Mayor: Dean Johnston Council members: Rita Conlin Steve DeLapp Liz Johnson Anne Smith

Lake Elmo City Council **Tuesday** March 15, 2005

3800 Laverne Avenue No. Lake Elmo, MN 55042 777-5510 777-9615 (fax)

Please read:

Since the City Council does not have time to discuss every point presented, it may appear that decisions are preconceived. However, staff provides background information to the City Council on each agenda item in advance; and decisions are based on this information and experience. In addition, some items may have been discussed at previous council meetings.

If you are aware of information that has not been discussed, please fill out a "Request to Appear Before the City Council form; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated. Items may be continued to a future meeting if additional time is needed before a decision can be made.

Aganda

	Agenda				
City Council Meeting Convenes 7:00 PM					
Pledge of Allegiance					
1. Agenda		7-			
2. Minutes:	March 15, 2005	_			
3. PUBLIC INQUIRIES/INFORMATIONAL: A. St. Croix Valley Community Family Center: Select representative to guidance committee and authorize \$2,000 donation: Resolution No. 2005-024 B. Appointment to Community Improvement Commission 4. CONSENT AGENDA	Public Inquiries/Informational is an opportunity for citizens to bring the Council's attention any items not currently on the agenda. In addressing the Council, please state your name and address for the record, and a brief summary of the specific item being addressed to the Council. To allow adequate time for each person wishing to address the Council, we ask that individuals limit their comments to three (3) minutes. Written documents may be distributed to the Council prior to the meeting or as bench copies, to allow a more timely presentation.				
A. Resolution No. 2005-021:Approving Claims B. Authorization for Professional Services: GIS Mapping of the Surface Water System and Sanitary Sewer System C. Authorization for Professional G	Those items listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion under a Consent Calendar format. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.				

- C. Authorization for Professional Services: Construction Details and Engineering Design Standards Update
 - D. Next Genesis Contract
 - (1) Website Redesign
 - (2) DSL Service
 - (3) Monthly Maintenance Service
- E. Resolution No. 2005-022: Worker's Compensation

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F. Ordinance 97-150:Relating to Waiving Water Surface Use Regulations 5. FINANCE A. Monthly Operating Report 6. NEW BUSINESS A. Ordinance No. 97-151:Relating to Dogs B. Appointments to Regional Park Comprehensive Planning Committee 7. MAINTENANCE/PARK/FIRE/BUILDING: A. Update on Building Department Activities:Jim McNamara 8. CITY ENGINEER'S REPORT: A. Ordinance No. 97-152:Installation of Stop Sign at the Intersection of Highlands Trail and Hilltop Avenue 9. PLANNING, LAND USE & ZONING: A. Preliminary Plat, Comprehensive Plan Amendment Rezoning, Conditional Use Permit and OP Concept Plan – Deer Glen:Resolution No. 2005-026 B. Minor Subdivision/Site Plan and Zoning Variance, Amendment to the Development Moratorium, Public Hearing: Vacation of drainage easements – Lynsky (Brookman 3" Addition), Resolution No. 2005-025, Ordinance No. 97-153 C. Conditional Use Permit, Variance and Section 520 Site Plan — City of Lake Elmo Resolution No. 2005-027, Resolution No. 2005-028 D. Fields of St.Croix II/Little Blue Stem — Developer Improvements E. Resolution No. 2005-023:Capital Improvements Program Amendment — Street Improvements 10. CITY ATTORNEY'S REPORT: A. Sunfish Lake Park — Legal	1 15, 20 Page	
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nterpretation		
1. CITY ADMINISTRATOR'S REPORT:		

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12. CITY COUNCIL REPORTS: A. Mayor Johnston B. Council Member Conlin C. Council Member DeLapp D. Council Member Johnson E. Council Member Smith	Page
	BOARD OF REVIEW: May 4, 4-6 p.m.
	CLEAN UP DAY: May 21st, 8-Noon

MINUTES APPROVED: March 1, 2005 LAKE ELMO CITY COUNCIL MINUTES FEBRUARY 15, 2005

- 1. AGENDA
- 2. MINUTES: February 1, 2005
- 3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Susan Kane Housing for Disabled
- 4. CONSENT AGENDA:
 - A. Resolution No. 2005-016 and Resolution No. 2005-017: Approve Claims
 - B. Lease Agreement with Washington County Fairgrounds for Clean Up Day
 - C. Escrow Reduction Prairie Ridge Office Park
- 5. FINANCE:
 - A. Monthly Operating Report
- 6. OLD BUSINESS: (Moved to Item 11)
 - A. Planning Commission
 - (1) Vacancies
 - (2) 60-day Appointments
 - B. Fire Study Status
 - C. Library Tax
- 7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Update on Building Dept.
- 8. CITY ENGIEER'S REPORT:
 - A. Approve Design for Water Tower
 - B. Public Works Building
- 9. PLANNING, LAND USE & ZONING:
 - A. Letter of Credit Fields II and Little Bluestem
 - B. Resolution 2005-018, Met Council Draft Water Resources Plan
 - C. Street Naming Ordinance
 - D. Resolution Nos. 2005-012, 013, 014:Preliminary/Final Plan, Section 520 Site Plan and PUD Amendment City, County Credit Union, Eagle Point
 - E. Contract Planning Services Comp Plan Modifications
- .10. CITY ATTORNEY'S REPORT:
- 11. CITY ADMINISTRATOR'S REPORT:
 - A. Ordinance No. 97-147:Planning Commission Composition
 - B. Ordinance No. 97-148:Parks Commission Composition
 - C. Council Committee Appointments Council member Conlin
- 12. CITY COUNCIL REPORTS:
 - A. Council Input on Comprehensive Plan
- 13. ADJOURN Council Meeting
- 14. Finance, Legal, Legislative, Personnel Council Workshop
 - (a) Council input to the Planning Commission on the Comprehensive Pan
 - (b) Guidelines for Council Meetings (Postponed to Council Committee Meeting
 - (c) Discussion with Developers (Postponed to Council Committee Meeting

Mayor Johnston called the Council meeting to order at 7:00 p.m. in the Council chambers. PRESENT: Conlin, Smith, Johnston, Johnson, DeLapp, City Engineer Prew, City Attorney Filla, Maintenance Supervisor Mike Bouthilet, City Planner Dillerud, Finance Director Tom Bouthilet and Administrator Rafferty.

1. AGENDA

ADD: Discussion with developers, 8B. Public Works Building, 9F. Calendar for Planning Commission meetings on the Comprehensive Plan, Library Tax Move 11B.

M/S/P Johnson/Smith - to approve the February 15, 2005 City Council agenda, as amended. (Motion passed 5-0).

2. MINUTES: February 1, 2005 M/S/P Johnson/Smith - to approve the February 1, 2005 City Council Minutes, as amended. (Motion passed 5-0).

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. Susan Kane - Housing for Disabled

Lake Elmo residents, Susan and Dennis Kane, explained they are parents of a child with special needs and wished to call the Council's attention to the lack of homes for adults with special needs or developmental disorders in Lake Elmo. Ms. Kane stated this is the Council's opportunity as they work on the Comprehensive Plan to make possible such housing in the Old Village that would meet their children's needs. She noted as children with developmental delays grow into adults, parents would like to have them live in the community they have grown up in.

4. CONSENT AGENDA:

A. Resolution No. 2005-016 and Resolution No. 2005-017: Approve Claims

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-016 approving claim numbers 240, 241, DD339 through DD349, 26863 through 26869 that were used for staff payroll dated February 3, 2005, claim numbers 242, 26871 through 26922, in the total amount of \$133,330.43. (Motion passed 5-0).

M/S/P DeLapp/Smith - to adopt Resolution No. 2005-017 approving claim number 26870 in the total amount of \$180.00. (Motion passed 4-0-1:Abstain:Johnson recluse herself from the vote because she had a personal interest in Johnson Construction.).

> B. Lease Agreement with Washington County Fairgrounds for Clean Up Day

Clean Up Day is scheduled for Saturday, May 21, 8 a.m. until Noon, at the Washington County Fairgrounds. Staff requested approval of the lease agreement with the Washington County Ag Society in the rent amount of \$103 and a \$50 damage deposit.

M/S/P Johnson/Conlin – to authorize the Mayor to sign the Lease Agreement with Washington County Ag Society for use of the Washington County Fairgrounds for Clean Up Day and approve the rental fee of \$153.00. (Motion passed 5-0.)

C. Escrow Reduction Prairie Ridge Office Park

The City Engineer recommended a reduction in the escrow placed with the City for grading and landscaping improvements at the Prairie Ridge Office Park. The engineer certified reduction of the Letter of Credit from \$190,000 to \$20,000 to cover the landscaping improvements that remain to be completed. The City Planner advised that the Letter of Credit expires on April 30, 2005 and should be extended to at least October, 2006 to cover two full growing seasons on the landscaping yet to be installed on the site.

Council member DeLapp pointed out that lighting has been an issue. Planner Dillerud reported he wrote a letter to the developer asking him to get the lights turned off at an earlier hour and to take care of the two lights at each exits points. The planner has not seen a response to that letter.

M/S/P DeLapp/Johnson – to approve reduction of the Site Plan escrow for the Prairie Ridge Office Park (Bremer Bank Letter of Credit #S120010221) from \$190,000 to \$25,000 until the lighting issue is corrected and on the condition that said Letter of Credit be renewed to a date no earlier than October 31, 2006. (Motion passed 5-0).

5. FINANCE:

A. Monthly Operating Report - Informational

6. OLD BUSINESS: (Item moved to 11)

A. Planning Commission
(1) Vacancies
(2) 60-day Appointments

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Update on Building Dept.

The Summary Building Report provided for January, 2005 reported one new residential building permit issued and no new commercial building permits. Council member DeLapp commented that the building permit detail summary provided each month does not state where the permit is located. He would prefer being alerted on areas of septic problems, etc. This will be a topic for a Public Safety Council Committee Meeting.

The City Planner reported code enforcement began semi-monthly meetings to review complaints, and they have picked out four complaints to follow through legally. Attorney Filla is preparing an update for the next council committee meeting. A systematic code enforcement program for 2006 budget should be considered because there will be a cost involved and probably not covered by penalties.

8. CITY ENGINEER'S REPORT:

A. Approve Design for Water Tower

The City Council agreed to place a new water storage tank in Sunfish Lake Park. The two questions needed to be addressed was what will be the design of the tower and exactly where it will be sited in the park.

A few residents, whose properties abut the park area, expressed concern that the water tank would be an eyesore within the park and have potential impact on their property values. The cost to move it as far west as possible would cost the city \$30,000-\$40,000. This water tower would serve not only the new Tapestry development, but also serves future neighborhoods.

M/S/P DeLapp/Johnson - to advise the property owners, located one half mile radius from the location of the storage tank in Sunfish Lake Park, of an informational meeting to discuss the design of the tower at the March 1st Council meeting. (Motion passed 5-0.)

B. Public Works Building.

Terry Olsen, TKDA architect, presented a drawing of the public works building resembling a barn and showing the pitch roof was eliminated and an updated floor plan. Council member DeLapp asked that the barn door and the cupola be made a little larger. The Public Works Supervisor stated he has been involved in the planning stage and approved the design proposal.

M/S/P Johnson/DeLapp - to authorize TKDA to create plans and specifications for the Public Works building, as presented. (Motion passed 5-0.)

9. PLANNING, LAND USE & ZONING:

A. Letter of Credit - Fields II and Little Bluestem

The Planner advised the Council that the City Park improvements required to be constructed by Robert Engstrom Companies as a condition of approval for the Fields of St. Croix II and Tana Ridge plats have not been completed as of this date. The most significant improvement incomplete is the City Park that lies between Fields II and Tana Ridge. That park was to have been constructed by the developer per plans approved by the Park Commission as satisfaction of the Park Dedication requirements for Fields II, Little Bluestem and Tana Ridge. In addition, the developer-installed landscaping within the plat remains short of that of the approved landscape plan, and there may be infrastructure "punch list" items to be completed as well.

The Planner requested direction from the Council whether the City should present a sight draft in the full amount of Letter of Credit #1804 (on or before February 27, 2005) and utilize the funds to complete the required improvements within the plat, or approve renewal of the Letter of Credit.

The most recent Letter of Credit renewal/extension expire on February 27, 2005. The development agreement between Robert Engstrom Companies and the City specifies that all public infrastructure and landscape improvements within the Fields of St. Croix 2nd Addition were to be completed by September, 2000.

M/S/P Johnson/DeLapp - to notify Robert Engstrom Companies that it may renew the subject Letter of Credit in the full amount for not more than 30 days (i.e. to March 27, 2005.) During that 30 day period Robert Engstrom Companies must present to the Council both complete plans for project improvements that remain incomplete (primarily the park and project landscaping), and a detailed schedule for the completion of those improvements. A council decision regarding further extension of the Letter of Credit will be based on their approval of the plans and schedule presented. Any plans/schedules presented by the developer must be on one of the March 1st or March 15 city council agendas. (Motion passed 5-0).

If the lender does not approve a 30-day extension of Letter of Credit #1804 at the close of business on February 25, 2005, the City will present the lender with a Sight Draft for the full amount of the Letter of Credit.

B. Resolution 2005-018, Met Council Draft Water Resources Plan
The City Planner reported the Metropolitan Council is considering a draft of their Water
Resources Policy Plan as is required every 10 years by State Statute. The draft plan
covers Regional Policy regarding Waste Water (Sewers), Storm/Surface Water and Water
Supply. On February 8, the Public Works Council Committee reviewed the proposed
City comments on the draft plan that had been prepared by staff and directed that those
comments be incorporated into a resolution for City Council consideration. A draft
Resolution was submitted for approval.

M/S/P Johnson/Smith - to adopt Resolution No. 2005-018 offering City Council comments on the Metropolitan Council Draft Water Resources Plan. (Motion passed 5-0).

C. Street Naming Ordinance

At their February 8 meeting, the Council's Public Health and Safety Committee directed staff to draft Council action that would reintroduce a uniform street naming system within the City that follows the general pattern (Alphabetical west-to-east) of the 1971 Agreement, but which also allows some street naming latitude as long as the alphabetical range is adhered to. This reintroduction of the uniform street naming system was brought to the City's attention by the Lake Elmo Fire Department and the Washington County Sheriff's Department.

M/S/P DeLapp/Smith – to adopt Ordinance No 97-149, A Uniform Street Naming And Numbering System. (Motion passed 5-0.)

D. Resolution Nos. 2005-012, 013, 014:Preliminary/Final Plan, Section 520 Site Plan and PUD Amendment - City, County Credit Union, Eagle Point

On February 8, the Finance, Legal Council Committee reviewed the subject package of applications with the applicant. The committee directed that this application be placed back on the Council agenda to decide if it wants to reverse the Planning Commission recommendation regarding denial of asphalt shingle substitute.

M/S/P Johnson/DeLapp – to approve Resolution No. 2005-012, A Resolution Approving the Preliminary Plat and Final Pat of Eagle Point 4th Addition. (Motion passed 5-0).

M/S/P Johnson/Conlin – to approve Resolution No. 2005-013, A Resolution Approving the PUD Plan Amendment for Eagle Point Business Park 4th Addition, Lot 1, Block 1 to allow the use of asphalt shingles of a grade similar to that used on the Prairie Ridge Office Park. (Motion passed 4-1DeLapp)

M/S/P Johnson/Johnston – to adopt Resolution No. 2005-014, A Resolution Approving the Section 520 Site Plan for City and County Credit Union. (Motion passed 3-2:DeLapp, Smith)

E. <u>Contract Planning Services – Comp Plan Modifications</u>
The City Planner reported the Finance, Legal, Legislative, Personnel Council Committee recommended the City retain TKDA planning and engineering assistance as is required to complete the 2005 Comprehensive Plan modifications. Based on the time element, the Planner believed the strategy would be expedient and in the best interests of the City rather than the alternative of going through a lengthy RFP process to secure such assistance.

M/S/P DeLapp/Johnson - to approve the use of the planning and engineering contract services of TKDA for the 2005 modifications to the comprehensive plan, not to exceed the \$9,000 in the existing planning budget as reported in the Monthly Operating Report. The planner will bring in a new proposal if the cost exceeds the \$9,000. (Motion passed 5-0).

<u>Planning Commission Comprehensive Plan Meeting Schedule</u> The City Planner provided a schedule of meetings for the Planning Commission and Council to work on the Comprehensive Plan.

M/S/P Johnson/DeLapp - that all the Planning Commission and/or City Council meetings as scheduled, or any future meetings, related to the Comprehensive Plan be televised. (Motion passed 5-0).

10. CITY ATTORNEY'S REPORT:

11. CITY ADMINISTRATOR'S REPORT:

Mayor Johnston requested that the Planning Commission appointments be moved to the Planning Commission section of the meeting following a decision regarding the appointment process.

Council member Johnson made the following motion because she wanted to make sure that the Council didn't delay appointments. She said the Planning Commission has a rigorous schedule and voiced her concern on losing the experience members.

M/S/F Johnson/DeLapp — to amend the Council agenda to address Item 6A. Planning Commission Appointments. (Motion failed 2-3:Johnston, Smith, Conlin)

A. Ordinance No. 97-147:Planning Commission Composition
The City Administrator reported the Council asked the Finance, Legislative Council
Committee to review the code relating to Planning Commission appointments, terms and
limits. He recommended that the appointment process for parks or any commission
should be consistent. The committee agreed with this proposed practice change. The
final changes pertaining to the appointment process have been incorporated in Ordinance
No. 97-147.

M/S/P Johnson/DeLapp – to adopt Ordinance No. 97-147, amending Section 210.03 relating to Planning Commission Composition, as amended (change term to terms). (Motion passed 5-0.)

B. Ordinance No. 97-148: Parks Commission Composition

M/S/P Johnson/DeLapp – to adopt Ordinance No. 97-148, amending Section 225.03 relating to Parks Commission Composition, as amended (change term to terms). (Motion passed 5-0).

C. <u>Council Committee Appointments – Council Member Conlin</u>
At an earlier Council meeting, the Council approved Mayor Johnston's recommendation for Council Committees be organized for 2005 as follows:

Finance, Human Resources, Legislative Policy, Personnel: Liz Johnson, Chair, Anne Smith, Member

Public Health and Safety: Anne Smith: Chair, Member to be determined after filling Council vacancy

Public Facilities: Steve DeLapp, Chair, Member to be determined after filling Council vacancy

M/S/P Smith/DeLapp – to approve Rita Conlin as a member of the Public Health and Public Facilities Council Committees. (Motion passed 5-0.)

6. OLD BUSINESS:

A. Planning Commission

- (1) Vacancies
- (2) 60-day Appointments

The City had received the resignation from Jennifer Pelletier from the Planning Commission. With this resignation, there are three vacancies on the Commission. Council Member Smith indicated she talked to Ms. Pelletier, who would like an extension of a leave of absence for six months.

M/S/P Smith/DeLapp – to approve Jennifer Pelletier's request for an extension of a leave of absence for six months from the Planning Commission. (Motion passed 5-0).

There are six applications on file: Jule Fliflet, Gloria Knoblauch, Tom Kreimer, Deborah Lyzenga, Leroy Rossow and Mark Sandstrom. At its January 4th 2005 meeting, the Council adopted a policy procedure for filling commission vacancies.

(2) 60-day Appointments

At its January 4th meeting, the Council appointed Todd Ptacek, Rodney Sessing, and Charlie Schneider to the Planning Commission for 60 days.

M/S/P Smith/DeLapp – to appoint Charlie Schneider to his first three year term on the Planning Commission. (Motion passed 5-0).

M/S/P Johnson/DeLapp – to approve the 60-day extension of the Planning Commission appointments of Todd Ptacek and Rod Sessing. (Motion passed 5-0).

The City Administrator advised that it was not appropriate to reinterview, but consider the appointments of Todd Ptacek and Rod Sessing.

M/S/P Johnson/DeLapp - to advertise the Planning Commission vacancies with an application deadline of February 25th, 4:30 p.m. and schedule interviews for March 1st starting at 5:30 based on the number of applications. (Motion passed 5-0.)

B. Fire Study Status

Mayor Johnston asked when the Council will have the opportunity to submit input on the Final Fire Study report. The administrator responded that he, Planner Dillerud and the Fire Chief have reviewed the study which reviews projected needs, services and considers locations of neighboring fire services as an informational item. This is a professional study and will be presented to the Council in 30 days.

C. Library Tax

Mayor Johnston believes that Washington County should be spending the local tax money of a Lake Elmo branch rather than using it to fund libraries in other parts of the county. Washington County receives about \$215,000 per year from Lake Elmo taxpayers in the form of a library tax. He said the County is taking Lake Elmo's money with no

incentive to spend it here. Johnston suggested the City investigate the process by which the City could remove itself from the library system and how quickly money would become available. He requested council support for a procedure of requesting tax money for a dedicated library account used by the City.

M/S/P DeLapp/Smith – to direct staff to define process by which the City could remove itself from the Washington County Library system and request the tax money from Lake Elmo taxpayers to be used for a dedicated library account used by the City. (Motion passed 5-0.)

Council member Smith said she read the article in the Pioneer Press stating Washington County Library System was looking at a kiosk for the City. Smith said she was not in favor of a kiosk, but wanted a library for the good of the entire community.

12. CITY COUNCIL REPORTS:

Council Input on Comprehensive Plan.

Mayor Johnston and Council members Johnson, Conlin submitted individual statements of input to the Planning Commission as to the key elements they would like to have considered during the planning process. Council members DeLapp requested that the Planning Commissioners remember the difference between planning and implementation. He gave his verbal comments detailing his proposal for comprehensive plan revision and will submit those comments in writing. These written comments have been made part of these minutes. Council member Smith noted that her top priority was protecting the residents south of 10th street. She added that with two residents that live south of 10th Street, Commissioners Ben Roth and Todd Ptacek, she felt the City had a very capable Planning Commission.. Council member Smith's verbal comments are in written form and made part of these minutes.

Discussion was continued to the Council Committee workshop.

13. Adjourn Council Meeting at 10:23 p.m.

14. Finance, Legal, Legislative, Personnel Council Workshop

Attendees: Chair Liz Johnson, Council member Anne Smith, Mayor Dean Johnson, Council Members Rita Conlin and Steve DeLapp, Planner Dillerud, Administrator Rafferty and Finance Director Bouthilet.

(1) Council Input to the Planning Commission on Comprehensive Plan: There was a short discussion on the key elements submitted by the Council on what they would like to have considered during the planning process. Planner Dillerud responded there was a consensus on items from the Council and that the Planning Commission would not have any difficulty considering the issues the Council members submitted. He believed those items of input were already addressed in the existing comprehensive plan. Dillerud noted there was not any great dispute among the Council members regarding policy.

- (2) <u>Guidelines for Council Meetings:</u> (Postponed to next Council Committee workshop)
- (3) <u>Discussion with Developers:</u> (Postponed to next Council Committee workshop)
 - (4) Adjourn workshop at 11:15 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-012 Approving the Preliminary Plat and Final Plat of Eagle Point 4th Addition

Resolution No. 2005-013 Approving the PUD Plan Amendment for Eagle Point Business Park 4th Addition to allow the use of asphalt shingles

Resolution No. 2005-014 Approving the Section 520 Site Plan for City and County Credit Union

Resolution No. 2005-016, 2005-017 Approve Claims

Resolution No. 2005-018 Met Council Draft Water Resources Plan

Ordinance No. 97-147:Planning Commission Composition

Ordinance No. 97-148:Parks Commission Composition



Comprehensive Plan for Lake Elmo 2010, 2020, 2030 Council Input

Given that we are planning our city for the next 25 years, at which time Lake Elmo likely will be fully developed, we must consider carefully community needs which are important now and which will be important in 25 years. My input includes four land use issues and three planning process issues.

LAND USE ISSUES

- 1. Employment Corridor The Met Council agreement specifies that we use 1300 REC units for non-residential development. Using these REC units to create a business park offering a diversity of jobs to match the professional skills of our residents provides a real benefit for our citizens. Doing so will use approximately 2% of the land in Lake Elmo while providing residents with the opportunity to work near where we live. This reduces commuting time and contributes to our quality of life.
- 2. Residential Development south of Tenth Street Under the terms of the Met Council Agreement, we have the opportunity to create a model senior community. This type of community can be based around a care center and contain a diversity of housing types and price ranges to fit the varied needs of our aging population while having only a minimal impact on surrounding neighborhoods. Many cities fail at creating a senior community because they rush to complete a discrete "project" rather than planning a comprehensive community.
- 3. **Middle Income Housing** By requiring that every homeowner purchase 2.5 acres of land to build a housing unit, Lake Elmo is raising the cost of home ownership beyond the reach of our teachers, firefighters, police officers, and other middle income professionals. By zoning a portion of Lake Elmo for 1 acre lots we have an opportunity to make living in Lake Elmo an affordable option for professional families in the middle income range. Creating an area where the density requirement is one home per acre will preserve the possibility for moderately priced housing in the future. As an example, the area north of Stillwater Blvd, east of County 13, and south of Highway 5 is a potential location for a more dense neighborhood where there may be less upward pressure on home prices in the future. Most people on one acre lots are very pleased with the rural character these lots provide in comparison to other housing options available elsewhere.
- 4. Housing for the Disabled Every community has a small number of children with disabilities. As these children grow into adulthood, they need housing options which may include care or supervision. Lake Elmo needs to ensure that the housing needs of these citizens of Lake Elmo are addressed in our Comprehensive Plan.

PLANNING PROCESS ISSUES

- 5. Buffering existing neighborhoods south of Tenth Street. One of many benefits of a clustered senior community is that it can contain a variety of housing types and density levels. This gives us more flexibility to create buffering around existing residences. For example, the density for a care facility may range from 20 to 30 units per acre. One level townhomes are typically built with 3 to 4 units per acre. This diversity allows us to create a well planned, clustered senior community that meets the market needs and allows us to place these homes in manner which will buffer them from existing homes.
- 6. Voting Demographics Our Comprehensive Plan will define development over the next 25 years, during which Lake Elmo will experience significant, steady population growth. This growth must be carefully staged to ensure the interests of voters from existing neighborhoods, who value the rural character of our community, are not overwhelmed by new residents who do not yet share that value. The longer we delay carefully staged development, the higher the risk that a large influx of new residents in a short period of time will lead to election results that could change our development philosophy and destroy the character of our community.
- 7. Population Calculations Population projections must be made using realistic calculations the use of artificially high projections is not acceptable within the terms of the agreement with the Met Council. Inflated estimates bring the potential for mandatory redevelopment if it is determined we have not planned in substantial, good faith compliance with Met Council requirements. The typical density for senior housing is 1.5 people per residence. The typical density for "Active Senior" housing is 1.8 people per residence. The typical density for single family residential housing is 2.5 people per residence in our calculations only when we are planning housing which justifies that density.

Dean Johnston February 15, 2005

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RECEIVED FEB 17 2005

February 18, 2005

To:

Lake Elmo Planning Commission:

From:

Steve DeLapp

Subject: Approach to Comp. Plan Modifications Required by Met Council My request to the Planning Commission is that we accept the requirements by the Met Council and clearly understand the difference between "implement" and "plan for". With great effort our City came out of the fight with the Met Council with some lofty planning expectations and a minimum of "in-the-ground" requirements. We started with a requirement of stopping all development in the City for two years and then beginning a 30 year plus phase-in of sewered development and redevelopment, leading to a population of approaching twice the population of Oakdale. We ended with a far different requirement, one that might in the end leave our City with no negative consequences to the residents from the existing 2020 Comp. Plan. We do not have to grow any faster than we show in the existing 2020 Comp Plan, but we need to show how we could accept limited urban growth south of 10th Street post 2020.

We have agreed to allow the Met Council to bring two very restricted sewer pipes into our City coming west from the Eagle Point Development and coming north up Lake Elmo Avenue. The total capacity that the Met Council is extending up to our City limits is with enough to sewer 8,700 Residential Equivalent Connections, (one household of any size, or ten employees, equal one REC unit). We are required to show how we could accept 6,600 REC's,100 existing in Eagle Point Development, and 6,500 new REC's. We need to show provisions for connecting to 1,500 new or existing dwelling units and a small number of new businesses by the end of our existing 2000 Comp Plan planning period in 2020.

All required the REC's can be shown for installation between now and 2020, in Cimarron, the Old and extended Old Village area. All the of business connections can be made within the existing Eagle Point Development, or immediately adjacent to it. The only difference from the existing, rejected Comprehensive Plan, and our revised Comprehensive Plan, is that we must create a "Post—2020 Staged Urban Growth Zone", comparable to those in all Metro Area urbanizing cities, south of 10th Street.

This is my proposal, consistent with our agreement, and consistent with maintaining the intent of our existing 2020 Comp. Plan, and consistent with the City Council's promise of minimizing impact on existing residents in the City. It is the proposal that resulted directly from the meetings with Peter Bell and is exactly what the Met Council has specified, without an implied option for the City to accelerate urban growth:

1. Continue housing and commercial development north of 10th Street almost exactly as currently planned, with the substitution of 1,000 REC's for existing or new housing in the Old Village Area.

- 2. Show the replacement of the package sewer system in Cimarron with Metro sewer.
- 3. Limit pre-2020 business development south of 10th Street to Eagle Point Development and to the minimum amount of adjacent land, if any, consistent with the 2030 Development Framework.

4. Show the undeveloped land south of 10th Street as "Post--2020 Staged Urban

Development".

5. Allow developers to accelerate high density, urban growth in selected areas south of 10th Street if they transfer the permanent development rights from low density rural land, whose owners are willing to send their existing development rights. (TDR).

This planning work should take a minimum of time and almost no changes to the existing Comp. Plan, as post 2020 development south of 10th Street will not be detailed and all land use will look exactly the same on the maps north of 10th Street. No population numbers need to appear on the map other than to stipulate the build-out population for north of 10th Street and that the staged growth south of 10th Street is "planned" to reach a population of 24,000 people by 2030. (I would remind the Commission that the Met Council defines a household as something like 2.5 or 2.85 persons. When the final tally of new housing population north of 10th Street is counted in 2020, our actual population will be much higher than Met council of 2.5 – perhaps approaching the 4 to 5 people per unit in Carriage Station – if we do not put an emphasis on low occupancy housing units.)

To summarize:

Limit change pre-2020 to the exact specifications of the Agreement. Show the feasibility of urban growth south of 10th Street with a post-2030 staged growth area.

Anything further will increase, or accelerate the increase of, urbanization in the City, and should only be considered, after the City's revised Comp. Plan is approved by the Met Council and has the full backing of the City residents.

By our agreement with the Met Council, unlike other cities in the 7 County Metro Area, we cannot be forced to accept additional development mandates, such as compliance with the "Livable Cities Act" etc., through 2030. In the end, if we do not induce additional development, we may be able, to reduce overall development. After all we have between 15 and 25 years to further reduce the impact of our Agreement.

MET COUNCIL - COMP PLAN (COUNCIL INPUT)

Liz Johnson -2/15/05

Now that we have an agreement we need to look at how it will be implemented to achieve the agreement.

- ✓ My expectations are that we honor the agreement.
 - We meet the population expectation requirement
 - We meet the REC unit requirement.
 - We approach this with the intentions to honoring the agreement.

My input in regards to implementation:

- ✓ We work towards finding ways in which to protect the current residents south of 10th street.
- ✓ We work towards achieving the identified needs of the community throughout the last 10 years. Example:
 - Senior Housing and place it in the area south of 10th street.
 - This not only has been an identified need for many years but is a great tool to help us reach our population goal with little or no impact on some of our systems (less traffic than single family housing units, no impact on the school system, less potential city service needs as many times they take care of their own roads, etc., in their community)
 - We could look at having the more full service care senior housing complex system south of 10th street with additional senior apartment type of housing within the old village also.
 - I do not believe it is a "here" or "there" type of situation.
 - Middle Income Housing
 - There is a need to have some middle income housing for families that provide needed professional services in our community but are unable to afford housing above middle income level. (Teachers, fire fighters, etc.)
 - Housing for Residents with Disabilities This could be part of the Old Village plan.

(See Reverse Side)

MET COUNCIL - COMP PLAN (COUNCIL INPUT)

Liz Johnson -2/15/05

- Job Opportunities within our Community
 - This provides opportunities for our citizens to work within their own community.
 - This decreases the amount of time parents are away from their children, which increases the time that parents can spend providing guidance to their children.
 - This decreases the amount of traffic throughout the Twin Cities area.
- ✓ Planned growth (staging growth) of REC units so the infrastructure can accommodate the growth.
 - Starting in 2007 the business corridor along I94 could develop as REC units are made available. This would also start provide tax revenue in order to help manage the infrastructure needs. (Addresses REC units and commercial development requirements.)
 - Starting in 2007 the Senior Housing Complex could be developed. (Addresses REC units and population.)
 - Starting 2008 (Cottage Grove connection available) growth planned in the old village area. (Addresses REC units and population.)
 - Between 2010 and 2030 have staged growth in the rest of the planned residential development south of 10th street. (Addresses REC units and population.)
 - Non-REC unit population growth (to meet the 2030 population requirement) occurs between 2010 and 2030. (OP Developments)

- 1. Based on the settlement, we have two primary constants to work with, 6,600 recs, 24,000 pop. I believe the rest is for Lake Elmo to determine.
- 2. Plan for staged development & growth.
- 3. Prevent hopscotch development; establish controls such that each area staged for development is 50% (??) complete before allowing development to begin in the next area.
- 4. Establish buffer standards to protect existing rural residential areas south of 10th
- 5. Establish landscaping standards south of 10th for streets, parking lots, residential and business development that promotes a rural feel. The more trees, shrubs etc, the more the sound of I94 traffic will be absorbed. What other things can be done to lessen the impact of dense development???
- 6. Establish architectural standards south of 10th that are harmonious to the existing landscape and rural feel.
- 7. Take a look at senior housing from the senior perspective, i.e., where do the seniors of Lake Elmo want to live, Old Village vicinity or along I94? What type of housing do they prefer, high-rise, multilevel apartment-like, townhouse?? What amenities do they want?
- 8. Is a mix of life-cycle housing appropriate for south of 10th, single family, apartments, town homes for residential south of 10th?
- 9. Challenge city staff to provide model city examples where the community desired to retain a rural atmosphere or another type of unique identity. How did they do it? Think cutting edge.
- 10. Ensure public hearings are adequately advertised and that the public has opportunity for input.

Anne Smith - Elements for Revised Comp Plan

- 1. Protect residents south of 10th Street. Use of landscape architecture to provide buffers between existing neighborhoods and any new developments.
- 2. Senior Housing; We need to address where it will go and how much we will need in the coming two decades. (Growth Study)
- 3. Housing for Disabled; Needs are similar to those of seniors. Could we combine these two or perhaps have them adjacent to each other? (Shared trail systems, access to Park Reserve, close to services which could possibly be inside the main care facility such as grocery, theatre, barber and beauty salon etc...).
- 4. Corporate Woods Development along I-94. Many urban areas such as Kansas City, Houston, Boston, etc... have designed office parks that are unobtrusive. It is important to meet our Code Requirements so that we are able to use all 1300 REC units.
- 5. Phased Development; It is important not to front-end load or back-end load all of our development.

With that said, I feel we have a very capable Planning Commission with two residents living south of 10th Street, Todd Ptacek and Ben Roth. I think it is important to let the Commission do its job.

Lake Elmo City Council March 15, 2005 Agenda Section: Public Inquiries/Informational No. 3A				
Agenda Item: St. Croix Valley Community Family Center				
Background Information for March 15, 2005:				
The Partners of the St. Croix Valley Area Community Family Center are requesting the support of a financial contribution for the Project Coordinator position, and would like to have a volunteer to serve				

on the guiding team.

ONE-TIME DONATION - DENN FORNETOD REST YA!

Action Items: Motion to authorize contribution of \$2,000.00 and the name of volunteer	Person responsible: Martin Rafferty
Attachments: Resolution No. 2005-024	

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNEOSTA

RESOLUTION NO. 2005-024

A RESOLUTION BY THE PARTNERS OF THE ST. CROIX VALLEY AREA COMMUNITY FAMILY CENTER SUPPORTING A FINANCIAL CONTRIBUTION FOR THE POSITION OF A PROJECT COORDINATOR.

WHEREAS: The partners of the St. Croix Valley Area Community Family Center are committed to developing an integrated facility to meet the educational, recreational, and wellness needs of families and individuals in the St. Croix Valley;

WHEREAS: The partners of the St. Croix Valley Area Community Family Center have held several meetings over the past year to discuss the initial development of this facility;

WHEREAS: To move the project forward, the partners of the St. Croix Valley Area Community Family Center have agreed that it is necessary to solicit the planning services and expertise of a project coordinator;

WHEREAS: The partners of the guiding team of the St. Croix Valley Area Community Family Center, which consists of the City of Bayport, City of Lake Elmo, City of Oak Park Heights, City of Stillwater, Stillwater Area School District, United Way, and YMCA, have each agreed to financially contribute a minimum of \$2,000.00 to aid in the financial expenditure toward a project coordinator;

WHEREAS: Upon declaration of this financial support, the partners of the St. Croix Valley Area Community Family Center will solicit financial assistance from various agencies to match the financial contribution of the guiding team of the St. Croix Valley Area Community Family Center, to aid in the financial expenditure toward a project coordinator;

NOW THEREFORE BE IT RESOLVED: By the City of Bayport, City of Lake Elmo, City of Oak Park Heights, City of Stillwater, Stillwater Area School District, United Way, and YMCA do hereby ordain as follows:

1)	The partners of the guiding team of the St. Croix	Valley Area Community Fami	ly Center
	hereby agree to financially contribute a minimum	α of \$2,000.00 to aid in the fina	ncial
	expenditure toward a project coordinator, and		_ specifically
		(Name of partner)	
	agrees to contribute \$		

MARCH, 2005.	
ATTEST:	
Dean Johnston, Mayor Martin Rafferty, City Administrator	

Lake Elmo City Council March 15, 2005	Agenda Section: Public Inquiries/Informationa	ıl	<u>No.</u> 3B
Agenda Item: Co	mmunity Improvement Commission		
The Community In Deborah Lyzenga' Improvement Com	rmation for March 15, 2005: approvement Commission consists of seven members resignation is forthcoming. This will create two mission. Wed an application from Gloria Knoblauch expression.	vacancies for the	Community
Action Items: Motion to appoint of Commission	Gloria Knoblauch to Community Improvement	Person responsib S. Lumby	<u>le:</u>
Attachments: Application from C	loria Knoblauch		



LAKE LAKE City of Lake Elmo

3800 Laverne Avenue North Lake Elmo, Minnesota 55042 (651) 777-5510 / Fax 777-9615

APPLICATION FOR COMMUNITY IMPROVEMENT COMMISSION APPOINTMENT

Date: 3/11/05
Address $9/8/-3/5$, N_1
Phone: W) H) <u>777-647</u> C)
1. What do you consider to be the major societal and law enforcement issues requiring improvement in the City of Lake Elmo?
Senior housing
2. What do you see as the role and function of the Community Improvement Commission? Adjunct Studies for the planning
Commission's zoning authority 3. What experience and qualifications do you have that you feel will contribute to the Community
Improvement Commission's work, and will enable you to provide a service in this regard? I have served on the Parks commission
and the Preservation commission. I
Started the of ale you willing to devote to Community Improvement the Commission activities? What ever time it takes
to get the job done.
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?
Own our home.

Please, complete and return to City Hall.

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-021 RESOLUTION APPROVING CLAIMS

BE IT RESOLVED THAT Claim Numbers 245, 246, 247, DD363 through DD372, 26999 through 27005, were used for Staff Payroll dated March 3rd, 2005, claims 27006 through 27059, in the total amount of \$68659.52 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 15th day of March, 2005.

ATTEST:	Dean A. Johnston Mayor
Martin J. Rafferty City Administrator	

Page 1

Accounts Payable Computer Check Proof List

User: administrator Printed: 03/10/2005 - 1:43 PM

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Reference	ACH Enabled: No	ACH Enabled: No	ACH Enabled: No	ACH Enabled: No	ACH Enabled: No	A.CH Bnabled: No	ACH Bnabled: No
Acct Number	Check Sequence: 1 101-410-1530-43010	Check Sequence: 2 101-420-2220-42230	Check Sequence: 3 101-420-2220-44010	Check Sequence: 4 101-410-1320-43090	Check Sequence: 5 101-420-2220-43230	Check Sequence: 6 101-410-1940-44010	Check Sequence: 7 101-430-3100-43150
Amount Payment Date	03/15/2005	03/15/2005	03/15/2005	03/15/2005	03/15/2005	03/15/2005	03/15/2005
Amount	12,000.00	5.90	69.73	1,090.00	25.26	50.84	1,050.00
Description	Abdo Eick & Meyers Annual Audit Services - 2004 Check Total:	Ace Hardware Fl. Lamp - Fire Dept. Check Total:	American Flagpole & Flag Flags - Fire Dept. Check Total:	American Legal Publishing Corp Code on Internet - Codification Contract Check Total:	ANCOM COMMUNICATIONS, INC. Shipping - Pagers - Warranty Repair Check Total:	Aramark Linen - City Hall Check Total:	Buberl Recycling & Compost Inc Snowplowing
Invoice No	Vendor: ABDO · 217226	Vendor: ACEHARD 02163076	Vendor: AMFLAG 69602	Vendor: AMLBGAL 46559	Vendor: ANCOM 62876	Vendor: ARAM 629-5665137	Vendor:BUBERL 23978

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Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: COPYIMAG 57772	Copy Images, Inc. Monthly Copier Maint. Check Total:	255.60	03/15/2005	Check Sequence: 8 101-410-1940-44040	ACH Enabled: No
Vendor:ELMOLUM 029912-01 029913-01	Elmo's Lumber & Plywood Pipe Dope - Public Works Drill Bits, foam, switch - Fire Dept Check Total:	5.63 51.43 57.06	03/15/2005 03/15/2005	Check Sequence: 9 101-430-3100-42230 101-420-2220-42230	ACH Enabled: No
Vendor:EMSUSA 295368	Emergency Medical Supply, Inc. EMS Supplies Check Total:	43.20	03/15/2005	Check Sequence: 10 101-420-2220-42080	ACH Enabled: No
Vendor:F.I.R.B. 04348	Fire Instruction &Rescue Education Inc Forible Butry Class - Fire Dept. Check Total:	240.00	03/15/2005	Check Sequence: 11 101-420-2220-44370	ACH Enabled: No
Vendor:FARMERS 141352 141352 141372	Farmers Union Co-Op Oil Fuel - Fire Dept. Car Washes - Fire Dept. Car Washes - Bldg Dept. Check Total:	23.00 37.22 36.38 96.60	03/15/2005 03/15/2005 03/15/2005	Check Sequence: 12 101-420-2220-42120 101-420-2220-44040 101-420-2400-44040	ACH Enabled: No
Vendor:FOUR 23-038912	Four Seasons Service Supplies - City Hall Check Total:	34.88	03/15/2005	Check Sequence: 13 101-410-1940-44300	ACH Enabled: No
Vendor:FREEMAN MCFOA	Carole Luczak-Freeman Membership - Reimbursement Check Total:	35.00	03/15/2005	Check Sequence: 14 101-410-1320-44330	ACH Enabled: No
Vendor: GENESIS INC00398 INC00414 INC00414 IVC00367	Next Genesis Productions Dead harddrive - Greg's laptop Internet down, reconfig. firewall Firehall VPN's down, format laptop Citrix printing/Speed Software Check Total:	225.00 300.00 112.50 337.50 1,162.50	03/15/2005 03/15/2005 03/15/2005 03/15/2005 03/15/2005	Check Sequence: 15 101-420-2220-44300 101-410-1520-43180 101-420-2220-44300 101-410-1520-43180	ACH Enabled: No

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Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:HAGBERGS Acct. 10 Acct. 10	Hagbergs Country Market Coffee - City Hall Trails Open House Check Total:	7.99 14.45 22.44	03/15/2005 03/15/2005	Check Sequence: 16 101-410-1940-44300 101-450-5200-44300	ACH Enabled: No
Vendor:IAFC 0022731	IAFC Membership Annual Membership Check Total:	195.00	03/15/2005	Check Sequence: 17 101-420-2220-44330	ACH Enabled: No
Vendor:ICC 05-0334340	International Code Council, Inc Dues Check Total:	100.00	03/15/2005	Check Sequence: 18 101-420-2400-44330	.ACH Enabled: No
Vendor: JH Larso 1386228-01	J.H. Larson Company Lamps - Fire Dept. Check Total:	72.49	03/15/2005	Check Sequence: 19 101-420-2220-42230	ACH Enabled: No
Vendor:LEAGMN 1-000020594	League of MN Cities Codification Contract Check Total:	7,470.00	03/15/2005	Check Sequence: 20 101-410-1320-44300	ACH Enabled: No
Vendor: LEAGUE 1-000020071 1-000020081	League ofMinnesota Cities 2005 Fire Dept - Greg, Doug, Mike T. 2005 Fire Dept - Anne Smith Check Total:	50.00 20.00 70.00	03/15/2005 03/15/2005	Check Sequence: 21 101-420-2220-44370 101-410-1110-44370	ACH Enabled: No
Vendor: LEINN 08720	Lake Elmo Inn Box lunches - CC Meeting Check Total:	80.99 (80.99	03/15/2005	Check Sequence: 22 101-410-1110-44300	ACH Enabled: No
Vendor: L.BOIL B01203 S01203 S01208	Lake Elmo Oil, Inc. Fuel - Public Works Fuel - Fire Dept Batteries - Parks Check Total:	710.00 (229.65 (1.80 (941.45	03/15/2005 03/15/2005 03/15/2005	Check Sequence: 23 101-430-3100-42120 101-420-2220-42120 101-450-5200-42210	ACH Enabled: No
Vendor:LTLFALLS 00033395	Little Falls Machine, Inc Valve Cushion - Public Works Truck	109.63 (03/15/2005	Check Sequence: 24 101-430-3100-42210	ACH Enabled: No

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Invoice No	Description	Amount	Payment Date	Acet Number	Reference
	Check Total:	109.63			
	Metropolitan AreaManager Asociation Feb 24 Luncheon - Marty Rafferty Check Total:	18.00	03/15/2005	Check Sequence: 25 101-410-1320-44370	ACH Enabled: No
Vendor:MARONEYS 089130 089130 089130	Maroney's Sanitation, Inc Refuse - City Hall Refuse - Public Works Refuse - Parks Check Total:	95.89 95.89 183.96 375.74	03/15/2005 03/15/2005 03/15/2005	Check Sequence: 26 101-410-1940-43840 101-430-3100-43840 101-450-5200-43840	ACH Bnabled: No
Vendor:MCADAM Permit 3808	Bob Mcadam Permit 3808 Check Total:	1,000.00	03/15/2005	Check Sequence: 27 803-000-0000-22900	ACH Enabled: No
Vendor:MENARDSO 89256	Menards - Oakdale Vise grip, Plier, Tool Box,Flint Striker Check Total:	32.84	03/15/2005	Check Sequence: 28 101-430-3100-42400	ACH Enabled: No
Vendor:MFAPC 2005 Dues	MFAPC 2005 Dues Check Total:	35.00	03/15/2005	Check Sequence: 29 101-420-2220-44330	ACH Bnabled: No
Vendor:MNAWWA Bouthilet-04/13 Gustafson-04/06 Horning-04/06 Magnuson-04/13 Sachs-04/06-08	Minnesota AWWA Water Quality Conf Mike Bouthilet Water Quality Conf R. Gustafson Water Quality Conf Karl Horning Water Quality Conf G.T. Magnuson Water Quality Conf James Sachs Check Total:	110.00 125.00 125.00 110.00 125.00	03/15/2005 03/15/2005 03/15/2005 03/15/2005 03/15/2005	Check Sequence: 30 601.494-9400.44370 601.494-9400.44370 601.494-9400.44370 601.494-9400.44370	ACH Enabled: No
Vendor:MNDOH Gustafson-04/08 Horning-04/08 Magnuson-04/15	MN Department of Health Water Supply Sys Operator Exam - Rick Water Supply Sys Operator Exam - Karl Water Supply Sys Operator Exam - G.T. Check Total:	32.00 32.00 32.00 96.00	03/15/2005 03/15/2005 03/15/2005	Check Sequence: 31 601-494-9400-44370 601-494-9400-44370 601-494-9400-44370	ACH Enabled: No

Invoice No	Description	Amount P	Payment Date	Acct Number	Reference
Vendor:MNFIRECH 2005	MN State Fire Chief's Assn. Dues - Fire Dept. Check Total:	270.00 03	03/15/2005	Check Sequence: 32 101-420-2220-44330	ACH Enabled: No
Vendor:NEXTEL 761950227-023 761950227-023 761950227-023 761950227-023	Nextel Communications Cellular Service - Admin Cellular Service - Bldg Dept. Cellular Service - Public Works Cellular Service - Parks Check Total:	76.00 03 32.64 03 50.24 03 16.32 03	03/15/2005 03/15/2005 03/15/2005 03/15/2005	Check Sequence: 33 101-410-1940-43210 101-420-2400-43210 101-430-3100-43210 101-450-5200-43210	ACH Bnabled: No
Vendor:NOSTPAUL 2005020111 2005022319	City of North St Paul Salt/Sand Mix Salt/Sand Mix Check Total:	0.08 03 1,610.28 03 1,610.36	03/15/2005 03/15/2005	Check Sequence: 34 101-430-3100-42290 101-430-3100-42290	ACH Enabled: No
Vendor:OAKDALE 1000039700 1000046000	City of Oakdale North Pit South Pit Check Total:	1,102.32 05 1,858.14 05 2,960.46	03/15/2005 03/15/2005	Check Sequence: 35 601-494-9400-43820 601-494-9400-43820	ACH Enabled: No
Vendor:PELNAR February 2005	KathiPelnar Impounding Check Total:	359.03 03	03/15/2005	Check Sequence: 36 101-420-2700-43150	ACH Enabled: No
Vendor:PINKY 38015	Pinky's Sewer Service, Inc. Pumping - 8004 50th St North Check Total:	245.00 03 245.00	03/15/2005	Check Sequence: 37 602-495-9450-44030	ACH Enabled: No
Vendor:PLANTH 01/01-02/28	PLANT HEALTH ASSOCIATES, INC Tree Program - 01/01-02/28/2005 Check Total:	537.25 05	03/15/2005	Check Sequence: 38 101-450-5200-44030	ACH Enabled: No
Vendor:PLUNKETT 564528	Plunkett's Pest Control Extermination Check Total:	55.38 03	03/15/2005	Check Sequence: 39 101-410-1940-44010	ACH Enabled: No
Vendor:PRESS 02/28-03/07	StevenPress Cable Operator	108.00 03	03/15/2005	Check Sequence: 40 101-410-1320-43620	ACH Enabled: No
AP - Computer Check	AP - Computer Check Proof List (03/10/2005 - 1:43 PM)				Page 5

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413
- 77
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Invoice No	Description	Amount Pa	Payment Date	Acct Number	Reference
	Check Total:	108.00			
Vendor:Reserve 20313037	Pitney BowesReserve Account Reserve Account Check Total:	500.00 03/	03/15/2005	Check Sequence: 41 101-410-1320-43220	ACH Enabled: No
Vendor:Rivertwn 50035963	RiverTown Newspaper Group Various Publications Check Total:	231.03 03/	03/15/2005	Check Sequence: 42 101-410-1320-43510	ACH Enabled: No
Vendor:RUD 03/01-03/09 03/02-03/10	DianePrince-Rud Cleaning - City Hall Cleaning - Fire Hall Check Total:	240.00 03/ 240.00 03/ 480.00	03/15/2005 03/15/2005	Check Sequence: 43 101-410-1940-44010 101-420-2220-44010	ACH Enabled: No
Vendor:S&T 01JT7948 01JT8437 01JT8437 01JT8437	S&T Office Products, Inc. Folders w/fasteners Paper, DvDisks, Tapes, Diskettes Transparency paper - Planning Projector Lamp - Fire Dept. Check Total:	24.08 03/ 284.88 03/ 40.21 03/ 30.55 03/ 379.72	03/15/2005 03/15/2005 03/15/2005 03/15/2005	Check Sequence: 44 101-410-1910-42000 101-410-1320-42000 101-410-1910-42000 101-420-2220-42000	ACH Enabled: No
Vendor:SATELLIT 24180619	Satellite Shelters, Inc. Trailer Rental - Bldg Dept Check Total:	319.50 03/ 319.50	03/15/2005	Check Sequence: 45 101-420-2400-44120	ACH Enabled: No
Vendor:STJOSEPH SR13662	St Joseph Equipment, Inc. Monthly Rental - Backhoe Check Total:	213.00 03/ 213.00	03/15/2005	Check Sequence: 46 101-430-3100-43150	ACH Enabled: No
Vendor: TENNISSA License 610	Tennis Sanitation LL.C Refund - Duplicate Prnt Check Total:	200.00 03/	03/15/2005	Check Sequence: 47 101-420-2400-44300	ACH Enabled: No
Vendor: TKDA 000200500760	TKDA, Inc. Leak Location and Survey Check Total:	266.20 03/	03/15/2005	Check Sequence: 48 601-494-9400-43030	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acet Number	Reference
Vendor: TREMM Emp. Claim	MichaelTremain Reim. for FDIC Seminar Check Total:	590.00	03/15/2005	Check Sequence: 49 101-420-2220-44370	ACH Enabled: No
Vendor: TWINCIT 1185	Twin City Water Clinic, Inc. Bacteria Analysis Feb 2005 Check Total:	20.00	03/15/2005	Check Sequence: 50 601-494-9400-43030	ACH Enabled: No
Vendor: VISALE Acct 8032 Acct 8040	VISA Amual Fee Annual Fee Check Total:	15.00 15.00 30.00	03/15/2005 03/15/2005	Check Sequence: 51 101-410-1910-44330 101-410-1520-44330	ACH Enabled: No
Vendor: WAS-TRAN 44306 44309	Washington County Annual share Manning & MN36 Annual share 17 & MN36 Check Total:	382.13 196.40 578.53	03/15/2005 03/15/2005	Check Sequence: 52 101-430-3160-43810 101-430-3160-43810	ACH Enabled: No
Vendor: XCEL 18583278 18597055 18607310 18616571 18640264 18650221 18680636 18880636 18708375 18957290	Xcel Energy City Hall 4259 Jamaca Ave - Public Works 11194 Upper 33rd St. Temis Courts 998 Inwood Ave 11062 34th St. 2759 Legion Ave Fire Dept Mamning & Stillwater Blvd 3511 Laverne Ave 3675 Layton Ave Pebble Park Check Total:	518.96 783.13 315.23 6.98 27.50 12.66 11.61 507.55 19.37 186.65 6.98 7.43	03/15/2005 03/15/2005 03/15/2005 03/15/2005 03/15/2005 03/15/2005 03/15/2005 03/15/2005 03/15/2005 03/15/2005	Check Sequence: 53 101-410-1940-43810 101-430-3100-43810 101-450-5200-43810 101-450-5200-43810 101-430-3160-43810 101-430-3100-43810 101-430-3160-43810 101-450-5200-43810 101-450-5200-43810	ACH Enabled: No
Vendor: ZACK 20253 20253	Zack's, Inc. Towels - City Hall Materials - Public Works Check Total:	42.58 228.66 271.24	03/15/2005 03/15/2005	Check Sequence: 54 101-410-1940-42110 101-430-3100-42150	ACH Bnabled: No

Acct Number	
Payment Date	
Amount Pa	
Description	

Invoice No

Reference

40,235.10 54

Total for Check Run: Total Number of Checks:

CITY OF LAKE ELMO, MINNESOTA

AUTHORIZATION FOR PROFESSIONAL SERVICES

TO: Toltz, King, Duvall, Anderson and Associates, Incorporated 1500 Piper Jaffray Plaza 444 Cedar Street St. Paul, Minnesota 55101

Pursuant to our Agreement dated February 2, 1988, you are hereby authorized to proceed with the professional services described as follows:

GIS MAPPING OF THE SURFACE WATER SYSTEM AND SANITARY SEWER SYSTEM

I. PROJECT DESCRIPTION

In accordance with the City's NPDES Phase II permit, the City is required to prepare Surface Water/Drainage System mapping. This mapping would be similar to the recently completed Water System mapping.

The Surface Water System map will include catch basins, manholes, pipe sizes and types, ponds, and outlet structures. The Sanitary Sewer System map will show the location of both public and private sanitary sewer systems, and will include manholes, pipe sizes and types, lift stations, and community soil treatment systems.

II. SERVICES TO BE PROVIDED BY TKDA

TKDA is requested to provide the following services for the Project:

A. DEVELOP MAPPING

- 1. Using as-built drawings and previous storm sewer system mapping, prepare surface water system mapping in GIS format.
- 2. Using as-built drawings, prepare sanitary sewer system mapping in GIS format.
- 3. Field verify where necessary items that are not clear on the record drawings.

B. <u>REVIEW</u>

- 1. Submit the preliminary mapping for review.
- 2. Incorporate review comments and submit final mapping for review.
- 3. Provide the City with two paper copies of the final mapping and GIS files.

III. ADDITIONAL SERVICES

If the need for Additional Services is determined, and the fee for the additional work is agreeable and the City authorizes such services in writing, TKDA shall furnish or obtain from others the Additional Services requested. These Additional Services shall be compensated for on an Hourly Rate basis as defined in Agreement Article 3, a part hereof, and such compensation shall be over and above any maximums or lump sum amounts set forth in this Authorization.

IV. PERIOD OF SERVICE

TKDA will start services promptly upon receipt of this executed Authorization and complete services within six months.

V. COMPENSATION

Compensation to TKDA for services provided under SECTION II of this Authorization shall be on an Hourly Rate basis as defined in Agreement Article 3, in the estimated amount of \$32,000.

Approved at a	_ meeting of the		_ on	, 20
Ву		Attest		
Consultant Acceptance by _			, ,	, 20
	Authorized TKDA	Representativ	e	

CITY OF LAKE ELMO, MINNESOTA

AUTHORIZATION FOR PROFESSIONAL SERVICES

TO: Toltz, King, Duvall, Anderson and Associates, Incorporated 1500 Piper Jaffray Plaza 444 Cedar Street
St. Paul, Minnesota 55101

Pursuant to our Agreement dated February 2, 1988, you are hereby authorized to proceed with the professional services described as follows:

CONSTRUCTION DETAILS AND ENGINEERING DESIGN STANDARDS UPDATE

I. PROJECT DESCRIPTION

The City desires to have the existing Construction Details and Engineering Design Standards revised to reflect updated materials and methods, as well as address new City zoning classifications.

II. SERVICES TO BE PROVIDED BY TKDA

TKDA is requested to provide the following services for the Project:

- A. Meet with the Public Works Staff, the Public Works Committee, and the City Council to review existing standards and gather input.
- B. Review proposed standards with the Valley Branch Watershed District and obtain their comments.
- C. Prepare a draft of the proposed standards for review and approval by the City staff and City Council.
- D. Furnish paper copies, PDF files, and AutoCAD files of the new standards to the City.

III. ADDITIONAL SERVICES

If the need for Additional Services is determined, and the fee for the additional work is agreeable and the City authorizes such services in writing, TKDA shall furnish or obtain from others the Additional Services requested. These Additional Services shall be compensated for on an Hourly Rate basis as defined in Agreement Article 3, a part hereof, and such compensation shall be over and above any maximums or lump sum amounts set forth in this Authorization.

IV. PERIOD OF SERVICE

TKDA will start services promptly upon receipt of this executed Authorization and complete services within three months.

V. COMPENSATION

Compensation to TKDA for services provided under SECTION II of this Authorization shall be on an Hourly Rate basis as defined in Agreement Article 3, in the estimated amount of \$5,000.

Approved at a	meeting of the		on	, 20
Ву		Attest		
				tion in the second seco
Consultant Acceptance by _				, 20
	Authorized TKDA	Representativ	e	

Lake Elmo	Agenda Section:	CONSE
City Council		
02 15 2005		

<u>No.</u> 4D

Agenda Item: Next Genesis

Background Information for March 15, 2005:

1) Website Design The City's current website was designed as a start-up program with limited time and funding dedicated towards the project. It was intended to utilize the resources available at the time, for the purpose of disseminating information to the residents. The purpose of the Web Site has somewhat changed with advances of technology. The vision is to continue using the Web as a communication tool and in the future provide expanded services such as Dog Licenses, Permits and Utility Payments.

NT AGENDA

The First step in this process is to redesign our current Website. The primary goal is to make the site more "friendly user" and to improve the overall appearance. New features such as access to an up-to date city codes/ordinances and key word search will be added. The expectation, as a result of accomplishing these objectives, will be that the Website becomes one of the primary sources for communication with our residents.

Attached, please a proposals from Next Genesis. The proposal in the amount of \$ 12,380.63 entails the complete redesign and requires little time from Staff. The Council Finance Committee has reviewed this proposal and has recommended approval of this project.

2) <u>DSL</u> The City receives its existing internet service through Comcast Cable Company at no charge. A major drawback in receiving this free service is continued interruption in accessing the internet due to Comcast frequent changes to the Internet Protocol (IP) address. As our reliance on the internet becomes crucial to our operation it has apparent that the City takes measures to avoid breakdowns in communication via the internet

Enclosed is a proposal from Next Genesis to provide DSL service at a \$253.88 start-up cost and \$90.00 per month thereafter. The Council Finance Committee has reviewed this proposal and has recommended approval of this service.

3) Monthly Maintenance As we move forward in the technology age it becomes more apparent of our reliance on the need for Management Information Systems (MIS) support services. In 2004 the cost for this service was approximately 1080.00/Month. Next Genesis has submitted a proposal for Monthly Support Services for \$ 900.00/Month. This will enable to lock the City into a constant rate for at least a year and will assist in Calculating expenses in future budgets. The Council Finance Committee has reviewed this proposal and has recommended approval.

Action Items: 1) Approve Next Genesis Proposal For Web-Site Redesign. 2) Approve Next Genesis Proposal for DSL Service. 3) Approve Next Genesis Proposal for Monthly Maintenance Service.	Person responsible: Tom Bouthilet
Attachments: 1) Two proposals for Web-Site Redesign 2) Proposal For DSL Service 3) Proposal for Monthly MIS Support Services	

1953 Hillswick Place Michiternedi, IVN 56116

Proposal

The City of Lake Elmo

The City of Lake Elmo

Proposali

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Dete

2/28/05

Expires

3/28/05

Dty	Description	Rate	Extended
	New City Website Proposal - Major Data Entry		
	Website Development		
Q	- Layout Design and Coding	. 0 775 00	
8 5	-Sub Templates	\$75.00	\$600,00
10	- Content Management Implementation	\$75.00 \$75.00	\$375.00
4	- Member System Modification	\$75.00 \$75.00	\$750.00
8	- City Code Modification	\$75.00	\$300.00
10	- Minutes/Meeting Modifications	\$75.00	\$600.00 \$750.00
5	- Calendar Posting Modification	\$75.00	\$375.00
8	- Approval System Modification	\$75.00	\$600.00
2	- Feedback Modification	\$75,00	\$150.00
4	- Spell Check Modification	\$75.00	\$300.00
			Ψ500.00
Section (S) As A	Data Entry		
10	- Setup Basic Structure / Site Map	\$75.00	\$750.00
35	- Import City Code	\$75.00	\$2,625.00
10	- Fill Department Pages	\$75.00	\$750.00
4	- Fill Recent News	\$75.00	\$300.00
8	- Fill Form Pages	\$75.00	\$600.00
8	Testing and Implementation	\$75.00	\$600.00
	Training		
16	- Onsite	\$75.00	\$1200.00
	Tax		\$755.63
	Signature:		

lle) Main

\$12,380.63

1353 Hillawick Piace Mahtomedi, MN 55115

Proposal

The City of Lake Elmo

The City of Lake Elmo

Proposi

0502281

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2/28/05

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3/28/05

Gty	Description	Rate	Extended
	New City Website Proposal - Partial Data Entry		
8	Website Development		
5	- Layout Design and Coding - Sub Templates	\$75.00	\$600.00
10	- Content Management Implementation	\$75.00 \$75.00	\$375.00
4	- Member System Modification	\$75.00 \$75.00	\$750.00 \$300.00
8	- City Code Modification	\$75.00	\$600.00
10	- Minutes/Meeting Modifications	\$75.00	\$750.00
5 8 2	- Calendar Posting Modification	\$75.00	\$375.00
8	Approval System Modification	\$75.00	\$600.00
4	- Feedback Modification - Spell Check Modification	\$75.00	\$150.00
	spen Check Wodingation	\$75.00	\$300.00
	Data Entry		
10	- Setup Basic Structure / Site Map	\$75.00	\$750.00
			Ψ750.00
8	Testing and Implementation	\$75.00	\$600.00
	The task of the second		
16	Training - Onsite	4-7-0	
	- Offsite	\$75.00	\$1200.00
	Tax		\$477.75
)) 			Φ477.73
PARIA North			
	Signature :		

I DIE CHE

\$7,827.75

1953 Hilliawick Piece Weintomedi, MN 55115

Proposal

City Of Lake Elmo 3800 Laverne Ave Lake Elmo MN 55042

City Of Lake Elmo 3800 Laverne Ave Lake Elmo MN 55042

Proposeil

3060

Date

3/1/05

Expires

3/31/05

Gty	Description	Pate	Extended
1	DSL Service 1,5Mb / 1,0Mb Monthly (Includes Line and ISP Charges)	\$90.00	\$90.00
1	Activation Fee	\$99.99	\$99.99
1	DSL Modem	\$59.99	\$59.99
	TÄX		\$3.90
	Signature :		

To make

\$253.88

www.nextgenesis.com Tel:(651)773-3068 * FAX:(651)773-3083



Proposal

City Of Lake Elmo 3800 Laverne Ave Lake Elmo MN 55042 City Of Lake Elmo 3800 Laverne Ave Lake Elmo MN 55042

Propose

3060

Dete

11/23/04

Expires

12/23/04

Olty	Description	Rate	Extended
. 12	Monthly Contracted Hours of Prepaid block time	\$75.00	\$900,00
			and the second s
T. V. C. V. C.			
Manual Carlo	Signature:		

Perech

\$900.00

www.nextgenesie.com

Tel: (851) 773 - 3088 * FAX: (851) 773 - 3083

Lake Elmo
City Council
03-15-2005

Agenda Section: CONSENT AGENDA

No. 4E

Agenda Item: Workers' Compensation for Elected Officials

Background Information for March 15, 2005:

Minnesota Statue 176.011 subd.9, (5) provides that "municipal officers elected or appointed for a regular term of office" are considered to be "employees" for workers' compensation purposes only if the city has passed an ordinance or resolution to that effect. This would provide coverage for elected officials injured while performing his or her duties.

Workers' Compensation for elected officials used to be an expensive proposition. Over the past several years, LMCIT has substantially reduced premiums for this coverage, to bring the cost more in line with the actual risk. The total premium for all elected officials in 2005 will be \$ 71.00.

Attached, please find Resolution 2005-022 Workers' Compensation for Elected Officials for your consideration. Please note that the Resolution must be adopted in order to provide the Mayor & Council Workers' Compensation Coverage.

Action Items: 1) Adopt Resolution 2005-022 Workers' Person responsible:

Compensation Coverage for Elected Officials	Tom Bouthilet
Attachments:	
1. Resolution 2005-022	

RESOLUTION NO. 2005-022 RESOLUTION REGARDING WORKERS' COMPENSATION COVERAGE FOR ELECTED OFFICIALS

WHEREAS, the City of Lake Elmo	obtains its	Worker's	Compensation	coverage
from the League of Minnesota Cities;				

WHEREAS, M.S. 176.011, subd. 9, (5) provides "that municipals officers elected or appointed for a regular term of office" are considered to be "employees" for workers compensation purposes only if the city has passed an ordinance or resolution to that effect;

WHEREAS, as part of the renewal process, the City must decide whether or not the Mayor & Council intent is that they will be included as employees for workers compensation purposes only;

NOW, THEREFORE BE IT RESOLVED, The Mayor & Council Members of the CITY OF LAKE ELMO be covered by the Minnesota Workers' Compensation.

ADOPTED, by the Lake Elmo City Council on March 15, 2005.

Martin J. Rafferty, City Administrator

	Dean Johnston, Mayor
ATTEST:	

RESOLUTION NO. 2005-XXX RESOLUTION REGARDING WORKERS' COMPENSATION COVERAGE FOR ELECTED OFFICIALS

WHEREAS, the City	of Lake Elmo obtai	ns its Worker's Co	mpensation coverage
from the League of Minnesot	a Cities;		-

WHEREAS, the law enables elected or appointed officials of the City to be covered;

WHEREAS, as part of the renewal process, the City must decide whether or not the Mayor &Council intent is that they will be included as employees;

NOW, THEREFORE BE IT RESOLVED, The Mayor & Council Members of the CITY OF LAKE ELMO be covered by the Minnesota Workers' Compensation Law.

ADOPTED, by the Lake Elmo City Council on March 15, 2005.

	Dean Johnston, Mayor
ATTEST:	•

P.01



League of Minnesota Cities Claims Department

145 University Avenue West, St. Paul, MN 55103-2044 (651) 281-1200 • (800) 925-1122 Fax: (651) 281-1297 • TDD: (651) 281-1290 www.lmnc.org

Fax Transmission

3/2/2005

To:

Tom Bouthilet

City of Lake Elmo

Fax #:

651-777-9615

From:

Barb Meyer

PST Title:

Phone #:

(651) 215-4173

No. of pages including this one: 2

If you have difficulty receiving this communication, please contact me at (651) 215-4173.

Message:

Tom,

Here is a copy of a sample resolution. If the city does pass a resolution please send a copy to me for my files.

Thanks, Barb

Notice of Confidentiality

Information contained in this fax is strictly confidential and may be subject to legal privileges. It is for the sole use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any use, duplication or dissemination of this communication or its contents is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone and return the original to us at our expense. Thank you.

EXAMPLE OF RESOLUTION:

Lake Elmo City Council March 15, 2005	Agenda Section: CONSENT AGENDA		<u>No 4F.</u>
Agenda Item: O	rdinance No. 97-150:Relating to Waiving Wate	r Surface Use Reg	gulations
At the March 1 st m Surface Use Perm from the Water Su would have to be a	rmation for March 15, 2005 neeting, Joe Kiesling, Tri-Lakes Association, requit for the Annual Water Ski Show on Lake Jane. It face Use Regulations for this event. Attorney Figure and the City to permit a temporary waiving the Water Surface Use regulations by auapproval.	Mr. Kiesling also re lla advised that the ry suspension of th	equested a waiver municipal code e rules.
-	ot Ordinance No. 97-150, An Ordinance Surface Use Regulations of the Municipal	Person responsible S. Lumby	ole:

Attachments:
Ordinance No. 97-150

ORDINANCE NO. 97 – 150

AN ORDINANCE RELATING TO WATER SURFACE USE REGULATIONS OF THE LAKE ELMO MUNICIPAL CODE

Lake Elmo City Council ordains that Section 1380.03 of the Lake Elmo City Code is amended and Section 1380.03, Subd. 10 is added to the Lake Elmo City Code reads as follows:

Section 1380.03, Subd. 03: Watercraft and Water Surface Use Regulations
Except as provided in Section 1380.03, Subd. 10, the following regulations shall apply on no
person shall operate any watercraft in violation of the provisions of this Code, or in violation of
the provisions of Minnesota Statutes, and/or regulations of the Department of Natural Resources
which statutes and regulations are hereby adopted and incorporated herein. In the event of a
conflict between the various City and State regulations, the more restrictive regulation shall
apply.

Section 1380.03, Subd. 10: Special Water Ski Show Permit

A special permit may be issued by the City Administrator or the administrator designee for waiving water ski shows. A permit shall specify the dates and times of use, and the regulation that will apply to the water ski show. Applicant for special permits shall provide evidence of insurance coverage and consent from the Washington County Sheriff's Department. Applicant shall also make arrangements with the Lake Elmo Fire Department to provide an emergency vehicle during the water ski show.

<u>Effective Date</u>: This ordinance shall become effective upon the passage and publication according to law.

ADOPTED by the Lake Elmo City Council on the 1st day of March, 2005.

Mayor, I	Dean Johnston

ATTEST:

Martin J. Rafferty, City Administrator

Lake Elmo City Council 03-15-2005	Agenda Section: FINANCE		<u>No .</u>
Agenda Item: Cap	oital Improvement Plan Amendment		
The 2005-09 Capital Reserve portion of the	nation for March 15, 2005: Improvement Plan was approved by the City Councine CIP as presented did not have expenditures for streerves to fund a \$ 418, 521 Hilltop reconstruction projection	et improvements in 2	005 primarily due to
originally planned in	previous CIP's were moved back one year. The City ne Hilltop project and concluded an overlay rather that	Engineer and Public	Works Director has
Plan. The amendment of the plan. In an eff	Resolution 205-XXX amending the Infrastructure Report pertains to Hilltop Street Project and moving the Tatort to spread the future expenditures, the Laverne/Lay tal of this Amendment reduces expenditures by \$305,	blyn Park area streets ton overlays have als	into the 2005 portion
The Amended CIP r to property owners.	results in a total of \$ 230,000 for street improvements The CIP also reflects an additional \$186,859 transfer	in 2005 of which \$13 from the General Fun	2,150 will be assessed and Reserve Account.
A.C. To 1	A 1 (D) 1 (C) COOK TYXYY A		
Action Items: 1) Adopt Resolution 2005-XXX Amending the 2005-09 Capital Improvement Plan.	Person responsib Tom Bouthilet	<u>.</u>
	 Resolution 2005-XXX Amended 2005-09 Capital Improvement Plan Infrastructure Reserve Portion of the Amended Capital Improvement Plan. 		

Lake Elmo City Council 03-15-2005	Agenda Section: FINANCE		<u>No</u> . 5A
Agenda Item: Mo	onthly Operating Report		
Background Inform	nation for March 15, 2005:		
February & expendi in Feb. report, the arpremiums for Gener Code Codification (Sdinner, partially rein amount of \$5008.00 expenditures will be The Accounting Service Please note in all of I have taken the sum that we are on track	the Monthly Operating Report for March. This report tures to through March 15, 2005. There are no expensional premium for the Workers Compensation has been all Liability insurance as well. The Misc. account und 57470.00) which has money set aside in reserve. The observed through a donation. Sale Tax collected through and paid to the State was also included as part of the reallocated to the appropriate fund. Wices expense was for the City's Annual Audit which the Health/Dental Accounts, there are some Payroll do of all the Health/Dental sub-accounts and compared to exceed the budget however it should be noted that and therefore I anticipate the account being close to	enditures of major concern paid and this reporter Administration have is a \$ 4669.00 costight the sale of the streem. It is accounts for a major distribution errors whith them to the Budget, the payroll deduction	cern however as noted t reflects annual s expenditures for the for the appreciation set sweeper in the Most of these portion of the Budget. ch will be corrected. At this point it appears
Finally, in the Electrelectricity are considerated was anticipated in the	ic Utility Accounts I expect that we will exceed budgerably greater during the winter season, it appears the Budget.	et. Although the exp at the rates are coming	enditures for gas & g in higher than what
Action Items N	one	Person responsib Tom Bouthilet	ole:
Attachments: M	Ionthly Operating Report - February		

*	Month	ly Operating Repo	ort-Revenue	
Through Feb 28, 2005				
Description	Budget	Per Range Amt	Variance	Comments
Current Ad Valorem Taxes	\$1,923,989.00	\$47,114.18	\$1,876,874.82	
Fiscal Disparities	\$12,838.00	\$0.00	\$12,838.00	
Liquor License	\$9,000.00	\$0.00	\$9,000.00	
Wastehauler License	\$420.00	\$0.00	\$420.00	
General Contractor License	\$175.00	\$0.00	\$175.00	
Heating Contractor License	\$1,000.00	\$2,980.50	-\$1,980.50	
Building Permits	\$176,000.00	\$10,528.50	\$165,471.50	
Surcharge	\$10,154.00	\$0.00	\$10,154.00	
Heating Permits	\$9,000.00	\$0,00	\$9,000.00	
Plumbing Permits	\$7,000.00	\$1,150.00	\$5,850.00	
Sewer Permits	\$4,000.00	\$0.00	\$4,000.00	
Animal License	\$1,500.00	\$500.00	\$1,000.00	
Utility Permits	\$1,500.00	\$1,335.00	\$165.00	
Burning Permit	\$1,200.00	\$175.00	\$1,025.00	
Local Government Aid	\$1,375.00	\$0.00	\$1,375.00	
MSA - Maintenance	\$0.00	\$9,067.50	-\$9,067.50	
State Fire Aid	\$25,000.00	\$0.00	\$25,000.00	
PERA Aid	\$1,500.00	\$0.00	\$1,500.00	
Gravel Tax	\$4,000.00	\$0.00	\$4,000.00	
Recycling Grant	\$15,000.00	\$17,724.00	-\$2,724.00	
Zoning & Subdivision Fees	\$25,000.00	\$5,847.00	\$19,153.00	
Plan Check Fees	\$62,000.00	\$1,919.94	\$60,080.06	
Sale of Copies, Books, Maps	\$1,200.00	\$443.39	\$756.61	
Assessment Searches	\$500.00	\$45.00	\$455.00	
Clean Up Days	\$5,000.00	\$0.00	\$5,000.00	
Cable Operation Reimbursement	\$1,920.00	\$400.00	\$1,520.00	
Fines	\$0.00	\$8,415.39	-\$8,415.39	
Miscellaneous Revenue	\$22,000.00	\$111.00	\$21,889.00	
Interest Earnings	\$60,000.00	\$1,103.33	\$58,896.67	
nterfund Operating Transfers	\$64,752.00	\$0.00	\$64,752.00	
Total	\$2,447,023.00	\$108,859.73		
iotai	Ψ <u>Α,++1,</u> U <u>Α</u> 3.UU	φ 100,008.73	\$2,338,163.27	
Water Sales	\$202,500.00	\$25 GG2 DO	\$166 026 70	
Tower Rent	\$202,500.00	\$35,663.22	\$166,836.78	
		\$2,860.00	\$23,640.00	
Total Water Enterprise	\$229,000.00	\$38,523.22	\$190,476.78	
T-4-10	640.045.00			
Total Sewer Enterprise Fund	\$16,915.00	0.00	\$16,915.00	
Total Confess Fatancia	₽ 72 000 00		A= 4 0= 2 0 =	
Total Surface Enterprise Fund	\$75,000.00	44.74	\$74,955.26	
T-4-1 ID	60 707 000 00	A42 102 55	00 000 740 61	
Total Report	\$2,767,938.00	\$147,427.69	\$2,620,510.31	

As of 3/15/05 (Period 3) Mayor & Council Part-time Salaries FICA Contributions Medicare Contributions Travel Expense				
SS SS D				
SS SS SS	Budget	Amount	Variance	Comment
Part-time Salaries FICA Contributions Medicare Contributions Travel Expense				
FICA Contributions Medicare Contributions Travel Expense	12,100	0	12,100	
Medicare Contributions Travel Expense	875	0	875	
Travel Expense	204	0	204	
	4,000	0	4,000	
Miscellaneous	8,500	2,480	6,020	
Dues & Subscriptions	8,000	2,689	5,311	
Conferences & Training	2,000	245	4,755	
Sub-Total	38,679	5,414	33,265	
Administration				
Full-time Salaries	128,235	22,462	105,773	
PERA Contributions	7,091	1,044	6,047	
FICA Contributions	7,951	1,402	6,549	
Medicare Contributions	1,859	328	1,531	
Health/Dental Insurance	19,132	2,957	16,175	
Workers Compensation	1,740	1,939	-199	Annual Premium Paid
Office Supplies	7,000	1,600	5,400	
Printed Forms	800	266	534	
Newsletter/Website	15,000	1,090	13,910	
Postage	9,500	1,650	7,850	
Travel Expense	4,200	152	4,048	
Legal Publishing	000'9	947	5,053	
Insurance	32,000	30,647		Annual Premium Paid
Cable Operation Expense	1,200	901		
Miscellaneous	7,200	17,642	-10,442	Code Codification \$7470, Appreciation Dinner \$ 4669, Sales Tax collected-
Dues & Subscriptions	2,250	1,480	770	770 in sale of Sweeper & paid to the State Realth Chron Fant Comment
Books	200	0	200	
Conferences & Training	2,500	99	2,434	
Professional Development	2,000	0	2,000	
Transfer Out	195,032	0	195,032	
Sub-Total	454,190	86,574	367,616	
Elections				
Part-time Salaries	1,100	0	1,100	
FICA Contributions	89	0	89	
Medicare Contributions	16	0	16	
Office Supplies	20	0	20	
Printed Forms	100	0	100	
Travel Expense	100	0	100	
Miscellaneous	250	22	195	
Conferences & Training	200	0	200	
Other Equipment	350	340	10	
Sub-Total	2,534	395	2,139	

	, n		Variative
Finance			
Full-time Salaries	61,798	9,434	52,364
PERA Contributions	3,417	514	2,903
FICA Contributions	3,831	286	3,245
Medicare Contributions	968	137	759
Health/Dental Insurance	2,969	1,108	6,861
Workers Compensation	839	935	-96 Annual Premium Paid
Office Supplies	2007	0	200
Printed Forms	608	657	152
Software Support	8,995	1,575	7,420
Hardware Support	3,701	0	3,701
Software Programs	1,560	0	1,560
Travel Expense	2,000	12	1,988
Miscellaneous	002	02	630
Dues & Subscriptions	100	15	85
Books	200	0	200
Conferences & Training	1,000	0	1,000
Sub-Total	98,515	15,044	83,471
Accounting Sources	000 66	45 464	6 E30 Moine nortion of Dudant in far Annual City Analth chief has been in
Accounting Col vices	20,000	10,404	40 025 A mild of bounder is not Allinda City Addit Which Has been Hivoluced.
Assessing Services	000,00	13,100	16,000 Aurital assessing adjustrient para, remaining year= 1700.00/monm.
City Attorney Civil	26,000	7,140	18,860
City Attorney Criminal	45,000	7,380	37,620
Planning & Zoning			
Full-fime Salaries	64 631	12 192	52 430
PERA Contributions	3.574	1.136	24,38
FICA Contributions	4.007	761	3.246
Medicare Contributions	937	178	759
Health/Dental Insurance	7,962	2,392	5,570
Workers Compensation	877	977	-100 Annual Premium Paid
Office Supplies	200	152	348
Printed Forms	200	437	63
Zoning Ordinance Dev - CDBG	5,000	0	5,000
Cimarron Study - CDBG	24,000	0	24,000
Comprehensive Planning	10,000	330	8,670
Travel Expense	2,700	84	2,616
Cable Operation Expense	1,200	108	1,092
Miscellaneous	200	304	-104
Dues & Subscriptions	200	205	295
Books	200	0	200
Conferences & Training	2,000	0	2,000
Sub-Total	128,788	19,258	109,530

	Budget	Amount	Variance	Comment
Engineering Services	27,861	8,240	19,621	
Attorney Fees	25,000	1,466	23,534	
Gov't Building				
Cleaning Supplies	300	98	214	
Building Repair Supplies	200	0	200	
Telephone	5,100	898	4,232	
Electric Utility	6,500	2,451	4,049	
Refuse	2,000	350	1,650	
Repairs/Maint Contractual Bldg	10,000	1,839	8,161	
Repairs/Maint Contractual Eqpt	7,000	1,224	5,776	
Miscellaneous	200	159	341	
Sub-Total	31,900	6,977	24,923	
Law Enforcement Contract	327,633	176,911	150,722	
Fire				
Full-time Salaries	12,999	2,810	10,189	
Part-time Salaries	117,200	25,819	91,381	
PERA Contributions	719	593	126	
FICA Contributions	8,034	1,776	6,258	
Medicare Contributions	1,879	415	1,464	
Health/Dental Insurance	1,677	4,488	-2,811	Credit Adjustment Due-Payroll Coding issue
Workers Compensation	3,580	3,990	-410	Annual Premium Paid
Office Supplies	1,000	70	930	
Printed Forms	200	0	200	
EMS Supplies	1,500	465	1,035	
Fire Prevention	4,000	0	4,000	
Fuel	4,500	643	3,857	
Equipment Parts	200	413	87	
Building Repair Supplies	200	162	38	
Small Tools & Equipment	1,200	193	1,007	
Physicals	4,000	0	4,000	
Telephone	3,500	1,162	2,338	Fire Dept. Laptop Internet Service not Budgeted- on track to exceed budget.
Radio	7,500	25	7,475	
Internet	200	0	700	
Travel Expense	3,000	308	2,692	
Vehicle Insurance	14,850	13,197	1,653	Annual Premium Paid
Electric Utility	5,700	1,928	3,772	
Repairs/Maint Contractual Bldg	2,000	3,128	3,872	
Repairs/Maint Contractual Eqpt	25,000	2,605	22,395	
Building	1,080	180	006	
Uniforms	005'6	0	9,500	
Miscellaneous	1,300	7,985	-6,685	7219.00 Fixe STUDY - RECORE TO RESEAVE
Dues & Subscriptions	2,500	260	1,940	

	Budget	Amount	Variance	Comment
Books	200	0	200	
Conferences & Training	15,000	088	14,120	
Pension Contribution	2,690	0	2,690	
Fire State Aid	25,000	13,738	11,262	DELAVED ROYMELY OF LAST VEND PRILABLES - HER ON NECKARD
Equipment	10,000	4,169	5,831	
Transfer Out	40,000		40,000	
Sub-Total	338,008	91,701	246,307	
Building Inspection				
Full-time Salaries	125,415	22,115	103,300	
PERA Contributions	6,935	1,076	5,859	
FICA Contributions	7,776	1,374	6,402	
Medicare Contributions	1,819	321	1,498	
Health/Dental Insurance	18,845	3,126	15,719	
Workers Compensation	1,702	1,897	-195	Annual Premium Paid
Office Supplies	1,100	20	1,080	
Printed Forms	1,000	171	829	
Fuel	3,000	99	2,944	
Engineer Serv Utility Permits	2,000	0	2,000	
Plan Review Charges	2,000	0	5,000	
Surcharge Payments	13,500	1,134	12,366	
Telephone	400	86	302	
Travel Expense	1,000	20	950	
Insurance	1,200	964	236	
Repairs/Maint Contractual Eqpt	200	74	426	
Rentals - Building	4,500	959	3,542	
Uniforms	009	62	521	
Miscellaneous	400	200	200	
Dues & Subscriptions	800	100	200	
Books	300	0	300	
Conferences & Training	2,500	950	1,550	
Transfer Out	2,000	0	5,000	
Sub-Total	205,292	12,650	192,642	
Civil Defense	000'6	0	000'6	
Animal Control				
Printed Forms	250	0	250	
Contract Services	8,800	1,123	7,677	
Impounding	2,000	3,313	3,687	Expenditure was for last Qtr of Prior Year-Accrual adjustment due.
Miscellaneous	200	92	124	
Sub-Total	16,250	4,513	11,737	

	Budget	Amount	Variance	Comment
Public Works				
Full-fime Salaries	115,938	17,873	98,065	
Part-time Salaries	5,160	0	5,160	
PERA Contributions	269'9	886	5,709	
FICA Contributions	7,508	1,109	6,399	
Medicare Contributions	1,756	259	1,497	
Health/Dental Insurance	21,187	3,510	17,677	
Workers Compensation	6,740	7,511	177-	Annual Premium Paid
Office Supplies	300	0	300	THE THE TAXABLE PROPERTY OF TAXABL
Fuel	12,000	3,740	8,260	
Shop Materials	2,500	929	1,824	
Equipment Parts	2,000	955	4,045	AND THE PROPERTY OF THE PROPER
Building Repair Supplies	1,000	35	965	
Street Maintenance Materials	12,000	81	11,919	
Landscaping Materials	2,500	0	2,500	
Sign Repair Materials	4,000	480	3,520	
Sand/Salt	25,000	9,592	15,408	
Small Tools & Minor Equipment	1,500	141	1,359	
Engineering Services	4,000	0	4,000	
Sealcoating & Crack Sealing	35,000	0	35,000	
Contract Services	45,000	2,490	42,510	
Telephone	2,750	442	2,308	
Travel Expense	750	10	740	
Insurance	16,000	9,018	6,982	Annual Premium Paid
Electric Utility	008'6	3,114	6,186	
Refuse	1,300	288	1,012	
Repairs/Maint Contractual Bldg	2,000	0	2,000	
Repairs/Maint Imp Not Bldgs	2,500	29	2,471	
Repairs/Maint Contractual Eqpt	8,000	1,104	968'9	
Uniforms	1,200	912	288	
Miscellaneous	2,500	301	2,199	
Dues & Subscriptions	200	0	500	
Conferences & Training	200	0	200	
Clean-up Days	12,000	0	12,000	
Other Equipment	7,380	209	7,171	
Transfer Out	199,488	0	199,488	
Sub-Total	580,954	64,868	516,086	
Street Lighting	18,000	3,948	14,052	
Sanitation				
Recycling Supplies	000'9	7	5.993	
Newsletter	5,000	0	5,000	
Miscellaneous	7,100	0	7,100	Total and the control of the control
Sub-Total	18.100	7	18.093	

ParksFull-time Salaries52Part-time Salaries25PeRA Contributions4FICA Contributions4Medicare Contributions7Health/Dental Insurance7Workers Compensation7Office Supplies2Fuel2Shop Materials2Chemicals1Equipment Parts4Building Repair Supplies4	52,660 8,347 25,658 2,340 4,331 554 4,856 664 1,136 1,55 2,585 2,881 2,500 142 500 0 500 0 1,000 0	9	
	2 7		
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1 1 1 1 1 1 1 1 1 1	2 1		
8	2	4,192	A TOTAL CONTRACTOR OF THE PROPERTY OF THE PROP
8		5 981	
S		3 5,968	
s Supplies	12		-296 Annual Premium Paid
s Supplies	17	0 250	
		2 2,058	THE PROPERTY AND ADDRESS OF THE PROPERTY OF TH
		0 200	
		000'1	
	4,000 382	3,618	
		009 200	
Landscaping Materials 5	5,000	000'9 2'000	
Small Tools & Minor Equipment	1,000	0 1,000	
Telephone 1	1,000	4 776	
Travel Expense	0		
Insurance 3			1,422 Annual Premium Paid
Electric Utility 7	7,600 2,365	5,235	
Refuse	2,400 552	1,848	
Repairs/Maint Contractual Bldg		0 2,000	
	30,000 1,07	77 28,923	
tht	1,000	0 1,000	
Rentals - Buildings	3,000 21	19 2,781	
Uniforms			
Miscellaneous	200	38 162	
Dues & Subscriptions	100	0 100	
Transfer Out 18	18,000	0 18,000	
Sub-Total 181	181,917 23,311	158,606	
	•		
Total General Fund 2,633,621	3,621 570,424	2,063,197	

	Duuger	Amount	Vallance	Comment
Water Enterprise Operating				
Full-time Salaries	70,119	17,228	52,891	
PERA Contributions	3,878	894	2,984	
FICA Contributions	4,347	1,071	3,276	
Medicare Contributions	1,017	251	992	
Health\Dental Insurance	8,618	1,915	6,703	
Workers Compensation	2,137	2,382	-245	Annual Premium Paid
Office Supplies	200	150	50	
Printed Forms	1,500	77	1,423	Company of the compan
Chemicals	3,000	371	2,629	
Utility System Maintenance	3,000	266	2,735	THE PROPERTY OF THE PROPERTY O
Water Meters & Supplies	17,500	525	16,975	
Small Tools & Minor Equipment	200	19	481	
Engineering Services	8,000	35,537	-27,537	-27,537 Water Expansion Project (Expenditure to be reclass to Capital Account)
Software Support	6,500	0	6,500	
Telephone	2,000	245	1,755	The state of the s
Postage	1,120	0	1,120	
Travel Expense	1,400	48	1,352	
Insurance	3,433	6,449	-3,016	Annual Premium Paid-Note: Substantial increase in current year's premium.
Electric Utility	15,806	2,008	13,798	
Water Utility	85,000	10,192	74,808	
Repairs\Maint Imp Not Bldgs	8,000	1,851	6,149	
Miscellaneous	10,000	785	9,215	
Conferences & Training	1,020	691	329	TO ALLEMANTIC TO THE PROPERTY OF THE PROPERTY
Other Equipment	2,000	0	2,000	
Sub-Total	260,095	82,954	177,141	
Sewer Operating Enterprise				
Full-time Salaries	11,993	4,017	7,976	
PERA Contributions	663	207	456	
FICA Contributions	744	250	494	
Medicare Contributions	174	28	116	
Health/Dental Insurance	1,401	475	926	
Workers Compensation	463	516	29-	Annual Premium Paid
Utility System Maint Supplies	200	0	200	
Small Tools & Minor Equipment	200	0	200	
Engineering Services	000'9	883	5,111	
Telephone	2,000	343	1,657	
Travel Expense	0	14	-14	
Electric Utility	2,123	147	1,976	
Sewer Utility - Met Council	0	825	-825	
Repairs\Maint Imp Not Bldgs	4,000	1,181	2,819	
Miscellaneous Expenses	009	0	009	
Conferences & Training	200	0	500	
C. ib Total	24 664	8 022	22 720	

	Budget	Amount	Variance	Comment
Surface Water Utility				
Full-time Salaries	29,523	0	29,523	*
PERA Contributions	1,633	0	1,633	
FICA Contributions	1,830	0	1,830	A STATE OF THE STA
Medicare Contributions	428	0	428	
Health/Dental Insurance	4,346	0	4,346	
Workers' Compensation	006	1,003	-103	
Office Supplies	200	0	200	
Utility System Maint Supplies	2,500	0	2,500	
Small Tools & Minor Equipment	1,000	0	1,000	
Engineering Services	10,000	5,382	4,618	
Erosion Control	2,000	0	2,000	
Software Support	4,000	0	4,000	
Postage	1,110	0	1,110	
Contract Services	2,500	0	2,500	
Repairs/Maint Not Bldg	2,500	0	2,500	
Miscellaneous Expenses	750	0	750	
Transfer Out	30,315	0	30,315	
Sub-Total	98,835	6,385	92,450	
Total Operating Enterprise	390,591	98,261	292,330	
Total Expenditures	3,024,212	668,684	2.355.528	

Lake Elmo City Council March 15, 2005	Agenda Section: Administrator's Report		No. 6 A.
Agenda Item: An	imal Ordinance		
	Suncil Committee , the committee recommended to the Community Improvement Commission.	the modifications to	o the animal control
back to the PH&S	n studied by the CIC for a number of months, has Committee for final review. In the proposed ording I by an invisible fence. See the attached change to	nance; if an owner	
Action:		Person responsib	ole:
A motion approvin	g the Ordinance 97-151	Martin Rafferty City Administrato	or

Attachments:

(ABUED

CITY OF LAKE ELMO COUNTY OF WASHINGTON STATE OF MINNESOTA ORDINANCE NO. 97-151

AN ORDINANCE RELATING TO CONFINEMENT OF DOGS

The Lake Elmo City Council hereby ordains that Section 1320.025 is added to the City Code to read as follows:

classified as potentially dangerous or dangerous dogs, shall be confined to the dog owners property by owner supervision, kennel, physical or invisible fencing, or by a chain securely anchored to a structure or to the ground. Invisible fencing is not a permissible means of confinement if a dog owner is not at home. Potentially dangerous or dangerous dogs shall be confined in a proper enclosure. ADOPTION DATE: Passed by the Lake Elmo City Council on the 15th day of March, 2005. **Effective Date**: This Ordinance shall be effective the day following its publication. Dated: ______, 2005. CITY OF LAKE ELMO Dean Johnston Mayor ATTEST: Martin J. Rafferty

City Administrator

Lake Elmo City Council March 15, 2005	Agenda Section: Administrator's Report	No. 6 B.
Water 13, 2003		

Agenda Item: Representatives to Regional Park Comprehensive Planning Committee

About two weeks ago, Jim Lugar Director for the Regional Park met with me to discuss the need to develop a new comprehensive plan for the park. The last plan was developed about 25 years ago.

He asked that the City of Lake Elmo appoint two committee representatives so the City's interest would be represented. Three individuals have agreed to participate should the Council decide to select them for this purpose; Sue Dunn, Margaret Carlson and Bob Schumacher.

Action:	Person responsible:
A motion approving two representatives to the Regional Park Comprehensive planning Committee	Martin Rafferty City Administrator
Attachments:	

Summary Building Report

Februa	ary 2005		Ye	ar to Date	
	Permits			Permits	
	Issued	Valuation		Issued	Valuation
New Residential	0	\$0.00	New Residential	1	\$450,000.00
New Commercial	0	\$0.00	New Commercial	0	\$0.00
Other Residential	16	\$343,900.00	Other Residential	32	\$623,764.00
Other Commercial	3	\$12,378.00	Other Commercial	3	\$12,378.00
Total =	19	\$356,278.00	Total =	36	\$1,086,142.00
Total	19	\$330,278.00	Total	30	\$1,086,142.00
Total Building Fees C	ollected	\$4,257.70	Total Building Fees Co	ollected	\$13,722.47
Summa	ry Plumbing	Papart	Cumman	. Diversitie	- Daniel
Summa	ry Plumbing	Report	Summar	y Plumbin	g Report
Plumbing	3	\$27,278.00	Plumbing	5	\$62,778.00
Total Plumbing Fees	Collected	\$201.00	Total Plumbing Fees C	collected	\$352.00
Summ	ary HVAC R	leport	Summa	ary HVAC	Report
HVAC	8	\$18,950.00	HVAC	11	\$46,049.00
	· ·	\$10,000.00	III III		Ψ40,043.00
Total HVAC Fees Col	lected	\$504.00	Total HVAC Fees Coll	octod	\$805.50
10tul 117A01003 001	leoted	\$304.00	Total TIVACT ees Coll	ected	\$803.30
Summary Grand Tota	l Foos	\$4,962.70	Summary Grand Total	Foos	\$14.970.07
Odininary Grand Tota	11 665	ψ4,302.10	Sullilliary Grand Total	rees	\$14,879.97
Surcharge Fee Paid to		\$165.90	Surcharge Fee Paid to		\$532.78
SAC Fees Paid to Met			SAC Fees Paid to Met		\$0.00
WAC Fees Paid to Oa	kdale		WAC Fees Paid to Oak	dale	\$0.00
Misc. Expenses			Misc. Expenses		\$0.00
Total Fees Retained		\$4,796.80	Total Fees Retained		\$14.247.40
Total I des Netaineu		ψ4,130.00	Total Fees Retained		\$14,347.19
Credit Fees to Bldg		\$4,796.80	Credit Fees to Bldg		\$14,347.19
Credit Fees to Water			Credit Fees to Water		\$0.00
Credit Fees to Sewer			Credit Fees to Sewer		\$0.00

Lake Elmo
City Council
March 15, 2005

Agenda Section: CITY ENGINEER'S REPORT

No 8A.

<u>Agenda Item</u>: Ordinance 97-152:Installation of Stop Sign at the Intersection of Highlands Trail and Hilltop Avenue

Background Information for March 15, 2005:

The City Engineer and Public Works Supervisor reviewed the request for a stop sign on west bound Highland Trail at Hilltop Avenue. They recommended a stop sign be installed due to the limited sight distance due to surrounding landscaping and the topography.

At the March 8th Council Committee workshop, the Council asked staff to invite surrounding property owners for their input at this Council meeting

Action Items: M/S/P to adopt Ordinance No. 97-152, Approving Installation of a Stop Sign at the Intersection of Highlands Trail and Hilltop Avenue	Person responsible:	
Attachments: E-Mail from City Engineer Ordinance No. 97-152	A PPROVI	

Sharon Lumby

From: Sent: Thomas D. Prew [prew.td@tkda.com] Thursday, March 10, 2005 9:05 AM

To:

Sharon Lumby Mike Bouthilet

Sharon

I have reviewed the proposed stop sign on west bound Highlands Trail at Hilltop Avenue.

The intersection does not meet traffic warrants for a stop sign. (not enough traffic)

However due to the limited sight distance due to surrounding landscaping and the topography, the stop sign is recommended.

Mike Bouthilet and I agree that the uphill grade on approach to the stop sign is not steep enough to cause a problem to most vehicles.

Tom

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Thomas D. Prew, P.E. phone: 651/292-4463 fax: 651/292-0083

e-mail: Prew.td@tkda.com

Toltz, King, Duvall, Anderson and Associates, Inc. 1500 Piper Jaffray Plaza 444 Cedar Street Saint Paul, Minnesota 55101-2140

ORDINANCE NO. 97-152

AN ORDINANCE AUTHORIZING THE INSTALLATION OF A STOP SIGN AT THE INTERSECTION OF HIGHLANDS TRAIL AND HILLTOP AVENUE

WHEREAS, the City has received a request for a traffic control sign at the intersection of Highlands Trail and Hilltop Avenue

WHEREAS, the City Engineer and Public Works Supervisor has reviewed this request and recommend approval of the installation of a traffic control sign

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council authorizes a traffic control sign on the westbound Highlands Trail at Hilltop Avenue North and that the stop sign location be added to Appendix B.

ADOPTED, by the Lake Elmo City Council on the 15th day of March, 2005.

	Dean Johnston, Mayor
ATTEST:	
·	

Lake Elmo City Council March 15, 2005

Agenda Section: Planning, Land Use & Zoning

No. 9A.

Agenda Item: Preliminary Plat, Comprehensive Plan Amendment, Rezoning, Conditional Use Permit and OP Concept Plan – Deer Glen

Background Information for March 15, 2005:

At its meeting February 28, 2005 the Planning Commission conducted the required Public Hearings and adopted a recommendation to deny all of the subject multiple applications for the platting of 108 acres, an OP Concept Plan covering 40+ acres; A Comprehensive Plan Amendment (from RAD to PF) for 20 acres; and rezoning (from RR to PF) for 20 acres, and a Conditional Use Permit for a 52,000 square foot church facility on the 20 acre site. No action was taken regarding the church Section 520 Site Plan pending Council action on the precedent applications.

In making its recommendation the Commission adopted the several Findings of the February 24, 2005 Planning Staff Report. While all of the interrelated applications were recommended for denial, the Comprehensive Plan Amendment was precedent to the Rezoning, and Conditional Use Permit. Technically, no action was required on the latter two applications based on the denial recommendation of the Plan Amendment. The primary Findings made as the basis for the Plan Amendment denial recommendation were that no error, nor change of conditions had been demonstrated that would support a change of land use classification on the 20 acre church site from RAD to RR.

The Preliminary Plat was recommended for denial based on the Finding that one of the proposed parcels failed to meet the RR district minimum lot area of 10 acres.

The OP Concept Plan denial recommendation was based both on the Preliminary Plat denial, and the Findings made by the City Council in denial of a nearly identical OP Concept Plan in 2004, as follow:

- 1. The Concept Plan is inconsistent with the Lake Elmo Comprehensive Plan Environmental Protection policies regarding residential developments conforming to the limitations presented by natural features, including natural drainage systems, by proposing significant modifications of natural grades and existing floodplain on the site.
- 2. The Concept Plan is inconsistent with the Purpose of the Lake Elmo Open Space Preservation Ordinance by proposing to significantly alter natural drainage features of the site.

While no specific Findings were made regarding the Conditional Use Permit denial (and none were required without the proper PF zoning), the Staff Report referenced the applicant's traffic study for the site, and conditions of the CUP that would be necessary should either the Commission or Council decide to approve the Plan Amendment and Rezoning for the church site. It should be noted that the applicant's traffic study failed to forecast any future traffic from the outlots of the plat for which no development type and scale is declared by the applicant. In that respect the traffic study is not accurate as to the potential impact on City and State roads.

The Chair of the Planning Commission did offer the applicant an opportunity to request tabling of the applications pending completion of the overall Comp Plan Amendment process by the City. The applicant declined.

Action items:	026
Motion the adopt Resolution #200	05 – denying all applications, as
recommended by the Planning Co	ommission.

Person responsible:

Attachments: 026

- 1. Resolution #2005 Denial of all Applications
- 2. Draft Planning Commission Minutes of February 28, 2005
- 3. Planning Staff Report of February 24, 2005
- 4. Applicant's Documentation and Graphics

Time Allocated:

RESOLUTION NO. 2005-076

A RESOLUTION DENYING THE PRELIMINARY PLAT, OPEN SPACE PRESERVATION DEVELOPMENT CONCEPT PLAN, COMPREHENSIVE PLAN AMENDMENT AND REZONING, AND SITE PLAN AND CONDITIONAL USE PERMIT OF LAKEWOOD EVANGELICAL FREE CHURCH.

WHEREAS, Lakewood Evangelical Free Church has made application for an Open Space Preservation Development Concept Plan, Preliminary Plat, Comprehensive Plan Amendment and Rezoning, Conditional Use Permit, and Section 520 Site Plan on 108.62 acres of property generally described as P.I.D. No. 02.029.21.21.0001 and being generally located south of and adjacent to State Highway 36, and east of and adjacent to Keats Avenue, in the City of Lake Elmo, Minnesota, and legally described as follows:

The Northwest ¼ of Section 2, Township 29, Range 21, excepting therefrom the following described parcels:

- 1. The Westerly 660 feet of the Southerly 825 feet of the Southwest ¼ of the Northwest ¼.
- 2. The South 1,125 feet of the West 1,100 feet of the Northwest ¼, except the West 660 feet of the South 825 feet, except the South 400 feet of the West 1,100 feet.
- 3. The North 425 feet of the South 1,550 feet of the West 1,100 feet of the Northwest 1/4.
- 4. The South 400 feet of the East 440 feet of the West 1,100 feet of the Northwest 1/4.

All in Washington County, MN.

WHEREAS, at its February 28, 2005 meeting, the Planning Commission reviewed and recommended denial of this application to plat this 108.62 acre parcel into one lot and four outlots based upon the following Findings:

1. Outlot B does not meet the minimum area requirements of the RR zoning district.

WHEREAS, at its February 28, 2005 meeting, the Planning Commission reviewed and recommended denial of this application for an Open Space Preservation Development Concept Plan with 18 residential lots on 48.62 acres of land based upon the following Findings:

1. The Concept Plan is inconsistent with the Lake Elmo Comprehensive Plan Environmental Protection policies regarding residential developments conforming to the limitations presented by natural features, including natural drainage systems, by proposing significant modifications of natural grades and existing floodplain on the site.

2. The concept Plan is inconsistent with the purpose of the Lake Elmo Open Space Preservation Ordinance by proposing to significantly alter the natural drainage features of the site.

WHEREAS, at its February 28, 2005 meeting, the Planning Commission reviewed and recommended denial of this application for a Comprehensive Plan Amendment and Rezoning to Public Facilities for 20 acres based upon the following Findings:

- 1. Conditions on the site have not changed substantially from the Lake Elmo Comprehensive Plan.
- 2. No error was found in the Comprehensive Plan.

WHEREAS, at its February 28, 2005 meeting, the Planning Commission reviewed and recommended denial of this application for a Conditional Use Permit to construct a church on 20 acres based upon the following Findings:

1. The Comprehensive Plan Amendment and Rezoning was denied. The site is not zoned Public Facilities.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby deny the Preliminary Plat, Open Space Preservation Development Concept Plan, Comprehensive Plan Amendment and Rezoning, and Conditional Use Permit of Lakewood Evangelical Free Church.

	Dean Johnston, Mayor	
TEST:		

City of Lake Elmo Planning Commission Meeting Minutes of February 28, 2005

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Sedro, Deziel, Armstrong, Ptacek, Schneider, and Roth. STAFF PRESENT: Administrator Rafferty, Planner Dillerud, Recording Secretary Kimberly Schaffel.

Pledge of Allegiance

Agenda

M/S/P, Ptacek/Deziel, To accept the Agenda as presented. VOTE: 7:0.

Minutes of February 14, 2005

M/S/P, Ptacek/Deziel, To accept the Minutes of February 14, 2005 as presented. VOTE: 7:0.

PUBLIC HEARING: Variance for Septic - Gibson

The Planner introduced the application for a septic system variance. The site is on the south shore of Lake Jane. The applicant proposes to replace the septic system in a location that locates 75 square feet of the new drainfield within the shoreland setback of Lake Jane. The Planner said this plan is the second location chosen which impacts the site less than the first site chosen; and, that the DNR, city engineer, and the city planner indicate this is the best location for the septic system.

Commissioner Schneider asked if the well for the neighbor to the west is indicated on the site plan.

The Planner said the neighbor's site was checked, and that is the well that was found.

Applicant's Representative, Mo Anderson

He noted that the square footage of the drainfield within the OHW of Lake Jane is only one little corner.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:09 P.M.

THE CHAIRMAN CLOSED THE PUBLIC HEARING 7:10 P.M.

M/S/P, Armstrong/Ptacek, To recommend approval of the variance for a septic system for Mr. Gibson based upon the recommendation of the City Engineer that states this is the best design and a minimal request and based upon Findings and recommendations of the City Planner. VOTE: 7:0.

PUBLIC HEARING: DEER GLEN

The Planner explained that there this agenda item represents a series of applications to develop more than 100 acres. The applications are for Preliminary Plat, Comprehensive Plan Amendment, Rezoning, an OP Concept Plan, and a Conditional Use Permit to locate a church. The Preliminary Plat shows 40+ acres in the southerly portion of the parcel for an OP subdivision, an outlot north of the OP site for a public street, a 2nd Outlot to the north extends to the right of way of Highway 36, and the remainder of the parcel is the site for a church facility. The parent parcel comprises approximately 108 acres. The two parcels to the north are not planned for development at this time.

The Planner said that in 1996 the entire site was proposed by the applicant for PF zoning and reguiding. The City Council denied that application. The City amended the PF zoning district standards in 2000 to limit the area of any PF zoned site to a maximum of 20 acres.

The Planner reminded the commissioners that in 2004, the applicant came forth with an application on the same basic location for an OP Concept Plan with 18 lots essentially as shown today. The Commission recommended the 2004 plan for approval, but the OP Concept Plan was denied unanimously by the City Council because of substantial grading to overcome natural floodplains, contrary to the policies of the

The Planner organized the applications sequentially for the Planning Commission saying that the Preliminary Plat stands alone. The site is zoned RR, and may be platted into parcels without indication of use as long as parcels meet the size requirements of the code and are otherwise logically designed in compliance with the subdivision code.

He reported that the Comprehensive Plan Amendment is for the 20 acre site to be changed from RAD guiding to PF. The Planner explained that there are two common criteria utilized to consider a Comprehensive Plan Amendment, 1.) Was there an error in the original Comp Plan? 2.) Has there been a change in conditions since the existing Comp Plan was adopted that suggests amendment on the site in question? The Planner said he cannot detect any Comp Plan errors regarding the subject 20 acre site, nor can he report any changes in condition impacting the subject site since the last Comp Plan review and adoption by the City. He said that rezoning of the 20 acre site to PF is another portion of the application and is mandatory only if the Commission supports reguiding the parcel to PF.

The Planner advised that the Conditional Use Permit must have two sets of Findings. The first four Findings address with the PF Zone and House of Worship in relation to the mandatory CUP conditions, and the Commission must then address five Findings in the zoning ordinance required for CUP. He said that the maximum wastewater generation condition was by the church; and, that the volumes of wastewater forecast are the maximum allowable. He noted further that the City Engineer has suggested that there may be an issue with the church site having "direct" access to a Arterial or Major Collector street, as is a required CUP condition. The Planner advised the Commission that Keats Avenue is a Major Collector, but the proposed Public street from Keats to the church site would not be.

The Planner said the OP Concept Plat is virtually the same as last year's with minor technical corrections that were requested last year; and, as result he believed the same Findings made by the City Council apply. The Planner said there are still substantial alterations to natural terrain in order for some lots to be above flood elevations.

The Planner said a Traffic Study was submitted and there are improvements to both Keats Avenue and the Highway36 intersection with Keats Avenue recommended by the traffic consultant. He reported that the applicant's consultant suggested that the applicant should not have total financial responsibility for those improvements. He also noted that he doubted that MnDOT would have the financial resources either, and that the City certainly would not.

The Planner then advised the Commission that the Planning Staff Report contained an inaccurate observation as to the proposed total structure area of the church. He advised the Commission that the proposed church would, in fact, be in the neighborhood of 50,000 square feet rather than the 27,000 square feet reported in the Planning Staff Report,. With that correction he advised the Commission that the Traffic Study does match the church building area. He did note that the applicant's traffic study model does not assume any traffic generation from the 40 acres at the north end of the parcel – an assumption hat no development of that 40 acres will ever occur. He questioned whether that was a reasonable assumption to make given the demonstrated issues with the Keats/Highway 36 intersection even with the improvements that are recommended.

FINDINGS:

The OP Subdivision Preliminary Plat generally meets Chapter 400 of the City Code and RR zoning district standards and could be recommended for approval. There was no error or change in conditions supporting a reguiding from RAD to PF. Therefore, it is not supported in rezoning either. A CUP is not in order if the first two applications are not in order. The Planner recommended reducing the size of church to match the application. A ¾ intersection must be constructed, and there must be a written commitment for who will build and pay for it.

DRAFT

The Planner reminded the commission that they can work with just the preliminary plat and the OP concept plan without having to deal with the Comprehensive Plan Amendment, Rezoning or Conditional Use Permit.

Commissioner Schneider asked what would happen if Mn/DOT closes Keats. He asked how that would leave the church.

The Planner replied that the Commission will have to look at east/west traffic movement on parallel routes to Highway 36 to gain access.

Commissioner Armstrong asked what the ramifications are of approving the preliminary plat.

The Planner said the Commission could approve it with contingencies.

Chairman Helwig asked why the Council unanimously rejected the previous application.

The Planner said the Council determined that the Concept Plan was inconsistent with the Comp Plan due to the proposal of significant alterations and changes in grading and natural drainage features to create lots that would not be within the flood plain.

Chuck Palmer, Lakewood Evangelical Free Church

Mr. Palmer said he was accompanied by Paul Danielson, a Civil Engineer from Kimley Horn & Associates and Craig Peterson, an architect with BWBR.

Mr. Palmer said this application is an improved and updated version of what was presented in 2004. He said their application is to build a church and develop a residential 40 acre site to help fund the church. Their church supports and services families and community groups. He said that Mn/DOT states that this development does not create any unsatisfactory problem on Highway 36 but does present delays on Keats approaching Highway 36. He said there will be minimal impact on the intersection except on weekends. He said they are willing to absorb some of the expense of construction at the intersection.

Paul Danielson, Civil Engineer, Kimley-Horn & Associates

Mr. Danielson said the best site for the church in this 108 acre site is in the middle on higher ground with buffers from other and potential developments. They have modified the plan for flood storage without impacting wetlands. They plan to shave off high ground in order to create building pads and they will relocate natural depressions for water storage. The preliminary plat was established with outlots in order to expand the OP in future development. Soils are sandy, granular and there are some rocky soils. Percolation is applicable throughout. To meet requirements of VBWD they are accounting for problems. The discrepancy in numbers in the traffic study is because the church is 27,000 square feet of footprint and 52,000 gross square feet, which includes the number of seats in the church. He said the church will be a non-peak hour generator of traffic. They are asking to divide into 18 lots and build 52,000 gross square foot church.

Craig Peterson with BWBR

Mr. Peterson said he had three big goals for the project: It should fit in with the community without screaming for attention; respect the site where it sits low and earthy in color; and, it should clearly be open and inviting, reflecting the personality of the church. They chose multiple materials to deal with the scale and with grounding it into the landscape.

Paul Danielson

Mr. Danielson said that drainage and grading issues had to do particularly with how they interact with wetlands on the site.

Chuck Palmer

Mr. Palmer said this is a careful and thoughtful plan, and he asked for the Commission's support with a

positive recommendation.

Commissioner Deziel asked for the two cul de sacs to be displayed by the architect so the Commission could understand the changes to grades in the OP portion of the site plan. Those plans were reviewed.

Commissioner Ptacek asked the percentage of the congregation residing in Lake Elmo.

Mr. Palmer said there are 4-6 families from Lake Elmo. He said he believes the Met Council would approve the project if the City Council approves it.

Mr. Palmer said if a ¾ intersection is constructed, the p.m. peak traffic would still be at failure but it would be an improvement; and, that on Sundays, the intersection would be at failure but with improvement moving it up to the C level like many others in our community.

Paul Danielson said there are 15 foot slopes now, and the proposal is to modify the flood storage by cutting and filling in order to create the easterly cul de sac. VBWD says the elevation for the lowest floor in homes must be two feet higher than the flood elevation. They will be trying to internalize the grading activity. They are proposing a constructed wetland in the outlot west of the roadway sized for the church and the residences. He said the entry road must be cut fairly deeply too.

Commissioner Roth noted traffic condition changes in the Mn/DOT letter. He said the choice of land use for a church will minimize trips per day versus full residential development, but on Sundays traffic will be higher than typical.

The Planner said the MnDOT IRC Study was completed in 2001 and he served on that technical committee. Modifications like overpasses and ¾ intersections would limit direct access onto Highway 36. He said if a ¾ intersection was built, due west traffic from Keats would have to turn right on 36 and then backtrack from Lake Elmo Avenue.

Paul Danielson said that in advance of submittal to the city, they went to VBWD to work out technical issues and then to Mn/DOT for similar reasons. Any development on the site will have impact but a church will have significantly different impact. No traffic from the forty acres was assumed in the traffic study. Mn/DOT made a recommendation about constructing a right turn lane. He said the ¾ intersection would be accommodated with that construction.

Commissioner Ptacek said the intersection would still fail.

Paul Daniels said that is because that intersection fails today.

Chairman Helwig asked how many cubic yards of dirt will need to be moved.

Paul Danielson said that 100 yards of material will need to be moved, and averaged over 108 acres the result is not too much. That is total on site. He said they are trying to balance the site so they are trying to limit import and export 5-12,000 yards but he could not precisely recall. He said it is very closely balanced.

Chairman Helwig asked about building the road.

Mr. Danielson said substrate seems good but they will have to bring in gravel.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:25 P.M.

Christine Storms, 10689 60th Street North

Ms. Storms said she has to turn around on Keats everyday. There is no non-peak time on Highway 36

except between 3-5 a.m. Traffic at that intersection needs to be looked at. Sometimes it takes her 10 to 15 minutes to get out of her driveway.

Joan Ziertman, adjoining neighbor bounded on the north and east sides

Ms. Ziertman said the property owners have shown support and have been good neighbors. She said they have tried to utilize the property minimizing the impact to surrounding property owners. She said she would like to know how close is the drop in elevation to their property line. She also asked about the future plan for the trail in the outlot closest to the Ziertman Property. She asked the location of the secondary drainfield site. She asked who is responsible for upkeep and maintenance on a drainfield site. She said she and her husband are supportive of the church.

Steve Ziertman

Mr. Ziertman pointed out that the location for the church is good because there are no homes there. The church is in the middle of the parcel and pretty far away from any home. It is not an eye catcher for traffic. He said the side of the church with a second floor faces the trees. He said it is a good fit.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:30 P.M.

Chuck Palmer said the trail is just a concept and can take direction from the city. They don't know what they will do with that remaining 40 acres. He said that most likely the remaining 40 will be residential lots. They do have a backup drainfield sufficient in size.

The Planner said the city's draft Trails System Plan could have a north south segment in this development that might not impact the Ziertmans at all. From the City's perspective there is no need for the trail Ms. Ziertman refers to on the applicant's plan.

Commissioner Deziel said the church does a good job addressing architecture and lay of the land. This is what the Commission seems to be looking for. It is in scale. His only question is about grading and filling. The church plans little alteration of the land around it and the residential development plans a lot of alteration. Church architecture fits in with the land and responds to what the Planning Commission likes in Lake Elmo.

Chairman Helwig said the plan looks good. He said he is concerned with redoing the Comprehensive Plan and the Land Use Plan. He would love to have seen this application after completion of the Comprehensive Plan.

Commissioner Ptacek he said the Commission is backed into a corner with the Met Council issues, and in light of changes they are forcing us to do these things. He said he would not support making a change to the Comp Plan at this time. He said he could support the preliminary plat.

Commissioner Deziel asked if the Planning Commission could put this proposal as Comp Plan change into the new Comp Plan.

Chairman Helwig said the housing could be included but that it may be best to approve with other Comprehensive Plan changes being made.

The Planner said he cannot say now whether it would be a problem for the commission. Maybe the addition of this plan could be covered but it is too early to say.

Commission Sedro said it is a nice looking plan but with the city's current work on the Comprehensive Plan, she is not prepared to make that decision until we know the numbers. The more houses in those outlots, the better it would be.

Commissioner Armstrong said the applicant purchased the land before zoning and guiding were in place.

He said this parcel was never zoned for a church or guided as such. He said the city has a difficult situation because the neighborhoods around I-94 have hammered the Commission, and we need to be sure we are not going to offset our agreement with the Met Council, and it needs to be reviewed with ramifications elsewhere in the city. He asked if the applicant requested tabling.

Chuck Palmer said the city did not have an accepted Comprehensive Plan when the church bought the land. He said the 1990 Comprehensive Plan had a CUP designation and some other designation which included churches. The applicant respects what the commissioners are going through but they have waited 9 years to build their church. He said the price of the project has doubled and is moving toward tripling. Steel, wood, and drywall have all increased in price. He asked the commissioners to make a decision now.

Planner informed the commission on how to address the motion. He said the preliminary plat could be treated separately but the Comp Plan Amendment is a key action. If the Comprehensive Plan Amendment fails, rezoning fails and the CUP fails. He said the OP project can stand alone.

M/S/P, Armstrong/Ptacek to recommend denial of the preliminary plat, OP Concept Plan, Comprehensive Plan Amendment, rezoning, and CUP based upon Findings in the Staff Report and because Comprehensive Plan modifications have not been completed. Commissioner Armstrong added that he is not opposed in principal and appreciates the applicant's hardship.

Commissioner Roth said he agreed but in the next two months he would like to see the commission take this parcel into consideration while dealing with the Comprehensive Plan. VOTE: 7:1. Deziel - Would like to see a positively worded denial recommendation.

Adjourned at 8:49 p.m.

Reconvened at 8:59 p.m.

The Planner said the Home Occupation issue has not died and a public hearing is scheduled for March 14 to consider a text amendment allowing home occupations in the RR district because it is allowed in all other residential districts. He asked if the commission wants to wait or deal with the rest of the home occupation issue on March 14.

Commissioner Deziel said he would like to table the rest of home occupations until the Planning Commission is done with Comprehensive Planning because there is too much on the Commission's plate. Chairman Helwig agreed. Commissioner Armstrong said it can wait because it is just a housekeeping issue.

Comprehensive Plan Modifications: Policy

At the last meeting the Planning Commission considered Comprehensive Plan Policy and Old Village Policy. The Planner said suggestions were made and he used them to modify the text. On March 7, the Planning Commission will conclude policy after addressing Council issues and staff will ask for a motion to address all that has been done. He said that then work can begin on Land Use Plan text and staging issues.

The Planner said City Wide Planning Policy, page one, had no changes in his notes.

Commissioner Schneider said on Point 5, take out "at least the minimum" because we will comply with the numbers.

The Planner said that is a significant change.

Administrator Rafferty said that statement begs the question of staging. Staging is key and as we move

LAKE ELMO PLANNING COMMISSION STAFF REPORT

Date: February 24, 2005 for the meeting of February 28, 2005

Applicant: Lakewood Evangelical Free Church

Location: Southeast corner of State Highway 36 and Keats Avenue

Requested Action: Comprehensive Plan Amendment/Rezoning/Preliminary Plat/Conditional Use

Permit/Site Plan

Land Use Plan Guiding: RAD

Existing Zoning: RR

Site History and Existing Conditions:

The applicant has submitted 6 concurrent applications for a 108 acres site. These applications can be logically divided into three groups related to the necessary sequence of City actions requested: 1.) Preliminary Plat (entire 108 acres); Comprehensive Plan Amendment/Rezoning/Conditional Use Permit/Site Plan (20 acre "church site"); and, 3.) OP Concept Plan.

The 108 acre "parent" site is essentially divided into two distinct natural regimes. The north 60 acres of the site is gently rolling farm land containing several topographic depressions that will surely qualify as Jurisdiction Wetlands. The southerly 48 acres of the parent site – the subject of the OP Concept Plan application – is rolling in topography, and nearly 25% wooded, with several small topographic depressions that will be classified Jurisdictional Wetlands. An existing farmstead is located on the northerly portion of the 108 acre site adjacent to State Highway 36. The 225 foot wide power line easement crosses the entire west/east portion of the parent site.

The 108 acre site was the subject of concurrent applications for Comprehensive Plan Amendment ("OP" to "P"), and rezoning ("RR" to "P") that were reviewed by the City over a 5 month period in 1996 and 1997. Both applications were recommended for approval by the Planning Commission but subsequently denied by the City Council on a 5-0 vote. An amended application to reduce the size of the area subject to Plan amendment and rezoning from 108 acres to 29 acres was also denied by the City Council on a 4-0 vote.

One of the issues prominent in the 1996 discussions regarding applications for this site was that of the potential scale of the church project coupled with sizeable portions of the site that remained undesignated as to future use, but proposed to be zoned "PF" – opening the possibility of even more church expansion in the future. The 1997 attempt to amend the application for "P" Plan and "P" zoning from 108 acres to 29 acres following the initial denial was obviously a response by the applicant to that issue. A second response to 1996/1997 case involving this site – this time by the City – was a lengthy (and often contentious) undertaking to amend the PF section of the zoning ordinance. A major feature of that ordinance amendment, as adopted in 2000, limits the area of any new PF zoned parcel to 20 acres. That was/is a strategy to limit the scale of any PF use (be it a church, or school, or government site). To date, there have been no circumstances where the new PF standards have been applied. That ordinance clause does, however, bear on the overall proposal for the 108 acre site.

A 2004 application by the applicant officially addressed only the 48 acre south portion of the site as an OP Concept Plan. The Concept Plan application was denied by the City Council by Resolution #2004-55 on July 6, 2004. The Planning Commission had previously recommended denial of the Concept Plan. Had the Concept Plan been approved, it was clear that the platting, comprehensive plan, rezoning and Conditional

Use Permit applications here addressed would have followed – with the platting of the 108 acre site necessary to at least provide public street access to the OP site.

Discussion and Analysis:

Preliminary Plat

The applicant proposes to divide the 108 acre parcel into 1 Block/Lot 0f 20 acres (church site) and 3 outlots. Outlot A (south and extending to Keats Avenue frontage) would be 48 acres (OP Concept site); Outlot B (9.26 acres) is not designated as to use; and, Outlot C (29 acres) is also not designated as to use. In addition the applicant proposes dedication of Public street within the site to serve all parcels.

With the exception of the area of Outlot B, the proposed plat complies with the lot design standards of the existing RR site zoning, and generally complies with Chapter 400 preliminary plat requirements. At 9.26 acres Outlot B is proposed to be less than minimum 10 acre lot area required by RR zoning standards. A simple adjustment of the proposed Public road location and/or the Outlot A/Outlot B property line would result in compliance with the lot area standard.

As proposed, angular Outlot A would be viewed as a "flag lot" – normally not an acceptable plat arrangement. One purpose of the Keats Avenue frontage portion of Outlot A could be to provide sufficient site area to qualify Outlot A for OP development (40 acres). There would appear to be more logical alternatives to accomplish the same objective, such as adjusting the lot lines of Lot 1, Block 1 northerly to increase the north/south dimension of Outlot A.

Comprehensive Plan Amendment/Rezoning

Assuming the plat is approved as now configured (or close to this configuration) the applicant proposes a Comprehensive Plan Amendment to reclassify Lot 1, Block from RAD to PF (Public Facilities). Should that Comprehensive Plan Amendment be approved (and concurred in by the Metropolitan Council) the resulting zoning would/must be amended from the present RR to PF (Public Facilities and Quasi-Public Uses). The preliminary plat area proposed for Lot 1, Block 1 is the 20 acre maximum area allowed by the Zoning Ordinance for newly created PF sites.

As we have advised the Commission regarding prior applications for Comprehensive Plan Amendment, the generally accepted Findings to support any such amendment are limited to:

- 1. Change of Conditions, or
- 2. Error in the Plan

In this case it is difficult to argue that an error was made with the existing RAD land use classification. Virtually all of the similarly situated lands adjacent to State Highway 36 as land use classified RAD, and new residential development as close as across Keats has been successfully developed as an OP project. The site proposed to be reclassified in not closer to Highway 36 or Keats than the homes in "The Hamlet". Proximity to Highway 36 and/or the power line easement would appear to be an inadequate argument for an "error".

We find it equally difficult to discern any "Change of Conditions" that would suggest a land use reclassification as proposed. In fact, there has been a very recent potential change of conditions that would suggest that reclassifying lands from RAD to PF would not be in the best interests of the City. The recently entered-into Memorandum of Agreement between the City and the Metropolitan Council mandates a doubling of the "build-out" population of Lake Elmo from that assumed by the current Comprehensive Plan. The City is now beginning review of the Comprehensive Plan in the context of accommodating this changed condition. Retention of "Rural Character" in the majority of the City while planning for a doubling of the build-out population may suggest that "losing" even 20 acres of residential land use

classification to a reclassification to PF could complicate this task by transferring those "lost" units to higher residential density elsewhere.

Conditional Use Permit/Site Plan for Church - Lot 1, Block 1

The applicant also proposes a Conditional Use Permit and Site Plan for a 27,300 square foot church on proposed Lot 1, Block 1 of the plat (20 acres). Consideration of the CUP/Site Plan applications presumes affirmative recommendations regarding the Preliminary Plat for the 108 acres, and the Comprehensive Plan Amendment and Rezoning of proposed Lot 1, Block 1.

The 2000 amendments to the PF district standards provide for specific CUP standards to be met by "Places of Worship". Those include:

- 1. Volume of daily wastewater generation.
- 2. Access to major streets.
- 3. Maximum wastewater treatment scale.
- 4. Prohibition on certain exterior improvements related to athletic fields and broadcast facilities.

It appears from the documentation submitted by the applicant that the proposed Place of Worship generally complies with these mandatory CUP standards – with forecasted wastewater flow and treatment scale at the maximum allowable by the ordinance.

The Zoning Ordinance also specifies that the Commission must provide recommendations (Findings) regarding any CUP application regarding probable effect of the proposed use upon:

- 1. Health, safety, morals, convenience, and general welfare of occupants of surrounding lands.
- 2. Existing and anticipated traffic conditions including parking facilities on adjacent streets and land.
- 3. Effect on utility and school capacities.
- 4. Effect on property values of property in the surrounding area.
- 5. Effect of the proposed use on the Comprehensive Plan.

While the applicant has not provided documentation in support most of these required findings, Finding #2 (traffic) is addressed by a Traffic Study which is addressed in detail below.

OP Concept Plan

The applicant proposes an OP Concept Plan to develop 18 single family detached lots on a site of 48 gross acres. The required Preserved Open Space is 25 acres. The Concept is virtually identical to the plan proposed (and denied) in 2004.

The Concept Plan proposes a 200 foot OP buffer setback for structures along the west and south property borders, but a 100 foot structure buffer along the east property border. The reduced structure buffer is responsive to the alternative buffering (to the 200 foot standard) the OP standards permit where both other visual impact mitigation measures are utilized; and, where the adjoining property is eligible for OP development. The adjoining parcel to the east is 66 acres in area, and thus qualifies as an OP site by exceeding 40 acres. The proposed 100 foot east structure setback <u>may</u> qualify, depending on the year round visual efficacy of the existing tree line. The applicant should be required to demonstrate that structure screening efficacy with the OP Development Stage documentation.

It appears that the 2005 version of the OP Concept Plan generally complies with OP technical design standards of the Zoning Ordinance in all respects. Modifications have been made to the Concept that overcome the technical compliance issues raised by staff in 2004.

General to the Overall Site/All Applications

Copies of the applications plan graphics are submitted by the City to "outside" reviewing agencies for comment even though the level of detail at Concept Stage is generally insufficient for complete reviews by those agencies. In fact, in many cases, we receive no response at all at the Concept Stage. The applicant has applied for and received a Valley Branch Permit for the proposed site grading and construction. The flood plain mitigation issues noted by Valley Branch in 2004 have apparently been resolved to the satisfaction of the District with plan revisions.

Valley Branch does note on the Permit, however, that their action on the Permit is subject to any local government actions regarding the proposal. This is an important notation in that the 2004 OP Concept Plan denial by the City was based in part on Findings related to the proposed grading and drainage plans. We observe that, even though Valley Branch may now find the grading and drainage plan compliant with its surface water and flood plain standards, the fact remains that substantial modifications to the natural site topography is required to attain that compliance — raising house pads above the flood plain. It does not appear that the approval of a Valley Branch Permit in any manner modifies the Findings of City Council Resolution #2004-055 (Denial of the 2004 Concept Plan).

A Traffic Study has been prepared by the applicant's consultant. The Study addresses traffic generation from the subject site related to the OP Concept (residential) and the church site. It is noteworthy that the church site traffic forecasts are based on a church facility of 50,000 square feet rather than the facility of 27,000 square feet that the CUP and Site Plan applications present. Perhaps coincidently, the Traffic Study dos not forecast any traffic generation from the 40 acres of the overall 108 acre site for which no future use is committed by the applicant. Does this imply that the uncommitted 40 acre site is intended by the applicant to accommodate a nearly doubling of the church facility in the future? Without a commitment as to the future use of the 40 acre Outlots B/C, the validity of the traffic forecasting and public road impacts comes into question.

The Traffic Study concludes that the Highway 36/Keats intersection already experiences weekday PM peak hour Level of Service (LOS) of "F" – Failure. That should come as no surprise to residents that use that intersection daily. The proposed development of the site is forecasted to compound that existing problem to some degree. The Study also forecasts that Sunday AM peak hour LOS will fall from an acceptable "B" to day to an unacceptable "F" as the result of the proposed development of the site (without) considering traffic from Outlots B/C) if no improvements are made to that restrict turning movements at the Keats/36 intersection. The Study recommends redesign of that intersection to as a "¾ intersection", with left turn movements from Keats to Highway 36 eliminated. That intersection modification would improve the Sunday AM peak LOS to "C" (still less LOS than today), and improve the PM peak intersection performance somewhat (but still result in an LOS of "F").

In its 2005 review letter on these applications MnDOT clearly states that construction of a ¾ intersection will be required at Keats/36 (a recommendation of the 2001 IRC Study – which was not adopted by the City - as well), along with a right turn lane from Keats to Highway 36 eastbound. MnDOT has made no offer to financially participate in either improvement, and neither improvement appears in the Lake Elmo Capital Improvements Program over the next 5 years – at least.

The overall 108 acre site is proposed by the applicant to be addressed as three components: 1.) The 48+ acre OP residential site that is the subject of this OP Concept Plan; 2.) A 20 acre site for a church facility—the maximum size PF site per current PF standards; and, 3.) A 40 acre "remnant" parcel (adjacent to and paralleling State Highway 36) for which no end use is specified. During the meetings with staff over the past two years the applicant and its consultants have been advised repeatedly that it would be the position of staff that the entire 108 acres must be addressed as to end use concurrently with any applications for use approvals on any portion. It appears this was an issue in 1996 as well. Staff continues to believe this to be the only posture the City should take regarding this 108 acre site — now compounded by the Traffic Study forecasts — or lack thereof regarding the 40 acres of Outlots B/C.

Findings and Recommendations:

As noted above, these applications should be considered and Findings/Recommendations addressed in a specific sequence. Findings and recommendations for denial of the Preliminary Plat renders the subsequent applications void since neither properly sized parcels nor public street right-of-way would exist. Approval of the Preliminary Plat and OP Concept Plan, but denial of the Comprehensive Plan Amendment is possible, but in that instance the Rezoning to PF, Conditional Use Permit and Section 520 Site Plan applications become void for the "church site" (Lot 1, Block 1).

Based on the foregoing, staff suggests the following Findings regarding the "Deer Glen" Preliminary Plat:

1. The Plat generally complies with the standards of the RR zoning district and Chapter 400 of the City, except for the area of proposed Outlot B.

Staff suggests a Planning Commission recommendation for approval of the "Deer Glen" Preliminary Plat, subject to a Condition that the area of the Outlot B be increased to not less than 10 acres.

Based on the foregoing, staff suggests the following Findings regarding the Lakewood Evangelical Free Church application for Amendment to the Comprehensive Plan for proposed Lot1, Block 1:

- 1. No change of physical conditions relating to the site or surrounding areas is found to support a Comprehensive Plan Amendment from RAD to PF.
- 2. No error is detected in the land use classification of the proposed site that would support land use reclassification from RAD to PF.

Those Findings would support a recommendation for denial of the Comprehensive Plan Amendment, and also render the applications for rezoning, Conditional Use Permit for "Place of Worship" and Section 520 Site Plan void.

Should the Commission make alternative findings in support of Comprehensive Plan Amendment as proposed, and recommend approval, the **rezoning** action from RR to PF is adequately founded by compliance with the Comprehensive Plan.

Should the Commission recommend both the Comprehensive Plan Amendment and rezoning, the Conditional Use Permit application remains valid. Based on the foregoing discussion of that application and required Findings, staff suggests that those CUP Findings can be made affirmatively (both Place of Worship specific, and CUP general) upon the following additional Conditions:

- 1. The Traffic Study prepared by the applicant be amended to reduce the size of the church facility to match the CUP/Site Plan application, and again submitted to/reviewed/approved by the City Engineer and MnDOT.
- 2. A written commitment from MnDOT regarding its construction of a ¾ intersection at Highway 36 and Keats Avenue to be completed prior to issuance of any building permits on Lot 1, Block 1, Deer Glen (the church facility).
- 3. A written commitment from MnDOT and/or the developer of Lot 1, Block 1, Deer Glen to accomplish all turn lane and ¾ intersection improvements required by MnDOT at no cost to the City of Lake Elmo.

Detailed review of the Section 520 Site Plan has not been completed by Staff – and is best postponed pending precedent decisions regarding plat, Comprehensive Plan, Rezoning and CUP applications.

As noted previously, the **OP** Concept Plan is virtually identical (with minor technical modifications to overcome OP variance issues) to the Concept Plan for the same site that was denied by the City in 2004.

Staff suggest that the same Findings for denial found in City Council Resolution #2004-055 are valid, as follow:

- 1. The Concept Plan is inconsistent with the Lake Elmo Comprehensive Plan Environmental Protection policies regarding residential developments conforming to the limitations presented by natural features, including natural drainage systems, by proposing significant modifications of natural grades and existing floodplain on the site.
- 2. The Concept Plan is inconsistent with the Purpose of the Lake Elmo Open Space Preservation Ordinance by proposing to significantly alter natural drainage features of the site.

A Planning Commission recommendation for denial of the OP Concept Plan is appropriate based on those Findings.

Planning Commission Actions Requested:

Based on the Findings suggested, the Commission could adopt a Motion to approve the "Deer Glen" Preliminary Plat (upon the condition of lot area enhancement). Should the Commission recommend denial of the Comprehensive Plan amendment, no further action is technically required regarding the rezoning or Conditional Use Permit. The OP Concept Plan can stand alone (assuming the Preliminary Plat is recommended for approval).

These applications were officially filed with the City as of February 8, 2005.

Charles E. Dillerud, City Planner

Attachments:

- 1. Location Map
- 2. City Council Resolution #2004-055
- 3. MnDOT 2005 Review Letter
- 4. Valley Branch Letter and Permit
- 5. Applicant' Documentation and Graphics



Kimley-Horn and Associates, Inc.

RECEIVED FESSION

February 7, 2005

Mr. Chuck Dillerud City of Lake Elmo Planning Department 3800 Laverne Avenue North Lake Elmo, MN 55042

Re:

Lakewood Evangelical Free Church

OP Development/Concept Plan and Preliminary Plat Submittal

Suite 345N

2550 University Avenue West

St. Paul, Minnesota

Dear Mr. Dillerud:

On behalf of the Lakewood Evangelical Free Church (LEFC), Kimley-Horn and Associates, Inc. (KHA) submitted an OP Development/ Concept Plan and a preliminary plat submittal for your review and approval on Friday February 4, 2005. Two items were missing from that submittal that we intended to include. They are as follows:

- 1) Preliminary Plat drawing showing intended boundaries (5 copies at 1"=100' and one reduced 11x17 copy).
- 2) Draft Traffic Impact Study dated December 2004 including a letter from the Mn/DOT addressed to you dated January 19, 2005 with their comments.

We look forward to working with you, other City staff, and elected officials. If you have any questions or need additional information, please contact me at 651-643-0407.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Paul B. Danielson, P.E.

Project Manager

C: Chuck Palmer, LEFC

Tom Dornack, BWBR Architects

Gary Ehret, Kimley-Horn and Associates

File No. 160502006.2.001



FER O 4 2015

February 4, 2005

Suite 345N 2550 University Avenue West St. Paul, Minnesota 55114

Mr. Chuck Dillerud City of Lake Elmo Planning Department 3800 Laverne Avenue North Lake Elmo, MN 55042

Re:

Lakewood Evangelical Free Church OP Development/Concept Plan Submittal Preliminary Plat Submittal

Dear Mr. Dillerud:

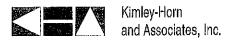
On behalf of the Lakewood Evangelical Free Church (LEFC), Kimley-Horn and Associates, Inc. (KHA) is submitting an OP Development/ Concept Plan and a preliminary plat submittal for your review and approval. As you are aware, LEFC owns 108 acres of property within the City of Lake Elmo. The property is "Lshaped" bounded by Trunk Highway (TH) 36 on the north, Keats Avenue on the west, and rural residential (but largely undeveloped) on the east and south. A portion of the west property abuts rural residential developed lots.

The OP Development/Concept Plan shows the entire 108.62 acres and is divided into three parcels. Parcel A is a 20 acre parcel that we are requesting a rezoning from the current rural residential (RR) to public facility (PF). The LEFC building would be constructed on this parcel. Lake Elmo City zoning ordinances provide that a church is a permitted use within the PF zoning, and will be in the form of a conditional use permit (CUP) concurrent with a zoning change. Parcel B is a 48.62 acre parcel that we are requesting a CUP for an OP development within the current RR zoning. Parcel C is a 40 acre parcel that we are requesting be maintained at the current RR zoning with the existing farmhouse to remain.

We have provided the following information for each parcel below:

Parcel A

Concurrent with the OP development/concept plan, LEFC is requesting approval of a preliminary plat application for Parcel A. The application request includes a rezoning to PF along with the approval of a CUP for the construction of a 672seat sanctuary facility with approximately 52,300 square feet of total floor area on



two levels. The PF zoning requires a minimum of one parking space per 4 seats (Chapter 3, Section 300.07.4M Subd 5.b1). This would equate to 150 parking stalls. However, based on existing use at their current facilities and other church facilities completed in the Twin Cities area over the past several years, a parking ratio close to 1 space per 2 seats is proposed. We have shown a total of 292 parking stalls.

According to the zoning code, a parcel area of up to 20 acres is required to have a buffer width of 150 feet and maximum impervious site coverage of 35 percent (Chapter 3, Section 300.07.4M Subd 4). Section 300.07.4M Subd 5.d indicates that the buffer is not applied to property lines abutting public streets. Therefore, the 150-foot buffer is shown on the east side of the property. The north side of the property abuts a 225-foot wide transmission easement and therefore no structures can be placed in that area. Because of this, the proposed church layout shows a 10-foot parking setback (Section 300.13 Subd 6.A.10.d and e). The south and west sides of the church parcel abut public streets and a 30-foot parking setback is shown in those areas.

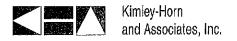
The site plan identifies landscape islands within the parking area to accommodate the potential design of a rainwater garden as well as meet the requirements of Section 300.13 Subd 6.B.6.a related to a minimum landscape area of 10 percent of the interior parking space. A complete landscape plan along with an estimate of the landscape material costs for your review. In addition, a site lighting plan with point to point photometrics has been provided for the church site.

We have included building elevations and a floor plan of the proposed church facility to provide a breakdown of the use and architecture considered for this building.

Parcel B

Parcel B is proposed to be developed as an OP residential development. (Parcel B is designated as Outlot A in the preliminary plat submittal.) Parcel B has 46.58 net buildable acres (gross area less wetlands less slopes greater than 25 percent). Of this net area, 53 percent is proposed to be designated as preserved open space (meeting the requirement of a minimum of 50 percent identified in Section 300.06 Subd 1.B). Based on a density of 16 units per 40 acres, the conceptual plan identifies 18 residential lots (46.81 acres/2.5 units per acre equals 18.72 units).

The plan reflects a buffer zone on the west and south property line of 200 feet in accordance with Section 300.06 Subd 2.E.1. A buffer zone of 100 feet is shown on the east property line since the proposed OP development abuts lands that could be eligible for future OP development (Again in accordance with the above



reference code). The north boundary abuts a public street. The boundary of Parcel B connects all the way over to Keats Avenue to provide the opportunity for an internal trail system to connect from the development to Keats Avenue.

The residential development will consist of two "villages". It is the intention of the development that each village will have a different architectural character. The homes will be 3-4 bedroom homes consistent in the style and size of other homes currently being constructed within the City of Lake Elmo.

Parcel C

Parcel C is proposed to remain as is with the existing farmhouse on the parcel. (Parcel C is designated as Outlots B and C in the preliminary plat.) This parcel will be bisected by the public street connecting from Keats Avenue to the church parcel then continuing south to the Parcel B boundary. The roadway is designed to allow the extension to the east if Mn/DOT and the City of Lake Elmo desired a frontage road to parallel TH 36 and to form an intersection with the residential road west of Keats Avenue.

Other Issues

Wastewater System

Parcel A and B will be served by a community wastewater system. North American Wetland Engineering, P.A. (NAWE) performed field investigation to determine the applicability of the use of a community wastewater system. The design flow was based on two factors: a residential component assuming the 18 lots in Parcel B plus the church facility for Parcel A. It was assumed for a preliminary basis to utilize the maximum flow allowed by code (Section 300.07.4M Subd 2.b.2 and 3) of 5,000 gallons per day. The system also assumed the potential of use from Parcel C for land sizing purposes only. The recommended wastewater treatment system is a vertical flow wetland with infiltration beds. An equalization tank is also recommended to reduce the variable loading from the church due to cyclical use of the facility. Disposal will be handled through an at-grade infiltration bed system.

Water System

LEFC will be served by a water well to provide domestic and fire protection. A storage tank will be required to provide sufficient fire protection storage for a sprinkler system. The residential development will be supplied by individual wells.



Storm Sewer

The overall site comprises 10 small wetland areas. These areas were delineated by NAWE in October 2003 and have been agreed upon with the Valley Branch Watershed District. Storm water will be treated prior to any discharge to the existing wetlands. LEFC has obtained a permit from the Valley Branch Watershed District (VBWD). A copy of the permit is attached to this application. The storm sewer analysis has addressed the City of Lake Elmo previous concerns regarding flood plain storage. It should be noted that the site does not contain any FEMA floodplain area, but rather ground depressions that are landlocked that hold stormwater in storm events.

The church site will have a storm water treatment pond along the north side of the site. In addition to this pond, there is the possibility to design a rainwater garden to treat water from the parking lot area prior to discharge. This information will be developed during the final design stage.

Homeowner's Association

It is the intention of LEFC to have a homeowner's association (HOA) developed that would be responsible for the preserved open space identified in Parcel B. Further the HOA will be responsible to enforce architectural guidelines for the residential development. The HOA will be responsible in perpetuity for the maintenance, repairs and replacement of the open space and community septic system. The HOA will have a set of architectural guidelines that will consider building materials, common architectural themes, ancillary structures, landscape guidelines, etc to ensure that this development will be a jewel within the City of Lake Elmo.

Staging Plan

It is the intention of LEFC to commence construction in summer 2005 with completion within one year. Concurrent with the church construction, it is anticipated that the westerly "village" of residential homes within Parcel B will be developed in 2005 with the easterly "village" completed by 2007.

Historical Preservation Plan

LEFC does not intend to make any current improvements on the existing farm structures within Parcel C. Parcel C will remain "as is" at this time.

PRELIMINARY PLAT DEER GLEN

RECEIVED

FEB 0 8 2015

The Northwest 1/4 of Section Two (2), Township Twenty-nine (29), Range Twenty-one (21), excepting therefrom the following described parcels:

- The Westerly 860 feet of the Southerly 825 feet of the Southwest 1/4 of the Northwest 1/4;
 The South 1125 feet of the West 1100 feet of the Northwest 1/4, except the West 660 feet of the South 825 feet; except the South 400 feet of the West 1100 feet;
 The North 425 feet of the South 1550 feet of the West 1100 feet of the
- Northwest 1/4; 4. The South 400 feet of the East 440 feet of the West 1100 feet of the
- Northwest 1/4.
- All in Washington County, Minnesota.

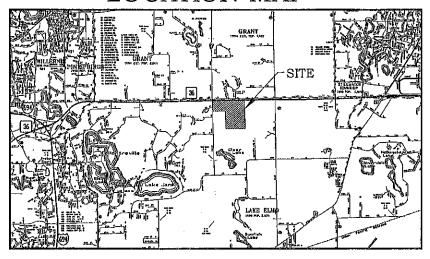
LEGEND

-- -- - 100 YEAR FLOOD LIMITS

- - - WETLAND LIMITS

DENOTES IRON MONUMENT

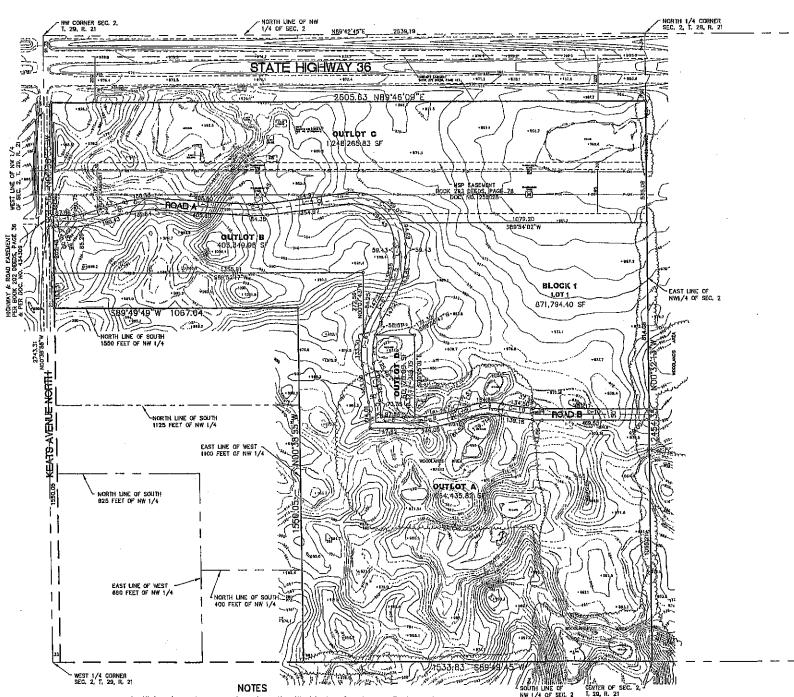
LOCATION MAP



	LINE TAB	LE
LINE	LENGTH	BEARING
և−1	87.58	390'00'00"W
L-2	180.43	\$73.23°03"W
i.~3	405.60	N86'20'59"W
L-4	J54.97	S8216'29"W
L-5	59,43	N00'00'00"W
L-6	147.21	N28'53'12"E
L-7	163,00	N09'27'54"W
i8	121.96	N88'43'48"W
L9	81.53	\$72*26'11"W
L~10	469.36	589'53'40"W

	TABULATION	AREA
	ÁREA	PARCEL
(20,01 AC)	871,794,40 SF	BLOCK 1, LOT 1
(45,10 AC)	1,964,435.82 SF	OUTLOT A
(9,26 AC)	403.349,98 SF	OUTLOT B
(28.66 AC)	1,248,265,83 SF	OUTLOT C
(1.38 AC)	60,120,09 SF	OUTLOT D
(4.22 AC)	183,672.23 SF	RIGHT OF WAY
(108.52 AC)	4,731,638.35 SF	TOTAL

İ			CURVE T	ABLE		
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BRG
C- 1	16'36'57"	200.00	58.00	29,20	57,80	NB1'41'32"E
C- 2	20'15'57"	400.00	141.48	71,49	140.75	S83'31'02"W
C 3	11'22'32"	400.00	79.42	39.84	79,29	N87'57'45"E
C- 4	97'43'31"	200,00	341.13	228,96	301.25	N48'51'46"W
C- 5	28'53'12"	300.00	151,25	77.27	/149.65	N14"26"36"E
C- 6	38'21'06"	300,00	200,81	104.33	197.08	S09'42'39"W
_ C 7	10'44'06"	500,00	93.88	46,98	93.54	N04'05'51"W
C- 8	18'50'01"	723.55	237.84	120,00	236.77	N81'51'12"E
C- 9	28'37'03"	284.70	142.20	72.62	140.73	586'44'43"W
C- 10	5'21'17"	1464,15	136,84	58,47	136.79	S81'37'25"E
C- 11	5'48'16"	400,00	40.52	20,28	40.51	SB7*12*11*E





NOTES

1. All bearings shown are based on the Washington County coordinate system.

2. All elevations shown are NAVD88 vertical datum.

3. The boundary and monuments shown are as per the September 23, 1996 survey by Cometack & Davis, inc. which is superimposed on the 2000 Digital 2' Contours and Digital Terrain Model, Washington County, Minnesota.

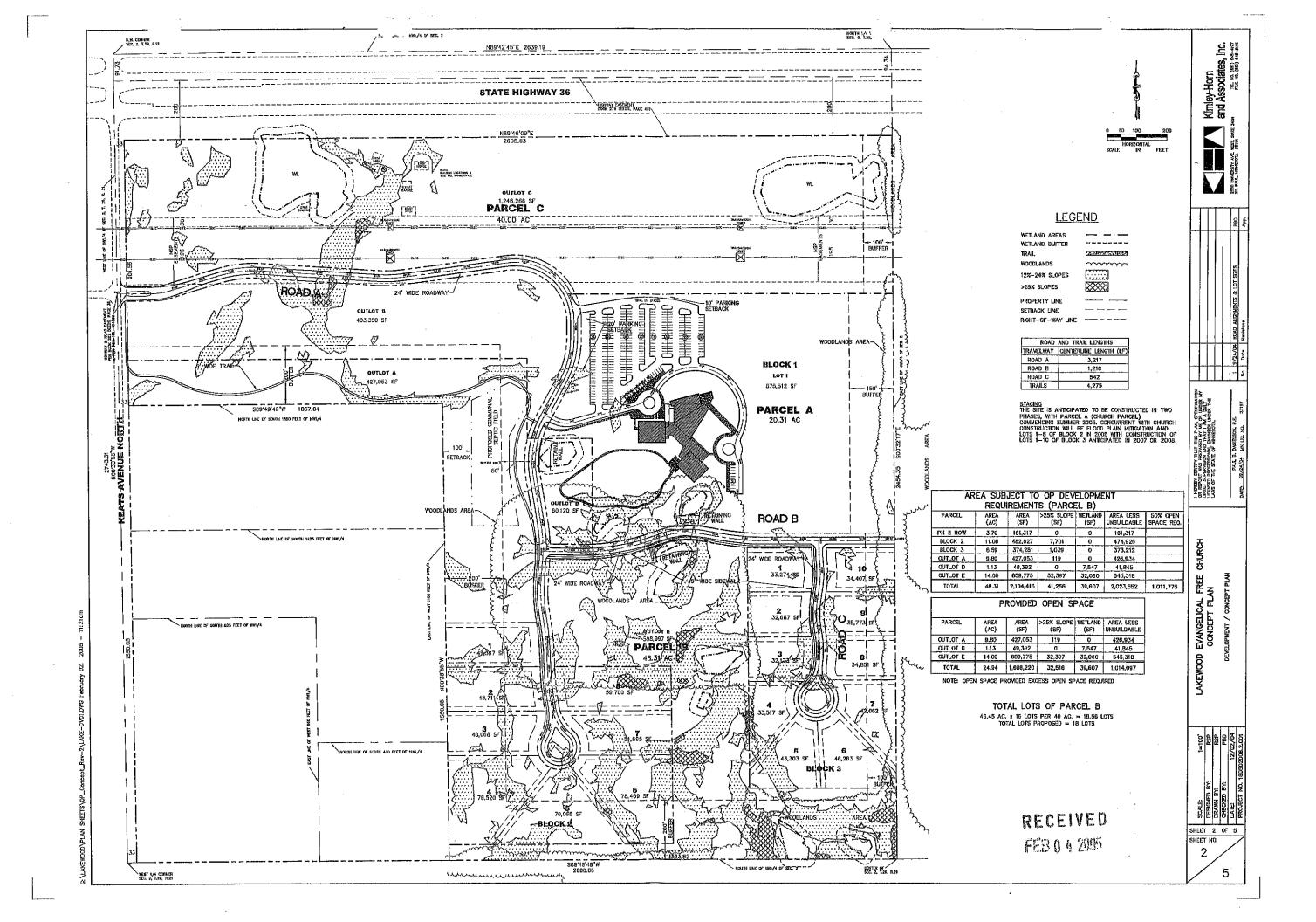
4. The subject property contains 108.624 acres, excluding roads.

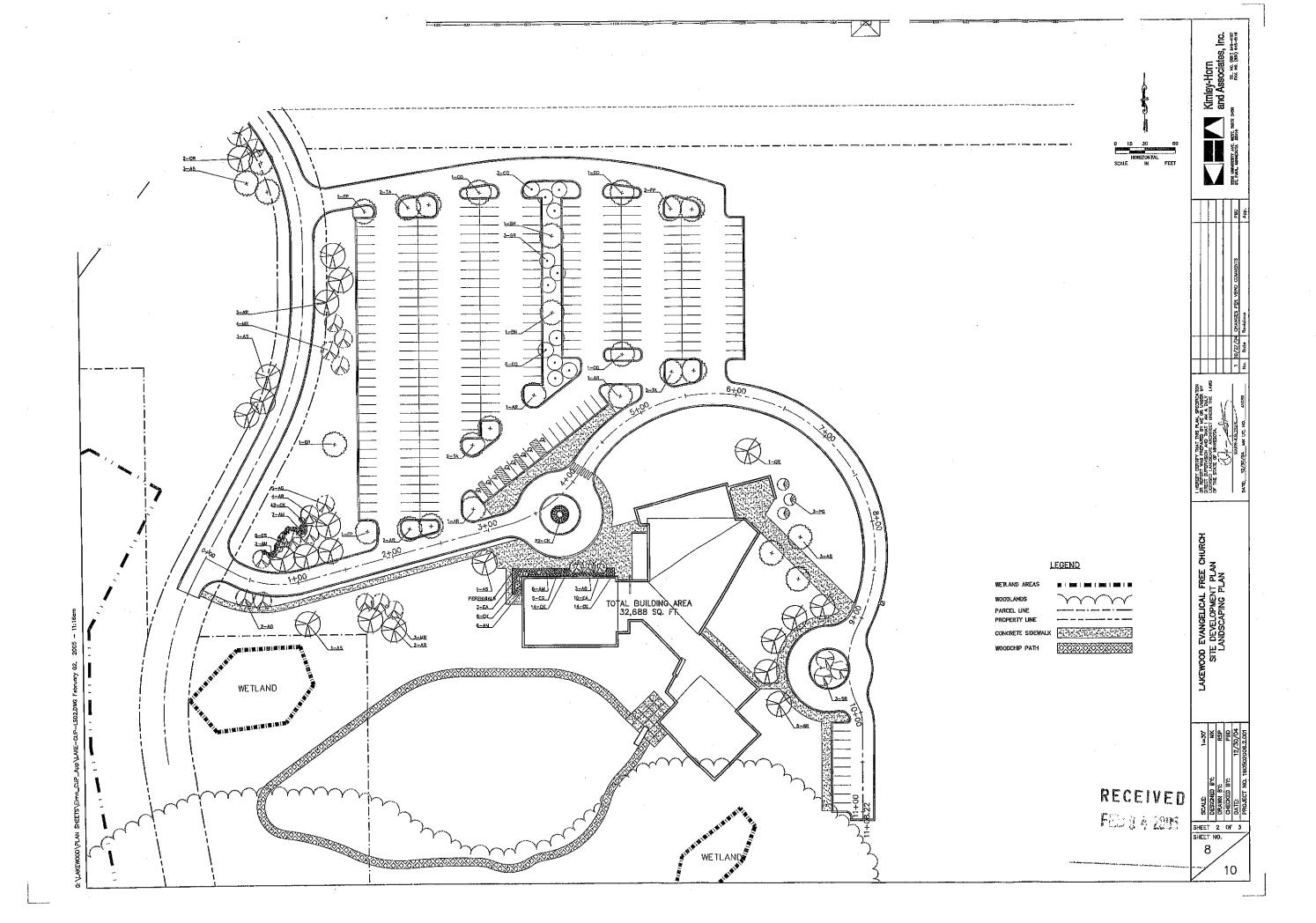
5. Gopher State One Call (651-454-0002) must be contacted for field locations of utilities prior to any excavation or demolition.

6. Items certified to are limited to those Items which are visible or made known to the surveyor.

to the surveyor.

7. This survey is subject to eosements or conditions disclosed by a current title commitment or title opinion.





Lake Elmo City Council March 15, 2005 Agenda Section: Planning, Land Use & Zoning

No. 9B

Agenda Item: Minor Subdivision/Site Plan and Zoning Variance - Lynsky (Brookman 3rd Add.)

Background Information for March 15, 2005:

At its meeting February 14, 2005 the Planning Commission adopted a recommendation (6-2, Roth and Deziel opposed) for denial of the applications for Minor Subdivision and Section 520 Site Plan that are proposed by the applicant to allow construction of a 10,000 square foot office building on 39th Street North (across the street from the Lake Elmo Bank). The denial recommendation focused on two aspects of the Site Plan application:

- 1. The applicant's proposal to handle wastewater with a holding tank rather than a septic tank/drainfield. The applicant observed that some form of Public wastewater treatment is on the horizon for this area of the City, and therefore investment in a complete private system does not appear practical.
- 2. The applicant's desire to use asphalt shingles on a roof structure that will be visible. To accomplish this in this case would require a zoning variance. No variance had been applied for by the applicant.

Prior to the Commission's vote on the Motion, the Chair offered the applicant's representative an opportunity to waive the 60 day City review window to allow time to process the variance issue, but that offer was declined. Subsequent to February 14 one of the <u>partners</u> of the project has formally requested the 60 day review waiver, and a variance application will be heard by the Planning Commission on March 14, 2005. Staff has committed to the applicant to bring the applications to the City Council on March 15 – along with the Planning Commission recommendation on the variance. We will poll the Commission on March 14 as whether they wish to modify their February 14 recommendations, depending on the variance outcome.

(Continued on Page 2)

Action items:	Person responsible:
1. Motion regarding the Ordinance for Moratorium Removal 2. Motion to adopt Resolution # 2005—denying the Section 520 Site	
2. Motion to adopt Resolution # 2005 - denying the Section 520 Site	City Planner
Plan and Minor Subdivision applications of Mike Lynsky /Lake Elmo	
Business Park Co.	
3. (If Required) Motion regarding variance resolution	
3. (If Required) Motion to adopt Resolution #2005 - Easement Vacation	
Attachments:	
1. Moratorium Ordinance 97-153	
2. Site Plan/Minor Subdivision Denial Resolution 2005-005	
3. Easement Vacation Resolution	
4. Planning Commission Minutes of February 15	
5. Planning Staff Report and Attachments	

(Continued from Page 1 - Lynsky)

Two issues not discussed by the Commission – since both are in the Council's sole purview – are:

- 1. This site is within the Old Village Development Moratorium area. If the project is approved in all other respects, the Council will need to, by ordinance, remove this site from the Moratorium area. The possibility of such an action is addressed by and permitted by the ordinance that established the Moratorium. This action should precede any approval actions regarding the Minor Subdivision, Site Plan, Easement Vacation or Variance. Should no approval for Moratorium removal be forthcoming from the Council all other applications should be denied on that basis.
- 2. The applicant has petitioned for vacation of drainage easements along what would become the <u>former</u> side property lines should the Minor Subdivision be approved. A City Council Hearing is required prior to any action in this regard. New easements along the "new" property lines (after Minor Subdivision) have been proposed by the applicant.

The order of Council actions: 1.) Moratorium; 2.) Site Plan; 3.) Variance; 4.) Minor Subdivision, and 5.) Hearing and Easement Vacation. A Resolution denying the Site Plan and Minor Subdivision is attached (reflecting the Commissions current recommendation). We have also attached an Ordinance regarding the Moratorium, and a Resolution for the easement vacation. We will bring a resolutions to the March 15 meeting that reflect the Commission's action on the variance, and any reconsideration the Commission may give to the Site Plan and Minor Subdivision

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 97-153

AN ORDINANCE REMOVING PROPERTY FROM THE RESTRICTIONS OF THE VILLAGE AREA DEVELOPMENT MORATORIUM

1.0 RECITALS.

- A. On October 5, 2004, the Lake Elmo City Council adopted Ordinance No. 97-142 ("Village Area Development Moratorium").
- B. Pursuant to the terms of the Village Area Development Moratorium and upon adoption of specific findings, the Village Area Development Moratorium allows the Lake Elmo City County to remove property from the application of the development moratorium.
- C. The City of Lake Elmo has received a development application from the Lake Elmo Business Park Company, a Minnesota partnership, for the subdivision and development of property located in the "Village Area" as that term is defined in the Village Area Development Moratorium.
- 2.0 <u>FINDINGS</u>. The Lake Elmo City Council makes the following findings in regard to the removal of the development proposed by the Lake Elmo Business Park Company from the restrictions of the Village Area Development Moratorium:
 - A. The use and site plan from the site complies with the Old Village Plan.
- 3.0 <u>REMOVAL OF PROPERTY</u>. The Lake Elmo City Council hereby authorizes removal of the Lake Elmo Business Park Company parcel, as defined in the Development Application, dated February 18, 2005 from the restrictions contained in the Village Area Development Moratorium but does not authorize removal of any other property; and the removal of this parcel from the restrictions of the Village Area Development Moratorium shall not be considered an approval of the proposed plat and building development which must otherwise comply with the City of Lake Elmo's Development Regulations.

Effective Date: This Ordinance shall be effective the day following publication.

Adoption Date: Passed by the City Cou	incil of Lake Elmo the 15th day of March, 2005.
	Dean Johnston, Mayor
Martin J. Rafferty, City Administrator	_
<u>Publication Date</u> : This Ordinance was	published in the

F:\users\Janice\Jerry\LE\Village Area Ordinance - Amends 97-142.doc

City of Lake Elmo Washington County, Minnesota

Resolution No. 2005-025

A RESOLUTION DENYING A SECTION 520 SITE PLAN AND MINOR SUBDIVISION TO LAKE ELMO PROFESSIONAL CENTER, LLP

WHEREAS, Lake Elmo Professional Center, LLP, has made application to the City of Lake Elmo for a Minor Subdivision pursuant to Section 520 and Section 400.07 of the *Lake Elmo Municipal Code* of the following described parcels of land; to wit:

Lot 1, Block 3, BROOKMAN 3RD ADDITION

And

Lot 2, Block 3, BROOKMAN 3RD ADDITION

WHEREAS, the Lake Elmo Planning Commission considered this Section 520 Site Plan request at its February 14, 2005 meeting, and recommended that the Section 520 Site Plan be denied based upon the following Findings:

- 1. The absence of a wastewater treatment plan that meets standards of Section 700 of the *Lake Elmo Municipal Code*.
- 2. Asphalt shingles do not meet architectural standards of the *Lake Elmo Municipal Code*.

WHEREAS, the Lake Elmo Planning Commission considered this Minor Subdivision request at its February 14, 2005 meeting, and recommended that the Minor Subdivision be denied based upon the following Findings:

1. The Section 520 Site Plan was denied.

NOW, THEREFORE, BE IT RESOLVED that the Section 520 Site Plan and Minor Subdivision is hereby denied by the City Council to Lake Elmo Professional Center, LLP.

ADOPTED by the Lake Elmo City Council this 15th day of March, 2005.

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· · · · · · · · · · · · · · · · · · ·	Dean Johnston, Mayor
ATTEST:	
Martin Rafferty, City Administrator	

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-

A RESOLUTON VACATING EXISTING PLATTED DRAINAGE AND UTILITY EASEMENTS IN BROOKMAN 3RD ADDITION

WHEREAS, the Final Plat of Brookman 3rd Addition included the dedication of a drainage and utility easement along the new property lines.

WHEREAS, at a Public Hearing on March 15, 2005, the City Council considered the interest of the public in the vacation of the drainage and utility easements; and

NOW, THERFORE, BE IT RESOLVED, the vacation of drainage and utility easements described as the 20 foot easement, the centerline of said easement being the common line lying between Lot 1 & Lot 2, Block 3, BROOKMAN 3RD ADDITION, according to the plat on file and of record in the office of the County Recorder, Washington County, Minnesota, lying south of the 10 foot easement along the north line of said BROOKMAN 3RD ADDITION, and lying north of the 10 foot easement along the south line of said Lot 1 & Lot 2, Block 3, BROOKMAN 3RD ADDITION.

BE IT FURTHER RESOLVED that the Clerk shall prepare a Notice of Completion of these proceedings, which shall contain the same of the City, and the identification of the vacation, a statement of the time of completion thereof, and a description of the land affected hereby. Such Notice shall be presented to the Washington County Auditor who shall enter the same in his transferred records and not upon the instrument over his official signature the words "entered in the transfer records." The Notice shall then be filed with the County Recorder, all as required by Minnesota Statutes.

ADOPTED by the Lake Elmo City Council this 15th day of March, 2005.

	Dean Johnston, Mayor	
ATTEST:		
Martin Rafferty, City Ad	ministrator	

City of Lake Elmo Planning Commission February 14, 2005

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Deziel, Ptacek, Armstrong, Sessing, Sedro, Schneider, and Roth. STAFF PRESENT: Planner Dillerud, Recording Secretary Schaffel, and Administrator Rafferty.

Agenda

M/S/P Sedro/Armstrong, To accept the agenda as presented. VOTE: 8:0.

Minutes

M/S/P Ptacek/Sedro, To accept the minutes of January 24, 2005 as presented. VOTE: 8:0.

Minor Subdivision and Section 520 Site Plan - Lynskey

The Planner introduced the application by Mike Lynskey and Lake Elmo Business Park Co. to subdivide a parcel within BROOKMAN 3RD ADDITION. The applicant proposes to take a portion of Lot 1, Block 3 and a portion of Lot 2, Block 3 to create a new parcel, and then to construct a 10,000 square feet office building. The applicant wishes to share a driveway with the remaining portion of Lot 2. This will result in fewer curb cuts on the city street.

The Planner said an unusual feature of this application is the absence of a wastewater treatment plan. The applicant is considering a holding tank until sewer arrives in the Old Village. An office facility is a relatively light user of water. The parking lot lighting plan appears to be noncompliant with the code. If the poles are reduced in height, that could correct the problem. The building surface materials appear not to meet architectural standards of the code.

The City Engineer's report arrived on Friday and was distributed to the commissioners.

Tim Freeman, Folz, Freeman, Erickson

Mr. Freeman explained that the vacation of the drainage and utility easements on the former lot lines would be traded for easements on the outside lines of the newly created lot. There are only two bathrooms in the building. The applicant desires to use a holding tank and pump it until sewer becomes available. The cost to pump is expected to be less than the cost of a drainfield that would soon be abandoned. He said that Brookman Pond drainage calculations were based on general business development in the Old Village. The concern of the watershed district should be alleviated now. The driveway is located for sight distances and safety.

The Planner said he did not address stormwater in his report. If impervious surfacing is kept at or below standards, it should not present a stormwater concern.

Commissioner Deziel said there is no policy on mandatory sewer. The Planner agreed.

Mike Diem, Archnet

Mr. Diem explained that while the building will be faced with brick, those walls will not be load bearing. However, the bricks are a full four-inches thick. Stone accents will be for planters. Siding will be horizontal cedar lap. They would like to use asphalt timberline-style shingles on the roof. They would be interested in pursuing a variance if necessary, if there are any changes recommended to the appearance of the building.

Chairman Helwig asked the applicant whether they wanted to continue. Mr. Freeman said they did want to continue.

Commissioner Armstrong said he is concerned about the use of a holding tank. It is not good environmental or procedural policy based on assumptions for sewer to approve a substandard wastewater system. He said it is a great office building but there are procedural and code issues.

Commissioner Sedro said if the commission wants to allow the GB Code to allow asphalt shingles, she would not object. As long as they are not permitted she will not vote to approve them.

Commissioner Ptacek said he is torn on the holding tank issue; it is not good policy. As for the shingles, the commission set the standard high for the look and feel they wanted. He said he could bend but not until the commission is directed by Council to review it.

M/S/P Armstrong/Sedro To recommend denial of the minor subdivision and Section 520 Site Plan based upon procedural and code compliance issues. VOTE: 6:2. Roth-Could move forward subject to requirements to not allow a holding tank and asphalt shingles only with a variance. Deziel-Thinks it could be worked out.

Comp Plan Modifications

The Planner said we have approximately six weeks to meet number eight of the Memorandum of Understanding (MOU). Therefore, a meeting schedule has to be established. The Commission must have a public hearing for the Planning Policy and Land Use Plan with City Council approval by April 15, 2005, and distribution to our neighboring cities. That will be the heart of the Comprehensive Plan modifications. After Council approval, then the map work can begin. He said the Land Use Plan will deal principally with the area of the city south of 10th Street. Nothing will be left to chance. That will not be completed by April 15.

A discussion regarding calendar meetings ensued. The Planner will prepare alternative draft options of Policy and Land Use for the Commission to review. Adjustments can be made on numbers north and south of 10th Street to meet the density requirements. Timing of growth can be determined by the city. Sewered units expected in the region in the new Water Resources Policy Plan are minimums.

The Planner said there are several ways to approach the staging. We can set a geographic line on a map, and the line can keep moving as areas become sewered. We can create sewer subdistricts and our Capital Improvement Program can be set up the same way. We can approve plats based upon numbers of building permits to be issued per year but that is a more difficult way to manage it.

The Planner said that whatever is planned south of 10th Street must be planned in consideration of what will be done north of 10th Street. Policy statement alternatives will have to deal with existing developments south of 10th to prevent negative impact to those developments. The planner said he will structure these items with options. The Policy Statement is basically intact, and little will have to be changed.

The Administrator said one consideration that came up in a work session with the City Council is recognizing there is a limited amount of time to accomplish this task. The Council is holding a

workshop on February 15 to help formulate policy. They will turn it into a document for the Planning Commission to consider as the new policy is drafted.

The Planner said that implementation will not be dealt with until the Comprehensive Plan is submitted. Then zoning will be the issue.

The Planner said there is one component important to the Comprehensive Plan and that is fiscal impact. Existing factors such as the miles of streets, acres of parks, population, service levels of police, fire, etc., all increase the figures. Cities that did not plan for this type of fiscal impact are in the top ten of municipal tax rates because they allowed more development than they could afford. If we do not want existing Lake Elmo residents subsidize new Lake Elmo residents then we should perform a fiscal analysis to prove the policy we establish.

Commissioner Deziel asked if our analysis projects an increased cost to existing residents, how can that be mitigated.

The Planner said by reducing services and increasing revenue through tax base adjustments. Commercial/Industrial has a higher tax rate than Residential. A city gains with C/I because services rendered are fewer.

City Council Update

The Planner reported that Eagle Pointe Business Park and City and County Credit Union were tabled for Council Committee where they will discuss square footage and asphalt shingles, they will finish tomorrow night. He said the draft Trails Master Plan Open House is set for February 16, 2005. The Trails Plan will be applicable to our new Comprehensive Plan.

The Administrator said that a Planning and Parks Commission Appointment Process Ordinance has been created by recommendation of Council Committee. He said the major change is that commission appointments will follow the individual. Two three year terms are allowed, and an additional term will be considered in conjunction with the applicant pool. Three sixty day appointments are still on hold. The Council will address the appointments process after the ordinance is passed. The process for appointments will be establishing a time and date for interviews conducted by the City Council.

Chairman Helwig said we need those three commissioners as soon as possible. He urged that it be considered a top priority.

The Planner announced the resignation of Commissioner Pelletier.

Commissioner Sedro said her understanding of state statutes is that planning commissioners are not to be political appointments. She asked for the criteria. The Council used to take applicants in the order they applied.

The Administrator said the plan now is to interview all applicants. Policy has changed from time to time. With the new ordinance, level of experience will be a consideration. If we lose more than 50% of experience in a given year, the City Council can adjust the terms. There are no term limits, just a consideration after two terms, allowing more community involvement.

Mayor Johnston said the intention was no term limits. After two terms, a commissioner will just pool with the rest of the candidates. The first two terms are essentially automatic.

Commissioner Armstrong said this is not a radical departure from the past. Commissioners serve at the pleasure of the Council.

Commissioner Deziel said he would hope they will keep current commissioners at this crucial time.

Commissioner Ptacek asked if the three commissioners whose appointments are pending are to be interviewed again.

The Administrator said that one will be appointed to his three-year term, two will be put back in the pool with other applicants because they have served longer than six years.

Chairman Helwig asked the Planner what happened to the commission's request for a Public Hearing to add Home Occupations in the Rural Residential Zoning District for a public hearing to add it as a use into Rural Residential.

The Planner said he will pick it up again; it was overlooked.

Adjourn 8:42 p.m.

Respectfully submitted,

Kimberly Schaffel

Recording Secretary

LAKE ELMO PLANNING COMMISSION STAFF REPORT

Date: February 10, 2005, 2005 for the Meeting of February 14, 2005

Applicant: Mike Lynsky (Brookman/Raleigh - Land Owners)

Location: North Side of 39th Street North, West of State Highway 5

Requested Action: Minor Subdivision and Section 520 Site Plan

Land Use Plan Guiding: C (Commercial)

Existing Zoning: GB (General Business)

Site History and Existing Conditions:

The site is a portion of the Brookman 3rd Addition which was platted in the late 1980's. At that time 39th Street North and City water mains were constructed by the developer to serve the area. The lots of the Brookman 3rd Addition were platted with Lots 1 and 2 of Block 3 at 5.1 acres and 6.6 acres respectively, and remain vacant. The GB minimum lot area is 1.5 acres today, and was in the late 1980's as well. Redivision of those parcels to accommodate future buyers' needs was likely anticipated with the original platting.

The site is also a portion of the Village North PUD Concept Plan, which was <u>tabled</u> with the applicant's concurrence on April 14, 2003 pending completion of the Old Village Neighborhood Design Study. While the site plan and lot configuration coincide with the tabled PUD Concept Plan, that application (the PUD application) remains on the table; and the entire Village North site (including the subject area) remains subject to a City Council Development Moratorium which remains in force on its face until October 12, 2005 – unless earlier repealed or modified by the City Council.

Paragraph H of the Old Village Moratorium Ordinance provides that the City Council may at any time amend to remove specific parcels. This subject Minor Subdivision and Section 520 Site Plan application implies that the Council will be requested to do so. It is far preferable for such a request to come to the City Council accompanied by a plan for the parcel proposed to be removed from the Moratorium – such as the applicant is providing by this application. Should the City Council first decide <u>not</u> to remove this subject parcel from the Moratorium, these applications will be tabled as well.

Discussion and Analysis:

The applicant proposes to, by Minor Subdivision, create a 1.6 acre parcel (GB minimum area is 1.5 acres) made up of portions of Lot 1 and Lot 2, Block 3, Brookman 3rd Addition. The remainders of Lots 1 and 2 (as metes/bounds descriptions following this action) would be 4.83 acres and 5.28 acres, respectively. The parcel proposed to be created, as well as the remainder parcels all would comply with GB dimensional standards. A \$1,500 Park Dedication fee would be payable to the City based on the creation of one new parcel.

Review of the Section 520 Site Plan for compliance with GB and other applicable City Code standards reveals the following:

- 1. The applicant has not specified how wastewater from the project will be handled. The applicant has been notified of this issue previously.
- 2. The applicant proposes a shared curb cut with the property adjoining to the west. While the City Code does not address such an access arrangement directly, the Code does provide for "Joint Parking Facilities" in commercial zone. Public street access to parking has been considered to be included in that provision subject to proper cross easement documents. It is in the Public interest to reduce the number of private access points onto Public streets.
- 3. The architectural details of the exterior wall surfacing appear to specify "face brick", "cedar", "face brick veneer w/accent bands", and "stone" in various locations. It is unclear from the drawings submitted exactly what "face brick veneer /w accent bands" really is, and whether the proposed use of that material complies with GB architectural standards that specifically preclude the use of "artificial or veneer brick" as the primary exterior surfacing.
- 4. The applicant proposes the use of "architectural grade asphalt shingles". The GB architectural standards do not include asphalt shingles (regardless of grade) among the roofing materials that are permitted as "Visible Roofing Materials".
- 5. The Site Lighting Plan appears to forecast foot candle lighting levels in excess of levels specified by the City Code for areas beyond a 20 foot radius from the light source. Since no specific light fixture specifications are provided, we are assuming that a maximum of 1.5 foot candles is permitted. The exterior lighting plan should be relamped or otherwise redesigned to comply with the Code or fixture specifications should be provided that would permit a less restrictive standard.
- 6. The exterior lighting fixtures are proposed to be located 27 feet above the parking lot surface (25 foot poles on 2 foot pedestals). Since no specific fixture specifications are provided we are assuming that the maximum allowable total fixture height is 20 feet. The fixture height deviation from Code standards may contribute to the lighting intensity deviation noted in #5.

This site is not a component of an <u>approved</u> PUD. Therefore, any departure from the GB architectural standards can only be as an approved zoning variance. No variances have been applied for, and no variance hearing has been Noticed or scheduled as of now. Should the applicant decide to continue with proposed plans for exterior surfacing (depending on what the "face brick veneer" is found to be), and with the proposed asphalt shingles, a variance application will be necessary, and a properly Notice Public Hearing scheduled prior to final actions regarding the Minor Subdivision and Section 520 Site Plan. That hearing could be conducted at the City Council level if found to be necessary. If that becomes the strategy adopted, the Planning Commission should include its recommendations as to the variance(s) along the Minor Subdivision and Section 520 Site Plan recommendations.

Findings and Recommendations:

Staff finds that the proposed Minor Subdivision complies with both Chapter 400 standards and General Business District standards for division of property. Staff also finds that the Section 520 Site Plan generally complies with General Business Districts and other City Code Standards, except as noted previously. Most of the compliance issues noted above could be addressed by the applicant with plan modifications, and that is what we recommend.

Should the applicant decide to continue with proposed plans for exterior surfacing (depending on what the "face brick veneer" is found to be), and with the proposed asphalt shingles, a variance application will be necessary, and a properly Notice Public Hearing scheduled prior to final actions regarding the Minor Subdivision and Section 520 Site Plan. That hearing could be conducted at the City Council level if found to be necessary. If that becomes the strategy adopted, the Planning Commission should include its recommendations as to the variance(s) along the Minor Subdivision and Section 520 Site Plan recommendations.

Planning Commission Actions Requested:

The initial set of plans for this project were received by the City on January 3, 2005. Staff advised the applicant that those plans implied numerous variances from City Code standards – in addition to those noted here. The applicant agreed to submit a revised plan set before these applications were submitted to the Planning Commission for review and recommendation. Technically, that decision by the applicant rendered the applications "incomplete for processing", and the City's 60 day review period was extended until the new plan set was submitted.

Even considering the foregoing instance of "incomplete plans", staff is presenting the application to the Commission now to insure completion of City review at the March 1 City Council meeting – in compliance with the 60 day review "window". Unless the applicant specifically requests tabling of the applications, the Commission should adopt recommendations to the City Council regarding the Minor Subdivision, the Section 520 Site Plan, and any zoning variances the applicant continues to request – including Findings with regard to the zoning variance recommendations. Note that the exterior lighting standards are not a part of the zoning ordinance. Therefore no variance from those standards can be addressed.

Charles E. Dillerud, City Planner

Attachments:

- 1. Location Map
- 2. Applicant's Graphics



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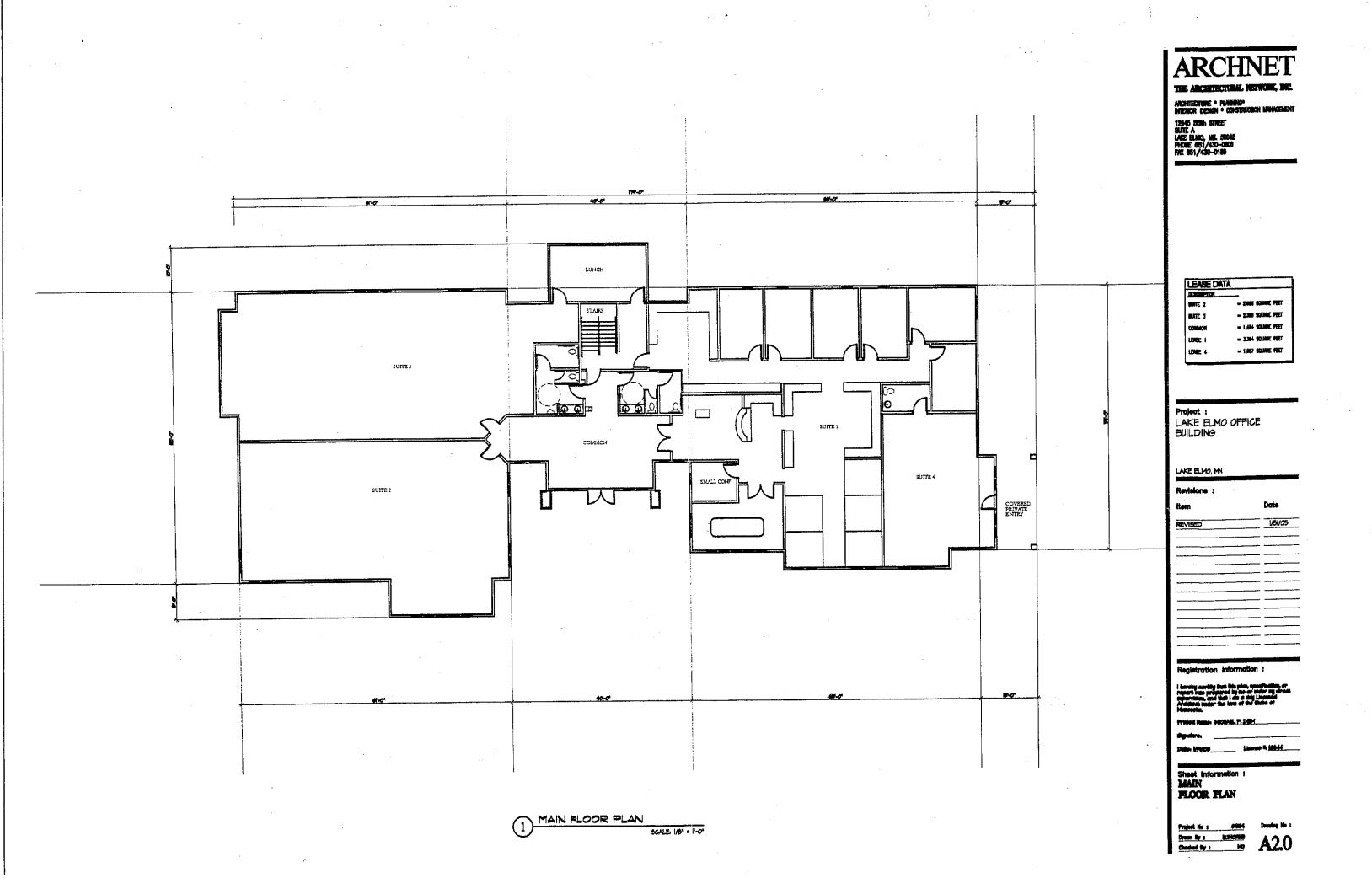
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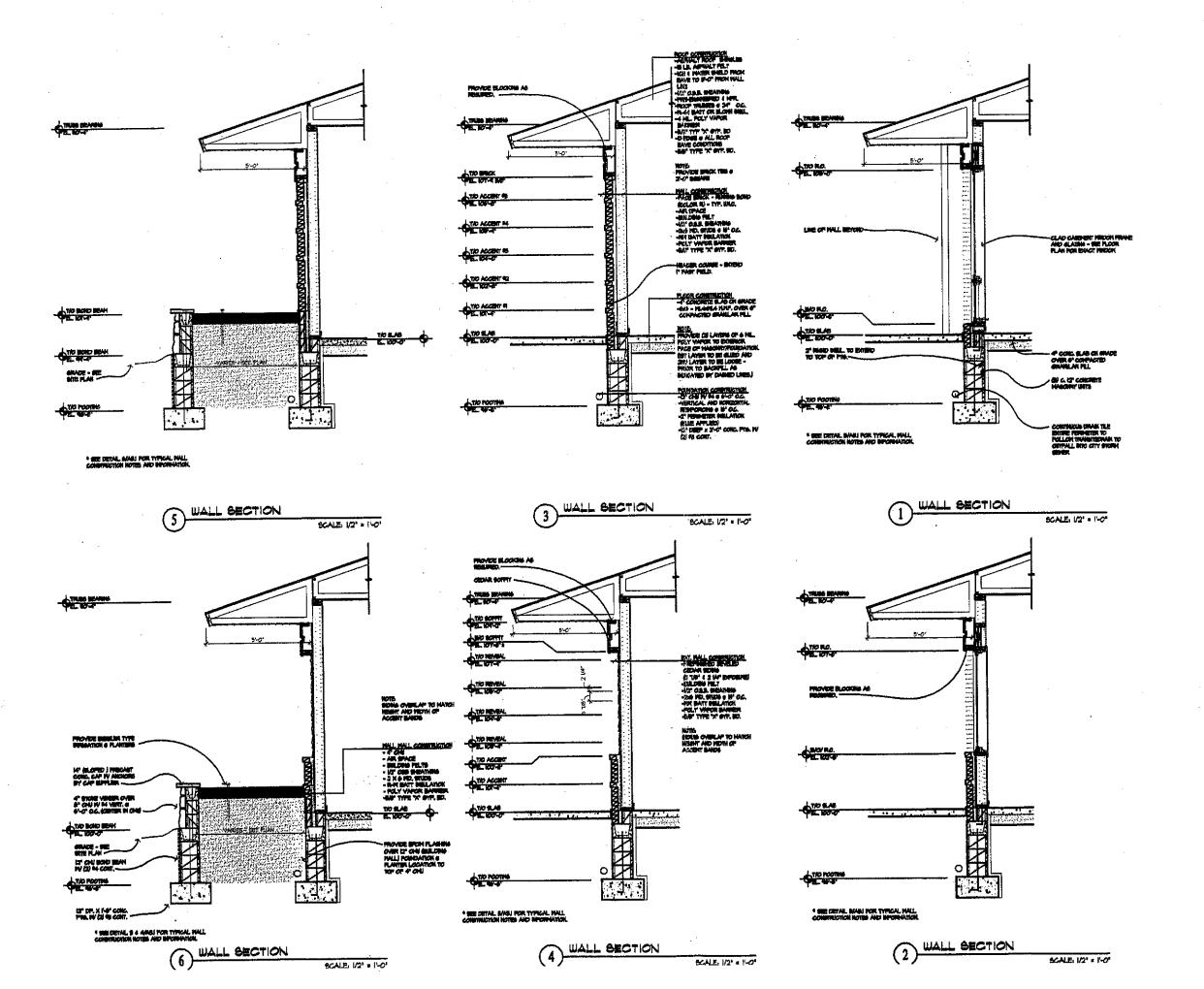
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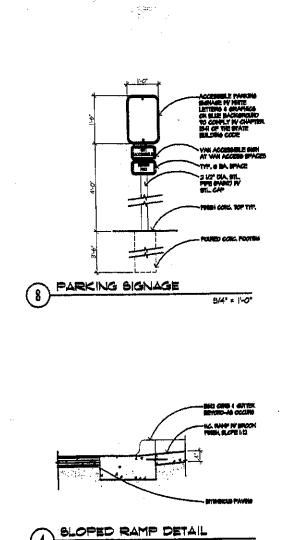
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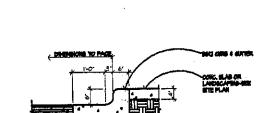
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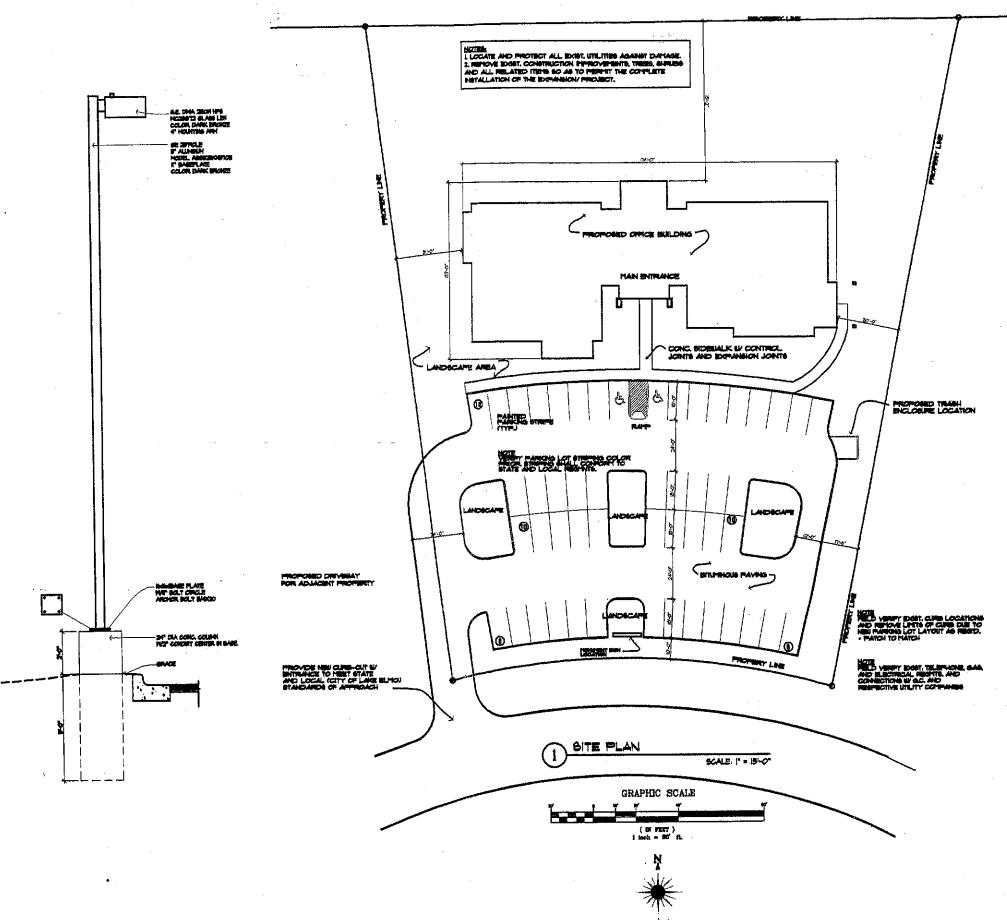
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Project : LAKE ELMO OFFICE BUILDING

LAKE ELMO, MN

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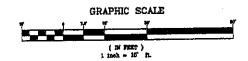
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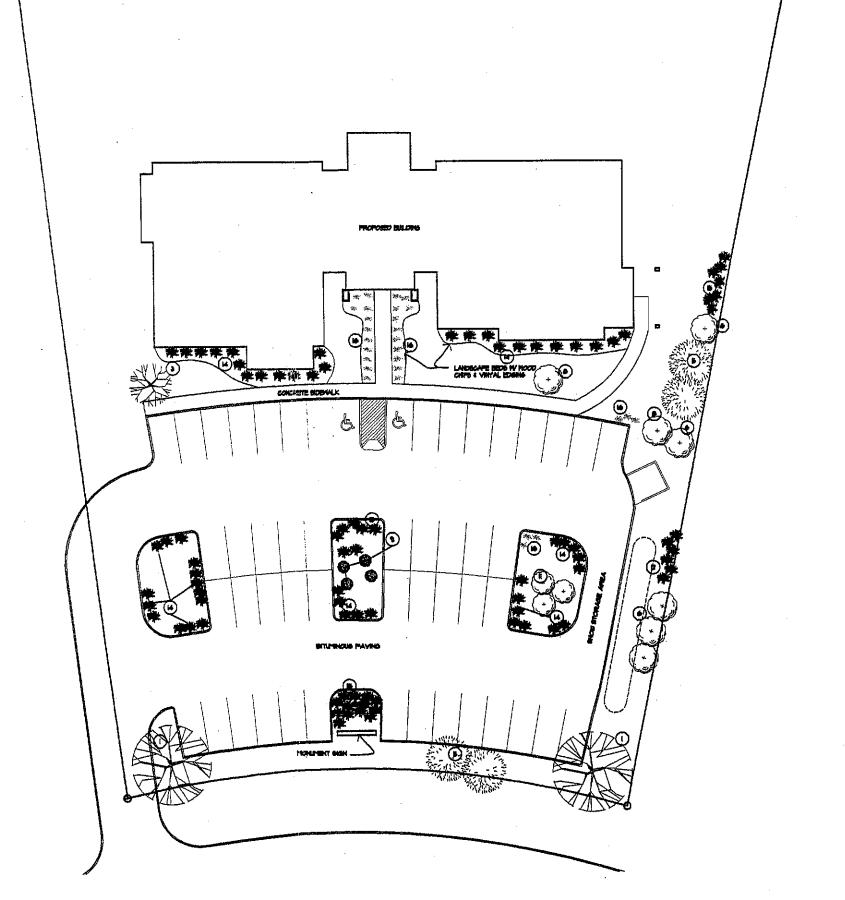
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Project : LAKE ELMO OFFICE BUILDING

LAKE ELMO, MN

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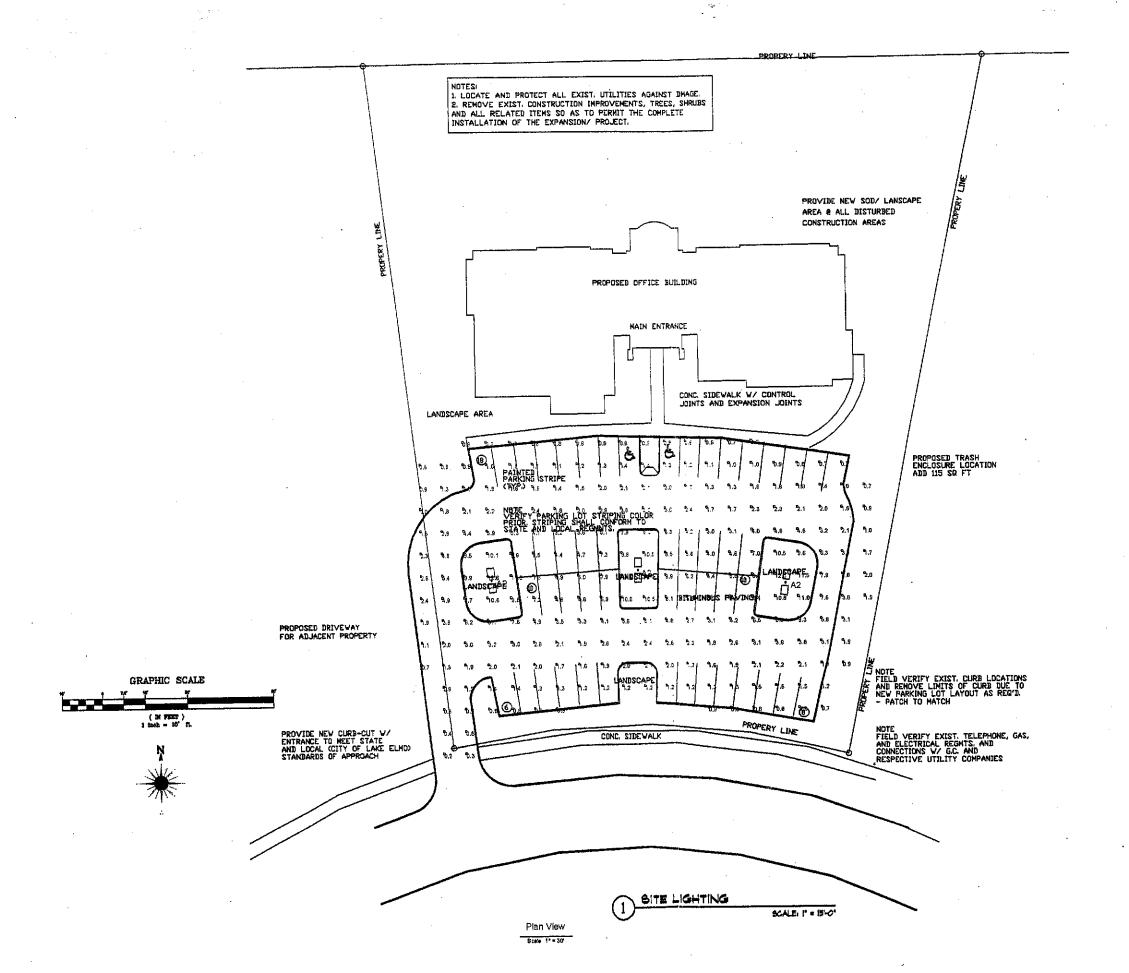
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Project : LAKE ELMO OFFICE BUILDING

LAKE ELMO, MN

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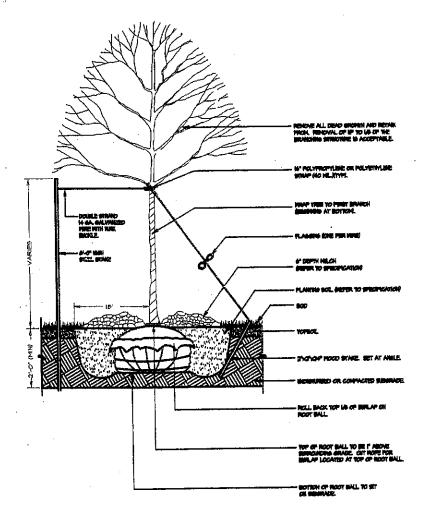
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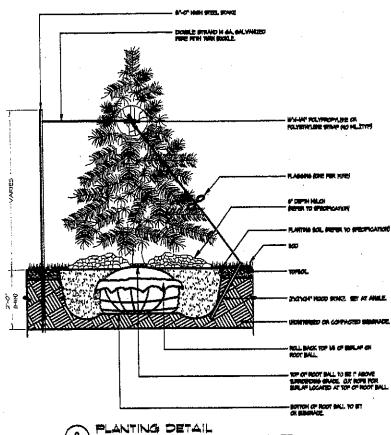
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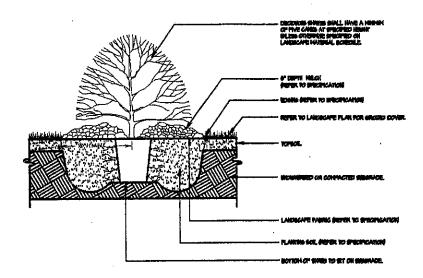
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LAKE ELMO OFFICE

Project :

BUILDING

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THE ARCHITECTURAL METWORK, INC.
ARCHITECTURE * PLANSING*
INTERIOR DESIGN * CONSTITUTION IMPROGRAMM

1946 55th STREET SUITE A LANE ELMO, MAI, 55042 PHONE 651/430-0506 FAX 651/430-0180

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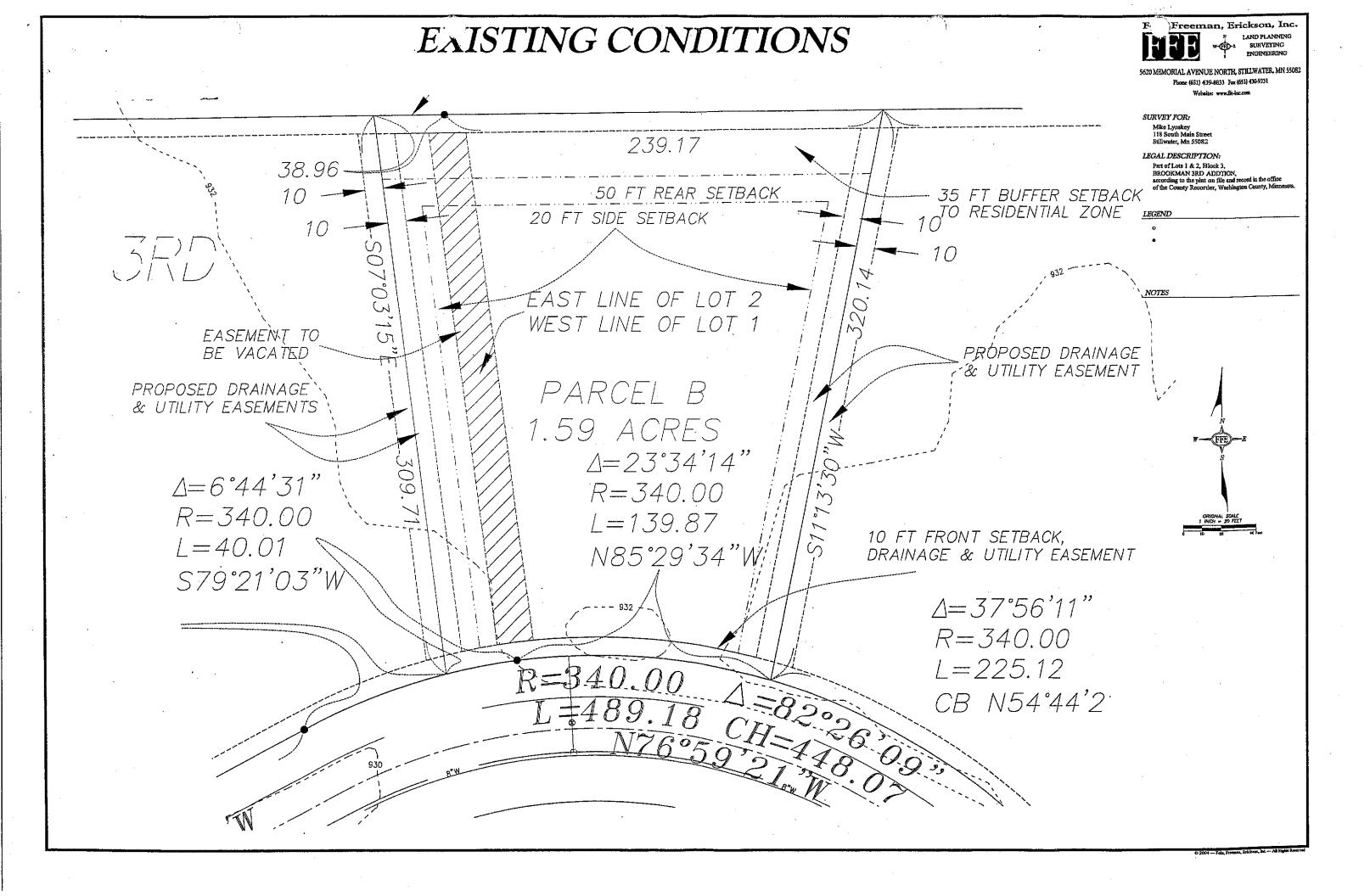
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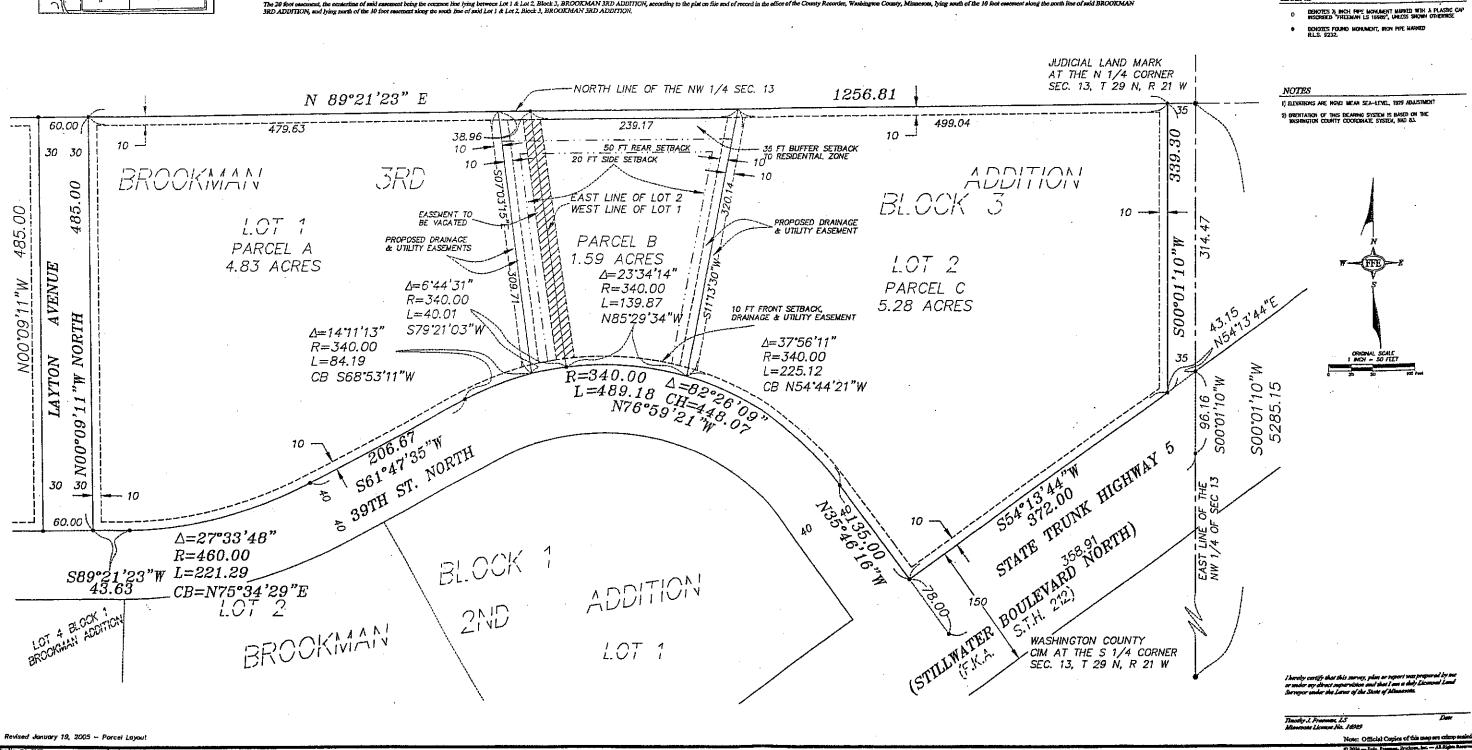
Freeman, Erickson, Inc.

SURVEYING

5620 MEMORIAL AVENUE NORTH, STILLWATER, MN 55082 Phone (651) 439-8833 Fax (651) 430-9331

SURVEY FOR: Mike Lynskey 118 South Main Street Stillwater, Mn 55082

LEGAL DESCRIPTION: Part of Lots 1 & 2, Block 2, BROOKMAN 3RD ADDITION. secording to the plat on file and record in the office of the County Recorder, Washington County, Minn



Lake Elmo City Council March 15, 2005 Agenda Section: Planning, Land Use & Zoning

No. 9C

Agenda Item: Conditional Use Permit, Variance and Section 520 Site Plan – City of Lake Elmo

Background Information for March 15, 2005:

On March 14, 2005 the Planning Commission will conclude the required Public Hearings and (hopefully) complete a recommendation to the City Council regarding these applications to construct an 11,000 square foot Public Works/Park Maintenance building and a 500,000 gallon water storage tank on a 20 acre site adjacent Sunfish Park. The City Administrator has requested this matter be placed on the City Council agenda of March 15 in anticipation of a complete Planning Commission recommendation.

The Conditional Use permit is to locate a Public Facility on a PF zoned site. The variance is to the standards of the PF zone to allow standing seam metal exterior surfacing to retain the Rural Image of the proposed structure.

While the application was submitted as a "package" (building and water tank), the Commission will be requested to address each component of the application separately. The first attached Resolution is for approval of the Conditional Use Permit, Site Plan and Variance for the Public Works/Park Maintenance Building. The second Resolution is for approval of the Site Plan and Conditional Use permit for the water storage tank. The Planning Commission's recommendations regarding both components will be (hopefully) available on March 15.

Action items:

- 1. Motion to approve Resolution #2005 Approving a Conditional Use Permit, Site Plan and Variance for a Public Works/Park Maintenance Building
- 2. Motion to approve Resolution #2005 Approving a Conditional Use Permit and Site Plan for a 500,000 gallon water storage tank

Person responsible:

Attachments:

- 1. Draft Resolution #2005 Approving Public Works/Parks
 Building
- 2. Draft Resolution #2005 Approving 500,000 gallon water storage tank
- 3. Planning Staff Report
- 4. Plans

Time Allocated:

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. - 2005-027

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT, SITE PLAN AND VARIANCE FOR A PUBLIC WORKS/PARK MAINTENANCE BUILDING

WHEREAS, the City of Lake Elmo has made application for a Conditional Use Permit for a Public Works/Park Maintenance Building in the Public Facility Zoning District, located 10,000 Stillwater Lane, Lake Elmo, Minnesota.

The property is generally described as Sunfish Lake Park, 10,000 Stillwater Lane PID 15-029-21-11-0001

WHEREAS, the City of Lake Elmo has made application for a variance to Section 300.07 Subd. 4.M.5.a.1. to allow standing seam metal as a primary exterior surfacing material where other materials are required.

WHEREAS, the application was reviewed and recommended for approval by the Planning Commission at a public hearing on March 14, 2005.

WHEREAS, the application for a Conditional Use-Permit, Site-Plan-and-Variance for a Public Works/Park Maintenance Building, the recommendation of the Planning Commission, and the recommendations of the Staff were reviewed.

NOW, THEREFORE, the City Council makes the following findings in regard to the Conditional Use Permit:

1. The Conditional Use Permit is consistent with the standards for Conditional Use Permits specified by Section 300.07 Sub 4.M, Sub 2. C. of the City Code. and is consistent with the findings required by Section 300.06, Subd 4A.

NOW, FURTHERMORE, the City Council finds with regard to the requested variance that said variance meets the findings required in Section 300.06 Subd 4A.

ADOPTED by the Lake Elmo Ci	ty Council on the 15th day of March, 2005.
ATTEST:	Dean Johnston, Mayor
Martin Rafferty, City Administra	itor

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. - 2005-028

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AND SITE PLAN FOR A WATER STORAGE TANK

WHEREAS, the City of Lake Elmo has made application for a Conditional Use Permit and Site Plan for a water storage tank in the Public Facility Zoning District, located 10,000 Stillwater Lane, Lake Elmo, Minnesota.

The property is generally described as Sunfish Lake Park, 10,000 Stillwater Lane PID 15-029-21-11-0001

WHEREAS, the application was reviewed and recommended for approval by the Planning Commission at a public hearing on March 14, 2005.

WHEREAS, the application for a Conditional Use Permit and site plan for a 500,000 gallon water storage tank, the recommendation of the Planning Commission, and the recommendations of the Staff were reviewed.

NOW, THEREFORE, the City Council makes the following findings in regard to the Conditional Use Permit:

 The Conditional Use Permit is consistent with the standards for Conditional Use Permits specified by Section 300.07, Subd. 4.M.,Sub.2.C. of the City Code, and is consistent with the findings required by Section 200.06, Subd. 4A.

NOW, FURTHERMORE, the City Council approves the conditional use permit and site plan for a 500,000 water storage tank in the Public Facility Zoning District located in Sunfish lake Park.

ADOPTED by the Lake Elmo City Council on the 15th day of March, 2005.

	Dean Johnston, Mayor	
ATTEST:		
Martin Rafferty, City Administ	trator	

LAKE ELMO PLANNING COMMISSION STAFF REPORT

Date: March 10, 2005 for the Meeting of March 14, 2005

Applicant: City of Lake Elmo

Location: 10000 Stillwater Blvd.

Requested Action: Site Plan, Zoning Variance and Conditional Use Permit

Land Use Plan Guiding: PF (Public/Semi Public Facilities)

Existing Zoning: PF (Public/Semi Public Facilities

Site History and Existing Conditions:

The 19.8 acres site was acquired by the City along in the mid 1970's as a part of the land acquisition package for Sunfish Park. While 200+ wooded acres of Sunfish Park have been slowly developed as a passive recreation resource since the acquisition, this portion of the acquisition has been farmed by third parties. Initially this area was farmed for cash crops by the seller without compensation, in accordance with the sales agreement with the City. When the terms of the agreement for rent-free farming expired, the seller declined to continue, and a third party has rented the site for cash crop farming since that time. The site has not been used for park purposes at any time since its acquisition by the City.

The site is generally rolling open field, with about 20 vertical feet of topographic relief – with no specific direction of rise/fall. Approximately 6/10 acre of the extreme north periphery of the site is wooded.

Discussion and Analysis:

The City proposes to construct an XX,XXX square foot Public Works/Park Maintenance facility and a 500,000 water storage tank on the site. As with any applicant on lands zoned PF, the City will require a Conditional Use Permit as a "Facility for Local, County, or State Government". As with all PF uses there are specific conditions included. For this type of the facility those conditions are as follow:

 Direct access is provided to a Public street classified by the Comprehensive Plan as Major Collector or Arterial. Via the Park Access Road (not a Public Street), the site has direct access to State Highway 5 – an Arterial.

2. The use and location is consistent with the Community Facilities Element of the Comprehensive Plan. The specific location of public facilities is not addressed by the Community Facilities Element of the Lake Elmo Comprehensive Plan. The Community Facilities Element of the 2000-2020 Plan does very specifically address the need for additional elevated water storage at some location (but not adjacent to any of the wells). The Community Facilities and Staffing Report - adopted by the City Council in 2002 – addresses the immediate need for new and expanded Public Works/Park Maintenance Facilities for the City – again not specifying any particular site for the new facilities.

3. No use may exceed a ratio of 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land based on the design capacity of all facilities, whichever is more restrictive. Based on the 300 square feet of office space within the proposed structure, a total of 1 SAC units would be chargeable, based on Metropolitan Council standards. Using a total of maximum of 10 employees that may some day be located at the site, the wastewater generation will not exceed 38 gallons per day per net acre of the site. In both cases the wastewater generation of the site as proposed (or even if some day expanded by several factors) will be well below the maximum thresholds.

The Site Plan has been reviewed by Staff, both during its design, and again as finalized for this application. The Site plan meets or exceeds all Section 520 site plan and PF zoning district standards. In addition the site plan meets ort exceeds applicable standards of other related City codes. Note that "utility transmission services" are exempt from any zoning ordinance height restrictions. Production and transmission of public water is a utility, and water towers an integral component of the service.

The variance requested is from provisions of the PF district standards regarding the exterior surfacing of the Public Works/Park Maintenance building. The City proposes use of standing seam metal exterior surfacing for 85% of the exterior of the structure; and stone surfacing for the balance. The City argues that the Public Interest of preserving Rural Character is best enhanced by use of these materials in a barn motif. The hardship is unique to this site (or any other site in the community) by way of introducing a structure of sizable scale to a neighborhood without imposing a "commercial" appearance.

Findings and Recommendations:

Staff finds that the applications generally comply with the requirements of the PF district, and other applicable City Codes. The suggested Finding\g regarding ht variance request are unusual, reflecting the unique and non-reoccurring nature of this Public project.

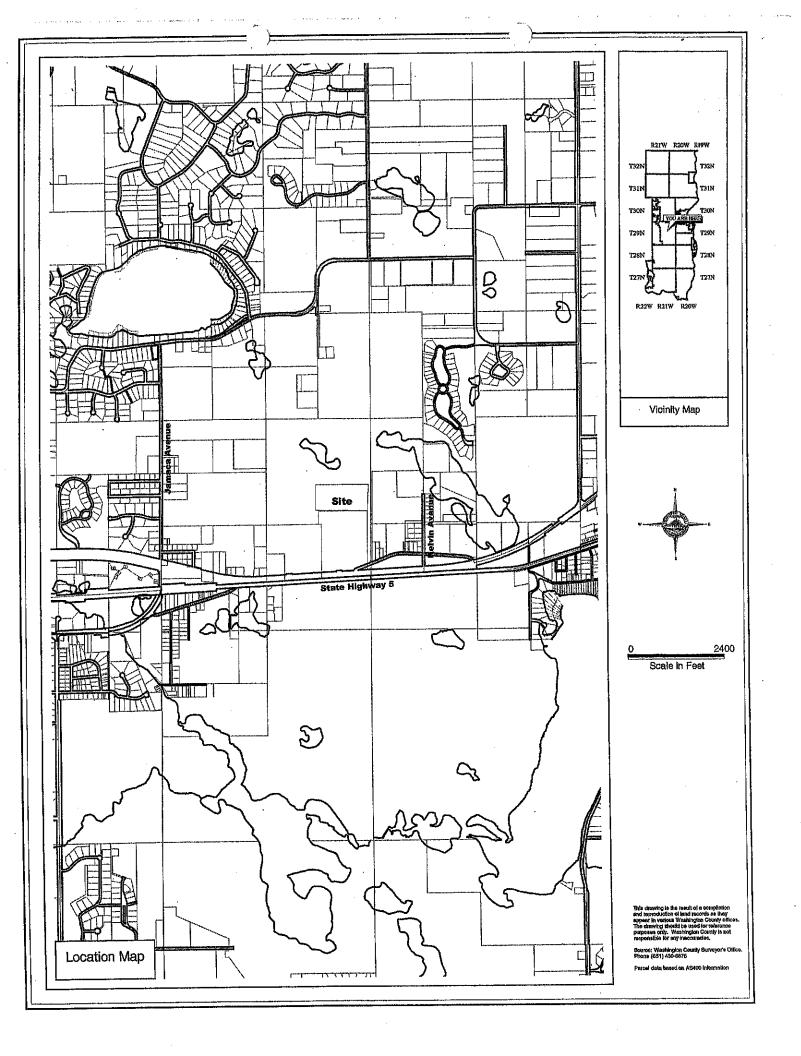
Planning Commission Actions Requested:

Motions regarding a recommendation regarding the Section 520 Site Plan. PF Conditional Use Permit, and Zoning Variance.

Charles E. Dillerud, City Planner

Attachments:

- 1. Location Map
- 2. Applicants Graphics





1500 Piper Jaffray Plaza 444 Cedar Street Saint Paul, MN 55101-2140

(651) 292-4400 (651) 292-0083 Fax www.tkda.com

MEMORANDUM

Chuck Dillerud	Reference:	Conditional Use Permit Site Plan
		Public Works/ Water Tower
		City of Lake Elmo, Minnesota
	Comm. No.	13335.000
Thomas Prew, P. E. H	Routing:	
March 9, 2005		
	Thomas Prew, P. E.	Thomas Prew, P. E. Routing:

We have prepared a site plan for the planned Public Works Building and Water Tower and have the following comments:

Roads

The site lies west of the access driveway to the parking lot at Sunfish Lake Park. This is not a public street.

The driveway is currently topped with gravel. The Public Works Foreman would like to pave this driveway in the future, but recommends waiting to see how it performs under the loads from larger trucks.

A driveway from the public works site to the water tower will be necessary.

Septic System

A new septic system is planned to serve the building. The set aside area is large enough for both an initial system and a backup system. The soils atlas shows sandy loam soils at this site, which are acceptable for a drain field. An actual site evaluation will be done by the building contractor. All septic system work will be done according to City code.

Drinking Water

The site will draw drinking water from the watermain that serves the proposed water tower.

Surface Water

All surface water from the impervious surfaces at the Public Works site will be infiltrated to reduce the impact to Sunfish Lake Park. The infiltration basins have sufficient volume to contain a 100-year event prior to overtopping.

Soils under the infiltration basins are sandy loam and have a good infiltration capacity. Deep rooted native plantings will be used to help promote infiltration within the basins.

RECEIVED Med Dy 2005 March 11, 2005

Mr. Chuck Dillerud City of Lake Elmo 3800 Laverne Avenue North Lake Elmo, MN 55042

Re: 11051 Stillwater Boulevard Addition

Dear Mr. Dillerud:

Thank you for submitting the information regarding the proposed addition at 11051 Stillwater Boulevard. On behalf of the Valley Branch Watershed District (VBWD), I have reviewed the information and this letter provides my preliminary comments. Because the project will require a VBWD permit, I will review the project more thoroughly once a VBWD permit application is submitted.

Background

The project site lies within the Downs Lake watershed. Downs Lake is relatively small, with a surface area of approximately 35 acres compared to its large tributary watershed of about 2,400 acres. Before ultimately draining to Downs Lake, the site drains to a channel that conveys runoff through the village to a low area around Lion's Park.

Water Quality

Downs Lake is shallow and has poor water quality. The lake's average summertime Secchi disc transparencies are usually less than 3 feet, and the average summertime total phosphorus and chlorophyll a concentrations are typically quite high.

Water Quantity

Downs Lake has a high overflow, and there are two homes within the 100-year floodplain of Downs Lake. Over the winter of 2002-2003, the VBWD constructed a project that will draw floodwaters down faster after a flood, but the project will not prevent flooding. As development in the Downs Lake watershed continues, more impervious area will be created, which will cause the volume of stormwater runoff to increase unless infiltration techniques are incorporated into the development. Increases in the stormwater runoff volumes reaching Downs Lake will likely increase the "normal" water level of Downs Lake and the chances of flooding.

Proposed Project

The proposed project involves adding about 4,000 square feet to the existing building and reconstructing the parking lot. More than 6,000 square feet of new impervious surfaces are proposed, and therefore, a VBWD permit is required.

Low Impact Development Techniques

Reducing impervious surfaces and encouraging infiltration practices will protect Downs Lake (and all water bodies) from negative water quantity and quality impacts. The VBWD does not currently require that low impact techniques be incorporated into developments, but



DAVID BUCHECK

LINCOLN FETCHER

DONALD SCHEEL

DALE BORASH

DUANE JOHNSON

VALLEY BRANCH WATERSHED DISTRICT P.O. BOX 838 because the site drains to the existing floodprone area within the Old Village and eventually to Downs Lake, incorporating low impact development techniques into the site design is strongly encouraged.

Some low impact development techniques are being incorporated into the site. It appears that the amount of proposed imperviousness has been limited by only proposing the minimum number of parking stalls required by the City, by constructing each parking stall at a 90-degree angle to the driving isle, by limiting stall dimensions to 9 feet by 18 feet, and by minimizing the width of the accesses to the parking lot to 18 feet. An infiltration basin is being proposed.

Additional practices that would encourage more infiltration on this site include:

- Constructing the site so that compaction in pervious areas is prevented
- Requiring loosing of soils to a depth of 24 inches to a maximum compaction of 85% standard proctor density and tilling the upper 10 inches of soils prior to planting
- Directing roof drains to pervious areas
- Using pervious areas for snow storage
- Planting trees that at maturity will canopy over at least 50% of the impervious surfaces
- Planting deep-rooted trees, shrubs, wildflowers, and grasses in at least 25% of the project's green space

Peak Discharge Rates

Hydrologic modeling information was submitted, but more details and supporting documentation needs to be submitted. The applicant appears to be depending on infiltration to control the discharge rates leaving the site. The infiltration rate assumed is 1 inch per hour, which is high. A slower infiltration rate should be used and/or supporting documentation that justifies that this rate will be sustainable needs to be submitted.

Water Quality Treatment

The standard stormwater management pond is not being proposed. If the infiltration basin functions as assumed, it will provide runoff treatment. The VBWD requires skimming devices from parking lot runoff. Pretreatment of runoff prior to it entering the infiltration basin would greatly increase the time between needed maintenance.

Minimum Floor Elevations

The proposed minimum floor elevations appear to be at least two feet above the 100-year flood level of the infiltration pond.

The City has recently completed modeling of the channel adjacent to this site. The 100-year flood level of the channel should be compared to the proposed floor elevations.

Erosion

A temporary rock construction entrance and silt fence are shown on the plans. The stability of the riprap parking lot overflow needs to be reviewed. The outlet of the proposed infiltration basin should be stabilized. If the flow velocities are small and if the flows can be spread out, the erosion potential could be reduced.

Wetland Issues

The applicant will need to submit a wetland delineation report or proof that no wetlands exist on the site. The VBWD is the Local Government Unit responsible for administrating the Wetland

Conservation Act. The developer will need to follow all of the rules and regulations of the Wetland Conservation Act, and submit all of the necessary documentation. The VBWD will then review the information, forward the information to the appropriate agencies for comments, and ensure the proposal conforms to the Wetland Conservation Act and other VBWD wetland rules and regulations.

Permit Requirements

The proposed project will require a permit from the VBWD. The landowner should submit a complete permit application packet to me. Permit application material can be obtained from the VBWD's website, www.vbwd.org, or from me. Once a complete VBWD permit application is submitted, I will review the project for conformance to the VBWD's rules and regulations, including:

- Stormwater rates
- Water quality treatment
- Flood levels and minimum floor elevations
- Wetland delineations and protection
- Erosion controls
- Potential downstream impacts

If you have any questions, please contact me at 952-832-2622.

Sincerely,

John P. Hanson, P.E.

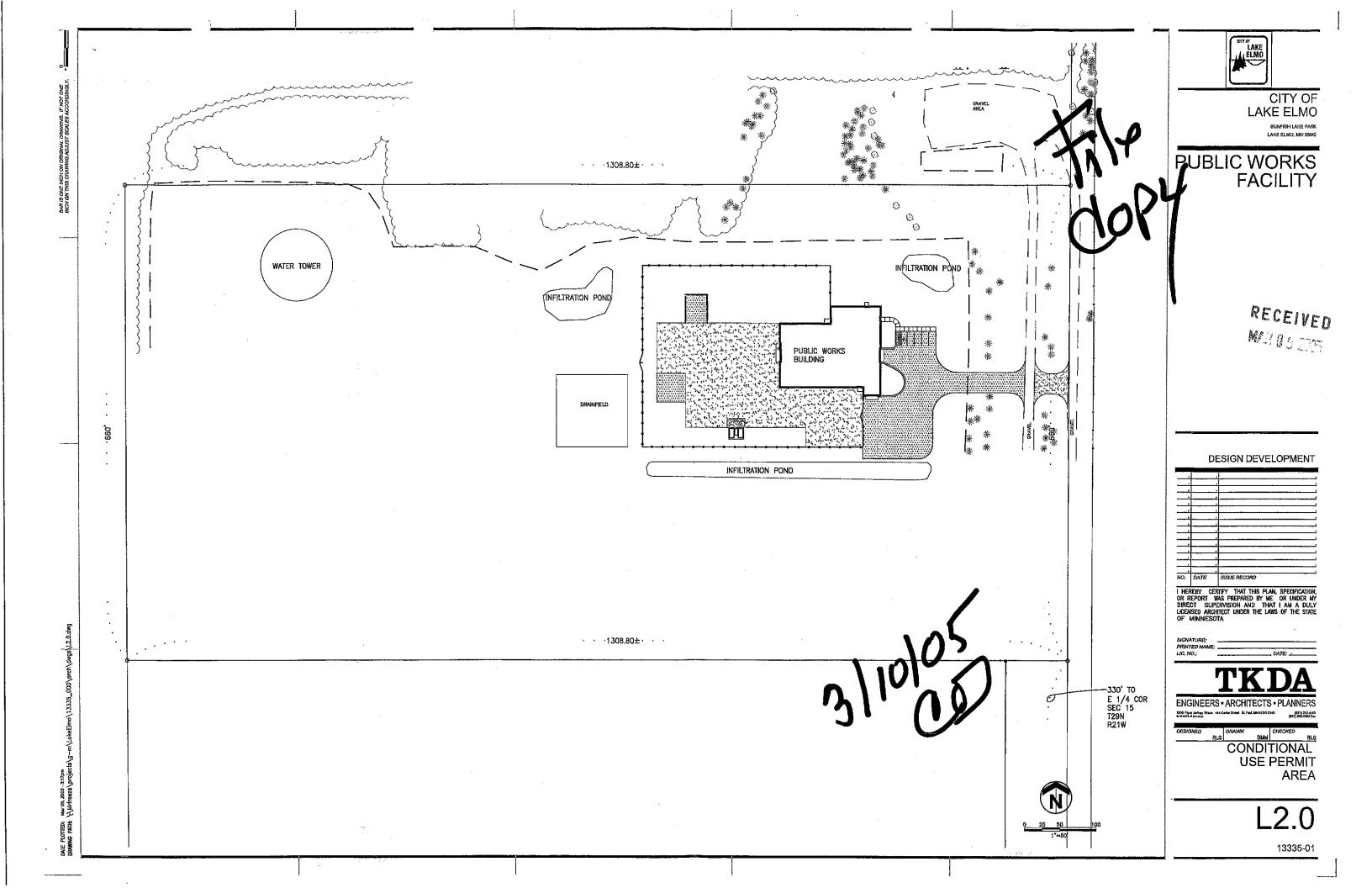
BARR ENGINEERING COMPANY

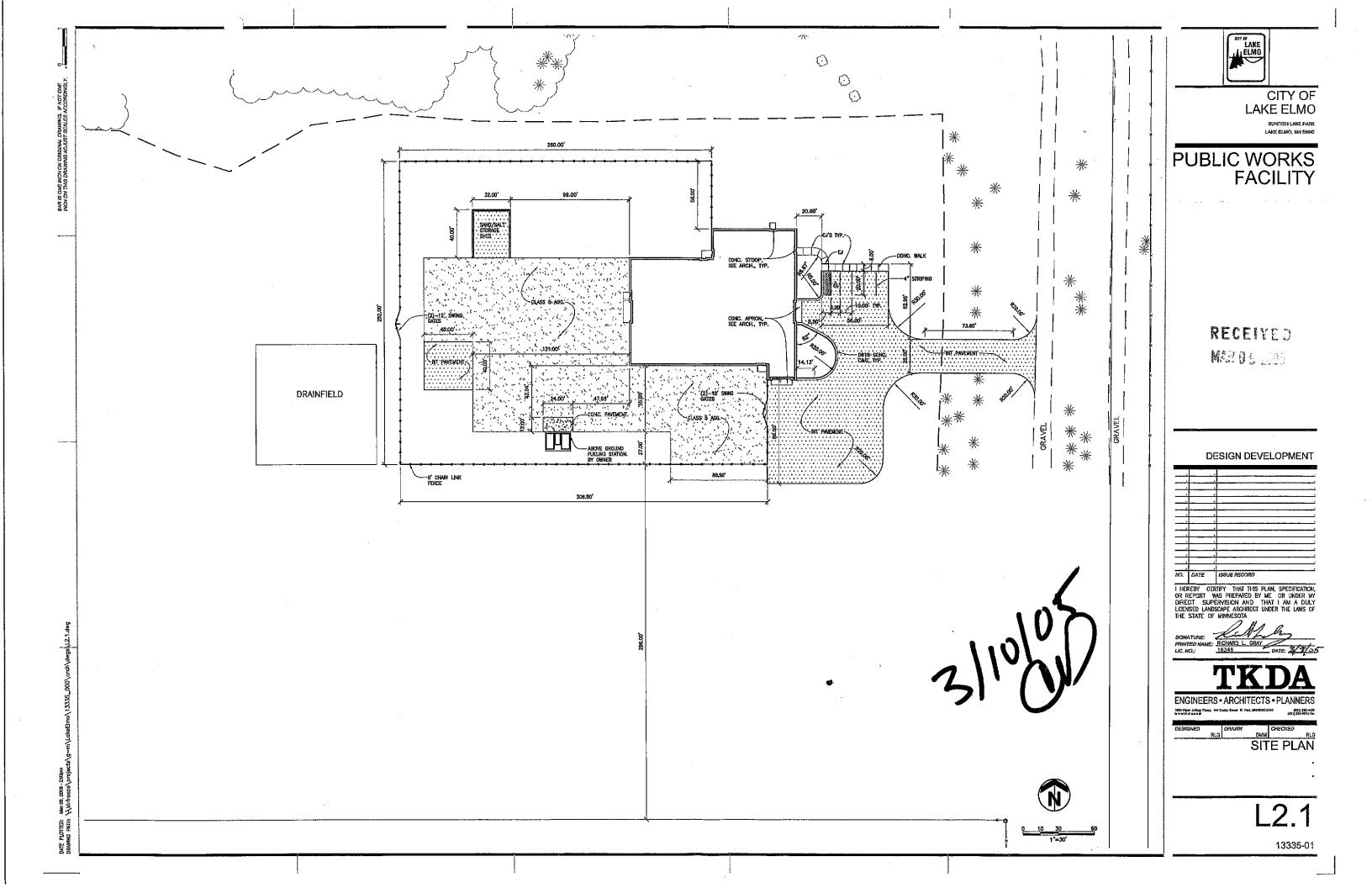
Engineers for the District

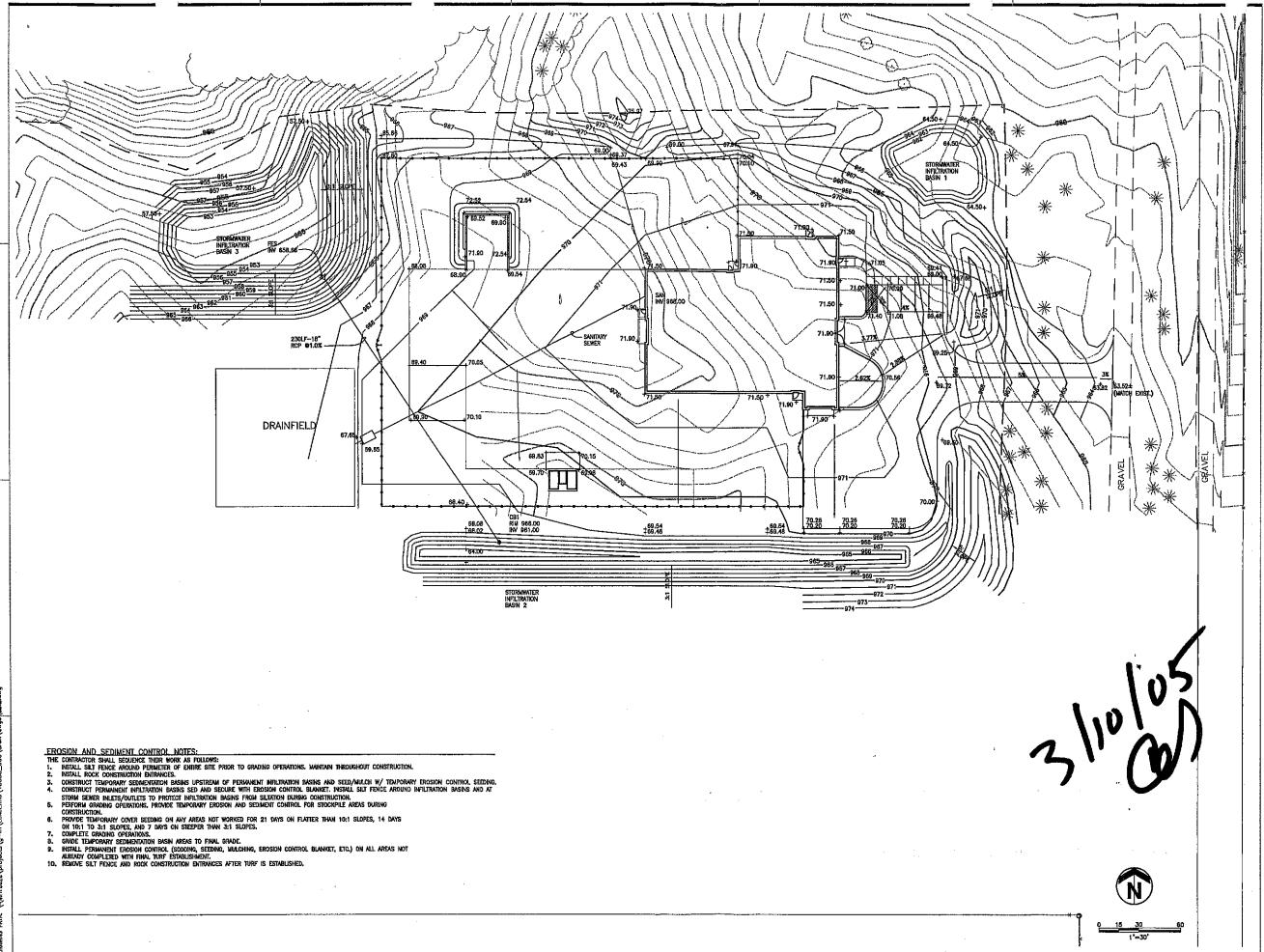
c: David Bucheck, VBWD President (via e-mail)

Michael Murphy, Larson Engineering of Minnesota, 3524 Labore Road, White Bear Lake, MN 55110 (via mail)

Tom Prew, TKDA, City Engineer (via e-mail)









CITY OF LAKE ELMO

> SUNFISH LAKE PARK LAKE ELMO, MN 55042

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HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT 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 MINNESQTA

SIGNATURE: RICHARD LIC. NO.: RICHARD LIC. NO.: 16346

AME: RICHARD L. GRAY
16346 DATE: 3/7

TKDA

ENGINEERS = ARCHITECTS = PLANNERS

1500 Plyon Julius Plana 440 Data Stand St. Paul, MR 55010-2140

WWY1E distance Data Control Stand St. Paul, MR 55010-2140

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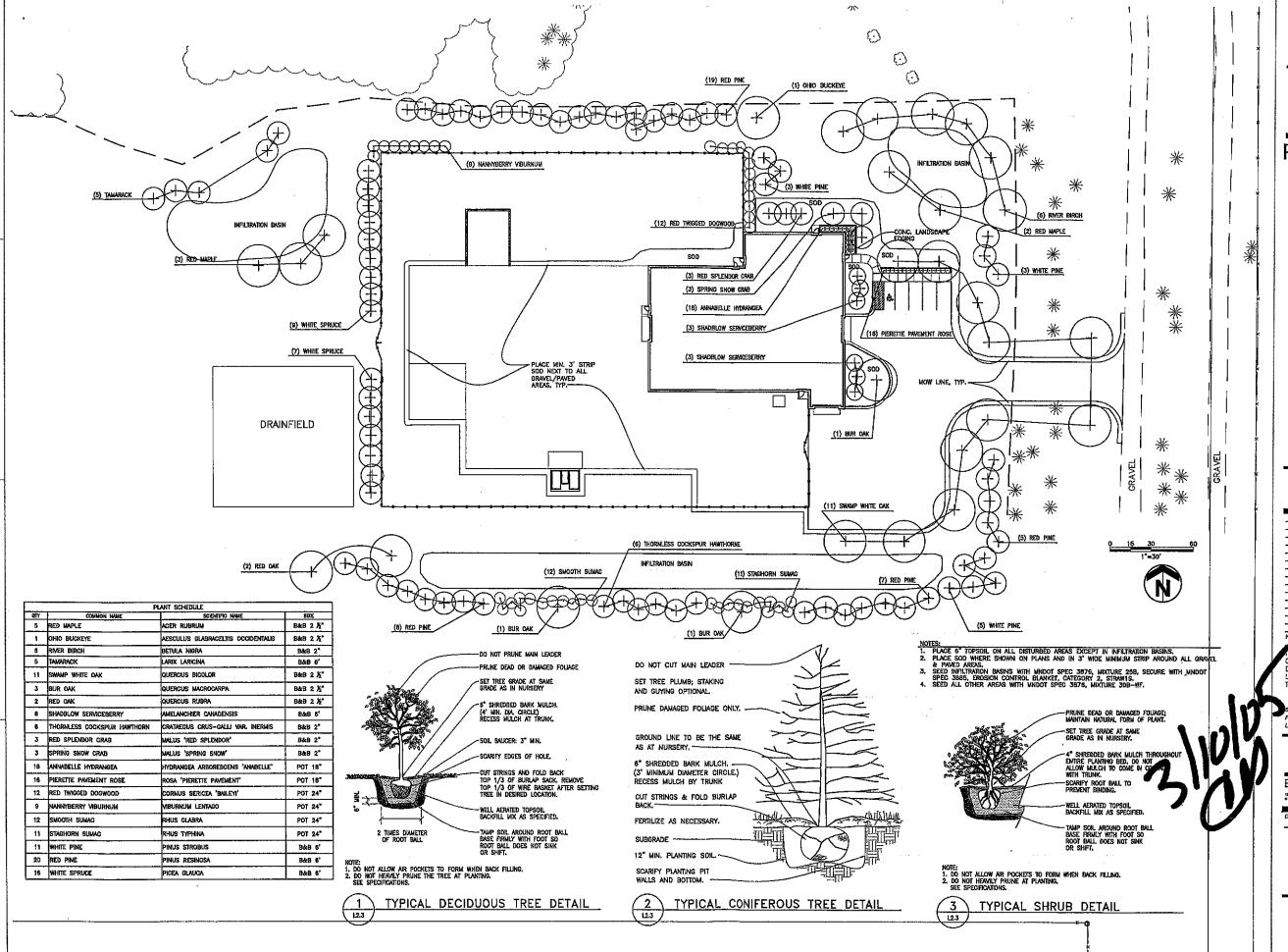
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GRADING & UTILITY

GRADING & UTILITY PLAN

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LAKE ELMO

CITY OF LAKE ELMO

> SUNFISH LAKE PARK LAKE ELMO, MN 55042

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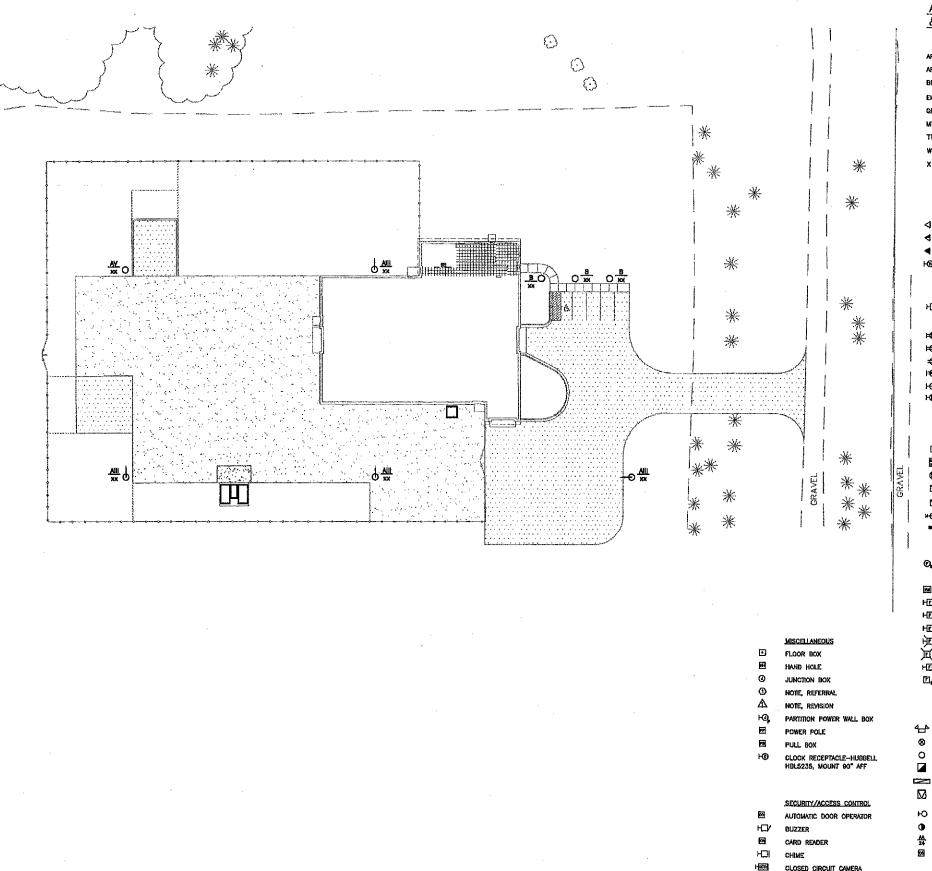
		
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ENGINEERS - ARCHITECTS - PLANNERS 1500 Piper Johnsy Plaza 464 Goder Street St. Paul MN 55101-2140 Nat W.J. & B. D. D. ... (851) 202-4400 (861) 250-0083 Fax

LANDSCAPE

PLAN



ABBREVIATIONS & SYMBOLS

ABBREVIATIONS

ABOVE FINISHED FLOOR

AFG ABOVE FINISHED GRADE BELOW FINISHED GRADE

BFG EM EMERGENCY

GFI GROUND FAULT INTERRUPTING

TELEPHONE TERMINAL BOARD

INDICATES EXISTING DEVICE, FIXTURE OR WIRING TO REMAIN UNLESS NOTED OTHERWISE

COMMUNICATION

JACK, DATA

JACK, DATA/VOICE

JACK, TELEPHONE (VOICE)

JACK, TELEVISION

DEVICES

HIGHT, SS — SELECTOR SWITCH, PB - PUSHBUTTON, ETC.)

NEMA 5-20R. DOUBLE DUPLEX NEMA 5-20R, DUPLEX

4 NEMA 5-20R, CEILING MOUNTED

NEMA 5-20R, DUPLEX, SPLIT

Ю NEMA 5-20R SINGLE RECEPTACLE, SPECIAL, NEMA

ECUIPMENT

EQUIPMENT

Ŋ. MOTOR STARTER, COMBINATION

MOTOR STARTER, MAGNETIC

MOTOR STARTER, MANUAL

PANELBOARD

AUTOMATIC DETECTOR (S-SMOKE/HEAT, B-BEAM, D-DUCT, F-FIXED TEMP, RR-RATE OF RISE)

INDMIDUAL ADDRESSABLE MODULE

MAGNETIC DOOR HOLDER

ΗĒ MANUAL PULL STATION

HZK SPEAKER

河 SPEAKER/STROBE

STROBE HE, SWITCH, FLOW

SWITCH, TAMPER

LIGHTING

EMERGENCY LIGHT

EXIT LIGHT, CEILING

LUMINAIRE, CEILING

LUMINAIRE, EM (1/2 SHADING) LUMINAIRE, FLUORESCENT

LUMINAIRE, FLUORESCENT-DIRECTIONAL AS INDICATED BY ARROW

LUMINAIRE, WALL MOUNT

LUMINAIRE, WALL WASH

LUMINAIRE TYPE AND CIRCUIT #

OCCUPANCY SENSOR-MYTECH OMNI BT200 OR EQUAL. SENSOR TO BE COMPATIBLE WITH RELAY PANELS.

PHOTOCELL.

DOOR CONTACTS

MOTION DETECTOR

SECURITY SIREN

KEY PAD

KŒY

HIIV

HANDICAP DOOR PUSH-BUTTON

HBJ

SWITCH, SINGLE GANG ONE POLE (2-2 POLE, 3-3WAY, 4-4WAY MC-MOMENTARY CONTACT,

K-KEY, OS-OCCUPANCT SENSOR,

NOTES

1. NUMBERS AT RECEPTACLES AND LUMINAIRES CORRESPOND DIRECTLY WITH PARILEDADA CIRCUIT MUMBERS AS SCHEDULED, BRANCH CIRCUIT WINING AND HOMERUNS ARE NOT SHOWN FOR CLARITY, ACCURATE AS-BULLT (WIRED) INFORMATION IS TO BE PROVIDED AT THE PROJECT COMPLETION. TYPICAL THROUGHOUT, REFER TO SPECIFICATIONS FOR MATERIALS AND INSTALLATION REQUIREMENTS.

CIRCUITS SUPPLYING NON-LINEAR LOADS, PAIRED WITH VOICE/DATA OUTLETS, SHALL HAVE DEDICATED NEUTRALS.

RACEWAYS SHALL CONTAIN A GROUNDING CONDUCTOR.

20 AMP CIRCUIT CONDUCTOR SHALL BE SIZED FOLLOWS: LENGTH AWG <75' 12 76'-115' 10 116'-150' 8 >150' 6

SWITCHES SHALL BE MOUNTED PER ADA REQUIREMENTS. UNLESS OTHERWESS NOTED, RECEPTACIES AND TELECOMMUNICATION OUTLETS IN UNFINISHED AREAS SHALL BE MOUNTED 2'-G* ABOVE PINISHED FLOOR. UNLESS OTHERWISE NOTED, RECEPTACIES AND TELECOMMUNICATION OUTLETS IN FINISHED AREAS SHALL BE MOUNTED 1'-G* ABOVE PINISHED AREAS SHALL BE MOUNTED 1'-G* ABOVE PINISHED LOOPE

6. SEE RELATED PLUMBING AND HYAC DRAWINGS FOR LOCATION OF PLUMBING AND HYAC EQUIPMENT REQUIRM ELECTRICAL CONNECTIONS, COORDINATE INTERCONNECTION REQUIREMENTS WITH EQUIPMENT SHOP DRAWINGS.

ALL CONDUIT AND WIRE BETWEEN FIXTURES, SWITCHES AND/OR RECEPTACLES SHALL BE: 0, EKPOSEO IN UNFINISHED AREAS, b. CONCEALED ABOVE SUSPENDED CEILINGS, IN WALLS IN FINISHED AREAS, AND EXTERIOR WALLS.

STE LIGHTING TO INCLUDE DARK SKY
CUTOFF OPTICS. FIXTURE SCHEDULE:
A AREA LIGHTING LINT WITH ES
DISTRIBUTION TYPE AS NOTED,
400W HPS LAMP AND BALLAST
AND 40° (ASONE GRADE) DIRECT
BURAL CONCRETE POLE;
GE DIBLENSION DMY AND SKY CAST
TYPE XXX STANDARD,
B WALKWAY LIGHTING BOLLARD WITH
DOWN AND OUT CUTOFF
DISTRIBUTION, 70W HPS LAMP
AND BALLAST AND 42° (ABOVE
GRADE) DIRECT BURAL CONCRETE
STANDARD; SKY CAST TYPE XOX,

DESIGN DEVELOPMENT

LAKE ELMO

PUBLIC WORKS

CITY OF

LAKE ELMO, MN 55042

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LAKE ELMO

FACILITY

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SIGNATURE PRINTED NAME: JE BUDKE LIC, NO.: 8943

ENGINEERS - ARCHITECTS - PLANNERS

1600 Piper Jahrey Pieze 444 Cedar Street St Paul RIH 65101-2140 www.tk.din.com (651) 292-4400 (651) 292-0053 Faq

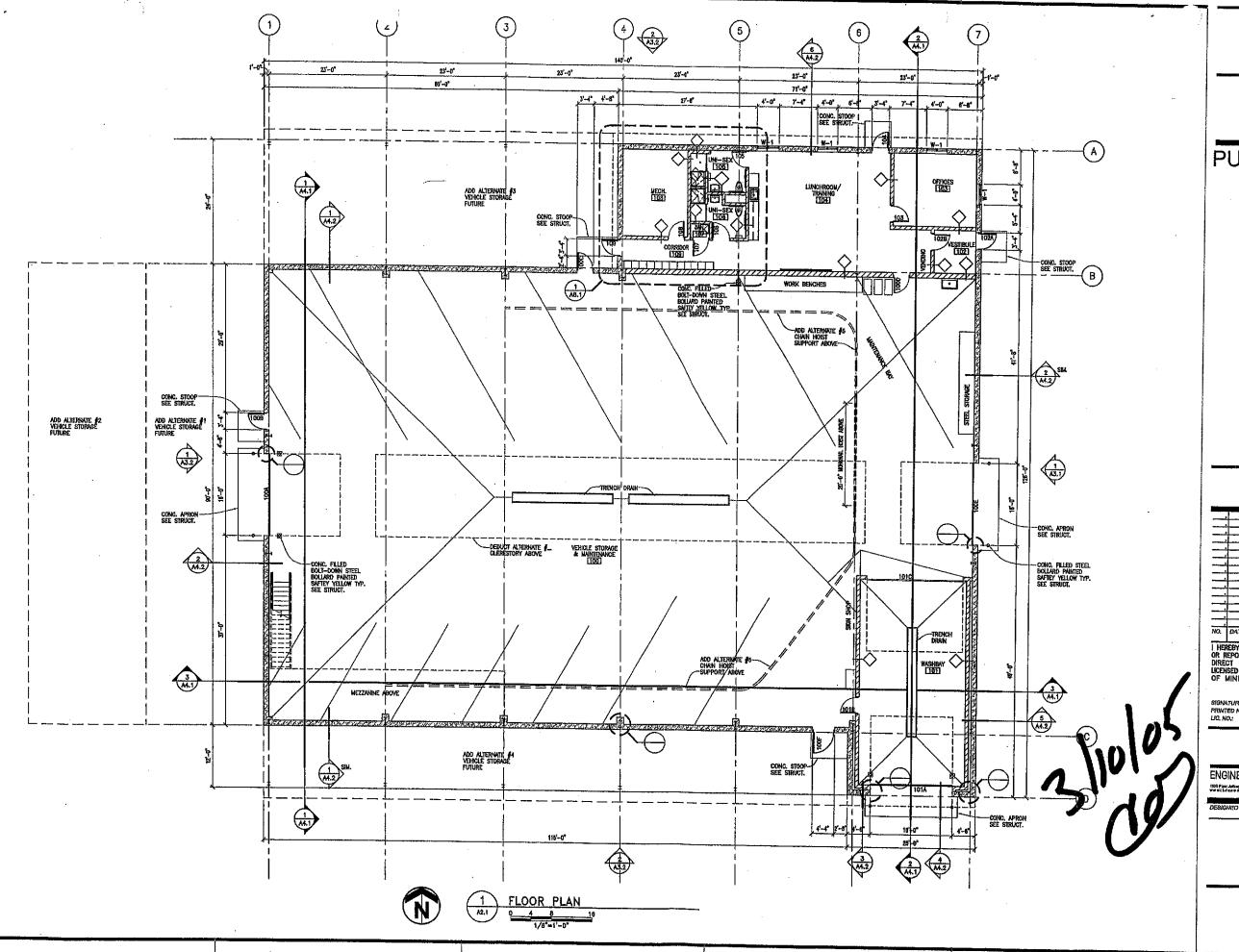
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SITE PLAN

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Mar 09, 2005 - 209pm \/Mrfreeze\projec





CITY OF LAKE ELMO

SUNFISH LAKE PARK LAKE ELMO, MN 65042

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SIGNATURE:
PRINTED NAME: THERESA M. OLSEN
UO. NO.: 40783

ENGINEERS - ARCHITECTS - PLANNERS

FLOOR PLAN

C.F.M.U. (ROCKFACE)



CITY OF LAKE ELMO

SUNFISH LAKEPARK LAKE ELMO, MR85042

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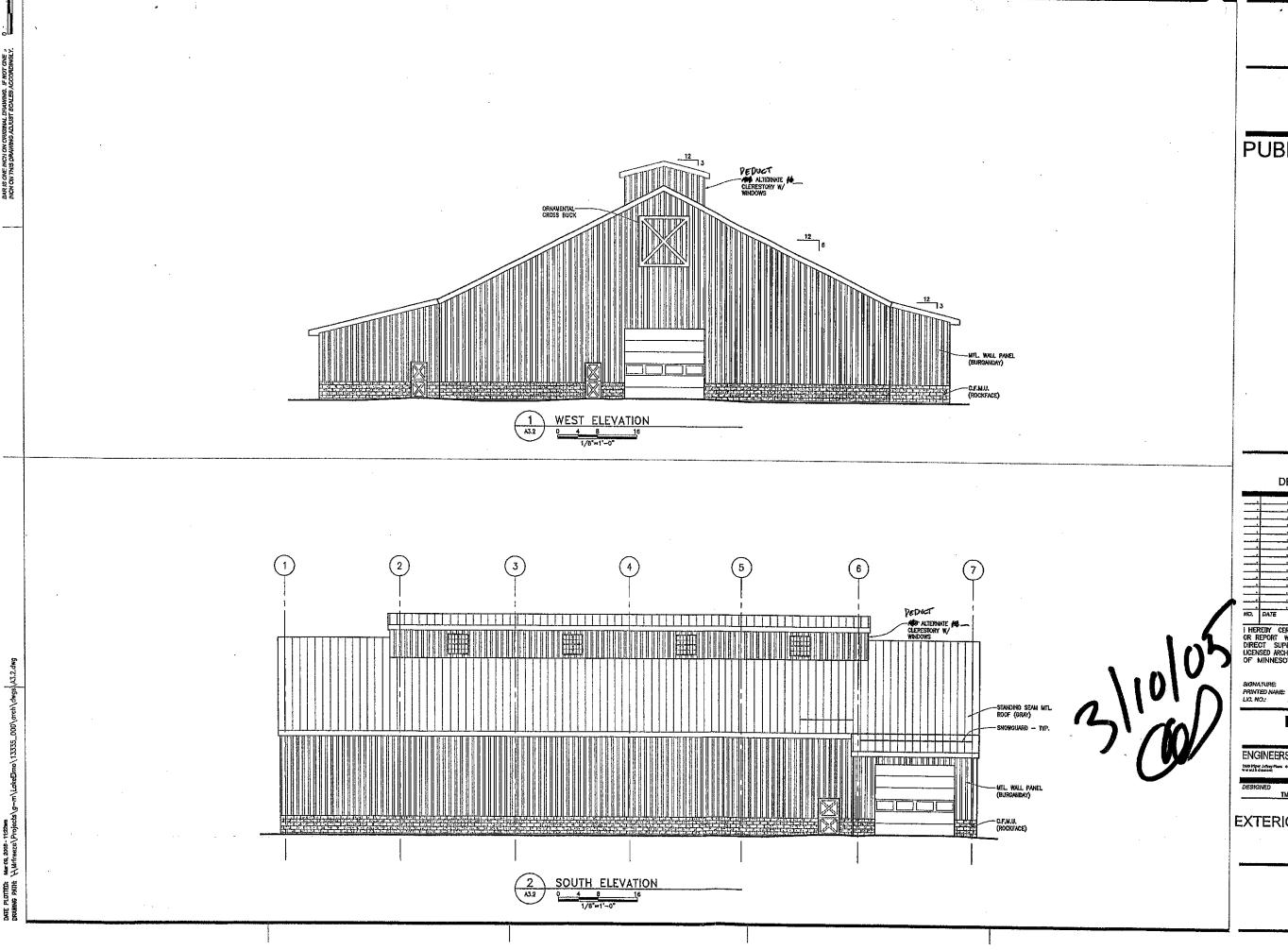
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CITY OF LAKE ELMO

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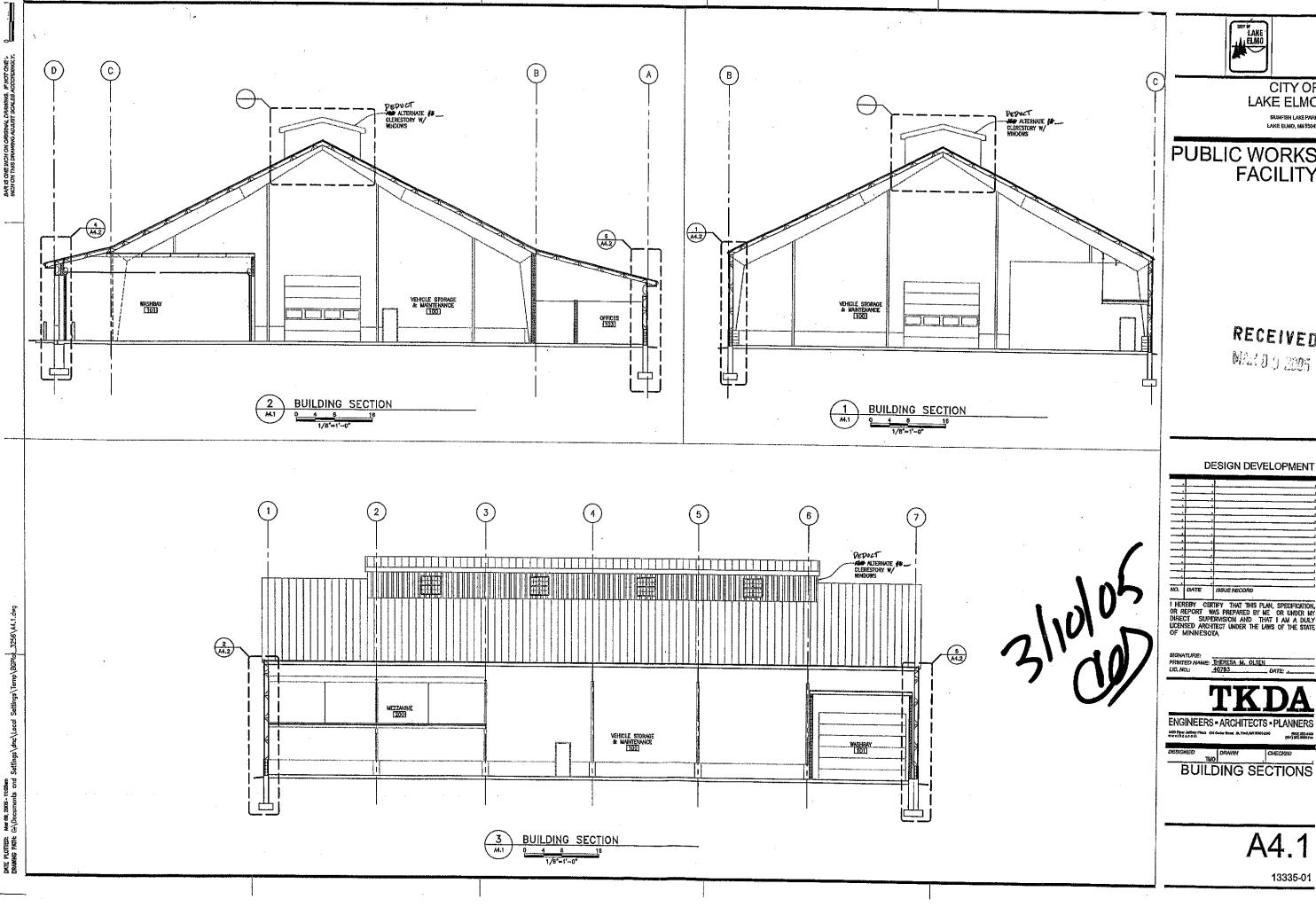
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BASE BID EXTERIOR ELEVATIONS

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CITY OF LAKE ELMO

SUNFISH LAKE PARK LAKE ELMO, MN 55042

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ENGINEERS - ARCHITECTS - PLANNERS

Lake Elmo City Council March 15, 2005 Agenda Section: Planning, Land Use & Zoning

No. 9D

Agenda Item: Fields of St. Croix II/Little Blue Stem - Developer Improvements

Background Information for March 15, 2005:

On March 15, 2005 Staff requested direction from the Council regarding incomplete developer improvements within the Fields of St. Croix II plat, and the pending expiration of the Letter of Credit guaranteeing completion of those improvements. The three primary areas of incomplete work are interior street island landscaping (a portion); the Public Park located between Fields II and Tana Ridge; and buffer screen forestation along the plat west property line. The Council directed staff to secure an extension of the Letter of Credit (\$77,500), and advise the developer (Robert Engstrom Companies) to, within 30 days, provide the City Council with his plans and schedule to complete the work.

On February 16 staff advised the developer of the Council's February 15 action. On February 25 the City was advised by the issuing bank that the Letter of Credit had been extended (originally to expire February 27). Following a reminder call the week of March 7, the developer has submitted the attached letter describing his intentions regarding the incomplete improvements. No specific schedule is mentioned, however.

The developer has requested an amendment to the landscape island planting plan to substitute for the "prairie grass" plan that was approved for those areas 5 years ago. It appears that the HOA has concurred in this plan, and staff also concurs that this is a better approach than prairie grass. The developer has contracted with a firm to re-establish the turf in the park area. It appears that this will require much of the upcoming growing season. While no mention is made of the ball field/soccer field improvements, work had already commenced late last year. Park Superintendent Bouthilet directed work be suspended pending resolution of the proper location of the ball field and soccer field – per the plan approved by the Park Commission. That resolution still needs to be accomplished.

The original forestation plan for the west border of the project is attached. As the Council can see, Mr. Engstrom now maintains that the original purpose for that improvement has been eliminated. It is now his proposal to amend the landscape plan to eliminate this forestation.

Council direction regarding a specific schedule for the remaining work and the two proposed amendments to the project landscape plan is respectfully requested.

Action items: Council motions regarding proposed OP Final Landscape Plan amendments proposed; and, a schedule for completion of all plat improvements and new Letter of Credit duration.	City/Planner
Attachments: 1. Engstrom Letter and Attachments of March 10. 2. Original Fields II Landscape Plan	Time Allocated:

ROBERT ENGSTROM COMPANIES

RECEIVED WELTU ZUTS

March 10, 2005

Chuck Dillerud Lake Elmo City Planner City of Lake Elmo

Dear Chuck,

In response to your request, attached is a letter and background from Minnesota Native Landscapes for an action plan to complete the neighborhood park located between the Fields of St. Croix II and Tana Ridge. As you may be aware, our original contractor apparently developed financial problems and did not complete the improvements. Subsequently we contracted with First Quality Fence to install the ball field backstop and soccer posts. After setting the soccer posts, Mike Bouthilet from the city told them to stop until he had a chance to review with a Tana Ridge homeowner. First Quality Fence has completed several projects in Lake Elmo and are prepared to finish the project in the spring. Minnesota Native Landscapes is one of the best firms for completing the turf installation. They installed much of the Prairie in The Fields II and are doing work for The Fields Community Association and ourselves.

Regarding the Fields of St. Croix landscaping, the attached schematics illustrate the work that was to be completed according to the larger scale exhibit previously submitted to the City of Lake Eimo and approved by The Fields Community Association. At present the machine moved trees 6 to 14 feet in height that were installed last fall include:

- 1. Five Spruce and Norway Pines at the south end of the north cul-de-sac island on Lily Lane North.
- 2. Ten Spruce and Norway Pines at both ends of the South cul-de-sac island on Lily Lane North.
- 3. Five Spruce and Norway Pines on the 44th Street North cul-de-sac island.
- 4. Seven machine moved deciduous Maple and Oak trees located in each of the Island Plantings, next to the city park tot lot, the sandbox on the Common Green and a character oak in the center of the native prairie island at Little Bluestem Circle North.

... RESIDENTIAL COMMUNITY DEVELOPERS...

The perennial plantings will be completed this spring. The species will be changed somewhat for salt tolerance as the city snowplowers seem to use these areas for snow storage.

Regarding any trees along the western edge of Outlot I, the need for trees along the edge disappeared when we were able to acquire the Screaton property from the other developers and their proposed road disappeared. The large adjoining area was planted to native prairie. We have written concurrence from the exception parcel homeowner.

Regarding the City Engineer's punch list, the cleaning and flushing of the storm sewer at Little Bluestem Circle North was done last fall. I believe that was the last of the items.

Please call if you have any questions.

Kind Regards,

Robert E. Engstrom

Robert Engstrom Companies



To:

Robert Engstrom

Robert Engstrom Companies

4801 W 81st St Suite 101

Minneapolis, MN 55437

From: Jake Janski

Minnesota Native Landscapes, Inc.

14088 Hwy 95 NE Foley, MN 56329

Date:

March 7, 2005

RE:

Ball Field Establishment-Phase II

The two ball field areas on the north end of the Fields of St. Croix second phase will be established with usable turf and prairie areas throughout the upcoming growing season. This will be accomplished by a combination of steps that will be implemented to improve the seedings that have already been conducted.

The first step will be an early season, dormant mowing. This will clear away the previous year's growth and allow the existing turf to show through. Shortly after the mowing, when the site greens up, the site will be over-sprayed to eliminate all broadleaf weeds within the turf area. From this point, the next step will be to evaluate the area and proceed with one of two strategies.

If the areas are satisfactorily established with field turfgrass, the areas will be monitored for weed infestation, nutrient needs, and poorly established areas. These situations will all be rectified as they occur. If the area is not well established, it will then be overseeded or no-till seeded with an appropriate turfgrass mixture. The area will also be monitored for weed infestation or fertilized if necessary.

The non-field areas of the park will be monitored as well of weed infestation. All undesirable species will be controlled or eradicated as is necessary for prairie enhancement.

With these steps and cooperating weather, the fields seeded in the northwest section of the Fields of St. Croix, phase II will be ready for the use it is intended for by the end of the season (though likely much sooner than that). All costs of these services will be sent as a summary.

Most Sincerely.

Jake Janski

Minnesota Native Landscapes, Inc.

to provide a wide range of innovative Our educated staff is fully equipped installation services for your project.

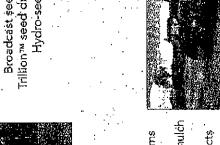
: ite Preparation

e lerbicide application constitution opposition amendments Clearing & grubbing 'egetation removal



Seeding

Fruaxim no-till drilling Trillion™ seed drilling Broadcast seeding Hydro-seeding



Silt Fence installation Pre-vegetated mats



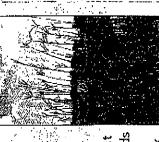
Live Planting

Wildflowers Native Grasses

Mission Statement:

commercial properties and public lands. use innovative procedures and focus on the enhancement of habitat, water quality high quality, diverse natural areas. We sound plant communities by creating **ff** To create and restore ecologically and aesthetics for private landowners,

created the prairies, wetlands plant community types that oday. Two hundred years of thousands of individual evolved to form different andscape was a diverse One time the Midwest." and woodlands we know species. These species ecosystem consisting of



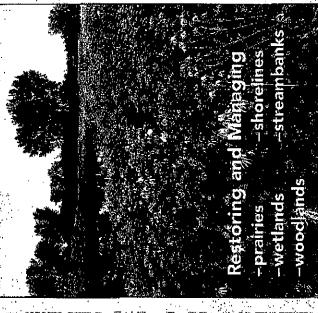
role these plant communities play in maintaining heir degradation has taught us the important a healthy environment



designing lifetalling and managing Landscapes, Inc. can help you realize these orcept of a sustainable, landscape, By



Using Native Plant Communities lo Enhance Your Environment



14088 Hwy 95 NE Foley, MN 56329 Phone: 320-968-4222

www.mnnativelandscapes.com



M462:2

Erosion Control

MCIA certified straw mulch Rolled erasion praducts Prairie straw mulch Hydro-mulch.

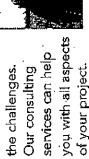
Bioengineering systems

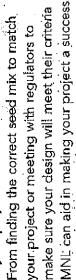
help you plan and design your project. Minnesota Native Landscapes, Inc. can

Whether you are designing a small natural area or planning a full wetland mitigation

MNL understands

services can help Our consulting





Complete Consulting Services:

-Site consultation & evaluations

-Site inventories

-Specification writing.

-Educational presentations

-Design/Planning

-Wetland mitigation monitoring-

-NPDES permit consulting

Whether you are a native plant enthusiast or a professional engineer MNL can help you plan your project for success,





impact your planting, it is extremely important, not exist! However, a native plant community many outside influences that can negatively if you want a successful project, to correctly. community, needs management. There are especially a newly developing native plant offer full service land management to help nanage your project from the start. We. can offer you a landscape which is LOW maintenance. A native plant community, A landscape with no maintenance does

it to turn into what the best chance at success and allow give your project rou expect!



MNL Land Management Services

Site monitoring & assessment

+Noxious weed control*

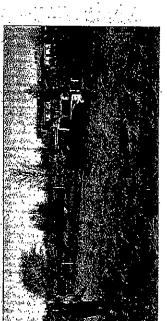
-Herbicide application Prescribed burning

-Mowing

selective Cutting.

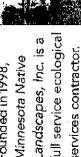
-Buckthorn removal

-Woodlot management



Minnesota Native Landscapes, Inc.

full service ecological Landscapes, Inc. is a Minnesota Native Founded in 1998,





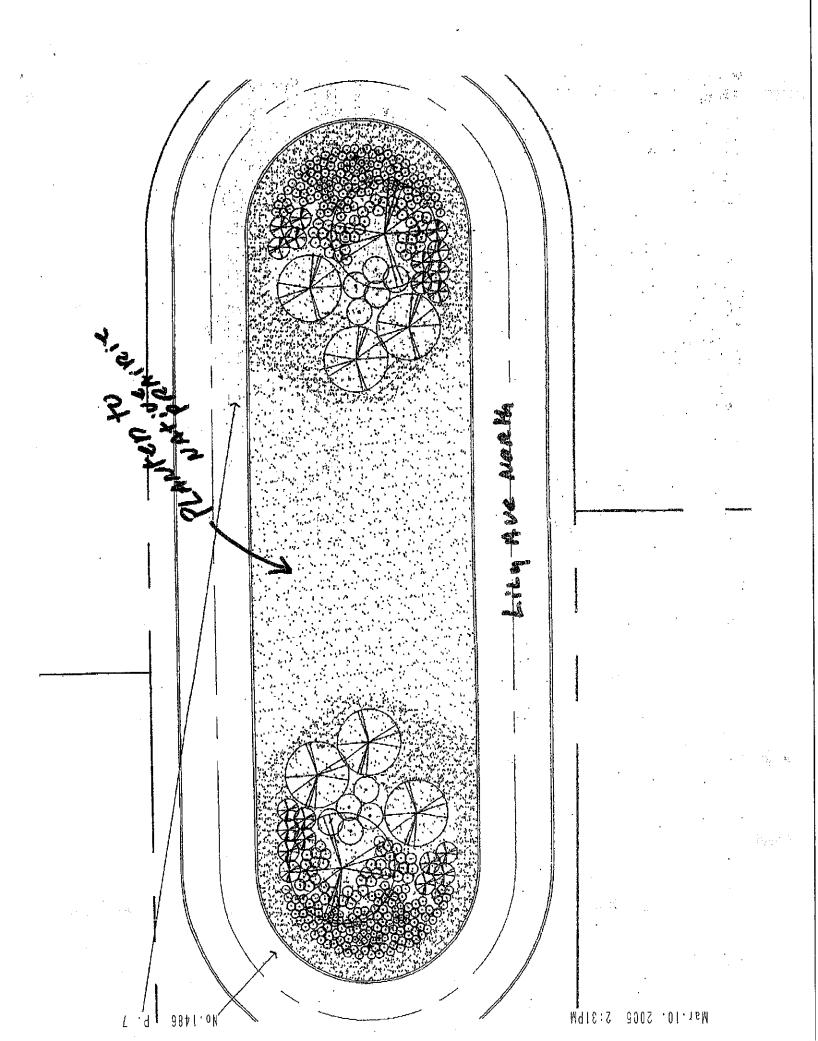
professional manner. Our philosophy is to and ecologists who are passionate about Our employees are educated biologists "do the project right the first time". We offer high quality work in a

Our project experience includes everything from Minnesota DNR Wildlife Management esidences and lands throughout the state. corporate campuses, as well as private areas to many of Minnesota's largest

we are offering the best practices available. reclaim and maintain ecologically sensitive service it is important to always make sure most innovative procedures. MNL and our ways to use our natural resources to help areas. We feel that to offer a high quality At MML we make every effort to use the ndustry are continually uncovering new

From stabilizing streambanks and shorelines orairies, Minnesota Native Landscapes, Inc. knowledge necessary to make your project nas the equipment, the personnel and the to installing and managing wetlands and a success. Minnesota Native Landscapes, Inc. 14088 Hwy 95 NE, Foley, MN 56329 PH, 320-968-4222

www.mnnativelandscapes.com



8. CITY ENGINEER'S REPORT:

A. Approve Design for Water Tower

The City Council agreed to place a new water storage tank in Sunfish Lake Park. The two questions needed to be addressed was what will be the design of the tower and exactly where it will be sited in the park.

A few residents, whose properties abut the park area, expressed concern that the water tank would be an eyesore within the park and have potential impact on their property values. The cost to move it as far west as possible would cost the city \$30,000-\$40,000. This water tower would serve not only the new Tapestry development, but also serves future neighborhoods.

M/S/P DeLapp/Johnson - to advise the property owners, located one half mile radius from the location of the storage tank in Sunfish Lake Park, of an informational meeting to discuss the design of the tower at the March 1st Council meeting. (Motion passed 5-0.)

B. Public Works Building.

Terry Olsen, TKDA architect, presented a drawing of the public works building resembling a barn and showing the pitch roof was eliminated and an updated floor plan. Council member DeLapp asked that the barn door and the cupola be made a little larger. The Public Works Supervisor stated he has been involved in the planning stage and approved the design proposal.

M/S/P Johnson/DeLapp - to authorize TKDA to create plans and specifications for the Public Works building, as presented. (Motion passed 5-0.)

9. PLANNING, LAND USE & ZONING:

A. Letter of Credit - Fields II and Little Bluestem

The Planner advised the Council that the City Park improvements required to be constructed by Robert Engstrom Companies as a condition of approval for the Fields of St. Croix II and Tana Ridge plats have not been completed as of this date. The most significant improvement incomplete is the City Park that lies between Fields II and Tana Ridge. That park was to have been constructed by the developer per plans approved by the Park Commission as satisfaction of the Park Dedication requirements for Fields II, Little Bluestem and Tana Ridge. In addition, the developer-installed landscaping within the plat remains short of that of the approved landscape plan, and there may be infrastructure "punch list" items to be completed as well.

The Planner requested direction from the Council whether the City should present a sight draft in the full amount of Letter of Credit #1804 (on or before February 27, 2005) and utilize the funds to complete the required improvements within the plat, or approve renewal of the Letter of Credit.

The most recent Letter of Credit renewal/extension expire on February 27, 2005. The development agreement between Robert Engstrom Companies and the City specifies that all public infrastructure and landscape improvements within the Fields of St. Croix 2nd Addition were to be completed by September, 2000.

M/S/P Johnson/DeLapp - to notify Robert Engstrom Companies that it may renew the subject Letter of Credit in the full amount for not more than 30 days (i.e. to March 27, 2005.) During that 30 day period Robert Engstrom Companies must present to the Council both complete plans for project improvements that remain incomplete (primarily the park and project landscaping), and a detailed schedule for the completion of those improvements. A council decision regarding further extension of the Letter of Credit will be based on their approval of the plans and schedule presented. Any plans/schedules presented by the developer must be on one of the March 1st or March 15 city council agendas. (Motion passed 5-0).

If the lender does not approve a 30-day extension of Letter of Credit #1804 at the close of business on February 25, 2005, the City will present the lender with a Sight Draft for the full amount of the Letter of Credit.

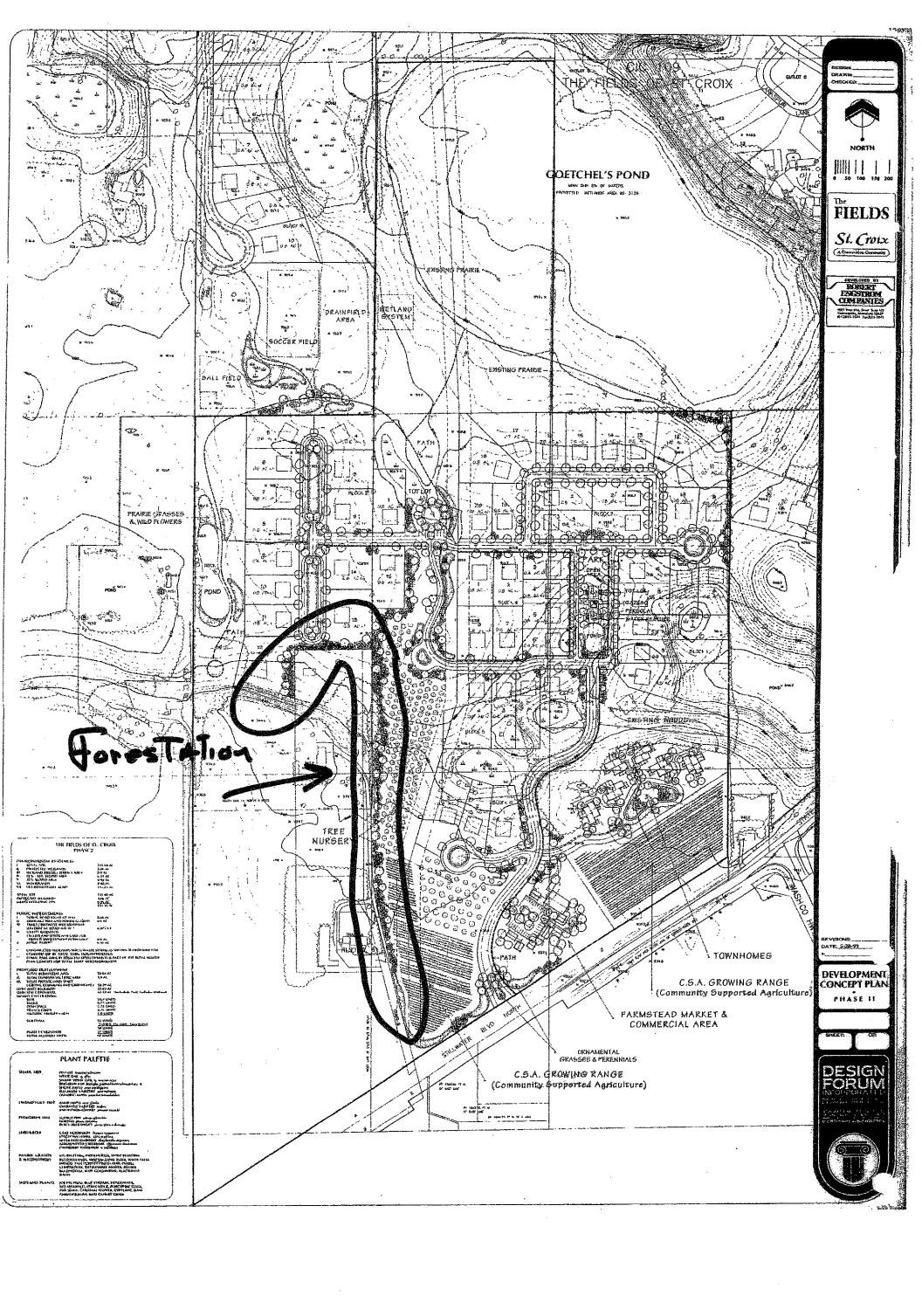
B. Resolution 2005-018, Met Council Draft Water Resources Plan
The City Planner reported the Metropolitan Council is considering a draft of their Water
Resources Policy Plan as is required every 10 years by State Statute. The draft plan
covers Regional Policy regarding Waste Water (Sewers), Storm/Surface Water and Water
Supply. On February 8, the Public Works Council Committee reviewed the proposed
City comments on the draft plan that had been prepared by staff and directed that those
comments be incorporated into a resolution for City Council consideration. A draft
Resolution was submitted for approval.

M/S/P Johnson/Smith - to adopt Resolution No. 2005-018 offering City Council comments on the Metropolitan Council Draft Water Resources Plan. (Motion passed 5-0).

C. Street Naming Ordinance

At their February 8 meeting, the Council's Public Health and Safety Committee directed staff to draft Council action that would reintroduce a uniform street naming system within the City that follows the general pattern (Alphabetical west-to-east) of the 1971 Agreement, but which also allows some street naming latitude as long as the alphabetical range is adhered to. This reintroduction of the uniform street naming system was brought to the City's attention by the Lake Elmo Fire Department and the Washington County Sheriff's Department.

M/S/P DeLapp/Smith – to adopt Ordinance No 97-149, A Uniform Street Naming And Numbering System. (Motion passed 5-0.)



Lake Elmo City Council March 15, 2005

Agenda Section: Planning, Land Use & Zoning

No. 9E

Agenda Item: Capital Improvements Program Amendment – Street Improvements

Background Information for March 15, 2005:

On March 14, 2005 the Planning Commission will conduct a Public Hearing to consider amendment to the 2005-2009 City Capital Improvements Program regarding the staging of street overlay projects in 2005-2006; and, make a recommendation to the City Council regarding the proposed amendment. This amendment has been proposed by staff as the result of tests that have been completed on Hilltop Avenue that have revealed a base of sufficient capacity to eliminate the need to reconstruct the street (as assumed would be required). A mill/overlay project will extend the life of the street significantly. That finding results in Infrastructure Reserve funds being "freed up". That would enable the City to undertake other critical (for the life of the streets) overlay projects that had been delayed for lack of financial resources due to the immense cost of what we assumed to be a Hilltop reconstruction. We have attached the material that the Planning Commission will be reviewing on March 14, and we will have their recommendation available March 15.

Action items:

Action items: O23
Motion to adopt Resolution #2005 - amending the 2005-2009 Capital Improvements Program regarding staging of street overlay projects in 2005-2006.

Person responsible:

City Planer/City Engineer/Public Works Superintendent

Attachments:

520

1. Draft Resolution #2005 - Approving CIP Amendment

2. Materials Transmitted to the Planning Commission

Time Allocated:

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2005-023

A RESOLUTION ADOPTING AN AMENDED 2005-2009 CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, at its March 14, 2005 meeting, the Lake Elmo Planning Commission held a public hearing on the draft amended 2005-2009 Capital Improvements Program.

WHEREAS, the only portion of the Amended Capital Improvement Plan pertains to the Infrastructure Reserve Account,

WHEREAS, the Planning Commission recommends adoption of the amended 2005-2009 Capital Improvements Program.

NOW, THEREFORE, BE IT RESOLVED, the Lake Elmo City Council approves the amended 2005-2009 Capital Improvement Program as the planning guide to capital expenditures.

ADOPTED, by the Lake Elmo City Council on the 15^h of March, 2005.

	Dean Johnston, Mayor
ATTEST:	

MEMO

(March 8, 2005 for the Meeting of March 14, 2005)

To: Lake Elmo Planning Commission

From: Chuck/Willerud

Subject: Amendments to the 2005-2009 Capital Improvements Program

The City has a detailed street seal coat, overlay and reconstruction program that was prepared and is maintained by the City Engineer. We are programmed out well into the future as to what streets need what work in what year. The annual 5 Year Capital Improvements Program (CIP) includes as much of the Street Improvement Program as available financing will permit. As the City Engineer progresses with preparations/investigations for forthcoming projects we occasionally find circumstances that change the type of\ scale of street improvement required.

For several years we have assumed that Hilltop Avenue is in so deteriorated a condition that a complete reconstruction would be required – as was done with Hill Trail last year. Borings of the road bed completed by the City Engineer last fall reveal, however, that the road base is sound. This has resulted in the Engineer's recommendation that Hilltop be over-layed rather than reconstructed.

The very costly project to reconstruct Hilltop (\$418,521) has become a far less costly (\$95,000) project as an overlay. That savings, and a proposed infusion of \$186,000 addition to the Infrastructure Reserve Account (basically streets) form the General Fund Surplus results in the financial ability to accelerate several overlay projects (including Hilltop, Irish, Ironwood Trail, 27th Street, 28th Street, and 27th Court) from 2006 to 2005. The sooner the City can do these overlays, the sooner the residents will have a new surface, and the longer the City has before reconstruction will be required.

This proposed CIP amendment is to make the adjustments required to accomplish the above street project schedule. As the Commission is aware, annual CIP's are considered by Statute to be Comprehensive Plan element. As such any amendments to a CIP are processed in the same manner as any other Comp Plan amendment — Hearing by the Planning Commission, and adoption by the City Council. Staff recommends these amendments to the CIP be approved.

Amended - 03/15/05 CITY OF LAKE ELMO

CIP as Approved 13-7-05

INFRASTRUCTURE RESERVE / Non MSA

INFRASTRUCTURE RESERVE-409

ITEM FUND BALANCE ADDITIONS Trsf From General Fund Assessments Addition Trsf in from Reserve	Amount	YEAR	2004 422,582 95,230	2005 -30,335 100,000 102,887 186,859	2006 0 100,000 104,400	2007 20,052 100,000 113,618	2008 25,664 100,000 124,018	2009 -114,776 100,000 142,241
Total Additions	:		95,230	389,746	204,400	213,618	224,018	242,241
Engineer Services Storm Water Patch & Overlay Sealcoat/Crackfill Hill Trail Reconstruction			439,000	100,000	100,000	100,000	100,000	.100,000
Bond Payment			30,066	29,411	30,813	29,993	16,578	17,195
49th Street Overlay Jane Circle Overlay Jasper Avenue Overlay Jerome Avenue Overlay Jerome Avenue Overlay Hilltop Overlay Irish Avenue Overlay Irish Avenue Overlay Irish Street Overlay 27th Street Overlay Laverne Overlay Laverne Overlay Laverne Overlay Laverne Overlay Laverne Overlay Leeward Overlay Lisbon Overlay Lisbon Overlay Legion Lane Overlay Legion Circle Overlay Legion Circle Overlay Legion Circle Overlay Legion Circle Overlay Legion Circle Overlay Legion Circle Overlay Legion Circle Overlay Isle Ave (42nd-Cul de sac) Irvine Circle Overlay Irvine Court Overlay Isle Ave (12nd-Cul de sac) Irvine Court Overlay Irvine Court Overlay Isle ave (12nd-Cul de sac)	13,371 17,830 26,072 21,808 418,152 13,613 34,287 47,900 7,153 13,613 24,932 28,603 49,137 17,144 11,732 23,463 76,263 8,803 12,103 12,103 14,751 14,751 41,069	2004 2004 2005 2005 2005 2005 2006 2008 2008 2008 2008 2008 2008 2008	13,371 17,830 26,072 21,808	95,000 15,766 39,709 55,475 8,284 15,766	24,932	49,137 17,144 11,732	23,463 76,263 7,334 68,203 12,103 17,597 14,751	41,069
Total Expenses FUND BALANCE			548,147 -30,335	359,411 0	184,348 20,052	208,006 25,664	364,458 -114,776 (see note)	158,264 -30,798

Note: Additional Financing Resources will be Required to complete 2006-2009 projects.

Amended - 03/15/05 CTY OF LAKE ELMO
INFRASTRUCTURE RESERVE / Non MSA

. INFRASTRUCTURE RESERVE-409

FUND BALANCE ADDITIONS Trsf From General Fund Assessments Addition Trsf in from Reserve		TEAK	2004 422,582 95,230	2005 -30,335 100,000 102,887 186,859	2006 0 100,000 104,400	2007 20,052 100,000 113,618	2008 25,664 100,000 124,018	2009 -114,776 100,000 142,241
Total Additions			95,230	389,746	204,400	213,618	224,018	242,241
Engineer Services Storm Water Patch & Overlay Sealcoat/Crackfill Hill Trail Reconstruction			439,000	100,000	100,000	100,000	100,000	100,000
			30,066	29,411	30,813	29,993	16,578	17,195
49th Street Overlay Jane Circle Overlay Jasper Avenue Overlay Jenome Avenue Overlay Jenome Avenue Overlay Hilltop Overlay Irish Avenue Overlay Irish Street Overlay 27th Street Overlay 27th Street Overlay 27th Court Overlay Lavenne Overlay Lavenne Overlay Lavenne Overlay Lavenne Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Listin Street Overlay Liston Court Overlay Liston Court Overlay Legion Circle Overlay Legion Circle Overlay Legion Court Overlay Legion Court Overlay Legion Court Overlay Legion Court Overlay List Street Overlay Liste Ave (42nd-Cul de sac) Irvine Court Overlay Irvine Court Overlay Irvine Court Overlay Irvine Court Overlay Irvine Court Overlay Irvine Court Overlay Irvine Court Overlay	13,371 17,830 26,072 21,808 418,152 13,613 34,287 47,900 7,153 13,613 12,493 28,603 49,137 17,144 11,732 23,463 76,263 8,803 7,334 19,363 11,732 12,103 11,597 17,597 17,597 17,597 17,597	2004 2004 2004 2005 2005 2005 2005 2005	13,371 17,830 26,072 21,808	95,000 15,766 39,709 55,475 8,284 15,766	24,932 28,603	49,137 17,144 11,732	23,463 76,263 8,803 7,334 68,203 12,103 19,363 17,597	41,069

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Total Expenses	548,147	9,411	8	208,006	364,458	158,264
FUND BALANCE	-30,335	0	20,052	25,664	-114,776	-30,798
					(see note)	

Note: Additional Financing Resources will be Required to complete 2005-2009 projects.

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2005-XXX

A RESOLUTION ADOPTING AN AMENDED 2005-2009 CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, at its March 14, 2005 meeting, the Lake Elmo Planning Commission held a public hearing on the draft amended 2005-2009 Capital Improvements Program.

WHEREAS, the only portion of the Amended Capital Improvement Plan pertains to the Infrastructure Reserve Account,

WHEREAS, the Planning Commission recommends adoption of an amended 2005-2009 Capital Improvements Program.

NOW, THEREFORE, BE IT RESOLVED, the Lake Elmo City Council approves the 2005-2009 Capital Improvement Program as the planning guide to capital expenditures.

ADOPTED, by the Lake Elmo City Council on the 7th of December, 2004.

	Lee Hunt, Mayor	
ATTEST:		•
Martin Rafferty, City Administrator		

Amended - 03/15/05 CITY OF LAKE ELMO INFRASTRUCTURE RESERVE / Non MSA

INFRASTRUCTURE RESERVE-409

			-		
2009 -114,776 100,000 142,241	242,241	100,000	17,195	41,069	158,264 -30,798
2008 25,664 100,000 124,018	224,018	100,000	16,578	23,463 76,263 8,803 7,334 68,203 12,103 17,597 14,751	364,458 -11 4,776 (see note)
20,052 20,052 100,000 113,618	213,618	100,000	29,993	49,137 17,144 11,732	208,006 25,664
2006 0 100,000 104,400	204,400	100,000	30,813	28,603	184,348 20,052
2005 -30,335 100,000 102,887 186,859	389,746	100,000	29,411	95,000 15,766 39,709 55,475 8,284 15,766	359,411 0
2004 422,582 95,230	95,230	439,000	30,066	13,371 17,830 26,072 21,808	548,147 -30,335
YEAR				2004 2004 2005 2005 2005 2005 2005 2006 2007 2007 2008 2008 2008 2008 2008 2008	
Amount				13,371 17,830 26,072 21,808 418,152 13,613 34,287 47,900 7,153 13,613 24,932 28,603 49,137 17,144 11,732 23,463 76,263 8,803 17,334 68,203 12,103 19,363 17,587 14,751 44,751	
ITEM FUND BALANCE ADDITIONS Trsf From General Fund ASSESSMENTS Addition Trsf in from Reserve	Total Additions	Engineer Services Storm Water Patch & Overlay Sealcoat/Crackfill Hill Trail Reconstruction	Bond Payment	49th Street Overlay Jane Circle Overlay Jasper Avenue Overlay Jasper Avenue Overlay Hilltop Overlay Irish Avenue Overlay Irish Avenue Overlay Irish Avenue Overlay 27th Street Overlay 27th Street Overlay Layton Overlay Layton Overlay Layton Overlay Layton Overlay Layton Overlay Layton Overlay Leeward Overlay Leeward Overlay Leeward Overlay Leeward Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Overlay Lisbon Court Overlay Legion Circle Overlay Legion Circle Overlay Lishe Ave (42nd-Cul de sac) Irvine Court Overlay	Total Expenses FUND BALANCE

Note: Additional Financing Resources will be Required to complete 2006-2009 projects.

CITY OF LAKE ELMO INFRASTRUCTURE RESERVE / Non MSA

INFRASTRUCTURE RESERVE-409

2007 2008 2009 118,359 -442,204 -555,890 00,000 100,000 100,000 37,695 150,773 168,995
43,141 -418,359 100,000 100,000 104,400 137,695
2004 2005 422,582 -30,335 100,000 95,230 102,887
Amount YEAR
ITEM FUND BALANCE ADDITIONS Trst From General Fund Assessments Addition Trst in from Reserve

	158,264	-445,158	
	261,541 364,458	-555,890	
	261,541	-442,204	(see note)
	665,900	418,359	
	129,411	43,141	
1,7	548,147	-30,335	
		•	
Total	lotal Expenses	FUND BALANCE	



RECEIVED

FEB 2 2 2005

1500 Piper Jaffray Plaza 444 Cedar Street Saint Paul, MN 55101-2140

(651) 292-4400 (651) 292-0083 Fax www.tkda.com

MEMORANDUM

To:	Mr. Martin Rafferty	Reference:	Potential 2005 Street Projects
	City of Lake Elmo, Minnesota	····	City of Lake Elmo, Minnesota
Copies To:	Tom Bouthilet		
		Comm. No.	13267.000
From:	Thomas D. Prew, P.E.	Routing:	
Date:	February 17, 2005		

As requested, I reviewed the costs estimates for street work in 2005 that we prepared last fall for the City's five-year CIP.

For Hilltop Avenue we have taken soil borings and determined that complete reconstruction is not required. Our estimated cost to mill off the old bituminous and repave the street is \$95,000. The public works department has received numerous calls about the condition of the street.

For the Tablyn Park neighborhood we estimate \$135,000 to perform the same work as listed above.

Both neighborhoods are R-1 zoning and would have a recommended assessment of \$1,259/lot.

Project	Cost	Asse	ssment	Net Cost
Hilltop Avenue	\$ 95,000	\$	41,550	\$ 53,450
Tablyn Park	\$ 135,000	\$	90,600	\$ 44,400
Totals	\$ 230,000	\$ 1	32,150	\$ 97,850

We would to need begin the Feasibility Report soon in order to complete either of these projects this summer.

Let me know if you have any additional questions.

Warren E. Peterson Jerome P. Filla Daniel Witt Fram Glenn A. Bergman John Michael Miller Michael T. Oberle Steven H. Bruns* Paul W. Fahning* Cameron S. McLelland Andrew P. Muller



Suite 300 50 Fifth St. E. St. Paul, MN 55101-1197 (651) 291-8955 (651) 228-1753 facsimite www.pfb-pa.com

Direct Dial #(651) 290-6907

March 3, 2005

Mr. Martin Rafferty
City Administrator
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

RE:

Sunfish Park

Our File No.: 11135.05-1

Dear Marty:

I have reviewed the City's file relating to the Sunfish Park property and the following recorded documents which collectively describe the property included within the boundaries of Sunfish Park:

- Warranty Deed of Friedrich-Lake Elmo, dated December 30, 1974, recorded as Document No. 329984 on December 31, 1974.
- Warranty Deed of Beaubien-Lake Elmo, dated December 31, 1974, recorded as Document No. 329980 on December 31, 1974.
- Warranty Deed of Nippoldt-Lake Elmo, dated December 31, 1974, recorded as Document No. 329985 on December 31, 1974.
- 4. Certificate of Title No. 22102 issued to the City of Lake Elmo on September 9, 1975.

All of the documents which were recorded indicate that the City of Lake Elmo owns the Sunfish Park property free and clear of liens, encumbrances and restrictions, except for an NSP easement over a portion of the property and some common access easements over the road that leads from Stillwater Boulevard to the main portion of the park.

The property appears to have been purchased with the proceeds of a general obligation bond. I have not reviewed the bond documents. I have been advised that the bond issue has been retired. Typically bond covenants are designed to ensure that bond payments are made in a timely manner and do not include property use restrictions.

March 3, 2005 Page 2

Based upon the information that I have reviewed, it is my opinion that the City of Lake Elmo owns fee title to the Sunfish Park property. The City is not legally restricted in its use of the Sunfish Park property provided that it is used for a public purpose.

If you have any questions, please contact me.

Very truly yours,

Jerome P

JPF:jtc Enclosures F/users/banice/Daily Dictation (03-06),wpd