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Lake Elmo, MN 55042

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, March 10, 2014 at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. February 24, 2014
4. Public Hearing
 - a. ZONING TEXT AMENDMENT – ACCESSORY BUILDING ORDINANCE.
The Planning Commission will hold a public hearing on a draft ordinance updating the City's accessory building provisions.
5. Business Items
 - a. SCHILTGEN FARMS, PARCEL B SKETCH PLAN – The Planning Commission is asked to review a proposed Sketch Plan for a 103 unit single family residential subdivision on a 39.84 acre parcel in the Village Planning Area. The PID for the subject property is 12.029.21.33.0001.
 - b. OUTDOOR WEDDING VENUE ORDINANCE – The Planning Commission is asked to review a draft ordinance of the Outdoor Wedding Venue Ordinance in advance of a future public hearing.
6. Updates
 - a. City Council Updates:
 - i. No planning and zoning updates from the previous City Council Meeting.
 - ii. City Council is planning on a joint workshop with the Planning Commission to discuss Thrive 2040 population forecasts – April 8th, 2014
 - b. Staff Updates
 - i. Upcoming Meetings:
 - March 24, 2014
 - April 14, 2014
 - c. Commission Concerns
7. Adjourn



**City of Lake Elmo
Planning Commission Meeting
Minutes of February 24, 2014**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Williams, Yocum, Dodson, Haggard, Kreimer, Lundgren, Dorschner

COMMISSIONERS ABSENT: Morreale and Larson

STAFF PRESENT: Community Development Director Klatt

Approve Agenda:

M/S/P: Williams/Dodson, move to approve the agenda as amended, ***Vote: 7-0, motion carried unanimously.***

Approve Minutes: February 10, 2014

M/S/P: Dodson/Lundgren, move to approve minutes as amended, ***Vote: 6-0, motion carried unanimously with Williams abstaining.***

Public Hearing: None

Business Item: Zoning Text Amendment – Accessory Building Ordinance

Klatt started his presentation by giving an overview of the presentation from the last meeting and talking about the recommended changes. The key for this discussion is the size and permitted number of buildings in the rural districts. A public hearing has been set for March 10, 2014.

Williams asked for clarification of an attached garage and what uses constitute garage vs home.

Klatt suggested changing the definition for detached structures to make it more clear.

Kreimer asked how the size of a principal structure is determined, and whether footprint or total square footage would be used? Klatt stated that it should be the building footprint.

Haggard asked about agricultural buildings. Klatt explained that agricultural buildings have to be on 20 acres or more.

The commission indicated that there should be more flexibility in the number of buildings and stated that on 5 acres or more, 2 buildings would be appropriate. The Commission did not feel that the maximum square footage needed to be changed.

Williams expressed that the exemption pertaining to chicken coops and animal buildings should be limited to a 200 square foot total.

Williams asked about the setbacks for LDR. Klatt reviewed the required structure setbacks in a LDR district.

Haggard stated that if setbacks were a problem than larger lots should be required.

The Commission discussed the placement garages within LDR and VMX zoning districts. Williams suggested that the Commission's concerns be brought to the Council before a lot of discussion time is put in on this item.

Haggard asked if there was any limitation on materials people can use. Kyle stated that there are materials requirements and that pole type buildings are only allowed in the rural districts.

Business Item: Outdoor Social Event Discussion

Carol Palmquist requested to speak on this topic. Klatt discussed the history regarding outdoor social events. Klatt is looking for some feedback and to establish whether or not there is any interest by the Planning Commission to pursue this topic further.

Ms. Palmquist, 12202 55th Street, currently operates a vineyard that has been in business for about 17 years. The winery that she works with approached her and inquired if she would be interested in allowing wedding ceremonies at the vineyard. At this time Ms. Palmquist is interested in holding ceremonies at the vineyard, but no receptions. Ms. Palmquist gave the Planning Commission an overview of what she is interested in doing.

Dorschner asked for additional information concerning the proposed receptions. Ms. Palmquist clarified that she would like to partner with others to have receptions at another site.

Williams asked how to avoid people parking on the street and asked what the music would entail. Palmquist stated that the music might include a vocalist, violin, keyboard and traditional music as bride walks down the aisle. Some of this music might be amplified.

Dodson asked how this property is zoned. Klatt stated that it is zoned A. Dodson wanted to know how this request differed from agricultural entertainment businesses. Klatt explained that the agricultural entertainment use has an agricultural component while the proposed wedding venue ordinance would not.

Dorschner stated this is a large piece of property and that noise shouldn't be a problem. Palmquist stated that she did have a wedding on the property in the past. Dodson asked if there was ever a complaint in the past. Palmquist stated that there were previous complaints about a violin and cello.

Haggard stated that noise does carry and expressed her concern regarding outdoor events on other portions of the community.

Klatt stated that Afton recently adopted a wedding venue ordinance which might be a good guide for this request.

Dorschner stated that this type of venue is desirable in Lake Elmo, but it might not work for other properties. He questioned if there is a minimum acreage that would be required? Klatt stated that if they choose to move forward, staff would recommend that the use be regulated as an IUP vs. a CUP so it is for a limited time frame and does not run with the property. If the Planning Commission chooses to go ahead with the proposal, the City would need to work on what districts it would be allowed in and what standards would apply.

Haggard stated that her only concern would be the noise.

Williams suggested putting this back on the agenda for the next meeting. Klatt suggested taking the Afton ordinance and looking at what Ms. Palmquist is interested in doing and coming up with a draft ordinance for the next meeting. Dodson would like to see the agricultural entertainment ordinance reviewed to see if that should be broadened as well.

Business Item: Cul-De-Sac Discussion

Williams would like the Planning Commission to discuss if there should be more connecting streets, especially in the Old Village.

Dodson's concern with Easton Village is that there are so many long dead end streets and does not like it aesthetically.

Haggard expressed concerns about fire, police, snowplows and buses being able to navigate all the cul-de-sacs.

Williams stated his concern about the feel of new neighborhoods, and specifically that the recently considered Village sketch plan does not include much connectivity and walkability.

Kreimer agreed with other comments, but noted that there is also a sense of safety and privacy on these streets.

Williams indicated that something should be added to the City Code that addresses Cul-de-sacs. He suggested language that would require a trail within 500 feet of every home. Klatt stated that he can do more research on this type of provision.

Yocum stated her preference for cul-de-sacs because traffic speeds are lower and it is safer for children and families.

Haggard would like to see a healthy balance between Cul-de-sacs and pedestrian connectivity.

Kreimer asked for a requirement in the code specifying that if a Cul-de-sac is over a certain number of feet, that there then has to be pedestrian connectivity. He questioned the efficiency of snow removal within a cul-de-sac. Klatt stated that Public Works prefers streets without Cul-de-sacs as they are easier and much quicker to plow.

Lundgren stated that she would like to see a healthy balance between Cul-de-sacs and regular roads in addition to sidewalks on both sides of street in the heavy traffic areas.

Planning Commission in general agreement concerning the concept of trail access, especially in the Village planning area. Klatt stated that he would conduct some research for a potential code amendment. Klatt said that he would not recommend a ban on Cul-de-sacs entirely, but that the Commission could look into requiring access to trails in future subdivisions.

Haggard questioned what distinguishes a sidewalk versus a trail. Klatt stated that a sidewalk is typically 4-6 feet wide, while a trail is over 6 feet wide and generally not in the boulevard area. Klatt stated that definitions might be useful for these terms in the code.

Council Updates

Klatt reported that at the Feb 18, 2014 City Council Meeting:

1. The City Council approved the Final Plat of the first phase of the Savona residential subdivision with 16 conditions of approval adding a requirement for an affidavit from the 3 affected properties for the street alignment.

2. The City Council approved the Zoning Map Amendment to rezone the parcels associated with the Savona Subdivision from RT to LDR and MDR.
3. The City Council approved the updates to the City's animal ordinance with a few minor amendments including reducing the minimum lot size to .75 acres and increasing the number of chickens allowed.
4. The City Council adopted an ordinance to reimburse the City for the costs of the Village AUAR study. Any property that develops in the Village will be required to pay \$230 per REC unit and will be exempt from further environmental studies.

Staff Updates

1. Upcoming Meetings
 - a. March 10, 2014
 - b. March 24, 2014
2. Update on met council regional forecasts. The City has received an updated 2040 population and household forecast from the Met Council, which will be used to guide the City's next comprehensive plan update. The City's forecast for population was reduced from 24,000 to 20,200. This is a little bit higher than the City Council's preference for a 2040 population of 18,000. Klatt noted that this is a draft number and that the City will be able to formally comment on the final draft amount.

Commission Concerns - None

Meeting adjourned at 9:15pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant



PLANNING COMMISSION
DATE: 3/10/14
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2014 - 10

ITEM: Zoning Text Amendment – Accessory Building Ordinance Updates

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is asked to hold a public hearing to review a draft ordinance updating the City’s provisions related to accessory buildings. The Planning Commission reviewed the draft ordinance at meetings on 2/10/14 and 2/24/14. Staff is recommending that the Planning Commission recommend the proposed Accessory Building Ordinance for approval to the City Council.

REQUEST DETAILS

In an effort to reorganize and improve the City’s accessory building provisions, Staff has been working on a draft ordinance. As a result of the previous reviews of the proposed accessory building provisions by the Planning Commission, Staff has made several updates to the draft ordinance. Specifically related to the Planning Commission review on 2/24/14, the following changes to the draft ordinance have been incorporated (shown in redlines):

- The building type and definition of a detached residential garage was changed to a more general type of structure: detached residential accessory building.
- Regarding exempt structures, clarification was added to gazebos, detached decks and animal structures, better defining the total amount of square footage allowed.
- In terms the allowed size and number of buildings in the rural districts, Staff made two changes to Table 9-3. First, the lot size category was changed from “5,000 square feet – 1 acre” to “under 1 acre”. Second, the number of permitted buildings in the 5-10 and 10-15 acre categories was changed from 1 to 2 buildings.
- A provision was added to allow for additional accessory buildings in RR and A zones beyond the permitted number via conditional use permit.
- Related to attached garages, clarification was added to note that the size of the attached garage cannot exceed the “footprint” size of the principal building.

In addition to these changes, Staff is also working to respond to the Planning Commission discussion regarding the size of attached garages in the urban residential zoning districts. There was some discussion about whether or not it would be difficult for single family home builders to meet the 60% maximum width for the attached garage with their home plans given the size of some of the lots. Staff has reached out to some of the single family home builders, including national builders, to determine if the 60% maximum width for garages presents a significant problem. Staff will present whatever findings are reached at the meeting Monday evening.

RECCOMENDATION:

Staff is recommending that the Planning Commission recommend approval of the proposed Accessory Building Ordinance through the following motion:

“Move to recommend approval of the proposed Accessory Building Ordinance.”

ATTACHMENTS:

1. Draft Accessory Building Ordinance, dated 3/10/14

ORDER OF BUSINESS:

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

ARTICLE 5. GENERAL REGULATIONS

§154.213 Accessory Buildings and Structures, Generally

§154.213 Accessory Buildings and Structures, Generally

- A. *Purpose.* Within the city of Lake Elmo, the following provisions shall apply to accessory building and structures in all zoning districts.
- B. *Definitions.* The following words, terms and phrases, when used in this section, and all sections pertaining to accessory buildings or structures, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- Agricultural Farm Building.* An accessory building used or intended for use on an active commercial food-producing farm operation of more than 20 acres. A Minnesota Pollution Control Agency permit may be required.
- Detached Domesticated Farm Animal Building.* A 1-story accessory building used or intended for the shelter of domestic farm animals and/or related feed or other farm animal supportive materials. The building may require a Minnesota Pollution Control Agency feedlot permit in addition to site and building plan approval.
- Detached Residential ~~Accessory Building~~Garage.* A 1-story accessory building primarily used or intended for the storage of automobiles and other miscellaneous equipment. ~~motor driven passenger vehicles~~. No door or other access opening shall exceed 14 feet in height.
- Storage or Tool Shed.* A 1-story accessory building of less than 160 square feet gross area with a maximum roof height of 12 feet.
- C. *Permit Required.* All accessory building and structures require either a certificate of zoning compliance or a building permit as determined by the Minnesota State Building Code.
- D. *Principal Structure Necessary.* No accessory buildings or structures shall be constructed nor accessory use located on a lot until a building permit has been issued for the principal structure to which it is accessory.
- E. *Proximity to Principal Structure.* Accessory buildings shall maintain a six (6) foot setback from the principal structure. An accessory building or structure will be considered as an integral part of the principal building if it is located six (6) feet or less from the principal structure.
- F. *Storage or Tool Sheds.* A storage or tool shed as defined in this section may be placed on any lot in addition to the permitted number of accessory buildings.
- G. *Exempt Structures.* The following residential improvements shall be exempt from the maximum allowed structure size and number requirements in residential districts:
1. Unenclosed playhouses
 2. Gazebos up to a total of 120 square feet in size and a maximum of twelve (12) feet in overall height
 3. Detached decks over thirty (30) inches in height up to a total of 120 square feet in size
 4. Outdoor swimming pools
 5. Patios
 6. Tennis and sport courts
 7. Structures, sheds or coops up to a total of two hundred (200) square feet in size used to house permitted animals, such as chickens, horses, or other livestock. These structures must not exceed twelve (12) feet in height and must meet all required setbacks per MPCA guidelines and the City's animal ordinances.

§154.214 Pole Construction Buildings

- A. *Pole Construction Buildings, A and RR Districts.*
 1. Pole construction buildings are permitted in the A and RR zoning districts subject to the setbacks and other performance standards required under the Zoning Code.
 2. Pole construction buildings are prohibited on properties zoned A and RR where a conditional use permit has been issued for an open space preservation (OP) development.
- B. *Pole Construction Buildings, RS District.* Pole construction buildings are permitted in the RS zoning district only on parcels that are abutted by land zoned Rural Residential (RR) or Agricultural (A) Zoned along 75% or more of the perimeter of the subject parcel.

ARTICLE 9. RURAL DISTRICTS

§154.406 Accessory Structures, Rural Districts.

- A. *Size and Number.* The maximum number and size of accessory buildings permitted in rural zoning districts are outlined in Table 9-3:

Table 9-3: Accessory Buildings, Rural Zoning Districts

Lot Size	Maximum Structure Size ^a (square feet)	No. of Permitted Bldgs
5,000 sq. ft. <u>under 1 acre</u>	1,200 ^b	1
1 - 2 acres	1,200	1
2 - 5 acres	1,300	1
5 - 10 acres	2,000	1
10 - 15 acres	2,500	1
15 - 20 acres	3,000	2
20 - 40 acres	4,000	2
40+ acres	Unregulated ^c	Unregulated ^c

Notes to Table 9-3

- a. Maximum structure size accounts for the total maximum area allowed for all permitted accessory structures combined.
- b. The 1,200 square foot allowance is for the combined area of the attached and detached accessory structure or residential garage.
- c. To be allowed additional accessory buildings beyond two total buildings, the buildings must be agricultural buildings as defined in §154.213 or clearly serve an agricultural purpose in the judgment of the City.
- C. *Additional Accessory Buildings. Allowances for additional accessory buildings in A and RR zones may be considered via a conditional use permit.*
- D. *Structure Height, Rural Districts.* No accessory building shall exceed twenty-two (22) feet in height or the height of the principal structure, with the exception of buildings that are intended for a farming or other agricultural use in the judgment of the City. Building projections or features, such as chimneys, cupolas, and similar decorations that do not exceed twenty-five (25) feet in height are permitted in rural districts.

- E. *Structure Location, Rural Districts.* No detached garages or other accessory buildings shall be located nearer the front lot line than the principal building on that lot, unless, by Resolution of the City Council, an exception is made to permit a detached garage or accessory structure nearer the front lot line than the principal building.
- F. *Exterior Design and Color.* The exterior building materials, design and color of all accessory building or structures shall be similar to or compatible with the principal building, with the exception of the following accessory building or structures:
 - 1. Detached domesticated farm animal buildings
 - 2. Agricultural farm buildings
 - 3. Pole buildings, as defined and regulated in §154.214.
 - 4. Gazebos
 - 5. Swimming pools
 - 6. Other structures in which the required design is integral to the intended use, such as a greenhouse.
- F. *Openings and Doors.* Garage doors and other openings shall not exceed fourteen (14) feet in height for all accessory structures, with the exception of buildings that are intended for a farming or other agricultural use in the judgment of the City.
- G. *Attached Garages, Size.* Attached garages must not exceed the footprint size of the principal building.

ARTICLE 10. URBAN RESIDENTIAL DISTRICTS

§154.456 Residential Accessory Structures, Urban Residential Districts.

- A. *Attached Structures, Urban Residential Districts.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:
 - 1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located; and
 - 2. The structure shall not exceed the height of the principal building to which it is attached.
- B. *Attached Garages, Urban Residential Districts*
 - 1. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:
 - a. The front of the garage is recessed at least 4 feet behind the plane of the primary facade; or
 - b. The front of the garage is recessed at least 4 feet behind a porch if the garage is even with the primary façade.
 - 2. The width of the attached garage shall not exceed 60% of the width of the entire principal building façade (including garage) fronting the primary street.
 - 3. Attached garages shall not exceed 1,000 square feet in area at the ground floor level except by conditional use permit.

4. Garage doors or openings shall not exceed 14 feet in height.
- C. *Detached Structures, Urban Residential Districts.* Detached accessory structures shall be permitted in residential districts in accordance with the following requirements:
1. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
 2. Detached garages shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of 22 feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.
 3. Pole barns, as defined herein, exceeding 120 square feet shall be prohibited.
 4. No more than 30% of the rear yard area may be covered by accessory structures.
 5. Garage doors or openings shall not exceed 14 feet in height.
- D. *Exterior Design and Color, All Accessory Structures.* The exterior building materials, design and color of all accessory building or structures shall be similar to or compatible with the principal building, with the exception of the following accessory building or structures:
1. Gazebos
 2. Swimming pools
 3. Tennis and sport courts
 4. Other structures in which the required design is integral to the intended use, such as a greenhouse.

ARTICLE 11. VILLAGE MIXED-USE DISTRICT

§154.508 Residential Accessory Structures, Village Mixed-Use District.

- A. *Attached Structures, Village Mixed-Use District.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:
1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.
 2. The structure shall not exceed the height of the principal building to which it is attached.
- B. *Attached Garages, Mixed-Use District*
1. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:
 - a. The front of the garage is recessed at least four (4) feet behind the plane of the primary façade; or
 - b. The front of the garage is recessed at least four (4) feet behind a porch if the garage is even with the primary façade;
 2. The width of the attached garage shall not exceed 40% of the width of the entire principal building façade (including garage) fronting the primary street.
 3. Attached garages shall not exceed one thousand (1,000) square feet in area at the ground floor level except by conditional use permit.

4. Garage doors or openings shall not exceed fourteen (14) feet in height.
- C. *Detached Structures, Village Mixed-Use District.* Detached accessory structures for permitted residential structures in the VMX District accordance with the following requirements:
1. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
 2. Detached garages shall not exceed one thousand (1,000) square feet at ground floor level and shall not exceed a height of twenty-two (22) feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.
 3. Pole barns, as defined herein, shall be prohibited.
 4. No more than thirty (30) percent of the rear yard area may be covered by accessory structures.
 5. Garage doors or openings shall not exceed fourteen (14) feet in height.
- D. *Exterior Design and Color, All Accessory Structures.* The exterior building materials, design and color of all accessory building or structures shall be similar to or compatible with the principal building, with the exception of the following accessory building or structures:
1. Gazebos
 2. Swimming pools
 3. Tennis and sport courts
 4. Other structures in which the required design is integral to the intended use, such as a greenhouse.



PLANNING COMMISSION
DATE: 3/10/14
AGENDA ITEM: 5A – BUSINESS ITEM
CASE # 2014-12

ITEM: Schiltgen Farms – Parcel B Sketch Plan Review
SUBMITTED BY: Nick Johnson, City Planner
REVIEWED BY: Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Greg Malmquist, Fire Chief
Ann Pung-Terwedo, Washington County

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review a Sketch Plan related to a proposed residential subdivision within the Village Planning Area. The proposed subdivision would be located in the portion of the Village located approximately 500 feet north of 39th Street and east of Lake Elmo Avenue (CSAH 17). The Sketch Plan includes 101 single-family residential homes on a total site area of close to 40 acres. Because this is a Sketch Plan review, there is no formal action required by the Planning Commission.

GENERAL INFORMATION

Applicant: GWSA Land Development, LLC (Craig Allen); 10850 Old County Road 15, Suite 200, Plymouth, MN 55441
Property Owners: Schiltgen Farms, Inc.; 10880 Stillwater Blvd. N., Lake Elmo, MN 55042
Location: Part of Sections 12, Township 29 North, Range 21 West in Lake Elmo, north of 39th Street and east of Lake Elmo Avenue (CSAH 17). PID Number: 12.029.21.33.0001.
Request: Sketch Plan Review
Existing Land Use: Agriculture
Existing Zoning: RT – Rural Transitional Zoning
Surrounding Land Use: North – vacant/agricultural land (likely flood plain); west – agricultural land, guided for Village Low Density Residential (V-LDR); south – vacant land guided for Village Mixed-Use (VMX); east – vacant/agricultural land
Surrounding Zoning: RT – Rural Transitional; GB – General Business
Comprehensive Plan: Village Urban Medium Density Residential (3.0 - 4.0 units per acre)
Proposed Zoning: MDR – Urban Medium Density Residential

History: Property was included in Village Planning Area boundary and municipal sewer service area as defined in the 2013 Village Land Use Plan. Site has historically been used for farming activities, including the growing of agricultural crops.

Deadline for Action: N/A – No action required by City

Applicable Regulations: Article 10 – Urban Residential Districts (MDR)

REQUEST DETAILS

The City of Lake Elmo is in receipt of a Sketch Plan from GWSA Land Development, LLC related to a proposed residential subdivision that would be located within the northern portion of the Village Planning Area as defined in the Comprehensive Plan. This subdivision represents the second proposed sewer project within the Village Planning Area. The applicant is proposing to construct 101 single family homes as part of the project, all of which would be located east of Lake Elmo Avenue (CSAH 17) and north of 39th Street. The applicants also have the property to the west of Lake Elmo Avenue, the Schiltgen farmstead site, under contract for future single family development. However, they are not proposing any development in this area as part of the current request.

The Lake Elmo Subdivision Ordinance specifies that as part of the pre-application process for a new subdivision, the applicant must first submit a Sketch Plan for review by the Planning Commission. The Ordinance notes that the purpose of the Sketch Plan review is as follows:

Sketch plan. In order to ensure that all applicants are informed of the procedural requirements and minimum standards of this chapter and the requirements or limitations imposed by other city ordinances or plans, prior to the development of a preliminary plat, the subdivider shall meet with the Planning Commission and prepare a sketch plan which explains or illustrates the proposed subdivision and its purpose. The Planning Commission shall accept the information received, but take no formal or informal action which could be construed as approval or denial of the proposed plat.

Based on this wording, the Planning Commission is not being asked to take any formal action as part of its review other than to accept the information received. Staff has completed an internal review of the Sketch Plan, and general comments from Staff are included in this memorandum and applicable attachment.

BACKGROUND

The proposed Sketch Plan is located within the Village Planning Area and is therefore located within the one of the City's sewer service areas. The Comprehensive Plan guides this area as Village Urban Medium Density Residential (V-MDR) at a density of 3.0 to 4.0 units per acre, which is consistent with the residential land use classification used for areas in close proximity to the mixed-use area of the Village. The applicant is proposing to build 101 homes over a land area of +/- 38.29 acres, which results in a gross project density of approximately 2.53 units per acre. The applicants have also submitted a net density calculation of 3.12 units per acre, which falls within the guidance range of the City's Comprehensive Plan. Given its location within the Village Planning Area, it should be noted that the project falls under the scope of the AUAR Mitigation Plan, and the components of this plan that may be relevant to the applicant's project must be addressed at the preliminary platting stage.

Staff has provided comments where appropriate in following section to identify elements of the plan that will need to be further addressed before a submission of a preliminary plat.

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

- *Sketch Plan Narrative.* The attached narrative includes a general overview of the project with additional details concerning the proposed density, phasing, streets and trails, and utilities associated with the project.
- *Sketch Plan.* The Sketch Plan includes a proposed configuration of roads, lots, storm water facilities and pedestrian facilities on the applicant's site. Per the submitted narrative, all parcels and roads have been designed to conform to the City's standards and ordinances. The general lot sizes of 65' (minimum width) x 130' (depth) meets the City's requirements for the MDR – Medium Density Residential zoning district, and the 28-foot streets w/60-foot rights-of-way conform to the City's standard for urban low density residential local roads.
- *Topographic Survey.* The applicant has provided a topographic survey depicting the existing conditions of the site. With the exception of the wooded area at the north-central portion of the parcel, the site is relatively flat and open. It should be noted that the northern area of the site substantially decreases in grade as the land slopes downward towards the parcel to the north.

The Staff review comments that follow are all based on conducting a very high level review of the Sketch Plan since there is not a lot of detailed information that is required at this stage in the development process. Staff has instead focused on the bigger picture items and those things that would otherwise not allow the development to move forward if they contrasted with elements from the Comprehensive Plan, Village AUAR Mitigation Plan, or the City Code.

STAFF REVIEW COMMENTS:

Members of the Community Development, Public Works, Engineering, and Fire Departments have reviewed the proposed Sketch Plan and provided comments in the following areas:

- **Land Use:** The proposed Sketch Plan appears to generally conform to the City's future land use plan for this portion of the Village Planning Area in terms of the proposed single family development and related net densities just above 3 units per acre. There are some aspects of the plan as presented that could better incorporate elements from the land use plan that are specific to the Village area. Staff would like to see the future plan submissions for this site consider the following objectives/components from the Village Land Use Plan:
 - *Planning for development at a "village" scale rather than a "suburban" scale:* Although the layout of the proposed subdivision will be constricted by the locations of the approved access points to Lake Elmo Avenue (CSAH 17) and 39th Street, the design could be revised slightly to provide a more direct connection to the future residential development to the east. Creating more direct connections between neighborhoods as a practice is more consistent with Village or urban development than suburban development, more closely meeting the intent of the City's vision as guided under the Village Land Use Plan.

- *Create a walkable community:* - Fostering connections between the residential areas to the core or mixed-use area is of critical importance with regards to the Village Land Use Plan. The Sketch Plan includes a trail along the Lake Elmo Avenue, but only for a limited segment or length. As part of the construction of this single family neighborhood, Staff would recommend that the trail connection be provided all the way south to 39th Street in order to connect with future facilities planned for this corridor. In addition, Staff recommend that the applicants investigate the possibility of additional trail connections, as referenced in the City Engineer's Review Memorandum. Finally, the Sketch Plan also proposes a trail to the Natural Preservation Area to the north, as described in the Sketch Plan Narrative. If the proposed preservation area moves forward in collaboration with the neighboring property owner to the north and east, the City would support these trail connections as part of some public or recreational use.
- ***Village Guiding Principles.*** The Village Land Use Plan incorporated the 13 guiding principles from the Village Master Plan. Of these principles, Staff has found that at least three will apply to the proposed Easton Village, including:
 - Principle 1 - Evoke a sense of place: Build on existing assets to preserve the small town, rural character of Lake Elmo, maintaining the Old Village as the heart of the city.
 - Principle 7 - Improve connectivity: Provide a balanced network for movement that links local neighborhoods and Village Area attractions with city-wide and regional systems, paying equal attention to cars, bicycles, pedestrians and transit.
 - Principle 11 - Become a great model: Encourage other communities to 'raise the bar' by demonstrating low impact development, best practices and sustainability.
- ***Lake Elmo Theming Study.*** As GSWA Land Development, LLC moves forward with the preparation of a Preliminary Plat, Staff is strongly encouraging the applicant to incorporate elements from the Lake Elmo Branding and Theming Study into the design of the project. The inclusion of various theming elements would help address some of the concerns noted above, especially, those that relate to creating a sense of place.
- ***Density:*** The submitted Sketch Plan includes calculations for both the gross and net density figures, and the provided net density calculation of 3.12 units per acre falls within the allowed range as specified in the Comprehensive Plan (V-MDR: 3.0 - 4.0 units per acre).
- ***Zoning.*** The City recently adopted new urban development districts, including urban low density, medium density, and high density residential zoning districts. The Sketch Plan has been designed to comply with the medium density district standards in regards to lot area, setbacks, and other dimensional standards. The application does not include an average lot area. However, given the minimum dimensions of the proposed lots (65' x 130'), the lots should meet the district minimum standard of 7,000 square feet without difficulty. The City has not adopted any special zoning for the Village Residential areas, and Staff is recommending that the City rezone applicant's site to MDR at the time of Preliminary Plat approval.

- ***Parks and Open Space.*** As noted in the Sketch Plan Narrative, the applicants are not proposing a neighborhood park as part of this development at this time. They have noted that the prospective property owner to the north is planning some type of recreational or open space amenity within the natural resource preservation area to the north. In addition, it should be noted that the applicants also have property in the southeast portion of the Village Planning Area owned Schiltgen Farms, Inc. under contract. As part of subdividing this property at a future date, the applicants propose to dedicate land adjacent to Reid Park as an expansion of this park or facility. If this proposal is acceptable to the City, the applicants could receive credit towards their parkland dedication requirements for dedicating land adjacent to Reid Park under this arrangement. Please note that the applicants will be seeking direction from the Park Commission at its upcoming meeting on March 17th, 2014. The Park Commission will review the Sketch Plan, as well as the other properties under contract by Gonyea Homes, with the intent of formulating a more global strategy for parkland dedication in the Village Planning Area.
- ***Sidewalks and Trails.*** The submitted Sketch Plan includes sidewalks on one side of all local residential streets, which is consistent with City standards for single family residential subdivisions. In addition, the Sketch Plan includes two proposed local trails. The first trail provides a connection from the entrance off Lake Elmo Avenue southward towards 39th Street. Staff is recommending that this proposed trail connect all the way down to 39th Street for the purpose of maximizing pedestrian and bicycle circulation down to the Village/downtown. The second proposed trail connects the residential subdivision to the proposed natural preservation area to the north. If this recreation, open space or preservation area is developed in collaboration with the adjoining property owner, Staff would support this trail connection as show. Finally, as shown in the Engineer's review memorandum, Staff would recommend that a trail be installed along the access road that connects to 39th Street along the eastern side of the property. Ensuring adequate and efficient pedestrian circulation to the core or mixed-use area is an important component of the Village Land Use Plan. For all proposed trails, Staff recommends a standard of an 8-foot bituminous trail.
- ***Public Utilities.*** The subject property has access to 8" water main in 39th Street. In addition, 16" water main is available in Lake Elmo Avenue. The applicant will be responsible for extending water service throughout the development. In terms of sanitary sewer, service is currently not readily available for the subject property. The applicants will be required to extend municipal sanitary sewer to the development site at developers cost. Based upon communications with many of the property owners of the developable portions of the Village Planning Area, it is the City's understanding that a plan is currently begin developed to extend the sanitary sewer service privately from the lift station adjacent to Reid Park up to Trunk Highway 5 (TH 5) at 39th Street. Preliminary Plat approval will be conditioned upon this sanitary sewer connection being completed.
- ***Landscaping.*** The applicant has not provided any details concerning landscaping for the site, which must be submitted at the time of Preliminary Plat submission. One recommendation that Staff would make with regards to the landscape plan is to install a sufficient amount of coniferous or evergreen trees along Lake Elmo Avenue to serve as a buffer and mitigate noise and traffic. The applicant will also need to submit a tree preservation and protection plan as part of this application. More specifically, Staff is encouraging the applicant to

preserve the existing trees and vegetation along the northern property line to the greatest extent possible. Any removal of significant trees on the site that exceeds the allowed tree removal (30%) will be subject to the tree replacement schedule as determined by the City's Tree Preservation Ordinance.

- **Streets.** The Sketch Plan includes 60' rights-of-way and 28' streets, back of curb to back of curb. This design is consistent with the City standard for local residential streets, and would allow for parking on both sides of the street while maintaining safe traffic circulation and emergency vehicle access. In addition, per the Engineer's memorandum, Staff is recommending that additional or improved access to the property to the east be provided to improve connectivity between the neighborhoods as called for in the Village Land Use Plan. Finally, the Sketch Plan includes three cul-de-sacs, all of which comply with the City's Subdivision Ordinance regarding maximum length.
- **Lake Elmo Avenue Access.** The County has reviewed the Sketch Plan (see Attachment #8) and noted that the proposed access to Lake Elmo Avenue (CSAH 17) does not currently meet the County access spacing guidelines for an arterial road, which is 1,320 feet (1/4 mile). Staff recommends that the City work with the applicants and County to identify the best possible location for the access to Lake Elmo Avenue. In addition, the applicants should be aware that the County will likely require improvements to Lake Elmo Avenue in order for this connection to be made. The County has also requested that the developer plat a portion of the required right-of-way for Lake Elmo Avenue as part of the proposed subdivision. The County has noted in their review that the right-of-way for a County arterial is typically 150 feet. Finally, it should be noted that the applicants are proposing to front 9 residential lots directly onto the Lake Elmo Avenue right-of-way. Staff would recommend that some additional buffer, vegetative screening or berming be used to mitigate potential nuisance related to traffic and noise.
- **Environmental Review.** The proposed subdivision is located within the area covered by the Village Alternative Urban Area-wide Review (AUAR). As such, the City and the applicants will need to comply with the AUAR Mitigation plan that was adopted with the Final AUAR. The most critical elements of the Mitigation Plan that must be addressed include the following:
 - **Storm Water Management.** The storm water management plan for the development will need to meet the AUAR requirements in addition to City ordinances and Valley Branch Watershed District standards.
 - **Natural Resource Areas.** Preservation of the primary ecological areas is encouraged as noted above.
 - **Transportation.** The developer is not proposing any streets or connections that are inconsistent with the AUAR. As the Village continues to develop, the City will need to consider the broader transportation network to ensure that needed improvements are being made.

- **City Engineer Review.** The City Engineer’s review comments are found in Attachment #7. The Engineer did note that the storm water management plan would need to be consistent with City and Valley Branch Watershed District standards.
- **Fire Chief Review.** The Fire Chief has asked that the roads within the development be designed in accordance with Minnesota Fire Code standards.
- **Subdivision Review Process.** In order to proceed with the subdivision of the land included in the Sketch Plan, the applicant will need to next prepare a Preliminary Plat application. At the Preliminary Plat stage, there is much more information required as part of the submission process, which also requires a public hearing. GWSA Land Development, LLC has indicated that they would like to proceed with the submission of a Preliminary Plat application in early spring of 2014.

RECCOMENDATION:

Staff is recommending that the Planning Commission accept the Sketch Plan provided by GWSA Land Development, LLC for a 101 unit single family residential development that would be located within the Village Planning Area.

ATTACHMENTS:

1. Location Map
2. Application Form
3. Sketch Plan Narrative
4. Easton Village Sketch Plan
5. Topographical Survey – Schiltgen Farm Parcels
6. Future Village Land Use Map (Map 3-3 from Comprehensive Plan)
7. City Engineer Review Memorandum
8. Washington County Review Letter

ORDER OF BUSINESS:

- Introduction.....Community Development Director
- Report by Staff City Planner
- Questions from the Commission..... Chair & Commission Members
- Discussion by the Commission Chair & Commission Members




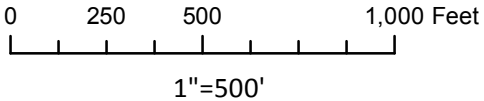
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Location Map: 12.029.21.33.0001



Data Source: Washington County, MN
3-7-2014

 12.029.21.33.0001
(Sketch Plan Location)



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



LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan

Applicant: GWSA Land Development, LLC
Address: 10850 Old County Road 15, Suite 200, Plymouth, MN 55441
Phone # 952-270-4473
Email Address: Craig.gayten@company.com

Fee Owner: Schiltgen Farms, Inc.
Address: 10880 Stillwater Blvd. N, Lake Elmo, MN 55042
Phone # 651-303-8188
Email Address: Pete.schiltgen@gmail.com

Property Location (Address and Complete (long) Legal Description): The Southwest Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 21 West, Washington County, MN

Detailed Reason for Request: A residential subdivision sketch/concept plan for 103 single family lots.

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

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

Signature of applicant: Craig Gayten Date: 2/13/2014

City Use Only
Planning: Zoning District: _____
Reviewed by: _____ Date: _____
Subject to the following conditions: _____
Engineering: Reviewed by: _____ Date: _____
Subject to the following conditions: _____

Signature of Fee Owner: Pete Schiltgen Date: 2-14-14



GWSA Land Development, LLC
10850 Old County Road 15
Suite 200
Plymouth, MN 55441

Craig Allen
952-270-4473
Craig@gonyeacompany.com

Sketch Plan Narrative Schiltgen Farms – Parcel B March 6, 2014

This project property consists of +/- 39.8 acres (39.8-1.51 ROW=38.29 acres) and is located on the east side of Lake Elmo Avenue North (CSAH No. 17), about 500 feet north of 39th Street N. The property is currently used for agricultural purposes. The Existing Land Use is classified as Rural Area Development. The planned Land Use is Village Urban Medium Density. The attached sketch plan shows 101 single family lots, the lots are a minimum of 65 feet in width, with a depth of 130 feet or greater.

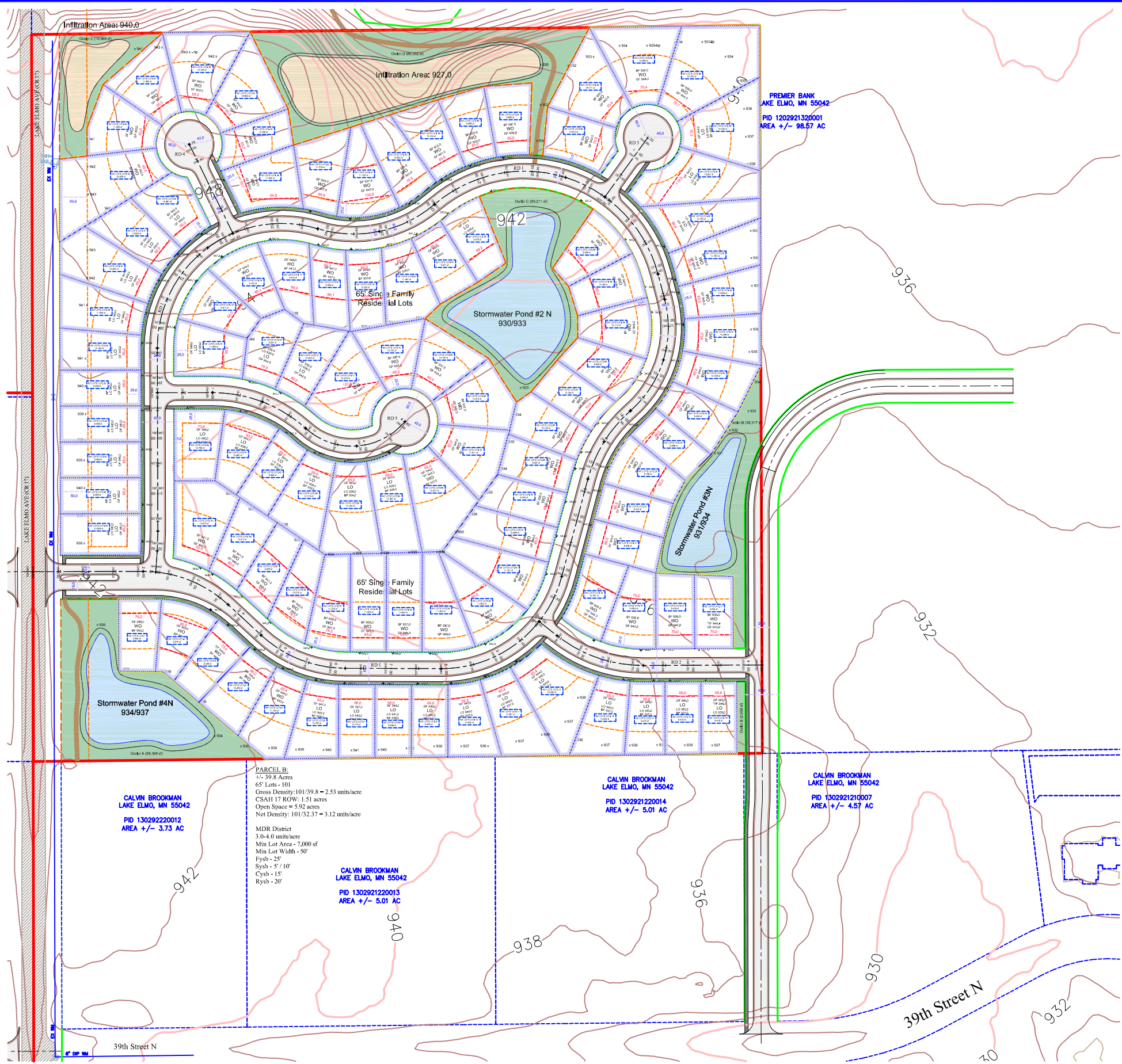
On the Village Land Use Plan, the project site is classified as Village Urban Medium Density (V-MDR). The City has a proposed density goal of 3-4 units per acre. The proposed plan has 101 lots on 39.8 acres, for a gross density of $101/39.8 = 2.53$ units per acre. The area of open space and ponding is estimated at 5.92 acres, yielding a net area of $39.8-1.51-5.92 = 32.37$ acres; net density of $101/32.37 = 3.12$ units per acre.

The MDR residential district has a minimum lot area requirement of 7,000 sf, with a minimum lot width of 50 feet. All of the proposed lots would exceed this requirement. The front yard setback is 25 feet, the side yard setback is 5 feet for the attached garages and 10 feet for the principal buildings. The corner yard setback is 15 feet and the rear yard setback is 20 feet. A 50 foot setback is being proposed along Lake Elmo Avenue North for additional screening. All single family dwellings shall be at least 24 feet in width and at least 960 square feet in area. No variances are being requested with this application.

For park, the Village Open Space Overlay Map defines the area directly north of our development as a Natural Resource Preservation Area and we are aware of plans for park and open space at this location as part of a neighboring development. With this in mind, as well as the close proximity to the Elementary School park and playground, we are not proposing a neighborhood park as part of our development. Our proposal is to dedicate land east of Reid Park, currently under contract with Mr. Schiltgen, also defined on the Village Open Space Map and specifically mentioned in the Village Comprehensive Land Use Plan as a possible “opportunity to acquire environmentally sensitive lands that could be incorporated into recreation”. Also per the Comprehensive Land Use Plan, we have incorporated sidewalks throughout our development with connections to neighboring subdivisions and south to 39th Street; as well as trail connections along Lake Elmo Avenue from the south and north connecting to the before mentioned Preservation Area.

The main access to the project will be from Lake Elmo Avenue North. The public streets will be 28' back of curb to back of curb, with sidewalk on one side, within a 60' ROW. The cul-de-sacs will have a 45' radius to the back of the curb.

It is anticipated that the project will be constructed in phases of 30-40 lots; with the majority of the site grading work being completed with the first and/or second phase. The project will be served by City Sewer and Water. The City Village Sewer Study Plan shows the proposed Trunk Sanitary Sewer Lines that are proposed to provide service to this project. City water is available for 39th Street N. and will be extended to service this site. The stormwater treatment system will be designed to meet the requirements of the City and the Watershed.



PREMIER BANK
LAKE ELMO, MN 55042
PID 1202921326001
AREA +/- 98.57 AC

CALVIN BROOKMAN
LAKE ELMO, MN 55042
PID 130292220012
AREA +/- 3.73 AC

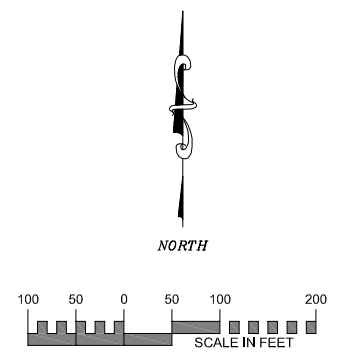
PARCEL B:
+/- 39.8 Acres
65' Lots - 101
Gross Density: 101/39.8 = 2.53 units/acre
CSA: 17 ROW: 1.51 acres
Open Space = 5.92 acres
Net Density: 101/32.37 = 3.12 units/acre

MDR District
3.0-4.0 units/acre
Min Lot Area - 7,000 sf
Min Lot Width - 50'
Fybs - 25'
Sybs - 5' / 10'
Cysb - 15'
Rybs - 20'

CALVIN BROOKMAN
LAKE ELMO, MN 55042
PID 1302921220013
AREA +/- 5.01 AC

CALVIN BROOKMAN
LAKE ELMO, MN 55042
PID 1302921220014
AREA +/- 5.01 AC

CALVIN BROOKMAN
LAKE ELMO, MN 55042
PID 1302921210007
AREA +/- 4.57 AC



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Name, P.E. _____
Date: _____ Lic. No. _____

ENGINEERS SURVEYORS
DESIGNERS PLANNERS

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

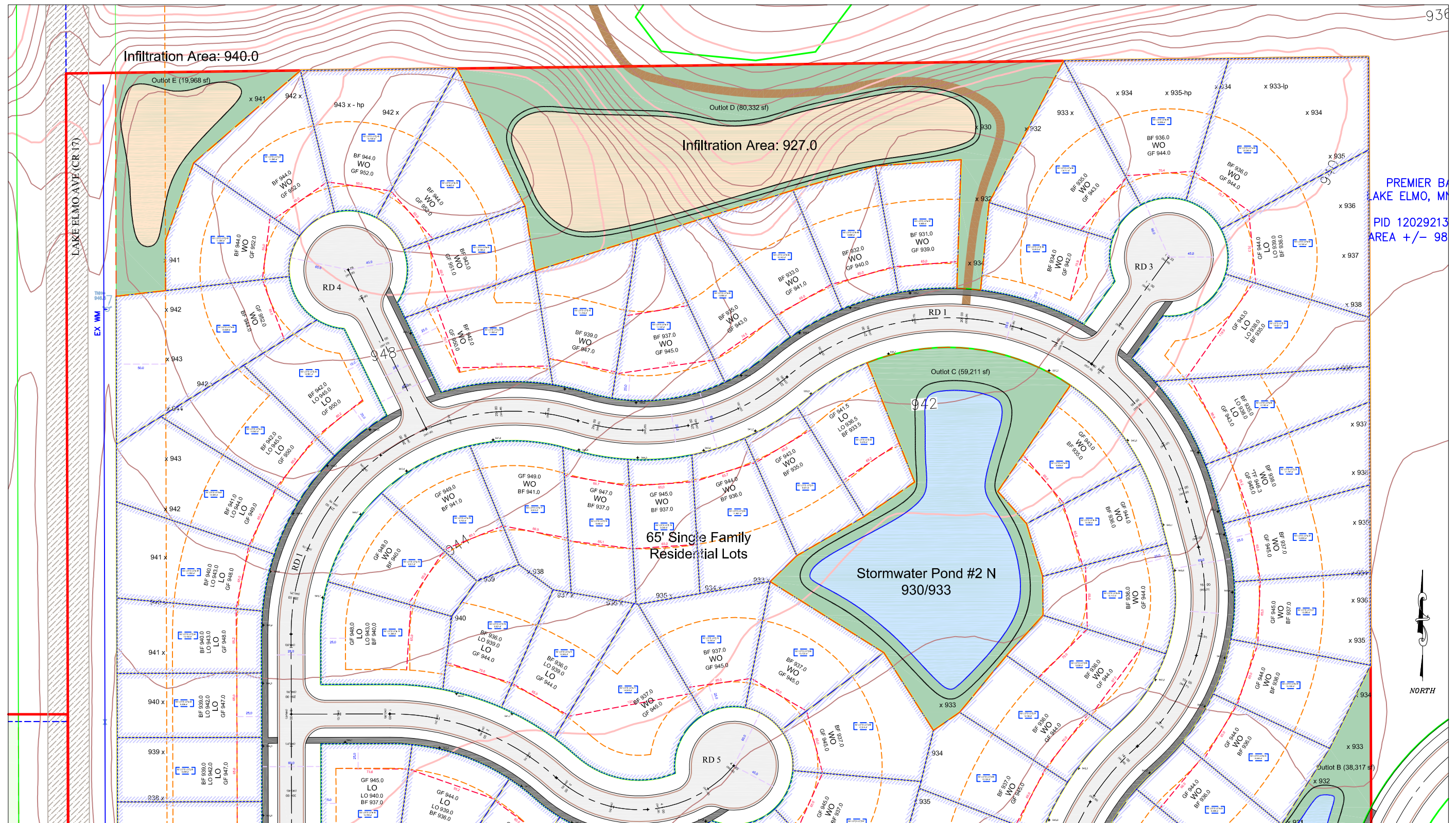
CITY PROJECT NO.

**LAKE ELMO,
MINNESOTA**

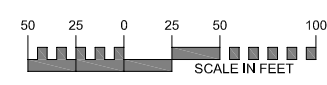
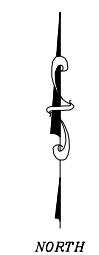
**SKETCH PLAN R1 030614
PARCEL B
SCHILTGEN FARMS
GW LAND DEVELOPMENT**

FILE NO.
3120-047

1
3



PREMIER BAY
LAKE ELMO, MN
PID 12029213
AREA +/- 98

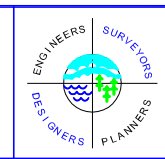


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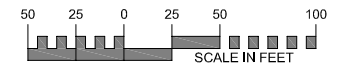
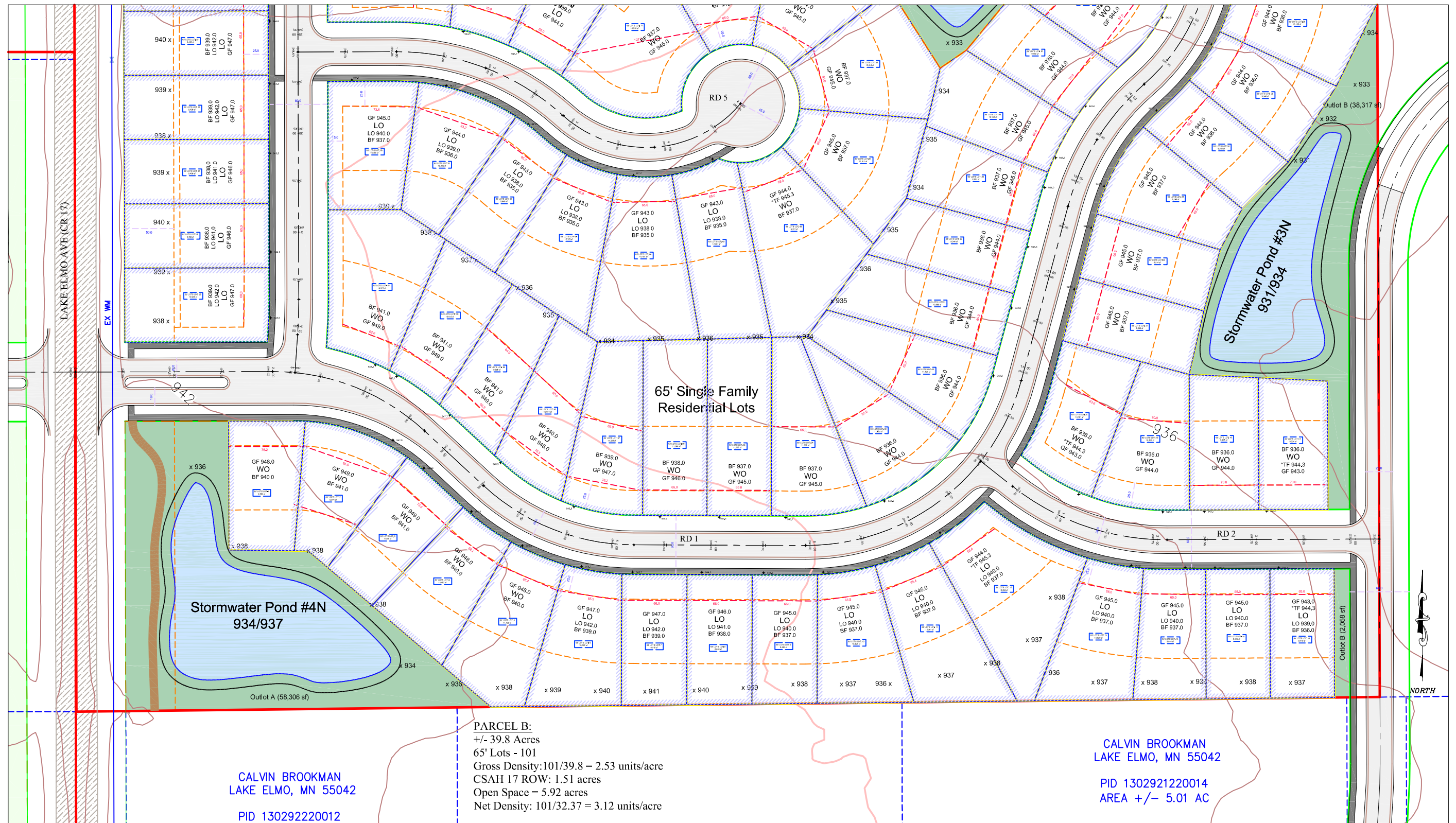


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CITY PROJECT NO.
LAKE ELMO,
MINNESOTA

SKETCH PLAN R1 030614
PARCEL B
SCHILTGEN FARMS
GW LAND DEVELOPMENT

FILE NO.
3120-047
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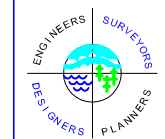


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PARCEL B
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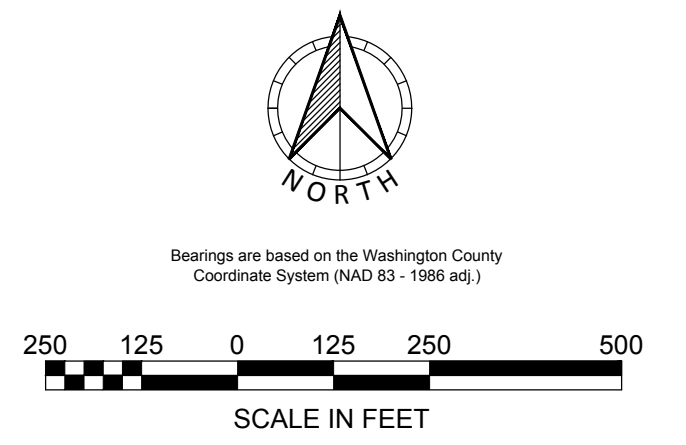
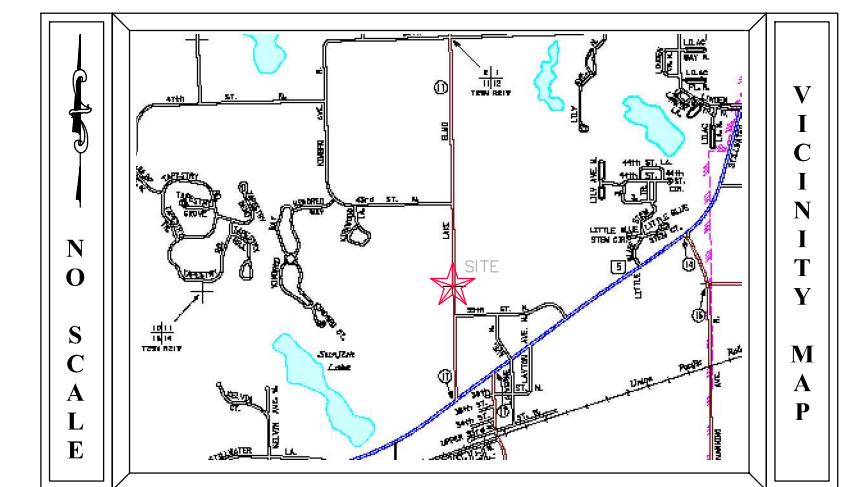
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DESCRIPTION OF PROPERTY SURVEYED
(Per Schedule A of the herein referenced Title Commitment)

- Parcel 1:
The South 658.02 feet of the Southwest Quarter of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota.
- Parcel 2:
The South 20 acres of the East Half of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota.
- Parcel 3:
The Southwest Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 21 West, Washington County, Minnesota.
- Parcel 4:
The Northeast Quarter of Section 14, Township 29 North, Range 21 West, Washington County, Minnesota.

ALTA/ACSM OPTIONAL TABLE A NOTES
(The following items reference Table A optional survey responsibilities and specifications)

- 2) **Address:** Parcel 1- Unassigned
Parcel 2- Unassigned
Parcel 3- Unassigned
Parcel 4-10880 Stillwater Blvd N., Lake Elmo, MN 55042
- 3) **Flood Zone Information:** Parcels 1 and 3 are contained in Zone X (area of minimal flooding) and Zone A (Areas subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Parcel 2 is contained in Zone X (area of minimal flooding) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Parcel 4 is contained in Zone X (area of minimal flooding) and Zone AE (Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. BFEs are shown within these zones.) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010. Please note that we have shown the division line between these zones hereon by digitizing said Flood Insurance Rate Maps.
- 4) **Parcel Area Information:**
- | | |
|-------------------|---|
| Parcel 1: | Net- 858,947 Sq. Ft. - 19.72 Acres |
| Parcel 2: | Gross- 871,200 Sq. Ft. - 20.00 Acres
ROW- 33,370 Sq. Ft. - 0.77 Acres
Net- 837,830 Sq. Ft. - 19.23 Acres |
| Parcel 3: | Gross- 1,735,349 Sq. Ft. - 39.84 Acres
ROW- 65,794 Sq. Ft. - 1.51 Acres
Net- 1,669,555 Sq. Ft. - 38.33 Acres |
| Parcel 4: | Gross- 6,890,526 Sq. Ft. - 158.18 Acres
ROW- 204,699 Sq. Ft. - 4.70 Acres
Net- 6,685,827 Sq. Ft. - 153.48 Acres |
| Total Net: | Net- 10,052,159 Sq. Ft. - 230.76 Acres |
- 5) Elevations are based on MNDOT Geodetic Database Station Name: 8214K which has an elevation of: 935.539 feet (NAVD88). Contours shown hereon are per field observations along with LiDAR data obtained from the Minnesota Department of Natural Resources on January 11, 2013.
- 6) The current Zoning for the subject property is RT (Rural Transitional) per the City of Lake Elmo's zoning map dated May 21, 2013. The planning department informed us per a phone call that the property is in the process of changing to Village Low Density. Per this phone call, the setback, height, and density restrictions for this zoning designation are going to be as follows: SETBACKS - Front 25 feet, Side 10 feet living and 5 feet garage, Rear 20 feet; HEIGHT - 35 feet; DENSITY - 1.5 - 2 unit per acre.
- Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.
- 11(a) We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property of which we are unaware.
- 19) The Wetland delineation was performed on Parcels 1, 2, 3, and the North 900 feet of Parcel 4 by Kjolhaug Environmental Service and the delineation flags were located on January 15, 2014. The remaining South portion of Parcel 4 may contain wetlands per FEMA mapping, that were not delineated as part of this survey.



SURVEY REPORT

This map and report was prepared with the benefit of a Commitment for Title Insurance issued by Custom Home Builders Title, LLC as issuing agent for Old Republic National Title Insurance Company, File No. HB-26627, dated August 9, 2013.

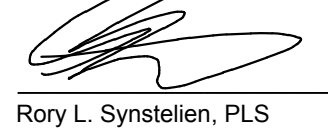
- We note the following with regards to Schedule B, Section II of the herein referenced Title Commitment:
 - Item no. 1-12 are not survey related.
 - Item no. 13. Terms and conditions of easement for trunk highway purposes, to erect snow fences, to construct and maintain slopes, and take the right of access as contained in Final Certificate, filed April 23, 1962, as Document No. 220861 (Book 246 of Deeds, page 592). **This easement, noted as parcel 10 in said Document, is located over the southeasterly portion of parcel 4, as shown hereon. Please note the second exception therein describes a strip of land "lying southeasterly of the southeasterly right-of-way of Trunk Highway No. 212, as now laid out and traveled" We have surveyed the location of "Trunk Highway No. 212, as now laid out and traveled" as having the same centerline as the 150 foot wide strip taken for the road easement. Furthermore, We have surveyed its width as being 66 feet wide based on dimensions from MnDOT Right-of-Way Map No. 4-41_002. A document could exist that would place the center line of Trunk Highway No. 212 in a different location and it could change the width that we have used for the placement of the original Trunk Highway No. 212.**
 - Item no. 14. Terms and conditions of easement for highway purposes, together with the unrestricted right to improve the same as contained in Highway Easement, dated August 25, 1949, filed May 21, 1963, as Document No. 229099 (Book 258 of Deeds, pages 39 and 40). **This easement is located over the easterly portion of parcel 2 and 4, and westerly portion of parcel 3, as shown hereon. Please note that this document creates an additional 17 feet of RW to the present (1949) 33 foot right-of-way of County Aid Road No. 25. We have surveyed it as providing a total RW width of 50 feet. We have not provided the original document for the RW for County Aid Road No. 25 which would define the present (1949) RW. Also, We have surveyed it as being centered on the east line of Sections 11 and 14. The Original document that defines the present (1949) RW could place this RW in a different location and could provide a alternate width to said RW.**
 - Item no. 15. Subject to a highway easement for County State Aid Highway 17 over the East 50 feet thereof of the South 20 acres of the East Half of the Southeast Quarter of Section 11, Township 29 North, Range 21 West, Washington County, Minnesota, as recited in Deed filed November 10, 1994, as Document No. 822407. **Please note this document is a warranty deed which transfers title to parcels 2, 3, and 4. Subject to a 50 foot highway easement as created by Book 258 pages 39 and 40 of deeds. This book and page document creates a 17 feet of additional RW to the existing 33 foot, which is centered on the East Section Line of 11 and 14, and West Section Line of 12 as shown hereon. It does not create a 100' wide RW as the warranty deed states, clients counsel may wish to pursue this matter further so as to determine how this affects the subject property.**
 - Item no. 16. Subject to a highway easement for County State Aid Highway 17 over the West 50 feet thereof of the Southwest Quarter of the Southeast Quarter of Section 12, Township 29 North, Range 21 West, Washington County, Minnesota, as recited in Deed filed November 10, 1994, as Document No. 822407. **Please note this document is a warranty deed which transfers title to parcels 2, 3, and 4. Subject to a 50 foot highway easement as created by Book 258 pages 39 and 40 of deeds. This book and page document creates a 17 feet of additional RW to the existing 33 foot, which is centered on the East Section Line of 11 and 14, and West Section Line of 12 as shown hereon. It does not create a 100' wide RW as the warranty deed states, clients counsel may wish to pursue this matter further so as to determine how this affects the subject property.**
 - Item no. 17. Subject to a highway easement for County State Aid Highway 17 over the East 50 feet of the Northeast Quarter of Section 14, Township 29 North, Range 21 West, Washington County, Minnesota, as recited in Deed filed November 10, 1994, as Document No. 822407. **Please note this document is a warranty deed which transfers title to parcels 2, 3, and 4. Subject to a 50 foot highway easement as created by Book 258 pages 39 and 40 of deeds. This book and page document creates a 17 feet of additional RW to the existing 33 foot, which is centered on the East Section Line of 11 and 14, and West Section Line of 12 as shown hereon. It does not create a 100' wide RW as the warranty deed states, clients counsel may wish to pursue this matter further so as to determine how this affects the subject property.**
 - Item no. 18. A portion of the property contains wetlands which may be subject to federal, state, or local regulation. The right to use or improve these wetlands is excepted herein. **See note #19 of Table A Notes.**
- This survey was prepared for the purpose of a residential housing development on parcels 1, 2, 3, and to subdivide the northerly portion of Parcel 4 to be included in the development. There are site features located on the southerly portion of Parcel 4 that were not included as part of this survey.**
- There is a boundary overlap issue on the northerly portion of Parcel 2. The legal description of Parcel 2 and the legal description of the adjoining parcels to the north create a mathematical overlap of 7.4 feet, as shown hereon. We have requested the original deeds of the properties to see who has junior and senior rights to assist with the resolution of this issue. Clients counsel may wish to pursue this matter so as to determine the actual location of the northerly boundary line of Parcel 2.**

CERTIFICATION

To GW Land Development, and Custom Home Builders Title, LLC as issuing agent for Old Republic National Title Insurance Company.

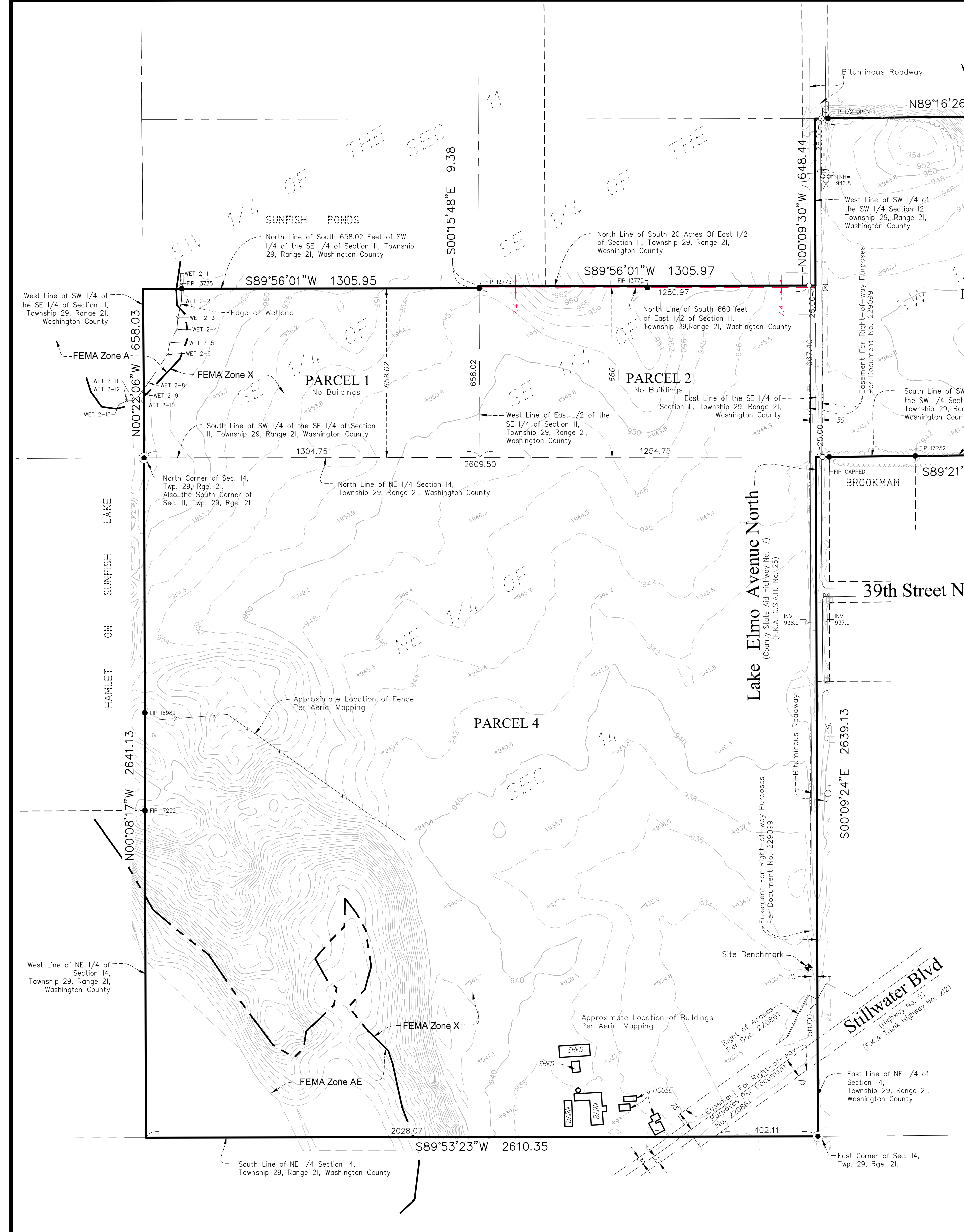
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2011, and includes Items 1 - 5, 8, 9, 11(a), and 19 of Table A thereof. The field work was completed on January 15, 2014.

Date of Plat of Map: February 6, 2014.


Rory L. Synsteliem, PLS Minnesota License No. 44565
rory@sathre.com

SURVEY LEGEND

● CAST IRON MONUMENT	⊠ CABLE TV PEDESTAL	▨ BITUMINOUS
⊠ CATCH BASIN	⊠ ELECTRIC TRANSFORMER	— CONCRETE CURB
⊠ FLARED END SECTION	⊠ ELECTRIC MANHOLE	— CONTOUR EXISTING
⊠ GATE VALVE	⊠ ELECTRIC METER	— ELC — ELECTRIC UNDERGROUND
< CUY WIRE	⊠ GAS METER	— x — x — FENCE
⊠ HYDRANT	⊠ GAS VALVE	— GAS — GAS UNDERGROUND
● IRON PIPE SET	⊠ HAND HOLE	— GHU — OVERHEAD UTILITY
● IRON PIPE FOUND	⊠ BENCHMARK	— > — SANITARY SEWER
⊠ LIGHT POLE	⊠ TELEPHONE MANHOLE	— >> — STORM SEWER
⊠ POWER POLE	⊠ TELEPHONE PEDESTAL	— TEL — TELEPHONE UNDERGROUND
⊠ SANITARY MANHOLE	⊠ UTILITY MANHOLE	— UTL — UTILITY UNDERGROUND
⊠ UTILITY MANHOLE	⊠ UTILITY PEDESTAL	

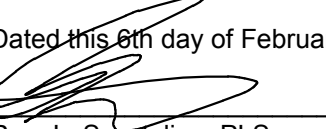


FIELD CREW	NO.	BY	DATE	REVISIONS
LAKE, AVERBECK				
DRAWN BY				
JML				
CHECKED BY				
RLS				
DATE				
01-21-14				

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

Dated this 8th day of February, 2014.


Rory L. Synsteliem, PLS Minnesota License No. 44565
rory@sathre.com

ENGINEERS SURVEYORS DESIGNERS PLANNERS

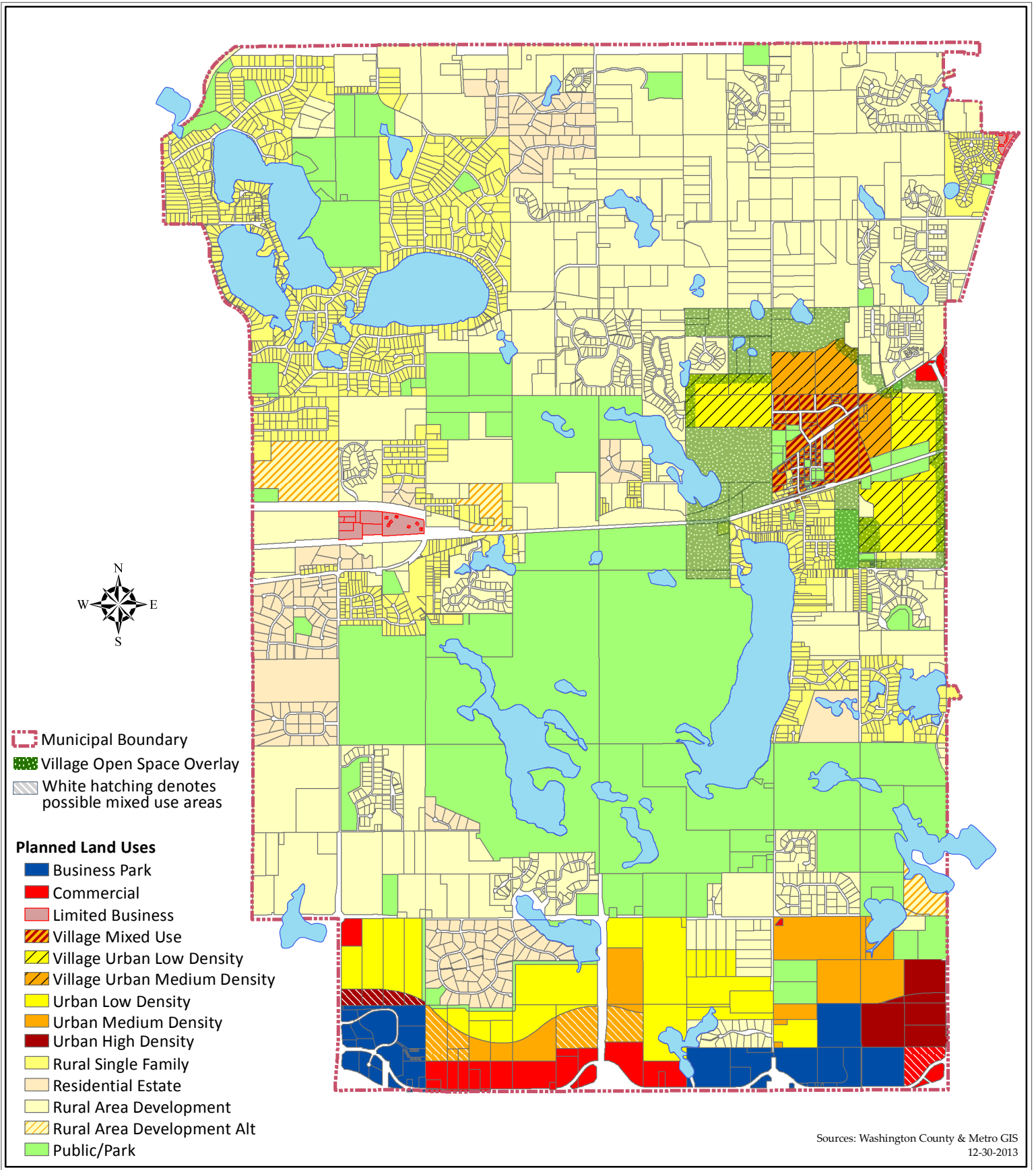
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LAKE ELMO, MINNESOTA

TWP.29 - RGE.21 - SEC.11, 12,14
WASHINGTON COUNTY
ALTA SURVEY.DWG

ALTA/ACSM LAND TITLE SURVEY
PREPARED FOR:
GW LAND DEVELOPMENT
CUSTOM HOME BUILDERS TITLE, LLC
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

FILE NO. 3120-047
PARCEL A&B
1



Planned Land Use

Lake Elmo Comprehensive Plan 2030



MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

Date: March 7, 2014

To: Kyle Klatt, Planning Director
Cc: Nick Johnson, City Planner
From: Jack Griffin, P.E., City Engineer
Re: Gonyea Village North
Shiltgen Farms – Parcel B

We have received a Concept Plan re-submittal for the above referenced development proposal consisting of the following exhibits/documentation prepared by Sathre-Bergquist, Inc. All materials were received on March 7, 2014:

- Concept Sketch Plan R1 dated March 6, 2014, Sheet 1.
- Concept Sketch Plan R1 dated March 6, 2014, Sheets 1-3

We have the following review comments:

MUNICIPAL WATER SUPPLY

- Municipal water supply is available along 39th Street North and along Lake Elmo Avenue. Connections to both locations will likely be required.
- The applicant is responsible to extend the municipal water supply to the development site at developers cost. Watermain distribution lines will need to be looped wherever reasonably possible.

MUNICIPAL SANITARY SEWER

- Municipal sanitary sewer is not currently available to the site. The applicant is responsible to extend the municipal sanitary sewer to the development site at developers cost. We understand that the developer is pursuing a trunk sanitary sewer extension project to route the sewer along the east side of the Village, then along 39th Street north. Preliminary Plat approval should be conditioned upon this extension being completed.

STORMWATER MANAGEMENT: Stormwater facilities shall be in accordance with the Requirements listed in the City of Lake Elmo Engineering Design Standards, in addition to the requirements of the Valley Branch Watershed District. Specifically:

- It appears that all storm water facilities (ponds and infiltration basins) have been placed in Outlots. These Outlots will be deeded to the City for maintenance purposes. The Stormwater Facility Outlots must fully incorporate the 100-year HWL.
- Maintenance access roads meeting the engineering design standards must be provided for all storm water facilities. Improved access must be provided for the infiltration basin located in the northwest corner of the development.

STREETS AND TRANSPORTATION

- The development access location to CSAH 17 (Lake Elmo Avenue) must be reviewed jointly with the City and County to ensure that appropriate access spacing guidelines are met for this development, as well as allowing for proper access management opportunities for surrounding properties.
- Adequate R/W must be reserved along CSAH 17 per County requirements.
- The development will be required to provide any improvements along CSAH 17 as required by the County, including turn lanes and or by-pass lane improvements.
- A second street connection with the development to the east is recommended. This would improve the neighborhood connectivity envisioned by the Village Plan.
- Additional trail segments should be provided.
 - The trail along Lake Elmo Avenue should connect to 39th Street North.
 - The street connecting to 39th Street should include both a sidewalk and trail to improve pedestrian mobility to the Village Downtown.
 - An internal trail should be provided to connect the Lake Elmo Avenue trail to the trail in the north part of the development.

Nick Johnson

From: Ann Pung-Terwedo <Ann.Pung-Terwedo@co.washington.mn.us>
Sent: Friday, March 07, 2014 9:12 AM
To: Nick Johnson; 'Bob Molstad'
Cc: Kyle Klatt
Subject: RE: Gonyea North Sketch Plan
Attachments: STREET EXHIBIT 030614.pdf

Nick,

Bob sent me the concept plans for this development (Parcel B) as well as the development on the West side of CSAH 17/Lake Elmo Avenue (Parcel A). CSAH 17 is an A Minor Arterial Roadway. The Access Spacing Requirements for local streets is $\frac{1}{4}$ mile or 1320 feet. The local street access spacing for Parcel A is 868.5 feet which does not meet this requirement as shown.

I could not determine the existing and future dedicated right-of-way for CSAH 17. The County Right-of-Way Requirements for this section of roadway is 150 feet (typically, 75 feet from the center of the roadway). Please verify the existing and required right-of-way for this plat as well as Parcel A.

Based on the plans submitted, turn lanes will be necessary on CSAH 17. Without a Traffic Impact Study (TIS) and review by the County Traffic Engineer, we can't determine at this time, what will be required for this Plat and Parcel A. Please provide a TIS prior to the preliminary plat for these developments. The County will work with the city on determining the roadway improvement requirements.

These are my initial comments on the concept plans for this plat and Parcel A. These subdivisions should be coordinated together as they impact

CSAH 17.

Thanks Nik,

Regards,

Ann

Ann Pung-Terwedo

Senior Planner

Washington County Public Works

11660 Myeron Road North

Stillwater, MN 55082

Phone: 651-430-4362

FAX: 651-430-4350

E-Mail: Ann. Pung-terwedo@co.washington.mn.us <mailto:Pung-terwedo@co.washington.mn.us>

Washington County Public Works Department

Stewards of the county's investment in parks, buildings, transportation, land survey, and land use planning.

www.co.washington.mn.us <<http://www.co.washington.mn.us>>

From: Nick Johnson [mailto:NJohnson@lakeelmo.org]

Sent: Thursday, March 06, 2014 4:39 PM

To: Ann Pung-Terwedo



PLANNING COMMISSION
DATE: 3/10/14
AGENDA ITEM: 5B – BUSINESS ITEM
CASE # 2014-15

ITEM: Zoning Text Amendment – Commercial Wedding Venue Draft Ordinance

SUBMITTED BY: Kyle Klatt, Community Development Director

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review a draft ordinance that would allow commercial wedding venues as an interim use permit on certain properties that are zoned A – Agriculture and RT – Rural Transitional Zoning. This ordinance has been drafted at the direction of the Planning Commission based on the discussion from its last meeting. Staff is recommending that the Planning Commission review the draft ordinance and decide whether or not to proceed with a public hearing to consider adding the proposed text amendment to the Zoning Ordinance.

REQUEST DETAILS

Staff has drafted a proposed ordinance to allow a new use called “commercial wedding venue” as an accessory use within the City’s use classification system. These types of activities would be allowed as an interim use in A and RT zoning districts. The draft ordinance includes a series of requirements for these types of uses, and covers a wide range of issues, including food handling, hours of operation, off-street parking requirements, setbacks, landscaping, screening, application requirements, lighting requirements, and other relevant information. The draft has been prepared using the City of Afton’s recent ordinance for similar events as a model, and also incorporating the proposed restrictions that were presented by Carol Palmquist at the last Planning Commission meeting.

Please note that Staff will be reviewing the City’s requirements concerning the licensing of liquor sales in advance of the meeting, and is also investigating whether or not the proposed wedding venues could utilize a provision of State Statutes that allows for the sale of wine associated with a farm winery.

At this time, Staff is seeking feedback from the Commission concerning the preliminary draft ordinance and will proceed in accordance with any further direction from the Commission.

RECOMMENDATION:

No formal action is required at this time. Staff is looking for feedback on the commercial wedding venue ordinance in advance of a potential public hearing.

ATTACHMENTS:

1. Draft Commercial Wedding Venue Ordinance (3/10/14)
2. Email from Carol Palmquist Dated 2/10/14

ORDER OF BUSINESS:

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

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-_____

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY ADDING PROVISOINS CONCERNING COMMERCIAL WEDDING VENUES AND ALLOWING SUCH USES AS AN INTERIM USE IN A AND RT ZONING DISTRICTS

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended by adding the following:

§154.012 Zoning Use Types and Classifications

B. Use Types and Classifications.

12. Accessory Uses

Commercial Wedding Venue. A use involving a location to conduct wedding ceremonies, not including receptions, and operated with the intention of earning a profit by providing the venue to the public.

SECTION 2. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended by adding the following:

§154.400 Permitted and Conditional Uses.

Table 9-1 lists all permitted and conditional uses allowed in the rural districts. "P" indicates a permitted use, "C" a conditional use, and "I" an interim use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "Standards" indicate the location within this Ordinance of specific development standards that apply to the listed use.

Table 9-1: Permitted and Conditional Uses, Rural Districts

	RT	A	RR	RS	RE	Standard
Accessory Uses						
Commercial Wedding Venue	I	I	-	-	-	155.111.C

SECTION 3. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended by adding the following:

§ 154. 310 Standards for Accessory Uses

- D. *Commercial Wedding Venue.* A commercial wedding venue is allowed as an accessory use with an interim use permit in the A - Agriculture and RT - Rural Transitional on parcels greater than 10 acres size. The suitability of a parcel for a wedding venue shall be determined by the characteristics of the site and by the unique capacity of the parcel to accommodate the use while preserving the essential rural character of the neighborhood and the site on which the use is located, by the ability of the parcel to accommodate the use without negative impact on the general health, safety, and welfare of the community, and by other factors the City may deem appropriate for consideration.
1. *Ownership.* The property will be the primary residence of the venue operator(s). The operator must be on the premises for the duration of each event.
 2. *Maximum Number of Guests.* The maximum numbers of guests is limited to 150 for each event.
 3. *Food Handling.* Any on-site preparation of food or beverages must comply with all applicable federal, state, or local requirements.
 - a. *Kitchen Facilities.* No commercial kitchen facility is allowed.
 - b. *Catering.* Caterers must be properly licensed.
 4. *Serving of Alcohol.* The serving of alcoholic beverages shall be limited to table, fortified, or sparkling wines. The serving of such beverages shall following proper City and State licensing requirements.
 - a. Bartenders serving guests must be properly licensed.
 5. *Hours of Operation.* Events shall only be allowed between the hours of 10:00 a.m. and 10:00 p.m. All guests and staff must vacate the premises by 10:00 p.m. All lights associated with the event must be turned off by 10:00 p.m.
 6. *Overnight Accommodations.* No overnight accommodations are allowed.
 7. *Off-Street Parking.* Off-street parking shall be required in the ratio of one (1) parking space for each three attendees based on the maximum number of attendees planned for the site. The off-street parking area and the number of parking spaces shall be documented on the required site plan.
 8. *Setbacks.* The minimum setbacks from neighboring houses and property lines for the various activities associated with the wedding venue shall be as follows:
 - a. Parking: 100 feet from residential property lines; 200 feet from neighboring houses.
 - b. Outdoor Activity Spaces: 300 feet from residential property lines; 400 feet from neighboring houses.
 - c. Indoor Activity Spaces: 300 feet from residential property lines; 300 feet from neighboring houses.
 9. *Landscaping/Screening.* Landscaping may be required to buffer the use from adjacent land uses and to provide screening when such screening does not presently exist on the site. A landscape plan shall be submitted at the time of application for an Interim Use Permit.

10. *Grading.* Any proposed grading shall observe all requirements of Section 151.017 of the City Code. If a grading plan is required, it shall be submitted in conjunction with an application for an Interim Use Permit.
11. *Traffic.* A transportation management plan shall be submitted as part of an application for an Interim Use Permit. The plan shall address traffic control, including traffic movement to the public street system and impact on the surrounding roadways.
12. *Structures.* All existing or proposed structures to be used for the wedding venue shall be inspected by the City's Building Official and must meet applicable Building Code requirements.
 - a. *Temporary Structures.* Temporary structures, including tents and canopies, may be allowed. Tents and canopies may be erected no more than two days prior to an event and must be removed no more than two days following the event.
13. *Application.* An application for a commercial wedding venue shall follow the application and review procedures for an Interim Use Permit as specified in Section 154.107. In addition to the submission requirements of Section 154.107, an application for a commercial wedding venue shall include the following information:
 - a. The expected number of attendees per ceremony;
 - b. The number of ceremonies per year;
 - c. The number of employees;
 - d. The hours of operation;
 - e. Sanitary facilities;
 - f. Lighting;
 - g. Sound amplification to be used;
 - h. Temporary structures or tents to be used in association with the planned events;
 - i. Signage;
 - j. Security to be provided;
 - k. Location of all trash receptacles;
 - l. Other documentation as specified herein;
14. *Sanitary Facilities.* Sanitary facilities adequate for the number of attendees shall be provided. Portable toilets may be approved for temporary use, and must be screened from view from roads and neighboring properties by landscaping or a wooden enclosure. No portable toilets shall be located closer than 400 feet from a neighboring residential structure.
15. *Lighting.* Lighting associated with the wedding venue shall be limited to downcast and shielded fixtures so that the source of the light is not visible from adjacent roads or neighboring properties.
16. *Noise.* All wedding venues shall comply with the City's ambient noise standards.
17. *Waste.* All solid waste must be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, or other nuisance conditions and must be removed at least once every seven days by a licensed solid waste hauler.
18. *Liability.* The applicant shall secure adequate liability coverage, which shall be in place at least one week prior to any event.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 5. Adoption Date. This Ordinance 08-_____ was adopted on this _____ day of _____ 2014, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

This Ordinance 08-_____ was published on the _____ day of _____, 2014.

Kyle Klatt

From: Carol Palmquist <carol.palmquist@gmail.com>
Sent: Monday, February 10, 2014 10:41 AM
To: Kyle Klatt; Adam Bell; Michael Pearson

TO: Kyle Klatt, Lake Elmo City Planner
FROM: Carol Palmquist
DATE: February 10, 2014
RE: Vineyard Weddings, revised request

I am seeking permission from the City of Lake Elmo to allow wedding ceremonies to occur in my vineyard.

The vineyard is on a 10 acre parcel located at 12202 55th Street North, Lake Elmo Minnesota. The south boundary is bordered by 55th Street North, a public street, and a portion of the Lake Elmo City public trail system. Residential property lies to the immediate south of the trail. My property is insulated from the south neighboring residential area by several rows of mature pine trees. The City of Oak Park Heights lies on the east boundary and is entirely commercial. A single residence on the west boundary is insulated by mature pine trees from my property. The north boundary is a 3 acre pond and additional wetland. Commercial buildings circle one-half of the 3 acre pond. Remaining land on the north, opposite the wetland is proposed commercial/high density development and lies in Stillwater Township.

I will focus on wedding ceremonies; no receptions. The maximum number of guests would be 150.

It is my desire to develop a working relationship with area dining venues for receptions.

Northern Vineyards wine or champagne may be served under a licensed bartender, should that be requested.

If deemed necessary, appropriate security will be provided.

Tents or canopies, if requested, may be erected no more than two days prior to the event and removed no more than two days following the event.

All parking shall be off-street, set back, and is screened with mature pine trees from residential properties.

Hours of operation shall be between 10:00 AM and 10:00 PM.

All guests and staff will be gone by 10:00 PM.

Lights shall be off by 10:00 PM.

Adequate on-site portable sanitation will be provided.

Appropriate liability coverage will be guaranteed and in place one week prior to a wedding ceremony.

I am requesting permission to schedule ceremonies twice weekly, Monday through Saturday, during the months May through October.

I shall be on premise during each event.

We shall comply with the Lake Elmo City Code for Ambient Noise.

Thank you for your consideration of this request