

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

NOTICE OF MEETING

**City of Lake Elmo
3800 Laverne Avenue North
City Council Meeting
Tuesday, March 5, 2013 7:00 P.M.**

AGENDA

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Order of Business**
- E. Approval of Agenda**
- F. Accept Minutes**
 - 1. Accept February 19, 2013 City Council Meeting Minutes
- G. Public Comments/Inquiries**
- H. Presentations**
 - 2. Quality Star Presentation: Al Bevers
 - 3. Fire Relief Assoc Raffle Drawing
 - 4. South Washington Watershed District
- I. Consent Agenda**
 - 5. Approve Payment of Disbursements and Payroll
 - 6. Keats MSA Street and Trunk Watermain Improvements - Resolution Approving Plans and Specifications and Ordering Advertisement for Bids; **Resolution 2013-15**
 - 7. Urban Residential Zoning District Minimum Standards; **Ordinance 08-071**
 - 8. Approval of Contract with ISGMN for \$28,800 for the Completion of the 2013 City of Lake Elmo Park Survey; **Contract**

J. Regular Agenda

9. Adoption of Standard Developer's Agreement; ***Resolution 2013-16***
10. Subdivision Ordinance Amendments related to Public Land Dedication; ***Ordinance 08-072, Resolution 2013-17, Fee Schedule Amendment***
11. Comprehensive Plan Amendment - Village Land Use Plan

K. Discussion Item

12. Approval for Staff Modification Section 97.21 – Watercraft and Water Surface Regulations - to Be Consistent with MN State Statutes
(requested by Council Members Bloyer & Park)

L. Summary Reports and Announcements

- Mayor and Council
- Administrator
- City Attorney
- Planning Director
- City Engineer
- Finance Director

M. Adjourn

**LAKE ELMO CITY COUNCIL MINUTES
FEBRUARY 19, 2013**

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
FEBRUARY 19, 2013**

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

PRESENT: Mayor Pearson, Council Members Bloyer, Nelson, Smith, and Park [7:12 PM]

Also Present: City Administrator Zuleger, Planning Director Klatt, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell; Associate City Attorney Brekken [7:09]

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

Discussion of the agenda was held..

*MOTION: Council Member Smith moved **TO APPROVE THE FEBRUARY 19, 2013 CITY COUNCIL AGENDA AS PRESENTED.** Council Member Nelson seconded the motion. **Motion passed 4-0.***

ACCEPT MINUTES

ITEM 1:

THE FEBRUARY 5, 2013 CITY COUNCIL MINUTES WERE APPROVED AS AMENDED BY CONSENSUS OF THE CITY COUNCIL.

PUBLIC COMMENTS/INQUIRIES:

None

PRESENTATIONS:

ITEM 2: ANNUAL FIRE DEPARTMENT REPORT FOR 2012

Fire Chief Malmquist presented the annual Lake Elmo Fire Department 2012 report. Included were a summary of incidents, response calls, training, and goals. Including: 30 total duty crew responses; 28 Fires. 263 rescue medical; 23 hazardous calls; 30 service calls; 40 good intent calls. Average on-scene time is 9:00 minutes.

Highlights: purchased new turn-out gear; formed a truck committee; Lake Elmo Rotary made donation of equipment. Retirement of Barney Sachs (16 years), Mark Vandemmeltradt (18 years), Christine Johnson (6 years), Moe Butler (7 years). Hired new firefighters.

[Associate City Attorney Brekken arrived at 7:09 PM]

[Council Member Park arrived at 7:12 PM]

LAKE ELMO CITY COUNCIL MINUTES FEBRUARY 19, 2013

A discussion took place regarding dry hydrants. Chief Malmquist described the process. The question of the cost of dry hydrants was later discussed. Chief Malmquist said he was looking into a DNR grant to help fund. Also discussed was the placement of said dry hydrants.

equipment acquisition, specifically Self-Contained Breathing Apparatuses, was discussed. Grants are being sought to obtain new equipment.

Chief Malmquist provided an overview of the ISO Report. The last audit was in 2001. Mayor Pearson asked if the audit were conducted now, would there be a realized reduction in rates. It was stated that it would, but it may be justified in waiting. The test is free but should only be done every few years because the amount of work involved. Discussion was had regarding the benefits of waiting until more updates/improvements were on-line. Chief Malmquist stated that it would be worth waiting. Council Member Smith concurred that it was worth waiting so that the updates are captured.

ITEM 3: STATE HIGHWAY 5/CSAH 17 ROAD SAFETY AUDIT – PRESENTATION OF AUDIT FINDINGS/RECOMMENDATIONS

Adam Josephson from MnDOT presented an overview of the past meetings regarding Hwy 5. Howard Preston, also from MnDOT and Lake Elmo resident, then provided an overview of the road safety audit findings. The road was divided into three segments: West (Jamaca Ave to Lake Elmo Ave.), Middle (downtown Lake Elmo), and East (Downtown to Manning) segments. The methodology was explained. Middle and East segments have higher crash rates than similar roadways. The West segment is lower than expected, despite more severe crashes. Ninety percent of crashes are intersection related. Jamaca and Manning have highest, not intersections between.

According to MnDOT, based on the crash data, there is not an compelling need to do anything immediately. The suggestion for the immediate short term is to continue studying the road. There is an estimate of an average of 16,000 vehicles over the next 15 years. There is a uniform speed observed on Hwy 5. Part of the reason for the higher traffic volume is the underdeveloped roadway options.

However, MnDOT did provide some suggestions to address the concerns and improve safety. Mr. Howard provided an overview of the suggestions. There are three different types: Short, mid, and long-term. All categories cover roadway safety, speed reduction, and pedestrian safety. Short-term is defined as 1-5 years; mid-term as 5-10 years; and long-term as 10+ years). *[All the suggestions are included in the official city meeting record.]*

One of the easiest and quickest suggestions is the conversion of the road to a three lane roadway. The urbanization of the roadway has been effective in reducing speed. The process for adding third lane was later discussed. It is done with reallocating existing space. Mr. Josephson explained some options regarding government partnerships. Council Member Park expressed her support for the third lane option.

A discussion was had regarding pedestrian bridges and the speed limit around the school. Mr. Josephson said the bridge solution usually is up to the cities. Compliance with the Americans with Disabilities Act has increased difficulties in bridge construction. Council Member Smith noted her concerns about the findings regarding the pedestrian crash data. The fact that there currently are

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no pedestrian crashes is more related to the fact that the school does not use the crossing as opposed to the inherent safety of the crosswalk or roadway.

The possibility that some businesses and access points may cause increased traffic was discussed. Mr. Josephson said that no specific businesses or access points were identified, but access modifications are recommended as change occurs instead of forcing businesses to modify access points. More opportunities were available when future modifications were made.

City Administrator Zuleger thanked Adam Josephson, Howard Preston, and MnDOT for the hard work in obtaining funding and conducting the study.

Lake Elmo Elementary School Principal Stephen Gorde spoke about the future challenges in pedestrian traffic near the school.

The option of a flashing beacon was discussed. It would be the city's responsibility and cost about \$10,000. Council Member Nelson expressed his desire to direct staff to identify options for addressing the crosswalk issue. It was agreed that coordinating with the school was critical. Mayor Pearson called for a workshop to provide staff direction.

Highway 5 access points were further discussed. Mr. Josephson explained that modifications are typically done during redevelopment. Frontage roads can limit and control access, but are major changes and expensive.

ITEM 4: 2012 COMMUNITY DEVELOPMENT DEPARTMENT ANNUAL REPORT

In consideration of time, report was included as part of staff report.

CONSENT AGENDA

5. Approve Payment of Disbursements and Payroll
6. Accept Financial Report dated January 31, 2013
7. Accept Building Permit Report dated January 31, 2013
8. Approve Renewal of St. Croix Valley Fire Service Agreement
9. 2013 Seal Coat Project – Authorize Preparation of Plans & Specifications
10. 2013 Seal Coat Project – Joint Powers Project Agreement with West Lakeland Township
11. Engineering Design and Construction Standards Manual – Resolution to Adopt Manual; **Resolution 2013-09**

*MOTION: Council Member Smith moved **TO APPROVE THE CONSENT AGENDA**. Council Member Park seconded the motion. **MOTION PASSED 5-0.***

REGULAR AGENDA

ITEM 12: CONTRACTOR LICENSING CODE AMENDMENT; *ORDINANCE 08-069, RESOLUTION 2013-10*

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City Administrator Zuleger explained purpose of the amendments. It was noted that previous submissions to council has allowed for staff clarification on most previous council questions and concerns. Additional clarification was provided the required 4/5 vote for summary publication. It is only in regards to the summary publication and not the ordinance itself.

The city is not looking to proactively police all construction, but is more concerned about health and safety of community development. It was noted that city liability is also an issue and part of the impetus for bringing to council.

*MOTION: Council Member Smith moved **TO APPROVE ORDINANCE 08-069, THEREBY ESTABLISHING AN IMPROVED CONTRACTOR LICENSING PROGRAM TO SET MINIMUM STANDARDS RELATED TO COMPETENCY AND PROFESSIONALISM IN CONSTRUCTION ACTIVITIES IN LAKE ELMO, MN.** Council Member Nelson seconded the motion. **MOTION PASSED 5-0.***

*[TAKEN AFTER VOTE FOR ITEM 15] MOTION: Council Member Smith moved **TO ADOPT RESOLUTION 2013-10 APPROVING SUMMARY PUBLICATION OF ORDINANCE 08-069.** Council Member Nelson seconded the motion. **MOTION PASSED 5-0.***

ITEM 13: ADOPTING RESOLUTION AUTHORIZING LIMITED PROPERTY TAX ABATEMENT FOR 8665 HUDSON BOULEVARD FOR YEARS 2014, 2015, 2016, 2017; RESOLUTION 2013-11

City Administrator Zuleger gave overview of the Valley Cartage Corporation's desire to relocate headquarters to Lake Elmo, creating 50 new jobs with pay of \$35,000-\$70,000 each. Worked with legal staff, Washington County, the Governor's office, Xcel, Greater MSP, and legislative reps. Washington County will be taking issue up in March.

Mr. Zuleger explained the details of how the abatement would work. The property tax abatement would be about \$40,000 over three years. Package would include: Forgivable loan from State of Minnesota, \$400 job training program, energy credits from Xcel Energy, and market study/analysis from Greater MSP. The abatement is contingent on the deal closing and the creation of the jobs within two years in order to have loan forgiven. City Attorney Snyder and Washington County Deputy Administrator Kevin Corbid were noted for their efforts.

*MOTION: Council Member Smith moved **TO APPROVE RESOLUTION 2013-11 AUTHORIZING LIMITED PROPERTY TAX ABATEMENT FOR 8665 HUDSON BOULEVARD FOR THE YEARS 2014 - 2017 FOR THE PURPOSE OF CREATING (50) NEW, GOOD PAYING JOBS THAT HAVE A \$30,000,000 IMPACT ON THE LOCAL ECONOMY.** Council Member Park seconded the motion. **MOTION PASSED 5-0.***

ITEM 14: OLSON LAKE TRAIL JOINT SANITARY SEWER PROJECT - ACCEPT REPORT, CALL FOR IMPROVEMENT HEARING, DECLARE COST TO BE ASSESSED, AND CALL FOR HEARING ON PROPOSED ASSESSMENT; RESOLUTION 2013-12, RESOLUTION 2013-13

City Engineer Griffin gave overview of the project and the process. This is joint project with the City of Oakdale. Mr. Griffin explained the uniqueness of the project. Unique issues are 1) Jurisdiction; 2) topography; and 3) phasing and timing. The feasibility report and project scope were then

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explained. Washington County is not able to move the related road project up to 2013, but can move up some to work with both cities. The pipe should be able to go in ditch for phase I and so will have little impact on properties.

It was noted that there are significant cost savings by working with Oakdale. Schedule is to complete initial project in 2013. Work with Washington County for 2014/2015 to complete phase II. The grinder stations were briefly discussed and explained. Life expectancy of septic systems was discussed. Generally, 20-30 years, but depends on use.

Proposed assessment is \$18,500. This is the total cost of both phases divided by the total properties. Staff is looking to extend financing over 15 years because of the longer term improvement. There will be additional connection costs owed to the City of Oakdale, as well as private connection fees. There was discussion regarding the high expenses and whether expanding the scope would ease the burden by the greater sharing. It was noted that expanding scope does increase overall construction costs.

Resident Tony Heider of 4575 Olson Lake Trail spoke about the cost of a new septic system. He paid \$22,500 and no long term financing. Believes it would be cheaper overall to connect to sewer.

Council Member Bloyer asked about options for residents who recently installed a system. It was stated that it would be up to council. Staff is currently working with MPC to see if there are options.

Question about the one year hook up time. Staff stated that this was the standard time limit. The environmental benefit was also pointed out. Want to get people connected as soon as possible. Up to council, but longer is not recommended. Council Member Smith noted that City must be careful about abuse of hardship claims. There have already been various types of accommodations to many properties. Assessment deferrals were also discussed if hardship is proven.

Clarification was provided regarding the process for Phase II and how the costs would be determined. The process would include another improvement hearing because it is considered another project.

Inquiry regarding decision point and how many properties are needed to act. Mr. Griffin stated that with the petition process, 35% of the properties would need to show interest. They would require staff to conduct a feasibility study. Council still has the option to decide against the improvement. Because this project was initiated by petition in Oakdale, the proposed March 19th approval would need a 4/5 vote for approval.

MOTION: Council Member Bloyer moved TO ADOPT RESOLUTION NO. 2013-12, RECEIVING THE FEASIBILITY REPORT FOR THE OLSON LAKE TRAIL SANITARY SEWER EXTENSION AND CALLING HEARING ON IMPROVEMENT TO BE HELD ON MARCH 19, 2013. Council Member Park seconded the motion. MOTION PASSED 5-0.

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*MOTION: Council Member Bloyer moved **TO ADOPT RESOLUTION NO. 2013-13, DECLARING COST TO BE ASSESSED AND CALLING HEARING ON PROPOSED ASSESSMENT FOR THE OLSON LAKE TRAIL SANITARY SEWER EXTENSION TO BE HELD ON MARCH 19, 2013.** Council Member Park seconded the motion. **MOTION PASSED 5-0.***

Seven minute recess called at 9:30 PM

Meeting reconvened at 9:37 PM

ITEM 15: ZONING TEXT AMENDMENT - PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE; ORDINANCE 08-070, RESOLUTION 2013-14

Planning Director Klatt gave an overview of the PUD amendment reasoning and process. Main purpose is flexibility. Many cities do it different ways. The changes are not drastically different from current regulations. Amendment mainly deals with application process and providing clarity for developers. It was explained that the planning commission recommendation was unanimous. Fire Chief Malmquist explained the benefit of fire sprinklers. Costs estimated at about \$1.61/sq ft in building costs. Incentive for builders and positive safety feature.

It was decided to separate Paragraph B into two paragraphs.

Mayor Pearson asked Mr. Klatt what his opinion was. Mr. Klatt stated the proposed amendment would aide in working with builders to provide clarity and flexibility. Council Member Park asked about size restrictions. Mr. Klatt stated this was to promote use on more than one lot. Current rule is 2 acres. It was asked if this is smart for village. Because area is mixed use, it won't need it. Flexibility is already there.

*MOTION: Council Member Park moved **TO ADOPT ORDINANCE 08-070 TO INCORPORATE RECENT BEST PRACTICES RELATED TO THE EXECUTION OF PUDS AND MAKE CONTINUED ORGANIZATIONAL IMPROVEMENTS TO THE ZONING CODE.** Council Member Bloyer seconded the motion. **MOTION PASSED 5-0.***

*MOTION: Council Member Park moved **TO APPROVE RESOLUTION NO. 2013-14, AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-070.** Council Member Bloyer seconded the motion. **MOTION PASSED 5-0.***

SUMMARY REPORTS AND ANNOUNCEMENTS

Council Member Nelson – attended village planning meeting. Getting to know staff and has been receptive. Thanked staff.

Council Member Smith reported village group has focused in on what needs to be done. Questions can be directed to her or Planner Johnson.

Council Member Park no report.

Council Member Bloyer no report.

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Mayor Pearson reported attending regional mayors meeting and discussed governor's tax policies; proposed development for village meeting; School Dist. meeting with Mahtomedi; chamber symposium, and noted symposium is looking for alternates. Council Member Nelson volunteered. Damon Farber and Assoc. theming meeting; Love to read program- read at Lake Elmo Elem. school. Met with Rep. Kriesel on Lake Elmo Ave improvements moving up; EDA interview; village work group meeting- thanked the group for hard work.

City Administrator Zuleger reported Thursday 2/28 6:30-8:30 workshop on growth; developers agreement; fully staffed; worked closely with comp relocating. Worked with other people for econ development. Meet with U.S. Rep. McCollum and staff on ground water repair funds; CIP analysis- 5 year on equipment needs. Actively working with developers. Recruiting for EDA.

City Attorney Snyder no report.

City Engineer Griffin reported working on Olson Lake Trail; Keats design; engineering design standards manual, developers agreements. Mayor Pearson asked about the timeframe for HWY 36. Mr. Griffin said that there were some federal issues with the proposal, but Adam Josephson said that the issues supposedly were resolved.

Planning Director Klatt gave summary 2012 report. Reported overview of projects. Public hearing on comp plan on 2/25.

Finance Director Bendel reported Auditors were on site last week. They will be back in April.

AT 10:09 PM, MAYOR PEARSON ADJOURNED THE OPEN MEETING TO CLOSED MEETING per MN State Statute 13D.05 Subd. 3(a) to evaluate the performance of City Administrator Dean Zuleger

ITEM 16: CLOSED SESSION

Present: **Mayor Pearson, Council Members Bloyer, Nelson, Smith, and Park**
Also Present: City Clerk Bell and Associate City Attorney Brekken

*MOTION: AT 11:24 PM, Council Member Smith moved **TO RECONVENE OPEN SESSION**. Council Mayor Pearson seconded the motion. **MOTION PASSED 5-0.***

Mayor Pearson provided summary of proceedings: Council approved a 3.7% salary increase for performance.

Adjourned open meeting at 11:24 P.M.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

Adam R. Bell, City Clerk



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/05/2013

CONSENT

ITEM #: 5

MOTION Consent Agenda

AGENDA ITEM: Approve Disbursements in the Amount of \$160,571.48

SUBMITTED BY: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$160,571.48. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

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

Claim #	Amount	Description
ACH	\$ 9,916.97	Payroll Taxes to IRS & MN Dept of Revenue 2/21/13
ACH	\$ 5,555.73	Payroll Retirement to PERA 2/21/13
DD4442 – DD4464	\$ 26,682.85	Payroll Dated 2/21/13 (Direct Deposit)
1870-1883	\$ 840.00	Library Card Reimbursements 3/5/13
39595	\$ 7,604.20	Manual Check 2/19
39596-39597	\$ 464.59	Accounts Payable 3/5/13 (2012 expense)
39598-39648	\$ 109,507.14	Accounts Payable 3/5/13 (2013 expense)
TOTAL	\$ 160,571.48	

STAFF REPORT: City staff has complied and reviewed the attached set of claims. All appears to be in order and consistent with City budgetary and fiscal policies and Council direction.

RECOMMENDATION: It is recommended that the City Council approve as part of the Consent Agenda proposed disbursements in the amount of \$160,571.48.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda or a particular claim from this item and further discuss and deliberate prior to taking action. If done so, the appropriate action of the Council following such discussion would be:

“Move to approve the March 5, 2013, Disbursements as

Presented *[and modified]* herein.”

ATTACHMENTS:

1. Accounts Payable Dated 3/5/13

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

- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

Accounts Payable To Be Paid Proof List

User: Mike G

Printed: 02/28/2013 - 2:57 PM

Batch: 008-02-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
L-ANDSUS Anderson Susan										
250	02/22/2013	60.00	0.00	03/05/2013	Library Card Reimbursement		-			No 0000
206-450-5300-44300	Miscellaneous									
	250 Total:	60.00								
	L-ANDSUS Total:	60.00								
L-BUHL Buhl Monica										
251	02/22/2013	60.00	0.00	03/05/2013	Library Card Reimbursement		-			No 0000
206-450-5300-44300	Miscellaneous									
	251 Total:	60.00								
	L-BUHL Total:	60.00								
L-CARLSO Carlson Gary										
263	02/22/2013	60.00	0.00	03/05/2013	Library Card Reimbursement(ReCut)		-			No 0000
206-450-5300-44300	Miscellaneous									
	263 Total:	60.00								
	L-CARLSO Total:	60.00								
L-CHASE Chase Trisha										
252	02/22/2013	60.00	0.00	03/05/2013	Library Card Reimbursement		-			No 0000
206-450-5300-44300	Miscellaneous									
	252 Total:	60.00								
	L-CHASE Total:	60.00								
L-HANSUS Hansen Susan										
253	02/22/2013	60.00	0.00	03/05/2013	Library Card Reimbursement		-			No 0000
206-450-5300-44300	Miscellaneous									
	253 Total:	60.00								
	L-HANSUS Total:	60.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
L-HARRIS Harrison Mary 254 02/22/2013 206-450-5300-44300 Miscellaneous 254 Total: L-HARRIS Total:		60.00 60.00 60.00	0.00	03/05/2013	Library Card Reimbursement		-	No		0000
L-JOHNJU Johnson Julie 255 02/22/2013 206-450-5300-44300 Miscellaneous 255 Total: L-JOHNJU Total:		60.00 60.00 60.00	0.00	03/05/2013	Library Card Reimbursement		-	No		0000
L-JOSTES Jostes Denise 256 02/22/2013 206-450-5300-44300 Miscellaneous 256 Total: L-JOSTES Total:		60.00 60.00 60.00	0.00	03/05/2013	Library Card Reimbursement		-	No		0000
L-KELTON Kelton Marcela 257 02/22/2013 206-450-5300-44300 Miscellaneous 257 Total: L-KELTON Total:		60.00 60.00 60.00	0.00	03/05/2013	Library Card Reimbursement		-	No		0000
L-LIZAKO Lizakowski Susan 258 02/22/2013 206-450-5300-44300 Miscellaneous 258 Total: L-LIZAKO Total:		60.00 60.00 60.00	0.00	03/05/2013	Library Card Reimbursement		-	No		0000
L-MADRIN Madrinich Jean 259 02/22/2013 206-450-5300-44300 Miscellaneous 259 Total: L-MADRIN Total:		60.00 60.00 60.00	0.00	03/05/2013	Library Card Reimbursement		-	No		0000
L-MILL Miller Ann 260 02/22/2013 206-450-5300-44300 Miscellaneous 260 Total:		60.00 60.00	0.00	03/05/2013	Library Card Reimbursement		-	No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	L-MILL Total:	60.00								
L-ROSSOW Rossow Susan										
261	02/22/2013	60.00	0.00	03/05/2013	Library Card Reimbursement		-		No	0000
206-450-5300-44300	Miscellaneous									
	261 Total:	60.00								
	L-ROSSOW Total:	60.00								
L-SUPANA Supan Andrea										
262	02/22/2013	60.00	0.00	03/05/2013	Library Card Reimbursement		-		No	0000
206-450-5300-44300	Miscellaneous									
	262 Total:	60.00								
	L-SUPANA Total:	60.00								
	Report Total:	840.00								

Accounts Payable To Be Paid Proof List

User: joan z

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WASH-REC Washington County										
0025	02/19/2013	1,134.66	0.00	02/19/2013	13.029.21.23.0025 Property Tax		-			0000
206-450-5300-45200 Buildings										
	0025 Total:	1,134.66								
0054	02/19/2013	6,321.19	0.00	02/19/2013	13.029.21.23.0054 Property Tax		-			0000
206-450-5300-45200 Buildings										
	0054 Total:	6,321.19								
0055	02/19/2013	148.35	0.00	02/19/2013	13.029.21.23.0055 Property Tax		-			0000
206-450-5300-45200 Buildings										
	0055 Total:	148.35								
	WASH-REC Total:	7,604.20								
	Report Total:	7,604.20								

Accounts Payable To Be Paid Proof List

User: Mike G

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Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ARAM Aramark, Inc.										
629-7639336	12/10/2012	43.75	0.00	03/05/2013	Linen City Hall		-			0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	629-7639336 Total:	43.75								
629-7648946	12/24/2012	43.75	0.00	03/05/2013	Linen City Hall		-			0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	629-7648946 Total:	43.75								
629-7648947	12/24/2012	176.81	0.00	03/05/2013	Monthly Rug Service, Fire Station #1		-			0000
101-420-2220-44010	Repairs/Maint Bldg									
	629-7648947 Total:	176.81								
	ARAM Total:	264.31								
GRAPHICR Graphic Resources										
44736	12/31/2012	200.28	0.00	03/05/2013	2 Part Carbonless Dept of Inspect.		-			0000
101-420-2400-42000	Office Supplies				Forms					
	44736 Total:	200.28								
	GRAPHICR Total:	200.28								
	Report Total:	464.59								

Accounts Payable To Be Paid Proof List

User: Mike G

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Batch: 007-02-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ADAMBELL Bell Adam										
ICCFEB-13	02/26/2013	40.91	0.00	03/05/2013	Adam Bell Mileage-ICC Training		-	No		0000
101-410-1320-43310	Mileage	40.91								
ICCFEB-13 Total:		40.91								
ADAMBELL Total:		40.91								
AMLEGAL American Legal Publishing Corp										
91296	02/14/2013	350.00	0.00	03/05/2013	Internet Renewal - 3/3/13 - 3/3/14		-	No		0000
101-410-1320-43510	Legal Publishing	350.00								
91296 Total:		350.00								
AMLEGAL Total:		350.00								
ARAM Aramark, Inc.										
629-7680709	02/07/2013	24.78	0.00	03/05/2013	Uniforms		-	No		0000
101-430-3100-44170	Uniforms	24.78								
629-7680709 Total:		24.78								
629-7685474	02/14/2013	24.78	0.00	03/05/2013	Uniforms		-	No		0000
101-430-3100-44170	Uniforms	24.78								
629-7685474 Total:		24.78								
629-7687305	02/18/2013	178.83	0.00	03/05/2013	Monthly Rug service, Station 2		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg	178.83								
629-7687305 Total:		178.83								
629-7687306	02/18/2013	43.75	0.00	03/05/2013	City Hall- Mats & Linen Service		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg	43.75								
629-7687306 Total:		43.75								
629-7687307	02/18/2013	176.81	0.00	03/05/2013	Monthly Rug service, Station 1		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg	176.81								
629-7687307 Total:		176.81								
629-7690263	02/21/2013	24.78	0.00	03/05/2013	Uniforms		-	No		0000
101-430-3100-44170	Uniforms	24.78								
629-7690263 Total:		24.78								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ARAM Total:		473.73								
BATTYPL Batteries Plus Woodbury, Corp										
32-769976	02/20/2013	13.31	0.00	03/05/2013	Door Opener Batteries		-		No	0000
101-430-3100-42150 Shop Materials										
32-769976 Total:		13.31								
BATTYPL Total:		13.31								
BERTELSON Bertelson's										
WO-833193-1	02/18/2013	353.81	0.00	03/05/2013	Admin Supplies		-		No	0000
101-410-1320-42000 Office Supplies										
WO-833193-1	02/18/2013	18.18	0.00	03/05/2013	Building Supplies		-		No	0000
101-420-2400-42000 Office Supplies										
WO-833193-1	02/18/2013	48.07	0.00	03/05/2013	Planning Supplies		-		No	0000
101-410-1910-42000 Office Supplies										
WO-833193-1	02/18/2013	26.99	0.00	03/05/2013	Finance Supplies		-		No	0000
101-410-1520-42000 Office Supplies										
WO-833193-1 Total:		447.05								
BERTELSON Total:		447.05								
BOYER Boyer Trucks										
712070	01/31/2013	42.00	0.00	03/05/2013	Spring Bracket 86-1		-		No	0000
101-430-3125-44040 Repairs/Maint Eqpt										
712070 Total:		42.00								
BOYER Total:		42.00								
BRO Brodant										
1-3544	02/11/2013	78.00	0.00	03/05/2013	Book Wrapping Supplies		-		No	0000
206-450-5300-42000 Office Supplies										
1-3544 Total:		78.00								
BRO Total:		78.00								
CARQUEST Car Quest Auto Parts										
2055-282312	02/21/2013	6.65	0.00	03/05/2013	Brake Pads 07-1		-		No	0000
101-430-3100-44040 Repairs/Maint Eqpt										
2055-282312	02/21/2013	25.41	0.00	03/05/2013	Brake & Carb. Cleaner		-		No	0000
101-430-3100-42150 Shop Materials										
2055-282312 Total:		32.06								
CARQUEST Total:		32.06								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CENTURYL CenturyLink										
2/19	03/09/2013	120.33	0.00	03/05/2013	Phone Service - Library		-		No	0000
206-450-5300-43210	Telephone									
2/19	03/09/2013	35.95	0.00	03/05/2013	Internet Service - Library		-		No	0000
206-450-5300-43250	Internet									
	2/19 Total:	156.28								
	CENTURYL Total:	156.28								
CORNELL Cornell Mike										
1/3	02/20/2013	213.40	0.00	03/05/2013	Lodging for FITFOAM		-		No	0000
101-420-2220-44370	Conferences & Training									
1/3	02/20/2013	96.05	0.00	03/05/2013	Meals		-		No	0000
101-420-2220-44370	Conferences & Training									
	1/3 Total:	309.45								
	CORNELL Total:	309.45								
CTYBLOOM City of Bloomington										
Jan2013	01/31/2013	31.50	0.00	03/05/2013	Lab Bacteria Tests		-		No	0000
601-494-9400-42270	Utility System Maintenance									
	Jan2013 Total:	31.50								
	CTYBLOOM Total:	31.50								
CTYCENTE City of Centerville										
8868	02/13/2013	150.50	0.00	03/05/2013	Building Inpsctions		-		No	0000
101-420-2400-43150	Inspector Contract Services									
8868	02/13/2013	35.85	0.00	03/05/2013	Mileage		-		No	0000
101-420-2400-43310	Mileage									
	8868 Total:	186.35								
	CTYCENTE Total:	186.35								
CTYOAKDA City of Oakdale										
201302223562	02/22/2013	196.96	0.00	03/05/2013	Drivers Window on CV1		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
	201302223562 Total:	196.96								
	CTYOAKDA Total:	196.96								
CURCUIW Curcuit Works										
5579	02/21/2013	619.88	0.00	03/05/2013	2 UPS Surge and backup for well2&Tower2		-		No	0000
601-494-9400-42400	Small Tools & Minor Equipment									
	5579 Total:	619.88								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CURCUITW Total:		619.88								
DELTA Delta Dental Of Minnesota										
5062503	02/19/2013	1,326.30	0.00	03/05/2013	March 2013 Dental Coverage		-		No	0000
101-000-0000-21706	Medical Insurance									
5062503 Total:		1,326.30								
DELTA Total:		1,326.30								
FERGUSON Ferguson Waterworks, Inc #2516										
8939-1	01/31/2013	2,170.42	0.00	03/05/2013	Meters		-		No	0000
601-494-9400-42300	Water Meters & Supplies									
8939-1 Total:		2,170.42								
FERGUSON Total:		2,170.42								
FIORILLO Fiorillo Megan										
CO2/19	02/19/2013	55.00	0.00	03/05/2013	Cable Operation-2/19/13 CC Meeting		-		No	0000
101-410-1450-43620	Cable Operations									
CO2/19 Total:		55.00								
FIORILLO Total:		55.00								
FOCUS Focus Engineering, Inc.										
506,507	02/23/2013	2,738.56	0.00	03/05/2013	General		-		No	0000
101-410-1930-43030	Engineering Services									
506,507	02/23/2013	4,244.00	0.00	03/05/2013	Planning		-		No	0000
101-410-1910-43030	Engineering Services									
506,507 Total:		6,982.56								
508	02/23/2013	884.50	0.00	03/05/2013	Building		-		No	0000
101-420-2400-43030	Engineering									
508	02/23/2013	1,330.43	0.00	03/05/2013	Planning		-		No	0000
101-410-1910-43030	Engineering Services									
508	02/23/2013	945.00	0.00	03/05/2013	PW		-		No	0000
101-430-3100-43030	Engineering Services									
508	02/23/2013	516.00	0.00	03/05/2013	Water		-		No	0000
601-494-9400-43030	Engineering Services									
508	02/23/2013	852.10	0.00	03/05/2013	Sewer Water		-		No	0000
602-495-9450-43030	Engineering Services									
508	02/23/2013	1,723.50	0.00	03/05/2013	Surface Water		-		No	0000
603-496-9500-43030	Engineering Services									
508 Total:		6,251.53								
509	02/23/2013	1,171.32	0.00	03/05/2013	Trans & Traffic System		-		No	0000
409-480-8000-43030	Engineering Services									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
509	02/23/2013	450.00	0.00	03/05/2013	Street Maintenance		-			0000
409-480-8000-43030	Engineering Services								No	0000
509	02/23/2013	1,720.50	0.00	03/05/2013	Municipal Aid System		-			0000
409-480-8000-43030	Engineering Services								No	0000
509	02/23/2013	67.50	0.00	03/05/2013	Capital Improvement Planning		-			0000
409-480-8000-43030	Engineering Services								No	0000
509	02/23/2013	926.50	0.00	03/05/2013	2013 Seal Coat Project		-			0000
409-480-8000-43030	Engineering Services								No	0000
509	02/23/2013	206.50	0.00	03/05/2013	Trunk highway 36 Corridor Planning		-			0000
409-480-8000-43030	Engineering Services								No	0000
509	02/23/2013	29.50	0.00	03/05/2013	MNDot Hilton Trail Interchange		-			0000
409-480-8000-43030	Engineering Services								No	0000
509	02/23/2013	588.64	0.00	03/05/2013	State Hwy 5 Traffic mgmt&Safety Improv		-			0000
409-480-8000-43030	Engineering Services								No	0000
510	02/23/2013	5,160.46	0.00	03/05/2013	Lake elmo Area Village Eng. Support		-			0000
413-480-8000-43030	Engineering Services								No	0000
511	02/23/2013	147.50	0.00	03/05/2013	10th Street Infrastructure Planning		-			0000
420-480-8000-43030	Engineering Services								No	0000
512	02/23/2013	265.50	0.00	03/05/2013	Demontreville Highlands Area Street Impr		-			0000
419-480-8000-43030	Engineering Services								No	0000
513	02/23/2013	112.50	0.00	03/05/2013	Keats Ave Watermain 43%		-			0000
601-494-9400-43030	Engineering Services								No	0000
513	02/23/2013	1,353.40	0.00	03/05/2013	Keats Ave Watermain 57%		-			0000
409-480-8000-43030	Engineering Services								No	0000
514	02/23/2013	1,794.04	0.00	03/05/2013	Lennar I-94 West Corridor		-			0000
203-490-9070-43030	Engineering Services								No	0000
515	02/23/2013	3,147.44	0.00	03/05/2013	LE Ave Infrastructure 194 to 30th Street		-			0000
409-480-8000-43030	Engineering Services								No	0000
516	02/23/2013	691.82	0.00	03/05/2013	Water System Funding Activites (Deeds)		-			0000
409-480-8000-43030	Engineering Services								No	0000
517	02/23/2013	1,257.50	0.00	03/05/2013	Supply Well & Pumphouse 4		-			0000
601-494-9400-43030	Engineering Services								No	0000
FOCUS Total:		767.00	0.00							
		26,067.80								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
FXL FXL, Inc.										
March-13	03/01/2013	2,000.00	0.00	03/05/2013	Assessment Services		-		No	0000
101-410-1320-43100 Assessing Services		2,000.00								
March-13 Total:		2,000.00								
FXL Total:		2,000.00								
GARELICK Garelick Steel Co, Inc										
252669	02/07/2013	115.68	0.00	03/05/2013	Steel for Plow Truck		-		No	0000
101-430-3125-44040 Repairs/Maint Eqpt		115.68								
252669 Total:		115.68								
GARELICK Total:		115.68								
GIBSONJU Gibson Judy										
y-93076	02/13/2013	33.32	0.00	03/05/2013	reimbursement for cataloging supplies		-		No	0000
206-450-5300-42000 Office Supplies		33.32								
y-93076 Total:		33.32								
GIBSONJU Total:		33.32								
GOVTRNG Government Training Services										
1186030-5276668	02/22/2013	190.00	0.00	03/05/2013	Adam Bell MCFOA Annual Con 2013		-		No	0000
101-410-1320-44370 Conferences & Training		190.00								
1186030-5276668	02/22/2013	190.00	0.00	03/05/2013	Cathy Bendel MCFOA Annual Con 2013		-		No	0000
101-410-1520-44370 Conferences & Training		380.00								
1186030-5276668 Total:		380.00								
GOVTRNG Total:		380.00								
GRAINGER Grainger										
9060941201	02/06/2013	28.70	0.00	03/05/2013	Ice Machine Sanitizer		-		No	0000
101-420-2220-44010 Repairs/Maint Bldg		28.70								
9060941201 Total:		28.70								
GRAINGER Total:		28.70								
GRTSTILL Greater Stillwater Chamber										
101878	01/31/2013	685.00	0.00	03/05/2013	Government/School/Institution Ann. Memb		-		No	0000
101-410-1110-44300 Miscellaneous		815.00								
101878	01/31/2013	815.00	0.00	03/05/2013	Community Symposium Sponsorship		-		No	0000
101-410-1110-44300 Miscellaneous		1,500.00								
101878 Total:		1,500.00								
GRTSTILL Total:		1,500.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
HACH HACH Company 81157881 01/22/2013 601-494-9400-42160 Chemicals 81157881 Total: HACH Total:		502.21 502.21 502.21	0.00	03/05/2013	Lab Test Supplies		-	No		0000
HOLIDAYC Holiday Credit Office feb-13 02/15/2013 101-420-2220-42120 Fuel, Oil and Fluids feb-13 Total: HOLIDAYC Total:		202.91 202.91 202.91	0.00	03/05/2013	Fuel		-	No		0000
HP Hewlett-Packard Company 52362960 01/31/2013 101-410-1450-43180 Information Technology/Web 52362960 Total: 52364852 02/01/2013 101-450-5200-42400 Small Tools & Minor Equipment 52364852 Total: 52371905 02/04/2013 101-450-5200-42400 Small Tools & Minor Equipment 52371905 Total: 52372458 02/04/2013 101-410-1450-43180 Information Technology/Web 52372458 Total: 52376105 02/04/2013 101-420-2220-42000 Office Supplies 52376105 Total: HP Total:		138.19 138.19 366.89 366.89 944.08 944.08 1,550.51 1,550.51 708.02 708.02 3,707.69	0.00	03/05/2013	Dock Station Monitor Keyboard/Mouse, Parks Dept (Bod) Computer, Parks Dept(Bodlovick) Laptop Replacement PC for Station 2		-	No		0000
LEAGMN League of MN Cities 180410 02/13/2013 101-410-1110-44370 Conferences & Training 180410 Total: LEAGMN Total:		90.00 90.00 90.00	0.00	03/05/2013	Land Use Basics:Grasping the Ground Rule		-	No		0000
LEOIL Lake Elmo Oil, Inc. 12215 02/06/2013 101-430-3120-42120 Fuel, Oil and Fluids 12215 Total: 12218 02/11/2013 101-430-3120-42120 Fuel, Oil and Fluids		2,139.50 2,139.50 1,183.20	0.00	03/05/2013	Fuel Fuel		-	No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
12219	12218 Total: 02/11/2013	1,183.20								
101-430-3120-42120	Fuel, Oil and Fluids	1,525.03	0.00	03/05/2013	Fuel		-		No	0000
12220	12219 Total: 02/11/2013	1,525.03								
101-430-3120-42120	Fuel, Oil and Fluids	1,933.25	0.00	03/05/2013	Fuel		-		No	0000
	12220 Total: LEOIL Total:	1,933.25 6,780.98								
Lillie Newspapers Inc. Lillie Suburban										
Jan - 13	01/31/2013	52.80	0.00	03/05/2013	Legal Publication - Ordinance 08-65		-		No	0000
101-410-1910-42000	Office Supplies									
Jan - 13	01/31/2013	26.40	0.00	03/05/2013	Legal Publication - Notice '13 Budget		-		No	0000
101-410-1320-43510	Legal Publishing									
	Jan - 13 Total: Lillie Total:	79.20 79.20								
LOFF Loffler Companies, Inc.										
1526110	02/11/2013	431.31	0.00	03/05/2013	Copy Machines Overage & Base 1/10-2/09		-		No	0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
	1526110 Total: LOFF Total:	431.31 431.31								
MALMQ Malmquist Greg										
W179098291	01/14/2013	96.38	0.00	03/05/2013	Ordered Replacement Ceiling Fan, Stat		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg									
	W179098291 Total: MALMQ Total:	96.38 96.38								
MARONEY'S Maroney's Sanitation, Inc										
466009	02/19/2013	108.32	0.00	03/05/2013	Waste Removal - City Hall		-		No	0000
101-410-1940-43840	Refuse									
466009	02/19/2013	47.68	0.00	03/05/2013	Waste Removal - Fire		-		No	0000
101-420-2220-43840	Refuse									
466009	02/19/2013	207.82	0.00	03/05/2013	Waste Removal - Public Works		-		No	0000
101-430-3100-43840	Refuse									
466009	02/19/2013	207.82	0.00	03/05/2013	Waste Removal - Parks		-		No	0000
101-450-5200-43840	Refuse									
466009	02/19/2013	48.12	0.00	03/05/2013	Waste Removal - Library		-		No	0000
206-450-5300-43840	Refuse									
	466009 Total:	619.76								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MARONEYS Total:		619.76								
MARVS Marv's Professional Tools										
257557	02/07/2013	103.88	0.00	03/05/2013	Digital Truck Air Gauge		-		No	0000
101-430-3100-42400 Small Tools & Minor Equipment										
257557 Total:		103.88								
MARVS Total:		103.88								
MCCARTHY McCarthy Well Company										
24848	02/11/2013	460.00	0.00	03/05/2013	Well 1 & pump		-		No	0000
601-494-9400-42270 Utility System Maintenance					Performance/inspection					
24848 Total:		460.00								
MCCARTHY Total:		460.00								
MENARDST Menards - Stillwater										
12534	02/07/2013	41.70	0.00	03/05/2013	Decon Items		-		No	0000
101-420-2220-42400 Small Tools & Equipment										
12534	02/07/2013	22.96	0.00	03/05/2013	Station Cleaning Items		-		No	0000
101-420-2220-44010 Repairs/Maint Bldg										
12534 Total:		64.66								
MENARDST Total:		64.66								
MESABI H&L Mesabi Corp										
86925	02/04/2013	2,769.13	0.00	03/05/2013	Plow Blades		-		No	0000
101-430-3125-44040 Repairs/Maint Eght										
86925 Total:		2,769.13								
MESABI Total:		2,769.13								
MNDOH MN Department of Health										
2/22	02/22/2013	1,508.00	0.00	03/05/2013	1st Quarter Water Supply Connection		-		No	0000
601-494-9400-43820 Water Utility					Fee					
2/22 Total:		1,508.00								
MNDOH Total:		1,508.00								
MSFCB MN Fire Service Cert. Board										
1727	02/12/2013	75.00	0.00	03/05/2013	Instructor 1 Test		-		No	0000
101-420-2220-44370 Conferences & Training										
1727 Total:		75.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MSFCB Total:		75.00								
NAMERICA North American Salt Company										
70934066	02/04/2013	2,119.64	0.00	03/05/2013	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									
70934066 Total:		2,119.64								
70934826	02/04/2013	11,381.44	0.00	03/05/2013	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									
70934826 Total:		11,381.44								
70940660	02/12/2013	2,256.77	0.00	03/05/2013	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									
70940660 Total:		2,256.77								
70943218	02/14/2013	7,492.33	0.00	03/05/2013	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									
70943218 Total:		7,492.33								
70944051	02/12/2013	3,673.86	0.00	03/05/2013	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									
70944051 Total:		3,673.86								
NAMERICA Total:		26,924.04								
NORTHTOO Blue Taup Financial										
561019070	02/21/2013	26.77	0.00	03/05/2013	Plow Guide Kit 00-1		-		No	0000
101-430-3120-42210	Equipment Parts									
561019070 Total:		26.77								
NORTHTOO Total:		26.77								
PINKY Pinky's Sewer Service, Inc.										
2/1	02/01/2013	100.00	0.00	03/05/2013	Septic Service - Lib		-		No	0000
206-450-5300-44010	Repairs/Maint Bldg									
2/1 Total:		100.00								
PINKY Total:		100.00								
PLUNKETT Plunkett's Pest Control										
3557163	02/06/2013	104.98	0.00	03/05/2013	Pest Control Service-34852 Upper 33rd st		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
3557163 Total:		104.98								
PLUNKETT Total:		104.98								
RIVERPRT River Valley Printing										
13505	02/15/2013	216.41	0.00	03/05/2013	Forms and 2 -part paper		-		No	0000
101-420-2220-42000	Office Supplies									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
<hr/>										
	13505 Total:	216.41								
	RIVERPRT Total:	216.41								
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S&T S&T Office Products, Inc.										
01PO6234	01/08/2013	58.51	0.00	03/05/2013	Planning commission name plates		-		No	0000
101-410-1910-42000 Office Supplies										
	01PO6234 Total:	58.51								
	S&T Total:	58.51								
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SHI SHI International										
b000926370	01/31/2013	258.17	0.00	03/05/2013	Comp Software, Parks ,		-		No	0000
101-450-5200-42400 Small Tools & Minor Equipment					Dept(Bodlovick)					
	b000926370 Total:	258.17								
	SHI Total:	258.17								
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TKDA TKDA, Inc.										
002013000127	02/04/2013	14,430.51	0.00	03/05/2013	Keats MSA Street (57%)		-		No	0000
409-480-8000-43030 Engineering Services										
002013000127	02/04/2013	10,886.18	0.00	03/05/2013	Keats MSA Street (43%)		-		No	0000
601-494-9400-43030 Engineering Services										
	002013000127 Total:	25,316.69								
	TKDA Total:	25,316.69								
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TRKUTI Truck Utilities Inc.										
249755	02/05/2013	90.84	0.00	03/05/2013	Snow Deflector Front Plow 12-1		-		No	0000
101-430-3120-42210 Equipment Parts										
	249755 Total:	90.84								
	TRKUTI Total:	90.84								
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WATERCON Water Conservation Svs Inc.										
3754	02/20/2013	274.08	0.00	03/05/2013	Water Main Break Location: 3585		-		No	0000
601-494-9400-44300 Miscellaneous					Laverne					
	3754 Total:	274.08								
	WATERCON Total:	274.08								
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XCEL Xcel Energy										
51-4572945-7	02/25/2013	32.98	0.00	03/05/2013	Street Lights - 3014 Jamley		-		No	0000
101-430-3160-43810 Street Lighting										
	51-4572945-7 Total:	32.98								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	XCEL Total:	32.98								
YALEMECH Yale Mechanical										
136278	02/15/2013									
101-430-3100-44010	Repairs/Maint Bldg	550.85	0.00	03/05/2013	Heater Repair-Pole Shed 4259 Jamaca		-		No	0000
	136278 Total:	550.85								
136782	02/15/2013	1,407.01	0.00	03/05/2013	repairs to AHU-1, Noisy Blower FS 1		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg	1,407.01								
	136782 Total:	1,957.86								
	YALEMECH Total:									
	Report Total:	109,507.14								



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/05/2013

CONSENT

ITEM #: 6

RESOLUTION

AGENDA ITEM: Keats MSA Street & Trunk Watermain Improvements – Resolution 2013-15 Approving Plans & Specifications & Ordering Advertisement for Bids

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Ryan Stempski, Assistant City Engineer
Adam Bell, City Clerk
Cathy Bendel, Finance Director

SUMMARY AND ACTION REQUESTED: The city council is respectfully requested to consider adopting Resolution 2013-15 approving the plans and specifications and ordering the advertisement for bids for the Keats MSA Street and Trunk Watermain Improvements.

STAFF REPORT AND BACKGROUND INFORMATION: The Plans and Specifications have been completed for the Keats MSA Street and Trunk Watermain Improvements. The improvements include:

- The street reconstruction of Keats Avenue North as an Urban Section Road meeting state aid standards at 32 feet from back of curb to back of curb with concrete curb and gutter. The estimated Total Project Cost from the Feasibility Report was \$1,297,000. The Engineer's post-design estimated Total Project Cost is \$1,353,000 with the contingency being reduced from 10% down to 5%.
- The installation of a 12-inch or 16-inch diameter Trunk Watermain pipe connecting the existing watermain lines in the Tapestry development and Rock Point Church. The Plans and Specifications have incorporated an alternate bid option to receive bids for both 12-inch and 16-inch watermain pipe. This will allow the city to award the alternate providing the most favorable cost/benefit to the city. The estimated Total Project Cost from the Feasibility Report was \$1,028,000. The Engineer's post-design estimated Total Project Cost is \$970,000 with the contingency being reduced from 10% down to 5%.
- In addition to the improvements recommended in the feasibility report, water quality improvements were incorporated to the project to address VBWD permit requirements.

The water quality improvements consist of six shallow infiltration basins located within the existing road right-of-way. These basins serve to maximize the storm water infiltration capabilities along the corridor given the slope and soil characteristics. The basins approximate 50-feet in length by 4-feet wide and have a maximum depth of 6-inches. They are intended to capture storm water runoff for water quality treatment purposes (infiltration) and are designed to drain dry within 48-hours of a rain event. The added costs for the infiltration basins are included in the MSA Street costs.

A Feasibility Report for these improvements was initiated by the City Council on December 6, 2011. The report was presented to the council at the February 8, 2012 council meeting and at a February 28, 2012 workshop. On March 6, 2012, the council accepted the report and the improvement hearing was called. On October 2, 2012 the Improvement Hearing was held and the council authorized the preparation of Plans and Specifications and Ordered the Improvement by a 4/5th Vote (council initiated improvements). Finally, on December 11, 2012 a workshop was conducted to review the assessment policy in regards to the proposed trunk watermain lateral benefit assessment.

FUNDING: This project will be partially financed through special assessments. The Lake Elmo City Council adopted an assessment policy, dated November 16, 2010. The proposed assessments for this project are consistent with this assessment policy. The project will be funded using special assessments as well as lateral benefit charges, Municipal State Aid Funds, DEED Water System Grant Funds, and Water Enterprise Funds.

For the Street Improvements of Keats Avenue North, the project can be primarily funded using the city's municipal state aid construction funds. In addition, there are 22 properties that are proposed to be specially assessed with an estimated unit assessment amount of \$3,400. The City cost share for use of state aid funds is therefore \$1,278,200.

The trunk watermain improvement project is being installed as a part of the community wide integrated water system. Therefore, the watermain extension project will be primarily funded using the city's \$1.0 million DEED water system grant with matching funds from the city's Water Enterprise Fund. These funds must be expended prior to December 31, 2014. Similar to a collector street improvement project, a local benefit will be realized by the properties adjacent to the trunk watermain line. Council has directed that a water lateral benefit assessment be levied in the amount of \$2,900 to those 22 properties, with an additional water lateral benefit charge of \$2,900 to be deferred until those properties connect to city water.

RECOMMENDATION: Staff is recommending that the City Council approve, as part of the *Consent Agenda*, Resolution 2013-15, thereby approving the plans and specifications and ordering the advertisement for bids for the Keats MSA Street and Trunk Watermain Improvements.

ATTACHMENTS:

1. Resolution No. 2013-15
2. Proposed Project Schedule

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

RESOLUTION NO. 2013-15

**A RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS FOR THE
KEATS MSA STREET AND TRUNK WATERMAIN IMPROVEMENTS**

WHEREAS, pursuant a resolution passed by the City Council on the 2nd day of October, 2012, the city engineer, together with TKDA has prepared plans and specifications for the Keats MSA Street and Trunk Watermain Improvements and has presented such plans and specifications to the council for approval; and

NOW, THEREFORE, BE IT RESOLVED,

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

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIFTH DAY OF MARCH,
2013.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk

PROJECT SCHEDULE

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

Project Title: Keats MSA Street and Trunk Watermain Improvements
Client: City of Lake Elmo
Project No.: 2012.129
Date: February 26, 2013

October 2, 2012	Improvement Hearing. Council authorizes the preparation of Plans and Specifications.
November 7, 2012	Council approves selection of Engineering Consultant for design services.
December 11, 2012	Workshop on Trunk Watermain Lateral Benefit Assessments.
March 5, 2013	City Engineer presents Plans and Specifications for Council approval.
April 9, 2013	Receive Contractor Bids.
April 16, 2013	City Council accepts bids and awards Contract.
May 27, 2013	Issue Notice to Proceed. Contractor begins Work.
October 18, 2013	Substantial Completion date for Work [includes paving and restoration].
November 15, 2013	Final Completion date for Work [including all punch list items].

****The above schedule is contingent upon VBWD Permit Approval received on March 14.***



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/05/2013

CONSENT

ITEM #: 7

ORDINANCE

AGENDA ITEM: Consideration of Amendments to Article 10 of the Zoning Ordinance – Urban Residential Districts

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick M. Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The City Council is being asked to consider text amendments to the recently adopted Zoning Ordinance update for urban residential districts. Specifically, Staff and the Planning Commission are recommending that certain provisions pertaining to lot dimension and setback requirements as listed in Table 10-2 in Section 154.452 be revised as follows:

- Reducing the minimum lot width required for single family homes in LDR (Low Density Residential) districts from 70 feet to 60 feet.
- Reducing the minimum lot width required for single family homes in MDR (Medium Density Residential) districts from 60 feet to 50 feet.
- Amending the required interior side yard setbacks from 8 feet to 10 feet for principal buildings and 5 feet for attached garages and accessory buildings.
- Adding a new notation for side yard setbacks to specify that any building that is setback less than 7 feet from a side lot line may not have encroachments that extend any more than two feet into the required setback.

The proposed amendments have been drafted primarily to provide for additional flexibility in the City's urban residential districts and to make smaller, narrower lots a more viable option for potential builders. As new development concepts are being considered for planned residential areas, Staff is continuing to encourage developers to cluster housing as much as possible in order to incorporate larger open space into these developments.

The recommended motion to act on this request is as follows:

“Move to approve Ordinance 08-071 amending Section 154.452 of the Zoning Ordinance concerning the urban residential district standards”

BACKGROUND INFORMATION:

In preparation for the amendments that are being proposed, Staff reviewed several other zoning ordinances from developing communities and found that many have gone to narrower side yard setbacks or are following the standards being recommended by Staff for garages and principal structures. The attached ordinance represents a small subsection of Article 10 from the Zoning Ordinance, and only those pages with revisions are attached. Staff is able to provide a copy of the entire residential zoning regulations to City Council members upon request.

PLANNING COMMISSION REPORT:

The Planning Commission reviewed the proposed residential district amendments at its February 25, 2013 meeting and conducted a public hearing on the draft revisions at this time. No public comments were received concerning the changes. The Commission generally discussed the following issues associated with the draft ordinance:

- The Commission questioned whether or not variances could be used in cases where reduced setbacks were requested by a developer. It was noted that a variance could be used, but that it might be difficult to meet the variance standards at the time of platting.
- It was noted that the proposed changes would not have an impact on any existing residential neighborhoods and would only apply to the new urban residential districts.
- Staff clarified that developers would still need to meet the density requirements of the Comprehensive Plan even with a reduction in specific lot dimensional requirements.

The Planning Commission adopted a motion to recommend approval of the proposed amendments as drafted.

PLANNING COMMISSION RECOMMENDATION:

Based upon the above background information, Staff report and Planning Commission recommendation, it is recommended that the City Council approve text amendments to the Zoning Ordinance update for the urban residential districts by undertaking the following action:

“Move to approve Ordinance 08-071 amending Section 154.452 of the Zoning Ordinance concerning the urban residential district standards”

ATTACHMENTS:

1. Ordinance 08-071 Urban Residential District Amendments

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....Planning Director
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

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

ORDINANCE NO. 08-071

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE CONCERNING URBAN
RESIDENTIAL DISTRICT STANDARDS**

Section 1. The City Council of the City of Lake Elmo hereby ordains that Chapter 154: Zoning Code, of the City Code is hereby amended in the following manner:

§154.452 Lot dimensions and building bulk requirements.

Lot area and setback requirements shall be as specified in Table 10-2, Lot Dimension and Setback Requirements.

Table 10-2: Lot Dimension and Setback Requirements, Residential Districts

	LDR	MDR	HDR
Minimum Lot Area (sq. ft.)			
Single Family Detached Dwelling	8,000	7,000	5,000
Two-Family Dwelling (per unit) ^a	5,000	4,000	3,000
Single-Family Attached (per unit) ^b	-	4,000	2,500
Multi-Family Dwelling (per unit)	-	4,000	1,800
Secondary Dwelling		see 155.102	
Live-Work Unit	-	-	3,600
Congregate Housing	-	see 155.102	see 155.102
Manufactured Home Park	-	see 155.102	-
Minimum Lot Width (feet)			
Single Family Detached Dwelling	60	50	50
Two-Family Dwelling (per unit) ^a	35	30	20
Single-Family Attached (per unit) ^b	-	25	20
Multi-Family Dwelling (per building)	-	75	60
Live-Work Unit	-	-	25
Maximum Height (feet)			
	35	35	50
Maximum Impervious Coverage			
	40%	50%	75%
Minimum Building Setbacks (feet)			
Front Yard	25 ^c	25 ^c	20 ^c
Interior Side Yard ^e			
Principal Buildings ^{f,g}	10	10	10 ^d

Attached Garage or Accessory Structures ^g	5	5	10 ^d
Corner Side Yard ^{g,h}	15	15	15
Rear Yard	20	20	20

Notes to Urban Residential Districts Table

- a. Common open space areas may be used in the determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.
- b. Two-family units may be side-by-side with a party wall between them ("twin") or located on separate floors in a building on a single lot ("duplex"). The per-unit measurements in this table apply to "twin" units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a "duplex" containing two vertically-separated units on a single lot.
- c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e. 1 unit per 2,500 square feet. This standard is also used for multifamily dwellings.
- d. Single Family Dwellings (both attached and detached) and Two-Family Dwellings may use the side yard setbacks within MDR zoning districts.
- e. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.
- f. In situations where a garage or accessory building is set back less than 7 feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in Section 154.081) will be two (2) feet.
- g. Side yards setbacks shall apply to the ends of attached or two-family dwellings.
- h. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.

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

This Ordinance No. 08-071 was adopted on this 5th day of March 2013, by a vote of ___ Ayes and ___ Nays.

Mayor Mike Pearson

ATTEST:

Adam Bell
City Clerk

This Ordinance No. 08-071 was published on the _____ day of _____, 2013.

DATE: 03/05/2013

CONSENT

ITEM #: 8

MOTION

AGENDA ITEM: Approval of Contract with ISGMN for \$28,800 for the Completion of the 2013 City of Lake Elmo Park Survey

SUBMITTED BY: Dean Zuleger, City Administrator

THROUGH: Mike Pearson, Mayor

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: To ratify the Lake Elmo Park Commission's award of a \$28,800 contract to ISGMN for the purpose of conducting a comprehensive park survey. The Park Commission authorizes that the survey be funded via the Parkland Dedication Fund.

BACKGROUND INFORMATION: The City of Lake Elmo has 17 parks and open space areas within its jurisdictional boundaries, but no clear cut understanding on how these areas are utilized by residents or visitors to the community. In particular the Park Commission oversees one flagship park (Sunfish Lake), (5) full service parks, (2) heavily used ball diamond based parks, and ten neighborhood / open space areas throughout the community. In addition, the community is home to the popular Lake Elmo Park Reserve (Washington County) and the privately held Tartan Park recreational area. The Park Commission has in excess of \$900,000 of Parkland Dedication funds to expend on park improvements, capital purchases, and trail enhancements over the next five years. The Park Commission decided in the fall of 2012 to conduct a park survey to determine how taxpayers would like the lake Elmo Park system improved.

STAFF REPORT: At the request of the Park Commission, the City of Lake Elmo prepared an RFP for a Park Survey to be completed. After proposal review, the staff recommended that ISGMN (see attached proposal) seemed to be the most suitable firm to conduct the survey from both a qualitative and cost-effective need. The Park Commission voted unanimously to award the contract to ISGMN to conduct a statistically-significant, low margin of error phone survey of 500 Lake Elmo residents to determine how best to spend the \$900,000+ of Parkland Dedication funds. The cost of the survey will be \$28,800. The survey will be guided by a sub-committee of the Park Commission led by Chairman Shane Weis.

RECOMMENDATION:

Based on the action of the Park Commission, that Council is requested to take the following action:

M/S/P To approve the contract with ISGMN for \$28,800 for the Completion of the 2013 City of Lake Elmo Park Survey.

SUGGESTED ORDER OF BUSINESS:

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



The City of Lake Elmo: Parks and Recreation Study

February 7, 2013

Prepared for:

Dean Zuleger, Administrator
City of Lake Elmo
3800 Laverne Ave. N.
Lake Elmo MN, 55042
dzuleger@lakeelmo.org
651.233.5401

Prepared by:

Maureen Reynosa-Braak
VP, ISG
2626 E. 82nd St. Suite 200
Bloomington, MN 55425
zfeinstein@isgmn.com
952.277.0163

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About ISG

Information Specialists Group (ISG) is an independently-owned, full-service market research firm based in the Twin Cities. Founded in 1996 by the current president, Robert McGarry Jr., the firm began with a specialization in data collection. Since then, the company has grown steadily by fostering strong client relationships based on credibility, expertise and trust. Responding to ongoing client demand, ISG has developed full-service capabilities over time – recruiting an exceptional team of research professionals with diverse professional experience and a common commitment to providing outstanding client service. Today ISG maintains a leadership position in data collection capability, but also offers a complete range of research services and strategic consultation – delivering turnkey solutions for a broad base of clientele across a wide variety of industries.

The ISG philosophy is simple – who we are and who we can become is defined by the level of success we can help our clients achieve. Whether they're in for-profit or non-profit organizations, public or private sector, we are committed to helping our clients:

- Navigate their complex and dynamically changing marketplaces with greater ease, clarity and confidence.
- Discover more about and get closer to the people and information that hold the keys to their business survival and growth potential.
- Learn where the strengths in their current business model lie and where to focus on change.
- Develop products, services and relationships based on customer insight.
- Establish and sustain competitive advantage.
- Realize efficiencies in process, operations, development and communication.

Our approach requires strategic evaluation of client issues and objectives, clearly defining needs and integrating the appropriate mix of quantitative and qualitative methodologies to ensure optimal outcomes that consistently exceed expectations.

We are committed to progressive innovation in practice by expanding on service capabilities as new research means and methods emerge. In addition, we are continually building on our infrastructure with resources such as our full-time call center, data collection facility and opt-in research panels – allowing us to provide a level of project efficiency and quality control that other firms cannot match.

As a team, we look forward to the opportunity to bring these qualities to your project and to your organization.

Statement of Qualification

Over the years, ISG has earned the business and loyalty of numerous public sector and non-profit clients, including:

- Barbara Schneider Foundation
- Governor's Council on Developmental Disabilities
- League of Minnesota Cities
- Metropolitan Council
- Minneapolis Department of Public Health and Family Support
- Minnesota Department of Health
- Minnesota Department of Transportation
- Minnesota Society of Certified Public Accountants
- Minnesota Schubert Performing Arts Center (now Cowles Center for Dance and Performing Arts)
- New Hampshire Department of Health and Human Services
- Olmsted County
- Ramsey County
- Three Rivers Parks District
- Twin Cities Diversity in Practice
- UCare
- University of Minnesota
- University of New Hampshire
- Washington County

Our call center is equipped with 45 stations and a survey administration capability to complete over 1,000 surveys per day. Last year, our company surveyed over 100,000 people across the US on behalf of 65 different client organizations. Sizes of our survey projects have ranged from less than 100 completes required to more than 15,000.

To ensure that all populations are represented in the survey, bilingual interviewers are available to administer phone interviews.

ISG is a member of The Marketing Research Association (MRA), The American Marketing Association (AMA) and the American Association for Public Opinion Research (AAPOR).

ISG uses the following software resources for managing surveys and for constructing and managing databases:

- WinCati
- CI3
- SSI
- Sensus
- Access
- Excel
- SPSS

Organizational Profile

Lead Consultant: *Zachary Feinstein, Director of Quantitative Research*

Zach Feinstein has had over 15 years of experience working in the Marketing Sciences, serving clients across a broad range of industries. Prior to joining ISG, Zach held leadership roles for companies such as Hall & Partners, Nielsen/BASES and Harris Interactive. He has a highly consultative and collaborative approach to client service, leveraging prior teaching experience to simplify complex concepts and help clients understand the value of incorporating advanced analytics into their studies. Zach brings specialized expertise at prescribing and applying methodologies pertaining to segmentation, path analyses, conjoint analyses, and various forms of both stated and statistical importances. Zach has an ABD PhD in psychometrics from the University of Minnesota and a B.A. in psychology from Kent State Honors College. Zach will lead the sampling and study design, data analysis and reporting.

Lead Consultant: *Maureen Reynosa-Braak, Vice President*

Maureen leads the consulting practice at ISG with extensive experience in the design and fulfillment of primary and secondary studies across a variety of B-to-B, B-to-C, for-profit and non-profit organizations. Her studies cover the gamut from brand, new market and product development research to voice of customer, advertising testing and website usability testing. Over the years Maureen has developed a strong specialization in public sector-related research, conducting numerous studies that have led to the successful development of new products, service offerings, communication strategies and market expansions. She graduated from the College of St. Catherine with a B.A. in information management and communication. Maureen will contribute to the study design, project oversight, analysis and reporting.

Project Team Members

Danelle Gorra, Sr. Account Manager (Project Management)

Darren Alick, Operations Manager (Recruitment and Data Collection Oversight)

Call Center Staff (Participant Recruitment and Telephone Survey Fulfillment)

Project History

Metropolitan Council – Twin Cities Regional Parks Survey

ISG designed and fulfilled a research study to help the City of Saint Paul Division of Parks and Recreation achieve a statistically valid public opinion survey of City Park Services. The methodology used to reach desired populations was a mixed-mode survey, using telephone and mail. The primary objective of the study was to help the client evaluate public opinion for three separate demographics: the Saint Paul demographic, the metro area demographic, and the state demographic. Additional objectives included:

- Identify perceptions and opinions of services offered by Saint Paul Parks and Recreation.
- Identify important factors in people's decisions about where they spend their leisure time.
- Measure the public's perception about the availability of leisure activities in their area.
- Measure the use of specified facilities and opportunity amongst various demographics and places of residence.
- Measure interest in future projects.
- Understand the public's preference toward appropriation of funds.

Three Rivers Park District Website Development Testing

Prior to joining ISG, Maureen Reynosa-Braak designed and conducted a study to test creative concepts and usability of a new Three Rivers Park District website with heavy park user segments. The purpose of the research was to prioritize service positioning and messaging and to streamline navigation to improve awareness and utilization of paid park services and events.

Focus groups were held to test creative, and usability testing was achieved through one-on-one tests. The research demonstrated a number of opportunities to improve creative concepts, ultimately combining aspects from five concepts into one hybrid approach. Park users provided great direction toward addition and elimination of web pages, and helped refine the content to be more relevant to their needs and site use. Participants also identified many ways to improve navigation and streamline event registration and payment processes.

Susan DeSimone – Olmsted County Attitudinal Tracking Study

ISG was asked to provide a bid for an attitudinal tracking study in Olmsted County (one wave pre/one wave post) to determine the effect of the media campaign/program that was designed to increase the percentage of people in those communities who believe that "eating healthy foods and increasing physical activity are important health issues requiring community action." The study incorporated questions to elicit attitudes and behaviors toward outdoor activity, sense of safety and opinions about available resources in the community.

Clarity Coverdale Fury – Metro Transit Rider Survey

Clarity Coverdale Fury, on behalf of Metro Transit, contracted ISG to design and conduct the bi-annual survey of current riders in order to identify commuter perceptions, attitudes and behaviors and measure how those may change over time. To reach desired demographics, paper surveys were provided to bus drivers, light rail and Northstar Metro Transit employees for rider distribution. Mail surveys were also sent. Study objectives included:

- Measure the system-wide Metro Transit customer service and satisfaction levels.
- Capture data from the three audiences: bus, light rail, and Northstar riders, to gauge usage patterns and commuter behavior, what triggered public transit usage, and collect specific lifestyle/personality metrics.

- Measure usage of various forms of public transportation and potential for change.
- Compare current year data against previous performance to gain insight on commuter trends and changes.
- Identify opportunities for marketing communication to impact perceptions and behavior.

Minneapolis Dept. of Public Health and Family Support – Minneapolis Nutrition Survey,

The 2008 Minneapolis Nutrition Opinion Survey was led by Rob Daves and administered by ISG for the Minneapolis Department of Public Health and Family Support. The purpose of the study was to provide guidance for the city health department by understanding residents' opinions about food labeling in restaurants. Of the approximately 1,700 households called, 600 completed interviews, providing an estimated response rate (AAPOR RR3) of 31 percent. Fewer than 300 households refused the survey, providing a cooperation rate (AAPOR COOP3) of 67 percent. Weighting was accomplished using sample balancing, a special iterative sample weighting program that simultaneously balances the distributions of all variables.

Metropolitan Council – Annual Residents Survey

The Metropolitan Council has contracted ISG to administer their annual survey of metro area residents since 2006. The survey is designed to objectively measure metro residents concerns and attitudes. The survey is administered to a random sample of approximately 1,500 residents in the seven county metropolitan area. Since 2009 the survey has included a cell phone sample as well address-based sampling (ABS). The study design is a mixed mode methodology and the sample is stratified to provide balanced numbers in four geographic sectors. The survey is administered in English and Spanish. Survey results have a margin of error of plus or minus three percent.

UCare – Medicare Benefits Research in Western Wisconsin

ISG designed and fulfilled a quantitative survey for UCare to support development of a new product, UCare for Seniors, in the Western Wisconsin market. ISG conducted 668 telephone interviews with individuals residing in 26 western Wisconsin counties who were Medicare eligible or becoming Medicare eligible in the coming 12 months. Those participating in the phone survey were also invited to participate in an online survey. Of the 668 respondents that participated by phone, 496 also completed an online survey that included a conjoint exercise. Conjoint analysis was used to measure price sensitivity and preference for benefit levels. The study goals included:

- Evaluate price sensitivity of four UCare plans offered under the UCare for Seniors (UFS) umbrella and identify major consumer decision-making factors.
- Identify the most attractive benefits in the four UFS plans.
- Evaluate if preference is driven by plan design, price point, or physician network selection.
- Understand demographic differences in UCare members as compared to major competitors.

Client References

Rob Rankin

Vice President, Director of Brand Development
Clarity Coverdale Fury (Contracted ISG for two Metropolitan Council rider studies)
120 S. 6th St.
Minneapolis, MN
612.359.4389
rankin@ccf-ideas.com

Mary Elizabeth Berglund

Environmental Health Supervisor, Community Involvement Unit at Ramsey County
651.266.1125
maryelizabeth.berglund@co.ramsey.mn.us

Libby Starling

Manager of Regional Policy and Research
Metropolitan Council
390 Robert Street North
Saint Paul, MN 55101
651.602.1135
libby.starling@metc.state.mn.us

Robert Daves

Principal – Daves and Associates
Past President – The American Association for Public Opinion Research (AAPOR)
5412 Hampshire Drive
Minneapolis MN 55419
612.710.2626
robdaves@yahoo.com

Statement of Work

The City of Lake Elmo has requested a proposal to conduct research that will provide them with a better understanding of current park usage and opportunities for increasing park usage.

This proposal outlines the recommended research approach, specific activities and associated costs.

Research Objectives

- Measure current usage of parks, open spaces and trails.
- Identify unmet needs of residents as they relate to the park system.
- Identify key barriers to using the park system.
- Assess the appeal of existing services as well as any expanded services or ideas that may be under consideration.

Recommended Approach

Quantitative Telephone Survey

ISG recommends a 15-minute telephone survey of 500 Lake Elmo residents. The project is expected to take 4-6 weeks to complete.

Specific Activities and Deliverables

Planning

Planning involves an initial kick-off session between ISG and The City of Lake Elmo park survey subcommittee, where mutual expectations and responsibilities will be agreed upon with project timeline and key milestones defined. ISG will provide the team with a project schedule after the kick-off meeting. The City of Lake Elmo team will also provide ISG with any relevant research conducted to date that would help inform the study development. ISG assumes one meeting for the kick-off and periodic conference calls for status updates and design collaboration.

Study Design

ISG will design the study, including the recruitment screener and survey instrument, with feedback and approval from the City of Lake Elmo team. This estimate assumes that the survey would include two open-ended questions.

Recruitment

The survey will be conducted via telephone using purchased sample. ISG has an in-house, experienced interviewing team who will conduct the survey and collect the data.

ISG assumes the sample to be The City of Lake Elmo general population of adults age 18 and over. Additional screening requirements may impact recruit complexity and subsequently increase costs. ISG will provide a revised bid if there are substantial changes to requirements.

Fielding the Study

ISG will program the survey and conduct telephone interviews. Individuals will be screened through a series of qualifying criteria questions.

Analysis and Reporting (Optional)

The City of Lake Elmo has stated that only a data set is required as a deliverable. However, ISG is including the option of analysis and reporting in this estimate. If this service is selected, ISG will analyze the data and create a comprehensive report. The report will include key findings and actionable recommendations, as well as tables and graphs of detailed findings.

Presentation (Optional)

If analysis and reporting is selected, ISG will meet with members of the project team to present findings, discuss implications and answer any questions.

Deliverables:

- Screener (Microsoft Word).
- Survey instrument (Microsoft Word).
- Data set and one banner (Microsoft Excel)
- Report (Optional – PowerPoint).
- Presentation of findings and recommendations (Optional – abbreviated PowerPoint).

Estimated Fees*

The following table describes activities, expenses and timeline associated with the proposed research. The approach and associated costs may be modified as deemed appropriate by the City of Lake Elmo and ISG upon further discussion of project expectations and budget requirements.

Research	Activities and Fees	Total Cost for 15-minute Survey	Timeline
Telephone Survey n=500	<ul style="list-style-type: none"> - Planning (\$600) - Screener development (\$400) - Sample (\$1,200) - Survey development (\$4,500) - Program survey (\$750) - Conducting interviews – 500 @ \$24/per (\$12,000) - Data set with one banner (\$1,200) - Optional analysis and reporting (\$6,500) - Account management (\$400) - Optional coding 2 open-ended questions – 1000 @ \$.65/per (\$650) - Optional findings presentation (\$600) 	<p>\$21,050 (data set deliverable)</p> <p>–</p> <p>\$28,800 (data set, full report and presentation)</p>	4-6 weeks

**These fees are an estimate based on general assumptions of scope. Estimates and timelines are subject to change if scope or requirements change.*

Additional Information

Equal Opportunity Compliance

It is ISG policy to provide Equal Employment Opportunity (EEO) for all applicants, employees, contractors and/or customers. ISG prohibits unlawful discrimination based on race, color, creed, religion, sex, national origin, age, marital status, disability, sexual orientation, status with regard to public assistance, or any other basis prohibited by local, state, or federal law.

ISG Quality Assurance

Data accuracy and integrity are integral to developing lasting relationships with clients and to our long-term success. We are committed as a company to maintaining the highest possible quality standards. As proof of our dedication to providing error-free study fulfillment and results, we have developed a comprehensive quality assurance program led by our quality assurance manager. To ensure standards are met for every project, all ISG employees undergo rigorous, ongoing quality training. In the event that a systematic error is discovered, ISG will notify the client within 24 hours, correct the error at no cost to the client and provide documentation of the error occurrence and correction.

Data Security

ISG takes extensive measures to secure and protect computer servers and databases from unauthorized access to information, such as firewalls, password protection and off-site storage of back-up files. We ensure that all records will be secure and protected while in our possession and during transmission, and that records will not be used for any purposes other than what is specified by our client. In addition to these measures, ISG adheres to the Code of Standards and Ethics for Survey Research established by the Council of American Survey Research Organizations (CASRO).

Client Involvement

Clients are encouraged to actively participate in the research process. We believe that client involvement deepens the sense of mutual satisfaction with the study and outcomes. We welcome client visits to our offices any time during the project, and offer the option to easily observe study operations throughout the project.

Terms

- Initial invoice issued upon signature for work contract at 50% of estimate.
- Remaining billing is done at actual costs, net 10 days.
- Estimate is valid for 30 days.
- Any additional costs for couriers, transcriptions, video, etc. are billed at actual.
- Any outstanding invoices not paid by date due that are not in dispute are subject to an interest charge of 1.5% per month (effective from the invoice date) of the balance overdue and any additional fees and expenses incurred in the collection process, including reasonable attorney fees.

Agreement

Yes, the City of Lake Elmo accepts this estimate and agrees to work with ISG in accordance with the proposal. Please sign and fax to: Attn: Maureen Reynosa-Braak: 952.942.0747 or scan and email to mreynosa-braak@isgmn.com.

Client Signature: _____

Date: _____

Please Print Name: _____

Thank you, ISG looks forward to the opportunity to partner with you on this project!



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/05/2013

REGULAR

ITEM #: 9

RESOLUTION

AGENDA ITEM: Standard Form of Development Agreement – Resolution to Adopt Agreement

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Kyle Klatt, Planning Director
Cathy Bendel, Finance Director
Dave Snyder, City Attorney

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider approving Resolution No. 2013-16, adopting the Standard Form of Development Agreement.

STAFF REPORT: In preparation for upcoming development, city staff has prepared a Standard Form of Development Agreement to be used by development applicants' in cases where public infrastructure improvements are needed to serve the development.

The purpose of a development agreement is to vest certain development rights in the landowner/developer in exchange for construction and dedication of public improvements, certain restrictions on land uses, and other concessions on the part of developer. Development agreements also provide assurances to the applicant for a particular development project, that upon approval of the project, the applicant may proceed in accordance with applicable local statutes, ordinances, resolutions, rules, and policies in existence at the time the development approval. The city needs a mechanism for negotiating such benefits in return for the vesting of development rights for a specific period.

The Standard form of Development Agreement contains provisions regarding the agreement terms, conditions, development rights, time of performance, responsibility for costs, security requirements, forms of security, ownership transfer of public improvements, and other special provisions. These provisions form the basis for which staff will prepare individual development agreements and specify the content and procedures for such development agreements.

RECOMMENDATION: Staff is recommending that the City Council consider approving Resolution 2013-16, adopting the Standard Form of Development Agreement.

ATTACHMENTS:

1. Resolution No. 2013-16
2. Standard Form of Development Agreement

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

**RESOLUTION NO. 2013-16
A RESOLUTION ADOPTING THE
STANDARD FORM OF DEVELOPMENT AGREEMENT**

WHEREAS, the City of Lake Elmo, Minnesota has prepared a standard form of development agreement to be used by development applicants' in cases where public infrastructure improvements are needed to serve the development, and

WHEREAS, the Standard form of Development Agreement contains provisions regarding the agreement terms, conditions, development rights, time of performance, responsibility for costs, security requirements, forms of security, ownership transfer of public improvements, and other special provisions.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

That the City Council of the City of Lake Elmo shall adopt the Standard Form of Development Agreement to specify the content and provisions to be contained within individual development agreements.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIFTH DAY OF MARCH
2013.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)
ATTEST:

Adam Bell
City Clerk

(reserved for recording information)

DEVELOPMENT CONTRACT

(Public sewer and water)

PLAT NAME

AGREEMENT dated _____, 2_____, by and between the **CITY OF LAKE ELMO** a Minnesota municipal corporation ("City"), and _____
_____ (the "Developer").

1. REQUEST FOR PLAT APPROVAL. The Developer has asked the City to approve a plat for _____ (referred to in this Contract as the "plat"). The land is situated in the County of Washington, State of Minnesota, and is legally described as:

2. CONDITIONS OF PLAT APPROVAL. The City hereby approves the plat on condition that the Developer enter into this Contract, furnish the security required by it, and record the plat with the County Recorder or Registrar of Titles within (180) days after the City Council approves the final plat.

3. RIGHT TO PROCEED. Unless separate written approval has been given by the City, within the plat or land to be platted, the Developer may not grade or otherwise disturb the earth, remove trees, construct sewer lines, water lines, streets, utilities, public or private improvements, or any buildings until all the following conditions have been satisfied: 1) this agreement has been fully executed by both

parties and filed with the City Clerk, 2) the necessary security has been received by the City, 3) the plat has been recorded with the Washington County Recorder's Office, and 4) the City's Planning Director has issued a letter that all conditions have been satisfied, a preconstruction conference has been held, and that the Developer may proceed.

4. PHASED DEVELOPMENT. If the plat is a phase of a multi-phased preliminary plat, the City may refuse to approve final plats of subsequent phases if the Developer has breached this Contract and the breach has not been remedied. Development of subsequent phases may not proceed until Development Contracts for such phases are approved by the City. Park charges and area charges for sewer and water referred to in this Contract are not being imposed on outlots, if any, in the plat that are designated in an approved preliminary plat for future subdivision into lots and blocks. Such charges will be calculated and imposed when the outlots are final platted into lots and blocks.

5. PRELIMINARY PLAT STATUS. If the plat is a phase of a multi-phased preliminary plat, the preliminary plat approval for all phases not final platted shall lapse and be void unless final platted into lots and blocks, not outlots, within two (2) years after preliminary plat approval.

6. CHANGES IN OFFICIAL CONTROLS. For two (2) years from the date of this Contract, no amendments to the City's Comprehensive Plan or official controls shall apply to or affect the use, development density, lot size, lot layout or dedications of the approved final plat unless required by state or federal law or agreed to in writing by the City and the Developer. Thereafter, notwithstanding anything in this Contract to the contrary, to the full extent permitted by state law, the City may require compliance with any amendments to the City's Comprehensive Plan, official controls, platting or dedication requirements enacted after the date of this Contract.

7. DEVELOPMENT PLANS. The plat shall be developed in accordance with the following plans and at the Developer's sole expense. The plans shall not be attached to this Contract. If the plans vary from the written terms of this Contract, the written terms shall control. The plans are:

Plan A - Plat

Plan B - Final Grading, Drainage, and Erosion Control Plan

Plan C - Tree Preservation and Reforestation Plan
Plan D - Plans and Specifications for Public Improvements
Plan E - Street Lighting Plan
Plan F - Landscape Plan

8. IMPROVEMENTS. The Developer shall install and pay for the following:

- A. Streets
- B. Sanitary Sewer
- C. Watermain
- D. Surface Water Facilities (pipe, ponds, rain gardens, etc.)
- E. Grading and Erosion Control
- F. Sidewalks/Trails
- G. Street Lighting
- H. Underground Utilities
- I. Street Signs and Traffic Control Signs
- J. Landscaping
- K. Tree Preservation and Reforestation
- L. Wetland Mitigation and Buffers
- M. Monuments Required by Minnesota Statutes
- N. Miscellaneous Facilities

The improvements shall be installed in accordance with the City subdivision ordinance and the City's Engineering Design and Construction Standards Manual and pursuant to the direction of the City Engineer. The Developer shall submit plans and specifications which have been prepared by a competent registered professional engineer to the City for approval by the City Engineer. The Developer shall instruct its engineer to provide adequate field inspection personnel to assure an acceptable level of quality control to the extent that the Developer's engineer will be able to certify that the construction work meets the approved City standards as a condition of City acceptance. In addition, the City may, at the City's discretion and at the Developer's expense, have one or more City inspectors and a soil engineer inspect the work on a full or part-time basis. The Developer's engineer shall provide for on-site project management. The Developer's engineer is responsible for design changes and contract administration between the Developer

and the Developer's contractor. The Developer or his engineer shall schedule a pre-construction meeting at a mutually agreeable time at the City Hall with all parties concerned, including the City staff, to review the program for the construction work.

All labor and work shall be done and performed in the best and most workmanlike manner and in strict conformance with the approved plans and specifications. No deviations from the approved plans and specifications will be permitted unless approved in writing by the City Engineer. The Developer agrees to furnish to the City a list of contractors being considered for retention by the Developer for the performance of the work required by the Contract. The Developer shall not do any work or furnish any materials not covered by the plans and specifications and special conditions of this Contract, for which reimbursement is expected from the City, unless such work is first ordered in writing by the City Engineer as provided in the specifications.

9. CITY ENGINEERING ADMINISTRATION AND CONSTRUCTION

OBSERVATION. At the time of Final Plat, the Developer shall submit an escrow for City Engineering Administration and Construction Observation in an amount provided under paragraph 33. Summary of Cash Requirements. Thereafter, the Developer shall reimburse the City each month, within 30 days of receiving an invoice, for all engineering administration and construction observation performed during the construction of the plat. After 30 days of the invoice, the City may draw upon the escrow and stop the work on site until said escrow has been replenished in its full amount. City engineering administration will include monitoring of construction progress and construction observation, consultation with Developer and his engineer on status or problems regarding the project, coordination for testing, final inspection and acceptance, project monitoring during the warranty period, and processing of requests for reduction in security. Construction observation may be performed by the City's in-house staff or consulting engineer. Construction observation shall include, at the discretion of the city, part or full time inspection of proposed public utilities and street construction. Services will be billed on an hourly basis.

The direction and review provided through the inspection of the improvements should not be considered a substitute for the Developer required management of the development. Developer will cause the contractor(s) to furnish the City with a schedule of proposed operations at least five (5) days prior to the commencement of construction of each type of Improvement. City shall inspect all Developer Installed Improvements during and after construction for compliance with approved plans and specifications. Developer will notify the City Engineer at such times during construction as the City Engineer requires for inspection purposes. Such inspection is pursuant to the City's governmental authority, and no agency or joint venture relationship between the City and Developer is thereby created.

10. CONTRACTORS/SUBCONTRACTORS. City Council members, City employees, and City Planning Commission members, and corporations, partnerships, and other entities in which such individuals have greater than a 25% ownership interest or in which they are an officer or director may not act as contractors or subcontractors for the public improvements identified in Paragraph 8 above.

11. PERMITS. The Developer shall obtain or require its contractors and subcontractors to obtain all necessary permits, including but not limited to:

- A. Right-of-Way Excavations and Obstructions:
 - City of Lake Elmo, Right-of-Way Utility Installation(s)
 - City of Lake Elmo, Right-of-Way Obstruction(s)
 - Washington County, Utility Installations(s)
 - Washington County, Street or Driveway Access(s)
 - Minnesota Department of Transportation, Utility Installation
 - Minnesota Department of Transportation, Right-of-Way Permit
- B. Watermain Extensions:
 - Minnesota Department of Health
- C. Sanitary Sewer Extensions:
 - Minnesota Pollution Control Agency
 - Metropolitan Council Environmental Services
- D. Stormwater Management:
 - Valley Branch, Brown's Creek or South Washington Watershed District Permit
- E. Erosion, Sedimentation Control:
 - Minnesota Pollution Control Agency, General NPDES Stormwater Permit
 - SWPPP (Stormwater Pollution Prevention Plan)

- F. Wetland Mitigation:
 - Board of Water and Soil Resources, WCA
- G. Construction Dewatering:
 - Minnesota Department of Natural Resources

12. TIME OF PERFORMANCE. The Developer shall install all required public improvements by October 31, 2____, with the exception of the final wear course of asphalt on streets. The Developer shall have the option of installing the wearing course of streets within one (1) year following initial commencement of work on the required basic improvements or installing it after the first course has weathered a winter season, consistent with warranty requirements, however final acceptance of the improvements will not be granted until all work is completed included the final wear course. The Developer may, however, request an extension of time from the City. If an extension is granted, it shall be conditioned upon updating the security posted by the Developer to reflect cost increases and amending this agreement to reflect the extended completion date. Final wear course placement outside of this time frame must have the written approval of the City Engineer.

13. LICENSE. The Developer hereby grants the City, its agents, employees, officers and contractors a license to enter the plat to perform all work and inspections deemed appropriate by the City in conjunction with plat development.

14. CONSTRUCTION ACCESS. Construction traffic access and egress for grading, public utility construction, and street construction is restricted to access the subdivision via _____. No construction traffic is permitted on other adjacent local streets.

15. CONSTRUCTION SEQUENCE AND COMPLIANCE. The City will require the developer to construct the improvements in a sequence which will allow progress and compliance points to be measured and evaluated. The Developer and/or their representatives are required to supervise and coordinate all construction activities for all improvements and must notify the City in writing stating

when the work is ready for the inspection at each of the measurable points defined in the following paragraphs 16., 17. and 18.

16. EROSION CONTROL. Prior to initiating site grading, the erosion control plan, Plan B, shall be implemented by the Developer and inspected and approved by the City. Erosion control practices must comply with the approved plans and specifications for the plat, with all watershed district permits and with Minnesota Pollution Control Agency's Best Management Practices. The City may impose additional erosion control requirements as deemed necessary. The parties recognize that time is of the essence in controlling erosion. If the Developer does not comply with the erosion control plan and schedule or supplementary instructions received from the City, the City may take such action as it deems appropriate to control erosion. The City will endeavor to notify the Developer in advance of any proposed action, but failure of the City to do so will not affect the Developer's and City's rights or obligations hereunder. If the Developer does not reimburse the City for any cost the City incurred for such work within ten (10) days, the City may draw down the security to pay any costs. No development, utility or street construction will be allowed and no building permits will be issued unless the plat is in full compliance with the approved erosion control plan.

If building permits are issued prior to the acceptance of public improvements, the developer assumes all responsibility for erosion control compliance throughout the plat and the City may take such action as allowed by this agreement against the Developer for any noncompliant issue as stated above. Erosion control plans for individual lots will be required in accordance with the City's building permit requirements, or as required by the City or City Engineer.

17. GRADING PLAN. The plat shall be graded in accordance with the approved grading drainage and erosion control plan, Plan "B". The plan shall conform to Engineering Design and Construction Standards Manual. All grading shall be completed within the Subdivision prior to the preparation and submittal of the as-constructed grading plan.

Within thirty (30) days after completion of the grading, the Developer shall provide the City with a "record" grading plan certified by a registered land surveyor or engineer that all ponds, swales, and ditches have been constructed on public easements or land owned by the City. The "record" plan shall contain site grades and field verified elevations of the following: a) cross sections of ponds; b) location and elevations along all swales, emergency overflows, wetlands, wetland mitigation areas if any, ditches, locations and dimensions of borrow areas/stockpiles; c) lot corner elevations and house pads; and d) top and bottom of retaining walls. The City will not issue any building permits until the approved certified record grading plan is on file with the City.

18. STREET AND UTILITY IMPROVEMENTS. All storm sewers, sanitary sewers, watermain, and streets shall be installed in accordance with the approved Plans and Specifications for Public Improvements, Plan "D". The plan shall conform to the City's Engineering Design and Construction Standards Manual. Curb and gutter and the first lift of the bituminous streets, sidewalks, the boulevards graded, street signs installed, and all restoration work on the site shall be completed in accordance with the approved plans. Once the work is completed, the developer or its representative shall submit a written request to the City asking for an inspection of the initial improvements. The City will then schedule a walk-through to create a punch list of outstanding items to be completed. Upon receipt of the written punch list provided by the City, the punch list items must be completed by the Developer and the City notified to re-inspect the improvements. The final bituminous wear course may be installed in accordance with paragraph 12. above.

19. STREET MAINTENANCE DURING CONSTRUCTION. The Developer shall be responsible for all street maintenance until the streets are accepted by the City. Warning signs shall be placed when hazards develop in streets to prevent the public from traveling on same and to direct attention to detours. If and when streets become impassable, such streets shall be barricaded and closed. In the event residences are occupied prior to completing streets, the Developer shall maintain a smooth surface and provide proper surface drainage to insure that the streets are passable to traffic and emergency vehicles. The Developer shall be responsible for keeping streets within and without the

subdivision clean of dirt and debris that may spill, track, or wash onto the street from Developer's operation. The Developer may request, in writing, that the City keep the streets open during the winter months by plowing snow from the streets prior to final acceptance of said streets. The City shall not be responsible for repairing the streets because of snow plowing operations. Providing snow plowing service does not constitute final acceptance of the streets by the City. The Developer shall contract for street cleaning within and immediately adjacent to the development. At a minimum, scraping and sweeping shall take place on a weekly basis. A copy of this contract shall be approved by the City before grading is started. The contract shall provide that the City may direct the contractor to clean the streets and the contractor will bill the Developer.

20. OWNERSHIP OF IMPROVEMENTS. Upon completion of the work and construction required by this Contract, the improvements lying within public easements shall become City property. Prior to acceptance of the improvements by the City, the Developer must furnish the City with a complete set of reproducible "record" plans, an electronic file of the "record" plans in accordance with the City's Engineering Design and Construction Standards Manual together with the following affidavits:

- Developer/Developer Engineer's Certificate
- Land Surveyor's Certificate

certifying that all construction has been completed in accordance with the terms of this Contract. All necessary forms will be furnished by the City. Upon receipt of "record plans" and affidavits, and upon review and verification by the City Engineer, the City Engineer will accept the completed public improvements.

21. PARK DEDICATION. The Developer shall pay a cash contribution of \$_____ in satisfaction of the City's park dedication requirements. The charge was calculated as follows: ____ lots at \$_____ per lot.

22. SANITARY SEWER AND WATER UTILITY AVAILABILITY CHARGES (SAC AND WAC). The Developer shall be responsible for the payment of all sewer availability charges (SAC)

and all water availability charges (WAC) with respect to the Improvements required by the City and any state or metropolitan government agency.

The sewer availability charge (SAC) in the amount of \$3,000.00 per REU shall be paid by the Developer prior to the City recording the final plat. The total amount to be paid by the Developer is \$XXX,XXX.00.

The water availability charge (WAC) in the amount of \$3,000.00 per REU shall be paid by the Developer prior to the City recording the final plat. The total amount to be paid by the Developer is \$XXX,XXX.00.

In addition, a sewer connection charge in the amount of \$1,000.00 per REU, a Met Council sewer availability charge in the amount of \$2,435.00 per REU, and a water connection charge in the amount of \$1,000.00 per REU will be collected by the City at the time the building permit is issued for each lot.

23. TRAFFIC CONTROL SIGNS. The Developer shall pay to the City \$_____ for installation of traffic control signs.

24. STREET LIGHTS. The Developer is responsible for the cost of street light installation consistent with a street lighting plan approved by the City. Before the City signs the final plat, the Developer shall post a security for street light installation consistent with the approved plan. The required security is \$_____ and consists of _____ (____) decorative lights at \$_____ each, and _____ (____) mast arm lights at \$_____ each. The Developer shall also pay \$_____ in payment of the first year operating costs for street lights.

25. WETLAND MITIGATION. The Developer shall complete wetland mitigation/restoration in accordance with the approved Plans and Specifications and in accordance with any applicable Watershed or agency Permits. If the mitigation work is found to be incomplete or restoration is unsuccessful the City may draw down the security at any time during the warranty period if the Developer fails to take corrective measures to be used by the City to perform the work.

26. BUILDING PERMITS/CERTIFICATES OF OCCUPANCY.

A. Public sewer and water, curbing, and one lift of asphalt shall be installed on all public and private streets prior to issuance of any building permits, except one model home on a lot acceptable to the Planning Director.

B. Prior to issuance of building permits, wetland buffer monuments shall be placed in accordance with the City's zoning ordinance. The monument design shall be approved by the Community Development Department.

C. Written certification of the as-constructed grading must be on file at the City for the block where the building is to be located.

D. Breach of the terms of this Contract by the Developer, including nonpayment of billings from the City, shall be grounds for denial of building permits and/or withholding of other permits, inspection or actions, including lots sold to third parties, and the halting of all work in the plat.

E. If building permits are issued prior to the acceptance of public improvements, the Developer assumes all liability and costs resulting in delays in completion of public improvements and damage to public improvements caused by the City, Developer, their contractors, subcontractors, materialmen, employees, agents, or third parties.

F. No sewer and water connection permits may be issued until the streets needed for access have been paved with a bituminous surface and the utilities are tested and approved by the City Engineer.

G. The City will not issue a certificate of occupancy for any building constructed on any lot or parcel in the Plat until Public sewer and water, curbing, and one lift of asphalt is installed on all public and private streets; all utilities are tested and approved by the City Engineer; and the as-constructed grading must be on file at the City for the block where the building is to be located.

27. RESPONSIBILITY FOR COSTS.

A. In the event that the City receives claims from labor, materialmen, or others that work required by this Contract has been performed, the sums due them have not been paid, and the laborers, materialmen, or others are seeking payment from the City, the Developer hereby authorizes the

City to commence an Interpleader action pursuant to Rule 22, Minnesota Rules of Civil Procedure for the District Courts, to draw upon the letters of credit in an amount up to 125 percent of the claim(s) and deposit the funds in compliance with the Rule, and upon such deposit, the Developer shall release, discharge, and dismiss the City from any further proceedings as it pertains to the letters of credit deposited with the District Court, except that the Court shall retain jurisdiction to determine attorneys' fees pursuant to this Contract.

B. Except as otherwise specified herein, the Developer shall pay all costs incurred by it or the City in conjunction with the development of the plat, including but not limited to legal, planning, engineering and inspection expenses incurred in connection with approval and acceptance of the plat, the preparation of this Contract, review of construction plans and documents, and all costs and expenses incurred by the City in monitoring and inspecting development of the plat. All amounts incurred and due at the time, must be fully paid prior to execution and release of the final plat for recording.

C. The Developer shall hold the City and its officers, employees, and agents harmless from claims made by itself and third parties for damages sustained or costs incurred resulting from plat approval and development. The Developer shall indemnify the City and its officers, employees, and agents for all costs, damages, or expenses which the City may pay or incur in consequence of such claims, including attorneys' fees.

D. The Developer shall reimburse the City for costs incurred in the enforcement of this Contract, including reasonable engineering and attorneys' fees.

E. The Developer shall pay, or cause to be paid when due, and in any event before any penalty is attached, all special assessments referred to in this Contract. This is a personal obligation of the Developer and shall continue in full force and effect even if the Developer sells one or more lots, the entire plat, or any part of it.

F. The Developer shall pay in full all bills submitted to it by the City for obligations incurred under this Contract within thirty (30) days after receipt. Bills not paid within thirty (30) days shall be assessed a late fee per the City of Lake Elmo adopted Fee Schedule. Upon request, the City will provide copies of detailed invoices of the work performed.

28. SPECIAL PROVISIONS. The following special provisions shall apply to plat development:

A. Implementation of the recommendations listed in the _____, Engineering memorandum.

B. Before the City signs the final plat, the Developer shall convey Outlot _____ to the City by warranty deed, free and clear of any and all encumbrances.

C. The Developer shall install a temporary turnaround on the _____ end of _____ until it is extended to the _____ with the second phase of the _____ development.

D. E. The Developer must obtain a sign permit from the City Building Official prior to installation of any subdivision identification signs.

F. (Other requirements).

29. MISCELLANEOUS.

A. The Developer may not assign this Contract without the written permission of the City Council. The Developer's obligation hereunder shall continue in full force and effect even if the Developer sells one or more lots, the entire plat, or any part of it.

B. Retaining walls that require a building permit shall be constructed in accordance with plans and specifications prepared by a structural or geotechnical engineer licensed by the State of Minnesota. Following construction, a certification signed by the design engineer shall be filed with the City Engineer evidencing that the retaining wall was constructed in accordance with the approved plans and specifications. All retaining walls identified on the development plans or by special conditions referred to in this Contract shall be constructed before any other building permit is issued for a lot on which a retaining wall is required to be built.

C. Appropriate legal documents regarding Homeowner Association documents, covenants and restrictions, as approved by the City Attorney, shall be filed with the final plat. No third-party beneficiary is hereby conferred.

D. Developer shall take out and maintain or cause to be taken out and maintained until six (6) months after the City has accepted the public improvements, public liability and property damage insurance covering personal injury, including death, and claims for property damage which may arise out of Developer's work or the work of its subcontractors or by one directly or indirectly employed by any of them. Limits for bodily injury and death shall be not less than \$500,000 for one person and \$1,000,000 for each occurrence; limits for property damage shall be not less than \$200,000 for each occurrence; or a combination single limit policy of \$1,000,000 or more. The City shall be named as an additional insured on the policy, and the Developer shall file with the City a certificate evidencing coverage prior to the City signing the plat. The certificate shall provide that the City must be given thirty (30) days advance written notice of the cancellation of the insurance.

E. Third parties shall have no recourse against the City under this Contract.

F. If any portion, section, subsection, sentence, clause, paragraph, or phrase of this Contract is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Contract.

G. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Contract. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. The City's failure to promptly take legal action to enforce this Contract shall not be a waiver or release.

H. This Contract shall run with the land and may be recorded against the title to the property. The Developer covenants with the City, its successors and assigns, that the Developer has fee title to the property being final platted and/or has obtained consents to this Contract, in the form attached hereto, from all parties who have an interest in the property; that there are no unrecorded interests in the property being final platted; and that the Developer will indemnify and hold the City harmless for any breach of the foregoing covenants.

I. Each right, power or remedy herein conferred upon the City is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, available to

City, at law or in equity, or under any other agreement, and each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the City and shall not be a waiver of the right to exercise at any time thereafter any other right, power or remedy.

J. The Developer represents to the City that the plat complies with all city, county, metropolitan, state, and federal laws and regulations, including but not limited to: subdivision ordinances, zoning ordinances, and environmental regulations. If the City determines that the plat does not comply, the City may, at its option, refuse to allow construction or development work in the plat until the Developer does comply. Upon the City's demand, the Developer shall cease work until there is compliance.

30. EVENTS OF DEFAULT. The following shall be "Events of Default" under this Agreement and the term "Event of Default" shall mean, whenever it is used in this Agreement, any one or more of the following events:

A. Subject to unavoidable delays, failure by Developers to commence and complete construction of the Public Improvements pursuant to the terms, conditions and limitations of this Agreement.

B. Failure by Developers to substantially observe or perform any material covenant, condition, obligation or agreement on their part to be observed or performed under this Agreement.

31. REMEDIES ON DEFAULT. Whenever any Event of Default occurs, the City, subject to any rights of third parties agreed to by the City pursuant to this Agreement, or otherwise by written, executed instrument of the City, may take any one or more of the following:

A. The City may suspend its performance under the Agreement until it receives assurances from Developers, deemed adequate by the City, that Developers will cure their default and continue their performance under the Agreement. Suspension of performance includes the right of the City to withhold permits including, but not limited to, building permits.

B. The City may initiate such action, including legal or administrative action, as is necessary for the City to secure performance of any provision of this agreement or recover any amounts

due under this Agreement from Developers, or immediately draw on the Letter of Credit, as set forth in this Agreement.

32. ENFORCEMENT BY CITY; DAMAGES. The Developers acknowledge the right of the City to enforce the terms of this Agreement against the Developers, by action for specific performance or damages, or both, or by any other legally authorized means. The Developers also acknowledge that their failure to perform any or all of their obligations under this Agreement may result in substantial damages to the City; that in the event of default by the Developers, the City may commence legal action to recover all damages, losses and expenses sustained by the City; and that such expenses may include, but are not limited to, the reasonable fees of legal counsel employed with respect to the enforcement of this Agreement.

33. WARRANTY. The Developer warrants all improvements required to be constructed by it pursuant to this Contract against poor material and faulty workmanship. The Developer shall submit either a letter of credit for twenty-five percent (25%) of the amount of the original cost of the improvements.

A. The required warranty period for materials and workmanship for the utility contractor installing public sewer and water mains shall be two (2) years from the date of final written City acceptance of the work.

B. The required warranty period for all work relating to street construction, including concrete curb and gutter, sidewalks and trails, materials and equipment shall be subject to one (1) year from the date of final written acceptance, unless the wearing course is placed during the same construction season as the bituminous base course. In those instances, the Developer shall guarantee all work, including street construction, concrete curb and gutter, sidewalks and trails, material and equipment for a period of two (2) years from the date of final written City acceptance of the work.

C. The required warranty period for sod, trees, and landscaping is two growing seasons following installation

34. SUMMARY OF SECURITY REQUIREMENTS. To guarantee compliance with the terms of this agreement, payment of special assessments, payment of the costs of all public improvements,

and construction of all public improvements, the Developer shall furnish the City with an irrevocable letter of credit, in the form attached hereto, from a bank, cash escrow or a combination cash escrow and Letter of Credit ("security") for \$_____. The amount of the security was calculated as follows:

CONSTRUCTION COSTS:

Streets\$

Sanitary Sewer

Watermain

Surface Water Facilities (pipe, ponds, rain gardens, etc.)

Grading

Erosion Control

Sidewalks/Trails

Street Lighting

Street Signs and Traffic Control Signs

Landscaping

Tree Preservation and Reforestation

Wetland Mitigation and Buffers (a separate letter of credit is required)

Monuments

Miscellaneous Facilities

Developer's Record Drawings

CONSTRUCTION SUB-TOTAL

\$

TOTAL PROJECT SECURITIES (at 125% Construction Costs): \$

This breakdown is for historical reference; it is not a restriction on the use of the security. The bank shall be subject to the approval of the City Administrator. The City may draw down the security, without notice, for any violation of the terms of this Contract or if the security is allowed to lapse prior to the end of the

required term. If the required public improvements are not completed at least thirty (30) days prior to the expiration of the security, the City may also draw it down. If the security is drawn down, the proceeds shall be used to cure the default.

35. REDUCTION OF SECURITY. Upon written request by the Developer and upon receipt of proof satisfactory to the City Engineer that work has been completed and financial obligations to the City have been satisfied, with City Engineer approval the security may be reduced as follows:

A. Up to 50%, or \$ _____ of the security provided in accordance with paragraph 32. above may be released when: (1) Developer's obligations under this Agreement have been completed and the Public Improvements have been found to be complete to the satisfaction of the City including all corrective work for any identified punch list items, but not including the final wear course; and (2) completion of the Improvements is done to the satisfaction of the City and evidence of such is provided by the City in writing and satisfactory evidence of payment, such as lien waivers are provided.

B. Up to an additional 25%, or \$ _____ of the security provided in accordance with paragraph 32. above may be released when: (1) Developer's obligations under this Agreement have been completed and the Improvements have been found to be complete to the satisfaction of the City including all corrective work for any identified punch list items and including the final wear course; and (2) Improvements are accepted by the City in writing and satisfactory evidence of payment, such as lien waivers, are provided.

C. Twenty percent (25%) of the amounts certified by the Developer's engineer shall be retained as security until: (1) all improvements have been completed, (2) iron monuments for lot corners have been installed, (3) all financial obligations to the City satisfied, (4) the required "record" plans have been received and approved by the City, (5) a warranty security is provided, and (6) the public improvements are accepted by the City.

36. SUMMARY OF CASH REQUIREMENTS. The following is a summary of the cash requirements under this Contract which must be furnished to the City at the time of final plat approval:

Sewer Availability Charge (SAC)

\$

Water Availability Charge (WAC)
Erosion Control
Park Dedication
Street Light Operating Fee
City Base Map Upgrading
City Engineering Administration Escrow

TOTAL CASH REQUIREMENTS

\$

37. NOTICES. Required notices to the Developer shall be in writing, and shall be either hand delivered to the Developer, its employees or agents, or mailed to the Developer by certified mail at the following address: _____. Notices to the City shall be in writing and shall be either hand delivered to the City Administrator, or mailed to the City by certified mail in care of the City Administrator at the following address: Lake Elmo City Hall, 3800 Laverne Avenue N. Lake Elmo, Minnesota 55042.

38. EVIDENCE OF TITLE. Developer shall furnish the City with evidence of fee ownership of the property being platted by way of an attorney's title opinion or title insurance policy dated not earlier than thirty (30) days prior to the execution of the plat.

CITY OF LAKE ELMO

BY: _____, Mayor

(SEAL)

AND _____, City Clerk

DEVELOPER:

BY: _____
Its

STATE OF MINNESOTA)
 (ss.
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this _____ day of _____,
2_____, by _____ and by _____, the
Mayor and City Clerk of the City of Lake Elmo, a Minnesota municipal corporation, on behalf of the
corporation and pursuant to the authority granted by its City Council.

NOTARY PUBLIC

STATE OF MINNESOTA)
 (ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2_____, by _____ the _____
of _____.

NOTARY PUBLIC

DRAFTED BY:
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
(651) 747-3901

**FEE OWNER CONSENT
TO
DEVELOPMENT CONTRACT**

_____, fee owners of all or part of the subject property, the development of which is governed by the foregoing Development Contract, affirm and consent to the provisions thereof and agree to be bound by the provisions as the same may apply to that portion of the subject property owned by them.

Dated this _____ day of _____, 2_____.

STATE OF MINNESOTA)
 (ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2_____,
by _____.

NOTARY PUBLIC

DRAFTED BY:
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
(651) 747-3901

**MORTGAGE CONSENT
TO
DEVELOPMENT CONTRACT**

_____, which holds a mortgage on the subject property, the development of which is governed by the foregoing Development Contract, agrees that the Development Contract shall remain in full force and effect even if it forecloses on its mortgage.

Dated this _____ day of _____, 2_____.

STATE OF MINNESOTA)
 (ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2_____, by _____.

NOTARY PUBLIC

DRAFTED BY:
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
(651) 747-3901

**CONTRACT PURCHASER CONSENT
TO
DEVELOPMENT CONTRACT**

_____, which/who has a contract purchaser's interest in all or part of the subject property, the development of which is governed by the foregoing Development Contract, hereby affirms and consents to the provisions thereof and agrees to be bound by the provisions as the same may apply to that portion of the subject property in which there is a contract purchaser's interest.

Dated this _____ day of _____, 2_____.

STATE OF MINNESOTA)
 (ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2_____, by _____.

NOTARY PUBLIC

DRAFTED BY:
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
(651) 747-3901

EXHIBIT "A"
TO
DEVELOPMENT CONTRACT

Legal Description of Property Being Final Platted as

IRREVOCABLE LETTER OF CREDIT

No. _____

Date: _____

TO: City of Lake Elmo

Dear Sir or Madam:

We hereby issue, for the account of _____ (Name of Developer) and in your favor, our Irrevocable Letter of Credit in the amount of \$_____, available to you by your draft drawn on sight on the undersigned bank.

The draft must:

a) Bear the clause, "Drawn under Letter of Credit No. _____, dated _____, 2_____, of (Name of Bank) _____";

b) Be signed by the Mayor or City Administrator of the City of Lake Elmo.

c) Be presented for payment at _____ (Address of Bank), on or before 4:00 p.m. on November 30, 2_____.

This Letter of Credit shall automatically renew for successive one-year terms unless, at least forty-five (45) days prior to the next annual renewal date (which shall be November 30 of each year), the Bank delivers written notice to the Lake Elmo City Administrator that it intends to modify the terms of, or cancel, this Letter of Credit. Written notice is effective if sent by certified mail, postage prepaid, and deposited in the U.S. Mail, at least forty-five (45) days prior to the next annual renewal date addressed as follows: City Administrator, City Hall, 3800 Laverne Ave. N. Lake Elmo Minnesota 55042 and is actually received by the City Administrator at least thirty (30) days prior to the renewal date.

This Letter of Credit sets forth in full our understanding which shall not in any way be modified, amended, amplified, or limited by reference to any document, instrument, or agreement, whether or not referred to herein.

This Letter of Credit is not assignable. This is not a Notation Letter of Credit. More than one draw may be made under this Letter of Credit.

This Letter of Credit shall be governed by the most recent revision of the Uniform Customs and Practice for Documentary Credits, International Chamber of Commerce Publication No. 500.

We hereby agree that a draft drawn under and in compliance with this Letter of Credit shall be duly honored upon presentation.

BY: _____

Its _____



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/05/2013

REGULAR

ITEM #: 10

ORDINANCE

AGENDA ITEM: Subdivision Ordinance Amendments related to Public Land Dedication and Planned Unit Developments; 2013 Fee Schedule Amendment

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick M. Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The City Council is being asked to consider text amendments to the Lake Elmo Subdivision Ordinance to amend two sections of this code as follows:

- **153.12 Planned Unit Developments.** The proposed amendments bring this section into conformance with proposed updates to the PUD Ordinance.
- **153.14 Public Land Dedication Requirements.** The proposed amendments add the new sewerer zoning districts to the dedication table and make other modifications to clarify the intent of the ordinance.

The proposed amendments represent the first step at updating the City's Subdivision Regulations in order to bring these regulations up to date with the rest of the City Code. Staff will be reviewing other portions of this ordinance as work continues on the Zoning Ordinance with the objective of preparing for development within the City's new urban districts.

The recommended motion to act on this request is as follows:

"Move to approve Ordinance 08-072 concerning amendments to the Subdivision Ordinance."

In addition, the City must update the 2013 Fee Schedule to reflect the new requirements for parkland dedication for the subdivision of commercial properties.

BACKGROUND INFORMATION:

In preparation for the amendments that are being proposed, Staff reviewed several other subdivision ordinances from developing communities and found that most were requiring that 10% of land be set aside for park purposes in residential districts. Lake Elmo has also used this

standard for its R-1 and higher density zoning districts. The other proposed revisions are intended to clarify how cash contributed in lieu of park land dedication may be used.

This agenda item is also being brought back after the Council postponed taking action on the proposed ordinance at its January 15, 2013 meeting. Since this meeting, Staff has reviewed the City's park land dedication requirements with the Park Commission and further discussed these provisions with the Council at its most recent workshop. The attached ordinance has been drafted in order to comply with the direction given by the Council at the workshop.

PLANNING COMMISSION REPORT:

The Planning Commission reviewed the proposed Subdivision Ordinance Amendments at its December 10, 2012 meeting and conducted a public hearing on the draft revisions at this time. No public comments were received concerning the changes, although Staff did relay comments received from a property owner who suggested that the fee in lieu of land dedication for commercial areas should be set at a fixed amount.

The Commission made several minor modifications to the text and recommended approval of the ordinance amendments with a 4-3 vote. The members that voted against the revisions noted their desire to see private park space counted towards the overall land dedication requirement.

PARK COMMISSION REPORT

The Park Commission reviewed the proposed dedication amendments associated with the attached ordinance at its February 20th meeting. The Commission generally agreed with the ordinance as recommended by the Planning Commission, but asked that land dedication for commercial properties be established at 10% of the project area. The Park Commission did not support a set fee for commercial properties, and instead recommended that any cash contributions in lieu of land dedication for commercial properties use the market value equivalent language consistent with residential subdivisions.

CITY COUNCIL WORKSHOP:

At the City Council's workshop, Staff was given direction to add a fee-based requirement to the ordinance for commercial properties and to set this fee at \$4,500 per acre. The Council supported the revised language concerning residential properties. To reflect this change in policy, the City will have to amend its fee schedule to reflect the amended fee for parkland dedication in cases of subdivision of Commercial properties.

RECOMMENDATION:

Based upon the above background information, Staff report, Planning and Park Commission recommendations and previous Council direction, it is recommended that the City Council approve amendments to the Subdivision Ordinance related to Planned Unit Developments and public land dedication requirements by undertaking the following action:

“Move to approve Ordinance 08-072 concerning amendments to the Subdivision Ordinance.”

In addition, it is recommended that the City Council amend the 2013 Fee Schedule to reflect the amendment to the Subdivision Ordinance pertaining to public land dedication by taking the following action:

“Move to approve Resolution 2013-17, amending the 2013 Fee Schedule to reflect the required parkland dedication fee for the subdivision of commercial properties.”

ATTACHMENTS:

- 1. Ordinance 08-072 Subdivision Ordinance Text Amendments
- 2. Resolution 2013-17 2013 Fee Schedule Amendment
- 3. 2013 Fee Schedule Amendment

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....Planning Director
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

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

ORDINANCE NO. 08-072

**AN ORDINANCE TO AMEND THE SUBDIVISION ORDINANCE RELATED TO
PLANNED UNIT DEVELOPMENTS AND PUBLIC LAND
DEDICATION REQUIREMENTS**

Section 1. The City Council of the City of Lake Elmo hereby ordains that Chapter 153: Subdivision Regulations, of the City Code is hereby amended in the following manner:

§ 153.12 PLANNED UNIT DEVELOPMENTS (P.U.D.).

(A) Upon receiving a report from the Planning Commission, the Council may grant exceptions from the provisions of these regulations in the case of a Planned Unit Development, provided that the Council finds that the proposed development is fully consistent with the purpose and intent of these regulations and in compliance with the Planned Unit Development objectives of Section 154.801.

§ 153.14 PUBLIC LAND DEDICATION.

(A) *Dedication of Land for Park and Open Space Use.* In all new residential subdivisions, a percentage of the gross area of all property subdivided shall be dedicated for parks, playgrounds, trails, public open space, or other public recreational use. For non-residential developments, the City requires a payment in lieu of land dedication as established by resolution of the City Council. Such percentage or fee shall be in addition to the property dedicated for streets, alleys, waterways, pedestrian ways or other public use pursuant to this chapter. The following schedule describes the required dedication by zoning district. This schedule is based upon density of the development allowed in each district and is intended to equalize the amount and value of land dedicated for parks per dwelling unit in the various districts.

<i>Zoning Districts</i>	<i>Minimum Required Land Dedication</i>
R1, R2, R3, and R4	10%
RS, LDR, MDR, HDR	10%
RE	7%
RR and AG	4%
GB, LB, HB, BP, CB,	Fee as set by Council resolution
C, CC, LC, VMX	Fee as set by Council resolution
RR and AG with OP Conditional Use Permit	7%
RR and AG with OP-A Conditional Use Permit	10%

(B) *Land title.* Public land dedications, which are not dedicated to the city on a plat, shall be conveyed to the city by warranty deed free and clear of all liens or encumbrances. The subdivider shall provide proof of title, in a form acceptable to the city, prior to the conveyance of the property.

(C) *Land acceptability.* The city must approve the location and configuration of any park land which is proposed for dedication and shall take into consideration the suitability of the land and for its intended purpose; the future needs of the city for parks, playgrounds, trails, or open space; and the recommendations of the city's Parks Commission. The following properties shall not be accepted for park land dedications:

(1) Land dedicated or obtained as easements for streets, sewer, electrical, gas, storm water drainage and retention areas, or other similar utilities and improvements;

(2) Land which is unusable or of limited use; and/or

(3) Land within a protected wetland or within a flood plain area unless the Council determines that all of the following criteria are satisfied:

(a) Would be in the best interests of the general public;

(b) Would be valuable resource for environmental preservation, educational, or habitat preservation purposes;

(c) Has an exceptional aesthetic value; and

(d) Would not become financially burdensome to the city as a result of maintenance or preservation requirements.

(D) *Cash Contribution in Lieu of Land Dedication – Residential Subdivisions Larger than Three Lots.* In lieu of the land dedication for residential subdivisions larger than three lots, the city may elect to require the subdivider to contribute a cash equivalent payment to the city's Park and Open Space Fund, or may require the developer to satisfy the park land dedication requirement by a combination of land and cash contribution. For all residential subdivisions of three or more parcels, the required cash equivalent payment shall be an amount equal to the fair market value of the percentage land dedication for the zoning district in which the subdivided property is located. The city shall determine the fair market value of the land by reference to current market data, if available, or by obtaining an appraisal from a licensed real estate appraiser; the subdivider shall pay for the cost of the appraisal. The fair market value determination of the appraiser shall be conclusive.

(E) *Cash Contribution in Lieu of Land Dedication – Minor Residential Subdivisions and Commercial Development.* Required cash equivalent payments for residential subdivisions resulting in 3 or fewer parcels or for commercial development projects shall be as determined from time to time by Council resolution.

(F) *Payment of cash contribution.* Cash contribution payments shall be made to the city prior to final plat approval for commercial developments or residential subdivision of more than three parcels, or prior to the City's approval of the deeds of conveyance in those cases where a

residential subdivision will result in 3 or fewer lots.

(G) Previously subdivided property from which a park dedication or cash in lieu contribution has been received, upon resubdivision with the same number of lots, is exempt from park dedication requirements. If, as a result of the resubdivision of the property, the number of lots is increased, the park dedication or cash in lieu contribution shall be applied only to the net increase in the number of lots.

(H) Any cash contribution so paid to the City shall be placed in a special fund. The money shall be used only for: a) the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands or open space based on the approved park systems plan; b) redevelopment or rehabilitation of existing park facilities or sites; or c) debt service in connection with land previously acquired or improvements thereto previously constructed. No funds shall be used for ongoing operation or maintenance of existing parks or recreational facilities or sites.

(I) *Lands designated for public use on Comprehensive Plan or official maps.* Where all or a portion of the area included in a proposed subdivision has been designated as a park, playground, recreational area, proposed school site, or other public ground in the city's Comprehensive Plan or in an official map adopted pursuant to the Comprehensive Plan, the subdivider shall notify the appropriate governmental unit of the proposed subdivision of the property. The notice shall be given prior to submittal of the development application to the city. Prior to the city's review of the preliminary plat, the subdivider shall advise the city in writing of the status of the negotiations regarding the designated area.

Section 2. Adoption Date

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

This Ordinance No. 08-072 was adopted on this 5th day of March 2013, by a vote of ____ Ayes and ____ Nays.

Mayor Mike Pearson

ATTEST:

Adam Bell
City Clerk

This Ordinance No. 08-072 was published on the _____ day of _____, 2013.

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

RESOLUTION 2013-17

RESOLUTION REVISING FEE SCHEDULE

WHEREAS, the City of Lake Elmo has established by city code that certain fee requirements established be brought forth by resolution; and

WHEREAS, the cost of services provided escalates and additional/new services require a fee; and

WHEREAS, it is appropriate that fees be revised to cover the escalating costs to provide services and to cover additional fees.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lake Elmo that the attached Revised City of Lake Elmo Fee Schedule is hereby adopted and approved.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO THE FIFTH DAY OF MARCH, 2013.

**CITY COUNCIL
CITY OF LAKE ELMO**

By: _____
Mike Pearson
Mayor

(seal)
ATTEST:

Adam Bell
City Clerk



City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE		2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Moving Accessory Structure into City		\$305.00	Plus security to be determined by the City w/recommendation from building official	Administration
Other Inspections and Fees				
Inspection outside of business hours		\$70.00 (2 Hr. Minimum)		Building
Re-inspection Fees Assessed		\$50.00 per hour		Building
Inspections with no fee assigned		\$50.00 per hour		Building
Construction Escrow		\$5,000.00	Or determined by Building Official	Building
Cancelled Permits		\$25.00		Building
Work without Permit		see notes	Investigative fee to equal permit fee	Building
Park Dedication				Planning
Residential - Up to three lots		\$3,600.00 per lot		Planning
Commercial		\$4,500.00 per acre	Four or more lots per \$153.14	Planning
Parking Lots				Engineering
New Commercial		\$175.00	\$500 Fee Escrow. Security \$1,500.00 per acre with \$1,500.00 minimum.	Engineering
Existing Commercial		\$200.00		Engineering
Platting				
Sketch Plan Review (Subdivision)		\$500.00		Planning
Concept Plan (OP Development)		\$1,250.00	\$2,000.00 Fee Escrow	Planning
Preliminary Plat (and OP Preliminary Plan)		\$1,850.00	\$5,000.00 Fee Escrow	Planning
Final Plat (and OP Final Plan)		\$1,250.00	\$8,000.00 Fee Escrow	Planning
			(City will retain escrows to reimburse review costs for each stage of development review)	Planning
Planned Unit Development				Planning
General Concept Plan		\$1,250.00	\$2,000.00 Fee Escrow	Planning
Development Stage Plan		\$1,850.00	\$5,000.00 Fee Escrow	Planning
Final Plan		\$1,250.00	\$8,000.00 Fee Escrow	Planning
			(City will retain escrows to reimburse review costs for each stage of development review)	Planning
Plumbing				Administration
Residential		\$60.00/unit	Up to 3 units, max fee \$180.00 plus \$5.00 Surcharge (State Mandated)	Building
Commercial		\$60.00/unit	Up to 3 units or 1% of total valuation, whichever is greater. Plus Surcharge (State Mandated)	Building
Private Roads (Permitted only in AG zone)		\$150.00		Engineering
Restrictive Soils and Wetland Restoration Protection and Preservation Permit		\$800.00	\$1,500.00 Fee Escrow	Planning



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/05/13

REGULAR

ITEM #: 11

AGENDA ITEM: Authorization to Distribute Comprehensive Plan Amendment for Adjacent Jurisdiction and Metropolitan Council Review

SUBMITTED BY: Kyle Klatt, Planning Director
Nick Johnson, City Planner

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Planning Commission

SUMMARY AND ACTION REQUESTED:

Staff is seeking authorization from the City Council to distribute the City's proposed Comprehensive Plan Amendment to adjacent jurisdictions and the Metropolitan Council for review. Comprised of the Village Land Use Plan, the Comprehensive Plan Amendment is the result of a long planning process that involved significant public engagement and review. The Planning Commission reviewed the proposed Amendment at a meeting on February 25, 2013, and unanimously recommended the Amendment for approval. Submitting the Comprehensive Plan Amendment to adjacent community/jurisdiction and Metropolitan Council review is a mandatory step in the process of a major Comprehensive Plan Amendment. After the necessary reviews have been completed, the City Council may officially adopt the Village Land Use Plan into the Comprehensive Plan.

BACKGROUND INFORMATION:

The Village Land Use Plan is the result of a lengthy and significant planning process, spearheaded by the members of the Village Work Group. The Village Work Group was formed in May of 2011, and was charged with making land use recommendations pertaining to the Village to the Planning Commission and City Council. As part of the planning and community engagement efforts for the Village, the process included the following meetings:

- 20+ Village Work Group Meetings
- 2 Stakeholder Meetings
- 1 Technical Group Meeting
- 1 Public Open House Meeting
- 1 Town Hall Meeting

For more concerted public engagement efforts, all of the property owners in the Village were mailed notices of significant meetings.

In addition, the Village Land Use Plan was reviewed at a Public Hearing at the Planning Commission. The Public Hearing gave residents and land owners the opportunity to submit their comments on the plan into the public record. These comments are summarized in attachment #3. In response to many of the comments, the Planning Commission directed Staff to refine and amend several portions of the text of the document to better reflect the community's vision for the Village Planning Area. These comments by the Planning Commission, as well as responses by Staff, are organized in a matrix (attachment #2). With the additions to the Village Land Use Plan, the Planning Commission unanimously recommended approval of the Comprehensive Plan Amendment. These refinements have been included in the attached version of the Comprehensive Plan Amendment.

STAFF REPORT:

The Village Land Use Plan includes four sewerred land use categories that allow for residential development. The following categories allow for various ranges of residential density:

- V-LDR – Village Urban Low Density Residential: 1.5 to 2.5 units per acre
- V-MDR – Village Urban Medium Density Residential: 3.0 to 4.0 units per acre
- HDR – Urban High Density Residential: 8.0 to 15.0 units per acre
- VMX – Village Mixed Use: 6.0 to 10.0 units per acre

The Village Land Use Plan (Map 3-5) is designed to accommodate a range of 900 to 1,100 new sewerred housing units in the Village. In addition, there is some minimal amount of land located at Manning Ave. and State Highway 5 guided for commercial activity. The remaining areas of the Village are guided the same as their previous rural land use categories (Rural Area Development (RAD) or Rural Single Family (RS)). The plan also includes areas guided for three types of open space. The open space types and locations are described in the Village Open Space Plan (Map 3-6). Finally, the plan also guides land adjacent to the train tracks in the eastern portion of the Village for public/park land use. This area is to serve as a placeholder for a future community park facility that will serve the Village and community as a whole.

Regarding the other elements and amenities contained with the Comprehensive Plan Amendment, Staff has outlined how the proposed land uses interact with transportation, parks and trails, public utilities and other important features that will make development in the Village a success. In addition, Staff provides an overview into the mechanisms of implementation that will be included in the Village, including zoning, design standards, a form-based code and other tools. It is the goal of the Staff to include all of these amenities and elements of implementation in a comprehensive way so that the vision is effectively communicated to land owners and the development community.

PLANNING COMMISSION RECCOMENDATION:

The Planning Commission is recommending that the City Council authorize distribution of the Comprehensive Plan Amendment for adjacent community and Metropolitan Council review through the following motion:

“Move to authorize distribution of the Comprehensive Plan Amendment – Village Land Use Plan for adjacent community and Metropolitan Council review.”

ATTACHMENTS:

1. Comprehensive Plan Amendment – Village Land Use Plan
2. Planning Commission Comment & Response Matrix
3. Summary of Public Hearing 2-25-13

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....Planning Director
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

Village Planning Area – Comprehensive Plan Amendment

Introduction

The approximately 1,300 acres that comprise the Village Planning Area as defined on the Village Land Use Map, Map 3-5, have been the subject of numerous studies and planning efforts extending back for several decades. The Village Area serves as the heart of the community and provides a direct connection to the City's past with its historic buildings and small-town character. As part of Lake Elmo's most recent Comprehensive Plan update in 2005, the City decided to accommodate a portion of future sewered development within the Village Planning Area with the direct intent of building upon the existing character of the Village while preserving those aspects that make it unique.

This section of the Lake Elmo Land Use Plan includes an updated land use plan for the Village Planning Area and has been prepared with the specific intent of building off of previous planning efforts for this area, including the City's 2005 Comprehensive Plan update and the Village Master Plan completed in 2007. This revised plan generally recognizes the adopted goals and objectives from these previous planning efforts while updating some of the specific land use elements to conform to the broader Land Use plans for the City.

The decision to extend public sanitary sewer services into the Village Planning Area and to plan for new development within this planning area has been based on a number of factors, including the following:

- The desire to maintain the Village Planning Area as the core of the city by accommodating a portion of new development set to occur outside of the rural development areas.
- The ability to locate new and expanded public services and facilities in a central location.
- The need to extend public services, and specifically public sanitary sewer, to existing users within the Village Area that are presently using older and non-compliant septic treatment systems.
- The potential to take advantage of redevelopment and renovation activities within the existing core of the Village and to encourage new development that builds off of the existing character of the Village.
- The need to address existing traffic congestion and safety problems along the main roadway corridors that transect the Village Planning Area.
- The opportunity to preserve open space around the Village Planning Area to clearly delineate the edge of the Village and preserve the sense of place that presently exists.
- The desire to accommodate some of the expected future urban growth outside of the I-94 Corridor closer to the historic center of the community.

History of the Village

Lake Elmo has a long history as one of the oldest settled areas in Minnesota, beginning with its platting by the railroad company in 1878 in the approximate location of the present Village. The namesake lake, formerly Bass Lake, served as a focal point for much of the early development, which included a large hotel that was erected on the north side of the lake in the 1880's and a 330-acre residential development called Elmo Residential Park that was platted to the north and east of the lake (which was never fully developed as planned).

After incorporation as a Village in 1925, the city continued to develop as a rural center providing goods and services to the surrounding agricultural lands in Washington County. Lake Elmo later flourished as a center for farmers throughout the middle part of the 20th Century. It also became a popular destination for summer villas and cottages, attracting residents from the larger Minneapolis and St. Paul region as a picnic and excursion area.

As a result of this varied history, one can find examples of wide variety of architectural eras within the Village Planning Area, including buildings that were built from the early 20th Century through the post World War II time period. New subdivisions began appearing in the post war era, and these housing developments began to shift the focus of community life from farming to housing for commuters. This general transformation continued as the cabins and summer homes north of Lake Elmo were converted into permanent homes.

While the City has undergone significant changes over the course of its history, many of the buildings located in the Village Planning Area still retain their 19th Century settlement character. An excellent example of this character is the historic farmstead built by William S. Moscrip, who in 1921 was selected as Minnesota's best farmer. The farmstead is currently located on land owned by the Peter Schiltgen family. Moscrip's North Star Farm, known for its Holstein cows, still stands essentially as it did nearly 100 years ago and continues to serve as an exemplary gateway into the Village Planning Area.

Physical Context

Located 15 miles east of downtown Saint Paul, Lake Elmo has been successful at retaining its rural character even with its close proximity to the Twin Cities metropolitan area. Like traditional mid-western towns, the edges of the Old Village are clearly defined; one can literally walk into a cornfield from the outfield of the local ball diamond, which represents a unique environment within the suburban metropolitan area. The Village Planning Area includes a small historic Main Street that contains several lovely buildings arranged at an intimate scale that is bisected by an active rail line.

State Highway 5, also known as Stillwater Boulevard, runs east-west through the community and leads to Stillwater to the east and Minneapolis/St. Paul to the west. The highway was designed as a rural section, with ditches, culverts and large setbacks to buildings. Approximately 12,000 cars traverse the road a day, with most of this traffic occurring during the morning and evening rush hours. The City has expressed interest in having the roadway turned over from the State to the County in the past. There are no signalized or controlled intersections on Highway 5 in the Old Village, which makes this route attractive to commuters interested in bypassing busier roadways. With its significant traffic levels, Highway 5 divides the Village Planning Area, as crossing this road can be dangerous for both vehicles and pedestrians.

County Road 17, Lake Elmo Avenue, runs north and south through the heart of the Village (it is the historic Main Street), and provides a direct connection between Highway 36 to the north and the 1-94 frontage road to the south. The road jogs about a block to the east via a quarter-mile section of Highway 5, which is both confusing and dangerous for motorists. The location of Lake Elmo Elementary School at this intersection further exacerbates concerns regarding safety in this area.

County Road 15, Manning Trail, runs north to south on the east side of the Old Village, connecting Stillwater Boulevard to I-94. This is a preferred route for many commuters and will eventually be upgraded to a four-lane section by Washington County.

Two significant lakes and associated parks contribute to the quality of life in the Village. These lakes and parks include Lake Elmo and the Lake Elmo Regional Park Reserve located on the southwest side of the community, the 30-acre Reid Park on the south side of the Village, the smaller Lions and VFW parks in

the middle of the City, and Sunfish Lake and Sunfish Lake Park are to the west, all of which represent beautiful amenities for community residents and visitors.

The Lake Elmo Regional Airport is located immediately across Manning Trail in Baytown Township. Primarily a recreational facility, the airport safety zones associated with the airport extend into the Village Planning Area and will need to be considered as development occurs along the eastern boundary of the Village area. The City will work the Metropolitan Airports Commission to develop appropriate multi-jurisdictional zoning to help plan for future residential development in this area.

A number of new developments lie on the outskirts of the Old Village. In most of these developments the City's OP – Open Space Preservation zoning designation has guided site design so that major portions of these subdivisions are retained as open space. Existing and proposed trails are planned to connect to several of these neighborhoods.

Finally, it should be noted that some other challenges exist related to the physical context of the Village. These challenges include the following:

- There is a significant natural gas-line easement running from north to south on the eastern portion of the Village.
- The area east of downtown Lake Elmo in the Village has experienced some groundwater contamination. Development within this site should be aware of the contamination.
- The location of the Christ Cemetery along State Highway 5 may present some challenges related to buffering for residential development adjacent to this facility.
- The area to the east of downtown experiences significant drainage and storm water runoff. The drainage and runoff creates sizeable water-courses that could create challenges in managing storm water in this area.

Previous Planning Efforts

The City last updated its Land Use Plan in 2005 to reflect the extension of public sanitary sewer services into the Village and the City's plan to accommodate a portion of the required REC units within the Village Planning Area. Prior to the preparation of the 2005 plan, the City undertook numerous planning initiatives to analyze land use within the Village, which in the recent past has included the following studies:

- The 1996 Minnesota Design Team Report
- The 1999 Thornbeck Architects Old Village Urban Design Study
- The 2000 Calthorpe Design Study
- The 2002 Thornbeck and Associates design work
- The 2003 TKDA Water Supply, Traffic, and Surface Water Reports

These efforts demonstrate the comprehensive approach that has been taken with planning in the Village. In addition, many of the planning efforts were spearheaded by countless volunteer hours of many Lake Elmo residents, representing a grass-roots approach. Throughout all of these studies, as well as the studies that preceded them, several common themes have emerged. These themes have helped shape the goals and objectives for the Village Planning Area that are reflected in this plan. After adoption of the 2005 Comprehensive Plan, the City decided to prepare an overall master plan for the Village Planning Area as part of a larger and more focused land use study in this area.

Village Master Plan and Village AUAR

In the summer of 2005, the City of Lake Elmo retained a team led by Robert Engstrom Companies to prepare a Master Plan to guide anticipated development within the Village Planning Area. This study focused on techniques that could be used by the City to help preserve the character of the Village while accommodating the growth and development anticipated under the updated Comprehensive Plan. This plan further acknowledges the pressures that the City will face once sanitary sewer services are extended into the Village, and further establishes policies intended to minimize any negative impacts to the unique charm and scale of the area.

The design team, which included Jerry Mazzara of Design Forum and Bob Close and Bruce Jacobson of Close Landscape Architecture, was charged with two areas of focus: 1) to prepare a physical plan with associated guidelines, and 2) to provide a strategy for allocating development units throughout the planning area. The intent of this approach was to present a guide for development that would allow the City to work with developers to achieve common goals while ultimately strengthening community character through good design.

The Village Master Plan creates an overall vision that places new development within a framework of parks, trails, and open space. It also notes that balancing growth with the preservation of small town living will rely on creative design and careful implementation of the plan.

While the plan as a whole is not being adopted as part of this chapter, the overall guiding principles and various recommendations from this plan are referenced in the latter portions of this plan. The Village Master Plan will continue to serve as a guide for new development within the Village Planning Area and will be used to help define the development qualities and preferences being sought by the City.

Upon completion of the Village Master Plan, the City prepared an Alternate Urban Area-Wide Review (AUAR) for the Village Planning Area in order to address the expected cumulative environmental impacts associated with the anticipated growth and development within the Village. This study used the Master Plan as the basis for the three alternatives that were studied, each of which assumed increasing intensities of residential, commercial, and mixed-use development. The AUAR document includes a mitigation plan that will need to be addressed as development occurs in the Village. The Village Planned Land Use Map that accompanies this Chapter, [Map 3-5](#), has been designed to fall within the scope of the alternatives that were studied and it is expected that the AUAR will remain a valid environmental review as the City works to implement this plan.

Village Planning Area Objectives and Goals

The land use plan for the Village Planning Area focuses on downtown Lake Elmo, the residential neighborhoods south of the downtown, and the farm land immediately surrounding it. The plan addresses future land uses, location of new roads, location of open space corridors, and the measures that could be used to implement the overall vision for the Village Planning Area. The primary objective of this plan is to create a blueprint for new development that builds on existing community strengths such as the compact, walkable core, easy access to recreation, and proximity to major transportation corridors. The plan recommends locating new neighborhoods contiguous to the existing core and emphasizing walking connections between neighborhoods and the core and within the neighborhoods themselves.

The land use plan will provide space for civic buildings, new retail and service businesses, lifestyle housing, and recreational/open spaces that will combine to make a highly desirable, sustainable and welcoming center for the City. The ultimate goal of the plan is to build on the existing strengths of Lake

Elmo, including a compact assemblage of streets and blocks, a distinct edge, a historic main street and good access to parks and open space. The plan intends to extend these qualities to the newly developing areas surrounding the existing downtown. In addition, it proposes connecting the existing residential neighborhoods to the south with the village core and new neighborhoods.

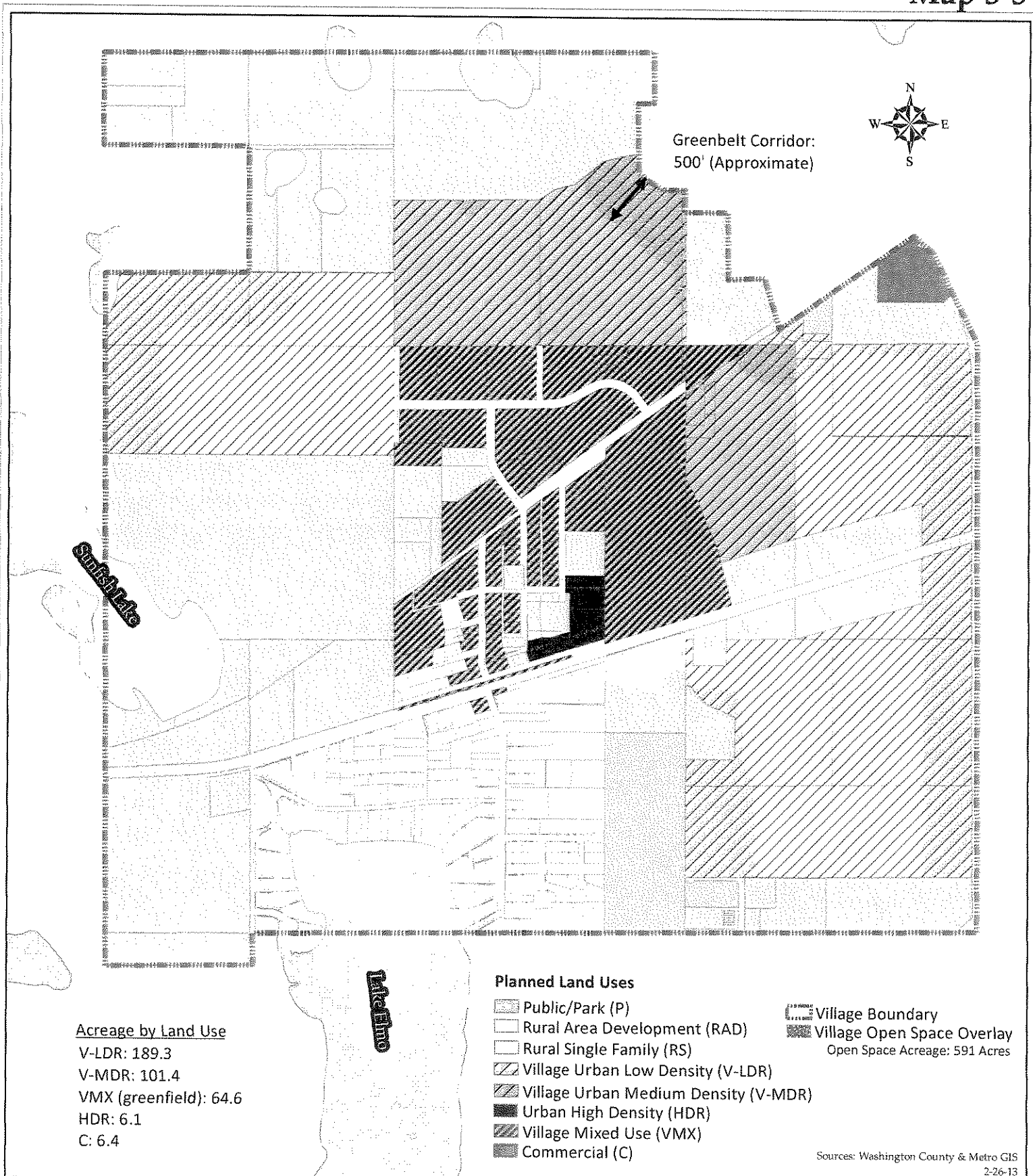
The Village Land Use Plan includes a series of specific goals and objectives for each of the land use elements, and establishes the following as the overall goals and objectives for the plan:

- 1) Adhere to the Guiding Principles from the Village Master Plan, which are incorporated into this land use plan in **Table 3D**.
- 2) Preserve the existing character of the Village while accommodating new housing and businesses to comply with the growth projections of the Comprehensive Plan.
- 3) Create a walkable, viable community with a distinct center.
- 4) Provide space for public and commercial activities around a village green that can serve as a focal point for new development.
- 5) Create an open space buffer around the new development areas to foster a true village feel.
- 6) Plan for development on a “village” scale rather than a “suburban” scale, recognizing the existing historic context of the Old Village.
- 7) Promote traffic calming measures along State Highway 5 to improve auto and pedestrian safety, particularly in the vicinity of Lake Elmo Avenue and Lake Elmo Elementary School.
- 8) Plan for at least one grade-separated crossing of Highway 5 for bicycles and pedestrians
- 9) Provide for the recreation needs of the new neighborhoods while building on existing facilities and accommodating the need for community-wide recreation facilities.
- 10) Create a natural system for storm water management that takes advantage of existing drainage patterns.
- 11) Plan for a new Village Parkway as a major north/south collector with a new railroad crossing approximately midpoint between Lake Elmo Avenue and Manning Ave.
- 12) Promote mixed-use development in the areas close to the Village Center.

Village Land Use Plan

The Village Land Use Plan, **Map 3-5**, identifies four primary land use categories within this planning area that will accommodate growth, and incorporates an open space overlay category to specify which portions of the area will be designated for open space. The land use categories as applied in the Village Planning Area include:

- V-LDR – Village Urban Low Density Residential at 1.5 to 2.5 units per acre
- V-MDR – Village Urban Medium Density Residential at 3.0 to 4.0 units per acre
- HDR – Urban High Density Residential at 8.0 to 15.0 units per acre



Village Planned Land Use

Lake Elmo Comprehensive Plan 2030

THE CITY OF
LAKE ELMO

- VMX – Village Mixed Use with residential densities of 6.0 to 10.0 units per acre

All of these categories are defined in the previous section of this Chapter. The Village Open Space Overlay category is further described below.

The Village Land Use Plan was designed to accommodate a range of 900 to 1,100 new housing units with the understanding that the target growth for the Village is 934 additional units of housing. Using the midpoint of the density range and gross acreages associated with each land use category, the City expects that up to 800 of these units will be located within areas guided for LDR and MDR land uses, while an additional 200-300 housing units are expected to be built within the HDR and VMX land use categories. As these numbers represent a calculation based on gross acreages, the actual unit numbers are expected to be somewhat lower on a net acreage basis.

A summary of the purpose and intent of each of the elements of the land use plan is included in the following section along with the goals and objectives that are specific to each of these elements.

Village Center – Mixed Use Area

In order to achieve the goals and objective of the Village Land Use Plan, a heavy emphasis is placed on the planning of the existing Village Center, or downtown area. The Village Center is comprised of the area guided for mixed-use development. Building off the existing historic development pattern surrounding Lake Elmo Avenue to the south of State Highway 5 is critical to creating a distinctive and walkable core. This core is envisioned to provide an experience that is consistent with a historic downtown. To make this vision a reality, the Village Land Use Plan utilizes mixed-use zoning (VMX) for the Village Center to encourage a variety of uses that will provide opportunities for commerce, retail, entertainment, community spaces and housing, all working in synergy to drive activity, energy and people to downtown Lake Elmo.

To successfully achieve the desired vision, the following details surrounding implementation will be provided for:

- The Village Center may include a master planned mixed use development with a village green or outdoor community gathering space. This development is intended to support downtown Lake Elmo by providing an increased sense of place and opportunities for community events.
- The Village Center will utilize mixed-use zoning, allowing a broad mix of uses that are consistent with historical development patterns and reflect traditional downtown areas.
- Additional protections will be afforded to existing homes in terms of providing additional screening or landscaping to buffer existing homes from new development in the Village Center. In addition, existing homes will not be considered non-conforming uses within the mixed use district.
- Infill development that is sensitive to the existing context, development pattern and architecture is encouraged, particularly along Lake Elmo Avenue.
- The City may consider the adoption of a historic district to promote the preservation of historic properties and the existing character and architecture of downtown Lake Elmo.
- In order to preserve the historic development pattern of downtown Lake Elmo, the City will pursue the adoption of a form-based or hybrid code in the mixed-use area of the Village.
- To ensure that parking is adequately addressed downtown, the City will work with business and property owners in the Village Center to devise solutions for parking that are agreeable to all

parties. Providing additional parking is necessary for business and district vitality. In addition, the provision of parking in the Village Center should be mindful of maintaining a safe and pleasing pedestrian experience, which is critical in supporting a successful downtown.

Village Green – Community Space

In order to draft a plan moving forward to stimulate growth in the Village Center and build off the existing downtown along Lake Elmo Avenue, the City may work to pursue a master planned, mixed-use development known as the Village Green that will serve as a community gathering space and destination. The intent of this development is to drive more energy and activity to downtown, specifically along Lake Elmo Avenue. The City will take an active role in this process with the following aspect of implementation and design in mind:

- The project is to be developed as part of a master plan prepared by the City and/or private developers.
- The signature feature of the project shall be a village green or other community gathering space. This gathering space is intended to be a destination, hosting community events such as concerts and farmers markets.
- The project is intended to include mixed-use development surrounding the community space, with residential development incorporated into retail, office and service uses.
- The opportunity to incorporate public facilities into the development may arise to serve as an additional anchor to the project area.
- Development in the Village Green will most likely include: 1) direct access and visibility from Lake Elmo Avenue, 2) access and visibility from the new village collector road, 3) connections to the Old Village, and 4) opportunities to create pedestrian connections to areas of new residential development.
- The configuration of HWY-5 and the future Village collector road system, or parkway, will provide an excellent opportunity for additional anchor-type development along State Highway 5 (e.g. community center, health care facility, retail, etc.) that will drive additional users to support downtown Lake Elmo.

Public Spaces

The City anticipates that additional growth in the Village may provide opportunities to add new or improve existing public facilities and amenities. Planning for additional public facilities or improvements will be done in a manner that is consistent with the goals of the Village Land Use Plan. More specifically, public facilities and amenities shall be provided in a user-friendly way that promotes accessibility and safety for all Lake Elmo residents.

- City Hall will continue to serve as a key public building within the mixed-use development area. Opportunities for the expansion and/or relocation of City Hall will be considered either as part of the Village Green or in another prominent location within the Village Center.
- The Lake Elmo City Library, Fire Station #1 and the Lake Elmo Regional Arts Center are presently located in the Village Center. Any significant downtown master planning shall take these facilities into account. The library in particular should be seen as an opportunity to drive more residents and visitors to the downtown area, stimulating local businesses in the Village Center.

- Other public uses within the mixed use development area are encouraged, including recreational facilities, the downtown post office, and others, as long as they are consistent with the character and function of a traditional downtown.
- The Lake Elmo Parks Commission will play an integral role in planning for recreational facilities in the Village and ensuring that they are accessible to the surrounding residential areas.

- *Commercial Areas*

Lake Elmo Avenue has traditionally functioned as the commercial center for the City, and the Land Use Plan strives to maintain the Village as a viable and attractive place to do business, while providing opportunities for new development to occur in appropriate locations. The key strategy to accomplish this objective is the reclassification of the existing commercial core and certain portions of the surrounding land to the VMX – Village Mixed Use district. This district will allow a wide range of commercial activities and is intended to provide an area for compact, mixed use development made compatible through a combination of careful planning and urban design. When planning for such a variety of commercial uses, different performance standards may be incorporated to accommodate both auto-oriented and pedestrian-oriented uses so that these different uses are able to function well in proximity to one another. As long as these uses are implemented in a thoughtful manner, the mixture of land uses within the district will establish the level of vitality and intensity needed to support retail and service uses in downtown Lake Elmo.

Preserving and enhancing the character of the existing main street along Lake Elmo Avenue is another key strategy that will help further reinforce this area as the heart of the community. Lake Elmo Avenue, at present, does not have a unified streetscape and is missing key elements that would improve workability throughout the corridor. The City intends to work with Washington County and the Minnesota Department of Transportation to incorporate streetscape improvements with future road reconstruction projects. Specific recommendations are included in the transportation section below.

Opportunities for expansion of commercial activity will be limited to the mixed-use areas within the Village Center, particularly areas adjacent to the existing core and along major collector roads (Lake Elmo Avenue and State Highway 5). New commercial development will adhere to strict standards related to form and design in order to ensure compatibility with surrounding land uses and to maintain a sense of place within the Village Planning Area.

A small area of commercial development outside of the mixed use development area is planned at the intersection of State Highway 5 and Manning Avenue. The appropriate zoning for this area will be convenience commercial in order to provide for smaller scale commercial development or an attractive neighborhood shopping center that is compatible with surrounding residential development.

Other objectives for the commercial components of the Village Planning area include the following:

- Mixed use buildings are encouraged as the primary building type throughout the mixed use areas. Retail uses should be located on ground floor levels and facing the street where practical.
- New commercial development along State Highway 5 should be oriented in a manner that keeps the majority of parking to the side or rear of buildings in order to promote a main street feel for this road segment.
- Uses within the Village Center that primarily cater to automobiles will be permissible through careful site design and the incorporation of pedestrian-oriented design elements.

- Business activity should be focused on the key roadway segments within the mixed use development area, and in particular, along the traditional downtown core along Lake Elmo Avenue.

Residential Development

Residential development as the primary land use will occur within those areas designated for LDR, MDR, and HDR development with the Village Planning Area. Residential uses will also be allowed within the mixed-use development (VMX) areas either as the primary land use or as part of a mixed-use development project. The existing residential neighborhoods within the Village Planning Area will be guided either as RS – Rural Single Family or as VMX – Village Mixed-Use with the intent of classifying all existing single family residential homes as permitted uses.

The Village Master Plan includes a series of recommendations for housing types, with key provisions that encourage the construction of “life-cycle housing” (a mix of housing types, styles, locations and prices that will offer both opportunity and choice for a range of potential buyers and renters) and that also promotes a balanced transportation system that does not favor one mode of transportation (i.e. cars, bicycles, and pedestrians) over another. The descriptions for these housing types are adopted by reference as part of this chapter, and are consistent with the Land Use Plan that calls for denser residential development as one moves closer to the center of the Village Planning Area.

The City has adopted zoning districts that correlate with the planned LDR, MDR, and HDR land uses, which generally relate to the Master Plan categories as follows:

LDR: *Large Lot Single Family, Medium Lot Single Family, Small Lot Single Family*

MDR: *Small Lot Single Family, Twin Home, Townhouse, Apartment/Condominium*

HDR: *Apartment/Condominium, Housing Above Retail*

These categories should be used as a general guide for the types of housing that may be built within the Village Planning Area. The densities depicted in the Land Use Plan will take precedence over any such figures used in the Master Plan.

The zoning that correlates to the various residential land uses will be designed to allow for smaller lots and higher densities than allowed under each land use category with the expectation that residential subdivisions will incorporate open space into developments. The use of these open space areas may include: storm water infiltration, trails, natural or engineered watercourses, natural areas, private or public parkland, and other similar purposes. No development will be allowed that exceeds the density levels specified in the Comprehensive Plan, and the median of the density range will be used as a target for planning purposes.

The areas depicted on the Land Use Plan as open space may not be used to calculate residential densities; however, any internal open space, other than City park land, will not be deducted from these calculations.

Other objectives for residential development in the Village include the following:

- It is important to foster connections between the residential areas in the Village, maintaining some continuity of character between residential areas as opposed to many distinct and disconnected neighborhoods.
- In terms of housing, the City supports a variety of housing types and price points that are inclusive to all generations.

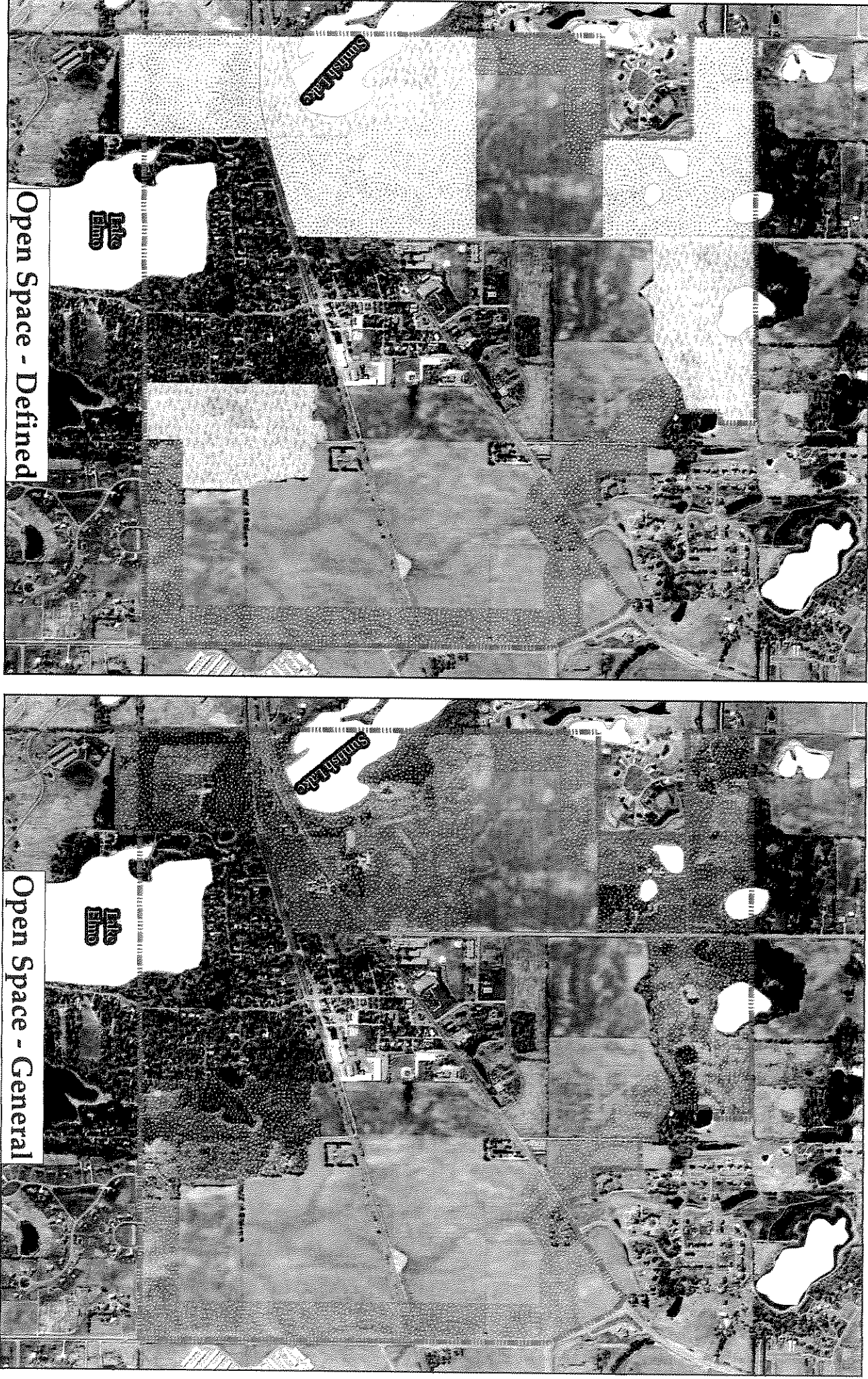
- While not required, residential design that incorporates environmental considerations, such as energy efficiency and solar orientation, is encouraged.

Greenbelt /Open Space

When evaluating the context of the existing land uses and development types surrounding the Village, one cannot overlook the significant number of open space preservation (OP) developments in Lake Elmo. These open space developments have had a significant role in shaping Lake Elmo's character and identity; an identity that is unique in the Twin Cities Metropolitan Area. In order to preserve the elements that have made Lake Elmo and specifically the Village unique, it is important to plan for sewer development in a manner that is reflective of the community's existing character. For that reason, all of the previous planning efforts within the Village have included significant amounts of open space. Building off of the vision created in the Village Master Plan, the current Land Use Plan also utilizes open space in a strategic way to balance future growth and existing conditions within the Village. Ultimately, the open space included in the Village will serve as a critical amenity that ensures that the existing character of the heart of the community is preserved to the best extent possible.

The future open space areas in the Village, as determined by the Village Open Space Plan, **Map 3-6**, will be consistent with one of the three following open space types, all offering different opportunities and purposes:

1. **Natural Resource Preservation Areas.** Natural Resource Preservation Areas are natural areas considered to be of high environmental and aesthetic value. Such areas in the Village include but are not limited to the areas adjacent to Sunfish Lake and Reid Park. These areas are considered to be of high environmental value due to the large stands of mature trees, steep slopes, wetlands, natural amenities, and the other ecologically sensitive features that are located in these areas. The Natural Resource Preservation Area may include uses such as passive recreation, trails, natural areas, and other activities or uses that are consistent with passive recreation.
2. **Rural Preservation Areas.** Rural Preservation Areas are areas within the Village historically utilized for agricultural purposes. Agriculture remains an integral part of the community's history and identity. Providing for open spaces dedicated to agricultural uses in the Village is critical for maintaining the existing character of the Village. Uses within the Rural Preservation Areas include active farming, passive recreation, trails, public gathering spaces, natural areas, natural water courses and other amenities that are consistent with agricultural use or character.
3. **Greenbelt Corridors.** Greenbelt Corridors run along the perimeter of proposed development and serve as transitional areas between future sewer development within the Village and existing rural development. The corridor is intended to range out to approximately 500 feet in width. However, the stipulated buffer may be reduced if the design of the development includes the following: (1) a design that is mindful of the landscape features of the site, providing enhanced environmental benefit, (2) a design that is consistent with overall goals for the Village Land Use Plan, and (3) a design that meets the requirements of the underlying land use category of the parcel. At a minimum, the corridor should not be less than 250 feet in width, as measured from the existing Village Boundary or the area guided for commercial use in the northeastern portion of the Village, for the purpose of maintaining an effective rural-urban transition. Not only will this provide a significant physical and visual amenity, but it will also encourage more residential development closer to the Village Center. Uses within the Greenbelt Corridor may include trails, passive recreation, public gathering spaces, natural areas, storm water management systems,



Open Space - Defined

Open Space - General

Open Space Category

- Greenbelt Corridor (500')
- Natural Resource Preservation Area
- Rural Preservation Area

Village Open Space Plan
Lake Elmo Comprehensive Plan 2030



Source: Washington County and Metro GIS
2-14-13

natural water courses, small-scale or community oriented agricultural activities and other amenities intended for aesthetic enjoyment.

These open space types will comprise the Village Open Space Overlay, as detailed in the Village Open Space Plan (Map 3-6) and Village Land Use Plan (Map 3-5). The details surrounding the implementation of the Village Open Space Plan and the associated land use implications are further discussed in the section on implementation.

Parks and Trails

The City has adopted a Parks and Trails Plan, Chapters IX and X of this Comprehensive Plan, which will be used as a guide for locating new parks and trails associated with development within the Village Planning Area. Other specific objectives that are specific to the Village concerning parks and trails include the following:

- Construction of a new trail connection between the northeastern portion of the Lake Elmo Regional Park Reserve and the Village. This proposed trail connection would primarily follow existing road right-of-way and serve as a new off-road entrance into the Park Reserve.
- Utilizing 36th Street as a key pedestrian connection between the existing commercial areas along Lake Elmo Avenue and future development in the Village Center, or mixed-use area.
- Development of a grade separated trail either over or under State Highway 5 (Stillwater Boulevard) in order to promote a safe pedestrian crossing between the northern and southern portions of the Village Planning Area.
- Construction of a multi-use trail along Lake Elmo Avenue that is separated from vehicular traffic and that will serve as the primary trail connection to the I-94 corridor. Due to constraints associated with the available right-of-way and other limitation associated with its potential location next to Lake Elmo, this trail should be given special consideration as part of any future improvements to Lake Elmo Avenue.
- Expansion of Reid Park into adjacent prime natural areas and other property to the east of Reid Park that is not well-suited for residential development. Future trails will be encouraged to connect Reid Park with the surrounding residential neighborhoods.
- Development of a larger regional recreational facility to the east of the Village Center adjacent to the railroad right-of-way. This facility could serve as a natural buffer between the rail line and new residential development within the Village Planning Area.
- The establishment of trail connections between the new and existing neighborhoods located within the Village Planning Area. Sidewalks will be required for all new developments; however, the City will consider trails as a substitute for sidewalks in instances where they provide connections to other neighborhoods or other public features within the planning area.
- The City may consider the relocation of the existing ball fields located downtown to a new regional recreation facility in the Village to allow for redevelopment opportunities within the Village Center.

Transportation

The existing and planned transportation corridors that circumvent the Village Planning Area will play a critical role in shaping the character of the Village. State Highway 5 and County Highway 17 serve as the primary routes into and out of the Village and will continue to see increasing levels of traffic in the

future. These routes also represent important connections for the local businesses, many of which rely on these major transportation routes for visibility and access. The Village Land Use Plan balances the need for access to local businesses with the overall objective of managing and calming the expected increases in traffic levels throughout the planning area. The general transportation goals for the planning area include the following:

State HWY-5 (Stillwater Boulevard)

State Highway 5 is the primary east-west travel route through the Village. Because of existing high speed limits and traffic volumes, it is often a barrier (or at least a significant inconvenience) to pedestrian and vehicular movement. Its current design includes ditches, culverts and wide setbacks for buildings along the right of way.

The City is seeking design flexibility with regards to future improvements to this roadway in order to reduce speed limits, narrow travel lanes, and to consider other features that will encourage a future Main Street that emphasizes pedestrian character, traffic calming and mix of uses described in the Comprehensive Plan. A potential turn-back of the road to Washington County may help accomplish this design flexibility.

Specific recommendations:

- Roundabouts at the east and west ends of Stillwater Boulevard could slow traffic and mark the edges of “downtown”. The redesigned road segment in between will transition from the existing rural section to a traditional Main Street design that includes:
 - Curb and gutter with associated storm sewer
 - Wider sidewalks with pedestrian scale amenities (benches, lights, street trees)
 - Narrower lanes perhaps with planted medians and center turn lanes
 - Curb-side parking if feasible, with additional parking located between or behind Main Street buildings
 - Controlled intersections, one at Lake Elmo Avenue and one at 39th Street, will provide safe crossings, slow traffic and pull the Village together as one piece, not two halves.

Stillwater Boulevard and Lake Elmo Avenue will continue to be the primary commercial streets in the Village, promoting existing businesses, while encouraging new and expanded opportunities for local goods and services. Buildings will be located at (or near) the right of way, with generous walkways for pedestrian movement and ‘spill-out’ activities, such as sidewalk café, coffee shop or other uses.

County HWY-17 (Lake Elmo Avenue)

Lake Elmo Avenue, specifically south of State Highway 5, is recognized as the existing Main Street of the Village. The existing conditions include a “T” intersection terminus and jog along State Highway 5 to connect with Lake Elmo Avenue to the north. The Comprehensive Plan does not plan for the realignment of this roadway segment, and instead recommends improvements along Highway 5 to calm traffic and reduce speeds in order to better manage the traffic through these intersections.

The City will consider modifications to Lake Elmo Avenue in conjunction with the public improvements necessary to bring public sanitary sewer service into existing buildings within the Village Planning Area. Future road improvements to Lake Elmo Avenue will include an emphasis on

the pedestrian environment and incorporate appropriate features including benches, lighting, sidewalks, and other elements in order to create an inviting pedestrian environment.

Specific recommendations:

- Consideration of angled parking along Lake Elmo Avenue in order to provide additional parking for businesses and to provide additional separation between pedestrians and vehicles.
- Development of a streetscape plan for Lake Elmo Avenue that will identify the design features appropriate for Village-scale development.
- A controlled intersection, with the potential for a round-a-bout at the intersection of State Highway 5, will help calm traffic and provide opportunities to create a gateway into the Village core.

Traffic Calming

Future roadway improvements should incorporate traffic calming measures to help manage the projected traffic levels. The City will pursue both non-physical and physical measures as described in the U.S. Traffic Calming Manual (American Planning Association and the American Society of Civil Engineers) in order to help reduce the need for a major roadway expansion (in terms of additional traffic lanes) and to promote road improvements that are designed to be consistent with a Village scale. In this context, traffic calming may involve changes in street alignment, installation of barriers and other physical measures to reduce traffic speeds and/or cut through traffic volumes in the interest of street safety, livability, and other public purposes.

Traffic calming measures will be considered for all existing streets that are renovated and all new streets constructed within the Village Planning Area.

New Village Parkway

A new collector road system will provide for a new north/south connection between State Highway 5 and 30th Street within the Village Planning Area. This road will serve as the backbone for much of the new development within this area and will provide for a connection back to the existing downtown via an extension of 36th Street. The City will work the Union Pacific Railway company to create a new crossing of the railroad at approximately the mid-point between Lake Elmo Avenue and Manning Avenue. The design of this street will employ a parkway style of design and serve as a collector road for new development on the east side of the Village Planning Area. Finally, the alignment of the collector road may serve as the boundary between the mixed-use (VMX) and medium density (MDR) land uses.

Street Design

The City will work to establish a unified street design for all streets (existing and new) within the Village Planning Area. As a part of this process, the City has initiated an effort to develop a common theme for public spaces within the City and will use the results of this theming work as part of future streetscape designs. The theming effort will be critical in creating a unified sense of place in the new and old areas of the Village.

Trail System along HWY-5 and CSAH-17

New trails along State Highway 5 and Lake Elmo Avenue will serve as the backbone for a trail system that connects the existing and new development within the Village Planning Area and that also

connects to major destinations such as the Lake Elmo Elementary School, Stillwater Area High School, Village Center, Village Green, Lake Elmo Regional Park Reserve, and residential and commercial areas along the I-94 Corridor.

HWY-5 Pedestrian Crossings

As improvements are made to State Highway 5, the ability of pedestrians to safely cross this roadway will be given strong consideration as part of the final design. In addition to crossings at controlled intersections, the plan recommends that at least one grade separated crossing be incorporated into the sidewalk and trail network.

Phasing Plan

The Village Planning Area will initially be served by a new sanitary sewer force main that extends from the southern boundary of the City to a lift station immediately north of 30th Street and east of Reid Park. This force main is scheduled to be constructed by 2014 and will be the starting point for further service extensions into the Village Planning Area. Future sewer extensions can be divided into three distinct phasing areas as follows:

- New development areas east of existing residential and commercial development, north of 30th Street, and South of State Highway 5;
- New development areas located north of 39th Street and west of Lake Elmo Avenue; and
- Existing homes and businesses within the Village Planning Area served by a new sewer line within or parallel to Lake Elmo Avenue.

Water and other municipal services are already present in those portions of the Village Planning Area that are already developed, and these other services will be extended into future developments concurrent with sewer service.

The City intends to be flexible with the timing of each of the project phases described above in order to remain responsive to market conditions. Developments within each phase may occur independently of the other phases; however, the City's ability to efficiently serve a proposed area with municipal services (including public sanitary sewer and water) must be addressed by potential developers. In general, a development must either be contiguous as much as possible to areas that have already been served, or as an alternative, there must be an approved plan for extending services that also addresses the financing related to these improvements. All projects will be evaluated for continuity with existing service areas and whether or not the City can efficiently provide services to a site.

The Existing and Planned Land Use Table (Table 3-B) includes the updated projections for land use changes based on the Village Land Use Plan. Urban services will be extended to the Village starting in 2014. Following the availability of services, development is expected to occur in the Village throughout the planning time period in response to market conditions.

Implementation

The City of Lake Elmo will use a wide variety of tools to implement the vision for development within the Village Planning Area, specifically focusing on the following:

Zoning

In order to achieve the desired vision for the Village Center, the City will adopt a mixed-use zoning district. The purpose of the mixed-use district is to establish land use and performance standards with the intent of enhancing the existing “main-street” character and aesthetic found within the Old Village. The mixed-use district will allow for a variety of use classifications, as long as the various land uses can be integrated into the context of a traditional downtown. These land use classifications include various types of residential and commercial uses, as well as multiple land uses integrated into the same site or structure, such as multi-family housing above retail or office space. With the intent of maintaining a pedestrian friendly downtown in the Village Center, different use classifications will be evaluated based upon their impact on the built environment. Use classifications that are more auto-oriented in nature and do not conform to the form found in traditional downtown developments will be subject to special performance standards to ensure that these uses can coexist in the downtown setting. The City may also identify the areas of the Village Center that are more conducive to auto-oriented uses.

It is important to recognize that there are many existing single family homes located within the Village Center. Similar to many other historic downtown areas, the City values these properties as an integral part of the aesthetic and character of the area. Akin to other historic districts, these properties will have the opportunity to transition or redevelop to other land uses. However, single family residential uses will continue in the mixed-use area as well. In order to provide the necessary protections so that these different uses can coexist in the downtown, the mixed-use (VMX) zoning district shall include performance standards aimed at buffering residential properties from other more intensive uses. In addition, existing single family homes in the mixed-use district will not be given non-conforming status. These properties may continue to be used in a manner that is consistent with their existing zoning classification.

Finally, the City will consider drafting performance standards specific to the LDR and MDR zoning districts in the Village Planning Area. These standards would be informed by the objectives and goals of the Village Planning Area, translating the vision towards implementation. To achieve the desired vision for the Village, it is important to integrate performance standards that are consistent with the vision and can be implemented into the built environment.

Form-Based Zoning

In addition to standard zoning, the City will pursue the adoption of a form-based code, or hybrid code, in the Village Center or mixed-use area. The purpose of this code is to more effectively regulate the form and street pattern in the Village Center, providing more concrete guidance for the downtown. At a base level, this form-based code will be aimed at extending the traditional main street development pattern that currently exists in downtown Lake Elmo to the south of HWY-5. The City views the continuation of this development pattern as crucial to establishing downtown Lake Elmo as a destination, evoking a unique and inspiring sense of place. As part of the form-based code, the City will consider different standards for pedestrian-oriented uses and automobile-oriented uses, possibly resulting in two transects within the mixed-use area. The ultimate goal for the Village Center is to create a pedestrian-friendly district that provides excellent opportunities to live, work and play. The form-based or hybrid code may be critical in making the downtown district a success.

Design Standards

Considering the fact that it is difficult to transform the built environment once it has already been established, it is important to incorporate quality design elements from the onset. As a result, it is important to provide guidance or standards related to site and building design as the City proceeds with growth and development. To ensure that the newly developed areas of Lake Elmo are of a high quality in both form and function, the City will pursue the adoption of design guidelines or standards. These standards will be applicable to the higher intensity uses in the community. More specifically, design guidelines or standards will be established for high-density residential, commercial, business park and mixed-use development in Lake Elmo. These higher intensity uses will have a larger impact on the built environment and public spaces of the community. Creating a set of uniform guidelines ensures that everyone is playing by the same rules, thereby protecting the property values of all who invest in the community. In addition to guidelines aimed at site and building design, the design standards may encourage other guidelines related to environmentally sensitive design or site specific considerations, such as acoustical standards near the Lake Elmo Airport. These considerations will be offered as guidance as opposed to strict standards. To ensure the success of the newly developed areas over the long-term, it is important to promote high quality site and building design.

Greenbelt/Open Space

The provision of open space is a critical component of fulfilling the vision of the Village Land Use Plan. Equally important is the method of implementation. If the implementation of the Village Open Space Plan is ineffective, then the vision for the Village may not be realized. The following section provides an overview of the details of implementation for the Village Open Space Plan.

In terms of how the Village Open Space Plan is implemented on the ground, the land that is guided for open space is designated by the Village Open Space Overlay on the Village Planned Land Use map, Map 3-5. While the different types of open space in the Village serve different purposes or have different physical characteristics, the implications of the open space overlay on the land itself remain uniform. The distinction in how the open space overlay affects land in the Village rests in the base land use category for each parcel.

For all parcels that are designated with rural land use categories (RAD and RS), the open space overlay does not impact the use of the property. In other words, lands that are guided and zoned for rural use may function normally under the same rural zoning districts as before the inclusion of the open space overlay. For example, parcels that are within Rural Preservation or Natural Preservation Areas will maintain their Agricultural, Rural Residential or Rural Single Family zoning designation. The regulations of these zoning districts will remain the same regardless of the Village Open Space Overlay.

For all parcels that are designated with urban land use categories (LDR, MDR, HDR, VMX and C), the open space overlay shall act as a zoning or subdivision restriction. Through restrictions via zoning or the subdivision process, the City will have multiple tools to provide for the open space areas in the urban districts in the Village. For example, the City can utilize zoning to enforce various setbacks from the existing Village boundary. Another option would be to dedicate outlots in the open space areas through the subdivision process. As long as the end result is achieved, the City would like to take a flexible approach so that the private market can select the best solution for achieving the intent of the Village Open Space Plan.

After the open space areas have been established, it is important to pursue strategies that will provide for the long-term preservation of these areas. To accomplish preservation, the City will either pursue conservation easements with the MN Land Trust or other partners, or investigate the acquisition of land

that is determined to be a significant natural asset to the community. Through a combination of both strategies, the Village Open Space Plan is more likely to succeed.

Conservation Easements: In working to pursue conservation in the Village, finding the funding mechanisms needed to create and maintain the easement will remain the most important project related to future open space work. With the foundation of the Village Open Space Plan in place, the City will investigate grants and other funding mechanisms, such as the Metro Greenways Program and Legacy Funds, to provide for conservation. To achieve positive results, finding willing private and public partners will be critical. In addition, the City may be willing to work with private property owners in the Village who wish to pursue conservation easements on their property. Finally, to make the conservation program as cost-effective as possible, the City will identify the areas of open space that are of the highest priority for conservation. Prioritizing areas for preservation will allow for an incremental approach to obtaining conservation easements.

Acquisition: Another strategy that may be pursued is the outright acquisition of property that is deemed to be a significant environmental or ecological asset. If the City were to pursue this strategy, the land acquired would most likely be incorporated into parks or trails planning for the community. In other words, the land would most likely have some form of recreational component. For example, the area to the east of Reid Park could be seen as an opportunity to acquire environmentally sensitive lands that could be incorporated into recreation. In addition, the City may wish to pursue the expansion of trails around Sunfish Lake to tie into Sunfish Lake Park. These potential projects are some examples where acquisition may be in the best interest of the City.

Overall, the work of maintaining the Village Open Space Plan does not stop with the establishment of the Village Open Space Overlay. If the open space is to remain a key element of plans for the Village, the City will have to pursue strategies to incrementally preserve these open space areas. In that respect, the City can play a significant role in supporting open space amenities in the Village for decades to come.

Parks and Trails

One consistent theme of the many planning efforts focused on the Village that has continued to resonate is the need to provide access to recreational opportunities within proximity to the areas guided for growth. Lake Elmo, and more specifically the Village, has the unique fortune of having access to some of the best parks in the Metropolitan Area. As development occurs, fostering connections and access to these parks and open space will be an important part of ensuring an amenity rich residential experience within the Village and community as a whole. For that reason, the City will work to pursue the following projects related to parks and trails:

- The City will work with Washington County to develop an “East Side Access” Plan for the Lake Elmo Regional Park Reserve.
- The City will work with Washington County to incorporate a separated on-grade bicycle or multi-purpose trail along Lake Elmo Avenue when this corridor is reconstructed.
- The City will work with the Lake Elmo Parks Commission to plan for trail connection between the Village and any access points that become available to the Lake Elmo Regional Park Reserve.
- The City will work with the Lake Elmo Parks Commission to site a new regional recreation facility to the east of the Village Center, or mixed-use area.
- As new residential subdivisions in the Village are proposed, the City will require land dedication for the purpose of incorporating neighborhood or pocket parks within the new subdivisions.

- The City will consider using parkland dedication as a tool to construct an off-road/multi-purpose trail system within the Greenbelt Corridors and other open space areas surrounding the Village.
- To expand an existing asset of significant natural value, the City may investigate the acquisition of land around Reid Park to expand the park into ecologically sensitive areas.
- The City will remain open to opportunities to secure rights for a trail connection around Sunfish Lake.

Transportation

To provide for a safe and effective transportation system in the Village, the City will utilize a number of strategies to maintain and improve new and existing facilities. More specifically, the City will consider the following strategies of implementation in regards to transportation:

- Transportation related maintenance and improvements led by the City will be incorporated into the City's 5-year Capital Improvement Plan (CIP). Projects will be prioritized according to need.
- The City will investigate the use of State Aid Funds for collector road systems in the Village. These funds are critical in the maintenance of more heavily traveled corridors.
- The City will work with the State and Washington County on future reconstruction projects, including State Highway 5, Lake Elmo Avenue (CSAH-17) and Manning Avenue (CSAH-15).
- The City will continue to advocate for safety improvements to State Highway 5, especially the area adjacent to Lake Elmo Elementary School and Lake Elmo Avenue. To improve travel along this corridor, the City will work with Mn/DOT and Washington County to explore many different strategies to enhance automobile and pedestrian safety. These strategies may include traffic calming measures, at-grade crossings, recreation trails, roundabouts and signalized intersections, among others.
- The City will continue to be active in any plans or discussions by Washington County and the State regarding the turnback of State Highway 5. The potential turnback of State Highway 5 would have large impact on the future of the roadway. Therefore, the City should continue to play a prominent role in those discussions.
- The City will investigate the use of Tax Increment Financing (TIF) as a mechanism to support various streetscape improvements in downtown Lake Elmo.
- The City will partner with private developers on various street improvement projects, such as the Village parkway, related to the growth of the Village. These improvements present opportunities to improve connectivity in the Village. More specifically, the City will look at the possibility of incorporating trails into various street improvements.

Public Services

To provide for a significant amount of growth in the Village, the Village Planning Area will have to be served with the appropriate urban services. These services include water, sanitary sewer and storm sewer. While water is already currently available, the extension of sanitary sewer from the I-94 Corridor up Lake Elmo Avenue (CSAH-17) is required to support future growth in the Village. The

extension of sanitary sewer to the Village will include the installation of a force main sewer to a lift station to the east of Reid Park along 30th Street. From this lift station, two gravity sewer systems will be able to serve the Village Planning Area. One of these gravity systems will serve the western portion of the Village, including the existing properties within the Old Village. The other gravity system will serve the eastern portion of the Village, where there are more opportunities for greenfield development.

To designate the lands guided for urban services, the City is required to adopt a Municipal Urban Service Area (MUSA), or boundary that designates parcels for the provision of sanitary sewer service. The current MUSA boundary for the Village Planning Area is the Village boundary itself. However, in order to include other properties adjacent to the Village that can be efficiently served by sanitary sewer, the City will amend its MUSA boundary in the Village. The MUSA amendment is found in [Map 3-7](#). Many of the properties that will be added to the MUSA can be efficiently served by sanitary sewer given the close proximity to the urban service area. Many of these properties should be connected to sanitary sewer to replace aging and non-compliant individual sewage treatment systems or septic systems. These connections should provide an environmental benefit to Lake Elmo and the Village. Regarding the connection of existing properties in the Village to sanitary sewer, the priority level of future lateral service lines is still undetermined. However, the connection of existing properties in the Village will follow the natural development progression. In addition, the City intends to follow State Statutes that require hook-up within two (2) years once sewer service is available to a property.

With regards to water service, the City will have to expand its water system to serve the newly developing areas in the Village. As the supply of drinking water has been under greater strain in the East Metro in recent years, the City will continue to work with Washington County and the Metropolitan Council on regional planning issues that will impact the City's water supply. These efforts will be coordinated with the Minnesota Departments of Health and Natural Resources.

In regards to storm water management in the Village, it will be the responsibility of the private landowners to devise management systems that meet the Valley Branch Watershed District and the City's standards for storm water. Considering that the Village experiences significant storm water runoff events, it will be critical for landowners seeking to develop their land to take a proactive approach to storm water management. These efforts should be informed by the City's Surface Water Management Plan, Chapter V of the Comprehensive Plan. Landowners are encouraged to work with the City to arrive at the best solutions for storm water management in the Village. In addition, land owners may want to take advantage of the resources of the Washington County Conservation District, who offer assistance in devising rain garden systems to support on-site infiltration of storm water.



Village MUSA - Proposed



Village MUSA - Existing

Sources: Washington County & Metro GIS
2-14-13

Village MUSA Amendment

Lake Elmo Comprehensive Plan 2030



Table 3-D
Village Development Guiding Principles

PRINCIPLE	EXAMPLE
<p>Principle #1</p> <p>Evoke a sense of place . . .</p> <p>Build on existing assets to preserve the small town, rural character of Lake Elmo, maintaining the Old Village as the heart of the city.</p>	<p>For example: the words ‘small-town America’ still bring forth almost iconic images of ‘place,’; images that represent a way of life steeped in civic pride, knowing your neighbor and celebrating tradition. The Master Plan seeks to build on this idea, not detract from it.</p>
<p>Principle #2</p> <p>Balance natural and built systems . . .</p> <p>Integrate development within a green framework of parks, trails and the open space greenbelt.</p>	<p>For example: the Master Plan is based on the inseparable relationship between various systems working together to create the ‘whole-cloth’ of community. The idea of a village within a park is an attainable vision . . . with new development, infrastructure improvements and other plan components carefully conceived and constructed as if to appear part of the original settlement.</p>
<p>Principle #3</p> <p>Broaden the mix of local goods and services . . .</p> <p>Support existing, and encourage new opportunities for retail shops, restaurants, office, civic and institutional uses, particularly along Lake Elmo Avenue and the proposed Route 5 Main Street.</p>	<p>For example: having a variety of visible, inviting, high quality purveyors nearby that meet the daily needs of Lake Elmo residents is a hallmark of small town life. Rather than displacement, the Master Plan seeks to enhance the climate for commercial development (including existing businesses), while creating an active Main Street and signature destination centerpiece for the Village.</p>
<p>Principle #4</p> <p>Provide a variety of housing choices . . .</p> <p>Make life-cycle housing a top priority, specifically targeting a growing and increasingly diverse population.</p>	<p>For example: some existing residents would like to live in Lake Elmo long after they’ve left the family homestead; children born and raised in the area would like to find ‘first-time-buyer’ housing they can afford; new residents attracted to the Village should be able to pick from a mix of high quality, reasonably priced options for families, active living, low maintenance and special needs housing close to Main Street and in nearby neighborhoods.</p>
<p>Principle #5</p> <p>Invest in quality public space . . .</p> <p>Construct signature parks and a destination main street as the centerpiece for community events with increased recreational opportunities and improved amenities throughout the Old Village.</p>	<p>For example: some of our most memorable and celebrated places are our parks . . . from the traditional town square to the world renowned Grand Rounds in Minneapolis, the contribution of these special places to our quality of life is beyond measure. The Master Plan seeks to create a network of public parks and trails available for active recreational users, casual spontaneous visits or simply an element of the Village fabric you might pass by as part of your daily routine.</p>
<p>Principle #6</p>	<p>For example: Lake Elmo seems to have sort of a quiet history represented by only a few visible reminders of bygone days,</p>

<p>Preserve and enhance natural and cultural resources . . .</p> <p>Develop strategies to insure long term protection of the qualities that make the Old Village unique.</p>	<p>yet the Master Plan seeks to interpret this cultural legacy in a very public expression of meaning and place. And although much of what was once natural in the Village Area is mostly gone . . . we still have a responsibility to preserve and protect what remains, seek to restore what's missing and connect with regional systems where natural areas still flourish.</p>
<p>Principle #7</p> <p>Improve connectivity . . .</p> <p>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.</p>	<p>For example: the Master Plan is not anti-car . . . but it also does not emphasize traffic management and car convenience as the primary drivers of Village design. Instead, the Plan seeks to create a safe, functional and aesthetically pleasing experience for everyone, while encouraging increased pedestrian and bicycle trips with a decreased dependency on the automobile.</p>
<p>Principle #8</p> <p>Build partnerships . . .</p> <p>Leverage investment through public/private partnerships including expanded relationships with builder/developers, corporate, institutional, county, state and national organizations with shared interest in specific elements of the plan.</p>	<p>For example: you can't do this alone . . . each and every component of the Master Plan requires the knowledge and active participation of a variety of potential partners. Their success helps ensure your success, and a positive, engaging and respectful experience should be the outcome for everyone doing business with Lake Elmo.</p>
<p>Principle #9</p> <p>Foster public safety . . .</p> <p>Create a vital and inviting Village center that encourages activity throughout the day.</p>	<p>For example: safe streets, safe parks, safe neighborhoods . . . much of the world we live in is 'self-policing.' The proposed mix and location of uses and amenities intentionally promotes casual surveillance (eyes-on-the-street) with easy monitoring and access by emergency services when needed.</p>
<p>Principle #10</p> <p>Forward a vision that can be implemented . . .</p> <p>Balance economic realities and technical constraints with a mandate for quality and livability.</p>	<p>For example: the Master Plan becomes meaningless if it can't be built . . . implementation of the Plan must include reasonable cost in a reasonable time frame, with built-in flexibility that responds to market shifts, political reprioritization, technological advances and potential outside influences (oil prices, war, transit).</p>
<p>Principle #11</p> <p>Become a great model . . .</p> <p>Encourage other communities to 'raise the bar' by demonstrating low impact development, best practices and sustainability.</p>	<p>For example: there is a growing responsibility and broader perspective that suggests that status quo is not an option. The Master Plan actively pursues opportunities to not only explore, but also put into practice, a variety of methods and approaches that reduce the negative impacts of development, minimize intrusions on our natural systems, conserve energy where possible and leave a lasting legacy for others to follow.</p>
<p>Principle #12</p>	<p>For example: there is a wealth of information and real-world examples to help small towns like Lake Elmo respond to the complex challenges of growth, development, finance,</p>

Lead by design . . . Creative and innovative thinking locally should also be part of the regional, national and global collaboration of problem solvers.	preservation and health. The Master Plan seeks to build from this knowledge base, benefit from the experience of others and participate in meaningful problem solving for this rapidly changing world.
Principle #13 Minimize negative impacts . . . Promote long term stability and quality of life through effective balance of economic, environmental and social/cultural priorities.	For example: the overall health of the Village is intricately linked to the health of your local economy, the health and attractiveness of the natural and built environment, and the social fabric of rural living. Incremental growth and the attendant changes that go with it must accommodate both existing and future Lake Elmo citizens.

Planning Commission Comment & Response Matrix
Village Planning Area Comprehensive Plan Amendment
February 25, 2013



	Planning Commission Comment/Question	Response/Action
1	Clarify the density numbers in the Comp Plan Amendment. Why is a range being used for residential densities; how is this integrated into the plan?	<p>The Comprehensive Plan for the entire City establishes various land use categories that guide land for specific types of development on the Future Land Use Map (Map 3-3). The residential land uses are broken down between Low, Medium, and High density areas. A residential density range is the tool that is typically used to differentiate between different residential categories.</p> <p>The Village plan includes the general LDR, MDR, and HDR categories used elsewhere in the plan; however based on feedback from the Planning Commission, these will be further refined to clarify that the density range used to guide development in the Village will be different than those used in the I-94 Corridor (these land uses will now be V-LDR and V-MDR). The Village Plan also includes a target number of 934 for overall residential units, which will be used by the City to track compliance with the intent of the plan as development occurs in the future.</p> <p>A range is necessary because it is impossible to know the true development potential or market preferences for any given site without more detailed information on a piece of property (topography, wetlands, soil suitability, environmental issues, existing easements, etc.)</p> <p>The City does have discretion in setting up its residential use categories be as general or specific as it wants to be; however, Staff believes that the current classifications will allow the City to generally establish future guidance for residential land without creating an overly complex system that places an arbitrary cap on development units.</p>
2	What impact will the plan have on property owners with working septic systems and/or systems that have recently been updated?	<p>The plan amendment identifies the areas that will be served by sanitary sewer service in the future, but does not establish a specific time frame for extending this service into existing residential neighborhoods. Beyond the main trunk line that will follow Lake Elmo Avenue (or parallel to Lake Elmo Avenue), the priority</p>

		level for construction of future lateral lines will need to be decided in the future. All future utility extensions will follow the natural development progression in the Village.
3	Will the City require property owners within the Village MUSA area to hook up to sanitary sewer service?	City must abide by State Statutes that require individual properties to hook-up to sanitary sewer service once these services are available (meaning there is a service connection provided to the site) within two years.
4	The Met Council mandates should be discussed in the plan.	The plan amendment for the I-94 corridor includes a section concerning the Memorandum of Understanding (MOU) with revised housing, population, and employment projections to account for the flexibility allowed under the revised MOU. This section will be a part of the overall land use plan that will also include the Village Area Planning update.
5	Water quality and concerns with depletion of ground water supplies.	<p>The City's 2008 Comprehensive Plan amendment includes sections on Water Resources and Water Supply. The purpose statement for the water resources chapter reads as follows: the purpose of [this plan] is to serve as a comprehensive planning document to guide the City in conserving, protecting, and maintaining the quality of its natural resources, surface waters, and ground water resources.</p> <p>The City will continue to work with the Met Council, DNR, Department of Health and Washington County on regional planning issues that impact the City's ground water supply. The City has also adopted a Surface Water Ordinance that addresses the goals and objectives from the plan.</p>
6	Request from James McLeod regarding property at 11580 30 th Street North.	Change the McLeod property and properties to the west to a Rural Single Family classification.
7	The plan needs to differentiate between the Village LDR and MDR classifications and the I-94 LDR and MDR classifications.	Create separate land use classifications for the Village LDR and MDR categories; revise the land use map to use distinct color coding for these areas. See comments in item 1.
8	There are significant issues with parking in the Village, especially along Lake Elmo Avenue and around the elementary school.	The village plan indicates that the City will continue to work with property owners within the Village Center to address parking issues. The construction of a village green, ball fields and other public uses will provide opportunities to expand upon the current amount of public parking. Parking will be given special consideration as part of any future streetscape modifications to Lake Elmo Avenue and other Village streets.

9	Trail connections should be a priority, and the plans should encourage future connections to destination points like the Gateway Trail.	The City adopted a trail plan in 2006 that identifies a series of destination points and plans for future connections to these areas. The Park Commission will be discussing implementation of the trail plan, and will be looking to make modifications to the plan as necessary.
10	Why was a 100 foot buffer used in the I-94 Corridor, but a 250 foot buffer is being proposed in the Village? Should the City be concerned with the potential for a takings case with a buffer of this size?	The buffer for the I-94 corridor was drafted as a mechanism to provide separation and buffering between two different types of residential uses. This was done through a required green belt and a reduction in the densities planned next to existing residential areas. The Village Plan calls for a green belt rather than a buffer, which is intended to mark a distinction between the rural and urban areas within the community. This "edge" needs to be established somewhere, and the green belt is the mechanism that was chosen to define the change in land uses and to help maintain a distinct center to the Village.
11	The plan often uses words that are permissive rather than mandatory; should the plan use stronger wording to ensure that the City's intent is followed?	Staff has drafted the plan to provide flexibility where it may be needed in the future or where additional work must be done in order to support a specific goal or objective from the plan.
12	There is a precedent for smaller homes in the Village; does the plan allow for these to continue?	The Planning Commission recommended adoption of revisions to the LDR and MDR districts that would allow for slightly smaller lots than as previously as written under the ordinance. The Comprehensive Plan encourages the clustering of housing on smaller lots as a mechanism to preserve open space in new developments.
13	The plan should include language to state the City's intention to have the City square connect the Old Village with new construction.	The proposed Village Plan includes several statements that encourage the construction of trails and other pathways to connect new development with the center of the Village.
14	The community park areas (ball fields) should be combined into one larger area which would also help avoid splitting the park areas across the railroad right-of-way.	The plan has been drafted to identify the potential location for a community park, but would allow for some flexibility regarding the exact location for any new parks at the time development proposals are considered by the City. The proposed park areas should provide sufficient space to accommodate common activities in one area, even if other park elements are located across the railroad tracks.
15	The City should establish a historic preservation district to help ensure the preservation of existing historic buildings in the Village.	The plan states that the City should consider establishing a historic preservation district. There is additional research and analysis that needs to be done in order to determine the designation that might be appropriate for the City (or if the Village would even meet historic district standards).

16	Storm water issues should be listed as one of the existing barriers or challenges to development in the Village.	The plan has been revised to include an additional statement in the section concerning challenges to development specific to storm water issues.
17	The existing ball fields should be preserved or a suitable replacement must be constructed in order to consider relocation of either existing facility.	The plan does not call for the elimination of the existing ball fields, and leaves these areas guided for public use. The future location of the Village Green location is not specifically identified on the plan, but it would allow for the reuse of n existing ball field as part of a community gathering space.
18	Why have transfer of development rights (TDR) and tax increment financing (TIF) not been included in the plan?	The Village Work Group after an extensive review of open space preservation options decided not to pursue TDR as a viable option for the Village Plans. The plan does include references to the use of TIF financing to help implement the vision for the planning area. These are two examples of tools that could be used to help implement the plan.
19	The Lake Elmo Regional Arts Center should be documented as a public use in the plan.	The Future Land Use Map has been amended to show the Regional Arts Center as a public use.



**Summary of Public Hearing
Planning Commission Meeting: February 25, 2013**

- Public Hearing Item 4b: Comprehensive Plan Amendment – Village Land Use Plan
 - Neil Krueger, 4452 Lake Elmo Ave. N., noted that he represents the 3rd generation of his family to live in Lake Elmo. He noted that he hopes to see the Village Center develop in a natural manner, not artificially. Second, Mr. Krueger noted that he would like his property removed from the urban portion of the Village in order to continue agricultural activities on his land. Third, Mr. Krueger noted that he adamantly supports the development of trails in the Village. Fourth, Mr. Krueger noted that he would like to see more small-scale single family uses continue in the Village.
 - Deb Krueger, 4452 Lake Elmo Ave. N., noted that she is pleased that the current plan takes many of the principles of the previous planning efforts forward. She also noted that residents offered input at a meeting at Oakland Jr. High School several years ago. She asked if the City is considering the transfer of density rights. She also noted that the City should consider the extension of greenbelt corridors up Lake Elmo Ave. to the north. Third, Ms. Krueger noted that she is concerned about the City not carrying forward cluster developments. She stated that cluster developments should be done in a way so that residents can see the maximum amount of open space.
 - Marjorie Williams, 3025 Lake Elmo Ave. N., noted that she previously served on the Planning Commission and Village study groups. She noted that she is concerned that historical preservation is not adequately addressed in the plan. In addition, the zoning code does not maintain the existing pattern of the built environment. It is important that the Village maintain the look and character as it stands today. Ms. Williams noted that she treasures the old homes in the Old Village.
 - Larry Lanoux, from the City of Grant, noted that the City of Lake Elmo is looking at growth due to Met Council Mandates. He noted that the City of Grant is experiencing some similar pressure. He reported that the Planning Commission was disbanded in the City of Grant. He stated that the City of Grant will be one of the communities to review the draft of the Comprehensive Plan. He wanted to applaud the efforts of the Planning Commission. He reported that there is no planning Staff in the City of Grant to review the Comprehensive Plan.
 - Ann Bucheck, 2301 Legion Ave. N., also served on the previous Village efforts. She noted that she appreciates the efforts of Staff, but urges the Planning Commission to vote against the proposed Comp Plan. She noted that there is too much passive language in the Comp Plan allowing for too much flexibility in the document. She also noted that the plan should only allow for 934 units, not up to 1100 units. She

also noted that there is another addition needed to the physical context of the Village, mentioning the storm water problems. Commercial should not be allowed in the Northeastern portion of the Village. She also noted that TIF financing should not be allowed. She submitted her comments in writing.

- Todd Bruchu, 3150 Klondike Ave. N., noted that he is a lifelong resident. He wanted to know where the Village parkway will be located. He also wanted to know why the recreation area is labeled as a regional park. Mr. Bruchu also inquired about the difference between the Village Boundary and the MUSA Boundary. Mr. Bruchu noted that he is concerned about the recreation area being divided by the railroad tracks. Finally, he reported that he supports the preservation of Lions and VFW parks, but he is concerned about the amount of parking available to these parks.
- Susan Dunn, 11018 Upper 33rd St. N., noted that she has reflected on what has made Lake Elmo special. She wanted to add the context of the Metropolitan Council mandates to the history of the planning process. She also added some key components of the physical context. She noted that the original Village Plan called for 600 residential units. She wanted the passive language to be removed from the document. She asked that the Art Center be added to the public spaces section. Ms. Dunn noted that she did not find any portion of the Comp Plan that discussed the protection of compliant and functioning septic systems. She also noted that the costs are not included in the document. She is glad that existing homes in the VMX area will not be considered non-conforming uses. She wanted to share her concerns pertaining to the ongoing problem to the lack of drinking water in the aquifers in the East Metro. She noted that she is glad that attention is paid to Hwy-5 safety. She wished to have images in the document. She is glad that the City is looking at design standards. The design standards should be considerate of building height, particularly near the existing Old Village. Finally, she thanked everyone who is working on these plans. However, she also emphasized that the financial issues related to sewer are very real for the residents.
- Chairman Williams spoke about three letters that were submitted to the Planning Commission. The City received letters from Michael Lynskey, James Mcleod and Steve DeLapp. Secretary Hall read the letters into the record.
- Steve DeLapp, Lake Jane Trail, had three key points: (1) the residents should always come first; (2) Sustainability is a key practice, particularly in Lake Elmo. This is very important for storm water management; and (3) the residents should not accept anything that does not meet a high standard. Mr. DeLapp also noted that residents of Lake Elmo have always had the ability to use their property for agricultural purposes. He also noted that the level of density in the downtown reflects the needed density to create the critical mass of people to have a thriving downtown. In addition, Mr. DeLapp noted that the issue of the Met Council mandates should be included in the plan. Chairman Williams read other key points from Mr. DeLapp's letter.

March 1, 2013

HAND DELIVERED

Mr. Dean Zuleger
City Administer
Mr. Mike Pearson
Honorable Mayor of City of Lake Elmo
City of Lake Elmo
3800 Laverne Ave. North
Lake Elmo, MN 55042

RE: Proposed Land Use Amendment

Dean and Mike,

Thank you for your service to the residents of the City of Lake Elmo; I appreciate all your efforts to craft a strategy to manage growth in the City in a way that retains its unique rural character. The recent public hearing regarding the proposed amendment to the City of Lake Elmo's Comprehensive Plan, draft dated 2/25/13, raises a serious question for me. How will current property owners be compensated if their land is either rezoned or designated a part of the Greenbelt Corridor?

I request the Council of the City of Lake Elmo defer a vote on the proposed amendment until City staff can demonstrate, in writing, how land owners will be compensated for their willingness to allow for any changes in zoning density and/or if the property owners agree to allow portions of their land to be designated Open/Green Space for the community.

For many years I, on behalf of Robert and I, have discussed a willingness to preserve the Schiltgen farm buildings on the west side of the village, and more recently convert the "dairy farm" into an equine center, using approximately a 100 acres of our property. We believe this is consistent with the image the City of Lake Elmo would like to portray, as a rural community.

If we do preserve the farm buildings and convert the tillable land into an equine center we may incur considerable expense, both initial capital costs and ongoing costs to maintain the property to level the City has become accustomed. The only way we can retain the property as a farm site is if we are able to engage developers to design and build housing product that the "market" desires, and commercial properties that make sense on the property guided for commercial use.

Please call me at 651-303-8188 to arrange a time to meet and discuss what the effects of the proposed amendment to the Lake Elmo Comprehensive Plan will have on our property.

Again, I am not in favor of the proposed amendment if there is not a clear mechanism to compensate the current property owners for any loss in value due to the designation of Open/Green Space or change in density.

It is in the best interest of the community to ensure any amendment to the plan provides for future development that increases real property values, the tax base of the City, and fosters investment in commercial businesses to support the needs of its citizens.

Sincerely,


Peter Schiltgen



MAYOR & COUNCIL COMMUNICATION

DATE: 03/05/2013
REGULAR
ITEM #: 12
MOTION

AGENDA ITEM: Approval for Staff Modification Section 97.21 – Watercraft and Water Surface Regulations - to Be Consistent with MN State Statutes

SUBMITTED BY: Dean Zuleger, City Administrator, at the Request of Council Members
Bloyer & Park

THROUGH: Mike Pearson, Mayor

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: In July 2012, the City of Lake Elmo City Council passed Ordinance 2012-58 to amend 97.21 of the City Code regulating watercraft and water surface regulations and 97.23 (L) regulating prohibited structures and uses. In the passage of this amendment, it was understood the City staff would continue to have ongoing discussion with the MNDNR staff to insure state lake policy and municipal lake policy were consistent for uniformity and enforcement purposes. The action requested is to approve continued discussions and possibly advance further modifications to 97.21 of the City Code per MNDNR regulations.

STAFF REPORT: Per the agreement with the MNDNR in 2012, City Staff will work with state officials on the appropriate next steps to normalize the City's water surface regulations with state statutes. The normalization is meant to create clear standard operating procedures for lake use for both lake residents and others using the surface waters of the State of Minnesota.

RECOMMENDATION: Based on the aforementioned, the City Council recommends the following:
M/S/P: To instruct the City Administrator to create an ad hoc review of Lake Residents to work with the MNDNR on the normalization of water surface regulations that creates uniformity of enforcement and maintain quality of life on Lake Elmo lakes.

SUGGESTED ORDER OF BUSINESS:

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