



3800 Laverne Avenue North
Lake Elmo, MN 55042

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday April 12, 2021
at 7:00 p.m.

AGENDA

Please note:

Note: Social Distancing protocols will be in place in the City Council Chambers due to the Corona Virus pandemic.

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. March 8, 2021
4. Public Hearings
 - a. **Sunflower Meadows** - Preliminary Plat and Preliminary OP- PUD Plans (2500 Manning Ave. N.)
 - b. **Zoning Code Text Amendment** – Lake Elmo Airport Zoning Ordinance
5. New/Unfinished Business
 - a. None
6. Communications/Updates
 - a. City Council Update
 - 03-16-2021 Meeting – No Planning/Land Use Items
 - 04-06-2021 Meeting – Legacy at North Star 4th Addition Final Plat
 - b. Staff Updates
 - c. Upcoming PC Meetings:
 1. April 26, 2021
 2. May 10, 2021
7. Adjourn

***Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.



**City of Lake Elmo
Planning Commission Meeting
Minutes of March 8, 2021**

Commission Chair Risner called to order the meeting of the Lake Elmo Planning Commission at 7:01 p.m.

COMMISSIONERS PRESENT Virtually: Risner, Graen, Aldinger, Weeks, Mueller

COMMISSIONERS ABSENT: Steil

STAFF PRESENT Virtually: Planning Director Roberts, Assistant City Administrator Jake Dickson

Pledge of Allegiance at 7:06 PM

Approve Agenda:

M/S/P: Graen/Aldinger moved to approve the agenda. **Vote: 5-0, motion carried unanimously.**

Approve Minutes:

M/S/P: Mueller/Graen moved to approve the Planning Commission minutes of February 22nd, 2021. **Vote: 5-0, motion carried unanimously.**

Public Hearings:

- a. **FINAL PLAT/FINAL PUD APPROVAL:** Legacy at North Star 4th Addition final plat. This final plat would create 62 lots for single family homes and would be located generally west of Kokanne Avenue North and north of 39th Street North.

Director Roberts introduced and presented the proposed Legacy at North Star 4th Addition final plat/final PUD approval for the public hearing.

Commissioner Risner asked why the staff recommend taking payment instead of 2.74 acres land dedication. Director Roberts stated that this Staff decision was prompted by the 2018 agreement with the Developer.

Chairperson Risner opened the public hearing at 7:22 PM.

No questions were asked by the public.

Public hearing closed at 7:23 PM.

Applicant Craig Allen was available to answer any questions posed by the Planning Commission. No questions were asked.

Craig Allen did ask when the water ban would be lessened, and Commissioner Weeks stated that the new Well # 5 should be up and running this summer.

Lake Elmo Planning Commission Minutes; 3-8-21

Commissioner Aldinger asked for clarification between stormwater reuse verses infiltration basins.

Allen described the infiltration basins typical location and usage.

M/S/P: Graen/Mueller moved to recommend approval of the Legacy at North Star Fourth Addition Final Plat and PUD Plans with recommended findings and conditions of approval. **Vote: 5-0, motion carried unanimously.**

M/S/P: Mueller/Graen moved to approve the easement vacation request to vacate existing drainage and utility easements over Outlot B and E, subject to conditions of approval. **Vote: 5-0, motion carried unanimously.**

New/Unfinished Business:

a. **ZONING CODE TEXT AMENDMENTS:** Zoning Code Clean Up:

Director Roberts reviewed with the Planning Commission several proposed changes to the Zoning Code. The proposed changes include corrections to several parts of the text of the zoning code that will not drastically change the intent or purpose of the zoning code. The Sections of the Zoning Code proposed for changes are 154.080 E (Lake and Stream Frontage), Section 154.080 I (Minimum Area requirements for Lots without Public Sanitary Sewer), Section 154.081 A (permitted encroachments in any yards), Section 154.081 (permitted encroachments in side and rear yards) and Section 154.551, reference standards listed in Table 12-1: Permitted, Conditional and Interim Uses, Commercial Districts.

Director Roberts presented the City Council changes for the Zoning Code Text Amendments.

Commissioner Weeks questioned whether 154.080 E language is in conflict with the Shoreland Ordinance.

Director Roberts recommended the Commission table action on Section 154.080 E, so staff may find more information for better clarification.

Director Roberts clarified the proposed changes for Section 154.080 I, Section 154.081 A, and Section 154.551.

Commissioner Weeks asked if the city does have an encroachment agreement form. Director Roberts answered that we do have an encroachment agreement form that is filled out and signed by all parties involved. These forms are not specific to any certain encroachment.

Commissioner Aldinger asked for clarification on Section 154.081 A part B.

M/S/P: Weeks/Graen moved to recommend tabling Section 154.080 E for further staff review, and recommend approval of ordinance amendments of Section 154.080 I (Minimum Area requirements for Lots without Public Sanitary Sewer), Section 154.081 A (permitted encroachments in any yards), Section 154.081 (permitted encroachments in side and rear yards) and Section 154.550 and 154.551, reference standards listed in Table 12-1 **Vote: 5-0, motion carried unanimously.**

Communications/Updates

- a. City Council Update
03-02-2021 Meeting – City Council approved the Premature Subdivision Ordinance Amendment.
- b. Staff Updates
Director Roberts reminded the Commission to please send him any comments regarding the Tree and Landscape Ordinance Amendments.
- c. Upcoming PC Meetings:
 - 1. March 22, 2021
 - 2. April 12, 2021

M/S/P: Weeks/Risner moved adjourn the meeting. **Vote: 5-0, motion carried unanimously.**

Meeting adjourned at 8:46 pm.

Respectfully submitted,

Diane Wendt
Permit Technician



STAFF REPORT

PLANNING COMMISSION

DATE: 04/12/2021

ITEM #: __ – PUBLIC HEARING ITEM

TO: Planning Commission
FROM: Ken Roberts, Planning Director
AGENDA ITEM: **Sunflower Meadows Preliminary Plat and Open Space Planned Unit Development Plans**
REVIEWED BY: Ben Prchal, City Planner
Jack Griffin, City Engineer

BACKGROUND:

Mr. Paul Bruggeman of Bruggeman Builders is requesting city approval of a Preliminary Plat and Development Stage (Preliminary) Open Space Planned Unit Development (OP-PUD) Plans for a 12 lot single family residential development on +/- 32.83 acres (gross). A portion of the development site is within the Shoreland of Downs Lake which triggers the need for a Planned Unit Development because the proposed lots do not meet the lot width and impervious requirements for Natural Environment lakes.

On July 21, 2020, the City Council reviewed and commented on a 14-lot concept plan for an OP-PUD development for this site. The City Council approved the OP-PUD concept plan and they also approved four deviations or variations to the City's open space PUD design and development standards including:

1. Allowing each home to have its own on-site septic system and drainfields rather than having a community septic system or systems that would serve several homes (communal drainfields are a requirement of the Shoreland Ordinance for PUDs).
2. Having a reduced buffer from the south property line for construction on the development site (100 feet instead of 200 feet). This approval is subject to the developer planting landscaping and trees for screening that are satisfactory to the City.
3. Having lots with less than 80,000 square feet of lot area and lot widths less than 200 feet as required by the Shoreland Ordinance.
4. Not having commonly owned open space. As an alternative, the developer is requesting the City allow it to place conservation easements on each lot that would protect the natural features on the lot in order to meet the open space requirements. This approval is subject to the developer installing signs at the border of the conservation easement areas that notify the property owners to not disturb the conservation area and to not put anything in the conservation easement area.

The City Council approved the Concept Plans with the adoption of Resolution 2020-074 (attached).

PUBLIC HEARING ITEM __

ISSUE BEFORE THE PLANNING COMMISSION:

The Commission is respectfully being requested to review, hold a public hearing, provide feedback to the developer, and make a recommendation to the City Council for the Preliminary Plat and Development Stage (Preliminary) Open Space Planned Unit Development (OP-PUD) Plans for the development to be called Sunflower Meadows.

GENERAL INFORMATION:

<i>Applicant:</i>	Paul Bruggeman, Bruggeman Builders, Stillwater, MN 55042
<i>Property Owner:</i>	Gary and Meg Johnson, 2500 Manning Avenue North
<i>Location:</i>	2500 Manning Avenue North, Lake Elmo.
<i>PID#:</i>	24-029-21-13-0002
<i>Request:</i>	OP PUD Preliminary Plan and Preliminary Plat approval
<i>Site Area:</i>	32.83 acres (gross)
<i>Existing Land Use:</i>	Single-family home and accessory buildings, agriculture
<i>Land Use Guidance:</i>	Rural Area Development (RAD)
<i>Current Zoning:</i>	RR – Rural Residential District
<i>Proposed Zoning:</i>	Open Space PUD
<i>Surrounding Zoning:</i>	OP PUD (Heritage Farms to the north), West Lakeland Township across Manning Avenue (east), Rural Residential (RR) and Small lot residential (RS) (south), RR (west).
<i>History:</i>	The owners have used the property for hobby farming and the growing of pumpkins. There is one single family dwelling and accessory building on the property.
<i>Deadline for Action:</i>	Application Complete – March 9, 2021 60 Day Deadline – May 8, 2021 Extension Notice sent – No 120 Day Deadline – July 5, 2021
<i>Applicable Code:</i>	Article 17 - Open Space Planned Unit Development Regulations Article 20 – Shoreland Management Overlay District Chapter 153 – Subdivision Regulations §150.270 Storm Water, Erosion, and Sediment Control

PROPOSAL DETAILS/ANALYSIS:

Overview: The proposed Open Space (OP) PUD development will be located on a 32.83 acre property located at 2500 Manning Avenue North, just south of the Heritage Farms OP PUD development.

The proposed preliminary plan for the OP PUD is for a 12 single family residential subdivision on 32.83 gross acres with a density of +/- 0.37 dwelling units per gross acre (D.U.A). Much of the property is within the Shoreland Management Area of Downs Lake. The Shoreland Ordinance has provisions for the development of PUD's in the areas near lakes, subject to additional design and performance standards.

In addition, the developer is proposing an OP PUD that would not meet all the City requirements for an OP PUD and those for a residential development within a shoreland district. Such requested exceptions or modifications include having lots that do not meet the lot width and lot area for new development near Natural Environment lakes such as Downs Lake. I will discuss these requests in more detail later in this report.

Land Use and Zoning: The proposed land use within the open space development is single-family detached homes served by individual on-site septic systems. The 2040 Comprehensive Plan shows this site guided Rural Area Development (RAD). Single-family homes are a permitted land use in areas guided RAD and within the underlying rural residential zoning and as part of an OP-PUD.

Land Use and Zoning Flexibility. Proposed lot layouts and street widths in some cases do not meet minimum zoning or shoreland ordinance requirements. The City's OP PUD Ordinance allows for some flexibility from zoning and subdivision requirements, subject to City Council approval. Single family homes are a permitted use in the underlying RR zoning district.

Site Data. Of the 32.83 acres in the proposed subdivision, the developer is proposing to develop 28.82 acres into a 12 unit (previously proposed to be 14 units during the Concept PUD Plan phase) single family residential OP-PUD development with a net density of 0.3676 du/acre.

Total Site Area:	32.83 acres
Residential Lot Areas:	28.82 acres
Outlots:	4.01 acres
Rights-of-way:	3.53 acres
Wetland:	0.19 acres
Gross Density:	0.3655 units
per acre	
Net Density:	0.3676 units
per acre	

Density. The proposed OP-PUD development includes 12 single-family home sites. The site is a total of 32.83 gross acres with a 0.19 acre wetland, and with no proposed parkland or arterial right-of-way. The calculation of net density is as follows: 32.83 acre site – 0.19 acres (wetland) = 32.64 acres. 12 units divided by 32.64 acres = 0.3676 units per acre. The net density is therefore 0.3676 units per acre. This meets the City's density requirements for an OP-PUD and for a rural residential land use of 0.1 – 2 units per acre.

Outlots. The proposed preliminary plat, if approved by the City, would create a separate lot for each single-family house, rights-of-ways for the public streets and outlots for the wetland and the ponding areas. Outlots A, B and C are shown for the ponding areas within the development. All outlots would be owned and maintained by a homeowner's association.

OP PUD Ordinance Regulations:

The following OP PUD Code sections are relevant to this proposal:

Section 154.657.B.7.a Open Space

1. The total preserved open space area within an open space PUD development shall be no less than 50 percent of the total gross land area
2. Land needed for storm water facilities . . . may count toward required open space for the purposes of open space PUD design, but must ultimately be placed in outlots to be dedicated to the City.
3. Excluding land needed for storm water facilities, not less than 60 percent of the remaining preserved open space shall be in contiguous parcels which are five acres or more in size.

Section 154.657.B.3 Required Buffer zones. No build zones as follows:

- a. 200 feet buffer from all adjacent property lines that about an existing residential development or parcel of land not eligible for future development as an open space planned unit development (Applicable to the south side-west end)
- b. If the development site is adjacent to an existing or approved OP development, the required buffer shall be equivalent to the buffer that was required of the adjacent development (Applicable to the north side of the site)

Shoreland Regulations

Most of the development site is in the Shoreland Boundary area of Downs Lake. The City has adopted a shoreland management overlay district (Article 20 of the City Code) that regulates land uses and the intensity of land uses within the shoreland boundaries of the lakes in Lake Elmo. The purpose of the Shoreland Overlay District is to preserve and enhance the quality of surface waters and conserve the economic and natural environmental values of shorelands. This is accomplished by regulating the placement of improvements and structures and regulating the amount of land alterations and the intensity of development that may occur in the shoreland management area. The shoreland boundary area and management overlay district generally extends 1000 feet out from the ordinary high water mark of a public lake, as determined by the Minnesota DNR.

The following is a listing of the most relevant shoreland regulations for this proposal:

For Unsewered lots – the minimum lot size is 80,000 square feet, the minimum lot width is 200 feet, maximum impervious surface area allowed on each lot 15 percent

PUD's – Section 154.800 C 11 Planned Unit Developments. (for PUD's in a Shoreland Zone)

- c. Density: Deviation from the minimum lot size standards of Table 17-3 of this ordinance (for lot size and lot width) is allowed if the Standards in this section are met.
- d. Application for a PUD. The applicant for a PUD must submit the following documents prior to final action on the request:
 1. Property owner's association agreement with mandatory membership.
 2. Deed restrictions, covenants, permanent easements or other instruments that:
 - a. Address future vegetative and topographic alterations, construction of additional buildings

- b. Ensure preservation and maintenance of open space in perpetuity in accordance with the criteria and analysis specified in this ordinance.
- e. Design Criteria
General Design Standards.
 - 1. Dwelling units must be clustered into one or more groups and located on suitable areas of the development.
 - 3. At least 50 percent of the total project acre shall be preserved as open space and meet the standards in the ordinance.
 - 4. PUDs shall be connected to public water supply and sewer systems. When sewer is not available, individual septic systems are not allowed; community sewage treatment systems are required.
- h. Open Space Maintenance and Administration Requirements.

Before final approval of a PUD is granted, the development/owner shall provide for the preservation and maintenance, in perpetuity, of open space and the continuation of the development as a community.

Development organization and functioning. All planned unit development must use an owners association with the following features:

- 1. Membership must be mandatory for each dwelling unit owner and successive owner;
- 2. Each member must pay a pro rata share of the association's expenses and unpaid assessments can become liens on units or dwelling site;
- 3. Assessments must be adjustable to accommodate changing conditions; and
- 4. The association must be responsible for insurance, taxes and maintenance of all commonly owned property and facilities.

Proposed Exceptions and Modifications

The City Code allows the City Council to approve exceptions and modifications to the OP PUD standards as part of their consideration and review of a Concept OP PUD. Such exceptions or modifications to the standards in the OP Ordinance are only possible with a super majority vote (4/5) of the City Council per Section 154.657 of the OP Code. The Code also notes that "[a]uthorization of such modifications resulting from a PUD concept review shall not be construed as approvals for the changes, but rather as an authorization to present such modifications as a component of the [PUD] plan during the PUD Preliminary Plan review."

The following is a list of the proposed exceptions and modifications for the OP PUD Concept Plan and the feedback and direction the City Council gave for each during the July 7, 2020 and July 21, 2020 meetings:

- The proposed street on the Concept Plan was shown at 24-feet of width in a 50-foot-wide right-of-way. The City Engineer suggested in 2020 that the City should require a 60-foot-wide right-of-way and a standard width street with concrete curb and gutter. (Not approved). **Note:** The narratives for the current proposal explain and the proposed preliminary PUD plans show a 70-foot-wide street right-of-way with a rural section style street with 28-foot-wide pavement, concrete ribbon curbs and ditches. The City Engineer has comments about this latest proposed design in his project review.
- In 2020, the applicant requested City Council approval of several exceptions or modifications to the OP PUD code or City shoreland standards for this development; These included:

1. Not having a homeowners' association (HOA) for the 14 lots because the developer is not proposing to have any commonly owned property with the development. (Not approved – they agreed to have an HOA).
2. Allowing each home to have its own on-site septic system and drainfields rather than having a community septic system or systems that would serve several homes. Communal drainfields also are a requirement of the shoreland ordinance for PUD's. The applicant also wants the City to allow drainfields in the open space areas on each lot. (Approved)
3. Not having commonly owned open space. As an alternative, the developer is requesting the City allow them to place conservation easements on each lot that would protect the natural features on the lot in order to meet the open space requirements. (Approved)

Staff Note: It appeared to City staff that the City Council was supportive of this request in 2020. The question with this method of open space protection is who will be the holder of the conservation easement? The Land Trust most likely will not take it (especially if it is not in an outlot) and the City Attorney has advised me that the HOA would not be authorized under the conservation easement statute to be a holder of a conservation easement. This would probably leave the City as the organization as the holder of the easement and the City would be responsible for enforcing it. The City Council should be aware of this responsibility as they decide whether to approve this exception or not. During the meeting on July 7, the City Council and the developer's representative discussed the idea of placing signs at the boundary of the conservation easement area to notify the property owners to not disturb the area and to not put anything in the easement area. The City Council should make it a condition of approval that the design and location of such signs be subject to City approval.

4. Having the storm water ponding area(s) placed on individual lots rather than in a separate outlot that would become the responsibility of the HOA or City to maintain. (Not approved – must place storm water ponding areas in separate outlots.) **Note:** The latest project plans show outlots for the existing wetland and the 3 proposed storm water ponding areas.
5. Having a reduced buffer from the south property line for construction on the development site (100 feet instead of 200 feet). (Approved – with the planting of landscaping and trees for screening.) **Note:** These plantings will be required on the final landscaping plans.
6. Having a rural section road with gravel shoulders and ditches. (Not approved – see notes above).
7. Having street right-of-way width of 50 feet instead of 60 feet. (Not approved – see note above).
8. Having lots with less than 80,000 square feet of lot area and lot widths less than 200 feet as required by the Shoreland Ordinance. (Approved)
9. Not having the existing wetland and wetland buffer area in a separate outlot. (Not approved). **Note:** The latest project plans show outlots for the existing wetland and the 3 proposed storm water ponding areas.

The City Council reviewed each of the proposed exceptions and modifications during their July 21, 2020 meeting. During this meeting City staff asked the City Council to affirm their approval of proposed exceptions 2, 3, 5 and 8 from the list above as part of the approval of the OP PUD concept plan. The Council approved the Concept Plan with the four exceptions and modifications with the adoption of Resolution 2020 – 074.

The developer and his team have prepared the preliminary plat and PUD project plans to reflect most of the City Council approvals and denials and the conditions and standards of the City Engineer. The one

item the Developer still wants the City to approve with the Preliminary Plat and OP-PUD plans is to proceed with is having a rural style street with ditches in the development rather than constructing an urban street section with curb and gutter and underground storm sewers.

Minnesota Department of Natural Resources (MNDNR) Comments. The application has been sent to the MNDNR. They have not yet provided the City with any comments about this proposal.

Shoreland Tier Analysis. The southern portion of the development site (about 29 acres) is within the shoreland of Downs Lake. Because the proposed development does not conform to the base dimensional subdivision standards of the shoreland district, a PUD is required and a shoreland tier analysis is required. It appears the development will meet the tiering requirement of the shoreland ordinance. The City should require the Developer to prepare this analysis as part of the update to the preliminary plans and before submitting a final plat application for the site.

PRELIMINARY OP-PUD AND PRELIMINARY PLAT REVIEW

Lot Sizes and Widths. The minimum lot width for lots in the shoreland of Downs Lake is 125 feet, in the RR (rural residential) District 300 feet and in the RS (rural single-family) district 125 feet. The minimum lot size for unsewered single-family lots in the shoreland of Downs Lake is 80,000 sq. ft., in the RR District the minimum lot size is 10 acres and in the RS District 1.5 acres. The developer is proposing the following deviations from setbacks and lot area:

	<u>RR</u>	<u>Proposed</u>
Minimum lot width	300 feet	138- 434 feet
Minimum lot area	10 acres	1.19 – 3.70 acres
Average lot area		2.07 acres

Setbacks. The required setbacks in the RR District is:

- Front – 30 feet
- House side – 10 feet
- Corner side-25 feet
- Rear – 40 feet
- Setback from County Roads – 50 feet

The developer is showing general house pad sites with setbacks that should meet all the above-listed setback requirements.

Easements. The City requires 10-foot-wide drainage and utility easements along all public rights-of-way and rear property lines, five-foot-wide easements along all side property lines and other easements for stormwater management and public utilities as may be needed. The City will require the developer to show all easements (drainage, front, rear and side yard) (with labeled dimensions) on the revised preliminary plat (and the final plat) and on the construction plans to meet City requirements.

As noted by the City Engineer, these easements must be reserved for small utilities without encroachment by other design elements (storm sewer pipe, retaining walls, buildings, landscaping, storm water retention). There are several locations on the project plans where the design elements are shown in these required easements. As such, the applicant will need to revise the project plans to ensure the easements are reserved and protected for the intended uses (small utility installation). The City Engineer also notes in his review the need for drainage easements over Lot 1, Block 2 and over Lot 1, Block 3 for the drainage way that is bisecting the development site. These drainage easements over these lots must incorporate the 100 HWL for the drainage way. These easements must be shown on the preliminary plat and on the construction plans.

Buffers: The developer proposed the Concept PUD Plan for this site with a reduced buffer from the south property line (100 feet instead of 200 feet). The City Council approved having this reduced buffer with the planting of landscaping and trees for screening). **Note:** These plantings will be required on the final landscaping plans.

Much of the buffer area along the perimeter property lines of the project site will be protected open space. The open space areas are intended to be preserved as much as possible in their natural state and should not become a dumping area for leaf litter, sticks, or other debris. These areas will be protected by an easement such that individual homeowners cannot remove the trees or the required landscaping. This has been an issue in other developments where existing trees or required landscaping is later removed by homeowners to make room for private amenities or simply because they do not like the landscaping.

Landscaping and Tree Preservation. The City's landscape architect has reviewed the preliminary tree preservation and landscape plans and provided the City with several comments about them. (Please see her attached memo). In summary, she lists in her memo several findings about the proposed plans including how they reserving a large number of the existing trees onsite and how the developer is proposing that future landowners (builders or homeowners) be responsible for purchasing and planting the 10 required trees per lot. This is a concern for City staff as the tracking and monitoring of the planting of the 10 trees on each property can be time consuming and may drag on several years until each lot is sold, developed and eventually landscaped. As she notes, if the applicant/developer can show there are enough existing significant trees on each lot that will be preserved, then City would not require the planting of new trees on each new lot. If there are no significant existing trees on any of the proposed lots, the City should require the developer to plant the required trees on each of those properties as part of the construction of the development.

The proposed landscaping plans show two rows of staggered coniferous trees the developer will be planting along the southern property line of Lots 2 and 3, Block 4. These trees are to provide screening and buffering between the existing homes to the south and the new development. The applicant will need to revise this plan to show no tree planting in the pipeline easement area and if necessary, no planting of trees near the common property line between Lots 2 and 3.

The applicant will need to revise the landscape plans to show all utilities and easements and the relocated boulevard trees (out of the small utility corridor) to facilitate a complete review by City staff to ensure they meet all City Code standards. They also will need revising to reflect the changes to the site, grading and utility plans as required by the City to meet building and driveway setbacks and spacing and the all changes required by the City Engineer. These revised plans will need to adhere to reflect all the changes required by the City Engineer, the City's landscape architect and to meet the City's Landscape Requirements.

Parks. Park Dedication Requirement. The park dedication requirements for a 32.3 acre development is 3.23 acres of parkland (10 percent of the total site acreage), or a combination of parkland or fees in lieu of parkland. The developer is proposing and Staff recommends that the Developer pay fees in lieu of making a land dedication in order to satisfy the park dedication requirements. As per the City's Subdivision Regulations, the required cash equivalent payment shall be 10 percent of the fair market value of the percentage land dedication obtained from current market data, if available, or by obtaining an appraisal from a licensed real estate appraiser. In summary, the developer will be required to pay the City 10% of the value of land as a park dedication fee.

Trails. The Lake Elmo Comprehensive Parks, Trails and Open Space Plan identifies Lake Elmo's support in having a road-separated trail along the full length of Manning Avenue. Such a trail might run along the west side of Manning Avenue on east side of the proposed development. The location and design of such a trail, however, has not been completed by the City or by Washington County. The timing and requirement

for installing this trail is unknown at this time. The Washington County Comprehensive Plan 2040, Planned Trail System, does not identify a trail along this section of CSAH 15; however, future plans and county road projects may incorporate such a trail.

Subdivision Signs. Section 154.212 allows a maximum of 2 subdivisions signs per residential development with a maximum sign area of 24 sq. ft. per sign. No additional signs have been proposed.

Sidewalks. The City's standard urban street detail requires a 6 foot wide public concrete sidewalk be constructed on one side of any public street and to accommodate a 32-foot-wide street and a sidewalk, the standard local residential street right-of-way width is 66 feet wide. The developer has shown the streets with a 70-foot-wide right-of-way with an eight-foot-wide bituminous trail along the south and west side of the streets. Please see the discussion below about the proposed streets for more information.

Streets and Access. The developer is proposing 70-foot-wide public rights-of-ways with 28-foot-wide streets with concrete ribbon curbing and ditches for storm water management. This proposed street width would allow parking on one side of the street, except where there would be a turn lane, such as at the access point with Manning Avenue. The developer's plans also include a street right-of-way and street stubs to allow for vehicle connectivity to the property to the south of this development. The future access point was provided to the parcel to the south of the development in the event this property develops in the future.

The City Engineering design standard for new residential streets is to have a 32 foot-wide-street in a 66-foot-wide right-of-way with concrete curb and gutter with a concrete sidewalk or bituminous trail along one side. City staff is recommending the City require the developer revise the project designs to follow this City design standard for the new streets in this subdivision.

Other general review comments from the City Engineer concerning streets are as follows:

- Ten (10) foot-wide utility easements are required on both sides of the public street right-of-way and are to be preserved for small utility installation. The developer has not shown these easements on the preliminary plat or on the project plans. The landscape plan shows boulevard trees located within the dedicated small utility corridor. The developer must revise the plans to eliminate all trees and encroachments into the utility corridors. No boulevard trees can be placed in the 10-foot-wide (or any) utility easements.
- An 8-foot-wide bituminous trail with 2-foot clear zones is required along the entire length of all the proposed streets with a minimum five-foot-wide boulevard.

The grading, utility, street, sidewalk and trail construction plans will be subject to the approval of the City Engineer.

Street Names. The proposed new east-west street shall be 25th Street North and the future north/south street shall be Linden Avenue North.

Restrictive Easements. There is an 86-foot-wide natural gas pipeline easement that bisects the western portion of the property in which buildings and trees cannot be placed. There are no building pads proposed within this easement.

As noted earlier, the developer has revised project plans since the concept plan review to better ensure their proposed project site and grading plans will work with and around the existing pipelines and the pipeline easement.

Wetlands/Buffers. There is an existing wetland in the north center part of the site in the existing drainage swale adjacent to Heritage Farms shown in Outlot B. The City requires wetlands and wetland buffers to be fully contained within outlots, outside of lot areas. The proposed plans do not show the required wetland buffer.

Utilities – Municipal Water Supply and Sanitary Sewer. The City Engineer's review memo provides a review of the sewer and water considerations for this development. Public water is available in this area of Lake Elmo and the developer will be extending watermain into and through the site. City sanitary sewer will be extended into the Heritage Farms subdivision in 2021 but this site is not in the MUSA and is not proposed to have City sanitary sewer service. The City Engineer also noted the following:

Septic system dimensions, areas and setbacks must be shown on the plat and on the project plans, including being at least 10 feet from all property lines and 20 feet from all structures. Septic systems also must remain fully outside of all easement areas including the 10-foot-wide small utility corridors along the street rights-of-way. Septic system locations must be revised for Lot 2, Block 1 and for Lots 1 and 2, Block 3.

The applicant will be responsible for extending municipal water into the development at its sole cost with two connection points.

The applicant will be responsible to place hydrants throughout the property at the direction of the Fire Department. All fire hydrants shall be owned and maintained by the City.

All utility plans will be subject to the final approval of the City Engineer.

Grading. All grading plans and activities shall meet the approval of the City Engineer. The grading plans show grading adjacent to both sides of the pipeline easement to accommodate a proposed ponding area in Outlot A. Any grading activity in the pipeline easement will require written approval from the pipeline company be submitted to the City.

Impervious Surfaces. The maximum allowed impervious surface for unsewered properties within the shoreland of Downs Lake is 15 percent and in OP-PUD's it is 25 percent. The developer has not requested any City approval for increased impervious surface on the proposed lots. The maximum allowed impervious surface on each property will be 15 percent.

Storm Water Management. The proposed development site is in the Valley Branch Watershed District (VBWD). The design of the storm water management systems must be compliant with the requirements of the State, VBWD, the City of Lake Elmo Storm Water Management Ordinance, and the City of Lake Elmo design standards manual. The applicant is advised to fully read and comprehend the City's storm water and erosion control ordinance since these standards are different, and in some cases more stringent, than the watershed district.

In his project review, the City Engineer noted the following:

The site plans show three storm water ponds areas located on Outlot A, Outlot B and Outlot C.

The storm water facilities must be platted as Outlots and they must fully incorporate the 100-year HWL, 10-foot maintenance bench and all maintenance access roadways. Outlot A (and Wet Pond 10 must be revised to mitigate (eliminate) and encroachment onto the gas pipeline easement.

The developer must revise the site plan to incorporate volume control requirements for the wet ponds to meet Valley Branch Watershed District rules.

The storm water ponds will not be allowed to encroach on to adjacent private lots.

The storm water ponds must be constructed meeting City standards. The Developer must revise the design of the storm water ponds to meet all City design standards. This includes providing a 10:1 aquatic bench, a 10:1 maintenance bench and 20-foot-wide maintenance access roads for all storm water facilities that extend from the public right-of-way to the maintenance bench with grades less than 10 percent. Basin grading also must provide a maintenance bench from the access road to all storm sewer inlets and outfall pipe locations. Wet ponds also must have a minimum 4-foot-pool depth and must incorporate City standard outlet control structures.

There is an existing drainage way bisecting the site. The Developer must determine the 100-year high water level for this drainage way. All setbacks and vertical separation will need to be maintained for adjacent low-floor elevations and septic systems.

The City Engineer's review memo further addresses the stormwater management considerations and requirements for this development.

City Engineer Review. The City Engineer's review comments dated April 7, 2021 are found as part of the attachments to this report and are incorporated throughout the report.

Washington County Review. The County provided City staff with comments on the Preliminary PUD Plan. The following summarizes their comments about the Preliminary PUD Plan:

Thank you for the opportunity to comment on the preliminary plans for the Sunflower Meadows Planned Use Development. We are grateful for the City of Lake Elmo's partnership on this project. Our development review team has reviewed the preliminary plans and offers the following comments:

- The provision of right and left turn lanes from the proposed development onto County State Aid Highway 15 is warranted by traffic volumes and supported by the County. The design of these turn lane improvements will need to meet county design standards and may be impacted by nearby intersections.
- The dedication of 90 feet of right-of-way from centerline as shown on the typical section contained in the plans meets the requirements prescribed by the Washington County 2040 Comprehensive Plan.
- The development to the north will be getting connected to municipal services through the upcoming Heritage Farms Utility Farms Street and Utility Improvements project. The City is encouraged to coordinate with that utility improvement work to provide municipal services to this proposed development.
- The location of the proposed development is in close proximity to County State Aid Highway 15 which regularly accommodates high traffic volumes and is expected to be expanded to a four-lane road in the future. The inherent noise impacts associated with these conditions should be considered. The County will not support the construction of noise walls nor tree plantings in the right-of-way to mitigate any future complaints associated with noise.

Fire Chief and Building Official Comments. The Fire Chief and Building Official provided the following comments:

- Location of fire hydrants (will be subject to Fire Department approval). Parking spaces that affect required clearances near fire hydrants will not be allowed.
- Roads – ensure proper widths, allowable parking, proper signage?
- Ensure proper access for emergency vehicles.

- Any additional items identified as the project moves forward.
- All state building code, fire code and city regulations regarding drive lanes, no parking zones and signage shall be met.

Watering Ban. Due to a shortage of water, the City may need to implement severe watering restrictions in the City in the future. This could include limiting or prohibiting the use water outside including for vehicle washing and for watering grass, trees and landscaping. This could affect future home builders and buyers as there may be a limited supply of water available for outdoor uses. It may be wise for the City to put a condition on the approval of this OP-PUD and this plat to require the owner/developer to inform the builders and lot buyers about the possible outdoor watering restrictions.

Conditions of Concept PUD Plan Approval. The following indicates how the proposed preliminary PUD plans meet the City Council conditions of approval of Concept PUD Plan. While Concept PUD Plan approval does not afford the applicant development rights, understanding how the Developer has met or has not met these conditions with this proposal should be helpful to the Planning Commission.

1. That the future preliminary plat and preliminary OP PUD Plans includes the parcel with the PID# 24-029-21-13-0002.
2. That the future preliminary plat and preliminary OP PUD Plans submittal identify all requests for flexibility or modifications from the OP PUD Development and Shoreland PUD standards.
3. That before submitting an application to the City for preliminary PUD plan/plat approval, the developer revise the OP PUD concept plans to address the recommended changes and to allow for additional City review.
4. That any future preliminary PUD plan/plat submittal address all relevant comments from the City Engineer in the letter to the City dated May 20, 2020. In particular, the preliminary development plans must address the street right-of-way width, street and trail design standards and storm water management in the subdivision. **(Not met – developer is proposing a rural street section and the storm water management and ponding plans need revisions.)**
5. That any future preliminary PUD plan/plat submittal address all Council-required comments from the City Landscape Architect in the letter to the City dated May 6, 2020. In particular, the preliminary PUD landscaping plans must address the preservation and planting of trees and the required screening within the development – especially to the properties to the south. **(Appears to have been met with the proposed tree planting along the southern property line).**
6. That the preliminary plat and preliminary PUD plans submittal include a landscape, screening and buffering plan to address the requirements of the City Landscape Architect. **(Partially met – the landscape plans need revisions especially to the proposed planting locations of the boulevard trees).**
7. The proposed street providing a connection to the property to the south must be included as part of the improvement and construction plans for the PUD. **(This street is shown on the plans).**
8. The developer must work with the property owner immediately to the south of the proposed subdivision concerning the alignment of the proposed future street to their property.
9. That a shoreland tier analysis be provided with the future preliminary plat and preliminary PUD plans submittal. **(Not met – still is needed for City review).**
10. That the preliminary PUD plans show at least 50 percent of the gross acreage of the development site as protected open space. **(The proposed plans show a total of 16.77 acres of open space in easement areas in the development. This meets the open space requirement.)**
11. That any preliminary PUD/plat approval be contingent on complying with Washington County's requirements and requests regarding the need for additional right-of-way, turn lanes and/or trails in and along Manning Avenue. **(This appears to be met subject to Washington County giving final approval to the project plans).**

12. That the applicant shall secure all necessary permits from Washington County for the proposed access off of Manning Avenue North and for any work occurring in the Manning Avenue right-of-way. **(If the City approves the development of this site, the developer will need this approval and permit before starting construction.)**
13. That the developer provide trails or sidewalks as recommended by the City Engineer and the Parks Commission. **(The proposed plans show an eight-foot-wide bituminous trail along the south and west sides of the new streets.)**
14. That all public trails and sidewalks must be located outside of storm water ponding areas and wetland buffer zones.
15. That all wetlands and wetland buffer areas be contained on outlots outside of lot areas. **(This condition has been partially met as the wetland buffer is not shown on the plans).**
16. That all storm water retention and infiltration areas must be dedicated to the City and platted as outlots on the preliminary and final plat unless otherwise directed by the City Engineer. **(This condition has been met subject to final plan approval by the City Engineer).**
17. ~~That all open space areas be platted in separate outlots to be commonly owned and managed by a homeowners' association (HOA).~~ Condition not needed assuming the City Council approves the developer's request to have conservation easements on each lot to serve as the open space areas in the development. This approval should be subject to the developer installing signs at the border of the conservation easement areas that notify property owners to not disturb the conservation area and to not put anything in the conservation easement area. **Note: The City Council approved the developer's request to have open space on each lot as part of their approval of the Concept PUD Plan.**
18. That the developer provide fees in lieu of park land dedication as required by Section 153.14 with future final plat. **(If the City approves a development for this site, the developer will pay the City this fee before recording the final plat).**
19. That the preliminary plat and preliminary PUD plans comply with any comments or requirements provided by the DNR. **(City staff will require all development plans to meet the conditions or requirements of the DNR if necessary.)**
20. The developer must submit a detailed PUD plan as part of any future preliminary PUD development plans. The PUD plan shall include a detailed listing of all requested departures or modifications from City ordinances, shoreland regulations and development standards.
21. The developer must prepare a plan for ownership and management of the proposed open space and conservation areas with a homeowner's association and as part of preliminary PUD plans. **(The developer's project narrative states they will be forming an HOA for the development. If the City approves a development for this site, the City will need to approve the HOA documents before the developer records the final plat).**
22. ~~That the developer revise the PUD plans to show the location of a community septic system as required by the Shoreland Ordinance.~~ **(Condition no longer needed as the City Council approved the use of individual on-site septic systems for each house with the Concept Plan approval in 2020).**

STAFF REVIEW SUMMARY

As I have noted above, there are several important design elements missing, incomplete or that the developer needs to revise with the proposed OP-PUD, the proposed preliminary plat and the project plans to make them consistent with City subdivision, landscaping and City Engineering design standards. Many of these changes or corrections could require significant revisions to the overall project design and to the preliminary plat. Because of the number and scope of the recommended changes, staff is recommending denial of the preliminary OP-PUD plans and the preliminary plat for Sunflower Meadows.

OPTIONS FOR THE PLANNING COMMISSION

Section 153.09 (D) (below) of the Lake Elmo Subdivision Ordinance outlines the actions the Planning Commission may take when reviewing a preliminary plat.

(D) *Planning Commission action.* The Planning Commission shall make a finding of fact and recommend such actions or conditions relating to the request as it deems necessary to carry out the intent and purpose of this Chapter. The Planning Commission and shall have the authority to request additional information from the subdivider concerning the proposal, as deemed necessary to formulate a recommendation on the proposal.

- (1) The Planning Commission shall recommend approval of the preliminary plat if it in all ways conforms to the City's Comprehensive Plan and Development Code. The Commission shall recommend denial of the preliminary plat if it makes any of the following findings:
 - a. That the proposed subdivision is in conflict with the City's Comprehensive Plan, Development Code, Capital Improvements Program, or other policy or regulation.
 - b. That the physical characteristics of the site, including but not limited to topography, vegetation, susceptibility to erosion and siltation, susceptibility to flooding, water storage, and retention, are such that the site is not suitable for the type or intensity of development or use contemplated.
 - c. That the design of the subdivision or the proposed improvements are likely to cause substantial and irreversible environmental damage.
 - d. That the design of the subdivision or the type of improvements will be detrimental to the health, safety, or general welfare of the public.
 - e. That the design of the subdivision or the type of improvement will conflict with easements on record or with easements established by judgment of a court.
 - f. That the subdivision is premature as determined by the standards of this Chapter.

RECOMMENDED FINDINGS:

Staff recommends that the Planning Commission recommend denial of the Preliminary Plat and preliminary OP-PUD Plans for Sunflower Meadows. Staff is recommending denial based on the review comments and analysis in this report and based on the following review criteria and findings (from Section 153.09 (D)) of the City Code:

- a. That the proposed subdivision is in conflict with the City's Comprehensive Plan, Development Code, Capital Improvements Program, or other policy or regulation.
- b. That the physical characteristics of the site, including but not limited to topography, vegetation, susceptibility to erosion and siltation, susceptibility to flooding, water storage, and retention, are such that the site may not be suitable for the type or intensity of development or use contemplated.
- c. That the design of the subdivision or the proposed improvements may cause substantial and irreversible environmental damage.

- d. That the design of the subdivision or the type of improvements could be detrimental to the health, safety, or general welfare of the public.

Staff also recommends the Planning Commission recommend denial of the Preliminary Plat and preliminary OP-PUD Plans for Sunflower Meadows based on the following additional findings:

1. That the proposed OP-PUD development is not consistent with the goals, objectives and policies of the Comprehensive Plan.
2. That the proposed OP PUD Preliminary Plan is not consistent with the City's engineering standards as noted in the City Engineer's memorandum dated April 7, 2021.
3. That the proposed OP PUD Preliminary Plan is not consistent with the City's landscaping standards as noted in the City's Landscape Architects memorandum dated March 18, 2021.

FISCAL IMPACT:

There is no fiscal impact to the City at this time. The Concept Plan approval did not afford the applicant development rights. If and when the property develops, it will access the existing urban services and will pay water connection charges, building permit fees and the like that the developer and/or contractors will pay.

RECOMMENDATION:

Staff recommends the Planning Commission recommend denial of the requested Preliminary Plat and OP-PUD Plans for Sunflower Meadows based on the findings listed in the City staff report.

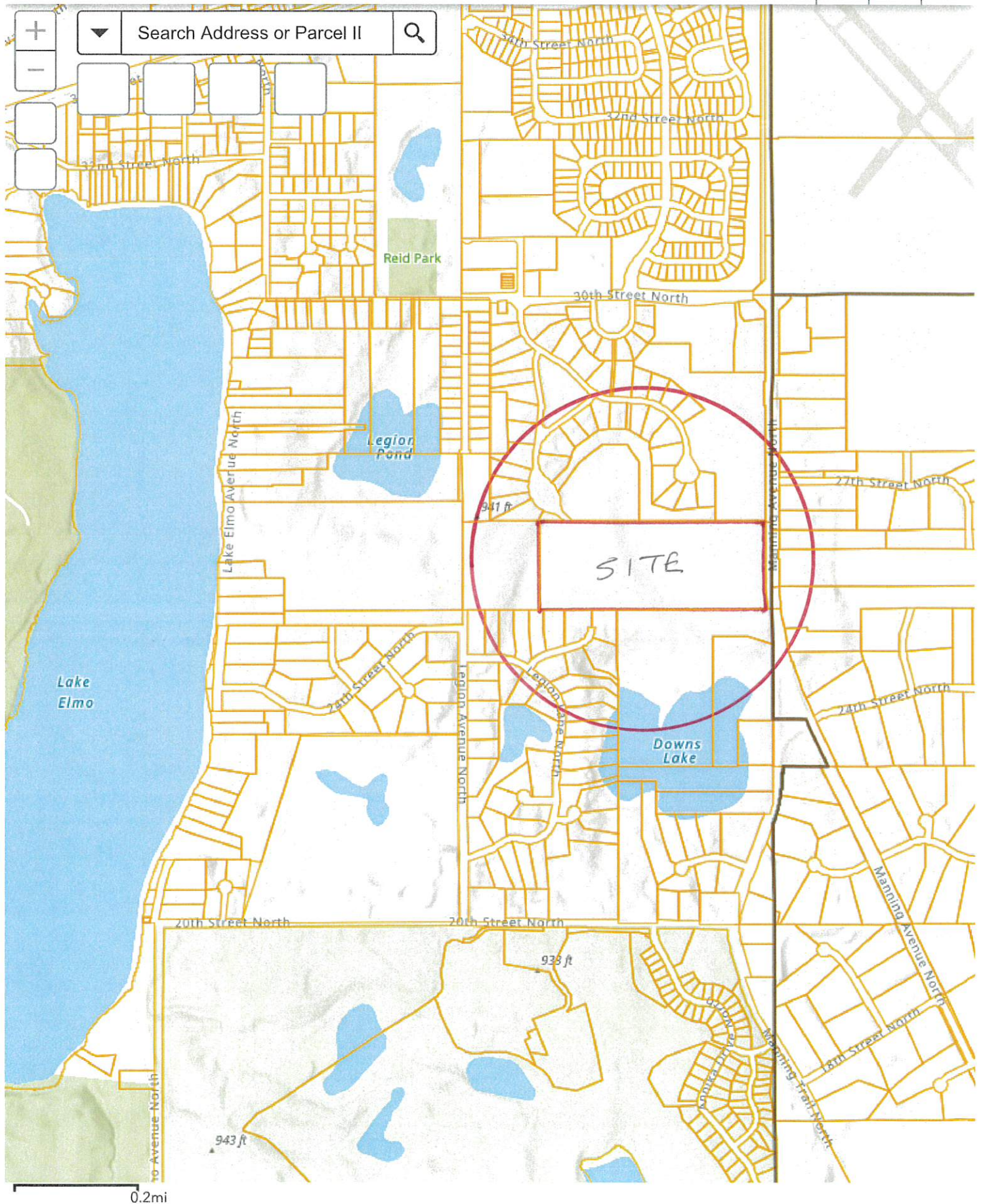
ATTACHMENTS:

1. Location Map
2. Property Line Map
3. Application Narratives
4. 2021 Preliminary Plat and OP-PUD Plans
5. 2020 OP – PUD Concept Plan
6. City Engineer Report dated April 7, 2021
7. Landscape Architect Review Memo dated March 18, 2021
8. Washington County Memo dated March 16, 2021
9. City Council Resolution 2020 - 074

Parcel Viewer - Quick Access

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February 26, 2021

PROJECT NARRATIVE

Preliminary Plan

OPEN SPACE PUD

The subject property is located in the South Half of the Northeast Quarter of Section 24. Bounded on the north by the Heritage Farm open space development; on the east by Manning Avenue North (CSAH 15) with West Lakeland Township east of Manning; on the south (east portion) by a single family Rural Residential parcel; on the south (west portion) by a single family RE zoned project EDEN PARK; and on the west by a single family Rural Residential parcel.

The property is 32.84 acres and is mostly open, rolling and used for agricultural with one single family home occupied previously by the property owners Gary and Margret Johnson. For years their small farm has grown vegetables for sale at a local stand at the end of their driveway. The land has two drainageways for water from the north to drain southerly toward Downs Lake. There is one small wetland area (0.19 acres) in the northern part of the easterly drainageway that is shown on the plan and it has been delineated and verified by Valley Branch Watershed District.

There is a heavy stand of pine trees providing screening from Manning Avenue. There are several rows of trees that have been planted by the property owners to provide screening along the pipeline route and the southerly property line. There is a nearly continuous row of screening trees along the north line, the westerly line and southerly line of the property. The screening of mature existing trees is proposed to be preserved with the new conservation easements.

The architecture of the neighborhood will be controlled by City Code as well as in the PUD overlay ordinance for this development. Similar building components, materials and roof pitches should be maintained. The architectural styles should extend to the outbuildings on each lot, requiring them to look similar with similar colors and materials to compliment the main home.

The land is guided RAD in the Lake Elmo Comprehensive plan. The zoning is RR Rural Residential. The property is also in the Shoreland District. The Valley Branch Watershed district regulates the surface water, wetland and runoff for this area. The property is served by the Stillwater Area School District 834. Manning Avenue North (CSAH 15) is a major traffic route from the eastern portion of Lake Elmo and various other communities to the north and east of the site.

Traffic on Manning Avenue is connected from Highway 36 on the north to Interstate Highway 94 on the south, and beyond down to Hastings. The Washington County Highway Department regulates traffic, entrances and upgrades on Manning Avenue. The Highway Department has been consulted extensively on the layout and street access point. They are supportive of the street access and location, with some conditions. The first condition is that the existing driveway on Manning Avenue would be removed and changed to access the new street. The second condition is to provide access to the property to the south to insure there will not be another request to access Manning Avenue when that property is developed in the

future. They also require that turn lanes and bypass be provided for safety of the intersection. This new street connection to Manning Avenue will provide a much needed second access for the Heritage Farm neighborhood, as it was proposed and was a requirement of that development when it was built. Currently there are 36 homes that only have one access point. When Heritage Farm was platted there was an alternate access for Lisbon Avenue to be connected on the south side of this property to the street platted in Eden Park. The north end of the street in Eden Park was vacated by petition of the adjoining property owners to the City Council. The access to Manning is now the only alternative outlet at this point.

This property is eligible for and proposed as an Open Space Planned Unit Development. This project features 12 single family home sites, two less than allowed in the Open Space PUD ordinance. Lot sizes range from 1.19 acres up to 3.70 acres. The new street right of way is proposed as a 70-foot-wide right of way with additional 10-foot-wide Drainage and Utility Easements on each side. There is just over 1900 lineal feet of new street to be built as a 30-foot-wide rural section street with concrete ribbon curb and an 8-foot-wide bituminous trail on the south side of the street. The property is served with City water from the north in Heritage Farm. The new home sites will all have individual on-site septic tanks with individual drain-fields. The proposed impervious surface is at just under 10% with homes, driveways and street/trail.

As was allowed in almost all the Open Space Preservation developments of the past, we are proposing that the individual drainfield portion of the septic systems be allowed in the open space areas. We are looking for maximum flexibility in siting the drainfields, seeing as the adjoining properties have had some troubles with soil suitability for drainfields. The drainfields are not an above ground feature of the lot and will grow to be nearly invisible once the vegetation is established. The City Council was supportive of this proposal at the Concept Plan review stage. The Shoreland Ordinance requires that drainfields be communal... and we are asking to vary from this requirement to allow individual drainfields.

The property will have over 50% of the lot area reserved as open space, covered with conservation easements proposed to be held by the City of Lake Elmo. The open space will be owned and maintained by the individual lot owners, subject to the conservation easement for the City. The City will not have any responsibility for the open space areas... other than to be the entity that holds the easements. The easements will run with the land and be recorded against the lots in perpetuity. The purpose of the open space will be to preserve the land as passive open space with wildlife habitat. A plan will be submitted which will indicate how the land will be maintained. The individual homeowners will be responsible for the plan implementation on their area of the open space. The open space is contiguous with the open space and City Park created in the Heritage Farm open space development from the late 1990s. The open space in this project surrounds the entire property and includes the areas of the drainageways. The open space areas are contiguous throughout the project, except for the street/trail crossings. The open space area protects the existing trees that are crucial to screening this development from Manning Avenue and the adjoining properties.

The existing mature trees will account for the required 10 trees per lot on several of the lots. For the lots that do not meet the 10 trees per lot, the new lot owners will have to plant the trees as a part of their individual landscaping plans. They can select their own tree species and plant them in the preferred locations on their lots. Trees planted by the property owners have a better chance of thriving... as the

owners will have a heightened sense of ownership because they planted them. We requested that the planting of 10 trees per lot be delayed until the new homeowners take title to the lots. The City Council was supportive of this proposal at the Concept Plan Stage. The development will be planting the required boulevard trees, one every 30 lineal feet in clusters that make the most sense. That is 1917 lineal feet of street divided by 30 feet spacing is 64 trees. This will be a nice beginning compliment to the landscape plans of the new homeowners in this neighborhood.

There are several areas of storm water ponding that would store and treat the water in both of the drainageways, before it exits the property towards Downs Lake to the south, as it always has. We propose to cover this drainageway and ponding area with an Outlot for the ponds and wetlands as required by the ordinance. The Outlots would be transferred to City. The City and Watershed District will have the required direct access to the property from the new streets. We imagine that the City will allow the Homeowners Association access to these Outlots for maintaining the Outlot areas, if needed.

There will be a 70 foot wide street right of way dedicated to the public for access to the property south of this project. This street right of way will be adjacent to one of the ponding areas. The property to the south is also eligible for an Open Space PUD development. This will provide a street access, as opposed to having another street entrance on Manning Avenue. This is one of the conditions required by the Washington County Highway Department. The property owners to the south have been consulted... and they have no interest in developing their property at this time. The street would be built the same as the main street, as required by the ordinance.

The buffers are as follows: The east property line is the right of way of Manning Avenue North, no buffer required. The north line is a border with Heritage Farm, no buffer required because Heritage Farm did not have a buffer when it was built. The west line adjoins a single family home zoned RR. There is a pipeline easement that is east of the property line about 250 feet to the east line of the easement. No additional buffer is required. On the south property line, we are adjoining both the Eden Park neighborhood and on the easterly portion is an RR parcel that is eligible to be an Open Space PUD. The buffer is 100 feet from property that could be Open Space PUD. The portion that is bordered by Eden Park should technically be a 200 foot buffer. We are asking for a modification from this buffer due to the fact that the lots in Eden Park are wooded lots as well as the distance from the existing homes to the homes proposed in this development is in excess of 300 feet. The ordinance does provide for buffer mitigation by vegetative planting... if the buffer is modified. The City Council was supportive of a 100 foot buffer adjoining the Eden Park neighborhood, if it is screened with new plantings to mitigate the reduced buffer. With our plan, we have provided the trees needed to screen between the existing homes and the new homes.

This project will feature minimum grading to the site. The street layout and lot configuration were designed to be in harmony with the land. The existing trees and rolling nature of the site make for a beautiful landscape for this new neighborhood. The grading will be limited to grading for the street and the storm water ponding features along the south line. There will not be any mass grading of the site, nor any graded "house pads" in this project. The home sites will be individually located to follow the land. With the streets being proposed as rural section streets with ribbon curbs, this will feel like another one of the many desired rural neighborhoods in Lake Elmo.

2/26/2021

PROJECT NARRATIVE

Page 4 of 4

The park plan for the City of Lake Elmo does not designate a park on this property. A larger parcel was dedicated as a park just to the north of this project in Heritage Farm. That park land is currently being used as passive open space, instead of a typical developed park. We would anticipate that the City would prefer to have a “cash in lieu” payment instead of land dedication.

We were able to get some great feedback from the City Staff, Planning Commission and City Council during the Concept Phase. We had outlined some items that need a 4/5th majority vote to vary from the strict language of the Open Space PUD requirements and the Shoreland Overlay requirements. The City Council drafted a resolution outlining the items that were supported to be changed. There were several conditions listed in the resolution. There will be no commonly owned lands or features that require the Homeowners to have large financial cost sharing for insurance and maintenance. We asked for modification to the buffer in one area along the south line (west portion) from 200 feet to 100 feet, adjacent to the Eden Park neighborhood. As previously mentioned, the City Council was supportive of this. The Shoreland Ordinance suggests that lot area should be 80,000 square feet (1.83 acres) and lot width of 200 feet. While many of the lots in this development are within the 1000 foot area of Downs Lake... there are NO frontage on the lake and there is NO view of the lake. The ordinance allows for varying from these two standards. They are created to protect the views from the lake, as well as the intensity of development on the lake. We included the “Area Map Around Downs Lake” with the Concept Plan so you can see the existing homes around the lake are not compliant with either of these two standards. Also, included on the map there is a cross section line. This helps to illustrate that the new development doesn’t have any view lines to or from the lake... as well as it being completely screened by mature trees from the lake. Those mature trees are being preserved by the open space easements. The City Council was supportive of this request, with required screening.

The open space design elements of the ordinance have been met, or modifications have been requested in the previous areas of this narrative. We have strived to outline how these deviations or modifications are supported by achieving the goals of the ordinance. They will allow for a higher quality building and site design, create a more unified environment for the development by minimizing streets, grading and disruption of the natural landscape. We are proud to keep the view of this neighborhood screened from the major traffic Manning Avenue on the east. Earlier versions of the Open Space development ordinances were very specific that the view of Lake Elmo be that of a rural community. We look forward to working with the City on creating a harmonious new neighborhood with this project.



March 3, 2021 rev

ADDITION TO PRELIMINARY PLAT NARRATIVE

There was quite a bit of discussion about the street section proposed at the Concept Plan phase of the SUNFLOWER MEADOWS development proposal. To clarify the current status of the proposal, we offer this additional information.

The Concept Plan showed and proposed a 24-foot-wide blacktop street with gravel shoulders and a right of way width of 50 feet. This proposal was not supported by the staff, primarily the City Engineer. In the discussions at the City Council meetings of July 7, 2020 and July 21, 2020, the City Council was not in favor of the proposed rural street section we had proposed. The staff comments were critical of the pavement width, the right of way width and the gravel shoulders being unacceptable. We felt that upgrading the proposed street section to match the Rural Street Section in the City of Lake Elmo Engineering Standards would answer the questions brought forth by the staff.

The staff comments about the street width was explained that the standard for Lake Elmo was 32 feet wide when parking is proposed on both sides, and that it would need to be 28 feet wide if the parking was restricted to one side of the street. Also, that the no parking on one side of the street needed to be clearly stated in the signage on the street. The City Engineer also pointed out that the City of Lake Elmo standard was for the use of concrete edges over gravel shoulders to ensure that the maintenance of the street was consistent in all the streets. Also, he pointed out that it was important to view the width of the right of way as being what was needed to cover the street section being proposed. An example was offered that even 60 feet might not be wide enough if there was a trail proposed with a rural street section.

Taking all of the comments made by the City Engineer and the City Council at both of their meetings, we feel we are covering the issues by proposing the City Standard Rural Street Section with a street pavement width of 28 feet wide and a 2 foot wide concrete ribbon curb on both sides of the street. Parking would be limited to one side of the street only. The rural street section includes grass ditches on each side of the street. A bituminous trail along the southerly side of the street is proposed, outside of the grass ditch section. The right of way is widened to 70 feet, with the additional 10 feet of width being on the south side (trail side) of the center line. This should answer all the comments from the previous meetings.

The rural street section eliminates much of the storm sewer that would be normally associated with the street network by putting the runoff from the street in the grass ditches, as opposed to running it along the curb lines and collecting it in pipes. With the soils that were tested for this project, it will be very difficult to meet the City of Lake Elmo and the Valley Branch Watershed District requirements for both rate and volume control. The grass ditches will help to slow the water down, filter it and reduce the ponding that would be required by storm sewers. This makes the rural street section more appealing to the project. We believe that the VBWD prefers the use of this street section. The number of houses proposed (12) and the volume of street traffic should support this type of street section.

PRELIMINARY PLAT
SUNFLOWER MEADOWS
Part South Half of Northeast Quarter
Section 24, Township 29 North, Range 21 West
City of Lake Elmo, Minnesota

Folz Freeman Surveying LLC
LAND PLANNING and SURVEYING

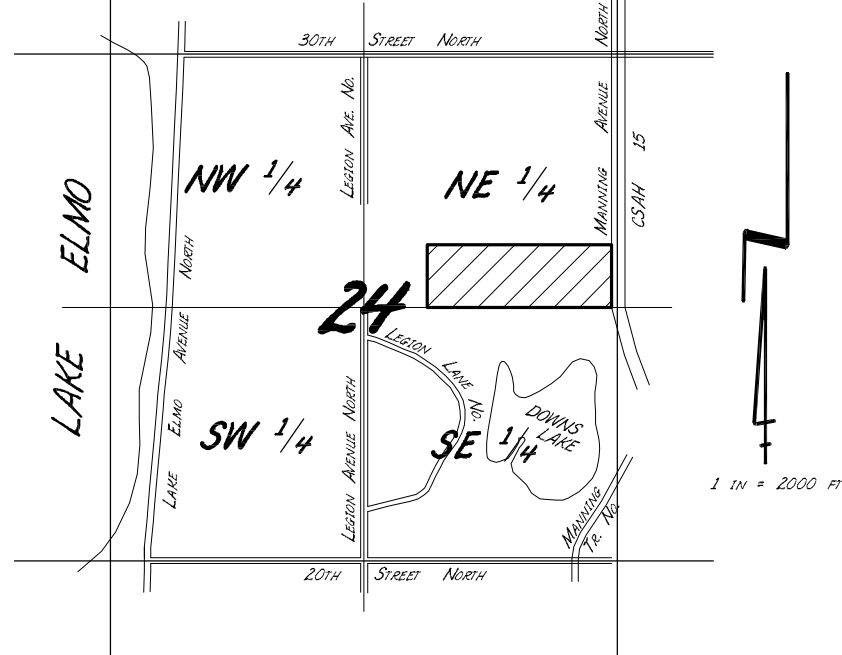


12445 55TH STREET NORTH
LAKE ELMO, MINNESOTA 55042
(651) 439-8833 www.FFSurveying.com

Timothy J. Freeman, Land Surveyor, Lic 16989

VICINITY MAP

SECTION 24, T29N - R21W
CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA



DEVELOPER:

Paul Bruggeman
Bruggeman Builders
9260 Jeffrey Boulevard North
Stillwater, MN 55082

PROPERTY OWNER:

Gary and Meg Johnson
2500 Manning Avenue North
Lake Elmo, MN 55042

LEGAL DESCRIPTION:

That part of the South one-half of the Northeast Quarter, except the north 35.48 acres thereof of Section 24, Township 29 North, Range 21 West, Washington County, Minnesota, described more particularly as follows:

Commencing at the East Quarter corner of said Section 24, a found Washington County Cast Iron Monument; thence South 89 degrees 49 minutes 25 seconds West, bearing based on the Washington County Coordinate System, a distance of 42.39 feet along the south line of the Northeast Quarter of Section 24 to the westerly right of way of County State Aid Highway No. 15 and to a found Washington County right-of-way monument for the point of beginning; thence South 89 degrees 49 minutes 25 seconds West a distance of 1926.78 feet along the south line of the Northeast Quarter of Section 24; thence North 00 degrees 15 minutes 37 seconds West a distance of 732.32 feet parallel with the westerly line of the Northeast Quarter of Section 24; thence North 89 degrees 41 minutes 54 seconds East a distance of 1913.66 feet along the southerly line of said north 35.48 acres to the westerly right of way of County State Aid Highway No. 15; thence South 00 degrees 03 minutes 10 seconds West a distance of 416.98 feet along the westerly right of way of County State Aid Highway No. 15 to a found Washington County right-of-way monument; thence along a curve concave to the east an arc length of 314.97 feet (314.90 record) to a found Washington County right-of-way monument, said curve has a delta angle of 6 degrees 10 minutes 13 seconds (6 degrees 10 minutes 08 seconds record) a radius of 2924.79 feet and the chord of said curve bears South 3 degrees 01 minute 35 seconds East a distance of 314.82 feet (314.75 feet record); thence South 2 degrees 34 minutes 55 seconds East a distance of 5.09 feet along the westerly right of way of County State Aid Highway No. 15 to the point of beginning.

AND

That part of said South Half of the Northeast Quarter lying between for north line of the above described parcel and the south line of HERITAGE FARM, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota. The side lines of the above described parcel are extended north to intersect with said south line of HERITAGE FARM.

LOT AND OPEN SPACE AREAS

Lot	Block	Overall Lot Area (Acres)	Open Space Esmt (Acres)	Net Buildable Area (Acres)
1	1	1.81	0.73	1.08
2	1	1.43	0.08	1.35
Subtotals		3.24	0.81	2.43
1	2	1.89	1.21	0.68
2	2	1.51	0.71	0.8
3	2	1.5	0.62	0.88
4	2	2.41	1.74	0.67
Subtotals		7.31	4.28	3.03
1	3	2.1	0.97	1.13
2	3	3.7	1.76	1.94
Subtotals		5.8	2.73	3.07
1	4	2.87	1.69	1.18
2	4	2.94	1.82	1.12
3	4	1.44	0.75	0.69
4	4	1.19	0.68	0.51
Subtotals		8.44	4.94	3.5
Outlot A		1.67	1.67	0
Outlot B		1.35	1.35	0
Outlot C		0.99	0.99	0
Subtotals		4.01	4.01	0
Totals		28.80	16.77	12.03

LOT AND OPEN SPACE CALCULATIONS

GROSS AREA:	32.84 ACRES
UNBUILDABLE AREA: (Delineated Wetland)	0.19 ACRES
TOTAL BUILDABLE AREA:	32.65 ACRES
UNIT CALCULATION (18 UNITS / 40 ACRES):	14.69 UNITS
AREA OF LOTS: (MINUS STREETS)	28.77 ACRES
REQUIRED OPEN SPACE NEEDED: (50%)	16.42 ACRES
OPEN SPACE PROVIDED:	16.77 ACRES

SITE INFORMATION

Present Zoning: RR - RURAL RESIDENTIAL
Requested Zoning: Open Space - Planned Unit Development

Lots will utilize on-site septic & drainfield with City watermain

Street and bituminous trail length is 1917 lineal feet

Street trees to be provided: 1917/30ft = 64 trees planted in clusters

Lot trees at 10 per lot to be installed by homeowners

Stillwater Area School District 834

Entire Area Within Valley Branch Watershed District

Note: Existing Lidar contours and elevations are from data provided by MN DNR. The horizontal datum for the mapping is based on the Washington County Coordinate System NAD83 and the and vertical datum is NAVD, 1988 adjustment.

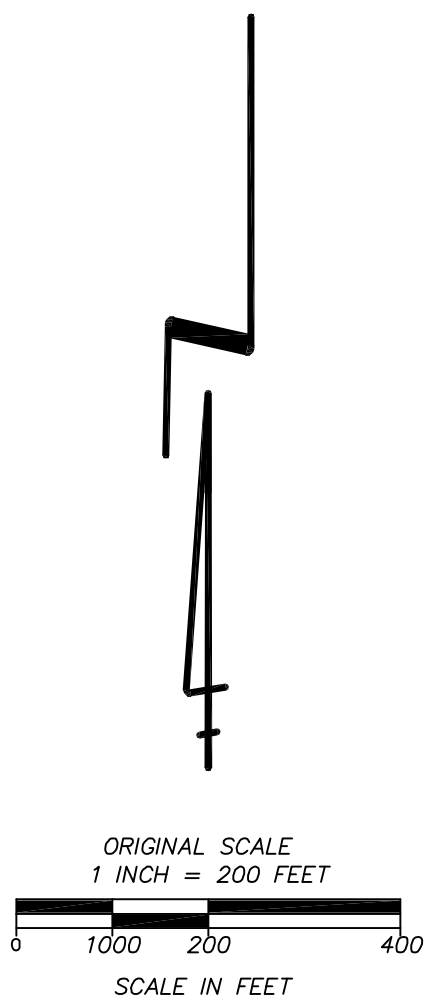
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

Timothy J. Freeman, LS
Minnesota License No. 16989

12/28/20

Date

Note: Official Copies of this map are crimp sealed



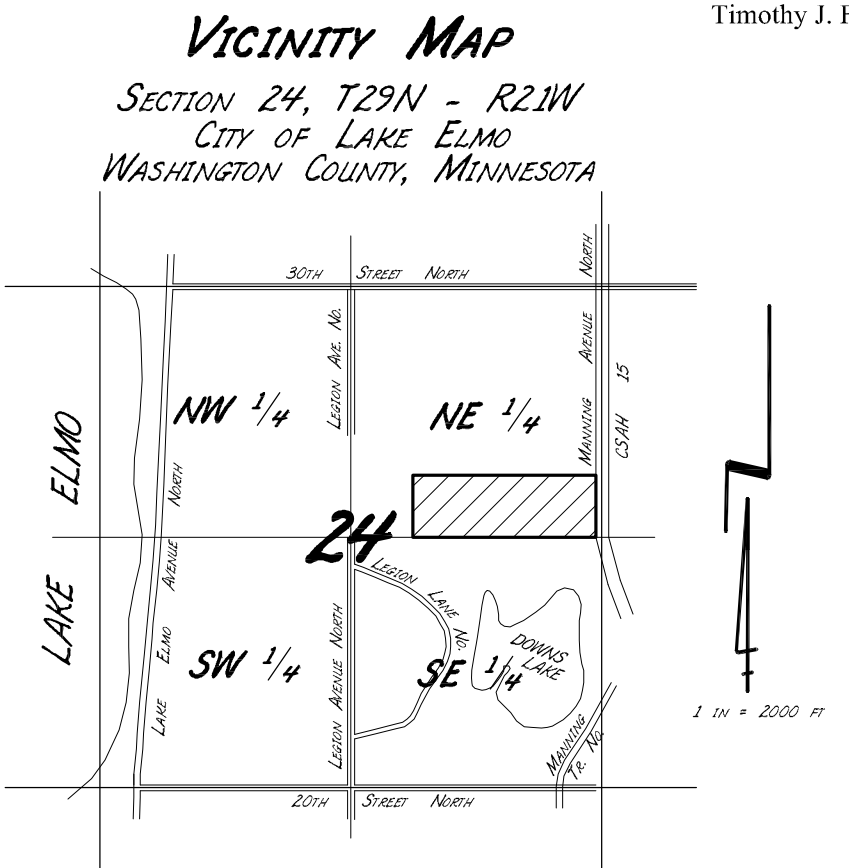
CIVIL ENGINEERING:

Matthew Woodruff, PE
Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110
651-481-9120
www.larsonengr.com

PRELIMINARY PLAT
SUNFLOWER MEADOWS
Part South Half of Northeast Quarter
Section 24, Township 29 North, Range 21 West
City of Lake Elmo, Minnesota

Folz Freeman Surveying LLC
LAND PLANNING and SURVEYING
12445 55TH STREET NORTH
LAKE ELMO, MINNESOTA 55042
(651) 439-8833 www.FFSurveying.com

Timothy J. Freeman, Land Surveyor, Lic 16989



DEVELOPER:
Paul Bruggeman
Bruggeman Builders
9260 Jeffrey Boulevard North
Stillwater, MN 55082

PROPERTY OWNER:
Gary and Meg Johnson
2500 Manning Avenue North
Lake Elmo, MN 55042

LEGAL DESCRIPTION:
That part of the South one-half of the Northeast Quarter, except the north 35.48 acres thereof of Section 24, Township 29 North, Range 21 West, Washington County, Minnesota, described more particularly as follows:

Commencing at the East Quarter corner of said Section 24, a found Washington County Cast Iron Monument; thence South 89 degrees 49 minutes 25 seconds West, bearing based on the Washington County Coordinate System, a distance of 42.39 feet along the south line of the Northeast Quarter of Section 24 to the westerly right of way of County State Aid Highway No. 15 and to a found Washington County right-of-way monument for the point of beginning; thence South 89 degrees 49 minutes 25 seconds West a distance of 1926.78 feet along the south line of the Northeast Quarter of Section 24; thence North 00 degrees 15 minutes 37 seconds West a distance of 732.32 feet parallel with the westerly line of the Northeast Quarter of Section 24; thence North 89 degrees 41 minutes 54 seconds East a distance of 1913.66 feet along the southerly line of said north 35.48 acres to the westerly right of way of County State Aid Highway No. 15; thence South 00 degrees 03 minutes 10 seconds West a distance of 416.98 feet along the westerly right of way of County State Aid Highway No. 15 to a found Washington County right-of-way monument; thence along a curve concave to the east an arc length of 314.97 feet (314.90 record) to a found Washington County right-of-way monument, said curve has a delta angle of 6 degrees 10 minutes 13 seconds (6 degrees 10 minutes 08 seconds record) a radius of 2924.79 feet and the chord of said curve bears South 3 degrees 01 minute 35 seconds East a distance of 314.82 feet (314.75 feet record); thence South 2 degrees 34 minutes 55 seconds East a distance of 5.09 feet along the westerly right of way of County State Aid Highway No. 15 to the point of beginning.

AND
That part of said South Half of the Northeast Quarter lying between for north line of the above described parcel and the south line of HERITAGE FARM, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota. The side lines of the above described parcel are extended north to intersect with said south line of HERITAGE FARM.

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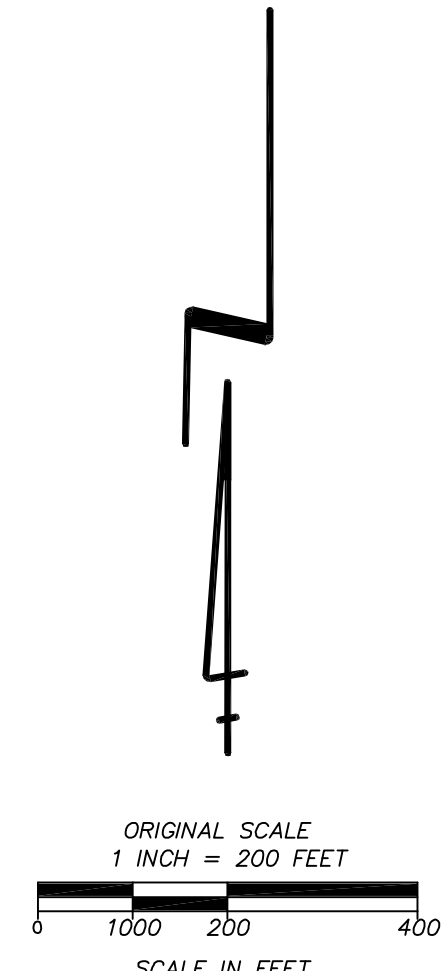
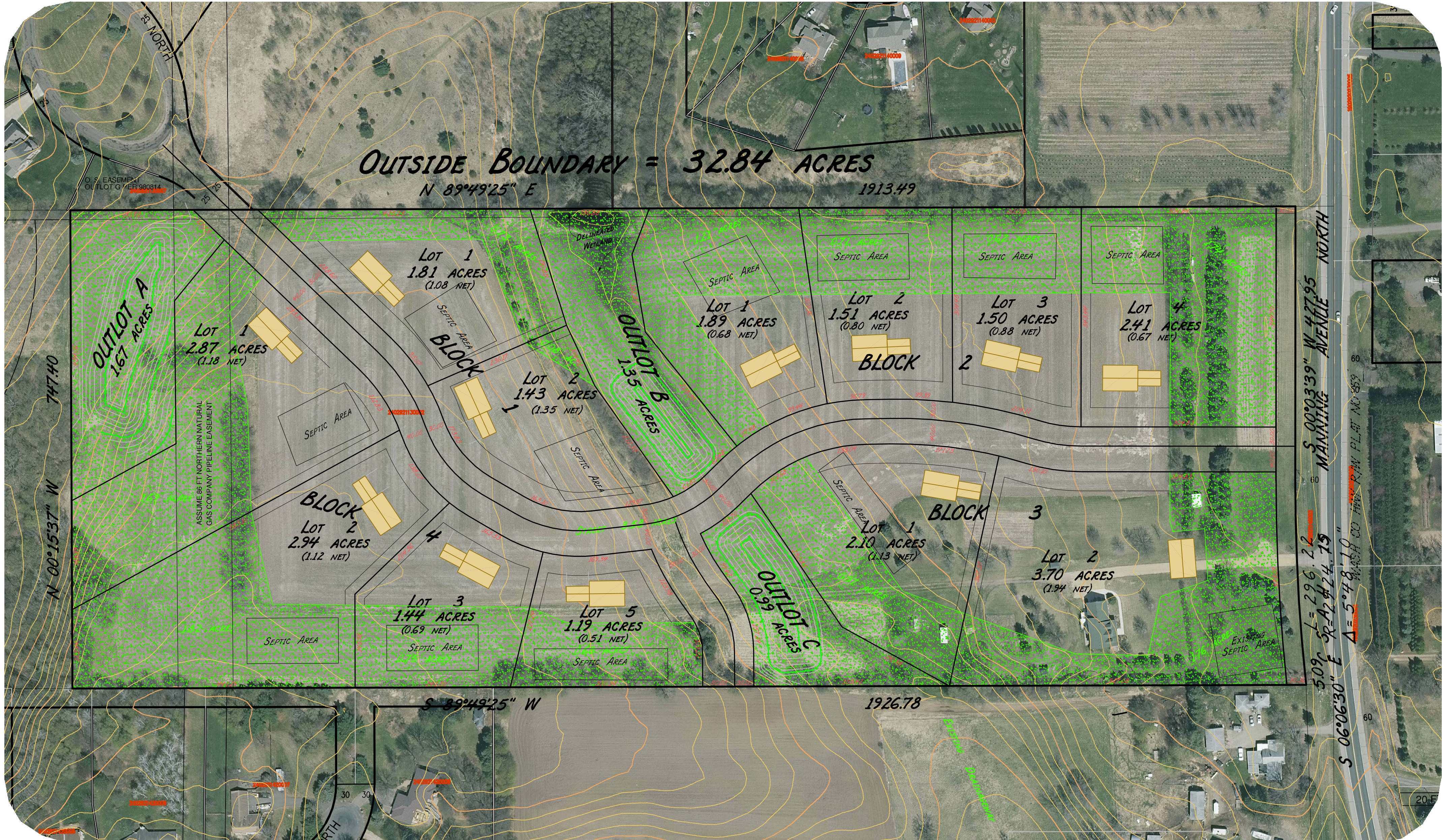
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I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

Signature: Timothy J. Freeman
Timothy J. Freeman, LS
Minnesota License No. 16989
Date: 12/28/20

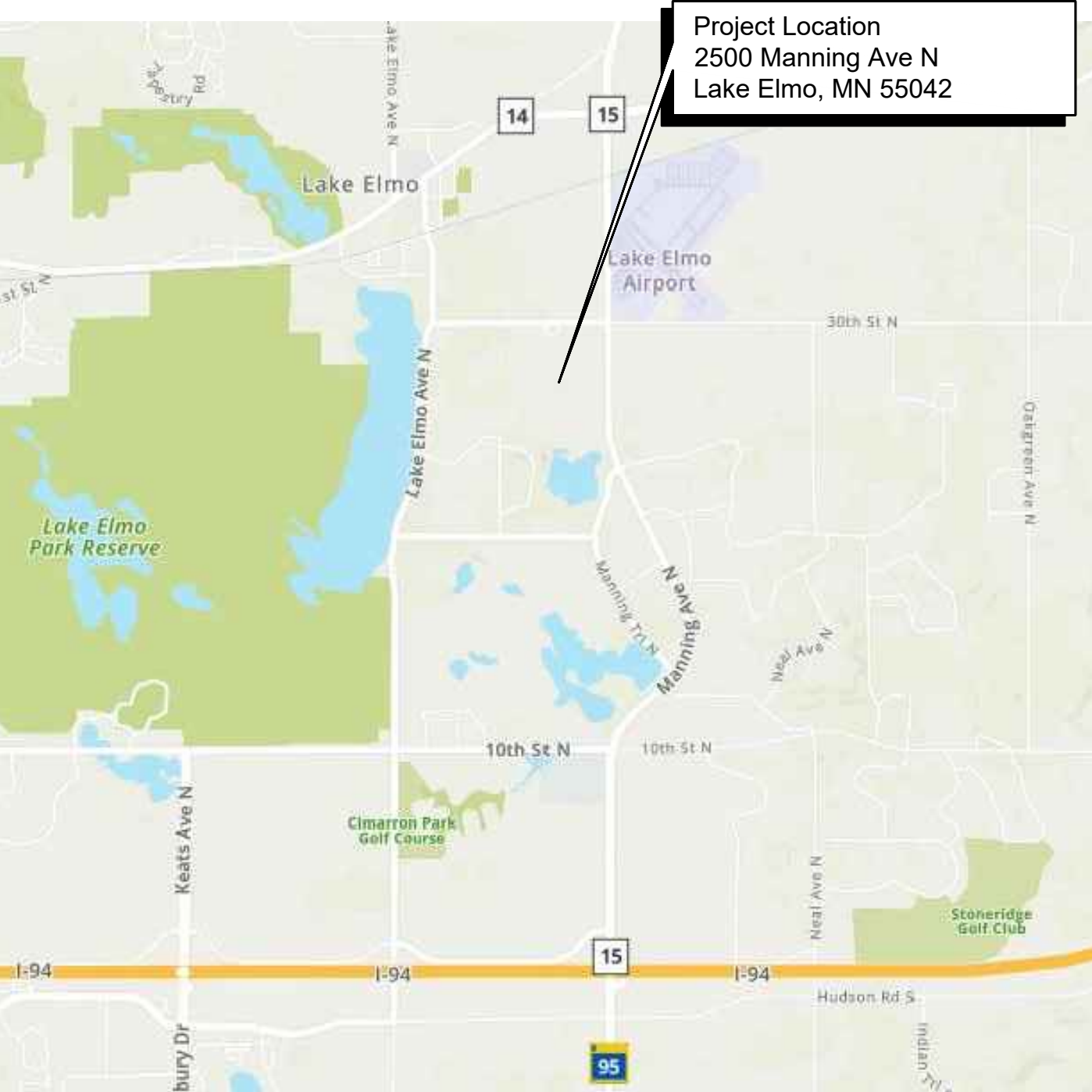
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CIVIL ENGINEERING:
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www.larsonengr.com

PROJECT:
SUNFLOWER MEADOWS RESIDENTIAL DEVELOPMENT
LAKE ELMO, MN

VICINITY MAP



INDEX OF DRAWINGS

T	Title Sheet
C000	Overall Site Plan
C100-C101	Existing Conditions Plan
C200-C201	Street and Utilities Plan
C202	Manning Avenue Turning Lane Plan
C300	Typical Sections
C400-C401	Grading Plan
C500-C501	Erosion Control Plan
C600-C601	Landscaping, Lighting, and Signage Plan

PROJECT CONTACTS


Civil Engineer:
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Fax: 651.481.9201

Land Surveyor:
Tim Freeman, P.S.
Folz Freeman Surveying, LLC.
12445 55th Street North
Lake Elmo, MN 55042
Tel: 651.439.8833



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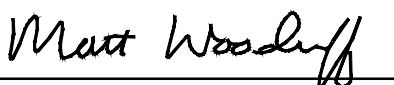
FOLZ FREEMAN SURVEYING, LLC
LAND PLANNING & SURVEYING
Lake Elmo, Minnesota 55042
(651) 439-8833 www.ffs-llc.com

Client:

Project Title:

SUNFLOWER MEADOWS
RESIDENTIAL DEVELOPMENT
LAKE ELMO, MN 55042

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First M. Last, P.E.
Date: 12.28.20 Lic. No.: 41885

Rev.	Date	Description

Project #: 12196177.000
Drawn By: MTH
Checked By: MJW
Issue Date: 12.28.20

Sheet Title:

TITLE SHEET

Sheet:

T

PRELIMINARY PLAT - DECEMBER 28, 2020



CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166



P:\Projects\Projects - 2019\12198177 - Br...Mapana Residential Development\Lake Elmo\Mapana Residential Development\12198177 - C000 Overall Site Plan.dwg

PRELIMINARY PLAT - DECEMBER 28, 2020

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(651) 439-8833 www.frl-llc.com



Client:

**SUNFLOWER MEADOWS
RESIDENTIAL DEVELOPMENT**
LAKE ELMO, MN 55042

Project Title:

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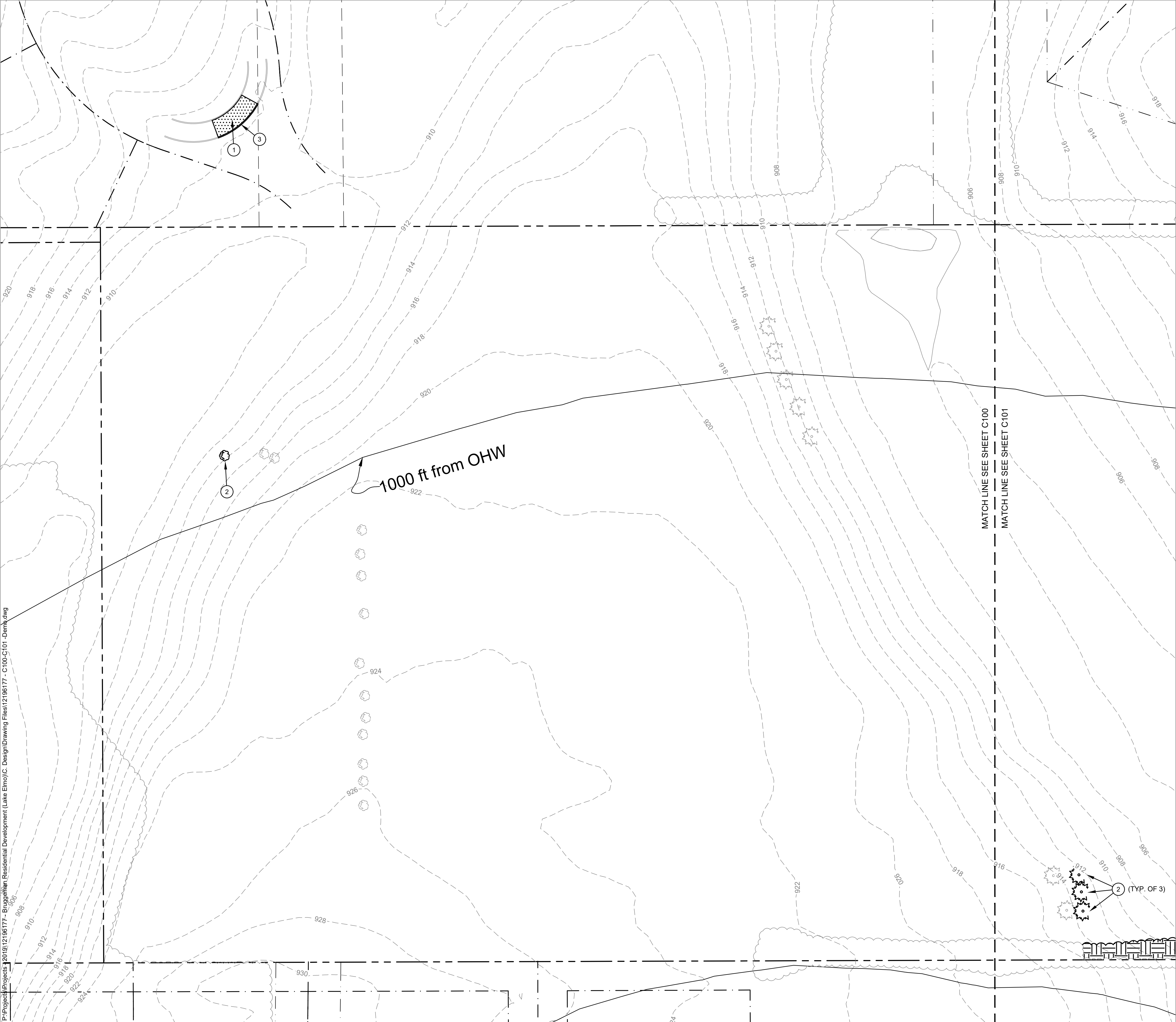
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Drawn By: MTH
Checked By: MJW
Issue Date: 12.28.20

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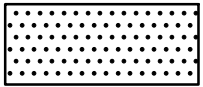

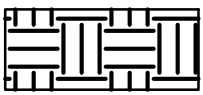
**OVERALL SITE
PLAN**

Sheet:

C000



SYMBOL LEGEND

-  REMOVE AND DISPOSE OF BITUMINOUS PAVEMENT SECTION
-  REMOVE AND DISPOSE OF GRAVEL PAVEMENT SECTION
-  REMOVE AND DISPOSE OF ALL UNDERBRUSH, TREES, AND ROOTS.

KEY NOTES

- 1 SAWCUT, REMOVE, AND DISPOSE OF BITUMINOUS PAVEMENT SECTION.
- 2 REMOVE AND DISPOSE OF ALL UNDERBRUSH, TREES, AND ROOTS.
- 3 REMOVE AND DISPOSE OF EXISTING CONCRETE RIBBON CURB.


DEMOLITION NOTES

1. Verify all existing utility locations.
2. It is the responsibility of the Contractor to perform or coordinate all necessary utility demolitions and relocations from existing utility locations to all onsite amenities and buildings. These connections include, but are not limited to, water, sanitary sewer, cable tv, telephone, gas, electric, site lighting, etc.
3. Prior to beginning work, contact Gopher State Onecall (651-454-0002) to locate utilities throughout the area under construction. The Contractor shall retain the services of a private utility locator to locate the private utilities.
4. Sawcut along edges of pavements, sidewalks, and curbs to remain.
5. All construction shall be performed in accordance with state and local standard specifications for construction.

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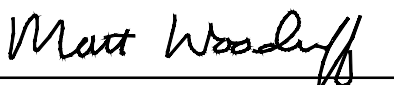


Client:

**SUNFLOWER MEADOWS
RESIDENTIAL DEVELOPMENT**
LAKE ELMO, MN 55042

Project Title:

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.


First M. Last, P.E.
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12196177.000

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MTH

Checked By:

MJV

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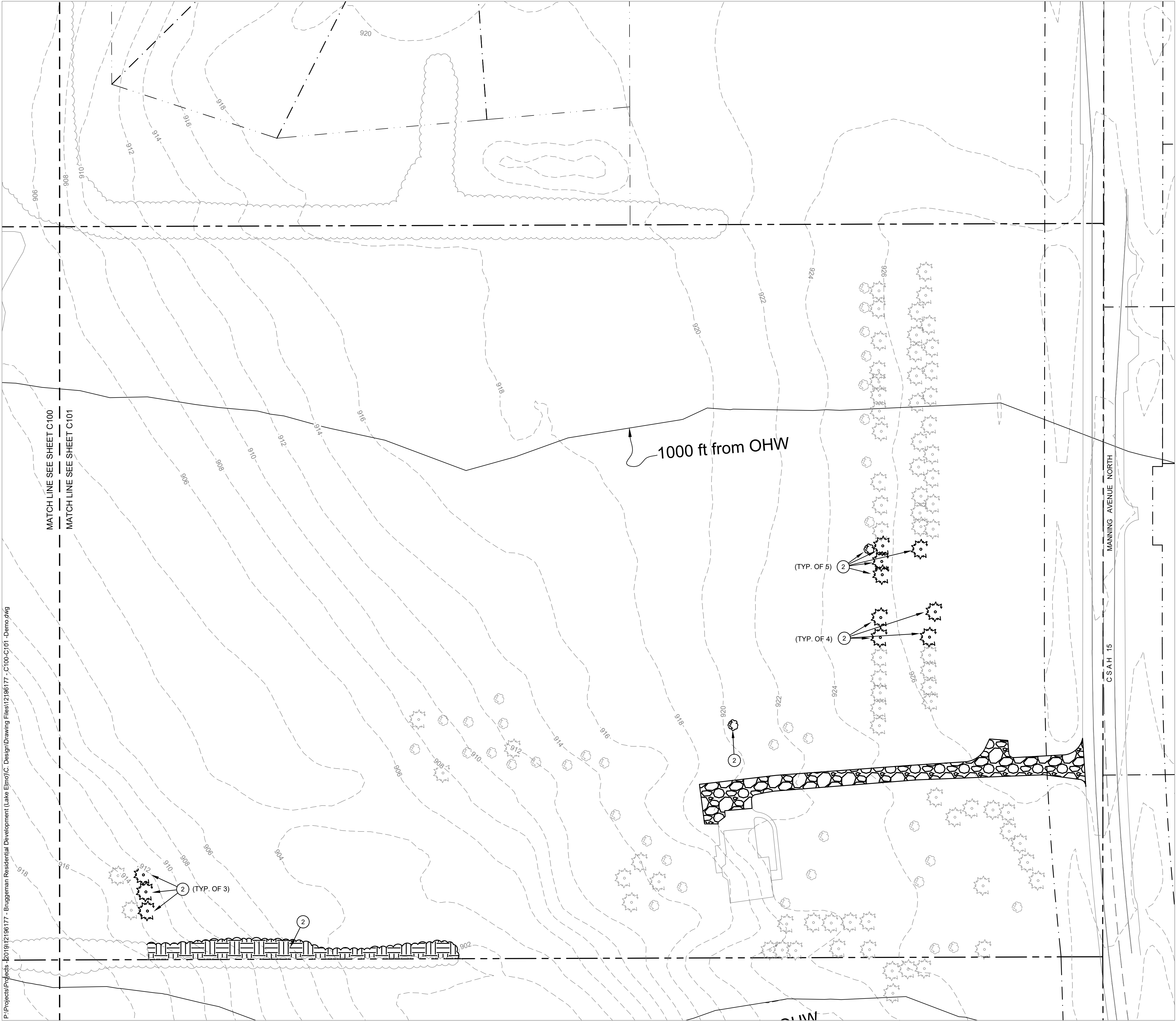
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Sheet Title:

**EXISTING
CONDITIONS
PLAN**

Sheet:

C100



SYMBOL LEGEND

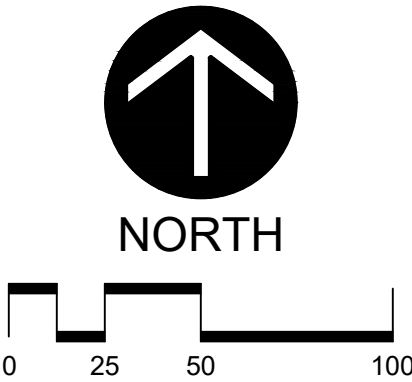
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DEMOLITION NOTES

- See Sheet C100 for Demolition Notes.



Larson Engineering, Inc.
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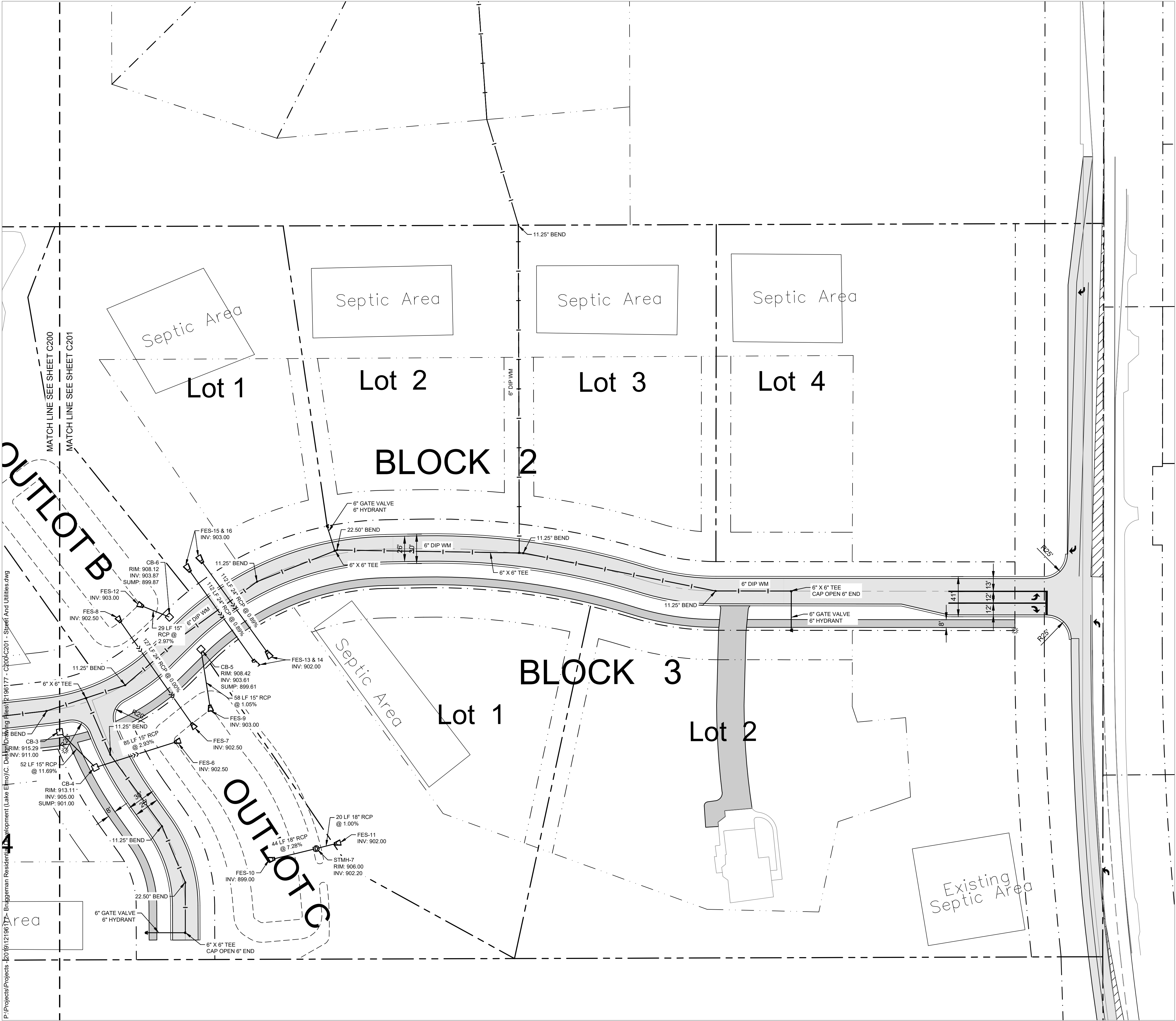
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Sheet Title:

**EXISTING
CONDITIONS
PLAN**

Sheet:

C101

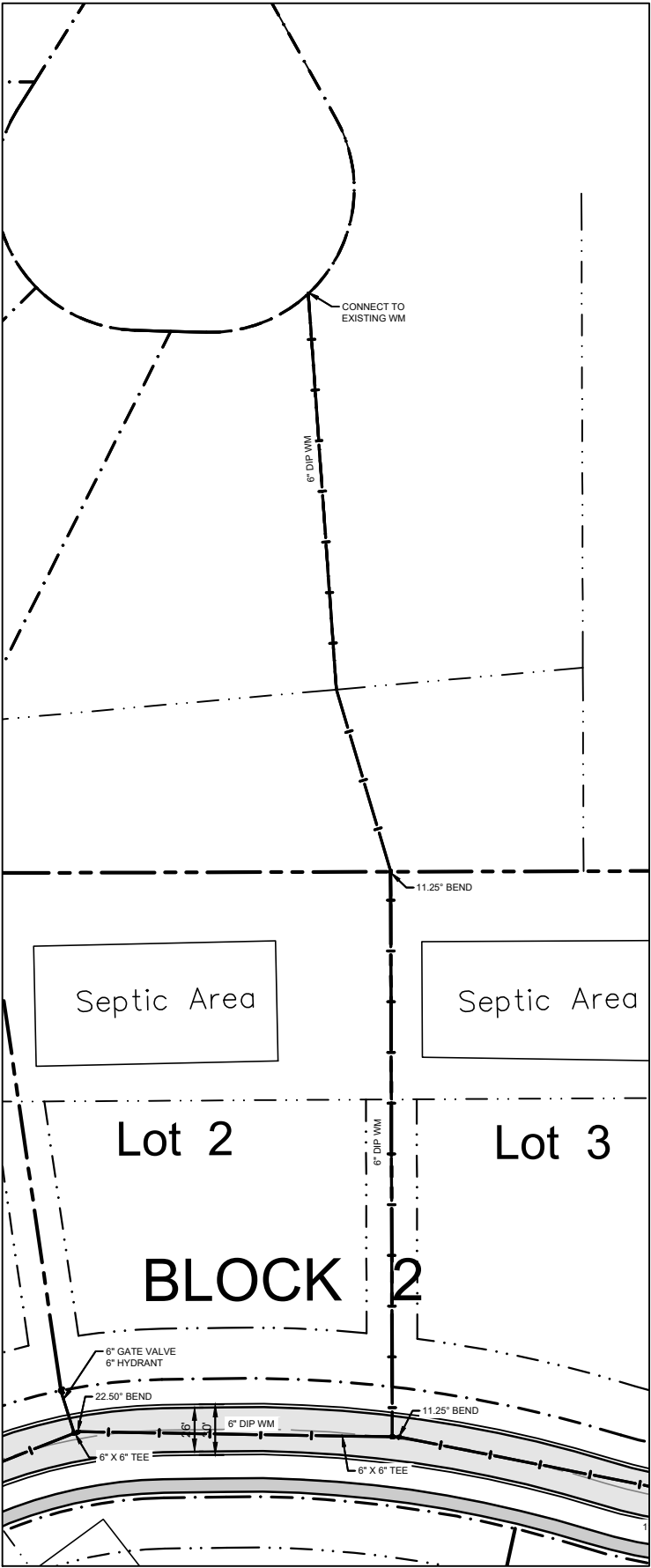


SYMBOL LEGEND

- ⊗ WATER SHUTOFF ⊕ HYDRANT
■ GATE VALVE & BOX ⊞ TEE
⊙ SANITARY MANHOLE □ CURB INLET
⊕ STORM MANHOLE ▤ FLARED END
▨ PIPE INSULATION
- CTV — CABLE UNDERGROUND LINE
— F0 — ELECTRIC OVERHEAD LINE
— G — ELECTRIC UNDERGROUND LINE
— > — FIBER OPTIC UNDERGROUND LINE
— >> — NATURAL GAS UNDERGROUND LINE
— T — SANITARY SEWER PIPE
— ST — STORM SEWER PIPE
— — TELEPHONE UNDERGROUND LINE
— — WATERMAIN PIPE
— — DRAINTILE PIPE
- PROPOSED ROADWAY BITUMINOUS PAVEMENT
SEE TYPICAL SECTION, DETAIL 1/C400
- PROPOSED TRAIL BITUMINOUS PAVEMENT
SEE TYPICAL SECTION, DETAIL 1/C400

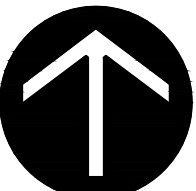
UTILITY NOTES

1. See Sheet C200 for Utility Notes.

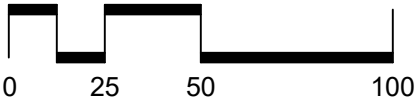


WATERMAIN CONNECTION
TO LISBON AVE COURT NORTH

Scale 1:100



NORTH



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3524 Labore Road
White Bear Lake, MN 55110
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**SUNFLOWER MEADOWS
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LAKE ELMO, MN 55042

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Mark Woodruff
First M. Last, P.E.
Date: 12.28.20 Lic. No.: 41885

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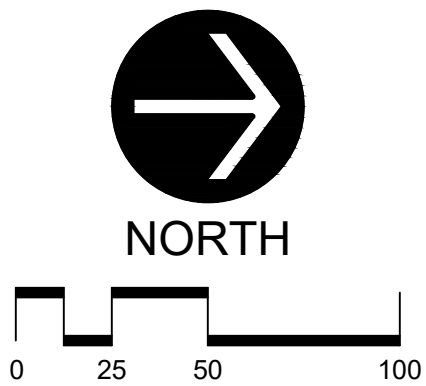
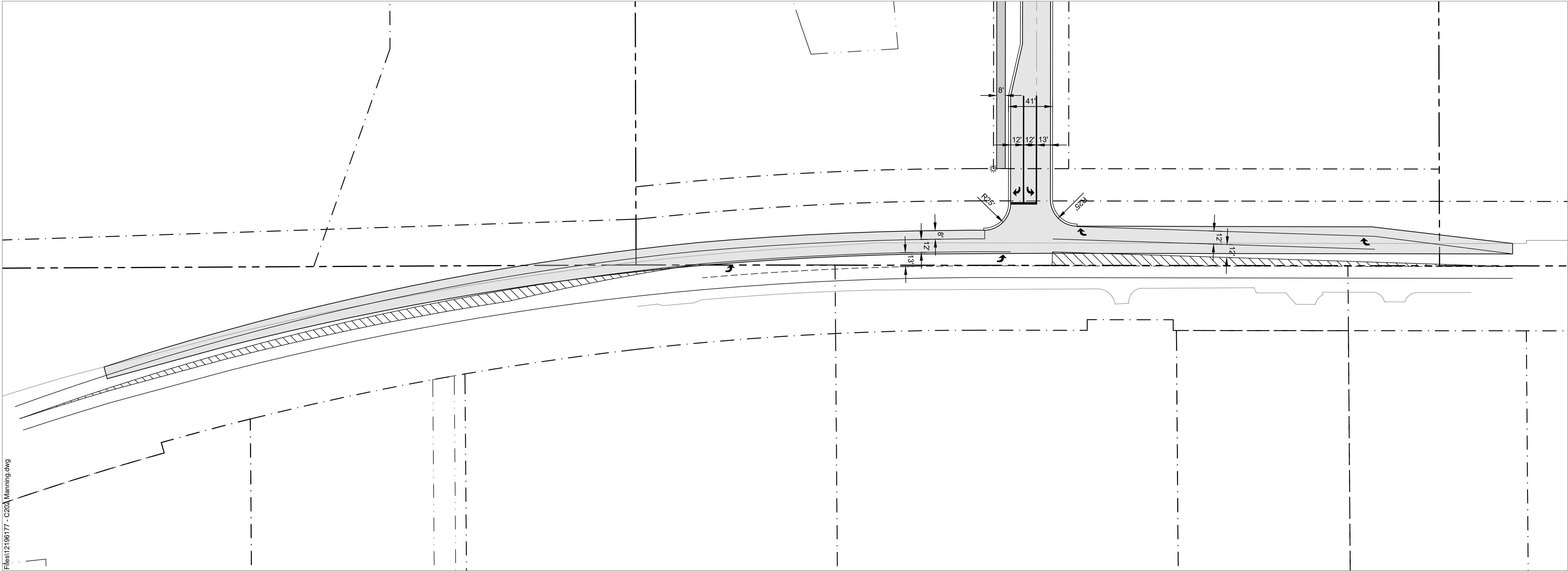
Sheet Title:

STREET AND UTILITIES PLAN

Sheet:

C201

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PRELIMINARY PLAT - DECEMBER 28, 2020

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Sheet Title:
MANNING AVENUE
TURNING LANE
PLAN

Sheet:
C202

SUNFLOWER MEADOWS
RESIDENTIAL DEVELOPMENT
LAKE ELMO, MN 55042

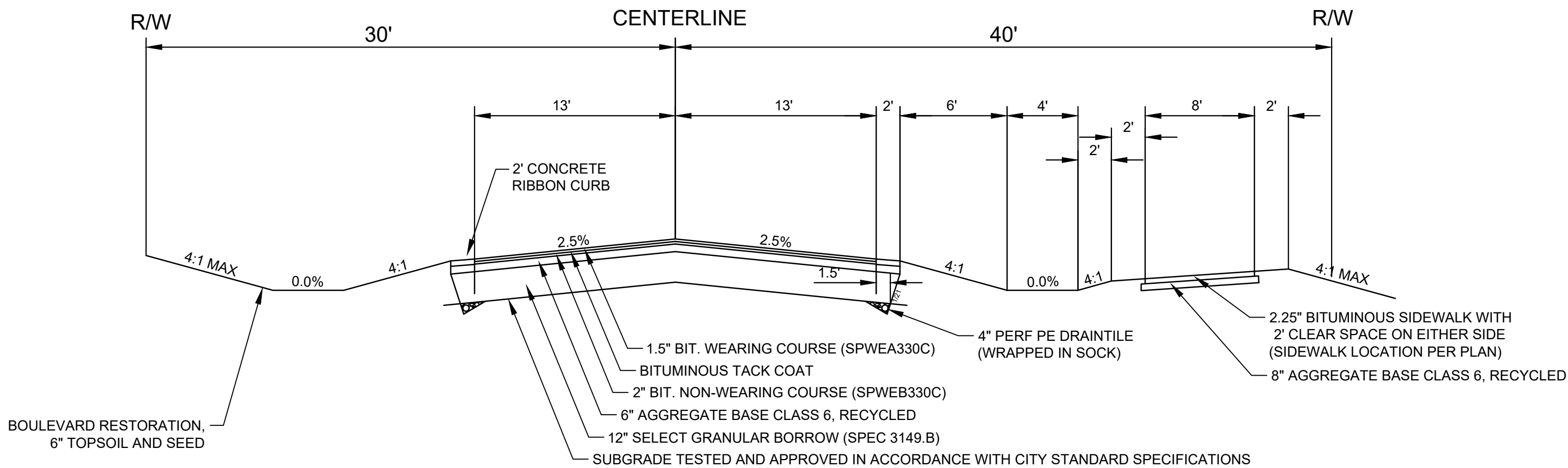
Client:

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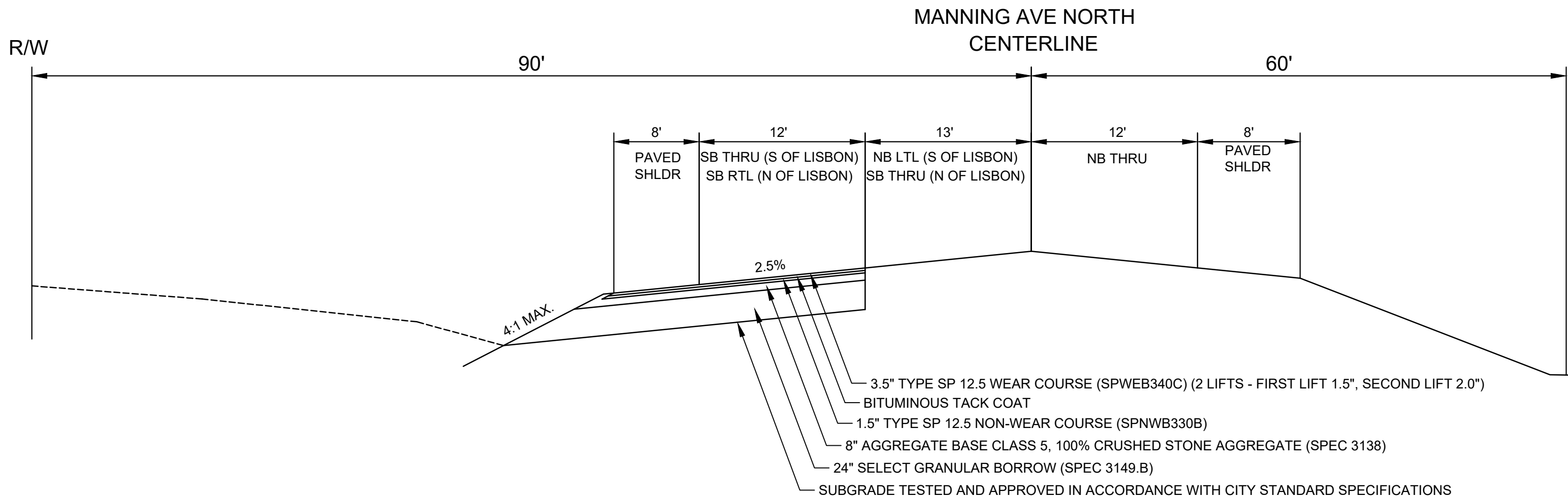
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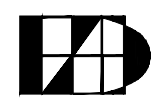


NOTE:
1. TACK FACE OF GUTTER PRIOR TO BOTH LIFTS OF BITUMINOUS.


1
C300
NEW DEVELOPMENT ROADWAY
TYPICAL SECTION
NOT TO SCALE



2
C300
TYPICAL SECTION - MANNING AVE NORTH AT LISBON AVE
NOT TO SCALE



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Client:

Project Title:
**SUNFLOWER MEADOWS
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LAKE ELMO, MN 55042

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Rev.	Date	Description

Project #:

12196177.000

Drawn By:

MTH

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MJV

Issue Date:

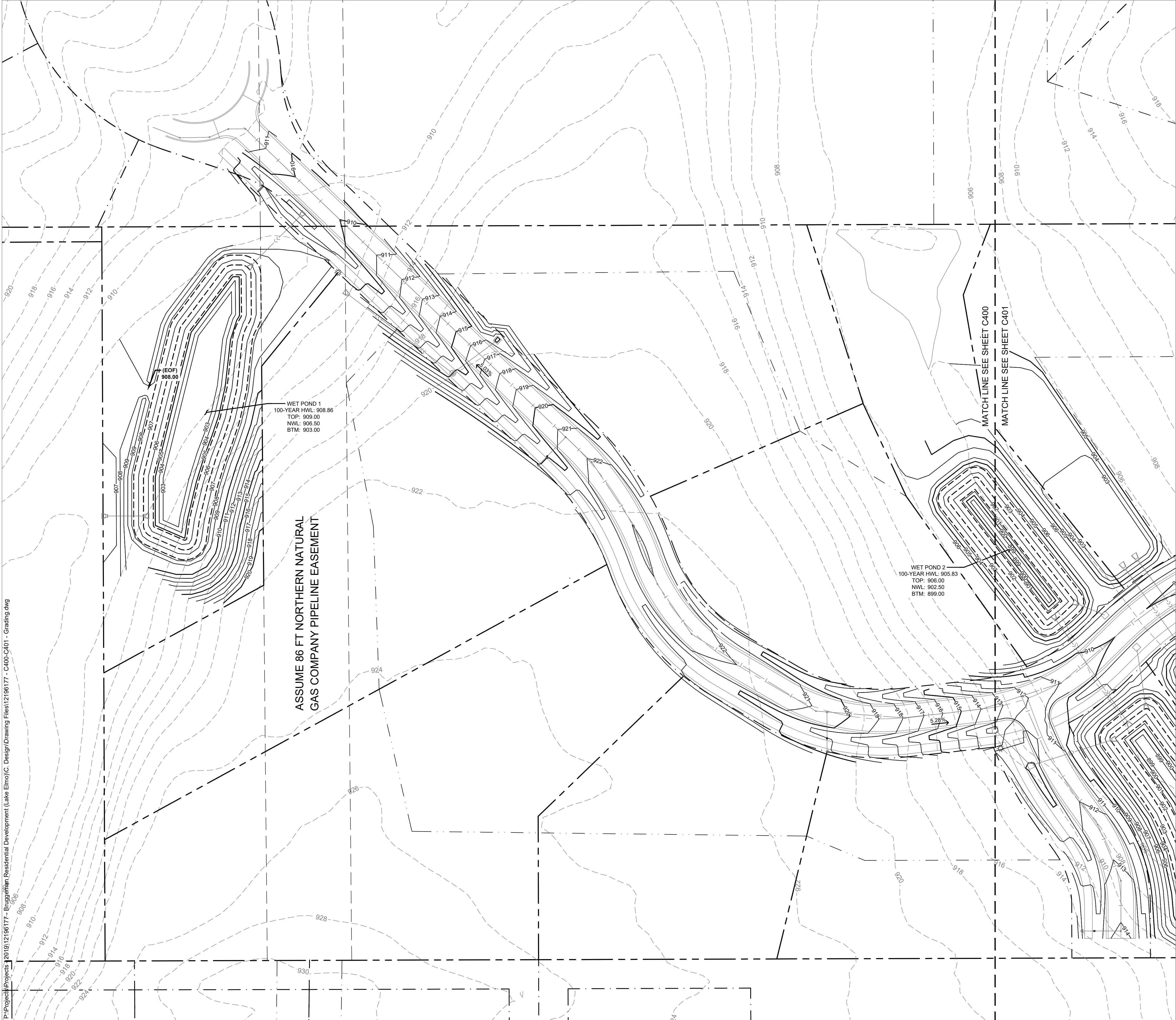
12.28.20

Sheet Title:
**TYPICAL
SECTIONS**

Sheet:
C300

PRELIMINARY PLAT - DECEMBER 28, 2020

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SYMBOL LEGEND

	950	EXISTING CONTOURS
	950	PROPOSED CONTOURS - MAJOR INTERVAL
	949	PROPOSED CONTOURS - MINOR INTERVAL
		GRADE BREAK LINE
	2.0%	GRADE SLOPE

SPOT ABBREVIATIONS:
TC - TOP OF CURB
GL - GUTTER LINE
B - BITUMINOUS
C - CONCRETE
EO - EMERGENCY OVERFLOW
TW - TOP OF WALL
BW - BOTTOM OF WALL (F/G)
(*) - EXISTING TO BE VERIFIED

950.00 TC
949.50 GL

GRADING NOTES

- Tree protection consisting of snow fence or safety fence installed at the drip line shall be in place prior to beginning any grading or demolition work at the site.
- All elevations with an asterisk (*) shall be field verified. If elevations vary significantly, notify the Engineer for further instructions.
- Grades shown in paved areas represent finish elevation.
- Restore all disturbed areas with 4" of good quality topsoil and seed.
- All construction shall be performed in accordance with state and local standard specifications for construction.

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White Bear Lake, MN 55110
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www.larsonengr.com

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Folz Freeman Surveying, LLC
LAND PLANNING & SURVEYING
Lake Elmo, Minnesota 55042
(651) 439-8833 www.fols-freeman.com

Client:

Project Title:

**SUNFLOWER MEADOWS
RESIDENTIAL DEVELOPMENT**
LAKE ELMO, MN 55042

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

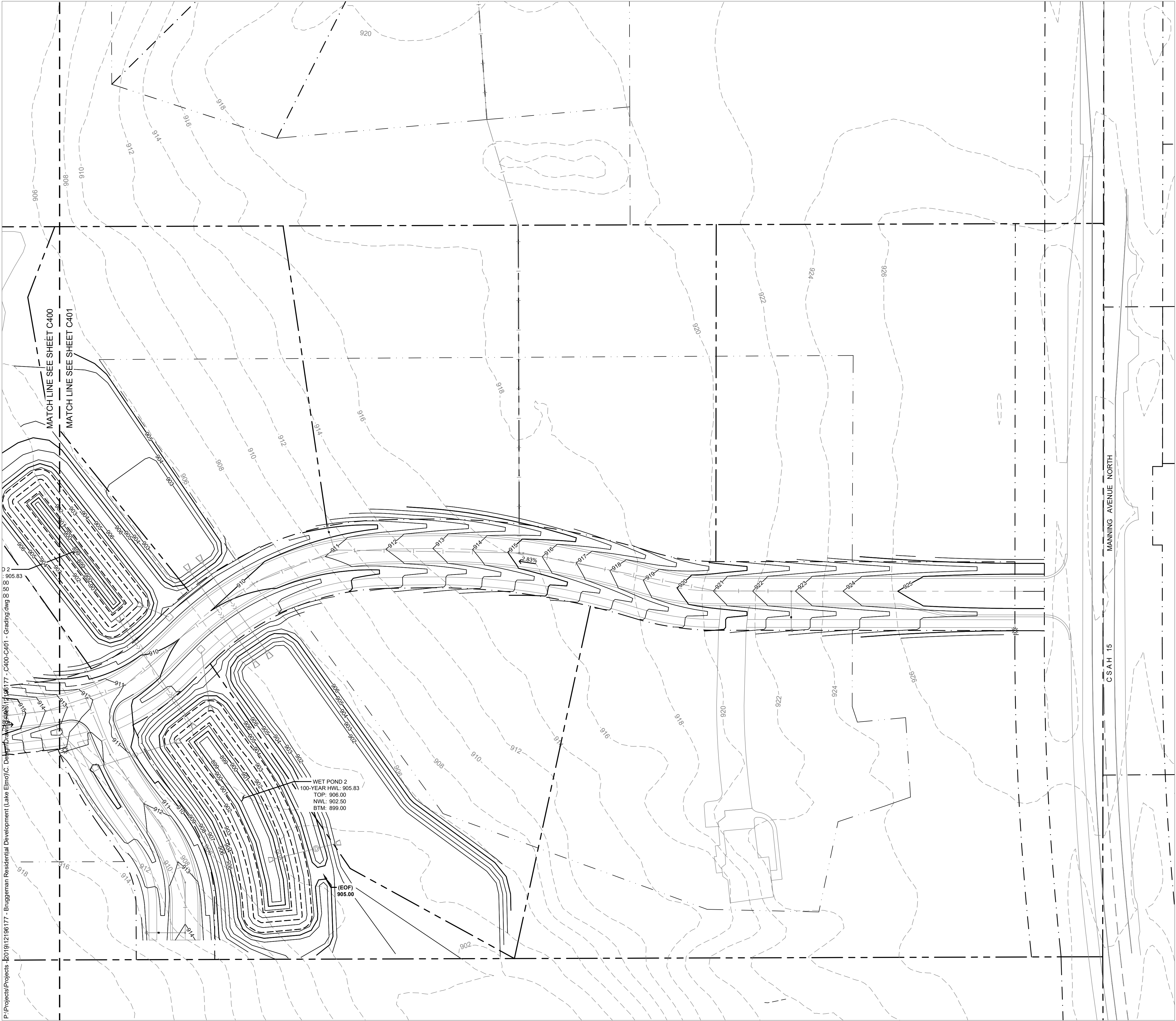
First M. Last, P. E.
Date: 12.28.20 Lic. No.: 41885

Rev.	Date	Description

Project #: 12196177.000
Drawn By: MTH
Checked By: MJW
Issue Date: 12.28.20
Sheet Title:

**GRADING
PLAN**

Sheet:
C400

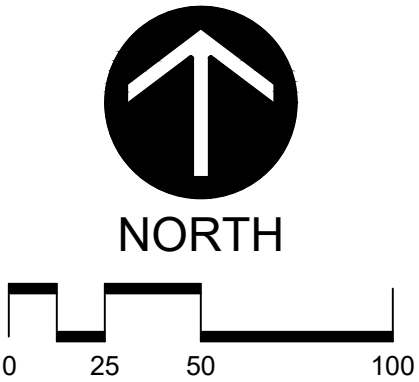


SYMBOL LEGEND

- EXISTING CONTOURS
PROPOSED CONTOURS - MAJOR INTERVAL
PROPOSED CONTOURS - MINOR INTERVAL
GRADE BREAK LINE
GRADE SLOPE
- SPOT ABBREVIATIONS:
TC - TOP OF CURB
GL - GUTTER LINE
B - BITUMUNOUS
C - CONCRETE
EOF - EMERGENCY OVERFLOW
OF - OVERFLOW
TW - TOP OF WALL
BW - BOTTOM OF WALL (F/G)
(*) - EXISTING TO BE VERIFIED

GRADING NOTES

1. See Sheet C400 for Grading Notes.



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**SUNFLOWER MEADOWS
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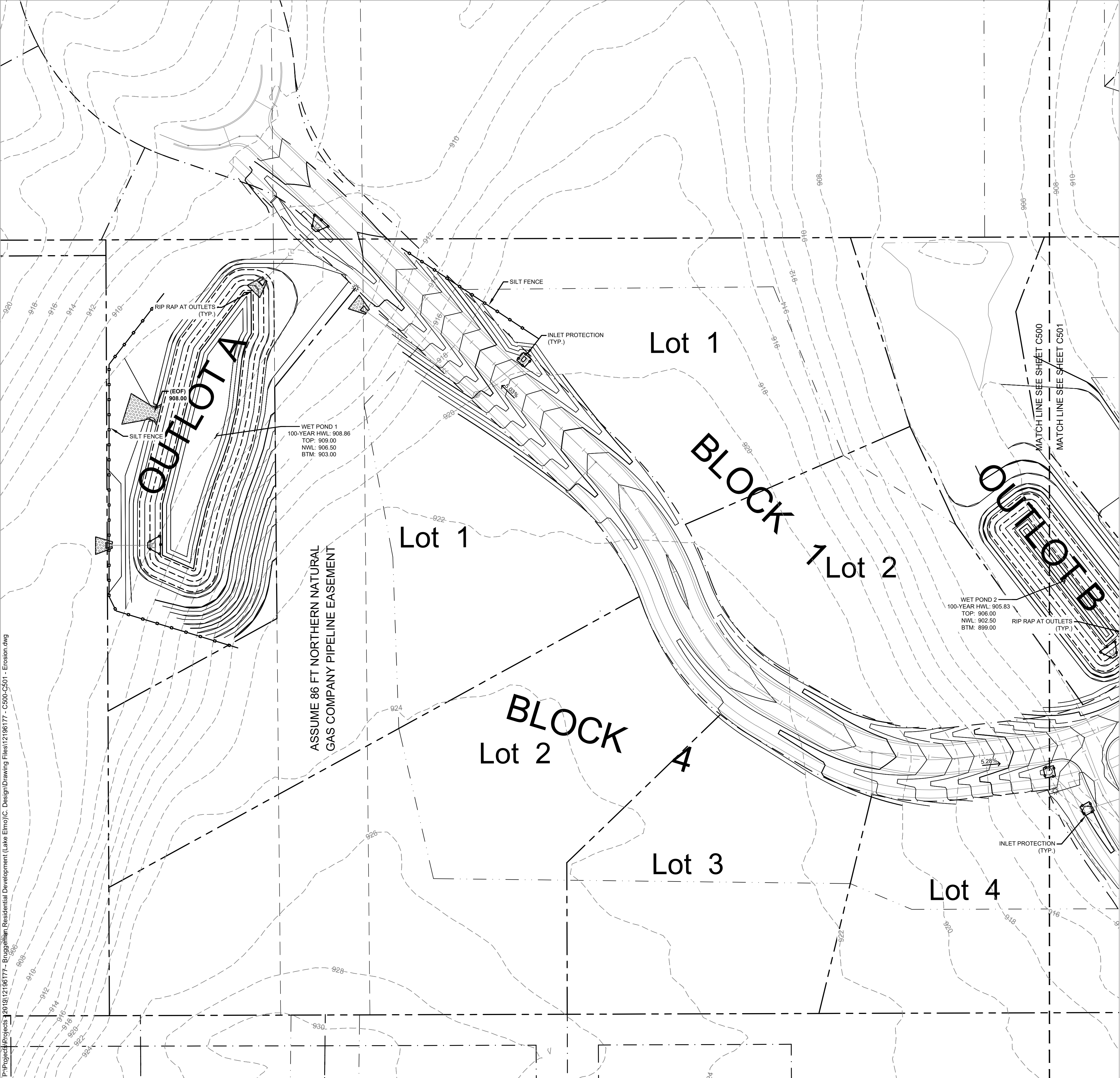
Rev.	Date	Description

Project #: 12196177.000
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GRADING PLAN

Sheet:

C401



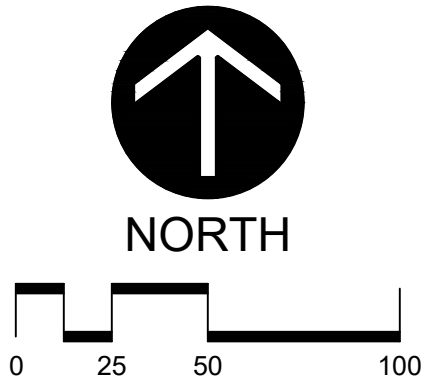
P:\Project\Projects\2019\12\196777 - Buggiehan Residential Development (Lake Elmo)\C. Design\Drawing Files\12\196777 - C500-C501 - Erosion.dwg

SYMBOL LEGEND

- SILT FENCE
- RIP-RAP / ROCK CONST. ENTRANCE
- INLET PROTECTION
- CONCRETE WASHOUT STATION (TO BE DETERMINED DURING CONSTRUCTION)

EROSION CONTROL NOTES

- Owner and Contractor shall obtain MPCA-NPDES permit. Contractor shall be responsible for all fees pertaining to this permit. The SWPPP shall be kept onsite at all times.
- Install temporary erosion control measures (inlet protection, silt fence, and rock construction entrances) prior to beginning any excavation or demolition work at the site.
- Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins, additional siltation fencing, and/or disk the soil parallel to the contours as deemed necessary to further control erosion. All changes shall be recorded in the SWPPP.
- All construction site entrances shall be surfaced with crushed rock across the entire width of the entrance and from the entrance to a point 50' into the construction zone.
- The toe of the silt fence shall be trenched in a minimum of 6". The trench backfill shall be compacted with a vibratory plate compactor.
- All grading operations shall be conducted in a manner to minimize the potential for site erosion. Sediment control practices must be established on all down gradient perimeters before any up gradient land disturbing activities begin.
- All exposed soil areas must be stabilized as soon as possible to limit soil erosion but in no case later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stockpiles without significant silt, clay or organic components (e.g., clean aggregate stockpiles, demolition concrete stockpiles, sand stockpiles) and the constructed base components of roads, parking lots and similar surfaces are exempt from this requirement.
- The normal wetted perimeter of any temporary or permanent drainage ditch or swale that drains water from any portion of the construction site, or diverts water around the site, must be stabilized within 200 lineal feet from the property edge, or from the point of discharge into any surface water. Stabilization of the last 200 lineal feet must be completed within 24 hours after connecting to a surface water. Stabilization of the remaining portions of any temporary or permanent ditches or swales must be complete within 14 days after connecting to a surface water and construction in that portion of the ditch has temporarily or permanently ceased.
- Pipe outlets must be provided with energy dissipation within 24 hours of connection to surface water.
- All riprap shall be installed with a filter material or soil separation fabric and comply with the Minnesota Department of Transportation Standard Specifications.
- All storm sewers discharging into wetlands or water bodies shall outlet at or below the normal water level of the respective wetland or water body at an elevation where the downstream slope is 1 percent or flatter. The normal water level shall be the invert elevation of the outlet of the wetland or water body.
- All storm sewer catch basins not needed for site drainage during construction shall be covered to prevent runoff from entering the storm sewer system. Catch basins necessary for site drainage during construction shall be provided with inlet protection.
- In areas where concentrated flows occur (such as swales and areas in front of storm catch basins and intakes) the erosion control facilities shall be backed by stabilization structure to protect those facilities from the concentrated flows.
- Inspect the construction site once every seven days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours. All inspections shall be recorded in the SWPPP.
- All silt fences must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/3 of the height of the fence. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. All repairs shall be recorded in the SWPPP.
- If sediment escapes the construction site, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts.
- All soils tracked onto pavement shall be removed daily.
- All infiltration areas must be inspected to ensure that no sediment from ongoing construction activity is reaching the infiltration area and these areas are protected from compaction due to construction equipment driving across the infiltration area.
- Temporary soil stockpiles must have silt fence or other effective sediment controls, and cannot be placed in surface waters, including stormwater conveyances such as curb and gutter systems, or conduits and ditches unless there is a bypass in place for the stormwater.
- Collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other wastes must be disposed of properly and must comply with MPCA disposal requirements.
- Oil, gasoline, paint and any hazardous substances must be properly stored, including secondary containment, to prevent spills, leaks or other discharge. Restricted access to storage areas must be provided to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA regulations.
- External washing of trucks and other construction vehicles must be limited to a defined area of the site. Runoff must be contained and waste properly disposed of. No engine degreasing is allowed onsite.
- All liquid and solid wastes generated by concrete washout operations must be contained in a leak-proof containment facility or impermeable liner. A compacted clay liner that does not allow washout liquids to enter ground water is considered an impermeable liner. The liquid and solid wastes must not contact the ground, and there must not be runoff from the concrete washout operations or areas. Liquid and solid wastes must be disposed of properly and in compliance with MPCA regulations. A sign must be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
- Upon completion of the project and stabilization of all graded areas, all temporary erosion control facilities (silt fences, hay bales, etc.) shall be removed from the site.
- All permanent sedimentation basins must be restored to their design condition immediately following stabilization of the site.
- Contractor shall submit Notice of Termination for MPCA-NPDES permit within 30 days after Final Stabilization.



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Client:

**SUNFLOWER MEADOWS
RESIDENTIAL DEVELOPMENT**
LAKE ELMO, MN 55042

Project Title:

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Matt Woodruff
First M. Last, P.E.

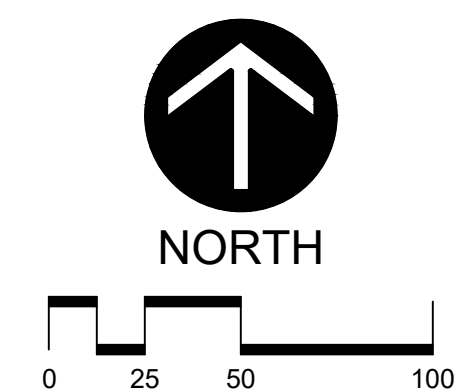
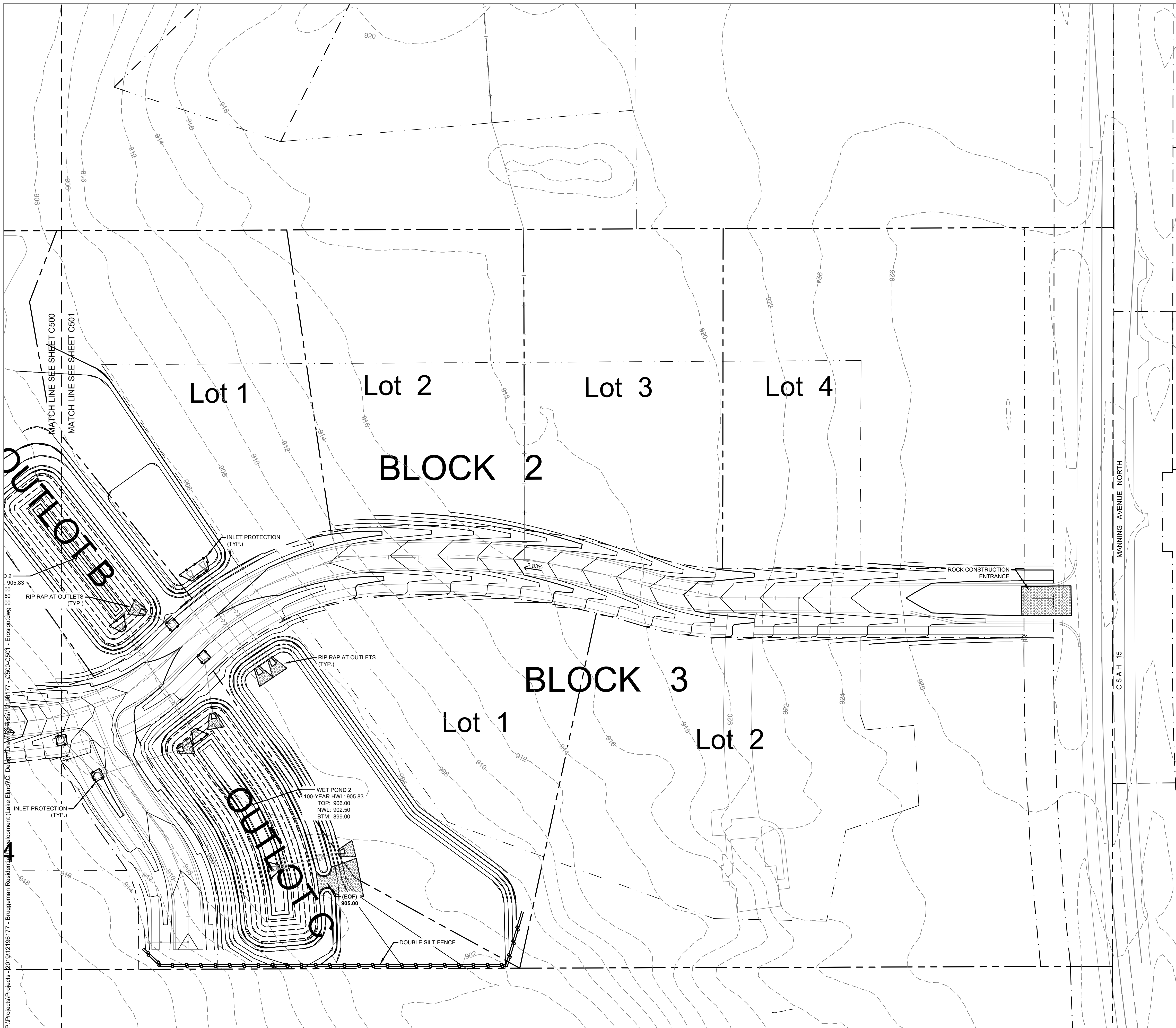
Date: 12.28.20 Lic. No.: 41885

Rev.	Date	Description

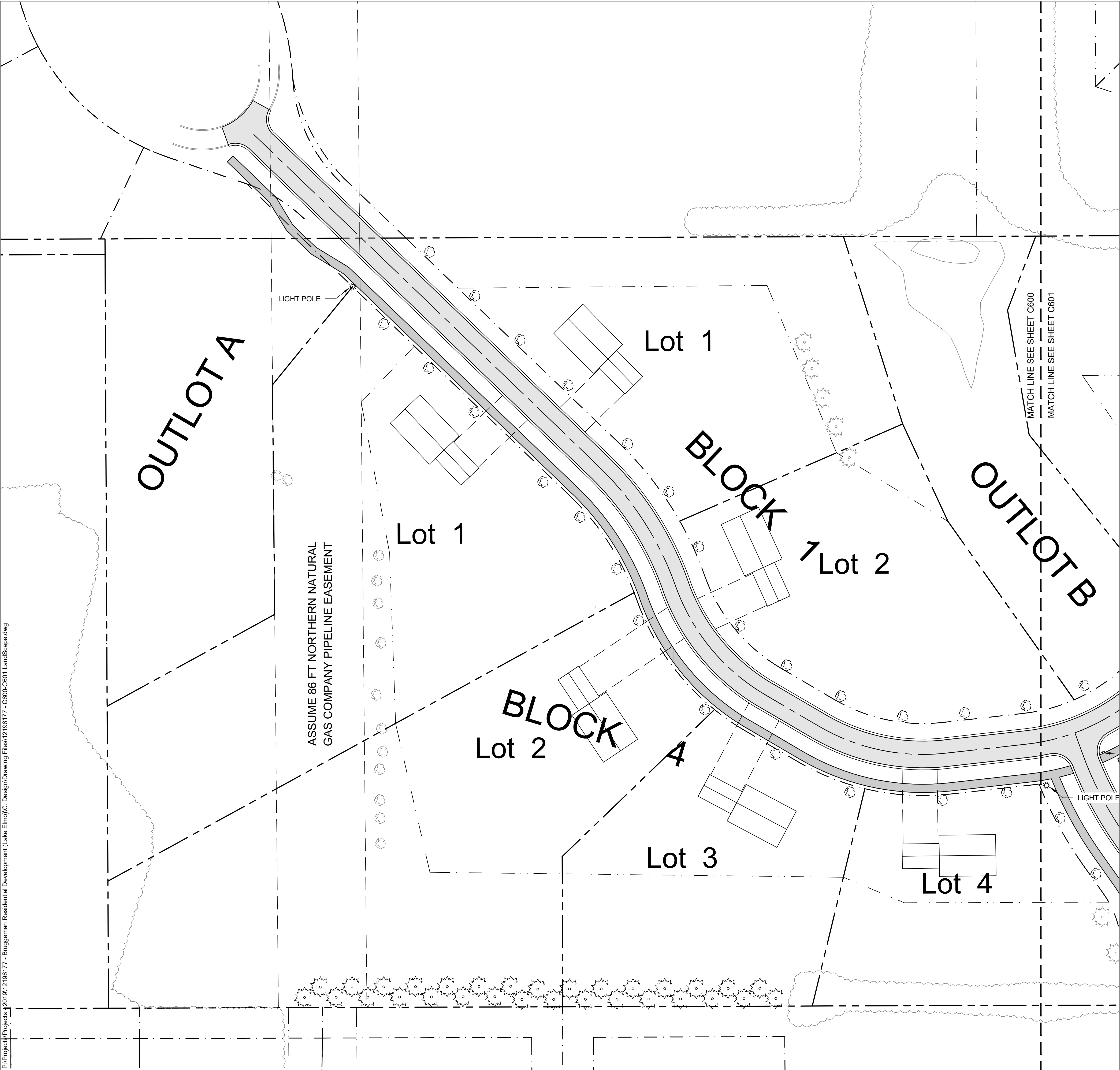
Project #: 12196177.000
Drawn By: MTH
Checked By: MJW
Issue Date: 12.28.20
Sheet Title:

**EROSION CONTROL
PLAN**

Sheet:
C500



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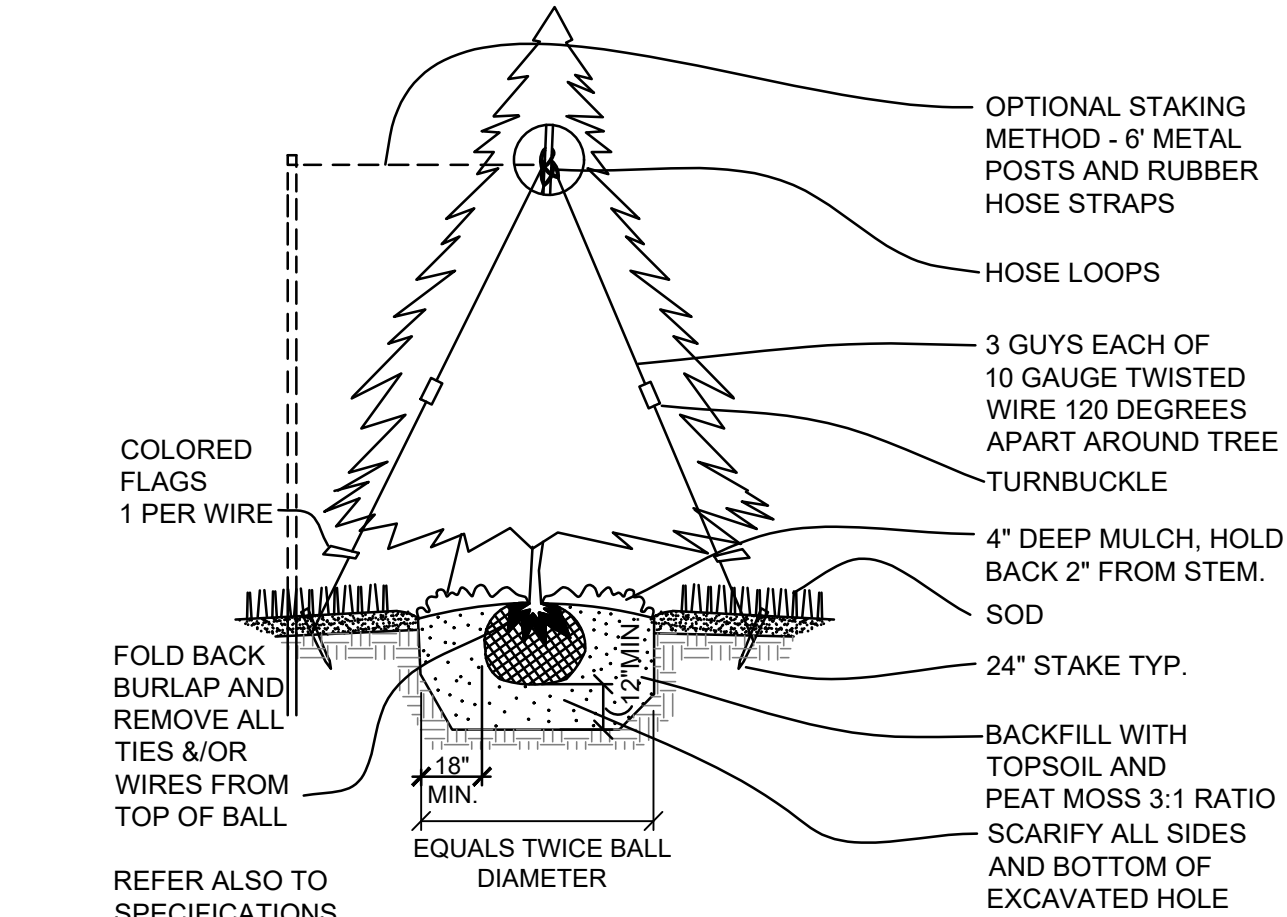


SYMBOL LEGEND

- PROPOSED ROADWAY
BITUMINOUS PAVEMENT
SEE TYPICAL SECTION, DETAIL 1/C300
- PROPOSED TRAIL/DRIVEWAY
BITUMINOUS PAVEMENT
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS
- PROPOSED BUILDING FOOTPRINT
- LIGHT POLE

PLANTING NOTES

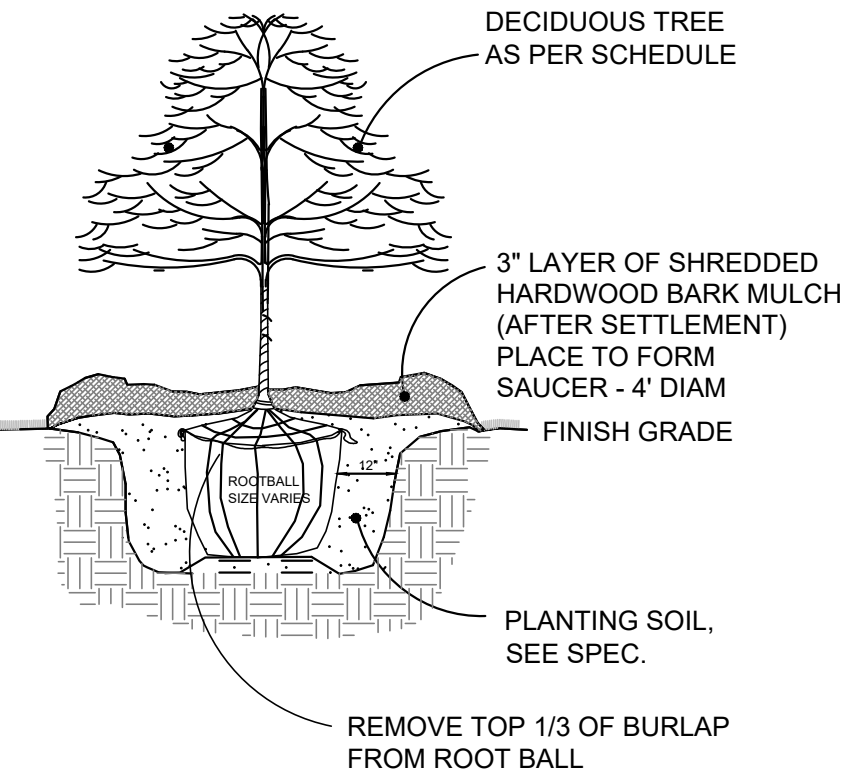
- THE LANDSCAPING LAYOUT DEPICTS A TOTAL OF 95 TREES, CONSISTING OF 31 CONIFEROUS AND 64 DECIDUOUS TREES.
- PROVIDE AND INSTALL PLANT MATERIALS THAT MEET SPECIFICATIONS AND ARE OF THE SIZE, TYPE, AND SPECIES GIVEN IN PLANT SCHEDULE.
- REMOVE DEAD OR DAMAGED BRANCHES. RETAIN THE NATURAL FORM OF THE TREE OR SHRUB.
- DO NOT CUT THE LEADER.
- PLACE WEED BARRIER. DIG PLANT HOLES 12" MIN. LARGER THAN BALL, ALL SIDES. BACK FILL WITH PLANTING SOIL - SEE SPEC. SCARIFY BOTTOM OF PLANTING HOLE. REFER TO SPECIFICATIONS FOR ADDITIONAL INFORMATION.
- IN CASE OF ANY DISCREPANCIES BETWEEN THIS DETAIL, PLANS OF SPECIFICATIONS, THE SPECIFICATION SHALL GOVERN.



CONIFEROUS TREE PLANTING DETAIL

NOT TO SCALE

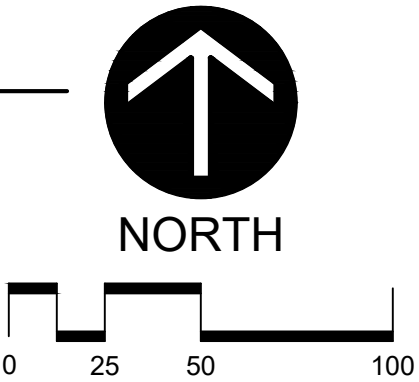
1
C600



DECIDUOUS TREE PLANTING DETAIL

NOT TO SCALE

2
C600



PRELIMINARY PLAT - DECEMBER 28, 2020

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**SUNFLOWER MEADOWS
RESIDENTIAL DEVELOPMENT**
LAKE ELMO, MN 55042

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Matt Woodruff
First M. Last, P.E.
Date: 12.28.20 Lic. No.: 41885

Rev.	Date	Description

Project #: 12196177.000
Drawn By: MTH
Checked By: MJW
Issue Date: 12.28.20

Sheet Title:
**LANDSCAPING,
LIGHTING, AND
SIGNAGE PLAN**

Sheet:
C600

*Part South Half of Northeast Quarter
Section 24, Township 29 North, Range 21 West
City of Lake Elmo, Minnesota*

DEVELOPER:

Paul Bruggeman
Bruggeman Builders
9260 Jeffrey Boulevard North
Stillwater, MN 55082

PROPERTY OWNER:

Gary and Meg Johnson
2500 Manning Avenue North
Lake Elmo, MN 55042

LEGAL DESCRIPTION:

That part of the South one-half of the Northeast Quarter, except the north 35.48 acres thereof of Section 24, Township 29 North, Range 21 West, Washington County, Minnesota, described more particularly as follows:

Commencing at the East Quarter corner of said Section 24, a found Washington County Cast Iron Monument; thence South 89 degrees 49 minutes 25 seconds West, bearing based on the Washington County Coordinate System, a distance of 42.39 feet along the south line of the Northeast Quarter of Section 24 to the westerly right of way of County State Aid Highway No. 15; and to a found Washington County right-of-way monument for the point of beginning; thence South 89 degrees 49 minutes 25 seconds West a distance of 1926.78 feet along the south line of the Northeast Quarter of Section 24; thence North 00 degrees 15 minutes 37 seconds West a distance of 732.32 feet parallel with the westerly line of the Northeast Quarter of Section 24; thence North 89 degrees 41 minutes 54 seconds East a distance of 1913.66 feet along the southerly line of said north 35.48 acres to the westerly right of way of County State Aid Highway No. 15; thence South 00 degrees 03 minutes 10 seconds West a distance of 416.98 feet along the westerly right of way of County State Aid Highway No. 15 to a found Washington County right-of-way monument; thence along a curve concave to the east an arc length of 314.97 feet (314.90 record) to a found Washington County right-of-way monument, said curve has a delta angle of 6 degrees 10 minutes 13 seconds (6 degrees 10 minutes 08 seconds record) a radius of 2924.79 feet and the chord of said curve bears South 3 degrees 01 minute 35 seconds East a distance of 314.82 feet (314.75 feet record); thence South 2 degrees 34 minutes 55 seconds East a distance of 5.09 feet along the westerly right of way of County State Aid Highway No. 15 to the point of beginning.

Folz Freeman Surveying LLC
LAND PLANNING and SURVEYING

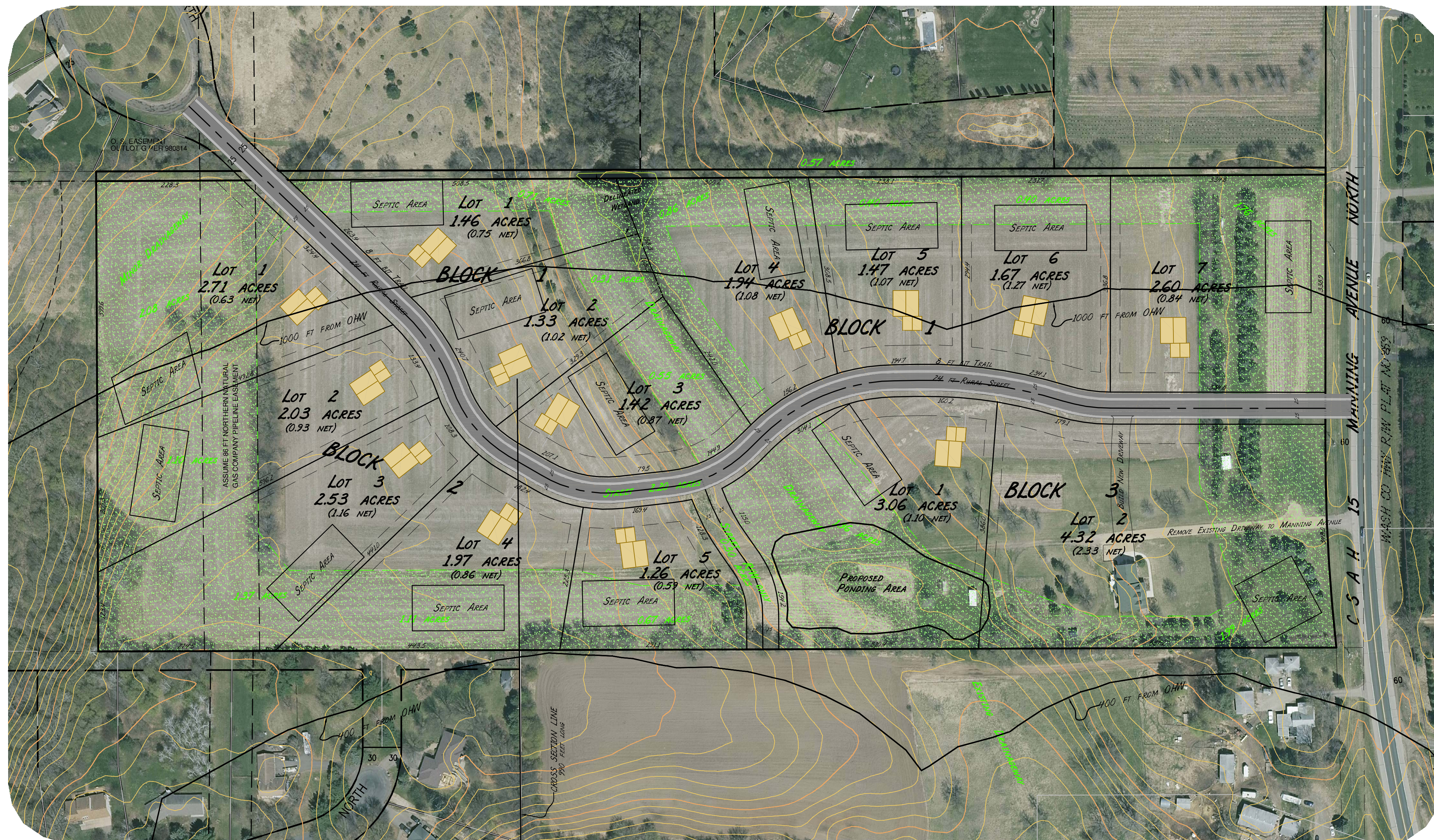
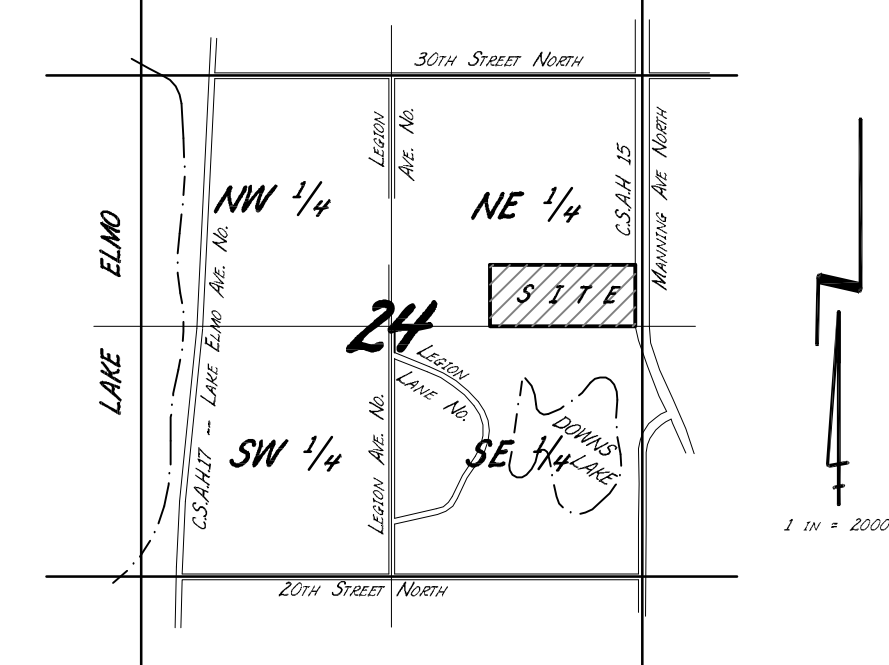


LAKE ELMO, MINNESOTA 55042
(651) 439-8833 www.FFSurveying.com

Timothy J. Freeman, Land Surveyor, Lic 16989

VICINITY MAP

SECTION 24, T29N - R21W
CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA



LOT AND OPEN SPACE AREAS

Lot	Block	Overall Lot Area (Acres)	Open Space Esmt (Acres)	Net Buildable Area (Acres)
1	1	1.46	0.75	0.71
2	1	1.33	0.31	1.02
3	1	1.42	0.87	0.55
4	1	1.94	0.86	1.08
5	1	1.47	0.4	1.07
6	1	1.67	0.4	1.27
7	1	2.6	1.76	0.84
Subtotals		11.89	5.35	6.54
1	2	2.71	2.08	0.63
2	2	2.03	1.1	0.93
3	2	2.53	1.37	1.16
4	2	1.97	1.11	0.86
5	2	1.26	0.67	0.59
1	3	3.06	1.96	1.1
2	3	4.32	1.99	2.33
Subtotals		17.88	10.28	7.6
Totals		29.77	15.63	14.14

LOT AND OPEN SPACE CALCULATIONS

GROSS AREA:	32.27 ACRES
UNBUILDABLE AREA: (Delineated Wetland)	0.19 ACRES
TOTAL BUILDABLE AREA:	32.08 ACRES
UNIT CALCULATION (18 UNITS / 40 ACRES):	14.4 UNITS
AREA OF LOTS: (MINUS STREETS)	29.77 ACRES
REQUIRED OPEN SPACE NEEDED: (.50%)	14.89 ACRES
OPEN SPACE PROVIDED:	15.63 ACRES

SITE INFORMATION

Present Zoning: RR - RURAL RESIDENTIAL
Requested Zoning: Open Space - Planned Unit Development

Lots will utilize on-site septic & drainfield with City watermain

Street and bituminous trail length is 1917 lineal feet

Street and bituminous trail length is 1917 lineal feet

Street trees to be provided: $1917/30\text{ft} = 64$ trees planted in clusters

Lot trees at 10 per lot to be installed by homeowners

Stillwater Area School District 834

Entire Area Within Valley Branch Watershed District

Note: Existing Lidar contours and elevations are from data provided by MN DNR. The horizontal datum for the mapping is based on the Washington County Coordinate System NAD83 and the vertical datum is NAVD, 1988 adjustment.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

Timothy J. Freeman
Timothy J. Freeman, LS
Minnesota License No. 6989

4/17/20

Date _____

Note: Official Copies of this map are crimp sealed

CIVIL ENGINEERING:

Matthew Woodruff, PE
Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110
651-481-9120
www.larsonengr.com

Revision Note: Updated various items and created 2nd Sheet 4/28/20

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: April 7, 2021

To: Ken Roberts, Planning Director Re: Sunflower Meadows Open Space PUD (2500 Manning Ave)
Cc: Chad Isakson, PE, Assistant City Engineer Preliminary Plan Review
From: Jack Griffin, PE, City Engineer

An engineering review has been completed for the Sunflower Meadows Open Space (2500 Manning Avenue) Preliminary Plat/Plans received on March 9, 2021. The submittal consisted of the following documentation:

- Preliminary Plan Narrative dated February 26, 2021.
- Preliminary Plat dated February 28, 2021.
- Preliminary Residential Development Plans, dated December 28, 2020.
- Stormwater Management Report, dated December 28, 2020.

STATUS/FINDINGS: It is recommended that the Preliminary Plat/Plans be denied. The Preliminary Plat/Plans do not adequately address the conditions of Concept Plan approval.

SUNFLOWER MEADOWS PRELIMINARY PLAT/PLANS

- Rural section streets are prohibited by the Open Space ordinance. All streets must be designed to meet the city engineering design standards including R/W width, street width and urban section design. Surmountable concrete curb and gutter should be installed in single family residential areas with future driveways and B618 curb installed along entrance roadways and medians. City standards require 32-foot-wide streets within 66-foot right-of-way.
- Ten (10) foot utility easements are required on either side of all right-of-way. Easements have not been shown on the preliminary plat or plans. Landscaping plans show boulevard trees located within the dedicated small utility easement corridor. All boulevard trees must be relocated per city standard detail 805.
- Secondary Access. A secondary residential street connection is shown to Lisbon Avenue in the Heritage Farms development. The preliminary plans currently show this connection, however, the street geometric connection details must be revised to convert the existing dead-end cul-de-sac to a future through street meeting current city street design standards. Parkway or divided roadways must be a minimum of 19 feet wide from face of curb to face of curb. The divided roadway segment of Lisbon Avenue must be reconstructed to meet current city standards for divided one-way streets.
- An 8-foot bituminous trail with 2-foot clear zones is required to be constructed along the entire length of all proposed streets with a minimum 5-foot boulevard. Any trails proposed along drainage systems must maintain an elevation such that the bottom of the trail aggregate base is 18-inches above the ditch bottom.
- The site plan shows three storm water pond areas located on Outlot A, Outlot B and Outlot C respectively. The proposed storm water ponds must be revised to meet city design standards, including 10:1 aquatic bench, 10:1 maintenance bench, and minimum 20-foot-wide maintenance access roadway with grades less

than 10%. Wet ponds must also be a minimum 4-foot pool depth and must incorporate city standard outlet control structures. These facilities must all be clearly shown on the plans.

- Outlot A, B and C must be revised to fully incorporate the 100-year HWL, maintenance bench and maintenance access roadways. Outlot A (and Wet Pond 1) must be revised to mitigate any encroachment onto the gas pipeline easement.
- All stormwater ponds are shown as “wet ponds” which do not provide for volume control. The site plan must be revised to incorporate volume control requirements to meet VBWD rules.
- The site plan shows an existing drainage way bisecting the site. The 100-year high water level (HWL) must be determined for this drainageway and all setbacks and vertical separations will need to be maintained for adjacent low floor elevations and septic systems.
- Drainage easements are required over Lot 1, Block 2; and over Lot 1, Block 3 for the drainage way that is bisecting the development site and carrying stormwater from the north to south. The drainage easements over these lots must incorporate the 100-year HWL for the drainage way.
- As part of the preliminary plat/plan application all wetlands and wetland buffers must be delineated and shown on the plans and placed on dedicated Outlots. No wetland buffer has been shown.
- The Preliminary Plat plan scale must be corrected to reflect the scale presented on the plan sheet. The scale must not be less than 1" = 100 feet. A plan legend must be included on the preliminary plat to facilitate a complete review by the City. Line types must be labeled.
- Lot easements must be shown and dimensioned for dedication with the Preliminary Plat.
- Drainage and utility easements must be shown and dimensioned on the Preliminary Plat and plans.
- Minimum floor elevations and low openings must be provided for all lots, demonstrating a minimum vertical separation of 2-feet from low floor to any adjacent pond HWL and demonstrating a minimum vertical separation of 1-foot from low opening to any adjacent emergency overflow elevation.
- Location, dimensions, and slopes of all driveways must be identified on the preliminary plans.
- Septic system dimensions, areas and setbacks must be shown on the plat and plans, including 10-feet from all property lines and 20-feet from all structures. Septic systems must also remain fully outside of all easements areas including the 10-foot small utility corridors along the dedicated street rights-of-way. Septic system locations must be revised for Lot 2, Block 1; and Lots 1 and 2, Block 3.
- Grading and erosion control plans must show ALL trees to be saved with spot elevations shown for each tree.
- Two connection points to the existing watermain system are required. The subdivision must connect to the proposed 12-inch trunk watermain replacement located in Lisbon Avenue, with a 12-inch trunk watermain extended into the development, then south along the stub street, then west along the rear property line, and stubbed to the south plat limits for future extension of city water along Lisbon Avenue within the Eden Park subdivision (to the vacated right-of-way of Lisbon Avenue North). An 8-inch lateral watermain must then extend throughout the remaining development to serve each proposed property. If this stub remains less than 1,000 feet in length, the loop connection to Lisbon Court North on the east side of the Heritage Farms subdivision is not necessary.
- All utilities and easements must be shown on the landscape plans to facilitate a complete review by city staff and all boulevard trees must be relocated accordingly.

To: Ken Roberts, City of Lake Elmo
Planning Director

From: Sarah Harding, Landscape Architect
Jenna Niday, Landscape Designer

File: City of Lake Elmo Landscape Plan Review
Sunflower Meadows PUD, Review #2

Date: March 18, 2021

Submittals

- Preliminary Plat, dated 12-28-2020, received 2-26-2021.
- Landscape Plans, dated 12-28-2020, received 3-16-2021.

Location: Northeast quadrant of the intersection of 30th Street North & Manning Avenue North, Lake Elmo, MN

Land Use Category: Rural Residential

Surrounding Land Use Concerns: None.

Special landscape provisions in addition to the zoning code: Open Space PUD standards require 10 trees per building site. There must be a boulevard tree to account for every 30 linear feet of public street. A 200-foot buffer is required from all adjacent property lines that abut and existing residential development, as well as a 100-foot buffer from all adjacent property lines that abut land that is eligible for future development as an open space planned unit development.

Findings:

1. The applicant is reserving a large majority of all the existing trees onsite and is asking that these trees make up for the 10 required trees for each building site. They are also proposing that future landowners be responsible for purchasing and planting these 10 required trees. A landscape plan for the development is required, showing the 10 proposed trees per building site. A tree preservation plan will help identify existing significant trees on each lot that may account for these 10 required trees and inform how many of the required 10 trees remain to be planted per building site.
2. The applicant is proposing planting the 64 required boulevard trees, one for every 30 lineal feet. These are accounted for and shown on the provided landscape plans.
3. The preserved trees on site may count towards the required screening buffers the Open Space PUD call for. The applicant is asking that the area that borders Eden Park be revised from a required 200-foot buffer to a 100-foot buffer and states that City Council was supportive of this idea if it is screened with new plantings to mitigate the reduced buffer. These trees are being accounted for and shown on the provided landscape plans.
4. Driveways are being shown for each home and some of the boulevard trees appear to be too close to the driveways. For future submittals, all proposed trees must be 10 feet from all utilities and driveways.
5. The applicant has referenced that open space requirements will be met by way of a City of Lake Elmo conservation easement which spans land owned and maintained by individual lot owners. A maintenance plan was not submitted as the time of this review. Further consideration and discussion by the City is recommended to ensure conservation easement goals and management plan actions are sustainable for City and transfer when lot ownership changes occur.

March 18, 2021

Ken Roberts
Planning Director
City of Lake Elmo
Page 2 of 2

Recommendation:

It is recommended that conditions of approval include:

1. The applicant provides a landscape plan showing 10 existing or proposed trees per building lot, with the intention of providing the required trees per Open Space PUD standards.
 - a. Existing trees meeting the City ordinance definition for significant tree can be counted. A healthy tree measuring a minimum of six (6) inches in diameter for hardwood deciduous trees, 19 feet in height or eight (8) inches in diameter for coniferous/evergreen trees, or twelve (12) inches in diameter for common trees.
 - b. If 10 or more significant existing trees are located on a proposed lot, additional new trees do need to be planted to make the number of new and existing significant trees at least 10.
 - c. If no significant, existing trees are located on a proposed lot, 10 new trees need to be planted.
2. The applicant submit a tree preservation plan.

Stantec Consulting Services Inc.



Sarah Harding, PLA (MN)

City of Lake Elmo Municipal Landscape Architect
P: (952) 215-2661
E: sharding@wenck.com

Donald J. Theisen, P.E., Director
Wayne H. Sandberg, P.E., Deputy Director
County Engineer

March 16, 2021

Ken Roberts
Planning Director
City of Lake Elmo
3880 Laverne Avenue
Lake Elmo, MN 55042

Comments on the Preliminary Plans for Sunflower Meadows Open Space Planned Use Development

Dear Ken Roberts,

Thank you for the opportunity to comment on the preliminary plans for the Sunflower Meadows Planned Use Development. We are grateful for the City of Lake Elmo's partnership on this project. Our development review team has reviewed the preliminary plans and offers the following comments:

- The provision of right and left turn lanes from the proposed development onto County State Aid Highway 15 is warranted by traffic volumes and supported by the County. The design of these turn lane improvements will need to meet county design standards and may be impacted by nearby intersections.
- The dedication of 90 feet of right-of-way from centerline as shown on the typical section contained in the plans meets the requirements prescribed by the Washington County 2040 Comprehensive Plan.
- The development to the north will be getting connected to municipal services through the upcoming Heritage Farms Utility Farms Street and Utility Improvements project. The City is encouraged to coordinate with that utility improvement work to provide municipal services to this proposed development.
- The location of the proposed development is in close proximity to County State Aid Highway 15 which regularly accommodates high traffic volumes and is expected to be expanded to a four-lane road in the future. The inherent noise impacts associated with these conditions should be considered. The County will not support the construction of noise walls nor tree plantings in the right-of-way to mitigate any future complaints associated with noise.

Thank you again for this opportunity to comment on the preliminary plans for the Sunflower Meadows Planned Use Development. If you have any questions, please contact me at 651-430-4307 or at kurt.howard@co.washington.mn.us.

Sincerely,

Kurt Howard

Kurt Howard
Planner I

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

RESOLUTION NO. 2020-074

***RESOLUTION APPROVING THE BRUGGEMANN BUILDERS OP PUD CONCEPT PLAN
WITH EXCEPTION AND MODIFICATIONS TO CITY STANDARDS FOR THE PROPERTY
LOCATED 2500 MANNING AVENUE NORTH***

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

WHEREAS, Mr. Tim Freeman, representing Paul Bruggeman and Bruggeman Builders, submitted an application to the City of Lake Elmo (the "City") for an OP PUD Concept Plan for a 14-lot residential open space planned unit development ("OP PUD") on a 32 acre property located at 2500 Manning Avenue North, a copy of which is on file in the City of Lake Elmo Planning Department; and

WHEREAS, notice was published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on May 27, 2020 to review and consider the OP PUD Concept Plan; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending to the City Council approval of the OP PUD Concept Plan subject to 22 conditions of approval; and

WHEREAS, the Lake Elmo Planning Director submitted a report and recommendation with respect to the OP PUD Concept Plan as part of memorandums to the City Council for the July 7, 2020 and July 21, 2020 City Council meetings; and

WHEREAS, the City Council reviewed the OP PUD Concept Plan application for the property at its meetings held on July 7, 2020 and July 21, 2020 and made the following findings of fact:

1. That the proposed OP PUD Concept Plan is consistent with the goals, objectives and policies of the Comprehensive Plan.
2. That the proposed OP PUD Concept Plan is consistent with the purpose and intent of OP PUDs in Lake Elmo by:
 - a. Providing greater development flexibility while maintaining the rural character by preserving agricultural land, woodlands, wildlife or natural corridors and other significant natural features.
 - b. Providing for:
 - i. An avenue to provide a development density equal to or greater than what could be achieved via the underlying zoning;

- ii. A reduction in the costs to construct and maintain public facilities and infrastructure in a rural setting;
 - iii. Protecting open space to enhance and preserve the natural character of the community;
 - iv. The creation of distinct neighborhoods that are interconnected within rural areas; and
 - v. The preservation large contiguous open spaces.
3. That the proposed OP PUD Concept Plan meets the prerequisites for open space PUDs as outlined in Section 154.655 of the City Code (existing zoning, 20 acre minimum site and the site being in single ownership or control).
 4. That all open space PUD design standards and all open space development standards (as outlined in Section 154.660 of the City Code) are met; or if deviations are proposed, that certain such proposed deviations are supported because they achieve the following three goals:
 - a. The deviations allow for a higher quality building and site design that will enhance aesthetics of the site;
 - b. The deviations help to create a more unified environment within the project boundaries by ensuring one of more of the following: architectural compatibility of all structures, efficient vehicular and pedestrian circulation, enhanced landscaping and site features and/or efficient use of utilities; and
 - c. The overall design provides appropriate solutions to eliminate adverse impacts that propose deviations may impose on surrounding lands.
 5. That the OP PUD Concept Plan generally complies with the City's subdivision regulations.
 6. That the OP PUD Concept Plan is generally consistent with the City's engineering standards with exceptions as noted in the City Engineer's memorandum dated May 20, 2020.
 7. That the OP PUD Concept Plan meets the minimum requirements for an OP PUD including minimum lot area and street layout.
 8. That the OP PUD Concept Plan will preserve and enhance important environmental features through careful and sensitive placement of buildings and facilities.

WHEREAS, the City Council reviewed and supported approval of the OP PUD Concept Plan at its meetings held on July 7, 2020 and July 21, 2020 and allowed for the following four deviations to the City's open space PUD design and development standards:

1. Allowing each home to have its own on-site septic system and drainfields- rather than having a community septic system or systems that would serve several homes (communal drainfields are a requirement of the Shoreland Ordinance for PUDs).
2. Having a reduced buffer from the south property line for construction on the development site (100 feet instead of 200 feet). This approval is subject to the developer planting landscaping and trees for screening that are satisfactory to the City.


3. Having lots with less than 80,000 square feet of lot area and lot widths less than 200 feet as required by the Shoreland Ordinance.
4. Not having commonly owned open space. As an alternative, the developer is requesting the City allow it to place conservation easements on each lot that would protect the natural features on the lot in order to meet the open space requirements. This approval is subject to the developer installing signs at the border of the conservation easement areas that notify the property owners to not disturb the conservation area and to not put anything in the conservation easement area.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the OP PUD Concept Plan for the property located at 2500 Manning Avenue North as prepared by Folz, Freeman Surveying for Bruggeman Builders with the four deviations noted above and modifications to City standards as noted herein and subject to the following conditions:

1. That the developer's future preliminary plat and preliminary OP PUD plans submittal include the parcel with the PID# 24-029-21-13-0002.
2. That the developer's future preliminary plat and preliminary OP PUD plans submittal identify all requests for flexibility or modifications from the OP PUD Development and Shoreland PUD standards.
3. That before submitting an application to the City for preliminary plat and preliminary OP PUD approval, the developer revise the OP PUD Concept Plan to address the recommended changes and to allow for additional City review.
4. That any future preliminary plat and preliminary OP PUD submittal address all relevant comments from the City Engineer that are stated in the letter to the City dated May 20, 2020. In particular, the plans must address the street right-of-way width, street and trail design standards and storm water management in the subdivision.
5. That any future preliminary plat and preliminary OP PUD submittal address all Council-required comments from the City Landscape Architect in the letter to the City dated May 6, 2020. In particular, the preliminary PUD landscaping plans must address the preservation and planting of trees and the required screening within the development – especially to the properties to the south.
6. That the preliminary plat and preliminary OP PUD plans submittal include a landscape, screening and buffering plan to address the requirements of the City Landscape Architect.
7. That the preliminary plat and preliminary OP PUD improvement and construction plans must show that the proposed street providing a connection to the property to the south.

8. The developer must work with the property owner immediately to the south of the proposed subdivision concerning the alignment of the proposed future street to their property.
9. That a shoreland tier analysis be provided with the future preliminary plat and preliminary OP PUD plans submittal.
10. That the preliminary OP PUD plans show at least 50 percent of the gross acreage of the development site as protected open space.
11. That any preliminary OP PUD/plat approval be contingent on complying with Washington County's requirements and requests regarding the need for additional right-of-way, turn lanes and/or trails in and along Manning Avenue.
12. That the developer shall secure all necessary permits from Washington County for the proposed access off of Manning Avenue North and for any work occurring in the Manning Avenue right-of-way.
13. That the developer provide trails or sidewalks on the property as recommended by the City Engineer and the Parks Commission.
14. That all public trails and sidewalks must be located outside of storm water ponding areas and wetland buffer zones.
15. That all wetlands and wetland buffer areas must be located within outlots and outside of lot areas.
16. That all storm water retention and infiltration areas must be either deeded or dedicated to the City and platted as outlots on the preliminary and final plat unless otherwise directed by the City Engineer.
17. That the developer provide fees in lieu of park land dedication as required by Section 153.14 of the City Code that will be payable upon approval of the future final plat/OP PUD.
18. That the preliminary plat and preliminary OP PUD plans comply with any comments or requirements provided by the Minnesota Department of Natural Resources.
19. The developer must submit a detailed PUD plan as part of any future preliminary OP PUD development plans. The PUD plan shall include a detailed listing of all requested departures or modifications from City ordinances, shoreland regulations and development standards.
20. The developer must prepare a plan for ownership and management of the proposed open space and conservation areas with a homeowner's association and as part of preliminary PUD plans.

Passed and duly adopted this 21st day of July, 2020 by the Lake Elmo City Council.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk



STAFF REPORT

DATE: April 12, 2021

Public Hearing

TO: Planning Commission
FROM: Ken Roberts, Planning Director
AGENDA ITEM: Amending the Lake Elmo Zoning Ordinance to adopt the Lake Elmo Airport Zoning Ordinance
REVIEWED BY: Ben Prchal, City Planner
Sarah Sonsalla, City Attorney

BACKGROUND INFORMATION

In 2018, the Metropolitan Airports Commission (MAC) formed a joint airport zoning board (JAZB) for the Lake Elmo airport. The JAZB consisted of members from Baytown Township, West Lakeland Township, City of Lake Elmo, City of Oak Park Heights, and the MAC.

The JAZB created a Lake Elmo Airport Zoning Ordinance to regulate the use of property and the height of structures and objects of natural growth in the vicinity of the Lake Elmo Airport. The purpose of the regulations in the Ordinance are to prevent hazards and other potential land use issues from impacting the aircraft and air traffic of the Lake Elmo Airport. A hazard, such as a tall antenna tower, could impact landings and take-offs from the Airport if the hazard is built within a certain distance of the runways. The Ordinance developed by the JAZB establishes height limitations for structures and trees within close proximity of the Airport, so as to prevent tall structures and vegetation from becoming hazards. The final draft of the Ordinance was adopted by the JAZB on February 10, 2021 and was filed with the County Recorder on February 19, 2021.

Minnesota Statutes Section 360.064, subdivision 1 (Airport Zoning; Comprehensive Regulations) states:

In the event that a municipality has adopted, or hereafter adopts, a comprehensive zoning ordinance regulating, among other things the height of buildings, any airport zoning regulations applicable to the same area or portion thereof must be incorporated by reference or incorporated in and made part of such comprehensive zoning regulations and be administered and enforced in connection therewith.

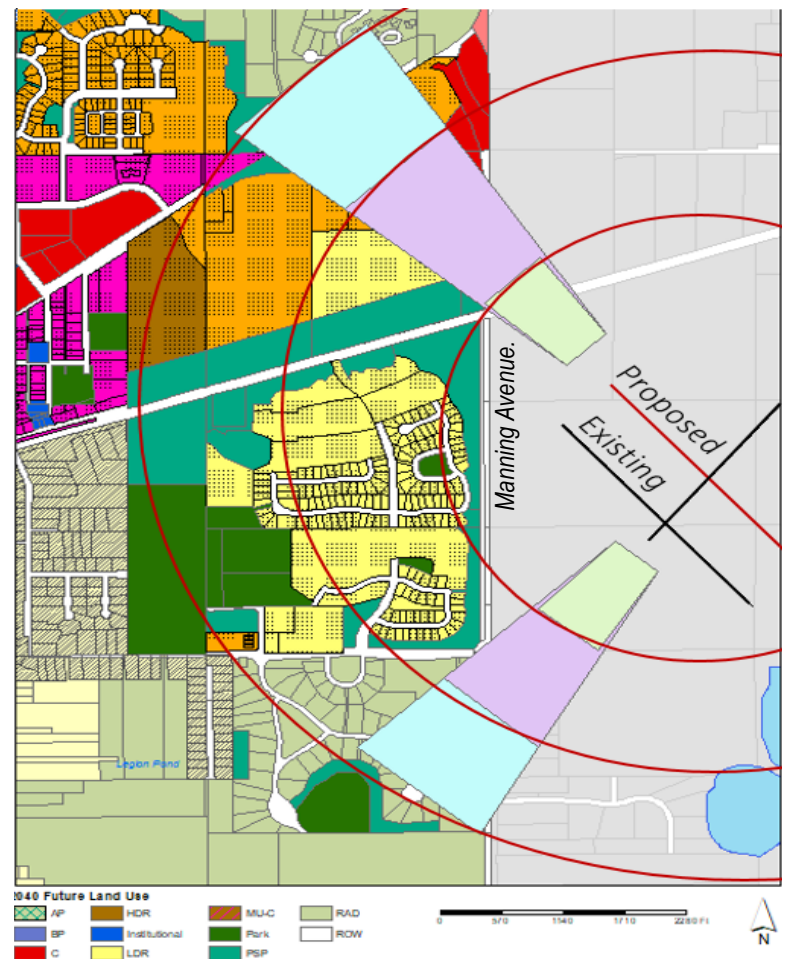
As such, the City of Lake Elmo is required by State law to adopt by reference or incorporate the Airport Zoning Ordinance as part of the City Zoning Ordinance.

CURRENT REGULATIONS:

The Lake Elmo Zoning Ordinance does not have specific regulations for land uses near the Lake Elmo Airport. This proposed Airport zone is an overlay zone, which is overlaid, or on top of, the normal zoning district. This is similar to the shoreland district. As an overlay, it only is present in certain areas of the City. If a parcel of land is near the airport, the parcel would have to follow the regulations of the zoning district the lot is zoned as, as well as the regulations in the Airport overlay district.

If the City adopts the Lake Elmo Airport Zoning Ordinance, the City regulations currently listed in the Zoning Ordinance would be overlaid with the Lake Elmo Airport Zoning Ordinance. Once the Airport Zoning Ordinance is adopted by the City Council, City staff will update the City's zoning map to reflect the revised overlay district boundaries for the Airport Overlay District.

Much of the Airport Overlay District area is within the City of Lake Elmo, though Baytown and West Lakeland Townships have large areas as well.

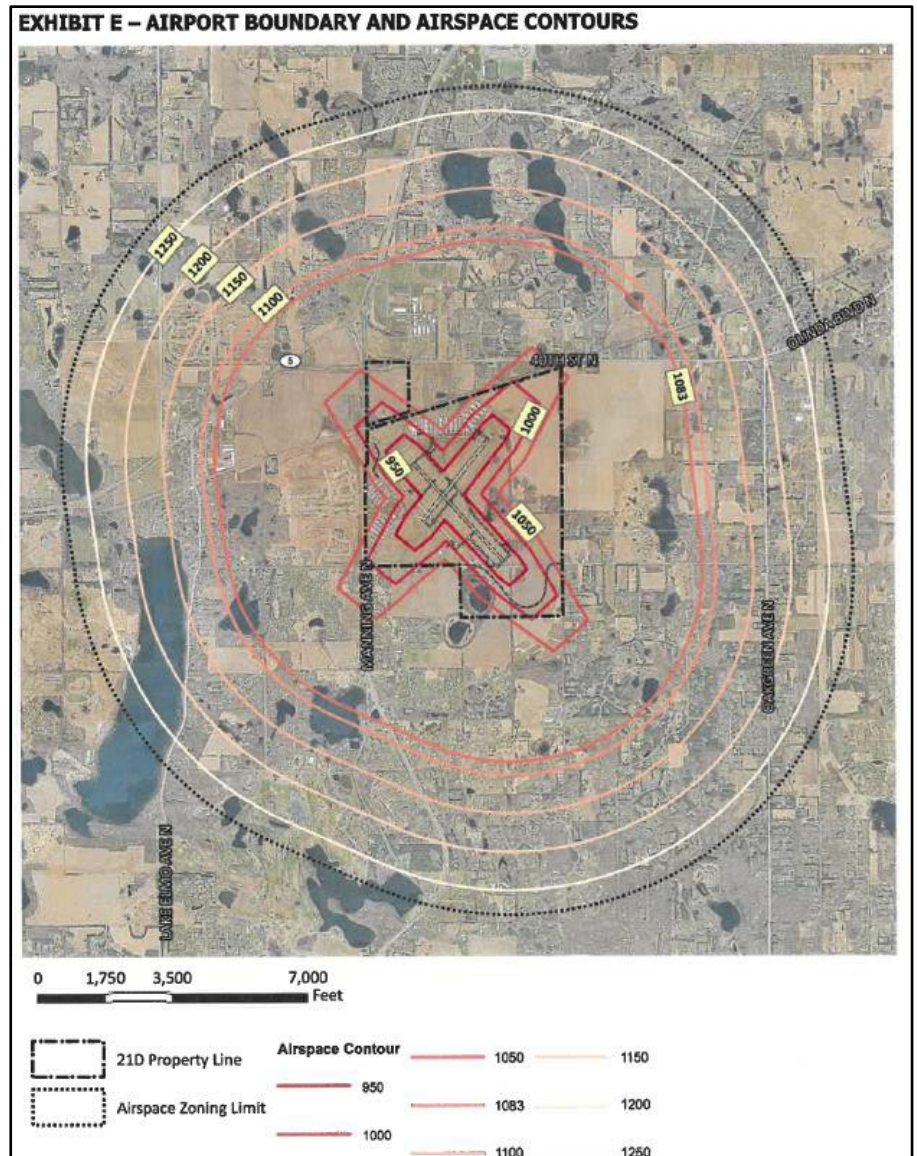


PROPOSED ORDINANCE

The Lake Elmo Airport Ordinance created by the JAZB creates an airport zone. Within the zone are two main safety zones: JAZB Zone 1 and JAZB Zone 2. JAZB Zone 1 includes a runway protection zone for each runway, and largely covers land owned by the MAC. JAZB Zone 2 extends out to a distance of approximately 5,000 feet from the runways. Areas between JABZ Zone 2 and the limit of the Airport zone include a large portion of the City of Lake Elmo.

Exhibit E in the Lake Elmo Airport Zoning Ordinance shows the extent of the new airport zone, as well as the contours that cannot be exceeded by structures or trees. Exhibit F shows the extent of the two safety zones. The Ordinance also shows in pages 29-61 a more detailed look at the contours in each quarter-quarter section with 10-foot increments for each contour. Pages 63-96 of the airport zoning ordinance show maximum building heights that do not need a special permit or approval.

Figure 2: Exhibit E from the Lake Elmo Airport Zoning Ordinance



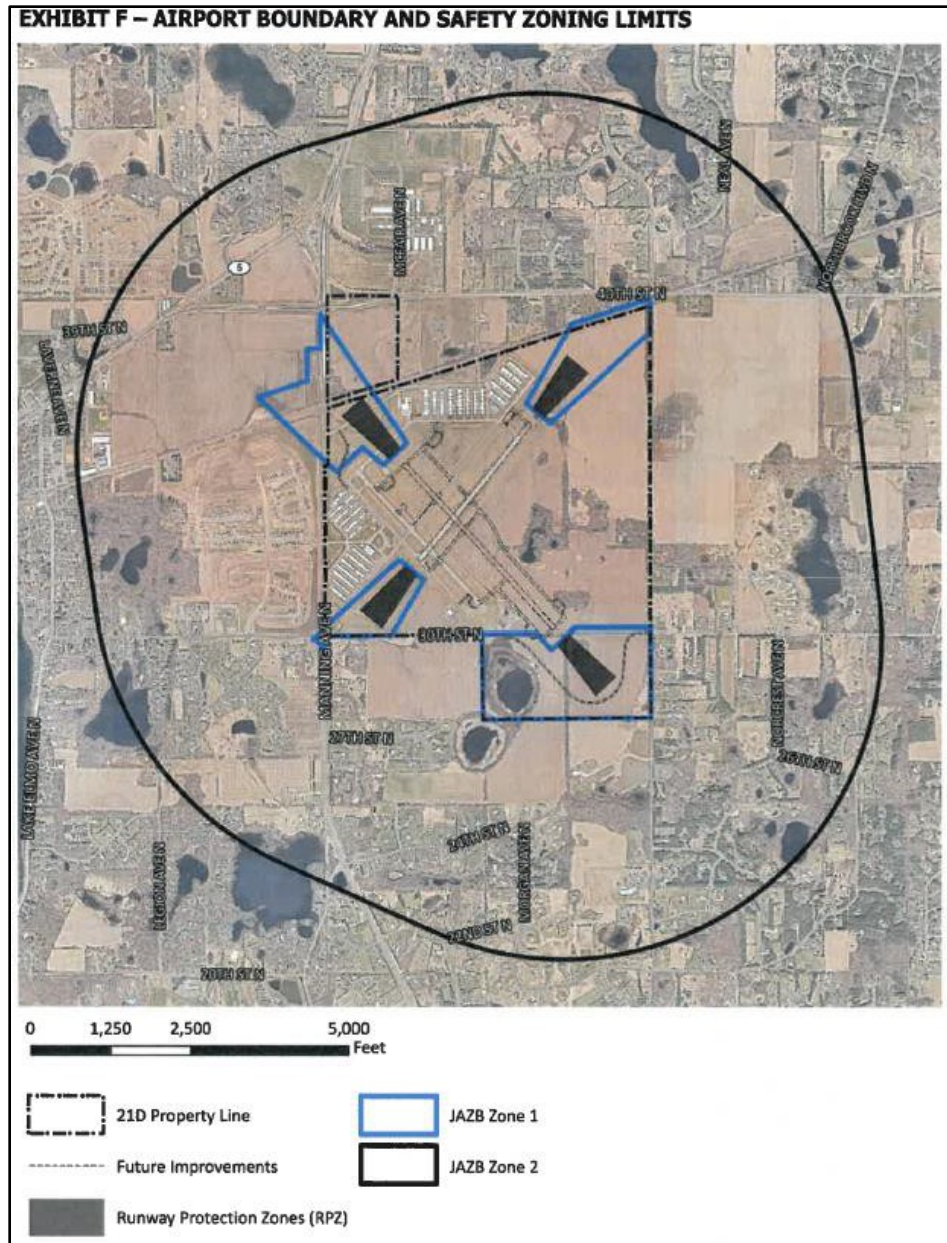


Figure 3: Exhibit F from the Lake Elmo Airport Zoning Ordinance

JAZB Zone 1 includes runway protection zones and is essentially a no-build zone at the end of each runway. JAZB Zone 2 allows buildings and structures as long as they do not exceed the height limits outlined in the Airport Zoning Ordinance. The lowest maximum height allowed in JAZB Zone 2 is 50 feet near the end of the runways. As shown in the exhibits in the Ordinance, the height restrictions decrease the further you are away from the Airport. The Lake Elmo Zoning Ordinance also already limits the height of most structures to 35 feet. The existing maximum height standards in the City Zoning Code would not change with the addition of the Airport Zoning Ordinance. Structures nonconforming to the height requirements in the Airport Zoning Ordinance could remain, though they would potentially need to have hazard marking and lighting.

The Airport Zoning Ordinance also outlines the processes for permits, variances, and appeals. The Airport Zoning Ordinance establishes a Board of Adjustment to review appeals, as well as variances to the requirements of the Airport Zoning Ordinance.

In order to implement the Lake Elmo Airport Zoning Ordinance, the City can either incorporate the entire text into the Lake Elmo Zoning Ordinance, or can adopt it by reference. Incorporating by reference would be simplest. A copy of the Ordinance would be available at the City Hall, as well as on the JAZB page on the MAC website. We also could post links and a copy of the Ordinance on the City website. If incorporating the Airport Zoning Ordinance into the current Lake Elmo Zoning Ordinance, the proposed text would be added to the Zoning Ordinance similar to the shore land management ordinance.

ACTION REQUESTED

The Planning Commission can recommend to the City Council that it do one of the following:

1. Adopt the Lake Elmo Airport Zoning Ordinance by reference; or
2. Adopt the Lake Elmo Airport Zoning Ordinance by incorporating the text into the Lake Elmo Zoning Ordinance

STAFF RECOMMENDATION

City Staff recommends that the Planning Commission recommend to the City Council approval of an amendment to the Lake Elmo Zoning Ordinance by adopting the 2021 Lake Elmo Airport Zoning Ordinance by reference.

The proposed new ordinance language would read as follows:

Article XXI. Lake Elmo Airport Overlay District

Section 154.920 Airport Overlay District

- (1) Applicability. The airport overlay district applies to land near the Lake Elmo General Aviation Airport. The specific regulations in this district are in addition to, rather than in lieu of, regulations imposed by any other zoning classification for the same land.
- (2) Regulations. Properties and uses within this overlay district are regulated in accordance with the City of Lake Elmo Zoning Ordinance and also must abide by the Lake Elmo Airport Zoning Ordinance. In the event of a conflict between the City of Lake Elmo Zoning Ordinance and the Lake Elmo Airport Zoning Ordinance, the more stringent limitation or requirement shall govern and prevail. A copy of the Lake Elmo Airport Zoning Ordinance is available at the Lake Elmo City Hall, as well as with the Metropolitan Airports Commission.

Attachments:

1. Lake Elmo Airport Zoning Ordinance
2. Maximum Construction Heights Map (page 62)

Lake Elmo Airport Zoning Ordinance

Adopted February 10, 2021

Adopted by the
Lake Elmo Airport Joint Airport Zoning Board

Contact Person:
Lake Elmo Joint Airport Zoning Board
c/o JAZB Secretary
Metropolitan Airports Commission
6040 28th Avenue South
Minneapolis, Minnesota 55450

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**LAKE ELMO AIRPORT
ZONING ORDINANCE
ADOPTED BY THE
LAKE ELMO AIRPORT JOINT AIRPORT ZONING BOARD**

AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY, IN THE VICINITY OF THE LAKE ELMO AIRPORT BY CREATING THE APPROPRIATE ZONES AND ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING FOR CHANGES IN THE RESTRICTIONS AND BOUNDARIES OF SUCH ZONES; DEFINING CERTAIN TERMS; REFERRING TO THE LAKE ELMO AIRPORT ZONING MAP; PROVIDING FOR ENFORCEMENT; ESTABLISHING A BOARD OF ADJUSTMENT; AND IMPOSING PENALTIES.

THEREFORE, IT IS HEREBY ORDAINED BY THE LAKE ELMO AIRPORT JOINT AIRPORT ZONING BOARD PURSUANT TO THE AUTHORITY CONFERRED BY MINNESOTA STATUTES §§ 360.061 – 360.074, THAT THE LAKE ELMO AIRPORT ZONING ORDINANCE BE EFFECTIVE AS FOLLOWS:

SECTION I. PURPOSE AND AUTHORITY

The LAKE ELMO Airport Joint Airport Zoning Board, created and established by joint action of the Metropolitan Airports Commission and the Cities of Lake Elmo and Oak Park Heights, Baytown Township, and West Lakeland Township, pursuant to the provisions and authority of Minnesota Statutes § 360.063, hereby finds and declares that:

- A. An Airport Hazard endangers the lives and property of users of the Airport and property or occupants of land in its vicinity, and also, if of the obstructive type, in effect reduces the size of the area available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the Airport and the public investment therein.
- B. The creation or establishment of an Airport Hazard is a public nuisance and an injury to the region served by the Airport.
- C. For the protection of the public health, safety, order, convenience, prosperity, and general welfare, and for the promotion of the most appropriate use of land, it is necessary to prevent the creation or establishment of Airport Hazards.

- D. The prevention of these Airport Hazards should be accomplished, to the extent legally possible, by the exercise of police power without compensation.
- E. The elimination or removal of existing land uses or their designation as nonconforming uses is not in the public interest and should be avoided whenever possible, consistent with reasonable standards of safety.
- F. In addition, the social and economic costs of disrupting land uses around the Airport often outweigh the benefits of a reduction in Airport Hazards, requiring a balance between the social and economic costs to surrounding communities and the benefits of regulation.
- G. Preventing the creation or establishment of Airport Hazards and eliminating, removing, altering, mitigating, or marking and lighting of existing Airport Hazards are public purposes for which political subdivisions may raise and expend public funds, levy assessments against land, and acquire land and property interests therein.

SECTION II. TITLE AND SHORT TITLE

This ordinance shall be known as the "Lake Elmo Airport Zoning Ordinance."

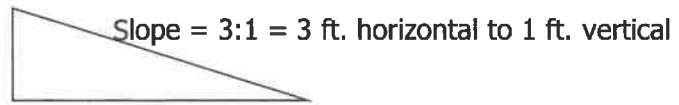
SECTION III. DEFINITIONS AND RULES OF CONSTRUCTION

- A. **Definitions.** As used in this Lake Elmo Airport Zoning Ordinance, unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall have the meanings indicated. All words and phrases not defined shall have their common meaning.
 - 1. ***Airport.*** "Airport" means Lake Elmo Airport located in Washington County, Minnesota.
 - 2. ***Airport Boundary.*** "Airport Boundary" means the boundary shown on Exhibit A – Airport Boundary, attached hereto and made a part hereof.
 - 3. ***Airport Hazard.*** "Airport Hazard" means any Structure, Tree, or use of land that obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the Airport; and, any use of land that is hazardous to Persons or property because of its proximity to the Airport.
 - 4. ***Airport Zoning Permit.*** "Airport Zoning Permit" means zoning permits as required under Section VIII.

5. ***Airspace Surfaces.*** "Airspace Surfaces" means the surfaces established in Section IV.A.
6. ***Airspace Zones.*** "Airspace Zones" means the land use zones established in Section IV.A.
7. ***Board of Adjustment.*** "Board of Adjustment" means the body established in Section XII.
8. ***Commissioner.*** "Commissioner" means the Commissioner of the Minnesota Department of Transportation or, if either the position of Commissioner or the Minnesota Department of Transportation shall no longer exist or serve its present functions, such successor state official or officials or entity or entities as shall either singularly or collectively perform or serve such functions.
9. ***Effective Date.*** "Effective Date" means the effective date set forth in Section XVIII.
10. ***FAA.*** "FAA" means the Federal Aviation Administration or, if the Federal Aviation Administration shall no longer exist or serve its present functions, such successor federal entity or entities as shall either singularly or collectively perform or serve such functions.
11. ***FAA 7460 Obstruction Evaluation.*** Established FAA process for conducting aeronautical studies conducted under the provisions of Title 14 CFR, Part 77 (for proposed construction or alteration) or Federal Aviation Act of 1958 (for existing structures), or any successor to this process.
12. ***Lake Elmo Airport Zoning Map.*** "Lake Elmo Airport Zoning Map" means the Lake Elmo Airport Zoning Map as defined in Section VI.C.
13. ***Lot.*** "Lot" means a designated parcel, tract, or area of land established by plat or subdivision, or otherwise permitted by law.
14. ***Nonconforming Structure.*** "Nonconforming Structure" means any Structure in existence in any Airspace Zone or Safety Zone but not conforming to the provisions of this Lake Elmo Airport Zoning Ordinance on the Effective Date.
15. ***Nonconforming Use.*** "Nonconforming Use" means any use of land in existence in any Airspace Zone or Safety Zone but not conforming to the provisions of this Lake Elmo Airport Zoning Ordinance on the Effective Date.
16. ***Person.*** "Person" means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a

- trustee, receiver, assignee, administrator, executor, guardian, or other representative.
17. ***Planned.*** “Planned” means proposed future Airport developments and improvements indicated on a planning document having the approval of the FAA, the Minnesota Department of Transportation, Office of Aeronautics, and the Metropolitan Airports Commission.
 18. ***Runway.*** “Runway” means any existing or planned paved surface of the Airport which is specifically designated and used or planned to be used for the landing and/or taking off of aircraft. The individual Runways at the Airport are defined in this Lake Elmo Airport Zoning Ordinance based on the compass heading of landing aircraft.
 19. ***Runway 14-32.*** “Runway 14-32” means the planned 3,500-foot non-precision primary runway. Both the Runway 14 and 32 ends are within Baytown Township.
 20. ***Runway 04-22.*** “Runway 04-22” means the planned 2,750-foot non-precision crosswind runway. Both the Runway 04 and 22 ends are within Baytown Township.
 21. ***Runway Protection Zone.*** “Runway Protection Zone” means a zone mandated by FAA regulations that is longitudinally centered on the extended centerline at each end of Runways 14-32 and 04/22, whose inner edge is at the same width and elevation as, and coincides with, the end of the Primary Surfaces (250 feet) for Runways 14-32 and 04-22; and that extends outward a horizontal distance of 1,000 feet, expanding uniformly to a width of 450 feet for Runways 14-32 and 04-22.
 22. ***Safety Zones.*** “Safety Zones” means the land use zones established in Section V.A.
 23. ***School.*** “School” means any private or public educational institution for people in kindergarten through grade 12 and any private or public day care or pre-school facility that enrolls more than 50 children.

24. **Slope.** "Slope" means an incline from the horizontal expressed in an arithmetic ratio of horizontal magnitude to vertical magnitude.



25. **Structure.** "Structure" means anything anchored, attached, built, constructed, erected, gathered, located, placed, or piled on the ground or in or over a water body, whether temporary or permanent, moveable or immovable, including antennae, buildings, canopies, cranes, decks, derricks, docks, edifices, equipment, fences, overhead transmission lines, patios, piers, piles, ponds, posts, roadways, signs, smokestacks, towers, utility poles, wires, and anything attached to any of the foregoing either temporarily or permanently.
26. **Tree.** "Tree" means any object of natural growth.
27. **Zoning Administrator.** "Zoning Administrator" means the public official in each affected municipality and at the Metropolitan Airports Commission as set forth in Section XI.B.

B. **Rules Of Construction.** In the construction of this Lake Elmo Airport Zoning Ordinance, the following rules shall be observed and applied, except where the context clearly indicates otherwise.

1. **Computing Time.** In computing the period of time within which an act may or must be done, the first calendar day from which the designated period of time begins to run shall not be included. The last day of the period shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which case the period shall run until the end of the next day which is not a Saturday, Sunday, or legal holiday.
2. **Conflicts Between Ordinance Provisions.** If a provision of this Lake Elmo Airport Zoning Ordinance conflicts with any other provision of this Lake Elmo Airport Zoning Ordinance, the more restrictive provision shall prevail.
3. **Height.** "Height" shall be expressed as elevation in feet above Mean Sea Level, North American Vertical Datum, 1988 Adjustment, except in reference to maximum construction height without an Airport Zoning Permit when it shall be expressed as distance in feet above ground shown on the Maximum

Construction Heights Without Permit Plates in the Lake Elmo Airport Zoning Map.

4. ***Including, Not Limited To.*** The word "including" means including but not limited to.
5. ***Land To Include Water Surfaces And Bodies.*** The word "land" shall include water bodies and surfaces for the purpose of establishing Airspace Zones and Safety Zones.
6. ***May, Permissive.*** The word "may" is permissive.
7. ***Shall, Mandatory.*** The word "shall" is mandatory and not discretionary.
8. ***Singular And Plural.*** The singular shall include the plural, and the plural the singular.
9. ***Tense.*** The present tense shall include the future.

SECTION IV. AIRSPACE OBSTRUCTION ZONING

- A. **Airspace Surfaces And Zones.** In order to carry out the purpose of this Lake Elmo Airport Zoning Ordinance as set forth in Section I., the following Airspace Surfaces and Airspace Zones are hereby established, subject to the airspace zoning limits in Section VI.A.
 1. ***Primary Surface.*** An imaginary surface longitudinally centered on each Runway extending 200 feet beyond each end of Runways 14-32 and 04-22 and having a width of 500 feet. The elevation of any point on the Primary Surface is the same as the elevation of the nearest point on the Runway centerline.
 2. ***Primary Zone.*** All that land which lies directly under a Primary Surface.
 3. ***Horizontal Surface.*** An imaginary surface that is 1,083 feet above mean sea level, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the Primary Surface of each Runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is 5,000 feet for Runways 14-32 and 04-22.
 4. ***Horizontal Zone.*** All that land which lies directly under the Horizontal Surface.
 5. ***Conical Surface.*** An imaginary surface extending upward and outward from the periphery of the Horizontal Surface at a Slope of 20 to 1 for a horizontal

distance of 4,000 feet as measured radially outward from the periphery of the Horizontal Surface.

6. **Conical Zone.** All that land which lies directly under the Conical Surface.
7. **Approach Surface.** An imaginary surface longitudinally centered on the extended centerline at each end of Runways 14-32 and 04-22. The inner edge of this surface is at the same width and elevation as, and coincides with, the end of the Primary Surface. For Runways 14-32 and 04-22, this surface inclines upward and outward at a Slope of 20 to 1 for a horizontal distance of 5,000 feet expanding uniformly to a width of 2,000 feet.
8. **Approach Zone.** All that land which lies directly under an Approach Surface.
9. **Transitional Surface.** An imaginary surface extending upward and outward at right angles to the centerline and extended centerline of Runways 14-32 and 04-22 at a Slope of 7 to 1 from both sides of each Primary Surface and from both sides of each Approach Surface of Runway 14-32 and 04-22 until it intersects the Horizontal Surface or the Conical Surface.
10. **Transitional Zone.** All that land which lies directly under a Transitional Surface.

B. **Height Restrictions.** Except as otherwise provided in this Lake Elmo Airport Zoning Ordinance, and except as necessary and incidental to Airport operations, the following height restrictions shall apply. Where a Lot is beneath more than one Airspace Surface, the height of the more restrictive (lower) Airspace Surface shall control.

1. **Structures.** No new Structure shall be constructed or established; and no existing Structure shall be altered, changed, rebuilt, repaired, or replaced in any Airspace Zone so as to project above any Airspace Surface. Nor shall any equipment used to accomplish any of the foregoing activities be allowed to project above any Airspace Surface.
2. **Trees.** No Tree shall be allowed to grow or be altered, repaired, replaced, or replanted in any Airspace Zone so as to project above any Airspace Surface. Nor shall any equipment used to accomplish any of the foregoing activities be allowed to project above any Airspace Surface.
 - a. **Public Nuisance; Order.** If the whole or any part of any Tree shall be determined to be an Airport Hazard by the FAA, or any successor entity, after proper investigation, the Metropolitan Airports

Commission may issue an order in writing for the owner or owners, agent or occupant of the property upon which such hazardous tree is located, to forthwith cause such hazardous tree, or portion thereof if the removal of a portion will remove the hazard, to be taken down and removed.

- b. Notice. Said order is to be mailed to the last known address of the owner, agent or occupant and shall be accompanied by a notice setting forth the authority to remove such hazardous Tree at such owner's, agent's or occupant's expense in the event such owner, agent or occupant fails to comply with or file a notice of appeal from said order within 10 days of mailing. The notice shall include instructions for filing a notice of appeal from said order.
- c. Removal. If within 10 days after said order has been mailed, as above provided for, the owner or owners, agent or occupant of the property upon which such hazardous Tree is located neglects or refuses to comply with said order, or has failed to file a notice of appeal from said order with the Metropolitan Airports Commission, then the Commission or its designee(s) may enter upon said premises and take down or remove said tree or portion thereof declared to be hazardous, and to do any and all things which in his opinion may be necessary for the protection of life, limb or property.
- d. Assessment of Expense. If, after the notice hereinbefore provided for has been given, the owner, agent or occupant has failed to remove such hazardous tree or portion thereof, and it becomes necessary for the Metropolitan Airports Commission to remove same, the Commission or its designee shall mail a statement of the expense of such removal to the owner, agent or occupant of the property from which such tree or portion thereof has been removed, and if within 30 days therefrom the owner, agent or occupant has not remitted to the Commission for the expense incurred by the Commission in said removal, the Commission or its designee may forthwith recover the amount of such expense from the owner or owners of said property

in any civil court of competent jurisdiction, in the manner provided by law.

- C. **FAA 7460 Obstruction Evaluation.** All construction of new Structures or alteration of existing Structures in an Airspace Zone shall comply with the requirements for filing notice to the FAA under the FAA 7460 Obstruction Evaluation process.

SECTION V. LAND USE SAFETY ZONING

- A. **Safety Zones.** In order to carry out the purpose of this Lake Elmo Airport Zoning Ordinance, as set forth in Section I., the following Safety Zones are hereby established, subject to the safety zoning limits in Section VI.B.
1. ***Safety Zone 1.*** Designated land, the extents of which are shown in Exhibit B. Safety Zone 1 overlies the Runway Protection Zones.
 2. ***Safety Zone 2.*** All land enclosed within the perimeter of the Horizontal Zone, as shown in Exhibit C, except that land within Safety Zone 1.
- B. **Land Use Restrictions.**
1. ***General Restrictions.*** Subject at all times to the height restrictions set forth in Section IV.B., no use shall be made of any land in any of the Safety Zones that creates or causes interference with the operations of radio or electronic facilities at the Airport or with radio or electronic communications between Airport and aircraft, makes it difficult for pilots to distinguish between Airport lights and other lights, results in glare in the eyes of pilots using the Airport, impairs visibility in the vicinity of the Airport, is deemed a "hazard" to air navigation by FAA or MNDOT as part of an FAA 7460 Obstruction Evaluation, or otherwise endangers the landing, taking off, or maneuvering of aircraft.
 2. ***Safety Zone 1 Restrictions.*** Subject at all times to the height restrictions set forth in Section IV.B. and to the general restrictions contained in Section V.B.1., areas designated as Safety Zone 1 for each end of Runways 14-32 and 04-22 shall contain no buildings, exposed high-voltage transmission lines, or other similar land use structural hazards, and shall be restricted to those uses which will not create, attract, or bring together an assembly of persons thereon. Allowed uses may include, but are not limited to, such uses as agriculture (seasonal crops), horticulture, animal husbandry, wildlife habitat, light outdoor recreation (non-spectator, including trails), cemeteries, roadways

and vehicle parking, railroads, and other approved aeronautical uses. Where Safety Zone 1 overlies the Runway Protection Zone, land uses and Structures within the Runway Protection Zone will be governed by Federal laws and regulations or by FAA advisory circulars, orders, or guidance.

3. ***Safety Zone 2 Restrictions.*** No land use in Safety Zone 2 shall violate the height restrictions set forth in Section IV.B. or the general restrictions contained in Section V.B.1.

SECTION VI. AIRPORT ZONING LIMITS AND LAKE ELMO AIRPORT ZONING MAP

- A. **Airspace Zoning Limits.** Exhibit D – Airport Boundary and Airspace Zoning Limits and Exhibit E – Airport Boundary and Airspace Contours, attached hereto and made a part hereof, show these limits.
- B. **Safety Zoning Limits.** Exhibit F – Airport Boundary and Safety Zoning Limits, attached hereto and made a part hereof, shows these limits.
- C. **Lake Elmo Airport Zoning Map.** The locations and boundaries of the Airspace Surfaces, Airspace Zones, Safety Zones, and the Maximum Construction Heights without an Airport Zoning Permit established by this Lake Elmo Airport Zoning Ordinance are set forth on the Lake Elmo Airport Zoning Map consisting of 102 plates – Airspace Zones, Plates A-A2 to A-F6; Maximum Construction Heights Without Permit, Plates MCH-A2 to MCH-F6; and Safety Zones, Plates SZ-A2 to SZ-F6 prepared by the Metropolitan Airports Commission, attached hereto and made a part hereof. These plates, together with such amendments thereto as may from time to time be made, and all notations, references, elevations, heights, data, surface and zone boundaries, and other information thereon, shall be and the same are hereby adopted as part of this Lake Elmo Zoning Ordinance.

SECTION VII. NONCONFORMING USES

- A. **Lake Elmo Airport Zoning Ordinance.** The provisions of this Lake Elmo Airport Zoning Ordinance shall not be construed to require the removal, lowering, other change, or alteration of any Nonconforming Structure or Tree, or otherwise interfere with the continuance of any Nonconforming Use. Nonconforming Structures and Nonconforming Uses are permitted under this Lake Elmo Airport Zoning Ordinance, subject to the provisions in Section VIII. (Airport Zoning Permits) and Section IX.

(Variances). Nothing herein contained shall require any change in the construction, alteration, or intended use of any Structure, the construction or alteration of which was begun prior to the Effective Date, and was diligently prosecuted and completed within 2 years of the Effective Date.

SECTION VIII. AIRPORT ZONING PERMITS

- A. **Permit Required.** The following activities shall not take place on a Lot in any Airspace Zone or Safety Zone unless an Airport Zoning Permit shall have been granted therefore by the Zoning Administrator for the jurisdiction in which the Lot is located.
1. ***Existing Structures.*** Except as specifically provided in Section VIII.B., no existing Structure shall be altered, changed, rebuilt, repaired, or replaced.
 2. ***New Structures.*** Except as specifically provided in Section VIII.B., no Structure shall be newly constructed or otherwise established.
 3. ***Nonconforming Structures.*** No Nonconforming Structure shall be replaced, substantially altered or repaired, or rebuilt.
- B. **Exception To Permit Requirement.**
1. ***Maximum Construction Height Without A Permit.*** No Airport Zoning Permit shall be required for an existing Structure to be altered, changed, rebuilt, repaired, or replaced on a Lot, or for a new Structure to be constructed or otherwise established on a Lot, if the highest point on the Structure or on any equipment used to accomplish any of the foregoing activities, whichever is higher (measured in feet from curb level or from natural grade at a point 10 feet away from the front center of the Structure, whichever is lower) does not exceed the "maximum construction height above ground without an Airport Zoning Permit" shown for the Lot on the applicable Maximum Construction Heights Without Permit Plate in the Lake Elmo Airport Zoning Map. The permitting process will require an FAA 7460 Obstruction Evaluation for all structures with proposed heights in excess of the maximum allowable construction height without a permit.
 2. ***No Violation Of Height Or Land Use Restriction Permitted.*** Nothing in this Section VIII.B. shall be construed as permitting or intending to permit a violation or a greater violation of any provision of this Lake Elmo Airport Zoning Ordinance.

- C. **Permit Application.** An Airport Zoning Permit application for activities on a Lot shall be made in the manner and on the form established by the Zoning Administrator of the jurisdiction in which the Lot is located as designated in Section XI.B.
- D. **Permit Standard.** An Airport Zoning Permit shall be granted unless the Zoning Administrator determines that granting the permit (1) would allow a conforming Structure or use to violate any provision of this Lake Elmo Airport Zoning Ordinance or (2) would permit a Nonconforming Structure or a Nonconforming Use to become a greater violation of any provision of this Lake Elmo Airport Zoning Ordinance. Any Airport Zoning Permit may be granted subject to any reasonable conditions that the Zoning Administrator may deem necessary to effectuate the purpose of this Lake Elmo Airport Zoning Ordinance. In making any determination, the Zoning Administrator need not give public notice of, or hold a public hearing on, the Airport Zoning Permit application or the determination.
- E. **Abandoned Or Deteriorated Nonconforming Uses.** Whenever a Zoning Administrator determines that a Nonconforming Structure, Nonconforming Use, or Tree has been abandoned or more than 80% torn down, deteriorated, or decayed, no Airport Zoning Permit shall be granted that would allow such Nonconforming Structure, Nonconforming Use, or Tree to exceed the height restrictions of Section IV.B. or otherwise violate any provision of this Lake Elmo Airport Zoning Ordinance. Whether application is made for an Airport Zoning Permit or not, a Zoning Administrator may order the owner of the abandoned, torn down, deteriorated, or decayed Nonconforming Structure, Nonconforming Use, or Tree at the owner's expense, to lower, remove, reconstruct, or equip the same in the manner necessary to conform to the provisions of this Lake Elmo Airport Zoning Ordinance. In the event the owner shall neglect or refuse to comply with such order for 10 days after receipt of written notice of such order, the Zoning Administrator may, by appropriate legal action, proceed to have the Nonconforming Structure, Nonconforming Use, or Tree lowered, removed, reconstructed, or equipped and assess the cost and expense thereof against the land on which the Nonconforming Structure, Nonconforming Use, or Tree is, or was, located. Unless such an assessment is paid within 90 days from the service of notice thereof on the owner of the land, the sum shall bear interest at the rate of 8% per annum from the date the cost and expense is incurred until paid, and shall be

collected in the same manner as are general taxes, all as authorized by Minnesota Statutes § 360.067.

SECTION IX. VARIANCES

- A. **Variance Application.** Any Person desiring to use his or her property in violation of any provision of this Lake Elmo Airport Zoning Ordinance, whether to construct or establish a new Structure; to alter, change, rebuild, repair, or replace an existing Structure; to allow a Tree to grow higher; to alter, repair, replace, or replant a Tree; or to otherwise use his or her property in violation of any provision of this Lake Elmo Airport Zoning Ordinance, may apply to the Board of Adjustment for a variance from such provision. A variance application shall be made by sending the application on the form provided by the Board of Adjustment by certified United States Mail to (1) the members of the Board of Adjustment and (2) the Board of Adjustment at the mailing address specified in Section XII.C. The applicant shall also mail a copy of the application by regular United States Mail to the Zoning Administrator of the jurisdiction in which the Structure or property is located, as designated in Section XI.B. The Board of Adjustment may charge a fee for processing the application.
- B. **Failure Of Board To Act.** If the Board of Adjustment fails to grant or deny the variance within 4 months after the last Board member receives the variance application, the variance shall be deemed to be granted by the Board of Adjustment, but not yet effective. When the variance is granted by reason of the failure of the Board of Adjustment to act on the variance, the Person receiving the variance shall send notice that the variance has been granted by certified United States Mail to (1) the Board of Adjustment at the mailing address specified in Section XII.C. and (2) the Commissioner. The applicant shall include a copy of the original application for the variance with the notice to the Commissioner. The variance shall be effective 60 days after this notice is received by the Commissioner, subject to any action taken by the Commissioner pursuant to Minnesota Statutes § 360.063, subd. 6.a.
- C. **Variance Standard.** A variance shall be granted where it is found that a literal application or enforcement of the provisions of this Lake Elmo Airport Zoning Ordinance would result in practical difficulty or unnecessary hardship and relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of this Lake Elmo Airport Zoning Ordinance and Minnesota

Statutes Chapter 360. Any variance granted may be granted subject to any reasonable conditions that the Board of Adjustment, or the Commissioner acting under Section IX.B., may deem necessary to effectuate the purpose of this Lake Elmo Airport Zoning Ordinance or Minnesota Statutes Chapter 360.

SECTION X. HAZARD MARKING AND LIGHTING

- A. **Nonconforming Structure.** The Metropolitan Airports Commission may require the owner of any Nonconforming Structure to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Metropolitan Airports Commission to indicate the presence of the Structure to the operators of aircraft in the vicinity of the Airport. Such markers and lights shall be installed, operated, and maintained at the expense of the Metropolitan Airports Commission.
- B. **Permits And Variances.** Any Airport Zoning Permit or variance granted by a Zoning Administrator or the Board of Adjustment may, if such action is deemed advisable to effectuate the purpose of this Lake Elmo Airport Zoning Ordinance and be reasonable in the circumstances, be granted subject to a condition that the owner of the Structure in question permit the Metropolitan Airports Commission, at its expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to pilots the presence of an Airport Hazard.

SECTION XI. ZONING ADMINISTRATOR

- A. **Duties.** It shall be the duty of each Zoning Administrator to administer and enforce the provisions of this Lake Elmo Airport Zoning Ordinance. Applications for Airport Zoning Permits shall be made to a Zoning Administrator as provided herein. A Zoning Administrator may charge a fee for processing the application. Airport Zoning Permit applications shall be considered and acted upon by the Zoning Administrator in accordance with the provisions of this Lake Elmo Airport Zoning Ordinance and within the timelines established by Minnesota Statutes § 15.99, as it may be amended. The Zoning Administrator shall remind each applicant that it is the responsibility of the applicant to record any conditions of an Airport Zoning Permit, if required by law.
- B. **Designated Zoning Administrators.** For the purpose of this Lake Elmo Airport Zoning Ordinance, the Zoning Administrator shall be the official entitled as follows: the

Lake Elmo Zoning Administrator for lands located in the City of Lake Elmo; the Oak Park Heights Zoning Administrator for lands located in the City of Oak Park Heights; the Baytown Township Zoning Administrator for lands located in Baytown Township; and the West Lakeland Township Zoning Administrator for lands located in West Lakeland Township. In the event that 1 or more of the above described Zoning Administrators does not administer or enforce this Lake Elmo Airport Zoning Ordinance, the Lake Elmo Airport Joint Airport Zoning Board hereby appoints the Metropolitan Airports Commission to administer or enforce this Lake Elmo Airport Zoning Ordinance in the municipality or municipalities. If any official position designated above as a Zoning Administrator ceases to exist or to perform or serve its present function, the successor position as designated by the applicable entity shall become the Zoning Administrator for that entity and shall perform or serve such functions.

SECTION XII. BOARD OF ADJUSTMENT

- A. **Establishment Of Board And Selection Of Chair.** There is hereby established a Board of Adjustment that shall consist of 5 members appointed by the Metropolitan Airports Commission, and each shall serve for a term of 3 years and until a successor is duly appointed and qualified. Of the members first appointed, 1 shall be appointed for a term of 1 year, 2 for a term of 2 years, and 2 for a term of 3 years. Upon their appointment, the members shall select a chair to act at the pleasure of the Board of Adjustment. Members shall be removable by the Metropolitan Airports Commission for cause, upon written charges, after a public hearing.
- B. **Board Powers.** The Board of Adjustment shall have the power to hear and decide appeals from any order, requirement, decision, or determination made by any Zoning Administrator or the Metropolitan Airports Commission in the enforcement of this Lake Elmo Airport Zoning Ordinance and to hear and grant or deny variances.
- C. **Board Procedures.**
 - 1. ***Rules, Meetings, And Records.*** The Board of Adjustment shall adopt rules for its governance and procedure in harmony with the provisions of this Lake Elmo Airport Zoning Ordinance. Meetings of the Board of Adjustment shall be held at the call of the chair and at such other times as the Board of Adjustment may determine. The chair, or in his or her absence the acting chair, may

administer oaths and compel the attendance of witnesses. All hearings of the Board of Adjustment shall be public. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the offices of the Metropolitan Airports Commission and the Zoning Administrator of the jurisdiction in which the affected Structure or Lot is located, and shall be a public record.

2. ***Written Findings And Conclusions.*** The Board of Adjustment shall make written findings of fact and conclusions of law giving the facts upon which it acted and its legal conclusions from such facts in affirming, modifying, or reversing an order, requirement, decision, or determination of a Zoning Administrator or the Metropolitan Airports Commission and in granting or denying a variance.
3. ***Majority Vote Required.*** The concurring vote of a majority of the members of the Board of Adjustment shall be sufficient to affirm, modify, or reverse an order, requirement, decision, or determination of a Zoning Administrator or the Metropolitan Airports Commission, to decide to grant or deny a variance, or to act on any other matter upon which the Board of Adjustment is required to pass under this Lake Elmo Zoning Ordinance.
4. ***Mailing Address.*** The mailing address for the Board of Adjustment is:

Lake Elmo Airport Zoning Ordinance Board of Adjustment
c/o Executive Director
Metropolitan Airports Commission
6040 28th Avenue South
Minneapolis, MN 55450

SECTION XIII. APPEALS

- A. **Who May Appeal.** Any Person aggrieved, or any taxpayer affected by any order, requirement, decision, or determination of a Zoning Administrator made in administration of this Lake Elmo Airport Zoning Ordinance may appeal to the Board of Adjustment. Such appeals may also be made by any governing body of a municipality or county, or any joint airport zoning board, which is of the opinion that an order, requirement, decision, or determination of a Zoning Administrator is an improper

application of this Lake Elmo Airport Zoning Ordinance as it concerns such governing body or board.

- B. **Commencement Of Appeals.** All appeals hereunder must be commenced within 30 days of a Zoning Administrator's decision by filing with the Zoning Administrator a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Adjustment the notice of appeal and all papers constituting the record upon which the order, requirement, decision, or determination appealed from was taken.
- C. **Stay Of Proceedings.** An appeal shall stay all proceedings in furtherance of the order, requirement, decision, or determination appealed from, unless the Zoning Administrator certifies to the Board of Adjustment, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the Zoning Administrator's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board of Adjustment on notice to the Zoning Administrator and on due cause shown.
- D. **Appeal Procedures.** The Board of Adjustment shall fix a reasonable time for hearing an appeal, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in Person, by agent, or by attorney.
- E. **Decision.** The Board of Adjustment may, in conformity with the provisions of Minnesota Statutes Chapter 360 and this Lake Elmo Airport Zoning Ordinance, affirm or reverse, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination, as may be appropriate under the circumstances and, to that end, shall have all the powers of a Zoning Administrator.

SECTION XIV. JUDICIAL REVIEW

Any Person aggrieved, or any taxpayer affected, by any decision of the Board of Adjustment or any action of the Commissioner taken under Minnesota Statutes 360.063, subd. 6 or 6a, or any governing body of a municipality or county, or any joint airport zoning board, which is of the opinion that an order, requirement, decision, or determination of the Board of Adjustment or action of the Commissioner is illegal, may seek judicial review as provided in Minnesota Statutes § 360.072. The

petitioner must exhaust the remedies provided in this Lake Elmo Airport Zoning Ordinance before availing himself or herself of the right to seek judicial review as provided by this Section XIV.

SECTION XV. PENALTIES AND OTHER REMEDIES

Every Person who violates any provision of this Lake Elmo Airport Zoning Ordinance, any zoning approval granted hereunder, any condition of any zoning approval granted hereunder, or any order, requirement, decision, or determination of a Zoning Administrator or the Board of Adjustment shall be guilty of a misdemeanor and shall be punished by a fine, imprisonment, or both of not more than the fine and imprisonment established for misdemeanors by state law. Each day a violation continues to exist shall constitute a separate offense for the purpose of the penalties and remedies specified in this section. This Lake Elmo Zoning Ordinance may also be enforced through such proceedings for injunctive relief and other relief as may be proper under Minnesota Statutes § 360.073, as it may be amended, and other applicable law.

SECTION XVI. RELATION TO OTHER LAWS, REGULATIONS, AND RULES

- A. **Compliance Required.** In addition to the requirements of this Lake Elmo Airport Zoning Ordinance, all Structures, Trees, and uses shall comply with all other applicable city, local, regional, state, or federal laws, regulations, and rules, including Minnesota Statutes §§ 360.81-360.91 – Regulation Of Structure Heights, Minnesota Rules 8800.1100 – Regulation Of Structure Heights, and 14 Code of Federal Regulations Part 77 – Objects Affecting Navigable Airspace.
- B. **Conflicts With Other Regulations.** Where a conflict exists between any provision of this Lake Elmo Airport Zoning Ordinance and any city, local, regional, state, or federal law, regulation, or rule applicable to the same area, whether the conflict be with respect to the height of Structures or Trees, the use of land, or any other matter, the more stringent law, regulation, or rule shall govern and prevail.
- C. **Current Versions And Citations.** All references to city, local, regional, state, and federal laws, regulations, and rules in this Lake Elmo Airport Zoning Ordinance are intended to refer to the most current version and citation. If such references are no longer valid due to repeal or renumbering, the new laws, regulations, or rules intended to replace those cited, regardless of the citation, shall govern.

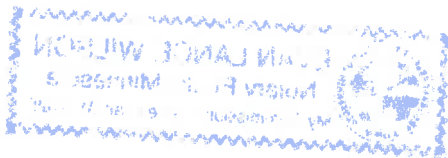
SECTION XVII. SEVERABILITY

- A. **Effect Of Taking.** In any case in which the provisions of this Lake Elmo Airport Zoning Ordinance, although generally reasonable, are held by a court to interfere with the use or enjoyment of a particular Structure, Lot, or Tree to such an extent, or to be so onerous in their application to such a Structure, Lot, or Tree, as to constitute a taking or deprivation of that property in violation of the constitution of this state or the constitution of the United States, such holding shall not affect the application of this Lake Elmo Airport Zoning Ordinance as to other Structures, Lots, and Trees, and, to this end, the provisions of this Lake Elmo Airport Zoning Ordinance are declared to be severable.
- B. **Validity Of Remaining Provisions.** Should any section or provision of this Lake Elmo Airport Zoning Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Lake Elmo Airport Zoning Ordinance as a whole or any part thereof other than the parts so declared to be unconstitutional or invalid.


SECTION XVIII. EFFECTIVE DATE

This Lake Elmo Airport Zoning Ordinance shall take effect on the 1st day of May, 2021. Copies thereof shall be filed with the Commissioner and the Registers of Deeds for Washington County, Minnesota.

Passed and adopted after public hearings by the Lake Elmo Airport Joint Airport Zoning Board this 10th day of February, 2021.



I hereby certify that this is a complete, true, and correct copy of the *Lake Elmo Airport Zoning Ordinance* as adopted by the Lake Elmo Airport Joint Airport Zoning Board on February 10, 2021.



Richard Weyrauch, Chair
Lake Elmo Airport Joint Airport Zoning Board

Date: FEB 16, 2021



Kristin Berwald, Secretary
Lake Elmo Airport Joint Airport Zoning Board

Date: 2-16-2021

Subscribed and sworn to before me this 16th day of February, 2021 by Richard Weyrauch and Kristin Berwald, Chair and Secretary respectively, of the Lake Elmo Airport Joint Airport Zoning Board.



Notary Public

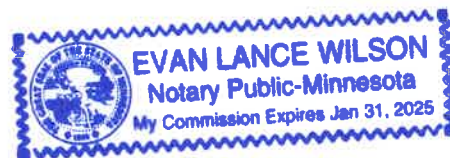
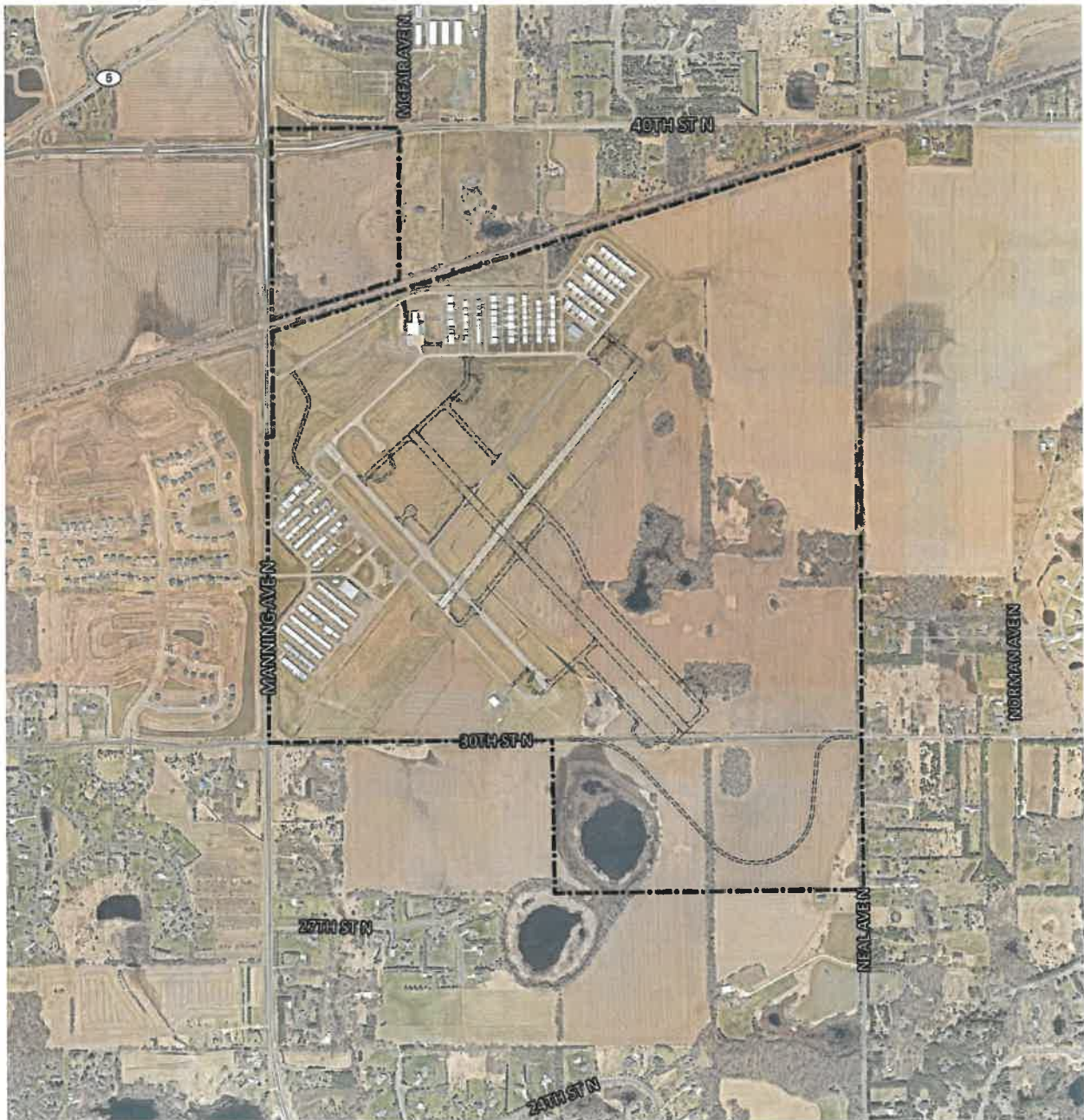


EXHIBIT A – AIRPORT BOUNDARY



0 750 1,500 3,000
Feet



-  21D Property Line
-  Future Improvements

EXHIBIT B – JAZB SAFETY ZONE 1

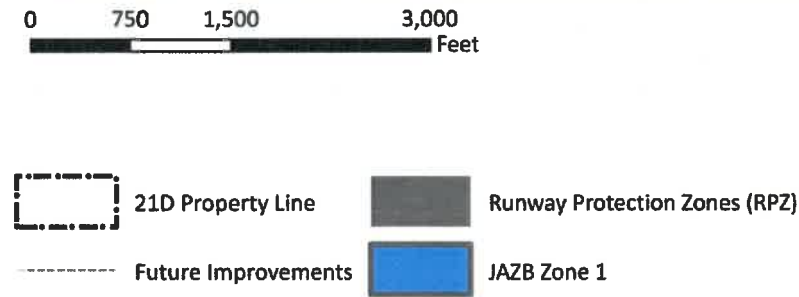
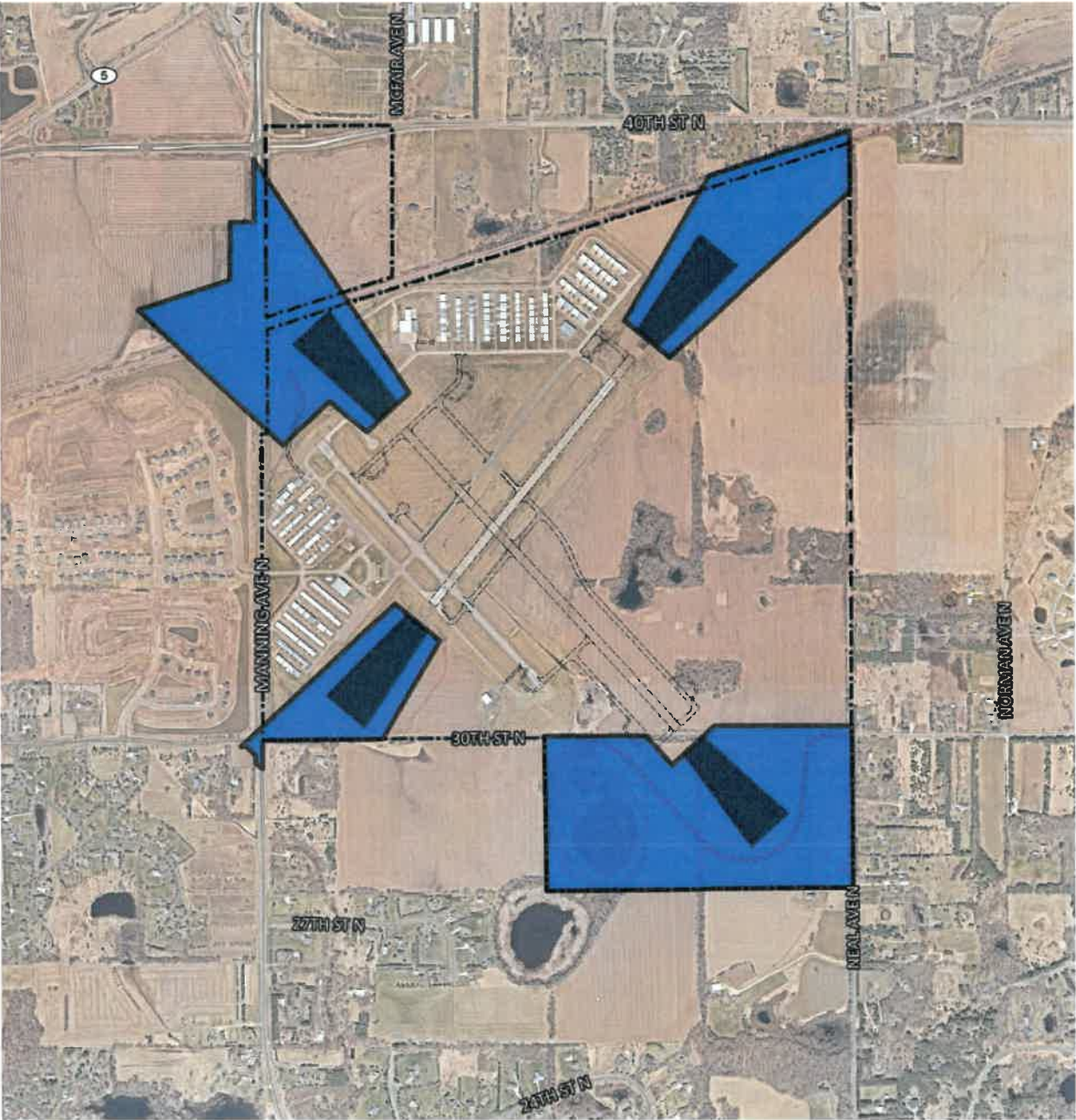
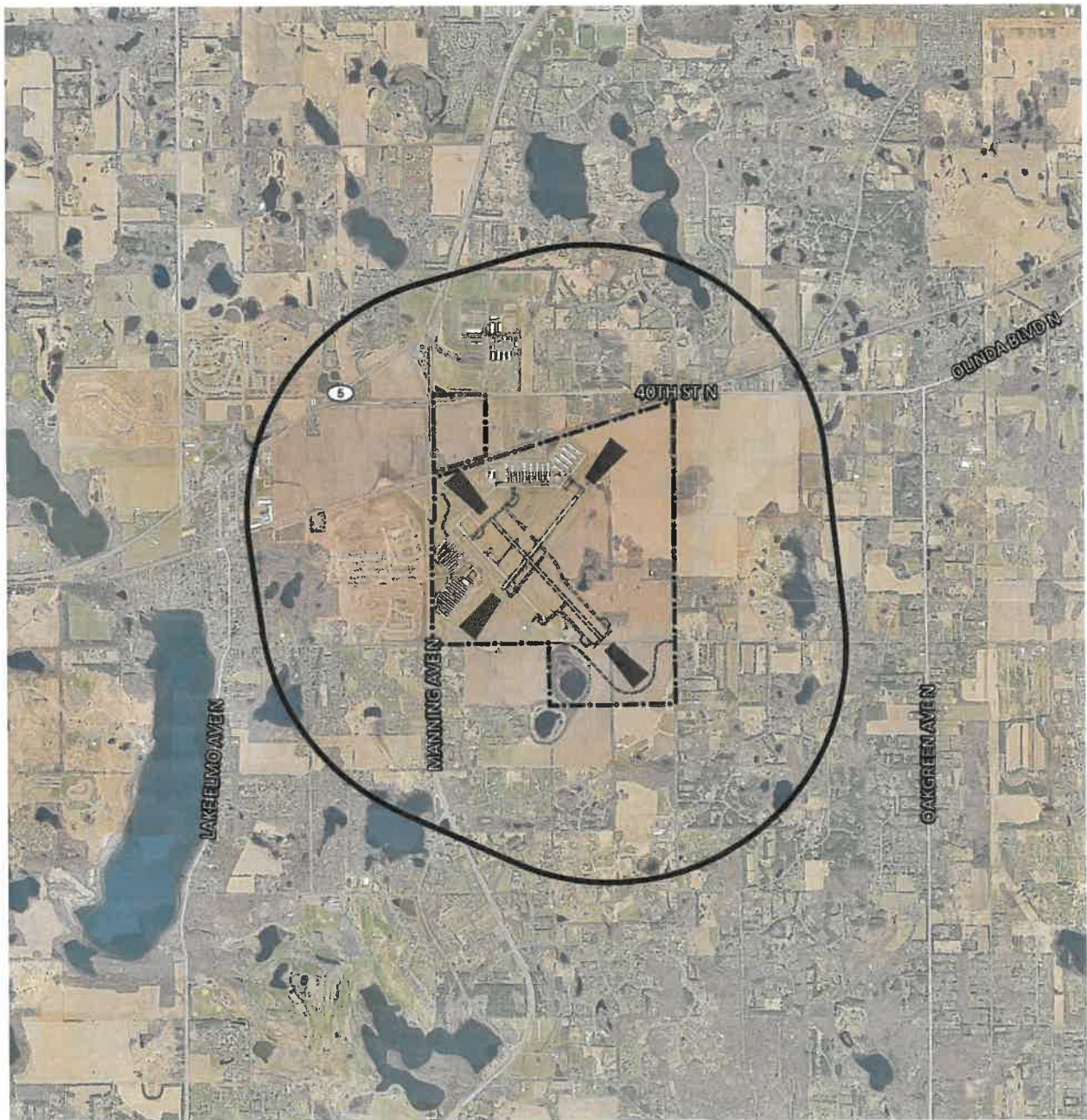


EXHIBIT C – JAZB SAFETY ZONE 2



0 1,750 3,500 7,000
Feet



21D Property Line



JAZB Zone 2

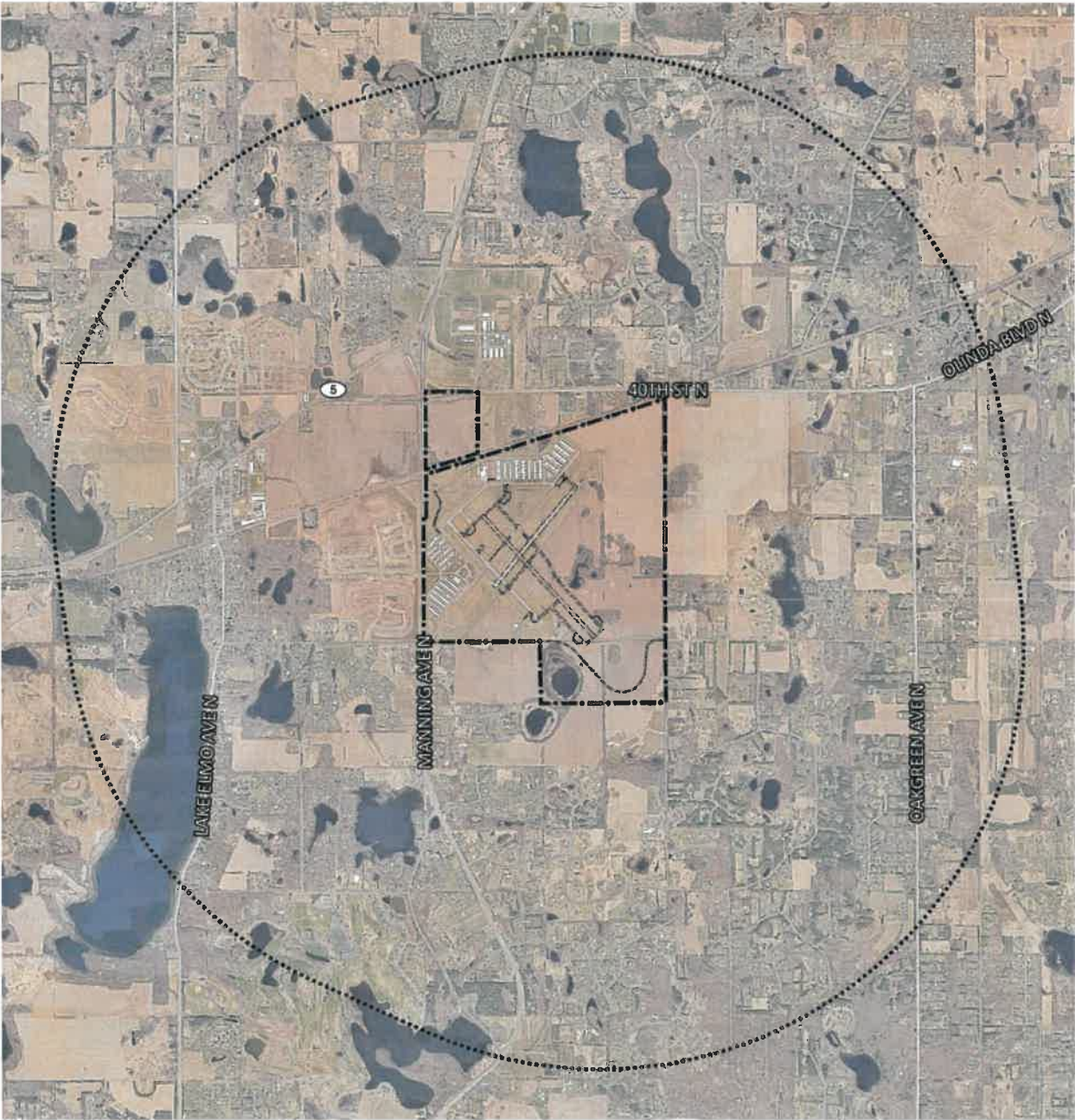


Future Improvements



Runway Protection Zones (RPZ)

EXHIBIT D – AIRPORT BOUNDARY AND AIRSPACE ZONING LIMITS



-  21D Property Line
-  Airspace Zoning Limit

EXHIBIT E – AIRPORT BOUNDARY AND AIRSPACE CONTOURS



0 1,750 3,500 7,000
Feet

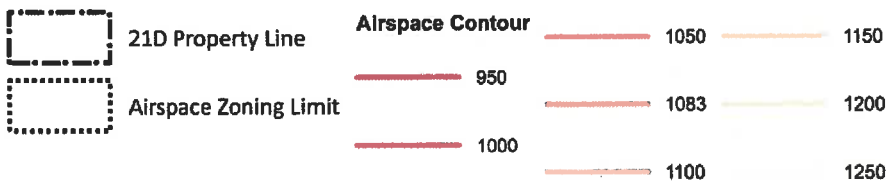
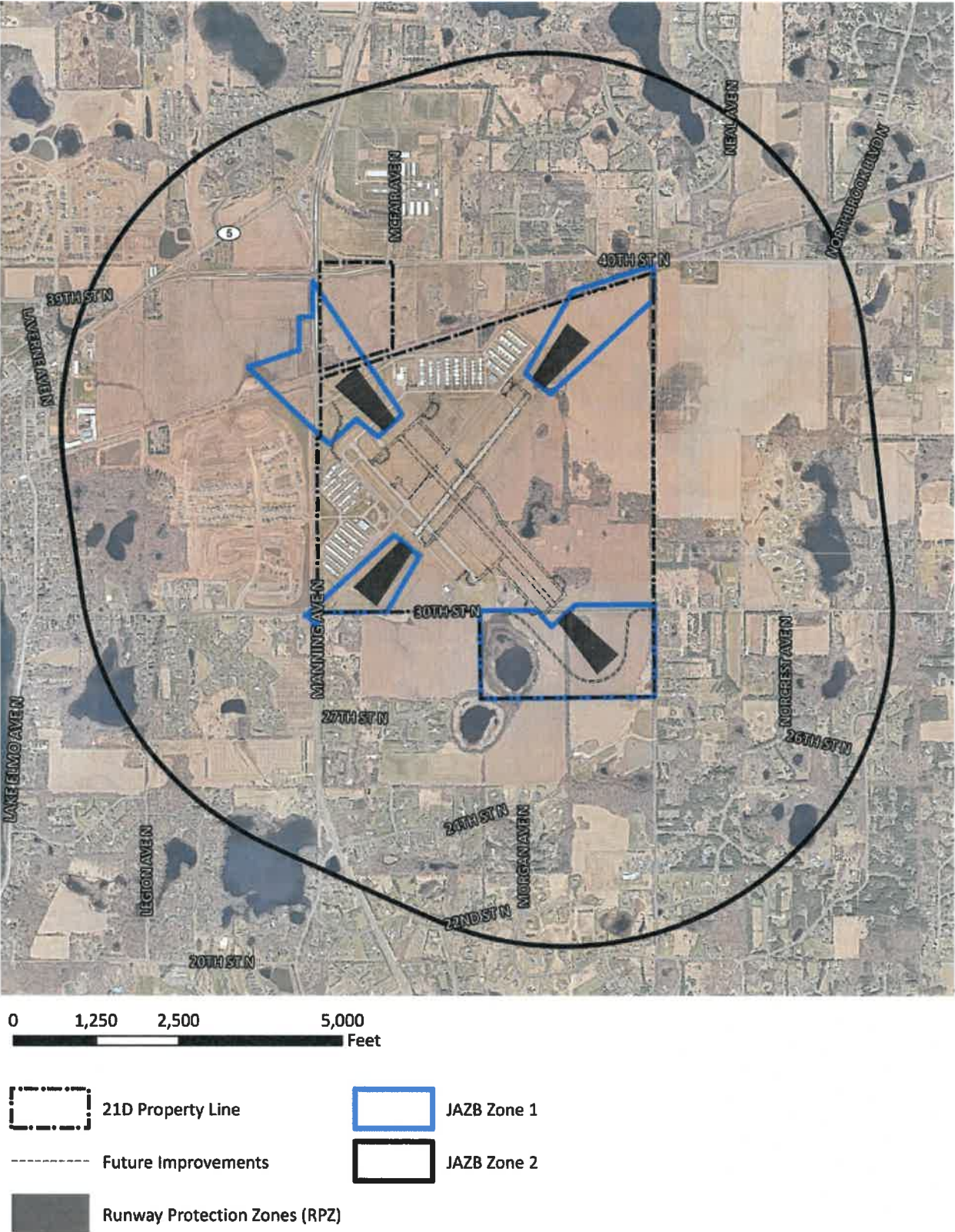





EXHIBIT F – AIRPORT BOUNDARY AND SAFETY ZONING LIMITS




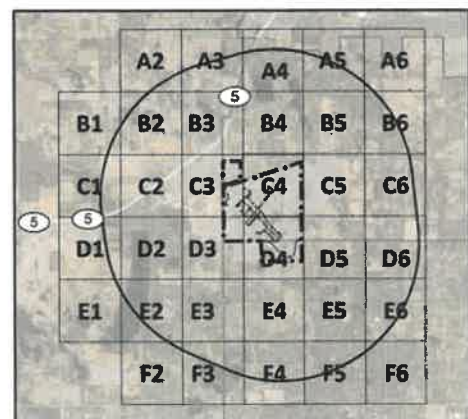


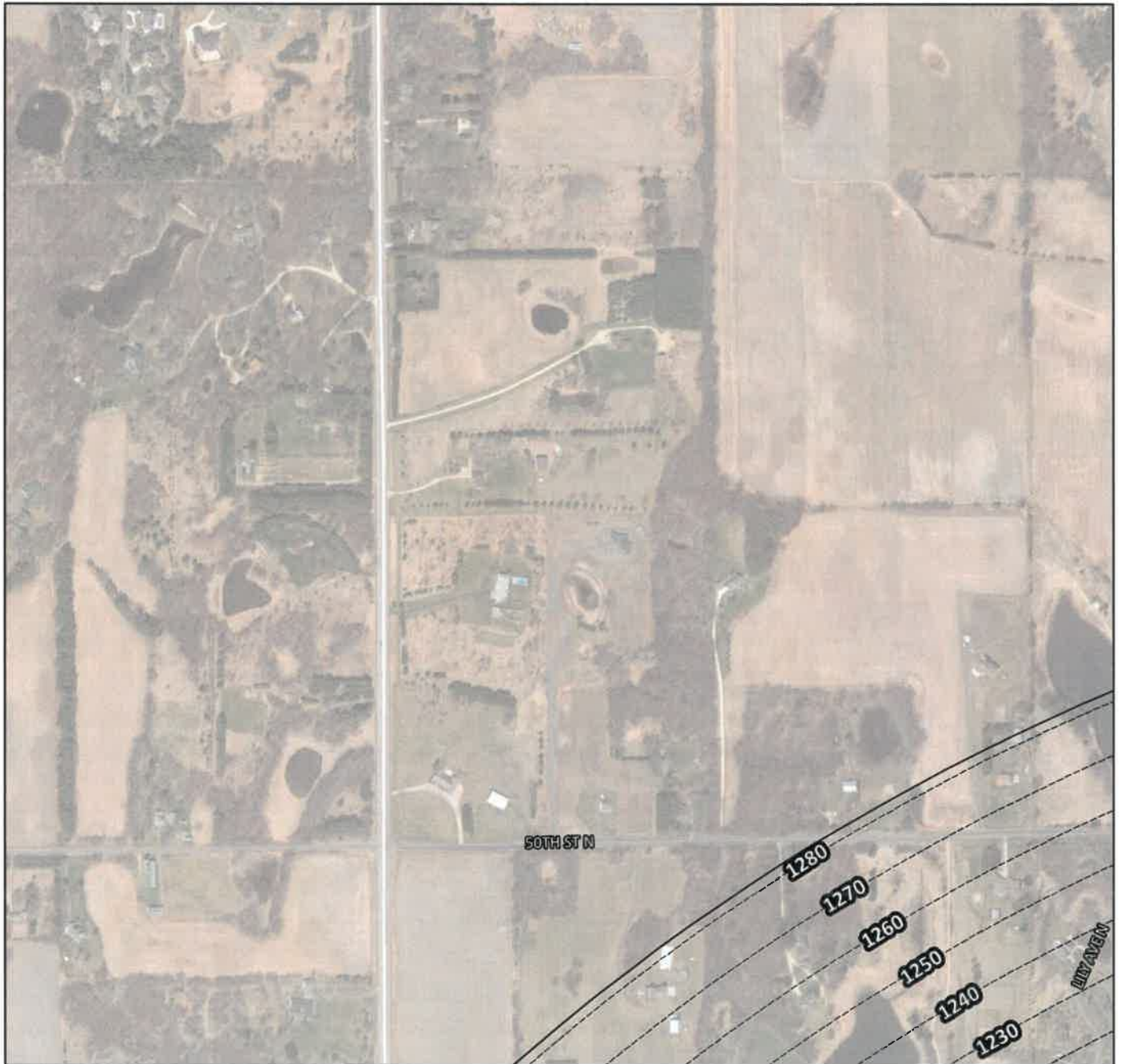
21D Airspace Zones

A - Index Sheet

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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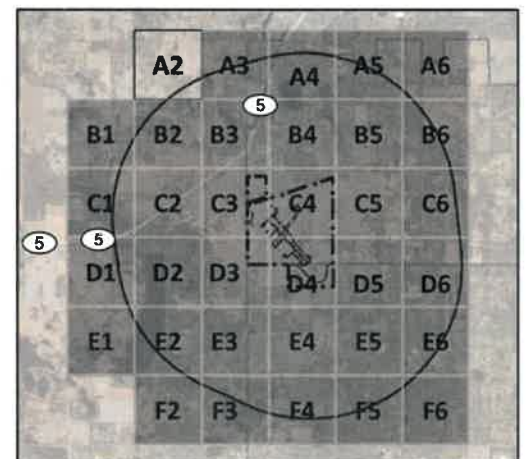


21D Airspace Zones

A - A2

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




0 400 800
Feet



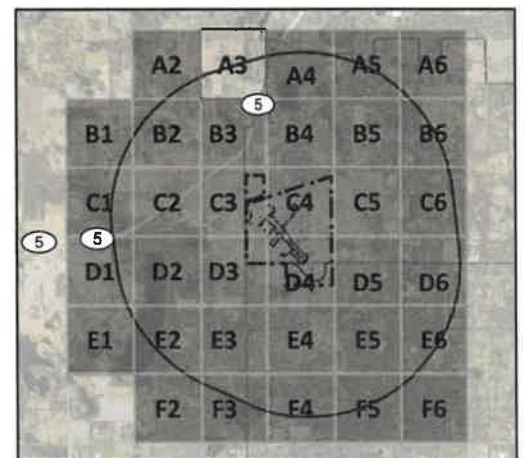


21D Airspace Zones

A - A3

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours

0 400 800
Feet



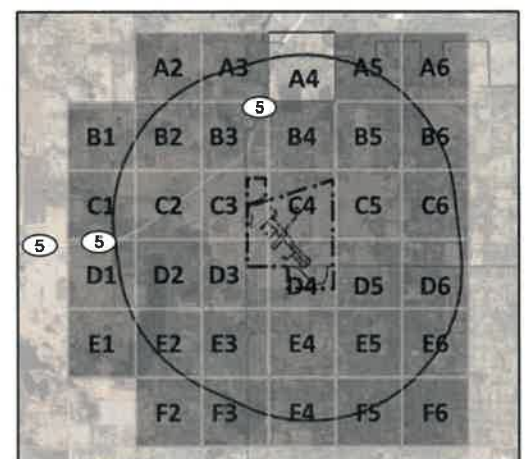


21D Airspace Zones

A - A4

- 21D Property
- Airport Hazard Area
- Part 77 Contours




0 400 800
Feet



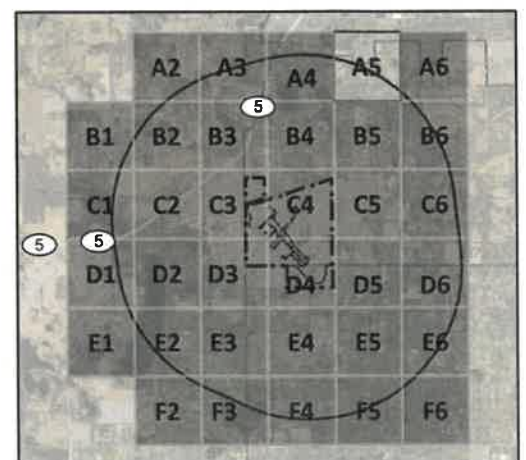


21D Airspace Zones

A - A5

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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Feet



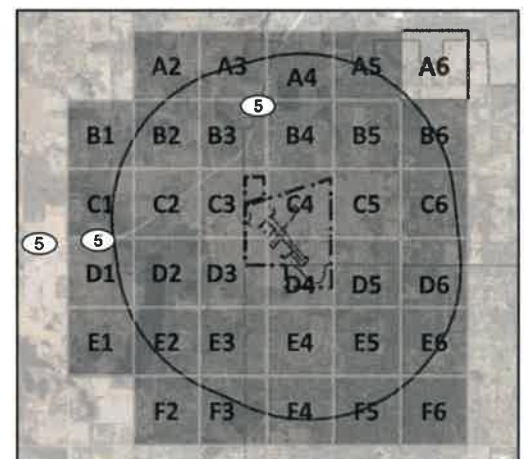


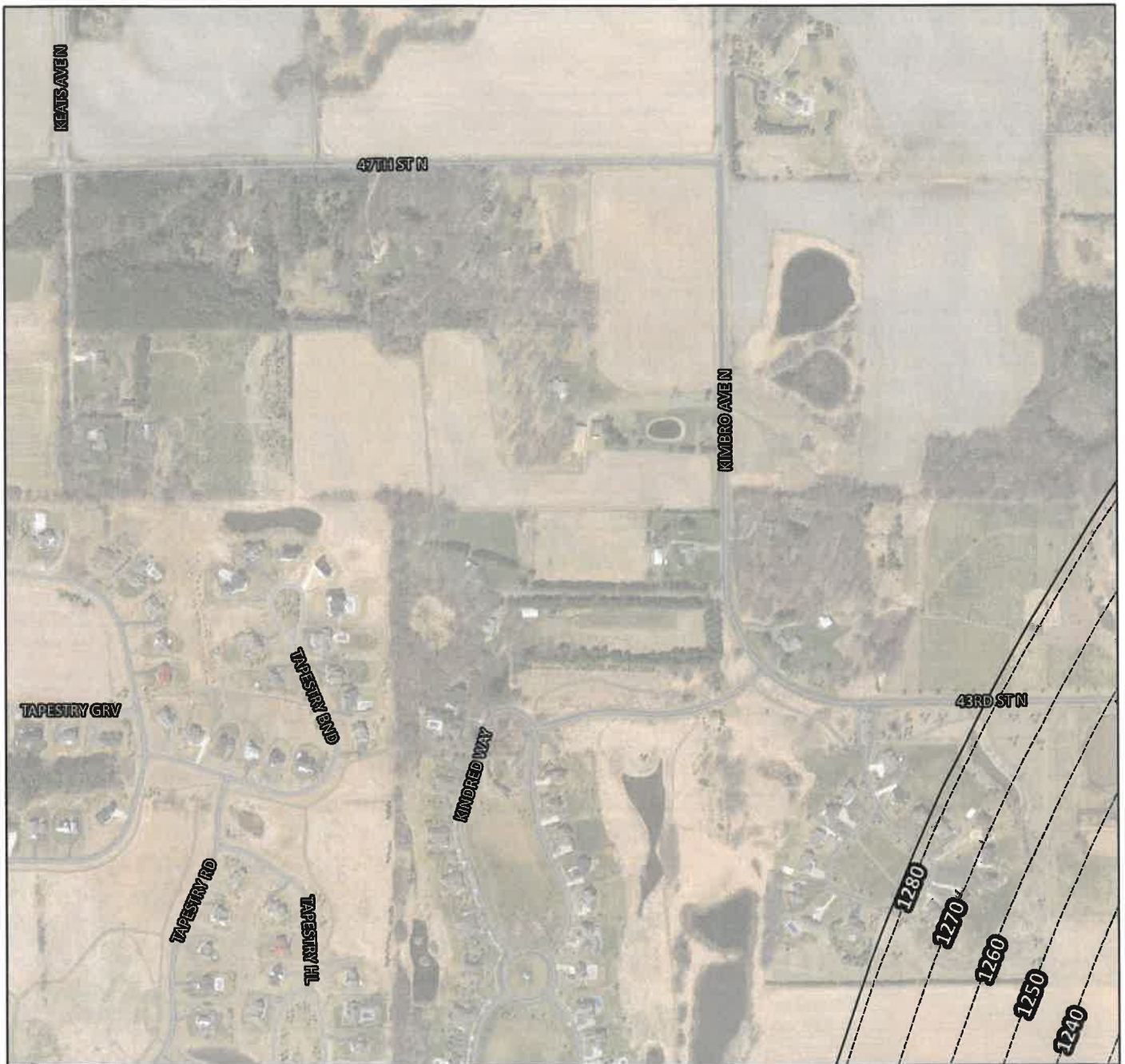
21D Airspace Zones

A - A6

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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Feet



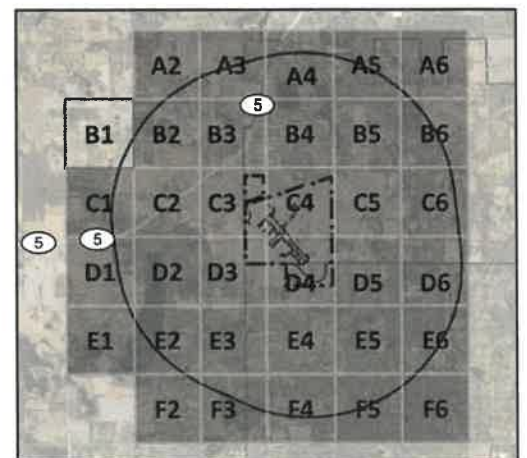


21D Airspace Zones

A - B1

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




0 400 800
Feet



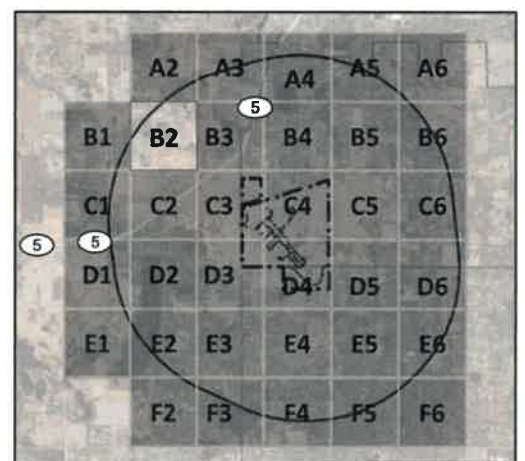


21D Airspace Zones

A - B2

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours

0 400 800
Feet



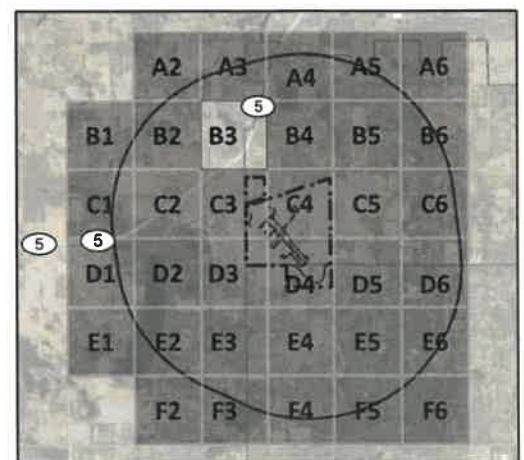


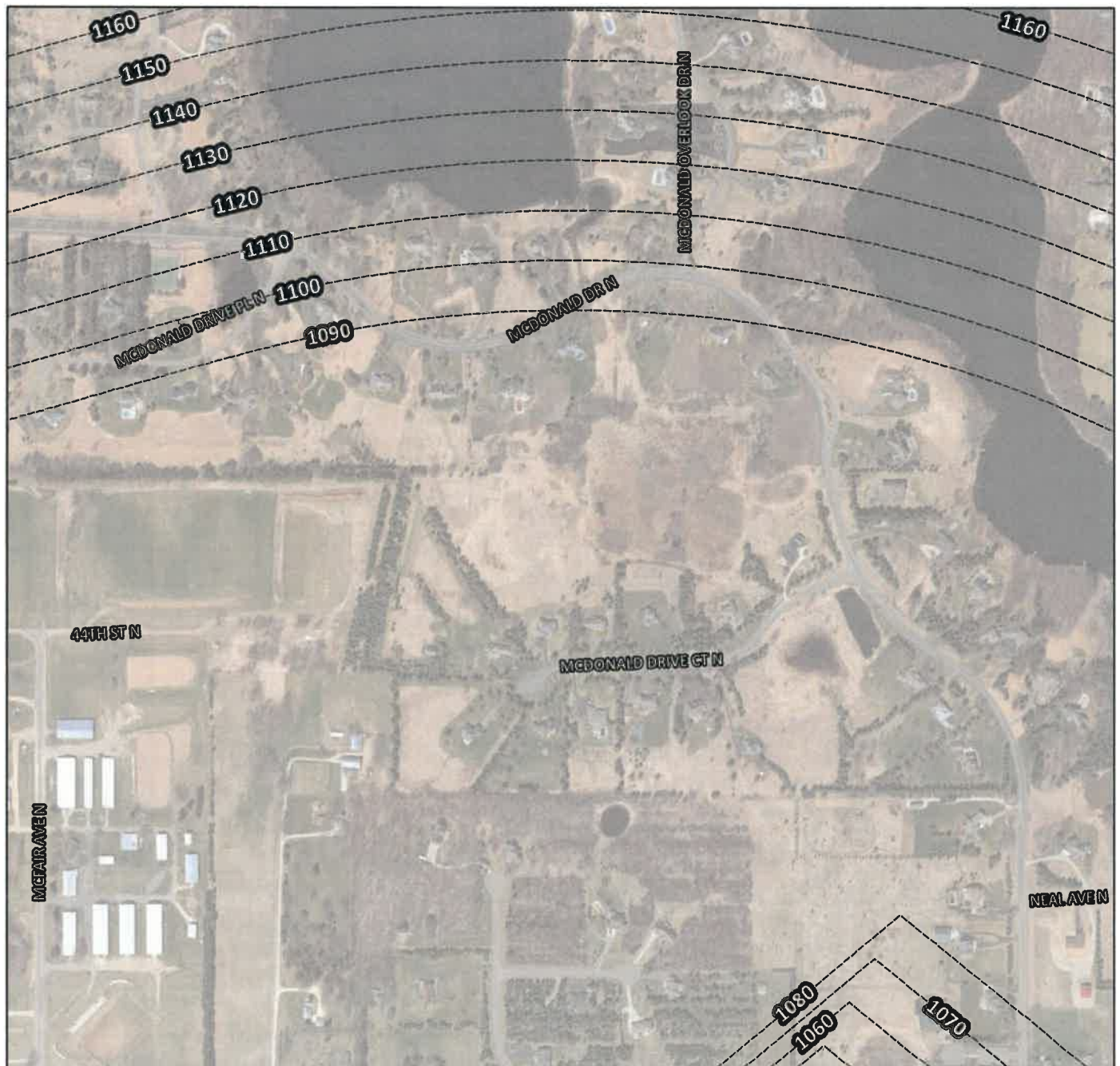
21D Airspace Zones

A - B3

- 21D Property
- Airport Hazard Area
- Part 77 Contours

0 400 800 Feet



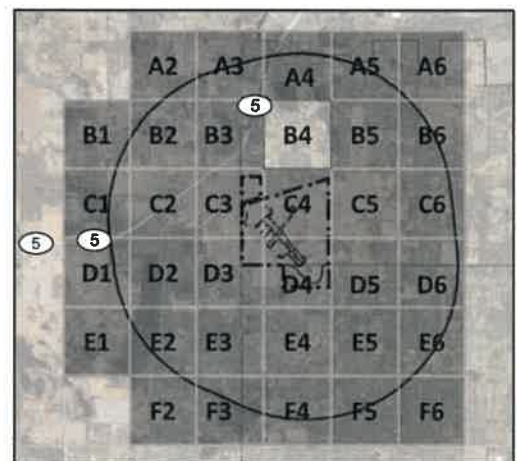


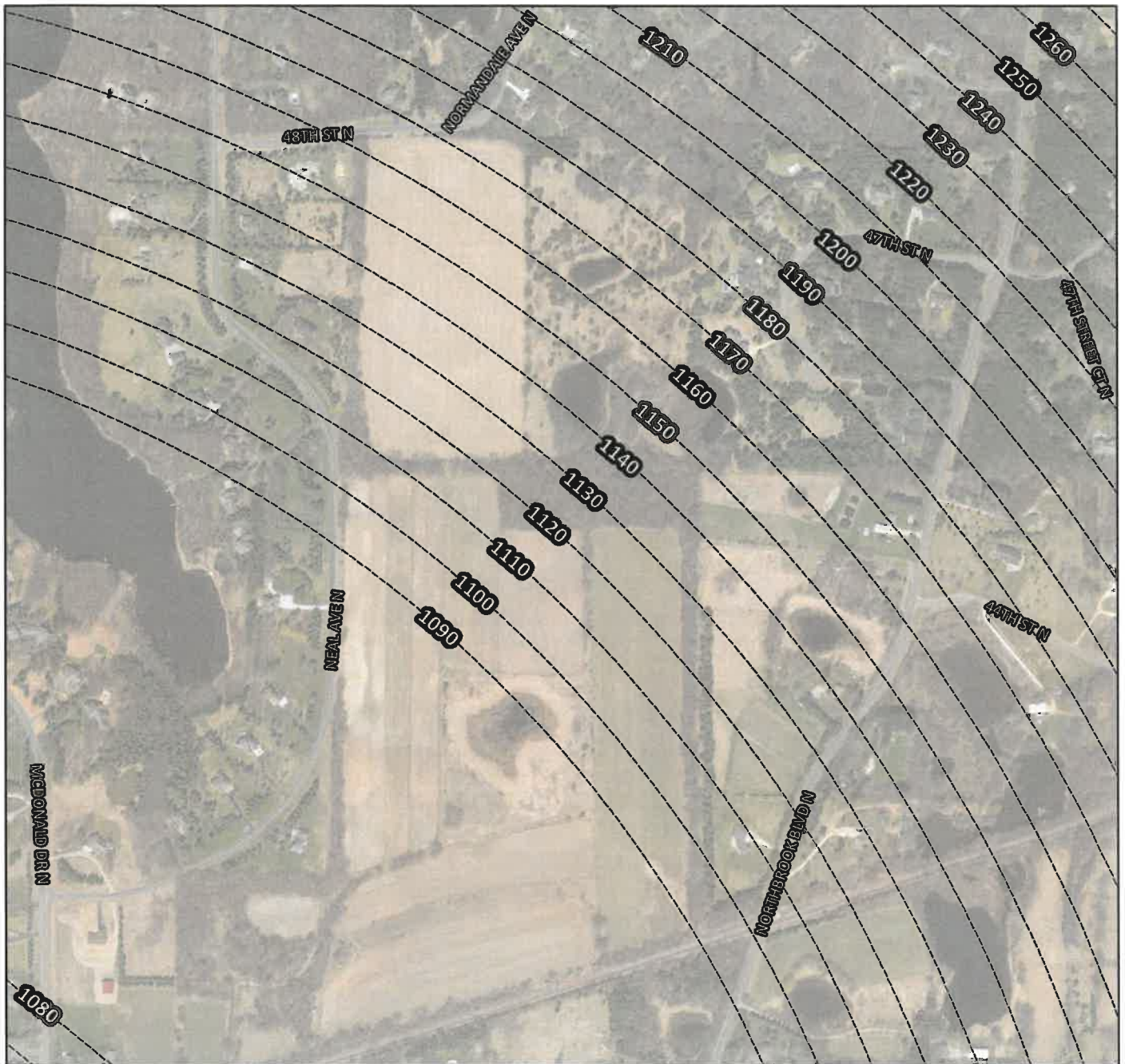
21D Airspace Zones

A - B4

- 21D Property
- Airport Hazard Area
- Part 77 Contours

0 400 800 Feet



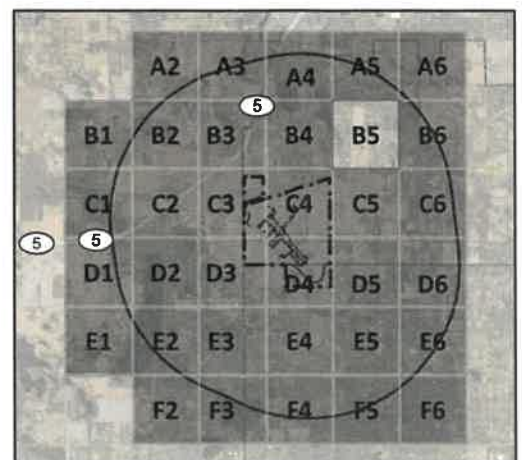


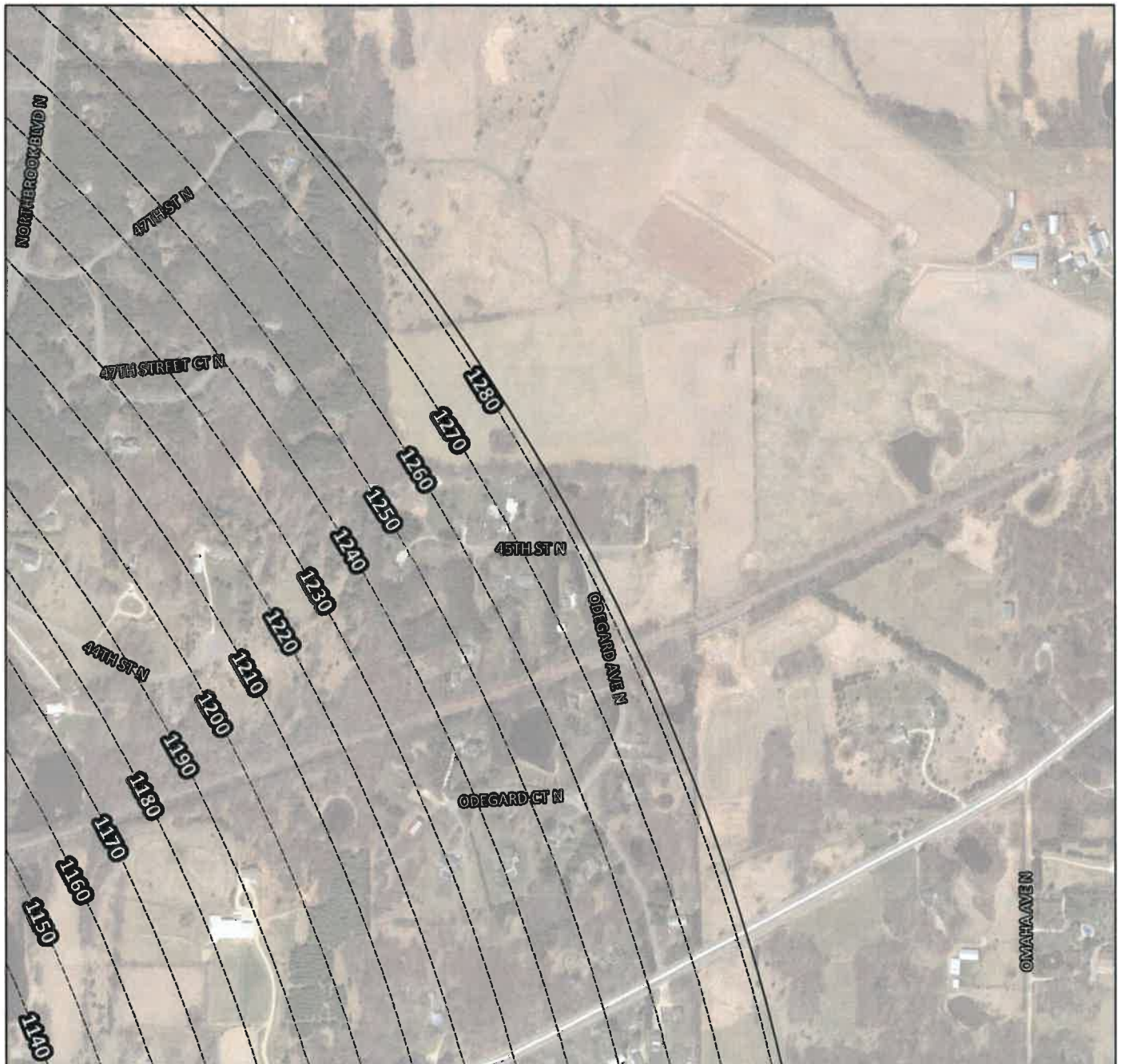
21D Airspace Zones

A - B5

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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Feet



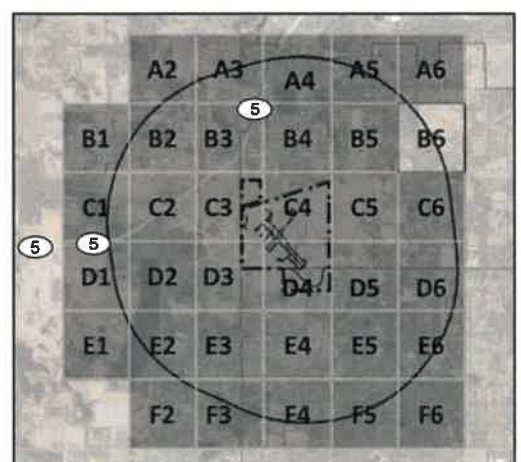


21D Airspace Zones

A - B6

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours

0 400 800
Feet

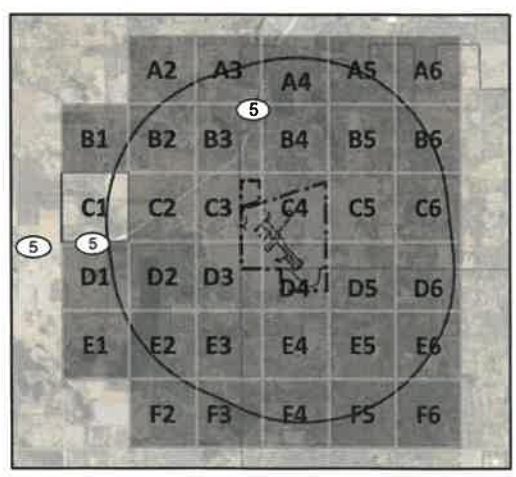


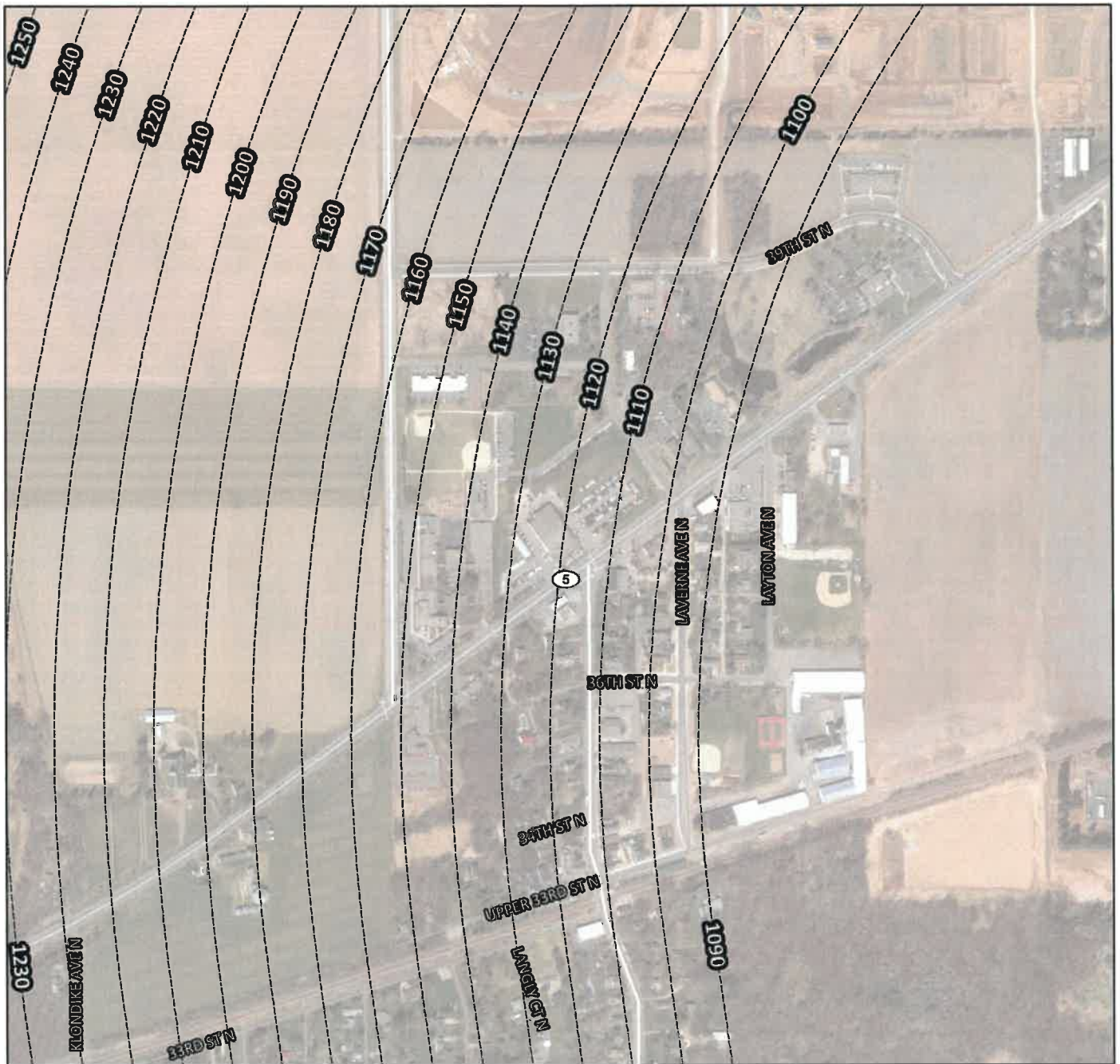


21D Airspace Zones

A - C1




- 21D Property
- Airport Hazard Area
- Part 77 Contours



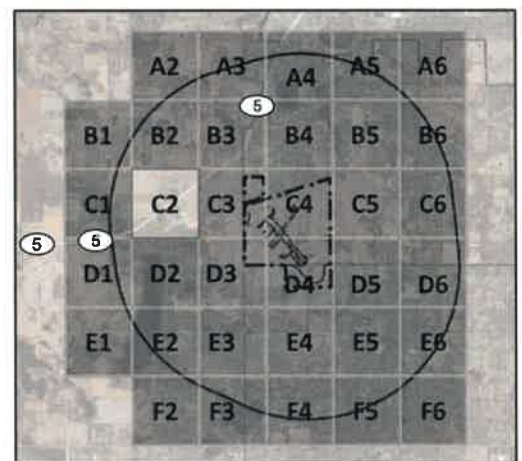


21D Airspace Zones

A - C2

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




0 400 800 Feet



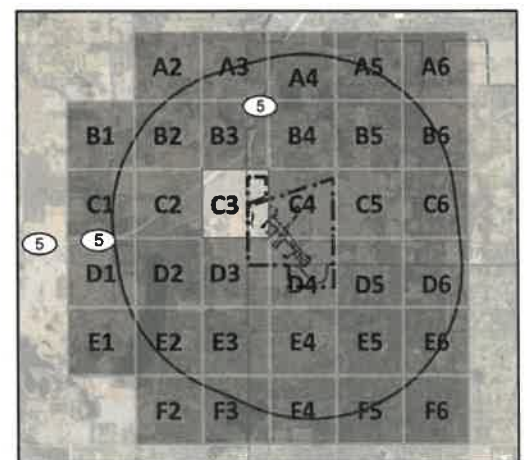


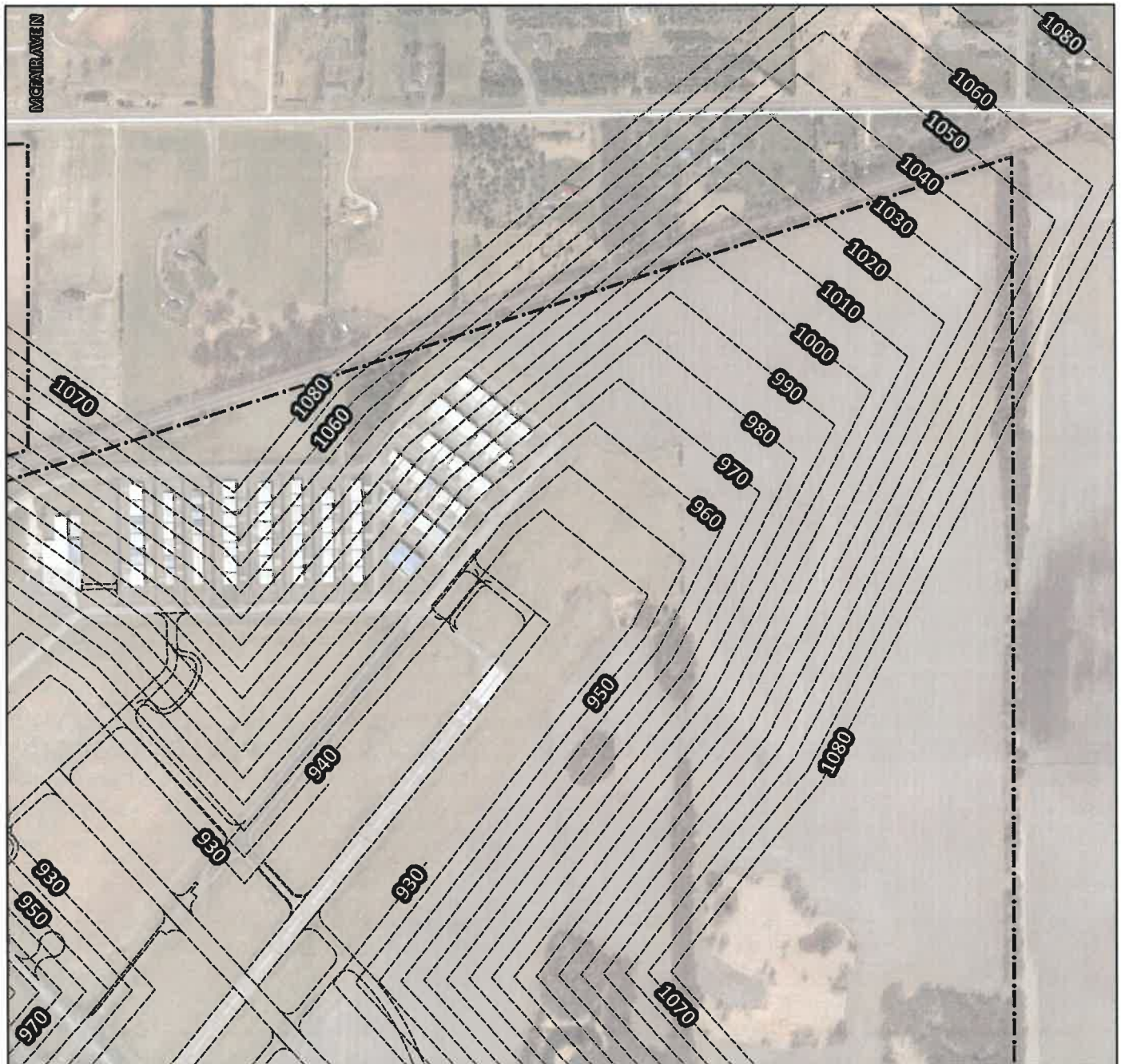
21D Airspace Zones

A - C3

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




0 400 800
Feet



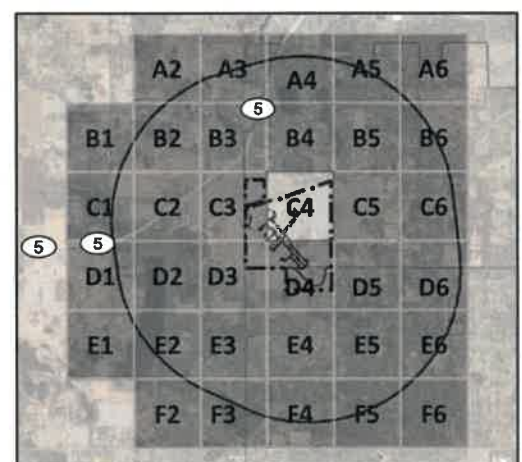


21D Airspace Zones

A - C4

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours



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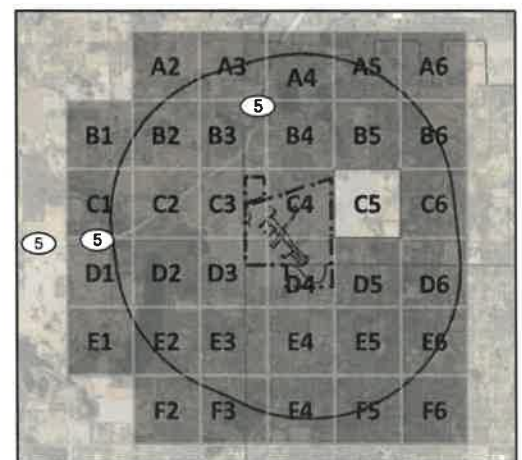


21D Airspace Zones

A - C5

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours

0 400 800
Feet



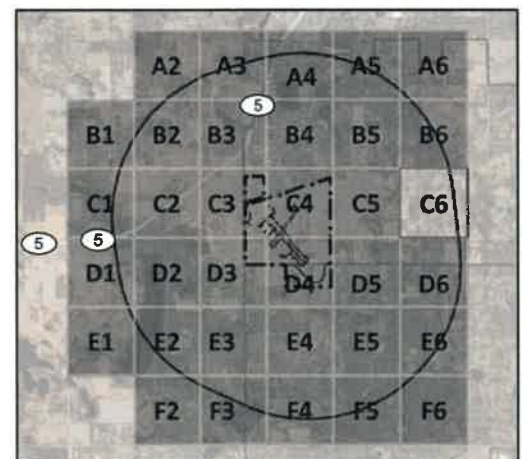


21D Airspace Zones

A - C6

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




0 400 800
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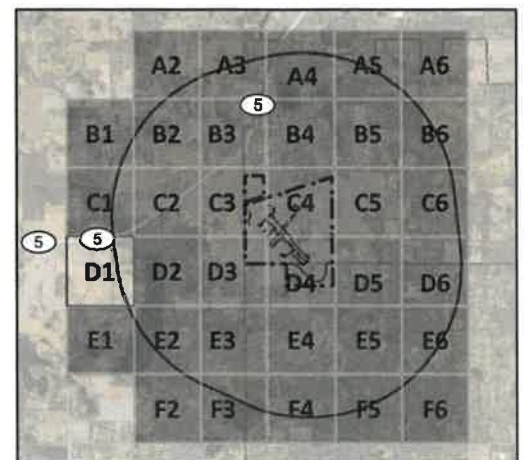


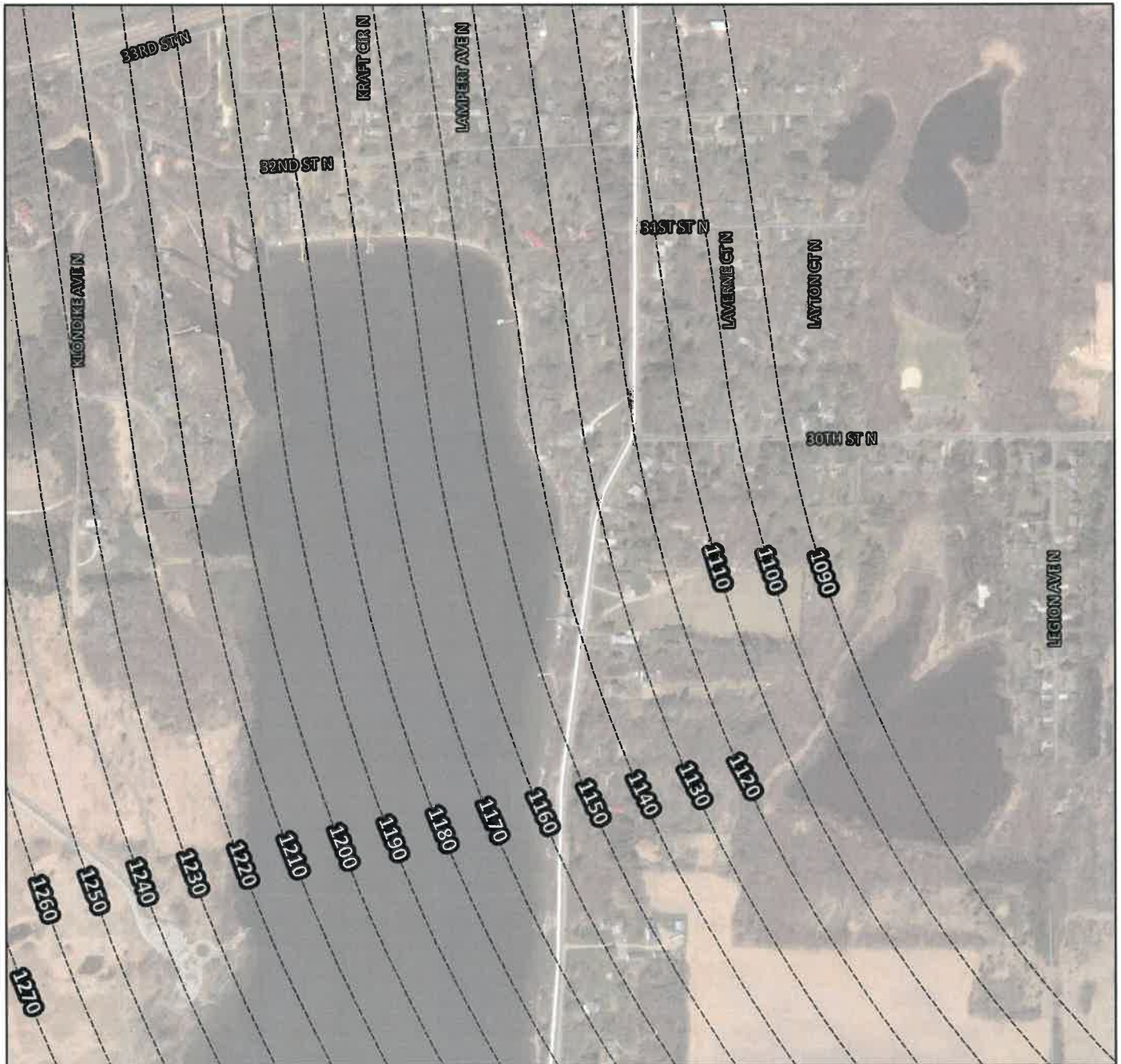
21D Airspace Zones

A - D1

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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Feet



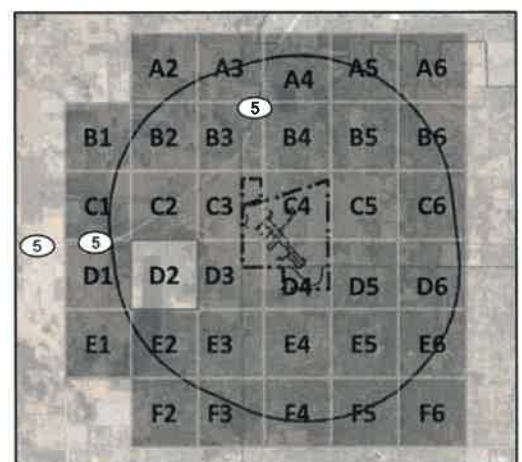


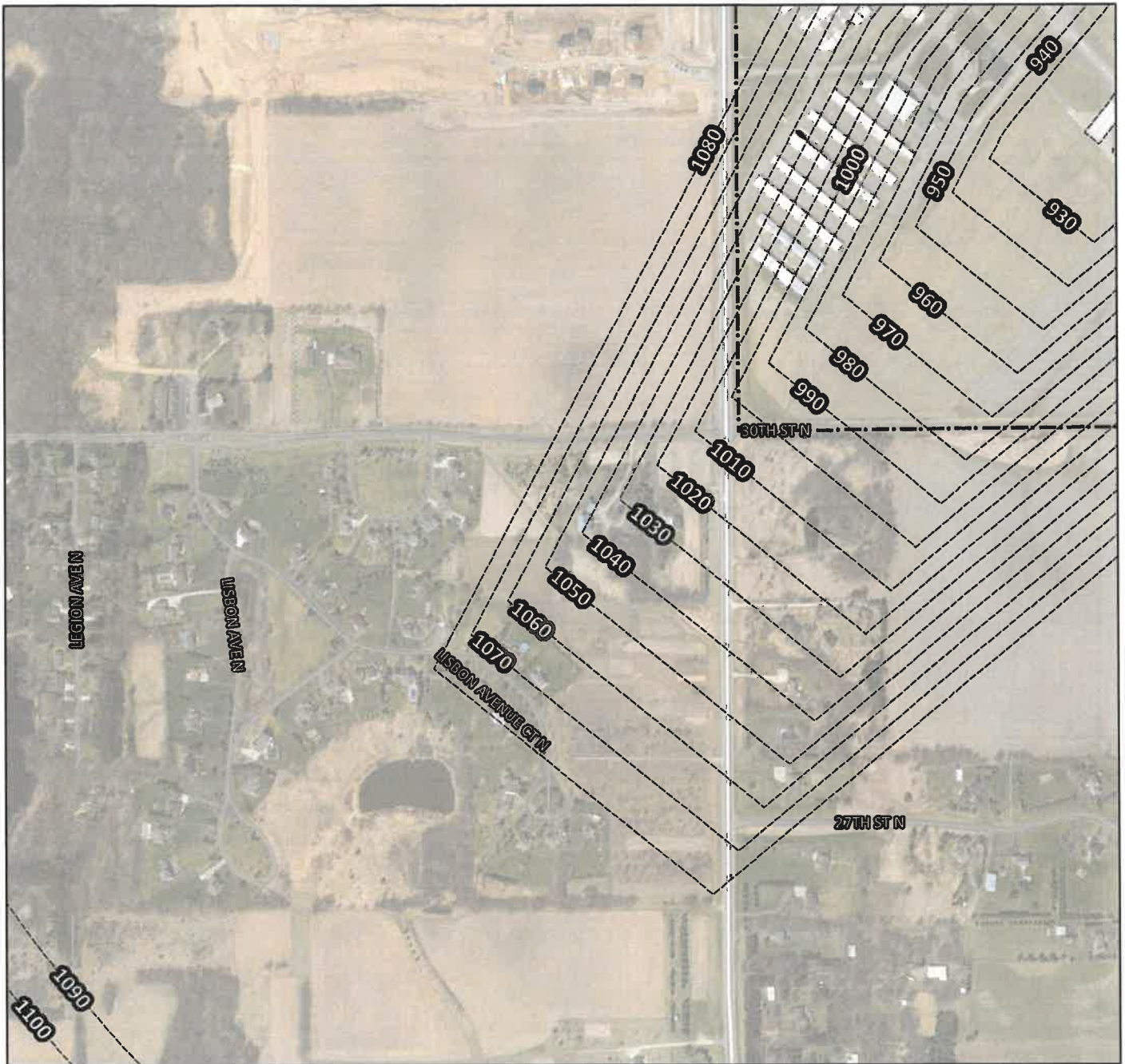
21D Airspace Zones

A - D2

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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Feet



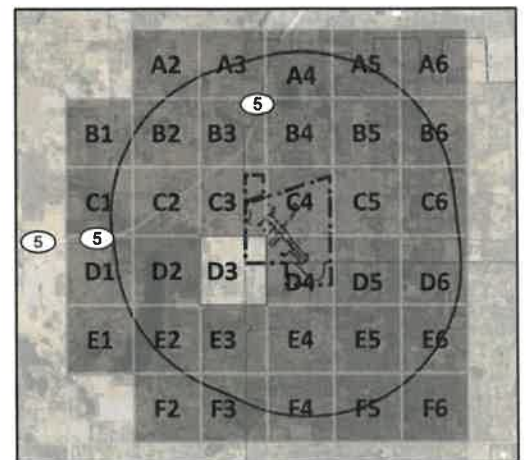


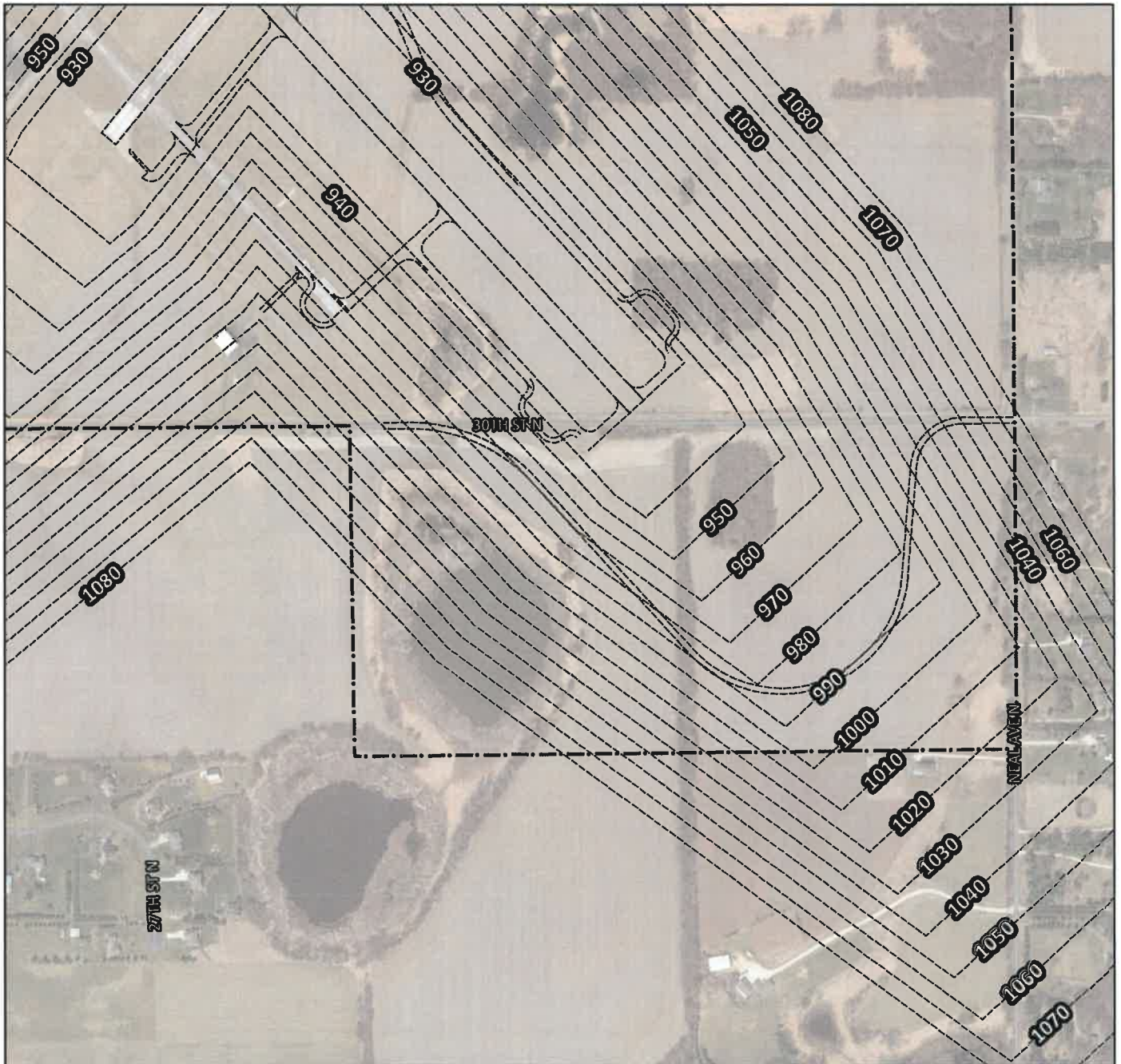
21D Airspace Zones

A - D3

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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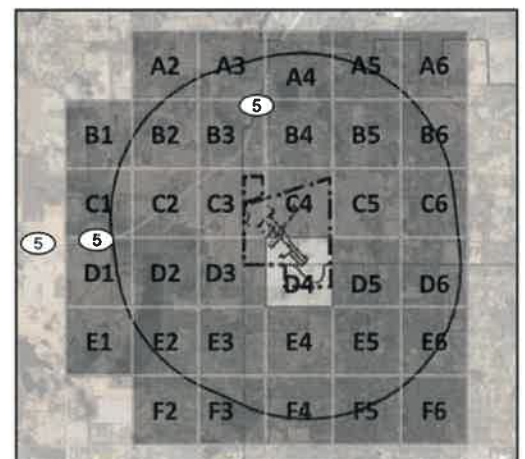


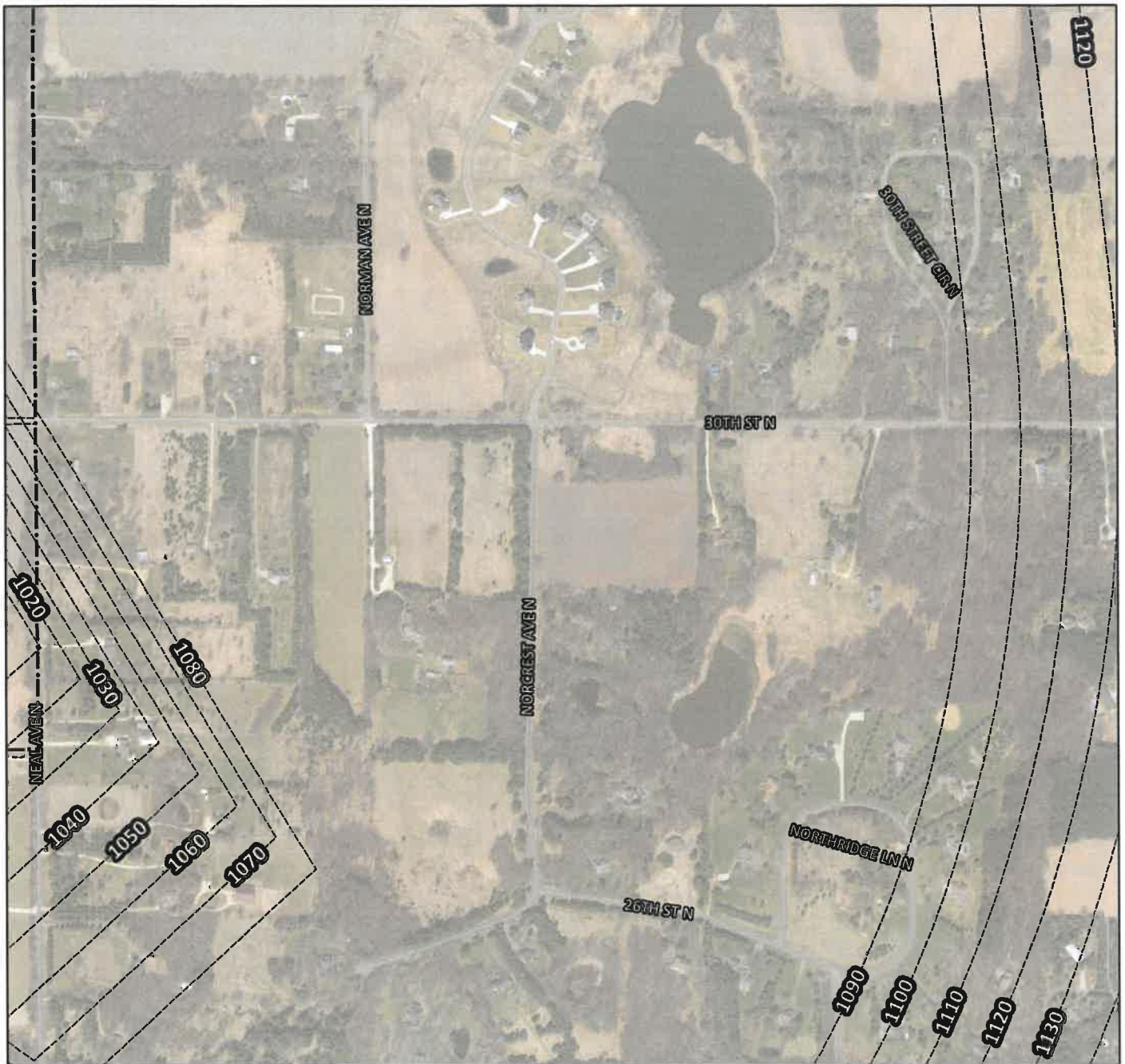
21D Airspace Zones

A - D4

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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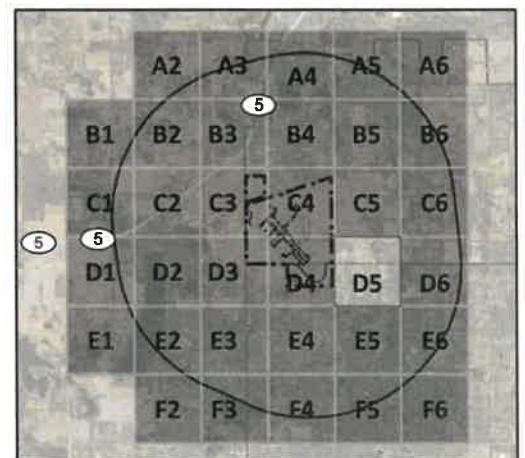


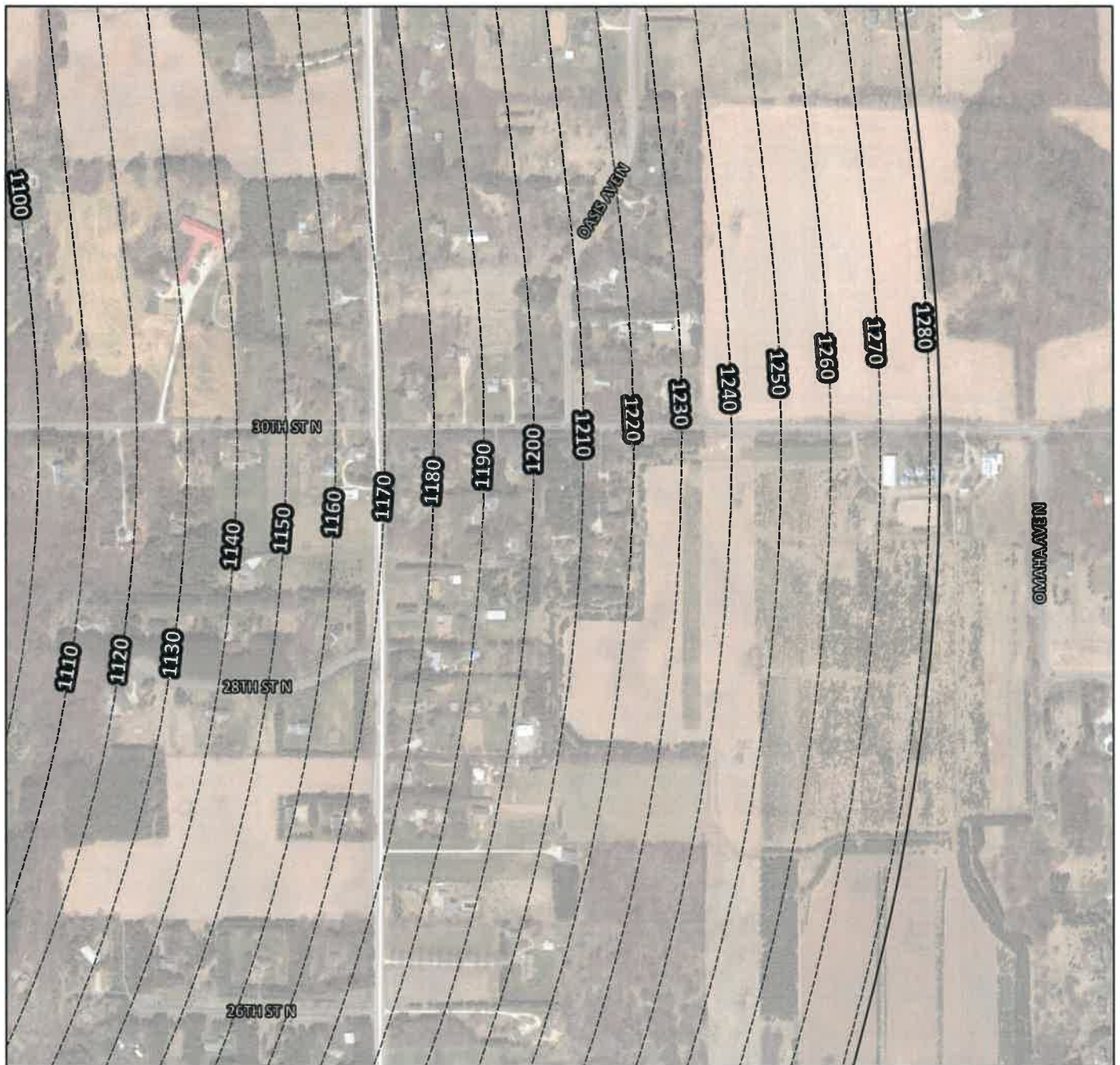
21D Airspace Zones

A - D5

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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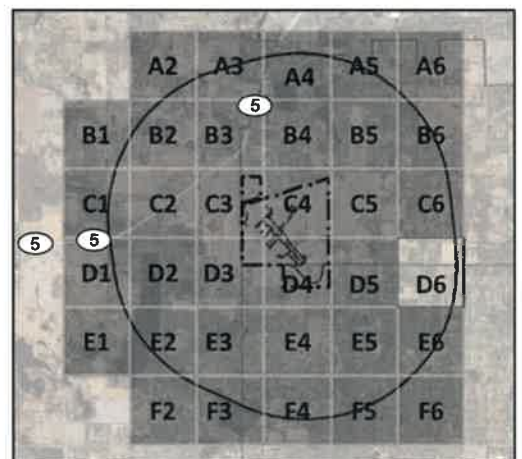


21D Airspace Zones

A - D6

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




0 400 800
Feet



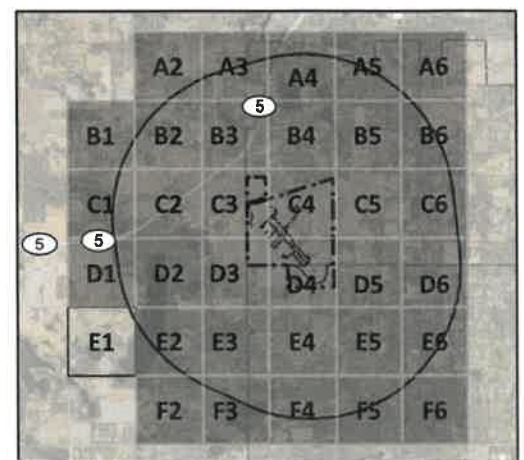


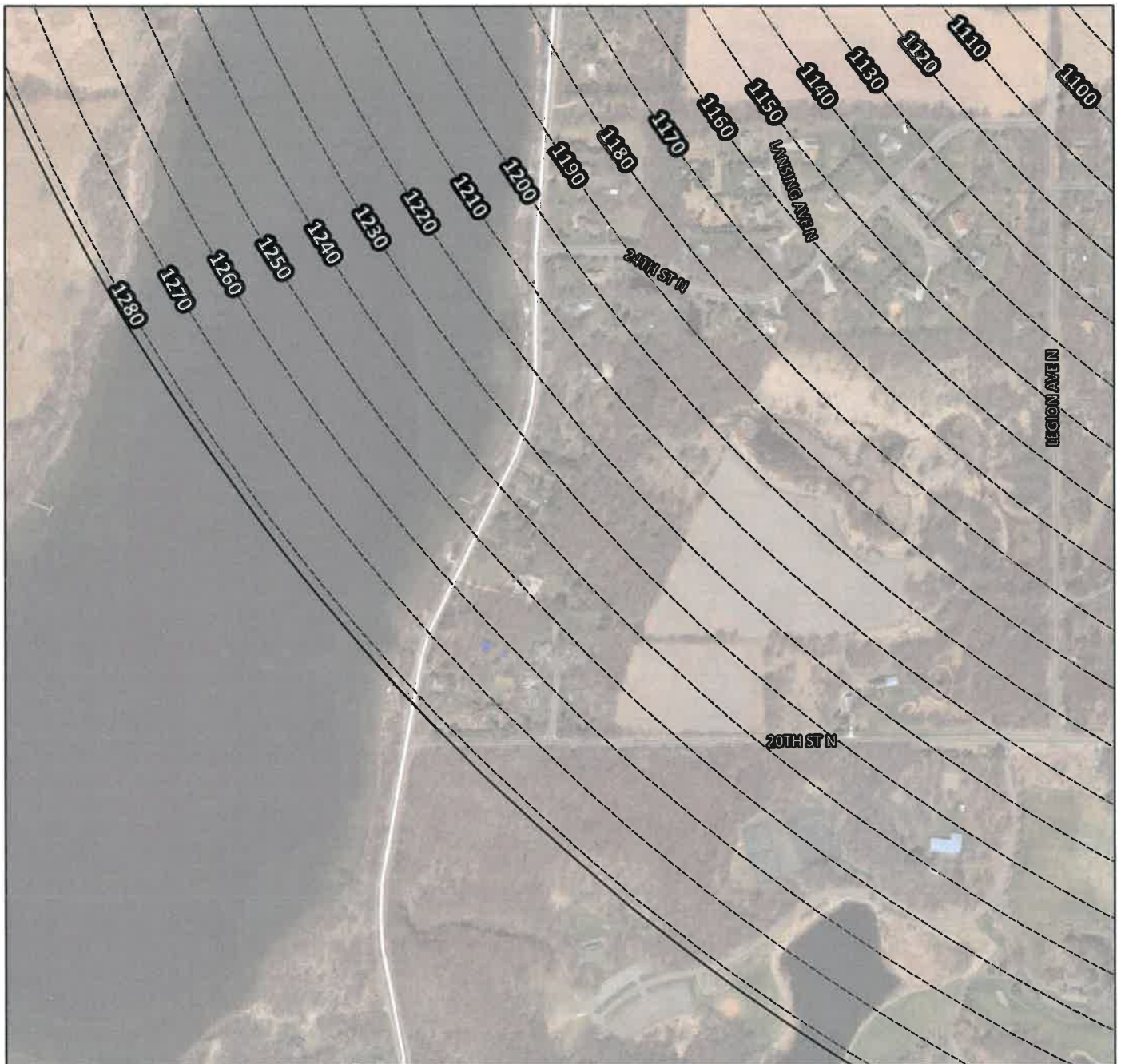
21D Airspace Zones

A - E1

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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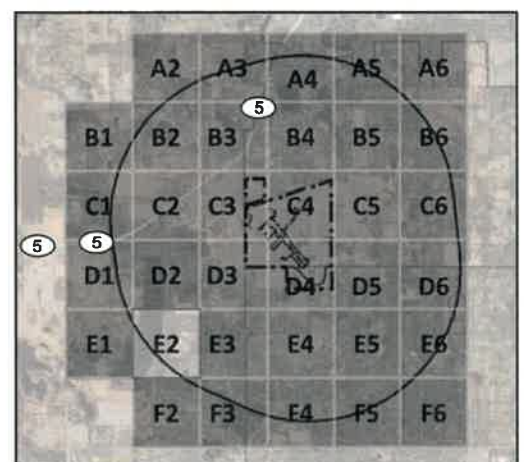


21D Airspace Zones

A - E2

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours

0 400 800
Feet



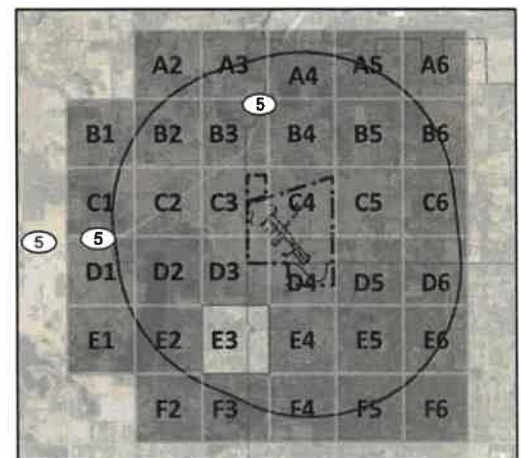


21D Airspace Zones

A - E3

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




0 400 800
Feet



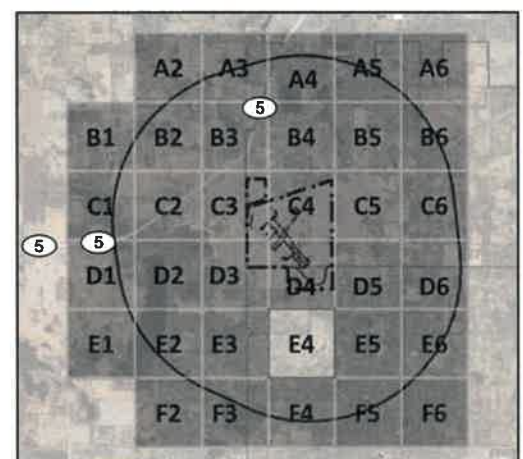


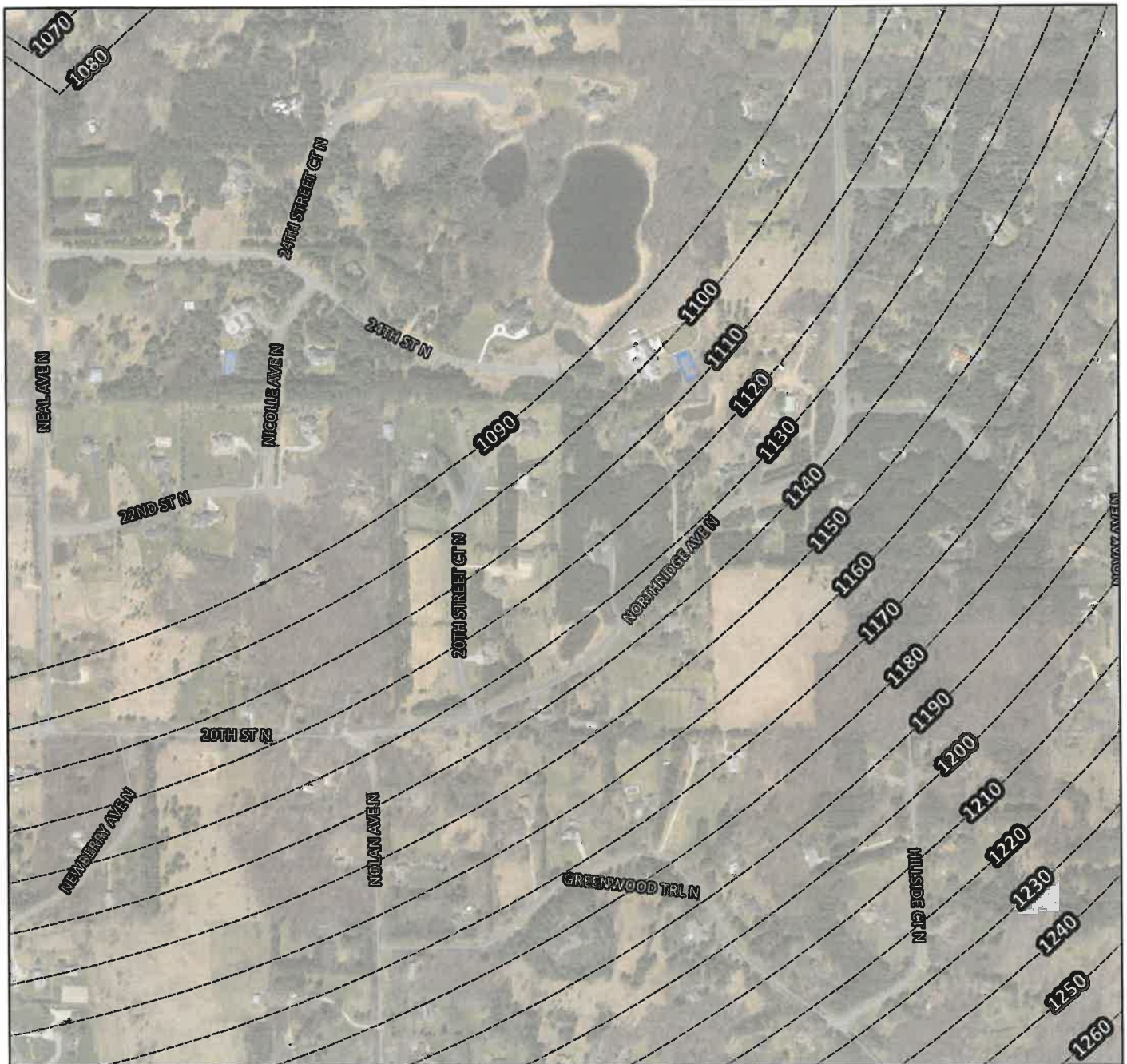
21D Airspace Zones

A - E4

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




0 400 800 Feet



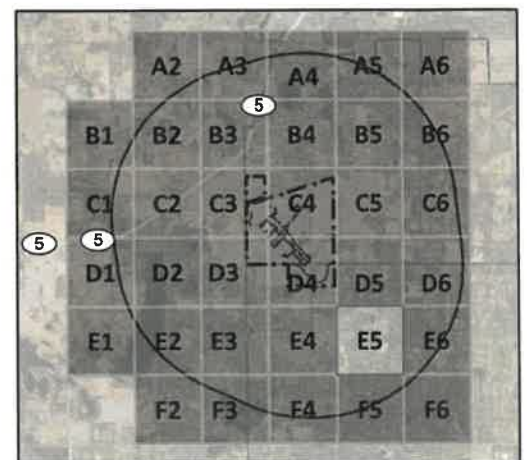


21D Airspace Zones

A - E5

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours



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Feet



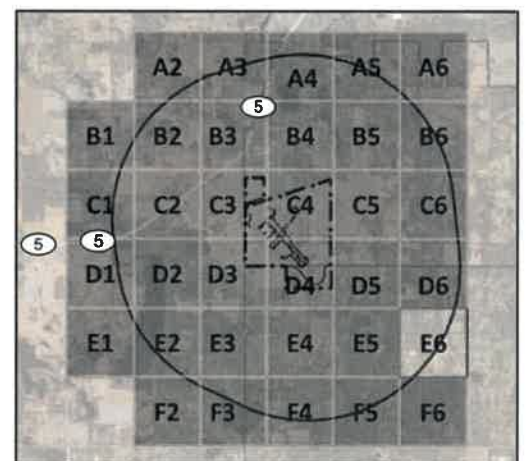


21D Airspace Zones

A - E6

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours



0 400 800
Feet



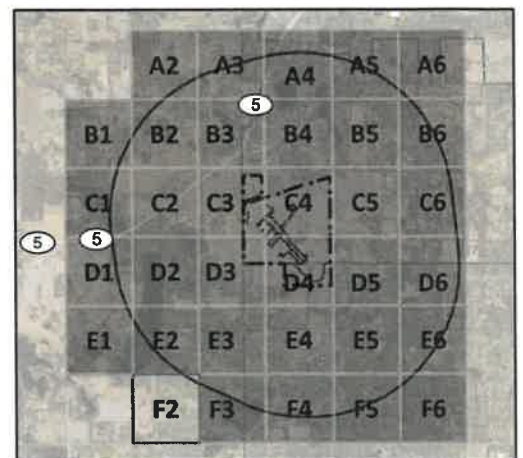


21D Airspace Zones

A - F2

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours



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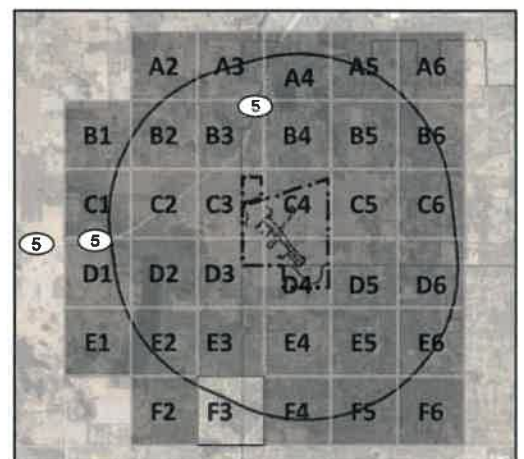


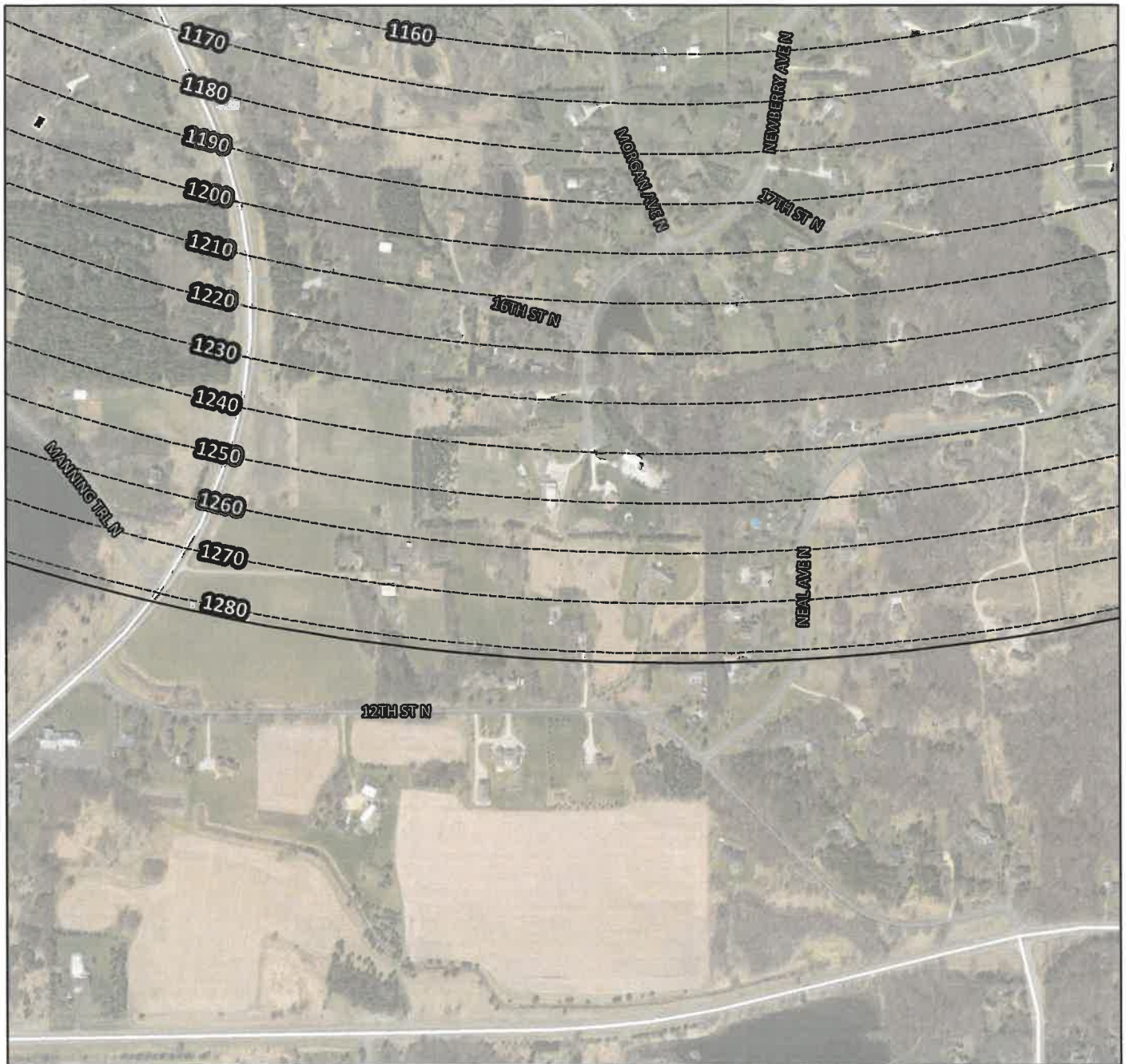
21D Airspace Zones

A - F3

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours




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Feet



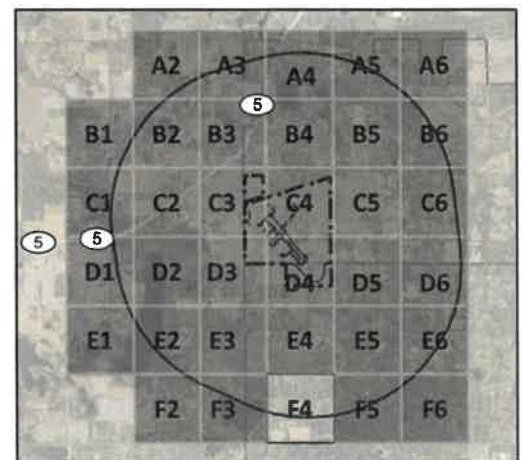


21D Airspace Zones

A - F4

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours

0 400 800
Feet



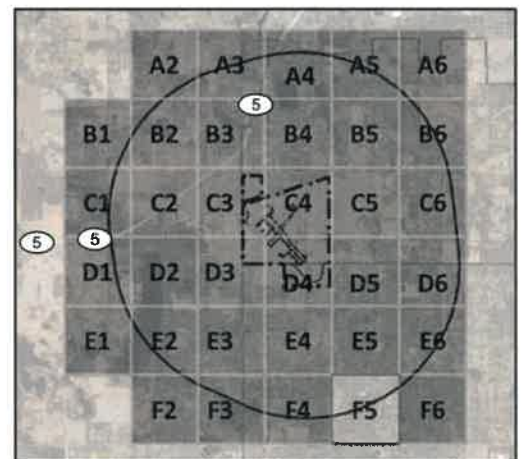


21D Airspace Zones

A - F5

- 21D Property
- Airport Hazard Area
- Part 77 Contours




0 400 800
Feet



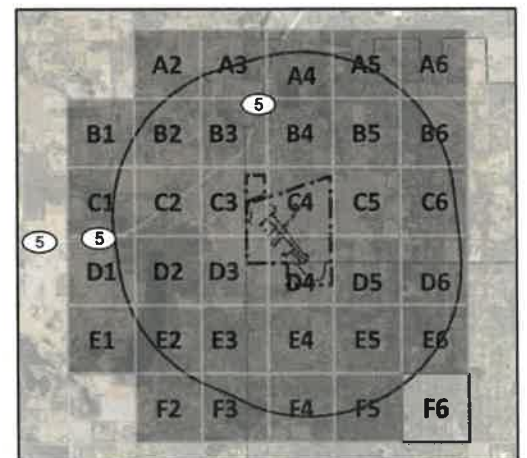


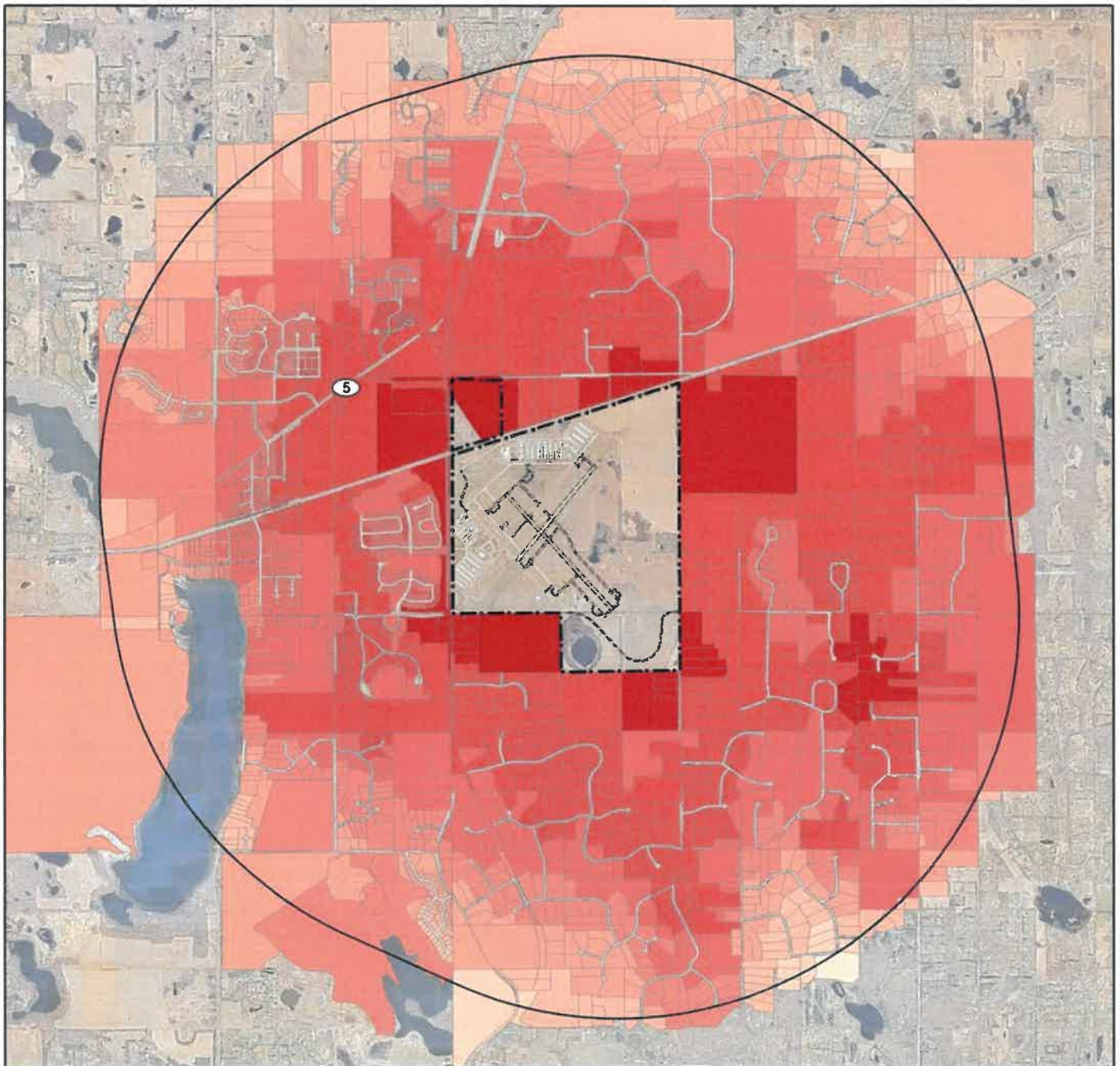
21D Airspace Zones

A - F6

-  21D Property
-  Airport Hazard Area
-  Part 77 Contours

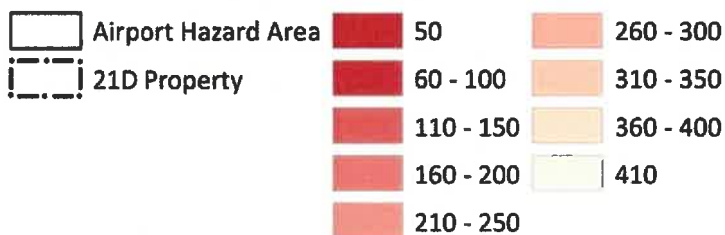
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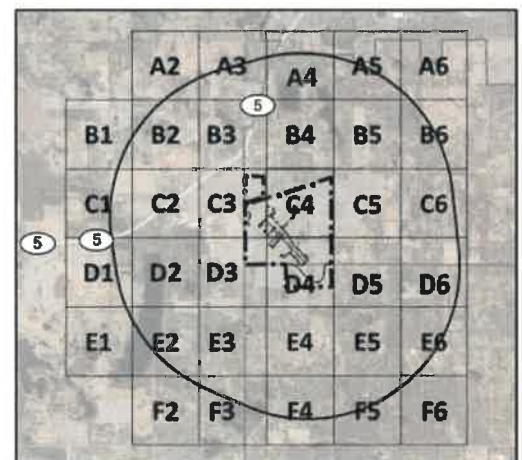


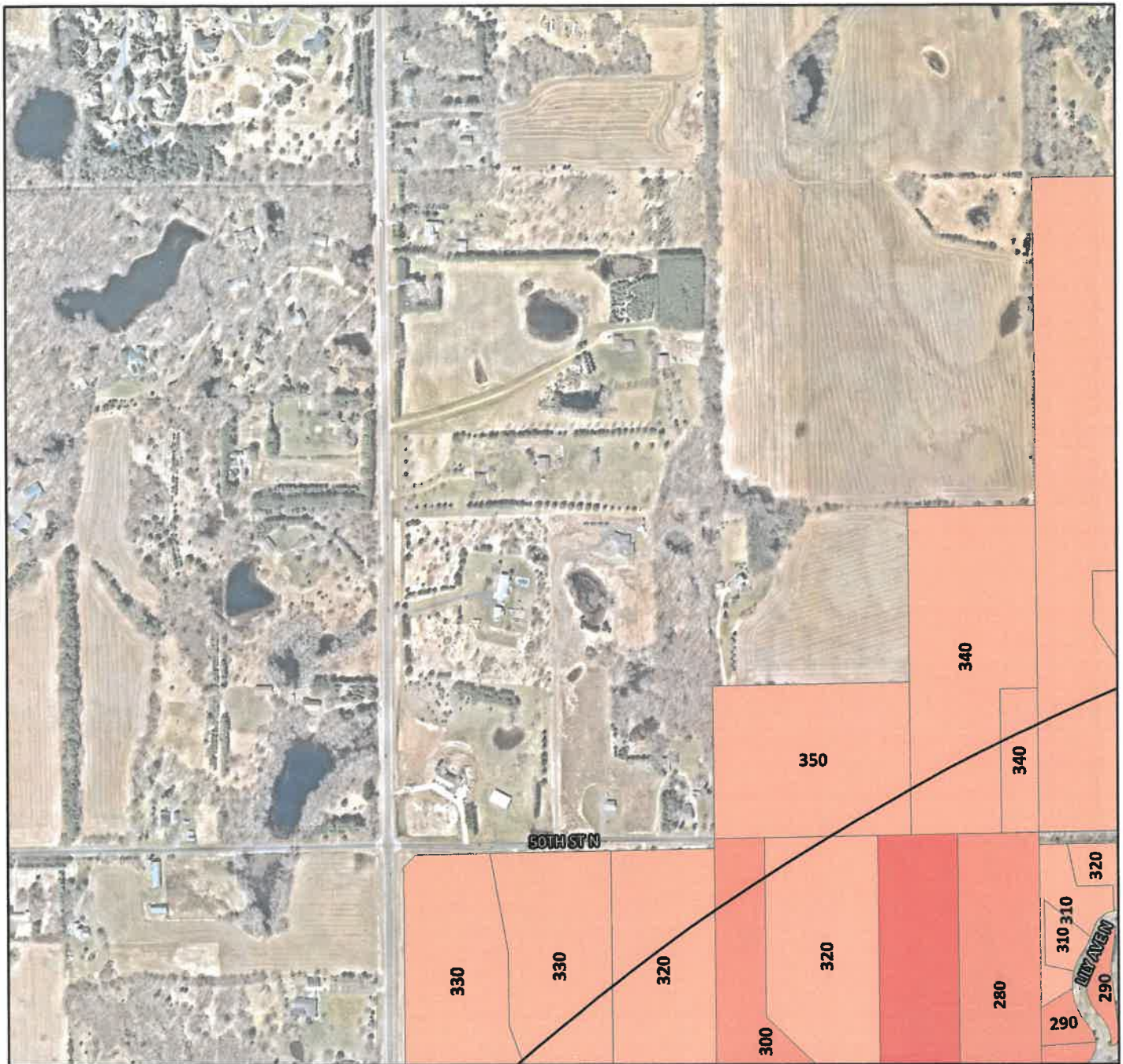
21D Maximum Construction Heights Without Permit

MCH - Index Sheet



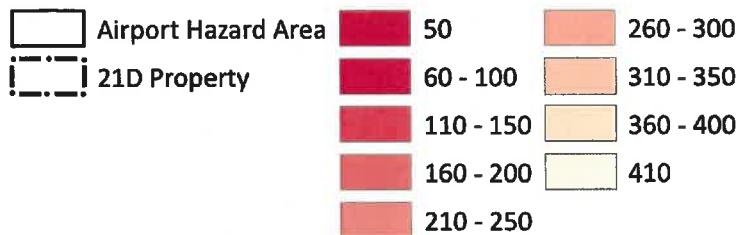
0 2,250 4,500
Feet





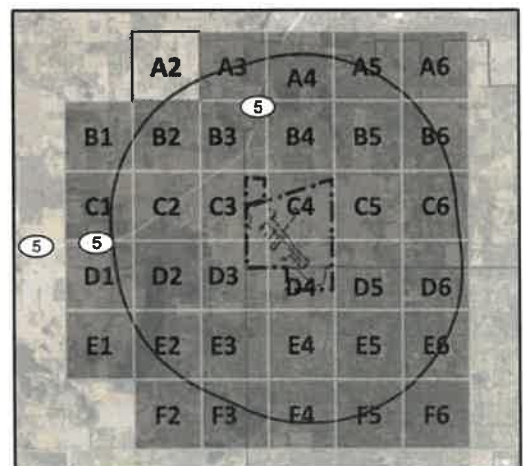
21D Maximum Construction Heights Without Permit

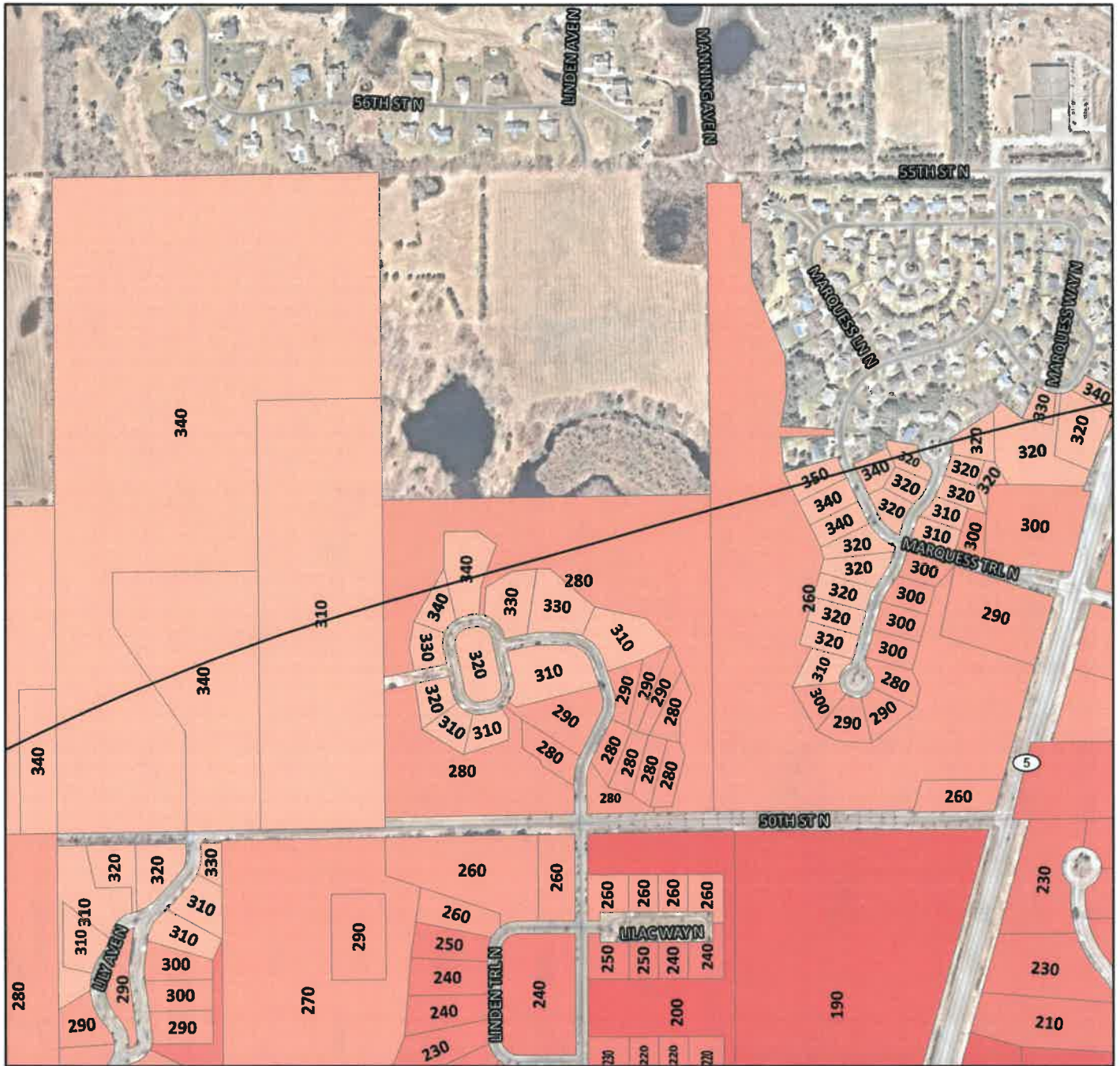
MCH - A2



0 400 800 Feet

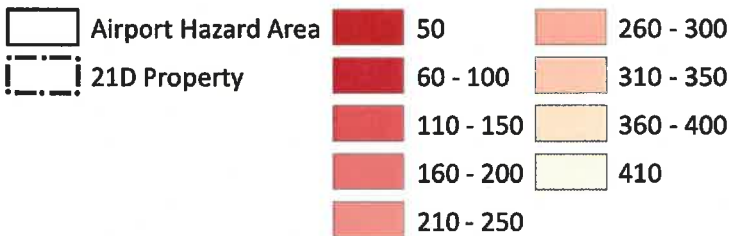
Lake Elmo Airport Zoning Ordinance





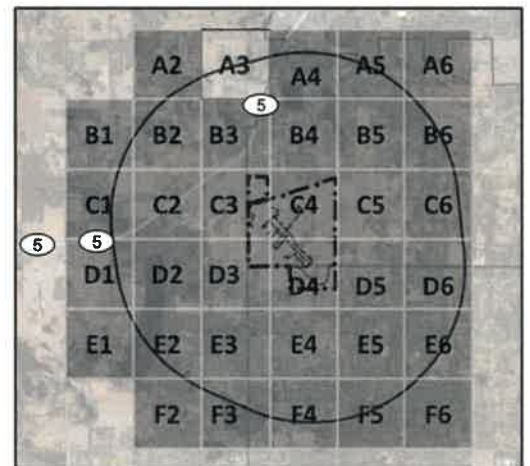
21D Maximum Construction Heights Without Permit

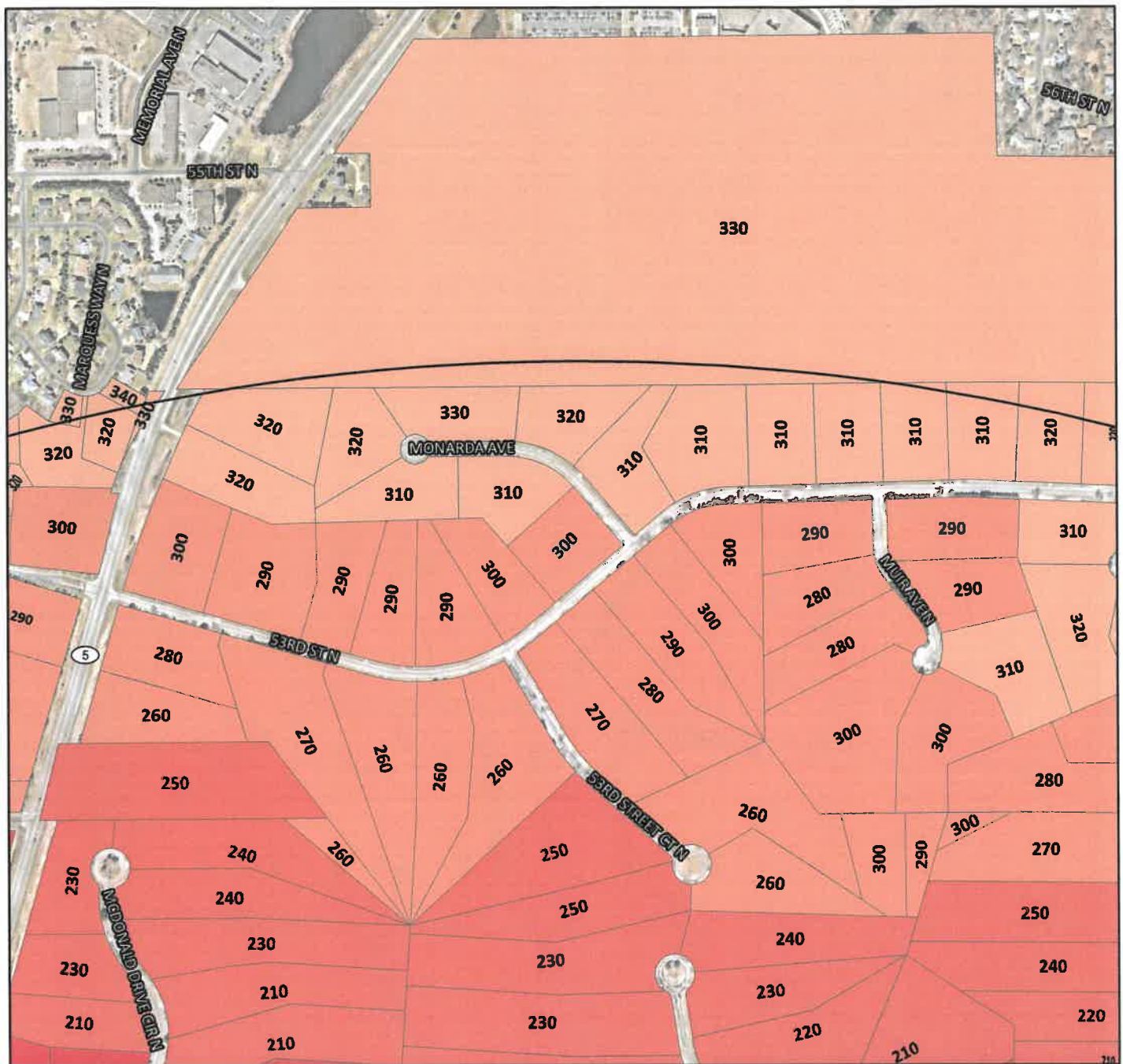
MCH - A3



0 400 800
Feet

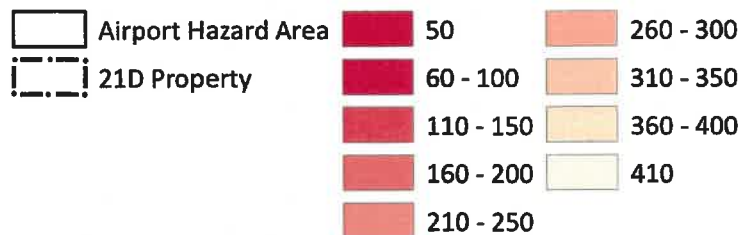
Lake Elmo Airport Zoning Ordinance





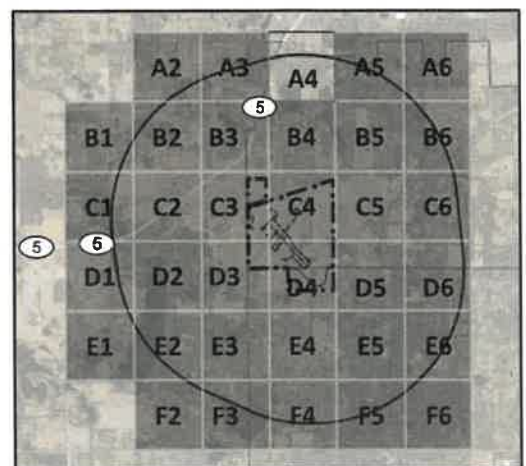
21D Maximum Construction Heights Without Permit

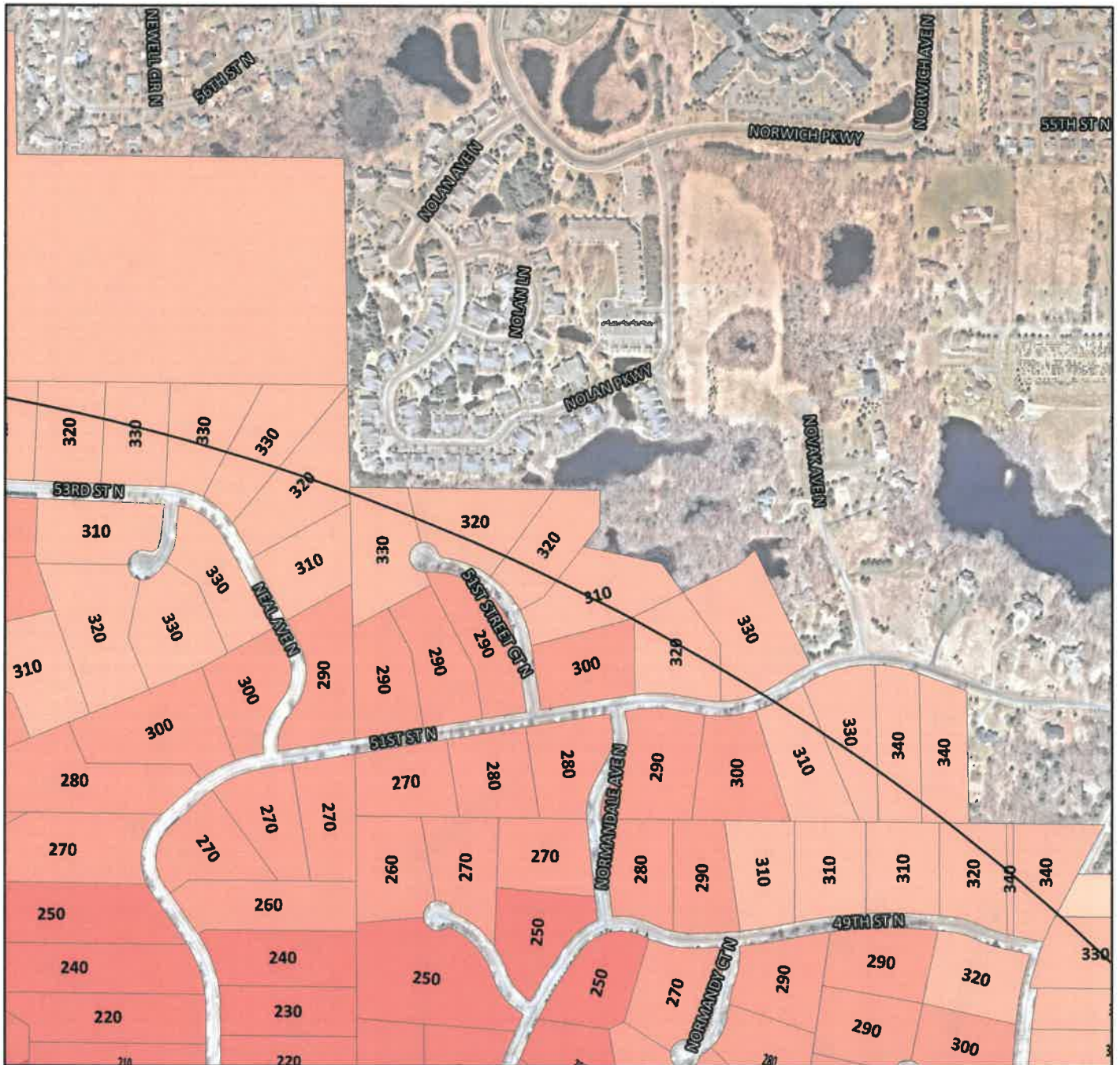
MCH - A4



0 400 800
Feet

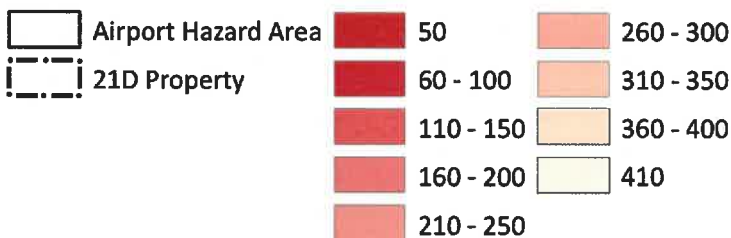
Lake Elmo Airport Zoning Ordinance





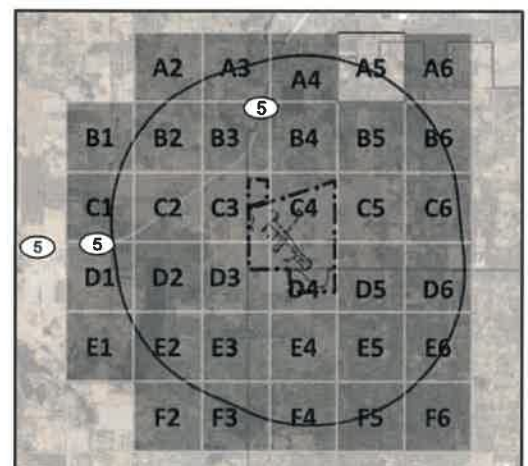
21D Maximum Construction Heights Without Permit

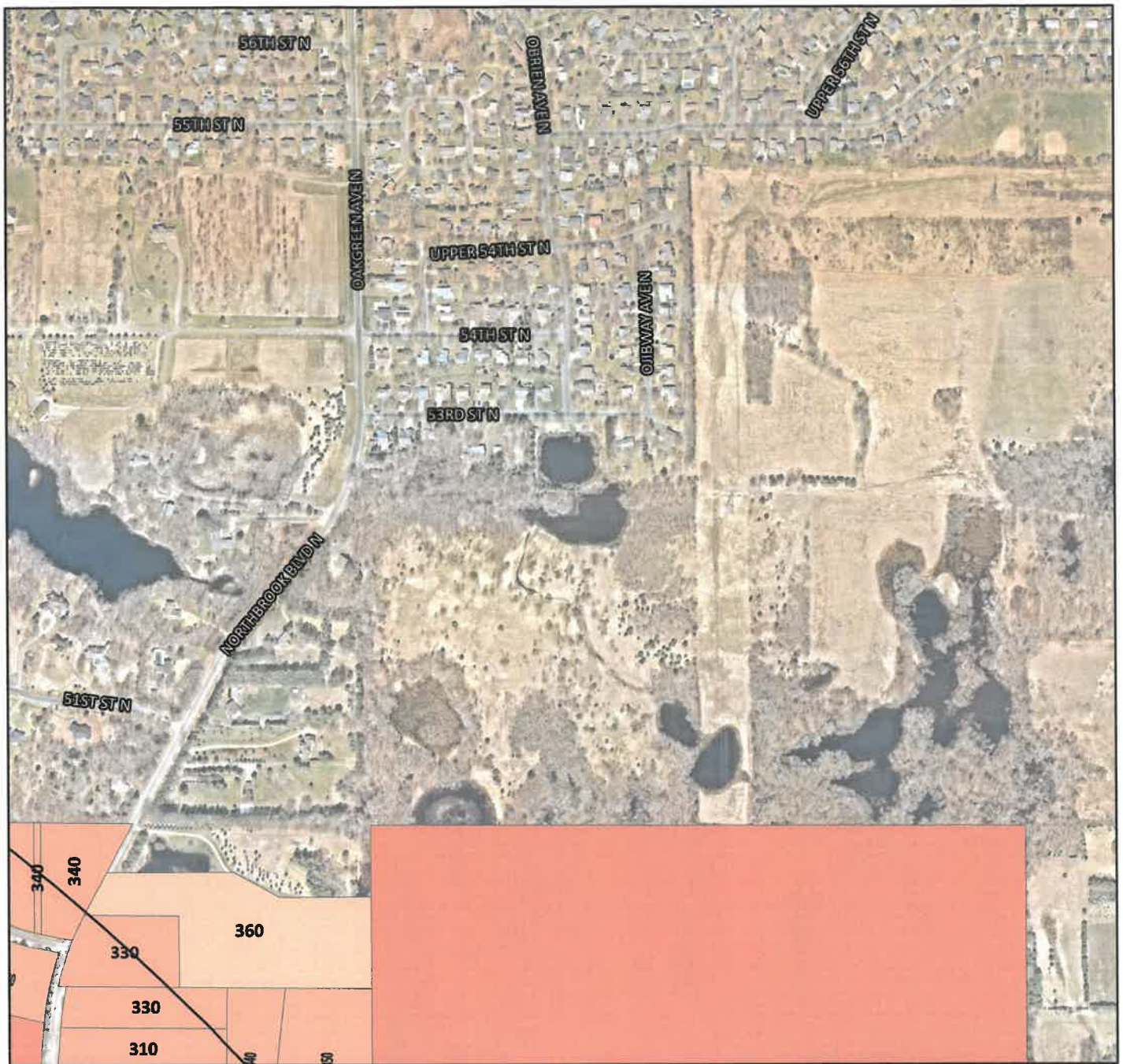
MCH - A5



0 400 800 Feet

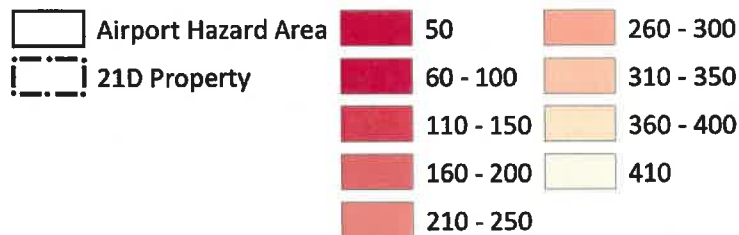
Lake Elmo Airport Zoning Ordinance





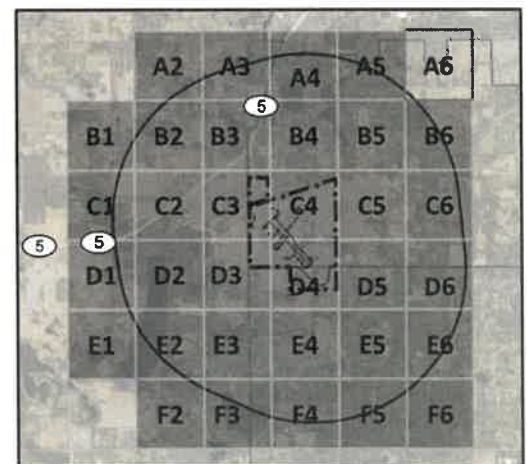
21D Maximum Construction Heights Without Permit

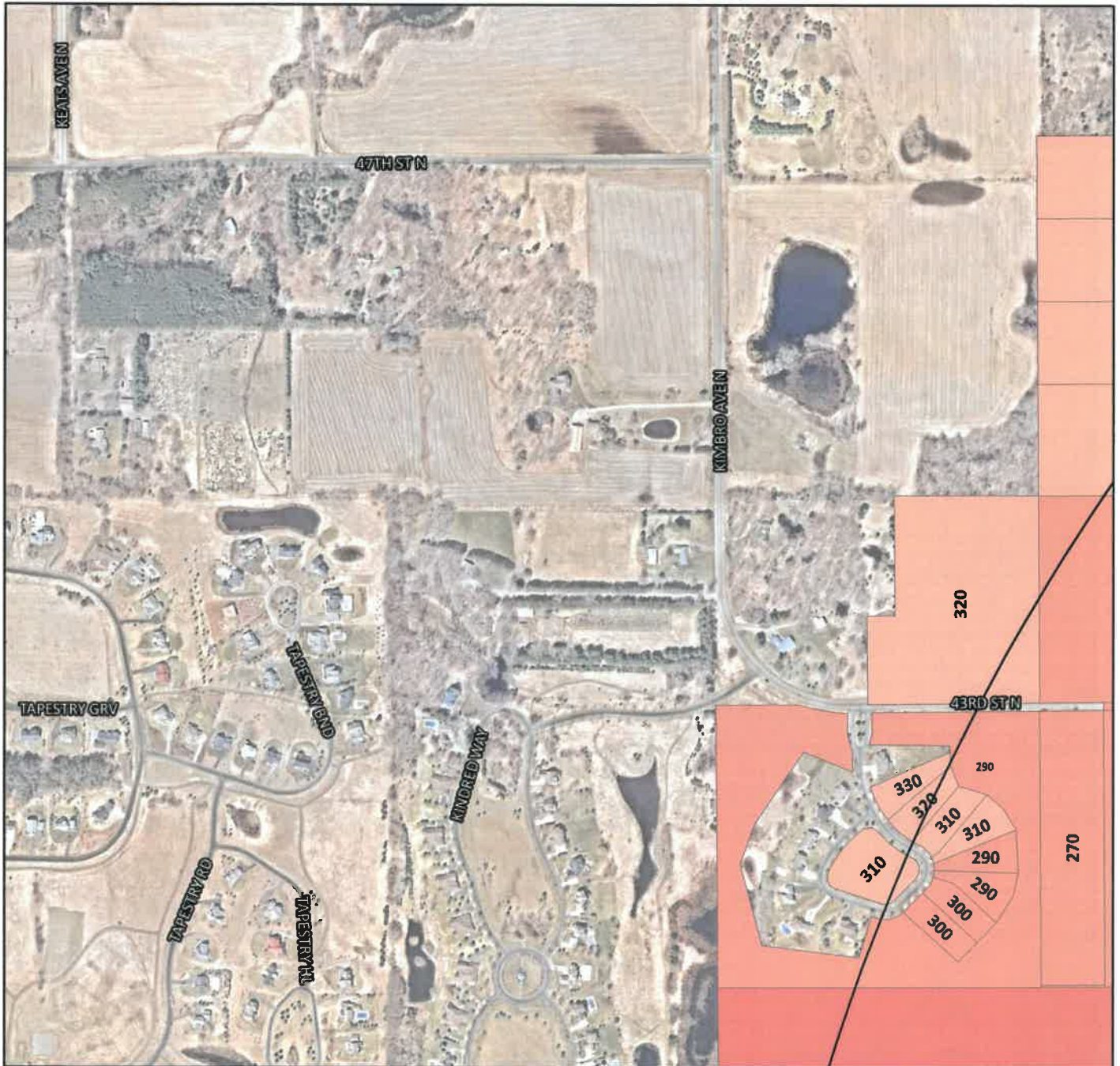
MCH - A6



0 400 800
Feet

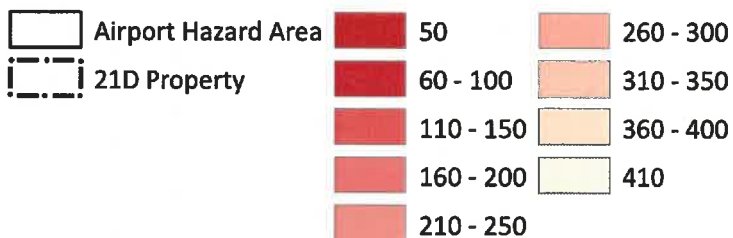
Lake Elmo Airport Zoning Ordinance





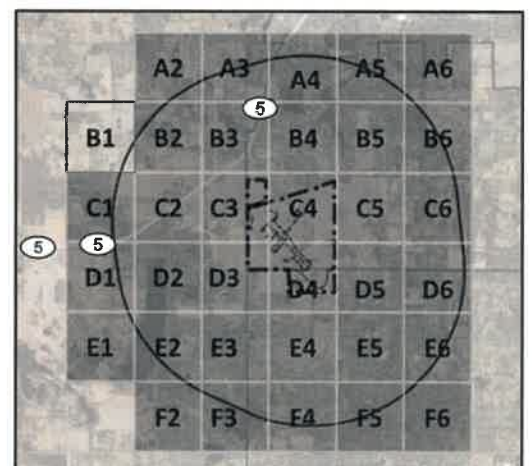
21D Maximum Construction Heights Without Permit

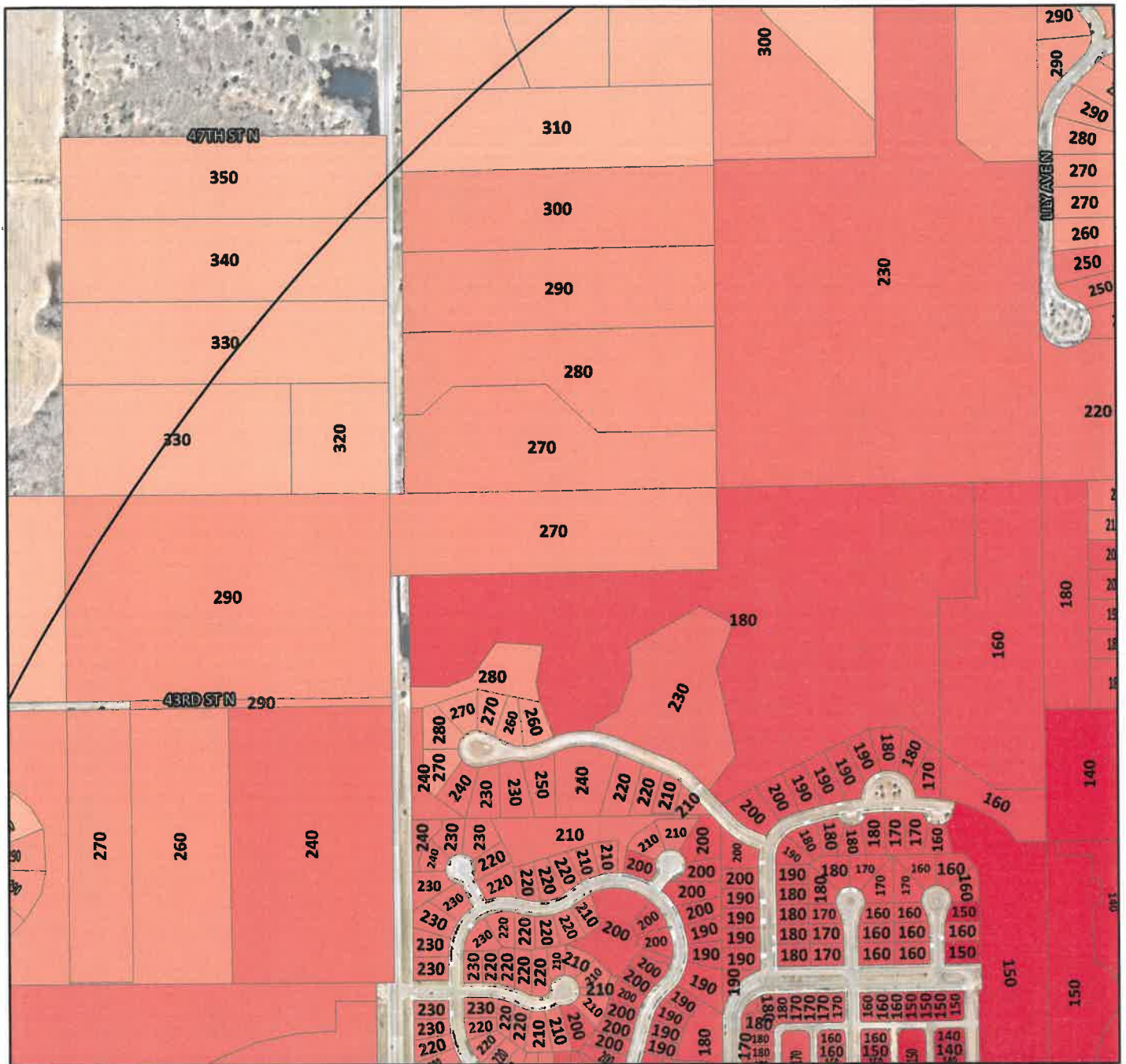
MCH - B1



0 400 800
Feet

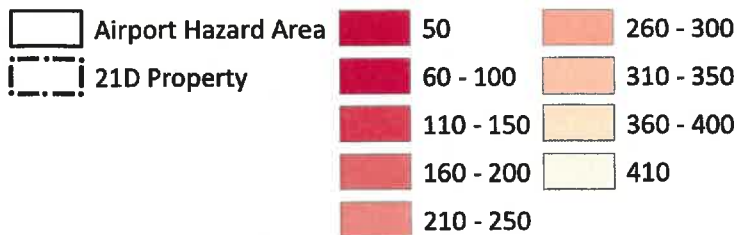
Lake Elmo Airport Zoning Ordinance





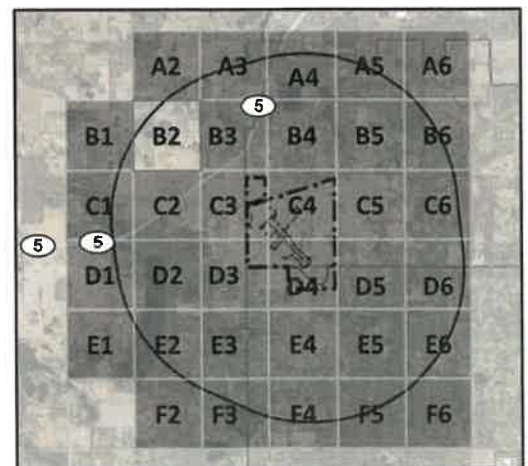
21D Maximum Construction Heights Without Permit

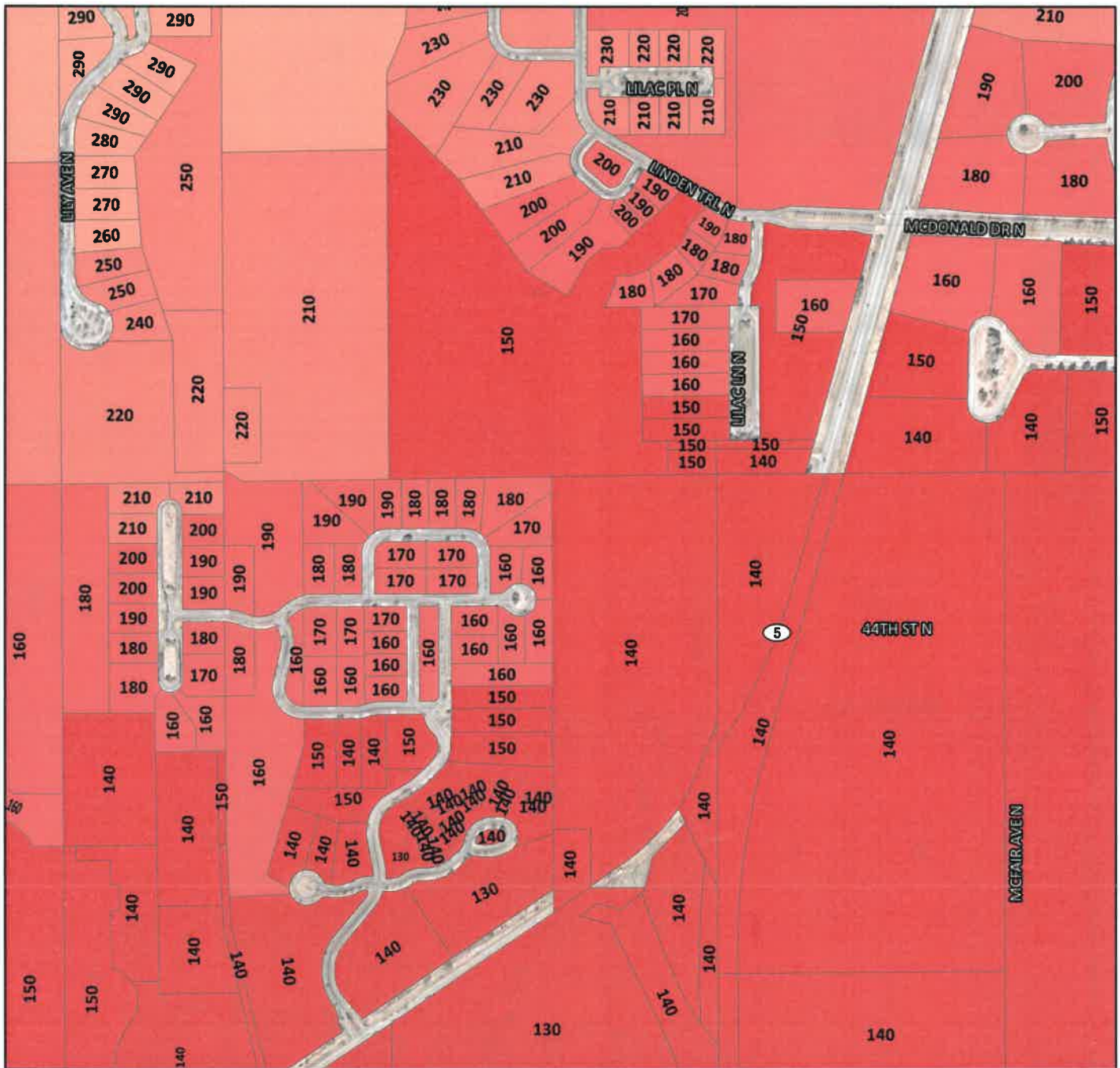
MCH - B2



0 400 800 Feet

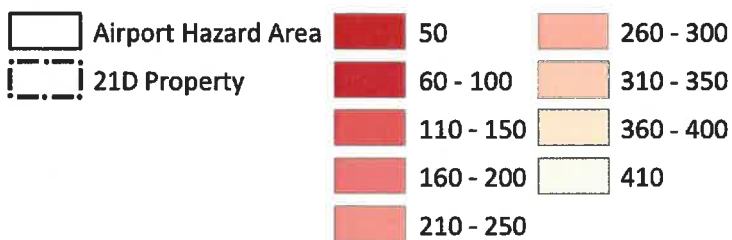
Lake Elmo Airport Zoning Ordinance





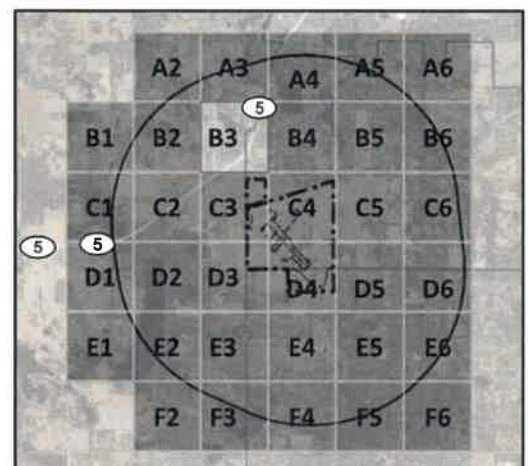
21D Maximum Construction Heights Without Permit

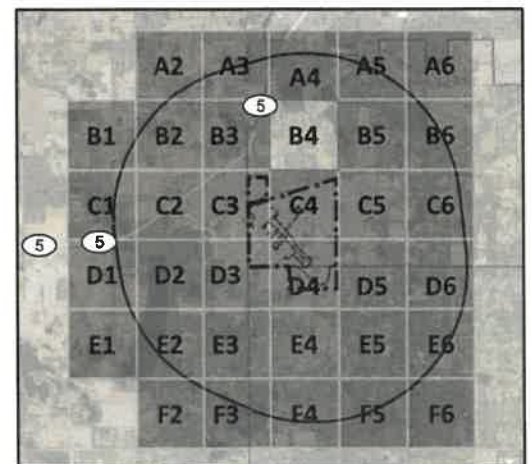
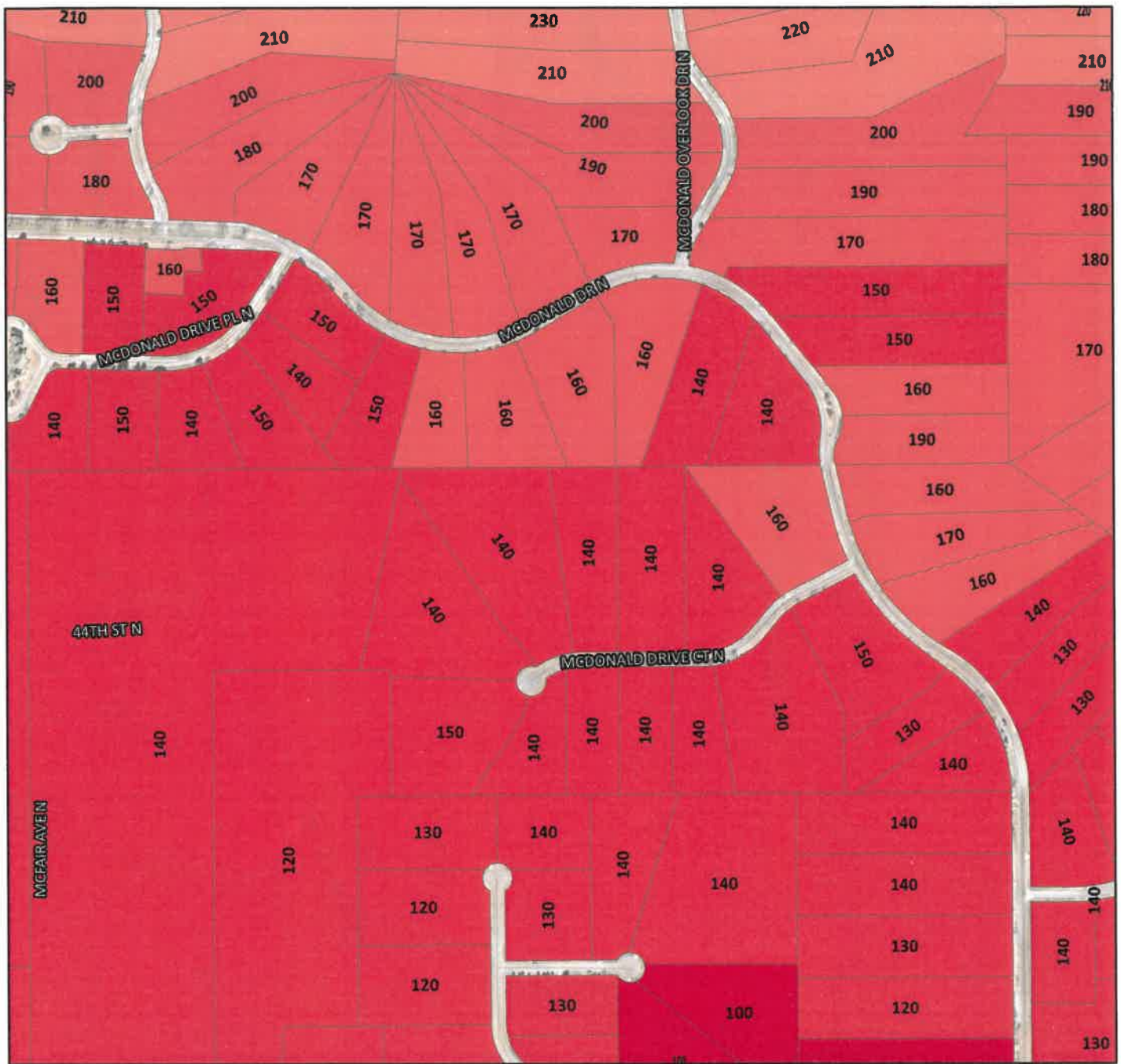
MCH - B3

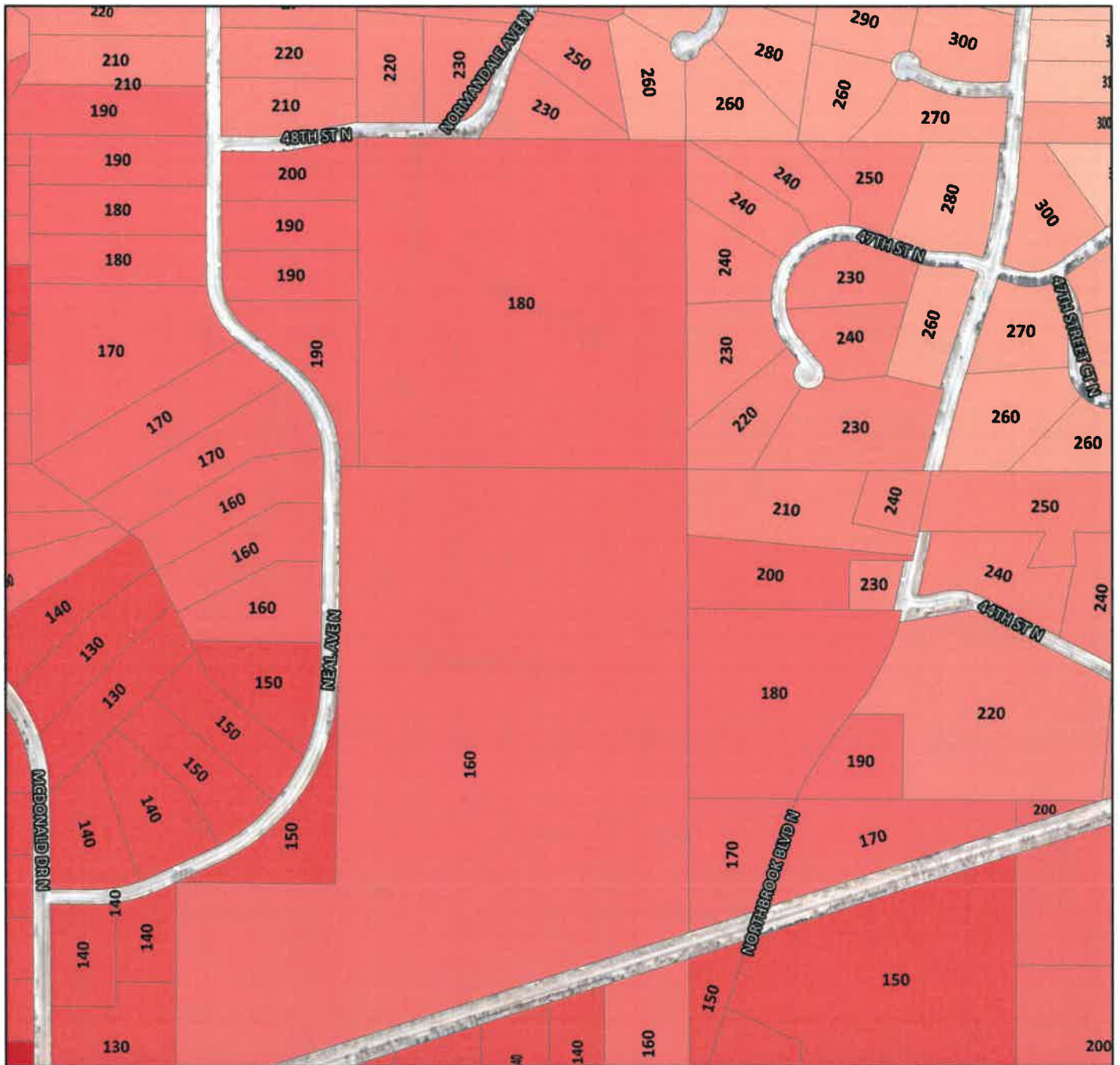


0 400 800
Feet

Lake Elmo Airport Zoning Ordinance

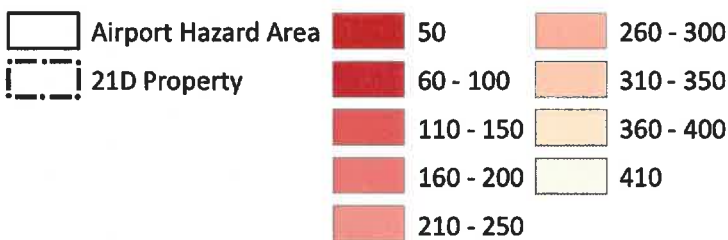






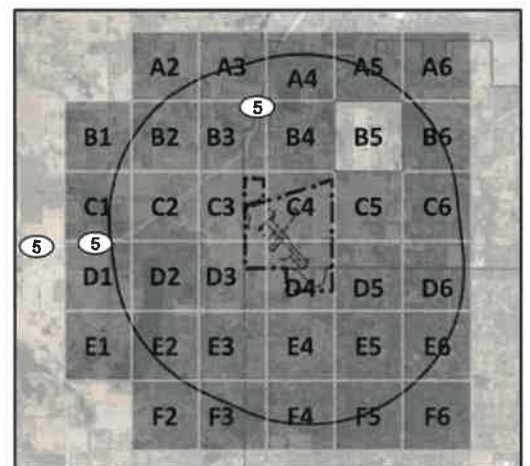
21D Maximum Construction Heights Without Permit

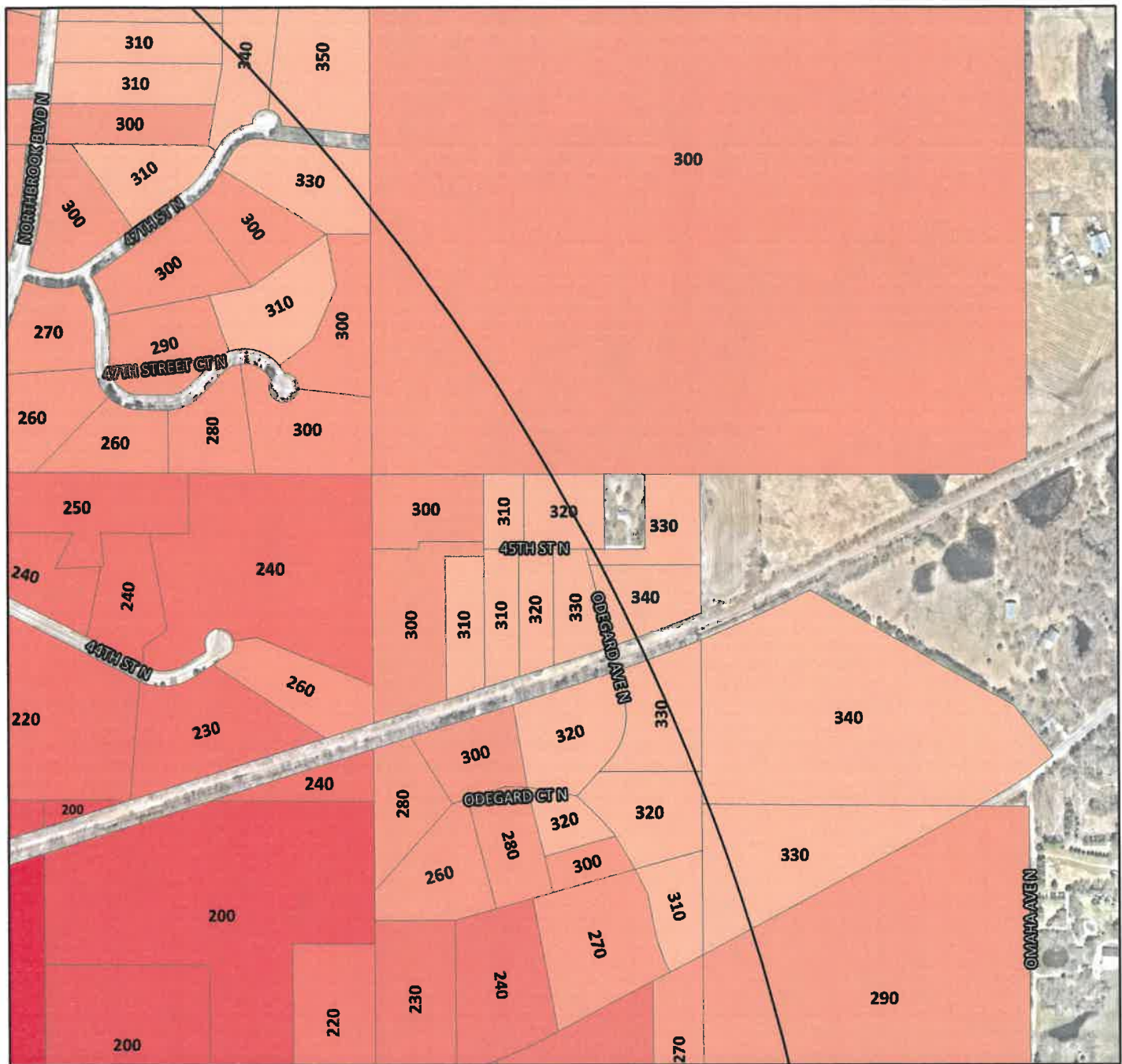
MCH - B5



0 400 800 Feet

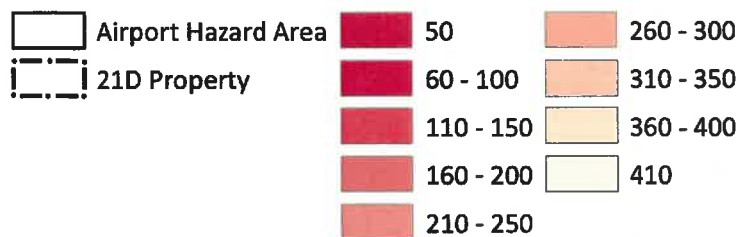
Lake Elmo Airport Zoning Ordinance





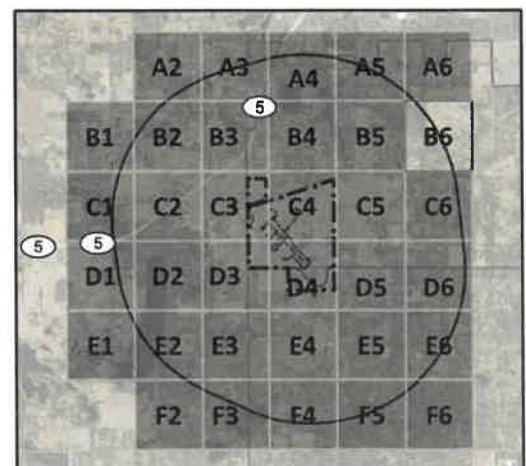
21D Maximum Construction Heights Without Permit

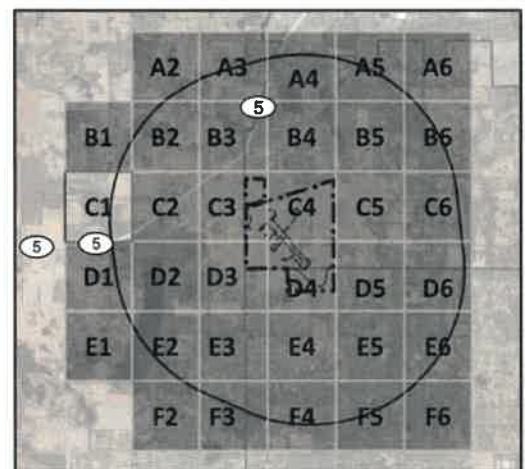
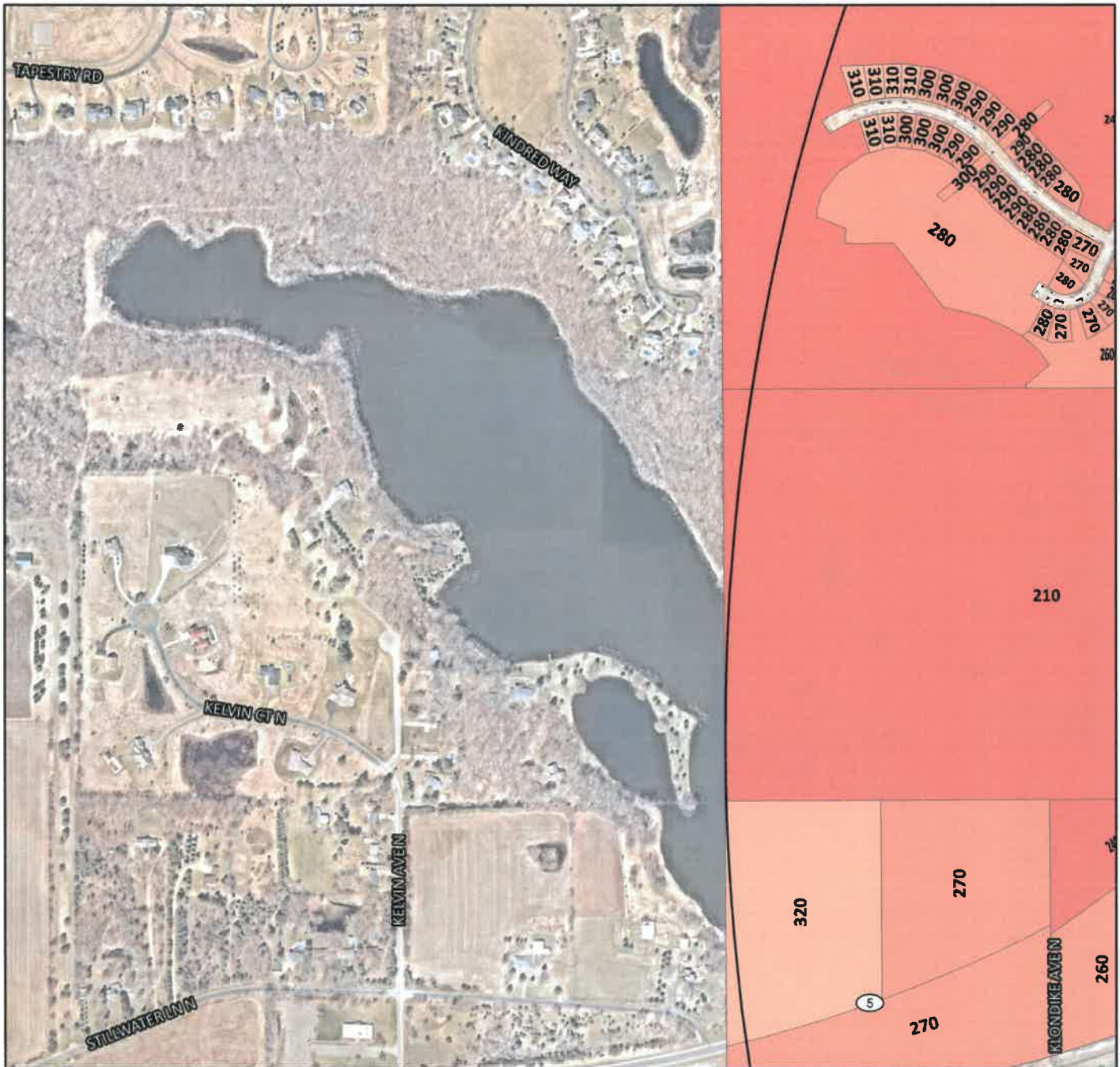
MCH - B6

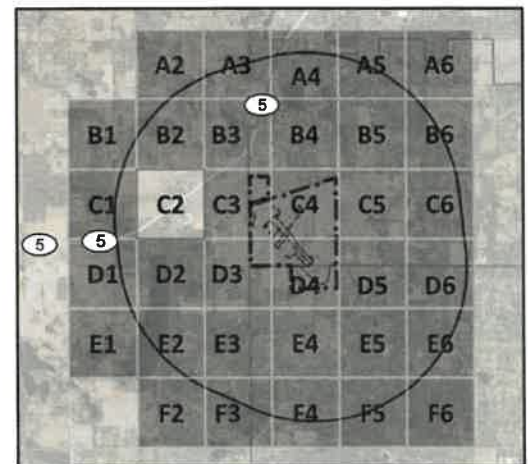
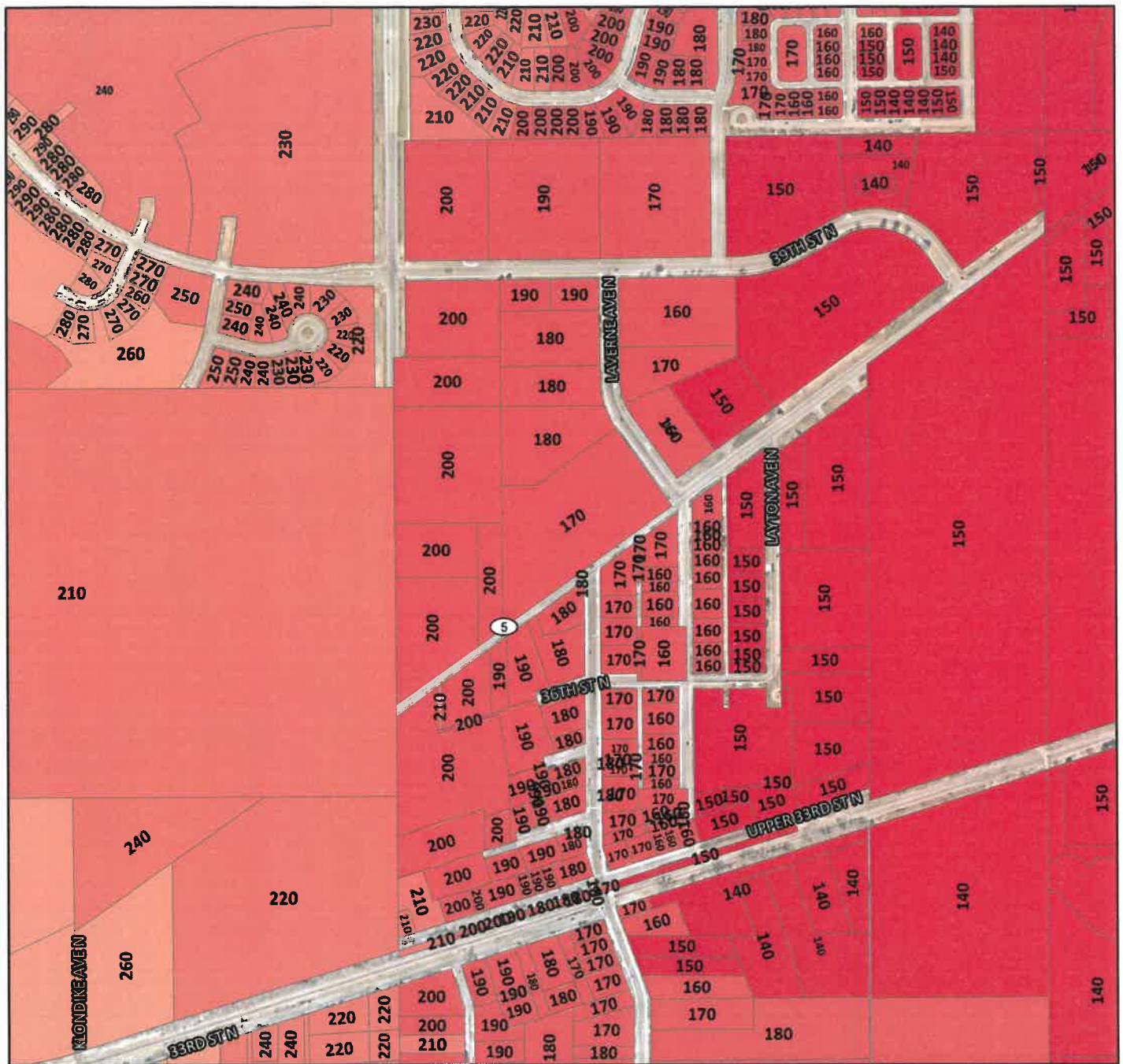


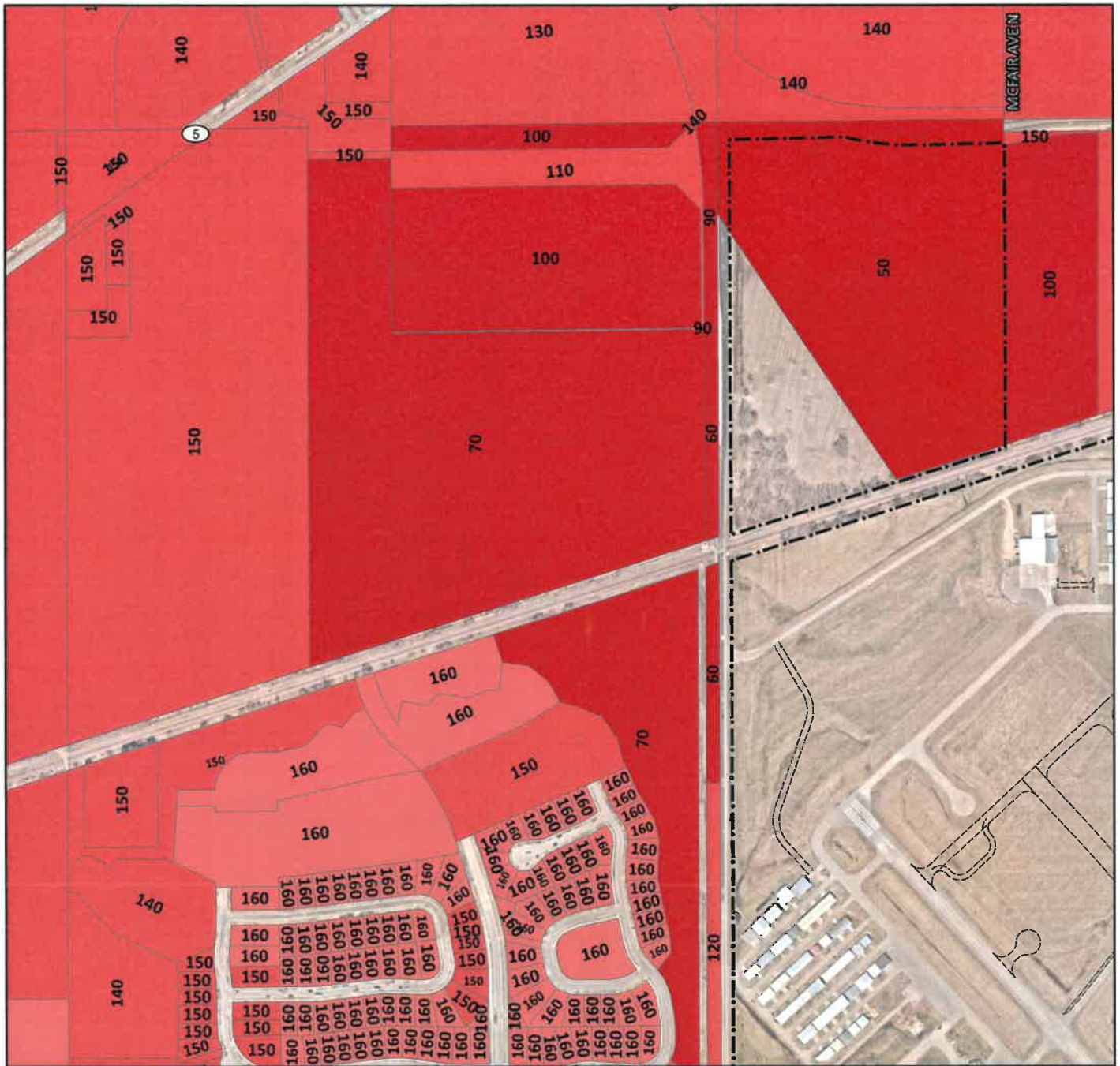
0 400 800 Feet

Lake Elmo Airport Zoning Ordinance



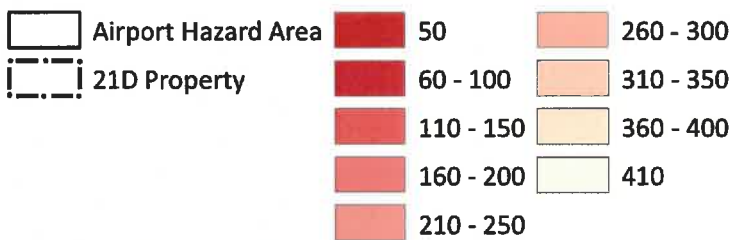






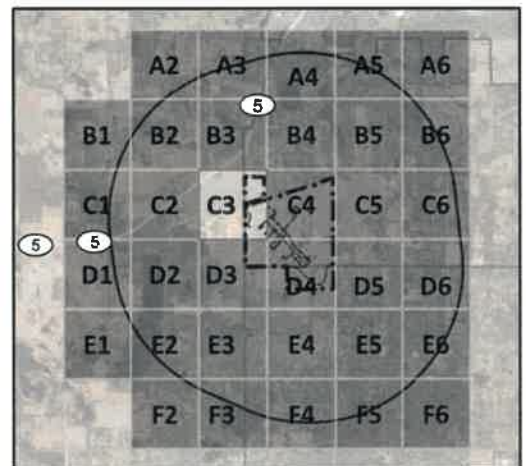
21D Maximum Construction Heights Without Permit

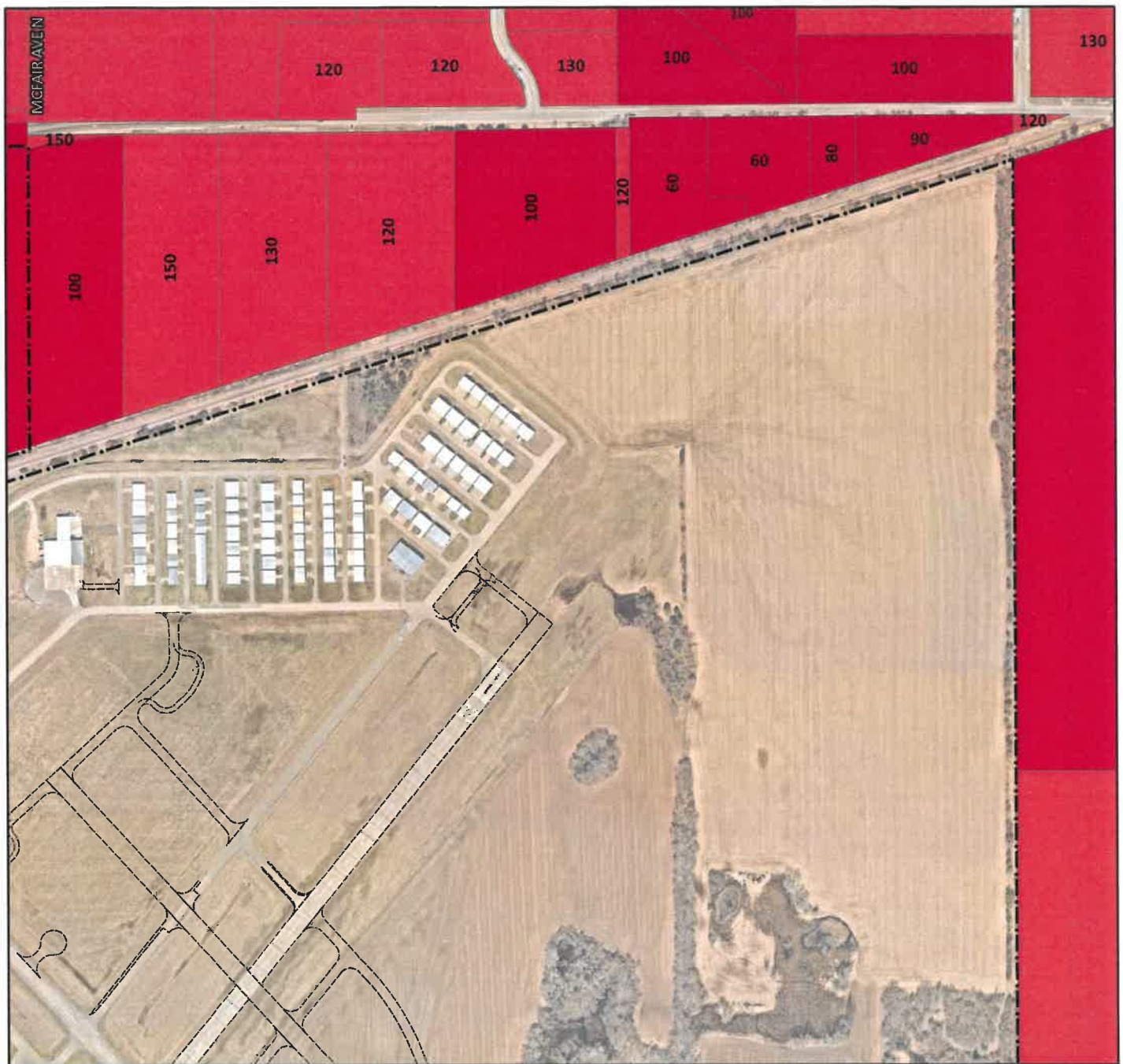
MCH - C3



0 400 800 Feet

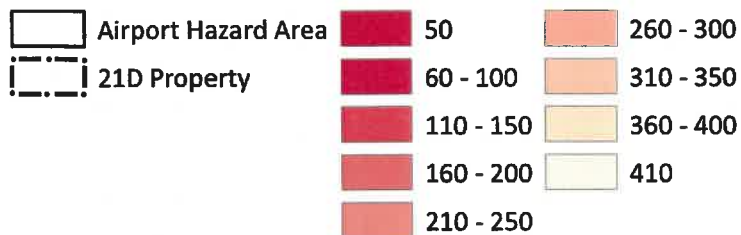
Lake Elmo Airport Zoning Ordinance





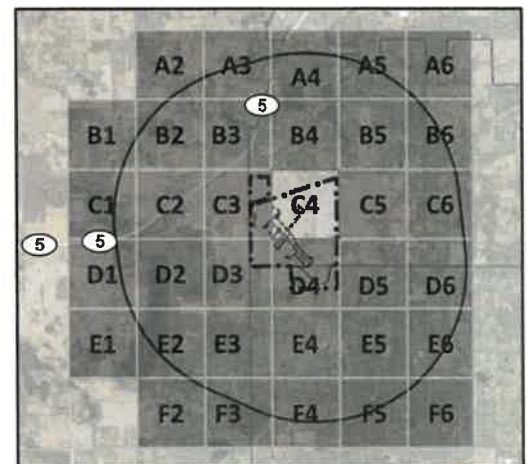
21D Maximum Construction Heights Without Permit

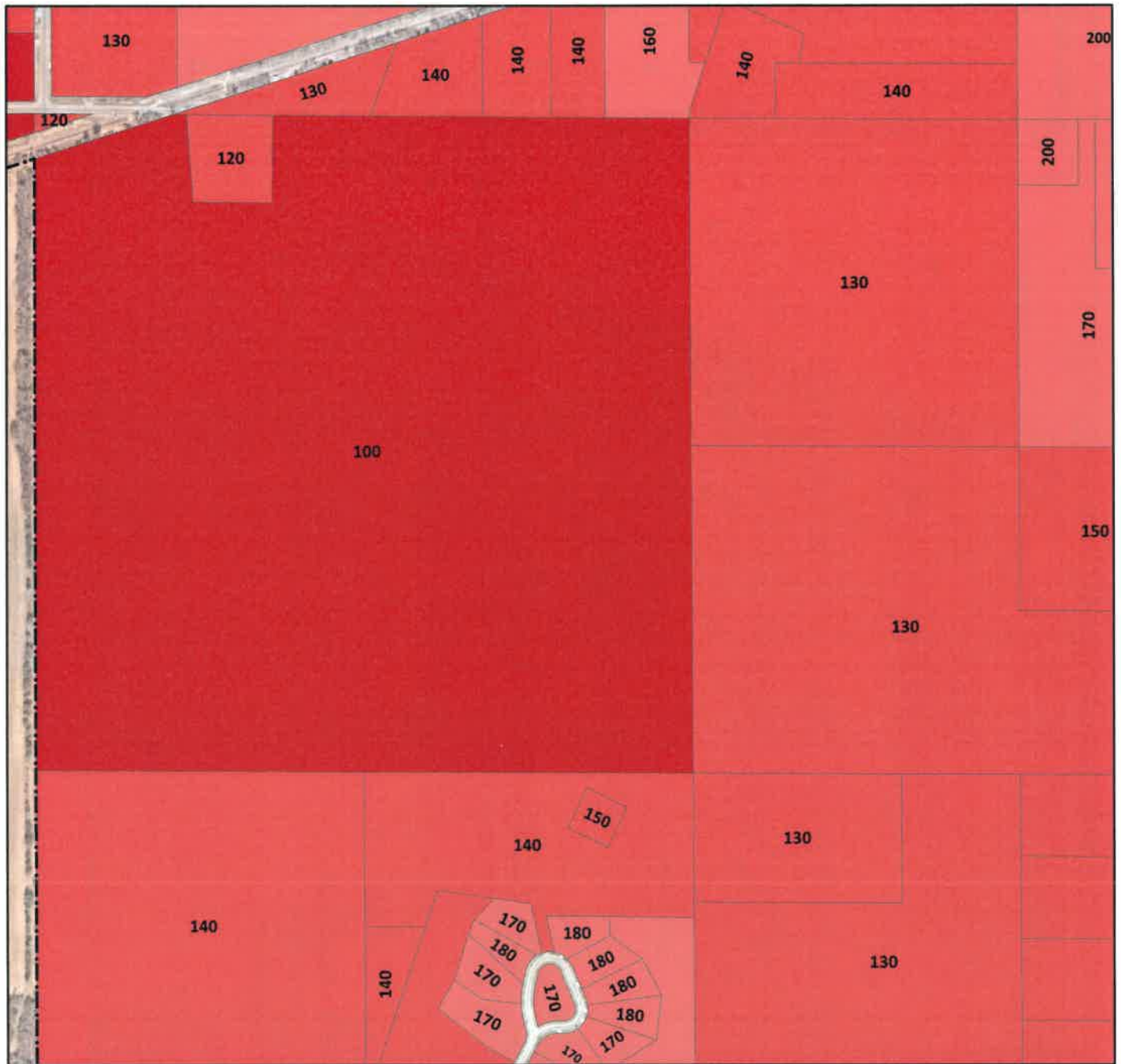
MCH - C4



0 400 800 Feet

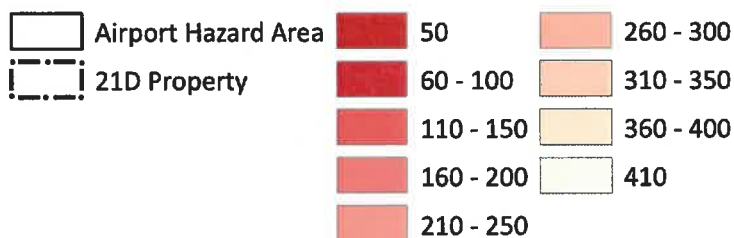
Lake Elmo Airport Zoning Ordinance





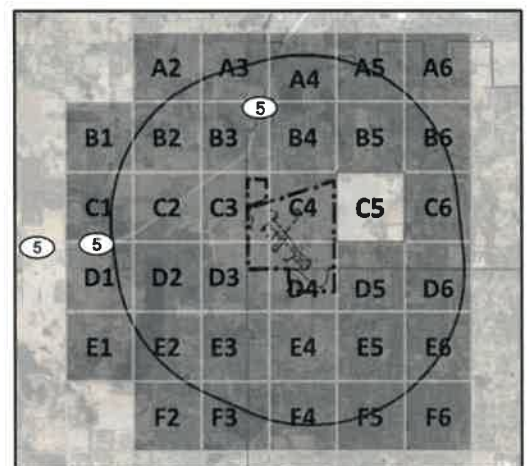
21D Maximum Construction Heights Without Permit

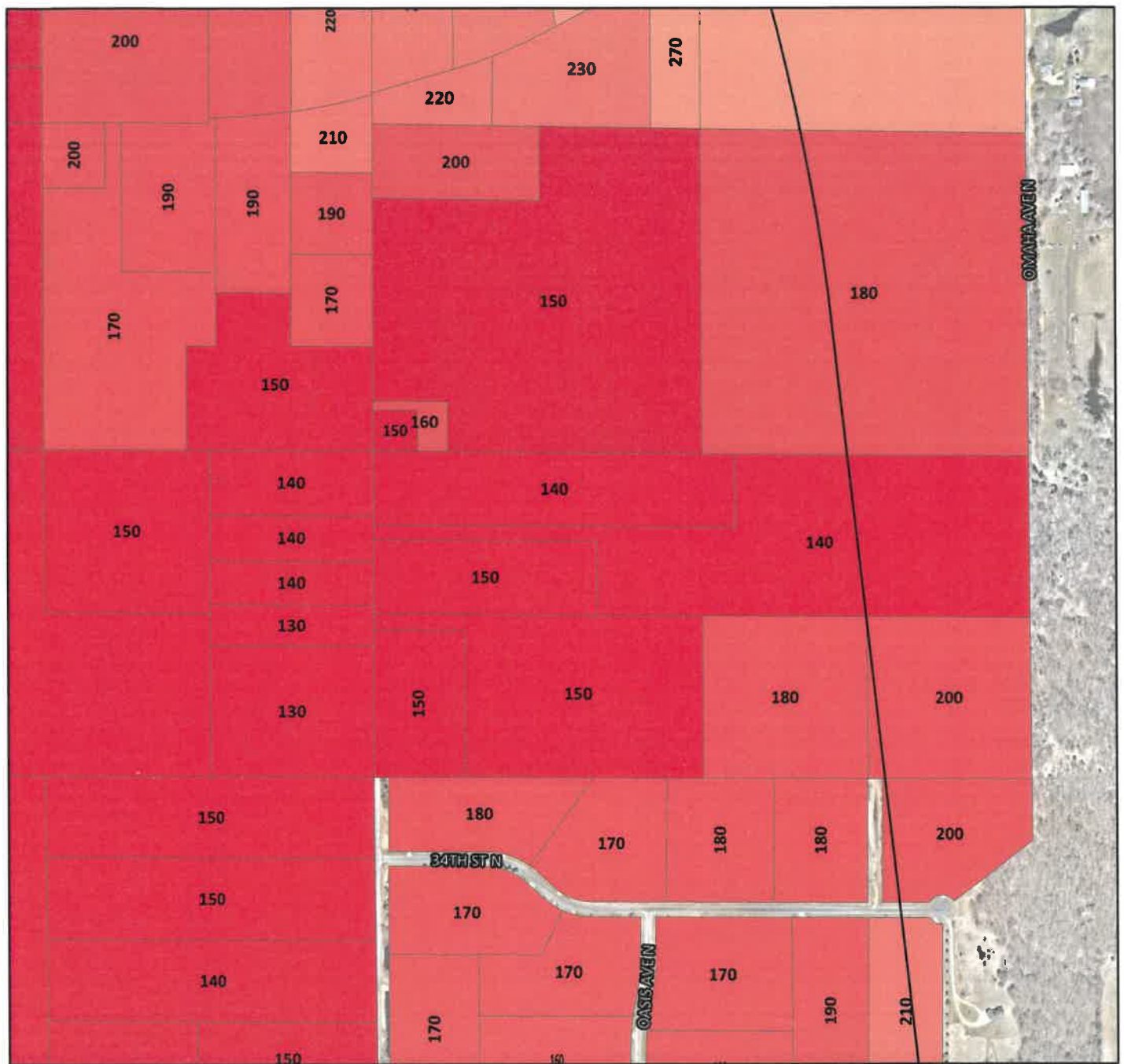
MCH - C5



0 400 800
Feet

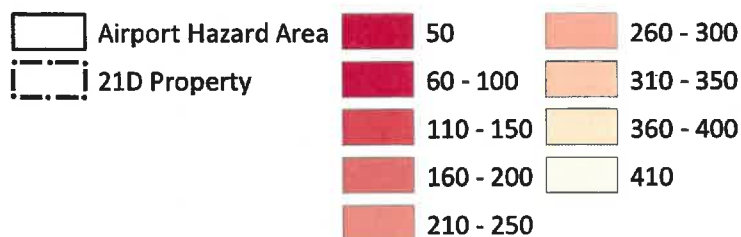
Lake Elmo Airport Zoning Ordinance





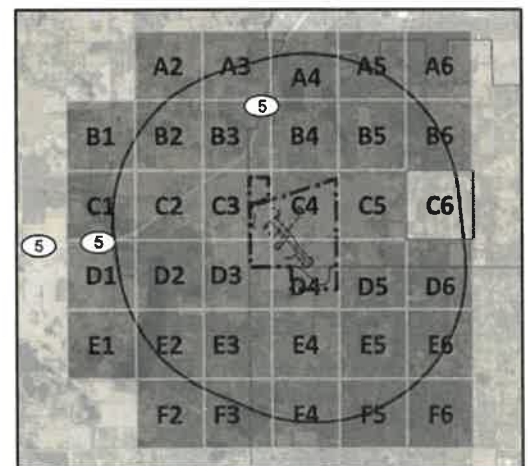
21D Maximum Construction Heights Without Permit

MCH - C6



0 400 800
Feet

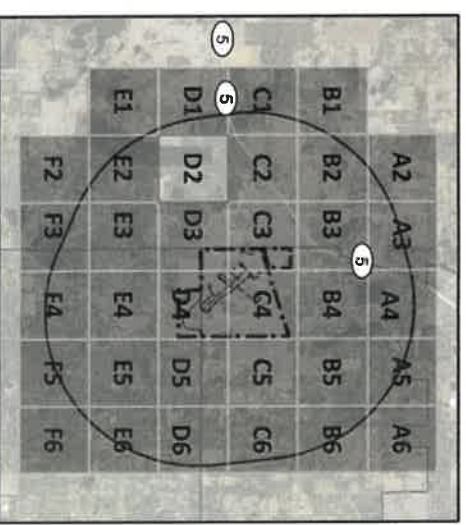
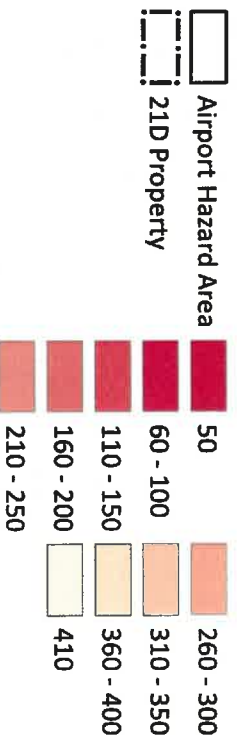
Lake Elmo Airport Zoning Ordinance

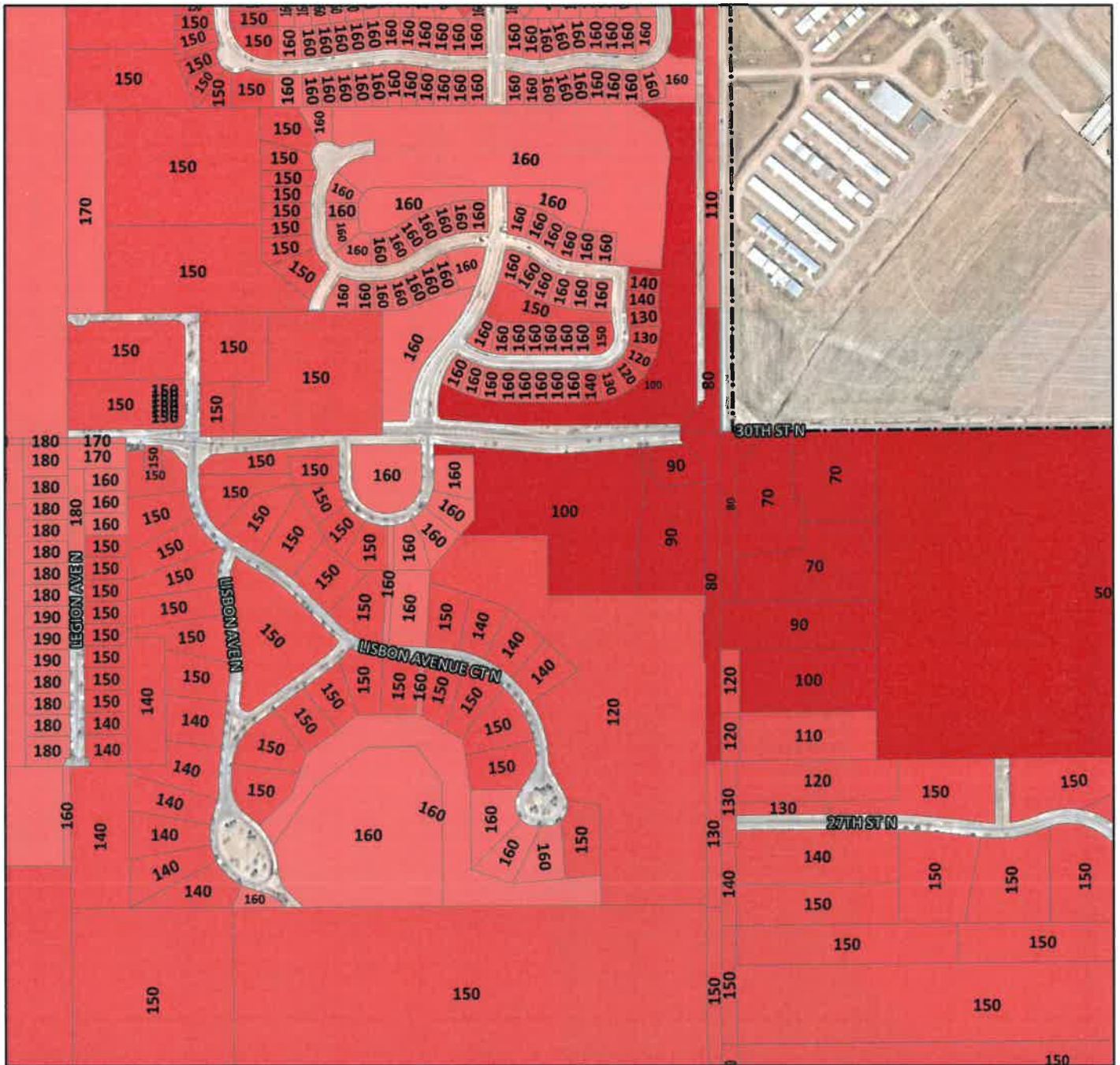




21D Maximum Construction Heights Without Permit

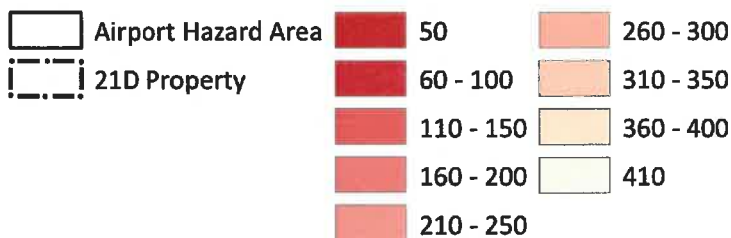
MCH - D2





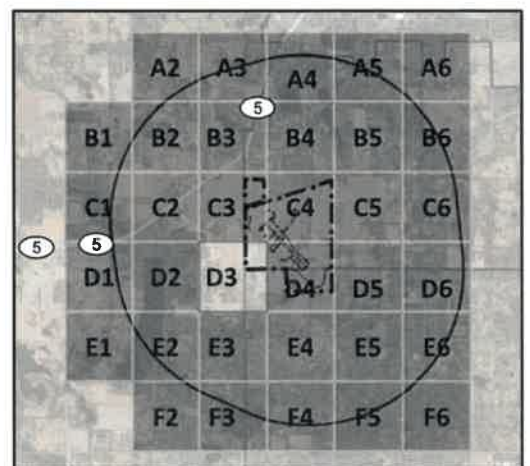
21D Maximum Construction Heights Without Permit

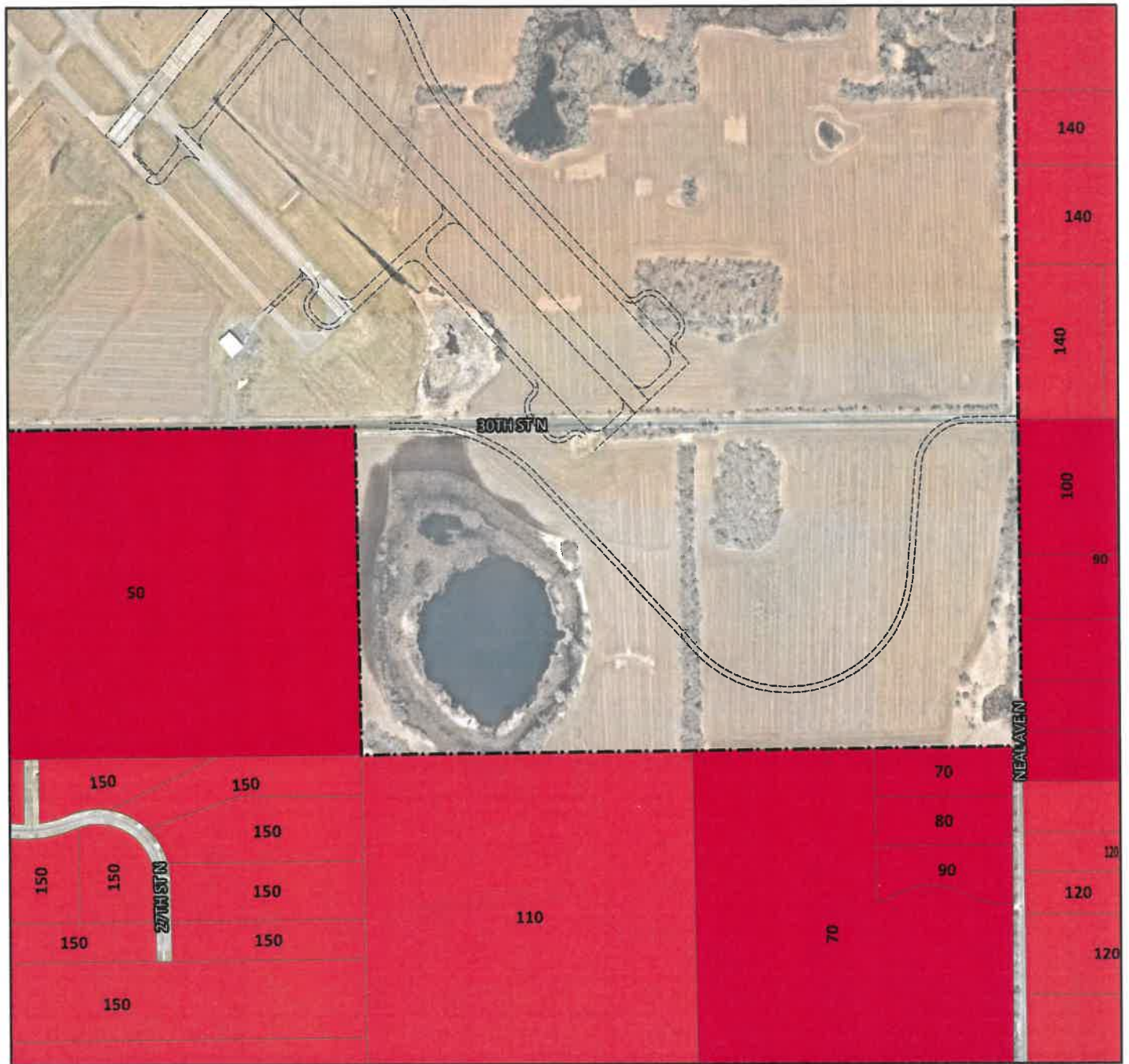
MCH - D3



0 400 800 Feet

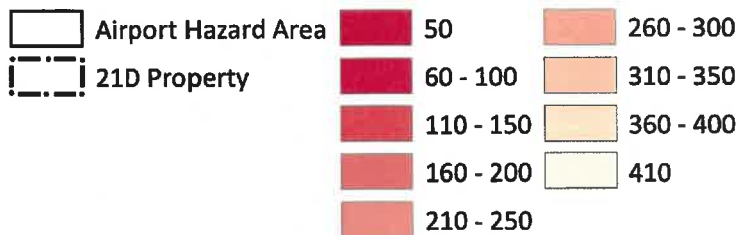
Lake Elmo Airport Zoning Ordinance





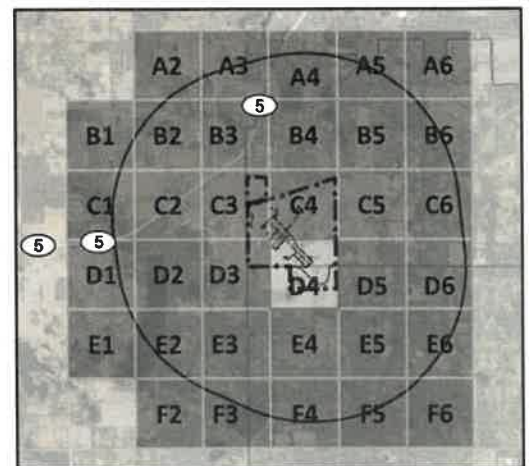
21D Maximum Construction Heights Without Permit

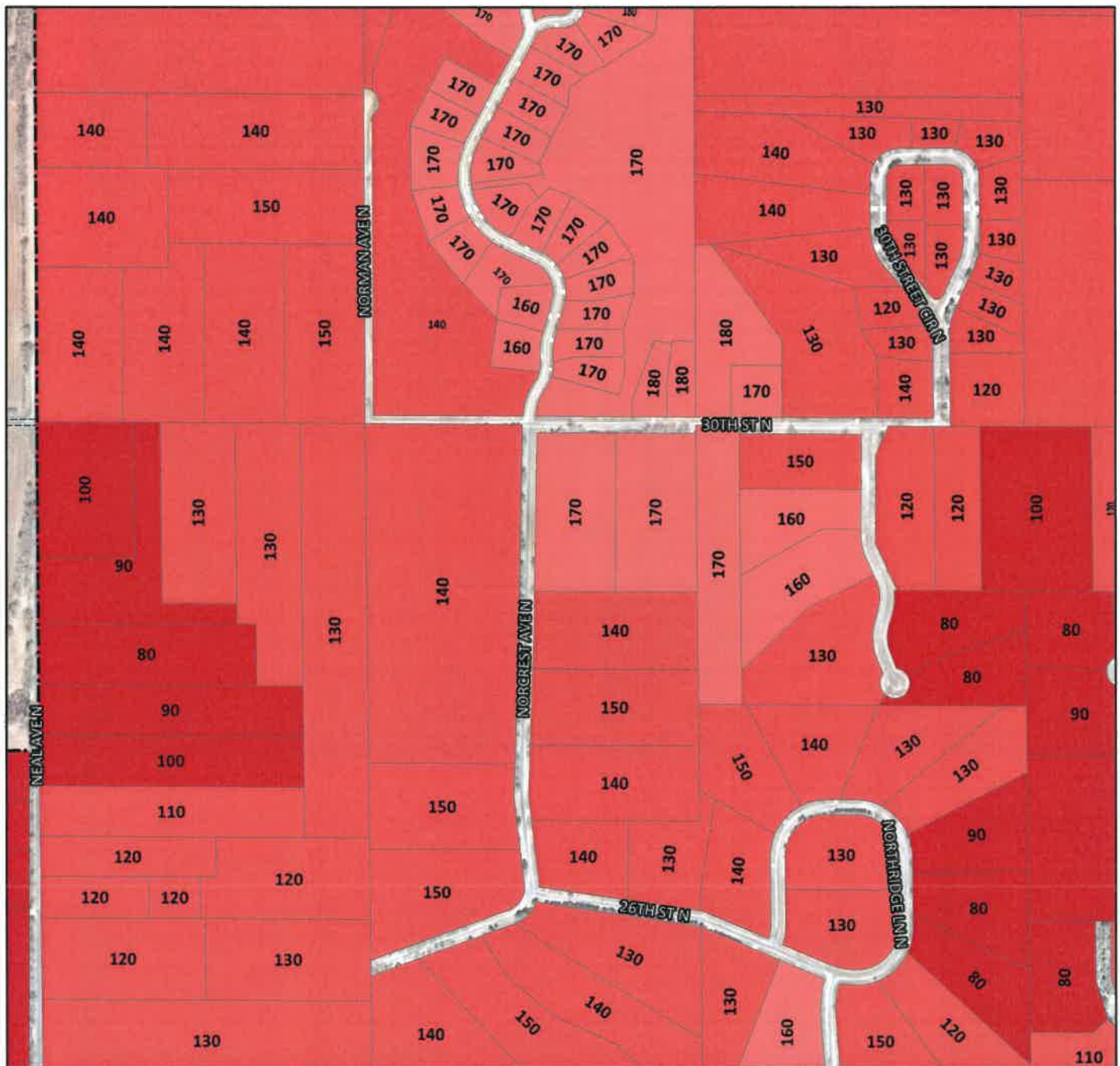
MCH - D4



0 400 800
Feet

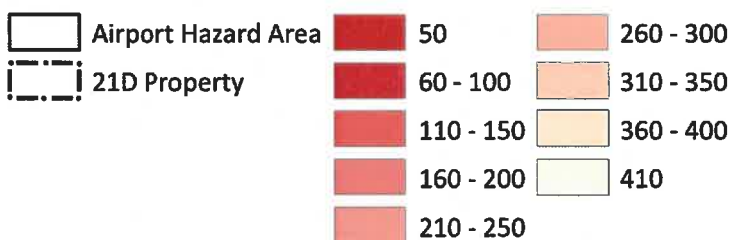
Lake Elmo Airport Zoning Ordinance





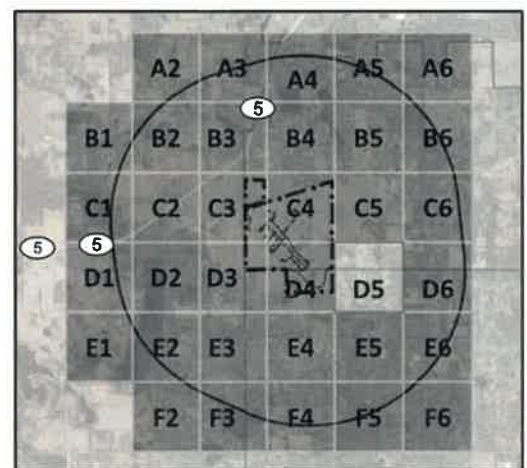
21D Maximum Construction Heights Without Permit

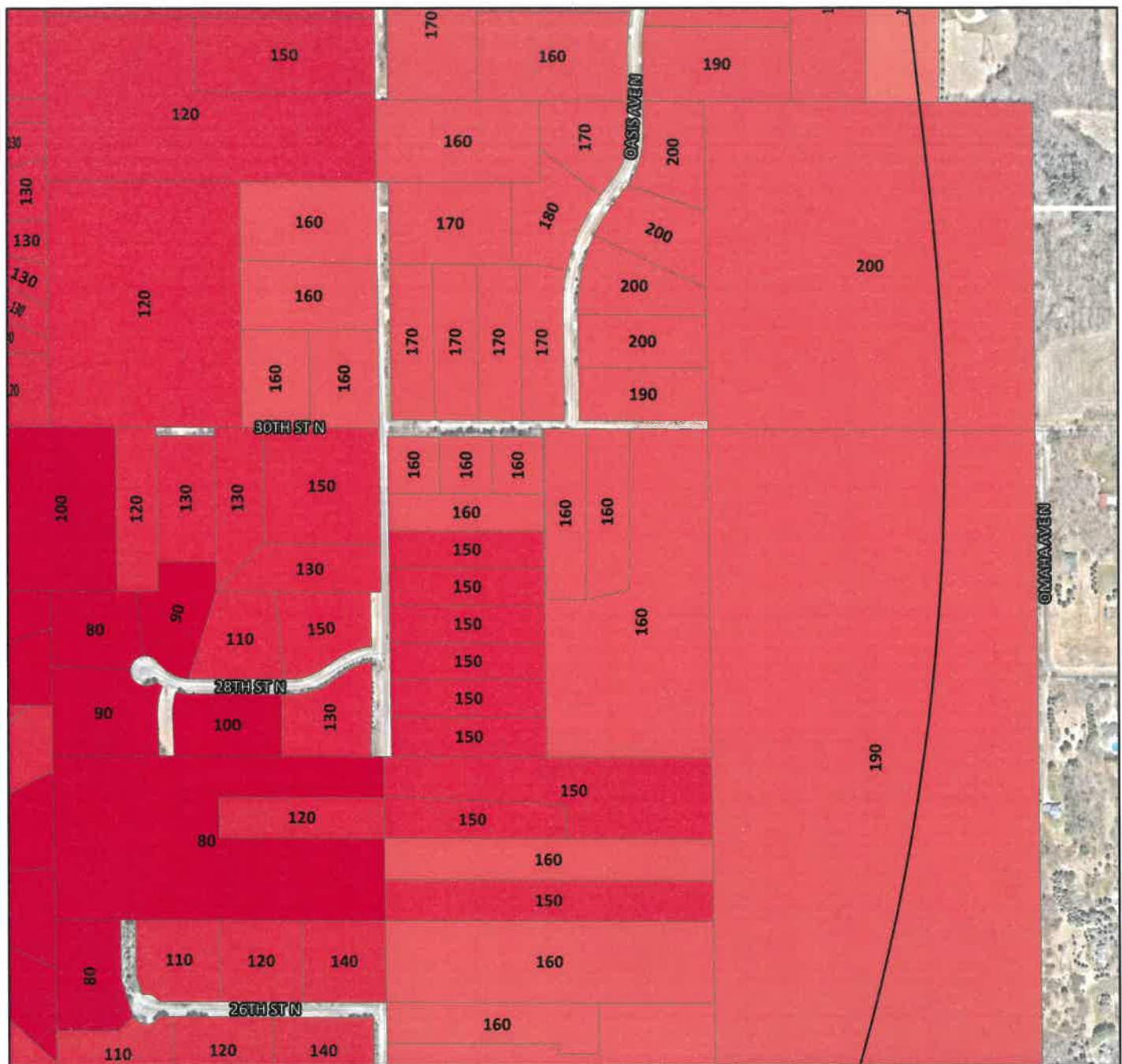
MCH - D5



0 400 800 Feet

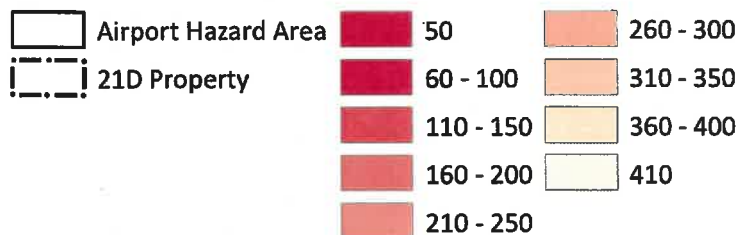
Lake Elmo Airport Zoning Ordinance





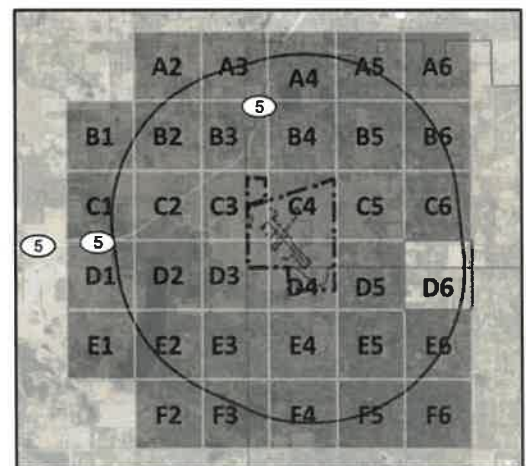
21D Maximum Construction Heights Without Permit

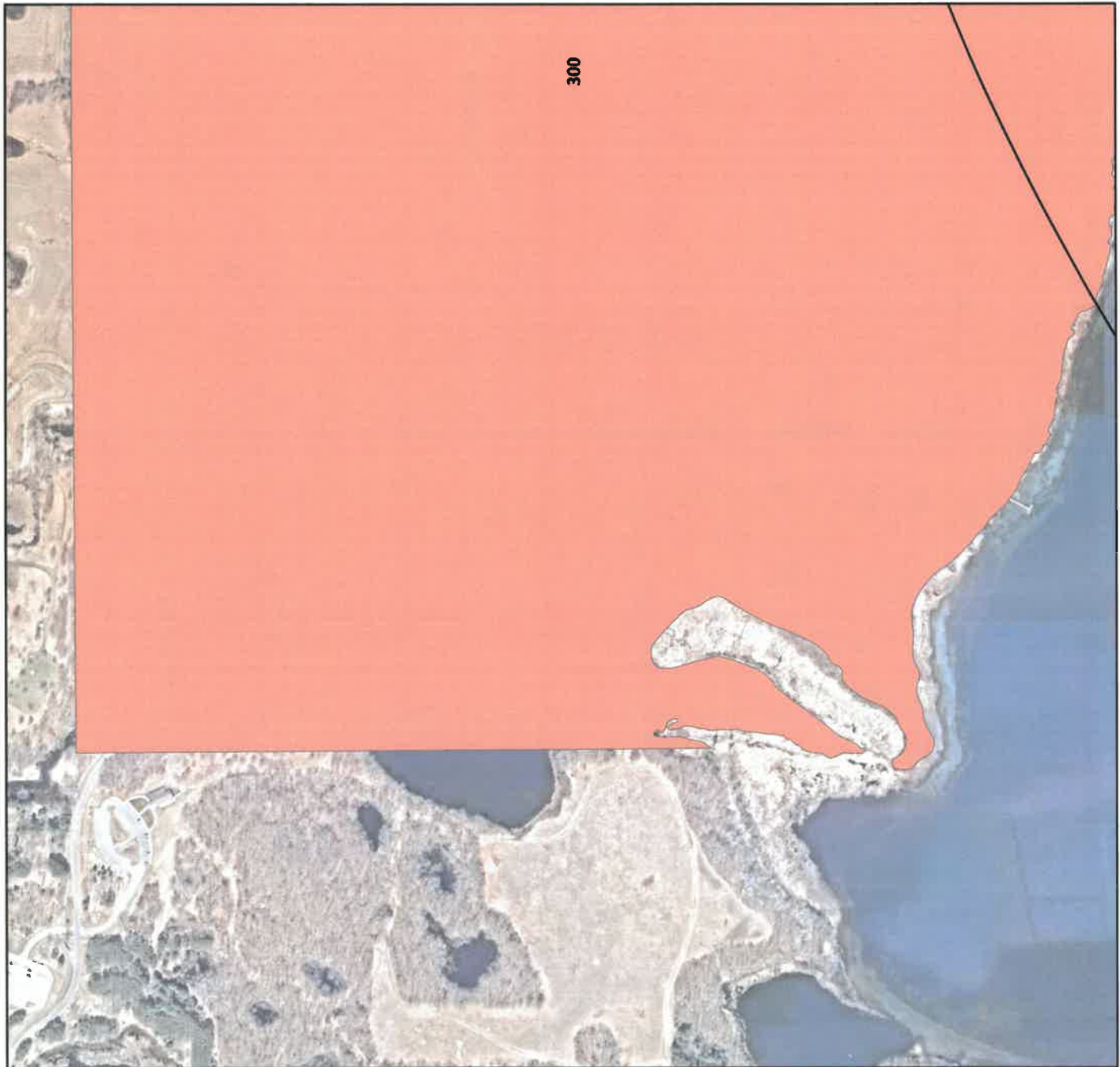
MCH - D6



0 400 800
Feet

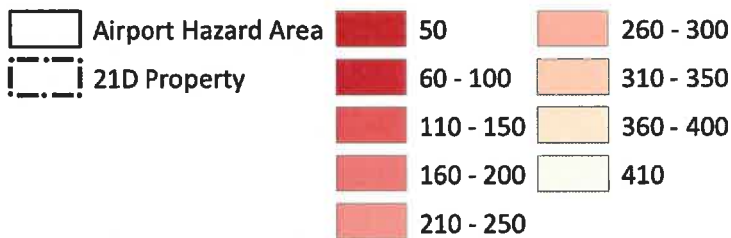
Lake Elmo Airport Zoning Ordinance





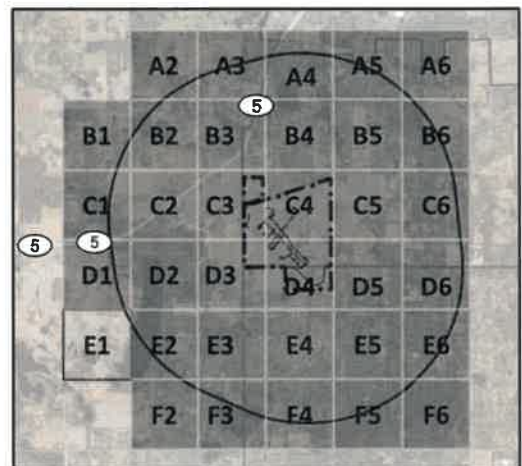
21D Maximum Construction Heights Without Permit

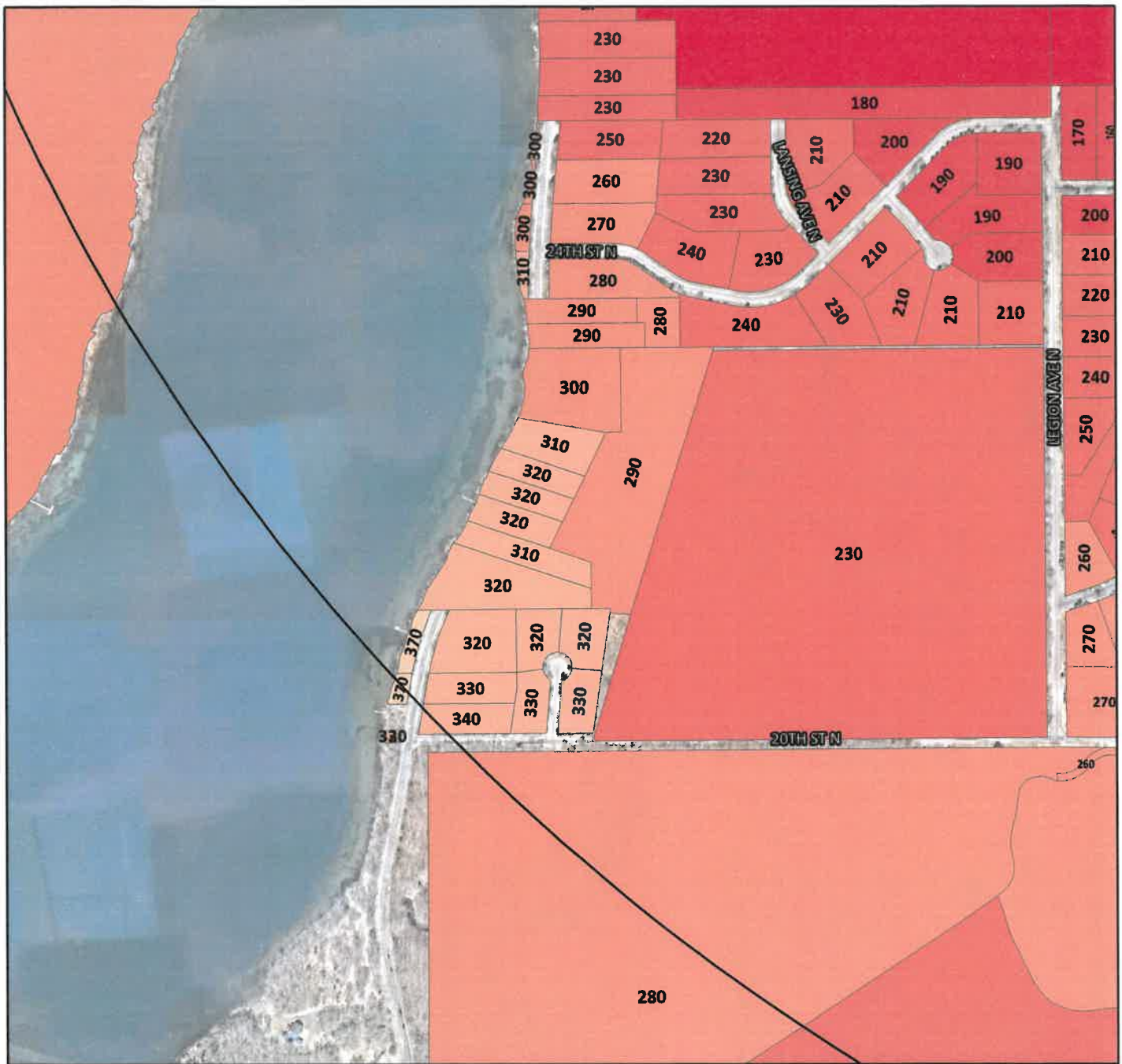
MCH - E1



0 400 800 Feet

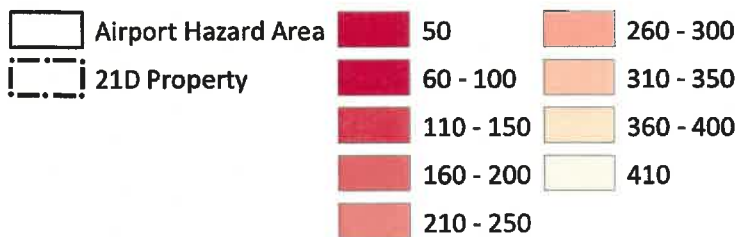
Lake Elmo Airport Zoning Ordinance





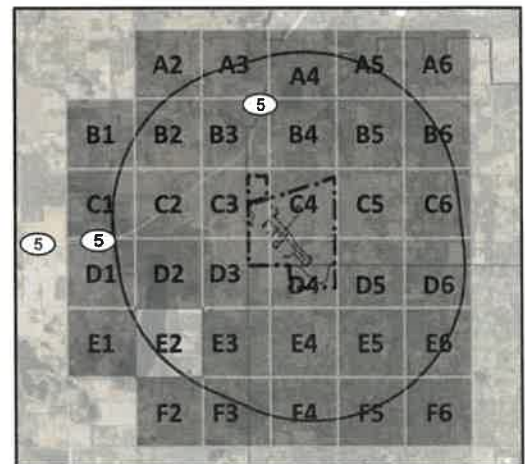
21D Maximum Construction Heights Without Permit

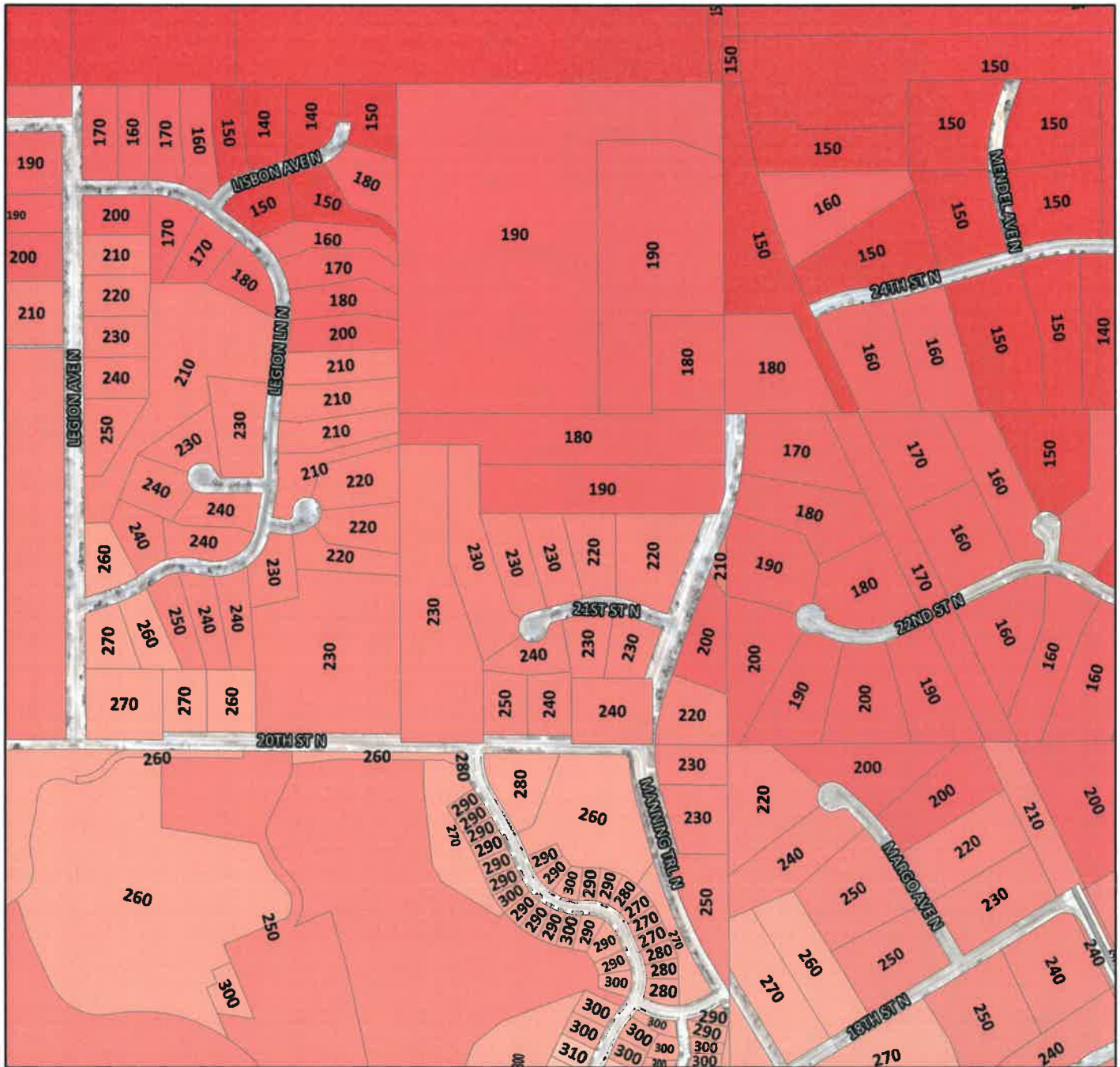
MCH - E2



0 400 800
Feet

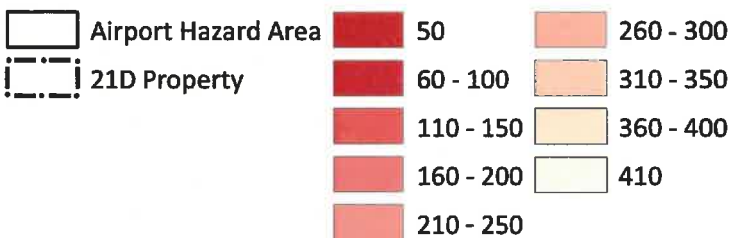
Lake Elmo Airport Zoning Ordinance





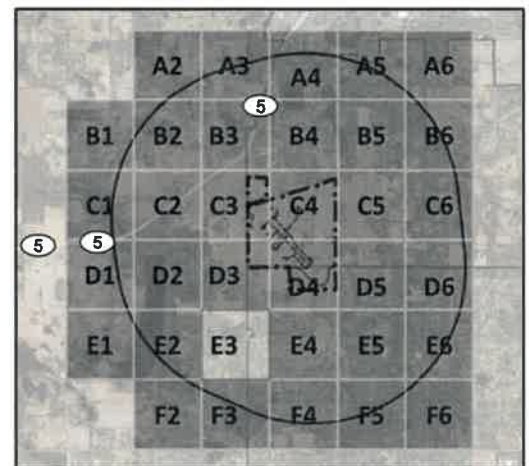
21D Maximum Construction Heights Without Permit

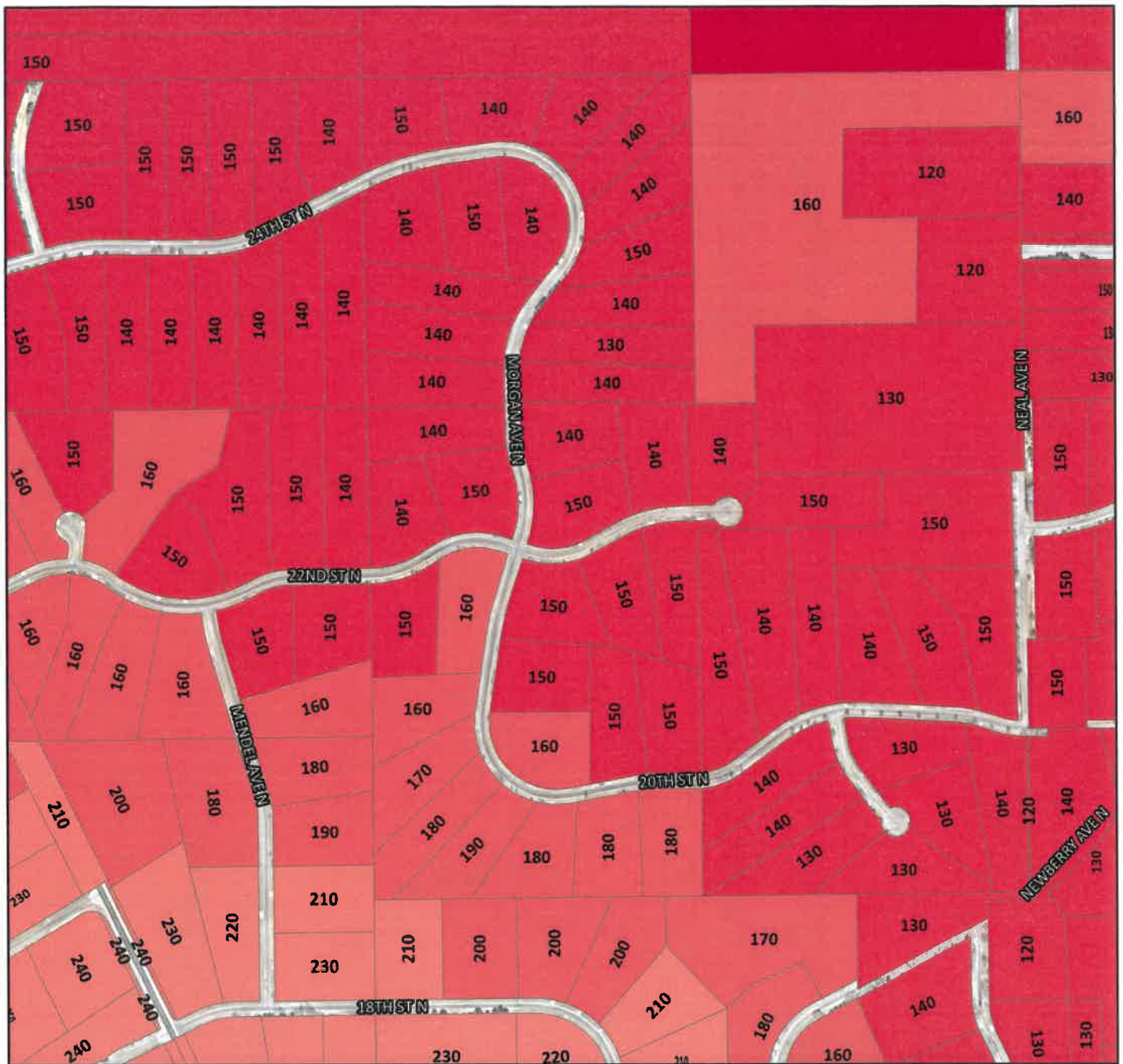
MCH - E3



0 400 800 Feet

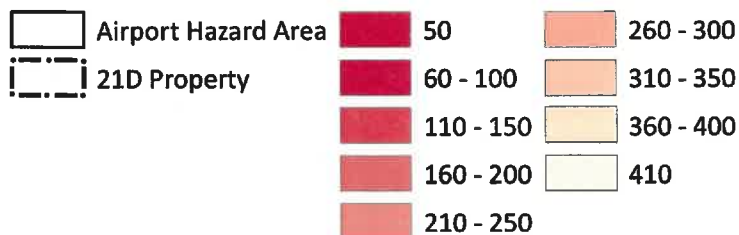
Lake Elmo Airport Zoning Ordinance





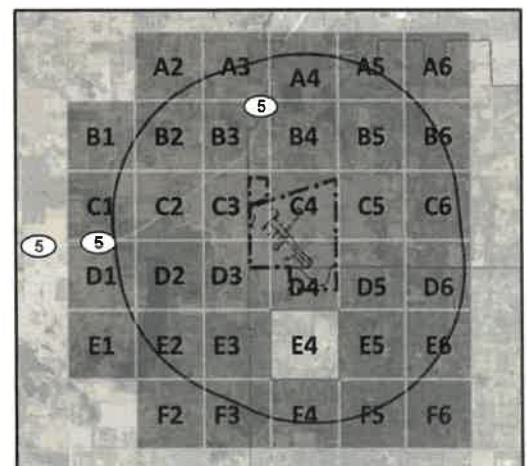
21D Maximum Construction Heights Without Permit

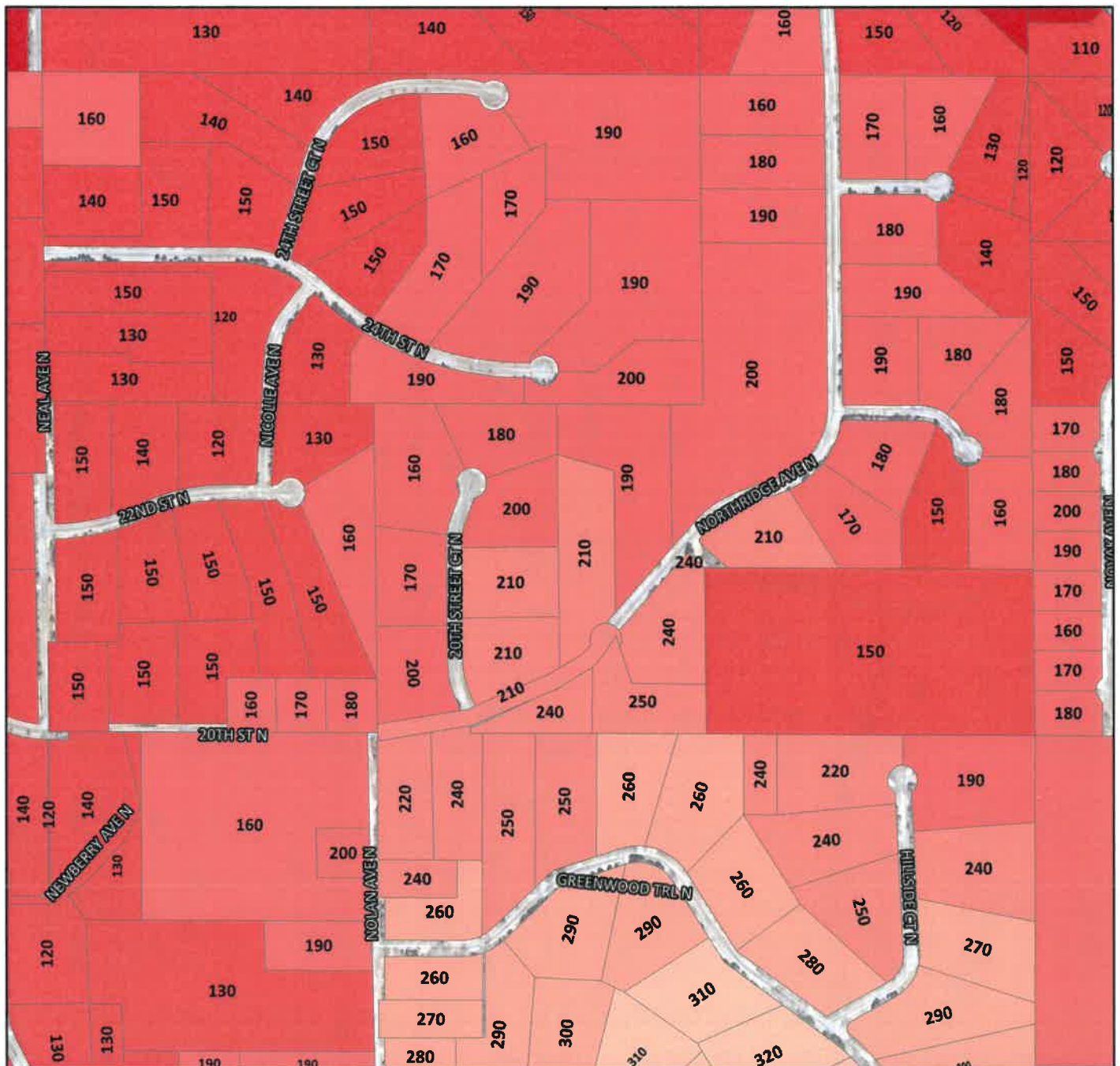
MCH - E4



0 400 800
Feet

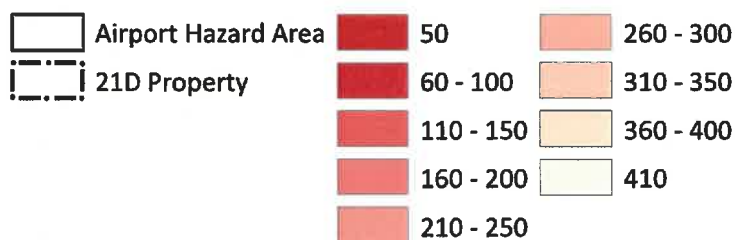
Lake Elmo Airport Zoning Ordinance





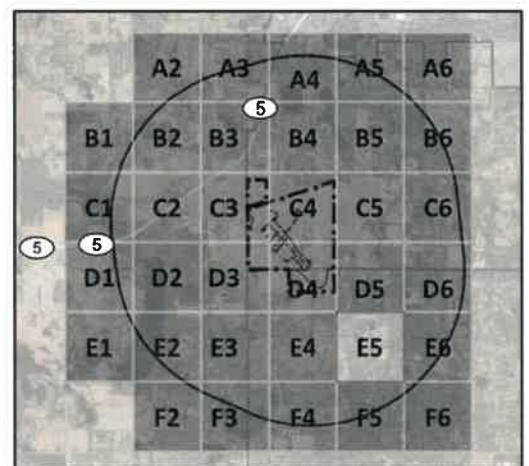
21D Maximum Construction Heights Without Permit

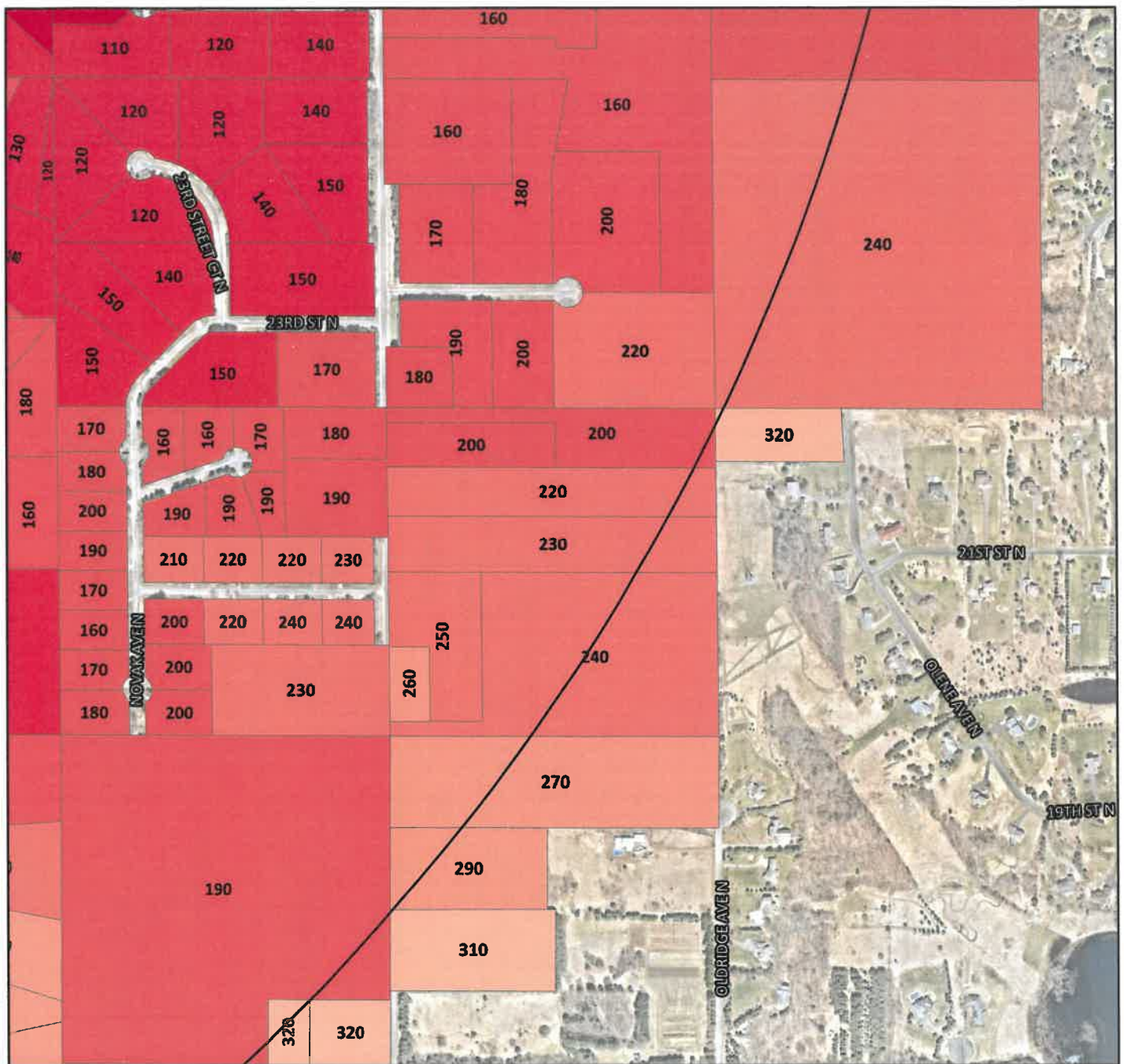
MCH - E5



0 400 800 Feet

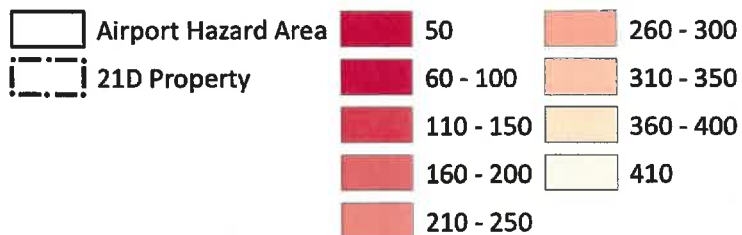
Lake Elmo Airport Zoning Ordinance





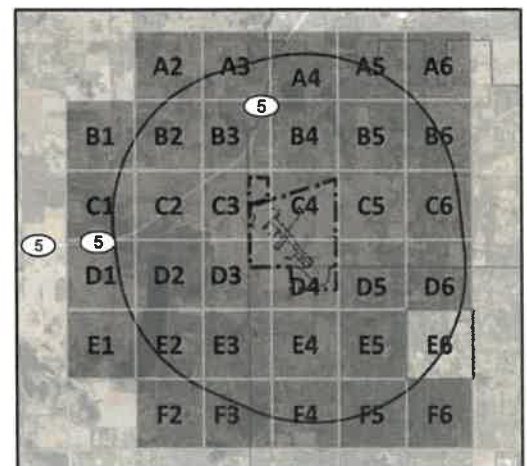
21D Maximum Construction Heights Without Permit

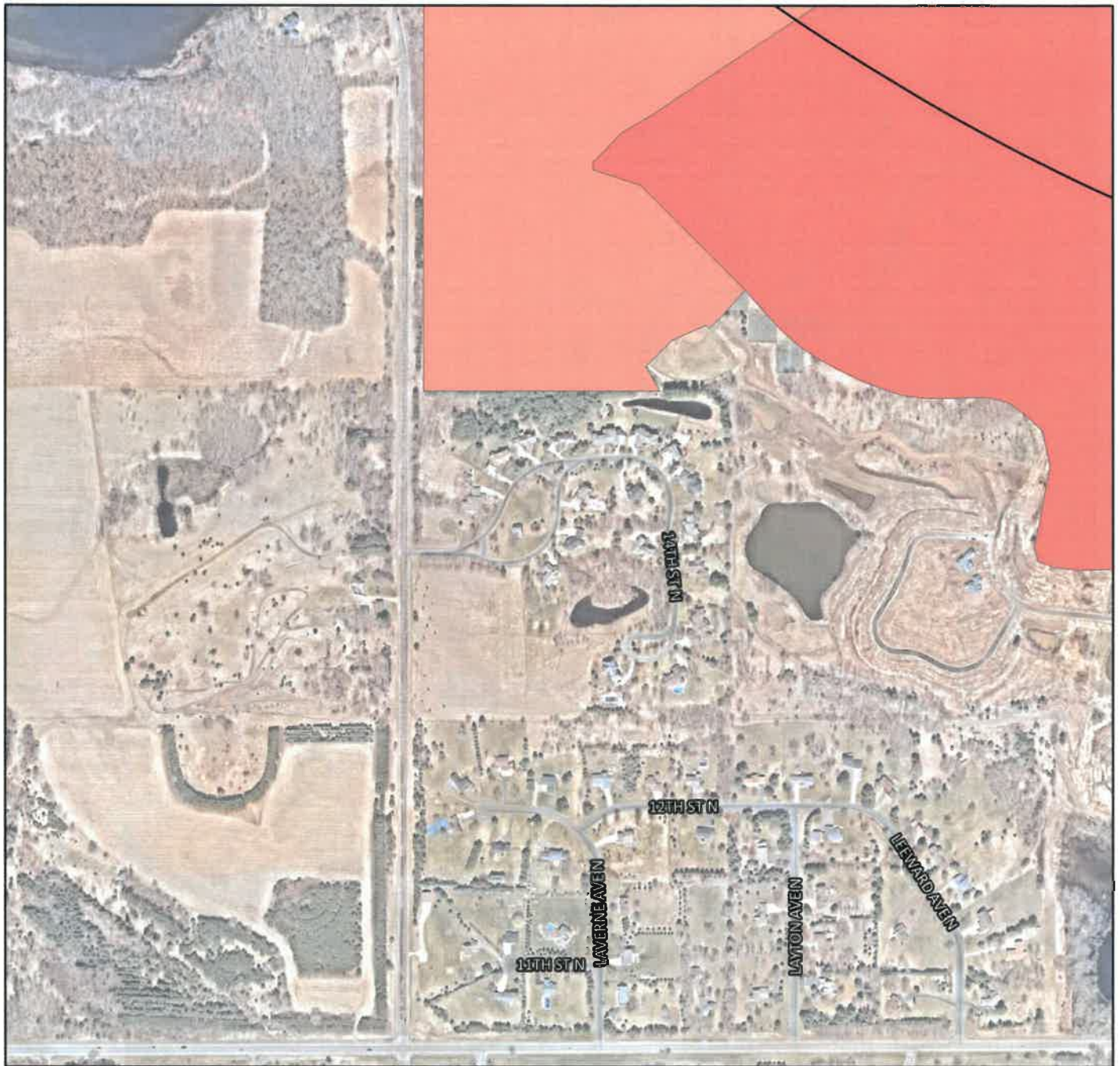
MCH - E6



0 400 800 Feet

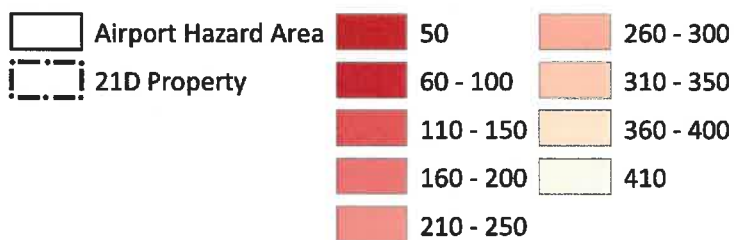
Lake Elmo Airport Zoning Ordinance





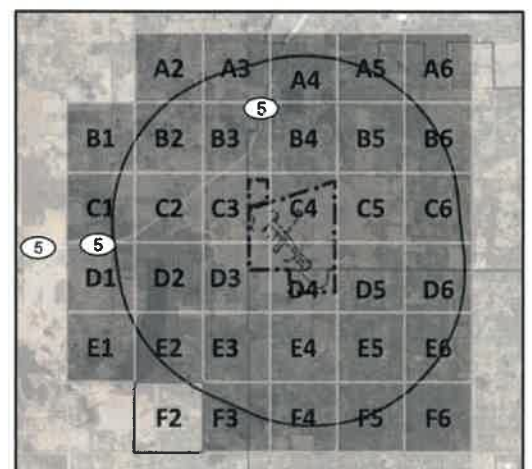
21D Maximum Construction Heights Without Permit

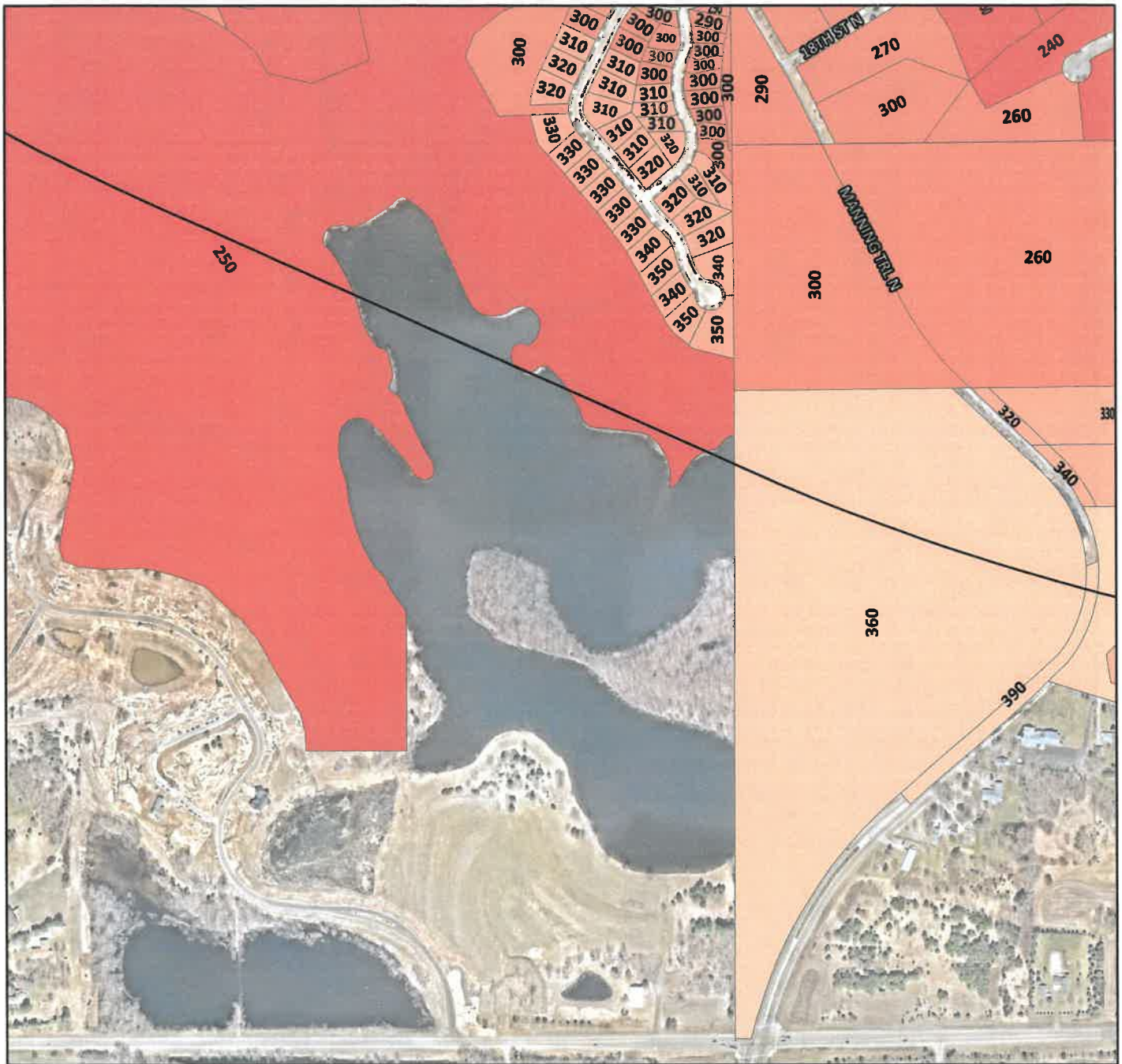
MCH - F2



0 400 800 Feet

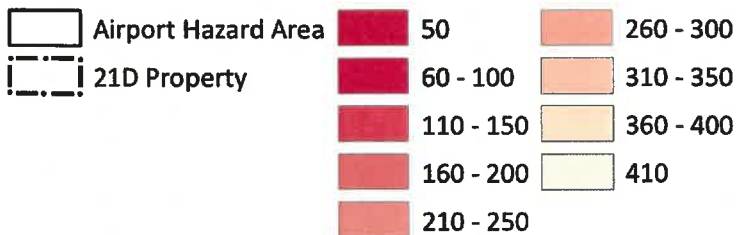
Lake Elmo Airport Zoning Ordinance





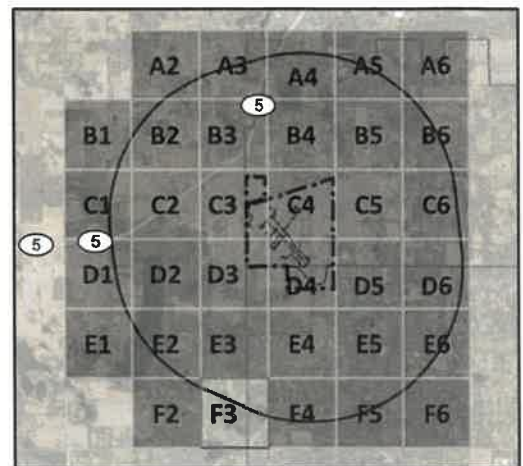
21D Maximum Construction Heights Without Permit

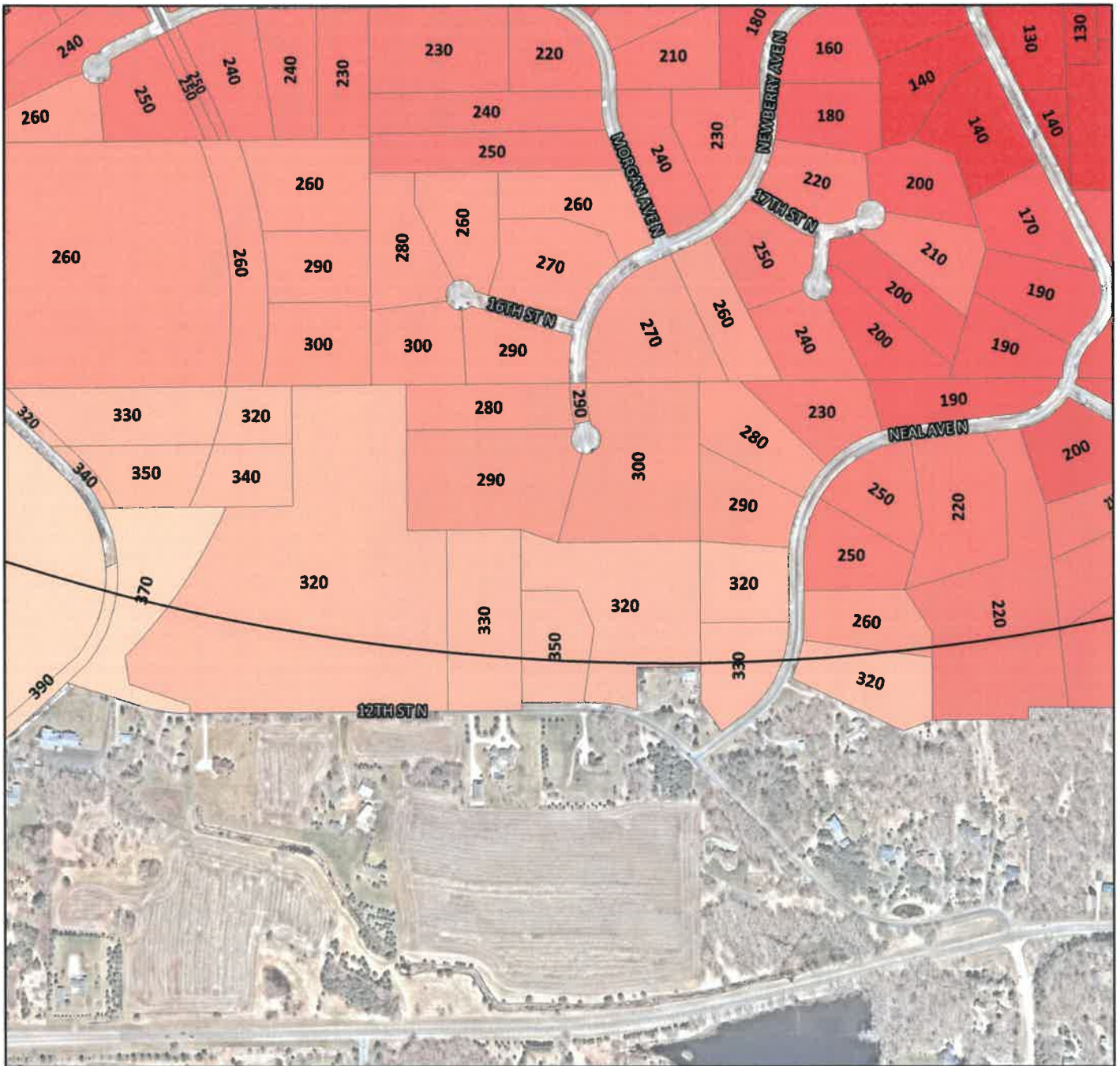
MCH - F3



0 400 800
Feet

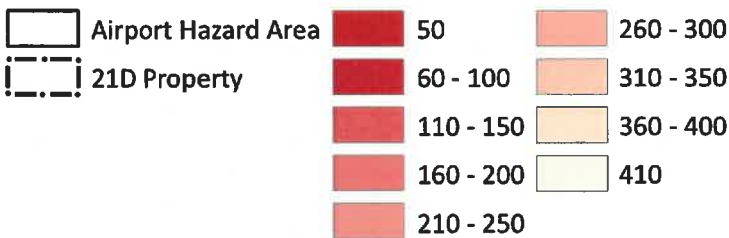
Lake Elmo Airport Zoning Ordinance





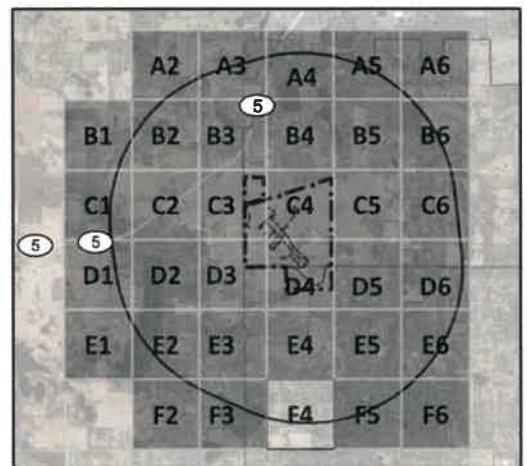
21D Maximum Construction Heights Without Permit

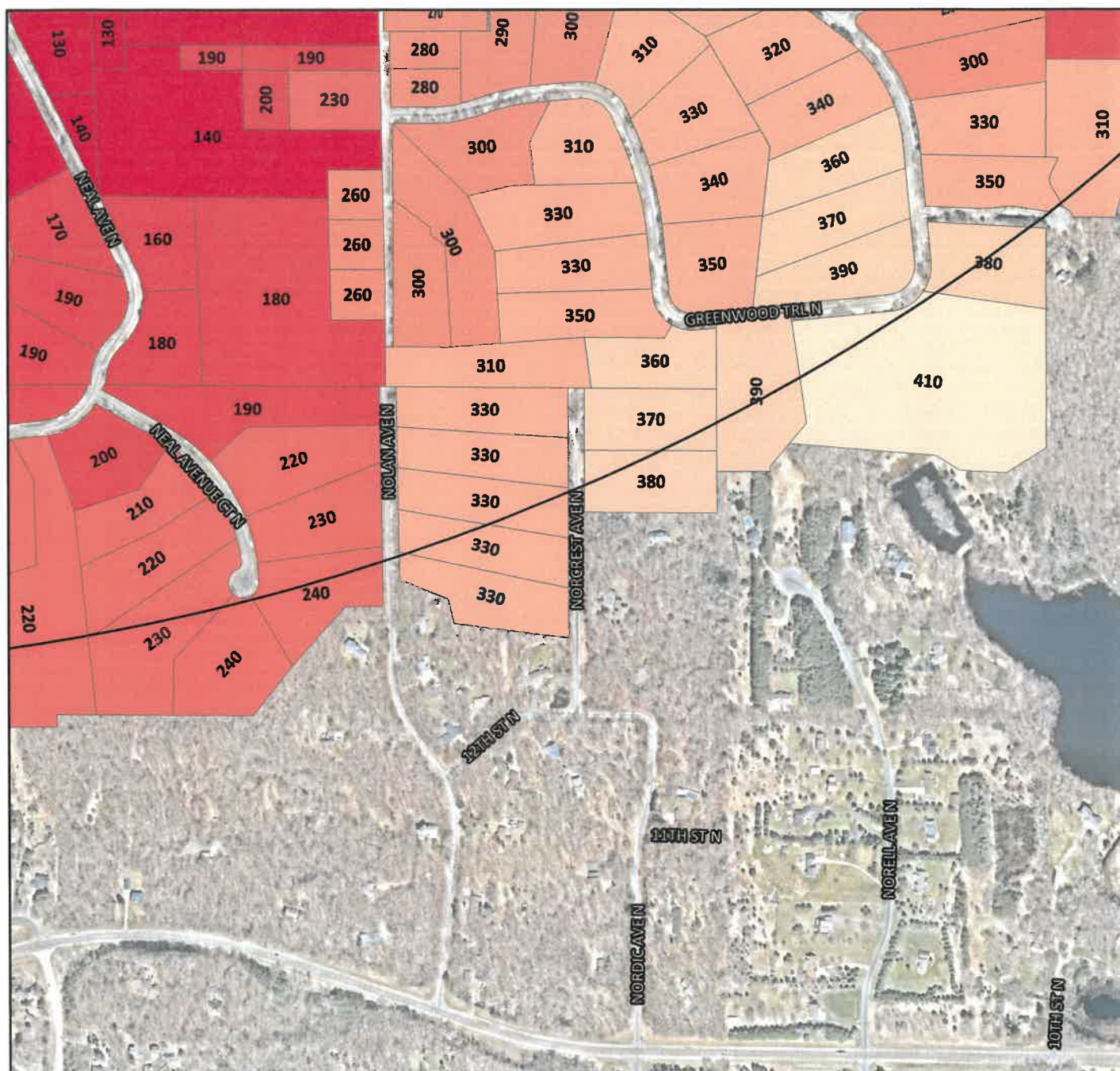
MCH - F4



0 400 800 Feet

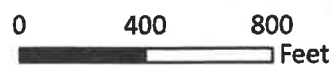
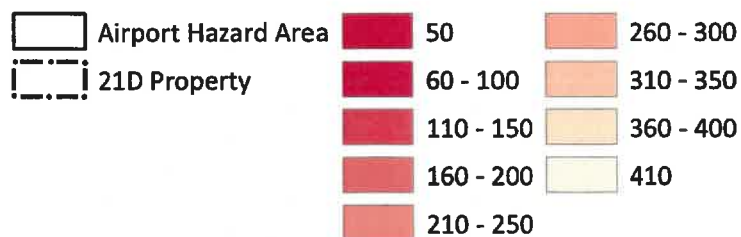
Lake Elmo Airport Zoning Ordinance



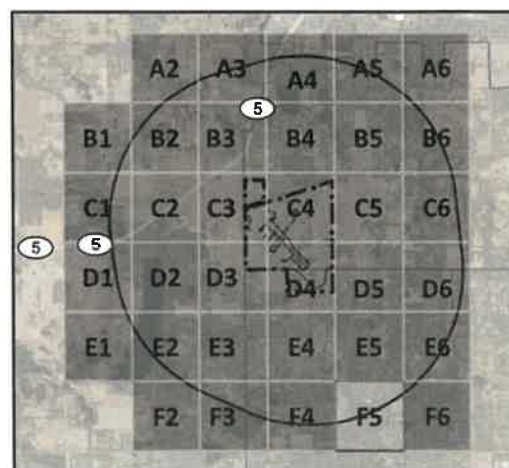


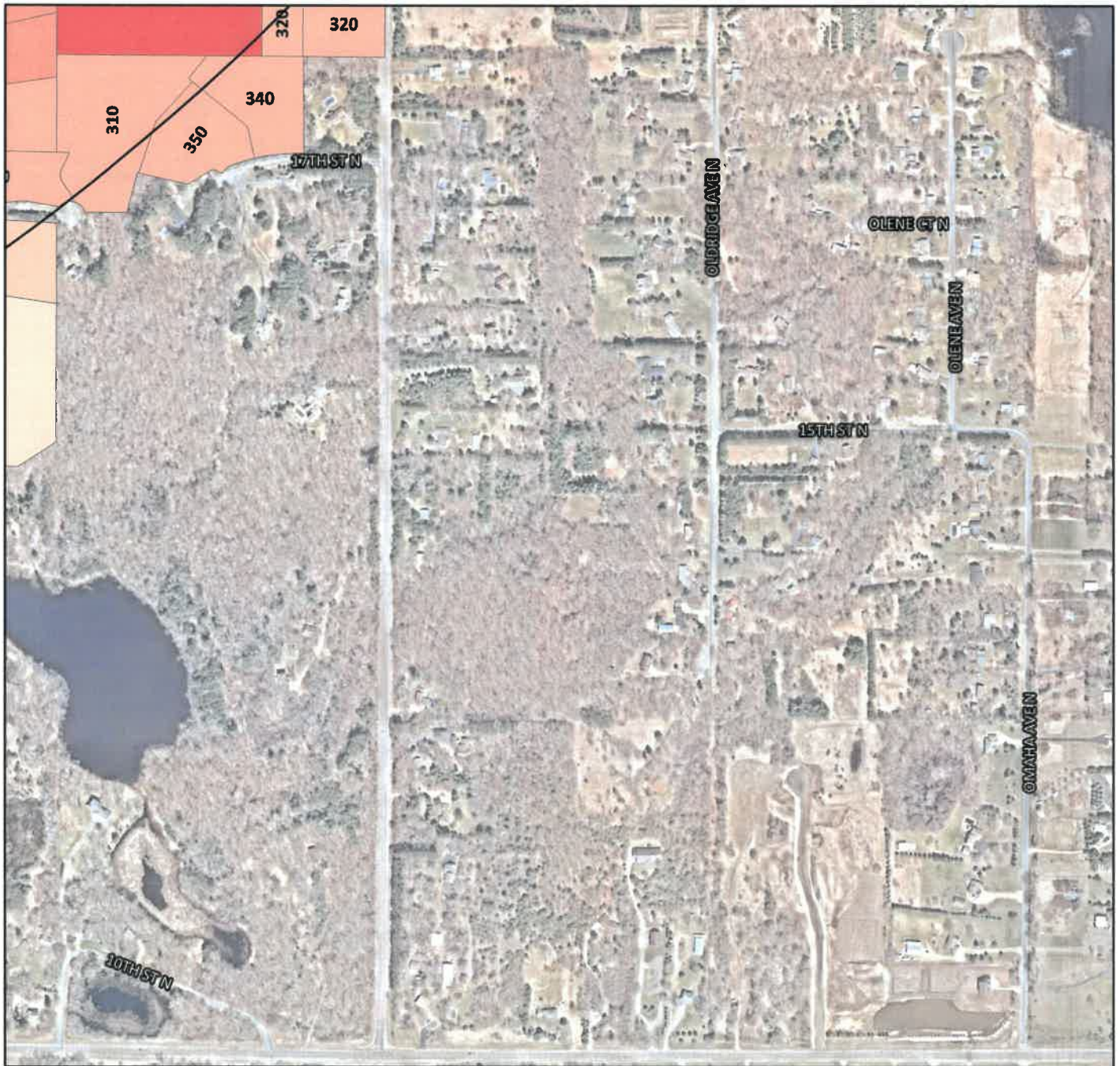
21D Maximum Construction Heights Without Permit

MCH - F5



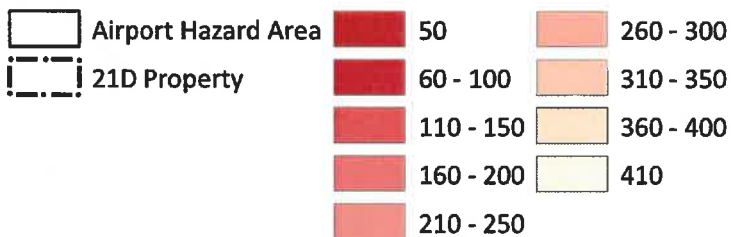
Lake Elmo Airport Zoning Ordinance





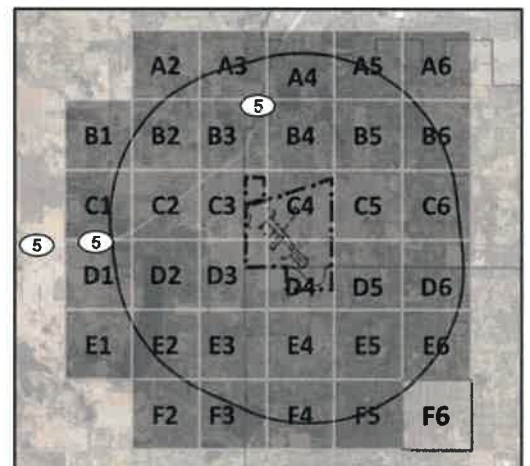
21D Maximum Construction Heights Without Permit

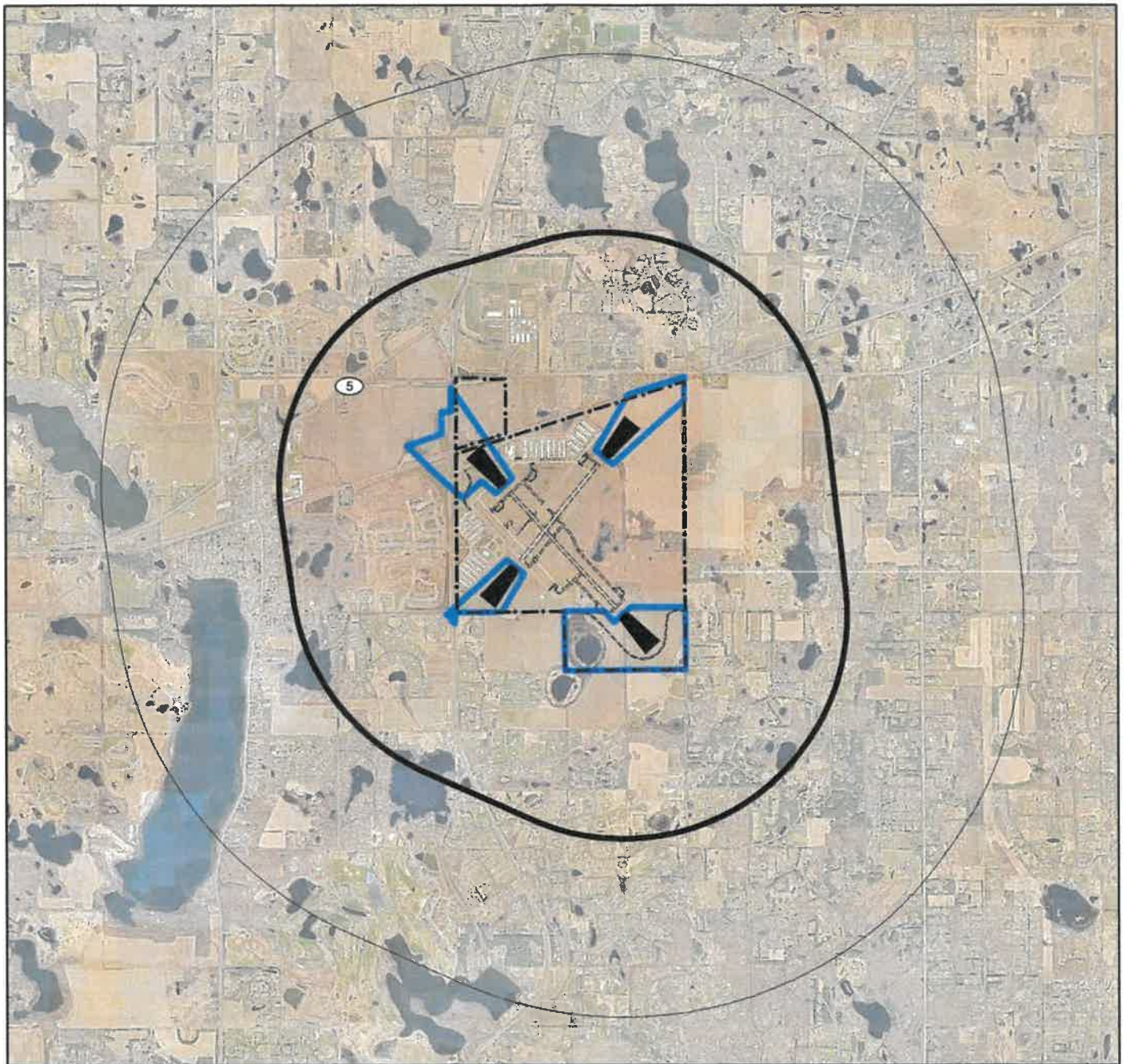
MCH - F6



0 400 800 Feet

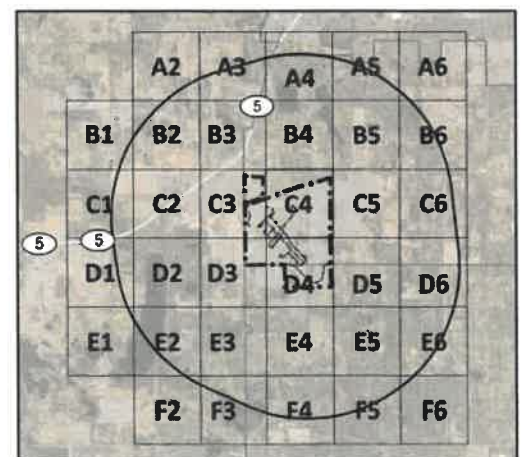
Lake Elmo Airport Zoning Ordinance





21D Safety Zones

SZ - Index Sheet



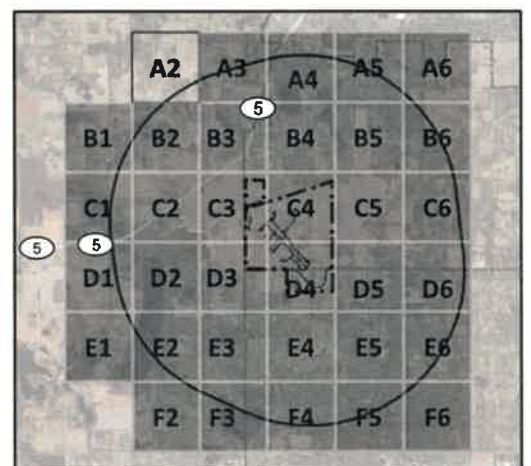


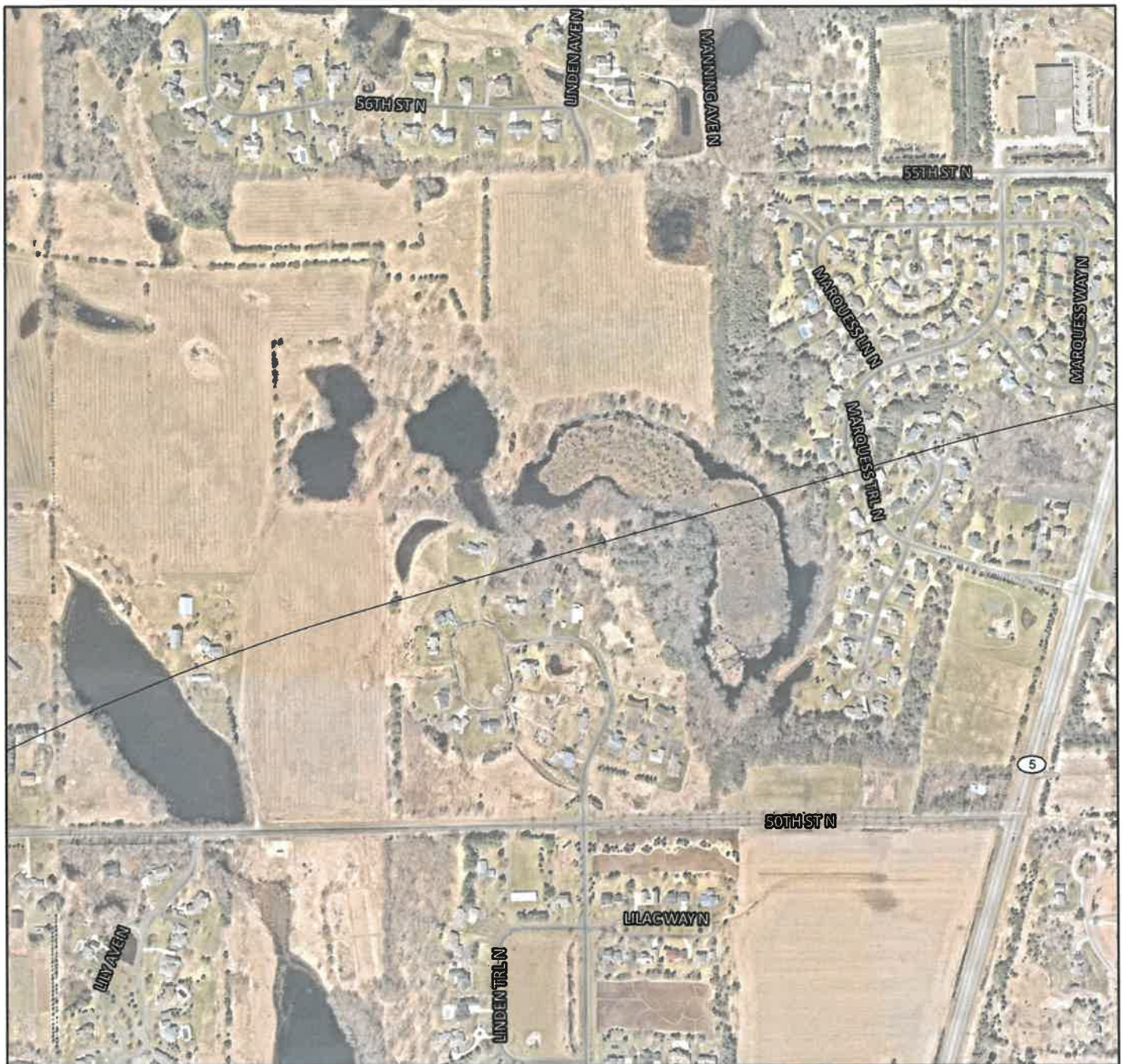
21D Safety Zones

SZ - A2



Lake Elmo Airport Zoning Ordinance





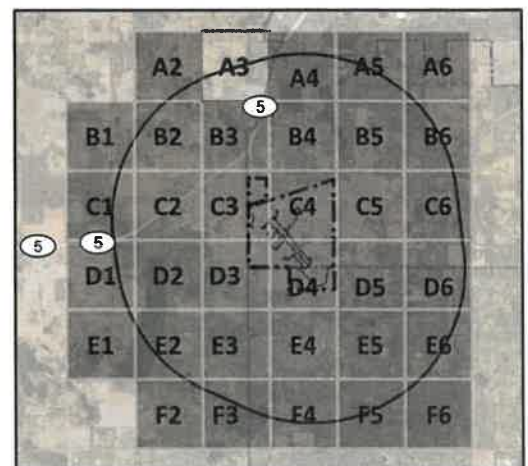
21D Safety Zones

SZ - A3

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance



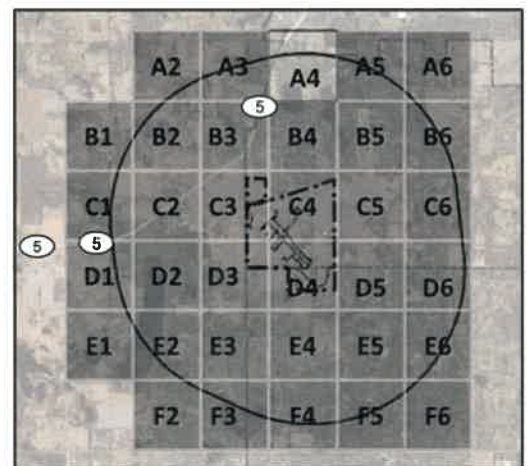


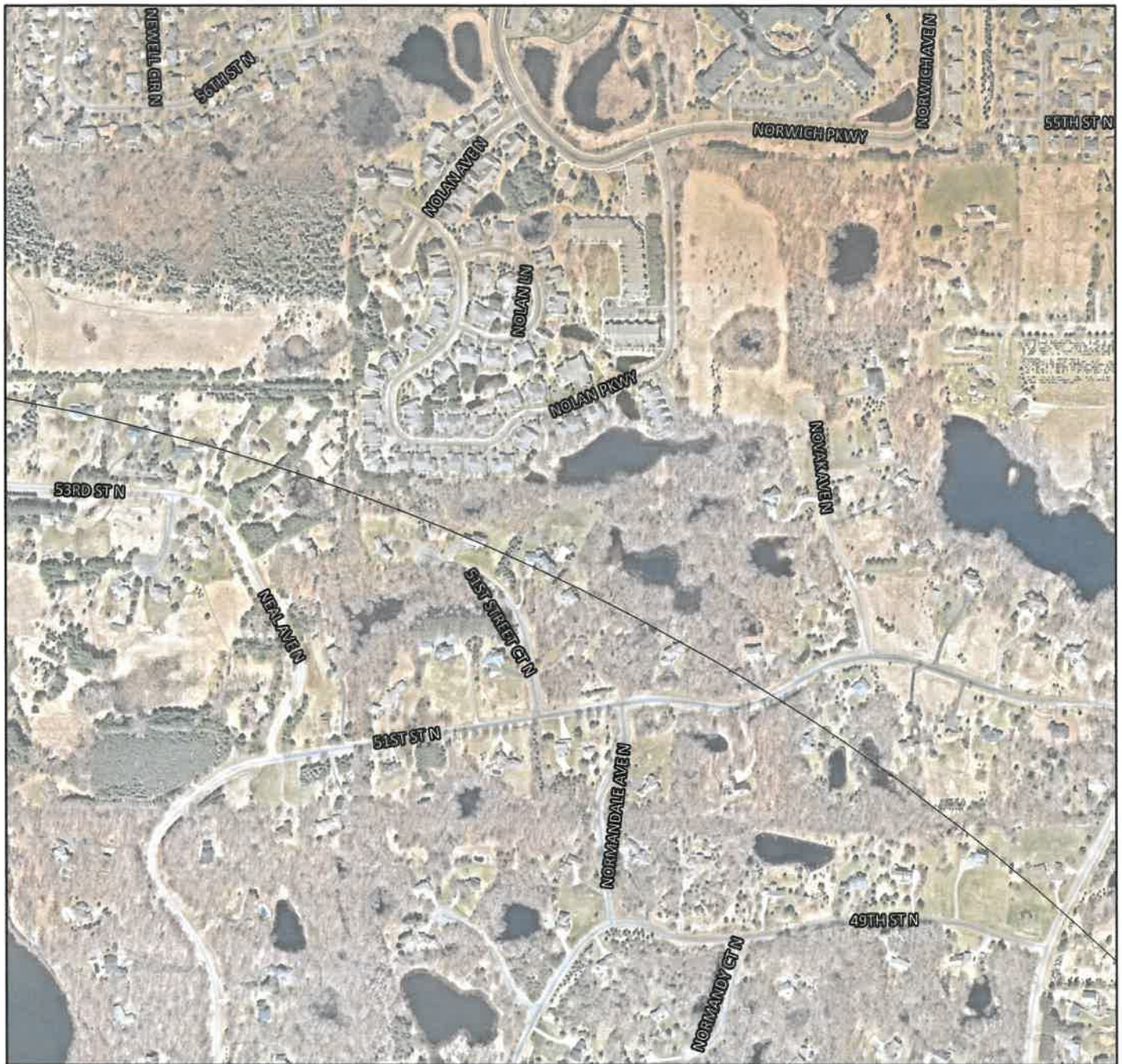
21D Safety Zones

SZ - A4



Lake Elmo Airport Zoning Ordinance





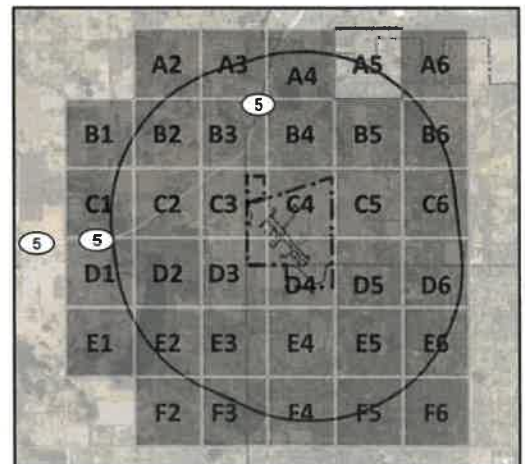
21D Safety Zones

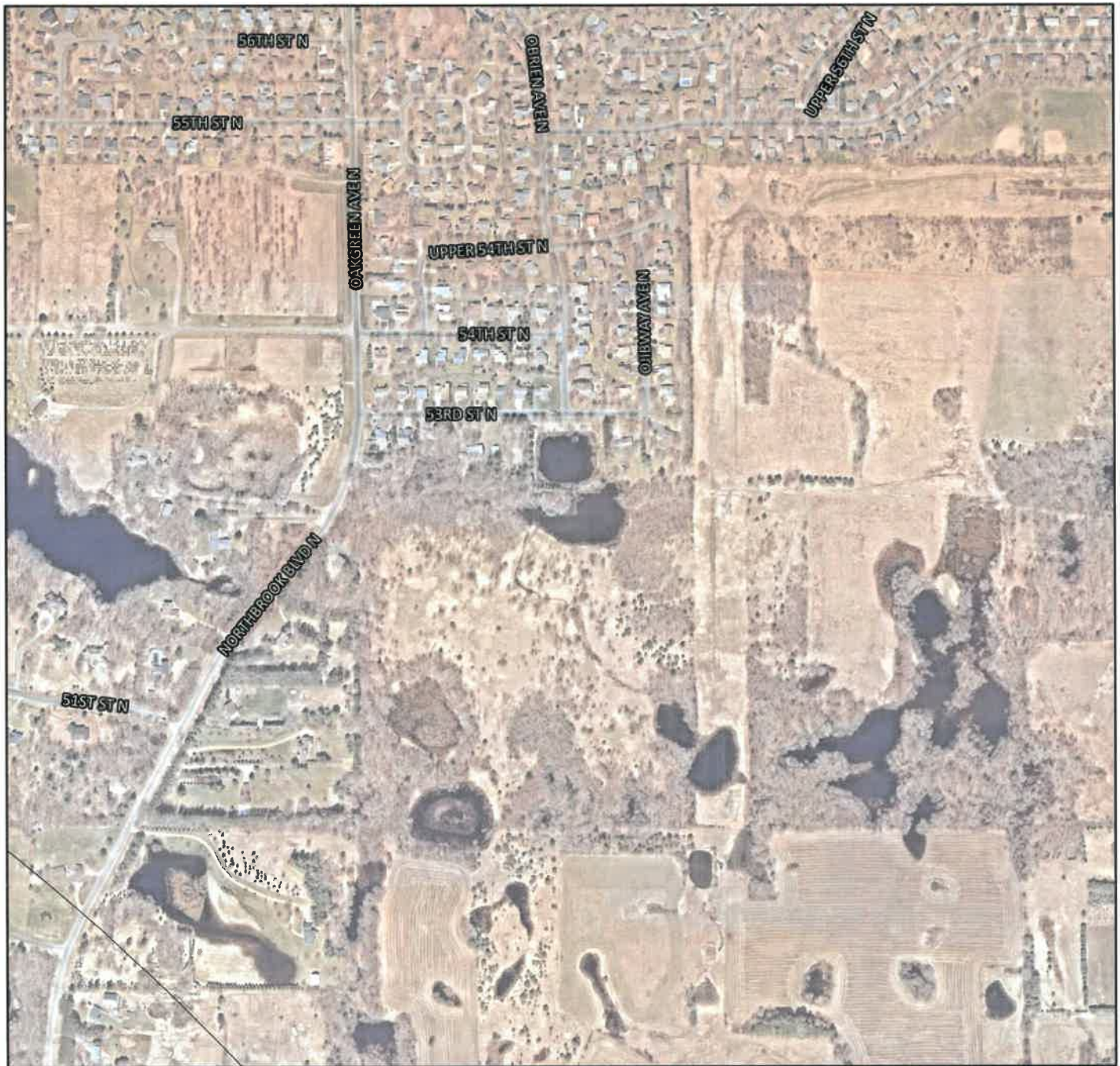
SZ - A5

-  21D Property
-  Future Improvements
-  RPZ
-  Airport Hazard Area
-  JAZB Zone 1
-  JAZB Zone 2

0 400 800
Feet

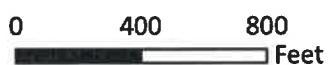
Lake Elmo Airport Zoning Ordinance



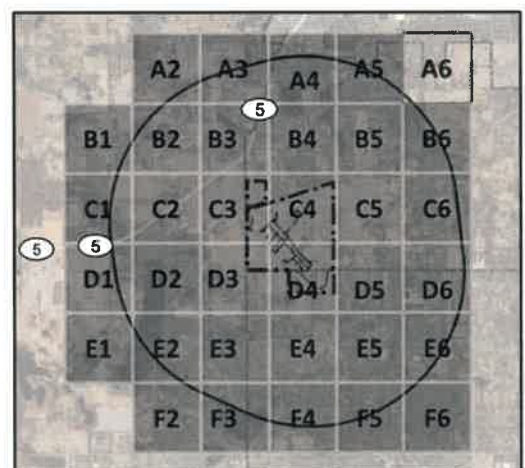


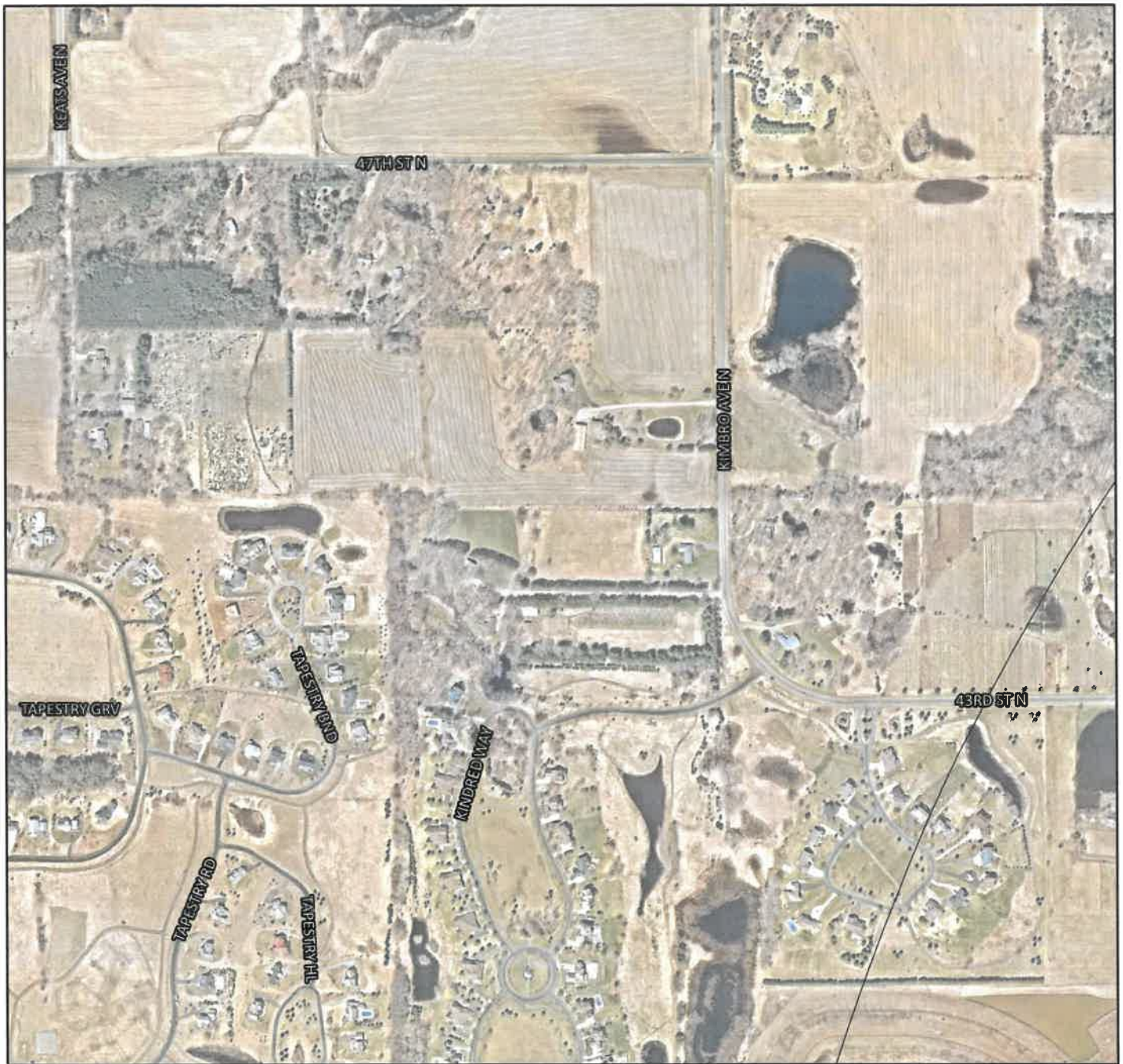
21D Safety Zones

SZ - A6



Lake Elmo Airport Zoning Ordinance





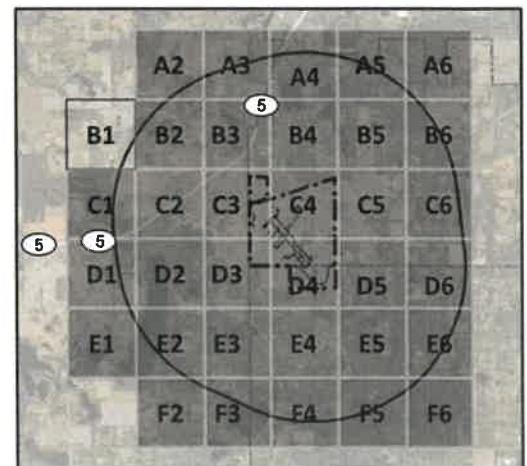
21D Safety Zones

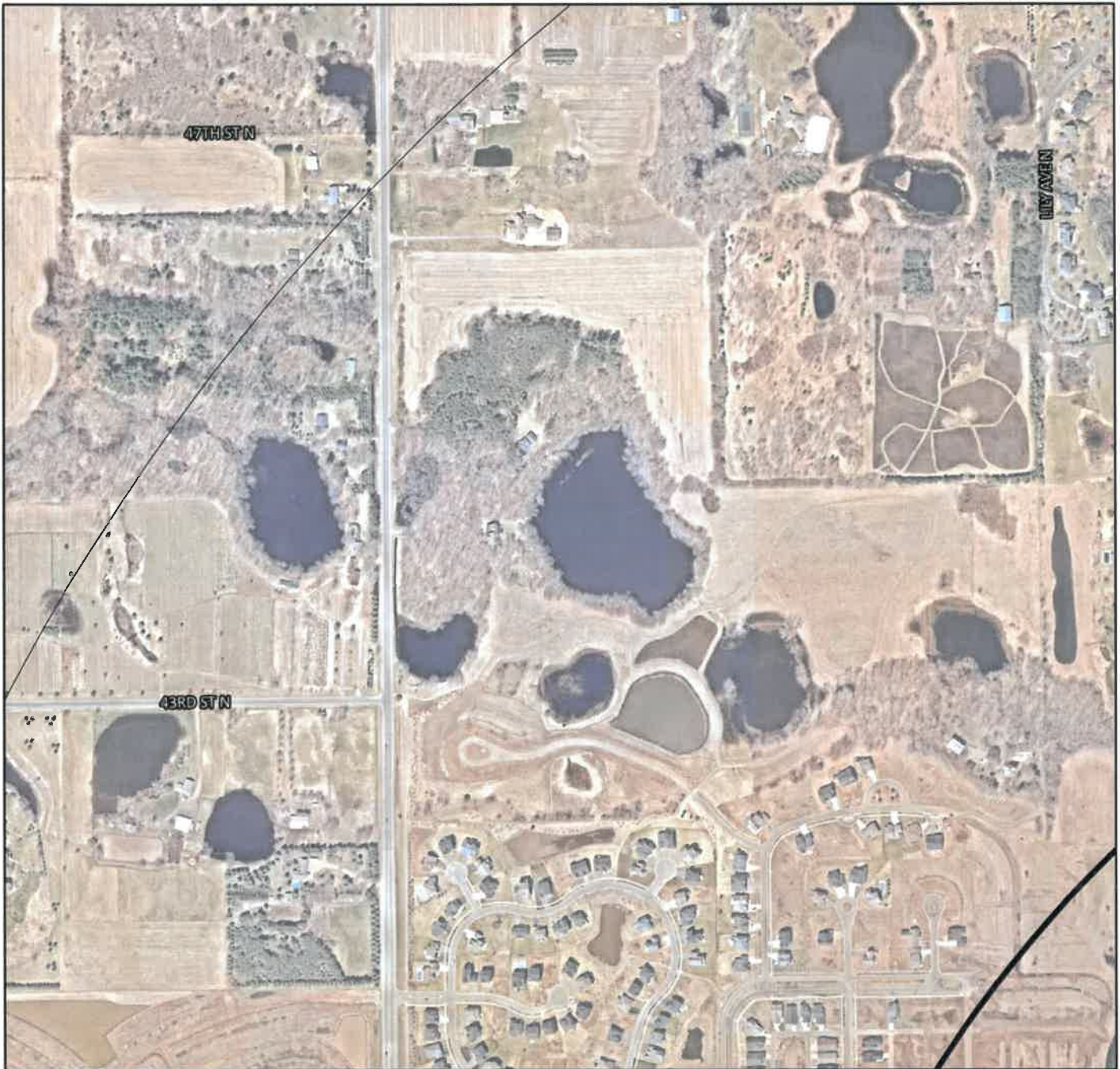
SZ - B1

- 21D Property
- Airport Hazard Area
- Future Improvements
- JAZB Zone 1
- RPZ
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance



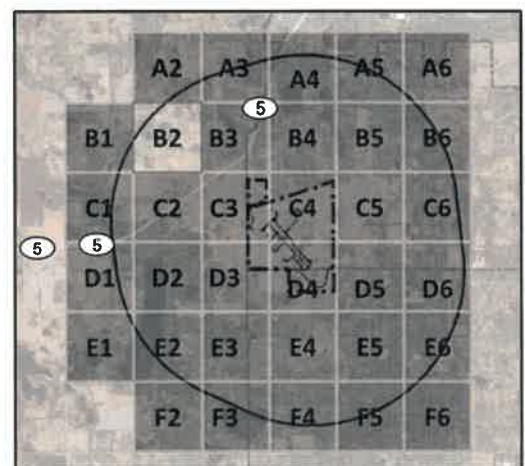


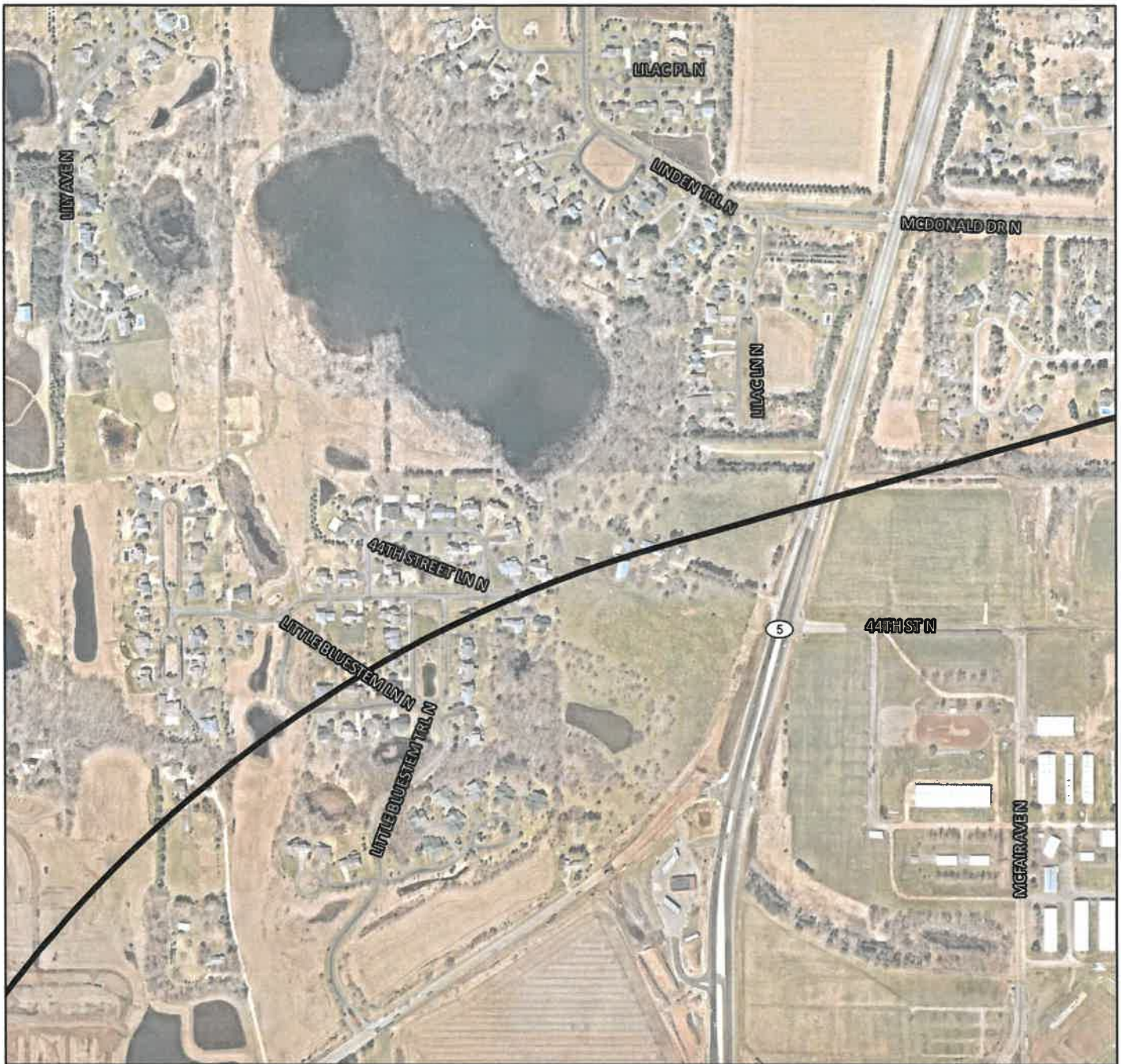
21D Safety Zones

SZ - B2



Lake Elmo Airport Zoning Ordinance





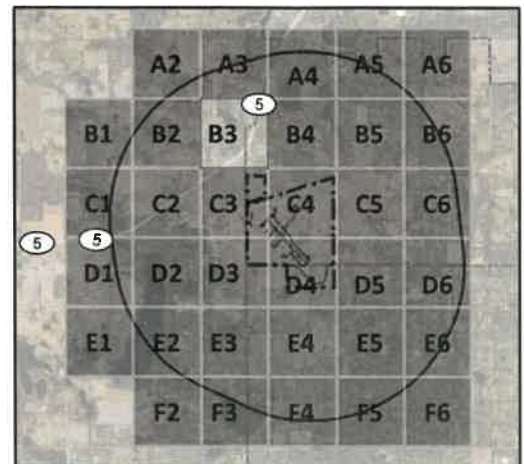
21D Safety Zones

SZ - B3

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

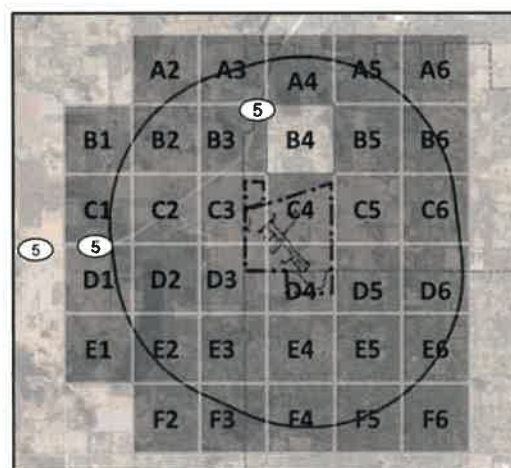
Lake Elmo Airport Zoning Ordinance

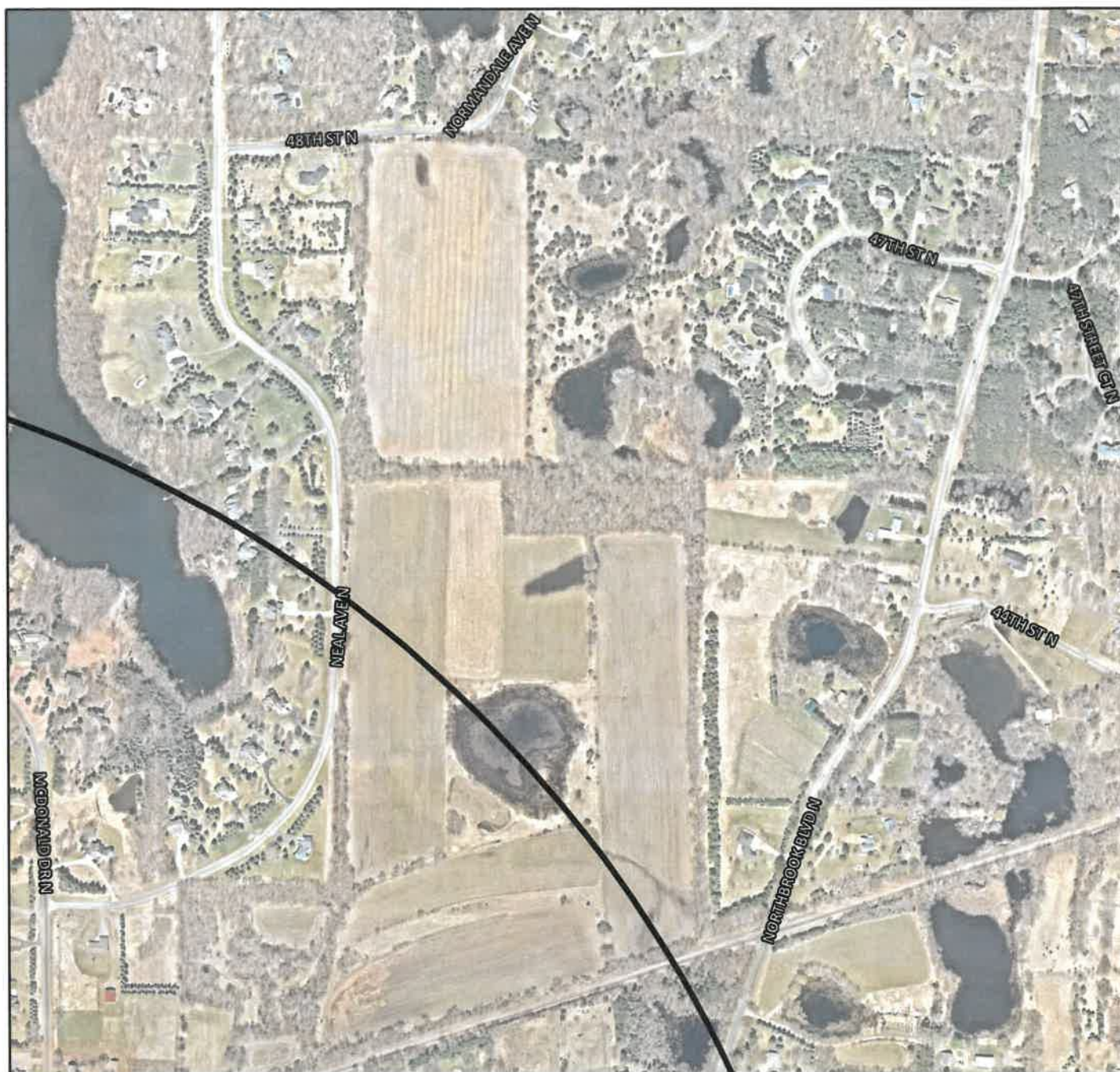


21D Safety Zones

SZ - B4

Lake Elmo Airport Zoning Ordinance





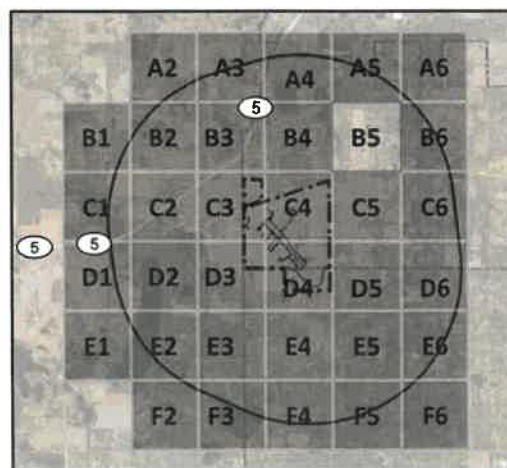
21D Safety Zones

SZ - B5

-  21D Property
-  Future Improvements
-  RPZ
-  Airport Hazard Area
-  JAZB Zone 1
-  JAZB Zone 2

0 400 800
Feet

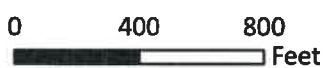
Lake Elmo Airport Zoning Ordinance



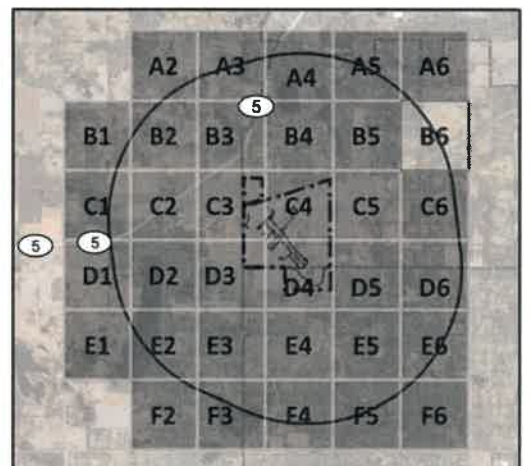


21D Safety Zones

SZ - B6



Lake Elmo Airport Zoning Ordinance





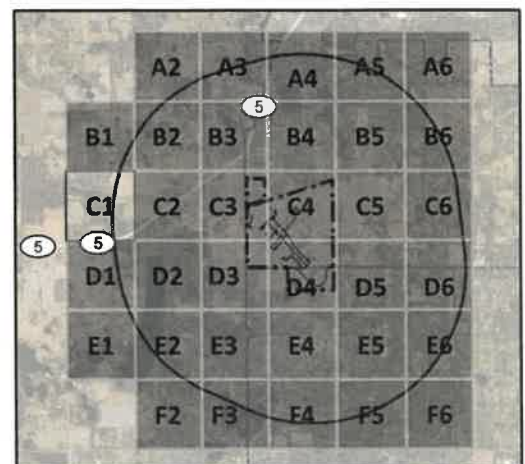
21D Safety Zones

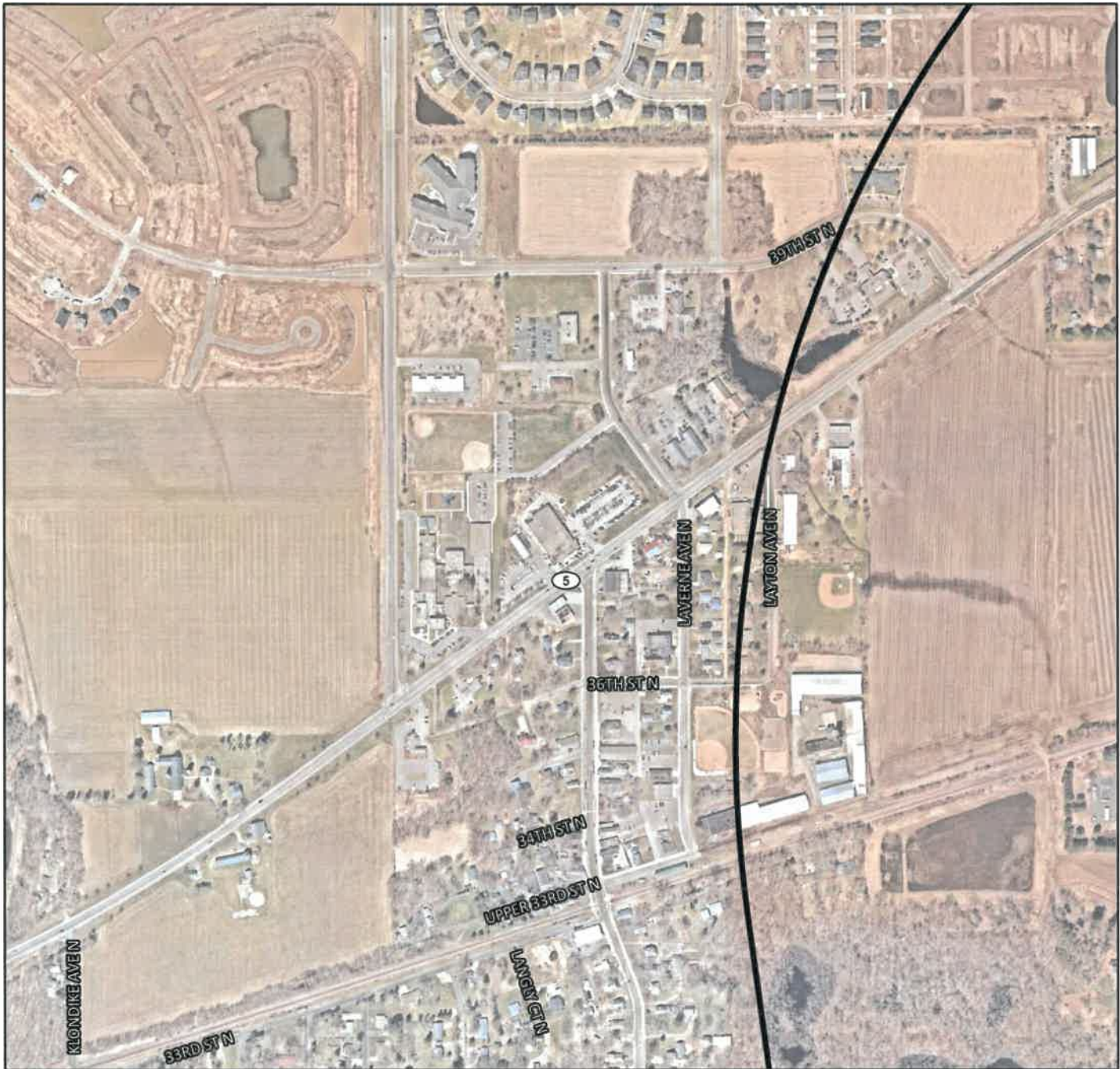
SZ - C1

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance





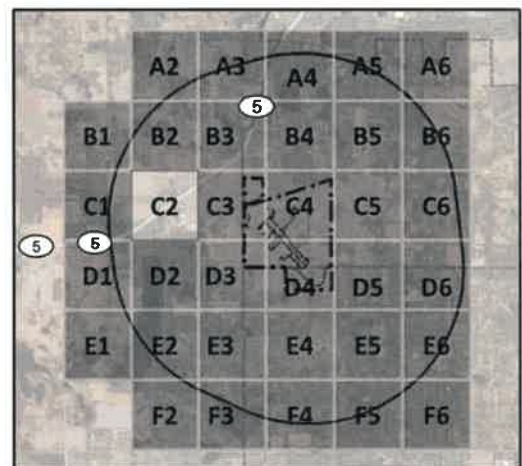
21D Safety Zones

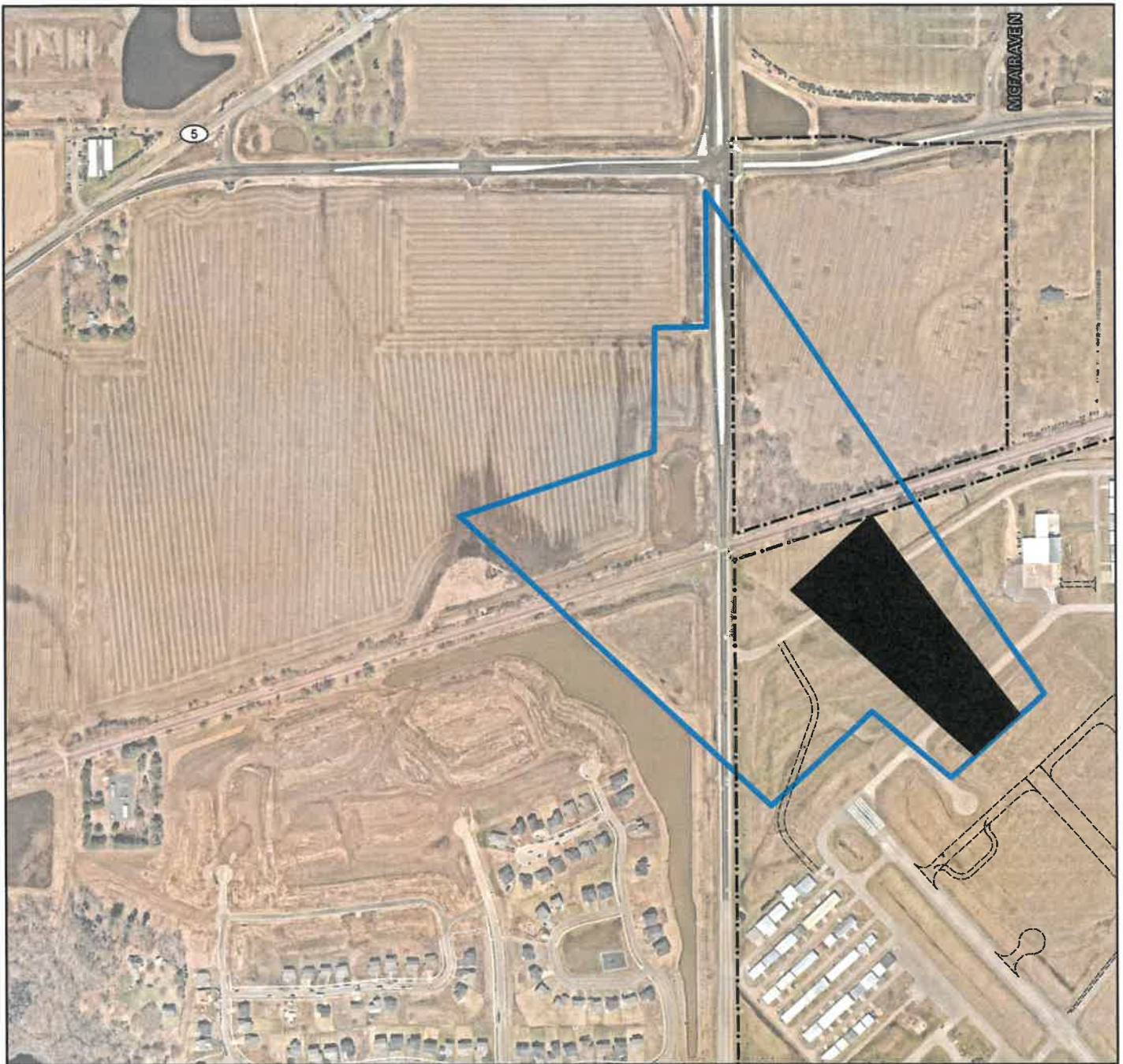
SZ - C2

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
 Feet

Lake Elmo Airport Zoning Ordinance





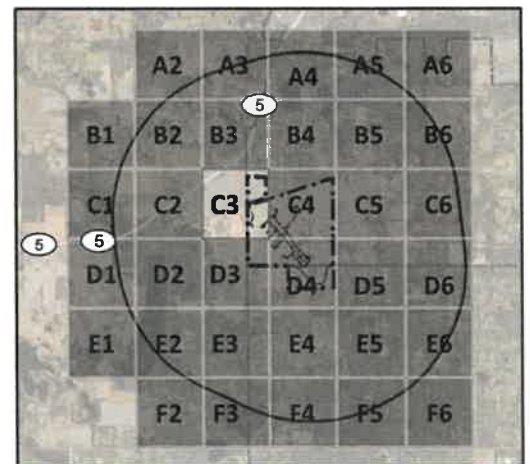
21D Safety Zones

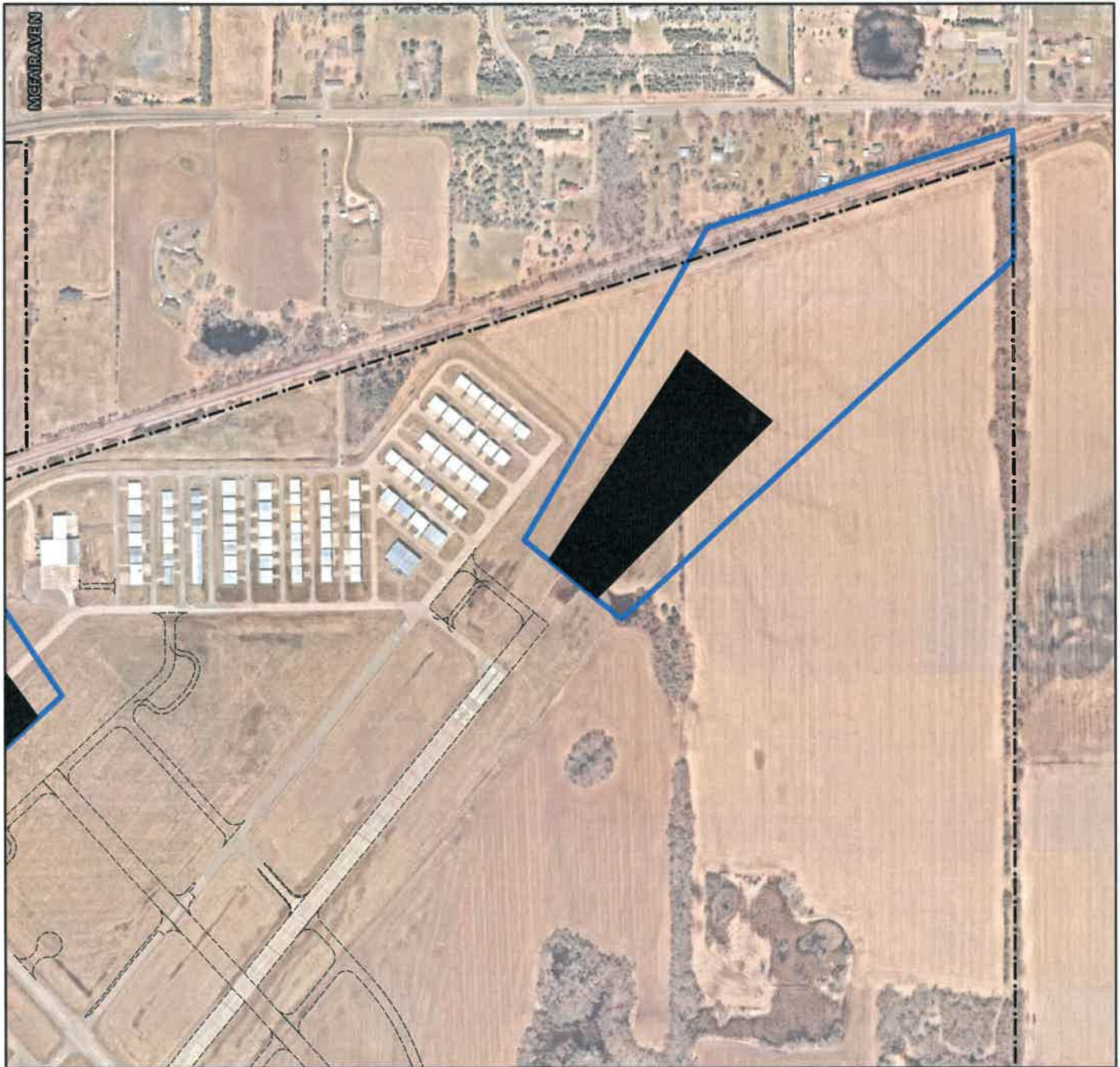
SZ - C3

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance



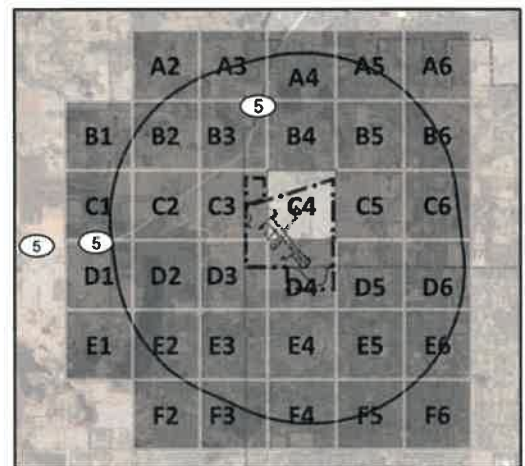


21D Safety Zones

SZ - C4



Lake Elmo Airport Zoning Ordinance





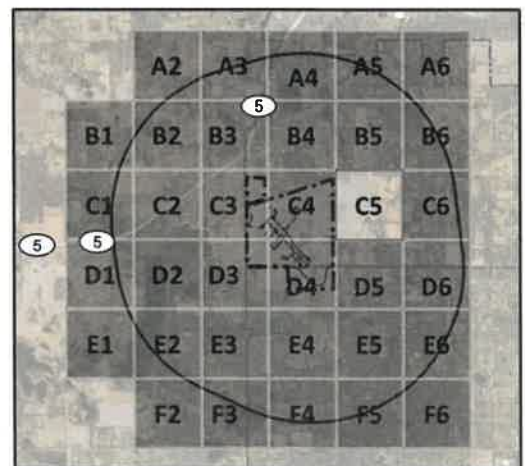
21D Safety Zones

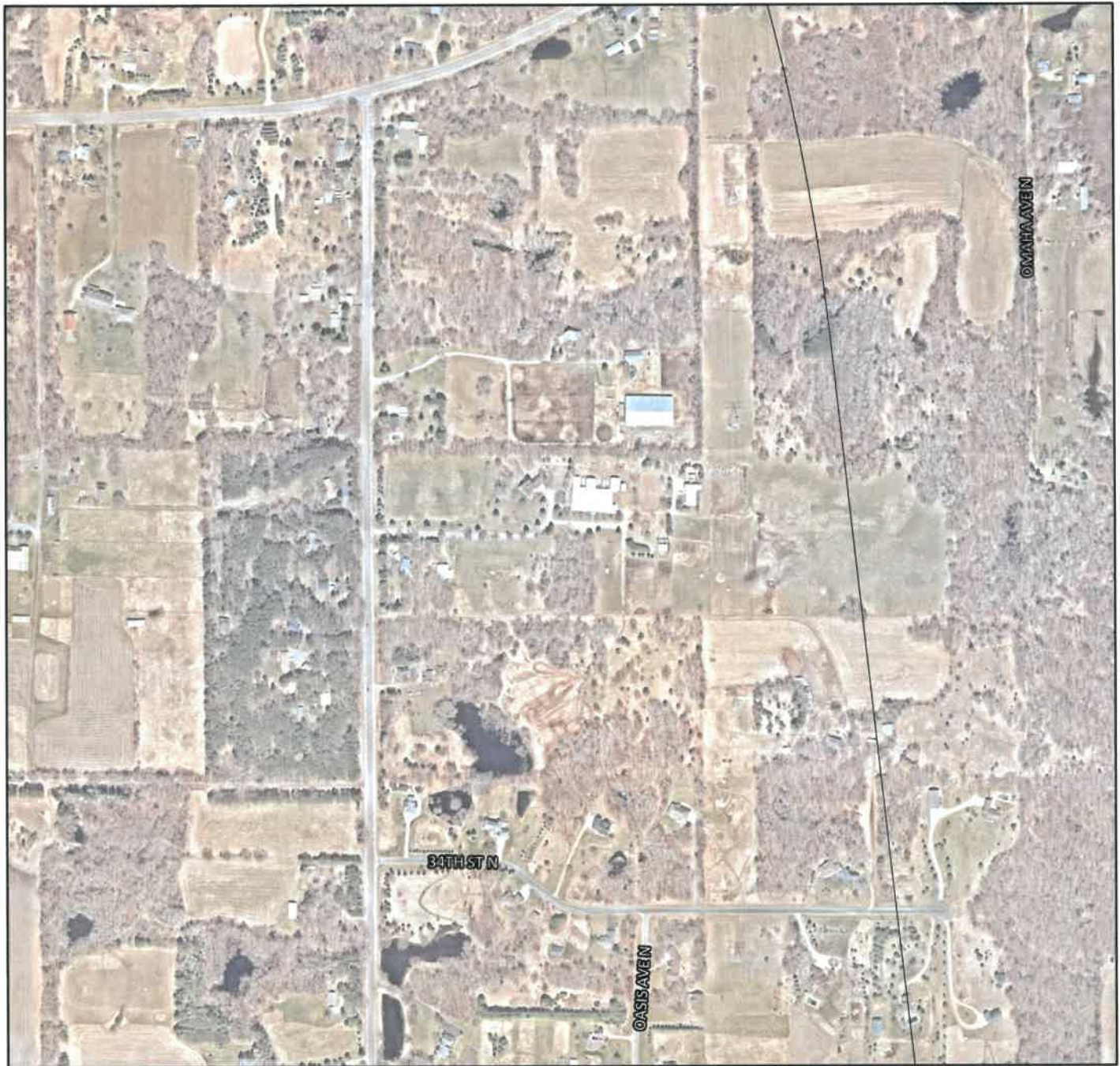
SZ - C5

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance



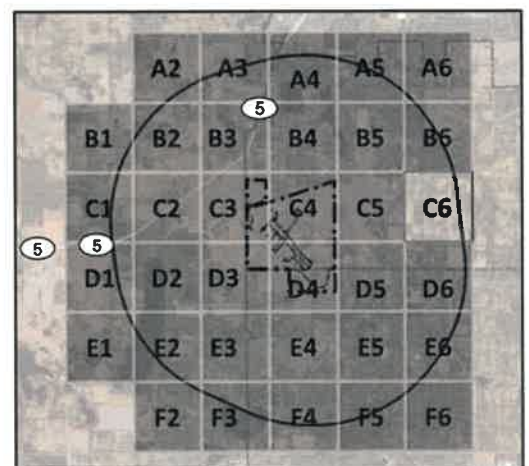


21D Safety Zones

SZ - C6



Lake Elmo Airport Zoning Ordinance





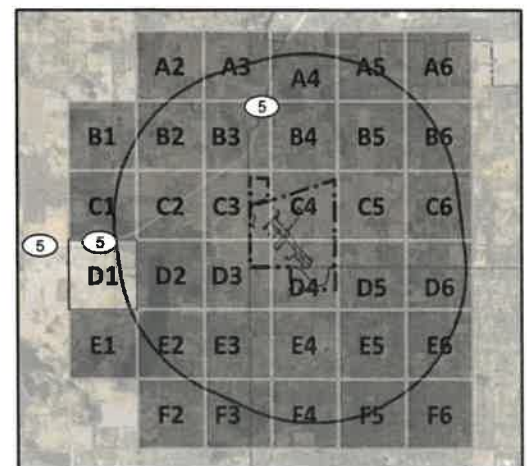
21D Safety Zones

SZ - D1

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance



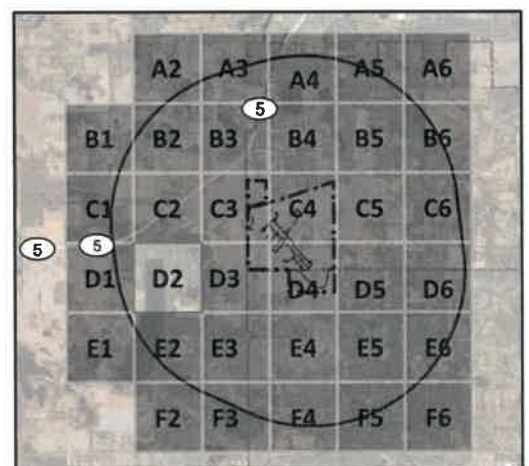


21D Safety Zones

SZ - D2



Lake Elmo Airport Zoning Ordinance





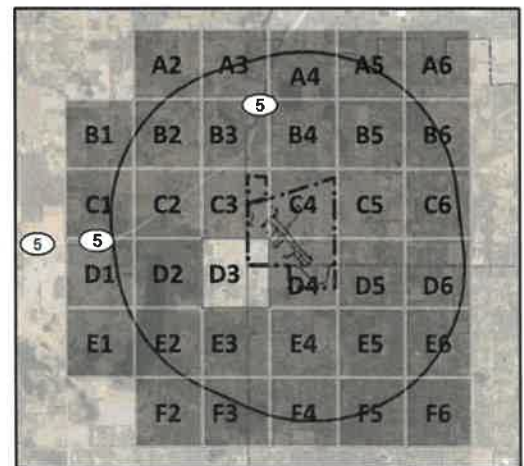
21D Safety Zones

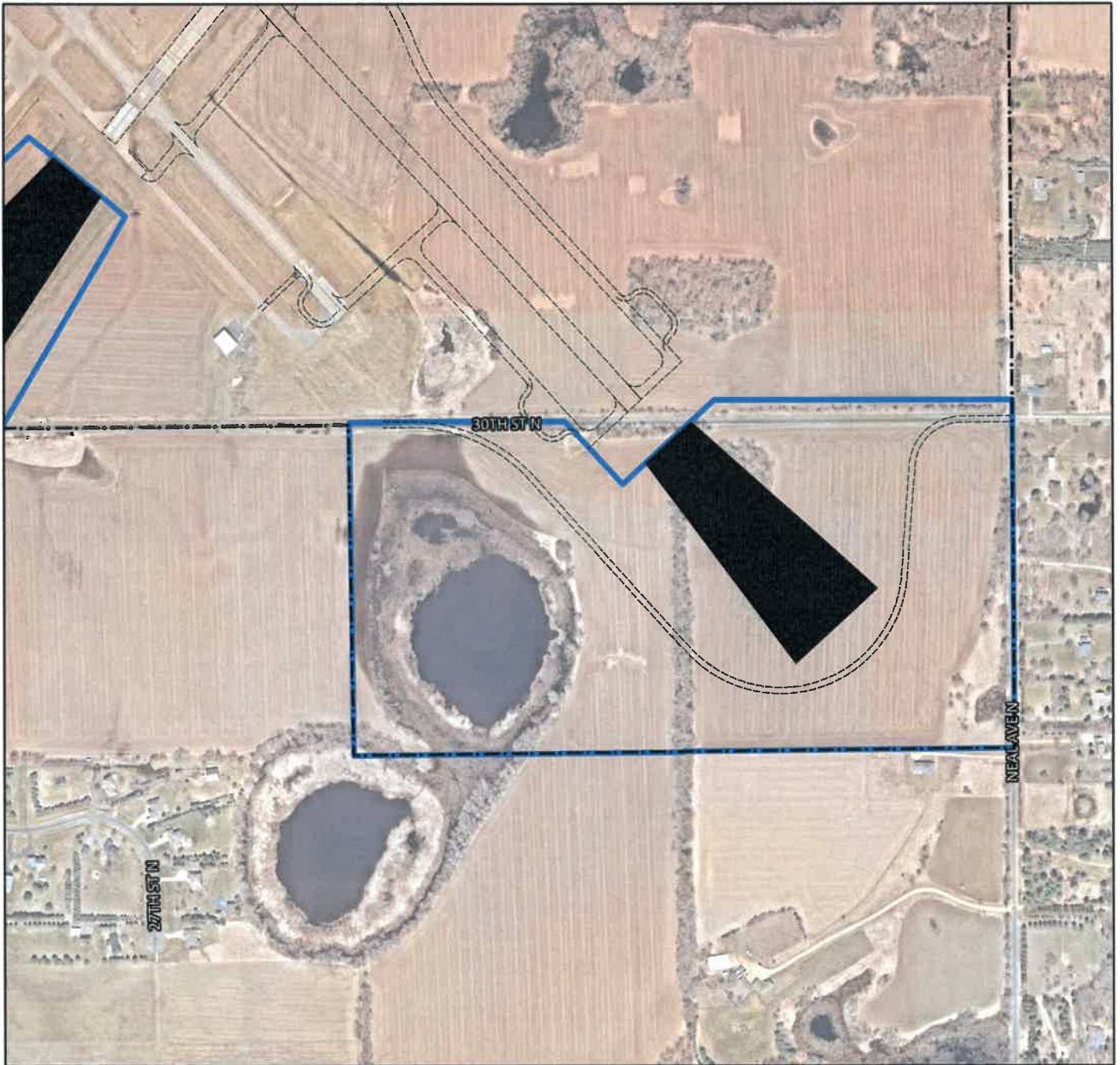
SZ - D3

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance



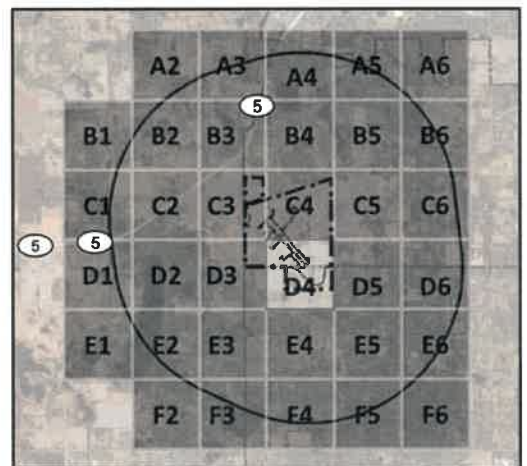


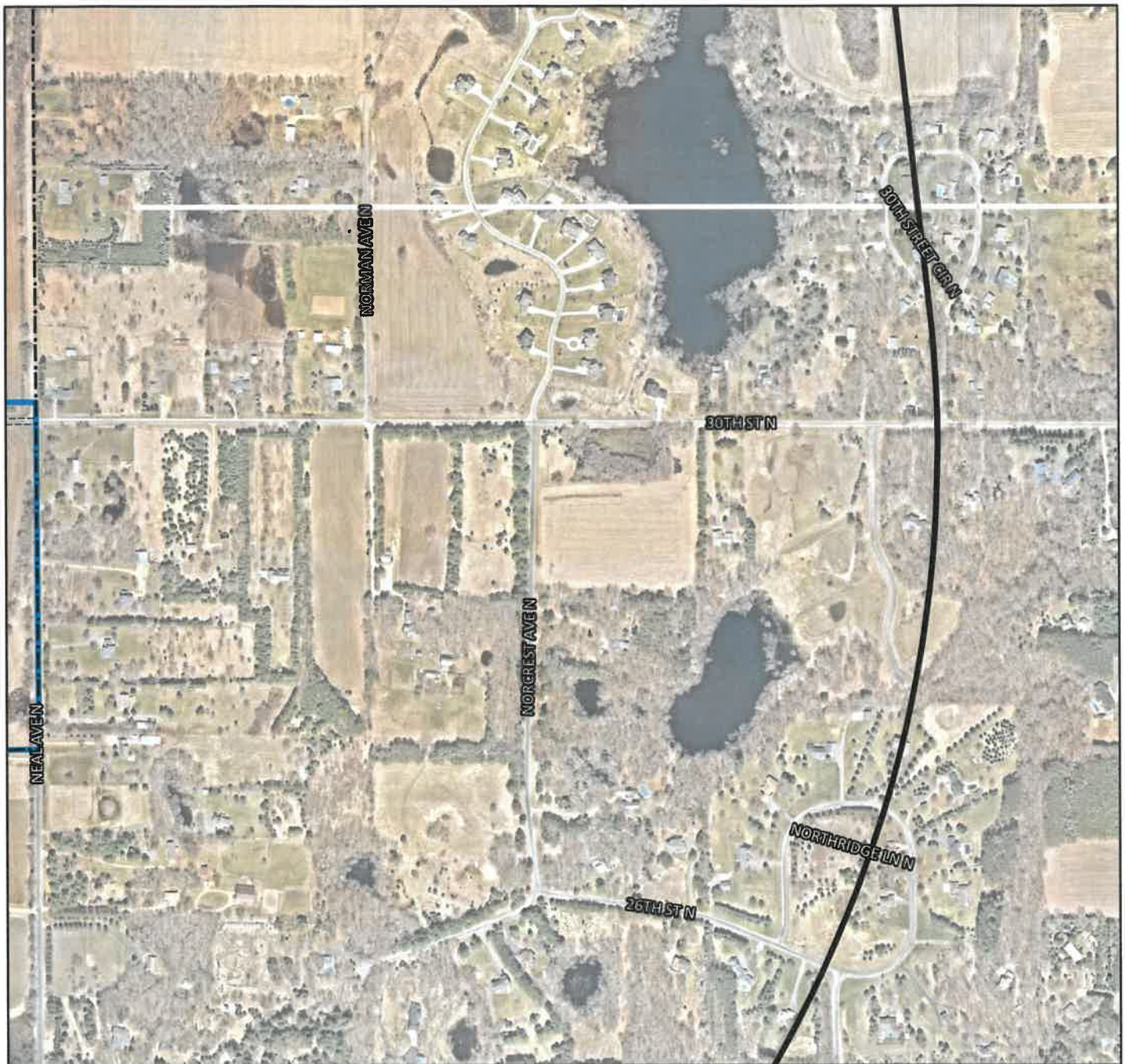
21D Safety Zones

SZ - D4



Lake Elmo Airport Zoning Ordinance





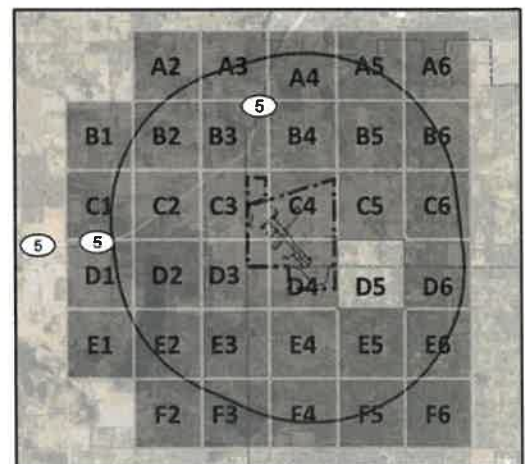
21D Safety Zones

SZ - D5

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
 Feet

Lake Elmo Airport Zoning Ordinance





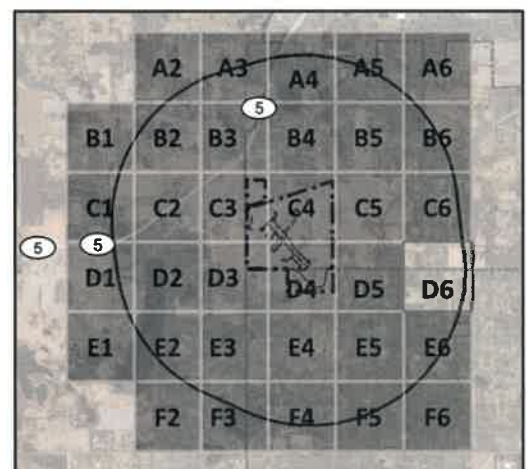
21D Safety Zones

SZ - D6

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance





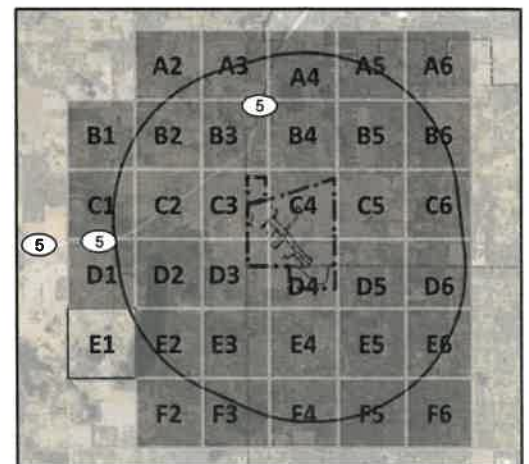
21D Safety Zones

SZ - E1

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance



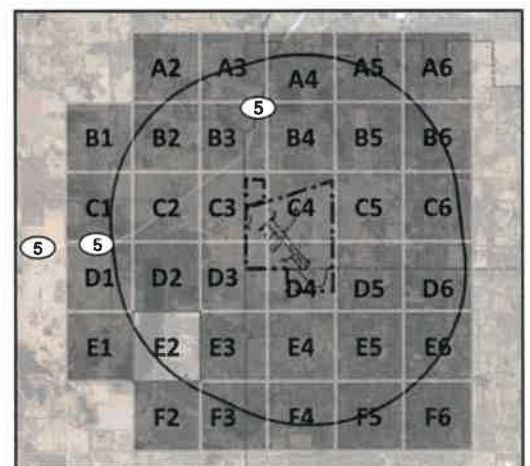


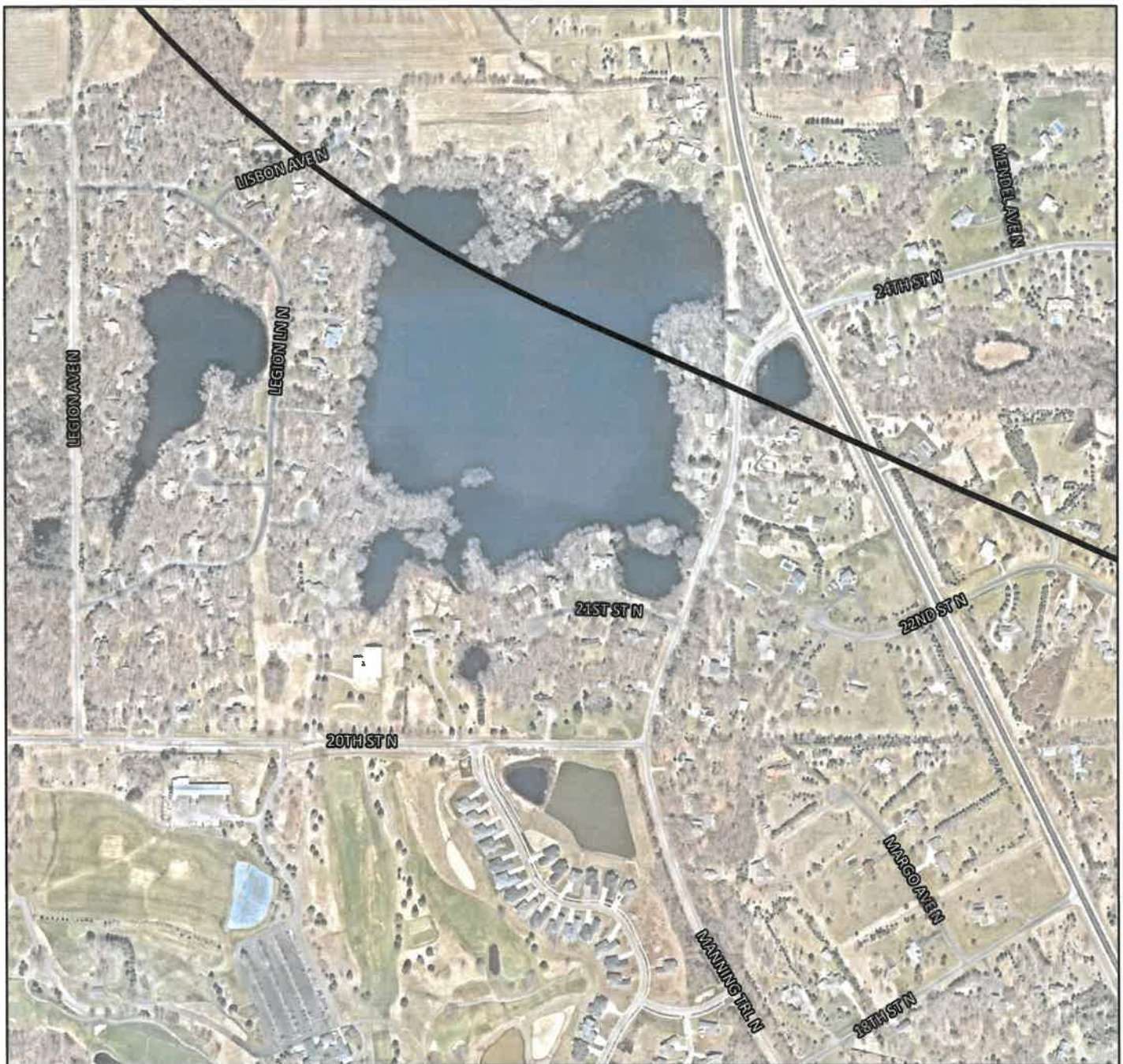
21D Safety Zones

SZ - E2



Lake Elmo Airport Zoning Ordinance





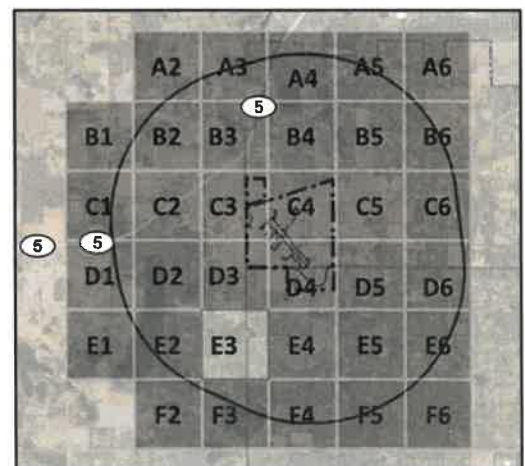
21D Safety Zones

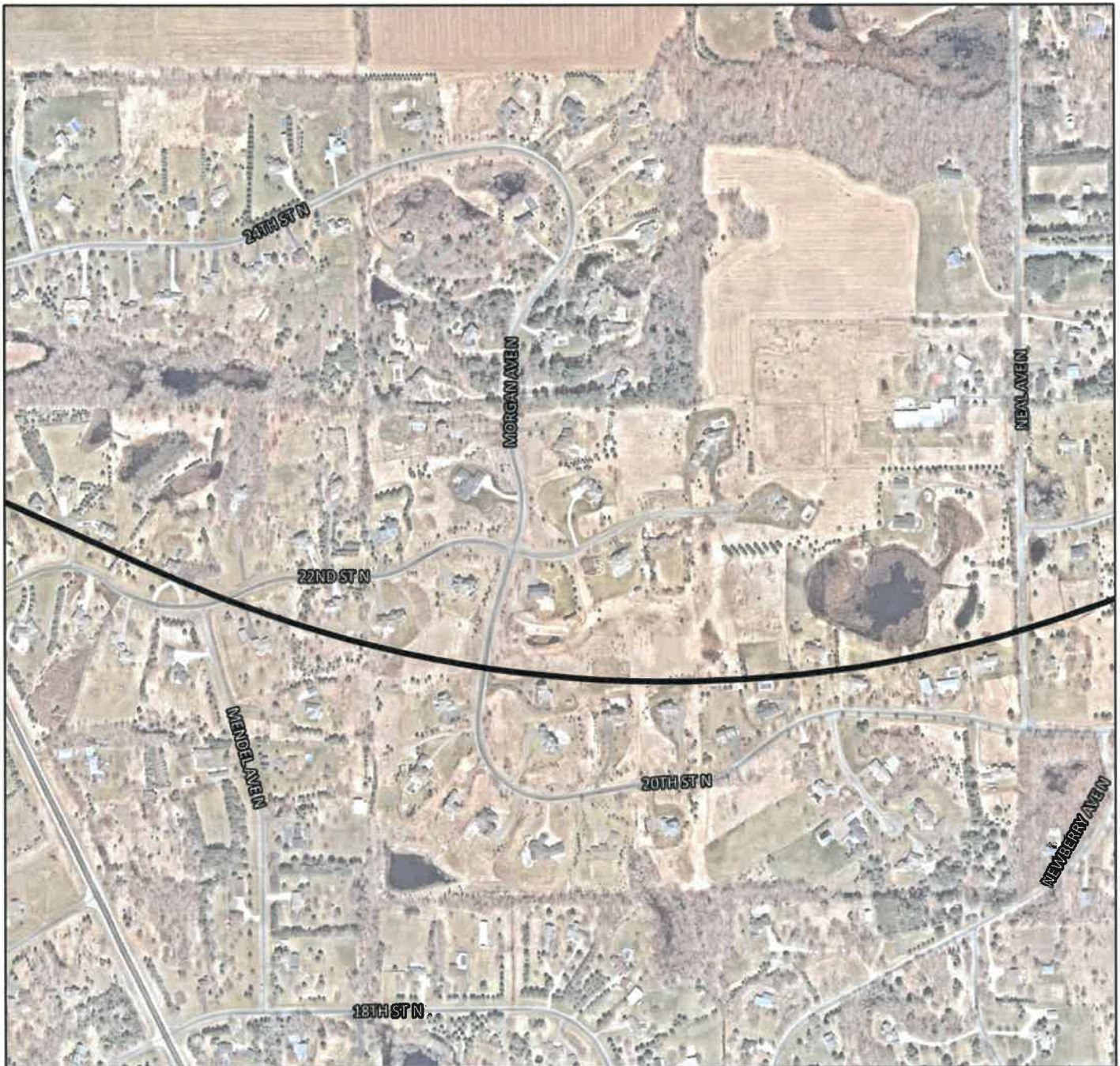
SZ - E3

- 21D Property
- Airport Hazard Area
- Future Improvements
- JAZB Zone 1
- RPZ
- JAZB Zone 2

0 400 800
 Feet

Lake Elmo Airport Zoning Ordinance





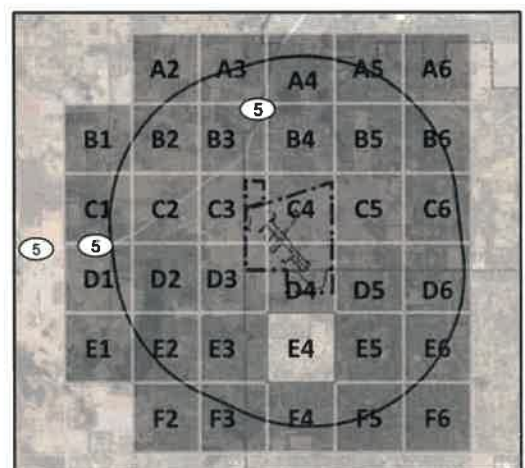
21D Safety Zones

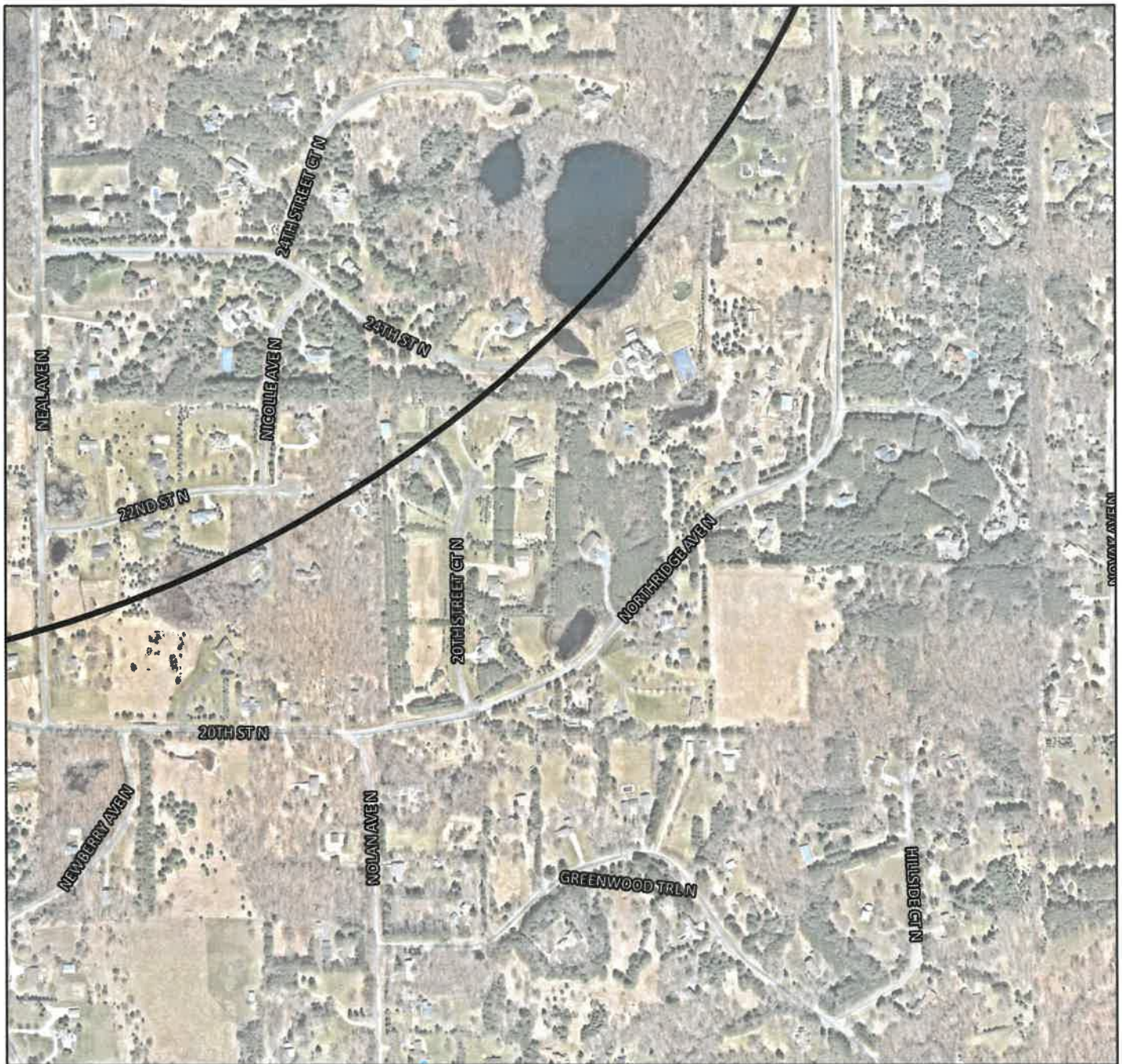
SZ - E4

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance





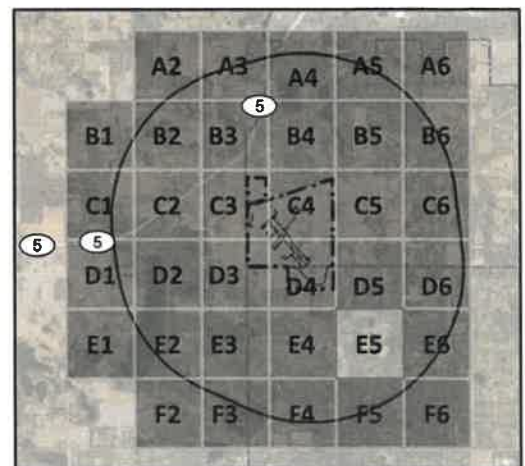
21D Safety Zones

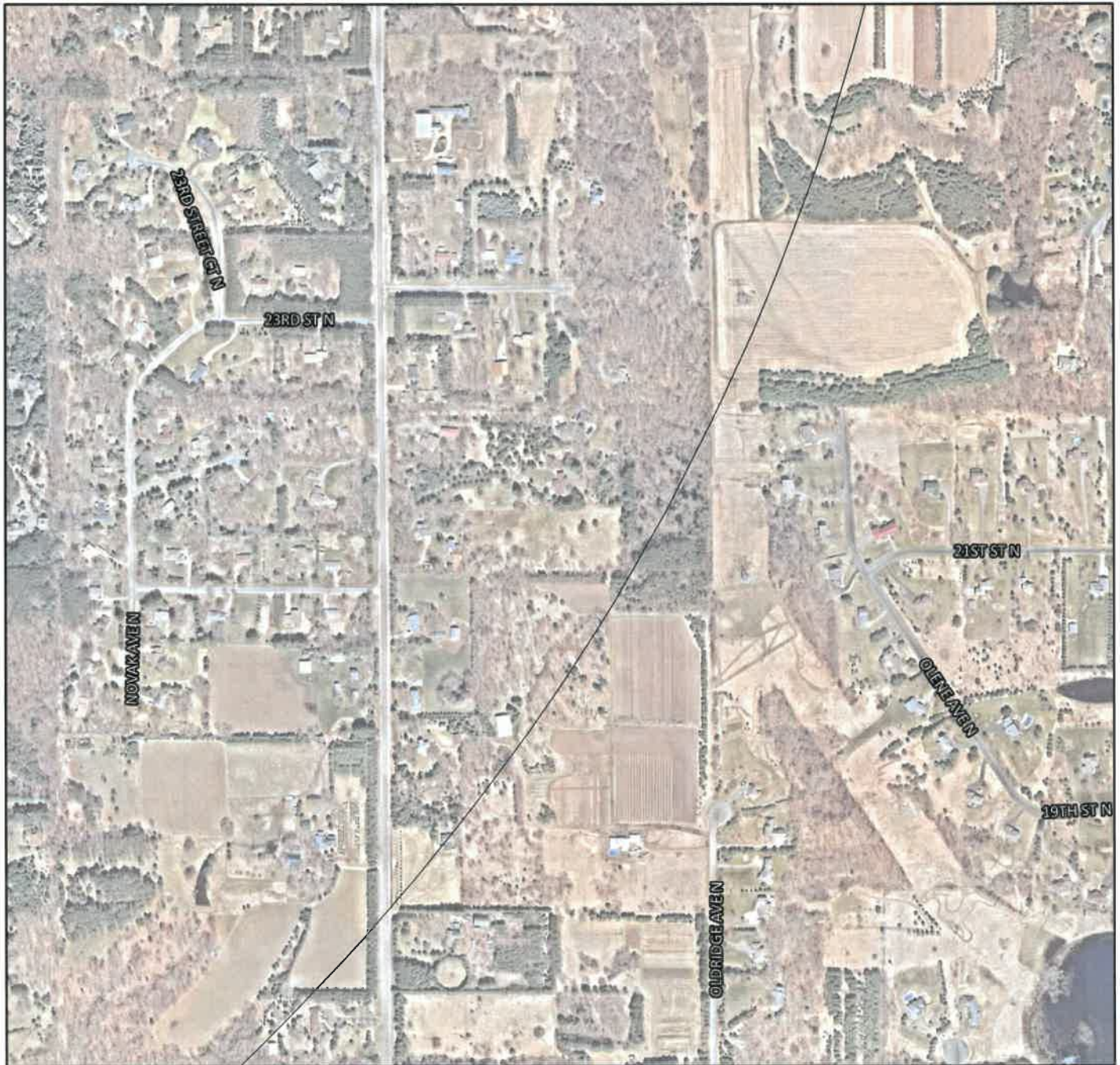
SZ - E5

-  21D Property
-  Future Improvements
-  RPZ
-  Airport Hazard Area
-  JAZB Zone 1
-  JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance



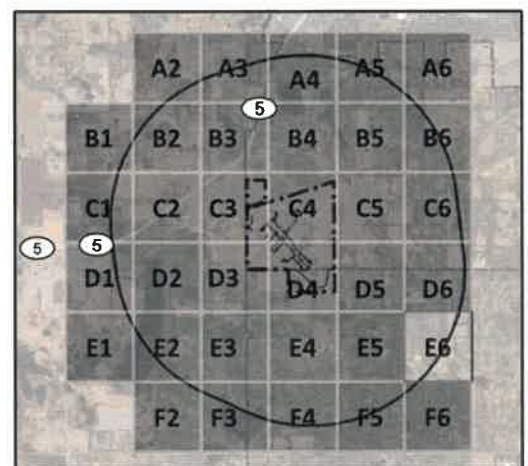


21D Safety Zones

SZ - E6



Lake Elmo Airport Zoning Ordinance





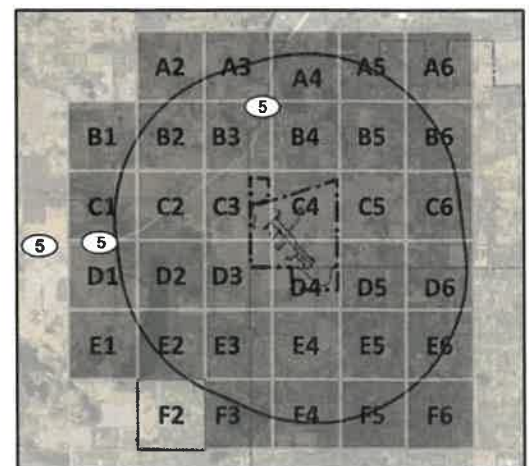
21D Safety Zones

SZ - F2

-  21D Property
-  Future Improvements
-  RPZ
-  Airport Hazard Area
-  JAZB Zone 1
-  JAZB Zone 2

0 400 800
Feet

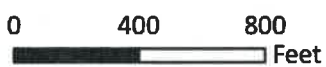
Lake Elmo Airport Zoning Ordinance



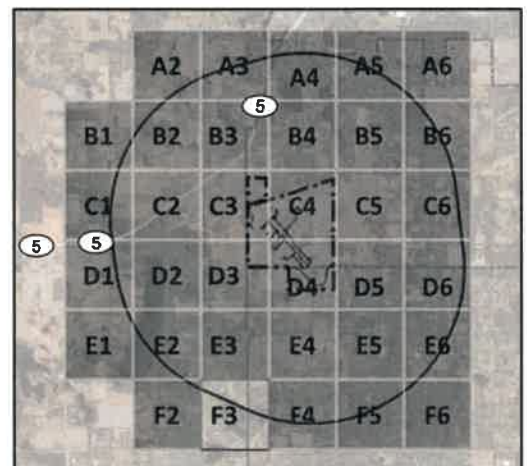


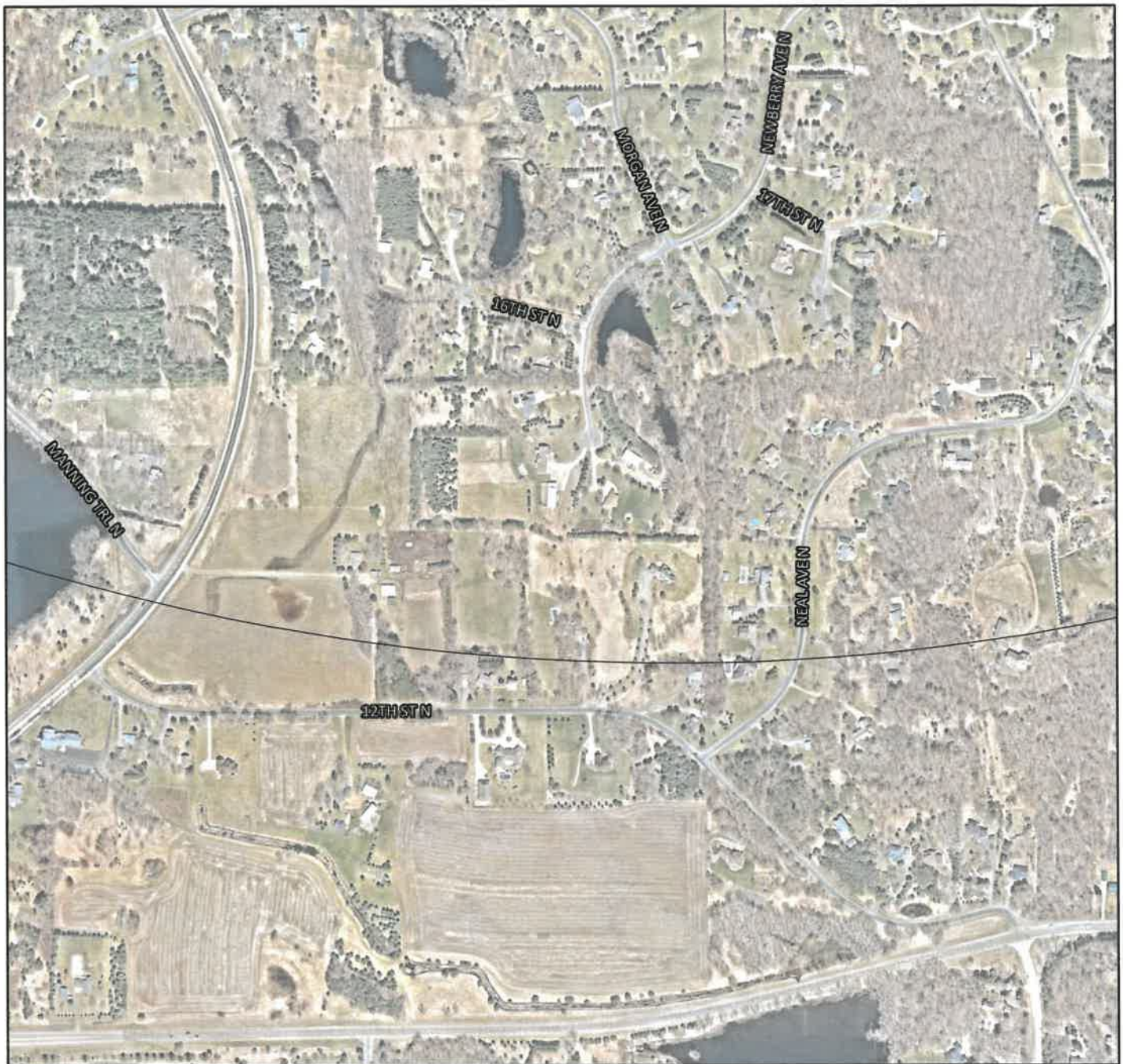
21D Safety Zones

SZ - F3



Lake Elmo Airport Zoning Ordinance





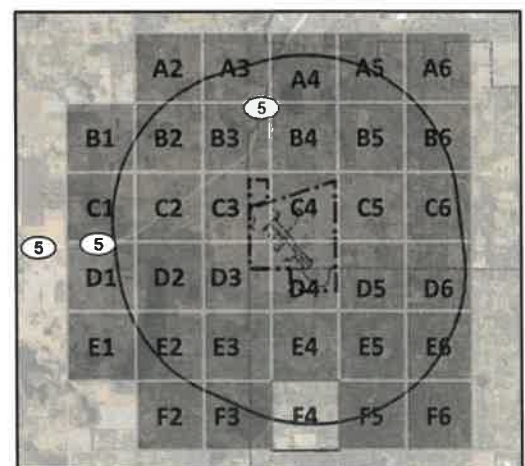
21D Safety Zones

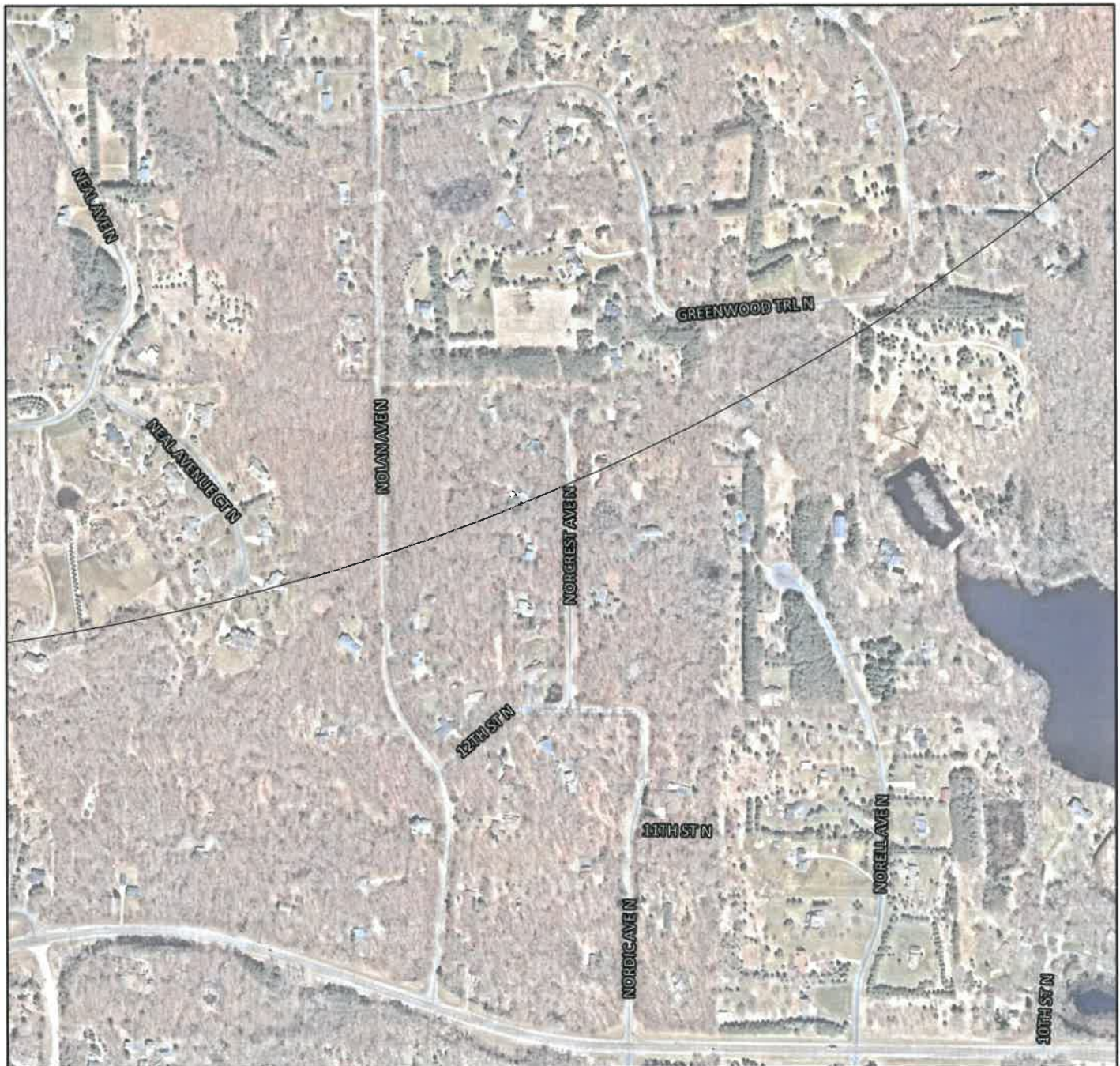
SZ - F4

-  21D Property
-  Future Improvements
-  RPZ
-  Airport Hazard Area
-  JAZB Zone 1
-  JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance





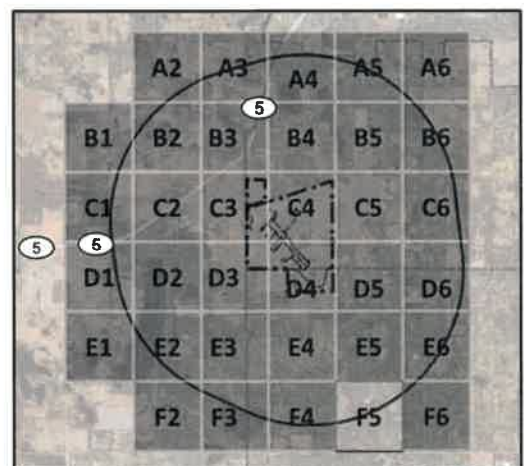
21D Safety Zones

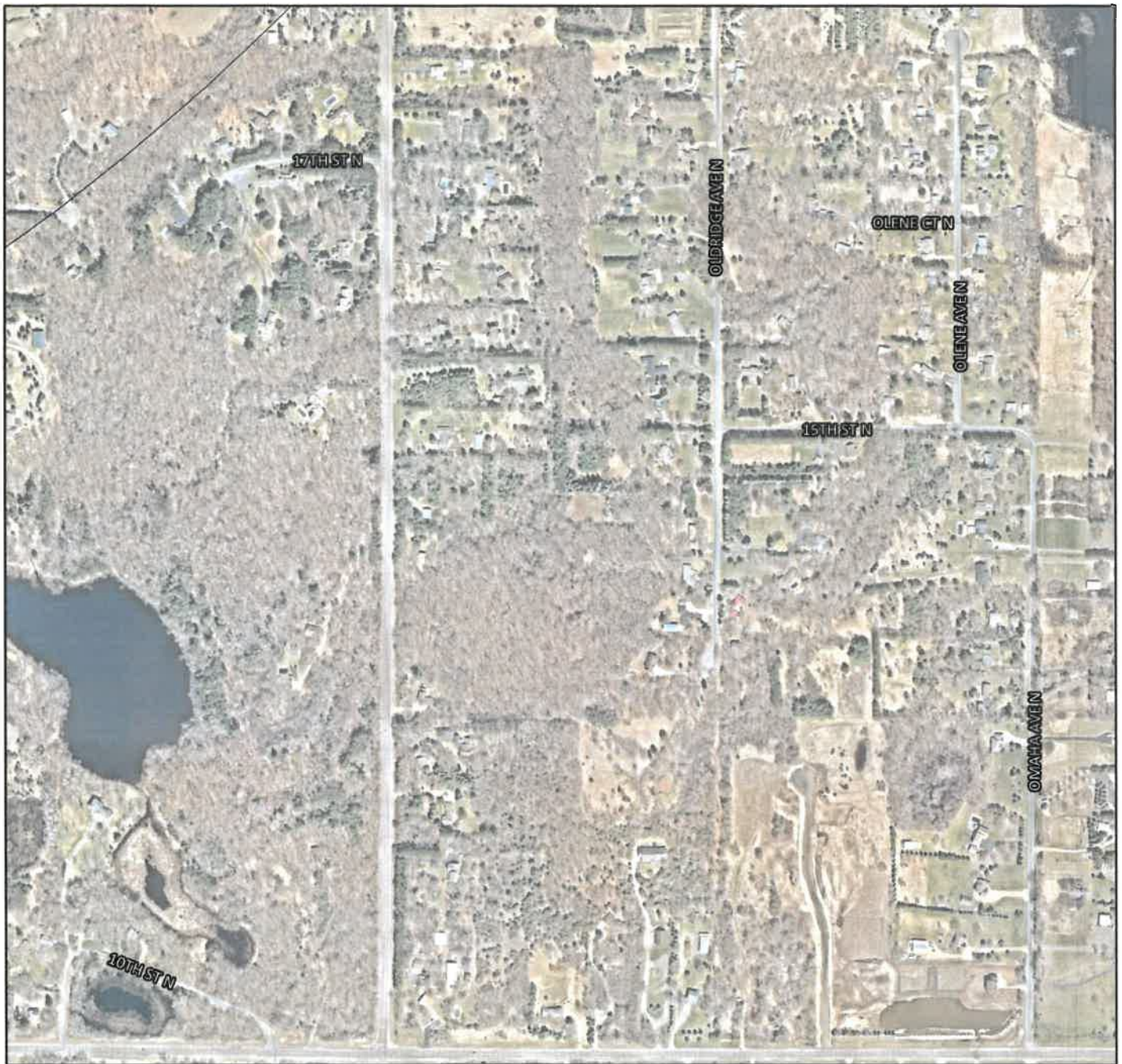
SZ - F5

-  21D Property
-  Future Improvements
-  RPZ
-  Airport Hazard Area
-  JAZB Zone 1
-  JAZB Zone 2

0 400 800
Feet

Lake Elmo Airport Zoning Ordinance





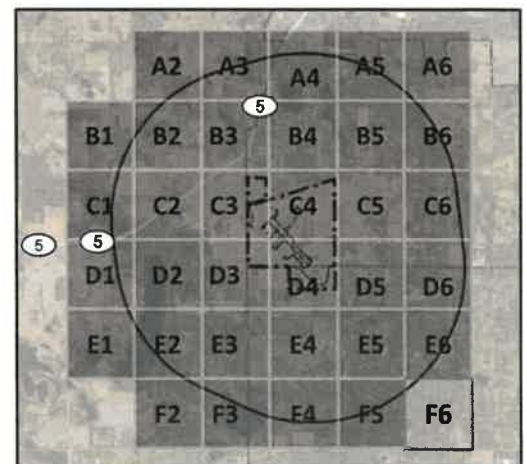
21D Safety Zones

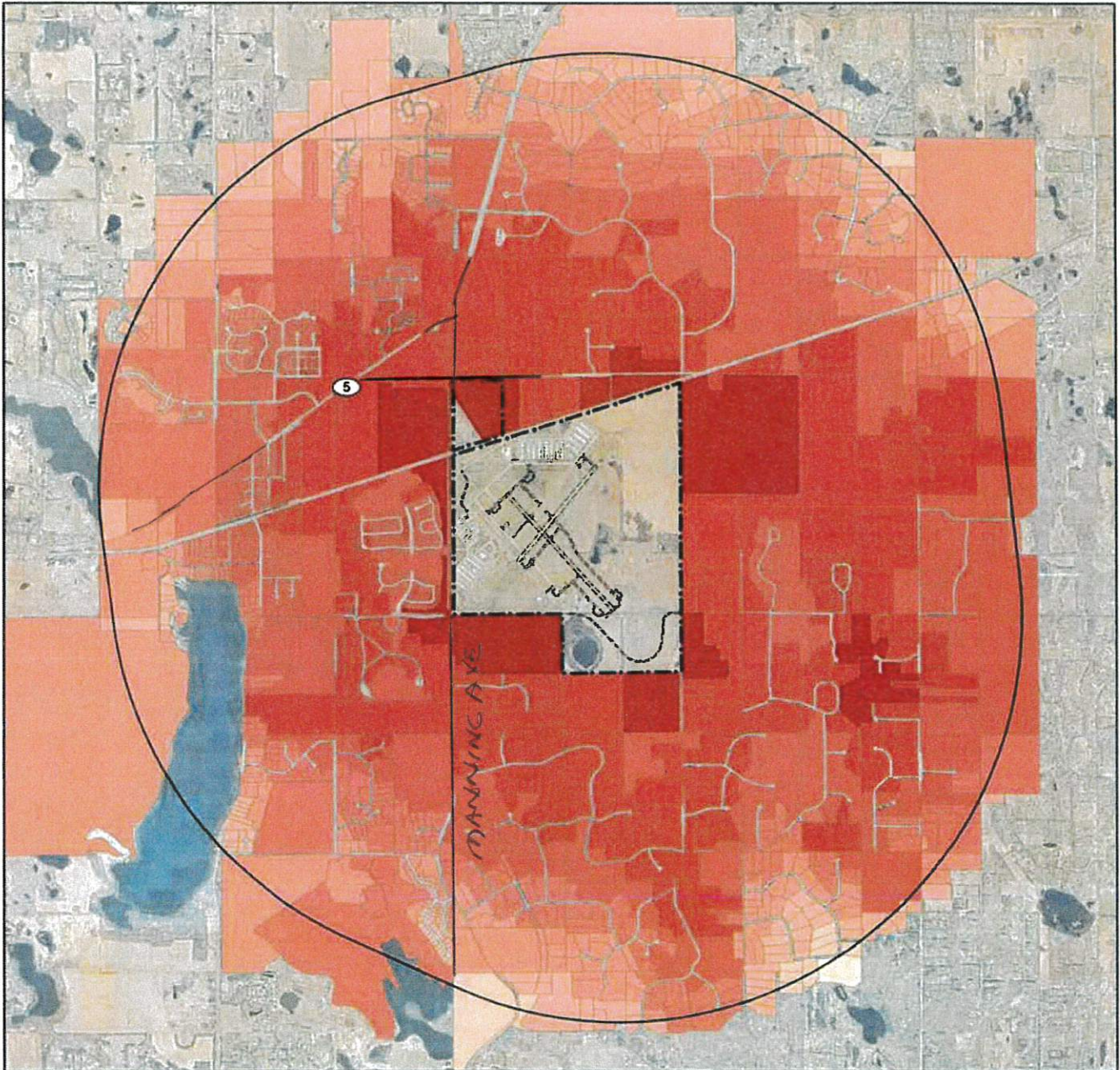
SZ - F6

- 21D Property
- Future Improvements
- RPZ
- Airport Hazard Area
- JAZB Zone 1
- JAZB Zone 2

0 400 800
Feet

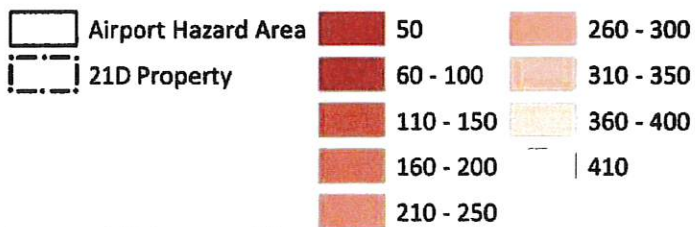
Lake Elmo Airport Zoning Ordinance





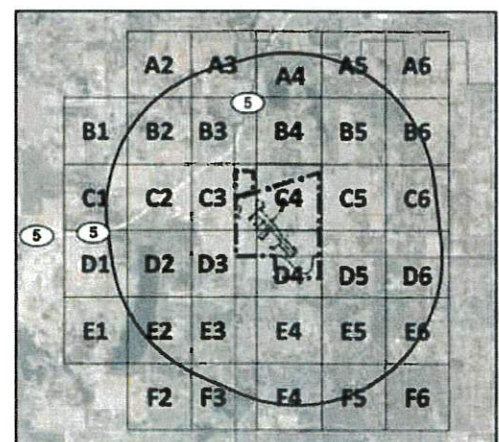
21D Maximum Construction Heights Without Permit

MCH - Index Sheet



0 2,250 4,500
Feet

Lake Elmo Airport Zoning Ordinance



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