house at 8199 Hill Trail North that would add 84 square feet of additional impervious surface coverage to a lot that already exceeds the maximum of 25% coverage allowed under the R-1 Zoning District. The variance has been requested to allow an expansion and improvement of the primary structure on this site that would otherwise be limited to the existing footprint of the building.

For variance applications, the burden is on the applicant to demonstrate why this situation is unique and necessitates flexibility to code requirements. To make this case, a variance can only be granted by the city when strict enforcement of the code would cause undue hardship on a property owner. "Hardship" is broken down into the following three components:

- a. *The proposed use of the property and associated structures in question cannot be established under the conditions allowed by the city's zoning regulations and no other reasonable alternative use exists;*
- b. *The plight of the landowner is due to the physical conditions unique to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same zoning district; and*
- c. *The unique conditions of the site were not caused or accepted by the landowner after the effective date of the city's zoning regulations.*

In reviewing the request against the three criteria listed above, staff determined all criteria were met as strict adherence to the code would not permit any expansion of the building to increase the amount of usable space. The request is also deemed to be reasonable as the addition would have no impact on adjacent properties.

At this time, the planning commission is asked to conduct a public hearing for the variance request to allow construction of the proposed addition. Upon conclusion of the hearing, the commission is asked to make a recommendation to the City Council on this request.

ADDITIONAL INFORMATION:

- Valley Branch Watershed District does not require a permit for the proposed addition and did not state any concerns with the application as submitted.

- Staff is recommending the inclusion of two conditions if approved to require proper redirection of water away from any neighbors and to make sure that additional impervious surfaces are not added after the project is complete.

RECOMMENDATION:

Staff recommends that Planning Commission recommend approval of the proposed variance for Greg and Kathleen Lohmer, 8199 Hill Trail North, to allow the construction of a 147 square foot addition to the house at 8199 Hill Trail North that would add 84 square feet of additional impervious surface coverage to a lot that already exceeds the maximum of 25% coverage allowed under the R-1 Zoning District

ORDER OF BUSINESS:

- Introduction Kyle Klatt, Director of Planning
- Report by staff..... Kyle Klatt, Director of Planning
- Questions from the Commission..... Chair & Commission Members
- Applicant Comments..... Chair facilitates
- Questions of the Applicant..... Chair & Commission Members
- Open the Public Hearing..... Chair
- Close the Public Hearing Chair
- Call for a motion..... Chair Facilitates
- Discussion of Commission on the motion..... Chair Facilitates
- Action by the Planning Commission Chair & Commission Members

ATTACHMENTS (10):

1. Staff Report
2. Area Map
3. Application Form
4. Applicant's Narrative(1 pages)
5. Certificate of Survey
6. Response from Valley Branch Watershed District

City of Lake Elmo Planning Department
Variance Review

To: City Council

From: Kyle Klatt, Director of Planning

Meeting Date: 9-14-09

Applicant: Greg and Kathleen Lohmer

Location: 8199 Hill Trail North

Current Zoning: R1 – One Family Residential

Introductory Information

Request:

The applicant is seeking approval of variances to allow the expansion of a principle structure located at 8199 Hill Trail North. Specifically, a variance has been requested as follows:

- To permit an increase in the impervious coverage on the lot for a bathroom addition. The lot currently exceeds the maximum limit of 25% impervious surface coverage and the addition would increase the total impervious coverage on the site by 0.5% or 84 square feet.

Please note that the application as submitted to the City included a request for a variance to allow the construction of a deck at the rear of this property. After further review of the site survey, Staff determined that a variance would not be necessary to build a deck because the City's Shoreland Ordinance allows for an encroachment for decks up to a certain distance towards the Ordinary High Water Level (OHW) for structures that do not meet the required minimum setback from a water body.

Background:

The applicants' property is located within the J. L. Cohn Subdivision at the end of the peninsula between Lake Demontreville and Lake Olson along Hill Trail North. Their property backs up to Lake Olson, and has direct access to the cul-de-sac at the end of Hill Trail North. This lot is relatively small, even for the Tri-Lakes area, and at 17,092 square feet, and is well below the 1.5 acres minimum lot size that applies to properties zoned R-1 Single Family Residential. The lot is somewhat irregular in that it narrows down to a 20-foot wide opening at the cul-de-sac and fans out back towards the lake.

The proposed variance would allow the applicants to add an addition to the front of the existing home which, as stated in the request, would allow them to expand the size of their master bathroom. The addition would meet all applicable setbacks for this district, but would increase the overall impervious coverage on the site. There are two separate

sections of the City Code that regulate impervious coverage for this lot as follows:

- R-1 District Regulations – 25%
- Shoreland District Overlay Zoning – 6,000 square feet or 15% of the lot area, whichever is larger.

Since the City Code dictates that the more restrictive standard applied when two regulations govern a site, the 25% impervious coverage limit applies to this site. According to the site survey, the current impervious surface coverage is 5,532 square feet, which includes the house, garage, driveways, walkways, and shed. Based on a total lot area of 17,091.6 square feet, the current coverage of the lot is 32.4%. The proposed addition would be built out over an existing sidewalk that would not be replaced, and would add a net amount of 84 square feet of additional impervious coverage to the lot (0.5% of the lot). Because the existing coverage already exceeds the maximum allowed under the ordinance, a variance is required in order to increase the property above the current amount.

Please note that the shoreland regulations, which are usually more restrictive than the underlying zoning district provisions, actually allows for greater impervious coverage on this lot. The Shoreland ordinance would allow up to 6,000 square feet of coverage, which is well over the applicant's total of 5,616 with the proposed addition.

The original application also included a variance request to allow a deck addition to encroach into the required set back from Lake Olson. The request was made in response to an initial review of the site using aerial imagery to determine the current structure setback. With the survey and accompanying detailed site information that has been submitted, Staff is now able to make a determination that a variance is not needed for the deck. This determination has been made based on the following:

- The Shoreland Ordinance allows a deck to be built without a variance for a structure not meeting the required setback from the OHW level. The deck encroachment cannot exceed 15% of the existing structure setback from the OHW level or encroach closer than 30 feet to this line, whichever is closer.

In this case, the applicants' house is set back 58.2 feet from the lake which would allow a deck to extend 8.73 feet closer to the OHW level. The site plan that has been submitted documents that the deck will extend 6.6 feet closer to the lake than the building setback line.

**Applicable
Codes:**

Section 154.041 (C) R-1 Minimum District Requirements

Maximum impervious surface coverage of 25%.

Section 150.255 (G) Shoreland Standards. Subd 2 (a) Storm Water Management – Specific Standards.

Impervious surface coverage of lots must not exceed 6,000 S.F. or 15% of the lot area, whichever is larger

Section 150.256 (B) Subd. 2 (b) Additions/expansions to nonconforming structures.

(a) Additions/expansions. All additions or expansions to the outside dimensions of an existing nonconforming structure must meet the setback, height, and other requirements of § 150.255. Any deviation from these requirements must be authorized by a variance pursuant to § 150.253(B)(2).

(b) Decks. Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria and standards are met.

1. The structure existed on the date the structure setbacks were established.
2. A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure.
3. The deck encroachment toward the ordinary high water level does not exceed 15% of the existing setback of the structure from the ordinary high water level or does not encroach closer than 30 feet, whichever is more restrictive.
4. The deck is constructed primarily of wood and is not roofed or screened.

Findings & General Site Overview

Site Data:	Existing Zoning – R-1 (One Family Residential)/Shoreland District Land Use Guidance – NC (Neighborhood Conservation District) Parcel size – 17,091.6 square feet (0.39 acres) Property Identification Number (PID): 09-29-21-23-0006
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Application Review:

Applicable Code Definitions:	<p>HARDSHIP. The proposed use of the property and associated structures in question cannot be established under the conditions allowed by the city's zoning regulations and no other reasonable alternative use exists; that the plight of the landowner is due to the physical conditions unique to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same zoning district; and that these unique conditions of the site were not caused or accepted by the landowner after the effective date of the city's zoning regulations.</p> <p>VARIANCE. A modification of a specific permitted development standard required</p>
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to allow an alternative development standard not stated as acceptable in the official control, but only as applied to a particular property for the purpose of alleviating a hardship as defined in Section 300.06, Subd. 3. Economic considerations along shall not constitute a hardship. [sic]

IMPERVIOUS SURFACE. Any structure or surface which interferes to any degree with the direct absorption of water into the ground, including but not limited to building footprints, sidewalks, paved or gravel driveways and parking areas, patios, sport courts, or any other similar surface. Decks, pervious landscaping fabric, engineering-approved paver systems, and retaining walls shall not be included as impervious surface.

**Variance
Review:**

The applicants have provided the Planning Commission with a statement describing some of the details regarding their property and some supporting information to state their case regarding the need for a variance. Their primary intention with the proposed expansion is to bring the house up to modern standards and make it more usable and convenient for them. The hardship in this case is related to the small size of the lot, which given the impervious coverage requirements, does not allow for any expansion of the house beyond the current foundation.

A review of the City's variance criteria follows, focusing on the information submitted by the applicants. By code, a variance can only be granted where the city finds the request can successfully address the three criteria as outlined below for the septic system.

1. *The proposed use of the property and associated structures in question cannot be established under the conditions allowed by the city's zoning regulations and no other reasonable alternative use exists;*

One of the key elements of this finding is that the property cannot be put to reasonable use under the zoning regulation, and that no alternative exists. In this case, one could argue that a bathroom addition/upgrade is not needed to provide for reasonable use of the property. On the other hand, if homeowners cannot accommodate modern upgrades to their homes, there may be little incentive to improve a property that has limited (or no) expansion options.

In considering the alternatives to the proposed variance, the applicants could add a second story to their home without increasing the coverage on the lot; however, such an addition would have a significantly larger impact on the surrounding properties and on views from the lake. Because the variance is from a coverage requirement, the only way to accommodate any additions to the home would be to eliminate or remove some other impervious surfaces from the property to offset any increases. This reduction could be accomplished by removing some of the driveway or sidewalks on the property, but such a solution seems excessive given the small amount of area that would be added to the impervious coverage on the lot.

Unlike setbacks, lot width, or other requirements that are dimensional in nature,

there is simply no other location on the site that could accommodate the proposed addition since no expansions would be permitted under the code.

It is also worth noting that the shoreland regulations would allow for the proposed expansion, which allows for smaller lots to exceed the impervious coverage standard for shoreland areas of 15%. A lot must exceed 40,000 square feet to before the 15% threshold would apply.

Staff finds the inability of the applicants to build any addition to the house without first incurring substantial expense and creating potential impacts with the removal of existing buildings or paving does constitute a hardship and that the proposed addition represents a reasonable use of the site. **This criteria is met.**

2. *The plight of the landowner is due to the physical conditions unique to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same zoning district;*

There is a fairly wide range of lot size found within the City's R-1 zoning district and the applicants parcel is at the smaller end of this range. At the minimum lot area allow by code for a lot of record, 0.9 acres, a property owner could cover 9800 square feet of such a lot. Many lots within the R-1 zoning district fall below this standard; however, the applicants' parcel is further unique because of its triangular shape. The shape of the lot does not provide for alternatives that could further reduce the amount of driveway or other impervious space (for instance, by reorienting the approach to the garage). **This criteria is met.**

3. *The unique conditions of the site were not caused or accepted by the landowner after the effective date of the city's zoning regulations.*

The physical layout of the platted lot and the topography on the lot were not created by the landowner. The City's impervious coverage requirements were likely adopted sometime after the home was built. **Staff finds this criteria is also satisfied.**

Variance Conclusions: Based on our analysis of the review criteria in City Code, staff recommends **approval of the impervious surface coverage request** for 8199 Hill Trail North.

Resident Concerns: The Planning Commission is required to conduct a public hearing to consider testimony from neighboring property owners. Staff is not aware of any comments or concerns from the surrounding neighborhood that has been stated before the meeting.

Additional Information:

- Valley Branch Watershed has provided a statement that it does not require a permit for the activity proposed a part of the variance request. Staff has not received any correspondence from the Minnesota Department of Natural Resources concerning this application.

Conclusion

The applicants are seeking approval of a variance to allow the construction of a 147 square foot addition to their house that would add 84 square feet of additional impervious surface coverage to a lot that already exceeds the maximum of 25% coverage allowed under the R-1 Zoning District.

Commission Options:

The Planning Commission must examine the proposed variance to determine whether it meets all conditions of approval outlined by city code. The Planning Commission considered the following options:

- A) Recommend that the Council approve the requested variance based on the applicants' submission and findings of fact.
- B) Recommend that the Council deny the requested variance based on the applicants' submission and findings of fact.
- C) Table the request and ask for additional information.

The deadline for a Council decision on this item is October 13, 2009 which can be extended an additional 60-day if needed.

Recommended Action:

Staff recommended option A: Approval of the requested variance with the following conditions:

1. The applicant shall provide for proper management of storm water away from the new addition and shall not direct this water on to any neighboring property.
2. No new sidewalks or other pathways may be installed on the site to accommodate for the sidewalks impacted by the new construction. Any new sidewalk must be offset by the removal of the same area of existing impervious surfaces.

Denial Motion Template:

To deny the requested variances, you may use the following motion as a guide:

Move to recommend denial of the variance application for 8199 Hill Trail North

based on the following findings: (cite your own findings)

**Approval
Motion
Template (as
recommended
by staff):**

To approve the requested variances as recommended by staff, you may use the following motion as a guide:

Move to recommend approval of a variance to allow the construction of a 147 square foot addition to the house at 8199 Hill Trail North that would add 84 square feet of additional impervious surface coverage to a lot that already exceeds the maximum of 25% coverage allowed under the R-1 Zoning District based on the findings listed in the staff report and as articulated tonight, subject to the conditions recommended by staff. (use staff's findings provided above or cite your own)

Conditions:

1. The applicant shall provide for proper management of storm water away from the new addition and shall not direct this water on to any neighboring property.
2. No new sidewalks or other pathways may be installed on the site to accommodate for the sidewalks impacted by the new construction. Any new sidewalk must be offset by the removal of the same area of existing impervious surfaces.

cc: Greg and Kathleen Lohmer, 8199 Hill Trail North

NOTE: PARCELS ARE UNDER WATER PER 2000 AERIAL PHOTO

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OLSON LAKE
MINN DNR DIV OF WATERS
PROTECTED WATERS AREA 82-103

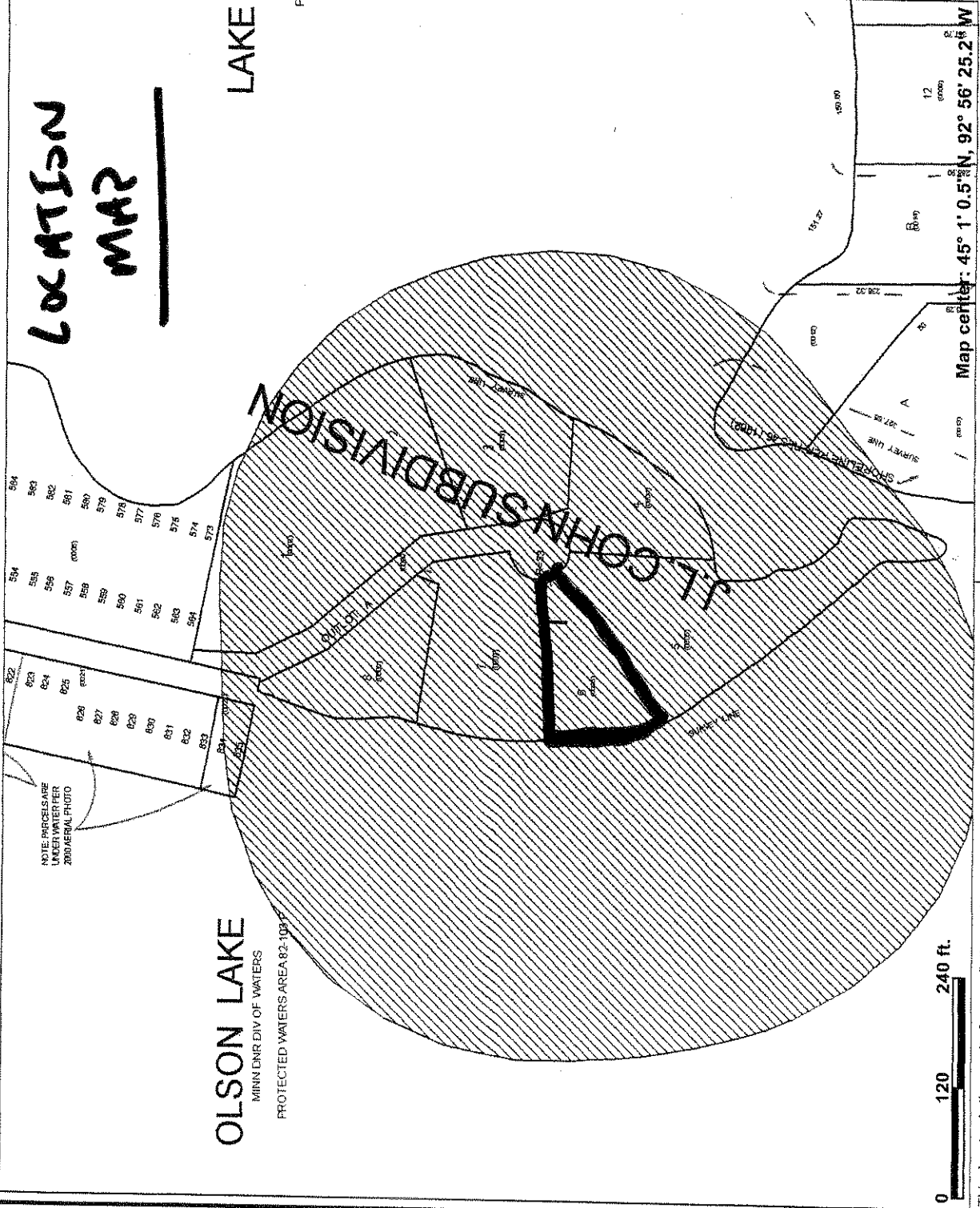
LAKE

LOCATION
MAP

Legend

- General Annotation
- Dimensions
- leader
- parcels
- Municipal Boundaries

Scale: 1:2,000



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

**City of Lake Elmo
DEVELOPMENT APPLICATION FORM**

Fee \$ _____

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

APPLICANT: GREGORY L. LOHNER 8199 Hill Tr. N. Lake Elmo, MN 55042
(Name) (Mailing Address) (Zip)

TELEPHONES: 651-777-7565 651-487-1105 651-485-0710 651-489-3674
(Home) (Work) (Mobile) (Fax)

FEE OWNER: Same
(Name) (Mailing Address) (Zip)

TELEPHONES: _____
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): 8199 Hill Tr. N.
Lake Elmo, MN 55042
JL Cohn Subdivision Lot 6 Block 1

DETAILED REASON FOR REQUEST: We would like to add a deck on the west side of our home and expand our master bathroom on the east side of our home as outlined in the additional info

*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:
-The house is 37 years old and we would like to update and renovate the home to make it more useable and convenient. The bathroom area is too small for updated bath, shower, etc. and deck's foundation would need to be busted through current patio.

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.

Gregory L. Lohner 8/2/09
Signature of Applicant Date

Latter M. Lohner 8/2/09
Signature of Applicant Date

2. a) Property is owned jointly by Gregory L. and Kathleen M. Lohmer.
- b) Legal description of property:
JL Cohn Subdivision Lot 6 Block 1
Property ID: R09.029.21.23.006
Parcel Size: 0.33 acres (18,161 sq. ft.)
Existing Use: Residential
Current Zoning: R1 Single-Family
- c) Section 154.041 R1 Single-Family District Standard – Maximum 25% Impervious
Section 150.255 Setback to Ordinary High Water Mark – Shoreland Standard
- d.1) Increase master bathroom by expanding out to the east. Impervious will increase from about 30.5% to 30.9%. Code only allows for 25% Impervious.
- d.2) Add deck to the west side of the house – too close to Ordinary High Water Mark. It appears code allows 5.25 feet beyond the structure wall closest to OHWL*. Request for additional two feet so foundation wouldn't have to bust up existing patio.
* - See email from Kyle Klatt.
- e) Had an onsite meeting with Kyle Klatt and discussed proposed remodeling. I mentioned neighbors who had decks and a three-season porch that were much closer than my proposal. He was going to further review file and propose proper course of action. Stated probable exclusion of variance for deck – see*, but would need variance for additional two feet and variance for the bathroom due to exceeding current code of 25% impervious. He also recommended a certified survey be completed.
- f) The house is 37 years old and the goal is to update and renovate to bring house up to current standards to make it more usable and convenient. There is a need to update bath and shower and the current bathroom lacks sufficient room. The deck will provide a natural flow from the kitchen to the porch to the deck.
- g) I was told the current rules and regulations were put in force after the house was built.
- h) It is well known that the neighborhood's overall character is quite unique. However, essentially all homes in the cul-de-sac have been upgraded and modernized and my proposed update would be comparable. I don't see any detrimental effects (Scenic views, etc.) to the neighbors.

Kelli Matzek

From: John Hanson [JHanson@barr.com]
Sent: Tuesday, September 01, 2009 11:19 AM
To: Kelli Matzek
Subject: 8199 Hill Trail North Variance Request

Kelli:

As we discussed on the phone today, the proposed deck and master bathroom expansion at 8199 Hill Trail North does not require a Valley Branch Watershed District permit. The proposal will add less than 6,000 square feet of impervious surfaces and will be well above the 100-year flood level of Lake Olson.

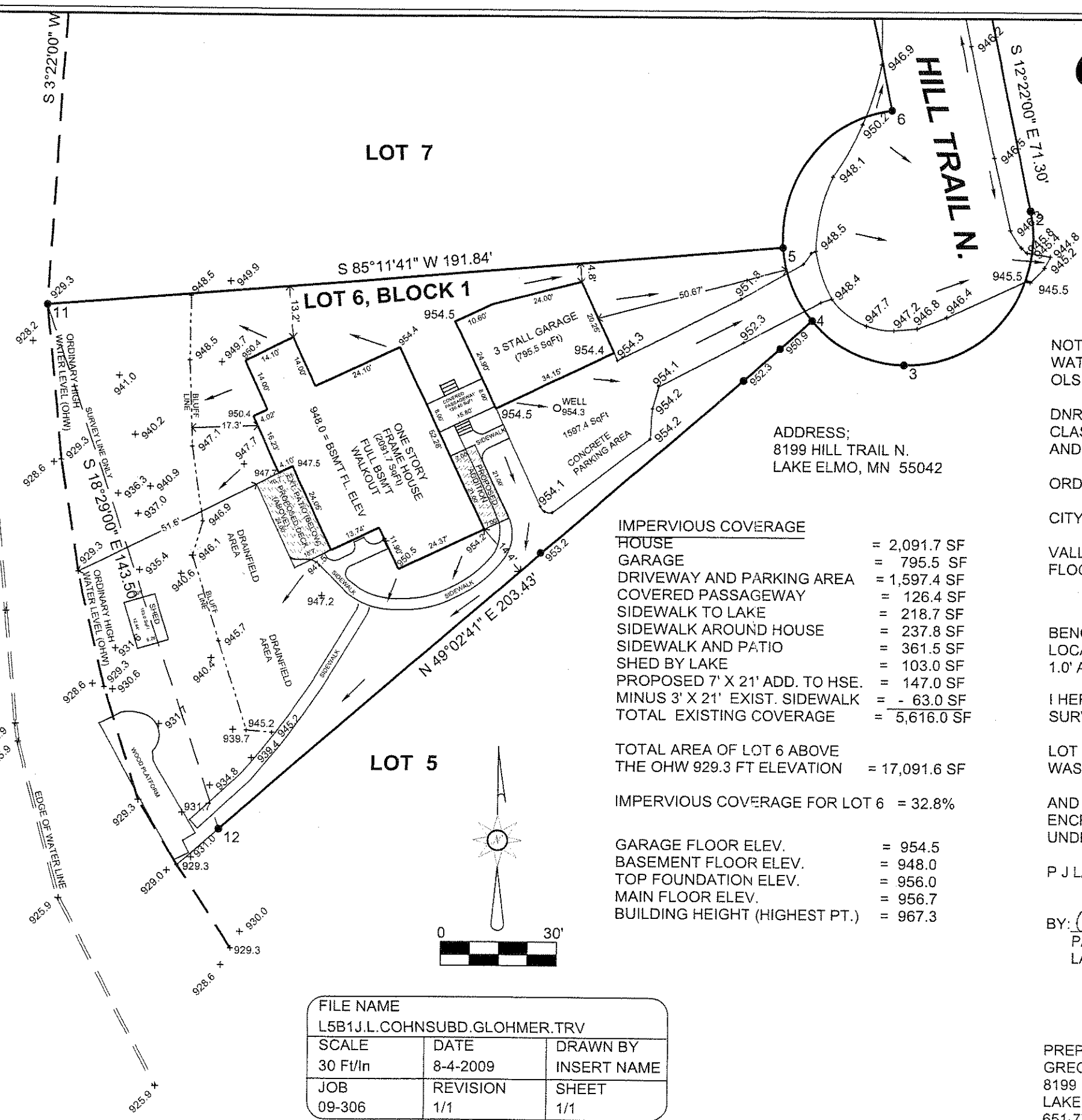
John

John P. Hanson, P.E.
Barr Engineering Company
Engineers for the Valley Branch Watershed District
4700 West 77th Street
Minneapolis, MN 55435-4803

952.832.2622 phone
952.832.2601 fax
651.748.4230 VBWD project office

CERTIFICATE OF SURVEY

LAKE OLSON
 WATER SURFACE ELEVATION
 OLSON LAKE ON 7-23-2009 = 925.9 FEET



ADDRESS:
 8199 HILL TRAIL N.
 LAKE ELMO, MN 55042

IMPERVIOUS COVERAGE

HOUSE	= 2,091.7 SF
GARAGE	= 795.5 SF
DRIVEWAY AND PARKING AREA	= 1,597.4 SF
COVERED PASSAGEWAY	= 126.4 SF
SIDEWALK TO LAKE	= 218.7 SF
SIDEWALK AROUND HOUSE	= 237.8 SF
SIDEWALK AND PATIO	= 361.5 SF
SHED BY LAKE	= 103.0 SF
PROPOSED 7' X 21' ADD. TO HSE.	= 147.0 SF
MINUS 3' X 21' EXIST. SIDEWALK	= - 63.0 SF
TOTAL EXISTING COVERAGE	= 5,616.0 SF

TOTAL AREA OF LOT 6 ABOVE
 THE OHW 929.3 FT ELEVATION = 17,091.6 SF

IMPERVIOUS COVERAGE FOR LOT 6 = 32.8%

GARAGE FLOOR ELEV.	= 954.5
BASEMENT FLOOR ELEV.	= 948.0
TOP FOUNDATION ELEV.	= 956.0
MAIN FLOOR ELEV.	= 956.7
BUILDING HEIGHT (HIGHEST PT.)	= 967.3

FILE NAME		
L5B1J.L.COHN SUBD.GLOHMER.TRV		
SCALE	DATE	DRAWN BY
30 Ft/In	8-4-2009	INSERT NAME
JOB	REVISION	SHEET
09-306	1/1	1/1

This map drawn with TRAVERSE PC, Software

NOTES:
 WATER SURFACE ELEVATION
 OLSON LAKE ON 7-23-2009 = 925.9 FEET

DNR-(DIVISION OF WATERS) LAKE IDENTIFICATION NUMBER 82-103
 CLASSIFIED AS RECREATIONAL DEVELOPMENT
 AND AS PROTECTED WATERS

ORDINARY HIGH WATER (OHW) ELEVATION = 929.3 FEET

CITY OF LAKE ELMO 100 YEAR FLOOD ELEVATION = 931.0 FEET

VALLEY BRANCH WATERSHED DISTRICT 100 YEAR
 FLOOD ELEVATION = 931.5 FEET

BENCH MARK: SPIKE IN WEST FACE OF TRANSFORMER POWER POLE
 LOCATED NEAR THE N E CORNER OF LOT 5, BLOCK 1, J. L. COHN SUBD.,
 1.0' ABOVE GROUND. ELEVATION = 947.59 FT. NGVD 1929 DATUM

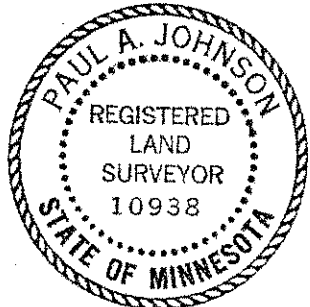
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF A
 SURVEY OF THE BOUNDARIES OF:

LOT 6, BLOCK 1, J. L. COHN SUBDIVISION, ACCORDING TO THE RECORDED PLAT,
 WASHINGTON COUNTY, MINNESOTA

AND THE LOCATION OF ALL BUILDINGS, IF ANY, THEREON, AND ALL VISIBLE
 ENCROACHMENTS, IF ANY, FROM OR ON SAID LAND, AS SURVEYED BY ME OR
 UNDER MY DIRECT SUPERVISION THIS 4TH DAY OF AUGUST, 2009

P J LAND SURVEYING, LLC

BY: *Paul A. Johnson*
 PAUL A. JOHNSON
 LAND SURVEYOR, MINN. LIC. NO. 10938



PREPARED FOR:
 GREG AND KATHY LOHMER
 8199 HILL TRAIL N.
 LAKE ELMO, MN 55042
 651-777-7565

PREPARED BY
 P J LAND SURVEYING, LLC
 12510 MCKUSICK ROAD NORTH
 STILLWATER, MN 55082
 651-303-0025

Planning Commission
Date: 9/14/09
REGULAR
Item: 4b

ITEM: Hold a public hearing and table an application for a Conditional Use Permit Amendment to add 24 acres and an approximately 40,000 square foot parking lot to Country Sun Farm and Greenhouse at 11211 60th Street.

REQUESTED BY: Country Sun Farm & Greenhouses

SUBMITTED BY: Kelli Matzek, City Planner

REVIEWED BY: Craig Dawson, Interim City Administrator
Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to hold a public hearing, take comment and to table the Conditional Use Permit (CUP) Amendment application to the September 28th Planning Commission meeting. The applicants are requesting to amend the existing CUP for Country Sun Farm and Greenhouse at 11211 60th Street to allow the addition of 24 acres to the existing approximately 43 acres. The applicants are intending at this time to add an overflow parking area of 39,900 square feet to be covered in crushed limestone and/or recycled pavement millings.

Staff is requesting the application be tabled at this time to more thoroughly document the existing business uses and structures on the site and to reclassify the use on the existing (and proposed additional) property as an agricultural entertainment business. Although staff does not anticipate any concerns with the existing uses on the site, by reclassifying and identifying what has evolved over the past few decades on the site, the documentation will help to clarify the currently vague and often silent CUPs that have been approved and amended over time. Agricultural Entertainment Business was added as a conditional use in both the Agricultural and Rural Residential zoning districts in 2008 to address businesses such as Country Sun Farm and Greenhouses. As such, staff finds this a more applicable definition of this use than the previously utilized "greenhouse" and "open seasonal sales lots" in review of the CUP.

ADDITIONAL FACTS:

- There was not an indication by the applicant of intent to increase/expand the current use on this proposed additional acreage, but instead to relocate the existing uses and structures that would be displaced by a potential reconfiguration of the County Road 17 and State Highway 36 interchange and/or the addition of a frontage road. The applicant is proposing to relocate those existing uses (corn maze, hayride area, etc.) to the currently farmed land to the east.
- Previous staff reports have identified this site to have received a CUP in 1979 for the greenhouse business being conducted on the site for years previous. However, staff has been unable to find the original CUP.
- The land area included in the CUP has expanded over the decades through approval of CUP amendments from 8 acres to its current configuration of over 43 acres.
- Past approved amendments have permitted the inclusion of greenhouse expansions, retail sales, and sale of "carnival" type foods.

- The size of the proposed overflow parking area will NOT meet the city's threshold for requiring additional engineering, but will require a permit from the Valley Branch Watershed District.

STAFF RECOMMENDATION

Staff is recommending the Planning Commission open the public hearing so as to take any testimony, but to table the application to the September 28th Planning Commission meeting at which time the commission will review the applicants amendment to add approximately 24 acres and an overflow parking area to the CUP, but to also reclassify and clarify the existing use on the property.

Suggested motion for consideration:

Move to table the application for a Conditional Use Permit Amendment for Country Sun Farm and Greenhouse to September 28th.

SUGGESTED ORDER OF BUSINESS:

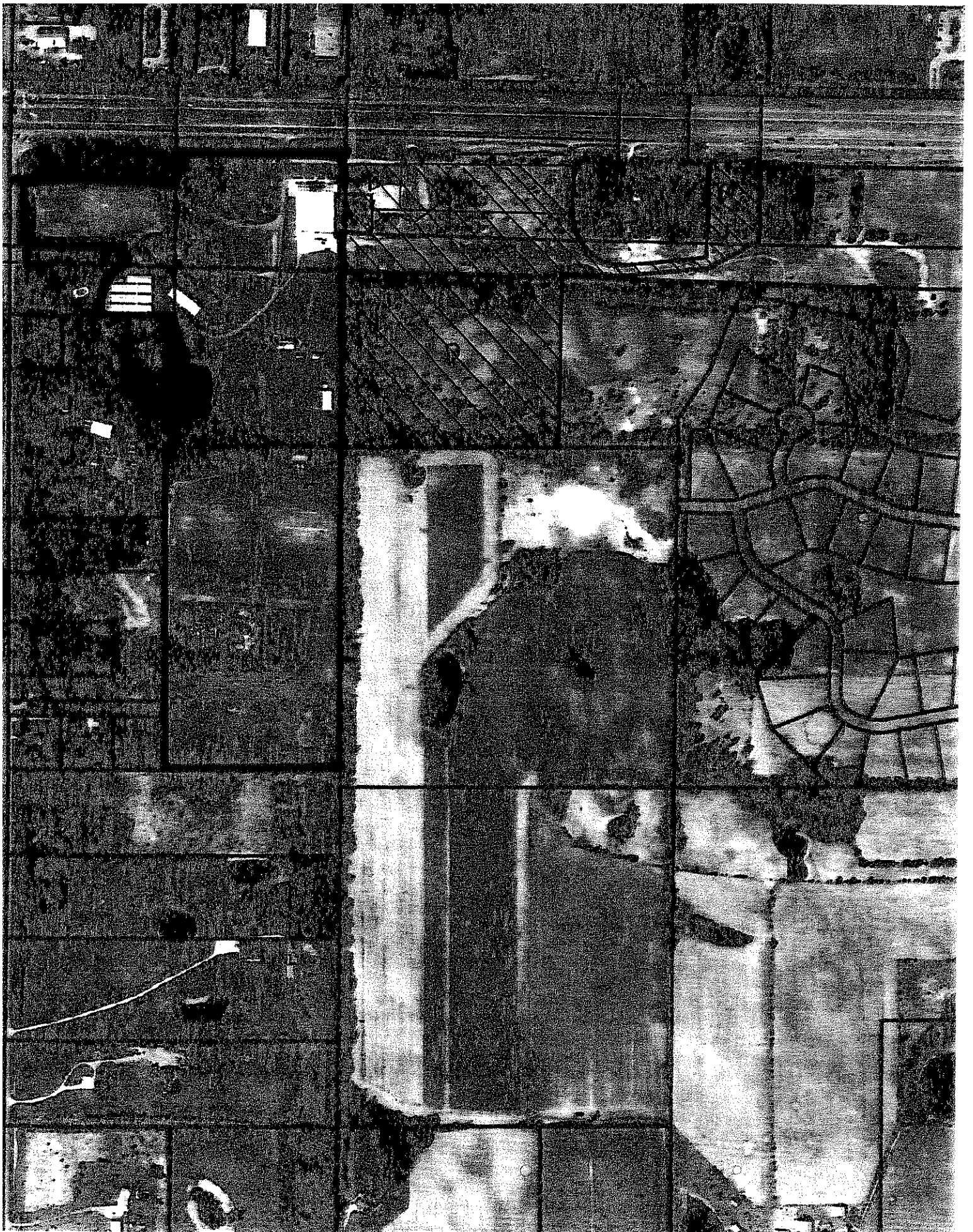
- | | |
|--|---|
| • Introduction | Kelli Matzek, City Planner |
| • Report | Kelli Matzek, City Planner |
| • Questions to staff | Chair facilitates |
| • Comments from applicant | Keith Bergmann/Dick Bergmann, Applicant |
| • Questions/comments from the public, if any (up to 3 minutes) | Chair facilitates |
| • Discussion | Chair facilitates |
| • Consider recommending approval of application | Commission |

ATTACHMENTS: Site map
 Applicant's Submittals

Amended Map
For County Sun Farm

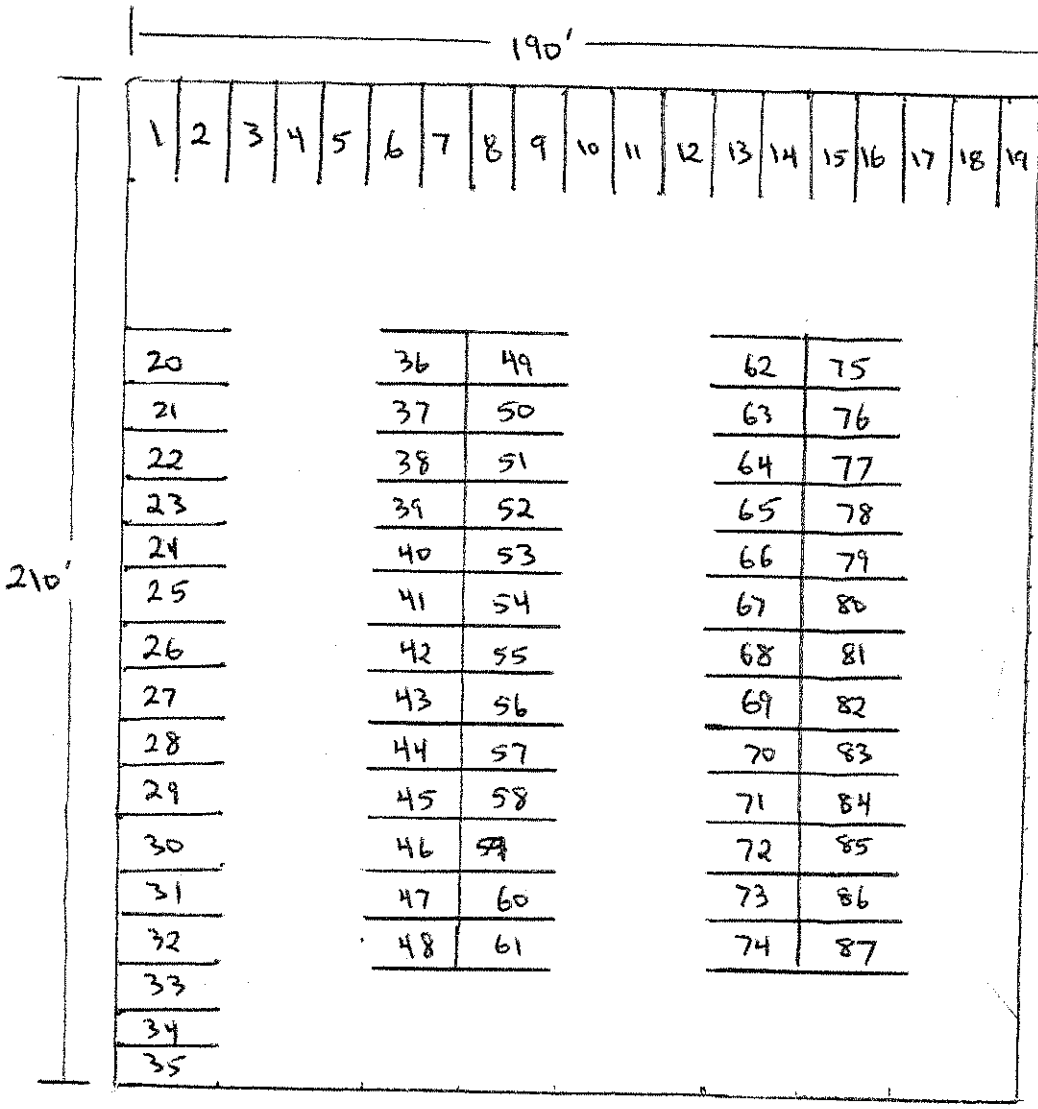
C.U.P. application

9/8/2009



Legend

- Current C.U.P. property
- ▨ proposed property to be entered in C.U.P.
- ▣ possible greenhouse space 150' x 144'
- ▣ proposed overflow parking area to be covered
in crushed limestone and/or recycled pavement millings
190' x 210'
- ▣ proposed overflow parking area to remain grass field
570' x 210'
- ▣ possible future corn maze / display area / hayride areas



1/4" = 10'

B - Proposed parking lot layout
 stall size 10' x 20'
 aisle ways 30' wide

Planning Commission

Date: 9/14/09

Regular

Item: *Ac*

ITEM: Consideration of an amendment to Section 154.081 of the Lake Elmo Zoning Ordinance regarding permitted encroachments in required yards and the addition of definitions for "porch" and "awning" to Chapter 11.

SUBMITTED BY: Kelli Matzek, City Planner

REVIEWED BY: Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED:

The City received a variance application in July of this year with a request by a resident to build a covered porch within the required front yard setback. Although uncovered porches are permitted by Section 154.081 of the code to encroach into the setback, a covered porch is not. At the time the City Council reviewed the variance application, staff was directed to revisit this section of the code and to bring it back to the Planning Commission to consider amending the ordinance to allow covered porches in the setback as well.

As such, staff is proposing minor changes to Section 154.081 regarding permitted encroachments into required yards to allow covered porches six feet into a required front yard setback or side yard setback in the case of a corner lot. In addition, proposed definitions are also provided as the city ordinance currently does not have a definition for neither "porch" or "awning," though both appear multiples times in the city code. The alternative language was information and suggested language provided by the City Council at the time of the variance review.

The Planning Commission is being asked to review the proposed text amendments, to hold a public hearing on the potential changes, and to provide a recommendation to the City Council.

RECOMMENDATION:

Staff is recommending approval of both proposed definitions as well as the proposed staff language provided.

The Planning Commission is asked to review the proposed suggested and alternative changes to the ordinance and provide a recommendation to the City Council.

ATTACHMENTS:

1. Draft Ordinance

Chapter 11.01 DEFINITIONS.

Porch – A covered but unenclosed projection from the main wall of a building that may or may not use columns or other ground supports for structural purposes.

Awning – A roof-like cover, often of fabric, metal, or glass designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, door, or the like.

Section 154.081 Permitted Encroachments on Required Yards

The following shall be permitted encroachments into setback and height requirements, except as restricted by other sections of this chapter.

(A) *In any yards.* Posts, off-street open parking, flutes, leaders, sills, pilasters, lintels, cornices, eaves (up to 3 feet), gutters, awnings, open terraces, steps, chimneys, flag poles, open fire escapes, sidewalks, fences, essential services exposed ramps (wheelchair); ~~uncovered porches~~; stoops; or similar features; provided they do not extend above the height of the ground floor level of the principal structure or to a distance less than 5 feet from any lot line nor less than 1 foot from any existing or proposed driveway; yard lights and nameplate signs; trees, shrubs, plants, floodlights or other sources of light illuminating authorized illuminated signs, or light standards for illuminating parking areas, loading areas, or yards for safety and security reasons; provided the direct source of light is not visible from the public right-of-way or adjacent residential property.

Staff recommended language:

Porches as defined in this ordinance may encroach up to 6 feet into a required front yard setback or side yard on a corner lot, but in no case shall be setback less than 10 feet from the front property line.

Alternative language:

Consideration should be given to allow architecturally compatible roofs over porches serving the principle entry, in lieu of awnings. Awning might be limited to a 4 foot extension from the front of a house, regardless of distance from setback, and porch roof eaves might extend into the front yard setback a maximum of 8 feet, or be at least 52 feet from the center of the street R/W, whichever is more limiting.

Planning Commission

Date: 9/14/09

St. Croix's Sanctuary Landscape Plan

Business Item

Item: 5a

ITEM: Request to Amend the Landscape Plan for the Croix's Sanctuary OP Development

SUBMITTED BY: Kyle Klatt, Planning Director 

REVIEWED BY: Kelli Matzek, City Planner
Craig Dawson, Interim City Administrator

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a proposed amendment to the approved landscape plan for the St. Croix's Sanctuary development. This action would require a modification to the OP – Open Space Preservation District requirements which must be approved by a 4/5ths vote of the City Council because it would substantially reduce the number of boulevard trees below the minimum threshold required in the ordinance. Staff is recommending approval of the change for a number of reasons, including the strong desire of the current residents within the subdivision to move away from a more urban, boulevard planting plan and towards the preservation and restoration of natural landscapes within the development area.

Stephen Mastey of Landscape Architecture, Inc. will be in attendance at the Planning Commission meeting to more thoroughly review the proposed landscape plan and the rationale for the land management approach that is being recommended.

BACKGROUND:

The St. Croix's Sanctuary OP (Open Space Preservation) development was approved by the City of Lake Elmo in late 2005, and was subject to a developer's agreement approved a short time later that required certain improvements to be completed by the developer, including the construction of roads, water services, sanitary sewer laterals, landscaping and other improvements. The landscape plan was approved by the City at the preliminary platting stage and met the City's requirement for tree plantings in OP Open Space Preservation districts which is stated as follows in Section 150.180 of the City Code:

Boulevard landscaping. Boulevard landscaping is required along all streets to consist of at least 1 tree per every 30 feet or placed in clusters at the same ratio. A landscape plan for the entire site is required and shall consist of at least 10 trees per building site; and trees shall not be less than 1.5 inch in caliper measured at 54 inches above grade level.

The plan approved by the City calls for 590 total trees to be planted throughout the development, with 367 being planted within the boulevard and 223 being planted on private property (including outlots and open space areas). By the time the City was working with the developer to close out the project in the fall of 2008, several of the lots had been built upon with new residents occupying many of these homes. During the staking that was done in preparation for the planting of new trees, these residents became quite concerned that the landscaping plan did not reflect the character of the area. The Homeowner's

Association (HOA) at this time stated its desire to work with the developer to propose a revised concept for landscaping within the project area.

Unfortunately, the developer ultimately did not adhere to his obligations under the developer's agreement with the City, and the City was forced to declare the developer to be in default of the agreement earlier this year. The end result of this action is that the City was able to collect on the outstanding financial guarantee for the project and has been working to complete all outstanding improvements using these funds. The amount of money available was limited; however, and needed to cover things like road improvements, utility corrections, grading alterations, in addition to the outstanding landscape work.

REVISED PLAN

Given the circumstances surrounding this development, including the failure of the developer to complete all required components of the developer's agreement and his general objections to the approved landscape plan, the members of the Sanctuary HOA decided to hire the developer's landscape architect to develop a revised landscape plan for the subdivision. City Staff has met several times with the residents and the landscape architect to work towards a solution that will satisfy all affected parties, with the intent of bringing a revised plan back to the City Council for official action. The objectives of the revised plan include the following:

- To respect the residents desire for a more open, prairie feel throughout the development rather than the proposed urban design that would place a high density of trees along boulevard areas.
- To make the best possible use of the limited funds available once all important infrastructure corrections have been made.
- To develop a framework for ongoing maintenance and preservation of the natural landscape that can be augmented as future funding might become available.
- To allow the City to move closer towards final acceptance of the Sanctuary improvements without further impacting the residents that current live in this subdivision.

The plan that has been prepared by Landscape Architecture, Inc. is substantially different than the one approved by the City with the preliminary plat. Most notably, there are only nine larger trees to be planted within the common areas, with the bulk of the proposed improvements taking the form of weed treatment, buckthorn and invasive species removal, seeding of prairie and transition areas, and other restoration work. This plan has been reviewed by the City Forester, and in her attached report, she states her approval of the proposed management plan. The landscape architect for the project will be in attendance at the meeting to more fully describe the features of the revised landscape and natural area management plan.

The plans that have been submitted to the City do not include the landscaping that has been performed to date on the private lots that have been developed, which in some cases, is fairly substantial. Also, the developer did complete a portion of the approved plan at the entrance to the subdivision, and therefore, has previously planted 40 trees at the entrance to the development. Furthermore, the covenants associated with this development require each new home builder to plant at least two trees on lots with new homes, which will result a minimum of 76 trees being planted in the future.

Staff is recommending that the Planning Commission recommend approval of the revised landscape plan for the St. Croix's Sanctuary subdivision, and specifically is recommending this action because the proposed plan will help accomplish the objectives outlined above. This recommendation includes the approval of a waiver from the OP District requirements to permit a plan that does not meet the number of trees otherwise required to be planted under this ordinance. Staff further recommends that this approval be contingent on the following:

- Adherence to all recommendations of the City Forester as documented in a report to the City dated September 8, 2009.
- That two trees per new building site be provided near the public boulevard and clustered along lot lines prior to the issuance of a certificate of occupancy for new homes on all undeveloped lots.

ADDITIONAL INFORMATION:

- The original landscape plan is attached for review by the Planning Commission. This is the plan that will be replaced should the City approve the revised landscape proposal.
- As noted above, this action will require a 4/5ths vote of the City Council since it would authorize a waiver of the OP District provisions related to landscaping.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the revised landscape plan for the St. Croix's Sanctuary development subject to the following conditions:

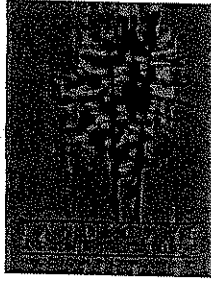
- The implementation of the plan shall adhere to all recommendations from the City Forester as documented in a report to the City dated September 8, 2009.
- Two trees per new building site shall be provided near the public boulevard and clustered along lot lines prior to the issuance of a certificate of occupancy for new homes on all undeveloped lots as of September 15, 2009.

ATTACHMENTS:

1. Letter from Landscape Architect
2. Proposed Landscape Plan
3. Restoration and Installation Plan
4. Plant Selections
5. Site Condition Plan
6. Landscape Classification System for Sanctuary
7. Report from City Forester
8. Existing Landscape Plan

ORDER OF BUSINESS:

- Introduction..... Kyle Klatt, Planning Director
- Presentation by staff..... Kyle Klatt, Planning Director
- Presentation by Landscape Architect... Stephen Mastey, Landscape Architecture, Inc.
- Questions from the Commission Chair & Commission Members
- Call for a motion Chair Facilitates
- Discussion of Commission on the motion Chair Facilitates
- Action by the Planning Commission..... Chair & Commission Members



August 31st, 2009

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

RE: SANCTUARY LANDSCAPE PLAN

Dear Kyle,

We have attached 20 Copies of the proposed landscape plan package for you to share with the Planning Commission & City Council Members. Based off of the \$30,000 to \$35,000 range that was provided by you and your staff last week for this purpose, we have created a proposed landscape plan that is proposed at \$33,767.50 as described in detail in the Proposal for Installation Services attached.

We will plan to present this concept at the September 14th, 2009 Planning Commission Meeting and the September 15th, 2009 City Council Meeting with representatives from the HOA present to show support for this plan and to entertain questions.

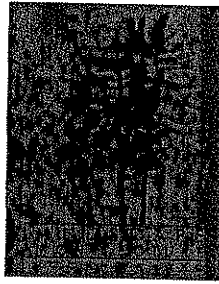
If you need additional landscape plan packages please let me know as we would be happy to provide these in color to clearly convey our design intent to all stakeholders in this process.

SINCERELY,

LANDSCAPE ARCHITECTURE, INC.

STEPHEN MASTEY, ASLA, CLARB, LEED AP
DIRECTOR OF DESIGN

cc: Carolyn Cary, Sanctuary HOA
cc: Karen Kill, Browns Creek Watershed District
cc: Ryan Stempski, City of Lake Elmo
cc: Craig Dawson, City of Lake Elmo
cc: Kathy Widin, City of Lake Elmo



8.30.09

Proposal for Installation Services

Sanctuary of Lake Elmo HOA
P.O. Box 832
Lake Elmo, MN 55042

RESTORATION OF PRAIRIE AND OAK SAVANNA PLANT COMMUNITIES AT SANCTUARY IN LAKE ELMO, MN

Sanctuary is apart of the Anoka Sand Plain Ecoregion, a landscape known for its mosaic of tallgrass prairie and deciduous forest. The current landscape cover is a mosaic of grassland, woodland, and wetland habitats. Non-native plants are dominant across each habitat type. For example, the grasslands are generally dominated by non-native grasses introduced from Europe. Areas dominated by non-native plant species, generally, have less wildlife (butterflies, birds, amphibians, etc.) and lower soil and water quality. The long-term and collective goal is to restore the land at Sanctuary to native prairies, woodlands, and wetlands.

Prairie Establishment:

We would propose to prepare the seed bed, control erosion, supply & install the seed to establish the native dry upland prairie (see attached quote and map). A single dry upland species (Blue grama) would be established along the roads and paths. The majority of area would be seeded to our dry upland seed mix (G1/F1, xeric) which contains 27 species of native wildflowers and seven species of grasses. Our seed (see attached list) primarily originates from local sources in the Anoka Sand Plain and neighboring ecoregions, ensuring that these species are naturally adapted to the soil and climate of this region.

Buckthorn Control:

Buckthorn is a noxious shrub that has invaded the majority of oak savanna and deciduous forest areas of Sanctuary. The first step to restoring these areas is to remove the mature buckthorn and chemically treat the stumps. We have identified four areas (3.31 acres total) that contain the highest densities of buckthorn within large, old growth oak and other native tree stands. We propose the removal of the buckthorn and other noxious shrubs in these areas.

To furnish and install the following Trees via 85" Machine move Tree Spade

6 Autumn Blaze Maple @ 6 inch caliper (\$1,500 Each) \$9,000
3 Oak Bur @ 5.5 inch caliper (\$1,500 Each) \$4,500
Includes: one year plant warranty, Fall 2009: 3 waterings, hardwood shredded bark mulching & Tree Protection (hardware cloth), Summer 2010: 5 waterings & one slow release fertilizer application.

Total Proposed Tree Installation Fees \$13,500

Erosion Control and Permit fees from Browns Creek Watershed District

Permit Fee (\$1,250) \$1,250
400 linear feet of Silt Fence @ \$5 a linear foot (SE corner of area 12) \$2,000
Includes: Silt fence removal and disposal upon approval by watershed district.

Total Proposed Erosion Control Measures and Permit Fees \$3,250

Removing Buckthorn from 2.78 acres of Oak Savanna and Deciduous Forest

<u>Item</u>	<u>Units</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
Area 5				
One-time cutting, chemical treatment, and chipping (where necessary) of Buckthorn and other noxious shrubs.	acre	0.19	\$1,950.00	\$370.50
Area 21				
One-time cutting, chemical treatment, and chipping (where necessary) of Buckthorn and other noxious shrubs.	acre	2.59	\$1,950.00	\$5,050.50
Area 45				
One-time cutting, chemical treatment, and chipping (where necessary) of Buckthorn and other noxious shrubs.	acre	.40	\$1,950.00	\$780
Area Adjacent to Manning Avenue at Entry (West Side of Street)				
One-time cutting, chemical treatment, and chipping (where necessary) of Buckthorn and other noxious shrubs.	acre	.13	\$1,950.00	\$253.50

Total Proposed Woodland Management Fees \$6,454.50

Notes:

1. Buckthorn will be cut and laid down to promote natural decomposition. Buckthorn will be removed, chipped, and chips blown back into woods if high buckthorn densities accumulate and become too dense for the woodland understory.

Quote for Prairie Establishment and Noxious Weed Control

Item	Units	Qty	Unit Price	Total Price
Area 1				
Early Summer 2010 noxious weed (broadleaf) Spray	acre	.49	\$250	\$122.50
Area 12 (Except SE corner)				
Early Summer 2010 noxious weed (broadleaf) spray	acre	11.74	\$250	\$2,935
SE corner of Area 12				
Fall 2009 Herbicide Treatment	acre	.66	\$250	\$165
Spring 2010 Herbicide Treatment	acre	.66	\$250	\$165
Seed bed preparation, installation of dry upland prairie seed mix, and disk anchoring of straw mulch	acre	.42	\$2,000	\$840
Seed bed preparation, installation of short Transition (Blue grama) seed mix	acre	.24	\$1,900	\$456
Erosion control blanket (100% of Blue grama)	sq yd	1,162	\$1.50	\$1,743
Area 23				
Early Summer 2010 noxious weed (broadleaf) spray	acre	3.07	\$250	\$767.50
Area 30				
Early Summer 2010 noxious weed (broadleaf) spray	acre	1.94	\$250	\$485
Area 35				
Early Summer 2010 noxious weed (broadleaf) spray	acre	1.28	\$250	\$320
Area 42				
Early Summer 2010 noxious weed (broadleaf) spray	acre	.98	\$250	\$245
Along South Side of Trail and as it abuts to the Street within Area 42 & 12 Per Plan				
Fall 2009 Herbicide Treatment	acre	.19	\$250	\$47.50
Spring 2010 Herbicide Treatment	acre	.19	\$250	\$47.50
Seed bed preparation, installation of short Transition (Blue grama) seed mix.	acre	.19	\$1,900	\$361

Erosion control blanket (100% of Blue grama)sq yd	920	\$1.50	\$1,380
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SW Trail Extension

Fall 2009 Herbicide Treatment	acre	.05	\$250	\$12.5
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Spring 2010 Herbicide Treatment	acre	.05	\$250	\$12.5
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Seed bed preparation, installation of short Transition (Blue grama) seed mix.	acre	.05	\$1,900	\$95
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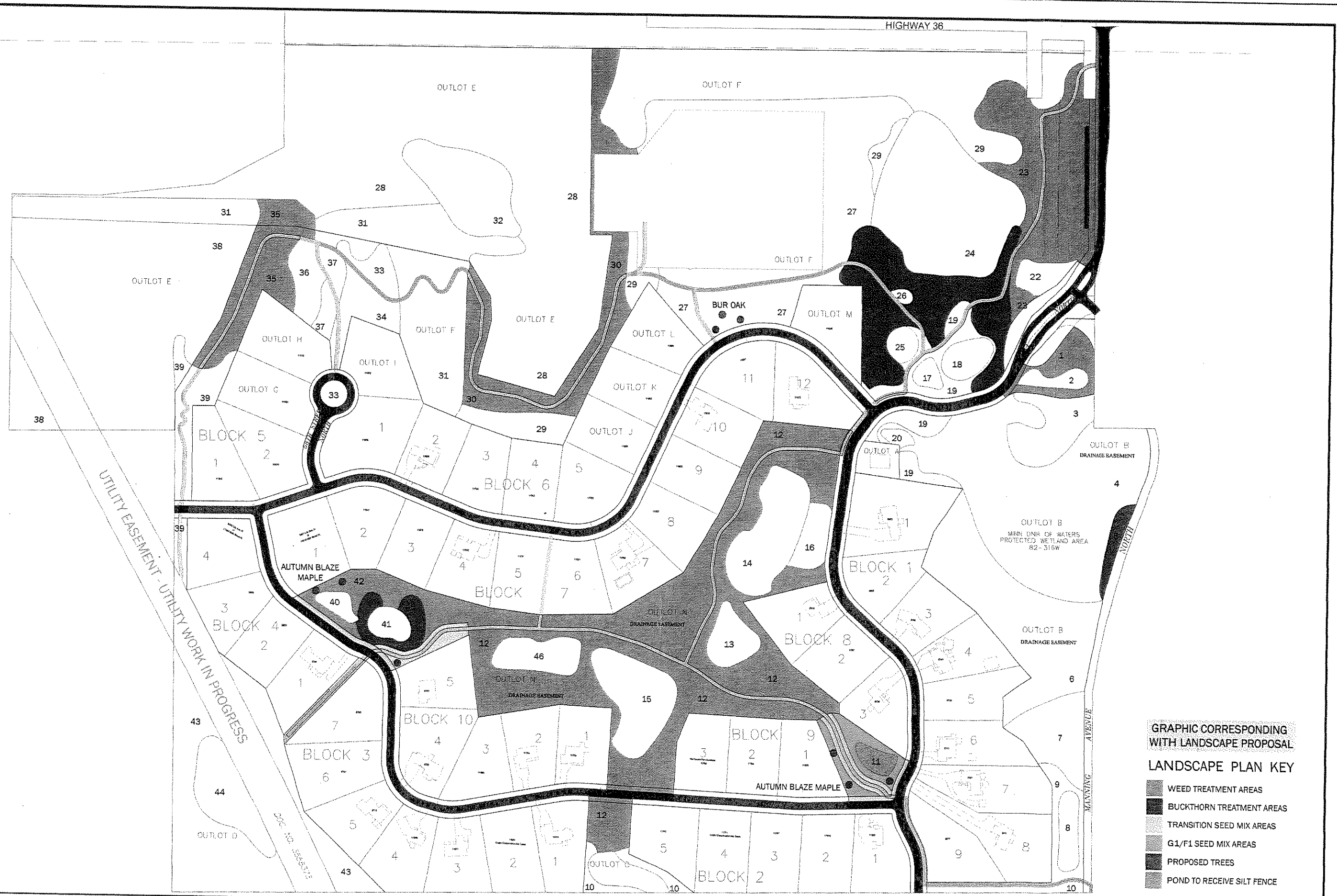
Erosion control blanket (100% of Blue grama)sq yd	242	\$1.50	\$363
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Total Proposed Prairie Establishment and Noxious Weed Control Fees \$10,563

Notes:

1. This quote does not include the removal or disposal of any construction debris.
2. This quote does not include any soil grading or soil amendments and assumes acceptable soil.

Total Proposed Installation Fees: \$33,767.50



GRAPHIC CORRESPONDING WITH LANDSCAPE PROPOSAL

LANDSCAPE PLAN KEY

- WEED TREATMENT AREAS
- BUCKTHORN TREATMENT AREAS
- TRANSITION SEED MIX AREAS
- G1/F1 SEED MIX AREAS
- PROPOSED TREES
- POND TO RECEIVE SILT FENCE

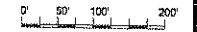
NORTH

SANCTUARY - LANDSCAPE PLAN

LAKE ELMO, MINNESOTA

AUGUST 2009

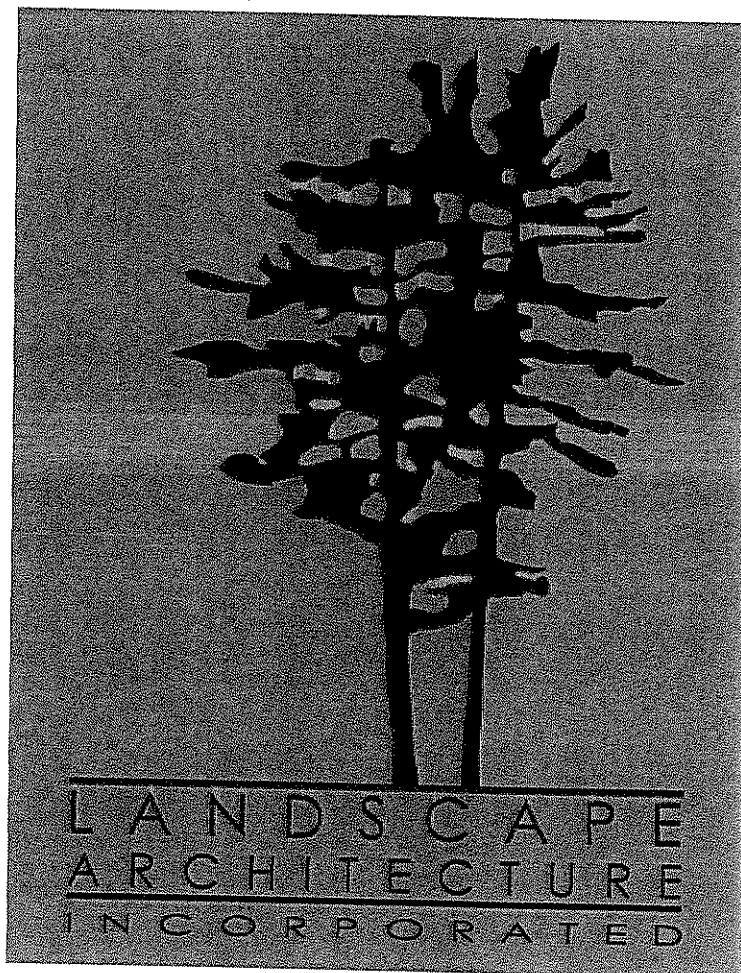
GRAPHIC SCALE



PLANT SELECTIONS

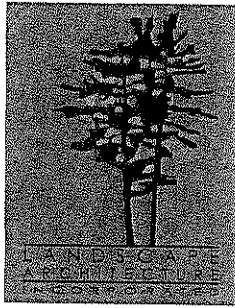
SANCTUARY
LAKE ELMO, MINNESOTA

AUGUST 2009



856 Raymond Avenue, Suite C
Saint Paul, Minnesota 55114
651.646.1020

DECIDUOUS TREES ALREADY INSTALLED



COMMON NAME

Red Maple

Autumn Blaze Maple

White Ash

Flowering Crab

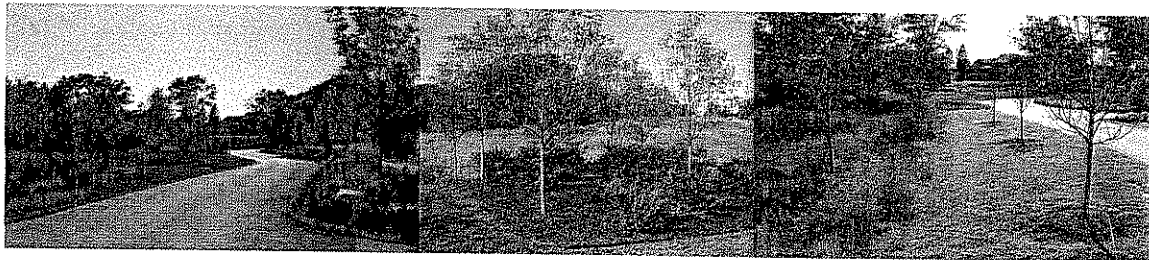
SCIENTIFIC NAME

Acer rubrum

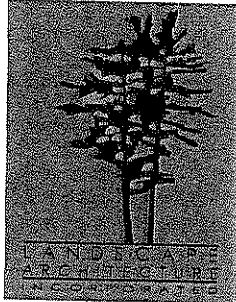
Acer x freemanii 'Jeffersred'

Fraxinus americana

Malus Sp.



PROPOSED TREES



COMMON NAME

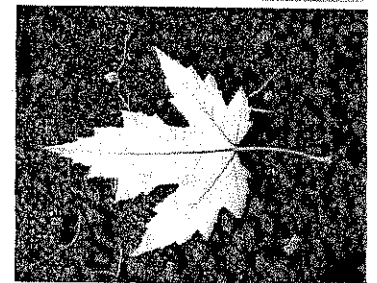
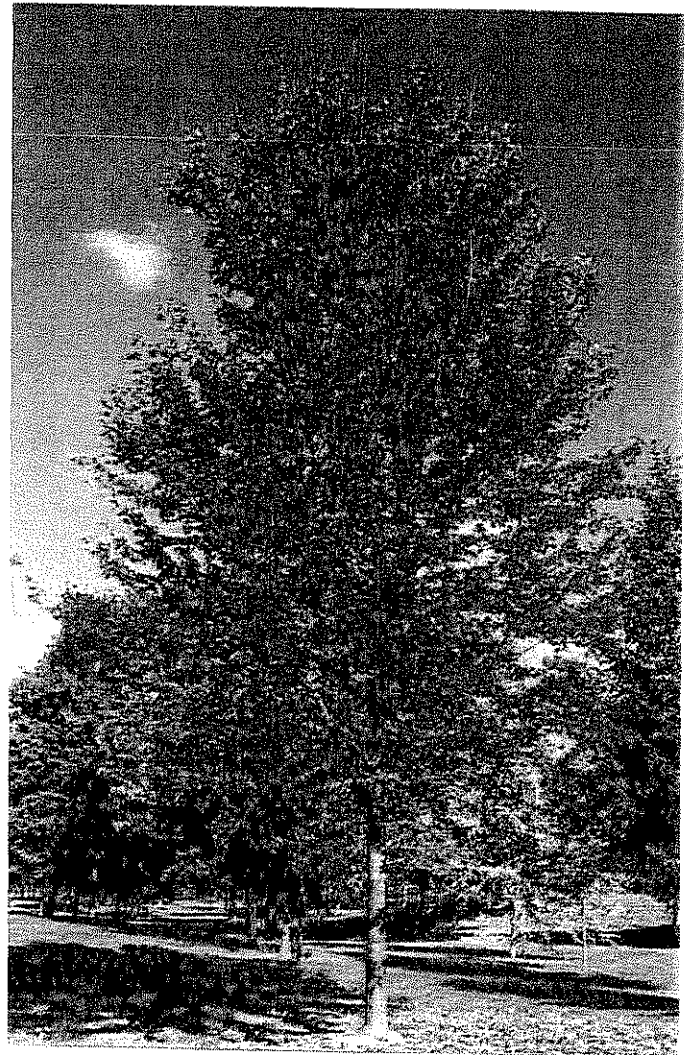
Autumn Blaze Maple

Bur Oak

SCIENTIFIC NAME

Acer x freemanii 'Jeffersred'

Quercus macrocarpa



ACER - MAPLE

Acer x freemanni 'Jeffersred'

Height: 50-60'
 Spread: 40'
 Shape: Dense oval head

Autumn Blaze Maple

Foliage: Rich green, deeply lobed
 Fall Foliage: Orange-red
 Zone: 4-7

This hybrid of Silver and Red Maple has experienced phenomenal popularity due to its ascending branch habit, rapid growth rate, drought tolerance, ability to grow in most soils, beautiful fall color, and form. It was selected as the 1997 Iowa Tree of the year, Own root. 2004 Urban Tree of the year, Society of Municipal Arborists.



QUERCUS - OAK

Quercus macrocarpa

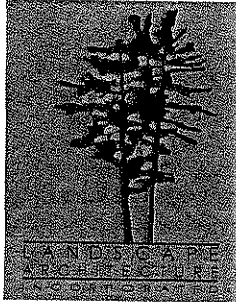
Bur Oak

Height: 60-80'
Spread: 60-80'
Shape: Rounded, open

Foliage: Dark green above, grayish beneath
Fall Foliage: Yellowish-brown to purplish
Zone: 3-8

Native from Nova Scotia to Manitoba and south to Pennsylvania and Texas, this beautiful oak has attractive corky bark that's especially interesting in winter. A great xeriscape plant, it tolerates a wide range of soil types and air pollutants.

PRAIRIE

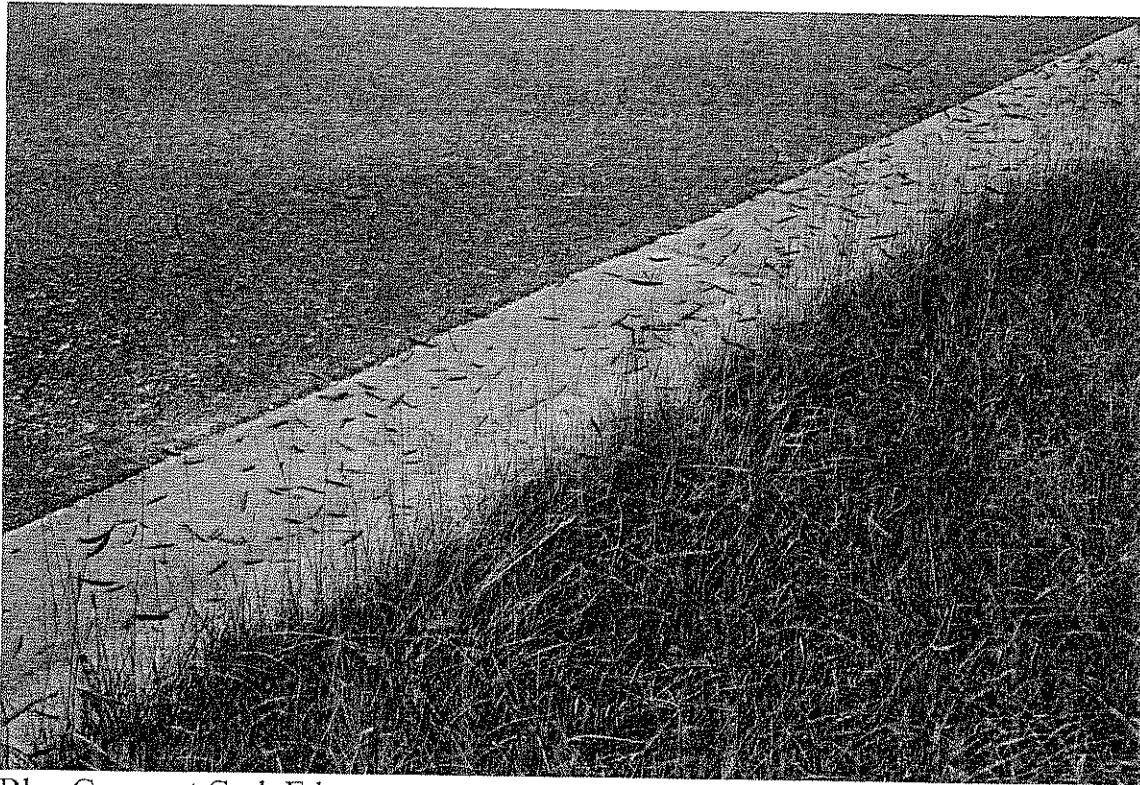


COMMON NAME

SCIENTIFIC NAME

MNL TRANSTION MIX - Super Short Xeric Prairie Grass (8 inch height)

Blue Grama *Bouteloua gracilis*



Blue Grama at Curb Edge



Blue Grama Close-Up

MNL MIX (G1) - Short Xeric Prairie Grass (18 inch height)

Side-Oats Grama	<i>Bouteloua curtipendula</i>
Blue Grama	<i>Bouteloua gracilis</i>
Prairie Brome	<i>Bromus kalmii</i>
Canada Wild Rye	<i>Elymus canadensis</i>
June Grass	<i>Koeleria cristata</i>
Little Bluestem.....	<i>Schizachyrium scoparium</i>
Prairie Dropseed	<i>Sporobolus heterolepis</i>

MNL MIX (F1) - Short Xeric Wildflower (18 inch height)

Fragrant Giant Hyssop	<i>Agastache foeniculum</i>
Prairie Onion.....	<i>Allium stellatum</i>
Leadplant	<i>Amorpha canescens</i>
Butterfly Milkweed	<i>Asclepias tuberosa</i>
Smooth Blue Aster	<i>Aster laevis</i>
Azure Aster	<i>Aster oolentangiensis</i>
Upland White Aster	<i>Aster ptarmicoides</i>
Stiff Tickseed	<i>Coreopsis palmata</i>
White Prairie Clover.....	<i>Dalea candidum</i>
Purple Prairie Clover	<i>Dalea purpureum</i>
Narrow-Leaved Coneflower	<i>Echinacea angustifolia</i>
Pale Purple Coneflower	<i>Echinacea pallida</i>
Round-Headed Bushclover	<i>Lespedeza capitata</i>
Rough Blazing Star	<i>Liatris aspera</i>
Dotted Blazing Star	<i>Liatris punctata</i>

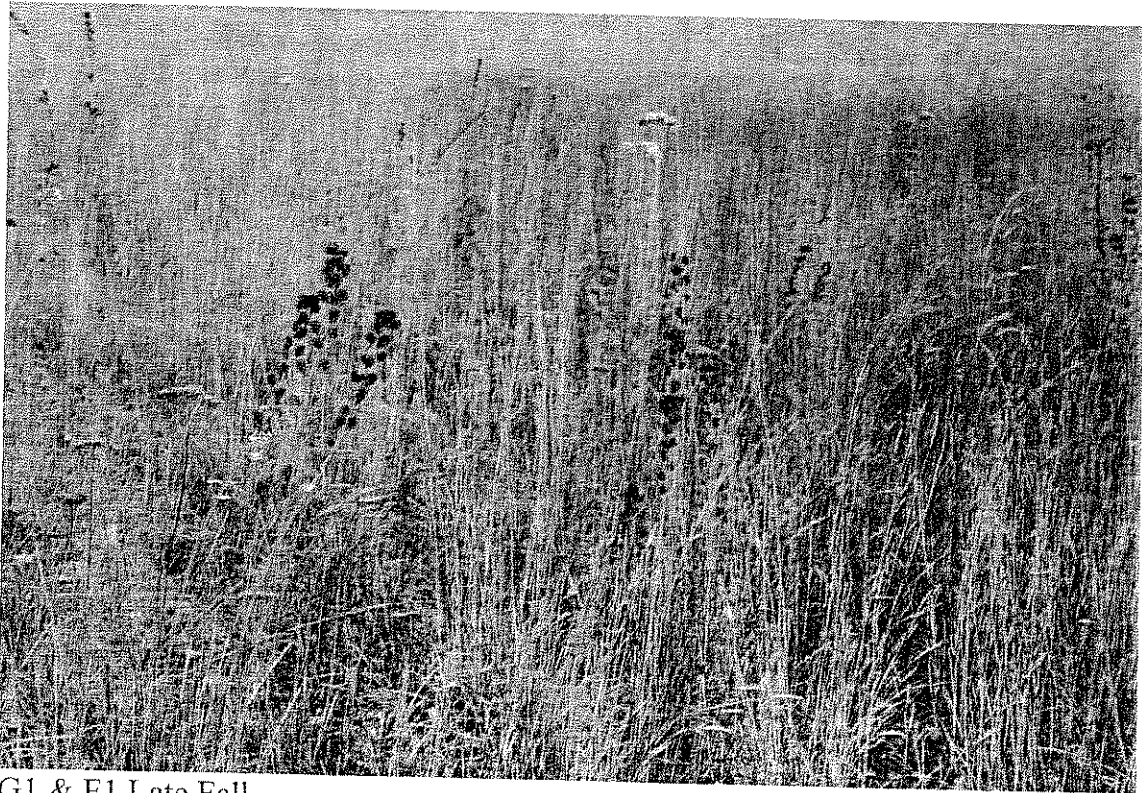
Wild Lupine	<i>Lupinus perennis</i>
Wild Bergamot	<i>Monarda fistulosa</i>
Showy Penstemon	<i>Penstemon grandiflorus</i>
Long-Headed Coneflower	<i>Ratibida columnifera</i>
Prairie Rose	<i>Rosa arkansana</i>
Black-Eyed Susan	(<i>Rudbeckia hirta</i>)
Old Field Goldenrod	<i>Solidago nemoralis</i>
Stiff Goldenrod	<i>Solidago rigida</i>
Showy Goldenrod	<i>Solidago speciosa</i>
Prairie Spiderwort	<i>Tradescantia bracteata</i>
Hoary Vervain	<i>Verbena stricta</i>
Heart-Leaf Golden Alexanders	<i>Zizia aptera</i>



G1 & F1 Mid-Summer



G1 & F1 Late Summer



G1 & F1 Late Fall

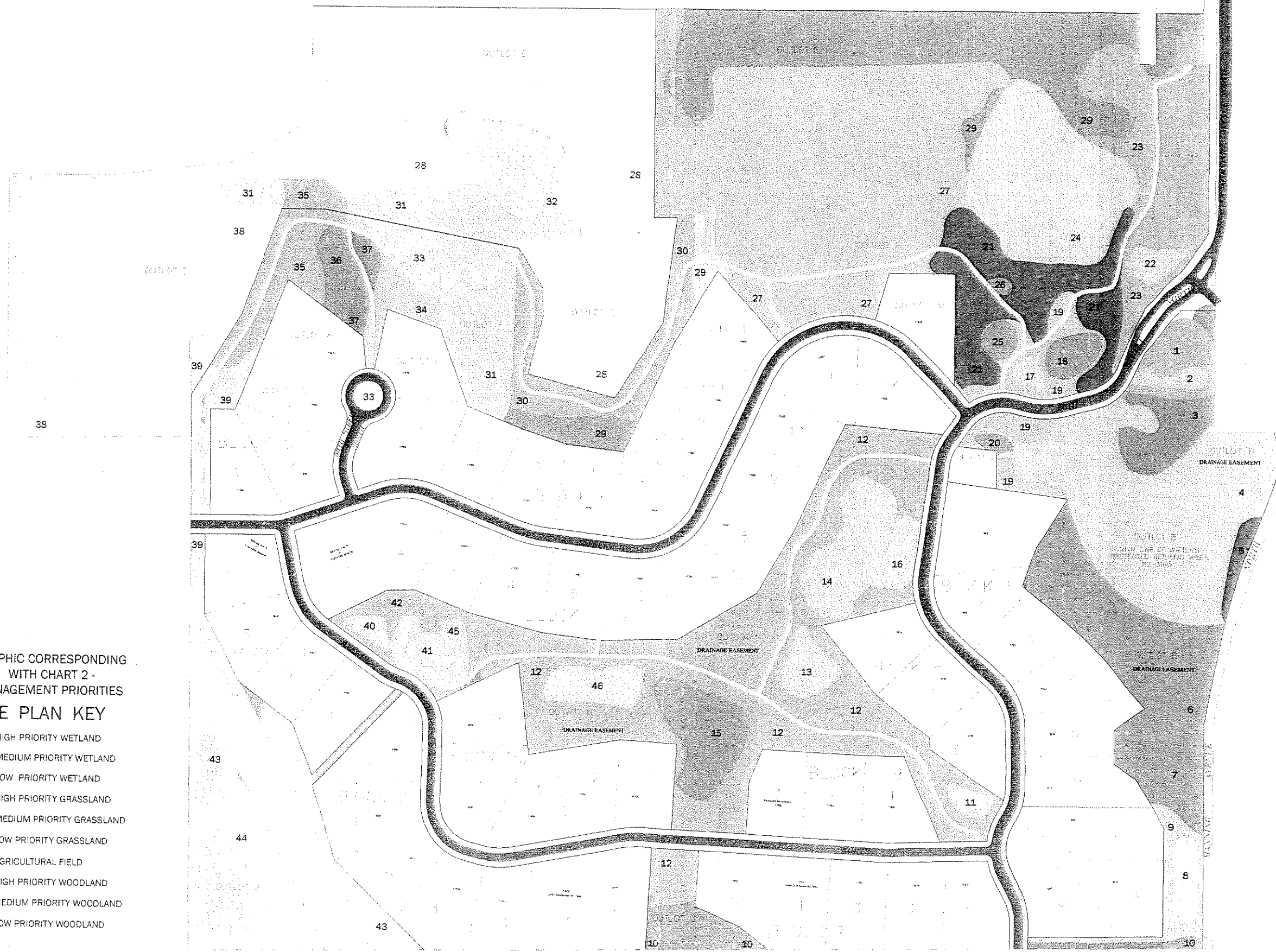


BAILEY
NURSERIES

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Plant Information & Text Provided By BAILEY NURSERIES

HIGHWAY 36



GRAPHIC CORRESPONDING
WITH CHART 2 -
MANAGEMENT PRIORITIES
SITE PLAN KEY

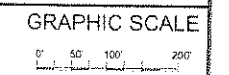
- HIGH PRIORITY WETLAND
- MEDIUM PRIORITY WETLAND
- LOW PRIORITY WETLAND
- HIGH PRIORITY GRASSLAND
- MEDIUM PRIORITY GRASSLAND
- LOW PRIORITY GRASSLAND
- AGRICULTURAL FIELD
- HIGH PRIORITY WOODLAND
- MEDIUM PRIORITY WOODLAND
- LOW PRIORITY WOODLAND

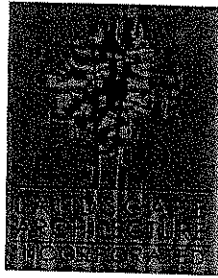


SANCTUARY - SITE CONDITION PLAN

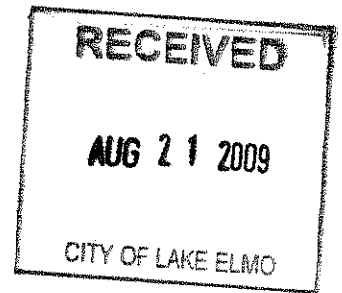
LAKE ELMO, MINNESOTA

JULY 2009





Prepared by:
Jim Eckberg – Ecologist
Minnesota Native Landscapes, Inc.
Amanda Clementson – Designer
Landscape Architecture, Inc.
Date Submitted: 7/23/09
Submitted to: Sanctuary HOA



Landscape Classification System Sanctuary Development Lake Elmo, MN

This report provides baseline information on the landscape cover at Sanctuary Development in Lake Elmo, Minnesota. The current landscape cover is a mosaic of grassland, woodland, and wetlands. Non-native plants are dominant across each landscape type. For example, the grasslands are generally dominated by non-native grasses introduced from Europe. Areas dominated by non-native plant species, generally, have less wildlife (butterflies, birds, amphibians, etc.) and lower soil and water quality. Some of the non-native species at Sanctuary are listed as federal or state prohibited noxious weeds and, by law, must be controlled on private and public lands. The prohibited noxious weeds at Sanctuary include Canada Thistle, Bull Thistle, and Musk Thistle.

In this report, we first classified each landscape type to the following: wetland, grassland, woodland, or agricultural field. We estimated the percent cover of native versus non-native species to provide information on the ecological condition of each area. That said, not all non-native plants are noxious or invasive species. We provide a general measure of *landscape quality* (low, medium, high) based on the native versus non-native plant composition (Chart one, columns three and four); resulting in the overall assessment of native plant diversity (landscape quality, Chart 1, Column 5).

Chart 1- Assessment of Landscape Quality

Results of Landscape Survey (July 13, 2009)

Area number	Landscape Type	Percent (%) Native Plant Cover	Percent (%) Non-native Plant Cover	Landscape Quality
1	Grassland	2	98	Low
2	Wetland	5	95	Low
3	Woodland	30	70	Medium
4	Wetland	20	80	Low
5	Woodland	20	80	Low
6	Wetland	30	70	High
7	Wetland	5	95	Low
8	Wetland	5	95	Low
9	Grassland	5	95	Low
10	Woodland	40	60	Medium
11	Wetland	5	95	Low
12	Grassland	5	95	Low
13	Wetland	5	95	Low
14	Wetland	40	60	Medium
15	Wetland	5	95	Low
16	Wetland	5	95	Low
17	Wetland	5	95	Low
18	Wetland	5	95	Low
19	Grassland	2	98	Low
20	Wetland	5	95	Low
21	Woodland	10	90	Low
22	Wetland	5	95	Low
23	Grassland	2	98	Low
24	Wetland	70	30	High
25	Wetland	20	80	Medium
26	Wetland	5	95	Low
27	Grassland	1	99	Low
28	Agricultural Field	-	-	-
29	Woodland	20	80	Low
30	Grassland	5	95	Low
31	Woodland	2	98	Low
32	Wetland	5	95	Low
33	Grassland	30	70	Medium
34	Grassland	10	90	Low
35	Grassland	10	90	Low
36	Wetland	5	95	Low
37	Woodland	20	80	Medium
38	Agricultural Field	-	-	-
39	Woodland	30	70	Medium

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 DEVELOPMENT

40	Wetland	5	95	Low
41	Wetland	5	95	Low
42	Grassland	2	98	Low
43	Woodland	15	85	Low
44	Grassland	5	95	Low
45	Woodland	10	90	Low
46	Wetland	5	95	Low
Average		12.5%	87.5%	Low

In the second chart, we determined the distribution of invasive and noxious plant populations and indicate management priorities based on areas with the highest density of invasive and noxious plants. Areas with the highest density of invasive plants have a “high” management priority. Areas with moderate invasive plant densities are suggested as a “medium” management priority. Lastly, “low” areas are those with few invasive plants and are considered to have a low management priority.

Chart 2- Management Priorities: High Densities of Invasive Plant Populations.

High indicates high densities of invasive or prohibited noxious plants and a required need for management.

Medium indicates less invasive or noxious plants and a moderate need for management.

Low indicates less invasive / no noxious plants and little need for management relative to other areas in the short-term.

Area number	Landscape Type	Management Priority
1	Grassland	High
2	Wetland	Low
3	Woodland	Medium
4	Wetland	Low
5	Woodland	High
6	Wetland	Medium
7	Wetland	Medium
8	Wetland	Low
9	Grassland	Medium
10	Woodland	Medium
11	Wetland	Low
12	Grassland	High
13	Wetland	Low
14	Wetland	Low
15	Wetland	Medium

16	Wetland	Low
17	Wetland	Low
18	Wetland	Medium
19	Grassland	Medium
20	Wetland	Medium
21	Woodland	High
22	Wetland	Low
23	Grassland	High
24	Wetland	Low
25	Wetland	Medium
26	Wetland	Medium
27	Grassland	Medium
28	Agricultural Field	-
29	Woodland	Low
30	Grassland	High
31	Woodland	Low
32	Wetland	Low
33	Grassland	Low
34	Grassland	Medium
35	Grassland	High
36	Wetland	Medium
37	Forest	Low
38	Agricultural Field	-
39	Woodland	Low
40	Wetland	Low
41	Wetland	Low
42	Grassland	High
43	Woodland	Low
44	Grassland	Low
45	Woodland	Low
46	Wetland	Low

Invasive and noxious species - Highest density areas:

The locations in red have the highest densities of invasive and noxious species. Without control, these populations are likely to spread and cause further problems. In the Wooded areas (5 and 21) invasive common buckthorn is highly dense and has formed an almost impenetrable thicket. Highlighted grassland areas contain high densities of the noxious weeds: Bull Thistle, Canada Thistle, Musk Thistle, Spotted Knapweed, and Wild Parsnip. All of the above species are non-native, invasive, and highly problematic. The thistle species are deemed prohibited noxious weeds and are to be controlled in accordance with

state law. For images and plant descriptions please see the Minnesota DNR information included as appendices at the end of this document.

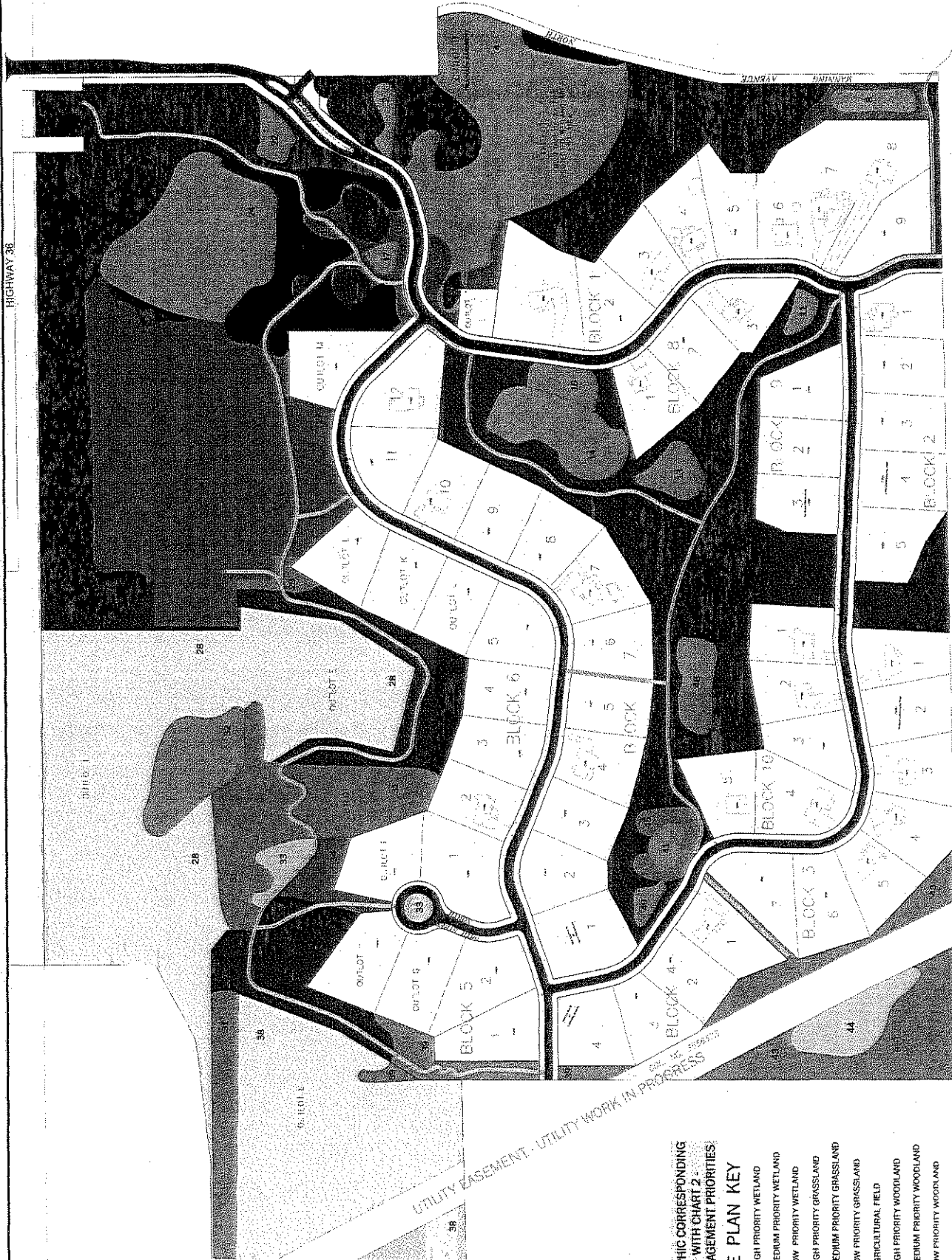
For additional information on noxious and invasive weeds please visit the Minnesota DNR website.

Minnesota DNR

Accessed: 7/15/2009

<http://www.dnr.state.mn.us/invasives/terrestrialplants/index.html>

HIGHWAY 36



GRAPHIC CORRESPONDING
WITH CHART 2
MANAGEMENT PRIORITIES

SITE PLAN KEY

- HIGH PRIORITY WETLAND
- MEDIUM PRIORITY WETLAND
- LOW PRIORITY WETLAND
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SANCTUARY - SITE CONDITION PLAN

LAKE ELMO, MINNESOTA

JULY 2009

GRAPHIC SCALE
1" = 100'

APPENDICES

INVASIVE AND NOXIOUS PLANT DESCRIPTIONS

DNR INVASIVE AND NOXIOUS PLANT LIST & DEFINITIONS

Buckthorn

Common buckthorn (*Rhamnus cathartica*) was first brought to Minnesota from Europe in the mid-1800s as a very popular hedging material. Shortly after its introduction here, it was found to be quite invasive in natural areas. The nursery industry stopped selling it in the 1930s, but many buckthorn hedges may still be found in older neighborhoods throughout Minnesota.

Glossy buckthorn (*Frangula alnus*), also from Europe, has been sold by the nursery trade in two different forms. The cultivar *Columnaris* has a narrow and tall form; the cultivar *Aspenifolia* spreads up to 10 feet and has narrow leaves that give it a ferny texture. This buckthorn aggressively invades wetlands including acidic bogs, fens and sedge meadows.



Buckthorn is one of the most invasive species found in Minnesota.

Why is buckthorn such a problem?

- Out-competes native plants for nutrients, light, and moisture
- Degrades wildlife habitat
- Threatens the future of forests, wetlands, prairies, and other natural habitats
- Contributes to erosion by shading out other plants that grow on the forest floor
- Serves as host to other pests, such as crown rust fungus and soybean aphid
- Forms an impenetrable layer of vegetation
- Lacks "natural controls" like insects or disease that would curb its growth



Buckthorn leafs out early and retain leaves late into the fall creating dense shade that helps it to out-compete many native plants.

Regulations

European or common buckthorn and glossy or alder buckthorn are listed as restricted noxious weeds in Minnesota. It is illegal to import, sell, or transport buckthorn in Minnesota.

More about buckthorn

Identifying buckthorn

Is buckthorn in your

yard?

What you can do to control buckthorn!

Minnesota Conservation Volunteer magazine article ***The Trouble With Backyard Buckthorn***

Bull thistle (*Cirsium vulgare*)



Description:

Appearance: Biennial herbaceous plant, between 3 - 6' tall with one erect branched stem. It grows a rosette in its first year and blooms in its second year.

Leaves: Alternate, coarsely lobed, each lobe with a spine at its tip. Spines extend downward from the leaves along prominent ridges of the stem. Upper leaf surface is rough.

Flowers: Disk-shaped flowerheads contain hundreds of tiny individual purple flowers which bloom from July through August.

Seeds: Numerous straw-colored seeds with plume-like bristles are dispersed by wind. They remain viable in the soil for over 10 years.

Roots: Each plant has a fleshy taproot.

Ecological Threat:

- It colonizes primarily in disturbed areas such as pastures, roadsides, and ditch banks, but also in hayfields and disturbed prairies.
- Bull thistle is distasteful to most grazing animals, giving the thistle a competitive edge.
- It generally does not pose a threat to high quality areas.

Does not withstand cultivation.

- It was introduced to the U.S. in the early 1800s from Europe and Asia.
- Bull thistle is on the MDA **Prohibited noxious weeds** list in Minnesota.

Control Methods:

Mechanical

Pulling or mowing in Pulling or mowing in and dispose off-site to avoid reseeding

Chemical

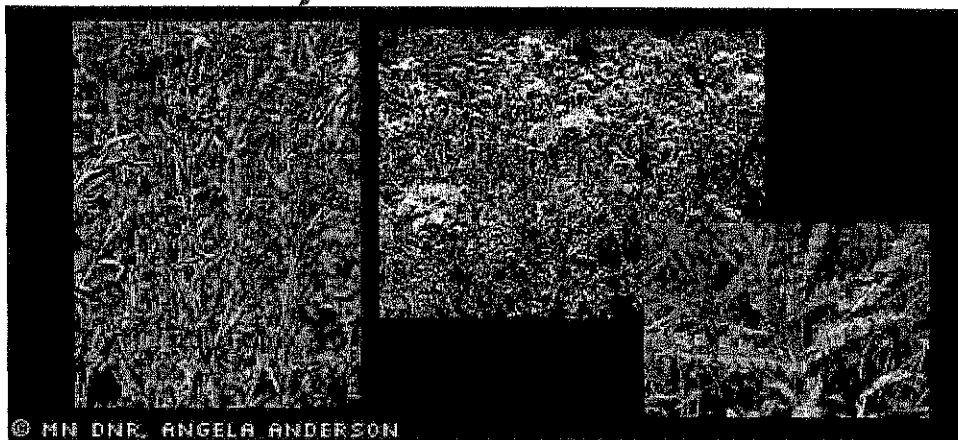
Spot-spraying with glyphosate, triclopyr or metsulfuron when plants are in rosette stage (first year) in the fall when non-target plants are less susceptible

Biological

Thistlehead-feeding weevil and rosette-feeding weevil.

Caution: There have been observations of weevils feeding on native thistles

Canada thistle (*Cirsium arvense*)



Description:

Appearance: Perennial herbaceous plant, 2 - 5' tall with slender grooved stems that branch only at the top. It has male and female plants.

Leaves: Alternate, smooth, oblong, tapering, and directly attached to the stem, deeply divided, with prickly margins.

Flowers: Numerous small purple flowers appear on top of the upper branched stems between June and September.

Seeds: Small light brown seeds are tufted for dispersal by the wind. Seeds remain viable in the soil for over 20 years.

Roots: Each plant has a fibrous taproot with wide spreading horizontal roots. Each small section of root can form a new plant enabling the plant to spread vegetatively.

Ecological Threat:

- Canada thistle invades natural areas such as prairies, savannas, glades and dunes if some degree of disturbance already exists. It also invades wet areas with fluctuating water levels such as streambanks, sedge meadows and wet prairies.

- Once it has established itself it spreads quickly replacing native plants, diminishing diversity. It grows in circular patches spreading vegetatively through horizontal roots which can spread 10 -12' in one season.
- Canada thistle occurs throughout the northern U.S. from northern California to Maine and southward to Virginia and in Canada.
- It has been declared a noxious weed in 43 states as one of the most tenacious agricultural weeds.
- Canada thistle is on the MDA **Prohibited noxious weeds** list in Minnesota.

Control Methods:

Mechanical

Repeated pulling and mowing will weaken roots, mowing when flower buds are just to open

Late spring burns May/June are most detrimental, but also stimulate seed germination; burn consecutively for 3 years

Chemical

Spot application with glyphosate or with selective herbicide clopyralid, or metsulfuron

Biological

Stem weevil, bud weevil and stem gall fly are commercially available

Musk or nodding thistle (*Carduus nutans*)



Description:

Appearance: Biennial herbaceous plant, between 1 1/2 - 6' tall, multi-branched stem. Plants overwinter in the rosette stage.

Leaves: Alternate, coarsely lobed, dark green with light green midrib, smooth and hairless. Large first year rosette leaves.

Flowers: Disk-shaped flowerheads contain hundreds of tiny individual purple flowers which bloom from June through July. Flowerheads droop to a 90 degree angle from the stem when mature.

Roots: Each plant has a fibrous taproot.

Plumeless Thistle - *Carduus acanthoides* (no picture) is very similar especially in rosette stage, hybridizes readily with above; flowers are one-third the size of above and not nodding, underside of leaf is hairy.

Ecological Threat:

- It generally does not pose a threat to high quality areas. It colonizes primarily in disturbed areas.

- Musk thistle is distasteful to grazing animals, giving the thistle a competitive edge.
- It grows best in disturbed areas such as pastures, roadsides, and ditch banks, but also in hayfields and disturbed prairies.
- A native of western Europe it was introduced to the U.S. in the early 1800s, and is declared an agricultural pest.
- Musk thistle and Plumeless thistle are on the MDA **Prohibited noxious weed** list in Minnesota.

Control Methods:

Mechanical

Pulling or mowing in early bud or bloom stage, then dispose offsite

Chemical

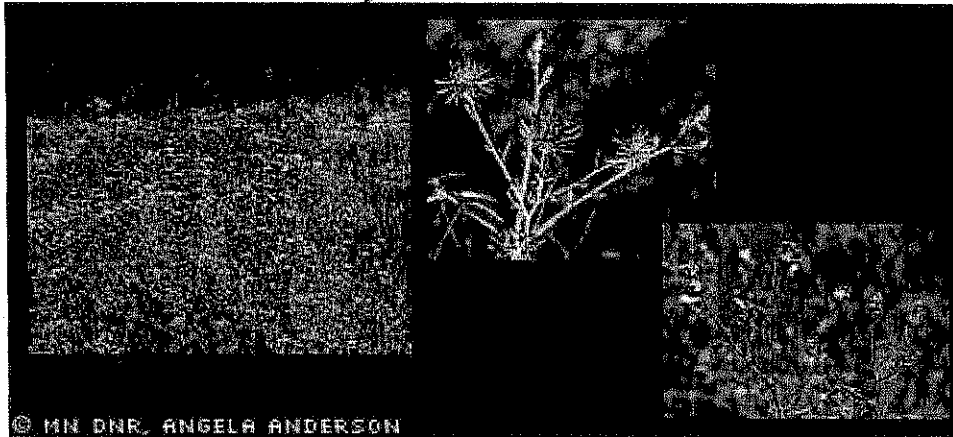
Spot-spraying with glyphosate, triclopyr or metsulfuron when plants are in rosette stage (first year) in the fall when non-target plants are less susceptible

Biological

Thistlehead-feeding weevil and rosette-feeding weevil.

Caution: Observations of weevils feeding on native thistles

Spotted knapweed (*Centaurea maculosa*)



Description:

Appearance: Biennial or short-lived perennial herbaceous plant, 2 - 3' high. Basal leaves form a rosette the first year from which grow 1- 20 wiry, hoary, branched stems during the second year.

Leaves: Alternate, grayish, hoary, and divided into lance-shaped lobes decreasing in size at the top.

Flowers: Thistle-like pink to purple flowers sit at the tips of terminal and axillary stems, bloom from July through September.

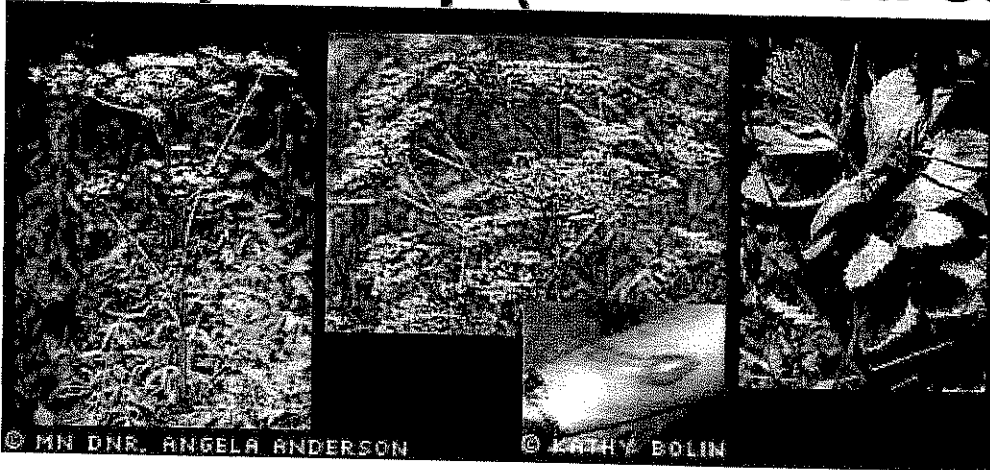
Seeds: Brownish, 1/4" long with small tuft of bristles, dispersed by rodents, livestock and commercial hay. Seed viable in the soil for 7 years.

Roots: Stout taproot. Lateral shoots form new rosettes near the parent plant.

Caution: Wear long sleeves and gloves, can be a skin irritant to some people.

Ecological Threat:

Wild parsnip (*Pastinaca sativa*)



Description:

Appearance: Monocarpic perennial herbaceous plant (plant spends one or more years in rosette stage, blooms under favorable conditions, and then dies), 6" high in the rosette stage and 4' high on stout, grooved stems in the flowering stage.

Leaves: Alternate, leaf is made up of 5 -15 egg shaped leaflets along both sides of a common stalk; leaflets sharply-toothed or lobed at the margins; upper leaves smaller.

Flowers: Flat-topped broad flower cluster 2 - 6" wide, numerous five-petaled yellow flowers; bloom from June to late summer.

Seeds: Small, flat, round, slightly ribbed, strawcolored, abundant take 3 weeks to ripen before they can reseed; viable in the soil for 4 years.

Roots: Long, thick, edible taproot.

Warning - Avoid skin contact with the toxic sap of the plant tissue by wearing gloves, long sleeves and long pants. The juice of wild parsnip in contact with skin in the presence of sunlight can cause a rash and blistering and discoloration of the skin (phytophotodermatitis).

- Especially threatens dry prairie, oak and pine barrens, dunes and sandy ridges.
- Spotted knapweed is poisonous to other plants (phytotoxic).
- Spreads rapidly in artificial corridors, gravel pits, agricultural field margins and overgrazed pastures.
- A native of Europe and Asia it has become a serious problem in pastures and rangeland of the western states.
- It is on the MDA **Secondary noxious weeds** list in Minnesota.

Control Methods:

Mechanical

Early detection and pulling

Mowing as needed so plants cannot go to seed

Prescribed burning, only very hot burns are effective which may also damage native plants

Chemical

Apply selective herbicide clopyralid during bud growth in early June for best results (48 oz per 100 gal water). Use caution in quality natural areas herbicide affects native plants of the sunflower and pea family as well.

Biological

Thirteen insects identified

Two seedhead flies are most promising

Ecological Threat:

- Well established prairies are not likely to be invaded by wild parsnip, but it readily moves into disturbed habitats, along edges and or in disturbed patches. It invades slowly, but once population builds it spreads rapidly and can severely modify open dry, moist, and wet-moist habitats.
- It is primarily a problem in southeastern Minnesota in prairies and oak openings.
- A native of Europe and Asia this plant has escaped from cultivation, it is grown as root vegetable, and is common throughout the U.S.

Control Methods:

Mechanical

Do nothing in healthy prairies, natives can sometimes outcompete the parsnip

Hand pulling and removing of plants

Cut the plant below the root crown before seeds set, and remove the cut plant

Mow or cut the base of the flowering stem and remove

Chemical

Use sparingly in quality habitats

Spot application with glyphosate or selective metsulfuron after a prescribed burn, parsnip is one of the first plants to green up

Minnesota and Federal Prohibited and Noxious Plants by Scientific Name

(compiled by the Minnesota DNR's Exotic Species Program 12-30-99)

Key: FN - Federal noxious weed (USDA-Animal Plant Health Inspection Service)
 SN - State noxious weed (Minnesota Department of Agriculture)
 RN - Restricted noxious weed (Minnesota Department of Agriculture)
 CN - State noxious weed in some counties (Minnesota Department of Agriculture)
 PE - Prohibited exotic species (Minnesota Department of Natural Resources)
 PS - State prohibited weed seed (Minnesota Department of Agriculture)
 RS - State restricted weed seed (Minnesota Department of Agriculture)
 (See explanation of these classifications below the lists of species)

Scientific Name	Common names	Regulatory Classification
Aquatic plants:		
<i>Azolla pinnata</i> R. Brown	mosquito fern, water velvet	FN
<i>Butomus umbellatus</i> Linnaeus	flowering rush	PE
<i>Crassula helmsii</i> (Kirk) Cockayne	Australian stonecrop	PE
<i>Eichornia azurea</i> (Swartz) Kunth	anchored waterhyacinth, rooted waterhyacinth	FN
<i>Hydrilla verticillata</i> (Linnaeus f.) Royle (Carl von Linnaeus) Royle	hydrilla	FN, PE
<i>Hygrophila polysperma</i> (Roxburgh) T. Anders	Indian swampweed, Miramar weed	FN, PE
<i>Ipomoea aquatica</i> Forsskal	water-spinach, swamp morning-glory	FN
<i>Lagarosiphon major</i> (Ridley) Moss ex Wagner	African oxygen weed	FN, PE
<i>Limnophila sessiliflora</i> (Vahl) Blume	ambulia	FN
<i>Lythrum salicaria</i> , <i>Lythrum virgatum</i> , or any variety, hybrid, or cultivar thereof) Linnaeus	purple loosestrife	PE, SN
<i>Melaleuca quinquinervia</i> (Cav.) Blake	broadleaf paper bark tree	FN
<i>Monochoria hastata</i> (Linnaeus) Solms-Laubach		FN
<i>Monochoria vaginalis</i> (Burman f.) C. Presl		FN
<i>Myriophyllum spicatum</i> Linnaeus	Eurasian water milfoil	PE
<i>Ottelia alismoides</i> (L.) Pers.		FN
<i>Potamogeton crispus</i> Linnaeus	curly-leaf pondweed	PE
<i>Sagittaria sagittifolia</i> Linnaeus	arrowhead	FN
<i>Salvinia auriculata</i> Aublet	giant salvinia	FN
<i>Salvinia biloba</i> Raddi	giant salvinia	FN
<i>Salvinia herzogii</i> de la Sota	giant salvinia	FN

Minnesota and Federal Prohibited and Noxious Weed List

12-30-99

<i>Salvinia molesta</i> D.S. Mitchell	aquarium watermoss, giant salvinia	FN
<i>Sparganium erectum</i> Linnaeus	exotic bur-reed	FN
<i>Stratiotes aloides</i> Linnaeus	water aloe or water soldiers	PE
<i>Trapa natans</i> Linnaeus	water chestnut	PE

Parasitic weeds:

<i>Aeginetia</i> spp.		FN
<i>Alectra</i> spp.		FN
<i>Cuscuta</i> spp. (dodders), other than following species:		FN

- Cuscuta americana* Linnaeus
- Cuscuta applanata* Engelm
- Cuscuta approximata* Babington
- Cuscuta attenuata* Waterfall
- Cuscuta boldinghii* Urban
- Cuscuta brachycalyx* (Yuncker) Yuncker
- Cuscuta californica* Hooker & Arnott
- Cuscuta campestris* Yuncker
- Cuscuta cassyoides* Nees ex Engelm
- Cuscuta ceanothii* Behr
- Cuscuta cephalanthii* Engelm
- Cuscuta compacta* Jussieu
- Cuscuta corylii* Engelm
- Cuscuta cuspidata* Engelm
- Cuscuta decipiens* Yuncker
- Cuscuta dentatasquamata* Yuncker
- Cuscuta denticulata* Engelm
- Cuscuta epilinum* Weihe
- Cuscuta epithymum* (Linnaeus) Linnaeus
- Cuscuta erosa* Yuncker
- Cuscuta europaea* Linnaeus
- Cuscuta exalta* Engelm
- Cuscuta fasciculata* Yuncker
- Cuscuta glabrior* (Engelm) Yuncker
- Cuscuta globulosa* Benth
- Cuscuta glomerata* Choisy
- Cuscuta gronovii* Willdenow
- Cuscuta harperi* Small
- Cuscuta howelliana* Rubtzoff
- Cuscuta indecora* Choisy
- Cuscuta jepsonii* Yuncker
- Cuscuta leptantha* Engelm
- Cuscuta mitriformis* Engelm
- Cuscuta nevadensis* I. M. Johnston
- Cuscuta obtusiflora* Humboldt, Bonpland, & Kunth
- Cuscuta occidentalis* Millspaugh ex Mill & Nuttall

Cuscuta odontolepis Engelman
Cuscuta pentagona Engelman
Cuscuta planiflora Tenore
Cuscuta plattensis A. Nelson
Cuscuta polygonorum Engelman
Cuscuta rostrata Shuttleworth ex Engelman
Cuscuta runyonii Yuncker
Cuscuta salina Engelman
Cuscuta sandwichiana Choisy
Cuscuta squamata Engelman
Cuscuta suaveolens Seringe
Cuscuta suksdorfii Yuncker
Cuscuta tuberculata Brandegee
Cuscuta umbellata Humboldt, Bonpland, & Kunth
Cuscuta umbrosa Beyrich ex Hooker
Cuscuta vetchii Brandegee
Cuscuta warneri Yuncker

Orobanche spp. (broomrapes), other than the following species:

FN

Orobanche bulbosa (Gray) G. Beck
Orobanche californica Schlechtendal & Chamisso
Orobanche cooperi (Gray) Heller
Orobanche corymbosa (Rydberg) Ferris
Orobanche dugesii (S. Watson) Munz
Orobanche fasciculata Nuttall
Orobanche ludoviciana Nuttall
Orobanche multicaulis Brandegee
Orobanche parishii (Jepson) Heckard
Orobanche pinorum Geyer ex Hooker
Orobanche uniflora Linnaeus
Orobanche valida Jepson
Orobanche vallicola (Jepson) Heckard

Striga spp.

Witchweeds

FN

Terrestrial weeds:

<i>Abutilon theophrasti</i>	velvetleaf	CN
<i>Ageratina adenophora</i> (Sprengel) King & Robinson (crofton weed)		FN
<i>Agropyron repens</i> L.	quackgrass	CN, RS
<i>Alliaria petiolata</i> (Formerly <i>Alliaria officinalis</i>)	garlic mustard	SN
<i>Alternanthera sessilis</i>	sessile joyweed	FN
(Linnaeus) R. Brown ex de Candolle		
<i>Amaranthus retroflexus</i>	redroot pigweed	CN

Minnesota and Federal Prohibited and Noxious Weed List

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<i>Amaranthus blitoides</i>	prostrate pigweed	CN
<i>Ambrosia artemisiifolia*</i>	common ragweed	CN
<i>Ambrosia trifida*</i>	giant ragweed	CN
<i>Arctium minus</i>	burdock	CN
<i>Artemisia absinthium *</i>	absinthe wormwood	CN
<i>Asclepias syriaca*</i>	common milkweed	CN
<i>Asphodelus fistulosus</i> Linnaeus	onionweed	FN
<i>Avena fatua</i>	wild oat	CN
<i>Avena sterilis</i> Linnaeus	animated oat, wild oat (including <i>Avena ludoviciana</i> Durieu)	FN
<i>Barbarea vulgaris</i>	yellow rocket	CN
<i>Berteroa incana</i> D.C.	hoary alyssum	CN, RS
<i>Borreria alata</i> (Aublet) de Candolle		FN
<i>Brassica arvensis</i> L.	wild mustard	RS
<i>Brassica kaber</i>	wild mustard	CN
<i>Cannabis sativa</i>	hemp	SN, PS
<i>Carduus acanthoides</i>	plumeless thistle	SN, PS
<i>Carduus nutans</i>	musk thistle	SN, PS
<i>Carthamus oxyacantha</i> M. Bieberstein	wild safflower	FN
<i>Cenchrus longispinus*</i>	long-spined sandbur	CN
<i>Centaurea maculosa</i>	spotted knapweed	CN
<i>Centaurea repens</i> L.	Russian knapweed	CN, PS
<i>Chenopodium album</i>	common lambsquarters	CN
<i>Cirsium arvense</i>	Canada thistle	SN, PS
<i>Cirsium vulgare</i>	bull thistle	SN, PS
<i>Chrysanthemum leucanthemum</i>	oxeye daisy	CN
<i>Chrysopogon aciculatus</i> (Retzius) Trinius	pilipiliula	FN
<i>Commelina benghalensis</i> Linnaeus	Benghal dayflower	FN
<i>Convolvulus arvensis</i>	Field bindweed	SN, PS
<i>Crepis capillaris</i>	smooth hawksbeard	CN
<i>Crepis tectorum</i>	narrowleaf hawksbeard	CN
<i>Crupina vulgaris</i> Cassini	common crupina	FN
<i>Cuscuta</i> spp.	dodder	RS

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<i>Cyperus esculentus</i>	yellow (nutgrass) nutsedge	CN
<i>Datura stramonium</i>	Jimsonweed	CN
<i>Daucus carota</i>	wild carrot	CN
<i>Descurainia sophia</i>	Flixweed	CN
<i>Digitaria scalarum</i> (Schweinfurth) Chiovenda	African couchgrass, fingergrass	FN
<i>Digitaria velutina</i> (Forsskal) Palisot de Beauvois	velvet fingergrass, annual conchgrass	FN
<i>Drymaria arenarioides</i>	lightning weed	FN
Humboldt & Bonpland ex Roemer & Schultes		
<i>Emex australis</i> Steinheil	three-cornered jack	FN
<i>Emex spinosa</i> (Linnaeus) Campdera	devil's thorn	FN
<i>Eriochloa villosa</i>	woolly cupgrass	CN
<i>Euphorbia esula</i>	leafy spurge	SN, PS
<i>Galega officinalis</i> Linnaeus	goatsrue	FN
<i>Grindelia squarrosa</i> *	curlycup gumweed	CN
<i>Heracleum mantegazzianum</i> Sommier & Levier	giant hogweed	FN
<i>Helianthus annuus</i> *	common sunflower (except cultivars)	CN
<i>Helianthus tuberosus</i> *	Jerusalem artichoke	CN
<i>Hibiscus trionum</i>	venice mallow	CN
<i>Hieracium aurantiacum</i>	orange hawkweed	CN
<i>Imperata brasiliensis</i> Trinius	Brazilian satintail	FN
<i>Imperata cylindrica</i> (Linnaeus) Raeuschel	cogongrass	FN
<i>Ipomoea triloba</i> Linnaeus	little bell, aiea morning-glory	FN
<i>Ischaemum rugosum</i> Salisbury	murainograss	FN
<i>Iva xanthifolia</i> *	marsh elder	CN
<i>Kochia scoparia</i>	kochia	CN
<i>Lepidium draba</i> L.	perennial peppergrass	PS
<i>Leptochloa chinensis</i> (Linnaeus) Nees	Asian sprangletop	FN
<i>Lychnis alba</i>	white cockle	CN
<i>Lycium ferocissimum</i> Miers	African boxthorn	FN
<i>Lythrum salicaria, virgatum</i> , or any combination	purple loosestrife	SN
<i>Melastoma malabathricum</i> Linnaeus		FN
<i>Mikania cordata</i> (Burman f.) B. L. Robinson	mile-a-minute	FN
<i>Mikania micrantha</i> Humboldt, Bonpland, & Kunth		FN

Minnesota and Federal Prohibited and Noxious Weed List

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<i>Mimosa invisa</i> Martius	giant sensitive plant	FN
<i>Mimosa pigra</i> Linneaus var. <i>pigra</i>	catclaw mimosa	FN
<i>Muhlenbergia frondosa</i> *	wirestem muhly	CN
<i>Nassella trichotoma</i> (Nees) Hackel ex Arechavaleta	serrated tussock	FN
<i>Opuntia aurantiaca</i> Lindley	jointed prickly pear	FN
<i>Oryza longistaminata</i> A. Chevalier & Roehrich	red rice	FN
<i>Oryza punctata</i> Kotschy ex Steudel	red rice	FN
<i>Oryza rufipogon</i> Griffith	red rice	FN
<i>Panicum dichotomiflorum</i>	fall panicum	CN
<i>Panicum miliaceum</i>	panicum, wild proso millet	CN
<i>Paspalum scrobiculatum</i> Linnaeus	Kodo-millet	FN
<i>Pennisetum clandestinum</i>	kikuyugrass	FN
	Hochstetter ex Chiovenda	
<i>Pennisetum macrourum</i> Trinius	African feathergrass	FN
<i>Pennisetum pedicellatum</i> Trinius	kyasumagrass	FN
<i>Pennisetum polystachion</i> (Linnaeus) Schultes	missiongrass, thin napiergrass	FN
<i>Plantago lanceolata</i> L.	buckhorn plantain	RS
<i>Polygonum convolvulus</i>	wild buckwheat	CN
<i>Polygonum pennsylvanicum</i> *	Pennsylvania smartweed	CN
<i>Polygonum persicaria</i>	smartweed, ladysthumb	CN
<i>Prosopis alata</i> R. A. Philippi		FN
<i>Prosopis argentina</i> Burkart		FN
<i>Prosopis articulata</i> S. Watson		FN
<i>Prosopis burkartii</i> Munoz		FN
<i>Prosopis caldenia</i> Burkart		FN
<i>Prosopis calingastana</i> Burkart		FN
<i>Prosopis campestris</i> Griseback		FN
<i>Prosopis castellanosi</i> Burkart		FN
<i>Prosopis denudans</i> Bentham		FN
<i>Prosopis elata</i> (Burkart) Burkart		FN
<i>Prosopis farcta</i> (Solander ex Russell) Macbride		FN
<i>Prosopis ferox</i> Grisebach		FN
<i>Prosopis fiebrigii</i> Harms		FN

Minnesota and Federal Prohibited and Noxious Weed List

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<i>Prosopis hassleri</i> Harms		FN
<i>Prosopis humilis</i> Gillies ex Hooker & Arnott		FN
<i>Prosopis kuntzei</i> Harms		FN
<i>Prosopis pallida</i> (Humboldt & Bonpland ex Willdenow) Humboldt, Bonpland, & Kunth		FN
<i>Prosopis palmeri</i> S. Watson		FN
<i>Prosopis reptans</i> Bentham var. <i>reptans</i>		FN
<i>Prosopis rojasiana</i> Burkart		FN
<i>Prosopis ruizlealii</i> Burkart		FN
<i>Prosopis ruscifolia</i> Grisebach		FN
<i>Prosopis sericantha</i> Gillies ex Hooker & Arnott		FN
<i>Prosopis strombulifera</i> (Lamarck) Bentham		FN
<i>Prosopis torquata</i> (Cavanilles ex Lagasca y Segura) de Candolle		FN
<i>Pteridium aquilinum</i> *	bracken	CN
<i>Pueraria lobata</i>	kudzu	FN
<i>Ranunculus acris</i>	tall buttercup	CN
<i>Raphanus raphanistrum</i>	wild radish	CN, RS
<i>Rhamnus cathartica</i>	common or European buckthorn	RN
<i>Rhamnus frangula</i>	glossy buckthorn, including all cultivars	RN
(<i>columnaris</i> , tallcole, <i>asplenifolia</i> and all other cultivars)	[effective December 31, 2000]	
<i>Rottboellia exaltata</i> Linnaeus f.	itchgrass, raoulgrass	FN
<i>Rubus fruticosus</i> Linnaeus (complex)	wild blackberry	FN
<i>Rubus moluccanus</i> Linnaeus	wild raspberry	FN
<i>Rumex crispus</i>	curly dock	CN
<i>Saccharum spontaneum</i> Linnaeus	wild sugarcane	FN
<i>Salsola kali</i>	Russian thistle	CN
<i>Salsola vermiculata</i> Linnaeus	wormleaf salsola	FN
<i>Setaria faberii</i>	giant foxtail	CN, RS
<i>Setaria pallide-fusca</i>	cattail grass	FN
(Schumacher) Stapf & Hubbard		
<i>Silene noctiflora</i>	nightflowering catchfly	CN
<i>Solanum carolinense</i> L.	horse nettle	RS
<i>Solanum nigrum</i>	black nightshade	CN
<i>Solanum ptycanthum</i> Dun	Eastern black nightshade	RS

Minnesota and Federal Prohibited and Noxious Weed List

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<i>Solanum rostratum</i> *	buffalobur	CN
<i>Solanum torvum</i> Swartz	turkeyberry	FN
<i>Solanum viarum</i> Dunal	tropical soda apple	FN
<i>Sonchus arvensis</i>	perennial sowthistle	SN, PS
<i>Sorghum alnum</i>	Sorghum-almum	CN
<i>Tanacetum vulgare</i>	tansy	CN
<i>Thlaspi arvense</i> L.	Frenchweed	RS
<i>Toxicodendron radicans</i> *	poison ivy (formerly <i>Rhus radicans</i>)	SN
<i>Tridax procumbens</i> Linnaeus	coat buttons	FN
<i>Urochloa panicoides</i> Beauvois	liverseed grass	FN
<i>Xanthium pennsylvanicum</i> *	common cocklebur	CN

*Native species to Minnesota

FEDERAL NOXIOUS WEED LIST (FN)

Federal noxious weeds are listed in the Code of Federal Regulations, title 7, section 360.200. According to the Federal Noxious Weed Act, Title 7, Chapter 61, section 2803, federal noxious weeds may not be imported into or through the United States, unless in accordance with conditions allowed by the USDA-APHIS. The sale, purchase, exchange, or receipt of federal noxious weeds is illegal. For more information contact: Kevin Conners at 612-334-4194.

PROHIBITED NOXIOUS WEEDS (SN)

These species are designated in M.R.1505.0730 by the Commissioner of Agriculture. The terrestrial and parasitic weeds listed in the Code of Federal Regulations, title 7, section 360.200 are also prohibited noxious weeds. The prohibited noxious weeds are designated because they are injurious to public health, the environment, public roads, crops, livestock, and other property. Prohibited noxious weeds must be controlled or eradicated as required in Minnesota Statutes, section 18.78. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123 or Charles.Dale@state.mn.us

RESTRICTED NOXIOUS WEEDS (RN)

The plants listed in M.R.1505.0732 are restricted noxious weeds. The importation, sale, and transportation of these plants or their propagating parts is illegal in the state except as provided by Minnesota Statutes, section 18.82. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123.

COUNTY NOXIOUS WEEDS (CN)

The Minnesota commissioner of agriculture may take a weed or weeds from the secondary noxious weed list in M.R.1505.0740 and add it to the prohibited or restricted noxious weed list in parts 1505.0730 and 1505.0732 on a county basis according to M.R. 1505.0750. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123.

PROHIBITED EXOTIC SPECIES (PE)

These species and any hybrids, cultivars, or varieties of the species are designated by the Department of Natural Resources in M.R. 6216.0250 as prohibited exotic species. It is illegal to possess, import, purchase, sell, propagate, transport, or introduce prohibited exotic species, except as allowed by statute. The statutes and rules that apply to these species are M.S. 84D05, 84D.08, 84D.10, 84D.11, 84D.13, M.R. 6216.0265, and M.R.6216.0280. For more information contact Jay Rendall, Minnesota Department of Natural Resources, at 651-297-1464 or jay.rendall@dnr.state.mn.us.

PROHIBITED WEED SEEDS (PS)

Prohibited weed seeds are prohibited from being present in agricultural, vegetable, flower, tree, and shrub seeds sold in Minnesota in accordance with Minnesota Statutes, section 21.86, subdivision 1, paragraph (d). The plants listed in M.R.1510.0271 are prohibited weed seeds. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123.

RESTRICTED WEED SEEDS (RS)

Minnesota's *restricted weed seeds* are those weed seeds which, if present in agricultural, vegetable, flower, tree, and shrub seed, must be named on the label together with the number per ounce or pound of seed specified and which may not exceed the legal limit. They are seeds of weeds which are objectionable in fields, lawns, and gardens of this state, and which can be controlled by good cultural practice and use of herbicides. Restricted weed seeds are listed in M.R. 1510.0320. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123.

Kyle Klatt

From: K.D. Widin [kdwidin@comcast.net]
Sent: Tuesday, September 08, 2009 10:15 AM
To: Kyle Klatt; Ryan W. Stempksi; Kelli Matzek; Stephen Mastey
Subject: Sanctuary Landscape Plan

Lake Elmo Staff -

I have reviewed the landscape plan for the Sanctuary development which was recently submitted to the city. The original landscape plan, which was approved by the Lake Elmo City Council, was never implemented by the developer. During the time which ensued since the development was approved, homes have been built and lots landscaped by property owners. Now that landscaping is in on private property and residents have had time to observe the land and vistas, they have expressed interest in changing the landscape plan to better fit the development as it is now and would prefer to enhance the natural land cover that exists there. Development funds available for landscaping are limited and Mr. Mastey's plan reflects what can be done by using a habitat restoration approach with the funds available.

The plan recently submitted is quite different than the one originally submitted, particularly in that it does not contain the several hundred boulevard trees originally proposed for the project.

Planting boulevard trees now, when a number of residents have already completed their front yard landscaping, was not favored by the Sanctuary homeowner's association. The open vistas of native prairie and wetland landscapes with enhanced native tree stands appeal to the residents who are already in the development. For open space developments, where conservation of natural areas and native plant communities is paramount, enhancing the plant communities already present on the site makes sense.

I have reviewed the site condition plan, which prioritizes areas for management of non-native invasive plants, the landscape plan and plant lists, which show some areas to be seeded with prairie grasses and wildflowers, and proposes planting nine large shade trees. All invasive plant management work and plantings will take place in common, open areas of the development such as designated outlots and open space.

Control of non-native, invasive plants is important in the restoration of native woodland, wetland and grassland habitats. The plan and recommendations for how this will be accomplished are appropriate in terms of the plants involved and the degree of habitat degradation in each area of the development.

Seeding of some areas of the development with native grasses and wildflowers will follow invasive plant management. The techniques and plants listed for this site are appropriate for the work which is being done and the end result desired. Buckthorn management for this project proposes 1 cutting and treating for larger buckthorn in native woodland areas of the development. Treating/pulling of seedlings will also need to be done for a number of years after the original treatment to keep the buckthorn from re-establishing in the woodlands. As the buckthorn is removed in future years, planting of native trees, shrubs, and ground-layer plants will be necessary to fully restore the area.

The nine shade trees to be planted are good species to be used, with few serious insect or disease problems. The tree size is larger than I would normally recommend, but a large (85 in.) tree spade will be used to transplant the trees. Mulching and watering for the trees is recommended for this fall and waterings are also scheduled for the 2010 growing season. After-care for such large trees is important to avoid additional transplant stress and attack by insect borers and fungal canker disease fungi. Part of the rationale for planting larger trees was also to avoid damage from bucks rubbing their antlers on smaller (1.5-3 in. diam.) trees and killing them. A deer control barrier will be put up around the tree trunks after planting to minimize deer damage. From a design perspective for this development, a few, large trees will make more of a visual impact while allowing the prairie

and wetland plant communities to be viewed. This type of plan, with fewer trees, will require less maintenance overall than a plan emphasizing many, smaller trees.

I approve the management plan and planting plan for this development. With the constraints upon this development, in terms of landscaping already planted by residents and limited funds available for common area landscaping, I think this is the best plan for the site at this time. Hopefully, the HOA will be able to accomplish additional work on this site in the future to further manage the open space and continue to establish higher quality natural areas.

Please contact me if you have any questions regarding this landscape plan review.

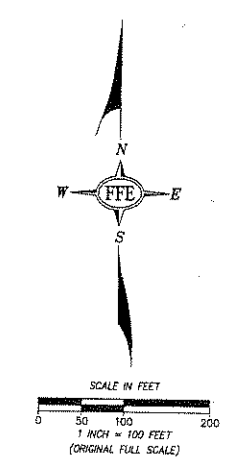
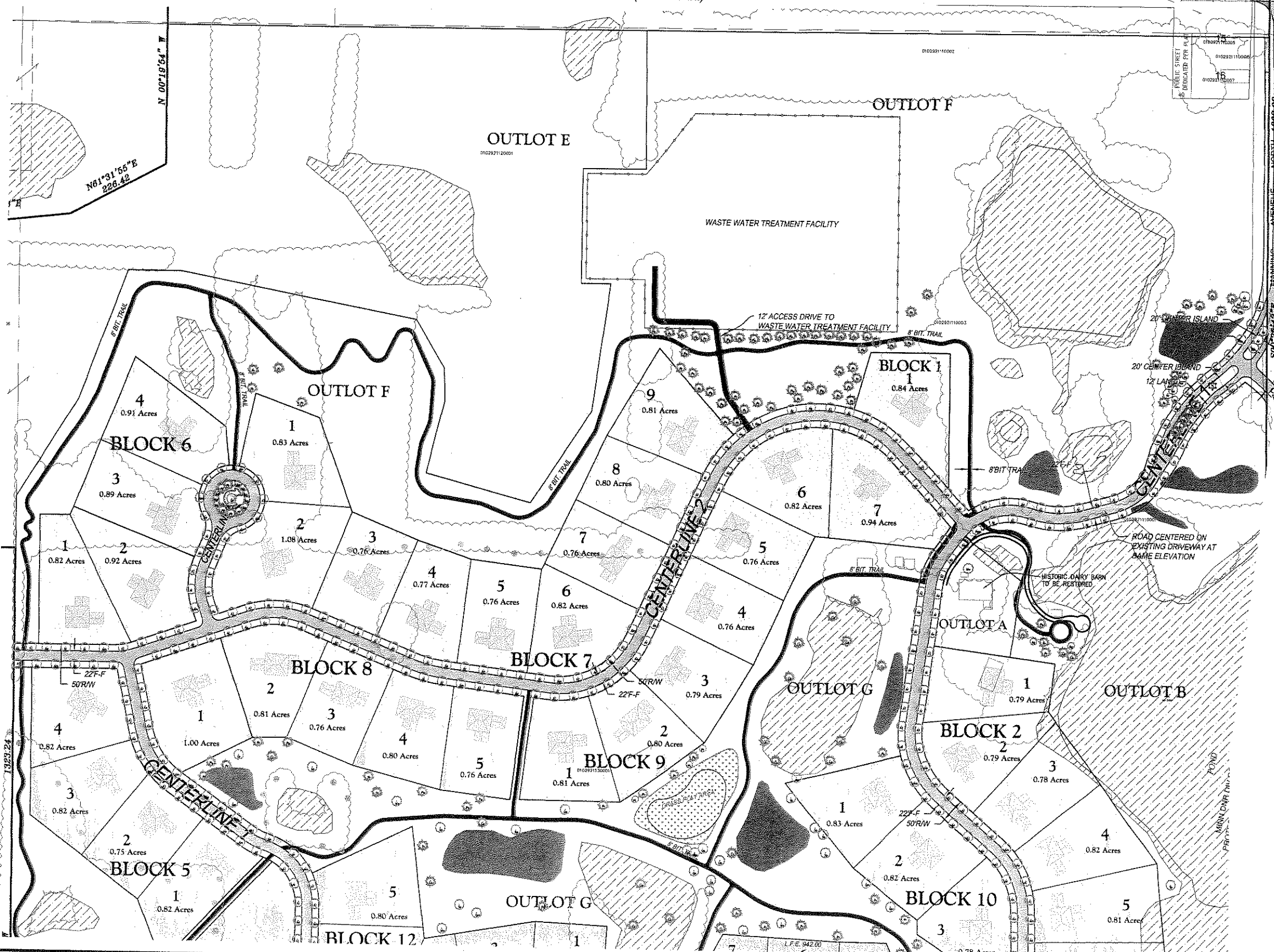
Kathy Widin
Forestry Consultant
City of Lake Elmo

SANCTUARY LAKE ELMO, MINNESOTA

PRELIMINARY PLAT LANDSCAPE PLAN (NORTH)

Folz, Freeman, Erickson, Inc.
LAND PLANNING • SURVEYING • ENGINEERING

F F E 5620 MEMORIAL AVENUE NORTH
STILLWATER, MINNESOTA 55082
Phone (651) 439-8833 Fax (651) 430-9331



TREE SCHEDULE: TOTAL # 590

DECIDUOUS TREES

Qty.	Key	Scientific Name	Common Name	Size	Root	Notes
67	Al	<i>Acer x freemanii</i> 'Jeffersred'	Autumn Blaze Maple	2" Cal.	B&B	Natural Form
62	Ar	<i>Acer rubrum</i>	Red Maple	2" Cal.	B&B	Natural Form
44	Am	<i>Acer rubrum</i> 'Armstrong'	Armstrong Maple	2" Cal.	B&B	Natural Form
39	As	<i>Acer rubrum</i> 'Autumn Spice'	Autumn Spice Maple	2" Cal.	B&B	Natural Form
42	Al	<i>Acer rubrum</i> 'Lodsbury'	Frederick Maple	2" Cal.	B&B	Natural Form
39	Ar	<i>Acer rubrum</i> 'Clear'	Northern Maple	2" Cal.	B&B	Natural Form
34	Ar	<i>Acer rubrum</i> 'Northwood'	Northwood Maple	2" Cal.	B&B	Natural Form
41	Ar	<i>Acer rubrum</i> 'Frankford'	Red Sunset Maple	2" Cal.	B&B	Natural Form
19	Sp	<i>Salix</i> 'Prairie Cascade'	Prairie Cascade Willow	2" Cal.	B&B	Natural Form
10	Qm	<i>Quercus macrocarpa</i>	Bur Oak	2" Cal.	B&B	Natural Form
10	Qe	<i>Quercus ellipsoidalis</i>	Northern Pin Oak	2" Cal.	B&B	Natural Form
13	Qr	<i>Quercus rubra</i>	Northern Red Oak	2" Cal.	B&B	Natural Form
6	Mw	<i>Malus</i> 'Wolf River'	Wolf River Apple	2" Cal.	B&B	Natural Form
14	Ag	<i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' Hgt.	B&B	Natural Form
3	Pl	<i>Populus tremuloides</i>	Quaking Aspen	2" Cal.	B&B	Natural Form

EVERGREEN TREES

Qty.	Key	Scientific Name	Common Name	Size	Root	Notes
88	Pt	<i>Pinus strobus</i>	White Pine	6' Hgt.	B&B	Natural Form
59	Pt	<i>Pinus resinosa</i>	Red Pine	6' Hgt.	B&B	Natural Form
30	La	<i>Larix laricina</i>	Tamarack	6' Hgt.	B&B	Natural Form

9/17/05
JFE

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SANCTUARY

LAKE ELMO, MINNESOTA

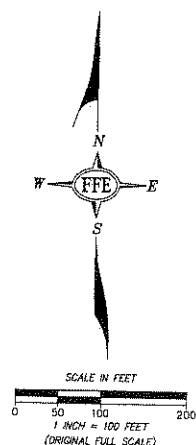
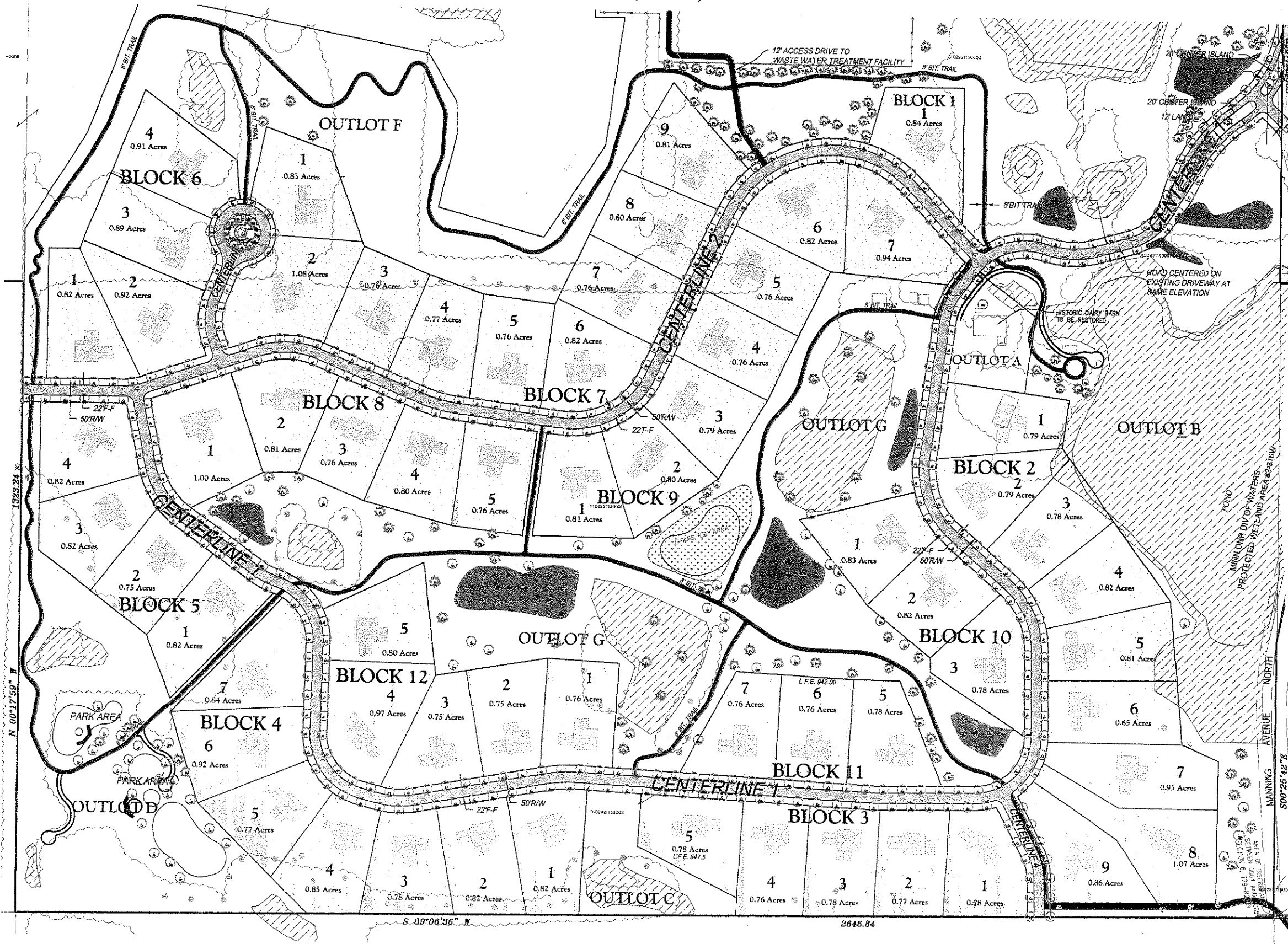
PRELIMINARY PLAT

LANDSCAPE PLAN (SOUTH)

Folz, Freeman, Erickson, Inc.
 LAND PLANNING • SURVEYING • ENGINEERING



5620 MEMORIAL AVENUE NORTH
 STILLWATER, MINNESOTA 55082
 Phone (651) 439-8833 Fax (651) 430-9331



DECIDUOUS TREES

Key	Scientific Name	Common Name	Size	Root	Notes
A1	<i>Acer x freemanii</i> 'Jefferson'	Autumn Blaze Maple	2" Cal.	B&B	Natural Form
A2	<i>Acer rubrum</i>	Red Maple	2" Cal.	B&B	Natural Form
Am	<i>Acer rubrum</i> 'Armstrong'	Armstrong Maple	2" Cal.	B&B	Natural Form
As	<i>Acer rubrum</i> 'Autumn Spire'	Autumn Spire Maple	2" Cal.	B&B	Natural Form
Al	<i>Acer rubrum</i> 'Landsburg'	Firestone Maple	2" Cal.	B&B	Natural Form
Ao	<i>Acer rubrum</i> 'Glacier'	Northline Maple	2" Cal.	B&B	Natural Form
An	<i>Acer rubrum</i> 'Northwood'	Northwood Maple	2" Cal.	B&B	Natural Form
Af	<i>Acer rubrum</i> 'Frankford'	Red Sunset Maple	2" Cal.	B&B	Natural Form
Sp	<i>Salix</i> 'Prairie Cascade'	Prairie Cascade Willow	2" Cal.	B&B	Natural Form
Qm	<i>Quercus macrocarpa</i>	Bur Oak	2" Cal.	B&B	Natural Form
Qc	<i>Quercus ellipsoidalis</i>	Northern Pin Oak	2" Cal.	B&B	Natural Form
Qr	<i>Quercus rubra</i>	Northern Red Oak	2" Cal.	B&B	Natural Form
Mw	<i>Malus</i> 'Wolf River'	Wolf River Apple	2" Cal.	B&B	Natural Form
Ag	<i>Amelander x grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' Hgt.	B&B	Natural Form
Pt	<i>Populus tremuloides</i>	Quaking Aspen	2" Cal.	B&B	Natural Form

EVERGREEN TREES

Ps	<i>Pinus strobus</i>	White Pine	6' Hgt.	B&B	Natural Form
Pv	<i>Pinus resinosa</i>	Red Pine	6' Hgt.	B&B	Natural Form
La	<i>Larix laricina</i>	Tamarack	6' Hgt.	B&B	Natural Form

9/17/05
 CFE

Planning Commission
Date: 9/14/09
Item: 5b

ITEM: **Addressing Buffer Setbacks in Open Space Preservation (OP) Developments**

SUBMITTED BY: Kelli Matzek, Planner

REVIEWED BY: Kyle Klatt, Planning Director

****Please bring the maps provided in the August Planning Commission packet for use during the discussion. A revised chart is being provided as a few changes have been made to the suggested buffer setbacks. The Prairie Hamlet development will be reviewed with respect to the extent of the development, as previously discussed at the August meeting.**

SUMMARY AND ACTION REQUESTED: At the July Planning Commission meeting, the commission was informed that a number of non-conformities exist in Open Space Preservation (OP) developments with regards to the buffer setback. Staff is now bringing forth information on seven of the nineteen OP developments for review by the commission. Staff has researched what was approved by the City Council at the time of approval for the various developments, provided maps of what this means with respect to structures on the property or buildable area remaining on a lot, and is recommending reduced buffer setbacks in some cases.

The Planning Commission is being asked to review the research and recommendations provided by staff on buffer setbacks in seven OP developments and to provide feedback on the proposed reduced buffer setbacks.

At this time staff is proceeding with addressing the non-conformities in the existing OP developments and will bring back a draft ordinance at a future date to revise the language for the buffer setback.

History of the Open Space Preservation Ordinance

The Open Space Preservation development ordinance was first written for Lake Elmo in the 1990's. The purpose of the ordinance is to provide a developer the ability to cluster more homes than otherwise permitted on smaller lots and to set aside land as preserved open space in perpetuity. Originally, an Open Space Preservation development required an additional step to rezone the property as OP before a development was reviewed and approved. Since then, this approach has been revised so that an OP development could be permitted by a conditional use permit in specific zoning districts, thereby eliminating the additional step of rezoning the property. Although the zoning district code language was repealed, the zoning of the existing developments was never retroactively returned to Agricultural or Rural Residential, and therefore the Open Space district remains on the zoning maps.

As a part of this ordinance from the beginning, a buffer setback (originally called a buffer zone) was identified as an effort to physically buffer the existing adjoining neighbors from the more densely built clustered homes. The buffer setback section of the ordinance has been revised a few times throughout the years to its current

form, which was last approved in 2001. A buffer setback has always been required, but has varied in depth from 100 to 200 feet and has been revised from once just requiring "main structures" to be outside the setback to all structures and road surfaces not at a 90 degree angle.

The OP ordinance permits the City Council to modify any of the minimum standards outlined in the ordinance by a 4/5 vote. Staff has found this clause has been used in altering the buffer setback requirement in some of the OP developments.

Current Issues:

Staff has found difficulty in implementing the current buffer setback due to its revisions over time and its resulting impact on existing developments as well as the unknown intent at the time of development review. At this time, staff is seeking to clarify this information for existing OP developments by clearly establishing the buffer setback in each development.

ADDITIONAL INFORMATION:

- At the July 7, 2009 City Council meeting, a resolution was approved reducing the 200 foot buffer setback in Tana Ridge and Parkview Estates developments from 200 feet to generally 50 feet, although one lot in Parkview Estates was provided an additional reduction to 20 feet.
- Staff received an appeal application on the denial of a building permit application. The applicant lives on Lily Avenue in the Tana Ridge neighborhood and applied to build an in-ground pool in the rear yard. Staff found this would not be permitted as it falls within the buffer setback of the OP development. The City Council approved a buffer setback reduction in the development and the applicant withdrew their appeal application.
- The City Council recently approved a variance for an in-ground pool and spa at 2931 Jonquil Trail North. Due to unique circumstances, the pool and spa were permitted to be 12 feet within the 100 foot buffer setback in the Farms of Lake Elmo development.
- The Open Space Preservation ordinance was revised in 2008 to address concern over the impervious surface requirement in the developments. Staff found numerous non-conformities in existing developments. The impervious surface requirement was raised to twenty percent with an additional five percent permitted if mitigation measures were approved.

RECOMMENDATION:

At this time, staff is asking the Planning Commission to review the research and recommendations provided by staff and to provide feedback on the proposed reduced buffer setbacks.

ATTACHMENTS (1):

1. Staff recommendation table

Existing OP Development	Existing Buffer Setback (200 Ft unless otherwise noted)	What we think was approved, but was not officially approved by the Council	Proposed Buffer Setback	Reasoning behind Recommendation:	Notes:
St. Croix's Sanctuary (RR)	200 Ft; all edges	Assuming 200 ft from N and E; 100 ft from S and W	100 Ft from E; 50 Ft from S and W; 200 Ft from N	<p>Eastern Edge - Manning Avenue borders eastern edge of development along with a minimum 100 foot wide outlet covered by a conservation easement and therefore unbuildable</p> <p>Southern Edge - The development borders property eligible for OP development based on property size which allows a reduced buffer setback to 100 feet; staff is recommending 50 feet to continue providing a buffer between this development and any future development to the South while allowing the properties platted up to the edge of the development the ability to utilize a backyard for a structure</p> <p>Western Edge - Again, the development borders property eligible for OP development based on property size; both properties that would be affected by this reduction back up to an outlet or currently undeveloped city park</p> <p>Northern Edge - Whether the setback is 200 feet or 0 feet; the entire area is covered by conservation easements in an outlet and would not have future private structures built on that property, which abuts State Highway 36</p>	

Existing OP Development	Existing Buffer Setback (200 Ft unless otherwise noted)	What we think was approved, but was not officially approved by the Council	Proposed Buffer Setback	Reasoning behind Recommendation:	Notes:
Discover Crossing (RR)	200 ft from S; 100 Ft from W		<p>100 Ft from E and S; 200 Ft from the N; and 50 Ft from the W</p>	<p>Eastern Edge - County Road 13 (Lake Elmo Avenue) borders the development on the Eastern edge; this would reduce the non-conformity existing and would allow the lots to again be buildable while providing a 100 foot setback</p> <p>Southern Edge - While the property to the South of this development is not eligible for OP development due to insufficient parcel size, a buffer already exists in the form of an outlot of over 100 feet in width buffering the existing homes from the future development</p> <p>Northern Edge - Staff is recommending maintaining a 200 foot setback, although would understand if a reduced setback was established. A 200 foot setback was thought to be appropriate as the neighboring property to the North is not eligible for OP development due to lot size and zoning designation. Although the 200 foot setback does encroach on one private property, it does not detract from the buildability of the property.</p> <p>Western Edge - The development borders property eligible for OP development based on property size and was actually platted to stub into that property for future connectivity; the properties affected by this change would have room in the rear yard to place a conforming structure or, in the case of the vacant lots, would have additional options in which to configure a home location</p>	

Existing OP Development	Existing Buffer Setback (200 Ft unless otherwise noted)	What we think was approved, but was not officially approved by the Council	Proposed Buffer Setback	Reasoning behind Recommendation:	Notes:
Whistling Valley I (Ag)	0 Ft from E; 100 feet from W;	0 Ft from N; 0 Ft from South	0 Ft from S, E, N, and W	<p>Eastern Edge - this has already been approved by Council at the time of the development approval</p> <p>Northern Edge - Staff is recommending a 0 Ft setback; if the goal is to eliminate existing non-conformities, even with a 50 foot setback, the home furthest to the North would remain non-conforming; the Regional Park Reserve is located to the north and serves as a dedicated open space;</p> <p>Southern Edge - A buffer setback of 200 feet would not impact any private land; staff suggested 0 instead of 200 for consistency - it would be fine to leave it at 200</p> <p>Western Edge - two homes exist in a non-conforming location with a 100 foot setback; reducing the setback to 50 feet would make the homes conforming but would reduce the ability to put a conforming structure in the rear yard of the property; for a majority of the Western edge, the development abuts Whistling Valley III which could be considered an extension of this development and therefore no buffer setback would be required, the remaining West edge abuts a parcel eligible for OP development due to sufficient parcel size which would provide an opportunity for creating a sizeable buffer should that property be developed in the future</p>	Staff report says there should be no setback from regional park, but no Council action to that affect

Existing OP Development	Existing Buffer Setback (200 Ft unless otherwise noted)	What we think was approved, but was not officially approved by the Council	Proposed Buffer Setback	Reasoning behind Recommendation:	Notes:
Whistling Valley II (RR)	85 Ft for Lot 1, Block 1 from W edge	0 Ft from N and E edge	85 Ft from W, 100 from S, 0 from E and N	<p>Northern Edge - the property abuts the Regional Park which provides a dedicated open space; a reduction to 100 ft would not eliminate all non-conforming houses</p> <p>Western Edge - maintain the reduced buffer setback approved by Council at the time of the development</p> <p>Southern Edge - This would eliminate additional, greater front yard setbacks for three properties; the lots are already separate from County Road 10 (10th Street) by an outlot with a conservation easement</p> <p>Eastern Edge - Staff is recommending a 0 foot setback as the lots abut either Keats Avenue North or a strip of land that is part of the Regional Park Reserve - a protected open space; establishing a buffer setback in this location greater than 50 feet would severely impact the buildability of at least two platted lots</p>	

<p>Whistling Valley III (RR)</p>	<p>Res. Says CC allows a reduction in 100 ft buffer setback from E</p>	<p>100 ft from N, W, and S</p>	<p>0 foot setback; all edges</p>	<p>Staff is recommending a 0 foot setback from all edges of the development as the lots are clustered toward the center of the parcel. However, the development was given a 4/5 exception to minimum size parcel needed to be developed as an OP, thereby reducing the amount of space available to buffer the platted lots. The property to the North, West, and Most of the South are eligible for OP development based on lot size. The setback from the W, S, and E could be left at 100 feet as it would no longer impact the residential lots. This development stubs to the North to create a connection for future development of that parcel, which could provide additional buffering, if necessary at that time.</p> <p>Eastern Edge - The property to the East is Whistling Valley I.</p>	<p>Unclear in Resolution</p>
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Existing OP Development	Existing Buffer Setback (200 Ft unless otherwise noted)	What we think was approved, but was not officially approved by the Council	Proposed Buffer Setback	Reasoning behind Recommendation:	Notes:
Farms of Lake Elmo (RR)	100 ft from W, S, and E; 200 ft from N		50 Ft from S and E; 200 Ft from N and 100 Ft from West	<p>Southern Edge - Although the City Council already reduced this buffer setback to 100 feet at the time of the development, if the intention is to eliminate non-conformities; the setback would need to be reduced to 50 feet and even then it is close for the Southwest corner lot</p> <p>Northern Edge - this setback only applies to a few properties and that is due to a neighbor's parcel that is landlocked inside the borders of this development (an unusual situation); a 200 foot setback could be retained without maintaining any non-conformities or eliminating the ability to build a home, but would reduce the buildability of a few rear yards</p> <p>Western Edge - A 100 foot setback would not encumber a lot to make it unbuildable, but would reduce the area for a conforming accessory structure; a 50 foot buffer exists in the form of an outlet to provide a physical barrier from the adjacent properties</p> <p>Eastern Edge - a 50 foot setback would eliminate the non-conformities with regards to the home, but not the existing accessory structure in the Southeast corner of the development (pool); while staff would support a 0 foot setback from this edge of the development as it abuts the Regional Park Reserve, the 50 foot was suggested as a previous City Council had established a 100 foot setback</p>	(CC minutes 4-5-05)

Existing OP Development	Existing Buffer Setback (200 Ft unless otherwise noted)	What we think was approved, but was not officially approved by the Council	Proposed Buffer Setback	Reasoning behind Recommendation:	Notes:
Prairie Hamlet (OP)	200 Ft; all edges		50 Ft setback from S and W; 0 Ft from N and E	<p>Northern Edge - Whether the setback is 200 feet or 0 feet; the entire area is covered by conservation easements in an outlet and would not have future private structures built on that property, which abuts State Highway 36</p> <p>Western Edge - Although a 100 foot setback could be established without excluding much private land from accessory structure construction; the actual implementation of this would be difficult due to the curve in the development; it would provide minimal buffer setback functionality</p> <p>Southern Edge - in order to eliminate existing non-conformities, a 50 foot setback would suffice while providing minimal back yard area for a permitted accessory structure</p> <p>Eastern Edge - Whether the setback is reduced to 100 feet or 0 feet, the setback would not (or negligibly) encroach on private property and the non-conformities would be eliminated</p>	
A staff recommendation of 0 feet is often because there is a significant break between the lot and a neighboring lot (large open space area protected by conservation easement, roadway, etc.) and the area is likely already precluded from development					

Planning Commission
Date: 9/14/09
Economic Development Recommendations
Business Item
Item: 5c

ITEM: Request to Develop Recommendations on City Activities for Economic Development Activities

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Kelli Matzek, City Planner
Craig Dawson, Interim City Administrator

SUMMARY AND ACTION REQUESTED:

The Planning Commission has continued a discussion on recommended economic development activities at its past two meetings. This item is again on the agenda for September 14, 2009 and staff is requesting that Commissioners bring their materials from the last meeting with them rather than making additional copies of the same information. For those that would like a new copy of the previous meeting materials, please contact staff in advance of the meeting.

RECOMMENDATION:

Staff is recommending that the Planning Commission review the revised list and authorize staff to present this document to the City Council as an initial response to the Council's request.

ATTACHMENTS:

1. Revised List of Potential Economic Development Activities and Standards

ORDER OF BUSINESS:

- Introduction and Presentation by Staff Kyle Klatt, Planning Director
- Questions from the Commission Chair & Commission Members
- Planning Commission Discussion Chair Facilitates
- Action by the Planning Commission Chair & Commission Members