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NOTICE OF MEETING

City Council Meeting
Tuesday, May 2, 2017 7:00 P.M.
City of Lake Elmo | 3800 Laverne Avenue North

AGENDA

- A. Call to Order/Pledge of Allegiance
- B. Approval of Agenda
- C. Approval of Minutes
 - 1. April 4, 2017; April 11, 2017; April 18, 2017
- D. Public Comments/Inquires
- E. Presentations
- F. Consent Agenda
 - 2. Approve Payments of Disbursements and Payroll
 - 3. Approve 2018 Budget Schedule
- G. Regular Agenda
 - 4. CSAH 13 (Ideal Avenue/Olson Lake Trail) Public Improvement and Final Assessment Hearing *Resolution* 2017-0xx
 - 5. I-94 Lift Station and Sanitary Sewer Improvements Accept Bids and Award Contract
 - 6. Royal Golf Preliminary Plat Discussion
 - 7. Royal Golf Grading Permit
 - 8. Noise Ordinance
 - 9. Easton Village 2nd Addition Final Plat
 - 10. VMX Rezoning (Zoning Map Amendment)
 - 11. V-LDR/VMX Zoning Text Amendment
- H. Council Reports
- I. Staff Reports and Announcements
- J. Adjourn

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City of Lake Elmo Public comment sheet

If you wish to address the City Council, a Commission, or Committee, please fill out the form and give it to the City Clerk or City Administrator.

The Mayor / Chair will call upon you when it is time for you to speak during the time designated for public comments on each agenda item.

If your topic is not a numbered item on the agenda, it will be heard during the Public Comments and Inquiries portion of the meeting.

*** Decorum Policies ***

- (1) Conduct oneself with respect and civility towards others and otherwise abide by Council, Commissions, and Committee policy. Please refrain from conversations with others during the meeting, and shouting from the audience will not be allowed. Being quiet during the meeting is appreciated so that the business of the governing body can be conducted with full attention to the matter at hand;
- (2) The governing body will provide (2) opportunities for public comment during the meeting. First, an opportunity will be given at the onset of the meeting for general comment; Second, opportunity will be given to speak on an agenda item at the time the governing body addresses the item;
- (3) Citizens wishing to speak must sign in and provide their request to the Council, Commission, or Committee Clerk for distribution to the Mayor / Chair. Upon being recognized, you should proceed to the lectern and state your name, address and topic to be discussed. You will be given (6) minutes to speak. The Mayor/Chair may interrupt or terminate a citizen's statement when it is too lengthy, personal, insulting, abusive, obscene, or slanderous. Any person acting in an unruly manner may be asked to leave the meeting.
- (4) No person shall display signs or placards, applaud participants in debate or engage in conversation or other behavior which may disrupt the proceedings of the Council.
- (5) When a group of persons wishes to address the Council on the same subject matter, they may choose a spokesperson to address the governing body. No action will be taken in response to a petition delivered at a Council meeting. Petitions will be placed on file and referred to the appropriate staff for consideration and recommendation of appropriate action.

| Name (please print): TEDE CARLS a | |
|---------------------------------------|--|
| Address: 8735 274 St. 10 | |
| Item#/Topic: Arbor day tree give July | |
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CITY OF LAKE ELMO CITY COUNCIL MINUTES APRIL 4, 2017

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

PRESENT: Mayor Mike Pearson and Councilmembers Justin Bloyer, Julie Fliflet, Jill Lundgren and Christine Nelson

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, City Planner Becker, Public Works Director Weldon, and City Clerk Johnson.

APPROVAL OF AGENDA

Item 3, "Approve Met Council SAC Deferral Agreements" and Item 9, "Approve Pebble Park Free Library" were moved to the Regular Agenda.

Mayor Pearson, seconded by Councilmember Fliflet, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 5-0.

ACCEPT MINUTES

Minutes of the March 7, 2017 Regular Meeting were accepted as presented. (Lundgren – abstain)

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

None

CONSENT AGENDA

- 2. Approve Payment of Disbursements
- 4. Approve Special Assessment Abatement for 3459 Lake Elmo Avenue
- 5. MSAS System Revisions Resolution Approving Designation of 5th Street North as MSAS Route
- 6. Old Village Phase 3 Street & Utility Improvements Approve Plans & Specs; Authorize Ad for Bids
- 7. 2017 Street Improvements Approve Plans & Specs; Authorize Ad for Bids
- 8. Approve Rain Garden Maintenance Agreement
- 10. Approve Purchase of Two ¾ Ton Pickup Trucks
- 11. Approve Comp Plan Amendment to City's Wastewater Facilities and Land Use Plans
- 12. Approve Selection of Firm for Space Needs Study

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 5 - 0.

ITEM 13: Prosecuting Attorney

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO APPOINT JOHNSON TURNER AS CITY ATTORNEY FOR PROSECUTION SERVICES EFFECTIVE MAY 1, 2017. Motion passed 3 – 2. (Fliflet, Lundgren – nay)

Councilmember Fliflet stated she did not support the motion because Johnson Turner Attorney Dave Snyder is Mayor Pearson's first cousin.

ITEM 14: Inwood 5th Addition Final Plat and PUD Plans

City Planner Becker presented the request for approval of the 5th and final phase of the Inwood development. Becker reviewed 10th Street right of way and trail issues, and plat changes recommended by the City Engineer. Planning Commission and staff recommendations were also reviewed.

John Rask, M/I Homes, spoke on behalf of the developer regarding removing the berm, loss of landscaping and impacts to the neighborhood. Rask also pointed out discrepancies in the staff report and requested changes to conditions 9 and 11.

Councilmember Nelson, seconded by Councilmember Fliflet, moved TO ADOPT RESOLUTION 2017-029 (b) APPROVING THE INWOOD 5^{TH} ADDITION FINAL PLAT AND FINAL PUD PLANS AS RECOMMENDED BY STAFF. Motion passed 4-0-1. (Bloyer – present/not voting)

ITEM 15: Savona Neighborhood Park

City Planner Becker presented the recommendations of the Park Commission for development of Savona Park Phase 1.

Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO APPROVE FUNDING FOR PHASE 1 OF SAVONA PARK FOR THE INSTALLATION OF RECOMMENDED PLAYGROUND EQUIPMENT, HALF BASKETBALL COURT, BASKETBALL HOOP, WOOD MULCH SURFACING, AS WELL AS SITE GRADING, NOT TO EXCEED \$150,000. Motion passed 5 – 0.

<u>ITEM 16: CSAH 13 (Ideal Avenue/Olson Lake Trail) – Approve Feasibility Report and Call</u> Public Improvement and Final Assessment Hearing City Engineer Griffin presented the feasibility report for proposed improvements to CSAH 13, reviewed the phasing plan, construction plans, estimated costs, and proposed assessments. Griffin also presented changes in estimated costs for the project resulting in lower costs than originally anticipated.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2017-34 RECEIVING THE FEASIBILITY REPORT FOR THE CSAH 13 (IDEAL AVENUE/OLSON LAKE TRAIL) IMPROVEMENTS AND CALLING HEARING ON IMPROVEMENT TO BE HELD ON MAY 2, 2017 WITH DIRECTION TO STAFF TO REVISE THE ASSESSMENTS USING UPDATED COST ESTIMATES. Motion passed 5 – 0.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2017-035 DECLARING COST TO BE ASSESSED AND CALLING HEARING ON PROPOSED ASSESSMENT FOR THE CSAH 13 (IDEAL AVENUE/OLSON LAKE TRAIL) IMPROVEMENTS TO BE HELD ON MAY 2, 2017 WITH DIRECTION TO STAFF TO REVISE THE ASSESSMENTS USING UPDATED COST ESTIMATES. Motion passed 5 – 0.

ITEM 17: Appointments to Comp Plan Advisory Committee

City Administrator Handt reviewed prior action and list of applicants for the Committee.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO APPOINT KATHY WEEKS, BARBARA BIRSCHBACH, MADISON BERGMANN AND BROOKE KNOLL TO THE COMP PLAN ADVISIORY COMMITTEE. Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO AMEND THE MOTION TO ADD SUSAN DUNN, GEORGE JOHNSON AND NEIL KRUEGER TO THE APPOINTMENTS. Motion on the amendment failed 2 – 3. (Pearson, Bloyer, Nelson – nay). Primary motion passed 3 – 2. (Fliflet, Lundgren –nay)

ITEM 3: Approve Met Council SAC Deferral Agreements

Councilmember Lundgren asked if the City Attorney has reviewed the Agreements. City Attorney Sonsalla stated she had discussed the Agreements with City Administrator Handt.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO APPROVE THE MET COUNCIL SAC DEFERRAL AGREEMENTS FOR BUSINESS AND RESIDENTIAL PROPERTIES. Motion passed 5-0.

ITEM 9: Approve Pebble Park Free Library

Councilmember Fliflet asked who is donating the Pebble Park Free Library and thanked them for their efforts.

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO APPROVE A RESIDENT ERECTING A FREE LIBRARY WITHIN PEBBLE PARK SUBJECT TO THE RESIDENT SUBMITTING TO THE CITY A SIGNED DONATION FORM FREEING THE CITY OF LIABILITY AND MAINTENANCE RESPONSIBILITY. Motion passed 5 – 0.

COUNCIL REPORTS

Mayor Pearson: Thanked resident Virginia Pleban for bringing flowerpots to City Hall.

Councilmember Nelson: Attended construction open house held by Washington County.

Councilmember Lundgren: Reported on work with the Farmers Market group.

Councilmember Bloyer: Commented on Council communications with developers.

Councilmember Fliflet: Thanked staff for work on the Savona Park project.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Reported on Environmental Committee, Arbor Day Tree Giveaway, Clean-up Day, Library negotiations introduced Sergeant Osterman.

City Clerk Johnson: Reported on upcoming HR Committee Meeting.

City Attorney Sonsalla: Currently working on hazardous property abatement, Library negotiations, and will be speaking at the LMC conference.

City Engineer Griffin: Working on various plan reviews.

Councilmember Fliflet, seconded by Mayor Pearson, moved TO ADJOURN TO CLOSED SESSION AT 8:20 P.M. PURSUANT TO MN STAT. 13D.03, TO CONSIDER STRATEGIES FOR LABOR NEGOTIATIONS, INCLUDING NEGOTIATION STRATEGIES OR DEVELOPMENT OR DISCUSSION OF LABOR-NEGOTIATION PROPOSALS. Motion passed 5 – 0.

Closed session held.

LAKE ELMO CITY COUNCIL MINUTES APRIL 4, 2017

| Councilmember | Bloyer, seconded by | Councilmember | Lundgren, | moved TO | RETURN | TO |
|---------------|---------------------|---------------|-----------|----------|---------------|----|
| OPEN SESSION | V. Motion passed 5 | -0. | | | | |

| Mayor Pearson stated that the Council met in closed session and discussed labor negotiations. |
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| Meeting adjourned at 9:05 pm. |
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| | LAKE ELMO CITY COUNCIL |
|---------------------------|------------------------|
| ATTEST: | |
| | Mike Pearson, Mayor |
| Julie Johnson, City Clerk | |

CITY OF LAKE ELMO CITY COUNCIL SPECIAL MEETING MINUTES APRIL 11, 2017

CALL TO ORDER

Mayor Pearson called the meeting to order at 5:30 p.m.

PRESENT: Mayor Mike Pearson and Councilmembers Justin Bloyer, Julie Fliflet, Jill Lundgren and Christine Nelson. **ABSENT:** None.

Staff present: Administrator Handt, Engineer Griffin and Attorney Jim Thomson

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO ENTER CLOSED SESSION. Motion passed 5-0.

Closed session held to discuss the City's pending lawsuit in federal court againt 3M.

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO RETURN TO OPEN SESSION. Motion passed 5-0.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADJOURN THE MEETING. Motion passed 5-0.

Meeting adjourned at 6:25 p.m.

| LAKE ELMO CITY COUNCIL | |
|---------------------------|---------------------|
| ATTEST: | |
| | Mike Pearson, Mayor |
| Julie Johnson, City Clerk | |

CITY OF LAKE ELMO CITY COUNCIL MINUTES APRIL 18, 2017

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

PRESENT: Mayor Mike Pearson and Councilmembers Justin Bloyer, Julie Fliflet, Jill Lundgren and Christine Nelson (arrived at 7:03)

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Planning Director Wensman, Public Works Director Weldon, Finance Director Swanson, Sergeant Osterman and City Clerk Johnson.

APPROVAL OF AGENDA

Item 18, "Sally Manzara Nature Center" was moved to the end of the Regular Agenda. Item 10, "Engineering Design and Construction Standards Manual" was moved to the end of the Regular Agenda and Item 13, "Approve Finance Committee Appointments" was moved to the beginning of the Regular Agenda.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 4 – 0. (Nelson – absent)

ACCEPT MINUTES

Minutes of the April 4, 2017 Regular Meeting were tabled to the next meeting.

PUBLIC COMMENTS/INQUIRIES

None

PRESENTATIONS

None

CONSENT AGENDA

- 2. Approve Payment of Disbursements
- 3. Accept March 2017 Assessor's Report
- Accept March 2017 Building Department Report
- 5. Accept March 2017 Fire Department Report
- 6. Accept March 2017 Public Works Department Report
- 7. Approve Hiring Lead Worker
- 8. Appoint Representative to Fire Relief Association
- 9. 2017 Crack Seal Project Accept Quotes and Award Contract
- 11. CSAH 14 County Signal Maintenance Agreements Approve Revised MnDOT Agreements
- 12. Authorize Advertising for Public Works Operator
- 14. Approve Agreement for Monitoring of Outdoor Warning Siren Equipment
- 15. Approve Bremer Bank Service Center Easement Vacations 8555 Eagle Point Blvd. N.
- 16. Approve Professional Services Agreement with BKV Group for Space Needs Assessment

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 5-0.

ITEM 13: Approve Finance Committee Appointments

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPOINT TERRY FORREST AND ANNE COHEN TO THE FINANCE COMMITTEE. Motion passed 3-2. (Bloyer, Nelson – nay)

Anne Smith, 12153 Marquess Lane N., spoke against the appointment of Wally Nelson to the Finance Committee.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO APPOINT WALLY NELSON TO THE FINANCE COMMITTEE. Motion passed 3 – 2. (Fliflet, Lundgren – nay)

ITEM 17: 2017A Bonding

Tammy Omdahl, Northland Securities, provided an overview of the Finance Plan for Issuance of \$9,880,000 General Obligation Bonds.

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO APPROVE RESOLUTION 2017-037: A RESOLUTION AUTHORIZING ISSUANCE AND SALE OF \$9,880,000 GENERAL OBLIGATION BONDS, SERIES 2017A. Motion passed 5 – 0.

ITEM 19: Planning Commission Ordinance

City Administrator Handt stated that the proposed Ordinance changes were prepared following Council discussions at the March 14, 2017 workshop.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO APPROVE ORDINANCE 08-172 AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY AMENDING THE CITY'S PROVISIONS RELATED TO THE PLANNING COMMISSION.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO ADD THAT THE 4/5THS LANGUAGE REMAIN IN THE ORDINANCE. Motion failed 2 – 3. (Pearson, Bloyer, Nelson – nay)

Primary motion passed 3-2. (Fliflet, Lundgren – nay)

ITEM 20: Library Negotiations Update

Administrator Handt provided an update summarizing a draft Resolution provided to the City Council. Handt added that the Library Board will hold a special meeting on May 3, 2017, 6:30 p.m. to discuss the future of the Library and it is anticipated a recommendation will be forwarded to the City Council for consideration at the May 16, 2017 Council meeting.

ITEM 18: Sally Manzara Nature Center

City Administrator Handt reported on updates made to the proposed agreement, including an update to Exhibit B and removal of the camera policy that was tabled by the Parks Commission.

Tony Manzara and Connie Kirk spoke on behalf of the Friends of Lake Elmo's Sunfish Lake Park regarding features and benefits of the project and community support for the nature center.

Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO APPROVE THE SALLY MANZARA NATURE CENTER DEVELOPMENT, LEASE, LICENSE AND OPERATING AGREEMENT. Motion passed 5-0.

ITEM 10: Engineering Design and Construction Standards Manual

City Administrator Handt explained that the proposed revisions have been reviewed by the Planning Commission. City Engineer Griffin added that the standards in the manual are to be used in addition to the City's ordinances.

Mayor Pearson, seconded by Councilmember Nelson, MOVED TO APPROVE THE MARCH 2017 REVISIONS TO THE ENGINEERING DESIGN AND CONSTRUCTION STANDARDS MANUAL AND THE NEW LANDSCAPE DESIGN AND CONSTRUCTION STANDARDS MANUAL. Motion passed 4-0-1. (Lundgren – present/not voting)

COUNCIL REPORTS

Mayor Pearson: Met with the Tartan Park developer, met with Lennar representatives regarding Savona Park.

Councilmember Nelson: Met with Public Works Director Weldon and toured the Public Works facilities.

Councilmember Lundgren: Working on preparations for the farmers market.

Councilmember Bloyer: No report

Councilmember Fliflet: Working on Library Issues.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Attended Washington County Economic Development meeting; working on scheduling an EDA meeting for May 11th; Environmental Committee meeting April 24th; attended transit summit at Washington County, working on Verizon cell tower and data for space needs study.

City Clerk Johnson: No report

City Attorney Sonsalla: Reviewed space needs study; working on a hazardous building matter and plat review

Planning Director Wensman: Working on development review, comp plan update committee, and Savona Park punch list items.

City Engineer Griffin: Bid opening Thursday, April 20th for the I-94 Lift Station contract.

LAKE ELMO CITY COUNCIL MINUTES APRIL 18, 2017

| Meeting adjourned at 8:15 pm. | |
|-------------------------------|------------------------|
| | LAKE ELMO CITY COUNCIL |
| ATTEST: | |
| | Mike Pearson, Mayor |
| Julie Johnson, City Clerk | |



MAYOR & COUNCIL COMMUNICATION

DATE:

May 2, 2017

CONSENT

ITEM

#2

MOTION

AGENDA ITEM:

Approve Disbursements in the amount of \$262,908.52

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SUBMITTED BY:

Brian Swanson, Finance Director

THROUGH:

Kristina Handt, City Administrator

REVIEWED BY:

Kristina Handt, City Administrator

FISCAL IMPACT:

\$262,908.52

<u>SUMMARY AND ACTION REQUESTED:</u> As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$262,908.52. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

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# | 1 | Amount | Description |
|----------------|----|------------|--|
| ACH | \$ | 14,152.87 | Payroll Taxes to IRS & MN Dept of Revenue 04/27/17 |
| ACH | \$ | 7,676.16 | Payroll Retirement to PERA 04/27/17 |
| ACH | \$ | 1,000.00 | Payroll Retirement to MDCP 04/27/17 |
| DD 7782-DD7829 | \$ | 33,516.83 | Payroll (Direct Deposits) 04/27/17 |
| 45781-45817 | \$ | 206,562.66 | Accounts Payable 05/02/17 |
| | | | |
| TOTAL | \$ | 262,908.52 | |

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 \$262,908.52.

ATTACHMENTS:

1. Accounts Payable – check register

Page 1

Accounts Payable To Be Paid Proof List

User: Amy Printed: 04/27/2017 - 2:30 PM Batch: 002-05-2017

| Invoice # Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | # Od | Close POLine# | ine # |
|---|--|----------|----------------------|--|-------------------|------|------|------|---------------|-------|
| ADVAUTO Advanced Auto Parts 2055-406627 04/17/2017 | 63.06 | 0.00 | 05/02/2017 | 05/02/2017 Water Pump | | | | | No | 0000 |
| 2055-406750 04/18/2017 | 63.06 | 0.00 | 05/02/2017 | V-Belt (Cushman) | | | | | No | 0000 |
| 101-450-5200-42210 Equipment Parts 2055-406750 04/18/2017 101 420 2100 42120 E.S. Off and Edition | 44.08 | 0.00 | 05/02/2017 Motor Oil | Motor Oil | | | | | No | 0000 |
| 2055-406750 Total: ADVAUTO Total: | 53.38 116.44 | | | | | | | | | |
| AMERICAN American Eng and Testing, Inc. 96078 04/12/2017 409-480-8000-43030 Engineering Services 96078 Total: AMERICAN Total: | 6,845.93 6,845.93 6,845.93 | 0.00 | 05/02/2017 | 05/02/2017 2016.133 OV PH3 Geotechnical Inv | Geotechnical Inv | , | | | °Z | 0000 |
| ANIMALHU Animal Humane Society 12224 04/21/2017 101-420-2700-43150 Contract Services 12224 Total: ANIMALHU Total: | 75.00 | 0.00 | 05/02/2017 | 05/02/2017 Animal Impound Fees 010117-033117 | ses 010117-033117 | , | | | °Z | 0000 |
| BAYPRIN Bayport Printing House 1327-17 04/21/2017 206-450-5300-42500 Library Collection Maintenance 1327-17 Total: BAYPRIN Total: | 1,483.00 ance 1,483.00 1,483.00 | 0.00 | 05/02/2017 | 05/02/2017 NYT Subscription | | | | | °Z | 0000 |

| Invoice # Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | # Od | Close POLine# | ine# |
|--|--------------------|----------|------------|--------------------------------|--------------|------|------|------|----------------|------|
| BOLTONME Bolton & Menk, Inc 0201950 04/12/2017 602-495-9450-43030 Engineering Services | 7,361.73 | 0.00 | 05/02/2017 | L-94 Lift Station Design Phase | sign Phase | ı | | | No | 0000 |
| 0201952 04/12/2017 803-490-9070-43030 Engineering Services | 7,361.73 656.50 | 0.00 | 05/02/2017 | Royal Golf Design Svs 2016.125 | Svs 2016.125 | | | | No | 0000 |
| 0201952 Total: BOLTONME Total: | 656.50 8,018.23 | | | | | | | | | |
| BOYER Boyer Trucks 1128405X1 04/26/2017 101-430-3120-42210 Fanitument Parts | 44.10 | 0.00 | 05/02/2017 | Switch 1986 Plow Truck | ruck | r | | | No | 0000 |
| BOYER Total: | 44.10 | | | | | | | | | |
| CAPRA Capra's Utilities Inc. 4439 04/19/2017 | 2,800.00 | 0.00 | 05/02/2017 | SW CONN Library | | ı | | | No | 0000 |
| 200-450-5500-44050 Repairs/Maint Imp Not Bldgs 4439 Total: CAPRA Total: | 2,800.00 | | | | | | | | | |
| CENCOLLE Century College 642902 04/12/2017 | 868.00 | 0.00 | 05/02/2017 | Basic Auto Ex x 4 | | ı | | | No | 0000 |
| CENCOLLE Total: | 868.00 | | | | | | | | | |
| CENTURYL Century Link 20170419 04/19/2017 | 187.53 | 0.00 | 05/02/2017 | Phone 0419-0518 | | ī | | | N _o | 0000 |
| 200-430-3300-43210 Telephone 20170419 04/19/2017 206-450-5300-43250 Internet | 50.64 | 0.00 | 05/02/2017 | Internet 0419-0518 | | í. | | | S _o | 0000 |
| 20170419 Total: CENTURYL Total: | 238.17 | | | | | | | | | |
| CINTAS Cintas Corporation #754 754715749 04/12/2017 | 131.10 | 0.00 | 05/02/2017 | Uniforms | | ı | | | No N | 0000 |
| 754718385 04/19/2017 | 131.10 | 0.00 | 05/02/2017 | Uniforms | | t | | - | N _o | 0000 |
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| Invoice # Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type Po | # Od | Close POLine# | e # |
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| 754718385 Total: 7547206102 04/25/2017 101-410-1940-44010 Repairs/Maint Contractual Bldg 7547206102 Total: CINTAS Total: | 130.63 106.68 106.68 368.41 | 0.00 | 05/02/2017 | Cleaning & Maint Supplies | t Supplies | · | | | No 0C | 0000 |
| COLEMER Colemer Jamie 20170426 04/26/2017 602-495-9450-44370 Conferences & Training 20170426 Total: COLEMER Total: | 45.00 45.00 45.00 | 0.00 | 05/02/2017 | SW Cert - J Colemer | ner | | | | 00 °N | 0000 |
| CTYOAKDA City of Oakdale 201704185634 04/18/2017 101-420-2220-44040 Repairs/Maint Eqpt 201704185634 Total: CTYOAKDA Total: | 2,411.26 2,411.26 2,411.26 | 0.00 | 05/02/2017 | E2 Repair Battery Comp & Misc. | · Comp & Misc. | T. | | | 00 V | 0000 |
| CUSH Cushman Motor Co., Inc. 170446 04/19/2017 101-450-5200-42210 Equipment Parts 170446 Total: CUSH Total: | 19.96 19.96 19.96 | 0.00 | 05/02/2017 | Cushman parts | | 1 | | | 00 V | 0000 |
| DEGREE DeGree Tom 20170426 04/26/2017 206-450-5300-42000 Office Supplies 20170426 Total: DEGREE Total: | 1,160.03 1,160.03 1,160.03 | 0.00 | 05/02/2017 | Postage | | 1 | | | 00 00 | 0000 |
| DELTA Delta Dental Of Minnesota 39530213 04/15/2017 101-000-0000-21706 Medical Insurance 39530213 Total: DELTA Total: | 1,844.80 | 0.00 | 05/02/2017 | May 2017 Premium | E | , | | _ | 00 °Z | 0000 |
| DPCINDUS DPC Industries, Inc. DE82000029-17 03/31/2017 601-494-9400-42160 Chemicals DE82000029-17 Total: | 20.00 | 0.00 | 05/02/2017 | Chlorine | | i. | | 2 | No 0000 | 00 |

Page 3

| Invoice # | Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | # Od | Close POLine# |
|--|--|-------------------------------------|----------|--------------------------|--|----------------|------|------|------|---------------|
| | DPCINDUS Total: | 20.00 | | | | | | | | |
| E.G.RUD E.G. Rud & Sons, Inc. 34581 04/12/2017 101-420-2400-44300 Miscellaneous 34581 | & Sons, Inc. 04/12/2017 0 Miscellaneous 34581 Total: E.G.RUD Total: | 3,792.50 3,792.50 3,792.50 | 0.00 | 05/02/2017 | Land Survey (Salus/Thompson Prop Disp) | Thompson Prop | ī | | | 0000 oN |
| GREATAM Great America Financial 20510116 04/17/2017 101-410-1940-44040 Repairs/Main 2051011 GREATAM To | GREATAM Great America Financial 20510116 04/17/2017 101-410-1940-44040 Repairs/Maint Contractual Eqpt 20510116 Total: GREATAM Total: | 664.29 664.29 664.29 | 0.00 | 05/02/2017 | Copier Maintenance | | i | | | 0000 °N |
| GUSTAF Gustafson Richard 20170424 04/27/2 601-494-9400-44370 Confi 20170424 04/27/2 602-495-9450-44370 Confi | GUSTAF Gustafson Richard 20170424 04/27/2017 601-494-9400-44370 Conferences & Training 20170424 04/27/2017 602-495-9450-44370 Conferences & Training 20170424 Total: GUSTAF Total: | 23.00 45.00 68.00 68.00 | 0.00 | 05/02/2017 05/02/2017 | WA Cert - R Gustafson SW Cert - R Gustafson | oon | 1 1 | | | 0000 oN |
| HANDT Handt Kristina 20170427 04/27/2017 101-410-1320-43310 Mileage 20170427 04/27/2017 206-450-5300-43310 Mileage 2017 HANDT T | tina 04/27/2017 0 Mileage 04/27/2017 0 Mileage 20170427 Total: HANDT Total: | 109.27 23.56 132.83 132.83 | 0.00 | 05/02/2017 | Mileage & Parking Mileage | | , , | | | 0000 oN |
| HP HP Inc. 58398934 0 101-410-1520-42000 | 04/19/2017 3 Office Supplies 58398934 Total: HP Total: | 151.00 151.00 151.00 | 0.00 | 05/02/2017 | 05/02/2017 New Monitor - Finance Director | rce Director | 1 | | | No 0000 |
| HYDRO Hydromethods 201609504 04/06/2017 803-490-9070-43040 Legal Services 201609504 | ods 04/06/2017) Legal Services 201609504 Total: | 720.00 | 0.00 | 05/02/2017 | Bremer Bank Svs Center Expansion | nter Expansion | ī | | | No 0000 |

| Invoice # Inv Date | Amount | Quantity | Pmt Date | Description | Reference | Task | Type | # Od | Close POLine# | ine# |
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| HYDRO Total: | 720.00 | | | | | | | | | |
| INNOVAT Innovative Office Solutions IN1573768 04/11/2017 101-420-2400-42000 Office Supplies IN1573768 Total: INNOVAT Total: | 38.00 38.00 38.00 | 0.00 | 05/02/2017 | Buisness Cards - M. Bent | 4. Bent | ı | | | o N | 0000 |
| kathfuel Kath Fuel Oil Service Co 586921 04/14/2017 | 840.73 | 0.00 | 05/02/2017 | Fuel | | , | | | No No | 0000 |
| 101-430-3100-42120 Fuel, Oil and Fluids 586921 Total: 587172 04/13/2017 | 840.73 613.12 | 0.00 | 05/02/2017 | Fuel | | <u>i</u> | | | No | 0000 |
| | 613.12 574.38 | 0.00 | 05/02/2017 | Fuel | | 1 | | | No | 0000 |
| 101-450-3100-42120 ruet, Oil and Fittids 587174 Total: 587192 04/27/2017 | 574.38 883.36 | 0.00 | 05/02/2017 | Fuel | | | | | No | 0000 |
| 101-430-3100-42120 Fue, Oil and Fluids 587192 Total: kathfuel Total: | 883.36 | | | | | | | | | |
| KENGRAVE Kennedy & Graven, Chartered 136891 | 3,392.85 | 0.00 | 05/02/2017 | Civil matters | | | | | No | 0000 |
| 101-410-1320-43040 Legal Services 136891 04/25/2017 | 930.00 | 0.00 | 05/02/2017 | Library | | ă | | | No | 0000 |
| | 16,582.94 | 0.00 | 05/02/2017 | 3M Litigaiton | | ì | | | No | 0000 |
| 101-410-1320-43040 Legal Services 136891 04/25/2017 | 92.50 | 00.00 | 05/02/2017 | Haz Bldg - 9240 31st St | 31st St | | | | No | 0000 |
| | 193.75 | 00.00 | 05/02/2017 | Nature Center | | ī | | | No | 0000 |
| | 418.50 | 00.00 | 05/02/2017 | Union Contract Negotiations | egotiations | 1 | | | No | 0000 |
| 0 | 53.75 | 0.00 | 05/02/2017 | Boulder Ponds 2 | | x | | | No | 0000 |
| C 2 | 934.71 | 0.00 | 05/02/2017 | Condemnation of Danielson Ppty | Danielson Ppty | i. | | | No | 0000 |
| 101-410-1320-43040 Legal Services 136891 04/25/2017 803-000-0000-22910 Developer Payments | 1,503.88 | 0.00 | 05/02/2017 | Royal Golf | | ī | | | No V | 0000 |
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| 136891 | 04/25/2017 0 Legal Services | 62.00 | 0.00 | 05/02/2017 | Personnel Matters | | 1 | | | No | 0000 |
| 136891 101-410-1320-43040 | | 92.50 | 0.00 | 05/02/2017 | Zuleger VS City of LE | | ř | | | | 0000 |
| 136891 803-000-0000-22910 | ~ | 53.75 | 0.00 | 05/02/2017 | Inwood 4th | | ì | | | | 0000 |
| 136891 803-000-0000-22910 | ~ | 4,701.54 | 0.00 | 05/02/2017 | Inwood 5th | | ı | | | | 0000 |
| | KENGRAVE Total: | 29,012.67 29,012.67 | | | | | | | | | |
| KINGK King Kassidy 20170426KK 04/26/2017 101-410-1450-43620 Cable Operations | y 04/26/2017 Cable Onerations | 55.00 | 0.00 | 05/02/2017 | Cable Oper Park Comm 041717 | 041717 | ı | | | °Z | 0000 |
| 20170426KK 04/26/2017 101-410-1450-43620 Cable Operations | 04/26/2017 Cable Operations | 55.00 | 0.00 | 05/02/2017 | Cable Oper Plan Comm 04/24/17 | 04/24/17 | r | | | | 0000 |
| 20170426KK 04/26/2017 101-410-1450-43620 Cable Operations | 04/26/2017 Cable Operations | 25.00 | 0.00 | 05/02/2017 | Cable Oper Bonus 04/24/17 hours | /17 hours | ı | | | | 0000 |
| 20170426KK 101-410-1450-43620 | 04/26/2017 Cable Operations | 55.00 | 0.00 | 05/02/2017 | Cable Oper Enviro Comm 04/24/17 | n 04/24/17 | î | | | | 0000 |
| | | 190.00 | | | | | | | | | |
| LEAGMN League of MN Citics 253200 101-410-1110-44370 Conferen | MN Cities 04/26/2017 Conferences & Training | 150.00 | 0.00 | 05/02/2017 | LMC Annual Conf C. Nelson | elson | , | | - | ō N | 0000 |
| 253200 101-410-1320-44370 | 04/26/2017 Conferences & Training | 400.00 | 0.00 | 05/02/2017 | LMC Annual Conf - K. Handt | andt | r | | _ | | 0000 |
| | | 550.00 550.00 | | | | | | | | | |
| LEASSOC Lake Elmo Associates, LLP May-17 05/01/2017 | o Associates, LLP 05/01/2017 | 2,666.00 | 0.00 | 05/02/2017 | 05/02/2017 Rent - May 2017 | | | | 2 | Š | 0000 |
| 7 | Neditals - Building May-17 Total: LEASSOC Total: | 2,666.00 2,666.00 | | | | | | | • | | 2 |
| Lillie Newspapers Inc. Lillie Suburban 2070331 03/31/2017 | 2. Lillie Suburban 03/31/2017 | 36.00 | 0.00 | 05/02/2017 | 05/02/2017 Legal Publications | | 1 | | Z | S S | 900 |
| 2070331 | Legal Publishing 2070331 Total: | 36.00 | | | | | | | 2 | | 3 |
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| Lillie Total: | 36.00 | | | | | | | | | |
| LMCIT League of MN Cities Ins. Trust 10003136-2017 03/29/2017 | 27,129.50 | 0.00 | 05/02/2017 | Ins - Admin | | | | | N _o | 0000 |
| 101-410-1520-45010 Insurance 10003136-2017 03/29/2017 101-470-2720-43630 Webiside Insurance | 7,571.45 | 0.00 | 05/02/2017 | Ins - Fire | | j. | | | No | 0000 |
| 0 | 184.87 | 0.00 | 05/02/2017 | Ins - Bldg | | | | | N _o | 0000 |
| \sim | 15,688.20 | 0.00 | 05/02/2017 | Ins - PW | | r. | | | No | 0000 |
| | 3,197.87 | 0.00 | 05/02/2017 | Ins - Parks | | | | | °N S | 0000 |
| $\overline{}$ | 1,700.20 | 0.00 | 05/02/2017 | Ins - Lib | | | | | No | 0000 |
| 0 | 9,321.51 | 0.00 | 05/02/2017 | Ins - Water | | | | | No | 0000 |
| _ | 603.40 | 0.00 | 05/02/2017 | Ins - Sewer | | | | | No | 0000 |
| | 65,397.00 65,397.00 | | | | | | | | | |
| MARONEYS Maroney's Sanitation Inc | | | | | | | | | | |
| 0000673310 04/12017 101-4 10-1940-43840 Refirse | 121.72 | 0.00 | 05/02/2017 | Trash Pick Up - City Hall | lity Hall | 1 | | | No | 0000 |
| | 50.77 | 0.00 | 05/02/2017 | Trash Pick Up - Fire | ire | à | | | No | 0000 |
| | 221.17 | 0.00 | 05/02/2017 | Trash Pick Up - PW | M. | ì | | | No | 0000 |
| | 231.04 | 0.00 | 05/02/2017 | Trash Pick Up - Fire | ire | , | | | No | 0000 |
| | 50.88 | 0.00 | 05/02/2017 | Trash Pick Up - Library | ibrary | i | | | No | 0000 |
| | 675.58 675.58 | | | | | | | | | |
| MENARDSO Menards - Oakdale 28095 04/17/2017 | 40.21 | 0.00 | 05/02/2017 | Well # 1 Repairs for chlorine sys | for chlorine sys | | | | No | 0000 |
| MENARDSO Total: | 40.21 | | | | | | | | | |
| | | | | | | | | | | |

| Invoice # Inv Date | Amount | Quantity | Pmt Date | Description Reference | ıce | Task | Type PC | PO# C | Close POLine# |
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| MERCURY Mercury Electric 7814 02/06/2017 101-450-5200-44030 Repairs/Maint Imp Not Bldgs 7814 Total: MERCURY Total: | 767.78 767.78 767.78 | 0.00 | 05/02/2017 | Ballfield Light Repair (7/16) | | T | | No | 0000 0 |
| MINGERCO Minger Construction Inc 414 602-495-9450-44030 Repairs\Maint Imp Not Bldgs A14 Total: MINGERCO Total: | 29,584.03 29,584.03 29,584.03 | 0.00 | 05/02/2017 | Lake Elmo Ave SW Forcemain Repair | nin Repair | ï | | °N | 0000 |
| MNHEALTH MN Departement of Health 20170426 04/26/2017 601-494-9400-44300 Miscellaneous 20170426 Total: MNHEALTH Total: | 150.00 150.00 150.00 | 0.00 | 05/02/2017 | OV Phase 3 WA Main Replacement Permit Fe | cement | | | No | 0000 |
| MPCA MN Pollution Control Agency 20170426 04/26/2017 602-495-9450-44300 Miscellaneous Expenses 20170426 Total: MPCA Total: | 310.00 310.00 310.00 | 0.00 | 05/02/2017 | OV Phase 3 SW Extension Permit Fee | ermit Fee | ı | | N | 0000 |
| PERA PERA 110061 101-410-1520-44300 Miscellaneous 110061 Total: PERA Total: | 10.00 | 0.00 | 05/02/2017 PERA Fee | PERA Fee | | ı | | N | 0000 |
| SACHSJIM James Sachs 20170424 04/24/2017 601-494-9400-44370 Conferences & Training 20170424 Total: SACHSJIM Total: | 23.00 | 0.00 | 05/02/2017 | WA Cert - J Sachs | | | | S _O | 0000 |
| SCHLOMKA Schlomka Services LLC 19683 03/02/2017 101-430-3100-44010 Repairs/Maint Bldg | 250.00 | 0.00 | 05/02/2017 | Septic plumping @ PW | | | | Š | 0000 |

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| | SCHLOMKA Total: | 250.00 | | | | | | | | | |
| SELECTAC SelectAccount 11894539 04/04/ 101-410-1520-43150 Con | SELECTAC SelectAccount 11894539 04/04/2017 101-410-1520-43150 Contract Services 11894539 Total: SELECTAC Total: | 12.66 12.66 12.66 | 0.00 | 05/02/2017 | Participant Fee 040117-043017 | 0117-043017 | , | | | °Z | 0000 |
| SHORTELL Short E 330310 409-480-8000-43030 | SHORTELL Short Elliot Henderickson, Inc 330310 04/06/2017 409-480-8000-43030 Engineering Services | 32,881.14 | 0.00 | 05/02/2017 | OV Phase 3 2016.133 Plans & Specs | 133 Plans & Specs | ī | | | No. | 0000 |
| 330443 | 330310 Total: 330443 04/10/2017 601 404 0400 43030 Engineering Services | 32,881.14 357.50 | 0.00 | 05/02/2017 | 2015.130 Inwood | 2015.130 Inwood WA Twr - Const Svs | · | | | No | 0000 |
| | SHORTELL Total: | 357.50 33,238.64 | | | | | | | | | |
| SPRINT Sprint 761950227-169 | 04/18/2017 | 69.38 | 0.00 | 05/02/2017 | Cell Phones - Admin | ii | × | | | No | 0000 |
| 761950227-169 04/18/2017 | 0 Telephone 04/18/2017 0 Telephone | 253.35 | 0.00 | 05/02/2017 | Cell Phones - Fire | | r | | | No | 0000 |
| 761950227-169 04/18/2017 | 0 Telephone 04/18/2017 | 206.95 | 0.00 | 05/02/2017 | Cell Phones - Bldg | | | | | No | 0000 |
| 761950227-169 | 04/18/2017 | 136.72 | 0.00 | 05/02/2017 | Cell Phones - PW | | r | | | No | 0000 |
| 761950227-169 | 0 | 119.34 | 0.00 | 05/02/2017 | Cell Phones - Parks | S | r | | | No | 0000 |
| 761950227-169 | 0 | 17.45 | 0.00 | 05/02/2017 | Cell Phones - Planning | ning | r | | | No | 0000 |
| 101-410-1510-4521 | 761950227-169 Total: SPRINT Total: | 803.19 | | | | | | | | | |
| STILLMED Stillwater Medical Group 686131 04/11/2017 101-420-2220-43050 Physicals | er Medical Group 04/11/2017 0 Physicals | 192.00 | 0.00 | 05/02/2017 | Annual Physical - Witter | Witter | ï | | | °Z | 0000 |
| | STILLMED Total: | 192.00 | | | | | | | | | |
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| TDS TDS Metrocom - LLC 6517142209 04/25/2014 | 92.05 | 0.00 | 05/02/2017 | Analog Lines - Fire | ī | | | No | 0000 |
| | 221.86 | 0.00 | 05/02/2017 | Analog Lines - PW | | | | No | 0000 |
| 6517142209 0445210 1916pilote 6517142209 044522014 602.405-9450.43210 7elanhona | 85.10 | 0.00 | 05/02/2017 | Analog Lines - Life Station | č | | | No | 0000 |
| | 44.55 | 0.00 | 05/02/2017 | Analog Lines - Well House | Ĭ. | | | No | 0000 |
| 601-494-9400-43210 Telephone 6517142209 Total: TDS Total: | 443.56 | | | | | | | | |
| TMOBILE T Mobile 947226095 04/11/2017 | 10.68 | 0.00 | 05/02/2017 | SCADA Line | i | | | Š | 0000 |
| 94722609 602 4472609 602 046 0450 04710 | 10.69 | 0.00 | 05/02/2017 | SCADA Line | | | | No | 0000 |
| 947226095 Total: TMOBILE Total: | 21.37 | | | | | | | | |
| VERIZON Verizon Wireless 9783756630 04/10/2017 | 35.01 | 0.00 | 05/02/2017 | Air Card for Tablet 0311-0410 | - 0 | | | Š | 0000 |
| 9783756630 Total: VERIZON Total: | 35.01 | | | | | | | | |
| WAS-PH Washington County 18581-01 601-494-9400-44300 Miscellaneous | 25.00 | 0.00 | 05/02/2017 | Haz Waste Gen License | · | | | N _o | 0000 |
| 18581-02 02/16/2017 | 25.00 | 0.00 | 05/02/2017 | Haz Waste Gen License | 1 | | | No | 0000 |
| WAS-PH Total: WAS-PH Total: | 50.00 | | | | | | | | |
| WASHCONS Washington Conservation Dist. 3780 | 625.00 | 0.00 | 05/02/2017 | 05/02/2017 1st Q 2017 Shared Educator | ı | | | No No | 0000 |
| 603-496-9500-443/0 Conterences & Iraining 3780 Total: WASHCONS Total: | 625.00 | | | | | | | | |
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| WASHTAX Washington County 116412 04/11/2017 101-410-1320-43100 Assessing Services 116412 Total: WASHTAX Total: | 1,735.00 1,735.00 1,735.00 | 0.00 | 05/02/2017 | 2017 SPASMT Billing | 81 | , | | | o _N | 0000 |
| WENSMAN Wensman Stephen 20170430 04/30/2017 803-490-9070-44300 Miscellaneous Expenses 20170430 Total: WENSMAN Total: | 43.44 43.44 43.44 | 0.00 | 05/02/2017 | Mileage - Wensman | | , | | | % | 0000 |
| Whiteani White Anita 20170426 04/26/2017 101-410-1450-43620 Cable Operations 20170426 04/26/2017 101-410-1450-43620 Cable Operations 20170426 Whiteani Total: | 55.00 55.00 110.00 110.00 | 0.00 | 05/02/2017 | Cable Oper Council Wksp 041117 Cable Oper Council Mtg 041817 | Wksp 041117 Mtg 041817 | 1 1 | | | S S | 0000 |
| WOODCITY City of Woodbury 17-0248 04/20/2017 101-420-2500-43150 Contract Services 17-0248 Total: WOODCITY Total: | 900.00 | 0.00 | 05/02/2017 | 2017 Warning Siren Monitoring Fee | Monitoring Fee | 1 | | | ° Z | 0000 |
| XCEL Xcel Energy 543331468 04/20/2017 601-494-9400-43810 Electric Utility | 222.18 | 0.00 | 05/02/2017 | New Lift Station | | r | | | No | 0000 |
| 543390059 54331468 Total: 04/20/2017 5430059 Electric Utility | 222.18 11.75 | 0.00 | 05/02/2017 | Tennis Court | | | | | No | 0000 |
| 543396425 04/20/2017 101-450-5200-43810 Electric Utility | 11.75 | 0.00 | 05/02/2017 | Parks Bldg | | ı | | | No No | 0000 |
| 543397985 04/20/2017 101-450-5200-43810 Electric Utility | 144.75 21.92 | 0.00 | 05/02/2017 | Pebble Park | | | | | οN | 0000 |
| 543404935 Total: 543404935 Total: 04/20/2017 101-450-5200-43810 Electric Utility 543404935 Total: | 21.92 110.95 110.95 | 0.00 | 05/02/2017 | Arts Center | | ı | | | o _N | 0000 |
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AP - To Be Paid Proof List (04/27/17 - 2:30 PM)

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| 543412164 04/20/2017 | 41.06 | 90.00 | 05/02/2017 | Traffic Lights | | ī | | | No | 0000 |
| 101-430-3100-43810 Street Lighting 543413164 602-405-0450-43810 Flortric Hillity | ct Lighting 543412164 Total: 41.06 2017 2017 20.46 | 5 0.00 | 05/02/2017 | Lift Station | | | | | N _o | 0000 |
| 04/20/ | 20.46 20.46 20.46 20.46 20.46 371.63 | 6 0.00 | 05/02/2017 | Fire Station 1 | | | | | No | 0000 |
| 04/20/ | 543418117 Total: 371.63 | 3 0.00 | 05/02/2017 | Lift Station | | ı | | | o _N | 0000 |
| 543420894 0472072017 | 543418868 Total: 18.08 2017 269.72 | 8 0.00 | 05/02/2017 | Legion Park | | a | | | N _o | 0000 |
| 543421991 04/20/2017 | 269.72 269.72 269.72 29.24 29.24 | 2 1 0.00 | 05/02/2017 | Traffic Lgt Manning & Stillwater | g & Stillwater | 1 | | | No | 0000 |
| oure 04/20/ Flee | 543421991 Total: 29,24 2017 111.89 | 0.00 | 05/02/2017 | Water Tower 2 | | ı | | | No | 0000 |
| 543441017 04/20/201 101.430-3160.43810 Street Lighting | 2013 Curing 111.89 2543432807 Total: 12.87 12.87 | 0.00 | 05/02/2017 | Speed Sign Hwy 5 | | i. | | | No | 0000 |
| 04/20/ Flec | 543441017 Total: 12.87 2017 136.48 | 0.00 | 05/02/2017 | Pumphouse | | ı | | | oN O | 0000 |
| | 52612 Total: 136.48 1,373.62 | 00.00 | 05/02/2017 | Pumphouse | | | | | Š | 0000 |
| 0 | uniy 15272 Total: 1,373.62 36.49 tility | 0.00 | 05/02/2017 | Traffic Lights | | ı | | | No | 0000 |
| 543472579 543470200 543472579 04/20/2017 101-450-5200-43810 Electric Utility | '0200 Total: 36.49 14.16 itiliy | 0.00 | 05/02/2017 | Sunfish Park Gates | | ı | | | No | 0000 |
| | 2579 Total: 14.16 45.96 | 0.00 | 05/02/2017 | Traffic Lights | | ĭ | | | No | 0000 |
| 101-430-3100-43810 Street Lignting 543505256 04/21/2017 206.450-5300.43810 Electric Hility | 2074 Total: 45.96 388.20 | 0.00 | 05/02/2017 | Library | | 7 | | | No | 0000 |
|)4/21/ Flee | 2017 Colling 543505256 Total: 388.20 2017 447.57 | 0.00 | 05/02/2017 | Fire Station 2 | | | | | No | 0000 |
| | 543547816 Total: 447.57 | | | | | | | | | |

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| | XCEL Total: | 3,828.98 | | | | | | | | |
| | Report Total: | 206,562.66 | | | | | | | | |

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STAFF REPORT

DATE:

May 2, 2017

CONSENT

ITEM #:

3

AGENDA ITEM: 2018 Budget Schedule

SUBMITTED BY: Kristina Handt, City Administrator

REVIEWED BY: Brian Swanson, Finance Director

BACKGROUND:

Similar to last year, the City Council is asked to accept the proposed 2018 budget key dates for planning purposes.

ISSUE BEFORE COUNCIL:

What should the schedule be for developing the 2018 budget?

PROPOSAL DETAILS/ANALYSIS:

Included in your packet is a proposed schedule. Staff has already begun working on the CIP. The CIP will be brought to committees/commission first then followed by the operating budgets. The finance committee and council will hold a joint session in August. Then Council will have another work session to review the proposed budget prior to certifying the maximum levy in September. Last year the council used the November work session to discuss further changes to the proposed budget so staff is including that as an optional meeting again this year. The final budget would be adopted and certified to the County in December.

FISCAL IMPACT:

NA

OPTIONS:

- 1) Approve the proposed schedule
- 2) Amend and then approve a schedule

RECOMMENDATION:

If removed from the consent agenda:

Motion to approve the 2018 Budget Schedule

ATTACHMENTS:

2018 Budget Schedule

CITY OF LAKE ELMO 2018 Proposed Budget Calendar

As of 4/26/2017

| 4/19/2017 | Draft CIP Package Distributed to Departments |
|------------|--|
| | D. LOYD V. d. L. |
| 5/12/2017 | Proposed CIP listings to Administrator and Finance Director |
| 5/22/2017 | Proposed Parks CIP to Parks Commission |
| 5/23/2017 | Proposed CIP from MAC and Public Safety |
| 6/8/2017 | Proposed 5 year CIP presented to Finance Committee |
| 6/12/2017 | Revenue and expense budget detail to Dept heads (actuals through May) for use to project balance of 2017 and 2018 budget |
| 6/19/2017 | Detailed 2017/2018 budget worksheets due back to Finance |
| 6/26-6/30 | Budget review with Dept. Heads, Administrator & Finance Department |
| 7/6/2017 | Departmental changes completed by Finance |
| 7/7/2017 | Proposed Budget to Dept. Supervisors for Final Comments |
| 7/13/2017 | Proposed 2018 budgets to FC |
| 8/10/2017 | Finance and Council Workshop – Proposed Budget |
| 8/22/2017 | Council Workshop – Proposed Budget |
| 9/19/2017 | Proposed Budget to City Council For Adoption by Resolution & Property Tax Levy |
| 9/29/2017 | Proposed Budget (adopted by Resolution) & Proposed Property Tax Levy Certified to the County. Certify Hearing(s) Dates. |
| 11/14/2017 | Council Workshop – Proposed Budget (optional) |
| 12/5/2017 | Final Budget & Levy determination Public Hearing 7:00PM City Hall |
| 12/19/2017 | Final Budget & Levy Determination (if necessary) 7:00PM City Hall |
| 12/28/2017 | Final Levy certified to the County & Adopt Final Budget |
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| | CRITICAL DATES |



STAFF REPORT

DATE:

May 2, 2017

PUBLIC HEARING

ITEM #:

4

AGENDA ITEM:

CSAH 13 (Ideal Avenue/Olson Lake Trail) Street, Drainage, Trail and Sanitary

Sewer Improvements - Public Improvement Hearing, Ordering the Improvements

and Final Assessment Hearing

SUBMITTED BY:

Jack Griffin, City Engineer

REVIEWED BY:

Kristina Handt, City Administrator Brian Swanson, Finance Director Sarah Sonsalla, City Attorney

Rob Weldon, Public Works Director Chad Isakson, Project Engineer

ISSUE BEFORE COUNCIL: Should the City Council Order the Improvements and adopt the Final Assessment Role for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Street, Drainage, Trail and Sanitary Sewer Improvements?

BACKGROUND: On April 4, 2017, the Lake Elmo City Council accepted the feasibility report and called for a public improvement hearing and final assessment hearing for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Street, Drainage, Trail and Sanitary Sewer Improvements.

The project includes the Phase 2 extension of sanitary sewer for the Olson Lake Trail municipal urban service area. The Phase 1 sanitary sewer extension project was constructed in 2013 with Phase 2 intended to be constructed in coordination with Washington County's street reconstruction along CSAH 13. Washington County has programmed the CSAH 13 street improvements to be constructed in 2017 and initiated the planning and preliminary design work accordingly. The Lake Elmo City Council provided municipal consent for the CSAH 13 Phase 1 Improvements as presented by Washington County on July 19, 2016. The proposed improvements are located on Olson Lake Trail (CSAH 13) from 44th Street North to 50th Street North. The street is owned and operated by Washington County and the City Boundary between Oakdale and Lake Elmo is along the center of the street.

The main objective of this project is to extend municipal sanitary sewer service along Olson Lake Trail to an area served by septic systems adjacent to Olson Lake. The project has been coordinated to be cost effectively implemented with the Washington County street improvements. Washington County is improving the condition of the streets, providing drainage improvements and installing an off-street trail for pedestrians and bicyclists. A public informational meeting was held on December 15, 2016 at Oakdale City Hall to present approximate assessment information and answer questions from the public.

PROPOSAL DETAILS/ANALYSIS: The City Council is respectfully requested to hold the Public Improvement Hearing for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Improvements; and following the hearing, consider adopting Resolution 2017-042 Ordering the Improvement. Please note that because this project was initiated by the City Council, and not by a resident petition, Ordering the Improvement may be adopted only by vote of four-fifths of all members of the council.

After the public hearing is closed, and if council adopts Resolution 2017-042 Ordering the Improvement, the Council is further asked to hold the final assessment hearing for the project. The final assessment hearing is being held prior to construction since the sanitary sewer assessment amount was set by the Phase 1 feasibility report completed in 2013 and because the street, drainage and trail assessment will be set by the City cost share for the Washington County led project.

Pursuant to Minnesota Statutes, Section 429 the Council must declare the amount to be assessed against the benefiting properties and the hearing on the proposed assessment for those improvements must be conducted. Staff has enclosed a proposed Final Assessment Roll as recommended in the feasibility report. After the hearing is closed the City Council is respectfully requested to consider approving Resolution 2017-042 Adopting the Final Assessment Roll.

The attached notices were published in the official newspaper and individual notifications were sent to each address that potentially will be impacted by these improvements. A Feasibility Report has been completed and adopted by the City Council defining the scope of the proposed improvements together with the estimated project costs.

The following summarizes the report findings, revised street assessments per Council direction, and recommendations:

Sanitary Sewer:

- The project will be implemented as a joint effort between Washington County, the City of Lake Elmo, and the City of Oakdale, coordinated through Cooperative and Joint Powers Agreements. Washington County is the lead agency.
- The project will provide municipal sanitary sewer service to an additional 13 Lake Elmo properties and 7 Oakdale Properties through the extension of the existing Oakdale sanitary sewer system.
- The estimated one-time unit assessment for sanitary sewer will be levied over 20 years. The base assessment value is \$20,500. This unit assessment has been reduced by \$3,000 for those properties that will incur additional installation costs for an individual pumping station. The pumping station purchase is included in the unit assessment and the \$3,000 assessment deduction provides a set allowance for the pumping station installation.
- Additional costs in the estimated combined amount of \$3,500 would be collected from property owners
 by the City of Oakdale at the time of connection to sewer. This amount is comprised of various
 permitting and connection fees previously established by the Oakdale utility and includes the Met
 Council SAC fee.
- Properties will also be directly responsible to pay a private plumbing contractor to make the service connection for their property, from the right-of-way to their home. This cost is property specific and includes the installation of the pumping station if required.
- Lake Elmo ordinance requires properties to connect to sanitary sewer service within 2 years.
- Once connected, the City of Oakdale will bill on a quarterly basis for ongoing sewer use charges. Under current practice, Oakdale uses the winter quarter water use of the property, as metered from the private well, to determine and bill for annual sewer flows.

Street, Drainage, and Trail Improvements:

• CSAH 13 (Ideal Avenue/Olson Lake Trail) is a County State Aid Highway. Improvements made along CSAH 13 must meet minimum County state aid design standards.

- The CSAH 13 improvements have been developed and recommended by Washington County after receiving public input. Preliminary plans were approved by both Oakdale and Lake Elmo.
- Washington County requires City cost participation based on County policy, including permanent and temporary right-of-way acquisition, pedestrian trail improvements, curb and gutter, retaining walls, and storm water pond construction costs.
- Residential properties will be assessed on a per unit basis at 30% of the total city cost share for those improvements. The street, drainage, and trail assessment for each parcel on this project is \$5,600 for 23 residential properties. The assessment will be levied over a 15-years.

FISCAL IMPACT: The estimated total project cost is \$5,500,000 with the City cost share estimated to be \$640,000. The City share of the street, drainage, and trail improvements is estimated at \$425,000 and City share of the sanitary sewer improvements estimated at \$214,800. The improvements are proposed to be assessed against the benefitting properties consistent with the City's Special Assessment Policy including proposed assessments in the amount of \$128,800 for the street, drainage and trail improvements and \$230,500 for the sanitary sewer improvements.

RECOMMENDATION: Staff is recommending that the City Council approve Resolution 2017-042 Ordering the Improvements. Staff is also recommending that the City Council approve Resolution 2017-043 Adopting the Final Assessment Roll. The suggested motions to approve these actions are as follows:

"Move to adopt Resolution No. 2017-042 Order the Improvements for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Improvements."

and

"Move to adopt Resolution No. 2017-043 Adopting the Final Assessment Roll for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Improvements."

ATTACHMENTS:

- 1. Resolution No. 2017-042 Ordering the improvements for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Improvements.
- 2. Notice of Hearing on Improvement.
- 3. Resolution No. 2017-043 Adopting the final assessment roll for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Improvements.
- 4. Notice of Hearing on Proposed Assessment.
- 5. Location Map.
- 6. Assessment Roll.

CITY OF LAKE ELMO WASHINGTON COUNTY STATE OF MINNESOTA

RESOLUTION NO. 2017-042 A RESOLUTION ORDERING THE IMPROVEMENT FOR CSAH 13 (IDEAL AVENUE/OLSON LAKE TRAIL) IMPROVEMENTS

WHEREAS, pursuant to city council authorization, adopted on April 4, 2017, the council ordered a hearing on improvement for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Improvements; and

WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 2nd day of May, 2017, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

WHEREAS, the feasibility report prepared by SEH, Inc., and dated April, 2017 states that the project is necessary, cost-effective, and feasible.

NOW, THEREFORE, BE IT RESOLVED,

- 1. Such improvement is deemed necessary, cost-effective, and feasible as detailed in the Feasibility Report dated April 2017.
- 2. Such improvement is hereby ordered as proposed in the council resolution adopted this 2nd day of May, 2017.
- 3. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SECOND DAY OF MAY, 2017.

CITY OF LAKE ELMO

| | By: | |
|---------------|--------------|--|
| | Mike Pearson | |
| (Seal) | Mayor | |
| ATTEST: | | |
| | | |
| Julie Johnson | _ | |
| City Clerk | | |

CITY OF LAKE ELMO NOTICE OF HEARING ON IMPROVEMENT CSAH 13 (IDEAL AVENUE/OLSON LAKE TRAIL) IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will meet in the council chambers of the city hall at or approximately after 7:00 P.M. on Tuesday, May 2, 2017, to consider the making of the following improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111;

The improvements consist of the extension of sanitary sewer along CSAH 13 (Ideal Avenue/Olson Lake Trail) between 44th Street North and 50th Street North including the reconstruction of the existing streets with concrete curb and gutter, installation of storm sewer, and construction of an off-road bituminous trail.

Sanitary sewer assessments are proposed for those properties that abut the improvements and receive a service stub as part of the project including 4473, 4497, 4565, 4719, 4751, 4769, 4823, 4849, 4863, 4891, 4911, and 4941 Olson Lake Trail and 7803 50th Street North. The area proposed to be assessed for the street, drainage, and trail improvements include the properties directly abutting and accessing the proposed streets along CSAH 13 between 44th Street North and 50th Street North.

The estimated total cost for the project is \$5,500,000 with the street, drainage, and trail improvements estimated at \$5,160,000 and the sanitary sewer improvements estimated at \$340,000. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desiring to be heard with reference to the proposed improvements will be heard at this meeting.

DATED: April 4, 2017

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

(Published in the Oakdale-Lake Elmo Review on April 12 and 19, 2017)

CITY OF LAKE ELMO WASHINGTON COUNTY STATE OF MINNESOTA

RESOLUTION NO. 2017-043 A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL FOR THE CSAH 13 (IDEAL AVENUE/OLSON LAKE TRAIL) IMPROVEMENTS

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Improvements including street, drainage, trail, and sanitary sewer improvements along CSAH 13 from 44th Street North to 50th Street North.

NOW, THEREFORE, BE IT RESOLVED,

- 1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
- 2. Such assessment shall be payable in equal annual installments extending over 15 years for street, drainage and trail improvements and 20 years for sanitary sewer, the first of the installments to be payable on or before the first Monday in January, 2018, and shall bear interest at the rate of 4.0% percent per annum from October 31, 2017. To the first installment shall be added interest on the entire assessment from October 31, 2017 until December 31, 2017. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
- 3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with the interest accrued from October 31, 2017 to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid prior to October 31, 2017; and he/she may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 31 or interest will be charged through December 31 of the next succeeding year.
- 4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SECOND DAY OF MAY, 2017.

CITY OF LAKE ELMO

| | By: |
|-------------------|--------------|
| | Mike Pearson |
| (Seal) ATTEST: | Mayor |
| | |
| | |
| Julie Johnson | |
| City Clerk | |

CITY OF LAKE ELMO NOTICE OF HEARING ON PROPOSED ASSESSMENT CSAH 13 (IDEAL AVENUE/OLSON LAKE TRAIL) IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will meet in the Council Chambers of the City Hall at or approximately after 7:00 P.M. on Tuesday, May 2, 2017, to consider, and possibly adopt, the proposed assessment against abutting property for the CSAH 13 (Ideal Avenue/Olson Lake Trail) Improvements. Adoption by the Council of the proposed assessment may occur at the hearing. The following describes the area proposed to be assessed:

- Street, drainage, and trail improvements along CSAH 13 (Ideal Avenue/Olson Lake Trail) from 44th Street North to 50th Street North.
- Sanitary sewer improvements along CSAH 13 (Ideal Avenue/Olson Lake Trail) from 44th Street North to 50th Street North. Properties include 4473, 4497, 4565, 4719, 4751, 4769, 4823, 4849, 4863, 4891, 4911, and 4941 Olson Lake Trail and 7803 50th Street North.

You may at any time prior to certification of the assessment to the county auditor on October 31, 2017, pay the entire assessment on such property to the City Clerk with interest accrued to the date of payment. No interest shall be charged if the entire assessment is paid to the City Clerk prior to October 31, 2017. You may at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 31 (date assessment certified to County Auditor) or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is 4.00 percent per year.

Once assessments are certified to the County, the assessments are payable in equal annual installments extending over a period of 15 years for street, drainage and trail improvements and 20 years for sanitary sewer improvements, the first of the installments to be payable on or before the first Monday in January 2018, and will bear interest at the rate of 4.00 percent per annum from the date of adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2017. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed street improvement assessment is \$128,800. The total amount of the proposed sanitary sewer improvement assessment is \$230,500. Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any

objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

An owner may appeal an assessment to district court pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

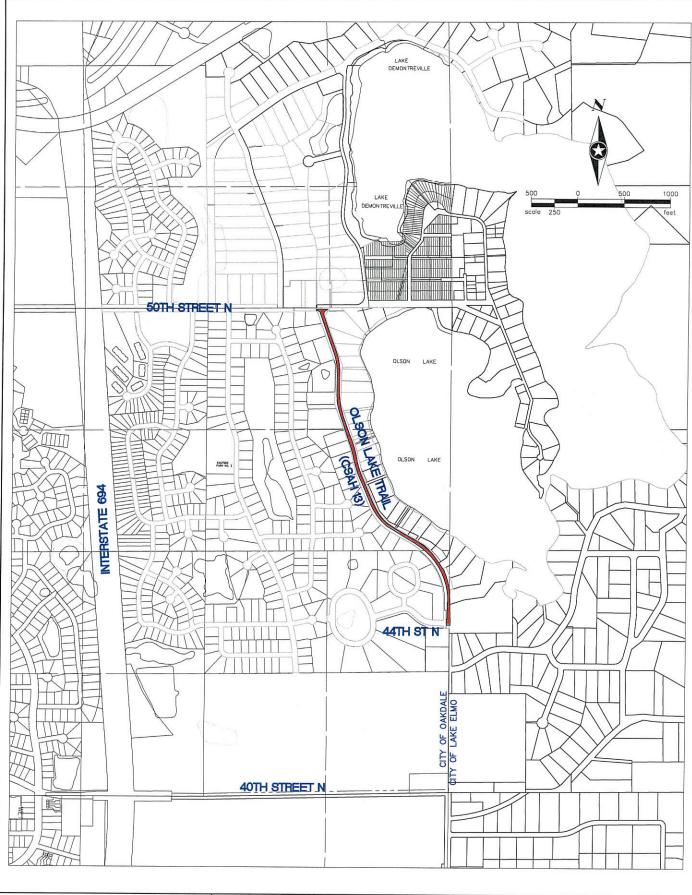
The City Council is authorized in its discretion to defer the payment of an assessment for any homestead property owned by a person for whom it would be a hardship to make payment if the owner is 65 years of age or older and/or the owner is a person retired by virtue of a permanent and total disability or by a person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in section 190.05 subdivision 5b or 5c, as stated in the person's military orders, for whom it would be a hardship to make the payments. The owner must request a deferment of the assessment at or before the public hearing at which the assessment is adopted and make application on forms prescribed by the City Clerk within 30 days after the adoption.

Notwithstanding the standards and guidelines established by the City for determining a hardship, a deferment of an assessment may be obtained pursuant to Minnesota Statutes Section 435.193.

DATED: April 4, 2017

BY ORDER OF THE LAKE ELMO CITY COUNCIL
Mike Pearson, Mayor

(Published in the Oakdale-Lake Elmo Review on April 12, 2017)



PHONE: 651.490.2000 3535 VADNAIS CENTER DR. ST. PAUL, MN 55110-5196 www.sehinc.com FILE NO. 139299 DATE: 03/14/17

LOCATION MAP
OLSON LAKE TRAIL IMPROVEMENTS
OAKDALE, MINNESOTA

EXHIBIT NO. 1

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STAFF REPORT

DATE:

May 2, 2017

REGULAR

ITEM #:

5

AGENDA ITEM:

I-94 Lift Station (No. 1) and Sanitary Sewer Improvements – Accept Bids and

Award Contract

SUBMITTED BY:

Jack Griffin, City Engineer

REVIEWED BY:

Kristina Handt, City Administrator Rob Weldon, Public Works Director Chad Isakson, Project Engineer

BACKGROUND: The I-94 Lift Station (No. 1) is located along Hudson Boulevard approximately 1,600 feet east of Inwood Avenue. The lift station was constructed as part of the Eagle Point Business Park with the capacity to serve only the 160 acre business park area. In 2013 the City expanded the sanitary sewer and water service area beyond the Eagle Point Business Park to include the area south of 10th Street between Inwood Avenue and Keats Avenue, consisting of 4.5 times the service area. With this expanded service area it was identified that Lift Station No. 1 would need to be replaced as the new service area was built-out and the replacement was programmed in the City's Capital Improvement Plan for 2017. The CIP listed this improvement as the Hudson Boulevard Lift Station.

In 2016, staff reviewed the condition and capacity of Lift Station No. 1 and verified that replacement should occur as planned. On October 4, 2016 the council authorized the preparation of plans and specifications for the improvements for construction in 2017.

ISSUE BEFORE COUNCIL: Should the City Council accept bids and award a contract for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements?

<u>PROPOSAL DETAILS/ANALYSIS:</u> Bids were received, publicly opened, and read aloud on Thursday, April 20. The City's design consultant has prepared and attached a Tabulation of Bids and a letter of recommendation for the award of the contract. The City received 10 bids for this project, with R.L. Larson Excavating, Inc. providing the lowest bid in the amount of \$809,129.70.

Contractor references for R.L. Larson Excavating, Inc. were reviewed and verified. The City Engineer and his consultant are therefore recommending that the Council award the contract to the lowest responsible bidder, R.L. Larson Excavating, Inc. as outlined in the attached letter.

The City Council approved the Plans and Specifications for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements on March 21, 2017 and authorized staff to advertise the Project for bids. The Project was advertised on QuestCDN.com and in the Oakdale-Lake Elmo Review in accordance with the Minnesota Competitive Bidding requirements. The improvements include the replacement of Lift Station No. 1 including a three-pump lift station sized for the initial pumps (2.02 MGD) to handle today's lower flow conditions and also be able to accommodate the service area up to 85% of full build-out. Once at capacity the pumps will be able to be pulled and replaced with minimal changes to the other lift station components to meet the full demand at build-out (2.40 MGD). The lift station improvements include an on-site generator for back-up power, electrical control panel, SCADA controls, and site improvements.

The sanitary sewer improvements include approximately 1,700 feet of 15-inch diameter trunk gravity sewer along Hudson Boulevard from the existing lift station site to Jade Trail North, the new street to the Boulder Ponds subdivision. The new sewer is replacing existing 12-inch and 10-inch sewer that is too small to meet the growing demands.

FISCAL IMPACT: Approval of this resolution commits the council to enter into a construction contract for the project with a construction contract amount of \$809,129.70. The total Post-Bid estimated project cost is \$1,007,000 to be paid from the Sanitary Sewer Enterprise fund.

RECOMMENDATION: Staff is recommending that the City Council approve Resolution No. 2017-044, thereby accepting bids and awarding a contract to R.L. Larson Excavating, Inc., in the amount of \$809,129.70, for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements. The recommended motion for the action is as follows:

"Move to approve Resolution No. 2017–044, accepting bids and awarding a contract to R.L. Larson Excavating, Inc., in the amount of \$809,129.70 for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements."

ATTACHMENTS:

- 1. Resolution No. 2017-044 Accepting Bids and Awarding a Contract.
- 2. Engineer's Letter of Award Recommendation and Tabulation of Bids.
- 3. Project Schedule.

CITY OF LAKE ELMO WASHINGTON COUNTY STATE OF MINNESOTA

RESOLUTION NO. 2017-044

A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE I-94 LIFT STATION (NO. 1) AND SANITARY SEWER IMPROVEMENTS

WHEREAS, pursuant to an advertisement for bids for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements, bids were received, opened, and tabulated according to law, and bids were received complying with the advertisement; and

WHEREAS, bids were tabulated, checked and summarized to verify that all requirements of the submittal were met; and

WHEREAS, the project engineer reviewed the bids and has provided a letter recommending the award of the contract to the lowest responsible bidder, R.L. Larson Excavating, Inc., for the amount of \$809,129.70.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

- 1. That the Mayor and City Clerk and hereby authorized and directed to enter into a Contract in the accordance with the above ordered Project, in the amount of the Contractor's lowest responsible Base Bid, and according to the plans and specifications thereof approved by the City Council.
- 2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next two lowest bidders shall be retained until a contract has been signed.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SECOND DAY OF MAY 2017.

CITY OF LAKE ELMO

| | By: |
|-----------------------------|-------|
| (Seal) | Mayor |
| ATTEST: | |
| Julie Johnson City Clerk | |

2035 County Road D East Maplewood, MN 55109-5314

> Ph: (651) 704-9970 Fax: (651) 704-9971 Bolton-Menk.com

Real People. Real Solutions.

April 24, 2017

Jack Griffin
City Engineer
City of Lake Elmo
3800 Laverne Avenue N.
Lake Elmo, Minnesota 55042

RE:

I-94 Lift Station (No. 1) and Sanitary Sewer Improvements

City of Lake Elmo, MN Project No. 2016.134

BMI Project No. N15.112590

Dear Mr. Griffin,

Attached is the bid abstract for the project referenced above. Bids were received at City Hall at 3:00 p.m. on Thursday, April 20, 2017.

| Bidder | Base Bid |
|--|-----------------------------|
| RL Larson Excavating Inc. | \$809,129.70 |
| A-1 Excavating Inc. | \$828,372.00 |
| Kuechle Underground Inc. | \$943,806.00 |
| Pember Companies, Inc. | \$950,491.20 |
| Burschville Construction Inc. | \$959,914.00 |
| Geislinger & Sons | \$1,042,181.00 |
| S R Weidema, Incorporated | \$1,044,973.30 |
| Lametti & Sons, Inc. | \$1,047,300.00 |
| Northdale Construction Company | \$1,069,645.64 |
| LaTour Construction, Inc. Engineer's Estimate | \$1,092,776.70 \$930,000 |

We recommend awarding this bid to RL Larson Excavating Inc. in the amount of \$809,129.70.

Sincerely,

Bolton & Menk, Inc.

Michael R. Warner, P.E.

Mill R War

Project Engineer

Enclosure

ABSTRACT OF BIDS
19-91 LET STATION (100.1) AND SANITARY SEWER IMPROVEMENTS
19-91 CHORGET NO. 2016.134
CITY OF LAKE RIMO

WASHINGTON COUNTY, MINNESOTA

BURSHVILLE CONSTRUCTION INC.
UNIT TOTAL
PRICE PRICE \$7,000.00 \$6,375.00 \$106,720.00 \$3,600.00 \$3,500.00 \$1,200.00 \$5,200.00 540,940.00 \$10,175.00 \$39,160.00 \$2,750.00 \$372,500.00 \$15,000.00 \$8,850.00 \$3,500.00 \$3,000.00 \$2,500.00 \$4,800.00 \$31,710.00 \$800.00 \$200.00 \$15,000.00 \$3,000.00 \$1,440.00 \$4,500.00 \$3,584.00 \$52,500.00 \$450.00 \$250.00 \$300.00 \$1,000.00 \$3,000.00 \$4,500.00 \$5,000.00 \$7,000.00 \$7,500.00 \$27,000.00 \$1,500.00 \$4,500.00 \$185.00 \$110.00 \$4,800.00 \$4,530.00 \$120.00 \$372,500.00 \$52,500.00 \$1,500.00 \$10.00 \$15.00 \$10.00 \$20.00 \$20.00 \$500.00 \$10.00 \$250.00 \$300.00 \$300.00 \$600.00 \$116.00 \$125.00 \$29,000.00 \$2,500.00 \$4.00 \$92.00 \$550.00 \$5.00 \$20.00 \$60.00 \$2.00 PEMBER COMPANIES, INC.
UNIT TOTAL
PRICE \$30,000.00 \$6,000.00 \$9,500.00 \$1,377.00 \$2,397.50 \$3,850.00 \$3,900,00 \$3,770.00 \$2,125.00 \$28,257.50 \$9,295.00 \$28,836.00 \$306.00 \$11,593.50 \$1,950.00 \$66,700.00 \$1,890.00 \$21,000.00 \$2,160.00 \$2,800.00 \$480.00 \$640.00 \$4,600.00 \$10,000.00 \$1,000.00 \$3,315.20 \$439,000.00 \$150.00 \$130.00 \$4,500.00 \$2,250.00 \$57,000.00 \$16,000.00 \$1,230.00 \$52.50 \$29,700.00 \$9,500.00 \$30,000.00 \$575.00 \$1,885.00 \$169.00 \$4,600.00 \$3,000.00 \$180.00 \$10,000.00 \$439,000.00 \$57,000.00 \$16,000.00 \$4.00 \$10.20 \$6.00 \$6.55 \$13.70 \$550.00 \$52.50 \$130.00 \$160.00 \$425.00 \$975.00 \$72.50 \$7.65 \$7.50 \$3.00 \$63.50 \$81.00 \$900.00 \$410.00 \$1,400.00 594.50 \$20.00 \$45.00 \$1.85 3
KUECHLE UNDERGROUND INC.
UNIT TOTAL
PRICE \$99,360.00 \$15,000.00 \$43,610.00 \$1,593.00 \$2,100.00 \$13,000.00 \$1,450.00 \$7,535.00 \$42,364.00 \$23,100.00 \$1,500.00 \$9,000.00 \$1,225.00 \$2,600.00 \$2,400.00 \$2,660.00 \$510.00 \$400.00 \$720.00 \$125.00 \$600.00 \$9,300.00 \$3,750.00 \$4,200.00 \$2,688.00 \$393,000.00 \$20,000.00 \$4,400.00 \$2,400.00 \$1,200.00 \$2,000.00 \$55,000.00 \$20.00 \$50.00 \$825.00 \$45,000.00 \$15,000.00 \$6,500.00 \$1,200.00 \$55,000.00 \$300.00 \$125.00 \$9,300.00 \$4,200.00 \$17.00 \$150.00 \$290.00 \$98.00 \$750.00 \$3,300.00 \$393,000.00 \$20,000.00 \$275.00 \$2,200.00 \$6.00 \$5.00 \$4.00 \$0.90 \$7.00 \$1.00 \$50.00 \$108.00 \$137.00 \$119.00 \$133.00 \$2.00 \$200.00 \$24.00 \$40.00 \$1.50 2
A-1 EXCAVATING INC.
UNIT TOTAL
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| | | | 1 RLIARSON EXC | AVATING INC. | 2 A-1 EXCAVATING INC. | 2 ATING INC. | 3 KUECHLE UNDEI | RGROUND INC. | 4 PEMBER COMPANIES, INC. | ANIES, INC. | S BURSHVILLE CONSTRUCTION INC. | SUCTION INC. |
|---|------------|---------------------|-------------------|--------------|--------------------------|-----------------|--------------------|---------------------------|--------------------------|-------------|-----------------------------------|--------------|
| WE | UNIT | APPROX. QUANTITY | UNIT TOTAL PRICE | TOTAL | UNIT | TOTAL | UNIT | UNIT TOTAL PRICE PRICE | PRICE | PRICE | PRICE | PRICE |
| CAI VAGE AND REINSTALL STORM SEWER PIPE | | 9 | \$44.00 | \$2,640.00 | \$52.00 | \$3,120.00 | \$38.00 | \$2,280.00 | \$67.00 | \$4,020.00 | \$50.00 | \$3,000.00 |
| | 5 | 20 | \$20.00 | \$400.00 | \$18.00 | \$360.00 | \$15.00 | \$300.00 | \$25.00 | \$500.00 | \$15.00 | \$300.00 |
| | <u>.</u> | ı | 547.00 | \$1,504.00 | \$57.00 | 51,824.00 | \$40.00 | \$1,280.00 | \$56.00 | \$1,792.00 | \$45.00 | \$1,440.00 |
| | ; 5 | ^ | \$1.064.00 | \$2,128.00 | \$2,030.00 | \$4,060.00 | \$870.00 | \$1,740.00 | \$1,050.00 | \$2,100.00 | \$1,300.00 | \$2,600.00 |
| 18" RCP FLARED END SECTION VITH TRASH GUARD | £ : | . : | 633.00 | 00 03 60 00 | \$41.00 | \$4,920.00 | \$38.00 | \$4,560.00 | \$51.00 | \$6,120.00 | \$42.50 | \$5,100.00 |
| | ÷ ; | 9 . | DOUGE C | \$1 400 00 | \$400 DO | \$1,600.00 | \$260.00 | \$1,040.00 | \$310.00 | \$1,240.00 | \$300.00 | \$1,200.00 |
| | ⊈ i | | DOUGE C | \$420.00 | 00'065 | \$540.00 | \$88.00 | \$528.00 | \$125.00 | \$750.00 | \$150.00 | \$900.00 |
| | 5 5 | | 00 000 00 | \$5,000,00 | \$7.500.00 | \$7,500.00 | \$9,500.00 | 00'005'65 | \$5,400.00 | \$5,400.00 | \$6,000.00 | \$6,000.00 |
| | 3 2 | , 65 | \$15.75 | 57.087.50 | \$19.00 | \$8,550.00 | \$25.00 | \$11,250.00 | \$16.00 | \$7,200.00 | \$20.00 | \$9,000.00 |
| BITUMINOUS DRIVEWAY PAVEMENI (LIFT STATION) | ; č | 95 | 00 585 | \$15,750.00 | \$16.00 | \$7,200.00 | \$20.00 | \$9,000.00 | \$32.50 | \$14,625.00 | \$20.00 | \$9,000.00 |
| COMMON EXCAVATION (DRIVEWAY AND STREET PATCHES) | ; ; | 1 | 00.65 | \$260.00 | \$3.00 | \$390.00 | \$6.00 | \$780.00 | \$2.10 | \$273.00 | \$5.00 | \$650.00 |
| | | 125 | \$12.00 | \$1,500.00 | \$28.00 | \$3,500.00 | \$22.00 | \$2,750.00 | \$23.50 | \$2,937.50 | \$25.00 | \$3,125.00 |
| | , p | 200 | \$20.00 | \$14,000.00 | \$25.00 | \$17,500.00 | \$16.50 | \$11,550.00 | \$29.00 | \$20,300.00 | \$22.50 | \$15,750.00 |
| I C L June L L L L L L L L L L L L L L L L L L L | Š | 450 | \$89.00 | \$40,050.00 | \$90.00 | \$40,500.00 | \$95.00 | \$42,750.00 | \$91.15 | \$41,017.50 | \$90.00 | \$40,500.00 |
| IYESY 9.5 BII UMIRUUS WEARING COUNSE MAN UNE LEGI | . 5 | 08 | \$37.00 | \$2,960.00 | \$35.00 | \$2,800.00 | \$70.00 | \$5,600.00 | \$28.70 | \$2,296.00 | \$40.00 | \$3,200.00 |
| | , <u>5</u> | 130 | \$10.50 | \$1,365.00 | \$8.00 | \$1,040.00 | \$9.00 | \$1,170.00 | \$4.15 | \$539.50 | \$10.00 | \$1,300.00 |
| | į ¥ | | \$800.00 | \$800.00 | \$1,300.00 | \$1,300.00 | \$750.00 | \$750.00 | \$470.00 | \$470.00 | \$1,200.00 | \$1,200.00 |
| | * | 12 | \$51.00 | \$612.00 | \$70.00 | \$840.00 | \$65.00 | \$780.00 | \$44.00 | \$528.00 | \$50.00 | \$600.00 |
| | EA | - | \$500.00 | \$500.00 | \$280.00 | \$280.00 | \$700.00 | \$700.00 | \$625.00 | \$625.00 | \$650.00 | \$650.00 |
| | Ę | | \$350.00 | \$350.00 | \$150.00 | \$150.00 | \$500.00 | \$500.00 | \$185.00 | \$185.00 | \$300.00 | \$300.00 |
| | . 5 | - | | \$1,000.00 | \$720.00 | \$720.00 | \$650.00 | \$650.00 | \$800.00 | \$800.00 | \$700.00 | \$700.00 |
| | i 4 | | \$360.00 | \$360.00 | \$235.00 | \$235.00 | \$145.00 | \$145.00 | \$270.00 | \$270.00 | \$150.00 | \$150.00 |
| | 15 | 6 | \$55,00 | \$495.00 | \$40.00 | \$360.00 | \$50.00 | \$450.00 | \$52.50 | \$472.50 | \$60.00 | \$540.00 |
| | E | 9 | \$100.00 | \$600.00 | \$180.00 | \$1,080.00 | \$85.00 | \$510.00 | \$125.00 | \$750.00 | \$100.00 | \$600.00 |
| | 4 | 1,000 | \$1.26 | \$1,260.00 | \$1.25 | \$1,250.00 | \$1.15 | \$1,150.00 | \$1.20 | \$1,200.00 | \$1.30 | \$1,300.00 |
| 4 SOLD LINE THE ELECTRIC SOLD THE MADELLE THE BANDEL ACTIVE (GROIND IN) | Ę | 2 | \$500.00 | \$1,000.00 | \$550,00 | \$1,100.00 | \$515.00 | \$1,030.00 | \$540.00 | \$1,080.00 | \$570.00 | \$1,140.00 |
| | Ĩ | , , | \$140.00 | \$700.00 | \$150.00 | \$750.00 | \$150.00 | \$750.00 | \$125.00 | \$625.00 | \$150.00 | \$750.00 |
| | | 009'9 | \$1.74 | \$11,484.00 | \$1.80 | \$11,880.00 | \$0.90 | \$5,940.00 | \$0.95 | \$6,270.00 | \$1.65 | \$10,890.00 |
| | ò | 1001 | \$2.60 | \$260.00 | \$1.00 | \$100.00 | \$4.00 | \$400.00 | \$4.20 | \$420.00 | \$2.25 | \$225.00 |
| | ΨC | . 51 | \$210.00 | \$273.00 | \$3,500.00 | \$4,550.00 | \$960.00 | \$1,248.00 | \$10,200.00 | \$13,260.00 | \$600.00 | \$780.00 |
| | 4 | v | \$180.00 | \$900.00 | \$150.00 | \$750.00 | \$200.00 | \$1,000.00 | \$100.00 | \$500.00 | \$200.00 | \$1,000,00 |
| | 5 | 7 | \$52.00 | \$364.00 | \$125.00 | \$875.00 | \$120.00 | \$840.00 | \$125.00 | \$875.00 | \$60.00 | \$420.00 |
| | <u>,</u> | 200 | \$3.15 | \$630.00 | \$2.40 | \$480.00 | \$1.00 | \$200.00 | \$2.10 | \$420.00 | \$3.00 | 2600 00 |
| | | | | | | | | | | | | |



ABSTRACT OF BIOS
194 LET STATION (HO. JA MD. SANITANY SEWER IMPROVEMENTS
TO YOUGHT IN 2016.134
CITY OF LAKE RHO
WASHINGTON COUNTY, MIRMESOTA

| ши | | | 6 GEISLINGER & SONS, INC. | S SONS, INC. | | 7 S R WEIDEMA, INC. | LAMETTI | 8 AMETTI & SONS INC | PINCO TIMOUTEON | 9 | | 0 |
|--|------|---------|------------------------------|---|--------------|------------------------|--------------|------------------------|-----------------|------------------------|---------------|--|
| NO. PART 1 - SANITARY SEWER | UNIT | APPROX. | UNIT | TOTAL PRICE | UNIT | TOTAL | UNIT | TOTAL | UNIT | UNIT TOTAL PRICE PRICE | UNIT PRICE | LATOUR CONSTRUCTION, INC. UNIT TOTAL PRICE PRICE |
| 1 MOBILIZATION | ย | - | \$48,000.00 | 248.000.00 | 246 000 00 | 000000 | | , | | | | |
| 2 TRAFFIC CONTROL | ย | - | 00 000 85 | 00 000 65 | da eno oca | 0000000 | \$55,000.00 | \$55,000.00 | \$79,333.00 | \$79,333.00 | \$77,000.00 | \$77,000.00 |
| 3 PRECAST CONCRETE JERSEY BARRIERS | 51 | - | 535 000 00 | no uno aca | DOUGHT. | 00.005/15 | \$15,000.00 | \$15,000.00 | \$7,970.00 | \$7,970.00 | \$6,300.00 | \$6,300.00 |
| 4 TREE REMOVAL | 1 1 | | on order | OCCUPATION OF THE PARTY OF THE | 00.005,524 | \$23,900.00 | \$15,000.00 | \$15,000.00 | \$17,584.00 | \$17,584.00 | \$25,000.00 | \$25,000.00 |
| STATE AND PARTY OF THE PARTY OF | i i | , | 200000 | \$2,500.00 | \$550.00 | \$2,750.00 | \$1,000.00 | \$5,000.00 | \$336.00 | \$1,680.00 | \$320.00 | \$1,600.00 |
| | λ, | 1,500 | 54.00 | \$6,000.00 | \$3.00 | \$4,500.00 | \$4.00 | \$6,000.00 | \$6.75 | \$10,125.00 | \$3.70 | \$5,550.00 |
| 6 REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT | λs | 30 | \$20.00 | \$600.00 | \$8.00 | \$240.00 | \$15.00 | \$450.00 | \$12.50 | \$375.00 | \$11.00 | \$330.00 |
| 7 REMOVE AND DISPOSE OF EXISTING CONCRETE CURB AND GUTTER | 5 | 80 | \$10.00 | \$800.00 | \$4.00 | \$320.00 | \$10.00 | \$800.00 | \$10.50 | \$840.00 | \$8.00 | 2640.00 |
| 8 REMOVE AND DISPOSE OF EXISTING GUARDRAIL | 5 | 180 | \$12.00 | \$2,160.00 | \$13.00 | \$2,340.00 | \$10.00 | \$1,800.00 | \$12.50 | 52.250.00 | 211.00 | 51 980 Bid |
| 9 REMOVE AND DISPOSE OF EXISTING SANITARY SEWER PIPE | 5 | 1,770 | \$2.00 | \$3,540.00 | \$13.00 | \$23,010.00 | \$5.00 | \$8,850.00 | \$6.25 | \$11,062.50 | \$3.20 | \$5,664.00 |
| 10 REMOVE AND DIPSOSE OF EXISTING STORM SEWER PIPE | 5 | 271 | \$30.00 | \$5,250.00 | \$18.00 | \$3,150.00 | \$5.00 | \$875.00 | \$12.50 | \$2.18750 | 9015 | \$1 925 00 |
| 11 REMOVE AND DISPOSE OF EXISTING SANITARY SEWER MANHOLE | EA | 7 | \$400.00 | \$2,800.00 | \$900.00 | \$6,300.00 | \$1,000.00 | \$7,000.00 | \$750.00 | \$5,250.00 | \$530.00 | \$3,710.00 |
| 12 REMOVE AND DISPOSE OF EXISTING EDGE DRAIN | 5 | 20 | \$10.00 | \$200.00 | \$5.00 | \$100.00 | \$5.00 | \$100.00 | \$8.50 | \$170.00 | 52.25 | 5105.00 |
| 13 REMOVE AND DISPOSE OF EXISTING SIGN | EA | 1 | \$50.00 | \$50.00 | \$50.00 | \$50.00 | \$100.00 | \$100.00 | \$35.00 | \$35.00 | \$53.00 | \$53.00 |
| 14 SALVAGE AND REINSTALL MAILBOX | EA | | \$250.00 | \$250.00 | \$500.00 | \$500.00 | \$100.00 | \$100.00 | \$475.00 | \$475.00 | \$260.00 | \$260.00 |
| 15 SALVAGE AND REINSTALL SIGN | EA | 4 | \$150.00 | \$600.00 | \$250.00 | \$1,000.00 | \$100.00 | \$400.00 | \$308.00 | \$1,232.00 | \$160.00 | 2540.00 |
| 16 SAWING BITUMINGUS PAVEMENT | T. | 1,300 | \$4.00 | \$5,200.00 | \$2.00 | \$2,600.00 | \$2.00 | \$2,600.00 | \$5.75 | \$7,475.00 | \$3.15 | \$4,095.00 |
| 17 CORE DRILL CONNECTION TO EXISTING STRUCTURE | E | 7 | \$7,500.00 | \$15,000.00 | \$2,750.00 | \$5,500.00 | \$200.00 | \$400.00 | \$2,850.00 | \$5,700.00 | \$4.800.00 | 29 600 00 |
| 18 COUNECT TO EXISTING SANITARY SEWER SERVICE | 8 | 5 | \$450.00 | \$2,250.00 | \$1,280.00 | \$6,400.00 | \$500.00 | \$2,500.00 | \$344.16 | \$1,720.80 | \$340.00 | \$1.700.00 |
| 19 CONNECT EXISTING PIPE TO NEW MANHOLE | 5 | 2 | \$1,500.00 | \$3,000.00 | \$1,395.00 | \$2,790.00 | \$1,000.00 | \$2,000.00 | \$1,250.99 | \$2,501.98 | \$1,200.00 | \$2,400.00 |
| 20 15" PVC, SDR 35 SANITARY SEWER PIPE, 0" - 10" DEEP | 7 | 445 | \$70.00 | \$31,150.00 | \$76.50 | \$34,042.50 | \$50.00 | \$22,250.00 | \$99.17 | \$44,130.65 | \$80.50 | \$35,822.50 |
| | 5 | 920 | \$72.00 | \$66,240.00 | \$76.50 | \$70,380.00 | \$55.00 | \$50,600.00 | \$99.17 | \$91,236.40 | \$86.00 | \$79,120.00 |
| 22 15" PVC, SDR 35 SANITARY SEWER PIPE, 15' - 20' DEEP | 2 | 55 | \$74.00 | \$4,070.00 | \$76.50 | \$4,207.50 | \$100.00 | \$5,500.00 | \$99.17 | \$5,454.35 | \$91.00 | \$5,005.00 |
| 23 16" PVC, C900 SANITARY SEWER PIPE, 0" - 10" DEEP | 5 | 356 | \$86.00 | \$30,616.00 | \$86.00 | \$30,616.00 | \$100.00 | \$35,600.00 | \$114.54 | \$40,776.24 | \$91.00 | \$32,396.00 |
| | 5 | 20 | \$95.00 | \$1,900.00 | \$115.00 | \$2,300.00 | \$115.00 | \$2,300.00 | \$225.95 | \$4,519.00 | \$106.00 | \$2,120.00 |
| 25 16" SANITARY SEWER OUTSIDE DROP | E | 1 | \$12,500.00 | \$12,500.00 | \$5,542.00 | \$5,542.00 | \$5,000.00 | \$5,000.00 | \$4,635.45 | \$4,635.45 | \$8,900.00 | \$8,900.00 |
| | ΕĀ | 5 | \$850.00 | \$4,250.00 | \$545.00 | \$2,725.00 | \$750.00 | \$3,750.00 | \$839.38 | \$4,196.90 | \$840.00 | \$4,200.00 |
| | EA | 7 | \$4,500.00 | \$31,500.00 | \$3,772.00 | \$26,404.00 | \$7,500.00 | \$52,500.00 | \$3,059.67 | \$21,417.69 | \$3,100.00 | \$21,700.00 |
| | * | 12 | \$130.00 | \$1,560.00 | \$245.00 | \$2,940.00 | \$150.00 | \$1,800.00 | \$161.14 | \$1,933.68 | \$109.00 | \$1,308.00 |
| 29 MANHOLE LINER | EA | 1 | \$7,000.00 | \$7,000.00 | \$4,625.00 | \$4,625.00 | \$5,000.00 | \$5,000.00 | \$5,022.77 | \$5,022.77 | \$4,000.00 | \$4,000.00 |
| | 5 | 20 | \$20.00 | \$1,000.00 | \$20.00 | \$1,000.00 | \$10.00 | \$500.00 | \$35.00 | \$1,750.00 | \$21.00 | \$1,050.00 |
| 31 ROCKFOUNDATION BORROW | ۵ | 20 | \$45.00 | \$2,250.00 | \$60.00 | \$3,000.00 | \$25.00 | \$1,250.00 | \$43.00 | \$2,150.00 | \$47.00 | \$2,350.00 |
| 32 TELEVISING | 11 | 1,792 | \$2.50 | \$4,480.00 | \$2.00 | \$3,584.00 | \$1.50 | \$2,688.00 | \$2.18 | \$3,906.56 | \$1.85 | \$3,315.20 |
| | ภ | | \$471,000.00 | \$471,000.00 | \$449,000.00 | \$449,000.00 | \$450,907.00 | \$450,907.00 | 5445,333.00 | \$445,333.00 | \$486,000.00 | \$486,000.00 |
| | 23 | - | \$65,000.00 | \$65,000.00 | \$58,450.00 | \$58,450.00 | \$50,000.00 | \$50,000.00 | \$57,933.00 | \$57,933.00 | \$55,000.00 | \$55,000.00 |
| 35 BYPASS PUMPING | SI | | \$25,000.00 | \$25,000.00 | \$68,660.00 | \$68,660.00 | \$50,000.00 | \$50,000.00 | \$25,760.00 | \$25,760.00 | \$62,000.00 | \$62,000.00 |
| | EA | e. | \$1,200.00 | \$3,600.00 | \$950.00 | \$2,850.00 | \$200.00 | \$600.00 | \$675.00 | \$2,025.00 | \$1,100.00 | \$3,300.00 |
| 37 SALVAGE AND REINSTALL STORM SEWER STRUCTURE | Ę | ~ | \$1,800.00 | \$3,600.00 | \$2,090.00 | 54,180.00 | \$300.00 | \$600.00 | \$975.00 | \$1,950.00 | \$3,800.00 | \$7,600.00 |

| ABSTRACT OF BIDS 1-94 HIT'S LATION (HOLD, JANDS SANTRAY STAVER IMPROVEMENTS CITY PROJECT NO. 2016.3.34 CITY OF LAM ELIMO WASHINGTON COUNTY, MIRRIESOTA | | | 9 JUNE 19 | SONS INC | 7 SR WEIDEMA, INC. | AA. INC | 8 LAMETTI & SONS, INC. | ONS, INC. | 9 NORTHDALE CONSTRI | ICTION COMPANY | 10 LATOUR CONSTRUCTION, INC. | CTION, INC. |
|--|----------|---------|------------------------|----------------|-----------------------|----------------|---------------------------|----------------|---------------------------|----------------|------------------------------|----------------|
| ITEM | İ | APPROX. | UNIT TOTAL PRICE PRICE | TOTAL | UNIT | TOTAL | UNIT | TOTAL | UNIT TOTAL PRICE PRICE | TOTAL | UNIT | PRICE |
| | <u>.</u> | | | \$3,000.00 | \$62.00 | \$3,720.00 | \$70.00 | \$4,200.00 | \$28.50 | \$1,710.00 | \$60.00 | \$3,600.00 |
| | | | | \$500.00 | \$5.00 | \$100.00 | \$25.00 | \$500.00 | \$35.00 | \$700.00 | \$16.00 | \$320.00 |
| | . 5 | | 10 595 | \$2.080.00 | \$50.00 | \$1,600.00 | \$150.00 | \$4,800.00 | \$62.47 | \$1,999.04 | \$41.00 | \$1,312.00 |
| | 5 5 | | \$1250.00 | \$2,500.00 | \$1,180.00 | \$2,360.00 | \$1,000.00 | \$2,000.00 | 51,174.27 | \$2,348.54 | \$1,032.00 | \$2,064.00 |
| | 5 : | 7 | 00000 | 95 | \$40.00 | \$4,800.00 | \$50.00 | \$6,000.00 | \$49.44 | \$5,932.80 | \$35.00 | \$4,200.00 |
| 42 18" CM DRIVEWAY CULVERT | à | 77 | annee | 5000000 | 00 5530 | \$2.260.00 | \$300.00 | \$1,200.00 | \$257.15 | \$1,028.60 | \$300.00 | \$1,200.00 |
| 43 18" CMAPRON | EA | 4 | 5750,00 | on nonite | 000000 | \$1 020 00 | \$25.00 | \$150.00 | \$135.00 | \$810.00 | \$81.00 | \$486.00 |
| 44 RIPRAP CLASS III | 5 | 19 | \$110.00 | \$560.00 | 00.0115 | 00.336.00 | \$35,000.00 | \$35,000.00 | \$7,484.96 | \$7,484.96 | \$10,000.00 | \$10,000.00 |
| | ი 3 | 1 450 | 00.005,45 | \$13,500.00 | \$48.00 | \$21,600,00 | \$40.00 | \$18,000.00 | \$32.93 | 514,818.50 | \$27.00 | \$12,150.00 |
| | 5 č | 450 | 514.00 | \$6,300.00 | \$13.50 | \$6,075.00 | \$15.00 | \$6,750.00 | \$26.75 | \$12,037.50 | \$17.50 | \$7,875.00 |
| | ; 8 | 130 | 23.00 | \$390.00 | \$2.01 | \$261.30 | \$2.00 | \$260.00 | \$3.50 | \$455.00 | \$3.00 | \$390.00 |
| | . 2 | 125 | \$45.00 | \$5,625.00 | \$22.00 | \$2,750.00 | \$10.00 | \$1,250.00 | \$23.75 | \$2,968.75 | \$27.00 | \$3,375.00 |
| | TON | 700 | \$28.00 | \$19,600.00 | \$18.00 | \$12,600.00 | \$25.00 | \$17,500.00 | \$33.95 | \$23,765.00 | \$27.70 | \$19,390.00 |
| SU AGGREGALE BASE, LUGO O | TON | 450 | \$85.00 | \$38,250.00 | \$90.00 | \$40,500.00 | \$130.00 | \$58,500.00 | \$95.20 | \$42,840.00 | \$89.00 | \$40,050.00 |
| | 5 | 80 | \$35.00 | \$2,800.00 | \$41.00 | \$3,280.00 | \$25.00 | \$2,000.00 | \$50.40 | \$4,032.00 | \$42.00 | \$3,360.00 |
| | 35 | 130 | \$15.00 | \$1,950.00 | \$19.00 | \$2,470.00 | \$10.00 | \$1,300.00 | \$6.16 | \$800.80 | \$11.00 | \$1,430.00 |
| | : 4 | - | \$900.00 | \$900.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$840.00 | \$840.00 | \$840.00 | \$840.00 |
| | 5 | 12 | \$55.00 | \$660.00 | \$40.00 | \$480.00 | \$50.00 | \$600.00 | \$50.40 | \$604.80 | \$49.00 | \$588.00 |
| | . 4 | - | \$500.00 | \$500.00 | \$505.00 | \$505.00 | \$500.00 | \$500.00 | \$400.00 | \$400.00 | \$530.00 | \$530.00 |
| | EA | | \$400.00 | \$400.00 | \$370.00 | \$370.00 | \$200.00 | \$200.00 | \$285.00 | \$285.00 | \$320.00 | \$320.00 |
| | i | - | \$950.00 | \$950.00 | \$945.00 | \$945.00 | \$1,500.00 | \$1,500.00 | \$850.37 | \$850.37 | \$760.00 | \$760.00 |
| Se HUMANI EALERSON | 4 | | \$350.00 | \$350.00 | \$128.00 | \$128.00 | \$500.00 | \$500.00 | \$208.91 | \$208.91 | \$240.00 | \$240.00 |
| | 15 | 6 | \$50.00 | \$450.00 | \$55.00 | \$495.00 | \$30.00 | \$270.00 | \$56.00 | \$504.00 | \$53.00 | \$477.00 |
| | \$ | 9 | \$125.00 | \$750.00 | \$120.00 | \$720.00 | \$100.00 | \$600.00 | \$140.00 | \$840.00 | \$220.00 | \$1,320.00 |
| | 7 | 1,000 | \$1.00 | \$1,000.00 | \$1.75 | \$1,750.00 | \$2.00 | \$2,000.00 | \$1.29 | \$1,290.00 | \$0.85 | \$850.00 |
| | 5 | 2 | \$500.00 | \$1,000.00 | \$775.00 | \$1,550.00 | \$250.00 | \$500.00 | \$576.80 | \$1,153.60 | \$530.00 | \$1,060.00 |
| | ¥. | s | \$150.00 | \$750.00 | \$200.00 | \$1,000.00 | \$100.00 | \$500.00 | \$150.00 | \$750.00 | \$126.00 | \$630.00 |
| | š | 009'9 | \$1.50 | \$9,900.00 | \$1.60 | \$10,560.00 | \$1.50 | \$9,900.00 | \$1.68 | \$11,088.00 | \$1.05 | \$6,930.00 |
| | | 100 | \$50.00 | \$5,000.00 | \$2.50 | \$250.00 | \$5.00 | \$500.00 | \$2.24 | \$224.00 | \$3.15 | \$315.00 |
| 66 TEMPORANY HYDROMOLCH | S V | 17 | \$4,500.00 | \$5,850.00 | \$200.00 | \$260.00 | \$1,500.00 | \$1,950.00 | \$560.00 | \$728.00 | \$1,100.00 | \$1,430.00 |
| | Ę | s | \$200.00 | \$1,000.00 | \$460.00 | \$2,300.00 | \$150.00 | \$750.00 | \$235.00 | \$1,175.00 | \$137.00 | \$685.00 |
| | 5 | 7 | \$50.00 | \$350.00 | \$49.00 | \$343.00 | \$100.00 | \$700.00 | \$275.00 | \$1,925.00 | \$63.00 | \$441.00 |
| 69 DICH CHECK | ; ± | 200 | \$4.00 | \$800.00 | \$3.00 | 00 0095 | \$3.00 | \$600.00 | \$4.75 | \$950.00 | \$2.10 | \$420.00 |
| | 9 | | | \$1,042,181.00 | | \$1,044,973.30 | | \$1,047,300.00 | | \$1,069,645.64 | | \$1,092,776.70 |
| | | | | | | | | | | | | |



PROJECT SCHEDULE CITY OF LAKE ELMO



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

I-94 LIFT STATION (No. 1) AND SANITARY SEWER IMPROVEMENTS PROJECT NO. 2016.134

| APRIL 2017 | |
|------------------|--|
| OCTOBER 4, 2016 | Council orders preparation of Plans and Specifications and Awards Engineering Design and Construction Support Services Task Order. |
| MARCH 21, 2017 | Council approves Plans and Specifications; orders ad for bids. |
| APRIL 20, 2017 | Receive contractor bids. |
| MAY 2, 2017 | Council accepts bids and awards contract. |
| MAY 15, 2017 | Conduct Pre-construction meeting and issue Notice to Proceed. |
| OCTOBER 6, 2017 | Substantial Completion; lift station online and operational. |
| NOVEMBER 3, 2017 | Final Completion; punch list and final paperwork. |

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STAFF REPORT

DATE: 5/2/17 **REGULAR**ITEM #: 6

TO: City Council

FROM: Stephen Wensman, Planning Director

AGENDA ITEM: Royal Golf Club at Lake Elmo Preliminary Plat/PUD

REVIEWED BY: Kristina Handt, City Administrator

Sarah Sonsalla, City Attorney Emily Becker, City Planner Jack Griffin, City Engineer Greg Malmquist, Fire Chief Mike Bent, Building Official

BACKGROUND:

HC Golf Course Development made application for preliminary plat and preliminary planned unit development (PUD) plans on 2/10/2017. The Planning Commission held a public hearing on March 13, 2017 and recommended approval on March 27, 2017. The City has 120 days to complete its review of the preliminary plat, therefore the City Council is required to make a determination by June 10, 2017. The City Council should not approve the preliminary plat until the Metropolitan Council has reviewed the comprehensive plan amendment that will allow the development to proceed. The Metropolitan Council's Community Development Committee meets on May 15th and the Metropolitan Council will meet on May 24th. Staff is not recommending any action on this agenda item tonight. The purpose of the meeting is to allow the Council to review the application and to provide feedback to the developer if warranted.

ISSUE BEFORE COUNCIL:

The issue is to review the Royal Golf Club at Lake Elmo preliminary plat and PUD plans, but not to approve or deny them.

PROPOSAL DETAILS/ANALYSIS:

Since the Planning Commission review, City Staff requested the developer update his preliminary plat and PUD plans to address some of the comments and issues raised prior to and during the Planning Commission meeting. Although it is not customary to request changes prior to City Council review, there were a number of issues that Staff felt were potentially critical to the preliminary plat layout. Many of the issues related to the Valley Branch Watershed District review as it pertains to the floodplain replacement and the stormwater modelling in the northeast portion of the development and the lift station site designs. The developer submitted revised plans to the VBWD for their review and to the City on April 10, 2017, in conjunction with the phase 1 grading permit application. As of the writing of this report, the VBWD has not completed its review of the resubmitted preliminary plans. Until the VBWD review is substantially complete and the VBWD key issues are addressed, the City cannot complete its review. In addition, the City will be retaining BMI to design the 3 lift stations proposed to serve this development. Therefore the City has retained BMI to review the proposed lift station site plans to verify whether the developer's

proposed outlots are of adequate size and configuration. At the time of the writing of this report, BMI's review was not complete.

The updated plans received on April 10, 2017 addressed several of the conditions of preliminary plat recommended by the Planning Commission:

- Condition #2: Lots 1, Block 1 and Lot 3, Block 1 were combined into a single lot combining the area for future "cottages" with the clubhouse lot.
- Condition #3: Providing frontage for Lot 1, Block 1 onto 20th Street N giving the clubhouse street frontage without having to pass into a park property.
- Condition #15: An 8 ft. concrete public trail was provided in the right-of-way in front of Lots 1-11, Block 13.
- Condition #18: Sidewalks were provided along one side of all streets except for Street C (Annie Avenue).

Additionally, the revised plans show revisions to the proposed lots on Annie Avenue discussed during the 3/27 Planning Commission meeting.

FISCAL IMPACT:

The fiscal impact will be determined with the developer agreement after final plat approval.

OPTIONS:

None, the City Council should review the preliminary plat/preliminary PUD plans and take no action.

RECOMMENDATION:

Staff is recommending no action be taken at tonight's meeting, however, the City Council can ask questions of the developer or staff and can provide feedback to the developer if it is warranted.

ATTACHMENTS:

- Planning Commission report for 3/13/17
- Planning Commission report for 3/27/17
- Planning Commission minutes 3/13/17
- Planning Commission minutes 3/27/16
- RGC at Lake Elmo preliminary plat and plans submitted 4.10.17

STAFF REPORT



PLANNING COMMISSION
DATE: 03/13/2017
AGENDA ITEM: 4C & 4D—PUBLIC HEARING
CASE # 2017-07

TO:

Planning Commission

FROM:

Stephen Wensman, Planning Director

AGENDA ITEM:

Zoning Map Amendment to Golf Course Community, and the Royal Golf

Club at Lake Elmo Preliminary Plat and Preliminary PUD Plans

REVIEWED BY:

Stephen Wensman, Planning Director

Emily Becker, City Planner Mike Bent, Building Official Jack Griffin, City Engineer Greg Malmquist, Fire Chief

Kristina Handt, City Administrator Sarah Sonsalla, City Attorney

BACKGROUND:

HC Golf Course Development is requesting approval of:

- 1. A zoning map amendment rezoning from PF Public Facilities to GCC Golf Course Community; and
- 2. Preliminary Plat and Preliminary PUD Plans for the Royal Golf Club at Lake Elmo golf course/residential development.

The Royal Golf Course Planned Unit Development is being proposed for the former 3M Tartan Park properties in Lake Elmo. The former 3M Tartan Park property was purchased from 3M in March, 2016. The Royal Golf Club at Lake Elmo received Concept PUD Plan approval on September 6, 2016. A Comprehensive Plan Amendment was approved on January 9, 2017 by the City Council contingent on Metropolitan Council approval and Preliminary Plat approval. An Environmental Assessment Worksheet (EAW) was prepared and the City Council gave a negative declaration for an Environmental Impact Statement (EIS) on January 17, 2017. The applicant applied for a zoning text amendment creating the GCC zoning district which was approved on February 7, 2017. The GCC zoning district is the district that corresponds to the new comprehensive land use guidance for the properties. The former Tartan Park properties are currently zoned PF-Public Facilities and to develop the property into a golf course/residential development, the applicant is requesting a rezoning to the new GCC – Golf Course Community Zoning District to be consistent with the new comprehensive plan designation. If the rezoning is approved, the GCC regulations will be base zoning district which will be used to evaluate the PUD development and to evaluate any proposed deviations from the base zoning regulations.

The Preliminary Plat and Preliminary Planned Unit Development is being proposing to redevelopment of the 27-hole golf course and recreational facility into an 18-hole golf course with 292 single family residential lots and corresponding open space. The City can review the preliminary plat, but it cannot be approved until the Metropolitan Council approves the Comprehensive Plan.

ISSUE BEFORE THE COMMISSION:

The issue before the Commission is review and make recommendations to the City Council on:

- 1) A zoning map amendment, rezoning the former Tartan Park from PF to GCC; and
- 2) The Preliminary Plat and Preliminary PUD Plans for the Royal Golf Club at Lake Elmo.

GENERAL INFORMATION:

Applicant: HC Golf Course Development, LLC

Property Owner: HC Golf Course Development, LLC, 11074 Radisson Road NE, Blaine, MN

55449

Location: Former 3M Tartan Park, PIDs: 25-029-21-12-0001, 25-029-21-13-0001, 25-

029-21-14-0001, 25-029-21-21-0001, 25-029-21-31-0001, 25-029-21-42-0001, 25-029-21-43-0001, 25-029-21-43-0002, and 25-029-21-44-0002

0001, 23-029-21-43-0001, 25-029-21-43-0002, and 25-029-21-44-0002

Request: Zoning Map Amendment to GCC

Preliminary Plat and Preliminary PUD Plans approval

Development Site Area: +/-428.06 acres

Land Use Guidance: Public/Park

Current Zoning: PF-Public Facility

Proposed Zoning: GCC/PUD-Golf Course Community/Planned Unit Development

Surrounding Zoning: OP and Rural Single Family to the southwest, Rural Single Family

and Rural Residential to the North, Rural Single Family, Rural

Residential and West Lake Land Township to the east.

History: Tartan Park was purchased by HC Golf Course Development, LLC in

March of 2016. A Concept PUD Plan was approved on September 6, 2016. Comprehensive Plan Amendment was approved on January 11,

2017 by the City Council contingent on Metropolitan Council approval and Preliminary Plat Approval, EAW negative declaration by the Council was on January 17, 2017, Zoning Text Amendment creating the GCC Zoning was approved on February 7, 2017.

Deadline for Action: Application Complete -2/10/17

60 Day Deadline – 4/11/17 Extension Letter Mailed – No 120 Day Deadline – 6/10/17

Applicable Code: Article XII – Urban Residential Districts

Article XVIII – Planned Unit Development Regulations

Chapter 153 – Subdivision Regulations

§150.270 Storm Water, Erosion, and Sediment Control

PROPOSAL DETAILS/ANALYSIS:

The Royal Golf Club at Lake Elmo is a unique development designed to incorporate a the renovation of the former 27- hole 3M Tartan Park into an 18-hole golf course and 292 single family residential development on roughly 428 acres. The proposed development is within the Shorelands of Lake Elmo, Rose, Downs and Horseshoe Lakes, requiring the development to be compliant with the City's shoreland ordinance and developed as a Planned Unit Development. The area recently received approval from the City Council for a comprehensive plan amendment guiding the property from Public/Park to Golf Course Community and the inclusion of the land area into the City's (MUSA) Municipal Urban Service Area, subject to Metropolitan Council approval and contingent on the approval of the Preliminary Plat.

The Royal Golf Club Concept PUD Plans were approved on September 9, 2017 with recommendations for changes. Since the Concept PUD Plans, the developer has incorporated many of the recommendations into this preliminary plat submittal. The most notable changes include:

- A provision for access to the south connecting the residential development to 10th Street.
- A provision for a public trail connection from 10th Street to 20th Street.
- Elimination of cul-de-sacs exceeding City ordinance.
- Additional access from 20th Street to the east neighborhood
- Elimination of 11 lots in the area east of Homestead and north of Tartan Meadows.
- Connection of the NW neighborhood to the west-central neighborhood while leaving a 100' green corridor.
- Removal of 19 lots (cul-de-sac) in the Lake Elmo shoreland in the NW portion of the site.

Zoning Map Amendment

The Tartan Park property is currently zoned PF – Public Facilities. Based on the recently approved comprehensive plan amendment, the property is now guided as Golf Course Community. The corresponding zoning district is the recently approved GCC – Golf Course Community district. In order for the development to proceed, the property needs to be rezoned to GCC to be consistent with the comprehensive plan. The GCC will be the based zoning district to which the development will be reviewed against. Subsequent to the rezoning, and with the preliminary plat, the applicant is applying for Preliminary PUD Plan approval. The PUD is an overlay zoning. With the PUD Plans, the developer is requesting some deviations, or flexibility from the GCC regulations as part of the preliminary plat and PUD submittal, which if approved will be the overlay regulations that apply to specifically to this development or PUD.

Preliminary Plat/PUD Plans

Site Data. The Royal Golf Club at Lake Elmo consists of an 18-hole golf club and a residential development of 292 single family homes over 428.06 acres. The residential portion of the development is over 231.25 acres. The lots average size is 13,499 sq. ft. with the largest lot being 38,814 sq. ft. and the smallest, 6,600 sq. ft. in size. The minimum lots size allowed in the GCC zoning district is 9,000 sq. ft.

| Total Site Area 428.0 | 6 acres |
|------------------------------|---------|
| Residential Site Area 231.2: | 5 acres |
| Outlot Area 288.7 | 8 acres |
| Right-of-Way 37.61 | acres |
| Wetlands 19.71 | acres |
| Residential Lot Area 90.49 | acres |
| Golf Course Lot Area 11.18 | acres |
| Gross Density .068 d | lu/acre |
| Net Density 1.56 d | lu/acre |

The calculation of net density is as follows:

Net Density

| Development Area | 231.25 acres |
|--------------------------------------|--------------|
| 10 th Street Right-of-Way | 2.88 acres |
| Lake Elmo Avenue Right-of-Way | 2.82 acres |
| Wetlands | 19.71 acres |
| Wetland Buffers | 9.81 acres |
| Open Water (area of easement) | 1.61acres |
| Park Trail Easement | 6.66 acres |
| Bluff | 0.85 acres |
| Floodway | |
| | |
| Net Residential Area | 186.92 acres |
| Total Number of Lots | 292 units |

Planned Unit Development Overlay. The Royal Golf development is required by the shoreland regulations to develop as a Planned Unit Development. The intent of the shoreland PUD is to allow flexibility from strict zoning provisions by allowing residential density to transfer away from the shoreland in tiers, allowing density transfer away from the DNR designated water body. The PUD allows the flexibility for this transfer of density such as allowing smaller lot sizes. PUDs can also provide flexibility from other zoning district regulations such as, setbacks, impervious surfaces, etc. The PUD zoning regulations are a negotiation intended to provide more creativity and higher quality design in exchange for the flexibility. According to the Royal Golf application narrative the developer is requesting PUD flexibility from the underlying zoning regulations:

1.56 du/acre

- 1. To allow a single driveway entrance to the clubhouse on the golf course.
- 2. To allow smaller lot sizes for some villa lots, less than the 9,000 required by zoning.
- 3. To allow impervious surfaces on some lots greater than the 30% maximum allowed by zoning.
- 4. To allow 20 foot front yard setbacks for villa lots (the underlying zoning district requires 25').
- 5. To allow the "trail" in the front yards to be 6 feet wide rather than 8 feet.
- 6. To allow R/W to be 50 feet wide for Street C for a villa enclave, rather than the 60' standard width.
- 7. To allow 4 subdivision signs rather than the 2 allowed by ordinance. The developer would also like to have up to 6 neighborhood identification to identify the villa enclaves.
- 8. To allow streets without sidewalks in two areas in the development, whereas the street standards require sidewalks on one side of the street.
- 9. To allow garages greater than 1,000 sq. ft. as a permitted use. The developer is accepting of other restrictions on garages, such as limiting the amount of garage facing a public street.

In addition to the items identified by the developer, Staff is suggesting the PUD flexibility be used to address other issues within the Preliminary Plat/Preliminary PUD Plans:

- 1. To allow an alternative to tree replacement required by the Tree Preservation Plan.
- 2. To waive some of the landscape requirements in exchange for enhanced forest management and landscape screening as needed.

Each of these is discussed further in the Staff report below. Any special overlay regulations approved by the Council will be codified within the City Council's Resolution of approval.

Shoreland Evaluation. As stated above, the Royal Golf Course development is within the shorelands of Lake Elmo, Rose, Downs and Horseshoe Lakes, requiring the development to be compliant with the City's shoreland ordinance and developed as a Planned Unit Development. The Royal Golf residential development proposes 100 units within the shorelands with 59.9% of the shoreland to be left as open space, protected by a conservation easement. The development protects steep slopes and shoreland impact zones of Lake Elmo and Downs Lake and the shoreland impact zones of Lake Rose and Horseshoe Lake will be at least 70% open space. The shorelands were evaluated according to the DNR's rules. The developer divided the shoreland into tiers based on the DNR's tier dimensions. Suitable areas were calculated by subtracting regulated wetlands and bluffs from shoreland areas. Suitable areas were divided by required lot sizes to calculate the allowable density for each tier. Proposed densities were tallied from the number of lots on the Site Plan (See Table 1). Open space was calculated by subtracting areas of street right-of-ways, residential lots, and the entry monument lot from total shoreland areas (See Table 2.)

Table 1. Overall Shoreland Density Evaluation

| Shoreland | Total Area | | Regulated | Bluffs | Net Suitable | | Required | Allowable | Proposed |
|------------|------------|-------|-------------------|----------|--------------|-------|--------------------|-----------------|----------|
| | Sq. Ft. | Acres | Wetlands (sq.ft.) | (sq.ft.) | Sq. Ft. | Acres | Lot Size (sq. ft.) | Base Density | Density |
| Lake | 1,240,208 | 28.47 | 2,057 | 39,287 | 1,198,864 | 27.52 | 15,000 | 79.9 | 21 |
| Downs Lake | 338,333 | 7.77 | 27,364 | 0 | 310,969 | 7.14 | 20,000 | 15.5 | 3 |
| Lake Rose | 1,799,640 | 41.31 | 16,443 | 0 | 1,783,197 | 40.94 | 20,000 | 89.2 | 41 |
| Horseshoe | 886,313 | 20.35 | 12,032 | 0 | 874,281 | 20.07 | 20,000 | 43.7 | 35 |
| Total | 4,264,494 | 97.90 | 57,896 | 39,287 | 4,167,311 | 95.67 | | 228.3 | 100 |

Table 2. Overall Shoreland Open Space Calculation

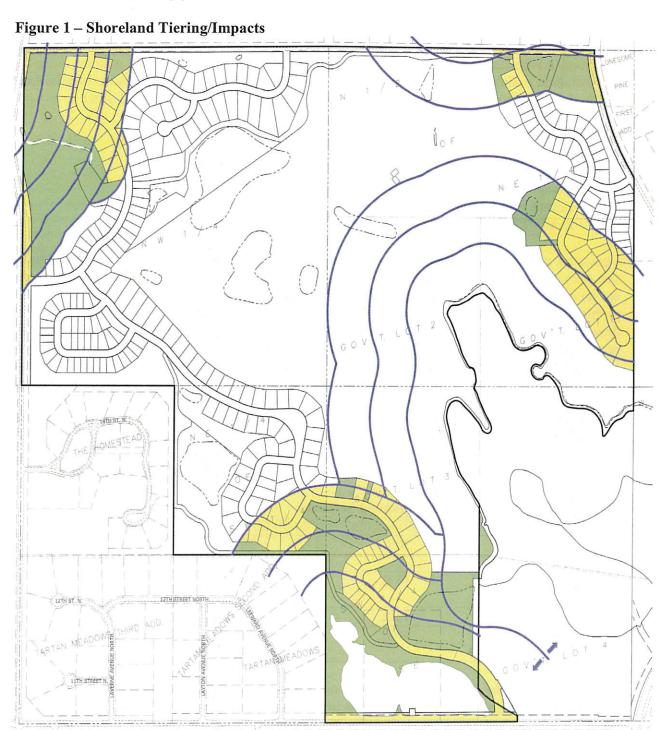
| | | Not Ope | en Space | Net | % Open Space | |
|----------------|---------------------------|------------------|--|---------------------------|-----------------|--|
| Shoreland | Total Area (sq.ft.) | Lots (sq.ft.) | Street Right-of- Way (sq.ft.) | Open Space (sq.ft.) | | |
| Lake Elmo | 1,240,208 | 317,994 | 179,618 | 742,596 | 59.9 | |
| Downs Lake | 338,333 | 27,048 | 78,225 | 233,060 | 68.9 | |
| Lake Rose | 1,799,640 | 506,747 | 377,169 | 915,724 | 50.9 | |
| Horseshoe Lake | 886,313 | 507,334 | 117,552 | 261,427 | 29.5 | |
| Total | 4,264,494 | 1,359,123 | 752,564 | 2,152,807 | 50.5 | |

Since the Concept phase, the developer has (see Figure 1):

- reduced the overall shoreland density from 111 to 100 single-family lots, resulting in a PUD that has only 44% of the allowed residential density;
- Removing 10 residential lots and the related street from the Lake Elmo shoreland to increase protection of steep slopes, open space, and natural communities;
- Increased the open space proportion of the Lake Elmo shoreland from 49.8 to 59.9%;
- Improved street connectivity and community connectivity in the Lake Elmo and Downs Lake shorelands;
- Decreased the residential density of the Downs Lake shoreland from 7 to 3 residential lots and increasing the open space proportion of the Downs Lake shoreland from 52.3% to 68.9%;
- Refined the residential design of the Lake Rose shoreland to reduce the depth of selected lots and increase the open space; and
- Removed the narrow ribbon of open space previously proposed along the shoreline of
 Horseshoe Lake on the golf course portion of the development from the calculation, yet
 still exceeded the minimum requirements.

The DNR allows the required open space to preserved across the entire shoreland area and not specific to any single shoreland within the development. The development barely meets the minimum shoreland openspace requirement, however, the developer has exceeded the required open space in the most pristine shoreland of Lake Elmo, protecting the trees, slopes and desireable wildlife corridor. The development exceeds the minimum 50% open space

requirement in all but the Horseshoe Lake shoreland which brings the average down. The Horseshoe Lake, Downs Lake and Rose Lake shorelands all have very degraded woodlands and much of which is existing golf course.



Lot Sizes. The lots within the development will have a range of widths and lengths with the villa lots being the smallest, and the custom-built golf course lots being the largest. Typically, the villa lots will have two different sized lots, 55 ft. wide and 65 ft. wide. The average lot size is 13,499 sq. ft. with the largest lot being 38,814 sq. ft. and the smallest, 6,600 sq. ft. in size. The minimum lots size allowed in the GCC zoning distict is 9,000 sq. ft. Although some of the villa lots are less than 9,000 sq. ft. in size, it is the intent of the shoreland PUD to allow density to tier away from the shoreland transferring this density. Therefore, the smaller lots are consistent with the intent of the shoreland ordinance and the purpose of the shoreland PUD. On average the residential lots within the development exceed the minimum requirements of the GCC Zoning District.

GCC District Setbacks. The GCC zoning district establishes setbacks as:

Front – 25 feet House side – 10 feet Garage side – 5 feet Corner side-15 feet Rear – 20 feet

Consistent with the other urban districts, the City allows the side yard setbacks to be averaged such that each side has a minimum 7.5 feet in lieu of the 5 ft. / 10 ft. side yard setbacks provided there are no encroachments into drainage and utility easements. The 7.5 ft. setback have proven to be problematic for builders planning for egress windows in basements in some instances. The developer/builder will need to be aware of the "no encroachment" policy. The developer is requesting PUD flexibility to allow the front setbacks for proposed homes with some villa lots to be 20 feet from the front property line in instances when the garages are side-loaded and not facing the public street. Staff is comfortable with the request, because with a side loaded garage, there should be adequate space in the driveway to allow a car to be parked without encroachment into the public right-of-way, provided the garages are adorned with windows or other architectural features are part of the architecture for sides of garages facing the public R/W.

The proposed Royal Golf Club PUD proposes the following setbacks for their development:

Royal Golf Club at Lake Elmo Planned Setbacks

| | 100 Ft. Wide Lots | 80-90 Ft. Wide Lots | 55-65 Ft. Wide Lots |
|-------------|-------------------|---------------------|------------------------|
| Front | 30 ft. | 30 ft. | 20 ft. for side loaded |
| | | | garages, or 25' |
| Side | 15 ft. | 10 ft. | 7.5 ft. |
| Corner Side | 15 ft. | 15 ft. | 15 ft. |
| Rear | 30 ft. | 30 ft. | 20 ft. |
| | | | |

For the most part, the Royal Golf Club's planned setbacks exceed the setbacks in the GCC zoning district. As is typical, some encroachments into the side setback will be allowed for bump-outs, egress windows, and eaves, as defined by the Code, but in no case will the encroachment be allowed in the drainage and utility easements. The developer and builders will need to plan accordingly.

Impervious Surfaces. The allowed impervious surfaces within the GCC district is 30% of the lot area. This is consistent with the impervious surfaces allowed per lot within the shoreland. The developer is unsure as the actual impervious surface amount that will be needed, but they anticipate it will need to be greater on the smaller villa lots. The developer is requesting PUD flexibility for an increase in the impervious surface maximums for the villa products, up to 40% impervious, consistent with the LDR zoning. Staff supports this request and recommends approval of a 40% impervious for the smaller villa lots within the development.

Sidewalks. The City's standard street detail requires a 6 ft wide public sidewalk be constructed on one side of any public street and to accommodate a sidewalk, the standard right-of-way width is 60 feet wide. The developer is requesting PUD flexibility and has identified several areas where they wish to forgo the public sidewalk requirement. The areas are:

- Along Street C -The developer has proposed a 50 foot right-of-way for this street which limits the ability to construct a public sidewalk. According to the developer, the right-ofway was narrowed from 60 feet to 50 feet to increase the buffer along the east edge of the development and to preserve trees. This request would impact 18 lots that front on the Street.
- Along Street K cul-de-sac. The cul-de-sac is short and the request would impact 9 lots. The right-of-way is 60 feet wide and is adequate right-of-way to install a sidewalk.
- Along the cul-de-sac end of Street A. This request would impact 10 lots. There is adequate right-of-way proposed to accommodate a public sidewalk.
- Along Street H This request would impact 17 lots. There is adequate right-of-way to accommodate a public sidewalk. The street is very curvilinear which also makes for poor site-lines and a perceived narrowing of the street.

In general, staff is not supportive of the elimination of the public sidewalk requirement on any of the above streets; except for Street C; the developer has provided a narrower right-of-way in order to maximize lot creation in an area squeezed between the planned golf course and the property boundary. Staff is willing to compromise by allowing Street C to be constructed without a sidewalk.

Garages. The GCC district allows a 1,000 sq. ft. maximum for an attached garage and larger with a conditional use permit. The developer is seeking PUD flexibility from this requirement as they anticipate many homes will have 4-stall garages. The developer feels the additional garage area is necessary as many of the homes will have golf carts to shelter in addition to cars. This increase will not increase the amount of garage face to house face allowed. The developer intends to comply with the requirement that the garage door will not exceed 60% of the principal building façade fronting the primary street. Staff is agreeable to this request provided that the lot coverage requirements are complied with and that an upper limit be established. Staff recommends an upper limit of 1,300 sq. ft.

Buffers. The GCC district regulations require a minimum 100 ft. buffer from external residential lots within the City of Lake Elmo residential properties. The proposed development exceeds this requirement. The locations where the development is closest to adjacent residential lots are as follows:

Lot 6, Block 9 is 310 ft. to the nearest Tartan Meadows lot
Lots 4-7, Block 10 are 100 ft. to the nearest Tartan Meadows lot
Lots 6-14, Block 14 are 150 ft. to the nearest Homestead lot
Lot 13, Block 17 and Lot 1, Block 18 are 100 ft. to the nearest Schwartz Martinco Addition lots.
Lot 1, Block 2 is 190 ft. from the Eden Park 2nd Addition Lots

Parks and Trails. The City's park dedication ordinance, Section 153.14 requires parkland dedication, up to 10% of the development area, or a park dedication fee in lieu of park land. The golf course portion of the development is essentially unchanged from a land use perspective; it remains a golf course, so it is being excluded from the park dedication requirements. The Parks Commission reviewed the Royal Golf development and recognizes the golf course provides a significant recreational amenity that will serve this future development. In previous meetings discussing the development, the Commission discussed the need for a playground in the development, but that the need could be fulfilled by an HOA facility. The developer is considering an HOA tot lot for Outlot R, although no specific equipment or design for Outlot R has been provided. The Parks Commission endorsed the north-south trail corridor through the development including the short segment that will be within the front yards of Lots 4-12, Block 16 (9 lots). The Commission was asked whether the trail segment should be 6 ft. or 8 ft. wide and the consensus was that it should be 8 ft. wide, or that the trail segment might be located on-street (the developer is requesting 6 ft. wide trail per PUD flexibility). This trail segment has been located on the rightof-way because of severe topography and the desire to save trees. Except for in the right-of-way in front of these 9 lots and in the Street D right-of-way south of Outlot T, the developer is proposing dedicating 6.65 acres of park land within Outlots B and T. Typically, the city requires a 30 ft. wide park area centered on the trail. The proposed trail dedication area is not centered on the trail in some areas and it includes areas of wetland buffer. A six foot mow strip should be maintained along all public trails. Staff recommends that the parkland dedication be given for only a 30 ft. wide corridor centered on the trail, but not including any area that is wetland or wetland buffer.

The developer will also be constructing the trail with each corresponding phase of the development. The phasing of trail construction needs to be clarified. The trail corridor park land dedication and the cost of constructing the public trails will be deducted from any fees in lieu of park land dedication. As allowed by ordinance, the City will be hiring an appraiser to determine the market value of the development land for the purposes of determining the park dedication fee. The cost of the appraisal shall be paid by the developer as per City Ordinance.

The City/County Comprehensive Trails Plans show the need for trails along 10th, 20th and Lake Elmo Avenue. The trails within the development are intended to provide the access along 20th and Lake Elmo Avenue as it is unclear whether trails could be provided along these collector roadways without significant impact to existing trees and without significant grading and stormwater impacts. Washington County is not requesting any dedication for trails, nor requiring any trails. The developer will also be widening the 20th Street shoulder to accommodate the need for bike and pedestrian access to the roadway.

In addition to the public trails on the site, there are roughly 2 miles of HOA owned nature and exercise trails in the northwest corner of the site, Outlot DD, that remain from the former Tartan Park.

Open Space. The shoreland ordinance requires shoreland PUDs to set aside a minimum of 50% of the shoreland area as protected open space. The Royal Golf development proposes to set aside 2,152,807 sq. ft., or 49.42 acres (50.5%) of the shoreland within the residential portion of the site as protected open space. In addition to the shoreland open space the plat will include 182 acres of golf course area (Outlots C and D) and outlots containing wetlands, wetland buffers, easements and landscape outlots. The total combined open space on the site is 288.60, which represents 67% of the plat area.

Restrictive Covenants. The development will be encumbered by a number of restrictive covenants for the benefit of the residents including architectural guidelines, use restrictions, exterior storage requirements, vehicle parking (RV, etc). In addition, the open space within the shoreland is required to be protected with a conservation easement. The developer is proposing to develop the HOA documents incorporating any concerns that might arise during the development review process and submitting them prior to final plat for approval.

Subdivision Signs. Section 154.212 allows a maximum of 2 subdivisions signs per residential development with a maximum sign area of 24 sq. ft. per sign. The developer is requesting PUD flexibility from this regulation in order to allow four subdivision signs. In addition to the subdivision signs, the developer would like to install up to 6 neighborhood markers to identify the villa enclaves within the development. These neighborhood markers will consist of 2 ft x 2 ft pillars with the Royal Golf Course Logo and the name of the neighborhood. The development is unique due to its size and the number of access points onto adjacent collector roadway, therefore, Staff believes the request for flexibility has merit. The subdivision signs would be located at the intersection of Street a and 20th Street, at the Clubhouse entrance, at Lake Elmo Ave, and another about 600 feet north of the south entrance on Street D.

Streets. The Royal Golf development is proposing new streets A-I. The streets are all proposed to have the standard 60 ft. right-of-way width with the exception of Street C on the east side in the villa area, and near entrances to accommodate landscaped islands, and turnlanes. The City's Engineering Standards show a standard street right-of-way to be 60 feet wide to accommodate a six foot sidewalk on one side, a 28 ft wide back-to-back paved surface, and street trees, all with proper setbacks from each other for safety and maintenance considerations. The developer is requesting 50 ft. wide rights-of-way for Street C without a sidewalk on one side. The need for right-of-way width is determined by the improvements being installed in the right-of-way. If no sidewalk is required, then a 50 foot right-of-way is sufficient. The City Engineer has identified issues related to street width to accommodate landscaped medians, trails and turnlanes near the development entrances. The developer will also need to update the Typical Street Sections in the preliminary plat submittal to accurately depict the proposed street right-of-ways in the development.

Street Parking. All streets within the development are proposed to be 28 feet wide, back to back, except where lanes are separated by a median. Other than where there are medians, the 28 foot wide streets will accommodate parking on both sides of the street.

Street Names. The developer is proposing a unique theme for street naming within the development as allowed in the most recent update to the City's street naming ordinance. Staff has reviewed the proposed street names and finds them to be consistent with the ordinance.

Architecture. The Royal Golf Course residential development contemplates a range of single family homes providing a range of lifestyle choices and price points, from HOA maintained villa products to high-end custom homes. The villas are in 5 different neighborhood areas, 3 on the west side of the golf course and 2 on the east. The villa homes are anticipated to have 1,800-2,000 sq. ft. of floor area on the main level and full basements. The neighborhood toward the south of the development is intended to have a new housing type for "new families on the go" that will be two stories, but HOA maintained. The developer has suggested that there will be an architectural review committee that will approve all house plans in accordance with a prescribed set of architectural guidelines including 4-sided architecture, minimum roof pitches and materials, wrapped windows and doors, Hardie-board siding and Anderson Windows. The developer anticipates up to 7 custom builders for the traditional homes and 2-3 for the villas.

Tree Preservation. The developer has submitted a tree preservation plan as required. The tree replacement plan is based on individual surveyed trees and areas where tree density and type are determined by random tree plots. Staff reviewed the tree plots and has determined the methodology to be consistent with City Code. Staff has also reviewed the grading for the site to determine whether grading the site differently, for instance, creating lookout lots rather than walkout lots to save trees. The developer has already done a relatively decent job determining the types of homes for each lot to minimize grading and tree removal. All the lots will be custom graded with the hope of minimizing tree loss during the building permit stage of the project. The Developer is interpreting the development as a "mixed-use" development in order to use the tree Staff has interpreted the City code such that the replacement for required landscaping. development is not a mixed use development (commercial/residential), but rather it's essentially an open space/recreation/residential development. The commercial aspect of the clubhouse is accessory to the golf course. This interpretation is consistent with the City Attorney's interpretation (see attached email). Furthermore, the due to the quantity of forest on the site, it is has been difficult for the developer to develop the site without significant tree removal. The tree replacement has become an issue because it is difficult to find suitable placement for all the required trees. Staff is recommending PUD flexibility from the tree preservation ordinance such that the developer receives some credit for forest management and establishment of pollinator friendly native seeding. In the northwest portion of the development, there exists a mature oak forest, however, the understory has been increasingly choked out by invasive specifies. By managing the understory, removing buckthorn and other species, and introducing native grasses, the forest will likely be able to regenerate and result in a more sustainable landscape than simply requiring tree replacement trees.

Landscaping. The developer has submitted preliminary landscape plans as required; however, until the tree preservation requirements are established, it is difficult to determine the overall landscape requirements.

Landscape Walls. Throughout the development, the developer has proposed landscape walls to control grades. These walls cross residential property lines and HOA property and some are shown

within public rights-of-ways and City outlots. Staff recommends that any walls that cross residential property lines or residential property lines and HOA property be owned and maintained by the HOA. Staff also recommends that the walls shown within City Outlots and Rights-of-way be moved to HOA owned outlots, or maintained by the HOA.

Golf Cart Friendly Neighborhood. Central to the developer's golf course community concept is to have all of the development accessible by golf cart. According to the developer, they would like to have golf carts be allowed on internal public streets and the off-street trails that connect the neighborhood to the club house, some of which are to be public trails. No golf cart access is proposed for sidewalks, or trails that do not connect to the clubhouse. The city's current ordinances do not allow for the use of golf carts on public streets or trails. The developer is interested in pursuing an ordinance that would permit such use on public streets and trails, often referred to as a "slow moving vehicle ordinance"

Emerson Property and 10th Street Access. The access to 10th Street was achieved through negotiation with Terry Emerson, the property owner to the south-east. The negotiated agreement will result in a land swap with Outlot P being transferred to Mr. Emerson in exchange for the Street D access onto 10th Street and Outlot N. Mr. Emerson has granted permission to have this portion of his property to be included in the preliminary plat with his signature on the preliminary plat application. Access to 10th Street should be a condition of preliminary plat.

Development Phasing/Grading Phasing. The developer is planning to begin the first phase of the development on the east side along with a small portion in the south-west corner of the development. All of the first phase utilities will be contained in Phase 1 except for a sewer force main along 10th Street and its intersection with Lake Elmo Ave and a watermain along the south side of 20th Street to its intersection with Lake Elmo Ave. The grading phasing is being driven by the need to provide public sere and water to the clubhouse within 2 years of its opening, which is expected to be the summer of 2017. The pace of the phasing will be determined by market demand, but future phases are expected to proceed from the from the south-west corner to 20th Street. Further discussions related to phasing are needed with such a large development as it pertains to public infrastructure such as streets, utilities and trails. The approximate timing of phasing is:

Phase 1, 2017 Phase 2, 2019 Phase 3, 2021 Phase 4 – 2023

Grading, Stormwater Management and Storm Sewer System Improvements. The City Engineer provided comment on the grading, stormwater management and storm sewer system improvements and raised a number of issues that may require changes to the preliminary plat (See Engineer's report dates March 8, 2017) including:

• Pond 60 on Outlot V Pond 60 on Outlot V proposes storm water ponding over the existing dual gas pipeline and easement area. It is the City's understanding that this improvement will not be allowed as proposed and if allowed would pose undue maintenance and ownership burden on the City. The plans should be revised to remove this encroachment or the applicant must provide written correspondence to the City from the gas main utility owner stating that the proposed improvements are acceptable as proposed including no ongoing maintenance restrictions to the City.

• Revisions to the Preliminary Plat may be required for the plat to obtain VBWD and State stormwater permit approvals.

Sewer Utility Lift Stations. Outlots M, N and EE do not appear to be adequate for City owned/maintained lift stations. Preliminary Plat approval should be contingent upon expanding Outlots M, N, and EE, or otherwise revising the Preliminary Plat/Plans to the City's satisfaction such that the proposed sanitary lift station sites are acceptable to the City's lift station consulting engineer and Public Works staff.

Outlots.

- Outlots E, H, M, N, V, W, AA, EE, GG and HH contain stormwater ponds, infiltration basins, sanitary lift stations and utility easement and should be dedicated to the City with the plat.
- Outlots B and T contain public trails and should be dedicated to the City for parkland with the plat (see parkland dedication).

Transportation Improvements. The City Engineer's report dated March 8, 2017 includes the following review comments related to required right-of-way dedication and improvements for transportation:

- 40 feet of R/W is being dedicated along the entire length of 20th Street.
- 50-55 ft. of R/W is being dedicated along Manning Trail North within the city limits.
- An additional 17' of right-of-way is required along 10th Street north.
- Turnlane improvements are required at Street D and Street E at intersections with County roads meeting Washington County standards and paid for solely by the developer.
- The City requires right turnlanes meeting City State Aid design standards along 20th Street North at Streets E, J, A, the golf course entrance and Manning Trail to be paid for soley by the developer. No turnlanes are required at the Manning Trail/Street B intersection.

HOA Fitness Center. Near the golf course clubhouse, on the west side of the parking lot on Lot 2, Block 1, the developer has proposed a private fitness center and swimming pool that will be HOA owned and maintained. The fitness center is a conditional use, so prior to any construction; a conditional use permit will be required. Access to the lot will utilize the clubhouse entrance drive and parking lot. A cross access easement will be needed between the clubhouse and HOA to ensure access to the property which will be under different ownership than the golf club.

Golf Course Amenities.

• Cottages. The developer and owner of the golf club has suggested that there may be up to four "cottages" to be located to the east of the golf club parking lot on what is labeled as Lot 3, Block 1. Based on images provided of cottages found on other golf courses outside the city, the cottages will be more or less entertainment homes for the private use of the golf club owners and guests. The use in the GCC zoning district will be regulated as Semi-Transient Accommodations, which are an accessory conditional use. Because they use is allowed only as an accessory to the club house, the clubhouse and the cottages need to be on the same platted lot. The preliminary plat will need to be revised such that Lot 1, Block 1 and Lot 3, Block 1 are combined. Staff believes this is important so that once constructed the cottages remain under ownership of the golf club and cannot be sold off separately.

- Clubhouse and Access. The former 3M Tartan Park clubhouse is presently being renovated. The renovation began prior to the platting process. The renovated club house uses will remain essentially the same and will include a restaurant and pro-shop. An intensification of the site or use will require a conditional use permit. Access to the clubhouse is via a single driveway; the secondary entrance was displaced by residential development. The City code requires two entrances. The developer has modified the single entrance by introducing an island which divides the drivelanes. The Building Official and Fire Chief Staff have no objections to a single entrance as the clubhouse will be have fire suppression sprinklers installed. Staff is therefore recommending flexibility to the requirements to allow a single entrance to the clubhouse.
- Golf Course. The former 3M Tartan Park golf course was a 27-hole facility that is being transformed into an public 18-hole facility with a driving range. The developer has suggested that there will also be a small par 3 youth course. During the concept phase, the developer indicated that this course would be open to the public for no charge. The excess land being developed into the residential development.
- Maintenance Building. The former 3M Tartan Park golf course maintenance building will remain in its current location and purpose and is shown to be located on Lot 1, Block 1.
- Parking. The parking for the clubhouse will serve the clubhouse restaurant, proshop, golf course, HOA fitness center and cottages. At present, no additional parking has been provided or planned for other than what existed with the former 3M Tartan Park clubhouse. With any expansion to the clubhouse, cottages, or fitness center, a conditional use permit will be required and the need for parking will be evaluated among other items. A cross access easement will be required between the HOA and the club house owners to ensure access to both over the clubhouse entrance drive and parking lot.
- HOA/Clubhouse Trails. There are trails owned by the golf course and trails owned by the HOA. A cross access easement is needed between the HOA and the golf course to allow the HOA to access the clubhouse over the trails.

PRELIMINARY PLAT RECOMMENDED CONDITIONS OF APPROVAL

Staff recommends the Planning Commission recommend approval of the preliminary plat and preliminary PUD plan approval with the following suggested conditions:

- 1. That cross access easements be recorded between the owner of the golf course/golf club and the HOA to permit HOA and resident access to the future fitness center, clubhouse and other amenities by the HOA residents over the clubhouse entrance drive and parking lot and trails.
- 2. That the preliminary plat be revised such that the Lot 1, Block 1 and Lot 3, Block 1 are combined into a single lot.
- 3. That the preliminary plat be revised such that Lot 1, Block 1 has frontage onto 20th Street without crossing through the public park on Outlot B.
- 4. Any expansion to the Royal Golf Club clubhouse or intensification of its use shall require a conditional use permit.

- 5. That there shall be no encroachments to drainage and utility easements on residential lots other than those reviewed and approved by the City Engineer and upon execution of an easement encroachment agreement.
- 6. That the developer prepare an exhibit that clearly identifies the proposed setbacks for specific lots within the development.
- 7. That the PUD overlay zoning allow for the following:

a. Setbacks:

Royal Golf Club at Lake Elmo Setbacks

| | 100 Ft. Wide Lots | 80-90 Ft. Wide Lots | 55-65 Ft. Wide Lots |
|----------------|-------------------|---------------------|--|
| Front | 30 ft. | 30 ft. | 20 ft. for side loaded garages, or 25' |
| Side | 15 ft. | 10 ft. | 7.5 ft. |
| Corner Side | 15 ft. | 15 ft. | 15 ft. |
| Rear | 30 ft. | 30 ft. | 20 ft. |

- b. Maximum Impervious Coverage: The maximum impervious coverage for 55-65' wide lots shall be 40%. All other lots shall have a maximum impervious coverage of 30%.
- c. Lot Sizes: The minimum lot size for Villa lots (55-65' wide) in the development shall be 6,600 sq. ft.
- d. Attached Garages: That attached garages shall not exceed 1,300 sq. ft. in area at the ground floor level except by conditional use permit. The width of the visible garage door area when closed shall not exceed 60% of the principal building façade (including garage) fronting on the primary street.
- e. Subdivision Identification Signs: the Royal Golf Club at Lake Elmo residential subdivision shall be allowed up to a maximum of 4 subdivision identification signs, including the identification sign for the golf course entrance, not to exceed 24 sq. feet in sign area each, located no closer than 10 feet to any public right-of-way. In addition neighborhood identification markers (pillars) shall be permitted to be no larger than 2 ft. x 2 ft. to identify the development logo and the name of the neighborhood.
- 8. Prior to the execution of a Final Plat for any phase of the development by City officials, the Developer shall enter into a Developer's Agreement for that phase 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.
- 9. Each phase of the Royal Golf Club at Lake Elmo shall be incorporated into the Common Interest Agreement concerning management of the common areas and establish a homeowner's association which shall be submitted in final form to the Planning Director

- before any building permit may be issued for any structure in any phase of the development. Said agreement shall comply with Minnesota Statues 515B-103, and specifically the provisions concerning the transfer of control to the future property owners. The HOA documents shall include required maintenance of wetland buffers.
- 10. That the HOA documents include architectural requirements that require 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features.
- 11. The applicant shall enter into a landscape license and 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 for each platted phase of the development.
- 12. That the HOA be responsible for the maintenance of all landscape walls that cross residential property lines or publicly owned Outlots or rights-of-ways, and that the walls be contained within a landscape easement.
- 13. The developer shall provide for an HOA owned and maintained children's play structure or other similar improvement on Outlot R as discussed by the developer during the PUD concept review.
- 14. That a fee in lieu of park land dedication be paid to the City based upon an appraisal by an appraiser to be chosen by the City and paid for by the developer. Also that a 30 ft. wide trail corridor be dedicated to the City centered on public trails in the development and that the value of the dedicated land be credited toward any fees in lieu of parkland dedication. The park land dedication shall not include wetlands, wetland buffer area, and no credit will be given for land beyond the 30 ft. centered on public trails. And lastly, that the cost of constructing any public trails within the dedicated park land be credited towards any fees in lieu of park dedication.
 - a. Outlots B, and T shall be dedicated to the City as parkland for trails.
- 15. That the PUD Plans provide an 8 ft. public trail (concrete or bituminous) in the right-of-way in front of Lots 4-12, Block 16.
- 16. That a trail phasing plan be submitted by the developer to be approved by City Staff and that the public trails be constructed within each phase prior to building permits being issued for that phase of development.
- 17. That a 10' wide trail segment be provided from Street D to the east edge of the plat within the County Right-of-Way.
- 18. That a sidewalk be provided on one side of every street in the development with the exception of Street C.
- 19. That the Tree Preservation Plans and Preliminary Landscape Plans be updated to comply with the City's tree preservation requirements and the City's landscape requirements for review and approval by the City prior to recording the final plat.

- 20. The developer shall provide woodland management and pollinator friendly native seeding in lieu of some required tree preservation replacement tree requirements as recommended by the City's Landscape Architect.
- 21. All changes and modifications to the plans requested by the City Engineer in the Engineer's report dated, March 8, 2017 shall be incorporated into the preliminary plat and PUD plans.
- 22. The Preliminary Plat approval is conditioned upon the applicant meeting all City standards and design requirements unless specifically addressed otherwise in this resolution.
- 23. The developer shall comply with all comments identified within the Washington County letter dated March 6, 2017, including providing an additional 17 feet of right-of-way along 10th Street N. and constructing turn lane improvements meeting Washington County standards at the developer's sole expense.
- 24. The applicant shall provide evidence that all conditions attached the Valley Branch Watershed District permit for the final plat and associated grading work have been met prior to the commencement of any grading activity.
- 25. That all openspace within the shorelands be protected with a conservation easement and that conservation easements be provided for review by the City Attorney and to be executed prior to final plat approval.
- 26. That golf carts shall be prohibited on city streets and city trails unless specifically allowed by City Ordinance.
- 27. Prior to the issuance of building permits all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City.
- 28. The applicant must provide the city a letter of approval to perform the proposed work in the gas pipeline easement within the development area as a condition of preliminary plat approval.
- 29. Prior to the construction of any subdivision identification signs or neighborhood markers within the development, the developer shall submit sign plans for review and obtain a sign permit from the Planning Department.
- 30. That the preliminary plat be updated to include street names that are consistent with the City's street naming ordinance and approved by the City Council.
- 31. 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 appropriate watershed districts prior to the commencement of any grading or development activity on the site.
- 32. The developer shall enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and PUD 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.
- 33. The developer 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.
- 34. That approval of the preliminary plat be contingent on Street D access to 10th Street.

RECOMMENDED FINDINGS FOR REZONING:

1) That the rezoning is consistent with the comprehensive plan

RECOMMENDED FINDINGS FOR PRELIMINARY PLAT/PRELIMINARY PUD:

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Royal Golf Club at Lake Elmo preliminary plat and PUD plans:

- That the Royal Golf Club at Lake Elmo PUD General Concept Plan was approved by the City on September 6, 2016 and the submitted Preliminary Plat and Preliminary PUD Plan is consistent with the approved PUD General Concept Plan.
- That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan generally comply with the City's GCC - Golf Course Community zoning districts as modified by the PUD regulations.
- That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan comply with the City's subdivision ordinance.
- That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan comply with the City's Planned Unit Development Regulations.
- That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan comply with City's Engineering Standards, except where noted in the review memorandum from the City Engineer dated March 8, 2017 and modified by the PUD regulations.
- That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan comply with other City zoning ordinances, such as landscaping, tree preservation, shoreland, and erosion and sediment control, except as noted in this staff report review memorandum from the City Engineer dated March 8, 2017.
- That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan achieve multiple identified objectives for planned developments within Lake Elmo.

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval of the 1) Rezoning of the former 3M Tartan Park properties from PF – Public Facilities to GCC – Golf Course Community with the following motion:

"Move to recommend approval of the rezoning of the Royal Golf Course Development properties from PF-Public Facilities to GCC-Golf Course Community based on the findings identified in the Staff report."

Staff recommends the Planning Commission recommend approval of the Preliminary Plat and Preliminary PUD Plans for the Royal Golf Club at Lake Elmo with the following motion (this item cannot be approved by the Council until the Metropolitan Council approves the comprehensive plan amendment):

"Move to recommend approval of the Preliminary Plat and Preliminary Planned Unit Development Plans for the Royal Golf Club at Lake Elmo with 33 conditions based on the findings identified in the Staff report."

ATTACHMENTS:

- 1. Application Narrative
- 2. Preliminary Plat
- 3. Tree Preservation Plans
- 4. Preliminary Landscape Plan
- 5. Phasing Plan
- 6. Shoreland Evaluation
- 7. City Engineer's Report, dated March 8, 2017
- 8. Washington County's Report, dated March 6,2017
- 9. Street Names Exhibit
- 10. Concept Plan Staff Report



City of Lake Elmo Planning Commission Meeting Minutes of March 13, 2017

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

COMMISSIONERS PRESENT: Kreimer, Dodson, Dorschner, Emerson, Larson, Williams,

Lundquist and Hartley

COMMISSIONERS ABSENT: Fields

STAFF PRESENT: Planning Director Wensman and City Administrator Handt

Approve Agenda:

M/S/P: Dodson/Williams, move to approve the agenda as presented, Vote: 7-0, motion

carried, unanimously.

Approve Minutes: January 23, 2017

M/S/P: Dodson/Larson, move to approve the January 23, 2017 minutes as presented,

Vote: 7-0, motion carried unanimously.

Approve Minutes: February 27, 2017

M/S/P: Williams/Lundquist, move to approve the February 27, 2017 minutes as

amended, Vote: 4-0, motion carried unanimously.

Public Hearing - PUD Concept Plan - Lakewood Crossing 2nd

Wensman started his presentation regarding the Lakewood Crossing 2nd Addition PUD Concept Plan. This will be a 3 lot subdivision on 3.82 acres. The proposal is for a full service restaurant, chiropractic and other retail activities. This property is currently vacant but is guided for commercial. This PUD Concept Plan is intended to be intended to provide the applicant guidance so that they can adjust the proposal if necessary. The PUD will give flexibility to maximize the use of the property when straight zoning does not work. There is a requirement that 20% of the project area be open space. There are no open space calculations which must be provided. Lot dimensions and Bulk requirements are largely met, but flexibility is being requested for the following 1) minimum lot width 2) Impervious surface 3) Parking setbacks.

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There are some deviations from the commercial design standards. Some of the standards do not apply to this site and the unique shape of the lot make some of them a challenge. There is not much landscaping proposed, especially along the exterior streets. Most of the review comments come from engineering and have to do with traffic and access management. Hudson Blvd is a main collector and there is spacing limitations to 660 feet spacing for full access intersections. That would put the West access in the Ebertz property. The City is suggesting working with the Ebertz to develop together.

There are 18 recommended conditions of approval including meeting all engineering comments, a comprehensive sign plan, open space calculations, amended landscape plan to meet city standards, financial security, obtain necessary permits, etc.

Kreimer asked if this could be done with one entrance or if there would need to be two for safety. Wensman stated that to his knowledge there would not need to be two, but should be run by the fire chief and city engineer.

Williams asked why there would be no deed restriction on the shared parking as part of this as it states it is at the time of sale. Wensman stated that there should be a cross access agreement with the plat, not at time of sale.

Hartley asked if the city engineer reviewed this for drainage. Wensman stated that at the concept plan, they are looking at the bigger picture and the issue is the access management.

Kreimer asked why this property would need to provide the sewer and water. Is it not in Hudson Road? Wensman stated that the sewer access does not extend all the way down to Ebertz property.

Bruce Miller, CM Properties, they are building on speculation and hope that the businesses will come. They are asking for some flexibility from the code so that they can bring a much more quality development forward. The drive through component is a CUP in the Commercial code through the PUD process and they would like to get those approvals now so that they can market to those types of businesses with confidence. He feels that the allowed signage is limiting and signs would be difficult to see. They have been working on some signage proposals for a comprehensive sign plan. Miller stated that rather than the 20% open space required with a PUD, he is proposing upgraded architectural features. He is confident that there will be enough parking. It is to there benefit to make sure there is adequate parking to meet the needs of their tenants.

Hartley asked about a shared driveway on the West side with the Ebertz. Miller stated that the first phase would not need the second access point unless the fire chief

requires it. He stated that he does not control the Ebertz property, but he is willing to give them an easement for access.

Public Hearing opened at 7:52 pm

No one spoke and there were no written comments

Public Hearing closed at 7:52 pm

Williams feels that this is a good development and good for this spot. He does have concerns about the access spacing, traffic flow for all the drive thru and parking needs to be more detailed. The offsets to open space he is willing to discuss, but needs to be convinced with more details of landscaping and architectural design. Dodson agrees with Williams and would like to see an agreement worked out with the property owner to the West. There was discussion regarding concern with the traffic flow of the drive thru. Kreimer would like to see a couple of islands in the center of parking lot to break it up a little bit. He is also concerned about the turn radius for the multiple drive-thru and is concerned about the access spacing.

Lundquist thinks this will be a great addition to the community and she is not concerned about the drive-thru radius. Hartley is uncomfortable permitting some of these activities without knowing what the actual use or scale will be. He would like to see them as Conditional Use Permits as the use comes in. Kreimer would like to add condition #19 that the applicant shall be limited to 4 drive thru accesses and 2 of these must be low intensity uses. Miller stated that the approval or denial for a drive thru would impact how you lay out the site and construct the building. Dodson is wondering if the design of the buildings limits what types of businesses would go in there. Miller stated that the design would dictate what types of businesses would go in there.

Williams is wondering if with the next phase the developer could give them information regarding the drive thru traffic. Hartley stated that the drive thru traffic could be part of the parking space analysis.

M/S/P: Dodson/Williams, move to add condition of approval #19 that an analysis be done on the drive thru traffic volume, including any impact on the parking areas as well as the secondary access and overall development, *Vote: 7-0, motion carried unanimously.*

Dorschner feels that this would be self-managing as businesses will pick a location that will accommodate their needs. He doesn't see the concern with the parking as this development doesn't seem any more dense than in other communities. Lundquist agrees. She sees the traffic going around with a flow.

M/S/P: Dorschner/Lundquist, move to recommend approval of the Lakewood Crossing 2nd addition PUD Concept Plan with the 19 conditions of approval as drafted by staff and amended by the Planning Commission, based on the findings of fact listed in the staff report, *Vote: 7-0, motion carried unanimously.*

Williams would like a friendly amendment to #14 that the word "for" be inserted at the beginning of the sentence. This friendly amendment was accepted. Wensman suggested that for condition #17, the first part of sentence should be struck and it should read "a deed restriction that guarantees access to the parking for all uses must be submitted." This friendly amendment was accepted.

Public Hearing – Final Plat and PUD Plans – Inwood 5th Addition

Wensman started his presentation regarding Inwood 5th Addition final plat and PUD Plans. This is the last addition of the residential portion of the development. This is a replatting of Outlots A, B, F and G of Inwood 3rd Addition. They are proposing 101 Single family lots. In 2014, Washington County conducted a Preliminary Plat review and requested an additional 32 ft of ROW from future 10th Street improvements. This condition was a condition of approval documented in several locations. It is in the 2014 Preliminary Plat report, the resolution approving Preliminary Plat and the signed developer's agreement. At one point the Developer was talking with the County about ROW to the north. That never transpired and plans were never updated. The County has control over the proposed Island Trail and 10th street intersection and they want the 32 ft of dedicated ROW with this plat.

Another condition of preliminary plat approval is that the developer install a multipurpose trail along 10th street between Island Trail and Inwood Ave. Staff was supportive of removal of this trail, but the Commission and Council's resolution of approval required this trail. Preliminary Plat was never updated and it is not included in Inwood 5th Plat submittal. There are some Landscaping and engineering revisions that are required, such as removal of certain trees and berms and required water main easements.

Kreimer asked if there is room to build the homes if they do the 32 foot ROW dedication. Wensman stated that those are deep lots, but the back yards will have part of the berms and it will tighten things up. Williams is wondering why the application is not deemed incomplete without that ROW dedication. Wensman stated that it was originally deemed incomplete. The Developer provided more information and upon the City Attorney's advice, it can be dealt with through conditions. There was discussion about the advantage of the trail ROW to the North vs. the South. The trail would be located within the 32 feet of ROW being required. Wensman stated that from a Planning perspective, the trail is desirable to move people to the future commercial properties to the West. Dodson asked if the segment of trail along 10th street would be a City trail. Wensman stated that he thinks it is HOA owned and maintained, but he is not sure.

Williams stated that condition #4 should be South Washington instead of Valley Branch watershed district.

Hartley is wondering if this was reviewed by the Fire Chief, specifically if the Circles that dead end are wide enough. Wensman stated that it was a concern of the City Engineer and he would like the pavement widened there so that they function better.

John Rask, MI Homes, stated that the cul-de-sacs are standard radius for cul-de-sacs so they would accommodate a fire truck. He does not necessary disagree with the conditions of approval of Preliminary Plat, but what is missing is that there were subsequent approvals granted for final plats and grading that didn't have this trail. They had discussions with the County and they agreed to take the ROW and trail to the North. Rask feels that with the staff turnover, some things have fallen through the cracks. Rask stated that these discussions were held after the Preliminary Plat was approved. He feels that the County has changed the requirements. When Inwood was approved, it was known and stated that both Inwood and 10th Street would someday be 4 lane roads with trails on one side. Rask stated that if they grant the ROW, they will need to take out the berm and the trail was never once shown on any of their plans. The berm was installed at expense to the developer to make the development look better. They graded the berm with a grading permit and no one ever mentioned that the trail wasn't on the plan. Rask feels they are consistent with the City's trail plan and added trails at the City's request. Rask is making the following request that 1) the Planning Commission find that the trail along 10th street is inconsistent with the City's Comprehensive Plan 2) Strike the conditions requiring additional ROW and a trail along 10th Street 3) Reconfirm that the trail and additional Row should be on the north side of 10th Street 4) allow the existing berm to remain as approved in the Development contract approved by the City Council.

Dodson asked what would happen to the berm if the additional 32 feet of ROW is given. Rask stated that they would need to take out the berm. Williams asked why it couldn't be moved to the south. Rask stated that the whole row of lots would be lost as it couldn't remain in the ROW. Williams asked when the developer was made aware of the staff's analysis of the ROW issue. Rask stated that it was probably in December. What happened is they went to County for an access permit to construct the road and then they were told about the trail and additional ROW. Rask doesn't believe that the County has that authority. Williams doesn't see that the City should be involved in this other than dealing with what is in written record which is the condition of approval. Wensman stated that the trail and the ROW were conditions of approval that are in multiple locations and were carried over from Preliminary Plat. It is typical for the County to require these things with access and typical for the City to require that as part of the plat.

Public Hearing opened at 9:00 pm

No one spoke and there were no written comments

Public Hearing closed at 9:00 pm

Williams thinks that the trail and ROW issue is more complicated than they can deal with tonight. He would suggest that under condition #9 that at the end add "unless the County submits written permission for less ROW". He feels that the written record shows that the ROW should be dedicated, but it is up to the County. Wensman stated that the County has reaffirmed their letter from November 17, 2014, that they would still need that ROW. Handt stated that if the City does not get that ROW at the time of plat, when the County does need to acquire the land, they will come back and charge the City for the acquisition of the ROW. Rask disagrees with that statement.

M/S/P: Williams/Dodson, move to add finding #8 that the legal issues surrounding the additional 32 feet of ROW and the trail from Island to Inwood along 10th Street are beyond the scope of the Planning Commission, *Vote: 6-1, motion carried, with Lundquist opposed. Lundquist feels that they have an obligation to remain consistent with what the County is asking for.*

M/S/P: Kreimer/Dodson, move to add finding #9 that the Planning Commission finds significant value to the existing berm that the developer built along 10th Street and the County should be requested to retain the berm regardless of the ROW issue, *Vote: 6-1, motion carried, with Lundquist opposed.*

Wensman stated that the County is fine with the berm staying as long as there is a wall once it gets to the ROW. They don't want to have to move or restore the berm if improvements need to be made. Lundquist stated that 10th street is a major thorough fare with plans to go to a 4 lane and they need the space.

M/S/P: Dodson/Williams, move to recommend removing condition number 11 requiring a multi-purpose trail along 10th Street between Island Trail and Inwood Ave be removed, *Vote: 7-0, motion carried unanimously.*

Kreimer remembers the discussion about the trails and he remembers giving up the requirement for a trail on Inwood, but that they decided that they wanted the trail along 10th Street. Larson stated that there is already a trail through the development to the commercial so it is not like there is no trail at all. Dorschner remembers the developer stating that they could get easements on the North side of 10th for the trail. He feels it makes sense to make the connection. Rask stated that to give more ROW and build the trail, he would have to remove the berm. Rask stated that when they sat down with the County, he felt that there was no compromise. He feels that the County wants everything and is willing to give nothing.

M/S/P: Kreimer/Williams, move to add a condition requiring that the section of trail from Island trail to the eastern buffer is built, *Vote: 7-0, motion carried unanimously*.

M/S/P: Dodson/Williams, move to add a finding #10 that the City consider any trail required to be implemented by the development from Island Trail to Inwood be credited towards parkland dedication, *Vote: 7-0, motion carried unanimously.*

M/S/P: Williams/Dorschner, move to recommend approval of Inwood 5th Addition Final Plat and Final PUD plans with 11 conditions of approval based on the findings as amended in the staff report, *Vote: 7-0, motion carried unanimously.*

Public Hearing – Zoning Map Amendment and Preliminary Plat and PUD Plans - Royal Golf

Wensman started his presentation regarding the rezoning from PF to GCC – Golf Course Community and the Preliminary Plat and PUD Plans. Wensman went through the issues from the Concept plan that were addressed with the Preliminary plan. With the PUD Overlay, the developer has requested flexibility. They would like single access to the clubhouse, lot sizes smaller than 9000 for villa lots, 40% impervious and 20 ft front yard setbacks on villa lots, 50 ft ROW on Street C, add'l subdivision and neighborhood signs, and garages greater than 1000 sq ft to be permitted rather than a CUP.

With the Shoreland evaluation, there are 100 lots within the shoreland area, the development is preserving 50.5% or the shoreland, where 50% is required, less than allowed base density within each shoreland, shoreland impact zones and steep slopes preserved in Lake Elmo and Downs Lake, 70% of shoreland impact preserved for Rose and Horseshoe, 59.9% of Lake Elmo shoreland preserved, and preserved a wildlife/drainage corridor from NW to SE. The developer needs to maintain a 100 ft Natural Corridor outside of lot areas. They have 89 feet, so staff has made the 100 foot corridor a condition of approval. The GCC minimum lot size is 9000 sq feet. The PUD flexibility sought is 6,600 sq ft on some lots. The average lot size is 13,499 sq feet because of some of the larger lots. There is also a request for PUD flexibility for 20' front setback and 7.5' setbacks. The 7.5' setback averaging is already allowed by policy. Staff is requesting there be an exhibit which clearly shows specific lots and setbacks, no encroachments into D & U easements and lots with 20' setbacks should have garages adorned with windows or other architectural features for sides of garages facing the public ROW. The GCC maximum impervious per lot is 30%, the request for PUD flexibility is for 40%. Staff feels this is ok as it matches LDR zoning and will be limited to the villa lots. The developer is asking to forego the sidewalk requirement on a number of streets. Staff is only supportive of street C having no sidewalk because of site limitations. Dodson would like the exhibit showing the setbacks to also show which lots can have the larger garage.

GCC allows 1000 sq ft maximum garage and the developer is asking for a deviation for a larger garage to store golf carts. Staff is supportive of the request, provided that the garage doors will not exceed 60% of the principal building façade fronting a public road, impervious surface limits are not exceeded, and that the upper limit of permitted garages is 1300 square feet.

Williams stated that in a PUD process the City is supposed to get something to give something. He is wondering what we are getting for all of these deviations. Wensman stated that a large part of what the City is getting is less impact to the Shoreland. There are other things in the presentation and they can discuss the give and take at the end of the presentation. GCC zoning requires a 100 foot buffer from external residential lots. They are meeting or exceeding that buffer. Note that the City does not require the buffer to properties outside of the City limits. There was some discussion about parkland dedication and trails. The Park Commission is not recommending a park on this property, but would like to see trail dedication. The trails in the development connect all of the neighborhoods which was a goal. Wensman would like a trail phasing plan as trails need to be constructed with each corresponding phase of the development. The development exceeds the open space requirements both for GCC zoning and for shoreland. There are restrictive covenants that need to be submitted prior to final plat. These would include conservation easements over shoreland areas and HOA/CIC documents.

The subdivision code allows for two 24 square foot subdivision signs per development. Developer is requesting flexibility to have up to 4 subdivision signs (including one at clubhouse entrance) and up to 6 neighborhood markers to identify the villa enclaves within the development. Staff is supportive of the flexibility due to the unique layout and size of the development and the multiple entrances. A sign permit is required prior to construction. The developer is proposing unique street names that have a golf theme. Wensman stated that it does not meet the County street naming conventions, but does meet the City's street naming ordinance. The allowed architecture would be addressed in the HOA documents. For tree preservation and tree replacement, the developer is interpreting the site as mixed-use which would allow replacement trees to be used as landscape required trees. The City attorney and staff interpretation is that it is not a mixed use. The landscape plan cannot be evaluated until tree replacement is determined. Landscape walls crossing residential property lines shall be owned and maintained by the HOA and within the maintenance easements. Williams asked if there was a definition of "forest management and natural seeding". He feels that it needs to be clearly defined.

The developer's vision is to have all the development accessible by golf cart. The public ROW and trails would need to allow golf carts. This would require a special City ordinance as it is currently prohibited. An agreement has been reached with the Emerson property to provide access to 10th Street. Wensman talked about phasing of the development. It is anticipated to be done in 4 phases from 2017-2023. Phase one

is a big phase as the infrastructure must be put in and the golf club is required to be sewered within 2 years. There are some engineering issues that will need to be addressed such as infiltration ponds located in gas line easement, lift stations on outlots that do not appear large enough to accommodate them, outlots need to be dedicated and others on the engineers report. There are some transportation requirements including dedicating ROW and supplying turn lanes.

The Golf Course is planning to put in clubhouse cottages. The location is currently shown as a separate lot. Staff is recommending that the lot be combined with the clubhouse lot as these cottages are accessory to the clubhouse and will require a CUP. Hartley asked if this property is then considered commercial. Larson feels that the zoning is confusing when the golf course is taken out of it. There are a lot of different things going on with this development and he is wondering why it would not be mixed use. Wensman stated that the City Attorney does not feel it is a mixed use.

Wensman went through the 34 conditions of approval and findings of fact. Staff is recommending rezoning from Public Facilities to GCC based on the findings identified in the staff report. Staff is also recommending approval of the Preliminary Plat and PUD plans with the 34 conditions with the understanding that the City Council cannot approve this until the Met Council approves the comprehensive Plan amendment. Wensman stated that the jurisdictional review period ends on March 24th. Once that ends, the Comprehensive Plan Amendment can be submitted to the Met Council. The Met Council has 60 days to review it and get back to the City.

Dodson is asking about impervious surface and drainage around the villas. Wensman stated that the engineering plans were not included but the water has been addressed through the engineering plans. Dorschner asked about reductions of golf fees and six figures for replacing ball fields. He is wondering if it is not a condition, where would that be captured for the City. Schroeder, HC Golf, stated that it would be in the developer's agreement. Kreimer asked if the Park Commission weighed in about the Tot lot location. It seems in a location that would not serve many people. Wensman stated that the Park Commission did not really talk about it. The developer is actually talking about moving it where the more millennial product is located. Dodson is concerned about the drive into the clubhouse. If there is a big tournament, people might try to park along that driveway. Is there a way to mitigate that? Wensman stated that it could be signed no parking.

Rick Packer & Clark Schroeder, Royal Golf, are not in favor of the sidewalk/trail and prefer 6 ft. He does not like the look of sidewalks in a cul-de-sac and they do not help with connectivity because they would dead end. Sidewalks are not typically put in a cul-de-sac. There is discussion regarding the tree preservation. This is clearly a commercial use and should be treated as a mixed use. They are not opposed to the forest management. The golf cart access is very important to them as a golf course community.

Lundquist stated that at one time there was talk about putting an 8 foot shoulder on the south side of 20th street to make it safer. She is wondering if they still plan to do that. Schroeder stated that they will be dedicating ROW, but what that is used for, they are not sure. Packer stated that they will be building right turn lanes at 4 locations. There will be widening at the turn lanes. Packer stated that the speed limit is 45 mph on the road. If there is a concern about safety, maybe the speed limit should be reduced to 30 mph. Williams stated that a trail in the NW corner from 20th Street to Lake Elmo Ave would be very useful. Packer stated that they could look at that and it would take tree removal. Larson would like to discuss the zoning for the golf course as public facility vs. golf course community. Packer stated that was the route the City Council chose to go with. He feels that it helps preserve the golf course and the open space.

Kreimer asked about the tot lot location. Would it work by street "F". Packer stated that it might work there or in the Southern area, but they are trying to be sensitive to the Homestead neighborhood. Packer stated that maybe it could go up with the pool and fitness center on HOA maintained property.

Public Hearing opened at 11:10 pm

Michael Biebl, 12020 18th Street N, representing people on the East side of the development, he feels some of the things that the City is asking for, such as increased sidewalks, decreases the buffers. The City has no requirements to provide buffers to anyone outside of the City. The tightest units are the one that border West Lakeland and there are no buffers. Even though there have been traffic studies, he is concerned that development traffic and wedding venue traffic will be too much for this road. Would like to see a good give and take with the developer to make this a good plan.

Michael Zwiefel, 2055 Manning Trail, the common theme of this development is flexibility. He would like to point out that this property was purchased with the only use allowed a golf course. He heard at the very first presentation that a well-run golf course is sustainable on its own, so everything else being mentioned is not necessary. He feels with all of the uses on the site, close to 300 homes, restaurant, fitness center, wedding venue, etc., the traffic count will increase 10, 20 or even 30%. The events held at this location will be very hard on the community surrounding it. There are a lot of Villa lots and it seems that there is an exception being asked for with almost all of them. Lot sizes are being asked to be smaller, setbacks reduced, larger garages and less impervious surface. All of these things seem to be counterproductive for what the City should be looking for. He feels that to meet City requirements, they should reduce the density and they could easily meet the standards.

Jim Voeller, 11314 12th Street N, it is hard to stay on top of this development as it continues to change. He does not like the trail that goes to the northern of the existing neighborhoods. He does not see the benefit of it with people running along their

backyards. The City has agreed to sewer and do all of these extra things. When is the City going to say no to something? He feels the answer to the cottages should be no. He feels that this development is totally inconsistent with the neighborhood. It seems that the City is too willing to give the developer everything that they want. He feels that if the golf course would not have been a part of this, the development would have been done as an open space development as 18 units per 40 acres. Even if the golf course property was included as an open space development, there would have been 200 houses vs 300 houses. Voeller feels that the neighbors are not being listened to as there was a petition signed by 160 neighbors that were not in favor of the density here.

Ellen Johnson, 11050 14th Street, board member for Homestead community. Her neighborhood feels that having the trail so close to their neighborhood infringes on their privacy. Their neighborhood is currently in negotiations with the developer to provide a custom shielding. They have an agreement in spirit, but would like it in writing so it is clear. They are wondering if the neighbors will have access to Royal Golf if the shielding isn't adequate and they want to add to it.

Dana Smith, 2121 Legion Lane N, he likes the forest management and the fact that about 60% of the trees are being preserved. He likes the idea of reducing the speed limit on 20th Street to 30 mph because the safety of bikers and walkers is a big concern. All of the deviations stem from the number of units being put in. He feels that if the number of units are reduced, the deviations would be fewer. He is not sure why the density discussion has been abandoned. He feels that the safety of 20th street is very important and he feels that the developer saying that they have done the best that they can is not good enough. He is concerned about the light pollution from the lights. He is wondering if there are regulations surrounding lighting.

Mary Leslie, 11546 20th Street, her husband negotiated the original purchase agreement with the original property owner when 3M purchased the property. She is very concerned with how steep the banks are on 20th Street and the fog that is on the road from Lake Elmo Lake. She feels with the intensity of the things going in at Tartan Park, the speed limit should be reduced. She is concerned about the water and the ponding.

Public Hearing closed at 11:53 pm

Dorchner is still not clear why the golf course needs to be rezoned. Wensman stated that it is currently public facilities. If it stays that way, there would be no development and the comprehensive plan approved by the City Council guides it for a golf course community zoning. Dorschner stated that when they approved the golf course community zoning he did not understand that to be adding all of the commercial type uses such as the clubhouse, rental units, restaurant and the fitness center. Williams stated that as much as he is opposed to this development, the City Council has decided on the direction and this proposal meets the GCC zoning.

M/S/P: Lundquist/Larson, move to recommend approval of the rezoning of the Royal Golf Course Development properties from PF-Public Facilities to GCC-Golf Course Community based on the findings identified in the staff report, and changing the finding on page 19 to say "that the rezoning is consistent with the Comprehensive plan approved by the City", *Vote: 7-0, motion carried unanimously.*

M/S/P: Williams/Dodson, move to add condition #35 that a sidewalk be constructed along the south side of 20th Street from what is labeled street E, West to Lake Elmo Ave, *Vote: 7-0, motion carried unanimously.*

Lundquist was going to make a proposal or finding of fact that we do a little more work on 20th Street as it doesn't have any shoulders on either side. In all the public hearings, people talk about the safety on 20th Street with current traffic, let alone adding more to it. Dodson feels that the sidewalk is needed to get to the Park Preserve.

M/S/P: Lundquist/Larson, move to add finding of fact #9 that there has been a significant amount of testimony that 20th Street is already dangerous because it has no shoulders and poor line of site without any additional traffic and the City and developer need to explore ways to make the road safer, *Vote: 7-0, motion carried unanimously.*

M/S/P: Dodson/Williams, move that the Royal Golf Development will not have any street lighting, except at street intersections and that there be a photometric analysis to ensure that any current lights in the parking lot meet the dark sky ordinance, *Vote: 7-0, motion carried unanimously.*

Williams asked about the photometric analysis of the parking lot near the clubhouse. Wensman stated that they are not making any changes. The position of the City is that any intensification would require a CUP amendment. Wensman stated the current City code does not require lighting, but there are standards for when they are placed. This might be a topic that the Planning Commission looks at in the future. Packer stated that they do not have a strong feeling one way or the other in regards to street lights. They would like to see the street lights at intersections for safety however.

M/S/P: Dorschner/Lundquist, move to add condition #36 that the developer work with all adjacent properties to get an agreement for shielding in place for screening and that it be incorporated into the final landscape plan, *Vote: 7-0, motion carried unanimously.*

Williams stated that there was testimony from a West Lakeland resident that there was not adequate screening and it is not shown on the plan for the Eastern border. Packer stated that there is an email agreement with the resident for a septic and landscaping agreement. Schroeder stated that the person that spoke regarding not having adequate screening, actually lives across Manning Trail and is not actually an adjacent property owner.

Dodson wanted to discuss the forest management proposal. Wensman stated that one of the builders for the development is proposing different lot lines for the eastern portion of the development. Wensman stated that staff would like to review this and bring it back to the Planning Commission in the future. The developer is requesting that this be tabled to the next meeting to give staff time to review the changes with revised plans. The forest management discussion can also be brought forward at that meeting. There was some discussion regarding the irregular shaped lots.

Williams wanted to comment on the number of units for the development and the fact that the time has passed to try to lower the number.

Dodson is wondering if the trail in outlot "T" can be re-routed to go along the new homes of the development. Packer stated that there are wetland buffers that do not allow trails and there is a retention basin. There is no way to get a trail closer to those homes.

M/S/P: Williams/Larson, move to postpone consideration of the preliminary plat and PUD plans until the next meeting, *Vote: 7-0, motion carried unanimously.*

Wensman asked about the forest management plan. Williams stated that buckthorn is a big concern of his. Hartley stated that it should be a continuing effort and not a one shot deal and there should be some assurance that the woodlands is preserved.

Williams reminded everyone to bring all of the data for Royal Golf to the next meeting for Royal Golf so that the City doesn't have to reproduce it.

City Council Updates - March 7, 2017 Meeting

- i) Hammes Estates 2nd Addition Final Plat Extension –Passed
- ii) Approve SHC Comp Plan Update Agreement Passed
- iii) Shoreland Management Overlay District Ordinance Amendment Passed
- iv) Planning Commission Appointment Terry Emerson 2nd Alternate

Staff Updates

- 1. Upcoming Meetings
 - a. March 27, 2017
 - i. Comp Plan Amendment hearing for Tri-Lakes MUSA
 - ii. VMX rezoning hearing
 - iii. Possibly Hidden Meadows Final Plat
 - b. April 10, 2017
- 2. MAC CEP Report

Commission Concerns

Dodson is concerned that the commercial code was not adequate for the commercial development that was brought forward tonight. He is concerned with the number of PUD's that keep coming forward. Wensman stated that once the PUD ordinance is in place it will be easier and is a tool that is used to make development better.

Dodson mentioned that another thing that was not talked about with Royal Golf was the use of golf carts. He is in favor of the use of golf carts in this development. Wensman stated that it would be an ordinance amendment.

Lundquist is wondering if the City Engineer works with a hydrologist. Wensman stated that they work with Valley Branch which is probably a hydrologist. Goose Lake is filling up and probably can't take much more.

Meeting adjourned at 12:47 pm

Respectfully submitted,

Joan Ziertman Planning Program Assistant



City of Lake Elmo Planning Commission Meeting Minutes of March 27, 2017

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

COMMISSIONERS PRESENT: Larson, Dorschner, Emerson, Williams, Lundquist and

Hartley

COMMISSIONERS ABSENT: Fields, Kreimer and Dodson

STAFF PRESENT: Planning Director Wensman and City Administrator Handt

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: March 13, 2017

M/S/P: Lundquist/Dorschner, move to approve the March 13, 2017 minutes as

amended, Vote: 6-0, motion carried unanimously.

Public Hearing - Zoning Map Amendment - General Business to Village Mixed Use

Wensman started his presentation regarding the rezoning of properties from GB to VMX. Since 2013, there have only been 3 properties rezoned to VMX based on applications received by the City. In 2016, the Planning Commission discussed rezoning all of the properties to VMX, but tabled it for the following reasons 1) densities within this area are guided too high 2) VMX standards are less restrictive 3) form based code should be created 4) updated population and development projections for area needed. The rational for the rezoning is to bring the subject perperties' land use consistent with the Comprehensive Plan. Without the rezoning at this tiem, many improvements to these properties would require owners to rezone to VMX and obtain variances.

Wensman went through the differences between GB and VMX such as lot width, lot area and impervious surface maximum. There are 83 parcels currently zoned general business. There are some parcels that are guided RS that are guided for VMX and there are a number of parcels zoned RS being used for business, not single family homes. The residential properties being used for business were not noticed, but should be included in this rezoning. Re-publication of the public hearing to include these properties would be needed. The properties that are guided for VMX, but currently used as single family

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residences, staff is not recommending rezoning at this time. Staff feels that single family residences should be an allowed use in the VMX. If that is the case, those existing single family homes could be rezoned to VMX as it would have no impact on them. New and existing homes should be treated the same.

Hartley is wondering why there is long list of condition uses as part of the VMX district. Wensman stated it is the choice of the City Council to decide what is permitted and conditional. Some uses are conditional to allow greater scrutiny of those uses. In the Village, the lots and structures are very close to each other, so there could be uses that should have greater scrutiny with conditions put in place to mitigate unforeseen situations. Hartley thinks the veterinary services should be more specific to small animals, not large animal services.

Wensman stated that if there are specific changes to the code, that code be discussed through the public hearing for the zoning. Williams is wondering if the City Council responded to the June Planning Commission request for updated population projections for the Village area. Wensman stated that they did not specifically respond. They have now launched into the Comprehensive Plan process and it will be addressed through the process. Williams is asking if there were 2 houses fairly far apart on existing lots, could they then subdivide and build another house. Wensman thinks there are greater requirements for single family homes, but he will look at it. Williams asked about the status of the form based code. Wensman stated that with the Comprehensive Plan update, the priority for form based code was lowered. Emerson asked how many single family homes would be affected if they change them to VMX. Wensman thought maybe around 30 properties. Williams asked what the downside would be of those properties being legal non-conforming. Wensman stated if the home burned down, they could only rebuild on the footprint and would not be able to expand without a variance. Williams is wondering about making single family homes conditional uses. Wensman stated that might be a good solution.

Public Hearing opened at 7:32 pm

Sue Dunn, 11018 Upper 33rd Street, she would like the Commission to really think about what things should be conditional uses. She is concerned about surface water and impervious surface. She thinks the VMX could possibly add an additional 10,000 people in the Village Area. She is concerned about the existing businesses. She thinks single family homes are important to the Village Area. She thinks it is important to know what the projections are for 2040 and how close we are to meeting those projections. There is also a huge section to the East that is considered part of the Village area.

There were no written comments

M/S/P: Dorschner/Williams, move to continue the public hearing for the Zoning Map Amendment Discussion to rezone properties to VMX – Village Mixed Use to the next

possible meeting in order to properly notice the public hearing to include the additional properties in the Zoning Map Amendment, Vote: 6-0, motion carried unanimously.

Public Hearing - Comprehensive Plan Amendment to add 2 properties to RSF Sewered

Wensman started his presentation regarding adding 2 properties to the Olson Lake Trail sewer area and re-guiding them to Rural Single Family sewered. This would add 4497 & 4473 Olson Lake Trail to the MUSA. The feedback from the Met Council is that it would just be an administrative review and would be similar to what was done in the Village to add additional properties. This does not require any jurisdictional review as we have a joint powers agreement with Oakdale. We have not received any comments from the public notice sent out and advertised.

Dorschner asked what the Oakdale capacity would be for hooking up the rest of the properties around Olson Lake on that road. Wensman stated that they are not in the MUSA so there has been no talk about Oakdale picking them up. Wensman stated that they do not know, because there is no plan for it and the property owners are not requesting it. Handt stated that the Engineers did reach out to neighboring properties to see if they wanted to be included, and these were the only 2 properties interested in being included.

Williams is wondering if there is a Zoning Text that is actually rural single family sewered. Wensman stated that the City does not have that specific zoning, but it is probably something that could be created. Wensman stated that there really is no problem leaving them as Rural Single Family zoning, but the change to the land use designation was something the City Council was interested in to distinguish those properties within the MUSA. Met Council was only concerned with land use designation in the Comprehensive Plan allowing for sewer connection.

Emerson is wondering if they would move the MUSA line without the property owners asking for it. Wensman stated that the City has not required properties to be sewered unless the property owner has petitioned for it and signed a waiver.

Public Hearing opened at 7:44 pm

No one spoke and there were no written comments

Public Hearing closed at 7:45 pm

M/S/P: Dorschner/Lundquist, move to recommend approval of the amendment to the City's Wastewater Facilities Plan by adding PID #'s 090292132001 & 080292140059 to the Olson Lake Trail MUSA, *Vote: 6-0, motion carried unanimously.*

Hartley stated that they are adding these properties because they specifically requested it. Looking at the map, there are potentially 4-5 properties that would seem to fit the same characteristics of the other properties and why they requested it. Why is the City not adding those properties? Williams stated it is because they did not request it and according to Handt, they actively declined by not responding. Wensman stated that there was one additional parcel that was thinking about it, but after further discussion with the Engineer, they declined. Dorschner is wondering if we have the means through the MUSA to require connection. Wensman stated that with the joint powers with Oakdale, we have the means to connect these properties. Dorschner is concerned that properties along the lake are still on old septic systems and what that means for the future. Hartley stated that he is concerned because the City does not have a very good mechanism to catch when drainfield fail and so we end up with even one house affecting the Lake. Handt stated that most septic problems are caught when the properties are sold or a building permit is issued. Williams stated that the same logic for the additional properties could be applied to the whole Tri-Lakes area. If the MUSA was opened up to the whole Tri-Lakes area, there would be numerous people speaking against it. Wensman stated that there are a number of 201 septic systems in this area that have been created to deal with some of the failing septic systems.

M/S/P: Lundquist/Dorschner, move to recommend approval of a Comprehensive Plan Amendment re-guiding PID #'s 090292132001 & 080292140059 to Rural Single Family Sewered on the City's Land Use Plan, *Vote: 6-0, motion carried unanimously.*

Dorschner wanted to confirm that there was no Rural Single Family Sewered zoning. Handt stated that there was not, but this is just guiding it as such in the Comprehensive Plan. Hartley wanted to reinforce his concern from the standpoint of the Comprehensive Plan, they do not have the potential pollution issues under control for all of these properties that have individual septic systems and the inspection of them comes well after the fact that they have failed. Williams doesn't disagree, but doesn't feel that it will change anytime soon as he has heard the same discussion for 40 years.

Business Item - Preliminary Plat and PUD Plans - Royal Golf

Wensman started his presentation by stating that the Planning Commission approved the rezoning to GCC on 3/13/17 and tabled the approval for the Preliminary Plan and Preliminary PUD Plans. At the last meeting, the developer was proposing some changes to the NW neighborhood. They have withdrawn those changes at this time. The Planning Commission requested addition information on forest management, but the developer is no longer interested in doing that. The developer has indicated he will comply with the tree replacement requirements, but there is still dispute as to whether the project is a mixed use. Since 3/13, the VBWD has raised concerns regarding some of the infiltration basins. The developer is working through those issues and is confident there are adequate solutions that will not impact the plat. Staff has slightly modified

the condition pertaining to VBWD approval. Staff added a missing condition that the green corridor in the NW neighborhood be a minimum of 100' wide outside of the lot area. Right now there is one area that is shown at 84' with one of the lot lines.

Staff is recommending the same conditions with some corrections and additions. A correction to #15, correcting the Lots and Block it pertained to. Condition #20 pertains to the woodland management. It doesn't hurt to keep that condition if the developer changes his mind, but it is up to the Planning Commission how to handle that. Condition #24 was reworded to make it clearer. #35 was added to capture the 100' green corridor. #36, #37 & #38 are the 3 conditions added by the Planning Commission regarding the sidewalk along the South side of 20th street and that there would be no street lights except at street intersections to meet the dark sky ordinance and to work with adjacent property owners to come up with screening that gets incorporated into the landscape plans. The recommended findings are the same with the addition of #9 that a significant amount of public testimony regarding that 20th street is already dangerous without the additional traffic and the developer needs to explore ways to make the road safer. Staff is recommending approval with 38 conditions of approval and the 9 findings identified.

Dorschner asked what the dispute is around mixed use. Wensman stated that the tree preservation plan has a provision that requires mitigation as well as landscape requirements for residential development. For commercial and mixed use developments there is an exception that all trees with the exception of ornamental trees may be counted towards tree replacement requirements. The developer is saying that this site is mixed use with the golf course being the commercial piece. They are arguing that it the case so that all of the replacement trees will count towards their landscaping requirements. Staff is saying that the golf course is the principle use; open space. It was a public facility in the past and it had an accessory commercial use, which is not the primary use. They will be creating a separate parcel for the more commercial site, and possibly that could be exempted, but exempting the whole golf course is not consistent with past practice and the City attorney does not support the mixed use interpretation. Wensman stated the difference would be a large cost to the developer in tree replacement or a significant loss of trees for the City. Staffs solution for this was the idea of forest management to better serve the development. The developer likes the tree preservation better because it is more quantifiable vs the forest management which is kind of a gray area.

Rick Packer, Royal Golf, stated that the attorneys were discussing the mixed use concept and they had hoped that they could come to a compromise. They did not feel that the forest management was a compromise, but an exchange for the tree preservation requirement. The Royal Golf attorney opinion is that this development is mixed use. There is economic incentive that the City has provided to commercial development. There is currently no definition of mixed use in the City code. In the absence of a definition, those terms are supposed to be given their plan and ordinary meaning. The

Royal Golf Community has 4 different types of uses on the property. There is residential, business services, food service and outdoor recreation. They feel that the golf course is clearly a commercial use. This is a wooded site vs a cornfield, so the number is really large. There are 8500 trees on this site, with about 3000 trees being removed. They are allowed to remove roughly 2500 trees or 30%. They are removing about 35% or 418 trees more than what is allowed. Based on the City code without the mixed use exemption, they would need to plant 3024 trees or 10 trees per lot. Packer states it would cost them \$1.5 million dollars for trees alone. They had proposed 900 trees or 3 trees per lot. Packer stated that staff rejected that as there was no way for them to inspect them. They are planting 214 trees that are ornamental which do not count either. They feel that they legally qualify for a mixed use and should get the exemption. They were looking for some compromise that they did not get.

Royal Golf is proposing to construct a wide shoulder between Street E and Lake Elmo Ave vs a trail on 20th Street that has no shoulders. There is a significant grade change where the trail would need to go and a loss of trees. They would argue that it would be better served with adding a shoulder to the road that is wide enough to walk and bike on. Packer talked about the alternate Villa design and would like that to move forward to the City Council. There is one driveway that is in the sanitary sewer easement which is a concern to the city engineer. They can enter something into documents recorded against the property. Packer stated that this plan has one less unit than proposed with plat, but is essentially the same grading plan.

Lundquist asked why the proposed sidewalk on 20th only goes just past the clubhouse. Packer stated that there are places that are very steep and would be very disruptive to that area. Williams asked why the City would not accept the sidewalk within the ROW. Wensman stated that MSA standards would require the sidewalk to be located on the outer edge of the ROW.

Larson asked what the status of the tree replacement is. Wensman stated that there is the landscape requirement and the street tree requirement. The City is going the more lenient interpretation, requiring landscaping based on the disturbed area calculation. Street trees will go in with the road when the improvement goes in. In terms of the development trees with 4 trees going in with the home, as long as the City has escrow to ensure the trees go in, the timing isn't as important. There is a difference between the developer and the City of approximately 1000 trees. That difference hinges on the Mixed Use issue as the City and developer have failed to come to a compromise. Williams asked if they are opposed to any forest management in exchange for relief of the tree replacement. Packer stated that there is no compromise if it is dollar for dollar exchange they would not be interested. Williams stated that he is willing to relax the tree replacement provisions from 1000 to 500 in return for a program of buckthorn removal for 3 years after construction has started. Hartley thinks that it is problematic as it is not just the individual home owners. Dorschner stated that buckthorn is very difficult to manage and is good screening. Hartley feels that the City is better off having

new trees vs a management plan based on the possible tree diseases. Emerson feels that the uses out there are mixed use and that is what they need to decide. Williams feels that they need to go with the City Attorney's opinion on that issue, but also feels that there should be some relaxation of the number of trees with buckthorn removal.

M/S/P: Williams/Lundquist, move to add an additional condition that the tree replacement requirement based on residential use be relaxed by 50% in return for the developer controlling buckthorn by cutting stems and treating the remaining stumps by either physical pulling or by herbicide application for a period of three years beyond the date for which construction begins for the adjacent phase, *Vote: 4-2, motion carried with Hartley and Dorschner voting no.*

Wensman stated that this motion would replace condition #20 in the packet. Dorschner asked how many trees this would leave them to replace. Half would be around 500. Dorschner feels there would be more value in trees vs. the forest management. He feels the real issue is the mixed use interpretation vs. residential, but feels they need to go with the attorney's opinion. Jim Felton talked about what they did for the wildlife corridor and what was required by the VBWD. His estimate of cost for what they have done is about 50K.

Dorschner inquired about developer talking to property owners on the East side regarding screening.

Williams doesn't believe there are any West Lakeland properties that they need to be concerned about in regards to screening. Packer stated that they have an agreement with the Homestead development. Williams feels that the City should allow the golf carts on the streets for the GCC. Wensman stated that a separate ordinance would be required that is not part of the zoning code. They could recommend that staff bring one forward. Hartley stated that personally he is not in favor of the golf carts because they are often driven irresponsibly and rules are not followed. Emerson doesn't have a problem with golf carts and maybe an age limit could be put on it. Dorschner was in Arizona and many of the communities there have them. Larson stated that the golf carts would have destinations such as the clubhouse, restaurant, etc. Schroeder stated that they have looked at many ordinances in different cities and they address such things as age, speed, hours of operation, lights, etc.

M/S/P: Williams/Dorschner, move to propose an additional finding #10 that the Planning Commission determines that it would be desirable to allow golf carts on the public streets within a golf course community, *Vote: 5-1, motion carried, with Hartley voting no.*

Williams asked if the Fire Chief commented on the street names. Wensman stated that the Fire Chief does not like the new street naming policy, and is going to be taking the

whole street naming policy back to the public safety committee. This street naming complies with the current ordinance.

In regards to the street lights, the City Engineer stated that there is no requirement to have street lights in a development.

Packer is wondering if they have addressed the Villa area. Handt stated that as of Friday, the developer was pulling that section, but tonight included it in the presentation. Wensman stated that one clear problem based on their limited review is the driveway with a storm pipe underneath it which will need to change.

M/S/P: Williams/Dorschner, move to recommend condition #39 that staff reviews and approves the new plans presented tonight regarding the Villas and that the developer complies with all of the staff recommendations, *Vote: 6-0, motion carried unanimously.*

M/S/P: Lundquist/Larson, move to recommend approval of the Preliminary Plat and Preliminary Planned Unit Development Plans for the Royal Golf Club at Lake Elmo with the 39 conditions based on the 10 findings identified in the staff report and amended by the Planning Commission, *Vote: 6-0, motion carried unanimously.*

Business Item – Zoning Text Amendment – Village Low Density Residential Zoning

Wensman started his presentation regarding the Village Low Density Residential Zoning. Since the last meeting, there were density ranges added, the impervious calculation was added to 35%, struck the maximum setback standard, allows free standing multi-family dwellings as a CUP to match the comprehensive plan, and clarified the setbacks for other residential uses. There was a desire at the last meeting to have a build to line incorporated into the VMX and the staff thinks that they have addressed that by the prevailing setback of the street to have consistency. If it is a new street, it can be decided at that time. Wensman went through some of the other standards.

Williams asked about the garage standards and why that need to be called out specifically. Wensman thinks that it for existing homes that might want to build an additional garage. There was some information regarding tiny houses and if the City wants to alter its minimum home size. Wensman thinks more research needs to be done regarding this for the next meeting. Another consideration is would we want to have different standards for the urban vs rural areas. There was discussion if the Planning Commission thinks the VMDR zoning should just use the standards for LDR and have that reference made in the Comprehensive Plan.

Hartley is wondering how the City determines in the VMX what is a permitted use and what requires a condition use permit. Wensman stated that there is not a straight

criteria that determines if it is permitted vs a CUP. Typically the City makes uses conditional if it is perceived that the type of use could potentially create issues so the city wants to put conditions on the use. Williams stated that if there were recommendations of uses that should be permitted, the Commission could take up that discussion in the future.

Business Item - Zoning Text Amendment - Solar Ordinance

Wensman started his presentation regarding the solar ordinance. Some of the reasons for a solar ordinance are to protect neighbors from glare, that it meets imperious surface, area and size requirements and that there is a decommissioning plan. There is also a solar farm definition, which is not currently outlined in the Zoning Code as allowed permitted or condition primary use. Where should they be allowed as a primary use if anywhere? Some of the standards are that it must comply with accessory structure setback, height, lot coverage, etc. Should solar energy systems be exempt from certain standards in certain areas? Hartley is wondering if the City wants to add to the ordinance that an HOA can't prohibit the use of solar panels. Wensman stated that would be unusual, but the City could put that restriction on. Currently solar farms are not allowed as the primary use anywhere, should they be? Staff is looking for any other additional standards that the Commission would like to include.

Hartley thinks a large commercial installation is very different than a residential one. He also feels that in residential, if it is limited to the rooftop, that is different issue than if it takes up a whole back yard. Williams suggested a slightly different definition of solar farm from "wholesale sales" to "offsite customers". Williams wants "off-grid systems" defined in the interconnection agreement section. Williams would like to eliminate "using a reflector to enhance solar production" from the reflectors section. Hartley stated that the commercial operations are probably the only ones to use reflectors. Williams is also confused about "screening to the North side of the solar array". He thinks they need to look at that. Hartley suggested just striking the word north.

Williams thinks that it needs to be stated that solar panels are considered impervious for calculations. Emerson doesn't feel that the whole thing should be considered impervious. Williams feels that especially in commercial operations, you have compaction of the soils and it is no longer like a vacant field. There are also access roads and maintenance to consider. Wensman stated that it is creating a concentrated flow and runoff. Williams feels that it is easier for the City to manage and not inconsistent with the codes of other Cities if it is considered impervious. Hartley stated that maybe the total area could be calculated and 50% is considered impervious.

Williams would like to add a provision that HOA's and CIC's are not allowed to prohibit solar systems. He is wondering if they should add solar systems as an incentive in the PUD bonus table. Williams asked if these systems would require a city building permit. Wensman stated that they would because of the footings. Hartley stated that screening

and such would need to be reviewed by the City. Wensman stated that it might not be a building permit, but a zoning compliance review. Williams stated that there is a reference to building code in the code requirements section and it should say all rooftop or building integrated systems. Williams would like to add the words "and/or screened" to item #7 Visibility to be consistent with other rooftop structures. For storm water management, Williams would like to add "Watershed Districts requirements".

City Council Updates - March 21, 2017 Meeting

- i) Wildflower 2nd Developer Agreement passed
- ii) Lakewood Crossing 2nd Addition Concept Plan PUD passed
- iii) Noise Ordinance on hold

Staff Updates

- 1. Upcoming Meetings
 - a. April 10, 2017
 - b. April 24, 2017
- 2. MAC CEP Report

Commission Concerns

Hartley would like to reinforce the idea that the meetings not be too long and that the Commission get out at a reasonable hour. If the meeting gets too long, they are not at their best.

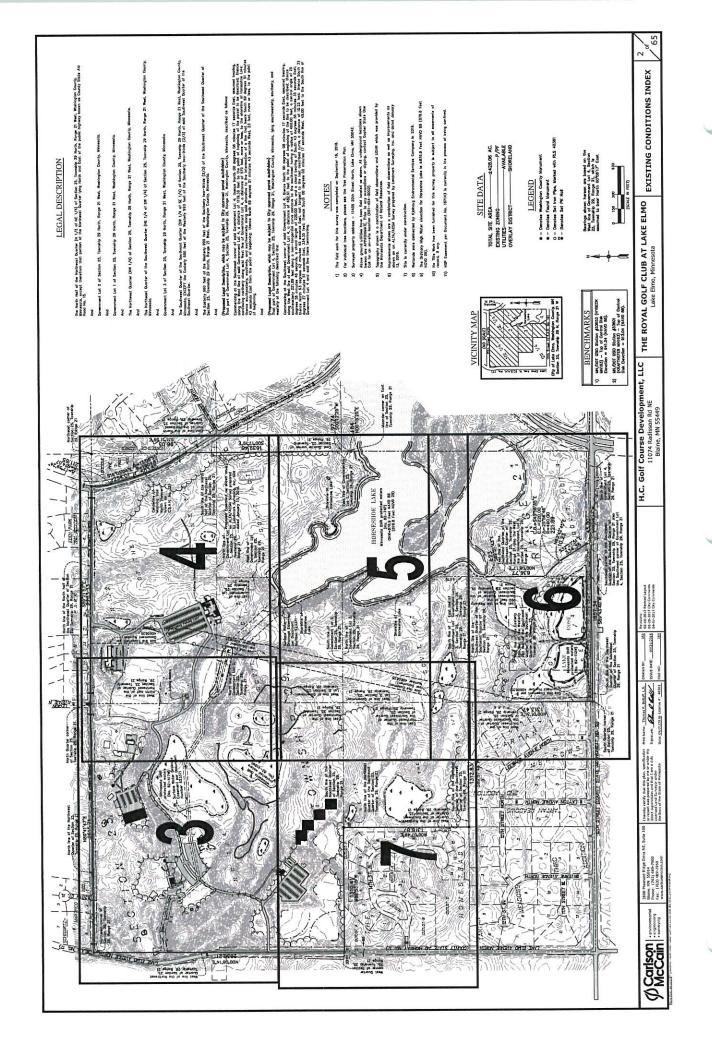
Dorschner wants to finalize the rural single family sewered. Wensman stated that the ordinance states that the rural single family should be predominately individual septic, but does not require it to be so. If they are designated in the comprehensive plan by the MUSA, it is allowed. Dorschner feels there should be different standard for when you are sewered and when you aren't. Wensman will look at it more detail and report back. Williams is concerned that there has been nothing done as a City regarding form based code. He recognizes that it takes a long time, but it just keeps being pushed down the road. Wensman stated that through the Comp Plan amendment process, the vision will be reaffirmed.

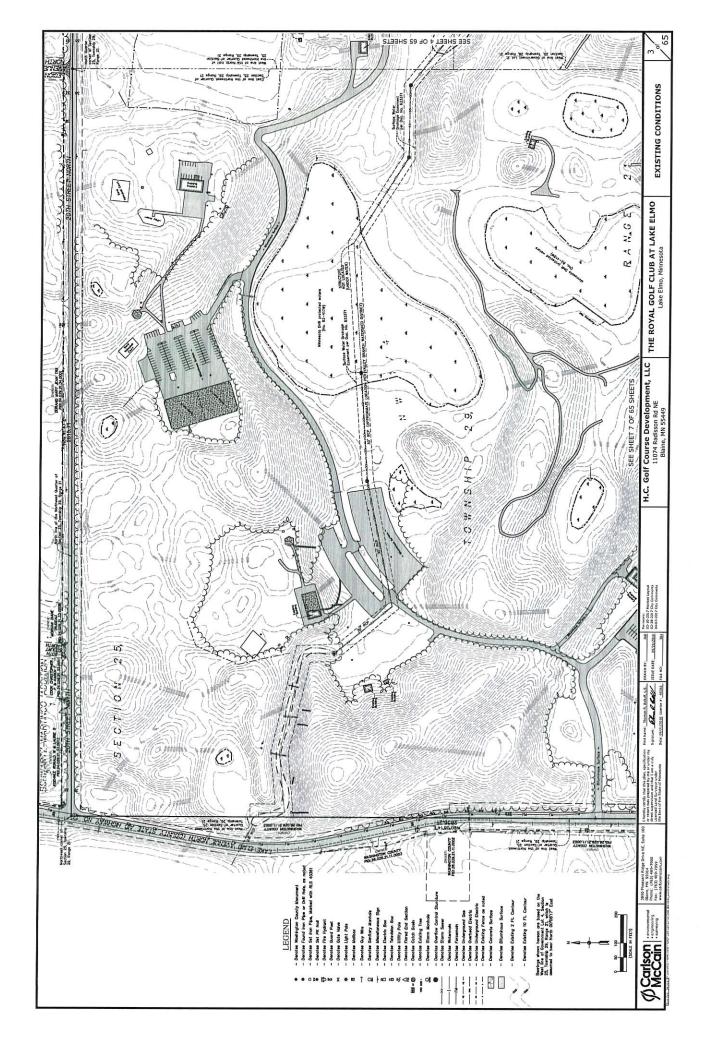
Meeting adjourned at 10:45 pm

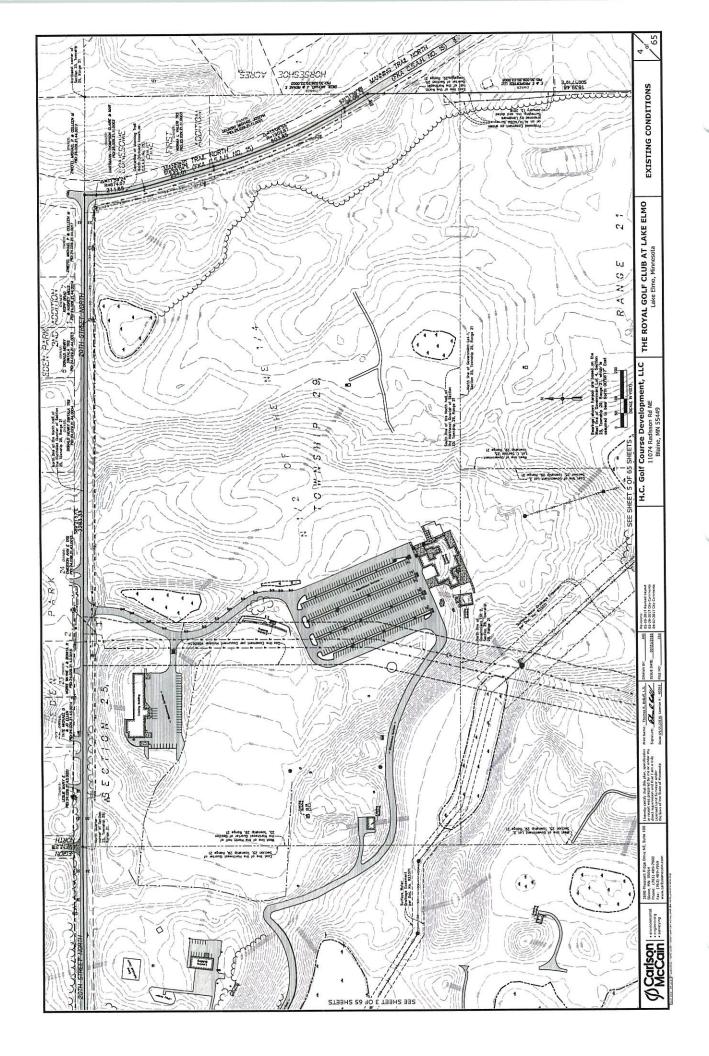
Respectfully submitted,

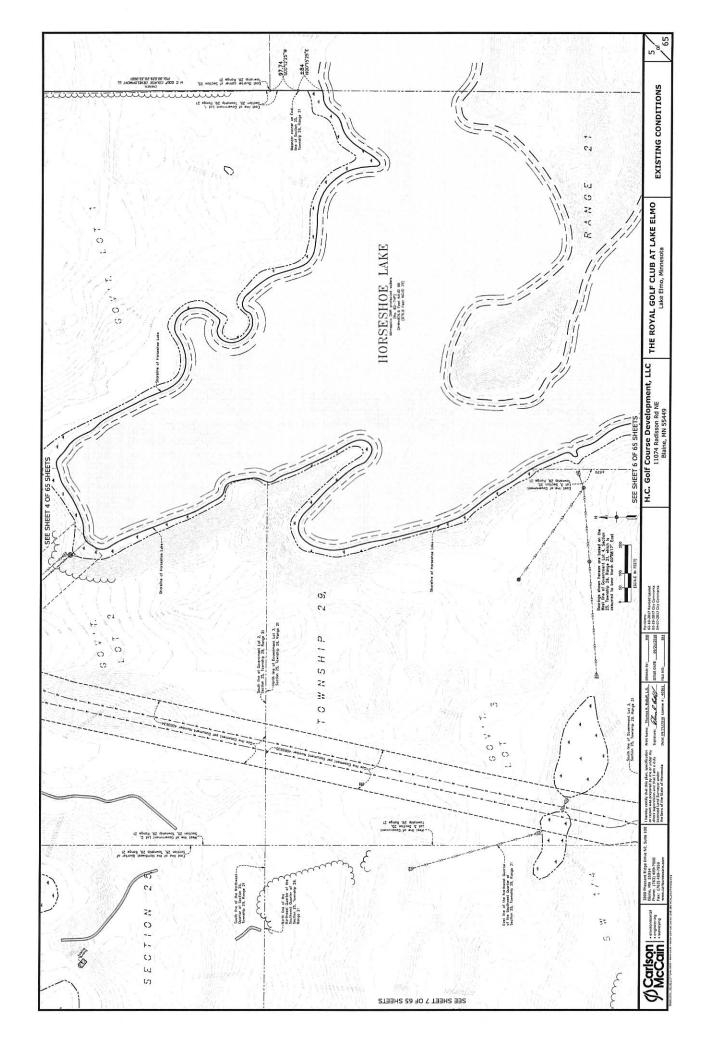
Joan Ziertman Planning Program Assistant

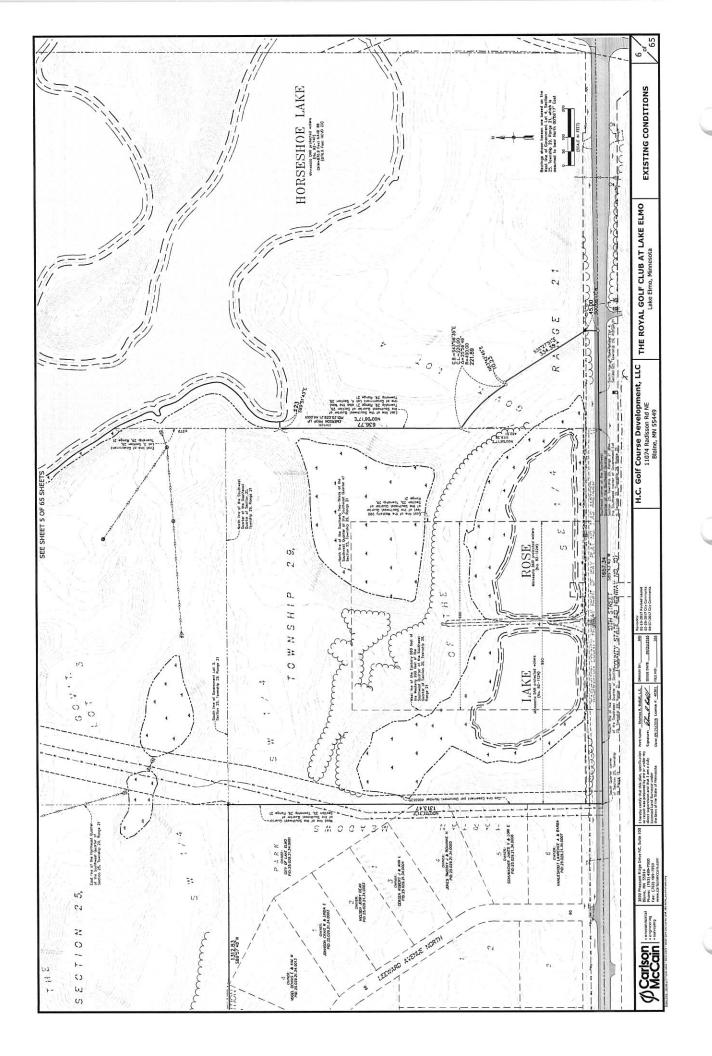


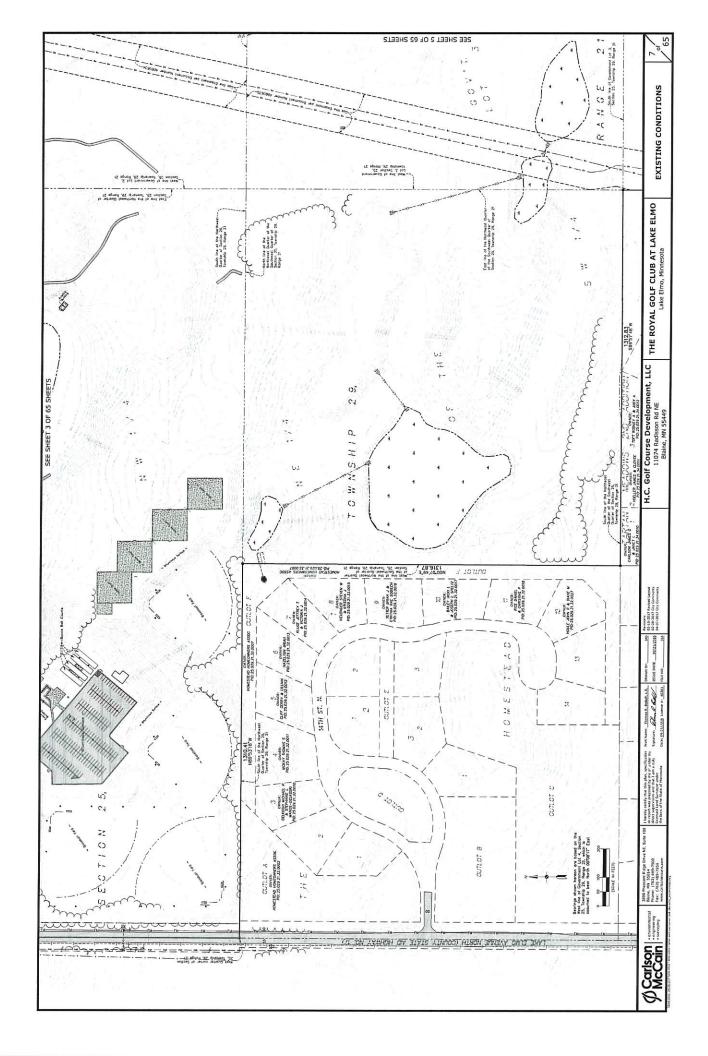


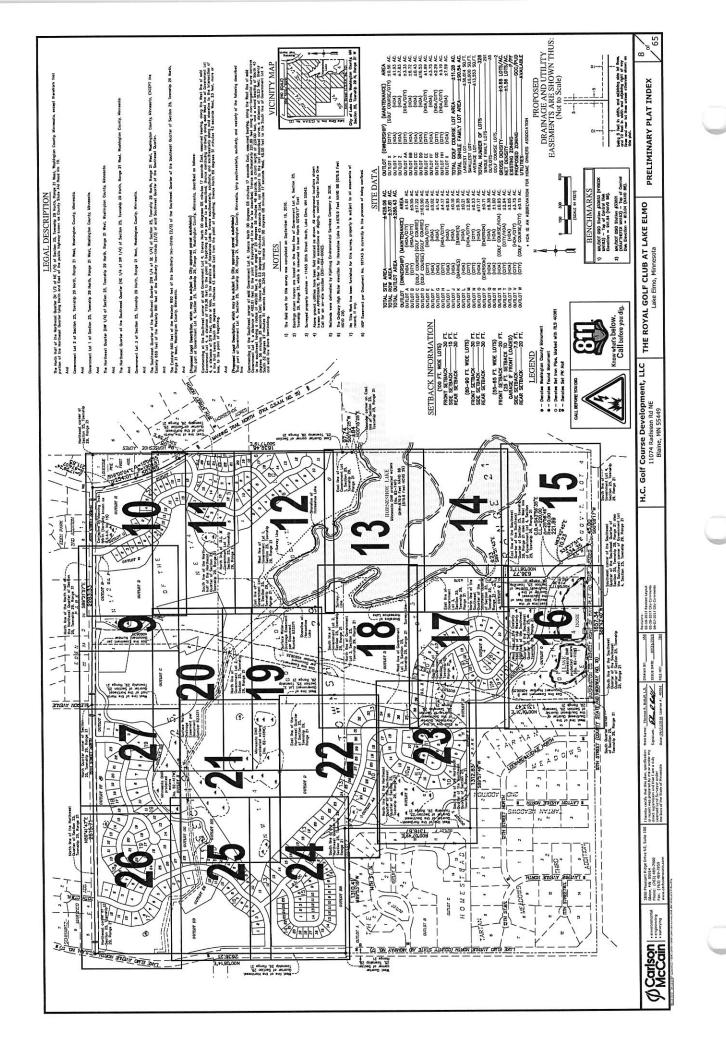


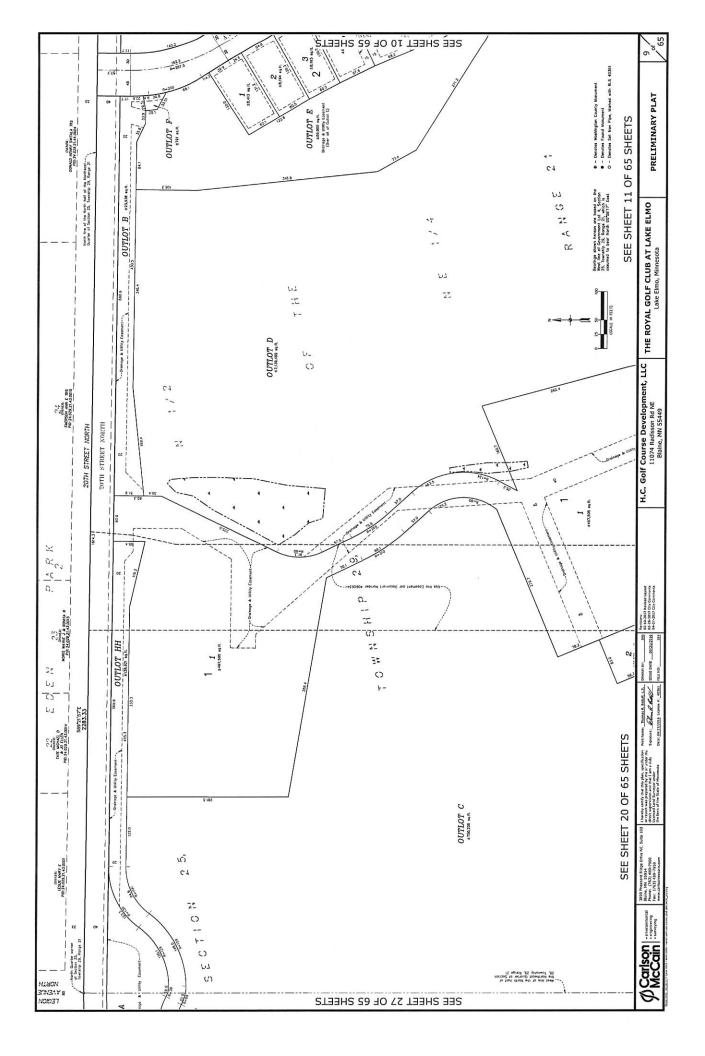


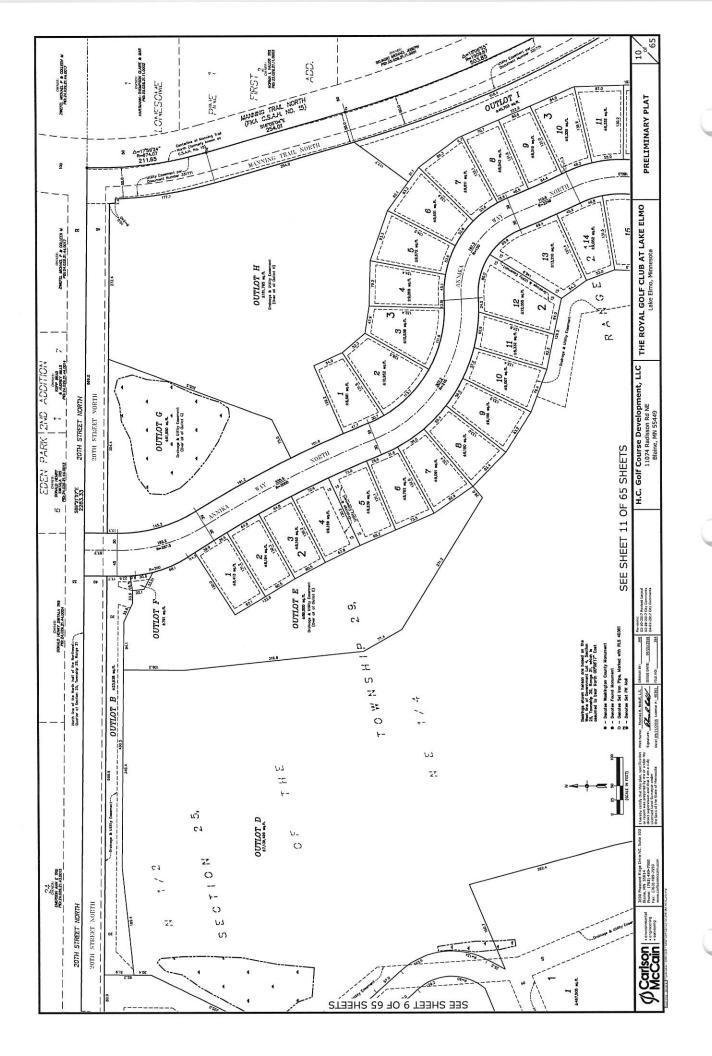


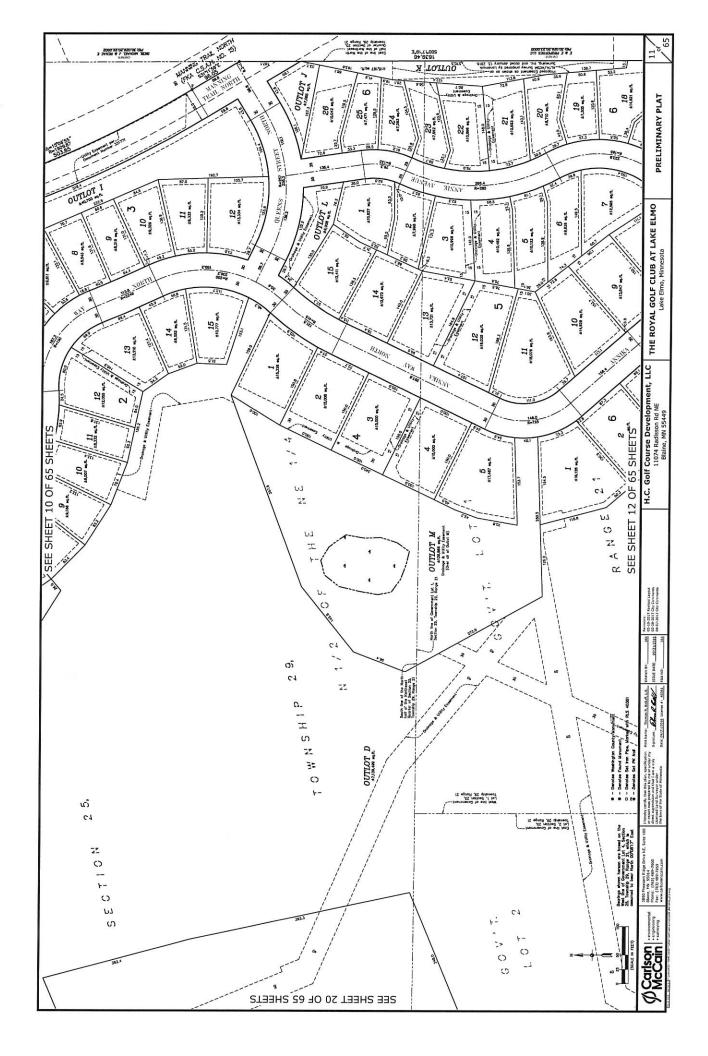


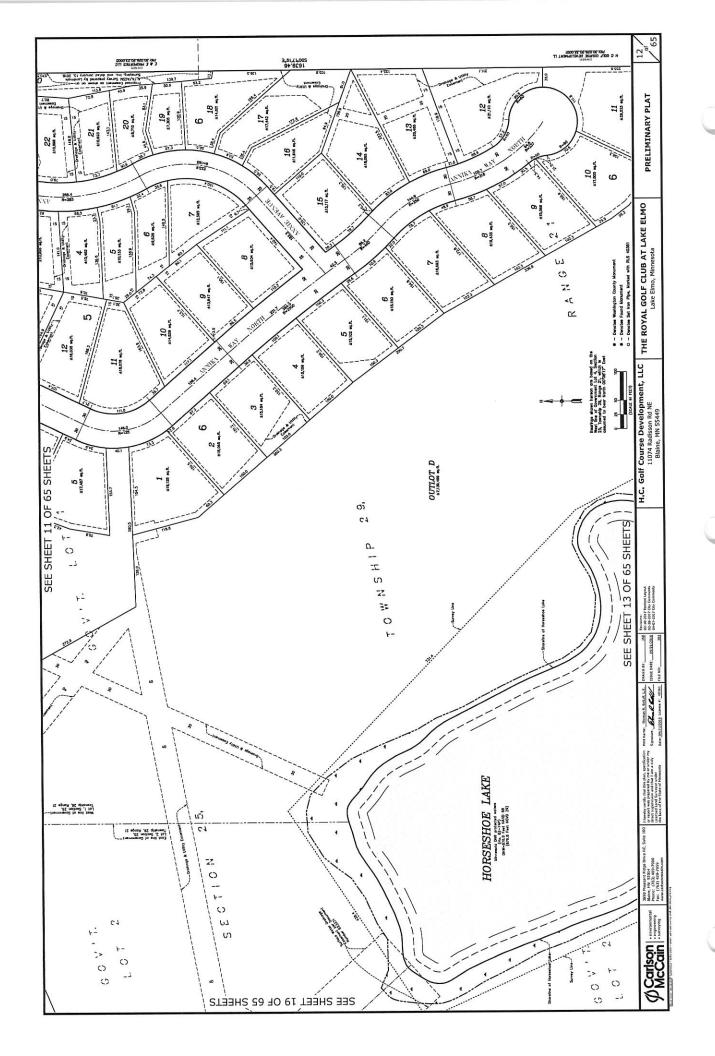


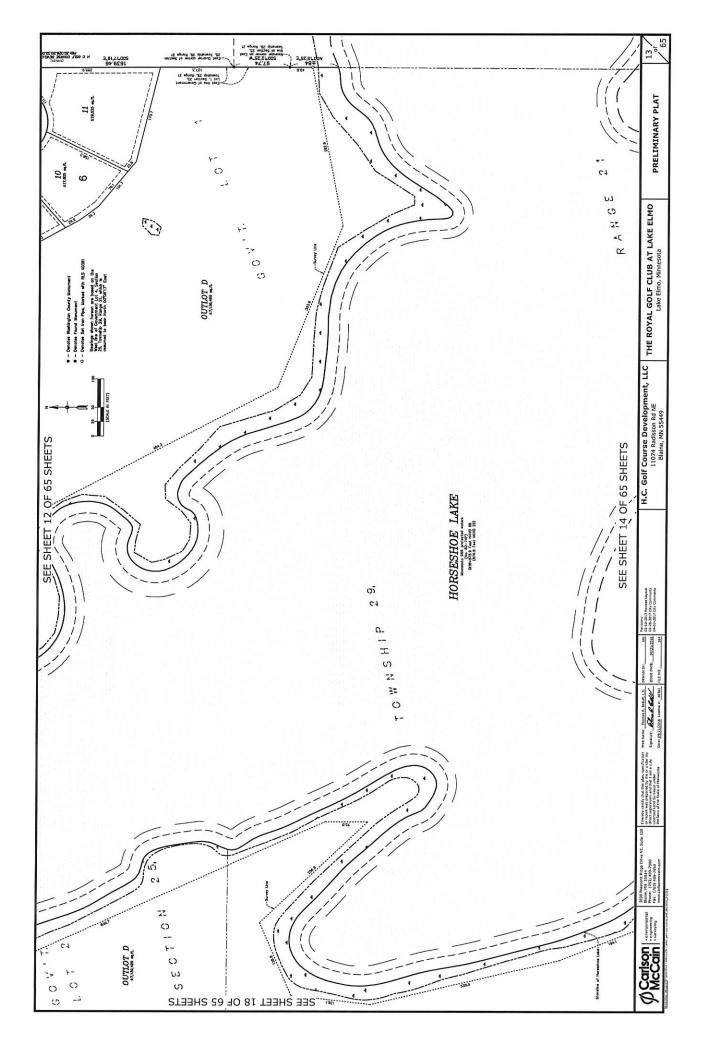


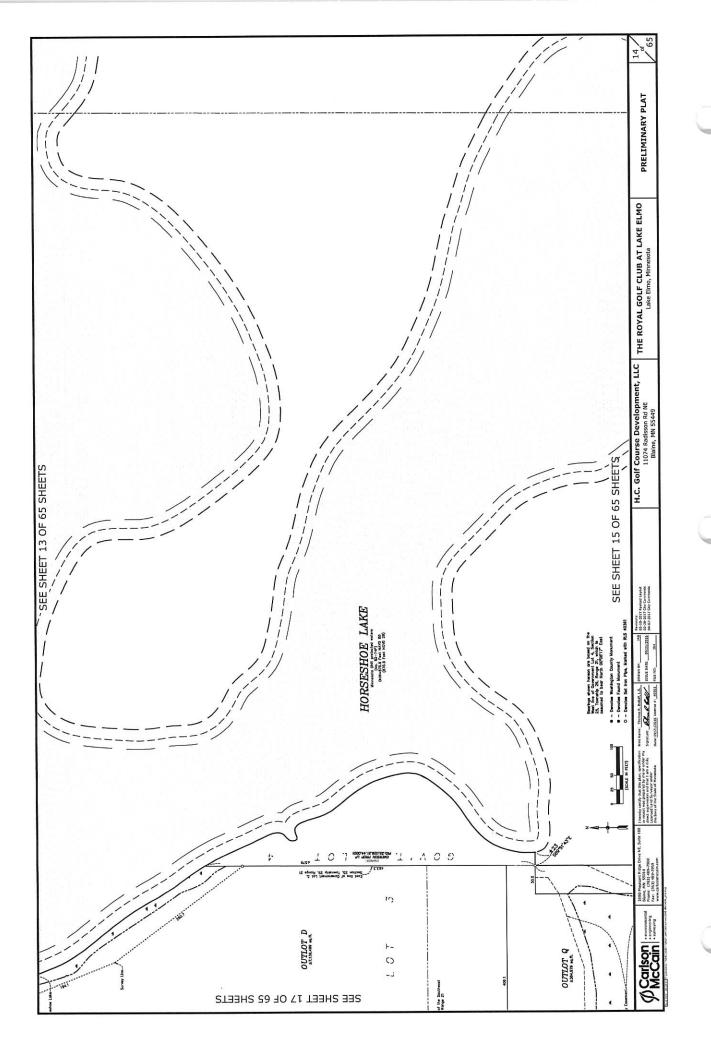


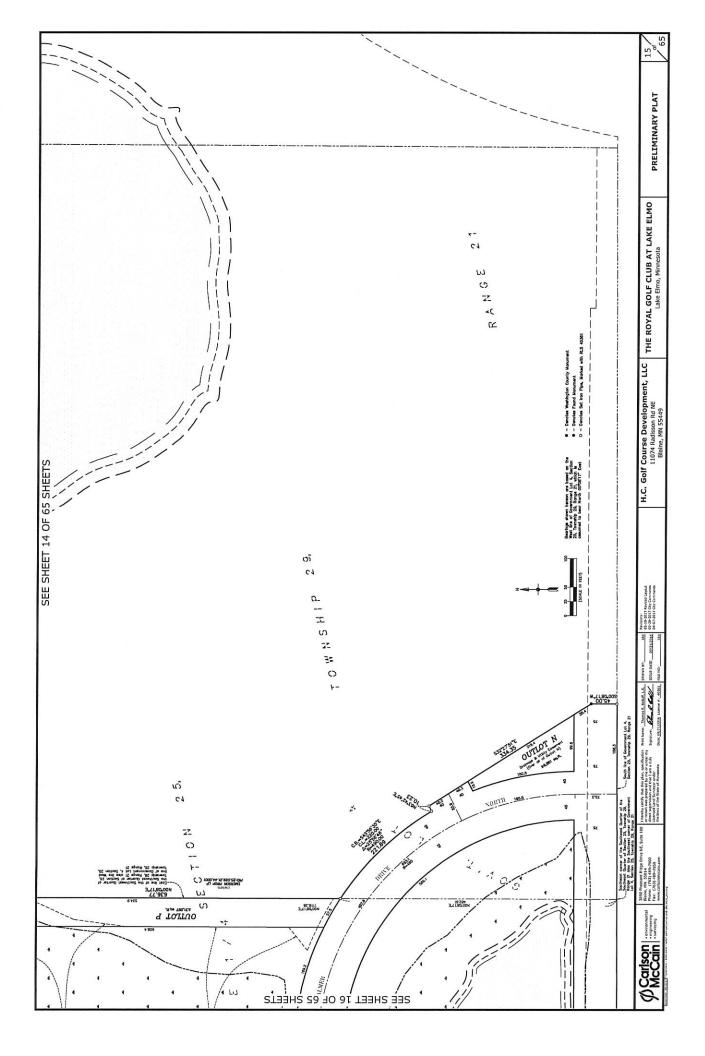


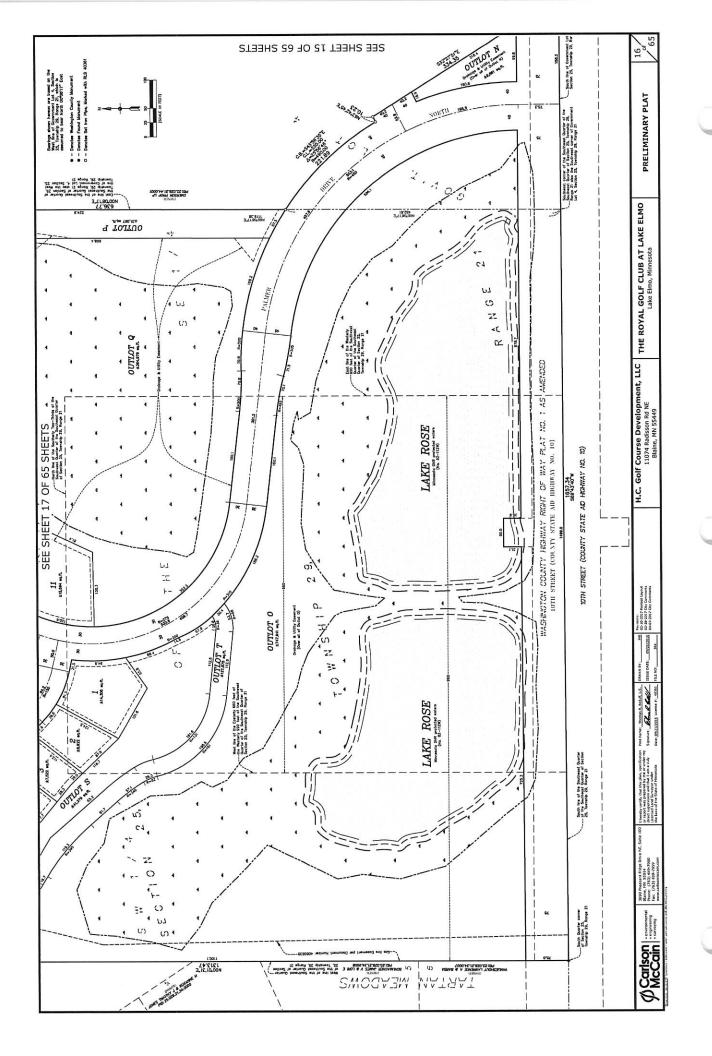


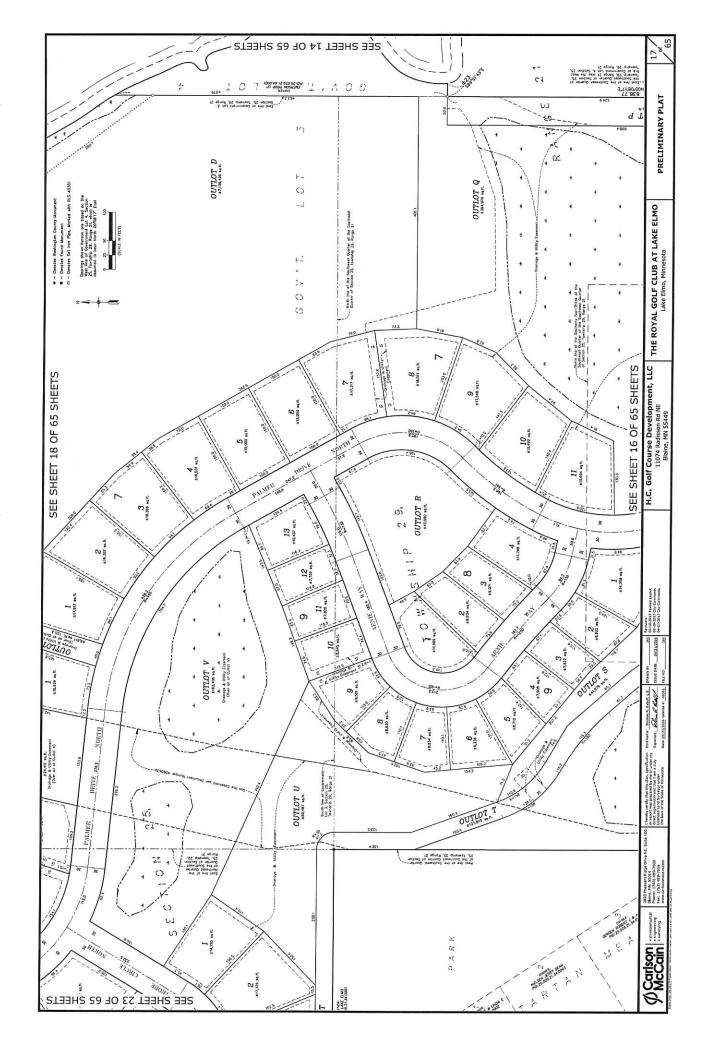


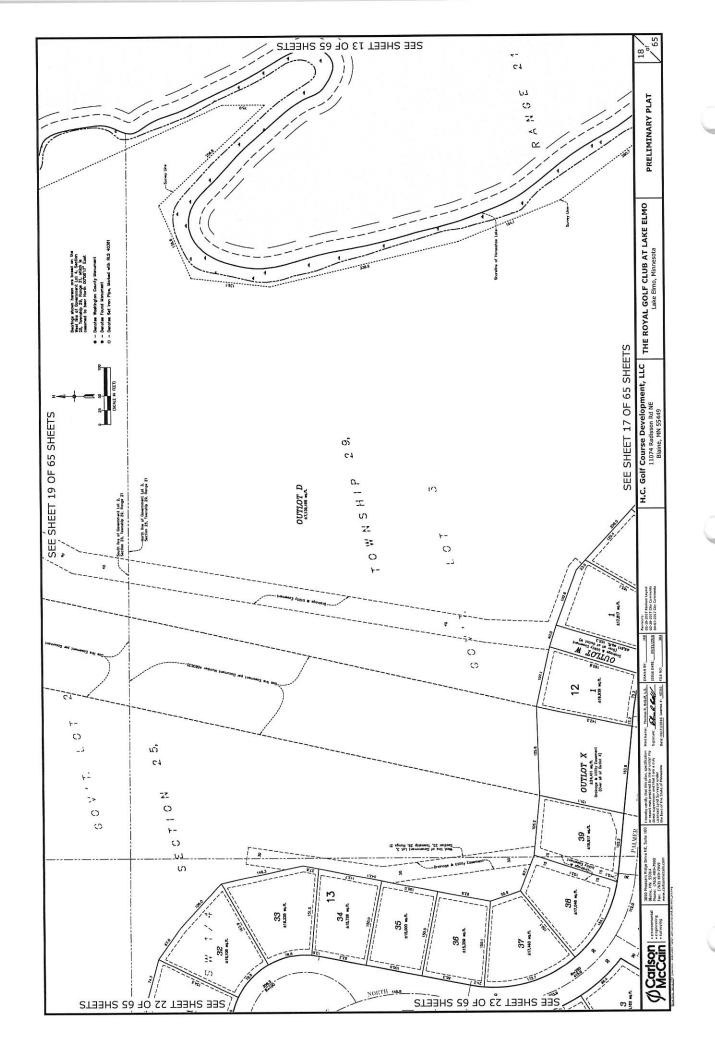


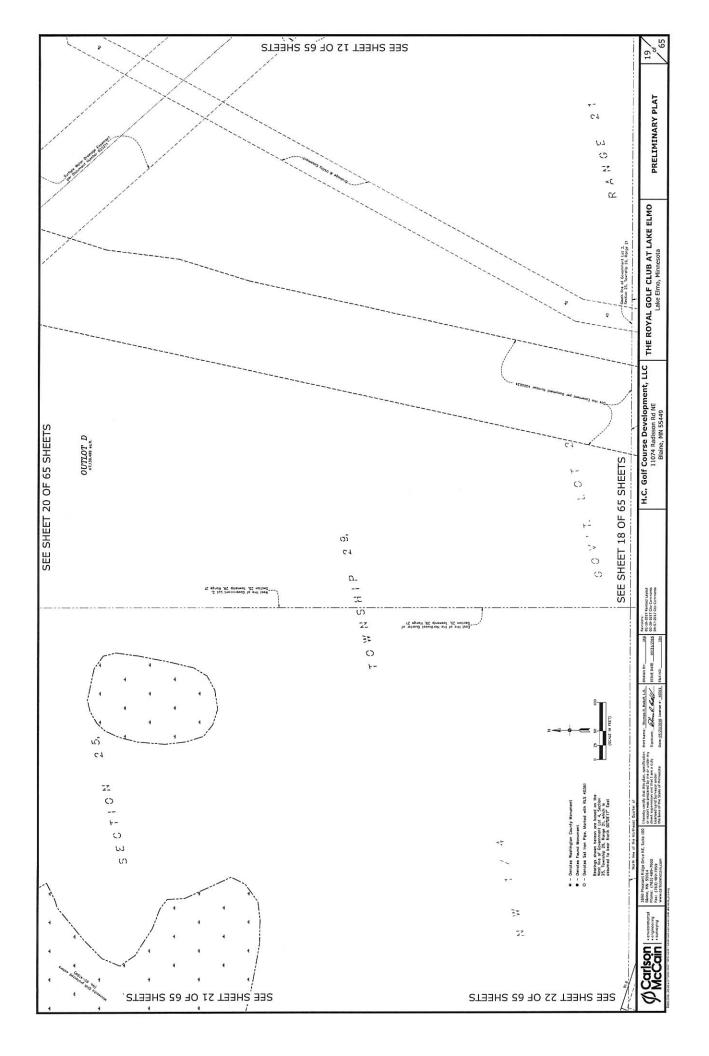


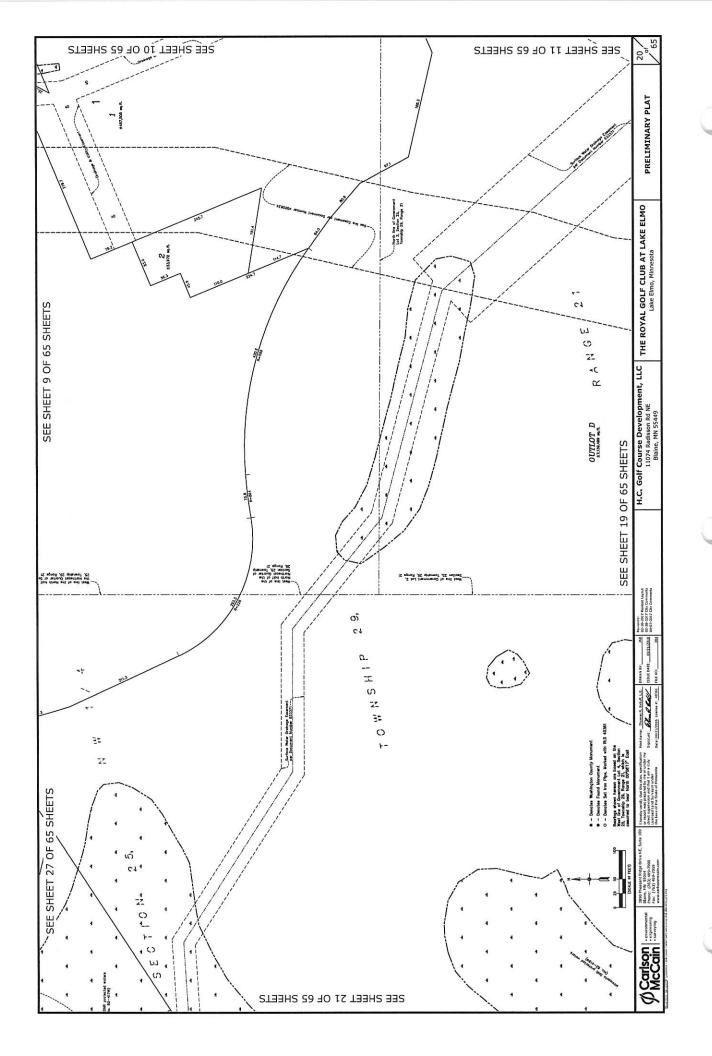


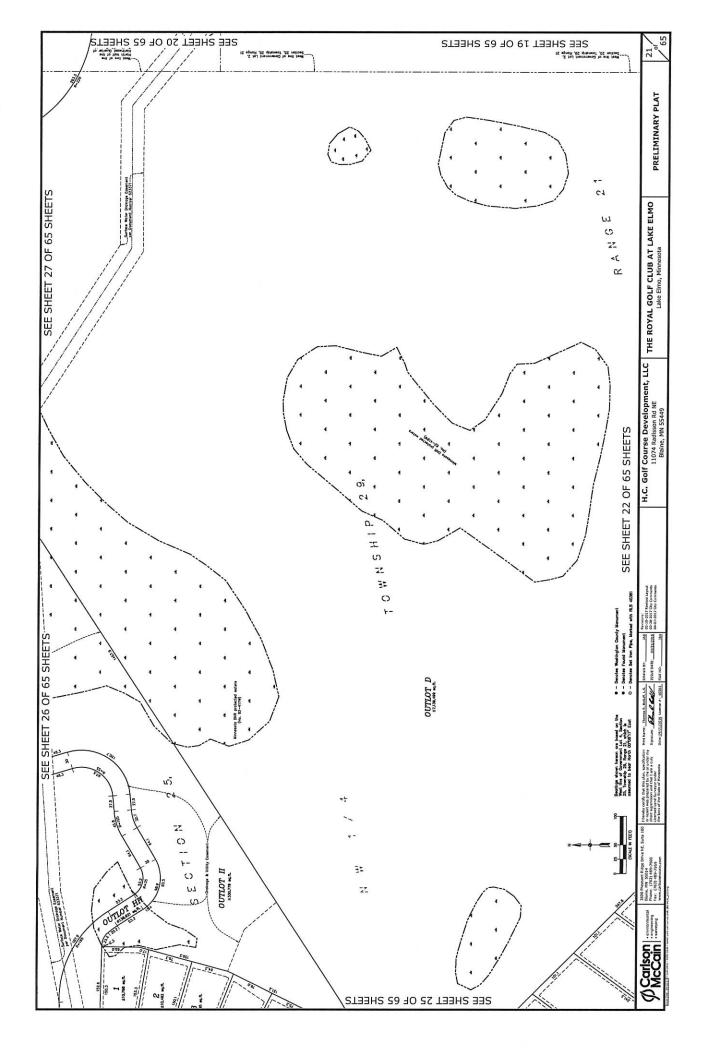


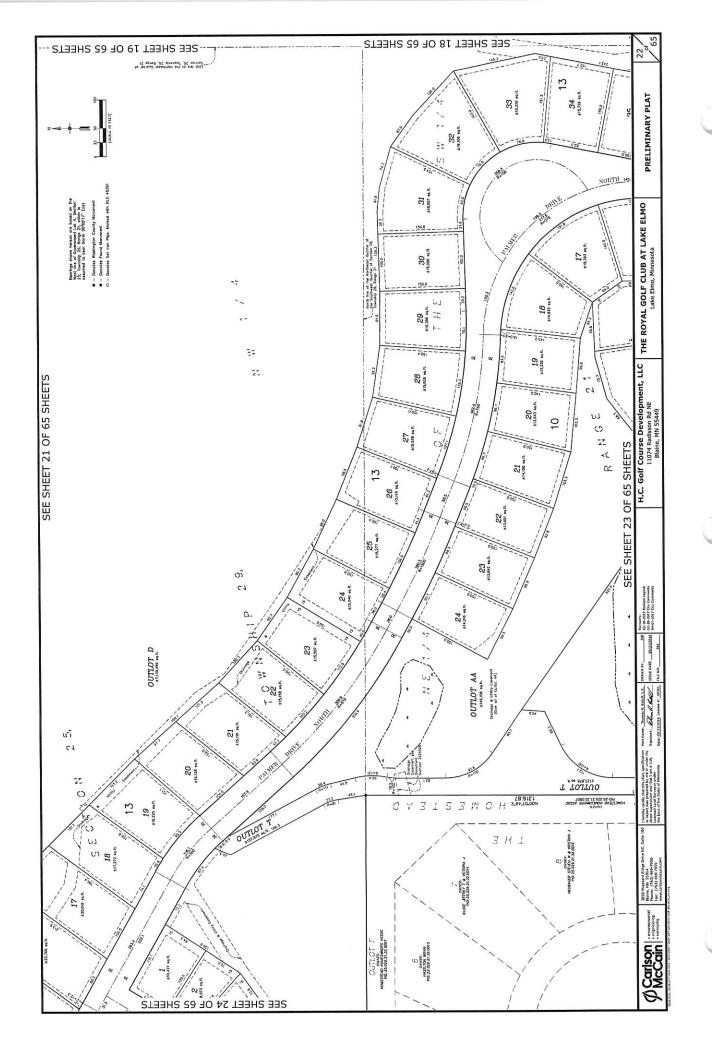


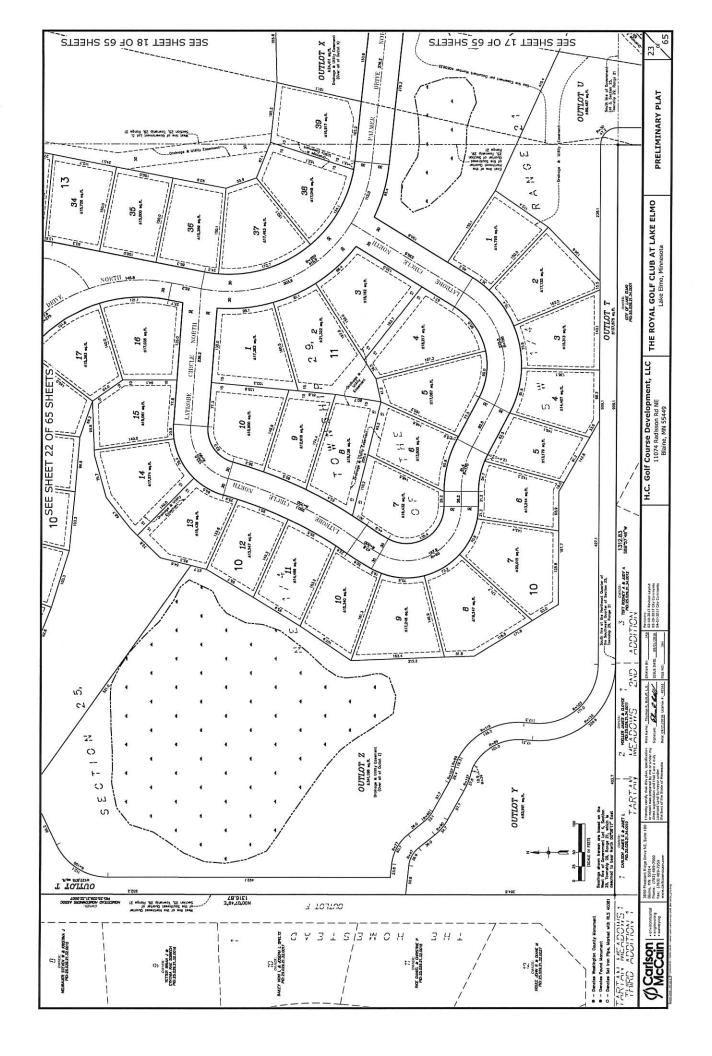


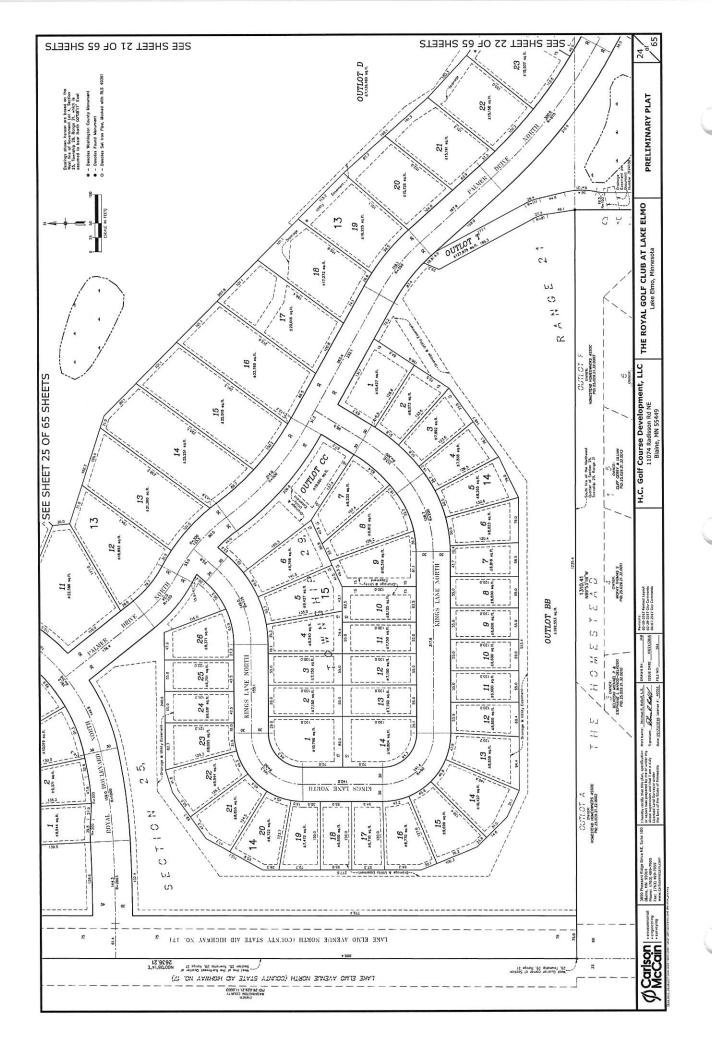


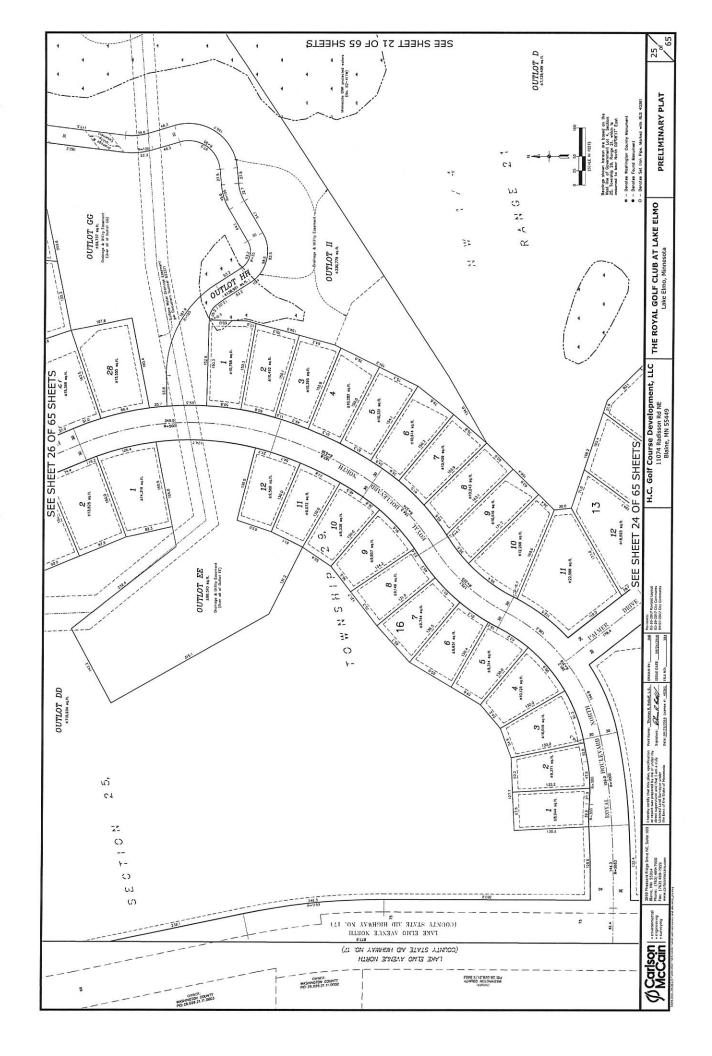


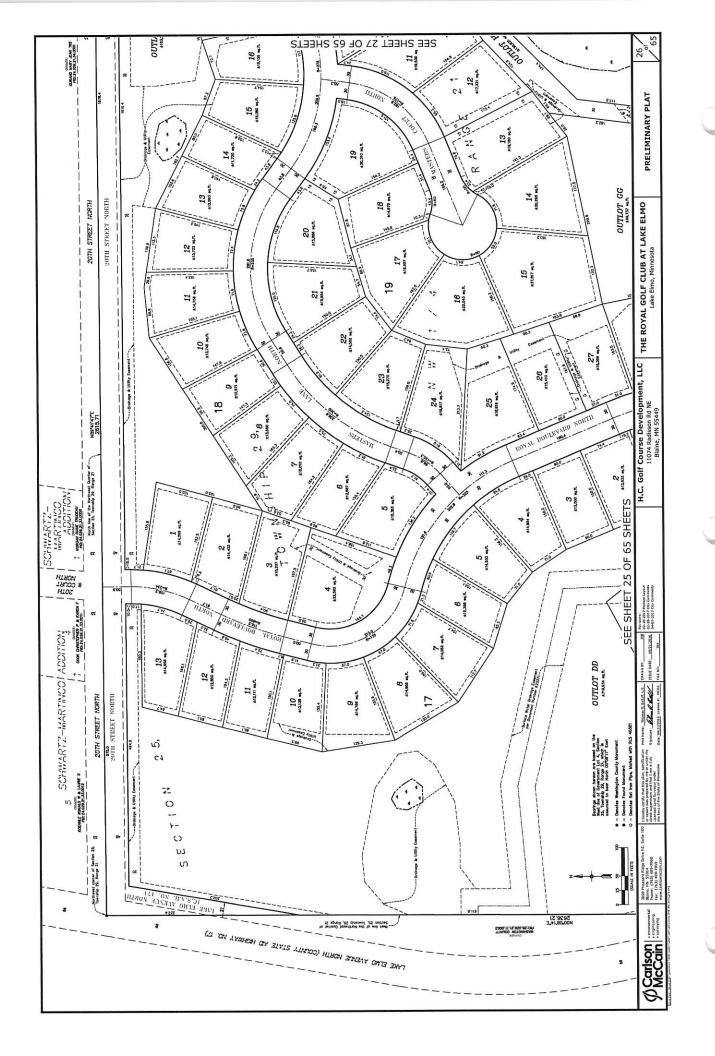


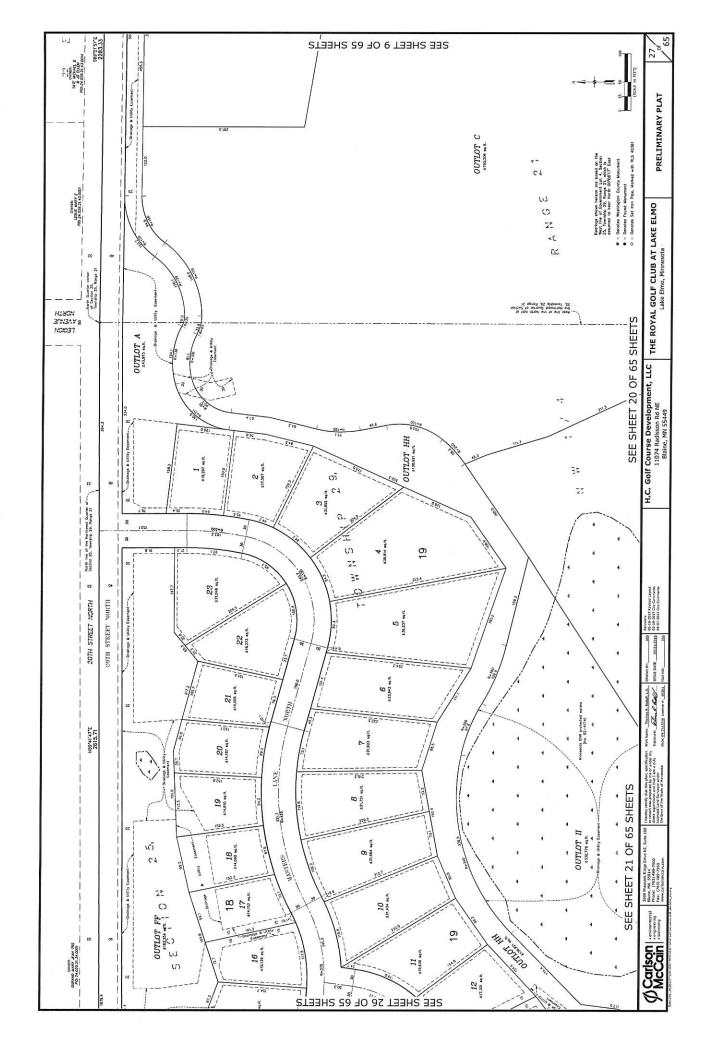


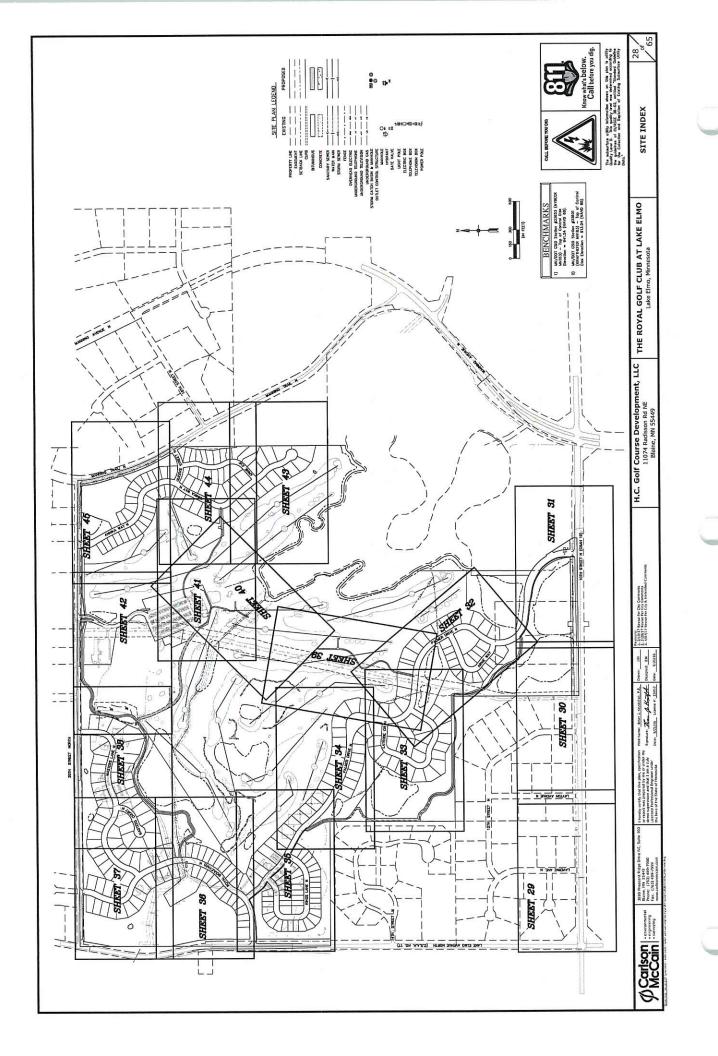


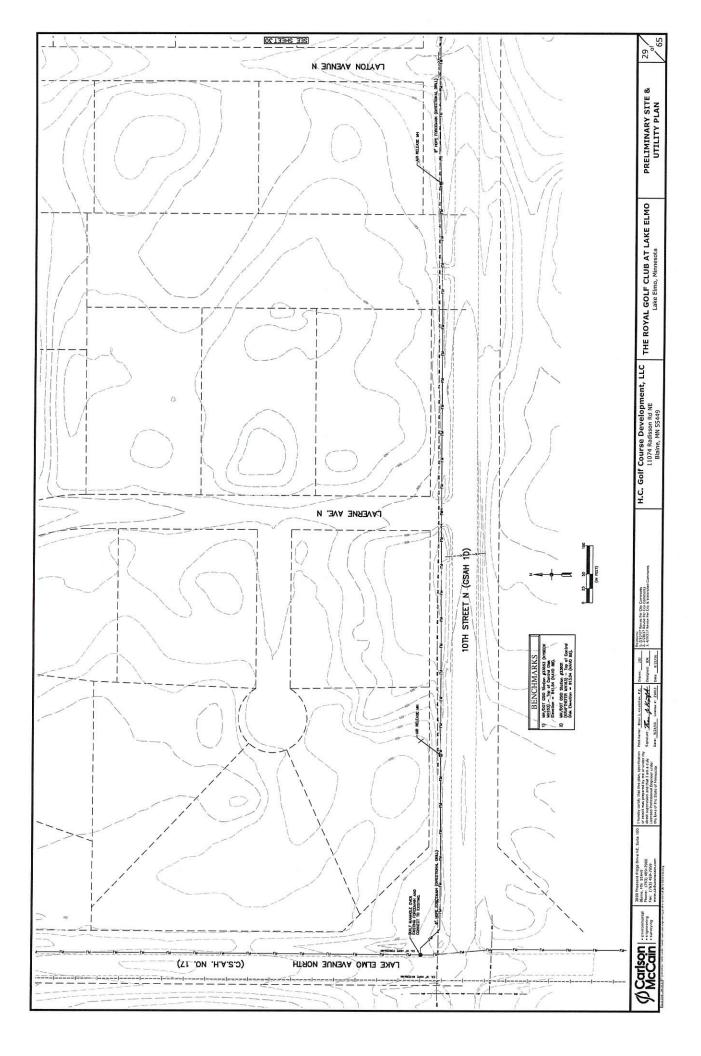


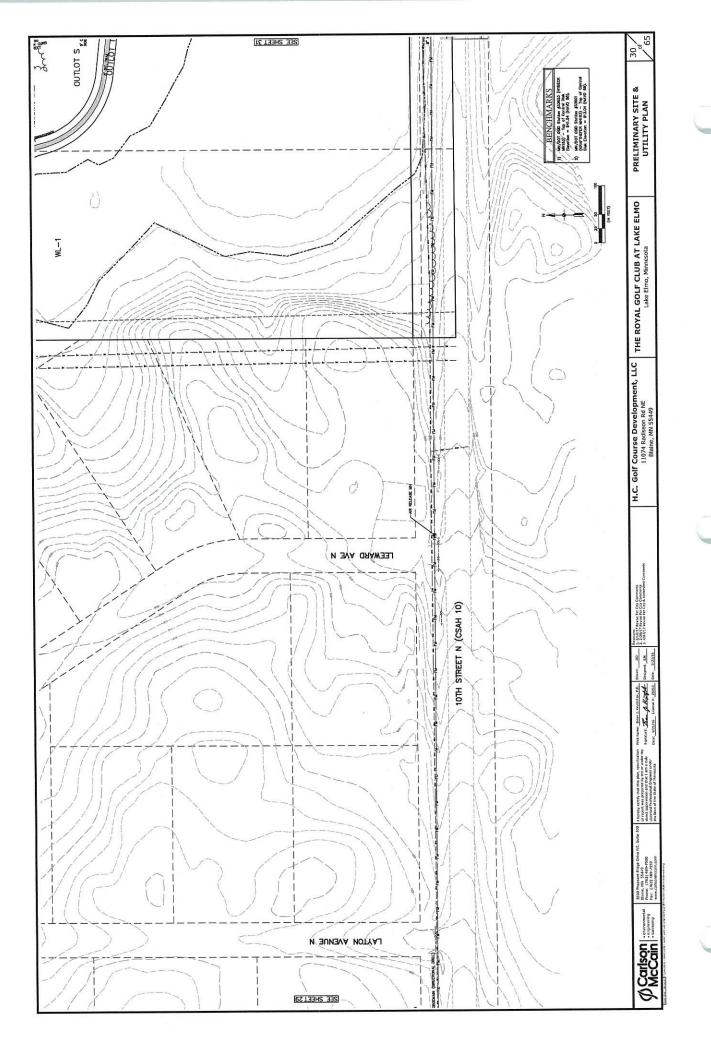


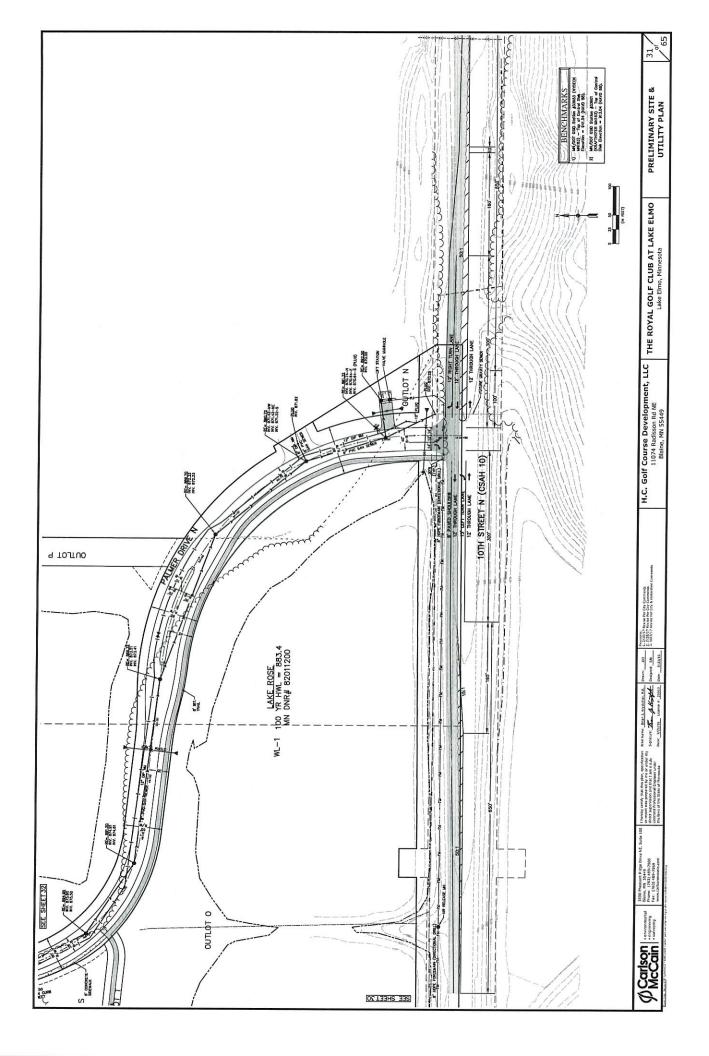


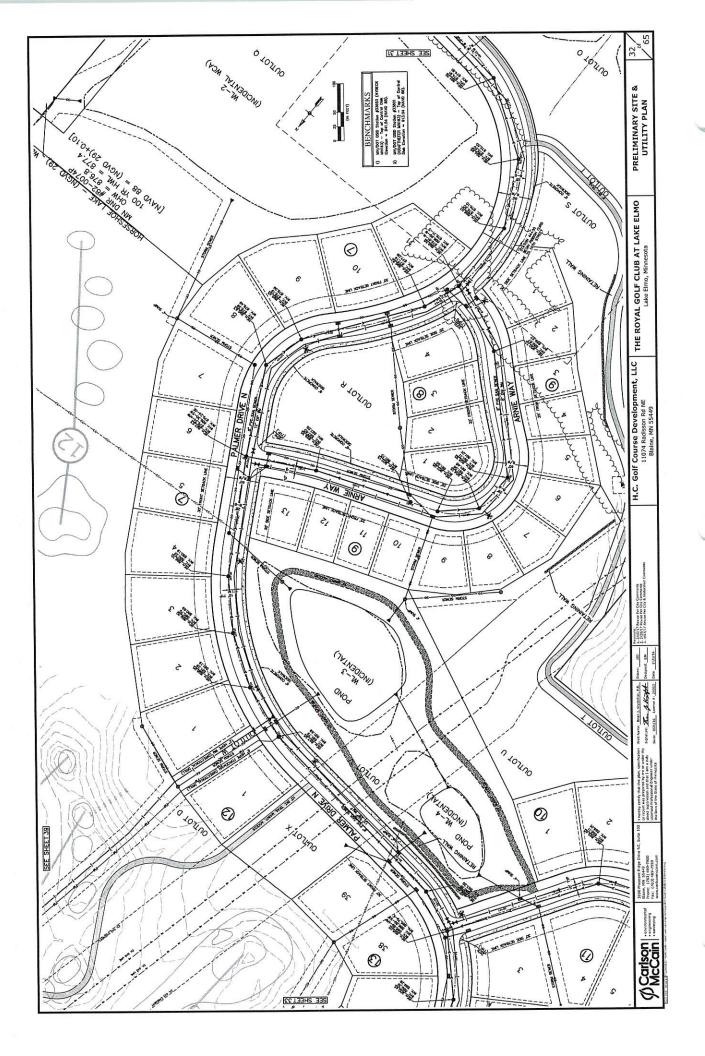


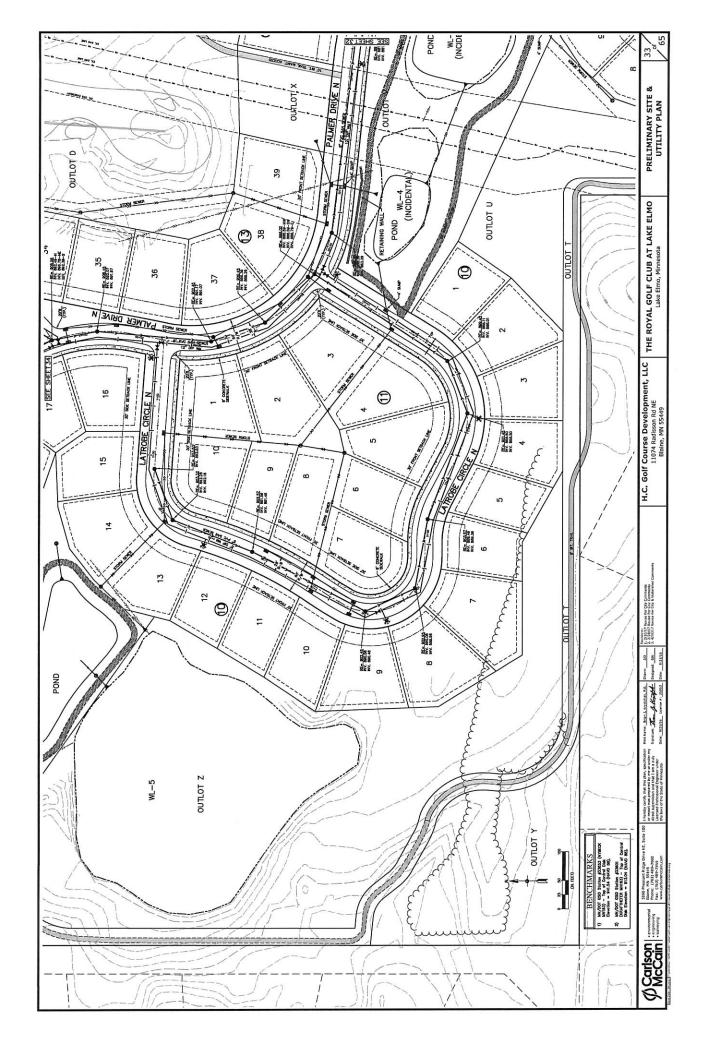


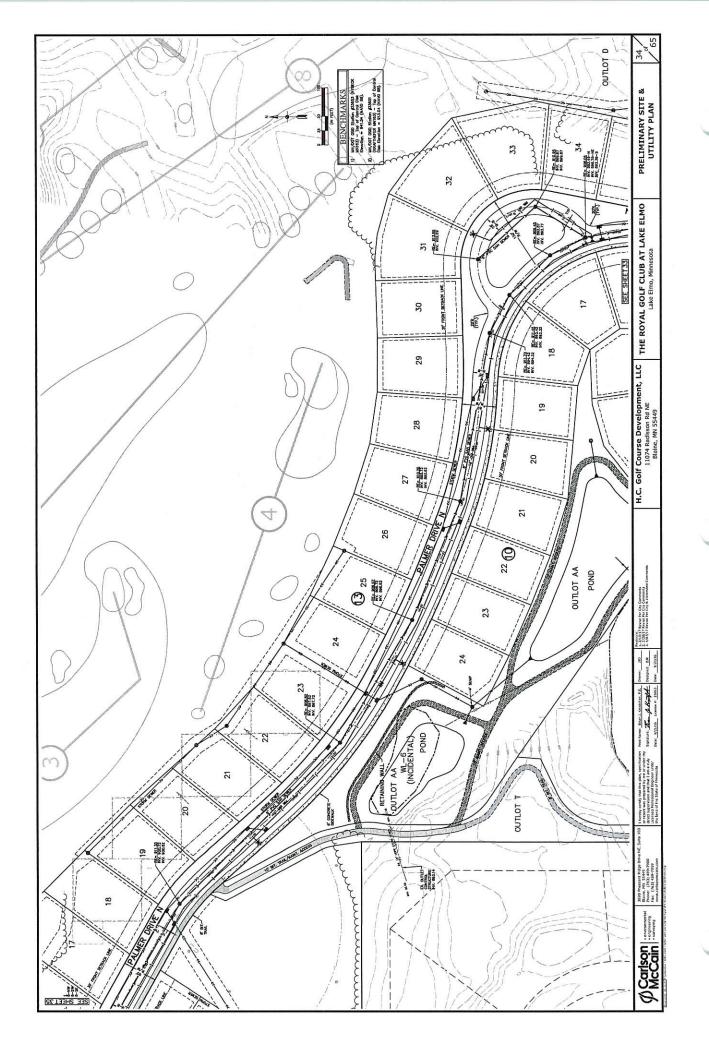


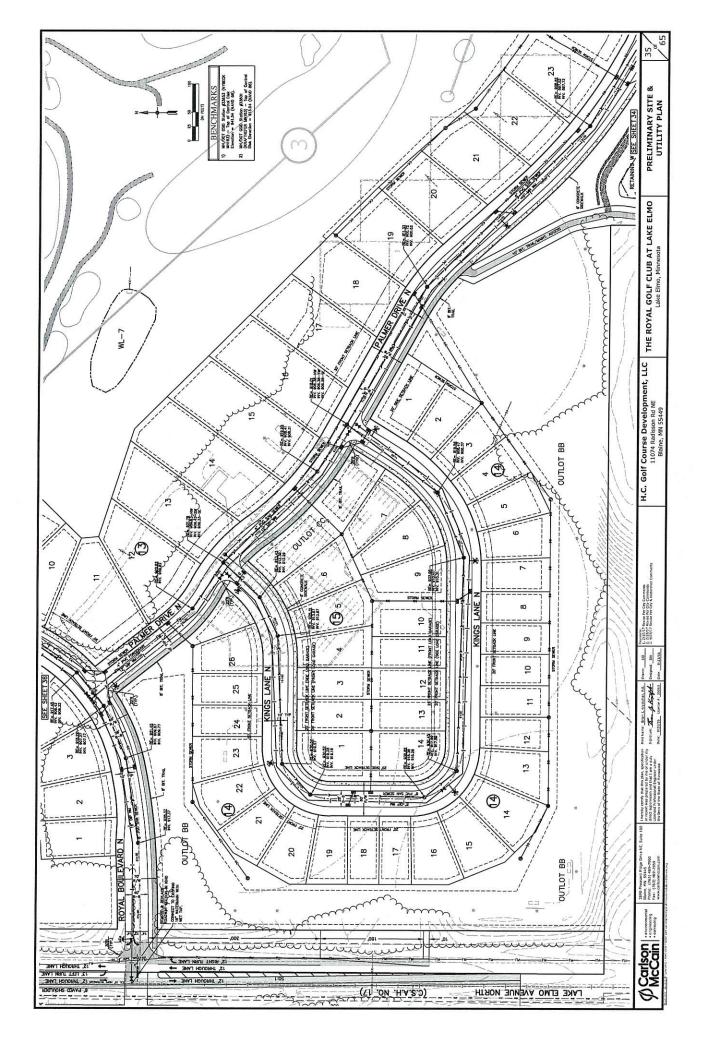


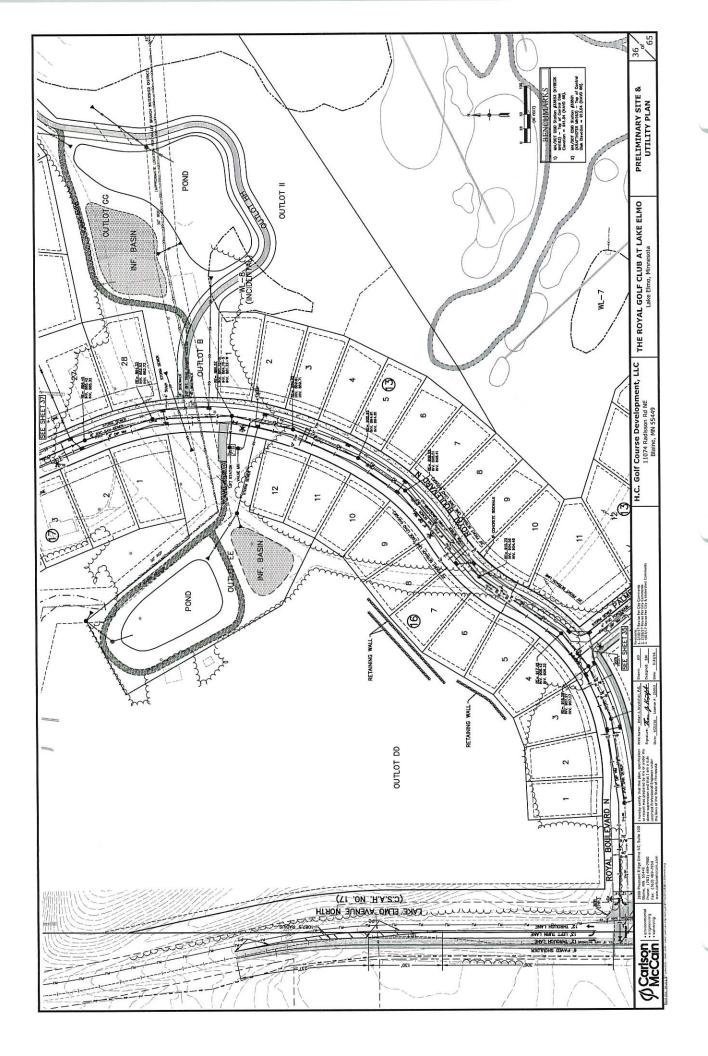


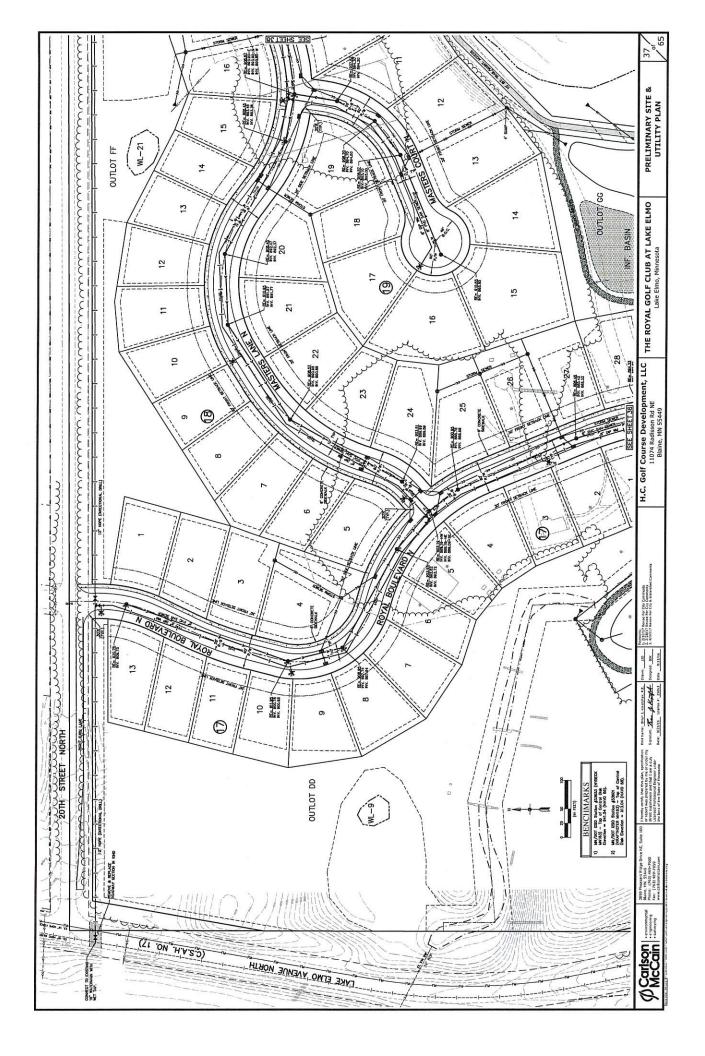


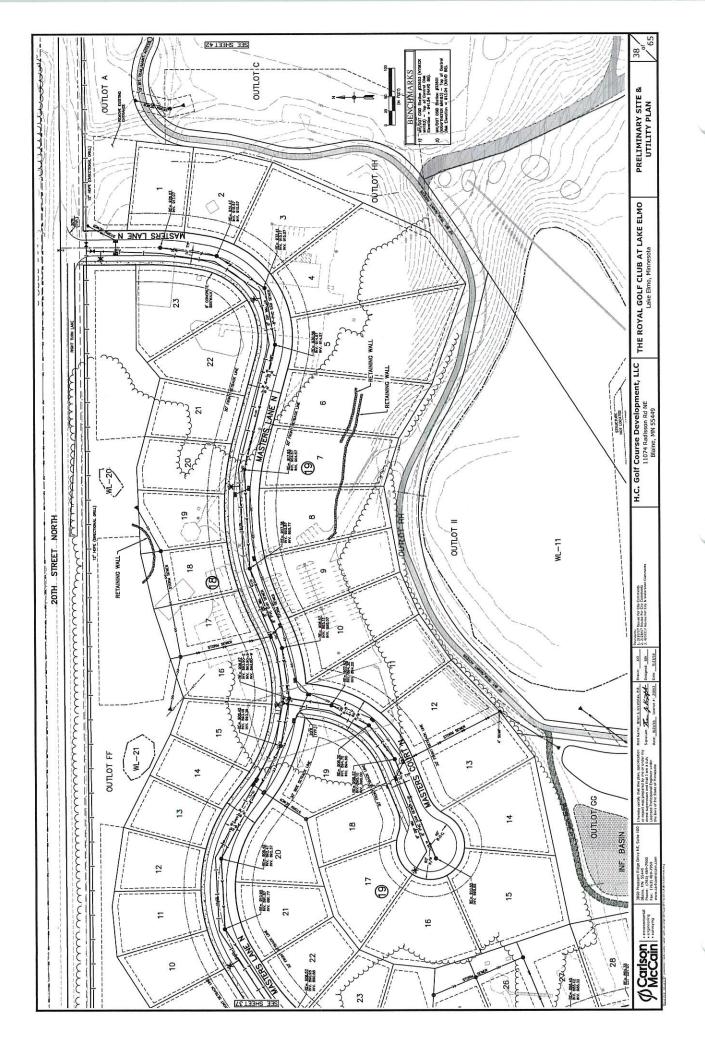


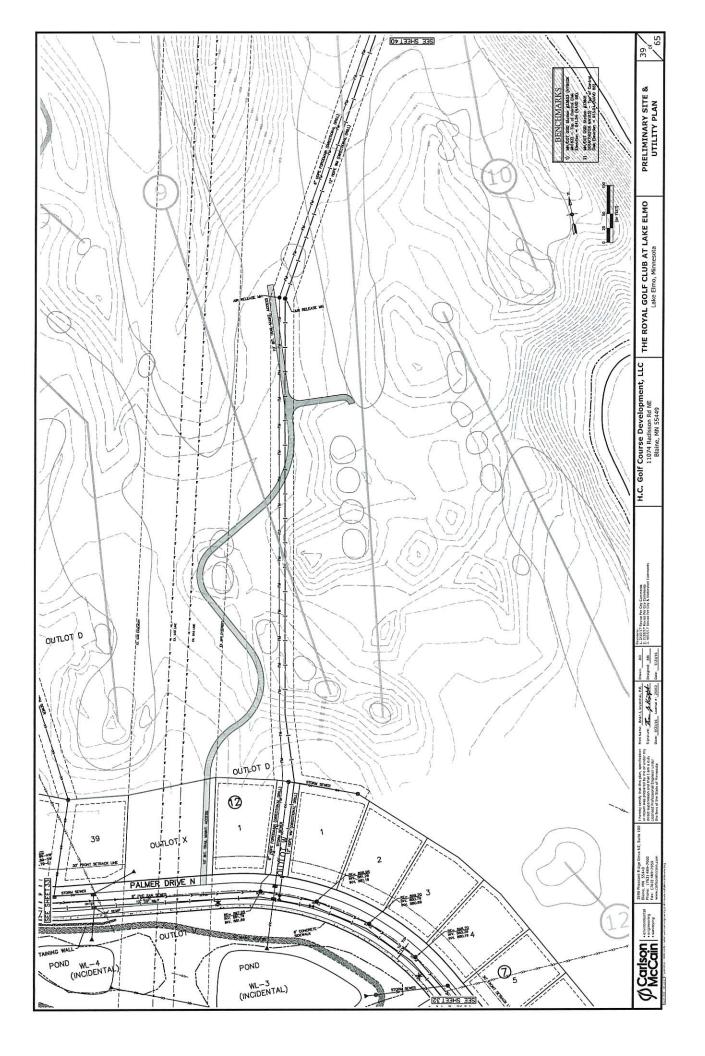


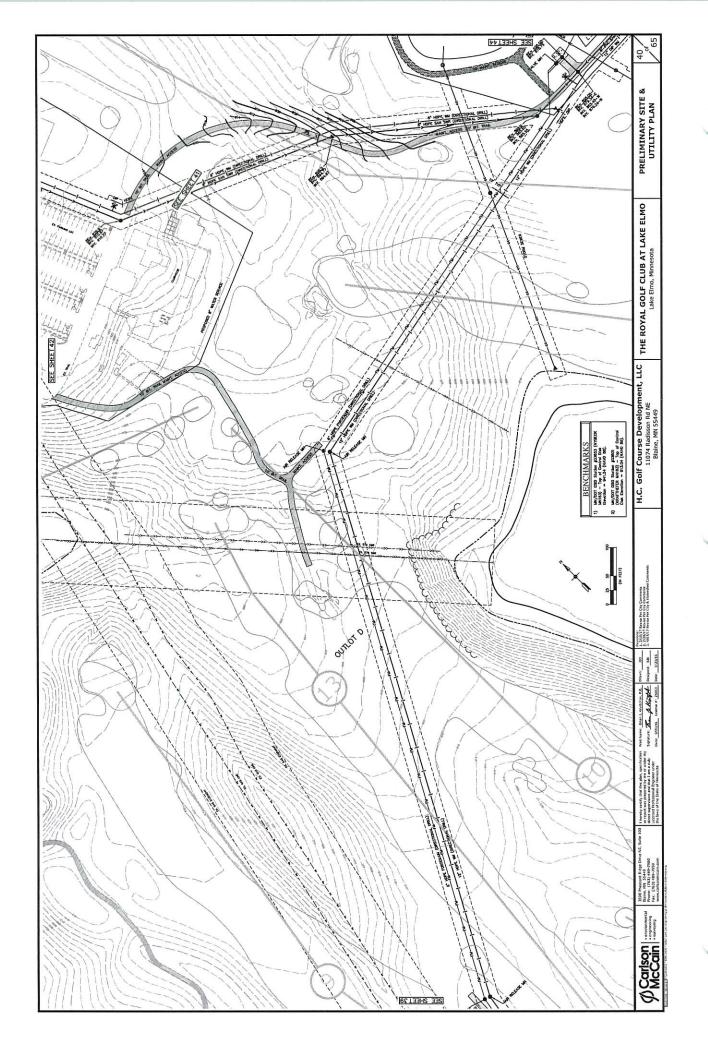


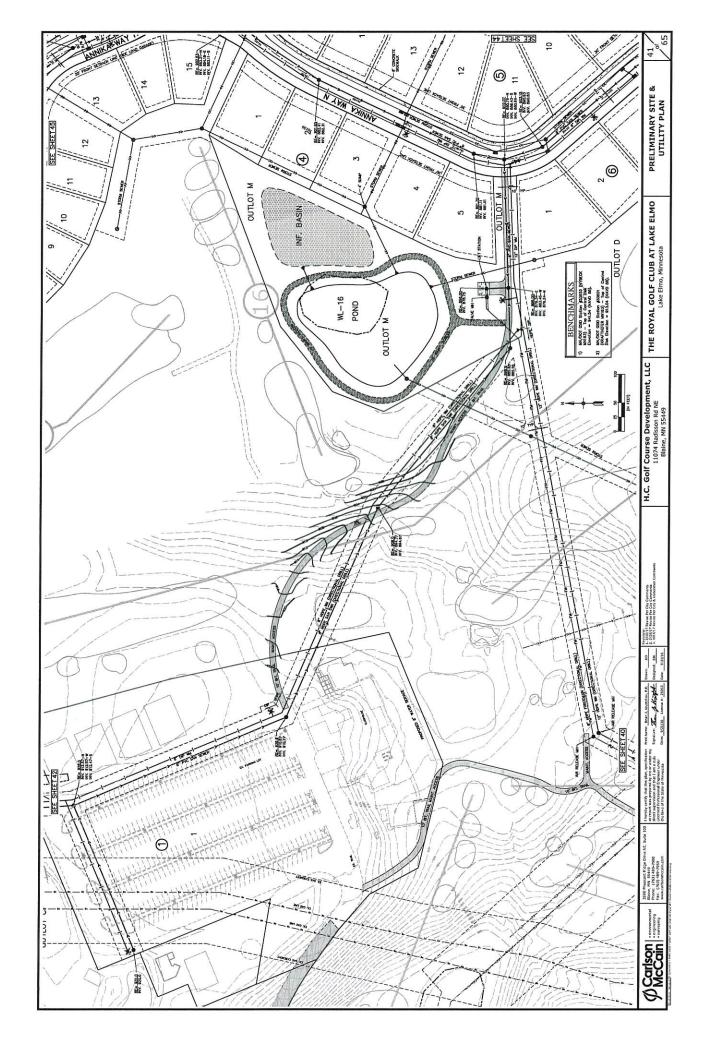


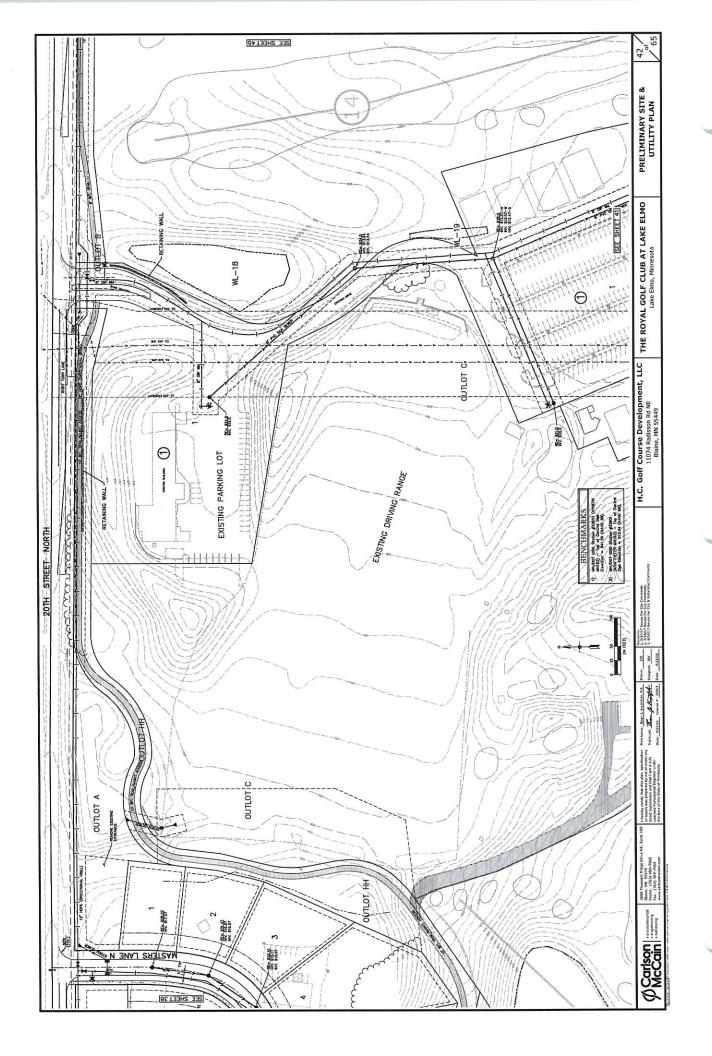


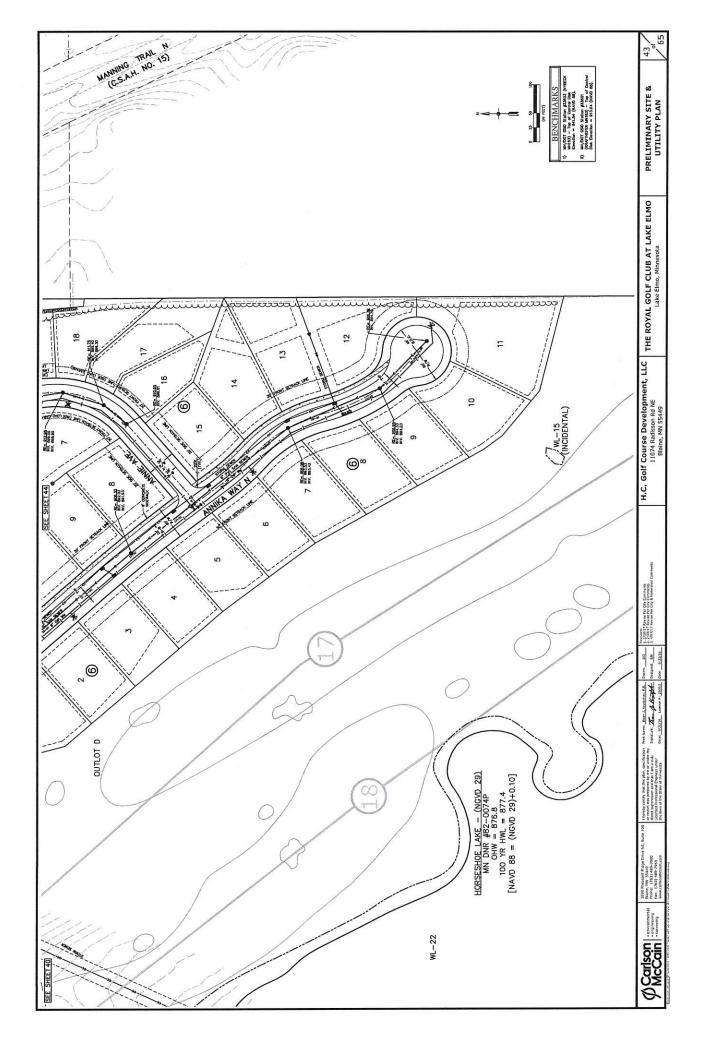


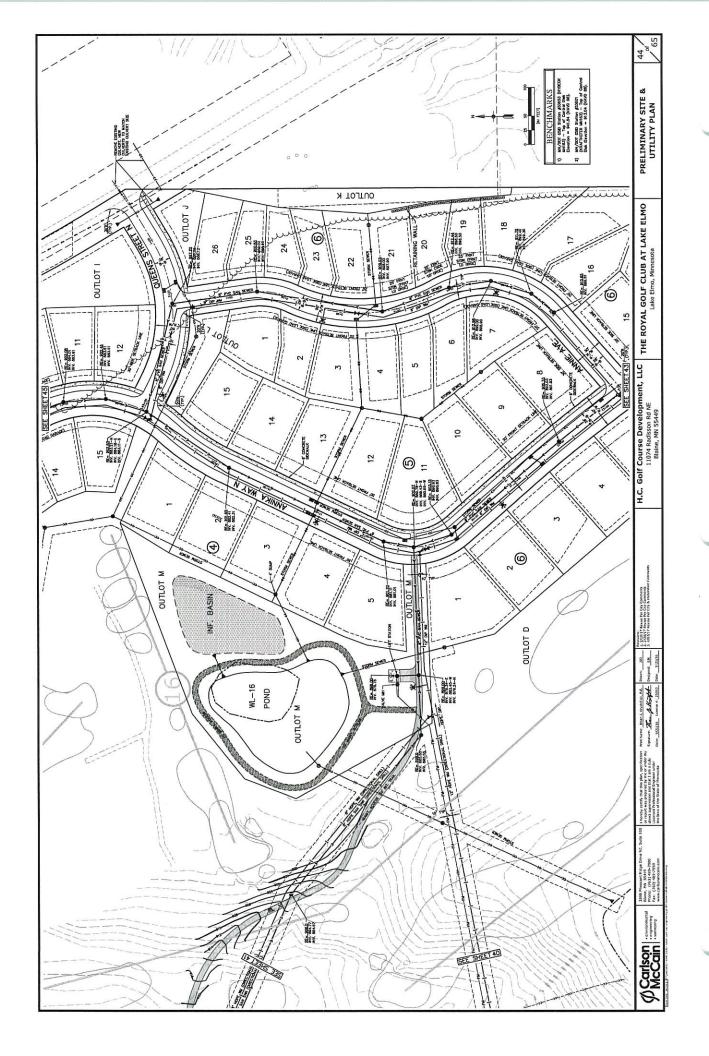


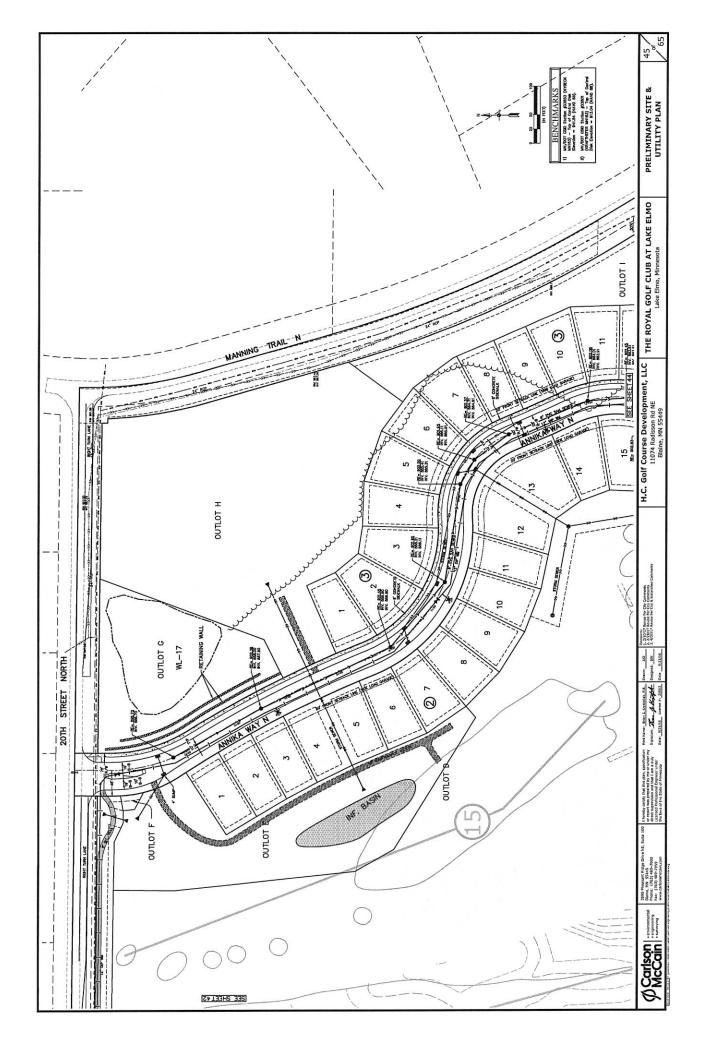


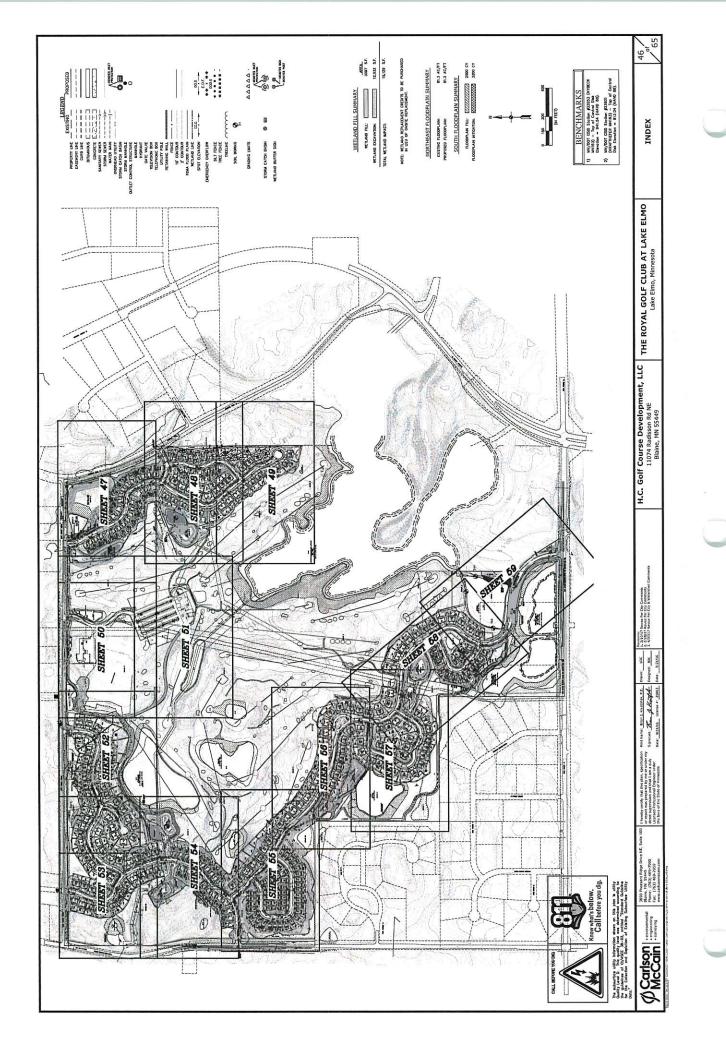


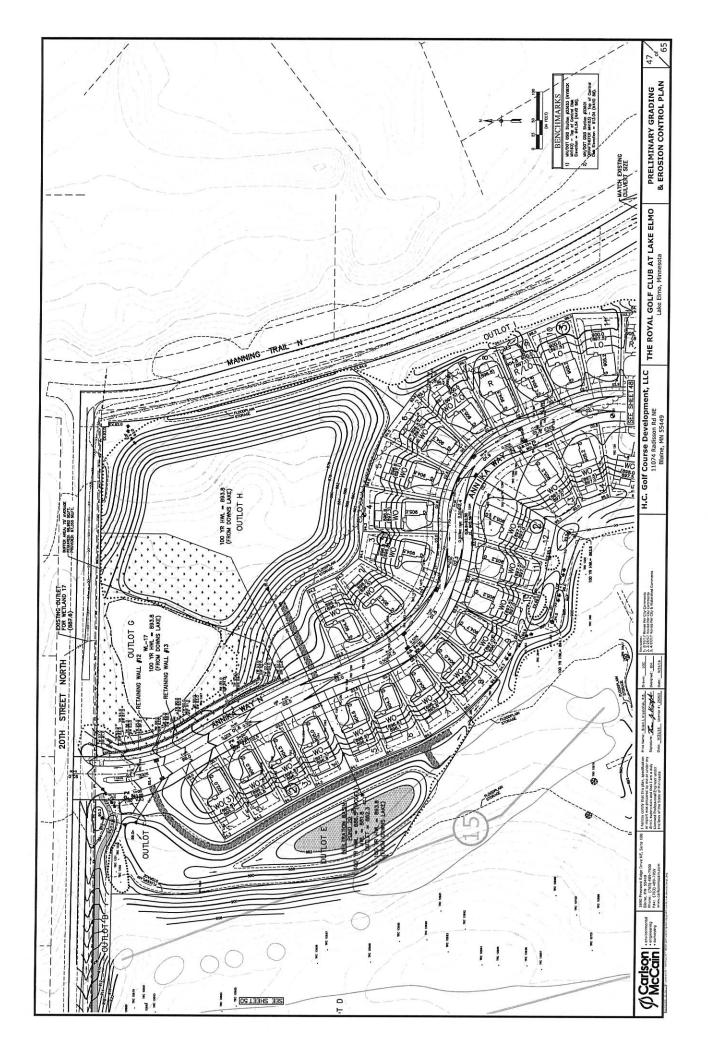


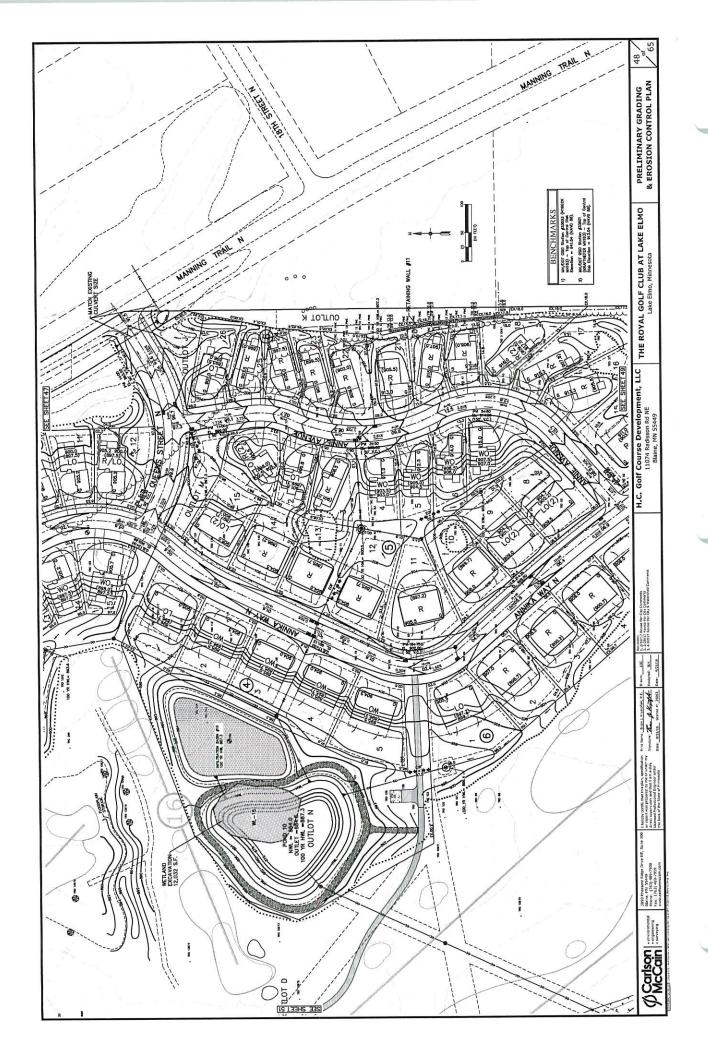


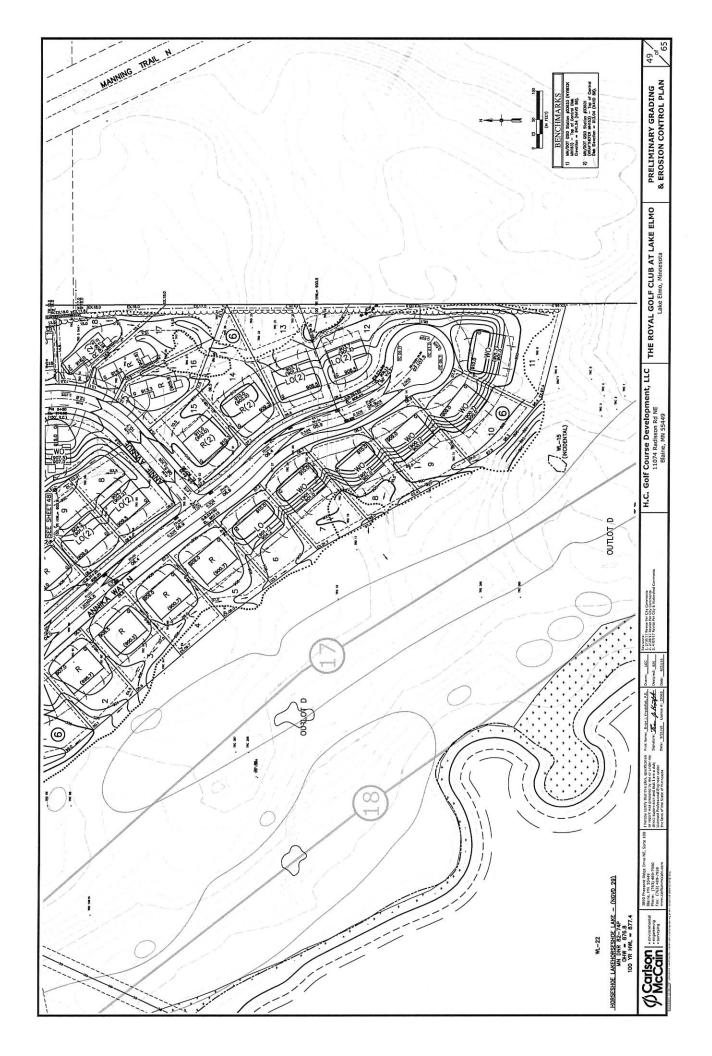


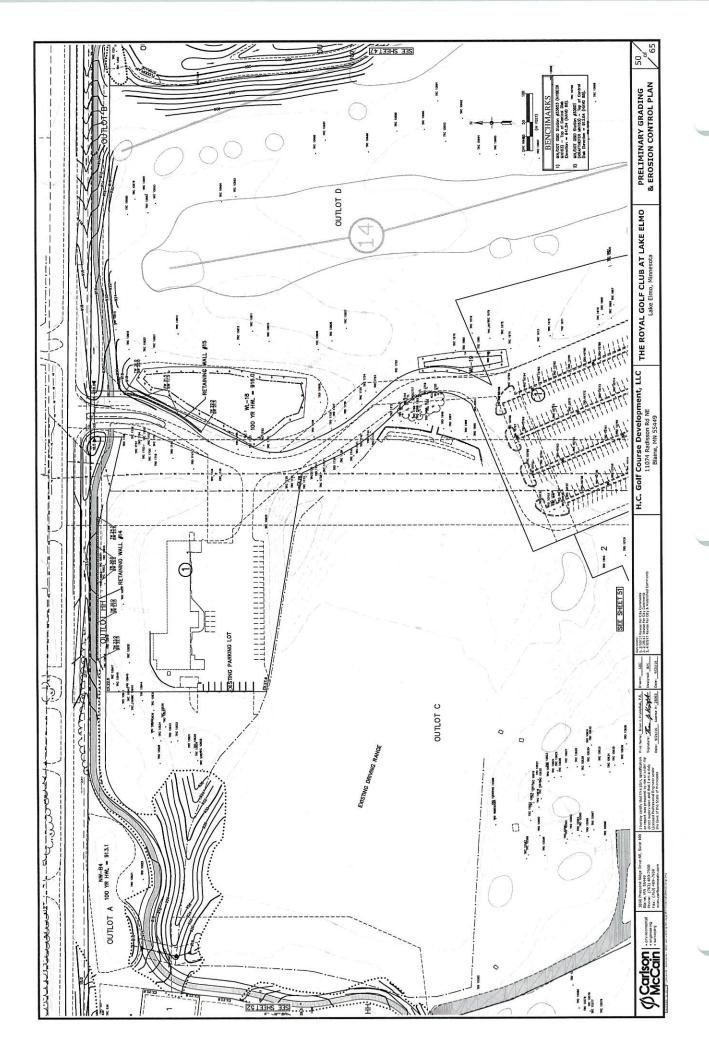


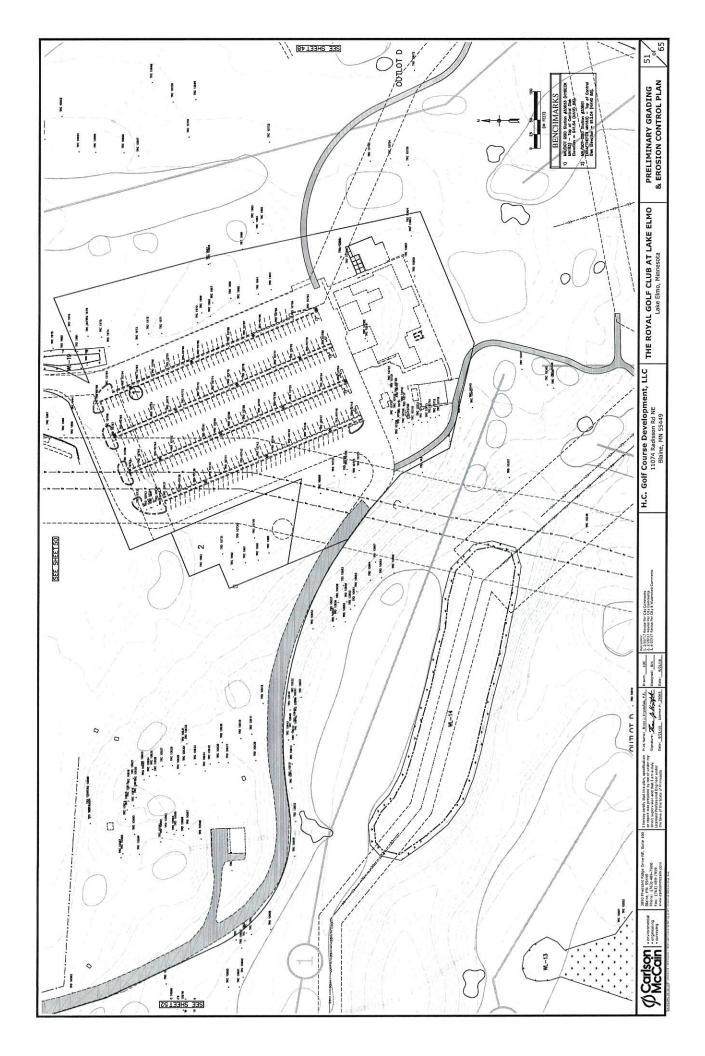


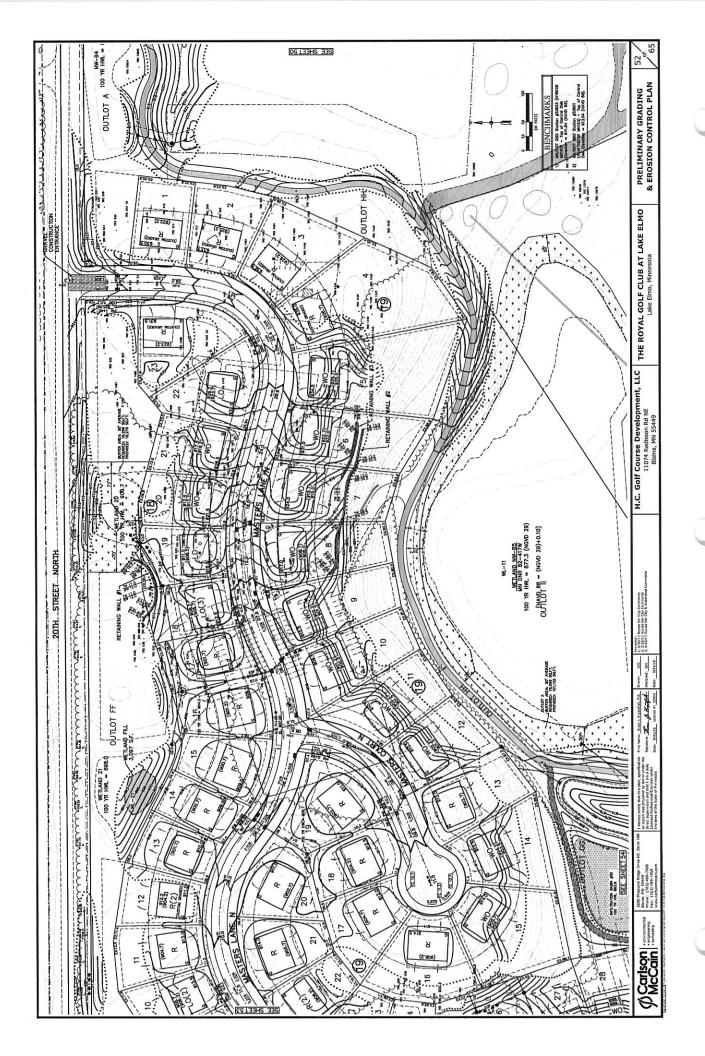


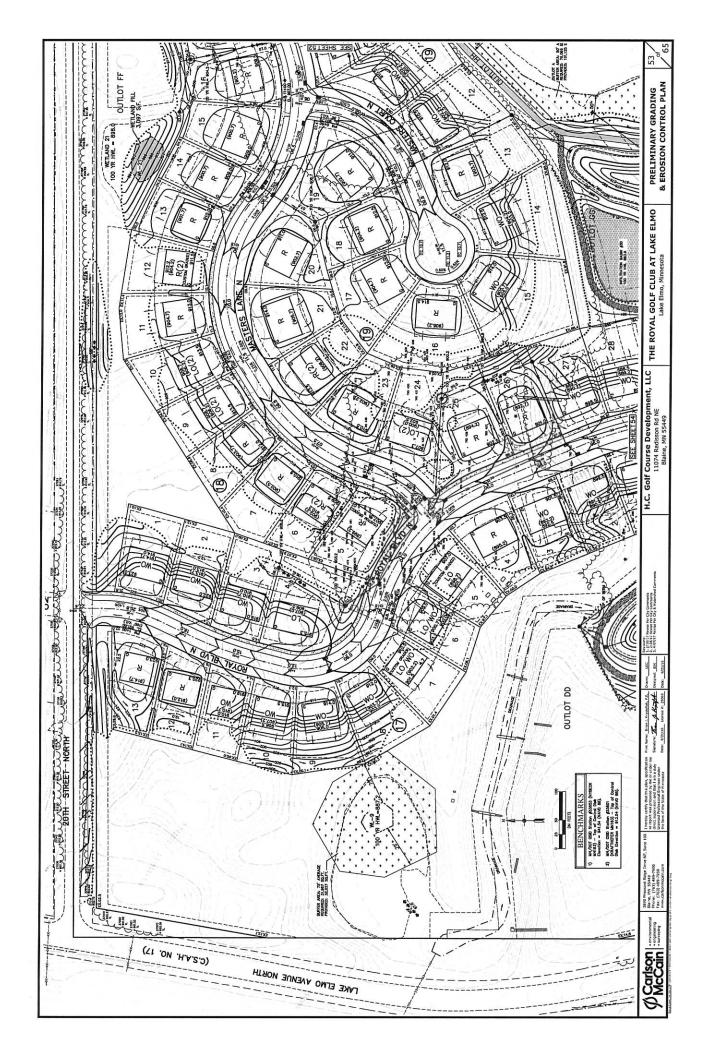


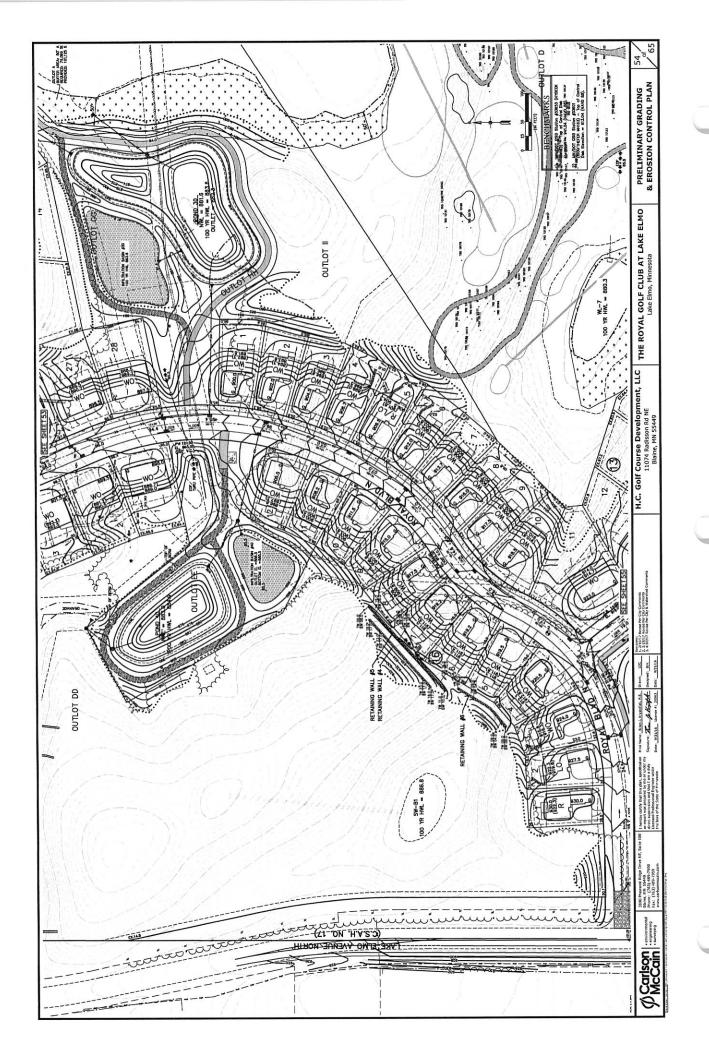


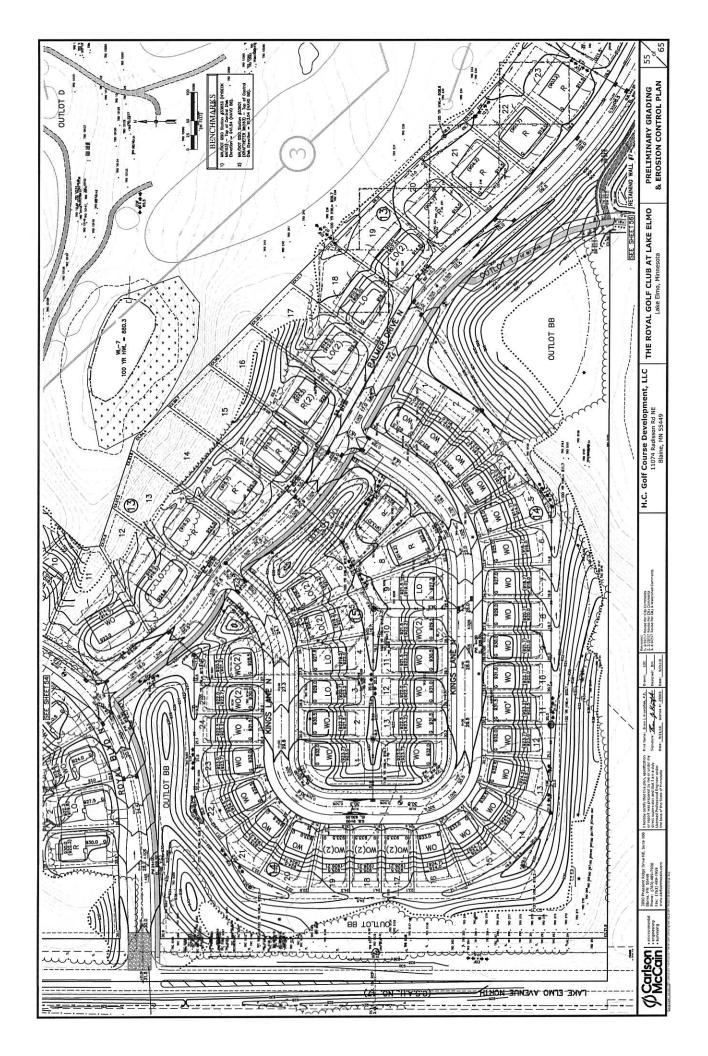


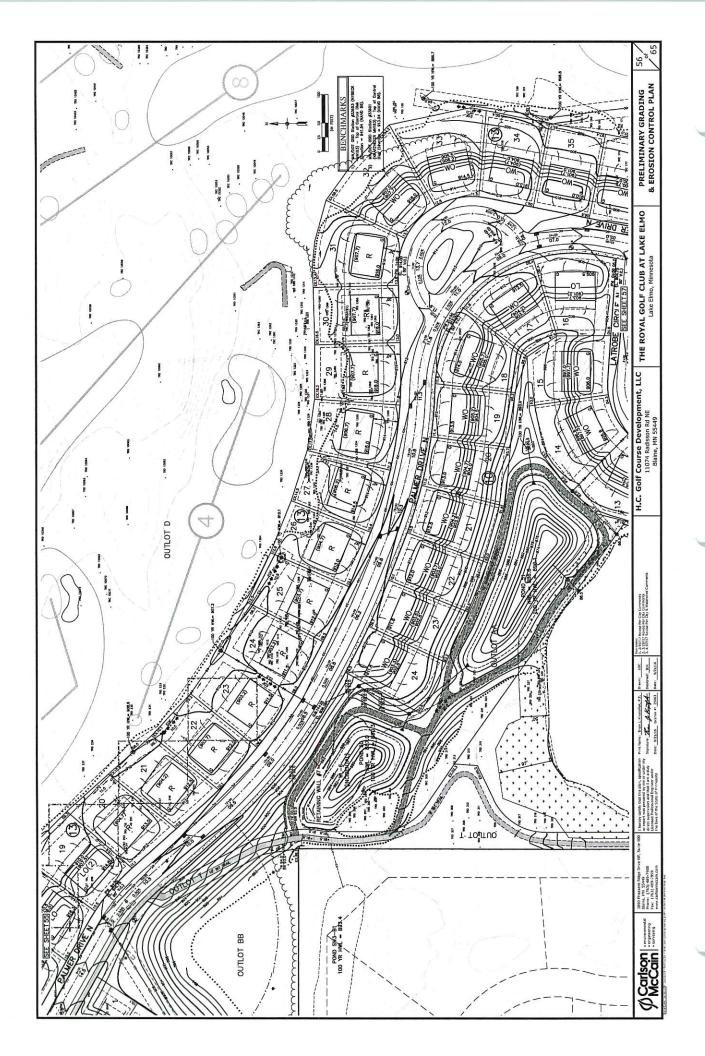


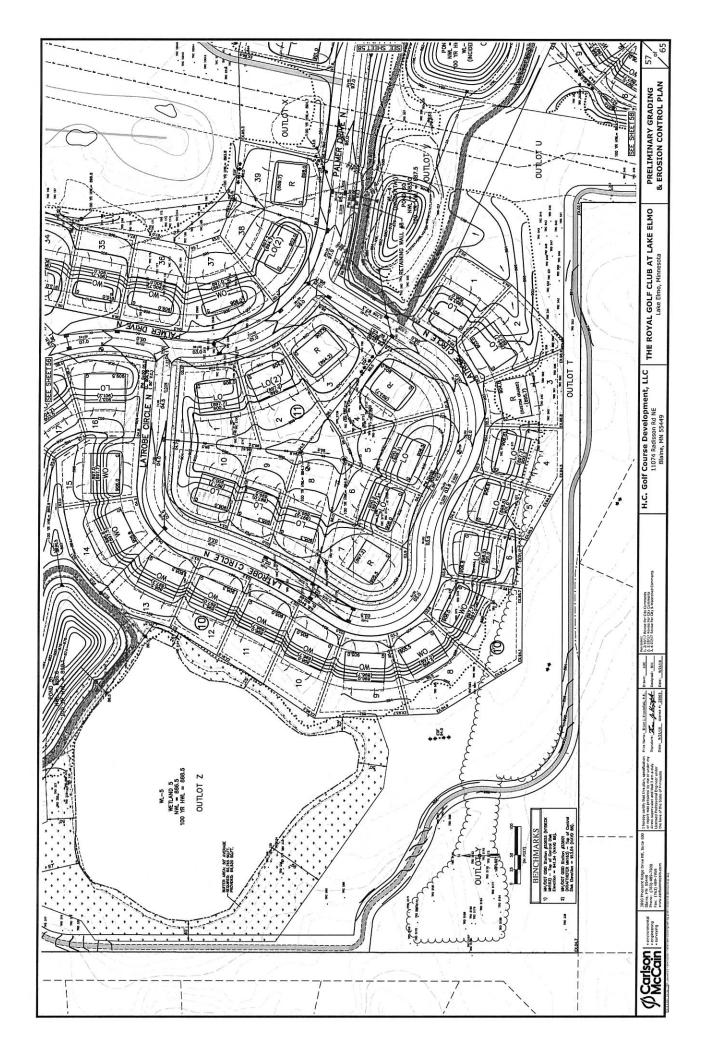


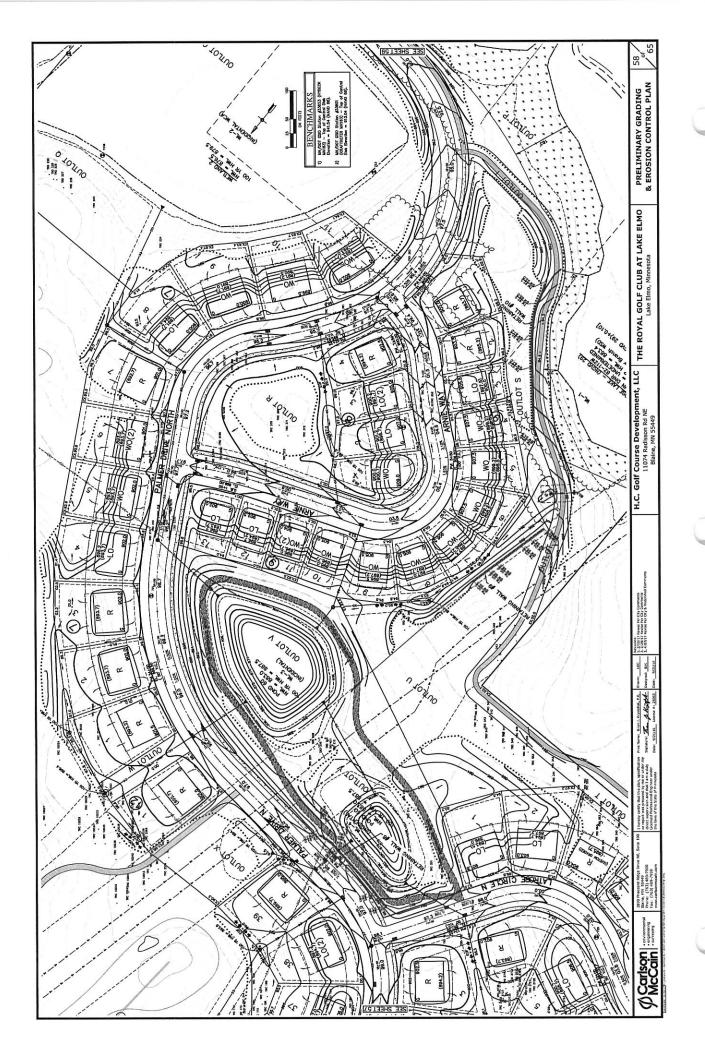


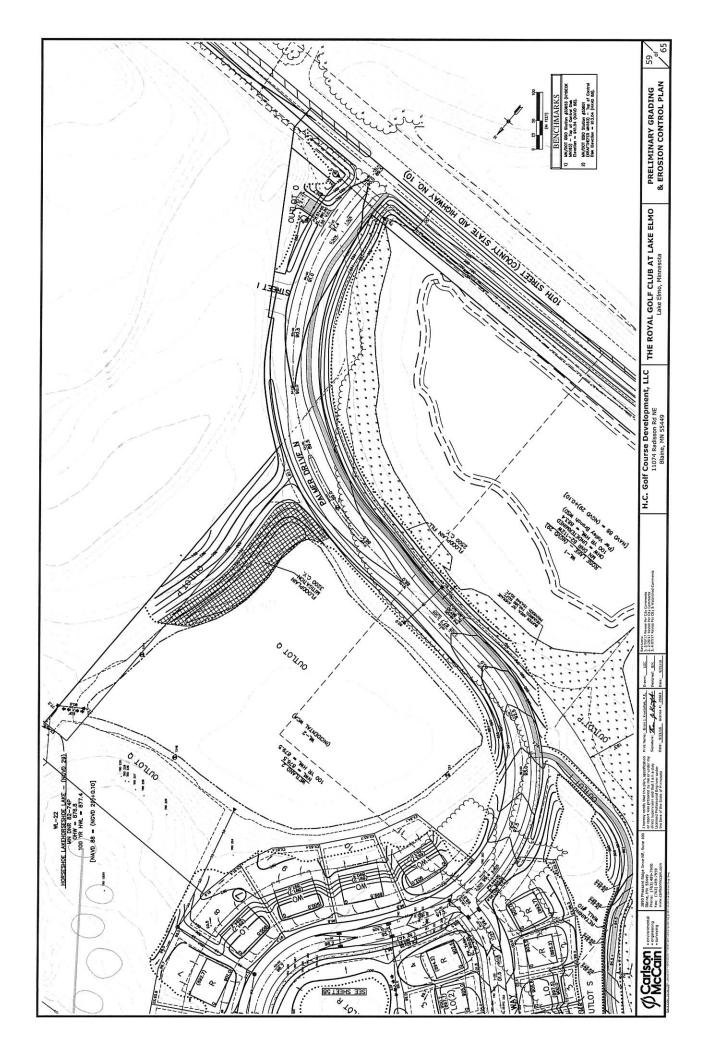


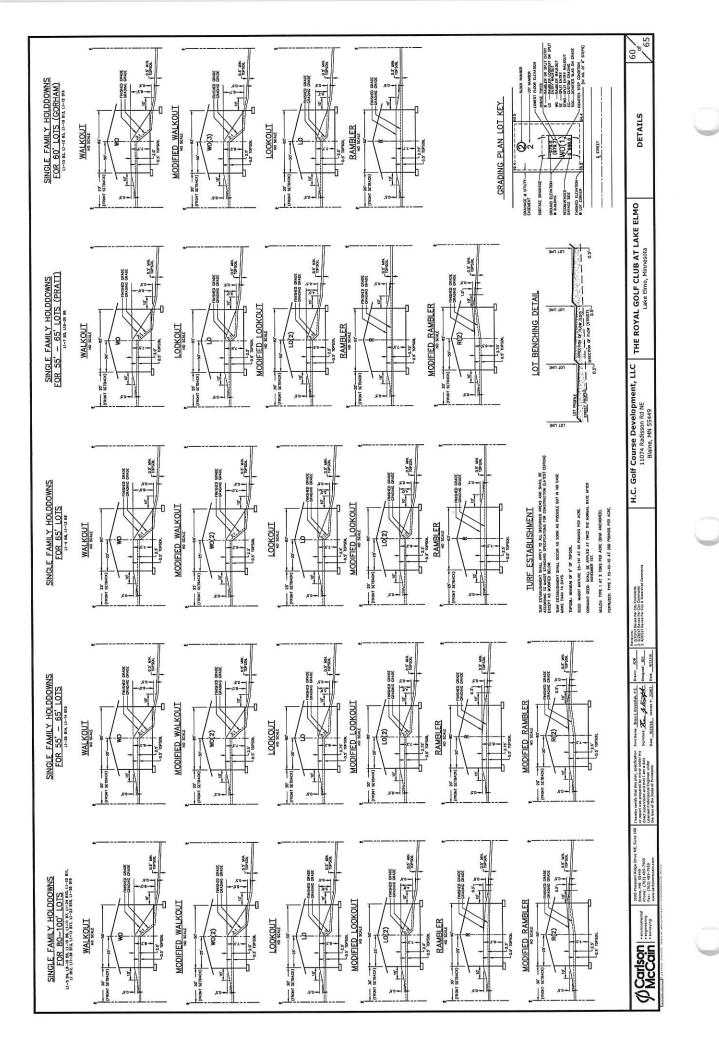


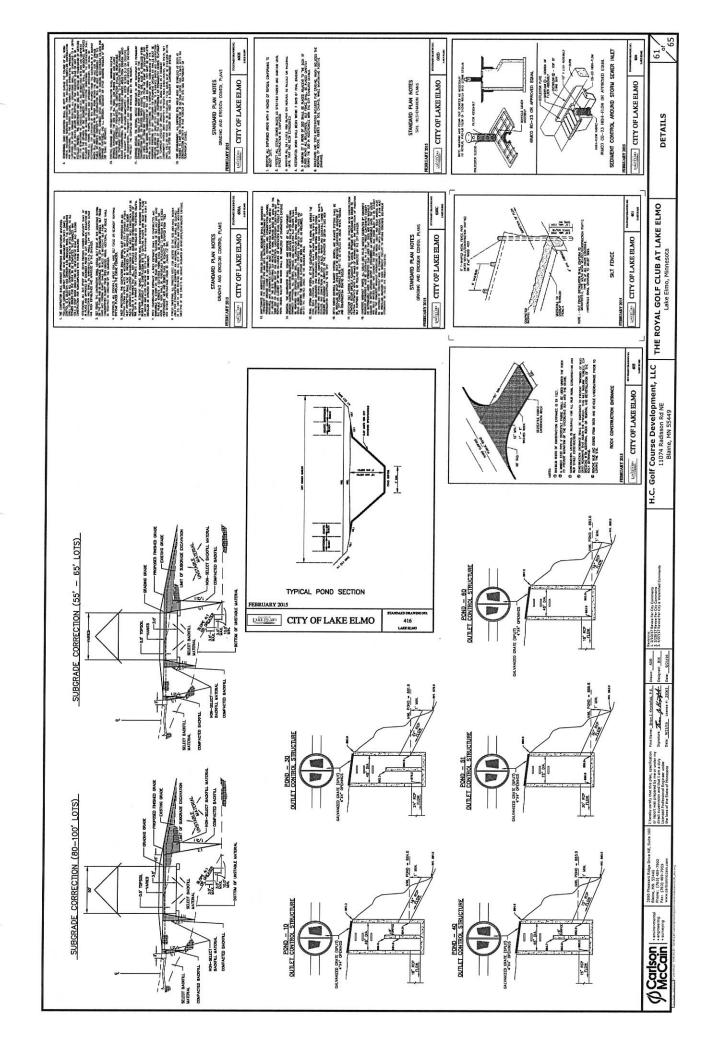


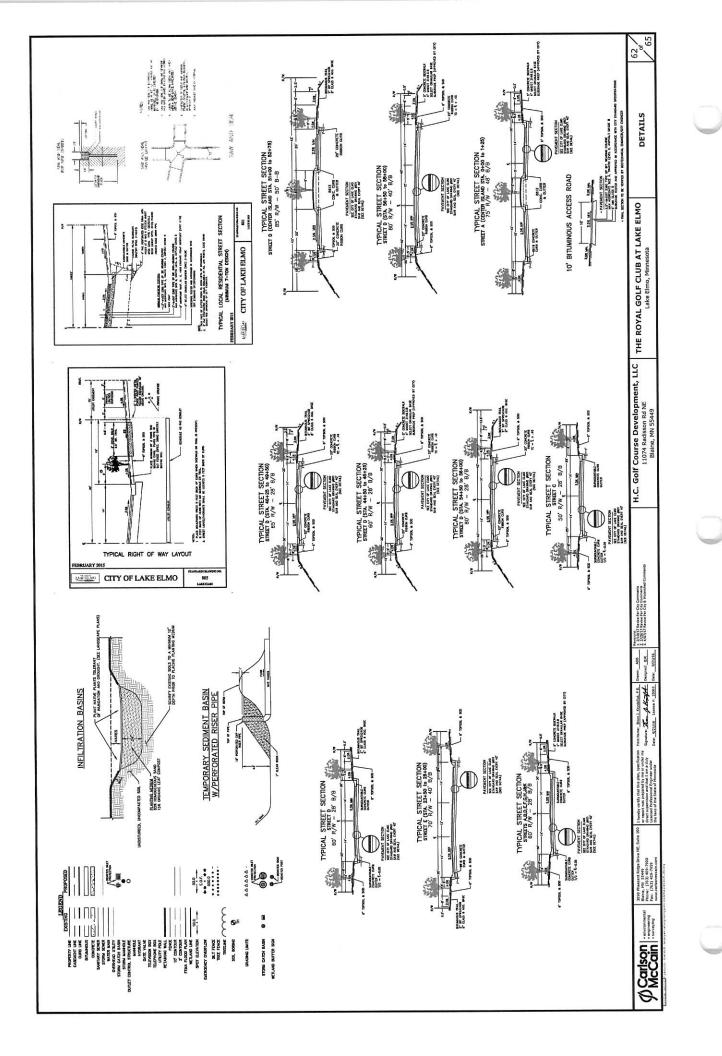


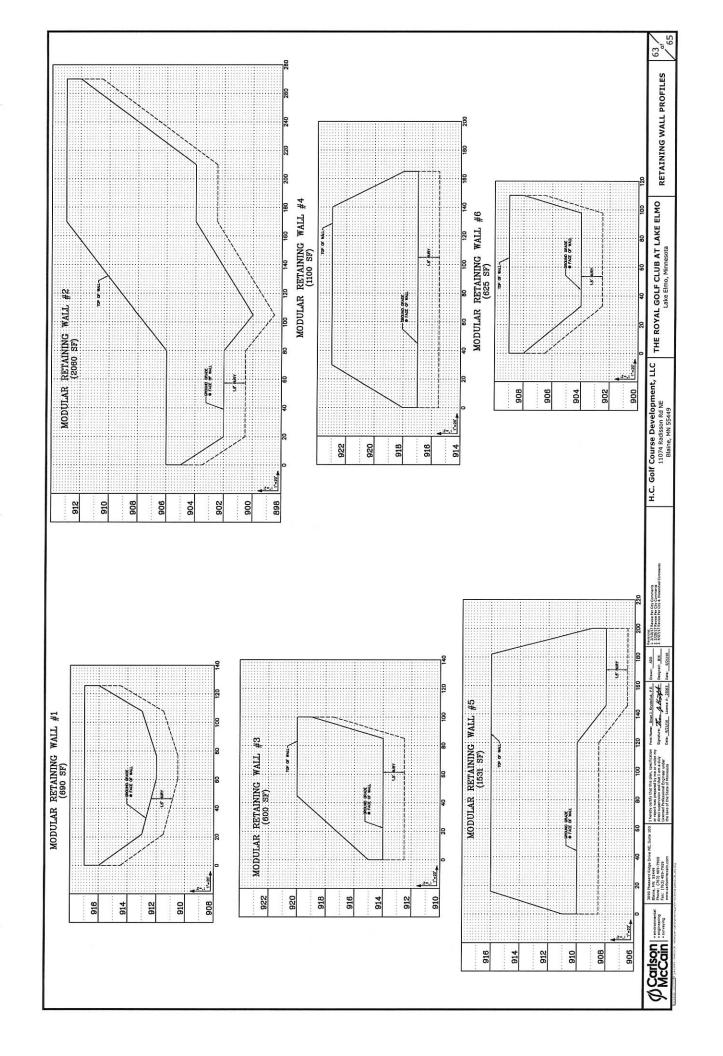


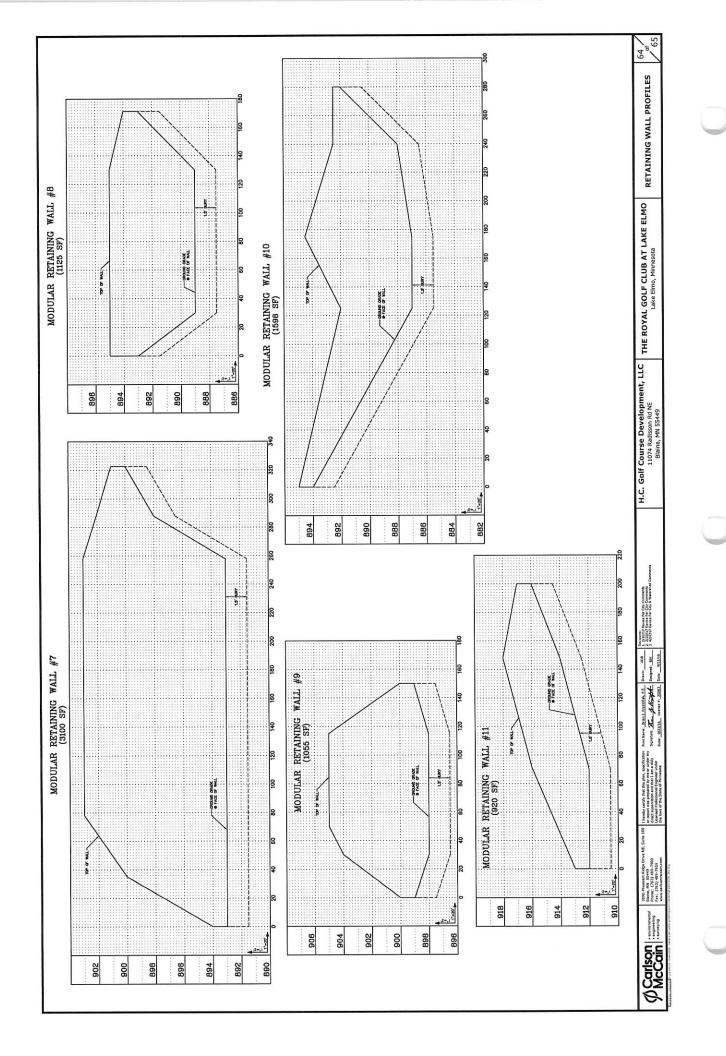


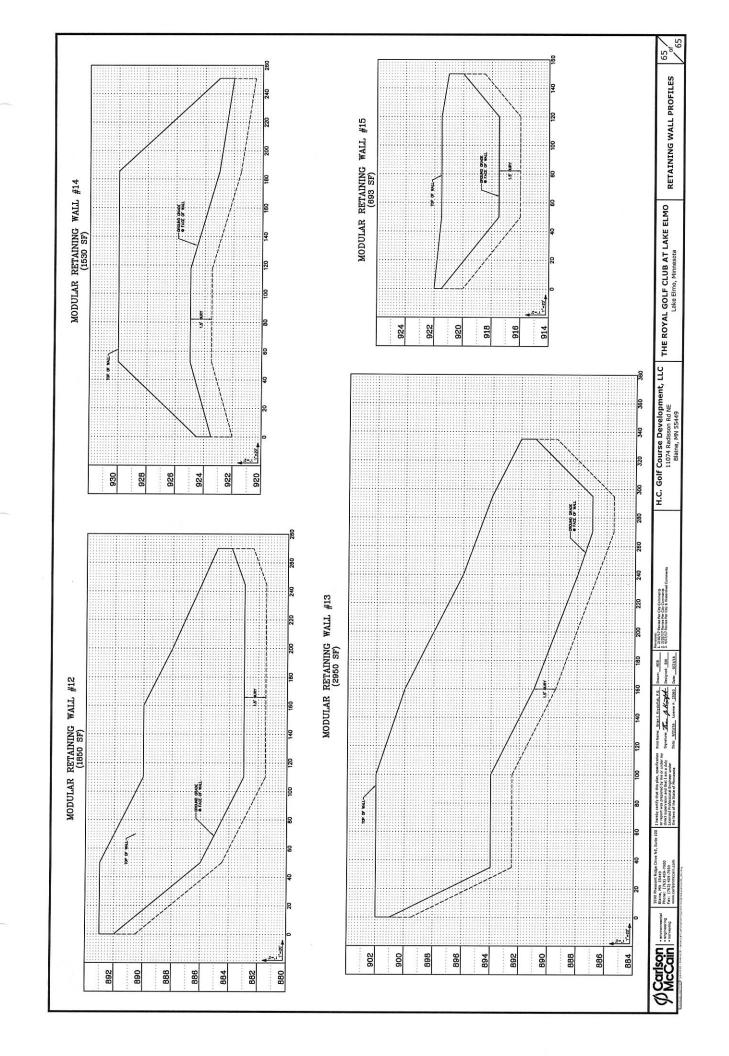


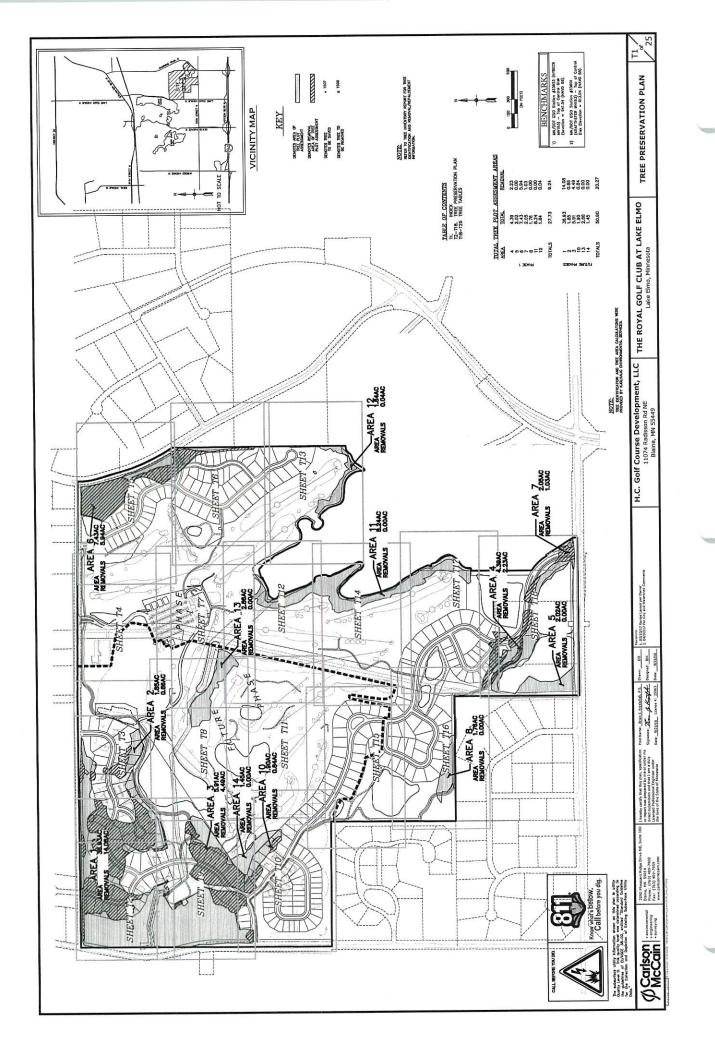


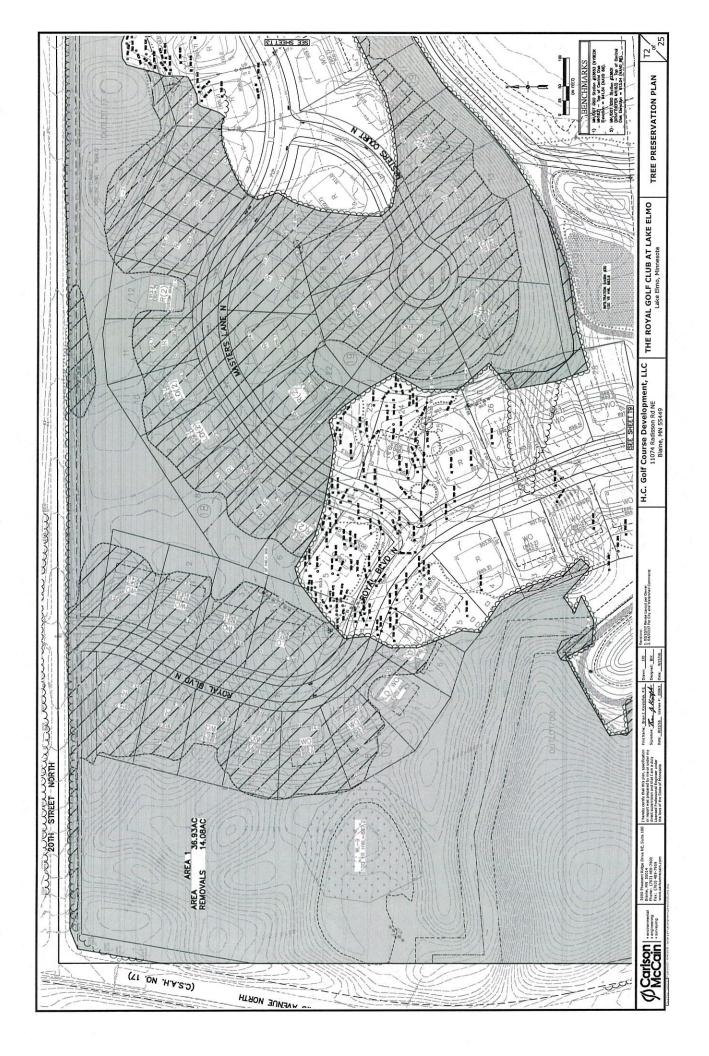


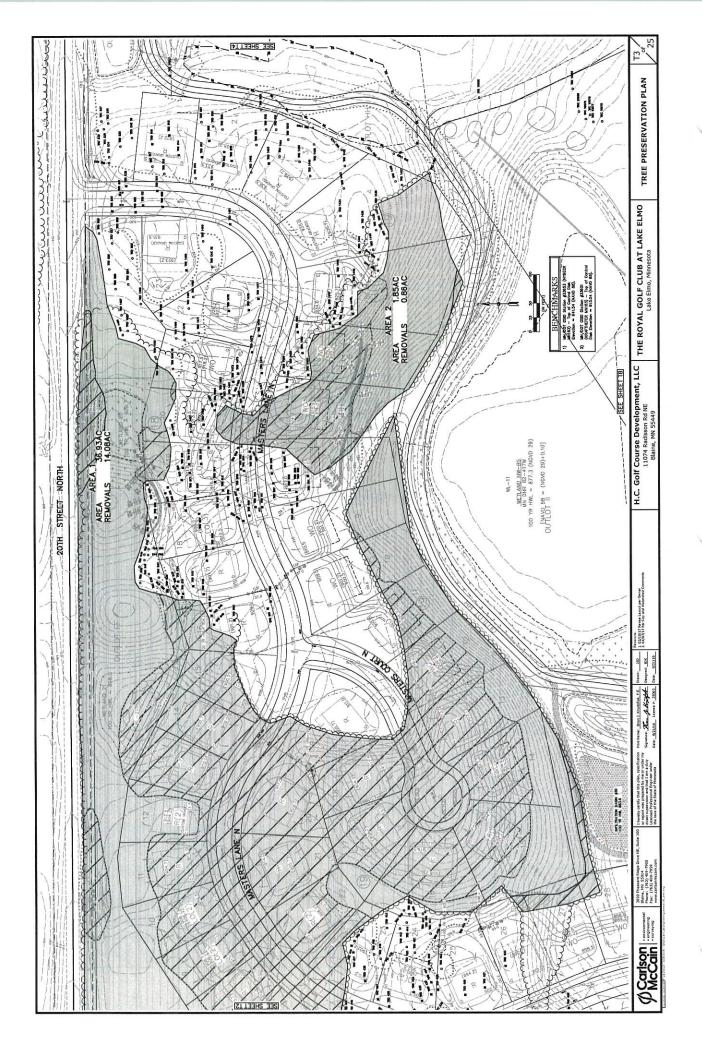


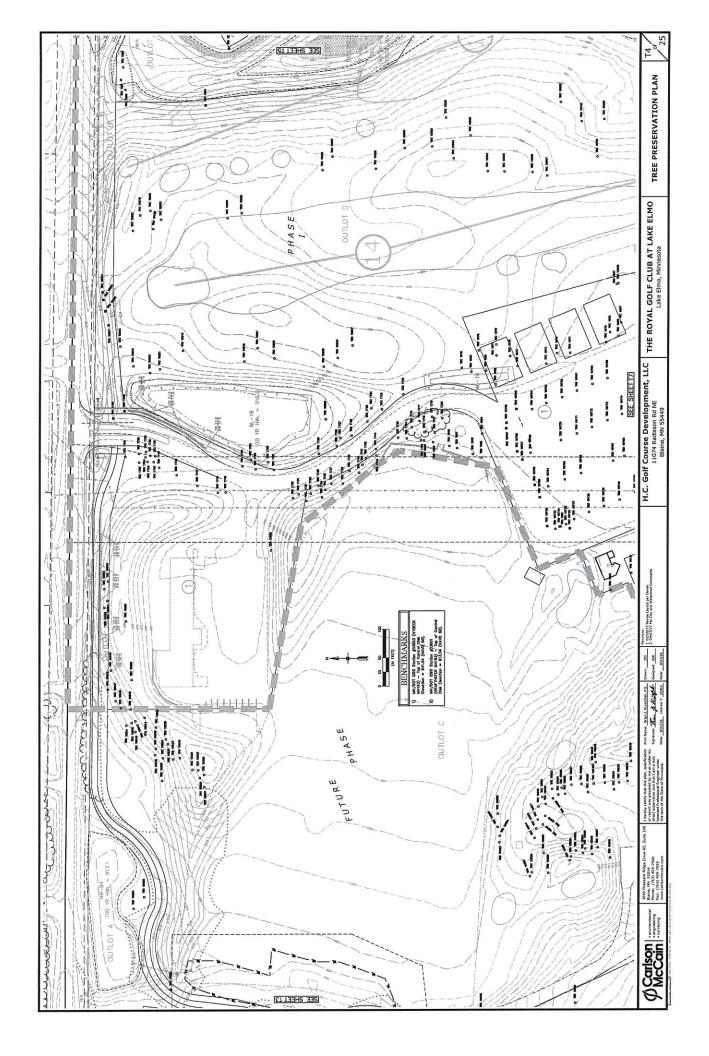


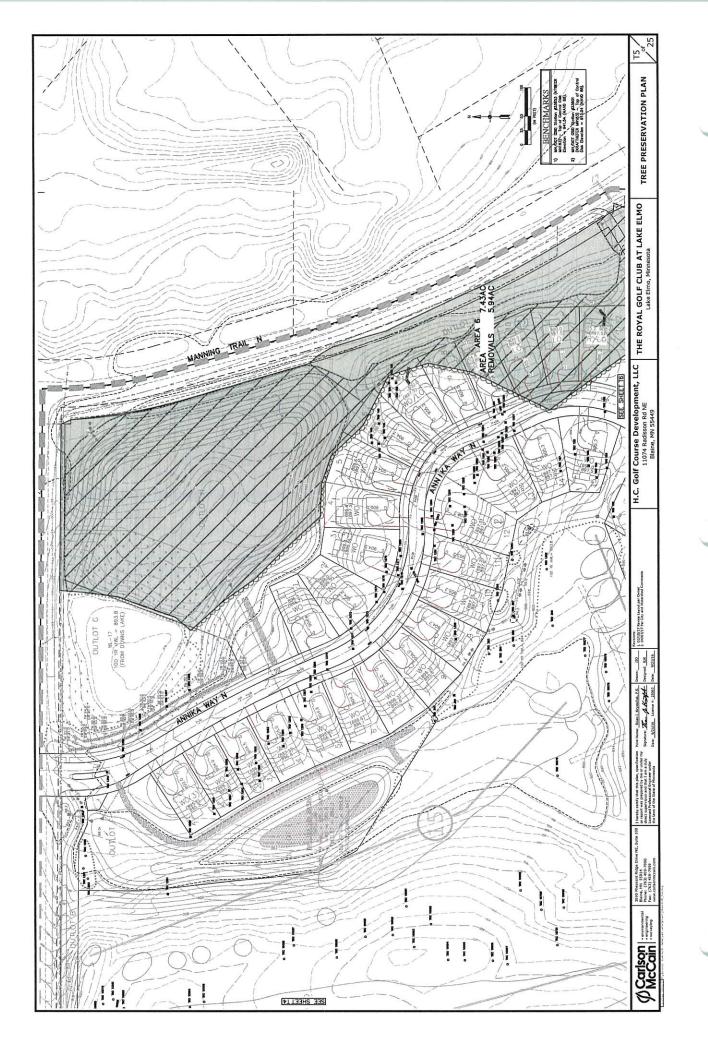


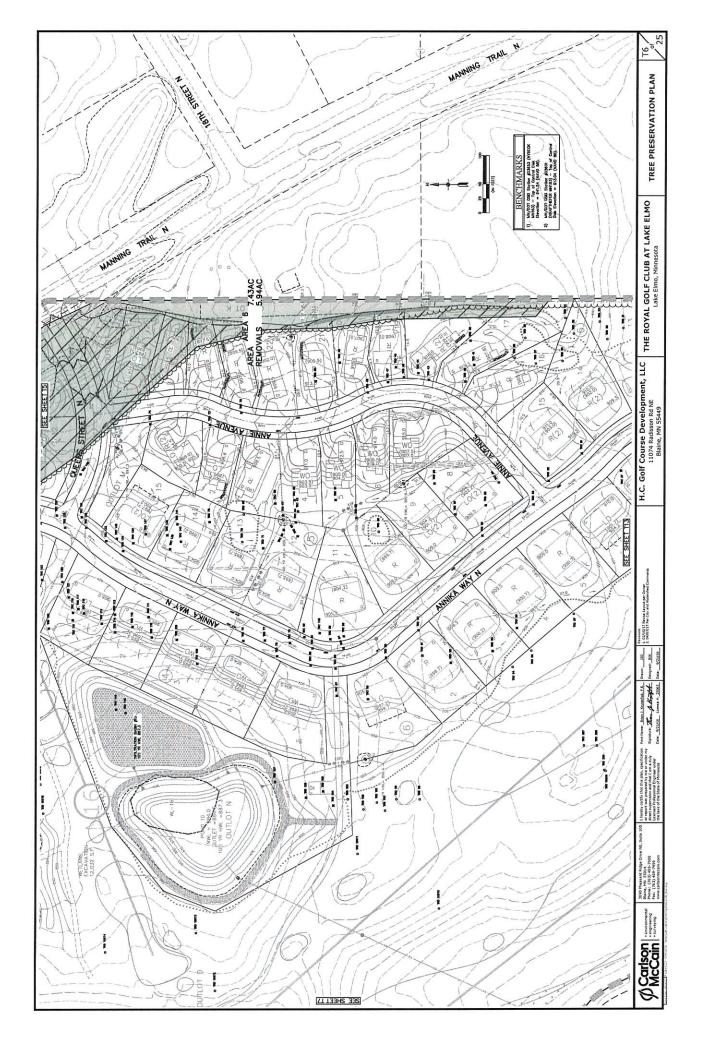


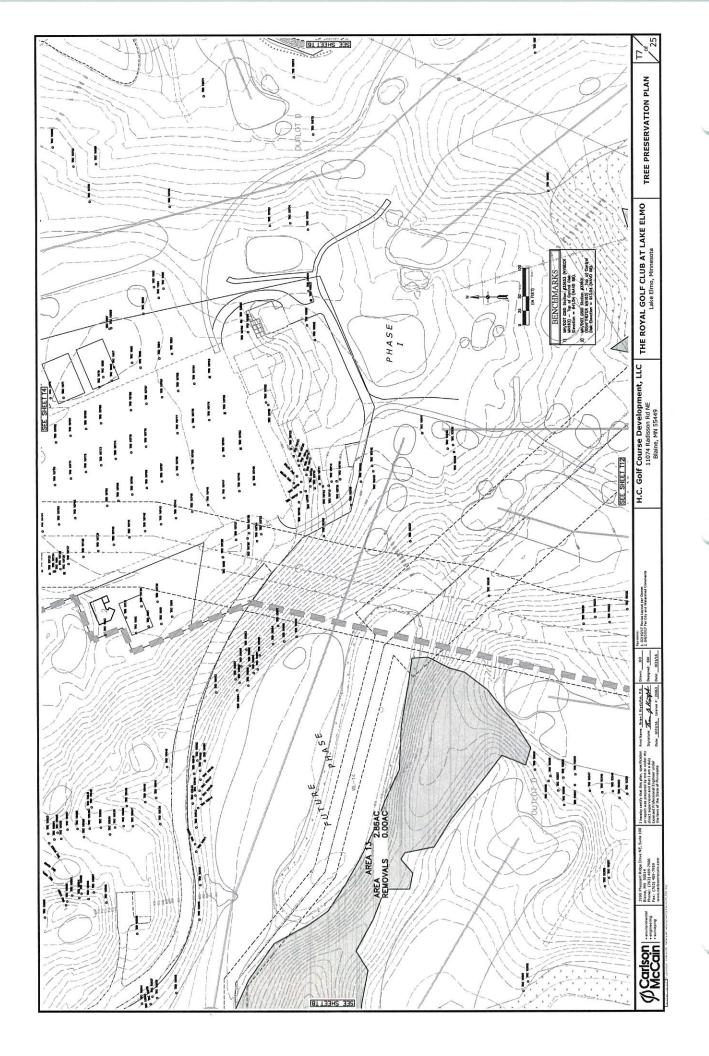


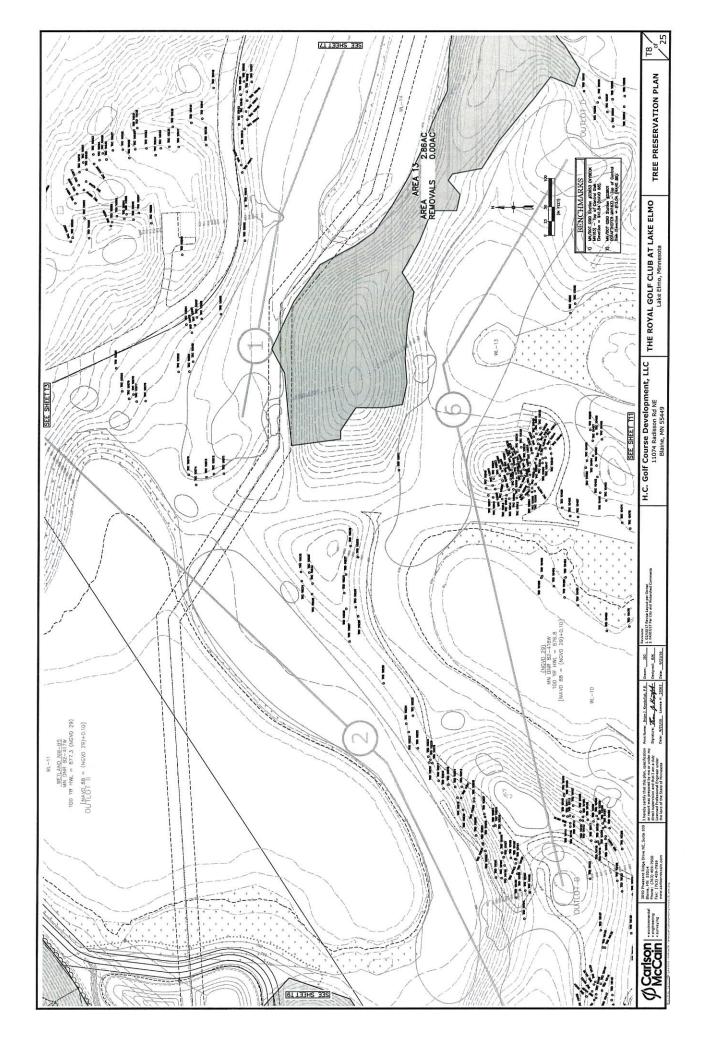


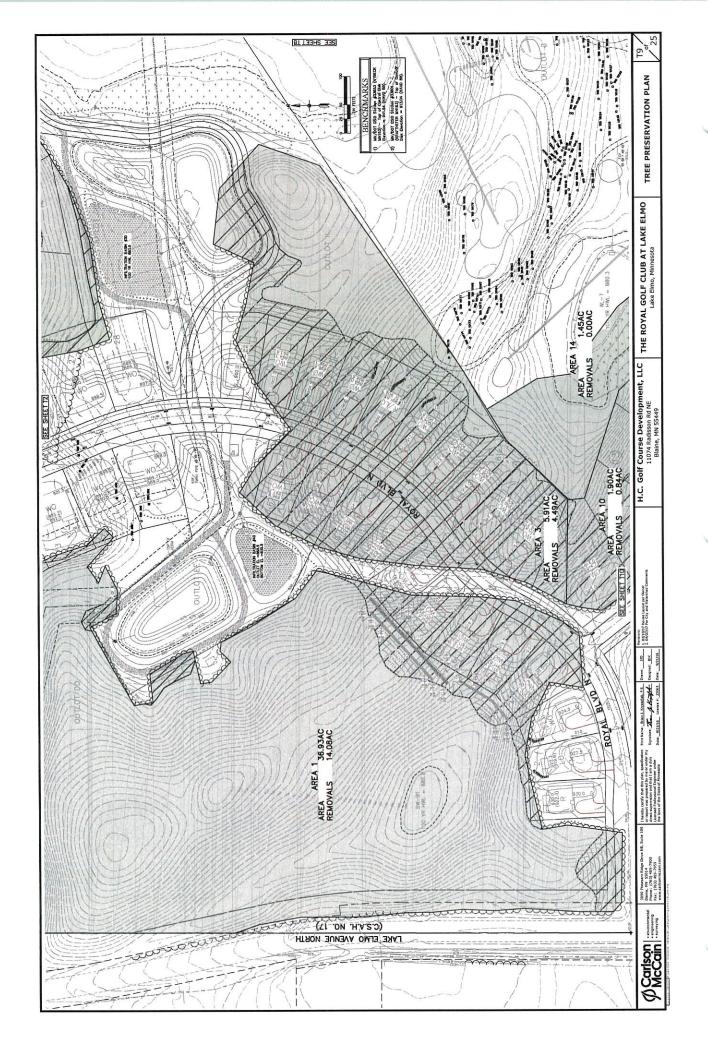


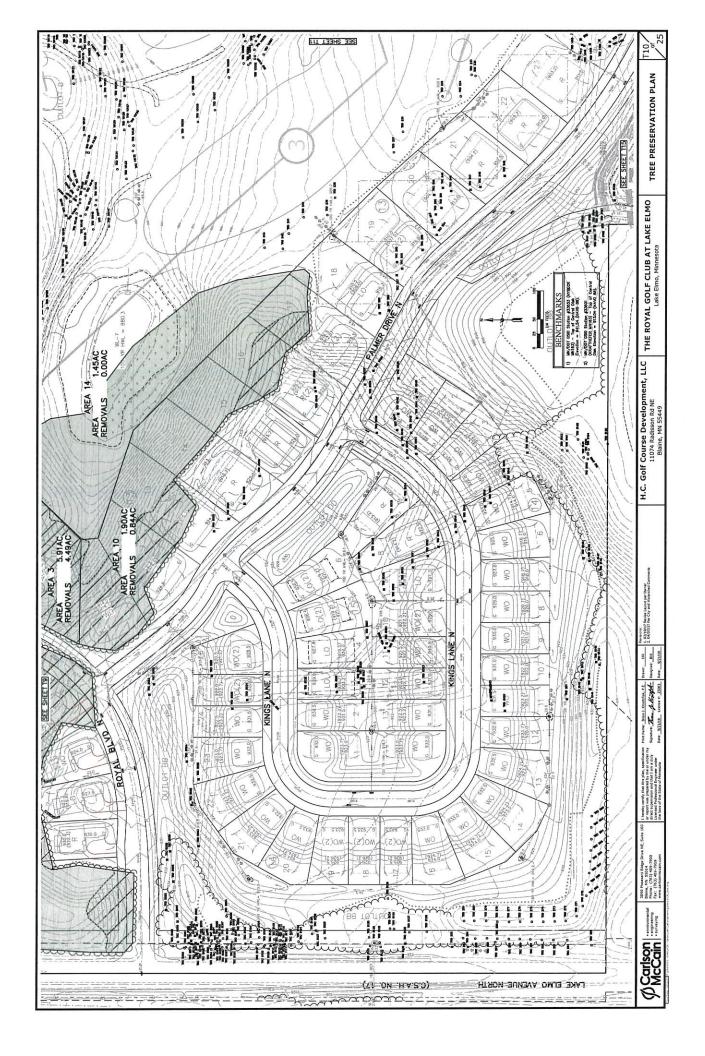


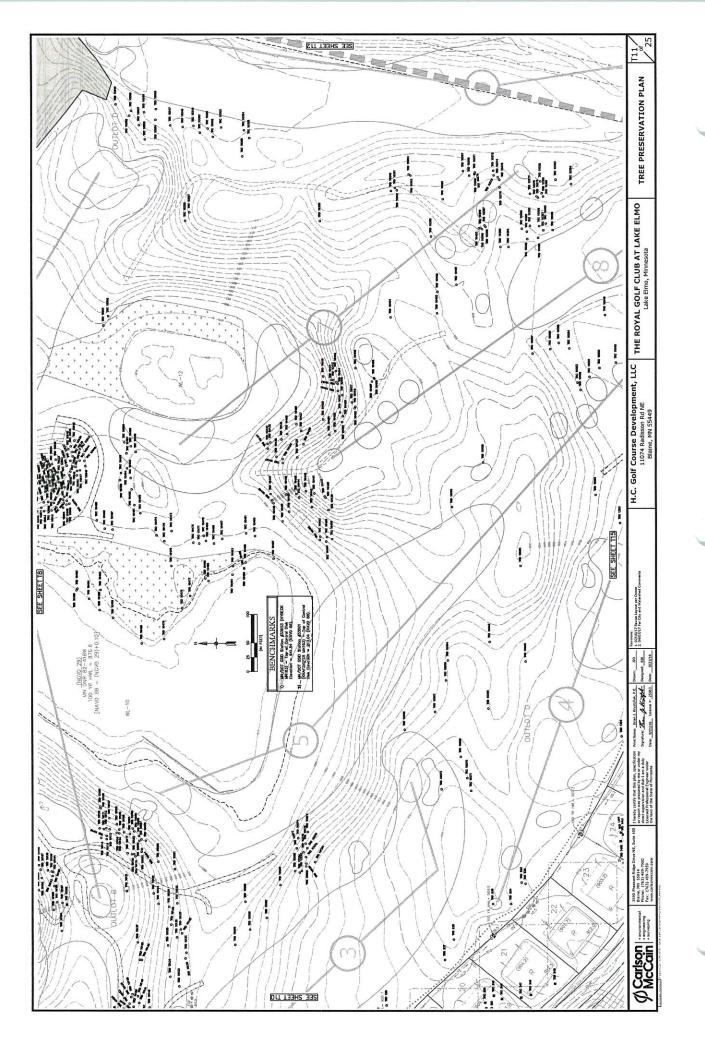


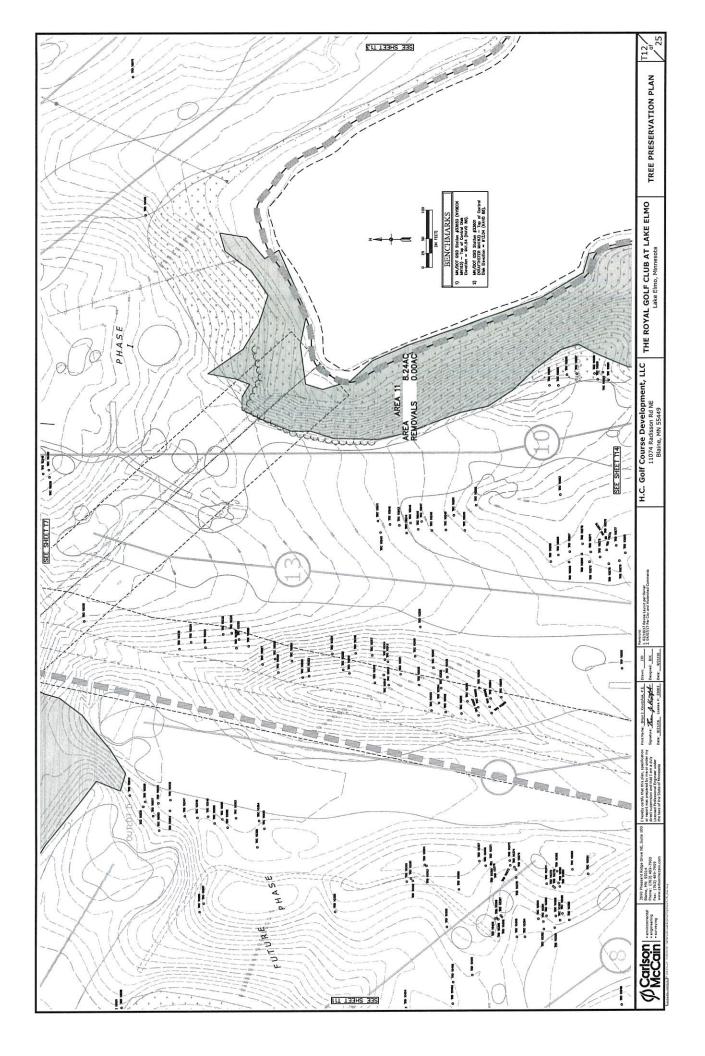


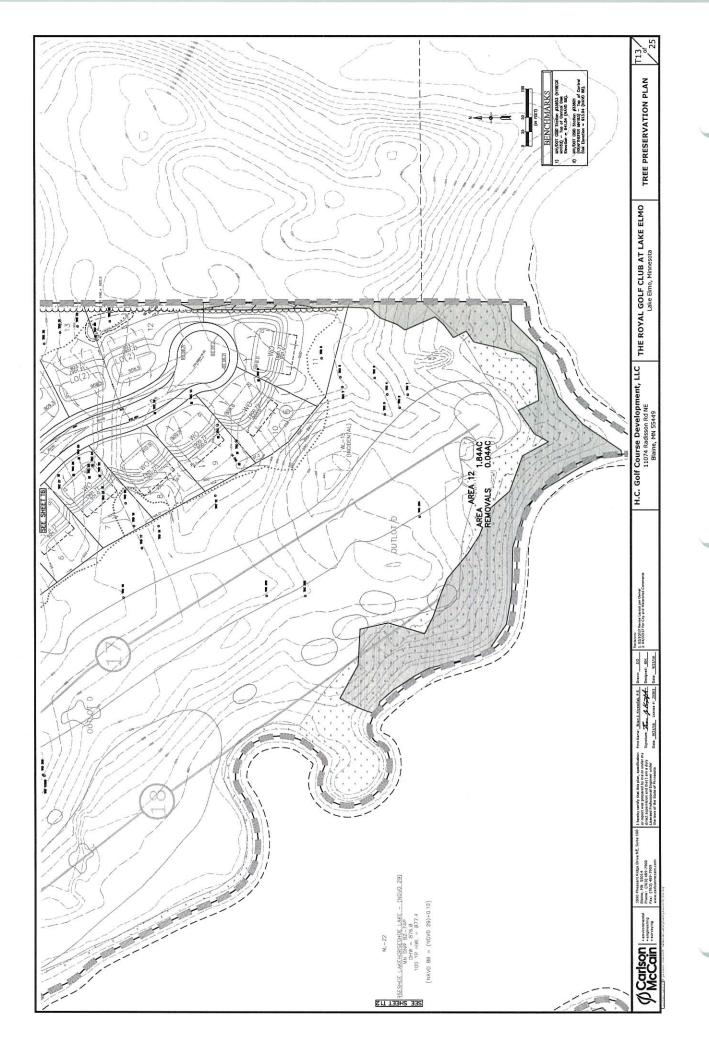


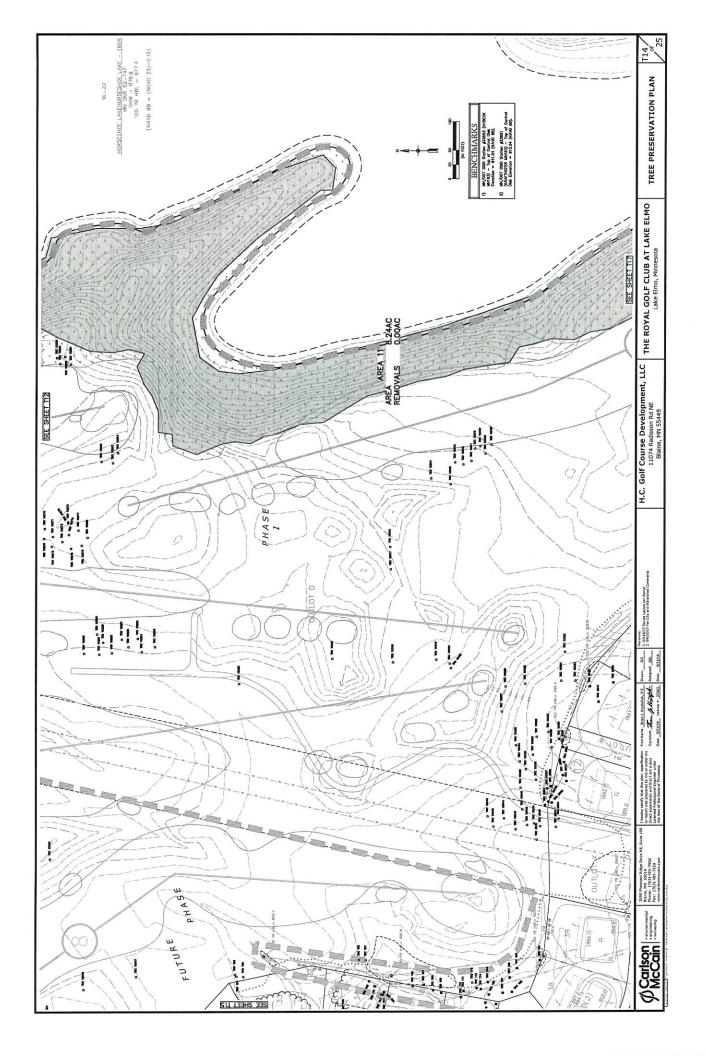


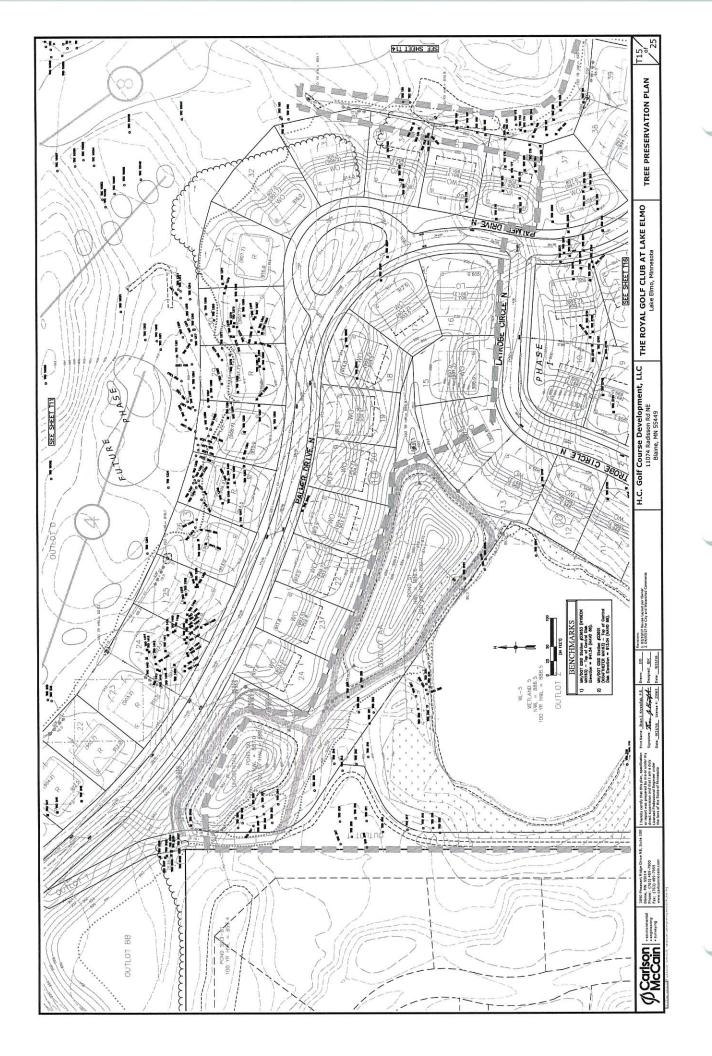


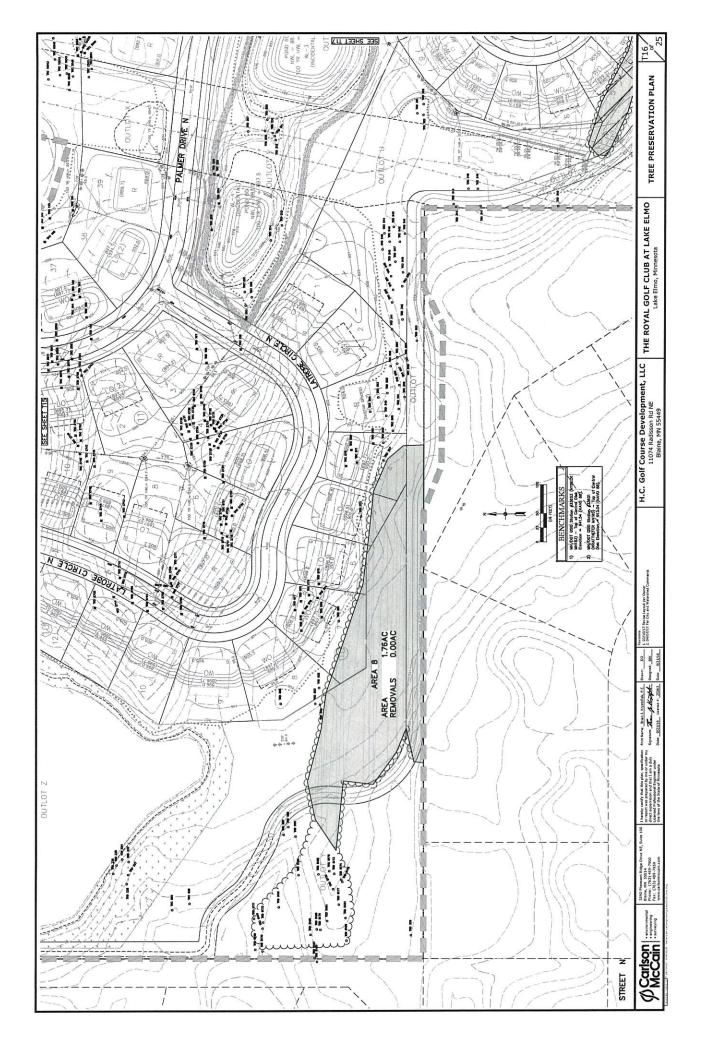


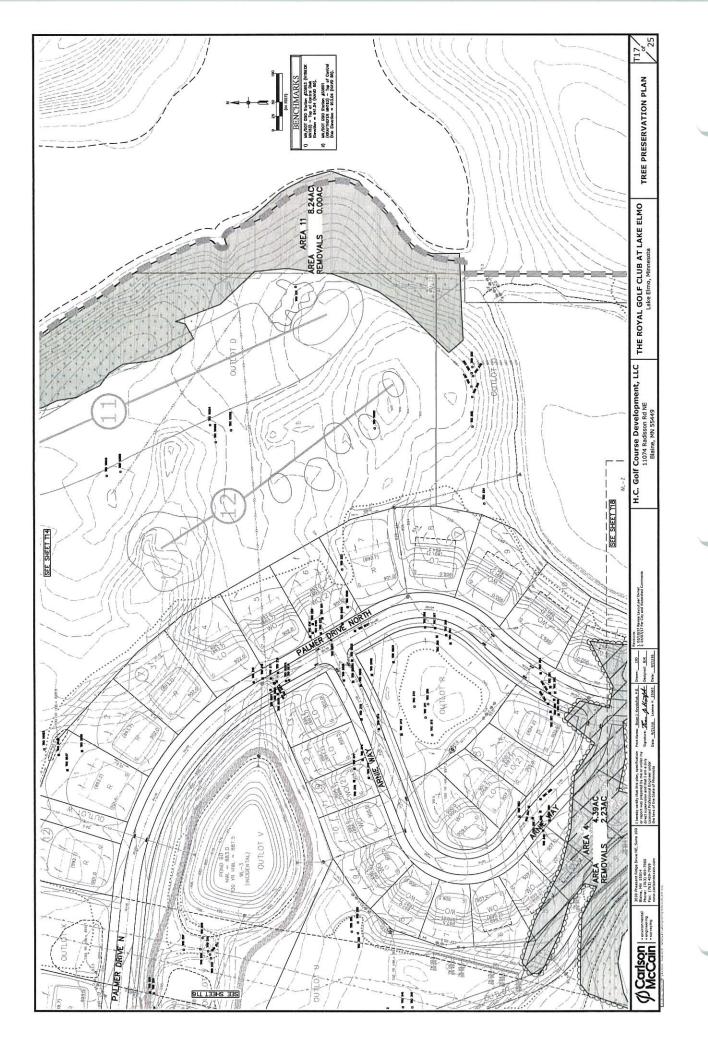


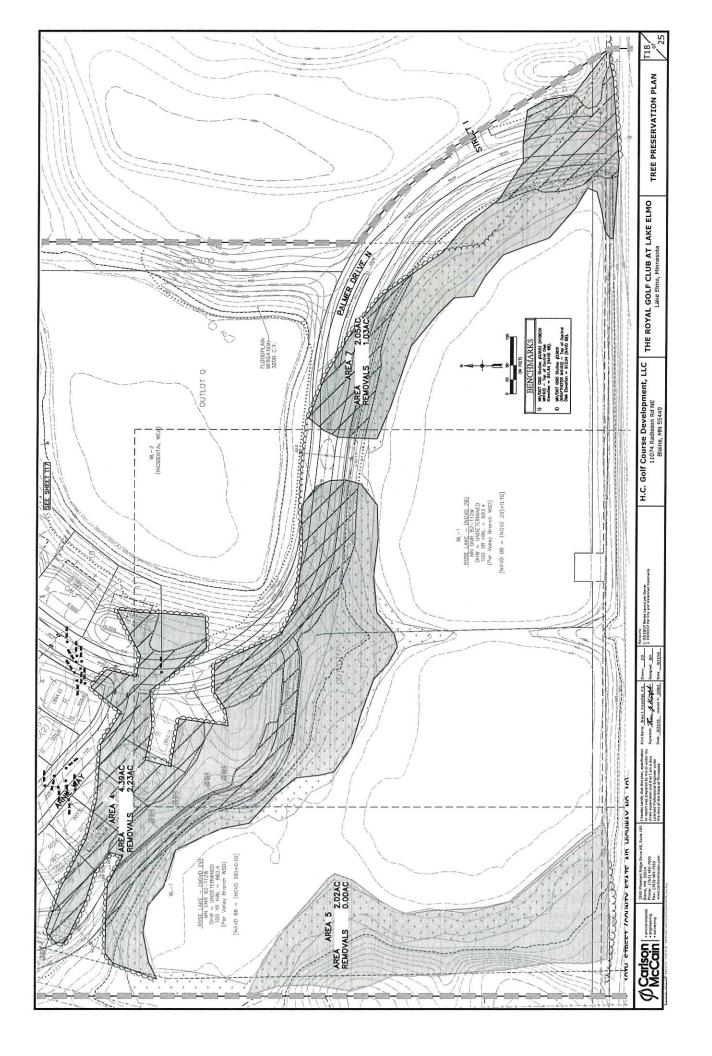












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| | _ | | | | _ | _ | _ | | | _ | _ | | _ | _ | | _ | _ | _ | _ | _ | _ | | | | _ | _ | _ | _ | | _ | | | _ | _ | | _ | _ | _ | | _ | _ | _ | _ | _ | | _ | _ | _ | _ | _ | _ | | _ | | _ | _ | _ | _ | _ | _ | | _ | _ | _ | _ | | _ | _ | _ | _ | _ | _ | _ | _ | _ | _ | | _ | _ | _ | _ | _ | | _ | _ | _ | |
| Removed | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | nificant | | | | | | | | | | | | | | nificant | nificant | nificant | nificant | nificant | | | |
| Sawed | × | × | × | × | × | × | × | × | ۲, | × | × | * 1 | 4 | , | × | × | × | × | × | × | × | × | × | * | × | × | × | × | × | × | × | × | × | × | × | | × > | × , | ×, | < × | × > | 4 | ×× | × | « × | < × | < × | × | × | × | × | × | × | × , | × | × | × | × | × | ×, | × × | × | × | × | × | Vot Sig | 4 | · > | × | × | × | × | × | × | × | × | ×× | × | × | Not Signi | Not Sig | Not Signif | Not Signi | Not Sig | 1 | × | × |
| Significant | Yes | Yes | Yes | Yes | Yes | Yes | Yes | , kes | se , | Yes | Yes | Yes | Sal | res. | 2 4 | ķ | Yes | Yes | Yes | Yes | Yes | Yes | se. | 2 4 | , se | Yes | Yes | Yes | Yes | , sa, | Ş. | Se. | se. | Yes | Yes | See . | į | 102 | ie. | 6 4 | Tes. | 100 | 5 5 | 1 | 2 2 | | Z Z | i i | Yes | Yes | Yes | Yes | Yes | 10, | 2 4 | , kes | Yes | Yes | Yes | Yes | , ie | 2 3 | Yes | Yes | Т | Т | 50, | 5 3 | , in | Yes | Yes | Yes | i, | Yes | Yes | i, | Yes | , i | Т | Т | | П | П | No | | Yes | Yes |
| City Cassification S | Conferous | Coniferous | Conferous | Conferous | Conferous | Coniferous | Conferous | Conferens | Conference | Conferous | Coniferous | Conferences | Decignons Hardwood | Decident Hardwood | Conferens | Conferous | Deciduous Hardwood | Deciduous Hardwood | Deciduous Hardwood | Conferous | Deciduous Hardwood | Conferous | Conflerous | Conferent | Conferous | Conferent | Common Tree | Deciduous Hardwood | Deciduous Hardwood | Common Tree | Common Iree | Common Tree | Common Tree | Common Tree | Decigious the union | Conference | Conferens | Conference | Conference | Conferent | Conference | Conferens | Conferens | Conferens | Conferens | Coniferous | Conferous | Conferous | Conferens | Conferens | Conferens | Conferous | Conferous | Conferens | Conflerous | Conferens | Conferous | Conferens | Conferous | Common Tree | Common Tree | Conference | Conferent | Conference | Conferens | Conferens | Coniferous | Conferous | Conferous | Deciduous Hardwood | Decidoous Hardwood | Deciduous Hardwood | Deciduous Hardwood | Deciduous Hardwood | Common Tree | Common Tree | Consmon Tree | Common Tree | Common Tree | 1968 | Deciduous Hardwood | Deciduous Hardwood |
| Starms | - | - | 2 | - | - | 1 | - | - | - | - | - | 2 | - | 1 | - | - | - | - | - | 1 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | + | - | - | - | - | - | | | - | - | + | - | + | - | - | - | - | - | - | - - | - | - | - | - | - | - | 1- | - | - | - | - | - | 1 | - | - | - | - | - | - | - | m . | + | | | | | - | - | - | ree No. | - | • |
| Mality | - | • | | - | - | 4 | | | | | • | - | | 1 | | | - | | - | 4 | - | ~ | - | | - | | + | - | • | - | - | - | * | | - | - | | | ٠. | | - | | - | | | - | | | | - | | • | - | - | | | - | | | - | - | - | | + | - | ٠. | - | | | - | - | | 4 | - | | - | - | ٠. | - | | | - | - | - | 4 | - | - |
| # S | 9.5 | 180 | 19.0 | 120 | 130 | 130 | 19.0 | 120 | 17.0 | 17.0 | 15.0 | 21.0 | 3 | 60 | 134 | 135 | 16.0 | 15.5 | 17.5 | 9.0 | 30.0 | 9.5 | 130 | 9 | 10 | 0.6 | 12.0 | 120 | 21.0 | 45.5 | 20.0 | 26.5 | 35.0 | 38.5 | 380 | 440 | 28.0 | 27.0 | 330 | 1000 | 100 | 22.0 | 100 | 80 | 240 | 2000 | 240 | 80 | 80 | 200 | 26.0 | 25.0 | 19.0 | Z : | 150 | 15.5 | 180 | 21.0 | 26.0 | 2 | 27.0 | 16.5 | 16.0 | 18.0 | 120 | 95 | 220 | 1 0 | 130 | 12.5 | 14.0 | 11.0 | 12.0 | 13.5 | 28.0 | 27.0 | 27.0 | 280 | 780 | ROR | 8.5 | 0.9 | 6.5 | 8.5 | Duplicat | 10.0 | 10.01 |
| TreeSpecies | Pine, Scots | Pine, white | Г | T | T | Г | 1 | Pine, Scots | Ť | Pine, white | | Pine, white | Ť | Ť | Pine, Smbs | T | T | T | П | T | ┪ | ┪ | Spruce, blue | Spruce, blue | Sorace, white | Soruce, white | Honeylocust | Maple, red | Maple, red | Maple, silver | Battwood | Basswood | Sasswood Media sum | Maple, super | Spruce, write | Spruce, write | Spruce, write | Spruce, mine | Spruce, write | Spruce, true | Spruce, use | Course blue | Sprace white | Sprace, blue | Spruce, blue | Spruce, white | Spruce, white | Pine, red | Pine, Scots | Pine red | Pine, red | Pine, Scots | Pine, Smbs | Pine, Scots | Pine, Scots | Pine, red | Pine, red | Pine, red | Crapapple | | Spruce, white | spruce, w | Somes w | Sonace, w | | ш | | - | | - 1 | - 1 | - 1 | | Grabappie Crabappie | | 1 1 | 1 1 | Craboppie | | Birch, river | Birch, river |
| Tree No. | 10315 | 10316 | 10317 | 10318 | 10319 | 10370 | 10321 | 10322 | 10323 | 10325 | 10326 | 10027 | 10328 | 10329 | 1695 | CE WIL | 10333 | 10334 | 10335 | 1035 | 10337 | 10338 | 10339 | 10340 | 10342 | 10343 | 10344 | 10345 | 10346 | 10668 | 10669 | 10670 | 10671 | 10572 | 10673 | 10674 | 10675 | 10676 | 10677 | 100/0 | 10679 | IDean | 10681 | 10683 | 10683 | 10004 | 10665 | 1067 | 10688 | 10559 | 10690 | 10691 | 10692 | 10693 | 10694 | 10096 | 10697 | 10698 | 1059 | 10700 | 10701 | 10001 | 10701 | 10705 | 10706 | 1000 | 10708 | 10/09 | 1010 | 10712 | 10713 | 10714 | 10715 | 10716 | 10717 | 10718 | 61701 | 107.00 | 10722 | 10723 | 10724 | 10725 | 10726 | 10727 | 10728 | 10729 | 10730 |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Iree No. | Tree Species | j (j | Quality Sterns | Stems | City Cassification | Significant | Saved | Removed |
|----------|---------------|------|----------------|-------|--------------------|-------------|-----------------|----------|
| 10731 | Birch, river | 120 | • | • | Deciduous Hardwood | Yes | × | |
| 10732 | Crabappie | 8.0 | , | 1 | Common Tree | No | Not Significant | Hicant |
| 10733 | Crabapple | 7.0 | • | 1 | Common Tree | No | Not Significant | ficant |
| 10734 | Crabappie | 12.5 | 7 | 1 | Common Tree | Yes | × | |
| 10735 | Pine, Scots | 12.0 | , | 1 | Conferous | Yes | × | |
| 10736 | Spruce, blue | 110 | 3 | 1 | Conferous | Yes | | × |
| 10737 | Honeylocust | 10.5 | | - | Common Tree | No | Not Significant | ificant |
| 10738 | Honeylocust | 13.0 | 4 | 1 | Common Tree | Yes | × | |
| 10739 | Honeylocust | 14.5 | • | - | Common Tree | Yes | × | |
| 10740 | Honeylowst | 9.0 | , | 1 | Common Tree | No | Not Significant | discant |
| 10741 | Honeylocust | 8.0 | , | 1 | Common Tree | No | Not Significant | ificant |
| 10742 | Honeylowst | 10.5 | 7 | 1 | Common Tree | No | Not Significant | ificant |
| 10743 | Honeyloast | 6.5 | | - | Common Tree | No | Not Significant | Aficant |
| 10744 | Honeylowst | 8.5 | - | - | Common Tree | No | Not Significant | Afficant |
| 10745 | Honeylocust | 8.5 | , | 1 | Common Tree | No | Not Significant | ificant |
| 10745 | Honeylocust | 6.5 | • | 1 | Common Tree | No | Not Significant | ificant |
| 10747 | Honeylocust | 7.5 | | - | Common Tree | No | Not Significant | discant |
| 10748 | Honeylocust | 6.0 | 7 | - | Common Tree | No | Not Significant | discant |
| 10749 | Honeylowst | 12.0 | 4 | 1 | Common Tree | Yes | | × |
| 10750 | Spruce, white | 9.0 | • | 1 | Coniferous | Yes | × | |
| 10751 | Spruce, white | 11.0 | * | 1 | Conferent | Yes | × | |
| 10752 | Spruce, white | 9.0 | 7 | 1 | Coniferous | Yes | × | |
| 10753 | Honeylocust | 9.5 | , | 1 | Common Tree | No | Not Significant | ificant |
| 10754 | Honeyloast | 7.5 | • | 1 | Common Tree | No | Not Significant | ificant |
| 10755 | Honeylocust | 7.5 | • | - | Common Tree | No | Not Significant | ificant |
| 95/01 | Honeylocust | 8.5 | , | 1 | Common Tree | No | Not Significant | ificant |
| 10757 | Honeylocust | 6.5 | - | - | Common Tree | No | Not Significant | ificant |
| 10758 | Honeyloast | 2.0 | * | - | Common Tree | No | Not Significant | Afficant |

| Tree No. | Tree Species | # G | Quality | Stems | City Classification | Significant | Ewed | Remove |
|----------|----------------|------|---------|-------|---------------------|-------------|------|--------|
| 10648 | Pine, Austrian | 17.0 | • | - | Conferens | Yes | × | |
| 10849 | Cottonwood | 300 | • | - | Common Tree | Yes | × | |
| 10850 | Pine, Scots | 80 | • | - | Conferens | Yes | × | |
| 10851 | Cottonwood | 15.5 | | 7 | Common Tree | Yes | × | |
| 10852 | Pine, Austrian | 17.0 | • | 1 | Conferens | Yes | × | |
| 10853 | Pine, Austrian | 260 | | - | Conferens | Yes | × | |
| 10854 | Spruce, blue | 15.0 | , | 1 | Coniferous | Yes | × | |
| 10855 | Pine. Austrian | 140 | | - | Conferous | Yes | × | |

TOTAL INDIVIDUAL TREE SHOT ASSESMENT (PHASE 1)

| Common Tree | RemovalCa | liper inches | 13,400,20 |
|--------------------|-----------|--|-----------|
| nellater Ter | | | 2507.5 |
| DI III ELONS III E | e Removal | Conflerous Tree Removal Caliper Inches | 2421.0 |
| Deciduous Hard | Iwood Ren | noval Caliper Inches | 586.5 |
| | o | uality Rating | |
| | - | Good | |
| | | Fair | |
| | ~ | Poor | |
| | - | Bad | |
| | | | |

TOTAL TREE PLOT ASSESMENT AREAS (PHASE 1)

| | | | | | | EQUIPOS COMPOS | Contract | Hardwood |
|---------|-----------------------|-------------------|---------------------|-------------------------|---------------------------------|-------------------|----------|----------|
| | Total Area (Acres) | Removal | Area Caliper Inches | Total Caliper Inches | Total Caliper Inches Removed | Inches | Inches | Inches |
| Area 4 | 4.39 | 2.23 | 1010.00 | 4433.90 | 2252.30 | 1013.54 | 337.85 | 900.92 |
| Area 5 | 202 | 00'0 | 290.00 | 585.80 | 00'0 | 000 | 000 | 000 |
| Area6 | 7.43 | 5.94 | 1325.63 | 9849.39 | 7874.21 | 874.91 | 000 | 06.6669 |
| Aren 7 | 2.05 | 1.03 | 25'906 | 1858.67 | 933.87 | 700.40 | 000 | 233.47 |
| Areas | 1.76 | 000 | 815.00 | 1434.40 | 000 | 000 | 00'0 | 000 |
| Area 9 | See Individ | ual tree shot inf | pemation | | | | | |
| Area 11 | 8.24 | 00'0 | 1485.00 | 12236.40 | 00:00 | 0.00 | 000 | 000 |
| Area 12 | 1.84 | 90'0 | 1707.50 | 3141.80 | 68.30 | 18.99 | 0.00 | 49.31 |
| Totals: | 27.73 | 9.24 | | 33540.36 | 11178.68 | 2607.83 | 337.85 | 8183.00 |

| tal caliper inches from all areas (Phase 1) | 33,540.36 |
|---|-----------|
| Common Tree RemovalCaliper Inches | 2607.83 |
| Conferous Tree Removal Caliper Inches | 337.85 |
| Deciduous Hardwood Removal Caliper Inches | 8183.00 |

SUMMARY (PHASE I)

| Total caliper inches on the site | 138,991.36 |
|--|------------|
| Allowable significant removal for the site (Allowable removal = 30% Total Significant DBH) | 41,697.41 |
| Common Tree Removal Caliper Inches | 5115.3 |
| Coniferous Tree Removal Caliper Inches | 2758.8 |
| Deciduous Hardwood Removal Caliper Inches | 8769.5 |
| Total Removal Caliper Inches | 16643.7 |
| Total Replacement Caliber Inches for Phase 1 | 0.00 |

118991.36

McCain Serven

H.C. Golf Course Development, LLC 11074 Radisson Rd NE Blaine, MN 55499

THE ROYAL GOLF CLUB AT LAKE ELMO
Lake Elmo, Minnesota

TREE PRESERVATION PLAN

721/ of 25

| 1 | 1155 1 Consoning 115 1 1 1 1 1 1 1 1 | TREE PRESERVATION PLAN 1722 of 25 |
|--|--|--|
| The No. The No. The Species | 1539 | THE ROYAL GOLF CLUB AT LAKE ELMO Lake Elmo, Minnesota |
| | 1 1 Delification Heritons 1 1 1 1 1 1 1 1 1 | Golf Course Development, LLC THE ROY. 11074 Radisson Rd NE Blaine, MN 55449 |
| The Manage The | X 64 D.N. Ref. X 840 D.N. Ref. X 1640 D.N. Ref | H.C. Golf Cours. 11074 R Blaine |
| 1975 | | Drawn: ADB Designed: EDK Date: 9/21/18 |
| 10 10 10 10 10 10 10 10 | 255 O.D. White e 55 O.D. White | I leave treat the strain of section of the time. Stean I forest he I is a direct supervision and bit it is a section of the Stean of Hemerica. The bits of the Stean of Hemerica. Det. 972116. Letter 1: 2003. |
| Commontree Com | 1 1 1 1 1 1 1 1 1 1 | 1300 Massart Ridge Dive NE, Softe 100 Thereby: - empiremental Plenet, NS 50514 of report, - empiremental Plenet (150) 483-7904 of report, - empiremental Plenet (150) 483-7904 of report, - empiremental Plenet (150) 483-790 |
| Transfer Part Par | 400 to the control of | McCain : |

| | (m) Quality Stems City Classification Significant Sweed Removed (2.2) 3 1 Common Tree Yes X 42.0 4 1 Common Tree Yes X | 21.0 4 1 CommonTree Yes X 42.0 4 1 CommonTree Yes X | Man 4 1 CommonTree Yes X T Decideous bindwood Yes X | X0.0 4 1 Decidinous Hundwood Yes X 9.0 4 1 Conferens Yes X | 8.0 4 1 Conferens Yes X 72.0 4 1 Decidanas linthwood Yes X | 13.5 4 1 Decidences hardwood Yes X | 100 4 1 Decidence landwood Yes X | | 14.5 4 1 Deciduous Hardwood Yes X 9.0 4 1 Deciduous Hardwood Yes X | 7.5 4 1 Decidensus landwood Yes X | 3 | 34.0 4 1 Deciduous Hardwood Yes X | 25.0 4 1 Deciduous Hardwood Yes X | • • | 3 | 46.0 2 1 Decideous Hardwood Yes X | 78.0 4 1 Deciduous Hardwood Yes X | 14.0 4 1 Decidents Hardwood Yes X | 4 4 | 115 4 1 Decidents lardwood Yes X | 4 4 | 4 1 | 6.5 4 1 Deciduous Hardwood Yes X | 6.5 4 1 Deciduous Hardwood Yes X | 3.5 4 1 Decidence Hardwood Yes X | 10.0 4 1 Decideous landwood Yes X | | 16.0 4 1 Deciduous Bardwood Yes X | 7.0 4 1 Decidences Marchwood Yes X 6.0 3 1 Decidence Bridwood Yes X | 100 4 1 Decidensy landwood Yes X | 15.0 4 1 Decideous Burdwood Yes X | 8.0 4 1 Deciduous Hardwood Yes X | 9.5 4 1 Decidoous Bardwood Yes X | 11.5 4 1 Deciduous Hardwood Yes X | 4 1 Com | 13.5 3 1 Common Tree Yes X 13.0 4 1 Common Tree Yes X | 26.5 4 2 Decidous Hardwood Yes X | 3 2 Deciduous Hardwood | 23.0 4 2 Deciduous Hardwood Yes X 7.0 4 1 Deciduous Hardwood Yes X | | 400 3 3 Common Iree Yes X | H | 4 1 Deciduous Hardwood | 72.0 4 1 Decidants landwood Yes X 7.5 4 1 Decidants Hardwood Yes X | 2 2 | 2 3 | mmon Tree | 78.0 4 1 Decidious landwood Yes X | + | 15.0 4 1 Deciduous landwood Yes X | | 11.5 4 1 Decideous Fardwood Ves X | 3 1 Deciduous Bardwood | • • | 22.0 4 1 Conference Yes X 16.0 3 1 Conference Yes X | 123 | TREE PRESERVATION PLAN | 63 | |
|---------------------------------------|--|--|--|--|--|--|--|-------------------------------|---|--|--|-----------------------------------|---|--|---|------------------------------------|---|--|---|--------------------------------------|----------------------------------|---|--|--|-----------------------------------|-----------------------------------|--|-----------------------------------|---|-----------------------------------|--|--|--|---|---|--|--|---|---|---|---|---|---|---|---|--|--|--|---------------------------------|--|--|-----------------------------------|----------------------------------|---|--|-------------------------------|--|---|--|
| | Tree No. Tree Species X 12063 Maple silver | Ash, green Maple, silver | X 10067 Maple, silver | x 10009 Maple, sugar | x x x x x x x x x x x x x x x x x x x | 10073 Oak, red | + | x 10077 Cas, red | X 10078 Oak, red | X 10080 Gal, red | H | X 10083 Cak, bur | Ħ | x 10086 Oak, bur | П | X 10090 Cul, red | 10001 | X X X | T | X 10095 Cal, red | 10097 Oak,red | X 10099 Oak,red | 00101 X | Bad Quality 10102 | X x 10103 | X 10105 Oak, red | Ħ | x x x 10109 | 10010 | H | Ħ | Yes X 10115 Oak, red | + | H | \top | X 10122 Boxelder X 10123 Boxelder | \vdash | Bad Quality 10126 Oak, red | X 10127 Cak, red | x 10129 Birch, paper | X 10133 Boxelder | X X 10133 Elm, American | Elm, American Oak, red | X X 10136 | | X 10100 | X X | x x | x x 10145 | X 20147 | X X X 10149 | 10121 | x 10153 Ouk,red | X 10154 Clar, white X 10155 Elm, American | Yes X 10156 Arborvitae Yes X 10157 Pine, Austrian | | THE ROYAL GOLF CLUB AT LAKE ELMO Lake Elmo, Minnesota | - 100 | |
| | Tree Speckes (In.) Quality Stems City Classification Mine, red 12.0 4 1 Conferous | Ħ | Pine, red 16.0 4 1 Conferous | Pine, red 10.0 3 1 Conferous | Pine, red 12.0 4 1 Conference | Pine, red 11.0 4 1 Conferens | Pine, red 15.0 4 1 Conferous | Pine, red 15.0 4 1 Coniferous | Fine, red 110 4 1 Conferens | Pine, red 140 4 1 Conferous | | 120 4 1 Conferous | Pine, red 12.0 4 1 Conference | 130 3 1 Conferens | 110 4 1 Conferous | 13.0 4 1 Conferous | 14.0 4 1 Conilerous | 13.0 4 1 Conferous | 80 3 1 Conferous | 14.0 4 1 Conferous | 130 3 1 Common Tree | 8.0 3 1 Conflerous | 10.0 3 1 Conferous | Maple, silver 470 1 5 Common Tree | 200 2 1 Common Tree | Boxelder 18.0 3 1 Common Tree | Boxelder 24.0 3 1 CommonTree Maple, silver 12.0 3 1 CommonTree | 15.0 3 2 Common Tree | S137 Maple, siver 28.0 4 1 Common Tree | 5139 Boxelder 15.0 4 1 CommonTree | 5140 Pine, white 8.0 4 1 Conferous 5141 Birth, paper 10.0 3 1 Deciduous Hardwood | 5142 Birch, paper 8.0 3 2 Deciduous Hardwood | 5144 Birth, paper 10.0 3 1 Deciduous Hardwood | 5145 (Birth, paper 12.0 3 1 Deciduous Hardwood 5146 00k, bur 5.0 3 1 Deciduous Hardwood | 5147 0ak, bur 6.0 3 2 Deciduous Hardwood 5148 0ak, bur 6.0 3 2 Deciduous Hardwood | 140 3 2 Deciduous Hardwood | 22.0 1 2 Common Tree | Willow, black 24.0 1 2 Common Iree Willow, black 22.0 1 1 Common Tree | 5154 Boxelder 13.0 3 1 Common Tree | | 5158 Willow, black 15.0 2 1 Common Tree | Boxelder 110 4 1 Com | 5161 Boxelder 14.0 3 1 Common Tree 5162 Boxelder 15.0 3 1 Common Tree | Boxelder 14.0 3 2 | S165 Boxelder 12.0 4 1 CommonTree | Cottonwood 22.0 4 1 Common Tree | 12.0 4 1 Continon Tree | Pine, Austrian 14.5 3 1 Confereus | Source, blue 21.5 3 1 Conferous | 200 3 1 Conferens | Tamarack 8.0 4 1 Conference | 8.0 4 1 Conference | Naple, silver 31.0 4 1 Conferous | Cottonwood 81.0 4 1 Common Tree | 3 1 Common Tree | Golf Course Development. LLC | 11074 Radisson Rd NE | Blaine, MN 55449 | |
| | Tree Spedes (in.) Quality Stems City Classific Villow, black St.0 3 1 Common T | 2 3 Common T | Cottonwood 16.0 4 1 Common Maple, silver 27.0 4 1 Common T | Maple, silver 24.0 3 1 Common T | Ash, green 14.0 4 1 Common T | Ash, green | Ash, green 12.0 3 1 Common T Ash, green 18.0 4 1 Common T | Ash, green | Ash, green 22.0 4 1 Common T | 5013 Ash green 22.0 4 1 CommonTree Yes X | Ash green 19.0 4 1 Common T | Ash, green 32.0 3 1 Common T | Ash green 200 4 1 Common T | Ash green 26.0 4 1 | Birch, paper | Birch, paper 11.0 3 2 Dedduous Har | SO23 Bastivood 14.0 1 2 Common rice no dea county | Maple, siver 13.0 3 1 Common 7 | Ash, green | Maple, silver 12.0 3 1 Common II | Maple, silver 14.0 3 1 Common Tr | Maple, silver | Maple, silver 580 3 8 Common | 5933 Ash green 26.0 4 1 CommonTree Yes X | Ash, green 20.0 4 1 Common 1 | Oak, red 11.0 4 1 | Out hur 28.0 4 1 | Oak red 24.0 4 1 | Oak, pin | Oak red 24.0 4 1 | Boxelder 14.0 3 1 | Oak, red | Boxelder 15.0 3 1 | Marie, surar | Pine, Scots 14.0 3 1 | Maple, red | 13.0 4 1 | Spruce, blue Basswood | Spruce, blue | 200 4 1 CommonT | 5063 Maple, red 13.0 2 1 Deciduous Hardwood Yes X | Basswood Pine, red | Pine, red | Pine, red | Pine, red | Pine, red | Pine, red Pine, red | Pine, red | Pine, red | Pine, red 10.0 3 1 Conferous | Pine, red 120 4 1 Contenus res | Pine, red 11.0 4 1 Conferous Yes | Pine, red 13.0 4 1 Coniferous | Plee, red 11.0 4 1 Conference Yes | 2 3 | HE FIRE IAU A I CANTERDUA IES | paint To 1 Kath | Date: 9/21/16 Lkense #: 25053 Date: 9/21/16 | |
| FUTURE PHASES INDIVIDUAL SHOTS CONT'D | Tree Species DBM Quality Samm City Classification Significant Swed Removed Ob. White In. 3 Decidious Hardwood Yes X | 1 Decidents Bardwood Yes X 2 Decidences Hardwood Yes X | Oak, Red 10 3 1 Dackdoout Hardwood Yes X Ash, Green 8 2 1 Common Tree No Not Significant | Elm, American 8.5 2 1 CommonTree No Not Significant Ash, Green 14.5 2 1 CommonTree Yes X | 13 2 1 Common Tree Yes X 17.5 2 1 Common Tree Yes X | State General 10 2 2 Common Tree Yes X | 10 2 1 CommonTree No Not Significant | 13 2 1 CommonTree Yes X | 115 2 1 Decidous Farramono Fes X | Oak, White 33 1 1 Deciduous Hardwood Yes Bad Duality Oak, Blar 11 3 1 Deciduous Hardwood Yes X | Osh, Burr 7 2 1 Deciduous Hardwood Yes X | 31.5 3 1 Deciduous Hardwood Yes X | Oak, Burr 23 4 1 Deciduous Hardwood Yes X | Oak, White 35 1 1 Deciduous Hardwood Yes Sad Quality | Oak, White 195 3 1 Decideous Nardwood Yes X | 4 1 Deciduous Hardwood Yes X | Ash, Green 19 2 1 CommonTree Yes X | Muple, Sugar 28.5 3 1 Deciduous Hardwood Yes X | Galgo 13 2 1 CommonTree Yes X Sonue White 225 3 1 Conferous Yes X | Spruce, White 19 3 1 Conferous Yes X | 22 4 1 Decidoous Hardwood Yes X | Oak, Burr 28.5 4 1 Deciduous Hardwood Yes X | 105 2 1 Common free No Not Significant | 285 3 1 Decidence Mes X | 28.5 4 1 Deciduous Hardwood Yes X | 16.5 3 1 Coniferous Yes X | Fine, Red 30 3 1 Coniferous Yes X | 28 3 1 Decidence Hardwood Yes X | 20 0 1 Conlectous Yes X | 20 2 2 Decidents Hardwood Yes X | 19.5 2 2 Decideous Nardwood Yes X | Oak, White 28.5 4 1 Decidous Hardwood Yes X | Oak, White 24.5 4 1 Decidenous Hardwood Yes X Ash, Green 12 2 1 Common Tree Yes X | 17 3 1 Decidence Hardwood Yes X | Oss., White 11 3 1 Deciduous Hardwood Yes X | Oak, White 17:5 3 1 Deciduous Hardwood Yes X | Oak, White 18 3 1 Deciduous Hardwood Yes X | Class, White 305 4 1 Decideous Hardwood Yes X | Oak, White 215 4 1 Decidence Hardwood Yes X | Oak, White 27.5 4 1 Deciduous Hardwood Yes X Oak, White 23 3 1 Deciduous Hardwood Yes X | Cash, White 26 3 1 Deciduous Hardwood Yes X | Oak, White 265 2 1 Deciduous Hardwood Yes X | Oak, White 305 4 1 Deciduous Hardwood Yes X | 4 1 Deciduous Hardwood Yes X | Oak, White 26 4 1 Deciduous Hardwood Yes X Oak, White 26 4 1 Deciduous Hardwood Yes X | Oak White 25 3 1 Deciduous Hardwood Yes X Oak White 225 4 1 Deciduous Hardwood Yes X | Clask White 70.5 4 1 Decidinus librahead Yes X | Oak, White 25 3 1 Deciduous Hardwood Yes X | 26 4 1 Decidious hardwood Yes X | Oak, White 25 4 1 Detiduous Hardwood Yes X | 31.5 4 1 Deciduous Hardwood Yes X 27.5 4 1 Deciduous Hardwood Yes X | 135 2 1 CommonTree Yes X | 16 4 1 CommonTree Yes X | Maple, Silver 34 2 2 Common Tree Yes X | Yes X X | 62.0 3 8 CommonTree Yes X | SOUTH SOOT A conformental place (18) 1907 (19) | surveying Fax: (76.3) 489-7939 Likevied Proessona Indiana Under Wew.carlsonnxcain.com the laws of the State of Minnesota | The Laborator Constitution of the native present of the production of the Laboratory Constitution of the Laboratory Constitu |

| | Removed | Ī | | | | | I | | | T | T | | | | T | T | | | T | T | | T | | Γ | | | I | T | Ī | | | | I | | | | | | | | | | | - | | | | | | | | | I | | I | | | | I | | | T | | T | | | 1 | | T | T | | Π | П | | T24/ | jo |
|--------------------------------|---------------------------|----------------------|---------------|-------------|-------------|---------------|-------------|-------------|-----------------|--------------------|-----------------|---------------|-------------|---------------------|-------------------|-----------------|-----------------|-------------|--------------|--------------|------------------------|--------------|-------------|-------------|----------------|-------------|-------------|------------------|------------------|-----------------|------------------|--------------|--------------|------------------|------------------|------------------|-------------------|----------------|------------------------|------------------|------------------------------------|------------------|------------------|-------------------|--------------------------|---------------|--------------------|-------------------------------|------------------|--------------------|------------------|-------------------|----------------|---------------|--------------------|-----------------|---------------|----------------|---------------------------|------------|---------------|----------------|--------------------|---------------|-------------------|----------------|------------|--------------|---------------|------------------|-----------------|--------------|-----------------------------|------------|--|------------------------|
| | Significant Saved | Yes | Yes X | × > | X × | Yes X | X × × | Yes | Yes X | Yes | X X | Yes | Yes X | x x | X × × | X X | Yes X | Yes X | X s | X × | Yes | Yes X | Yes | X X | Yes X | Yes x | Yes | X S | X X | Yes | Yes X | Yes X | Yes X | x x | X × | Yes X | Yes X | Yes | Yes X | Yes X | X sa. | × × | Yes X | Xes X | Yes X | Yes x | Yes X | X X | Yes X | X X | Yes X | Yes | × × | Yes X | × × | Yes X | Yes | Yes X | * * * | Yes | Yes X | × × | Yes X | X × | X X | Xes × | Yes | Yes X | X X | Yes | X X | Yes x | X X X | Y Top | | IN PLAN |
| | Chy Classification | Coniferous | Conferens | Conferens | Conferous | Conferens | Conference | Conferens | Conferons | Coniferous | Conferens | Conferens | Coniferous | Conferous | Conferens | Conferens | Conferous | Coniferous | Conference | Conference | Conferens | Conferous | Conferens | Conferens | Conferens | Conferous | Common Tree | poompar Hardwood | Siduous Hardwood | iduous Hardwood | ciduous Bardwood | Conferens | Conferens | iduous ilardwood | ciduous Hardwood | ciduous Hardwood | poowpart Hardwood | poompie inches | ciduous Hardwood | ciduous Hardwood | riduous Hardwood | Conference | Coniferous | Coniferous | Conference Conference | Coniferous | Coniferous | Conferens ciduous Hardwood | Doowbath suchpid | ciduous Hardwood | ciduous Hardwood | poowpaga independ | Conferens | Coniferous | Conferous | Conferens | Coniferous | Conferens | Conferens | Conferens | Coniferous | Conferens | Conferens | Coniferous | ciduous Hardwood | Coniferous | Conference | Conferens | Conferens | ciduous Hardwood | Ideous Hardwood | Common Tree | Conferens | Conterious | | CTTANGT |
| | Quality Stems | 3 1 | 1 | | | 1 | | 1 | 1 | | , , | | 1 4 | | - | | 4 1 | - | | | 1 | 7 | | | - | 1 | 3 1 | | T P | 4 1 Dec | 4 1 Dec | - | 7 | Dec . | - T | 4 1 Dec | 4 1 Dec | | 4 1 Dec | 4 1 Dec | 3 T | - P | 4 | | | 3 1 | 1 | 4 1 1 Dec | De 1 | | 1 1 Dec | 4 1 Dec | | 1 | | - | | 1 | | 1 | - | | - | | 1 - | - | | | | Per 1 | | | | | | THE DESCRIVATION OF AN |
| | Tree Spedes | white 12.0 | white 8.0 | white 90 | white 11.0 | white 11.0 | white 9.5 | white 10.0 | white 8.5 | white 10.0 | white 80 | white 9.0 | white 8.0 | white 8.0 | white | white 9.0 | white 9.0 | white 10.0 | white 9.0 | Norway 10.0 | , white 8.0 | white 9.5 | Scots 120 | Scots 13.0 | Scots 10.0 | Scots 12.5 | , siver 710 | , sugar 12.5 | 0.red 11.0 | e, red 11.0 | e, red 11.0 | white 15.0 | white 13.0 | e, red | bur 95 | , bur 9.0 | , red 18.0 | Part of | 0.34, bur 13.0 | , bur 12.0 | , bur 32.0 | e, red 125 | e, blue 17.5 | Spruce, blue 17.5 | white on | , white 10.0 | Spruce, white 10.0 | e.red 90 | Maple, red 18.0 | e, red 22.0 | , bur 30.0 | , bur 25.0 | white 14.5 | white 14.0 | white 13.5 | Pine, red 15.5 | , red 17.5 | Pine, red 14.5 | 140 140 | , red 15.5 | , red 12.0 | Pine, red 13.5 | 5, red 14.5 | 110 110 | Oak, bur 31.0 | , red 13.0 | line, red | , red 14.5 | died 15.0 | . bur 20.0 | , bur 28.0 | kgo 15.5 | white 9.5 | ica anna | L | _ |
| | Tree No. Tree | 10550 Pine, | 10551 Pine, | 10552 Pine, | 10554 Pine. | 10553 Pine, | 10556 Pine, | 10558 Pine, | 10559 Pine, | 10560 Pine, | 10562 Pine. | 10563 Pine, | 10564 Pine, | 10565 Pine, | 10567 Pine, | 10568 Pine. | 10569 Pine, | 10570 Pine, | 10571 Spruce | 10572 Spruce | 10574 Spruce | 10575 Spruce | 10575 Pine, | 10578 Pine | 10579 Pine. | 10580 Pine, | 10581 Maple | 10582 Maple | 10584 Mani | 10585 Mapl | 10586 Atspl | 10587 Pine, | 10588 Pine. | TOTOL MAD | 10591 | 10592 Oak | 10593 Oak | 10094 | 10596 034 | 10597 | 10598 034 | 10600 Spruc | 10601 Spruc | 10602 Spruo | 10003 Gar | 10605 Spruce | 10605 Spruce | 10608 Napi | 10609 Map | 10510 Map | 10612 034 | 10613 034 | 10615 Pine, | 10616 Pine, | 10617 Pine | 10619 Pine | 10620 Pine | 10622 Pine | 10624 Pine | 10625 Pine | 10626 Pine | 10628 Pine | 10629 Pinc | 10630 Pine | 10632 Oak | 10633 Pine | 10635 Pine | 10636 Pine | 10637 Pine | 10G39 Clab | 10640 034 | 10647 Gr | 10643 Spruce | ande son | TIAVEE | ו בייייי |
| | | | | | | | | | | | | | | | | | Ц | | | | | | | | ш | | | | | | | | | | | | | | | | | | ш | | _ | | | | | | | | | | | | | ш | | | | | ш | | | | | ш | | _ | | | | | .V all IV a | GOEL CLUB AL |
| | Saved Removed | × | × | × × | × | × | | × | × | * * | × | × | × | × > | × × | × | × | × : | × > | | × | × ; | × × | × | × | × | × > | * > | · × | × | × | ×: | × , | | × | × | × | * > | × | ×: | * > | < × | × | × > | × × | × | × : | | ×: | ×× | < × | *> | < × | * | * * | × | * * | × | ** | × | × | × × | × | * * | × | ×: | × × | × | * * | × | * > | ×× | * * | | THE BOXAL GOLE CLUB AT LAKE ELMO | |
| | Significant | Yes | Yes | X X | Yes | Yes | 2 2 | Yes | Yes | Yes. | Yes | Yes | Yes | Y. | , ke | Yes | Yes | Yes | Yes Yes | e a | Yes | Yes | E A | Yes | Yes | Yes | E, | Yes. | , ke | Yes | Yes | Yes | S , | 2 3 | Yes | Yes | Yes | 200 | Yes | Yes | Yes | y y | od Yes | Yes | Z , | Yes | yes yes | g g | Yes | Ye Ye | , ke | Yes | , se X | Yes | 2 2 | Yes | Yes Yes | Yes | ž ž | Yes | Yes | g ,g | Yes | S X | Yes | Yes | 2 2 | Yes | Yes | Yes | Yes | g g | Yes Yes | | _ | - |
| | City Classification | Coniferous | Coniferous | Common Tree | Common Tree | Coniferous | Common Iree | Common Tree | Common Tree | Common Tree | Conferent | Conferous | Conferens | Conferent | Conferens | Conferens | Conferens | Conferent | Common Tree | Common Tree | Common Tree | Common Tree | Common Tree | Common Tree | Common Tree | Common Tree | Common Tree | Conference | Coniferous | Conference | Coniferous | Conferens | Conferens | Conferent | Conferent | Coniferous | Conferens | Conferent | Coniferous | Conferent | Conference Designations Mandana | Deciduous Hardwo | Deciduous Hardwo | Conferent | Common Tree | Common Tree | Deciduous Hardwo | Conferent | Conferens | Conferent | Conferent | Conferens | Conferent | Conference | Conferent | Conferens | Conferent | Conferent | Conferent | Conferens | Coniferous | Conferens | Conferent | Conferens | Conferens | Conferens | Conferens | Coniferous | Conferent | Conferent | Conferent | Conferens | Conferens | | nent, LLC | |
| | Quality Stems | 1 4 1 | 10 4 1 | 4 4 | 20 3 1 | 1 4 1 | 1 1 | 5.0 4 1 | 1.0 4 1 | 4 6 | 20 4 1 | 1 4 1 | 15 4 1 | 7 . | 1 7 7 | 1.5 4 1 | 3.5 4 1 | 1 . | | 101 | 1 4 03 | 4 . | 1 4 5 | 1 4 1 | 3.0 4 3 | 30 4 | 9 . | - | 10 4 | 10 4 1 | 15 3 1 | 7 7 | 070 | | 1 4 0 | 3.5 4 1 | 1 . | | 1 4 1 | 1 1 | 100 | 1 4 03 | 10 4 1 | 1 . | 20 3 1 | 1 + 05 | 1 . 1 | 1 1 | 1 4 1 | 1 1 | 1 | 1 . | 1 1 | 1 5 57 | 10 4 1 | 2 5 | 9.5 4 1 | 5.0 4 1 | 20 4 1 | 1 4 07 | 12 | 1 4 07 | 1 1 | 2003 | 9.0 4 1 | 10 3 1 | 1 1 | 1.0 3 2 | 100 3 | as 4 1 | 10 4 1 | 33 4 | 10 4 1 | | Golf Course Development, LLC | Hickory Del NE |
| | Tree Spedes OBH | ine, white | nice, white | Willow 6 | Willow | pruce, white | ottonwood 1 | Willow | I ponwoot | Willow | Pine, white 11 | ine, white I. | ine, white | Pine, white | ne, white | Pine, white | ine, white | Yoe, white | Willow | Willow | Willow | Willow | Mullow S | ottonwood 1 | Willow 2 | Willow | Willow | pruce, white | nce, white | ruce, white | Pine, red 1i | ruce, white | race, white | oure, white | ruce, white | ine, white 1 | ine, white | ne white | ouce, blue | ance, blue | Out oils | Oak, pin 1 | Oak, pln 1- | once, blue | m, Siberian 1 | m, Siberian 2 | Oak, bur 3 | ine, white | ine, white | ine, white | ine, while | ine, while | ine, white | ine, while | ine, white I | ine, white | ine, white | ine, white | ine, white | ine, white | ine, white | ine, white | ine, white | ine, white | ine, white | ine, white | ine, white | ine, white 2 | ine, Austrian | ine, white | ine, white | ine, white | Pine, white 1 | | If Course | 11074 Day |
| | Tree No. Tre | 10455 Pi | 10456 Spr | 10458 | 10459 | 10460 Spr | 10462 Co | 10463 | 10164 | 10465 | 10467 Pi | 10468 PI | 10469 | 10470 | 10472 | 10473 PI | 10474 PI | 2007 | 100 | 10478 | 10479 | 10480 | 10482 | 10483 Co | 10484 | 10485 | 10485 | 10188 | 10489 | 10490 Spr | 10101 | 10492 Spr | 10493 | 10405 | 10496 Spr | 10497 Pi | 10498 P | 10501 | 10501 | os assur | 10001 | 10505 | 10506 | 10507 | 10509 | 10510 | 10511 | 10513 | 10514 PI | 10515 | 10517 | 10518 | 10520 | 10521 P | 10523 | 10524 P | 105% | 10527 PI | 10528 | 10530 | 10531 P | 10533 | 10534 P | 10536 | 10537 P | 10538 P | 10540 | 10541 P | 10542 Pin | 10544 | 10545 P | | 10548 P | | H.C. Go | |
| | _ | | _ | _ | | _ | | | _ | _ | | | _ | | _ | | | _ | | | | _ | | | гт | | | _ | | | _ | _ | _ | | | | _ | _ | | _ | _ | | | _ | | | _ | | | | | _ | | | | | _ | | _ | | _ | | | _ | | | _ | | | П | | | _ | | | |
| | nt Saved Remove | × | * > | * * | × | * > | < × | × | × | Not Stanfficant | × | × | * | Not Significant | * | Not Significant | Not Significant | * > | * * | < × | × | * * | × × | × | × | * 1 | * > | × × | × | × | × | × | × > | | × | × | * > | × × | × | × > | ×× | · × | × | * * | < × | × | Not Significant | · × | * > | * * | × | * * | × | × > | <× | × | × | × | * * | × | × | × | × | × × | × | * > | × × | × | * * | × | * * | × | ×× | | | mmena |
| | cation Significant | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree No | Tree Yes | Iree Yes | Tree Yes | Tree No | Tree Yes | Tree No | Tree No | Tree Yes | Tree Yes | ous Yes | yus Yes | Yes Yes | ous Yes | vus Yes | rdwood Yes | Yes | Yes | G 19, | yes Yes | Tree Yes | Tree Yes | Tree Yes | Tree Tes | Troe Yes | Tree Yes | Tree Yes | Tree Yes | redwood Yes | erdwood Yes | rdwood Yes | ardwood Yes | rdwood Yes | rdwood Yes | ardwood Yes | rdwood Yes | rdwood Yes | Tree No | Tree Yes | Tree Yes | rdwood Yes | ardwood Yes | ardwood Yes | ardwood Yes | ardwood Yes | ardwood Yes | Tree Yes | rdwood Yes | Tree Yes | Tree Yes | Tree Yes | redwood Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Tree Yes | Dus Yes | ous Yes | | Revisions: 1. 02/10/17 Revise Layout per Owner | City and management |
| | ms City Classiffa | Соттоп | Сопитоп | Common | Common | Common | Common | Соштол | Common | Common | Соттоп | Common | Common | Common | Common | Соттоп | Соттоп | Common | Common | Confere | t Conifere | Confer | Confer | 1 Conifere | 1 Deciduous Ha | Confer | Confer | Confer | 1 Conifer | 1 Common | Common | Common | Common | Common | 1 Common | Соттол | Common | Deciduous Ha | 1 Deciduous H. | Deciduous II | Deciduous H | Deciduous H | Deciduous H | Decidious H | 1 Deciduous Ha | 1 Deciduous H | Common | Common | Common | Deciduous H | 1 Deciduous H. | Deciduous II | 1 Deciduous H. | 1 Decidoous H | 1 Deciduous H | 1 Common | 1 Deciduous H | Common | Common | 2 Common | 1 Deciduous H | 1 Common | 1 Common | Common | 1 Соттоп | Common | 1 Common | 1 Common | Common | 1 Common | 1 Common | 1 Confler | 1 Conifer | | | |
| | In.) Quality Stems | 18.5 4 | 14.0 3 | 16.5 4 | 16.0 4 | 34.0 4 | 150 4 | 14.0 4 | 19.5 | 110 4 | 12.0 3 | 15.0 4 | 21.0 4 | 4 0.0 | 14.0 | 7.0 4 | 6.5 3 | 180 4 | 16.0 | 14.0 | 14.0 4 | 160 4 | 155 | 17.0 3 | 14.0 4 | 800 | 15.0 4 | 140 | 15.5 4 | 12.0 3 | 12.0 3 | 42.0 3 | 300 | 360 | 21.0 4 | 18.0 3 | 14.0 | 6.0 | 6.0 4 | 7 091 | 160 4 | 13.5 | 10.0 | 2 2 6 | 7.0 4 | 14.5 4 | 8.5 4 | 14.5 3 | 14.5 | 13.5 | 7.0 4 | 10.5 | 10.5 4 | 19.0 4 | 12.0 4 | 25.0 3 | 1 09 | 21.0 4 | 15.0 3 | 15.5 4 | 8 5 4 | 17.5 4 | 19 0 4 | 12.5 | 18.5 | 34.5 | 14.0 | 17.0 4 | 110 | 40.0 | 230 3 | 7 56 | 12.0 4 | | P.E. Drawn: ADB | Designed: BJK |
| | Tree Species | Cottonwood | Cottonwood | Cottonwood | Cottonwood | Maple, silver | Cottonwood | Cottomwood | Cottonwood | Cottonwood | Ash, green | Cottonwood | Cottonwood | Flm American | Cottonwood | Ath, green | Ash, green | Cottonwood | Ach. areen | Spruce, blue | Spruce, blue | Pine, Scots | Pine, Scots | Pine, Scots | Maple, sugar | Pine, Scots | Pine, Scots | Pine. Scots | Pine, Scots | Maple, silver | Maple, silver | Maple, siver | Maple, Siver | Maple, silver | Elm, American | Flm, Siberian | Elm, American | Birch, paper | Birch, paper | Brich, paper | Oak rad | Osk, red | Birch, paper | Oak, red | Oak, red | Oak, red | Ash, green | Elm, American | Elm, American | Birch, paper | Oak, red | Birch, paper | Oak, red | Oak, bur | Oak, red | Elm, Siberian | Oak, red | Basswood | Maple, silver Basswood | Basswood | Birch, paper | Cottonwood | Cottonwood | Elm. American | Cottonwood | Cottomwood | Cottomood | Cottomvood | Cottomwood | Cottomwood | Cottonwood | Pine, white | Spruce, blue Pine, white | | Print Name: Brian J. Krystofiak, P.E. D | The AKT |
| Ð | Tree No. | 10360 | 10301 | 10363 | 10364 | 10365 | 10.867 | 10368 | 10369 | 10371 | 10372 | 10373 | 10374 | 20101 | 10377 | 10378 | 10379 | 10380 | 10382 | 10383 | 10384 | 10365 | 10387 | 10388 | 10,889 | 10390 | 10101 | 10193 | 10794 | 10395 | 10395 | 10397 | 10399 | 10400 | 10401 | 10402 | 10403 | 10405 | 10405 | 10407 | 10409 | 10410 | 1011 | 10413 | 10414 | 10415 | 10416 | 10418 | 10119 | 10421 | 10422 | 10423 | 10425 | 10426 | 10428 | 10429 | IDAN | 10432 | 1043 | 10435 | 10435 | 10438 | 10439 | 19401 | 10442 | 1043 | 10445 | 10445 | 1010 | 1046 | 10450 | SPOT | 10454 | | cification Print Name | duly Signature |
| CONT'D | pano | Π | П | T | | T | I | П | * | Τ | | | Τ | 1 | Τ | | П | T | Τ | | П | | T | | | × | T | Τ | | П | | T | I | T | | П | Τ | T | П | Τ | Τ | Π | П | Τ | Ī | П | T | Π | П | Т | П | Τ | Τ | П | Π | П | П | П | Τ | П | Τ | Π | П | T | П | Т | Τ | П | Τ | П | Т | П | Т | | I hereby certify that this plan, specification or report was prepared by me or under my | vision and that I am a |
| SHOTS | Significant Sawed Remov | П | Yes | т | | × | × × | × | Vo Net Spriftes | × × | × | × | × | T | NA Part of Plot 3 | Yes X | × | ××× | × × | ×× | X 19, | * > | × × | × | × | | | | × | | × | | | \perp | × | | | × × | Yes | | | c × | ш | X x x | x x | × | × × | ×× | ××× | × × | , x | ×× | x x | X X | x x | × | k × | Yes X | × × | x x | ××× | k × | X z | ×× | × | ××× | X X | X : | ×× | X x | × × | ×× | × × | | | |
| IDUAL | City Classification Signi | Deciduous Hardwood Y | ш | mmon Tree | | - | | ш | 100 Tree | Deciduous Hardwood | 15 Hardwood Yes | Y Hardwood Y | Nardwood N | Decidences Hardwood | \perp | you Tree | s Hardwood Y | S Hardwood | Is Hardwood | S Hardwood | Deciduous Hardwood Yes | 13 Hardwood | S Hardwood | 1 Hardwood | n Hardwood | is Hardwood | 1s Hardwood | 1 Hardwood | Hardwood 1 | 18 Hardwood | 15 Hardwood | s Hardwood | 11 Hardwood | 18 Hardwood | 1s Hardwood | ss Hardwood | 18 Hardwood | A Hardwood | Deciduous Hardwood Yes | 18 Hardwood | 15 Hardwood | 1s Hardwood | 15 Hardwood | 15 Hardwood | Deciduous Hardwood | st Hardwood | ommon Tree | Deciduous Hardwood | s Hardwood Yes | Deciduous Hardwood | 1.1 | as Hardwood | iferous Yes | iferous | Deciduous Hardwood | as Hardwood Yes | as Hardwood | boowbrei | poompus | Conferents | † | - | Deciduous Hardwood | - | p00 | Т | t | + | t | Н | + | Conferous | + | | 3890 Pheasant Ridge Drive NE, Suite 100 Blaine, MN 55014 | 489-7900 |
| INDIV | Stems | 2 Deciduou | 1 Comm | 1 Deciduou | 2 Deciduou | 1 Como | 1 Deciduou | 1 Comm | 1 Como | 1 Deciduor | 1 Deciduou | 1 Deciduou | 1 Deciduou | 1 Deciduor | 1 Deciduor | 1 Comm | 1 Deciduos | 2 Deciduo | 2 Deciduos | 1 Deciduo. | 1 Deciduos | Deciduo | 1 Deciduox | 1 Deciduos | 1 Deciduor | 1 Deciduox | 3 Deciduos | Deciding | 1 Deciduor | 1 Deciduor | 1 Deciduox | 1 Deciduos | 1 Deciduos | 1 Deciduos | 1 Deciduos | 1 Deciduos | 1 Deciduox | 1 Deciduos | 1 Deciduor | 1 Deciduo | 2 Deciduos | 1 Deciduor | 1 Deciduos | 1 Deciduo | 1 Deciduo | 2 Deciduos | 1 Comr | 1 Deciduo | 1 Deciduo | 1 Deciduo | 1 Deciduo | 1 Deciduo | 1 Cor | 1 . | 1 Deciduor | 1 Deciduo | 1 Deciduo | 1 Deciduous h | 1 Deciduo | 1 Cor | 8 8 | 1 6 | 1 Deciduo | 1 Deciduo | 1 Deciduous Hardy | 1 | 1 1 | 1 . | Š | 1 Cor | 1 - | 1 | 1 Com | | | _ |
| HASES | DBH Quality | П | Т | Т | П | 14.0 3 | т | П | Ť | 20.5 | | 9.0 | 9 09 | T | T | П | 20.5 4 | T | T | T | П | 15.5 4 | t | П | 15.0 4 | Ť | T | T | | П | 7 | 82 | | 8.5 | 25.0 4 | 6.0 4 | 7 06 | 17.5 3 | H | Ť | Ť | 6.5 4 | + | Ť | T | 9.0 | 150 4 | 25.0 3 | 14.5 4 | 10.0 | 125 4 | 280 3 | П | T | П | T | 19.0 4 | Т | Т | П | Т | 11.0 | П | Τ | П | | П | Т | Т | П | Т | 19.0 | П | | 1 - environments | - ennineering |
| FUTURE PHASES INDIVIDUAL SHOTS | Tree Spedes | | Elm, American | | Н | | | Ц | | | | Oak, red | Oak, red | Oak white | Ш | Ш | | 1 | 1 | Oak, red | Oak, white | Oak, white | Oak, white | Oak, white | Oak, bur | Oak, bur | Dat hay | Oak bur | Oak, bur | Oak, red | Oak, red | Oak, red | Out and | Oak red | Oak, bur | Oak, red | Oak red | Oak, but | Oak, bur | Oak, red | Oak red | Oak, bur | Oak, red | Oak her | Oak, bur | Cherry, black | Elm, American | Oak, bur | Oak, bur | Oak, red | Oak, red | Oak, bur | Spruce, blue | Spruce, blue | Osk, red | Oak, red | Oak, bur | Oak, bur | Spruce, blue | | _ | | | | Oak, pin | Pine, Austrian | Pine, red | | | ш | - | Spruce, blue | - | | Carlson | |
| FG | Tree No. | 10158 | 10159 | 10101 | 10152 | 10153 | 10165 | 10156 | 10157 | 10169 | 10170 | 10171 | 10172 | 10174 | 10175 | 10176 | 10177 | 10178 | 10180 | 10181 | 10152 | 10163 | 10185 | 10156 | 10157 | 10188 | 10169 | 10101 | 10192 | 10193 | 10194 | 10195 | 10197 | 10198 | 10199 | 10200 | 10201 | 10203 | 10204 | 10205 | 10207 | 10208 | 10209 | 10211 | 16212 | 10213 | 10214 | 10216 | 10217 | 10219 | 10220 | 10221 | 10223 | 10224 | 10226 | 10227 | 10229 | 10230 | 10232 | 10233 | 10234 | 10236 | 10237 | 10239 | 10347 | 10348 | 10350 | 10351 | 10353 | 10354 | 10355 | 10357 | 10359 | | Ĭ | 3 |

FUTURE PHASES INDIVIDUAL SHOTS CONT'D

| Tree No. | Tree Spedes | E . | Quality | Stems | City Classification | Significant | Saved | Removed |
|----------|----------------|------|---------|-------|---------------------|-------------|-------|---------|
| 10645 | Spruce, white | 11.5 | 3 | | Conferent | Yes | × | |
| 10646 | Spruce, white | 11.0 | 3 | 1 | Conferous | Yes | × | |
| 10647 | Spruce, white | 11.0 | 1 | 1 | Conferous | Yes | × | |
| 10648 | Oak, pin | 13.0 | - | - | Deciduous Hardwood | Yes | × | |
| 10649 | Oak, pin | 13.5 | * | 1 | Deciduous Hardwood | Yes | × | |
| 10650 | Oak, pin | 15.0 | • | 1 | Deciduous Hardwood | Yes | × | |
| 10651 | Oak, pin | 13.0 | * | 1 | Deciduous Hardwood | Yes | × | |
| 10652 | Dak, pin | 16.5 | • | - | Deciduous Hardwood | Yes | × | |
| 10653 | Oak, bur | 9.5 | | 1 | Deciduous Hardwood | Yes | × | |
| 10654 | Dak, red | 9.0 | , | 1 | Deciduous Hardwood | Yes | × | |
| 10655 | Oak, bur | 7.0 | , | | Deciduous Hardwood | Yes | × | |
| 10656 | Oak, red | 110 | • | - | Deciduous Hardwood | Yes | × | |
| 10657 | Oak, red | 110 | | | Deciduous Hardwood | Yes | × | |
| 10658 | Oak, bur | 26.0 | - | - | Deciduous Hardwood | Yes | × | |
| 65901 | Elm. Siberian | 15.5 | - | - | Common Tree | Yes | × | |
| 10660 | Dak, bur | 15.0 | • | 2 | Deciduous Hardwood | Yes | × | |
| 19901 | Oak, red | 110 | - | - | Deciduous Hardwood | Yes | × | |
| 10667 | Oak red | 34.6 | | - | Deciduous Hardwood | Yes | × | |
| 10663 | Dak. red | 10.5 | - | - | Deciduous Hardwood | Yes | × | |
| 1988 | Dat red | 6.5 | - | - | Deciduous Hardwood | Yes | × | |
| 1000 | Oak red | 7.5 | 1 | - | Deciduous Hardwood | Yes | × | |
| 10666 | Oak bur | 8.5 | - | - | Deciduous Hardwood | Yes | × | |
| 10567 | Day, and | 27.0 | 3 | - | Deciduous Hardwood | Yes | × | |
| 10823 | Maple, red | 14.0 | - | - | Deciduous Hardwood | Yes | | × |
| 10624 | Oak, bur | 29.5 | - | | Deciduous Hardwood | Yes | × | |
| 10825 | Oak, bur | 300 | - | - | Deciduous Hardwood | Yes | × | |
| 10626 | Elm, Siberian | 26.0 | - | - | Соттоп Тгее | Yes | × | |
| 10827 | Pine. Scots | 19.0 | - | - | Conferens | Yes | × | |
| 10878 | Spruce, blue | 16.0 | - | - | Coniferans | Yes | x | |
| 10829 | Pine. Scots | 16.0 | - | - | Conferens | Yes | × | |
| 10830 | Pine, red | 150 | • | | Coniferous | Yes | x | |
| 10831 | Pine, red | 13.5 | - | - | Coniferous | Yes | X | |
| 10832 | Pine, Scots | 20.0 | - | - | Conferens | Yes | x | |
| 10633 | Ash, green | 150 | - | - | Common Tree | Yes | × | |
| 10834 | Pine, Austrian | 9.0 | | - | Coniferous | Yes | × | |
| 10835 | Pine, Austrian | 13.0 | - | - | Conferens | Yes | × | |
| 10835 | Pine, Austrian | 160 | - | 1 | Coniferous | Yes | x | |
| 10837 | Maple, silver | 310 | - | - | Common Tree | Yes | × | |
| 10838 | Pine. Austrian | 140 | | - | Conferous | Yes | X | |
| 10839 | Pine. Austrian | 15.0 | - | - | Conferens | Yes | × | |
| 10840 | Pine, Austrian | 12.5 | 7 | 1 | Conferent | Yes | x | |
| 10841 | Ash. green | 120 | - | - | Common Tree | Yes | × | |
| 10847 | Pine Austrian | 13.5 | - | - | Coniferous | Yes | × | |
| 10843 | Dine Austrilia | 130 | Г | - | Conferent | Yes | × | |
| ֡ | | ֡ | | ֡ | | | | |

TOTAL INDIVIDUAL TREE SHOT ASSESMENT (ENTIRE SITE)

| otal caliper inches from individual shots (Phase 1) | 13,466.50 |
|---|-----------|
| Common Tree RemovalCaliper Inches | 2507.5 |
| Coniferous Tree Removal Caliper Inches | 2421.0 |
| Deciduous Hardwood Removal Caliper Inches | 286.5 |
| otal caliper inches from Individual shots (Future Phases) | 19,057.00 |
| Common Tree RemovalCaliper Inches | 12010 |
| Conferms Tree Removal Caliner Inches | 5510 |

| į, | 2 | į | b | P | - |
|--------------|-----|----|----|----|----|
| uality Ratin | Goc | Fa | Po | 84 | De |
| ٥ | | 3 | 2 | | |

TOTAL TREE PLOT ASSESMENT AREAS

(ENTIRE SITE)

| | Total Area | Total Area Removal Area Caliper Inches Total Caliper | Caliperinches | Total Caliper | Total Caliper | Inches | Inches | Inches |
|---------|--------------|--|---------------|---------------|----------------|----------|----------------------------|----------|
| | (Acres) | (Acres) | per Acre | Inches | Inches Removed | Removed | Removed | рамоша |
| Area 1 | 36.93 | 14.08 | 1750.00 | 54627.50 | 24640.00 | 12320.00 | 12320.00 | 6849.92 |
| Area 2 | 1.85 | 0.86 | 0000 | 000 | 000 | 0.00 | 00'0 | 0.00 |
| Area 3 | 5.91 | 4.49 | 1010.00 | 5969.10 | 4534.90 | 453.49 | 000 | 408141 |
| Area | 4.39 | 2.23 | 1010.00 | 4433.90 | 2252.30 | 1013.54 | 337.85 | 900.92 |
| Area 5 | 207 | 0.00 | 290.00 | 585.80 | 000 | 000 | 00'0 | 0.00 |
| Area6 | 7.43 | 5.94 | 1325 63 | 9849.39 | 7874.21 | 874.91 | 000 | 6999.30 |
| Area 7 | 2.05 | 103 | 29306 | 1858.67 | 933.87 | 700.40 | 000 | 233.47 |
| Area | 1.76 | 000 | 815.00 | 1434.40 | 000 | 0.00 | 00.00 | 0.00 |
| Area 9 | See Individu | See Individual tree shot information | ormation | | | | | |
| Area 10 | 1.90 | 0.84 | 000 | 000 | 000 | 000 | 0000 | 000 |
| Area 11 | 8.24 | 0.00 | 1485.00 | 12236.40 | 000 | 000 | 000 | 000 |
| Area 12 | 181 | 0.00 | 1707.50 | 3141.80 | 08.30 | 18.99 | 000 | 49.31 |
| Area 13 | 2.86 | 0.00 | 815.00 | 2330.90 | 000 | 000 | 000 | 0.00 |
| Area 14 | 1.45 | 0.00 | 00'0 | 000 | 0000 | 000 | 00'0 | 000 |
| Totals: | 78.63 | 29.51 | | 106467.86 | 40303.58 | 27 1855 | 15351.32 12657.85 19114.33 | 19114.33 |

| il caliper inches from all areas | 106,467.86 |
|---|------------|
| Common Tree RemovalCaliper inches | 15381 |
| Coniferous Tree Removal Caliper Inches | 12657.8 |
| Deciduous Hardwood Removal Caliber Inches | 19114.3 |

SUMMARY (ENTIRE SITE)

| Total caliper inches on the situ | 138,991.35 |
|---|------------------------|
| Allowable significant removal for the site | Carried Office Control |
| (Allowable removal = 30% Total Significant DBH) | 41,697.41 |
| Common Tree Removal Caliper Inches | 19589.8 |
| Coniferous Tree Removal Caliper Inches | 15629.8 |
| Deciduous Hardwood Removal Caliper Inches | 23259.8 |
| Total Removal Caliper Inches | 58459.5 |
| Total Replacement Caliber Inches for Site | \$396.C |

| | ř. | | Γ | | ļ | | - | 68. |
|-------------------------|---------------------|------------------------|--------|----------------------------|------------|-----------------------|-------|----------------------------------|
| 41697.4 | 22107.6 | . 15629.8 | 5477.7 | 23269.8 | · 6477.7 ◆ | 16792.1 | . 0.5 | 8396.05 |
| Removal Threshold (30%) | Common Tree Removal | Conferous Tree Removal | | Deciduous Hardwood Removal | | Removal Over Threhold | | Hardwood Replacement Requirement |

Remonal over threshold shall be counted against Hardwood Trees at a rate of replacement of 1/2" misigated per 1" removed Militation requirement 8296.05"

NOTE:

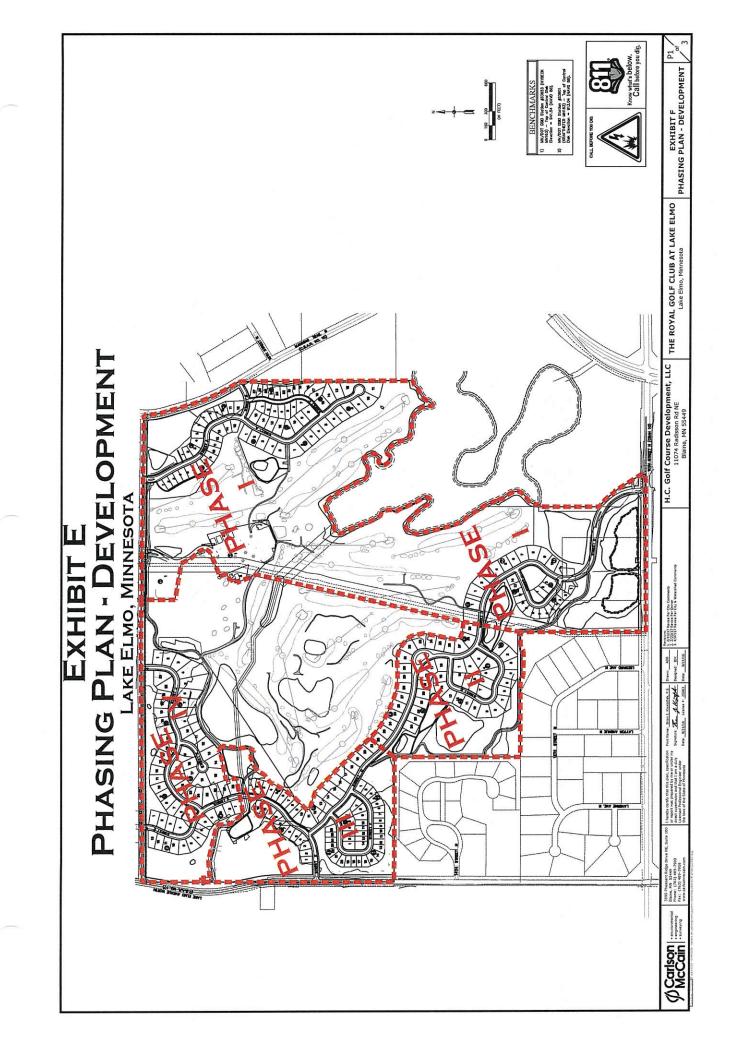
TREE IDENTIFICATION AND TREE AREA CALCULATIONS WERE PROVIDED BY KJOLHAUG ENVIRONMENTAL SERVICES.

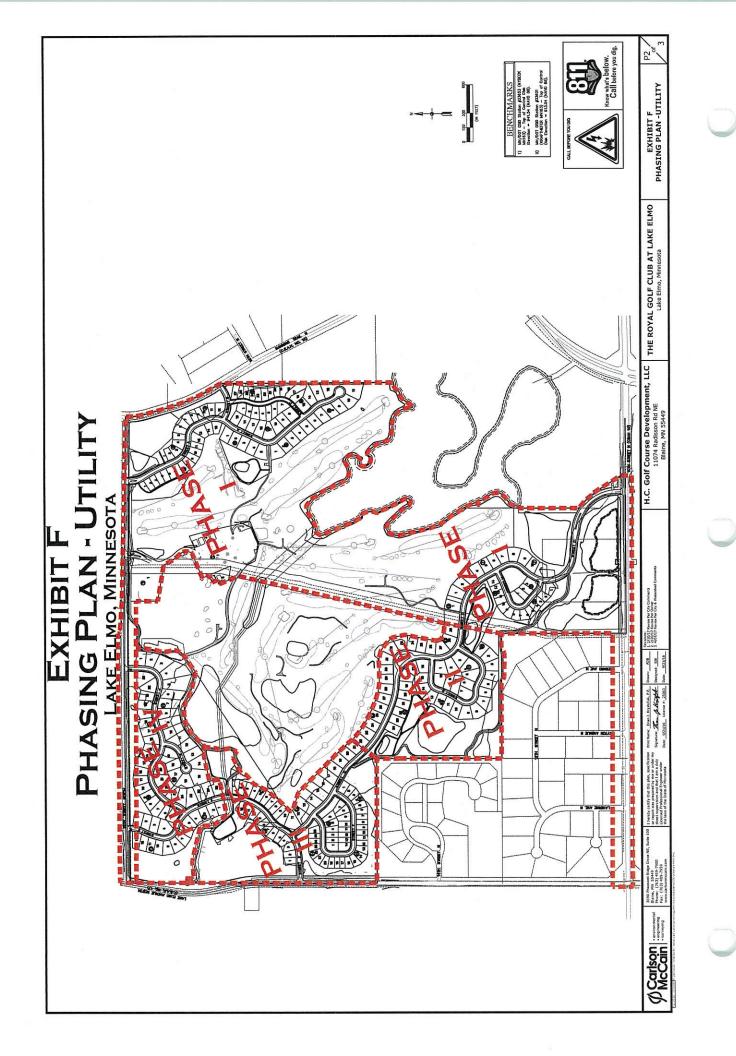
Thereby config bat his plan, performer from Sens). Something, Eg. Dornin, 1970, 1 (2010); the sen strong production from the merit of the sense of t

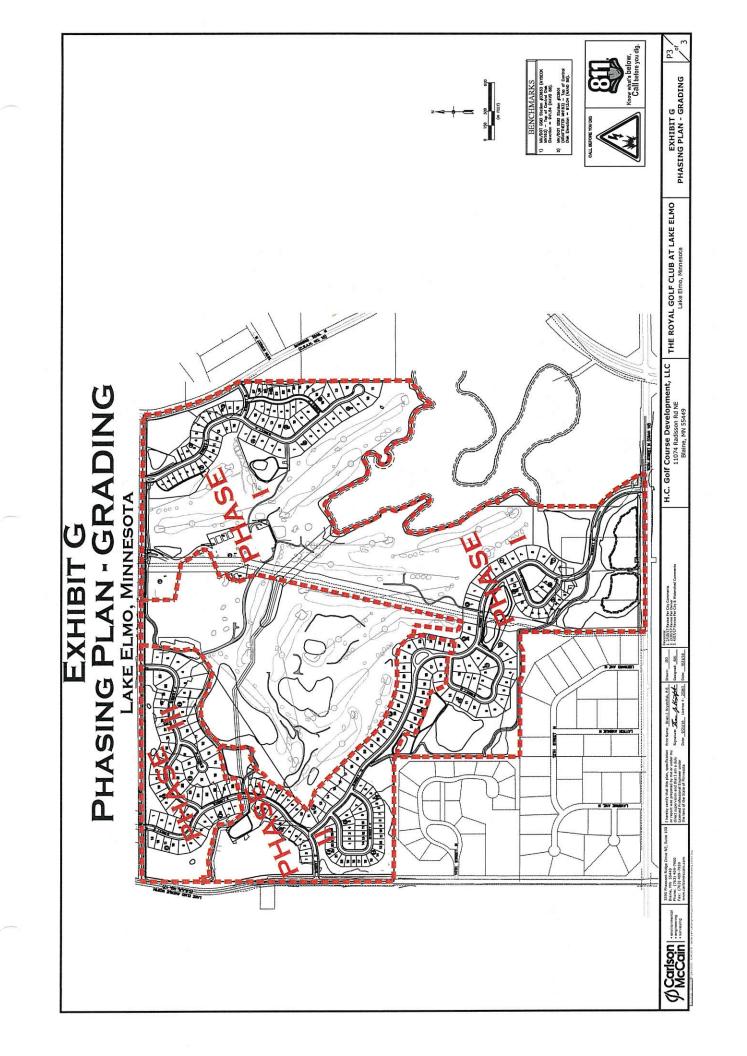
H.C. Golf Course Development, LLC THE ROYAL GOLF CLUB AT LAKE ELMO 11074 Radisson Rd NE Blaine, MN 55449

TREE PRESERVATION PLAN

T25/









THE ROYAL GOLF CLUB

Preliminary PUD/Plat February 10, 2017

Background

Tartan Park, 3M's private 27-hole golf course and recreational facility was purchased by H.C. Golf Course Development, LLC in March of 2016. Since that time, the golf course reconstruction and proposed clubhouse renovation have begun with an expected opening Summer of 2017. H.C. Golf applied for a Comprehensive Plan Amendment on September 12, 2016. This application was approved, conditioned on Metropolitan Council approval, January 9, 2017. The EAW for the Royal Golf Club was approved by the City Council on January 17, 2017 and the Zoning Text Amendment for the new Golf Course Community designation was approved on February 7th, 2017. The applicant has prepared a Shoreland PUD/Cluster evaluation that is in the final stages of review by the City of Lake Elmo. On September 8, 2016, H.C. Golf requested that the City undertake a Water Supply study based on the City Engineer's recommendation during the Concept Plan review. The study is complete, the recommended changes to RGC's water looping system have been made. RGC has obtained its required Wetland Alteration Permits and received approval of the Wetland Replacement Plan. This narrative accompanies the Development Stage Planned Unit Development and Preliminary Plat.

RGC and City Staff have been working on the details of the preliminary plat over the last 3 months. During this effort, the concerns raised during the concept review, the EAW, the GCC Zoning Text Amendment, and public comments have been addressed and incorporated into this submission.

11455 20th Street North Lake Elmo, Minnesota 55042 www.royalgolfclubmn.com

Substantive Changes Since Sketch Plan Review

There have been many changes since the Planning Commission saw the original sketch plan. The substantive changes area:

- 1. Provision of an access to the south connecting the neighborhood to 10th Street.
- 2. Provision of a public trail connecting 10th Street to 20th Street.
- 3. Elimination of any cul-de-sacs longer than City Ordinance.
- 4. Addition of an access from 20th Street to the east part of the site
- 5. Elimination of 11 lots in the area east of Homestead and north of Tartan Meadows.
- 6. Connection of the NW neighborhood to the west-central neighborhood.
- 7. Removal of the 19 lots that had been planned on a wooded ridge along Lake Elmo Ave.

PUD Flexibility

RGC is requesting various types of flexibility based on its PUD designation. These requests are listed below and detailed in each category throughout the narrative. These requests are:

- 1. The golf course is required by ordinance to have two entrances. When submitting the grading permit for the course, this was unknown to RGC. As a result, the area where the 2nd access once existed was used as the remediation area where the mercury contaminated soils in the golf course greens was placed. To address the access concern, RCG is proposing to modify the main entrance drive to include a drive with a median at the intersection of 20th Street.
- 2. Minimum Lot Size. The minimum lot size in the GCC is 9,000 square feet. Many of the proposed Villa lots are below this requirement. Typically, an Association maintained unit would be more a LDR or MDR housing style; the smaller lot size would be compensated by common open space. We believe we have done this with our proposal and should be approved. If not allowed, the only way to meet the minimum density would be to make all the lots closer to the minimum. We believe this would be detrimental to the neighborhood and it exclusivity.
- 3. Impervious Surface Area (Per lot). While we aren't exactly sure at this point because we haven't picked our builders, we suspect that on some of the 55' villa lots we might exceed the 30% impervious coverage requirement. Like #2 above, the villa would typically be a LDR/MDR product with a 40% coverage requirement. We believe it is reasonable to ask this of our villa product as well. We will adhere to the Shoreland Ordnance in the areas covered by the Shoreland District. We are not requesting this flexibility for the Traditional Single Family.
- **4. Villa Setbacks.** RGC is requesting a 20' front yard setback when a side-loaded garage is used. In this case, there should be no issue with parking cars in the driveway that will overhang the sidewalk or ROW. This is not an uncommon allowance when utilizing a side-load garage. Additionally, we are requesting 7.5'/7.5' sideyard setback (garage or

living area) for the villas. With the ordinance requirement of 10'/5' there will be instances where we will have garages with 10' of each other. We believe this creates an ugly street view.

- 5. We would like "trails" in front yards to be 6' wide. This argument is made in the Trails section.
- **6. ROW width.** In the 55' wide villa area on the east side we are proposing a 50' ROW without sidewalks. This is described in the streets section.
- 7. Number of "Entrance Monuments". City ordinance allows for only 2 entrance monuments per development. We are requesting 4 entrance features one at the intersection of Street A and 20th Street, one at the clubhouse entrance, one at the entrance on Lake Elmo Ave. and another approximately 600' north of our entrance on 10th Street. In addition, we would like to have up to 6 additional "neighborhood identifiers" used to identify the villa enclaves. There would likely be nothing more than a 2'X2' pillar with the RGC Logo and the name of the neighborhood.
- **8. Sidewalks.** We are proposing two small areas where we think sidewalk is not warranted. This is explained in the Sidewalk section.
- 9. Garages. The ordinance states that there is a 1000 square foot maximum for an attached garage without a conditional use permit. It will not be at all uncommon for many of these homes to have 4-car garages, especially if they have golf carts. We would like the flexibility to have a larger garage with a much more expedient review than a CUP, or have a PUD condition that states that there can only be the equivalent of 3 single stall garage doors facing the street. We are still bound by the percentage of garage face to house face requirement.

Proposed Land Uses and Densities

Land Uses. The development contemplates detached, single family homes encompassing a broad range of lifestyles choices and price points. Anticipated homes will range from Association maintained villa products to high-end custom homes. The "villa" product has 5 different "neighborhoods" -- 3 on the west side of the golf course and 2 on the east. It is likely that the neighborhood in the Southwest corner of the site may contain a product for "new families on the go" that will be a two-story product but still Association maintained. This is an emerging buyer segment as Millennials start to form families and switch to owning their own home.

Lot Sizes.

Traditional single family lots – These lots will range from 80'-100' in width with minimum depths between 130' to 150'. The varied lots are intermixed throughout the development depending on proximity to the golf course and orientation to existing natural features. Front setbacks for traditional single family homes will be 30' as well as the street-side setback for a corner lot. The rear setback is 30'.

Golf course lots will be a minimum of 100' wide. The rear setback will be 30' and side setbacks at proposed to be 15' each side (30' between homes). Internally, RGC may grant variances to the sideyard setback to allow for bump-outs, egress windows, wide eaves and the like. These would be granted only on a case by case basis to allow for unusual architectural elements. In no case, will the setback be less than 10'. No encroachments into utility easements will be allowed. There are 79 Golf Course lots; the average lot area 17,800 square feet.

Off-course lots with 80-90' widths will have the same front and rear setbacks but have 10' sideyard setbacks. Typical City-allowed encroachments into setbacks will be allowed but in no instance will encroachments into utility easements be allowed. There are 88 off-course lots. The 90'+ lots have an average size of 15,600 square feet; the average area for a 80'+ lots is 13,713 square feet.

Association Maintained Villa Lots -- There are essentially two different villa lots – 55' wide and 65' wide. These will be located on public streets in 5 different enclaves or pods. As negotiations are completed with the two or three custom builders for these homes, plans will be brought forward for City review. Generally, the homes will be 1800 - 2000 square feet on the main level. All units will have full basements. The front setback is proposed to be 20' for side-load garage units and 25' for front loaded garages. The proposed side setbacks are 7.5' from each side (15' between homes).

The lot areas for the 55' lot range from 6900 square feet to 14,700 square feet, averaging approximately 8,700 square feet. The lots areas for the 65' lots range from 7,800 to 13,100 square feet. The average square footage is 9,800 square feet.

The various setback/ROW/Sidewalk relationships that are formed as part of the request are shown on **Exhibits A, B, C, and D.**

<u>Density.</u> The current plan indicates a total of 292 units on 231.25 gross residential acres. Using the City's methods of netting out rights-of-way, bluffs, wetlands and the like a net residential area of 186.92 acres is arrived at. This creates a net density of 1.56 units per acre. This is within the density range prescribed by the Golf Course Community Zoning District.

| Development Area | 231.2449 |
|---|----------|
| 10th Street | 2.88 |
| Lake Elmo Avenue | 2.82 |
| Wetlands | 19.71 |
| Wetland Buffers | 9.81 |
| Open Water (area of Easement) | 1.61 |
| Open Space | |
| Trail Easement (Outlots B and Outlot T) | 6.66 |
| Bluff | 0.85 |
| Floodway | 0.00 |
| | |
| Net Residential Area | 186.92 |
| Total Lots | 292 |
| Net Density | 1.56 |

Streets/Sidewalks. Streets are generally designed to be 28' feet (back of curb to back of curb) within a 60' right-of-way. All streets have sidewalks on one side except for the 55' villa product on the east side of the neighborhood and the 60-65' villa product in the SW corner. Both "pods" or enclaves contain fewer than 20 lots, and are situated in locations that won't experience through traffic. Both enclaves have a very short walk to a street with a sidewalk or trail. Some lots have access to a trail in their back yard. In only one east neighborhood (55' lots), due to the east/west dimension from the golf course to the east property line, the ROW had to be reduced to 50' to help increase the buffer and preserve trees on the property edge.

Parks, Trails and Open Spaces.

Trails. In response to the Comprehensive Park Plan for a trail along 20th Street from the clubhouse access to Lake Emo Ave., we have proposed an off-street trail from the easterly most proposed street (Street A) to Street J, where the trail moves away from the street and proceeds through the golf course, neighborhood and other planned open spaces eventually connecting to 10th Street. This is proposed to be credited against the project's park dedication fee. No other public parkland dedication is proposed.

Due to severe topography and trees, it was not possible to construct an off-street trail from the proposed trail intersection with Street E to where it leaves Street D at the NW corner of the Homestead neighborhood. Because it is not preferable to construct asphalt trails along the fronts of lots, an 8' sidewalk was discussed. RGC would prefer to see any sidewalk in a front yard no greater than 6'. While a tree should still be able to grow in a 7' green space (boulevard) between the curb and the

edge of an 8' sidewalk, an 8' wide piece of concrete looks out of scale with the other elements in the front yard. RGC is requesting that the "trail" in the area described be limited to 6'.

Private Amenities. A private park is proposed in the SW corner of the site as a small neighborhood amenity. There is also a private HOA maintained fitness center and swimming pool proposed in the golf clubhouse area on the west side of parking lot. The exact location and design have yet to be determined but will be proposed during the CUP process. Use of the fitness center and pool will be paid for through HOA dues. There are also nearly 2 miles of HOA owned nature/exercise trails that exist in the northwest corner of the site (Outlot DD). These are not designed for bicycles or other like as there are numerous bridges, stairways and steep slopes. They are intended to provide a means to experience the hilly woodland and get a more energetic experience than a normal sidewalk or trail.

Private Open Spaces. All HOA owned/maintained open spaces will be encumbered by some form of conservation easement to satisfy both DNR and City Ordinance requirements. The specifics of these easements are being worked on with Staff. There are 35 different outlots within the proposed plat; the ownership and maintenance responsibilities of the outlots are shown on Page 8 of the plan set.

Golf Cart Friendly Neighborhood. It is very important to RGC that the neighborhood be golf cart friendly. By this, we mean that golf carts would be permitted on the internal public streets and the off-street trails that connect the neighborhood to the clubhouse. Golf carts would not be allowed on sidewalks, streets surrounding the property, or trails that did not link directly to the clubhouse. Ordinances to this affect are common (slow moving vehicle) and essentially center around the driver (must be of legal driving age with insurance, etc.) and the cart itself. If the ordinance is a dawn to dusk ordinance certain accessories must be on the cart; if it includes dusk to dawn operation additional accessories are required. RGC would like to explore this concept with Lake Elmo Public Safety officials to arrive at an ordinance that satisfies all.

Restrictive Covenants. The development will be encumbered by a variety of Restrictive Covenants put in place for the benefit of the residents (Architectural Guidelines, use restrictions, exterior storage requirements, vehicle parking, RVs, etc.) as well as Restrictive Covenants placed on open spaces at the direction of the City as part of the Ordinance and Shoreland requirements. As part of the review process, we expect that the agency required covenants will be developed and that concerns of the Planning Commission will be voiced and incorporated into the HOA Documents. Finalization of these documents will be done prior to Final Plat submittal

<u>Transportation</u>. All the access points to surrounding streets and County Roads have been approved by the appropriate agencies subject to the final design being presented. During the EAW approval process, a traffic study was performed. All the recommendations of the study have been implemented in the plans, the most significant of which are turn lanes at all the project intersections with 20th Street.

The access to 10th Street has been obtained through negotiation the property owner to the east of the access point, Terry Emerson. The negotiation involves land swaps and other considerations we wish to remain outside the public domain. The discussions are proceeding nicely and we are in the process of reviewing final documents. The land swaps will be accomplished prior to final plat approval so that everything will be memorialized in the plat. The specifics or the land swaps will be presented at the Planning Commission meeting.

Tree Preservation

Trees were inventoried using two methods. Many trees were individually identified and located. Some trees were inventoried using a foresters sampling method. The individual tree locations as well as the forester's areas are shown on the submitted tree preservation plan. Individual trees were identified by Kjolhaug Environmental Services and Tree Biz. The foresters sample areas were done by Kjolhaug Environmental Services. Carlson McCain surveyed the individual tree locations. The detailed calculations can be found on the submitted tree preservation plan. There is a mitigation requirement of 4,298 caliper inches. This mitigation requirement is fulfilled on the submitted landscape plans.

It should be noted that our calculations are made utilizing the "mixed use" provisions in the City Ordinance. In our opinion, the public nature of the golf course, restaurant, banquet and event facilities, driving range, and teaching center all indicate a use that is commercial in nature and that any financial link between the residential uses and the golf course does not invalidate this provision.

We are confident that the combination of saving over 60% of trees on site as well as all the proposed landscaping and amenity features, The Royal Golf Club at Lake Elmo will become a beautiful new addition to the City that everyone can be proud of.

Phasing

The first phase of development will be the development of the east side of the project along with a small portion in the SW corner. This is shown on **Exhibit E** of this narrative.

All the first phase utilities will be contained in Phase 1 Development except for a sewer force main along 10th Street and its intersection with Lake Elmo Ave. and a watermain along the south side of 20th Street to its intersection with Lake Elmo Blvd (Exhibit F). The Grading Phasing is shown on Exhibit G. The primary driver of this phasing is the need to provide public sewer and water to the clubhouse within 2 years of it's opening, which is expected to be the summer of 2017. The ultimate pace of the phasing will be determined by market demand but future phases are generally expected to proceed from the SW corner north to 20th Street. Phasing of critical public infrastructure and trail improvements will be discussed and approved with Staff as we proceed with approvals.

The approximate dates of the 4 development phases are:

Phase 1 – 2017

Phase 2 - 2019

Phase 3 – 2021

Phase 4 -- 2013

<u>Builders.</u> While we have spoken with many custom builders in the area, out of respect for the City approval process we have not selected any. With preliminary plat approval, we will announce these builders and, if needed, make a presentation of their work to the City. We are confident that the City will be pleased with the custom builders we will chose. Presently we are considering a pool of 7 custom builders for the traditional homes and 2-3 custom home builders for the villas.

There will be an architectural review committee (ARC) that will approve all house plans in accordance with a prescribed set of architectural guidelines that will cover minimum roof pitches and materials, 4-sided architecture, wrapped windows and doors, Hardie siding and Andersen Windows. As we continue to put together the builder pool, we will be happy to review the architectural guidelines and speak with the builders themselves.

Summary

The Royal Golf Club is a unique solution to the natural and regulatory challenges that this site presents. Its proximity to transportation and the rest of the metro area, the surrounding open space and recreational areas, quality schools and a broad buyer profile offer a unique locational advantage. Combined with the golf course, there has not been a project of this caliber in the Twin Cities in two decades; there likely will not be another one in the foreseeable future.

We believe that this plan is a solid framework with which to proceed to final plat and the other regulatory steps to bring the neighborhood to reality. We continue to discuss the project with policy makers, refine the plan as we gain more information on the potential market, evolving planning/environmental considerations, and community expectations. We look forward to

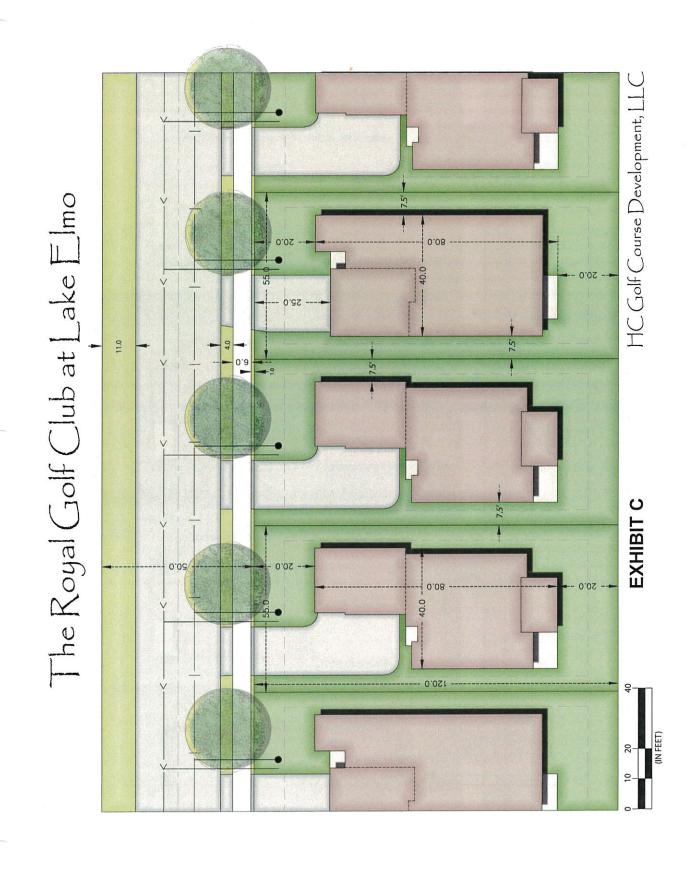
advancing the proposal and addressing more details of the design as we prepare for final PUD and plat approvals.

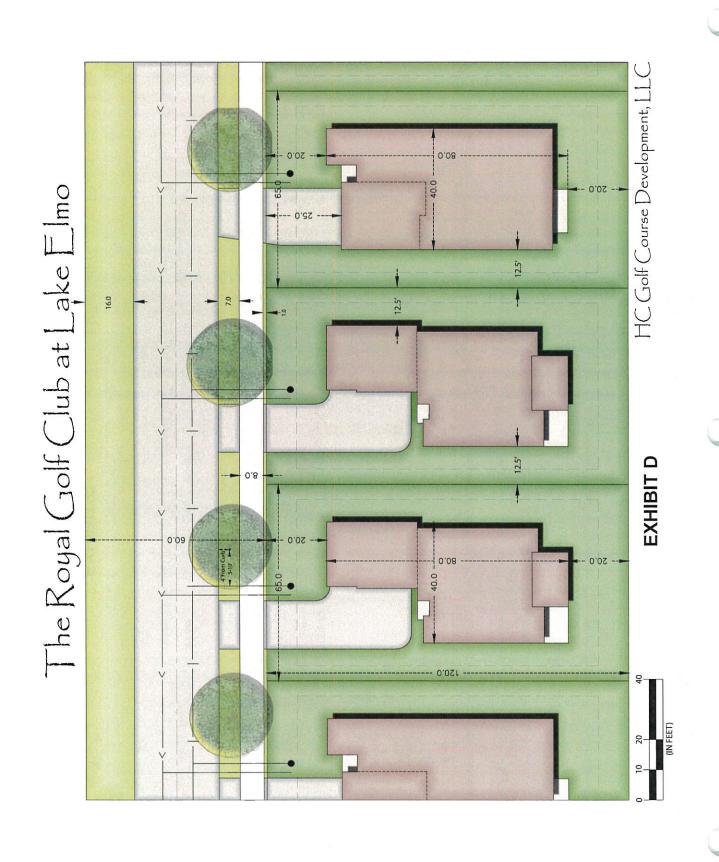
Respectfully submitted,

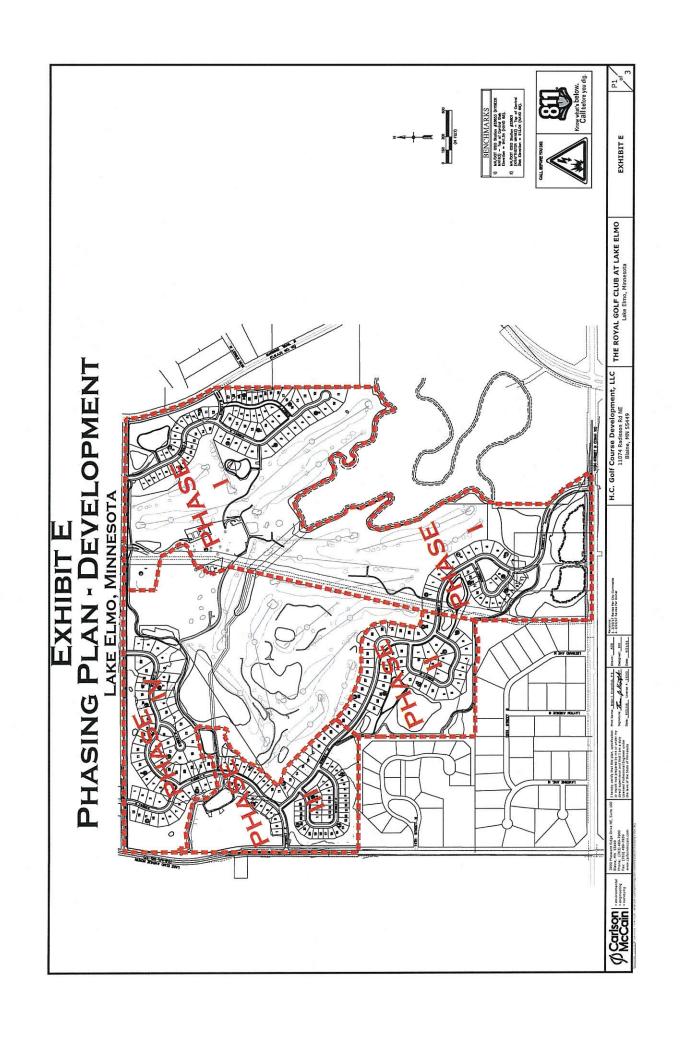
H.C. Golf Course Development, LLC Rick Packer President

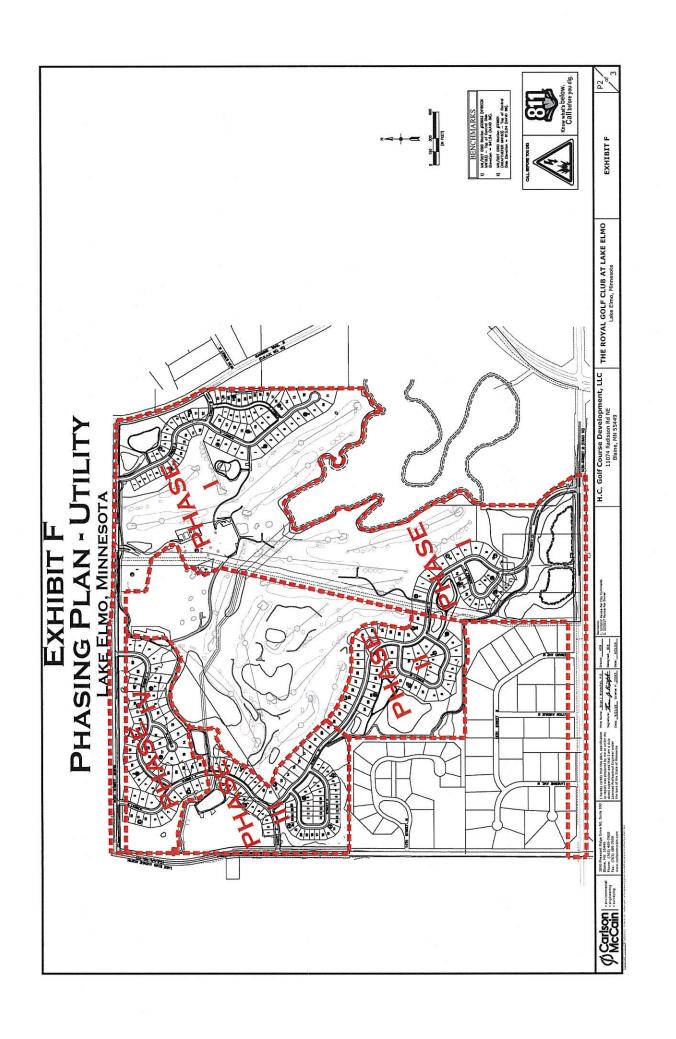


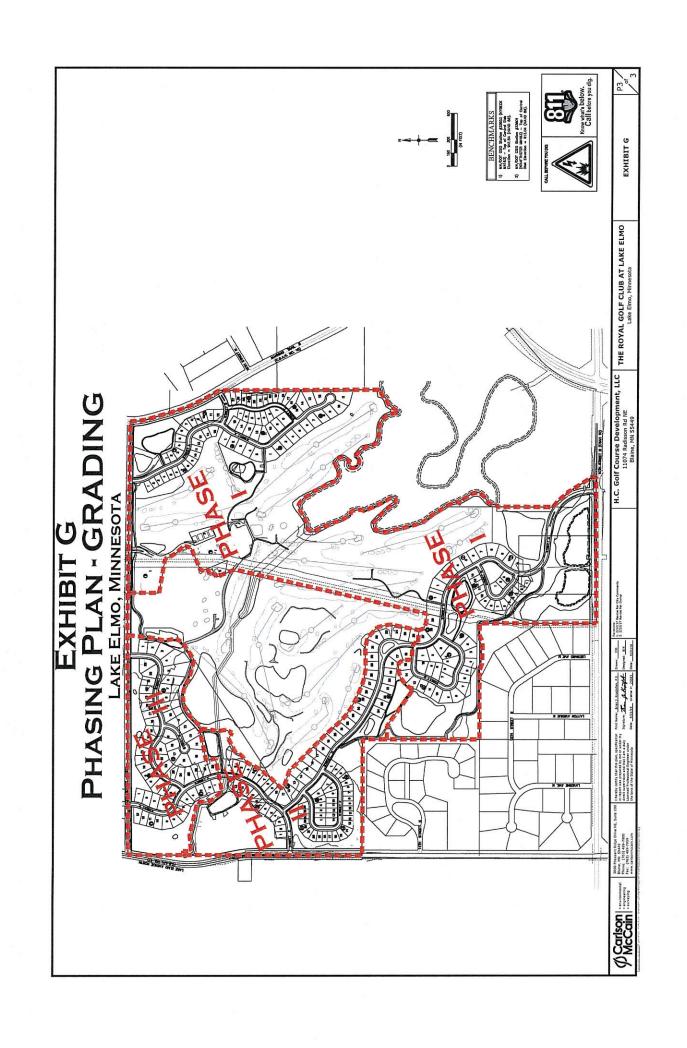














Jack Griffin <jack.griffin@focusengineeringinc.com>

Royal Golf Club Preliminary Plat/Plans

1 message

Jack Griffin < jack.griffin@focusengineeringinc.com>

To: Stephen Wensman <SWensman@lakeelmo.org>

Cc: Chad Isakson < Chad. Isakson@focusengineeringinc.com>

Wed, Mar 8, 2017 at 2:16 PM

Stephen.

Please see the attached engineering review comments for the Royal Golf Club Preliminary Plat/Plans.

Let me know if you have any questions. Thanks ~Jack

John (Jack) W. Griffin, P.E. Principal / Sr. Municipal Engineer

FOCUS ENGINEERING, INC.

651.300.4264

jack.griffin@focusengineeringinc.com

2017-03-08 RGC-Preliminary Plan Review.pdf

MEMORANDUM



Cara Geheren, P.E.

651.300.4261

Jack Griffin, P.E. Ryan Stempski, P.E. 651.300.4264 651.300.4267

Chad Isakson, P.E.

651.300.4283

Date: March 8, 2017

To:

Stephen Wensman, Planning Director

Cc:

Emily Becker, City Planner

From:

Jack Griffin, P.E., City Engineer

e: Royal Golf Club at Lake Elmo PUD

Preliminary Plan Engineering Review

An engineering review has been completed for the Preliminary Plan submittal for the Royal Golf Club at Lake Elmo PUD. The submittal consisted of the following documentation prepared by Carlson-McCain:

- Royal Golf Club at Lake Elmo PUD Preliminary Plan Set, Sheets 1-65, dated February 28, 2017.
- Preliminary Phasing Plans, Sheets P1-P3, dated February 20, 2017.
- Lift Station Site Plans, dated February 28, 2017.
- Stormwater Management Plan dated February 28, 2017.
- Storm sewer design calculations dated February 28, 2017.
- Landscape and Tree Preservation Plans were not reviewed by Engineering.

STATUS/FINDINGS: Engineering has prepared the following review comments:

All public improvements constructed to support the development must be designed and constructed in accordance with the <u>City Engineering Design Standards Manual available on the City website</u>.

PRELIMINARY PLAT

- Outlots B and T include City trails and should be dedicated to the City as part of the Plat. City ownership has been correctly identified on the Preliminary Plat Index Sheet.
- Outlots E, H, M, N, V, W, AA, EE, GG, and HH include storm water ponds, infiltration basins, sanitary lift stations and utility corridors that must be dedicated to the City as part of the Plat. City ownership has been correctly identified on the Preliminary Plat Index Sheet.
- Drainage and Utility easements must be granted over all of Outlots G, O, Q, Z, and II, and portions of Outlot
 FF as part of the City's Municipal Separate Storm Sewer System to protect the various wetlands, wetland
 buffers and drainage systems. These Outlots will be HOA owned and maintained. These easements have
 been correctly identified on the Preliminary Plat.
- Outlots M, N and EE do not appear to be adequate for City owned/maintained lift stations. Preliminary Plat approval should be contingent upon expanding Outlots M, N, and EE, or otherwise revising the Preliminary Plat/Plans to the City's satisfaction such that the proposed sanitary lift station sites are acceptable to the City's lift station consulting engineer and Public Works staff. It is recommended that the City's lift station consultant should complete preliminary site designs for each lift station for the applicant to incorporate into the Preliminary Plat/Plans. The lift station sites require improved on-site grades, better access and

turnaround areas for daily maintenance routines, better on-site screening and greater separation from other utilities.

- All emergency overflow elevations must be fully protected by drainage easement.
- Drainage and utility easements are required over all storm sewer, sanitary sewer and watermain not located on City Outlots and right-of-way, minimum 30-feet in width, 15 feet from centerline on each side of pipe. Easements must be shown on the Preliminary Plat, Utility Plans and Grading Plans. Easements have generally been provided as required. Revisions may be necessary has the plans are finalized or additional width may be required to adjust for greater pipe depths.
- Written landowner permission must be submitted as part of the development applications for any storm water discharges to adjacent properties to avoid negative impacts to downstream properties.

TRANSPORTATION IMPROVEMENTS

- 20th Street North dedicated right-of-way. As required, the Preliminary Plat dedicates 40 feet of right-of-way
 to the City of Lake Elmo along the entire length of 20th Street North to provide a minimum R/W from the
 existing roadway centerline.
- Manning Trail North dedicated right-of-way. As required, the Preliminary Plat dedicates 50-55 feet of right-of-way to the City of Lake Elmo along the length of Manning Trail North within the City limits of Lake Elmo to provide a minimum R/W from the existing roadway centerline.
- Washington County dedicated right-of-way. The Plat must dedicate sufficient right-of-way along CSAH 17 (Lake Elmo Avenue) and CSAH 10 (10th Street North) as may be required by Washington County. Preliminary Plat approval must be contingent upon the proposed right-of-way along CSAH 17 (Lake Elmo Avenue) and CSAH 10 (10th Street North) being reviewed and approved by Washington County.
- Access Management. Access to the development is proposed in seven locations accessing CSAH 17 (Lake Elmo Avenue), CSAH 10 (10th Street North), 20th Street North (MSA collector street) in four locations, and Manning Trail North.
 - > Preliminary Plat approval must be contingent upon the City receiving written correspondence from Washington County approving the proposed access locations at CSAH 17 and CSAH 10.
 - > Street E access to 20th Street North (MSA Collector Street). Access is 550 feet east of Lake Elmo Avenue vs. the required spacing of 660 feet. Proposed access location aligns with the existing intersection for 20th Street Court N. and should cause no operational concerns.
 - > Street J access to 20th Street North (MSA Collector Street). Proposed access is located 365 feet offset from the existing intersection of Legion Avenue. The preferred access point would align with the existing intersection for Legion Avenue, however the applicant has indicated site conditions at the golf course prohibiting this connection. The offset has been reviewed by the City's transportation consultant and no concerns were identified with this location.
 - Golf Course Entrance. The existing entrance to the golf course from 20th Street North will be maintained as part of the development. No secondary access to the Golf Course/Club House has been proposed.
 - Street A access to 20th Street North (MSA Collector Street). Access is 650 feet west of Manning Trail North. The location has been reviewed in the field and is an acceptable access location to 20th Street North.
 - Street B access to Manning Trail North. Access is 550 feet south of 20th Street North. The location has been reviewed in the field and is an acceptable access location to Manning Trail North.
- Washington County Intersection Improvements. Preliminary Plat approval must be contingent upon the
 developer constructing as part of the development project and at its sole cost all intersection improvements
 recommended by Washington County. The preliminary plans show right and left turn lanes in each of these
 intersections.
- <u>City Street Intersection Improvements</u>. The City's transportation consultant, SRF Consulting, reviewed the
 transportation studies completed by the developer's consultant, including the Traffic Impact Study and Turn
 Lane Evaluation Report, and has identified the need for right turn lanes at each of the access locations along
 20th Street North, including the Golf Course entrance and including at the intersection of Manning Trail

North. No turn lanes are required at the Manning Trail intersection with Street B. Preliminary Plat approval must therefore be contingent upon the developer constructing as part of the project and at its sole cost right turn lanes meeting City state aid design standards at Streets E, J, A, the Golf Course entrance, and Manning Trail. The preliminary plans show right turn lanes in each of these locations as required.

RESIDENTIAL STREETS

- The Preliminary Plat/Plans have addressed staff concerns regarding secondary access and street interconnections.
- All streets are proposed to be publically owned and maintained. Public streets must be designed to meet
 the City's Engineering Design Standards including R/W width (60-feet), street width (28-feet) and cul-desac radii (60 foot radius R/W / 45 foot radius pavement), except as noted herein.
- Surmountable concrete curb and gutter shall be installed in single family residential areas with future driveways and B618 curb installed along entrance roadways and roadway stretches with no lots/driveways.
- Minimum street width for one-way divided streets is 19 feet.
- Street intersections must be at 90 degrees and maintain 50 feet of tangent with maximum slopes of 2.5%.
- The City standard minimum horizontal curve radius is 90.
- Maximum longitudinal grade is 8% with no sidewalks, 6% where there are sidewalks.
- Six (6) foot sidewalks must be provided along all residential streets and as may be required by the City for connectivity. Sidewalks are not shown along the cul-de-sac of Street A, or along Streets H and K.
- Ten (10) foot utility easements are required on either side of all right-of-ways.
- Exceptions to City standards being proposed are as follows:
 - > Street C: The applicant is proposing no sidewalk along Street C. With no sidewalk the right-of-way width can be narrowed to 50 feet.
 - > Street D: The applicant is proposing a rural section road with ribbon curb along the southern segment with no lots/driveways. Staff is acceptable to this exception if the revisions outlined below can be accommodated.
- Typical Street Sections must be revised on the Preliminary Plans as follows:
 - All typical sections must show boulevard trees on both sides of the street. Boulevard trees shall be set back 5 feet from back of curb with trail/sidewalk and set back 8 feet from back of curb without trail/sidewalk, unless otherwise noted below.
 - When applicable the typical sections should show boulevard trees in the center median areas.
 - Street C: Boulevard trees shall be set back 8 feet from the back of curb, shown on both sides.
 - Street D (STA 44+50 to 10th Street): Typical sections shall be revised as follows and right-of-way widths adjusted as needed to comply with city standards.
 - The boulevard without trail/sidewalk shall extend 8 feet at 4% max. grade then transition to 4:1 inslope. The boulevard tree shall be placed 5 feet from back of curb.
 - A minimum 2 foot shoulder at max. grade of 2% must be placed on the outside of the trail/sidewalk prior to the 4:1 inslope.

GRADING PLAN, STORMWATER MANAGEMENT AND STORM SEWER SYSTEM

- The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations. Storm water and storm sewer facilities proposed as part of the site plan to meet State and VBWD permitting requirements must be constructed in accordance with the City Engineering Design Standards Manual available on the City website.
 - Preliminary Plan revisions may be necessary to comply.
- Infiltration basin design must be based on actual soil borings and investigations to determine acceptable
 design infiltration rates and basin locations. All infiltration basins shall be given a name corresponding to
 the storm water model and that distinguishes the basin from a wet pond. The 100-year HWL must be shown
 on the preliminary plans.
 - Preliminary Plan revisions may be required to provide adequate infiltration.

- > Label the Outlot M infiltration basin and provide the 100-year HWL on the plans.
- Label the Outlot EE and HH infiltration basins and provide the 100-year HWL on the plans.
- All storm water facilities, including infiltration basins, wetlands and wetland buffers, must be placed in Outlots deeded to the City for maintenance purposes. The Stormwater Facility Outlots must fully incorporate the 100-year HWL, 10 foot maintenance bench and all maintenance access roads.
- All lots must have the minimum floor elevation at least 2 feet above any adjacent 100-year HWL and the 100-year HWL shall not encroach onto any lot. When the 100-year, 10-day snow melt condition produces a higher flood elevation than the 100-year storm event, the higher flood condition shall be the flood level placed on the plans and used for preliminary plan preparation including building low floor elevations and lot encroachments.
 - > The Downs Lake 100-year HWL of 893.8 encroaches Lot 1, Block 3. The low floor elevations for Lots 1-6, Block 3 must be raised to be a minimum of 2 feet higher than the 100-year HWL.
 - > The Downs Lake 100-year HWL of 893.8 encroaches Lot 1-5, Block 4. The low floor elevations for Lots 2-5, Block 4 must be raised to be a minimum of 2 feet higher than the 100-year HWL.
 - > The Wetland-20 100-year HWL of 909.2 continues to encroach Lots 19-20, Block 18.
- Pond 60 on Outlot V proposes storm water ponding over the existing dual gas pipeline and easement area. It is the City's understanding that this improvement will not be allowed as proposed and if allowed would pose undue maintenance and ownership burden on the City. The plans should be revised to remove this encroachment or the applicant must provide written correspondence to the City from the gas main utility owner stating that the proposed improvements are acceptable as proposed including no ongoing maintenance restrictions to the City.
- Stormwater Ponds must be constructed meeting City standards. Stormwater Wet Ponds are required to
 have a minimum of 3 feet in depth to the NWL, constructed with 3:1 side slopes and both a 10:1 aquatic
 bench and a 10:1 maintenance bench. Designated maintenance access roads, 20 feet in width, must be
 provided for all storm water facilities with slope no greater than 10%. Both the NWL and 100-year HWL
 must be shown on the plans.
 - > The Typical Pond Section shown on sheet 61 must be replaced with the City's Standard Typical Pond Section detail.
 - > Pond Maintenance access has not been provided to Infiltration Basin 20.
 - > Pond 50 does not appear to be graded to City standards including the 10:1 aquatic bench and a 10:1 maintenance bench.
 - > Pond 60 does not appear to be graded to City standards including the 10:1 aquatic bench and a 10:1 maintenance bench. Pond 60 maintenance access must be improved accordingly.
- The 100-year HWL must be calculated and placed on the plans for all rear yard catch basin areas. Drainage
 and utility easements must be revised on the Preliminary Plans to fully protect the localized 100-year HWL.
- Overland emergency overflows or outlets will be required as part of the site plan. All emergency overflow elevations must be fully protected by drainage easement.
- The drainage swale along the rear yards of Lots 26-28, Block 19 is not protected by easement. The swale should be regraded to run closer to the rear lot lines, rather than within 10 feet of the building pads pf Lots 27 and 28.
- The maximum curb run prior to a catch basin is 350 feet. Additional catch basins may be required.
- The storm sewer system shall be designed to maintain the City standard minimum pipe cover of 3 feet.
- Drain tile is required as part of the City standard street section at all localized low points in the street. Drain tile considerations may impact the storm sewer design and depth requirements at low points.

MUNICIPAL WATER SUPPLY

 The Royal Golf Club development area (Tartan Park) was excluded from the 2030 Comprehensive Water System Plan, being identified as an area to not be served by municipal water. However, municipal water infrastructure exists immediately adjacent to Tartan Park (16-inch trunk watermain line has been constructed along Lake Elmo Avenue).

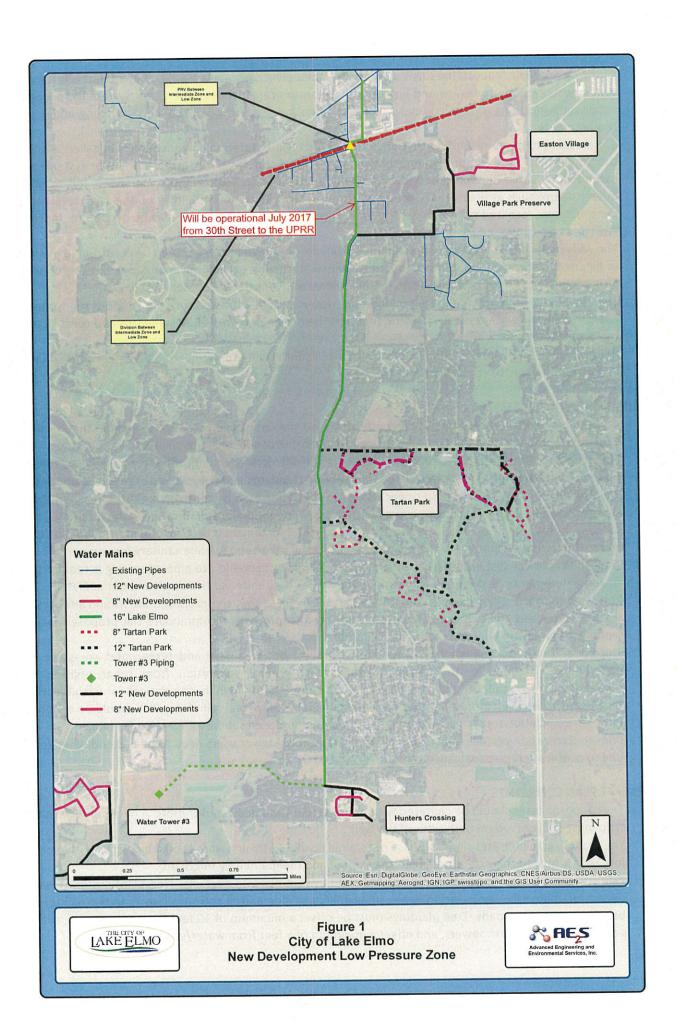
- At the developer's request, the City's water system modeling consultant (AE2S) completed the Tartan Park
 Water System Study to review and identify the expansion capabilities of the water system to service this
 subdivision including a detailed analysis of the operating pressures, watermain pipe sizing and looping
 requirements.
- The water system study verified that once the 16-inch trunk watermain connection is installed as part of the Downtown Phase 2 Improvements between 30th Street and Upper 33rd Street, the water system can be extended to serve the proposed development within Tartan Park without the need for additional infrastructure such as pressure reduction valves or booster stations. Depending on the final development design/layout, localized private booster pumps or pressure reduction valves may be needed for individual structures or commercial uses.
- The watermain distribution network and pipe sizing for this development should be constructed as shown
 in Figure 1 of the AE2S water system study. This watermain network, including pipe sizes and looping
 connections, has been correctly shown in the Preliminary Plans dated February 28, 2017.
- The developer is responsible to provide the water system infrastructure to support the proposed development. All water system infrastructure must be designed to meet City standards and constructed at the developer's cost.
- Prior to connection permits being issued any non-residential water users need to be better defined for the City to confirm service capabilities.

MUNICIPAL SANITARY SEWER

- At the developer's request, the City recently amended the Comprehensive Plan to include the Royal Golf Club development within the City's designated Municipal Urban Service Area (MUSA).
- The developer is responsible to provide wastewater infrastructure to support the proposed development.
 All sewer infrastructure must be designed to meet City standards and constructed at the developer's cost.
- The Preliminary Plat/Plans extend sewer service to the subdivision by constructing three new sanitary lift stations to address the varied topography with the last lift station located on the south end of the Plat at the new street access to 10th Street North. A 6-inch HPDE forcemain is then extended from the lift station along 10th Street to connect to the existing 16-inch HPDE Lake Elmo Avenue sanitary forcemain.
- The sanitary sewer system layout as proposed is generally acceptable. No pipe oversizing is required. The sewer system has been designed with a gravity sewer stub extended to the south end of the Plat.
- The lift station site plans submitted by the applicant indicate that the proposed lift station sites are too small as proposed and will likely need to be enlarged to properly accommodate the proposed facilities without added ownership and maintenance burden.
- The lift station sites require improved on-site grades, better access and turnaround areas for daily maintenance routines, better on-site screening and greater separation from other utilities. It is recommended that the City's lift station consultant complete preliminary site designs for each lift station for the applicant to incorporate into the Preliminary Plat/Plans. The Preliminary Plat should be contingent upon revised Outlot areas to accommodate each of the proposed sanitary lift station facilities.
- Prior to connection permits being issued any non-residential sewer users need to be better defined for the City to confirm service capabilities.

GENERAL PLAN COMMENTS

- The proposed trails should be centered within the 30 foot wide dedicated Outlots. A minimum 6 foot mow strip must be reserved on both sides of the trail.
- The grading plan indicates significant use of retaining walls. Retaining walls should be placed within private lots and Outlots to the extent possible to be owned and maintained by the HOA.
- Landscape Plans should be reviewed and revised to avoid planting conflicts. Tree plantings must remain
 outside of utility easements, including the small utility corridor, and clear from all storm water maintenance
 benches and access roads. Tree plantings must be offset a minimum of 10 feet from watermains, sanitary
 sewer mains, and storm sewers, and offset a minimum of 5 feet from water/sewer services.





March 6, 2017

Public Works Department

Donald J. Theisen, P.E. Director

Wayne H. Sandberg, P.E. Deputy Director/County Engineer

Stephen Wensman
Community Development Director
City of Lake Elmo
3600 Laverne Avenue North
Lake Elmo, Mn 55042

Re: Washington County comments on the Preliminary Plat Royal Golf Club at Lake Elmo, in the City of Lake Elmo

Dear Mr. Wensman,

We have reviewed the Preliminary Plat of the Royal Golf Club Residential Development at Lake Elmo dated 9/21/2016. The Project is located north of County State Aid Highway (CSAH) 10 /10th Street, south of 20th Street North, west of Manning Trail North and east of CSAH 17/Lake Elmo Avenue. The project will convert approximately 147.9 acres of golf course, woodland, ball fields, grassland, and wetland to approximately 292 single-family residential lots. The project will involve grading, installation of public and private infrastructure, open space preservation, tree clearing, and stormwater ponding. The project will include approximately 90.8 acres of private open space consisting of woodland, stormwater ponds, wetlands, grassland, and turf areas. Based on the plans submitted, we offer the following comments:

- The plat needs to reflect future right-of way along 10th Street/CSAH 10 and Lake Elmo Avenue/CSAH 17 as identified in the Washington County Comprehensive Plan 2030, Transportation Plan, Minimum Right-of-Way Widths for County Roads:
 - The future right-of-way width along CSAH 10 is 184 feet (92 feet from the centerline of the roadway. The current preliminary plat, dated 9/21/2016, identifies 75 feet from the centerline of CSAH 10. The preliminary and final plat plan should be updated to reflect an additional 17 feet of right-of-way.
 - The future right-of-way width along CSAH 17/Lake Elmo Avenue is 150 feet. Some of the pages on the preliminary play identify the right-of-way as 75 feet from the centerline of CSAH 17. The applicant should verify the 75 foot right-of way on all the pages of preliminary plat, and provide this information to the county and the city before the preliminary plat is approved.

Page 2 March 6, 2017 Preliminary Plat Royal Golf Club Residential Development

The access points at CSAH 17/Lake Elmo Avenue and CSAH 10/10th Street are acceptable to the county. The developer has submitted turn-lane improvement plans for the intersections at CSAH 10/10th Street at Street D and CSAH 17/Lake Elmo at Street E that meet county requirements. These plans do reflect comments from the county on these turn lane improvements as part of the development. Currently, the timing of these improvements should be coordinated with the CSAH 17 improvements planned in 2018-2019. The County will coordinate the plans and cost participation with the City of Lake Elmo on these improvements.

Any work in the county right-of-way as it relates to the development will require a right-of-way permit, including: grading for the installation of culverts, installation of water and sewer services, turn lane modifications, road improvements, trails, Americans with Disability Act (ADA) ramp improvements.

A County Trail is shown on the Future Trail System map in the Washington County 2030 Comprehensive Plan. This is a long range plan to be implemented as development occurs, or if a larger roadway project is planned. Based on the current roadway alignment with Lake Rose adjacent to the CSAH 10 roadway, a trail could not be constructed without impacting the Lake. Any trail should be planned as part of a larger project and will be evaluated at that time; however, a small section could be constructed along CSAH 10 east of Street D.

Although the county has not reviewed a stormwater plan to date, the developer, city or watershed district, must submit the drainage report and calculations for review of any downstream impacts to the county drainage system. Along with the drainage calculations, there must be written conclusions that the volume and rate of stormwater run-off into any county right-of-way will not increase as part of the project.

Washington County's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from adjacent highways could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards. Minnesota Statute 116.07, Subpart 2a exempts County Roads and County State Aid Highways from noise thresholds.

Page 3 March 6, 2017 Preliminary Plat Royal Golf Club Residential Development

County policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The developer should assess the noise situation and take any action outside of County right-of-way deemed necessary to minimize the impact of any highway noise.

If you have any questions or comments to the responses on the Royal Golf Club Residential Development Preliminary Plat please contact me at Ann.pung-terwedo@co.washington.mn.us.

Sincerely

Ann Pung-Terwedo, Senior Planner

Cc: Joe Gustafson, Traffic Engineer

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STAFF REPORT

DATE: 5/2/17 AGENDA ITEM: 7 CASE # 2017-15

TO:

City Council

ITEM:

Royal Golf Club at Lake Elmo Grading Permit

SUBMITTED BY:

Stephen Wensman, Planning Director

REVIEWED BY:

Emily Becker, City Planner Jack Griffin, City Engineer

BACKGROUND: HC Royal Golf Course Development has made application for preliminary plat, but final decision of the preliminary plat by the City Council is on hold until the Metropolitan Council approves HC Royal Golf Course Development's comprehensive plan amendment. Because the preliminary plat is essentially on hold, the developer is requesting a grading permit ahead of preliminary plat approval in order to make use of good weather and to speed up the physical development of the project. Development grading typically occurs after preliminary plat approval and the grading is then performed according to approved preliminary grading plans. In this case, the preliminary plat may change by either Metropolitan Council or City Council review, therefore, the City's review of the plans are primarily focused on meeting the City's grading and erosion control and other applicable codes and standards. Grading is also subject to meeting City standards for erosion control, Valley Branch Watershed District (VBWD) approval and an NPDES permit. The grading will be conducted at the developer's sole risk.

ISSUE BEFORE COUNCIL: The Council is being asked to approve a grading permit to excavate over 400 cubic yards per acre of site area, the phase 1 grading of the Royal Golf Club at Lake Elmo development.

PROPOSAL DETAILS/ANALYSIS: The developer proposes to excavate over 400 cubic yards per acre of site area, triggering the need for a public hearing which was held on April 24, 2017 at the Planning Commission. The grading area is 73 acres in size and encompasses the northeastern and southwestern portions of the Royal Golf Club at Lake Elmo development area. Typically preliminary grading is conducted after preliminary plat approval and in association with approved preliminary grading plans. The developer is requesting a grading permit outside of the preliminary plat process in order to facilitate early grading in the event the preliminary plat approval is delayed. In either case, the grading will be conducted according to grading plans which will substantially conform to the preliminary PUD plans that have been prepared and reviewed to date and are anticipated for approval with some modifications. Grading is also subject to meeting City standards for erosion control, Valley Branch Watershed District (VBWD) approval and an NPDES permit. Grading prior to plat approval does not guarantee approval of the preliminary plat and is conducted at the developer's own risk. In approving this grading activity the developer will be asked to acknowledge as part of the grading

agreement that grading rework will likely be required as necessary to conform to the final approved Plat and construction plans.

Access to the site will occur at 10th Street North and 20th Street North for the grading and locations will need to be identified on the grading plans to be reviewed and approved by the City Engineer. There will be no trucking of materials on or off the site. There will be no utility work conducted with the grading. Utility work will be conducted after preliminary plat approval and under a Site Work Agreement which will establish appropriate securities for such work. As outlined in the Planning Commission report, the developer will remove 35.4% of the phase 1 trees resulting in the need for tree replacement associated with the phase 1 grading. An escrow for tree replacement will be required as part of the Grading Agreement to be executed between the developer and the city

FISCAL IMPACT: There should be no fiscal impact to the City. A grading agreement will be executed prior to any grading activities that establishes a security for required tree replacement, erosion control and site restoration in the even the developer is unable to complete the site restoration.

OPTIONS: The City Council has the following options:

- 1. Approve Resolution 2017-__ approving the grading permit with 7 conditions based on findings.
- 2. Amend Resolution 2017- and then approve it.
- 3. Deny the grading request, and provide findings for denial to be brought back at a future meeting.

<u>PUBLIC HEARING/PLANNING COMMISSION REVIEW:</u> The Planning Commission held a public hearing and reviewed the grading permit on 4/24/17. Three residents spoke at the public hearing and two residents sent emails of support for the grading. The residents that spoke were primarily concerned with:

- Hours of operation
- Protection of an adjacent drainfield
- Flood and watershed protection
- Safety on 20th Street N.

The Planning Commission recommended approval (7-0) with an amendment to one of the conditions of approval and an additional finding for approval. Todd Williams made a statement regarding impacts to adjacent residential properties as a result of the excavation for ponding in the northeast corner.

RECOMMENDATION: Staff and the Planning Commission respectfully request the City Council approve HC Golf Course Development's request for a grading permit with the following motion:

"Motion to approve Resolution 2017 approving HC Royal Golf Course Development's grading permit to grade the phase 1 Royal Golf Club at Lake Elmo residential development area with 7 conditions and findings for approval."

ATTACHMENTS:

1. Application Narrative

- 2. Royal Golf Club at Lake Elmo Grading, Development and Erosion Control Plans dated 4/7/17
- 3. Tree Preservation Plan
- 4. Planning Commission packet 4/24/17
- 5. Resolution 2017-045 approving phase 1 grading for RGC

THE ROYAL GOLF CLUB

Grading Permit March 27, 2017

Background

Tartan Park, 3M's private 27-hole golf course and recreational facility was purchased by H.C. Golf Course Development, LLC in March of 2016. Since that time, the golf course reconstruction and proposed clubhouse renovation have begun with an expected opening Summer of 2017. H.C. Golf applied for a Comprehensive Plan Amendment on September 12, 2016. This application was approved, conditioned on Metropolitan Council approval, January 9, 2017. The EAW for the Royal Golf Club was approved by the City Council on January 17, 2017 and the Zoning Text Amendment for the new Golf Course Community designation was approved on February 7th, 2017. The applicant has prepared a Shoreland PUD/Cluster evaluation that is in the final stages of review by the City of Lake Elmo. On September 8, 2016, H.C. Golf requested that the City undertake a Water Supply study based on the City Engineer's recommendation during the Concept Plan review. The study is complete, the recommended changes to RGC's water looping system have been made. RGC has obtained its required Wetland Alteration Permits and received approval of the Wetland Replacement Plan. The Planning Commission is expected to give approval the preliminary plat March 27, 2017.

Due to the need to finish a first phase of development by the end of 2017, the surrounding cities taking their full 60 days to comment on the CPA, and with the same time of review expected by the Met Council, it is necessary to apply for a grading permit prior to the preliminary plat process finishing in its entirety.

Project Phasing

Development Phasing

The first phase of *development* (installation of streets and utilities directly serving platted lots) will be the northeast side of the site. This comprises 84 lots, both villa and traditional single family) and the streets to serve them. The *sewer* to serve these lots comes from the intersection of Lake Elmo Ave. and 10th Street so a 1.5 mile forcemain will need to be installed across the golf course and down 10th to serve this phase. The first phase is served by *water* from the intersection of 20th Street and Lake Elmo Ave.

This arrangement is unusual in that developers generally try to develop nearest the infrastructure source to minimize front end costs. In this case, due to the County requirement that the clubhouse be hooked up to sewer and water with 24 months of sewer being available to the site. This requirement economically makes development of the east side the most efficient.

Utility Phasing

As mentioned above, extensive utility work is needed to serve the first phase and clubhouse. As such, RGC will be requesting a "Site Development Agreement" to extend certain utilities once preliminary plat approval is obtained but prior to receiving final plat approval. There two segments of the utilities that this agreement will apply to. One segment is the watermain along 20th Street to Phase 1. *This watermain will not be "hooked up" to anything in Phase 1; it will simply be "brought" to Phase 1.*

Additionally, to facilitate restoration of the golf course so that grass can grow back in this summer, the Site Development Agreement will allow for the construction of the forcemain, watermain, sanitary sewer, and storm sewer *within the golf course limits*. The sewer and water lines will not be energized – they are put in solely to shrink the construction schedule and allow the course to heal over the summer. The storm sewer will connect Pond 10 to Horseshoe Lake. This pipe (and pond) will likely be dry until the subdivision storm sewer system is installed. The forcemain and the watermain will not be hooked up to anything until after final plat and final utility plan approvals. Because these are not as "elevation sensitive" like infrastructure in the subdivision, they can be put in first and any needed adjustments can be made when they are hooked up to the lift stations and subdivision watermains. The sanitary sewer serve line will serve the clubhouse, fitness center and maintenance building; there is sufficient enough grade in the sewer line serving these buildings that we are not concerned with grade. Again, this pipe will not be energized; this is expected in 2019.

The remaining utilities (subdivision utilities to serve lots) will all be put in under the normal process – final plat with Developers Agreement, final approval of construction plans, securities, plat recordation.

Grading Phasing

The Phase 1 grading encompasses the NE area of the site in addition to the SW corner. Because a second phase of development will likely occur early in 2018 (in the SW corner of the site), it is preferable to grade this portion in late 2017 in advance of utility construction in Spring of 2018. Additionally, there is a certain amount of grading in this area that will be necessary to bring sewer down to the lift station located on 10th street.

Grading Specifics

During the Phase 1 grading, approximately 73 acres will be disturbed, creating a common excavation quantity of 224,000 cubic yards, not including subgrade corrections and trench borrow. A large excavation will be created in the corner of 20th Street and Manning Trail to replace the floodplain that was filled to provide for an entrance to 20th Street. There will also be the necessary stormwater treatment and infiltration basins required by City ordinance and VBWD rules. All disturbed areas will be restored with seeding and fiber blankets per rule and ordinance.

There are several retaining walls shown as part of the grading plans. At this time, it is expected that walls 5' tall or less will be constructed of large limestone blocks and that walls in excess of 5' will be of poured concrete with a limestone-like pattern. As more information regarding costs are obtained, it may be decided that all walls will be made with large limestone blocks. All walls will be maintained by the Homeowners Association.

Tree Preservation

Tree preservation plans for Phase 1 grading are included. A spreadsheet is also included showing all the trees in Phase 1 along with the expected removal. As shown, the tree removal with Phase 1 is 12% therefore not triggering any replacement. Regardless, the landscaping for the Phase 1 plat (84 lots) will contain landscaping that will be counted toward future tree replacement when those phases occur.

Wetland Impacts

Wetland 16 on the attached plans will be excavated with this phase. This alteration has been permitted through the required agencies; the replacement will be by way of purchasing wetland credits.

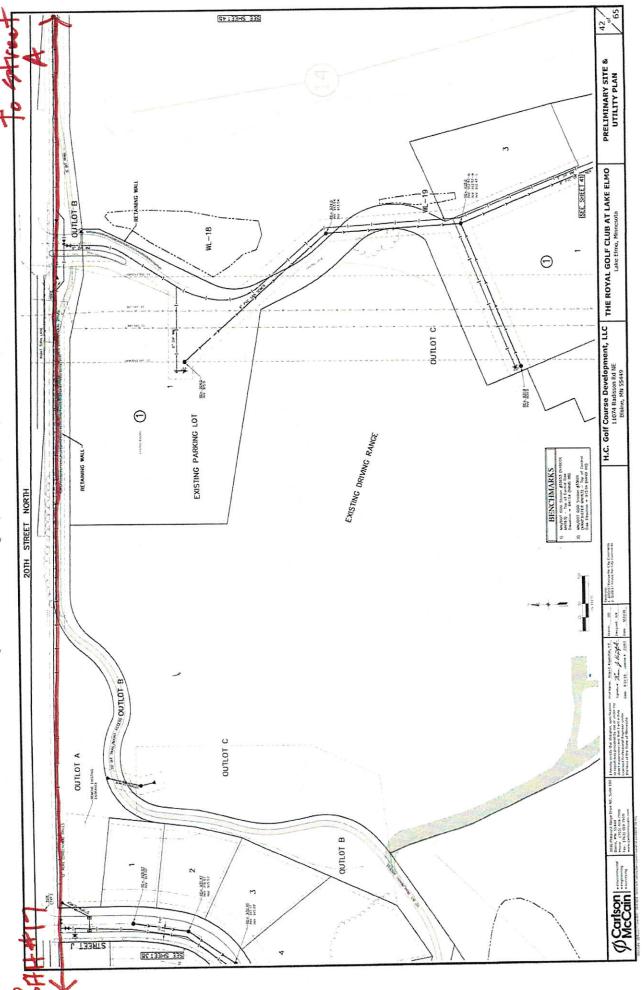
An MnPCA permit has been applied for and acquired.

Sincerely,

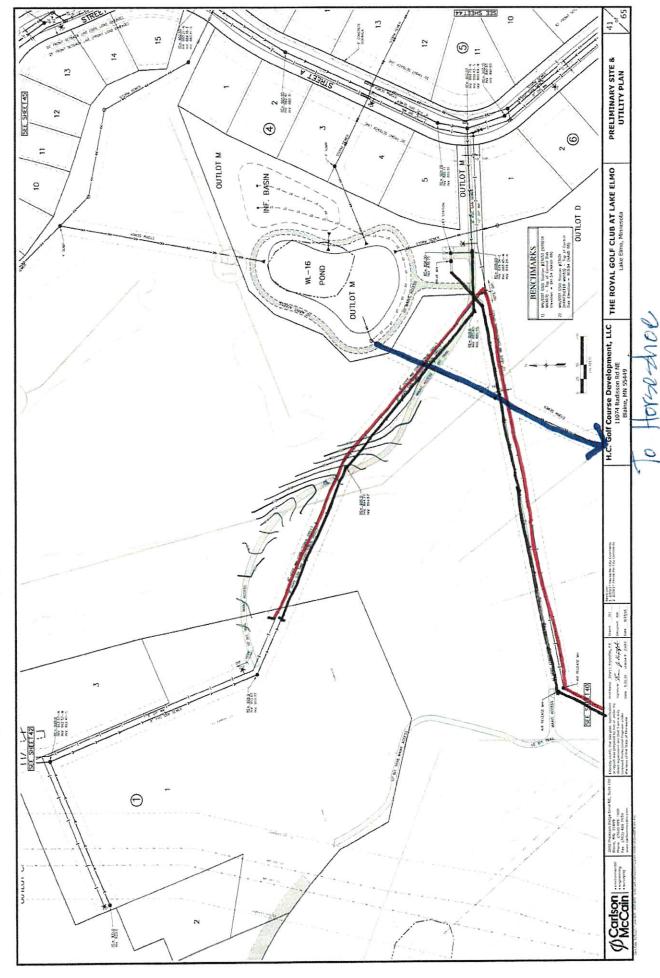
Rick Packer President

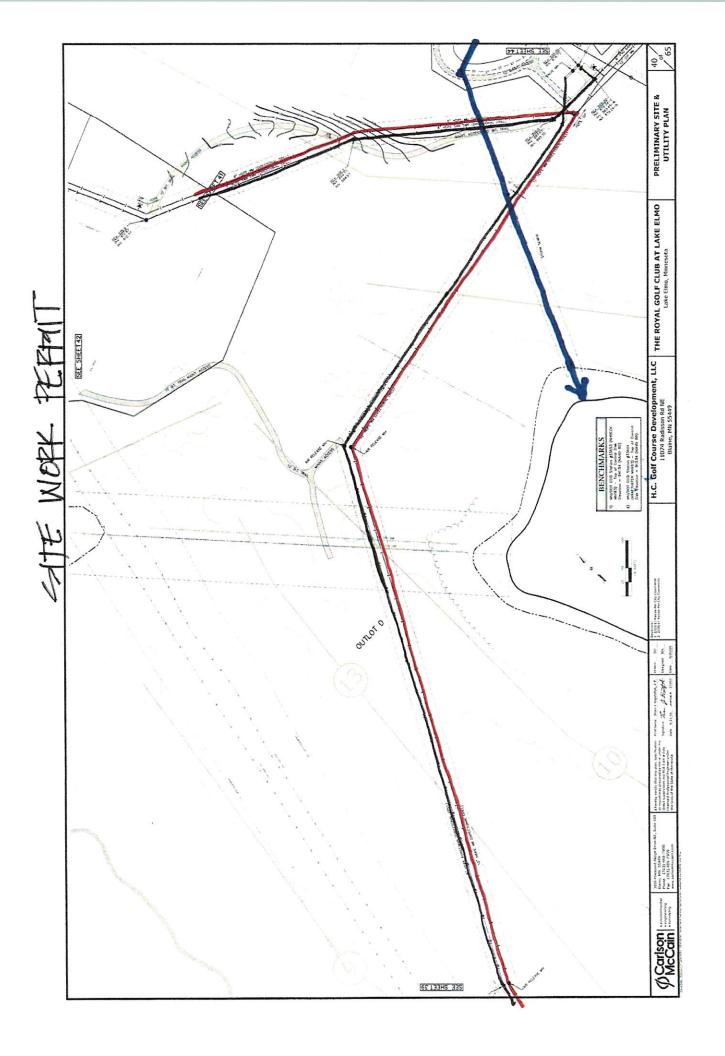
Royal Golf Club H.C. Golf Land, LLC.

OTE WORK PERMIT

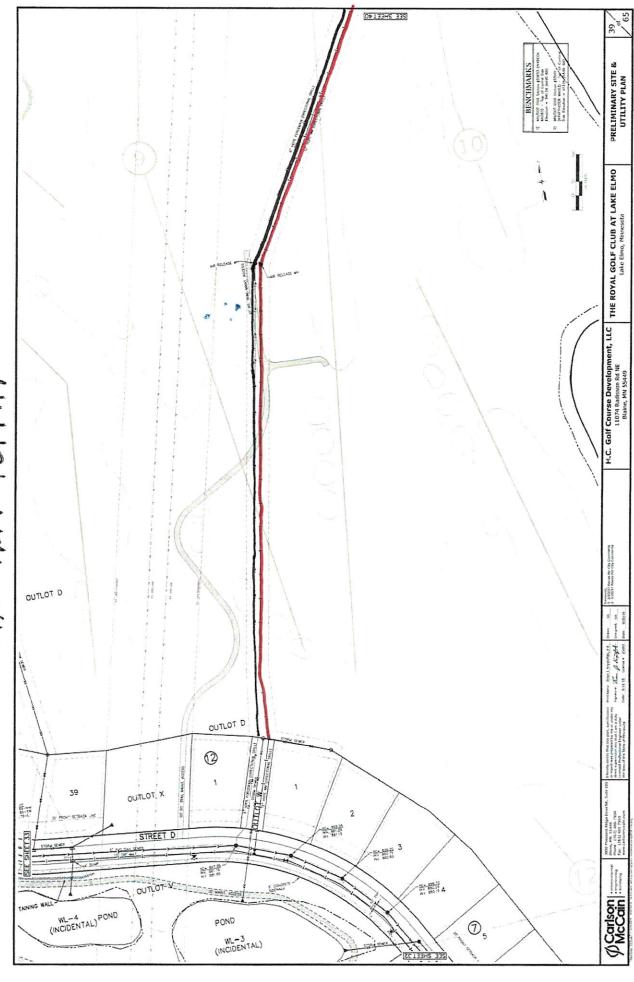


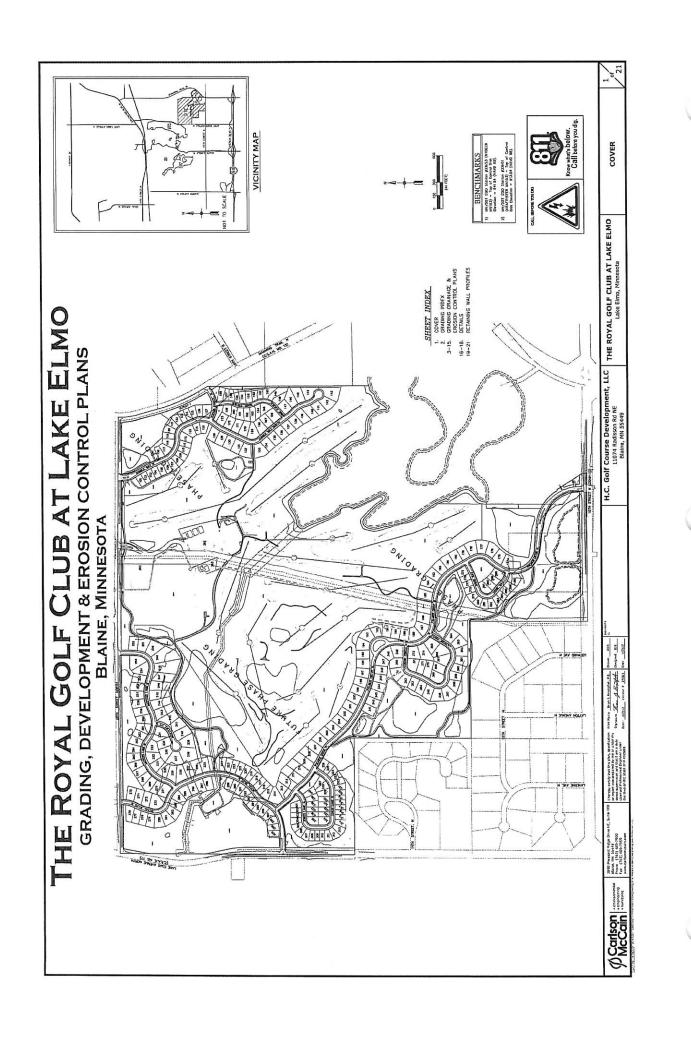
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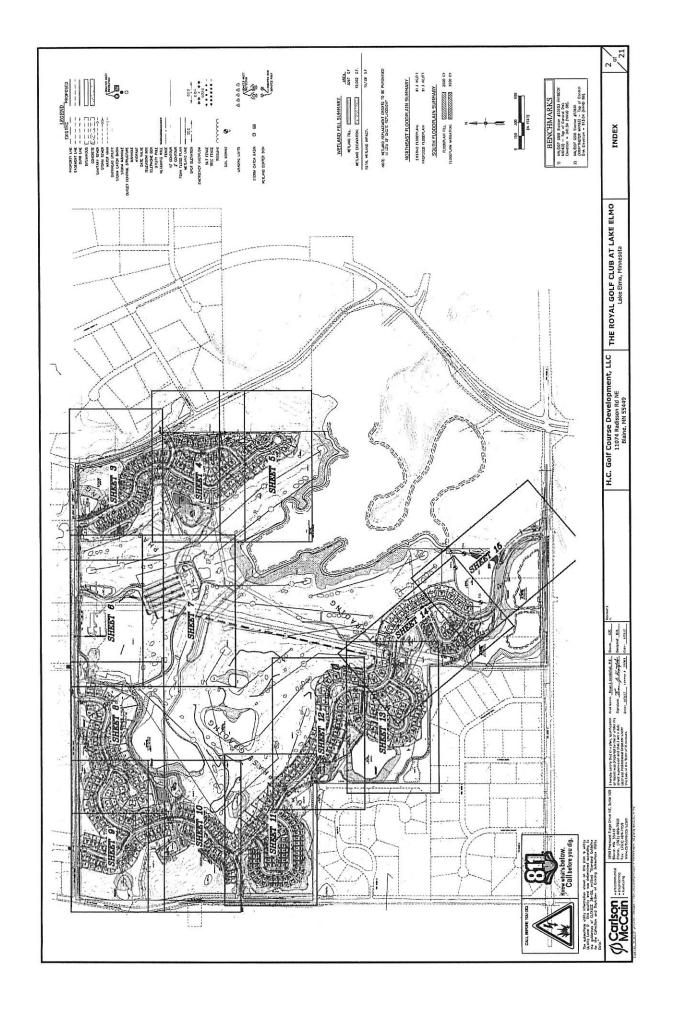


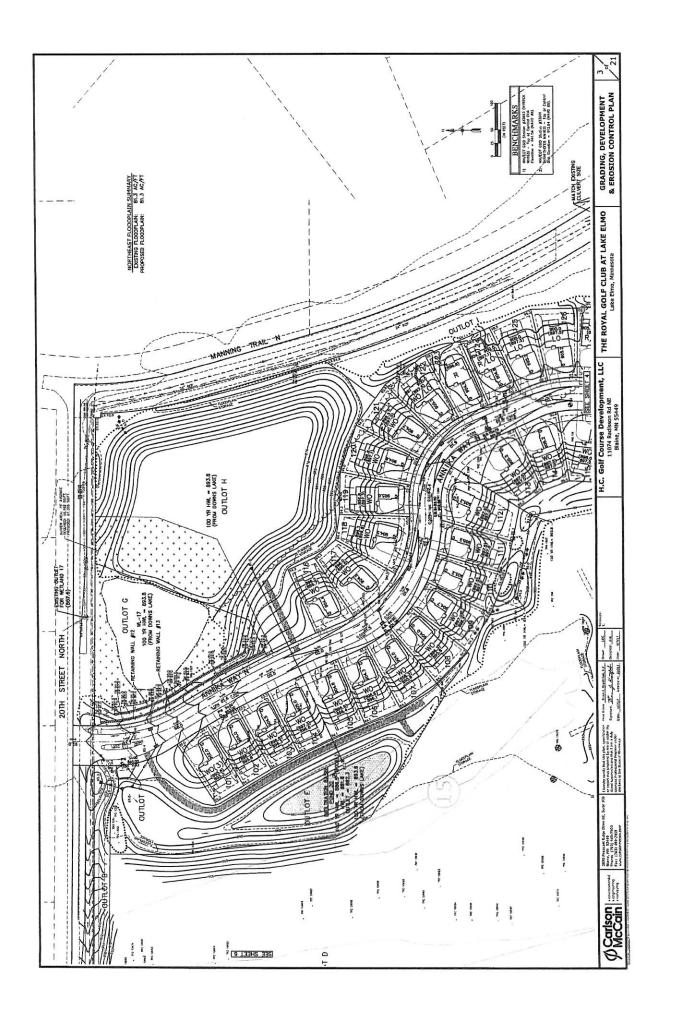


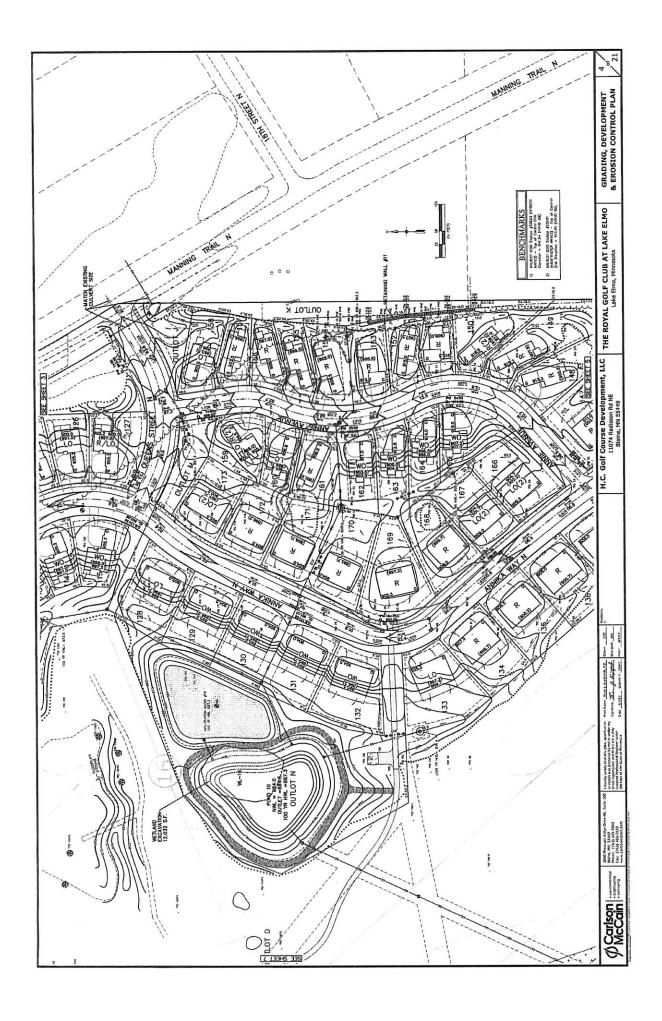
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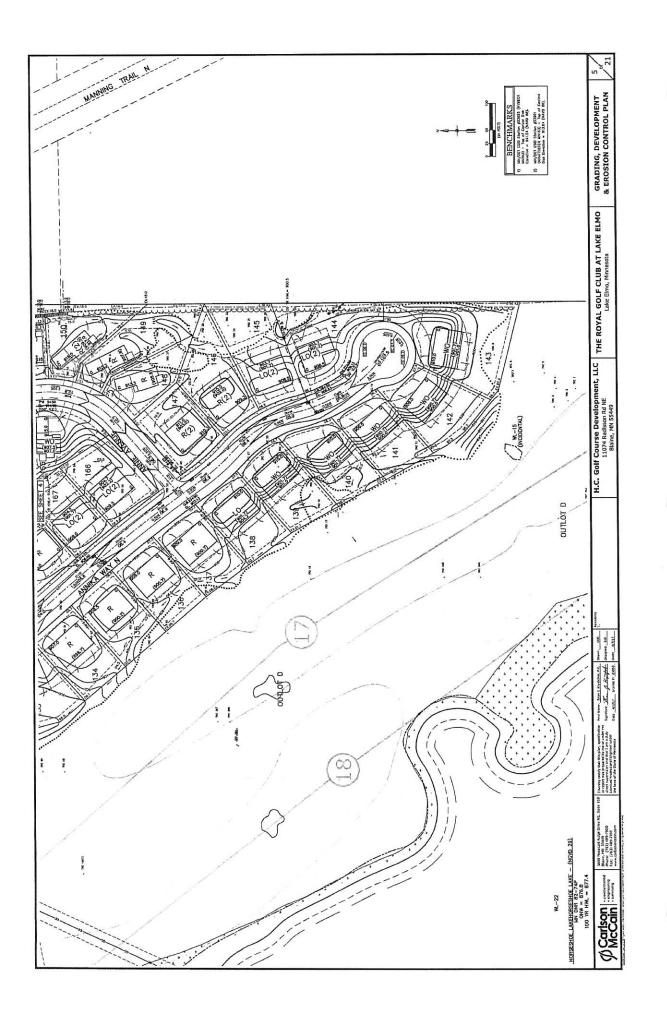


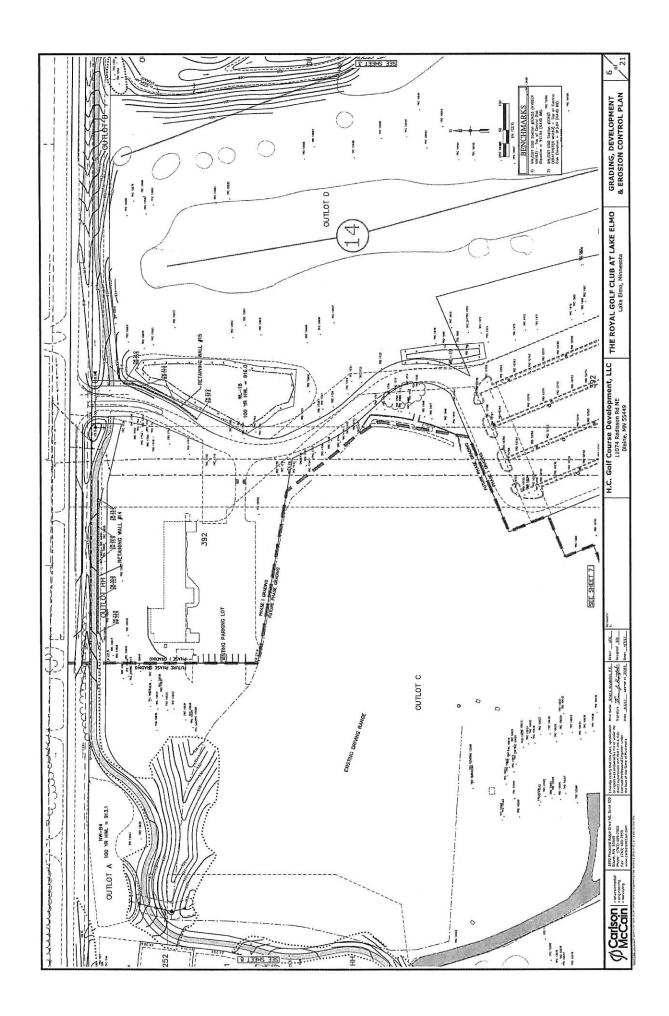


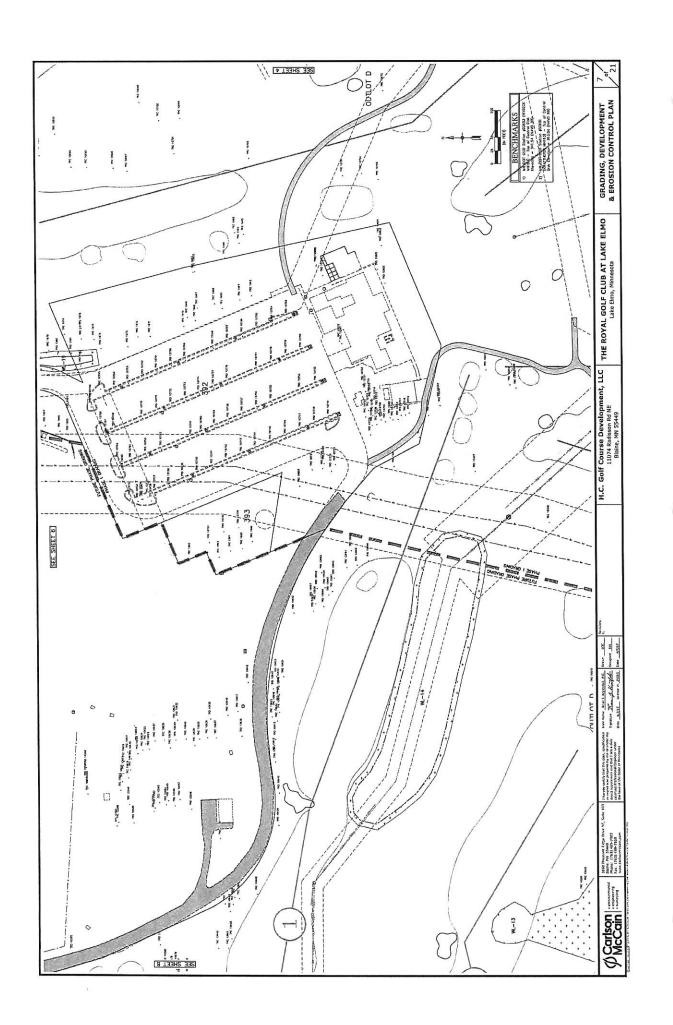


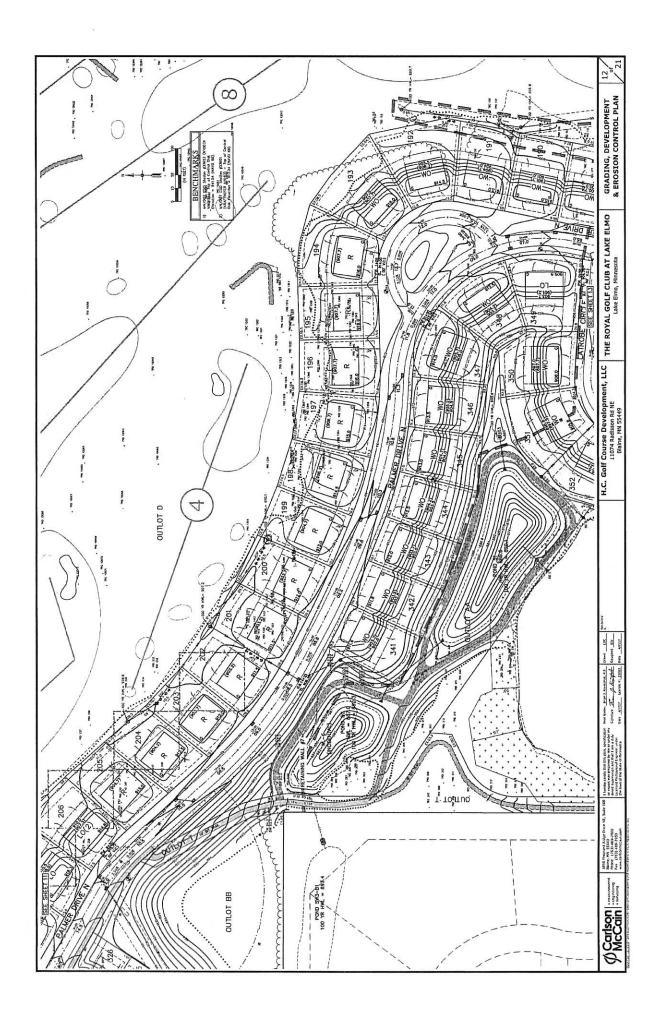


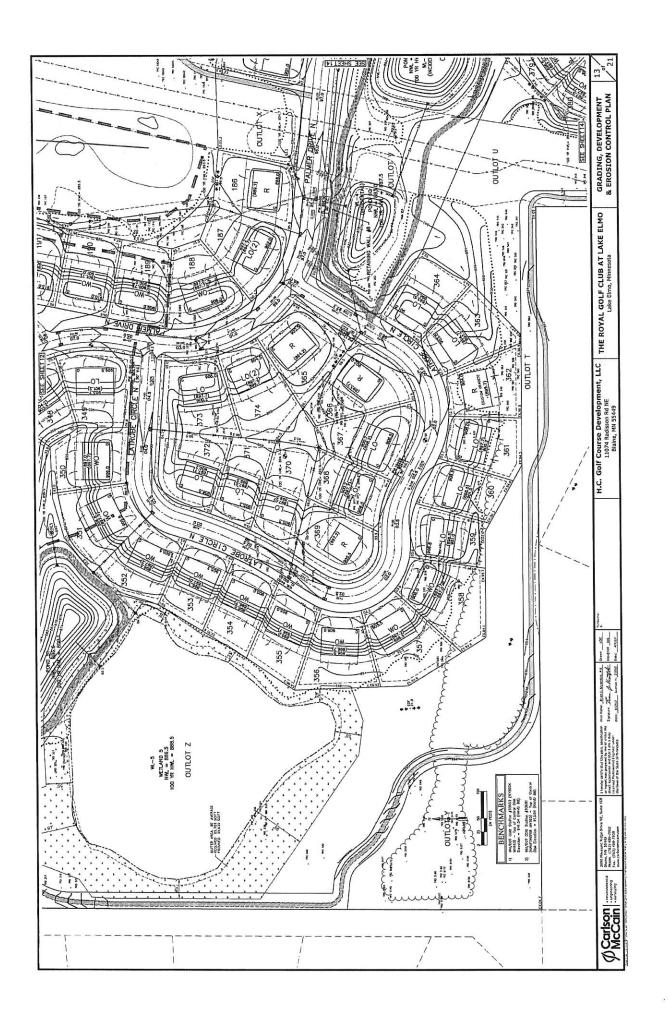


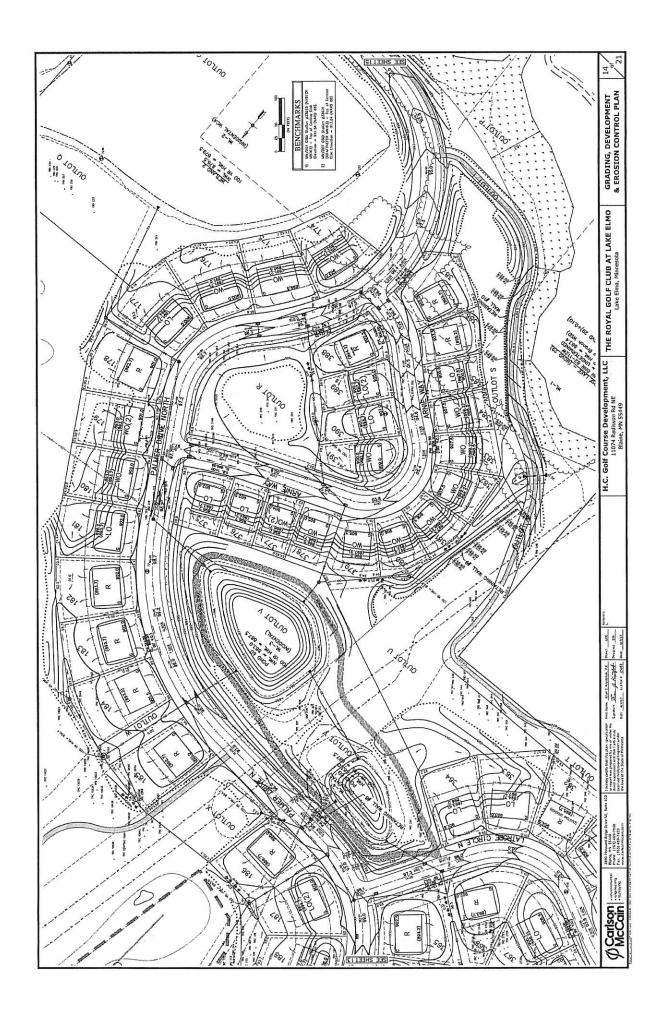


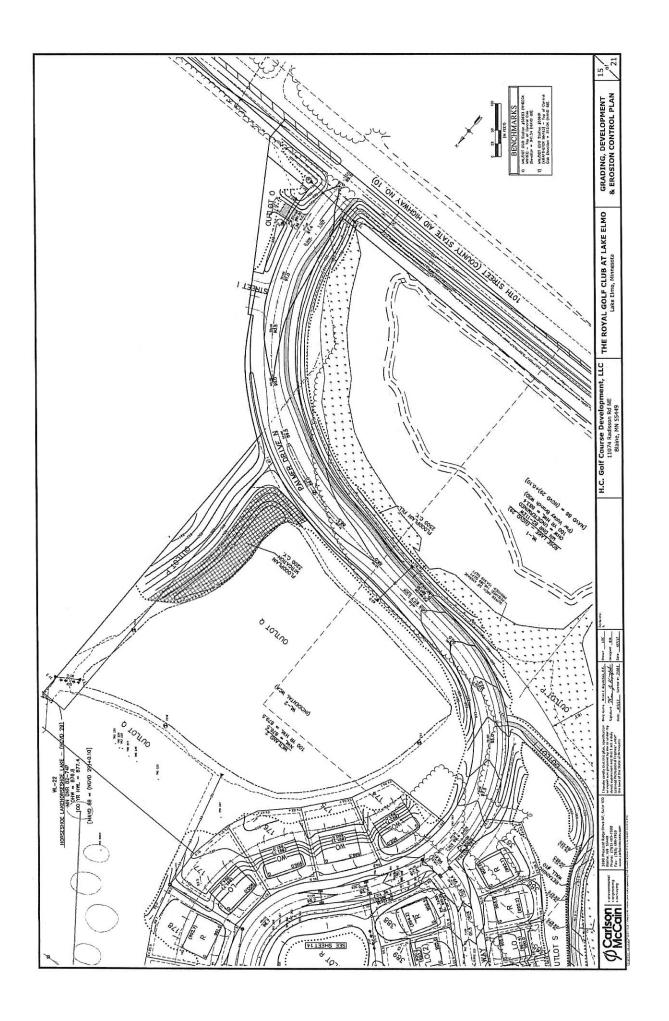


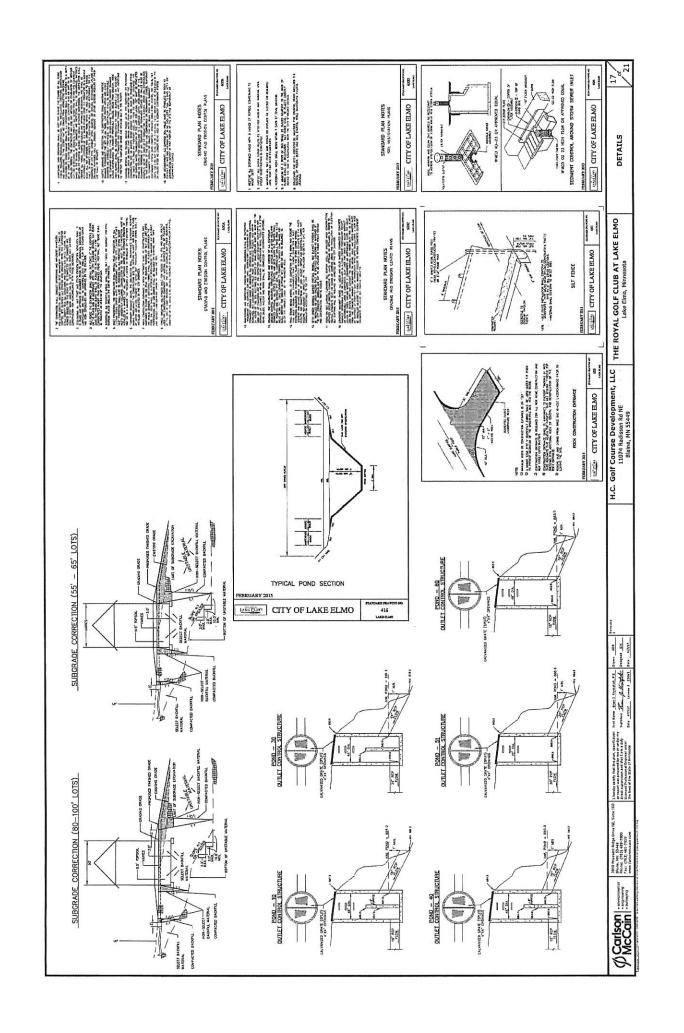


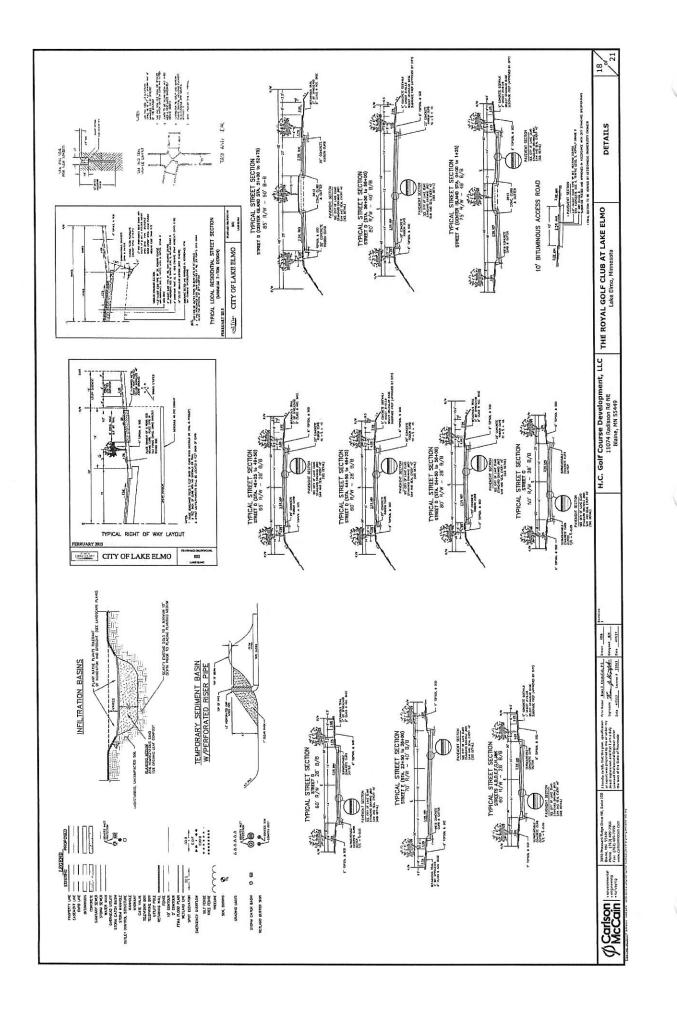


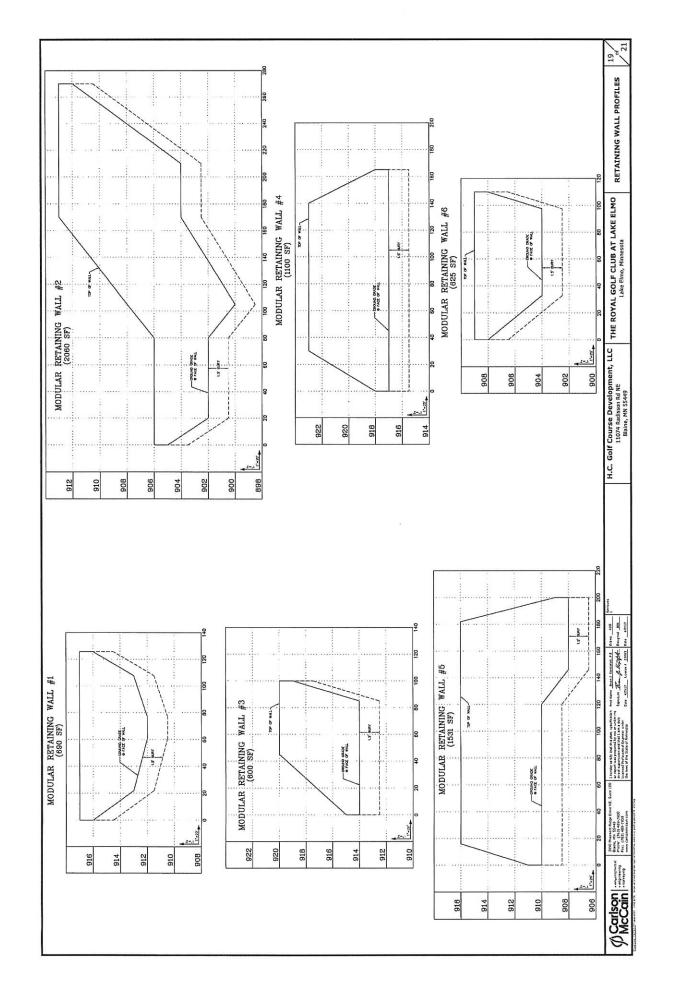


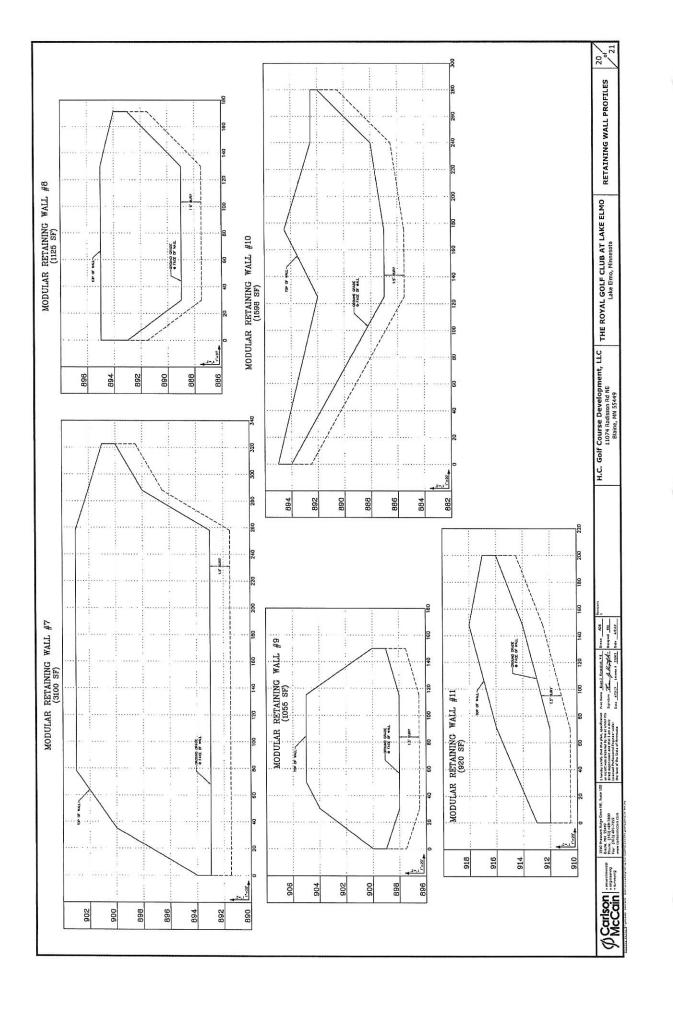


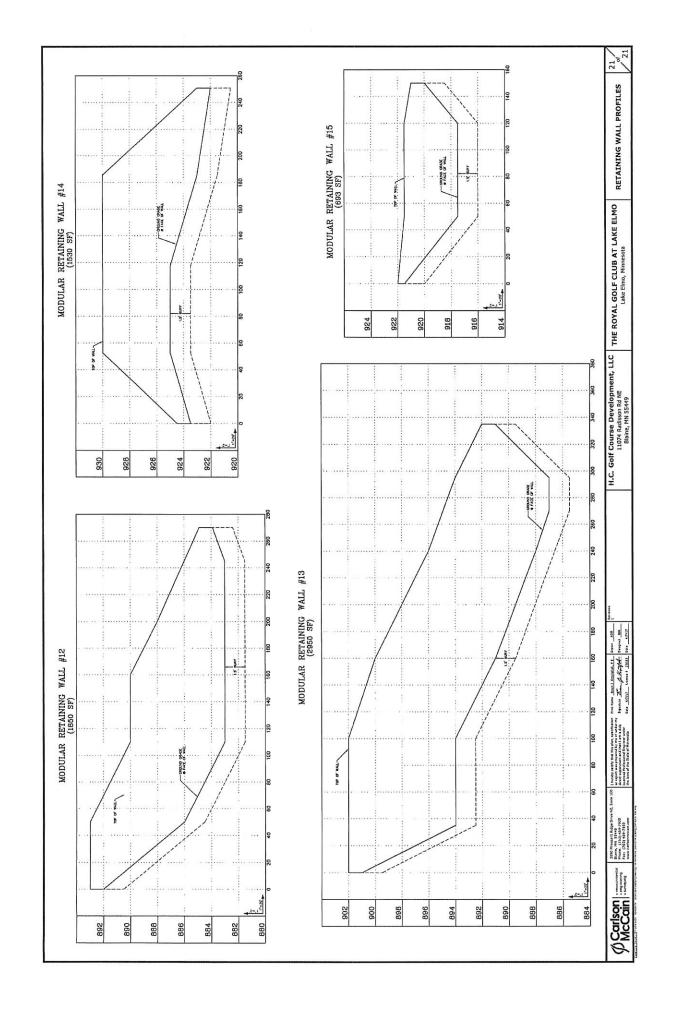


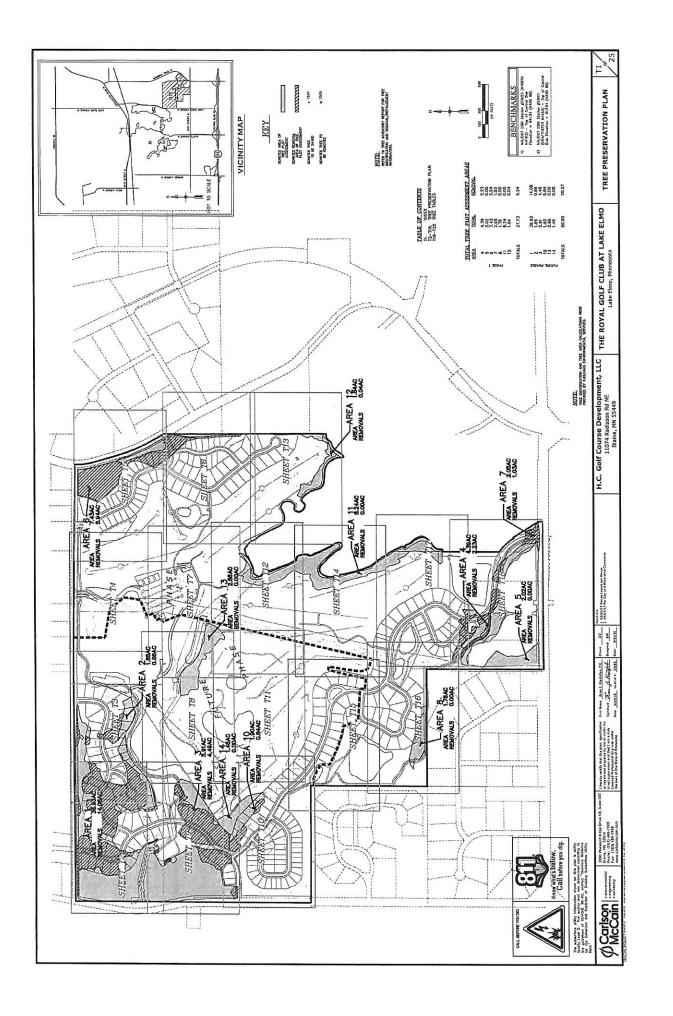


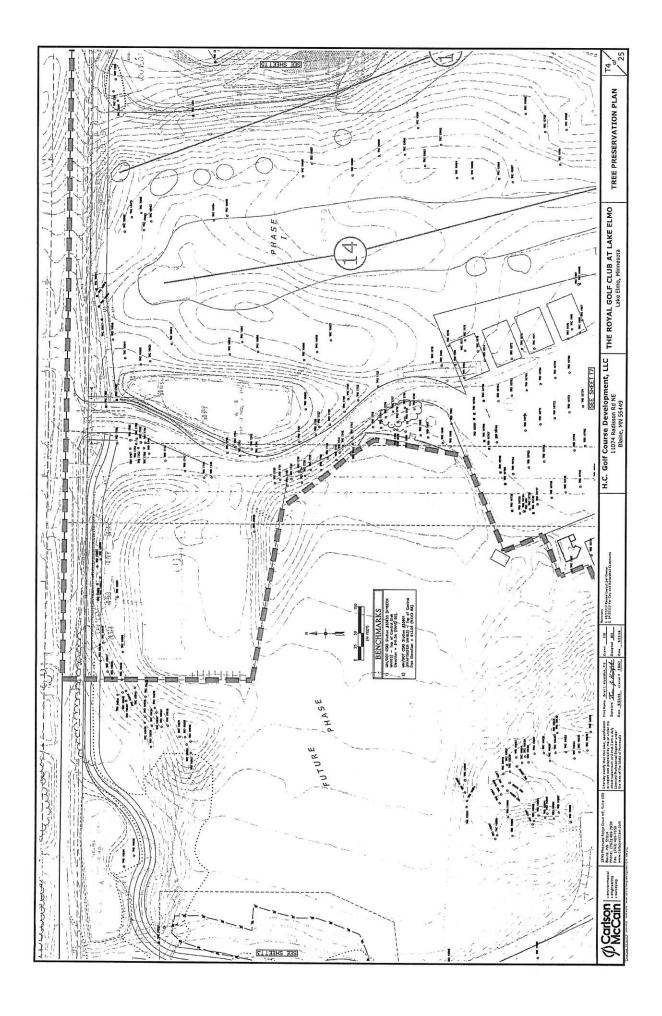


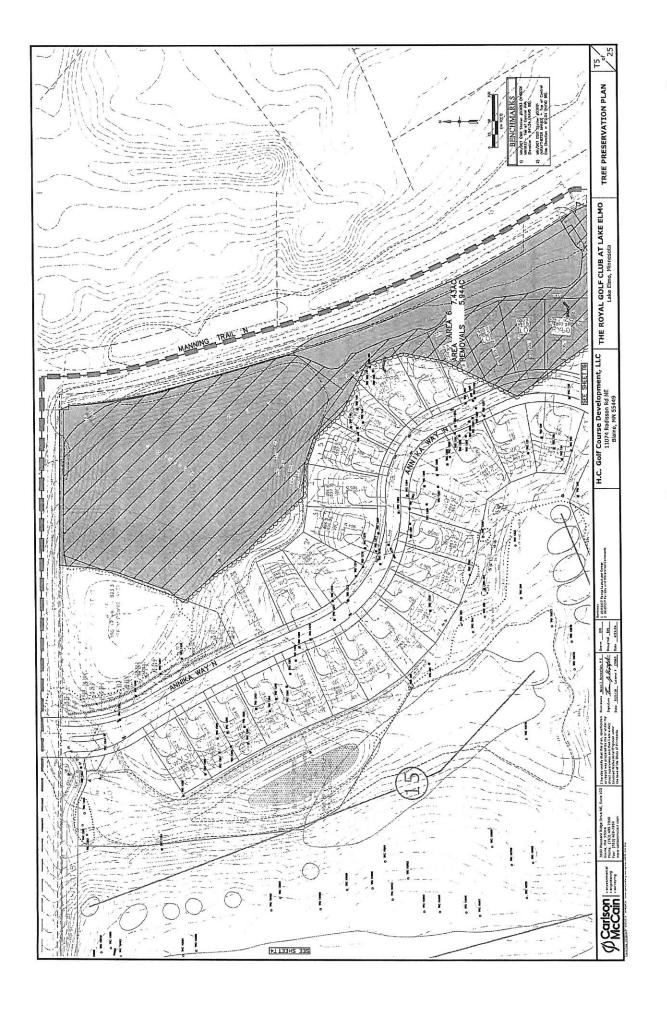


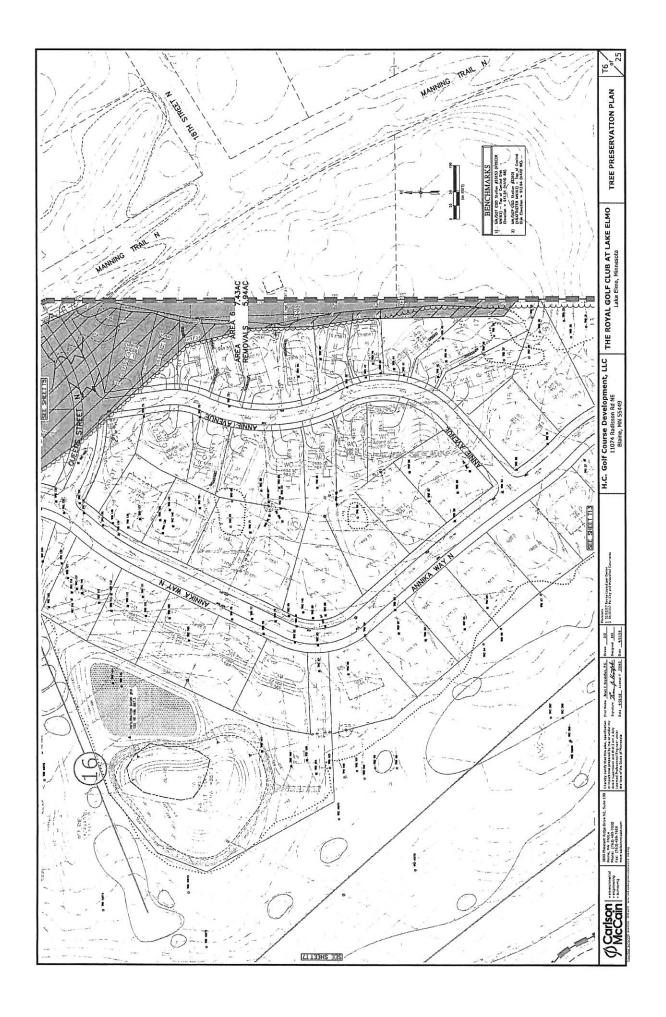


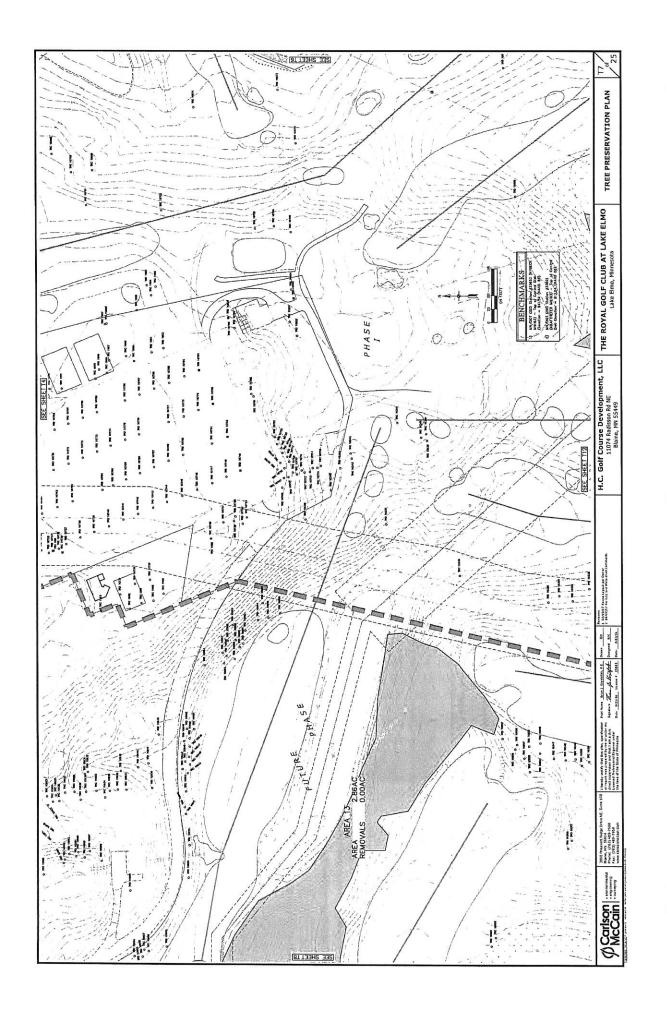


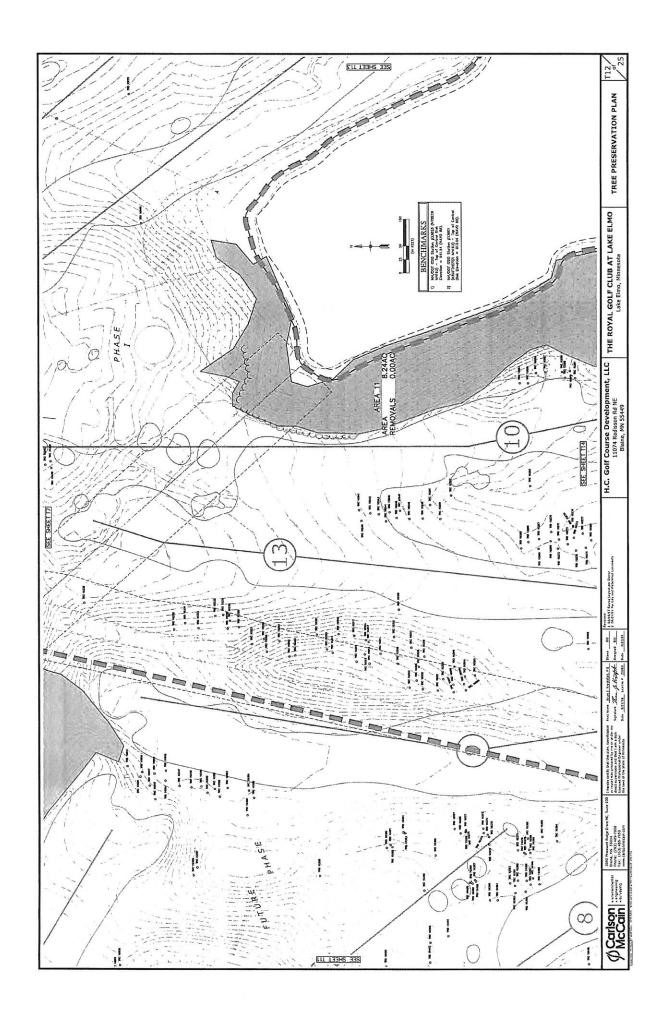


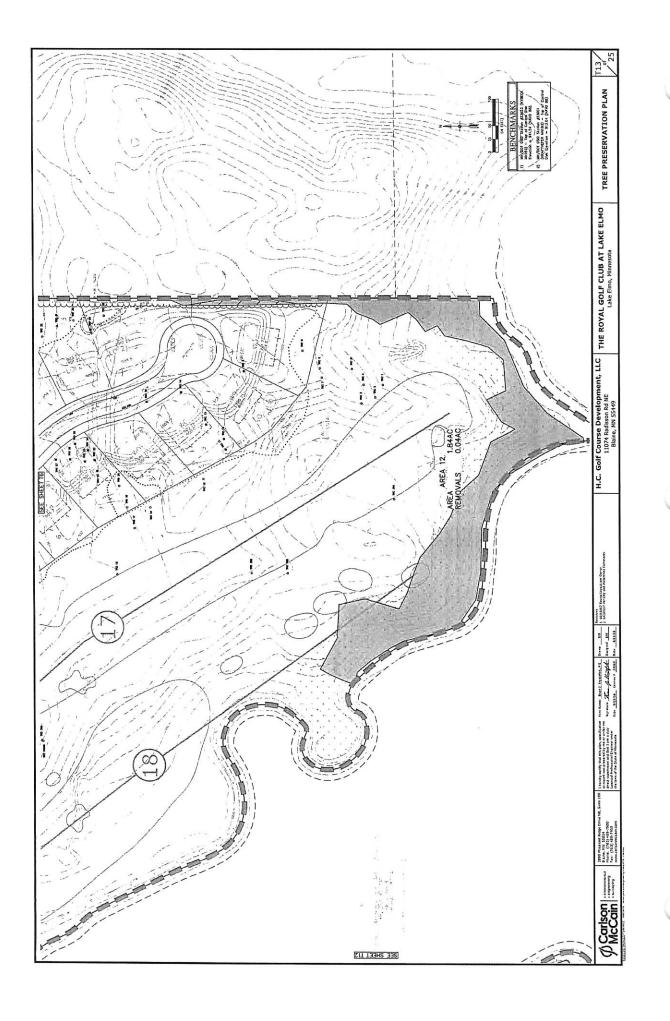


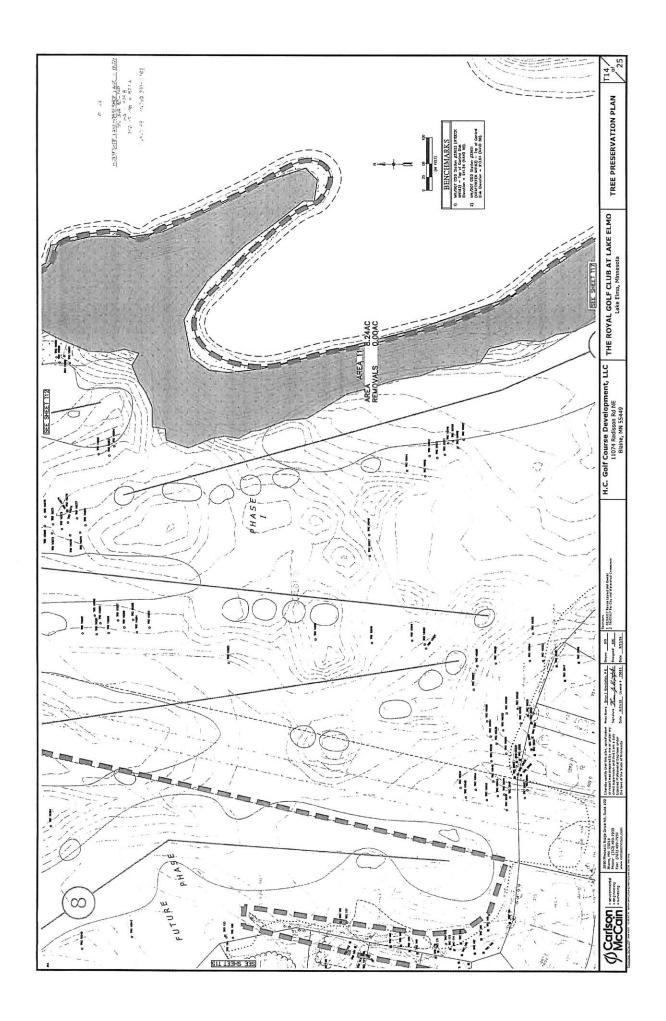


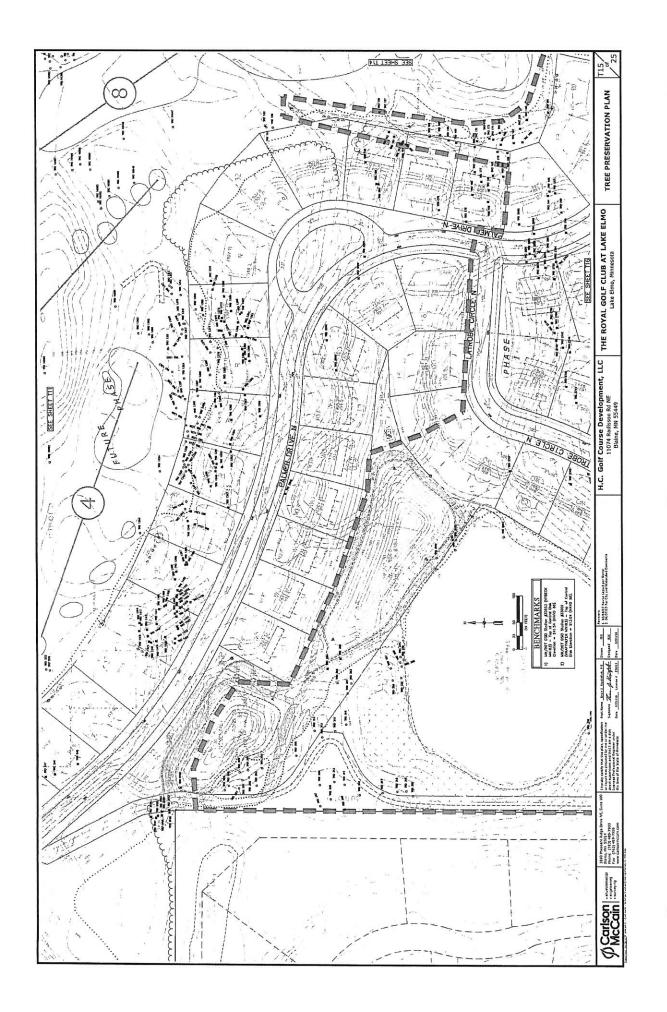


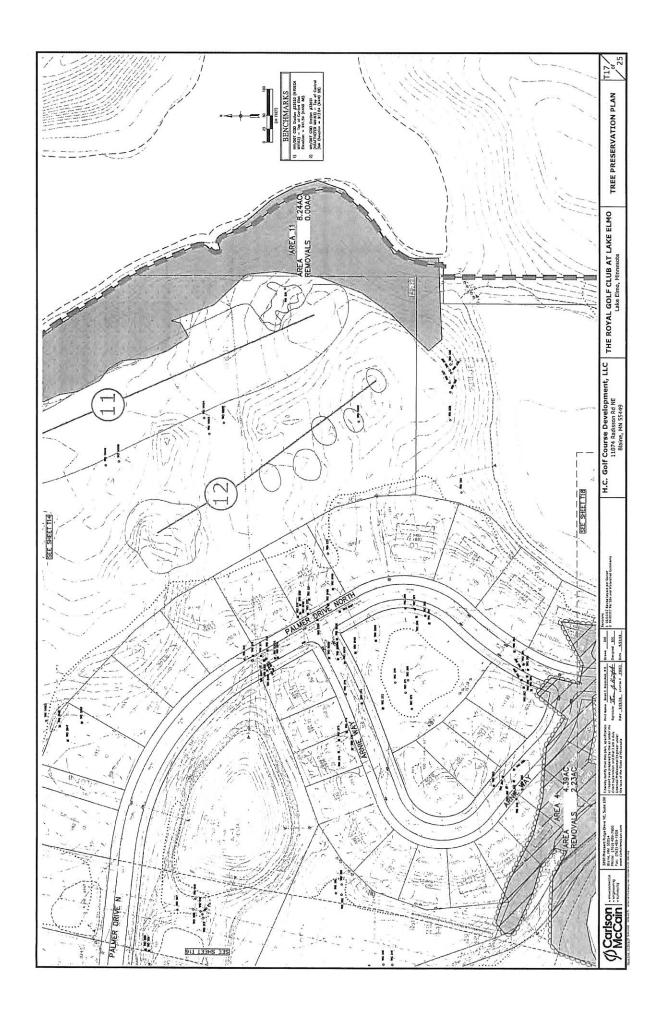


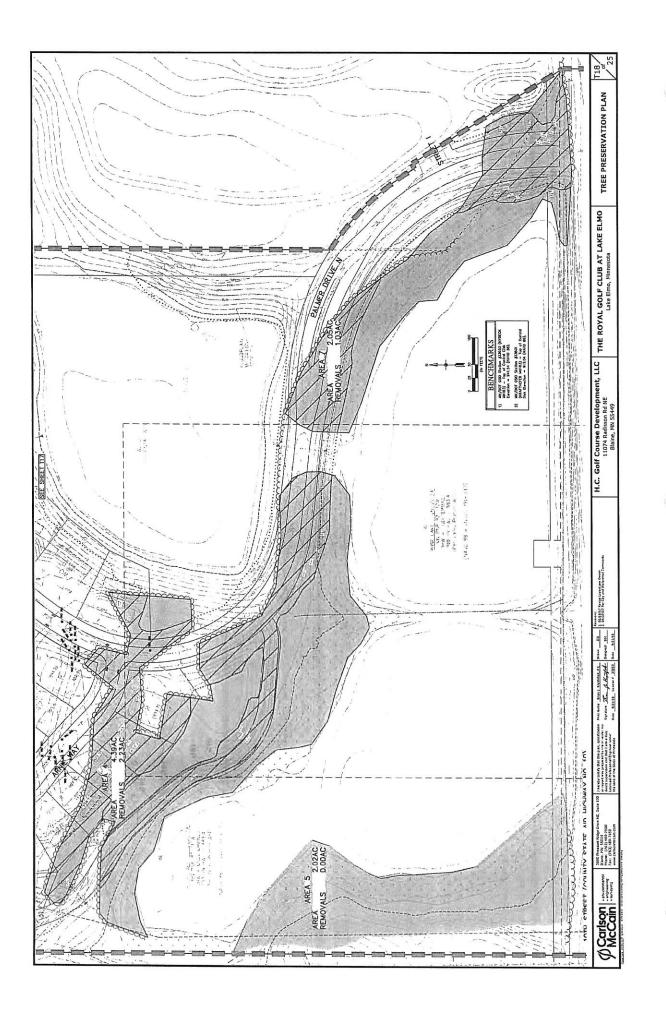












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FUTURE PHASES INDIVIDUAL SHOTS CONT'D

| Tree No. | Tree Species | 3 2 | Quality | Sterme | City Clessification | Significant | Samed | Nemored |
|----------|----------------|------|---------|--------|---------------------|-------------|-------|---------|
| 10645 | Spruce, white | 11.5 | - | - | Coniferant | Yes | × | |
| 10546 | Sprace, white | 11.0 | • | - | Conferens | Yes | × | |
| 10647 | Spruce, white | 11.0 | • | - | Canl'erous | Yes | * | |
| 10548 | OM, pin | 13.0 | , | - | Deciduous Hardwood | Yes | × | |
| 10549 | Oak, pin | 11.5 | - | - | Deciduous Hardwans | Yes | × | |
| 10650 | Oak, pin | 15.0 | | - | Deciduous Hardwood | Yes | × | |
| 10551 | Oak, pin | 130 | , | - | Decidopus vordwood | Yes | × | |
| 10552 | Oak, pro | le.s | - | - | Decidobus (tydwood | į | × | |
| 10551 | Dak, bur | 9.5 | * | - | Deciduous Mindwood | Yes | × | |
| 10654 | Dak, red | 9.0 | - | - | Deciduals Hardwood | Yes | * | |
| 10655 | Dal, bur | 7.0 | - | - | Deciduous Hardwood | Ves | × | |
| 95001 | Dak.red | 977 | - | - | Deciduous fordwood | , ves | × | |
| 10657 | Oak red | 11.0 | - | - | Deciduous Hardwood | ret | * | |
| 10558 | Oak but | 76.0 | - | - | Decidores Nordwood | Yes | * | |
| 10659 | Ura, Sibertan | 15.5 | - | - | Christian Tree | Yes | × | Ī |
| 03931 | Oak, bar | 15.0 | - | ~ | Deciduous Nardwood | Yes | × | |
| 10551 | Day, red | 11.0 | - | - | Deciduous Burdwood | Yes | × | |
| 10552 | Dak, red | ž | - | - | Deciduous Hardwood | Yes | × | |
| 1063 | O.M. red | 20.5 | - | - | Deciduous Andwood | Tes | × | |
| 7701 | Dak red | 6.5 | - | - | Decidyout Nordwood | Yes | * | |
| 10665 | Oak, red | 7.5 | 7 | - | Decidoous Audwood | Yes | × | |
| 30000 | O.A. bur | 8.5 | - | - | Deciduous Hydrogad | Yes | × | |
| 0.57 | Oak, red | 27.0 | - | - | Deciduous Hardwood | , cs | × | |
| 10821 | Maple, red | 140 | - | - | Deciduous Hardwood | Yes | | × |
| 10674 | Oak, bor | 20.5 | - | - | Deciduous Hardwood | 165 | × | |
| 10825 | Oak, bur | SOC | , | - | Deciduous Hardwead | Yes | × | |
| MR25 | Hra, Shenan | 260 | - | | Convmon Tree | Yes | × | |
| 10837 | Pine, Scots | 19.0 | , | - | Conferens | Tes | × | |
| 10875 | Sprike, blue | 16.6 | | - | Conferent | Yes | × | |
| 10879 | Pine, Sails | 16.0 | - | - | Conferent | Yes | × | |
| 10830 | Pine, red | 150 | 7 | - | Coniferant | Yes | × | |
| 10831 | Pine, red | 13.5 | 7 | | Coniferous | Yes | × | |
| 10812 | Pine, Scots | OO. | - | - | Conferent | res | × | |
| 10033 | Ash green | 15.0 | - | 1 | Common Tree | , ses | * | |
| 10834 | Pire, Austrian | 9.0 | _ | - | Conferent | Yes | | |
| 10835 | Pire, Austrian | na | • | 1 | Conferous | , se | × | |
| 10836 | Pine, Austrian | 160 | | - | Conferous | Yes | × | |
| 10837 | Maple, sheet | nu | 1 | - | Common Tree | 705 | × | |
| ICK US | Pine, Austrian | 140 | 1 | - | Conferens | Yes | * | |
| 10839 | Pire, Austrian | 15.0 | - | - | Conferens | res | * | |
| 10840 | Pine, Austrian | 12.5 | 7 | - | Caniferans | Yes | × | |
| 10841 | Ash, green | 12.0 | , | - | Common Tree | Yes | × | |
| 10842 | Pice, Austress | 11.5 | 1 | - | Conferens | , sa | × | |
| 10001 | Sine Auction | | | ŀ | Confessors | - | ŀ | |
| - | | | , | | | - | * | |

TOTAL INDIVIDUAL TREE SHOT ASSESMENT (ENTIRE SITE)

| mal caliper inches from Individual shore (Phase 1) | 13.46.50 |
|---|-----------|
| Common Tree RemovalCaliper Inches | 2507 |
| Conferon Tree Removal Caliper Indies | 24710 |
| Decidable Hardwood Removal Caliper Inches | 355 |
| tal cafeer leafes from individual shots (Falure Phases) | 19 002 00 |
| Conmon free RemovalCaliper lothes | 1201 |
| Conferous Tore Temberal Caliper Inches | 551.0 |
| | |

| 20 | poo | N. | 200 | 24 | |
|-------------|-----|----|-----|----|---|
| Suchtry Rat | Ö | | 4 | - | |
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TOTAL TREE PLOT ASSESMENT AREAS (ENTIRE SITE)

| 1911631 | 22.25 | 1534.32 | 40,0154 | 105457.86 | | 28.51 | 750 | |
|---------|-------------------|----------|---------------------------------|-------------------------|----------------|---|---------------|----------|
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| 333.47 | 00:00 | 200.40 | 913.57 | 13.8.67 | 506.67 | 1.03 | 202 | Arra7 |
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| 6649,97 | 1237000 | 12330.00 | 24540.00 | 64627 50 | 1750.00 | 1408 | 35.93 | Area ! |
| removed | Inches Armoved | Inches | Total Caliper Inches Removed | Total Caliper Inches | Caliper Inches | (Acres) (Acres) (Acres) per Acres Inches Inches | (Acres) | 1100 |

| al caliperinches from all areas | 112,457 85 |
|---|------------|
| Common free RemovalCaliper Inches | ISBL |
| Conferent Tite Removal Caliber in thes | 17657.8 |
| Deciduous Hardwood Remoral Caliper Inches | 19114.3 |

SUMMARY (ENTIRE SITE)

| Total coliperiodres on the pte | 133,991 16 |
|---|------------|
| Allowable significant removal for the site | |
| (Allowable removal a 30% Total Significant DBH) | 41,697.41 |
| Common Tree Removal Caliner Inches | 1959 |
| Conferous Tree Remayal Caliper Inches | 15630 |
| Deciduans Aardwood Remoyal Caliper Inches | 11159 |
| Total Removal Caliper Inches | 15455 |
| Total Replacement Caliper Inthes for Site | 1396.0 |

| 41597.4 | 15628 | 23360.8 | 1572.1 | 8256.05 |
|--|------------------------|---------------------------|-----------------------|----------------------------------|
| Removal Threshold (30%) Common Tree Removal | Conferous Tree Remoyal | Desidous Hardwood Aemoval | Removal Duer Threfold | Hardwood Replacement Requirement |

TREE IDENTIFICATION AND TREE AREA CALCULATIONS WERE PROVIDED BY KJOLHAUG ENVIRONMENTAL SERVICES.

NOTE:

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H.C. Golf Course Development, LLC

11074 Radisson Rd NE
Blanne, NN 55449

TREE PRESERVATION PLAN 725 25



STAFF REPORT

DATE: 4/24/17

AGENDA ITEM: 4B-PUBLIC HEARING

CASE # 2017-15

TO: Planni

Planning Commission

ITEM:

Royal Golf Club at Lake Elmo Grading Permit

SUBMITTED BY:

Stephen Wensman, Planning Director

REVIEWED BY:

Emily Becker, City Planner Jack Griffin, City Engineer

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a grading permit request from HC Golf Course Development LLC to grade the first phase of the Royal Golf Club at Lake Elmo development. The developer proposes to excavate over 400 cubic yards per acre of site area, triggering the need for a public hearing, Planning Commission review and Council approval. Typically preliminary grading is conducted after preliminary plat approval and in association with approved preliminary grading plans. The developer is requesting a grading permit outside of the preliminary plat process in order to facilitate early grading in the event the preliminary plat approval is delayed. In either case, the grading will be conducted according to grading plans which will substantially conform to the preliminary PUD plans that have been prepared and reviewed to date and are anticipated for approval with some modifications. Grading is also subject to meeting City standards for erosion control, Valley Branch Watershed District (VBWD) approval and an NPDES permit. Grading prior to plat approval does not guarantee approval of the preliminary plat and is conducted at the developer's own risk. In approving this grading activity the developer will be asked to acknowledge as part of the grading agreement that grading rework will likely be required as necessary to conform to the final approved Plat and construction plans.

GENERAL INFORMATION

Applicant: HC Golf Course Development, LLC

Property Owner: HC Golf Course Development, LLC, 11074 Radisson Road NE, Blaine, MN

55449

Location: Former 3M Tartan Park, PIDs: 25-029-21-12-0001, 25-029-21-13-0001, 25-

029-21-14-0001, 25-029-21-21-0001, 25-029-21-31-0001, 25-029-21-42-0001, 25-029-21-43-0001, 25-029-21-43-0002

Request: Grading Permit Approval

Grading Site Area: 73 acres

Deadline for Action:

Application Complete – 3/28/17

60 Day Deadline -

Extension Letter Mailed - No

120 Day Deadline -

Applicable Code:

Article V Zoning Administration and Enforcement §150.270 Storm Water, Erosion, and Sediment Control Article III – Environmental Performance Standards

REQUEST DETAILS

HC Golf Course Development is requesting a grading permit prior to preliminary plat approval. Because of the proposed grading exceeds 400 cu. yds. per site area, the request requires a public hearing, Commission review and Council approval.

The developer is requesting a permit to move 224,000 cubic yards of material, not including subgrade corrections and trench borrow, on 73 acres and to remove existing trees to begin grading the planned phase 1 Royal Golf Club at Lake Elmo planned subdivision. The Planning Commission reviewed and recommended approval of the preliminary plat and preliminary PUD Plans on March 28, 2017, and the preliminary plat and PUD plans will likely be reviewed by the City Council at the May 16, 2017 City Council meeting. The comprehensive plan amendment to allow the development to proceed was submitted to the Metropolitan Council on 3/27/17 and is presently under review. The Metropolitan Council has 60 days to review the amendment.

PLANNING AND ZONING ISSUES

Tree Preservation Plans. An approved Tree Preservation Plan is required prior to issuance of a grading permit. The developer prepared a Tree Preservation Plan for the phase 1 grading that also shows tree preservation for all phases of the Royal with the preliminary plat application which has not been approved, however, the planned removal within phase 1 grading area is below the threshold for required tree replacement if considering the entire plat area. However, if the grading is viewed as a stand along project and future phases and future tree replacement do not occur, then the developer is 5.4% over the allowed 30% tree removal. Staff recommends that an escrow be established for the 5.4% of the caliper inches removed to cover tree replacement. The escrow can be released once tree replacement occurs for future phases.

VBWD Permit. A Valley Branch Watershed District permit will be required prior to any grading work being done. The grading permit will be conditioned on VBWD approval. The VBWD has previously identified issues with the planned infiltration basins and other issues that the developer is working through. At this time, the developer does not believe the issues will impact to the proposed preliminary plat. At the time this report was written, the VBWD had not completed their review.

Shoreland. A portion of the grading is within the shorelands of Downs and Horseshoe Lakes. The proposed grading is consistent with the Article 17 – Shoreland Management Overlay District regulations. An EAW was prepared for the Royal Golf Club at Lake Elmo development and the proposed grading is consistent with the environmental review and the City made a negative declaration for an EIS.

Construction Access. Construction access was not identified on the grading plans as required. The developer had indicated that desired construction access would be off of Manning Trail and 10th

Street. The grading plans will be required to be updated to identify construction access for the project prior to the start of construction.

Future Utility Work. As discussed in the applicant's narrative, there will be utility work associated with the development project, but this work will occur subsequent to the site grading. The applicant has proposed to install some utilities under a Site Work Agreement prior to final plat approval. If approved by the City a Site Work Agreement will be required to provide the needed protections, securities and escrows for the public utility improvements.

Engineering Review. The engineering review for the Phase 1 Grading and Erosion Control Plans is ongoing as additional plan changes are being made to address VBWD permit requirements and City engineering design standards. The Phase 1 Grading and Erosion Control Plans will need to be approved for construction by the City Engineer prior to any grading permit being issued.

DRAFT CONDITIONS OF APPROVAL:

Staff is recommending approval of the grading permit for HC Golf Course Development to conduct the Phase 1 grading activities on the properties with the following draft conditions:

- 1. That no utility work shall occur under the Grading Agreement.
- 2. That site access to the property be limited to 20th Street and 10th Street South and that the locations be identified on the grading plans.
- 3. That tree protection fencing be completed prior to grading and that the locations be staked and field inspected prior to installation.
- 4. That a tree replacement escrow be established in the Grading Agreement to cover 5.4% tree replacement of the 16,643.68 caliper inches being removed.
- 5. That the Developer enter into a Grading Agreement with the City acceptable to the City Attorney that delineates that the developer is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 6. That no grading commence on the site until the Phase 1 grading and erosion control plans are approved by the City Engineer, the Grading Agreement is executed, the financial securities are in place, and a preconstruction meeting has been conducted with City staff.
- 7. That a Valley Branch Watershed District Permit and MPCA NPDES Permit are obtained and that all conditions of the permits are complied with.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed grading:

- 1. That the Royal Golf Club at Lake Elmo preliminary plat has not been approved by the City Council.
- 2. That the proposed Phase 1 grading will be allowed under the terms and conditions of a grading agreement approved by the City Attorney prior to preliminary or final plat approval at the developer's sole risk and does not provide any development entitlement.
- 3. That a Tree Preservation Plan was submitted with the grading plan that clearly articulates the impacts to the woodlands on the site and addresses tree protection and replacement responsibilities.

- 4. That grading will be conducted on site with no off site impacts beyond normal development activities.
- 5. That the Phase 1 grading and erosion control plans have been reviewed and approved for mass grading operations on the site with conditions complying with the City's Storm Water, Erosion, and Sediment Control, and Tree Preservation ordinances and design standards.

RECOMENDATION:

Staff recommends that the Planning Commission recommend approval of the grading permit with the conditions of approval as listed in the Staff report. Suggested motion:

"Move to recommend approval of the grading permit to grade the first phase of the proposed Royal Golf Club at Lake Elmo plat area with 7 conditions based on the findings in the staff report."

ATTACHMENTS:

- 1. Application Narrative
- 2. Royal Golf Club at Lake Elmo Grading, Development and Erosion Control Plans dated 4/7/17
- 3. Tree Preservation Plan

CITY OF LAKE ELMO WASHINGTON COUNTY STATE OF MINNESOTA

RESOLUTION NO. 2017-045

A RESOLUTION APPROVING THE PHASE 1 GRADING FOR THE ROYAL GOLF CLUB AT LAKE ELMO

WHEREAS, HC Golf Course Development, LLC ("Applicant") has submitted an application to the City for preliminary plat and preliminary planned unit development which is under review by the City but has not been approved; and

WHEREAS, HC Golf Course Development, LLC ("Applicant") has subsequently submitted an application for phase 1 grading for the preliminary plat prior to preliminary plat approval;

WHEREAS, the Lake Elmo Planning Commission held a public hearing on April 24, 2017 to consider the request for a grading permit outside of preliminary plat approval; and

WHEREAS, the Lake Elmo Planning Commission recommended approval of the grading permit with conditions; and

WHEREAS, the City Council reviewed the Planning Commission and public comments regarding the proposed grading permit on May 2, 2017; and

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

FINDINGS

- 1. That the Royal Golf Club at Lake Elmo preliminary plat and preliminary plans have not been approved by the City Council.
- 2. That the proposed Phase 1 grading will be allowed under the terms and conditions of a grading agreement approved by the City Attorney prior to preliminary or final plat approval at the developer's sole risk and does not provide any development entitlement.
- 3. That a Tree Preservation Plan was submitted with the grading plan that clearly articulates the impacts to the woodlands on the site and addresses tree protection and replacement responsibilities.
- 4. That the phase 1 grading is a standalone project as it pertains to the Tree Preservation Plan.
- 5. That grading will be conducted on site with no off site impacts beyond normal development activities.
- 6. That the phase 1 grading and erosion control plans have been reviewed and approved for mass grading operations on the site with conditions complying with the City's Storm Water, Erosion, and Sediment Control, and Tree Preservation ordinances and design standards.

NOW, THEREFORE, BE IT RESOLVED, that based on the foregoing, the Lake Elmo City Council hereby approves the Applicants request for a grading permit with the following conditions:

- 1. That no utility work shall occur under the Grading Agreement.
- 2. That site access to the property be limited to 20th Street and 10th Street South and that the locations be identified on the grading plans.
- 3. That tree protection fencing be completed prior to grading and that the locations be staked and field inspected prior to installation.
- 4. That a tree replacement escrow be established in the Grading Agreement to cover 5.4% tree replacement of the 16,643.68 caliper inches being removed.
- 5. That the Developer enter into a Grading Agreement with the City acceptable to the City Attorney that delineates that the developer is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 6. That no grading commence on the site until the Phase 1 grading and erosion control plans are approved by the City Engineer, the Grading Agreement is executed, the financial securities are in place, and a preconstruction meeting has been conducted with City staff.
- 7. That a Valley Branch Watershed District Permit and MPCA NPDES Permit are obtained and that all conditions of the permits are complied with prior to any grading activity.

Passed and duly adopted this 2 day of May, 2017, by the City Council of the City of Lake Elmo, Minnesota.

| | Mike Pearson, Mayor |
|---------|---------------------|
| ATTEST: | |
| | |



STAFF REPORT

DATE: 5/2/2017 **REGULAR** ITEM #: 8

TO:

City Council

FROM:

Emily Becker, City Planner

AGENDA ITEM:

Noise Control Ordinance

REVIEWED BY:

Stephen Wensman, Planning Director Kristina Handt, City Administrator

Councilmember Bloyer

BACKGROUND:

Reason for Ordinance Amendment. Staff had previously proposed to the Council an amendment to the City's Noise Control Ordinance on December 20, 2016. This ordinance amendment was requested for the following reasons:

• To Allow for Competitive Pricing and Timely Completion of City Projects. The City Engineer suggested that extending working hours similarly to other cities may allow for more competitive pricing on City projects and allow more timely completion of projects to minimize disruption to Lake Elmo properties.

Multiple Permits Issued. The City Administrator is often asked for permission to allow
construction on Saturdays 8:00am or 9:00 am to 3:30pm or extended hours until 7:00pm on
weekdays. These requests are almost always granted, and so Staff feels that this standard should
be given another thought. Only one complaint has been received by Staff from an Oakdale
resident by granting permission for these extended hours. Additionally, amending the ordinance
will save Staff time by not having to write approval letters each time a request is made.

Feedback Received on Previously Proposed Ordinance Amendment. Prior to bringing the Noise Control Ordinance amendment to Council, a public hearing was held at a Planning Commission meeting. The following comments arose from this public hearing:

 From the Planning Commission. The Planning Commission was only comfortable with the following revisions to the City's current ordinance:

 Some Extended Hours. Extending the hours of construction operation from 6pm to 7pm on weekdays.

o Exemptions from Prohibition of Construction Activity. Adding exemptions from the prohibition of construction activity, including snow removal activity, parking lot maintenance or sweeping, and work on public infrastructure projects.

Clarifying that the City Administrator is able to grant certain exemptions for activity that
is of urgent necessity and in the interest of public health and safety.

Removing language that allows a special permit to be granted for economic loss and replacing this with a provision that allows the City Administrator to grant permission to allow construction during outlined times. There was also a change that restricts construction occurring during specially-allowed hours to at least 1000 feet away from any dwelling (previously 600 feet).

• From the Builders Association of the Twin Cities (BATC). BATC provided feedback on the ordinance after the public hearing was held on the ordinance amendment, expressing concern

about arbitrarily restricting private construction projects and exempting public projects; there being lack of evidence of a problem; and noise thresholds.

City Council Decision on Proposed Noise Ordinance. The Council did not ultimately approve the proposed Noise Control Ordinance Amendment. The ordinance amendment was not approved by a vote of 2-2-1.

Amendment Still Needed. Council discussed the noise ordinance at their March work session. Feedback after the meeting indicated that an amendment to the ordinance is still needed, as the ordinance is rather strict and only exempts construction activity and outdoor implements.

ISSUE BEFORE COUNCIL:

What changes should be made to the City's Noise Control Ordinance?

PROPOSAL DETAILS/ANALYSIS:

Staff has provided the Council with the City's Noise Control Ordinance along with other City Noise Ordinance examples. Staff has proposed the following amendments to the City's Noise Ordinance:

Measurement of Noise. Staff is proposing replacing the table in Section 130.46: Measurement of Noise with the following table, which outlines standards set forth by Minn. Administrative Rules Ch. 7030 *, **.

| Noise Area Classification | Day | rtime | Nig | httime | |
|--|----------|-----------------|----------|-----------------|--|
| | L_{50} | L ₁₀ | L_{50} | L ₁₀ | |
| 1 (Residential housing, religious activities, camping and picknicking areas, health services, hotels, educational services.) | 60 | 65 | 50 | 55 | |
| 2 (Retail, business and government services, recreational activities, transit passenger terminals.) | 65 | 70 | 65 | 70 | |
| 3 (Manufacturing, fairgrounds and amusement parks, agricultural and forestry activities.) | 75 | 80 | 75 | 80 | |

Nighttime is defined as the hours between 10:00 p.m. and 7:00 a.m. and Daytime is defined as the hours between 7:00 a.m. and 10:00 p.m. The "L" measurements in the table signify the time during a one-hour period of monitoring that decibel level can occur; L10=10% of that time (6 minutes) and L50=50% of that time (30 minutes).

^{*} There is a land use classification 4: Undeveloped and unused land, water areas, under construction. These land use activities are not regulated in the table above.

^{**} Noise Emission Reference Levels and Usage Factors is attached, giving examples of noise producers at various decibel levels.

Analysis. These standards are set forth by Minn. Administrative Rules. These standards are not much different than the standards that are currently within the ordinance, but replacing the current standards with these standards will obtain consistency with Minn. Administrative Rules.

Construction Equipment. The current City Noise Control Ordinance exempts certain construction activity from the noise level standards outlined in the table of Section 130.46.

- *Limited Hours*. This exempted construction activity is limited to weekday hours of 7:00am to 6:00pm.
 - O Proposed Amendment. Other cities generally allow much more extended hours of construction activity during the weekdays (all other cities researched allow construction activity to take place from 7:00am to 7:00pm, 9:00pm or 10:00pm). Extending these hours from 7:00am to 7:00pm would allow a 12 hour workday for construction activity, which Staff finds reasonable.

Additionally, many cities allow Saturday construction, whereas the City of Lake Elmo does not. Staff proposes that the City allow construction activity on Saturdays from the hours of 8:00am to 6:00pm. Many cities allow much more extended hours on Saturdays than this (6:00am, 7:00am, 8:00am, or 9:00am to 5:00pm, 6:00pm, 7:00pm, 9:00pm, or 10:00pm). Staff believes this is reasonable and will allow projects to be completed in a timelier manner, thus shortening the amount of time a project creates construction noise.

- Emergency Situation. The current ordinance allows special permits to be granted in the event of an emergency situation. Such permits may be granted during any hour of any day, not to exceed 3 days, and may be renewed while the emergency continues.
 - Analysis. Emergency situation is not defined, nor does the ordinance outline who
 determines what is considered an emergency situation. This was amended to allow
 exemptions for activities which are of urgent necessity and in the interest of public health
 and safety to be granted written permission from the City Administrator to take place.
- Substantial Economic Loss. Currently, the ordinance allows a special permit to be granted for the
 operation of equipment which extends the allowed construction hours to 9:30pm on weekdays
 and permits construction on weekends from 1:00pm to 5:00pm, provided the construction
 equipment is operated 600 feet or more from any dwellings. Any hour of any day is allowed for
 construction equipment operated 1200 feet or more from any dwellings.
 - O Analysis. Substantial economic loss is not defined, nor should it be a valid reason for granting such a permit. The proposed amendment removes this provision and allows construction activity taking place at least 1200 feet away from any dwelling provided it does not exceed 95 decibels. Sounds of this decibel level are expected to dissipate after a distance of 1200 feet. The amendment also includes the provision that ambient noise levels must be maintained at the property line.

Outdoor Implements. Implements designed for outdoor use (power lawn mower, snowblower, power hedge clipper, power saw, etc), if exceeding maximum allowable sound levels, can be operated between the hours of 7:30am to 9:00pm on weekdays and 9:00am to 9:30pm every other day. If such implements do not exceed maximum allowable sound levels, they may be operated at any time.

Analysis. Outdoor implements, like construction equipment, will almost certainly exceed the
maximum allowable sound levels. This exemption should be listed in this ordinance. Staff

received the request that such implements be allowed to be operated at any time. Staff has amended the ordinance to reflect this.

Other Exemption Added – Special Event. It was clarified in the proposed amendment that special events issued a special event permit may exceed the maximum decibel levels. This was done in case the Noise Ordinance was referenced when a special event exceeds these levels. In these instances, the City Council would review the special event permit application and make a decision about modifying the noise requirements.

FISCAL IMPACT:

Allowing extended working hours may allow for more competitive pricing on City projects and allow more timely completion of projects to minimize disruption to Lake Elmo properties. Additionally, it will reduce Staff time drafting exemption letters for construction to take place during extended hours.

RECOMMENDATION:

Staff recommends that Council adopt Ord. 08-174 approving amendments to the City's Noise Ordinance.

"Move to adopt Ord. 08-174 approving amendments to the City's Noise Control Ordinance."

Additionally, Staff recommends that the Council adopt Resolution 2017-039 authorizing summary publication of Ord. 08-174.

"Move to adopt Resolution 2017-039 authorizing summary publication of Ord. 08-174."

ATTACHMENTS:

- Ord. 08-174 (redlined version)
- Ord. 08-174 (non-redlined version)
- Summary Publication Resolution 2017-039
- Comparison table

CITY OF LAKE ELMO COUNTY OF WASHINGTON STATE OF MINNESOTA

ORDINANCE NO. 08-174

SECTION 1. The City Council of the City of Lake Elmo hereby amends Chapter 130: General Offenses; Section 47: Construction Equipment of the Lake Elmo Code of Ordinances to read the following:

NOISE CONTROL

§ 130.45 NOISE PROHIBITED.

It shall be unlawful to make, continue, or cause to be made or continued, any noise in excess of the noise levels set forth unless noise is reasonably necessary to preserve life, health, safety, or property.

(1997 Code, § 1370.01) Penalty, see § 10.99

§ 130.46 MEASUREMENT OF NOISE.

(A) Any activity not expressly exempted by this section which creates or produces sound regardless of frequency exceeding the ambient noise levels of the property line of any property (or if a condominium or apartment house within any adjoining apartment) by more than 6 decibels above the ambient noise levels as designated in the following table at the time and place and for the duration then mentioned, is a violation of this section, but any enumeration in this section is not exclusive. by Minn. Rules Ch. 7030.

Commented [EB1]: Does not include the table set forth in Admin. Rules but rather refers to them. If these rules are updated from time to time, an ordinance amendment will not be necessary.

| Duration of Sound | 7:00 a.m. to 6:00 p.m. (All Districts) | 6:00 p.m. to 7:00 a.m. Residential District and 6:00 p.m. to 7:00 a.m. (All Other Districts) | 10:00 p.m. to 7:00 a.m. (Residential Districts) |
|--------------------------------------|---|--|--|
| Less than 10 minutes | 75-db | 70 db | 60-db |
| Between 10 minutes and 2 hours | 70 db | 60 db | 50 db |
| In excess of 2 hours | 60 db | 50-db | 40-db |

(B) In determining whether a particular sound exceeds the maximum permissible sound level in the above table:

- (1) Sounds in excess of the residential district limitations as measured in a residential district or other districts; and/or
- (2) During all hours of Sunday and state and federal holidays, the maximum allowable decibel levels for residential districts are as set forth in the table in division (A) above.

(1997 Code, § 1370.02) Penalty, see § 10.99

§ 130.47 CONSTRUCTION EQUIPMENT.

Purpose. The City understands that exceeding decibels above the ambient noise level is necessary from time to time in order to perform construction and make necessary improvements within the City. The following exemptions from ambient noise level soutlines specific times during which such activity may take place.

Definitions, for the Purpose of this Section. "Heavy equipment" shall mean compactors/rollers, cranes, dozers, dump trucks, excavators, forklifts, graders, jackhammers, loaders, pavement breakers, pile drivers, portable crushers, tractors, trenchers, or other pieces of equipment that generate similar levels of noise. "Operated" shall include engine start-up or warm-up, or any activity involving heavy equipment that exceeds ambient noise levels.

- (A) Except as stated, no pile driver, jackhammer, or other construction equipment shall be operated between the hours of 6:00 p.m. to 7:00 a.m. on weekdays and during any hours on Saturdays, Sundays, and state and federal holidays. Heavy equipment operated the purpose of construction exceeding ambient noise levels may be operated between the hours of 7:00 a.m. to 7:00 p.m. on weekdays and on Saturdays from 8:00 a.m. to 6:00 p.m. No heavy equipment exceeding ambient noise levels at the property line may be operated on Sundays or state and federal holidays. No equipment shall be operated at any time if the sound level from the operation exceeds 100 decibels measured along any property line. However, if the decibel maximum sound limit is reduced to 95 decibels effective the second anniversary of the enactment of this code, and 90 decibels effective the fourth anniversary; and the operation of the equipment conforms to the maximum allowable sound levels as stated in this section; it may be operated during the above prohibited hours and days. When any of the above named equipment is used for any purpose other than construction, the ambient noise levels apply.
- (B) No internal combustion engine or any other power unit when operated in connection with construction or demolition equipment shall be operated at any time other than at the times as set forth in this section and any sound emitted from any engine or power unit shall not exceed 83 decibels measured along the property line.
- (C) If an emergency situation exists or if substantial economic loss would result to any person unless allowed additional hours of equipment operation, a special permit may be granted for extended hours of operation of the construction equipment and internal combustion engine or power unit as follows. In the event of an emergency situation, a permit An exemption for activities which the City Administrator find are of urgent necessity and in the interest of public health and safety may be granted by written

Commented [EB2]: No longer relevant since above table has been removed. Should refer to Minn, Admin, Rules

Commented [EB3]: Clarifies that construction activity may exceed noise levels set forth by Minn. Admin. Rules.

Commented [EB4]: Adds definitions for clarification

Commented [EB5]: Amends the time construction activity is allowed from only 7am-6pm on weekdays to 7am-7pm on weekdays and 8am-6pm on Saturdays.

Commented [EB6]: This sentence is confusing and outdated, as the previous ordinance was adopted in 1997, and so these rules no longer apply. If the Council wishes to decrease the maximum decibels allowed to measure along the property line, it may amend the number from 100 to a different number. For reference, this is the sound of a handheld drill being operated.

Commented [EB7]: This sentence is redundant. It already says above that no equipment shall be operated at any time if the sound level from operation exceeds 100 decibels measured along any property line.

Commented [EB8]: This Section does not define what an emergency situation is or what substantial economic loss is. It would be more clear to define that the City Administrator may determine if a situation is of urgent necessity and in the interest of public health and safety.

<u>permission</u> for the operation during any hour of any day for a period not to exceed 3 days or less while the emergency continues. <u>This permit Written permission</u> may be renewed for periods of 3 days or less while the emergency continues.

(D) (2) In the event of a determination of substantial economic loss to a person, a special permit may be granted for the operation throughout the hours of 7:00 a.m. to 9:30 p.m. on weekdays and throughout the hours of 1:00 p.m. to 5:00 p.m. on Saturdays, Sundays, and state and federal holidays upon the condition that while any construction equipment, internal combustion engine, or power unit is in operation, its location shall not be less than 600 feet in any direction from any dwellings, except that if while any construction equipment, internal combustion, or power unit is in operation, its location shall be no less than Construction activity involving operation of equipment producing a sound level of up to 95 decibels that takes place no less than 1,200 feet in any direction from any dwelling, a permit may be allowed, through written permission granted by the City Administrator, for operation during any hour of any day. Ambient noise levels must be maintained at the property line.

§ 130.48 OUTDOOR IMPLEMENT.

- (A) Except as stated, a Outdoor implements designed primarily for outdoor use, including but not limited to any power lawn mower, snowblower, power hedge clipper, power saw may be operated at any time. , or other implement, designed primarily for outdoor use, shall be operated only between the hours of 7:30 a.m. to 9:00 p.m. on weekdays, or between the hours of 9:00 a.m. to 9:30 p.m. on Saturdays, Sundays, and state and federal holidays.
- —(B) However, if the equipment conforms to the maximum allowable sound levels as stated, it may be operated during the above prohibited hours.

§ 130.49 SPECIAL EVENT

- (A) Activities which are issued a special event permit may exceed the maximumallowed decibel level provided sound is not unreasonably loud or creates a nuisance or disturbance to the peace and tranquility of the citizens.
- **SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 08-174 was adopted on this __ day of _____, 2017, by a vote of __ Ayes and __ Nays.

Commented [EB9]: Substantial economic loss is difficult to determine and could be argued by many.

Commented [EB10]: Noise at a level of 95 decibels is expected to dissipate after a distance of 1200 feet.

Commented [EB11]: Clarifies that such activity needs written permission from the City Administrator in order to be approved.

Commented [EB12]: It was requested that outdoor implements be allowed to be operated at any time.

Commented [EB13]: This is language used from the Special Events Permit ordinance. It was added to specifically point out within the Noise Ordinance that special events may exceed maximum decibels in case the noise ordinance is referenced when a special event is exceeding the maximum decibel level.

LAKE ELMO CITY COUNCIL

| | | | | Mike Pearson, Mayor | | | | | | | | | |
|-----------|---------------|---------------------|-----------|---------------------|-----|---------------|-----|----|--|--|--|--|--|
| ATTE | ST: | | | | | | | | | | | | |
| Julie | Johnson, City | y Clerk | | | | | | | | | | | |
| Γhis | Ordinance | 08-174 w , 2017. | as publis | shed on | the | S | day | of | | | | | |

CITY OF LAKE ELMO COUNTY OF WASHINGTON STATE OF MINNESOTA

ORDINANCE NO. 08-174

SECTION 1. The City Council of the City of Lake Elmo hereby amends Chapter 130: General Offenses; Sections 130.45-130.48 of the Lake Elmo Code of Ordinances to read the following:

NOISE CONTROL

§ 130.45 NOISE PROHIBITED.

It shall be unlawful to make, continue, or cause to be made or continued, any noise in excess of the noise levels set forth unless noise is reasonably necessary to preserve life, health, safety, or property.

(1997 Code, § 1370.01) Penalty, see § 10.99

§ 130.46 MEASUREMENT OF NOISE.

(A) Any activity not expressly exempted by this section which creates or produces sound regardless of frequency exceeding the ambient noise levels of the property line of any property (or if a condominium or apartment house within any adjoining apartment) by more than 6 decibels above the ambient noise levels as designated by Minn. Rules Ch. 7030.

(1997 Code, § 1370.02) Penalty, see § 10.99

§ 130.47 CONSTRUCTION EQUIPMENT.

Purpose. The City understands that exceeding decibels above the ambient noise level is necessary from time to time in order to perform construction and make necessary improvements within the City. The following exemptions from ambient noise levels outlines specific times during which such activity may take place.

Definitions, for the Purpose of this Section. "Heavy equipment" shall mean compactors/rollers, cranes, dozers, dump trucks, excavators, forklifts, graders, jackhammers, loaders, pavement breakers, pile drivers, portable crushers, tractors, trenchers, or other pieces of equipment that generate similar levels of noise. "Operated" shall include engine start-up or warm-up, or any activity involving heavy equipment that exceeds ambient noise levels.

(A) Heavy equipment operated the purpose of construction exceeding ambient noise levels may be operated between the hours of 7:00 a.m. to 7:00 p.m. on weekdays and on Saturdays from 8:00 a.m. to 6:00 p.m. No heavy equipment exceeding ambient noise levels at the property line may be operated on Sundays or

state and federal holidays. No equipment shall be operated at any time if the sound level from the operation exceeds 100 decibels measured along any property line.

- (B) An exemption for activities which the City Administrator find are of urgent necessity and in the interest of public health and safety may be granted by written permission for the operation during any hour of any day for a period not to exceed 3 days or less while the emergency continues. Written permission may be renewed for periods of 3 days or less while the emergency continues.
- (C) Construction activity involving operation of equipment producing a sound level of up to 95 decibels that takes place no less than 1,200 feet in any direction from any dwelling may be allowed, through written permission granted by the City Administrator, for operation during any hour of any day. Ambient noise levels must be maintained at the property line.

§ 130.48 OUTDOOR IMPLEMENT.

(A) Outdoor implements designed primarily for outdoor use, including but not limited to any power lawn mower, snowblower, power hedge clipper, power saw may be operated at any time.

§ 130.49 SPECIAL EVENT

- (A) Activities which are issued a special event permit may exceed the maximumallowed decibel level provided sound is not unreasonably loud or creates a nuisance or disturbance to the peace and tranquility of the citizens.
- **SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

| SECTION 3. | Adoption Date. | This Ordinance | 08-174 was | adopted on this |
|------------|-----------------|-----------------|------------|-----------------|
| day of | , 2017, by a vo | ote of Ayes and | d Nays. | |

| LAKE ELMO CITY COUNCIL |
|------------------------|
| Mike Pearson, Mayor |

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-174 was published on the ____ day of _____, 2017.

CITY OF LAKE ELMO COUNTY OF WASHINGTON STATE OF MINNESOTA

RESOLUTION NO. 2017-039

RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-174 BY TITLE AND SUMMARY

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-174, an ordinance to amend the City's Noise Ordinance; 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. 08-174 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. 08-174, which amends Chapter 130: General Offenses, Sections 130.45-130.48: Noise Control. The revised ordinance amends the standards as follows:

- Adopts Noise Area Classification Table set forth in Minn. Administrative Rules Ch. 7030.
- Allows the operation of heavy equipment for the purpose of construction on Saturdays from 8:00am 6:00pm and weekdays from 7:00am to 7:00pm (not including state and federal holidays).
- A special permit may no longer be granted in the event of a determination of substantial economic loss.
- Exemptions may be granted to allow construction activity that is determined by the City Administrator to be of urgent necessity and in the interest of public health and safety.
- Outdoor implements may be operated at any time.

The full text of Ordinance No. 08-174 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 w | within the City. |
|---|--|
| Dated: May 2, 2017 | |
| ATTEST: | Mayor Mike Pearson |
| Julie Johnson, City Clerk | |
| (SEAL) | |
| The motion for the adoption of the foregoing resolution | on 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 a | and adopted |

Construction/Outdoor Equipment Noise Regulations 12/11/14

| Chanhassen | Apple Valley 6 | Champlain | Lino Lakes | Cottage Grove | Minnetrista | Blaine | Maple Grove | Coon Rapids 7 | Minnetonka 7 | Crystal 7 | Rosemount 7 | Richfield 7 | Plymouth 7 | Shoreview 7 | Oakdale 7 | Woodbury 6 | Lake Elmo 7 | City V | |
|---|--|---|----------------------|----------------------|-----------------|--|---------------|-------------------|---------------|------------------------------|---|---|---------------|---------------------|----------------------|--|--------------------------|--|--|
| 7 am - 9 pm | 6 am - 10 pm | 7 am - 9 pm | 7 am - 7 pm | 7 am - 7 pm | 7 am - 7 pm | 7 am - 10 pm | 7 am - 9 pm | 7 am - 10 pm | 7 am - 10 pm | 7 am - 10 pm | 7 am - 10 pm | 7 am - 10 pm | 7 am - 10 pm | 7 am - 9 pm | 7 am - 7 pm | 6 am - 10 pm | 7 am - 6 pm | Construction Weekdays | |
| 9 am - 9 pm Sat only | 6 am - 10 pm | 7 am - 9 pm | 9 am - 5 pm Sat only | 9 am - 7 pm Sat only | 8 am - 6 pm Sat | 7 am - 10 pm | 8 am - 9 pm | 7 am - 10 pm Sat | 7 am - 10 pm | 9 am - 9 pm | 7a-7p Sat 9a-5p Sun | 8 am - 10 pm Sat | 8 am - 9 pm | 8 am - 9 pm | 9 am - 5 pm Sat only | 6 am - 10 pm | None | Construction Weekends/Holidays | |
| 7 am - 9 pm | 6 am - 10 pm | Not addressed | Resident Exempt | 7 am - 10 pm | Not addressed | Same as Const | Same as Const | Not addressed | 7 am - 10 pm | Same as Const | Not addressed | 7 am - 10 pm | 7 am - 10 pm | 8 am - 10 pm all | Not addressed | 6 am - 10 pm | 7:30 am - 9 pm | Domestic Outdoor Equip - Weekdays | |
| 8 am - 7 pm | 6 am - 10 pm | Not addressed | Resident Exempt | 8 am - 9 pm | Not addressed | same as const | same as const | Not addressed | 7 am - 10 pm | same as const | Not addressed | 8 am - 10 pm | 8 am - 9 pm | 8 am - 10 pm all | Not addressed | 6 am - 10 pm | 9 am - 9 pm | Domestic Outdoor Domestic Outdoor Refuse Equip - Weekdays Equip - Ends/Holida Hauling | |
| Not Addressed | Not Addressed | Not Addressed | Not Addressed | Not Addressed | Not Addressed | Not Addressed | Not Addressed | Not Addressed | Not Addressed | 6 am - 6 pm all | Not Addressed | Not Addressed | Not Addressed | 6 am - 6 pm M-Sat | Not Addressed | Not Addressed | Not Addressed | Refuse Hauling | |
| Snow Removal, Excavation & Grading, outdoor recreation and emergencies. Bug Zappers - 9am - 9pm all days | Emergency Work, snow removal and street sweeping | Urgent Necessity the City may grant exception | None | None | None | City or State Authorized for safety (snow removal) | None | By special permit | None | Emergencies, snow and storms | Emergencies where the City has granted approval | Snowblowers 6a-10p any; 7a-10p daily if under 85dBA | None | Snow removal exempt | None | City or State Authorized for safety (snow removal) | Yes - via special permit | Exceptions | |



STAFF REPORT

DATE:

5/2/2017

REGULAR

MOTION

ITEM #:

9

TO:

City Council

FROM:

Emily Becker, City Planner

AGENDA ITEM:

Easton Village 2nd Addition Final Plat

REVIEWED BY:

Stephen Wensman, Planning Director

BACKGROUND:

The City has received a Final Plat application from Chase Development for the 2nd Addition of Easton Village, a 217 unit residential subdivision. The 2nd Addition includes 19 single family lots that are located within 5.2 acres on the eastern portion of the subdivision and extended above the northern boundary of the 1st Addition. Staff and the Planning Commission are recommending approval of the request subject to conditions listed in this report.

ISSUE BEFORE COUNCIL:

The Council should determine if the proposed Final Plat is generally consistent with the approved Preliminary Plat and either approve or deny the Final Plat application.

PROPOSAL DETAILS/ANALYSIS:

Consistency with Preliminary Plat. The proposed Final Plat is generally consistent with the approved Preliminary Plat with the following exceptions:

- Missing Trail Connection. The Preliminary Plat was approved with a number of conditions, one
 of which was that the Applicant provide a trail connection connecting the cul-de-sac bulb to the
 trail along Village Parkway. The Applicant has proposed removing this trail because of desire for
 wider lots to accommodate a variety of housing styles and because generally customers who
 purchase homes on cul-de-sacs do so because of added security and privacy they provide for
 families.
- No Parkland. Because of the missing trail connection outlined above, the 2nd Addition proposes no dedicated parkland, and the Applicant will be required to pay a fee in lieu of parkland dedication. The overall development 9.84 acres of parkland, and the 1st Addition dedicated 3.99 acres. The Developers Agreement will determine the required parkland dedication fee for the 2nd Addition.
- **Increased Number of Lots.** The approved Preliminary Plat designated 18 units in this addition, and the Applicant has proposed to increase this number to 19 units.
 - o **Revised Preliminary Plat.** The Applicant has submitted a revised Preliminary Plat that shows that the total number of lots throughout the entire Easton Village development will remain 217 units, leaving the overall density unchanged. It is a recommended condition of approval that the Applicant submit the revised Preliminary Plat and Plans for Staff approval prior to accepting applications for future phases of the development for Final Plat.

- Landscape Plans. The Applicant's Landscape Plans are not consistent with the approved Preliminary Landscape Plans and will need to be updated and approved by City Staff before the Final Plat may be recorded.
- Construction Plans and Permits. The Applicant will need to update all construction plans
 according to the City Engineer Review Memo dated April 17, 2017 and obtain approval prior to
 recording of Final Plat as well as obtain all necessary City and jurisdictional permits.

Planning Commission Review. The Planning Commission reviewed the proposed Easton Village 2nd Addition Final Plat at its April 24, 2017 meeting. The Planning Commission recommended approval of the proposed Final Plat with an affirmative vote of 6-1.

Comments in the affirmative were as follows:

• The removal of the trail is insignificant, as the trail location on the side yards of the two lots reduces privacy, and the trail does not provide connection for a large number of lots.

Dissenting comments were as follows:

• The trail should not be removed, as it provides connectivity and it does not decrease privacy, as the smaller lots and large houses in and of themselves provide little privacy.

Revised Recommended Findings of Fact and Recommended Conditions.

- Finding of Fact Amended. Upon its review, Planning Commission making the following amendment to the Findings of Fact outlined in the Staff Report to the Planning Commission dated April 24, 2017:
 - O 2) That the proposed Final Plat for Easton Village consists of the creation of 19 single-family detached residential structures-and the elimination of the trail from the cul-de-sac to Village Parkway.
- *Condition Added.* Additionally, Staff recommended that the following condition be added to the conditions outlined in the Staff Report dated April 24, 2017:
 - o 10) That the Preliminary Plat and Preliminary Plans be revised and approved by the City prior to accepting applications for future phases of the development for Final Plat.

FISCAL IMPACT:

The Developer Agreement associated with this Addition will further delineate financial impact.

OPTIONS:

The Council may:

- Approve the Easton Village 2nd Addition Final Plat with the recommended conditions of approval.
- Approve the Easton Village 2nd Addition Final Plat with amended conditions of approval.

RECOMMENDATION:

Staff and the Planning Commission recommend that the Council approve the Easton Village 2nd Addition Final Plat with the recommended conditions of approval with the following motion:

"Move to adopt Resolution 2017-040 approving the Easton Village 2nd Addition Final Plat with the 10 recommended conditions of approval."

ATTACHMENTS:

- Easton Village 2nd Addition Final Plat Item of the 4/24/2017 Planning Commission Meeting Packet 4/24/2017 Planning Commission Meeting Minutes pertaining to Easton Village 2nd Addition Final
- Resolution 2014-040



STAFF REPORT

DATE: 4/24/2017
BUSINESS ITEM

ITEM #: 5A CASE # 2017-01

MOTION

TO:

Easton Village 2nd Addition Final Plat

FROM:

Emily Becker, City Planner

REVIEWED BY:

Stephen Wensman, Planning Director

Jack Griffin, City Engineer

BACKGROUND:

The Planning Commission is being asked to consider a Final Plat request from Chase Development for the 2nd Addition of Easton Village, a planned 217 unit residential development. The 2nd Addition includes 19 single family lots that are located within 5.2 acres on the eastern portion of the subdivision and extended above the northern boundary of the 1st Addition. Staff is recommending approval of the request subject to conditions listed in this report.

ISSUE BEFORE COMMISSION:

The Commission is being asked to recommend approval or denial of the Final Plat request for the 2nd Addition of Easton Village based on its consistency with the approved Preliminary Plat.

PROPOSAL DETAILS/ANALYSIS:

General Information.

Applicant: Chase Development, 2140 West County Road 42, Burnsville, MN

Property Owners: Easton Village, LLC (Tom Wolter) 2140 West County Road 42, Burnsville, MN

Location: Section 12 & 13, Township 29 North, Range 21 West in Lake Elmo, north of

30th Street, west of Manning Avenue, and south of the Union Pacific railroad right-of-way. Part of Outlot F, Easton Village, Washington County, Minnesota.

PID Number 13.029.21.42.0025.

Request: Application for final plat approval of a 19 unit residential subdivision to be

named Easton Village.

Zoning: LDR – Limited Density Residential

Surrounding: North – vacant/agricultural land (RT – Rural Transitional); West – single family

home, City park, natural vegetation (PF – Public and Quasi Public Open Space; South – vacant land (LDR – Limited Density Residential); East – Lake Elmo

Airport (Baytown Township).

Comp. Plan: Village Urban Low Density Residential (1.5 - 2.49 units per acre)

History: Property was included in Village Planning Area boundary and municipal sewer

service area as defined in the 2013 Village Land Use Plan. Site has historically been used for faming activities, including the growing of agricultural crops. Sketch Plan review by Planning Commission on 1/27/14 with Preliminary Plat approval on July 15, 2014. An AUAR for the Village Planning area was

approved by the City in May of 2009.

Action Deadline: Application Complete - 3/22/2017

60 Day Deadline – 5/21/2017 Extension Letter Mailed – N/A 120 Day Deadline – N/A

Regulations: Chapter 153 – Subdivision Regulations

Article XII – Urban Residential Districts (LDR)

§150.270 Storm Water, Erosion, and Sediment Control

Consistency with Preliminary Plat.

Previously Revised Preliminary Plat. Prior to the 1st Addition Final Plat approval, the approved Preliminary Plat was revised in December of 2014 to address the following:

- The need to reconfigure the temporary access into the subdivision.
- Revisions to the grading plan.
- Adjustments to the property boundaries adjacent to the gas line that bisects the site.
- The provision of a slightly larger buffer from the railroad tracks.
- Revisions to the storm water management plan.

The 2nd Addition Final Plat application was compared against these revised Preliminary Plans (December, 2014).

Increased Number of Lots. The revised Preliminary Plat did not significantly change the lot configuration or density of the 2nd Addition. However, the number of lots as proposed in the 2nd Addition Final Plat was increased by 1.

- # of lots in area proposed as 2nd Addition in approved and revised Preliminary Plat: 18
- # of lots in proposed 2nd Addition Final Plat: 19

Preliminary Plat Revision #2. Staff has requested that the applicant submit another revised preliminary plat that will show how future phases will offset the density increase proposed for the 2nd and 3rd Additions. Application for Easton Village 3rd Addition was submitted with the 2nd Addition final plat, but was deemed incomplete. The 3rd Addition proposes two additional lots than proposed in the December 2014 preliminary plat. The revised preliminary plat is attached.

Decreased Lot Sizes.

The table below shows the lot sizes in the area proposed as 2nd Addition in the December 2014 Preliminary Plat as compared to the proposed 2nd Addition Final Plat:

| Lot | Block | Revised Preliminary Plat | Final Plat | | |
|-----|-------|--------------------------|------------|--|--|
| 1 | 1 | 10,043 | 9,817 | | |
| 2 | 1 | 8,450 | 9,091 | | |
| 3 | 1 | 8,450 | 9,750 | | |

| 4 | 1 | 10,187 | 9,267 |
|----|----|--------|--------|
| 5 | 1 | 11,923 | 8,673 |
| 6 | 1 | | 10,736 |
| 7 | 1 | 10,905 | 8,310 |
| 8 | 1 | 9,458 | 10,292 |
| 9 | 1 | 11,638 | 9,592 |
| 10 | 1 | 8,925 | 8,145 |
| 11 | 1 | 8,354 | 8,917 |
| 12 | 11 | 8,450 | 9,116 |
| 13 | 1 | 8,450 | 8,455 |
| 14 | 1 | 10,468 | 11,089 |
| 1 | 2 | 9,750 | 8,890 |
| 2 | 2 | 8,266 | 8,658 |
| 3 | 2 | 8,688 | 8,020 |
| 4 | 2 | 8,687 | 9,942 |
| 5 | 2 | 8,907 | 10,463 |

Area of Wetlands and Buffers: None proposed.

Final Area of Dedicated of (Non-Arterial) Right-of-Way: 1.136

Outlots. There are no outlots as part of this plat.

Engineering Comments. Attached is the City Engineer review letter dated April 12, 2017. Summarily, the construction plans will need to be updated according to these comments, and construction may not begin until the Applicant has obtained approval for the Final Construction Plans.

Easements. 2nd Addition plats a portion of Outlot F of Easton Village 1st Addition. This Outlot has three easements recorded against it, a permanent easement for drainage and utility purposes, and a temporary access easement which terminates upon replatting of Outlot F and a temporary construction easement which terminates after a one year warranty period after completion of installing the public and utility and drainageway.

Temporary Cul-de-Sac. The Applicant is proposing a temporary cul-de-sac off of Linden Avenue North. It is a recommended condition of approval that the Applicant provide a temporary road easement over this cul-de-sac.

Parkland.

Missing Trail. The Preliminary Plat was approved on the condition that a trail be constructed between Lots 13 and 14 of Block 3 as shown on the December 2014 Preliminary Plat as presented to the Planning Commission on January 16, 2015. This was a Staff recommended condition based on Sketch Plan review at the City Council. The Sketch Plan included this trail connection. Council had

expressed concerned about the walkability of the neighborhood as a result of the many cul-de-sacs within the neighborhood. According to meeting minutes, the Parks Commission did not make recommendation to add this specific condition but rather was concerned about the walkability of the neighborhood.

In the 2nd Addition application narrative and during meetings with Staff, the applicant has stated that the trail connection shown on the Preliminary Plat has been eliminated because they have found that customers who purchase cul-de-sac lots generally do so because of the added security and privacy they provide for families. Additionally, the Applicant has stated that the elimination of the cul-de-sac would help facilitate the design of wider lots and a mixture of lots to create more variety and options for builders.

The Parks Commission reviewed the 2nd Addition Final Plat at its April 17, 2017 meeting, and they did not see it necessary for this connection to be kept, as it does not provide overall connectivity from the development to the Village or other areas of the City.

The Commission should consider whether or not the trail and outlot can be removed as proposed.

Parkland Dedication. No parks or open space are proposed with the 2nd Addition, however, 3.99 acres of parkland was dedicated with the 1st Addition.

As mentioned above, the revised Preliminary Plat showed a 0.07 acre trail outlot for which the developer would have received dedication credit for in this phase of the development. The approved Developer Agreement of the 1st Addition states that the developer shall be required to dedicate 9.84 acres of land for public park purposes for the entire subdivision, and the 1st Addition provided 3.99 acres of land. The future project phases were to either dedicate the remaining 5.85 acres of park land or cash payment in lieu of dedication. If the removed trail connection is approved, no parkland dedication credit will be given towards this phase, and the developer should be required to pay a parkland dedication fee for the value of 0.52 acres of land for this phase (10% of the acreage of the Final Plat area of 5.2 acres). An assessment has not been done on the value of this land, and this will need to done prior to approval of the Developer Agreement. The Developer Agreement will outline the determined amount the developer is to pay.

Updated Preliminary Plans. The Applicant has updated Preliminary Plans in order to show how changes made to both 2nd and 3rd Additions since the previously approved Preliminary Plans submitted December of 2014 will work. These Preliminary Plans have been reviewed and approved by the City Engineer.

Village Parkway Extended. The Applicant has shown Village Parkway extended all the way adjacent to 2nd Addition. While access to 2nd Addition will not be provided by Village Parkway, it is city policy that all public improvements that are adjacent to any proposed lots be included in the Plat and constructed as part of the Plat improvements. The main reasoning behind this is so that potential buyers of homes on these lots are aware that a road will be constructed adjacent to their lots.

Landscape Plans. The applicant is proposing 19 trees within the 2nd Addition, which is not consistent with updated Preliminary Landscape Plans.

- The Applicant submitted updated Preliminary Landscape Plans along with application for 1st Addition Final Plat, dated 12/17/2014 in response to comments provided by the City's Landscape Architect in a review letter dated 12/3/2014.
- The Applicant has not shown in the Landscape Plans landscaping along the extension of Village Parkway. The Landscape Plans will need to be updated to include these plantings.

- The Applicant is proposing Scarlet Jewel Maples and Redmond Linden where some Autumn Blaze Maples were proposed on the Preliminary Plan, and tree placement is a bit different than provided in the Preliminary Plan, as shown below for comparison.
- The Landscape Plan does not include utility locations. The Plans will need to be updated to include this.
- The Preliminary Landscape Plan Review letter dated December 2, 2014 required that landscape irrigation plans be provided for all commonly held HOA & City Outlots/ROW areas. While there are no commonly held HOA or City Oulots within the 2nd Addition, the irrigation plans will need to be provided for the ROW area along Village Parkway when this is included in the updated Landscape Plans.
- A Landscape Maintenance Agreement will need to be provided for all City ROW areas.

Street Naming. The proposed street names are consistent with Lake Elmo's Street Naming Policy. While there is a Linden Avenue North in the Sanctuary Development, Easton Village 1st Addition Final Plat was approved with the name of Linden Avenue North, and the Linden Avenue in 2nd Addition is a direct extension of the Linden Avenue of 1st Addition.

Village Parkway. Staff is considering/exploring some changes to the Village Parkway design to allow tree planting between the trail/sidewalk and the street, to eliminate the irrigation requirement, changing the turfgrass sod to salt tolerant sod or no-mow, and potentially modifying the soil requirements to support plant establishment without irrigation.

Final Plat Approval Process. 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 Easton Village 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.

In order to provide the Planning Commission with an update concerning the conditions associated with the preliminary plat for Easton Village, Staff has prepared the following:

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) all title work will need to be submitted and reviewed by the City Attorney before City officials sign the final plat; b) the applicant has submitted an escrow payment with Final Plat application that is being used to cover Staff and consultant expenses related to the City's review.
- 2) The grading plan shall be updated to include the protective tree fencing necessary to preserve all vegetative areas identified for protection around the 5.15 acre residential parcel to the west of the subdivision. *Comments: The grading plan has been updated accordingly. All disturbed areas*

- are shown on the plan, and the applicant will need to replace disturbed tress in accordance with the City's tree replacement schedule.
- 3) The applicant shall work with the City and Washington County to identify and reserve sufficient space for a future trail corridor along the western right-of-way line of Manning Avenue. Comments: The proposed Manning Avenue right-of-way is consistent with County requirements, as the planned roadway segment includes room for trails on one or both sides of the right-of-way. The County's future plans for Manning Avenue include a trail along the western side of this road.
- 4) The applicant shall submit a landscape plan prepared by landscape architect for review and approval by the City. The landscape plan submittal will include a tree protection and replacement plan consistent with City ordinances. Comments: The applicant submitted updated Preliminary Landscape Plans dated 12/17/2014 with the application for 1st Addition Final Plat. The 2nd Addition landscape plans are incomplete and will need to be revised for City review and approval.
- 5) The final plat will incorporate all review comments from the City's landscape architect, including the selection and mix of plantings within storm water basins and infiltration areas. *Comments: Please see above condition.*
- 6) The landscape plan shall include additional plantings around the Northern Natural Gas utility site. Comments: This condition is not relevant to the 2nd Addition Final Plat as there is no gas easement in this portion of the development.
- 7) The proposed access to Manning Avenue will be permitted as a temporary access until such time that the Village Parkway is connected to 30th Street. The construction plans will be updated to reflect the temporary nature of this street. Comments: The applicant asked during the 1st Addition Final Plat that this provision be updated to state that the temporary access will be allowed for a minimum of five years. Staff was supportive of this revision and has updated the proposed conditions the 1st Addition Final Plat approval to reflect the change. This condition is not relevant to the 2nd Addition Final Plat.
- 8) The applicant shall be responsible for the construction of all improvements within the Manning Avenue (CSAH 15) right-of-way as required by Washington County and further described in the review letter received from the County dated June 24, 2014. The final construction plans for the 1st Addition were updated to incorporate the required improvements to Manning Avenue. This condition is not relevant to the 2nd Addition final plat.
- 9) 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 appropriate watershed districts for the storm water management system prior to the commencement of any grading or development activity on the site. Comments: Because the Valley Branch Watershed District has not yet completed its review of the revised storm water plans, this condition will need to be addressed before the City will grant final approval of the construction plans. This has been added as a condition of approval of Final Plat.
- 10) 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. Comment: A Landscape License Agreement was executed for the I^{st} Addition and another one will be executed after the approval of 2^{nd} Addition.
- 11) The developer shall provide an updated accounting of the land to be dedicated for park purposes prior to submission of a final plat. If required, 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 park dedication requirements for the entire Easton Village development is 9.84 acres of land, representing 10% of the development area. During the 1st Addition Final Plat, the applicant provided an accounting of the land to be dedicated for park purposes, stating that the entire development will provide 7.29 acres of public park land. Staff had reviewed these numbers with the 1st Addition Final Plat application and found them to be accurate. However, this number will be amended if Council approves the elimination of the trail/outlot within the 2nd Addition Final Plat. The final agreement with the City concerning either a cash payment for the park land shortfall or future land dedication should be addressed in the developer's agreement for Easton Village 2nd Addition.
- 12) Any land under which public trails are located will be accepted as park land provided the developer constructs said trails as part of the public improvements for the subdivision.

 Comments: The Applicant has not proposed any trails in this Addition. If it is determined that the trail connection between what is now being proposed as Lot 7 and 8 of Block 1 (referred to in the Preliminary Plat conditions as Lot 13 and 14 of Block 3), this condition will apply.
- 13) All required modifications to the plans as requested by the City Engineer in a review letter dated June 26, 2014 shall be incorporated into the plans prior to consideration of a final plat. Comments. The preliminary plat and plans have been updated to address the City Engineer's review comments. The Engineer has submitted an updated report specific to the final plat, and this review is attached for consideration by the Planning Commission. Most of the comments pertain to final information or revisions necessary to approve the construction plans for the proposed improvements.
- 14) The City and developer will determine the appropriate distribution of future costs associated with the Village Parkway railroad crossing improvements as part of a developer's agreement for any portion of Easton Village. Comments: Staff will be drafting a developer's agreement for consideration by the Council that will incorporate a section dealing with this provision.
- 15) The developer shall address any comments from Metropolitan Airport Commission as part of a final plat submission for any portion of Easton Village. MAC will be asked to comment on the landscape plan, and the plan shall be revised to address any specific comments concerning the appropriate vegetation to be planted within storm water facilities. Comments: MAC has provided a review of the updated plans and provided comments to the developer in a letter dated December 8, 2015. This letter contains recommended mitigation strategies to reduce the attractiveness of the storm water retention and infiltration areas for waterfowl. Other recommendations from MAC have been incorporated into the applicant's landscape plans. Mac's comments are not relevant to the 2nd Addition Final Plat.

- 16) The landscape plan shall be revised to eliminate all trees planted within the Lake Elmo Airport Regulatory Protection Zone. Comments. The Preliminary and 1st Addition landscape plans have been updated accordingly. MAC's comments are not relevant to the 2nd Addition Final Plat.
- 17) The final plat shall include a paved trail connection between Lots 13 and 14 of Block 3.

 Comments: The Applicant is proposing eliminating this trail connections, for reasons cited herein.
- 18) The applicant shall submit written acknowledgement from the property owner of the parcel immediately to the south of Easton Village concerning the storm water being outlet running into their property. Comments: Since the approval of the preliminary plat, the applicant has met with the watershed district, county, and Gonyea Homes to discuss the proposed storm water management system along Manning Avenue. This condition is not relevant to the 2nd Addition Final Plat.
- 19) The applicant is encouraged to incorporate elements from the Lake Elmo Theming Study into the open space areas within the subdivision. Comments: This was Staff recommendation at the time of Preliminary Plat to encourage the applicant to utilize a white "horse fence" with landscaping in order to address the comments from MAC to provide a barrier around the storm water ponds. This fence was not erected, but instead additional landscaping was installed to provide screening. The applicant's landscape plan for the 1st Addition incorporated elements from the theming study, including the proposed entrance monument sign.
- 20) The developer shall obtain all required permits from Northern Natural Gas to perform construction work over the gas line that runs from north to south across this site. Comments. Northern Natural Gas provided review comments to the developer in August of 2014, and these comments have been incorporated into the updated plans. The developer will need to submit the final construction plans to the gas company for review, and will need to abide by any conditions imposed by Northern Natural Gas. This has been added as a condition of approval. There are no impacts to this easement in the 2nd Addition.
- 21) The developer shall be required to extend sewer to the northernmost boundary of the site.

 Comments. The Easton Village Trunk Sewer Line project has been completed and has extended sanitary sewer service to the northern boundary of the plat, connecting to the sewer line recently installed by the City of Lake Elmo under the railroad tracks that continues further north (and connects to the 39th Street line also recently installed by the City).

Staff is recommending certain conditions that been specifically identified as part of the final plat review, and that have not otherwise been addressed by the applicant, be addressed as part of the Planning Commission's recommendation to the City Council. The City Engineer's review letter does identify several issues that need to be addressed by the developer in order for the City to deem the final plans complete. 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, sanitary and storm water management plans, landscape plans, and street and utility construction plans shall be reviewed and approved by the City Engineer and applicable Staff prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the memorandums addressing Easton Village 2nd Addition Final Plat and Easton Village 2nd Addition Construction Plan Review dated April 12, 2017 in the memo 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 for the Easton Village 2nd Addition Final Plat 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 its execution by City Officials.
- 4) The Applicant shall submit an updated Landscape Plan that is consistent with Preliminary Landscape Plans; shows utility locations; shows irrigation plans; and includes the right-ofway area along Village Parkway. The updated plans will need to be approved by the City's Landscape Architect. A Landscape Maintenance Agreement will need to be provided for all City right-of-way areas.
- 5) Temporary easements for the temporary cul-de-sacs shall be executed and recorded on the City standard easement agreement form.
- 6) The applicant shall provide a disclosure statement to all first homeowners in the development advising of the airport and associated over-flights.
- 7) All builders shall be encouraged to incorporate interior noise reduction measures into single family residential structures within the subdivision based on the Metropolitan Council's Builder Guide.
- 8) The proposed access to Manning Avenue will be permitted as a temporary access until such time that the Village Parkway is connected to 30th Street or 5 years has passed from the date of final plat approval of the 1st Addition (March 23, 2020), whichever is longer. The developer's agreement for Easton Village shall include appropriate financial securities concerning the future cost for removal of the temporary access.
- 9) Approval by the Valley Branch Watershed District is needed for revised stormwater plans.

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

- 1) That all the requirements of City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.
- 2) That the proposed Final Plat for Easton Village consists of the creation of 19 single-family detached residential structures.
- 3) That the Easton Village 2nd Addition Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 15, 2014 and as amended to comply with conditions of preliminary plat approval with the exceptions of issues identified in the April 24, 2017 Staff report to the Planning Commission.
- 4) That the Easton Village 2nd Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 5) That the Easton Village 2nd Addition Final Plat complies with the City's Urban Low Density Residential zoning district regulations.
- 6) That the Easton Village 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 24, 2017 Staff report to the Planning Commission.
- 7) That the Easton Village 2nd Addition Final Plat complies with the City's subdivision ordinance.
- 8) That the Easton Village 2nd Addition Final Plat is generally consistent with the City's engineering standards with the exception of necessary plan revisions outlined by the City Engineer in his review comments to the City dated April 12, 2017.

RECCOMENDATION:

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

"Move to recommend approval of the Easton Village 2nd Addition Final Plat with the 9 conditions of approval as drafted by Staff"

ATTACHMENTS:

- 1. Application Form
- 2. City Engineer Review Letters
- 3. Updated Preliminary Plans dated 12/17/2014
- 4. Easton Village 2nd Addition Final Plat and Plans
- 5. Revised Preliminary Plans

SUGGESTED ORDER OF BUSINESS:

| - | Introduction | Planning Staff |
|---|-------------------------------|----------------------------|
| _ | Report by Staff | Planning Staff |
| - | 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 |

| Date Received: | |
|----------------|--|
| Received By: | |
| LU File #: | |



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

FINAL PLAT APPLICATION

| TIMAL LATAL FLOATION |
|--|
| Applicant: Chase Development |
| Address: 2140 West Country Row 42 Phone #: 952 - 292 - 0046 |
| |
| Email Address: Timber crest @ Ymail. Com |
| Fee Owner: Easton Village Address: 2140 West County Ray 42 Phone #: 952-292-0046 |
| Address: 2140 West County Raw 42 |
| Phone #: 952 - 292 - 00 46 / |
| Email Address: Timber crest & ymail. (om |
| Property Location (Address): |
| Complete (long) Legal Description: Out bt F Easter Village |
| PID#: 13 629 21 42 0025 |
| 110#. 12 011 111 0000 |
| General information of proposed subdivision: |
| |
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| |
| n 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: Date: Date: |
| |
| Fee Owner Signature Tom Wy Date: 12-21-2016 |
| |

EASTON VILLAGE 2ND ADDITION

FINAL PLAT WRITTEN STATEMENTS January 14, 2017

A) PROJECT CONTACTS:

OWNER:

Tom Wolter

Easton Village, LLC

2140 County Road 42 West

Burnsville, MN 55337

Phone: 952-292-0046

timbercrest@ymail.com

DEVELOPER:

Tom Wolter

Chase Development

2140 County Road 42 West

Burnsville, MN 55337

Phone: 952-292-0046

timbercrest@ymail.com

AUTHORIZED AGENT:

Project Contact/Engineer:

Todd A. Erickson, PE

EricksonCivil

333 North Main Street, Suite 201

Stillwater, MN 55082

Phone: 612-309-3804

todd@tericksonllc.com

Surveyor:

Paul A. Johnson, LS, EricksonCivil

Landscape Architect:

David Chmielewski, LA, EricksonCivil

EASTON VILLAGE 2nd ADDITION FINAL PLAT WRITTEN STATEMENTS

Page 2 of 4

B) SITE DATA:

Address: No current address. 32xx Linden Lane North.

Current Zoning: LDR

Parcel Size: 5.20 Acres, 226,528 Sq. Ft.

PID No.: 13.029.21.42.0025

Current Legal: Part of Outlot F, Easton Village, Washington County, Minnesota. See also

Final Plat Dedication Page 1 of 2.

C) FINAL SUBDIVISION AND LOT INFORMATION:

Name of Final Plat: Easton Village 2nd Addition

Table of Proposed Lots:

| Lot | Block | Area (Sq. Ft.) | Area (Acre) | Lot Width (1) | Lot Depth (2) |
|----------------------|-------|----------------|-------------|---------------|---------------|
| 1 | 1 | 9,817 | 0.225 | 79 | 130 |
| 2 | 1 | 9,091 | 0.209 | 70 | 130 |
| 3 | 1 | 9,750 | 0.224 | 75 | 130 |
| 4 | 1 | 9,267 | 0.213 | 75 | 120 |
| 5 | 1 | 8,673 | 0.199 | 0.199 75 | |
| 6 | 1 | 10,736 | 0.246 | 65 | 120 |
| 7 | 1 | 8,310 | 0.191 | 65 | 115 |
| 8 | 1 | 10,292 | 0.236 | 65 | 115 |
| 9 | 1 | 10,254 | 0.235 | 65 | 115 |
| 10 | 1 | 7,483 | 0.172 | 70 | 115 |
| 11 | 1 | 8,917 | 0.205 | 70 | 125 |
| 12 | 1 | 9,116 | 0.209 | 70 | 130 |
| 13 | 1 | 8,455 | 0.194 | 65 | 130 |
| 14 | 1 | 11,089 | 0.255 | 70 | 130 |
| | | | | | |
| 1 | 2 | 8,701 | 0.200 | 65 | 120 |
| 2 | 2 | 8,658 | 0.199 | 70 | 120 |
| 3 | 2 | 7,772 | 0.178 | 65 | 120 |
| 4 | 2 | 10,190 | 0.234 | 70 | 120 |
| 5 | 2 | 10,463 | 0.240 | 60 | 120 |
| | | | | | |
| ROAD RIGHT OF WAY | | 49,494 | 1.136 | | |
| | | | | | |
| TOTAL AREA DEVELOPED | | 226,528 | 5.200 | | |

⁽¹⁾ Lot width at setback shown on plan

⁽²⁾ Average approximate lot length, some lots are irregular in shape (see plan for exact dimensions)

EASTON VILLAGE 2nd ADDITION FINAL PLAT WRITTEN STATEMENTS

Page 3 of 4

Area of Parks and Trails:

None proposed.

Area of Wetlands and Buffers:

None on this proposed addition.

Final Area of Dedicated Right of Way:

1.136 Acres

Legal Description of All Lots:

See Final Plat Graphics, Sheet 2 of 2.

Easements to be Vacated:

Temporary Roadway Easement (Easton Village)

D. EXPLANATION OF ISSUES SINCE PRELIMINARY PLAT:

The lot layout has been revised to adjust to market conditions, allowing for wider lots and a mixture of lots to create more variety and options for builders. This adjustment of lots will not alter the overall density and is not a request to increase or decrease the overall density of the preliminary plat, only a request to adjust lot lines to accommodate some more variety for the overall subdivision.

E. FINAL DENSITY:

Same as presented for Preliminary Plat Documents. Below is a summary of the density calculation of the preliminary plat of Easton Village:

| PARK AREA | 7.90 |
|-------------------------------|-------|
| OPEN SPACE | 18.90 |
| LOT AREA | 52.25 |
| RIGHT OF WAY | 19.37 |
| RUNWAY PROTECTION ZONE | 4.77 |
| STEEP SLOPE AREAS | 2.60 |
| TOTAL PROPERTY AREA | 98.47 |
| TOTAL PROPOSED LOTS | 217 |
| PERCENT OF OPEN SPACE/PARK | 27.3% |
| GROSS DENSITY | 2.20 |
| NET DENSITY* | 2.3 |
| | |

F. INFRASTRUCTURE IMPROVMENTS:

The proposed storm sewer will be connected to the existing pond constructed with Easton Village. The water main and sanitary sewer will be extended from the constructed water and

EASTON VILLAGE 2nd ADDITION FINAL PLAT WRITTEN STATEMENTS

Page 4 of 4

sewer of Easton Village. All utilities will be constructed per city standards. The storm water ponding for this addition has been planned for and will be accommodated by the existing constructed pond of Easton Village. Stubs for water and sewer will be installed for future phases of the overall project.

G. CONCERNS OF NEIGHBORING PROPERTIES:

No known issues.

H. CONFLICTS WITH NEARBY LAND USES:

No known issues.

I. JUSTIFICATION RELATING TO BURDEN ON EXISTING INFRASTRUCTURE:

This project is a part of an overall larger project, which density has been planned for with the installation of a trunk sewer and watermain and highway right turn and bypass lane for access, therefore this project will not create any undue burden on the existing infrastructure of the City or surrounding area. In addition to the water and sewer charges the City will get from this project, it will add approximately \$14,000 a year in tax payments to the City of Lake Elmo, with additional tax payments going to the County, School District and Met Council to offset any burden created by this project.

J. PROPOSED LAKESHORE ACCESS:

None Proposed.

K. PROPOSED PARKS AND OPEN SPACE:

None Proposed. Easton Village currently contains a park and open space, dedicated with the first addition of the project. The trail connection originally shown on the preliminary plat has been eliminated on this final plan. For this neighborhood to connect to the trail system, the access is by sidewalk one block south at the Easton Village Park. We have found that customers purchase cul de sacs lots because of the added security and privacy they provide for families, with the feature of one entrance for both pedestrian and vehicular traffic.

L. CONSTRUCTION SCHEDULE:

Construction would be expected to begin as soon as possible in the spring of 2017. Substantial completion of the project would occur in the fall of 2017.

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 12, 2017

To:

Todd Erickson, P.E., Erickson Civil Site

Cc:

Tom Wolter, Chase Development

Jack Griffin, P.E., City Engineer Stephen Wensman, City Planner

From:

Chad Isakson, P.E., Municipal Engineer

Re:

Easton Village 2nd Addition

Construction Plan Review

An engineering review has been completed for the Easton Village 2nd Addition Construction Plans consisting of the following documentation prepared by Erickson Civil Site:

- Easton Village Preliminary Plat Revisions dated March 17, 2017.
- Easton Village Preliminary Plat Stormwater Management Revisions dated March 17, 2017.
- Easton Village 2nd Addition Final Plat, not dated.
- Easton Village 2nd Final Plat Narrative dated February 14, 2017.
- Easton Village 2nd Addition Construction Plans dated March 17, 2017.

STATUS/FINDINGS: The following comments have been provided in addition to the Final Plat comment memo to direct plan corrections necessary for final construction plan approval. When submitting revised plans, please provide a point by point response letter that details all changes made to the plans.

FINAL PLAT, GENERAL PLANS & SPECIFICATION REQUIREMENTS:

- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering
 Design Standards Manual using City details, plan notes and specifications and meeting City Engineering
 Design Guidelines.
- Specifications for the Easton Village 2nd Addition must be prepared and submitted for the improvements.

GRADING PLAN AND EROSION CONTROL PLANS & STORM WATER MANAGEMENT:

- C2: Label exiting utility type, pipe size and pipe material.
- C2: Label existing street and ROW widths.
- C2: Provide existing inverts of all structures. Some inverts have been provided on the plans, many others have not.
- C3: The first Erosion Control Plan Sheet must have the City Standard Plan Notes for Grading and Erosion Control. Move these plan notes from Sheet C5.
- C3: Keyed notes are incomplete and in some instances are not correct. Please review and revise as needed.
- C3: Add protection around existing storm sewer FES in Outlot E.
- C3/C4: Revise grading note #18 to reference the correct plan sheets.
- C4: Remove proposed 3rd Addition Improvements from the 2nd Addition plans.
- C6: Drainage path from rear yard of Lot 6 to Outlot E contains a critical EOF point between Lots 7-8. The entire drainage path must be emphasized in its design to establish a permanent flow path (established

swale) that cannot be graded in the future. The EOF must be located in the center of the 15 foot easement with gentle grades within the easement area. The grade within Village Parkway must maintain the 4% maximum slope. How does the grade from the right-of-way connect back to the EOF grade?

- C6: A redesign of the grading/storm sewer layout along rear yards of Lots 3-6, Block 1 is required. The
 storm sewer pipe is too shallow, does not meet the City minimum pipe cover, and the HWL should not be
 allowed to pond over the pipe as proposed. A beehive structure must be used when located in the open
 rear yard area.
- C6: The grading plans must be revised to include frequent spot elevations along Lots 2-13, Block 1 as a quality control measure to guide the grading contractor to contain the HWL contours within the easement areas. These spot elevations must be shot and provided as part of the as-built grading plans prior to the release of building permits. Provide minimum of 2 spot elevations per lot.
- C6: Revise the low floor elevation for Lots 9-14 and Lots 1-6, Block 1 to 918.6. The downstream as-built EOF at the south end of Outlot E is 917.53.
- C6: Label the storm water Pond and provide the HWL contours.
- C6: The grading plans must include the driveway locations and grades and building setbacks.
- C6: The grading plans are incomplete along Village Parkway and the west side of Village Parkway. All areas
 must be graded to provide positive drainage throughout the site, including the temporary grading
 conditions.
- C6: Add a temporary cul-de-sac per City standard detail at the north end of Village Parkway.
- C6/C7: Revise grading note #7 to reference the correct plan sheets.
- C7: Remove proposed 3rd Addition Improvements from the 2nd Addition plans.
- C8: Add lot setbacks, street names and temporary cul-de-sac at north end of Village Parkway.
- C9-C11: Utility conduit crossing locations must be shown on all plans.
- C9: Revise cul-de-sac geometrics to meet City minimum standards; pavement radius of 45 feet and R/W radius of 60 feet.
- C11: Revise typical section plan note as follows: "See City standard plate 801 for placement of pavement section including drain tile".
- C11: Add plan notes for completion of Village Parkway storm sewer. Show existing storm sewer as existing on the plans. Ad plan notes to adjust catch basins, placement of castings, etc.
- C11: Label low points and high points on plan view.
- C11: Remove proposed 3rd Addition Improvements from the 2nd Addition plans.
- C11: remove Keyed Notes #1, #3, and #5. They are not applicable to the 2nd Addition plans.
- C12: Change sewer pipe minimum grade to 0.5% whenever possible.
- C12: Revise water/sewer service stubs to Lots 1 and 14, Block 1 to connect from Linden Court.
- C14: Revise CB-8 to meet minimum 3 feet of pipe cover.
- C14: Redesign storm sewer from FES-5 to east of CB-4 to provide minimum 3 feet of pipe cover.
- C14: Add plan note to protect/restore existing DT and clean outs with utility rework at Lots 4 and 5 Block 2.
- C14: Extend DT a minimum of 100 feet in both directions with clean out at all ends from CB-7, CB-8, CB-2 and CB-3.
- C16-C21: Update details as follows: Replace details 201, 208, and 505 with March 2017 version. Add 313, 315, 507B-E, 514, 807B, 900A, 901, 902 and 903.
- L1: Revise Note to require field locating all trees, not just trees on City property/right-of-way.
- L1: Show utilities on landscape plans to help maintain tree/utility offset.
- Add landscape plan for Village Parkway.
- PLAT: Consider expansion for the easement at rear yard of Lots 7-8, Block 1 to better protect critical EOF.
- Storm sewer design calculations must be submitted. The design calculations must demonstrate that all pipe velocities remain at or below 15 fps and all outfall pipe velocities remain at or below 5 fps.

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

April 12, 2017 Date:

To:

Stephen Wensman, City Planner

Cc:

Chad Isakson, P.E., Municipal Engineer

From:

Jack Griffin, P.E., City Engineer

Re:

Easton Village 2nd Addition – Final Plat

Engineering Review Comments

An engineering review has been completed for Easton Village 2nd Addition. Final Plat/Final Construction Plans were received on March 22, 2017. The submittal consisted of the following documentation prepared by Erickson Civil, or as noted:

- Easton Village Preliminary Plat Revisions dated March 17, 2017.
- Easton Village Preliminary Plat Stormwater Management Revisions dated March 17, 2017.
- Easton Village 2nd Addition Final Plat, not dated.
- Easton Village 2nd Final Plat Narrative dated February 14, 2017.
- Easton Village 2nd Addition Construction Plans dated March 17, 2017.

STATUS/FINDINGS: Engineering review comments have been provided in two separate memos; one for Final Plat approval, and one to assist with the completion of the final Construction Plans. Please see the following review comments relating to the Final Plat application.

FINAL PLAT: EASTON VILLAGE 2ND ADDITION

- No construction for Easton Village 2nd Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans; the applicant has obtained and submitted to the City all applicable permits, easements and permissions needed for the project; and a preconstruction meeting has been held by the City's engineering department.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- Final Construction Plans and Specifications must be revised in accordance with the Construction Plan engineering review memorandum dated April 12, 2017 and approved by the City Engineer. In particular, the grading, storm water management including critical emergency overflow locations, and storm sewer must be revised to meet the City engineering design standards.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual using City details, plan notes and specifications and meeting City Engineering Design Guidelines.
- 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.
- There are no Outlots as part of this Plat to be dedicated to the City.
- Final Plat should be contingent upon the City receiving copies of fully executed temporary easements for the temporary cul-de-sacs using the City standard easement agreement form.

HASTON VILLAGE LARE BIAIO, MINNESOTA

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Site Location Map

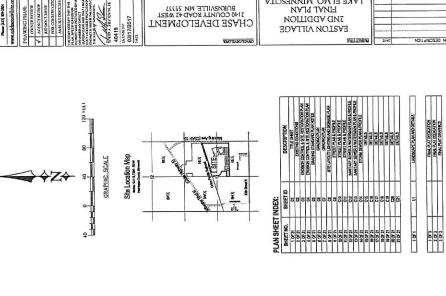


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2nd Addition - Final Plan

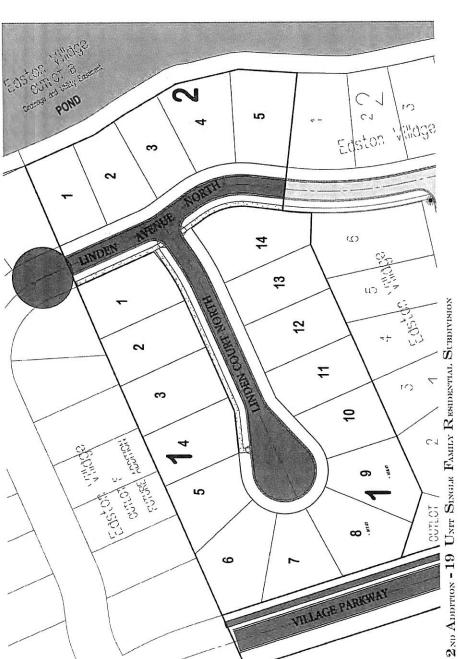
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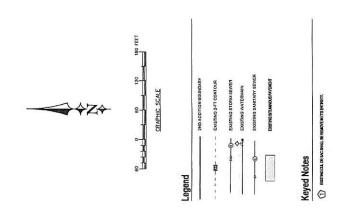
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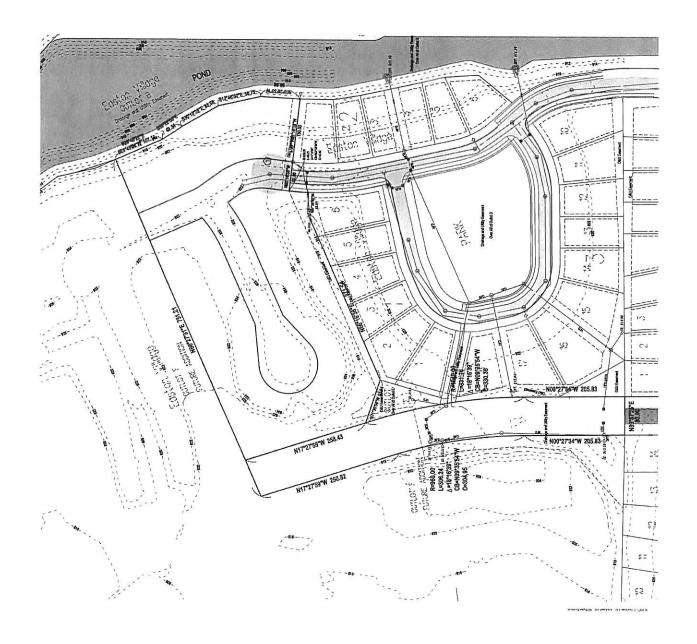


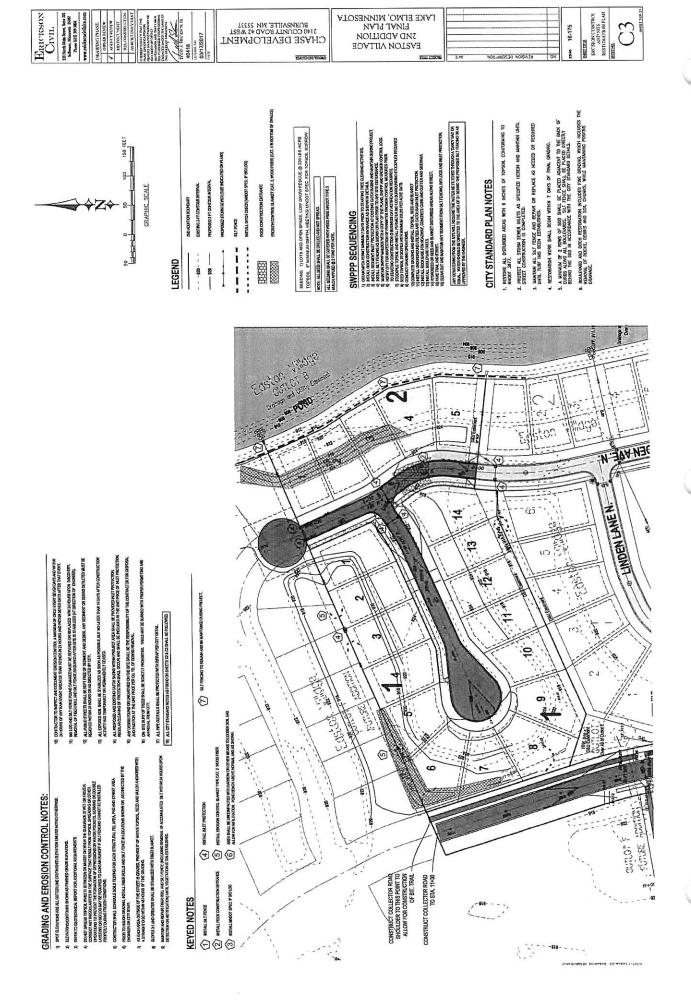
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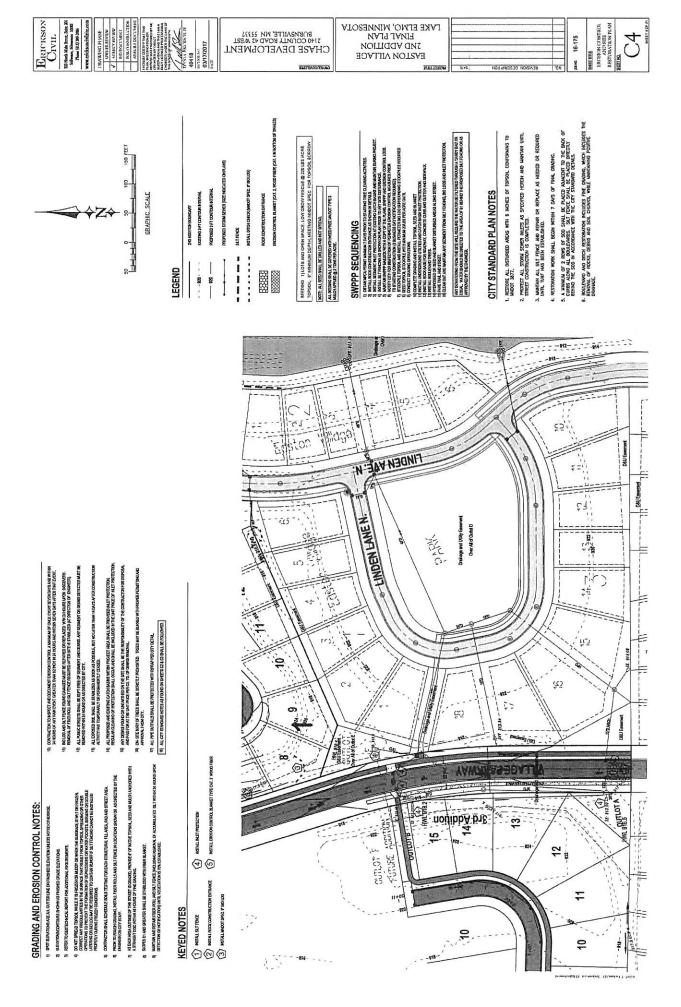
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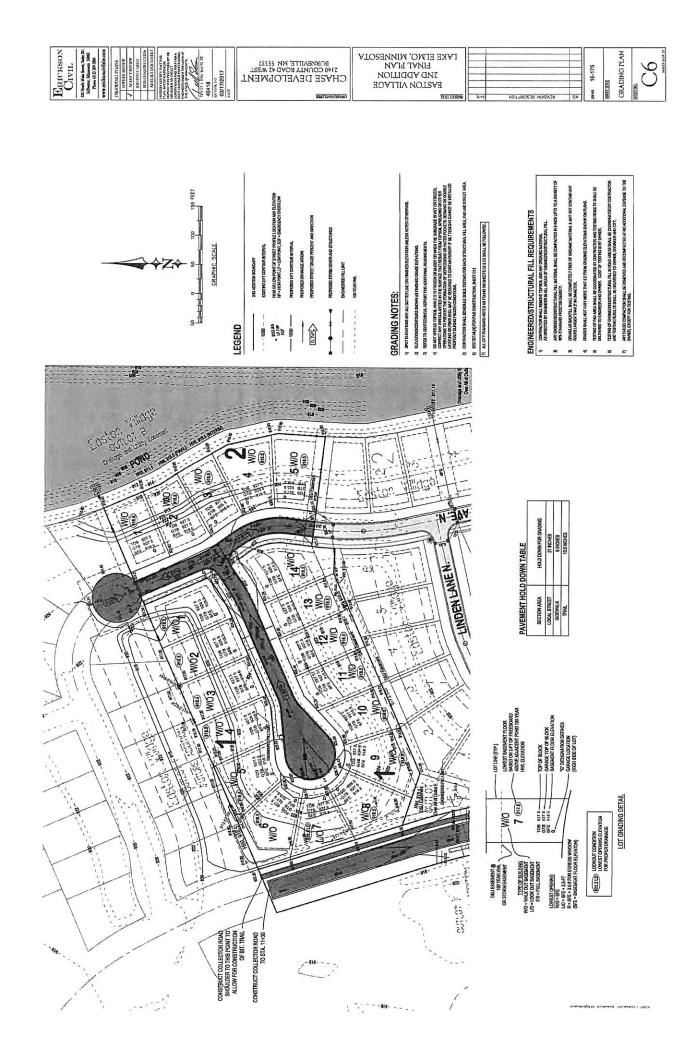
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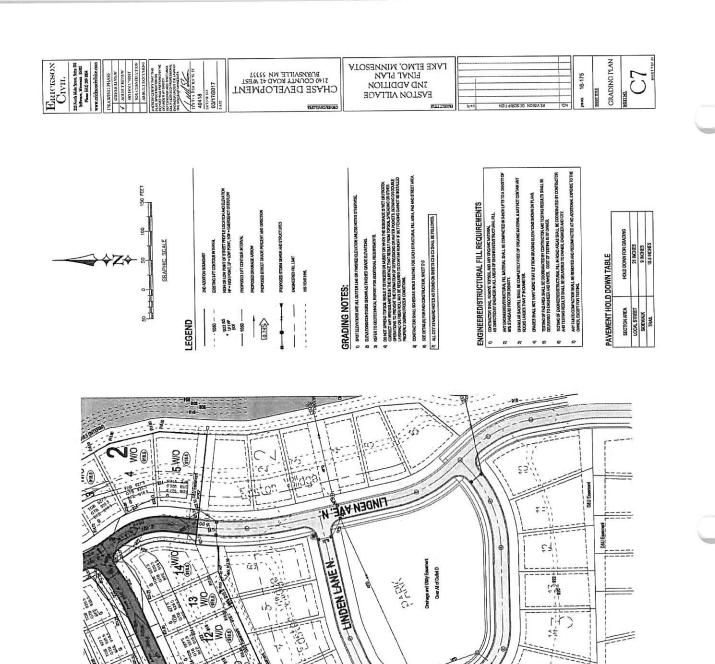
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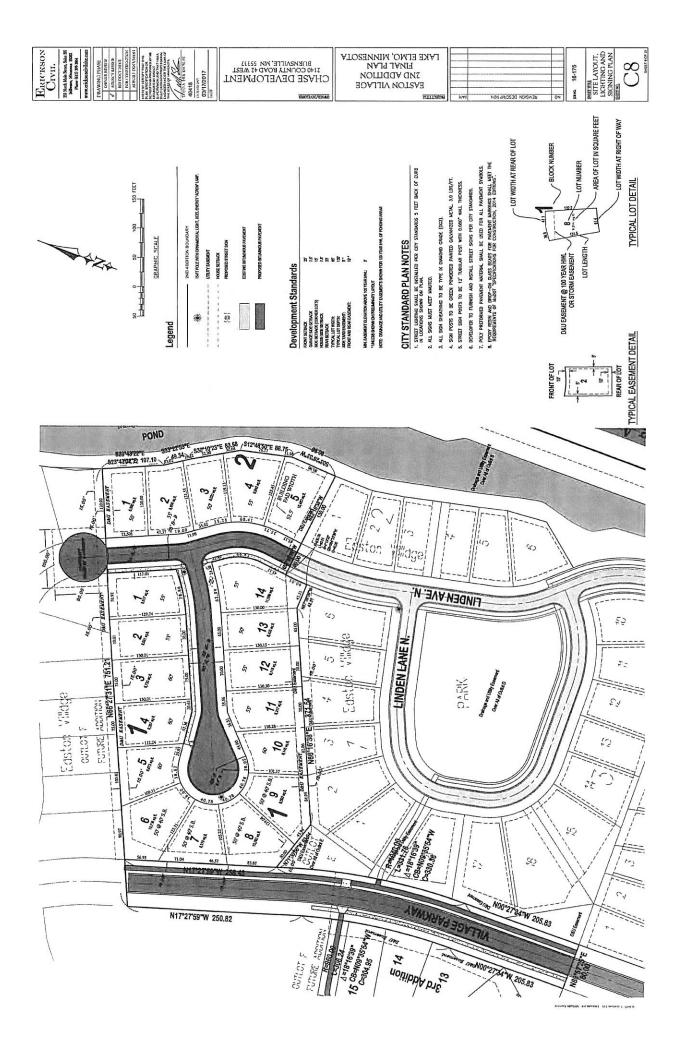
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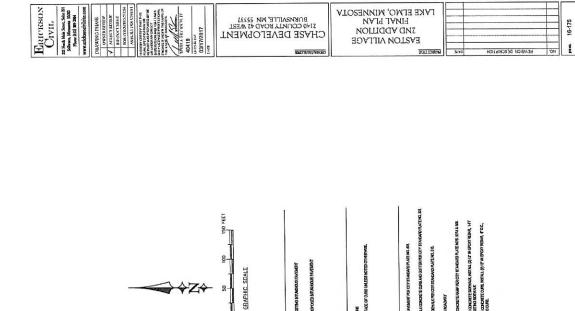
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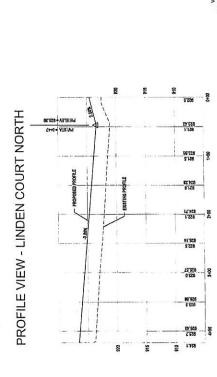
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PLAN VIEW - LINDEN COURT NORTH

Layout Notes

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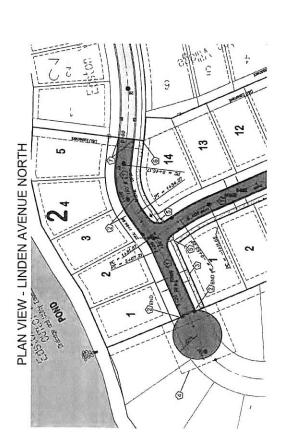


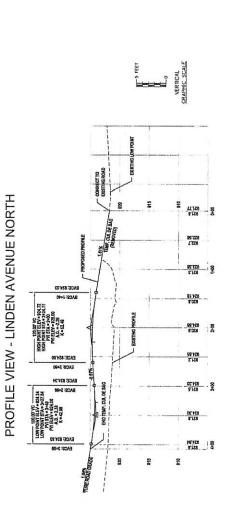
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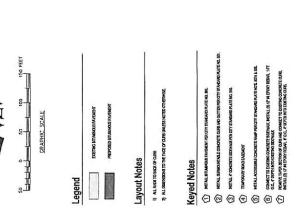
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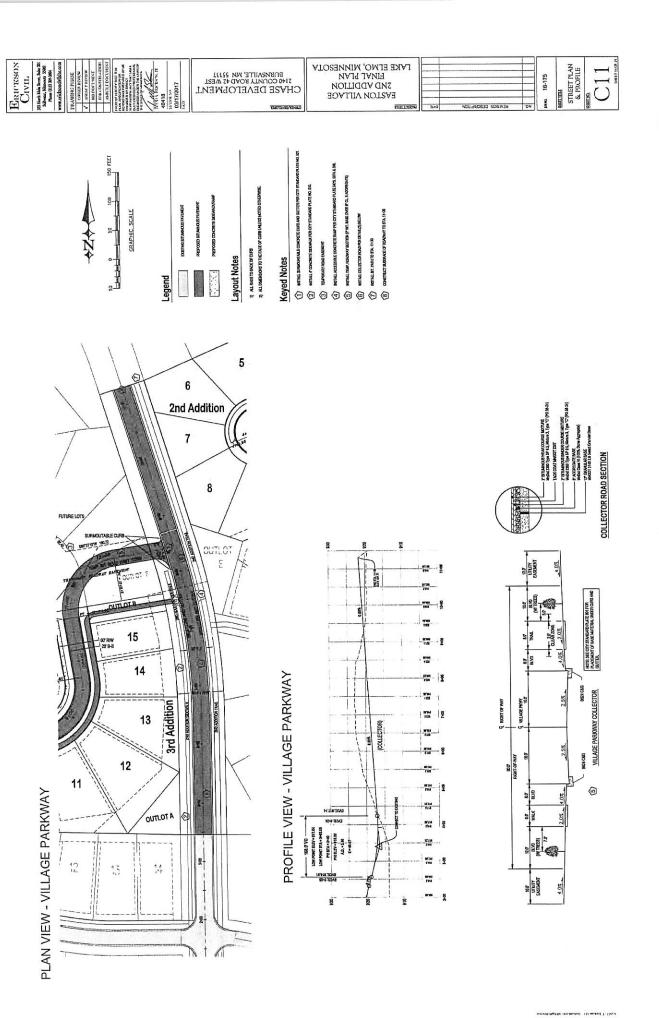
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City Standard Plan Notes

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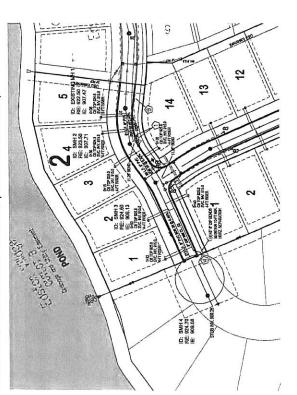
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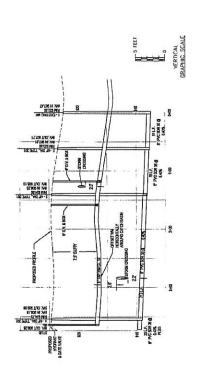
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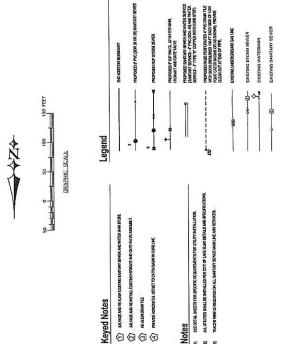
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PROFILE VIEW - SANITARY SEWER (LINDEN AVENUE)





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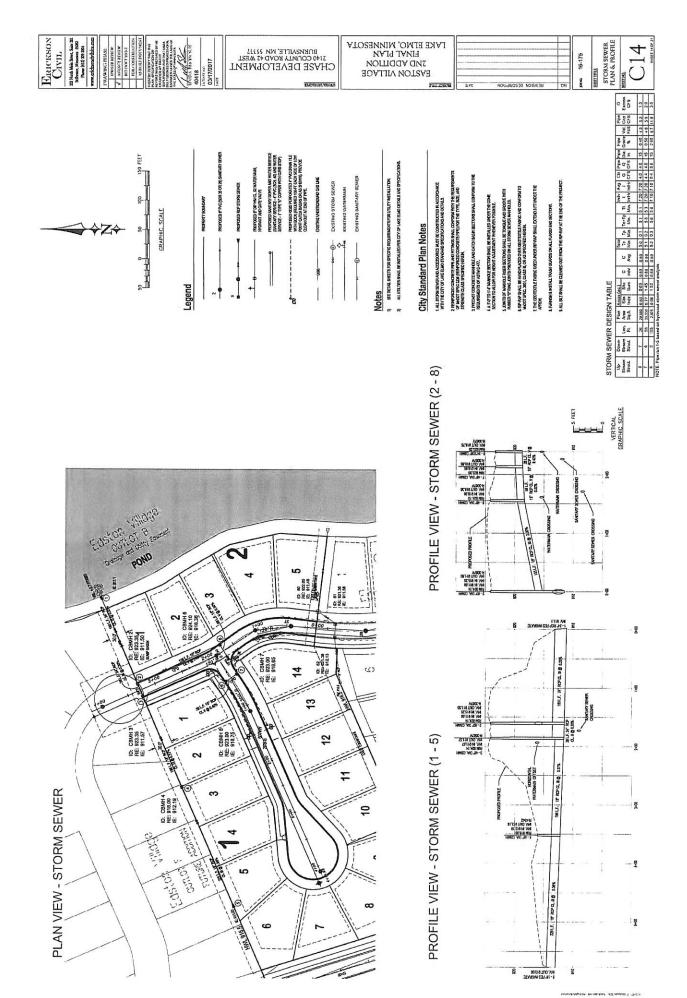
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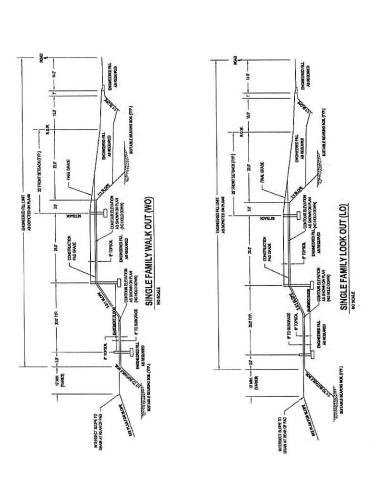
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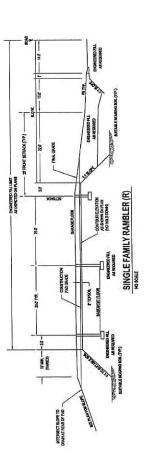
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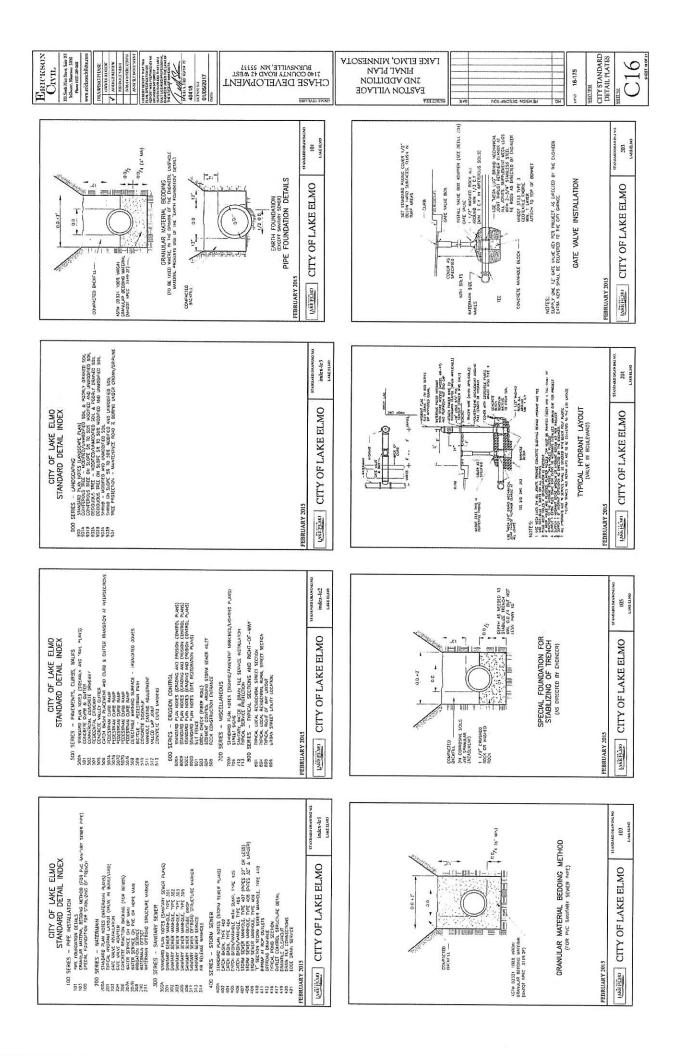
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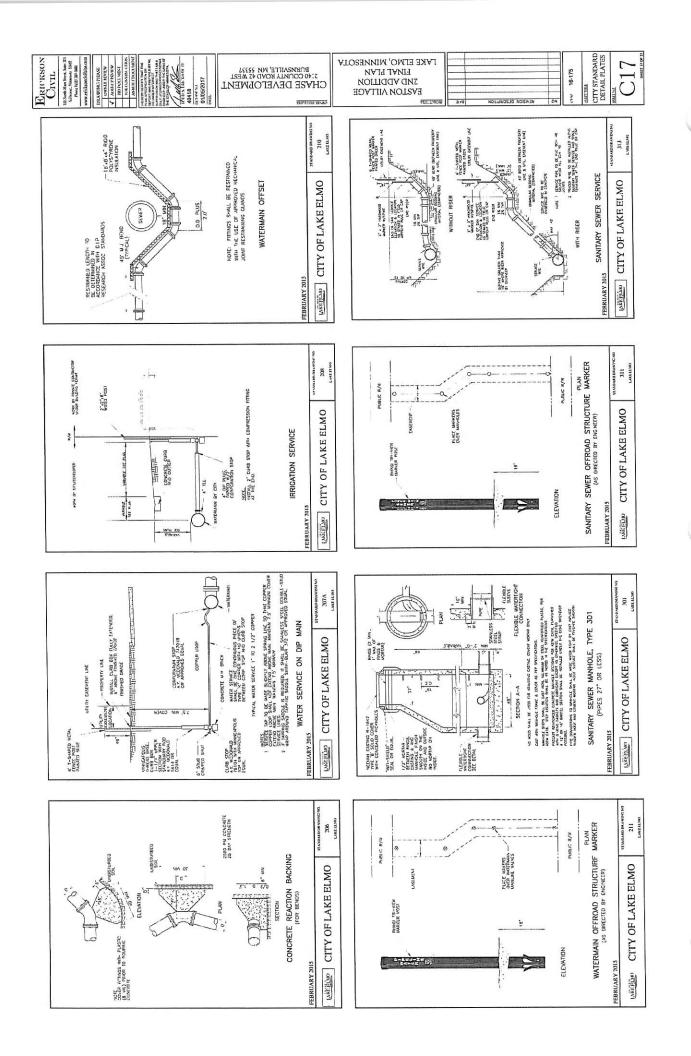


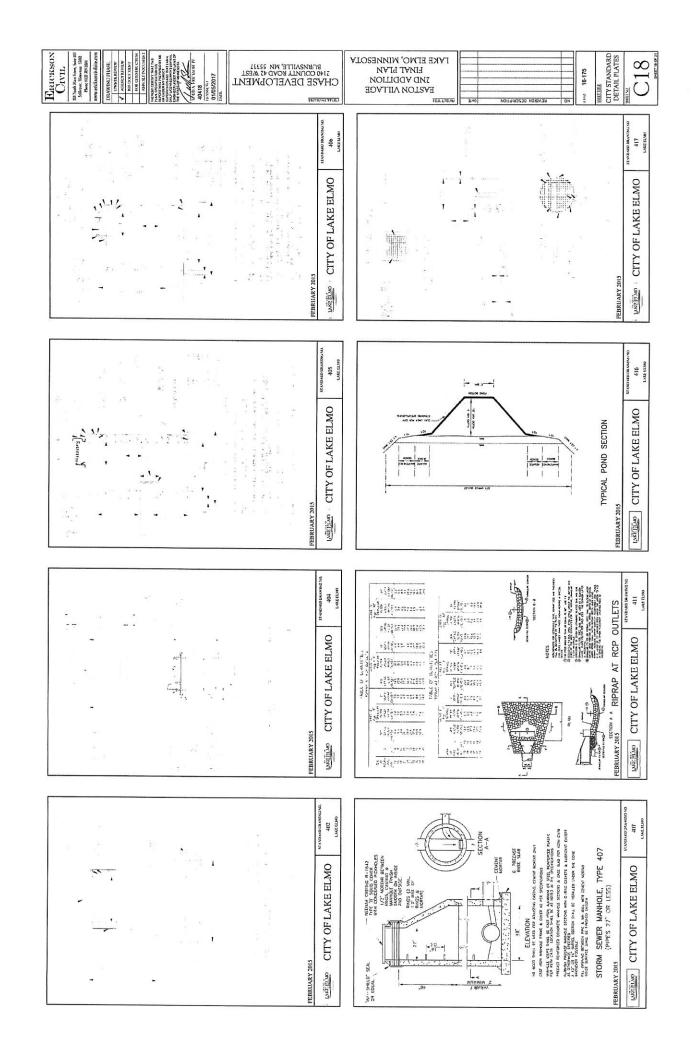


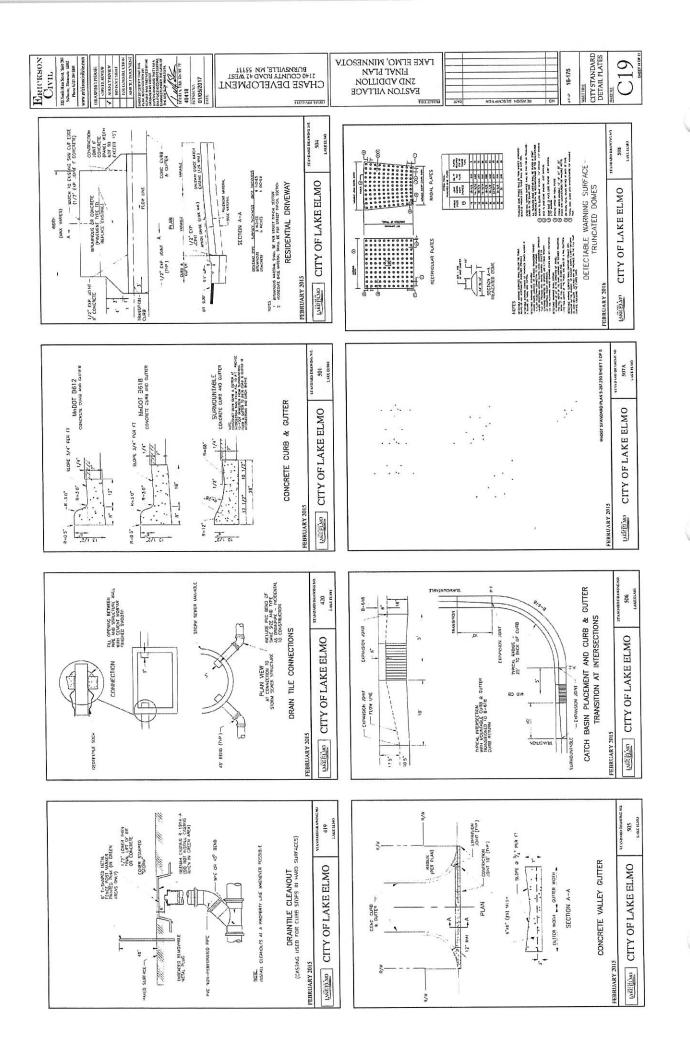


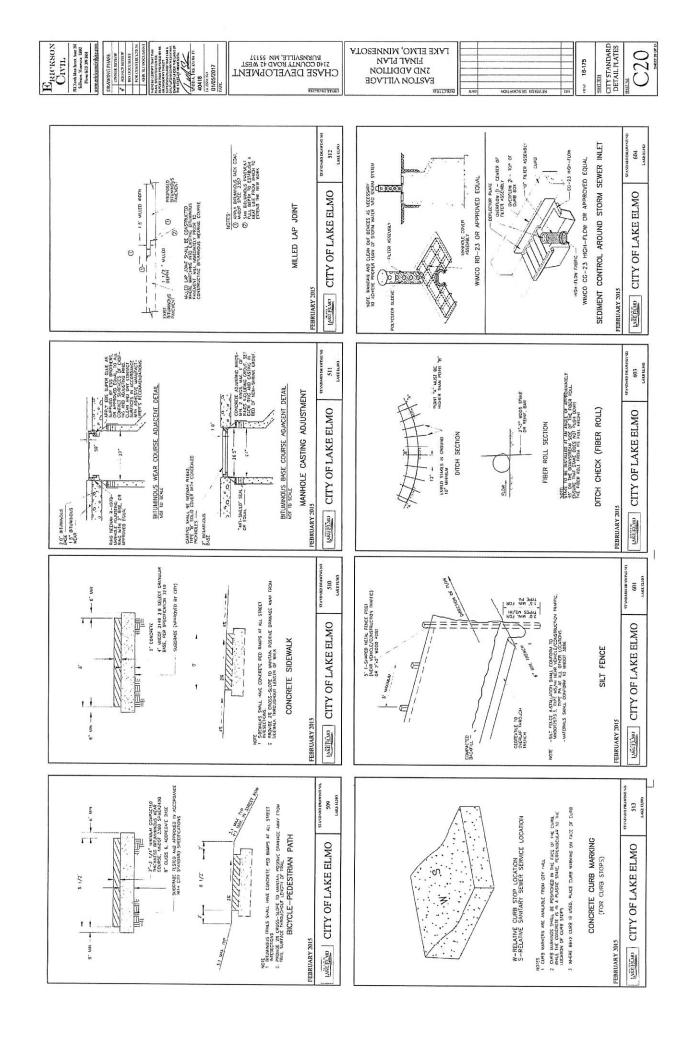


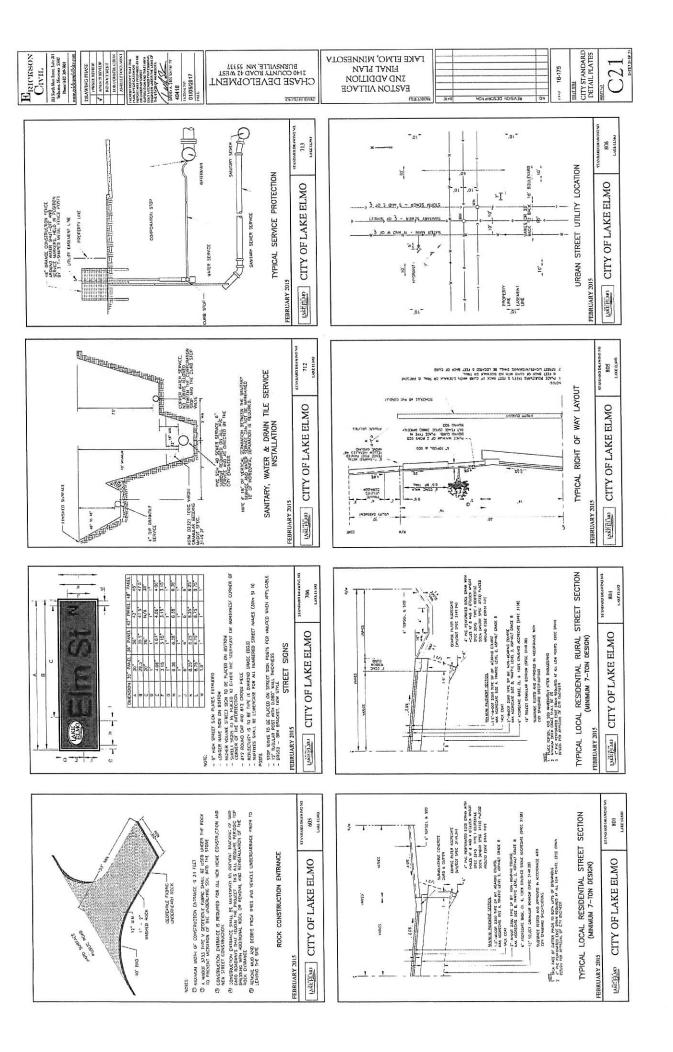




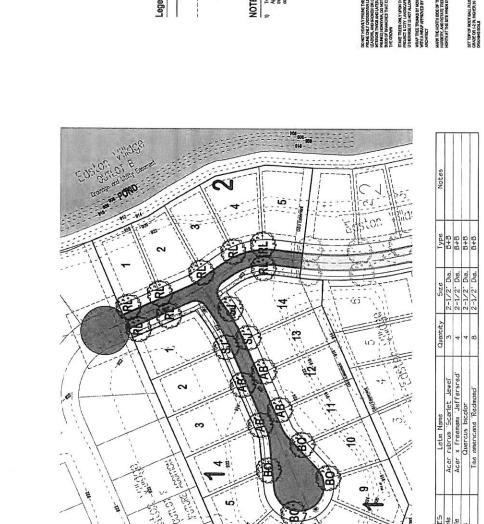


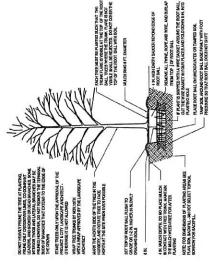












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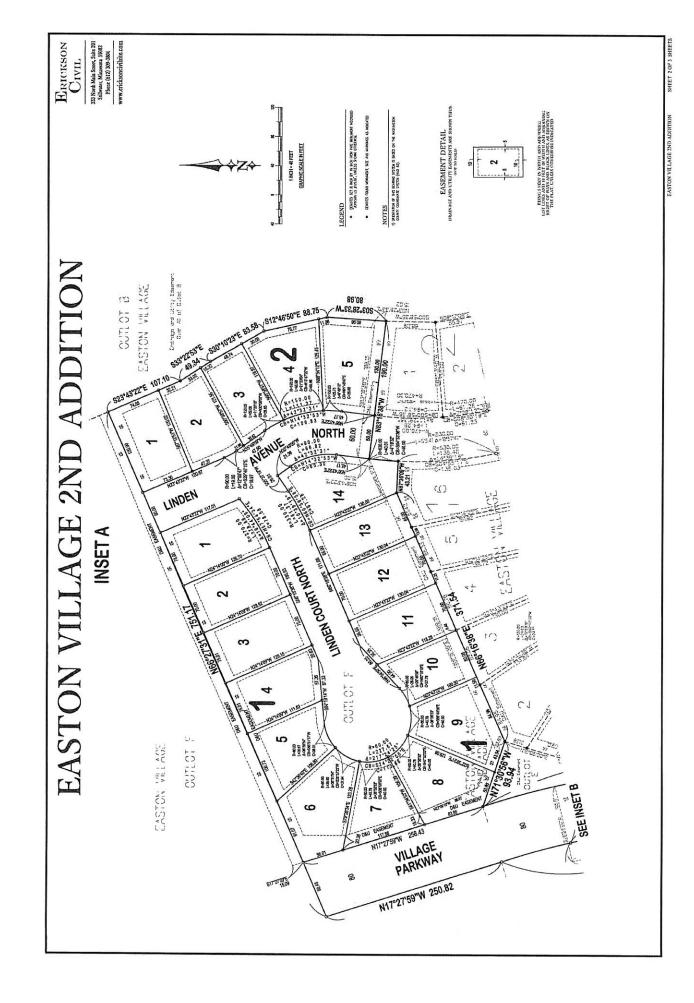
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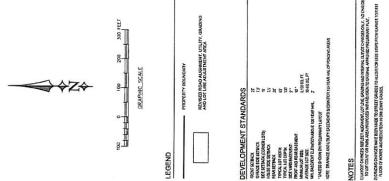
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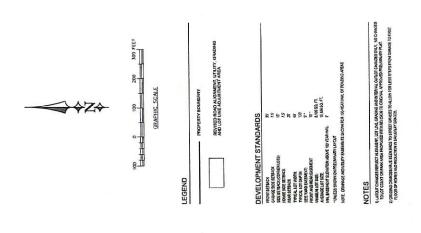
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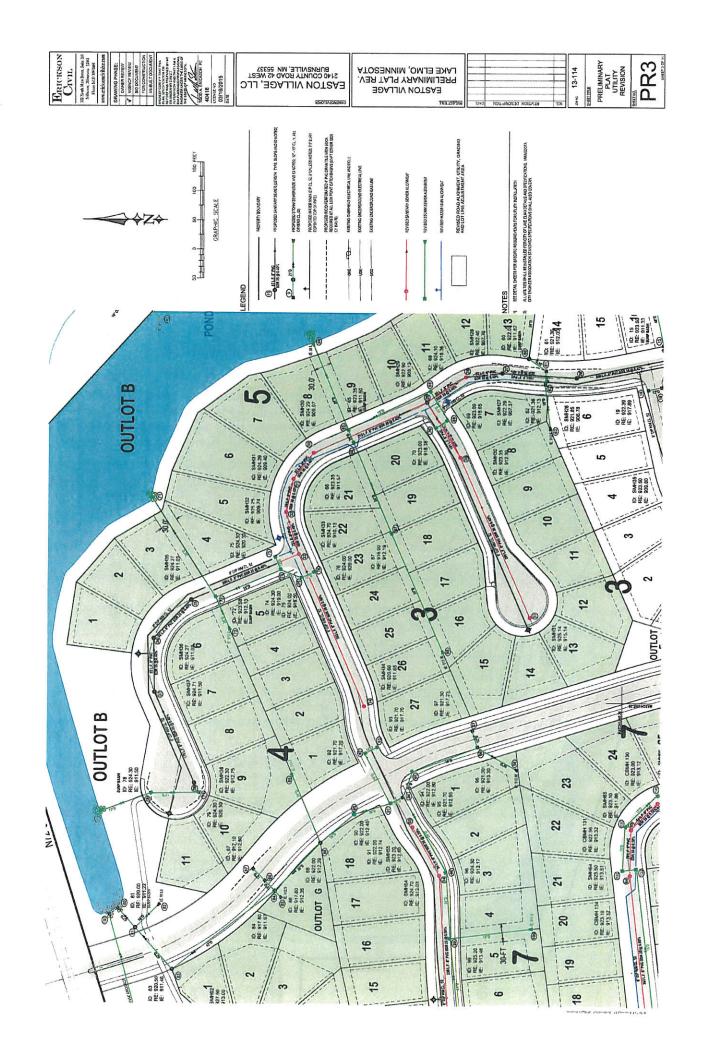


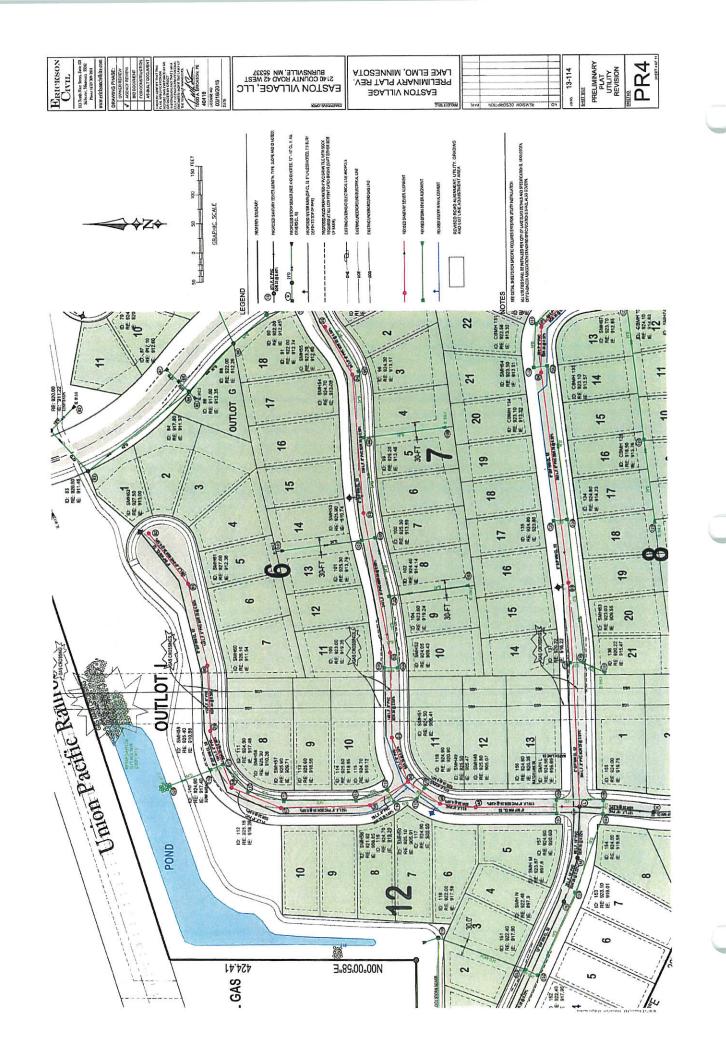


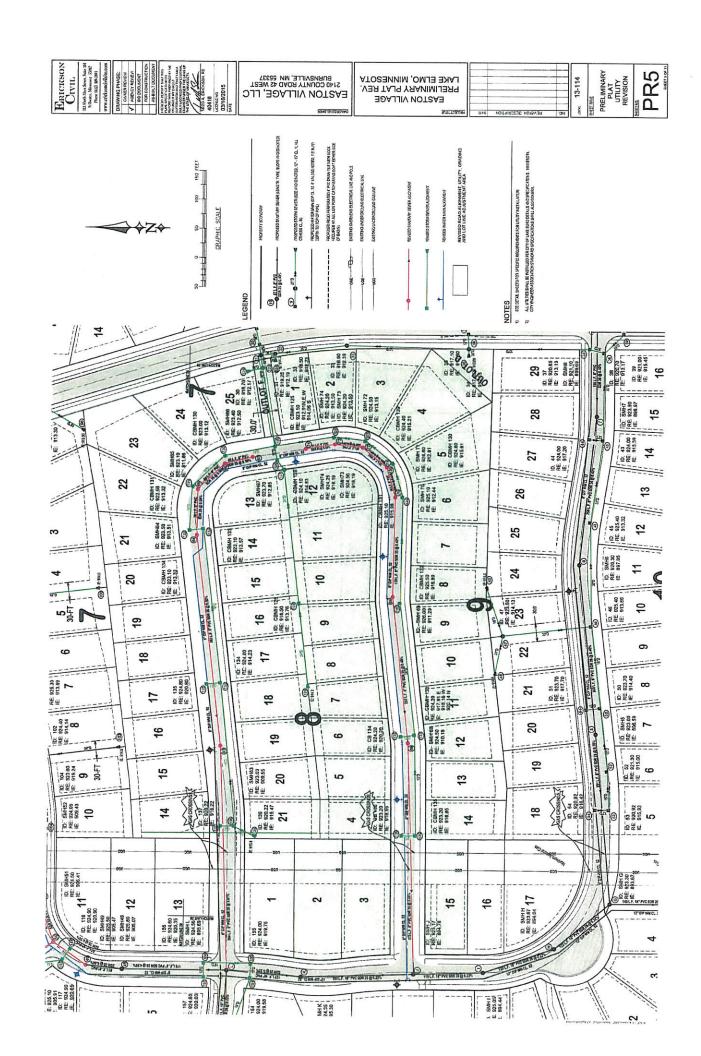


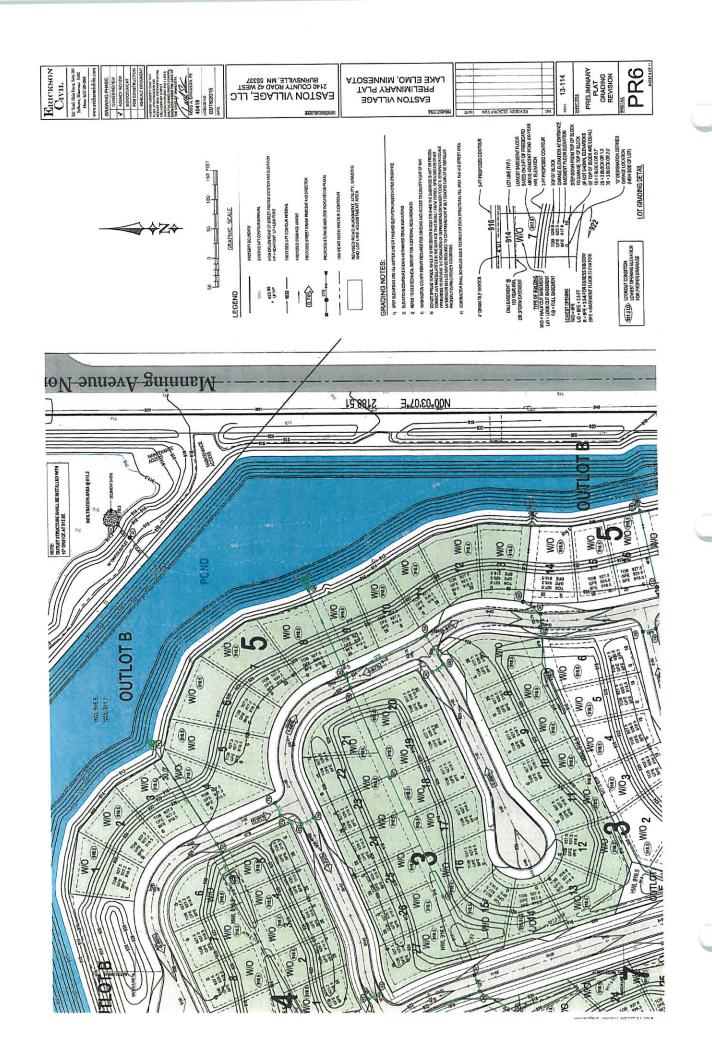


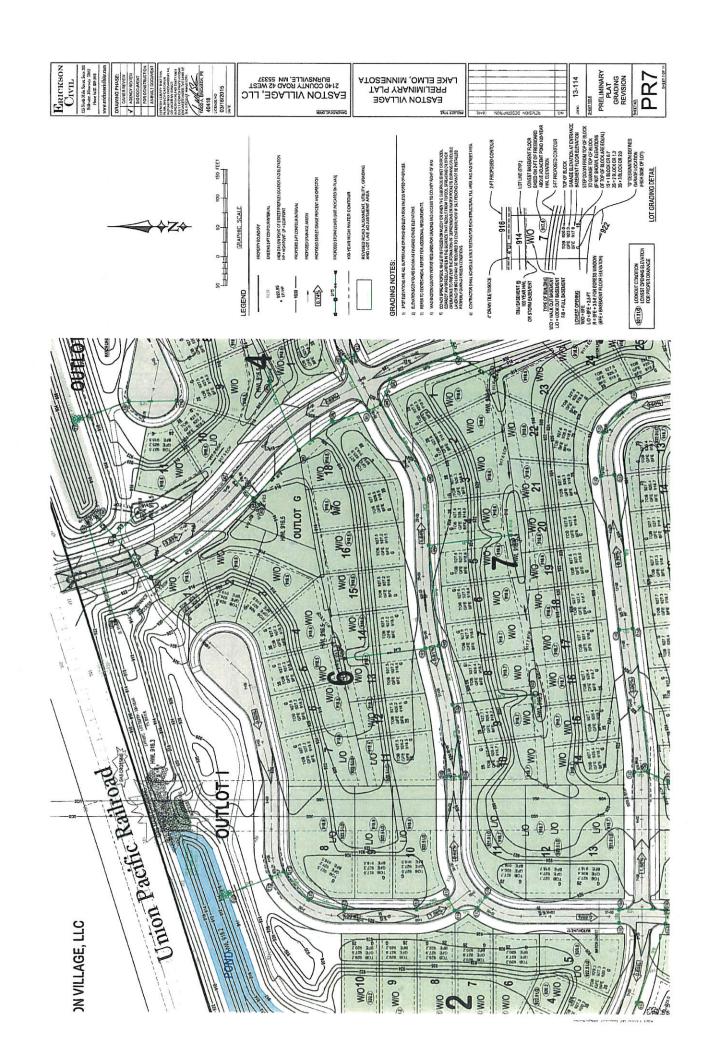


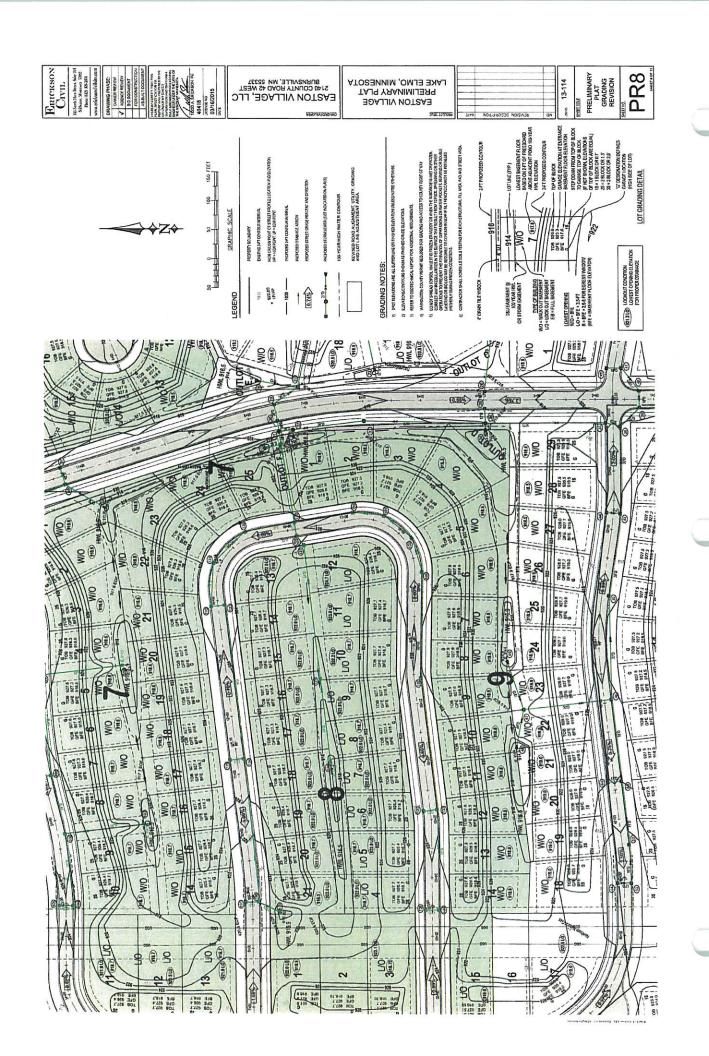


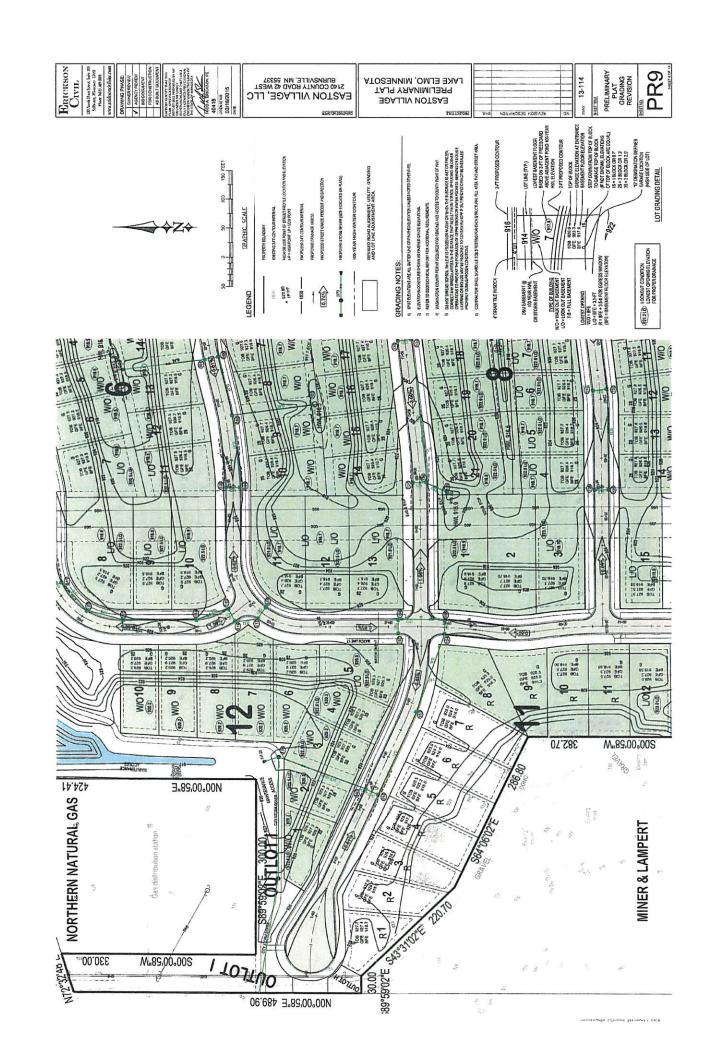


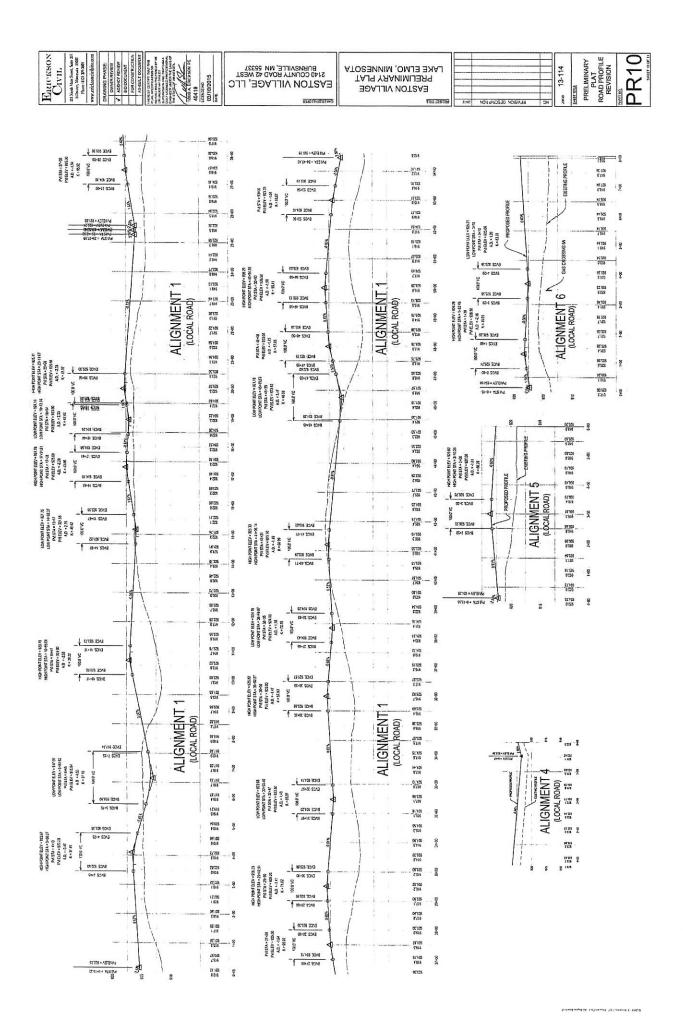


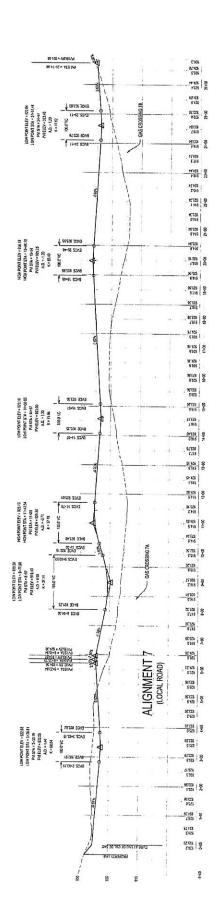












Business Item - Easton Village 2 Final Plat

Becker started her presentation for Easton Village 2 Final Plat. This addition is for 19 single family lots in the 217 unit development. Prior to approval of Final Plat, Preliminary Plans were updated to meet conditions of Preliminary Plat approval. Revisions to these plans were required in order to address the following: 1) reconfigure temp access 2) grading plan revisions 3) Adjustments to property Boundaries 4) Slightly larger buffer from railroad tracks 5) revisions to stormwater mgmt. plan. The applicant has increased the number of lots for the 2nd Addition Final Plat application from 18, as proposed in Preliminary Plat, to 19 and there is a decrease in lot size. The developer has also removed a trail and outlot. There is 9.84 acres of required parkland dedication. 3.99 acres were dedicated with 1st addition which leaves a remaining 5.85 acres of cash payment in lieu of land. The developer was required to again update the preliminary plans prior to reviewing the 2nd Addition Final Plat to reflect the lot size and number changes. The issues with the landscape plans are as follows 1) there is no landscaping shown on Village Parkway 2) there are no utility locations 3) irrigation plans needed for ROW area 4) landscape maintenance agreement needed for ROW areas 5) condition of approval landscape plans updated and approved by City Landscape Architect. Staff is reviewing the Village Parkway Plan and the landscaping plans may be modified based on that review.

The final plat is generally compliant with preliminary plat with the following exceptions 1) plan revision and proper permits required 2) parkland dedication is required and needs to be re-evaluated with trail and outlot being eliminated 3) #14 distribution of future costs associated with Village Parkway railroad crossing improvements to be determined as part of developer's agreement 4) #17 applicant is proposing eliminating trail connection.

Dodson is concerned with the elimination of the trail connection. They pushed at preliminary plat to have that and doesn't know why it was removed. Becker stated that the trail connection was discussed at the Park Commission and they didn't see a problem with it.

Dodson asked about condition #7 encouraging builders to incorporate interior noise reduction measures. Dodson is wondering if that had been done in phase I. Wensman stated that he is not aware of if that is happening or not.

Kreimer asked if there was a net increase of the development with the extra lot for phase II. Becker stated that the overall development would still be 217 units. Kreimer asked about the Village Parkway and why it did not get built completely to 2nd addition as required with the first phase.

Tom Wolter, Easton Village Developer, they are eliminating the trail, however, there is still sidewalks in the cul-de-sac that connects to the other sidewalks in development. By

eliminating the trail, they have a variety of lot widths and can accommodate different home types. People also like the privacy of not having a trail at the end of the cul-desac. Dodson asked if there was a way to put the trail between 2 other lots. Wolter stated that this segment of trail really doesn't connect to anything.

Dodson asked about the sound abatement. Wolter stated that would go back to the building department. Dodson asked if the builders are being encouraged to do any sound abatement. Wolter stated that there is language in the HOA agreement regarding the airport. There is no agreement between the developer and the builders.

Dodson is concerned about the trail being removed as the discussion at preliminary plat was for connectivity. Williams doesn't think the trail should be removed. He thinks it does provide connectivity between the sidewalk and the cul-de-sac and Village Parkway. He doesn't buy the argument for privacy because the houses are so big and so close together that there isn't privacy anyway.

Dorschner feels that because the houses are so close, the trail should be removed because there really isn't a need with sidewalks on both sides. He feels the trail is intrusive into the yards of those 2 lots and the lots would be hard to sell with the easement. Larson is looking at this more as a jurisdictional issue. The Park Commission has seen this and reviewed this and they said that it could be taken out. Larson feels it is more the decision of the Park Commission. Williams recalls that the Park Commission isn't in favor of trails at the end of any Cul-de-Sac and he doesn't agree with their position. Williams stated that there are many sidewalks and trails that go along the side of houses. Fields does not like to see an amenity that was approved at preliminary plat removed when it comes to final plat. However, he does not see a great functionality of that piece of trail. He has mixed feelings about it. Kreimer is in favor of trails at the end of cul-de-sacs, but he is in favor of getting a better variety of lots in this development.

Williams stated that there is an easy way to get more variety and that would be to put smaller homes on some of these lots.

Williams made a friendly amendment to add to finding #2 the elimination of the trail at the cul-de-sac to the parkway, accepted by Dorschner.

M/S/P: Dorschner/Lundquist, move to recommend approval of the Easton Village 2nd Addition Final Plat with the 10 conditions of approval as drafted by staff and amended: **Vote: 6-1, motion carried.**

Williams asked if any of the conditions mentioned that trail. Becker stated that the trail was a condition of approval for preliminary plat approval. Williams asked if any of the findings for this approval address taking out that trail. Wensman stated that a finding might be beneficial. Dodson feels it is covered as finding #3 states issues identified in staff report.

CITY OF LAKE ELMO WASHINGTON COUNTY STATE OF MINNESOTA

RESOLUTION NO. 2017-040

A RESOLUTION APPROVING A FINAL PLAT FOR EASTON VILLAGE 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, Chase Development, 2140 West County Road 42, Burnsville, MN has submitted an application to the City of Lake Elmo ("City") for a Final Plat for Easton Village 2nd Addition Final Plat, a copy of which is on file in the City of Lake Elmo Planning Department; and

WHEREAS, the Easton Village Sketch Plan was reviewed by the Planning Commission on January 7, 2014 and approved by City Council on February 5, 2014; and

WHEREAS, the City approved the Easton Village Preliminary Plat subject to 21 conditions; and

WHEREAS, the proposed Easton Village 2nd Addition includes 19 single family residential lots within the Easton Village 217 unit residential development; and

WHEREAS, the Lake Elmo Planning Commission reviewed the Easton Village 2nd Addition Final plat at its April 24, 2017 meeting; 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 its May 2, 2017 meeting; and

WHEREAS, the City Council reviewed the Easton Village 2nd Addition Final Plat at its meeting held on May 2, 2017 and made the following findings:

- 1) That all the requirements of City Code Section 153.07 related to the Final Plan and Final Plat have been met by the Applicant.
- 2) That the proposed Final Plat for Easton Village consists of the creation of 19 single-family detached residential structures and the elimination of the trail from the cul-de-sac to Village Parkway.

- 3) That the Easton Village 2nd Addition Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 15, 2014 and as amended to comply with conditions of preliminary plat approval with the exceptions of issues identified in the April 24, 2017 Staff report to the Planning Commission.
- 4) That the Easton Village 2nd Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 5) That the Easton Village 2nd Addition Final Plat complies with the City's Urban Low Density Residential zoning district regulations.
- 6) That the Easton Village 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 24, 2017 Staff report to the Planning Commission.
- 7) That the Easton Village 2nd Addition Final Plat complies with the City's subdivision ordinance.
- 8) That the Easton Village 2nd Addition Final Plat is generally consistent with the City's engineering standards with the exception of necessary plan revisions outlined by the City Engineer in his review comments to the City dated April 12, 2017.

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

- 1) Final grading, drainage, and erosion control plans, sanitary and storm water management plans, landscape plans, and street and utility construction plans shall be reviewed and approved by the City Engineer and applicable Staff prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in the memorandums addressing Easton Village 2nd Addition Final Plat and Easton Village 2nd Addition Construction Plan Review dated April 12, 2017 in the memo 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 for the Easton Village 2nd Addition Final Plat 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 its execution by City Officials.
- 4) The Applicant shall submit an updated Landscape Plan that is consistent with Preliminary Landscape Plans; shows utility locations; shows irrigation plans; and includes the right-ofway area along Village Parkway. The updated plans will need to be approved by the City's Landscape Architect. A Landscape Maintenance Agreement will need to be provided for all City right-of-way areas.

- 5) Temporary easements for the temporary cul-de-sacs shall be executed and recorded on the City standard easement agreement form.
- 6) The applicant shall provide a disclosure statement to all first homeowners in the development advising of the airport and associated over-flights.
- 7) All builders shall be encouraged to incorporate interior noise reduction measures into single family residential structures within the subdivision based on the Metropolitan Council's Builder Guide.
- 8) The proposed access to Manning Avenue will be permitted as a temporary access until such time that the Village Parkway is connected to 30th Street or 5 years has passed from the date of final plat approval of the 1st Addition (March 23, 2020), whichever is longer. The developer's agreement for Easton Village shall include appropriate financial securities concerning the future cost for removal of the temporary access.
- 9) Approval by the Valley Branch Watershed District is needed for revised stormwater plans.
- 10) That the Preliminary Plat and Preliminary Plans be revised and approved by the City prior to accepting applications for future phases of the development for Final Plat.

Passed and duly adopted this 2nd day of May, 2017 by the City Council of the City of Lake Elmo, Minnesota.

| ATTEST: | Mike Pearson, Mayor |
|---------------------------|---------------------|
| Julie Johnson, City Clerk | |



STAFF REPORT

DATE:

5/2/2017

REGULAR

ITEM #:

10

MOTION

TO:

City Council

FROM:

Emily Becker, City Planner

AGENDA ITEM:

Zoning Map Amendment Rezoning Select Parcels within Village to VMX

- Village Mixed Use

REVIEWED BY:

Stephen Wensman, Planning Director

BACKGROUND:

City Staff has received a number of request from property owners within areas currently zoned GB – General Business and guided for VMX – Village Mixed Use to further develop or make improvements to their properties. A number of these requests have or would require rezoning to VMX, as the proposals did not meet the requirements of the GB – General Business District but did meet the requirements of the VMX – Village Mixed Use District, a more flexible zoning district. Many infrastructure improvements have been made to the Old Village including availability of city sewer and additional stormwater management. Rezoning to VMX is also a priority on the 2017 Planning Commission Work Plan. For these reasons, Staff and the Planning Commission are requesting that the Council consider a Zoning Map Amendment rezoning select parcels within the Village to VMX – Village Mixed Use.

ISSUE BEFORE COUNCIL:

The Council should review and consider adoption of an ordinance approving a Zoning Map Amendment rezoning select parcels within the Old Village to VMX – Village Mixed Use.

PROPOSAL DETAILS/ANALYSIS:

Properties Proposed to be Rezoned. The attached Planning Commission Staff Report dated April 24, 2017 further details the properties being proposed to be rezoned. At this time, no properties guided for VMX and zoned Rural Single Family will be rezoned to VMX.

Planning Commission and Public Hearing. The Planning Commission held two public hearings regarding the proposed rezoning. The initial public hearing was held on March 27, 2017 and proposed only properties currently zoned GB — General Business District that were guided for Village Mixed Use in the Comprehensive Plan. Upon receiving feedback from this public hearing notice, Staff learned that there were a number of Zoning Map errors which designated commercial properties as either right-of-way or Rural Single Family zoning, and thus these properties were not published in the original public hearing notice. Staff then published an additional public hearing notice and held an additional public hearing on April 24, 2017 to capture these missing properties. Comments from the public hearing included concern over the density designated for the Village Mixed Use land use category and the desire to preserve existing single-

family homes within the Village. The Planning Commission recommended adoption of Ord. 08-176 with an affirmative vote of 7-0.

FISCAL IMPACT:

Rezoning the recommended parcels to Village Mixed Use zoning will allow property owners to redevelop or make improvements to their property in accordance with VMX standards, thereby allowing greater flexibility. Not having to go through the process or pay the application fee for a Zoning Map Amendment may further incent property owners to make improvements that otherwise may not be allowed under current standards.

OPTIONS:

The Council may:

- Adopt Ord. 08-176 as proposed.
- Amend Ord. 08-176 and adopt as amended.
- Deny adoption of Ord. 08-176.

RECOMMENDATION:

Staff and the Planning Commission recommend that the Council adopt Ord. 08-176, approving a Zoning Map Amendment rezoning select parcels to VMX - Village Mixed Use:

"Move to adopt Ord. 08-176, approving a Zoning Map Amendment rezoning select parcels to VMX - Village Mixed Use."

ATTACHMENTS:

- Ord. 08-176
- Planning Commission 4.24.2017 Meeting Packet Item 4a.
- Planning Commission 4.24.2017 Meeting Minutes pertaining to ZMA VMX
- Current and Proposed Zoning

CITY OF LAKE ELMO COUNTY OF WASHINGTON STATE OF MINNESOTA

ORDINANCE NO. 08-176

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LAKE ELMO

SECTION 1. The City Council of the City of Lake Elmo hereby ordains the following properties to be rezoned from GB - General Business to VMX - Village Mixed Use:

PIDs:

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| 1302921320025 | 1302921210014 | 1302921310017 | 1302921220018 | 1302921120011 |
| 1302921230070 | 1302921210011 | 1302921210016 | 1302921220016 | 1302921120015 |
| 1302921320049 | 1302921210012 | 1302921310016 | 1302921220017 | 1302921120014 |
| 1302921320051 | 1302921210015 | 1302921230046 | 1302921220019 | 1302921220008 |
| 1302921320048 | 1302921320041 | 1302921230065 | 1302921220022 | 1302921220010 |
| 1302921320047 | 1302921320042 | 1302921230053 | 1302921220021 | 1302921240016 |
| 1302921240020 | 1302921320083 | 1302921240024 | 1302921220020 | 1302921220012 |
| 1302921310003 | 1302921230054 | 1302921240019 | 1302921240021 | 1302921230071 |
| 1302921230056 | 1302921210001 | 1302921240017 | 1302921210006 | 1302921210007 |
| 1302921320032 | 1302921320005 | 1302921230067 | 1302921220002 | 1302921220013 |
| 1302921320027 | 1302921230025 | 1302921240025 | 1302921220011 | 1302921220014 |
| 1302921230063 | 1302921230036 | 1302921210009 | 1302921230004 | 1302921210002 |
| 1302921320022 | 1302921230062 | 1302921230064 | 1302921320086 | 1302921320007 |
| 1302921320009 | 1302921320008 | 1302921320010 | 1302921320085 | 1302921320096 |
| 1302921320094 | 1302921230077 | 1302921230027 | 1302921230018 | 1302921230026 |
| 1302921230010 | | | | |

SECTION 2. The City Council of the City of Lake Elmo also hereby ordains that the Zoning Administrator shall make the applicable changes to the official Zoning Map of the City of Lake Elmo.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

| SECTION 4. Adoption Date. This Ordinal May, 2017, by a vote of Ayes and N | nce 08-176 was adopted on this 2 nd day of ays. |
|---|--|
| | LAKE ELMO CITY COUNCIL |
| | Mike Pearson, Mayor |
| ATTEST: | |
| Julie Johnson, City Clerk | |
| This Ordinance 08-176 was published on th | e day of |



STAFF REPORT

DATE: 03/27/2017 **PUBLIC HEARING**

ITEM #: 4a

TO:

Planning Commission

FROM:

Emily Becker, Planner

AGENDA ITEM:

Rezoning Old Village GB – General Business District to VMX – Village

Mixed Use District

REVIEWED BY:

Stephen Wensman, Planning Director

BACKGROUND:

Creation of VMX District. In November of 2013, creation of the Village Mixed Use District was approved in support of the 2030 Comprehensive Plan update for the Village Planning Area. The Village Mixed Use District was created to replace the existing intermingling of commercial, residential, and public zoning classifications within the central portion of the Village area. While the creation of the District was approved, the majority of the area for which it was meant has not yet been rezoned. Currently, the majority of the parcels that are planned for VMX - Village Mixed Use zoning are still zoned GB – General Business. Only three parcels within the City have been rezoned to VMX thus far.

Former Planning Commission Review of Rezoning GB Parcels to VMX. The Planning Commission discussed rezoning all parcels zoned GB – General Business District within the Old Village to VMX – Village Mixed Use in June of 2016. The meeting minutes of this meeting are attached for reference. Summarily, the Commission was not in favor at that time of this mass rezoning for concern of the following:

- That the densities within this area are guided too high.
- That VMX district standards are less restrictive (higher maximum impervious surface, additional permitted uses, smaller minimum building setbacks, etc.) than the GB district standards.
- That Form Based Code should be created for the Village.

• That updated population and development projections for the areas guided for VMX in the Old Village are needed.

Reconsideration Requested. At its February 27, 2017 meeting, the Commission again discussed rezoning parcels within the Old Village from GB to VMX. This discussion was prompted by a number of requests from residents to further develop or make improvements on their properties located within the GB – General Business zoning district. Staff has found that a number of these requests required rezoning to VMX, as the proposals did not meet the minimum requirements of the GB – General Business District but did meet the requirements of the VMX – Village Mixed Use District. Many infrastructure improvements have been made to the Old Village including availability of city sewer and additional stormwater management. For these reasons, and because updating the Zoning Map to change Village parcels to VMX consistent with the Comprehensive Plan is an item on the 2017 Planning Department Work Plan, Staff would like the Planning Commission to re-review rezoning GB parcels within the Old Village to VMX.

ISSUE BEFORE PLANNING COMMISSION:

The Planning Commission should consider rezoning the parcels currently zoned GB - General Business District to VMX - Village Mixed Use. It should also consider removal of 154.034: GB - General Business from the Zoning Code, along with all other references within the Code to the GB - General Business zoning district, as this district will no longer exist on the Zoning Map.

PROPOSAL DETAILS/ANALYSIS:

Reason for Requesting Zoning Map Amendment Now vs. at Time of Development Application. In order to ensure that the property is being developed according the Comprehensive Plan, rezoning will typically occur at the time of a development application if a parcel is not zoned in accordance with the Comprehensive Plan. However, as previously mentioned, there are many non-conforming parcels within the GB – General Business zoning district which cannot further develop or, in some cases, make simple improvements, as a non-conformity may not be expanded. Rezoning these parcels will allow for owners to further develop and/or make improvements without having to submit application and go through a public hearing and approval process.

Number of Parcels Currently in the GB – General Business District. According to data provided in the City's Zoning Map, there are currently 83 parcels that are zoned GB – General Business District. It should be noted that only those properties currently zoned GB are proposed to be rezoned to VMX. There are some RS - Rural Single Family-zoned parcels that are guided for VMX, however, these are not proposed to be rezoned.

Comparison Tables of Two Ordinances. In general, the proposed rezoning will allow a higher degree of flexibility for site improvements and land development in the Village than is presently permitted under the current ordinance. The following outlines differences in lot dimensions, setback requirements, and permitted uses in the two districts. Staff has also provided a complete draft the GB and VMX District regulations for review.

Permitted and Conditional Use Comparison. The following shows that there are a number of uses that the VMX district either permits or allows with a conditional use permit that the GB district does not. In some cases, the VMX is actually more restrictive, in that it requires a conditional use permit for some uses that the GB district permits. It should be noted that current properties that currently employ any of these land uses would not be required to obtain a conditional use permit for such uses unless an expansion of the use was proposed or if the use was discontinued for more than a year.

The VMX district <u>permits</u> the following uses that the GB district <u>does not allow</u>:

- Single Family Detached
- Single Family Attached
- Two Family
- Live Work Unit
- Wayside Stand
- Temporary Sales as Accessory Use
- Parking Facility as Accessory Use
- Solar Equipment as Accessory Use

The VMX districts allows the following conditional uses that the GB district does not allow:

- Multi Family
- Secondary Dwelling
- Congregate Housing
- Semi-Transient Accommodations
- Schools
- Funeral Home
- Lodging
- Trade Shop
- Farmer's Market
- Gas Station
- Parking Facility
- Outdoor Recreation Facility
- Parks and Open Areas
- Indoor Athletic Facility
- Broadcasting or Communication Facility

The VMX district <u>requires a Conditional Use Permit</u> for the following uses that the GB district <u>permits</u> (does not require a Conditional Use Permit):

- Group Residential Facility/Nursing and Personal Care (the GB district permits a Boarding Care Facility with 15 residents max)
- · Public Assembly
- Religious Institutions
- Medical Facility
- Membership Organization
- Repair and Maintenance Shop
- Veterinary Services
- Restaurant with Drive Thru
- Garden Center
- Shopping Center
- Automobile Maintenance Service
- Sales and Storage Lots
- Indoor Recreation (the GB district allows Family Entertainment Centers (no definition provided))
- Bed and Breakfast as Accessory Use
- Group Family Day Care as Accessory Use

Lot Dimension and Setback Requirements Comparison. The table below compares the minimum lot size requirements of the GB General Business District to those of the VMX District and provides analysis on the differences.

| Standard | GB | VMX | Analysis |
|---------------------|-------------|---|---|
| Minimum Lot Area | • 1.5 acres | Non-Residential Use: None Single Family Detached Dwelling: 5,000 sf Two-Family Dwelling (per unit): 3,000 sf Single-Family Attached (per unit): 2,500 sf Multi-Family Dwelling (per unit): 1,800 sf Live-Work Unit: 3,000 sf | The minimum lot size requirement of 1.5 acre most likely assumed that properties within the GB district would not be sewered. The entire Village Area is now within the MUSA, and lots of this size are no longer necessary to provide wastewater treatment. It should also be noted that properties that further subdivide would be required to rezone to VMX and would need to adhere to the standards of the VMX district. |

| | | • Other Structures: 3,500 | There are 50 parcels within the GB |
|------------|----------------------------|---------------------------------|---|
| | | sf | district that do not meet its minimum lot |
| | | | size requirement. |
| Maximum | • None | • Residential Structures: | This would also only be applicable |
| Lot Area | | None | when a property further subdivided, |
| | | • Other Structures: 5 | which would already necessitate a |
| | | acres | rezoning from GB to VMX. |
| Minimum | • 150 ft | • Single Family | The VMX minimum lot width |
| Lot Width | | Detached Dwelling: 50 | requirements are smaller than those of |
| | | ft | the GB district, as the minimum lot size |
| | | • Two-Family Dwelling | requirements of the VMX district are |
| | | (per unit): 30 ft. | much smaller. |
| | | Single-Family | |
| | | Attached (per unit): 25 | There are approximately 20 parcels |
| | | ft. | within the GB district that do not meet |
| | | Multi-Family Dwelling | the minimum lot width requirement. |
| | | (per building): 75 ft. | , |
| | | • Live-Work Unit: 25 ft. | |
| Setbacks | • Front: 0 ft. | • Front: 0-20 ft. (25 ft for | This item has been discussed at previous |
| | for Old | single family homes) | Planning Commission meetings. The |
| | Village | • Interior Side: 10 ft. (for | VMX ordinance is undergoing |
| | Interior | properties abutting | revisions, and the Planning Commission |
| | Side: 0 ft. | residential uses) | has suggested that because of the street |
| | for Old | • Side (Corner): 0 ft. (or | design of some areas within the Village, |
| | Village | maintain front setback of | there should be certain defined areas of |
| | • Side | adjacent property | the VMX that have a build-to setback. |
| | (Corner): 50 | adjoining street) | |
| | ft. | • Rear: 10 ft. | |
| | • Rear: 50 ft. | | |
| Maximum | • 35 ft | • 35 ft/3 stories | Standard does not change. |
| Building | | | |
| Height | | | |
| Maximum | • Up to 4 | Residential | Many lots within the GB district do not |
| Impervious | acres: | Structures: | meet the maximum impervious surface |
| Coverage | 40% • >4-8 acres: | 75% | requirement. The Village has increased |
| | 35% | • Other | stormwater management efforts, and |
| | • >8 acres: | Structures: | stormwater management plans will be |
| | • >8 acres: 25% | No Limit | evaluated upon the receipt of land use |
| | 2570 | | applications. |
| | | | |

| | | | It is difficult to know without having |
|-------------|---------------|--------|--|
| | | | exact impervious surface calculations, |
| | | | but one can see by looking from an |
| | | | aerial that a vast majority of parcels |
| | | | within the GB district do not meet the |
| | | | maximum impervious surface |
| | | | requirement. |
| Lot Config- | • Maximum | • None | |
| uration | depth to | | |
| | width ratio | | |
| | no more | | |
| | than 3:1 | | |
| Septic | • 20,000 sf | • None | All GB parcels within the Village would |
| Drainage | dedicated for | | be required to be sewered eventually, as |
| Regulation | septic | | they are in the MUSA. This standard is |
| | | | no longer applicable. |

Density. The Comprehensive Plan guides the Village Mixed Use area for a density of 5-10 residential equivalency units per acre. Maximum lot size and no minimum lot size requirement for the VMX district help to accomplish this higher density.

Form Based Code. Staff is also cognizant of the fact that the Planning Commission is in support of implementing a Form Based Zoning for the VMX District, as is supported in the Comprehensive Plan. Creation of a draft of a form-based code for the VMX zoning district is currently on the 2017 Planning Department Workplan. The Commission should consider if it is necessary for Form Based Code to be adopted before rezoning Village parcels to VMX. It should be noted that the City can do nothing, short of enacting a moratoria, to prevent further development within the area guided for VMX until a Form Based Code is adopted. The goal of rezoning these parcels is to make non-conforming parcels conforming.

General Business District References No Longer Required in the Zoning Code. Currently, the only parcels zoned GB – General Business are located in the Old Village. Rezoning these parcels to VMX – Village Mixed Use will leave the GB – General Business District non-existent on the Zoning Map. Therefore, Staff is recommending that Section 034, GB – General Business be removed along with all other references to this zoning district.

Public Hearing Notices – Additional Consideration Requested. A public hearing notice was published in the official City newspaper, and public hearing notices were sent out to property owners within 350 feet of all properties zoned GB – General Business District. Staff received a number of inquiries about the rezonings, asking for clarification. One resident was not in support

the rezonings, citing concerns of increased density and the ability for homeowners not being able to keep a single family home. As previously mentioned in this report, GB-zoned parcels are still guided for VMX, which means that a rezoning would need to occur when the property develops, and any development may occur at the density which the Comprehensive Plan dictates. Additionally, existing single family detached homes are a permitted use in the VMX.

March 27, 2017

Another comment that was received was that there are still a number of parcels that are guided for VMX that were not zoned GB – General Business District (currently either zoned RS – Rural Single Family, RT – Rural Development Transitional, or had no zoning classification on the City's Zoning Map), even though the land use of some of these parcels is not a single family home. Staff has looked further in to this and have found that the following parcels are zoned RS but are guided for VMX, yet are not used as single family homes. Please note that this list does not include land that is guided for VMX yet is still used as single family homes. If the Commission wishes to recommend rezoning all parcels that are guided for VMX to VMX, a motion can be made to do so.

| PID# | Address | Description |
|---------------|-------------------------|---|
| 1302921230010 | None | Small strip of land south of and |
| | | owned by same owner as 3699 |
| | | Laverne Avenue North (vacant) |
| 1302921230026 | None | Small strip of land north of and |
| | | owned by same owner as 3520 |
| | | Laverne Avenue North (vacant) |
| 1302921230027 | 3520 Laverne Ave N | Industrial Use per Washington |
| | | County Use Description |
| 1302921230077 | 11127 Stillwater Blvd N | Lake Elmo Oil |
| 1302921320007 | None | Small strip of land near 33 rd St |
| | | N (vacant) |
| 1302921320010 | None | Paved area for Lake Elmo Inn |
| 1302921240003 | 11179 Stillwater Blvd N | Lake Elmo Repair Shop |
| | | Building |
| 1302921230064 | None | Small strip of land west of |
| | | 11799 Stillwater Blvd N |
| 1302921230062 | None | Small strip of land east of and |
| | | owned by same owner as 11179 |
| | | Stillwater Blvd N |
| 1302921320009 | None | Small strip of land north of 33 rd |
| | | St N |
| 1302921320022 | 3504 Lake Elmo Ave N | Owned by Lake Elmo Inn |

| 1302921320008 | None | Small strip of land north of 33 rd |
|--|-----------------------------------|---|
| OFFICE OFFICE AND A CONTROL OF THE C | | St N |
| 1302921230020 | None | Small strip of land used for |
| | | parking, owned by Christ |
| | | Lutheran Church |
| 1302921320096 | 11123 Upper 33 rd St N | Owned by Grain on Main LLC |
| 1302921230063 | None | Parking area for 11179 |
| | | Stillwater Blvd N |
| 1302921230018 | None | Parcel south of parking area for |
| Advanced residence of the control of | | 11179 Stillwater Blvd N |
| 1302921240028 | None | Schiltgen Property (31.78 acre |
| The graduation region of the control | | parcel) |
| 1302921320086 | None | Small strip of land north of 33 rd |
| VideoRootsis II | | St N |
| 1302921320085 | None | Small piece of land west of and |
| | | owned by same owner as 11123 |
| | | Upper 33 rd St N |
| 1302921320094 | 11320 Upper 33 rd St N | Storage building with parking |
| | Superior | (parking shared with Lake Elmo |
| | | Inn) |

The Commission should consider if the above-mentioned parcels should also be rezoned to VMX. If the Commission recommends this, an additional public hearing notice would need to be published, and it is recommended this item be tabled until the next meeting after which an appropriate public hearing notice has been given for this Zoning Map Amendment to rezone these parcels.

FISCAL IMPACT:

Rezoning the subject area to Village Mixed Use zoning will allow property owners to redevelop or make improvements to their property in accordance with VMX standards, thereby allowing greater flexibility. Not having to go through the process or pay the application fee for a Zoning Map Amendment may further incent a property owner within the current GB district to make improvements that otherwise may not be allowed under the GB district standards.

OPTIONS:

The Planning Commission may recommend any of the following:

1) Rezone all of the parcels located in the GB – General Business District to VMX – Village Mixed Use and omit references to the GB district from the City Code.

- 2) Rezone some of the parcels located in the GB General Business District to VMX Village Mixed Use and not omit references to the GB district from the City Code.
- Table discussion so that an additional public hearing notice may be published to include the above-mentioned parcels in the Zoning Map Amendment rezoning properties to VMX – Village Mixed Use.
- 4) Table discussion so that an additional public hearing notice may be published to include <u>all properties</u> guided for VMX Village Mixed Use in the Zoning Map Amendment rezoning properties to VMX Village Mixed Use.
- 5) Not rezone any parcels to VMX Village Mixed Use at this time and leave references to the GB district from the City Code for the time being.

RECOMMENDATION:

Staff recommends that the Planning Commission table tonight's discussion so that an additional public hearing notice may be published to include the above-mentioned parcels in the Zoning Map Amendment rezoning properties to VMX – Village Mixed Use.

"Move to table this Zoning Map Amendment Discussion to rezone properties to VMX – Village Mixed Use until an appropriate public hearing notice may be published to include the above-mentioned properties in the Zoning Map Amendment."

ATTACHMENTS:

- GB District Regulations
- VMX District Regulations
- Ord. 08-___ rezoning GB parcels to VMX and omitting references to GB district from City Code.
- Current and Proposed Zoning Maps
- PC Meeting Minutes from 6.13.2016.

| | the first drainfield is prohibited. |
|--|---|
| Maximum Width of Primary Dwelling | All dwelling units must be at least 20 feet wide through the main living area of the structure. |
| Footings | The primary structure must have continuous frost footings. Continuous frost footings are not required for porches, decks, and other appendages so long as proper post type footings per existing Building Codes are constructed. |
| Maximum Impervious Surface Coverage | |
| Maximum Width of Driveways | See § 93.26 |
| Signage | See §§ 154.212 |

(1997 Code, § 300.07 Subd. 4.D) (Am. Ord. 97-192, passed 6-19-2007)

§ 154.034 GB – GENERAL BUSINESS.

- A. Permitted uses and structures.
 - 1. The following service/office uses:

| General Business – Service/Office | |
|---|---|
| Accounting | |
| Advertising | (Sign fabrication not permitted use) |
| Alterations | |
| Apparel Cleaning Pick-up Stations | |
| Apparel Repair and Alterations | |
| Architectural | |
| Art Gallery | |
| Auditing | |
| Bakeries | (With production of bakery goods limited to retail sales) |
| Barber Services | |
| Beauty Shops | |
| Bookkeeping | |
| Business and Management Consultant Offices | |

| Business Associations | |
|--|--|
| Cafes and Restaurants - Drive-up window | (Menu boards and intercom systems prohibited; Adequate vehicle stacking must be provided) |
| Cafes and Restaurants | (Limited to full table service operations) |
| Charitable | |
| Chiropractic | |
| Civic, Social and Fraternal Association Offices and Halls | |
| Collection and Adjustment Services | |
| General Business – Service/Office | |
| Credit Reporting (Consumer and Mercantile) | |
| Dental | |
| Detective and Protective Agencies | |
| Duplication | |
| Educational | |
| Employment Agencies | |
| Engineering | |
| Finance | |
| Galleries | |
| Governmental Offices | |
| Insurance | |
| Investment | |
| Labor Unions | |
| Legal | |
| Libraries | |
| Mailing | |
| Medical | |
| Medical Services | (The compounding, dispensing or retail sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the foregoing when conducted in the building occupied primarily by medical, dental, osteopathic, chiropractic or |

| | optometric offices) |
|---------------------------------------|--|
| Optometric | |
| Osteopathic | |
| Photo Gallery | |
| Professional Membership Organizations | |
| Real Estate | |
| Religious | |
| Scientific Research | (Excluding laboratory facilities) |
| Shoe Repair | |
| General Business – Service/Office | |
| Stenographic Service | |
| Therapeutic Massage | (See licensing requirements in § 114.01) |
| Welfare Offices | |

(Am. Ord. 97-170, passed 5-2-2006; Am. Ord. 2012-064, passed 12-4-2012)

2. The following retail uses:

| General Business - Retail |
|--|
| Antiques and Secondhand Merchandise |
| Apparel and Related Accessories |
| Automobile Repair and Services |
| Automobiles and Automobile Accessories |
| Bicycles |
| Books |
| Building Supplies |
| Cameras and Photographic Supplies |
| Cigars and Cigarettes |
| Drugs and Proprietary Items |
| Electrical Supplies |
| Flowers and Floral Accessories |
| Food and Grocery Products |
| Furniture |

| Gifts, Novelties and Souvenirs |
|--|
| Glass |
| Heating Equipment |
| Home Furnishings and Related Equipment |
| Jewelry |
| Liquors |
| Marine Craft and Accessories |
| Newspapers and Magazines |
| Nursery and Garden Supplies |
| General Business – Retail |
| Optical Goods |
| Paint |
| Pets |
| Plumbing Equipment |
| Sporting Goods |
| Stationery |
| Wallpaper |
| r · r |

3. The following repair/service uses:

| General Business – Repair/Service |
|-----------------------------------|
| Clock Repair |
| Electrical Repair and Supplies |
| Equipment–Rental and Leasing |
| Food Catering |
| Furniture Repair |
| Heating |
| Household Appliances |
| Jewelry Repair |
| Landscaping |
| Plumbing |
| Radio |

| Reupholstery | |
|--------------|--|
| Television | |
| Watch Repair | |

4. The following office uses (excluding equipment storage):

| General Business - Office |
|----------------------------------|
| Air Conditioning Contractor |
| Building Construction Contractor |
| Carpentry Contractor |
| General Business - Office |
| Decorating Contractor |
| Heating Contractor |
| Masonry Contractor |
| Painting Contractor |
| Plastering Contractor |
| Plumbing Contractor |
| Roofing Contractor |
| Sheet Metal Contractor |
| Stone Work Contractor |
| Tile Setting Contractor |
| Wallpaper Contractor |
| Water Well Drilling Contractor |
| Wood Flooring Contractor |

5. Uses permitted by conditional use permit.

| General Business - Conditional Use | |
|------------------------------------|--|
| Bed and Breakfast Facility | 15 Beds Maximum |
| Boarding Care Facility | 15 Residents Maximum |
| Day Care Centers | 40 Children Maximum |
| Family Entertainment Centers | |
| Fitness Studio | Maximum floor area not to exceed 5,000 square feet |

| Kennels | |
|------------------------------------|---|
| Nursing Care Facility | 15 Residents Maximum |
| Open Sales Lots | |
| Manufacturing | Any industrial manufacturing operation in existence within the city at the effective date of this chapter, including manufacture of wood products and plastic products, may continue the use as a conforming use without a conditional use permit. Nothing in this provision shall otherwise be construed to require the city to authorize any manufacturing use in the General Business Zone after the effective date of this chapter. |
| General Business - Conditional Use | |
| Veterinary Clinics | |

(Am. Ord. 97-20, passed 10-21-1997; Am. Ord. 97-86, passed 10-2-2001; Am. Ord. 97-88, passed 10-2-2001; Am. Ord. 97-138, passed 9-7-2004; Am. Ord. 2012-064, passed 12-4-2012)

- 6. General requirements.
 - All storage, services, repair or processing shall be conducted wholly within an
 enclosed building or behind opaque fence or wall not less than 6 feet high,
 except the outdoor display of merchandise;
 - b. Incineration of waste matter shall be conducted in approved equipment located within the building wherein the permitted use is conducted;
 - c. Where a proposed GB development abuts on RR, R-1, R-2, R-3, R-4, or RE district other than at a public street line, buffer provision shall be established. There shall be provided a protective strip of not less than 35 feet in width. The protective strip shall not be used for parking, off- street loading or storage and shall be landscaped. The protective strip must be approved by the Council as being in harmony with the residential neighborhood and providing sufficient screening of the commercial area;
 - d. All lots must have at least 1 acre of land suitable for septic drainfields and area sufficient for 2 separate and distinct drainfield sites. Placement of the second required drainfield between the trenches of the first drainfield is prohibited; and
 - e. Must meet all requirements of §§ 51.002 through 51.008.
- B. Accessory uses. Uses which are clearly incidental and subordinate to the allowed uses. (Am. Ord. 97-38, passed 11-17-1998)
 - C. Minimum district requirements.

1. The Old Village District shall be defined as the Old Village Sign District described in § 151.117(S)(1)(a).

| General Business | | | | | | |
|--|--|--|--|--|--|--|
| Lot Size | 1-1/2 acres (except as required by Interstate Corridor Overlay District, §§ 150.230 - 150.238) | | | | | |
| Lot Width | 150 Feet Minimum | | | | | |
| Building Setback from proper | rty lines: (Also see § 154.082) | | | | | |
| Front: | 10 Feet Minimum | | | | | |
| | No setback required for properties located in the Old Village District and south of Minnesota State Highway 5 | | | | | |
| Side (Interior): | 20 Feet Minimum | | | | | |
| | No setback required for properties located in the Old Village District and south of Minnesota State Highway 5 | | | | | |
| Side (Corner): | 50 Feet Minimum | | | | | |
| Rear: | 50 Feet Minimum | | | | | |
| Building Height (Also see § 154.083) | 35 Feet Maximum | | | | | |
| Maximum area to be covered | by buildings, parking lots, driveways and other hard surfaces: | | | | | |
| Up to 4 acres | 40% of lot size | | | | | |
| Larger than 4 acres to 8 acres | 35% of lot size | | | | | |
| Larger than 8 acres | 25% of lot size | | | | | |
| Lot Configuration | Maximum lot depth to width dimension ratio shall be no more than 3:1 | | | | | |
| Lot Size | Covered Area | | | | | |
| Lot Configuration | | | | | | |
| Maximum Width of Driveways | See § 93.26 | | | | | |
| Signage | See §§ 154.212 | | | | | |
| Septic Drainage Regulation (Also see §§ 51.002 through 51.008) | All newly subdivided lots shall have a minimum of 20,000 square feet of land dedicated for septic system use and suitable for that use. This land may comprise up to 2 separate areas, each of which | | | | | |

is contiguous to the 1.25-acre building site or contained within it, and each of which contains at least 10,000 contiguous square feet.

Placement of the second required drainfield between the trenches of the first drainfield is prohibited.

(1997 Code, § 300.07 Subd. 4.H) (Am. Ord. 08-030, passed 10-5-2010)

- D. Performance standards.
 - 1. Purpose and intent.
 - a. It is the purpose and intent of the city, by the adoption of the performance standards of this division, to ensure commercial buildings constructed within the city are of a high quality of exterior appearance, consistent with the terms of Non-Residential Development Policy #5 of the 2000-2020 Lake Elmo Comprehensive Plan. It is the finding of the city that a limited selection of primary exterior surfacing materials meets this standard of quality.
 - b. It is the further finding of the city that several specific exterior surfacing materials are appropriate, and of sufficient quality, to be utilized only as accent materials in varying percentages. The variations of percentage of specific accent materials relates to a finding by the city as to the relative quality and rural character of those respective accent materials.
 - 2. Architectural and site plan submittals. New building proposals shall include architectural and site plans prepared by registered architect and shall show the following as a minimum:
 - a. Elevations of all sides of the buildings;
 - b. Type and color of exterior building materials;
 - c. Typical general floor plans;
 - d. Dimensions of all structures; and
 - e. Location of trash containers, heating, cooling and ventilation equipment and systems.
 - 3. Applicability structure additions and renovation.
 - a. Additions to existing structures resulting in an increase of gross floor area of the structure of less than 100%; and/or installation of replacement exterior surfacing of any portion of an existing structure shall be exempt from the standards of this division where it is found that the new or replacement exterior surfacing proposed is identical to that of the existing structure.
 - b. Where additions to an existing structure result in an increase in the gross floor area of the existing structure of 100% or greater, the entire structure (existing structure and structure addition) shall be subject to the standards of this division.

- 4. Performance standards primary exterior surfacing.
 - a. The primary exterior surfacing of structures shall be limited to natural brick, stone, or glass. Artificial or thin veneer brick or stone less than nominal 4 inches thick shall not qualify as complying with this performance standard.
 - b. Primary exterior surface shall be defined as not less than 70% of the sum of the area of all exterior walls of a structure nominally perpendicular to the ground. All parapet or mansard surfaces extending above the ceiling height of the structure shall be considered exterior surface for the purposes of this division. Windows and glass doors shall be considered a primary surface, but the sum area of this glass shall be deducted from the wall area for purposes of the 70% primary/30% accent formulas of this chapter. Doors of any type of material, except glass, shall not be considered a primary exterior surface.
 - c. Each wall of the structure shall be calculated separately and, individually comply with the 70/30 formula.
- 5. Performance standard exterior surfacing accents. Not more than 30% of the exterior wall surfacing, as defined by division (D)(4) above, may be of the following listed accent materials, but no single accent material, except natural wood, may comprise more than 20% of the total of all accent materials; and, no combustible materials shall be used:
 - a. Cedar, redwood, wood siding;
 - b. Cement fiber board;
 - c. Standing seam metal;
 - d. Architectural metal;
 - e. Stucco:
 - f. Poured in place concrete (excluding "tilt-up" panels);
 - g. Architectural metal panels; and

(Am. Ord. 97-175, passed 6-20-2006)

- h. Porcelain or ceramic tile.
- 6. Performance Standard Accessory Structures. All accessory structures shall comply with the exterior surfacing requirements specified by this division (D).
- 7. Performance Standard HVAC Units and Exterior Appurtenances. All exterior equipment, HVAC and trash/recycling and dock areas shall be screened from view of the public with the primary exterior materials used on the principal structure.
- 8. Performance Standard Visible Roofing Materials. Any roofing materials that are visible from ground level shall be standing seam metal, fire-treated cedar shakes, ceramic tile, clay tile, concrete or slate.
- 9. Applicability New Construction. The standards of this division shall be applicable to all structures and buildings constructed in the city, on and after the

ARTICLE XIII. VILLAGE MIXED USE DISTRICT

§ 154.500 PURPOSE AND DISTRICT DESCRIPTION.

The purpose of the VMX district is to provide an area for compact, mixed use development made mutually compatible through a combination of careful planning and urban design and coordinated public and private investment. This district is intended to continue the traditional mixed use development that has occurred in the Village area by allowing retail, service, office, civic and public uses as well as residential units. The mixture of land uses within the district is essential to establishing the level of the level of vitality and intensity needed to support retail and service uses. The placement of building edges and treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian friendly environment envisioned for the VMX district. The standards in this chapter are intended to implement and effectuate the principles and relationships established in the Village Master Plan, which will be carried out through specific standards related to site planning, signage, architecture, building materials, and landscaping. Renovation and infill of traditional storefront-type buildings is encouraged, and parking standards may be waived to recognize the availability of on-street and shared parking facilities.

(Ord. 08-091, passed 11-13-2013)

§ 154.501 PERMITTED AND CONDITIONAL USES.

Table 11-1 lists all permitted and conditional uses allowed in the urban residential districts. "P" indicates a permitted use, "C" a conditional use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "Standards" indicate the location within this Ordinance of specific development standards that apply to the listed use.

- A. Combinations of Uses. The following use types may be combined on a single parcel:
 - 1. Principal and accessory uses may be combined on a single parcel.
 - 2. A principal and secondary dwelling unit may be combined according to the standards of Section 154.454 (A) and 154.505 (D).
 - Single-family attached or multi-family complexes designed for rental or condominium occupancy, since these typically include multiple units and buildings on a single parcel.
 - 4. Other permitted or conditional uses allowed within the district may be combined on a single parcel, provided that a unified and integrated site plan is approved. The entire development must be approved as a conditional use.
 - A mixed-use building that combines permitted or conditionally permitted residential, service, retail and civic uses may be developed meeting the form standards of this Article. Office or studio uses on upper stories are encouraged.

Table 11-1: Permitted and Conditional Uses, VMX Districts

| | VMX | Standard |
|---------------------------------|-----|---|
| Residential Uses | | |
| Household Living | | |
| Single-family detached dwelling | P* | * See Restrictions in 155.504 (A) |
| Two-family dwelling | P | * See Restrictions in 155.504 (A) |
| Single-family attached dwelling | C | 154.505 (B) |
| Multifamily dwelling | C | 154.505 (C) |
| Secondary dwelling | C | 154.505 (D), 154.454 (C) |
| Live-work unit | P | 154.505 (J) |
| Group Living | | |
| Group Home | P | 154.012 (B) (1) (b), 154.301 (A) |
| Group Residential Facility | C | 154.012 (B) (1) (b), 154.301 (B) |
| Congregate Housing | C | 154.012 (B) (1) (b), 154.301 (C) |
| Semi-Transient Accommodations | C | 154.012 (B) (1) (b), 154.301 (D) |
| Public and Civic Uses | | |
| Community Services | P | 154.012 (B) (2) |
| Day Care Center | P | 154.012 (B) (2) |
| Public Assembly | C | 154.012 (B) (2) |
| Religious Institutions | С | 154.012 (B) (2), 154.303 (N) |
| Schools, Public and Private | C | 154.012 (B) (2), 154.303 (A) |
| Services | | |
| Business Services | P | 154.012 (B) (3) |
| Business Center | P | 154.012 (B) (3) |
| Offices | P | 154.012 (B) (3) |
| Communications Services | P | 154.012 (B) (3) |
| Education Services | P | 154.012 (B) (3), 154.303 (A) |
| Financial Institution | P | 154.012 (B) (3) |
| Funeral Home | C | 154.012 (B) (3) |
| Lodging | C | 154.012 (B) (3), 154.302 (D) |
| Medical Facility | C | 154.012 (B) (3), 154.303 (B) |
| Membership Organization | С | 154.012 (B) (3) |
| Nursing and Personal Care | C | 154.012 (B) (3), 154.303 (C) |
| Personal Services | P | 154.012 (B) (3) |
| Repair and Maintenance Shop | С | 154.012 (B) (3), 154.505 (E) |
| Trade Shop | С | 154.012 (B) (3), 154.505 (F) |
| Veterinary Services | С | 154.012 (B) (3), 154.505 (G) |
| | VMX | Standard |
| Food Services | | |
| Standard Restaurant | P | 154.012 (B) (4), 154.505 (L) |
| Restaurant with Drive-through | C | 154.012 (B) (4), 154.505 (L), 154.304 (A) |
| Drinking and Entertainment | P | 154.012 (B) (4), 154.505 (L), 154.304 (B) |

| Retail Trade ¹ | P | 154.012 (B) (5) |
|---|---|-------------------------------|
| Farmer's Market | С | |
| Garden Center | С | 154.012 (B) (5), 154.505 (H) |
| Neighborhood Convenience Store | P | 154.012 (B) (5) |
| Shopping Center | C | 154.012 (B) (5) |
| Wayside Stand | P | |
| Automotive/Vehicular Uses | | |
| Automobile Maintenance Service | C | 154.505 (I) |
| Automobile Parts/Supply | P | 154.505 (I) |
| Gasoline Station | С | 154.305 (B) |
| Parking Facility | C | 154.505 (K) |
| Sales and Storage Lots | C | 154.305 (C) |
| Outdoor Recreation | | |
| Outdoor Recreation Facility | C | 154.306 (C) |
| Parks and Open Areas | P | 154.012 (B) (7) |
| Indoor Recreation/Entertainment | | |
| Indoor Athletic Facility | C | 154.012 (B) (7), 154.307 (A) |
| Indoor Recreation | C | 154.012 (B) (7), 154.307 (A) |
| Transportation and Communications | | |
| Broadcasting or Communications Facility | C | 154.012 (B) (11), 154.083 |
| Accessory Uses | | |
| Home Occupation | P | 154.012 (B) (12) |
| Bed and Breakfast | C | 154.012 (B) (12) |
| Domestic Pets | P | 154.012 (B) (12) |
| Family Day Care | P | 154.012 (B) (12) |
| Group Family Day Care | C | 154.012 (B) (12) |
| Temporary Sales | P | 154.012 (B) (12) |
| Parking Facility | P | 154.505 (K) |
| Solar Equipment | P | 154.012 (B) (12), 154.310 (C) |
| Swimming Pools, Hot Tubs, Etc. | P | 154.012 (B) (12) |
| Other Structures Typically Incidental and Clearly Subordinate to Permitted Uses | Р | |

Note: Standards listed in Table 11-1 are listed by Article, Section and Subsection.

1. Retail Trade in the VMX District includes all uses and activities defined as Retail Trade in §154.012 (B) (5) with the exception of building supplies sales and warehouse club sales.

(Ord. 08-091, passed 11-13-2013)

§ 154.502 LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS.

Lot area and setback requirements shall be as specified in Table 11-2, Lot Dimension and Setback Requirements.

Table 11-2: Lot Dimension and Setback Requirements, VMX District

| | VMX |
|--|-------------------|
| Minimum Lot Area (sq. ft.) ^a | |
| Non-Residential Use | None |
| Single Family Detached Dwelling | 5,000 |
| Two-Family Dwelling (per unit) b | 3,000 |
| Single-Family Attached (per unit) c | 2,500 |
| Multi-Family Dwelling (per unit) | 1,800 |
| Secondary Dwelling | See 154.454 (C) |
| Live-Work Unit | 3,000 |
| Congregate Housing | See 154.301 (C) |
| Other Structures | 3,500 |
| Maximum Lot Area (acres) | |
| Residential Structures | N/A |
| Other Structures | 5 |
| Minimum Lot Width (feet) | |
| Single Family Detached Dwelling | 50 |
| Two-Family Dwelling (per unit) b | 30 |
| Single-Family Attached (per unit) ^c | 25 |
| Multi-Family Dwelling (per building) | 75 |
| Live-Work Unit | 25 |
| Maximum Height (feet/stories) | 35/3 ^d |
| | VMX |
| Maximum Impervious Coverage | |
| Residential Structures | 75% |
| Other Structures | No Limit |
| Minimum Building Setbacks (feet) | |
| Front Yard ^e | See 154.506 |
| Interior Side Yard f | 10 |
| Corner Side Yard ^g | 0 |
| Rear Yard | 10 |

Notes to VMX District Table

a. No development may exceed the residential density range as specified in the Comprehensive Plan for the Village Mixed Use land use category

- b. Two-family units may be side-by-side with a party wall between them ("twin") or located on separate floors in a building on a single lot ("duplex"). The per-unit measurements in this table apply to "twin" units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a "duplex" containing two vertically-separated units on a single lot.
- c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e. 1 unit per 2,500 square feet. This standard is also used for multifamily dwellings.
- d. Buildings up to 45 feet in height may be permitted as part of a PUD.
- e. The front yard setback for single family homes shall be 25 feet.
- f. Side yard setbacks in the VMX District apply only along lot lines abutting residentially zoned parcels or those parcels with residential uses as the sole use.
- g. Corner properties: the side yard façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be shown in the table.

(Ord. 08-091, passed 11-13-2013)

§ 154.503 DIMENSIONAL REQUIREMENTS AND PRESERVATION OF OPEN SPACE.

- A. Averaging of Lot Area. When lots are clustered within a development to provide common open space, the open space may be used to calculate an average density per lot to determine compliance with the individual lot are requirements.
- B. Lot Dimension Reductions. Other reductions in dimensional standards may be considered as part of a Planned Unit Development if these reductions provide for common open space within a development.

(Ord. 08-091, passed 11-13-2013)

§ 154.504 GENERAL SITE DESIGN CONSIDERATIONS – VMX DISTRICT.

Development of land within the VMX District shall follow established standards for traffic circulation, landscape design, and other considerations as specified in Article 7, 8 and 9. (Ord. 08-152, passed 10-01-2016)

- A. *Circulation*. New access points to State Highway 5 may be refused or restricted to right-in right-out movement if alternatives exist. Internal connections shall be provided between parking areas on adjacent properties wherever feasible.
 - The number and width of curb-cuts shall be minimized. To promote pedestrian
 circulation, existing continuous curb-cuts shall be reduced to widths necessary for
 vehicular traffic, and unnecessary or abandoned curb cuts shall be removed as
 parcels are developed.

- B. Fencing and Screening. Fencing and screening walls visible from the public right-of-way shall be constructed of materials compatible with the principle structure.
- C. *Lighting Design*. Lighting shall be integrated into the exterior design of new or renovated structures to create a greater sense of activity, security, and interest to the pedestrian, and shall comply with §150.035-150.038 Lighting, Glare Control, and Exterior Lighting Standards.
- D. Exterior Storage. Exterior materials storage must be screened from view from adjacent public streets and adjacent residential properties, by a wing of the principal structure or a screen wall constructed of the same materials as the principal structure. Height of the structure or screen wall must be sufficient to completely conceal the stored materials from view at eye level (measured at six feet above ground level) on the adjacent street or property.
- E. Screening of Existing Residential Structures. When a new development is proposed adjacent to an existing single family residential structure, screening shall be provided in accordance with §154.258.F. The City may require buffering or screening above and beyond this section in cases where the required screening will not provide an adequate separation between incompatible uses.

(Ord. 08-091, passed 11-13-2013)

§ 154.505 DEVELOPMENT STANDARDS FOR SPECIFIC USES.

Development of land within the VMX district shall follow established standards for traffic circulation, landscape design, parking, signs and other considerations as specified in Articles 7, 8 and 9. The following standards apply to specific uses; other standards related to design and building type may be found at §154.506. (Ord. 08-152, passed 10-01-2016)

- A. Single-Family and Two-Family Dwellings
 - 1. Single-Family Dwellings are limited to those existing at the time of adoption of this Ordinance. Existing single-family dwellings shall be considered permitted uses, rather than nonconforming uses.
 - 2. Unless otherwise specified in this Article, Single and Two Family Dwellings in the VMX district shall adhere to the MDR district setbacks as specified in §154.452.
- B. Single-Family Attached Dwellings
 - 1. A maximum of eight (8) units shall be permitted within a single building.
 - 2. Townhouse dwellings shall be located on lots in such a way that each individual unit has a minimum of twenty-five (25) feet of public street frontage. No parking shall be located in the front yard or between the front façade and the street.
 - 3. The primary entrance to each unit shall be located on the façade fronting a public street; an additional entrance may be provided on the rear or side façade.

- 4. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall compromise a minimum of three hundred (300) square feet per unit.
- C. *Multi-Family Dwelling Units*. Dwelling units (both condominium and rental) are restricted to the upper floors or rear or side ground floors of a mixed use building.
 - No parking shall be located in the front yard or between the front façade and the street.
- D. Secondary Dwellings. Restricted to lots occupied by single-family dwellings, and must meet the standards for secondary dwellings in residential districts, §154.454 (C).
- E. Repair and Maintenance Shop. No outdoor storage is permitted unless fully screened from public view.
- F. *Trade Shop*. Exterior materials storage must be totally screened from view from adjacent public streets and adjacent residential properties by a wall of the principal structure or a screen wall constructed of the same materials as the principal structure.
- G. Veterinary Services. All activities must be conducted within an enclosed building.
- H. Garden Center.
 - 1. The storage or display of any materials or products shall meet all setback requirements of a structure, and shall be maintained in an orderly manner. Screening along the boundaries of adjacent residential properties may be required, meeting the standards of Section 154.258 (F).
 - 2. All loading and parking shall be provided off-street.
 - 3. The storage of any soil, fertilizer or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses.
- I. Automobile Maintenance Service and Automobile Parts/Supply.
 - 1. All vehicle repairs shall be conducted in a completely enclosed building
 - 2. The storage or display of inoperable or unlicensed vehicles or other equipment shall meet all setback requirements of a structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties.
- J. Live-Work Unit. The purpose of a live-work unit is to provide a transitional use type between a home occupation and a larger commercial enterprise, and to provide neighborhood-oriented commercial services, while maintaining a generally residential character in which the work space is subordinate to the residential use.
 - 1. The work space component shall be located on the first floor or basement of the building.
 - 2. The dwelling unit component shall maintain a separate entrance located on the front or side façade and accessible from the primary abutting public street.
 - 3. The work space component of the unit shall not exceed thirty (30) percent of the total gross floor area of the unit.

- 4. A total of two (2) off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit, or underground/enclosed.
- 5. The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. An increase in size or intensity beyond the specified limit on floor area would require the building to be classified as a mixed-use building.
- 6. The business component of the building may include offices, small service establishments, home crafts which are typically considered accessory to a dwelling unit, or limited retailing (by appointment only) associated with fine arts, crafts, or personal services. It may not include a wholesale business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.
- 7. The business of the live-work unit must be conducted by a person who resides on the same lot. The business shall not employ more than two (2) workers on-site at any one time who live outside of the live-work unit.
- K. Parking Facility. Structured parking is permitted as a ground floor use within a mixed-use building, provided that it is located on side or rear facades, not facing the primary abutting street. The primary street-facing façade shall be designed for retail, office or residential use. The primary street façade may include an entrance into the parking facility.
- L. Outdoor Dining Accessory to Food Services. Outdoor dining is allowed as an accessory use in the commercial districts, provided that tables do not block the sidewalk. A minimum of five (5) feet of sidewalk must remain open.

(Ord 08-091, passed 11-13-2013)

§ 154.506 VMX DISTRICT DESIGN AND DEMOLITION REVIEW.

- A. Review of Design. For certain development activity as specified in the Lake Elmo Design Standards Manual, design review is required as part of the approval process for a permit or certificate under this Ordinance. All projects subject to design review shall be reviewed for conformance with the Lake Elmo Design Standards Manual. A separate process for design review is not established.
 - Review Authority and Process. Design review shall be the responsibility of the
 individual or body authorizing the permit or certificate and shall be incorporated
 in the established review of the applicable permit or certificate. For those
 applications under this Ordinance that require review by the Planning
 Commission, the Planning Commission shall consider the standards in the Lake
 Elmo Design Standards Manual as part of its recommendation to the City
 Council.
 - 2. Review by Professional. The authorizing body may request review by a design professional of the proposed design or demolition. The cost of review by such design professional shall be charged by the applicant, and shall not exceed \$1,000 unless otherwise agreed to by the applicant.

- 3. Development Activity Defined. Development Activity consists of new construction and redevelopment activities, including remodeling that expands the footprint of a structure, altering, or repairing a structure in a manner that will change the exterior appearance of said structure. Development activity also includes the construction of a new parking lots and installation of signage.
 - a. *Exempt Activities*. The following activities shall be exempt from under review of this Section:
 - i. Ordinary repairs and maintenance that will not change the exterior appearance of a structure;
 - ii. Removal of existing signage without replacement unless said signs are an integral part of the building;
 - iii. Emergency repairs ordered by the Director of Planning in order to protect public health and safety;
 - iv. Exterior alteration, addition, or repair of a structure used as a single-family residence, duplex, or two-family residence.
 - Temporary signage, installed in accordance with §154.212 of this Ordnance, or during which time an application for permanent signage is pending under this Ordinance;
 - vi. Maintenance of existing signage advertising an on-site business;
 - vii. Alterations only to the interior of a structure.

(Ord 08-091, passed 11-13-2013)

§ 154.507 ACCESSORY USES AND STRUCTURES.

Accessory uses are listed in the VMX District Use Table as permitted or conditional accessory uses. Accessory uses and structures in the VMX District shall comply with the following standards and all other applicable regulations of this ordinance:

- A. *Phasing*. No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.
- B. *Incidental to Principal Use*. The accessory use or structure shall be incidental to and customarily associated with the principal use or structure served.
- C. Subordinate to Principal Use. The accessory use or structure shall be subordinate in the area, extent, and purpose to the principal use or structure served.
- D. *Function*. The accessory use or structure shall contribute to the comfort, convenience, or necessity of the occupants of the principal use or structure served.
- E. *Location*. The accessory use or structure shall be located on the same zoning lot as the principal use or structure.

(Ord 08-091, passed 11-13-2013)

§154.508 RESIDENTIAL ACCESSORY STRUCTURES, VILLAGE MIXED-USE DISTRICT.

- A. Attached Structures, Village Mixed-Use District. An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:
 - 1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.
 - 2. The structure shall not exceed the height of the principal building to which it is attached.
- B. Attached Garages, Mixed-Use District
 - Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:
 - a. The front of the garage is recessed at least four (4) feet behind the plane of the primary façade; or
 - b. The front of the garage is recessed at least four (4) feet behind a porch if the garage is even with the primary façade.
 - 2. The width of the attached garage shall not exceed 40% of the width of the entire principal building façade (including garage) fronting the primary street.
 - 3. Attached garages shall not exceed one thousand (1,000) square feet in area at the ground floor level except by conditional use permit.
 - 4. Garage doors or openings shall not exceed fourteen (14) feet in height.
- C. Detached Structures, Village Mixed-Use District. Detached accessory structures that are accessory to permitted residential structures in the VMX District shall adhere to the following requirements:
 - Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
 - 2. Detached garages shall not exceed one thousand (1,000) square feet at ground floor level and shall not exceed a height of twenty-two (22) feet or the height of the principal structure. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.
 - 3. Pole barns, as defined herein, shall be prohibited.
 - 4. No more than thirty (30) percent of the rear yard area may be covered by accessory structures.
 - 5. Garage doors or openings shall not exceed fourteen (14) feet in height.

- D. Exterior Design and Color, All Accessory Structures. The exterior building materials, design and color of all accessory building or structures shall be similar to or compatible with the principal building, with the exception of the following accessory building or structures:
 - 1. Gazebos
 - 2. Swimming pools
 - 3. Tennis and sport courts
 - 4. Other structures in which the required design is integral to the intended use, such as a greenhouse.

(Ord. 08-104, passed 3-18-2014) Penalty, see § 154.999

§ 154.509 ACCESSORY USES.

- A. Exterior Storage on Residential Parcels. All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:
 - 1. Laundry drying
 - Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six (6) months shall be screened or stored out of view of the primary street on which the house fronts.
 - Agricultural equipment and materials, if these are used or intended for use on the premises.
 - 4. Off-street parking and storage of vehicles and accessory equipment, as regulated in Sections 154.404 and 154.210.
 - 5. Storage of firewood shall be kept at least ten (10) feet from any habitable structure and screened from view of adjacent properties.
 - 6. Outdoor parking
- B. *Temporary Sales*. Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two (2) per calendar year per residence, not to exceed four (4) days in length for each event.

(Ord 08-091, passed 11-13-2013)

§ 154.510 ACCESSORY USES AND STRUCTURES NOT LISTED.

Standards for accessory uses and structures that are permitted in all districts, or in all residential buildings in any district, are listed in Article 9, Specific Development Standards. These include uses such as family and group family day care, bed and breakfast facilities, and home occupations, and structures such as swimming pools and solar equipment.

(Ord 08-091, passed 11-13-2013) (Ord. 08-152, passed 10-01-2016)

CITY OF LAKE ELMO COUNTY OF WASHINGTON STATE OF MINNESOTA

ORDINANCE NO. 08-

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LAKE ELMO AND AMENDING THE ZONING CODE BY OMITTING SECTION 034: GB - GENERAL BUSINESS

SECTION 1. The City Council of the City of Lake Elmo hereby ordains the following properties to be rezoned from GB - General Business to VMX - Village Mixed Use:

PIDs:

| 1302921230055 | 1302921320001 | 1302921320052 | 1302921210010 | 1302921120013 |
|---------------|---------------|---------------|---------------|---------------|
| 1302921230057 | 1302921230038 | 1302921320026 | 1302921320012 | 1302921120010 |
| 1302921230058 | 1302921230037 | 1302921230007 | 1302921240022 | 1302921120016 |
| 1302921320021 | 1302921320019 | 1302921320046 | 1302921220007 | 1302921120012 |
| 1302921230068 | 1302921210013 | 1302921230059 | 1302921220023 | 1302921120009 |
| 1302921320025 | 1302921210014 | 1302921310017 | 1302921220018 | 1302921120011 |
| 1302921230070 | 1302921210011 | 1302921210016 | 1302921220016 | 1302921120015 |
| 1302921320049 | 1302921210012 | 1302921310016 | 1302921220017 | 1302921120014 |
| 1302921320051 | 1302921210015 | 1302921230046 | 1302921220019 | 1302921220008 |
| 1302921320048 | 1302921320041 | 1302921230065 | 1302921220022 | 1302921220010 |
| 1302921320047 | 1302921320042 | 1302921230053 | 1302921220021 | 1302921240016 |
| 1302921240020 | 1302921320083 | 1302921240024 | 1302921220020 | 1302921220012 |
| 1302921310003 | 1302921230054 | 1302921240019 | 1302921240021 | 1302921230071 |
| 1302921230056 | 1302921210001 | 1302921240017 | 1302921210006 | 1302921210007 |
| 1302921320032 | 1302921320005 | 1302921230067 | 1302921220002 | 1302921220013 |
| 1302921320027 | 1302921230025 | 1302921240025 | 1302921220011 | 1302921220014 |
| | | 1302921210009 | 1302921230004 | 1302921210002 |
| | | | | |

SECTION 2. The City Council of the City of Lake Elmo also hereby ordains that the Zoning Administrator shall make the applicable changes to the official Zoning Map of the City of Lake Elmo.

SECTION 3. The City Council of the City of Lake Elmo hereby strikes Title XV: Land Usage; Chapter 154: Zoning Code; by repealing Section 154.034: GB - General Business in its entirety.

SECTION 4. The City Council of the City of Lake Elmo hereby strikes reference to 154.034: GB - General Business District from the Table of Contents of Chapter 154: Zoning Code of Title XV: Land Usage.

SECTION 5. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Section 030: Classifications by eliminating the following:

§ 154.030 CLASSIFICATIONS.

For the purpose of this chapter, all land in the city is divided into zoning districts. The zoning districts shall be identified by the following classifications, including those districts identified in § 154.350:

(A) R-2 One- and Two-Family Residential
 (B) GB General Business
 (C) B OP Open Space Preservation District
 (D) C OZD Overlay Zoning Use District

SECTION 6. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Section 212: Sign Regulations; Table 5-3 to read the following:

| Grou | ınd Signs | ja j | | |
|-------------------------------------|-------------------------|-------------------------------------|-------------------------------|-------------------------------|
| Zoning | Districts | Aa, LDR, OP, RE, RS, RRa, RTa | 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 |

SECTION 7. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 150.116: [Wireless Communications] Zoning Requirements to read the following:

№ § 150.116 ZONING REQUIREMENTS.

(A) Wireless communications facilities that require a conditional use permit, including the installation of a new tower, shall be permitted in the following districts and subject to the following height restrictions provided they meet all other requirements of this subchapter.

| Zoning District Maximum Height (in feet) | | Minimum Para | linimum Parcel Area | |
|--|-----------|--------------|---------------------|--|
| A- Agriculture | riculture | | 10 | |
| RR - Rural Residential Zoning | | 125 | 5 | |
| R-1, R-2, R-3 and R-4 Urban Re | 125 | 2.5 | | |
| OP - Open Space | 125 | 2.5 | | |
| RE - Residential Estates | 125 | 2.5 | | |
| GB, LB, CB, HB - Business | 125 | 5 | | |
| BP - Business Park | 125 | 5 | | |
| PF - Public Facility | 125 | None | | |

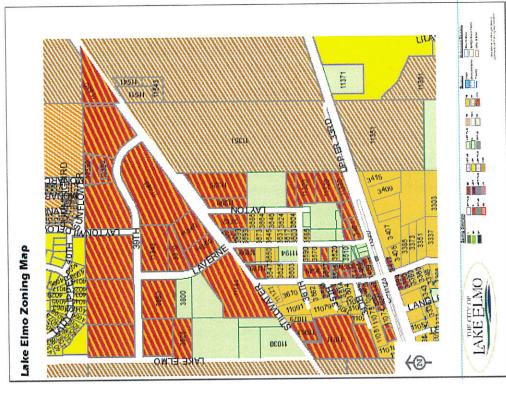
SECTION 8. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 153.14: Park Land Dedication Requirements to read the following:

| Zoning Districts | Minimum Required Land Dedication |
|--|----------------------------------|
| GB , LB, HB, BP, CB, | Fee as set by Council resolution |
| C, CC, LC, VMX, BP | Fee as set by Council resolution |
| RR and AG with OP Conditional Use Permit | 7% |
| RR and AG with OP-A Conditional Use Permit | 10% |

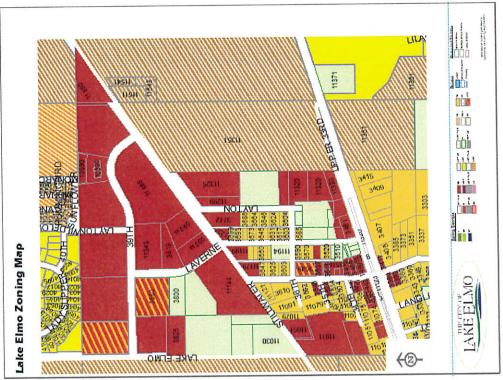
SECTION 9. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

| SECTION | 10. A | doption | Date. | This | Ordinance | 08 | was | adopted | on | this ₋ | day |
|----------------|-------|----------|---------|------|---------------|-------|-----|---------|----|-------------------|---------|
| of | , 20 | 16, by a | vote of | | Ayes and $_$ | Nays. | | | | | |

| | Mike Pearson, Mayor | | | |
|---|---------------------|--|--|--|
| ATTEST: | | | | |
| Julie Johnson, City Clerk | | | | |
| This Ordinance 08 was published o 2017. | n the day of, | | | |



Public Hearing Notice – see next page for parcels added in Staff report) Proposed Zoning (Only includes parcels included in the



Current Zoning

The aqua-outlined VMX-zoned parcels are those that were added in the Staff Report that were not zoned GB 3415 3409 3800 11030

Proposed Zoning (includes parcels that were included in tonight's Staff report but were not advertised in public hearing)

Public hearing opened at 8:34 pm

No one spoke and there was no written comments received.

Public hearing closed at 8:35 pm

Dunn would like to see the option of sewer or private septic. She doesn't think that they should be forced to connect to sewer. Wensman stated that the comprehensive Plan is not in compliance with the projects that we are doing. If we don't do this amendment, the land use designation would need to be changed.

M/S/P: Fields/Dodson, Move to recommend the City Council approve the comprehensive plan text amendment to amend the planned land use category in the Comprehensive Land Use Plan to read as written, *Vote: 5-1, motion carried. Dunn voted no because she feels it is important that people have an option regarding connection.*

Business Item – Zoning Text Amendment to discuss the VMX Zoning Text .

Wensman began his presentation by showing the areas that are zoned as general business, but guided as VMX in the Comprehensive Plan. To bring the zoning into compliance with the Comprehensive Plan, Wensman would like to see these properties rezoned. Wensman believes by rezoning, it would actually eliminate some non conformities. The area that would change the most, would be in the Northern area by 39th Street. Wensman stated that this was intended to bring the district more in conformance than it is now and should be done as a district vs. one at a time. If there are things about the district that the Commission does not like, then changes should be made to the district.

Dunn feels that the premise is based on the Village Master Plan. Where is the master plan? Wensman stated that the plan was based on transfer of density and he is not sure what happened to that plan. Dunn did a rough calculation on what could be done if the maximum densities were used. With her calculation, there is potential for upwards of 3000 people. She feels it is quite intense and not appropriate for this target area. She would like to see more work done on the reductions for the comprehensive plan and possibly look at form based code. Dunn would like to see the Comprehensive Plan revisited as soon as possible for population reductions. She thinks we should take our time and do this right.

Dunn pointed out some of the differences between GB and VMX. She feels one of the biggest differences is the impervious surface coverage maximum goes from 40% based on acreage in GB to 75% in VMX.

Fields is confused because if the comprehensive plan is guided the way we want it, the rezoning should happen. If we are considering if the guiding is correct, then it should not be rezoned, but should be discussed what the guiding should be.

Larson thinks that what brings the guiding for VMX into question is that the density of this area is in transition. Larson understands the feeling of discomfort as this zone is less restrictive. There are still a lot of questions that make it uncomfortable for people to buy into this zone.

Williams thinks it would be good to ask the City Council if past projections of population in this area are still valid.

Dodson is wondering how big a project form based code is. Wensman stated that it is something that takes some technical skill to do and it would need to be contracted out.

Williams thinks it would help facilitate the vision, but would not be necessary to do the rezone.

M/:Dunn/, Move to recommend not rezoning the parcels to VMX until the City Council can review the target numbers and there is a form based code, **motion dies for lack of second.**

M/S/P: Williams/Dunn, Move to ask the City Council to give the Planning Commission guidance on updated population and development projections for the areas guided for VMX in the Old Village, *Vote: 6-0, motion carried unanimously.*

Fields would like to know what the driving force was for the VMX. If it was to bring more people to the downtown to make it more vibrant, or if it was to meet the Met Council mandates for housing population. Williams recollection was that it was for both of those reasons in addition to form based code to make it a more picturesque downtown and to incorporate business and residential in the same building, which general business does not do.

M/S/P: Williams/Dodson, Move to ask the City Council to approve funds for a consultant to work on a form based code for the downtown Old Village, *Vote: 6-0, motion carried unanimously.*

Fields would like any information that he could get on form based code. Williams believes that the City has a couple of videos on this topic.

Staff Updates

- 1. Upcoming Meetings
 - a. June 27, 2016
 - b. July 11, 2016

Commission Concerns

Dunn asked about the AUAR. Wensman stated that the City is overdue for the update and it is in the City Engineers hands right now.

Meeting adjourned at 9:28 pm

Respectfully submitted,

Joan Ziertman Planning Program Assistant



City of Lake Elmo Planning Commission Meeting Minutes of April 24, 2017

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

COMMISSIONERS PRESENT: Dorschner, Fields, Larson, Kreimer, Dodson, Emerson,

Williams, Lundquist and Hartley

COMMISSIONERS ABSENT:

STAFF PRESENT: Planning Director Wensman and City Planner Becker

Approve Agenda:

Accept the agenda as presented.

Approve Minutes: April 10, 2017

M/S/P: Williams/Dodson, move to approve the April 10, 2017 minutes as presented,

Vote: 7-0, motion carried unanimously.

Public Hearing - Zoning Map Amendment - Rezone Properties to VMX

Becker started her presentation by reviewing what was discussed at the March 27, 2017 meeting. After advertising the public hearing notice for that meeting, staff learned that there were a number of Zoning Map errors with incorrect zoning classifications resulting in properties that should have been included in the public notification for rezoning. There are 2 properties that are zoned GB, that are guided for RAD. Staff does not recommend rezoning these at this time. The guidance of the properties should first be reconsidered with the 2040 Comp Plan update process. As a result, GB standards will need to remain in the code. The Schiltgen parcel, which is a larger parcel, was added to the PH notice, however, staff is not recommending that it be rezoned at this time. It is typical for the developers to rezone during Preliminary Plat process.

Dorschner asked why we would keep the general business standards. Wensman stated that 2 parcels are zoned GB, but are guided for RAD. Wensman stated that until the guidance is changed, if they continue to remain GB, there needs to be standards. Dorschner stated that he thought this whole exercise was to get everything in line now because of new development coming in. Wensman stated that if it is the desire of the Commission to get rid of the GB standards, those 2 properties could be rezoned to RAD.

Lake Elmo Planning Commission Minutes; 4-24-17

These properties are currently not used for business, even though that is how they are zoned. Becker stated that the reason they are rezoning a lot of these properties is because a lot of the properties do not meet the standards and are legal non-conforming. The rezone to VMX will give them better standards to work with for their properties and make them more conforming. The VMX standards give them greater flexibility.

Williams asked if they had heard anything from the property owners of the 2 parcels. He is wondering if they might have thought they were going to be rezoned to VMX. Becker stated that it is possible, but after reviewing the map, it was determined that they are guided for RAD. Williams asked about the impervious surface allowance in the table. Becker stated that the numbers in table are reversed. Williams asked if the list of properties included any residential properties. Becker stated that if they were not already zoned as GB, they were not included. There were a couple of properties that were zoned as residential that are used for business. Those are being rezoned to VMX.

Public Hearing opened at 7:14 pm

Susan Dunn, 11018 Upper 33rd Street, she is concerned as she lives in a single family home in the Village. Dunn is wondering if all single family homes will be reguided to VMX. Becker stated that no, not all would be rezoned. Only those currently zoned GB or used for commercial purposes and had a zoning map error and guided for VMX will be rezoned. Becker estimated that approximately 78 acres would be rezoned. There are approximately 1300 acres in the Village, with approximately 164 acres guided for VMX. Dunn asked how many units per acre are in VMX. Becker stated that there are 6-10 units per acre. Dunn is not in favor of that large of an area being VMX.

There were no written comments

Public Hearing closed at 7:18 pm

Larson asked about the single family homes and how they would be handled. Becker stated that it depends how the ZTA for Village Urban Districts is decided. She stated that right now, it states that single family homes are permitted. Wensman stated that the single family homes are not being rezoned at this time. Wensman stated that the next step is to decide with the ZTA how to handle them. Should they be rezoned, reguided, or left that same.

M/S/P: Williams/Lundquist, move to recommend a Zoning Map Amendment rezoning properties outlined in Ord. 08- to VMX – Village Mixed Use, *Vote: 7-0, motion carried unanimously.*

Public Hearing - Grading Permit in Excess of 400 cubic yards of material

Becker started her presentation

Public Hearing opened at: pm

There were no written comments and no one spoke

Public Hearing closed at: pm

M/S/P: /, move to recommend, Vote: -, motion carried unanimously.

Public Hearing - Zoning Text Amendment - Solar Energy

Becker started her presentation

Public Hearing opened at: pm

No one spoke and there were no written comments

Public Hearing closed at: pm

M/S/P: /, move to , Vote: -, motion carried unanimously.

Business Item - Easton Village 2 Final Plat

Becker started her presentation

M/S/P: /, move to recommend approval : Vote: -, motion carried unanimously.

Business Item - Zoning Text Amendment - Village Urban Districts

Becker started her presentation

M/S/P: /, move to , **Vote: -, motion carried unanimously.**

City Council Updates - April 18, 2017 Meeting

- i) Engineering & Landscape Design & Construction Standards Passed
- ii) Bremer Bank Service Center Easement Vacations Passed

Staff Updates

- 1. Upcoming Meetings
 - a. May 8, 2017
 - b. May 22, 2017

Lake Elmo Planning Commission Minutes; 4-24-17

2. MAC CEP Report

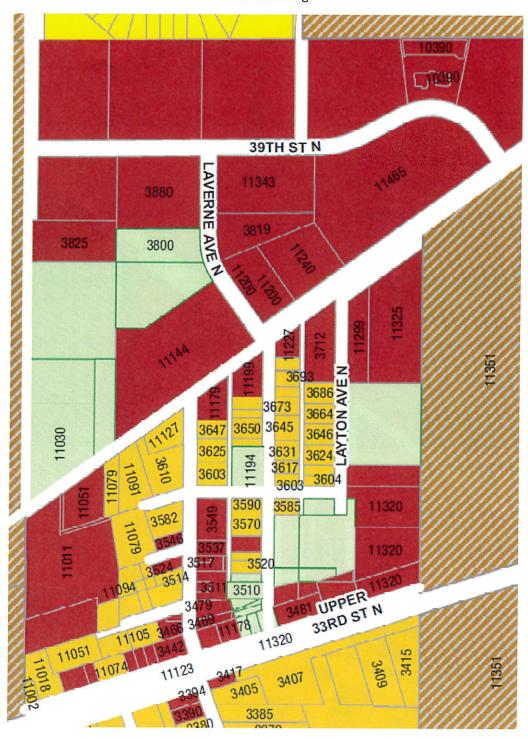
Commission Concerns

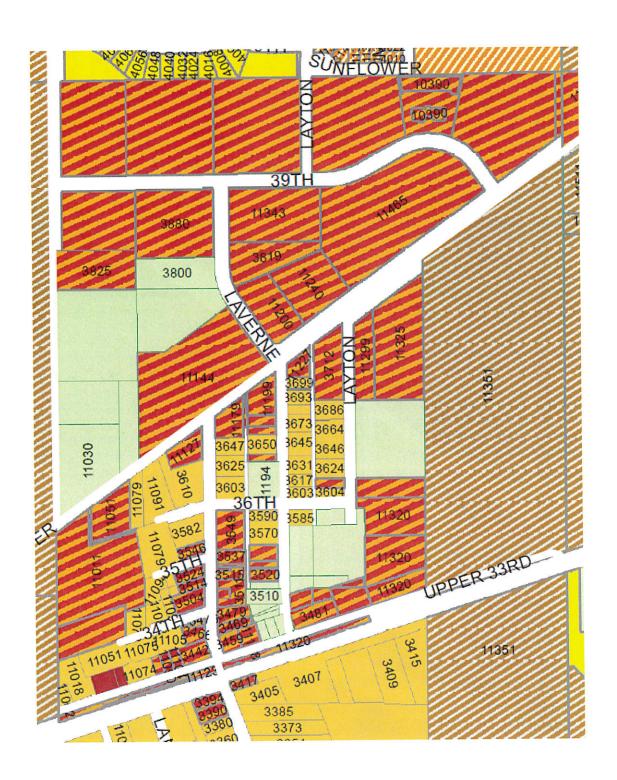
Meeting adjourned at : pm

Respectfully submitted,

Joan Ziertman Planning Program Assistant

Current Zoning







STAFF REPORT

DATE:

5/2/2017

REGULAR

ITEM #:

11

MOTION

TO:

City Council

FROM:

Emily Becker, City Planner

AGENDA ITEM:

V-LDR/VMX Zoning Text Amendment

REVIEWED BY:

Stephen Wensman, Planning Director

BACKGROUND:

During the Planning Commission meeting on November 14, 2016, there was discussion regarding the need for a Village Urban Low Density (V-LDR) zoning district for areas guided for Village Urban Low Density on the Comprehensive Plan's Land Use Map, as no zoning districts currently allow the density designated for this Land Use (1.5-2.49 units per acre).

Staff drafted an ordinance which created the V-LDR zoning district, setting forth standards. The zoning district was drafted to be included in Article XIII – Village Mixed Use District of the Zoning Code. Staff and the Planning Commission also took the opportunity to make amendments to standards of the Village Mixed Use (VMX) zoning district.

The Planning Commission reviewed the draft ordinance at its January 23, February 13, February 27, March 27, April 10 (public hearing), 2017 meetings, and made recommendation on the proposed ordinance amendment at its April 24, 2017 meeting.

ISSUE BEFORE COUNCIL:

The Council should review and consider adoption of an ordinance amendment to Article XIII – Village Mixed Use of the Zoning Code, creating a V-LDR zoning district and making amendments to the VMX zoning district.

PROPOSAL DETAILS/ANALYSIS:

The following describes a summary of the V-LDR zoning district as well as amendments to the VMX zoning district standards. Because the ordinance amendment was discussed over a number of meetings, only the latest Planning Commission Staff Report, attachments, and meeting minutes are included in the attachments to this report.

V-LDR Zoning District.

- Purpose and District Description is added, defining density as 1.5-2.49 units per acre.
- Lot Dimensions and Setback Requirements.
 - o The minimum lot size of the V-LDR zoning district is proposed as 9,000 square feet in size, as this is slightly increased from the minimum lot size of the Urban Low Density Residential zoning district (8,000 square feet) due to a slightly lower density. This is also

the minimum lot size in the Golf Course Community zoning district. The minimum lot width (70 feet) is also slightly longer than and maximum impervious surface (35%) is slightly less than the Urban Low Density zoning district (60 feet and 40%, respectively) due to larger lots. Accessory structure setbacks from the Urban Residential zoning districts were added, as well as the provision that garages may not exceed more than 60% of the entire principal façade.

- Setbacks from County Roads. 30 foot setbacks are proposed for residential homes within the V-LDR for reasons outlined in the April 24, 2017 Planning Commission Staff Report.
- Village Open Space Overlay District. A provision was added to protect lots from encroaching the buffer areas within the Village Open Space Overlay District but also allowing an alternative to this requirement if berming or screening is provided and protected by landscape easement.
- Sidewalks and/or Trails to Connect Cul-de-Sac Bulbs to roads or trails.
- Lake Elmo Theming Study Elements to be incorporated where applicable.
- *Minimum House Size* is added. This is a requirement that is within all residential zoning districts of the Zoning Code.

VMX Zoning District.

- Density. Defines that development shall occur at a density of 6-10 units per acre and adds language from the Comprehensive Plan which allows density to increase to 16 units per acre for senior congregate care facilities with a conditional use permit.
- Single-family detached and two-family dwellings are conditional uses.
 - Previous language indicated that *existing* single-family detached and two-family dwellings are permitted within the VMX. Upon rezoning, either a use needs to be permitted, conditional or interim, or it becomes legal non-conforming (and therefore subject to the City's Non-Conforming Uses and Structures Ordinance). Therefore, better language was needed to both recognize existing single-family detached and two-family homes within the VMX district as well as allow for additional single-family homes provided the use is compatible with the existing neighborhood.
 - Staff and the Planning Commission believe the best way to accomplish this is to make them a conditional use within the VMX. A conditional use permit would require that the Planning Commission and City Council make the required findings for a conditional use permit that the proposed single-family detached or two-family dwelling meet the provisions outlined in Section 154.106: Conditional Use Permits, attached to the attached Planning Commission Staff Report dated April 24, 2017.
 - This would result in existing single-family detached and two-family dwellings not needing a conditional use permit unless they were to expand. New single-family detached and twofamily dwellings would require a conditional use permit.
- Other Residential Uses are changed from permitted to conditional uses.
 - The Commission recommended that all other residential uses, including live-work units and group homes be conditional, rather than permitted uses. The City Attorney was consulted regarding amending group homes to be conditional uses and has stated that group homes as defined by Minn. Statute are required to be permitted in cities.
- Automobile Parts/Supply are changed from permitted to conditional uses.
 - The Planning Commission recommended this, as all other Automotive/Vehicular Uses are conditional uses.
- Setbacks. Setbacks standards are proposed to meet the prevailing front yard setback of a block or maximum setback of 20 feet, whichever is less. This is to reflect the Lake Elmo Design Standards and Guidelines Manual.
- Veterinary Services Standards. The Commission requested that standards be added to veterinary services in order to help prevent large animals from being treated in the Village area.

Planning Commission and Public Hearing. The proposed ordinance includes changes recommended by the Planning Commission. Comments from the public hearing included concern over the density associated with the VMX zoning district. The Planning Commission made the following findings of fact in regards to the proposed ordinance:

- 1. That certain areas of the Old Village are guided for Urban Low Density Residential in the Land Use Plan of the Comprehensive Plan, which designates a density of 1.5-2.49 units per acre.
- 2. That there currently does not exist a Village Low Density Residential zoning district which has a density of 1.5-2.49 units per acre within the Zoning Code.
- 3. That the Village Low Density Residential zoning district is being proposed due to the imminence of the Gonyea West Development, which is expected to be proposed to be located within the Old Village in an area guided for Village Low Density Residential.
- 4. That the Planning Commission would be interested in exploring increased densities within the Old Village as an amendment to the Comprehensive Plan.

The Planning Commission recommended adoption of Ord. 08-175 with an affirmative vote of 7-0.

FISCAL IMPACT:

None.

OPTIONS:

The Council may:

- Adopt Ord. 08-175 as proposed.
- Amend Ord. 08-175 and adopt as amended.
- Deny adoption of Ord. 08-175.

RECOMMENDATION:

Staff and the Planning Commission recommend that the Council adopt Ord. 08-175, approving an amendment to Article XIII: Village Mixed Use Districts, creating a Village Low Density Residential Zoning District and amending standards for the Village Mixed Use zoning district:

"Move to adopt Ord. 08-175, approving an amendment to Article XIII: Village Mixed Use Districts, creating a Village Low Density Residential Zoning District and amending standards for the Village Mixed Use zoning district."

If Council adopts the above ordinance amendment, Staff also recommends that the Council adopt Resolution 2017-041 approving summary publication of Ord. 08-175.

"Move to adopt Resolution 2017-041 approving summary publication of Ord. 08-175."

ATTACHMENTS:

- Ord. 08-175
- Summary Publication Resolution 2017-041
- V-LDR/VMX Item from Planning Commission Meeting Packet dated 4/24/2017
- Planning Commission Meeting Minutes 4/24/2017 pertaining to V-LDR/VMX

CITY OF LAKE ELMO COUNTY OF WASHINGTON STATE OF MINNESOTA

ORDINANCE NO. 08-176

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LAKE ELMO

SECTION 1. The City Council of the City of Lake Elmo hereby ordains the following properties to be rezoned from GB - General Business to VMX - Village Mixed Use:

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|---|---------------|---------------|---------------|---------------|---------------|
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| | 1302921230068 | 1302921210013 | 1302921230059 | 1302921220023 | 1302921120009 |
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| | 1302921230070 | 1302921210011 | 1302921210016 | 1302921220016 | 1302921120015 |
| | 1302921320049 | 1302921210012 | 1302921310016 | 1302921220017 | 1302921120014 |
| | 1302921320051 | 1302921210015 | 1302921230046 | 1302921220019 | 1302921220008 |
| | 1302921320048 | 1302921320041 | 1302921230065 | 1302921220022 | 1302921220010 |
| | 1302921320047 | 1302921320042 | 1302921230053 | 1302921220021 | 1302921240016 |
| | 1302921240020 | 1302921320083 | 1302921240024 | 1302921220020 | 1302921220012 |
| | 1302921310003 | 1302921230054 | 1302921240019 | 1302921240021 | 1302921230071 |
| | 1302921230056 | 1302921210001 | 1302921240017 | 1302921210006 | 1302921210007 |
| | 1302921320032 | 1302921320005 | 1302921230067 | 1302921220002 | 1302921220013 |
| | 1302921320027 | 1302921230025 | 1302921240025 | 1302921220011 | 1302921220014 |
| | 1302921230063 | 1302921230036 | 1302921210009 | 1302921230004 | 1302921210002 |
| | 1302921320022 | 1302921230062 | 1302921230064 | 1302921320086 | 1302921320007 |
| | 1302921320009 | 1302921320008 | 1302921320010 | 1302921320085 | 1302921320096 |
| | 1302921320094 | 1302921230077 | 1302921230027 | 1302921230018 | 1302921230026 |
| | 1302921230010 | | | | |
| | | | | | |

SECTION 2. The City Council of the City of Lake Elmo also hereby ordains that the Zoning Administrator shall make the applicable changes to the official Zoning Map of the City of Lake Elmo.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.