



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

NOTICE OF MEETING
City Council Meeting
Wednesday, July 5, 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. May 16, 2017, June 20, 2017

D. Public Comments/Inquires

E. Presentations

F. Consent Agenda

2. Approve Payment of Disbursements and Payroll
3. Old Village Ph3 Street & Utility Improvements – Approve Change Order No. 1
4. Royal Golf Zoning Map Amendment – Rezoning Property from PF – Public and Quasi-Public Open Space to Golf Course Community
5. Tax Abatement Payment for Valley Cartage

G. Regular Agenda

6. Lake Elmo Jaycees Special Event Permit for Huff n Puff Days
7. Donation from Lake Elmo Jaycees-*Resolution No 2017-074*
8. Southwind Easement Vacation – *Resolution 2017-069*
9. Southwind Final Plat – *Resolution 2017-070*
10. Southwind Developer Agreement – *Resolution 2017-072*
11. Hidden Meadows 2nd Addition Final Plat – *Resolution 2017-073*
12. Lions Park Advertising Policy-*Resolution No 2017-071*

H. Council Reports

I. Staff Reports and Announcements

J. Adjourn

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
MAY 16, 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, Planning Director Wensman, Finance Director Swanson, Public Works Director Weldon and City Clerk Johnson.

APPROVAL OF AGENDA

Councilmember Fliflet, seconded by Councilmember Bloyer, moved TO APPROVE THE AGENDA AS PRESENTED. Motion passed 5 – 0.

ACCEPT MINUTES

Minutes of the May 2, 2017 Regular Meeting were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

Susan Dunn, 11018 Upper 33rd St. N., commented on public improvement projects currently under construction.

PRESENTATIONS

None

CONSENT AGENDA

1. Approve Payment of Disbursements
2. Accept April 2017 Assessor's Report
3. Accept April 2017 Building Department Report
4. Accept April 2017 Fire Department Report
5. Accept April 2017 Public Works Department Report
6. 2017 Crack Seal Project – Approve Pay Request No. 1 (final)
7. 2017 Seal Coat Project – Approve West Lakeland Township Joint Services Agreement
8. 2017 Seal Coat Project – Accept Bids and Award Contract
9. Approve Private Development Security Reductions: Village Preserve 2nd Addition Grading Security
10. Approve Resolution Supporting the Rowing Regatta on Lake Elmo
11. CSAH 13 (Ideal Avenue/Olson Lake Trail) – Approve Resolution Establishing a No On-street parking Zone along West Side of CSAH 13, from 44th Street North to 50th Street North

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

ITEM 13: VMX Rezoning (Zoning Map Amendment)

Planning Director Wensman explained the process used to identify parcels in the Old Village that were zoned incorrectly.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT ORDINANCE 08-176 APPROVING A ZONING MAP AMENDMENT REZONING SELECT PARCELS TO VMX-VILLAGE MIXED USE. Motion passed 3 – 0 – 2. (Fliflet, Lundgren – present/not voting)

ITEM 14: L-VDR/VMX Zoning Text Amendment

Planning Director Wensman reviewed a summary of the Ordinance amendment and highlighted requirements of the district.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT ORDINANCE 08-175, APPROVING AN AMENDMENT TO ARTICLE XIII: VILLAGE MIXED USE DISTRICTS, CREATING A VILLAGE LOW DENSITY RESIDENTIAL ZONING DISTRICT AND AMENDING THE STANDARDS FOR THE VILLAGE MIXED USE ZONING DISTRICT.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO CHANGE SETBACKS TO 50 FEET. Motion passed 3 – 2. (Pearson, Nelson – nay)

Primary motion passed 5 – 0 as amended.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADOPT 2017-041 APPROVING SUMMARY PUBLICATION OF ORDINANCE 08-175. Motion passed 5 – 0.

ITEM 15: 2017A Bond Issuance Authorization

Tammy Omdahl, Northland Securities, reviewed the purpose and repayment of the bonds, bond rating, bid history and recommendation for approval.

Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2017-046 AUTHORIZING THE ISSUANCE, AWARDING SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF \$9,355,000 GENERAL OBLIGATION BONDS, SERIES 2017A. Motion passed 5 – 0.

ITEM 16: Library Services in Lake Elmo and Library Tax Levy

Administrator Handt outlined points and terms of a resolution passed by the Lake Elmo Library Board at its May 15, 2017 meeting.

Phil Drier, 11040 12th Street N., stated it would be more cost effective to close the local library and use the county system.

Paul Pallmeyer, 8989 Lake Jane Trail, encouraged support of the resolution to re-join the county system.

Barbara Miller, 9240 55th Street North, spoke in favor of re-joining the Washington County library system.

Susan Dunn, 11018 Upper 33rd St. N., reminded the Council that the County closed the Lake Elmo branch in the past.

Councilmember Fliflet, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2017-049A REGARDING LIBRARY SERVICES IN THE CITY OF LAKE ELMO. Motion passed 5 – 0.

ITEM 17: Wildflower PUD Amendment

Planning Director Wensman presented nine amendments proposed by Mr. Engstrom, reviewing each individually. Mr. Engstrom provided additional detail on the requested amendments.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO DIRECT STAFF TO NEGOTIATE WITH MR. ENGSTROM FOR RESOLUTION TO ISSUES AND THE HOMEOWNERS ASSOCIATION TAKING RESPONSIBILITY FOR SNOW PLOWING IN THE ALLEYWAYS. Motion passed 3 – 2. (Fliflet, Lundgren – nay)

ITEM 18: Lions Park

Administrator Handt reviewed proposed plans for improvements to Lions Park and presented options.

Susan Kane, 4372 Little Bluestem, spoke on behalf of Valley Friendship Club regarding their use of the Arts Center.

Barry Weeks, 3647 Lake Elmo Ave. N., stated that the City should invest in Lions Park improvements.

Kathy Weeks, 3647 Lake Elmo Ave. N., requested that the Council spend as much as is reasonable as an investment in Lions Park.

Dave Moore, 8680 Stillwater Boulevard, stated that there should be an overall plan for improving the park.

Scott Zurn, 461 Harvest Green, Stillwater, spoke about safety concerns due to the playing surface, lighting and standing water.

Aaron Runk, 9497 Lake Jane Rd., Lake Elmo Baseball Coach, stated that safety improvements need to be made immediately to the infield and outfield.

Dave Faint, 3617 Laverne Ave. N., stated that the ice rink needs to be moved and asked to keep the first base line on the 45th parallel.

Discussion was held concerning various elements of the proposed improvements.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO DIRECT STAFF TO ADVERTISE FOR BIDS FOR PHASE 1 AND 2 IMPROVEMENTS IN THE P104 PLAN.

Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO CALL THE QUESTION. Motion failed 2 – 3. (Pearson, Bloyer, Nelson – nay)

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO REMOVE THE 45TH PARALLEL REALIGNMENT. Motion passed 3 – 2. (Bloyer, Nelson – nay)

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO REMOVE DEMOLITION OF THE ARTS HOUSE. Motion passed 3 – 2. (Pearson, Nelson – nay)

Primary motion failed as amended 2 – 3. (Pearson, Bloyer, Nelson – nay)

Councilmember Bloyer, seconded by Mayor Pearson, moved TO DIRECT STAFF TO ADVERTISE FOR BIDS FOR PHASE 1 AND 2 IMPROVEMENTS IN THE P104 PLAN, STRIKING “DEMO EXISTING CONCESSIONS” AND STRIKING THE RECONSTRUCTION OF THE CONCESSIONS IN PHASE 2.

Councilmember Fliflet, seconded by Councilmember Lundgren, MOVED TO AMEND THE PRIMARY MOTION TO REMOVE DEMOLITION OF THE ARTS HOUSE. Motion failed 2 – 3. (Pearson, Bloyer, Nelson – nay)

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

Councilmember Fliflet stated she does not support removing the arts building and displacing the Valley Friendship Club.

Councilmember Lundgren left the meeting at approximately 10:40 p.m.

ITEM 19: Old Village Phase 3 Street & Utility Improvements

City Engineer Griffin reviewed bids, total estimated project costs and payment of improvements. Key issues were reviewed including petition, grinder stations, trail and sidewalk.

Councilmember Fliflet, seconded by Councilmember Nelson, moved TO APPROVE RESOLUTION 2017-051, ACCEPTING BIDS AND AWARDING A CONTRACT TO DOUGLAS-KERR UNDERGROUND, LLC, IN THE AMOUNT OF \$1,576,039.15 FOR THE OLD VILLAGE PHASE 3 STREET, DRAINAGE AND UTILITY IMPROVEMENTS AND AUTHORIZE THE CITY ADMINISTRATOR TO PURCHASE INDIVIDUAL GRINDER

STATIONS FROM A SUPPLIER IN THE NOT-TO-EXCEED AMOUNT OF \$39,000 AND ENTER INTO A MATERIAL TESTING CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$30,000. Motion passed 4 – 0.

ITEM 20: 2017 Street Improvements – Accept Bids and Award Contract

City Engineer Griffin reviewed bids, total estimated project costs and the project schedule.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO APPROVE RESOLUTION 2017-052, ACCEPTING BIDS AND AWARDING A CONTRACT TO HARDIVES, INC. IN THE AMOUNT OF \$1,038,206.14 FOR THE 2017 STREET IMPROVEMENTS; AND TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A MATERIAL TESTING CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$30,000 AND TO APPROVE A SUPPLEMENTAL TASK ORDER WITH TKDA TO PROVIDE CONSTRUCTION OBSERVATION SERVICES IN AN AMOUNT NOT TO EXCEED \$43,000. Motion passed 4 – 0.

ITEM 21: CSAH 13 (Ideal Avenue/Olson Lake Trail) – Approve Concurrence to Award Contract and Approve Cooperative Agreement No. 10094 with Washington County for Design and Construction Costs

City Engineer Griffin reviewed the request for concurrence to award the contract and approve a Cooperative Agreement with Washington County. Griffin noted that favorable bids were received and updated cost estimates for the project.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO APPROVE RESOLUTION 2017-053 CONCURRING WITH WASHINGTON COUNTY TO AWARD CONSTRUCTION CONTRACT AND APPROVING COOPERATIVE AGREEMENT 10904 WITH WASHINGTON COUNTY FOR THE DESIGN AND CONSTRUCTION FOR THE CSAH 13 (IDEAL AVENUE/OLSON LAKE TRAIL) STREET, DRAINAGE, TRAIL AND SANITARY SEWER IMPROVEMENTS. Motion passed 4 – 0.

ITEM 22: Specifications for a New Rescue Engine

Chief Malmquist requested direction from the Council to begin the process of obtaining specs for a new rescue engine, noting that it's a lengthy process. Public Safety Committee support for the request was discussed.

Dave Moore, 8680 Stillwater Blvd., stated that the Fire Department is trying to catch up for a period of time when aging equipment was not replaced.

Lisa McGinn, 8756 Upper 7th Pl. N., introduced herself as a new member of the Public Safety Committee and explained that the fire department can do more with better equipment.

Mayor Pearson, seconded by Councilmember Nelson, moved TO DIRECT STAFF TO PREPARE SPECIFICATIONS FOR A NEW RESCUE ENGINE. Motion passed 4 – 0.

COUNCIL REPORTS

No reports

STAFF REPORTS AND ANNOUNCEMENTS

No reports

Meeting adjourned at 11:15 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
JUNE 20, 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 Clerk Johnson, City Attorney Sonsalla, Finance Director Swanson, City Engineer Griffin, Planning Director Wensman, City Planner Becker, Fire Chief Malmquist and Sergeant Osterman.

APPROVAL OF AGENDA

Item 8, “Approve 2017 Staff Wage Increases” and Item 9, “Approve Integrated Pest Management Plan” were moved to the end of the Regular Agenda.

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 5 – 0.

ACCEPT MINUTES

Minutes of the June 6, 2017 Regular Meeting were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

Pat Dean, 8028 Hill Trail N., commented on his June 5, 2017 memo the Council requesting consideration of City zoning related to Air BNB.

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements
3. Accept May 2017 Assessor’s Report
4. Accept May 2017 Building Department Report
5. Accept May 2017 Fire Department Report
6. Accept May 2017 Public Works Department Report
7. Approve Public Works Hires
10. Inwood Water Tower (No. 4) – Approve Pay Request No. 10
11. I-94 Lift Station and Sanitary Sewer Improvements – Approve Change Order No. 1
12. Approve Hazardous Building Resolution

13. Approve Ordinance 08-177 Amending the City's Provisions Related to the Keeping of Chickens

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

ITEM 14: Planning Commission Appointment

City Administrator Handt noted that Tucker Pearce has withdrawn his name from consideration.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO APPOINT STUART JOHNSON THE PLANNING COMMISSION AS A SECOND ALTERNATE. Motion passed 5 - 0.

ITEM 15: Summer Sewer Rates

Finance Director Swanson presented a request for approval of an Ordinance amending the fee schedule to establish a base sewer charge for residential customers who are not on the 201 system. Swanson reviewed the current billing structure and proposed billing structure, comparing both to rates at surrounding communities.

Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO ADOPT ORDINANCE 08-179 AMENDING THE 2017 FEE SCHEDULE. Motion passed 5 - 0.

Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO ADOPT RESOLUTION 2017-064 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-179. Motion passed 5 - 0.

ITEM 16: 9359 Jane Road N., Shoreland Variance

City Planner Becker presented the request for a variance to allow expansion of a non-conforming structure. Becker reviewed the site plan, details of the variance request and DNR recommendations. Recommended findings were discussed.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-062, APPROVING REQUESTS FOR SHORELAND VARIANCES FROM THE MINIMUM STRUCTURE SETBACK FROM THE ORDINARY HIGH WATER LEVEL MAXIMUM IMPERVIOUS SURFACE STANDARDS, SUBJECT TO CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF AND THE PLANNING COMMISSION, STRIKING CONDITIONS 2 AND 3 ON PAGE 3 OF THE RESOLUTION. Motion failed 2 - 3. (Pearson, Fliflet, Lundgren - nay)

Councilmembers Fliflet and Lundgren stated they would not support the motion with the rain garden and septic drainfield conditions stricken.

Mayor Pearson, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-062, APPROVING REQUESTS FOR SHORELAND VARIANCES FROM THE

***MINIMUM STRUCTURE SETBACK FROM THE ORDINARY HIGH WATER LEVEL
MAXIMUM IMPERVIOUS SURFACE STANDARDS, SUBJECT TO CONDITIONS OF
APPROVAL AS RECOMMENDED BY STAFF AND THE PLANNING COMMISSION,
STRIKING CONDITION 3 ON PAGE 3 OF THE RESOLUTION. Motion passed 3 – 2.
(Bloyer, Nelson – nay)***

ITEM 17: Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans

City Planner Becker presented the proposal for Lakewood Crossing 2nd Addition preliminary and final plat and PUD plans. The site and proposed improvements were reviewed along with the proposed PUD flexibilities. Discussion was held concerning fencing in outdoor dining areas and extension of city sewer lines to the adjacent undeveloped property.

***Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION
2017-063 APPROVING THE LAKEWOOD CROSSING 2ND ADDITION PRELIMINARY
AND FINAL PLAT AND PUD PLANS WITH THE 23 CONDITIONS OF APPROVAL AS
DRAFTED BY STAFF AND THE PLANNING COMMISSION BASED ON THE
FINDINGS OF FACT LISTED IN THE STAFF REPORT.***

***Mayor Pearson, seconded by Councilmember Bloyer, moved TO AMEND THE PRIMARY
MOTION TO STRIKE “THE LANDSCAPE PLAN SHALL INCLUDE ADDITIONAL
LANDSCAPING ALONG KEATS AVE. N. TO WB I-94 RAMP” FROM CONDITION #9.
Motion passed 3 – 1 – 1. (Fliflet – nay; Lundgren – present/not voting)***

***Mayor Pearson, seconded by Councilmember Bloyer, moved TO AMEND THE PRIMARY
MOTION TO ALLOW NON AMBULATORY MEDICAL CARE FACILITIES IN
CONDITION 21. Motion passed 4 – 1. (Fliflet – nay)***

***Mayor Pearson, seconded by Councilmember Nelson, MOVED TO AMEND THE PRIMARY
MOTION TO REVISE CONDITION 23 TO STATE “FENCING SHALL BE PROVIDED
ENCLOSING ALL OUTDOOR DINING AREAS ADJACENT TO DRIVING LANES.
Motion passed 5 – 0.***

***Councilmember Bloyer, seconded by Councilmember Nelson, moved TO STRIKE
CONDITION #12 REGARDING THE EXTENSION OF SEWER AND WATER. Motion
withdrawn.***

Primary motion passed 4 – 1. (Fliflet – nay)

Councilmember Fliflet stated she would prefer a different look for the development versus a typical strip mall look.

ITEM 18: Fence Ordinance

City Planner Becker presented the background and Planning Commission recommendations regarding solid wall fences.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT ORDINANCE 08-178, AMENDING SECTION 154.205: FENCING REGULATIONS OF THE CITY'S ZONING CODE. Motion passed 4 – 1. (Fliflet – nay)

Councilmember Fliflet stated she did not support the motion as the change is not aesthetically pleasing.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2017-064 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-178. Motion passed 5 – 0.

ITEM 19: Inwood 5th Addition Development Agreement Amendment

City Administrator Handt noted that the proposed amendment removes the items directed by Council at the previous meeting.

Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2017-067 APPROVING THE 1ST AMENDMENT TO THE DEVELOPERS AGREEMENT FOR INWOOD 5TH ADDITION PLANNED UNIT DEVELOPMENT. Motion passed 3 – 2. (Fliflet, Lundgren – nay)

Councilmember Fliflet stated she would not support the motion due to the removal of the requirement for a trail on 10th Street.

ITEM 20: Janero Avenue North Street Improvement

City Engineer Griffin presented a petition received from homeowners on Janero Avenue North requesting street improvements and the transfer of the street from private to public. Griffin reviewed current conditions and proposed improvements and requested direction from the Council. Discussion was held and consensus reached that the City would take over ownership of the road if the property owners bring the road up to current City standards.

Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO ACCEPT THE PETITION. Motion passed 5 – 0.

ITEM 21: Assistant City Administrator

Administrator Handt reviewed the proposal for the additional of a staff member in the Administration Department and proposed job duties. Job descriptions for the Clerk and Deputy Clerk were also reviewed.

Mayor Pearson, seconded by Councilmember Lundgren, moved TO APPROVE THE ASSISTANT ADMINISTRATOR, CLERK AND DEPUTY CLERK JOB DESCRIPTIONS AND AUTHORIZE ADVERTISING FOR AN ASSISTANT ADMINISTRATOR. Motion passed 4 – 1. (Fliflet - nay)

ITEM 22: Remaining Parks 2017 CIP Items – 50th Street Trail and Pebble Park

Administrator Handt reviewed Parks Commission recommendations for items to not be completed this year.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO SUPPORT THE PARKS COMMISSION RECOMMENDATION TO NOT COMPLETE PEBBLE PARK IMPROVMENTS IN 2017.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO AMEND THE PRIMARY MOTION TO ADD THE REMOVAL OF THE 50TH STREET TRAIL FROM COMPLETION IN 2017. Motion passed 3 – 2. (Fliflet, Lundgren - nay)

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

Councilmember Fliflet expressed concern for safety on 50th Street.

ITEM 23: Paperless Council Packet Policy

Administrator Handt presented a proposal for transitioning to paperless Council meeting packets and a reimbursement policy for Councilmembers to purchase electronic devices to use for viewing meeting packets.

Mayor Pearson, seconded by Councilmember Fliflet, moved TO ADOPT RESOLUTION 2017-065 APPROVING PAPERLESS PACKETS FOR COUNCIL MEETINGS AND REIMBURSEMENT TO THE MAYOR AND COUNCIL MEMBERS FOR THE PURCHASE OF COMPUTER AND COMPUTER RELATED EQUIPMENT.

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO STRIKE THE \$1,000 PER TERM REIMBURSEMENT. Motion failed 1 – 4. (Pearson, Fliflet, Lundgren, Nelson – nay)

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

ITEM 8: Approve 2017 Staff Wage Increases

Councilmembers requested clarification on the Fire Chief's pay increase. Discussion held concerning the methodology for wage increases.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE 2017 STAFF WAGE INCREASES AS PRESENTED. Motion passed 5 – 0.

Reconsideration of ITEM 23: Paperless Council Packet Policy

Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-065 WITH REIMBURSEMENT OF UP TO \$1,000 FOR ALL TERMS IN OFFICE. Motion passed 3 – 2. (Fliflet, Lundgren – nay)

ITEM 9: Approve Integrated Pest Management Plan

Discussion was held concerning the proposed plan. Planning Director Wensman stated that the purpose of the policy is to protect pollinators and developers are asking for clarification of the City's current policy. Councilmembers indicated they would like to discuss the policy further at a future meeting or workshop.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE CITY OF LAKE ELMO INTEGRATED PEST MANAGEMENT PLAN. Motion passed 5 – 0.

COUNCIL REPORTS

Mayor Pearson: Announced that the Washington County Commissioners voted unanimously to accept the Lake Elmo Library back into the county system and thanked those involved. Announced that the 4th of July kids parade will be held as in past years. Met with Lake Elmo Avenue residents regarding construction and traffic concerns. Met with Lake Elmo Baseball. Thanked resident Al Bever for his service on the Public Safety Committee.

Councilmember Nelson: Attended Friends of Sunfish Lake Park meeting and the LMC Annual Conference.

Councilmember Lundgren: No report

Councilmember Bloyer: Commented on an incident that occurred on Lake Jane and commended first responders and a resident for saving two lives.

Councilmember Fliflet: No report

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Reminded residents of the Ice Cream Social at Lions Park on Saturday, June 24th.

City Clerk Johnson: No report

City Attorney Sonsalla: Attended and spoke at the LMC Conference.

Planning Director Wensman: Announced Inwood 5th Addition construction has started and several other developments will follow soon. Announced Royal Golf Club grading and tree removal has started. Commented on MAC citizen engagement process.

City Engineer Griffin: Working on construction activity and plan review. Announced a public open house on June 27th, 4:00 – 7:00 p.m. for immediate neighbors in the Old Village next phase area.

Sergeant Osterman: Encouraged drivers to obey signs in construction areas and noted there has been increased enforcement activity.

Meeting adjourned at 11:10 pm.

**LAKE ELMO CITY COUNCIL MINUTES
JUNE 20, 2017**

LAKE ELMO CITY COUNCIL

ATTEST:

Julie Johnson, City Clerk

Mike Pearson, Mayor



& COUNCIL COMMUNICATION

DATE: July 5, 2017

CONSENT

ITEM#: 2

TO: Mayor and City Council
FROM: Brian Swanson, Finance Director
AGENDA ITEM: Approve Disbursements in the amount of \$845,188.39
REVIEWED BY: Kristina Handt, City Administrator

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.

FISCAL IMPACT: \$845,188.39

Claim #	Amount	Description
ACH	\$ 13,180.01	Payroll Taxes to IRS & MN Dept. of Revenue 06/22/17
ACH	\$ 7,265.71	Payroll Retirement to PERA 06/22/17
ACH	\$ 1,000.00	Payroll Retirement to MDCP 06/22/17
n/a	\$ 0.00	Payroll Checks (none)
Direct Deposits	\$ 35,949.81	Payroll Deposits 06/22/17
46096-46147	\$ 778,168.18	Accounts Payable 07/05/17
2836-2846	\$ 9,624.68	Accounts Payable 07/05/17 (Library Checks)
TOTAL	\$ 845,188.39	

RECOMMENDATION:

If removed from the consent agenda, the recommended motion is as follows:

“Motion to approve the aforementioned disbursements in the amount of \$845,188.39.”

ATTACHMENTS:

1. Accounts Payable – check register

Accounts Payable To Be Paid Proof List

Handwritten signature

User: Amy
Printed: 06/29/2017 - 1:45 PM
Batch: 023-06-2017

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
3D Specialties											
3DSPECIA	06/02/2017	1,691.85	0.00	07/05/2017	Sign Posts		-		No		0000
455395											
101-430-3120-42260	Sign Repair Materials	1,691.85									
455395 Total:		1,691.85									
3DSPECIA Total:		1,691.85									
3D Specialties Total:		1,691.85									
Alex Air Apparatus, Inc											
ALEXAIR											
33281	06/26/2017	575.00	0.00	07/05/2017	Annual Breathing Air Compressor Service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt	575.00									
33281 Total:		575.00									
ALEXAIR Total:		575.00									
Alex Air Apparatus, Inc Total:		575.00									
Allied Generators											
ALLIEDGE											
14527	06/20/2017	154.50	0.00	07/05/2017	14527- Station 1 Repairs		-		No		0000
101-420-2220-44010	Repairs/Maint Bldg	154.50									
14527 Total:		154.50									
14528	06/20/2017	190.00	0.00	07/05/2017	14528- Station 2 Repairs, Secure Panel		-		No		0000
101-420-2220-44010	Repairs/Maint Bldg	190.00									
14528 Total:		190.00									
ALLIEDGE Total:		344.50									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Allied Generators Total:		344.50								
Amazon Inc										
AMAZONIN										
20170509	05/10/2017	745.51	0.00	07/05/2017	Adult, Tenn, & kids books & DVD's		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
20170509	05/10/2017	107.51	0.00	07/05/2017	Operating Supplies		-	No		0000
206-450-5300-42000	Office Supplies									
20170509	05/10/2017	41.74	0.00	07/05/2017	Program Supplies		-	No		0000
206-450-5300-44300	Miscellaneous									
20170509	Total:	894.76								
AMAZONIN	Total:	894.76								
Amazon Inc Total:		894.76								
American Flagpole & Flag Corp										
AMFLAG										
134051	06/28/2017	79.88	0.00	07/05/2017	Replace station #2 Flag and Clips		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg									
	134051 Total:	79.88								
AMFLAG	Total:	79.88								
American Flagpole & Flag Corp Total:		79.88								
Baker & Taylor										
BAKERTAY										
2032856611	05/08/2017	14.37	0.00	07/05/2017	INVOICE 2032856611		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	2032856611 Total:	14.37								
2032856612	05/08/2017	10.39	0.00	07/05/2017	INVOICE 2032856612		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	2032856612 Total:	10.39								
2032863485	05/11/2017	15.51	0.00	07/05/2017	INVOICE 2032863485		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	2032863485 Total:	15.51								
2032863486	05/11/2017	99.25	0.00	07/05/2017	INVOICE 2032863485		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	2032863486 Total:	99.25								
2032877450	05/17/2017	15.51	0.00	07/05/2017	INVOICE 2032877450		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	2032877450 Total:	15.51								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
2032877451	05/17/2017	164.02	0.00	07/05/2017	INVOICE 2032877451		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032877451 Total:	164.02									
2032880670	05/18/2017	11.03	0.00	07/05/2017	INVOICE 2032880670		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032880670 Total:	11.03									
2032880671	05/18/2017	54.01	0.00	07/05/2017	INVOICE 2032880671		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032880671 Total:	54.01									
2032906180	06/01/2017	6.09	0.00	07/05/2017	INVOICE 2032906180		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032906180 Total:	6.09									
2032906181	06/01/2017	16.06	0.00	07/05/2017	INVOICE 2032906181		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032906181 Total:	16.06									
2032906182	06/01/2017	92.48	0.00	07/05/2017	INVOICE 2032906182		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032906182 Total:	92.48									
2032914308	06/01/2017	479.52	0.00	07/05/2017	INVOICE 2032914308		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032914308 Total:	479.52									
2032925519	06/06/2017	43.72	0.00	07/05/2017	INVOICE 2032925519		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032925519 Total:	43.72									
2032925520	06/06/2017	146.07	0.00	07/05/2017	INVOICE 2032925520		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	2032925520 Total:	146.07									
	BAKERTAY Total:	1,168.03									
	Baker & Taylor Total:	1,168.03									
	Bayport Public Library										
	BAYPOR T										
20170531	06/01/2017	60.00	0.00	07/05/2017	Library Card Reimbursement		-		No		0000
206-450-5300-44300	Miscellaneous										
	20170531 Total:	60.00									
	BAYPOR T Total:	60.00									
	Bayport Public Library Total:	60.00									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
Becker Emily BECKEREM											
20170627	06/27/2017	34.19	0.00	07/05/2017	Mileage Reimbursement - Becker		-		No		0000
101-410-1910-43310	Mileage										
	20170627 Total:	34.19									
	BECKEREM Total:	34.19									
	Becker Emily Total:	34.19									
Beehive Industries LLC											
BEEHIVE											
20170614	06/15/2017	3,301.00	0.00	07/05/2017	Infrastr. Mgmt Sftwr Maint 070117-		-		No		0000
101-430-3120-43180	Software Support				083118						
20170614	06/15/2017	3,301.00	0.00	07/05/2017	Infrastr. Mgmt Sftwr Maint 070117-		-		No		0000
601-494-9400-43180	Software Support				083118						
20170614	06/15/2017	3,301.00	0.00	07/05/2017	Infrastr. Mgmt Sftwr Maint 070117-		-		No		0000
602-495-9450-43180	Software Support				083118						
20170614	06/15/2017	3,195.00	0.00	07/05/2017	Infrastr. Mgmt Sftwr Maint 070117-		-		No		0000
603-496-9500-43180	Software Support				083118						
	20170614 Total:	13,098.00									
	BEEHIVE Total:	13,098.00									
	Beehive Industries LLC Total:	13,098.00									
Biff's Inc.											
BIFFS											
W639776	06/21/2017	816.00	0.00	07/05/2017	Portable Restrooms		-		No		0000
101-450-5200-44120	Rentals - Buildings										
	W639776 Total:	816.00									
	BIFFS Total:	816.00									
	Biff's Inc. Total:	816.00									
Bolton & Menk, Inc											
BOLTONME											
0204316	06/15/2017	4,500.00	0.00	07/05/2017	Design Phase Services		-		No		0000
602-495-9450-43030	Engineering Services										
0204316	06/15/2017	4,533.93	0.00	07/05/2017	Construction Phase Services		-		No		0000
602-495-9450-43030	Engineering Services										
	0204316 Total:	9,033.93									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
0204317	06/15/2017	8,330.00	0.00	07/05/2017	Royal Golf Club (H.C. GC Development)		-		No		0000
803-000-0000-22910	Developer Payments										
	0204317 Total:	8,330.00									
	BOLTONME Total:	17,363.93									
Bolton & Menk, Inc Total:		17,363.93									
Cardmember Service											
CARDMEMB											
20170620	06/20/2017	64.26	0.00	07/05/2017	Holiday Car Wash		-		No		0000
101-420-2220-44300	Miscellaneous										
20170620	06/20/2017	13.97	0.00	07/05/2017	Postage		-		No		0000
101-420-2220-42000	Office Supplies										
20170620	06/20/2017	27.39	0.00	07/05/2017	Office Max Office Supplies		-		No		0000
206-450-5300-42000	Office Supplies										
20170620	06/20/2017	67.45	0.00	07/05/2017	Jimmy Johns Program Supplies		-		No		0000
206-450-5300-44300	Miscellaneous										
20170620	06/20/2017	2.99	0.00	07/05/2017	Target Program Supplies		-		No		0000
206-450-5300-44300	Miscellaneous										
20170620	06/20/2017	52.07	0.00	07/05/2017	Target- Library Collection DVDs		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
20170620	06/20/2017	61.86	0.00	07/05/2017	Office 365 MSFT Subscription		-		No		0000
206-450-5300-42185	Software										
20170620	06/20/2017	19.27	0.00	07/05/2017	Target- Library Collection DVDs		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
20170620	06/20/2017	150.00	0.00	07/05/2017	Barnes & Noble- Gift Cards		-		No		0000
206-450-5300-44300	Miscellaneous										
20170620	06/20/2017	150.00	0.00	07/05/2017	Valley Bookseller- Gift Cards		-		No		0000
206-450-5300-44300	Miscellaneous										
20170620	06/20/2017	112.47	0.00	07/05/2017	Office Max- Office Supplies		-		No		0000
206-450-5300-42000	Office Supplies										
20170620	06/20/2017	65.48	0.00	07/05/2017	Dicks Market- Program Supplies		-		No		0000
206-450-5300-44300	Miscellaneous										
20170620	06/20/2017	73.64	0.00	07/05/2017	Office Max- Office Supplies		-		No		0000
206-450-5300-42000	Office Supplies										
20170620	06/20/2017	8.03	0.00	07/05/2017	Target- Library Collection DVDs		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
20170620	06/20/2017	29.76	0.00	07/05/2017	Office Max- Office Supplies		-		No		0000
206-450-5300-42000	Office Supplies										
20170620	06/20/2017	52.34	0.00	07/05/2017	Menards- Plants/ Sprinkler		-		No		0000
206-450-5300-44010	Repairs/Maint Bldg										
20170620	06/20/2017	75.89	0.00	07/05/2017	Michaels- Program Supplies		-		No		0000
206-450-5300-44300	Miscellaneous										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
20170620	06/20/2017	24.16	0.00	07/05/2017	Lowes- City Hall Plants		-		No		0000
101-410-1940-42230	Building Repair Supplies										
20170620	06/20/2017	14.40	0.00	07/05/2017	USPS- Postage Street Project		-		No		0000
101-410-1910-43220	Postage										
20170620	06/20/2017	58.84	0.00	07/05/2017	Walmart- Funeral Card & GC		-		No		0000
101-410-1940-44300	Miscellaneous										
20170620	06/20/2017	21.96	0.00	07/05/2017	Menards- Drinking Water Brookfield		-		No		0000
101-410-1320-42000	Office Supplies										
20170620	06/20/2017	50.00	0.00	07/05/2017	Constant Contact- Weekly Email Letter		-		No		0000
101-410-1450-43180	Information Technology/Web										
20170620	06/20/2017	34.44	0.00	07/05/2017	LMC Conf- Parking		-		No		0000
101-410-1320-44370	Conferences & Training										
20170620	06/20/2017	6.22	0.00	07/05/2017	LMC Conf- Meals		-		No		0000
101-410-1320-44370	Conferences & Training										
20170620	06/20/2017	222.46	0.00	07/05/2017	LMC Conf- Hotel		-		No		0000
101-420-2400-42000	Office Supplies										
20170620	06/20/2017	16.45	0.00	07/05/2017	Atlas Notary- Stamp TN		-		No		0000
602-495-9450-44370	Conferences & Training										
20170620	06/20/2017	125.00	0.00	07/05/2017	MNRWA Wastewater Conf - TS		-		No		0000
602-495-9450-44370	Conferences & Training										
20170620	06/20/2017	125.00	0.00	07/05/2017	MNRWA Wastewater Conf - JE		-		No		0000
602-495-9450-44370	Conferences & Training										
20170620	06/20/2017	125.00	0.00	07/05/2017	MNRWA Wastewater Conf - RG		-		No		0000
602-495-9450-44370	Conferences & Training										
20170620	06/20/2017	125.00	0.00	07/05/2017	MNRWA Wastewater Conf - JS		-		No		0000
602-495-9450-44370	Conferences & Training										
20170620	06/20/2017	241.18	0.00	07/05/2017	MNRWA Wastewater Conf - JC		-		No		0000
602-495-5200-44030	Repairs/Maint Imp Not Bldgs										
20170620	06/20/2017	150.00	0.00	07/05/2017	Econo Signs- "Animal Control/ Leash Law"		-		No		0000
101-430-3100-44300	Miscellaneous										
20170620	06/20/2017	138.05	0.00	07/05/2017	Tatems Software Subscription		-		No		0000
101-430-3100-42150	Shop Materials										
20170620	06/20/2017	67.44	0.00	07/05/2017	Gemplers- Coolers		-		No		0000
101-410-1940-44300	Miscellaneous										
20170620	06/20/2017	40.91	0.00	07/05/2017	TFL Rose & Floral- Funeral Arrangement		-		No		0000
101-410-1910-42000	Office Supplies										
20170620	06/20/2017	71.76	0.00	07/05/2017	Amazon- Clipboard & HDMI Adapter		-		No		0000
206-450-5300-42000	Office Supplies										
20170620	06/20/2017	2,810.14			Office Max- Office Supplies		-		No		0000
CARDMEMB Total:		2,810.14									
20170620 Total:		2,810.14									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
Cardmember Service Total:		2,810.14									
Century Power Equipment											
CENTPOW	06/22/2017	14.95	0.00	07/05/2017	weed whip blades		-		No		0000
720401											
101-450-5200-42210	Equipment Parts	14.95									
720401	Total:	14.95									
CENTPOW Total:		14.95									
Century Power Equipment Total:											
Century Power Equipment Total:		14.95									
Cintas Corporation #754											
CINTAS											
754699550	02/28/2017	75.90	0.00	07/05/2017	Cleaning & Maint Supplies		-		No		0000
206-450-5300-44030	Repairs/Maint Imp Not Bldgs	75.90									
754699550	Total:	75.90									
754704813	03/14/2017	65.04	0.00	07/05/2017	Cleaning & Maint Supplies		-		No		0000
206-450-5300-44030	Repairs/Maint Imp Not Bldgs	65.04									
754704813	Total:	65.04									
754720614	04/25/2017	104.79	0.00	07/05/2017	Cleaning & Maint Supplies		-		No		0000
206-450-5300-44030	Repairs/Maint Imp Not Bldgs	104.79									
754720614	Total:	104.79									
754725721	05/09/2017	104.79	0.00	07/05/2017	Cleaning & Maint Supplies		-		No		0000
206-450-5300-44030	Repairs/Maint Imp Not Bldgs	104.79									
754725721	Total:	104.79									
754730859	05/23/2017	104.79	0.00	07/05/2017	Cleaning & Maint Supplies		-		No		0000
206-450-5300-44030	Repairs/Maint Imp Not Bldgs	104.79									
754730859	Total:	104.79									
754735941	06/06/2017	104.79	0.00	07/05/2017	Restroom Products		-		No		0000
206-450-5300-44010	Repairs/Maint Bldg	104.79									
754735941	Total:	104.79									
754738946	06/14/2017	114.29	0.00	07/05/2017	Uniforms		-		No		0000
101-430-3100-44170	Uniforms	114.29									
754738946	Total:	114.29									
754741437	06/21/2017	117.26	0.00	07/05/2017	Uniforms		-		No		0000
101-430-3100-44170	Uniforms	117.26									
754741437	Total:	117.26									
754741852	06/20/2017	57.87	0.00	07/05/2017	Cleaning & Maintenance Supplies		-		No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg	57.87									
754741852	Total:	57.87									
CINTAS Total:		849.52									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	POLine #
Cintas Corporation #754 Total:		849.52									
Clear Channel Outdoor											
CLEAR											
40058352	05/29/2017	2,525.00	0.00	07/05/2017	Billboard Rental 5/29-06/25		-		No		0000
206-450-5300-44300	Miscellaneous										
	40058352 Total:	2,525.00									
	CLEAR Total:	2,525.00									
Clear Channel Outdoor Total:		2,525.00									
Coordinated Business Systems											
COORDIN											
CNIN244133	05/31/2017	576.79	0.00	07/05/2017	Library IT Support		-		No		0000
206-450-5300-42500	Library Collection Maintenance										
	CNIN244133 Total:	576.79									
CNIN246201	06/22/2017	123.75	0.00	07/05/2017	Copier Mainten. 062217-092117		-		No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg										
	CNIN246201 Total:	123.75									
	coordin Total:	700.54									
Coordinated Business Systems Total:		700.54									
Delta Dental Of Minnesota											
DELTA											
39530213	06/15/2017	2,176.75	0.00	07/05/2017	July 2017 Premium		-		No		0000
101-000-0000-21706	Medical Insurance										
	39530213 Total:	2,176.75									
	DELTA Total:	2,176.75									
Delta Dental Of Minnesota Total:		2,176.75									
DPC Industries, Inc.											
DPCINDUS											
DE82000059-17	05/31/2017	20.00	0.00	07/05/2017	Chlorine		-		No		0000
601-494-9400-42160	Chemicals										
	DE82000059-17 Total:	20.00									
	DPCINDUS Total:	20.00									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
DPC Industries, Inc. Total:		20.00									
Emergency Apparatus Maint. Inc											
EMERGAPP											
93786	06/24/2017	1,095.00	0.00	07/05/2017	E1, Pump test, inspection, service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt										
93787	06/24/2017	1,095.00	0.00	07/05/2017	E2, Pump test, inspection, service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt	1,025.00									
93788	06/24/2017	1,025.00	0.00	07/05/2017	B2, Pump test, inspection, service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt	295.00									
93789	06/24/2017	295.00	0.00	07/05/2017	B1, Pump test, inspection, service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt	295.00									
93791	06/24/2017	2,200.00	0.00	07/05/2017	L1, Pump test, inspection, service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt	2,200.00									
93792	06/24/2017	923.00	0.00	07/05/2017	T1, Pump test, inspection, service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt	923.00									
93793	06/24/2017	1,175.00	0.00	07/05/2017	T2, Pump test, inspection, service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt	1,175.00									
93794	06/24/2017	305.00	0.00	07/05/2017	U2, Pump test, inspection, service		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt	305.00									
EMERGAPP Total:		7,313.00									
Emergency Apparatus Maint. Inc Total:											
		7,313.00									
Emergency Response Solutions											
Erespsol											
8991	06/23/2017	170.00	0.00	07/05/2017	Replace foam		-		No		0000
101-420-2220-42400	Small Tools & Equipment										
8991	Total:	170.00									
Erespsol Total:		170.00									
Emergency Response Solutions Total:											
		170.00									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
3788	06/24/2017	580.00	0.00	07/05/2017	Public Library Site Improvements		-		No		0000
206-450-5300-43030	Engineering Services										
3788 Total:		580.00									
3789	06/24/2017	6,455.00	0.00	07/05/2017	Old Village Phase III Street & Utility		-		No		0000
409-480-8000-43030	Engineering Services										
3789 Total:		6,455.00									
3790	06/24/2017	1,215.00	0.00	07/05/2017	I-94 Lift Station - Sanitary Sewer		-		No		0000
602-495-9450-43030	Engineering Services										
3790 Total:		1,215.00									
3791	06/24/2017	2,529.50	0.00	07/05/2017	2017 Street Improvements		-		No		0000
409-480-8000-43030	Engineering Services										
3791 Total:		2,529.50									
3792	06/24/2017	1,792.31	0.00	07/05/2017	2017 Seal Coat Project		-		No		0000
409-480-8000-43030	Engineering Services										
3792 Total:		1,792.31									
3793	06/24/2017	707.66	0.00	07/05/2017	Lake Elmo Ave Phase III		-		No		0000
409-480-8000-43030	Engineering Services										
3793 Total:		707.66									
3794	06/24/2017	3,188.15	0.00	07/05/2017	2017 Mill & Overlay Project		-		No		0000
101-430-3120-42250	Seal Coat and Crack Fill										
3794 Total:		3,188.15									
3795	06/24/2017	8,944.44	0.00	07/05/2017	Hammes Estates		-		No		0000
803-000-0000-22910	Developer Payments										
3795 Total:		8,944.44									
3796	06/24/2017	639.63	0.00	07/05/2017	Engstrom Village - Wildflower 1st		-		No		0000
803-000-0000-22910	Developer Payments										
3796 Total:		639.63									
3797	06/24/2017	240.00	0.00	07/05/2017	Savonna - 2nd Addition		-		No		0000
803-000-0000-22910	Developer Payments										
3797 Total:		240.00									
3798	06/24/2017	306.97	0.00	07/05/2017	Savonna - 3rd Addition		-		No		0000
803-000-0000-22910	Developer Payments										
3798 Total:		306.97									
3799	06/24/2017	36.00	0.00	07/05/2017	Auto Owner Building		-		No		0000
803-000-0000-22910	Developer Payments										
3799 Total:		36.00									
3800	06/24/2017	2,383.12	0.00	07/05/2017	Savonna - 4th Addition		-		No		0000
803-000-0000-22910	Developer Payments										
3800 Total:		2,383.12									
3801	06/24/2017	906.96	0.00	07/05/2017	Easton Village II		-		No		0000
803-000-0000-22910	Developer Payments										
3801 Total:		906.96									
3802	06/24/2017	7,356.57	0.00	07/05/2017	Boulder Ponds - 2nd		-		No		0000
803-000-0000-22910	Developer Payments										
3802 Total:		7,356.57									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
3803	06/24/2017	487.30	0.00	07/05/2017	Village Preserve - 2nd		-		No		0000
803-000-0000-22910	Developer Payments										
3804	06/24/2017	487.30									
803-000-0000-22910	Developer Payments	2,854.28	0.00	07/05/2017	The Royal Golf Course		-		No		0000
3805	06/24/2017	2,854.28									
803-000-0000-22910	Developer Payments	240.00	0.00	07/05/2017	The Royal Golf Course		-		No		0000
3806	06/24/2017	240.00									
803-000-0000-22910	Developer Payments	1,705.00	0.00	07/05/2017	The Highlands (Diedrich-Reider)		-		No		0000
3807	06/24/2017	1,705.00									
803-000-0000-22910	Developer Payments	330.00	0.00	07/05/2017	Wasatch Storage		-		No		0000
3808	06/24/2017	330.00									
803-000-0000-22910	Developer Payments	4,468.03	0.00	07/05/2017	Inwood 4th Addition		-		No		0000
3809	06/24/2017	4,468.03									
803-000-0000-22910	Developer Payments	319.28	0.00	07/05/2017	Wildflower - 2nd		-		No		0000
3810	06/24/2017	319.28									
803-000-0000-22910	Developer Payments	446.78	0.00	07/05/2017	Hammes Estates II		-		No		0000
3811	06/24/2017	446.78									
803-000-0000-22910	Developer Payments	120.00	0.00	07/05/2017	AT&T Antenna Upgrades		-		No		0000
3812	06/24/2017	120.00									
803-000-0000-22910	Developer Payments	3,755.34	0.00	07/05/2017	Inwood 5th		-		No		0000
3813	06/24/2017	3,755.34									
409-480-8000-43030	Engineering Services	479.28	0.00	07/05/2017	9242 Hudson Blvd Site Improvements		-		No		0000
3814	06/24/2017	479.28									
803-000-0000-22910	Developer Payments	690.00	0.00	07/05/2017	Easton Village 3rd Addition		-		No		0000
3815	06/24/2017	690.00									
803-000-0000-22910	Developer Payments	630.00	0.00	07/05/2017	Lakewood Crossing - 2nd Addition		-		No		0000
3816	06/24/2017	630.00									
601-494-9400-43030	Engineering Services	1,080.00	0.00	07/05/2017	3M Litigation - Engineering Support		-		No		0000
FOCUS Total:		65,171.97									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Focus Engineering, Inc. Total:		65,171.97								
<hr/>										
G&N Enterprises										
G&NENTER	06/20/2017	99.50	0.00	07/05/2017	Bee Spray		-		No	0000
4225										
101-450-5200-42230	Building Repair Supplies									
4225 Total:		99.50								
G&NENTER Total:		99.50								
<hr/>										
G&N Enterprises Total:		99.50								
<hr/>										
Graphic Resources Inc										
GRAPHICR	06/22/2017	247.00	0.00	07/05/2017	Utility Billin Inv Stock Paper		-		No	0000
58885										
601-494-9400-42030	Printed Forms									
58885	06/22/2017	247.00	0.00	07/05/2017	Utility Billin Inv Stock Paper		-		No	0000
603-496-9500-42030	Printed Forms									
58885 Total:		494.00								
GRAPHICR Total:		494.00								
<hr/>										
Graphic Resources Inc Total:		494.00								
<hr/>										
Great America Financial										
GREATAM	06/15/2017	407.89	0.00	07/05/2017	Copier Main - Sharp MX-5141N June 2017		-		No	0000
20828144										
101-410-1940-44040	Repairs/Maint Contractual Egpt									
20828144 Total:		407.89								
GREATAM Total:		407.89								
<hr/>										
Great America Financial Total:		407.89								
<hr/>										
Handt Kristina										
HANDT	06/28/2017	379.27	0.00	07/05/2017	Mileage & Parking Reimb - Handt		-		No	0000
20170628										
101-410-1320-43310	Mileage									
20170628	06/28/2017	163.71	0.00	07/05/2017	Mileage Reimb - Handt		-		No	0000
206-450-5300-43310	Mileage									
20170628 Total:		542.98								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	POLine #
	HANDT Total:	542.98									
	Handt Kristina Total:	542.98									
HD Supply Waterworks, Ltd.											
HDSUPPLY	06/14/2017	1,754.97	0.00	07/05/2017	Water meters parts		-		No		0000
H336339											
601-494-9400-42300	Water Meters & Supplies	1,754.97									
	H336339 Total:	1,754.97									
	HDSUPPLY Total:	1,754.97									
HD Supply Waterworks, Ltd. Total:											
		1,754.97									
Holiday Credit Office											
HOLIDAYC	06/15/2017	99.41	0.00	07/05/2017	Fuel		-		No		0000
20171506											
101-420-2220-42120	Fuel, Oil and Fluids	99.41									
	20171506 Total:	99.41									
	HOLIDAYC Total:	99.41									
Holiday Credit Office Total:											
		99.41									
Innovative Office Solutions											
INNOVAT	06/14/2017	94.70	0.00	07/05/2017	Office Supplies		-		No		0000
1664016											
101-430-3100-42000	Office Supplies	94.70									
	1664016 Total:	94.70									
IN1654550	06/21/2017	220.12	0.00	07/05/2017	Envelopes		-		No		0000
101-410-1320-42000	Office Supplies	220.12									
IN1654550	06/21/2017	220.12	0.00	07/05/2017	Envelopes		-		No		0000
101-410-1320-42000	Office Supplies	220.12									
	IN1654550 Total:	440.24									
IN1656263	06/22/2017	65.94	0.00	07/05/2017	Office Supplies		-		No		0000
101-410-1320-42000	Office Supplies	65.94									
	IN1656263 Total:	65.94									
IN16744385	06/13/2017	338.01	0.00	07/05/2017	Toner & Office Supplies		-		No		0000
101-410-1320-42000	Office Supplies	338.01									
	IN16744385 Total:	338.01									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
	INNOVAT Total:	938.89									
	Innovative Office Solutions Total:	938.89									
Interstate All Battery Ctr											
INTERSTA											
1902701005456	06/22/2017	375.00	0.00	07/05/2017	5456 RPLCMT Batteries for portl		-	No		0000	
101-420-2220-43230	Radio				radios						
1902702003659	05/30/2017	375.00									
	1902701005456 Total:	375.00						No		0000	
101-420-2220-43230	Radio	190.00	0.00	07/05/2017	Replacement batteries for portl radios		-	No		0000	
	1902702003659 Total:	190.00									
1902799006461	06/22/2017	143.25									
101-420-2220-42400	Small Tools & Equipment		0.00	07/05/2017	6461 RPLCMT Flashlight Batteries		-	No		0000	
	1902799006461 Total:	143.25									
	INTERSTA Total:	708.25									
Interstate All Battery Ctr Total:											
		708.25									
Johnson & Turner Attorneys											
JOHNSON&											
62061	05/31/2017	3,500.00	0.00	07/05/2017	Prosecution Sys May 2017		-	No		0000	
101-420-2150-43045	Attorney Criminal										
	62061 Total:	3,500.00									
	JOHNSON& Total:	3,500.00									
Johnson & Turner Attorneys Total:											
		3,500.00									
Kath Fuel Oil Service Co											
kathfuel											
593190	06/15/2017	874.67	0.00	07/05/2017	Fuel-Unleaded		-	No		0000	
101-430-3100-42120	Fuel, Oil and Fluids										
	593190 Total:	874.67									
593220	06/15/2017	51.32	0.00	07/05/2017	Fuel-diesel		-	No		0000	
101-430-3100-42120	Fuel, Oil and Fluids										
	593220 Total:	51.32									
593221	06/15/2017	635.11	0.00	07/05/2017	Fuel-diesel		-	No		0000	
101-430-3100-42120	Fuel, Oil and Fluids										
	593221 Total:	635.11									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
kathfuel Total:		1,561.10								
Kath Fuel Oil Service Co Total:		1,561.10								
Kennedy & Graven, Chartered										
KENGRAVE										
137335	06/27/2017	6,901.97	0.00	07/05/2017	Civil Matters		-		No	0000
101-410-1320-43040	Legal Services									
137335	06/27/2017	1,807.69	0.00	07/05/2017	Library Matters		-		No	0000
206-450-5300-43040	Legal Services									
137335	06/27/2017	24,604.42	0.00	07/05/2017	3M Litigation		-		No	0000
101-410-1320-43040	Legal Services									
137335	06/27/2017	1,813.00	0.00	07/05/2017	Haz Bldg - 9240 1st St		-		No	0000
101-410-1320-43040	Legal Services									
137335	06/27/2017	116.25	0.00	07/05/2017	Verizon Lease		-		No	0000
101-410-1320-43040	Legal Services									
137335	06/27/2017	215.00	0.00	07/05/2017	Village Preserve 2nd Add. Final Plat		-		No	0000
803-000-0000-22910	Developer Payments									
137335	06/27/2017	351.50	0.00	07/05/2017	Danielson Property Condemnation		-		No	0000
101-410-1320-43040	Legal Services									
137335	06/27/2017	698.75	0.00	07/05/2017	The Royal Golf		-		No	0000
803-000-0000-22910	Developer Payments									
137335	06/27/2017	2,197.37	0.00	07/05/2017	Zuleger v. City of Lake Elmo		-		No	0000
101-410-1320-43040	Legal Services									
137335	06/27/2017	268.75	0.00	07/05/2017	Wildflower 2nd Addition		-		No	0000
803-000-0000-22910	Developer Payments									
137335	06/27/2017	161.25	0.00	07/05/2017	Inwood 5th Addition		-		No	0000
803-000-0000-22910	Developer Payments									
137335	06/27/2017	692.96	0.00	07/05/2017	Easton Village 2nd Addition		-		No	0000
803-000-0000-22910	Developer Payments									
137335 Total:		39,828.91								
KENGRAVE Total:		39,828.91								
Kennedy & Graven, Chartered Total:										
		39,828.91								
King Cassidy										
KINGK										
20170619	06/19/2017	55.00	0.00	07/05/2017	Cable Oper- Parks Comm	06/19/2017	-		No	0000
101-410-1450-43620	Cable Operations									
20170619 Total:		55.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	POLine #
	KINGK Total:	55.00									
	King Cassidy Total:	55.00									
KLM Engineering, Inc.											
KLMENG	06/01/2017	3,300.00	0.00	07/05/2017	Antenna Drawing Review (tasks 3-6)		-		No		0000
6396	Developer Payments	3,300.00									
803-000-0000-22910	6396 Total:	3,300.00									
	KLMENG Total:	3,300.00									
	KLM Engineering, Inc. Total:	3,300.00									
Lake Elmo Associates, LLP											
LEASSOC	07/01/2017	2,666.00	0.00	07/05/2017	2880 Brookfield Rent - July 2017		-		No		0000
20170701	Rentals - Building	2,666.00									
101-410-1940-44120	20170701 Total:	2,666.00									
	LEASSOC Total:	2,666.00									
	Lake Elmo Associates, LLP Total:	2,666.00									
Marko Electrical Services, Inc											
MARKO	06/23/2017	173.12	0.00	07/05/2017	Bathroom Light Repair at PW		-		No		0000
3818LE-PW-B	Repairs/Maint Bldg	173.12									
101-430-3100-44010	3818LE-PW-B Total:	173.12									
	MARKO Total:	173.12									
	Marko Electrical Services, Inc Total:	173.12									
Menards - Oakdale											
MENARDSO	06/12/2017	32.90	0.00	07/05/2017	Trash Bags		-		No		0000
32206	Repairs/Maint Imp Not Bldgs	32.90									
101-450-5200-44030	32206 Total:	32.90									
32449	06/12/2017	26.79	0.00	07/05/2017	Marking Paint		-		No		0000
101-430-3100-44030	Repairs/Maint Imp Not Bldgs	26.79									
	32449 Total:	26.79									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POL	Line #
32785	06/16/2017	34.98	0.00	07/05/2017	ratchet straps		-		No	0000	
101-430-3100-42210	Equipment Parts										
	32785 Total:	34.98									
33094	06/22/2017	59.90	0.00	07/05/2017	tank sprayer - patching trailer		-		No	0000	
101-430-3120-42210	Equipment Parts										
	33094 Total:	59.90									
33301	06/22/2017	45.98	0.00	07/05/2017	dolly tire		-		No	0000	
101-430-3120-42210	Equipment Parts										
33301	06/22/2017	36.51	0.00	07/05/2017	misc. shop supplies		-		No	0000	
101-430-3100-42150	Shop Materials										
	33301 Total:	82.49									
	MENARDSO Total:	237.06									
Menards - Oakdale Total:											
		237.06									
Municipal Emergency Svs. Inc.											
MES											
1139418	06/15/2017	1,609.31	0.00	07/05/2017	Replacement FF Hoods		-		No	0000	
101-420-2220-42400	Small Tools & Equipment										
	1139418 Total:	1,609.31									
1139828	06/16/2017	320.00	0.00	07/05/2017	REplacement CO monitors for Duty Vehicl		-		No	0000	
101-420-2220-42400	Small Tools & Equipment										
	1139828 Total:	320.00									
	MES Total:	1,929.31									
Municipal Emergency Svs. Inc. Total:											
		1,929.31									
Norman James, LLC											
NORMAN											
20170627	06/27/2017	3,599.15	0.00	07/05/2017	Tax Abatement - 2017		-		No	0000	
101-000-0000-31010	Current Ad Valorem Taxes										
	20170627 Total:	3,599.15									
	NORMAN Total:	3,599.15									
Norman James, LLC Total:											
		3,599.15									
Northland Trust Services, Inc.											
NORTH											
ELMO13A	05/09/2017	79,662.50	0.00	07/05/2017	2013A GO Bond - Principal 7/15		-		No	0000	
601-494-9400-46010	Bond Principal										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
ELMO13A	05/09/2017	230,337.50	0.00	07/05/2017	2013A GO Bond - Principal	7/15	-	No			0000
602-495-9450-46010	Bond Principal										
ELMO13A	05/09/2017	18,186.94	0.00	07/05/2017	2013A GO Bond - Interest	7/15	-	No			0000
601-494-9400-46110	Bond Interest										
ELMO13A	05/09/2017	51,898.04	0.00	07/05/2017	2013A GO Bond - Interest	7/15	-	No			0000
602-495-9450-46110	Bond Interest										
ELMO13A Total:		380,084.98									
ELMO15A	05/09/2017	1,175.00	0.00	07/05/2017	2015A GO Bond - Interest	7/15 Equip	-	No			0000
324-470-7000-46110	Bond Interest										
ELMO15A	05/09/2017	14,843.75	0.00	07/05/2017	2015A GO Bond - Interest	7/15 EP	-	No			0000
324-470-7000-46110	Bond Interest										
ELMO15A	05/09/2017	10,887.50	0.00	07/05/2017	2015A GO Bond - Interest	7/15 100% AS	-	No			0000
601-494-9400-46110	Bond Interest										
ELMO15A	05/09/2017	3,300.00	0.00	07/05/2017	2015A GO Bond - Interest	7/15	-	No			0000
602-495-9450-46110	Bond Interest										
ELMO15A Total:		30,206.25									
LKEL09B	05/09/2017	2,881.25	0.00	07/05/2017	2009B GO Bond - Interest	7/15	-	No			0000
316-470-7000-46110	Bond Interest										
LKEL09B Total:		2,881.25									
LKEL14A	05/09/2017	6,366.25	0.00	07/05/2017	2014A GO Bond - Interest	7/15 Equip	-	No			0000
323-470-7000-46110	Bond Interest										
LKEL14A	05/09/2017	25,052.50	0.00	07/05/2017	2014A GO Bond - Interest	7/15 Streets	-	No			0000
323-470-7000-46110	Bond Interest										
LKEL14A	05/09/2017	30,068.13	0.00	07/05/2017	2014A GO Bond - Interest	7/15	-	No			0000
601-494-9400-46110	Bond Interest										
LKEL14A	05/09/2017	9,901.87	0.00	07/05/2017	2014A GO Bond - Interest	7/15	-	No			0000
602-495-9450-46110	Bond Interest										
LKEL14A Total:		71,388.75									
LKEL16A	05/09/2017	26,900.00	0.00	07/05/2017	2016A GO Bond - Interest	7/15	-	No			0000
326-470-7000-46110	Bond Interest										
LKEL16A	05/09/2017	32,250.00	0.00	07/05/2017	2016A GO Bond - Interest	7/15	-	No			0000
601-494-9400-46110	Bond Interest										
LKEL16A	05/09/2017	8,600.00	0.00	07/05/2017	2016A GO Bond - Interest	7/15	-	No			0000
602-495-9450-46110	Bond Interest										
LKEL16A	05/09/2017	27,700.00	0.00	07/05/2017	2016A GO Bond - Interest	7/15	-	No			0000
603-496-9500-46110	Bond Interest										
LKEL16A Total:		95,450.00									
NORTHL Total:		580,011.23									
Northland Trust Services, Inc. Total:		580,011.23									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
Oakdale Rental Center											
OAKDRC	06/20/2017	70.99	0.00	07/05/2017	Propane		-		No		0000
119448											
101-430-3100-42120	Fuel, Oil and Fluids	70.99									
	119448 Total:	70.99									
	OAKDRC Total:	70.99									
Oakdale Rental Center Total:											
		70.99									
Plunkett's Pest Control Inc											
PLUNKETT	05/03/2017	291.00	0.00	07/05/2017	Ant and Wasp Control		-		No		0000
5668286											
206-450-5300-44010	Repairs/Maint Bldg	291.00									
	5668286 Total:	291.00									
	PLUNKETT Total:	291.00									
Plunkett's Pest Control Inc Total:											
		291.00									
Pomp's Tire Service, Inc.											
POMPS	04/04/2017	587.64	0.00	07/05/2017	Pick-up Tires		-		No		0000
210280154											
101-430-3100-44040	Repairs/Maint Eqpt	587.64									
	210280154 Total:	587.64									
	POMPS Total:	587.64									
Pomp's Tire Service, Inc. Total:											
		587.64									
RABOUIN, INC											
RABOUIN	07/01/2017	2,500.00	0.00	07/05/2017	July 2017 - Contracted Monthly		-		No		0000
20170701											
101-410-1320-43100	Assessing Services	2,500.00									
	20170701 Total:	2,500.00									
	RABOUIN Total:	2,500.00									
RABOUIN, INC Total:											
		2,500.00									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
Sam's Club											
SAMSClub											
20170607	05/09/2017	74.64	0.00	07/05/2017	Rehab Supplies		-		No		0000
101-420-2220-44300	Miscellaneous										
	20170607 Total:	74.64									
	SAMSClub Total:	74.64									
Sam's Club Total:											
		74.64									
Schaberg Susan											
L-SCHABE											
20170626	06/26/2017	60.00	0.00	07/05/2017	Library Card Reimbursement		-		No		0000
206-450-5300-44300	Miscellaneous										
	20170626 Total:	60.00									
	L-SCHABE Total:	60.00									
Schaberg Susan Total:											
		60.00									
Short Elliott Hendrickson, Inc											
SEH											
333246	06/09/2017	7,068.29	0.00	07/05/2017	Construction Services		-		No		0000
601-494-9400-43030	Engineering Services										
	333246 Total:	7,068.29									
	SEH Total:	7,068.29									
Short Elliott Hendrickson, Inc Total:											
		7,068.29									
Sprint											
SPRINT											
761950227-169	06/18/2017	15.11	0.00	07/05/2017	Cell Phone Service- Fire Dept		-		No		0000
101-420-2220-43210	Telephone										
761950227-169	06/18/2017	82.89	0.00	07/05/2017	Cell Phone Service- Building Dept		-		No		0000
101-420-2400-43210	Telephone										
761950227-169	06/18/2017	72.63	0.00	07/05/2017	Cell Phone Service- Public Works Dept		-		No		0000
101-430-3100-43210	Telephone										
761950227-169	06/18/2017	6.69	0.00	07/05/2017	Cell Phone Service- Parks Dept		-		No		0000
101-450-5200-43210	Telephone										
761950227-169	06/18/2017	5.62	0.00	07/05/2017	Cell Phone Service- Planning Dept		-		No		0000
101-410-1910-43210	Telephone										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
761950227-169	06/18/2017	168.67	0.00	07/05/2017	Cell Phone Service- Admin		-		No		0000
101-410-1940-43210	Telephone										
761950227-169	06/18/2017	-61.31	0.00	07/05/2017	Cell Phone Service- Admin		-		No		0000
101-410-1320-43210	Telephone										
761950227-169	Total:	290.30									
SPRINT	Total:	290.30									
Sprint Total:		290.30									
Stillwater Medical Group											
STILLMED											
20170614	06/14/2017	1,187.00	0.00	07/05/2017	Annual Physicals- Supan Penman		-		No		0000
101-420-2220-43050	Physicals				Sachs						
20170614	Total:	1,187.00									
STILLMED	Total:	1,187.00									
Stillwater Medical Group Total:		1,187.00									
Stillwater Printing											
STILLWAT											
20170531	05/31/2017	210.00	0.00	07/05/2017	Summer Program T-shirts		-		No		0000
206-450-5300-44300	Miscellaneous										
20170531	Total:	210.00									
STILLWAT	Total:	210.00									
Stillwater Printing Total:		210.00									
Stillwater Public Library											
STLIBRAR											
20170531	06/01/2017	1,140.00	0.00	07/05/2017	Library Card Reimbursement		-		No		0000
206-450-5300-44300	Miscellaneous										
20170531	Total:	1,140.00									
STLIBRAR	Total:	1,140.00									
Stillwater Public Library Total:		1,140.00									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Surplus Services										
SURPLUS	06/16/2017	156.00	0.00	07/05/2017	Bookcases x4		-		No	0000
20037561										
101-410-1320-42000	Office Supplies									
	20037561 Total:	156.00								
	SURPLUS Total:	156.00								
Surplus Services Total:										
		156.00								
Swanson Haskamp Consulting										
SHC	06/20/2017	2,646.76	0.00	07/05/2017	2040 Comprehensive Plan Project		-		No	0000
497										
101-410-1910-43020	Comprehensive Planning									
	497 Total:	2,646.76								
498	06/20/2017	598.75	0.00	07/05/2017	Comprehensive Plan- Living Healthy		-		No	0000
101-410-1910-43020	Comprehensive Planning									
	498 Total:	598.75								
	SHC Total:	3,245.51								
Swanson Haskamp Consulting Total:										
		3,245.51								
Twin City Pipeworks										
TWINPIPE	06/19/2017	347.00	0.00	07/05/2017	Pipe Repair Tower #2		-		No	0000
9003										
601-494-9400-44030	Repairs\Maint Imp Not Bldgs									
	9003 Total:	347.00								
	TWINPIPE Total:	347.00								
Twin City Pipeworks Total:										
		347.00								
Verizon Wireless										
VERIZON	06/10/2017	35.01	0.00	07/05/2017	Air Card for Tablet		-		No	0000
9787353355										
101-420-2220-43210	Telephone									
	9787353355 Total:	35.01								
	VERIZON Total:	35.01								
Verizon Wireless Total:										
		35.01								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Washington County										
WASRADIO										
123452	06/21/2017	300.06	0.00	07/05/2017	2nd QTR 2017 Radio Usage		-		No	0000
101-430-3100-43230	Radio									
123452 Total:		300.06								
123453	06/21/2017	3,800.76	0.00	07/05/2017	1/4ely user fee for 800 MHz Radio		-		No	0000
101-420-2220-43230	Radio									
123453 Total:		3,800.76								
WASRADIO Total:		4,100.82								
Washington County Total:										
Washington County Library		4,100.82								
Washington County Library										
WASHLIB										
20170531	06/01/2017	2,139.00	0.00	07/05/2017	Library Card Reimbursement		-		No	0000
206-450-5300-44300	Miscellaneous									
20170531 Total:		2,139.00								
WASHLIB Total:		2,139.00								
Washington County Library Total:										
Washington County Library Total:		2,139.00								
Wensman Stephen										
WENSMAN										
20170629	06/29/2017	14.34	0.00	07/05/2017	Mileage		-		No	0000
803-000-0000-22910	Developer Payments									
20170629	06/29/2017	22.90	0.00	07/05/2017	Mileage		-		No	0000
101-410-1910-43310	Mileage									
20170629 Total:		37.24								
WENSMAN Total:		37.24								
Wensman Stephen Total:										
Wensman Stephen Total:		37.24								
White Ania										
Whiteani										
20170620	06/20/2017	55.00	0.00	07/05/2017	Cable Oper- Safety Comm 6/20/17		-		No	0000
101-410-1450-43620	Cable Operations									
20170620	06/20/2017	55.00	0.00	07/05/2017	Cable Oper- City Council 6/20/17		-		No	0000
101-410-1450-43620	Cable Operations									
20170620	06/20/2017	25.00	0.00	07/05/2017	Cable Oper- Bonus 6/20/17 after 10PM		-		No	0000
101-410-1450-43620	Cable Operations									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
		20170620 Total:	135.00							
		Whiteani Total:	135.00							
		White Ania Total:	135.00							
Xcel Energy										
XCEL										
550905133	06/20/2017	233.16	0.00	07/05/2017	New Lift Station		-	No		0000
602-495-9450-43810	Electric Utility									
550905133	Total:	233.16						No		0000
550956621	06/20/2017	12.03	0.00	07/05/2017	Tennis Court		-	No		0000
101-450-5200-43810	Electric Utility									
550956621	Total:	12.03						No		0000
550967658	06/20/2017	50.24	0.00	07/05/2017	Park Bldg		-	No		0000
101-450-5200-43810	Electric Utility									
550967658	Total:	50.24						No		0000
550968477	06/20/2017	22.25	0.00	07/05/2017	Pebble Park		-	No		0000
101-450-5200-43810	Electric Utility									
550968477	Total:	22.25						No		0000
550975335	06/20/2017	48.14	0.00	07/05/2017	Traffic Lights		-	No		0000
101-430-3160-43810	Street Lighting									
550975335	Total:	48.14						No		0000
550978493	06/20/2017	20.76	0.00	07/05/2017	Lift Station		-	No		0000
602-495-9450-43810	Electric Utility									
550978493	Total:	20.76						No		0000
550979327	06/20/2017	103.61	0.00	07/05/2017	Arts Center		-	No		0000
101-450-5200-43810	Electric Utility									
550979327	Total:	103.61						No		0000
550983912	06/20/2017	18.39	0.00	07/05/2017	Lift Station		-	No		0000
602-495-9450-43810	Electric Utility									
550983912	Total:	18.39						No		0000
550986780	06/20/2017	374.45	0.00	07/05/2017	Fire Station 1		-	No		0000
101-420-2220-43810	Electric Utility									
550986780	Total:	374.45						No		0000
550991102	06/20/2017	69.91	0.00	07/05/2017	Legion Park		-	No		0000
101-420-2220-43810	Electric Utility									
550991102	Total:	69.91						No		0000
550991262	06/20/2017	33.69	0.00	07/05/2017	Traffic-Manning & Stillwater Blvd		-	No		0000
101-430-3160-43810	Street Lighting									
550991262	Total:	33.69						No		0000
550999413	06/20/2017	29.37	0.00	07/05/2017	Water Tower 2		-	No		0000
601-494-9400-43810	Electric Utility									
550999413	Total:	29.37						No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
551004405	06/20/2017	13.29	0.00	07/05/2017	Speed Sign Hwy 5		-		No	0000
101-430-3160-43810	Street Lighting									
	551004405 Total:	13.29								
551017301	06/20/2017	141.36	0.00	07/05/2017	Pumphouse		-		No	0000
601-494-9400-43810	Electric Utility									
	551017301 Total:	141.36								
551021891	06/20/2017	1,879.34	0.00	07/05/2017	Pumphouse		-		No	0000
601-494-9400-43810	Electric Utility									
	551021891 Total:	1,879.34								
551033753	06/20/2017	14.50	0.00	07/05/2017	Gates at Sunfish Park		-		No	0000
101-450-5200-43810	Electric Utility									
	551033753 Total:	14.50								
551036943	06/20/2017	41.61	0.00	07/05/2017	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	551036943 Total:	41.61								
551048392	06/20/2017	49.45	0.00	07/05/2017	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	551048392 Total:	49.45								
551067361	06/21/2017	547.42	0.00	07/05/2017	Library		-		No	0000
206-450-5300-43810	Electric Utility									
	551067361 Total:	547.42								
551110341	06/21/2017	331.90	0.00	07/05/2017	Fire Station 2		-		No	0000
101-420-2220-43810	Electric Utility									
	551110341 Total:	331.90								
551288878	06/22/2017	27.53	0.00	07/05/2017	Street Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	551288878 Total:	27.53								
	XCEL Total:	4,062.40								
	Xcel Energy Total:	4,062.40								
Zack's, Inc.										
ZACK										
32022	06/07/2017	29.46	0.00	07/05/2017	Water meter supplies		-		No	0000
601-494-9400-42300	Water Meters & Supplies									
32022	06/07/2017	38.28	0.00	07/05/2017	sewer maintenance supplies		-		No	0000
602-495-9450-42270	Utility System Maint Supplies									
32022	06/07/2017	50.46	0.00	07/05/2017	Tools		-		No	0000
101-430-3100-42400	Small Tools & Minor Equipment									
32022	06/07/2017	3.50	0.00	07/05/2017	delivery surcharge		-		No	0000
101-430-3100-42400	Small Tools & Minor Equipment									
32022	06/07/2017	76.56	0.00	07/05/2017	Water Maint. Supplies		-		No	0000
601-494-9400-42270	Utility System Maintenance									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
32022	06/07/2017	71.98	0.00	07/05/2017	Shop Supplies		-			
101-430-3100-42150	Shop Materials									No 0000
	32022 Total:	270.24								
	ZACK Total:	270.24								
	Zack's, Inc. Total:	270.24								
	Report Total:	787,792.86								



STAFF REPORT

DATE: July 5, 2017

CONSENT

ITEM #: 3

AGENDA ITEM: Old Village Phase 3 Street, Drainage, and Utility Improvements - Change Order No. 1

SUBMITTED BY: Jack Griffin, City Engineer

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

ISSUE BEFORE COUNCIL: Should the City Council approve Change Order No. 1 for the Old Village Phase 3 Street, Drainage, and Utility Improvements?

BACKGROUND: Douglas-Kerr Underground, LLC was awarded a construction contract to complete the Old Village Phase 3 Street, Drainage, and Utility Improvements on May 16, 2017. The project is in construction with an anticipated substantial completion date of October 27, 2017.

PROPOSAL DETAILS/ANALYSIS: Douglas-Kerr Underground, LLC has submitted a change order to address two design changes requested by the City as follows:

1. Remove the storm sewer piping and a stormwater treatment basin from the City Hall property. The stormwater treatment basin is no longer required after the City obtained a variance to the Valley Branch Watershed District rules. The variance was obtained after bids for the project were received.
2. The sanitary sewer main and service pipe was redesigned for the properties located at 11200 and 11240 Stillwater Boulevard to accommodate easement constraints and address separation requirements from existing water service lines. An 8-inch sewer main (in lieu of 3 6-inch sewer services) was extended across the property of 11200 Stillwater Blvd using watermain pressure grade pipe. Separation from drinking water facilities caused a watermain grade pipe material to be necessary which was not included in the original bid.

FISCAL IMPACT: This change order will decrease the contract in the amount of \$16,586.70 bringing the revised construction contract to \$1,559,452.45. With this change order the project remains within the authorized project budget and contingencies.

RECOMMENDATION: Staff is recommending that the City Council approve, *as part of the Consent Agenda*, Change Order No. 1 for the Old Village Phase 3 Street, Drainage, and Utility Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve Change Order No. 1 for the Old Village Phase 3 Street, Drainage, and Utility Improvements, thereby decreasing the contract amount by \$16,586.70”.

ATTACHMENTS:

1. Change Order No. 1.

CONTRACT CHANGE ORDER FORM

CITY OF LAKE ELMO, MINNESOTA
OLD VILLAGE PHASE 3 IMPROVEMENTS
PROJECT NO. 2016.133

FOCUS ENGINEERING, inc.

CHANGE ORDER NO. 1

DATE: June 22, 2017

TO: Douglas-Kerr Underground, LLC, 2142 330th Ave, Mora, MN 55051

This Document will become a supplement to the Contract and all provisions will apply hereto. The Contract Documents are modified as follows upon execution of this Change Order.

CHANGE ORDER DESCRIPTION / JUSTIFICATION:

This change order addresses two design changes requested by the City. 1) Removes storm sewer piping and a stormwater treatment basin from the City Hall property. The stormwater treatment basin is no longer required after the City obtained a variance to the Valley Branch Watershed District rules. The variance was obtained after bids for the project were received. 2) The sanitary sewer main and service pipe was redesigned for the properties located at 11200 and 11240 Stillwater Boulevard to accommodate easement constraints and address separation requirements from existing water service lines. An 8-inch sewer main (in lieu 3 6-inch sewer services) was extended across the property of 11200 Stillwater Blvd using watermain pressure grade pipe. Separation from drinking water facilities caused a watermain grade pipe material to be necessary which was not included in the original bid.

Attachments (list documents supporting change): Itemization

ITEM	DESCRIPTION OF PAY ITEM	UNIT	QTY	UNITE PRICE	INCREASE/(DECREASE)
	*SEE ATTACHED ITEMIZATION				
	Remove Stormwater Treatment Basin				(\$22,613.15)
	Revise Sanitary Sewer Main/Service configuration				\$6,026.45
NET CONTRACT CHANGE					(\$16,586.70)

Amount of Original Contract	\$	1,576,039.15
Sum of Additions/Deductions approved to date (CO Nos.)	\$	0.00
Contract Amount to date	\$	1,576,039.15
Amount of this Change Order (ADD) (DEDUCT) (NO-CHANGE)	\$	(16,586.70)
Revised Contract Amount	\$	1,559,452.45

The Contract Period for Completion will be (UNCHANGED) (INCREASED) (DECREASED) 0 days

APPROVED BY ENGINEER: FOCUS ENGINEERING

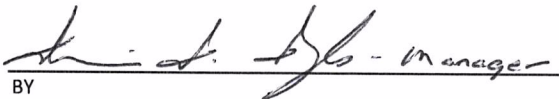


ENGINEER

6/22/2017

DATE

APPROVED BY CONTRACTOR



BY

6-23-17

DATE

APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA

BY

BY

DATE

DATE

CHANGE ORDER NO. 1

OLD VILLAGE PHASE 3 IMPROVEMENTS
CITY OF LAKE ELMO, MINNESOTA
PROJECT NO. 2016.133

FOCUS ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CHANGE ORDER			DESCRIPTION / JUSTIFICATION
			QUANTITY	UNIT PRICE	AMOUNT	
CO1-1	REMOVE INFILTRATION BASIN EXCAVATION (EV)	CY	-467.0	\$32.50	-\$15,177.50	REMOVE ITEMS ASSOCIATED WITH STORMWATER POND BASINS ELIMINATED IN ORDER TO OBTAIN PERMIT FROM VALLEY BRANCH WATERSHED DISTRICT
CO1-2	REMOVE 15" RC PIPE APRON W/TRASH GUARD	EACH	-1.0	\$1,024.05	-\$1,024.05	
CO1-3	REMOVE 21" RC PIPE APRON W/TRASH GUARD	EACH	-1.0	\$1,470.00	-\$1,470.00	
CO1-4	REMOVE INFILTRATION BASIN UNDERDRAIN SYSTEM	LF	-410.0	\$0.01	-\$4.10	
CO1-5	REMOVE FILTER TOPSOIL BORROW (PULVERIZED) (LV)	CY	-125.0	\$39.50	-\$4,937.50	
CO1-6	8" C900 PIPE SEWER	LF	230.0	\$68.90	\$15,847.00	SANITARY SEWER PIPE REQUIRED TO PROVIDE SERVICE TO 12000 AND 12400 STILLWATER BOULEVARD
CO1-7	8"X6" C900 WYE	EACH	3.0	\$1,299.50	\$3,898.50	
CO1-8	REMOVE 8"X6" PVC WYE, SDR 26	EACH	-3.0	\$1,004.55	-\$3,013.65	
CO1-9	REMOVE 6" CLEAN-OUT ASSEMBLY (SCH 40)	EACH	-4.0	\$324.60	-\$1,298.40	
CO1-10	REMOVE 6" PVC SANITARY SERVICE PIPE - SCH 40	LF	-460.0	\$20.45	-\$9,407.00	

TOTALS - CHANGE ORDER NO. 1

-\$16,586.70



STAFF REPORT

DATE: July 5, 2017

CONSENT

ITEM #: 4

MOTION

TO: City Council
FROM: Emily Becker, City Planner
AGENDA ITEM: Royal Golf Zoning Map Amendment – Rezoning Property from PF – Public and Quasi-Public Open Space to Golf Course Community
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

A public hearing was held to rezone PID#s that make up the area formerly known as Tartan Park and now known as Royal Golf Club (PID#s 25.029.21.12.0001, 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 25.029.21.44.0001) from PF – Public and Quasi-Public Open Space to the Golf Course Community zoning district on March 13, 2017. The ordinance approving Zoning Map Amendment was never adopted by Council, however.

ISSUE BEFORE COUNCIL:

The City Council is being asked to adopt Ord. 08-179 which approves a Zoning Map Amendment to rezone the aforementioned PID#s from PF – Public and Quasi-Public Open Space to the Golf Course Community Zoning District.

REVIEW/ANALYSIS:

History:

- January 17, 2017: Comprehensive Plan Amendment approved to re-guide PID#s from Public Facilities to Golf Course Community land use designation (Resolution 2017-008).
- March 13, 2017: Zoning Map Amendment and Preliminary Plat and Planned Unit Development (PUD) Plans reviewed by Planning Commission and public hearing held.
- May 24, 2017: Metropolitan Council approval of Comprehensive Plan Amendment to re-guide PID#s from Public Facilities to Golf Course Community land use designation.
- June 6, 2017: Approval of Royal Golf Preliminary Plat and PUD Plans.

The Royal Golf Preliminary Plat and PUD Staff report for the June 6, 2017 Council meeting mentioned the rezoning, but an ordinance was not formally adopted approving the rezoning. The Council is being asked to approve this ordinance.

FISCAL IMPACT:

None.

OPTIONS:

The City Council is being asked to adopt as part of tonight's Consent Agenda Ord. 08-:

- 1) Adopt Ord. 08-179 as presented.
- 2) Amend Ord. 08-179 and adopt as amended.
- 3) Do not adopt Ord. 08-179

RECOMMENDATION:

Staff recommends the City Council adopt Ord. 08- approving a Zoning Map Amendment that rezones PID#s 25.029.21.12.0001, 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 25.029.21.44.0001 from PF – Public and Quasi-Public Open Space to the Golf Course Community zoning district as part of tonight's consent agenda.

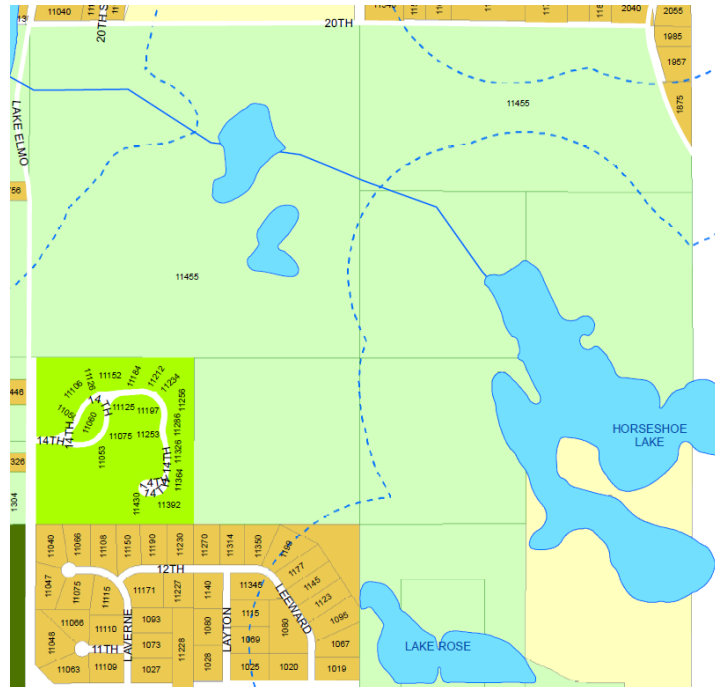
If removed from the Consent Agenda, Staff recommends the following motion:

“Move to adopt Ord. 08-179 approving a Zoning Map Amendment that rezones PID#s 25.029.21.12.0001, 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 25.029.21.44.0001 from PF – Public and Quasi-Public Open Space to the Golf Course Community zoning district .”

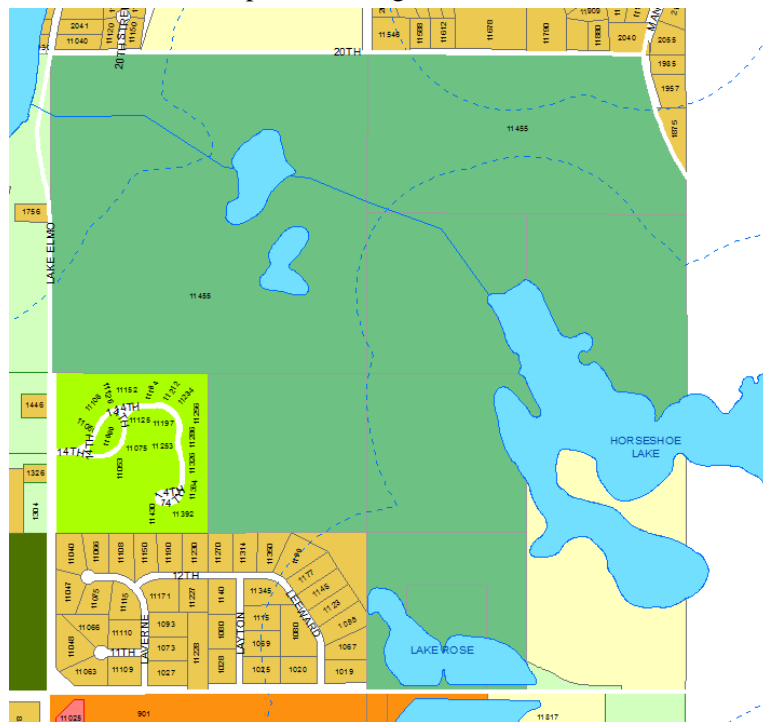
ATTACHMENTS:

- Zoning Map Exhibit
- Ord. 08-179

Current Zoning



Proposed Zoning



Zoning Districts

A	BP-PUD	GB	LC-PUD	MDR-PUD
OP	C	HDR	LDR	PF
BP	C-PUD	HDR-PUD	LDR-PUD	R2-PUD
GCC	CC	LC	MDR	

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-179

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 PF - Public and Quasi-Public Open Space to GCC - Golf Course Community:

PIDs:

25.029.21.12.0001 25.029.21.14.0001 25.029.21.21.0001 25.029.21.31.0001
25.029.21.43.0002 25.029.21.44.0001 25.029.21.43.0001 25.029.21.42.0001

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 Ordinance 08-179 was adopted on this 5th day of July, 2017, by a vote of ____ Ayes and ____ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-179 was published on the ____ day of _____, 2017.



STAFF REPORT

DATE: July 5, 2017

CONSENT

ITEM #: 5

AGENDA ITEM: Approval for Tax Abatement Payment for Valley Cartage

TO: Mayor and City Council

SUBMITTED BY: Amy La Belle, Accountant

BACKGROUND:

In the winter of 2012 the City of Lake Elmo was approached by a company from Wisconsin with interest in purchasing a corporate office building at 8665 Hudson Boulevard for the purpose of establishing a headquarters and creating 50 new jobs. They requested a limited property tax abatement for the years 2014-2017.

This property was not in a TIF district so those incentives were not available. City staff took the lead on the project and put together an economic development package that included limited property tax abatements, a sizable forgivable loan (\$500k), job training funds and energy credits to bring new, good paying jobs to the region. The result of this public-private partnership resulted in the building being purchased and all of the stipulations of the partnership as well as the state funding requirements being met or exceeded.

ISSUE BEFORE COUNCIL:

Should the Council approve the Tax Abatement Payment for Valley Cartage?

PROPOSAL DETAILS/ANALYSIS:

On April 26, 2013, the City Council approved a limited property tax abatement for the 8665 Hudson Boulevard Property (Parcel ID #33.029.21.44.0037) for the tax years 2014, 2015, 2016 and 2017.

On or before July 30th of each year, the tax abatement for 8665 Hudson Boulevard needs to be remitted to the owner. Staff is seeking City Council approval to issue a property tax refund to Norman James, LLC, in the amount of \$3,599.15.

FISCAL IMPACT:

\$3,599.15

OPTIONS:

- 1) Approve the payment
- 2) Do not approve the payment

RECOMMENDATION:

Motion to approve a payment to Norman James, LLC, in the amount of \$3,599.15 which represents the property tax abatement due for 2017.

ATTACHMENTS:

Washington County worksheet on Lake Elmo component of the 2017 property tax abatement

City of Lake Elmo - Valley Cartage Economic Development Tax Abatement
City Resolution 2013-27

PID: 33.029.21.44.0037 TAG 3701
Duration: 4 years Pay 2014-Pay 2017 (Pay 2018 will be considered if requested by owner)
Terms: Market Value in year of abatement must be greater than Pay 2012 Market Value of 2,125,000
 Total tax in year of abatement must be greater than Pay 2012 total tax of \$70,256.
 Maximum of \$10,000 per year/\$40,000 total
 Payment to be made on or before July 30 of each year.

Tax Year	Item	Total Tax	Taxable Market Value	Class Rate	Total Tax Capacity	FD%	FD Tax Capacity	Local Tax Capacity	Current City Rate	City NTC Tax	Change in City Tax	Amount of Abatement (\$10000 max)	Tax Payment Status Y / N (not part of city agreement)
Pay 2014:	Base Year		150,000	1.50%	2,250								
			1,975,000	2.00%	39,500								<input type="checkbox"/> First half 2014 taxes paid?
		\$70,256	2,125,000		41,750	40.1589%	16,766	24,984	27.761%	\$6,935.74			<input type="checkbox"/> No delinquent taxes?
	Current Year		150,000	1.50%	2,250								
			1,975,000	2.00%	39,500								
		\$77,675	2,125,000		41,750	40.1589%	16,766	24,984	27.761%	\$6,935.74	\$0.00	\$0.00	
No Value Increase over 2012													
Pay 2015:	Base Year		150,000	1.50%	2,250								
			1,975,000	2.00%	39,500								<input type="checkbox"/> First half 2015 taxes paid?
		\$70,256	2,125,000		41,750	34.3461%	14,339	27,411	23.798%	\$6,523.19			<input type="checkbox"/> No delinquent taxes?
	Current Year		150,000	1.50%	2,250								
			3,136,300	2.00%	62,726								
		\$113,299	3,286,300		64,976	34.3461%	22,317	42,659	23.798%	\$10,151.87	\$3,628.68	\$3,628.68	payable July 30,2015
Pay 2016:	Base Year		150,000	1.50%	2,250								
			1,975,000	2.00%	39,500								<input type="checkbox"/> First half 2016 taxes paid?
		\$70,256	2,125,000		41,750	37.1277%	15,501	26,249	23.121%	\$6,069.00			<input type="checkbox"/> No delinquent taxes?
	Current Year		150,000	1.50%	2,250								
			3,136,300	2.00%	62,726								
		\$110,005	3,286,300		64,976	37.1277%	24,124	40,852	23.121%	\$9,445.34	\$3,376.34	\$3,376.34	payable July 30,2016
Pay 2017:	Base Year		150,000	1.50%	2,250								
			1,975,000	2.00%	39,500								<input type="checkbox"/> First half 2017 taxes paid?
		\$70,256	2,125,000		41,750	33.1059%	13,822	27,928	20.018%	\$5,590.50			<input type="checkbox"/> No delinquent taxes?
	Current Year		150,000	1.50%	2,250								
			3,318,900	2.00%	66,378								
		\$112,917	3,468,900		68,628	33.1059%	22,720	45,908	20.018%	\$9,189.65	\$3,599.15	\$3,599.15	payable July 30,2017
Grand Total:												\$10,604.17	



STAFF REPORT

DATE: July 5, 2017

REGULAR

ITEM #: 6

MOTION

TO: Mayor and City Council

FROM: Julie Johnson, City Clerk

AGENDA ITEM: Lake Elmo Jaycees Special Event Permit & Temporary Liquor License for Huff n' Puff Days

REVIEWED BY: Kristina Handt, City Administrator

BACKGROUND: Lake Elmo Jaycees will hold their annual Huff n' Puff Days event August 10 through 13, 2017 and have requested an on-sale temporary special event liquor license to allow for the safe sale of alcoholic beverages at the event. They are also requesting a special event permit.

City Council is respectfully requested to consider approval of a temporary on-sale liquor license issued to the Lake Elmo Jaycees for their annual Huff n' Puff Days event held August 10 through 13, 2017, subject to approval of the Director of Alcohol and Gambling Enforcement. In addition, the City Council is requested to waive the \$25 liquor license fee, the fee for the Lion's Park ball field lighting and the special event permit fee of \$75

ISSUE BEFORE COUNCIL: Should the Council approve the special event permit, liquor license and waive the fees for the liquor license, special event permit and ball field lighting? Should the Council place conditions on the approval requiring sheriff's deputies for the event? If so, should the City contribute to the cost of the deputies?

PROPOSAL DETAILS/ANALYSIS: The City Council approves special event permits under City Code Section 110.70. The code establishes standards for special events in the following areas: maximum number of people, sound equipment, sanitary facilities, security, food service, fire protection, duration of special event, and a cleanup plan. Prior to the issuance of a permit, the City Council, may impose any other conditions reasonably calculated to protect the health, safety and welfare of persons, attendant or of the citizens of the City of Lake Elmo including, but not limited to, restrictions on parking and vehicle access, lighting, litter and noise.

With respect to security and safety procedures, the Jaycees are proposing to have people patrol the event and monitor the park continually for infractions. There is no live band included in the event this year. Alcohol sales are proposed for the same hours as past years: Thursday 5:30 p.m. – 10:30 p.m., Friday 5:30 p.m. – 12:00 a.m., Saturday 8:00 a.m. – 12:00 a.m., and Sunday 10:00 a.m. – 8:00 p.m. Washington County Sheriff's Department is proposing two deputies on Thursday 6:30 p.m. – 10:30 p.m.; Friday and Saturday 6:00 p.m. – 12:00 a.m.; and Sunday from 4:00 p.m. – 8:00 p.m. Staff would support this recommendation. The cost is \$45/hour per deputy with a four hour minimum, for a total of \$1,800. If required to have the deputies as outlined above, the Jaycees are looking for City to make a contribution toward the cost of the deputies.

Clean up would be completed by volunteers including trash pickup surrounding the area after the event.

FISCAL IMPACT: The cost of the deputies at the event will be about \$1,800. The Council may participate in that cost at whatever level they deem appropriate. There was nothing in the City's budget for this event. However, the City will receive a donation of \$11,400 from the Jaycees this year. Staff is proposing a contribution from the City toward the cost of deputies in the amount of \$1,400.

OPTIONS:

- 1) Approve the special event permit for Huff n Puff Days 2017 with the following conditions:
 - The event shall be held as described in the application received on June 15, 2017.
 - Waive of the special event permit fee, liquor license fee and ball field lighting fee
 - Deputies will be onsite as recommended by the Washington County Sheriff's Office
- 2) Approve the special event permit for Huff n Puff Days 2017 with different conditions
- 3) Do not approve the special event permit for Huff n Puff Days

RECOMMENDATION:

“Motion to approve a special event permit and temporary on-sale liquor license issued to the Lake Elmo Jaycees for their Huff n’ Puff Days event held August 10 through 13, 2017, subject to approval of the Director of MN Alcohol and Gambling Enforcement Division, and waive the liquor license fee, special event permit fee and the fee for Lion’s Park ball field lighting.”

ATTACHMENTS:

- Special Event Permit Application
- Liquor License Application
- Certificate of Liability Insurance



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

SPECIAL EVENT PERMIT APPLICATION

I. Title and Brief Description of Event

Huff n' Puff Days

Softball tournament, kids games, concessions

II. Applicant Information

The applicant is responsible for answering all questions, including inquiries from media and citizens.

Applicant: Mike Slobodnik

Title: President

Address: PO Box 198, Lake Elmo, MN, 55042

Business/Organization: Lake Elmo Jaycees

Daytime Phone: _____ Mobile Phone: 952-210-6097 Emergency Phone: _____

III. Event Timetable

A. Requested day and date: August 10-13, 2017

B. Requested Hours of Operation, from See attached a.m./p.m. to _____ a.m./p.m.

C. Set up beginning day and date Aug 09 2017, time Noon a.m./p.m.

D. Dismantle by day and date Aug 14, time 10 a.m. ☒ p.m.

E. Anticipated number of participants: Unknown; and spectators: Unknown

IV. Insurance

Attach to this application either an insurance policy or a certificate of insurance including the policy number and showing liability amounts. The policy must state that any outside area to be used for an event is covered. The policy must also show evidence that the requested event is not excluded from insurance liability.

V. Check All Items that Apply to your Event

- ☒ Use of a Public Facility (note facility): Park/concessions bldg ;
- ☐ Event participant and/or spectator parking areas (describe): _____ ;
- ☐ Entertainment or stage location (provide to-scale drawings);
- ☒ Construction or erection of temporary structures (may need permit: check with planning department); Ticket Booth and Announcing stand in park
- ☒ Trash containers (indicate # and locations): Contracted/ we pay for ;
- ☒ Portable toilet facilities (indicate # and locations): Contracted/ we pay for ;
- ☒ First aid facilities (indicate who is providing): Kits on site ;
- ☐ Parade and/or parade floats (may need permit);
- ☐ Fireworks and/or pyrotechnics site (may need permit, check with the fire department);
- ☒ Cooking facilities, open flame, or vehicle fuels (may need permit, check with fire department); Propane grill
- ☒ Electricity (indicate source and plan): We have generators ;
- ☐ Other (please describe): _____

VI. Food, Beverages, and/or Entertainment

- A. If your event includes music, live entertainment, sound amplification or any other noise impact, please describe, including the intended hours of the music, sound or noise.
announcement booth - during game times

B. Will alcoholic beverages be served? ☒ Yes ☐ No

C. Name of liquor establishment: College city



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

D. For service of alcohol outside a licensed premise, include a diagram showing the defined area of the alcohol concession service and attach a copy of your certificate of liquor liability insurance covering the limits of the alcohol service area.

E. If serving alcohol, describe how you will ensure that alcohol will be possessed and consumed only by those persons 21 years or older. Describe all security measures in place.

We are Tips trained per insurance requirement

All servers receive traing each shift

We constantly patrol area ensuring no carry on/off

Wristbands to verify age

F. Will food and/or non-alcoholic beverages be served? ☒ Yes ☐ No

G. If yes, describe sanitation and food-handling procedures:

Sinks and buckets in concessions bldg

per food license requirement (licensed throught Washington County)

H. If yes, you will need to have a Temporary Food License from Washington County. Attach a copy of your Temporary Food License to this application.

We have asked for it in advance but they dont send them in too much advance

I. If you intend to cook food in the event area, describe your area layout, including fuel or electrical sources to be used:

Roasters and Flat propane grill

VII. Vendors or Concessionaires

List what vendors/concessionaires you will have at your event and list their Sales Tax ID Number:

VIII. Security and Safety Procedures

A. Describe your proposed procedures for security and crowd control:

We patrol and monitor park continually throughout the event with several people whos
only resonsibility is to monitor for carry on/off infractions, wristbands and repeal ID if
in question and look out for intoxicated patrons to cut off.

B. If the event is to occur at night, describe how you will light the event area in order to increase the safety of participants and spectators coming to and leaving the event:

Park lights

IX. Clean-up

List persons responsible for clean-up duties:

All volunteers

X. Mitigation of Impacts on Others

Describe how you intend to mitigate the impacts of the special event on businesses, churches, neighbors, motorists, and others:


We encourage and promote both to teams in pre-event package and to patrons during the
event to respect private property.

We also go around the sourounding area after the event for trash pick up.

Note: Any condition which causes adverse impacts may be cause to revoke the Special Events Permit



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

Applicant Signature: 
President JCI
Lake Elmo

Date of Application: 6-1-17



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
445 Minnesota Street, Suite 222, St. Paul, MN 55101
651-201-7500 Fax 651-297-5259 TTY 651-282-6555
**APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization Lake Elmo Jaycees		Date organized October 1970	Tax exempt number 1072528
Address PO Box 198	City Lake Elmo	State MN	Zip Code 55042
Name of person making application Bryan Oliverius		Business phone 763-291-2324	Home phone
Date(s) of event August 10-13, 2017	Type of organization <input type="checkbox"/> Club <input checked="" type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit		
Organization officer's name Mike Slobodnik- President	City Minneapolis	State MN	Zip Code 55410
Organization officer's name Justin Schwingle- PRVP	City South st. paul	State MN	Zip Code 55075
Organization officer's name 	City 	State MN	Zip Code
Organization officer's name 	City 	State MN	Zip Code

Location where permit will be used. If an outdoor area, describe.

Lions park, Lake Elmo, MN. We will be having a beer Trailer next to the concessions build, behind counters and blocked off to prevent unauthorized access

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.
na

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
Insurance By Design, LLC 14041 Burnhaven Drive, suite #101, Burnsville, MN, 55337. \$1,000,000

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license	Date Approved
Fee Amount	Permit Date
Date Fee Paid	City or County E-mail Address
	City or County Phone Number
Signature City Clerk or County Official	Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

Minnesota Department of Public Safety
Alcohol and Gambling Enforcement
445 Minnesota Street, Suite 222
St. Paul, MN 55101
651-201-7500

TEMPORARY 1 TO 4 DAY ON SALE SUNDAY LIQUOR LICENSE

Identification Number: 65280

Licensee Name: Lake Elmo Jaycees
Address: PO Box 198
City, State, Zip: Lake Elmo, MN 55042

Event Location: Lions Park

Event Dates: From 8/10/2017 To 8/13/2017





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/13/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance By Design, LLC 14041 Burnhaven Drive Suite 100 Burnsville MN 55337	CONTACT NAME: Scott Rupp PHONE (A/C, No. Ext): (952) 808-7002 E-MAIL ADDRESS: scottr@insurancedesign.net FAX (A/C, No): (952) 808-7004
INSURED JCI Minnesota 1405 N Lilac Drive Suite #125 Golden Valley MN 55422	INSURER(S) AFFORDING COVERAGE INSURER A: Scottsdale Insurance Company NAIC # INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES**CERTIFICATE NUMBER:** CL169602455**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> \$2,500 Deductible <input checked="" type="checkbox"/> Excl Athletic Part GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:	X	ACS0000376	9/22/2016	9/22/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 2,500 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED <input type="checkbox"/> RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability		ACS0000376	9/22/2016	9/22/2017	Each Occurrence \$1,000,000 Annual Aggregate \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Provides evidence of insurance for the Lake Elmo Jaycees as respects the Huff n Puff Days to be held 8/10 - 8/13/2017. The City of Lake Elmo is named Additional Insured under the General Liability per written contract.

CERTIFICATE HOLDER**CANCELLATION**

City of Lake Elmo
Bryan Oliverius
3800 Laverne Ave N
Lake Elmo, MN 55042

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

LuAnn Paulet/LBP

© 1988-2014 ACORD CORPORATION. All rights reserved.



STAFF REPORT

DATE: July 5, 2017

REGULAR

ITEM #: 7

AGENDA ITEM: Jaycees Donation

TO: Mayor and City Council

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

State statute requires that cities accept donations via resolution. The Lake Elmo Jaycees will be donating to the City of Lake Elmo at this meeting.

ISSUE BEFORE COUNCIL:

Should Council accept the donation of \$11,400 from the Lake Elmo Jaycees?

PROPOSAL:

The Lake Elmo Jaycees will be presenting a check for \$11,400 to the City Council at the meeting. Included in your packet is a resolution for the Council to officially accept the donation. The resolution provides for \$1,400 of the donation to be used for off duty police coverage at Huff n Puff Days.

FISCAL IMPACT:

The 2017 General Fund budget includes \$10,000 in donations. The additional \$1,400 will be offset then by the contribution to the police coverage. The net result is no change to the 2017 operating budget.

OPTIONS:

- 1) Approve Resolution No 2017-074
- 2) Amend and then Approve Resolution No 2017-074
- 3) Don not accept the donation from the Lake Elmo Jaycees

RECOMMENDATION:

Motion to approve Resolution No 2017-074

ATTACHMENTS:

- Resolution No 2017-074

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

RESOLUTION NO. 2017-074

**A RESOLUTION ACCEPTING DONATED FUNDS FROM THE LAKE ELMO
JAYCEES**

WHEREAS, Minnesota Statutes Section 465.03 provides that donations to the City be accepted by resolution of the City Council; and

WHEREAS, the Lake Elmo Jaycees have proposed contributing \$11,400 to the City of Lake Elmo; and

WHEREAS, the City Council of the City of Lake Elmo agrees that said contribution would be of benefit to the citizens of Lake Elmo; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lake Elmo, Minnesota, does hereby acknowledge and agree to accept said donation of \$11,400 from the Lake Elmo Jaycees on behalf of the citizens of Lake Elmo.

BE IT FURTHER RESOLVED that the City Council of the City of Lake Elmo designates \$1,400 of said donation for off duty police coverage at Huff n Puff Days 2017 with the remaining balance for use in the general fund.

APPROVED by the Lake Elmo City Council on this 5th day of July, 2017.

By: _____
Mike Pearson
Mayor

ATTEST:

Julie Johnson
City Clerk



STAFF REPORT

DATE: 7/5/2017

REGULAR

ITEM #: 8

TO: City Council

FROM: Emily Becker, City Planner

AGENDA ITEM: Southwind Easement Vacation

REVIEWED BY: Stephen Wensman, Planning Director

SUMMARY AND ACTION REQUESTED:

Southwind Builder, Inc. has made a request to the City to vacate a 120 foot wide easement for public roadway and utility purposes in order to develop the property.

GENERAL INFORMATION:

Applicant: Southwind Builders, Inc., 2372 Leibel St, White Bear Lake, MN 55110

Property Owners: Tammy Diedrich and Gerhard Rieder, 7401 Wyndham Way, Woodbury, MN 55125

Property: PID# 36.029.21.32.0002, Section 36 Township 029, Range 21

REQUEST DETAILS:

The applicant has submitted application for Final Plat and so has requested that the 120 foot wide easement for public roadway and utility purposes over the north 474.06 feet of recorded against the property be vacated. This easement was recorded in order to allow the City the right to enter upon the easement area for the purpose of constructing, maintaining, installing and repairing any roadway, equipment, materials or other relating items. The City will accept dedicated right-of-way for 5th Street with the Final Plat.

PLANNING COMMISSION REVIEW:

The Planning Commission held a public hearing and considered the easement vacation request at its May 8, 2017 public hearing. The Planning Commission recommended approval of the request with an affirmative vote of 7-0.

RECOMMENDED CONDITION OF APPROVAL:

Based on the above Staff report and analysis, Staff and the Planning Commission recommend the following conditions of approval 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:

- 1) Final Plat of the Property over which the easement is subject must be approved by Council and recorded.

RECOMMENDATION:

Staff and the Planning Commission recommend Council adopt Resolution 2017-069 approving vacation of the easement as recorded by Washington County on November 4, 2013 as Document Number 39701798. Suggested motion:

“Move to adopt Resolution 2017-069 approving vacation of the easement as recorded by Washington County on November 4, 2013 as Document Number 39701798.”

ATTACHMENTS:

1. Recorded Easement Requested to be Vacated
2. Resolution 2017-069

SOUTHWIND OF LAKE ELMO

KNOW ALL PERSONS BY THESE PRESENTS: That Southwind Builders, Inc. a Minnesota Corporation, owner of the following described property:

The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota.

Together with:

Outlot D, HUNTERS CROSSING 1ST ADDITION, according to the recorded plat thereof, said Washington County, Minnesota

Has caused the same to be surveyed and platted as SOUTHWIND OF LAKE ELMO and does hereby dedicate to the public for public use the public way and the drainage and utility easements as created by this plat.

In witness whereof said Southwind Builders, Inc. a Minnesota Corporation, has caused these presents to be signed by its proper officer this ____ day of _____, 20____.

Southwind Builders, Inc.

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on this _____, by _____ its _____ of Southwind Builders, Inc. a Minnesota Corporation, on behalf of the Corporation.

Notary Public, _____
My Commission Expires _____

SURVEYOR'S CERTIFICATE

I, Peter J. Hawkinson do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been set, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____ 20____.

Peter J. Hawkinson, Licensed Land Surveyor
Minnesota License No. 42299

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on this _____, by Peter J. Hawkinson, Licensed Land Surveyor.

Notary Public, _____
My Commission Expires _____

CITY PLANNING COMMISSION, Lake Elmo, Minnesota

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, this ____ day of _____, 20____.

By: _____
Chairman

By: _____
Secretary

CITY COUNCIL, Lake Elmo, Minnesota

This plat was approved by the City Council of the City of Lake Elmo, Minnesota, this _____ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Section 505.03, Subd. 2, Minnesota Statutes.

By: _____
Mayor

By: _____
Clerk

COUNTY SURVEYOR, Washington County, Minnesota

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____.

By: _____
Washington County Surveyor

By: _____

COUNTY AUDITOR/TREASURER, Washington County, Minnesota

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9., taxes payable in the year 20____ on the real estate hereinbefore described have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes, and transfer entered on this ____ day of _____, 20____.

By: _____
Washington County Auditor/Treasurer

By: _____
Deputy

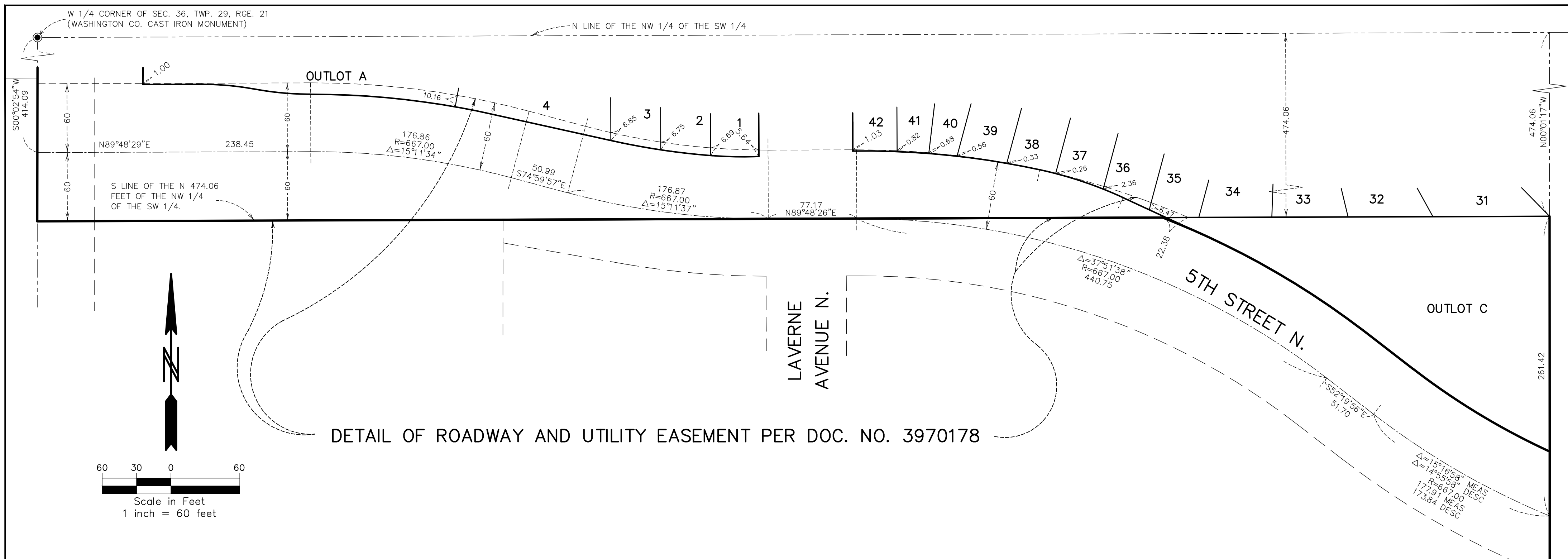
COUNTY RECORDER, Washington County, Minnesota

Document Number _____

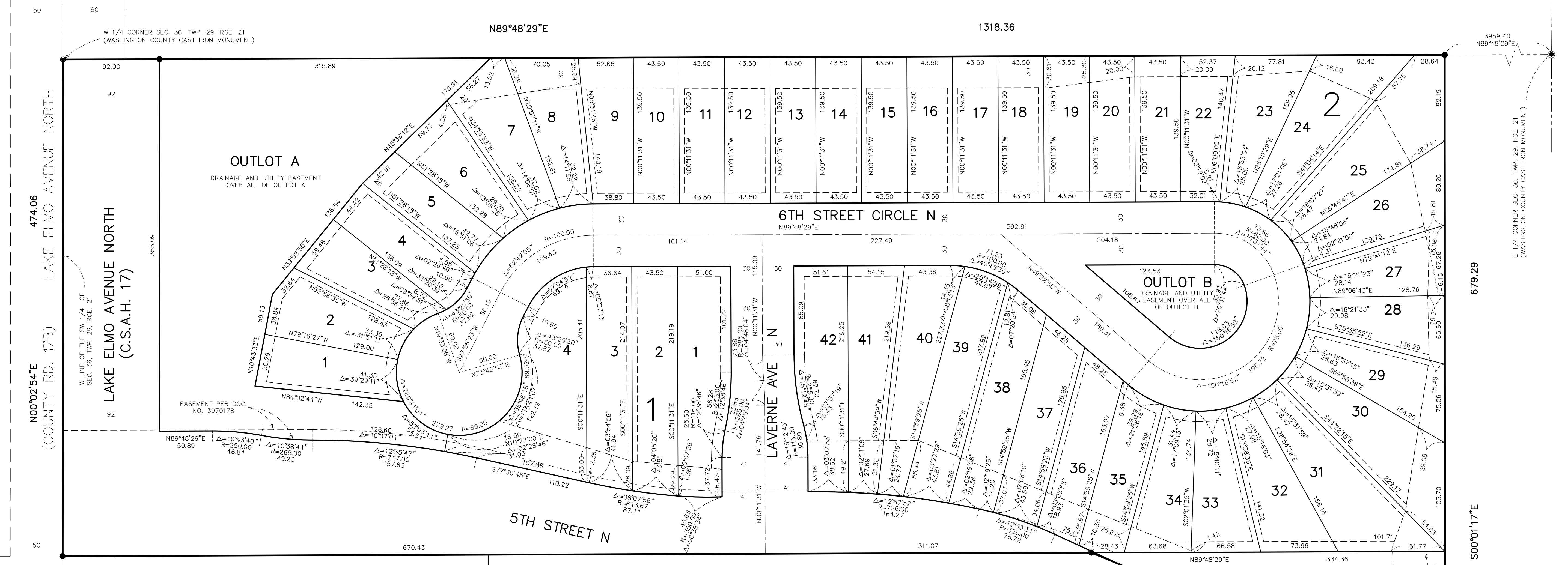
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this ____ day of _____, 20____, at ____ o'clock ____ .M. and was duly recorded in Washington County Records.

By: _____
Washington County Recorder

By: _____
Deputy



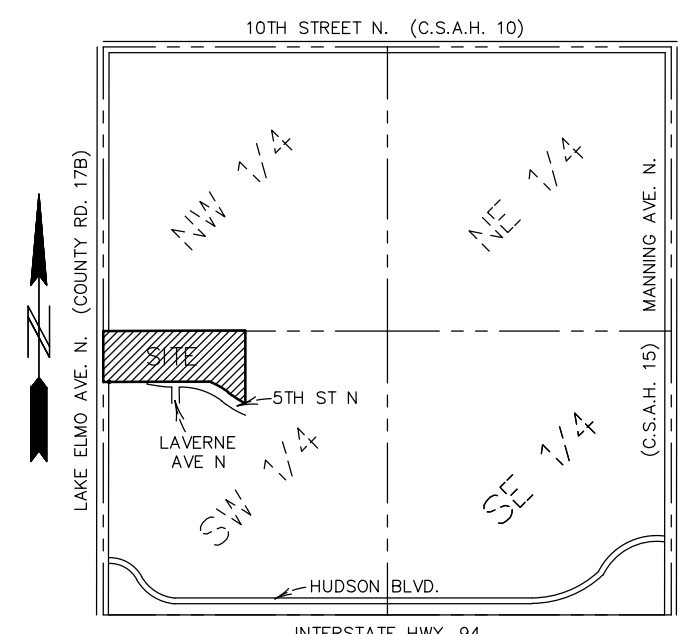
SOUTHWIND OF LAKE ELMO



THE ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WEST LINE OF SW 1/4 OF SEC. 36, TWP. 29, RGE. 21, WHICH IS ASSUMED TO HAVE A BEARING OF NORTH 00°02'54" EAST.

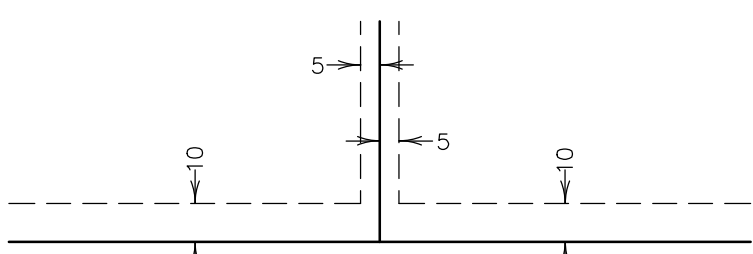
NO MONUMENT SYMBOL SHOWN AT ANY STATUTE REQUIRED LOCATION, INDICATES A PLAT MONUMENT THAT WILL BE SET AND WHICH SHALL BE IN PLACE WITHIN ONE YEAR OF THE FILING OF THE PLAT. SAID MONUMENTS SHALL BE 1/2 INCH X 14 INCH IRON MONUMENTS MARKED BY LICENSE NUMBER 42299.

- DENOTES FOUND CAST IRON MONUMENT
- DENOTES 1/2 INCH BY 14 INCH IRON PIPE MONUMENT SET AND MARKED BY LICENSE NUMBER 42299, OR WILL BE SET IN ACCORDANCE WITH MS SECTION 505.021, SUBD. 10.
- DENOTES FOUND 1/2 INCH IRON MONUMENT MARKED BY LICENSE NUMBER 42299 UNLESS OTHERWISE NOTED.

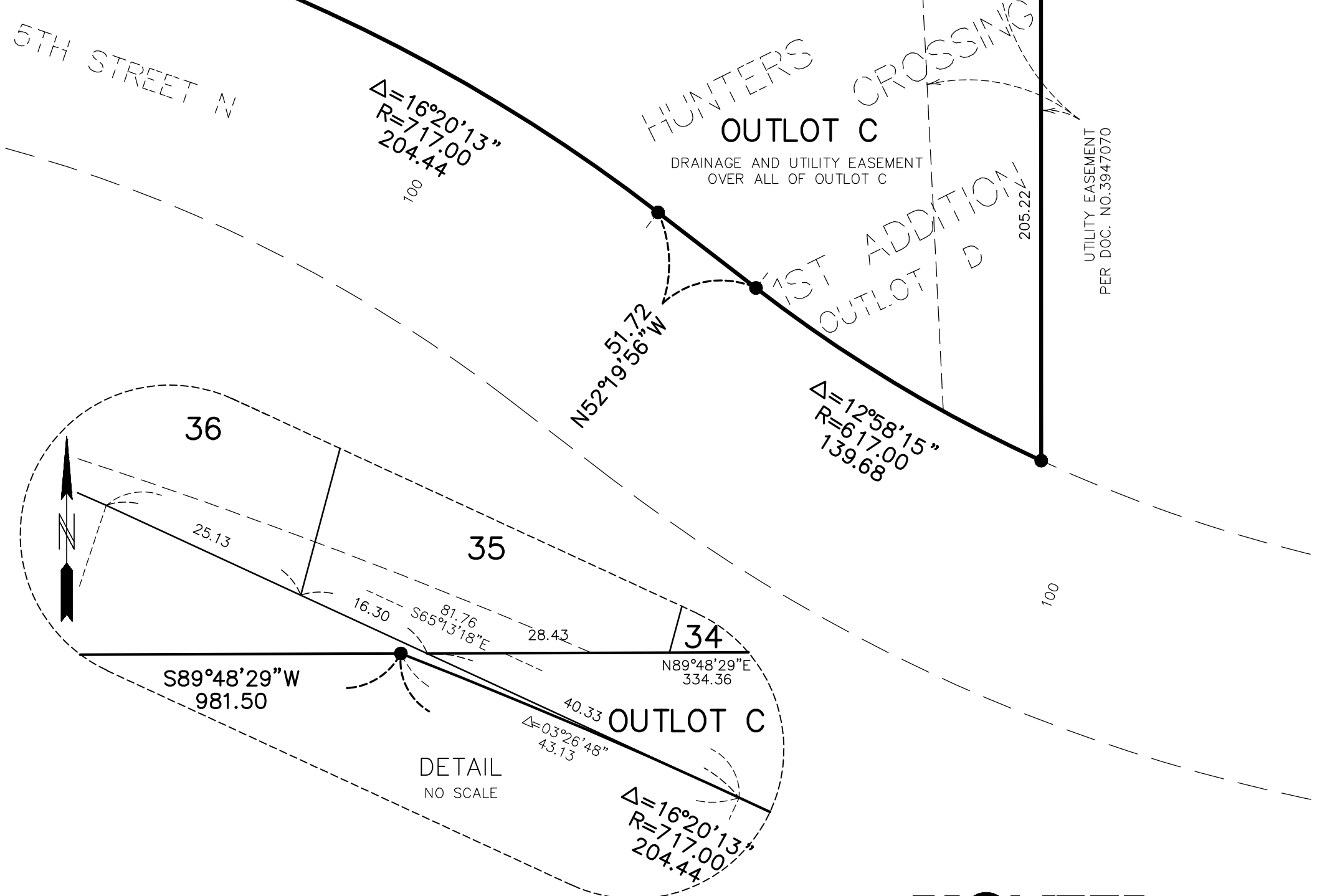
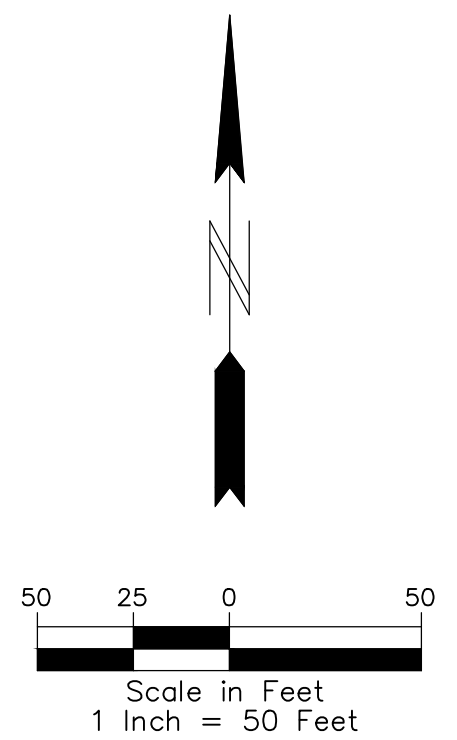


SECTION 36, TWP. 29, RGE. 21
LOCATION MAP
NOT TO SCALE

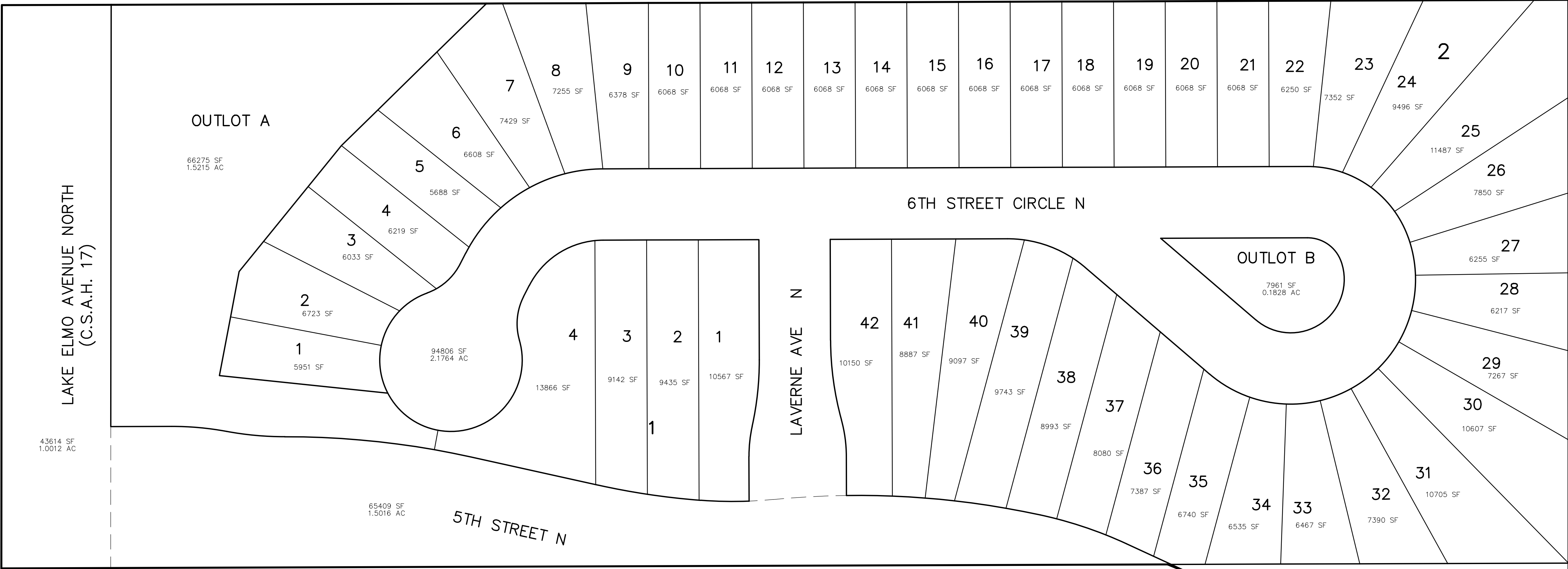
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



being 5 feet in width, and adjoining lot lines unless otherwise indicated, and 10 feet in width and adjoining street lines and rear lot lines unless otherwise indicated on the plat.



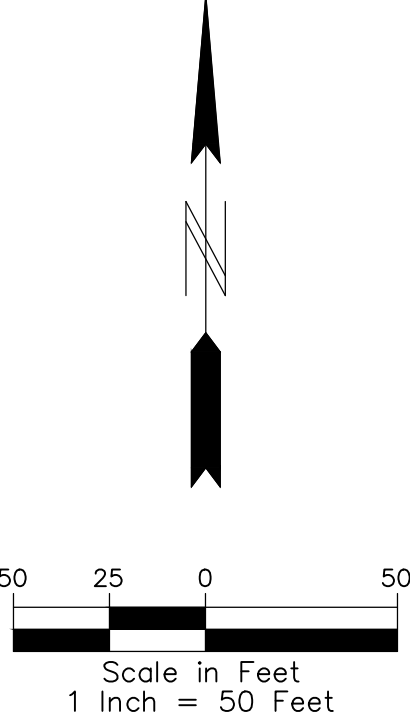
SOUTHWIND OF LAKE ELMO
AREA SKETCH



BLOCK #	LOT #	SIZE (ac)	WIDTH ft	DEPTH ft
1	1	10567 SF	51.0	220.4
1	2	9435 SF	43.5	217.0
1	3	9142 SF	43.5	210.5
1	4	13866 SF	61.5	182.5
2	1	5951 SF	41.5	132.2
2	2	6723 SF	40.0	133.6
2	3	6033 SF	38.8	128.8
2	4	6219 SF	44.4	140.7
2	5	5688 SF	42.6	133.0
2	6	6608 SF	37.2	132.9
2	7	7429 SF	37.9	146.5
2	8	7255 SF	38.3	144.3
2	9	6378 SF	41.3	139.7
2	10	6068 SF	43.5	139.5
2	11	6068 SF	43.5	139.5
2	12	6068 SF	43.5	139.5
2	13	6068 SF	43.5	139.5
2	14	6068 SF	43.5	139.5
2	15	6068 SF	43.5	139.5
2	16	6068 SF	43.5	139.5
2	17	6068 SF	43.5	139.5
2	18	6068 SF	43.5	139.5
2	19	6068 SF	43.5	139.5

BLOCK #	LOT #	SIZE (ac)	WIDTH ft	DEPTH ft
2	20	6068 SF	43.5	139.5
2	21	6068 SF	43.5	139.5
2	22	6250 SF	39.9	139.5
2	23	7352 SF	33.3	147.3
2	24	9496 SF	34.1	181.8
2	25	11487 SF	35.5	206.9
2	26	7850 SF	36.0	154.7
2	27	6255 SF	35.2	131.9
2	28	6417 SF	36.5	130.3
2	29	7268 SF	35.3	148.3
2	30	10607 SF	35.2	194.3
2	31	10705 SF	35.1	195.9
2	32	7390 SF	34.5	152.4
2	33	6467 SF	35.4	135.8
2	34	6535 SF	36.6	138.1
2	35	6740 SF	43.5	156.5
2	36	7387 SF	43.5	169.3
2	37	8080 SF	43.5	185.5
2	38	8993 SF	43.5	206.0
2	39	9743 SF	43.5	224.7
2	40	9097 SF	52.3	223.6
2	41	8887 SF	50.7	217.4
2	42	10150 SF	51.6	215.8

AREA SUMMARY			
BLOCK 1 =	43,010 SF.	0.9874 AC.	
BLOCK 2 =	304,056 SF.	6.9801 AC.	
TOTAL LOT AREA =	347,066 SF.	7.9675 AC.	
TOTAL OUTLOT AREA =	107,464 SF.	2.4671 AC.	
C.S.A.H. 17 R/W AREA =	43,614 SF.	1.0012 AC.	
OTHER R/W AREA =	160,216 SF.	3.6780 AC.	
TOTAL R/W AREA =	203,830 SF.	4.6792 AC.	
TOTAL AREA =	658,360 SF.	15.1138 AC.	
NET RESIDENTIAL DENSITY (EXCLUDES C.S.A.H. 17) =	3.26		



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

RESOLUTION NO. 2017-069

A RESOLUTION VACATING A PUBLIC ROADWAY AND UTILITY EASEMENT

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

WHEREAS, the City Council approved a Preliminary Plat formerly known as Lennar Diedrich Townhouses (PID#s 36.029.21.32.0002 and 36.029.21.32.0034) on July 7, 2015; and

WHEREAS, PID# 36.029.21.32.0002 is owned by Tammy Diedrich and Gerhard Rieder, 7401 Wyndham Way, Woodbury, MN 55125 (Owner); and

WHEREAS, the City of Lake Elmo was granted a Public Roadway and Utility Easement over a portion of the PID# 36.029.21.32.0002, and this easement was recorded by the Office of the Registrar of Titles of Washington County on November 4, 2013 as Document Number 39701798; and

WHEREAS, the City has received an application for Final Plat approval for PID#s 36.029.21.32.0002 and 36.029.21.32.0034; and

WHEREAS, a request has been made to the City Council pursuant to Minnesota Statute §412.851 to vacate the Public Roadway and Utility Easement recorded on November 4, 2013 over a portion of PID# 36.029.21.32.0002, legally described as follows:

A 120.00 foot wide easement for public roadway and utility purposes lying over, under, and across the following described property:

The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Secion 36, Township 29 North, Range 21 West, Washington County, Minnesota.

The centerline of said easement is described as follows:

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

667.00 feet and a central angle of 37 degrees 51 minutes 38 seconds; thence South 52 degrees 19 minutes 56 seconds East tangent to said curve, a distance of 51.70 feet; thence southeasterly a distance of 173.84 feet along a tangential curve, concave to the northeast, having a radius of 667.00 feet and a central angle of 14 degrees 55 minutes 58 seconds, to the east line of said Northwest Quarter of the Southwest Quarter there terminating.

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

WHEREAS, the City Clerk reviewed and examined the signatures on said request and determined that such signatures constituted all of the landowners abutting upon the portion of easement to be vacated and rededicated; and

WHEREAS, a public hearing to consider the vacation of the Water Main Easement was held on the 8th day of May 2017 before the Planning Commission in the Lake Elmo City Hall located at 3800 Laverne Avenue North at 7:00 p.m. or shortly thereafter after due published and posted notice had been given, as well as personal mailed notice to all property owners within 350 feet of the Public Roadway and Utility Easement by the City Clerk on the 26th day of April 2017 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, the Planning Commission in its discretion has determined that the vacation will benefit the public interest because:

- 1) The Applicant, upon receiving Final Plat approval, will construct the northern portion of 5th Street along PID#s 36.029.21.32.0002 and 36.029.21.32.0034.

WHEREAS, the Council, at its meeting on the 5th day of July 2017, considered the recommendation of the Planning Commission.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, COUNTY OF WASHINGTON MINNESOTA, that such request for vacation of an existing Public Roadway and Utility Easement is hereby granted in accordance with the property descriptions provided above, subject to the following conditions.

- 1) Final Plat of the Property over which the easement is subject must be approved by Council and recorded.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

Adopted by the Council this 5th day of July 2017.

Effective Date:_____

Approved:

Mike Pearson, Mayor

Attested by:

Julie Johnson, City Clerk



STAFF REPORT

DATE: 7/5/2017

REGULAR

ITEM #: 9

TO: City Council

FROM: Emily Becker, City Planner

AGENDA ITEM: Southwind of Lake Elmo Final Plat

REVIEWED BY: Stephen Wensman, Planning Director
Jack Griffin, City Engineer
Washington County Public Works
Greg Malmquist, Fire Chief
Michael Bent, Building Official

SUMMARY AND ACTION REQUESTED:

The City Council is being asked to consider a Final Plat request from Southwind Builders, Inc. for the development of 46 single-family attached dwellings to be located on site of approximately 15 gross acres north of Hunters Crossing and 5th Street North and east of Lake Elmo Avenue. This will be the first and only phase of this development.

GENERAL INFORMATION:

Applicant: Southwind Builders, Inc., 2372 Leibel St, White Bear Lake, MN 55110

Property Owners: Tammy Diedrich and Gerhard Rieder, 7401 Wyndham Way, Woodbury, MN 55125

Property: PID# 36.029.21.32.0034, Lot D of Hunters Crossing 1st Addition
PID# 36.029.21.32.0002, Section 36 Township 029, Range 21

Request: Application for Final Plat approval of a 46 unit single family attached residential subdivision to be named Southwind of Lake Elmo.

Existing Land Use/Zoning: PID# 36.029.21.32.0034: Vacant land, Medium Density Residential
PID# 36.029.21.32.0002: Vacant land, Low Density Residential

Surrounding Land Use/Zoning: North – Manufactured home park/Rural Development Transitional; East – Gruber pallets; South – Hunters Crossing Single Family Detached Dwelling Development/Limited Density Residential; West – Agricultural Residential/Rural Development Transitional

<i>Comp. Plan:</i>	Medium Density Residential (4.5-7 units per acre)
<i>History:</i>	Comprehensive Plan Land Use Amendment – Re-guided Parcel from High Density to Medium Density - 2013 Sketch Plan Review – February and March of 2015 (formerly known as Lennar Townhomes) Preliminary Plat Approval – July 2015 (formerly known as Diedrich Property Preliminary Plat) Final Plat Deadline Extension – December 2015 and 2016 Planning Commission reviewed Final Plat on June 12, 2017 and recommended approval
<i>Deadline For Action:</i>	Application Complete – 5/26/2017 60 Day Deadline – 7/25/2017 Extension Letter Mailed – No 120 Day Deadline – N/A
<i>Applicable Regulations:</i>	Chapter 153 – Subdivision Regulations Article 10 – Urban Residential Districts (MDR) §150.270 Storm Water, Erosion, and Sediment Control

REQUEST DETAILS:

Outlots. Outlots A and C will be used for stormwater management and owned by the City, and Outlot B will be used for landscaping. The Homeowners Association will own and maintain Outlot B.

Right-of-Way. The Final Plat proposes a total right-of-way area of approximately 4.6792 acres. Proposed minor collector right-of-way (5th Street) is 1.5016 acres, and proposed major collector right-of-way (Lake Elmo Avenue) is 1.0015 acres.

Minimum Lot Size and Width.

- *Minimum Lot Width.* The minimum lot width of the approved Preliminary Plat was 40 feet. There are some lots proposed in the Final Plat that are less than 40 feet, but they still exceed the minimum requirement of 25 feet per unit for a single-family attached dwelling in the MDR zoning district.
- *Minimum Lot Size.* The lot sizes are generally consistent with that of the approved Preliminary Plat.

Parkland Dedication. No parkland was proposed in the approved Preliminary Plat. The Preliminary Plat Staff Report to the Planning Commission dated 6/22/15 stated that Staff was supportive of there being no parkland dedicated for public use due to the site and general location not being suitable for a park or any specific trail connections. Current Staff can find no documentation that the Preliminary Plat was proposed to the Parks Commission for review and recommendation. The Parks Commission reviewed the Southwind Final Plat at its April 17, 2017 meeting and had indicated they would have liked to see a park, however, the approved Preliminary Plat did not provide actual parkland. The Applicant has provided a purchase agreement indicating the purchase price of the land will be \$700,000. The required parkland dedication amount for this zoning district is 10% of the total acreage of the property \$70,000, which will be collected with the execution of the Development Agreement.

5th Street Plans. The Applicant will finish construction of the north side of 5th Street. 5th Street Plans have been provided.

Landscape Plans. The City's Landscape Architect has conducted a review of the Landscape Plans

- There are a number of tree/utility conflicts (Lots 30 and 31 (hydrant), and Lots 28 and 29, tree blocking maintenance bench near Outlot C (the storm pond in the southeast triangle has maintenance access from 5th Street, which will likely impact landscape plans).
- A few of the transplanted pines and other trees are encroaching on the drainage and utility easement behind Lot 33.
- Design and maintenance access to the infiltration basin on the northeast portion of the plat needs to be more clearly defined.
- Approved 5th Street Irrigation Plans are required prior to recording of the Final Plat. This has been added as a condition of approval.

Roadway easement to be vacated. There is a Public Roadway and Utility Easement created by Doc. No 3970178, attached that will need to be vacated. The City will be accepting right-of-way for 5th Street with the Final Plat. The Applicant has submitted application and has requested approval of this vacation. The vacation of this easement is listed as a condition of approval.

Density.

- The net residential density as shown on the proposed Final Plat is 3.88 units per acre.
 - The Final Plat indicates that the net density of the development is 3.26, which excludes CSAH 17 and 5th Street right-of-way, however, the right-of-way provided for these streets may be subtracted from the gross acreage of the property to determine density: 15.1137 acres subtracted by (0.7637 acres for the outlot in Hunters Crossing, which was already accounted for in the development 1.5008 and 1.0012 acres of arterial right-of-way=11.848 acres and 46/11.848 acres=3.64 units).
- *Does not meet Comprehensive Plan Residential Density Number for Urban Medium Density.* The Comprehensive Plan designates areas guided for Urban Medium Density to be at a residential density of 4.5 to 7 units per acre. The original Sketch Plan had proposed 50 units. The number of units originally proposed for Preliminary Plat was reduced to 48 units and then was further reduced to 46 units due to several issues concerning the configuration of lots and in order to address City, County, and watershed district comments and concerns (which ultimately led to the inclusion of public, rather than private, streets). The number of units being proposed for Final Plat is 46, which is consistent with the approved Preliminary Plat. While a density of 3.88 units per acre does not meet the Comprehensive Plan density designation for the Urban Medium Density land use category, the Final Plat is consistent with the approved Preliminary Plat. It would not be appropriate for the area to be re-guided and rezoned to Urban Low Density Residential, as single-family attached dwellings are not an allowed use in this zoning district.

Missing Cul-de-Sac Connection. A cul-de-sac connection was not originally proposed in the Sketch Plan. The Preliminary Plat shows a cul-de-sac trail connection connecting the bulb of the cul-de-sac

on proposed 6th Street Circle North. The Final Plat has eliminated this cul-de-sac trail connection. On June 12, 2017, the Planning Commission recommended that the trail be put back in the plans as a condition of approval.

Sideyard Setbacks. The townhomes all appear to be setback an average of 7.5 feet on each side. The minimum setback for a principal structure is ten feet, and garages are allowed to be setback five feet, however Staff allows average setbacks of 7.5 feet. This has been a discussion item in the past, but it is something that Staff wants to make the Commission aware of. These homes will be required to be sprinklered, as they are single-family attached homes on two separate lots, and the Building Code requires that they be sprinklered, so the Building Official and Fire Chief see no issue with this.

Streets and Parking. The proposed streets are 28 feet in width, and so there will be no restriction on parking except in the cul-de-sacs. The development provides two car garages and there is room for two cars to park in the driveway. This meets Specific Minimum Off-Street Parking Requirements of Section 154.210: Off-Street Parking.

Impervious Surface. The impervious surface calculations are not provided. Each lot will need to adhere to maximum amount of 50% impervious lot coverage.

Public Works Review. Public Works asked that the proper turning radius and setback of islands accommodates snowplows and fire trucks. The final construction plans will be reviewed as such.

Engineering Comments. The Engineer's memo dated June 5, 2017 is attached to this report. All comments in this memo should be addressed. Issues to highlight are as follows:

1. The County shall review and approve the proposed right-of-way along CSAH 17 (Lake Elmo Avenue). If additional right-of-way is required, the final plat and construction plans shall be revised, resubmitted and approved.
2. The Applicant shall contribute \$25,000 to the costs of constructing turn lanes at the intersection of 5th Street North and CSAH 17 (Lake Elmo Avenue). This shall be addressed in the Developer Agreement.
3. The Applicant shall complete the construction of 5th Street North from CSAH 17 (Lake Elmo Avenue) to the east plat line at the developer's sole cost.
4. The plat shall be updated to provide an Outlot for Infiltration Basin 7. City access to this basin may prove difficult and be an issue. After consultation with the Valley Branch Watershed District, Staff is willing to allow this deviation from City standards as long as maintenance is the responsibility of the Homeowners' Association and because the rain garden is relatively small
5. Stormwater management plan must be approved by the City meeting State, Valley Branch Watershed District (VBWD) regulations. A Valley Branch Watershed District permit is required prior to grading activities.
6. The stormsewer pipe along the northern retaining wall shall be privately owned and maintained, as the proximity to the retaining wall and rear yard patios does not allow for adequate City maintenance access.
7. The proposed stormwater discharge from Basin 8 (along the northwest portion of the site) will be significantly reduced but will be at a point of discharge instead of sheet flow. A temporary easement may be needed from Cimarron to construction improvements as proposed including the Basin 8 storm water outfall pipe and the northerly retaining wall. If

this is needed, the easement may be difficult to obtain, as the Applicant had previously attempted to obtain an easement from this property and had difficulty. Upon further review, although a concern, the drainage onto Cimarron reduces a natural flow from around 300 feet to a 25 foot point discharge, however the area is under the powerline easement and into a tall grass area of the golf course with no structures nearby. The risk for impact is minimal.

Final Plat Process. A public hearing is not required for a final plat. The City's approval of a final plat is contingent on the plat's consistency with the preliminary approval. The approval of the preliminary plat had conditions of approval. In order to proceed, the conditions of approval must be met by the applicant. The applicant has complied with the conditions which are addressed in the "Review and Analysis" section below. Staff has reviewed the final plat and has found that it is consistent with the approved preliminary plat.

REVIEW AND ANALYSIS:

The Preliminary Plat for Southwind (then referred to as Diedrich Property Preliminary Plat) was approved with several conditions. Staff has provided a response to each condition of preliminary plat approval. Please also note that the applicant provided a response to the preliminary plat conditions which has been included in the application materials attached to this report. The applicant's response has not been duplicated for this report. Staff's comments related to each condition are indicated in *bold italics*. In some instances, staff's comments are different than the developers.

Preliminary Plat Conditions:

1) The landscape plan and tree preservation plan shall be reviewed and approved by an independent forester or landscape architect in advance of the approval of a final plat and final construction plans. *The plans have been reviewed by the city landscape architect, and amendments to the plans are required as noted herein. These plans will need to be amended according to comments and approved by the City's Landscape Architect; this has been added as a recommended condition of approval.*

2) The final landscape plan shall incorporate additional plantings where feasible adjacent to the shared property lines with parcel at 11490 Hudson Boulevard. The landscape plan of the Preliminary Plat proposed densely placed Eastern White Pines along the eastern property line. *The landscape plan submitted with the Final Plat application proposes less dense plantings on the eastern edge but proposes many more plantings in the southwest corner of the site adjacent to Gruber Pallets.*

3) The applicant shall be responsible for updating the final construction plans to include the construction of all improvements within the Lake Elmo Avenue (CSAH 17) right-of-way as required by Washington County and further described in the review letter received from the County dated March 3, 2015. The required improvements shall include, but not be limited to the construction of a northbound right turn lane and southbound center turn lane. *The County has reviewed the Final Plat and has indicated the Applicant's participation in the turn lane improvements will be \$25,000, which will be collected with the execution of the Developers Agreement.*

4) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the Valley Branch Watershed District prior to the commencement of any grading or development activity on the site. *The Applicant has submitted*

application to the Valley Branch Watershed District, which was approved on April 13, 2017, subject to 15 conditions of approval.

5) 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. ***This was added as a condition of Final Plat.***

6) 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. A cash payment in lieu of land dedication shall be paid by the applicant prior to the release of the final plat for recording. ***This has been added as a condition of Final Plat, and the parkland dedication fees will be collected with the execution of the Developers Agreement.***

7) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. ***The Applicant plans to grade the property after Final Plat approval under the Developers Agreement.***

8) All required modifications to the plans as requested by the City Engineer in a review letter dated June 17, 2015 shall be incorporated into the plans prior to consideration of a final plat. ***It is a recommended condition of approval that final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer and that all comments outlined by the Engineer's memorandum dated June 5, 2017 shall be addressed.***

9) The applicant shall update all of the landscaping and construction plans to reflect the updated site plan that includes a public right-of-way within the project area. These updated plan shall be subject to review and approval by the City Engineer. ***These plans have been updated to include a public right-of-way within the project area.***

10) Although the updated site plan does not incorporate a private street, any request for flexibility from City regulations and standards must be considered and addressed as part of the final plat submission. ***The applicant had originally proposed a private street located in a 30-foot outlot. One of the reasons for this is that the applicant had wanted to slightly vary setbacks of the townhouse units in order to help minimum the visual impact of a row of townhouses all at the same setback. The developer at the time had still wanted to look for ways to add some variation to setbacks, and so current Staff deduces that this is why this condition was added. The current developer, however, is not proposing varying setbacks, and varying setbacks are not a code requirement.***

11) The final construction plans for the Diedrich Townhouses subdivision shall include, at a minimum, the northern portion of 5th Street if a joint construction project between the applicant and Ryland Homes does not proceed in advance of a final plat submission for the applicant's site. ***The Applicant has provided final construction plans for the northern portion of 5th Street.***

12) The architectural covenants for the homeowner's association shall include provisions that discourage blank garage doors. All garage doors shall incorporate windows or decorative trim to minimize the visual impact of the garage-forward home design. ***The applicant has provided architectural renderings of the townhomes, and these do not include blank garage doors. The***

Applicant has provided a draft Common Interest Community Declaration, but the proposed document does not include architectural covenants that discourage blank garage doors. The Applicant will need to amend this document to include this. This has been carried over as a recommended condition of Final Plat approval.

13) Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements. ***This has been prepared for approval with the Final Plat.***

14) The site plan and construction plans shall be revised to include a sidewalk along at least one side of all streets within the subdivision. ***The sidewalk is proposed along 6th Street Circle N shown as 6th Street North in the Grading Plan), but only to the edge of the loop of this street. Staff is not recommending that this sidewalk be extended along the cul-de-sac loop due to its large size.***

15) The applicant shall pay a Water Availability Charge consistent with the Lake Elmo Fee Schedule for the entire development prior to the release of the final plat for recording, regardless of project phasing. ***This will still be a requirement prior to the release of final plat for recording.***

16) The developer shall secure a written grading agreement from Excel Energy concerning the proposed grading activity underneath an existing power line easement across the property prior to submission of a final plat. ***All grading has been removed from the Xcel easement.***

PLANNING COMMISSION REVIEW:

The Southwind Final Plat was reviewed by the Planning Commission at its June 12, 2017 meeting. The Planning Commission had the following comments regarding the proposed Final Plat:

- They commented on the 100 year overflow going to the north and asked if it could go to the west instead of the north. The developer had clarified that it actually goes east-west and doesn't create any more discharge than what currently exists.
- They mentioned County improvements for Lake Elmo Avenue. It is a condition of approval that the developer pay \$25,000 towards the cost of the intersection at Lake Elmo Avenue and 5th Street North.
- They commented on the missing trail connection from the westerly cul-de-sac to 5th Street. The developer was questioned as to why this trail connection was eliminated, as the trail connection would connect to the trail on the north end of 5th Street North. The developer did not know why this connection had been eliminated but deduced that it may have been eliminated due to a lack of on-street parking. The Commission would like to see this cul-de-sac connection put back in.

The Planning Commission recommended making the following amendments to Staff-recommended conditions of approval:

- Recommendation to strike #14:

~~14) A signed copy by Xeel of the Consent to Improvements document shall be provided to the City which approves the proposed work within the Xeel Energy Transmission Easement along the northern property line and shall outline any terms and restrictions for ongoing maintenance by the City.~~ Staff comment: This was removed, as updated plans no longer disturb area within this easement. Recommended with an affirmative vote of 4-1.

- Recommendation to add two new conditions:

15) That a sidewalk or trail be constructed from the bulb of the westerly cul-de-sac within the development to the trail along 5th Street North. Staff comment: Recommended with an affirmative vote of 5-0.

16) The Landscape Plan shall be amended to provide additional buffering behind Lots 26-29 to the extent possible. Staff comment: Recommended with an affirmative vote of 5-0. There is a swale in this area and this may be difficult to execute.

RECOMMENDED CONDITIONS OF APPROVAL:

Based on the above Staff report and analysis, Staff and the Planning Commission recommend the following conditions of approval 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:

- 1) That Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer prior to recording of Final Plat. All comments outlined by the Engineer's memorandum dated June 5, 2017 shall be addressed.
- 2) The vacation of Public Roadway and Utility Easement created by Doc. No. 3970178 shall be approved by Council before recording of the Final Plat.
- 3) The utility plans shall be updated to include an additional fire hydrant at the entrance of the development.
- 4) All easements as requested by the City Engineer and Public Works shall be documented on the Final Plat prior to recording.
- 5) The Landscape Plans, including 5th Street Irrigation Plans, shall be updated and approved by the City.
- 6) The Applicant shall enter into Landscape and License 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/or open space on the final plat.
- 7) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council

that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.

- 8) The Developers Agreement shall address all costs associated with the development including but not limited to construction of the northern half of 5th Street from CSAH 17 to the east plat line, partial responsibility (\$25,000) for the improvements required by Washington County at the intersection of 5th Street and CSAH 17, and payment of a Water Availability Charge consistent with the Lake Elmo Fee Schedule for the entire development.
- 9) 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.
- 10) 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.
- 11) A finalized stormwater management plan must be approved by the City, meeting all State, VBWD and City rules and regulations.
- 12) The Plat must be updated to provide an outlot dedicated to the City as well as maintenance access for Infiltration Basin 7.
- 13) The Applicant shall provide written correspondence from Washington County indicating that adequate CSAH 17 right-of-way is being dedicated as part of this plat. If additional right-of-way is required by the County, the plat and construction plans must be revised and resubmitted as necessary.
- 14) The Applicant shall amend the proposed Common Interest Agreement to include architectural covenants that include provisions that discourage blank garage doors. All garage doors shall incorporate windows or decorative trim to minimize the visual impact of the garage-forward home design.
- 15) That a sidewalk or trail be constructed from the bulb of the westerly cul-de-sac within the development to the trail along 5th Street North.
- 16) The Landscape Plan shall be amended to provide additional buffering behind Lots 26-29 to the extent possible.

DRAFT FINDINGS:

Staff and the Planning Commission recommend the following findings with regards to the proposed Southwind Final Plat:

- 1) That the Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 21, 2015.
- 2) That the Final Plat is generally consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Final Plat complies with the City's Urban Medium Density Residential zoning district, except as noted in the Staff Report to the Planning Commission dated June 5, 2017.

- 4) That the 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 plan revisions as requested by the City.
 - 5) That the Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer.
 - 6) That the Final Plat complies with the City's subdivision ordinance.
-

RECOMMENDATION:

Staff and the Planning Commission recommend Council adopt Resolution 2017-070 approving the Southwind Final Plat with the 16 conditions of approval as listed in the Staff report. Suggested motion:

“Move to adopt Resolution 2017-070 approving the Southwind Final Plat with the recommended 16 conditions of approval”

ATTACHMENTS:

1. Application Forms
2. Southwind Final Plat and Plans
3. City Engineer Review Letter June 5, 2017
4. Resolution 2017-070

Date Received: _____
Received By: _____
LU File #: _____

THE CITY OF
LAKE ELMO

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

FINAL PLAT APPLICATION

Applicant: Southwind Builders Inc.
Address: 2372 Leibel St White Bear Lake MN
Phone #: 651-773-8780
Email Address: southwind.larry@comcast.net

Fee Owner: Tammy Diedrich and Gerhard Rieder
Address: 7401 Wyndham Way Woodbury MN 55125
Phone #: _____
Email Address: _____

Property Location (Address): _____
Complete (long) Legal Description: attached

PID#: 36.029.21.32.0002 *PID # 36.029.21.32.0034*

General information of proposed subdivision: _____

46 twin home

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

Signature of applicant: *[Signature]* Date: 3-23-17

Fee Owner Signature *[Signature]* Date: 3/23/17

Southwind of Lake Elmo

Legal Description

The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota.

Together with:

Outlot D, HUNTERS CROSSING 1ST ADDITION, according to the recorded plat thereof, said Washington County, Minnesota



March 27, 2017

Stephen Wensman
Planning Director
City of Lake Elmo MN 55042

Re: Southwind of Lake Elmo

Dear Mr. Wensman and Staff

As part of our submittal today please find the following information as delineated in section 2 of the City required submittals entitled Written Statement.

Section 2 Subsection a.

Land Owner:

Tammy Diedrich & Gerhard Rieder
7401 Wyndham Way
Wood Bury MN 55125

Applicant:

Larry Alm
Southwind Builders Inc
2372 Leibel St
White Bear Lake MN 55110
651-773-8780
Civil Engineering and Surveyor
Pioneer Engineering
2422 Enterprise Dr.
Mendota Heights MN 55120
651-681-1914

Subsection b.

Site Address:

XXXX County Rd 17
Lake Elmo MN 55042

Zoning:

Residential

Parcel Size:

15 Acres

648960 Sq. Ft +/-

PID # 3602921320034 Lot D Hunters Crossing 1st Add

PID # 3602921320002 Section 36 Twp. 029 Range 021

9591-60711-12-715
651-773-8780
651-681-1914
3/25/17



Legal Description:

OUTLOT D, HUNTERS CROSSING 1ST ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF,
WASHINGTON COUNTY, MINNESOTA.

THE NORTH 474.06 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW 1/4, SW 1/4) OF
SECTION 36, TOWNSHIP 29 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA

Subsection c.

Plat Name:

Southwind of Lake Elmo

SEE ENGINEERS COMMENTS, ii thru vi.

Subsection d.

As of this writing we aware of no issues that were raised at the time of Preliminary Plat.

Southwind has discussed the project with the owners of both of the adjacent properties, AKA "the Pallet
Company" and Equity LifeStyle Properties Inc. Both are aware of the project and have made no objection.

Page 2

Subsection e.

The Final Density of the Project:

The density is 3.07 units per acre totaling 46 units which is consistent with the Preliminary Plat approval

Subsection f.

The project includes public streets, public sewer and water connections which will be constructed in its
entirety.

The site includes sidewalk as shown on plans. There is no regional trail connection provided.

Each unit provides for 4 contiguous parking spaces, 2 under cover and 2 in the open. This totals 92 dedicated
parking spaces throughout the project. In addition parking is available on the public streets which is
consistent with the City of Lake Elmo rules regarding parking on public streets.

Subsection g.

As noted in Subsection d. we are aware of no issues with surrounding land owners.

Subsection h.

N/A

Subsection i.

Since the Preliminary Plat was approved prior to this submittal based on 46 units being built, we are unaware
of any issues that this amount of homes will place a burden on City of Lake Elmo police, fire or other public
services provided by the City. The 16 findings of fact approving the Preliminary Plat under Resolution no.
2015-056 raised no concerns regarding these services. Regarding school impact it is assumed by the



Developer that the majority of the homeowners living within this development will be 55 years of age or older and will not have many school age children.

Subsection j.
N/A

Subsection k.
The developer will pay a park dedication Fee consistent with city requirements of the neighboring Hunters Crossing Development.

Subsection l.
The developer has applied with this submission for a grading permit. The Developer assumes that the project land clearing covered under the Grading Permit to begin forthwith. The site grading will start on May 1st, utilities and streets to start approx. May 15th. The developer assumes the first lift to laid about June 15th.

Best Regards

Larry Alm
Southwind Builders Inc.



March 27, 2017

Stephen Wensman
Planning Director
City of Lake Elmo

Re: Southwind Builders Inc. Townhome Submittal.

Dear Steve,

As part of our submittal today please find the following information as delineated in Section 2 of the City required submittals entitled Written statements. As always please contact me directly for any additional needed information or clarifications.

Section 2. Subsection a.

Land Owner:

Tammy Diedrich & Gerhard Rieder
7401 Wyndham Way
Woodbury MN 55125
651-587-0829

Applicant:

Larry Alm
Southwind Builders Inc.
2372 Leibel St.
White Bear Lake MN 55110
651-773-8780

Civil Engineering & Land Survey
Pioneer Engineering
2422 Enterprise Drive
Mendota heights MN 55120
651-681-1914

Subsection b.

Site Address:

XXXX County Road 17
Lake Elmo MN 55042

Zoning:

Residential

Parcel Size:

15 Acres +/-
648960 Sq. Ft. +/-



Page 2

Legal Description:

PID # 36.029.21.32.0034 AKA Lot D Hunters Crossing 1st Addition

PID # 36.029.21.32.0002 AKA Section 36 Township 029 Range 021

Parcel Size:

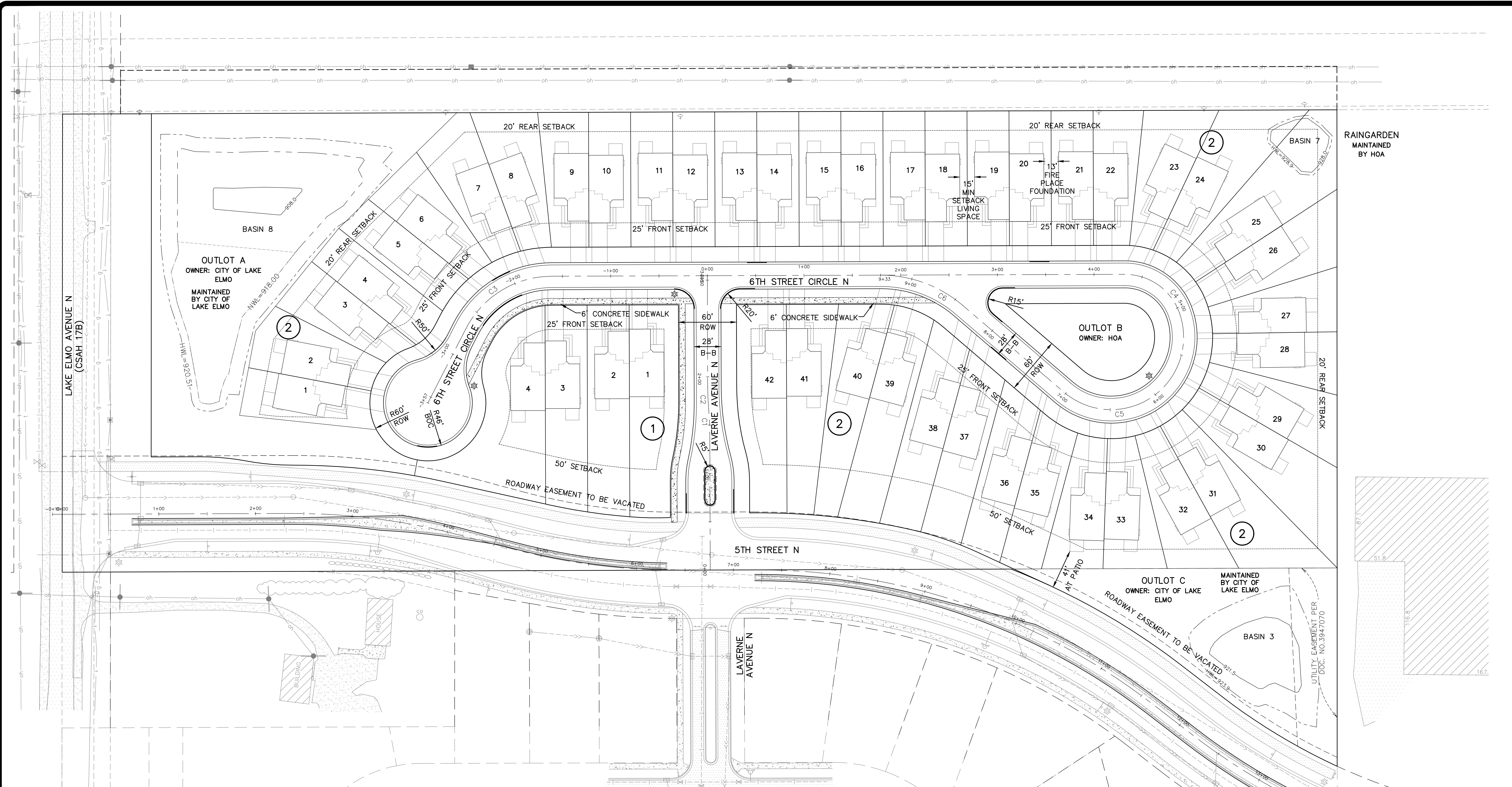
15 Acres +/-

648960 Sq. Ft. +/-

Warm Regards,

Larry Alm

Southwind Builders Inc.



CURVE TABLE						
CURVE	DELTA	LENGTH	RADIUS	TANGENT	PC	PT
C1	4°48'04"	23.88	285.00	11.95	1+41.76	1+65.65
C2	4°48'04"	23.88	285.00	11.95	1+65.65	1+89.53
C3	62°42'05"	109.43	100.00	60.92	-2+70.58	-1+61.14
C4	70°31'44"	73.86	60.00	42.43	4+31.66	5+05.52
C5	150°16'52"	196.72	75.00	282.68	5+05.52	7+02.24
C6	40°48'34"	92.59	130.00	48.36	8+40.19	9+32.79

SETBACK REQUIREMENTS

MDR STANDARDS: TWO-FAMILY ATTACHED (PER UNIT)
FRONT SETBACK: 25'
REAR YARD SETBACK: 20'
SIDE SETBACK: 7.5' LIVING SPACE, 7.5' GARAGE (SEE NOTE)
CORNER SIDE SETBACK: 15'
MINIMUM LOT WIDTH: 30'
MINIMUM LOT AREA: 4,000 SF
MAXIMUM BUILDING COVERAGE: 50%

NOTE: IN SITUATIONS WHERE A GARAGE OR ACCESSORY BUILDING IS SET BACK LESS THAN 7 FEET FROM A SIDE PROPERTY LINE, THE MAXIMUM PERMITTED ENCROACHMENT FOR ANYTHING ATTACHED TO SAID BUILDING (INCLUDING EAVES, OVERHANGS, STEPS, CHIMNEYS, AND OTHER APPURTENANCES) WILL BE TWO (2) FEET.

PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Name Paul J. Chernie
Reg. No. 19860 Date 03-27-2017

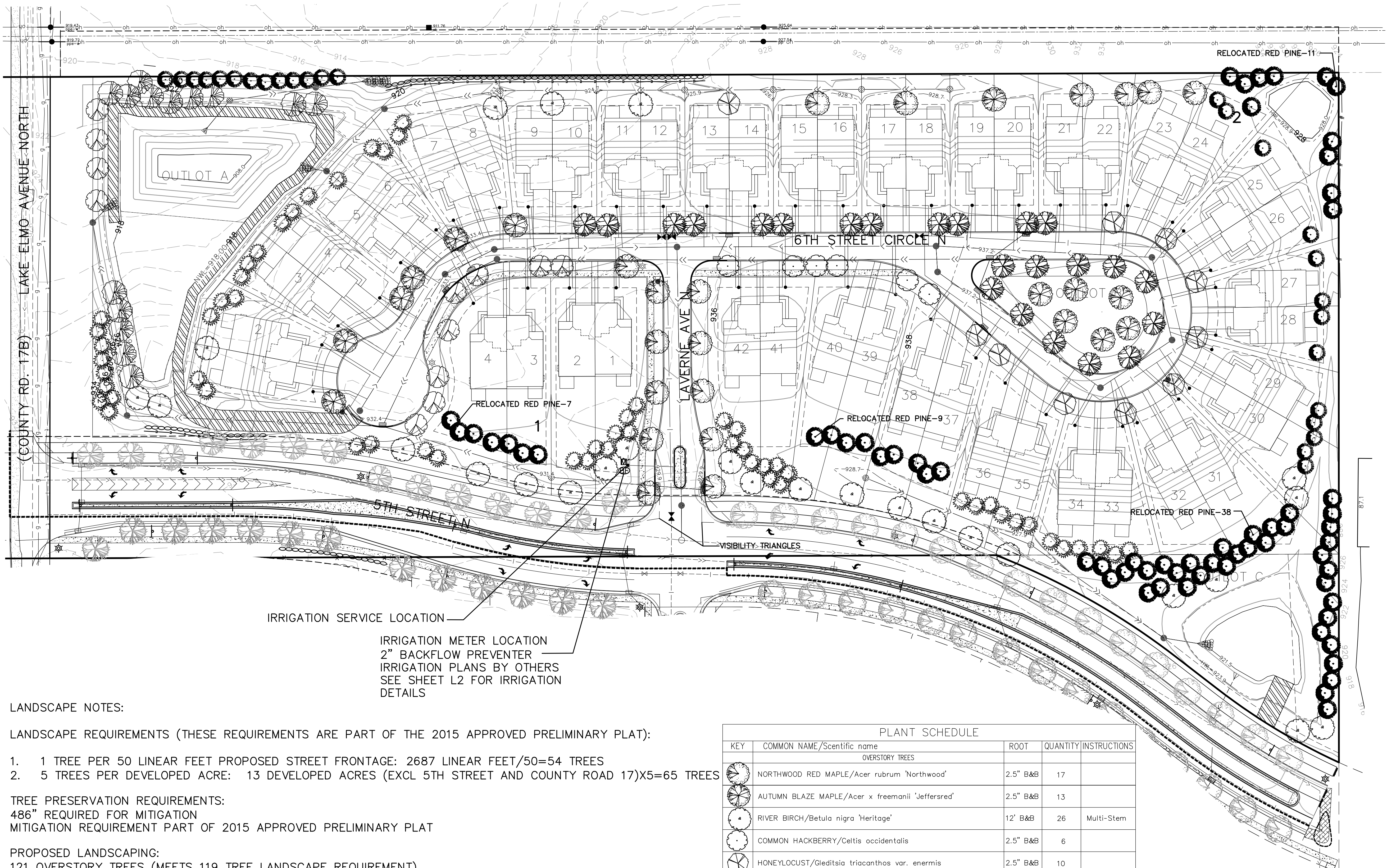
Revisions
1. 04-05-17 Watershed Comments
2. 05-04-17 City Comments

Date 03-27-2017
Designed PJC/BNM
Drawn MSN/BNM

SITE PLAN

SOUTHWIND BUILDERS INC.
2372 LEIBEL STREET
WHITE BEAR LAKE, MINNESOTA 55110

SOUTHWIND OF LAKE ELMO
LAKE ELMO, MINNESOTA



LANDSCAPE NOTES:

LANDSCAPE REQUIREMENTS (THESE REQUIREMENTS ARE PART OF THE 2015 APPROVED PRELIMINARY PLAT):

1. 1 TREE PER 50 LINEAR FEET PROPOSED STREET FRONTAGE: 2687 LINEAR FEET/50=54 TREES
2. 5 TREES PER DEVELOPED ACRE: 13 DEVELOPED ACRES (EXCL 5TH STREET AND COUNTY ROAD 17)X5=65 TREES

TREE PRESERVATION REQUIREMENTS:

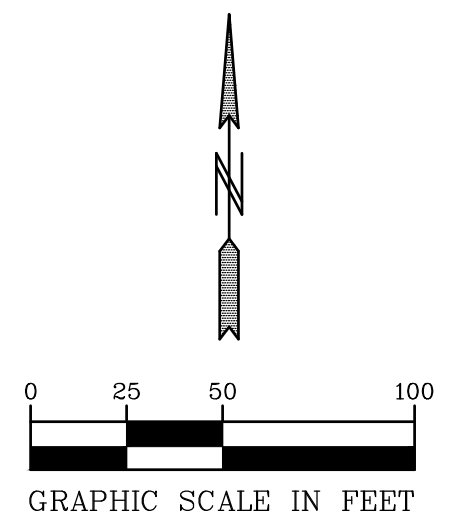
486" REQUIRED FOR MITIGATION
MITIGATION REQUIREMENT PART OF 2015 APPROVED PRELIMINARY PLAT

PROPOSED LANDSCAPING:

121 OVERSTORY TREES (MEETS 119 TREE LANDSCAPE REQUIREMENT)
85 EVERGREEN TREES (EQUIVALENT TO 3" EACH; 255" TOWARD MITIGATION)
65 RELOCATED RED PINE TREES (8-9" TREES WILL BE SELECTED IN FIELD)
520"+ OF RELOCATED PINES
RELOCATED RED PINES SHALL HAVE A TWO YEAR WARRANTY

REFER TO APPROVED 5TH STREET LANDSCAPE PLANS SUBMITTED BY RYLAND HOMES
SEE SHEET L3 FOR GROUND COVER TREATMENT.
SEE SHEET L2 FOR CITY PLANTING DETAILS AND NOTES

PLANT SCHEDULE				
KEY	COMMON NAME/Scientific name	ROOT	QUANTITY	INSTRUCTIONS
OVERSTORY TREES				
	NORTHWOOD RED MAPLE/Acer rubrum 'Northwood'	2.5" B&B	17	
	AUTUMN BLAZE MAPLE/Acer x freemanii 'Jeffersred'	2.5" B&B	13	
	RIVER BIRCH/Betula nigra 'Heritage'	12" B&B	26	Multi-Stem
	COMMON HACKBERRY/Celtis occidentalis	2.5" B&B	6	
	HONEYLOCUST/Gleditsia triacanthos var. enermis	2.5" B&B	10	
	NORTHERN RED OAK/Quercus rubra	2.5" B&B	23	
	SENTRY LINDEN/Tilia americana 'Sentry'	2.5" B&B	12	
	NIOBE WEEPING WILLOW/Salix alba 'Tristis'	3" B&B	14	
EVERGREEN TREES				
	BLACK HILLS SPRUCE/Picea glauca densata	6" B&B	59	
	EASTERN WHITE PINE/Pinus strobus	6" B&B	26	
RELOCATED EVERGREEN TREES				
	RED PINE/Pinus resinosa	8" MM	65	



PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120

(651) 681-1914
Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota

Name

Jennifer L. Thompson
Jennifer L. Thompson

Reg. No.

44763

Date

5-26-17

Revisions

4-5-17 added rain garden seeding
5-26-17 CITY COMMENTS

Date

3-27-17

Designed

JLT

Drawn

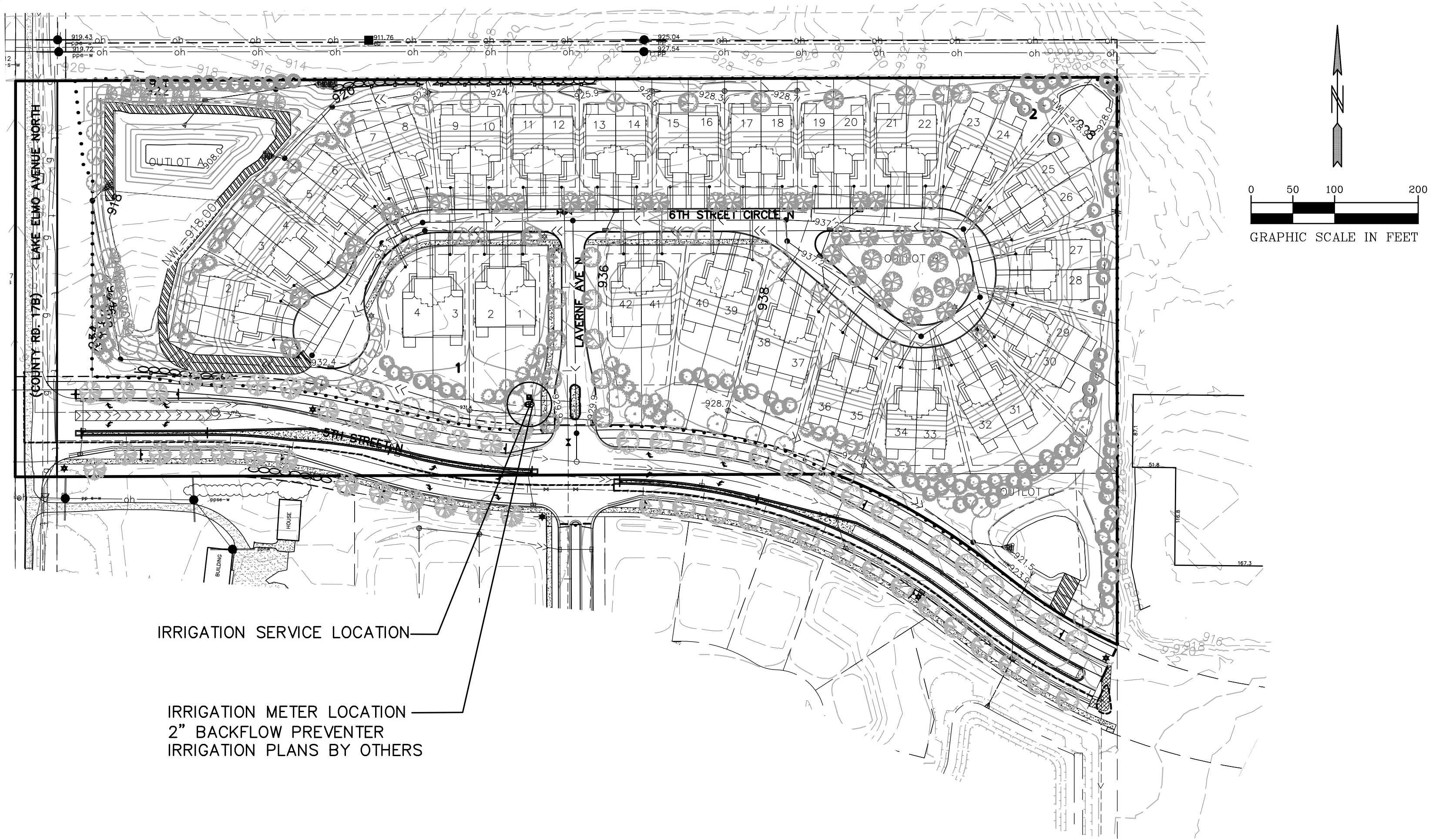
JLT

LANDSCAPE PLAN

SOUTHWIND BUILDERS INC.
2372 LEIBEL STREET
WHITE BEAR LAKE, MINNESOTA 55110

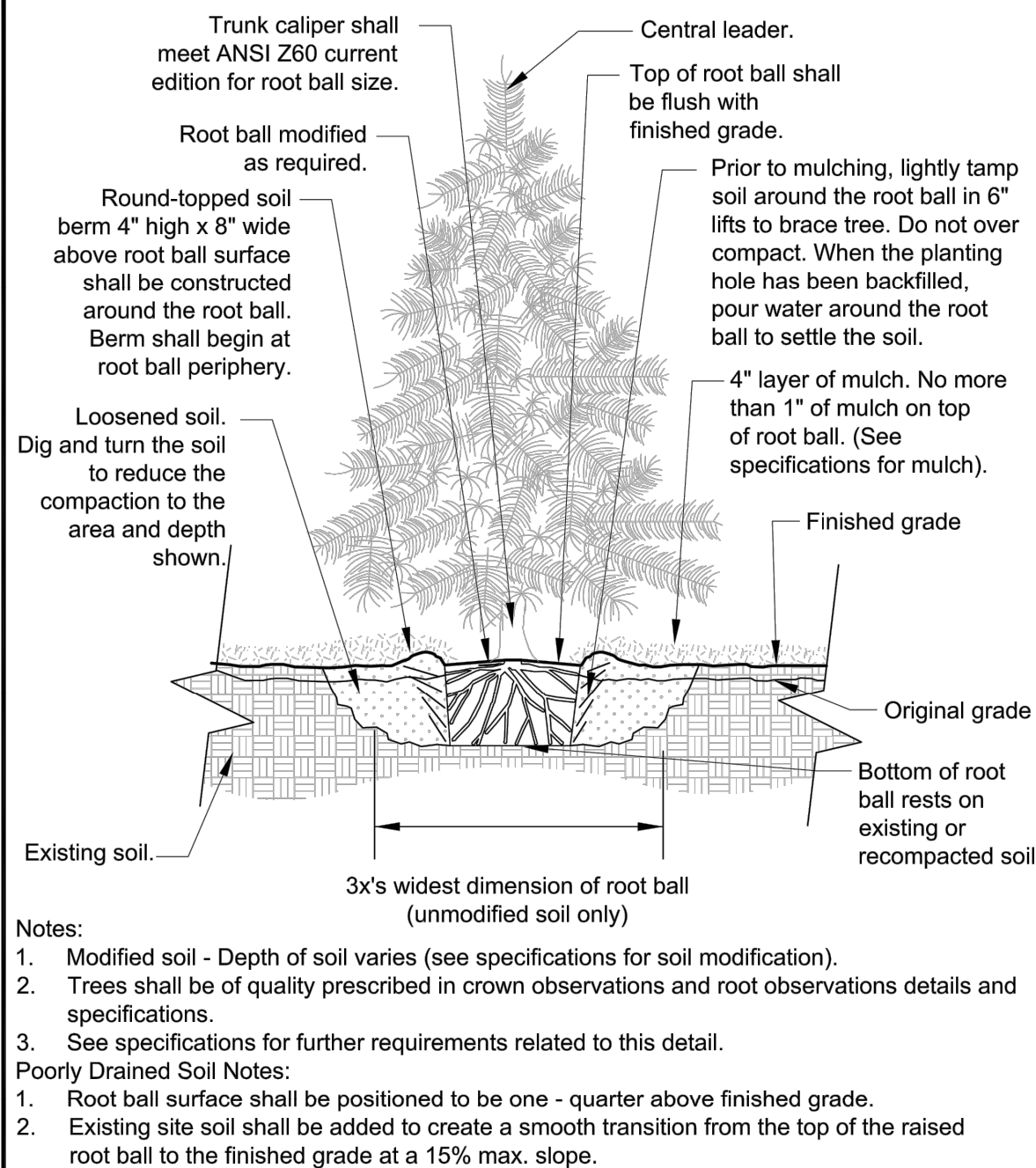
SOUTHWIND OF LAKE ELMO
LAKE ELMO, MINNESOTA

L1 OF 3



IRRIGATION SERVICE LOCATION

IRRIGATION METER LOCATION
2" BACKFLOW PREVENTER
IRRIGATION PLANS BY OTHERS



CONIFEROUS TREE — MODIFIED/UNMODIFIED SOIL & POORLY DRAINED SOIL

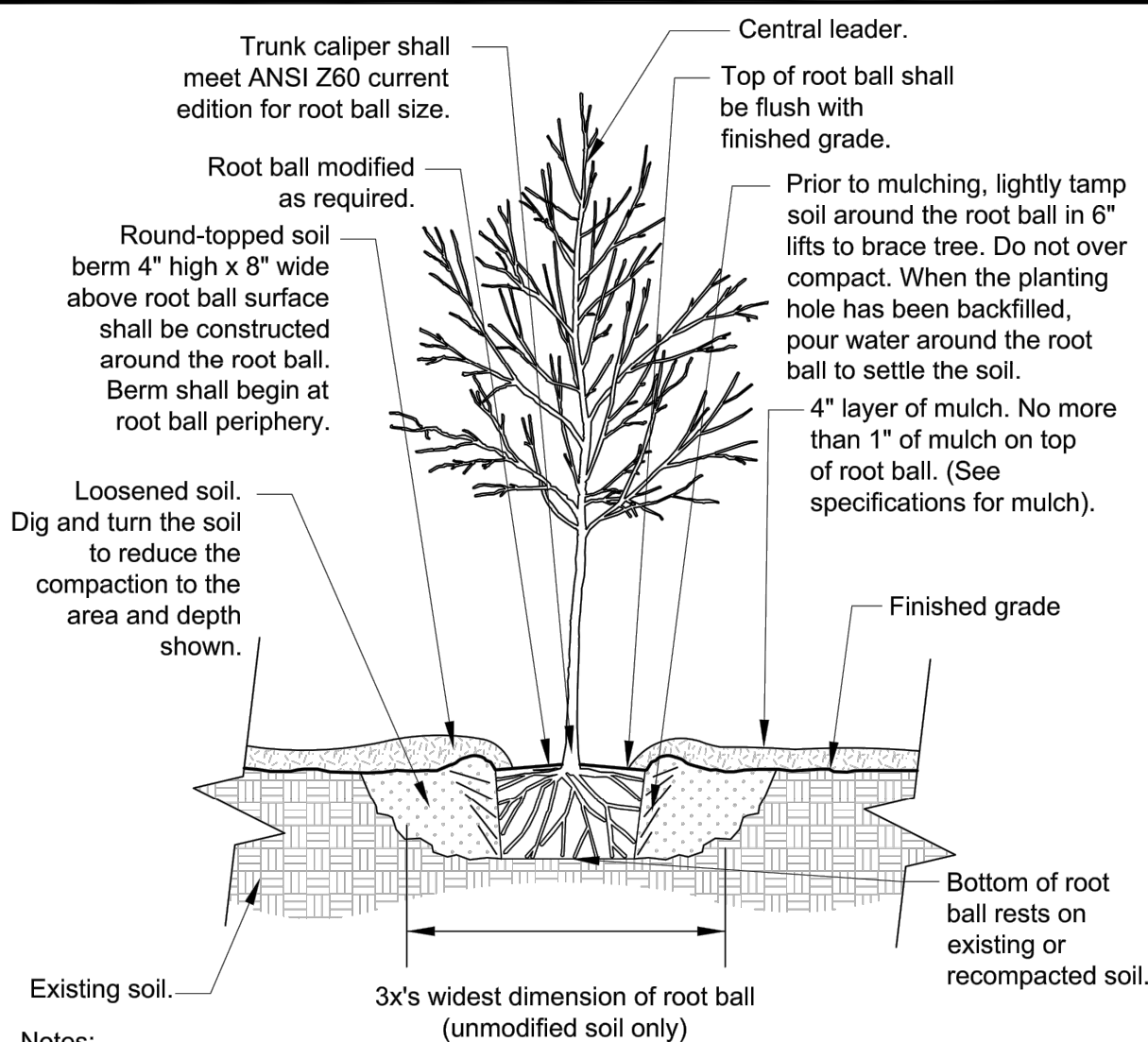
FEBRUARY 2015

URBAN TREE FOUNDATION © 2014
OPEN SOURCE FREE TO USE



CITY OF LAKE ELMO

STANDARD DRAWING NO.
901A
LAKE ELMO



DECIDUOUS TREE — MODIFIED/UNMODIFIED SOIL & POORLY DRAINED SOIL

FEBRUARY 2015

URBAN TREE FOUNDATION © 2014
OPEN SOURCE FREE TO USE



CITY OF LAKE ELMO

STANDARD DRAWING NO.
902A
LAKE ELMO

1. PRIOR TO TREE STAKING AND PLANTING OPERATIONS CONTRACTOR MUST CONTACT GOPHER STATE ONE CALL (www.gopherstateonecall.org or 811) TO VERIFY UNDERGROUND UTILITIES. WHERE PRIVATE UTILITIES EXIST ON-SITE THE CONTRACTOR IS REQUIRED TO HAVE THOSE LOCATED AS WELL.
2. PLANT MATERIALS SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK: ANSI Z60.1 LATEST EDITION.
[http://americanhort.org/documents/ANSI Nursery Stock Standards AmericanHort 2014.pdf](http://americanhort.org/documents/ANSI%20Nursery%20Stock%20Standards%20AmericanHort%202014.pdf)
3. NO PLANT SUBSTITUTIONS SHALL BE MADE WITHOUT THE PRIOR WRITTEN AUTHORIZATION FROM THE CITY.
4. ALL TREE PROTECTION MEASURES TO BE FIELD STAKED PRIOR TO INSTALLATION. CONTRACTOR TO COORDINATE FIELD REVIEW OF PROPOSED TREE PROTECTION LOCATIONS WITH THE CITY AND PROJECT LANDSCAPE ARCHITECT PRIOR TO ANY TREE PROTECTION INSTALLATION.
5. ALL TREE LOCATIONS TO BE FIELD STAKED PRIOR TO INSTALLATION. CONTRACTOR TO COORDINATE FIELD REVIEW OF PROPOSED TREE LOCATIONS WITH THE CITY AND PROJECT LANDSCAPE ARCHITECT PRIOR TO ANY TREE INSTALLATION.
6. ALL PLANTS SHALL BE PLANTED IMMEDIATELY UPON ARRIVAL TO PROJECT SITE. NO PLANT MATERIAL IS TO BE LEFT OVERNIGHT ON THE PROJECT SITE WITHOUT BEING INSTALLED UNLESS WRITTEN APPROVAL BY CITY.
7. ALL TREES, SHRUBS, PERENNIALS AND TURF LAWN TO HAVE A TWO YEAR WARRANTY BEGINNING UPON WRITTEN ACCEPTANCE BY THE CITY. DEFECTIVE PLANTS AS DETERMINED BY THE CITY SHALL BE REPLACED WITHIN 30 DAYS OF NOTICE DURING THE GROWING SEASON, AND REPLACEMENT MATERIALS SHALL RECEIVE THE SAME TWO YEAR WARRANTY UNTIL PLANTS ARE SUCCESSFULLY ESTABLISHED.
8. CONTRACTOR TO PROTECT AND MAINTAIN ALL PLANTINGS AND PLANT BEDS, INCLUDING PROTECTION FROM WILDLIFE, WEEDING, RE-MULCHING, FERTILIZATION, IRRIGATION AND ALL OTHER TYPICAL FORMS OF HORTICULTURAL CARE UNTIL THE END OF THE WARRANTY PERIOD AS DETERMINED AND APPROVED BY CITY.
9. ALL AREAS DISTURBED ADJACENT TO THE PROJECT SITE INCLUDING BOULEVARDS SHALL BE REPAIRED AND MAINTAINED PER CITY DIRECTION.
10. PROVIDE A THREE YEAR MAINTENANCE PLAN FOR ALL SEEDING OF PLANT MATERIALS/AREAS WITHIN ALL COMMERCIAL PROPERTIES, COMMONLY HELD HOA AREAS, CITY OUTLOTS AND R.O.W. AREAS.
11. ALL TREE, SHRUB AND PERENNIAL BEDS, WITHIN THE R.O.W. OR LOCATED ON COMMERCIAL PROPERTIES OR ON COMMONLY HELD HOA PROPERTY AND CITY OUTLOTS WITHIN DEVELOPMENTS ARE REQUIRED TO HAVE AN AUTOMATIC IRRIGATION SYSTEM DESIGNED BY AN EPA WATER SENSE CERTIFIED PROFESSIONAL. THIS PLAN IS REQUIRED FOR CITY REVIEW AT THE SAME TIME AS LANDSCAPE PLAN REVIEW.
12. ALL TRADITIONAL TURF-LAWN AREAS WITHIN R.O.W. OR LOCATED ON COMMERCIAL PROPERTIES OR ON COMMONLY HELD HOA PROPERTY AND CITY OUTLOTS WITHIN DEVELOPMENTS ARE REQUIRED TO HAVE AN AUTOMATIC IRRIGATION SYSTEM DESIGNED BY AN EPA WATER SENSE CERTIFIED PROFESSIONAL. THIS PLAN IS REQUIRED FOR CITY REVIEW AT TIME OF LANDSCAPE PLAN REVIEW.

STANDARD PLAN NOTES

LANDSCAPE PLANS

FEBRUARY 2015

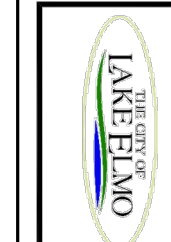


CITY OF LAKE ELMO

STANDARD DRAWING NO.
900
LAKE ELMO

M
BF

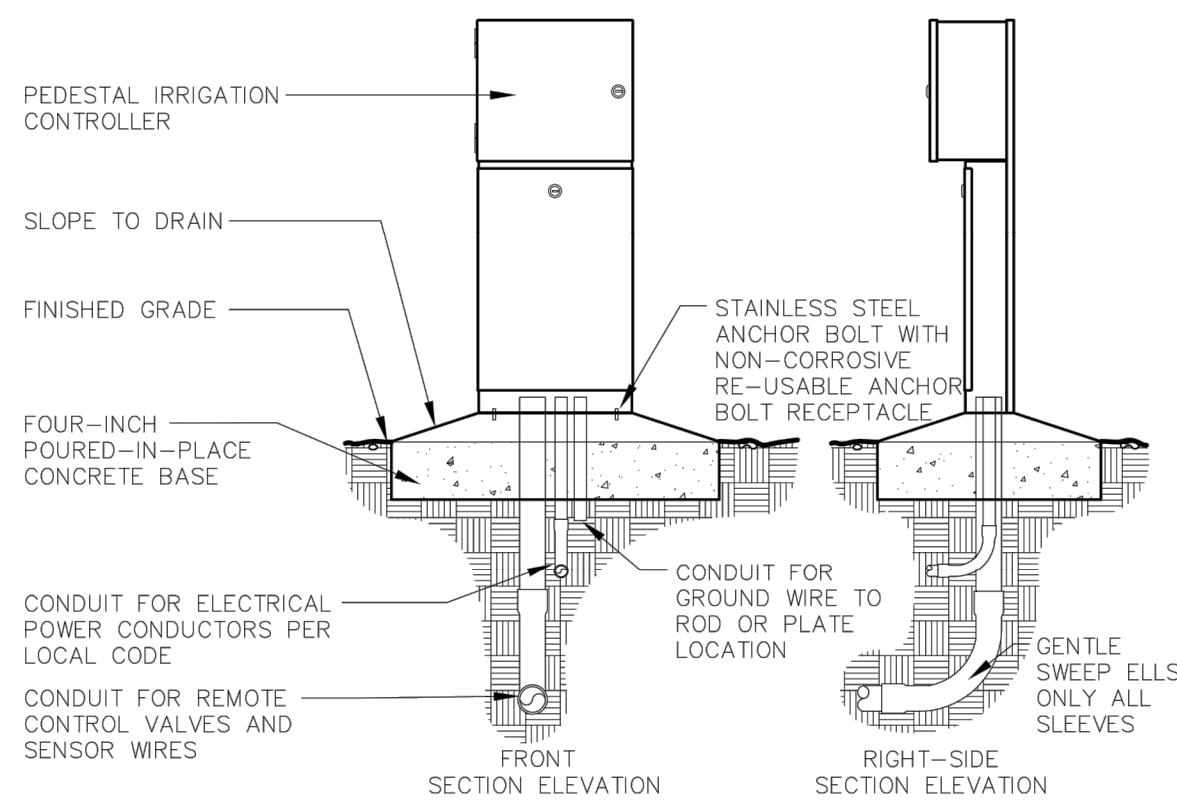
IRRIGATION DETAILS—IRRIGATION DESIGN BY OTHERS



CITY OF LAKE ELMO

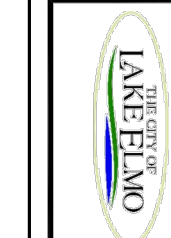
APRIL 2017

STANDARD DRAWING NO.
IR.1.1
LAKE ELMO



- NOTE:
1. REFER TO SPECIFICATION 328400 FOR ADDITIONAL REQUIREMENTS.
 2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS, BEST PRACTICES AND LOCAL CODES.
 3. HIGH AND LOW VOLTAGE ELECTRICAL WORK IS TO BE PERFORMED BY A LICENSED ELECTRICIAN.
 4. GROUND CONTROLLER IN ACCORDANCE WITH MANUFACTURER RECOMMENDATION.

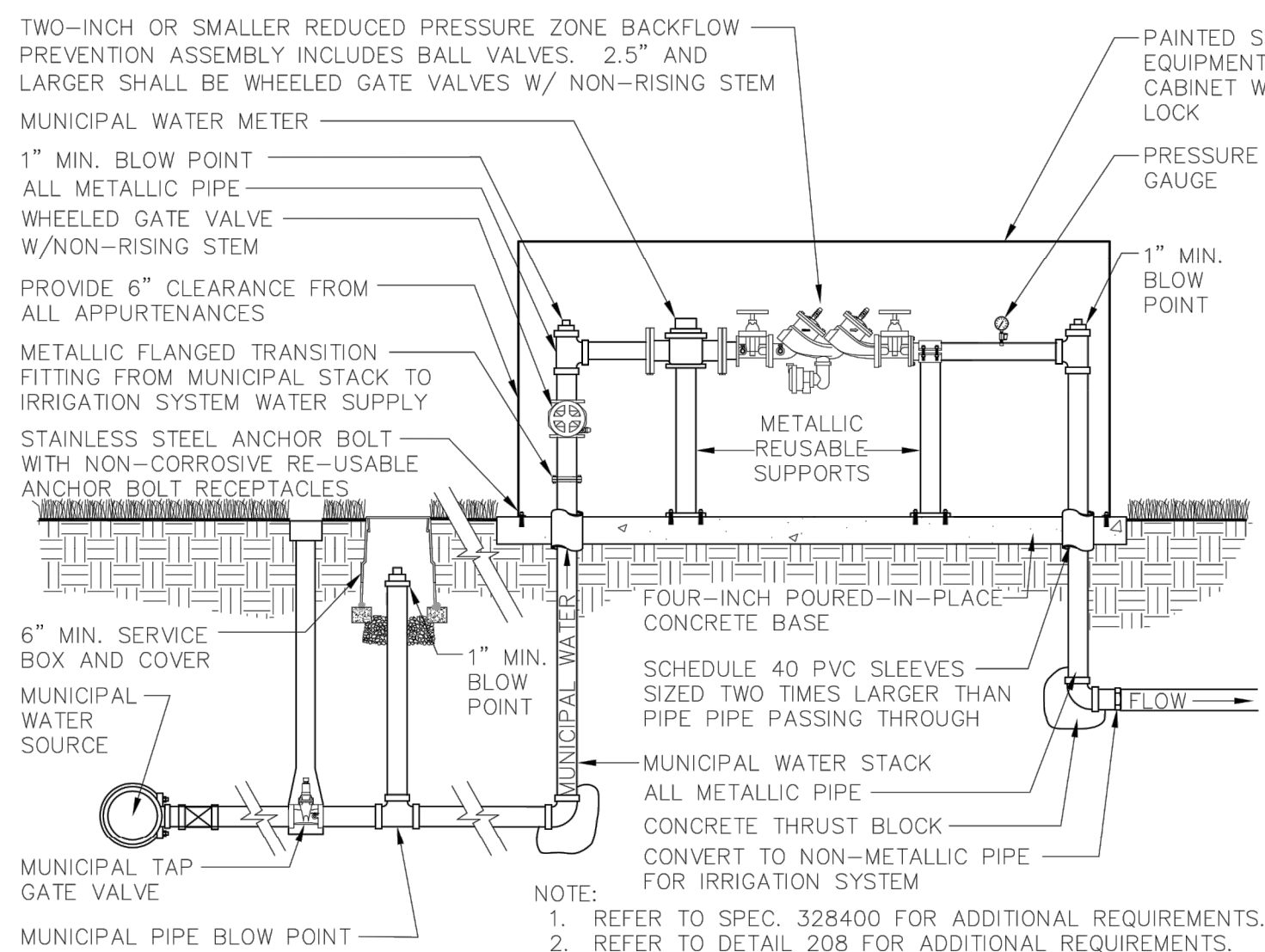
IR1.1 2-WIRE PEDESTAL IRRIGATION CONTROLLER



CITY OF LAKE ELMO

APRIL 2017

STANDARD DRAWING NO.
IR1.0
LAKE ELMO



- NOTE:
1. REFER TO SPEC. 328400 FOR ADDITIONAL REQUIREMENTS.
 2. REFER TO DETAIL 208 FOR ADDITIONAL REQUIREMENTS.

IR1.0 IRRIGATION WATER SUPPLY (MUNICIPAL)

SEE SHEET L1 FOR PLANTING SCHEDULE
SEE SHEET L3 FOR SEEDING DETAILS

LANDSCAPE NOTES:

1. LOTS WILL BE SODDED AFTER CONSTRUCTION.
2. SEE SHEET L1 FOR LANDSCAPE REQUIREMENT DATA
3. ALL PLANTS TO BE PLANTED WITHIN CITY PARKS AND ON CITY PROPERTIES SHALL COMPLY WITH THE CITY'S RESOLUTION ENDORSING BEE-SAFE POLICIES AND PROCEDURES. WRITTEN ACKNOWLEDGEMENT WILL BE PROVIDED.
4. TREES WITHIN BOULEVARDS WITH SIDEWALKS WILL BE PLANTED 5' FROM CURB
5. TREES WITHIN BOULEVARDS WITHOUT SIDEWALKS WILL BE PLANTED 8' FROM CURB

PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120

(651) 681-1914
Fax: 651-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota

Name
Jennifer L. Thompson

Reg. No. 44763

Date: 5-26-17

Revisions
4-5-17 added rain garden seeding
5-26-17 CITY COMMENTS

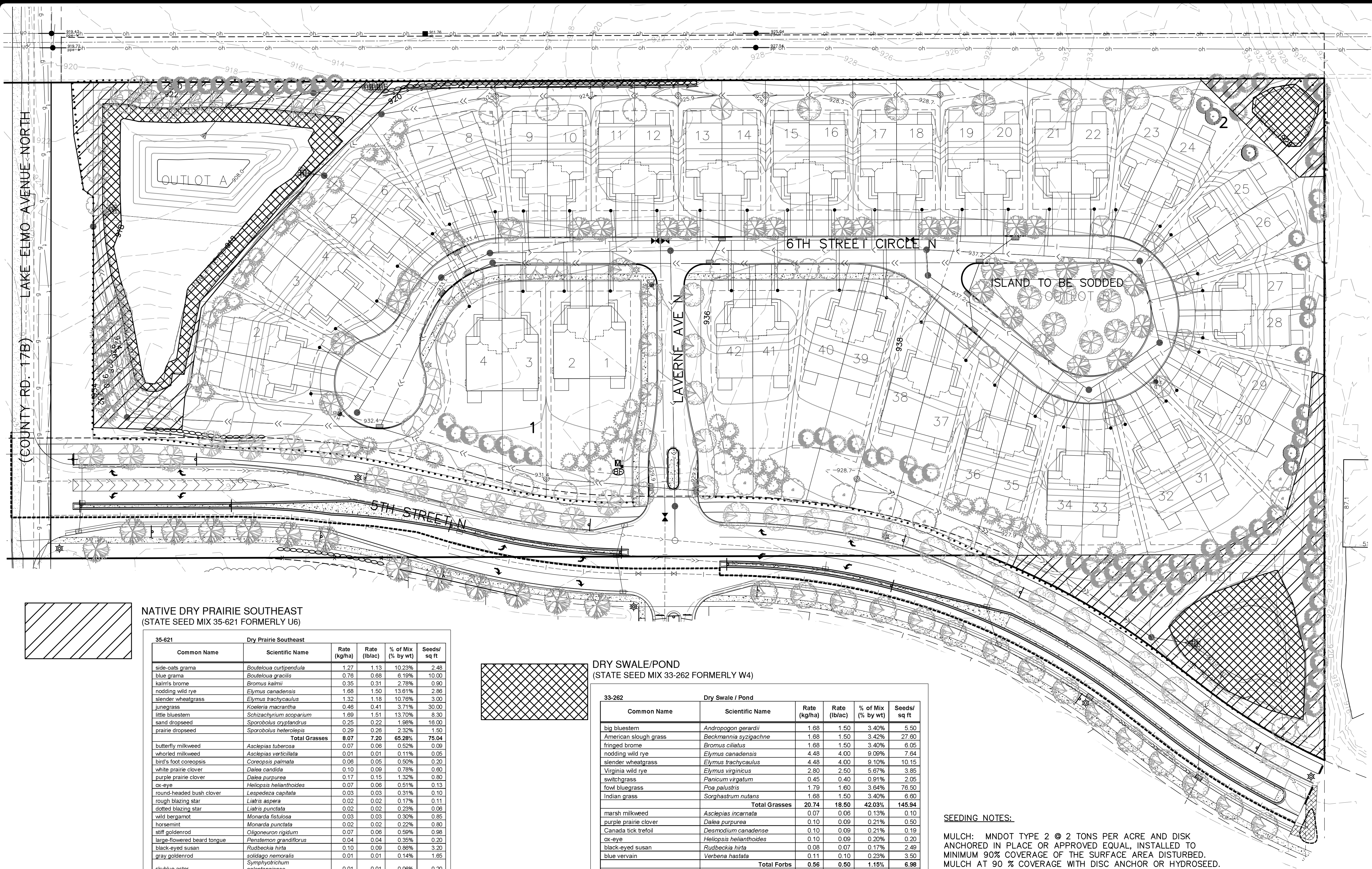
Date 3-27-17
Designed JLT
Drawn JLT

CITY DETAILS

SOUTHWIND BUILDERS INC.
2372 LEBEL STREET
WHITE BEAR LAKE, MINNESOTA 55110

SOUTHWIND OF LAKE ELMO
LAKE ELMO, MINNESOTA

L2 OF 3



NATIVE DRY PRAIRIE SOUTHEAST
(STATE SEED MIX 35-621 FORMERLY U6)

35-621 Dry Prairie Southeast					
Common Name	Scientific Name	Rate (kg/ha)	Rate (lb/ac)	% of Mix (% by wt)	Seeds/ sq ft
side-oats grama	<i>Bouteloua curtipendula</i>	1.27	1.13	10.23%	2.48
blue grama	<i>Bouteloua gracilis</i>	0.76	0.68	6.19%	10.00
kalm's brome	<i>Bromus kalmii</i>	0.35	0.31	2.78%	0.90
nodding wild rye	<i>Elymus canadensis</i>	1.68	1.50	13.61%	2.86
slender wheatgrass	<i>Elymus trachycaulus</i>	1.32	1.18	10.76%	3.00
junegrass	<i>Koeleria macrantha</i>	0.46	0.41	3.71%	30.00
little bluestem	<i>Schizachyrium scoparium</i>	1.69	1.51	13.70%	8.30
sand dropseed	<i>Sporobolus cryptandrus</i>	0.25	0.22	1.98%	16.00
prairie dropseed	<i>Sporobolus heterolepis</i>	0.29	0.26	2.32%	1.50
Total Grasses		8.07	7.20	65.28%	75.04
butterfly milkweed	<i>Asclepias tuberosa</i>	0.07	0.06	0.52%	0.09
whorled milkweed	<i>Asclepias verticillata</i>	0.01	0.01	0.11%	0.05
bird's foot coreopsis	<i>Coreopsis palmata</i>	0.06	0.05	0.50%	0.20
white prairie clover	<i>Dalea candida</i>	0.10	0.09	0.78%	0.60
purple prairie clover	<i>Dalea purpurea</i>	0.17	0.15	1.32%	0.80
ox-eye	<i>Helopsis helianthoides</i>	0.07	0.06	0.51%	0.13
round-headed bush clover	<i>Lespedeza capitata</i>	0.03	0.03	0.31%	0.10
rough blazing star	<i>Liatris aspera</i>	0.02	0.02	0.17%	0.11
dotted blazing star	<i>Liatris punctata</i>	0.02	0.02	0.23%	0.06
wild bergamot	<i>Monarda fistulosa</i>	0.03	0.03	0.30%	0.85
horsemint	<i>Monarda punctata</i>	0.02	0.02	0.22%	0.80
stiff goldenrod	<i>Oligoneuron rigidum</i>	0.07	0.06	0.59%	0.98
large-flowered beard tongue	<i>Penstemon grandiflorus</i>	0.04	0.04	0.35%	0.20
black-eyed susan	<i>Rudbeckia hirta</i>	0.10	0.09	0.86%	3.20
gray goldenrod	<i>Solidago nemoralis</i>	0.01	0.01	0.14%	1.65
skyblue aster	<i>Symphoricarum coccineum</i>	0.01	0.01	0.06%	0.20
silky aster	<i>Symphoricarum sericeum</i>	0.02	0.02	0.19%	0.20
bracted spidenwort	<i>Tradescantia bracteata</i>	0.01	0.01	0.12%	0.05
heart-leaved alexanders	<i>Zizia aptera</i>	0.02	0.02	0.21%	0.10
Total Forbs		0.90	0.80	7.49%	10.37
Oats or winter wheat (see note at beginning of list for recommended dates)					
		3.36	3.00	27.23%	1.33
Total Cover Crop		3.36	3.00	27.23%	1.33
Totals:		12.33	11.00	100.00%	86.75
Purpose:		Regional dry prairie reconstruction for wetland mitigation, ecological restoration, or conservation program plantings.			
Planting Area:		Eastern Broadleaf Forest Province excluding Hardwood Hills subsection. MniDOT Districts Metro & 6.			

DRY SWALE/POND
(STATE SEED MIX 33-262 FORMERLY W4)

33-262 Dry Swale / Pond					
Common Name	Scientific Name	Rate (kg/ha)	Rate (lb/ac)	% of Mix (% by wt)	Seeds/ sq ft
big bluestem	<i>Andropogon gerardii</i>	1.68	1.50	3.40%	5.50
American slough grass	<i>Beckmannia syzigachne</i>	1.68	1.50	3.42%	27.60
fringed brome	<i>Bromus ciliatus</i>	1.68	1.50	3.40%	6.05
nodding wild rye	<i>Elymus canadensis</i>	4.46	4.00	9.09%	7.64
slender wheatgrass	<i>Elymus trachycaulus</i>	4.46	4.00	9.10%	10.15
Virginia wild rye	<i>Elymus virginicus</i>	2.80	2.50	5.67%	3.85
switchgrass	<i>Panicum virgatum</i>	0.45	0.40	0.91%	2.05
fowl bluegrass	<i>Poa palustris</i>	1.79	1.60	3.64%	76.50
Indian grass	<i>Sorghastrum nutans</i>	1.68	1.50	3.40%	6.60
Total Grasses		20.74	18.50	42.03%	145.94
marsh milkweed	<i>Asclepias incarnata</i>	0.07	0.06	0.13%	0.10
purple prairie clover	<i>Dalea purpurea</i>	0.10	0.09	0.21%	0.50
Canada tick trefoil	<i>Desmodium canadense</i>	0.10	0.09	0.21%	0.19
ox-eye	<i>Helopsis helianthoides</i>	0.10	0.09	0.20%	0.20
black-eyed susan	<i>Rudbeckia hirta</i>	0.08	0.07	0.17%	2.49
blue vervain	<i>Verbena hastata</i>	0.11	0.10	0.23%	3.50
Total Forbs		0.56	0.50	1.15%	6.98
Oats or winter wheat (see note at beginning of list for recommended dates)					
		28.02	25.00	56.82%	11.14
Total Cover Crop		28.02	25.00	56.82%	11.14
Totals:		49.32	44.00	100.00%	164.06
Purpose:		Temporarily flooded swales in agricultural settings.			
Planting Area:		Tallgrass Aspen Parklands, Prairie Parkland, and Eastern Broadleaf Forest Provinces. MniDOT Districts 2(west), 3B, 4, Metro, 6, 7 & 8.			

SEEDING NOTES:

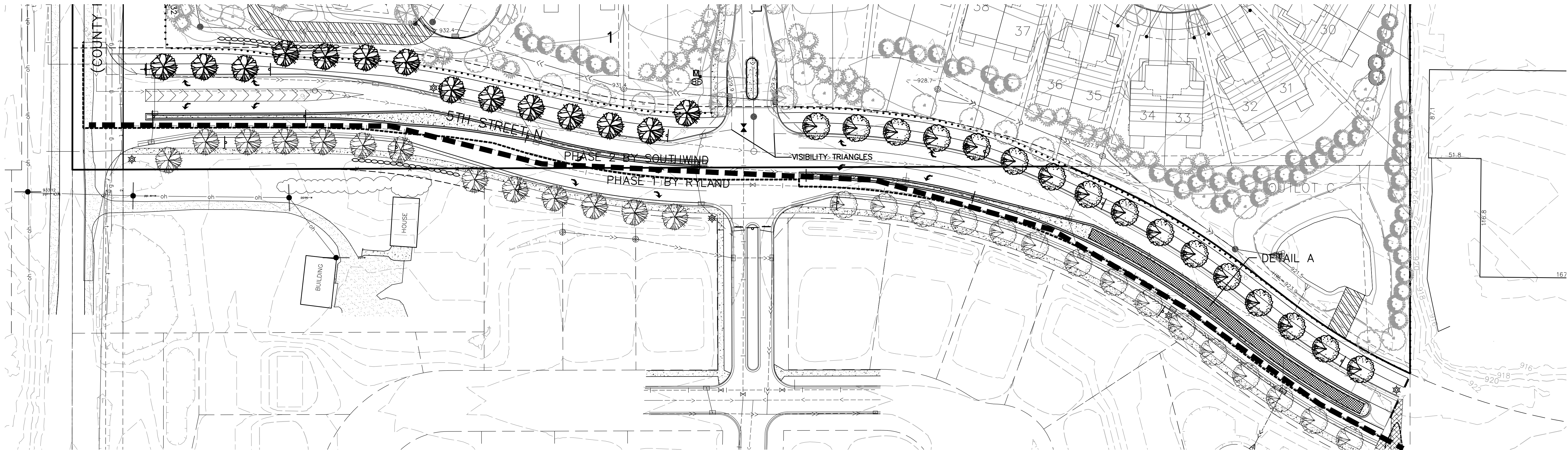
MULCH: MNDOT TYPE 2 @ 2 TONS PER ACRE AND DISK ANCHORED IN PLACE OR APPROVED EQUAL, INSTALLED TO MINIMUM 90% COVERAGE OF THE SURFACE AREA DISTURBED. MULCH AT 90 % COVERAGE WITH DISC ANCHOR OR HYDROSEED.

POND BENCH AND UP TO HWL TO BE SEEDDED WITH MN STATE SEED MIX 33-262 OR EQUIVALENT. SEE GRADING DETAIL NOTES FOR MORE STORMWATER MANAGEMENT DETAILS

DISTURBED UPLAND TO BE SEEDDED WITH MN STATE SEED MIX 35-621 OR EQUIVALENT.

ALL LOTS TO BE SODDED TO THE ADJACENT CURB LINES UNLESS DESIGNATED AS SEEDDED AREAS

SODDED AREAS TO BE IRRIGATED IRRIGATION BY OTHERS



PLANT SCHEDULE				
KEY	COMMON NAME/Scientific name	ROOT	PHASE 1	PHASE 2
	5TH STREET BOULEVARDS AND MEDIAN		RYLAND	SOUTHWIND
	NEW HORIZON ELM/Ulmus 'New Horizon'	4" B&B	15	16
	AUTUMN BLAZE MAPLE/Acer x freemanii 'Jeffersred'	4" B&B	13	14
	BLUE HEAVEN LITTLE BLUESTEM/Schizachyrium scoparium 'MinblueA'	4" POT		1,009
	MEADOW BLAZINGSTAR/Liatris ligulistylis	#1 POT		561
	DOUBLE NOSED DUTCH MASTER DAFFODIL/Narcissus 'Dutch Master'	BULB		6,500

SEE DETAIL A SHEET F2 FOR BLUESTEM, LIATRIS, AND DAFFODIL LOCATIONS.

PHASE 1 INSTALLED BY RYLAND/CALATLANTIC HOMES.
PHASE 2 TO BE INSTALLED BY SOUTHWIND BUILDERS.
PHASE 2 INCLUDES THE CENTER MEDIAN

ALL PLANTS TO BE PLANTED WITHIN CITY PARKS AND ON CITY PROPERTIES SHALL COMPLY WITH THE CITY'S RESOLUTION ENDORSING BEE-SAFE POLICIES AND PROCEDURES. AN MDA CERTIFICATE OF COMPLIANCE STATING THAT ALL PLANT MATERIALS SUPPLIED ARE FREE OF NEONICOTINOIDS WILL BE SUPPLIED TO CITY AT TIME OF PLANTING. (CITY REQUIREMENT)

SEE CITY SPECIFICATIONS 3290 AND 3292 FOR MORE DETAILS REGARDING LANDSCAPING AND TURF ESTABLISHMENT AND RESTORATION.

PLANTING SOILS THAT ARE COMPACTED AFTER PLACEMENT DUE TO OTHER CONSTRUCTION ACTIVITIES NEED TO BE TILLED PRIOR TO PLANTING OPERATIONS. (CITY REQUIREMENT)

THIS PLAN WAS PREVIOUSLY APPROVED BY THE CITY AS PART OF THE HUNTERS CROSSING DEVELOPMENT TO THE SOUTH.

PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120

(651) 681-1914
Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota

Name

Jeffrey L. Thompson
Jeffrey L. Thompson

Reg. No.

44763

Date

5-26-17

5-26-17 CITY COMMENTS
3-28-17 SUBMITTAL FOR SOUTHWIND PROPERTY

Revisions

8-26-15 NEW CITY STANDARD 5TH STREET DETAILS
9-29-15 CITY COMMENTS
10-15-15 CITY COMMENTS
10-27-15 CITY COMMENTS/REVIEW MEETING

Date

4-27-2015

Designed

jlt

Drawn

jlt

STANDARD PLAN NOTES

LANDSCAPE PLANS

FEBRUARY 2015

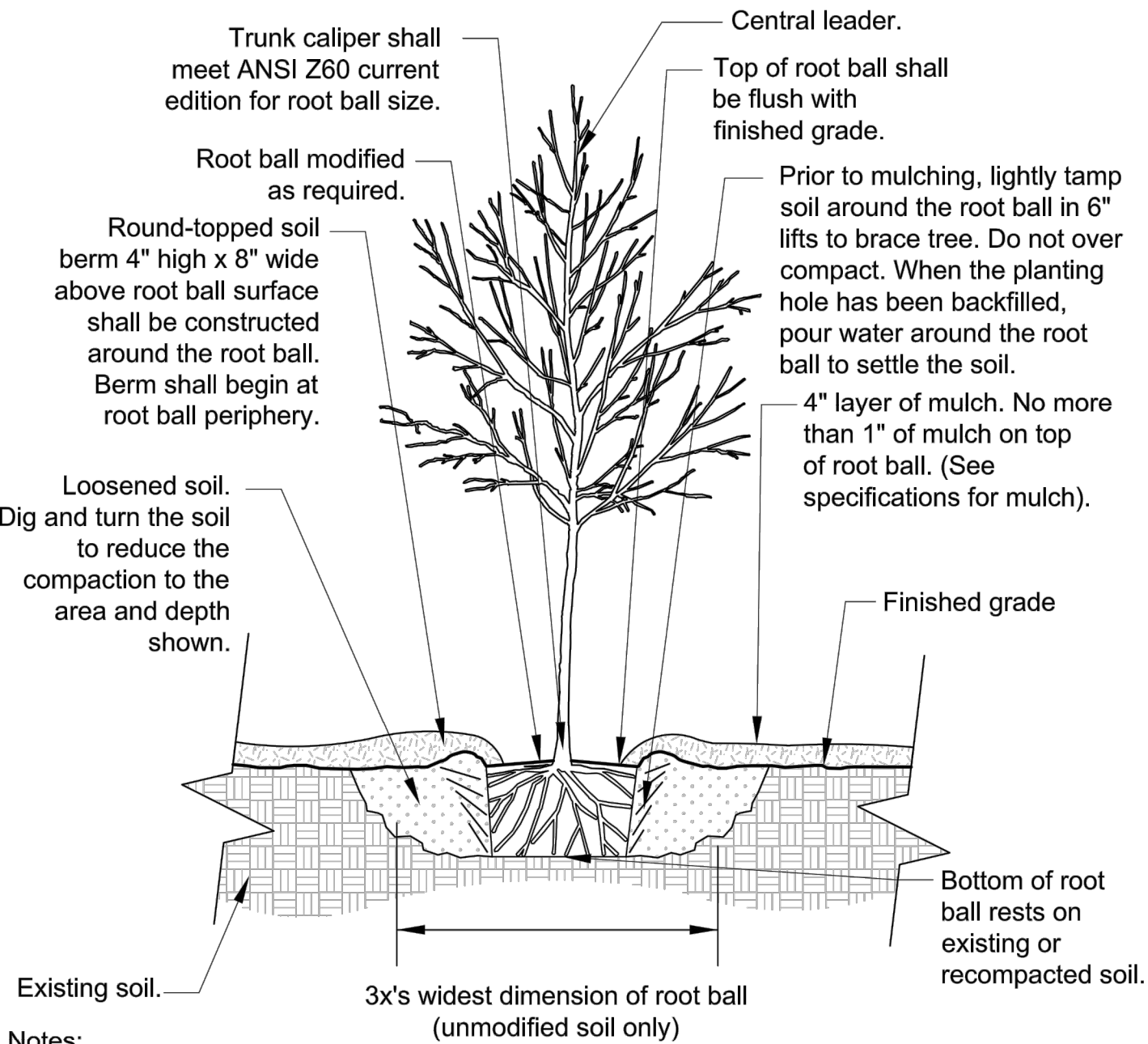


CITY OF LAKE ELMO

STANDARD DRAWING NO.

900

LAKE ELMO



Existing soil.

Notes:

- Modified soil - Depth of soil varies (see specifications for soil modification).
 - Trees shall be of quality prescribed in crown observations and root observations details and specifications.
 - See specifications for further requirements related to this detail.
- Poorly Drained Soil Notes:
- Root ball surface shall be positioned to be one - quarter above finished grade.
 - Existing site soil shall be added to create a smooth transition from the top of the raised root ball to the finished grade at a 15% max. slope.

DECIDUOUS TREE – MODIFIED/UNMODIFIED SOIL & POORLY DRAINED SOIL

FEBRUARY 2015



CITY OF LAKE ELMO

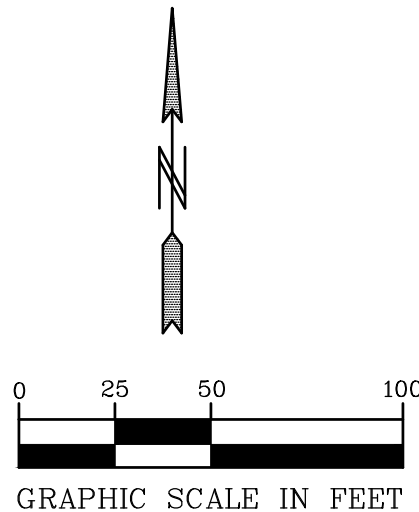
URBAN TREE FOUNDATION © 2014
OPEN SOURCE FREE TO USE

STANDARD DRAWING NO.

902A

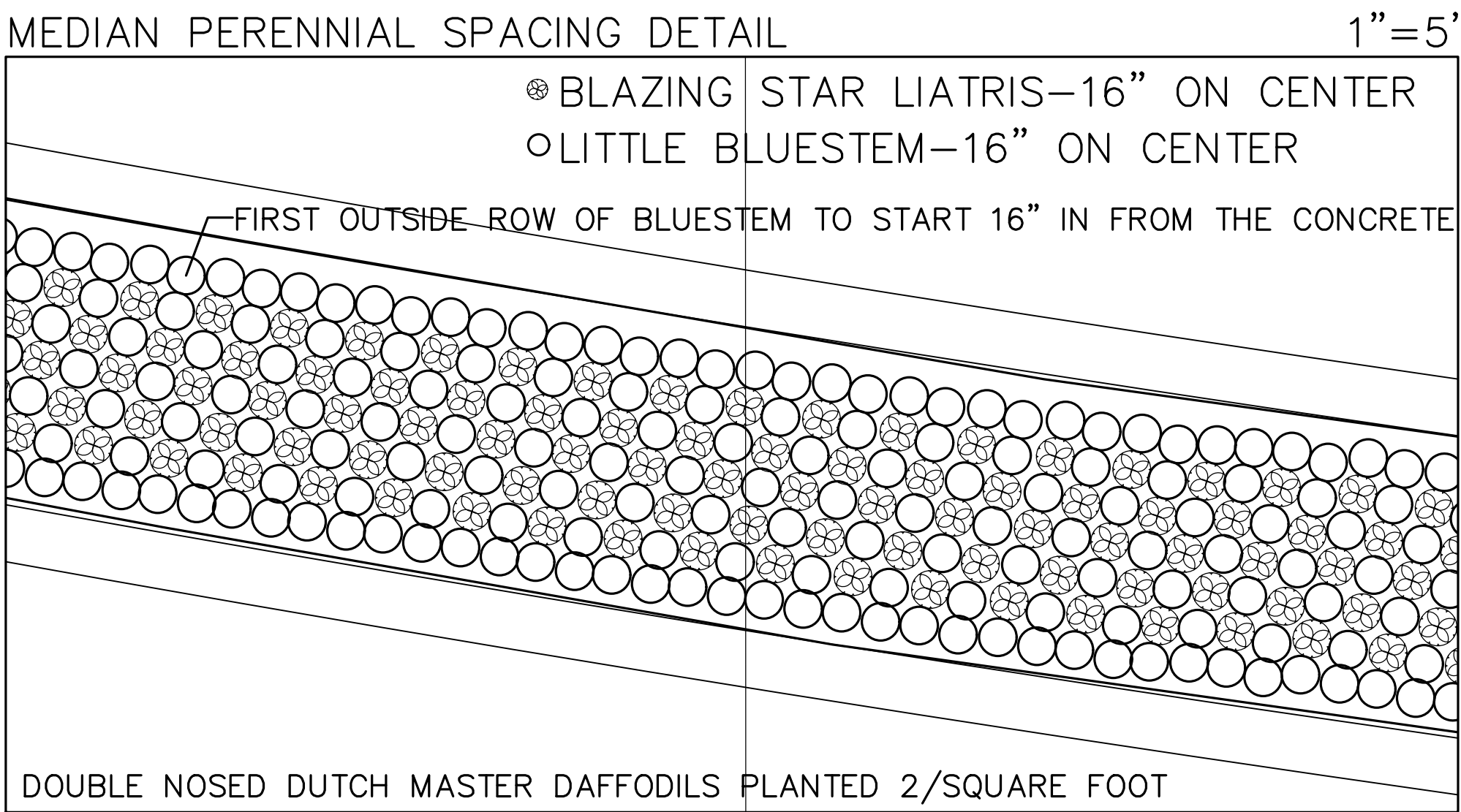
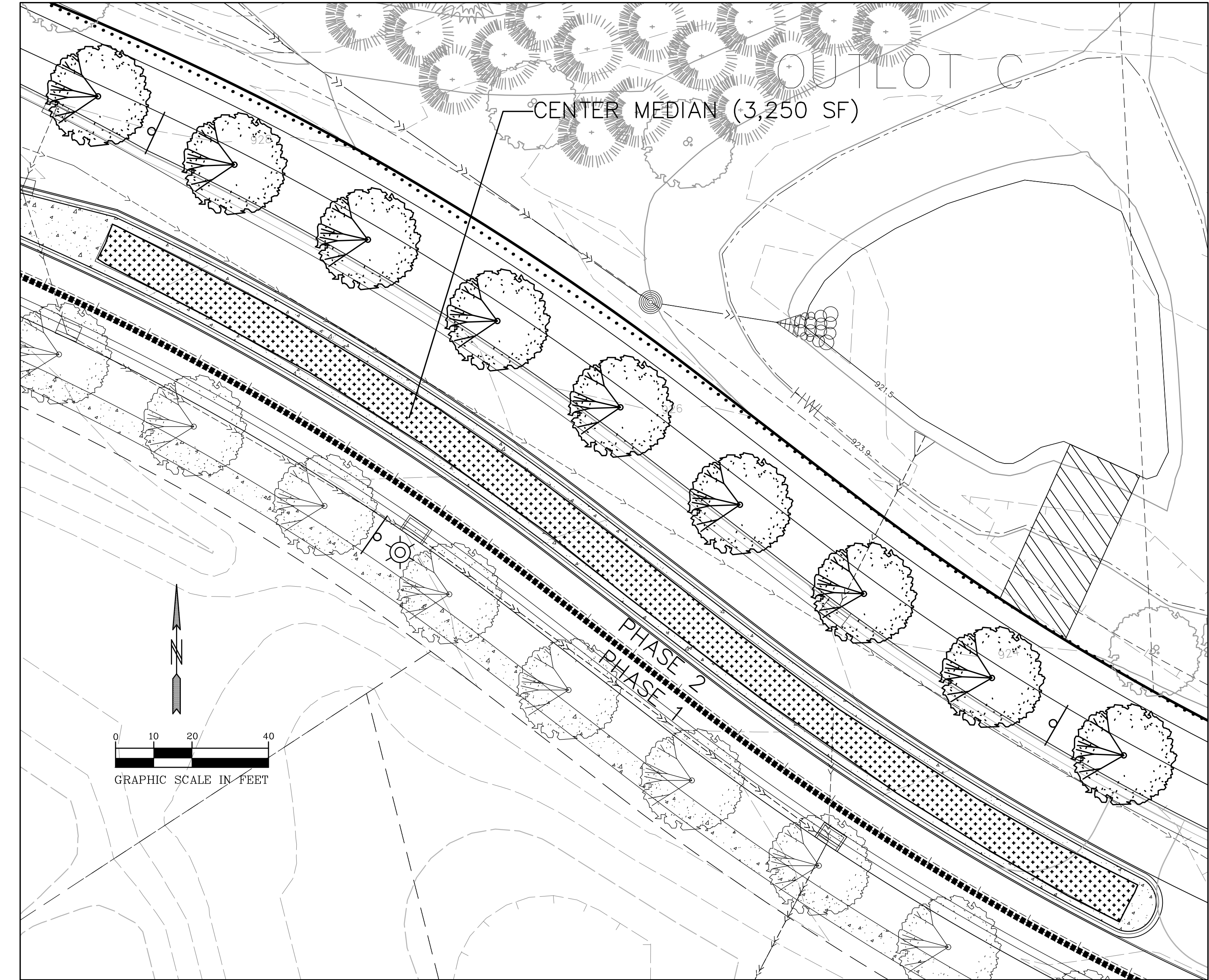
LAKE ELMO

AS PER DETAIL 902A, DECIDUOUS TREE PLANTING WITHIN 5TH STREET REQUIRES MODIFIED SOIL FOR BACKFILL. BACKFILL TO MEET MNDOT 3877 F BOULEVARD TOPSOIL BORROW FOR 3X WIDEST DIMENSION OF ROOT BALL FOR FULL DEPTH OF ROOT BALL AS ILLUSTRATED



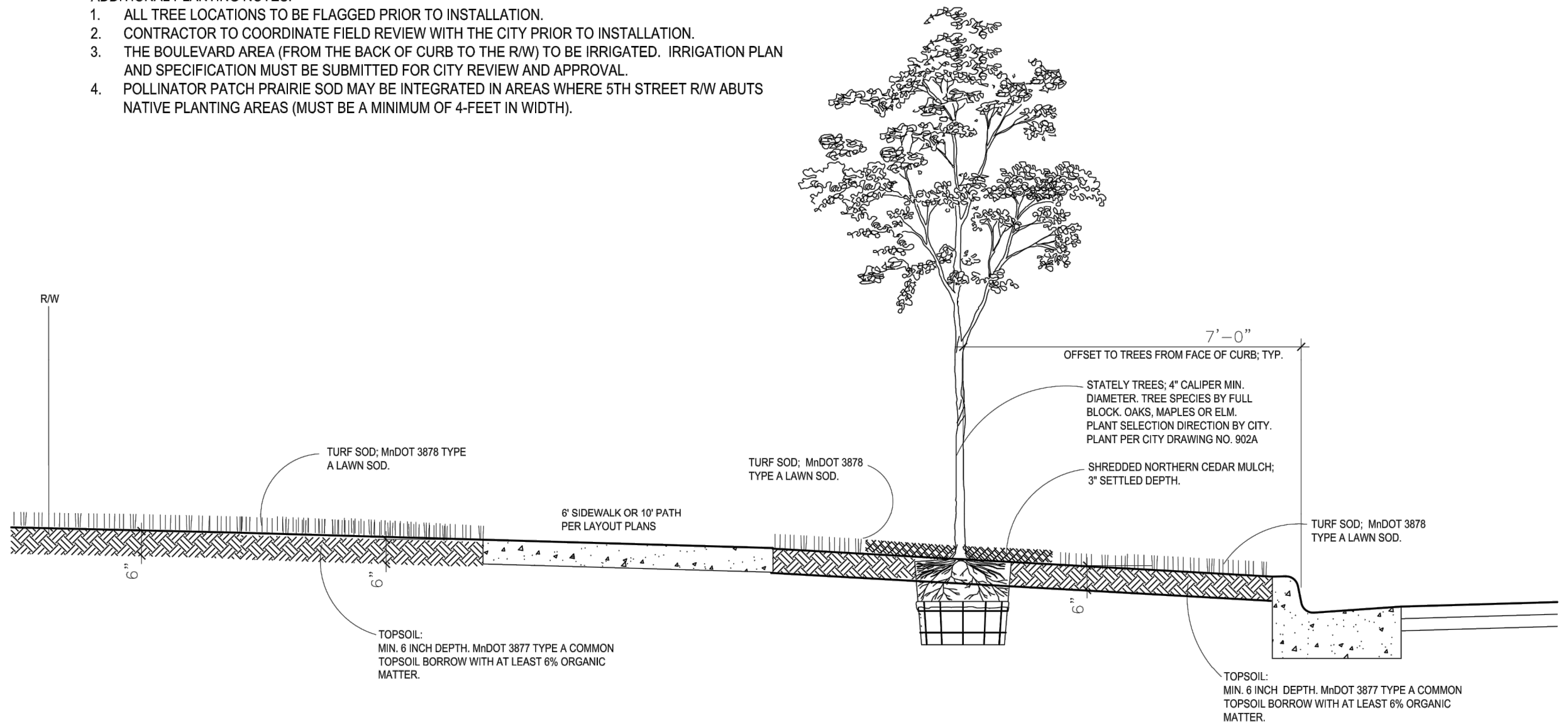
01-PLAN-117021-SHEET-LAND

DETAIL A



5TH STREET BOULEVARDS

- ADDITIONAL PLANTING NOTES:
1. ALL TREE LOCATIONS TO BE FLAGGED PRIOR TO INSTALLATION.
 2. CONTRACTOR TO COORDINATE FIELD REVIEW WITH THE CITY PRIOR TO INSTALLATION.
 3. THE BOULEVARD AREA (FROM THE BACK OF CURB TO THE R/W) TO BE IRRIGATED. IRRIGATION PLAN AND SPECIFICATION MUST BE SUBMITTED FOR CITY REVIEW AND APPROVAL.
 4. POLLINATOR PATCH PRAIRIE SOD MAY BE INTEGRATED IN AREAS WHERE 5TH STREET R/W ABUTS NATIVE PLANTING AREAS (MUST BE A MINIMUM OF 4-FEET IN WIDTH).

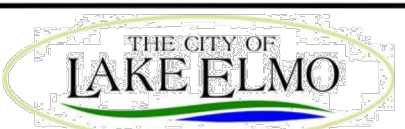
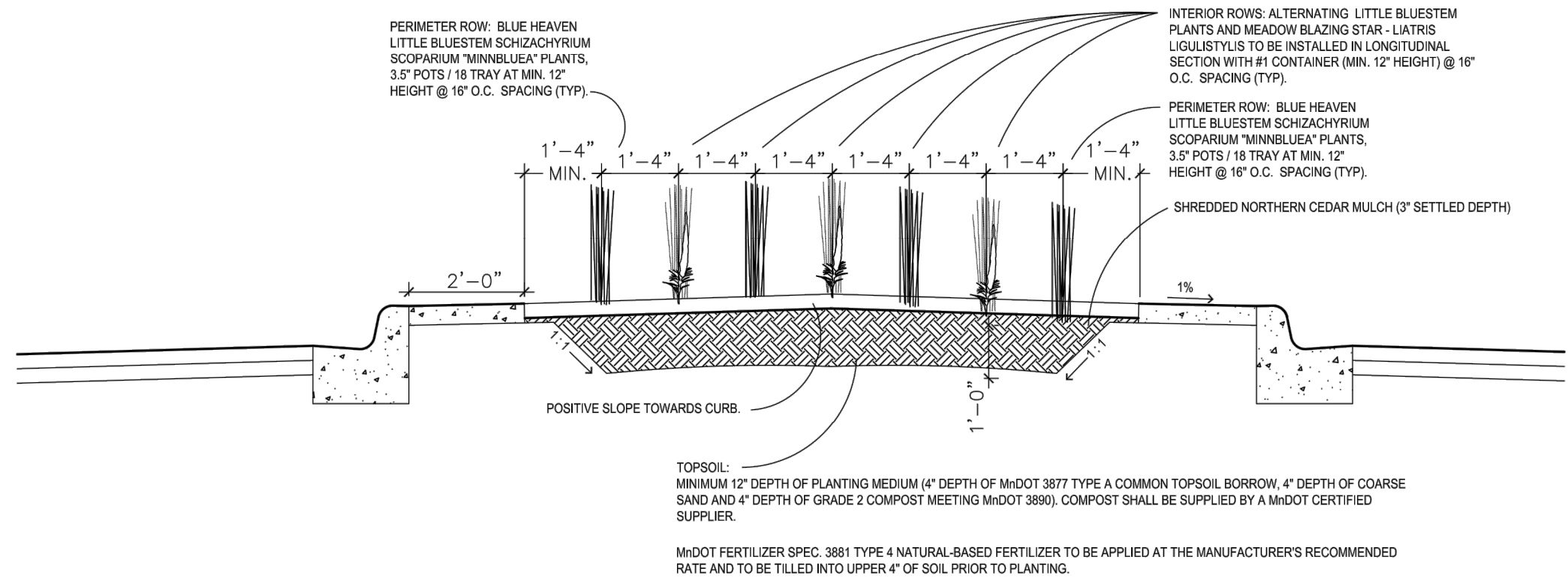


5TH STREET
STANDARD DETAILS
AUGUST 2015

STREET BOULEVARD LANDSCAPE PLAN

5TH STREET MEDIAN PLANTING AREAS (PHASE 2)

- ADDITIONAL PLANTING NOTES:
1. DOUBLE NOSED DUTCH MASTER DAFFODIL BULBS TO BE INSTALLED IN FALL AT 2 PER SQUARE FOOT IN ALL MEDIAN PLANTING AREAS.
 2. ENTIRE MEDIAN PLANTING BED TO HAVE DRIP IRRIGATION INSTALLED. PLAN AND SPECIFICATION MUST BE SUBMITTED FOR CITY REVIEW AND APPROVAL.



5TH STREET
STANDARD DETAILS
AUGUST 2015

CENTER MEDIAN LANDSCAPE PLAN

PHASE 1 INSTALLED BY RYLAND/CALATLANTIC HOMES.
PHASE 2 TO BE INSTALLED BY SOUTHWIND BUILDERS.
PHASE 2 INCLUDES THE CENTER MEDIAN

THIS PLAN WAS PREVIOUSLY APPROVED BY THE CITY AS PART OF THE HUNTERS CROSSING DEVELOPMENT TO THE SOUTH.

PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

2422 Enterprise Drive
Mendota Heights, MN 55120

(651) 681-1914
Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota

Name

Jamie L. Thompson
Jamie L. Thompson

Reg. No.

44763

Date

5-26-17

5-26-17 CITY COMMENTS
3-28-17 SUBMITTAL FOR SOUTHWIND PROPERTY

Revisions
8-26-15 NEW CITY STANDARD 5TH STREET DETAILS
9-29-15 CITY COMMENTS
10-15-15 CITY COMMENTS
10-27-15 CITY COMMENTS/REVIEW MEETING

Date

3-4-2015

Designed

jlt

Drawn

jlt

5TH STREET LANDSCAPE PLAN

SOUTHWIND BUILDERS INC.
2372 LEIBEL STREET
WHITE BEAR LAKE, MINNESOTA 55110

SOUTHWIND OF LAKE ELMO
LAKE ELMO, MINNESOTA

F2 OF 2

April 6, 2017

Ms. Emily Becker
City Planner
City of Lake Elmo
3800 Laverne Ave. N.
Lake Elmo, MN 55042

Re: Southwind of Lake Elmo
City of Lake Elmo, Minnesota
P.E.# 117021

Dear Ms. Becker:

Our response to your review letter dated March 28, 2017 is as follows:

- The Applicant will provide the required escrow fee.
- The Applicant will provide the required escrow agreement.
- The legal description for the property is attached
- The Applicant will provide the deed for Outlot D.
- A table listing the lot data is shown on the area map
- No public open space is been provided on this site. None was required in the preliminary plat approval
- No wetlands are present onsite Attached is the wetland determination
- An area calculation showing the area of arterial ROW dedication is shown on the area map
- Outlot A will be used for stormwater management. The City of Lake Elmo will own and maintain Outlot A
- Outlot B will be used for landscaping. The Homeowners Association will own and maintain Outlot B
- Medium density standards have been added to the site plan
- Preliminary plat conditions have addressed as follows:
 1. A revised landscape plan has been submitted for review.
 2. It is understood that maximizing screen to the industrial use is desirable however space for additional landscaping on the east property line is limited. Please review the revised plan.
 3. Revised 5th street plans have been submitted. It is acknowledged that 5th street will be constructed by the applicant.
 4. An application has been made to WBWD. There are no wetlands onsite. A determination letter was submitted.
 5. The HOA will be responsible for landscape maintenance upon turn over from the developer.
 6. The applicant acknowledges that park fees will be paid in lieu of land dedication.
 7. A grading permit application has been submitted to the City.
 8. Significant changes have been made to the plan. Public streets are proposed. A detention basin along with infiltration is proposed for storm water management. A storm water reuse system is not proposed. New engineer comments are required.
 9. Updated plans with public streets have been submitted.
 10. Please review the site plan for requested setbacks.

11. The southern portion of 5th Street has been constructed by CalAtlantic. The applicant will complete the remainder of 5th Street construction.
12. The applicant has submitted architecture for review.
13. The applicant will enter into a Developers Agreement with the City.
14. Sidewalk has been added to the plans.
15. The applicant will pay WAC charges as shown in the developer's agreement.
16. The applicant is working with XCEL and the landowner to the north on grading agreements.

- The final density calculation is located on the area map:
- The applicant will discuss, neighbor concerns and excessive burden in the narrative.
- An existing conditions map is attached.
- The street name will be 6th Street Circle North as requested.
- The applicant will furnish protective covenants for review
- 5th Street North plans and specifications are attached

The existing roadway easement must be vacated. A legal description for vacation of the existing street easement is attached.

Attached are revised plans. If you have any questions or require further information please call me at 651-251-0630.

Sincerely,

PIONEER ENGINEERING P.A.

Paul J. Cherne, P.E

Cc: Larry Alm, Southwind Builders

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: June 5, 2017

To: Emily Beck, City Planner
Cc: Stephen Wensman, Planning Director
Chad Isakson, P.E., Assistant City Engineer
From: Jack Griffin, P.E., City Engineer

Re: Southwind of Lake Elmo – Final Plat
Engineering Review Comments

An engineering review has been completed for Southwind of Lake Elmo. Final Plat/Final Construction Plans were received on May 26, 2017. The submittal consisted of the following documentation prepared by Pioneer Engineering, or as noted:

- Southwind of Lake Elmo Final Plat, received on May 26, 2017.
- Southwind of Lake Elmo Existing Conditions and Site Plan dated May 4, 2017.
- Grading and Erosion Control Plans and Project Manual dated May 4, 2017.
- Utility and Street Construction Plans and Project Manual dated May 4, 2017.
- 5th Street North, Phase 2 Utility and Street Construction Plans dated May 26, 2017.
- Landscape/Tree Preservation Plans dated May 26, 2017.
- Stormwater Management Plan dated May 26, 2017.
- Stormwater Pollution Prevention Plan dated March 27, 2017.
- Geotechnical Report dated April 2, 2017 by Haugo Geotechnical Services.

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: SOUTHWIND OF LAKE ELMO

- The Final Plat shall be contingent upon the applicant dedicating right-of-way along CSAH 17 (Lake Elmo Avenue) to Washington County. The County shall review and approve the right-of-way dedication prior to the recording of the Final Plat. If additional right-of-way is required by the County the Plat/construction plans must be revised and resubmitted.
- The Final Plat shall be contingent upon the applicant contributing to the costs to construct turn lanes at the intersection of 5th Street and CSAH 17 (Lake Elmo Avenue). A cost contribution in the amount of \$25,000 should be addressed in the Development Agreement for the subdivision.
- Final Plat shall be contingent upon the applicant completing the construction of 5th Street North from CSAH 17 (Lake Elmo Avenue) to the east plat line at the developer's sole cost. Construction plans for the 5th Street Improvements should be considered a part of the required development improvements for the Southwind of Lake Elmo Plat approval.
- Outlots A and C (Stormwater Facilities) must be dedicated to the City as part of the Final Plat. City ownership of the Outlots have been noted on the final construction plans as required.
- The Plat must be updated to provide an Outlot for Infiltration Basin 7. City ownership of the Outlot must be noted on the final construction plans.

- A finalized storm water management plan must be approved by the City and the VBWD permit must be obtained prior to grading activities. The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations. Storm water 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.
 - Infiltration Basin 8 must be revised to drain dry in 48-hours. The bottom elevation of Infiltration Basin 8 must therefore be revised to be above the adjacent storm pond 918.0 NWL.
 - Infiltration Basin 3 must be reconfigured to be fully outside of the existing Outlot C utility easement, including the Basin 100-year HWL. The Basin must also be revised to have the bottom elevation and normal operating water levels below the adjacent 5th Street granular subbase elevation. Also, the east side berm in Outlot C must be raised to provide greater margin of error than the proposed 0.1 foot difference from the Outlot EOF. Additional horizontal separation from 5th Street along with embankment lining may also be considered; subject to City review.
 - Infiltration Basin 7 must be placed in an Outlot dedicated to the City for ongoing operation and maintenance including the maintenance access road; or Basin 7 should be removed from the project. City ownership of the Outlot must be noted on the final construction plans as required.
- The Final Plat shall be contingent upon the storm sewer pipe run from CBMH-857 to FES-849, along with the adjacent retaining wall, to be privately owned and maintained by the HOA. The proximity of this storm sewer to the proposed retaining wall and rear yard patios does not allow for adequate City maintenance access. Private HOA ownership must be noted on the Construction Plans.
- 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. Additional storm sewer pipe easement is needed along Lots 1-4, Block 1 to provide a minimum 15 foot easement from the pipe centerline.
- The Final Plat shall not be recorded until final construction plan approval is granted for both the Southwind of Lake Elmo subdivision improvements and the 5th Street Improvements.
- No construction for the Southwind of Lake Elmo development may begin until the applicant has received City Engineer approval for the Final Grading Plans, Final Street and Utility Construction Plans, and the Final 5th Street 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 proposed storm water discharge rate from Basin 8 will be significantly reduced from 32.72 cfs to 17.20 cfs. However, the discharge will be a point discharge instead of sheet flow. This change may be perceived as an adverse change for the adjacent property.
- A temporary easement may be needed from Cimarron to construct the improvements as proposed including the Basin 8 storm water outfall pipe and the northerly retaining wall.

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

RESOLUTION NO. 2017-070

A RESOLUTION APPROVING FINAL PLAT FOR SOUTHWIND OF LAKE ELMO

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

WHEREAS, Southwind Builders Inc, 2372 Leibel Street, White Bear Lake, MN 55110 (“applicant”) has previously submitted an application to the City of Lake Elmo (“City”) for a Final Plat for Southwind of Lake Elmo Development; and

WHEREAS, on February 23, 2015, the Lake Elmo Planning Commission reviewed a General Sketch Plan of the property; and

WHEREAS, on March 3, 2015, the Lake Elmo City Council reviewed a General Sketch Plan, but took no action; and

WHEREAS, on July 7, 2015, the Lake Elmo Planning Commission reviewed and recommended approval of the preliminary plat; and

WHEREAS, on July 21, 2015, the Lake Elmo City Council adopted Resolution 2015-056 approving the Preliminary Plat for a 46-unit single family attached (townhouse) development, subject to 21 conditions; and

WHEREAS, on December 15, 2015, The Lake Elmo City Council adopted Resolution 2015-88 approving a 12-month extension to the final plat submittal deadline of the approved plat to allow for additional time to prepare for financing and other planning activities, thereby extending the final plat application deadline to December 1, 2016, and

WHEREAS, on November 15, 2016, The Lake Elmo City Council adopted Resolution 2016-102 approving a 12-month extension to the final plat submittal deadline of the approved plat to allow for additional time to prepare for financing and other planning activities, thereby extending the final plat application deadline to December 1, 2017, and

WHEREAS, on June 12, 2017, the Lake Elmo Planning Commission reviewed the Southwind of Lake Elmo Final plat and recommended approval subject to 16 conditions; and

WHEREAS, on July 5, 2017, the Lake Elmo City Council reviewed the Southwind of Lake Elmo Final Plat and made the following findings:

- 1) That the Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on July 21, 2015.
- 2) That the Final Plat is generally consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.

- 3) That the Final Plat complies with the City's Urban Medium Density Residential zoning district, except as noted in the Staff Report to the City Council dated July 5, 2017.
- 4) That the 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 plan revisions as requested by the City.
- 5) That the Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer.
- 6) That the Final Plat complies with the City's subdivision ordinance.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Southwind of Lake Elmo Final Plat subject to the following conditions:

- 1) That Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer prior to recording of Final Plat. All comments outlined by the Engineer's memorandum dated June 5, 2017 shall be addressed.
- 2) The vacation of Public Roadway and Utility Easement created by Doc. No. 3970178 shall be approved by Council before recording of the Final Plat.
- 3) The utility plans shall be updated to include an additional fire hydrant at the entrance of the development.
- 4) All easements as requested by the City Engineer and Public Works shall be documented on the Final Plat prior to recording.
- 5) The Landscape Plans, including 5th Street Irrigation Plans, shall be updated and approved by the City.
- 6) The Applicant shall enter into Landscape and License 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/or open space on the final plat.
- 7) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 8) The Developers Agreement shall address all costs associated with the development including but not limited to construction of the northern half of 5th Street from CSAH 17 to the east plat line, partial responsibility (\$25,000) for the improvements required by Washington County at the intersection of 5th Street and CSAH 17, and payment of a Water Availability Charge consistent with the Lake Elmo Fee Schedule for the entire development.
- 9) 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.
- 10) 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.

- 11) A finalized stormwater management plan must be approved by the City, meeting all State, VBWD and City rules and regulations.
- 12) The Plat must be updated to provide an outlot dedicated to the City as well as maintenance access for Infiltration Basin 7.
- 13) The Applicant shall provide written correspondence from Washington County indicating that adequate CSAH 17 right-of-way is being dedicated as part of this plat. If additional right-of-way is required by the County, the plat and construction plans must be revised and resubmitted as necessary.
- 14) The Applicant shall amend the proposed Common Interest Agreement to include architectural covenants that include provisions that discourage blank garage doors. All garage doors shall incorporate windows or decorative trim to minimize the visual impact of the garage-forward home design.
- 15) That a sidewalk or trail be constructed from the bulb of the westerly cul-de-sac within the development to the trail along 5th Street North.
- 16) The Landscape Plan shall be amended to provide additional buffering behind Lots 26-29 to the extent possible.

Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



STAFF REPORT

DATE: July 5, 2017

Regular Agenda

ITEM #: 10

MOTION

TO: City Council

FROM: Stephen Wensman, Planning Director

AGENDA ITEM: Southwind of Lake Elmo Townhomes Developers Agreement

REVIEWED BY: Jack Griffin, City Engineer
Sarah Sonsalla, City Attorney
Brian Swanson, Finance Director

BACKGROUND:

On July 5, 2017, the City Council adopted Resolution 2017-072 approving the Final Plat for Southwind of Lake Elmo Townhomes. An executed Developers Agreement is a condition of final plat approval and is required prior to recording the final plat with Washington County.

ISSUE BEFORE COUNCIL:

The City Council is being asked to adopt Resolution 2017-072 approving the Developer Agreement for Southwind of Lake Elmo Townhomes.

REVIEW/ANALYSIS:

A condition of approval of the Southwind of Lake Elmo Final Plat is that the developer enter into a Developer's Agreement prior to the execution of the plat by City officials. Staff has drafted this Developer Agreement which is attached for consideration by the City Council. The key aspects of the agreement include the following:

- That all public improvements to be completed by October 31, 2018, with the exception of the final wear course of asphalt on streets.
- That the developer provide a letter of credit in the amount of \$ 1,971,739 related to the cost of the proposed improvements, including 5th Street.
- That the developer provide a cash deposit of \$421,537.00 for SAC and WAC charges, park dedication, engineering administration, one year of street light operating costs and other City fees.
- There are no direct payments to the developer for oversizing of watermain and sanitary sewer in the project.
- The construction plans for the project, including the landscaping, are still under review, but are expected to be approved with minimal changes. Prior to execution of this

agreement, the construction plan approval dates will be entered on Exhibit B once approved.

Upon execution of this Agreement, receipt of all fees and securities, insurance, recording of the final plat and the completion of a pre-construction meeting with the City, construction can commence.

FISCAL IMPACT:

The future financial impacts include maintenance of streets, trails, sanitary sewer mains, watermain and other public infrastructure, maintenance of storm water ponding areas (after warranty period), monthly lease payments for street lights, and other public financial responsibilities typically associated with a new development. The City will collect building permit fees, Sewer Accessibility Charges and Water Accessibility Charges and property taxes for the 46 residential townhouse subdivision. Park land dedication of \$70,000 will be collected with the final plat.

OPTIONS:

The City Council is being asked to consider the approval of the Developer's Agreement:

- 1) Adopt Resolution 2017-072 approving the Developer Agreement for Southwind of Lake Elmo.

RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2017-072 approving the Developer's Agreement for Southwind of Lake Elmo with the following motion:

“Move to adopt Resolution 2017-072 approving the developer's agreement for Southwind of Lake Elmo”

ATTACHMENTS:

- Resolution 2017-072
- Southwind of Lake Elmo Developer's Agreement

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

RESOLUTION NO. 2017-072

*A RESOLUTION APPROVING AN AMENDMENT TO DEVELOPER'S AGREEMENT FOR THE
SOUTHWIND OF LAKE ELMO RESIDENTIAL TOWNHOME DEVELOPMENT*

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

WHEREAS, Southwind Builders Inc, 2372 Leibel Street, White Bear Lake, MN 55110 (“applicant”) has previously submitted an application to the City of Lake Elmo (“City”) for a Final Plat for Southwind of Lake Elmo Development; and

WHEREAS, on February 23, 2015, the Lake Elmo Planning Commission reviewed a General Sketch Plan of the property; and

WHEREAS, on March 3, 2015, the Lake Elmo City Council reviewed a General Sketch Plan, but took no action; and

WHEREAS, on July 7, 2015, the Lake Elmo Planning Commission reviewed and recommended approval of the preliminary plat; and

WHEREAS, on July 21, 2015, the Lake Elmo City Council adopted Resolution 2015-056 approving the Preliminary Plat for a 46-unit single family attached (townhouse) development, subject to 21 conditions; and

WHEREAS, on December 15, 2015, The Lake Elmo City Council adopted Resolution 2015-88 approving a 12-month extension to the final plat submittal deadline of the approved plat to allow for additional time to prepare for financing and other planning activities, thereby extending the final plat application deadline to December 1, 2016, and

WHEREAS, on November 15, 2016, The Lake Elmo City Council adopted Resolution 2016-102 approving a 12-month extension to the final plat submittal deadline of the approved plat to allow for additional time to prepare for financing and other planning activities, thereby extending the final plat application deadline to December 1, 2017, and

WHEREAS, on June 12, 2017, the Lake Elmo Planning Commission reviewed the Southwind of Lake Elmo Final plat and recommended approval subject to 16 conditions; and

WHEREAS, on July 5, 2017, the Lake Elmo City Council reviewed the Southwind of Lake Elmo Final Plat and adopted Resolution 2017-068; and

WHEREAS, a condition of approval of said Resolution 2017-068, establishes that prior to execution of the Final Plat by City officials, the Applicant shall enter into a Developer's Agreement with the City; and

WHEREAS, the Applicant and the City have agreed to enter into such a contract and a copy of the Developer's Agreement was submitted to the City Council for consideration at its July 5, 2017 meeting; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve an amendment to the Developer's Agreement for Southwind of Lake Elmo and authorizes the Mayor and City Clerk to execute the document.

Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

(reserved for recording information)

DEVELOPMENT AGREEMENT

(Public sewer and water)

Southwind of Lake Elmo

THIS DEVELOPMENT AGREEMENT is dated _____, 2017, by and between the **CITY OF LAKE ELMO**, a Minnesota municipal corporation (the “City”), and Southwind of Lake Elmo, LLC. (the “Developer”).

1. REQUEST FOR PLAT APPROVAL. The Developer has asked the City to approve a plat for Southwind of Lake Elmo (referred to in this Agreement as the “Subdivision”). The property being platted is situated in the County of Washington, State of Minnesota, and is legally described on **Exhibit A**.

2. CONDITIONS OF PLAT APPROVAL. The City hereby approves the Subdivision on condition that the Developer enter into this Agreement, furnish the security required by it, and record the plat with the County Recorder or Registrar of Titles within 120 days after the City Council approves the final plat.

3. RIGHT TO PROCEED. This Agreement is intended to regulate the development of the Property and the construction therein of certain public and private improvements. The

Developer may not grade or otherwise disturb the earth, remove trees or construct public or private improvements or any buildings within the Subdivision until all the following conditions precedent have been satisfied:

- A. the Developer has prepared warranty deeds conveying fee title of Outlot A, and C to the City and provided copies of the executed warranty deed to the City for recording with Washington County;
- B. the Developer has executed and recorded with Washington County all drainage and utility easements required for the Subdivision by the City Engineer and Public Works Director in the City's standard form;
- C. the Developer has executed and recorded with Washington County the storm water maintenance and easement agreement in the City's standard form;
- D. this Agreement has been executed by the Developer and the City;
- E. the required Letters of Credit (as hereinafter defined) have been received by the City from or on behalf of the Developer;
- F. final construction plans and specifications have been submitted by the Developer and approved by the City Engineer;
- G. the Developer has paid the City for all legal, engineering and administrative expenses incurred by the City regarding the City approvals and has given the City the additional construction inspection escrow required by this Agreement;
- H. the Developer has paid any outstanding assessments and taxes for the property or property being deeded to the City;
- I. the Developer has fulfilled any park dedication requirements as specified under this Agreement;
- J. the Developer has received all necessary permits from the MPCA, MDH, DNR,

applicable watershed, Washington County, and any other agency having jurisdiction over the Subdivision;

K. the Developer has provided the City with a certificate of insurance required by this Agreement;

L. the Developer or the Developer's engineer and the Developer's contractor(s) have initiated and attended a preconstruction meeting with the City Engineer, and City staff;

M. the final plat has been recorded with Washington County;

N. the City has issued a written notice that all above conditions have been satisfied and that the Developer may proceed;

O. Legal documents regarding homeowner association documents, covenants, and restrictions have been submitted, reviewed and approval by the City Attorney; and

P. the Developer shall provide a Title Policy for all land dedicated to the City.

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

5. CHANGES IN OFFICIAL CONTROLS. For two (2) years from the date of this Agreement, no amendments to the City's Comprehensive Plan or official controls shall apply to or affect the use, development density, lot size, lot layout or dedications of the approved final plat unless required by state or federal law or agreed to in writing by the City and the Developer.

Thereafter, notwithstanding anything in this Agreement to the contrary, to the full extent permitted by state law, the City may require compliance with any changes to the City's Comprehensive Plan, official controls, platting or dedication requirements enacted after the date of this Agreement.

6. DEVELOPMENT PLANS. The Developer agrees to develop the Property in accordance with the City approvals, including the terms and conditions of approval of the final plat as detailed in City Council Resolution No. 2017-072, and to construct all improvements in accordance with the approved construction plans and specifications (collectively, the "Plans") prepared by a professional engineer registered in the State of Minnesota at its sole expense. All terms and conditions of the City approvals are hereby incorporated by reference into this Agreement. The documents which constitute the Plans are those on file with and approved by the City and are listed on **Exhibit B** attached hereto. The Plans may not be modified by the Developer without the prior written approval of the City.

7. IMPROVEMENTS. In developing the Subdivision in accordance with the Plans, the Developer shall make or install at its sole expense the following public and private improvements (collectively, the "Subdivision Improvements"):

- A. Grading and erosion control;
- B. Sanitary sewer;
- C. Water system improvements;
- D. Stormwater improvements (storm sewer pipe, control structures, ponds, BMPs, etc.);
- E. Streets and sidewalks;
- F. Trails;
- G. Underground private utilities;
- H. Landscaping;
- I. Street lighting and signage;
- J. Intersection improvements (turn lanes, by-pass lanes, traffic control, etc.);
- K. Tree preservation and reforestation;

- L. Wetland mitigation and buffers; and
- M. Monuments required by Minnesota Statutes.

All improvements shall be installed in accordance with the approved Plans, the City approvals, the City Code, the City's Engineering Design and Construction Standards Manual, and the City's Landscape and Irrigation Standards. The Developer shall instruct its engineer to provide adequate field inspection personnel to assure an acceptable level of quality control to the extent that the Developer's engineer will be able to certify that the construction work meets the approved Plans, the City approvals, the City Code, the City's Engineering Design and Construction Standards Manual, and the City's Landscape and Irrigation Standards as a condition of City acceptance. In addition, the City may, at the City's discretion and at the Developer's expense, have one or more City inspectors or a soil engineer inspect the Developer's work on a full or part-time basis. The Developer's engineer shall provide for on-site project management. The Developer's engineer is responsible for design changes and contract administration between the Developer and the Developer's contractor.

8. CITY ADMINISTRATION AND CONSTRUCTION OBSERVATION.

At the time of the City's approval of the final plat for the Subdivision, the Developer shall submit to the City an amount to be escrowed by the City for City administration and construction observation costs in an amount provided under paragraph 34 of this Agreement - Summary of Cash Requirements. Thereafter, the Developer shall reimburse the City each month, within 30 days of receiving an invoice, for all administration and construction observation costs incurred by the City during the construction of the Subdivision Improvements by the City's engineering, public works, planning, and landscape architecture staff and consultants. After 30 days of the invoice, the City may draw upon the escrow and stop the work on site until the escrow has been replenished in its full amount. City administration and oversight will include monitoring of construction progress and construction observation, consultation with the Developer and the Developer's professionals on status or problems regarding the project, coordination for testing,

final inspection and acceptance, project monitoring during the warranty period, and processing of requests for reduction in the Security. Construction observation shall include, at the discretion of the City, part or full time inspection of proposed public utilities and street construction. Services will be billed by the City on an hourly basis.

The direction and review provided by the City through the inspection of the Subdivision Improvements should not be considered a substitute for the Developer-required management of the construction of the Subdivision Improvements. The Developer must require the Developer's contractor(s) to furnish the City with a schedule of proposed operations at least five (5) days prior to the commencement of construction of each type of Subdivision Improvement. The City shall inspect all Developer-installed Subdivision Improvements during and after construction for compliance with the Plans, the City approvals, the City Code, the City's Engineering Design and Construction Standards Manual, and the City's Landscape and Irrigation Standards. The Developer will notify the City at such times during construction as the City requires for inspection purposes. Such inspection is pursuant to the City's governmental authority, and no agency or joint venture relationship between the City and the Developer is thereby created.

10. CONTRACTORS/SUBCONTRACTORS. City Council members, City employees, and City Planning Commission members, and corporations, partnerships, and other entities in which such individuals have greater than a twenty-five (25) percent ownership interest or in which they are an officer or director may not act as contractors or subcontractors for the Subdivision Improvements identified in Paragraph 7 above.

11. TIME OF PERFORMANCE. The Developer shall install all required Subdivision Improvements by October 31, 2018, with the exception of the final wear course of asphalt on streets. The Developer shall install the bituminous wearing course of streets after the first course has weathered a winter season, consistent with warranty requirements, however, final acceptance of the Subdivision Improvements by the City will not be granted until all work is

completed, including the final wear course. The Developer may, however, request an extension of time from the City. If an extension is granted, it shall be conditioned upon updating the Security posted by the Developer to reflect cost increases and amending this Agreement to reflect the extended completion date. Final wear course placement outside of this time frame must have the written approval of the City Engineer.

12. MAINTENANCE DURING CONSTRUCTION. The Developer shall be responsible for all maintenance of the Subdivision Improvements including the snow plowing of the streets, roads and alleys until the Subdivision Improvements are accepted by the City in writing. The developer is also responsible to locate all underground utilities until the development is accepted in writing by the City. Warning signs shall be placed by the Developer when hazards develop in streets to prevent the public from traveling on same and to direct attention to detours. If and when streets become impassable, such streets shall be barricaded and closed by the Developer. In the event residences are occupied prior to completing streets, the Developer shall maintain a smooth surface and provide proper surface drainage to ensure that the streets are passable for traffic and emergency vehicles. The Developer shall be responsible for keeping streets within and without the Subdivision clean and clear of dirt and debris that may spill, track, or wash onto the street from the Developer's operations. The Developer shall contract for street cleaning for streets within and immediately adjacent to the Subdivision. At a minimum, scraping and sweeping shall take place on a weekly basis.

Prior to the City's acceptance of the streets the City may agree, at the City's sole discretion, to keep the streets open during winter months by plowing snow. The City will consider snow plowing streets on a case by case basis and under the following conditions. 1) The Developer must request in writing the streets in question to be plowed by the City, with such request received prior to October 1st of each winter season that plowing is requested. 2) The streets must be occupied by residences of the City. 3) For streets that do not have the

bituminous wear course placed, the developer must install paved wedges along all curb lines and catch basins. 4) Gate valves and manholes must be level with the pavement surface. 5) Street curves, center medians, and other protrusions in the right-of-ways must be delineated with "High-vis" fiberglass stakes. 6) A site review must be scheduled and conducted with Public Works, and attended by the developer, to accept the streets for plowing prior to the commitment of plowing by the City. 7) The City shall not be responsible for any damage caused by snow plowing operations to the streets, curb and gutter, manholes, catch basins or other infrastructure. 8) The Developer shall enter into an Agreement with the City for plowing of the streets.

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

14. CONSTRUCTION ACCESS. Construction traffic access and egress for grading, public utility construction, and street construction is restricted to access the Subdivision via 5th Street North. No construction traffic is permitted on other adjacent local streets.

15. CONSTRUCTION SEQUENCE AND COMPLIANCE. The City will require the Developer to construct the Subdivision Improvements in a sequence which will allow progress and compliance points to be measured and evaluated. The Developer and the Developer's representatives are required to supervise and coordinate all construction activities for all Subdivision Improvements and must notify the City in writing stating when the work is ready for the inspection at each of the measurable points defined in the following paragraphs.

16. EROSION CONTROL. All construction regarding the Subdivision Improvements shall be completed in a manner designed to control erosion and in compliance with the City Code, the City's Engineering Design and Construction Standards Manual, all watershed district permits, the Minnesota Pollution Control Agency's best management practices, and other requirements

including the City's permit with the Minnesota Pollution Control Agency for the municipal separate storm sewer system program. Prior to initiating any work on the site, an erosion control plan must be implemented by the Developer and inspected and approved by the City. Erosion and sediment control measures shall be coordinated with the various stages of development. The City may impose additional erosion control requirements at any stage in development as deemed necessary to maintain a compliant site. All areas disturbed for site improvements must be reseeded by the Developer promptly after the work in the area is complete unless construction of the next stage of the improvements will begin in that area within seven (7) days. The parties recognize that time is of the essence in controlling erosion.

If the Developer does not comply with the erosion control plan and schedule or supplementary instructions received from the City, the City may take such action as it deems appropriate to control erosion. The City will endeavor to notify the Developer in advance of any proposed action, but failure of the City to do so will not affect the Developer's and City's rights or obligations hereunder. If the Developer does not reimburse the City for any cost the City incurred for such work within ten (10) days, the City may draw down the Security to pay any costs. No development, utility or street construction will be allowed and no building permits will be issued by the City unless the Subdivision is in full compliance with the approved erosion control plan.

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

17. SITE GRADING. In order to construct the Subdivision Improvements and otherwise

prepare the Property for development, it will be necessary for the Developer to grade the Subdivision. All grading must be done in compliance with this Agreement and the approved grading plans. Within 30 days after completion of the grading, the Developer shall provide the City with an “as built” grading plan and a certification by a registered land surveyor or engineer as required in the City’s Engineering Design and Construction Standards Manual.

18. STREET AND UTILITY IMPROVEMENTS. All storm sewers, sanitary sewers, watermain, and streets, including turn lane and intersection improvements, shall be installed in accordance with the approved Plans, the City approvals, the City Code, and the City’s Engineering Design and Construction Standards Manual. Curb and gutter, the first lift of the bituminous streets, sidewalks, boulevards graded, street signs installed, and all restoration work on the site shall be completed in accordance with the approved Plans. Once the work is completed, the Developer or the Developer’s representative shall submit a written request to the City asking for an inspection of the initial improvements. The City will then schedule a walk-through to create a punch list of outstanding items to be completed. Upon receipt of the written punch list provided by the City, the punch list items must be completed by the Developer and the City notified to re- inspect the improvements. The final bituminous wear course shall be installed by the Developer after the first bituminous course has weathered a winter season. Prior to placement of the final bituminous wear course, the Developer shall repair or replace all broken or failing curbs, sidewalks and damaged or settled streets as determined by the City from a pre-wear course walk through inspection.

19. LANDSCAPING AND TREE REPLACEMENT IMPROVEMENTS.

- A. The Developer agrees to install landscaping in accordance with the approved Plans, the City approvals, the City Code, the City’s Engineering Design and Construction Standards Manual, and the City’s Landscape and Irrigation Standards. All landscaping materials such as trees, shrubs, grasses, or other

vegetation installed by the Developer must be warrantied and maintained for a period of two (2) years. The two (2) year warranty period shall be deemed to start once all required landscaping identified as responsibility of Developer in the approved Plans has received acceptance by the City. The Developer agrees to have the installer of the landscaping complete an inspection thirty (30) days prior to the end of the two (2) year warranty period and provide the City with a written report identifying the condition of all landscaping. In the event any landscaping installed by the Developer is deemed to be in poor condition or dead, the Developer is to replace the landscaping with like kind materials or as otherwise approved by the City.

- B. The Developer shall be responsible for maintaining regular watering, fertilizing, and over-seeding necessary to establish final lawns and yards as identified in the approved Plans for outlots, public rights-of-way, and any disturbed areas outside the Subdivision boundaries according to a landscape maintenance plan approved by the City. The Developer agrees to achieve “substantial performance” on all seeded or sodded lawns and yards disturbed during the construction of Subdivision Improvements. For the purpose of this agreement “substantial performance” shall be defined for areas seeded or sodded with a turf or lawn mix as “square foot turf areas with an average blade height of three (3) inches free of eroded, bare, or dead spots and free from perennial weeds or unwanted grasses with no visible surface soil.” For areas seeded with a native grass or flower mix “substantial performance” shall be defined as “square foot native grass or flower areas with an average height of eight (8) inches free of eroded, bare, or dead spots and no visible surface soil.”
- C. The Developer shall follow the City of Lake Elmo “Bee Safe” policy for pesticide use as per City Council RESOLUTION NO. 2015-13.

20. SIGNAGE, STREET LIGHTING AND OTHER UTILITIES. The Developer agrees to install street signs, traffic and parking signs, and pavement markings within the Subdivision all in accordance with the approved Plans and the City Engineering Design Standards Manual. Street and traffic sign details shall be submitted by the Developer to the City for approval prior to installation. In addition, the Developer shall be responsible for the cost and all coordination work to extend private utilities along with street lighting within the Subdivision all in accordance with the approved plans and right-of-way permits.

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

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

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

22. PARK DEDICATION. The Developer shall pay a cash contribution of \$70,000 in satisfaction of the City's park dedication requirements. The charge was calculated as follows: 10% of \$700,000 (the purchase price per the Purchase Agreement dated 03/09/2017).

23. SANITARY SEWER AND WATER UTILITY AVAILABILITY CHARGES (SAC AND WAC). The Developer shall be responsible for the payment of all sewer availability charges (SAC) and all water availability charges (WAC) with respect to the

Subdivision Improvements required by the City and any state or metropolitan government agency.

The sewer availability charge (SAC) in the amount of \$3,000.00 per REC shall be paid by the Developer to the City prior to recording the final plat. The total amount to be paid by the Developer is \$138,000.00.

The water availability charge (WAC) in the amount of \$3,000.00 per REC shall be paid by the Developer to the City prior to recording the final plat. The total amount to be paid by the Developer is \$138,000.00.

In addition, a sewer connection charge in the amount of \$1,000.00 per REC, a Metropolitan Council sewer availability charge in the amount of \$2,485.00 per REC, and a water connection charge in the amount of \$1,000.00 per REC will be payable by the Developer and collected by the City at the time the building permit is issued for each lot.

24. STREET LIGHTS. The Developer is responsible for the cost of street light installation consistent with a street lighting plan approved by the City. Before the City signs the final plat, the Developer shall post a Security for street light installation consistent with the approved plan. The required Security is \$48,000 and consist of eight (8) decorative lights at \$6000.00 each. The Developer shall also pay the City \$387.00 to reimburse the City for the first year operating costs for the street lights.

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

26. BUILDING PERMITS/CERTIFICATES OF OCCUPANCY.

- A. No building permit shall be issued for any lot within the Subdivision, or within a completed phase of the Subdivision in a City preapproved phasing plan, until such time that sanitary sewer, water, storm sewer, curbing and one lift of asphalt has been installed and tested for all public streets; sidewalks have been installed; street and traffic control signs are installed; property monuments have been installed and grading as-built plans have been submitted and approved by the City. A “preapproved phasing plan” is defined as a phased construction plan that has been submitted by the Developer and approved by the City in advance of the preconstruction meeting for the Subdivision. Once the construction has started, the City will not consider revisions to the phasing plan for the purpose of issuing building permits.
- B. Issuance of a single building permit for a “model home” may be authorized by the City Planning Director prior to the completion of the Subdivision Improvements described in paragraph 27 (A) above, if there is safe public access to the lot that is sufficient to allow construction to proceed and there is a grading as-built plan approved by the City for the lot and all downstream storm water drainage facilities. However, the City will not issue a certificate of occupancy for any “model home” until all conditions identified in paragraph 27 (A) above have been completed. The Developer shall use the model home only for real estate sales purposes and no other purposes.
- C. Prior to issuance of building permits, wetland buffer monuments shall be placed in accordance with the City’s zoning ordinance. The monument design shall be approved by the Planning Department.
- D. Breach of the terms of this Agreement by the Developer, including nonpayment of

billings from the City, shall be grounds for denial of building permits, certificates of occupancy, and withholding of other permits, inspection or actions and the halting of all work in the Subdivision.

- E. If building permits are issued prior to the acceptance of the public Subdivision Improvements by the City, the Developer assumes all liability and costs resulting in delays in completion of public Subdivision Improvements and damage to public Subdivision Improvements caused by the City, Developer, the Developer's contractors, subcontractors, materialmen, employees, agents, or any third parties.
- F. No sewer and water connection permits may be issued until the streets needed for access have been paved with a bituminous surface and the utilities are tested and approved by the City Engineer.

27. RESPONSIBILITY FOR COSTS.

- A. In the event that the City receives claims from labor, materialmen, or others that work required by this Agreement has been performed and the amounts due to them have not been paid, and the laborers, materialmen, or others are seeking payment from the City, the Developer hereby authorizes the City to commence an Interpleader action pursuant to Rule 22, Minnesota Rules of Civil Procedure for the District Courts, to draw upon the Security in an amount up to 125 percent of the claim(s) and deposit the funds in compliance with the Rule, and upon such deposit, the Developer shall release, discharge, and dismiss the City from any further proceedings as it pertains to the letter of credit deposited with the District Court, except that the Court shall retain jurisdiction to determine attorneys' fees pursuant to this Agreement.
- B. Except as otherwise specified herein, the Developer shall pay all costs incurred by it or the City in conjunction with the development of the Subdivision, including but

not limited to legal, planning, engineering, and inspection expenses incurred in connection with the City's approval and acceptance of the plat and the Subdivision, the preparation of this Agreement, the City's review of construction plans and documents, and all costs and expenses incurred by the City in monitoring and inspecting development of the Subdivision. All amounts incurred and due to the City at the time of the recording of the final plat must be fully paid by the Developer prior to the City executing and releasing the final plat for recording.

- C. The Developer shall hold the City and its officials, employees, and agents harmless from claims made by itself and third parties for damages sustained or costs incurred resulting from the City's approval of the plat and the development of the Subdivision. The Developer shall indemnify the City and its officials, employees, and agents for all costs, damages, or expenses which the City may pay or incur in consequence of such claims, including attorneys' fees.
- D. The Developer shall reimburse the City for costs incurred in the enforcement of this Agreement, including reasonable engineering and attorneys' fees.
- E. The Developer shall pay, or cause to be paid when due, and in any event before any penalty is attached, all special assessments referred to in this Agreement. This is a personal obligation of the Developer and shall continue in full force and effect even if the Developer sells one or more lots, the entire Property, or any portion of it.
- F. The Developer shall pay in full all bills submitted to it by the City for obligations incurred under this Agreement within thirty (30) days after receipt. Bills not paid within thirty (30) days shall be assessed a late fee per the City adopted fee schedule. Upon request, the City will provide copies of detailed invoices of the work performed by the City and its consultants.

28. SPECIAL PROVISIONS. The following special provisions shall apply to the Subdivision:

- A. Implementation of the recommendations listed in the June 5, 2017 Engineering memorandum.
- B. Upon the recording of the final plat, the Developer shall convey Outlots A, and C to the City by warranty deed, free and clear of any and all encumbrances, unless otherwise agreed to by the City.
- C. The Developer must obtain a sign permit from the City Building Official prior to installation of any subdivision identification signs.
- D. The Developer shall enter into a Landscape License Agreement with the City that clarifies the individuals or entities responsible for maintenance of any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.
- E. The Developer shall complete construction of 5th Street North from CSAH 17 (Lake Elmo Avenue) to the east plat line at the developer's sole cost.
- F. The Developer shall pay \$25,000.00 as partial responsibility for the improvements required by Washington County at the intersection of 5th Street and CSAH 17.

29. MISCELLANEOUS.

- A. The Developer may not assign this Agreement without the written permission of the City Council. The Developer's obligations hereunder shall continue in full force and effect even if the Developer sells one or more lots, the entire Property, or any portion of it.
- B. Retaining walls that require a building permit shall be constructed in accordance with plans and specifications prepared by a professional engineer licensed by the State of Minnesota. Following construction, a certification signed by the design

engineer shall be filed with the City Engineer evidencing that the retaining wall was constructed in accordance with the approved Plans. All retaining walls identified on the Plans or by special conditions referred to in this Agreement shall be constructed before any other building permit is issued for a lot on which a retaining wall is required to be built.

- C. Legal documents regarding homeowner association documents, covenants, and restrictions shall be submitted to the City prior to recording of the final plat for review and approval by the City Attorney.
- D. The Developer shall take out and maintain or cause to be taken out and maintained until six (6) months after the City has accepted the public Subdivision Improvements, public liability and property damage insurance covering personal injury, including death, and claims for property damage which may arise out of Developer's work or the work of its subcontractors or by one directly or indirectly employed by any of them.

Limits for bodily injury and death shall be not less than \$500,000 for one person and \$1,500,000 for each occurrence; limits for property damage shall be not less than \$200,000 for each occurrence; or a combination single limit policy of \$1,500,000 or more. The City shall be named as an additional insured on the policy, and the Developer shall file with the City a certificate of insurance evidencing coverage prior to the City signing the plat. The certificate shall provide that the City must be given thirty (30) days' advance written notice of the cancellation of the insurance.

- E. Third parties shall have no recourse against the City under this Agreement.
- F. If any portion, section, subsection, sentence, clause, paragraph, or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity

of the remaining portion of this Agreement.

- G. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. The City's failure to promptly take legal action to enforce this Agreement shall not be a waiver or release.
- H. This Agreement shall run with the land and may be recorded against the title to the Property at the Developer's expense. The Developer covenants with the City, its successors and assigns, that the Developer has fee title to the Property being final platted and has obtained consents to this Agreement, in the form attached hereto, from all parties who have an interest in the Property, including, but not limited to, mortgagees; that there are no unrecorded interests in the Property being final platted; and that the Developer will indemnify and hold the City harmless for any breach of the foregoing covenants.
- I. Each right, power or remedy herein conferred upon the City is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, available to City, at law or in equity, or under any other agreement, and each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the City and shall not be a waiver of the right to exercise at any time thereafter any other right, power or remedy.
- J. The Developer represents to the City that the Subdivision and the Subdivision Improvements comply or will comply with all City, County, metropolitan, state, and federal laws and regulations, including but not limited to: subdivision ordinances, zoning ordinances, and environmental regulations. If the City determines that the Subdivision is not in compliance, the City may, at its option, refuse to allow

construction or development work in the Subdivision until it is brought into compliance. Upon the City's demand, the Developer shall cease work until there is compliance.

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

- A. Subject to unavoidable delays, failure by the Developer to commence and complete construction of the public Subdivision Improvements pursuant to the terms, conditions and limitations of this Agreement.
- B. Failure by the Developer to substantially observe or perform any material covenant, condition, obligation or agreement on its part to be observed or performed under this Agreement.

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

- A. The City may suspend its performance under the Agreement until it receives assurances from the Developer, deemed adequate by the City, that Developer will cure its default and continue its performance under the Agreement. Suspension of performance includes the right of the City to withhold permits including, but not limited to, building permits.
- B. The City may initiate such action, including legal or administrative action, as is necessary for the City to secure performance of any provision of this Agreement or recover any amounts due under this Agreement from the Developer, or immediately draw on the Security, as set forth in this Agreement.

32. ENFORCEMENT BY CITY; DAMAGES. The Developer acknowledges the right of

the City to enforce the terms of this Agreement against the Developer, by action for specific performance or damages, or both, or by any other legally authorized means. In the event of a default by the Developer as to construction or repair of any of the Subdivision Improvements or any other work or undertaking required by this Agreement, the City may, at its option, perform the work and the Developer shall promptly reimburse the City for any expense incurred by the City. This Agreement is a license for the City to act, and it shall not be necessary for the City to seek an order from any court for permission to enter the Subdivision for such purposes. If the City does such work, the City may, in addition to its other remedies, levy special assessments against the land within the Subdivision to recover the costs thereof. For this purpose, the Developer, for itself and its successors and assigns, expressly waives any and all procedural and substantive objections to the special assessments, including, but not limited to, hearing requirements, and any claim that the assessments exceed the benefit to the land so assessed. The Developer, for itself and its successors and assigns, also waives any appeal rights otherwise available pursuant to Minnesota Statutes Section 429.081.

The Developer also acknowledges that its failure to perform any or all of the Developer's obligations under this Agreement may result in substantial damages to the City; that in the event of default by the Developer, the City may commence legal action to recover all damages, losses and expenses sustained by the City; and that such expenses may include, but are not limited to, the reasonable fees of legal counsel employed with respect to the enforcement of this Agreement.

33. WARRANTY. During the warranty period, the Developer warrants that all Subdivision Improvements will be free from defects and that they will continue to meet all technical specifications and standards. During the warranty period, the Developer agrees to repair or replace any Subdivision Improvement, or any portion or element thereof, which shows signs of failure, normal wear and tear excepted. If the Developer fails to repair or replace a defective

Subdivision Improvement during the warranty period, the City may repair or replace the defective portion and may use the Security to reimburse itself for such costs. The Developer agrees to reimburse the City fully for the cost of all Subdivision Improvement repair or replacement if the cost thereof exceeds the remaining amount of the Security. Such reimbursement must be made within 45 days of the date upon which the City notifies the Developer of the cost due under this paragraph. The Developer hereby agrees to permit the City to specially assess any unreimbursed costs against any lots in the Subdivision which have not been sold to home buyers if the Developer fails to make required payments to the City. The Developer, on behalf of itself and its successors and assigns, acknowledges the benefit to the lots within the Subdivision of the repair or replacement of the Subdivision Improvements and hereby consents to such assessment and waives the right to a hearing or notice of hearing or any appeal thereon under Minnesota Statutes, Chapter 429.

- A. The required warranty period for all work relating to the public sewer and water shall be two (2) years from the date of final written City acceptance of the work.
- B. The required warranty period for all work relating to street construction, including concrete curb and gutter, sidewalks and trails, materials and equipment shall be subject to one (1) year from the date of final written acceptance of the work.
- C. The required warranty period for sod, trees, and landscaping is two (2) years from the date of final written City acceptance of the installation.

34. SUMMARY OF SECURITY REQUIREMENTS. To guarantee compliance with the terms of this Agreement, payment of special assessments, payment of the costs of all public Subdivision Improvements, and construction of all public Subdivision Improvements, the Developer shall furnish the City with an irrevocable letter of credit or a cash escrow or a combination of a cash escrow and letter of credit (the "Security") in the amount of **\$1,971,739.00**. The bank originating the letter of credit shall be determined by the City to be

solvent and creditworthy. The letter of credit shall substantially be in the form attached to this Agreement and must be approved by the City. The amount of the Security was calculated as itemized on Exhibit C. If at any time the City reasonably determines that the bank issuing the letter of credit no longer satisfies the City's requirements regarding solvency and creditworthiness, the City shall notify the Developer and the Developer shall provide to the City within 45 days a substitute for the letter of credit from another bank meeting the City's requirements. If the Developer fails to provide the City within 45 days with a substitute letter of credit from an issuing bank satisfactory to the City, the City may draw under the existing letter of credit.

This breakdown is for historical reference; it is not a restriction on the use of the Security. The City may draw down the Security, without notice, for any violation of the terms of this Agreement or if the Security is allowed to lapse prior to the end of the required term. If the required public Subdivision Improvements are not completed at least thirty (30) days prior to the expiration of the Security, the City may also draw it down. If the Security is drawn down, the proceeds shall be used by the City to cure the default.

35. REDUCTION OF SECURITY. Upon written request by the Developer and upon receipt of proof satisfactory to the City Engineer that work has been completed in accordance with the approved Plans and the terms of this Agreement and that all financial obligations to the City have been satisfied, the City Engineer may approve reductions in the Security in the following instances:

- A. Upon completion of grading operations, including temporary site restoration. The Developer must submit an as-built grading survey to the City that at a minimum establishes the as-built grades at all lot corners and downstream drainage conveyance systems and storm water ponds. Upon inspection of the site and approval of the as-built survey by the City, one hundred (100) percent, or \$244,253.60, of the Security associated with grading may be released. This

Security reduction does not include amounts related to erosion and sedimentation control.

B. Up to 75 percent of the Security associated with the itemization on Exhibit C may be released upon completion of the following key milestones of the project as determined by the City Engineer:

1. Construction Categories 2 and 3: The amount of \$229,156.00 may be released when all sanitary sewer and watermain utilities have been installed, all testing and televising has been successfully completed, sanitary sewer as-built inverts have been verified, and the utilities are considered ready for use by the City Engineer.
2. Construction Categories 4 and 5: The amount of \$714,738.00 may be released when all streets, sidewalks, and storm sewer have been installed and tested, and have been found to be complete to the satisfaction of the City Engineer including all corrective work for any identified punch list items and including verification of storm sewer as-built inverts, but not including the final wear course.
3. Construction Categories 6-10 and 14-17: The amount of \$148,101.00 may be released when all remaining Developer's obligations under this Agreement have been completed including: (1) bituminous wear course; (2) street lighting and private utilities; (3) trails; (4) bio retention facilities; (5) iron monuments for lot corners have been installed; (3) all financial obligations to the City satisfied; (4) the required "record" plans in the form of the City standards have been received and approved by the City; and (5) the public Subdivision Improvements are accepted by the City Engineer and the City Council.
4. Construction Categories 11, 12 and 13: The amount of \$210,977.00 may

be released when landscaping Subdivision Improvements have been installed to the satisfaction of the City Landscape Architect including all corrective work for any identified punch list items.

- C. Twenty-five (25) percent of the original Security amount, excluding grading and landscaping improvements shall be retained until: (1) all Subdivision Improvements have been fully completed and accepted by the City, including all corrective work and warranty punch list items; (2) all financial obligations to the City have been satisfied; and (3) the warranty period has expired.
- D. Twenty-five percent (25%) of the original Security amount associated with landscaping shall be retained by the City until: (1) all landscaping Subdivision Improvements have been fully completed and accepted by the City, including all corrective work and warranty punch list items being completed by the Developer; (2) all financial obligations to the City have been satisfied; and (3) the warranty period has expired.
- E. In addition to the above project milestone based Security reductions, the Developer may submit a written request and upon receipt of proof satisfactory to the City Engineer that work is progressing in accordance with the approved Plans and the terms of this Agreement and that all financial obligations to the City have been satisfied, the City Engineer may approve a one-time reduction in the Security for Construction Categories 2-5 in an amount not to exceed fifty (50) percent of the initial Security amount.
- F. It is the intent of the parties that the City at all times have available to it Security in an amount adequate to ensure completion of all elements of the Subdivision Improvements and other obligations of the Developer under this Agreement, including fees or costs due to the City by the Developer. To that end and notwithstanding anything herein to the contrary, all requests by the Developer for

a reduction or release of the Security shall be evaluated by the City in light of that principle.

37. SUMMARY OF CASH REQUIREMENTS. The following is a summary of the cash requirements under this Agreement which must be paid to the City prior to recording the final plat:

Sewer Availability Charge (SAC):	\$138,000.00
Water Availability Charge (WAC):	\$138,000.00
Park Dedication:	\$70,000.00
Special Assessments Due:	\$0
Street Light Operating Fee:	\$387.00
City Base Map Upgrading (\$25.00 per REU):	\$1150.00
Developer Cost Share for Intersection of 5 th St & CSAH 17	\$25,000.00
City Engineering Administration Escrow:	\$50,000.00

TOTAL CASH REQUIREMENTS:	\$421,537.00
---------------------------------	---------------------

38. NOTICES. Required notices to the Developer shall be in writing, and shall be either hand delivered to the Developer, its employees or agents, or mailed to the Developer by certified mail at the following address: 2372 Leibel Street, White Bear Township, MN 55110. Notices to the City shall be in writing and shall be either hand delivered to the City Administrator, or mailed to the City by certified mail in care of the City Administrator at the following address: Lake Elmo City Hall, 3800 Laverne Avenue N. Lake Elmo, Minnesota 55042.

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

40. COMPLIANCE WITH LAWS. The Developer agrees to comply with all laws, ordinances, regulations, and directives of the state of Minnesota and the City applicable to the Subdivision. This Agreement shall be construed according to the laws of the Minnesota.

41. SEVERABILITY. In the event that any provision of this Agreement shall be held invalid, illegal, or unenforceable by any court of competent jurisdiction, such holding shall

pertain only to such section and shall not invalidate or render unenforceable any other provision of this Agreement.

42. NON-WAIVER. Each right, power, or remedy conferred upon the City by this Agreement is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, or available to the City at law or in equity, or under any other agreement. Each and every right, power, and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the City and shall not be a waiver of the right to exercise at any time thereafter any other right, power, or remedy. If either party waives in writing any default or nonperformance by the other party, such waiver shall be deemed to apply only to such event and shall not waive any other prior or subsequent default.

43. COUNTERPARTS. This Agreement may be executed simultaneously in any number of counterparts, each of which shall be an original and shall constitute one and the same Agreement.

CITY OF LAKE ELMO

By: _____

Its: Mayor

By: _____

Its: City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by Mike Pearson and Julie Johnson, the Mayor and City Clerk, respectively, of the City of Lake Elmo, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

NOTARY PUBLIC

SOUTHWIND BUILDERS, INC.

By: _____

Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____, day of _____,
2017, by _____, the _____ of
_____.

NOTARY PUBLIC

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

FEE OWNER CONSENT TO DEVELOPMENT AGREEMENT

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

Dated this _____ day of _____, 2017.

[illegible]

The foregoing instrument was acknowledged before me this ____ day of _____, 2017.

NOTARY PUBLIC

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

**MORTGAGE CONSENT TO
DEVELOPMENT AGREEMENT**

Southwind Builders, Inc., which holds a mortgage on the Property, the development of which is governed by the foregoing Development Agreement, agrees that the Development Agreement shall remain in full force and effect even if it forecloses on its mortgage.

Dated this _____ day of _____, 2017.

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____.

NOTARY PUBLIC

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

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

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____.

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

EXHIBIT A TO DEVELOPMENT CONTRACT

Legal Description of Property Being Final Platted as

The North 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36,
Township 29 North, Range 21 West, Washington County, Minnesota.

Together with:

Outlot D, Hunter's Crossing 1st Addition, according to the recorded plat thereof, said Washington
County, Minnesota

EXHIBIT B TO DEVELOPMENT CONTRACT

List of Plan Documents

The following documents prepared by Pioneer Engineering constitute the Plans:

THOSE DOCUMENTS BY

AS FOLLOWS:

<u>SHEET</u>	<u>TITLE</u>	<u>REVISION DATE</u>
1 of 20 of Southwind of Lake Elmo Utility & Street Construction Plan	Cover Sheet	
2 of 20 of Southwind of Lake Elmo Utility & Street Construction Plan	Legend	
3-5 of 20 of Southwind of Lake Elmo Utility & Street Construction Plan	Sanitary Sewer & Watermain	
6-10 of 20 of Southwind of Lake Elmo Utility & Street Construction Plan	Storm Sewer Construction	
11-12 of 20 of Southwind of Lake Elmo Utility & Street Construction Plan	Street Construction	
13 of 20 of Southwind of Lake Elmo Utility & Street Construction Plan	Signing& Lighting Plan	
14-20 of 20 of Southwind of Lake Elmo Utility & Street Construction Plan	City Details	
1 of 26 of 5 th Street North Utility and Street Construction	Cover Sheet	
2 of 26 of 5 th Street North Utility and Street Construction	Legend Sheet	
3 of 26 of 5 th Street North Utility and Street Construction	Typical Sections	

4 of 26 of 5th Street North Utility and Street Construction	Street Alignment Sheet	
5 of 26 of 5th Street North Utility and Street Construction	Phase 1 Plan	
6 of 26 of 5th Street North Utility and Street Construction	Phase 1 Typical Section	
7-8 of 26 of 5th Street North Utility and Street Construction	Phase 2 Plan	
9-10 of 26 of 5th Street North Utility and Street Construction	Sanitary Sewer & Watermain	
11-12 of 26 of 5th Street North Utility and Street Construction	Storm Sewer Construction	
13-14 of 26 of 5th Street North Utility and Street Construction	Street Construction	
15 of 26 of 5th Street North Utility and Street Construction	Signing, Striping & Lighting Plan	
16-19 of 26 of 5th Street North Utility and Street Construction	Sections	
20-26 of 26 of 5th Street North Utility and Street Construction	City Details	
L1-3 of 5th Street North Utility and Street Construction	Landscape Plan	
1 of 8 of Grading & Erosion Control Plan	Cover Sheet	
2 of 8 of Grading & Erosion Control Plan	Legend	
3 of 8 of Grading & Erosion Control Plan	Grading and Drainage Plan	

4 of 8 of Grading & Erosion Control Plan	Erosion Control Plan	
5 of 8 of Grading & Erosion Control Plan	Seeding Plan	
6-8 of 8 of Grading & Erosion Control Plan	Details	
LI-3 of Landscape Plan	Landscape Plan	
1 of 1 Existing Conditions	Existing Conditions	

EXHIBIT C TO DEVELOPMENT CONTRACT

Subdivision Improvements and Northern Half of 5th Street Construction Cost/Security Amount Estimate

<u>CONSTRUCTION CATEGORY</u>			<u>COST</u>	<u>125%</u>
1	<u>Grading</u>	\$244,253.60	\$305,317.00	
2	<u>Sanitary Sewer</u>	\$117,757.11	\$147,196.38	
3	<u>Watermain</u>	\$126,676.33	\$158,345.41	
4	<u>Storm Sewer</u> <i>(includes pond structures and outfall pipes)</i>	\$217,173.00	\$271,466.00	
5	<u>Streets and Sidewalks</u>	\$545,215.00	\$681,518.00	
6	<u>Trails</u>	32,525.00	\$40,656.00	
7	<u>Surface Water Facilities (ponds, infiltration basins, other BMPs)</u>	\$35,185.00	\$43,981.00	
8	<u>Street Lighting</u>	\$48,000.00	\$60,000.00	
9	<u>Street and Traffic Signs</u>	\$7,400.00	\$9,250.00	
10	<u>Private Utilities</u> <i>(electricity, natural gas, telephone, and cable)</i>	N/A	N/A	
11	<u>Landscaping Improvements</u>	\$225,042.00	\$281,303.00	
12	<u>Tree Preservation and Restoration</u>	(Addressed in Landscaping)		
13	<u>Wetland Mitigation and Buffers</u>	N/A	N/A	
14	<u>Monuments</u>	\$4,600.00	\$5,750.00	

15	<u>Erosion and Sedimentation Control</u>	\$25,265.00	\$31,582.00
16	<u>Miscellaneous Facilities</u>	N/A	N/A
17	<u>Developer's Record Drawings</u>	\$5,000.00	\$6,250.00
<hr/>			
	<u>TOTALS</u>	\$1,577,391.00	\$1,971,739.00

FORM OF IRREVOCABLE LETTER OF CREDIT

No. _____

Date: _____

TO: City of Lake Elmo

Dear Sir or Madam:

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

The draft must:

- a) Bear the clause, "Drawn under Letter of Credit No. _____, dated _____, 20____, of (Name of Bank)" _____;
- b) Be signed by the Mayor or City Administrator of the City of Lake Elmo.
- c) Be presented for payment at _____ (Address of Bank), on or before 4:00 p.m. on November 30, 20____.

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

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

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

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

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

BY: _____

Its _____



STAFF REPORT

DATE: 7/5/2017

REGULAR

ITEM #: 11

MOTION

TO: City Council

FROM: Stephen Wensman, Planning Director

AGENDA ITEM: Hidden Meadows 2nd Addition OP Final Plat

REVIEWED BY: Emily Becker, City Planner
Jack Griffin, City Engineer
Mike Bent, Building Official
Greg Malmquist, Fire Chief
Kristina Handt, City Administrator

BACKGROUND:

Hidden Meadows 1st Addition was approved on 5/16/2006 which included the platting of the Rock Point Church property and two outlots proposed for a future OP - Open Space Preservation development. The deadline for final plat application for the OP development was extended from January 2007 to January 2, 2018. RM Investments, LLC & Mpls Re, LLC is now requesting final plat approval of Hidden Meadows 2nd Addition, a 26 unit single family OP – Open Space Preservation development located off of Keats and State Highway 36.

General Information.

Applicant: RM Investments, LLC & Mpls Re, LLC, 13925 Fenway Blvd N, Hugo, MN 55038

Property Owners: Rockpoint Church, 5825 Kelvin Ave N., Lake Elmo, MN 55042

Location: Outlots A and B, Hidden Meadows Addition

Request: Final Plat and Easement Vacation

Existing Land Use and Zoning: Vacant / Rural Residential Zoning

Surrounding Land Use and Zoning: State Highway 36 to the North; Keats Avenue and residential properties to the west; Bergmann's Farm to the east; and large lot residential properties to the south; Rock Point Church is surrounded by the proposed development on 3 sides

Comprehensive Plan: Rural Area Development

History: Approval of Comprehensive Plan Amendment, Rezoning, 1st Addition preliminary plat (2005-030) and Conditional Use Permit for the church on 04/28/2005; OP Development Concept Plan approval on 04/28/2005 by Resolution 2005-031; 1st Addition Final Plat approval on 5/16/2006; Hidden Meadows 2nd Addition preliminary plat and conditional use permit approval on 4/18/2006 by Resolution 2006-038; Hidden Meadows 1st Addition final plat approval on 5/16/2006 by Resolution 2006-048; A 1-year final plat extension was approved on 01/02/2007 by

Council motion; A 5-year final plat extension was approved on 12/11/2007 by Resolution 2007-97; A 6-month final plat extension was approved on January 15, 2013 by Council motion; A 2-year final plat extension was approved on 01/19/2016 by Council motion. Planning Commission reviewed the final plat on 6/12/17 recommending approval.

Deadline for Action: Application Complete – 5/17/17
 60 Day Deadline – 7/16/17
 Extension Letter Mailed – N/A
 120 Day Deadline – N/A

ISSUE BEFORE COUNCIL:

The City Council is being requested:

1. To adopt Resolution 2017-073 approving the Final Plat for Hidden Meadows 2nd Addition.

PROPOSAL DETAILS/ANALYSIS:

The Hidden Meadows preliminary plat was approved nearly ten years ago and because some of the details of the preliminary plat are missing and because many City standards have changed since 2005/2006, Staff has prepared a review of the final plat that is more robust than typical to provide the Council a better understanding of the proposed final plat and project.

Preliminary Plat Status. State Statute prohibits any amendment to a comprehensive plan or official control that applies to or would affect the use, development density, lot size, lot layout, or dedication or platting required or permitted by the approved application for one year following preliminary approval unless the subdivider and the municipality agree otherwise. Because it has been more than one year since the initial Preliminary Plat approval, and no such agreement was forthcoming, this prohibition longer applies. The City can enforce the current regulations and standards including the Engineering Design Standards. Typically, if a final plat is in substantial conformance with the approved preliminary plat, the City Council must approve the final plat. If the Hidden Meadows 2nd Addition final plat is not approved at this time, the applicant or property owner will have to begin the planning process again, submitting new preliminary and final plat applications to bring forth a new development plan meeting current ordinances and standards.

Easement Vacation. With last final plat extension, the owner granted a drainage and utility easement over the watermain in Outlot A to comply with a condition of the Hidden Meadows final plat. This easement needs to be vacated to accommodate the 2nd Addition final plat. New easements will be put into place. The applicant has requested the easement vacation be placed on a subsequent City Council agenda.

OP – Open Space Preservation Ordinance. On 10/04/2016 the City Council approved Ordinance 08-152 amending the OP ordinance with some new standards and a new PUD - Planned Unit Development process. Hidden Meadows 2nd Addition was preliminary platted in 2006 under the old OP ordinance and a subsequent conditional use permit was approved for the development.

Land Area. The OP development was conceived of in conjunction with the development of the church, now called Rock Point Church. Hidden Meadows 1st Addition consisted of a 108 acre development that included the church parcel (19.97 acres), Outlot A (57.98 acres), Outlot B (28.53 acres) and right-of-way for 59th Street North.

Hidden Meadows 2nd Addition is 86.52 acres in size and is the replat of Hidden Meadow's Outlots A (57.98 acres) and B (28.53 acres), however a portion of Outlot B (18.63 acres) is not considered part of the OP residential development and will remain in church ownership as originally proposed as Outlot A, Hidden Meadows 2nd Addition. The proposed development meets the 40-acre minimum land area requirement for an OP development (old ordinance).

Hidden Meadows 2nd Addition Plat Area

<i>Area</i>	<i>Acres</i>	<i>Future Ownership</i>
Outlot A	18.63	Church
Outlot B	7.45	Church
Outlot C	15.06	HOA
Outlot D	1.36	HOA
Outlot E	8.29	City
Outlot F	3.51	City
Right-of-way	4.01	City
Lot Area	25.91	Developer
Lot 1, Block 1	2.46	Church
Total Area	86.68	

OP Residential Development Area

<i>Area</i>	<i>Acres</i>	<i>Future Ownership</i>
Outlot B	7.45	Church
Outlot C	15.06	HOA
Outlot D	1.36	HOA
Outlot E	8.29	City
Outlot F	3.51	City
Right-of-way	4.01	City
Lot Area	25.91	Developer
Lot 1, Block 1	2.46	Church
Total	68.05	

Density. As indicated above, the OP development area is 68.05 acres, of which 4.44 acres is wetland and wetland buffer. The allowed OP density cannot exceed .45 du/buildable acres. Subtracting for wetlands, the development density will be .41 du/buildable acres ($26/(68.05 - 4.44) = 0.41$).

Lot Size. The average lot size within Hidden Meadows 2nd Addition is just over an acre with the smallest being just over 3/4- acres and the largest being 2.46-acres in size (Lot 1, Block 1). Lot 1, Block 1 contains an old barn and farmhouse that existed on the property when the area was a farm. This lot will be retained by the church and is part of the plat. It is the only lot that is proposed to have its own septic system, and is not proposed to be connected to the community septic system. Staff recommended to the Planning Commission that Lot 1, Block 1 be connected to the community septic system. The Planning Commission does not recommend connection to the community septic because connection will be difficult and the lot has an existing septic system. Given the Planning Commission's recommendation, Staff researched the records on the existing septic system and found only a record of maintenance (pumping) performed on 12/15/2016. Staff recommends the existing septic system be inspected with the final plat and if the septic system is failing, then the lot be connected to the community septic system.

Open Space Requirement. By the old OP ordinance, open space created as part of an OP development must meet the following criteria:

- A. Total preserved open space within the proposed development shall be at least 50% of the total Buildable Land Area (old ordinance). Hidden Meadows 2nd Addition preserves Outlots B-F (35.67 acres) as open space, or 51% of the OP development area when subtracting out unbuildable wetlands and wetland buffers (32.37/63.61).

<i>Open Space Areas</i>	<i>Acres</i>	<i>Buildable Acres</i>	<i>Future Ownership</i>
Outlot B	7.45	6.23	Church
Outlot C	15.06	15.06	HOA
Outlot D	1.36	0.89	HOA
Outlot E	8.29	6.81	City
Outlot F	3.51	3.38	City
Total	35.67	32.37	

32.37/63.61= 51% buildable open space

- B. Not less than 60% of the preserved open space shall be in contiguous parcels of not less than ten (10) acres. (Staff Comment) Of the proposed open space, only Outlot C meets the contiguous 10 acre requirement, but it only represents 44% of the preserved open space. This is a deviation from the OP regulations, but is consistent with the preliminary plat. The City Council should reaffirm the approval of the deviation from the OP Standards with an affirmative 4/5th vote.
- C. Preserved open space is to be maintained for the purposes for which it was set aside; (Staff Comment) Outlot B will be preserved open space owned by the Church. It will not be changed from its current condition. Outlot C currently contains the community septic system to be shared between the church and the residential development. The open space regulations allow the community septic system to be in preserved open space. Outlot D contains a wetland, woods, and a segment of the church's trail to remain untouched. Outlot E contains most of the wetlands, woods and proposed stormwater ponds and an

infiltration basin and will remain unchanged except for the infiltration basin. Outlot F will contain proposed stormwater ponds and an existing wetland and some buffer area. Staff and the Planning Commission recommend breaking up Outlot F into 3 outlots with the City taking ownership of the portion with stormwater infrastructure and the HOA owning and maintaining the others.

- D.** The OP ordinance requires that the open space be protected by a conservation easement. (Staff Comment) In the past, the Minnesota Land Trust (MLT) had reviewed the open space and had provided conditions in which it might hold the open space. It is not clear whether the MLT is willing to hold the conservation easement. If the MLT is not willing to hold the conservation easement, then according to ordinance, it can be conveyed by to the City. Presently, there is a temporary conservation easement (attached) over all of Outlot B, Hidden Meadows 1st Addition which terminates upon approval of the Hidden Meadows 2nd Addition final plat. The OP Ordinance requires preserved open space be conveyed by conservation easement to the City. This conveyance would pertain to Outlots B and D, E and F (the portions to be owned by the HOA).
- E.** Where applicable, a homeowner's association shall be established to permanently maintain all residual open space and recreational facilities; (Staff Comment) An HOA will be set up to maintain all open space and the community septic system (shared responsibility with the church). In addition, a Landscape License Agreement will be prepared and executed to identify ownership and responsibilities for landscaping and open space.
- F.** Preserved open space shall be contiguous with preserved open space or public parks on adjacent parcels; (Staff Comment) There are no preserved open spaces contiguous to this development.

OP Buffers. The Hidden Meadows 2nd Addition preliminary plat was approved with 200 foot buffers from residential properties to the west and south and a 100 foot buffer from the Bergmann property on the east (considered to be a future OP development), all of which, comply with the OP buffer standards. In the approved preliminary plat, nearly all of the required buffer area was within individual lots with the buffer extending to the rear façade of the proposed homes protected by drainage and utility easements. No structures are allowed within buffers which would leave the proposed homes with no usable backyard for pools, sheds, swing-sets, gazebos, or even decks. In order to provide each home with some usable backyard for these typical residential structures, the developer has modified the buffers on the proposed final plat to 150 feet from residential properties to the west and south and 50 feet from the Bergmann farm property to the east. The City Council should affirm the new deviation from the buffer requirement with a 4/5 vote as required by the OP regulations.

The Ziertmans, located on the west side of the proposed development, had been vocal during the preliminary plat public hearing process. They do not object to the reduced buffer provided that a berm is provided in conjunction with the coniferous screening. The Bergman's have not commented on the buffer, but have asked for a street stub connection to their farm.

Engineering Standards and Subdivision Standards:

The City's Engineering Design Standards and the Subdivision Standards have been updated since the City's approval of the Hidden Meadows 2nd Addition preliminary plat, with the most recent update being approved in April, 2017. The City requires the City's Engineering Design Standards be shown on the construction plans. The preliminary plat approved in 2006, does not conform to the current City of Lake Elmo Engineering Design Standards. This fact has made reviewing the proposed development difficult. With this report, Planning and Engineering Staff have highlighted areas in which the current standards have not been met and how they differ.

Street Right-of-Way Design. The streets in Hidden Meadows and Hidden Meadows 2nd Additions do not match the City's typical right-of-way layout (Engineering detail 805). The applicant has provided a proposed layout on Plan Sheet C24.0 to illustrate where proposed infrastructure will go within the right-of-way. The infrastructure proposed for the 50 foot right-of-way includes a 24 foot wide street, surmountable curbs, street trees, street lights, an 8' bituminous trail, and sanitary sewer for the community septic system. To make the street work, the street trees on one side of the street are located on the outer edge of the 10 ft. drainage utility easement adjacent to the right-of-way in the residential front yards. The private sanitary sewer is located under the City trail. In general, this layout matches the street profile of 59th Street, the street providing access to Rock Point Church in the first phase.

Cul-de-sac Length. 59th Street N. was platted with Hidden Meadows 1st Addition providing access to Rock Point Church. This segment of road is roughly 2,000 feet long. The Hidden Meadows 2nd Addition final plat extends the 59th Street N. into a cul-de-sac that is nearly 4,000 feet long. The shorter proposed cul-de-sac, shown as 57th Place N., is nearly 1,000 feet long. The City's standard for cul-de-sac length for subdivisions with lots 2.5 acres or less in size is 1,000 feet.

Street Connections to Adjacent Properties. During the preliminary plat process, there are records indicating discussion about providing access to a landlocked parcel to the south of the plat, however, the preliminary plat was approved without such a road connection. The land locked parcel has a driveway easement providing access, however, the property would not be able to subdivide in the future without street frontage. Most recently, the Bergman's contacted the City and are requesting that one of the cul-de-sacs provide a street stub to their farm located to the east of the site. The final plat street layout is consistent with the preliminary plat approval. The Planning Commission reviewed the final plat and was concerned with the length of the cul-de-sac and the need for connectivity to the Bergmann parcel to the east. The Planning Commission recommended a condition of approval that the Hidden Meadows 2nd Addition provide street right-of-way for 57th Street North to the east edge of the plat to provide the requested access to Bergmann's property and to improve east west street connectivity.

Wetland Buffers. Current Engineering Design Standards require wetland buffers to be outside of individual residential lots on outlots in order to provide maximum protection from residential intrusion such as mowing, piling of debris, or placement of structures, etc. The required wetland buffers in the Hidden Meadows 2nd Addition preliminary plat and final plat do not comply with this engineering standard. It is recommended that wetland buffer signs be placed within the

residential lots to identify the wetland buffer limits and that the HOA documents restrict residents from mowing and intruding into the buffer area.

Stormwater Ponds and Infiltration areas. It is City policy to require storm ponds and infiltration areas to be located in outlots owned and maintained by the City. The proposed final plat deviates from this with a large storm pond that stretches over the rear of Lots 8-10, Block to and Outlot F, all contained within drainage and utility easements. Although deviating from City standards, the condition is consistent with preliminary plat. Outlot F will be City owned and maintained and the developer has provided a maintenance access bench, also within rear yards. The location of the pond and associated slopes are +/- 40 feet from the rear façade of the proposed home pads.

Retaining Walls in Right-of-Way. It is a City policy to limit or discourage the location of retaining walls within City right-of-ways in order to minimize City costs to maintain or replace walls in the future. In this case, the development was graded after preliminary plat approval and the roads and ponds were essentially graded to plan. As a result, if the final plat moves forward as planned the walls in the City rights-of-way are unavoidable because of existing grades and wetlands.

Other Zoning Issues:

Street Names. The proposed final plat for Hidden Meadows 2nd Addition street names were reviewed against the City's amended street naming ordinance approved in 2016 and the Hidden Meadows 1st Addition Plat. Staff has reviewed the proposed streets and finds them consistent with the street naming ordinance, however if the northerly cul-de-sac is to continue to the east through the Bergmann property as a thru-street as recommended by the Planning Commission, it will be named 57th Street North.

Parks and Trail Dedication. The minimum park dedication requirements for OP Developments is 7% of the land area, or an amount of cash equal to 7% of the fair market value for the zoning district in which the property is located. Fair market value is determined by reference to current market data, if available, or by an appraisal from a licensed real estate appraiser; paid for by the developer.

The approved preliminary plat shows trails in the rights-of way as a continuation of the trail in Hidden Meadows 1st Addition and a trail spur into Outlot F to the southern edge of the property. This trail location was in response to a proposed trail corridor identified in the City's Comprehensive Trail Guide Plan, dated November 29, 2005. The proposed trail dead ended at the southern property line. The property immediately south has no road frontage and cannot at this time further subdivide; therefore, Staff does not recommend construction of the proposed trail at this time or until a viable trail corridor can be established. The Parks Commission was consulted on this at its January 17, 2017 meeting and a voted unanimously to recommend no trail be constructed in Outlot F. They also mentioned it would be nice to provide a trail that would connect to an existing park, however, there is currently no viable option to do so. There also was general consensus that there was no preference to trails over sidewalks within the right-of-way.



Comprehensive Trail Guide Plan Map, dated November 29, 2005

The Applicant has amended the Final Plat to remove the trail corridor in Outlot F though still proposes trails within the right-of-way to match the trail constructed within the right-of-way in Hidden Meadows 1st Addition.

The City requires sidewalks on one side of all streets and therefore, does not allow trails in rights-of-way to receive a credit towards park dedication. Park Dedication requirements will be incorporated into the Developers Agreement and collected prior to recording the final plat.

Rear Yard Area. Although there are no zoning or subdivision regulations requiring usable yard area per lot, it should be pointed out that a several lots have limited back yard space due to stormwater management requirements. Lots 8-10, Block 2 have +/- 40 foot deep back yard area because of the stormwater pond location. The rear yards on Lot 1, Block 4 and Lot 1, Block 3 are impacted by drainage areas. Many of the lots have limited backyard area (50 feet) because of OP buffer requirements.

Street Lights. The Construction Plans identify street lights at intersection and at the ends of cul-de-sacs. At the April 10 Commission meeting, the Commission requested Staff revise ordinances and standards to minimize the requirement for residential street lighting. Staff has communicated this to the developer and has requested that a street light be provided only at the intersection of Kelvin Avenue and the first cul-de-sac. The plans have not been updated to limit the number of street lights.

Development Signage. No development signage has been proposed, but the likely location would be in Outlot C within the proposed HOA owned open space. A provision for a future sign within the open space should be made, prior to the execution of a new conservation easement. A separate sign permit is required for development signs.

Dump Site. The existing conditions identified a dump site on the survey. The developer should verify that the dump site has been appropriately cleaned up meeting applicable environmental regulations.

Parking. The proposed streets in the development are 24 feet wide and will be limited to one side of street parking. Staff will prepare an ordinance concurrent with the final plat to limit parking to one side of the street at a subsequent City Council meeting.

Community Septic System. The community septic system, on Outlot B, was installed by the Rock Point Church when the property was developed. The system was designed to be shared with the residential development and has enough excess capacity at this time to accommodate 17 new homes according to the septic report provided by the applicant. An expansion is needed to accommodate the remaining homes. The developer has not provided a design for the expansion of the system which is needed to service the remaining 8 lots. The design and permitting of the septic system expansion has been made a condition of final plat such that the septic system expansion be constructed prior to the permitting of the 17th home in the development and that costs of the system be held in escrow.

Landscape Island. The preliminary plat envisioned a landscape island in Kelvin Avenue between the church and residential development. The developer has eliminated this feature (widened right-of-way) from the plat and from the construction plans.

Landscaping. A review of the landscape plans were conducted and the following comments sent to the developer on April 17, 2017 by email (Landscape Plans by Kimley-Horn have been provided as an attachment to this report):

1. Please show on final plans the water and sanitary sewer connections to verify there are no conflicts with planned street tree locations. The City prefers a 10 foot setback from individual lines and requires a minimum 5 foot setback.
2. Please use the City of Lake Elmo standard details and plan notes on your plans.
3. The plans identify 88 Street trees (trees within the public R/W), however the landscape ordinance requires 1 tree per lineal foot of street frontage. If there are 6657 lineal feet of road, then there is 13,314 lineal feet of frontage (2 sides of road). The street tree requirement is **266 street trees**. Staff will accept the trees at the edge of the utility easement outside the R/W as required street trees.
4. The plans identify 157 evergreen trees and 24 overstory trees meeting the 5 trees/ acre of disturbed area. The plans exceed the non-street tree requirement.
5. The evergreen buffer along the west property line identifies a mix of evergreen tree species. The arborvitae are extremely susceptible to deer browse. City staff suggests changing the arborvitae to Austrian Pine. The Medora Junipers get a mature width of 3 feet. Staff suggests changing the Medora to 'Sky High' or 'Star Power' varieties which have a mature width of 5 feet.
6. The landscape plans should identify the proposed stormpond maintenance roads in order to identify conflicts between proposed trees and storm pond access.
7. Please identify the seeding areas (limits of native seeding) for each proposed seed mix on the plans or a separate plan exhibit.
8. Reading through the preliminary plat approval records, there are a number of comments about the effectiveness of screening on the east side of the plat. I found the Kimley-Horn Landscape Plan dated 05/02/2006 that show a staggered row of conifers along the east

tree-line intended to bolster the screening. This planting was subject of much debate and it appears as though a final landscape plan was approved prior to the July 5, 2006 City Council meeting. I would suggest this was the approved landscape plan. If so, your plans are deficient screening along the east in particular (see attached 05/02/2006 Landscape Plans)

9. The buffer on the west side has been reduced from 200 ft. to 150 ft. as suggested to provide for a back yard area that is usable. It has been suggested that a berm be added along the west property line along with the proposed trees in lieu of the 200 ft. buffer (there will be public comments as such).
10. Revised and approved landscape plans are required prior to recording the final plat.

An additional comment:

- The proposed sanitary sewer appear to be in conflict with planned tree locations.

A revised and approved landscape plan set meeting City requirements is required prior to recording the final plat.

Other Final Plat Issues:

State Highway 36 Frontage Road Study. The City's Consulting Engineer is soon to begin a Highway 36 Frontage Road Study to coincide with MnDOT's long range plans to limit access to State Highway 36. The need for a frontage road has become known after the approval of the Hidden Meadows preliminary plat. Upon review, it appears as though a frontage road would need to roughly follow the 59th Street N. alignment to avoid impacting Wetland 13 in Outlot B. A future frontage road would likely impact planned Outlot A, Hidden Meadows 2nd Addition. No specific plans for the Church's Outlot A have been identified, although sketch plans have indicated interest in developing the area as ballfields and a community center with parking.

Outlots. The final plat contains outlots A-F:

<i>Outlots</i>	<i>Acres</i>	<i>Future Ownership</i>
Outlot A	18.63	Church
Outlot B	7.45	Church
Outlot C	15.06	HOA
Outlot D	1.36	HOA
Outlot E	8.29	City
Outlot F	3.51	City

Outlot A and B are church owned and will be retained by the church after the final plat of Hidden Meadows 2nd Addition. The church has previously shown sketch plans for Outlot A to be used for ballfields, community center and parking. There may also be a need to utilize the outlot for a future frontage road. Outlot B will remain as church property, but is part of the open space for the residential OP development, therefore, it cannot be developed and will be preserved with a conservation easement over it.

Outlot C is part of the residential open space and contains the shared community septic system for the church and residential development.

Outlot D is part of the residential open space and contains trails used by the church and an existing wetland.

Outlot E is part of the residential openspace and was preserved to protect the existing trees and wetlands on the site. It will also contain a new infiltration basin for the development. Outlot E will be city owned and maintained because of the stormwater management functions.

Outlot F was originally planned for a public trail and an infiltration basins, however, the trail has since been eliminated as a recommendation from the Parks Commission. Outlot F will be City owned and maintained because of the stormwater management functions. Staff is recommending that Outlot F be broken up into 3 Outlots such that the City only retains ownership of that portion of F which contains the stormwater infrastructure. The remainder of Outlot F, two new outlots, will be HOA maintained. This would be a deviation from the approved preliminary plat.

MNDOT Review:

MNDOT reviewed plans initially and submitted a review memorandum on December 2, 2016. At that time, the State agency was unable to conduct a complete review based on the information submitted. This information was shared with the developer. Staff forwarded the May 17, 2017 submittal to MNDOT on May 19, 2017 for comments. MNDOT has no concerns.

PRELIMINARY PLAT CONDITIONS ANALYSIS:

The preliminary plat for Hidden Meadows was approved with conditions. With final plat reviews, it is typical to review the preliminary plat conditions as part of the analysis. The developer did not provide the typical response to preliminary plat conditions because they were not involved with the preliminary plat, nor were they aware of the preliminary plat conditions. Staff has provided a response to each condition of preliminary plat approval. Please also note that the applicant provided a response to the preliminary plat conditions which has been included in the application materials attached to this report. The applicant's response has not been duplicated for this report. Staff's comments related to each condition are indicated in ***bold italics***. In some instances, staff's comments are different than the developers.

Preliminary Plat Conditions (Resolution 2006-038):

- 1) Compliance with the recommendations/requirements of the City Engineer. **(Staff Comments) The only comments found from the City Engineer was an email dated March 23, 2006 which (summarized) states that the cul-de-sacs do not meet City standards and should be revised. The comment did not come with any specific recommendations for change. The drive lanes must be 16' wide. Guard rails are required for the retaining walls. The Engineer was seeking additional information to complete his review. The cul-de-sac's do not meet current City standards for length, however, they are consistent with the preliminary plat. The Planning Commission is**

recommending an extension of the northerly cul-de-sac to the east property line which will become a through street in the future, making the cul-de-sacs compliant with City standards.

- 2) Compliance with the recommendations/requirements of the Valley Branch Watershed District as found to be appropriate by the City Engineer. *(Staff Comments) The final plat will require VBWD review and permit. VBWD as reviewed the plans and they have been updated to reflect comments.*
- 3) Trail setback to the Ziertman property be increased and screening be considered in the landscape plan. *(Staff Comment) This condition appears to have been met, however, in exchange for a change in the buffer from 200' to 150', the Ziertman's would like the landscaping and a berm be provided adjacent their property.*
- 4) Confirm drainfield setback is to be 100' from property line. *(Staff Comment) This condition appears to have been met.*
- 5) Provide size and delineation of the alternate drainfield. *(Staff Comments) The plans do not show an alternate drainfield site, however, there appears to be adequate land to the west of the current drainfield for an alternate site.*
- 6) Secondary drainfield have the appropriate easement for trail use. *(Staff Comment) This condition is no longer applicable as the trails are located within the road right-of-way and Outlot F.*

A trail easement be added to the proposed watermain easement. *(Staff Comment) This condition appears to be related to condition #6 and is no longer applicable.*

FISCAL IMPACT:

The Developer Agreement will be prepared by Staff and presented in a subsequent meeting for approval by the City Council which will include a detailed accounting of any development costs that will be the responsibility of the City. The development will result in the payment of Water Access Charges of \$78,000 for the 26 residential lots and connection charges of \$26,000, \$1,000 collected with each building permit. Park dedication will also be paid based on 7% of the fair market value of the development.

PLANNING COMMISSION/PUBLIC HEARING:

The Planning Commission reviewed the final plat application on June 12, 2017 and recommended approval with 21 conditions of approval. The Commission discussed HOA issues with community septic systems, the deviations from standards and the need for a street right-of-way to the Bergman property. Commissioner Dorschner motioned for denial, but ultimately supported approval with the addition of condition #21. The

Commission deleted a Staff recommended condition that Lot 1, Block 1 be connected to the community septic. The Commission also recommended the following:

7. That the OP buffers on the west and south sides of the plat be reduced from 200 feet to 150 feet, and the buffers on the east side be reduced from 100 feet to 50 feet and that the buffer areas be protected from the construction or placement of any structures within the buffer areas by easements. Furthermore, the developer shall install berms with the landscape screening consistent with University of MN Extension Service Urban Landscape Information Series Berm Standards near the rear property lines of Lots 1, 2 and 3, Block 2 of the development.
10. That no more than 17 building permits will be issued by the City until the developer obtains a permit for expansion and constructs an expanded the community septic system with adequate capacity for all 26 lots and the church meeting State/County/City standards and that funds for this system be placed into escrow and the declarant of the Common Interest Community will demonstrate a bank account statement with a capital reserve required for operation of the wastewater system is either 1/3 the cost or an amount based on an equipment failure model provided by the vendor operating the wastewater system, whichever is greater.
20. That the declarant of the Common Interest Community will demonstrate transfer of all permits and titles for the wastewater system to the Common Interest Community
21. That the developer provide right-of-way for a future extension of the northerly cul-de-sac (to be called 57th Street N) to the east property line.

Because the Commission deleted Staff's recommendation requiring Lot 1, Block 1 be connected to the community septic system and because there are no septic system records for Lot 1, Block 1, Staff is recommending the following condition:

22. That the septic system on Lot 1, Block 1, Hidden Meadows 2nd Addition be inspected for compliance and if not in compliance the lot be connected to the community septic system or the individual system be replaced.

Also, the Planning Commission did not specify the size or shape of the berms in condition number 7. The Ziertman's are requesting 6 ft. high berms with 7:1 side slopes. The condition number 7 has been amended to reflect their request.

OPTIONS:

The Council has the following options:

1. Adopt a Resolution 2017-073 approving the final plat of Hidden Meadows 2nd Addition
2. Amend and adopt Resolution 2017-073 approving the final plat of Hidden Meadows 2nd Addition
3. Adopt Resolution 2017-073 denying the final plat of Hidden Meadows 2nd Addition.

RECOMMENDED FINDINGS FOR FINAL PLAT APPROVAL:

Staff and the Planning Commission are recommending the following findings for approval of the Hidden Meadows 2nd Addition Final Plat:

- 1) That the Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 27, 2006.
 - 2) That the Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
 - 3) That the Final Plat complies with Open Space Preservation Overlay District regulations that were established at the time of the preliminary plat approval except as approved by the City Council.
 - 4) That the Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control, landscaping and other ordinances except as approved by the City Council.
 - 5) That the Final Plat complies with the City's subdivision ordinance except as approved by the City Council.
 - 6) That the Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer, except as highlighted within the City Engineer's Report dated June 1, 2017
-

RECOMMENDED FINDINGS FOR FINAL PLAT DENIAL:

Staff and the Planning Commission are recommending approval, but because the development deviates from the preliminary plat, OP zoning requirements, subdivision standards and Engineering Standards and the City is not compelled by State Statute to approve the final plat due to the time that has lapsed since approval of the preliminary plat, the following findings for denial have been provided:

- 1) That the Final Plat is not consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 27, 2006.
 - 2) That the Final Plat and Final Construction Plans do not comply with the applicable zoning requirements for OP developments.
 - 3) That the Final Plat does not comply with the City's subdivision ordinance.
 - 4) That the Final Plat is not consistent with the City's engineering standards highlighted within the City Engineer's Report dated June 1, 2017.
-

RECOMMENDED CONDITIONS OF APPROVAL:

Staff and the Planning Commission are recommending the following conditions of approval:

1. That Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer complying with the Engineer's memorandum dated June 1, 2017 and complying with the Planning Director's email comments dated April 17, 2017, prior to the execution of the final plat by City Officials.
2. All easements as requested by the City Engineer or Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.

3. The applicant shall also enter into a landscape license agreement 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 on the final plat.
4. That the open space be protected by a conservation easement in accordance with M.S.Ch 84C.01-05, as it may be amended from time to time), to an acceptable land trust as approved by the City; and /or conveyed to the by conservation easement to the City.
5. The developer provide verification of proper clean-up of the former dump site on the property.
6. That the OP buffers on the west and south sides of the plat be reduced from 200 feet to 150 feet, and the buffers on the east side be reduced from 100 feet to 50 feet and that the buffer areas be protected from the construction or placement of any structures within the buffer areas by easements. Furthermore, the developer shall install 6 ft high landscape berms with 7:1 side slopes with landscape screening consistent with University of MN Extension Service Urban Landscape Information Series Berm Standards near the rear property lines of Lots 1, 2 and 3, Block 2 of the development.
7. That park dedication be paid as a fee in lieu of land dedication equal to 7% of the fair market land value consistent with City Ordinance Section 153.14 prior to recording the final plat.
8. Wetland buffer monuments shall be placed every 50 feet or where the buffer boundary changes along wetland buffers where the buffers are within individual platted lots prior to issuance of any building permits.
9. That no more than 17 building permits will be issued by the City until the developer obtains a permit for expansion and constructs an expanded the community septic system with adequate capacity for all 26 lots and the church meeting State/County/City standards and that funds for this system be placed into escrow and the declarant of the Common Interest Community will demonstrate a bank account statement with a capital reserve required for operation of the wastewater system is either 1/3 the cost or an amount based on an equipment failure model provided by the vendor operating the wastewater system, whichever is greater.
10. Prior to recording the Final Plat, the developer will submit a septic system design that has been permitted by the MPCA with capacity for all 26 lots.
11. 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 that delineates who is responsible for the design, construction, and payment of the required improvements, including park dedication with financial guarantees therefore.
12. A Common Interest Agreement concerning management of the common areas of Hidden Meadows 2nd Addition and maintenance responsibilities for the communal septic system and establishing a homeowner's association shall be submitted in final form to the City prior to the issuance of any building permit within this subdivision.
13. Septic system maintenance be shared by the church and the residential HOA as part of the HOA documents.
14. Approved Landscaping Plans complying with City Ordinance Section 154.258 shall be required prior to recording the final plat.

15. 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 site work.
16. That Outlot F on the plat be divided into three Outlots with only the Outlot with street frontage being dedicated to the City with the recording of the final plat. The other portions shall be HOA owned and maintained.
17. That Outlot E be conveyed to the City with the recording of the final plat.
18. That any development (subdivision) signs be constructed only after approval of sign permit by the Planning Department.
19. That the final plat and plans be submitted to MNDOT for review and approval and all conditions be addressed prior to recording the final plat.
20. That the declarant of the Common Interest Community will demonstrate transfer of all permits and titles for the wastewater system to the Common Interest Community
21. That the developer provide right-of-way for a future extension of the northerly cul-de-sac (to be called 57th Street N) to the east property line.
22. That the septic system on Lot 1, Block 1, Hidden Meadows 2nd Addition be inspected for compliance and if not in compliance the lot be connected to the community septic system or the individual system be replaced.

RECOMMENDATION:

Staff and the Planning Commission recommend the City Council adopt Resolution 2017-073 approving the final plat of Hidden Meadows 2nd Addition with the following motion:

“Move to adopt Resolution 2017-073 approving the Hidden Meadows 2nd Addition with 22 conditions.”

ATTACHMENTS:

- Resolution 2017-073 approving the Hidden Meadows 2nd Final Plat
- Resolution 2017-073 denying the Hidden Meadows 2nd Final Plat
- Final Plat application and narrative
- Final Plat Construction Plans
- Preliminary Plat (stamped “received, April 17, 2006”)
- Resolution 2006-038 approving the preliminary plat
- Temporary Conservation Easement
- City Engineer Report dated June 1, 2017
- MnDOT Comments, dated December 2, 2016
- Old preliminary plat Staff Reports and Minutes
- July 5, 2006 final plat report to City Council.

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

RESOLUTION NO. 2017-073

A RESOLUTION APPROVING THE HIDDEN MEADOWS 2ND ADDITION FINAL PLAT

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

WHEREAS, on July 25th, 2005, the Lake Elmo Planning Commission reviewed and recommended approval of an amended OP Concept Plan for Deer Glen subject to certain conditions; and

WHEREAS, on August 16, 2005, and September 6, 2005, the Lake Elmo City Council reviewed the recommendations of the Lake Elmo Planning Commission along with revised OP concept plans for Deer Glen; and

WHEREAS, on September 20, 2005, the Lake Elmo City Council approved resolution 2005-102 which approved the amended OP Concept Plan of Deer Glen; and

WHEREAS, on September 20, 2005, the Lake Elmo City Council approved an amendment to the conditional use permit for Rockpoint Church, Resolution 2005-029, to reflect the amended OP Concept Plan dated September 6, 2005; and

WHEREAS, on September 20, 2005, the Lake Elmo City Council approved an amendment to the preliminary plat formerly approved by Council Resolution 2005-030 to reflect the amended OP Concept plan dated September 6, 2005; and

WHEREAS, on May 16, 2006, the Lake Elmo City Council approved the final plat for Hidden Meadows 1st Addition, previously referred to as Deer Glen; and

WHEREAS, the developers agreement for Hidden Meadows 1st Addition required future platting of the residential portion of the approved plan; and

WHEREAS, on January 2, 2007 the Lake Elmo City Council approved a one year extension to the deadline for the final plat submittal for the residential portion of the approved plan, thereby extending the final plat deadline to January 2, 2008; and

WHEREAS, on December 11, 2007, the Lake Elmo City Council approved Resolution 2007-97 granting a five year extension to the final plat submittal deadline to January 2, 2013; and

WHEREAS, on January 15, 2013, the Lake Elmo City Council approved a six month extension to the final plat submittal deadline to August 2, 2013 with the understanding that future

extension will be considered after the dedication of a utility easement across the Church's property consistent with the location of a planned 16" water line; and

WHEREAS, on August 3, 2013, the Hidden Meadows 2nd Addition Plat became void for failure to extend the plat in a timely manner; and

WHEREAS, on November 24, 2015, Rockpoint Church applied for a three year extension to the final plat submittal to allow a perspective buyer time to close on the purchase of the development property or to find an alternate buyer if the property does not sell; and

WHEREAS, on January 12, 2016, Rockpoint Church executed for recording a utility easement across its property consistent with the location of a planned 16" water line as requested by the City Council; and

WHEREAS, on January 19, 2016, the Lake Elmo City Council approved a two-year extension to the final plat submittal until January 2, 2018 by Council motion; and

WHEREAS, on May 17, 2017, RM Investments, LLC and Mpls RE, LLC, 139 Fenway Boulevard, N, Hugo, MN (applicant) submitted an application for final plat of Hidden Meadows 2nd Addition; and

WHEREAS, on June 12, 2017, the Lake Elmo Planning Commission reviewed the final plat application and made a recommendation for approval with conditions; and

WHEREAS, on June 12, 2017, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat as part of a memorandum to the City Council for the July 7, 2017 Council Meeting; and

WHEREAS, the City Council reviewed the Hidden Meadows 2nd Addition Final Plat at its meeting held on July 7, 2017 and made the following findings:

- 1) That the Final Plat is generally consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 27, 2006.
- 2) That the Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Final Plat complies with Open Space Preservation Overlay District regulations that were established at the time of the preliminary plat approval except as approved by the City Council.
- 4) That the Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control, landscaping and other ordinances except as approved by the City Council.
- 5) That the Final Plat complies with the City's subdivision ordinance except as approved by the City Council.
- 6) That the Final Plat is consistent with the City's engineering standards with the plan revisions as requested by the City Engineer, except as highlighted within the City Engineer's Report dated June 1, 2017

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

1. That Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, street and utility construction plans and agreements shall be reviewed and approved by the City Engineer complying with the Engineer's memorandum dated June 1, 2017 and complying with the Planning Director's email comments dated April 17, 2017, prior to the execution of the final plat by City Officials.
2. All easements as requested by the City Engineer or Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
3. The applicant shall also enter into a landscape license agreement 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 on the final plat.
4. That the open space be protected by a conservation easement in accordance with M.S.Ch 84C.01-05, as it may be amended from time to time), to an acceptable land trust as approved by the City; and /or conveyed to the by conservation easement to the City.
5. The developer provide verification of proper clean-up of the former dump site on the property.
6. That the OP buffers on the west and south sides of the plat be reduced from 200 feet to 150 feet, and the buffers on the east side be reduced from 100 feet to 50 feet and that the buffer areas be protected from the construction or placement of any structures within the buffer areas by easements. Furthermore, the developer shall install 6 ft high landscape berms with 7:1 side slopes with landscape screening consistent with University of MN Extension Service Urban Landscape Information Series Berm Standards near the rear property lines of Lots 1, 2 and 3, Block 2 of the development.
7. That park dedication be paid as a fee in lieu of land dedication equal to 7% of the fair market land value consistent with City Ordinance Section 153.14 prior to recording the final plat.
8. Wetland buffer monuments shall be placed every 50 feet or where the buffer boundary changes along wetland buffers where the buffers are within individual platted lots prior to issuance of any building permits.
9. That no more than 17 building permits will be issued by the City until the developer obtains a permit for expansion and constructs an expanded the community septic system with adequate capacity for all 26 lots and the church meeting State/County/City standards and that funds for this system be placed into escrow and the declarant of the Common Interest Community will demonstrate a bank account statement with a capital reserve required for operation of the wastewater system is either 1/3 the cost or an amount based on an equipment failure model provided by the vendor operating the wastewater system, whichever is greater.
10. Prior to recording the Final Plat, the developer will submit a septic system design that has been permitted by the MPCA with capacity for all 26 lots.
11. 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 that delineates who is responsible for the design, construction, and payment of the required improvements, including park dedication with financial guarantees therefore.

12. A Common Interest Agreement concerning management of the common areas of Hidden Meadows 2nd Addition and maintenance responsibilities for the communal septic system and establishing a homeowner's association shall be submitted in final form to the City prior to the issuance of any building permit within this subdivision.
13. Septic system maintenance be shared by the church and the residential HOA as part of the HOA documents.
14. Approved Landscaping Plans complying with City Ordinance Section 154.258 shall be required prior to recording the final plat.
15. 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 site work.
16. That Outlot F on the plat be divided into three Outlots with only the Outlot with street frontage being dedicated to the City with the recording of the final plat. The other portions shall be HOA owned and maintained.
17. That Outlot E be conveyed to the City with the recording of the final plat.
18. That any development (subdivision) signs be constructed only after approval of sign permit by the Planning Department.
19. That the final plat and plans be submitted to MNDOT for review and approval and all conditions be addressed prior to recording the final plat.
20. That the declarant of the Common Interest Community will demonstrate transfer of all permits and titles for the wastewater system to the Common Interest Community
21. That the developer provide right-of-way for a future extension of the northerly cul-de-sac (to be called 57th Street N) to the east property line.
22. That the septic system on Lot 1, Block 1, Hidden Meadows 2nd Addition be inspected for compliance and if not in compliance the lot be connected to the community septic system or the individual system be replaced.

Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

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

RESOLUTION NO. 2017-073

A RESOLUTION DENYING THE HIDDEN MEADOWS 2ND ADDITION FINAL PLAT

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

WHEREAS, on July 25th, 2005, the Lake Elmo Planning Commission reviewed and recommended approval of an amended OP Concept Plan for Deer Glen subject to certain conditions; and

WHEREAS, on August 16, 2005, and September 6, 2005, the Lake Elmo City Council reviewed the recommendations of the Lake Elmo Planning Commission along with revised OP concept plans for Deer Glen; and

WHEREAS, on September 20, 2005, the Lake Elmo City Council approved resolution 2005-102 which approved the amended OP Concept Plan of Deer Glen; and

WHEREAS, on September 20, 2005, the Lake Elmo City Council approved an amendment to the conditional use permit for Rockpoint Church, Resolution 2005-029, to reflect the amended OP Concept Plan dated September 6, 2005; and

WHEREAS, on September 20, 2005, the Lake Elmo City Council approved an amendment to the preliminary plat formerly approved by Council Resolution 2005-030 to reflect the amended OP Concept plan dated September 6, 2005; and

WHEREAS, on May 16, 2006, the Lake Elmo City Council approved the final plat for Hidden Meadows 1st Addition, previously referred to as Deer Glen; and

WHEREAS, the developers agreement for Hidden Meadows 1st Addition required future platting of the residential portion of the approved plan; and

WHEREAS, on January 2, 2007 the Lake Elmo City Council approved a one year extension to the deadline for the final plat submittal for the residential portion of the approved plan, thereby extending the final plat deadline to January 2, 2008; and

WHEREAS, on December 11, 2007, the Lake Elmo City Council approved Resolution 2007-97 granting a five year extension to the final plat submittal deadline to January 2, 2013; and

WHEREAS, on January 15, 2013, the Lake Elmo City Council approved a six month extension to the final plat submittal deadline to August 2, 2013 with the understanding that future

extension will be considered after the dedication of a utility easement across the Church's property consistent with the location of a planned 16" water line; and

WHEREAS, on August 3, 2013, the Hidden Meadows 2nd Addition Plat became void for failure to extend the plat in a timely manner; and

WHEREAS, on November 24, 2015, Rockpoint Church applied for a three year extension to the final plat submittal to allow a perspective buyer time to close on the purchase of the development property or to find an alternate buyer if the property does not sell; and

WHEREAS, on January 12, 2016, Rockpoint Church executed for recording a utility easement across its property consistent with the location of a planned 16" water line as requested by the City Council; and

WHEREAS, on January 19, 2016, the Lake Elmo City Council approved a two-year extension to the final plat submittal until January 2, 2018 by Council motion; and

WHEREAS, on May 17, 2017, RM Investments, LLC and Mpls RE, LLC, 139 Fenway Boulevard, N, Hugo, MN (applicant) submitted an application for final plat of Hidden Meadows 2nd Addition; and

WHEREAS, on June 12, 2017, the Lake Elmo Planning Commission reviewed the final plat application and made a recommendation for approval with conditions; and

WHEREAS, on June 12, 2017, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Final Plat as part of a memorandum to the City Council for the July 7, 2017 Council Meeting; and

WHEREAS, the City Council reviewed the Hidden Meadows 2nd Addition Final Plat at its meeting held on July 7, 2017 and made the following findings:

- 1) That the Final Plat is not consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on March 27, 2006.
- 2) That the Final Plat and Final Construction Plans do not comply with the applicable zoning requirements for OP developments.
- 3) That the Final Plat does not comply with the City's subdivision ordinance.
- 4) That the Final Plat is not consistent with the City's engineering standards highlighted within the City Engineer's Report dated June 1, 2017.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby deny the Hidden Meadows 2nd Addition Final Plat.

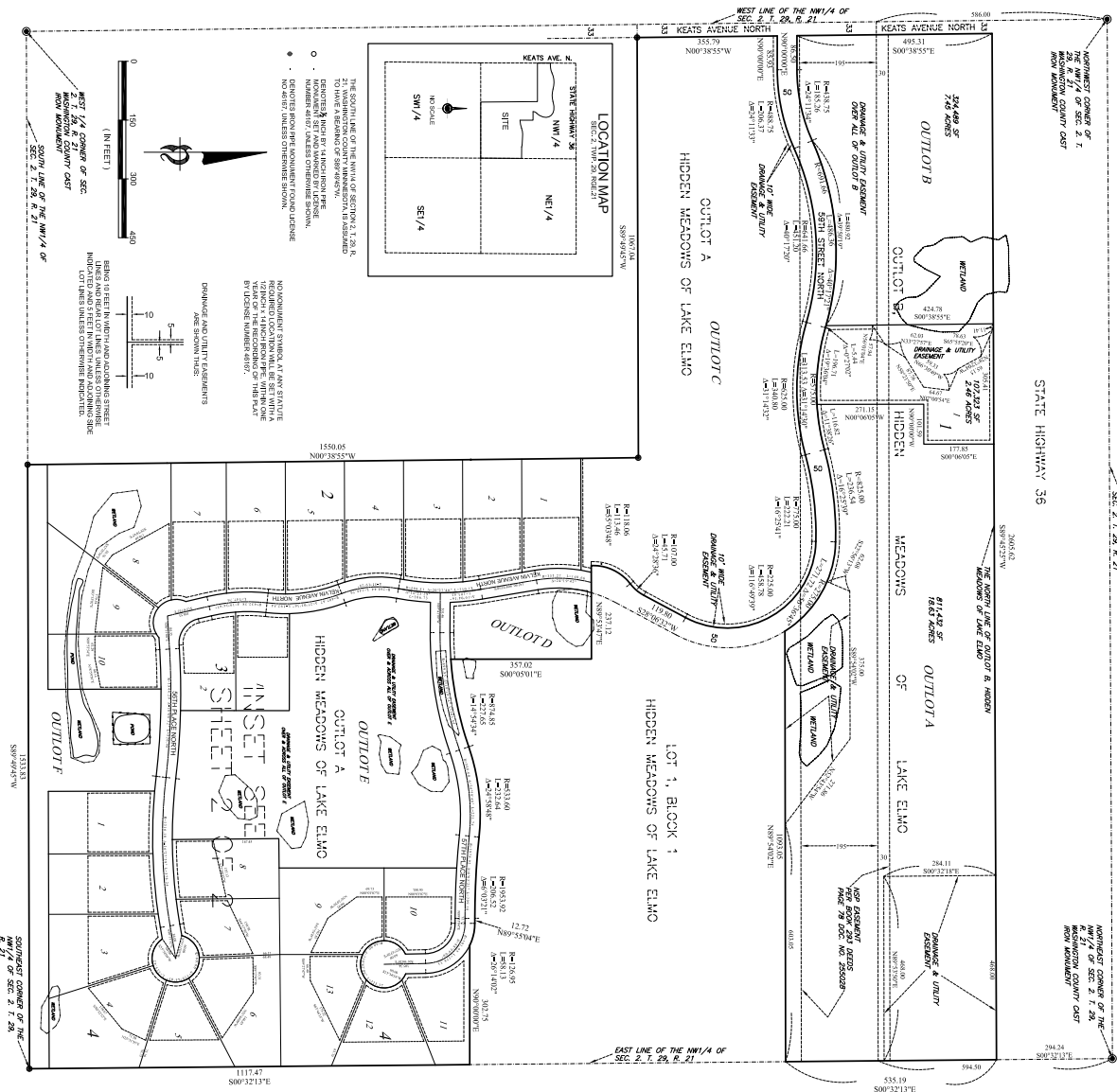
Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

HIDDEN MEADOWS OF LAKE ELMO 2ND ADDITION



KNOW ALL PERSONS BY THESE PRESENTS, That B&I Investments, LLC, a Minnesota limited liability company, and Backstop Church, a Minnesota nonprofit corporation, owners of the following described property:

OUTLOT A, HIDDEN MEADOWS OF LAKE ELMO, Washington County, Minnesota.

Has caused this plat to be prepared and filed as HIDDEN MEADOWS OF LAKE ELMO 2ND ADDITION, and does hereby declare to the public, for public use the public ways and the drainage and utility easements as shown by this plat.

In witness whereof said B&I Investments, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this ____ day of _____, 20__.

B&I Investments, LLC

By: _____
Linda K. Grays, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed for record in my office.

By: _____
Linda K. Grays, Chief Manager

In witness whereof said Apple, BE, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this ____ day of _____, 20__.

Apple, BE, LLC

By: _____
Linda K. Grays, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed for record in my office.

By: _____
Linda K. Grays, Chief Manager

In witness whereof said Backstop Church, a Minnesota nonprofit corporation, has caused these presents to be signed by its proper officer this ____ day of _____, 20__.

Backstop Church

By: _____
Linda K. Grays, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed for record in my office.

By: _____
Linda K. Grays, Chief Manager

MINNESOTA CERTIFICATE
I, _____, County Clerk, do hereby certify that the plat was prepared by me or under my direct supervision and that I am duly Licensed and Surveyor in the State of Minnesota.

Dated this ____ day of _____, 20__.

Witness my hand and the Seal of said County of _____, Minnesota, this ____ day of _____, 20__.

By: _____
Linda K. Grays, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed for record in my office.

By: _____
Linda K. Grays, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed for record in my office.

By: _____
Linda K. Grays, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed for record in my office.

By: _____
Linda K. Grays, Chief Manager

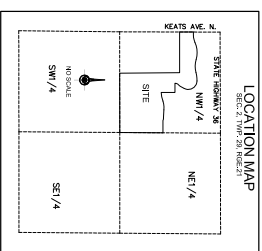
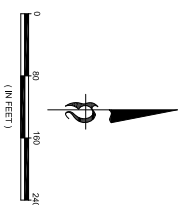
STATE OF MINNESOTA
COUNTY OF _____
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed for record in my office.

By: _____
Linda K. Grays, Chief Manager

STATE OF MINNESOTA
COUNTY OF _____
I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original filed for record in my office.

By: _____
Linda K. Grays, Chief Manager

R=118.06
L=113.46
Δ=55°03'48"

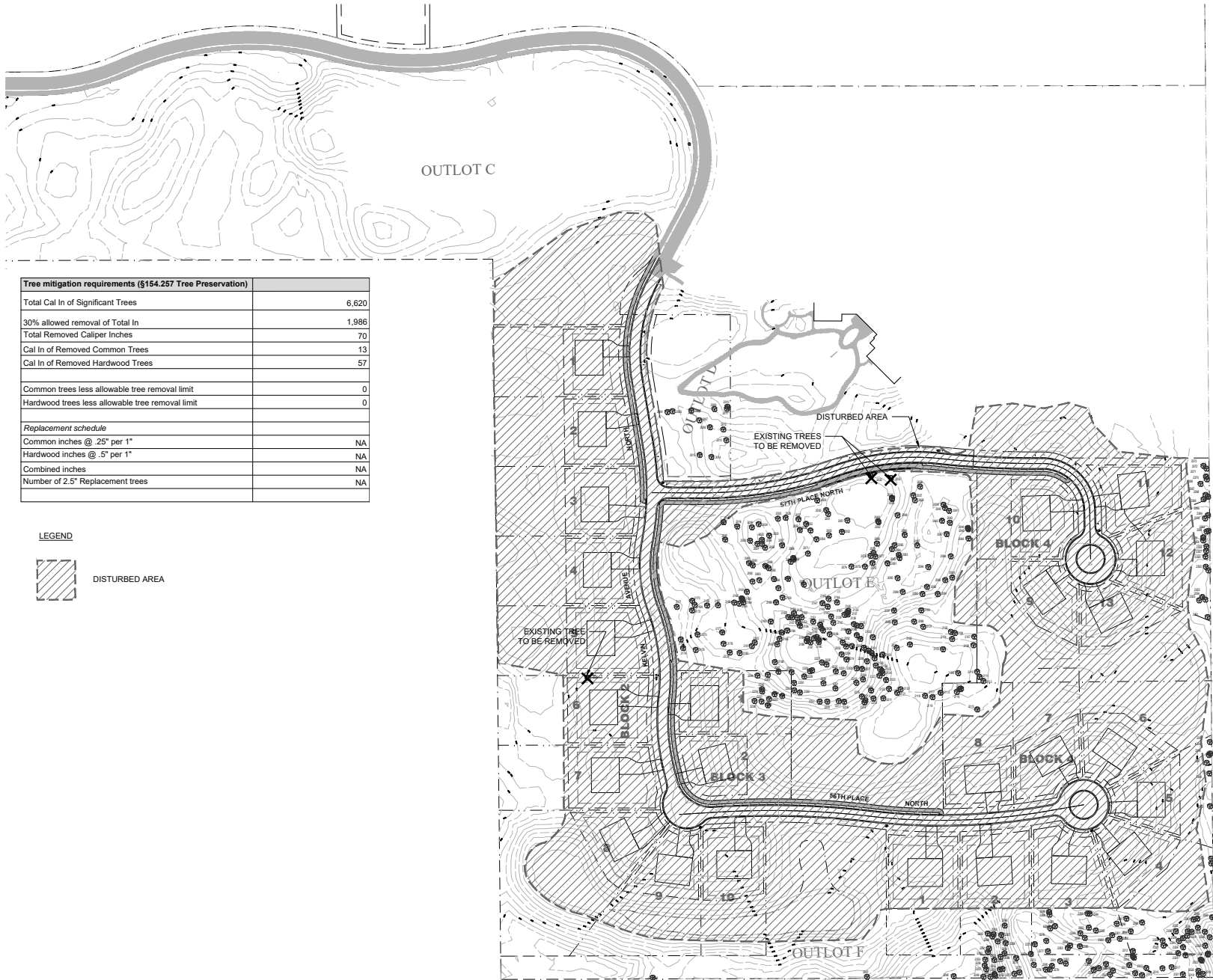


THE SOUTH LINE OF THE NW1/4 OF SECTION 2, T. 29,
21, WASHINGTON COUNTY, MINNESOTA, IS ASSURE
TO HAVE A BEARING OF S89°45'45" E.
DENOTES $\frac{1}{2}$ INCH BY 14 INCH IRON PIPE
MONUMENT SET AND MARKED BY LICENSE
NUMBER 46167, UNLESS OTHERWISE SHOWN.
DENOTES IRON PIPE MONUMENT FOUND LICENSE
NO 46167, UNLESS OTHERWISE SHOWN.

NO MONUMENT SYMBOL AT ANY STATUTE
REQUIRED LOCATION WILL BE SET WITH A
1/2 INCH X 1/4 INCH IRON PIPE WITHIN ONE
YEAR OF THE RECORDING OF THIS PLAT
BY LICENSE NUMBER 46167.

BEING 10 FEET IN WIDTH AND ADJOINING STREET LINES AND REAR LOT LINES UNLESS OTHERWISE INDICATED AND 5 FEET IN WIDTH AND ADJOINING SIDE LOT LINES UNLESS OTHERWISE INDICATED.

CADD USER: Andrew Montgomery FILE: L-001-0016 PROJECT: 15-230 HIDDEN MEADOWS OF LAKE ELMO CADD USER: JLD LANDSCAPE P&L UPDATE DWG: BLOCK SCALE: 1:1% OF DATE: 5/16/2017 11:53 AM



Tree mitigation requirements (\$154,257 Tree Preservation)	
Total Cal In of Significant Trees	6,620
30% allowed removal of Total In	1,986
Total Removed Caliper Inches	70
Cal In of Removed Common Trees	13
Cal In of Removed Hardwood Trees	57
Common trees less allowable tree removal limit	0
Hardwood trees less allowable tree removal limit	0
Replacement schedule	
Common inches @ .25" per 1"	NA
Hardwood inches @ .5" per 1"	NA
Combined inches	NA
Number of 2.5" Replacement trees	NA

LEGEND



DISTURBED AREA

REVISIONS BY

HIDDEN MEADOWS
LAKE ELMO,
MINNESOTA

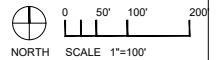
DF/ DAWN FARDER
LANDSCAPE ARCHITECTS
407 2nd Avenue North, Suite 410
Minneapolis, MN 55401 P.612.332.7522

Signature:
Print Name: Thomas Whitlock
Date: 5/12/2017
License No: 26242

TREE PRESERVATION
PLAN

DRAWN BY
AM
CHECKED BY
HK
DATE
5/12/2017
JOB NO.
16-210
SHEET

L-001



REMOVALS

Tag Number*	Species**	Size***	Condition****
2001	oak	28	5
2002	Cottonwood	40	6
2003	Oak, Bur	21	4
2004	Oak, Red	36	6
2005	Oak, Bur	27	6
2006	Oak, Red	20	5
2007	Oak, Red	35	7
2008	Oak, Bur	29	7
2009	Oak, Red	27	6
2010	Oak, Bur	20	6
2011	Oak, Red	29	6
2012	Cherry, Black	8	5
2013	Oak, Bur	26	6
2014	Oak, Bur	31	6
2015	Oak, Bur	25	4
2016	Oak, Bur	21	4
2017	Oak, Bur	40	5
2018	Oak, Red	20	5
2019	Oak, Bur	21	7
2020	Oak, Red	11	6
2021	Oak, Red	10	6
2022	Elm, American	15	6
2023	Aspen	13	5
2024	Oak, Red	21	6
2025	Aspen	12	7
2026	Cherry, Black	9	6
2027	Oak, White	17	7
2028	Cherry, Black	6	5
2029	Oak, Bur	33	4
2030	Cherry, Black	8	4
2031	Cherry, Black	10	5
2032	Oak, Bur	33	6
2033	Oak, Bur	24	6
2034	Aspen	14	4
2035	Elm, American	12	5
2036	Oak, Bur	25	5
2037	Oak, Bur	21	5
2038	Oak, Red	17	7
2039	Oak, Bur	15	6
2040	Oak, Red	29	6
2041	Oak, Red	33	6
2042	Oak, Red	17	6
2043	Oak, Red	14	6
2044	Oak, Red	9	5
2045	Oak, Red	17	5
2046	Aspen	15	5
2047	Cherry, Black	10	6
2048	Aspen	12	6
2049	Aspen	16	6
2050	Elm, American	12	5
2051	Oak, Red	25	7
2052	Cherry, Black	7	5
2053	Aspen	13	4
2054	Oak, Red	24	4
2055	Cherry, Black	9	5
2056	Cherry, Black	6	4
2057	Oak, Bur	29	6
2058	Oak, Red	13	4
2059	Oak, Bur	11	4
2060	Aspen	12	4
2061	Basswood	13	5
2062	Cherry, Black	12	5
2063	Oak, Bur	16	5
2064	Cherry, Black	8	6
2065	Cherry, Black	11	6
2066	Cherry, Black	12	5
2067	Cherry, Black	10	5
2068	Oak, Bur	32	7
2069	Cherry, Black	7	4
2070	Oak, Bur	8	5
2071	Oak, Bur	27	4
2072	Cherry, Black	7	5
2073	Oak, Bur	18	5
2074	Aspen	13	5

*Tag Number: Round, silver tag located at eye-level on tree. Tags are located at the same side of each tree, when possible.

**Species: Tree's common name.

***Tree Diameter: Measured at 4.5 feet above ground level. Multiple stems are measured taking the largest stem and adding half of all other stems.

****Condition: Health of Tree based on a scale from 0 - 9. Zero being a dead tree and 9 being a perfect tree. Trees 0 - 3 are considered unhealthy.

2075	Cherry, Black	8	5
2076	Oak, Red	13	6
2077	Oak, Bur	26	6
2078	Oak, Red	18	5
2079	Oak, Red	15	6
2080	Oak, Bur	23	4
2081	Oak, Red	20	5
2082	Oak, Bur	22	5
2083	Cherry, Black	7	5
2084	Oak, Bur	9	5
2085	Oak, Bur	9	5
2086	Oak, Bur	15	6
2087	Oak, Bur	26	7
2088	Cherry, Black	7	5
2089	Aspen	12	5
2090	Oak, Bur	34	5
2091	Oak, Bur	25	5
2092	Oak, Bur	25	6
2093	Oak, Bur	19	6
2094	Oak, Bur	26	7
2095	Cherry, Black	19	5
2096	Cherry, Black	8	5
2097	Cherry, Black	17	6
2098	Cherry, Black	16	6
2099	Oak, White	32	7
2100	Cherry, Black	14	5
2101	Oak, Bur	24	5
2102	Oak, Bur	24	7
2103	Willow	23	5
2104	Oak, Bur	26	4
2105	Cherry, Black	22	4
2106	Oak, Bur	15	5
2107	Bowelder	28	4
2108	Bowelder	25	4
2109	Oak, Bur	33	6
2110	Cherry, Black	9	5
2111	Cherry, Black	6	5
2112	Aspen	12	4
2113	Aspen	12	5
2114	Aspen	15	5
2115	Cherry, Black	12	5
2116	Bowelder	20	4
2117	Cherry, Black	17	5
2118	Elm, American	15	5
2119	Oak, Red	32	5
2120	Oak, Bur	28	6
2121	Oak, Bur	16	5
2122	Oak, Bur	13	5
2123	Elm, American	12	5
2124	Cherry, Black	13	5
2125	Cherry, Black	9	5
2126	Cherry, Black	11	6
2127	Cherry, Black	11	6
2128	Cherry, Black	10	6
2129	Oak, Red	29	7
2130	Cherry, Black	10	5
2131	Cherry, Black	9	5
2132	Cherry, Black	11	6
2133	Oak, Bur	22	6
2134	Oak, Bur	24	4
2135	Aspen	12	5
2136	Cherry, Black	14	5
2137	Oak, Red	8	6
2138	Aspen	14	5
2139	Aspen	14	5
2140	Oak, Red	7	6
2141	Cherry, Black	6	5
2142	Oak, Bur	27	6
2143	Oak, Bur	16	5
2144	Oak, Red	24	6
2145	Oak, Bur	17	5
2146	Oak, Bur	22	6
2147	Oak, Bur	29	6
2148	Oak, Red	13	7
2149	Cherry, Black	10	5

2150	Oak, Red	10	6
2151	Oak, Bur	22	6
2152	Cherry, Black	9	5
2153	Cherry, Black	10	5
2154	Oak, Red	6	5
2155	Oak, Red	12	6
2156	Oak, Red	21	6
2157	Oak, Red	17	6
2158	Oak, Red	24	6
2159	Oak, Red	21	7
2160	Oak, Bur	7	6
2161	Birch, Paper	8	5
2162	Oak, Red	7	5
2163	Cherry, Black	17	6
2164	Cherry, Black	13	6
2165	Aspen	15	6
2166	Cherry, Black	14	5
2167	Oak, Bur	33	7
2168	Aspen	12	5
2169	Aspen	13	6
2170	Aspen	14	4
2171	Oak, Bur	23	6
2172	Oak, Bur	18	7
2173	Oak, Bur	18	4
2174	Oak, Bur	21	5
2175	Oak, Bur	10	6
2176	Oak, Bur	20	4
2177	Oak, Bur	28	7
2178	Oak, Bur	16	7
2179	Oak, Bur	23	7
2180	Oak, Bur	26	7
2181	Birch, Paper	18	5
2182	Oak, Bur	14	5
2183	Cherry, Black	14	4
2184	Oak, Bur	26	7
2185	Oak, Red	22	6
2186	Oak, Bur	21	6
2187	Oak, Bur	19	7
2188	Cherry, Black	9	6
2189	Oak, Bur	10	6
2190	Cherry, Black	9	5
2191	Cherry, Black	12	5
2192	Oak, Red	14	7
2193	Cherry, Black	13	6
2194	Oak, Red	9	6
2195	Cherry, Black	11	5
2196	Cherry, Black	10	6
2197	Cherry, Black	9	5
2198	Cherry, Black	8	5
2199	Cherry, Black	7	5
2200	Aspen	12	5
2201	Oak, Bur	22	4
2202	Cherry, Black	6	5
2203	Aspen	12	5
2204	Oak, Bur	12	5
2205	Aspen	13	6
2206	Cherry, Black	12	6
2207	Oak, Bur	15	4
2208	Cherry, Black	10	5
2209	Oak, Bur	21	4
2210	Aspen	25	7
2211	Oak, Bur	36	5
2212	Oak, Bur	18	6
2213	Oak, Bur	30	5
2214	Oak, Red	15	4
2215	Oak, Bur	20	5
2216	Oak, Red	32	4
2217	Oak, Red	26	5
2218	Cherry, Black	9	5
2219	Oak, Bur	24	7
2220	Oak, Bur	18	7
2221	Oak, Bur	19	6
2222	Oak, Bur	12	5
2223	Oak, Red	28	4
2224	Oak, Bur	27	6

2225	Cherry, Black	12	6
2226	Cherry, Black	9	5
2227	Oak, Bur	27	6
2228	Oak, Bur	22	5
2229	Oak, Bur	24	7
2230	Oak, Bur	22	5
2231	Oak, Red	27	7
2232	Oak, Bur	12	5
2233	Cherry, Black	20	6
2234	Cherry, Black	6	5
2235	Oak, Bur	21	7
2236	Oak, Red	6	5
2237	Aspen	13	6
2238	Cherry, Black	20	6
2239	Oak, Bur	18	4
2240	Oak, Bur	16	6
2241	Birch, Paper	6	5
2242	Cedar, Red	8	5
2243	Oak, Bur	29	6
2244	Oak, Bur	25	6
2245	Elm, American	13	5
2246	Oak, Red	8	7
2247	Oak, Bur	21	5
2248	Oak, Bur	15	4
2249	Oak, Bur	15	4
2250	Oak, Red	23	5
2251	Oak, Red	27	4
2252	Oak, Red	21	5
2253	Oak, Red	16	4
2254	Oak, White	15	5
2255	Oak, White	23	5
2256	Oak, White	24	7
2257	Oak, Bur	14	5
2258	Oak, Bur	17	5
2259	Oak, Bur	16	5
2260	Oak, Bur	18	5
2261	Cherry, Black	10	4
2262	Cherry, Black	8	4
2263	Oak, White	33	5
2264	Oak, Bur	21	7
2265	Oak, Bur	26	4
2266	Aspen	16	5
2267	Oak, White	6	4
2268	Cherry, Black	10	4
2269	Cherry, Black	9	4
2270	Bowelder	13	4
2271	Oak, Red	34	5
2272	Cherry, Black	6	5
2273	Oak, Red	21	6
2274	Cherry, Black	13	6
2275	Oak, Bur	13	5
2276	Cherry, Black	11	5
2277	Bowelder	12	4
2278	Oak, White	12	5
2279	Oak, White	12	5
2280	Oak, White	21	5
2281	Oak, White	16	5
2282	Bowelder	13	4
2283	Oak, White	12	5
2284	Oak, White	13	4
2285	Cherry, Black	11	5
2286	Oak, Bur	25	6
2287	Oak, Bur	25	6
2288	Cherry, Black	7	5
2289	Cherry, Black	9	5
2290	Oak, Bur	26	5
2291	Cherry, Black	7	4
2292	Cherry, Black	21	5
2293	Oak, Bur	26	6
2294	Cherry, Black	8	4
2295	Cherry, Black	9	4
2296	Oak, Red	24	6
2297	Oak, Red	9	6
2298	Oak, Red	16	5
2299	Oak, Red	21	6

2300	Oak, White	26	6
2301	Bowelder	17	5
2302	Cherry, Black	9	4
2303	Elm, American	12	5
2304	Cherry, Black	16	7
2305	Bowelder	14	4
2306	Oak, Red	23	7
2307	Cherry, Black	7	4
2308	Cherry, Black	13	5
2309	Cherry, Black	6	5
2310	Cherry, Black	9	6
2311	Oak, White	19	6
2312	Maple, Silver	25	4
2313	Aspen	17	4
2314	Aspen	17	4
2315	Aspen	25	4
2316	Aspen	12	5
2317	Oak, Red	29	6
2318	Oak, Red	24	5
2319	Cherry, Black	8	4
2320	Oak, Red	10	6
2321	Oak, Red	12	6
2322	Oak, White	15	5
2323	Cherry, Black	27	4
2324	Cherry, Black	11	5
2325	Aspen	14	5
2326	Cherry, Black	11	5
2327	Oak, Red	12	5
2328	Oak, Bur	15	5
2329	Cherry, Black	10	5
2330	Cherry, Black	16	5
2331	Oak, White	9	5
2332	Cherry, Black	17	6
2333	Oak, White	8	5
2334	Oak, Red	12	6
2335	Cherry, Black	6	4
2336	Cherry, Black	12	5
2337	Cherry, Black	11	6
2338	Cherry, Black	8	4
2339	Cherry, Black	9	4
2340	Cherry, Black	15	5
2341	Oak, Red	8	5
2342	Oak, Bur	26	5
2343	Oak, White	13	5
2344	Oak, Red	35	5
2345	Cherry, Black	14	5
2346	Oak, Red	50	5
2347	Oak, Red	9	5
2348	Oak, Red	28	6
2349	Oak, Red	27	5
2350	Oak, Red	34	5
2351	Oak, Red	19	4
2352	Bowelder	27	4
2353	Bowelder	16	4
2354	Oak, Red	22	6
2355	Oak, Red	26	6
2356	Oak, Red	55	5
2357	Oak, Red	35	5
2358	Oak, Red	38	5
2359	Oak, Red	48	4
2360	Oak, Red	24	6
2361	Oak, Red	17	6
2362	Oak, Red	37	5
2363	Oak, Bur	30	5
2364	Oak, Red	65	5
2365	Oak, Bur	15	5
2366	Cherry, Black	9	4
2367	Oak, Bur	16	5
2368	Oak, Red	40	5
2369	Cherry, Black	10	5
2370	Oak, Bur	13	5
2371	Oak, Red	28	5
2372	Oak, Red	48	5
2373	Oak, Red	6	4



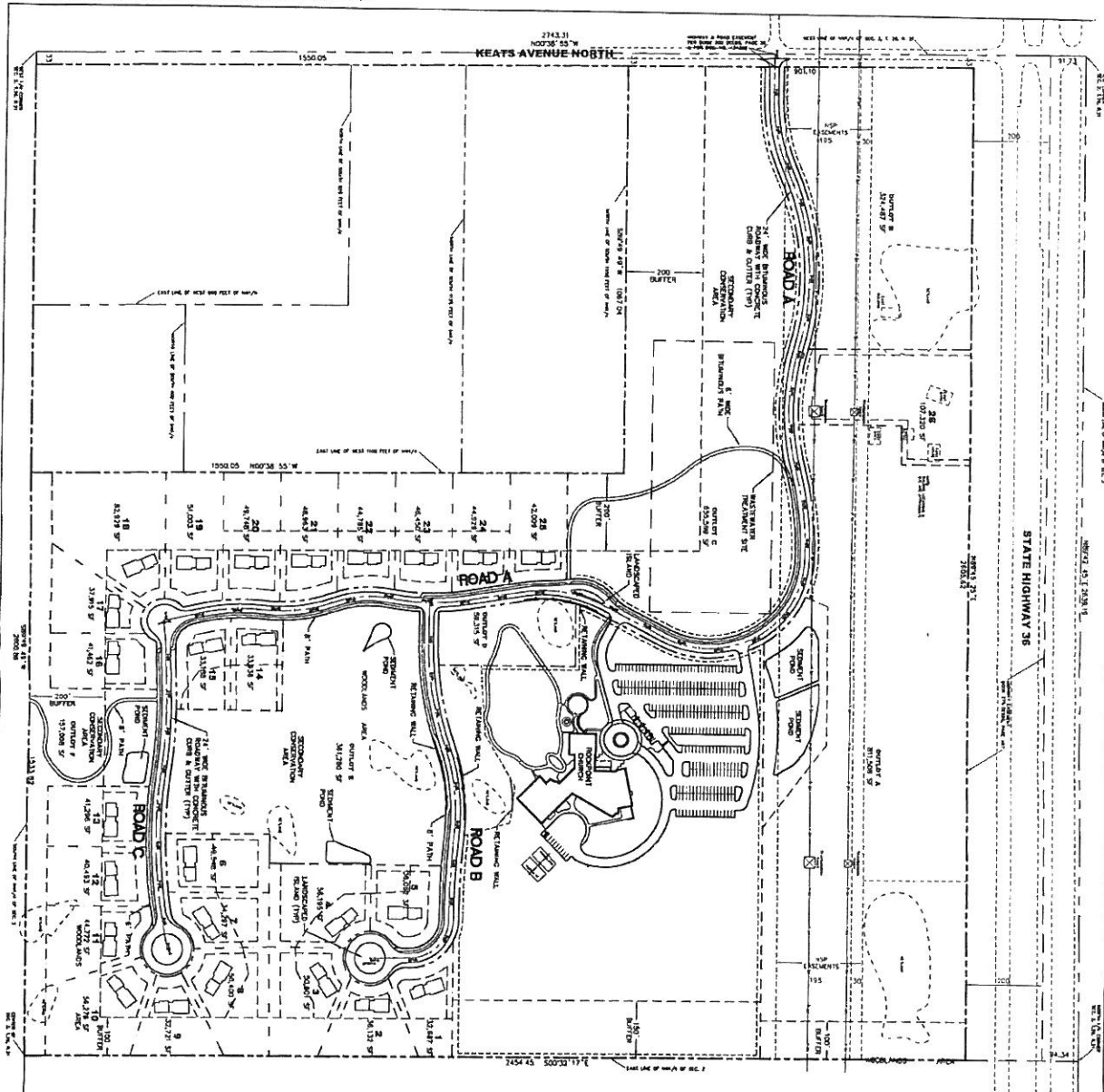
CADD USER: Andrew Montgomery FILE: \\DFAPPS01\JOB_FILES\2016 PROJECTS\16-210 HIDDEN MEADOWS OF LAKE ELMO\CADD\16-210 LANDSCAPE PLAN_UPDATE.DWG PLOT SCALE: 1:1 PLOT DATE: 5/16/2017 11:53 AM

LANDSCAPE NOTES:

1. SEED GRADED AREAS WITHIN 50 FEET OF WATER WITH MnDOT 33-261 NATIVE GRASS SEED AT 30 lbs/acre.
2. UNLESS OTHERWISE NOTED, SEED ALL GRADED AREAS WITH MnDOT 35-221 NATIVE GRASS SEED AT 30 lbs/acre.
3. TREE LOCATIONS MUST BE FIELD LOCATED AND INSPECTED BY THE CITY PRIOR TO INSTALLATION.



L-003



RECEIVED
APR 17 2006

P.D. Approved
AS Res
with
1321

LEGEND

- NIGHT OR WAY LINE
- FLOOD LINE
- LOT LINE
- EXTRACT LINE
- UTILITY EASEMENT LINE
- WETLAND DELINEATION

Typical Building
SEMAOS Publications

HIDDEN MEADOWS OF LAKE ELMO
SITE DEVELOPMENT PLAN
DEVELOPMENT PLAN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Paul B. Danvers, Jr.
PAUL B. DANVERS, JR.
DATE: 1/7/96 TIME: 1:00 PM DRAWN BY: JSTW

 **Kimley-Horn
and Associates, Inc.**
7700 UNIVERSITY AVE. SUITE 3000
Ft. Worth, TEXAS 76120
TEL. (817) 342-1000 FAX (817) 342-1001

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

RESOLUTION NO. 2006-038

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION
DEVELOPMENT STAGE PLAN, PRELIMINARY PLAT, AND
CONDITIONAL USE PERMIT OF HIDDEN MEADOWS OF LAKE ELMO.**

WHEREAS, on the 30th day of June, 2005, Pat Kinney of Hidden Meadows Development, LLC ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Concept Plan for a residential subdivision on 69.68 acres of a 108.62 acre parcel; AND

WHEREAS, on the 25th day of July, 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Concept Plan, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives, and recommended approval of the Concept Plan; AND

WHEREAS, on the 20th day of September, 2005, the Lake Elmo City Council reviewed changes to the Concept Plan, the City Planner's reports and comments dated September 6, 2005, the comments of the Applicant and the Applicant's representatives, and recommended approval of the Concept Plan.

WHEREAS, on the 27th day of March, 2006, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Stage Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives, and recommended approval of the OP Development Stage Application, Conditional Use Permit, and Preliminary Plat of HIDDEN MEADOWS OF LAKE ELMO based upon the following Findings:

1. The OP Development Stage Plan and Preliminary Plat are generally compliant with the approved OP Concept Plan, and condition of Concept Plan approval.
2. The Development Stage Plan is compliant with the standards of Section 301 of the City Code (Open Space Development).
3. The Preliminary Plat and preliminary construction plans are compliant with Section 400 of the City Code (platting).
4. The Conditional Use Permit complies with the pertinent findings required by Section 300.06 of the City Code.

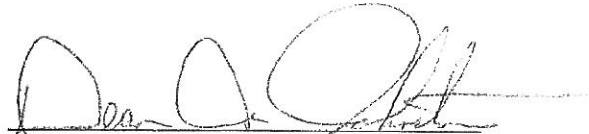
And subject to the following Conditions:

1. Compliance with the recommendations/requirements of the City Engineer.
2. Compliance with the recommendations/requirements of the Valley Branch Watershed District as found to be appropriate by the City Engineer.

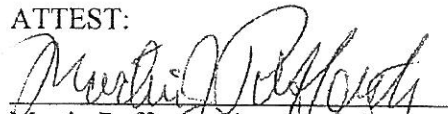
3. Trail setback to the Ziertman property be increased and screening be considered in the Landscape Plan.
4. Confirm drainfield setback is to be 100' feet from property line.
5. Provide size and delineation of the alternate drainfield.
6. Secondary drainfield have the appropriate easement for trail use.
7. A trail easement be added to the proposed watermain easement.

NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council hereby approves the Open Space Development Stage Plan, Preliminary Plat, and Conditional Use Permit for HIDDEN MEADOWS OF LAKE ELMO, as illustrated on the Preliminary Plat prepared by Kimley-Horn and Associates, Inc., dated March 3, 2006.

ADOPTED, by the Lake Elmo City Council on the 18th day of April, 2006.


Dean A. Johnston, Mayor

ATTEST:


Martin Rafferty, City Administrator

3674146

Receipt#: 56843



AGR

\$46.00

Certified Filed and/or recorded on:
12/19/2007 4:10 PM

3674146

Office of the County Recorder
Property Records & Taxpayer Services
Washington County, MN

Return to:
PETERSON FRAM & BERGMAN
55 E 5TH STREET SUITE 800
ST PAUL MN 55101

Kevin J Corbid, County Recorder

INTERIM AGREEMENT

**INTERIM AGREEMENT
HIDDEN MEADOWS OF LAKE ELMO**

1.0 Parties. This agreement is dated the 7 day of June, 2007, and is entered into by and between the City of Lake Elmo, a Minnesota municipal corporation (herein the "City"); and The Rockpoint Church, a Minnesota non-profit corporation (herein the "Developer").

2.0 Recitals.

- A. On May 16, 2006, the City approved the final plat for Hidden Meadows of Lake Elmo, a copy of which is attached and incorporated as Exhibit A.
- B. The Developer is the owner of Lot 1, Block 1 and outlots A and B, Hidden Meadows of Lake Elmo as shown on Exhibit A.
- C. When the final plat of Hidden Meadows of Lake Elmo was approved it was anticipated that a Church building would be constructed on Lot 1, Block 1, Hidden Meadows of Lake Elmo and that outlots A and B, Hidden Meadows of Lake Elmo would be replatted as Hidden Meadows of Lake Elmo 2nd Addition ("Residential Project"). A copy of the proposed plat for the Residential Project is attached and incorporated as Exhibit B.
- D. The Development Agreement for Hidden Meadows of Lake Elmo ("Development Agreement") includes a provision which requires the Developer to construct the waste water treatment system for the Church building and for the anticipated Residential Project before occupancy of the Church building.
- E. The Developer would like to occupy the Church building by June 10, 2007 without constructing a waste water treatment system for the Residential Project.
- F. The City wants some assurance with respect to the conservation easement areas of the Residential Project which are illustrated as outlots B, C, E and F (Conservation Easement Areas) on Exhibit B will be preserved.

IN WITNESS WHEREOF, the above-named parties have hereunto set their hands.

CITY OF LAKE ELMO
By: [Signature] Dean Johnston
Mayor
By: [Signature] Susan Hoyt
City Administrator

STATE OF MINNESOTA)
COUNTY OF Washington) ss.

On this 7th day of June, 2007, before me, a notary public within and for said county, personally appeared Dean Johnston and Susan Hoyt, to me known to be respectively the Mayor and City Administrator of the City of Lake Elmo, and they executed the foregoing instrument and acknowledged that they executed the same by authority of and on behalf of City of Lake Elmo.

[Signature]
Notary Public



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: November 21, 2016

To: Stephen Wensman, Planning Director
Cc: Randal Tweden, P.E., Solution Blue
Chad Isakson, P.E., Assistant City Engineer
From: Jack Griffin, P.E., City Engineer

Re: Hidden Meadows 2nd Addition
Final Plat/Construction Plan
Completeness Review

The following documentation was received on November 17, 2016 for the Hidden Meadows 2nd Addition Final Plat as prepared by Solution Blue:

- Hidden Meadows 2nd Addition Final Plat, not dated.
- Hidden Meadows 2nd Addition Construction Plans dated November 15, 2016.

STATUS/FINDINGS: The submittal is incomplete and must be revised and resubmitted for staff to initiate its plan review. 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 and Plan Sheet Format Requirements available for download on the City website.

The following comments are intended to assist with plan preparation and may call your attention to a several of the more important issues resulting in an incomplete application, however, the comments below are not intended to be all inclusive. The applicant or applicant's representative should review the City's design standards guidelines and plan format requirements carefully before resubmitting. Also, please review printed plan copies prior to submittal and verify line types for all information are clearly visible and can be fully distinguished for the purpose of plan review.

FINAL PLAT/CONSTRUCTION PLANS

- Add Lot and Block numbers and street names to all plan sheets for reference points.
- Update plan legend to include all line types use in the preparation of the plans.
- Sheet C2.0. Revise scale to 1" = 50 feet. Existing conditions must be provided for the plat area and to a distance of 150 feet from the plat limits.
 - All utilities must be shown including type of utility, material, size and inverts if applicable.
 - All wetlands, wetland buffers and water bodies must be clearly shown/delineated and must include the existing normal water level (NWL) and high water level (HWL).
 - Include trees, wooded areas, structures and other existing conditions that require removal, or will be impacted.
- Sheet C4.0. Typically the erosion control plan must be shown on the grading plan to verify grading limits.
 - Revise scale to 1" = 50 feet.
 - Add City standard Plan notes to the erosion control plan sheets and remove the notes from the details page.

- Sheets C18.0 through C20.0.
 - Move storm sewer plan and profiles to the street plan and profile sheets.
 - Add pipe size and material in plan view.
 - Add rip rap to discharge locations.
 - Add dimensions in plan view to indicate placement of utilities in right-of-way and following city standards. Storm sewer to be placed south and east of centerline, offset by minimum 10 feet.
 - Watermain and sewer main should be greyed out but remain visible to review for conflicts.
 - Add storm sewer plan notes.
 - Show pipe crossings in profile.
- Sheet C21.0. Add existing and proposed grade profile for each structure and storm sewer run.
- Sheet C22.0. Add proposed pipe velocity for each storm sewer pipe under the 10-year design condition. Verify pipe velocities are < 15 fps for all pipes and < 5 fps at all discharge points.
- Sheets C23.0 through C27.0. City standard Plan notes must be placed on the applicable plan sheets and removed from the details sheets.
- Sheet L-003. Landscape plan must show all proposed utilities on the plan to assist with plan review.
 - Add plan note that all trees must be field flagged and approved by the City prior to installation.
 - Verify that all trees are planted to maintain minimum 10 feet from water/sewer services and other pipe utilities. Trees must also be planted to maintain minimum 5 feet from utility joint trench.
- Add street signage, lighting and pavement marking plan with city standard plan notes.
- Specifications. Specifications for the Hidden Meadows 2nd Addition must be submitted for review by the City. Specifications must use the City Standard Specifications found on the City website.

COLLECTION SYSTEM PLANS

- All Plan Sheets: Revise plans to be 22" by 34" and scale 1" = 50 feet.
- Add plan notes as needed to identified pipe separations and location within right-of-way.
- Provide all existing conditions for the wastewater treatment system.
 - Include current inspection report demonstrating system condition and statement of compliance. Also provided current system capacity and current use.
 - Include proposed system use and capacity and provide plans for any system expansion.

Date Received: _____
Received By: _____
LU File #: _____



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

FINAL PLAT APPLICATION

Applicant: RM Investments, LLC & Mpls RE, LLC - Mark Guenther

Address: 13925 Fenway Blvd. N, Hugo, MN 55038

Phone #: 651-425-0469

Email Address: mark@genmarkbuilders.com

Fee Owner: RM Investments, LLC & Mpls RE, LLC - BRENDA KUNKEL

Address: 13925 Fenway Blvd. N, Hugo, MN 55038

Phone #: 651-762-1110

Email Address: BRENDA@SBCCC.COM

Property Location (Address): 5825 Kelvin Ave N., Lake Elmo, MN 55042

Complete (long) Legal Description: _____

PID#: 0202921240001

General information of proposed subdivision: Hidden Meadows of Lake Elmo is a 25 lot open preservation community. Lots sizes are ~1-2 acres. The development has a shared community septic system with Rockpoint Church which is managed by an HOA. Water is city supplied. This development was preliminary platted with a 2 year final plat extension granted by the City in December 2015.

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

Signature of applicant: [Signature]

Date: 9/21/16

Fee Owner Signature: [Signature]

Date: 9/21/16

SEP 26 2016

HIDDEN MEADOWS OF LAKE ELMO 2nd ADDITION

Narrative Statements

2. Written statements providing information regarding your proposal. Please provide a separate answer for each of the lettered items listed below (answers must be submitted in both hard copy and electronic form-- MS Word format or PDF):

a. A listing of contact information including name(s), address (es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates.

Owner

Rockpoint Church
5825 Kelvin Ave N.
Lake Elmo, MN 55042
Attn: Wes Oren
651-770-3172 (202)

Purchaser & Developer (Fee Title Owner)

RM Investments, LLC & Mpls Re, LLC
13925 Fenway Blvd N
Hugo, MN 55038
Attn: Brenda Kunkel
651-762-1110

Engineer

Solution Blue
318 Cedar Street
St. Paul, MN 55101
Attn: Mitchell Cookas
651-294-0038

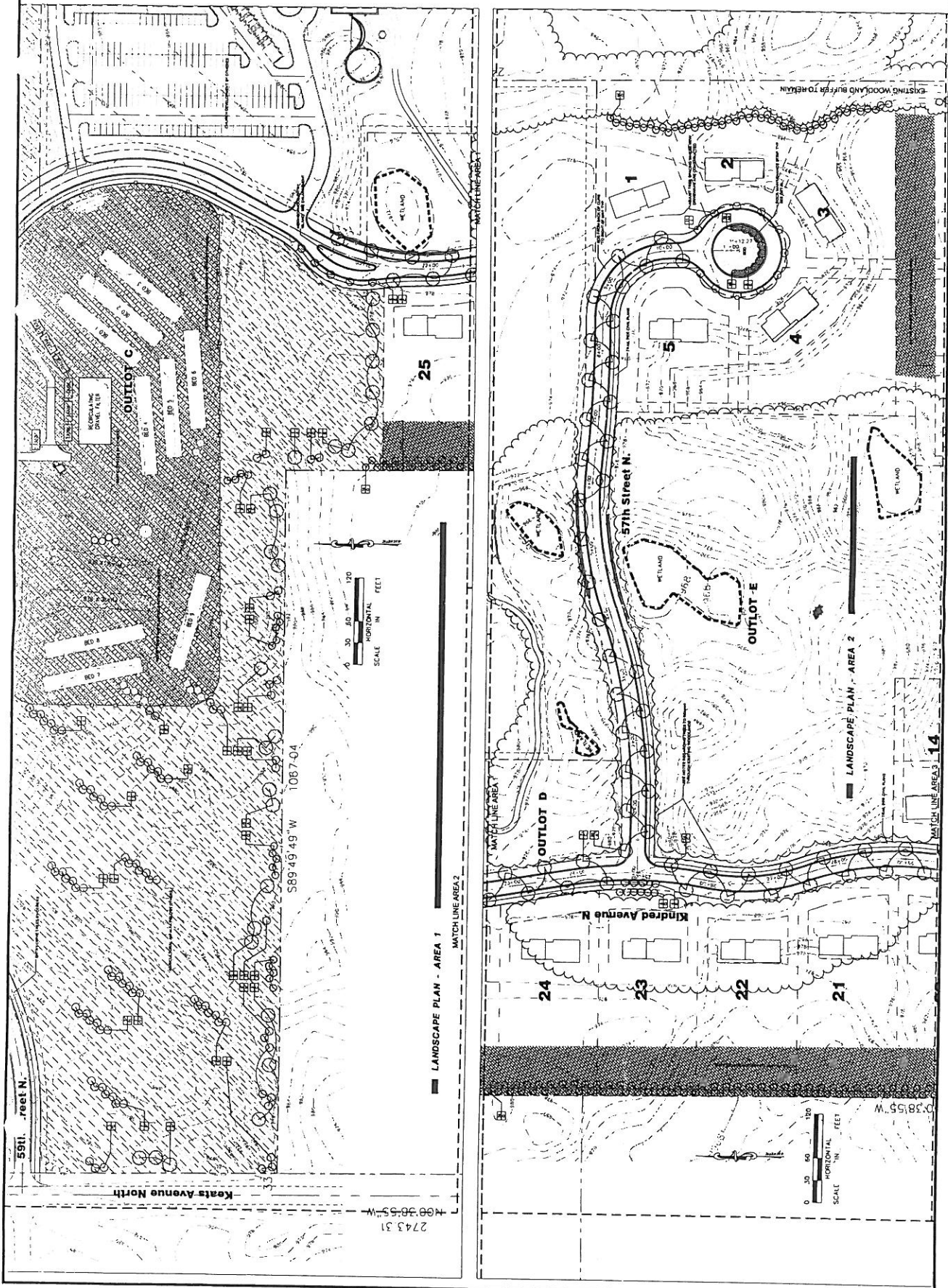
Surveyor

Bohlen Surveying and Associates
1682 Cliff Road East
Burnsville, MN 55337
952-895-9212

b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s). See plat sheets, parcel is 86.52 acres.

Proposed development will begin in March/April of 2017 depending on weather. Expected completion will be June/July of 2017. All the utilities will be installed and possibly phase the road construction in 2 phases. All recreational trails will be installed when the road improvements are installed.

with
L-
APPROVE
Plan

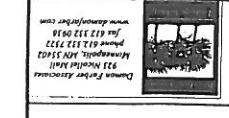


SCALE	13	14
SHEET NO	13	14
AS NOTED		
DESIGNED BY	BH	
CHECKED BY	TW	
DATE	05-02-06	
PROJECT NO	06-128	

HIDDEN MEADOWS OF LAKE ELMO
SITE DEVELOPMENT PLANS
LANDSCAPE LAYOUT PLAN

DATE 05/03/06
PROJECT NO 06-128
SHEET NO 13
LANDSCAPE LAYOUT PLAN

Kimley-Horn
and Associates, Inc.
3930 North 13th Street
Minneapolis, MN 55412
Phone 612.333.0938
Fax 612.333.0938
www.kimley-horn.com



Stephen Wensman

From: Stephen Wensman
Sent: Monday, April 17, 2017 12:46 PM
To: 'Randal Tweden'; Mark Guenther
Cc: Emily Becker; 'jack.griffin@FOCUSengineeringinc.com' (jack.griffin@FOCUSengineeringinc.com)
Subject: Hidden Meadows 2nd Planning Comments:
Attachments: SKMBT_C25317041712170.pdf

Dear Mark,

I have reviewed the proposed final plans and have prepared preliminary comments. The City Engineer will be providing a separate set of comments. The final landscape plans dated 04/03/2017 were reviewed and I have following comments:

1. Please show on final plans the water and sanitary sewer connections to verify there are no conflicts with planned street tree locations. The City prefers a 10 foot setback from individual lines and requires a minimum 5 foot setback.
2. Please use the City of Lake Elmo standard details and plan notes on your plans.
3. The plans identify 88 Street trees (trees within the public R/W), however the landscape ordinance requires 1 tree per lineal foot of street frontage. If there are 6657 lineal feet of road, then there is 13,314 lineal feet of frontage (2 sides of road). The street tree requirement is **266 street trees**. Staff will accept the trees at the edge of the utility easement outside the R/W as required street trees.
4. The plans identify 157 evergreen trees and 24 overstory trees meeting the 5 trees/ acre of disturbed area. The plans exceed the non-street tree requirement.
5. The evergreen buffer along the west property line identifies a mix of evergreen tree species. The arborvitae are extremely susceptible to deer browse. City staff suggests changing the arborvitae to Austrian Pine. The Medora Junipers get a mature width of 3 feet. Staff suggests changing the Medora to 'Sky High' or 'Star Power' varieties which have a mature width of 5 feet.
6. The landscape plans should identify the proposed stormpond maintenance roads in order to identify conflicts between proposed trees and storm pond access.
7. Please identify the seeding areas (limits of native seeding) for each proposed seed mix on the plans or a separate plan exhibit.
8. Reading through the preliminary plat approval records, there are a number of comments about the effectiveness of screening on the east side of the plat. I found the Kimley-Horn Landscape Plan dated 05/02/2006 that show a staggered row of conifers along the east tree-line intended to bolster the screening. This planting was subject of much debate and it appears as though a final landscape plan was approved prior to the July 5, 2006 City Council meeting. I would suggest this was the approved landscape plan. If so, your plans are deficient screening along the east in particular (see attached 05/02/2006 Landscape Plans)
9. The buffer on the west side has been reduced from 200 ft to 150 ft as suggested to provide for a back yard area that is usable. It has been suggested that a berm be added along the west property line along with the proposed trees in lieu of the 200 ft. buffer (there will be public comments as such).
10. Revised and approved landscape plans are required prior to recording the final plat.

Other comments:

- Recently the Planning Commission has indicated that they prefer minimal street lighting in residential subdivisions. Their most recent comments suggest they prefer street lighting only at intersections. There are no street lighting requirements in the City code, so this is just commentary.

- The Detail sheet #805 does not appear to apply to this development. Check with the City Engineer if the alternate detail on C22 would take its place.
- Outlot ownership comments: The City may or may not want to own Outlots E and F. If Outlot F is owned, the City may want to only accept the portion with the stormpond access and pond on it (breaking it down to smaller outlots).
- Water service stub on Lot 10, Block 2 is within the proposed driveay (check with City Engineer if this is an issue)
- Verify with the City Engineer the required width of the easement between Lots 3 and 4, Block 2 is of adequate width.
- The open space calculation is incorrectly calculated on C4:

Open Space Calculation:

Outlot A	N/I
Outlot B	7.45 ac
Outlot C	15.06 ac
Outlot D	1.36 ac
Outlot E	8.29 ac
Outlot F	3.51 ac
Total	35.59 acres

Open Space Calculation = 35.67 ac/67.89 acres=53% open space

Stephen Wensman
 Planning Director
 City of Lake Elmo
 651-747-3911



Minnesota Department of Transportation

Metropolitan District

Waters Edge Building
1500 County Road B2 West
Roseville, MN 55113

December 2, 2016

Kyle Klatt
Planning Director, City of Lake Elmo
3800 Laverne Avenue N.
Lake Elmo, MN 55042
kklatt@lakeelmo.org

SUBJECT: P16-067 Hidden Meadows
SE Quad of MN 36 & Keats Ave N
Lake Elmo, Washington County
Control Section 8204

Dear Mr. Klatt:

The Minnesota Department of Transportation (MnDOT) has reviewed the above referenced plat in compliance with Minnesota Statute 505.03, subdivision 2, Plats. Before any further development, please address the following issues:

Water Resources

A drainage permit may be required. The submitted information is insufficient to determine if the proposed drainage system would impact MnDOT right of way. The proposed development will need to maintain existing drainage rates (i.e., the rate at which storm water is discharged from the site must not increase).

As part of a drainage permit submittal, the City or project developer will need to submit before/after hydraulic computations for both 10 and 100 year rainfall events verifying that all existing drainage patterns and systems affecting Mn/DOT right of way will be perpetuated.

For questions on these points or to submit additional information, please call Bryce Fossand, Mn/DOT Metro District Water Resources Engineering, at (651) 234-7529 or email bryce.fossand@state.mn.us.

Noise Control:

MnDOT'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 this highway 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.

MnDOT's policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The project proposer should assess the noise situation and take the action deemed necessary to minimize the impact of any highway noise.

If you have any questions regarding MnDOT's noise policy please contact Natalie Ries in our Noise/Air Quality section at (651) 234-7681.

Review Submittal Options:

MnDOT's goal is to complete the review of plans within 30 days. Submittals sent electronically can usually be turned around faster. There are four submittal options:

1. One (1) electronic pdf version of the plans. MnDOT accept plans at metrodevreviews.dot@state.mn.us provided that each e-mail is less than 20 megabytes.
2. Three (3) sets of full size plans. Although submitting seven sets of full size plans will expedite the review process. Send plans to:

MnDOT – Metro District Planning Section
Development Reviews Coordinator
1500 West County Road B-2
Roseville, MN 55113

3. One (1) compact disk.
4. Plans can also be submitted to MnDOT's External FTP Site at:
<ftp://ftp2.dot.state.mn.us/pub/incoming/MetroWatersEdge/Planning>. Internet Explorer may not work using FTP so use an FTP Client or your Windows Explorer (My Computer). Notify metrodevreviews.dot@state.mn.us indicating the plans have been submitted on the FTP site.

If you have any questions concerning this review, please contact me at 651-234-7784.

Sincerely,



Karen Scheffing
MnDOT Principal Planner

Copy sent via E-Mail:

Buck Craig, Permits
Nancy Jacobson, Design
Bryce Fossand, Water Resources
Matt Aguirre, Right-of-Way
Russ Owen, Metropolitan Council
Kaare Festvog, Traffic
Ryan Coddington, Area Engineer
Natalie Ries, Noise/Air quality

LAKE ELMO PLANNING COMMISSION STAFF REPORT

Date: March 24, 2006 for the Meeting of March 27, 2006

Applicant: Hidden Meadows Development, LLC (Pat Kinney)/Lakewood Evangelical Church

Location: Southeast Quadrant of State Highway 36 and Keats Avenue

Requested Action: OP Development Stage Plan/Preliminary Plat and CUP – “Hidden Meadows of Lake Elmo”

Land Use Plan Guiding: RAD

Existing Zoning: RR

Site History and Existing Conditions:

A Preliminary Plat of Deer Glen was approved by the City Council on April 28, 2005 concurrently with several other related applications for 108 acre site. That Preliminary Plat specified a partial street right-of-way extending into the site from Keats Avenue and a 20 acre Lot 1, Block 1 – the site reguidd and rezoned PF to accommodate the (now) Rock Point Church. The balance of the 108 acres was “outlotted” in the Deer Glen plat pending a revised OP Concept Plan for the residential portion of the project. The 2005 approval of the Deer Glen Preliminary Plat did specify that the portion of the lands adjacent to State Highway 36 and north of the public street could be excluded from the OP project, and remain an outlot with no designated use.

On September 20, 2005 the City Council approved an amended OP Concept Plan for the residential portion of the project south of the public street. It is this area (and the original homestead site north of the public street) that is the subject of the OP Development Stage Plan. The Preliminary Plat covers the actual OP development and the remaining Outlots north of the public street.

Discussion and Analysis:

City review of OP Development Stage Plans and accompanying Preliminary Plats includes findings of both compliance with the approved OP Concept Plan and compliance of the preliminary infrastructure plans with City engineering standards and OP design standards. The City Engineer’s review of those infrastructure plans is the critical component of this development review stage since the general neighborhood design/lot count/required amenities are established at the Concept Plan Stage.

OP Development Stage Plan/CUP

1. The proposed lot count and lot configuration (including OP buffer areas) are responsive to the approved Concept Plan (September 20, 2005).
2. The Landscape Plan proposes 470 trees to be introduced to the site with deciduous trees partly 2.5 inch and partly 1.5 inch caliper (depending on species), and coniferous trees 6 feet and 8 feet in planted height (dependent on species). This count and quality of trees will

respond to both OP and Section 400 standards for landscape – particularly considering significant existing tree population on some of the proposed lots that will be retained.

3. We do not find a Landscape Plan response to Condition #5 of the OP Concept Plan approval resolution, “5. *The Development Stage Plan shall demonstrate the year-round effectiveness of screening measures that support the 100 foot OP buffer on the east side of site.*” While the Landscape Plan notes existing tree groupings along the east side of the plat, we find no indication of the species, spacing and sizes of the trees in that grouping that would demonstrate that this would be effective year-round screening of the homes within the plat. Together with a listing of the trees proposed as effective year-round screening, the preferred method to demonstrate that effectiveness is providing cross sections from house through screen to adjacent land.
4. With the exception of #3 above we find that the applicable conditions of the Concept Plan approval resolution are complied with.

Preliminary Plat

The City Engineer has presented a March 23, 2006 Email outlining a number of infrastructure related review comments, including a finding that certain information required to complete his review has not been submitted by the applicant.

Findings and Recommendations:

Where City Engineer or Watershed review comments address minor plat modifications we usually recommend the plat go forward to the City Council with a condition requiring compliance by the applicant with those comments and recommendations. In this case the City Engineer’s review recommends more substantial modifications than we have seen previously, and the need for additional information to complete his review. This concern coupled with the lack of a plan demonstration screening effectiveness leads staff to recommend that this Preliminary Plat be tabled by the Commission pending applicant’s plan adjustments and submission of the information we do not as yet have.

The Noticed Public Hearing regarding the plat and CUP should be conducted by the Commission on March 27, as scheduled. Based on the above comments the City does not have a “completed application” as of this date. We suggest, however, that the meeting at which the Commission should next consider this matter is April 24, and the meeting at which the City Council should act is May 2, 2006.

Planning Commission Actions Requested:

Motion to table the OP Development Stage Plan/Preliminary Plat/CUP of “Hidden Meadows of Lake Elmo” until such time as completed application documentation is submitted and modifications to the infrastructure design recommended by the City Engineer are completed.

Charles E. Dillerud, City Planner

Attachments:

1. City Council Resolution #2005-102 Approving the OP Concept Plan
2. Approved OP Concept Plan
3. City Engineer’s Email
4. Applicant’s Documentation

Lake Elmo City Council April 18, 2006	Agenda Section: Planning, Land Use and Zoning	<u>No.</u> 9A
<u>Agenda Item:</u> OP Development Stage Plan/Preliminary Plat and CUP – “Hidden Meadows”		
<p><u>Background Information for April 18, 2006:</u></p> <p>The Planning Commission considered this OP Plan/Plat/CUP to create 26 single family lots (25 new and 1 existing) at meetings March 27 and April 10, 2006. The Official Public Hearing was conducted on March 27, and the applications were then tabled pending resolution with the City Engineer of several infrastructure design issues, and submission by the applicant of a screening plan along the east site boundary to comply with OP standards where a 100 foot OP buffer is proposed. The majority of the infrastructure design issues were resolved with the City Engineer by April 10, and the applicant presented the screening plan at the April 10 Commission meeting. Following substantial discussion the Commission decided to recommend the applicant’s proposed screening plan to be compliant with the intent of the OP buffer standards.</p> <p>Public Hearing testimony focused on a request by an adjoining (at the extreme southwest corner) property owner for a public street extension to the south plat boundary. That neighboring 20 acre parcel is accessed via an easement to Keats that was created when a 40 acre parcel was divided, with City approval, into 2 “shotgun” 20’s several years ago. The property owner advised the Commission that he desires a direct public street access through this plat to eliminate a long easement driveway and enhance the potential to further divide the 20 acre parcels (perhaps to 10’s) in the future. The Commission does not recommend the street extension be required.</p> <p>A second adjoining property owner requested that the trail along the west perimeter of the plat be moved away from the property line. The applicant has agreed to do so.</p> <p>The Commission has unanimously recommended that the OP Plan/Plat/CUP be approved.</p>		
<p><u>Action items:</u></p> <p>Motion to adopt Resolution #2006 - , approving the OP Development Stage Plan/OP Conditional Use Permit and Preliminary Plat for “Hidden Meadows of Lake Elmo per plans staff dated April 13, 2006 and subject to conditions of approval as recommended by the Planning Commission.</p>	<p><u>Person responsible:</u></p> <p>City Planner</p>	
<p><u>Attachments:</u></p> <ol style="list-style-type: none"> 1. Draft Resolution #2006 – Approving Plat/Plan/CUP 2. Location Map 3. Planning Commission Minutes of March 27 and April 10 4. Planning Staff Reports of March 24 and April 6 5. Documentation and graphics 	<p><u>Time Allocated:</u></p>	

Lake Elmo City Council July 5, 2006	Agenda Section: Planning, Land Use and Zoning	<u>No.</u> 9B
<u>Agenda Item:</u> Final Plat and Development Agreement – Hidden Meadows 2 nd Addition		
<p><u>Background Information for July 5, 2006:</u></p> <p>An application for Final Plat of Hidden Meadows 2nd Addition has been presented for City Council approval. This Final Plat is for the 69.68 acre residential (OP) portion of the Rock Point Church site at 59th Street North and Keats Avenue, and plats 25 lots and the remaining street right-of-way not platted with the Rockpoint Church Final Plat. The Preliminary Plat was approved on April 18, 2006.</p> <p>Staff has prepared a Development Agreement including content and format similar to those of prior OP plats. The City Forester has reviewed and approved the Final Landscape Plan. Note that the City Engineer has determined that the primary drainfield setback to the west property line is (and always was) 100 feet or more. The applicant has delineated a secondary drainfield site, and the water main/trail easements thereon will be provided in written format rather than by plat notation – the usual method for these types of easements.</p> <p>As this is written the City Attorney is continuing review of the various Covenants/Declarations/Easements that will be required prior to release of the plat by the City for recording. The Conservation Easement over the Preserved Open Space may be held by the City rather than the Land Trust – as is permitted by the Zoning Ordinance. The applicant and the Land Trust are still conversing on those matters. In no case can the plat be released for recording prior to the Conservation Easement (as well as the other required written easements) being provided to either the City or the Land Trust or both.</p>		
<p><u>Action items:</u></p> <p>Motion to adopt Resolution #2006 - approving the Final Plat and Development Agreement for Hidden Meadows 2nd Addition.</p>	<p><u>Person responsible:</u></p> <p>City Planner</p>	
<p><u>Attachments:</u></p> <ol style="list-style-type: none"> 1. Draft Resolution #2006 - Approving Final Plat and DA 2. Draft Development Agreement 3. Final Plat 4. Resolution #2006 – Approving Preliminary Plat 5. Approved Preliminary Plat 	<p><u>Time Allocated:</u></p>	



STAFF REPORT

DATE: 7/5/2017

REGULAR

ITEM #: 12

TO: City Council
FROM: Emily Becker, City Planner
AGENDA ITEM: Lions Park Signs
REVIEWED BY: Kristina Handt, City Administrator

BACKGROUND:

Aaron Runk has offered to sell advertisements in the form of signage on fencing within Lions Park. Staff obtained quotes from Kathy Weeks of Weekend Signs. The Parks Commission reviewed the sign costs at its June 19, 2017 meeting and made recommendations.

ISSUE BEFORE COUNCIL:

The Council is being asked to review the Parks Commission recommendation and adopt Resolution 2017-071 approving the initial costs of the signs to be assigned to the capital improvements fund for Lions Park; and approving cost and sales price for and type of signs to be allowed within Lions Park.

PROPOSAL DETAILS/ANALYSIS:

Kathy Weeks provided pricing for both 4' X 8' and 4' X 16' (two panels of 4' X 8') signs. Pricing is shown for both aluminum composite and vinyl banners in these sizes. This pricing is at cost and does not include markup, and Kathy has indicated that there will be no additional markup to this price. Staff has also reached out to other sign companies to obtain pricing, and Kathy's quote was the lowest. These quotes are attached for reference. Once a business has agreed to purchase advertising space, the signs would be made and displayed on fencing in the park. Kathy has also provided visuals of what the signs would look like on fencing within the park.

The advertisements would be sold, and the City would pay Kathy for the initial cost of the signs. The initial cost of the 4' X 8' aluminum signs are \$150.00-\$200.00 each, and the Parks Commission recommended that they be sold for advertisement at \$500.00/year. The 4' X 16' aluminum signs (which would be made up of two 4' X 8' aluminum signs) are at a cost of \$350.00-\$400.00 each, and the Parks Commission recommended that the advertisements be sold at a price of \$900.00/year. The Parks Commission also recommended that the funds used for the initial costs of the signs come from the Lions Park capital improvements fund and that the signs have a vintage feel where possible.

FISCAL IMPACT:

Initial cost of purchasing the signs, which would be covered by the cost for advertisement. The Parks Commission has recommended that the initial funds to purchase the signs come out of the capital improvements fund for Lions Park.

OPTIONS:

- Adopt Resolution 2017-071, approving the initial costs of the signs to be assigned to the Lions Park capital improvements fund; and approving cost and sales price for and type of signs to be allowed within Lions Park as part of tonight's consent agenda.
- Remove the item from tonight's consent agenda, make amendments Resolution 2017-071, and adopt Resolution 2017-071 as amended.
- Not adopt Resolution 2017-071.

RECOMMENDATION:

Staff and the Parks Commission recommend adoption of Resolution 2017-071, approving the initial costs of the signs to be assigned to the Lions Park capital improvements fund; and approving cost and sales price for and type of signs to be allowed within Lions Park as part of tonight's consent agenda. If removed from the consent agenda, the recommended motion can be made as follows:

“Move to adopt Resolution 2017-071, approving the initial costs of the signs to be assigned to the Lions Park capital improvements fund; and approving cost and sales price for and type of signs to be allowed within Lions Park.”

ATTACHMENTS:

- Resolution 2017-071
- Sign package from Kathy Weeks including sign pricing, example photos of what the signs would look like within Lions Park, and example sign graphics
- Other signage quotes

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

RESOLUTION NO. 2017-071

*A RESOLUTION APPROVING INITIAL COST, PRICE, FUNDS BEING USED, AND TYPE OF
SIGNS TO BE SOLD AND PLACED WITHIN LIONS PARK AND COMMITTING FUNDS*

WHEREAS, Lions Park is home to many annual events such as the Lake Elmo Rotary Ice Cream Social, Huff n Puff Days and numerous Lake Elmo Baseball Association games; and

WHEREAS, Lions Park is one of Lake Elmo's oldest parks and is in need of improvements for both safety and aesthetic reasons; and

WHEREAS, Lake Elmo residents and businesses are interested in contributing to improvements at the Lions Park Ballfield both through monetary and in-kind contributions and;

WHEREAS, volunteers have come forward offering to help sell advertising signs for the outfield fence at Lions Park and;

WHEREAS, the Parks Commission also recommended that every effort be made to give the signs a vintage feel when possible; and

WHEREAS, the Parks Commission reviewed the cost, price, funds to be used, and type of signs to be used and sold as advertisements within Lions Park at its June 19, 2017 meeting and recommended that Council approve the following:

- 4' X 8' 3mm Aluminum Composite Sign w/ Grommets at a cost of up to \$200.00 and a sale price of \$500.00/year.
- 4 X 16' 3mm Aluminum Composite Sign w/ Grommets at a cost of up to \$400.00 and a sale price of \$900.00/year, and

WHEREAS, the Parks Commission also recommended that the City Council commit the funds received from sales of signs to the Lions Park Ballfield Improvement Fund and;

WHEREAS, the initial costs of the signs would come from the funds deposited in the Lions Park Ballfield Improvement Fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lake Elmo approves the aforementioned initial costs, sale price, funding source, and type of signs that will be sold for advertising to raise funds for Lions Park, to be placed within Lions Park.

BE IT FURTHER RESOLVED, that the City Council does hereby commit the advertising revenues from the sale of signs at Lions Park to the Lions Park Ballfield Improvement Fund.

Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



Weeks-end Signs & Graphics

KATHY WEEKS
WeeksEndSigns@AOL.COM

Call **651.779.0307**

Date: 5/31/17

Proof: 1

4' x 8' (Rihm Kenworth)

233' fence marker



4' x 16' Gorman's Restaurant in center... 4' x 8' signs on each side

266' fence marker



NOTE:

Please review your proof carefully for Spelling Errors, Size, Quantity, Color & ALL content.



Signs
& GRAPHICS

KATHY WEEKS
WeeksEndSigns@AOL.COM

Call 651.779.0307

Date: 5/31/17

Proof: 1

4' x 8'

country market

Hagberg's

THE MEAT PLACE

HagbergsMarket.com

Find Us On Facebook

RK

RIHM KENWORTH

FAMILY OWNED & OPERATED SINCE 1932

GORMAN'S

Restaurant

Burgers & Malts

GormansRestaurantLakeElmo.com



LAKE ELMO BANK

A TRADITION OF SERVICE

4' x 16' (2 @ 4' x 8' panels installed next to each other)

GORMAN'S

Restaurant

Burgers & Malts

OPEN 'till 8pm Mon.-Sat.

Sundays 'till 3pm

GormansRestaurantLakeElmo.com

NOTE:

Please review your proof carefully for Spelling Errors, Size, Quantity, Color & ALL content.

PREPARED FOR: **City of Lake Elmo**

DATE: 6/27/2017

TOTAL PAGES: 1

Quote # 12523



945 Pierce Butler Route
St. Paul, MN 55104

Quote Line	ITEM	UNIT	Qty	TOTAL	COMMENTS / QUALIFICATIONS
12523	4' X 8'		1	\$767	Furnish and deliver (1) 4' X 8' 3MM Aluminum composite sign. Sign will have a prefinished white back and have a first surface digital print applied to the face. No permit needed.
12523-01	4' X 16'		1	\$1,247	Furnish and deliver (1) 4' X 16' 3MM Aluminum composite sign. Sign will have a prefinished white back and have a first surface digital print applied to the face. No permit needed.

Grand Total

General Qualifications

- Manufacture, installation and shop drawings included
- 50% deposit required to begin manufacturing

Questions?

Contact Steve Rutkowski

O:651-488-6711 or C:651-775-6727

srutkowski@lawrencesign.com

Impression Signs and Graphics

680 Hale Ave N. #250
 Oakdale MN 55128
 United States
 Phone: (651) 328-6601
 Fax : (651) 328-6608
 eric@impressionsigns.com
 for Quote : eric@impressionsigns.com
 www.impressionsigns.com
 EIN # : 46-2454941

**Quote 3680 - 8'x4' Composite Aluminum Panels****Expiration Date : 08/22/2017**

Quote for	Contact	Shipping/Install
City of Lake Elmo 3800 Laverne Avenue North Lake Elmo MN 55042	Emily Becker Phone : (651) 747-3912 Email : ebecker@lakeelmo.org Address : 3800 Laverne Avenue North Lake Elmo MN 55042	

Quote #	Quote Date	Sales Rep	Payment Terms	PO	PO Date
3680	06/23/2017	Eric Gustafson eric@impressionsigns.com (612) 401-4450	Cash Customer		

Items

#	Item	Qty	Unit Price	Total (Ex. Tax)	Tax	Total (With Tax)
1	Digital Print on Max Metal Single Sided Single Sided Composite Aluminum Panel, 3M Full Color Digital Print Vinyl Graphics with Premium 3M UV Gloss Overlamine. Note - assumes client provided design - but we also offer design services at \$90/hour. Discounts apply if multiples ordered at one time.	1	\$400.00	\$400.00	\$0.00	\$400.00
2	Digital Print on Max Metal Single Sided Single Sided Composite Aluminum Panel, 3M Full Color Digital Print Vinyl Graphics with Premium 3M UV Gloss Overlamine. Note - assumes client provided design - but we also offer design services at \$90/hour.	1	\$730.00	\$730.00	\$0.00	\$730.00

Please circle the option above that you want and sign below

for **City of Lake Elmo**

Signature		Date	
------------------	--	-------------	--