



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

NOTICE OF MEETING

City Council Meeting

Tuesday, May 5, 2015 7:00 P.M.

City of Lake Elmo | 3800 Laverne Avenue North

Agenda

- | | |
|--|---------|
| A. Call to Order | 7:00 PM |
| B. Pledge of Allegiance | |
| C. Roll Call | |
| D. Order of Business | |
| E. Approval of Agenda | |
| F. Accept Minutes | 7:05 PM |
| 1a. Approve April 7, 2015 City Council Meeting Minutes | |
| 1b. Approve April 14, 2015 Special City Council Meeting Minutes | |
| G. Council Reports | 7:10 PM |
| H. Presentations/Public Comments/Inquiries | 7:20 PM |
| a) Lake Elmo Jaycees | |
| b) Stillwater Area School District Bond 2015 – Dennis Bloom | |
| c) First Quarter 2015 Financial Snapshot Report | |
| I. Proclamation – PowerUp for Kids Week | |
| J. Finance Consent Agenda | 8:00 PM |
| 2. Approve Payment of Disbursements and Payroll | |
| K. Other Consent Agenda | |
| 3. Zoning Text Amendment – Freestanding Freeway Signs (Rihm Kenworth); <i>Ordinance 08-119, Resolution No. 2015-29 (4/5 vote required)</i> | |
| 4. Downtown Street, Drainage and Utility Improvements – Resolution Restricting Parking along Laverne Avenue and Upper 33 rd Street North; <i>Resolution No. 2015-30</i> | |
| L. Regular Agenda | 8:10 PM |
| 5. Hunters Crossing 2nd Addition Final Plat; <i>Resolution No. 2015-31, Resolution No. 2015-32</i> | |
| 6. Hunters Crossing 2nd Addition Developers Agreement; <i>Resolution No. 2015-33</i> | |
| 7. Village Preserve Final Plat; <i>Resolution No. 2015-34</i> | 8:20 PM |
| 8. Approve Sale of Aerial Fire Truck | 8:30 PM |
| 9. Approve Hiring of Taxpayer Relations Coordinator | |
| 10. Approve Hiring of Receptionist | |
| 11. Growth Management Strategy Preview (<i>Filiflet Request</i>) | 9:00 PM |
| M. Staff Reports and Announcements | 9:25 PM |
| N. Executive Session – Closed Session per MN Statute 13D.05, Subd. 3(b) Attorney-Client Privilege;
for the purpose of discussing legal action against Priority One Inc. | |
| O. Adjourn | 9:55 PM |

Item times are estimates and subject to change

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES**

APRIL 7, 2015

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

PRESENT: Mayor Mike Pearson and Council Members Julie Fliflet, Anne Smith, Justin Bloyer, and Jill Lundgren.

Staff present: City Administrator Zuleger, City Attorney Snyder, Community Development Director Klatt, City Engineer Griffin, Assistant City Engineer Stempski, Finance Director Bendel, and City Clerk Bell.

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

MOTION: Council Member Fliflet moved TO PULL ITEM 6 FROM THE CONSENT AGENDA FOR DISCUSSION AND POSTPONE ITEMS 9, 10, 13, 14, 16, 18, AND 19 TO NEXT MEETING.

Council Member Smith seconded the motion.

Community Development Director Klatt explained why some of the development items were time-sensitive. It was explained that Council Member Fliflet previously made a request to not have a long agenda. The Council addressed each item's agenda placement separately.

Postpone Item 9: ***MOTION PASSED 4-1 (BLOYER – NAY)***

Postpone Item 10: ***MOTION PASSED 3-2 (PEARSON AND BLOYER – NAY)***

Postpone Item 13: ***MOTION PASSED 3-2 (PEARSON AND BLOYER – NAY)***

Postpone Item 14: ***MOTION PASSED 3-2 (PEARSON AND BLOYER – NAY)***

Postpone Item 16: ***MOTION PASSED 4-1 (BLOYER – NAY)***

Postpone Item 18: ***MOTION PASSED 3-2 (PEARSON AND BLOYER – NAY)***

Postpone Item 19: ***MOTION PASSED 3-2 (PEARSON AND BLOYER – NAY)***

Council Member Bloyer asked that Item 17 be postponed. There was no opposition.

MOTION: Council Member Fliflet moved TO APPROVE THE APRIL 7, 2015 CITY COUNCIL AGENDA AS AMENDED. Council Member Smith seconded the motion.

MOTION PASSED 3-2 (PEARSON AND BLOYER – NAY).

ITEM 1: ACCEPT MINUTES

THE MARCH 10, 2015 SPECIAL CITY COUNCIL MINUTES WERE APPROVED AS PRESENTED BY CONSENSUS.

THE MARCH 17, 2015 CITY COUNCIL MINUTES WERE APPROVED AS PRESENTED BY CONSENSUS.

COUNCIL REPORTS:

Mayor Pearson: Met with Metro Transit and local property owner regarding potential Park and Ride; met with Washington County and staff on property acquisition for downtown stormwater improvement; attended meeting regarding property acquisition for water tower; met with staff to discuss 39th Street difficulties; congratulated Mike Reeves on appointment to County Library Board. He believes it will be beneficial to both County and City; he addressed the previous comments from the public regarding council actions and suggested that Council reconsider HR Committee appointments. He also believes that the current conflicts the Council is experiencing are not due to the issue of growth. He stated that contrary to some assertions he would be happy to call for a special election if there was a change of Council make-up. He again suggested that meetings be recorded. Due to Council response, he believes the status of the Administrator is settled.

Council Member Fliflet: no report

Council Member Smith: no report.

Council Member Bloyer: spoke about changes to the Source. As he did not get chance to have the thanks published, he commended Alyssa Macleod for her service; he explained his called for Smith to step down. He considers current environment at City to be hostile. He alleged witnessing abuses of power, and stated he disagreed with assertion of no complaints having been filed. City Attorney Snyder reminded Council that if employee matters are to be discussed, it is best to do it as a separate agenda item. Council Member Bloyer called for a full investigation on the status of employee complaints.

LAKE ELMO CITY COUNCIL MINUTES

APRIL 7, 2015

Council Member Smith also thanked Alyssa Macleod for her service.

Council Member Lundgren: Thanked Alyssa Macleod for her help in initiating the Farmers' Market. Farmers' market meeting will be held on 4/13 for anyone interested; she explained her reasons for wanting the use of plastic water bottles reevaluated; she proposed starting a neighborhood watch.

PROCLAMATION

Mayor Pearson read the National Library Week proclamation.

PUBLIC COMMENTS/INQUIRIES

Jim Blackford, 9765 55th St., wants to be the change he wants to see in Lake Elmo. He asked that everyone improve their tone. He appreciated meeting he had with Mayor Pearson. Mr. Blackford stated his support for Council Member Smith. He believes she serves the city in a good manner. He doesn't want to see whole city polarized. He asked Council Member Bloyer to reconsider his rhetoric. He stated that he supports Administrator Zuleger. He pledged to personally tone his rhetoric back.

Dean Johnston, 10677 Cedar Heights Trail, Hastings, MN, supports the principles of the "We Love Lake Elmo" group. He agrees there should be more open transparency. He claimed to possess a copy of the draft summary of complaint against Council Member Smith. He questioned allegation of the existence of other complaints. He accused Council Member Bloyer of leaking the document to the press and called for his resignation.

Nicole Park, 404 Lake Elmo Ave. spent two years as Council Member working with Administrator Zuleger. She described Mr. Zuleger as amazing. He was always a kind and respectful administrator and a good listener. He helped purchase the Library Building, started the EDA, brought new businesses to the city and works well with the business community, and helped eliminate the Met Council MOU. Mr. Zuleger has always gone above and beyond.

Ben Roth, 10819 3rd St. Pl., asked that threat of litigation against the city by an employee be taken off the table.

Brenda Taylor, 7945 Hill Trail thanked Mayor Pearson and Council Member Bloyer for bringing up issues that need to be addressed. She questioned the purpose of placing something on the agenda if it is taken off. She questioned the status of the previously mentioned third-party investigation and the need for the Council Driven Workshop. Both items were clarified as to what they entailed. It was noted that the third party review was as initiated as a result of an employment matter. Ms. Taylor called for Council Member Smith to resign.

Deb Krueger, 4452 Lake Elmo Ave., spoke about her disappointment in Lake Elmo. She asked public to stop because no one knows all the facts. She claimed to be a victim of bullying and intimidation at City Hall. She is embarrassed by behavior in Lake Elmo. She asked the public to be more respectful.

Neal Krueger, 4452 Lake Elmo Ave., read letter previously submitted for 3/17/15 meeting. *See Exhibit 20150407A.*

Dale Dorschner, 3150 Lake Elmo Ave, spoke in support of maintaining the City Administrator during everything that is going on in Lake Elmo. He questioned the timing of getting rid of Mr. Zuleger and is concerned about losing more staff. He spoke about the value of staff and the cost of turnover. He spoke about civility and how the City was trying to increase it. He is concerned that the City business is not being done and asked how it will be done if staff is disrupted. He asked about alleged additional complaints and asked for outside review of complaints.

City Attorney Snyder spoke about the complaint process and stated that all complaints, formal or informal, are handled in the best interest of the City. It was clarified that Mr. Snyder did provide counsel to the city Council regarding the previous restrictions against Council Member Smith. Council Member Bloyer stated that the previous Council did everything they could do to address the past issue involving the restrictions. He also asked Dean Johnston how he obtained the draft complaint. Mr. Johnston declined to answer.

FINANCE CONSENT AGENDA

2. Approve Payment of Disbursements and Payroll in the amount of \$164,164.62
3. Accept Building Report dated February 28, 2015
4. Approval for 2015 Tax abatement; **Resolution No. 2015-26**

LAKE ELMO CITY COUNCIL MINUTES

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MOTION: Council Member Fliflet moved **TO APPROVE THE FINANCE CONSENT AGENDA AS PRESENTED.** Mayor Pearson seconded the motion. **MOTION PASSED 5-0.**

OTHER CONSENT AGENDA

5. LMCIT Waiver Form
6. ~~Workshop Date Change~~ pulled for discussion
7. Order Abatement Action – 8085 Hill Trail North; Resolution No. 2015-21
8. Approve Encroachment Agreement – 859 Julep Avenue North
9. ~~Zoning Map Amendment – General Amendments, Ordinance 08-117~~ postponed
10. ~~Easton Village Developer Agreement~~ postponed

Council Members Lundgren and Smith were designated Council liaisons on abatement action

MOTION: Council Member Bloyer moved **TO APPROVE THE OTHER CONSENT AGENDA AS AMENDED.** Council Member Fliflet seconded the motion. **MOTION PASSED 5-0.**

ITEM 6: WORKSHOP DATE CHANGE

The Council discussed moving the workshop from the proposed 5/13 date to 5/14 as two council members could not attend the 5/13 date.

MOTION: Council Member Fliflet moved **TO APPROVE MOVING THE TUESDAY, MAY 12, 2015 COUNCIL WORKSHOP TO THURSDAY, MAY 14, 2015, DUE TO THE ISD 834 SPECIAL ELECTION.** Council Member Smith seconded the motion.

Council Member Lundgren asked for Council Driven Workshop to be held on 5/14.

MOTION PASSED 5-0.

REGULAR AGENDA

ITEM 11: APPROVE ELMO LIQUOR INTOXICATING LIQUOR LICENSE; PUBLIC HEARING

City Clerk Bell explained license application. Applicant Keith Carlson provided an overview of the proposed store. The suggested security system was discussed. The store will include a security system. It was noted that this license application is for an Off-Sale Intoxicating Liquor License.

Motion: Council Member Smith moved **TO OPEN THE PUBLIC HEARING.** Council Member Bloyer seconded the motion. **MOTION PASSED 5-0. Public Hearing was opened at 8:12 pm.**

Motion: Council Member Bloyer moved **TO CLOSE THE PUBLIC HEARING.** Council Member Lundgren seconded the motion. **MOTION PASSED 5-0. Public Hearing was closed at 8:13 pm.**

MOTION: Council Member Bloyer moved **TO APPROVE A NEW OFF-SALE INTOXICATING LIQUOR LICENSE FOR ELMO LIQUOR, LOCATED AT 11029 10TH ST N.** Council Member Lundgren seconded the motion. **MOTION PASSED 5-0.**

Meeting was recessed at 8:13pm. Meeting was reconvened at 8:20pm

ITEM 12: EAGLE POINT BOULEVARD STREET IMPROVEMENTS – IMPROVEMENT HEARING; ORDER PLANS AND SPECIFICATIONS; PUBLIC HEARING; RESOLUTION NO. 2015-22

Assistant City Engineer Stempski presented a summary of the proposed improvement project. Area assessment method is being used. He explained the schedule. Mayor Pearson asked about TKDA and Focus both being used for engineering. It was explained that by using Focus to contract out some work, it allows the city to use a save on engineering costs.

Motion: Council Member Lundgren moved **TO OPEN THE PUBLIC HEARING.** Council Member Bloyer seconded the motion. **MOTION PASSED 5-0. Public Hearing was opened at 8:33 pm.**

LAKE ELMO CITY COUNCIL MINUTES

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Kathy Tucci from Bremer Bank explained that Bremer has been a good partner with city and commended Mr. Stempski's work on project. She attested to the poor condition of the road and urged the Council to do the project.

Lee Casey, 8617 Eagle Point Boulevard, questioned why he is being assessed so much when his impact on the road is less than the bank's.

Motion: Council Member Bloyer moved TO CLOSE THE PUBLIC HEARING. Council Member Lundgren seconded the motion. MOTION PASSED 5-0. Public Hearing was closed at 8:37pm.

Mr. Stempski further explained the assessment methodology. It was noted that the principal petitioners would be the major contributors to the assessments.

MOTION: Council Member Bloyer moved TO ADOPT RESOLUTION NO. 2015-22, ORDERING THE EAGLE POINT BOULEVARD STREET AND SANITARY SEWER IMPROVEMENTS AND THE PREPARATION OF PLANS AND SPECIFICATIONS. Council Member Fliflet seconded the motion. MOTION PASSED 5-0.

MOTION: Council Member Lundgren moved TO APPROVE A PROFESSIONAL ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES CONTRACT TO TKDA IN THE NOT TO EXCEED AMOUNT OF \$42,150. Council Member Smith seconded the motion. MOTION PASSED 5-0.

~~ITEM 13: BOULDER PONDS ZONING MAP AMENDMENT, FINAL PLAT AND FINAL PUD PLAN; RESOLUTION NO. 2015-23, ORDINANCE 08-118~~

Item postponed

~~ITEM 14: WILDFLOWER PRELIMINARY PLAT; RESOLUTION NO. 2015-24~~

Item postponed

~~ITEM 15: 39TH STREET: STREET AND SANITARY SEWER IMPROVEMENTS – CHANGE ORDER NO. 4~~

City Engineer Griffin provided an update on the project. Due to unexpected geological issues larger pipe will be required. Increase to project budget will be \$154,440.00. It will be paid out of sewer fund. There will be no additional change orders. Council Member Fliflet asked what other options are available to pay for project. The funding options were briefly discussed. Alternate funding options would be looked at.

MOTION: Council Member Fliflet moved TO APPROVE CHANGE ORDER NO. 4 FOR THE 39TH STREET NORTH: STREET AND SANITARY SEWER IMPROVEMENTS THEREBY INCREASING THE CONTRACT AMOUNT BY \$154,440.00. Council Member Lundgren seconded the motion. MOTION PASSED 5-0.

~~ITEM 16: DISCUSSION OF CITY HALL WATER SOLUTION~~

Item postponed

~~ITEM 17: COUNCIL DRIVEN WORKSHOP~~

Item postponed

~~ITEM 18: BOULDER PONDS DEVELOPER AGREEMENT; RESOLUTION NO. 2015-25~~

Item postponed

~~ITEM 19: THIRD PARTY REVIEW OF FINANCES DISCUSSION~~

Item postponed

Council Member Bloyer asked if he can make a motion after the closed session. City Attorney Snyder explained that any action decided must be taken after the closed session during an open meeting.

STAFF REPORTS & ANNOUNCEMENTS:

LAKE ELMO CITY COUNCIL MINUTES

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City Finance Director Bendel: finishing up audit work; first quarter financial statements; prepping up 2015 CIP bonding.

City Attorney Snyder: working with staff on 39th Street and development documents.

Community Development Director Klatt: upcoming workshop with Met Council and East Metro Strong regarding transit.

City Engineer Griffin: working on keeping Eagle Point Blvd project on schedule as well as 39th Street project, supporting City Planner Johnson on CSAH 17/Lake Elmo Ave project, and development proposals.

City Administrator Zuleger: working on water supply study, water tower, MnDEED grant, state bonding funds; Washington County Sheriff and Red Zone enforcement; staff is working on communications role distribution.

City Clerk Bell: working with County on transfer of annex building and election preparation; attended first HR committee meeting of the year.

Meeting adjourned to closed session at 9:02 pm.

City Attorney Snyder summarized the closed session: City Council met in executive session to discuss recommendations by a 3rd party reviewer in connection with a confidential employment matter related to an employee of the City. He reiterated that it was an employee of the City. Council will be implementing those recommendations. It was clarified that the employee matter it did not involve a council member.

MOTION: Council Member Lundgren moved TO ADJOURN. No record of second. MOTION PASSED 5-0.

Mayor Pearson Adjourned the meeting at 11:55 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Adam R. Bell, City Clerk

EXHIBIT 20150407A

A Letter for the City of Lake Elmo to be read at the City Council meeting during public comments March 24, 2015.

We have watched with concern over the past week the anger and lack of civility displayed in our city of Lake Elmo. People have gathered and tempers have flared before all the facts and truths are known. We hope these comments will cause everyone involved to take a deep breath and work towards consensus rather than division.

One of the things that concerns us the most is the public display of a matter that should be resolved in within city government rather than in the public arena. There are policies and procedures in place to resolve personnel issues and even disagreements. Let's use the system that's already in place.

We look like a city out of control. Personnel issues require a level of privacy to protect the individuals involved. Let's have enough respect for each other to act in a professional manner. Otherwise half truths become exaggerated and facts are blurred. This will only further divide our city.

We need to trust our elected officials and paid staff to make the right decisions for our city whether we agree with them or not. There needs to be an atmosphere of civility and cooperation instead of fear and anger.

Neil and Deb Krueger
4452 Lake Elmo Ave N

**CITY OF LAKE ELMO
SPECIAL CITY COUNCIL MINUTES**

APRIL 14, 2015

Mayor Pearson called the meeting to order at 9:25pm.

PRESENT: Mayor Mike Pearson and Council Members Julie Fliflet, Anne Smith, Justin Bloyer, and Jill Lundgren.

Staff present: City Administrator Zuleger, Community Development Director Klatt, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell.

PLEDGE OF ALLIGENCE

Approval of agenda by consensus

WILDFLOWER PRELIMINARY PLAT; RES. NO. 2015-23

Community Development Director Klatt provided summary of the proposed PUD development and the process for a PUD. He explained the minor changes from the concept plan approved on 6/17/2014. The flexibility that a PUD affords was explained. Mr. Klatt went over the critical path issues and provided an update on issues identified during the Planning Commission public hearing. Staff recommends adding one additional condition of allowing 10 foot side yard setbacks.

The alley streets were discussed. Conservation easements were discussed. Median maintenance and rain gardens were discussed. Street naming was discussed. The sanitary sewer construction from 30th St lift station to 39th St. was explained.

The previously discussed conditions placed on the Concept Plan and Comp Plan amendment were discussed. Staff reported that all conditions have been met.

The proposed home size was explained to be about 1500 to 2200 for courtyard homes (Garden Villas); the other lots include one stories with about 1800 sq ft and two stories with about 2200 sq ft. It was noted that there are design standards in place, but they are not mandated by the City.

Staff supports the proposed PUD variances. It was pointed out that the 6ft fences in courtyard homes have not been specifically reviewed, but if allowed they will be outside of the current fence regulations.

The plantings in the development were discussed.

Neil Krueger, 4452 Lake Elmo Ave, is concerned about the water issue. He thanked staff for addressing the issue.

Richard Smith, 11514 Stillwater Blvd, spoke on behalf of Mary Jane Dupuis. He spoke in opposition to the walking trail on Outlot H. It was noted that the HOA could create a trail at any later time if it was removed from the plans.

Bob Engstrom, developer, spoke about the proposal and its unique features.

Mayor Pearson read letter from Mary Jane Dupuis. *See Exhibit 20150414.A*

It was confirmed that the courtyard fences would have to be 4 feet max, but interior privacy fencing could be allowed.

The accommodations afforded the surrounding property owners by the developer were explained.

Council Member Fliflet is strongly against adopting the County street naming convention. She is concerned about safety as many of the streets do not extend through and it can cause confusion for emergency services. Street naming was further discussed. Mr. Klatt explained that this is a bigger issue that needs resolution for future developments.

MOTION: *Council Member Smith moved to adopt Resolution No. 2015-23, approving the Wildflower at Lake Elmo Preliminary Plat and Preliminary PUD Plan subject to 20 conditions of approval. Council Member Fliflet seconded the motion.*

LAKE ELMO CITY COUNCIL MINUTES

APRIL 14, 2015

Friendly amendment by Council Member Fliflet to amend motion to allow 10 foot side yard setback. Accepted by Council Member Smith

Friendly amendment by Council Member Fliflet to amend motion to remove the Outlot H loop trail from the plan. Accepted by Council Member Smith.

The existence of the loop trail and what ability the city has to restrict the use of the property were discussed. Council Member Bloyer is opposed to Council restricting use of other parties' property. Lundgren supported

Council Member Bloyer called the question. CALL TO QUESTION PASSED 5-0

MAIN MOTION FAILS. 2-3 (Pearson, Bloyer, and Lundgren).

MOTION: Council Member Smith moved to adopt Resolution No. 2015-23, approving the Wildflower at Lake Elmo Preliminary Plat and Preliminary PUD Plan subject to 20 conditions of approval and allow 10 foot side yard setback. Council Member Lundgren seconded the motion.

Council Member Fliflet wishes all the developments in Lake Elmo were like Mr. Engstrom's. His proposal is exactly what she wants for the Village, and she hopes that future developments follow suit.

Public versus private road maintenance was discussed.

MOTION TO AMEND: Mayor Pearson moved to AMEND THE MOTION THAT THE ALLEYWAYS BE PRIVATELY MAINTAINED. Council Member Bloyer seconded the motion. MOTION TO AMEND FAILS 1-4 (Fliflet, Smith, Bloyer, and Lundgren – Nay).

Council Member Bloyer questioned why this development was not scrutinized strictly as others. Mayor Pearson voiced his support for the proposal despite it not being completely perfect as it brings diversity in development. He expressed his desire that all developments can be treated with fair scrutiny despite not being perfect.

Friendly amendment by Council Member Smith to remove condition #12. Accepted by Council Member Lundgren.

Roll Call Vote called for by Council Member Bloyer

Fliflet: YEA

Smith: YEA

Pearson: YEA

Bloyer: YEA

Lundgren: YEA

MOTION PASSED 5-0.

Mayor Pearson Adjourned the meeting at 11:39 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Adam R. Bell, City Clerk

Mary Jean Dupuis
Richard Smith

To: Lake Elmo City Council & Kyle Klatt
From: Mary Jean Dupuis & Richard Smith
Subject: Wildflower Development
Date: April 6, 2015

I ~ Mary Jean Dupuis reside at 11676 Stillwater Blvd North. I have been a resident of Lake Elmo on this property for 42 years.

Richard Smith resides at 11514 Stillwater Blvd North and has been a resident of Lake Elmo and on his property for 28 years.

Richard Smith lives directly west of my home divided only by what is currently known as Outlot H in the Wildflower Development

1) This is an updated request to eliminate the proposed grass trail between the Smith and Dupuis properties on Outlot H. We feel we were entirely misled by the developer during the FOSC II development some years ago with respect to the future use of the approximately 16 acres of property between us and south to MN 5. However, we want to make it clear that this specific request pertains only to the area between Smith and Dupuis. Since we were advised that no one was ever going to occupy or use this section of property ~ we are

not at all in favor of people walking thru that area between our homes. We therefore request your support to eliminate the proposed grass walking path.

2) Dupuis is requesting that the pathway running south from the development to the ponding area adjacent to MN 5 be located on the east side of the development and not along the west side of the Dupuis property.


Last fall, Engstrom Companies did have trees installed per agreement with Dupuis to assist in some buffering from the development that will be very visible from my (Dupuis) backyard and deck. There are still some plantings and clean up to be completed but they have done a nice job so far which I appreciate. This in no way eliminates my/our desire to have the grass walking path removed between our homes.

Since the intended use of the 16 acres referred to here was reversed from the FOSC II development, I feel these 2 items are very reasonable requests and ask for your consideration and support.

Respectfully



Mary Jean Dupuis



Richard Smith

PowerUp* and PowerUp 4Kids Week Proclamation

WHEREAS, the **City of Lake Elmo** wants to support its children, families and residents in leading healthy lives;

WHEREAS, the foods and beverages provided to children, and the lack of physical activity contribute to the rising rates of childhood obesity in recent years.

WHEREAS, if something is not done to reverse these trends, children will, for the first time in history, have shorter life and less healthy lives than their parents;

WHEREAS, we believe that we can work together transform the places where children and families live, learn and play to do what's best for kids;

WHEREAS, we are in a position to provide, promote and support opportunities for recreation, physical activity and access to better food and beverages through our programs, events, partnerships, practices and policies;

WHEREAS, we also have the opportunity to support health for the whole community through supporting bike and pedestrian friendly streets, public transportation, access to healthy food and beverages, and easy access to parks, trails, and active spaces;

WHEREAS, PowerUp is a community-wide initiative, supported by Lakeview Hospital and HealthPartners, to make it easy, fun and popular for kids and families to eat better and be active so that kids in our communities reach their full potential.

THEREFORE BE IT RESOLVED that the **City of Lake Elmo**
does hereby proclaim **support and partnership with PowerUp**
and the shared goal of working together to create healthier community for our kids.

**And we proclaims that May 9-16, 2015 is *PowerUp 4 Kids Week* in
Lake Elmo
on this 5th day of May, 2015.**

Mayor/Chair

ATTEST/WTINESS:

Clerk

* PowerUp is a community-wide initiative to make our communities a place where it's easy, fun and popular for kids to eat well and be active. It is a long-term commitment to create change over 10 years in the St. Croix Valley in partnership with schools, businesses, health care, civic groups, families, kids and the entire community. PowerUp is committed to working collaboratively to help kids in the Valley to be healthy today and reach their full potential in life! PowerUp is supported by Lakeview Health Foundation and HealthPartners, in partnership with Lakeview Hospital, Stillwater Medical Group, Hudson Hospital and Clinic and Westfields Hospital and Clinic.

MAYOR & COUNCIL COMMUNICATION

DATE: May 5, 2015
CONSENT
ITEM #2
MOTION

AGENDA ITEM: Approve Disbursements in the amount of \$154,076.40

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECOMMENDER: Finance

FISCAL IMPACT: \$154,076.40

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$154,076.40. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

LEGISLATIVE HISTORY: NA

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

Claim #	Amount	Description
ACH	\$ 11,566.01	Payroll Taxes to IRS & MN Dept of Revenue 4/30/2015
ACH	\$ 6,372.06	Payroll Retirement to PERA 4/30/2015
DD6168-DD6194	\$ 29,600.12	Payroll Dated (Direct Deposits) 4/30/2015
42727-42771	\$ 105,998.21	Accounts Payable 5/05/2015
2719-2727	\$ 540.00	Library Card Reimbursement 5/05/2015
TOTAL	\$ 154,076.40	

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the aforementioned disbursements in the amount of \$154,076.40 .

ATTACHMENTS:

1. Accounts Payable – check registers

Accounts Payable To Be Paid Proof List

User: PattyB

Printed: 04/28/2015 - 4:56 PM

Batch: 012-04-2015

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ACROSS Across the Street Productions										
122826	04/22/2015	385.00	0.00	05/05/2015	Officer Incident Command Training		-			0000
101-420-2220-44370	Conferences & Training	385.00								
	122826 Total:	385.00								
	ACROSS Total:									
AMDAHL Chris Amdahl Locksmith, Inc										
11418	04/18/2015	129.00	0.00	05/05/2015	Office keys		-			0000
101-410-1940-44010	Repairs/Maint Contractual Bldg	129.00								
	11418 Total:	524.80								
11422	04/18/2015	524.80	0.00	05/05/2015	Lock		-			0000
601-494-9400-42270	Utility System Maintenance	524.80								
	11422 Total:	653.80								
	AMDAHL Total:									
ANIMALHU Animal Humane Society										
2272	07/01/2014	480.00	0.00	05/05/2015	Animal Impound 4/1-7/1/14		-			0000
101-420-2700-43150	Contract Services	480.00								
	2272 Total:	480.00								
	ANIMALHU Total:									
ASPENMI Aspen Mills, Inc.										
163940	04/17/2015	46.50	0.00	05/05/2015	Pants		-			0000
101-420-2220-44170	Uniforms	46.50								
	163940 Total:	8.00								
163941	04/17/2015	8.00	0.00	05/05/2015	Patches sewn		-			0000
101-420-2220-44170	Uniforms	8.00								
	163941 Total:	64.00								
163967	04/17/2015	64.00	0.00	05/05/2015	Command Vests		-			0000
101-420-2220-42400	Small Tools & Equipment	64.00								
	163967 Total:	64.00								

Invoice #	Inv Date	Amount	Quantity	Pnt Date	Description	Reference	Task	Type	PO #	Close POLine #
ASPENMI Total:		118.50								
BLACKBUR Blackburn Mfg. Co.										
0485701-IN	04/16/2015	82.19	0.00	05/05/2015	Utility maintenance		-		No	0000
601-494-9400-42270	Utility System Maintenance									
0485701-IN	04/16/2015	82.19	0.00	05/05/2015	Utility maintenance		-		No	0000
602-495-9450-42270	Utility System Maint Supplies									
	0485701-IN Total:	164.38								
	BLACKBUR Total:	164.38								
CAMERON Cameron Homes										
2014-433	04/14/2015	4,750.00	0.00	05/05/2015	Escrow Release - 11928 58th St		-		No	0000
803-000-0000-22900	Deposits Payable									
	2014-433 Total:	4,750.00								
	CAMERON Total:	4,750.00								
CARDMEMB Cardmember Service										
04/20/2015		474.30	0.00	05/05/2015	Water maintenance		-		No	0000
601-494-9400-42270	Utility System Maintenance									
04/20/2015		250.00	0.00	05/05/2015	Trees		-		No	0000
101-450-5200-42250	Landscaping Materials									
04/20/2015		191.75	0.00	05/05/2015	Parts		-		No	0000
101-430-3100-42400	Small Tools & Minor Equipment									
04/20/2015		53.51	0.00	05/05/2015	Holiday		-		No	0000
101-420-2220-44300	Miscellaneous									
04/20/2015		6.21	0.00	05/05/2015	Supplies		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
04/20/2015		417.75	0.00	05/05/2015	Rehab supplies		-		No	0000
101-420-2220-44300	Miscellaneous									
04/20/2015		40.00	0.00	05/05/2015	MSFCB renewals		-		No	0000
101-420-2220-44370	Conferences & Training									
04/20/2015		48.52	0.00	05/05/2015	Pager cleaning supplies		-		No	0000
101-420-2220-43230	Radio									
04/20/2015		28.99	0.00	05/05/2015	WSJ		-		No	0000
101-410-1320-44330	Dues & Subscriptions									
04/20/2015		71.70	0.00	05/05/2015	Fuel		-		No	0000
101-420-2400-42120	Fuel, Oil and Fluids									
04/20/2015		228.68	0.00	05/05/2015	Vehicle maintenance		-		No	0000
101-420-2400-44040	Repairs/Maint Eqpt									
04/20/2015		16.02	0.00	05/05/2015	Audible		-		No	0000
101-410-1320-43210	Telephone									
04/20/2015		220.06	0.00	05/05/2015	Water		-		No	0000
101-410-1940-44300	Miscellaneous									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
101-410-1320-44370	04/20/2015	410.00	0.00	05/05/2015	Conference - Adam		-	No		0000
101-410-1320-44370	Conferences & Training									
101-410-1320-44370	04/20/2015	306.00	0.00	05/05/2015	Conference - Adam & Beckie		-	No		0000
101-410-1320-44370	Conferences & Training									
101-410-1940-44010	04/20/2015	48.92	0.00	05/05/2015	City Hall repairs		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
101-410-1320-44300	04/20/2015	41.70	0.00	05/05/2015	Meals		-	No		0000
101-410-1320-44300	Miscellaneous									
101-410-1110-44300	04/20/2015	34.26	0.00	05/05/2015	Speaker cables		-	No		0000
101-410-1110-44300	Miscellaneous									
101-410-1320-42000	04/20/2015	3.63	0.00	05/05/2015	Pen refills		-	No		0000
101-410-1320-42000	Office Supplies									
101-450-5200-42000	04/20/2015	113.02	0.00	05/05/2015	Binders - parks		-	No		0000
101-450-5200-42000	Office Supplies									
101-410-1520-44300	04/20/2015	35.47	0.00	05/05/2015	interest		-	No		0000
101-410-1520-44300	Miscellaneous									
Total:		3,040.49								
CARDMEMB	Total:	3,040.49								
CENTURYL CenturyLink										
206-450-5300-43210	04/19/2015	128.20	0.00	05/05/2015	Phone - Library		-	No		0000
206-450-5300-43210	Telephone									
206-450-5300-43250	04/19/2015	44.93	0.00	05/05/2015	Internet - Library		-	No		0000
206-450-5300-43250	Internet									
Total:		173.13								
CENTURYL	Total:	173.13								
CTYOAKDA City of Oakdale										
201504224676	04/22/2015	104.00	0.00	05/05/2015	CV-2 Oil change		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
201504224676	Total:	104.00								
CTYOAKDA	Total:	104.00								
DPCINDUS DPC Industries, Inc.										
827000506-15	04/10/2015	507.75	0.00	05/05/2015	Hydrofluoric Acid		-	No		0000
601-494-9400-42160	Chemicals									
827000506-15	Total:	507.75								
DPCINDUS	Total:	507.75								
FASTENAL Fastenal Company										
MNOAK9653	04/13/2015	24.82	0.00	05/05/2015	Parts		-	No		0000
101-430-3100-42150	Shop Materials									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MNOAK9653 Total:		24.82								
FASTENAL Total:		24.82								
<hr/>										
FILTER Filter Recycling Services										
Adj2633	04/22/2015	230.00	0.00	05/05/2015	Recycle used filters/oil		-	No		0000
101-430-3100-44010	Repairs/Maint Bldg									
Adj2633 Total:		230.00								
FILTER Total:		230.00								
<hr/>										
FOCUS Focus Engineering, Inc.										
1861-1865	04/25/2015	668.45	0.00	05/05/2015	Building		-	No		0000
101-420-2400-43030	Engineering									
1861-1865	04/25/2015	180.00	0.00	05/05/2015	PW		-	No		0000
101-430-3100-43030	Engineering Services									
1861-1865	04/25/2015	3,588.60	0.00	05/05/2015	General		-	No		0000
101-410-1930-43030	Engineering Services									
1861-1865	04/25/2015	2,418.00	0.00	05/05/2015	Planning		-	No		0000
101-410-1910-43030	Engineering Services									
1861-1865	04/25/2015	706.25	0.00	05/05/2015	ROW		-	No		0000
101-430-3100-43030	Engineering Services									
1861-1865 Total:		7,561.30								
1866	04/25/2015	694.75	0.00	05/05/2015	Water		-	No		0000
601-494-9400-43030	Engineering Services									
1866	04/25/2015	130.00	0.00	05/05/2015	Sewer		-	No		0000
602-495-9450-43030	Engineering Services									
1866	04/25/2015	1,456.25	0.00	05/05/2015	Surface Water		-	No		0000
603-496-9500-43030	Engineering Services									
1866 Total:		2,281.00								
1867	04/25/2015	525.25	0.00	05/05/2015	2015.113 Transportation & Traffic		-	No		0000
409-480-8000-43030	Engineering Services									
1867	04/25/2015	721.40	0.00	05/05/2015	2015.115 Street Maintenance		-	No		0000
409-480-8000-43030	Engineering Services									
1867 Total:		1,246.65								
1868	04/25/2015	225.75	0.00	05/05/2015	2013.125 Production Well 4		-	No		0000
601-494-9400-43030	Engineering Services									
1868 Total:		225.75								
1869	04/25/2015	40.00	0.00	05/05/2015	2013.126 Section 34 Water		-	No		0000
601-494-9400-43030	Engineering Services									
1869	04/25/2015	60.00	0.00	05/05/2015	2013.126 Section 34 Sewer		-	No		0000
602-495-9450-43030	Engineering Services									
1869 Total:		100.00								
1870	04/25/2015	88.50	0.00	05/05/2015	2013.127 CSAH 15		-	No		0000
602-495-9450-43030	Engineering Services									
1870 Total:		88.50								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
1871	04/25/2015	1,667.53	0.00	05/05/2015	2013.133 LE Ave Trunk Watermain		-	No		0000
601-494-9400-43030	Engineering Services									
	1871 Total:	1,667.53								
1872	04/25/2015	8,736.30	0.00	05/05/2015	2013.134 LE Ave Corridor		-	No		0000
409-480-8000-43030	Engineering Services									
	1872 Total:	8,736.30								
1873	04/25/2015	435.75	0.00	05/05/2015	2013.135 2014 Street Improve		-	No		0000
409-480-8000-43030	Engineering Services									
	1873 Total:	435.75								
1874	04/25/2015	1,085.00	0.00	05/05/2015	2014.129 Inwood Booster		-	No		0000
601-494-9400-43030	Engineering Services									
	1874 Total:	1,085.00								
1875	04/25/2015	2,518.75	0.00	05/05/2015	2014.131 39th St		-	No		0000
409-480-8000-43030	Engineering Services									
	1875 Total:	2,518.75								
1876	04/25/2015	666.25	0.00	05/05/2015	2014.135 Beehive Asset		-	No		0000
409-480-8000-43030	Engineering Services									
	1876 Total:	666.25								
1877	04/25/2015	133.50	0.00	05/05/2015	2014.140 Jane Road 201		-	No		0000
602-495-9450-43030	Engineering Services									
	1877 Total:	133.50								
1878	04/25/2015	1,741.43	0.00	05/05/2015	2014.117 2015 Seal Coat		-	No		0000
409-480-8000-43030	Engineering Services									
	1878 Total:	1,741.43								
1879	04/25/2015	1,106.50	0.00	05/05/2015	2015.118 2015 Crack Seal Coat		-	No		0000
409-480-8000-43030	Engineering Services									
	1879 Total:	1,106.50								
1880	04/25/2015	3,557.00	0.00	05/05/2015	2015.120 Eagle Point Blvd Street		-	No		0000
409-480-8000-43030	Engineering Services									
	1880 Total:	3,557.00								
1881	04/25/2015	59.00	0.00	05/05/2015	2015.125 CSAH 13 - Ideal Ave		-	No		0000
409-480-8000-43030	Engineering Services									
	1881 Total:	59.00								
1882	04/25/2015	1,438.05	0.00	05/05/2015	2012.130 Lennar		-	No		0000
803-000-0000-22910	Developer Payments									
	1882 Total:	1,438.05								
1883	04/25/2015	4,642.90	0.00	05/05/2015	2013.128 Boulder Ponds		-	No		0000
803-000-0000-22910	Developer Payments									
	1883 Total:	4,642.90								
1884	04/25/2015	209.50	0.00	05/05/2015	2013.129 Hammes		-	No		0000
803-000-0000-22910	Developer Payments									
	1884 Total:	209.50								
1885	04/25/2015	330.95	0.00	05/05/2015	2013.130 Hunters Crossing		-	No		0000
803-000-0000-22910	Developer Payments									
	1885 Total:	330.95								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
1886	04/25/2015	974.50	0.00	05/05/2015	2014.124 Wildflower		-	No		0000
803-000-0000-22910	Developer Payments									
	1886 Total:	974.50								
1887	04/25/2015	1,679.60	0.00	05/05/2015	2014.125 Village Preserve		-	No		0000
803-000-0000-22910	Developer Payments									
	1887 Total:	1,679.60								
1888	04/25/2015	3,425.50	0.00	05/05/2015	2014.126 Easton Village		-	No		0000
803-000-0000-22910	Developer Payments									
	1888 Total:	3,425.50								
1889	04/25/2015	8,754.15	0.00	05/05/2015	2014.138 Savonna 2nd addition		-	No		0000
803-000-0000-22910	Developer Payments									
	1889 Total:	8,754.15								
1890	04/25/2015	5,181.10	0.00	05/05/2015	2014.139 Hans Hagen		-	No		0000
803-000-0000-22910	Developer Payments									
	1890 Total:	5,181.10								
1891	04/25/2015	2,422.75	0.00	05/05/2015	2015.123 Hunters Crossing - 2nd		-	No		0000
803-000-0000-22910	Developer Payments									
	1891 Total:	2,422.75								
1892	04/25/2015	1,058.25	0.00	05/05/2015	2015.124 Lennar - 3rd		-	No		0000
803-000-0000-22910	Developer Payments									
	1892 Total:	1,058.25								
	FOCUS Total:	63,327.46								
GKSERVIC G&K Services										
1182863880	04/22/2015	38.14	0.00	05/05/2015	Uniforms		-	No		0000
101-430-3100-44170	Uniforms									
	1182863880 Total:	38.14								
	GKSERVIC Total:	38.14								
GREATAM Great America Financial										
16845927	04/15/2015	831.43	0.00	05/05/2015	Copier Maintenance		-	No		0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
	16845927 Total:	831.43								
	GREATAM Total:	831.43								
HAGBERGS Hagbergs Country Market										
828525	04/07/2015	7.90	0.00	05/05/2015	Yellow Dye		-	No		0000
602-495-9450-42270	Utility System Maint Supplies									
	828525 Total:	7.90								
	HAGBERGS Total:	7.90								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
HOLIDAYC Holiday Credit Office 04/15/2015										
101-420-2220-42120	Fuel, Oil and Fluids	276.09	0.00	05/05/2015	Fuel		-	No		0000
	Total:	276.09								
	HOLIDAYC Total:	276.09								
HYDRO Hydromethods 04/10/2015										
201504511	Developer Payments	990.00	0.00	05/05/2015	Boulder Ponds Stormwater Review		-	No		0000
803-000-0000-22910	201504511 Total:	990.00								
	HYDRO Total:	990.00								
INNOVAT Innovative Office Solutions 04/10/2015										
01QX4832	Office Supplies	192.84	0.00	05/05/2015	Toner		-	No		0000
101-420-2220-42000	04/10/2015	383.32	0.00	05/05/2015	Paper		-	No		0000
01QX4832	Office Supplies	576.16	0.00	05/05/2015	Binder tabs		-	No		0000
101-410-1320-42000	01QX4832 Total:	46.92								
01QX6467	04/15/2015	46.92								
101-450-5200-42000	Office Supplies	623.08								
	01QX6467 Total:									
	INNOVAT Total:									
kathfuel Kath Fuel Oil Service Co 04/16/2015										
506884	Fuel, Oil and Fluids	751.57	0.00	05/05/2015	Fuel		-	No		0000
101-430-3100-42120	506884 Total:	751.57								
506885	04/16/2015	924.76	0.00	05/05/2015	Fuel		-	No		0000
101-430-3100-42120	Fuel, Oil and Fluids	924.76	0.00	05/05/2015	Fuel		-	No		0000
506886	04/16/2015	924.76								
101-430-3100-42120	506885 Total:	924.76								
	Fuel, Oil and Fluids	2,601.09								
	506886 Total:									
	kathfuel Total:									
LTG PWR L.T.G. Power Equipment 04/22/2015										
188357	Equipment Parts	65.89	0.00	05/05/2015	Misc Parts		-	No		0000
101-450-5200-42210	188357 Total:	65.89								
	LTG PWR Total:	65.89								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
McPhillips Mike McPhillips Inc 44226 04/21/2015 603-496-9500-44010 Street Sweeping 44226 Total: McPhillips Total:		10,438.00 10,438.00 10,438.00	0.00	05/05/2015	Street Sweeping		-	No		0000
MENARDSO Menards - Oakdale 73583 04/14/2015 101-430-3120-42240 Street Maintenance Materials 73583 Total: MENARDSO Total:		93.50 93.50 93.50	0.00	05/05/2015	Maintenance supplies		-	No		0000
MES Municipal Emergency Svs. Inc. 00622637 SNV 03/23/2015 101-420-2220-42400 Small Tools & Equipment 00622637 SNV Total: MES Total:		532.58 532.58 532.58	0.00	05/05/2015	Firefighting Gloves		-	No		0000
MILLEREX Miller Excavating, Inc. 19267 04/17/2015 601-494-9400-42270 Utility System Maintenance 19267 Total: MILLEREX Total:		3,972.56 3,972.56 3,972.56	0.00	05/05/2015	Water main break patches		-	No		0000
MNFIRECH MN State Fire Chiefs Assn 1014 04/17/2015 410-480-8000-45500 Vehicles 1014 Total: MNFIRECH Total:		85.00 85.00 85.00	0.00	05/05/2015	3 month ad for sale of Tahoe		-	No		0000
OAKDRC Oakdale Rental Center 101270 04/17/2015 101-430-3100-44010 Repairs/Maint Bldg 101270 Total: OAKDRC Total:		214.00 214.00 214.00	0.00	05/05/2015	Concrete mixer		-	No		0000
PINKY Pinky's Sewer Service, Inc. 72978 04/15/2015 206-450-5300-44010 Repairs/Maint Bldg 72978 Total:		100.00 100.00	0.00	05/05/2015	Pump two tanks		-	No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	PINKY Total:	100.00								
PRAIRIE Prairie Restorations, Inc.	04/13/2015	80.00	0.00	05/05/2015	Refund burn permit 1295 Neal Ave		-	No		0000
101-000-0000-32260 Burning Permit		80.00								
Total:		80.00								
PRAIRIE Total:		80.00								
RCM RCM Specialties, Inc	04/22/2015	356.13	0.00	05/05/2015	Emulsion		-	No		0000
4822		356.13								
101-430-3120-42240 Street Maintenance Materials		356.13								
4822 Total:		356.13								
RCM Total:		356.13								
ROLLINGS Rollings Andrew	04/21/2015	421.50	0.00	05/05/2015	Abatement Refund		-	No		0000
Special Assess		421.50								
321-000-0000-12300 Special Assmts Rec - Deferred		421.50								
Special Assess Total:		421.50								
ROLLINGS Total:		421.50								
SAFEFAST Safe-Fast, Inc.	04/15/2015	67.50	0.00	05/05/2015	Gloves		-	No		0000
INV151924		67.50								
101-430-3100-42150 Shop Materials		67.50								
INV151924 Total:		67.50								
SAFEFAST Total:		67.50								
SELECTAC SelectAccount	04/08/2015	6.33	0.00	05/05/2015	Participant fee 4/01-4/30/15		-	No		0000
1094798		6.33								
101-410-1520-43150 Contract Services		6.33								
1094798 Total:		6.33								
SELECTAC Total:		6.33								
SPRINT Sprint	04/18/2015	59.19	0.00	05/05/2015	Admin		-	No		0000
761950227-144		59.19								
101-410-1940-43210 Telephone		221.76	0.00	05/05/2015	Fire		-	No		0000
761950227-144		221.76								
101-420-2220-43210 Telephone		43.61	0.00	05/05/2015	Building		-	No		0000
761950227-144		43.61								
101-420-2400-43210 Telephone		43.61								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
761950227-144	04/18/2015	85.37	0.00	05/05/2015	PW		-	No		0000
101-430-3100-43210	Telephone									
761950227-144	04/18/2015	85.31	0.00	05/05/2015	Parks		-	No		0000
101-450-5200-43210	Telephone									
761950227-144	04/18/2015	55.82	0.00	05/05/2015	Taxpayer Services		-	No		0000
101-410-1450-43210	Telephone									
761950227-144	04/18/2015	14.42	0.00	05/05/2015	Planning		-	No		0000
101-410-1910-43210	Telephone									
761950227-144	Total:	565.48								
SPRINT	Total:	565.48								
TKDA TKDA, Inc.										
002015000980	04/10/2015	596.09	0.00	05/05/2015	2013.133 Lake Elmo Ave Trunk		-	No		0000
601-494-9400-43030	Engineering Services				Watermain					
002015000980	Total:	596.09								
TKDA	Total:	596.09								
TMOBILE T Mobile										
04/11/2015		21.34	0.00	05/05/2015	SCADA line		-	No		0000
601-494-9400-43210	Telephone									
Total:		21.34								
TMOBILE	Total:	21.34								
VERIZON Verizon Wireless										
9743812362	04/10/2015	68.89	0.00	05/05/2015	Wireless - fire tablets		-	No		0000
101-420-2220-43210	Telephone									
9743812362	Total:	68.89								
VERIZON	Total:	68.89								
WASHCONS Washington Conservation Dist.										
3152	04/22/2015	556.25	0.00	05/05/2015	1st of 4 quarterly billing Shared Educat		-	No		0000
603-496-9500-44370	Conferences & Training									
3152	Total:	556.25								
Tree order	04/20/2015	149.40	0.00	05/05/2015	Tree order		-	No		0000
404-480-8000-45300	Improvements Other Than Bldgs									
Tree order	Total:	149.40								
WASHCONS	Total:	705.65								
Whiteami White Anita										
CC 4/21/15	04/21/2015	55.00	0.00	05/05/2015	Cable operations		-	No		0000
101-410-1450-43620	Cable Operations									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CC 4/21/15	04/21/2015	25.00	0.00	05/05/2015	Bonus		-		No	0000
101-410-1450-43620	Cable Operations									
	CC 4/21/15 Total:	80.00								
CCW	04/14/2015	55.00	0.00	05/05/2015	Cable Operations		-		No	0000
101-410-1450-43620	Cable Operations									
CCW	04/14/2015	25.00	0.00	05/05/2015	Bonus		-		No	0000
101-410-1450-43620	Cable Operations									
	CCW Total:	80.00								
	Whiteani Total:	160.00								
XCEL Xcel Energy										
	05/08/2015	72.11	0.00	05/05/2015	Electrical Services		-		No	0000
101-410-1940-43810	Electric Utility									
	Total:	72.11								
	XCEL Total:	72.11								
	Report Total:	97,949.61								

Accounts Payable To Be Paid Proof List

User: PattyB

Printed: 04/28/2015 - 5:09 PM

Batch: 013-04-2015

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
DELTA Delta Dental Of Minnesota 5967756 101-000-0000-21706 Medical Insurance 5967756 Total: DELTA Total:	04/15/2015	1,724.60 1,724.60 1,724.60	0.00	05/05/2015	May Premium		-	No		0000
LEASSOC Lake Elmo Associates, LLP May -15 101-410-1940-44120 Rentals - Building May -15 Total: LEASSOC Total:	05/01/2015	2,461.00 2,461.00 2,461.00	0.00	05/05/2015	May Rent		-	No		0000
NCPERS 566200-NCPERS Minnesota 5662415 101-000-0000-21708 Other Benefits 5662415 Total: NCPERS Total:	04/23/2015	160.00 160.00 160.00	0.00	05/05/2015	May Premium		-	No		0000
RABOUIN RABOUIN, INC 05/01/2015 101-410-1320-43100 Assessing Services Total: RABOUIN Total:	05/01/2015	2,500.00 2,500.00 2,500.00	0.00	05/05/2015	May Monthly Installment		-	No		0000
WASHPRTA Washington County 05/01/2015 206-450-5300-45200 Buildings 04/28/2015 803-000-0000-22910 Developer Payments 05/01/2015 803-000-0000-22910 Developer Payments	05/01/2015	1,167.00 18.00 18.00	0.00 0.00 0.00	05/05/2015 05/05/2015 05/05/2015	Property Tax - 3537 Lake Elmo Avenue Property Tax - Savonna Lot G Property Tax - Savonna Lot D		- - -	No No No		0000 0000 0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
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Total:		1,203.00								
WASHPRTA Total:		1,203.00								

Report Total:		8,048.60								
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MAYOR & COUNCIL COMMUNICATION

DATE: May 5, 2015
CONSENT
ITEM# 3

AGENDA ITEM: Zoning Text Amendment – Freeway Signs for I-94

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Community Development Director

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

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

POLICY RECCOMENDER: Planning Commission

FISCAL IMPACT: None – The City’s review of the requested Zoning Text Amendment is reimbursed through the submitted application fee.

SUMMARY AND ACTION REQUESTED: The City has received a request from Rihm Kenworth, 11530 Hudson Blvd. N., Lake Elmo, MN, to amend the City’s Sign Ordinance to allow freeway signs for commercial properties adjacent to I-94 up to 25 feet in height and 250 square feet in area. After reviewing the request and conducting research, the Planning Commission and Staff are recommending approval of an amendment to the Sign Ordinance to allow freestanding and pylon signs only on commercial properties within 150 feet of Interstate Highway 94 right-of-way. The maximum recommended height is 25 feet, with the maximum recommended surface area is 150 square feet. Should the item be removed from the Consent Agenda, the motion to take the recommended action on the request is as follows:

“Move to adopt Ordinance 08-119, amending the Sign Ordinance to allow freeway signs only for commercial properties within close proximity to I-94.”

In addition, Staff is recommending that the City Council authorize summary publication of the approved ordinance through the following motion:

“Move to adopt Resolution No. 2015-29, authorizing summary publication of Ordinance 08-119.”

BACKGROUND INFORMATION/STAFF REPORT:

Rihm Kenworth recently began business operations in Lake Elmo in the beginning of 2015 just west of Manning Ave. N. on Hudson Boulevard. In January of 2015, Mr. Dan Dunn of Rihm Kenworth contacted City staff to inquire about the possibility of installing a business identification sign that would be visible from Interstate 94. City staff explained that under the current signage provisions, the maximum size for a ground sign at the applicant's location would be 10 feet in height and 72 square feet in area. In addition, pylon and freestanding signs are not listed as a permitted sign type in the City's signage regulations. At this point, Rihm Kenworth inquired about the process to amend the City's signage regulations, wherein staff assisted in explaining the correct procedure. Rihm Kenworth ultimately submitted a zoning text amendment requesting that freeway signs be allowed for commercial properties adjacent to I-94. In addition, they requested these signs be allowed up to 25 feet in height and 250 square feet in area. The request was heard by the Planning Commission at a public hearing on April 13, 2015.

In researching the request to allow freeway signs, planning staff conducted research of multiple other communities in the Twin Cities Metro Area. The results of this research can be found in Attachment #7. In addition, staff also researched the previous Lake Elmo Sign Ordinance (Attachment #8) to see if these sign types were previously allowed. The previous Lake Elmo signage regulations did allow freestanding signs in the I-94 Sign District. These signs were allowed to be 30 feet tall and up to 150 square feet in surface area. In 2013, the City adopted new signage regulations as part of numerous updates to the City's Zoning Code. These updates were made to prepare the City for sewer growth and development. The new signage regulations did not list pylon or freestanding signs as a permitted sign type. Given Lake Elmo strategic location on the I-94 Corridor, a heavily travelled corridor, it is not surprising that commercial businesses are seeking greater visibility through pylon signage. It should be noted that staff has received multiple inquiries regarding these sign types in the I-94 Corridor. Rihm Kenworth is the first inquirer to take the formal step to request amendment of the City's signage regulations. Staff anticipates that as the I-94 Corridor develops commercially, there will be more and more requests of this nature. Staff recommends allowing freestanding or pylon signs only for properties within close proximity to the corridor. In addition, staff recommended a smaller size allowance than what was requested by Rihm Kenworth (150 sq. ft. vs. 250 sq. ft.). In the judgment of staff, providing some allowance for this sign type with some size restrictions represents a balanced approach. Should the City desire to attract more commercial development in the I-94 Corridor, signage visible to the nearby highway is a desired feature for some business types.

PLANNING COMMISSION REPORT:

The Planning Commission reviewed the applicant's request at a public hearing on April 13, 2015. No one spoke during the public hearing and no written correspondence was received. During the meeting, the Planning Commission discussed the appropriate height and size of signage visible to I-94. In addition, the Planning Commission agreed that if these sign types are allowed, some base level of design standards was appropriate. The Planning Commission directed staff to research other communities about design standards for freeway signs. The information gathered by staff can be found in Attachment #9. The majority of the standards related to building materials and pylon or pole covers. Based on the research, staff proposed a section relating to design standards requiring that the sign and pylon covers be constructed out of attractive materials that are consistent with the principal building. The Planning Commission reviewed the updated ordinance on April 27, 2015. The Planning Commission unanimously recommended approval of the zoning text amendment to allow freeway signs for commercial properties in close proximity to I-94 (Vote: 5-0).

STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS:

Strengths: In the judgment of the Planning Commission and staff, some allowance for pylon or freestanding signs in this area is reasonable. An allowed height of 25 feet and surface area of 150 square feet is not too large to create a visual nuisance, but large enough to allow for visibility. The size proportions are in keeping with surrounding communities, as well as the previous 2009 Lake Elmo Sign Ordinance.

Weaknesses: In the view of some observers, pylon or freestanding signs are not an attractive sign type when compared to other signs. However, these are the only sign types that allow for reasonable visibility for an interstate highway due to distance and travel speed. The Planning Commission did direct the staff to include design standards, supporting pylon covers to promote attractive signs for the I-94 commercial area.

Opportunities: Signage that allows for visibility for to I-94 may be an important consideration for a business to locate in Lake Elmo, depending on the business type. Modest allowances for these sign types may aid the City in recruiting additional commercial development in the I-94 Corridor.

Threats: The City has emphasized a desire to attract additional commercial development to Lake Elmo as of late to balance out the ratio of residential to commercial properties in the community. While it difficult to draw concrete conclusions on the impact of not allowing signage that is visible to I-94, it is possible that reduced amounts of signage will reduce certain types of businesses locating in Lake Elmo.

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and staff are recommending that the City Council approve the proposed amendment to the Sign Ordinance to allow for freestanding or pylon signs on commercial properties within 150 feet of Interstate 94. The maximum

recommended height for the freestanding signs is 25 feet, while the maximum recommended surface area is 150 square feet. Should the item be removed from the Consent Agenda, the motion to take the recommended action on the request is as follows:

“Move to adopt Ordinance 08-119, amending the Sign Ordinance to allow freeway signs only for commercial properties within close proximity to I-94.”

In addition, Staff is recommending that the City Council authorize summary publication of the approved ordinance through the following motion:

“Move to adopt Resolution No. 2015-29, authorizing summary publication of Ordinance 08-119.”

ATTACHMENTS:

1. Ordinance 08-119
2. Resolution No. 2015-29
3. Excerpt from Lake Elmo Sign Ordinance w/Proposed Changes
4. Staff Report to the Planning Commission, dated 4-13-15
5. Staff Report to the Planning Commission, dated 4-27-15
6. Land Use Application Form, Narrative, and Supporting Materials
7. Freeway Signs Comparison Chart
8. Excerpt from Lake Elmo 2009 Sign Ordinance – I-94 Sign District
9. Design Standards Comparison Chart

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-119

AN ORDINANCE AMENDING THE LAKE ELMO ZONING CODE BY AMENDING THE SIGN
ORDINANCE BY MAKING PYLON AND FREESTANDING SIGNS A PERMITTED USE WITHIN
COMMERCIAL DISTRICTS IN CLOSE PROXIMITY TO INTERSTATE HIGHWAY 94

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land
Usage; Chapter 154: Zoning Code; Section 212; Subsection B to add the following:

- B. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Freeway Sign. A pole or freestanding sign adjacent to Interstate 94. To be a permitted freeway sign, the sign must be located within one-hundred and fifty (150) linear feet of the freeway right-of-way. A single sign structure having two identical or nearly identical faces back to back shall constitute a single sign.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV: Land
Usage; Chapter 154: Zoning Code; Section 212; Subsection G to add the following:

- G. *Limitations According to the Type of Land Use.* Unless exempt under §154.212.K or as expressly provided elsewhere, no permanent or temporary signs shall be displayed except in conformity with the following regulations as they correspond to the type of land use and districts in which the sign is to be displayed.

3. Commercial, Mixed-Use and Industrial Districts

- a. Ground Signs
- b. Directory Signs
- c. Awning and Canopy Signs
- d. Wall Signs
- e. Projecting Signs
- f. Hanging Signs
- g. Window Signs
- h. Directional and Informational Signs
- i. Corporate Flags and Decorative Banners
- j. Temporary Signs
- k. I-94 Freeway Signs

SECTION 3. The City Council of the City of Lake Elmo hereby amends Title XV: Land
Usage; Chapter 154: Zoning Code; Section 212; Subsection H to add the following:

H. *Regulations Pertaining to Specific Sign Type.* Except as expressly provided elsewhere, signs shall meet the following regulations according to sign type:

3. Freeway Signs

- a. Number. Properties that are adjacent to Interstate 94 may have one (1) freeway sign in addition to the permitted number of ground signs on the property.
- b. Location. Freeway signs are only permitted within one-hundred and fifty (150) linear feet of the freeway right-of-way. Freeway signs shall be placed with consideration for visibility, access, maintenance, and safety, consistent with the provisions of Section 154.212.F.2. A freeway sign shall be located no closer than 100 feet of another freeway sign or the furthest distance possible from another freeway sign. No freeway sign may be located closer than 5 feet to a property line, roadway easement, or other public easement.
- c. Height. The maximum height for all freeway signs is twenty-five (25) feet.
- d. Surface Area. No freeway sign shall exceed one-hundred and fifty (150) square feet in size.
- e. Design Standards. Signs shall be constructed of similar materials, style, and color as that of the principle building. Pylon signs must have a pole cover or pylon cover. The pole or pylon cover must be constructed of similar materials and have a similar appearance as the principal building.

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

SECTION 5. Adoption Date. This Ordinance 08-119 was adopted on this fifth day of May 2015, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

This Ordinance 08-119 was published on the ____ day of _____, 2015.

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

RESOLUTION NO. 2015-29

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-119 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-119, an ordinance to the City's regulations pertaining to Signage Regulations; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-119 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-119, which adds provisions to the City Code pertaining to freestanding and pylon signs adjacent to Interstate 94. The revised ordinance adds the following revisions from the previous ordinance:

- The definition of freeway signs is added to the definition section of the Sign Ordinance.
- Freeway signs are a permitted use for commercial districts within 150 feet of Interstate 94.
- Freeway signs are allowed to be a maximum of 25 feet in height and 150 square feet in area.
- All permitted freeway signs must include pylon or pole covers that are constructed of similar materials and match the appearance of the principal building.

The full text of Ordinance No. 08-119 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: May 5, 2015.

Mayor Mike Pearson

ATTEST:

Adam Bell, City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

_____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.

Article 5 - General Regulations

§154.212 Sign Regulations

§154.212 Sign Regulations

- A. *Purpose and Intent.* The purpose of this Ordinance is to provide standards to safeguard life, health, and property and to promote the public welfare by regulating the design, area, number, construction, location, and installation of all signs referred to hereunder. The City Council and Planning Commission of the City of Lake Elmo find that the visual environment has an effect on the welfare of the citizens of Lake Elmo and that careful control of signage can protect and enhance the community. To carry out this general purpose, the regulations set forth herein are intended to:
1. Protect the public from hazards that result from signs which are structurally unsafe, obscure the vision of motorists and/or compete or conflict with necessary traffic signals and warning signs.
 2. Preserve the land value of private property by assuring the compatibility of signs with nearby land uses.
 3. Foster high quality commercial and industrial development and to enhance economic development of existing businesses and industries by promoting reasonable, orderly, attractive and effective sign that meet the need for business identification, advertising and communication.
 4. Encourage creative and well-designed signs that contribute in a positive way to the community's visual environment, express local character and help develop a distinctive image in the city. When appropriate, signage is encouraged to utilize design elements that are consistent with the Lake Elmo Branding and Theming Study.
 5. Recognize that signs are a necessary form of communication and provide flexibility within the sign review and approval process to allow for unique circumstances.
 6. Provide applicants with clear and consistent rules and regulations.
- B. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- Abandoned Sign.* Any sign remaining in place which for a period of ninety (90) consecutive days or more no longer advertises or identifies an ongoing business, product, service, idea, or commercial activity located on the site or has not been properly maintained in accordance with the requirements of this Ordinance.
- Ancillary Sign.* A wall sign separate from and subordinate in area to the principal sign, identifying generic services, goods or departments in the building, such as pharmacy, optical, auto repair, or garden center, but not including the identification of brand names.
- Attention-Attracting Object.* Any streamer, pinwheel, pennant, flag, propeller, inflatable sign, statuary, tethered balloon, bunting, beacon, or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated, or still, that is intended to attract attention to the use or business being conducted on the site. Attention-attracting object does not include the flag of any governmental entity.
- Awning.* A roof-like cover consisting of fabric, plastic or structural protective cover that projects from the wall of a building which generally serves the purpose of shielding a doorway, entrance, window, or outdoor service area from the elements or to provide decorative distinction.

Banner. A suspended sign made of a flexible material such as canvas, sailcloth, plastic, paper, or fabric of any kind, and intended to be displayed on a temporary basis. A decorative banner is a banner containing no message or logo that is displayed for the purpose of adding color or interest to the surroundings or to the building to which it is attached. A flag or canopy shall not be considered a banner.

Beacon. A stationary or revolving light that flashes or projects illumination, single color or multicolored, in any manner that is intended to attract or divert attention.

Business Opening Sign. A temporary sign displayed prior or in addition to permitted permanent signs to promote the opening of a new business, a change of name or change of ownership.

Canopy. A detachable, roof-like cover, supported from the ground or deck, floor or walls of a structure, for protection from the sun or weather.

Changeable Copy Sign. A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or the surface of the sign and on which the message changes less than eight times a day and less than once per hour. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall not be considered a changeable copy sign.

Commercial Message. A message that directs attention to or acts as advertising for a business, commodity, product, service or form of entertainment or tends to encourage the occurrence of a commercial transaction related thereto.

Comprehensive Sign Plan. A complete signage plan for a building or lot that has been approved by the City.

Construction Sign. A sign identifying individuals or companies involved in design, construction, wrecking, financing, or development of a building or lot upon which the sign sits and/or identifying the future use of the building or lot upon which the sign sits.

Copy. Words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

Directional Sign, On-Premise. A sign without commercial message erected for the purpose of indicating the required or preferred direction of vehicular, bicycle, or pedestrian traffic on private property including, but not limited to "no parking," "entrance," "exit only," "loading only," and other similar signage.

Directional Sign, Off-Premise. Any sign without commercial message that is displayed for the purpose of informing people of or guiding people to a particular place for a specified event, including, but not limited to, an open house, garage sale, estate sale or other similar event.

Directly Illuminated Sign. Any sign designed to give any artificial light directly through any transparent or translucent material from a source of light originating within or on such sign.

Directory Sign. A sign which serves as a common or collective identification for a group of persons or businesses operating on the same lot. Such a sign commonly lists the tenants, occupants, floor plan, addresses or suite numbers of an office complex, shopping center or residential building complex.

Election Campaign Period. A period prior to a general election starting on August 1 until 10 days following the general election, or a period prior to a special election starting 13 weeks prior to the special election until 10 days following the special election.

Electronic Variable Message Sign. A changeable copy sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign, not including signage or portions thereof displaying time and temperature.

Facade. Any separate face or surface of a building, including parapet walls, and roof surfaces or any part of a building which encloses or covers usable space. Where separate facades are oriented in the same direction, or where the inside angle at the intersection of two surfaces is greater than one-hundred and thirty-five (135) degrees, they are to be considered as part of a single facade.

Flag. A device generally made of flexible material, such as cloth, paper, or plastic, and displayed from a pole, cable or rope. It may or may not include copy.

Freeway Sign. A pole or freestanding sign adjacent to Interstate 94. To be a permitted freeway sign, the sign must be located within one-hundred and fifty (150) linear feet of the freeway right-of-way. A single sign structure having two identical or nearly identical faces back to back shall constitute a single sign.

Frontage. The boundary of a lot that abuts a public street.

Garage Sale Sign. A sign advertising the sale of personal property including estate sales, yard sales or rummage sales used to dispose of personal household possessions.

Government Sign. Any sign erected by the City of Lake Elmo or any other governmental entity in the exercise of official government business and authority.

Ground Sign. Any free-standing sign that is supported by structures or supports in or upon the ground and independent of support from any building. A single sign structure having two identical or nearly identical faces back to back shall constitute a single sign. For the purposes of this definition, a ground sign is intended to refer to a primary, permanent, ground-mounted sign, not a temporary sign or sign that is ancillary to the primary sign, such as a directional sign or portable sign.

Hanging Sign. A sign that is suspended from the underside of a surface and is supported by such surface.

Indirectly Illuminated Sign. A sign that is illuminated from a source outside of the actual sign.

Inflatable Sign. A freestanding or moored sign expanded or inflated with air or another gas, like a balloon, and which may rise and float above the ground.

Legal Non-Conforming Sign. Any sign which was lawfully erected and displayed on [City Clerk to insert effective date], but which does not conform to the requirements and limitations herein, or any sign which was lawfully erected and displayed on the effective date of any amendment to this Section, but which does not conform to such amendment.

Logo. A symbol or trademark commonly used to identify a business or organization.

Memorial Sign. A sign or tablet memorializing a person, event, place or structure.

Menu Sign. A permanent changeable copy sign associated with restaurants with drive-through windows, car washes, or other businesses with drive-up services which gives a detailed list of food or services available.

Monument Sign. A ground sign having a monolithic base or support structure of any material measuring no less than one-third (1/3) of the greatest width of the sign at any point.

Noncommercial Message. A message intended to direct attention to a political, social, community or public service issue or an idea, aim viewpoint, aspiration or purpose and not intended to produce any commercial benefit or tend to encourage a commercial transaction.

Off-Premise Sign. A sign which displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the lot where such sign is located.

On-Premise Sign. A sign which displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial

ground or building-mounted sign for each additional frontage provided that such additional sign may not exceed 50% of the area allowed by the primary frontage and is oriented toward the additional frontage. For purposes of this code, the primary frontage shall be presumed to be the frontage upon which the main entrance to the building is located. The applicant, however, may identify a different frontage as the primary frontage to maximize the effectiveness of the signage.

11. *Resemblance to Traffic Signs.* No sign shall contain or resemble any sign resembling in size, shape, message, or color any traffic control devices compliant with the Minnesota State Manual on Uniform Traffic Control Devices.

- G. *Limitations According to the Type of Land Use.* Unless exempt under §154.212.K or as expressly provided elsewhere, no permanent or temporary signs shall be displayed except in conformity with the following regulations as they correspond to the type of land use and districts in which the sign is to be displayed.

1. *Residential Uses in Residential Districts.*

- a. In connection with legal home occupations, a single sign which is limited in content to the name, address and legal home occupation of the owner or occupant of the premises, and which does not exceed two (2) square feet in area. Signs under this paragraph shall be wall signs only.
- b. A residential condominium or multi-family apartment complex may display signs identifying the name of the condominium or apartment complex if the total acreage of the lot is one (1) acre or more and the condominium or apartment includes eight (8) or more units. One (1) wall sign and one (1) ground sign per street frontage may be displayed, with a maximum of two (2) wall signs and two (2) ground signs per lot. No identification sign shall exceed thirty-two (32) square feet in area, and the maximum height is one (1) story or twelve (12) feet above curb level, whichever is lower. For purposes of this paragraph, the term "lot," when used in reference to a condominium means all property within a common interest community.
- c. A subdivision identification sign not exceeding thirty-two (32) square feet in sign area as approved by the City.

2. *Institutional Uses in Residential Districts.* Nonresidential uses located in residential districts, such as churches and schools, located in residential districts may erect signs as follows:

- a. *Wall and Ground Signs*

- i. *Area and Number:* One (1) wall sign and one (1) ground sign per street frontage may be displayed, identifying the entity, with a maximum of two (2) wall signs and two (2) ground signs per lot. Additional wall or ground signs for wayfinding purposes may be permitted when the size of the lot, number of vehicular or pedestrian entrances, and layout of the buildings require additional signs in order to promote traffic and pedestrian safety. Signs under this paragraph, whether displayed on a wall or on the ground, shall not exceed twelve (12) square feet in area, except such signs may be increased in area by one (1) square foot for each additional foot that the sign is set back more than twelve (12) feet from a lot line. No sign under this section shall exceed thirty-two (32) square feet in area.
- ii. *Height.* No identification sign shall project higher than one story, or twelve (12) feet above curb level, whichever is lower.

- b. *Temporary Signs*

3. *Commercial, Mixed-Use and Industrial Districts*

- a. *Ground Signs*

- b. Directory Signs
 - c. Awning and Canopy Signs
 - d. Wall Signs
 - e. Projecting Signs
 - f. Hanging Signs
 - g. Window Signs
 - h. Directional and Informational Signs
 - i. Corporate Flags and Decorative Banners
 - j. Temporary Signs
 - k. I-94 Freeway Signs
4. *Planned Development Districts*. No permanent sign shall be displayed except a sign authorized by the City and included in the Comprehensive Sign Plan pertaining to the site. Temporary signs are permitted for commercial, institutional or industrial uses unless prohibited by the Comprehensive Sign Plan.
 5. *Conservancies and Parks*. No sign shall be permitted except those installed by direction of the Public Works Director.
 6. *Agricultural Sales Businesses*. Signage related to agricultural sales business may be erected as follows:
 - a. *On-Premises Signs, Agricultural Sales Businesses*. One (1) or more on-premises signs may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:
 - i. Agricultural sales businesses utilizing less than 10 acres of land specifically for the growing of agricultural crops for the business are allowed 1 on-premises sign not to exceed thirty-two (32) gross square feet of advertising surface.
 - ii. Agricultural sales businesses utilizing more than 10 acres of land but less than 40 acres of land specifically for the growing of agricultural crops for the business are allowed up to two (2) on-premises signs not to exceed forty-eight (48) gross square feet of total advertising surface, with no individual sign surface exceeding thirty-two (32) square feet in size.
 - iii. Agricultural sales businesses utilizing more than 40 acres of land specifically for the growing of agricultural crops for the business are allowed up to three (3) on-premises signs not to exceed sixty-four (64) gross square feet of total advertising surface, with no individual sign surface exceeding thirty-two (32) square feet in size.
 - iv. Any illuminated sign shall be consistent with §154.212.F.7 and illuminated only during those hours when business is open to the public for conducting business.
 - b. *Temporary Off-Premises Signs, Agricultural Sales Businesses*. Independent of the total allowable sign area for an individual property anywhere within the city, a temporary off-premises sign may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:
 - i. *Maximum Number*. Every agricultural sales business shall have no more than three (3) off-premises signs at any given time to direct the public to the location of the business.
 - ii. *Time Frame of Use*. Temporary off-premises signs may be erected for 45-day time periods no more than 4 times in any given calendar year. The required temporary

sign permit shall stipulate the range of dates for each of the 4 allowable time periods in any given calendar year.

- iii. *Size and Height.* An off-site agricultural sales advertising sign shall not exceed 50 square feet in area and shall not be taller than 10 feet in height.
- iv. *Setbacks.* Off-premises signs shall be a minimum of 25 feet from all side property lines, and a minimum of 50 feet from other off-premises advertising signs.
- v. *Permission Required.* Applicants for off-premises signs shall acquire permission from the property owner upon whose land the sign is to be erected.

H. *Regulations Pertaining to Specific Sign Type.* Except as expressly provided elsewhere, signs shall meet the following regulations according to sign type:

1. Wall Signs

- a. *Number.* No building occupant shall display more than one (1) wall sign per street frontage except as provided below:
 - i. One additional wall sign may be displayed on a building with no front setback provided that such sign is a flat sign that is either painted upon the building or does not extend outward more than six (6) inches.
 - ii. Up to three (3) ancillary wall signs may be displayed on buildings measuring at least 100 feet in length along the front lot line. Any ancillary sign displayed under this paragraph shall not exceed 50% of the net area or 50% of the height of the largest permitted wall sign displayed on that façade, nor shall the aggregate area of the ancillary signs exceed 50% of the net area of such wall sign.
- b. *Surface Area.* The total permitted sign surface area of all wall signs on a façade shall not exceed one (1) square foot of signage for each lineal foot of building frontage that is coterminous with the occupancy to which the sign refers, unless a different amount allocated to the building occupant is identified in an approved Comprehensive Sign Plan pursuant to §154.212.I. In addition, no individual wall sign shall exceed one hundred (100) square feet in area.
- c. *Location.* Wall signs shall be mounted parallel to building walls and only on a portion of an exterior wall that is coterminous with the occupancy to which the sign refers, unless a different location is identified in an approved Comprehensive Sign Plan pursuant to §154.212.I. No wall sign shall extend above or beyond the wall to which it is attached.
- d. *Installation Requirements.* No wall sign shall cover or interrupt significant architectural elements such as columns, column caps, friezes, door or window heads, embellishments, adornments, fenestration, or ornamental detailing on any building. All mounting brackets and other hardware used to affix a sign to a wall as well as all electrical service hardware and equipment shall be concealed by architectural elements of the building or the sign itself.

2. Ground Signs

- a. *Number.* There shall be no more than one (1) ground sign for each street on which the lot has frontage, except one additional ground sign per lot frontage may be allowed for any lot frontage over one thousand (1,000) linear feet. On lots occupied by two (2) or more occupants, or where a second ground sign is permitted, three (3) or more occupants, a directory sign shall be used in lieu of multiple ground signs. No single business or building occupant shall be allowed signage on both an individual ground sign and a ground directory sign on the same street frontage. On premises having no principal building, there shall be no more than one (1) ground sign for the premises.
- b. *Surface Area.* No ground sign shall exceed the size listed in Table 5-3.

- c. *Type of Sign.* Any permanent ground sign shall be erected as a monument sign. Pole signs are prohibited unless the pole portion of the sign is enclosed in a shroud that causes the sign to appear to have a monolithic base or support structure of any material measuring no less than one-third (1/3) of the greatest width of the sign at any point or unless the height is no greater than three (3) feet. The base of the monument sign shall not exceed the width of the widest portion of the sign face by more than twenty-five percent (25%).
- d. *Location.* Ground signs shall be placed with consideration for visibility, access, maintenance, and safety, consistent with the provisions of Section 154.212.F.2. Ground signs shall be located beyond required setbacks a distance equal to or greater than the height of the sign. If this is not possible, ground signs shall be located as far from required setback lines as possible. In no case shall a ground sign, as defined in this Ordinance, extend beyond a lot line of a property. A ground sign larger than 6 sq. ft. shall be located no closer than 100 feet of another ground sign or the furthest distance possible from another ground sign, whichever distance is shorter.
- e. *Height*
 - i. The height of a ground sign shall be measured from the approved grade at the base of the sign or the elevation of the street upon which the sign faces, whichever is lower, to the top of the highest attached component of the sign.
 - ii. A ground sign shall be mounted on a base not to exceed four (4) feet in height.
 - iii. Allowable height of a ground sign shall be as set forth in Table 5-3.
 - iv. No ground sign shall be taller than the principal building on the premises to which it pertains.
- f. *Landscaping.* Perennial plantings, grass or other landscaping features shall be incorporated around the base of all ground signs.
- g. *Exempt or Special Purpose Ground Signs.* The location of and maximum height and surface area of any other exempt or special-purpose ground sign expressly authorized by another section of this ordinance, shall be as set forth in such other section.

Table 5-3 Ground Signs

Table 5-3 describes the zoning districts in which ground signs may be displayed, and the maximum height and area of the signs, as determined by the speed limit on the adjacent roadway. For ground signs on zoning lots with more than one street frontage, use the miles per hour on the street with the faster speed limit to determine the maximum height and area allowed.

Ground Signs				
Zoning District		A ^a , LDR, OP, RE, RS, RR ^a , RT ^a	MDR, HDR	BP, C, CC, GB, LC, VMX
No. of Total Traffic Lanes	Speed Limit (MPH)	Max Height/ Area (Sq. Ft.)	Max Height/ Area (Sq. Ft.)	Max Height/ Area (Sq. Ft.)
1-3	0-34	-	6' / 32	10' / 32
	35-44	-	6' / 32	10' / 50

	45+	-	6' / 32	10' / 72
4-5	0-34	-	6' / 32	10' / 40
	35-44	-	6' / 32	10' / 64
	45+	-	6' / 32	12' / 80

Notes to Table 5-3:

- a. Ground signs are only permitted in the A, RR and RT districts in conjunction with agricultural sales business.

3. Freeway Signs

- a. Number. Properties that are adjacent to Interstate 94 may have one (1) freeway sign in addition to the permitted number of ground signs on the property.
- b. Location. Freeway signs are only permitted within one-hundred and fifty (150) linear feet of the freeway right-of-way. Freeway signs shall be placed with consideration for visibility, access, maintenance, and safety, consistent with the provisions of Section 154.212.F.2. A freeway sign shall be located no closer than 100 feet of another freeway sign or the furthest distance possible from another freeway sign. No freeway sign may be located closer than 5 feet to a property line, roadway easement, or other public easement.
- c. Height. The maximum height for all freeway signs is twenty-five (25) feet.
- d. Surface Area. No freeway sign shall exceed one-hundred and fifty (150) square feet in size.
- e. Design Standards. Signs shall be constructed of similar materials, style, and color as that of the principle building. Pylon signs must have a pole cover or pylon cover. The pole or pylon cover must be constructed of similar materials and have a similar appearance as the principal building.

4. Window Signs

- a. Location: All window signs must be located inside an exterior window unless the sign is weatherproof and does not pose a danger from falling or being blown by the wind. Lettering or graphic elements that are directly mounted on a window shall not encroach upon the frame, mullions, or other supporting features of the glass.
- b. Permanent Signs. When a sign is painted on or otherwise attached or applied to the window area in a permanent manner, then such sign shall be included in the total allowable wall sign area for the building and shall not exceed twenty (20) percent of the total ground-floor window area of the building, excluding the door windows. All permanent window signs which have their lettering or graphic elements directly on the glazing shall be painted, metal leafed, vinyl transferred, or in some other manner permanently applied to the interior side of the glass of an exterior building window or door. No application using a temporary adhesive shall be permitted unless the Planning Director determines the application to be reasonably safe.
- c. Temporary Signs. Signs advertising sales and specials shall not exceed thirty (30) percent of the total ground-floor window area of any building, excluding the door windows. Such signs must be displayed in conformance with the temporary sign regulations listed in §154.212.J.



PLANNING COMMISSION
DATE: 4/13/15
AGENDA ITEM: 4B – PUBLIC HEARING
CASE # 2015-15

ITEM: Zoning Text Amendment – Pylon and Freestanding Signs

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director
Casey Riley, Planning Intern
Adam Bell, City Clerk

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to hold a public hearing on a request submitted by Rihm Kenworth to amend the City's Sign Ordinance to allow pylon and freestanding signs with a maximum height of 25 feet and 250 sq/ft surface area for properties within all commercial zoning districts abutting Interstate 94. The current zoning districts with frontages along I-94 include Business Park (BP), Commercial (C), and Rural Transitional (RT). Staff is recommending that the Planning Commission recommend approval of a Zoning Text Amendment to allow freestanding signs with a maximum height of 25 feet and an area of 150 square feet on properties adjacent to interstate highways.

GENERAL INFORMATION

Applicant: Rihm Kenworth of Lake Elmo, 11530 Hudson Boulevard, Lake Elmo, MN 55042

Property Owners: EN Properties LLC, 11530 Hudson Boulevard, Lake Elmo, MN 55042

Location: N/A – Request would allow for pylon and freestanding signs with a maximum height of 25 feet and 250 square feet of surface area for commercial properties abutting Interstate 94.

Request: Rihm Kenworth of Lake Elmo is requesting to amend the City's Zoning Code to allow pylon and freestanding signs with a maximum height of 25 feet and 250 square feet of surface area in the Business Park (BP), Commercial (C), and Rural Transitional (RT) zoning districts for properties along I-94.

Existing Land Use: N/A

Existing Zoning: N/A

Surrounding Land Use: N/A

Surrounding Zoning: N/A

Comprehensive Plan: N/A

Proposed Zoning: N/A

History: In advance of sewer growth in Lake Elmo, a major update to the Zoning Code was completed in 2012. As part of this Zoning Code update, the previous signage regulations were replaced by the current Sign Ordinance. Prior to the adoption of the current Sign Ordinance, pylon and freestanding signs were allowed for certain parcels along I-94 with a maximum height of 30 feet and a maximum area of 150 square feet. Attachment #2 includes the previous signage regulations for the City of Lake Elmo. Page 9 of the previous signage regulations include the provisions for the I-94 District. The current Sign Regulations do not allow pylon and freestanding signs. The Code acknowledges that these signs exist and are defined in the “definition” section of the code. However, pylon and freestanding signs are not included in the current permitted signs for Commercial, Mixed-Use and Industrial. It should also be noted that in section L, *Prohibited Signs*, pylon and freestanding signs are not identified as a prohibited use.

Applicable Regulations: Sign Regulations (§154.212) in Current Zoning Code
Signs: I-94 District (§151.115) in Previous Zoning Code

REQUEST DETAILS

Rihm Kenworth has applied for a zoning text amendment to amend the City’s Zoning Code to allow pylon and freestanding signs as a permitted use in the Business Park (BP), Commercial (C), and Rural Transitional (RT) zoning districts that abut Interstate 94. The Planning Commission is asked to hold a public hearing on the request, as all changes to the City’s Zoning Code require a public hearing. The applicants currently operate a business at 11530 Hudson Blvd. N. along Interstate 94 on a parcel that is zoned Rural Development Transitional (RT).

BACKGROUND

Rihm Kenworth currently operates a business at 11530 Hudson Boulevard. The property is located along Interstate 94 in the southeast corner of the City west of Manning Avenue. They recently started operations on this site and are interested in marketing their business with a sign on I-94.

The applicants met with City staff in late January of 2015 to learn more about the City’s Sign Regulations along I-94. Upon review of the sign requirements, it was found that pylon and freestanding signs are currently not permitted in any zoning districts along Interstate 94. The best option remained a Ground Sign with a maximum height of 10 feet and maximum area of 72 feet. Unfortunately, with these requirements, the sign would not be legible from a car traveling 65 mph along I-94. After reviewing the sign requirements in the City’s Zoning Code, the applicant chose to request a Zoning Text Amendment. It should be noted that a variance request was also explored by the applicant. However, after discussing the desired outcome with City staff, it was determined that such a signage change would be more appropriate as an amendment to the Sign Ordinance, as there are many properties along I-94 that will likely have similar requests or be affected by such change.

After conducting research and consulting with City staff, the applicant recommends to amend the Sign Ordinance to allow pylon and freestanding signs with a maximum height of 25 feet and a maximum 250 sq. ft. surface area for properties abutting Interstate 94. The recommendation takes into consideration the elevation of the Interstate, and the 65 mile per hour travel speed. The applicant

has provided several supplemental documents including the United States Sign Council (USSC), the Woodbury Freestanding Sign Code, and the Oakdale Sign Code for consideration by the City.

STAFF REVIEW COMMENTS:

In order to review whether or not pylon and freestanding signs are an appropriate use along Interstate 94, staff reviewed sign requirements from numerous cities within the Metro. The results of staff research are found in Attachment 3, a table providing the provisions of various cities with regards to freestanding signs. The maximum height for a freestanding sign in the broader area was 50 feet in Albert Lea. The maximum surface area was found to be 250 square feet in Albert Lea, Richfield, Sauk Centre, and Bloomington. In the East Metro, Stillwater allows a maximum sign height of 25 feet and 200 square feet. Woodbury has a maximum sign height of 30 feet and 150 square feet. Oakdale allows freestanding signs to be a maximum of 25 feet in height and 80 square feet in area, whereas pylon signs are permitted to be a maximum of 30 feet in height and 150 square feet in area.

In addition, staff reviewed the sign requirements for Business Park, Commercial, and Rural Transitional zoning districts. It was found that pylon and freestanding signs are not a permitted use in Commercial, Mixed-Use and Industrial Districts. Based upon a number of previous inquiries, as well as the future context of a growing I-94 Corridor with additional commercial properties, it is staff's recommendation to provide some signage allowance for freestanding signs for commercial properties abutting the I-94 Corridor.

It should be noted that from a planning perspective, most cities have a supplemental code for businesses and commercial properties along an interstate as they are presented with different opportunities and challenges than typical businesses and commercial centers. The interstate allows the public and potential visitors to see a business from the highway, but can be a problem at the high speed of travel. The sign must be large enough to be both visible and readable at the travel speed. The applicant has included the "Sign Rules of Thumb" by the United States Sign Council to better inform the Zoning Text Amendment request. Staff has determined that a height of 25 feet is appropriate for the I-94 Corridor, but have also determined that an area of 250 square feet exceeds the size that is consistent with the desired character of Lake Elmo. Staff recommend that an a maximum area of 150 square feet would be appropriate for Lake Elmo, which would be consistent with other neighboring communities.

In addition, in determining whether or not pylon or freestanding signs are appropriate for the Commercial, Business Park and Rural Transitional zoning districts along Interstate 94, it should be noted that the proposed action does not remove or replace the sign regulation requirements. It is recommended that freestanding or pylon signs only be allowed for properties adjacent to interstate highways (I-94 in Lake Elmo's case). Different communities have different approaches to determine which parcels are eligible for freestanding signs. For example, the City of Woodbury requires that a freestanding freeway sign not be more than 100 feet from the freeway right-of-way or boundary.

In order to further clarify staff's recommended amendment to the City's Sign Ordinance, staff will provide recommended ordinance language at the Planning Commission meeting. As far as a general recommendation is concerned, staff recommends that the Planning Commission consider some allowance for freestanding signs, as the City has received a number of requests inquiring about taller freestanding signs adjacent to the I-94 Corridor. It is the opinion of staff that these requests will only increase as additional commercial development occurs within the I-94 Corridor. At this time, staff is recommending to allow signs that are 25 feet in height and 150 square feet in area for signs that are in proximity to the interstate highway.

RECCOMENDATION:

Staff is recommending that the Planning Commission recommend approval of the requested zoning text amendment to allow pylon and freestanding signs with a maximum height of 25 feet and 150 square feet for commercial properties abutting Interstate 94. The recommended motion is as follows:

“Move to recommend approval of the request amend the Sign Ordinance to allow pylon and freestanding signs for commercial properties adjacent to interstate highways. These sign should not exceed 25 feet in height and 150 square feet in area.”

ATTACHMENTS:

1. Land Use Application and Supporting Materials
2. Previous Signage Regulations
3. Staff Research of Metro Sign Ordinances

ORDER OF BUSINESS:

- Introduction.....Community Development Director
- Report by Staff..... City Planner
- Questions from the Commission..... Chair & Commission Members
- Open the Public Hearing.....Chair
- Close the Public Hearing.....Chair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission..... Chair & Commission Members



PLANNING COMMISSION
DATE: 4/27/15
AGENDA ITEM: 5A
CASE # 2015-15

ITEM: Zoning Text Amendment – Pylon and Freestanding Signs
SUBMITTED BY: Nick Johnson, City Planner
REVIEWED BY: Kyle Klatt, Community Development Director
Casey Riley, Planning Intern
Adam Bell, City Clerk

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review precedents for design standards for freestanding and pylon signs for the I-94 corridor. A public hearing was held on April 13, 2015 for a request submitted by Rihm Kenworth to amend the City's Sign Ordinance to allow pylon and freestanding signs with a maximum height of 25 feet and 250 sq/ft surface area for properties within all commercial zoning districts abutting Interstate 94. At that time the Planning Commission requested research be done for design standards for freestanding and pylon signs. Staff recommends that the Planning Commission review the precedents from surrounding cities and discuss design standards for the properties with frontages along I-94. Staff is recommending that the Planning Commission recommend approval of a Zoning Text Amendment to allow freestanding signs with a maximum height of 25 feet and an area of 150 square feet on properties adjacent to interstate highways.

GENERAL INFORMATION

Applicant: Rihm Kenworth of Lake Elmo, 11530 Hudson Boulevard, Lake Elmo, MN 55042
Property Owners: EN Properties LLC, 11530 Hudson Boulevard, Lake Elmo, MN 55042
Location: N/A – Request would allow for pylon and freestanding signs with a maximum height of 25 feet and 250 square feet of surface area for commercial properties abutting Interstate 94.
Request: Rihm Kenworth of Lake Elmo is requesting to amend the City's Zoning Code to allow pylon and freestanding signs with a maximum height of 25 feet and 250 square feet of surface area in the Business Park (BP), Commercial (C), and Rural Transitional (RT) zoning districts for properties along I-94.
Existing Land Use: N/A
Existing Zoning: N/A
Surrounding Land Use: N/A
Surrounding Zoning: N/A
Comprehensive Plan: N/A

Proposed Zoning: N/A

History: The Planning Commission discussed Freestanding and Pylon signs at the April 13, 2015 Planning Commission meeting and public hearing regarding the Zoning Text Amendment. No members of the public spoke at the public hearing on April 13. The discussion focused design standards and possibly adding a theming element to the I-94 corridor. The clarification was made that the Damon Farber Branding and Theming Study was aimed at public signs, and that the I-94 corridor would host private signs. Currently, the only mandatory element in the sign code is that signs must be constructed of high quality durable materials.

Applicable Regulations: Sign Regulations (§154.212) in Current Zoning Code
Signs: I-94 District (§151.115) in Previous Zoning Code

REQUEST DETAILS

The zoning text amendment was brought forward by Rihm Kenworth, a business located on the I-94 corridor. The zoning text amendment would permit freestanding and pylon signs for properties adjacent to the freeway within the Business Park (BP), Commercial (C), and Rural Transitional (RT) zoning districts.

At the April 13, 2015, Planning Commission meeting, the zoning text amendment was postponed and design standards were requested and discussed.

BACKGROUND

Rihm Kenworth currently operates a business at 11530 Hudson Boulevard. The property is located along Interstate 94 in the southeast corner of the City west of Manning Avenue. They recently started operations on this site and are interested in marketing their business with a sign on I-94. At the April 13 Planning Commission meeting, the company stated that 150 square feet of surface area would be an acceptable amount to market the business along I-94.

The Planning Commission met on April 13th, to consider amending the zoning text to allow freestanding and pylon signs along I-94. Design standards were requested at that time to move forward with the zoning text amendment. Questions and comments at the meeting focused on clarifying the proposed zoning amendment. In summary, the amendment would pertain only to properties abutting I-94. The recommended 150 sq. ft. surface area would be permissible per side, with two sides maximum. The 150 sq. ft. sign area refers to the commercial area of the sign, excluding the pole or supporting structure.

The City has adopted Design Standards. The standards were prepared by Damon Farber and Associates and include signage. The recommendations are as follows:

Goal: Residential signage should be subtle in nature and utilized to promote building identity and to properly direct automobile and pedestrian traffic.

- a. Signs shall be consistent with the architectural style of the building on which they are placed, including scale, lighting levels, color and material.
-

- b. Signs shall be constructed of quality materials.
- c. All signage should be illuminated and clearly visible after dark.
- d. Signs are encouraged to be creative in the use of two and three-dimensional forms, lighting and graphic design, and use of color, patterns, typography, and materials.
- e. Interior vehicle and pedestrian routes should be clearly marked.
- f. All buildings are encouraged to incorporate elements of community theming in appropriate signage, supporting district and city identity.

STAFF REVIEW COMMENTS:

Design Standards for freestanding and pylon signs from numerous cities within the metro were reviewed by staff. The majority of cities within the Metro along and interstate do not have design standards for freestanding and pylon signs. Those that do were reviewed and compiled into a table for review by the Planning Commission, see Attachment 1.

The key cities that address design standards are Belle Plaine, Brooklyn Center, Forest Lake, Roseville, and Woodbury. Belle Plaine requires a landscaped area surrounding the sign, as well as a pole cover or pylon cover for pylon signs. They specifically discourage pylon signs.

Brooklyn Center specifies that freestanding signs that exceed 16 feet in area shall not impede vision between a height of 2 ½ and 7 ½ feet above the centerline grade of the street. This means that freestanding signs cannot have a large and wide pole that obstructs vision.

Roseville requires freestanding signs to include materials that complement the architectural design/existing building materials, including but not limited to face brick, natural or cut stone, integrally colored concrete masonry units/rock faced block, glass, pre-finished metal stucco, and factory finished metal panels. Roseville also specifies that freestanding signs cannot be closer than 5 feet to a property line.

Woodbury is the only city found that includes an aspect ratio, or addresses the width of the sign compared to the base of the sign. Woodbury stipulates that “freestanding signs shall be attached to a base which is at least 75 percent of the width of the sign but shall not exceed the width of the sign by more than 20 percent.”

Specific design standards, such as renderings or images, for pylon and freestanding signs were not found for any city in the Metro area. The majority of cities addressed design standards in their code by requiring “quality materials,” or “similar materials and architecture to that of the primary structure.”

RECOMMENDATION:

Staff is recommending that the Planning Commission recommend approval of the requested zoning text amendment to allow pylon and freestanding signs with a maximum height of 25 feet and 150 square feet for commercial properties abutting Interstate 94. The recommended motion is as follows:

“Move to recommend approval of the request amend the Sign Ordinance to allow pylon and freestanding signs for commercial properties adjacent to interstate highways. These sign should not exceed 25 feet in height and 150 square feet in area.”

ATTACHMENTS:

1. Staff Research of Metro Sign Design Standards

ORDER OF BUSINESS:

- IntroductionCommunity Development Director
- Report by Staff City Planner
- Questions from the Commission Chair & Commission Members
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

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



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

LAND USE APPLICATION

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

Applicant: Rihm Kenworth of Lake Elmo
Address: 11530 Hudson Boulevard Lake Elmo, MN 55042
Phone #: 612.860.1612
Email Address: dan.dunn@rihmkenworth.com

Fee Owner: Rihm Kenworth of Lake Elmo
Address: 11530 Hudson Boulevard Lake Elmo, MN 55042
Phone #: 612.860.1612
Email Address: dan.dunn@rihmkenworth.com

Property Location (Address and Complete (long) Legal Description): See attached.

Detailed Reason for Request: Identification of our building & location from the
Interstate 94 corridor for our customers and associates is
critical to the successful operation of our business.

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

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

Signature of applicant: [Signature] Date: 20 Feb 2015
Signature of fee owner: [Signature] Date: 20 Feb 2015

Property Description:

All that part of the Southeast Quarter of Section 36, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 00 degrees 54 minutes 36 seconds West, assumed bearing, along the west line of said Southeast Quarter a distance of 418.40 feet; thence North 89 degrees 04 minutes 57 seconds East, a distance of 67.00 feet to the point of beginning; thence continuing North 89 degrees 04 minutes 57 seconds East, a distance of 472.00 feet; thence South 00 degrees 54 minutes 36 seconds East, a distance of 259.00 feet; thence South 89 degrees 04 minutes 57 seconds West, a distance of 222.00 feet thence North 00 degrees 54 minutes 36 seconds West, a distance of 44.00 feet; thence South 89 degrees 05 minutes 24 seconds West, a distance of 34.00 feet; thence South 00 degrees 54 minutes 36 seconds East, a distance of 94.00 feet; thence South 89 degrees 04 minutes 57 seconds West, a distance of 36.01 feet; thence North 00 degrees 54 minutes 36 seconds West, a distance of 34.00 feet; thence south 89 degrees 04 minutes 57 seconds West, a distance of 94.99 feet; thence North 00 degrees 54 minutes 36 seconds West, a distance of 97.00 feet; thence South 89 degrees 05 minutes 24 seconds West, a distance of 85.00 feet; thence North 00 degrees 54 minutes 36 seconds West, a distance of 177.99 feet to the point of the beginning.

Containing 5 acres, more or less.



RIHM KENWORTH

23 March 2015

Lake Elmo Planning Commission and City Council
3800 Laverne Avenue N.
Lake Elmo, MN 55042

Re: Zoning Text Amendment Request.

Ladies and Gentlemen of the Planning Commission and Council,

We are a new business in the Lake Elmo community located at 11530 Hudson Boulevard. Identification of our building and location for our customers and associates from the Interstate 94 corridor is critical to the successful operation of our business.

The current provisions of the Lake Elmo Zoning Text for Directory signs of 10' in height and 50 sq/ft surface area does not allow for that. Additionally, pylon signs are not currently permitted according to the City's signage provisions. Our branch locations in the cities of Albert Lea and Sauk Centre, MN., which also have Interstate frontage, have such provisions in their local zoning codes. Our signs in those communities are effective in communicating our whereabouts.

We recommend a change in the Zoning Text to allow for pylon and free standing signs with a maximum height of 25' and 250 sq/ft surface area per side, two sides total. We further suggest that pylon or freestanding signs be allowed for properties that abut Interstate 94 based on the elevation of the Interstate, and the 65 mph travel speeds on the Interstate highway along this frontage.

We respectfully submit two articles of expert testimony to support that request. One is the document Sign Legibility Rules Of Thumb published by the United States Sign Council, and the other a Letter Visibility Chart produced by the California Institute of Technology. Also tendered with this request are sign codes from the Cities of Oakdale and Woodbury, MN., which outline provisions in sign height of 25' and 20' respectively.

This proposed change to the Zoning Text would benefit not only our needs, but other commercial endeavors in this corridor of Lake Elmo, both existing and in the future.

Sincerely,

Dan Dunn

Director of Dealership Infrastructure and IT

LETTER VISIBILITY CHART

LETTER HEIGHT	MAXIMUM READABLE DISTANCE	READABLE DISTANCE FOR MAXIMUM IMPACT
3"	100'	30'
4"	150'	40'
6"	200'	60'
8"	350'	80'
9"	400'	90'
10"	450'	100'
12"	525'	120'
15"	630'	150'
18"	750'	180'
24"	1000'	240'
30"	1250'	300'
36"	1500'	360'
42"	1750'	420'
48"	2000'	480'
54"	2250'	540'
60"	2500'	600'

NOTE: The following distances will vary approximately 10% with various color combinations. Maximum distance in color would be RED or BLACK on a white background.

Prepared by the California Institute of Technology

Serving the Upper Midwest!



Sign Legibility Rules Of Thumb

UNITED
STATES
SIGN
COUNCIL

© 2006 United States Sign Council

SIGN LEGIBILITY

By Andrew Bertucci, United States Sign Council

Since 1996, the United States Sign Council (USSC) and its research arm, the United States Sign Council Foundation (USSCF) have funded an extensive array of studies into the legibility of on-premise signs and the manner in which motorists react to these signs in various roadside environments. Because of these ground breaking studies, it is now possible to determine, with a degree of certainty, the size of letters as well as the size of signs necessary to ensure motorist legibility. Most of this work has been synthesized in the current USSC publication entitled ***USSC Best Practices Standards for On-Premise Signs***, which details methods for ascertaining sign size, legibility, and height for on-premise signs that are directly in view of a motorist approaching the sign. In addition, a study completed in 2006 and entitled ***On-Premise Signs, Determination of Parallel Sign Legibility and Letter Heights*** now provides similar methods for ascertaining legibility factors for signs not directly in view, such as wall mount building signs usually parallel to a motorist's viewpoint.

The USSC Best Practices Standards and the parallel sign study offer relatively detailed analysis of the legibility factors involved with on-premise signs, and certainly should be utilized whenever such analysis is warranted. A number of equally useful generalizations, or time-saving rules-of-thumb based on the studies, however, can be applied to arrive at results which reflect legibility values which can be used as a general average applicable to most conditions. These are detailed below.



On Premise Sign Legibility Simplified Rules Of Thumb

How Motorists React To Signs In The Roadside Environment

Detecting and reading a roadside on-premise sign by a motorist involves a complex series of sequentially occurring events, both mental and physical. They include message detection and processing, intervals of eye and/or head movement alternating between the sign and the road environment, and finally, active maneuvering of the vehicle (such as lane changes, deceleration, and turning into a destination) as required in response to the stimulus provided by the sign.

Complicating this process is the dynamic of the viewing task, itself, involving the detection of a sign through the relatively constricted view provided by the windshield of a rapidly moving vehicle, with the distance between the motorist and the sign quickly diminishing. At 40 miles per hour, for example, the rate at which the viewing distance decreases is 58

feet per second, and at 60 miles per hour, it becomes an impressive 88 feet per second. Further complicating the process is the relative position of the sign to the eye of the motorist, whether directly in his/her field of view (perpendicular orientation), or off to the side and turned essentially parallel to the motorist's field of view (parallel orientation).

Research has now been able to quantify the viewing process and set a viewing time frame or viewing window of opportunity for both types of sign orientation. In the case of signs perpendicular to the motorist, this time frame is measured as Viewer Reaction Time (VRT), or the time frame necessary for a motorist traveling at a specific rate of speed to detect, read, and react to a sign within his/her direct field of vision with an appropriate driving maneuver. The driving maneuver itself can entail a number of mental and physical reactions, usually involving signaling, lane changes, acceleration and/or deceleration, and finally, a turn into the site of the sign.

In the case of signs parallel to the motorist's view, detecting and reading a sign is generally restricted to quick sideways glances as the sign is approached and the angle of view becomes more constricted. Because of this, the VRT involving these signs is, at best, necessarily compromised. Compensation for this reduction in the time frame involved in detecting and reading parallel signs is made through increases in letter height and size designed to facilitate rapid glance legibility. It must be understood however, that the parallel orientation will always present legibility problems, and in many cases, even if the sign is detected and read, sufficient time for a motorist to complete a driving maneuver in response to the sign may not be available.

Perpendicular Signs

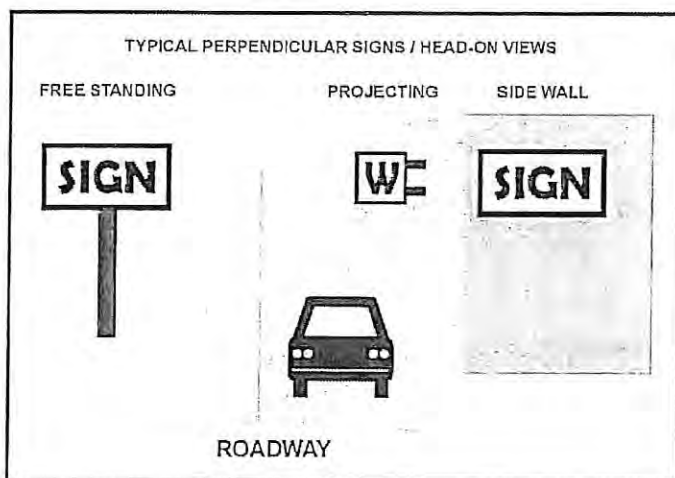


Figure 1. Perpendicular Sign Types

Perpendicular signs include most free standing signs, projecting signs, and, in some cases, flat wall signs placed on building walls that directly face on-coming traffic. (see figure 1). These signs are generally placed close to property lines and fall into the motorist's so-called "cone of vision", which is a view down the road encompassing ten degrees to the right or left of the eye, or twenty degrees total view angle. Signs falling within this cone can usually be viewed comfortably without excessive eye or head movement, and generally can be kept in the motorist's line-of-sight from the time they are first detected until they are passed. (see figure 2, cone of vision).

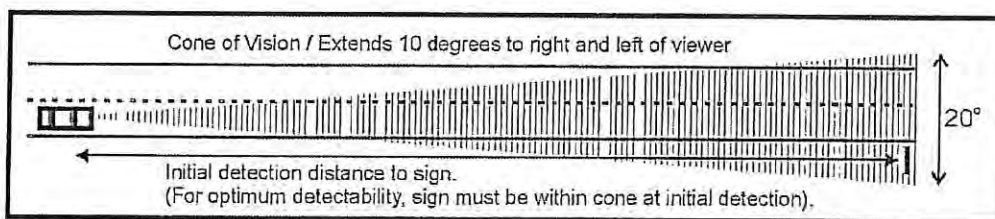


Figure 2. Cone of Vision

Because of this relatively constant view window, perpendicular signs can be designed and sized to provide for viewing time sufficient to allow for adequate detection, reading, and driving maneuvers. The key to providing adequate viewing time is an understanding of Viewer Reaction Time and Viewer Reaction Distance, and how these factors can be computed to provide for adequate letter heights and sign sizes under varied traffic conditions and vehicle speeds.

Viewer Reaction Time / Viewer Reaction Distance

Viewer Reaction Time is simply the time necessary for a motorist to detect, read, and react to the message displayed on an approaching on-premise sign that lies within his or her cone of vision. The USSC Guideline Standards offer precise mathematical procedures for calculating VRT for specific signs with specific copy located in varied locations of increasing traffic complexity and speed.

As a rule-of-thumb for average usage with signs displaying six words of copy (or 30 letters) or less however, VRT for vehicles traveling under 35 miles per hour in simple two to three lane environments can be estimated at eight (8) seconds; for vehicles traveling over 35 miles per hour in more complex four to five lane environments, at ten (10) seconds; and for vehicles traveling over 35 mph in high speed multi-lane environments at eleven to twelve (11-12) seconds.

These values include a maneuvering time of 4 seconds in the simple environment, 5 seconds in the complex environment, and 6 seconds in the high speed multi-lane environment. Although most roadside on-premise sign installations require a motorist to make the driving maneuver before the sign is passed and thus require the full VRT value, occasionally the maneuver can safely be made after the sign location has been passed. Where this is the case, the driving maneuver time of either 4, 5, or 6 seconds should not be included in computing Viewer Reaction Time.

Once VRT is ascertained, Viewer Reaction Distance for a given sign location, or the distance in feet which a vehicle travels during the VRT interval, can be calculated. It is necessary to know this distance because it determines the size of the letters and the size of the sign necessary for legibility to take place over that distance. It represents, in lineal feet, the distance between the motorist and the sign from the moment he or she has first detected it, and it rapidly diminishes as the motorist closes the distance at speed.

It is calculated by first converting travel speed in miles per hour (MPH) to feet per second (FPS) by using the multiplier 1.47, and then multiplying the feet per second by the Viewer Reaction Time. For example, a vehicle traveling at sixty miles per hour covers eighty-eight feet per second ($60 \times 1.47 = 88$). Eighty-eight feet per second times a Viewer Reaction Time of ten seconds equals eight hundred eighty feet (880) of Viewer Reaction Distance. The computation can be expressed also as this equation:

$$VRD = (MPH) (VRT) 1.47$$

Determining Letter Height and Sign Size

The overall legibility of a sign is essentially determined by the height, color, and font characteristics of the letters making up its message component. To this end, the USSC has, through extensive research, developed standard legibility indices for typical letter types and color combinations (see table 1, USSC Standard Legibility Index).

The Legibility Index (LI) is a numerical value representing the distance in feet at which a sign may be read for every inch of capital letter height. For example, a sign with a Legibility Index of 30 means that it should be legible at 30 feet with one inch capital letters, or legible at 300 feet with ten inch capital letters. The USSC Standard Legibility Index also reflects the 15 percent increase in letter height required when all upper case letters (all caps) are used instead of more legible upper and lower case letters with initial caps.

Table 1. The USSC Standard Legibility Index

ILLUMINATION	LETTER STYLE	LETTER COLOR	Background COLOR	LEGIBILITY INDEX	
				Upper & Lower Case	ALL CAPS
External	Helvetica	Black	White	29	25
External	Helvetica	Yellow	Green	26	22
External	Helvetica	White	Black	26	22
External	Clarendon	Black	White	28	24
External	Clarendon	Yellow	Green	31	26
External	Clarendon	White	Black	24	20
Internal Translucent	Helvetica	Black	White	29	25
Internal Translucent	Helvetica	Yellow	Green	37	31
Internal Translucent	Clarendon	Black	White	31	26
Internal Translucent	Clarendon	Yellow	Green	37	31
Internal Opaque	Helvetica	White	Black	34	29
Internal Opaque	Helvetica	Yellow	Green	37	31
Internal Opaque	Clarendon	White	Black	36	30
Internal Opaque	Clarendon	Yellow	Green	37	28
Neon	Helvetica	Red	Black	29	25
Neon	Helvetica	White	Black	38	32

Illumination Variations:

External light source

Internal light source with fully translucent background

Internal light source with translucent letters and opaque background

Exposed neon tube

To use the Legibility Index table to determine letter height for any given viewing distance, select the combination of font style, illumination, letter color, and background color that most closely approximates those features on the sign being evaluated. Then, divide the viewing distance (Viewer Reaction Distance) in feet by the appropriate Legibility Index value. The

result is the letter height in inches for the initial capital letter in upper and lower case configurations, or for every letter in an all caps configuration. For example, if the Viewer Reaction Distance is 600 feet, and the Legibility Index is 30, the capital letter height would be 20 inches ($600' / 30 = 20''$).

VRD (in feet) / LI = Letter Height (in inches)

The Legibility Index rule-of-thumb...30

In addition to the use of the Legibility Index chart, a simpler, rule-of-thumb Legibility Index of 30 is frequently used as an average to address most legibility requirements. Although generally acceptable, it should be understood that this is an average only, and it may fall short of meeting the legibility needs of any specific sign or environment. The USSC On-Premise Sign Standards provides a much more precise means of establishing this requirement, particularly for complex environments, and should be used whenever such precision is warranted.

Sign Copy Area and Negative Space – Computing Sign Size

The computation of overall sign size is of vital concern to anyone involved in designing or building on-premise signs, since it relates directly to both sign cost as well as to adherence to local building and zoning ordinances. It is for this reason that USSC has devoted so much research resources into developing methods for computing adequate sign sizes for varied environments, and into providing the industry with the means to compute the size of signs necessary to adequately transmit communicative messages to motorists traveling at different rates of speed. The use of the Legibility Index is the vital first step in this process, but there is frequently more involved than just letter height, especially in perpendicular signs involving the use of background panels. Clearly, in these instances, an understanding of how sign copy area and negative space interact to bring about optimum viewer legibility is critical.

In instances in which only letters comprise the total sign, such as channel letters on building walls, however, the computation of total sign size in square feet is relatively simple. In the case of these types of individual letter signs, overall size is frequently considered as the product of the height of the letters times the length of the line of letters. For example, if capital letter height is two feet, and the line of letters measures thirty feet horizontally, sign size would be calculated at sixty square feet ($2 \times 30 = 60$). There is an important exception to this mode of calculation in which only the space actually taken up by the letters themselves in square feet, and not the space between letters, is considered. In these cases, overall size becomes simply the sum of all the individual letter areas, and is generally a fairer method of computation when the letters and or/symbols

are spread out over a large area of building wall. In any event, for individual letter signs, it is essentially the height of the letters which is the prime determinant of overall sign size, and as we observed above, this can be calculated with some precision through use of the Legibility Index.

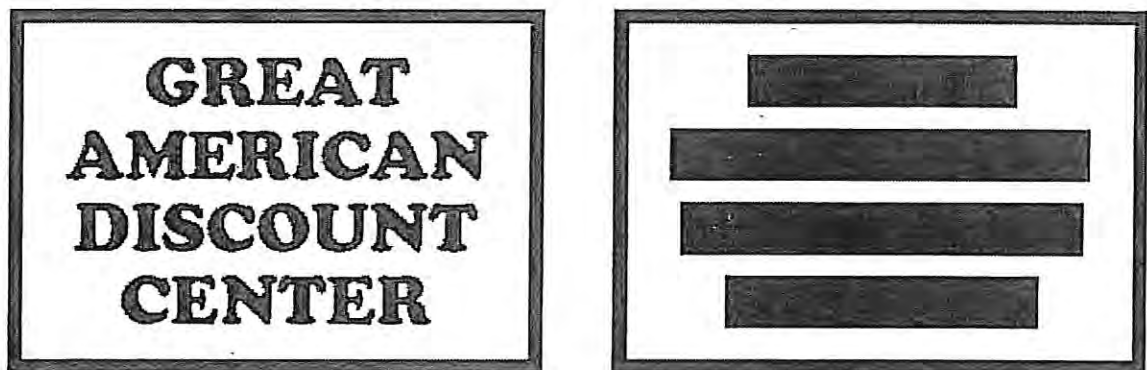
In this context, there is also another useful rule of thumb which can be used to give a working approximation of how much horizontal length a given number of letters would require once the letter height is established by simply multiplying capital letter height by the number of letters. For average fonts, this rule of thumb takes into account the space between letters in a line (usually $\frac{1}{3}$ the width of an individual letter and referenced as letterspace) and can give a surprisingly close determination of the actual length of the line of letters.

In the case of signs utilizing background areas, however, computation of the amount of space occupied by the lettering, also called copy area, is only the first step in computing overall sign size. Of equal importance in signs of this type is the amount of negative space surrounding the letters or copy area. It is this negative space which provides the background for the letters, makes legibility possible, and which must be accounted for in any computation to determine overall sign size.

Copy Area

The copy area of a sign is that portion of the sign face encompassing the lettering and the space between the letters (letterspace), as well as any symbols, illustrations, or other graphic elements. It is a critical component of effective sign design because it establishes the relationship between the message and the negative space necessary to provide the sign with reasonable legibility over distance.

Figure 3. Copy Area

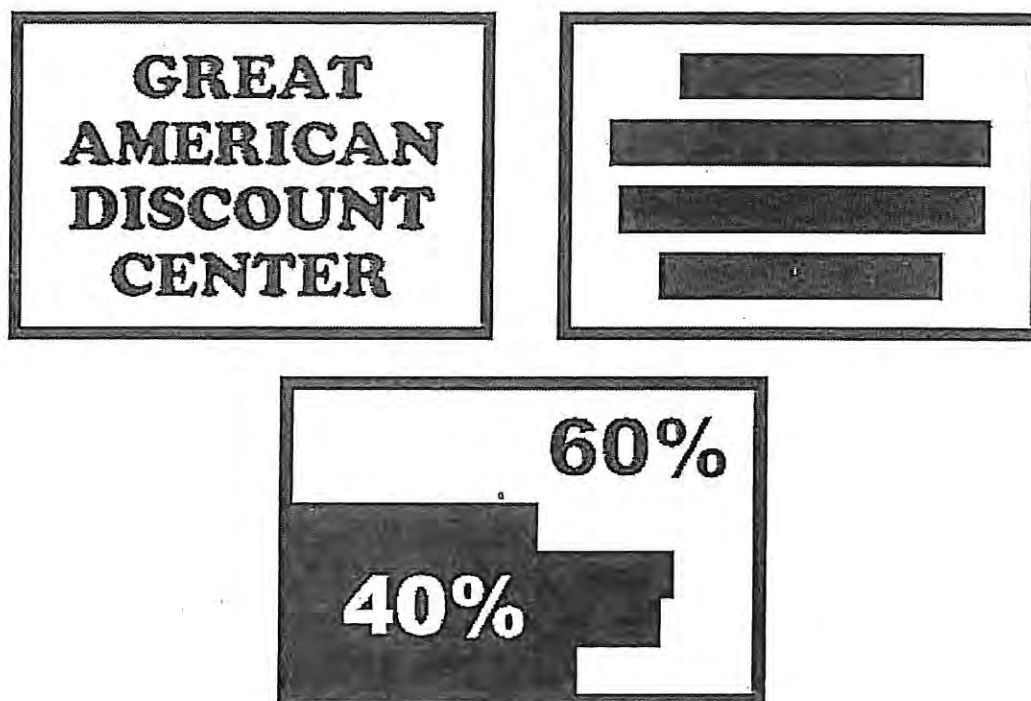


The illustration on the left depicts a typical on-premise sign face; while the one on the right, with black rectangles covering the copy area, affords a visual of the message layout

Negative Space

Negative space is the open space surrounding the copy area of a sign. It is essential to legibility, particularly in signs in which the copy is displayed within a background panel. Negative space ideally should not be less than 60 percent of the sign or background area. This requirement for a 40/60 relationship between the copy area and negative space is the minimum USSC standard. It is intended only to establish a measurable baseline for the negative space component of a sign, such that a reasonable expectation of legibility will exist.

Figure 4. Relationship Between Copy Area And Negative Space



The bottom sign panel illustrates how the aggregate copy area comprises 40 percent of the total sign panel area, with the remaining 60 percent forming the negative space area.

DETERMINING SIGN SIZE – Calculation Methodology

The size of a sign is determined by the size and length of the message and the time required to read and understand it. It can be calculated once the numerical values of the five size determinants –Viewer Reaction Time, Viewer Reaction Distance, Letter Height, Copy Area, and Negative Space – have been established.

The step-by-step process to determine sign size, which is explained below, is useful not only as a calculation method, but also as a means of understanding the elements involved in the calculation.

Area of Sign / Computation Process:

1. Determine speed of travel (MPH) in feet per second (FPS): $(\text{MPH} \times 1.47)$.
2. Determine Viewer Reaction Time (VRT).
3. Determine Viewer Reaction Distance $(\text{VRT} \times \text{FPS})$.
4. Determine Letter Height in inches by reference to the Legibility Index (LI): (VRD/LI) .
5. Determine Single Letter Area in square inches (square the letter height to obtain area occupied by single letter and its adjoining letterspace).
6. Determine Single Letter Area in square feet: $\text{Single Letter Area in square inches}/144$.
7. Determine Copy Area (Single Letter Area in square feet \times total number of letters plus area of any symbols in square feet).
8. Determine Negative Space Area at 60% of Sign Area $(\text{Copy Area} \times 1.5)$.
9. Add Copy Area to Negative Space Area.
10. Result is Area of Sign in square feet.

Computation Process / Calculation Example

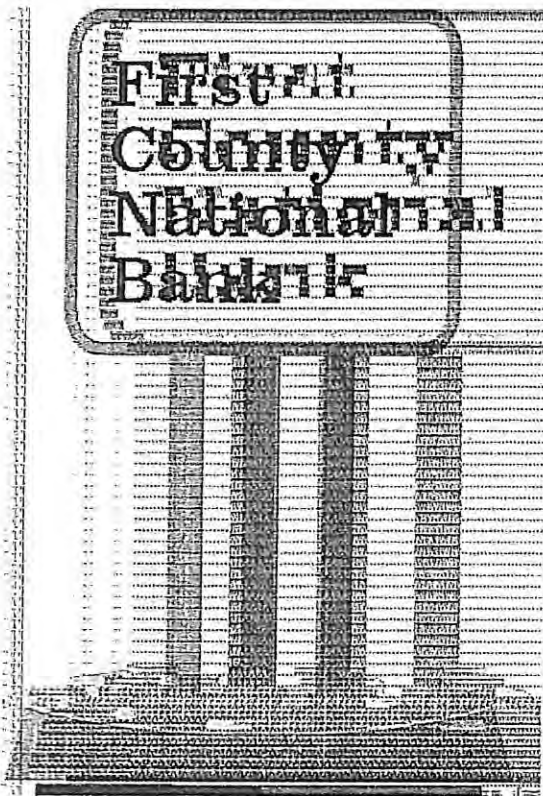


Figure 5. Calculation Example Sign

Location: Complex Driving Environment

Posted Traffic Speed of 40 MPH

Sign Background: White

Sign Copy: 23 Letters, Upper & Lower Case

Clarendon Style, Black

Internally Illuminated, Translucent Face

1. Determine speed of travel in feet per second; $40 \text{ MPH} \times 1.47 = 59 \text{ FPS}$
2. Determine Viewer Reaction Time – Complex Environment
 - Detection and Message Scan..... 5 seconds
 - Maneuver..... 5 seconds
 - Total Viewer Reaction Time = 10 seconds VRT
3. Determine Viewer Reaction Distance; $59 \text{ (FPS)} \times 10 \text{ (VRT)} = 590 \text{ feet}$
4. Determine Letter Height in inches - Refer to Legibility Index, Table 1
 - Black Clarendon letters on White background = Index of 31
 - $590 \text{ (VRD)} / 31 \text{ (LI)} = 19 \text{ inch letter height}$
5. Determine Single Letter Area in square inches
 - $19 \times 19 = 361 \text{ square inches, single letter area}$
6. Determine Single Letter Area in square feet
 - $361 / 144 = 2.5 \text{ square feet, single letter area}$
7. Determine Copy Area; single letter area (sq. ft.) x number of letters
 - $2.5 \times 23 = 57.5 \text{ square feet, copy area}$
8. Determine Negative Space @ 60% of sign area
 - $57.5 \times 1.5 = 86.25 \text{ square feet, negative space}$
9. Add Copy Area to Negative Space
 - $57.5 + 86.25 = 143.75 \text{ square feet}$
10. Result is Area of Sign, 144 square feet

Area of Sign – Equation / Specific Usage

In addition to the computation method above, the USSC has developed an algebraic equation to determine the Area (A_{sign}) for signs containing letters only, which will provide the same result but will simplify the process. The equation allows for insertion of all of the size determinants, except for Negative Space, which is fixed at the standard 40/60 ratios. (Note: If numbers are rounded off in the computation process, a very slight difference in result may occur between the computation process and the equation).

$$A_{\text{sign}} = \frac{3n}{80} \left[\frac{(\text{VRT})(\text{MPH})}{\text{LI}} \right]^2$$

Fixed Value:

40/60 ratio, letters/negative space

Variable Values:

Number of Letters (n)

Viewer Reaction Time (VRT)

Miles Per Hour (MPH)

Legibility Index (LI)

Here's how to work the equation:

Start with the first portion of the equation which is three times the number of letters divided by 80. Three times 23 letters is 69; when divided by 80 the result is .8625. Keep this number ready for later use. Compute the second part of the equation in brackets by multiplying VRT (Viewer Reaction Time), which is 10 by the MPH (miles per hour), which is 40. The multiplication product is 400. Divide 400 by the LI (Legibility Index), which is 31, and the result is 12.90. Square the 12.90 by multiplying it by itself (12.90 x 12.90) for a product of 166. Finally, multiply the 166 by the .8625 obtained from the first part of the equation, and the resulting square footage is 143.

Area of Sign – Equation / Broad Usage

To allow for a broader scientific evaluation of sign size and satisfy the minimal legibility requirements across a full range of reaction times and speed zones, USSC has also developed a second more simplified equation shown below. This formula fixes the average sign size determinants, leaving only Viewer Reaction Time (VRT) and the speed of travel (MPH) as the sole variables. It can be used effectively as a broad rule-of-thumb to ascertain the general size of signs necessary to adequately and safely convey roadside information to motorists traveling at a given rate of speed as well as to establish size parameters for signs across an entire community and/or road system. Table 2 below provides a handy look-up reference of the use of the equation.

$$A_{\text{sign}} = \frac{[(\text{VRT})(\text{MPH})]^2}{800}$$

Fixed Values:

30 Letters

Legibility Index (LI) of 30

40/60 ratio, letters/negative space

Variable Values:

Viewer Reaction Time (VRT)

Miles Per Hour (MPH)

Here's how to work the equation,
assuming Viewer Reaction Time of 10 seconds and speed at 50 miles per hour:

Compute the values in the brackets by multiplying the VRT (Viewer Reaction Time) of 10 seconds by the MPH (miles per Hour), which is 50. The multiplication product is 500. Square the 500 by multiplying it by itself (500 x 500) for a product of 250,000. Divide 250,000 by 800 for the resulting square footage of 312.

Table 2. Freestanding Sign Sizes

Freestanding Sign Size in Square Feet

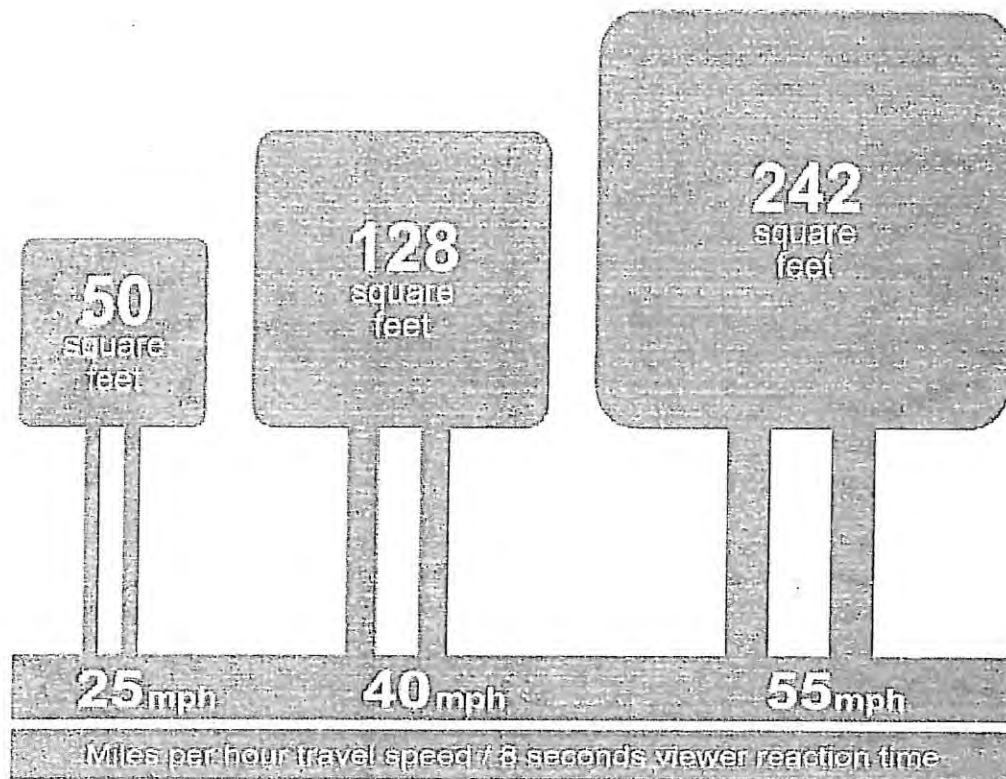
$$\text{Sign Size (Square Feet)} = [(VRT)(MPH)]^2 / 800$$

VRT = Viewer Reaction Time MPH = Miles Per Hour

VRT varies with roadside complexity:

simple or 2 lane = 8 seconds / complex or 4 lane = 10 seconds / multi lane = 11 seconds

MPH	Road Complexity	VRT	Sign Size
25	simple / 2 lane	8	50
25	complex / 4 lane	10	78
30	simple / 2 lane	8	72
30	complex / 4 lane	10	112
35	simple / 2 lane	8	98
35	complex / 4 lane	10	153
40	simple / 2 lane	8	128
40	complex / 4 lane	10	200
45	simple / 2 lane	8	162
45	complex / 4 lane	10	253
50	simple / 2 lane	8	200
50	complex / 4 lane	10	312
55	complex / 4 lane	10	378
60	complex / 4 lane	10	450
65	multi lane	11	639
70	multi lane	11	741
75	multi lane	11	850



Average sign size related to speed of travel and reaction time

Illustration from *Street Graphics and the Law*,
American Planning Association, 2004

Parallel Signs

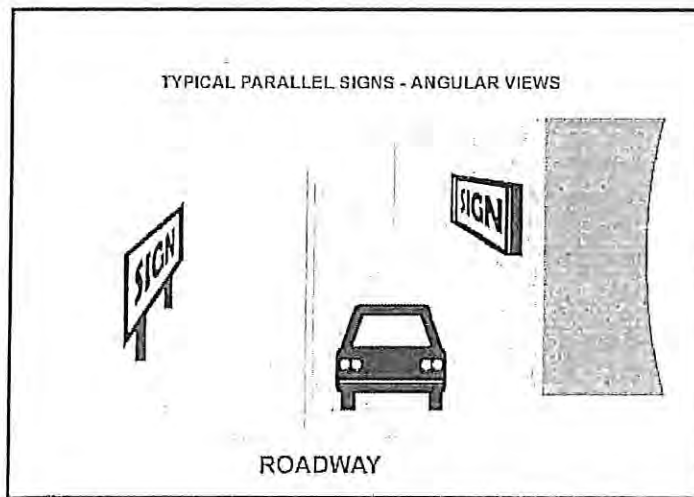


Figure 6. Parallel Sign Types

Everyday experience teaches us that parallel signs are more difficult to read than perpendicular signs simply because their orientation to the eye of any observer is at an acute angle. Now USSC research has corroborated this subjective impression with scientific evidence, and has made it possible to construct a mathematical model and attendant equations to account for the size increases necessary to allow parallel oriented signs to achieve at least some measure of the legibility quotient of perpendicular signs in a motorist oriented environment.

Parallel signs are harder to read because their orientation, or tilt, with respect to the driver makes it impossible to see the sign face at certain distances and offsets. When the driver can see the sign face, the content is often foreshortened and distorted. The driver must get close to the sign in order to increase the viewing angle to the point where the sign becomes legible. However, as drivers approach the sign, the time they have to read it gets shorter, while the sign moves further into their peripheral vision.

This condition places parallel signs at a threefold disadvantage relative to perpendicular signs. First, they are inherently more difficult to read because of the foreshortening of the message content caused by the angle of view. Second, because they become legible only after the angle of view exceeds 30 degrees, the time frame during which legibility can take place is compressed, and third, because they are usually placed back from the roadside well outside a driver's cone of vision, they are viewed by drivers only during short sideway glance durations, usually measured in fractions of seconds.

In many cases, their orientation causes not only severely compromised legibility compared to perpendicular signs, but results in the sign not being seen at all. In the USSC study, *Real World On-Premise Sign Visibility*, in which people were asked to drive through typical suburban shopping areas and locate specific signs, perpendicular signs were almost never missed while the subjects drove past 30 percent of the parallel signs, even though the parallel signs were two and three times larger than the perpendicular signs and the drivers were actively looking for them.

Parallel signs, therefore, must be read using a series of very quick glances at large visual angles during small windows of opportunity. Because of this, letter heights developed for perpendicular signs, where drivers have more time and can take longer straight ahead glances, cannot provide for adequate parallel sign legibility.

As we have noted in the case of perpendicular signs, the minimum distance at which a sign must become legible is a function of the time it takes to read the sign and the decisions and maneuvers required to comply with the sign. This is the Viewer Reaction time (VRT), which when combined with the speed of travel, becomes the Viewer Reaction Distance (VRD). Given the VRD, a perpendicular sign's letter height can be calculated using the Legibility Index.

The legibility of parallel signs, however, depends not on a driver's line of sight to a sign down the road, but rather when the sign becomes visible to the driver at a sight angle sufficient to allow at least some glance legibility to take place. A significant amount of research has now determined that this angle should be no less than 30 degrees to the driver's line of sight, and it is the visual restriction imposed by this angle, along with the number of lanes of travel, and the sign's offset from the curb, which determines the Maximum Available Legibility Distance, (or MALD) for a given parallel sign.

While traversing this distance, however, a driver cannot be expected to register much more than a few quick glances at the sign without adversely affecting his/her view of the road. Thus it is essential to optimize reading speed for parallel signs in order to minimize the duration and frequency of glances that drivers must make to read the sign. Research has shown that reading speed increases to its maximum as letters are enlarged by a factor of three, and then tends to level off; and to ensure adequate letter height for parallel signs, a multiplier of three is used in the mathematical model to determine the letter heights and the legibility index for parallel signs.

Using this multiplier of three as a benchmark or rule of thumb, the Legibility Index for parallel signs falls to 10, instead of the Legibility Index of 30 we have shown as a rule of thumb for perpendicular signs. Thus a

parallel sign with a MALD of 500 feet, for example, would require a capital letter size of 50" ($500/10=50$). Conversely, a perpendicular sign at the same location, but directly viewable 500 feet down the road, would require a capital letter size of 17" ($500/30=17$)

Equations and Lookup Table

The following equations can be used to determine appropriate letter heights for parallel mounted signs given the number of lanes of travel and the lateral offset of the sign from the curb. Equation #1 uses an average LI of 10, while Equation #2 allows users to input the LI that most closely matches their sign conditions from the USSC Legibility Index table (Table 1) and applies the three times threshold constant to that LI. A parallel sign letter height lookup table is also provided for typical roadway cross-sections and lateral sign offsets (Table 3).

*When using the equations or the lookup table
always use the maximum number of lanes on the
primary target road.*

Parallel Letter Height Model Equations

Equation #1: $LH = (LN \times 10 + LO) / 5$

Equation #2: $LH = (LN \times 10 + LO) / (LI / 6)$

where:

LH is letter height in inches.

LN is the number of lanes of traffic.

LO is the lateral offset from curb in feet.

LI is the legibility index from Table 1

Examples of how to work the equations

2-Lane Roadway
Lateral offset is 37 feet from the curb.
User does not know the letter style.

Equation #1: $LH = (LN \times 10 + LO) / 5$

$$LH = (2 \times 10 + 37) / 5$$

$$LH = 57 / 5$$

$$LH = 11.4 \text{ inches}$$

Same scenario, but user knows the sign is: Externally Illuminated,
Helvetica, all Caps, Light Letters on Dark Background
(USSC LI = 22 ft/in)

Equation #2: $LH = (LN \times 10 + LO) / (LI / 6)$

$$LH = (2 \times 10 + 37) / (22 / 6)$$

$$LH = 57 / 3.67$$

$$LH = 15.5 \text{ inches}$$

Table 3. Parallel sign letter height lookup table.

Offset from Curb (ft)	Letter Height in Inches				
	Number of Lanes				
	1	2	3	4	5
10	4	6	8	10	12
20	6	8	10	12	14
40	10	12	14	16	18
60	14	16	18	20	22
80	18	20	22	24	26
100	22	24	26	28	30
125	27	29	31	33	35
150	32	34	36	38	40
175	37	39	41	43	45
200	42	44	46	48	50
225	47	49	51	53	55
250	52	54	56	58	60
275	57	59	61	63	65
300	62	64	66	68	70
325	67	69	71	73	75
350	72	74	76	78	80
375	77	79	81	83	85
400	82	84	86	88	90

Sec. 18.5-56. - Freestanding signs.

(a) *Number.* Each building may have one freestanding sign per street frontage.

(b) *Area.*

- (1) A building site having one street frontage may have one freestanding sign not to exceed 80 square feet.
- (2) Building sites with two or more frontages may have one freestanding sign not to exceed 80 square feet and other freestanding signs not to exceed 40 square feet.
- (3) Building sites adjacent to the freeway may have one freestanding sign on the freeway frontage not to exceed 150 square feet and one freestanding sign on a second frontage not to exceed 80 square feet and other signs not to exceed 40 square feet.

(c) *Location.*

- (1) All portions of the sign shall be at least 15 feet from property lines.
- (2) Freeway signs must be not more than 100 feet from the freeway property lines.
- (3) No freestanding sign over three feet high shall be erected or maintained within the clear vision triangle.
- (4) Freestanding signs shall not be erected or maintained any closer than three feet to any building.

(d) *Height.* The maximum height for freestanding signs shall be 20 feet except freeway signs may be 30 feet.

(e) *Design.* Freestanding signs shall be attached to a base which is at least 75 percent of the width of the sign but shall not exceed the width of the sign by more than 20 percent. The base shall be constructed of class I materials that match those used on the building for which the sign is installed. If no class I materials are used on the building, class I or II materials shall be used.

(Ord. No. 1641, § 1641.02, 1-10-96; Ord. No. 1764, § 1764.01, 8-24-2005; Ord. No. 1816, § 1816.01, 3-11-2009)

ARTICLE 19. SIGNS

Sec. 25-181 Purpose and Intent.

The purpose of this Ordinance is to protect and promote the general welfare, health, safety and order within the City of Oakdale through the standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public rights-of-way or properties.

The provisions of this Ordinance are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Ordinance, while at the same time assuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

Sec. 25-182 Definitions.

- (a) **Accessory Sign:** A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises on which it is located.
- (b) **Accessory Use:** A use which is subordinate to the principal use being made of a parcel of land. Accessory uses are defined in the Zoning Code.
- (c) **Address Sign:** Postal identification numbers only, whether written or in numeric form.
- (d) **Area Identification Sign:** A free-standing sign which identifies the name of a neighborhood, a residential subdivision, a multiple residential complex consisting of three (3) or more structures, a shopping center or area, an industrial area, an office complex consisting of three (3) or more structures or any combination of the above that could be termed an area.
- (e) **Banners and Pennants:** Attention-getting devices which resemble flags and are of a non-permanent paper, cloth or plastic-like consistency.
- (f) **Bench Signs:** A sign which is affixed to a bench or shelter at a bus stop.
- (g) **Billboard:** A large outdoor advertising structure mounted on one or more legs and designed to display posters, composite graphics and electronic (Dynamic Displays) advertisements.
- (h) **Electronic Message Signs:** Displays, devices or portions thereof with lighted messages that change at intermittent intervals by electronic process or remote control. Also known as an automatic changeable copy sign, dynamic display message sign, electronic variable message center, electronic dynamic business sign, or video display sign. Electronic message signs are not identified as flashing or motion signs.
- (i) **Free-Standing Sign:** A sign which is placed in the ground and not affixed to any part of any structure.
- (j) **Illuminated Sign:** Any sign which is illuminated by an artificial light source.
- (k) **Institutional Sign:** Any sign or bulletin board which identifies the name and other characteristics of a public or private institution on the site where the sign is located.

(2) **Commercial District:**

- a) Wall Signs: One wall sign for each street frontage shall be permitted on a building for each business located within such building. The total area of all wall signs affixed to a building wall shall not exceed twenty (20) percent of the total area of that wall. No individual wall sign shall exceed 150 square feet.

A wall sign shall not project more than eighteen (18) inches from the wall to which the sign is to be affixed. Furthermore, wall mounted signs shall not exceed the roofline on any building.

Banners shall be included in the allowance for wall signs. The design and construction of all banners shall be professional looking and not be allowed to become torn or weathered.

- b) Free-Standing Sign: One freestanding sign is permitted for each building for each street frontage.

The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building has two (2) or more street frontages, each permitted freestanding sign in excess of one shall be no greater than one-half the area of the first sign.

No part of a freestanding sign shall be closer than ten (10) feet to the front property line or exceed twenty-five (25) feet in height. The height shall be measured from the base of the sign or grade of the nearest adjacent roadway, whichever is lower.

- c) Bulletin Signs: Bulletin signs may have individual face areas of up to fifty (50) percent of the area of the display surface area of the business' identification or free-standing sign. Bulletin signs which are not wall-mounted must have a minimum elevation of ten (10) feet. Bulletin signs which are not wall-mounted must have a minimum elevation of ten (10) feet.

One portable bulletin sign up to 15 square feet may be displayed only during the merchant's business hours, with a permit. Such signs shall be located within the width of the storefront to which it is related.

- d) Pylon Signs: Retail and service establishments on property abutting an interstate freeway right-of-way may erect one pylon sign not exceeding 150 square feet of display surface area in addition to their one free-standing sign.

The minimum allowance distance of a pylon sign to an interstate right-of-way is fifty (50) feet, with a maximum height of thirty (30) feet.

P/D
add surrounding
VGeo

City	Zone	Freestanding Sign Requirements	Freeway Sign Dimensions	Location	Height
Albert Lea	B-2, I-1, I-2, I-3		250 sf per side, max 2 sides.	Sign must be at least 100 ft from other freestanding signs including billboards.	50 ft.
Bloomington	Class 5 Sign District, Commercial and C/R along I-35W, I-494 and TH-77	1 identification sign allowed per frontage.	Max surface area for ground, pylon or monument is 250 sf. All other frontages 150 sf.	If the sign lights up, it must be 100 ft away from the surrounding residential buildings.	Final Pylon shall not have any part of the sign above 45 ft. the final grade. Signs on the same property have to match their final sign elevations.
Eden Prairie	Commercial		NTE 80 sq. Additional frontages may have sin NTE 36 sf.	Sign can be no closer than 300 ft to any other free-standing sign upon the building site, and 20 ft. from ROW.	Max 20 ft.
Maplewood	Business Commercial along Principal Arterial	1 freestanding sign permitted per frontage, if 2 frontages, signs must be 100 ft. from each other	Max size 180 sf.		Max 25 ft.
New Brighton	Commercial and B-3	1 ground sign is permitted per street frontage.	Max size of freeway ground sign is 170 sf.	Must be 13.5 ft. from ROW.	Max 35 ft.

Oakdale	Commercial	1 pylon sign allowed if retail is abutting freeway.	Pylon NTE 150 sf. Pylon is in addition to the freestanding sign (NTE 80 sf)	Pylon must be at least 50 ft from interstate ROW.	Max height 30 ft.
Richfield	C-2, MU-C I, MU-R	Total of all freestanding signs = 4 sf per ft of lot frontage.	200 sf per surface 250 sf per surface.		Max 27 ft. Max 27 ft.
Roseville	CB, RB, O/BP, CMU	2 on multiple frontage lot	100 sf max on a single loaded sign, 200 ft max on double loaded sign.	15 ft. min from property line	Max 25 ft.
Sauk Centre	General Commerce, Industrial/Commercial	1 freestanding sign, two sides per frontage. Plus one area identification sign per frontage NTE 64 sf.	NTE 250 sf on each side	Cannot be placed within 10 ft of ROW	Up to 45 ft.
Stillwater	BP District (HWY 36)	1 freestanding sign per development site.	NTE 100 sf. For each exposed face nor exceed an aggregate surface area of 200 sf.	15 ft. from ROW	Max 25 ft.
Woodbury	Nonresidential	1 freestanding sign per frontage, 1 st frontage 80 sf sign, 2 nd frontage 40 sf sign	Adjacent to freeway, sign on freeway not to exceed 150 sf, and 2 nd frontage NTE 80 sf. Other freestanding signs NTE 40 sf.	Freeway signs not to be more than 100 ft away from freeway.	Freeway signs can be up to 30 ft high. Other freestanding up to 20 ft high.

2. The scale and suitability of the mural sign shall be appropriate in the context of the surrounding properties;
3. The artist(s) commissioned to complete the mural must provide documentation of demonstrated craftsmanship on similar projects;
4. The applicant shall provide sureties to the city guaranteeing completion of the project within the proposed timeframe;
5. The applicant shall demonstrate that the necessary funds are available for the proposed project; and
6. The applicant must be able to show the final mural will last a minimum of 5 years and be reasonably resistant to vandalism and weather.

(3) Projecting, awning, and canopy signs.

- (a) Projecting signs and awning signs shall be located on street level.
- (b) If lighted, projecting, awning, and canopy signs shall use indirect illumination.
- (c) Awning or canopy signs shall not project higher than the top of the awning or canopy or below the awning or canopy.

(d) Clearance. The bottom of a projecting sign or awning shall be a minimum of 8 feet above the ground surface when projecting over a private or public walkway.

(4) Freestanding signs. Freestanding signs shall not be erected or maintained any closer than 3 feet to any building.

(Q) Separation angle. So as not to create a double exposure or increase sign size limitations, there shall be a maximum separation angle of 45 degrees for signs which are back to back. In all residential districts, double-faced signs shall be parallel.

(R) Signs needing electricity. Signs needing electricity shall be subject to all applicable electrical codes as may be amended. Overhead wiring for such signs is prohibited.

(S) Special sign districts. All general sign regulations shall apply to signs within each of the special sign districts except as specifically noted herein.

(1) Old Village.

(a) Boundary. The boundary of the Old Village Sign District is depicted on the city's official sign district map. Modifications to the district boundary may be completed using the zoning map amendment process.

(b) Illumination. Indirect illumination or reverse lit letters shall be the permitted techniques for lighting all signs within the Old Village Sign District. Other forms of direct illumination are prohibited.

(c) Wall signs.

1. Wall signs in the Old Village Sign District shall not project higher than the parapet line of the wall to which the sign is to be affixed or 15 feet as measured from the base of the building wall to which the sign is affixed, whichever is lower.

2. Wall signs in the Old Village Sign District authorized by a master sign program shall not exceed 20 square feet per business, and all signs shall be visually consistent in location, design, and scale.

(d) Freestanding signs.

1. The area of a freestanding sign in the Old Village Sign District shall not exceed 30 square feet.

2. Freestanding signs in the Old Village Sign District shall not project higher than 6 feet, as measured from the average grade at the base of the sign or grade of the nearest roadway, whichever is lower.

(2) Agricultural Sales District.

(a) Boundary. The Agricultural Sales District shall include all properties zoned agricultural or rural residential.

(b) On-premises sign(s). Independent of the total allowable sign area for an individual property within the agricultural sales district, one or more additional on-premises signs may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:

1. Agricultural sales businesses utilizing less than 10 acres of land specifically for the growing of agricultural crops for the business are allowed 1 on-premises sign not to exceed 32 gross square feet of advertising surface;

2. Agricultural sales businesses utilizing more than 10 acres of land but less than 40 acres of land specifically for the growing of agricultural crops for the business are allowed 1 or 2 on-premises signs not to exceed 48 gross square feet of advertising surface (with no sign surface exceeding 32 square feet in size);

3. Agricultural sales businesses utilizing more than 40 acres of land specifically for the growing of agricultural crops for the business are allowed 1, 2 or 3 on-premises signs not to exceed 64 gross square feet of advertising surface (with no sign surface exceeding 32 square feet in size);

4. Sign(s) shall be in the form of an allowable sign type in the underlying zoning district;

5. No dimension of any sign shall exceed 15 feet exclusive of supporting structures; and

6. Any illuminated sign shall be illuminated only during those hours when business is open to the public for conducting business.

(c) Temporary off-premises sign(s). Independent of the total allowable sign area for an individual property anywhere within the city, a temporary off-premises sign may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions.

1. Maximum number. Every agricultural sales business shall have no more than 2 off-premises signs at any given time to direct the public to the location of the business.

2. Time frame of use. Temporary off-premises signs may be erected for 45-day time periods no more than 4 times in any given calendar year. The required temporary sign permit shall stipulate the range of dates for each of the 4 allowable time periods in any given calendar year.

3. Size and height. An off-site agricultural sales advertising sign shall not exceed 50 square feet in area and shall not be taller than 10 feet in height.

4. Setbacks. Off-premises signs shall be a minimum of 25 feet from all side property lines, and a minimum of 50 feet from other off-premises advertising signs.

5. Permission required. Applicants for off-premises signs shall acquire permission from the property owner upon whose land the sign is to be erected.

(3) I-94 District.

(a) Boundary. The I-94 district shall include parcels within the BP, GB, HB, CB, and LB zoning districts which meet one of the following criteria:

1. The property is a buildable lot located to the south of Hudson Boulevard and to the north of Interstate 94; or

2. The property's southern boarder abuts Hudson Boulevard, and is not directly north, either wholly or partially, of a developable parcel lying between Hudson Boulevard and Interstate 94.

(b) Permits. Signs in the I-94 District may be erected in conformance with sign regulations governing the underlying zoning district without additional approvals. Signs proposed to conform to the special standards established for the I-94 District shall only be authorized through approval of an interim use permit.

(c) Illumination. All forms of illumination which conform to the general illumination standards for all signs shall be the permitted within the I-94 Sign District.

(d) Maximum total square footage of all sign surfaces. The maximum total square footage of all sign surfaces in the I-94 district shall be dictated by the maximum sign sizes for allowable sign types.

(e) Wall signs. The least restrictive of the following may be used to determine the allowable area for wall signs in the I-94 District:

1. The total area of all wall signs on any wall shall not exceed 10% of the area of the wall with a maximum allowable area of 80 square feet; or

2. The total area of all wall signs on any wall shall not exceed 5% of the area of the wall with a maximum allowable area of 300 square feet.

(f) Freestanding signs. In lieu of a freestanding sign meeting underlying zoning requirements, a building site within the I-94 District may have one freestanding sign within 50 feet of the property line nearest the interstate provided the sign does not exceed 150 square feet per side (300 square feet total) or 30 feet in height. The base of such a sign shall be at least 75% of the width of the sign and be constructed of materials that match those used on the building for which the sign is installed.

(g) Window signs. Window signs in the I-94 district shall not cover more than 1/3 of the window area.

(h) Awning, canopy, and projecting signs. One awning, canopy or projecting sign, in conformance with the underlying zoning requirements for height, location, and maximum size may also be erected for each business on a building site in the I-94 District.

(T) Substitution clause. The owner of any sign which is otherwise allowed by this subchapter may substitute non-commercial speech signs in lieu of any other commercial speech sign or other non-commercial speech sign. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial speech over any other noncommercial speech. This provision prevails over any more specific provision to the contrary.

(U) Temporary signs.

(1) Special events. Temporary signs may be allowed upon issuance of a permit for on-site advertising of special events such as openings and closings, change in management, sales events, or other special occasions. No more than 4 temporary sign permits may be issued in any calendar year for a given destination, and each temporary sign permit shall run for 15 days. Temporary signs for special events shall be subject to the following regulations:

- (a) Only 1 on-premises temporary sign shall be allowed per business or event;
- (b) Temporary signs shall be in the form, of an allowable sign type in the underlying zoning district; and
- (c) Temporary signs shall not exceed 32 square feet in area and shall not be taller than 10 feet in height.

(2) Residential development advertising signs. Independent of the total allowable sign area for individual properties or residences within a residential zoning district, one or more additional ground signs may be erected within a newly established unified residential area development subject to the following:

(a) Minimum development size.

1. Projects of less than 25 acres which create 10 or more dwelling units are allowed 1 on-premises ground sign not to exceed 100 square feet of advertising surface;

2. Projects of 26 through 50 acres which create 10 or more dwelling units are allowed 1 or 2 on-premises ground signs not to exceed 200 aggregate square feet of advertising surface on the project site; and

3. Projects over 50 acres which create ten or more dwelling units are allowed 1, 2, or 3 on-premises ground signs not to exceed 200 aggregate square feet of advertising surface on the project site.

(b) Restrictions.

1. No dimension shall exceed 25 feet exclusive of supporting structures.

2. The sign shall not remain once 90% of the lots in the development have been issued building permits.

3. The permit for the sign must be renewed annually by the Council.

4. Only indirect illumination is permitted and shall only occur during those hours when an on-site sales office or model home is open for conducting business.

(3) Temporary off-premises signs. Temporary off-premises signs may be erected if all of the following criteria are met:

(a) The destination to which the off-premises sign is advertising is a property for sale;

(b) An agent must be present at the destination property for sale, and the property must be open for viewing;

(c) The sign must be located on private property, and permission must have been obtained from the private property owner to erect the temporary sign;

(d) The temporary off-premises sign shall not exceed 6 square feet in size; and

(e) The temporary off-premises sign shall not cause the total square feet of signage on a property to exceed the allowed maximum in the underlying zoning district.

(V) Warning signs. Warning signs which do not exceed the minimum statutory requirements for size and number may be posted, and shall not count towards the overall permitted signage on a given property. Increases in either size or number over minimum statutory requirements shall count

City	Construction Standards	Landscape/Spatial Standards	Design Standards	Other
Bloomington			Monument Sign: One square foot may be added for each linear foot over one hundred (100) feet up to a maximum sign surface area of one hundred-fifty (150) square feet.	Pylon Sign: One square foot may be added for each linear foot over one hundred (100) feet up to a maximum sign surface area of one hundred twenty-five (125) square feet.
Belle Plaine	Highway design shall provide architecture, landscape architecture, and urban design guidelines that provide a complementary aesthetic to the Downtown District and embrace the large-scale nature of highway development.	Freestanding signs must be placed in a landscaped area with vegetation a minimum of 4 feet from the sign in each direction.	Pylon signs must have a pole cover or pylon cover. Pole signs are discouraged.	
Brooklyn Center			Freestanding: Unless set back 10 or more feet from the street right of way line, the supporting column(s) of a freestanding sign exceeding 16 feet in area shall not materially impede vision between a height of 2 ½ and 7	

			<p>½ feet above the centerline grade of the street.</p> <p>Freestanding signs located within the sight triangle shall have a minimum vertical clearance of 10 feet above the centerline grade of the intersecting streets.</p>	
Fridley	Determines allowable signage by lot size. Larger lots result in larger signs.			
Forest Lake	Parcels within 500 feet of I-35 shall be allowed 1 additional freestanding monument or pylon sign. Monument sign bases shall be constructed of similar materials, style, and color as that of the principal building.		To reduce clutter, signage shall be distinct and minimal. No “box” style signs shall be permitted. One sign for multiple residents, a sign plan must be submitted and approved.	One freestanding monument is allowed with a surface not to exceed 100 square feet.
Inver Grove Heights	Signs, billboards and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area, and shall be constructed in a good workmanlike manner so as to be a safe structure and shall be securely fastened so as not to be a hazard to persons or property.			

New Brighton	Signs shall be designed and constructed to meet the standards of the International Building Code. All signs shall be constructed in such a manner and of such material that they shall be safe and substantial. Signs that become unsafe shall be ordered repaired or removed by the City.			The City may determine areas of special control to establish special regulations for signs that are either more restrictive or less restrictive than those provided by this Chapter.
Oakdale			The total sign area of any multi-faced free-standing or projecting wall sign shall not exceed twice the permitted area of a two-sided sign or three times the area of a three-sided sign. All applications for signs of more than two sides shall be reviewed by the Planning Commission and Council.	
Roseville	Signs must be compatible with their surroundings. Signs shall be designed, constructed, installed, and maintained in a manner that does not adversely impact public	No freestanding sign shall be located closer than 5 feet to a property line, roadway easement, or other public easement. Signs must not interfere in any way with the proper functioning	All freestanding signs shall include materials that complement the architectural design/existing building materials, including but not limited to face brick, natural or cut stone, integrally	

	safety or unduly distract motorists. All signs must be maintained by the sign owner in a safe, neat, clean, and attractive condition. A sign must be replaced or refurbished so as to restore the original appearance thereof whenever it begins to fade, chip, or discolor, rust, cease to be in good repair or become unsightly.	or purpose of a traffic sign or signal. No freestanding sign shall be located in the Traffic Visibility Triangle.	colored concrete masonry units/rock faced block, glass, pre-finished metal stucco, factory finished metal panels.	
Shoreview	All sign components shall be kept in a sound structural and attractive condition: replacement of defective, missing, or broken parts, including lighting; periodic cleaning.	Permanent freestanding signs shall have self-supporting structures erected on and permanently attached to concrete foundations.	Signs must be proportioned to the size of, and architecturally compatible with, the structures and other signs on the premises. At least 75 feet between freestanding signs, must be 5 feet from property line.	
Stillwater			<i>Total allowable sign area.</i> The total aggregate sign area allowed on a property for all signs permitted in subparts (a) through (e) above shall be as follows: a minimum of 100 square feet; and at a rate of 15 percent of the building wall area facing a public street, up to a maximum of 300 square feet.	

Woodbury			Freestanding signs shall be attached to a base which is at least 75 percent of the width of the sign but shall not exceed the width of the sign by more than 20 percent. The base shall be constructed of class I materials that match those used on the building for which the sign is installed. If no class I materials are used on the building, class I or II materials shall be used.	
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MAYOR & COUNCIL COMMUNICATION

DATE: May 5, 2015
CONSENT
ITEM # 4

AGENDA ITEM: Old Village Phase 1 Street and Utility Improvements – Resolution restricting parking along the east side of Laverne Avenue North

SUBMITTED BY: Chad Isakson, Project Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Adam Bell, City Clerk

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

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

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT: None.

Approval of this resolution is required for Municipal State Aid money to be applied to the 2015 portion of the Village Street and Utility Improvements.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving Resolution No. 2015-30, restricting parking along the east side of Laverne Avenue North from Upper 33rd Street North to Trunk Highway 5. If pulled from consent, the recommended motion for this action is as follows:

“Move to approve Resolution No. 2015-30, Restricting parking along the east side of Laverne Avenue North from Upper 33rd Street North to Trunk Highway 5.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

In 2015, the City intends to reconstruct Laverne Avenue North from Upper 33rd Street North to Trunk Highway 5. The approved 32-foot wide street section design for Laverne Avenue meets Municipal State Aid design standards with an 8-foot parking lane on the west side of the street and with no parking on the east side. State Aid rules require a council resolution restricting parking along the eastern side of the

improved corridor. The resolution must be submitted together with the completed project plans in order to initiate State Aid review and plan approval and before State Aid funds may be expended on the improvement. Parking is currently prohibited along the east side of Laverne avenue, from Upper 33rd Street to Trunk Highway 5, and along the west side of Laverne Avenue from Upper 33rd Street to 36th Street.

RECOMMENDATION:

Staff is recommending that the City Council approve Resolution No. 2015-30, restricting parking along the east side of Laverne Avenue North from Upper 33rd Street North to Trunk Highway 5. If pulled from consent, the recommended motion for this action is as follows:

“Move to approve Resolution No. 2015-30, Restricting parking along the east side of Laverne Avenue North from Upper 33rd Street North to Trunk Highway 5.”

ATTACHMENT(S):

1. Resolution No. 2015-30

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

RESOLUTION NO. 2015-30

**A RESOLUTION RESTRICTING PARKING ALONG THE EAST SIDE OF
LAVERNE AVENUE NORTH FROM UPPER 33RD STREET NORTH TO
TRUNK HIGHWAY 5 FOR S.A.P. 206-106-001**

WHEREAS, the City of Lake Elmo, Minnesota has planned the improvement of Laverne Avenue North, State Aid Route No. 206-106-001 from Upper 33rd Street North to Trunk Highway 5 and,

WHEREAS, the City may be expending Municipal Street Aid Funds on the improvements of this Street; and,

WHEREAS, this improvement does not provide adequate width for parking on the east side of the street; and approval of the proposed construction as a Municipal State Aid Street project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

1. That the City Council of the City of Lake Elmo shall ban the parking of motor vehicles on the east side of Laverne Avenue North from Upper 33rd Street North to Trunk Highway 5 at all times.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIFTH DAY OF MAY
2015.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk



MAYOR & COUNCIL COMMUNICATION

DATE: May 5, 2015
REGULAR
ITEM # 5

AGENDA ITEM: Hunter's Crossing 2nd Addition – Final Plat and Set Public Hearing to Vacate Easements

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick Johnson, City Planner

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECCOMENDER: The Planning Commission is recommending that the City Council approve a final plat request from The Ryland Group for the second phase of a planned 51 unit residential development to be located on 23.1 acres immediately east of Lake Elmo Avenue approximately ¼ mile north of Interstate 94. The final plat will include 29 single-family lots located within the southern portion of the overall subdivision area.

Staff is also recommending that the City Council also adopt a related resolution calling for a public hearing to vacate a public roadway and utility easement and drainage and drainage and utility easements that were approved either prior to or as part of the first addition. The road dedications and easements within the second addition final plat will take precedent over these prior easements.

The Planning Commission considered the final plat at its April 13, 2015 meeting and a summary of the Commission's report and recommendation are included below.

FISCAL IMPACT: TBD – the City will be asked to review a developer's agreement concerning the final plat at the same meeting. The agreement will include a detailed accounting of any development costs that will be the responsibility of the developer and/or the City. Ryland has previously paid the Water Availability Charge (WAC) for the entire development as part of the first addition.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a final plat request from The Ryland Group for final plat approval of the second phase of the Hunter's Crossing residential subdivision. The area to be platted represents a little over half of the lots that were approved with the preliminary plat, and will include 29 single-family lots. All outlots for storm water management facilities, trails, and other common features were previously approved as part of the initial final plat. The City approved the Hunter's Crossing Preliminary Plat on July 1, 2014, and the final plat represents the southern portion of the overall area to be subdivided. The applicant has provided a detailed project narrative (attached) that provides summary of the request with information updated from the preliminary plat review where appropriate.

The Planning Commission considered this matter at its April 13, 2015 meeting and recommended approval of the final plat as presented and subject to conditions of approval. The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-31 approving the final plat for Hunters Crossing 2nd Addition”

The City Council is further requested to approve Resolution No. 2015-32, a resolution calling for a public hearing to vacate a public roadway and utility easement and drainage and utility easements by taking the following action:

“Move to approve Resolution No. 2015-32, A Resolution Calling for a Public Hearing to Vacate a Public Roadway and Drainage and Utility Easements”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: The attached Staff report to the Planning Commission includes detailed information concerning the final plat in addition to the staff review and analysis of the request. The preliminary plat was approved by the City Council on July 1, 2014, and this approval included a series of conditions that must be met by the applicant. Included in the Staff analysis is a line-by-line review of the conditions attached to the preliminary plat.

The Planning Commission considered the proposed final plat at its April 13, 2015 meeting and recommended approval with all conditions as recommended by Staff.

The Commission generally discussed the issues associated with landscaping throughout the development and the lighting to be used within the subdivision. The Commission also recommended that the findings be updated to reflect that compliance with certain issues

identified in the Staff report were necessary for the plat to comply with all applicable City standards and ordinances.

The Planning Commission adopted a motion to recommend approval of the final plat consistent with the findings as noted in the attached Resolution No. 2015-31 and including all conditions of approval as listed in the resolution. The vote on the motion was unanimous (7 ayes, 0 nays).

LEGISLATIVE HISTORY/ROAD AND EASEMENT VACATION: Prior to the platting of Hunters Crossing, the property owners provided an easement to the City for roadway and utility purposes in order for the sanitary sewer trunk line to be installed within this easement. Now that the Hunters Crossing development is moving forward, the trunk sewer line will be located within the platted right-of-way for 5th Street, and this older easement is no longer necessary. In addition, the first addition final plat included a blanket drainage and utility easement over all of Outlot C, which is now being replatted into the second addition. This easement will need be removed in order to allow the final plat to be recorded, and the second addition final plat will include separate drainage and utility easements for each lot consistent with the City's Subdivision Ordinance.

Pursuant to Minn. Stat. §§ 412.861 and 462.358, subd. 7, a city may vacate a public utility easement in the same manner as vacating streets. By law, in order to vacate a recorded easement, Council must hold a public hearing on the vacation and then pass a resolution vacating the easement. Presently before the council is a resolution calling for the required public hearing. Notice of the hearing is required to be published and posted by the City Clerk at least two weeks prior to the hearing and mailed by the City Clerk to affected property owners at least 10 days prior to the hearing. The soonest that a public hearing can be held is on June 2, 2015 at 7:00 p.m.

BACKGROUND INFORMATION (SWOT):

- | | |
|----------------------|--|
| Strengths | <ul style="list-style-type: none">• The proposed plat is consistent with preliminary plat subject to the conditions being recommended by Staff and the Planning Commission. |
| Weaknesses | <ul style="list-style-type: none">• Several conditions of approval must be met by the applicant, including revisions to the final construction plans to address comments from the City Engineer. |
| Opportunities | <ul style="list-style-type: none">• The plat includes the additional sanitary sewer connections into the Cottage Grove Sewer Interceptor.• The plat will connect to the water main constructed by the City within Lake Elmo Avenue. |
| Threats | <ul style="list-style-type: none">• In order to complete 5th Street, the adjacent property owner or City will need to bring a project forward. No adjacent property will be able to develop without constructing the northern half of 5th Street in this area. |

RECOMMENDATION: The Planning Commission and Staff are recommending that the City Council approve the final plat for Hunter's Crossing 2nd Addition with 9 conditions of approval. The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-31 approving the final plat for Hunter's Crossing 2nd Addition”

Staff is further recommending that the City Council approve Resolution No. 2015-32, a resolution calling for a public hearing to vacate a public roadway and utility easement and drainage and utility easements by taking the following action:

“Move to approve Resolution No. 2015-32, A Resolution Calling for a Public Hearing to Vacate a Public Roadway and Drainage and Utility Easements”

ATTACHMENTS:

1. Resolution No. 2015-31
2. Resolution No. 2015-32
3. Public Hearing Notice
4. Planning Commission Staff Report – 4/13/15
5. Application Form
6. Application Narrative
7. City Engineer Review Letters – 4/2/15 and 4/3/15
8. Hunter's Crossing Final Plat
9. Construction Plans: Utility and Street Construction
10. Final Landscape Plans
11. 5th Street Construction Plans (Partial – Full Plans Available Online)
12. Application Form – Easement Vacation
13. Roadway Easement Vacation Description
14. Drainage and Utility Easement Vacation Description

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

RESOLUTION NO. 2015-31

A RESOLUTION APPROVING A FINAL PLAT FOR HUNTER'S CROSSING 2ND ADDITION

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

WHEREAS, The Ryland Group, 7599 Anagram Drive, Eden Prairie, MN (Applicant) has submitted an application to the City of Lake Elmo (City) for a Final Plat for Hunter's Crossing 2nd Addition, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on June 23, 2014 to consider the Hunter's Crossing Preliminary Plat; and

WHEREAS, the Lake Elmo Planning Commission submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council for the July 1, 2014 City Council Meeting; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Preliminary Plat; and

WHEREAS, the City Council reviewed the Preliminary Plat request at its July 1, 2014 meeting and adopted Resolution No. 2014-053 approving the Preliminary Plat; and

WHEREAS, the Lake Elmo Planning Commission met on April 13, 2015 to review the Final Plat for Hunter's Crossing consisting of 29 single-family detached residential lots; and

WHEREAS, on April 13, 2015 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Final Plat for Hunter's Crossing with conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the Final Plat for Hunter's Crossing at a meeting held on May 5, 2015; and

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

FINDINGS

- 1) That the procedure for obtaining approval of said Final Plat is found in the Lake Elmo City Code, Section 153.08.
- 2) That all the requirements of said City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.

- 3) That the proposed Final Plat for Hunters Crossing 2nd Addition consists of the creation of 29 single-family detached residential structures.
- 4) That the Hunters Crossing 2nd Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 1, 2014.
- 5) That the Hunters Crossing 2nd Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 6) That the Hunters Crossing 2nd Addition Final Plat complies with the City's Urban Low Density Residential zoning district regulations.
- 7) That the Hunters Crossing 2nd Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances with the exception of issues identified in the April 13, 2015 Staff report to the Planning Commission.
- 8) That the Hunters Crossing 2nd Addition Final Plat complies with the City's subdivision ordinance.
- 9) That the Hunters Crossing 2nd Addition Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer in his review comments to the City dated April 2 and April 3, 2015.

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Final Plat for Hunters Crossing 2nd Addition subject to the following conditions:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the Hunters Crossing 2nd Addition and 5th Street Construction plans requested by the City Engineer in review letters dated 4/2/15 and 4/3/15 shall be incorporated into these documents before they are approved.
- 2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 4) A Common Interest Agreement concerning management of the common areas of Hunter's Crossing and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat

- 5) The final landscape plan shall be subject to review and approval by the Community Development Director.
- 6) The final construction plans for 5th street shall include the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated September 2, 2014.
- 7) The developer is encouraged to incorporate elements from the Lake Elmo Theming Study into the final design of the community mailboxes within Hunter's Crossing.
- 8) The developer shall pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance less the amount of land that is accepted for park purposes (or trails) by the City. Any cash payment in lieu of land dedication shall be pro-rated based on the percentage of the overall lots to be platted within the subdivision and shall be paid by the applicant prior to the release of the final plat for recording.
- 9) The applicant shall deed Outlot A, to the City upon recording of the final plat.

Passed and duly adopted this 5th day of May 2015 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

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

RESOLUTION NO. 2015-32

A RESOLUTION SETTING A PUBLIC HEARING ON A VACATION

**THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA DOES HEREBY
RESOLVE AS FOLLOWS:**

WHEREAS, the City Council pursuant to Minnesota Statute § 412.861 desires to consider the vacation of Drainage and Utility Easements on the subject property legally described as:

HUNTER'S CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota; and

WHEREAS, that said drainage and utility easement located in the City of Lake Elmo, County of Washington, State of Minnesota is described as follows, to-wit:

Drainage and utility easement over all of Outlot C, HUNTER'S CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota, as delineated and dedicated on said HUNTER'S CROSSING 1ST ADDITION.

; and furthermore

WHEREAS, the City Council pursuant to Minnesota Statute § 412.861 desires to consider the vacation of a Permanent Public Roadway and Utility Easement on the subject property legally described as:

Lots 1, 2, and 3, Block 2, Lots 1, 2, 3, and 4, Block 4, and Outlots D and E, HUNTERS CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

; and

WHEREAS, that said public roadway and utility easement located in the City of Lake Elmo, County of Washington, State of Minnesota is described as follows, to-wit:

That part of a 120.00 foot wide easement for public roadway and utility purposes created by document number 3967889, lying over, under, and across Lots 1, 2, and 3, Block 2, Lots 1, 2, 3, and 4, Block 4, and Outlots D and E, HUNTERS CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

The centerline of said easement is described as follows:

Commencing at the West Quarter corner of section 36, township 29 North, Range 21 West, Washington County, Minnesota; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West along the west line of the Northwest Quarter of the Southwest

Quarter of said Section 36, a distance of 41 4.09 feet to the point of beginning of said centerline; thence North 89 degrees 48 minutes 29 seconds East, a distance of 238.45 feet; thence southeasterly a distance of 176 .86 feet along a tangential curve concave to the southwest having a radius of 667.00 feet and a central angle of 15 degrees 11 minutes 34 seconds; thence South 74 degrees 59 minutes 57 seconds East tangent to said curve, a distance of 50.99 feet; thence southeasterly a distance of 176.87 feet along a tangential curve concave to the northeast having a radius of 667.00 feet and a central angle of 15 degrees 11 minutes 37 seconds; thence North 89 degrees 48 minutes 26 seconds East tangent to said curve, a distance of 77.17 feet; thence southeasterly a distance of 440.75 feet along a tangential curve concave to the southwest having a radius of 667.00 feet and a central angle of 37 degrees 51 minutes 38 seconds; thence South 52 degrees 19 minutes 56 seconds East tangent to said curve, a distance of 51.70 feet; thence southeasterly a distance of 173.84 feet along a tangential curve, concave to the northeast, having a radius of 667.00 feet and a central angle of 14 degrees 55 minutes 58 seconds, to the east line of said Northwest Quarter of the Southwest Quarter and there terminating.

The sidelines of said easement shall be prolonged or shortened to terminate on said east line of the Northwest Quarter of the Southwest Quarter.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, COUNTY OF WASHINGTON, MINNESOTA:

1. The Council will consider the vacation of such Easements and a public hearing shall be held on such proposed vacation on the 2nd day of June, 2015, before the City Council in the City Hall located at 3800 Laverne Avenue North, Lake Elmo, MN 55042 at 7:00 p.m.
2. The City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIFTH DAY OF MAY, 2015.

CITY OF LAKE ELMO

(Seal)

ATTEST:

By: _____
Mike Pearson
Mayor

Adam Bell
City Clerk

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

**NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENTS PURSUANT TO
MINNESOTA STATUTE § 412.861**

NOTICE IS HEREBY GIVEN that a hearing will be held before the City Council on the 2nd day of June, 2015, in the City Hall located at 3800 Laverne Avenue North, Lake Elmo, MN 55042 at 7:00 p.m. to consider a proposed vacation of Drainage and Utility Easements on the subject property legally described as:

HUNTER'S CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota; and

that said drainage and utility easement located in the City of Lake Elmo, County of Washington, State of Minnesota is described as follows, to-wit:

Drainage and utility easement over all of Outlot C, HUNTER'S CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota, as delineated and dedicated on said HUNTER'S CROSSING 1ST ADDITION.

and furthermore the vacation of a Permanent Public Roadway and Utility Easement on the subject property legally described as:

Lots 1, 2, and 3, Block 2, Lots 1, 2, 3, and 4, Block 4, and Outlots D and E, HUNTERS CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota; and

that said public roadway and utility easement located in the City of Lake Elmo, County of Washington, State of Minnesota is described as follows, to-wit:

That part of a 120.00 foot wide easement for public roadway and utility purposes created by document number 3967889, lying over, under, and across Lots 1, 2, and 3, Block 2, Lots 1, 2, 3, and 4, Block 4, and Outlots D and E, HUNTERS CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

The centerline of said easement is described as follows:

Commencing at the West Quarter corner of section 36, township 29 North, Range 21 West, Washington County, Minnesota; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West along the west line of the Northwest Quarter of the Southwest Quarter of said Section 36, a distance of 41 4.09 feet to the point of beginning of said centerline; thence North 89 degrees 48 minutes 29 seconds East, a distance of 238.45 feet; thence southeasterly a distance of 176 .86 feet along a tangential curve concave to the southwest having

a radius of 667.00 feet and a central angle of 15 degrees 11 minutes 34 seconds; thence South 74 degrees 59 minutes 57 seconds East tangent to said curve, a distance of 50.99 feet; thence southeasterly a distance of 176.87 feet along a tangential curve concave to the northeast having a radius of 667.00 feet and a central angle of 15 degrees 11 minutes 37 seconds; thence North 89 degrees 48 minutes 26 seconds East tangent to said curve, a distance of 77.17 feet; thence southeasterly a distance of 440.75 feet along a tangential curve concave to the southwest having a radius of 667.00 feet and a central angle of 37 degrees 51 minutes 38 seconds; thence South 52 degrees 19 minutes 56 seconds East tangent to said curve, a distance of 51.70 feet; thence southeasterly a distance of 173.84 feet along a tangential curve, concave to the northeast, having a radius of 667.00 feet and a central angle of 14 degrees 55 minutes 58 seconds, to the east line of said Northwest Quarter of the Southwest Quarter and there terminating.

The sidelines of said easement shall be prolonged or shortened to terminate on said east line of the Northwest Quarter of the Southwest Quarter.

Dated this Fifth day of May, 2015.

SIGNED BY:

By: _____
Adam Bell
Clerk



PLANNING COMMISSION
DATE: 4/13/15
AGENDA ITEM: 5A – BUSINESS ITEM
CASE # 2015-13

ITEM: Hunter's Crossing 2nd Addition Final Plat

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner
Jack Griffin, City Engineer

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a Final Plat request from The Ryland Group for the second (and final) phase of a planned 51 unit residential development to be called Hunter's Crossing. The proposed subdivision is located within the original 23.10 acre parcel immediately east of Lake Elmo Avenue and approximately ¼ mile north of Interstate 94. The final plat includes 29 single-family lots located within the southern portion of the overall subdivision area. Staff is recommending approval of the request subject to compliance with the conditions listed in this report.

GENERAL INFORMATION

Applicant: The Ryland Group (Tracey Rust), 7599 Anagram Drive, Eden Prairie, MN

Property Owners: The Ryland Group (Tracey Rust), 7599 Anagram Drive, Eden Prairie, MN

Location: Part of Section 36 in Lake Elmo, north of I-94, east of Lake Elmo Avenue, and south of the Cimarron Golf Course property. North of 275 Lake Elmo Avenue North. PID Number 36.029.21.32.0033

Request: Application for final plat approval of a 29 unit residential subdivision to be named Hunter's Crossing 2nd Addition.

Existing Land Use and Zoning: Larger platted outlot within the Hunters Crossing preliminary plat are – undeveloped land. Current Zoning: LDR – Low Density Residential

Surrounding Land Use and Zoning: North – Hunters Crossing (first phase), vacant land, and Cimarron Manufactured Home Park; East – Trans-City industrial building; West – The Forest residential subdivision; South – currently vacant/agricultural but future site of proposed Air Lake Development business park; also two existing home sites located adjacent to development along Lake Elmo Avenue

Comprehensive Plan: Urban Low Density Residential (2.5 – 3.99 units per acre)

History: Sketch Plan reviewed by Planning Commission on 9/23/13. The site has historically been used for a golf driving range and practice facility. The City approved a

Conditional Use Permit for the driving range in 1990, and this permit, which is no longer valid, has been amended at least twice since this date. At some point in the past, the home in the extreme northwestern portion of the site (and outside the area to be platted) was split off from the larger parcel. The preliminary plat was approved by the City Council on July 1, 2014, and the final plat for the first phase of Hunters Crossing was approved on September 16, 2014.

Deadline for Action: Application Complete – 3/9/15
60 Day Deadline – 5/9/15
Extension Letter Mailed – No
120 Day Deadline – 7/9/15

Applicable Regulations: Chapter 153 – Subdivision Regulations
Article 10 – Urban Residential Districts (LDR)
§150.270 Storm Water, Erosion, and Sediment Control

REQUEST DETAILS

The City of Lake Elmo has received a request from The Ryland Group for final plat approval of the second phase of the Hunter's Crossing residential subdivision. The area to be platted represents a little over half of the lots that were approved with the preliminary plat, and will include 29 single-family lots. All outlots for storm water management facilities, trails, and other common features were previously approved as part of the initial final plat. The City approved the Hunter's Crossing Preliminary Plat on July 1, 2014, and the final plat represents the southern portion of the overall area to be subdivided. The applicant has provided a detailed project narrative (attached) that provides summary of the request with information updated from the preliminary plat review where appropriate.

Hunters Crossing 2nd Addition will be located south of the first subdivision phase, which is situated immediately adjacent to the planned 5th Street minor collector route. The second addition will complete the planned looped road through the development and tie back into the portion of Laverne Avenue North that eventually connects to 5th Street. There have been no changes to the arrangement or location of lots as depicted on the preliminary plat.

When the applicant submitted the final plat for the first addition of Hunters Crossing, the associated construction plans did not include any portion of 5th Street that is planned along the northern boundary of the platted area. The developer asked to use an existing private access into the development for the first phase with the understanding that his temporary access road would be eliminated when the second phase was constructed. The second addition plans include the construction of 5th Street, which as proposed, would be split into two project phases so that the applicant could build the southern portion of the road at the same time as the Hunters Crossing 2nd Addition improvements. Lennar, which is planning to build townhouses on the property north of Hunters Crossing, cannot develop its land without the 5th Street improvements in place or under construction.

The 5th Street project is unique because the right-of-way for 5th Street straddles the boundary between the Ryland property to the south and the land that Lennar will be developing for townhouses to the north. Both parties have stated that they would prefer to build 5th Street as one project and share the costs for this construction rather than building half of the road with each development. In order to keep the Hunters Crossing project moving forward, Staff has previously agreed to allow the split

construction of 5th Street, but is strongly recommending that both parties reach agreement to build the entire road in one phase. In either case, the applicant will be providing public access to Hunters Crossing via 5th Street with this plat and will need to eliminate the private access road along Lake Elmo Avenue once 5th Street is open for traffic. Please note that the City's preliminary plat approval authorized the use of this temporary access to serve up to 25 lots. Because the 2nd Addition will include the construction of 5th Street, this condition will be met with the City's acceptance of all final plat improvements. Washington County does expect the temporary access to be eliminated once 5th Street is in place.

Consistent with the approved preliminary plat, the final plat does not include either of the two exception parcels along Lake Elmo Avenue, both of which will be provided with potential future connections to the streets internal to Hunters Crossing. As depicted in the attached plans, the southwest exception parcel will have access to Langley Avenue North via Outlot A; access to the other exception parcel was platted as part of the first addition. In both cases, these parcels will still be allowed to access Lake Elmo Avenue until they are redeveloped at some point in the future (both are guided for Medium Density Residential development).

The applicant has provided an updated landscape plan for both the first and second additions that addresses previous review comments from the City's landscape architecture consultant. Staff is waiting for final approval of these plans from the consultant, which are expected to meet the developer's requirements for landscaping within the overall project area. In terms of public park land dedication, the preliminary plat was approved without the dedication of land and the City and developer agreed to a cash payment in lieu of any land dedication (minus a credit for the construction of a public trail within the project area). The developer's agreement for the first addition allowed the developer to divide the cash payments to the City between the two project phases.

The grading plans for the first addition included the mass grading work for the portion of the site that is being platted as the second addition; therefore, the submitted construction plans do not duplicate and work that was previously approved by the City. The applicant has submitted detailed construction plans related to sanitary sewer, water main, storm sewer, landscaping, and other details that have been reviewed by City Staff.

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. Please note that the City's approval of the Hunters Crossing Preliminary Plat did include a series of conditions that must be met by the applicant, which are addressed in the "Review and Analysis" section below. There are no public hearing requirements for a final plat.

The City's zoning map for all of the area included in the preliminary plat for Hunters Crossing 2nd Addition has previously been updated to be consistent with the City's Comprehensive Plan. All of the site is zone LDR – Urban Low Density Residential, and the proposed lots, setbacks, streets, and other plan elements have been found to be consistent with the LDR district requirements.

Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City. Please note that the final plat now includes proposed street names as recommended by the Planning Department. The City Engineer has reviewed the construction plans plat, and these comments are attached to this report. Although there are some additional revisions to these plans that will need to be addressed by the applicant, all of these revisions can be made before the City releases the final plat for recording.

REVIEW AND ANALYSIS

The preliminary plat for Hunters Crossing was approved with several conditions, which are indicated below along with Staff's comments on the status of each. The applicant has also provided overall narrative for the project with additional details concerning the work that will be performed within the 2nd Addition. Staff is recommending approval of the final plat with conditions intended to address the outstanding issues that will require additional review and/or documentation. In order to assist the Planning Commission with its review, Staff is also including a summary the critical issues that need to be resolved for the subdivision to move forward.

Critical Issues Summary:

- 1) The developer has submitted construction plans for 5th Street that splits the project into two distinct phases (north and south). This would allow the project to move forward in case the two developers with parcels adjacent to 5th Street, Ryland and Lennar, cannot reach agreement to build the entire road as one project. Both parties have indicated that they intend to work together on this project, and Staff will continue to help facilitate a joint project as needed.
- 2) Washington County has previously submitted comments concerning the improvements necessary within the Lake Elmo Avenue right-of-way at 5th Street. These improvements will need to be incorporated into the final construction plans for 5th Street and the developer has consented to make any improvements as required by the County.
- 3) All other recommended conditions of approval relate to final details that must be addressed by the applicant and can be handled prior to release of the final plat for recording.

Preliminary Plat Conditions – With Staff Update Comments (updated information in bold italics):

- 1) Within six months of preliminary plat approval, the applicant shall complete the following: a) the applicant shall provide adequate title evidence satisfactory to the City Attorney; and b) the applicant shall pay all fees associated with the preliminary plat. The above conditions shall be met prior to the City accepting an application for final plat and prior to the commencement of any grading activity on the site. *Comments: a) title work has previously been submitted and reviewed by the City Attorney; b) the applicant has submitted an escrow payment related to the preliminary plat application that is being used to cover Staff and consultant expenses related to the City's review.*
- 2) The landscape plan and tree preservation plan shall be reviewed and approved by an independent forester or landscape architect in advance of the approval of a final plat and final construction plans. *Comment: the applicant has submitted an updated landscape plan for both the first and second phases of Hunters Crossing that addresses previous comments from the City. The updated plans are being reviewed by the City's landscape consultant and will need to be finalized before landscape work commences on the site.*
- 3) The final landscape plan shall incorporate additional planting where feasible adjacent to the shared property lines with the parcels at 404 and 275 Lake Elmo Avenue North. *Comments: The final landscape plan includes additional plantings along the southwestern property boundary. The number of plantings along the northwestern property boundary is similar to the*

preliminary plat; however, the location of the future access in this location (Outlot B) limits the developer's ability to add substantially more plantings along this boundary.

- 4) The applicant shall be responsible for updating the final construction plans to include the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated June 17, 2014. The required improvements shall include, but not be limited to the construction of a northbound right turn lane and southbound center turn lane. *Comments: The 5th Street Plans will need to be update to address all review comments from Washington County. The developer will need to secure a permit from the County to make the proposed connection to Lake Elmo Avenue from 5th Street.*
- 5) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the Valley Branch Watershed District prior to the commencement of any grading or development activity on the site. *Comments: The applicant has received a permit from the Valley Branch Watershed District (attached) for the grading work proposed in the final plans. Grading work has commenced under this permit.*
- 6) The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat. *Comments: The applicant has indicated that there will be a homeowner's association created for this development; the declarations and HOA documents were recorded with the first addition final plat. A maintenance agreement and evidence that the HOA has been established should be retained as a condition of approval for the final plat.*
- 7) The developer shall be required to pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance less the amount of land that is accepted for park purposes by the City. Any cash payment in lieu of land dedication shall be paid by the applicant prior to the release of the final plat for recording. *Comments: The applicant will be required to pay the required fee in lieu of land dedication to recording the final plat. Because the project is being split into at least two final plats, the park fees will be pro-rated based on the percentage of lots being platted within the overall development.*
- 8) Any land under which paved public trails are located will be accepted as park land provided the developer constructs said paved trails as part of the public improvements for the subdivision. *Comments: Staff is recommending that this condition be merged with the above condition for the final plat.*
- 9) The temporary access to Lake Elmo Avenue must be eliminated when access to 5th Street is provided. The City will not issue building permits for more than 25 lots within Hunter's Crossing until such time that the temporary access is closed. *Comments: With this condition in place, the developer will be able to build out all homes in the first addition and three additional homes in the second addition (or some other combination to reach 25 homes) before 5th Street is completed and accepted by the City.*

- 10) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. *Comments: Grading work on the site has been completed under the plans approved with the first addition.*
- 11) All required modifications to the plans as requested by the City Engineer in a review letter dated May 23, 2014 shall be incorporated into the plans prior to consideration of a final plat. *Comments: Revised plans have been submitted for review, and the attached comments from the City Engineer provide a response to the updated plans. All final revisions and modifications as requested by the City Engineer must be addressed by the applicant before the plat will be released for recording. The majority of the Engineer's comments will require minor modifications to the plans and specifications and are not unusual at this detailed level of review. Please note that the City Engineer's review included both the final plat and the related construction plans for 5th Street. The City Engineer did not have any final plat review comments.*
- 12) The applicant is encouraged to preserve or re-use as many trees as possible that are currently located on the property and to incorporate these trees as part of the landscape plan for the subdivision. *Comments: Given the tight confines of the project area and the need to meet City and watershed district storm water requirements, there are relatively few opportunities to incorporate existing trees into the development. The applicant has stated that they will preserve or re-use trees if possible.*
- 13) The applicant shall provide written consent from the adjacent property owner to the north agreeing to the grading and storm sewer work depicted on this property. *Comments: The applicant has stated that they will work with this property owner if any grading is necessary to construct the 5th Street improvements. Because Lennar Homes will be submitted a preliminary plat on this parcel later this spring, the required grading work and/or easements to facility grading on this site will be provided as part of a Lennar subdivision.*
- 14) Water improvements must be available to serve the subdivision. *Comments: Water service has been extended to the site as part of a public improvement project. Ryland has previously agreed to pay the Water Availability Charge for the entire development prior to recording the first phase final plat.*
- 15) The applicant shall pay a Water Availability Charge consistent with the Lake Elmo Fee Schedule for the entire development prior to the release of the final plat for recording, regardless of project phasing. *Comments: Please see note above.*

Staff is recommending that the conditions noted above that pertain to the final plat and that have not yet been addressed by the applicant should be adopted with the final plat. The City Engineer's review letters identify several issues that need to be addressed by the developer in order for the City to deem the final plans complete; however, all of these concerns are related to the construction plans and will not have any bearing on the final plat. Staff is recommending that City Officials not sign the final plat mylars until the City's construction plan review is finalized and all necessary easements are documented on the final plat.

Based on the above Staff report and analysis, Staff is recommending approval of the final plat with several conditions intended to address the outstanding issues noted above and to further clarify the City's expectations in order for the developer to proceed with the recording of the final plat.

The recommended conditions are as follows:

Recommended Conditions of Approval:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the Hunters Crossing 2nd Addition and 5th Street Construction plans requested by the City Engineer in review letters dated 4/2/15 and 4/3/15 shall be incorporated into these documents before they are approved.
- 2) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 3) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 4) A Common Interest Agreement concerning management of the common areas of Hunter's Crossing and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.
- 5) The final landscape plan shall be subject to review and approval by the Community Development Director.
- 6) The final construction plans for 5th street shall include the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated September 2, 2014.
- 7) The developer is encouraged to incorporate elements from the Lake Elmo Theming Study into the final design of the community mailboxes within Hunter's Crossing.
- 8) The developer shall pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance less the amount of land that is accepted for park purposes (or trails) by the City. Any cash payment in lieu of land dedication shall be pro-rated based on the percentage of the overall lots to be platted within the subdivision and shall be paid by the applicant prior to the release of the final plat for recording.
- 9) The applicant shall deed Outlot A, to the City upon recording of the final plat.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Hunters Crossing 2nd Addition Final Plat:

- That the Hunters Crossing 2nd Addition final plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Hunters Crossing 2nd Addition final plat complies with the City's Urban Low Density Residential zoning districts.
- That the Hunters Crossing 2nd Addition final plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances with the exceptions as noted in the above report.
- That the Hunters Crossing 2nd Addition final plat complies with the City's subdivision ordinance.
- That the Hunters Crossing 2nd Addition final plat is consistent with the City's engineering standards provided the plans are updated to address the City Engineer's comments documented in a letters dated April 2 and April 3, 2015.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the Final Plat for Hunters Crossing 2nd Addition with the 9 conditions of approval as listed in the Staff report. Suggested motion:

“Move to recommend approval of the Hunters Crossing 2nd Addition Final Plat with the 9 conditions of approval as drafted by Staff”

ATTACHMENTS:

1. Application Form
2. Application Narrative
3. City Engineer Review Letters – 4/2/15 and 4/3/15
4. Hunter's Crossing Final Plat
5. Construction Plans: Utility and Street Construction
6. Final Landscape Plans
7. 5th Street Construction Plans (Partial – Full Plans Available Online)

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning Staff

- Questions from the Commission Chair & Commission Members
- Public CommentsChair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: April 2, 2015

To: Kyle Klatt, Planning Director
Cc: Jack Griffin, P.E., City Engineer

Re: Hunters Crossing 2nd Addition
Construction Plan Review

From: Ryan Stempski, P.E., Assistant City Engineer

An engineering review has been completed for the Hunters Crossing 2nd Addition. The submittal and review consisted of the following documentation prepared by Pioneer Engineering:

- Hunters Crossing 2nd Addition Final Plat, not dated.
- Construction Plans dated December 23, 2014 with a print date of March 5, 2015.
- Storm Sewer Chart dated July 25, 2014.

NOTE: A plan review for the 5th Street Construction Plans will be provided with a separate review memorandum.

STATUS/FINDINGS: Comments have been provided to direct plan corrections necessary for final construction plan approval. When submitting revised plans, please provide a point by point response letter that details the changes made to the plans.

GENERAL PLAN REQUIREMENTS AND FINAL PLAT:

- No final plat changes have been identified from an infrastructure
- The City has updated City Standard Plan Notes, Details and Specifications for use in 2015 construction. These documents will be provided by the City to be incorporated in the Final Construction Plans.
- The Plans must be revised to provide consistent use of line types, bold type and shade lines for a consistent depiction of existing improvements, record drawing information and proposed improvements.
- Revise 3rd Street N street name on all sheets to match the Final Plat of Hunters Crossing 2nd Addition.

SANITARY SEWER PLAN:

- Sheet 2 – Add a note to EX-MH-2-1 to relocate the off road structure marker to a minimum 2 feet off the bituminous trail.
- Sheet 4 – Use as-built data at EX-MH-3 to label slope and invert to proposed MH-31 and MH-32.
- Sheet 4 – Use as-built data at EX-MH-2 to label slope and invert to proposed MH-41.
- Sheet 4 – Correct stationing of proposed service crossing and add risers for all services deeper than 15 feet from EX-MH-2 to MH-41.

WATERMAIN PLAN:

- Sheet 4 – 3rd Street N watermain must be relocated the north side of the street per City Design Standards.
- Sheet 4 – Revise 6-inch gate valve to 8-inch gate valve and remove reducer for the Outlot A watermain stub.

STORM SEWER PLAN:

- Update Storm Sewer Chart to be consistent with the Plan.
- Standard Detail No. 404 must be included in the Plan.
- Sheet 5 – Extend draitile out of CBMH 221 and CB 222 to a minimum distance of 100 feet for each run.
- Sheet 6 – Include draitile with clean outs from CB-205 and CB-206 to the west 100' with clean outs.
- Sheet 6 – Terminate the draitile at 50 feet that runs east out of CB-203A and CB-203B. (This is the location of the high point in the street profile.)
- Sheet 6 – Extend draitile out of CBMH 202 to a minimum 100 feet in each direction.
- Sheet 7 – Add label and invert elevation for FES-250 in profile.

STREET AND TRAIL PLAN:

- Street widths (back of curb to back of curb), cul-de-sac radii and radii at all intersections must be clearly labeled on the Plan.
- Update street and trail plan sheets with all draitile comments provided for the STORM SEWER PLAN.
- Sheet 10 – Add a note to EX-MH-2-1 (STA 2+30) to relocate the off road structure marker to a minimum 2 feet off the bituminous trail.

LANDSCAPING, LIGHTING, SIGNING & STRIPING PLAN:

- The Landscape Plan comments provided by the City's Landscape Architect must be addressed prior to final approval of the Plan Set for construction.
- Include the proposed private utility conduit crossing locations on the Plan.
- "No Parking" signs must be revised to MMUTCD Type R8-3A.

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: April 3, 2015

To:	Kyle Klatt, Planning Director	Re:	5 th Street North Utility & Street
Cc:	Jack Griffin, P.E., City Engineer		Construction Plan Review
From:	Ryan Stempski, P.E., Assistant City Engineer		(Hunters Crossing 2 nd Addition)

An engineering review has been completed for the 5th Street North Utility and Street Construction Plans. The submittal and review consisted of Construction Plans dated February 27, 2015 (Printed March 6, 2015) prepared by Pioneer Engineering.

STATUS/FINDINGS: Comments have been provided to direct plan corrections necessary for final construction plan approval. When submitting revised plans, please provide a point by point response letter that details the changes made to the plans.

GENERAL PLAN REQUIREMENTS:

- The City has updated City Standard Plan Notes, Details and Specifications, dated March 2015, for use in 2015 construction. Please incorporate the updated standards in the Final Construction Plans.
- Plan Notes are to be located on the applicable plan sheets and removed from the detail sheets.

SANITARY SEWER & WATERMAIN PLAN:

- Sheet 8 – Revise the sanitary sewer stub to PVC C900 material.
- Sheet 8 – Add plan note to tie all watermain stubs for a minimum two pipe segments.
- Sheet 8 – Add dimension for a minimum 7.5 feet of cover over the proposed watermain in the profile.

STORM SEWER PLAN:

- Sheet 5 – Revise the Phase 1 Removal Plan to indicate the removal of the existing stand pipe and culverts at the 5th Street and Lake Elmo Avenue intersection.
- Sheet 10 – Drintile extensions must be a minimum of 100 feet. Revise drintile length from CB-356 to a minimum of 100 feet.
- Sheet 10 – Additional drintile extensions are needed along 5th Street to facilitate subbase drainage. Add a minimum 100 feet of drintile to the west from CBMH 301, CB-311, CBMH 341 and CB-345.
- Sheet 10 – Proposed culvert pipe from FES-401 to FES-402 must be increased to a minimum 15 inches in diameter.
- Sheet 11 – Add drintile inverts to CBMH 301, CB-311, CBMH 341 and CB-345 in the profile.
- City Standard Detail No. 404 must be included for catch basin structures.

STREET CONSTRUCTION PLANS:

- Sheet 3 and 6 – Typical Sections and Details must be updated per the 5th Street Design Details dated March 2015. The typical sections must show the sidewalk and trail clear zones, the 10-foot drainage and utility

easements on either side of the R/W, and the depressed center median with daintile. The new 5th street pavement section detail should be used with all other information corrected to comply with the City typical sections and details.

- Sheet 5 – Add plan note to the Phase 1 Layout Plan requiring the concrete median nose to be constructed per MnDOT Standard Plate 7113A.
- Sheet 7 – Phasing Plan 2: The 5th Street phasing plan must be constructed in a manner that requires full lane paving to be installed using a full width paving machine. No pavement joints will be allowed in the wheel paths. Revise Phase 2 Removal Plan and Phase 2 Layout Plan to redefine the bituminous removal and paving limits to meet these requirements.
- Sheet 7 – Phase 2 Layout Plan: Revise layout plan to clarify and detail median construction phasing east of Laverne.
- Sheet 7 – Phase 2 Layout Plan: Add plan notes to include 6-inch perforated daintile in all planted median locations per the City standard details.
- Sheet 12 and 13 – Add street lane widths and intersection radii dimensions to the plan view.
- Sheet 12 and 13 – Revise vertical curve at STA 1+20 to meet minimum K value of 64.
- Sheet 12 and 13 – Plan must be updated to include a temporary turn-around at the east end of 5th Street and temporary drainage provisions must be detailed on the plans at the east termination point.
- Sheets 15-18 – Revise cross sections to require 4:1 slopes within R/W.

LIGHTING, SIGNING & STRIPING PLAN:

- Sheet 14 – Add plan note identifying the street lights as 'Evans style lamp' on 30 foot pole per City standards. Spacing must conform to 5th Street Design Details dated March 2015.
- Sheet 14 – Add crosswalk at the intersection of 5th Street and CSAH 17 (Lake Elmo Avenue).

LANDSCAPING PLANS:

- Sheet L1 and L2 – Landscape plans must be revised to meet 5th Street Design Details dated March 2015. Landscape review comments will be provided under separate memorandum from the City's Landscape Architect.

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



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

LAND USE APPLICATION

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

Applicant: The Ryland Group ATTN: TRACEY RUST
Address: 7599 Anagram Dr, Eden Prairie, MN 55344
Phone #: (952) 229-6063
Email Address: trust@ryland.com

Fee Owner: SAME
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address and Complete (long) Legal Description): Hunters Crossing

Detailed Reason for Request: - Public Roadway and utility easement vacation
- DISHARGE + UTILITY EASEMENT VACATION

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

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

Signature of applicant: Tracey Rust Date: 3/9/15

Signature of fee owner: Michael W. DeVol Date: 3/9/15

Michael W. DeVol
DIVISION PRESIDENT



TWIN CITIES DIVISION

7599 Anagram Drive
Eden Prairie, MN 55344

952.229.6000 Tel
952.229.6024 Fax

www.ryland.com

March 3, 2015

Kyle Klatt
Planning Director
City of Lake Elmo
3800 Laverne Ave. N.
Lake Elmo, MN 55042

RE: Hunters Crossing – 2nd Addition Final Plat Application

Dear Mr. Klatt:

Ryland Homes is pleased to submit to the City of Lake Elmo the 2nd Addition Final Plat application for Hunters Crossing located on the east side of Lake Elmo Ave. N. approximately ¼ mile north of Interstate Hwy 94. The following written statements are being provided as part of the submittal requirements for the development:

A. Contact Information

- a. Owner/Developer/Applicant: The Ryland Group – Tracey Rust
7599 Anagram Drive
Eden Prairie, MN 55344
(952) 229-6063
- b. Engineer/Surveyor: Pioneer Engineering – Paul Cherne
2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 251-0630

B. Site Data

- a. Address: Hunters Crossing 1st Addition, Lake Elmo, MN
- b. Zoning: LDR-Urban Low Density Residential.
- c. Parcel Size: 8.75 Acres (381,150 SF)
- d. PID: 36.029.21.32.0033
- e. Legal Description: Outlot C, Hunters Crossing 1st Addition, Washington County, Minnesota.

C. Final Subdivision and Lot Information:

- i. Proposed Development Name: Hunters Crossing 2nd Addition
- ii. See attached table for lot and block number, size and width and depth of lot.
- iii. See attached table with the Public Open Space.
- iv. No wetlands.
- v. See attached table with the proposed Right-of-Way.
- vi. See Final Plat for Easement locations.

D. Preliminary Plat Conditions:

1. Title and Fees: Title will be submitted under separate cover. All fees have been paid for Preliminary Plat.
2. Landscape plan has been submitted under separate cover.
3. Additional landscaping has been added along adjacent property lines.
4. Final construction plans will include the necessary improvements for 5th Street.
5. Valley Branch Watershed District granted approval for the wetland impacts on July 10, 2014.
6. Landscaping outside of public areas will be the responsibility of individual homeowners or the Home Owner's Association depending on the planting locations.
7. Park fee will be paid in lieu of park land dedication prior to final plat recording.
8. A public trail will be constructed with this development.
9. The temporary access from Lake Elmo Avenue will be eliminated when access to 5th Street is provided.
10. Grading was completed for the entire site as part of the 1st Addition.
11. Please see attached plans addressing the City Engineers comments.
12. Ryland will preserve or re-use trees if possible.
13. Ryland will work with the property owner to the north should grading be necessary to construct 5th Street improvements.
14. Ryland has already paid the Water Availability Charge for the entire development prior to 1st Addition Final Plat recording.

E. Density: The net density for the overall site is 3.93 lots/acre. This calculation is based on the number of lots divided by the acreage excluding outlots and right of way (51 lots / (23.10 -3.84-6.27) Acres = 3.93 lots/acre.)

F. Infrastructure Improvements: Hunters Crossing will ultimately have access from the future 5th Street corridor. The temporary access point for the site will be via the existing driveway entrance off of Lake Elmo Avenue. The internal streets with sidewalks parallel Lake Elmo Avenue and 5th Street with 2 cul-de-sacs on the east side of the property adjacent to the proposed stormwater basin. The stormwater basin located on the east side of the property has been designed in this location due to the low area of the site as well as allowing a natural buffer between the residential and future business park use. A trail is proposed along the south and east side of the basin to provide a connection from the development to 5th Street. Sanitary sewer service will be provided within the internal roadway system with connection to the 24" sanitary sewer service that the City recently installed to service this and other sites. Watermain service will also be provided within the internal roadway and connect to the watermain trunk service that was installed along Lake Elmo Avenue by the City in 2014.

2nd Addition of Hunters Crossing will consist of 29 lots with necessary streets and utilities.

G. Neighbor Concerns:

- a. Neighbor at Southwest corner - Ryland has discussed this project with the neighbors directly adjacent to the site. The neighbor at the southwest corner of the site mentioned concern for future grading and drainage entering their property and if Lake Elmo Avenue improvements would affect their property and/or driveway. Ryland's grading plan addresses the grading by matching existing grades at the property line. The current Lake Elmo Avenue & 5th Street intersection improvements do not extend south past the development therefore those improvements will not affect the current property owner at the southwest

corner. Additional landscaping was added to increase screening along the properties lines with final placement of proposed trees to be agreed upon by the property owner, City and Ryland.

- b. Neighbor to the East – Ryland has met with the adjacent neighbor to the east and has acquired a temporary grading easement and permanent drainage and utility easement on their property.
 - c. Neighbor to the South – Ryland has been in contact with the neighbor to the south and currently has a draft easement agreement for a permanent drainage and utility easement. However, the agreement is between the City and the owner to the south, and its Ryland's understanding that language is still being agreed upon between the two parties.
- H. Conflicts with nearby land uses: Ryland believes that not only is this development not creating conflicts with nearby land uses or future uses but that it is encouraging future uses with it being the first development in the area and contributing to utility trunk service extensions and roadway improvements.
- I. No excessive burden on the City: With the City of Lake Elmo's plan to expand and create developments in Lake Elmo and given the size of this first development into the area, we do not anticipate any burdens on roadways, utilities, parks, schools, fire, police, or other services in the area.
- J. Proposed lakeshore access: Not applicable.
- K. Parks and/or open space: The City staff has recommended that a park is not necessary within the proposed development and that Ryland will pay a parkland dedication fee to contribute to a future regional park within the area.
- L. Development Schedule: The development will be constructed in two (2) phases with the first phase utilizing the existing access off of Lake Elmo Avenue until 5th Street is constructed and complete. Phase I consisted of 22 lots along the north side of the site with necessary streets, utilities and the stormwater basins. Phase II will consist of the remained of the development (29 lots) along with necessary streets and utilities. The following is a preliminary schedule for design/approvals and construction.
- a. 2nd Addition Final Plat Approval – April 2015
 - b. 2nd Addition Site Construction (Streets & Utilities) – June-August 2015
 - c. 5th Street Construction – July-August 2015

Ryland Homes has appreciated City Staff's comments and direction so far with this project and we look forward to continuing to work with City Staff to make this a successful neighborhood for the City of Lake Elmo. Please feel free to contact Tracey Rust at 952.229.6063 with any questions.

Sincerely,

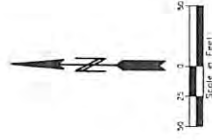
THE RYLAND GROUP, INC.



Tracey Rust, PE
Entitlement Manager

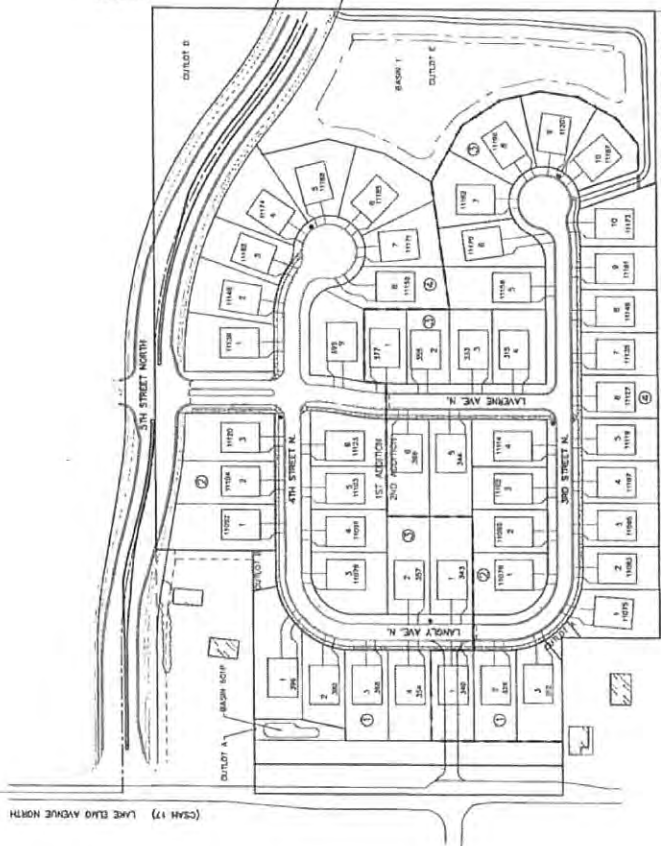
Attachment: Hunters Crossing Information Table

AREA SKETCH



AREA SUMMARY	
BLOCK 1 =	36,042 SF
BLOCK 2 =	64,021 SF
BLOCK 3 =	10,238 SF
BLOCK 4 =	96,332 SF
TOTAL LOT AREA =	306,615 SF
TOTAL OUTLOT AREA =	1,304 SF
TOTAL P/W AREA =	75,040 SF
TOTAL AREA =	380,959 SF
	0.7814 AC
	1.4597 AC
	2.5037 AC
	2.2115 AC
	6.9930 AC
	0.0299 AC
	1.7227 AC
	8.7456 AC

LEGEND

[illegible]

BENCH MARK
MN/DOT 8282 AG
ELEV=943.87 (1988 datum)

SHEET INDEX
COVER SHEET

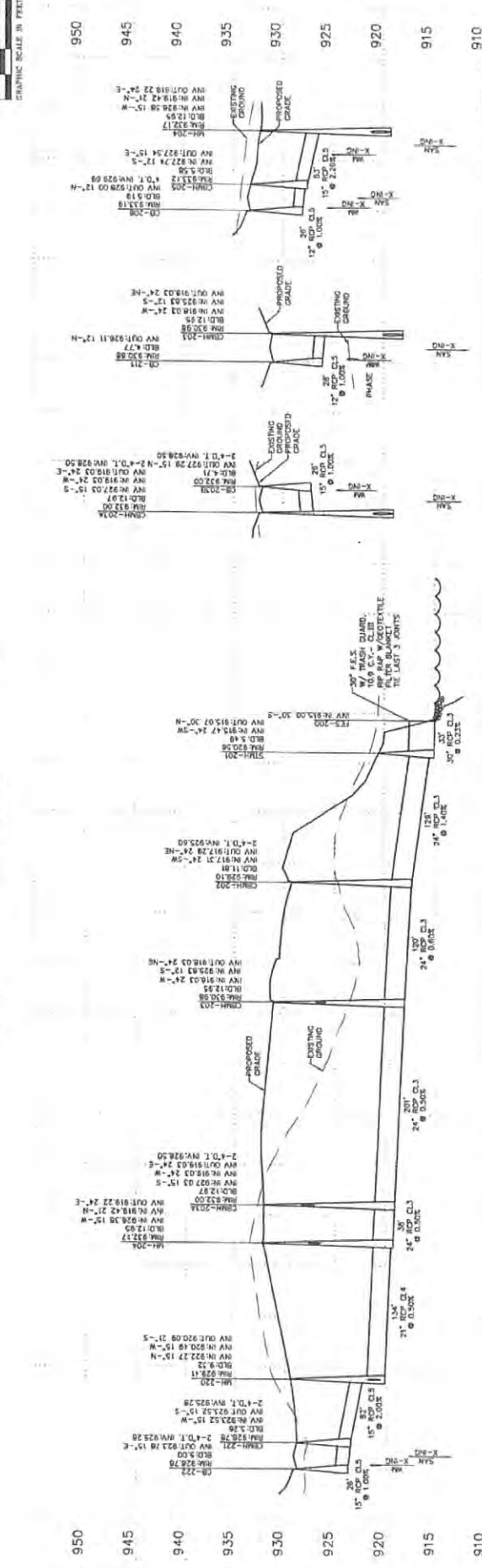
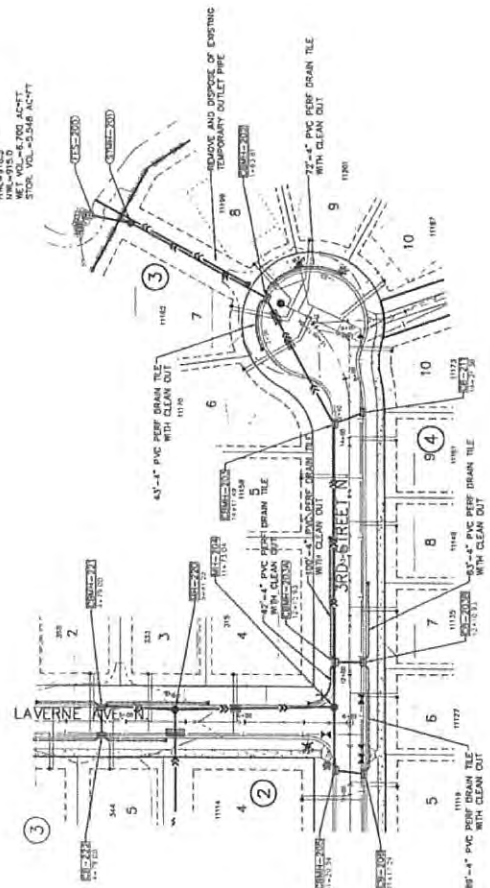
1. COVER SHEET
2-4. SANITARY SEWER & WATERMAIN
5-7. STORM SEWER CONSTRUCTION
8-9. STREET CONSTRUCTION
10. BITUMINOUS TRAIL CONSTRUCTION
11. SIGNING, STRIPING & LIGHTING PLAN
12-18. CITY DETAILS

L1. LANDSCAPE PLAN



- LAKE ELMO STANDARD STORM SEWER NOTES (STANDARD DRAWING 400-1)
1. ALL STORM SEWER AND ACCESSORIES MUST BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LAKE ELMO STANDARD SPECIFICATIONS AND DETAILS. ALL FITTINGS SHALL CONFORM WITH THE TYPE, SIZE, AND STRENGTH CLASS SPECIFIED HEREIN.
 2. PRECAST CONCRETE MANHOLE AND CATCH BASIN SECTIONS SHALL BE USED UNLESS OTHERWISE SPECIFIED. MANHOLE SECTIONS SHALL BE 1'-0" TO 1'-4" MANHOLE SECTIONS SHALL BE INSTALLED UNDER THE CORNER SECTION TO ALLOW FOR HEIGHT ADJUSTMENT WHENEVER POSSIBLE.
 3. JOINTS OF MANHOLE SECTIONS SHALL BE TONGUE AND GROOVE JOINTS. JOINTS OF RINGS JOINTS PROVIDED ON ALL STORM SEWER MANHOLES.
 4. RIP-RAP SHALL BE HAND-PLACED ONLY GEOTEXTILE FABRIC AND CONFORM TO MOIST SPEC. SAND, CLASS II, OR AS SPECIFIED HEREIN.
 5. UNDER THE MANHOLE, GEOTEXTILE FABRIC USED UNDER RIP-RAP SHALL EXTEND 3 FT UNDER THE MANHOLE.
 6. FURNISH & INSTALL TRASH GUARDS ON ALL PLATED END SECTIONS.
 7. ALL SUT SHALL BE CLEANED OUT FROM THREE RIP-RAP AT THE END OF THE PROJECT.
- ADDITIONAL NOTES:
1. SEE CITY OF LAKE ELMO STANDARD DETAILS FOR PUBLIC INFRASTRUCTURE.
 2. SEE LAKE ELMO STANDARD PLAN NOTES FOR GRADING AND EROSION CONTROL, DETAILS ROAD, EOOD, AND BOOD.
 3. SEE LAKE ELMO STANDARD PLAN NOTES FOR SITE RESTORATION, DETAIL BOOD.
 4. STRUCTURE OFF SET TO BE VERIFIED BY CONTRACTOR BASED ON MATERIAL SUPPLIED TO PROJECT. FIELD STAKING SHALL BE SET ACCORDING TO BACK-OF-COORD.

STRUCTURE NAME	STRUCTURE SIZE	REMARK OR EQUAL
CB-203	36" DIA	R-3087 V
CB-204	36" DIA	R-3087 V
CB-205	36" DIA	R-3087 V
CB-206	36" DIA	R-3087 V
CB-207	36" DIA	R-3087 V
CB-208	36" DIA	R-3087 V
CB-209	36" DIA	R-3087 V
CB-210	36" DIA	R-3087 V
CB-211	36" DIA	R-3087 V
CB-212	36" DIA	R-3087 V
CB-213	36" DIA	R-3087 V
CB-214	36" DIA	R-3087 V
CB-215	36" DIA	R-3087 V
CB-216	36" DIA	R-3087 V
CB-217	36" DIA	R-3087 V
CB-218	36" DIA	R-3087 V
CB-219	36" DIA	R-3087 V
CB-220	36" DIA	R-3087 V
CB-221	36" DIA	R-3087 V
CB-222	36" DIA	R-3087 V
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CB-283	36" DIA	R-3087 V
CB-284	36" DIA	R-3087 V
CB-285	36" DIA	R-3087 V
CB-286	36" DIA	R-3087 V
CB-287	36" DIA	R-3087 V
CB-288	36" DIA	R-3087 V
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CB-294	36" DIA	R-3087 V
CB-295	36" DIA	R-3087 V
CB-296	36" DIA	R-3087 V
CB-297	36" DIA	R-3087 V
CB-298	36" DIA	R-3087 V
CB-299	36" DIA	R-3087 V
CB-300	36" DIA	R-3087 V



PIONEER engineering

2427 Elmwood Drive
Minnetonka, MN 55345
Phone: 952.835.1111
Fax: 952.835.1112
Email: info@pioneer-engineering.com

Project: HUNTERS CROSSING 2nd ADDITION
Location: LAKE ELMO, MINNESOTA
Client: RYLAND HOMES
Design: RYLAND HOMES
Construction: STORM SEWER CONSTRUCTION
Scale: 1" = 10'-0"

Drawn: [Signature]
Check: [Signature]
Date: 12/15/2018

Sheet: 6 of 18

LAKE ELMO STANDARD STORM SEWER NOTES, STANDARD DRAINAGE 400AL

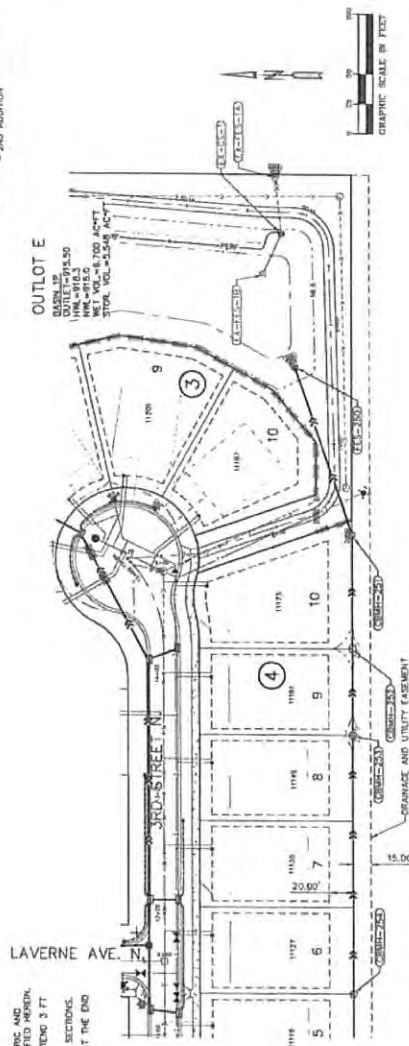
1. ALL STORM SEWER AND ACCESSORIES MUST BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LAKE ELMO STANDARD INFRASTRUCTURE CONSTRUCTION PLAN NOTES FOR GRADING AND DESIGN CONTROL, DETAILS 600AL, 800AL, AND 800AL.
2. SEE LAKE ELMO STANDARD PLAN NOTES FOR SITE RESTORATION, DETAIL 6000.
3. FINAL STRUCTURE OFF SET TO BE VERIFIED BY CONTRACTOR BASED ON MATERIAL SUPPLIED TO PROJECT. FIELD STAKING SHALL BE SET ACCORDING TO 600AL-001.
4. A 1'-0" TO 1'-4" MANHOLE SECTION SHALL BE INSTALLED UNDER THE POSSIBLE.
5. MANHOLE BASE SECTIONS SHALL BE THICK AND BRICK OR CONCRETE MANHOLES.
6. BRP-RAP SHALL BE HAND-PLACED OVER DETENTABLE FABRIC AND CONFORM TO MOIST SPEC. 300L, CLASS II, ON AS SPECIFIED HEREIN.
7. UNDER THE WORK.
8. FURNISH AND INSTALL TRASH GUARDS ON ALL FLARED END SECTIONS.
9. ALL SLOTT SHALL BE CLEARED OUT FROM THE BRP-RAP AT THE END OF THE PROJECT.

ADDITIONAL NOTES:

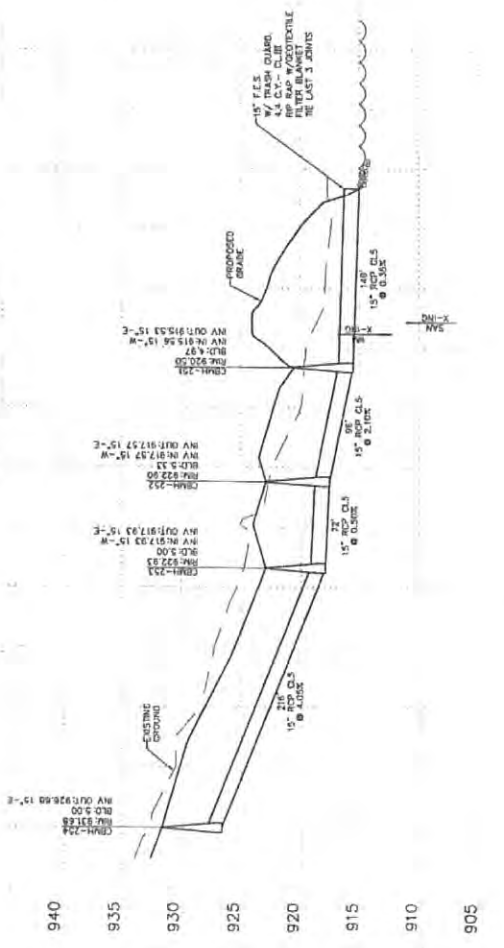
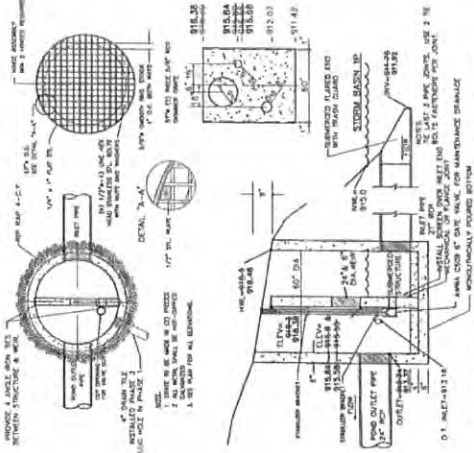
1. SEE CITY OF LAKE ELMO STANDARD DETAILS FOR PUBLIC INFRASTRUCTURE.
2. CONSTRUCTION PLAN NOTES FOR GRADING AND DESIGN CONTROL, DETAILS 600AL, 800AL, AND 800AL.
3. SEE LAKE ELMO STANDARD PLAN NOTES FOR SITE RESTORATION, DETAIL 6000.
4. FINAL STRUCTURE OFF SET TO BE VERIFIED BY CONTRACTOR BASED ON MATERIAL SUPPLIED TO PROJECT. FIELD STAKING SHALL BE SET ACCORDING TO 600AL-001.

STRUCTURE TABLE	
STRUCTURE NAME	CASTING OR EQUAL
CMH-237	48" DIA. R-1342
CMH-240	48" DIA. R-1342
CMH-243	48" DIA. R-1343
CMH-244	48" DIA. R-1343
CS-1	80" DIA. SPECIAL

2ND ADDITION



EXISTING POND OUTLET CONTROL STRUCTURE CS-1 (NOT TO SCALE)



PIONEER
Engineering
3422 Elmwood Drive
Minnetonka, MN 55345
www.pioneereng.com

Project: 15-0001
Sheet: 15-0001-01
Date: 10/1/2015
Author: J. J. J. J.
Checker: J. J. J. J.
Scale: 1" = 40'

STORM SEWER CONSTRUCTION

RYLAND HOMES
EDEN PRAIRIE, MINNESOTA 55444

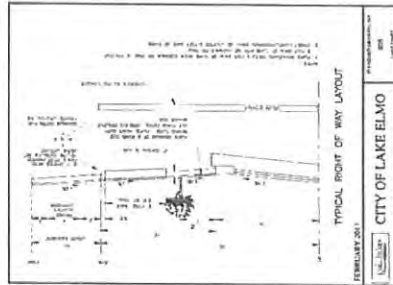
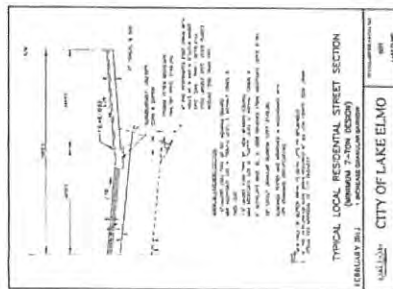
HUNTERS CROSSING 2nd ADDITION
LAKE ELMO, MINNESOTA

7 of 18

BENCH MARK
MN/DOT 8282 AG
ELEV=944.87 (1988 datum)
3-11-2015 1:00

LAKE ELMO, MINNESOTA AND TRAILS NOTES - LITIGATING DRAWING 2024

1. REMAINING PAVEMENT AND SIDEWALKS SHALL BE MAINTAINED TO THE EXISTING FINISH GRADE. ANY NEW PAVEMENT SHALL BE MAINTAINED TO THE EXISTING FINISH GRADE.
2. TRENCHES AND BACKFILLING OPERATIONS MUST BE COMPLETED TO AVOID TRAPPING WATER.
3. ALL NEW PAVEMENT SHALL BE MAINTAINED TO THE EXISTING FINISH GRADE. ANY NEW PAVEMENT SHALL BE MAINTAINED TO THE EXISTING FINISH GRADE.
4. CONCRETE SIDEWALKS SHALL BE MAINTAINED TO THE EXISTING FINISH GRADE. ANY NEW SIDEWALKS SHALL BE MAINTAINED TO THE EXISTING FINISH GRADE.

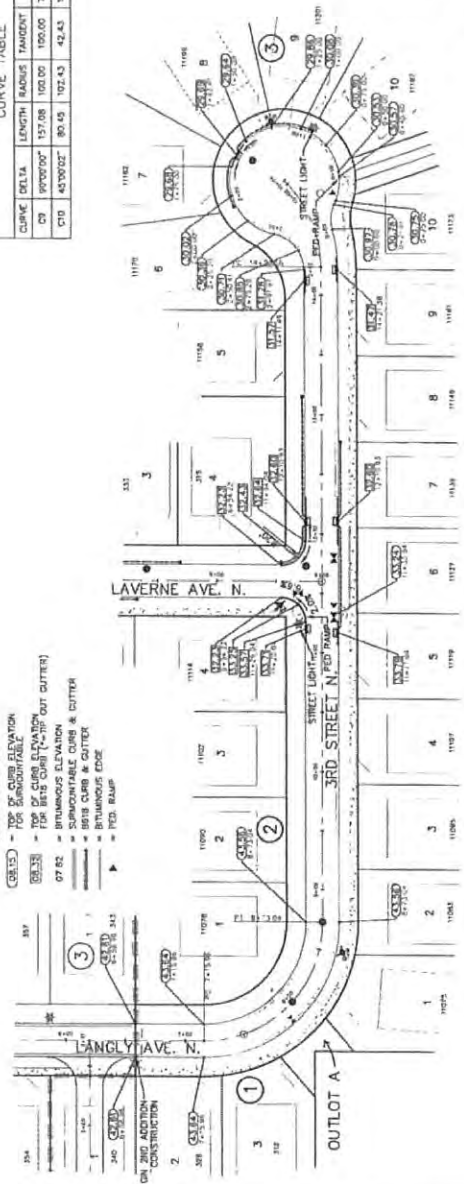


CURB LEGEND

- 1. TOP OF CURB ELEVATION
- 2. TOP OF CURB ELEVATION (OUT CUTTER)
- 3. BURNING ELEVATION
- 4. BURNING ELEVATION (OUT CUTTER)
- 5. BURNING ELEVATION (OUT CUTTER)
- 6. BURNING ELEVATION (OUT CUTTER)
- 7. BURNING ELEVATION (OUT CUTTER)
- 8. BURNING ELEVATION (OUT CUTTER)
- 9. BURNING ELEVATION (OUT CUTTER)
- 10. BURNING ELEVATION (OUT CUTTER)

CURVE TABLE

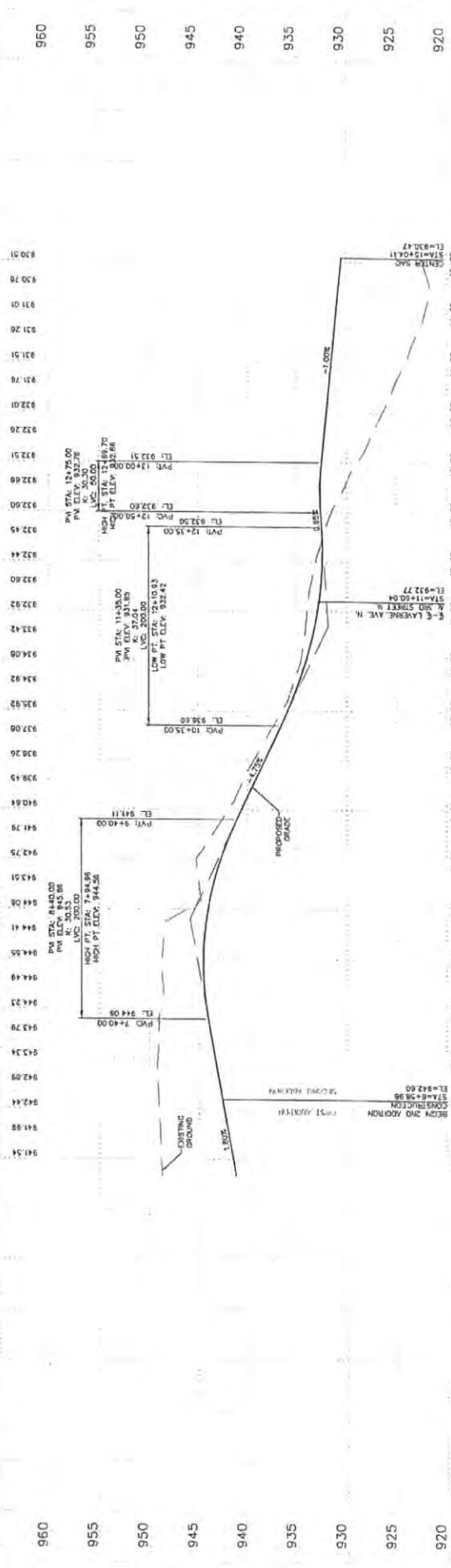
CURVE	DELTA	LENGTH	RADIUS	TANGENT	PC	PT
C1	90°00'00"	157.08	100.00	7+15.98	8+72.06	
C2	45°00'00"	80.45	102.43	1+23.58	1+54.07	



BENCH MARK
MVD/DOE 5235 AC
ELEV=943.87 (1988 datum)

LANGLEY AVE. N.

3RD STREET N.



PIONEER engineering

14222 Pioneer Drive
Minnetonka, MN 55345
www.pioneereng.com

9 of 18

HUNTERS CROSSING 2nd ADDITION
LAKE ELMO, MINNESOTA

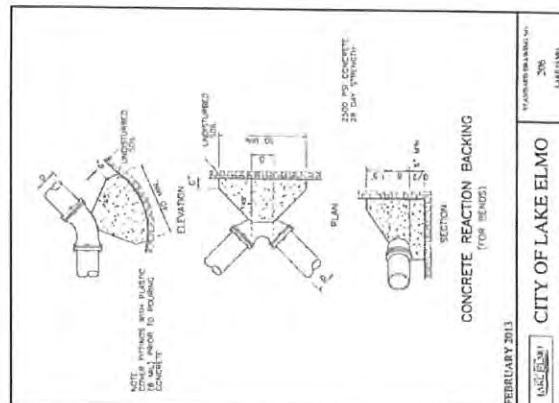
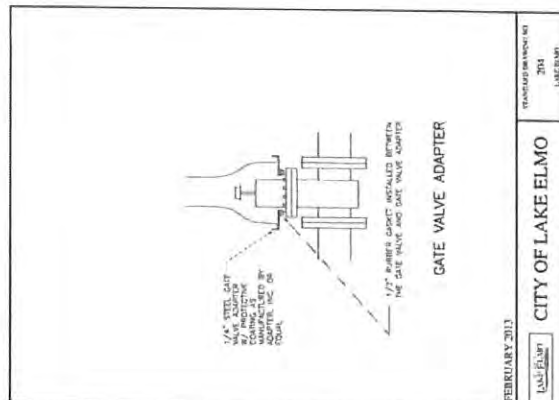
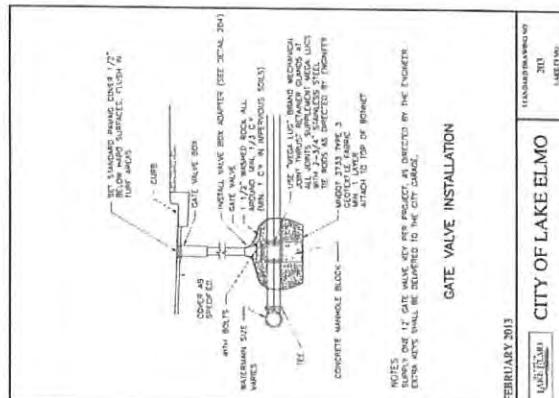
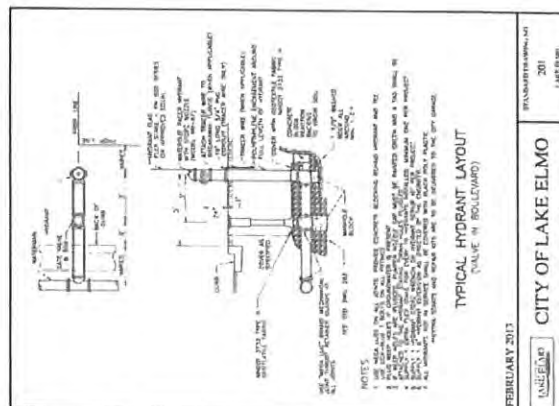
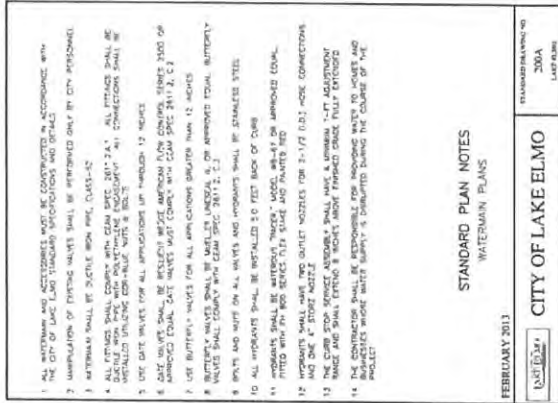
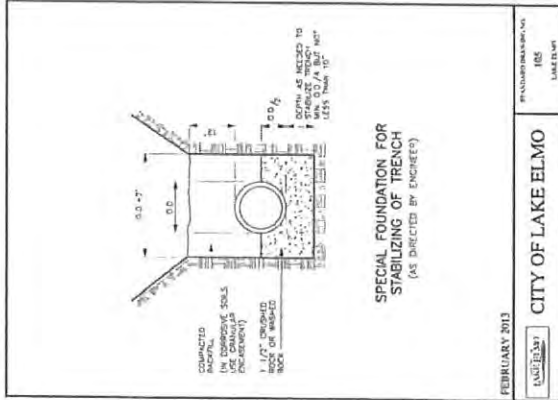
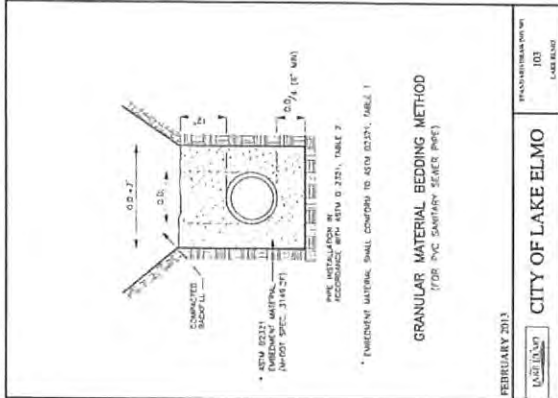
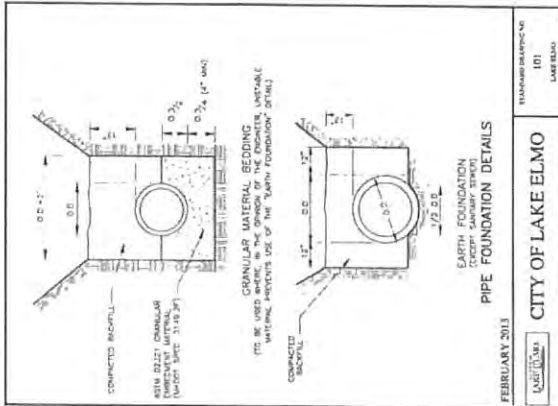
RYLAND HOMES
EDEN PRAIRIE, MINNESOTA

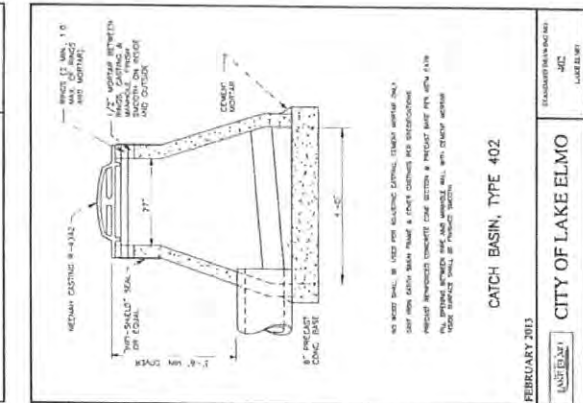
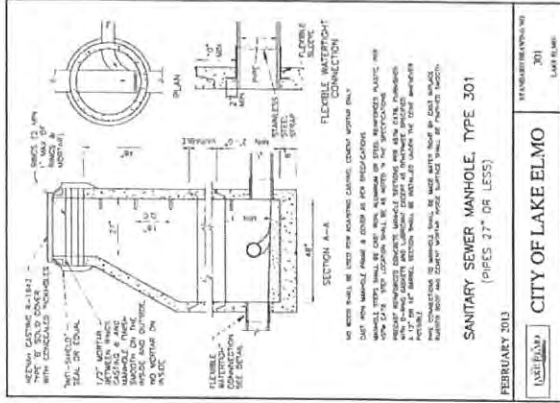
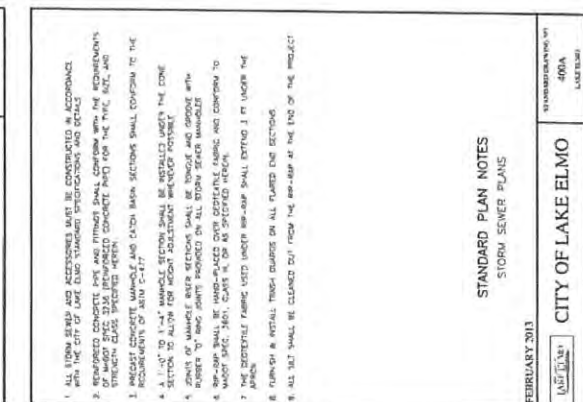
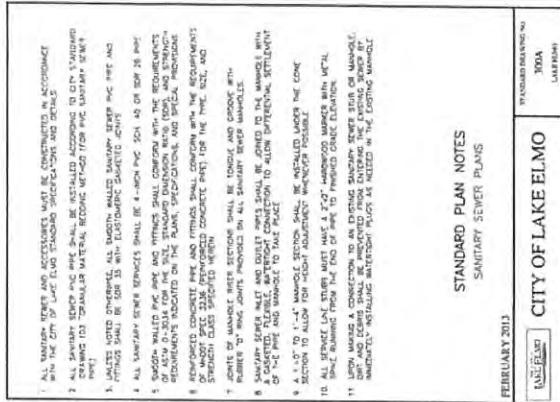
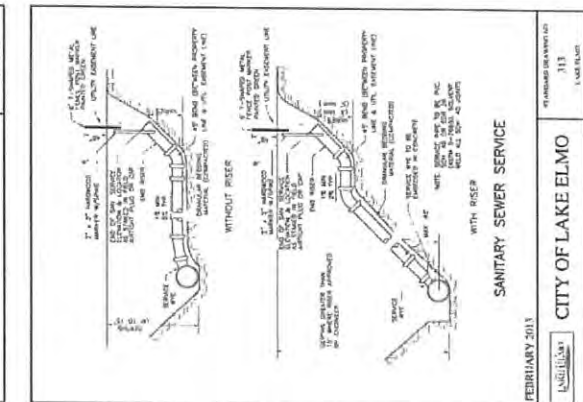
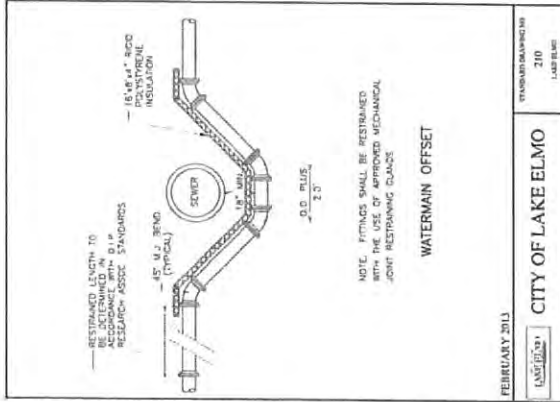
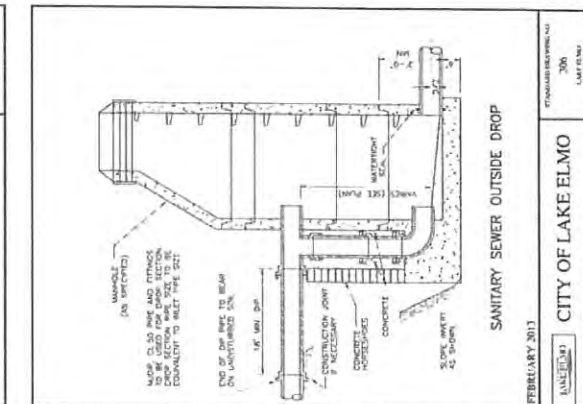
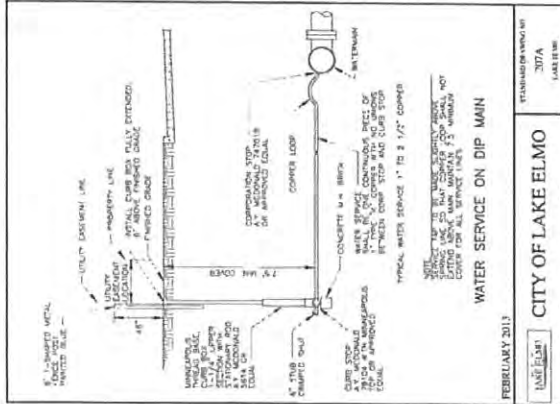
STREET CONSTRUCTION

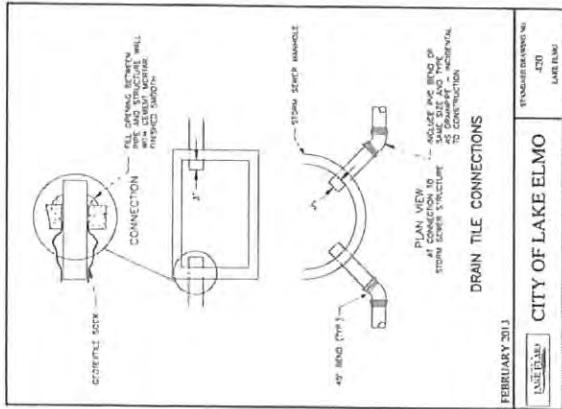
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BY: JLM
CHECKED: JLM

LAKE ELMO, MINNESOTA AND TRAILS NOTES - LITIGATING DRAWING 2024

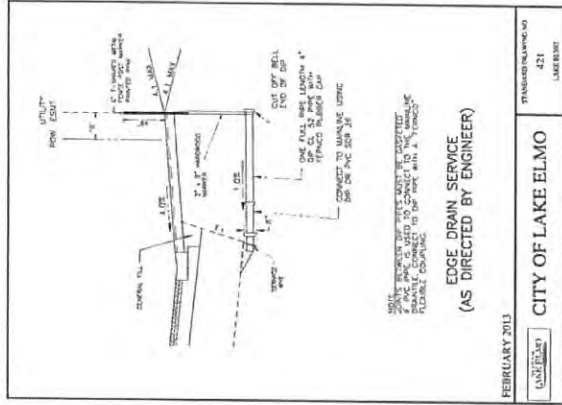
14222 Pioneer Drive
Minnetonka, MN 55345
www.pioneereng.com







FEBRUARY 2013
CITY OF LAKE ELMO
STANDARD DRAWING NO. 470
LAKE ELMO

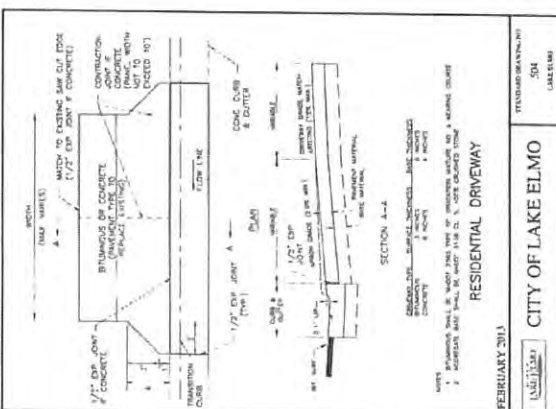


FEBRUARY 2013
CITY OF LAKE ELMO
STANDARD DRAWING NO. 421
LAKE ELMO

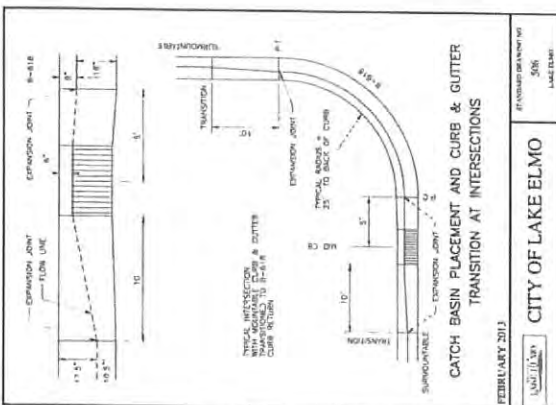
STANDARD PLAN NOTES
SIDEWALKS AND TRAILS

1. SIDEWALKS, TRAILS AND SIDEWALKS MUST BE CONSTRUCTED TO MAINTAIN POSITIVE DRAINAGE AWAY FROM THE INTERSECTIONS THROUGHOUT THE DRIVE LENGTH.
2. SIDEWALKS AND SIDEWALKS MUST BE CONSTRUCTED TO MAINTAIN POSITIVE DRAINAGE AWAY FROM THE INTERSECTIONS THROUGHOUT THE DRIVE LENGTH.
3. SIDEWALKS AND SIDEWALKS MUST BE CONSTRUCTED TO MAINTAIN POSITIVE DRAINAGE AWAY FROM THE INTERSECTIONS THROUGHOUT THE DRIVE LENGTH.
4. SIDEWALKS AND SIDEWALKS MUST BE CONSTRUCTED TO MAINTAIN POSITIVE DRAINAGE AWAY FROM THE INTERSECTIONS THROUGHOUT THE DRIVE LENGTH.

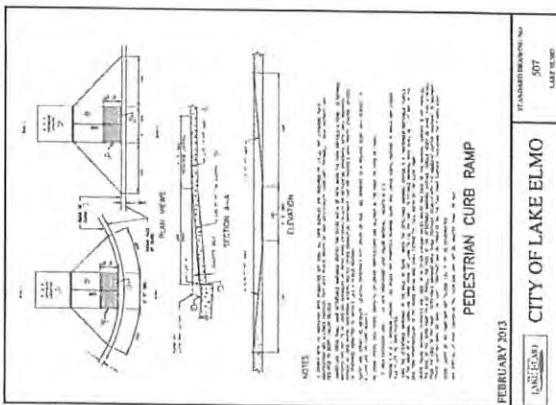
FEBRUARY 2013
CITY OF LAKE ELMO
STANDARD DRAWING NO. 500
LAKE ELMO



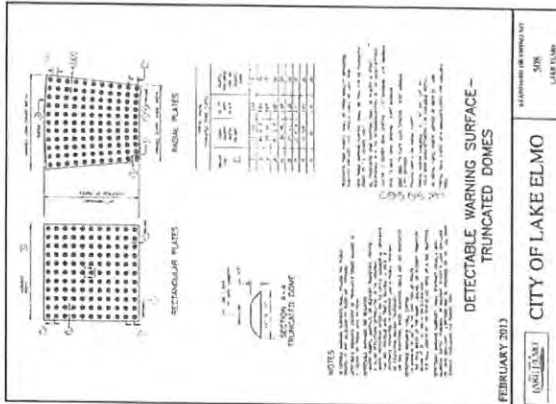
FEBRUARY 2013
CITY OF LAKE ELMO
STANDARD DRAWING NO. 504
LAKE ELMO



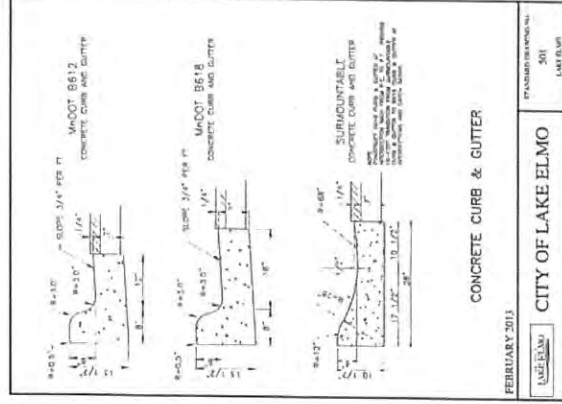
FEBRUARY 2013
CITY OF LAKE ELMO
STANDARD DRAWING NO. 505
LAKE ELMO



FEBRUARY 2013
CITY OF LAKE ELMO
STANDARD DRAWING NO. 507
LAKE ELMO



FEBRUARY 2013
CITY OF LAKE ELMO
STANDARD DRAWING NO. 508
LAKE ELMO



FEBRUARY 2013
CITY OF LAKE ELMO
STANDARD DRAWING NO. 501
LAKE ELMO

STANDARD PLAN NOTES
SITE RESTORATION PLANS

FEBRUARY 2013

CITY OF LAKE ELMO

STANDARD DRAWING NO. 600D
LAKE ELMO

1. RESTORE ALL DISTURBED AREAS WITH 6 INCHES OF TOPSOIL, COMPENSATING TO MEET 7537.

2. PROTECT ALL STORM SEWER ALLEYS AS SPECIFIED HEREIN AND MAINTAIN UNTIL STREET CONSTRUCTION IS COMPLETED.

3. MAINTAIN ALL STORM SEWER ALLEYS AS SPECIFIED HEREIN AND MAINTAIN UNTIL STREET CONSTRUCTION IS COMPLETED.

4. RESTORATION WORK SHALL BEGIN WITHIN 7 DAYS OF FINAL GRADING.

5. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION AND SHALL BE PROTECTED BY A 2' HIGH FENCE AND 12" WOOD POSTS. THE FENCE SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

6. BOLLARDING AND DITCH RESTORATION INCLUDES THE GRADING, WHICH INCLUDES THE DRAINAGE OF ROCK, DEBRIS AND SOIL CHANNELS, WHILE MAINTAINING POSITIVE DRAINAGE.

SILT FENCE

FEBRUARY 2013

CITY OF LAKE ELMO

STANDARD DRAWING NO. 601
LAKE ELMO

NOTE: - 2' HIGH METAL FENCE POST (12" X 12" WOOD POST) SHALL BE USED TO SUPPORT THE FENCE. - 12" X 12" MESH SHALL BE USED TO CONSTRUCT THE FENCE. - MATERIALS SHALL CONFORM TO WSDOT 7537.

DITCH CHECK (FIBER ROLL)

FEBRUARY 2013

CITY OF LAKE ELMO

STANDARD DRAWING NO. 601
LAKE ELMO

NOTE: - 12" X 12" MESH SHALL BE USED TO CONSTRUCT THE DITCH CHECK. - MATERIALS SHALL CONFORM TO WSDOT 7537.

SEDIMENT CONTROL AROUND STORM SEWER INLET

FEBRUARY 2013

CITY OF LAKE ELMO

STANDARD DRAWING NO. 602
LAKE ELMO

NOTE: - 12" X 12" MESH SHALL BE USED TO CONSTRUCT THE SEDIMENT CONTROL. - MATERIALS SHALL CONFORM TO WSDOT 7537.

ROCK CONSTRUCTION ENTRANCE

FEBRUARY 2013

CITY OF LAKE ELMO

STANDARD DRAWING NO. 605
LAKE ELMO

NOTE: - 12" X 12" MESH SHALL BE USED TO CONSTRUCT THE ROCK CONSTRUCTION ENTRANCE. - MATERIALS SHALL CONFORM TO WSDOT 7537.

STANDARD PLAN NOTES
SIGNING/PAVEMENT MARKINGS/LIGHTING PLANS

FEBRUARY 2013

CITY OF LAKE ELMO

STANDARD DRAWING NO. 700A
LAKE ELMO

1. STREET LIGHTING SHALL BE INSTALLED PER CITY STANDARD 3 FEET BACK OF CURB.

2. ALL SIGNS SHALL BE 12" HIGH.

3. ALL SIGNS SHALL BE 12" HIGH.

4. SIGNS SHALL BE 12" HIGH.

5. SIGNS SHALL BE 12" HIGH.

6. SIGNS SHALL BE 12" HIGH.

7. SIGNS SHALL BE 12" HIGH.

OFF ROAD STRUCTURE MARKERS

FEBRUARY 2013

CITY OF LAKE ELMO

STANDARD DRAWING NO. 700
LAKE ELMO

NOTE: - 12" X 12" MESH SHALL BE USED TO CONSTRUCT THE OFF ROAD STRUCTURE MARKERS. - MATERIALS SHALL CONFORM TO WSDOT 7537.

STREET SIGNS

FEBRUARY 2013

CITY OF LAKE ELMO

STANDARD DRAWING NO. 706
LAKE ELMO

NOTE: - 12" X 12" MESH SHALL BE USED TO CONSTRUCT THE STREET SIGNS. - MATERIALS SHALL CONFORM TO WSDOT 7537.

PIONEER engineering

1407 Enterprise Drive
Mankato, MN 56001
www.pioneereng.com

Phone: (507) 831-8148
Fax: (507) 831-8149
Email: info@pioneereng.com

Project: 1407 Enterprise Drive
Client: City of Lake Elmo
Date: 02/13/2013

Prepared by: [Signature]
Checked by: [Signature]
Date: 02/13/2013

Project: 1407 Enterprise Drive
Client: City of Lake Elmo
Date: 02/13/2013

Project: 1407 Enterprise Drive
Client: City of Lake Elmo
Date: 02/13/2013

Project: 1407 Enterprise Drive
Client: City of Lake Elmo
Date: 02/13/2013

CITY DETAILS

RYLAND HOMES

EDEN PARK, MINNESOTA 55434

CITY OF LAKE ELMO

CITY OF LAKE ELMO

CITY OF LAKE ELMO

HUNTERS CROSSING 2nd ADDITION

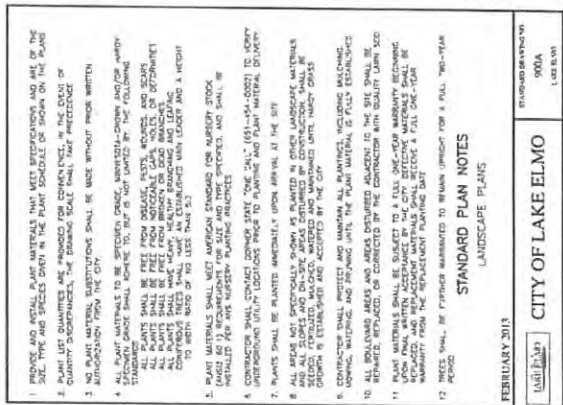
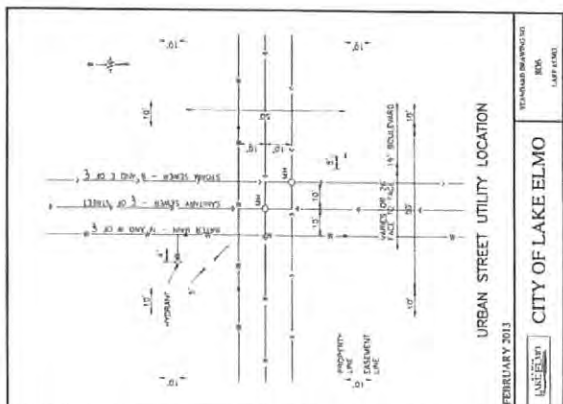
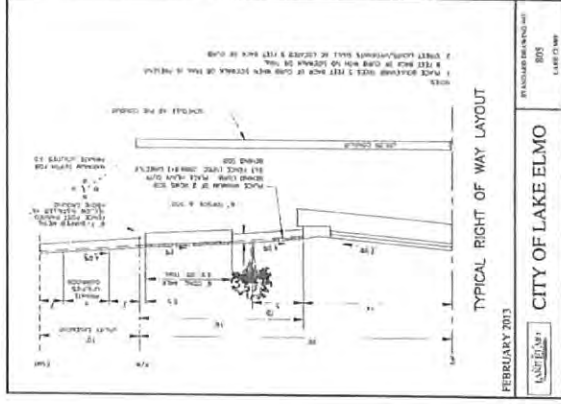
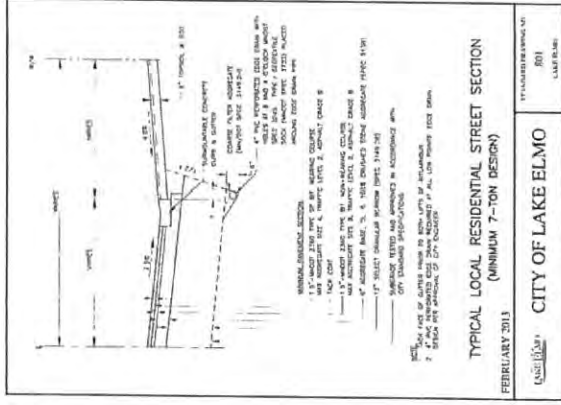
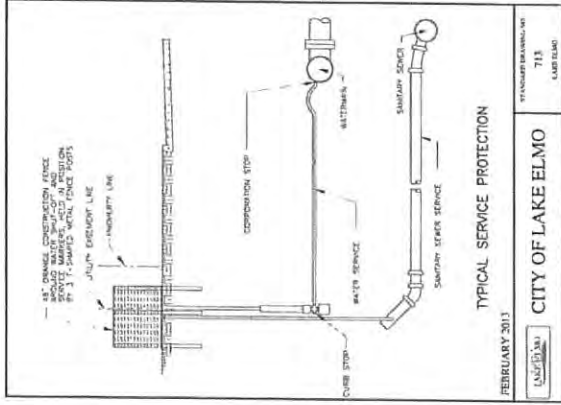
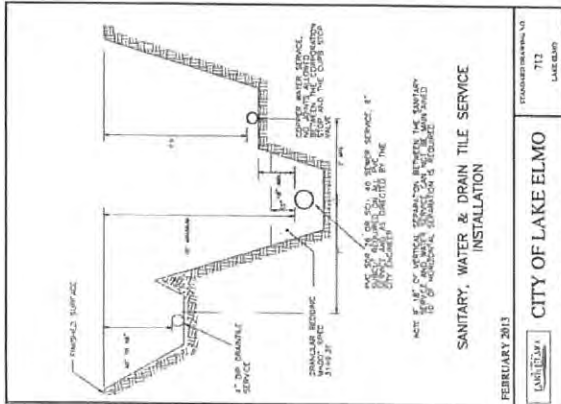
HUNTERS CROSSING 2nd ADDITION

HUNTERS CROSSING 2nd ADDITION

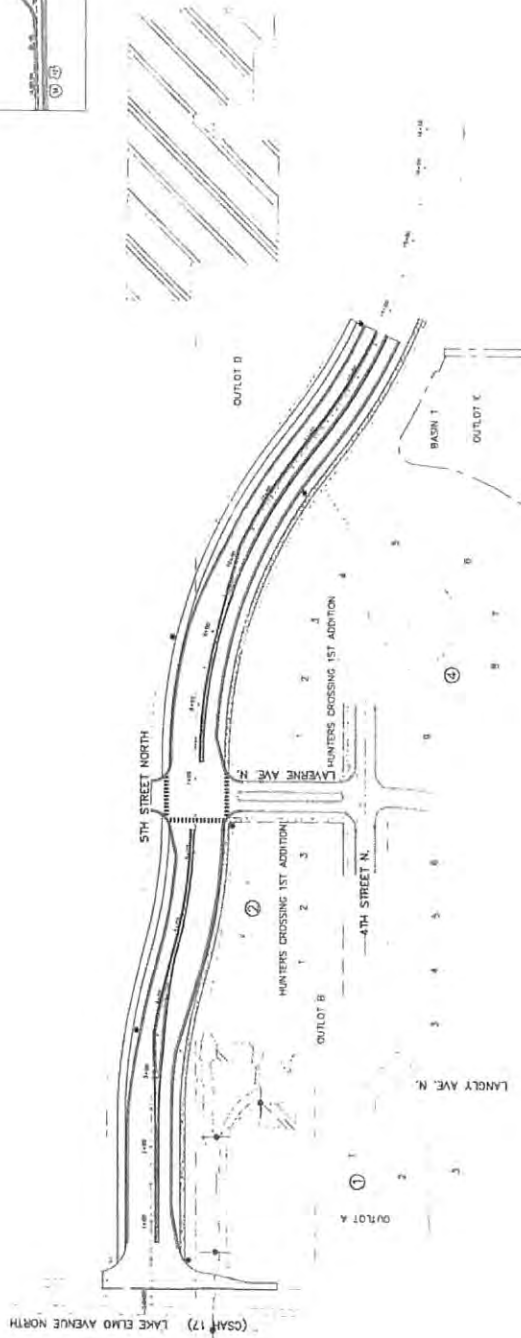
17 OF 18

17 OF 18

17 OF 18



5TH STREET NORTH UTILITY AND STREET CONSTRUCTION LAKE ELMO, MINNESOTA



BENCH MARK
MN/2001 8282 AG
ELEV=943.87 (1988 datum)



GRAPHIC SCALE IN FEET

- SHEET INDEX**
1. COVER SHEET
 2. LEGEND SHEET
 3. TYPICAL SECTIONS
 4. STREET ALIGNMENT SHEET
 5. PHASE 1 PLAN
 6. PHASE 1 TYPICAL SECTIONS
 7. PHASE 2 PLAN
 - 8-9. SANITARY SEWER & WATERMAIN
 - 10-11. STORM SEWER CONSTRUCTION
 - 12-13. STREET CONSTRUCTION
 14. SIGNING, STRIPING & LIGHTING PLAN
 - 15-18. SECTIONS
 - 19-25. CITY DETAILS
 - L1-2. LANDSCAPE PLAN

PIONEER engineering

18011 N. 134th St.
Suite 100
Minnetonka, MN 55345
www.pioneereng.com

Project No. 18011-134
Sheet No. 1 of 25

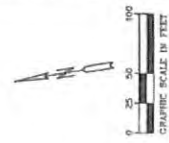
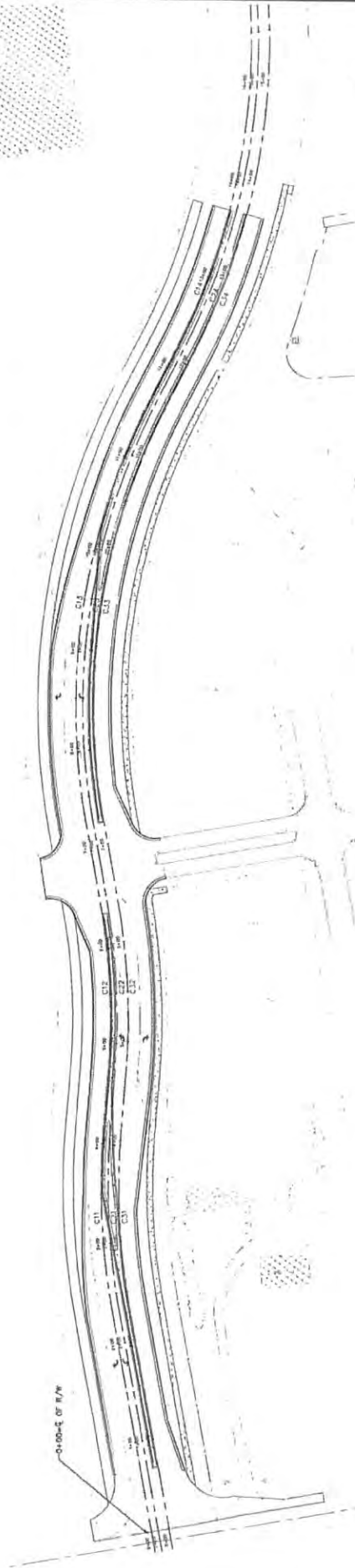
COVER SHEET

RYLAND HOMES
7000 ANGLIM DRIVE
EDEN PRAIRIE, MINNESOTA 55424

5TH STREET NORTH
LAKE ELMO, MINNESOTA

1 of 25

CURVE TABLE						
CURVE	DELTA	LENGTH	RADIUS	TANGENT	PC	PT
C11	145°29'	175.86	674.00	86.48	2+37.58	4+13.54
C12	145°29'	172.31	660.00	85.85	6+79.76	8+43.07
C13	37°51'35"	445.36	874.00	231.15	7+24.08	11+69.44
C14	37°24'54"	450.99	860.00	233.49	12+21.16	16+52.15
C21	145°29'	174.13	687.00	87.56	2+37.58	4+11.71
C22	145°29'	174.13	687.00	87.56	4+08.94	6+43.07
C23	37°51'35"	440.74	897.00	228.75	7+24.08	11+64.81
C24	37°24'54"	435.56	867.00	225.86	12+16.53	16+52.09
C31	145°29'	171.26	656.00	86.12	2+37.58	4+08.84
C32	145°29'	177.21	678.00	89.01	4+06.06	6+43.07
C33	37°51'35"	433.47	856.00	224.88	7+24.08	11+57.55
C34	37°24'54"	442.75	878.00	228.59	12+49.26	16+52.01



BENCH MARK
ELEVATION 43.87
ELEVATION 43.87 (1988 datum)
ELEVATION 43.87 (1988 datum)

PIONEER engineering
2077 Emerald Drive
Mendota Heights, MN 55120
www.pioneer-engineering.com

Project No. 15-014
Sheet No. 4 of 25

Drawn by: [Signature]
Checked by: [Signature]
Date: 12/15/15

ALIGNMENT SHEET

RYLAND HOMES
7999 BALSAM LAKE DRIVE
BURNING WOOD, MINNESOTA 55339

5TH STREET NORTH
LAKE ELMO, MINNESOTA

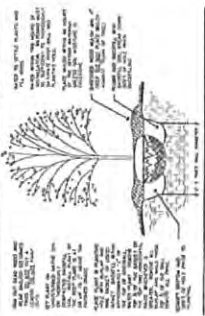
4 of 25



KEY	COMMON NAME/SCIENTIFIC NAME	ROOT	QUANTITY
AM	AUTUMN BLAZE MAPLE/ACER X FREEMANI 'AUTUMN BLAZE'	2.5" BAG	12
SL	SENTRY LINDEN/TILIA AMERICANA 'SENTRY'	2.5" BAG	11
HL	THORNLESS HORNLOOST/GLEDITSIA 'TRACANTHOS VAR INERMIS'	2.5" BAG	5
RO	RED OAK/QUERCUS RUBRA	2.5" BAG	12
JL	JAPANESE TREE LILAC/SYRINGA RETICULATA (CLUMP)	6" BAG	10

SEE SHEET L2 FOR DETAILS A AND B AND CROSS SECTION A-A'

DECIDUOUS TREE PLANTING DETAIL



LANDSCAPE NOTES

- 1. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 2. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 3. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 4. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 5. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 6. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 7. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 8. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 9. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.
- 10. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES.



PIONEER engineering

851 681-1114
2422 Enterprise Drive
Bozeman, Montana 59717
www.pioneereng.com

DATE: 10/1/14
BY: J. H. HARRIS
CHECKED: J. H. HARRIS
APPROVED: J. H. HARRIS

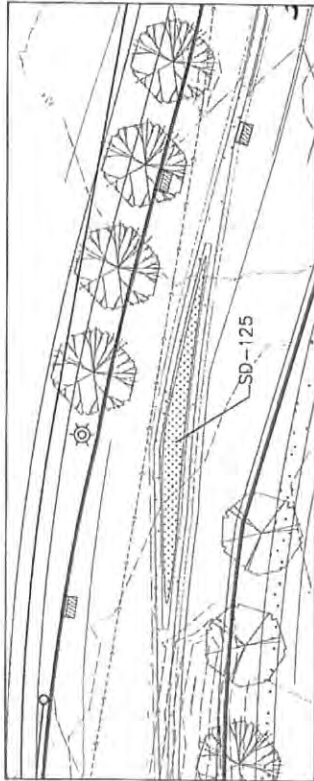
LANDSCAPE PLAN

RYLAND HOMES
700 ALABAMA DRIVE
EAST WYOMING, WYOMING 83001

5TH STREET NORTH
LAND SURVEY

L1 of 2

DETAIL A



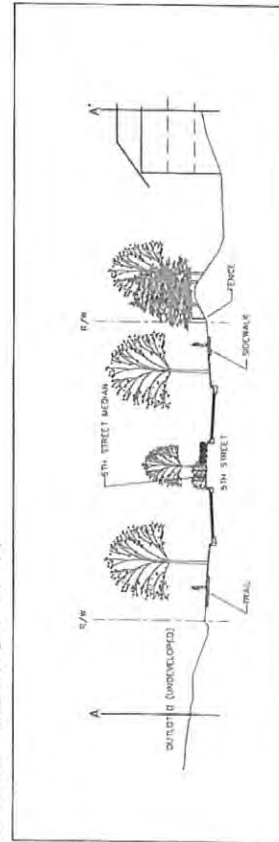
KEY	COMMON NAME/SCIENTIFIC NAME	ROOT	QUANTITY
SHRUBS			
GBC	GLOSSY BLACK CHOKEBERRY/ARONIA MELANOCARPA	#3 POT	34
GFS	GOLDFLAME SPIREA/SPRAEA X BIMALDA 'GOLDFLAME'	#3 POT	29
RR	RUCOSA ROSE/ROSA RUCOSA	#3 POT	35
PERENNIALS			
AJ	AUTUMN JOY SEDUM SPECTABILE 'AUTUMN JOY'	#1 POT	160
KF	KARL FOERSTER/CALAMAGROSTIS ACUTIFOLIA	#1 POT	160
SD	STELLA D'ORO DAILY/HEMOCALUS 'STELLA D'ORO'	#1 POT	275

NOTES:

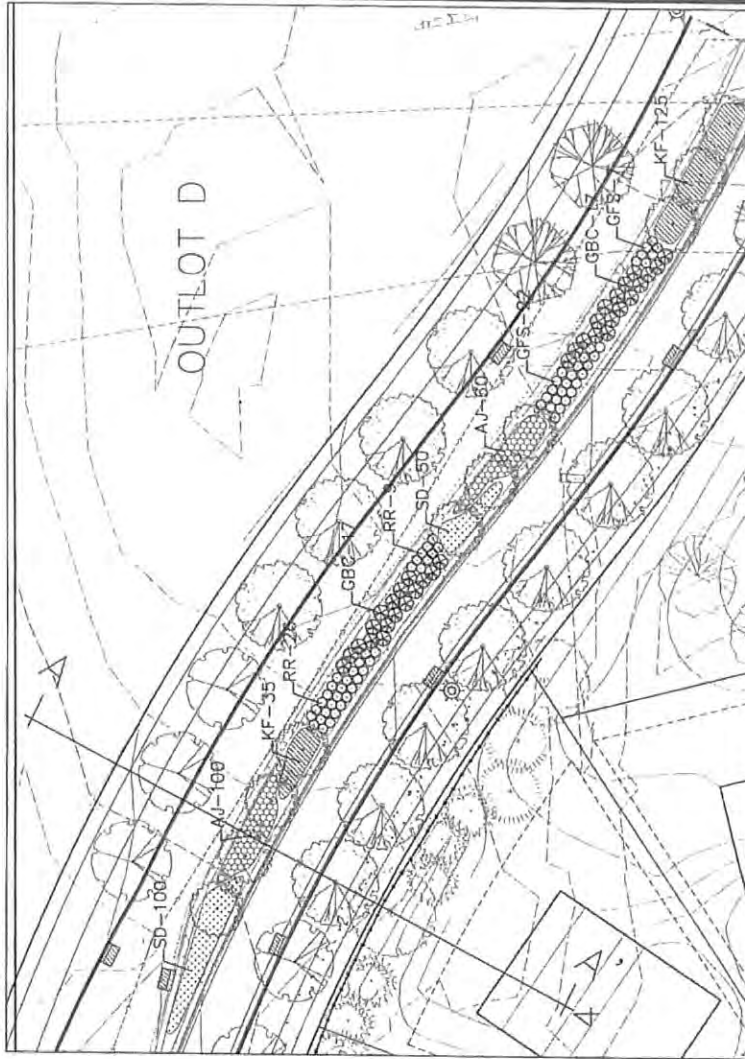
PERENNIAL AREAS TO BE AMENDED WITH COMPOST/PLANTING SOIL TO A DEPTH OF AT LEAST 6" MEDIAN PLANTING BEDS TO BE MULCHED WITH SHREDDED WOOD MULCH TO A DEPTH OF 3" NO WEED BARRIER USED BENEATH WOOD MULCH
 PREEN (OR EQUIVALENT) TO BE USED AT TIME OF PLANTING AND ACCORDING TO PACKAGE INSTRUCTIONS AS PART OF A REGULAR ONGOING MAINTENANCE PROGRAM.
 BOULEVARD AREAS BETWEEN ROAD AND TRAIL/SIDEWALK AND TRAIL/SIDEWALK AND PROPERTY LINE TO BE SODDED
 MEDIAN PLANTINGS TO BE TEMPORARILY IRRIGATED FOR AT LEAST ONE GROWING SEASON OR UNTIL PLANTINGS ARE ESTABLISHED.
 SODDED BOULEVARDS TO BE IRRIGATED AS PART OF ADJACENT DEVELOPMENTS.
 IRRIGATION DESIGNED BY OTHERS.
 MAINTENANCE (INCLUDING IRRIGATION) OF 5TH STREET LANDSCAPING TO BE RESPONSIBILITY OF CITY OF LAKE ELMO

MEDIAN PLANTS CHOSEN FOR LOW MAINTENANCE TENDENCIES ALONG WITH MODERATE TO HIGH SALT TOLERANCE.

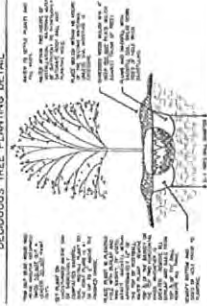
CROSS-SECTION A-A'



DETAIL B



DECIDUOUS TREE PLANTING DETAIL



LANDSCAPE NOTES

- 1. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 2. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 3. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 4. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 5. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 6. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 7. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 8. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 9. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.
- 10. ALL PLANTINGS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAKE ELMO LANDSCAPING SPECIFICATIONS.

PIONEER Engineering
 3422 Pioneer Drive
 Mendota Heights, MN 55120
 612.441.1111
 www.pioneereng.com

2014 Pioneer Engineering 7-1

LANDSCAPE PLAN

RYLAND HOMES
 7701 ANANDABULU
 EDEN PRAIRIE, MINNESOTA 55424

5TH STREET NORTH
 LAKE ELMO, MINNESOTA

L2 of 2

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



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

LAND USE APPLICATION

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

Applicant: THE Ryland Group ATTN: TRACEY RUST
Address: 7599 Anagram Dr, Eden Prairie, MN 55344
Phone #: (952) 229-6063
Email Address: trust@ryland.com

Fee Owner: SAME
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address and Complete (long) Legal Description): Hunters Crossing

Detailed Reason for Request: - Public Roadway and utility easement
vacation
- DISHARGE + UTILITY EASEMENT VACATION

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

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

Signature of applicant: Tracey Rust Date: 3/9/15

Signature of fee owner: Michael W. DeVoe Date: 3/9/15

Michael W. DeVoe
DIVISION PRESIDENT

Description Sketch for:

The Ryland Group, Inc.

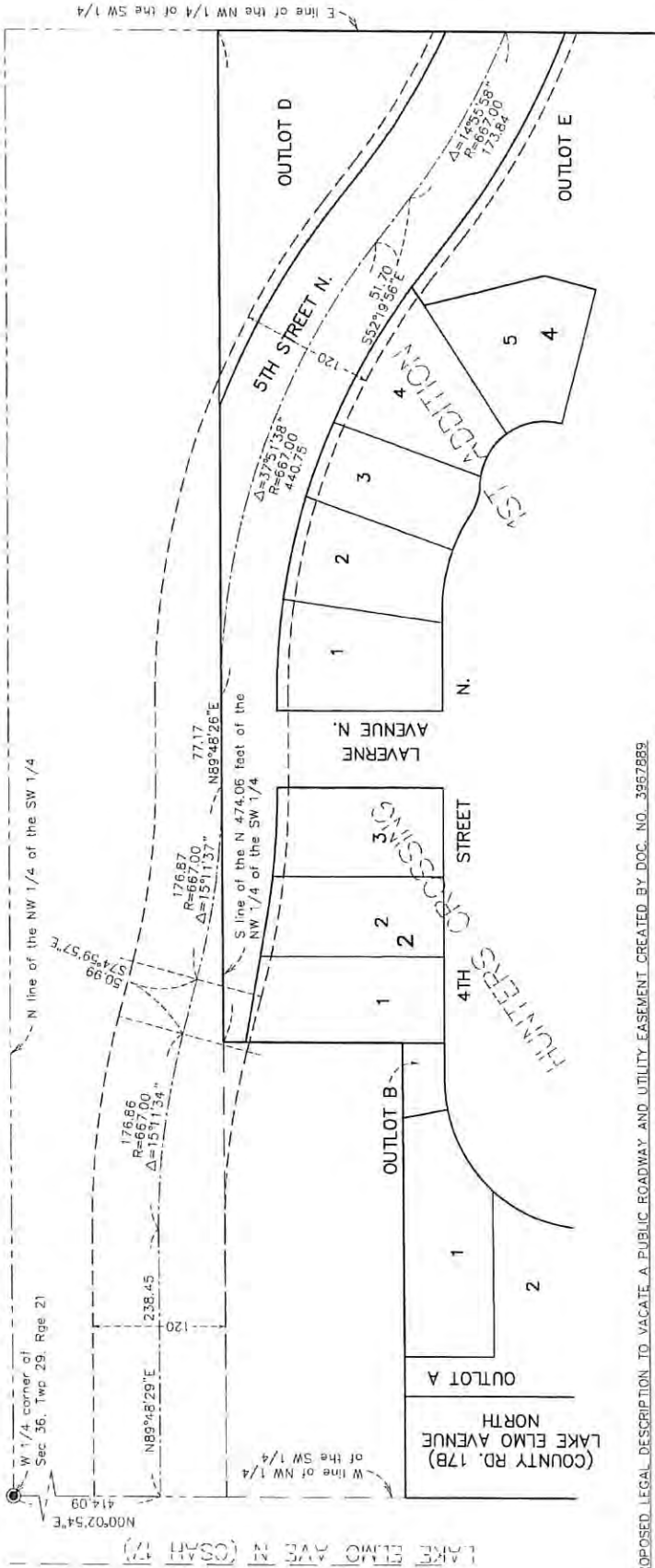
Cad File: 113105-Roadway
Vacation-HUNTERS
CROSSING

Folder #: 7553
Drawn by: mdp

PIONEER engineering, P.A.
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
(651) 681-1914
Fax: 681-9488
www.pioneereng.com

2422 Enterprise Drive
Mendota Heights, MN 55120

Sheet
1 of 1



PROPOSED LEGAL DESCRIPTION TO VACATE A PUBLIC ROADWAY AND UTILITY EASEMENT CREATED BY DOC. NO. 3957889
That part of a 120.00 foot wide easement for public roadway and utility purposes created by document number 3957889, lying over, under, and across Lots 1, 2, and 3, Block 2, Lots 1, 2, 3, and 4, Block 4, and Outlots D and E, HUNTERS CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota.

The centerline of said easement is described as follows:

Commencing at the West Quarter corner of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West along the west line of the Northwest Quarter of said Section 36, a distance of 414.09 feet to the point of beginning of said centerline; thence North 89 degrees 48 minutes 29 seconds East, a distance of 238.45 feet; thence southeasterly a distance of 176.86 feet along a tangential curve concave to the southwest having a radius of 667.00 feet and a central angle of 15 degrees 11 minutes 34 seconds; thence South 74 degrees 59 minutes 57 seconds East tangent to said curve, a distance of 50.99 feet; thence southeasterly a distance of 176.87 feet along a tangential curve concave to the northeast having a radius of 667.00 feet and a central angle of 15 degrees 11 minutes 37 seconds; thence North 89 degrees 48 minutes 26 seconds East tangent to said curve, a distance of 77.17 feet; thence southeasterly a distance of 440.75 feet along a tangential curve concave to the southwest having a radius of 667.00 feet and a central angle of 37 degrees 51 minutes 38 seconds; thence South 52 degrees 19 minutes 56 seconds East tangent to said curve, a distance of 51.70 feet; thence southeasterly a distance of 173.84 feet along a tangential curve, concave to the northeast, having a radius of 667.00 feet and a central angle of 14 degrees 55 minutes 58 seconds, to the east line of said Northwest Quarter of the Southwest Quarter and there terminating.

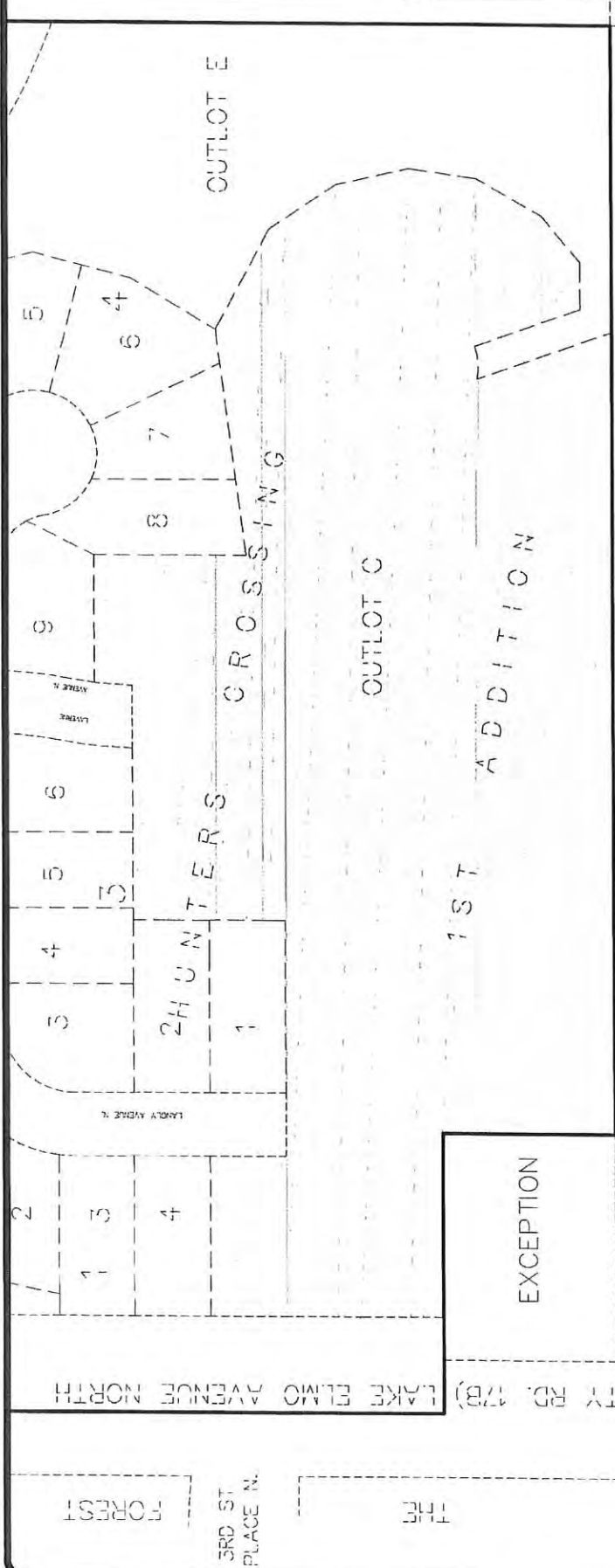
The sidelines of said easement shall be prolonged or shortened to terminate on said east line of the Northwest Quarter of the Southwest Quarter.

(THIS LEGAL DESCRIPTION SHALL BECOME VALID UPON RECORDING THE PLAT OF HUNTERS CROSSING 1ST ADDITION)

* THIS SKETCH DOES NOT PURPORT TO SHOW THE EXISTENCE OR NON-EXISTENCE OF ANY ENCROACHMENTS FROM OR ONTO THE HEREON DESCRIBED LAND, EASEMENTS OF RECORD OR UNRECORDED EASEMENTS WHICH AFFECT SAID LAND OR ANY IMPROVEMENTS TO SAID LAND.

Not to Scale

DEMOTES PROPOSED
EASEMENT TO BE
VACATED



(COUNTY RD. 17B) LAKE ELMO AVENUE NORTH

PROPOSED LEGAL DESCRIPTION FOR EASEMENT VACATION

All drainage and utility easements lying over, under and across Outlot C, HUNTERS CROSSING 1ST ADDITION, according to the recorded plat thereof, Washington County, Minnesota, as delineated and dedicated on said HUNTERS CROSSING 1ST ADDITION.

• THIS SKETCH DOES NOT PURPORT TO SHOW THE EXISTENCE OR NONEXISTENCE OF ANY ENCROACHMENTS FROM OR ONTO THE HEREON DESCRIBED LAND. EASEMENTS OF RECORD OR UNRECORDED EASEMENTS WHICH AFFECT SAID LAND OR ANY IMPROVEMENTS TO SAID LAND.



DENOTES EASEMENT TO BE VACATED



Not to Scale

PIONEER engineering
 CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
 2422 Enterprise Drive
 Mendota Heights, MN 55120
 (651) 681-9488
 Fax: 681-9488
 www.pioneereng.com

Cad File: 113105-Easement Vacation-Outlot C
 Folder #: 7553
 Drawn by: mdp

Description Sketch for:
 The Ryland Group, Inc.



MAYOR & COUNCIL COMMUNICATION

DATE: May 5, 2015
REGULAR
ITEM # 6

AGENDA ITEM: Hunters Crossing 2nd Addition Developer's Agreement

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Dave Synder, City Attorney
Nick Johnson, City Planner
Cathy Bendel, Finance Director

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECCOMENDER: Staff is recommending that the City Council approve a developer's agreement associated with the Hunters Crossing 2nd Addition residential development. The agreement has been drafted based on a model agreement previously reviewed by the Council.

FISCAL IMPACT: Direct Payments to Developer – The agreement identifies a water main oversizing payment of \$27,513.00 to the developer. Future financial impacts include maintenance of streets, trails, sanitary sewer mains, watermain and other public infrastructure, maintenance of storm water ponding areas (after three years), monthly lease payments for street lights, and other public financial responsibilities typically associated with a new development.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to authorize execution of a developer's agreement for the second phase of the Hunters Crossing residential development. The attached agreement has been reviewed by City Staff and all recommend changes specific to the Hunters Crossing 2nd Addition project have been incorporated into the

document as drafted. This agreement must be executed before any construction activity, outside of the previously authorized grading work, may proceed on the site. The recommended motion to take action on the request is as follows:

“Move to adopt Resolution No. 2015-33 approving the developer’s agreement for Hunters Crossing 2nd Addition”

LEGISLATIVE HISTORY/STAFF REPORT: One of the conditions attached to the Council’s approval of the Hunters Crossing 2nd Addition Final Plat specified that the developer enter into a Developer’s Agreement prior to the execution of the plat by City officials. Staff has drafted such an agreement consistent with the City’s developer’s agreement template, and this document is attached for consideration by the City Council. Please note that the document as drafted contains some modifications to the original template based on some of the unique aspects of the Hunters Crossing 2nd Addition development. The key aspects of the agreement include the following components:

- That all improvements to be completed by June 30, 2016.
- That the developer provide a letter of credit in the amount of \$1,619,768 related to the cost of the proposed improvements. The City Engineer will be reviewing the developer’s cost estimates to ensure that they are accurate.
- That the developer provide a cash deposit of \$171,581 for SAC charges, engineering administration, one year of street light operating costs, the remainder of the fee in lieu of park land dedication for Hunters Crossing, and other City fees. Please note that the developer paid WAC charges for the entire preliminary plat area with the first phase agreement, therefore the current agreement includes no additional WAC fees.
- The developer’s agreement includes a City payment of \$27,513.00 associated with oversizing of water main within the development.

The construction plans for Hunters Crossing 2nd Addition include a complete design for 5th Street adjacent to the development, but at this time the developer’s phasing plan indicates that only the southern half will be completed with the other project improvements. Lennar Corporation, which has submitted a sketch plan for the property north of Hunters Crossing, has agreed to work together with Ryland to construct all portions of 5th Street between the two developments as one project. In either case, the construction plans will reflect the overall design for the road and will ultimately be completed as a whole when a project moves forward on the Diedrich/Rieder property.

The City Engineer has not approved the final construction plans for the project, and no work will be allowed to commence on the site until these plans are approved by the City.

BACKGROUND INFORMATION (SWOT):

Strengths: The developer's agreement has been drafted to guarantee that the improvements associated with Hunters Crossing 2nd Addition plans will be installed in accordance with City specifications.

Execution of the developer's agreement and compliance with all conditions in the agreement will allow the developer to record the Final Plat.

Weaknesses: The City will assume responsibility for future maintenance of the public improvements.

Opportunities: The proposed improvements will provide for infrastructure connections to adjacent properties.

The construction plans include the construction of 5th Street, which will be completed with the other public improvements within Hunters Crossing.

Threats: The City will need to provide construction observation throughout the course of the project (these costs will be covered under an Engineering Administration Escrow).

RECOMMENDATION: Based on the above Staff report, Staff is recommending that the City Council approve the Developer's Agreement for Hunters Crossing 2nd Addition and that the Council direct the Mayor and Staff to execute this document. The suggested motion to adopt the Staff recommendation is as follows:

"Move to adopt Resolution No. 2015-33 approving the developer's agreement for Hunters Crossing 2nd Addition"

ATTACHMENTS:

1. Resolution No. 2015-33
2. Hunters Crossing 2nd Addition Developer's Agreement – Final Draft

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

RESOLUTION NO. 2015-33

*A RESOLUTION APPROVING THE DEVELOPER'S AGREEMENT FOR
HUNTERS CROSSING 2ND ADDITION*

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

WHEREAS, The Ryland Group, 7599 Anagram Drive, Eden Prairie, MN ("Applicant") has previously submitted an application to the City of Lake Elmo ("City") for a Final Plat for Hunters Crossing 2nd Addition; and

WHEREAS, the Lake Elmo City Council considered and approved the Preliminary Plat request for Hunters Crossing at a meeting held on July 1, 2014; and

WHEREAS, The Lake Elmo City Council adopted Resolution No. 2015-031 on May 5, 2015 approving the Final Plat for Hunters Crossing 2nd Addition; and

WHEREAS, Condition (2) of said Resolution No. 2015-031 establishes that, prior to the execution of the Final Plat by City officials, the Applicant is to enter into a Developer's Agreement with the City; and

WHEREAS, the Applicant and City have agreed to enter into such a contract, and a copy of the Developer's Agreement was submitted to the City Council for consideration at its May 5, 2015 meeting.

NOW, THEREFORE, based on the information received, the City Council of the City of Lake Elmo does hereby approve the Developer's Agreement for Hunters Crossing 2nd Addition and authorizes the Mayor and City Clerk to execute the document.

Passed and duly adopted this 5th day of May 2015 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

(reserved for recording information)

DEVELOPMENT CONTRACT

(Public sewer and water)

Hunters Crossing 2nd Addition

AGREEMENT dated _____, 2015, by and between the **CITY OF LAKE ELMO** a Minnesota municipal corporation ("City"), and The Ryland Group, Inc., a Maryland corporation, (the "Developer").

1. **REQUEST FOR PLAT APPROVAL.** The Developer has asked the City to approve the plat for Hunters Crossing 2nd Addition (referred to in this this Contract as the "plat"). The land is situated in the County of Washington, State of Minnesota, and is legally described in Exhibit "A":

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 Community Development Director has issued a letter that all conditions have been satisfied, a preconstruction conference has been held, and that the Developer may proceed.

4. The Required HOA documents shall be recorded with the Washington County Recorder's Office within 30 days of the plat being recorded with the County.

5. **PHASED DEVELOPMENT.** This 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. Area charges for sewer 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.

6. **PRELIMINARY PLAT STATUS.** 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 five (5) years after preliminary plat approval.

7. **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 residential 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.

8. 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 - Final Plat

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

Plan C - Final Sanitary Sewer, Water Main, Storm Sewer, and Street Plans

Plan D - Final Landscape Plan

9. 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 and Street Trees
- K. Tree Preservation and Reforestation
- L. Monuments Required by Minnesota Statutes

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 Lake Elmo Public Works 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.

10. CITY ENGINEERING ADMINISTRATION AND CONSTRUCTION OBSERVATION. Prior to the commencement of any construction activity authorized under this agreement, the Developer shall submit an escrow for City Engineering Administration and Construction Observation in an amount provided under paragraph 36. 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 at normal City rates for such Services. If Developer fails to pay the invoiced amount within such 30-day period, and such failure continues for an additional five (5) business days after written notice from the City of such failure, 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 at normal City rates therefore.

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.

11. 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.

12. 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. Construction Dewatering:
 - Minnesota Department of Natural Resources

13. TIME OF PERFORMANCE. The Developer shall install all required public improvements by June 30, 2016, 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 including 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.

14. 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.

15. CONSTRUCTION ACCESS. Construction traffic access and egress for grading, public utility construction, and street construction is restricted to access the subdivision via the planned temporary access off of Lake Elmo Avenue. Once access to 5th Street is opened all access to the site shall take place from 5th Street and the Lake Elmo Avenue temporary access will be closed. No construction traffic is permitted on other adjacent local streets.

16. 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. For the purpose of this paragraph, Electronic message (email) shall be deemed an acceptable method of notification provided it is captioned "Notice pursuant to Development Agreement".

17. 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.

18. 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 trails, 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.

19. 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.

20. STREET MAINTENANCE DURING CONSTRUCTION. The Developer shall be responsible for all street maintenance until the streets are accepted by the City in writing. 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.

21. 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.

22. PARK DEDICATION. The Developer shall pay a cash contribution of \$33,356 in satisfaction of the City's park dedication requirements. This charge is based on the pro-rated park dedication requirement of the number of lots being platted within the Plat compared to the overall number of lots within the Hunters Crossing preliminary plat area. The final charge was calculated as follows: 1.96 acres of park land required for the entire preliminary plat area less 0.60 acres of trail provided = 1.36 acres multiplied by \$58,100 per acre per the City's appraisal of the property (\$79,106) subtracted from the park in lieu of land dedication fee paid with the first project phase (\$45,750).

23. 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. Consistent with a previous agreement with the City, the developer has previously paid the WAC fees for the entire subdivision (including the current Plat).

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 \$87,000.

The water availability charge (WAC) in the amount of \$3,000.00 per REU for the entire subdivision area was paid by the Developer prior to the City recording the first phase final plat. There are no additional WAC payments required with this plat.

In addition, a sewer connection charge in the current amount of \$1,000.00 per REU, a Met Council sewer availability charge in the current amount of \$ 2,485.00 per REU, and a water connection charge in the current amount of \$1,000.00 per REU will be collected by the City at the time the building permit is issued for each lot. These amounts are charged at the time of building permit in accordance with the latest city fee schedule.

24. TRAFFIC CONTROL SIGNS. Traffic control signs shall be included as part of the public street improvements, and the installation costs shall be included in the street construction calculations.

25. STREET LIGHTS. The Developer is responsible for the installation of street lights consistent with a street lighting plan approved by the City. The Developer shall coordinate the installation of street lights with Xcel Energy in conjunction with the other improvements, and agrees to pay Xcel Energy for all upfront costs associated with the street lighting system, including underground cables, posts, lamps, ballasts, starters, photocells, and glassware. All street lights will be leased by the City upon final acceptance of the system. The Developer shall also pay \$500 in payment for the first year operating costs for street lights (6 poles x \$6.94 x 12).

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.

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

C. 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.

D. 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.

E. 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.

F. 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, and in the future event that such claims have not been resolved by Developer within thirty (30) days after written

notice 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 payment of 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 at normal City rates therefor. 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 reasonable attorneys' fees. Notwithstanding anything to the contrary, Developer's obligation to indemnify, hold harmless and defend the City shall not extend to any claim, liability, loss, costs, damages or expenses, including attorney's fees, which relate to, result from or are caused by the City's violation of applicable law, this Agreement or the negligence of the City and/or its officers, employees, consultants or agents.

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

E. 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. CITY PAYMENTS. In the event city payments are required by Section 29.A below, within thirty (30) days of the City's final acceptance of the Improvements, pursuant to Section 21 of this Agreement, but only if the Developer is not in default under this Agreement, the City shall pay to the Developer the sums set forth in the attachment to this Agreement as Exhibit B. The actual amount of the reimbursement shall be based on actual construction costs which will be verified by the Developer to the City in the Plans submitted to the City as required in Section 21. This payment by the City shall be the City's only responsibility with regard to construction of the Improvements and in no case shall act as a waiver of any other right of the City under this Agreement or under applicable laws, ordinances, or rules.

A. City payments pursuant to this Agreement shall be: \$ 27,513.00

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29. SPECIAL PROVISIONS. The following special provisions shall apply to the development:

A. Implementation of the recommendations listed in the April 2, 2015 and April 3, 2015 Engineering memorandum.

B. Within 30 days of the plat being recorded with Washington County, the Developer shall convey Outlot A to the City by warranty deed, free and clear of any and all encumbrances.

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

D. The Developer shall enter into a maintenance agreement with and satisfactory to the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.

E. The City will not issue building permits for more than 25 lots within Hunters Crossing until such time that the temporary access is closed and access to 5th Street is provided.

F. The final construction plans for 5th Street shall include the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated September 2, 2014

30. 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 relating to the plat approval and outlots and conveyances, as approved by the City Attorney, shall be filed within 30 days of the recording of the final plat with the Washington County Recorder's Office. No third- party beneficiary status is hereby conferred. All outlots and common areas shall be maintained in good order and repair by a homeowner's association, and if it does not do so, then the City may perform the work and assess the costs against the individual lots within the plat of Hunters Crossing and without regard to the formalities or requirements of Minn. Stat. § 429.

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.

31. 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 and the continuance of such failure for a period of thirty (30) days after written notice thereof (provided, however, that in the event of a bona fide emergency, the City shall only be required to give such notice as is practicable under the circumstances).

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 and the continuance of such failure for a period of thirty (30) days after written notice thereof (provided, however, that in the event of a bona fide emergency, the City shall only be required to give such notice as is practicable under the circumstances).

32. 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. In the event of any uncorrected failure to maintain any common area or landscape areas, the City may undertake to do the work and assess the costs to the individual lots within the plat without regard to the formalities or requirements of Minn. Stat. § 429..

33. ENFORCEMENT BY CITY; DAMAGES. The Developer acknowledges the right of the City to enforce the terms of this Agreement against the Developer, by action for specific performance or damages, or both, or by any other legally authorized means. The Developer also acknowledges that its failure to perform any or all of its obligations under this Agreement may result in substantial damages to the City; that in the event of default by the Developer, 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.

34. 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 cash deposit or 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.

35. 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 \$ 1,116,575.00. The amount of the security was calculated as follows:

CONSTRUCTION COSTS:

Streets	\$153,091
5 th Street (Southern Half)	\$408,695
Sanitary Sewer	\$48,986
Watermain	\$136,197
Surface Water Facilities (pipe, ponds, rain gardens, etc.)	\$91,032
Grading	N/A – Completed with Phase 1

Erosion Control	\$4,875
Sidewalks/Trails	\$47,552
Street Lighting	Xcel to Install, to be pre-paid directly by developer
Street Signs and Traffic Control Signs	\$332
Landscaping	N/A – Included with 1 st Addition
Tree Preservation and Restoration	N/A – With Grading Permit
Wetland Mitigation and Buffers	Completed with 1 st Addition
Monuments	N/A – Included with 1st Addition
Pond Filtration	N/A – Included with 1st Addition
Developer's Record Drawings	\$2,500
Construction Sub-Total	\$ 893,260
Total Project Securities (at 125% Construction Costs)	\$ 1,116,575

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.

36. 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 \$ 558,288 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 \$279,144 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.

37. 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)	\$87,000
Water Availability Charge (WAC)	N/A – Paid with First Addition
Park Dedication	\$33,356
Street Light Operating Fee	\$500
City Base Map Upgrading	\$725
City Engineering Administration Escrow	\$50,000 (Based on two months of administration/observation)

Total Cash Requirements

\$ 171,581

38. 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: 7599 Anagram Drive, Eden Prairie, MN 55344. 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.

39. EVIDENCE OF TITLE. Developer shall furnish the City with evidence of its 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:

THE RYLAND GROUP, INC.

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 _____, 2014, by The Ryland Group, Inc., a Maryland corporation, for and on behalf of the corporation.

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

EXHIBIT "A"
TO
DEVELOPMENT CONTRACT

Legal Description of Property Being Final Platted as Hunters Crossing

Outlot C, Hunters Crossing First Addition, according to the recorded plat thereof, Washington County, Minnesota

EXHIBIT "B"
TO
DEVELOPMENT CONTRACT
City Oversizing Payment Calculation

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 at its offices in Minnesota.

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 sixty (60) 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 sixty (60) 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 forty-five (45) 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: _____

**WATERMAIN OVERSIZE CREDIT
FOR
UTILITY AND STREET CONSTRUCTION
5th STREET
IN
LAKE ELMO, MN
May 30, 2015**

Section B - Watermain					
				Bid Estimate	
Item #	Contract Item	Unit	Unit Price	Quantity	Amount
WM-3	12" D.I.P. Class 52	LF	\$52.00	700	\$36,400.00
WM-4	12" 90 Bend	EA	\$510.00		\$0.00
WM-5	12" 45 Bend	EA	\$467.00		\$0.00
WM-6	12" x 6" Tee	EA	\$568.00	2	\$1,136.00
WM-7	12" x 8" Cross	EA	\$768.50		\$0.00
WM-8	12"x 12"Cross	EA	\$1,006.00		\$0.00
WM-9	12" x 8" Reducer	EA	\$525.00		\$0.00
WM-10	12" Plug	EA	\$291.00	1	\$291.00
WM-11	12" Gate Valve & Box	EA	\$2,860.00	1	\$2,860.00
WM-15					
Total Watermain Estimate Amount					\$40,687.00

Section B - Watermain					
				Bid Estimate	
Item #	Contract Item	Unit	Unit Price	Quantity	Amount
WM-3	8" D.I.P. Class 52	LF	\$38.75	700	\$27,125.00
WM-4	8" 90 Bend	EA	\$297.00		\$0.00
WM-5	8" 45 Bend	EA	\$255.00		\$0.00
WM-6	8" x 6" Tee	EA	\$318.00	2	\$636.00
WM-7	8" x 8" Cross	EA	\$510.00		\$0.00
WM-8	8"x 8"Cross	EA	\$510.00		\$0.00
WM-9	Reducer not required	EA			
WM-10	8" Plug	EA	\$145.00	1	\$145.00
WM-11	8" Gate Valve & Box	EA	\$1,575.00	1	\$1,575.00
WM-15					
Total Watermain Estimate Amount					\$29,481.00

Total Watermain Credit Amount	\$11,206.00
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**WATERMAIN OVERSIZE CREDIT
FOR
UTILITY AND STREET CONSTRUCTION
HUNTERS CROSSING - 2nd ADDITION
IN
LAKE ELMO, MN
May 30, 2015**

Section B - Watermain					
				Bid Estimate	
Item #	Contract Item	Unit	Unit Price	Quantity	Amount
WM-3	12" D.I.P. Class 52	LF	\$52.00	824	\$42,848.00
WM-4	12" 90 Bend	EA	\$510.00		\$0.00
WM-5	12" 22.5 Bend	EA	\$467.00	1	\$467.00
WM-6	12" x 6" Tee	EA	\$568.00	1	\$568.00
WM-7	12" x 6" Reducer	EA	\$525.00	1	\$525.00
WM-8	12"x 12" Tee	EA	\$1,006.00	2	\$2,012.00
WM-9	12" x 8" Reducer	EA	\$525.00	2	\$1,050.00
WM-10	12" Plug	EA	\$291.00		\$0.00
WM-11	12" Gate Valve & Box	EA	\$2,860.00	2	\$5,720.00
WM-15					
Total Watermain Estimate Amount					\$53,190.00

Section B - Watermain					
				Bid Estimate	
Item #	Contract Item	Unit	Unit Price	Quantity	Amount
WM-3	8" D.I.P. Class 52	LF	\$38.75	824	\$31,930.00
WM-4	8" 90 Bend	EA	\$297.00		\$0.00
WM-5	8" 22.5 Bend	EA	\$255.00	1	\$255.00
WM-6	8" x 6" Tee	EA	\$318.00	1	\$318.00
WM-7	8" x 8" Tee	EA	\$510.00	2	\$1,020.00
WM-8	8"x 6" Reducer	EA	\$210.00	1	\$210.00
WM-9	Reducer not required	EA			
WM-10	8" Plug	EA	\$145.00		\$0.00
WM-11	8" Gate Valve & Box	EA	\$1,575.00	2	\$3,150.00
WM-15					
Total Watermain Estimate Amount					\$36,883.00

Total Watermain Credit Amount	\$16,307.00
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MAYOR & COUNCIL COMMUNICATION

DATE: May 5, 2015
REGULAR
ITEM # 7

AGENDA ITEM: Village Preserve Final Plat

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Greg Malmquist, Fire Chief
Stephen Mastey, City's Landscape Consultant

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECCOMENDER: Planning Commission

FISCAL IMPACT: TBD – the City will be asked to review a developer's agreement concerning the final plat at its May 19th meeting. The agreement will include a detailed accounting of any development costs that will be the responsibility of the City.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request from GWSA Land Development, LLC (Gonyea Companies) for approval of a final plat for the first phase of the Village Preserve residential development. The final plat includes 46 single-family residential lots, and the related construction plans for the improvements necessary to serve these homes. The City approved the Village Preserve Preliminary Plat on July 15, 2014, which covered approximately 39 acres of land within the Village Planning Area. There are 91 single family residential lots planned within the entire subdivision, and the final plat covers approximately half of the overall total of units that will eventually be platted.

The Planning Commission considered this matter at its April 27, 2015 meeting and unanimously recommended approval of the Village Preserve Final Plat subject to 11 conditions of approval. The suggested motions to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-34, approving the Final Plat for the first phase of the Village Preserve residential subdivision.”

BACKGROUND INFORMATION:

Attached is the original detailed Staff report that was provided to the Planning Commission regarding the applicant's request for final plat approval. The staff report includes general information about the application, a summary of the relevant planning and zoning issues, a thorough review and analysis of the final plat (including a draft list of recommended conditions of approval), draft findings, and the Staff recommendation to the Planning Commission.

It should be noted that two critical path issues were identified at the time of the preliminary plat approval. First, the design of the Village Preserve subdivision proposed to discharge some of the water from the site to the property to the north, owned by Robert Engstrom Companies. The applicant was required to get written permission from Robert Engstrom Companies, which has now been submitted in the form of an agreement between the two parties (Attachment #5). This strategy to discharge stormwater to the north has been extensively reviewed by the Valley Branch Watershed District as part of a sub-watershed study of the Goetschel Pond sub-watershed. It should be noted that the applicants have obtained their Valley Branch Watershed District Permit (Attachment #14). The second critical path issue for the Village Preserve subdivision was the completing of sanitary sewer down to the Reid Park lift station, which is necessary to make the sewer operational. With the approval of the Easton Village Final Plat and the acceptance of the Construction Plans for the sanitary sewer, staff is confident that this issue has effectively been resolved. The construction of the last segment of sewer pipe is still necessary to serve the Village Preserve subdivision. The Eastern Village trunk sewer system will need to be in operation prior to the City issuing general building permits for the subdivision.

Finally, it should be noted that there are multiple improvements that are being coordinated between the Village Preserve and Wildflower at Lake Elmo developments. The agreement between Robert Engstrom Companies and Gonyea Companies identify who is responsible for the construction and payment of each joint-improvement. Should one of the two parties be delayed, the other party has the right to construct the improvements and be reimbursed according to the terms of the agreement. Staff and the Planning Commission are recommending a condition (Condition #10) that all the necessary improvements that are shared or outside of the subdivision must be complete for the general construction of homes is allowed to proceed.

PLANNING COMMISSION REPORT:

The Planning Commission reviewed the final plat application at its April 27, 2015 meeting. There was general discussion about the timing of the improvements with regards to the Wildflower at Lake Elmo subdivision. In addition, the Planning Commission was pleased that

there would be a trail connection offered to the northern preserve within the Wildflower at Lake Elmo subdivision.

The Planning Commission recommended approval of the Village Preserve Final Plat with 11 conditions of approval. The vote to recommend approval of the Village Preserve Final Plat was unanimous (Vote: 5-0).

STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS (SWOT):

Strengths: The proposed final plat is consistent with the approved preliminary plat subject to the conditions being recommended by Staff and the Planning Commission.

Weaknesses: There remain conditions of approval must be met by the applicant, including revisions to the final construction plans to address comments from the City Engineer.

Opportunities: Approval of the plat application allows the development plans for the Village Preserve residential subdivision to proceed as planned in the Comprehensive Plan. Moving forward with sewered single family growth should allow the City to add additional users to the City's public sanitary sewer system, helping to finance the City's investments in sanitary sewer.

Threats: None

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council approve the Village Preserve Final Plat through the following motion:

“Move to adopt Resolution No. 2015-34, approving the Final Plat for the first phase of the Village Preserve residential subdivision.”

ATTACHMENTS:

1. Resolution No. 2015-34
2. Staff Report to the Planning Commission, 4/27/15
3. Location Map
4. Application Forms and Project Narrative
5. Agreement on Joint Improvements w/Robert Engstrom Companies
6. Final Plat (3 sheets)
7. Final Grading Plans (3 sheets)
8. Final Landscape Plan (3 sheets)

9. Turn Lane Exhibit (2 sheets)
10. City Engineer Review Memorandum, dated 4/14/15
11. Fire Chief Review Memorandum, dated 4/20/15
12. Landscape Consultant Review Memorandum, dated 4/22/15
13. Washington County Review Email w/Exhibit, dated 4/21/15
14. Valley Branch Watershed District Permit, dated 3/18/15

MATERIALS NOT ATTACHED BUT AVAILABLE UPON REQUEST:

1. Final Street Plans
2. Final Utility Plans
3. Final Storm Plans
4. Final Erosion Control Plans

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

RESOLUTION NO. 2015-34

*A RESOLUTION APPROVING A FINAL PLAT FOR THE VILLAGE PRESERVE
RESIDENTIAL SUBDIVISION*

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

WHEREAS, GWSA Land Development, LLC, 10850 Old County Road 15, Suite 200, Plymouth, MN 55441 has submitted an application to the City of Lake Elmo ("City") for a Final Plat for the first phase of the Village Preserve residential subdivision, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the City approved the Village Preserve Preliminary Plat on July 15, 2014; and

WHEREAS, the proposed Village Preserve Final Plat includes 46 single family residential lots within a planned subdivision on one parcel of land (PID: 12.029.21.33.0001) in the Village Planning Area; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat subject to 11 conditions of approval; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat as part of a memorandum to the City Council for the May 5, 2015 Council Meeting; and

WHEREAS, the City Council reviewed the Village Preserve Final Plat at its meeting held on May 5, 2015 and made the following findings of fact:

- 1) That the Village Preserve Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 15, 2014.
- 2) That the Village Preserve Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Village Preserve Final Plat complies with the City's Urban Low Density Residential zoning district.
- 4) That the Village Preserve Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.

- 5) That the Village Preserve Final Plat complies with the City's subdivision ordinance.
- 6) That the Village Preserve Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated April 14, 2015.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Village Preserve Final Plat subject to the following conditions:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plat and plans requested by the City Engineer in a memo dated 4/14/15 shall be incorporated into these documents before they are approved.
- 2) Prior to the release of Final Plat for recording, the developer shall provide evidence in a form satisfactory to the City Attorney that warrants it has fee interest in area included in the Village Preserve Final Plat.
- 3) Prior to the release of the Final Plat for recording, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 4) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the release of the Final Plat for recording.
- 5) A Common Interest Agreement concerning management of the common areas of Village Preserve and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. Said agreement shall comply with Minnesota Statutes 515B-103, and specifically the provisions concerning the transfer of control to the future property owners. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the Final Plat.
- 6) As part of the development agreement for the 1st phase of the Village Preserve development, the applicant shall provide fees in lieu of land dedication for a minimum of 1.57 acres of land to fulfill the City's parkland dedication requirements prior to the release of Final Plat for recording. The fee can be provided in a pro-rated amount for the Phase 1 Area or in an amount addressing the total residential portion of the site.
- 7) The Final Landscape Plan shall include irrigation plans and additional detail of the entry median adjacent to Lake Elmo Avenue. The Final Landscape Plans shall be approved prior to the release of Final Plat for recording.

- 8) The applicant shall provide evidence that all conditions attached to the Valley Branch Watershed District permit for the Final Plat and associated grading work have been met prior to the release of the Final Plat for recording.
- 9) The applicant shall update the Lake Elmo Ave. improvements per the direction of Washington County prior to the Final Plat being released for recording. The applicant is responsible to construct all necessary improvements to Lake Elmo Ave.
- 10) All public improvements outside of the Village Preserve site needed to serve the residential subdivision, including the Eastern Village Sewer and facilities shared with the Wildflower at Lake Elmo development, must be completed prior to the issuance of building permits, with the exception of approved model home permits, in the Village Preserve residential subdivision.
- 11) All outlots containing stormwater management facilities or public parkland shall be deeded to the City upon recording the final plat.

Passed and duly adopted this 5th day of May, 2015 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk



PLANNING COMMISSION
DATE: 4/27/15
AGENDA ITEM: 5B – BUSINESS ITEM
CASE # 2015-16

ITEM: Village Preserve Final Plat

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Washington County Public Works
Valley Branch Watershed District
Greg Malmquist, Fire Chief
Stephen Mastey, Landscape Architecture, Inc.

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider an application for a Final Plat submitted by GWSA Land Development, LLC. The Final Plat application represents the first phase of the Village Preserve residential development and includes 46 single family residential lots. The proposed project is located north of 39th Street, immediately east of Lake Elmo Ave. and immediately west of the planned Wildflower at Lake Elmo residential development. Staff is recommending approval of the Village Preserve Final Plat subject to compliance with 10 conditions as noted in this report.

GENERAL INFORMATION

Applicant: GWSA Land Development, LLC (Craig Allen); 10850 Old County Road 15, Suite 200, Plymouth, MN 55441

Property Owners: Schiltgen Farms, Inc.; 10880 Stillwater Blvd. N., Lake Elmo, MN 55042

Location: Part of Sections 12, Township 29 North, Range 21 West in Lake Elmo, north of 39th Street and east of Lake Elmo Avenue (CSAH 17). PID Number: 12.029.21.33.0001.

Request: Application for a Final Plat for the 1st phase of the Village Preserve residential subdivision. The Final Plat (1st Phase of Village Preserve) includes 46 single family lots and various outlots planned for stormwater management, parkland and future residential lots.

Existing Land Use and Zoning: Vacant agricultural land. Current Zoning: RT – Rural Development Transitional Zoning District; Proposed Zoning: LDR - Urban Low Density Residential

Surrounding Land Use and Zoning: North – vacant/agricultural land (likely flood plain); west – agricultural land, guided for Village Urban Low Density Residential (V-LDR); south – vacant land guided for Village Mixed-Use (VMX); east – vacant/agricultural land guided for

	Village Medium Density Residential (V-MDR) and planned for Wildflower at Lake Elmo planned residential development
<i>Comprehensive Plan:</i>	Village Urban Medium Density Residential (2.5 – 4.99 units per acre).
<i>History:</i>	Sketch Plan review by Planning Commission on 3/10/14. Sketch Plan review by the Park Commission on 3/17/14. The Village Preserve Preliminary Plat was approved by the City Council on 7/15/14 (Resolution #2014-59). Park Plan reviewed by Park Commission on 4/20/15.
<i>Deadline for Action:</i>	Application Complete – 3/20/2015 60 Day Deadline – 5/19/2015 Extension Letter Mailed – N/A 120 Day Deadline – 7/20/2015
<i>Applicable Regulations:</i>	Chapter 153 – Subdivision Regulations Article 10 – Urban Residential Districts (LDR) §150.270 Storm Water, Erosion, and Sediment

REQUEST DETAILS

The City of Lake Elmo has received a request from GWSA Land Development, LLC for a Final Plat to subdivide 39.8 acres of land located within the northern portion of the Village Planning Area. The Final Plat would represent the first phase of the Village Preserve residential subdivision and include 46 single family lots, as well as various outlots planned for stormwater management, parkland, trails, and future single family lots as guided by the approved Preliminary Plat. The proposed plat is located north of 39th Street, immediately east of Lake Elmo Ave. (CSAH 17), and immediately west of the planned Wildflower at Lake Elmo subdivision. The subject properties have historically been used for agricultural purposes.

The final plat area represents the initial project phase of the Village Preserve residential subdivision, which is planned to be constructed in two phases. The developer intends to build homes in the western half of the site in the first phase. The developer will be conducting final mass grading on the entirety of the site as part of the 1st phase of development, whereas the street and utility construction will follow the proposed phasing as demonstrated on the plans. The applicant has submitted detailed construction plans related to sanitary sewer, water main, storm sewer, grading, drainage, landscaping, and other details that have been reviewed by the City Engineer, Fire Chief and Landscape Consultant.

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. Please note that the City's approval of the Village Preserve Preliminary Plat did include a series of conditions that must be met by the applicant, which are addressed in the "Review and Analysis" section below. Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City on July 15, 2014. Please note that the final plat and construction plans now include approved street names for the subdivision.

The City Engineer has reviewed the final plat, and his comments are attached to this report. The majority of the Engineer's comments focus on the easement and outlot boundaries provided in the plat. Although there are some additional revisions and additions necessary for the Final Plat and final

construction plans that need to be addressed by the applicant, the revisions can be made before the City releases the final plat for recording. Staff is recommending that all revisions and modifications noted within the City Engineer's review memorandum date 4/13/15 be completed prior to the release of Final Plat for recording as a condition of approval.

FINAL PLAT REVIEW AND ANALYSIS

The preliminary plat for Village Preserve was approved with several conditions, which are indicated below along with Staff's comments on the status of each. For those items and issues that are not directly addressed below, Staff has provided additional comments following the preliminary plat conditions list. Staff is recommending approval of the final plat, but with additional conditions intended to address the outstanding issues that will require additional review and/or documentation.

Please also note that the applicant has also provided a response to the preliminary plat conditions as part of the project narrative (Attachment #2).

Preliminary Plat Conditions – With Staff Update Comments (updated information in bold italics):

- 1) Within six months of preliminary plat approval, the applicant shall complete the following:
 - a. The applicant shall provide adequate title evidence satisfactory to the City Attorney. *The applicant has communicated to staff that the purchase of the property is contingent upon Final Plat approval, and title evidence will be provided to the City Attorney prior to the plat being recorded. Adequate title evidence is an important step prior to the plat being recorded, not prior to consideration of final plat. Staff has determined that the inclusion of this condition was done in error.*
 - b. The applicant shall submit a revised Preliminary Plat and plans meeting all conditions of approval. All of the above conditions shall be met prior to the City accepting an application for Final Plat and prior to the commencement of any grading activity on the site. *With regards to updated preliminary plans, the applicant has submitted final construction plans and a draft final plat for all portions of the site to address the review comments of the City Engineer. As opposed to updated preliminary plans, the applicant has chosen to provide final plats and plans for the entire site. Taking this approach will not only allow for the City to document all easements and improvements on the site in final form, but will allow for an easier review process for future phases of the Village Preserve subdivision. These final plans for the whole site will provide a more-than-adequate record of the review of the Village Preserve project for future use.*
- 2) The City Engineer shall review and approve all revised Preliminary Plans that are submitted to the City in advance of Final Plat to satisfy Condition #1. *The engineer has reviewed the full final plat and final construction plan set for the entire Village Preserve site. The engineer's review comments for the plat and constructions plans are attached to this report (Attachment #9). The applicant has since submitted updated plans. Upon early review, it appears that most of the Engineer's review comments have been addressed. The City Engineer's review is likely to be complete prior to the Planning Commission's review of the*

final plat. Because the majority of these comments are related to the construction plans and finalizing these plans for construction, Staff is recommending that the Planning Commission complete its review of the final plat subject to final approval of the final construction plans by the City Engineer.

- 3) The Preliminary Plat approval is conditioned upon the applicant meeting all minimum City standards and design requirements. *The applicant has acknowledged that it is necessary to meet all City standards and design requirements. The City Engineer has identified final modifications to construction plans in a memorandum dated 4/13/15. Staff is recommending that the final modifications to the final plat and construction plans be required as a condition of approval (Condition #1).*
- 4) All required modifications to the plans as requested by the City Engineer in a review letter dated June 23, 2014 shall be incorporated into the plans prior to consideration of a Final Plat. *The applicant has submitted final plans for the entirety of the Village Preserve site to address review comments from the City Engineer. The Engineer has reviewed the updated plans for the total site and submitted two review memorandums; one focused on final plat and one focused on final construction plans.*
- 5) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from Valley Branch Watershed District prior to the commencement of any grading or development activity on the site. *The applicant has obtained the necessary permit from Valley Branch Watershed District (see Attachment #11). The issued permit contains several conditions that must be followed by the applicant. Staff is recommending as a condition of approval (Condition #8) that the applicant provide evidence that all conditions of the Valley Branch permit have been met.*
- 6) Related to proposed storm water discharge to the north, the applicant must provide written permission from the property owner of the parcel located immediately north of the proposed Village Preserve subdivision consenting to the discharge location, volume and rate(s) in advance of submitting Final Plat. *The applicant has submitted an agreement (Attachment #3) between GWSA Land Development, LLC and Robert Engstrom Companies outlining the terms and conditions of joint improvements that serve both the Village Preserve and Wildflower at Lake Elmo sites. Provision #2 of the agreement includes written permission by Robert Engstrom Companies to allow stormwater from the Village Preserve site to be discharged to the north. Through the submission of the agreement outlining joint-improvements, this condition has been completed.*
- 7) The applicant shall be responsible for the submission of final plans and the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014. *The applicants have submitted updated final plans for proposed improvements on Lake Elmo Ave. (Attachment #8) to Washington County. The County has responded with additional review comments (Attachment #12) for the proposed improvements. Staff would recommend that completion of the plans and improvements to Lake Elmo Ave. as directed by Washington County be included as a condition of approval (Condition #9) for the Village Preserve Final Plat.*

- 8) The Landscape Plan shall be updated per the recommendations of the City's Landscape Consultant, describe in a memo dated 6/25/14. *The developer has submitted updated landscape plans as part of the final plat application. The final landscape plan has been reviewed by the City's landscape consultant, Stephen Mastey. The landscape consultant has communicated that the plan properly addresses the City's landscape and tree preservation ordinances, and has provided a thoughtful and varied landscape plan. Two additional items requested by Mastey include irrigation plans for the development and additional detail of the entry median adjacent to Lake Elmo Avenue. Staff would recommend a condition of approval (Condition #7) that these additional details be submitted to the City prior to executing the final plat.*
- 9) The developer shall be required to submit an updated parkland dedication calculation in advance of Final Plat to clarify the proposed amount of dedication being provided in the Village Preserve Subdivision. For whatever amount of land the applicant is short of the required parkland dedication amount, the applicant will either:
 - a. Subdivide the parcel under contract with Schiltgen Farms, Inc. and dedicate the land being proposed for parkland dedication east of Reid Park; or
 - b. Post an escrow in the amount equal to the fees in lieu of land dedication for the equal market value of the remaining land dedication requirement for Village Preserve until such time the land is dedicated east of Reid Park.

The applicant is proposing to purchase, subdivide and dedicate land east of Reid Park to fulfill the necessary parkland dedication amount for the Village Preserve residential subdivision. However, this action will not be completed prior to the consideration of the Final Plat and Development Agreement by the City Council. Therefore, the applicant is proposing to post fees in lieu of land dedication until such time that the land east of Reid Park is dedicated to the City. The total required parkland dedication for the entire site would be 3.98 acres, while the required dedication amount only for phase 1 of the subdivision would be 2.56 acres. Within phase 1 of the development, the applicants are providing 0.99 acres of parkland, resulting in a minimum fee amount equivalent to 1.57 acres (2.56 acres - 0.99 acres = 1.57 acres) to address parkland needs in phase 1. The applicant has an option to address the parkland dedication amount for the total site or in a prorated amount for phase 1 of the development. Staff is recommending that the developer be required to submit the necessary fee amount for the City to hold in escrow until the necessary amount of parkland is dedicated to the City. The dedication of parkland to the east of Reid Park is consistent with the City's Comprehensive Plan and the direction provided by the City's Park Commission.

- 10) Secondary access to the site must be provided as part of the 2nd phase of the Village Preserve Subdivision. Said access must be included in the Final Plat and final construction documents for the 2nd phase of the development. *Per the agreement with Robert Engstrom Companies and the likely timing of improvements within the Wildflower at Lake Elmo residential development, secondary access to the Village Preserve subdivision will likely be provided as part of the 1st phase of the development.*
- 11) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City

Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. *The applicant has communicated to staff that no grading will commence on the site prior to the final plat and development agreement being approved by the City. Staff does not anticipate grading to occur prior to all approvals are in place for the Village Preserve subdivision. The applicant will be required to fulfill all conditions of plat approval prior to construction activity commences.*

- 12) Application for Final Plat for the Village Preserve subdivision will not be accepted until approved plans for the extension of sanitary sewer to the site have been accepted or ordered by the City. *The Eastern Village Sewer Project was ordered in 2014 and is nearly complete. The project includes the installation of sanitary sewer from just south of the railroad tracks north through the eastern side of the Village up through 39th Street. The final segment of sanitary sewer need to complete the eastern trunk system would extend from the railroad tracks to the lift station east of Reid Park. The plans that complete this connection have been submitted to the City as part of the Easton Village Final Plat. The Easton Village Final Plat was approved by the City Council in February of 2015. Completion of this sewer segment is a condition of approval for the 1st phase of Easton Village. In addition to the final plat approval, the City Council has approved a development contract for Easton Village that includes the trunk sewer line that will connect the 39th Street sewer to the 40th Street lift station. The final construction plans for Easton Village have been submitted for review by the City and are close to receiving final approval from the City Engineer.*

It is important to note that City staff has confidence in the completion of the eastern sewer system given the process and approvals that have occurred. However, it is important that no homes be built prior the sewer being operational. With the exception of model homes, staff recommends that no building permits are issued in Village Preserve until the eastern sewer is fully operational. In addition, any model homes that are constructed prior to the sewer being operational should not be eligible for certificate of occupancy. The recommended condition of approval is listed as Condition #10.

- 13) All of the outlots within the Village Preserve Preliminary Plat that serve as parkland or storm water management shall be dedicated to the City. *With the exception of Outlot C, all of the outlots in the Village Preserve Final Plat shall be dedicated to the City. All of these outlots serve either a stormwater management or parkland purpose. Staff recommends that the dedication of all outlots other than Outlot C be a condition of final plat approval.*

Staff is recommending that the conditions noted above that pertain to the Final Plat and that have not yet been addressed by the applicant should be adopted with the Final Plat. The City Engineer's review letter does identify modifications related to easements and construction plans that need to be addressed by the developer in order for the City to provide final approval the final plat and plans. However, staff is confident that the requested plat revisions are feasible without compromising the design of the plat. Staff is recommending that City Officials not sign the final plat mylars until the City's construction plan review is finalized and all necessary easements are documented on the Final Plat.

In addition to the plans revisions noted above, it is important to recognize that there a number of improvements proposed for the subdivision that are shared improvements with the Wildflower at Lake Elmo subdivision. The Wildflower planned development recently received Preliminary Plat

and Preliminary PUD Plan approval in April of 2015. The improvements that are shared between the developments are identified in the City Engineer's memorandum and include sanitary sewer, the Layton Ave. access, and multiple stormwater management facilities. To address the timing and logistics of the construction of the shared improvements, the applicant has submitted an agreement between the applicant and Robert Engstrom Companies detailing the responsibilities and rights of the two parties. Should the construction of improvements completed by Robert Engstrom Companies be delayed for whatever reason, the GWSA Land Development, LLC has the right to construct the improvements and be reimbursed by Robert Engstrom Companies. Robert Engstrom Companies has given City staff every indication that the first phase of the Wildflower at Lake Elmo development will be constructed this year. Nevertheless, it is important that all improvements necessary for the Village Preserve development be constructed prior to the issuance of building permits for the subdivision. Staff is recommending a condition of approval that all shared improvements necessary for the first phase of the Village Preserve subdivision be constructed prior to the issuance of building permits.

Based on the above Staff report and analysis, Staff is recommending approval of the Final Plat with several conditions intended to address the outstanding issues noted above and to further clarify the City's expectations in order for the developer to proceed with the recording of the Final Plat.

The recommended conditions are as follows:

Recommended Conditions of Approval:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plat and plans requested by the City Engineer in a memo dated 4/13/15 shall be incorporated into these documents before they are approved.
- 2) Prior to the release of Final Plat for recording, the developer shall provide evidence in a form satisfactory to the City Attorney that warrants it has fee interest in area included in the Village Preserve Final Plat.
- 3) Prior to the release of the Final Plat for recording, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 4) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the release of the Final Plat for recording.
- 5) A Common Interest Agreement concerning management of the common areas of Village Preserve and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. Said agreement shall comply with Minnesota Statutes 515B-103, and specifically the provisions concerning the transfer of control to the future property owners. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the Final Plat.

- 6) As part of the development agreement for the 1st phase of the Village Preserve development, the applicant shall provide fees in lieu of land dedication for a minimum of 1.57 acres of land to fulfill the City's parkland dedication requirements prior to the release of Final Plat for recording. The fee can be provided in a pro-rated amount for the Phase 1 Area or in an amount addressing the total residential portion of the site.
- 7) The Final Landscape Plan shall include irrigation plans and additional detail of the entry median adjacent to Lake Elmo Avenue. The Final Landscape Plans shall be approved prior to the release of Final Plat for recording.
- 8) The applicant shall provide evidence that all conditions attached to the Valley Branch Watershed District permit for the Final Plat and associated grading work have been met prior to the release of the Final Plat for recording.
- 9) The applicant shall update the Lake Elmo Ave. improvements per the direction of Washington County prior to the Final Plat being released for recording. The applicant is responsible to construct all necessary improvements to Lake Elmo Ave.
- 10) All public improvements outside of the Village Preserve site needed to serve the residential subdivision, including the Eastern Village Sewer and facilities shared with the Wildflower at Lake Elmo development, must be completed prior to the issuance of building permits in the Village Preserve residential subdivision.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Boulder Ponds Final Plat and Final PUD Plan:

- 1) That the Village Preserve Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 15, 2014.
 - 2) That the Village Preserve Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
 - 3) That the Village Preserve Final Plat complies with the City's Urban Low Density Residential zoning district.
 - 4) That the Village Preserve Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as noted in this report or attachment thereof.
 - 5) That the Village Preserve Final Plat complies with the City's subdivision ordinance.
 - 6) That the Village Preserve Final Plat is consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated April 14, 2015.
-

RECCOMENDATION:

Staff is recommending approval of the Village Preserve Final Plat with the 10 conditions of approval as listed in the Staff report. The suggested motion is the following:

“Move to recommend approval of the Village Preserve Final Plat with the 10 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report.”

ATTACHMENTS:

1. Location Map
2. Application Forms and Project Narrative
3. Agreement on Joint-Improvements w/Robert Engstrom Companies
4. Final Plat (3 sheets)
5. Final Site/Phasing Plan (1 sheet)
6. Final Grading Plans (3 sheets)
7. Final Landscape Plan (3 sheets)
8. Turn Lane Exhibit (2 sheets)
9. City Engineer Review Memorandum, dated 4/14/15
10. Fire Chief Review Memorandum, dated 4/20/15
11. Landscape Consultant Review Memorandum, dated 4/22/15
12. Washington County Review Email w/Exhibit, dated 4/21/15
13. Valley Branch Watershed District Permit, dated 3/18/15

NOT ATTACHED BUT AVAILABLE UPON REQUEST:




1. Final Street Plans
2. Final Utility Plans
3. Final Storm Plans
4. Final Erosion Control Plans

ORDER OF BUSINESS:

- Introduction Planning Staff
- Report by Staff Planning Staff
- Questions from the Commission Chair & Commission Members
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members



Location Map: 12.029.21.33.0001

 <p>THE CITY OF LAKE ELMO</p> <p>Data Srouce: Washington County, MN 3-7-2014</p>	 <p>12.029.21.33.0001 (Sketch Plan Location)</p>	<p>0 250 500 1,000 Feet</p> <p>1"=500'</p>	
--	---	--	---

Date Received: _____
Received By: _____
LU File #: _____



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

FINAL PLAT APPLICATION

Applicant: GWSA Land Development, LLC
Address: 10850 Old County Road 15, Suite 200, Plymouth, MN 55441
Phone #: 952-270-4493
Email Address: CRAIG@GonyeaCompany.com

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

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

General information of proposed subdivision: 91 Single family homes on +/- 39.84 acres of land located on the east side of Lake Elmo Avenue, approximately 525 feet north of 39th Street North

Final plat for Phase I - 46 Single family homes

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

Signature of applicant:  Date: 2/17/15

Fee Owner Signature: _____ Date: _____



Lake Elmo City Hall
651-747-3900
3800 Lavene Avenue North
Lake Elmo, MN 55042

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I **am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant CRAIG ALLEN
(Please Print)

Street address/legal description of subject property The Southwest Quarter of The
Southwest Quarter of Section 12, Township 29 North, Range
21 West, Washington County, Minnesota

Craig Allen
Signature

2/17/15
Date

FEE OWNER:

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



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

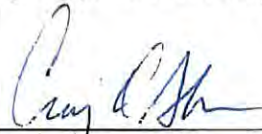
ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant  Date 2/17/15
Name of applicant CRAG ALLEN Phone 952-270-4443
(Please Print)

Name and address of Contact (if other than applicant) _____



**Village Preserve
Development Narrative
Phase 1
April 20, 2015**

Developer Introduction:

GWSA LAND DEVELOPMENT, LLC.
Craig Allen
10850 Old County Road 15
Suite 200
Plymouth, Minnesota 55441
Telephone: 952-270-4473
Email: craig@gonyeacompany.com

The developer is proposing a community of 91 single family homes on +/- 39.84 acres of land located on the east side of Lake Elmo Avenue (CASH17), approximately 525 feet north of 39th Street North. The developer is requesting Final Plat for 46 of the 91 single family homes in Phase 1 on +/- 25.6 acres of the total +/-39.84. This proposed residential development will consist of higher end single family homes. It is anticipated that these homes will range in price from \$400,000 to \$750,000. The development is located in an area of Lake Elmo with easy access to the transportation system. This will provide the future home owners a secluded place to live that is located within minutes of all the amenities Lake Elmo has to offer with the regional facilities of the larger metropolitan area.

Village Preserve

The project is anticipated to be constructed in two phases. The primary access is Lake Elmo Avenue. A community amenity area/park will be developed (proposed Outlot D) between the Village Preserve development and the proposed Wildflower at Lake Elmo development. Village Preserve is located within the Stillwater School District #834.

Development Team:

Civil Engineering, Surveying & Land Planning

Sathre-Bergquist, Inc.

Robert S. Molstad, P.E.
David B. Pemberton, P.L.S.
150 South Broadway
Wayzata, Minnesota 55391
Telephone: 952-476-6000
Facsimile: 952-476-0104
Email: molstad@sathre.com
Email: pemberton@sathre.com

Wetland & Biological Sciences

Kjolhaug Environmental Services

Melissa Barrett
26105 Wild Rose Lane
Shorewood, MN 55331

Telephone: 952-401-8757
Email: Melissa@kjolhaugenv.com

Soil Sciences

Haugo GeoTechnical Services

Paul Haugo
13570 Grove Drive #278
Maple Grove, MN 55311
Telephone: (612) 554-4829
Email: p.haugo@gmail.com

Property Ownership:

Schiltgen Farms, Inc.
PID: 1202921330001
The Southwest Quarter of the Southwest Quarter of Section 12, Township 29 North, Range 21 West,
Washington County, Minnesota.

Pete Schiltgen
10880 Stillwater Blvd. North
Lake Elmo, MN 55042
Telephone: (651) 303-8188
Peteschiltgen@gmail.com

Comprehensive Plan, Zoning, Density, & Variances:

The planned Land Use is Village Urban Medium Density. On the Village Land Use Plan, the project site is classified as Village Urban Medium Density (V-MDR). The density range for V-MDR is 2.5 – 4.99 units per acre. The attached final plat shows 46 single family lots that are a minimum width of 65 feet. The smallest lot area is L4B4 – 8,455 sf and the largest lot area is L7B1 at 20,480 sf, with an average lot area of 12,469 for the entire project.

Lake Elmo Zoning:

LDR District
Minimum Lot Area – 8,000 square feet
Minimum Width – 60 feet
Front Yard Setback – 25 feet
Side Yard Setback – 5 feet to garage and 10 feet to living space
Corner Yard Setback – 15 feet
Rear Yard Setback – 20 feet

Density:

Total Site:

Gross Site Area: 39.84 acres
Gross Density = $91/39.84 = 2.28$ units per acre

CSAH 17 ROW: 2.27 acres

Open Space: 1.22 acres
Net Area: $39.84 - 2.27 - 1.22 = 36.35$ acres
Net Density = $91/36.35 = 2.50$ units per acre

Variances – No variances are proposed.

A final plat lot area tabulation sheet for Phase 1 is in Appendix A of this narrative.

Site Analysis:

The site is bordered on the north and east by the proposed Wildflower at Lake Elmo development, a Robert Engstrom Development. The site is bordered on the west by Lake Elmo Avenue and on the south by future commercial properties. The primary access to the site will be via Lake Elmo Avenue with a second access from 39th Street North via Layton Avenue North.

The site is currently being used for agricultural purposes. Please refer to the ALTA Survey and the aerial photos. Utility service, sanitary sewer will be provided to the site as part of the proposed Trunk Sanitary Sewer project that will extend sewer service from the new lift station at Reid Park, north to the Site. Watermain exists on the east side of Lake Elmo Avenue and will be extended to the south east corner of the project from 39th Street North. Storm water will be managed and outlet from the site in accordance with the City and Watershed requirements. The site is within the Valley Branch Watershed District. Minor utilities (gas, electric, phone, and TV) will need to be extended to service the site.

The topography of the site is relatively flat on most of the site, 940 to 945 along Lake Elmo Avenue and sloping southeast to 938 at the south east corner. The highest elevations are in the northwest corner at +/- 955. There is an existing slope in the north central portion of the site that slopes from 940 down to 920.

There are no wetlands on the site.

The USDA Soil Survey of the project site indicates Antigo Silt Loams, Campia Silt Loams, and Mahtomedi Loamy Sand. The soils that are present consist of mostly moderately well drained loams and sandy loams with a moderate permeability.

Street Design:

Village Preserve proposes to have public streets; the public streets within the project would be 28' B-B, with a sidewalk along one side of the street, within a 60' ROW. The cul-de-sacs will have a 45' radius to the back of curb. All streets will be constructed to the City of Lake Elmo standard street section.

Utility Services:

City sanitary sewer will need to be extended to the site. Water is currently available to serve the site, see notes above.

Site Grading:

The site grading is planned to begin in the spring of 2015. The project will be graded in one phase. The overall graded area is +/- 38 acres. We are proposing to grade all streets to the proposed hold downs and prepare corrected building pads for all home sites. We are creating three storm water ponding areas and

two infiltration areas to meet the storm water treatment requirements of the City and the Watershed. It is our design objective to balance the site with on-site material, some import of suitable structural fill material may be necessary for building pad, and street.

Storm water:

The storm water facilities proposed in Village Preserve are illustrated on the enclosed preliminary plans. Runoff from the site will be directed to storm sewer inlet locations, collected and conveyed to the proposed treatment pond(s) and filtration area(s). The ponds and filtration areas will provide temporary storage of storm water runoff, treatment of storm water and sediment removal. The storm water plan will provide adequate treatment and storage to meet the City of Lake Elmo and the Valley Branch Watershed District requirements.

Wetlands:

There are no wetlands on the site.

Traffic:

Village Preserve proposes one primary access point off of Lake Elmo Avenue and a secondary street connection to 39th Street North via Layton Avenue North.

Traffic Generation – (anticipate 10 trips per day per home site)

Total Site: 91 Lots = 910 trips per day

Phase 1: 46 Lots = 460 trips per day

The additional traffic generated from this site is not anticipated to have a noticeable impact on the existing traffic in the area and is on the lower end of the proposed Comprehensive Plan guiding.

Trail System:

Six-foot concrete sidewalks are proposed along residential streets within the site. In addition, there are 8.5 foot trails proposed to promote neighborhood connectivity as well as encourage and expand pedestrian use of Downtown.

Park:

The neighborhood park and a majority of the trails will be installed with Phase 1 of the development. The developer is proposing dedicating land adjacent to Reid Park in lieu of park dedication fees. The developer is working with Robert Engstrom Companies and the Lake Elmo Park Commission on possible park improvements.

Woodland Areas & Protection:

I. Introduction

A current tree survey in accordance with City of Lake Elmo requirements has been completed for this site and is included in the submittal. The tree inventory plan is shown on the Erosion Control Plan. Only 14 trees were identified, per the City requirements.

II. Tree Species, Distribution and Size:

The site has 318 caliper inches of significant trees, with 15 caliper inches of exempt trees for a net total of 303 caliper inches. The trees are located throughout the site. The species include Cherry, Maple, Box Elder, Red Cedar and a few others. A table containing data on the trees, as well as a map which shows tree location, species, size and condition, are shown in the preliminary plans, please see the Erosion Control Plan.

Tree Removal & Restitution:

The Village Preserve development will impact approximately 61.4% of the significant trees on the site. The development is over the allowable 30% threshold and a proposed replacement plan has been prepared for the project.

Landscape Plan, Monuments, & Entrance:

This development will have a divided entry off of Lake Elmo Avenue and some small berming along Lake Elmo Avenue. Many of the lots will have pond views or overlook views, due to the site topography. The storm water pond and treatment areas will have landscaping to create unique water treatment facilities for the proposed project. A custom entry monument may be designed and constructed at the proposed entrance(s). This will create a sense of luxury and livability for the new single family residents, while providing safer access to the site.

Homeowner's Association and Restrictive Covenants:

The developer will prepare restrictive covenants and standards that will apply to this 91 lot project. The restrictive covenants will be tailored to the developer's vision of the project. Each home will be required to meet the specifics of building types, landscaping, and overall goals of the development.

A master HOA will be created for the Village Preserve project. This association will be in charge of the monumentation, entrance, landscaping, and infiltration basins. The HOA will also be responsible for maintenance issues within the subdivision. These may include special landscaping, mailboxes, signage, and other common elements.

Preliminary Plat Conditions for Approval

- 1) Within six months of preliminary plat approval, the applicant shall complete the following:
 - a. The applicant shall provide adequate title evidence satisfactory to the City Attorney.
Comment: Title work will be submitted for review before City officials sign the final plat.
 - b. The applicant shall submit a revised Preliminary Plat and plans meeting all conditions of approval. All of the above conditions shall be met prior to the City accepting an application for Final Plat and prior to the commencement of any grading activity on the site.
- 2) The City Engineer shall review and approve all revised Preliminary Plans that are submitted to the City in advance of Final Plat to satisfy Condition #1. ***Comment: Revised plans have been submitted for City Engineer to review.***
- 3) The Preliminary Plat approval is conditioned upon the applicant meeting all minimum City standards and design requirements.

- 4) All required modifications to the plans as requested by the City Engineer in a review letter dated June 23, 2014 shall be incorporated into the plans prior to consideration of a Final Plat.
Comment: All modifications requested in Engineer review letter have been incorporated.
- 5) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from Valley Branch Watershed District prior to the commencement of any grading or development activity on the site. **Comment: Village Preserve has received Valley Branch Watershed District storm water permit. Plans have been updated with their conditions of approval.**
- 6) Related to proposed storm water discharge to the north, the applicant must provide written permission from the property owner of the parcel located immediately north of the proposed Village Preserve subdivision consenting to the discharge location, volume and rate(s) in advance of submitting Final Plat. **Comment: Applicant and neighboring landowner have an agreement to discharge storm water to the north.**
- 7) The applicant shall be responsible for the submission of final plans and the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014.
Comment: Lake Elmo Avenue improvement plans have been submitted.
- 8) The Landscape Plan shall be updated per the recommendations of the City's Landscape Consultant, describe in a memo dated 6/25/14. **Comment: Landscape Plans have been updated with Landscape Consultant recommendations dated 6/25/14.**
- 9) The developer shall be required to submit an updated parkland dedication calculation in advance of Final Plat to clarify the proposed amount of dedication being provided in the Village Preserve Subdivision. For whatever amount of land the applicant is short of the required parkland dedication amount, the applicant will either:
 - a. Subdivide the parcel under contract with Schiltgen Farms, Inc. and dedicate the land being proposed for parkland dedication east of Reid Park; or
 - b. Post an escrow in the amount equal to the fees in lieu of land dedication for the equal market value of the remaining land dedication requirement for Village Preserve until such time the land is dedicated east of Reid Park.

Comment: Applicant has provided updated parkland dedication calculations. Applicant will choose one of the two options for parkland dedication listed above, both resulting in land dedication east of Reid Park.
- 10) Secondary access to the site must be provided as part of the 2nd phase of the Village Preserve Subdivision. Said access must be included in the Final Plat and final construction documents for the 2nd phase of the development. **Comment: Secondary access is included in Phase 1 plans.**
- 11) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. **Comment: Applicant does not intend to grade site prior to final plat approval.**
- 12) Application for Final Plat for the Village Preserve subdivision will not be accepted until approved plans for the extension of sanitary sewer to the site have been accepted or ordered by the City.
Comment: Applicant has two agreements with local landowners to extend sanitary sewer privately to the site once they have final plat approval and the City accepts a developer's agreement for Village Preserve.
- 13) All of the outlots within the Village Preserve Preliminary Plat that serve as parkland or storm water management shall be dedicated to the City. **Comment: All outlots will be dedicated to the City.**

APPENDIX A:

Village Preserve (Phase 1) – Final Plat Lot Area Summary

BLOCK 1	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
Lot 1	13,873	s.f.	0.32	acres	0	s.f.	13,873	s.f.	0.32	acres	95	+/-	l.f.
Lot 2	14,656	s.f.	0.34	acres	0	s.f.	14,656	s.f.	0.34	acres	85.3	+/-	l.f.
Lot 3	17,337	s.f.	0.40	acres	0	s.f.	17,337	s.f.	0.40	acres	84.1	+/-	l.f.
Lot 4	14,344	s.f.	0.33	acres	0	s.f.	14,344	s.f.	0.33	acres	95.6	+/-	l.f.
Lot 5	16,946	s.f.	0.39	acres	0	s.f.	16,946	s.f.	0.39	acres	80.1	+/-	l.f.
Lot 6	11,249	s.f.	0.26	acres	0	s.f.	11,249	s.f.	0.26	acres	80.1	+/-	l.f.
Lot 7	14,660	s.f.	0.34	acres	0	s.f.	14,660	s.f.	0.34	acres	80.8	+/-	l.f.
Lot 8	18,881	s.f.	0.43	acres	0	s.f.	18,881	s.f.	0.43	acres	80.8	+/-	l.f.
Lot 9	12,822	s.f.	0.29	acres	0	s.f.	12,822	s.f.	0.29	acres	80.5	+/-	l.f.
Lot 10	15,944	s.f.	0.37	acres	0	s.f.	15,944	s.f.	0.37	acres	91.5	+/-	l.f.
Lot 11	12,123	s.f.	0.28	acres	0	s.f.	12,123	s.f.	0.28	acres	85.2	+/-	l.f.
Lot 12	13,294	s.f.	0.31	acres	0	s.f.	13,294	s.f.	0.31	acres	95	+/-	l.f.
Lot 13	12,057	s.f.	0.28	acres	0	s.f.	12,057	s.f.	0.28	acres	82	+/-	l.f.
Lot 14	11,603	s.f.	0.27	acres	0	s.f.	11,603	s.f.	0.27	acres	80.6	+/-	l.f.
Lot 15	11,650	s.f.	0.27	acres	0	s.f.	11,650	s.f.	0.27	acres	80.7	+/-	l.f.
Total	211,438	s.f.	4.85	acres	0	s.f.	211,438	s.f.	4.85	acres			
BLOCK 2	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
Lot 1	12,737	s.f.	0.29	acres	0	s.f.	12,737	s.f.	0.29	acres	133.6	+/-	l.f.
Lot 2	12,581	s.f.	0.29	acres	0	s.f.	12,581	s.f.	0.29	acres	108.6	+/-	l.f.
Lot 3	11,315	s.f.	0.26	acres	0	s.f.	11,315	s.f.	0.26	acres	81	+/-	l.f.
Lot 4	11,523	s.f.	0.26	acres	0	s.f.	11,523	s.f.	0.26	acres	80.7	+/-	l.f.
Lot 5	11,835	s.f.	0.27	acres	0	s.f.	11,835	s.f.	0.27	acres	80.8	+/-	l.f.
Lot 6	11,179	s.f.	0.26	acres	0	s.f.	11,179	s.f.	0.26	acres	94.1	+/-	l.f.
Total	71,170	s.f.	1.63	acres	0	s.f.	71,170	s.f.	1.63	acres			
BLOCK 3	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
Lot 1	9,342	s.f.	0.21	acres	0	s.f.	9,342	s.f.	0.21	acres	83.3	+/-	l.f.
Lot 2	10,415	s.f.	0.24	acres	0	s.f.	10,415	s.f.	0.24	acres	93.2	+/-	l.f.
Lot 3	10,341	s.f.	0.24	acres	0	s.f.	10,341	s.f.	0.24	acres	74.5	+/-	l.f.
Lot 4	10,588	s.f.	0.24	acres	0	s.f.	10,588	s.f.	0.24	acres	80.9	+/-	l.f.
Lot 5	12,100	s.f.	0.28	acres	0	s.f.	12,100	s.f.	0.28	acres	85.2	+/-	l.f.
Lot 6	11,544	s.f.	0.27	acres	0	s.f.	11,544	s.f.	0.27	acres	65	+/-	l.f.
Lot 7	11,662	s.f.	0.27	acres	0	s.f.	11,662	s.f.	0.27	acres	65	+/-	l.f.
Lot 8	11,500	s.f.	0.26	acres	0	s.f.	11,500	s.f.	0.26	acres	87.4	+/-	l.f.
Lot 9	11,325	s.f.	0.26	acres	0	s.f.	11,325	s.f.	0.26	acres	97.6	+/-	l.f.
Total	98,818	s.f.	2.27	acres	0	s.f.	98,818	s.f.	2.27	acres			

BLOCK 4	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
Lot 1	14,334	s.f.	0.33	acres	0	s.f.	14,334	s.f.	0.33	acres	71.4	+/-	l.f.
Lot 2	13,065	s.f.	0.30	acres	0	s.f.	13,065	s.f.	0.30	acres	65	+/-	l.f.
Lot 3	10,624	s.f.	0.24	acres	0	s.f.	10,624	s.f.	0.24	acres	65	+/-	l.f.
Lot 4	8,455	s.f.	0.19	acres	0	s.f.	8,455	s.f.	0.19	acres	65	+/-	l.f.
Lot 5	8,509	s.f.	0.20	acres	0	s.f.	8,509	s.f.	0.20	acres	65	+/-	l.f.
Lot 6	8,571	s.f.	0.20	acres	0	s.f.	8,571	s.f.	0.20	acres	65	+/-	l.f.
Lot 7	10,205	s.f.	0.23	acres	0	s.f.	10,205	s.f.	0.23	acres	65	+/-	l.f.
Lot 8	12,673	s.f.	0.29	acres	0	s.f.	12,673	s.f.	0.29	acres	71	+/-	l.f.
Lot 9	11,314	s.f.	0.26	acres	0	s.f.	11,314	s.f.	0.26	acres	71	+/-	l.f.
Lot 10	8,980	s.f.	0.21	acres	0	s.f.	8,980	s.f.	0.21	acres	65	+/-	l.f.
Lot 11	10,346	s.f.	0.24	acres	0	s.f.	10,346	s.f.	0.24	acres	65	+/-	l.f.
Lot 12	11,856	s.f.	0.27	acres	0	s.f.	11,856	s.f.	0.27	acres	65	+/-	l.f.
Lot 13	14,676	s.f.	0.34	acres	0	s.f.	14,676	s.f.	0.34	acres	65	+/-	l.f.
Lot 14	12,340	s.f.	0.28	acres	0	s.f.	12,340	s.f.	0.28	acres	65	+/-	l.f.
Lot 15	10,881	s.f.	0.25	acres	0	s.f.	10,881	s.f.	0.25	acres	65.5	+/-	l.f.
Lot 16	11,012	s.f.	0.25	acres	0	s.f.	11,012	s.f.	0.25	acres	75.3	+/-	l.f.
Total	177,839	s.f.	4.08	acres	0	s.f.	177,839	s.f.	4.08	acres			
OUTLOT	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
A	14,306	s.f.	0.33	acres	0	s.f.	14,306	s.f.	0.33	acres	0	+/-	l.f.
B	85,678	s.f.	1.97	acres	0	s.f.	85,678	s.f.	1.97	acres	0	+/-	l.f.
C	580,709	s.f.	13.33	acres	0	s.f.	580,709	s.f.	13.33	acres	0	+/-	l.f.
D	65,261	s.f.	1.50	acres	0	s.f.	65,261	s.f.	1.50	acres	0	+/-	l.f.
E	23,870	s.f.	0.55	acres	0	s.f.	23,870	s.f.	0.55	acres	0	+/-	l.f.
F	40,766	s.f.	0.94	acres	0	s.f.	40,766	s.f.	0.94	acres	0	+/-	l.f.
G	1,735	s.f.	0.04	acres	0	s.f.	1,735	s.f.	0.04	acres	0	+/-	l.f.
H	36,958	s.f.	0.85	acres	0	s.f.	36,958	s.f.	0.85	acres	0	+/-	l.f.
I	49,235	s.f.	1.13	acres	0	s.f.	49,235	s.f.	1.13	acres	0	+/-	l.f.
Total	898,519	s.f.	20.63	acres	0	s.f.	898,519	s.f.	20.63	acres			
R/W	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
	348,735	s.f.	8.01	acres	0	s.f.	348,735	s.f.	8.01	acres	0	+/-	l.f.
TOTAL	GROSS AREA				WETLAND AREA		NET AREA						
	1,735,349	s.f.	39.84	acres	0	s.f.	1,735,349	s.f.	39.84	acres			


Agreement

This is an agreement between GWSA Land Development, LLC (GWSA) the developer of Village Preserve and Robert Engstrom Companies (REC) developer of Wildflower at Lake Elmo.

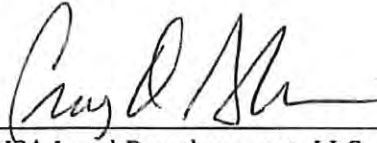
Whereas both companies are developing land in Lake Elmo, they have some common interests, which are defined and to be resolved as development proceeds and subject to recording a final plat:

1. Pond #3 on Outlot E of Village Preserve needs to be constructed for the benefit of both parties. The pond is on the Village Preserve plat and will be constructed by GWSA. In the event that GWSA does not construct the pond by the time it needs to be utilized by REC for surface-water management, REC shall have the right to construct said pond and recover expenses from GWSA.
2. REC shall construct a surface-water retention pond and infiltration basin in the northerly portion of the Wildflower at Lake Elmo plan. GWSA shall have permission to divert storm-water to these facilities as recommended by REC and GWSA consulting engineers. Likewise, the cost of the storm sewer pipe to facilitate this arrangement will be split evenly. A limitation on the amount of water that GWSA may divert north will be approved by REC and the Valley Branch Watershed District. If REC does not construct said ponds in time for the GWSA development, GWSA shall have the right to construct said ponds and recover expenses from REC.
3. Both parties agree to split the cost of the entrance road, watermain and storm sewer "Entrance Improvements" to and including the Village Preserve entrance from the main Wildflower at Lake Elmo road. Portions of Entrance Improvements are on the Village Preserve plat and will be constructed by Wildflower at Lake Elmo. In the event that Wildflower at Lake Elmo does not construct the Entrance Improvements by the time it needs to be utilized by Village Preserve, GWSA shall have the right to construct said Entrance Improvements and recover expenses from REC. Sanitary sewer costs and improvements will be part of a separate agreement with GWSA, REC and Easton Village, LLC.
4. Both parties shall endeavor to obtain temporary easements adjacent to Layton Avenue.
5. The Wildflower at Lake Elmo plat infringes on the GWSA property at the very northwest corner of The Village Preserve and also a slight portion of the entrance road. GWSA agrees to plat these two small areas as part of the City ROW.
6. Although not required by the city, REC will dedicate a small amount of land (approximately 0.2 acres) to be added to the GWSA Park Dedication area. REC will continue to develop improvement plans for the park to be submitted to the Lake Elmo Parks Department.

7. Both parties have a common adjoining lot area that will be a common drainage swale and storm-sewer collection area with the cost to be split evenly.
8. GWSA is aware that REC could have a need for surplus excavation material generated from Village Preserve grading. GWSA agrees to allow REC access to a reasonable amount of surplus material to be determined once final plans are approved.
9. The Village Preserve lots will donate \$50.00 each per year to the Wildflower at Lake Elmo Association in exchange for considerations listed herein plus operating rules to be agreed upon by both parties.
10. REC will designate in conjunction with GWSA the location of the connecting trail. GWSA will construct and pay for the connection.

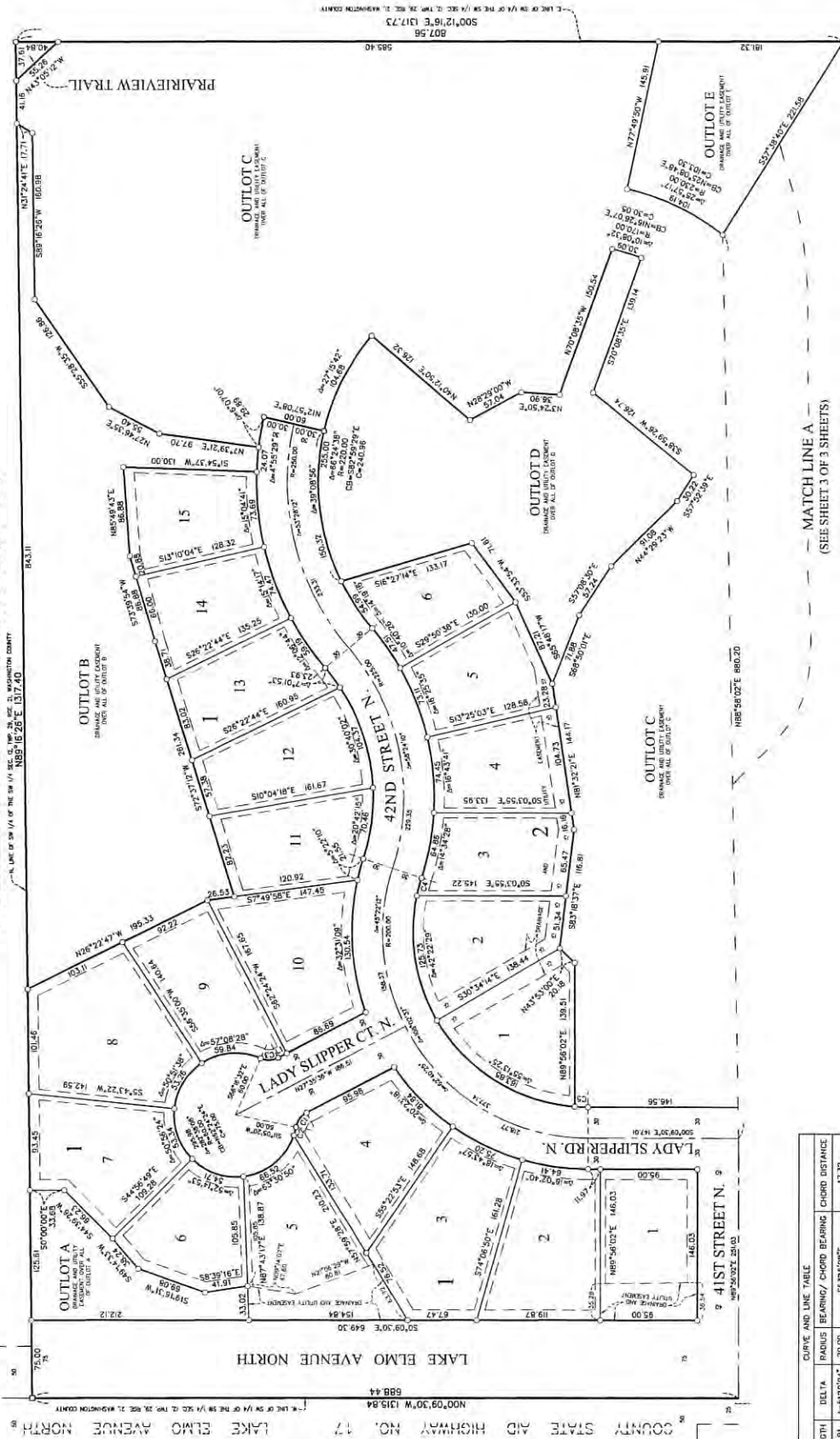


Robert Engstrom Companies
Date 4/20/15



GWSA Land Development, LLC
Date 4/20/2015

VILLAGE PRESERVE



TAG #	LENGTH	DELTA	RADIUS	BEARING / CHORD BEARING	CHORD DISTANCE
C1	17.91	Δ=51°18'04"	20.00	S57°15'08"E	17.32
C2	8.31	Δ=7°55'55"	80.00	S74°46'43"E	8.30
C3	17.91	Δ=51°18'04"	20.00	N1°36'04"W	17.32
C4	16.04	Δ=6°04'31"	170.00	S75°09'19"E	16.03
C5	12.05	Δ=4°21'52"	170.00	S2°01'25"W	12.05
L1	9.39			N27°35'25"W	

SATHRE-BERGQUIST, INC.

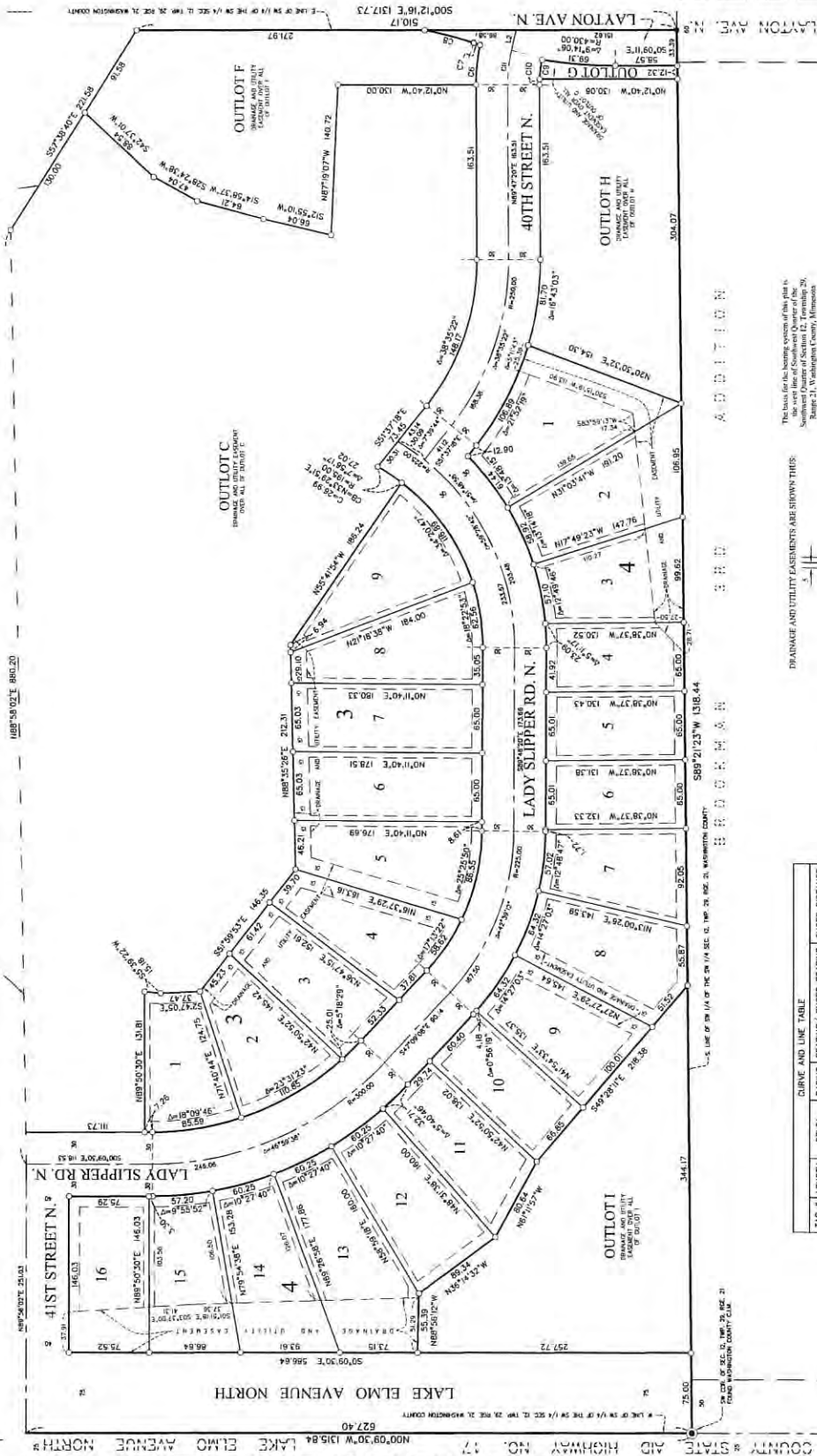


- Ⓢ Denotes a 1/2 inch by 1/4 inch iron pin set in the ground and noted by License No. 06144
- Ⓜ Denotes a Found Iron Monument
- Ⓢ Denotes Set pins and locations by License No. 06144
- Ⓢ Denotes a Chain-Mounted

MATCH LINE A —
(SEE SHEET 3 OF 3 SHEETS)

VILLAGE PRESERVE

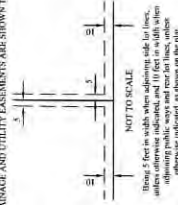
— MATCH LINE A —
(SEE SHEET 2 OF 3 SHEETS)



CLINQUE AND LINK TABLE

TAC #	LENGTH	DELTA	RADIUS	BEARING/ CHORD BEARING	CHORD DISTANCE
C6	37.54	Δ=123.07°	170.00	N83°30'7"W	37.48
C7	6.53	Δ=0°31'1"	430.00	S77°37'08"W	6.53
C8	47.80	Δ=77°4'10"	370.00	S14°10'08"W	47.77
C9	18.20	Δ=37°05'2"	110.00	S82°30'00"E	18.18
C10	5.42	Δ=2°49'14"	110.00	N88°46'02"W	5.41
C11	32.49	Δ=137°14'5"	140.00	S83°33'48"E	32.42
L2	18.47			S78°54'55"E	

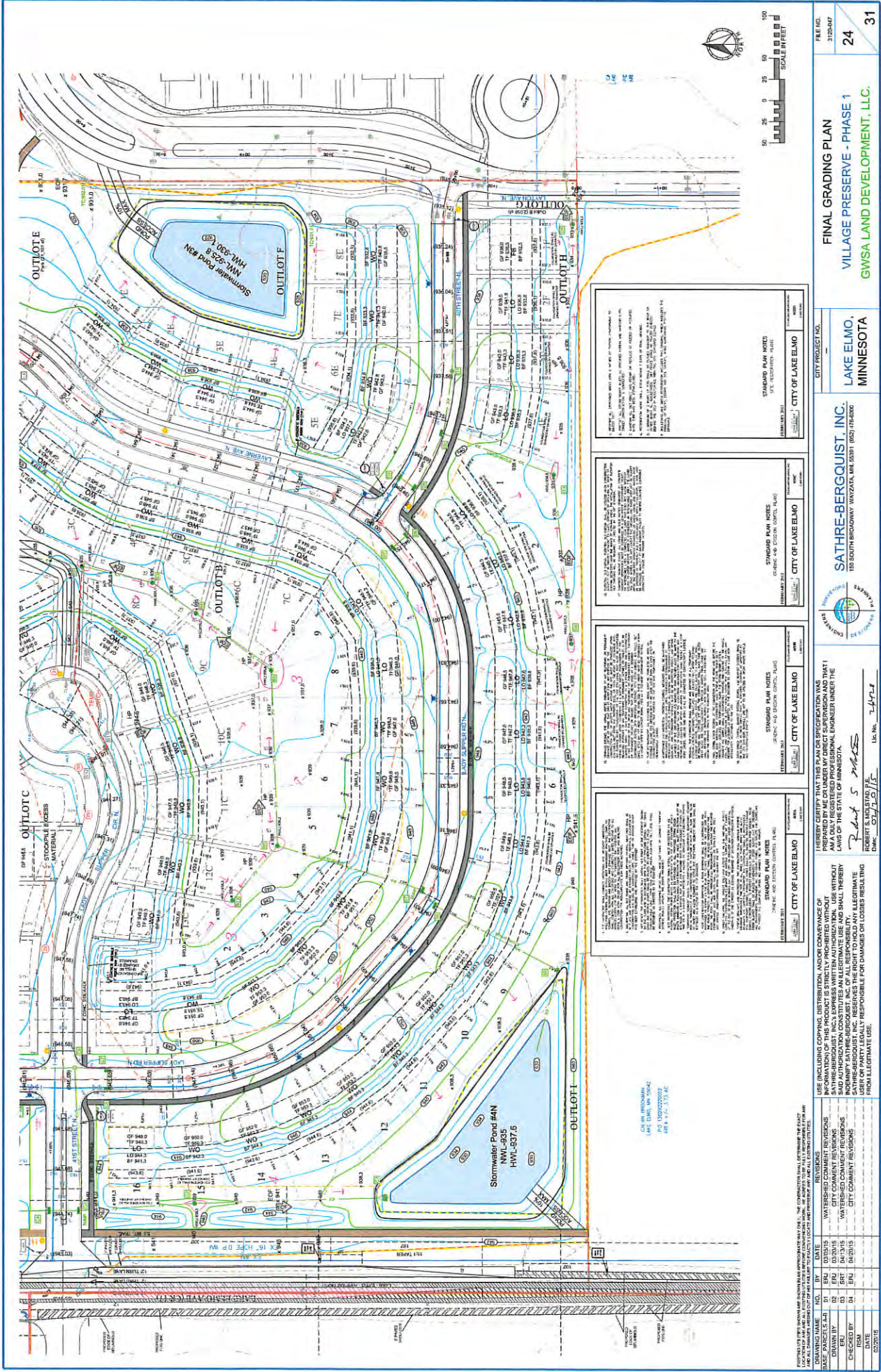
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THIS:



- The basis for the bearing vectors of this plat is the true line of the Southeast Quarter of the Section 21, Township 23N, Range 23E, Washington County, Minnesota. It is assumed to have a bearing of NAD 83 (1983 AD).
- Distances of 1/2 inch by 1/4 inch are shown in the ground and marked by License No. 4034
 - Distances of 1/2 inch by 1/4 inch are shown in the ground and marked by License No. 4034
 - Distances of 1/2 inch by 1/4 inch are shown in the ground and marked by License No. 4034
 - ⊞ Distances of 1/2 inch by 1/4 inch are shown in the ground and marked by License No. 4034



SATHRE-BERGQUIST, INC.



STANDARD PLAN NOTES
CITY OF LAKE ELMO

1. THE CITY ENGINEER HAS REVIEWED THE GRADING AND DRAINAGE PLANS FOR CONFORMANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA DRAINAGE CODE. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLANS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT OR FOR ANY DAMAGES RESULTING FROM THE USE OF THE PLANS.

STANDARD PLAN NOTES
CITY OF LAKE ELMO

2. THE CITY ENGINEER HAS REVIEWED THE GRADING AND DRAINAGE PLANS FOR CONFORMANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA DRAINAGE CODE. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLANS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT OR FOR ANY DAMAGES RESULTING FROM THE USE OF THE PLANS.

STANDARD PLAN NOTES
CITY OF LAKE ELMO

3. THE CITY ENGINEER HAS REVIEWED THE GRADING AND DRAINAGE PLANS FOR CONFORMANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA DRAINAGE CODE. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLANS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT OR FOR ANY DAMAGES RESULTING FROM THE USE OF THE PLANS.

STANDARD PLAN NOTES
CITY OF LAKE ELMO

4. THE CITY ENGINEER HAS REVIEWED THE GRADING AND DRAINAGE PLANS FOR CONFORMANCE WITH THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA DRAINAGE CODE. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLANS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT OR FOR ANY DAMAGES RESULTING FROM THE USE OF THE PLANS.

FINAL GRADING PLAN
VILLAGE PRESERVE - PHASE 1
GWSA LAND DEVELOPMENT, LLC.

SATHRE-BERGQUIST, INC.
199 SOUTH BROADWAY WAYATA, MN 55081 (651) 776-0000

LAKE ELMO, MINNESOTA

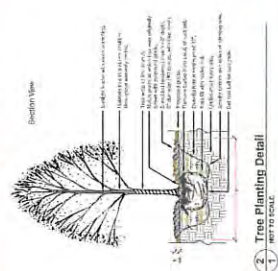
CITY PROJECT NO.
24

DATE
02/25/16

PROJECT NO.
31

USE INCLUDING COPIING, DISTRIBUTION, AND/OR CONVEYANCE OF THESE PLANS FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY SATHRE-BERGQUIST, INC. IS EXPRESSLY PROHIBITED. ANY VIOLATION OF THIS PROHIBITION SHALL BE CONSIDERED A VIOLATION OF THE MINNESOTA ENGINEERING ACT AND THE MINNESOTA DRAINAGE CODE. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OF THESE PLANS RESPONSIBLE FOR ANY DAMAGES RESULTING FROM ILLEGITIMATE USE.

DATE	02/25/16
BY	RAM
CHECKED BY	RAM
DESIGNED BY	RAM
DRAWN BY	RAM
SCALE	AS SHOWN
PROJECT NO.	31
CITY PROJECT NO.	24



Number of 1/2" Replicate Traps	14
2.0.0.0 straight up/in leader	
2.0.0.0 straight up/in leader	
2.0.0.0 straight up/in leader	
2.0.0.0 straight up/in leader	
2.0.0.0 straight up/in leader	

CALCULATIONS	
Phase 1 Street Emergency Trees	50
Phase 2 Street Emergency Trees	50
Total	100
Phase 1 Required Site Trees	200
Phase 2 Required Site Trees	200
Total	400

ALL PHASES OF REQUIRED SITE TREES ARE SHOWN ON PHASE ONE DUE TO PLANTING

Code	Species	Count	Weight	Volume	Value
001	Acacia saligna	10	100	100	100
002	Acacia saligna	10	100	100	100
003	Acacia saligna	10	100	100	100
004	Acacia saligna	10	100	100	100
005	Acacia saligna	10	100	100	100
006	Acacia saligna	10	100	100	100
007	Acacia saligna	10	100	100	100
008	Acacia saligna	10	100	100	100
009	Acacia saligna	10	100	100	100
010	Acacia saligna	10	100	100	100
011	Acacia saligna	10	100	100	100
012	Acacia saligna	10	100	100	100
013	Acacia saligna	10	100	100	100
014	Acacia saligna	10	100	100	100
015	Acacia saligna	10	100	100	100
016	Acacia saligna	10	100	100	100
017	Acacia saligna	10	100	100	100
018	Acacia saligna	10	100	100	100
019	Acacia saligna	10	100	100	100
020	Acacia saligna	10	100	100	100
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027	Acacia saligna	10	100	100	100
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042	Acacia saligna	10	100	100	100
043	Acacia saligna	10	100	100	100
044	Acacia saligna	10	100	100	100
045	Acacia saligna	10	100	100	100
046	Acacia saligna	10	100	100	100
047	Acacia saligna	10	100	100	100
048	Acacia saligna	10	100	100	100
049	Acacia saligna	10	100	100	100
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057	Acacia saligna	10	100	100	100
058	Acacia saligna	10	100	100	100
059	Acacia saligna	10	100	100	100
060	Acacia saligna	10	100	100	100
061	Acacia saligna	10	100	100	100
062	Acacia saligna	10	100	100	100
063	Acacia saligna	10	100	100	100
064	Acacia saligna	10	100	100	100
065	Acacia saligna	10	100	100	100
066	Acacia saligna	10	100	100	100

Common Name	Scientific Name	% of Mix	P/L
GRASS			
Side-Oats Gramina	<i>Bouteloua curtipendula</i>	30.0	3.00 lbs./Ac.
Blue Grama	<i>Bouteloua gracilis</i>	10.0	1.00 lbs./Ac.
Blue Grass	<i>Dactyloctenium aegyptium</i>	10.0	1.00 lbs./Ac.
Sixty Wild Ryegrass	<i>Elymus villosus</i>	10.0	1.00 lbs./Ac.
Bluegrass	<i>Lolium perenne</i>	40.0	4.00 lbs./Ac.
Upright Bluestem	<i>Stachytarax canadensis</i>	4.0	0.40 lbs./Ac.
Upright Bluestem	<i>Stachytarax canadensis</i>	5.0	0.50 lbs./Ac.
Prairie Dropseed	<i>Sporobolus heterophyllus</i>	100.0	10.00 lbs./Ac.

All seed will be purchased from Minnesota Valley Landscapes

SOURCE

DRAWING NAME	NO.	BY	DATE	REVISIONS
DRAWN BY	1	NM	5-5-14	True Production Addict, Solid Front Trees
NM	2	NM	5-11-14	New Base
CHECKED BY	3	NM	5-11-14	New SBR Fences
TDW	4	NM	2-21-15	Revised Trees for Utilities and New Base
	5	NM	2-22-15	Project SSBH Into Phases
	6	NM	2-24-15	Trees Shifted to Left
DATE				
04/25/14				



DRAWING NAME	NO.	BY	DATE	REVISIONS
NM	1	NM	6-5-14	Time Protection Added. Shifted times for new base.
DRAWN BY	2	NM	6-5-14	
NM	3	NM	6-11-14	New Base
CHECKED BY	4	NM	6-11-14	New CRT Faces
TDW	5	NM	2-11-15	Revised Times for Utilities and New Base
	6	NM	2-23-15	Project Split into Phases
		NM	2-24-15	Times Shifted to Lots
04/25/14				

1. REMOVE EXISTING SHOULDER SECTION AS SHOWN, (2.685 S.Y.)
2. SAWCUT & MILL 2" AS SHOWN, (2.625 S.Y.)



I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS
PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I
AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE
LAWS OF THE STATE OF MINNESOTA.

Robert S. Molstad

ROBERT S. MOLSTAD, P.E.

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DRAWING NAME	NO.	BY	DATE	REVISIONS
ASSE - PANELS A-B	01	ERJ	03/05/15	WATERSHED COMMENT REVISIONS
FR - DRAIN 5	02	ERJ	02/17/15	CITY COMMENT REVISIONS
FR - DRAIN 6	03	ERJ	04/13/15	WATERSHED COMMENT REVISIONS
CHECKED BY	04	SRT	04/20/15	CITY COMMENT REVISIONS
RSM				
DATE				



SATHRE-BERGQUIST, INC.
153 SOUTH BROADWAY WAYZATA, MN 55301 (652) 176-6200

LAKE ELMO AVE IMPROVEMENTS
VILLAGE PRESERVE - PHASE 1
GWSA LAND DEVELOPMENT, LLC.

MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempki, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4285

Date: April 13, 2015

To: Nick Johnson, City Planner
Cc: Chad Isakson, FOCUS Engineering

Re: Village Preserve – Parcel B
Final Plat/Construction Plan Review

From: Jack Griffin, P.E., City Engineer

An engineering review has been completed for the Village Preserve development by GW Land Development. Final Plat/Final Construction Plans were received on March 24, 2015. The submittal consisted of the following documentation prepared by Sathre-Bergquist, Inc., or as noted:

- Village Preserve Phase 1 Final Plat, not dated.
- Development Narrative Phase 1, dated February 15, 2015.
- Stormwater Management Plan, revised February 18, 2015.
- Specifications dated February 5, 2015.
- Final Construction Plans dated March 20, 2015.
- Phasing Plan dated February 20, 2015.
- Tree Mitigation and Landscape Plans prepared by Norby & Associates, dated March 20, 2015.

STATUS/FINDINGS: An engineering review has been separated for Final Plat approval and Final Construction Plan approval. Please see the following review comments relating to the Final Plat application.

REVISED PRELIMINARY PLAT:

- A revised Preliminary Plan set must be submitted to fulfill the conditions of Preliminary Plat approval. The revised preliminary plans are needed for staff to complete its plan review and to provide plan corrections demonstrating the project can be implemented consistent with City standards and approval conditions.
- Provide point by point response letter describing the changes made to satisfy each condition of approval, including a point by point response letter for the City Engineer review letter dated June 23, 2014.
- Outlot ownership must be shown on the revised preliminary plans.

FINAL PLAT:

- Outlots A, B, D, F, G, and I must be dedicated to the City for ongoing operation and maintenance of proposed storm water facilities.
- Outlot E will be City owned as Parkland dedication.
- A maintenance access road must be provided to Infiltration Basin 1 with a grade not exceeding 10%. The maintenance access road must be contained within Outlot A and shown on the plans. Outlot A may need to be expanded accordingly.

- Outlot B may need to be expanded to fully incorporate the HWL elevation of 928.5. The HWL contour must be shown using standard contour extrapolation methods as will be constructed in the field. The current HWL contour of 928.5 is shown crossing the 928.0 contour.
- The Phase 1 Plat does not show future (Phase 2) lot easements. The revised Preliminary Plans are therefore needed to facilitate staff review and finalize storm sewer alignments and/or easements.
- All easements for City utilities must be a minimum of 30 feet with the pipe centered on the easement.
 - Phase 1 Plat revisions are required as follows:
 - Additional easement is required or storm sewer pipe realignment is needed at Structure D9 at the southeast corner of Lot 1F.
 - Additional easement is required or storm sewer pipe realignment is needed at the northeast corner of Lot 8E for the storm sewer run from Layton Avenue.
 - Additional easement is required or storm sewer pipe realignment is needed at Structure D4 and Lot 4, Block 4.
 - The following Phase 2 Plat revisions may be required:
 - Additional easement is required or storm sewer pipe realignment is needed along the storm sewer run from E2 to E1, along Lot 1C.
 - Verify minimum 15 foot easements along south side of Lots 9C through 13C.
 - Verify minimum 15 foot easements from proposed storm sewer pipe along rear yard of Lots 8C and 1D.
 - Verify minimum 15 foot easements along rear yard of Lots 2D through 6D.
 - Verify minimum 15 foot easements along rear yard of Lots 4A through 9A.

PHASE 1 SCOPE OF IMPROVEMENTS:

- The Phase 1 construction plans do not cover the full scope of improvements necessary to support the Phase 1 Plat. Additional improvements must be incorporated into the construction plans and Phase 1 Plat submittal or the Phase 1 Plat approval must be contingent upon agreements being in place acceptable to the City to assure that the necessary supporting public infrastructure for the Phase 1 Plat will be constructed. The conditional approval should include provisions to not allow building permits, including model homes, until construction of all supporting infrastructure is completed.
- Supporting infrastructure includes:
 - Layton Avenue Sanitary Sewer from 39th Street North to 40th Street north.
 - Village East Trunk Sanitary Sewer from the Reid Park Lift Station to the UPRR.
 - Storm sewer run from 40th Street North to Pond 3N.
 - Pond 3N storm sewer outfall pipe.
 - The receiving storm sewer pipe and storm water pond from Pond 3N outfall pipe located on the Wildflower at Lake Elmo northerly property.

FINAL CONSTRUCTION PLANS

- No construction, including grading operations may occur on the site until the applicant has received City Engineer approval for the final construction plans and has obtained all applicable permits for the Subdivision.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- Final construction plan review comments will be provided separately to assist the applicant with the completion of Final Construction Plans.

MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4285

Date: April 13, 2015

To: Nick Johnson, City Planner
Cc: Chad Isakson, FOCUS Engineering

Re: Village Preserve – Parcel B
Construction Plan Review

From: Jack Griffin, P.E., City Engineer

An engineering review has been completed for the Village Preserve development by GW Land Development. Construction Plans were received on March 24, 2015. The submittal consisted of the following documentation prepared by Sathre-Bergquist, Inc., or as noted:

- Village Preserve Phase 1 Final Plat, not dated.
- Development Narrative Phase 1, dated February 15, 2015.
- Stormwater Management Plan, revised February 18, 2015.
- Specifications dated February 5, 2015.
- Final Construction Plans dated March 20, 2015.
- Phasing Plan dated February 20, 2015.
- Tree Mitigation and Landscape Plans prepared by Norby & Associates, dated March 20, 2015.

STATUS/FINDINGS: This review supplements the Final Plat/Construction Plan Review completed by Focus Engineering, Inc. dated April 13, 2015. In addition to the Final Plat review comments, the following comments are being provided to assist you in finalizing the construction plans for the project.

GRADING, STORM WATER MANGEMENT AND EROSION CONTROL

- City standard plan notes for grading and erosion control and City standard plan notes for site restoration must be placed on the grading and erosion control plans in unedited form. Any project specific plan notes not covered by the City standard plan notes shall be listed separately and are subject to City review.
- Revise erosion control plans to meet City standard requirements for erosion control materials, installation details, seed mixes and phasing notes.
- Lots 5 and 6, Block 2 show Basement Floor elevations at 936.8 and 936.3 respectively. The overland emergency overflow for the adjacent area is listed at 936.2. Revisions are needed to provide a minimum of 1 foot of freeboard from the EOF.
- The maintenance access road to Stormwater Pond 2N must be shown on the preliminary plans and construction plans and must be extended to the public R/W with a grade that does not exceed 10%.
- The maintenance access road to Stormwater Pond 3N must be shown on the preliminary plans and construction plans and must be extended to the public R/W of Layton Avenue with a grade that does not exceed 10%.
- Add maintenance access road to Infiltration Basin 1. Access road to be 20 foot minimum width at 10% maximum grade and to be located within Outlot A or County R/W.
- The Block 2 rear yard grades must be revised to provide a minimum 2% longitudinal grade.

STREET PLANS

- The one-way pavement widths for the 41st Street North center island parkway is a minimum 18 feet from face of curb to face of curb.
- A maximum allowable street grade of 2% must be maintained for the first 50 feet from all intersections. Six intersections should be adjusted accordingly.
- The plans must be revised to lengthen all vertical sag curves to the City standard minimum K-value of 37. Five sag curves must be adjusted accordingly.
- Improvements along CSAH 17 (Lake Elmo Avenue) should be revised on Plan Sheets 2 and 3 to clearly indicate the improvements as required by Washington County's review memorandum. Improvements should be updated for both the preliminary plans and Phase 1 construction plans.

WATERMAIN AND SANITARY SEWER PLANS

- City standard plan notes for watermain and sanitary sewer must be placed on the sanitary sewer and watermain plan sheets in unedited form. Any project specific plan notes not covered by the City standard plan notes shall be listed separately and are subject to City review.
- Sheet 10, 40th Street profile. Add existing watermain and sewer infrastructure information that the proposed system will connect to.
- Sheet 11. Add/relocate manholes to improve centerline sewer alignment between manholes 7-9.
- Relocate manholes 2, 3, 21, 22, 23, 24, and 25 to improve centerline sewer alignment.
- Add plan and profile notes indicating watermain pipe size and material.
- Relabel the second Plan Sheet 12 to Plan Sheet 13.
- Extend the existing and proposed profiles to the full extent of the sewer/water profiles.

STORM SEWER SYSTEM

- City standard plan notes for storm sewer must be placed on the storm sewer plan sheets in unedited form. Any project specific plan notes not covered by the City standard plan notes shall be listed separately and are subject to City review.
- Storm sewer design calculations must be submitted for City review. Storm sewer revisions will be required, if necessary, to meet City standard maximum pipe velocities and discharge velocities throughout the system.
- The storm sewer system must meet the City standard minimum pipe cover of 3.5 feet. The plans appear to comply with this requirement with the following exceptions.
 - A 200 foot storm sewer run centered over CBMH C2. This exception is approved by the City at the request of the developer.
 - At OS-B9 outlet structure, additional pipe cover is needed. The pipe alignment should be shifted away from the maintenance access road to allow additional cover and remove pipe from a compacted/exposed surface.
 - Add cover over storm sewer run from G2 to G4.
- Correct the storm sewer profile over G2 to G4 and change pipe size to City standard minimum 15-inch.
- Correct the storm sewer profiles for Storm D4, G1, and I1.
- Shorten the pipe run from H2 to H1 to maintain minimum pipe cover.
- The pipe run from P1 to P2 is shown at 5%. The pipe size and slope must be revised to maintain discharge velocity below 5 fps.
- Sump manholes must be shown and labeled on plan view and indicated in the profile. Structures A8, B7, B10, C3, E2 and F2 must be sump manholes.

PROJECT MANUAL – SPECIFICATIONS

- Specifications must be revised and submitted as follows:
- The City Standard Specifications for Public Infrastructure dated February 2015 must be located in the project manual prior to any other technical specifications utilized or inserted. The specifications must clearly

indicate that the City Standard Specifications govern for the project unless specific written approval by the City has been provided.

- Following the provisions of the City Standard Specifications for Public Infrastructure, supplemental specifications may be used and inserted if they are clearly placed within the manual under a section titled "Supplemental Specifications". Please include the following statement as the first clause of the supplemental provisions, *"The City Standard Specifications for Public Infrastructure, dated February 2015, shall apply to the work performed under this contract. Any supplemental specifications are intended to supplement the City Standard Specifications, however they do NOT supersede the City Standard Specifications, Details, Design Standards, or ordinances unless specific written approval has been provided by the City"*.

Station #1
3510 Laverne Ave. No.
Lake Elmo, MN 55042
651-770-5006



Station #2
4259 Jamaca Ave. No.
Lake Elmo, MN. 55042
651-779-8882

LAKE ELMO FIRE DEPARTMENT

April 20, 2015

After review of the VILLAGE PRESERVE PHASE I - FINAL PLAT, it appears that the items identified in my review letter dated August 27, 2014 (shown below) have been addressed.

- **ROADWAYS**
 - Street naming and numbering per city ordinance.
- **FIRE HYDRANTS**
 - Spacing/Location, it appears there are some that may be closer than the 500' spacing required and could be eliminated. Locate on corners of intersections to gain the most benefit from hydrants.

I would like to commend staff and all parties involved for addressing these concerns and meeting the requirements as set forward by the City. In particular the matter of street naming/numbering, as this can become rather difficult at times due to the unique designs of the roadways. I believe all parties concerned met the intent of the standards as adopted by the City and for that I am grateful as this will help us moving forward in our efforts to ensure the timeliest response possible. Thank you.

Reviewed by

Greg Malmquist, Fire Chief

"Proudly Serving Neighbors & Friends"



VILLAGE PRESERVE – DESIGN REVIEW REPORT **LAKE ELMO, MN**

LANDSCAPE ARCHITECTURAL DESIGN REVIEW DATED APRIL 22nd, 2015

REVIEWED PLAN SET DATED FEBRUARY 24TH, 2015

Required Action Items by Village Preserve Project Team

1. Please provide more detail as to the groundcover plantings within the entry median off Lake Elmo Avenue North. Preference would be to see a pollinator friendly plant or plant mix.
2. Village Preserve Project Landscape Architect to provide landscape irrigation plans for all commonly held HOA & City R.O.W. areas.
3. Planting plan for Outlot B (City Park) as represented is appropriate for an undeveloped City Park. If developer is successful in working with the City to develop Outlot B as part of the development project at this time by creating an active use park we would request to revisit the design and how it impacts the city required landscape.
4. The landscape architect has done a great job providing a maintenance plan for all native seeding areas within all commonly held HOA & City Outlot / R.O.W areas. In addition to this information for the same area the City requests a copy of the executed agreement with an approved ecosystem management provider for these services including stated financial commitments.

SINCERELY,

LANDSCAPE ARCHITECTURE, INC.

STEPHEN MASTEY, ASLA, CLARB, LEED AP BD+C
DIRECTOR OF DESIGN

Nick Johnson

From: Carol Hanson <Carol.Hanson@co.washington.mn.us>
Sent: Tuesday, April 21, 2015 11:17 AM
To: 'ejohnson@sathre.com'
Cc: Nick Johnson; Joe Gustafson; Nik Costello; Wayne Sandberg
Subject: Village Preserve plan revisions for CSAH 17
Attachments: DOC042115-04212015084602.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Eric,

We have reviewed the construction plan sheets for CSAH 17 lane modifications and request changes as shown on the attached plan sheets.

Please feel free to give me a call if you have any questions.

Thank You,

Carol

Carol Hanson

Washington County Public Works

11660 Myeron Road N

Stillwater MN 55082

(651) 430-4313

EXISTING CONDITIONS

SEE TOP RIGHT

AVE (CR 17)

LAKE ELMO AVENUE NORTH

LAKE ELMO AVE (CR 17)

LAKE ELMO AVE (CR 17)

SEE BOTTOM LEFT

REMOVAL SAWCUT AND MILL PLAN

REFLECT SAWCUT IN RED
MILL SHOWN IN BLUE

what?

39TH ST.

LAKE ELMO AVENUE NORTH

LAKE ELMO AVE (CR 17)

LAKE ELMO AVE (CR 17)

SEE TOP RIGHT

LAKE ELMO AVENUE NORTH



100
50
0
50
100

- NOTE
1. REMOVE EXISTING SHOULDER SECTION AS SHOWN (2.000 S.Y.)
 2. SAWCUT & MILL 2' AS SHOWN (0.000 S.Y.)

<p>PROJECT NAME: LAKE ELMO AVE IMPROVEMENTS</p> <p>PROJECT NO.: 3100007</p> <p>CITY PROJECT NO.: 3100007</p>		<p>LAKE ELMO, MINNESOTA</p> <p>GWSA LAND DEVELOPMENT, LLC.</p>	
<p>DESIGNED BY: SATHRE-BERGQUIST, INC.</p> <p>DATE: 02/20/13</p>		<p>100 SOUTH BROADWAY WYATKA, MN 55391 (202) 478-6900</p>	
<p>USE INCLUDING CORING, DISTRIBUTION, AND/OR CONFORMANCE OF INFORMATION OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT THE WRITTEN PERMISSION OF SATHRE-BERGQUIST, INC. AND SHALL THEREBY CONSTITUTE AN ILLEGIMATE USE AND SHALL THEREBY CONSTITUTE AN ILLEGIMATE USE AND SHALL THEREBY CONSTITUTE AN ILLEGIMATE USE AND SHALL THEREBY CONSTITUTE AN ILLEGIMATE USE.</p>		<p>THEIRTY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.</p> <p>DATE: 02/20/13</p> <p>DATE: 02/20/13</p>	
<p>PROJECT NAME: LAKE ELMO AVE IMPROVEMENTS</p> <p>PROJECT NO.: 3100007</p> <p>CITY PROJECT NO.: 3100007</p>	<p>DESIGNED BY: SATHRE-BERGQUIST, INC.</p> <p>DATE: 02/20/13</p>	<p>100 SOUTH BROADWAY WYATKA, MN 55391 (202) 478-6900</p>	<p>LAKE ELMO, MINNESOTA</p> <p>GWSA LAND DEVELOPMENT, LLC.</p>

No shoulder next to right two lanes.

2. REMOVE EXISTING SIGNAGE, A STOPPING IS NECESSARY FOR NEW CONSTRUCTION.
3. THIRD LANE STOPPING AND SIGNAGE SHALL BE INSTALLED PER THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD). THE CONTRACTOR SHALL SUBMIT A TEMPORARY TRAFFIC CONTROL PLAN TO BE APPROVED BY THE ENGINEER PRIOR TO COMMENCEMENT OF ROAD IMPROVEMENTS.
4. TYPICAL IF TURN LANE APPROXS TO BE USED
5. PLANE SHOULDER BASE AGGREGATE AS DIRECTED BY THE ENGINEER (7" GRAVEL, SHOULDERS SHALL BE 7" THICK)
6. IF WAD SHOULD OTHER DIRECTION SHALL BE 7" WITHIN AND 4" FASSED SHOULD BASE

1. THE FURNISHMENT SPECIFICATIONS SHALL BE CONSIDERED IN ACCORDANCE WITH MOST "STANDARD SPECIFICATION FOR CONSTRUCTION" AND ALSO THE REQUIREMENTS OF THE OWNER'S SICK ENGINEER.
2. ALL MATERIALS, AS SPECIFIED ARE TO BE CONSIDERED AVAILABLE AFTER COMPACT.
3. INDOOR SPILL, 2500 BITUMINOUS TACK COAT SHALL BE PLACED BETWEEN SUCCESSIVE BITUMINOUS LIFTS AND AGAINST ADJUTING CONCRETE CURB EDGES
4. RECYCLED BITUMINOUS WEAR COURSE WILL NOT BE ALLOWED
5. PAVEMENT PAVING ONLY MUST BE COMPLETED WITH PAVING

1. NOTIFY RESIDENTS ALONG THE LENGTH OF LAKE ELMO AVE. (CR 17) TURN LANE IMPROVEMENTS 72 HOURS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL PROVIDE ACCESS AT ALL TIMES.

2. CONTRACTOR MUST NOTIFY WASHINGTON COUNTY AT LEAST 72 HOURS PRIOR TO COMMENCING LAKE ELMO AVE. (CR 17)

* Edge striped 1 ft from edge.
13 ft pavement, 12 ft striped.

THEIRBY CERTIFY THAT THIS MAJOR SPECIFICATION WAS PREPARED BY ME UNDER MY DIRECT SUPERVISION AND THAT I AM A QUALIFIED PROFESSIONAL ENGINEER UNDER THE PROFESSIONAL ENGINEERING ACT OF 1967.

Robert S. McIntosh

ROBERT S. MCINTOSH, P.E.

3 2473 16

SATHRE-BERGQUIST, INC.
120 SOUTH BROADWAY WAYZATA, MN 55381 (612) 476-6090

LAKE ELMO AVE IMPROVEMENTS
VILLAGE PRESERVE - PHASE 1
GWSA LAND DEVELOPMENT, LLC.

FILE NO. 3120-047	3	31
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CHECKED BY		DATE		REVISIONS	
ENJ		03/05/15		WATERSED COMMENT REVISIONS	
RSU		03/20/15		CITY COMMENT REVISIONS	
DATE					
ENJ		IND.	BY	DATE	
		01	ENJ	03/05/15	
		02	ENJ	03/20/15	

March 18, 2015



Craig Allen
GWSA Land Development, LLC
Suite 200
10850 Old County Rd. 15
Plymouth, MN 55441

**Re: Village Preserve—Lake Elmo, Minnesota
VBWD Permit #2015-06**

Dear Mr. Allen:

Enclosed is the Valley Branch Watershed District (VBWD) permit for your project. Please note the following conditions imposed by the Managers, which are also listed on the back of the permit.

1. No construction shall start until all permit conditions are met. If the Valley Branch Watershed District Board is not satisfied that the conditions are met, the permit will be revoked.
2. The infiltration material shall be in conformance with Mn/DOT Specification 3877.1G, or an equivalent specification approved by the VBWD.
3. This permit is not valid until a maintenance agreement in the general format of Appendix B of the VBWD Rules is submitted to and approved by the VBWD Attorney.
4. The permit holder must obtain permission for any work outside of his property.
5. Prior to construction, the required surety and fee shall be submitted.
6. The plan sheets shall be revised to show the correct inverts at the pond outlet structures.
7. Drain tile shall be installed around the perimeters of the foundations at Block 1, Lots 1 and 2 and the lot north of Block 3, Lot 1.
8. Plans shall be revised to show minimum floor elevations at least 2 feet higher than the adjacent water body's 100-year flood level.
9. This permit is not transferable.



DAVID BUCHECK • LINCOLN FETTER • DALE BORASH • JILL LUCAS • EDWARD MARCHAN

VALLEY BRANCH WATERSHED DISTRICT • P.O. BOX 838 • LAKE ELMO, MINNESOTA 55042-0538

www.vbwd.org

10. This permit is subject to obtaining all other permits required by governmental agencies having jurisdiction (including a NPDES permit).
11. The VBWD Engineer and Inspector shall be notified at least three days prior to commencement of work.
12. Erosion controls shall be installed prior to the commencement of grading operations and must be maintained throughout the construction period until turf is established. Additional erosion controls may be required, as directed by the VBWD Inspector or VBWD Engineer.
13. The following additional erosion controls shall be implemented on the site:
 - a. All proposed slopes three-feet horizontal to one-foot vertical (3H:1V) should be covered with erosion-control blanket.
 - b. Silt fence should follow existing contours as closely as feasible to limit the potential for gully erosion along the edges.
 - c. Any sediment that collects in storm sewers, ponds, or other water management features shall be removed.
 - d. Street sweeping shall be performed if sediment collects on streets.
 - e. If erosion occurs at the outlets of the storm sewer pipes the applicant will be responsible for correcting the problem to the satisfaction of the VBWD.
14. To prevent soil compaction, the proposed infiltration area shall be staked off and marked during construction to prevent heavy equipment and traffic from traveling over it. If the infiltration facility is in place during construction activities, sediment and runoff shall be kept away from the facility, using practices such as diversion berms and vegetation around the facility's perimeter. The infiltration facility shall not be excavated to final grade until the contributing drainage area has been constructed and fully stabilized. The final phase of excavation shall remove all accumulated sediment and be done by light, tracked equipment to avoid compaction of the basin floor. To provide a well-aerated, highly porous surface, the soils of the basin floor shall be loosened to a depth of at least 24 inches to a maximum compaction of 85% standard proctor density prior to planting.
15. All disturbed areas shall be vegetated within 14 days of final grading.
16. The applicant is responsible for removal of all temporary erosion-control measures, including silt fence, upon establishment of permanent vegetation at the project site as determined by the VBWD Engineer and/or Inspector.
17. Valley Branch Watershed District shall be granted drainage easements which cover: (a) land adjacent to stormwater management facilities, wetlands, and lowlands up to their 100-year flood elevations and (b) all ditches, storm sewers, and maintenance accesses to the stormwater management facilities.

18. The minimum floor elevations for all buildable lots in the development shall be recorded in a Declaration of Covenants and Restrictions or on the final plat.
19. The required drainage easements and access easements shall be recorded with the Washington County Recorder's Office.
20. Return or allowed expiration of any remaining surety and permit closeout is dependent on the permit holder providing proof that all required documents have been recorded (including but not limited to easements) and providing as-built drawings that show that the project was constructed as approved by the Managers and in conformance with the VBWD rules and regulations.

Thank you for your cooperation with the District's permit program.

Sincerely,

David J. Bucheck, President
Valley Branch Watershed District

DJB/ymh

Enclosure

c: Ray Marshall, VBWD Attorney
Ray Roemmich, VBWD Inspector
Jenifer Sorensen, MDNR
Kyle Klatt, City Planning Director—City of Lake Elmo
Jack Griffin, City Engineer, FOCUS Engineering—City of Lake Elmo
Building Inspector—City of Lake Elmo
Nate Herman, Sathre-Bergquist, Inc.—Authorized Agent
Schiltgen Farm, Inc.—Owner
Karen Wold, Barr Engineering Company
Yvonne Huffman, Barr Engineering Company

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20. Return or allowed expiration of any remaining surety and permit closeout is dependent on the permit holder providing proof that all required documents have been recorded (including but not limited to easements) and providing as-built drawings that show that the project was constructed as approved by the Managers and in conformance with the VBWD rules and regulations.

Approved: March 12, 2015

Signature
Valley Branch Watershed District

Title

Note: The grant of this permit in no way purports to permit acts, which may be prohibited by other governmental agencies.

DATE:
REGULAR
ITEM#

May 5, 2015

8

AGENDA ITEM: Approval of Offer to Purchase Used Ladder Truck

SUBMITTED BY: Greg Malmquist, Fire Chief

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Cathy Bendel, Finance Director

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECOMMENDER: Fire Chief Malmquist

FISCAL IMPACT: An offer has been received to sell the 1980 International Ladder Truck (VIN 1HTAA1859BHA14836) for the asking price of \$12,500.00. Upon completion of sale payment in the amount of \$1,250.00 will be made to Brindlee Mountain for commission on the sale. Sale proceeds will be deposited into the vehicle fund.

SUMMARY AND ACTION REQUESTED: On May 20, 2014 the City Council approved the purchase of a new aerial Fire Truck. There was a brief discussion on what would happen to the old Fire Truck and the Fire Chief mentioned he would try to sell it. On October 27, 2014, the City entered into an agreement with Brindlee Mountain Fire Apparatus to advertise our used ladder truck on a national scale for a 10% commission if sold. Brindlee was asked to provide a recommendation for a starting listing price and it was advertised at their high recommendation amount of \$12,500.00. The City to date has received 8 inquiries from fire departments across the country. We have now received an offer to purchase from the Pound Fire Department, located in Eastern Wisconsin. They contacted Chief Malmquist for information and also did an on site inspection of the truck on April 20, 2015.

At that time they made an offer to purchase the truck for the asking price of \$12,500.00 and presented a \$500.00 deposit check to hold the vehicle. Upon acceptance of their offer, they will provide a check for ½ the remaining balance in the amount of \$6,000.00 with the final balance of \$6,000.00 being due upon taking delivery of the truck (will occur once we take delivery of our new ladder truck which is estimated in late May/early June).

Upon receipt of the final payment from the Pound Fire Department we will make payment to Brindlee Mountain (\$1,250.00) to pay them their commission. The Pound Fire Department will take delivery and accept the vehicle at our location of 3510 Laverne Ave, N. and are responsible for delivery of vehicle to their location. The Fire Truck is being purchased in "as is" condition. Sale shall include a "full complement" of hose and some misc. loose equipment.

The Fire Chief would like to also respectfully request that the Council approve that the net proceeds (\$11,250) could be applied toward additional build out modifications identified as being needed on the new truck. The main additional expenditure is the cost of the radio \$9,212.90 which had been discussed as being part of the original bid but it was recently discovered not be part of the quoted cost.

BACKGROUND INFORMATION (SWOT):

Strengths	First offer in 6 months. Full asking price.
Weaknesses	None
Opportunities	Only serious offer to date.
Threats	None

RECOMMENDATION: Based on the aforementioned, the staff recommends the following motion be made:

"Move to approve the acceptance of the offer to purchase the City of Lake Elmo used ladder fire truck by the Pound Fire Department in the amount of \$12,500.00, with the net proceeds of \$11,250 to be used for additional build out enhancements to the new fire truck".

ATTACHMENT:

1. Bill of Sale for 1980 International Ladder Fire Truck

BILL OF SALE

This Bill of Sale is made on the date of final signature between the City of Lake Elmo (Seller) and the City of Pound Wisconsin (Buyer).

Seller hereby sells and transfers to the Buyer a 1980 International Ladder Fire Truck (VIN 1HTAA1859BHA14836) located at 3510 Laverne Avenue North, Lake Elmo, MN 55042 for an amount of \$12,500.00.

It is agreed that the Buyer will pick up the truck at 3510 Laverne Avenue and are responsible for delivery of the vehicle to their location and that this vehicle is being sold "as is".

It is agreed that the Buyer will register the vehicle in Wisconsin and will provide a copy of the Wisconsin registration documentation to the City of Lake Elmo for its file to show the ownership transfer has been completed.

The Seller warrants to Buyer it has good and marketable title to said property, full authority to sell and transfer said property, and that said property is sold free of all liens, encumbrances, liabilities and adverse claims of every nature and description whatsoever.

SELLER

BUYER

City of Lake Elmo
Administrator

Date

City of Pound Wisconsin

Date



The City of Lake Elmo offers competitive pay and benefits in addition to professional development opportunities to all employees. The city's number one value statement is to foster an environment based on trust and ethics. These philosophies and practices help the City in recruiting and retaining exceptional employees.

Accepting Applications for the Position of:

Taxpayer Relations / Communications Coordinator

SALARY: \$34,000 to \$50,000/DOQ

OPENING DATE: 05/01/2015

CLOSING DATE: 07/01/2015

POSITION RESPONSIBILITIES: The objective of this position is to coordinate the primary taxpayer (customer) communications/problem-solving for the City of Lake Elmo which is consistent with Mission, Vision and Core Values of the City of Lake Elmo. The position is responsible for the five main communication vehicles used by the City of Lake Elmo: the website, the Facebook page, the quarterly newsletter, the weekly new update, and cable access television. In addition, the position will assist the marketing / promotion efforts of the City of Lake Elmo in the areas of economic development, event promotion, public meetings, and Code Red applications. The position will also be responsible for the coordination of taxpayer / resident problem-solving and serve as an expeditor of taxpayer service. An ancillary responsibility will be to staff the Lake Elmo Parks Commission.

Position Description

Position Title: Taxpayer Relations / Communications Coordinator
Department: Administration
Reports To: Administrator
FLSA Status: Non-exempt/Exempt

Primary Objective of Position

The objective of this position is to coordinate the primary taxpayer (customer) communications/problem-solving for the City of Lake Elmo which is consistent with Mission, Vision and Core Values of the City of Lake Elmo. The position is responsible for the five main communication vehicles used by the City of Lake Elmo: the website, the Facebook page, the quarterly newsletter, the wee

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Essential Functions of the Position

1. Plans, Develops and implements the City of Lake Elmo's communication strategy with its taxpayers, other governments, media and the greater community;
2. Coordinates information to the community through the use of print, electronic, cable television and social media. Communication vehicles include: website, newsletter, weekly update, Facebook, cable access television and various public meetings;
3. Coordinate the cable casting, re-broadcast and video streaming of City Council and Planning Commission meetings or programs regarding the City;
4. Coordinates communication with the news media;
5. Assists Administrator in the development of public relations and marketing materials used to promote the community to developer's, new residents and other interested parties;
6. **Interacts positively** with taxpayer through the provision of information, casework problem-solving, and other means to resolve issues;
7. Coordinates and Promotes city services through special events, community celebrations and gatherings and other public meetings;
8. Co-Manage the Lake Elmo Parks Commission including meeting attendance, program support and responding to Commission member inquiries.

Performance Criteria

The successful candidate shall be a "people person", able to clearly communicate the public policy decisions of the Lake Elmo City Council and operational essentials of the City staff. Prerequisites include:

- Strong oral and written communication skills;
- A sense of design / visual arts which may include photography / graphic layout;
- Skill in desktop publishing;
- Website content development and maintenance experience;
- Social media experience. Facebook "fan page" maintenance a plus;
- Problem solving skills for taxpayer relations and complaints;
- Knowledge of public relations, marketing and community affairs;
- Knowledge or willingness to learn cable access television production;
- Knowledge or willingness to learn park & recreation programming;
- Ability to work under pressure and meets deadlines.

Minimum Qualifications

1. Bachelor's Degree in communication, public relations, journalism or equivalent experience;
2. Minimum of two years of experience managing the communication / PR function of a small to

- medium organization;
3. Experience in developing, implementing and maintaining a Communications Plan;
 4. Strong computer skills, including Microsoft and Adobe products.

Desirable Qualifications

1. Experience in website development and maintenance;
2. Experience with cameras and video production equipment;
3. Experience in interacting with print media;
4. Experience in conflict resolution and problem solving;
5. Some supervisory experience.

Physical Requirements

Positions in this class typically require: sitting, feeling, manual dexterity, grasping, talking, and hearing, typing, and seeing. The individual may encounter unexpected and prolonged workdays and stress and pressures from dealing with emotional issues and conflicts. There is sustained exposure to computer keyboards and video screens. This position is light duty and may require the exertion of up to 20 pounds of force on occasion or a negligible amount of force frequently to lift, carry, push, pull or otherwise move objects.

PLEASE APPLY BY CLOSING DATE:

SEND COVER LETTER, RESUME, ONE PROFESSIONAL WRITING SAMPLE AND REFERENCES TO:

CITY OF LAKE ELMO ATTN: SANDIE THONE, CITY CLERK
3800 LAVERNE AVENUE NORTH, LAKE ELMO, MN 55042
OR STHONE@LAKEELMO.ORG

PLEASE VISIT OUR WEBSITE AT **WWW.LAKEELMO.ORG** FOR ADDITIONAL INFORMATION OR
CONTACT US AT 651.747.3900

CITY OF LAKE ELMO IS AN EQUAL OPPORTUNITY EMPLOYER



Position Description

Office Administrative Assistant

Position Title: Office Administrative Assistant

Date: May 24, 2013

Department: Administration

Reports To: City Clerk

FLSA Status: Non-exempt

Primary Objective of Position

To perform various types of skills including front office customer service duties, support administration department, city clerk's office, and other duties as assigned.

Essential Functions of the Position

Customer Service

- Fields all incoming phone calls
- Greets and assists all visitors at front counter
- Provides general assistance to public and staff
- Receives, sorts, and distributes incoming mail, deliveries, and faxes
- Processes outgoing mail and is responsible for auditing postage
- Schedules park reservations, conference rooms, council chambers
- Issues and tracks licensing programs

Administrative Support

- Responsible for daily opening of City Hall
- Assists with administrative mailings and publications
- Assists with records management and data practices requests
- Assists with preparation of city council and commission packets
- Assists with ordering office supplies and maintaining inventory
- Assists with elections and serves as city election judge
- Assists building department with permit issuance
- Assists with scheduling building inspections
- Assists with utility billing inquiries and mailings
- Assists with preparation of bank deposits
- Assists with petty cash reconciliation

Miscellaneous

- All other duties as assigned

Performance Criteria

- Commitment to exceptional customer service and positive attitude. Must demonstrate poise, tact, and diplomacy with strong focus on delivering superior customer service to internal and external people
- Demonstrates a working knowledge of standard office practices, procedures, equipment, and Microsoft office suite applications
- Demonstrates ability to efficiently and effectively create and produce quality detailed work with a high level of accuracy
- Demonstrates initiative in process improvement opportunities
- Strong attention to detail in reporting, accounting, and official city record keeping
- Ability to perform successfully with minimal supervision
- Ability to maintain effective and positive working relationships with associates and the public while demonstrating a team player approach in assisting all staff
- Possess excellent written and verbal communication skills and exceptional phone etiquette, with an ability to relate effectively with diverse individuals

Minimum Qualifications

- High school diploma or equivalent required
- Two years of increasingly responsible experience in an office setting and/or local government. An equivalent combination of education and work experience may be considered for this position

Desirable Qualifications

- Knowledge of principles and practices of local government
- Knowledge or experience in permitting and licensing
- Advanced computer software experience and proficiency especially in Microsoft Office, Outlook, Adobe, and various building/permit software packages
- Ability to exercise independent judgment and discretion in decision-making
- Ability to effectively problem solve using analytical and strategic thinking
- Higher education in business, public administration, or a related field
- Three recent consecutive years of full-time receptionist experience
- Knowledge of City and State regulations related to building, housing, or zoning

Supervision Responsibilities - N/A

Physical Requirements

Positions in this class typically require: sitting, feeling, manual dexterity, grasping, talking, and hearing, typing, and seeing. The individual may encounter unexpected and prolonged workdays and stress and pressures from dealing with emotional issues and conflicts. There is sustained exposure to computer keyboards and video screens. This position is light duty and may require the exertion of up to 20 pounds of force on occasion or a negligible amount of force frequently to lift, carry, push, pull, or otherwise move objects.