



3800 Laverne Avenue North  
Lake Elmo, MN 55042

(651) 747-3900  
www.lakeelmo.org

## **NOTICE OF MEETING**

The City of Lake Elmo  
Planning Commission will conduct a meeting on  
**Monday May 23, 2022**  
**at 7:00 p.m.**

## **AGENDA**

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes – N/A
4. Public Hearings
  - a. CONDITIONAL USE PERMIT FOR A POOL AND FITNESS CENTER - 11441 20<sup>th</sup> St. N (Royal Golf Club 1<sup>st</sup> Addition)
  - b. PRELIMINARY PLAT & PLANNED UNIT DEVELOPMENT, ZONING MAP AMENDMENT, CONDITIONAL USE PERMIT - 9450 Hudson Boulevard.
  - c. COMPREHENSIVE PLAN AMENDMENTS – Addition to the MUSA and change in land use designation for Approximately 110 acres of City property at the northeast corner of 34<sup>th</sup> Street and Ideal Avenue.
  - d. ZONING AMENDMENTS - Zoning Code, §400 Fencing Regulations. Building Regulations Code, §160 Swimming Pools. General Provisions, §040 Required Screening.
5. New Business
  - a. Recommend minimum requirement for mixed-use in MU-C and MU-BP Districts
  - b. Consideration of front setbacks in MDR and HDR Districts
6. Communications/Updates
  - a. City Council Update 5-17 Driveway variance approved for 8930 Jane Road N.
  - b. Staff Updates – N/A
  - c. Upcoming Meetings:
    - June 13 -
      - Zoning Text Amendment by Animal Inn to allow Commercial Kennel by CUP
      - Variance for Impervious Surface - 1567 Ivory Avenue
      - Zoning Text Amendment - Village Districts
      - Zoning Text Amendment - Setbacks in MDR and HDR
      - Zoning Text Amendment – Mixed Use Requirement in MU-C and MU-BP
    - June 27
6. 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.



## **STAFF REPORT**

DATE: 5/23/22

**REGULAR**

ITEM#: 4a – PUBLIC HEARING  
**MOTION**

**TO:** Planning Commission  
**FROM:** Molly Just, Planning Director  
**ITEM:** H.C. Golf Land, LLC Conditional Use Permit for a Swimming Pool & Fitness Center

### **BACKGROUND**

H.C. Golf Land, LLC (Applicant) has applied for a Conditional Use Permit (CUP) for construction of a swimming pool and fitness center on the property located at 104441 20th Street N (PID#25.029.21.12.0002). The proposed 1,900 square foot fitness center and 25' x 50' swimming pool would be for the use of residents in the Royal Golf subdivision and would be managed by the homeowners' association. The use is permitted by CUP in the zoning district and in the Planned Unit Development (PUD) that also governs the subdivision.

### **PROPOSAL DETAILS/ANALYSIS**

*Applicant:* H.C. Golf Land, LLC  
*Property Owners:* H.C. Golf Land, LLC  
*Location:* 104441 20<sup>th</sup> Street North  
*Request:* Application for a Conditional Use Permit (CUP) to allow a pool and fitness center  
*Site Area:* 10.8 acres  
*Existing Land Use:* Clubhouse and maintenance facility for a single-family residential subdivision  
*Existing Zoning:* Golf Course Community/PUD  
*Surrounding:* North – single family homes zoned RS  
West – golf course and single-family homes zoned GCC/PUD  
South – golf course and single-family homes zoned GCC/PUD  
East – golf course and single-family homes zoned GCC/PUD  
*Comprehensive Plan:* Golf Course Community (GCC)  
*History:* The Property is within the Royal Golf Club subdivision and also consists of the golf course clubhouse and maintenance facilities that were originally owned by 3M. The clubhouse and maintenance facilities are not connected to City sewer and water. City Code Title 5 Public Works requires any residential or non-residential structures with access to

municipal water and sewer to connect within two years of availability. Since it has been more than two years since City sewer and water have been available and the clubhouse and the maintenance facilities have not been connected to City sewer and water, the Property is currently not in compliance with this requirement of the City Code.

*Deadline for Action:* Application Complete – 3/11/2022  
 60 Day Deadline – 5/10/2022  
 Extension Letter Sent – 4/21/2022  
 120 Day Deadline – 7/9/2022

*Regulations:* 105.12.110 – Zoning Use Types and Classifications  
 Article XII – Urban Residential Districts  
 Article XIX – Shoreland Overlay District  
 Royal Golf Club Planned Unit Development  
 105.12.290 – Conditional Use Permits  
 105.12.480 – Landscaping Requirements

## **PROJECT ANALYSIS**

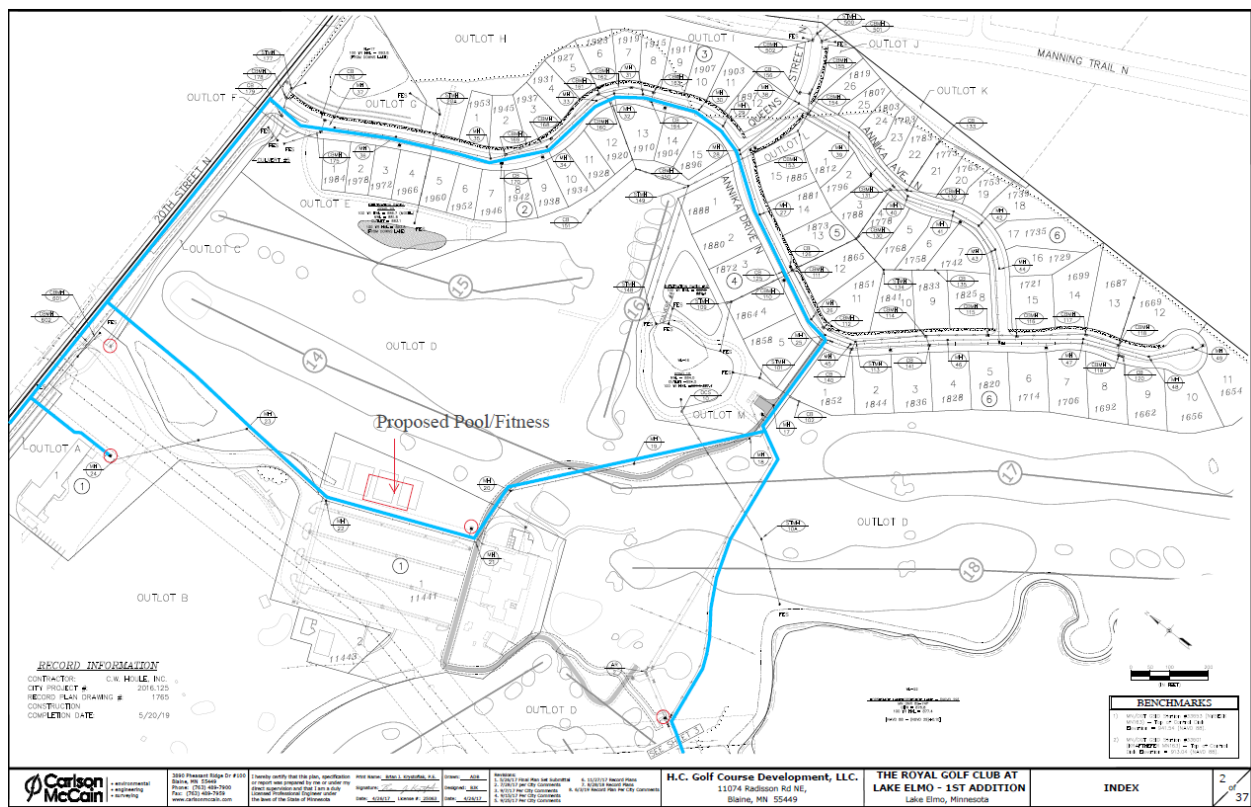
The proposed facilities would be used by residents within the Royal Golf subdivision and would not be open to the public so should not generate traffic to the Property. The proposed facilities will be required to connect to the available public water and sewer facilities as a condition of the CUP. The existing clubhouse and maintenance building that are also located on the Property have not yet connected to these public utilities although the utilities have been available for over two years. City Code requires that any residential or non-residential structures with access to municipal water and sewer to connect within two years of availability. Public water and sewer are stubbed to the clubhouse and maintenance building. Staff has made a conditional recommendation of approval of the requested CUP provided that all facilities (both the new pool and fitness facility and the existing clubhouse and maintenance facility) are connected to City sewer and water. The proposed condition of the CUP requires connection of all of the facilities prior to the issuance of any City permits.

The lift station that services the Property is also not in service due to a failed generator. Because it was the responsibility of the Applicant to provide a fully functional lift station with backup generator and the generator failed prior to warranty expiration, it is the City's position that the Applicant is responsible for the cost to replace the generator. A new generator has been ordered by the City. Because the Applicant was responsible for the construction, startup and warranty period for the lift station and generator, and the generator failed prior to the warranty expiration, the City is requiring the Applicant to reimburse the City for the cost of the generator. This is a condition of the CUP because the generator is an essential part of the lift station that services the Property.

## **REVIEW COMMENTS**

**Engineering Review.** The City Engineer reviewed this request and prepared the following response.

1. For city record purposes, the application drawings should be updated to provide an additional project location plan that provides the proposed facility location with respect to existing property lines, parcel data and easements. All property and easement line types should be clearly labeled.
2. Relocating the pool and fitness center to the east side of the parking lot is favorable from an infrastructure perspective. Sewer and water service connections are more readily available in the new location, and fire hydrant placement is in closer proximity to the new location.
3. The facility is located in the MUSA area and must be connected to municipal city water and sewer.
4. The proposed site can be adequately served by the existing municipal water system. The following exhibit shows a well looped watermain network around the facility and provides all existing nearby fire hydrants for review by the Fire Department and Public Works. A Met Council SAC determination should be obtained to determine the WAC units for the facility.



management is needed, a site grading plan will need to be reviewed and approved by engineering prior to construction.

7. Traffic. The application indicates that there will not be any traffic increases or concerns created by the proposed facility, however there is no documentation to support this conclusion. In addition, engineering has not received complaints or inquiries regarding traffic at the intersection of 20th Street and the Royal Golf driveway. No additional review will be taken regarding the traffic generation/issues unless specifically requested.

**Fire Department Review.** The Fire Department reviewed this request and provided the attached memo dated March 16, 2022. The comments must be addressed by the Applicant as a condition of the CUP.

**Landscaping Review.** The City's landscape architect reviewed this request and provided a memorandum dated March 21, 2022. At this time, the tree preservation and landscape plans do not meet the minimum requirements. The memorandum is provided as an attachment to the staff report. Staff recommends that there be a condition of approval of the CUP requiring the plans to meet the minimum requirements.

### **RECOMMENDED FINDINGS**

Conditional use means a land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls only upon a finding that all of the following provisions are met. Staff recommends the following findings:

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. ***The proposed use should not be detrimental or in any way endanger the public health, safety, comfort., convenience, or general welfare of the neighborhood or the city, provided that the lift station serving the Property is made operational by replacing the generator.***
2. The use or development conforms to the City of Lake Elmo Comprehensive Plan. ***The proposed use conforms to the Comprehensive Plan.***
3. The use or development is compatible with the existing neighborhood. ***The proposed use is permitted in the Golf Course Community District as a conditional use.***
4. The proposed use meets all specific development standards for such use listed in the Zoning Code. ***The proposed meets the provisions of 105.08-V Swimming Pools.***
5. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Article XIX (Shoreland Management) and Title 100 (Flood Plain Management). ***The proposed use is located in a shoreland area. It meets the Shoreland Regulations.***
6. The proposed use will be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area. ***The proposed use will be compatible in***

***appearance with the existing character of the general vicinity and will not change the essential character of the area.***

7. The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. ***The proposed swimming pool and fitness center are to be used and managed by residents of the surrounding subdivision through their homeowners' association and therefore should not create a nuisance to existing or future neighboring structures.***
8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. ***The Property is currently in violation of City Code requirements as two buildings are not connected to available public water and sewer facilities. With conditions of approval, all buildings on the Property will be served by essential public facilities.***
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. ***The proposed use should not create excessive additional requirements at public cost.***
10. The proposed use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, or odors. ***The proposed use should not be detrimental to persons, property, or the general public welfare.***
11. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. ***The proposed use should not generate traffic to the subdivision as it is intended to serve the subdivision and will not be open to the public.***
12. The proposed use will not result in the destruction, loss, or damage of a natural or scenic feature of major importance. ***The proposed use should not impact natural or scenic features.***

### **FISCAL IMPACT**

With adoption of the recommended Conditions of Approval, there would be no fiscal impact on the City as a result of this use.

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. Prior to issuance of City building permits for the proposed swimming pool and fitness center, all existing buildings on the Property must be connected to public water and sewer.
2. Prior to issuance of City building permits for the proposed swimming pool and fitness center, the Applicant must remit \$36,050 to reimburse the City for the cost of replacing the lift station generator.
3. The Applicant must obtain all other necessary City, State, and other governing body permits prior to the commencement of any construction activity on the parcel.
4. The proposed pool and fitness center shall be connected to public water and sewer.

5. Prior to issuance of any City permits for the proposed swimming pool or fitness center, the landscape plan shall be revised and found consistent with the requirements of Article VIII of the City Code.
6. Prior to issuance of any City permits for the proposed swimming pool or fitness center the Applicant must identify whether stormwater management will be required for the improvements. VBWD requirements trigger stormwater management for 6,000 SF of impervious surface area. If additional stormwater management is needed, a site grading plan shall be reviewed and approved by the City Engineer prior to construction of any of the improvements.
7. Prior to issuance of any City permits for the proposed swimming pool or fitness center the City Engineer, Fire Chief, and Director of Public Works shall approve the location of any necessary fire hydrant.
8. The Applicant must meet all of the requirements set forth in the Fire Department memo dated March 16, 2022.
9. That the Applicant must meet all requirements of the Lake Elmo Fire Chief and the Lake Elmo Building Official with respect to site improvements.
10. The proposed building shall meet the Lake Elmo Design Guidelines and Standards.
11. A sign permit shall be obtained prior to erection of any sign on the Property.
12. The proposed fitness center shall have a separate address.
13. The Applicant must provide a project location plan that provides the proposed facility location with respect to existing property lines, parcel data, and easements that is satisfactory to the City Engineer. All property and easement line types must be clearly labeled.

#### **OPTIONS:**

The Planning Commission may:

- Recommend approval of the Conditional Use Permit with recommended findings and conditions of approval.
- Recommend approval of the Conditional Use Permit with amended findings and conditions of approval.
- Recommend denial of the Conditional Use Permit, citing findings for denial.

#### **RECOMMENDATION:**

Staff recommends the Planning Commission recommend approval of the CUP to allow a swimming pool and fitness center on the subject property with the listed conditions.

Suggested motion:

***“Move to recommend approval of a Conditional Use Permit (CUP) for the construction of a swimming pool and fitness center with the listed conditions based on the findings listed in the staff report.”***

#### **ATTACHMENTS:**

1. Location Map
2. Landscape Architect Memo
3. Fire Department Memo
4. Land Use Application
5. Application



To: Molly Just, City of Lake Elmo Planning Director      From: Sarah Harding, Associate Landscape Architect

Project/File:      Date: March 21, 2022

---

**Reference:** Royal Golf CUP for Pool and Fitness Center

**Submittals:** Landscape Plans, dated 2/7/2022, received 3/14/2022

**Location:** Current address - 11441 20<sup>th</sup> Street North, Lake Elmo

**Land Use Category:** Golf Course Community (GCC) - PUD

**Surrounding Land Use Concerns:** Golf Course Community (GCC)

**Special landscape provisions in addition to the zoning code:** Not applicable

**Tree Preservation:**

105.12.470 Tree Preservation

A landscape/tree preservation plan has been submitted that does not meet all requirements.

- The Tree Preservation Plan must include a Tree Inventory, which includes:
  - A listing of healthy significant trees inventoried
  - A listing of the healthy significant trees removed
  - A listing of the healthy significant trees to remain
- The landscape and tree preservation plans currently does not list an inventory of trees to remain
- Measures to protect significant trees. Silt fence is shown on the plan but is not a sufficient tree protection measure. Refer to the City tree protection detail and definition of Critical Root Zone for locating tree protection fencing.
- Protective measures shall be identified and required:
  - Installation of snow fencing or polyethylene laminate safety netting placed at the drip line or at the perimeter of the critical root zone, whichever is greater, of significant trees, specimen trees and significant woodlands to be preserved. No grade change, construction activity, or storage of materials shall occur within this fenced in area.
- One existing 12-inch Maple tree and 22-inch Scotch Pine are noted to remain but are shown to be in conflict with proposed construction impacts within their Critical Root Zone (CRZ). The CRZ, as defined by the City Code, is not shown on the plan.

Reference: Royal Golf CUP for Pool and Fitness Center

**Landscape Requirements:**

**105.12.480 Landscape Requirements**

The landscape plans do meet the code required number of trees but do not reflect the potential tree preservation/mitigation requirements as noted above. The landscape plan will need to be reevaluated after completion of the existing tree inventory.

|  | Site<br>Measurement                           | Required | Proposed  |
|--|---|----------|-----------|
| Street frontage                            | 0   |          |           |
| Lake Shore                                 | 0   |          |           |
| Stream Frontage                            | 0   |          |           |
| Total Linear Feet                          | 0   |          |           |
| /50 Feet = Required Frontage Trees         |   | 0        |           |
| Development or Disturbed Area (Acres)      | 0.4   |          |           |
| /5 = Required Development Trees            |   | 3        | 6         |
| Screening Perimeter between Land Uses (LF) | 140   |          |           |
| 1 tree per 40 LF                           |   | 4        | 5         |
| Required Mitigation Trees                  | Unable to determine mitigation trees required |          |           |
| <b>Required Number of Trees</b>            |   | <b>7</b> | <b>11</b> |

The landscape plans do meet the minimum compositions of required trees:

- At least 25% of the required number of trees shall be deciduous shade trees
- At least 25% of the required number of trees shall be coniferous trees
- Up to 15% of the required number of trees may be ornamental tree

|                      | Qty       | % Composition |               |
|----------------------|-----------|---------------|---------------|
| Deciduous Shade Tree | 3         | 27%           | >25% required |
| Coniferous Tree      | 8         | 73%           | >25% required |
| Ornamental Trees*    | 0         |               |               |
| <b>Tree Count</b>    | <b>11</b> |               |               |

A landscape plan has been submitted that does not include all requirements

- All plant materials shall meet the minimum size standard per Table 6-1. For example, deciduous shade trees shall be 2.5-inch caliper minimum.

Reference: Royal Golf CUP for Pool and Fitness Center

Screening – The landscape plan does not meet all screening requirements.

- Screening is required by City code. Screening shall be used to provide visual and noise separation of intensive uses (proposed fitness center) from less intensive uses (existing residential east of proposed fitness center). Where screening is required in the City Code between uses or districts, it shall consist of either a masonry wall or fence in combination with landscape material that forms a screen at least six (6) feet in height, and not less than ninety percent (90%) opaque on a year-round basis. Landscape material shall include trees, planted at a minimum of one deciduous or coniferous tree per forty (40) linear feet along the property line. Additional landscape material such as shade trees or trellises may be required to partially screen views from above.
- Current plans show the required number of trees but does not meet the 6-ft height, 90% opacity portion of the screening requirement.

Irrigation – The plans do not include detail on whether the irrigation system design will include a new point of connection.

- Only one water supply point of connection shall be permitted per development. If development is planned to be comprised of multiple phases of construction, all phases shall be master planned and sized for one water supply point of connection unless otherwise approved in writing by City of Lake Elmo.

**Findings:**

- A tree preservation and landscape plan does not meet the requirements noted above.
- Irrigation notes do not clarify an existing or new point of connection is proposed.

**Recommendation:**

It is recommended that a condition(s) of approval include:

- Submit a revised landscape plan and tree preservation plan.

Respectfully,

**STANTEC CONSULTING SERVICES INC.**



Harding, Sarah  
2022.03.21 19:05:36  
-05'00'

**Sarah Harding** PLA  
City of Lake Elmo Municipal Landscape Architect  
Mobile: 952-334-4838  
sarah.harding@stantec.com

# Lake Elmo Fire Department

## Memorandum



To: Molly Just, Planning Director

From: Dustin Kalis, Fire Chief

Date: 3/16/22

Re: Conditional Use Permit for a Pool & Fitness Center: 11441 20<sup>th</sup> Street N

---

The Lake Elmo Fire Department has completed a Conditional Use Permit for a Pool & Fitness Center at 11441 20<sup>th</sup> Street N based on submittals dated 3/11/22 with the following comments:

- 1) An approved signage and marking plan shall be determined for all No Parking and Fire Lane access roads.
- 2) Fire hydrant location to be reviewed by Engineering and Public Works.
- 3) Building shall have a separate address from clubhouse and maintenance building. Application shows 11457 20<sup>th</sup> Street N is to be used and would be acceptable to the Fire Department.
- 4) Building address numbers shall be plainly visible from the street fronting the property and shall contrasting color from the background. Addresses may be required to be posted adjacent to driveways or other access ways.
- 5) A Fire Department lock box is required for emergency access to building at an approved location(s) for the apartment and school buildings and provide keys for emergency access into and throughout the occupancy as required.
- 6) The fire alarm systems shall be installed compliant with provisions of 2016 NFPA Standard 72, National Fire Alarm Code. City permit required prior to initiation of work.
- 7) Install emergency egress illumination in the means of egress including exit discharge compliant with 2020 MSFC.
- 8) Pool gate and access shall be compliant with 2020 MSFC.
- 9) Install compliant exit signage as required by the 2020 MSFC.
- 10) Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
- 11) Rooms containing controls for air-conditioning systems, roof access, elevator equipment, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

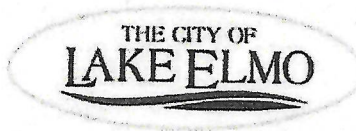
*"Proudly Serving Neighbors & Friends"*

### **Codes and Standards Used for this Review**

This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.

- 2020 Minnesota State Fire Code
- Lake Elmo Fire Department Fire Code Policy
- NFPA 72, 2016 edition
- NFPA 13, 2016 edition

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Permit #: \_\_\_\_\_



651-747-3900  
3880 Lavene Avenue North  
Lake Elmo, MN 55042

## CONDITIONAL USE PERMIT APPLICATION

Property Owner: H.C. Golf Land, LLC

Address: 11455 20th Street North, Lake Elmo MN 55042

Phone #: 651-414-1948

Email Address: jfeltan@royalclubmn.com

Fee Owner: H.C. Golf Land, LLC

Address: 11455 20th Street North, Lake Elmo MN 55042

Phone #: 651-474-1948

Email Address: jfeltan@royalclubmn.com

Property Address: 11441 20th Street North, Lake Elmo MN 55042

PID#: 25.029.21.12.0002

Engineer Name and Email: Kyle Ogren, Carlson McCain, kogren@carlsonmccain.com

Detailed Reason for Request: To build a pool/fitness center for the residents as part of the development amenities. The pool/fitness center will be located on a revised lot location on the east side of the existing clubhouse parking lot. The new lot will be 11457 20th Street North, Lake Elmo. The lot will be deeded to the Master HOA of Royal Club.

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

Signature of applicant: \_\_\_\_\_

Date: \_\_\_\_\_

3/11/22

Signature of property owner: \_\_\_\_\_

Date: \_\_\_\_\_

3/11/22

①

**Contact information:**

**Owner of Record**

H.C. Golf Land, LLC  
11455 20<sup>th</sup> Street North, Lake Elmo MN 55042

**Authorized Agents/Representatives**

James Felten  
[jfelten@royalclubmn.com](mailto:jfelten@royalclubmn.com)  
651-414-1948

**Engineer**

Carlson McCain  
Brian J. Krystofiak, Senior Engineer  
3890 Pheasant Ridge Drive NE, Suite 100 Blaine MN 55449  
[bkrystofiak@carlsonmccain.com](mailto:bkrystofiak@carlsonmccain.com)  
763-489-7905

**Surveyor**

Carlson McCain  
Thomas R. Balluff, Professional Land Surveyor  
3890 Pheasant Ridge Drive NE, Suite 100 Blaine MN 55449  
[tballuff@carlsonmccain.com](mailto:tballuff@carlsonmccain.com)  
763-489-7916

**Listing of the site data: address, current zoning, parcel size in acres and square feet, property identification #s, current legal description**

The Property address is 11441 20<sup>th</sup> Street North, Lake Elmo MN 55042. The current zoning of the Property is GCC – Golf Course Community, is 10.85 acres (472,548sf). The PID # is 25.029.21.12.0002. Legal Description is Block 1 Lot 1 The Royal Golf Club at Lake Elmo.

**Narrative regarding the history of the property (current and past uses) and any pre-application discussions with staff**

The Property was originally a 475-acre parcel owned by the 3M Company. It had a golf course, tennis courts, softball fields, archery range, etc., for private recreational use by its employees. It was purchased by the present Owners in 2016. The new group built a new Arnold Palmer/Annika Sorenstam designed golf course and received approval of 291 homesites.

**(d) Specific written description of the proposed use(s).**

- i. Incorporate information describing how the use will work on the proposed site including proposed site changes, existing open spaces, landscaping, traffic circulation, transition areas to adjacent properties, individual uses for existing and proposed structures, and effects on natural areas (wetlands, forests, etc.) both on-site and in general vicinity of the project.

The proposal is to relocate the original Pool/Fitness Center from the West side of the Clubhouse parking lot to the East side. The exterior of the building will mirror the Clubhouse. It will be approximately 1900 square feet. It will consist of two separate bathrooms with showers per State Code that are ADA compliant. It will also have an exercise room containing cardio equipment. The Pool will be approximately 25' by 50'. There will not be a deep end for diving. The East side of the parking lot will allow for more usable room for the footprint, be safer for residents loading and unloading in a high traffic area and therefore reduce congestion. The new location will be safer from golfers, traffic and allow for more screening of trees. It does not impact or infringe upon any naturalized areas. We also have existing utilities (sewer/water) stubbed into those lots versus having to disrupt the existing facilities golf, restaurant and wedding and corporate entities by extending those services across the parking lot.

- ii. Provide specific details about the use including the number of employees, hours of operation, maximum number of animals (if applicable), proposed development schedule etc.**

The pool and fitness center are strictly resident amenities and will be owned and governed by its HOA. Therefore, there will be no additional traffic to the site. It will be the residents' decision to determine hours of operation, staffing, if pets are allowed, etc. Because the pool is an outdoor pool, it naturally will only be open in the summer. The fitness center will be open year-round and since it is private to the Residents, they can determine its hours. The pool and fitness center will be self-governed through the residents HOA. The pool and fitness center will not have a dedicated food service, particularly with its proximity to the Clubhouse.

**e) Provide justification that the proposed use meets the following findings:**

- i. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or City.**

The proposed use will not be detrimental to the facility or its residents as it will provide a healthy recreational outlet.

- ii. The use or development conforms to the City of Lake Elmo Comprehensive Plan.**

The use falls in line with the City of Lake Elmo's Comprehensive Plan and is compatible with the neighborhood. It is similar and common place to many developments.

- iii. The use or development is compatible with the existing neighborhood.**

The new facilities obvious healthy purpose combined with the golf and walking trails accent the healthy, active lifestyle at The Royal Club.

- iv. The proposed use meets all specific development standards for such use listed in Article 7 of the Zoning Code.**

This proposal as a HOA Pool/Fitness Center meets Article 7 of the Zoning Code.

- v. If the proposed use is in a flood plain management of shoreland area, the proposed use meets all the specific standards for such use.**

The proposed use does not sit in any flood plain or Shoreland district.

- vi. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.**

The architecture will conform with and compliment the existing, adjacent Clubhouse.

- vii. The proposed use will not be hazardous or create a nuisance as defined in the zoning code to existing or future neighboring structures.**

The proposed will not be hazardous or detrimental to its surroundings.

- viii. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.**

The proposed use will be adequately served by all existing public services as has the existing property for several years.

- ix. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.**

The proposed use will not create any excessive, additional costs to the City, its infrastructure or affect the economic welfare of the community.

- x. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property of the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.**

This facility, nor its operation will have an adverse effect on personal property, their value, nor contribute any excessive traffic, noise, air pollutants, glare or odor. On the contrary, this facility will promote good health and community for its Residents.

- xi. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.**

The proposed use will not present any traffic congestion nor interfere with any traffic issues on the surrounding public streets. The proposed use is for the Residents of the Development in which they all have the option to walk to the facility or utilize their golf carts which doesn't contribute to automobile traffic and thus, is environmentally friendly.

- xii. **The proposed use will not result in destruction, loss or damage of a natural or scenic feature of major importance.**

This facility will not damage nor impact any natural or scenic features.

**3) Verification or ownership (a copy of a current title report, purchase agreement, etc.)**

**4) Address labels: A certified list of property owners located within three hundred fifty feet (350') of the subject property obtained from and certified by a licensed abstractor or through Washing County.**

# LAKE ELMO, MINNESOTA



- SHEET INDEX**



- 1) MN/DOT GSID Station #33653 (NYBECD  
MN163) – Top of Control Disk  
Elevation = 941.54 (NAVD 88).

- 2) MN/DOT GSID Station #33601  
(KRAFTHEFER MN163) – Top of Concrete  
Disk Elevation = 913.04 (NAVD 88).

I hereby certify that this plan, specification 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

Print Name: Brian J. Krystofiak, P.E.  
Signature: Brian J. Krystofiak  
Date: 10/29/21 License #: 25063

Drawn: KRO  
Designed: BJK  
Date: 10/29/2

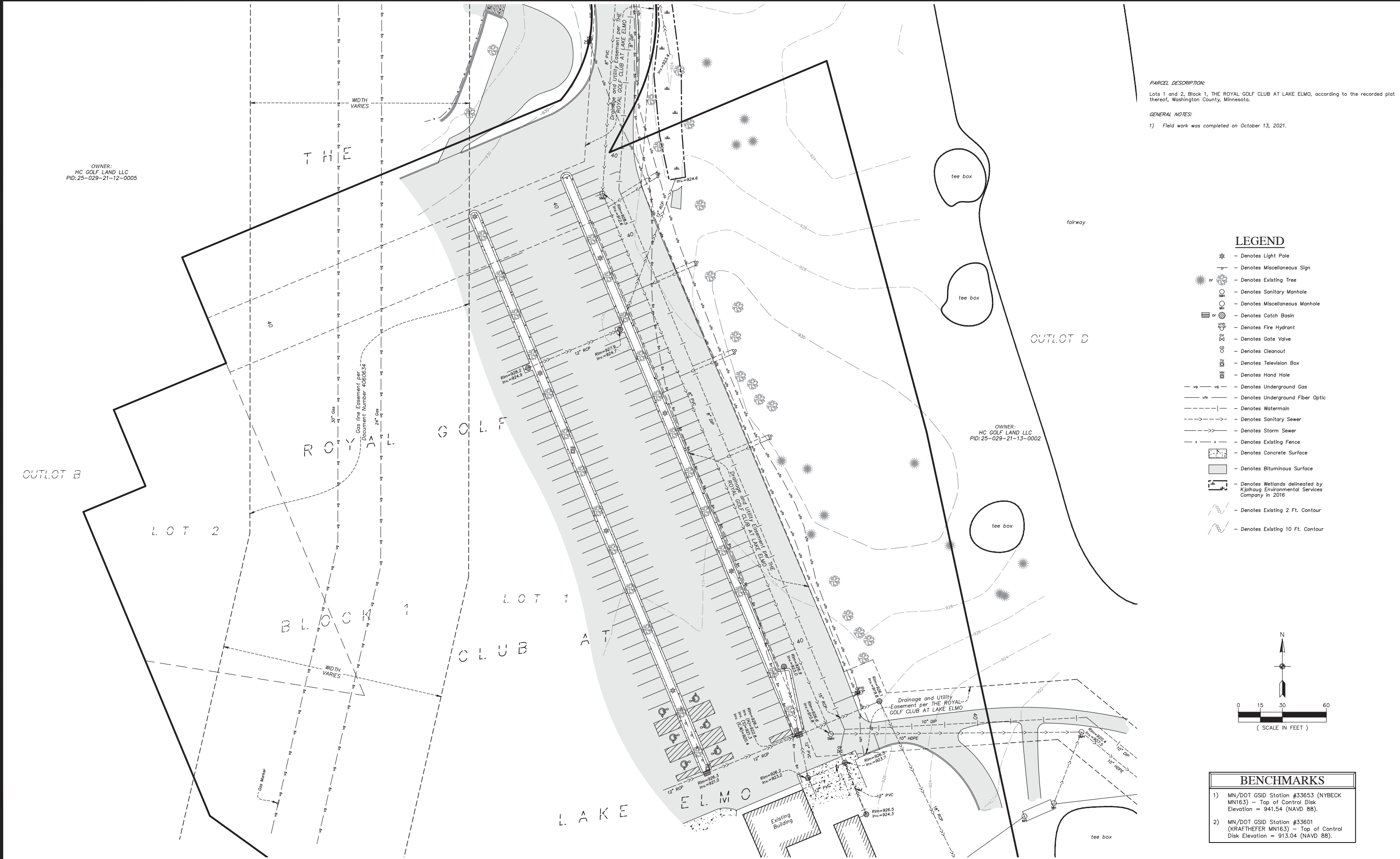
Revisions:

1. 2021-12-06 - Per City Comments.
2. 2021-12-14 - Revise Sheets 1, 3 & 4 Per Owner
3. 2022-01-03 - Revise Layout Per Owner.
4. 2022-02-07 - Per City Comments.

11074 Radisson Road NE  
Blaine, MN 55449

**THE ROYAL GOLF CLUB AT LAKE  
ELMO - POOL & FITNESS CENTER**

COVER



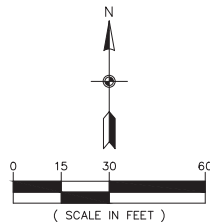
OWNER:  
HC GOLF LAND LLC  
PID: 25-029-21-12-0005

PARCEL DESCRIPTION:  
Lots 1 and 2, Block 1, THE ROYAL GOLF CLUB AT LAKE ELMO, according to the recorded plat thereof, Washington County, Minnesota.

GENERAL NOTES:  
1) Field work was completed on October 13, 2021.

#### LEGEND

- Denotes Light Pole
- Denotes Miscellaneous Sign
- Denotes Existing Tree
- Denotes Sanitary Manhole
- Denotes Miscellaneous Manhole
- Denotes Catch Basin
- Denotes Fire Hydrant
- Denotes Gate Valve
- Denotes Cleanout
- Denotes Television Box
- Denotes Hand Hole
- Denotes Underground Gas
- Denotes Underground Fiber Optic
- Denotes Watermain
- Denotes Sanitary Sewer
- Denotes Storm Sewer
- Denotes Existing Fence
- Denotes Concrete Surface
- Denotes Bituminous Surface
- Denotes Wetlands delineated by Kjelhaug Environmental Services Company in 2016
- Denotes Existing 2 Ft. Contour
- Denotes Existing 10 Ft. Contour



#### BENCHMARKS

- 1) MN/DOT GSID Station #33653 (NYBECK MN163) - Top of Control Disk  
Elevation = 941.54 (NAVD 88).
- 2) MN/DOT GSID Station #33601 (KRAFTHOFER MN163) - Top of Control Disk  
Elevation = 913.04 (NAVD 88).



ENGINEERING  
SURVEYING  
ENVIRONMENTAL

3890 PHEASANT RIDGE DRIVE  
SUITE 100  
BLAINE, MN 55449  
TEL 763.488.7900  
FAX 763.488.7909  
CARLSONMCCAIN.COM

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

Print Name: Thomas R. Balluff, L.S.  
Signature: *Thomas R. Balluff*  
Date: 10/29/21 License #: 40361

DRAWN BY: KCM  
ISSUE DATE: 10/29/21  
FILE NO: 384

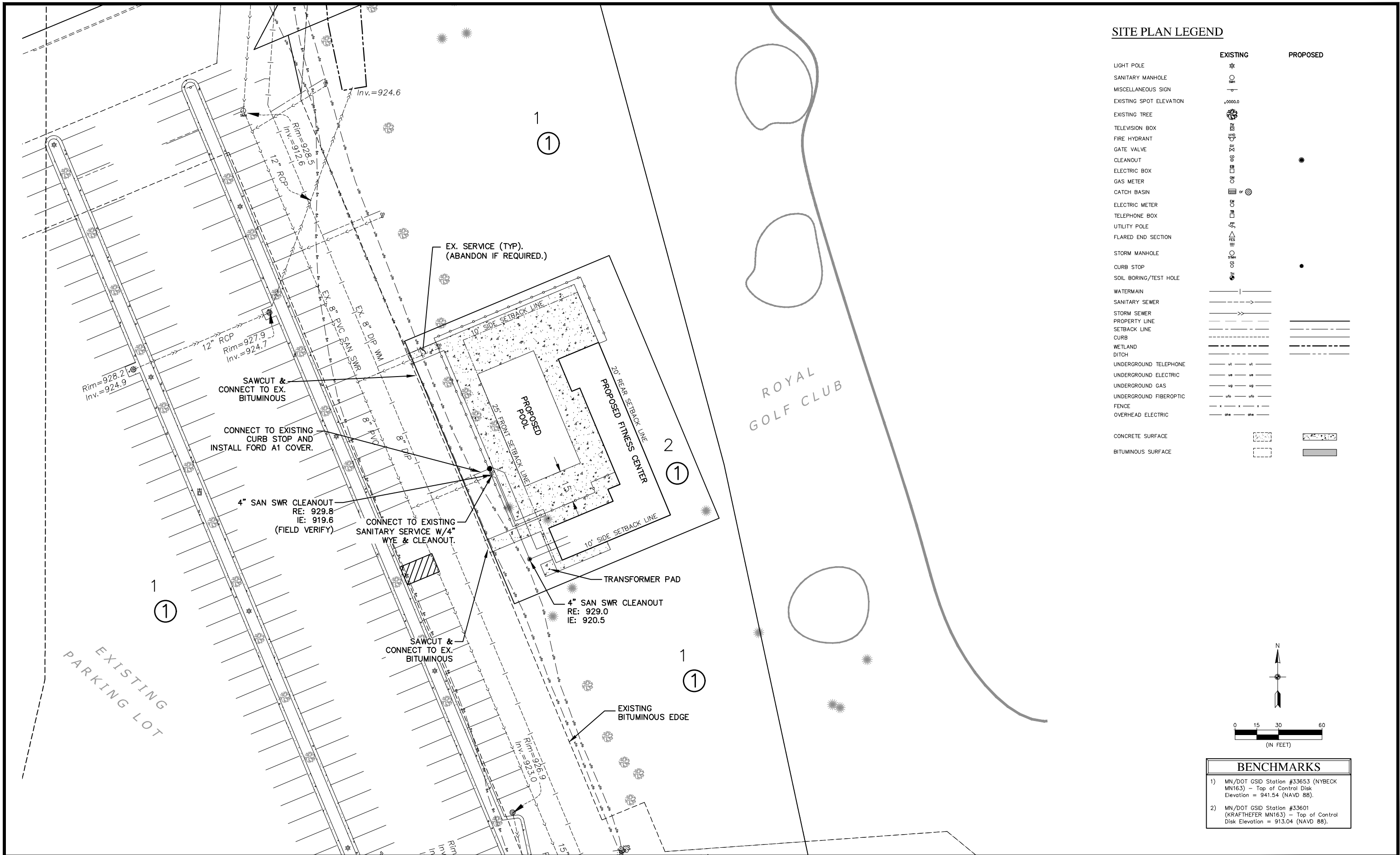
Revisions:

H.C. Golf Course Development, LLC  
11074 Radisson Rd NE  
Blaine, MN 55449

THE ROYAL GOLF CLUB AT LAKE ELMO  
POOL & FITNESS CENTER  
Lake Elmo, Minnesota

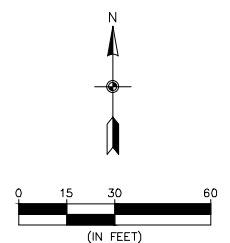
EXISTING CONDITIONS

2  
of  
5

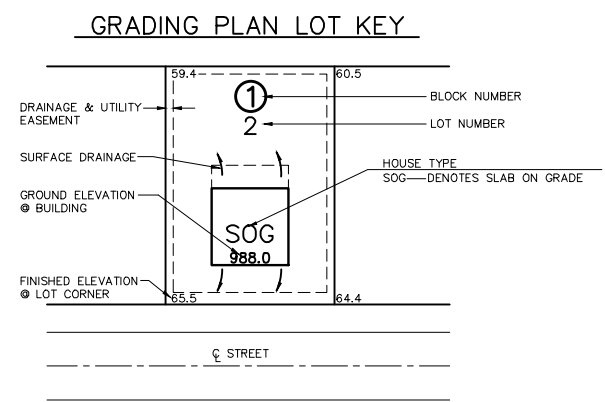
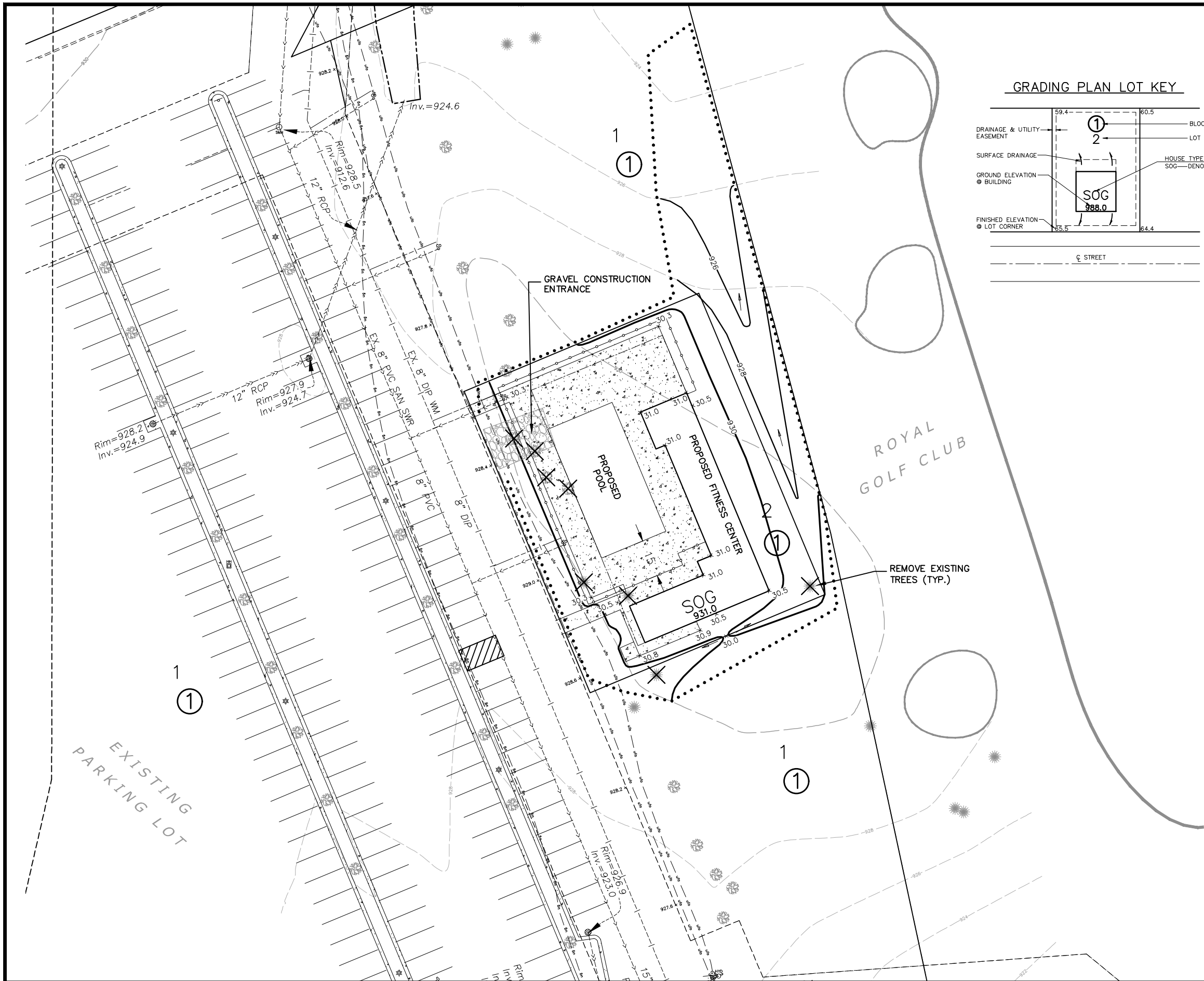


**SITE PLAN LEGEND**

|                         | EXISTING | PROPOSED |
|-------------------------|----------|----------|
| LIGHT POLE              |          |          |
| SANITARY MANHOLE        |          |          |
| MISCELLANEOUS SIGN      |          |          |
| EXISTING SPOT ELEVATION |          |          |
| EXISTING TREE           |          |          |
| TELEVISION BOX          |          |          |
| FIRE HYDRANT            |          |          |
| GATE VALVE              |          |          |
| CLEANOUT                |          |          |
| ELECTRIC BOX            |          |          |
| GAS METER               |          |          |
| CATCH BASIN             |          |          |
| ELECTRIC METER          |          |          |
| TELEPHONE BOX           |          |          |
| UTILITY POLE            |          |          |
| FLARED END SECTION      |          |          |
| STORM MANHOLE           |          |          |
| CURB STOP               |          |          |
| SOIL BORING/TEST HOLE   |          |          |
| WATERMAIN               |          |          |
| SANITARY SEWER          |          |          |
| STORM SEWER             |          |          |
| PROPERTY LINE           |          |          |
| SETBACK LINE            |          |          |
| CURB                    |          |          |
| WETLAND                 |          |          |
| DITCH                   |          |          |
| UNDERGROUND TELEPHONE   |          |          |
| UNDERGROUND ELECTRIC    |          |          |
| UNDERGROUND GAS         |          |          |
| UNDERGROUND FIBEROPTIC  |          |          |
| FENCE                   |          |          |
| OVERHEAD ELECTRIC       |          |          |
| CONCRETE SURFACE        |          |          |
| BITUMINOUS SURFACE      |          |          |



| BENCHMARKS |  |
|------------|--|
| 1)         | MN/DOT GSID Station #33653 (NYBECK MN163) - Top of Control Disk<br>Elevation = 941.54 (NAVD 88).     |
| 2)         | MN/DOT GSID Station #33601 (KRAFTHEFER MN163) - Top of Control Disk<br>Elevation = 913.04 (NAVD 88). |

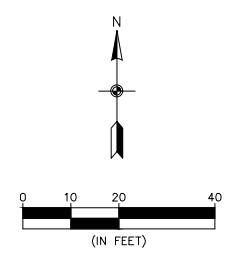


**LEGEND**

| EXISTING                 | PROPOSED |
|--------------------------|----------|
| PROPERTY LINE            | ---      |
| OUTLOT LINE              | ---      |
| LOT LINE                 | ---      |
| EASEMENT LINE            | ---      |
| CURB LINE                | ---      |
| BITUMINOUS               | ---      |
| CONCRETE                 | ---      |
| SANITARY SEWER           | ---      |
| STORM SEWER              | ---      |
| WATER MAIN               | ---      |
| OVERHEAD UTILITY         | ---      |
| STORM CATCH BASIN        | ---      |
| STORM MANHOLE            | ---      |
| OUTLET CONTROL STRUCTURE | ---      |
| MANHOLE                  | ---      |
| HYDRANT                  | ---      |
| GATE VALVE               | ---      |
| TELEVISION BOX           | ---      |
| TELEPHONE BOX            | ---      |
| UTILITY POLE             | ---      |
| LIGHT POLE               | ---      |
| RETAINING WALL           | ---      |
| FENCE                    | ---      |
| 10' CONTOUR              | ---      |
| 2' CONTOUR               | ---      |
| SPECIFIED CONTOUR        | ---      |
| FEMA FLOOD PLAIN         | ---      |
| WETLAND LINE             | ---      |
| SPOT ELEVATION           | ---      |
| EMERGENCY OVERFLOW       | ---      |
| SILT FENCE               | ---      |
| TREE FENCE               | ---      |
| TREELINE                 | ---      |
| SOIL BORING              | ---      |
| CONIFEROUS               | ---      |
| DECIDUOUS                | ---      |
| TREE                     | ---      |
| TREE REMOVAL             | ---      |

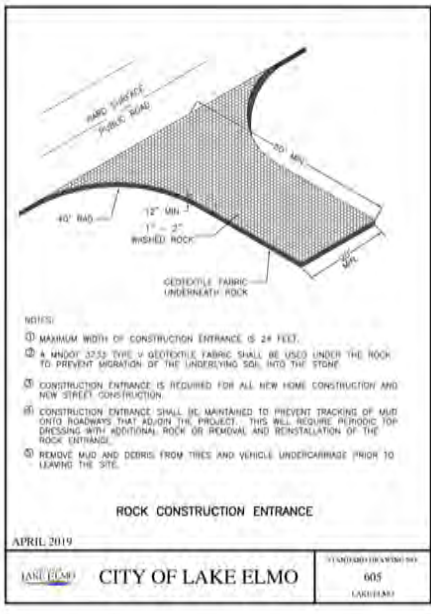
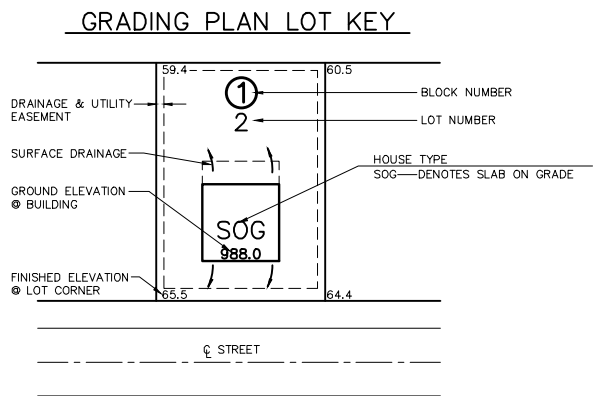
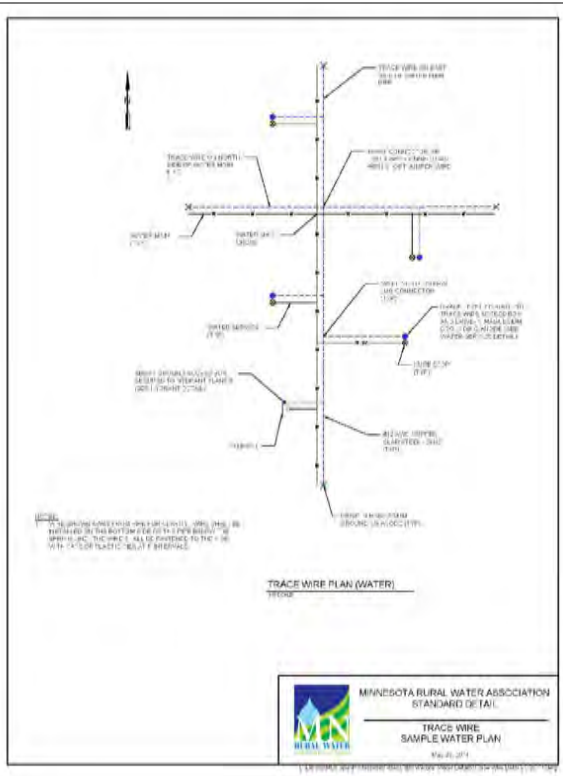
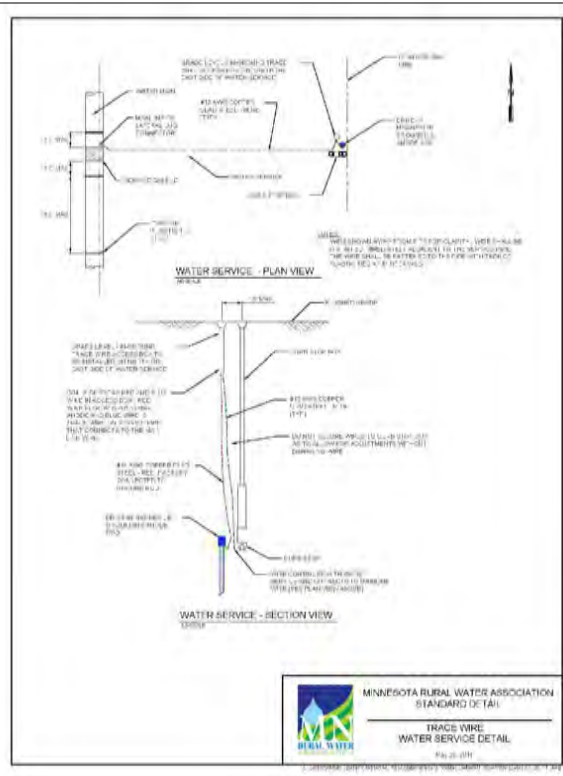
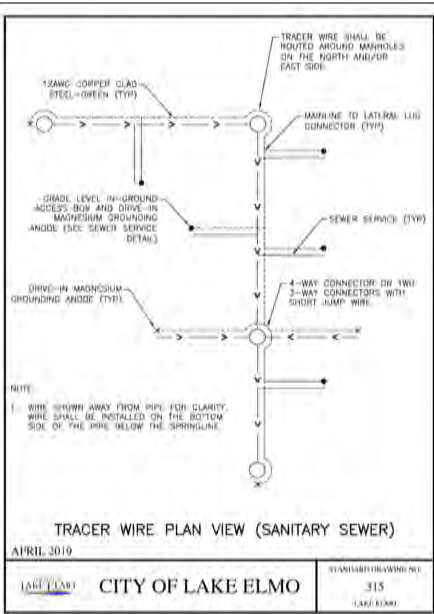
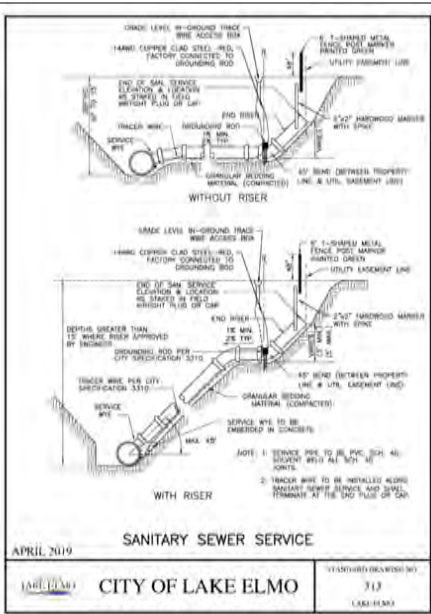
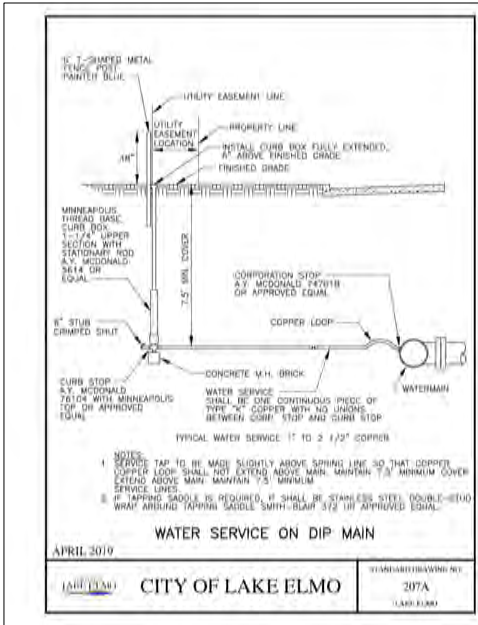
**TREE REMOVAL SCHEDULE**

| TAG #                          | SIZE (DBH) | SPECIES     | CONDITION |
|--------------------------------|------------|-------------|-----------|
| 1966                           | 20         | SCOTCH PINE | GOOD      |
| 1967                           | 20         | SCOTCH PINE | GOOD      |
| 1968                           | 18         | SCOTCH PINE | GOOD      |
| 4001                           | 10         | AMUR MAPLE  | GOOD      |
| 4002                           | 12         | AMUR MAPLE  | GOOD      |
| 4003                           | 10         | AMUR MAPLE  | GOOD      |
| 4004                           | 8          | AMUR MAPLE  | GOOD      |
| 4005                           | 28         | SPRUCE      | GOOD      |
| TOTAL DBH REMOVED = 126 INCHES |            |             |           |



**BENCHMARKS**

|    |  |
|----|--|
| 1) | MN/DOT GSID Station #33653 (NYBECK MN163) - Top of Control Disk<br>Elevation = 941.54 (NAVD 88).     |
| 2) | MN/DOT GSID Station #33601 (KRAFTHEFER MN163) - Top of Control Disk<br>Elevation = 913.04 (NAVD 88). |



**TURF ESTABLISHMENT**

TURF ESTABLISHMENT SHALL APPLY TO ALL DISTURBED AREAS AND SHALL BE ACCORDING TO MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION (LATEST EDITION) EXCEPT AS MODIFIED BELOW.

TURF ESTABLISHMENT SHALL OCCUR AS SOON AS POSSIBLE BUT IN NO CASE MORE THAN 14 DAYS.

TOPSOIL: MINIMUM OF 6" OF TOPSOIL.

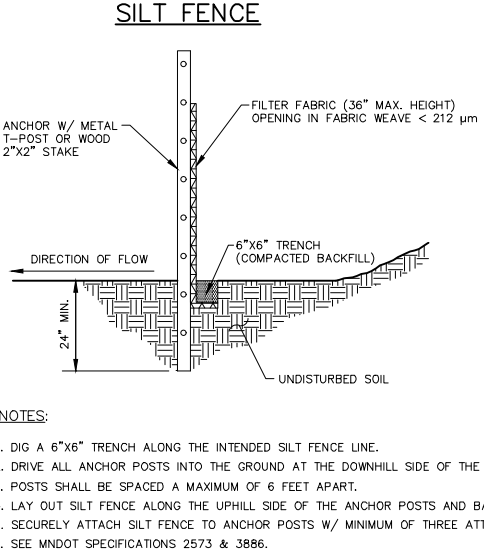
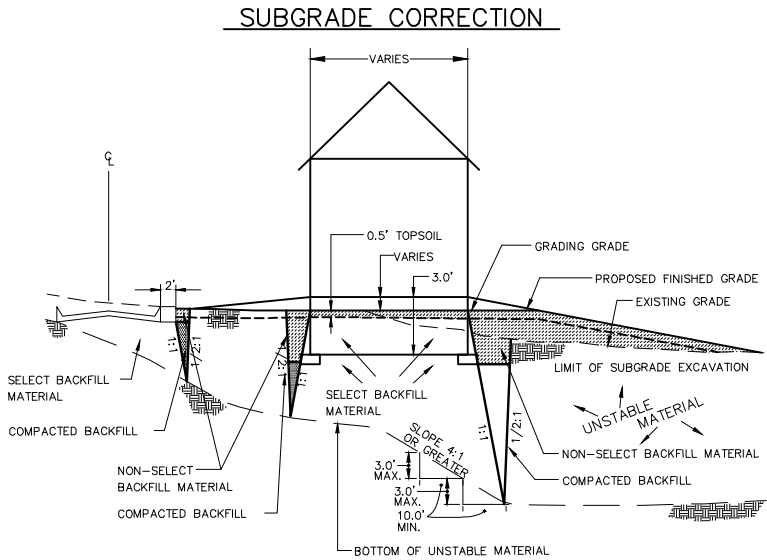
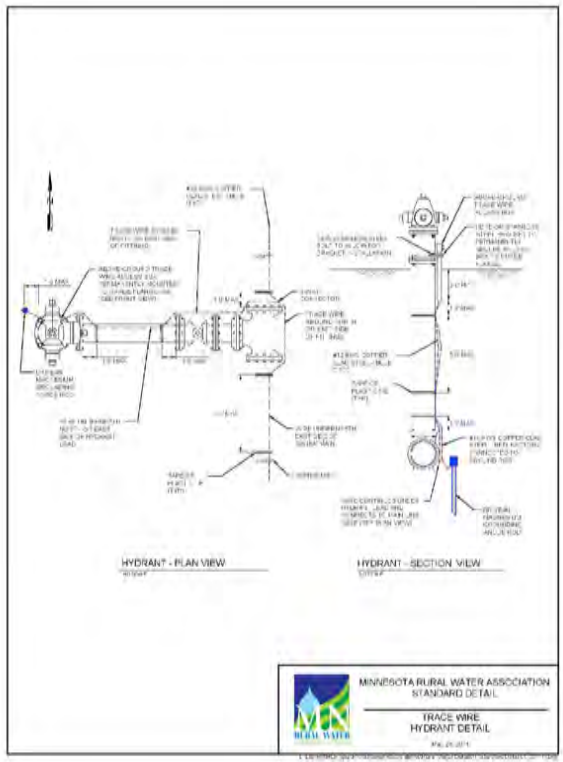
SEED: MNDOT MIXTURE 25-141 AT 60 POUNDS PER ACRE.

DORMANT SEED: SHALL BE APPLIED AT TWICE THE NORMAL RATE AFTER NOVEMBER 1ST.

MULCH: TYPE 1 AT 2 TONS PER ACRE (DISK ANCHORED).

FERTILIZER: TYPE 1 10-10-10 AT 200 POUNDS PER ACRE.

**INFRASAFE – 27" DEBRIS COLLECTION DEVICE**  
AS MANUFACTURED BY ROYAL ENVIRONMENTAL SERVICES



**INFRASAFE – 2'x3' DEBRIS COLLECTION DEVICE**  
AS MANUFACTURED BY ROYAL ENVIRONMENTAL SYSTEMS

2'x3' HDPE FRAME INSERT

HDPE INSERT BASKETS SHOWN W/OUT FILTER BAGS 400 MICRON FILTER BAGS REQUIRED INSIDE BASKETS

EMERGENCY OVERFLOW PORTS

MEETS MN/DOT SPECIFICATION 3891.F  
"STORM DRAIN INLET PROTECTION – FILTER BAG INSERT"  
DESIGNED FOR NEENAH R-3250-A OR R-3250-1 (MNDOT 801) FRAME CASTING

**CARLSON MCCAIN**

ENGINEERING  
SURVEYING  
ENVIRONMENTAL

2880 PHEASANT RIDGE DRIVE  
SUITE 100  
BLAINE, MN 55448  
TEL 763.488.7900  
FAX 763.488.7900  
CARLSONMCCAIN.COM

I hereby certify that this plan, specification 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

Print Name: Brian J. Krystofski, P.E.  
Signature: *Brian J. Krystofski*  
Date: 10/29/21 License #: 25063

Drawn: KRO  
Designed: BJK  
Date: 10/29/21

Revisions:  
1. 2021-12-06 - Per City Comments.













**H.C. GOLF COURSE DEVELOPMENT, LLC**

11074 Radisson Road NE  
Blaine, MN 55449

**THE ROYAL GOLF CLUB AT LAKE ELMO - POOL & FITNESS CENTER**

Lake Elmo, MN

**DETAILS**

| PLANT SCHEDULE  |      |          |  |                        |          |           |
|---|------|----------|--|------------------------|----------|-----------|
| TREES   | CODE | QTY      | BOTANICAL NAME   | COMMON NAME            | SIZE     | CONTAINER |
|  | FM   | 3        | Acer x freemanii 'Sienna'  | Sienna Glen Maple      | 2" Cal.  | B&B       |
|  | BH   | 3        | Picea glauca densata   | Black Hills Spruce     | 6' Ht.   | B&B       |
|  | WP   | 5        | Pinus strobus  | White Pine             | 6' Ht.   | B&B       |
| SHRUBS  | CODE | QTY      | BOTANICAL NAME   | COMMON NAME            | SIZE     | CONTAINER |
|  | DBH  | 11       | Diervilla lonicera   | Dwarf Bush Honeysuckle | #5 Cont. |           |
|  | MKL  | 9        | Syringa patula 'Miss Kim'  | Miss Kim Lilac         | #5 Cont. |           |
| EVERGREEN SHRUBS  | CODE | QTY      | BOTANICAL NAME   | COMMON NAME            | SIZE     | CONTAINER |
|  | JSG  | 13       | Juniperus chinensis 'Sea Green'  | Sea Green Juniper      | #5 Cont. |           |
|  | CCY  | 9        | Taxus x media 'Citation'   | Citation Columnar Yew  | #5 Cont. |           |
| GRASSES   | CODE | QTY      | BOTANICAL NAME   | COMMON NAME            | SIZE     | CONTAINER |
|  | KFG  | 4        | Calamagrostis x acutiflora 'Karl Foerster'   | Feather Reed Grass     | #3 Cont. |           |
|  | LBS  | 16       | Schizachyrium scoparium  | Little Bluestem        | #3 Cont. |           |
| GROUND COVERS   | CODE | QTY      | BOTANICAL NAME   | COMMON NAME            | SIZE     | CONTAINER |
|  | ROCK | 1,216 sf | Rock Mulch Non-Woven Geotextile Incidental   | 1.5' Trap Rock Mulch   | 4" Depth |           |
|  | SOD  | 2,988 sf | Turf Sod Bluegrass   | Kentucky Bluegrass     | sod      |           |
|  | TIV  | 7,746 sf | Type IV - Native Seed Mix Refer to notes for acceptable seeding methods. Seeding Rate 50.0 lb/ac | MnDOT Seed Mix 35-241  | seed     |           |

STANDARD PLAN NOTES  
LANDSCAPE PLANS

1. Contractor must contact Gopher State One Call 811 ([www.gopherstateonecall.org](http://www.gopherstateonecall.org)) prior to tree staking and planting operations to verify underground utilities. Where private utilities exist on site the Contractor is required to have those located as well.

2. Plant materials shall meet American Standard for Nursery Stock ANSI Z60.1, latest edition.

3. No plant substitutions shall be made without the prior written authorization from the City.

4. All tree locations to be field staked prior to installation. Contractor to coordinate field review of proposed tree locations with the City and Project Landscape Architect prior to any tree installation.

5. All plants shall be planted immediately upon arrival to project site. No plant material is to be left overnight on the project site without being installed unless written approval by City.


6. All trees, shrubs, perennials, turf lawn and native seeding to have a two-year warranty beginning upon written acceptance by the City. Defective plants as determined by the City shall be replaced within 30 days of notice during the growing season, and replacement materials shall receive the same two year warranty until plants are successfully established.

7. Contractor to protect and maintain all plantings and plant beds, including protection from wildlife, weeding, re-mulching, fertilization, irrigation and all other typical forms of horticultural care until the end of the warranty period as determined and approved by City.

8. All plants installed and maintained on City property shall be in accordance with City of Lake Elmo Bee-Safe Resolution No. 2015-13.

9. An irrigation system or other water supply adequate to support the specified plant materials shall be provided.

APRIL 2017

CITY OF LAKE ELMO

STANDARD DRAWING NO.  
LP2.0  
LAKE ELMO

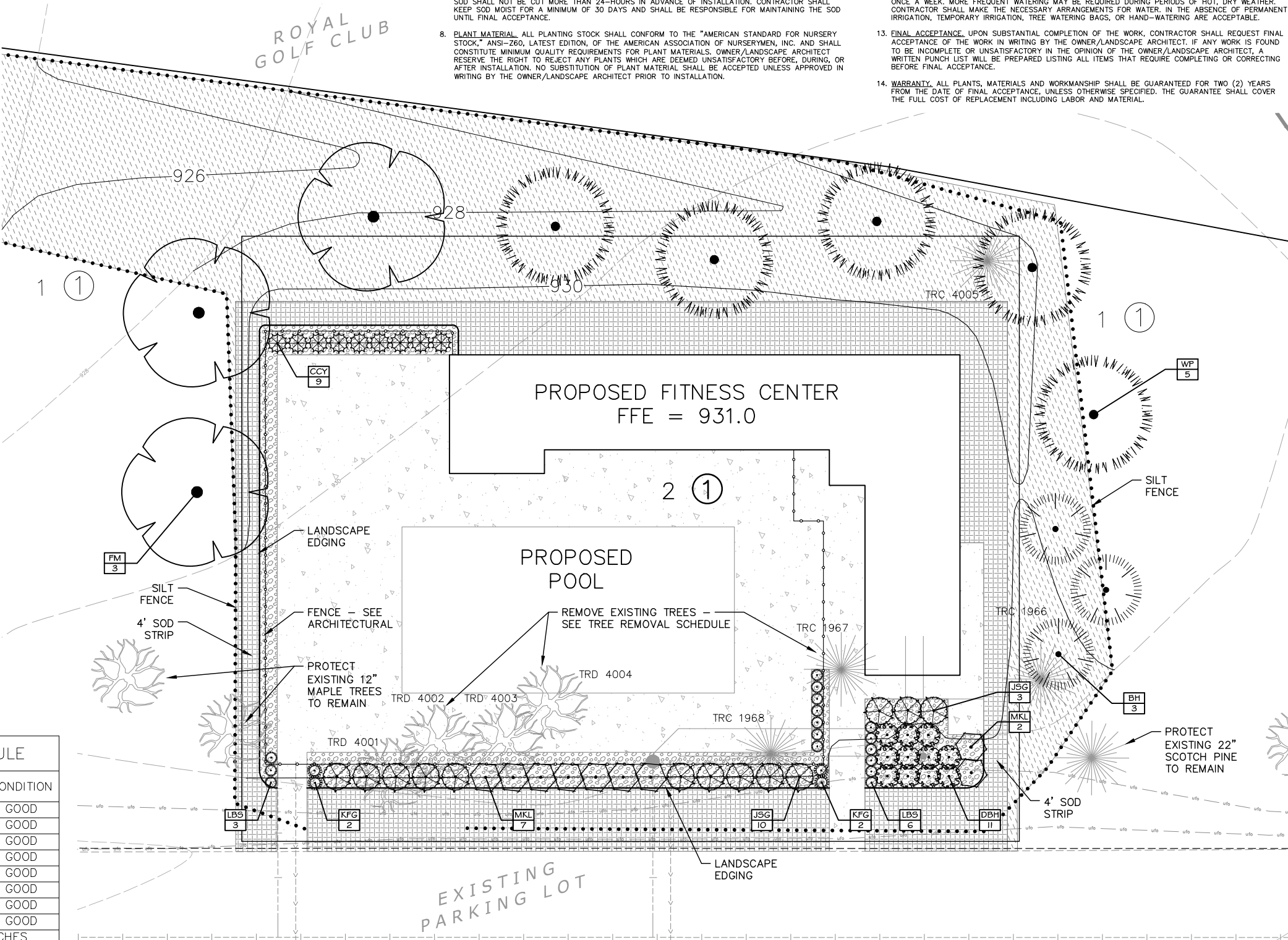
CALL BEFORE YOU DIG



Know what's below.  
Call before you dig.

LANDSCAPE PLAN NOTES

- EXISTING CONDITIONS. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO BIDDING AND CONSTRUCTION START. ANY DISCREPANCIES FOUND THAT AFFECT THE WORK SHALL BE REPORTED TO THE OWNER/LANDSCAPE ARCHITECT FOR CLARIFICATION PRIOR TO BIDDING OR APPROVING ANY ADDITIONAL WORK REQUIRED.
- PLAN QUANTITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL MATERIAL QUANTITIES PER PLAN. MATERIAL SCHEDULES ARE PROVIDED SOLELY FOR CONTRACTOR'S CONVENIENCE.
- TREE PROTECTION. ALL TREES NOT SPECIFICALLY NOTED OR MARKED ON SITE FOR REMOVAL SHALL REMAIN PROTECTED AND UNDISTURBED DURING CONSTRUCTION. TREE PROTECTION SHALL EXTEND TO THE DRIP LINE, WITHIN WHICH NO CONSTRUCTION ACTIVITY, MATERIAL STORAGE, OR VEHICLE PARKING SHALL BE PERMITTED. TREE PROTECTION FENCING AND/OR SILT FENCING SHALL BE ERECTED PRIOR TO CONSTRUCTION START.
- SOIL PREPARATION. EXISTING TOPSOIL SHALL BE STRIPPED FROM ALL DISTURBED AREAS AND STOCKPILED IN AN APPROVED LOCATION FOR RE-SPREAD. ALL AREAS WHERE SOIL HAS BEEN COMPACTED BY CONSTRUCTION ACTIVITY AND THAT ARE INDICATED TO BE SODDED, SEEDING OR PLANTING BED SHALL BE DE-COMPACTED TO A MINIMUM DEPTH OF 12 INCHES BY SOIL RIPPING, TILLING OR OTHER APPROVED SOIL LOOSENING METHOD.
- TOPSOIL MATERIAL. ALL EXISTING, AMENDED OR IMPORTED TOPSOIL SHALL MEET THE REQUIREMENTS OF MNDOT TOPSOIL TYPE A. A MINIMUM 6 INCH DEPTH OF TOPSOIL SHALL BE PLACED ON ALL AREAS TO BE SODDED OR SEEDING. A MINIMUM 12 INCH DEPTH OF TOPSOIL SHALL BE PLACED WITHIN ALL PLANTING BED AREAS. ALL TOPSOIL SHALL BE FINE GRADED, RAKED AND DRAGGED TO PROVIDE A SMOOTH, UNIFORM SURFACE. TOPSOIL GRADES SHALL BE WITHIN .1 FEET OF INDICATED FINISHED GRADE AND SHALL BE TRUE TO GRADIENTS SHOWN ON PLANS.
- SEEDING AND TURF ESTABLISHMENT. CONTRACTOR SHALL OBTAIN OWNER/LANDSCAPE ARCHITECT'S APPROVAL OF FINAL GRADES AND TOPSOIL PREP PRIOR TO SEEDING. APPLY 12-12-12 GRANULAR STARTER FERTILIZER AT A RATE OF 250 LBS PER ACRE PRIOR TO SEEDING. SEEDS SHALL BE SOWN IN 2 PERPENDICULAR PASSES, EACH PASS AT ONE-HALF THE INDICATED RATE, VIA BROADCAST SPREADER, DROP SEEDER OR DRILL SEEDER, FOLLOWING SEED APPLICATION, INSTALL TYPE 3N EROSION CONTROL BLANKET ON ALL SLOPES GREATER THAN 4:1. IN ALL OTHER AREAS, APPLY HYDROMULCH COVER (MUST BE A SEPARATE OPERATION FROM SEEDING) AT A TARGETED DRY WEIGHT RATE OF 3500 LBS PER ACRE. SOIL SHALL BE KEPT MOIST DURING ESTABLISHMENT WITH ADDITIONAL RE-SEEDING AS NECESSARY TO ACHIEVE A HEALTHY, UNIFORM STAND OF GRASS, FREE OF WEEDS AND WITH COVERAGE EXCEEDING 75% IN ANY 10'x10' AREA PRIOR TO FINAL ACCEPTANCE.
- SODDING. CONTRACTOR SHALL OBTAIN OWNER/LANDSCAPE ARCHITECT'S APPROVAL OF FINAL GRADES AND TOPSOIL PREP PRIOR TO SODDING. APPLY 12-12-12 GRANULAR STARTER FERTILIZER AT A RATE OF 250 LBS PER ACRE PRIOR TO SODDING AND ROLL TOPSOIL TO CREATE A UNIFORM SURFACE FOR LAYING SOD. SOD SHALL NOT BE CUT MORE THAN 24-HOURS IN ADVANCE OF INSTALLATION. CONTRACTOR SHALL KEEP SOD MOIST FOR A MINIMUM OF 30 DAYS AND SHALL BE RESPONSIBLE FOR MAINTAINING THE SOD UNTIL FINAL ACCEPTANCE.
- PLANT MATERIAL. ALL PLANTING STOCK SHALL CONFORM TO THE "AMERICAN STANDARD FOR NURSERY STOCK," ANSI-Z60, LATEST EDITION, OF THE AMERICAN ASSOCIATION OF NURSERYMEN, INC. AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIALS. OWNER/LANDSCAPE ARCHITECT RESERVE THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING, OR AFTER INSTALLATION. NO SUBSTITUTION OF PLANT MATERIAL SHALL BE ACCEPTED UNLESS APPROVED IN WRITING BY THE OWNER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- MULCH MATERIAL. ROCK MULCH AS INDICATED ON PLANS. ALL MULCH SHALL BE CLEAN AND FREE OF NOXIOUS WEEDS, SOIL, OR OTHER DELETERIOUS MATERIAL, AND SHALL BE INSTALLED OVER A NON-WOVEN GEOTEXTILE FABRIC (INCIDENTAL) OR OTHER APPROVED WEED BARRIER TO A MINIMUM SETTLED DEPTH OF 4". DOUBLE SHREDDED HARDWOOD MULCH SHALL BE PLACED AROUND INDIVIDUAL TREES TO A 4' MINIMUM DIAMETER. MULCH SHALL BE HELD BACK FROM PLANT STEMS/TRUNKS A MINIMUM OF 3". AND SHALL BE INSTALLED WITHIN 48-HOURS OF PLANT INSTALLATION.
- LANDSCAPE EDGING. INSTALL LANDSCAPE EDGING BETWEEN ALL MULCH AREAS AND TURF. EDGING SHALL BE COMMERCIAL GRADE BLACK POLYETHYLENE OR VINYL EDGING, 0.1 INCH THICK BY 5 INCHES DEEP, V-UPPED BOTTOM, HORIZONTALLY GROOVED, 1-INCH ROUND TOP, EXTRUDED IN STANDARD LENGTHS, WITH 9-INCH STEEL ANGLE STAKES.
- IRRIGATION. COORDINATE WITH OWNER FOR IRRIGATION DESIGN. FURNISH AND INSTALL A COMPLETE UNDERGROUND IRRIGATION SYSTEM FROM APPROVED POINT(S)-OF-CONNECTION WITHIN THE SITE COVERING ALL TURF AND PLANTING AREAS AS SHOWN ON THE LANDSCAPE PLAN. INCLUDES AS-BUILT DRAWINGS, SYSTEM MANUALS, 1-YEAR MAINTENANCE PERIOD INCLUDING 1 FALL WINTERIZATION AND 1 SPRING START-UP. IRRIGATION PLANS TO BE PREPARED BY A QUALIFIED IRRIGATION DESIGNER AND SUBMITTED TO OWNER/LANDSCAPE ARCHITECT FOR APPROVAL.
- WATERING. UPON ESTABLISHMENT OF SEED AND INSTALLATION OF PLANTS, CONTRACTOR SHALL MAINTAIN A WATERING SCHEDULE WHICH WILL THOROUGHLY WATER ALL PLANTS AND TURF AREAS A MINIMUM OF ONCE A WEEK, MORE FREQUENT WATERING MAY BE REQUIRED DURING PERIODS OF HOT, DRY WEATHER. CONTRACTOR SHALL MAKE THE NECESSARY ARRANGEMENTS FOR WATER. IN THE ABSENCE OF PERMANENT IRRIGATION, TEMPORARY IRRIGATION, TREE WATERING BAGS, OR HAND-WATERING ARE ACCEPTABLE.
- FINAL ACCEPTANCE. UPON SUBSTANTIAL COMPLETION OF THE WORK, CONTRACTOR SHALL REQUEST FINAL ACCEPTANCE OF THE WORK IN WRITING BY THE OWNER/LANDSCAPE ARCHITECT. IF ANY WORK IS FOUND TO BE INCOMPLETE OR UNSATISFACTORY IN THE OPINION OF THE OWNER/LANDSCAPE ARCHITECT, A WRITTEN PUNCH LIST WILL BE PREPARED LISTING ALL ITEMS THAT REQUIRE COMPLETING OR CORRECTING BEFORE FINAL ACCEPTANCE.
- WARRANTY. ALL PLANTS, MATERIALS AND WORKMANSHIP SHALL BE GUARANTEED FOR TWO (2) YEARS FROM THE DATE OF FINAL ACCEPTANCE, UNLESS OTHERWISE SPECIFIED. THE GUARANTEE SHALL COVER THE FULL COST OF REPLACEMENT INCLUDING LABOR AND MATERIAL.



| TREE REMOVAL SCHEDULE          |            |             |           |
|--------------------------------|------------|-------------|-----------|
| TAG #                          | SIZE (DBH) | SPECIES     | CONDITION |
| 1966                           | 20         | SCOTCH PINE | GOOD      |
| 1967                           | 20         | SCOTCH PINE | GOOD      |
| 1968                           | 18         | SCOTCH PINE | GOOD      |
| 4001                           | 10         | AMUR MAPLE  | GOOD      |
| 4002                           | 12         | AMUR MAPLE  | GOOD      |
| 4003                           | 10         | AMUR MAPLE  | GOOD      |
| 4004                           | 8          | AMUR MAPLE  | GOOD      |
| 4005                           | 28         | SPRUCE      | GOOD      |
| TOTAL DBH REMOVED = 126 INCHES |            |             |           |




CARLSON MCCAIN

ENGINEERING  
SURVEYING  
ENVIRONMENTAL

3890 PHEASANT RIDGE DRIVE  
SUITE 100  
BLAINE, MN 55448  
TEL 763.488.7900  
FAX 763.488.7988  
CARLSONMCCAIN.COM

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

Print Name: Ryan J. Ruttger, RLA  
Signature:   
Date: 10/29/21 License #: 56346

Drawn: RJR  
Designed: RJR  
Date: 10/29/21

Revisions:  
1. 2021-12-06 Per City Comments.  
2. 2022-01-03 Revise Layout Per Owner.  
3. 2022-02-07 Per City Comments.

H.C. GOLF COURSE DEVELOPMENT, LLC  
11074 Radisson Road NE  
Blaine, MN 55449

THE ROYAL GOLF CLUB AT LAKE  
ELMO - POOL & FITNESS CENTER  
Lake Elmo, MN



LANDSCAPE PLAN

L1  
of  
2





Plan View

| Schedule  |       |       |          |                |                |                                 |              |                 |                   |         |  |
|---|-------|-------|----------|----------------|----------------|---------------------------------|--------------|-----------------|-------------------|---------|--|
| Symbol  | Label | Image | Quantity | Manufacturer   | Catalog Number | Description                     | Number Lamps | Lumens Per Lamp | Light Loss Factor | Wattage | Plot   |
|  | A     |       | 3        | PHILIPS STONCO | PW50-NW-G1-8   | Philips Stonco Low Profile Wall | 1            | 5112            | 1                 | 50.9    | <br>Max: 2173cd |

Stonco

by @lgnify

Wall Mount

Low profile wall

PW 15W, 30W, and 50W

LED

Stonco Low profile wall mount features a discreet design that will complement any building exterior. Three sizes are available in 15, 30 and 50W output to accommodate multiple mounting heights. Low Profile Wall delivers up to 110 lumens per watt for excellent energy savings over HID.

Product:

Location:

Color Key:

Type:

Lamps:

Qty:

Notes:

Ordering guide

Example: PW-50-NW-G1-8-BZ

| Luminaire           | Mounting                   | LED Color - Generation                           | Power                        |
|---------------------|----------------------------|--|------------------------------|
| PW                  |                            | NW-G1  | B                            |
| PW Low Profile Wall | 15 15W<br>30 30W<br>50 50W | NW-G1 Neutral White, 4000K, 80 CRI, Generation 1 | B 120-277 Volts<br>BZ Bronze |

Specifications

**Housing**  
Die-cast aluminum housing with UV stabilized polycarbonate lens mounted with stainless steel hardware.  
**IP Rating**  
LED light engine is weather proof rated IP65.  
**Electrical**  
Electrical Driver efficiency >90% at full load. Available in 120-277V, IP65 compliant driver. RoHS compliant. Surge protector standard. 10KA per ANSI/IEEE C82.4-2.  
**LED Board and Array**  
24, 48, and 80 LEDs. Color temperature 4000K, +/-500K. Minimum CRI of 80. Aluminum metal clad board with midpower LED chips.

**Optical System**  
Direct mid-power LED distribution with white reflective plate. Optical system is designed for zero spillage. Light engine is weather protected with silicone sealed clear glass.  
**Mounting**  
Mounts to standard 3 1/2" to 4" square and octagonal or 4 inch round electrical junction boxes.  
**Energy Saving Benefits**  
System efficacy up to 100lm/W with significant energy savings over Pulse Start Metal Halide luminaires.

**Listings**  
UL ASL listed to the UL 1598 standard, suitable for Wet Locations. Suitable for use in ambient from -50° to 40°C (-27° to 104°F). Not all product variations listed on this page are DLC qualified. To ensure that a specific model is qualified, visit [www.designlights.org/search](http://www.designlights.org/search).  
**Finish**  
Each luminaire receives a fade and abrasion resistant, electrostatically applied, thermally cured, triglycid isocyanurate (TIC) textured polyester powdercoat finish. Standard color: Heritage (BZ).  
**Limited Warranty**  
Luminaires are all covered by a 5-year limited warranty. See [lgnify.com/warranty](http://www.lgnify.com/warranty) for details.



## **STAFF REPORT**

DATE: 05/23/22

**REGULAR –**

ITEM #: 4B - Public Hearing

**TO:** Planning Commission  
**FROM:** Molly Just, Planning Director  
**AGENDA ITEM:** Preliminary Plat and Preliminary Planned Unit Development, Zoning Map Amendment and Conditional Use Permit for 9450 Hudson Boulevard

---

### **BACKGROUND:**

Dominik Jenson, representing SRD 2.0, LLC, is requesting approval of a zoning map amendment (rezoning), preliminary planned unit development (PUD) and preliminary plat for the property located on the north side of Hudson Boulevard, west of Julia Avenue (9450 Hudson Boulevard). The plat depicts two lots and the proposed PUD depicts a 190-unit apartment building on the northern half of the property and a preschool/childcare center, known as the Goddard School, on the southeast corner of the site.

Brad Coats of the Goldridge Companies is requesting approval of a conditional use permit for a daycare center on the rezoned property. Daycare centers are allowed by conditional use permit in the Mixed-Use Commercial District. The daycare center, known as the Goddard School, would be located on a parcel located on the southeast corner of the site. (Please refer to the attached narratives and maps for more information about this proposal).

Staff has reviewed concept plans for this project. Concept plan review provides no development entitlements.

---

### **ISSUE BEFORE COMMISSION:**

The Planning Commission is being asked to review the proposal, hold a public hearing, provide feedback and make a recommendation to the City Council on the above-mentioned requests. Staff requests that before making a recommendation to the City Council the Planning Commission table the item so that the applicant may revise the plat and PUD plans to address the Zoning Code, Subdivision Code, and engineering design standards that govern development of the property. The applicant understands this staff recommendation and is revising the plans based on the staff review depicted herein and attached hereto.

### **GENERAL INFORMATION:**

*Applicant:* SRD 2.0 LLC of 900 N. Third Street, Minneapolis, MN 55401  
*Property Owner:* DPS-Lake Elmo, LLC of 6007 Culligan Way, Minnetonka, MN 55345  
*Location:* North of Hudson Boulevard, west of Julia Avenue  
*PID#:* 34.029.21.34.0012  
*Request:* Preliminary PUD Plan approval  
*Site Area:* 14.15 acres  
*Land Use Guidance:* 2040 Comprehensive Plan – Mixed Use Commercial  
*Zoning:* RT - Rural Development Transitional

*Proposed Zoning:* MU-C PUD (Mixed Use Commercial/PUD)

*Surrounding Land Use Guidance:* Mixed Use Commercial to the west, Medium Density Residential to the North, High-density residential (The Springs) across Julia Avenue to the east, and Hudson Boulevard and I-94 to South.

*History:* The property has been used as rural vacant land with a pole building used storage and possibly as a homestead. A large portion of the eastern part of the site is covered in trees.

*Deadline for Action:* Application Complete – 5/5/2022

60 Day Deadline – 7/4/2022

Extension Letter Mailed – N/A

120 Day Deadline – N/A

*Applicable Code:* Article 14 – Mixed Use Commercial District  
Section 105.12.290 – Conditional Use Permits  
Article 18 – Planned Unit Development Regulations  
Title 103 – Subdivision Regulations

## **PROPOSAL DETAILS/ANALYSIS:**

**Project Overview/Site Plan.** The proposed mixed-use development will be located on the property located on the south west intersection of Hudson Boulevard and Julia Avenue. The proposed development would have a mix of land uses including a 190-unit apartment building and a preschool/child care center for up to 188 children. The development is proposed as a PUD because the developer is requesting flexibility from the strict zoning regulations of the MU-C zoning district by having reduced setbacks for parking areas and to increase the allowed residential density through the use of amenity points.

The site plan shows the primary entrance to the development would be off of Julia Avenue and a secondary access off of Hudson Boulevard. A private driveway internal to the project would be shared by the apartment building and the daycare building. Staff recommends that a shared access and maintenance easement agreement be recorded on the property.

**Land Use.** The 2040 Comprehensive Plan shows this site designated as MU-C (mixed use commercial). The 2040 Plan notes “this designation is a new land use and identifies where a mix of commercial and residential uses may be integrated to benefit from proximity and adjacencies to each other. Commercial uses in this category include service and retail uses such as, but not limited to, restaurants, shops, convenience stores, salons, studios and dry cleaners. Land with this designation is assumed to develop with a minimum of 50 percent residential use with a density ranging from 10-15 dwelling units per acre.”

In this case, the applicant is proposing 190 dwelling units on a newly platted lot of 10.819 acres. Residential density is calculated using net density and so the right of way dedication of 1.378 acres would be added to the lot size, totaling 12.197 acres. This calculates to 15.57 units per net acre thus exceeding the density limits set for this area in the 2040 Comprehensive Plan (without any credit for density bonuses that the City may grant through the PUD process).

**Zoning Map Amendment.** In order for this development to proceed, the City will need to approve a zoning map amendment (rezoning) for the property from RT (rural development transitional) to MU-C (mixed-use commercial). According the Lake Elmo Zoning Code, The purpose of the mixed-use commercial district is to provide areas in the city for and promote mixed-use development that supports a sustainable mix of retail, commercial and residential uses that will benefit from proximity and adjacency to one another. The mixed-use commercial district will serve as a transitional district between more intense highway-oriented development and less intense rural or medium density residential uses. At least 50 percent of the net developable area of a proposed mixed-use commercial development is to be

residential, and residential development within these areas shall occur at a density range of ten to 15 units per acre.

## **Preliminary Plat/PUD Plans**

**Preliminary Plat.** The proposed preliminary plat shows two parcels for the project site and right-of-way dedication. *Additional right-of-way dedication is likely needed which may impact the net residential density.*

## **PUD – Overlay and Minimum Requirements.**

**Consistency with Planned Unit Development Regulations.** Staff has reviewed the proposed plan for its consistency with requirements of Article XVII: Planned Unit Development (PUD) Regulations and has found the following:

- **Intent.** The intent of a PUD is to provide for flexibility in the use of land and the placement and size of buildings in order to better utilize site features and obtain a higher quality of development. *A PUD is required for the proposed development as there is a proposed reduced parking setback from the residential zone to the north and to achieve additional density.*
- **Identified Objectives.** When reviewing requests for PUDs, the City is to consider whether one or more objectives as outlined in Article XVII: Identified Objectives of the Zoning Code will be served or is achieved. Staff has found that the proposed development would meet the following objectives:

*D. Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing.*

- The proposed development will provide additional opportunities for rental housing within the City.

*H. Higher standards of site and building design than would otherwise be provided under conventional land development technique.*

- The proposed development provides a high quality of site and building design.

- **Minimum Requirements.** PUDs must meet the following minimum requirements:

*A. Lot Area. A PUD must include a minimum of 5 acres.*

- Requirement met.

*B. Open Space: For all PUDs, at least 20% of the project area not within street rights-of-way to be preserved as protected open space. Other public or site amenities may be approved as an alternative to this requirement. Any required open space must be available to the residents, tenants, or customers of the PUD for recreational purposes or similar benefit. Land reserved for storm water detention facilities and other required site improvements may be applied to this requirement. Open space shall be designed to meet the needs of residents of the PUD and the surrounding neighborhoods, to the extent practicable, for parks, playgrounds, playing fields and other recreational facilities.*

- To be determined.

C. *Street Layout.* In existing developed area, the PUD should maintain the existing street grid, where present, and restore the street grid where it has been disrupted. In newly developing areas, streets shall be designed to maximize connectivity in each cardinal direction, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at a park or other community facility, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.

- Access onto Julia Avenue would align with the Julia Avenue access for the Springs Apartments. This requirement is met.

**Proposed Amenities.** The City's PUD ordinance provides that developers may provide amenities with their projects for increased density of up to 20 percent. In this case, because the applicant is proposing a housing density of 15.57 units per acre, the developer will need to provide amenities with the project to justify the increased housing density above the expected allowed density range 10-15 units per acre of the future MU-C land use designation. In addition, a PUD should offer the City (and future residents) amenities in exchange for the flexibility of allowing a reduced parking setback from the northerly property line.

In this case, the developer is proposing the following site amenities that may qualify for amenity points:

- *Underground or structure parking.* The narrative of the application indicates that underground parking will be provided in addition to surface parking. Staff proposes that the underground parking be free in order to be an amenity to the residents and to help achieve reasonably priced housing in Lake Elmo. It has been indicated that this will reduce the surface parking area outside the footprint of the principal structure by 25%, however, as required by the PUD Code. (9 points possible)

The Planning Commission should consider and make a recommendation to the City Council as to whether the proposal meets the threshold for granting the proposed increased density.

**Consistency with Proposed Urban High Density Zoning District.** As noted earlier, the proposed development will require City approval of a Zoning Map Amendment to rezone the property to Mixed Use Commercial (from the current RT (rural development transition)) zoning designation. As such, staff reviewed the proposed PUD Plans against the standards of the Mixed Use Commercial zoning district, as shown below. *If approved, the PUD must indicate the specific relief granted from the MU-C requirements.*

| Standard                                 | MU-C Required   | Proposed   |
|--|---|--|
| Density                                  | 10-15 units per acre  | 15.57 units per acre (10.819 acre lot + 1.378 ROW dedication)  |
| Impervious Surface Maximum               | 75%   | 37%  |
| Maximum Height                           | 50'   | To be determined   |
| Minimum Lot Width                        | 60 feet per residential building and 100 for non-residential                | Met for both buildings.  |
| Minimum Lot Area (per Unit)              | N/A   | 2,467 square feet  |
| Front Yard Setback (from Julia)          | 20 feet   | Met for both buildings   |
| Interior Side Yard                       | 10 feet   | Met for both buildings   |
| Corner Side Yard                         | 10 feet   | Met for both buildings   |
| Rear Yard Setback (Building)             | 20 feet   | Met for both buildings   |
| Parking Setback (from residential zones) | 35 feet   | 20 feet  |
| Parking                                  | Not to be located in the front yard or between the front façade and street. | Parking is located in front of the proposed child care center, though this parking lot design is consistent the design of parking lots for commercial/office buildings and |

|            |   |  |
|------------|---|--|
|            |   | would not be parking for the residential building on the site. |
| Open space | 300 square feet of common open space provided per unit. | To be determined   |

## RECOMMENDED FINDINGS:

**Recommended Finding for Rezoning:** Staff recommends approval of the Rezoning of the subject property based on the following finding:

That the proposed rezoning will be consistent with land use designation for the site as depicted in the 2040 Comprehensive Plan.

**Recommended Findings for Conditional Use Permit:** Before recommending approval of the Conditional Use Permit the following findings must be met:

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare of the neighborhood or the city.
2. The use or development conforms to the city comprehensive plan.
3. The use or development is compatible with the existing neighborhood.
4. The proposed use meets all specific development standards.
5. If the proposed use is in a floodplain management or shore land area, the proposed use meets all the standards.
6. The proposed use will be designed, constructed, operated, and maintained so it will not change the essential character of that area.
7. The proposed use will not be hazardous or create a nuisance to existing or future neighboring structures.
8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
10. The proposed use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, or odors.
11. Vehicular approaches to the property will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
12. The proposed use will not result in the destruction, loss, or damage of a natural or scenic features of major importance.

**Recommended Findings for Preliminary Plat/Preliminary PUD.** Before recommending approval of the Preliminary Plat/Preliminary PUD the following findings must be met:

1. That the preliminary PUD Plan would be consistent with the intent of the 2040 Lake Elmo Comprehensive Plan and the 2040 Land Use Map for this area.
2. That the preliminary PUD Plan complies with the general intent of the Mixed Use Commercial zoning district with PUD modifications.
3. That the preliminary PUD Plan generally complies with the Lake Elmo Design Guidelines and Standards Manual.
4. That the preliminary plat generally complies with the City's Subdivision regulations.
5. That the preliminary plat generally complies with the City's design standards.
6. That the preliminary plat generally complies with the City's Zoning Code.
7. That the preliminary PUD Plan must be revised to be consistent with the City's engineering standards as noted in the City Engineer's memorandum dated May 3, 2022.
8. That the preliminary PUD Plan must be revised to be consistent with the City's landscape plan and tree replacement standards pursuant to the Landscape Architects memo dated May 3, 2022.
9. That the preliminary PUD Plan must be revised to be consistent with the City's fire department memo dated April 28, 2022.
10. That the preliminary PUD Plan meets the minimum requirements for a PUD.
11. That the preliminary PUD Plan meets one or more of the required PUD objectives identified in Section 154.751 including providing: Planned unit developments should not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved.
  - a. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.
  - b. Promotion of integrated land uses, allowing for a mixture of residential, commercial, and public facilities.
  - c. Provision of more adequate, usable, and suitably located open space, recreational amenities, natural resource protection and other public facilities than would otherwise be provided under conventional land development techniques.
  - d. Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing.
  - e. Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.
  - f. Preservation of historic buildings, structures or landscape features.
  - g. Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses.
  - h. Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation.
  - i. Allowing the development to operate in concert with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objectives will be achieved.
  - j. Higher standards of site and building design than would otherwise be provided under conventional land development technique.
12. That the preliminary PUD Plan includes amenities that may be worthy of amenity points to increase the overall housing density in the development. These amenities include: Underground parking to reduce the amount of surface parking and reduce the amount of impervious surface. The

underground parking reduces the amount of surface parking stalls located outside of the footprint of the principal structure by a minimum of 25 percent. For every additional five percent of surface parking stalls reduced above 25 percent the applicant may be awarded one additional amenity point, up to a max of 10 amenity points or a 10% increase in density. See Sec. 105.12.1160 Table 16-2.

**FISCAL IMPACT:**

There would be no fiscal impact to the City at this time, as the developer will be required to pay for any amendments needed to accommodate the increase in REC units. When the property develops, it will have urban services and will pay sewer and water connection charges, building permit fees and the like that the developer and/or contractors will pay.

**ATTACHMENTS:**

1. Land Use Application
2. Plans
3. Fire Chief comments dated April 28, 2022
4. City Engineer's comments dated May 3, 2022
5. Landscape Architect comments dated May 3, 2022

# MEMORANDUM

## FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261  
Jack Griffin, P.E. 651.300.4264  
Ryan Stempski, P.E. 651.300.4267  
Chad Isakson, P.E. 651.300.4285

Date: May 3, 2022

To: Molly Just, Planning Director  
Cc: Marty Powers, Public Works Director  
Dustin Kalis, Fire Chief  
Cc: Chad Isakson, PE, Assistant City Engineer  
From: Jack Griffin, PE, City Engineer  
Re: Lake Elmo Apartments (9450 Hudson Boulevard)  
Preliminary Plat/Plan Review

An engineering review has been completed for the Lake Elmo Apartments Preliminary Plat/Plans located at 9450 Hudson Boulevard. The review consisted of the following documentation received on April 21, 2022:

- Lake Elmo Apartments Preliminary Plat dated April 8, 2022.
- Lake Elmo Apartments Site Development Plans dated April 18, 2022.
- Preliminary Roadway Plans for Hudson Boulevard dated April 11, 2022.
- Stormwater Management Report dated April 18, 2022.

**STATUS/FINDINGS:** Engineering has the following comments and recommendations. All public improvements constructed to support the development must be designed and constructed in accordance with the [City Engineering Design Standards Manual dated January 2022](#).

### PRELIMINARY PLAT AND EASEMENTS

1. The preliminary plat must be revised to differentiate between existing and proposed property lines and easements.
2. Right-of-way along Julia Avenue must be dedicated to the city as part of the plat to replace the existing public street easement.
3. Drainage and utility easements must be dedicated as part of the plat, minimum 10-feet wide, along all lot lines. Easement widths must be clearly labeled.
4. Dedicated utility easements will be required over all public watermain and sanitary sewer, meeting all minimum city standards. Utility easement revisions may be necessary together with any revisions to the utility alignments and routing.
5. Additional right-of-way dedication appears to be required along Hudson Boulevard to accommodate the proposed turn lanes that are required as part of the site improvements. Additional right-of-way must be provided such that the minimum boulevard layout requirements are maintained along the full length of Hudson Boulevard. See Hudson Boulevard Design Standards and required typical sections for the roadway and bituminous trail.

### EXISTING CONDITIONS PLAN

1. The existing conditions plan is incomplete and does not provide the minimum information necessary to facilitate a review of the potential impacts by the development. Existing conditions information must be current information and is required throughout the proposed development site and extended for a minimum distance of 150 feet from all construction limits, including off-site public improvements.

2. The existing conditions plan information must be updated and resubmitted prior to the submittal of any final plat application. The existing contours are outdated and do not represent the current conditions of the site. Detailed topographic field survey is also necessary to provide the existing conditions information along the Hudson Boulevard and Julia Avenue right-of-way, and to detail the new storm water pond and recently constructed public infrastructure on and adjacent to the site.
3. The existing conditions along Hudson Boulevard and Julia Avenue must be fully detailed, including labeling of the existing right-of-way width, pavement width, lane widths, and shoulder widths.
4. The existing conditions plans must be updated to include the location, material type and size of existing sewers, water mains, culverts, and other underground utilities within the development site and to a distance of 150 feet beyond proposed construction limits. All invert elevations, and locations of catch basins, and manholes shall also be shown and labeled.

#### STREETS AND TRANSPORTATION

1. Site Access. The preliminary plan proposes two access points to the property as required by the fire code. One access is proposed to Julia Avenue directly across from the existing emergency entrance to the Springs property. This access location is consistent with the Julia Avenue access spacing requirements. The second access is proposed to Hudson Boulevard and is located consistent with the Hudson Boulevard Design Standards.
2. Julia Avenue Right-of-Way Dedication is needed to convert the existing public roadway easement to dedicated right-of-way to provide for a minimum 100-foot right-of-way along the full length of the street. In addition, a 10-foot dedicated utility easement is shown adjacent to the Julia Avenue right-of-way. The easement width must be labeled on the plat.
3. Hudson Boulevard Improvements. Hudson Boulevard must be improved along the frontage of the proposed development in accordance with the Hudson Boulevard Design Standards, with an Urban section along the north boulevard and bituminous trail. A three-lane roadway (per the Hudson Boulevard typical sections) must be constructed along the west side of the plat to provide for a left turn lane into the site, then transitioning to a two-lane roadway with a dedicated left turn lane at Julia Avenue. These improvements must be part of the revised preliminary plat and plans prior to the submittal for a final plat application.
4. Hudson Boulevard Right-of-Way Dedication. Additional right-of-way must be dedicated to the City along Hudson Boulevard, as needed, to accommodate the Hudson Boulevard Improvements, including a 10-foot utility easement along the north side to be reserved for small utilities.
5. Trail Connectivity. The plans show the required sidewalk along Julia Avenue but do not show the required bituminous trail along Hudson Boulevard. Pedestrian facilities must be constructed in accordance with the city design standards.
6. Internal Private Streets. Since no dedicated right-of-way is shown it is presumed that the internal roads are proposed to remain privately owned and maintained. Circulation and emergency access appears adequate, pending Fire Department detailed review. Roadways should be labeled on the plans a "Private Roads".

#### STORMWATER MANAGEMENT AND GRADING PLANS

1. The Preliminary Plan shows proposed stormwater BMPs for addressing stormwater management requirements, including a wet retention pond and infiltration basin. However, the stormwater management plan is incomplete as submitted. A complete stormwater management report meeting all City AND watershed district requirements must be part of any final plat application or the application will be deemed incomplete.
2. The proposed development and site plan approval is subject to a storm water management plan meeting State, Watershed District and City rules. A permit will be required from the Minnesota Pollution Control Agency and applicable watershed district.
3. The Stormwater Management Report (SWMR) must be revised as follows:
  - The SWMP plan must be certified by a Minnesota registered professional engineer.

File: 227704974

To: Molly Just, City of Lake Elmo  
Planning Director

From: Sarah Harding, Landscape Architect  
Rachel Burand, Landscape Architect

Subject: City of Lake Elmo Landscape Plan Review  
9450 Hudson Boulevard Apartments  
Preliminary PUD Review #2

Date: May 3, 2022

---

### Submittals

- 9450 Hudson Boulevard Apartments – PUD Preliminary Plan and Zoning Map Amendment Packet, dated April 18, 2022, received on April 21, 2022.

### Review History

- Initial landscape review on March 17, 2022.

**Location:** Northwest quadrant of Hudson Blvd N and Julia Ave N (proposed Julia Ave N extension)

**Current Land Use Category:** Rural Transitional (RT)

**Future Land Use Category:** MU-C (Mixed Use Commercial) within the MUSA South Planning Area Planned Growth

**Proposed Future Land Use Category:** HDR PUD – High Density Residential Planned Unit Development

**Adjacent and Surrounding Land Use:** Commercial (C) to the west of site, Residential to north and east of site, and City of Woodbury commercial and I-94 to the south of site.

**Special landscape provisions in addition to the zoning code:** See PUD Regulations comments below.

### Tree Preservation:

105.12.470 Tree Preservation

- A tree preservation plan and subsequent mitigation requirements is required for all development or redevelopment in any Zoning District unless the applicant demonstrates that the proposed improvements do not impact existing significant trees on the site.
- A tree preservation plan was not included in this application packet and thus has not been reviewed.

### Landscape Requirements:

105.12.480 Landscape Requirements

The current landscape plan does not meet the code required number of trees and does not reflect screening and tree replacement/mitigation requirements. The landscape plan will need to be reevaluated after completion of an existing tree survey and tree preservation plan.

- Requirements of 105.12.480 (b) minimum size standards for landscaping materials is not currently met by proposed ornamental tree species *Tardiva Hydrangea*.

May 3, 2022

Molly Just, Planning Director

City of Lake Elmo

Page 2 of 3

- Requirements of 105.12.480 (e) screening of the residential parking lot from the adjacent residential property to the north is not currently shown on the plan but is required.
- Requirements of 105.12.480 (e) screening of the commercial parking lot from the street and (f) screening of the commercial parking lot from the multi-family residential is not currently shown on the plan but is required.

|   | Site Measurement  | Code Required  | Proposed   |
|---|---|--|------------|
| Street Frontage (LF)  | 1,283   | Julia Ave N + Hudson Blvd N                          |            |
| Lake Shore (LF)   | -   |  |            |
| Stream Frontage (LF)  | -   |  |            |
| <b>Total Linear Feet</b>                                      | 1,283   |  |            |
| <b>Required Street Frontage Trees (1 per 50 LF)</b>           |   | <b>26</b>  | <b>18</b>  |
| Development or Disturbed Area (Acres)                         | 11  |  |            |
| <b>Required Development Trees (5 per Acre)</b>                |   | <b>56</b>  | <b>74</b>  |
| Interior Parking Lot Spaces (Residential Lot)                 | 176   |  |            |
| <b>Required Parking Lot Trees (1 per 15 Spaces)</b>           |   | <b>12</b>  | <b>8</b>   |
| Interior Parking Lot Spaces (Commercial Lot)                  | 52  |  |            |
| <b>Required Parking Lot Trees (1 per 10 Spaces)</b>           |   | <b>6</b>   | <b>5</b>   |
| Perimeter Parking Lot Frontage (Residential, Non-Street) (LF) | 617   | North perimeter of residential parking lot           |            |
| <b>Required Perimeter Lot Frontage Trees (1 per 40 LF)</b>    |   | <b>16</b>  | <b>13</b>  |
| Perimeter Parking Lot Frontage (Street) (LF)                  | 339   | East & south perimeter of commercial parking lot     |            |
| <b>*Required Perimeter Lot Frontage Trees (1 per 50 LF)</b>   | <b>*Already counted within Required Street Frontage Trees</b> |  |            |
| Screening Perimeter between Land Uses (LF)                    | 352   | North perimeter of commercial use bldg & parking lot |            |
| <b>**Required Perimeter Lot Frontage Trees (1 per 40 LF)</b>  |   | <b>9</b>   | <b>6</b>   |
|   | <b>**Only Deciduous or Coniferous trees</b>                   |  |            |
| Required Mitigation Trees                                     | <b>Unable to determine mitigation trees required</b>          |  |            |
| <b>Required Number of Trees</b>                               |   | <b>125</b>   | <b>124</b> |

The current landscape plan does not meet the tree species composition requirements:

|                       | Qty        | % Composition |               |
|-----------------------|------------|---------------|---------------|
| Deciduous Shade Trees | 53         | 43%           | >25% required |
| Coniferous Trees      | 48         | 39%           | >25% required |
| Ornamental Trees      | 23         | 19%           | <15% required |
| <b>Tree Count</b>     | <b>124</b> |               |               |

Design with community in mind

May 3, 2022

Molly Just, Planning Director  
City of Lake Elmo  
Page 3 of 3

**General Site Design Considerations, Mixed-Use Commercial and Mixed-Use Business Park:**

**105.12.890 General Site Design Considerations, Mixed-Use Commercial and Mixed-Use Business Park**

- Screening of existing residential structures:
  - When a new development is proposed adjacent to existing single-family residential homes, the developer shall provide screening in accordance with LEC 105.12.480(f). The city may require buffering or screening above and beyond this section in cases where the city determines the required screening will not provide an adequate separation between incompatible uses.

**PUD Regulations:**

**105.12.1210 Application Requirements for Pre-Application Conference, Preliminary Plan and Final Plan**

- A site conditions plan that contains location, type, and extent of tree cover is required at the Pre-application stage.

**105.12.1160 Density**

- Applicant requested 3 Amenity Points for enhanced landscaping in previous submittal. Current landscape plan does not meet definition of Enhanced Landscaping according to 105.12.1160 (c) Table 16-2: Site Amenities:
  - A landscaping plan of exceptional design that has a variety of native tree, shrub and plan types that provide seasonal interest and that exceeds the requirements of the Lake Elmo Design Standards Manual. The landscaped areas should have a resource efficient irrigation system. The landscaping plan shall be prepared by a licensed landscape architect. Amenity points shall be awarded based upon the quality and magnitude of the landscaping plan.

**Findings:**

- A site conditions plan that contains location, type, and extent of tree cover has not been submitted.
- A tree preservation plan has not been submitted.
- The current landscape plan does not meet the required minimum number of trees.
- The current landscape plan does not meet the tree species composition requirements.
- The current landscape plan does not meet the requirements for screening.
- The current landscape plan does not meet the requirements for enhanced landscaping amenity points, which requires native species and a resource efficient irrigation system.

**Recommendation:**

It is recommended that the Preliminary PUD Plan be resubmitted with the required inclusions and modifications mentioned above.

Stantec Consulting Services Inc.



Sarah Harding, PLA (MN)  
City of Lake Elmo Municipal Landscape Architect  
P: (952) 334-4838  
E: [sarah.harding@stantec.com](mailto:sarah.harding@stantec.com)

- SWMP revisions (and potentially site plan revisions) are necessary to determine if rate control requirements are met for all points of discharge from the site. The existing and proposed drainage exhibits must be revised to clearly show and label all points of discharge from the site and must accurately depict all discharge locations consistent with the proposed grading plans (e.g. grading along north property line directs discharge to the north).
  - The SWMP rate control tables must reference each discharge location independently and combined.
  - City rate control requirements also must be met for the 10-day 100-year snowmelt conditions.
  - The SWMP remains incomplete. Revisions are necessary to include all proposed improvements, including the required improvements along Hudson Boulevard. The proposed drainage map must be revised to include Hudson Boulevard.
  - The SWMP must be revised to correctly describe applicable watershed jurisdiction and stormwater management rules and requirements.
  - Soil borings are required in accordance with the City Engineering Design Standards Manual dated January 2022 for all infiltration basins to verify the feasibility of infiltration and to determine the design infiltration rate. Borings must be taken as part of the SWMP submitted for final plat and must be taken within the foot print of the proposed basin. Infiltration is prohibited in "D" soils.
4. The storm water facilities constructed for this development should remain privately owned and maintained. The applicant will be required to execute and record a Stormwater Maintenance and Easement Agreement in the City's standard form of agreement. The grading plans must be revised to label the storm water basins as "Privately Owned and Maintained".
  5. Even as privately owned and maintained facilities, maintenance access roads meeting the City engineering design standards dated January 2022 must be provided for all storm water facilities.
    - Maintenance access must be clearly shown on the grading plans including access to the facility, and BMP maintenance access to all flared end sections.
    - Storm water basin grading must include a 10-foot aquatic bench and 10-foot maintenance bench.
    - The storm water basin NWL and HWL contours must be clearly shown on the plans.
    - All overland emergency overflow locations and elevations must be clearly shown on the grading plans.
  6. Grading plan revisions will be required as part of the final plat application to demonstrate all minimum City requirements are met.
    - Existing conditions are incomplete and must be shown on the grading plans for a minimum distance of 150 feet from ALL limits of construction. The minimum grading plan scale is 1-inch = 50 feet.
    - The existing pond located west of the gas pipeline is not shown indicating that only outdated aerial topography information has been used for plan preparation.
    - The grading plans do not address the Hudson Boulevard urbanized boulevard improvements. Grading within the Hudson Boulevard right-of-way and adjacent 10-foot small/dry utility easement must be consistent with the Hudson Boulevard design standards.
    - The grading plans must be revised along Julia Avenue to provide boulevard grading at 4% maximum within the right-of-way and the adjacent 10-foot small/dry utility corridor.
    - The grading plans do not adequately address the necessary grading to tie into existing conditions along all construction limits. All proposed contours must tie into existing contours and be adequately labeled.
    - Grading along the northern property line must be revised to contain stormwater on-site.
    - The grading plans must clearly show all drainage and utility easements.
  7. To the extent adjacent properties are impacted by grading or storm water management discharges, written permission from those properties must be submitted as part of the final plat application.
  8. Written permission is also required as part of the final plat application for any grading work within the gas main utility easement.

#### MUNICIPAL SANITARY SEWER

1. The proposed site is located in the Southwest MUSA service area in the city's Comprehensive Plan and will discharge to the MCES WONE Interceptor.

2. Sanitary sewer service is available to the site. The Preliminary Plans must be revised to connect to the existing 12-inch sanitary sewer located along Hudson Boulevard and extend sanitary sewer into the development at applicant's sole cost. The preliminary plans currently show the sanitary sewer connecting to the existing 8-inch sewer located along Julia Avenue that does not have capacity to serve this property.
3. Ongoing ownership and maintenance of the internal site sanitary sewer system will need to be determined as part of the preliminary plat application. Private sewer service lines for each building will be privately owned and maintained and must be clearly identified on the plans as private services.
4. All public sanitary sewer mains placed within the development will require minimum 30-foot easements centered over the pipe and be dedicated to the city as part of the final plat.
5. Dedicated utility easements must be shown on all site, grading, utility, and landscape plans, and remain free from encroachments, including retaining walls, trees, or other small/dry utilities.
6. Sanitary Sewer Flow Projections Required. The preliminary plat application did not include sanitary sewer flow projections for the site development. Sewer use projections using Met Council SAC determination methods must be submitted as part of the final plat application to be considered complete.
7. Existing Utility Easements. The existing sanitary sewer utility easements along Hudson Boulevard must be shown with any plan submittal and plan revisions must be made to avoid encroachments/conflicts with these easements.
8. No sanitary sewer oversizing is anticipated for this development.

#### MUNICIPAL WATER SUPPLY

1. Municipal water supply is available to the site from several locations with an existing trunk watermain located along the property's southerly boundary, along Hudson Boulevard; an existing trunk watermain located along the property's easterly boundary, along Julia Avenue; and a lateral watermain stub from the Union Park West subdivision located along the northerly property line.
2. The applicant/developer will be responsible to extend municipal water into the development at the developer's sole cost and will be required to construct a looped watermain network internal to the site.
3. The current preliminary plans will need to be revised to incorporate the watermain connection to the Union Park West development and eliminate the northerly connection to the Julia Avenue watermain.
4. The applicant will be responsible to place hydrants and water system valves internal to the site as determined by the Lake Elmo Public Works Director and Fire Department. All fire hydrants shall be owned and maintained by the City.
5. All internal site watermain lines with hydrants will remain City owned and operated. Minimum 30-foot easements centered over the pipe/hydrant will be required without encroachments from retaining walls, trees, other small/dry utilities, or storm water management BMPs. Easements must be dedicated to the City as part of the plat. Dedicated watermain easements must be shown on all site, grading, utility, and landscape plans when submitting a Preliminary and Final Plat application.
6. When submitting the preliminary and final plat application, the applicant will be required to submit domestic and fire suppression water demands that will be required by the Municipal water supply in order to serve the development. Fire suppression demands must indicate an overall fire flow rate (in gallons per minute) and duration (minutes) that will be required from the municipal water supply.
7. No watermain pipe oversizing is anticipated for this development.

#### LANDSCAPE PLANS

1. The preliminary landscape plans must be revised to relocate all trees to reside outside of the proposed 10-foot drainage and utility easement along the Julia Avenue right-of-way. The minimum 10-foot drainage and utility easement is reserved for the installation of small/dry utilities.
2. The preliminary landscape plans must be revised to relocate all trees to reside outside of the proposed public easement areas and to maintain a minimum 10-foot offset from all utility pipes. Many trees are shown to be planted near or over proposed storm sewer.

# Lake Elmo Fire Department

## Memorandum



To: Molly Just, Planning Director

From: Dustin Kalis, Fire Chief

Date: 4/28/2022

Re: PUD Preliminary Plan and Zoning Map Amendment: SRD 2.0, LLC

---

The Lake Elmo Fire Department has completed a PUD Preliminary Plan and Zoning Map Amendment: SRD 2.0, LLC review based on submittals dated 4/21/22 with the following comments:

- 1) All roads and drive lanes shall meet the Lake Elmo Fire Department requirements for widths and turning radiuses. The turning radius plan overlay has been provided. Following review of the submitted turning radius overlay, several areas exist where the turning radius overlay extends past the curb line and shall be addressed.
- 2) An approved signage and marking plan shall be determined for all No Parking and Fire Lane access roads.
- 3) Fire hydrants shall be provided in approved locations following review by Engineering and Public Works. Based on current plans, additional hydrants are required in the following areas: 1) northeast area of the north parking lot, 2) west area near the entrance to the underground parking, 3) within 50 feet of the day care center fire department connection (FDC).
- 4) Building address numbers shall be plainly visible from the street fronting the property and shall contrasting color from the background. Addresses may be required to be posted adjacent to driveways or other access ways. Size and placement of address numbers shall be approved by the fire and planning departments.
- 5) A Fire Department lock box is required for emergency access to building at an approved location(s) for the apartment and school buildings and provide keys for emergency access into and throughout the occupancy as required.
- 6) The fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler Systems for the apartment and school buildings. City permit required prior to initiation of work.
- 7) Standpipes shall be installed compliant with 2016 NFPA 14, Standard for the Installation of Standpipe and Hose Systems for the apartment building. Additional class I hose connections shall be required for portions of this building.
- 8) Fire Department sprinkler connection locations to be approved prior to installation.
- 9) The fire alarm systems for the apartment and school buildings, shall be installed compliant with provisions of 2016 NFPA Standard 72, National Fire Alarm Code. City permit required prior to initiation of work.

*"Proudly Serving Neighbors & Friends"*

- 10) The sprinkler system for the apartment and school buildings shall be properly monitored by a qualified monitoring company.
- 11) Install emergency egress illumination in the means of egress including exit discharge compliant with 2020 MSFC.
- 12) Install compliant exit signage as required by the 2020 MSFC.
- 13) Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
- 14) Rooms containing controls for air-conditioning systems, roof access, elevator equipment, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

#### **Codes and Standards Used for this Review**

This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.

- 2020 Minnesota State Fire Code
- Lake Elmo Fire Department Fire Code Policy
- NFPA 72, 2016 edition
- NFPA 13, 2016 edition
- NFPA 14, 2016 edition

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
LU File #: \_\_\_\_\_



651-747-3900  
3880 Laverne Avenue North  
Lake Elmo, MN 55042

## **PRELIMINARY PLAT APPLICATION**

Applicant: Dominik Jenson, Development Manager at Schafer Richardson, on behalf of SRD 2.0, LLC  
Address: 900 N Third Street, Minneapolis, MN 55401  
Phone #: 6123057095  
Email Address: djenson@sr-re.com

Fee Owner: DPS-Lake Elmo, LLC  
Address: 6007 Culligan Way, Minnetonka, MN 55345  
Phone #: 952-288-2200  
Email Address: adale@mntile.com

Engineer Name and Email: Joe Bailey, PM at Sambatek, jbailey@sambatek.com

Property Location (Address): 9450 Hudson Boulevard North, Lake Elmo, MN 55042  
Complete Legal Description: Outlot B, DPS Lake Elmo, Washington County, Minnesota, Abstract Property

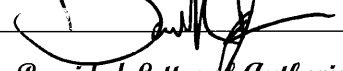
PID#: 3402921340012

### **General information of proposed subdivision:**

The Applicant received a formal response from the City on March 18, 2022 to the Project's Planned Unit Development (PUD) Pre-Application. Staff expressed support for the overall project and provided comments for the Applicant to address in the Preliminary PUD submission. The Project will require approval of a PUD, zoning map amendment (rezoning), and a minor subdivision. This minor subdivision will be achieved through this preliminary plat application, as the property is currently an Outlot. It is the applicant's intent for this application to run concurrently with the Project's PUD Preliminary Plan application. Once platted the property will include two lots and a public right of way, as shown in the Preliminary Plat. Lot 1 will include a multifamily development, Lot 2 will include a commercial (daycare user).

Conducted pre-application meeting with Staff? ☒ Yes ☐ No

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

Signature of applicant:  Date: 4-27-2022  
Signature of Fee Owner: Provided Letter of Authorization Date: \_\_\_\_\_

## **PRELIMINARY PLAT APPLICATION REQUIREMENTS<sup>1</sup>**

### **All Subdivisions of Land Creating Four or More Lots**

This handout is intended to provide guidance on putting together and submitting a Preliminary Plat application for the subdivision of property in Lake Elmo. As outlined in LEC 103.00.090. The purpose of the Preliminary Plat is to complete a thorough review of the proposed project, and to prepare a draft of the documentation that could eventually be used for a Final Plat application. It is at this stage that your proposal will receive the greatest scrutiny as the review bodies will work to ensure the proposal meets all City standards. All outstanding issues will need to be handled at this stage before proceeding to Final Plat.

In order to have your Preliminary Plat application be complete and reviewed in a timely fashion, there are a number of steps that must be followed:

1. **Pre-submittal Meeting:** Contact City Staff to discuss your Sketch Plan feedback and obtain another land use application.
2. **Preliminary Plat Submittal:** Prepare an informational packet (described herein) that fulfills the Preliminary Plat submittal requirements. Providing a detailed and thorough application packet will greatly reduce the overall review time. Submit your completed packet to Staff to initiate review.
3. **Completeness Review:** Staff will examine your submittal to determine if the application is complete, and contact you if additional information is required or was omitted. Applications found to be incomplete will be returned to the applicant.<sup>2</sup>
4. **Preliminary Plat Review/Processing:** Staff will process completed applications. This process typically requires at least one applicant revision and resubmittal of plans to work through review comments. The process may also include additional applicant meetings, requesting review comments from partnering agencies, and writing reports.
5. **Planning Commission Meeting:** Once the plans are revised to fully meet the Zoning and Subdivision Ordinance and Engineering Design Standards as outlined by Staff, the official legal notice is prepared by Staff and published to schedule a Public Hearing. Planning and

---

<sup>1</sup> The information provided in this document is intended to be a correct statement of the law as set forth in the Lake Elmo City Code and the laws of the State of Minnesota. However, the applicant should refer to the actual sources and consult with their own legal advisor regarding applicability to their application. In providing this information, the City makes no representations nor provides any legal advice or opinion.

<sup>2</sup> Minnesota State Statute 15.99 requires local governments to review an application within 15 business days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request.

engineering reports are prepared and the item is scheduled for the next available Planning Commission meeting (2<sup>nd</sup> or 4<sup>th</sup> Monday of the month<sup>3</sup>).

6. **Revisions:** If needed, the Preliminary Plat is revised to address the Planning Commission's recommendation(s) and any outstanding review comments prior to City Council consideration.
7. **City Council Meeting:** Once the plans are finalized and ready for the City Council's consideration, staff reports are prepared and the Preliminary Plat is placed on the next available City Council meeting agenda (1<sup>st</sup> or 3<sup>rd</sup> Tuesday of the month<sup>3</sup>). Applicants are advised to attend both the Planning Commission and City Council meetings and be open to questions regarding the request.
8. **Decision:** The City Council will review the request and either grant or deny the Preliminary Plat.

Above all else, it is imperative that an applicant begin preparations as early as possible and to ensure that a complete application is submitted. Review by the Planning Commission will not occur until at least one month has passed from when the City has deemed the application complete.

**Preliminary Plat Fees:** The City Council has established a **non-refundable fee**<sup>4</sup> for processing Preliminary Plat applications. In addition, the City requires that the applicant enter into an Escrow Agreement with the City and post a escrow to reimburse the City for all technical planning, engineering, public works and legal review. Please consult the fee schedule for current amounts.

The City requires that all applicants submit a new and complete application at every stage of the development process (updating information as needed). This allows us to track changes as the application progresses through the various levels of review. With this in mind, the following materials must be submitted prior to deeming an application complete:

**Sub:   Req:   Item:**

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. <b>A completed land use application form</b> signed by <b>all</b> property owners along with payment of the proper filing fee, escrow and escrow agreement. |
|-------------------------------------|-------------------------------------|--|

---

<sup>3</sup> Staff will determine when applications are reviewed based on the time needed to review the application and the number of items already scheduled on future agendas. Please note that meeting dates are subject to change due to holidays, lack of quorum, etc. Please contact City Hall to confirm all dates and times.

<sup>4</sup> Applicant is also responsible for any additional fees incurred by the City (i.e. engineering, planning, postage, legal expenses, et cetera).

- ☐ ☐ 2. **Written statements** providing information regarding your proposal. Please provide a separate answer for each of the lettered items listed below (answers must be submitted in both hard copy and electronic form--pdf files or MS Word format):
- a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;
  - b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s);
  - c. A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;
  - d. An explanation of how issues have been addressed since the Sketch Plat phase of the development;
  - e. A narrative explaining the intent of the project and/or your original or revised vision for the finished product;
  - f. A statement showing the proposed density of the project with the method of calculating said density shown;
  - g. Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc) necessary to serve the subdivision;
  - h. A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);
  - i. A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;
  - j. Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area.
  - k. If applicable, provide a description of proposed lakeshore access (i.e. shared dock with multiple slips, individual docks for each lot, etc.);
  - l. A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;

***Written statements continued:***

- m. A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

**Sub:   Req:   Item:**

- |                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3. <b>Address labels:</b> A certified list of property owners located within three hundred fifty (350') feet of the subject property obtained from and certified by a licensed abstractor or through Washington County (see attached form). <i>* provided with PUD Application</i>  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 4. <b>Plat &amp; Associated Plans:</b> Three packets of reduced size (11x17), three packets of full plan size (24x36), and an electronic copy containing each of the following required pieces of information depicting the proposed subdivision. Each document shall be at a consistent, readable, and measurable engineering scale, include a title and a page number (Sheet 1 of 5+, Sheet 2 of 5+, et cetera). Staff will assist you in determining what is required. The plan sets will not be considered complete unless all required elements are included. Additionally, each of the packet items must be submitted in an electronic format (.jpg, .pdf, etc.) for use in presentations.<br>The following pages outline the information that is required to deem your application complete. |

☒ ***Preliminary Plat:***

---

**Sub:   Required:   Item:**

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. <b>Administrative Information:</b> <ul style="list-style-type: none"><li>▪ <i>Appropriate identification of the drawing (i.e. preliminary plat, grading plan, etc)</i></li><li>▪ <i>Proposed name of the subdivision</i></li><li>▪ <i>Signature of surveyor and engineer certifying the documents</i></li><li>▪ <i>Date of plan preparation with revision date(s) if any</i></li><li>▪ <i>Graphic scale and true north arrow(engineering scale only, not less than one (1) inch equals one hundred (100) feet.</i></li><li>▪ <i>A complete Legend depicting all line types and symbols used within the plans.</i></li></ul> |
|-------------------------------------|-------------------------------------|--|

***Preliminary Plat continued:***

- ☒ ☒ 2. **General Property Information:**
- *Address(es) and PID(s) for the subject property.*
  - *Existing legal description(s) for the subject property.*
  - *Existing parcel boundaries shown with survey measurement data matching the existing legal description of the parcel of land to be platted.*
  - *Date of survey.*
  - *Name, address, and phone number of landowner (and subdivider if not the same)*
  - *Name, address, and phone number of engineer, surveyor, landscape architect, or land planner preparing the plat (include registration #'s)*
- ☒ ☒ 3. Indication of the gross area being subdivided and the proposed number of lots shown in square feet and acres.
- ☒ ☒ 4. Existing site improvements within the parcel of land to be platted and for a distance of 150 feet outside of the parcel boundaries.
- ☒ ☒ 5. Zoning district(s) of the land being subdivided (if more than one zoning district, zoning boundary lines must be shown) and proposed future zoning for the subdivided land.
- ☒ ☒ 6. Layout of proposed lots with future lot and block numbers. The boundary lines of the subdivision should be clearly distinguishable from other property lines. Denote outlots planned for public dedication and/or open space (schools, parks, trails, stormwater ponds, etc.).
- ☒ ☒ 7. Layout of existing property lines if (different from proposed lot lines). Existing lot lines should be easily distinguishable from the proposed lot lines and not be a prominent feature on the plat.
- ☒ ☒ 8. Denote the area within each of the proposed parcels (in the appropriate units of acres and/or square feet)
- ☒ ☒ 9. Existing contours at intervals of two feet. Contours must extend a minimum of 150 feet beyond the boundary of the parcel(s) in question.
- ☒ ☒ 10. Delineation of wetlands and/or watercourses on the plat and within 150 feet of the perimeter of the subdivision parcel. The ordinary high water elevation and the 100 year flood elevation shall be shown for all existing water bodies.
- ☒ ☒ 11. Location, width, and names of existing and proposed streets within and immediately adjacent to the subdivision parcel, showing pavement type and width.
-

***Preliminary Plat continued:***

- ☒ ☒ 12. All easements of record within or adjacent to the plat.
- ☒ ☒ 13. Lines establishing the buildable area on each lot (setbacks)
- ☒ ☒ 14. Boundary lines of adjoining parcels within three hundred fifty (350) feet beyond the plat. Individual parcels shall be identified by name and ownership including all contiguous land owned or controlled by the subdivider.
- ☒ ☒ 15. Location and dimensions of existing buildings or significant above ground structures on or within one hundred and fifty (150) feet of the outer plat boundary.
- ☐ ☐ 16. Location of any unique natural and/or historic features (if any)

☒ ***Grading, Drainage & Erosion Control Plan:*** *Submitted with PUD Application*

---

**Sub:   Required:   Item:**

- ☒ ☒ 1. Appropriate identification of the drawing as a “grading, drainage and erosion control plan.”
- ☒ ☒ 2. Administrative information as required for the preliminary plat
- ☒ ☒ 3. Preliminary Grading Plan: The developer shall submit a preliminary grading, drainage and erosion control plan utilizing a copy of the current certificate of survey as a base for the site in question, prepared and signed by a Minnesota licensed engineer, depicting the following information:
  - ☒ ☒ 4. North arrow and date of preparation.
  - ☒ ☒ 5. Graphic Scale (engineering scale only, not less than one (1) inch equals fifth (50) feet).
  - ☒ ☒ 6. For each lot, provide lot and block numbers, building pad location, building type and proposed building first floor elevation, low floor elevation and elevation at garage slab.
  - ☒ ☒ 7. Stormwater Management Plan, with a narrative, including the configuration of drainage areas and calculations that meet the requirements of the City Code and/or applicable Watershed Standards.
  - ☒ ☒ 8. Location of all natural features on the tract. Natural features are considered to include, but are not limited to the following: tree lines, wetlands, ponds, lakes, streams, drainage channels, bluffs, steep slopes, etc.

***Grading, Drainage and Erosion Control Plan continued:***

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 9. All delineated Wetlands and watercourse buffers per the City and Watershed standards; and wetland replacement plan, if needed.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Location of all existing storm sewer facilities, including pipes, manholes, catch basins, ponds, swales, and drainage channels within one hundred fifty (150) feet of the tract. Existing pipe type, grades, rim and invert elevations and normal and high water elevations must be included.                          |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Normal water level (NWL) and 100-year high water level (100-year HWL) for all water bodies, existing and proposed.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Spot elevations at drainage break points and emergency overflows (in BOLD) with directional arrows indicating site, swale and lot drainage.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 13. Retaining Walls (wall heights and elevations).   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 14. Locations, grades, rim and invert elevations of all storm sewer facilities, including ponds and BMP's proposed to serve the tract.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Locations and elevations of all street high and low points.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 16. Street grades shown.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 17. Provide phasing plan for site grading.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 18. All soil erosion and sediment control measures to be incorporated during and after construction must be shown. Locations and standard detail plates for each measure must be included on the plan using Lake Elmo city standard details. Plan must meet the requirements of MPCA General Permit Construction Activity. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 19. All revegetation measures proposed for the tract, including seed and mulch types and application rates must be included on the plan.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 20. Existing contours at two (2) foot intervals shown as dashed lines (may be prepared by a Minnesota licensed surveyor). Existing contours shall extend one hundred fifty (150) feet outside of the tract.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 21. Proposed grad elevations at two (2) foot intervals shown as solid lines.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 22. Other information as required and outlined in the City Plan Sheet Format Requirements.   |



**Utility Plan:**

**Sub:   Required:   Item:**

- |                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Appropriate identification of the drawing as a "utility plan."   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Administrative information as required for the preliminary plat  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Preliminary Utility Plan, prepared and signed by a Minnesota licensed engineer, depicting the following information:   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Easements: Location, dimension and purpose of all utility easements.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Underground and Overhead Facilities: Location and size of existing utilities including sewers, water mains, culverts, gas, electric, phone, cable, fiberoptic, utility poles or other underground facilities within the tract and to a distance of one hundred fifty (150) feet beyond the tract. Such data as grades, invert elevations, and location of catch basins, manholes and hydrants shall also be shown.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Proposed utility plans including sanitary sewer, watermain, and storm sewer, all in accordance with the City engineering design standards manual.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Water Supply, Public: Water mains shall be provided to serve the subdivision by extension of an existing community system wherever feasible. Service connections shall be stubbed to the property line. Extensions of the public water supply system shall be designed so as to provide public water in accordance with the engineering design standards as approved by the City Engineer and in accordance with the City's Comprehensive Water Plan. The utility plan shall indicate the location of all hydrants and valves. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Water Supply, Private: In areas where public water supply is not available, individual wells shall be provided on each lot, properly placed in relationship to the individual sewage disposal facilities. Well plans must comply with the State Well Code, as may be amended, and be submitted for the approval of the City Engineer.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Sewage Disposal, Public: Sanitary sewer laterals and service connections shall be installed in accordance with the design standards of the City as approved by the City Engineer. The utility plan shall provide the locations, grades, rim and invert elevations, and sizes of all proposed sanitary sewer facilities to serve the tract.   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 10. Sewage Disposal, Private: All individual sewage treatment systems shall be installed in accordance with all applicable State, County, and City requirements.  |

***Utility Plan continued:***

- ☐ ☐ 11. Other information as required and outlined in the City Plan Sheet Format Requirements.

☒ ***Street & Storm Sewer Plan:***

**Sub:   Required:   Item:**

- |                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Appropriate identification of the drawing as a "street & storm sewer plan."  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Administrative information as required for the preliminary plat  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Preliminary Street and Storm Sewer Plan, prepared and signed by a Minnesota licensed engineer, depicting the following information:  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Layout of proposed streets showing the proposed lot lines, right-of-way widths, and proposed names of streets in conformance with the County Uniform Street Naming and Addressing System.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Locations and widths of proposed streets, alleys and pedestrian-ways.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Location, dimensions and purpose of all easements.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Annotation of street geometrics for all horizontal curves, tangent lengths and corner radii.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Centerline profile and gradients for all streets, with vertical geometrics annotated on the plan profiles.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Typical cross section of proposed street improvements.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Minimum front and side street building setback lines.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 11. When lots are located on a curve, the width of the lot at the building setback line.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Location and number of off-street parking spaces (guest, handicapped, bicycle, motorcycle, etc.) including typical dimensions of each. <i>Note: not required for single family residential developments unless on street parking/guest parking is proposed.</i> |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 13. Other information as required and outlined in the City Plan Sheet Format Requirements.  |

☐ **Tree Preservation Plan<sup>5</sup>:**

**Sub: Required: Item:**

- |                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Appropriate identification of the drawing(s) as the "tree preservation plan."  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Administrative information as required for the Preliminary Plat.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Tree Preservation Plan, prepared and signed by a Minnesota licensed forester or landscape architect, depicting the following information:  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Tree inventory and survey, including a total listing of all healthy significant trees, all healthy significant trees to be removed and all healthy significant trees to remain. Information should be presented in both graphic (at a scale not less than one (1) inch equals one hundred (100) feet) and tabular form (charts listing significant trees by field tag number). |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 5. General description of the trees on the site not meeting the significant size threshold.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Locations of proposed buildings, structure, or impervious surfaces.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Delineation of all areas to be graded and limits of land disturbance.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Identification of all significant trees to be removed in the construction area, presented in both graphic and tabular form.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Measures to protect the significant trees that are to remain.  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Size, species, number and location of all replacement trees proposed to be planted on the property in accordance with the Mitigation Plan, if necessary, presented in both graphic (at a scale not less than one (1) inch equals one hundred (100) feet) and tabular form.  |

☒ **Landscaping Plan<sup>6</sup>:**

**Sub: Required: Item:**

- |                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Appropriate identification of the drawing(s) as the "landscaping plan."  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Administrative information as required for the Preliminary Plat.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3. The proposed location, size, quantity, and species of all existing and proposed plant materials as required by the city code. Information should also be provided in tabular form. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Methods for protecting existing trees and other landscape material, consistent with the city code.   |

<sup>5</sup> All tree preservation plans shall be certified by a forester or landscape architect.

<sup>6</sup> All landscape plans shall be certified by a landscape architect.

***Landscaping Plan continued:***

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Proposed structural and ground cover materials.                             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Proposed provisions for irrigation and other water supplies.                |
| <input type="checkbox"/>            | <input type="checkbox"/>            | 7. If required, proposed screening showing details and typical cross-sections. |

☐ ***Ghost Plat*** (Note: Ghost Plat may be required dependent on potential future land uses of adjacent property as guided by the City's Comprehensive Plan):

---

**Sub:   Required:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a "ghost plat."   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the preliminary plat  |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Show potential future subdivision possibilities for the land if your proposal was approved (i.e. if you are not subdividing to the maximum density, how might the land be further divided in the future to reach the maximum density). |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Indicate how the proposed subdivision will relate to potential future subdivisions of adjacent properties (you may need to ghost plat development on adjacent properties to establish this relation).                                  |

☒ ***Electronic files***

---

**Sub:   Required:   Item:**

- |                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. A flashdrive must be submitted which includes electronic files for the written statements regarding the proposal, the plat and all associated plans. Staff can generally work with most file formats (.jpg or .pdf files are preferred). |
|-------------------------------------|-------------------------------------|---|

**Sub:   Req:   Item:**

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 4. <b>Supplemental Information.</b> Depending upon the submittal, the following items may also be required:                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Feasibility report(s) for proposed individual on-site sewer and water systems. Such reports will be required with any future preliminary plat; |
| <input type="checkbox"/> | <input type="checkbox"/> | Proposed protective covenants;   |
-

***Supplemental Information continued:***

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Three (3) copies of a context diagram that graphically depicts how the development plan relates to its surrounding neighborhood or community context including the pedestrian, bike, and street (vehicular access) network (existing and potential); |
| <input type="checkbox"/> | <input type="checkbox"/> | A Traffic Impact Study (TIS) (3 copies) prepared in accordance with State, County and/or City Engineering guidelines;  |
| <input type="checkbox"/> | <input type="checkbox"/> | A soil survey and report;  |
| <input type="checkbox"/> | <input type="checkbox"/> | Signed letters of intent indicating that all required off-site easements and off-site rights-of-way necessary for the project could be negotiated and obtained;  |
| <input type="checkbox"/> | <input type="checkbox"/> | A hydrological/groundwater report;   |
| <input type="checkbox"/> | <input type="checkbox"/> | Any environmental review, such as an Environmental Assessment Worksheet, as required by State Statutes. If an environmental review is required, the Preliminary Plat application cannot proceed until the review or study is complete;               |
| <input type="checkbox"/> | <input type="checkbox"/> | Any other special natural area or environmental study or report pursuant to Lake Elmo Code as requested by the City, if such exists or is deemed necessary;  |
| <input type="checkbox"/> | <input type="checkbox"/> | Any <b>other information</b> required by Staff, Commissioners, or Council Members necessary to provide a complete review of the preliminary plat and associated plans <sup>7</sup> . Additional items include:                                       |
- \_\_\_\_\_

**Sub:   Req:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <b>8. Variances:</b> If you are requesting variances in any portion of the submitted Preliminary Plat, the City asks that you list each of the requested variances and provide an explanation as to why each is necessary and cannot be avoided. Additionally, you must provide written answers to the following questions: |
|--------------------------|--------------------------|---|
- (1) Identify the unusual hardship on the land that necessitates the variance request; and
  - (2) Explain the nature of the proposed use of land and the existing use of land in the vicinity of the property; and
  - (3) Estimate the number of persons to reside or work in the proposed subdivision; and
  - (4) Indicate the probable effect of the proposed subdivision upon traffic conditions in the vicinity.

---

<sup>7</sup> Number of copies, size, and other such administrative details may also be imposed when requiring additional information.

| <u>Sub:</u>              | <u>Req:</u>              | <u>Item:</u>   |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 9. <b>Additional Applications:</b> If your request involves a proposed comprehensive plan amendment or rezoning request, additional applications will be required. |
| <input type="checkbox"/> | <input type="checkbox"/> | Comprehensive Plan Amendment Application   |
| <input type="checkbox"/> | <input type="checkbox"/> | Zoning Map Amendment Application   |

State statutes provide City staff with fifteen (15) business days to review an application to determine if it is complete. Applications found to be incomplete will be returned to the applicant. Please contact staff at (651) 747-3900 if you have any questions.

Thank you.



**City of Lake Elmo**  
**Escrow Agreement for Municipal Review Services**  
**Deposit Agreement**

**THIS AGREEMENT** is made this 27 day of April 2022, by the Applicant and Owner (hereinafter individually and collectively referred to as "Applicant") in favor of the City of Lake Elmo, a municipal corporation of Minnesota (hereinafter referred to as "City").

A. "Applicant" whose name and address is:

SRD 2.0, LLC

900 N Third Street

Minneapolis, MN 55401

B. "Owner" whose name and address is:

DPS-Lake Elmo, LLC

6007 Culligan Way

Minnetonka, MN 55345

**RECITALS**

**WHEREAS**, the Applicant has applied to the City for approval for one or more of the following: (Select All That Apply)

☒ Plat (Sketch, Preliminary, Final)

☐ PUD/OP-PUD (Pre-Application,

☐ Preliminary, Final) Vacation

☐ Conditional Use Permit

☐ Interim Use Permit

☐ Comprehensive Plan Amendment

☐ Variance

☐ Minor Subdivision

☐ EAW Review

☐ Zoning Text or Map Amendment

☐ Wind Generator

☐ Wireless Communication Permit (co-location)

**WHEREAS**, the Applicant acknowledges the receipt of benefit to the property, from the City's technical and compliance review of the application; and

**WHEREAS**, under authority granted to it, including Minnesota Statutes Chapters 412 and 462, the City will process the application on the condition that the Applicant enter into this Deposit Agreement, which agreement defines certain duties and responsibilities of the Applicant, as well as the City; and the Applicant shall provide cash to the City in the amount satisfactory to the City; and provide security to the City for the payment of all review costs incurred by the City.

**NOW THEREFORE**, the City and Applicant agree as follows:

1. **Requirement.** The Applicant is required to make the necessary deposits prior to the process of municipal planning, public works, legal & engineering review commences.
2. **Review Process.** Applicant acknowledges and agrees that the City shall commence to review and process the review request checked above at such a time that this Agreement is executed by all parties and the cash required for the specific review is deposited and posted by the City's Finance Department. The City may provide a review completion schedule to the Applicant at the time of deposit. The City reserves the right to modify the schedule based on the completeness of the application, the need for additional information for review, or revisions to the application that may occur during the scheduled review.
3. **Use of Deposited Funds.** The City may draw upon the deposits to pay the costs it incurs in connection with reviewing the application. The City shall determine all of its costs, including both administrative and consulting services, at the rates charged by the City or its consultants, determined according to the City's adopted fee schedule. A copy of the current administrative and consulting rates is attached as Exhibit "A", which rates are subject to change by the City, without notice to the Applicant. Exhibit "A" should not be construed as an exhaustive list of consultants and Applicants shall be responsible for all other consulting fees related to the application. The City shall provide Applicant with the applicable rates for consultants used in the review prior to commencement. This Agreement does not pertain to ancillary charges incurred by reviewing of other governmental bodies, including but not limited to, Soil & Water Conservation Districts, Washington County Government, Water Shed, or any other unit of government that may, by right, have review authority.
4. **Conditions of Deposit.** The following stipulations and conditions shall apply to the deposit account for review services contemplated under this Agreement.
  - a. Payment shall be made to City consultants, included but not limited to legal and planning, in the amounts billed to the City, according to consulting rates in effect at the time of the execution of the agreement. Such consulting deemed necessary for the proper review of the application shall be at a usual and customary rate as it relates to the subject matter of the application for payment as determined by the City.
  - b. The City shall reimburse itself from deposit accounts for all costs and expense incurred by the City in connection with the implementation and enforcement of this Agreement. Reimbursement shall occur on a monthly basis and the City's Finance Department shall notify Applicant of the reimbursement via account reconciliation report.
  - c. The City shall not be responsible for paying any interest on the money deposited under the Agreement.
  - d. If in the discretion of both the City's Finance Department and the Community Development Department, there is deemed to be an inadequate balance in the deposit account to pay for all fees and costs incurred by the City, the City will notify the Applicant for the need for an additional deposit. The total of the additional deposit shall be calculated by City staff based on the amount of work yet to be completed in the review of the application. Applicant

agrees to make the additional deposit within (10) days of a receipt of such notice. For purposes hereof, receipt of notice shall be deemed made upon the depositing of the notice in the U.S. Mail, postage paid. In the event, the Applicant fails to make the additional deposit with (10) days of receipt of the notice, the City will terminate its review process and not re-commence until the appropriate deposit is made and posted by the City's Finance Department.

e. No applications will be processed or forwarded to the appropriate governing reviewing body by the City until all amounts due under this Agreement have been paid in full.

5. **Positive Balance in Escrow Accounts.** Upon the happening of any of the following events, the balance in the deposit account less outstanding fees shall be paid to the Applicant within (90) days of receipt by the City of a written request by the Applicant for payment: (1) completion of the development process; or (2) the application is withdrawn by the Applicant; (3) the applicant is denied by the City for any reason.
6. **Deposit Amounts.** The initial deposit amount contemplated for each the purposes described under the Agreement, which may be revised by the City from time to time, are set forth for Exhibit "B" attached hereto.
7. **Accounting.** If there has been activity in the account, the City will provide a monthly accounting of all expenses charged against the account or when requested by the Applicant. An accounting will also be provided when the City notices the need for an additional escrow deposit.
8. **Terms of Breach.** In the event of any terms of this Agreement are breached by the Applicant, including, but not limited to failure to make additional deposits when required by the City, the City may cease processing any application submitted by the Applicant or order the Applicant to cease any further development or progress under the terms of this Agreement, or both. Applicant indemnifies and holds the City harmless from any liability, claim, action or suit by or any obligation to the Applicant arising from or in connection with the City exercising or enforcing the terms and conditions of this Agreement or action on the Application. The Applicant shall pay all costs and expenses, including reasonable attorney fees and suit costs, incurred by the City arising from or in connection with the City any terms and conditions of this Agreement.
9. **Validity.** If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this Agreement.
10. **Binding Agreement.** The parties mutually recognize and agree that all terms and conditions of this Agreement shall run with the land herein described and shall be binding upon the heirs, successors, administrators and assigns of the parties referenced in this Agreement.
11. **Amendments.** The terms of this Agreement shall not be amended without the written consent of the City and all parties hereto.

[ Signature Page Follows ]

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

APPLICANT

OWNER:

Katie Anthony  
By: Katie Anthony, VP Development  
Its: Members

see Letter of Authorization  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF MINNESOTA     )  
  ) SS.  
COUNTY OF WASHINGTON    )

On this 27 day of April, 2022, before me a Notary Public within and for said County, personally appeared Katie Anthony and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she / they executed that same as his / her / their free act and deed.



[Signature]  
Notary Public

STATE OF MINNESOTA     )  
  ) SS.  
COUNTY OF WASHINGTON    )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a Notary Public within and for said County, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she / they executed that same as his / her / their free act and deed.

\_\_\_\_\_  
Notary Public

CITY OF LAKE ELMO

\_\_\_\_\_  
By: Kristina Handt  
Its: City Administrator

\_\_\_\_\_  
Attest: Julie Johnson, City Clerk

STATE OF MINNESOTA       )  
  ) ss.  
COUNTY OF WASHINGTON    )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ , before me a Notary Public within and for said County, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she/ they executed that same as his / her / their free act and deed.

\_\_\_\_\_  
Notary Public



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

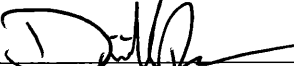
## ***ACKNOWLEDGEMENT OF RESPONSIBILITY***

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant  Date 4-27-2022

Name of applicant Dominik Jensen Phone 612-305-7095  
(Please Print)

Name and address of Contact (if other than applicant) djensen@sr-re.com

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

## ***AFFIRMATION OF SUFFICIENT INTEREST***

I hereby affirm that **I am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Dominik Jenson, Development Manager, Schafer Richardson  
(Please Print)


Street address/legal description of subject property \_\_\_\_\_

9450 Hudson Blvd. N., Lake Elmo, MN 55042

Outlot B, DPS Lake Elmo

Washington County, MN

Abstract Property

  
Signature

4-27-2022  
Date

**If you are not the fee owner**, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

**If a corporation is fee title holder**, attach a copy of the resolution of the Board of Directors authorizing this action.

**If a joint venture or partnership is the fee owner**, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



## PRELIMINARY PLAT APPLICATION

### General Information

The landowner's name, address, email, and his/her interest in the subject property.

DPS-Lake Elmo LLC

6007 Culligan Way, Minnetonka, MN 55345

Contact Person: Alan Dale, Landowner

Contact Information: 952-288-2200, [adale@mntile.com](mailto:adale@mntile.com)

The applicant's name, address, and email if different from the landowner.

SRD 2.0, LLC

900 N 3<sup>rd</sup> Street, Minneapolis, MN 55401

Contact Person: Dominik Jenson, Development Manager - Schafer Richardson

Contact Information: 612-305-7095 (direct), [djenson@sr-re.com](mailto:djenson@sr-re.com)

The names, email and addresses of all professional consultants who have contributed to the development of the PUD plan being submitted, including but not limited to attorney, land planner, engineer, and surveyor.

Architect: UrbanWorks, David Haaland, 612-455-3206, [dhaaland@urban-works.com](mailto:dhaaland@urban-works.com)

GC: Eagle Building Co., Nick Williams, 612-378-1115, [nickwilliams@eaglebuildingllc.com](mailto:nickwilliams@eaglebuildingllc.com)

Engineer/Surveyor: Sambatek, Joe Bailey, 763-476-6010, [jbailey@sambatek.com](mailto:jbailey@sambatek.com)

### Present Status

A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s).

Property Address: 9450 Hudson Boulevard, Lake Elmo, MN 55042

Legal Description: Outlot B, DPS LAKE ELMO, Washington County, MN, Abstract Property

PID: 3402921340012

Parcel Size: 14.143 acres OR 616,076 square feet

Current Zoning: The existing zoning of the property is Rural Transitional. The property is currently vacated.



A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way.

The proposed PUD includes the redevelopment of a 14.143-acre property into a mixed-use PUD featuring residential and commercial uses. The property is currently an Outlot, and this application includes a preliminary plat to subdivide, and plat, the property into two separate lots and also includes the dedication of Julia Avenue to the City as a public right of way. Lot 1, Block 1, Foxberry Addition, will be 10.819 acres in size. Lot 2, Block 1, Foxberry Addition, will be 1.946 acres in size. The right of way will include 1.378 acres. The entire property will be zoned MU-C. Please see the Preliminary Plat for reference.

An explanation of how issues have been addressed since the Sketch Plat phase of the development.

The preliminary plat remains in line with what was previously submitted to the City.

A narrative explaining the intent of the project and/or your original or revised vision for the finished product.

The proposed project includes a single, four-story apartment building consisting of 190 market rate apartment units ranging in size from studio to three-bedrooms, one level of underground parking, dedicated surface parking, indoor and outdoor amenity spaces, and various site improvements and infrastructure.

The commercial component of the proposed project will be located at the southeast corner of the property at the intersection of Hudson Boulevard and Julia Avenue and includes a single, slab-on-grade building in which will be utilized as a preschool/childcare center, known as The Goddard School. This component of the project includes a an approximately 13,000 square foot building designed for up to 188 children and staff, outdoor play area, and 49 surface parking spaces.

The plat/subdivision is being requested due to Lot 1 and Lot 2 being under different ownerships at the time of development. The entire property is currently under contract with the Applicant, SRD 2.0, LLC and once platted, Lot 2 will be sold to a third party, Goldridge Companies, for the development of their preschool/childcare center.

A statement showing the proposed density of the project with the method of calculating said density shown.

The proposed land use is consistent with the 2040 Comprehensive Plan for Future Land Use designation of Mixed Use-Commercial (MU-C). The MU-C designation allows for up to 15 units per acre. The Applicant is requesting approval of a density of 16.35 units per acre, permitted through the PUD ordinance for the City Council to approve up to 20% bonus density based on provision of certain site amenities. The residential portion of the PUD, Lot 1, includes 190 apartment units, totaling 15.57 units per acre (inclusive of Lot 1 and Right of Way land area from the Preliminary Plat). The Applicant is requesting approval of a density of up to 16.35 units per acre, from the max density of 15 units per acre in a MU-C district, by adding Amenity Area's for Amenity Points. As such, the Applicant is requesting 9 amenity points for a 9% increase in



residential density. The proposed amenity points include Underground Parking: Requesting 9 points. 45% of required parking will be enclosed, underground. For the Applicant to provide these stalls, the Applicant proposes a monthly fee for the underground parking stalls and no fee for the surface parking stalls. In the Pre-Application PUD, it was indicated that staff would likely recommend approval of density points for underground parking.

Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc) necessary to serve the subdivision.

The proposed development plan shows private driveways and roads internal to the site with a series of sidewalks connecting the building to site amenities, to a sidewalk along Julia Avenue and to the trail along Hudson Boulevard. When the property is developed, it will have urban services and will pay sewer and water connection charges, building permit fees, park dedication fees and the like that the applicant and/or the contractors will pay. Regarding the park dedication, the applicant is currently assuming a fee of \$6,000/acre in lieu of land dedication. Please see development plans for more detailed information.

A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring landowners is recommended to get a sense of what issues may arise as your application is processed).

The property is surrounded by various land uses, includes Medium Density Residential (MDR) to the North, Mixed Use-Commercial (MU-C) to the East, MU-C to the West, and Hudson Boulevard and I-94 to the South. Previous development efforts were presented to the community and City by a separate entity a handful of years ago and the project did not proceed. With this, there has been an understanding that this property would be developed into multifamily and commercial projects. Conversations have been had between the Applicant and the landowner to the North regarding potential air easements that may be needed for the multifamily project. That landowner has expressed approval for such easements once the time approaches.

A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated.

As mentioned above, the property is surrounded by similar, and complimentary, land uses. The proposed land use is consistent with the 2040 Comprehensive Plan for Future Land Use designation of Mixed Use-Commercial (MU-C). The proposed development will require City approval of a Zoning Map Amendment to officially zone the property to MU-C from the property's current Rural Transition (RT) zoning designation. The development plans set forth for the proposed project have been created to avoid any disturbance that may be created to nearby wetlands or natural areas. Additionally, the development of the property will include improvements along both Julia Avenue and Hudson Road. The property will also provide additional stormwater management to the developments.

Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area.



With the improvements to Hudson Road and along Julia Avenue, the project will not place an excessive burden on roads and other public infrastructure, rather these improvements will provide better services to the site occupants, neighborhood, and visitors. Additionally, private funds are being used to ensure that adequate infrastructure and connections are provided on the property to ensure the needs and requirements are being met of the surrounding infrastructure, services, and community.

If applicable, provide a description of proposed lakeshore access (i.e. shared dock with multiple slips, individual docks for each lot, etc.).

Not applicable.

A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas.

The property will include open space throughout the property. Aside from the sidewalk additions and improvements along both street frontages, Lot 1 of the project will include various open areas inclusive of: sidewalks, green space, and stormwater pond with trail surround. There is a gas line easement that exist on the western portion of the property, providing the ability to use this space for an ample amount of outdoor recreation space. These on-site areas and improvements will be maintained by the owner of Lot 1 and will benefits occupants of the multifamily development.

A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

It is anticipated that development at the property for both Lot 1 and Lot 2 will begin in August 2022. The construction schedule for Lot 1 will be for 17 months with building completion anticipated for mid-January 2024. The construction schedule for Lot 2 will be for 6 months with the building completion anticipated for February 2023. Public improvements and other site work will occur throughout the development schedule.

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Permit #: \_\_\_\_\_



651-747-3900  
3880 Laverne Avenue North  
Lake Elmo, MN 55042

## CONDITIONAL USE PERMIT APPLICATION

Property Owner: Brad Coats / Goldridge Companies  
Address: 310 Pinnacle Way, #300, Eau Claire, WI 54701  
Phone #: 612-751-7513  
Email Address: heybc53@gmail.com

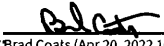
Fee Owner: DPS-Lake Elmo, LLC  
Address: 6007 Culligan Way, Minnetonka, MN 55345  
Phone #: 952-288-2200  
Email Address: adale@mntile.com

Property Address: 9450 Hudson Blvd. N, Lake Elmo, MN 55042  
PID#: 3402821340012

Engineer Name and Email: Joe Bailey, Project Manager at Sambatek, jbailey@sambatek.com

**Detailed Reason for Request:** The Applicant is requesting a CUP for a Daycare Center, to be constructed on Lot 2 of the to-be-approved plat for the referenced property.  
SRD 2.0, LLC, whom the Applicant will be purchasing Lot 2 from, has submitted other entitlement applications to be approved concurrently with this request. SRD 2.0, LLC has been given approval  
by the current property owner to submit such applications. The end user of Lot 2, Goddard Schools, a national childcare group, would like to open a center in Lake Elmo. Daycare Centers are permitted by CUP in the MU-C district.

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

Signature of applicant:  Date: Apr 20, 2022  
Brad Coats (Apr 20, 2022 10:06 CDT)

Signature of property owner: See attached letter of Authorization. Date: \_\_\_\_\_



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

## **ACKNOWLEDGEMENT OF RESPONSIBILITY**

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant  Date Apr 20, 2022  
Brad Coats (Apr 20, 2022 10:06 CDT)

Name of applicant Brad Coats Phone 612-751-7513  
(Please Print)

Name and address of Contact (if other than applicant) \_\_\_\_\_

Dominik Jenson / djenson@sr-re.com

| Sub:                                | Req:                                | Item:  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3. <b>Verification of Ownership</b> (a copy of a current title report, purchase agreement, etc.)   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 4. <b>Address Labels:</b> A certified list of property owners located within three hundred fifty (350') feet of the subject property obtained from a certified by a licensed abstractor through Washington County (see attached form)  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 5. <b>Three (3) copies of a certified survey</b> or to-scale site plan depicting the lot upon which a conditional use permit is requested. The large number of copies <u>is</u> necessary given the number of people who receive the planning commission and city council packets. The survey/site plan shall be at a readable and measurable engineering scale, be composed of one or more sheets not smaller <sup>4</sup> than 11x17, be pre-folded for distribution, and include the following information <sup>5</sup> |
| <input checked="" type="checkbox"/> |                                     | Location, Floor Area, and Building Envelope of Existing & Proposed Structures  |
| <input checked="" type="checkbox"/> |                                     | Lot Lines  |
| <input checked="" type="checkbox"/> |                                     | Parcel Size in Acres & Square Feet   |
| <input checked="" type="checkbox"/> |                                     | Building Setbacks (Front/Rear/Side/Lake): closest point of building to each property line  |
| <input checked="" type="checkbox"/> |                                     | Actual elevations for Garage Floor, Basement Floor, Foundation Top, & Building Height  |
| <input checked="" type="checkbox"/> |                                     | Lowest Floor Elevation if any part of property is in flood plain   |
| <input checked="" type="checkbox"/> |                                     | All Water Features: Floodplain, Floodway Delineations, Ordinary High Water Mark Elevations, Wetlands, Watercourses, Reservoirs, Ponds, & Other Bodies of Water   |
| <input checked="" type="checkbox"/> |                                     | Existing topographic character of land showing contours at 2' intervals Proposed topographic character at 2' intervals   |
| <input checked="" type="checkbox"/> |                                     | Flow arrows indicating direction of drainage   |
| <input checked="" type="checkbox"/> |                                     | General location of wooded or heavily vegetated areas  |
| <input checked="" type="checkbox"/> |                                     | All Adjacent Structures Within 100 Feet of Property  |
| <input checked="" type="checkbox"/> |                                     | All Easements (Road, Utility, Drainage, etc.)  |
| <input checked="" type="checkbox"/> |                                     | Public Right-of-Way Name (street name)   |
| <input checked="" type="checkbox"/> |                                     | Proposed driveway location and proposed driveway grades  |
| <input type="checkbox"/>            |                                     | Wells & Neighboring Wells if New Drainfield is Installed   |
| <input checked="" type="checkbox"/> |                                     | Septic System & Drainfield, or Sanitary Sewer Connection   |
| <input type="checkbox"/>            |                                     | Percolation Test & Soil Boring Holes (if applicable)   |
| <input checked="" type="checkbox"/> |                                     | Hardcover Calculations--% and square footage of:   |

<sup>4</sup> If your survey must be larger than 11x17 to be fully legible and to scale, we ask that three (3) copies be in the large format, with the remainder reduced to 11x17.

<sup>5</sup> Please consult with staff on exactly what to include on your survey. Every application is unique and may require more or less information than what is listed in this handout. Staff reserves the right to require additional information.

- 
- Building coverage
  - Driveway and parking
  - Public street right-of-way
  - Open space and/or landscaped area
- ☒ Proposed Treatment of the Perimeter, including Screens, Fences, Walls, & Landscaping
- ☒ Location of adjacent Municipal boundaries
- ☐ Top and toe of bluffs (if applicable)
- ☒ Location, dimensions, and number of off-street parking spaces (including guest, handicapped, bicycle, and motorcycle spaces)
- ☒ Location of existing and proposed pedestrian sidewalks. Identify possible vehicular conflicts and indicate the proposed treatment of such
- ☒ Administrative Information:
- Scale & North Point
  - Signature of Surveyor
  - Date of Preparation
  - PID Number
  - Site Address
  - Legal Description
  - Subdivision Name (if applicable)
  - Zoning Classification
  - Parcel Size in Acres & Square Feet
- ☐ Other: \_\_\_\_\_

**Sub:   Req:   Item:**

- ☒   ☒   **6.   Landscape Plan:** Three copies of a Landscape Plan depicting the property in question. Each document shall be at a consistent, readable, and measurable engineering scale, be composed of sheet(s) not smaller<sup>6</sup> than 11x17, and be pre-folded for distribution. Staff will assist you in determining what is required. The landscape plan will not be considered complete unless all required elements are included.
- ☒ Extent and location of all plant materials and landscape features. Please include a plant material schedule with common and botanical names, symbols, sizes, quantities, and total percentage of each species.
- ☒ Flower and shrub beds shall be clearly shown and drawn to scaled dimensions. Actual plant quantities must be shown with landscape edge and mulch material identified.

<sup>6</sup> If your survey or sketch plan must be larger than 11x17 to be fully legible, we ask that that three (3) copies of the plan be in the large format, and an additional three (3) be reduced to 11x17.

- 
- ☒ Existing trees must be accurately identified as to location, species, size, and condition; and labeled with intent to remove, protect, or transplant. Transplanted tree locations shall be identified.
  - ☒ Tree protection specifications as defined in Section 23 of Lake Elmo Code shall be included on all landscape plans in written and graphic form.
  - ☒ Proposed treatment of all ground surfaces must be clearly indicated (paving, turf, mulch grading, etc). Grass surfaces must be identified as sod or seed with the blend or mix specified.
  - ☒ Show specific horticultural notes and details insuring the quality, survival, and establishment of plant materials.
  - ☒ Proposed contours if making changes to existing grading.
  - ☒ Retaining walls that are used to provide breaks in slopes, protect trees, or accomplish other landscape objectives.
  - ☒ Any plans to restore, revegetate, or enhance an affected natural area or natural area buffer zone.
  - ☒ Mitigation plans for any proposed natural area disturbance.
  - ☐ Other requirements set forth by the City Engineer

22

**Sub:   Req:   Item:**

- ☒   ☒   7.   **Architectural Plans:** Three copies<sup>6</sup> of architectural plans for all buildings sufficient to convey the basic architectural intent of the proposed improvements. The plans shall be pre-folded for distribution, and include the following information (please consult with staff to determine if any of these informational requirements can be waived):
  - ☒ Architectural elevations (to a verifiable scale) as they will appear after construction.
  - ☒ Maximum building height/elevation of all structures.
  - ☒ Indication of all typical building dimensions (including doors, windows, eaves, rooflines, pitch, et cetera) on all building elevations.
  - ☒ Specifications as to type, color, and texture of exterior surfaces of proposed structures (include color chips and exterior building materials list).

- ☒ A detailed lighting plan insuring that all lighting apparatuses are down shielded as to ensure such do not shine or create glare on abutting properties and surrounding areas (include a specification sheet for all wall fixtures and site plan fixtures).
- ☒ Photo metric plan(s) for the site.
- ☒ Location of utility meters, HVAC equipment, vaults, irrigation boxes, transformers, and other utility service functions (such as conduits, and vents). Show how this equipment will be screened so that the visual and acoustic impacts of these functions are fully contained and out of view of the adjacent properties and public streets.

**Sub:    Req:    Item:**

- ☒ ☒ 8. **Utilities & Services Plan:** A plan set detailing the existing and proposed utility systems including sanitary sewers, storm sewers, water, electric, gas lines, telephone lines, fire hydrants, and trash collection areas.
- ☒ ☒ 9. **Electronic file(s) of plan sets.** Staff can generally work with most file formats (we would prefer .jpg or .pdf files).
- ☐ ☐ 10. **Any other information** required by city staff, commissioners, or council members necessary to provide a complete review of the conditional use request. Information deemed critical to the review process not listed in this handout may be requested<sup>7</sup>. Staff will list other requirements below:  
  
\_\_\_\_\_

The City may require (or the applicant may choose to submit) evidence that is beyond what is required in any section outlined in this handout. Please be advised that the City reserves the right to impose conditions on an approved conditional use if necessary to avoid a detrimental impact on surrounding properties or the City as a whole.

If you have any questions regarding these requirements, please call City Hall at (651) 747-3900. Thank You.

---

<sup>7</sup> Number of copies, size, and other such administrative details may also be imposed when requiring additional information.



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

## **AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that I am the **fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Brad Coats  
(Please Print)

Street address/legal description of subject property 9450 Hudson Blvd. N, Lake Elmo  
PID #3402921340012

Brad Coats  
Brad Coats (Apr 20, 2022 10:06 CDT)

Signature

Apr 20, 2022

Date

**If you are not the fee owner**, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

**If a corporation is fee title holder**, attach a copy of the resolution of the Board of Directors authorizing this action.

**If a joint venture or partnership is the fee owner**, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

## CONDITIONAL USE PROCEDURE<sup>1</sup> FOR THE CITY OF LAKE ELMO

The Lake Elmo City Code was established to protect current and future residents from the negative impacts of improper development and to ensure a positive future for the city. A conditional use permit is the mechanism that allows the city to examine proposed uses to ensure they are compatible with the proposed site and surrounding properties. As outlined in LEC 105.12.290. It is important to understand that a proposed use may be acceptable in some locations but unacceptable in others.

The Planning Commission will review the request at one of their meetings (held on the 2nd and 4th Monday of every month<sup>3</sup>) and forward a recommendation onto City Council (1st and 3rd Tuesday of every month<sup>3</sup>). Applicants are advised to attend both the Commission meeting and the Council meeting and be open to questions that might be posed regarding the request.

*Note: State mandated requirements for public hearing notifications do not allow the City to accelerate the review process*

**At a minimum, the following materials must be submitted to the City before the City deems an application complete:**

| Sub:                                | Req:                                | Item:   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. A completed land use application form signed by all property owners along with payment of the proper filing fee.   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Written statements providing information regarding your proposal. Please provide a separate answer for each of the lettered items listed below. Answers must be submitted in both hard copy and electronic form.   |
|                                     | <input checked="" type="checkbox"/> | a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;  |
|                                     |                                     | b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s);  |
|                                     |                                     | c. A narrative regarding the history of the property (current and past uses) and any pre-application discussions with staff.  |
|                                     |                                     | d. A specific written description of the proposed use(s).   |
|                                     |                                     | i. Incorporate information describing <u>how the use will work on the proposed site</u> including proposed site changes, existing open spaces, landscaping, traffic circulation, transition areas to adjacent properties, individual uses for existing and proposed structures, and effects on natural areas (wetlands, forests, etc.) both on-site and in the general vicinity of the project. |
|                                     |                                     | ii. Provide specific details about the use including the number of employees, hours of operation, maximum number of animals (if applicable), proposed development schedule, etc.  |
|                                     |                                     | e. Provide justification that the proposed use meets the following findings:  |
|                                     |                                     | i. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or City.  |
|                                     |                                     | ii. The use or development conforms to the City of Lake Elmo Comprehensive Plan.  |
|                                     |                                     | iii. The use or development is compatible with the existing neighborhood.   |

<sup>1</sup> The information provided in this document is intended to be a correct statement of the law as set forth in the Lake Elmo City Code and the laws of the State of Minnesota. However, the applicant should refer to the actual sources and consult with their own legal advisor regarding applicability to their application. In providing this information, the City makes no representations nor provides any legal advice or opinion.

<sup>2</sup> Minnesota State Statute 15.99 requires local governments to review an application within 15 business days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request.

<sup>3</sup> Please note that meeting dates are subject to change due to holidays, lack of quorum, etc. Please contact City Hall to confirm all dates and times.



**City of Lake Elmo**  
**Escrow Agreement for Municipal Review Services**  
**Deposit Agreement**

**THIS AGREEMENT** is made this 19 day of April 2022, by the Applicant and Owner (hereinafter individually and collectively referred to as "Applicant") in favor of the City of Lake Elmo, a municipal corporation of Minnesota (hereinafter referred to as "City").

**A. "Applicant" whose name and address is:**

Brad Coats, on behalf of Goldridge Companies  
310 Pinnacle Way, #300  
Eau Claire, WI 54701

**B. "Owner" whose name and address is:**

DPS-Lake Elmo, LLC  
6007 Culligan Way  
Minnetonka, MN 55345

*Escrow fee already  
paid. Non-refundable  
fee already paid.*

**RECITALS**

**WHEREAS**, the Applicant has applied to the City for approval for one or more of the following: (Select All That Apply)

- |   |  |
|---|--|
| <input type="checkbox"/> Plat (Sketch, Preliminary, Final)                | <input type="checkbox"/> Variance                                    |
| <input type="checkbox"/> PUD/OP-PUD (Pre-Application, Preliminary, Final) | <input type="checkbox"/> Minor Subdivision                           |
| <input type="checkbox"/> Vacation   | <input type="checkbox"/> EAW Review                                  |
| <input checked="" type="checkbox"/> Conditional Use Permit                | <input type="checkbox"/> Zoning Text or Map Amendment                |
| <input type="checkbox"/> Interim Use Permit                               | <input type="checkbox"/> Wind Generator                              |
| <input type="checkbox"/> Comprehensive Plan Amendment                     | <input type="checkbox"/> Wireless Communication Permit (co-location) |

**WHEREAS**, the Applicant acknowledges the receipt of benefit to the property, from the City's technical and compliance review of the application; and

**WHEREAS**, under authority granted to it, including Minnesota Statutes Chapters 412 and 462, the City will process the application on the condition that the Applicant enter into this Deposit Agreement, which agreement defines certain duties and responsibilities of the Applicant, as well as the City; and the Applicant shall provide cash to the City in the amount satisfactory to the City; and provide security to the City for the payment of all review costs incurred by the City.

**NOW THEREFORE**, the City and Applicant agree as follows:

1. **Requirement.** The Applicant is required to make the necessary deposits prior to the process of municipal planning, public works, legal & engineering review commences.
2. **Review Process.** Applicant acknowledges and agrees that the City shall commence to review and process the review request checked above at such a time that this Agreement is executed by all parties and the cash required for the specific review is deposited and posted by the City's Finance Department. The City may provide a review completion schedule to the Applicant at the time of deposit. The City reserves the right to modify the schedule based on the completeness of the application, the need for additional information for review, or revisions to the application that may occur during the scheduled review.
3. **Use of Deposited Funds.** The City may draw upon the deposits to pay the costs it incurs in connection with reviewing the application. The City shall determine all of its costs, including both administrative and consulting services, at the rates charged by the City or its consultants, determined according to the City's adopted fee schedule. A copy of the current administrative and consulting rates is attached as Exhibit "A", which rates are subject to change by the City, without notice to the Applicant. Exhibit "A" should not be construed as an exhaustive list of consultants and Applicants shall be responsible for all other consulting fees related to the application. The City shall provide Applicant with the applicable rates for consultants used in the review prior to commencement. This Agreement does not pertain to ancillary charges incurred by reviewing of other governmental bodies, including but not limited to, Soil & Water Conservation Districts, Washington County Government, Water Shed, or any other unit of government that may, by right, have review authority.
4. **Conditions of Deposit.** The following stipulations and conditions shall apply to the deposit account for review services contemplated under this Agreement.
  - a. Payment shall be made to City consultants, included but not limited to legal and planning, in the amounts billed to the City, according to consulting rates in effect at the time of the execution of the agreement. Such consulting deemed necessary for the proper review of the application shall be at a usual and customary rate as it relates to the subject matter of the application for payment as determined by the City.
  - b. The City shall reimburse itself from deposit accounts for all costs and expense incurred by the City in connection with the implementation and enforcement of this Agreement. Reimbursement shall occur on a monthly basis and the City's Finance Department shall notify Applicant of the reimbursement via account reconciliation report.
  - c. The City shall not be responsible for paying any interest on the money deposited under the Agreement.
  - d. If in the discretion of both the City's Finance Department and the Community Development Department, there is deemed to be an inadequate balance in the deposit account to pay for all fees and costs incurred by the City, the City will notify the Applicant for the need for an additional deposit. The total of the additional deposit shall be calculated by City staff based on the amount of work yet to be completed in the review of the application. Applicant

agrees to make the additional deposit within (10) days of a receipt of such notice. For purposes hereof, receipt of notice shall be deemed made upon the depositing of the notice in the U.S. Mail, postage paid. In the event, the Applicant fails to make the additional deposit with (10) days of receipt of the notice, the City will terminate its review process and not re-commence until the appropriate deposit is made and posted by the City's Finance Department.

e. No applications will be processed or forwarded to the appropriate governing reviewing body by the City until all amounts due under this Agreement have been paid in full.

5. **Positive Balance in Escrow Accounts.** Upon the happening of any of the following events, the balance in the deposit account less outstanding fees shall be paid to the Applicant within (90) days of receipt by the City of a written request by the Applicant for payment: (1) completion of the development process; or (2) the application is withdrawn by the Applicant; (3) the applicant is denied by the City for any reason.
6. **Deposit Amounts.** The initial deposit amount contemplated for each the purposes described under the Agreement, which may be revised by the City from time to time, are set forth for Exhibit "B" attached hereto.
7. **Accounting.** If there has been activity in the account, the City will provide a monthly accounting of all expenses charged against the account or when requested by the Applicant. An accounting will also be provided when the City notices the need for an additional escrow deposit.
8. **Terms of Breach.** In the event of any terms of this Agreement are breached by the Applicant, including, but not limited to failure to make additional deposits when required by the City, the City may cease processing any application submitted by the Applicant or order the Applicant to cease any further development or progress under the terms of this Agreement, or both. Applicant indemnifies and holds the City harmless from any liability, claim, action or suit by or any obligation to the Applicant arising from or in connection with the City exercising or enforcing the terms and conditions of this Agreement or action on the Application. The Applicant shall pay all costs and expenses, including reasonable attorney fees and suit costs, incurred by the City arising from or in connection with the City any terms and conditions of this Agreement.
9. **Validity.** If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this Agreement.
10. **Binding Agreement.** The parties mutually recognize and agree that all terms and conditions of this Agreement shall run with the land herein described and shall be binding upon the heirs, successors, administrators and assigns of the parties referenced in this Agreement.
11. **Amendments.** The terms of this Agreement shall not be amended without the written consent of the City and all parties hereto.

[ Signature Page Follows ]

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

APPLICANT

OWNER:

Alan  
Brad Coats (Apr 20, 2007 10:08 CDT)

By: Brad Coats

Its: Brad Coats

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA

)

) SS.

COUNTY OF WASHINGTON

)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a Notary Public within and for said County, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she/ they executed that same as his / her / their free act and deed.

\_\_\_\_\_  
Notary Public

STATE OF MINNESOTA

)

) SS.

COUNTY OF WASHINGTON

)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a Notary Public within and for said County, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she/ they executed that same as his / her / their free act and deed.

\_\_\_\_\_  
Notary Public

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

APPLICANT

OWNER:

[Signature]  
By: BRAD COATS  
Its: PROJECT DEVELOPER

See attached letter of Authorization  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF MINNESOTA       )  
  ) SS.  
COUNTY OF WASHINGTON    )

On this 26 day of April, 2022 before me a Notary Public within and for said County, personally appeared Brad Coats and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she / they executed that same as his / her / their free act and deed.

[Signature]  
Notary Public

STATE OF MINNESOTA       )  
  ) SS.  
COUNTY OF WASHINGTON    )



On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me a Notary Public within and for said County, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she / they executed that same as his / her / their free act and deed.

\_\_\_\_\_  
Notary Public

NOTARY PUBLIC  
ATTEST  
My Comm. expires 12/31/2005

**CITY OF LAKE ELMO**

\_\_\_\_\_  
By: Kristina Handt  
Its: City Administrator

\_\_\_\_\_  
STATE OF MINNESOTA       )  
  ) SS.  
COUNTY OF WASHINGTON    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a Notary Public within and for said County, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she/ they executed that same as his / her / their free act and deed.

\_\_\_\_\_  
Notary Public






# Conditional Use Permit Application - 9450 Hudson Blvd N

Final Audit Report

2022-04-20

|                 |  |
|-----------------|--|
| Created:        | 2022-04-19                                   |
| By:             | Dominik Jenson (djenson@sr-re.com)           |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAA20FSFPMvpIL50ZS7hrXHxAP3y1Zd4QDk |

## "Conditional Use Permit Application - 9450 Hudson Blvd N" History

-  Document created by Dominik Jenson (djenson@sr-re.com)  
2022-04-19 - 1:40:07 PM GMT - IP address: 50.204.161.250
-  Document emailed to Brad Coats (heybc53@gmail.com) for signature  
2022-04-19 - 1:41:33 PM GMT
-  Email viewed by Brad Coats (heybc53@gmail.com)  
2022-04-19 - 4:29:39 PM GMT
-  Document e-signed by Brad Coats (heybc53@gmail.com)  
Signature Date: 2022-04-20 - 3:06:15 PM GMT - Time Source: server- IP address: 24.118.161.154
-  Agreement completed.  
2022-04-20 - 3:06:15 PM GMT

## CUP APPLICATION: GENERAL AND PROJECT INFORMATION

### 1. Landowner's Info

DPS-Lake Elmo LLC

6007 Culligan Way, Minnetonka MN 55345

Contact: Alan Dale, Landowner

952.288.2201 (direct), [adale@stonehenge-usa.com](mailto:adale@stonehenge-usa.com)

### 2. Applicants Info

Goldridge Companies

310 Pinnacle Way, Suite 300, Eau Claire WI 54701

Contact: Brad Coats, Applicant

612.751.7513 (mobile), [heybc53@gmail.com](mailto:heybc53@gmail.com)

### 3. Professional Consultants working on project

Architect: CSA, Shelley Santine, 651.490.5454, [shelley@cs-architects.com](mailto:shelley@cs-architects.com)

GC: Goldridge Companies, Brad Coats, 612.751.7513, [heybc53@gmail.com](mailto:heybc53@gmail.com)

Engineer/Surveyor: Sambatek, Joe Bailey, 763.746.1606, [jbailey@sambatek.com](mailto:jbailey@sambatek.com)

### 4. Address & Legal

9450 Hudson Blvd, Lake Elmo, MN 55042

Outlot B, DPS LAKE ELMO, Washington County, MN, Abstract Property

### 5. A written statement generally describing the proposed CUP in conjunction with the proposed PUD

The proposed PUD includes the redevelopment of a 14.143-acre property into a mixed-use PUD

Featuring residential and commercial uses. Concurrently being pursued with the PUD, the

Applicant will be platting the property, as it is currently an outlot, into two separate lots and

dedicate Julia Avenue (1.378 acres) to the City as a public right of way, as shown in the

Preliminary plat. Included as part of the PUD, and plat/subdivision, 10.819 acres will be

Dedicated to Lot 1 (for the residential development) and 1.946 acres will be dedicated to Lot 2

(for the commercial development of a Goddard School for early Childhood Development) CUP

For this daycare is attached.

The Commercial component of the proposed project will be located at the southeast corner of the Property at the intersection of Hudson Blvd and Julia Ave and includes a single, slab-on-grade building In which will be utilized as a preschool and daycare center, known as The Goddard School. This component of the project includes an approximately 13,318 sq ft building designed for up to 188 children and staff, outdoor play area and approximately 49 parking spaces.

#### 6. Specific Details about the Goddard School of Early Childhood Development

When the school is at full capacity there will be 39 employees, with school opening at 7 AM & closing at 6 PM.

For Development of the School the Excavation will start in August with a buildout period of 6 months from start of footings and foundation to Certificate of Occupancy which should be February 2023

#### 7. Justification of Proposed Use

The Owner of Goddard Daycare will make application for a Daycare License through Washington County Public Health & Environment, it will be seeking to obtain a daycare license by meeting and following the requirements and criteria of Washington County same as was done for the Goddard Daycare in Woodbury in 2018.

The proposed land use is consistent with the 2040 Comprehensive Plan for Future Land Use designation of Mixed Use-Commercial (MU-C). The proposed development will require City approval of a Zoning Map Amendment to officially zone the property to MU-C from the property's current Rural Transition (RT) zoning designation. As such, the standards below are based off the Mixed-Use Commercial zoning district. The site will likely require rezoning from Rural Development Transitional (RT) to Urban High Density Planned Unit Development (HRD-PUD).

The Goddard School is compatible with the new and existing neighborhoods as there is a need for additional Childcare in the area.



THE

GODDARD SCHOOL®

FOR EARLY CHILDHOOD DEVELOPMENT

### CUP REQUEST & NARRATIVE – April 20,2022



The Proposed Site for the new Goddard School is located on the southwest corner of Julia Ave and Hudson Blvd between Inwood & Keats exits on the north side of I 94.

Goddard School is a Premier Private Preschool/Child Care Center which currently licenses 525 schools in 38 states. This location will offer Safe & Healthy Childcare the same as it does in Woodbury. The building will have a Zono Sanitizing Cabinet which kills 99.99% of common viruses + on non-porous surfaces and 99.99% of common bacteria on non-porous and semi-porous surfaces, including body lice, bed bugs & Norovirus. The cabinet has an integrated mobile rack system for sanitizing almost all items in the classroom such as Toys, Legos, dolls, wooden blocks, cards, puzzles napping cots & mats. Every Classroom is sanitized every day. This product was approved for use in childcare facilities by the Washington County Department of Health.

Goddard Schools Play-Based Program Gives Children The Skills For Long-Term Success! Learn More Now. Nurturing Environment. Highly-Trained Faculty. Nationally Accredited. Enrichment Programs. STEAM Learning. (Science, technology, engineering, arts and mathematics).

Types: Pre-Kindergarten Program, Infant Program, Toddler Program, Preschool Program, Summer Program and Summer Camp.

Site: 1.946 Acres Building: 13,318 gross sq. ft. Playgrounds: 23,000 sq. ft.  
School Occupancy: Up to 188 children + Staff Ages: 6 weeks to 10 years of age  
Parking: 49 parking spaces for staff & parents

February 25, 2022

Molly Just  
Planning Director  
City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

RE: Land Use Application(s) for Property at 9400 Hudson Boulevard (PID 3402921340012)

Dear Ms. Just,

As the Owner of the property located at 9400 Hudson Boulevard in Lake Elmo, for which Land Use Application(s) are being submitted to the City of Lake Elmo, I confirm my full support of the Project and the Application(s) in which are being submitted to the City.

As the fee owner of the subject property, the Applicant, SRD 2.0. LLC (and its affiliates) has been granted the authorization to pursue all public entitlements in which are required for the project to progress in accordance with the City's guidelines. I kindly request that this letter serve as my acknowledgement and approval for the Applicant to submit such entitlement applications and that this letter serve as my acknowledgement and approval of said applications.

Sincerely,

A handwritten signature in black ink that reads "Alan Dale". The signature is written in a cursive, flowing style.

Alan Dale  
DPS-Lake Elmo, LLC  
6007 Culligan Way  
Minnetonka, MN 55345



SYMBOL INDEX

**SECTION CUT**

SECTION NUMBER  
SHEET NUMBER  
CUT LINE

**ELEVATION CALLOUT**

ELEVATION NUMBER  
SHEET NUMBER

**SECTION DETAIL CALLOUT**

DETAIL NUMBER  
SHEET NUMBER  
CUT LINE

**DETAIL CALLOUT**

DETAIL CALLOUT AREA  
DETAIL NUMBER  
SHEET NUMBER

**REVISION CLOUD**

REVISION TAG  
REVISION CLOUD

**SPOT ELEVATION**

PRIMARY  
SECONDARY  
(top of parapet, sill, etc.)

**NORTH ARROW**

POLAR INDICATOR

**DOOR TAG**

DOOR NUMBER

**WINDOW TAG**

WINDOW TYPE

**KEYNOTE TAG**

KEYNOTE NUMBER

**MATERIAL TAG**

MATERIAL DESIGNATION

**ROOM TAG**

ROOM NAME  
ROOM NUMBER  
ROOM AREA

**INTERIOR TAGS**

HEIGHT ABOVE AFF  
INTERIOR FINISH MATERIAL TAG  
INTERIOR FIXTURE TAG

**FLOOR TRANSITION TAG**

FLOOR MAT  
JOINT LINE

**ACCESS CONTROL SYMBOLS**

CARD READER  
DOOR OPERATOR

SHEET INDEX

| CONSTRUCTION DOCUMENTS                        | DESIGN DEVELOPMENT | SCHEMATIC DESIGN | PRELIM PUD |
|---|--------------------|------------------|------------|
| ARCHITECTURAL / CIVIL / LANDSCAPE SHEET INDEX |                    |                  |            |
| • G001 TITLE SHEET                            |                    |                  |            |
| • PLAT PRELIMINARY PLAT                       |                    |                  |            |
| • C1.01 TITLE SHEET                           |                    |                  |            |
| • C2.01 EXISTING CONDITIONS                   |                    |                  |            |
| • C2.02 DEMOLITION PLAN                       |                    |                  |            |
| • C3.01 SITE PLAN                             |                    |                  |            |
| • C3.02 FIRE TRUCK TURNING EXHIBIT            |                    |                  |            |
| • C4.01 GRADING PLAN                          |                    |                  |            |
| • C4.02 GRADING NOTES                         |                    |                  |            |
| • C5.01 PHASE ONE EROSION CONTROL             |                    |                  |            |
| • C5.02 PHASE TWO EROSION CONTROL             |                    |                  |            |
| • C5.03 EROSION CONTROL NOTES AND DETAILS     |                    |                  |            |
| • C5.01 UTILITY PLAN                          |                    |                  |            |
| • C9.01 DETAILS                               |                    |                  |            |
| • L1.01 LANDSCAPE PLAN                        |                    |                  |            |
| • L1.02 LANDSCAPE DETAILS AND NOTES           |                    |                  |            |
| • L1.03 LANDSCAPE PLAZA                       |                    |                  |            |
| • AL101 ARCHITECTURAL SITE PLAN               |                    |                  |            |
| • A001.0 SUBLEVEL 1 PLAN - OVERALL            |                    |                  |            |
| • A101.0 LEVEL 1 PLAN - OVERALL               |                    |                  |            |
| • A102.0 LEVEL 2 PLAN - OVERALL               |                    |                  |            |
| • A103.0 LEVEL 3 PLAN - OVERALL               |                    |                  |            |
| • A104.0 LEVEL 4 PLAN - OVERALL               |                    |                  |            |
| • A001.1 SUBLEVEL 1 PLAN - AREA 1             |                    |                  |            |
| • A001.2 SUBLEVEL 1 PLAN - AREA 2             |                    |                  |            |
| • A001.3 SUBLEVEL 1 PLAN - AREA 3             |                    |                  |            |
| • A101.1 LEVEL 1 PLAN - AREA 1                |                    |                  |            |
| • A101.2 LEVEL 1 PLAN - AREA 2                |                    |                  |            |
| • A101.3 LEVEL 1 PLAN - AREA 3                |                    |                  |            |
| • A102.1 LEVEL 2 PLAN - AREA 1                |                    |                  |            |
| • A102.2 LEVEL 2 PLAN - AREA 2                |                    |                  |            |
| • A102.3 LEVEL 2 PLAN - AREA 3                |                    |                  |            |
| • A103.1 LEVEL 3 PLAN - AREA 1                |                    |                  |            |
| • A103.2 LEVEL 3 PLAN - AREA 2                |                    |                  |            |
| • A103.3 LEVEL 3 PLAN - AREA 3                |                    |                  |            |
| • A104.1 LEVEL 4 PLAN - AREA 1                |                    |                  |            |
| • A104.2 LEVEL 4 PLAN - AREA 2                |                    |                  |            |
| • A104.3 LEVEL 4 PLAN - AREA 3                |                    |                  |            |
| • A301 BUILDING ELEVATIONS                    |                    |                  |            |
| • A302 BUILDING ELEVATIONS                    |                    |                  |            |
| • A303 BUILDING ELEVATIONS                    |                    |                  |            |
| • A351 BUILDING AXONOMETRIC VIEW              |                    |                  |            |

PARKING COUNT

| STALL TYPE              | SUBLEVEL | SURFACE | TOTAL |
|-------------------------|----------|---------|-------|
| Compact Parking Stall   | 33       | 21      | 54    |
| Double HC Parking Stall | 4        | 4       | 8     |
| HC Single Parking Stall | 1        | 2       | 3     |
| Parallel Parking Stall  | 0        | 8       | 8     |
| Standard Parking Stall  | 96       | 134     | 230   |
| TOTAL                   | 134      | 169     | 303   |

BIKE PARKING COUNT

| SUBLEVEL BIKE PARKING          |                |  |
|--------------------------------|----------------|--|
| TYPE                           | PARKABLE BIKES |  |
| ULTRA SPACE SAVER WALL MOUNTED | 9              |  |
| ULTRA SPACE SAVER WALL MOUNTED | 13             |  |
| TOTAL                          | 22             |  |
| ON SITE BIKE PARKING           |                |  |
| TYPE                           | PARKABLE BIKES |  |
| ARC MOUNT                      | 8              |  |
| TOTAL                          | 8              |  |

AREA SUMMARY

| LEVEL       | AREA      |
|-------------|-----------|
| LEVEL 4     | 45609 SF  |
| LEVEL 3     | 45609 SF  |
| LEVEL 2     | 45609 SF  |
| LEVEL 1     | 49533 SF  |
| SUBLEVEL 1  | 45842 SF  |
| GRAND TOTAL | 232204 SF |

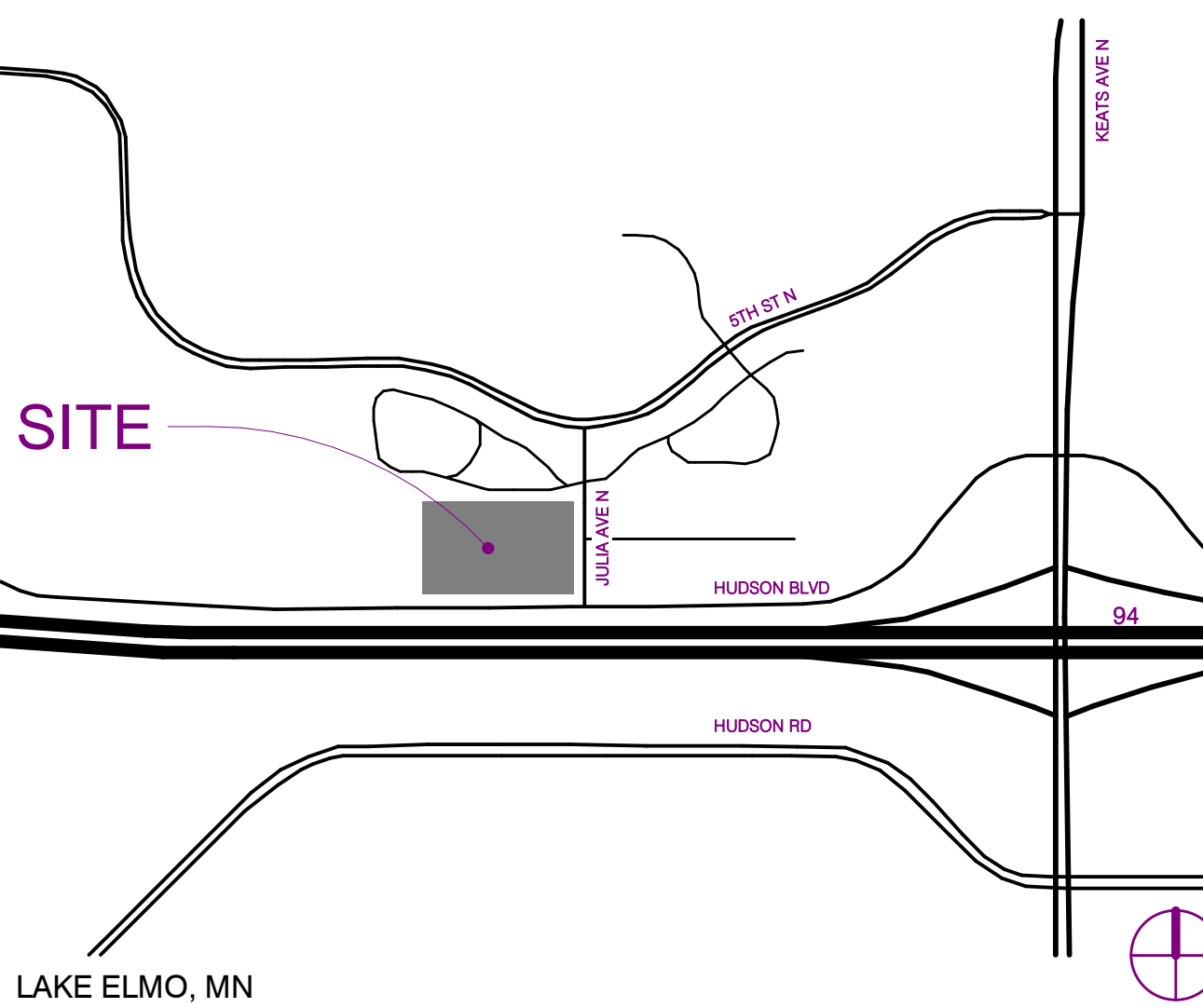
UNIT COUNT

| UNIT TYPE            | LEVEL 1 | LEVEL 2 | LEVEL 3 | LEVEL 4 | UNIT TYPE TOTAL |
|----------------------|---------|---------|---------|---------|-----------------|
| STUDIO               | 1       | 1       | 1       | 1       | 4               |
| ALCOVE               | 7       | 9       | 10      | 10      | 36              |
| ALCOVE - TYPE A      | 0       | 1       | 0       | 0       | 1               |
| ONE BEDROOM          | 18      | 20      | 19      | 20      | 77              |
| ONE BEDROOM + DEN    | 2       | 2       | 2       | 2       | 8               |
| ONE BEDROOM - TYPE A | 1       | 0       | 1       | 0       | 2               |
| <varies>             | 12      | 15      | 15      | 15      | 57              |
| TWO BEDROOM - TYPE A | 1       | 0       | 0       | 0       | 1               |
| THREE BEDROOM        | 1       | 1       | 1       | 1       | 4               |
| GRAND TOTAL          | 43      | 49      | 49      | 49      | 190             |

GENERAL NOTES

- DO NOT SCALE DRAWINGS.
- SUBCONTRACTORS SHALL VISIT THE JOB SITE AND SHALL REVIEW THE CONTRACT DOCUMENTS TO FAMILIARIZE THEMSELVES WITH THE REQUIREMENTS AND INTENT OF THE SCOPE OF THE WORK PRIOR TO COMMENCEMENT OF WORK. DISCREPANCIES SHALL BE REPORTED TO GENERAL CONTRACTOR FOR CLARIFICATION.

VICINITY MAP



CONTACTS

DEVELOPER/CLIENT

NAME: SRD 2.0, LLC  
CONTACT: DOMINIK JENSON

ADDRESS: 900 NORTH THIRD STREET  
MINNEAPOLIS, MN 55401  
PHONE No.: 612-305-7095  
EMAIL: DJENSON@SR-DE.COM

CONTRACTOR

NAME: EAGLE BUILDING CO.  
CONTACT: NICK WILLIAMS

ADDRESS: 6636 CEDAR AVE SOUTH, SUITE 140  
MINNEAPOLIS, MN 55423  
PHONE No.: 612-378-1115  
EMAIL: NICKWILLIAMS@EAGLEBUILDINGLLC.COM

ARCHITECT

NAME: URBANWORKS ARCHITECTURE LLC  
CONTACT: DAVID HAALAND  
ASHLYN GRYNOL

ADDRESS: 901 NORTH THIRD STREET, SUITE 145  
MINNEAPOLIS, MN 55401  
PHONE No.: 612-455-3100  
EMAIL: DHAALAND@URBAN-WORKS.COM  
AGRYNOL@URBAN-WORKS.COM

CIVIL ENGINEER

NAME: SAMBATEK  
CONTACT: JOSH MCKINNEY  
JOSEPH BAILEY

ADDRESS: 12800 WHITEWATER DRIVE, SUITE 300  
MINNETONKA, MN 55343  
PHONE No.: 763-476-6010  
EMAIL: JMCKINNEY@SAMBATEK.COM  
JBAILEY@SAMBATEK.COM

LANDSCAPE ARCHITECT

NAME: SAMBATEK  
CONTACT: CONTACT NAME No. 1  
CONTACT NAME No. 2

ADDRESS: 12800 WHITEWATER DRIVE, SUITE 300  
MINNETONKA, MN 55343  
PHONE No.: PHONE NUMBER  
EMAIL: EMAIL No. 1  
EMAIL No. 2

STRUCTURAL ENGINEER

NAME: BKBM ENGINEERS  
CONTACT: JOHN TIMM

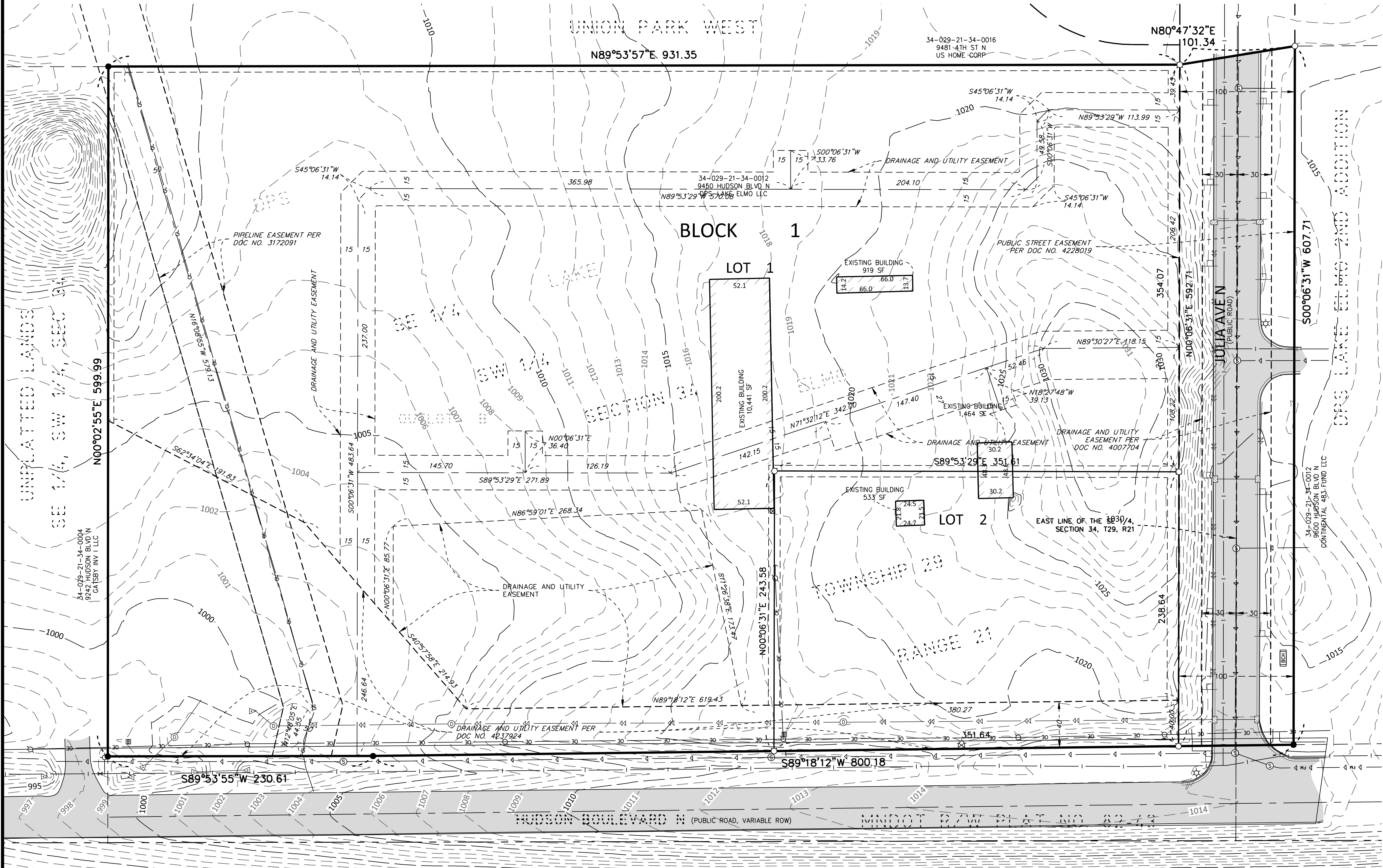
ADDRESS: 6120 EARLE BROWN DRIVE, SUITE 700  
MINNEAPOLIS, MN 55430  
PHONE No.: 763-843-0474  
EMAIL: JTIMM@BKBM.COM

INTERIOR DESIGNER

NAME: URBANWORKS ARCHITECTURE LLC  
CONTACT: LIZ WILLIAMS

ADDRESS: 901 NORTH THIRD STREET, SUITE 145  
MINNEAPOLIS, MN 55401  
PHONE No.: 612-455-3100  
EMAIL: LWILLIAMS@URBAN-WORKS.COM

22.05 (LWS TECH) | DILLON TEWS, LST (MN) | 4/8/2022 10:00:08 AM  
\\SAMBATEK-FS1\PROJECTS\PROJECTS\50748\CAD\SURVEY\50748-PLAT.DWG:22X34



| LEGEND            |                        |                             |
|-------------------|------------------------|-----------------------------|
| ● FOUND MONUMENT  | ⊕ WATERMAIN            | - - - - - EASEMENT LINE     |
| ○ SET MONUMENT    | ⊕ SANITARY SEWER       | - - - - - SETBACK LINE      |
| MARKED LS 19552   | ⊕ STORM SEWER          | - - - - - RESTRICTED ACCESS |
| ⊕ ELECTRIC METER  | ⊕ FLARED END SECTION   | ===== CONCRETE CURB         |
| ⊕ LIGHT           | ⊕ TELEPHONE PEDESTAL   | ===== BUILDING LINE         |
| ⊕ AIR CONDITIONER | ⊕ ELECTRIC TRANSFORMER | ===== BUILDING CANOPY       |
| ⊕ GUY ANCHOR      | ⊕ GAS METER            | ===== BITUMINOUS SURFACE    |
| ⊕ HANDICAP STALL  | ⊕ OVERHEAD WIRE        | ===== CONCRETE SURFACE      |
| ⊕ UTILITY POLE    | ⊕ CHAIN LINK FENCE     | ===== LANDSCAPE SURFACE     |
| ⊕ POST            | ⊕ IRON FENCE           |                             |
| ⊕ SIGN            | ⊕ WIRE FENCE           |                             |
|                   | ⊕ WOOD FENCE           |                             |

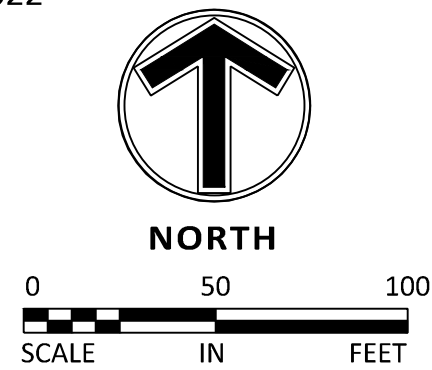
**DESCRIPTION**

OUTLOT B, DPS LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA  
ABSTRACT PROPERTY

- PROPERTY SUMMARY**
- SUBJECT PROPERTY'S ADDRESS IS 9450 HUDSON BOULEVARD NORTH AND THE PID IS 34-029-21-34-0012.
  - THE AREAS OF THE SUBJECT PROPERTY ARE AS FOLLOWS:  
  
TOTAL AREA: 14.143 ACRES OR 616,076 SQUARE FEET  
LOT 1: 10.819 ACRES OR 471,278 SQUARE FEET  
LOT 2: 1.946 ACRES OR 84,778 SQUARE FEET  
RIGHT OF WAY: 1.378 ACRES OR 60,021 SQUARE FEET
  - THE SUBJECT PROPERTY IS ZONED RURAL TRANSITIONAL (RT), PER ZONING MAP FOUND ON THE CITY OF LAKE ELMO WEBSITE.

- BENCHMARKS**
- THE VERTICAL DATUM IS BASED ON NAVD88. THE SURFACE SHOWN ON THE SURVEY IS A COMBINATION OF COLLECTED FIELD INFORMATION AND MNTPO LIDAR.  
  
BENCHMARK #1  
TNH EAST SIDE OF SITE ELEV.=1019.85  
  
BENCHMARK #2  
TNH WEST SIDE OF SITE ELEV.=1000.13

- SURVEY NOTES**
- THE BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD83 (1986 ADJUST), WITH AN ASSUMED BEARING OF NORTH 89 DEGREES 53 MINUTES 57 SECONDS EAST FOR THE FOR THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 29 N, RANGE 21 W.
  - UTILITY INFORMATION SHOWN HEREON IS A COMPILATION OF PROVIDED MAP INFORMATION AND THOSE VISIBLE UTILITIES AND MARKED UTILITIES WHICH WERE LOCATED DURING THE SURVEY FIELD WORK. UTILITY SUPPLIERS OFTEN DO NOT RESPOND TO LOCATE REQUESTS IN THE FIELD BUT MAY PROVIDE MAPS, PLANS, AND DRAWINGS IN LIEU OF PHYSICAL LOCATION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN HEREON ARE IN THE EXACT LOCATION AS INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE AVAILABLE INFORMATION. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. PURSUANT TO MS 216.D CONTACT GOPHER STATE ONE CALL AT (651-454-0002) PRIOR TO ANY EXCAVATION.
  - THIS SURVEY WAS PERFORMED UNDER THE COVER OF SIGNIFICANT SNOW. THE SURVEYOR MAKES NO GUARANTEE THAT ALL IMPROVEMENTS ARE SHOWN HEREON.
  - THE FIELD WORK WAS COMPLETED ON 01/31/2022



| NO | DATE | BY | CKD | APPR | COMMENT |
|----|------|----|-----|------|---------|
|    |      |    |     |      |         |
|    |      |    |     |      |         |
|    |      |    |     |      |         |
|    |      |    |     |      |         |
|    |      |    |     |      |         |

I hereby certify that this plan, survey, 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.

Print Name: Mark R. Salo

Date: 04/08/2022 License #: 43933

PRELIMINARY  
04/08/2022  
DESIGN REVIEW  
  
PERMIT SUBMITTAL  
  
CONSTRUCTION DOCUMENTS

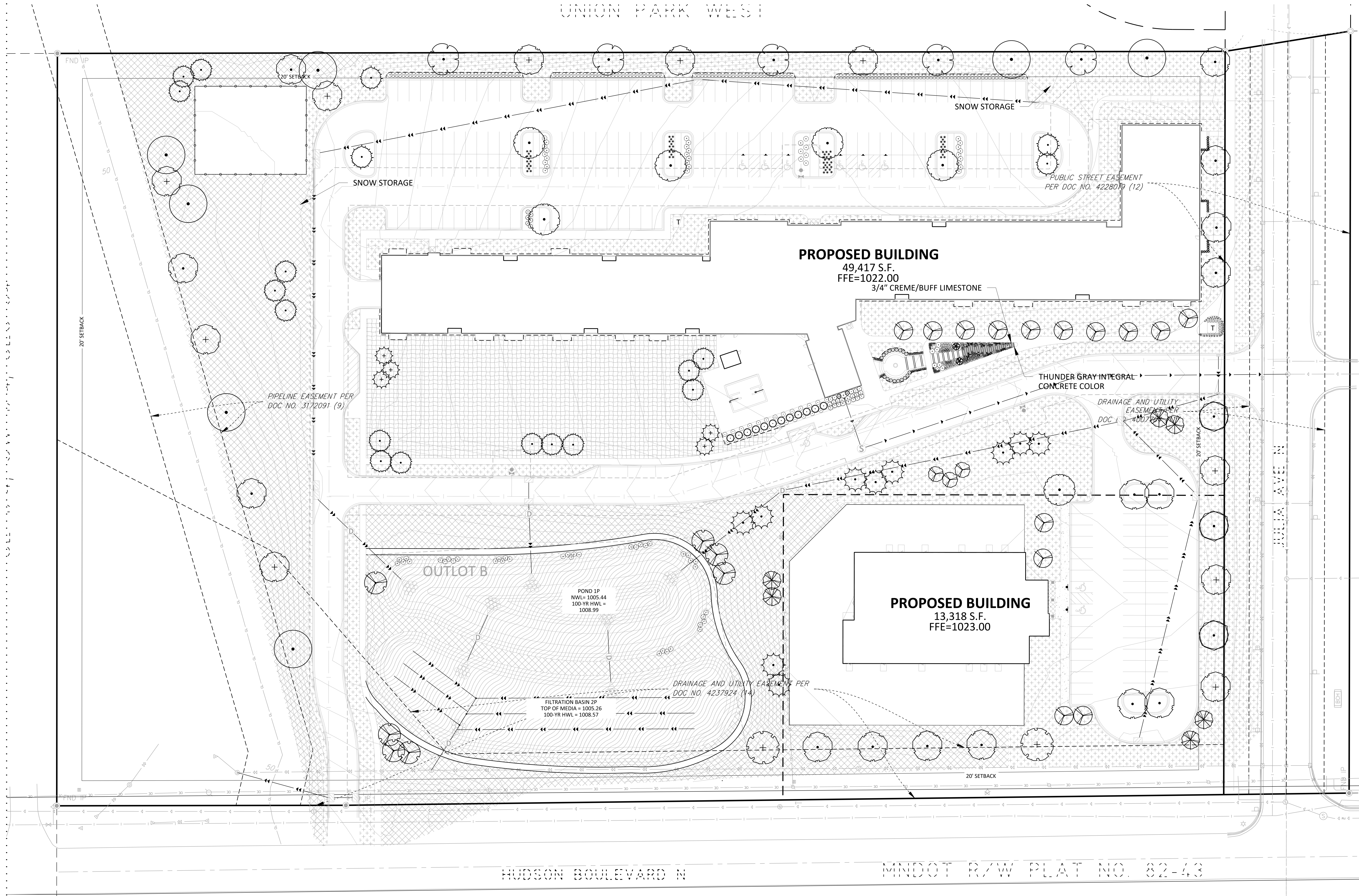
DRAWN BY  
DJT  
  
DESIGNED BY  
  
  
CHECKED BY  
EW  
PROJECT NO.  
50748



PRELIMINARY PLAT  
  
SCHAFER RICHARDSON  
LAKE ELMO-MULTIFAMILY  
PRELIMINARY PLAT  
LAKE ELMO, WASHINGTON COUNTY, MINNESOTA

SHEET  
**1**  
OF 1  
REV.





## PLANT SCHEDULE

| PLANT SCHEDULE | SYMBOL            | DESCRIPTION | QTY | SIZE | SPACING |
|----------------|-------------------|-------------|-----|------|---------|
| 1              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 2              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 3              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 4              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 5              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 6              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 7              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 8              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 9              | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 10             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 11             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 12             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 13             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 14             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 15             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 16             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 17             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 18             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 19             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 20             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 21             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 22             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 23             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 24             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 25             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 26             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 27             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 28             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 29             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 30             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 31             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 32             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 33             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 34             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 35             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 36             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 37             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 38             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 39             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 40             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 41             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 42             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 43             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 44             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 45             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 46             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 47             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 48             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 49             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 50             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 51             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 52             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 53             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 54             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 55             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 56             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 57             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 58             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 59             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 60             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 61             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 62             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 63             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 64             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 65             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 66             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 67             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 68             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 69             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 70             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 71             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 72             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 73             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 74             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 75             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 76             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 77             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 78             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 79             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 80             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 81             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 82             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 83             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 84             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 85             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 86             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 87             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 88             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 89             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 90             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 91             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 92             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 93             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 94             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 95             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 96             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 97             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 98             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 99             | Circle with cross | Aspen       | 1   | 4.0  | 10'     |
| 100            | Circle with cross | Aspen       | 1   | 4.0  | 10'     |

## GROUND COVER SCHEDULE

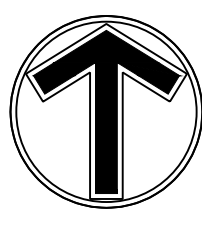
| GROUND COVER | CODE   | BOTANICAL / COMMON NAME | CONT |
|--------------|--|-------------------------|------|
| 25-131       | MNDOT Seed Mix 25-131 / Low Maintenance Fescue mix | Seed                    |      |
| 33-261       | MNDOT Seed Mix 33-261 / Ponds and Wet Areas        | Seed                    |      |
| 35-241       | MNDOT Seed Mix 35-241 / Mesic Prairie General      | 6 PACK                  |      |
| TUR HIG      | Turf Sod Highland Sod / Sod                        | Sod                     |      |

## LEGEND

| PROPOSED              | EXISTING              | STANDARD DUTY ASPHALT PAVING |
|-----------------------|-----------------------|------------------------------|
| Property Limit        | Property Limit        | Property Limit               |
| Curb & Gutter         | Curb & Gutter         | Curb & Gutter                |
| Easement              | Easement              | Easement                     |
| Building              | Building              | Building                     |
| Retaining Wall        | Retaining Wall        | Retaining Wall               |
| Wetland Limits        | Wetland Limits        | Wetland Limits               |
| Treeline              | Treeline              | Treeline                     |
| Landscaping Edging    | Landscaping Edging    | Landscaping Edging           |
| Storm Sewer           | Storm Sewer           | Storm Sewer                  |
| Sanitary Sewer        | Sanitary Sewer        | Sanitary Sewer               |
| Force Main (SAN.)     | Force Main (SAN.)     | Force Main (SAN.)            |
| Watermain             | Watermain             | Watermain                    |
| Yard Drain            | Yard Drain            | Yard Drain                   |
| Limits of Disturbance | Limits of Disturbance | Limits of Disturbance        |
| Sign                  | Sign                  | Sign                         |
| Pipe Bollard          | Pipe Bollard          | Pipe Bollard                 |
| Riprap                | Riprap                | Riprap                       |

## LAKE ELMO LANDSCAPE CODE

| CALCULATIONS   | REQUIRED | PROPOSED |
|--|----------|----------|
| TREES FOR DISTURBED AREA (5 per ACRE)  | 56       | 56       |
| STREET TREES (1 per 50 LF OF FRONTAGE)   | 26       | 26       |
| PERIMETER LOT TREES (1 per 40 LF)  | 25       | 25       |
| PARKING LOT (RESIDENTIAL)  | 12       | 12       |
| PARKING LOT (COMMERCIAL)   | 6        | 6        |
| A minimum of one tree shall be planted for every 50 feet of street frontage, lake shore or stream frontage, or fraction thereof.   |          |          |
| In addition to the requirements of subsection (c)(1) of this section, a minimum of five trees shall be planted for every one acre of land that is disturbed by development activity. Such trees may be used for parking lot landscaping or screening as specified in subsections (d) and (e) of this section.  |          |          |
| At least five percent of the interior area of parking lots with more than 30 spaces shall be devoted to landscape planting areas. Areas may consist of islands or corner planting beds.  |          |          |
| A variety of trees and shrubs should be used to provide visual interest year-round. No more than 50 percent of the required number of trees and shrubs may consist of any one species. A minimum of 25 percent of the required number of trees shall be deciduous shade trees, and a minimum of 25 percent shall be coniferous trees. Ornamental trees may be used when applied towards landscaping requirements. However, the number of trees shall not exceed 15 percent of the required amount. |          |          |

0 30 60  
SCALE IN FEET



## LEGEND



A north arrow pointing upwards, enclosed in a circle. Below it is a scale bar marked from 0 to 10 feet, with the word "SCALE" at the beginning and "IN FEET" at the end.

GENERAL NOTES:

1. REFER TO SPECIFICATION FOR DETAILED EXTERIOR MATERIAL INFORMATION

KEYNOTES:



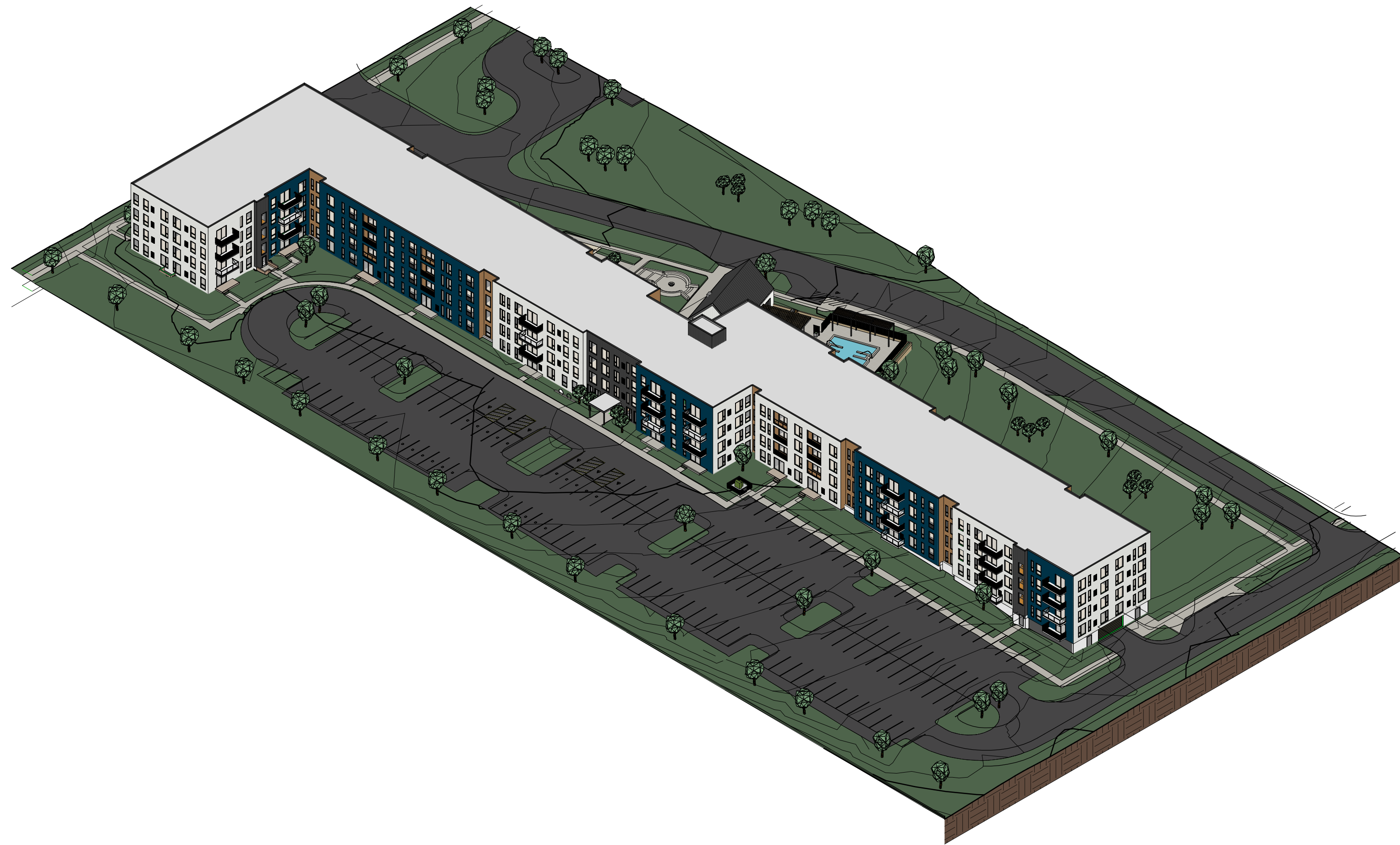
2 SOUTH ELEVATION - EAST WING

A301 3/32" = 1'-0"

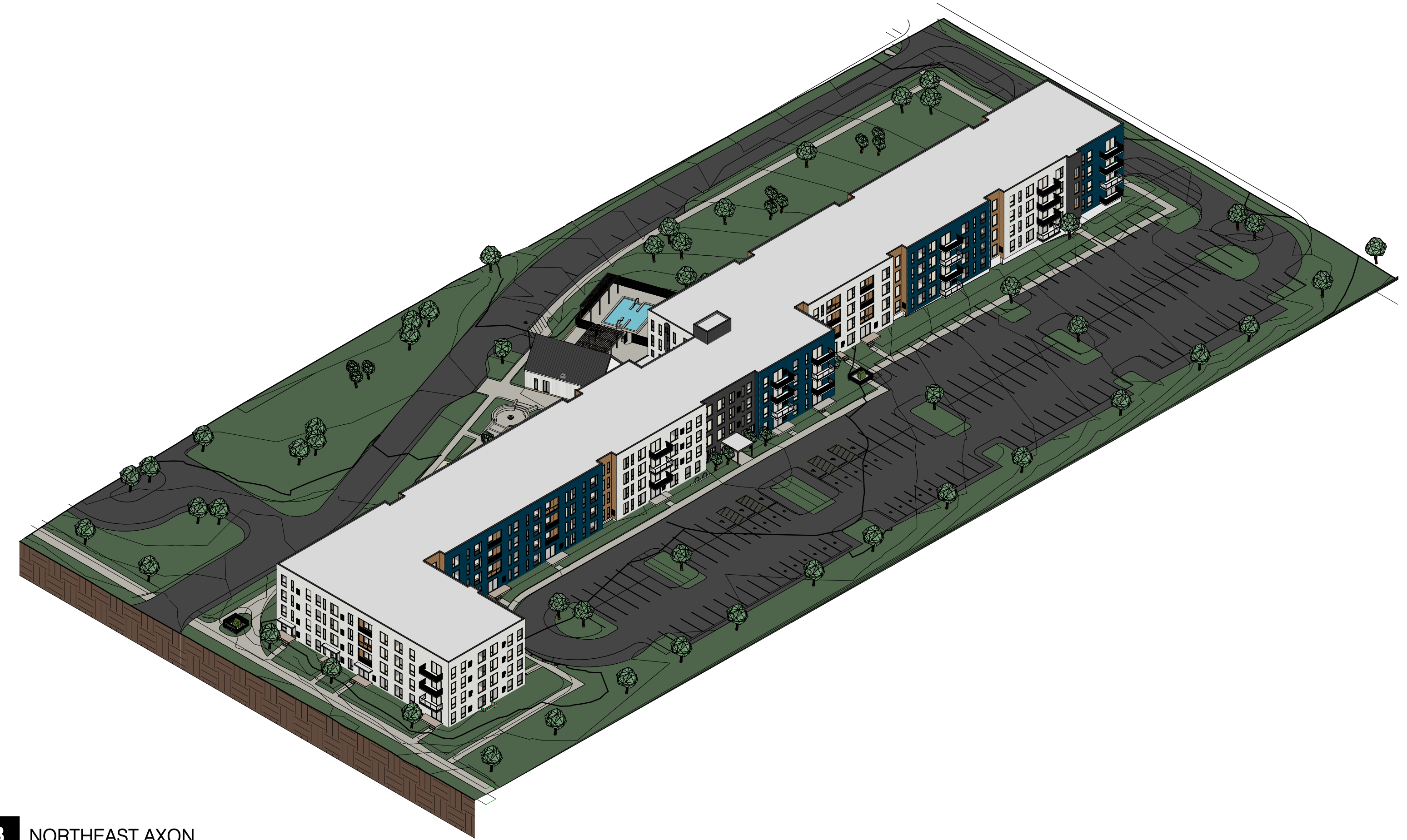


1 SOUTH ELEVATION - WEST WING

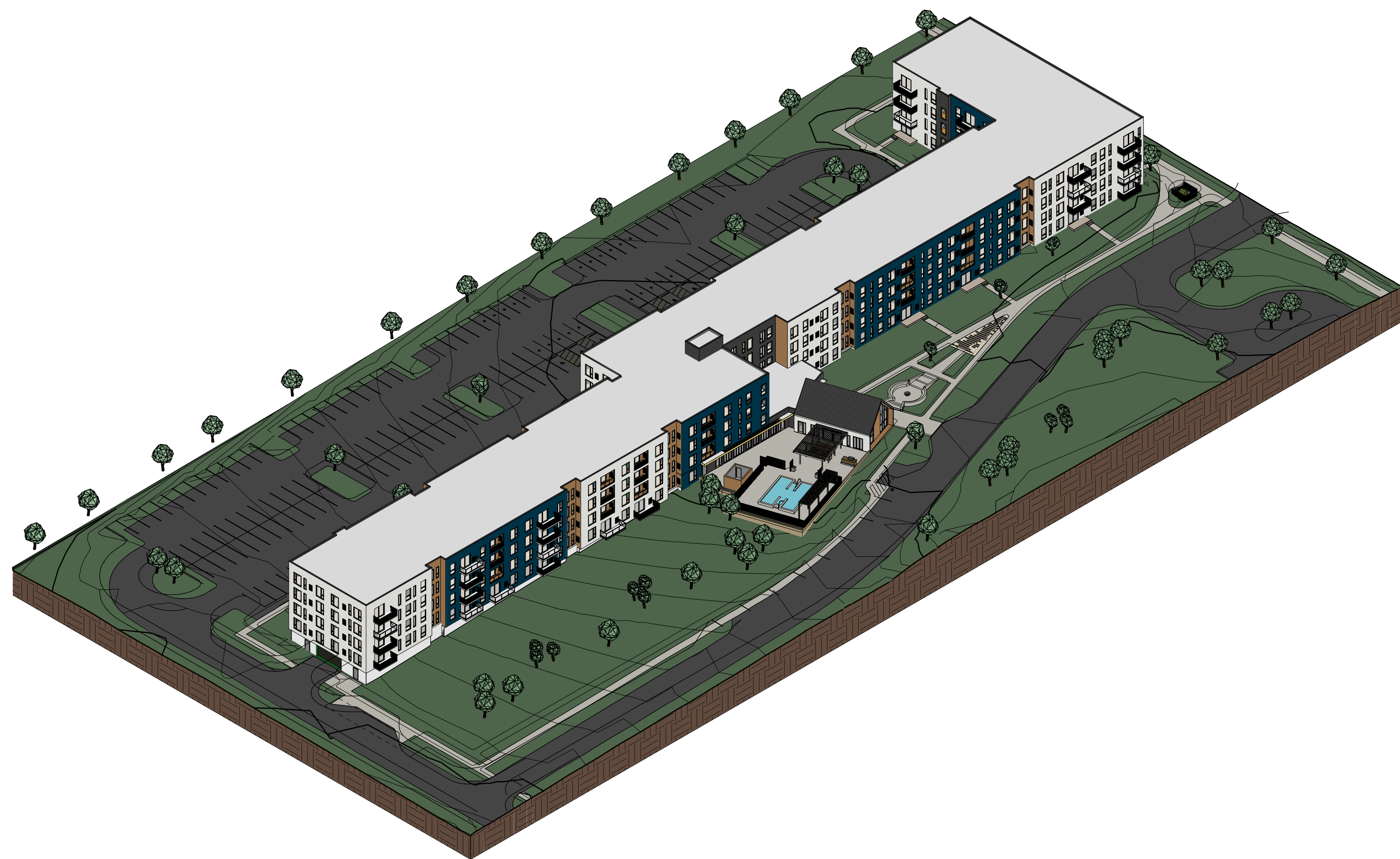
A301 3/32" = 1'-0"



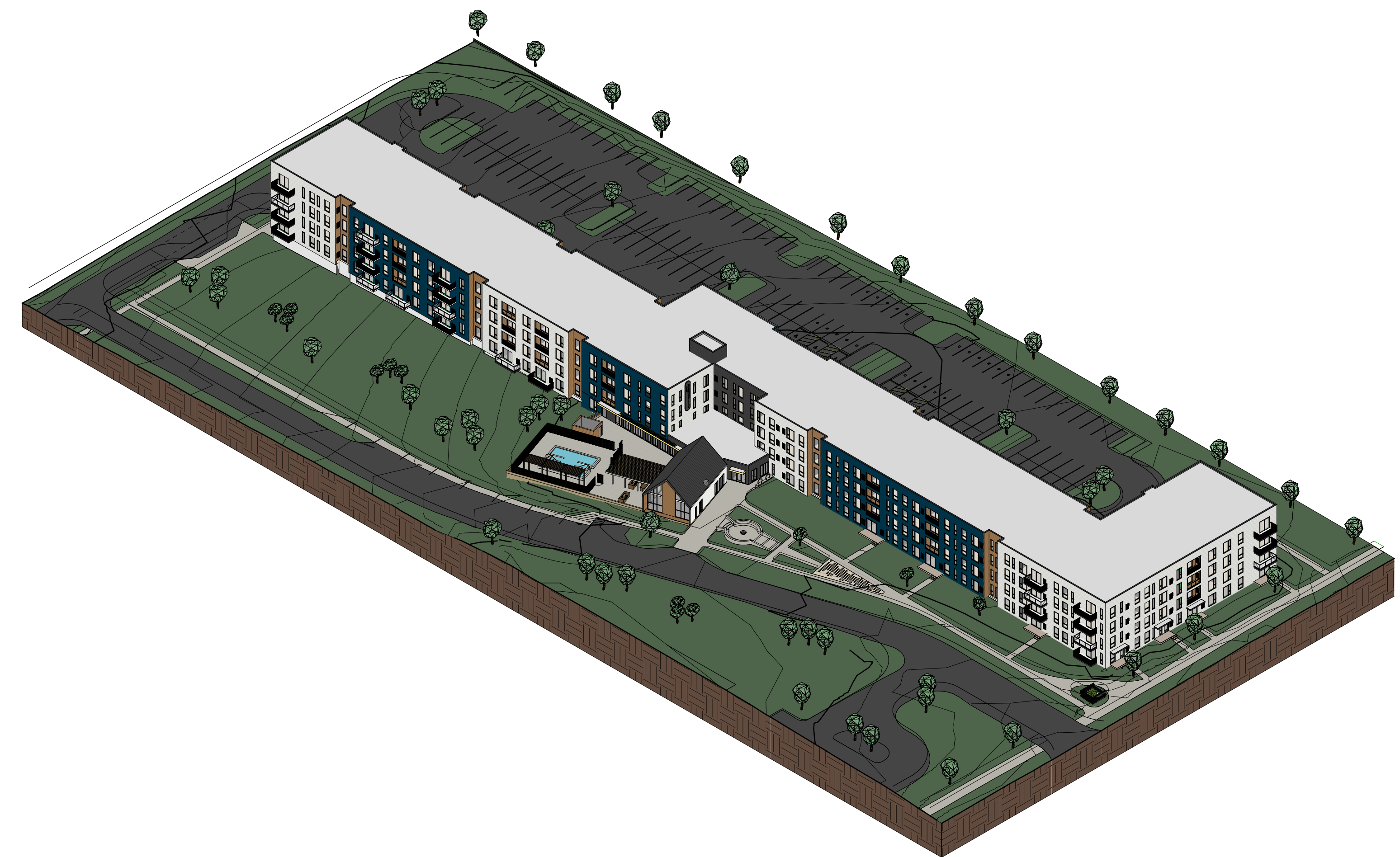
**4** NORTHWEST AXON  
A351



**3** NORTHEAST AXON  
A351



**2** SOUTHWEST AXON  
A351



**1** SOUTHEAST AXON  
A351

22:05 (LWS TECH) | ROHIT MALI, EIT (MN) | 4/27/2022 4:42:22 PM  
L:\PROJECTS\50778\CAD\SHEETS\50778-C3-SITE.DWG-C3.01 SITE PLAN

THE SUBSURFACE UTILITY INFORMATION SHOWN ON THESE PLANS IS A UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF ASCE/CI 38-02, TITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA." THE CONTRACTOR AND/OR SUBCONTRACTORS SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, BY CONTACTING THE NOTIFICATION CENTER (GOPHER STATE ONE FOR MINNESOTA). THE CONTRACTOR AND/OR SUBCONTRACTOR AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES, WHICH MIGHT BE OCCASIONED BY HIS OR HER FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES (UNDERGROUND AND OVERHEAD).

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

| NO | DATE       | BY  | CKD | APPR | COMMENT       |
|----|------------|-----|-----|------|---------------|
|    | 04/26/2022 | EAB | JDB | JDB  | CUP SUBMITTAL |
|    |            |     |     |      |               |
|    |            |     |     |      |               |
|    |            |     |     |      |               |
|    |            |     |     |      |               |
|    |            |     |     |      |               |
|    |            |     |     |      |               |


© 2021 Sambatek

I hereby certify that this plan, specification, 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.

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_ License #: \_\_\_\_\_

|                        |                      |
|------------------------|----------------------|
| PRELIMINARY            | DRAWN BY<br>EAB      |
| DESIGN REVIEW          | DESIGNED BY<br>JGP   |
| PERMIT SUBMITTAL       | CHECKED BY<br>JDB    |
| CONSTRUCTION DOCUMENTS | PROJECT NO.<br>50778 |



www.sambatek.com

Engineering | Surveying | Planning | Environmental

PROPOSED

EXISTING

BOUNDARY LINE

CONCRETE CURB

EASEMENT LINE

BUILDING LINE

RETAINING WALL

WETLAND

TREE LINE

SAW CUT LINE

SIGN

BOLLARD

REGULAR PARKING STALL COUNT

KEYNOTE

STANDARD DUTY ASPHALT PAVING

HEAVY DUTY ASPHALT PAVING

CONCRETE PAVING

CONCRETE SIDEWALK

PAVEMENT BY OTHERS (SEE ARCHITECTURAL PLANS)

DEVELOPMENT SUMMARY

|                             |           |                       |                         |
|-----------------------------|-----------|-----------------------|-------------------------|
| AREA                        | 1.946 AC  | BUILDING SETBACKS     |                         |
| MAX PERCENT IMPERVIOUS      | 75%       | FRONT YARD            | 20 FT                   |
| PROPOSED PERCENT IMPERVIOUS | 44.5%     | REAR YARD             | 20 FT                   |
|                             |           | SIDE YARD             | 10 FT                   |
| PARKING SUMMARY             |           | PARKING SETBACK       |                         |
| SURFACE PARKING PROVIDED    | 49 STALLS | REAR FROM RESIDENTIAL | 35 FT                   |
|                             |           | ZONING                | RURAL TRANSITIONAL (RT) |

DEVELOPMENT NOTES

1. ALL DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT.

2. ALL DIMENSIONS SHOWN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.

3. CONTRACTOR SHALL REVIEW PAVEMENT GRADIENT AND CONSTRUCT "GUTTER OUT" WHERE WATER DRAINS AWAY FROM CURB. ALL OTHER AREAS SHALL BE CONSTRUCTED AS "GUTTER IN" CURB. COORDINATE WITH GRADING CONTRACTOR.

4. ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.

5. ALL PARKING STALLS TO BE 9' IN WIDTH AND 18' IN LENGTH UNLESS OTHERWISE INDICATED.

6. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF EXIT PORCHES, RAMPS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.

7. SEE ARCHITECTURAL PLANS FOR PYLON SIGN DETAILS

8. LIGHT STANDARD LOCATIONS ARE FOR REFERENCE ONLY, SITE LIGHTING PLAN IS DESIGN BUILD BY CONTRACTOR. CONTRACTOR SHALL CONFIRM LIGHT STANDARD LOCATION WITH LIGHTING VENDOR.

9. REFER TO FINAL PLAT FOR LOT BOUNDARIES, LOT NUMBERS, LOT AREAS, AND LOT DIMENSIONS.

10. ALL GRADIENTS ON SIDEWALKS ALONG THE ADA ROUTE HAVE BEEN DESIGNED WITH A MAXIMUM LONGITUDINAL SLOPE OF 4.5%, AND A MAXIMUM CROSS SLOPE OF 1.5%. THIS IS LESS THAN THE ADA CODE MAXIMUM LONGITUDINAL SLOPE OF 5% (1:20), EXCEPT AT CURB RAMPS (1:12), AND A MAXIMUM CROSS SLOPE OF 2.00% (1:50). THE MAXIMUM DESIGN SLOPE IN ANY DIRECTION ON AN ADA PARKING STALL OR ACCESS AISLE IS 1.5%, LESS THAN THE ADA CODE MAXIMUM SLOPE IN ANY DIRECTION ON AN ADA PARKING STALL OR ACCESS AISLE OF 2.00% (1:50). THE CONTRACTOR SHALL REVIEW AND VERIFY THE GRADIENT IN THE FIELD ALONG THE ADA ROUTES PRIOR TO PLACING CONCRETE OR BITUMINOUS PAVEMENT. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THERE IS A DISCREPANCY BETWEEN THE GRADIENT IN THE FIELD VERSUS THE DESIGN GRADIENT AND COORDINATE WITH GRADING CONTRACTOR.

11. "NO PARKING" SIGNS SHALL BE PLACED ALONG ALL DRIVEWAYS AS REQUIRED BY CITY.

12. STREET NAMES ARE SUBJECT TO APPROVAL BY THE CITY.

CIVIL 3D MODEL LIMITATIONS

SAMBATEK'S DELIVERABLE AND GOVERNING DOCUMENTS FOR CONSTRUCTION SHALL BE A HARD COPY AND/OR PDF PLAN SHEETS. IF A CIVIL 3D MODEL IS GENERATED IN THE PROCESS OF PREPARING THE PLAN SHEETS, IT IS AS A DESIGN TOOL ONLY AND NOT AS A SEPARATE DELIVERABLE. AT THE OWNER'S REQUEST, WE WILL RELEASE OUR CIVIL 3D MODEL FOR THE CONTRACTOR'S USE. HOWEVER, ITS USE IS AT THE CONTRACTOR'S RISK AND SHALL NOT BE USED FOR STAKING OF CURB, SIDEWALK, OR OTHER HARD SURFACE IMPROVEMENTS. IF A CIVIL 3D MODEL FOR STAKING HARD SURFACE IMPROVEMENTS IS REQUIRED, WE CAN PROVIDE A SUPPLEMENTAL AGREEMENT FOR REFINEMENT AND PREPARATION OF THE CIVIL 3D MODEL.

KEY NOTES

A. BUILDING, STOOPS, STAIRS (SEE ARCHITECTURAL PLANS)

B. B-612 CONCRETE CURB AND GUTTER

C. B-618 6CONCRETE CURB AND GUTTER

D. CONCRETE APRON

E. FLAT CURB SECTION

F. CONCRETE SIDEWALK

G. SEGMENTAL BLOCK RETAINING WALL

H. ACCESSIBLE RAMP

I. ACCESSIBLE STALL STRIPING

J. ACCESSIBLE PARKING SIGN

K. TRANSFORMER

L. BIKE RACK

M. MONUMENT SIGN (BY OTHERS)

N. TRASH ENCLOSURE

O. POUR-IN-PLACE SURFACE

P. BOLLARD

0

20

40

SCALE

IN

FEET

NORTH

↑

SITE PLAN

GOLDRIDGE GROUP

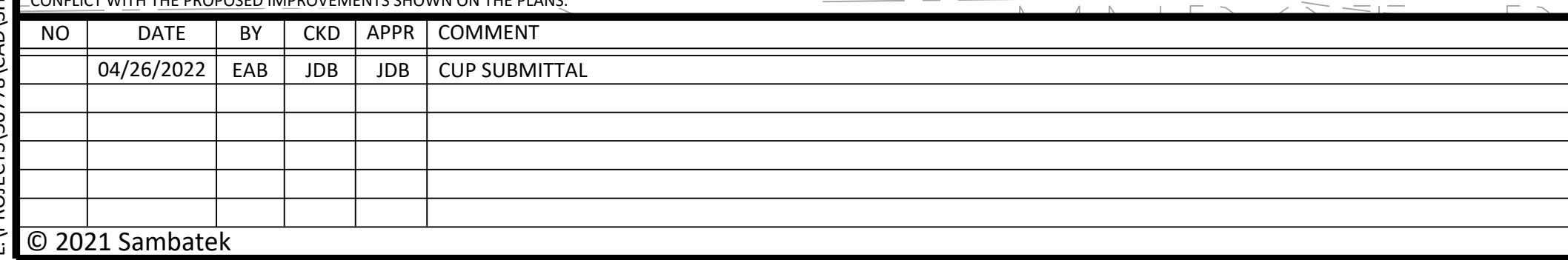
GODDARD SCHOOL

CUP SUBMITTAL

LAKE ELMO, MN

SHEET

C3.01



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

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_ License # \_\_\_\_\_

| DATE ISSUED |  |
|-------------|--|
|             |  |
|             |  |
|             |  |

|                      |
|----------------------|
| DRAWN BY             |
| DESIGNED BY          |
| CHECKED BY           |
| PROJECT NO.<br>50778 |



|  |   |
|--|---|
|  | LANDSCAPE PLAN  |
|  | GOLDRIDGE GROUP<br>GODDARD SCHOOL<br>CUP SUBMITTAL<br>LAKE ELMO, MN |

SHEET  
L1.01

| LANDSCAPE SUMMARY   |                     |          |
|---------------------|---------------------|----------|
| CALCULATIONS        | REQUIRED<br>PER PUD | PROPOSED |
| OVERSTORY TREES     |                     | 16       |
| CONIFEROUS TREES    |                     | 6        |
| ORNAMENTAL TREES    |                     | 10       |
| SHRUBS / PERENNIALS |                     | 321      |

| PLANT SCHEDULE  |         |  |       |         |      |     |
|---|---------|--|-------|---------|------|-----|
| TREES   | CODE    | BOTANICAL / COMMON NAME  | CONT  | CAL     | SIZE | QTY |
|    | GB      | Ginkgo biloba 'Autumn Gold' TM / Maidenhair Tree                 | B & B | 2.5"Cal |      | 3   |
|    | HL      | Gleditsia triacanthos 'Skyline' / Skyline Honey Locust           | B & B | 2.5"Cal |      | 1   |
|    | SO      | Quercus bicolor / Swamp White Oak                                | B & B | 2.5"Cal |      | 1   |
|   | BL      | Tilia americana 'Boulevard' / Boulevard Linden                   | B & B | 2.5"Cal |      | 8   |
|  | PE      | Ulmus americana 'Princeton' / American Elm                       | B & B | 2.5"Cal |      | 3   |
| CONIFERS  | CODE    | BOTANICAL / COMMON NAME  | CONT  | CAL     | SIZE | QTY |
|  | BS      | Picea glauca densata / Black Hills Spruce                        | B & B |         | 6'   | 6   |
| ORN. TREES  | CODE    | BOTANICAL / COMMON NAME  | CONT  | CAL     | SIZE | QTY |
|  | SS      | Malus x 'Spring Snow' / Spring Snow Crab Apple                   | B & B | 2"Cal   |      | 8   |
|  | IL      | Syringa reticulata 'Ivory Silk' / Ivory Silk Japanese Tree Lilac | B & B | 2"Cal   |      | 3   |
| SHRUBS  | CODE    | BOTANICAL / COMMON NAME  | CONT  |         |      |     |
|  | BH      | Diervilla lonicera / Dwarf Bush Honeysuckle                      | 5 gal |         |      | 52  |
|  | LH      | Hydrangea paniculata 'Jane' / Little Lime Hydrangea              | 5 gal |         |      | 16  |
|  | TN      | Physocarpus opulifolius 'SMPTOT' / Tiny Wine Ninebark            | 5 gal |         |      | 26  |
|  | SW      | Physocarpus opulifolius 'Summer Wine' / Summer Wine Ninebark     | 5 gal |         |      | 6   |
|  | GS      | Spiraea japonica 'Goldflame' / Spirea                            | 5 gal |         |      | 47  |
|  | MK      | Syringa patula 'Miss Kim' / Miss Kim Lilac                       | 5 gal |         |      | 14  |
| GRASSES   | CODE    | BOTANICAL / COMMON NAME  | CONT  |         |      |     |
|  | KFG     | Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass  | 1 gal |         |      | 23  |
|  | THG     | Deschampsia cespitosa 'Schottland' / Schottland Hair Grass       | 1 gal |         |      | 31  |
| PERENNIALS  | CODE    | BOTANICAL / COMMON NAME  | CONT  |         |      |     |
|  | SBA     | Allium x 'Summer Beauty' / Summer Beauty Allium                  | 1 gal |         |      | 10  |
|  | CVZ     | Coreopsis verticillata 'Zagreb' / Zagreb Tickseed                | 1 gal |         |      | 10  |
|  | EDS     | Echinacea x 'Wicked TM' / Dark Shadows Wicked Coneflower         | 1 gal |         |      | 58  |
|  | RSH     | Hosta x 'Regal Splendor' / Plantain Lily                         | 1 gal |         |      | 28  |
| GROUND COVERS   | CODE    | BOTANICAL / COMMON NAME  | CONT  |         |      |     |
|  | TUR HIG | Turf Sod Highland Sod / Sod                                      | Sod   |         |      |     |
|  | ARTT    | XGrass for play areas / Artificial Turf                          | .     |         |      |     |

22.05 (LMS TECH) | ROHIT MALI, EIT (MN) | 4/27/2022 10:32:48 AM  
I:\PROJECTS\50778\CAD\SHIFTS\50778-J\_01-I\_LANDSCAPE PLAN DWG-I\_01-I\_LANDSCAPE PLAN



## STAFF REPORT

DATE: 05/23/2022

**REGULAR**

ITEM#: 4C – PUBLIC HEARING  
**MOTION**

**TO:** City Council  
**FROM:** Molly Just, Planning Director  
**AGENDA ITEM:** Comprehensive Plan Amendments – MUSA Boundary Change, Update to City's Wastewater Facilities and Land Use Plans – (34<sup>th</sup> Street and Ideal Avenue)

---

### **BACKGROUND:**

The subject property is a portion of the land the City received from 3M in 2019 as part of a legal settlement. Based on the location of the property and with prime access to the highway system the City Council wants to take advantage of the opportunity to develop the property to its potential and contribute positively to the tax base in Lake Elmo. On June 2<sup>nd</sup> 2020 the City Council approved the necessary Comprehensive Plan amendments to achieve this objective for the 65 acres south of 34<sup>th</sup> Street. On April 5, 2022 the City Council directed staff to pursue, through the Planning Commission, the subject amendments on the approximately 110 acres on the north side of 34<sup>th</sup> Street.

The City will then pursue sale and development of the property consistent with the subject Comprehensive Plan amendments. These land use and sewer plan changes, however, require City Council and Metropolitan Council approval of several changes to the 2040 Comprehensive Plan. The changes are required because this part of Lake Elmo is not included in the MUSA nor had the City included this area in the Wastewater calculations in the 2040 Comprehensive Plan. The proposed comprehensive plan amendments require a 4/5th affirmative vote by the City Council and approval by the Metropolitan Council.

### **ISSUE BEFORE PLANNING COMMISSION:**

Should the City amend the land use designations of the subject property and expand the MUSA Boundary and other relevant sections and elements of the 2040 Comprehensive Plan in order to achieve the desired objectives?

### **PROPOSAL DETAILS/ANALYSIS:**

The decision to change or amend the Comprehensive Plan is a policy matter for the Planning Commission to make a recommendation on to the City Council. The City should base any change to the Comprehensive Plan on findings and criteria to show that the change would be consistent with the goals and policies of the City. Such criteria may include that proposed Comprehensive Plan amendment would be consistent with the spirit and intent of the Comprehensive Plan and it would be beneficial to existing and future residents by providing another location for commercial and business park development on a site with access on an arterial roadway.

## **Comprehensive Plan Amendments**

**Amendment to Land Use Designations of the Future Land Use Plan.** The proposed land use designation changes are as follows:

- 11.5 acres from Parks to Institutional for the City of Lake Elmo Public Works Department;
- 72 acres from RAD (rural area development) to BP (business park);
- 14 acres from RAD (rural area development) to LDR (low density residential);
- 8 acres from RAD (rural area development) to Park; and
- 4.7 acres from RAD (rural area development) to Commercial.

**Amendment to the MUSA Boundary.** The MUSA Boundaries for the sanitary sewer service areas in the City of Lake Elmo are depicted on the attached maps from the 2040 Comprehensive Plan. The subject property is not now included in the MUSA. The City needs to change the MUSA boundary on all relevant maps in the Comprehensive Plan in order for the property to be eligible to have municipal sanitary sewer when it develops.

**Amendment to Wastewater Services and Facilities Plan.** The City also will need to amend the Wastewater Services and Facilities Plan in the 2040 Comprehensive Plan to accommodate sewer development on this site. As part of the amendment process, the City will need to amend several tables in the Comprehensive Plan to show the additional properties connected to the sanitary sewer system.

**Recommended Findings – Comprehensive Plan Amendment.** Staff recommends the following findings:

1. That the City Council has submitted a request to the City of Lake Elmo to amend the Comprehensive Plan in accordance with the procedures as established by the Lake Elmo Planning Department and the Lake Elmo City Code; and
2. That the request is to expand the MUSA and amend the Future Land Use Designation for the approximately 110 acres of City-owned land located on the north side of 34<sup>th</sup> Street and east of Ideal Avenue from:
  - 11.5 acres from Parks to Institutional for the City of Lake Elmo Public Works Department;
  - 72 acres from RAD (rural area development) to BP (business park);
  - 14 acres from RAD (rural area development) to LDR (low density residential);
  - 8 acres from RAD (rural area development) to Park; and
  - 4.7 acres from RAD (rural area development) to Commercial.
3. That the request is to amend text, maps and tables in the City's Water Services and Facilities Plan to accommodate the expanded sanitary sewer area.
4. That the proposed amendments are consistent with the overall goals and objectives of the Lake Elmo Comprehensive Plan by providing additional areas for commercial and business park development; and
5. That the City believes the proposed land use designations are the highest and best use of the property; and
6. That the proposed Comprehensive Plan Amendments would be beneficial by providing another location for commercial and business park uses on an arterial street not currently available in Lake Elmo.

**Staff recommends the following condition of approval:**

1. Submission of the Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that they have reviewed and approved the proposed amendments.

### **FISCAL IMPACT:**

None. There is no impact to amending the Comprehensive Plan. The cost of developing the subject property consistent with the proposed amendments would be borne by the developer of the property. The City would benefit from the expanded commercial tax base.

### **RECOMMENDATIONS:**

Staff recommends approval of an amendment to the Future Land Use Plan of the Comprehensive Plan, re-guiding the aforementioned City-owned property in accordance with the listed findings, based on the recommended findings and condition of approval.

***“Motion to recommend adoption of a resolution approving the subject amendments to the Future Land Use Plan re-guiding approximately 110 acres of City-owned land located north of 34<sup>th</sup> Street and east of Ideal Avenue to the land use designations listed in the listed findings, based on the recommended findings and condition of approval.”***

Additionally, Staff recommends approval of the necessary amendments to the Land Use Plan and to the Wastewater Services and Facilities Plan of the 2040 Comprehensive Plan by adding the approximately 110 acres of City-owned property on the north side of 34<sup>th</sup> Street and east of Ideal Avenue to the City’s sanitary sewer area.

***“Motion to recommend adoption a resolution approving the necessary amendments to the 2040 Lake Elmo Comprehensive Plan (including those to the Land Use Plan, MUSA boundaries and Wastewater Services Plan) to add the approximately 110 acres of City owned land located north of 34<sup>th</sup> Street and east of Ideal Avenue to the City’s sanitary sewer area and authorize City staff to submit the proposed Comprehensive Plan Amendments to the Metropolitan Council.”***

### **ATTACHMENTS:**

#### **Comprehensive Plan Pages:**

Existing & Proposed MUSA Map Page 3-11

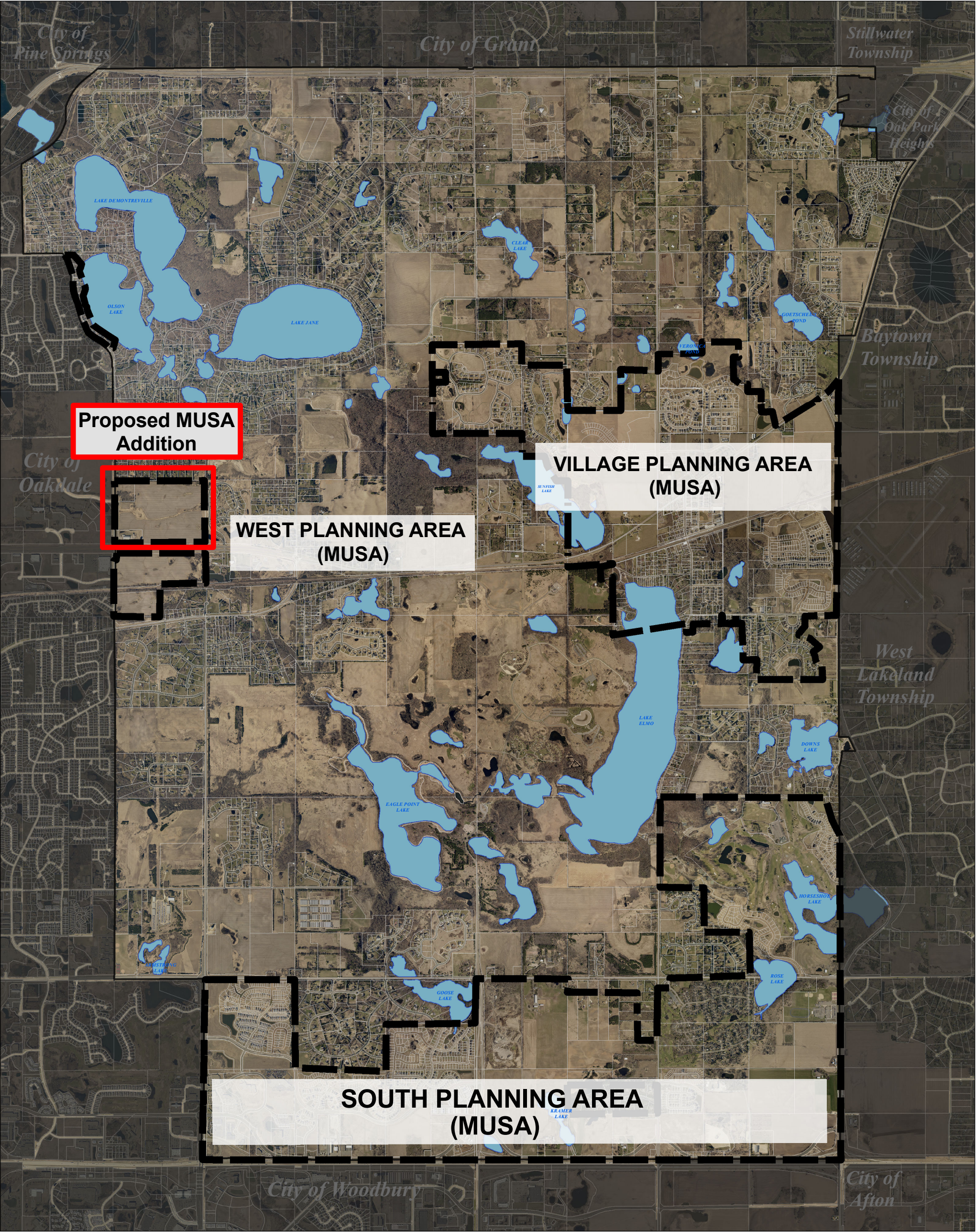
Existing Future Land Use Map Page 3-17

Proposed Future Land Use Map

Existing & Proposed MUSA Growth & Phasing Plan Page 3-24

Existing and Proposed Future Sanitary Sewer System Page 9-5

Map 3-2. 2018 - 2040 MUSA

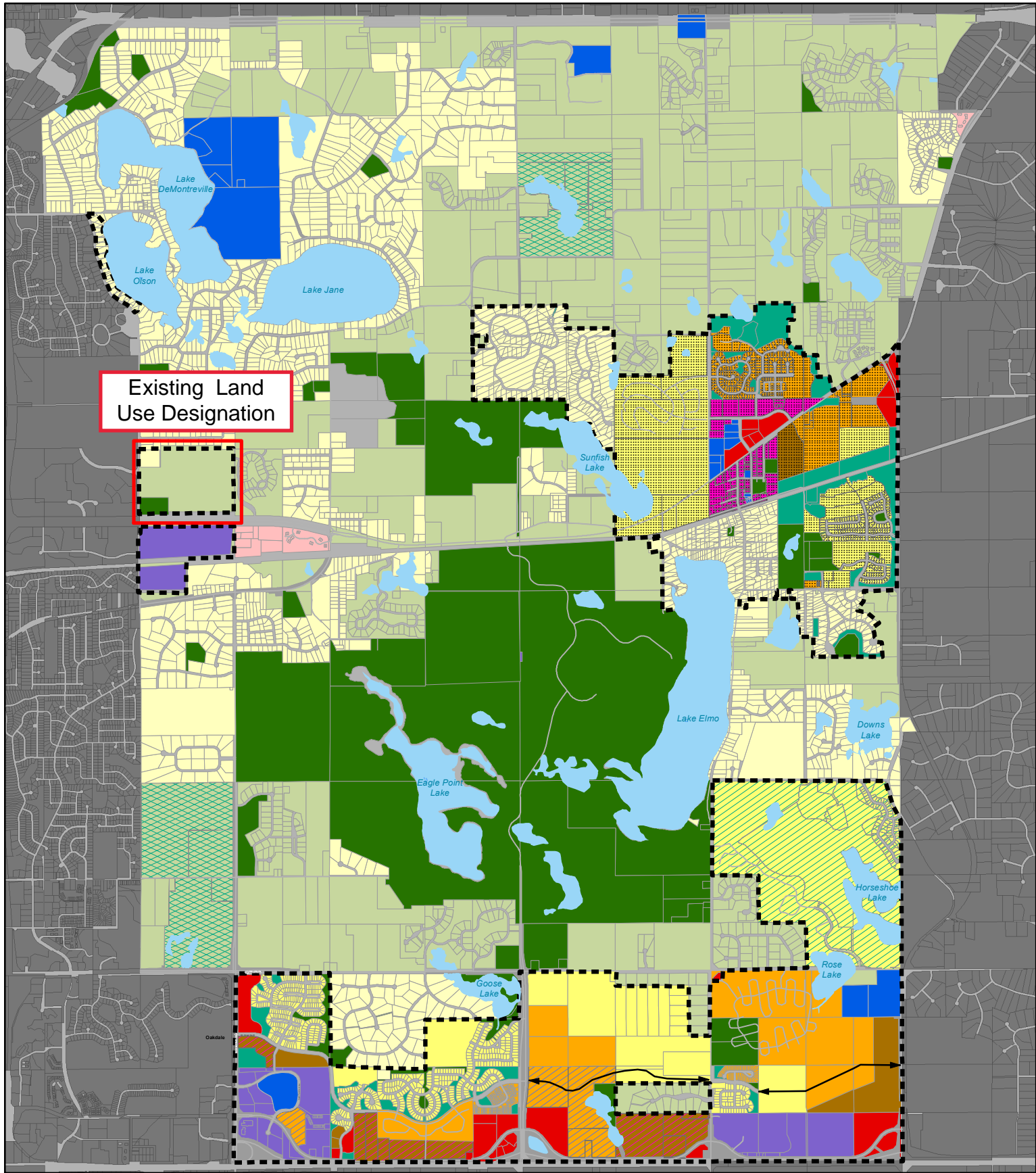


EXISTING LAKE ELMO MUSA AREAS

■■■■■ MUSA Area

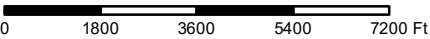


Existing Land Use Map



Existing Land Use Designation

Existing Land Use

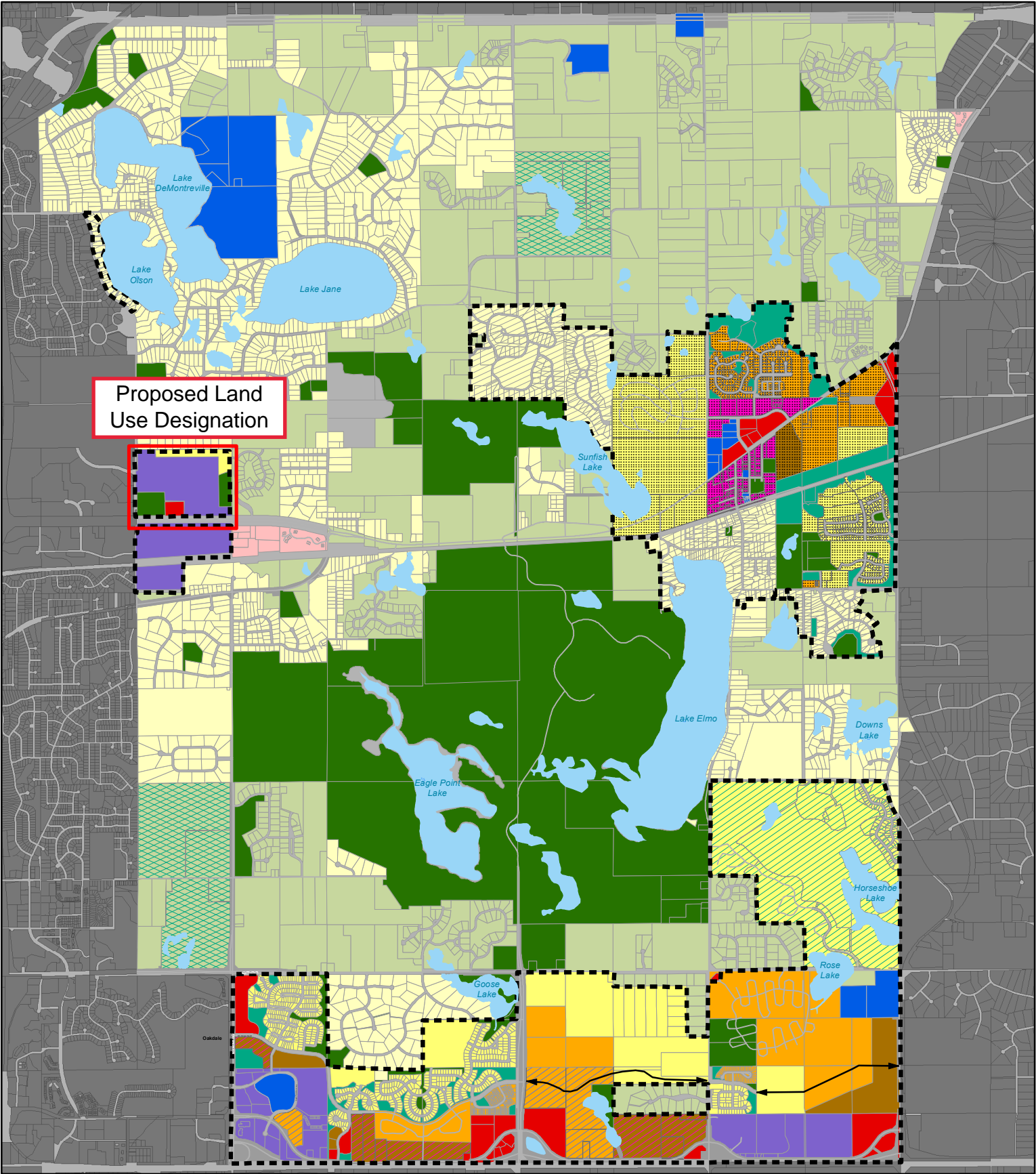


Map Date: May, 2022



- |      |     |       |       |       |                 |
|------|-----|-------|-------|-------|-----------------|
| PSP  | AP  | GC    | MU-BP | V-HDR | C               |
| ROW  | RAD | LDR   | MU-C  | V-MU  | Closed Landfill |
| RSF  | MDR | V-LDR | V-LDR | LB    | Institutional   |
| RSFS | HDR | V-MDR | BP    | Park  |                 |
- MUSA Boundary      Planned Roadway (Parkway)

Future Land Use Map



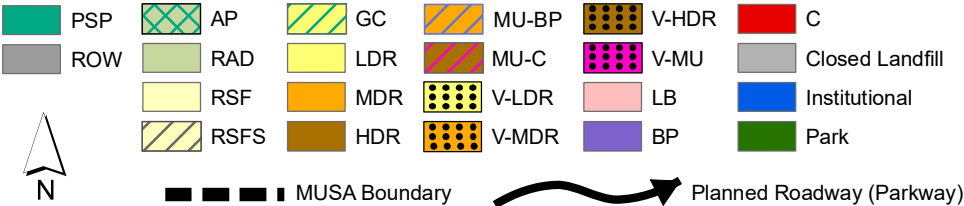
Proposed Land Use Designation

2040 Future Land Use

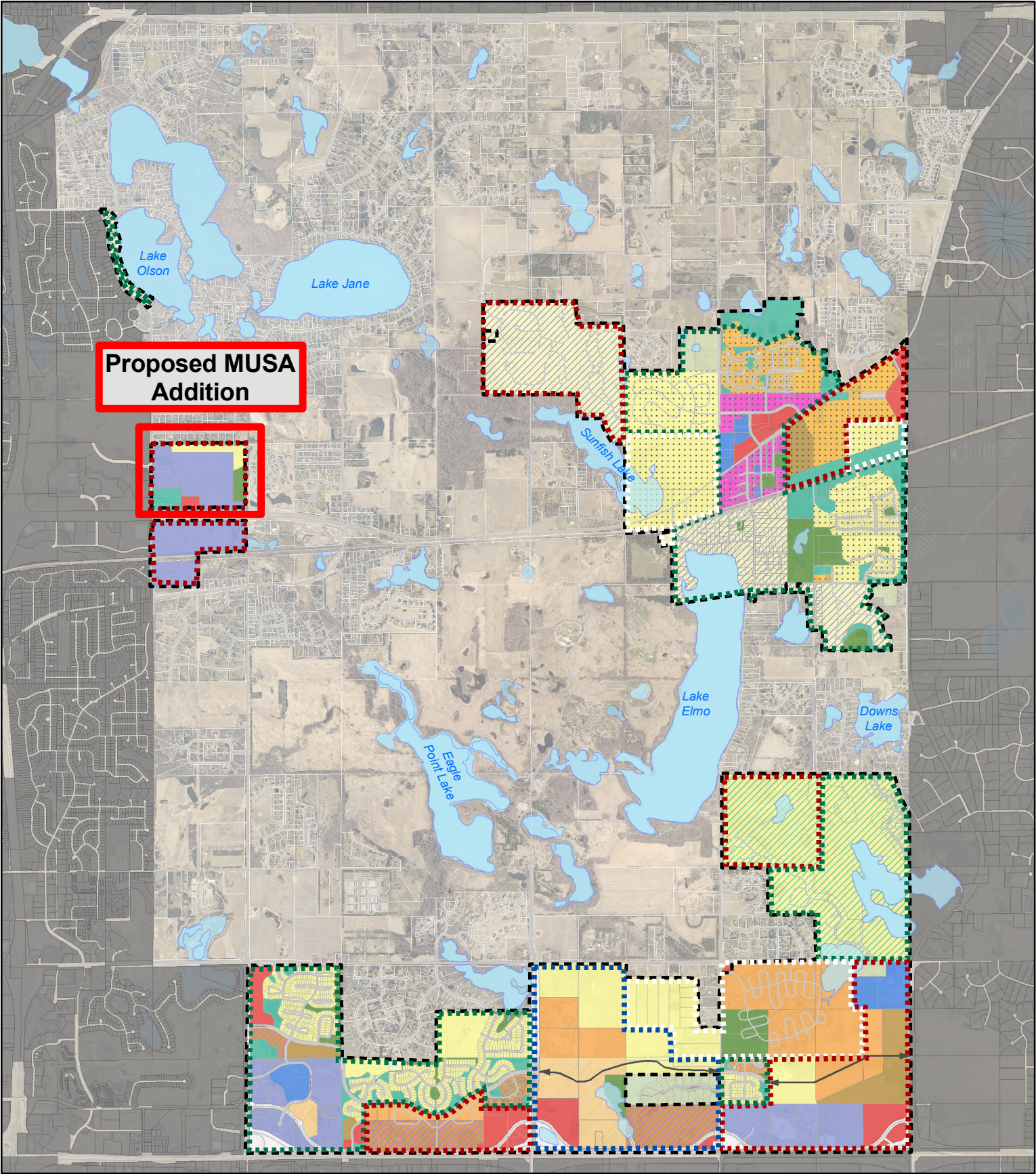
0 1800 3600 5400 7200 Ft



Map Date: May, 2022



Map 3-7 MUSA Growth & Phasing Plan

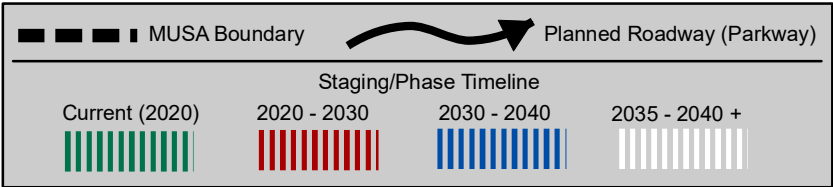


2040 Future  
Land Use

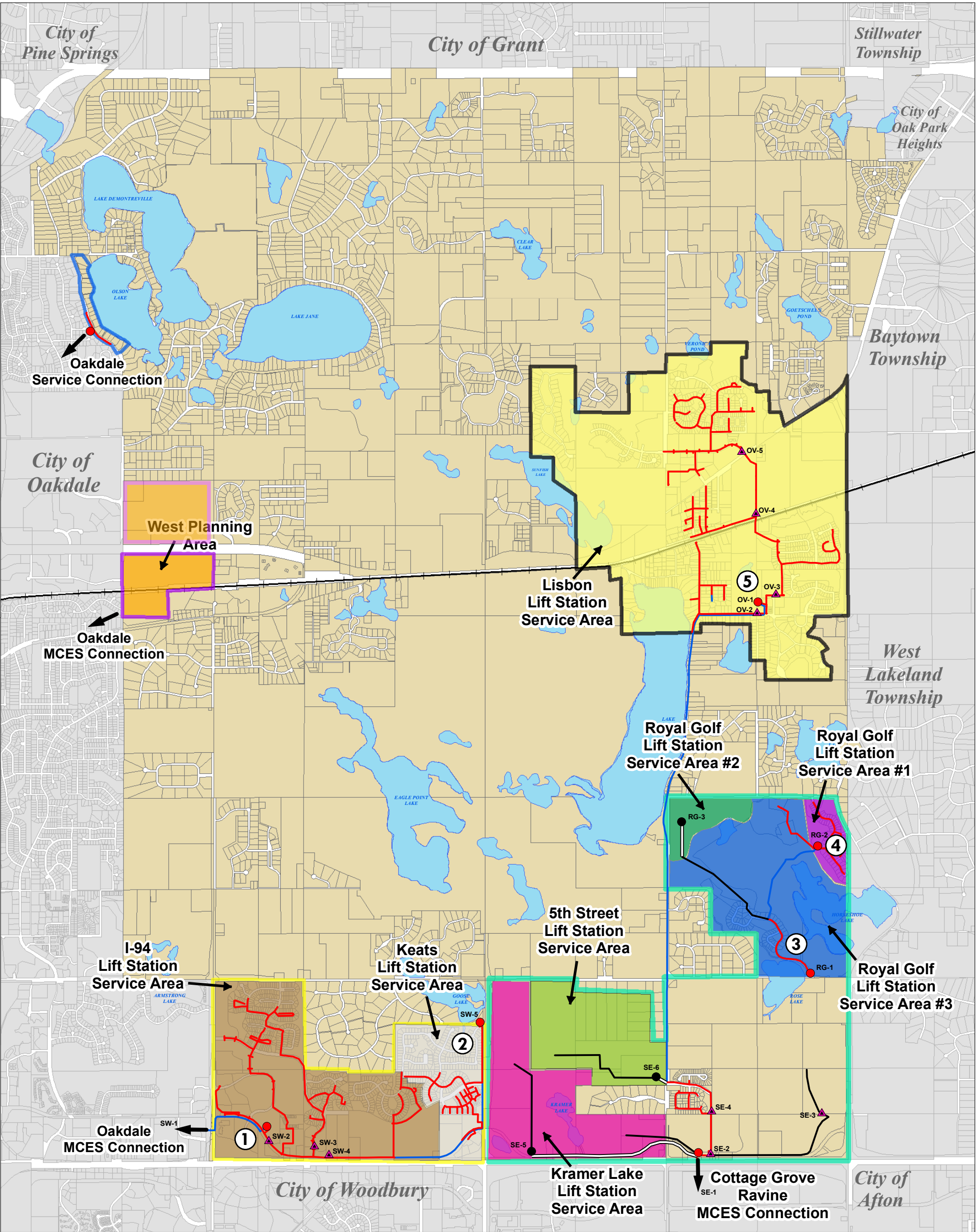
0 1900 3800 5700 7600 Ft



Map Date: May 2022



Map 9-1 Existing and Future Sanitary Sewer System



EXISTING & FUTURE SANITARY SEWER SYSTEM

- Existing Sewer Main
- Existing Force Main
- Future Force Main
- Future Trunk Sewer Main
- Future Lift Station
- Existing Lift Station
- Capacity Reference Point

- 1 I-94 Lift Station
- 2 Keats Ave Lift Station
- 3 Royal Golf South Lift Station
- 4 Royal Golf North Lift Station
- 5 Lisbon Lift Station

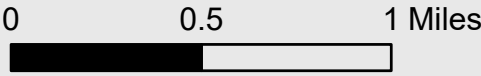
South West MUSA

South East MUSA

Olson Lake MUSA

Old Village MUSA

West MUSA



Map Date: January 2021  
Created By: Planning Department



## **STAFF REPORT**

DATE: 05/23/2022

REGULAR

ITEM#: 4D – PUBLIC HEARING

MOTION

**TO:** Planning Commission  
**FROM:** Sophia Jensen, Code Enforcement Official  
**AGENDA ITEM:** Text Amendments to the Zoning Ordinance – Fencing Regulations, Swimming Pools; Generally, Required Screening  
**REVIEWED BY:** Molly Just, Planning Director

---

### **INTRODUCTION:**

City of Lake Elmo Planning Staff has initiated three text amendments to City Code Title 105 Zoning as follows:

- Title 105 Zoning; Chapter 105.12: Zoning Code, Section 400 Fencing Regulations – Formalize a required fencing setback from City pipelines and storm drains. No fences will be permitted to parallel a pipeline within 10 feet on either side. Fences that intersect a pipeline may be permitted with a gate or removable panel equal to 10 feet. No fencing is permitted within 10 feet from a storm drain. This change would align code with best practice for utility maintenance and emergency access.
- Title 105 Zoning; Chapter 105.08: Building Regulations Code, Section 160 *Swimming Pools; Generally* – The addition of land cover definitions as it relates to pools. The proposed change would deem the water surface of pools as pervious surface. Other pool features, such as pool apron and pool equipment, are deemed impervious surface. This change would align with City practice.
- Title 105 Zoning; Chapter 105: 04 General Provisions, Section 040 *Required Screening* – There are no changes to substance, simply to a code reference. This change would align code with its intended section reference.

### **ISSUE BEFORE PLANNING COMMISSION:**

The Commission is being asked to hold a public hearing, review, and make a recommendation to the City Council on the proposed text amendments. Drafts of the amendments are included below.

### **TEXT AMENDMENT DETAILS/ANALYSIS:**

#### **1. FENCING REGULATIONS 105.12.400(a)**

- B. *Permit required.* No permanent fence shall be erected without first obtaining a fence permit. Application shall be made to the planning director or their designee. The fee shall be established by the city's fee schedule. The planning director or their designee is authorized to issue a fence permit if the application indicates that the fence will be in

compliance with this section. The board of adjustment and appeals shall hear and decide appeals when it is alleged that the planning director was in error. The appeals shall follow the procedure outlined in LEC 3.08.010.

\*\*\*

#### FENCING REGULATIONS 105.12.400(d)

*D. General requirements.* All fences erected in the city are subject to the following requirements:

1. *Maintenance.* All fences shall be properly maintained with respect to appearance and safety. Fences that remain in a state of disrepair for an extended period of time shall constitute a nuisance per LEC 9.28.030.
2. *Face of fence.* The finished side of any fence or wall must face abutting property or street rights-of-way.
3. *Fence materials.* Permitted fence materials shall be limited to brick, stone, wood, wrought iron, vinyl, composite material, steel, aluminum, chain link, and in cases of temporary fencing only, materials that are consistent with temporary fencing as regulated under subsection (f) of this section.
4. *Traffic obstruction.* No fence or wall shall obstruct a motorist's or a pedestrian's safe view from the driveway or street.
5. *Location.*
  1. Fences may be installed on any portion of a lot subject to the height restrictions of subsection (e) of this section and may be installed up to the property line. Any portion of the fence and all footing material shall be fully on the respective property and not encroach or cross over onto the neighboring property. It is also the responsibility of the property owner to have the property lines identified.
  2. All pertinent property pins shall be visible upon inspection for fences installed within one foot (12 inches) of a property boundary.
  3. In the case of a dispute, the city may require a survey to establish the boundary line of a property.
6. *Easement encroachment.* An easement encroachment agreement must be approved by the planning director or ~~his~~ their designee after review and approval from the city engineer or ~~his~~ their designee, along with a fence permit, for any fence that will be installed within a city easement.
7. *Swimming pools.* All swimming pools shall be enclosed with required fencing per LEC 105.08.160.
8. *Pipeline and Storm Drain.* Where any City owned storm drain, sanitary, water, or storm sewer pipe is located the following standards apply:
  1. No fences are permitted to parallel a pipeline within 10 feet on either side.
  2. Fences that intersect a pipeline must have a gate or removable panels equal to 10 feet.
  3. Fences must maintain a 10 foot setback from storm drains.

## 2. SWIMMING POOLS; GENERALLY 105.08.160(c)

- a. *Permits required.* No person, corporation, partnership, or firm shall construct, repair, enlarge, alter, change, remodel, or otherwise significantly improve a swimming pool in the city without first having obtained a permit from the building official or their designee.
- b. *Definitions.* Unless specifically defined in this section, common definitions, words, and phrases used in this section shall be interpreted so as to give them the same meaning as they have in common usage through this Code. Definitions are found in LEC 1.08.
- c. *Land coverage.* The water surface of a pool shall be deemed pervious surface. All other pool features, such as the pool apron and equipment pad, shall be deemed impervious surface.

## 3. REQUIRED SCREENING 105.04.040

1. *Screening.* Screening shall be required in residential districts for any off-street parking area which contains more than four parking spaces and is within 30 feet of an adjoining residential lot.
2. *Business, industrial screening.* Where any business or industrial use (structure, parking, or storage) is adjacent to property zoned or developed for residential use, that business or industry shall be screened along the boundary of the residential property. Screening shall also be provided where a business, parking lot, or industry is across the street from a residential zone, but not on the side of a business or industry considered to be the front.
3. *Exterior storage.* All exterior storage shall be screened as required by ~~LEC 105.04.010.~~ LEC 105.04-I.
4. *Mechanical apparatus on roofs.* All mechanical apparatus on roofs shall be screened.
5. *Loading docks.* Loading docks shall be screened from all streets and adjacent property unless they are at the rear of the building which abuts another commercial use. The property owner may provide a 30-foot landscaped area between the dock and the property line where screening is not possible.

### **PUBLIC COMMENT:**

A hearing notice was published in the Stillwater Gazette on May 13<sup>th</sup>, 2022. At this time, staff has not received any comments from the public on the proposed text amendment.

### **FISCAL IMPACT:**

None

### **OPTIONS:**

The Planning Commission may:

- Recommend approval of the proposed text amendments;
- Recommend approval of the proposed text amendments with changes; or
- Recommend denial of the proposed text amendments, citing recommended findings of fact for denial.

**RECOMMENDATIONS:**

Staff recommends that the Planning Commission recommend approval of the draft amendments to Section 400 Fencing Regulations, Section 160 Swimming Pools Generally, and Section 040 Required Screening. Three separate suggested motions are provided below.

*“Motion to recommend approval of the amendments to zoning code Section 400 Fencing Regulations as proposed by City staff”*

*“Motion to recommend approval of the amendments to the building regulations code Section 160 Swimming Pools Generally as proposed by City staff”*

*Motion to recommend approval of the amendments to zoning code Section 040 Required Screening as proposed by City staff”*

**ATTACHMENTS:**

- A. Draft Ordinance No. 2022-XXX
- B. Draft Ordinance No. 2022- XXX
- C. Draft Ordinance No. 2022- XXX

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

**ORDINANCE NO. 2022-**

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY AMENDING THE  
FENCING CODE**

**SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105.12: Zoning Code, Section 400 is hereby amended by changing the following section** (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

**105.12.400 FENCING REGULATIONS**

- A. *Purpose.* The purpose of this article is to provide for the regulation of fences in the city and to prevent fences from being erected that would be a hazard to the public, an unreasonable interference with the uses and enjoyment of neighboring property or are incompatible with existing uses and other zoning restrictions.
- B. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meaning ascribed to them in this subsection, except where the context clearly indicates a different meaning:
  - Permanent fence* means fences that are installed in a fixed or enduring manner that are not intended for a seasonal or temporary purpose.
  - Temporary fence* means fences that are installed and removed on a seasonal basis, such as snow fences, garden fences and seasonal recreational fences, such as hockey boards.
- C. *Permit required.*
  - 1. *Permanent fence.* No permanent fence shall be erected without first obtaining a fence permit. Application shall be made to the planning director or their designee. The fee shall be established by the city's fee schedule. The planning director or their designee is authorized to issue a fence permit if the application indicates that the fence will be in compliance with this section. The board of adjustment and appeals shall hear and decide appeals when it is alleged that the planning director was in error. The appeals shall follow the procedure outlined in LEC 3.08.010.
  - 2. *Temporary fence.* Temporary fencing that complies with subsection (f) of this section and all other applicable provisions of this article shall be exempt from permit requirements.
- D. *General requirements.* All fences erected in the city are subject to the following requirements:
  - 1. *Maintenance.* All fences shall be properly maintained with respect to appearance and safety. Fences that remain in a state of disrepair for an extended period of time shall constitute a nuisance per LEC 9.28.030.
  - 2. *Face of fence.* The finished side of any fence or wall must face abutting property or street rights-of-way.

3. *Fence materials.* Permitted fence materials shall be limited to brick, stone, wood, wrought iron, vinyl, composite material, steel, aluminum, chain link, and in cases of temporary fencing only, materials that are consistent with temporary fencing as regulated under subsection (f) of this section.
  4. *Traffic obstruction.* No fence or wall shall obstruct a motorist's or a pedestrian's safe view from the driveway or street.
  5. *Location.*
    1. Fences may be installed on any portion of a lot subject to the height restrictions of subsection (e) of this section and may be installed up to the property line. Any portion of the fence and all footing material shall be fully on the respective property and not encroach or cross over onto the neighboring property. It is also the responsibility of the property owner to have the property lines identified.
    2. All pertinent property pins shall be visible upon inspection for fences installed within one foot (12 inches) of a property boundary.
    3. In the case of a dispute, the city may require a survey to establish the boundary line of a property.
  6. *Easement encroachment.* An easement encroachment agreement must be approved by the planning director or his designee after review and approval from the city engineer or his designee, along with a fence permit, for any fence that will be installed within a city easement.
  7. *Swimming pools.* All swimming pools shall be enclosed with required fencing per LEC 105.08.160.
  8. *Pipeline and Storm Drain.* Where any City owned storm drain, sanitary, water, or storm sewer pipe is located the following standards apply:
    1. No fences are permitted to parallel a pipeline within 10 feet on either side.
    2. Fences that intersect a pipeline must have a gate or removable panels equal to 10 feet.
    3. Fences must maintain a 10 foot setback from storm drains.
- E. *Fence height and design.*
1. *Fences within front and side (corner) yards.* Any fence within a front or side (corner) yard setback or any required setback from a public right-of-way may not exceed forty-eight (48) inches (4 feet) in height and must be 50 percent open to air and light. The fence must also be setback twenty (20) feet extending from the front corner lot pin or ROW.
  2. *Residential and mixed-use districts.* No fence shall exceed six feet in height, and shall be subject to the design requirements of subsection (e)(3) of this section.
  3. *Commercial and industrial districts.* No fence or wall shall exceed eight feet in height. Fences that exceed eight feet in height require a conditional use permit.
- F. *Temporary fences.*
1. *Height and performance.* Temporary fences shall comply with the fence height standards of subsection (e) of this section. Temporary fences shall be at least 40 percent open to air and light. If unable to be at least 40 percent open to air and light, temporary fences shall not exceed forty-eight (48) inches (4 feet) in height. The fence must also be setback twenty (20) feet extending from the front lot pin or ROW.

2. *Duration and limitation.*

1. No snow fence or posts shall be installed prior to October 1, and must be removed prior to April 15.
2. Seasonal recreational fencing intended for winter sports, such as hockey or broomball shall not be installed prior to October 1, and must be removed prior to April 15.
3. *Location.* Snow fences shall be set back at least 50 feet from any south or east property line, or such additional distance as may be required to prevent the accumulation of snow on public streets or adjoining property, as determined by the public works director.

G. *Prohibited fencing.* Barbed wire and electric fencing are prohibited in platted areas.

H. *Agricultural exemption.* Fences constructed on parcels in excess of five acres for the keeping of horses; and fences constructed on parcels in excess of ten acres are specifically exempted from the provisions of this section. Any such agricultural fencing shall be at least 75 percent open to air and light.

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 3. Adoption Date.** This Ordinance 2022- was adopted on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by a vote of \_\_\_ Ayes and \_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

\_\_\_\_\_  
Charles Cadenhead, Mayor

ATTEST:

\_\_\_\_\_  
Julie Johnson, City Clerk

This Ordinance 2022- was published on the \_\_\_\_ day of \_\_\_\_\_, 2022.

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

**ORDINANCE NO. 2022-**

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY AMENDING THE  
POOL CODE**

**SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105.08: Building Regulations Code, Section 160 is hereby amended by changing the following section** (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

**105.08.160 Swimming Pools; Generally**

- a. *Permits required.* No person, corporation, partnership, or firm shall construct, repair, enlarge, alter, change, remodel, or otherwise significantly improve a swimming pool in the city without first having obtained a permit from the building official or their designee.
- b. *Definitions.* Unless specifically defined in this section, common definitions, words, and phrases used in this section shall be interpreted so as to give them the same meaning as they have in common usage through this Code. Definitions are found in LEC 1.08.
- c. *Land coverage.* The water surface of a pool shall be deemed pervious surface. All other pool features, such as the pool apron and equipment pad, shall be deemed impervious surface.
- d. *Application for permit.* The building official may require plans, specifications, and pertinent explanatory data be submitted with an application for a permit.
  1. An application for a permit which includes a site plan showing:
    - a. The type and size of pool, location of pool, location of house, garage, fencing, and other improvements on the lot;
    - b. The location of structures on all adjacent lots;
    - c. The location of filter unit, pump, and writing indicating the type of the units;
    - d. The location of back-flush and drainage outlets, grading plan, finished elevations, and final treatment (decking, landscaping, and the like) around pool;
    - e. The location of existing overhead or underground wiring, utility easements, trees, and similar features;
    - f. The location of any water heating unit;
    - g. The location of water supply systems, buried sewers, and sewage disposal systems, other utilities and proximate sources of possible contamination of the pool; and
    - h. All dimensions, including the length, width, depth of the pool, the size of the pool deck, and the liquid capacity of the pool; plans shall be drawn to a scale of not smaller than one-fourth inch to one foot;
  2. The application shall be accompanied by the permit fee the council establishes by resolution.

3. Pools shall not be located within 20 feet of any septic tank/drainfield nor within six feet of any principal structure or frost footing. Pools shall not be located within any required front or side yard setbacks.
4. Pools shall not be located beneath overhead utility lines nor over underground utility lines of any type.
5. Pools shall not be located within any private or public utility, walkway, drainageway, or other easements.
6. In the case of underground pools, the necessary precautions shall be taken during the construction to:
  - a. Avoid damage, hazards, or inconvenience to adjacent or nearby property; and
  - b. Ensure that proper care shall be taken in stockpiling excavated material to avoid erosion, dust, or other infringements upon adjacent property.
7. All access for construction shall be over the owner's land and due care shall be taken to avoid damage to public streets and adjacent private or public property.
  - a. To the extent feasible, back-flush water or water from pool drainage shall be directed onto the owner's property or into approved public drainageways.
  - b. Water shall not drain onto adjacent or nearby private land.
8. The filter unit, pump, heating unit, and any other noise-making mechanical equipment shall be located at least 50 feet from any adjacent or nearby residential structure and not closer than ten feet to any lot line.
- e. *Pool piping.* Pool piping systems shall be constructed of materials prescribed in the city plumbing code. Installation of the piping, including the pool water supply line, shall be inspected by the building official prior to covering the piping.
- f. *Main outlets.* Pools shall be equipped with facilities for completely emptying the pool and effecting surface drainage (by gravity, if elevations permit). The drainage system shall be constructed in accordance with the provisions of the city plumbing code.
- g. *Water supply.* Water supplies serving all swimming pools shall be of a safe sanitary quality and be acceptable to the county health officer. The installation of the pool water supply piping and connection to the source of supply shall be in accordance with the city plumbing code.
- h. *Electrical requirements.* All electrical installations provided for, installed, and used in conjunction with residential swimming pools shall conform with the state electrical code and shall be inspected and approved by the state electrical inspector. No current-carrying electrical conductors shall cross residential swimming pools, either overhead or underground or within 15 feet of the pools, except as necessary for pool lighting or pool accessories.
- i. *Heating requirements.* Permits shall be required for all heating units used in conjunction with swimming pools. Installation shall be made in accordance with the city heating building code in effect at the time of installation.
- j. *Pressure relief valves.* Pools shall be designed and constructed with under-drain systems and pressure relief valves to prevent pool flotation, where the building official determines the same to be necessary.
- k. *Shield lights.* Lights used to illuminate any swimming pool shall be so arranged and shielded so as to reflect light away from adjoining properties.

1. *Location.* All swimming pools or appurtenances to swimming pools shall be located in the rear yard and meet the setback requirements of the district in which it is located. Requests for a variance from the provisions of this section shall be referred first to the planning commission for its study and recommendation and then to the council.
- m. *Fences.* All swimming pools shall be completely enclosed by a non-climbable type fence. All fence openings or points of entry into the pool area shall be equipped with gates. The fence and gates shall be at least four feet in height and shall be constructed of a minimum number 11 gauge woven wire mesh corrosion-resistant material or other material approved by the building official. All gates shall be equipped with self-closing and self-latching devices placed at the top of the gate or otherwise be inaccessible to small children. All fence posts shall be decay- or corrosion-resistant and shall be set in concrete bases or other suitable protection. The openings between the bottom of the fence and the ground or other surface shall not be more than four inches.
- n. *Above ground swimming pools.* Ladders or stairs which are attached to or placed against the outside of above ground tank-type swimming pools having a depth of 24 inches or more shall be removed from the outside of the pool when it is not being used by the owner or owner's authorized guests. All other applicable provisions of this section shall apply to above ground pools.
- o. *Public or semi-public swimming pools.* Swimming pools, other than residential pools, shall be constructed and operated in conformance with standards for the installations established by the state board of health. In addition, the person, firm, corporation, or agency proposing the construction of a swimming pool other than residential shall file with the building official, prior to the beginning of any construction, a copy of the report prepared and issued by the state health department showing approval of the plans, and one set of pool plans upon which the approval is indicated by stamp, seal, or other official marking of that agency.

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 3. Adoption Date.** This Ordinance 2022- was adopted on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by a vote of \_\_\_ Ayes and \_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

---

Charles Cadenhead, Mayor

ATTEST:

---

Julie Johnson, City Clerk

This Ordinance 2022- was published on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

**ORDINANCE NO. 2022-**

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY AMENDING THE  
REQUIRED SCREENING CODE**

**SECTION 1.** The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105: 04 General Provisions, Section 040 is hereby amended by changing the following section (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

**105.04.040 REQUIRED SCREENING**

1. *Screening.* Screening shall be required in residential districts for any off-street parking area which contains more than four parking spaces and is within 30 feet of an adjoining residential lot.
2. *Business, industrial screening.* Where any business or industrial use (structure, parking, or storage) is adjacent to property zoned or developed for residential use, that business or industry shall be screened along the boundary of the residential property. Screening shall also be provided where a business, parking lot, or industry is across the street from a residential zone, but not on the side of a business or industry considered to be the front.
3. *Exterior storage.* All exterior storage shall be screened as required by ~~LEC 105.04.010.~~ LEC 105.04-I.
4. *Mechanical apparatus on roofs.* All mechanical apparatus on roofs shall be screened.
5. *Loading docks.* Loading docks shall be screened from all streets and adjacent property unless they are at the rear of the building which abuts another commercial use. The property owner may provide a 30-foot landscaped area between the dock and the property line where screening is not possible.

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 3. Adoption Date.** This Ordinance 2022- was adopted on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by a vote of \_\_\_ Ayes and \_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

\_\_\_\_\_  
Charles Cadenhead, Mayor

ATTEST:

\_\_\_\_\_

Julie Johnson, City Clerk

This Ordinance 2022- was published on the \_\_\_\_ day of \_\_\_\_\_, 2022.



## STAFF REPORT

DATE: 05/23/2022

### **NEW BUSINESS**

**TO:** Planning Commission  
**FROM:** Molly Just, Planning Director  
**AGENDA ITEM:** Recommend minimum requirement for mixed-use in MU-C and MU-BP districts

---

### **GENERAL BACKGROUND:**

The City Council has directed the Planning Department to pursue amendments to the Mixed Use Commercial (MU-C) and Mixed Use Business Park (MU-BP) zoning districts. The purpose of the MU-C district is to promote mixed use development that supports a mix of retail, commercial and residential uses that benefit from their proximity to each other. Similarly, MU-BP promotes development in the city that will have a mix of general business, Business Park and residential uses which allows for better integration of uses and more flexibility to respond to market demands.

The current zoning code for the MU-C and MU-BP districts does not have a specific standard requiring a mixture of land uses within proposed developments. As a result, the city is seeing an abundance of 100% residential development proposals in these districts. The current development pattern is not in accordance with the spirit and intent of the MU-C and MU-BP zoning districts. The Planning Department is proposing the following changes outlined below to better align future development with the purpose of these districts.

### **PROPOSED CHANGES**

The current code (Section 105.12.850) states that at least 50 percent of the net developable area of a proposed MU-C and MU-BP development is to be residential.

The Planning Department is recommending to add an additional requirement that developments within the MU-C and MU-BP districts shall include a minimum of two primary uses from two different land use categories. In order to qualify as a primary use, the use must occupy a minimum of 20 percent of the floor area.

### **NEXT STEP:**

Recommend a public hearing to require a minimum of two primary uses from two different land use categories in the Mixed Use-Commercial and Mixed Use- Business Park districts. To be considered a primary use, the use must occupy a minimum of 20 percent of the floor area within the development.

### **ATTACHMENTS:**

MU-C and MU-BP Zoning Districts

## **ARTICLE XIV MIXED-USE COMMERCIAL AND MIXED-USE BUSINESS PARK DISTRICTS**

[105.12.850 Purpose And District Descriptions](#)

[105.12.860 Mixed-Use Commercial And Mixed-Use Business Park Review Procedure](#)

[105.12.870 Permitted, Conditional And Interim Uses](#)

[105.12.880 Lot Dimensions And Building Bulk Requirements](#)

[105.12.890 General Site Design Considerations, Mixed-Use Commercial And Mixed-Use Business Park](#)

[105.12.900 Development Standards For Specific Uses](#)

### **105.12.850 Purpose And District Descriptions**

#### *(a) MU-C Mixed-Use Commercial.*

- (1) The purpose of the mixed-use commercial district is to provide areas in the city for and promote mixed-use development that supports a sustainable mix of retail, commercial and residential uses that will benefit from proximity and adjacency to one another. The mixed-use commercial district will serve as a transitional district between more intense highway-oriented development and less intense rural or medium density residential uses. The intent of the mixed-use commercial district is to permit flexibility in the use of the land, while providing a set of minimum development standards in site design, spatial relationships, building architecture and landscape design that will allow property owners to design and construct development projects that respond both to market needs and to city goals and policies. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating a livable environment in a mixed-use area. The transitional aspect of development in this district requires projects that are designed with a special focus on mitigating any negative impacts on existing and future development in the area. The city will evaluate new development proposals for their consistency with this goal and the city may require developers to amend or change development proposals. The city may deny proposals when the city finds them to be inconsistent with the goals and policies of the city.
- (2) The district promotes attractive, inviting, high-quality retail shopping and service areas that are conveniently and safely accessible by multiple travel modes. Development shall incorporate creative design and buffering techniques to ensure smooth transitions between different types of development or different intensities of uses. At least 50 percent of the net developable area of a proposed mixed-use commercial development is to be residential, and residential development within these areas shall occur at a density range of ten to 15 units per acre. If a proposed development does not include at least 50 percent of the net developable land area in residential development, the city will require the applicant to provide a ghost plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the requirement for at least 50 percent of the project site with residential land uses. This method of subdivision (by showing future land use and subdivision) and development review is a front-loading process that preserves land for future residential use. The city will use the ghost plat or sketch plan as an official document to establish land use consistent with the comprehensive plan.

#### *(b) MU-BP Mixed-Use Business Park.*

- (1) The purpose of the mixed-use business park district is to provide areas in the city that will have a mix of general business, business park and residential uses. Having a mixture of land uses within the district allows for better integration of uses and more flexibility to respond to market demands. The district promotes high standards of site design, spatial relationships, building architecture and landscape design that will foster compact

developments with pedestrian convenience and human scale and will preserve and strengthen existing businesses and land uses. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating a livable environment in a mixed-use area. The city will evaluate new development proposals for their consistency with this goal and the city may require developers to amend or change development proposals. The city may deny proposals when the city finds them to be inconsistent with the goals and policies of the city.

- (2) The city allows light industrial and limited manufacturing in this district with the city approval of a conditional use permit. All business activities and storage in this district are to be conducted inside buildings that are of high quality and attractive. The city will require developers and builders in the district to provide open space, quality landscaping and berming as part of their projects. Development in this district shall incorporate creative design and buffering techniques to ensure smooth transitions between different types of development or different intensities of uses. At least 50 percent of the net developable area of a proposed mixed-use business park development is to be residential, and residential development within these areas shall occur at a density range of six to ten units per acre. If a proposed development does not include at least 50 percent of the net developable land area in residential development, the city will require the applicant to provide a ghost plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the requirement for at least 50 percent of the project site with residential land uses. This method of subdivision (by showing future land use and subdivision) and development review is a front-loading process that preserves land for future residential use. The city will use the ghost plat or sketch plan as an official document to establish land use consistent with the comprehensive plan.

#### HISTORY

Adopted by Ord. [08-253](#) on 11/3/2021

### **105.12.860 Mixed-Use Commercial And Mixed-Use Business Park Review Procedure**

All development within the mixed-use commercial and mixed-use business park zoning districts shall follow the review and approval process outlined in this section. No development in the MU-C or MU-BP will be permitted prior to the completion of all stages of review, nor with the submission of all required documents, including any additional documents that may be required by the city in the review of the proposed MU-C or MU-BP development.

- (a) *Submittal requirements.* In general, the submittal requirements outlined in the city's subdivision regulations shall apply in addition to the application requirements outlined below. If the development is proposed to be a planned unit development, the application requirements outlined in the city's planned unit development process also shall apply. These submittal requirements shall be submitted to the city for the sketch plan and preliminary stages of any development. If the property has already been platted, the development shall still be subject to the following submittal requirements, and the development shall be subject to mixed-use development review. The application requirements for a mixed-use development review shall be the same as those required in LEC 105.12.240 regardless if the proposed uses are permitted. The following outlines the minimum application requirements applicable for a proposed development within the MU-C and MU-BP districts:

- (1) A narrative description of the mixed-use project, including how the project fulfills the purposes of the MU-C or MU-BP district.
- (2) Identification of minimum required land area to be devoted for residential uses and the land area proposed for commercial, industrial or other land uses based on zoning

ordinance and comprehensive plan documents governing land use on the subject property or properties.

- (3) Clear demonstration and documentation that the project or development can achieve the required residential densities.
  - (4) For all business and/or commercial areas, a sketch plan illustrating the proposed layout of commercial buildings and related improvements; alternatively, where business or commercial areas are not proposed to be developed immediately, the applicant may submit an estimate of the commercial development capacity of the property in square feet of commercial building space.
  - (5) A statement identifying the minimum and maximum development capacity, by land use category, for future phases of the project.
  - (6) If a proposed development does not include at least 50 percent of the developable land area in residential development, the applicant will be required to provide a ghost plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the 50 percent residential/50 percent commercial requirement. If an adjacent parcel is included in this ghost plat, the adjacent property owner must sign off on the application or the city will determine that the request does not meet the minimum residential requirements of this Code and will deny the development application or proposal.
- (b) *Mixed-use commercial and mixed-use business park review and approval procedures.* The review procedures outlined in the city's subdivision regulations shall apply as applicable, in addition to the review procedures outlined below. If the development is proposed to be a planned unit development, the review procedures outlined in the city's planned unit development process shall also apply. If the property has already been platted, the development shall be subject to mixed-use development review. The city review and approval process for a mixed-use development review of a previously platted property shall be the same as outlined in LEC 105.12.290 regardless if the proposed uses are permitted. Expansion of existing permitted uses on the same parcel on which they exist will not require a mixed-use development review.
- (1) *Ghost plat as an official document.* If a ghost plat submitted with the mixed-use development review because the proposed development could not meet the required mix of having at least 50 percent of the site in residential land uses, the city will use the ghost as an official document to establish a land use mix consistent with the comprehensive plan. The ghost plat or build-out plan shall show a realistic future urban-style lot and block layout and street system, taking into consideration existing streets and access points, utilities, topography, natural features (water bodies, wetlands, etc.) and shall show how the proposed development will not isolate the adjacent land or property making them undevelopable.
  - (2) *Rules and regulations.* The city shall review and process mixed-use development requests consistent with all city and state requirements. No requirement outlined in the mixed-use development review process shall restrict the city council from taking action on an application if necessary to meet state mandated time deadlines.
  - (3) *Preconstruction.* No building permit shall be granted for any structure within the MU-C or MU-BP districts without approval from the city of the mixed-use development review unless the proposed building is part of an existing development.
  - (4) *Effect on conveyed property.* In the event that any real property in an approved mixed-use development review is conveyed in total, or in part, the new owners thereof shall be bound by the provisions of the mixed-use development review and approvals.
  - (5) *Tracking of required 50 percent residential/50 percent commercial requirement.* The city

shall create a database to track the residential units, the associated residential density (in units per acre) and the acreages of residential and other land uses associated with each development approved by the city with and by the mixed-use development review process.

- (6) *Changes or modifications.* Requests for changes or modifications of an approved mixed-use development shall be made in writing to the city and shall be submitted to the planning director. The determination of whether a proposed modification is minor or major shall be made at the discretion of the planning director.

HISTORY  
Adopted by Ord. [08-253](#) on 11/3/2021

**105.12.870 Permitted, Conditional And Interim Uses**

Table 14-1 lists all permitted and conditional uses allowed in the commercial areas of the MU-C and MU-BP zoning districts. "P" indicates a permitted use, "C" a conditional use and "I" an interim use. Uses not so indicated are prohibited. Cross-references listed in the table under "Standards" indicate the location within this chapter of specific development standards that apply to the listed use.

Combinations of uses. The following use types may be combined on a single parcel.

- (a) Principal and accessory uses.
- (b) Single-family attached or multifamily complexes designed for rental or condominium occupancy, since these typically include multiple units and buildings on a single parcel.
- (c) Other permitted or conditional uses allowed within the district may be combined on a single parcel, provided the city approves a unified and integrated site plan. The city must approve the entire development as a conditional use.
- (d) A mixed-use building that combines permitted or conditionally permitted residential, service, retail and civic uses may be developed meeting the form standards of this section. Office or studio uses on upper stories of such buildings are encouraged.
- (e) Compatible uses. In the event of any question as to the appropriate use type or compatibility of any proposed land use or activity in a mixed-use development, the planning director shall have the authority to determine if the city should consider the use or activity as permitted, conditional or prohibited from a location in a mixed-use zoning district. In making such a determination, the planning director shall consider the operational and physical characteristics of the proposed use or activity in question. In addition, the planning director shall consider the specific requirements of the use in common with those included as permitted or conditional uses in the zoning district. Where a question or conflict arises as to the appropriateness or compatibility of a proposed use or activity, the planning director shall refer the matter to the planning commission. The planning commission shall make a recommendation about the matter to the city council, who shall make the final determination as to whether the city will allow (or not allow) a proposed use; is compatible as a permitted use or as a conditional use; is compatible as an accessory use; or is a use that may be added to a specific mixed-use development within the zoning district.

Table 14-1: Permitted, Conditional and Interim Uses, Mixed-Use Commercial and Mixed-Use Business Park Districts

|                  | MU<br>-C | MU-<br>BP | Standard |
|------------------|----------|-----------|----------|
| Residential Uses |          |           |          |

|                                    |   |    |   |
|------------------------------------|---|----|---|
| Household Living:                  |   |    |   |
| Single-family detached dwelling    | P | P  | LEC 105.12.900(a)                       |
| Single-family attached dwelling    | P | P  | LEC 105.12.900(b)                       |
| Multifamily residential dwelling   | P | P  | LEC 105.12.900(c)                       |
| Secondary dwelling                 | C | C  | LEC 105.12.900(d)                       |
| Live-work unit                     | C | C  | LEC 105.12.900(e)                       |
| Group Living:                      |   |    |   |
| Group home                         | P | P  | LEC 105.12.500(a)                       |
| Group residential facility         | C | C  | LEC 105.12.500(b)                       |
| Congregate housing                 | C | C  | LEC 105.12.500(c)                       |
| Semi-transient accommodations      | C | C  | LEC 105.12.500(d)                       |
| Public and Civic Uses:             |   |    |   |
| Community services                 | C | C  | LEC 105.12.900(f)                       |
| Day care center                    | C | C  | LEC 105.12.110(b)                       |
| Public assembly                    | C | C  | LEC 105.12.900(f)                       |
| Services:                          |   |    |   |
| Business center                    | P | P  | LEC 105.12.110(b)                       |
| Business services                  | P | P  | LEC 105.12.110(b)                       |
| Offices                            | P | P  | LEC 105.12.110(b)                       |
| Communication services             | P | P  | LEC 105.12.110(b)                       |
| Educational services               | P | P  | LEC 105.12.510(a);<br>LEC 105.12.900(g) |
| Financial institution              | P | P  | LEC 105.12.110(b)                       |
| Funeral home                       | C | -  | LEC 105.12.900(h)                       |
| Lodging (transient accommodations) | C | C  | 154.302(d)                              |
| Medical facility                   | C | C  | LEC 105.12.510(b);<br>LEC 105.12.900(i) |
| Nursing and personal care          | C | C  | LEC 105.12.510(c)                       |
| Personal services                  | P | P  | LEC 105.12.110(b)                       |
| Repair and maintenance shop        | P | P  | LEC 105.12.900(j)                       |
| Transportation services            | C | C  | LEC 105.12.110(b)                       |
| Veterinary services                | C | C  | LEC 105.12.900(l)                       |
| Food Services:                     |   |    |   |
| Standard restaurant                | P | P  |   |
| Restaurant with drive-through      | C | C* | LEC 105.12.520(a);                      |

|   |   |    |   |
|---|---|----|---|
|   |   |    | LEC 105.12.900(m);<br>*LEC 105.12.900(n)    |
| Drinking and entertainment              | C | C  | LEC 105.12.520(b)                           |
| Sales of Merchandise:                   |   |    |   |
| Garden center                           | P | -  | LEC 105.12.900(p)                           |
| Neighborhood convenience store          | P | -  | LEC 105.12.110(b)(5)                        |
| Retail trade                            | C | C* | *LEC 105.12.110(b)(5)                       |
| Shopping center                         | C | -  | LEC 105.12.110(b)(5)                        |
| Wholesaling                             | C | C  |   |
| Automotive/Vehicular Uses:              |   |    |   |
| Motor vehicle (automobile) parts/supply | C | -  | LEC 105.12.830(b)(5)                        |
| Vehicle (car) wash:                     | C | -  |   |
| Motor fuel (gasoline) station           | C | -  | LEC 105.12.830(b)                           |
| Parking facility                        | C | C  | LEC 105.12.830(b)(7)                        |
| Outdoor Recreation:                     |   |    |   |
| Outdoor recreation facility             | C | -  | LEC 105.12.550(c)                           |
| Parks and open areas                    | P | P  | LEC 105.12.110                              |
| Indoor Recreation/Entertainment:        |   |    |   |
| Indoor athletic facility                | C | C  | LEC 105.12.560                              |
| Indoor recreation                       | C | C  | LEC 105.12.560                              |
| Industrial and Manufacturing Uses:      |   |    |   |
| Light industrial/limited manufacturing  |   | C  | LEC 105.12.110                              |
| Non-production industrial               |   | C  | (See Note X on page 17)                     |
| Research and testing                    | C | C  | LEC 105.12.110                              |
| Transportation and Communications:      |   |    |   |
| Broadcasting or communications facility | C | C  |   |
| Accessory Uses:                         |   |    |   |
| Home occupation                         | P | P  | LEC 105.12.110(b)(13) and LEC 105.04.220(e) |
| Bed and breakfast                       | P | P  | LEC 105.04.220(a)                           |
| Family day care                         | P | P  | LEC 105.12.110(l)(4)                        |
| Group family day care                   | P | P  |   |
| Temporary sales                         | P | P  | LEC 105.12.860(g)                           |
| Parking facility                        | P | P  |   |
| Outdoor storage                         | C | -  |   |

|  |   |   |                   |
|--|---|---|-------------------|
| Outdoor display  | C | - |                   |
| Solar energy system  | P | P | LEC 105.04.220(c) |
| Wind generator - ground mounted  | C | C | LEC 105.12.570(b) |
| Wind generator - roof/structure mounted  | C | C | LEC 105.12.570(b) |
| Swimming pools, hot tubs, etc.   | P | P | LEC 105.08.160(c) |
| Other structure typically incidental and clearly subordinate to permitted uses | P | P |                   |

## HISTORY

Amended by Ord. [08-243](#) on 1/5/2021Adopted by Ord. [08-253](#) on 11/3/2021**105.12.880 Lot Dimensions And Building Bulk Requirements**

Lot area and setback requirements shall be as specified in Table 14-2: Lot Dimension and Setback Requirements, Mixed-Use-Commercial and Mixed-Use-Business Park Districts.

Table 14-2: Lot Dimension and Setback Requirements, Mixed-Use-Commercial and Mixed-Use-Business Park Districts

|   | <i>MU-C</i>                   | <i>MU-BP</i> |
|---|-------------------------------|--------------|
| Minimum Lot Area (square feet): <sup>a, c</sup>         |                               |              |
| Single-family detached dwelling                         | 4,000                         | 5,000        |
| Two-family dwelling (per unit)                          | 3,000                         | 4,000        |
| Single-family attached dwelling (per unit) <sup>b</sup> | 3,000                         | 4,000        |
| Multifamily dwelling (per unit)                         | 1,500                         | 2,200        |
| Secondary dwelling                                      | See section LEC 105.12.740(c) |              |
| Live-work unit  | 3,000                         | 3,000        |
| Nonresidential uses                                     | 20,000                        | 85,000       |
| Minimum Lot Width (feet):                               |                               |              |
| Single-family detached dwelling                         | 50                            | 50           |
| Two-family dwelling (per unit)                          | 20                            | 20           |
| Single-family attached dwelling (per unit) <sup>b</sup> | 20                            | 20           |
| Multifamily dwelling (per building)                     | 60                            | 60           |
| Live-work unit  | 25                            | 25           |
| Nonresidential uses                                     | 100                           | 200          |
| Maximum Height (feet) <sup>i</sup>                      | 50                            | 50           |
| Maximum impervious coverage (non-shoreland areas)       | 75 percent                    | 75 percent   |
| Building Setback Requirements (feet):                   |                               |              |
|   |                               |              |

|   |    |     |
|---|----|-----|
| Residential uses:   |    |     |
| Front yard <sup>d</sup>   | 20 | 20  |
| Interior Side Yard: <sup>f</sup>  |    |     |
| Principal buildings   | 7  | 7   |
| Attached garage or accessory structures <sup>e,f</sup>  | 5  | 5   |
| Corner side yard <sup>g</sup>   | 10 | 10  |
| Rear yard   | 20 | 20  |
| Nonresidential Uses:  |    |     |
| Front yard <sup>d</sup>   | 30 | 50  |
| Interior side yard <sup>j</sup>   | 10 | 30  |
| Corner side yard <sup>g</sup>   | 25 | 30  |
| Rear yard   | 30 | 30  |
| From residential zones  | 50 | 150 |
| Parking Setback Requirements (feet):  |    |     |
| Front yard  | 15 | 30  |
| Interior side yard  | 10 | 15  |
| Corner side yard  | 15 | 30  |
| Rear yard   | 10 | 15  |
| From residential zones  | 35 | 50  |
| Notes to Mixed-use Commercial and Mixed-use Business Park Districts Table:  |    |     |
| a. Common open space areas may be used in determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.  |    |     |
| b. Two-family units may be side-by-side with a party wall between them (twin) or located on separate floors in a building on a single lot (duplex). The per-unit measurements in this table apply to twin units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a duplex containing two vertically-separated units on a single lot. |    |     |
| c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e., one unit per 2,500 square feet. This standard also is used for multifamily dwellings.  |    |     |
| d. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.  |    |     |
| e. In situations where a garage or accessory building is set back less than seven feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in LEC 105.12.200) will be two feet.   |    |     |
| f. Side yard setbacks shall apply to the ends of attached or two-family dwellings.  |    |     |
| g. Corner properties. The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard   |    |     |

setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.

h. Attached garages and accessory structures on parcels on which single-family homes are located may have a side yard setback of five feet.

i. Buildings higher than 50 feet may be allowed through a conditional use permit and would be subject to a separate technical and planning evaluation.

j. All accessory buildings for nonresidential uses must be set back at least ten feet from property lines.

k. Ground-mounted wind generators may exceed the allowable height restriction designated in all commercial districts and are subject to different setback requirements as identified in section LEC 105.12.560(b).

#### HISTORY

Adopted by Ord. [08-253](#) on 11/3/2021

### **105.12.890 General Site Design Considerations, Mixed-Use Commercial And Mixed-Use Business Park**

Development of land within the mixed-use commercial and mixed-use business park shall meet the following general standards, in addition to those standards set forth in the city's Design Guidelines and Standards Manual and the Development Standards for Specific Uses (listed below):

- (a) *Design and layout.* The design and layout of a mixed-use development shall take into account the relationship of the site to the surrounding area. The perimeter of a mixed-use site shall be designed and constructed to minimize undesirable impacts of the mixed-use site on adjacent or nearby properties.
- (b) *Location of residential and commercial development, generally.* Residential development within the mixed-use development shall be located adjacent to existing residential development in order to provide a transition to commercial development unless sufficient buffering and screening, as determined by the city, is provided.
- (c) *Commercial and business park development, generally.* Developers and applicants shall design additions and all new construction to reflect the general scale and character of existing buildings on surrounding blocks, including front yard depth, roof pitch, primary materials, facade detailing and size and placement of window and door openings. All commercial/business/industrial buildings and sites are expected to meet or exceed the Lake Elmo Design Guidelines and Standards.
- (d) *Mitigation.* Where the industrial or commercial nature of adjacent uses would be incompatible with residential development due to noise, vibration, odor, light, glare or other disturbance, reasonable effort shall be taken to minimize such impacts. Mitigation may include, but is not limited to, increased setbacks, the planting of substantial landscaping for buffering and/or the construction of a wall, fence or earth berm between properties.
- (e) *Circulation.* New access points to a County State Aid Highway may be refused or restricted to right-in, right-out movement if alternatives exist. Internal connections shall be provided between parking areas on adjacent properties wherever feasible. In addition, the number and width of curb cuts shall be minimized. To promote pedestrian circulation, existing continuous curb cuts shall be reduced to widths necessary for vehicular traffic, and unnecessary or abandoned curb cuts shall be removed as parcels are developed.
- (f) *Fencing and screening.* Fencing and screening walls visible from the public right-of-way shall be constructed of materials compatible with the principle structures.
- (g) *Lighting design.* Lighting shall be integrated into the exterior design of new or renovated

structures to create a greater sense of activity, security and interest to pedestrians, and shall comply with LEC 105.04.050 et seq.

- (h) *Exterior storage.* Exterior materials storage must be screened from view from adjacent public streets and adjacent residential properties, by a wing of the principal structure or by a screen wall constructed of the same materials as the principal structure. The city may approve other materials for the required screening if the city determines the proposed design and materials of the screening would be of a similar design and character of the principle structure. The height of the structure or screen wall must be sufficient to completely conceal the exterior stored materials from view at eye level (measured at six feet above ground level) on the adjacent street.
- (i) *Screening of existing residential structures.* When a new development is proposed adjacent to existing single-family residential homes, the developer shall provide screening in accordance with LEC 105.12.480(f). The city may require buffering or screening above and beyond this section in cases where the city determines the required screening will not provide an adequate separation between incompatible uses.

#### HISTORY

Adopted by Ord. [08-253](#) on 11/3/2021

### **105.12.900 Development Standards For Specific Uses**

#### (a) *Single-family detached dwellings.*

- (1) All single-family dwellings shall be at least 24 feet in width, at least 960 square feet in area, and be placed on a permanent foundation.
- (2) No parking shall be located in the front yard or between the front facade and the street except on a permitted driveway.
- (3) The primary entrance shall be located on the facade that fronts a public street.

#### (b) *Single-family attached dwellings.*

- (1) A maximum of ten units shall be allowed within a single building. Buildings with more than ten units may be allowed as a conditional use.
- (2) Townhouse dwellings shall be located on lots in such a way that each individual unit has a minimum of 15 feet of street frontage. No parking shall be located in the front yard or between the front facade and the street except on a permitted driveway. Townhouses that do not meet the minimum requirements for frontage along the street or that have frontage along a private street may be allowed as a conditional use.

#### (c) *Multifamily dwellings.*

- (1) No vehicle parking shall be located in the front yard or between the front facade and the street.
- (2) Common open space for use by all residents or private open space adjacent to each unit (such as a courtyard or balcony or a combination of these) shall be provided. Such open space shall comprise a minimum of 300 square feet per unit.

#### (d) *Secondary dwellings.*

- (1) A secondary dwelling unit may be located within a principal structure used as a single-family detached dwelling, above a detached garage, or within a separate detached structure.
- (2) There shall be no more than one secondary dwelling unit on any one lot or parcel.

- (3) At least one dwelling unit on each lot or parcel shall be owner-occupied.
- (4) The minimum lot area shall be 2,500 square feet greater than the minimum lot area required for a single-family detached dwelling in the zoning district.
- (5) If the secondary unit is included in the principal building, the appearance of the building shall remain that of a single-family dwelling. Any new or additional entrances must face the side or rear of the building.
- (6) Whether the secondary unit is an addition to an existing structure or a new detached structure, roof pitch, windows, eaves and other architectural features must be the same or visually compatible with those of the principal building. Exterior finish materials and trim must be the same or closely match in type, size and location the materials and trim of the principal building.
- (7) A secondary unit within the principal structure shall not contain more than 30 percent of the principal building's total floor area or 800 square feet, whichever is less. A detached secondary unit shall not exceed 1,000 square feet in gross floor area.

(e) *Live-work unit.*

- (1) The work space component of the unit shall be located on the first floor or basement of the building.
- (2) The dwelling unit component shall maintain a separate entrance located on the front or side facade and accessible from the primary abutting public street.
- (3) The work space component of the unit shall not exceed 30 percent of the total gross floor area of the unit.
- (4) A total of two off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit or underground or in an enclosed space.
- (5) The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. An increase in size or intensity beyond the specified limit on floor area would require the building to be classified as a mixed-use building.
- (6) The business component of the building may include offices, small service establishments, home crafts, etc., that are typically considered accessory to a dwelling unit, or limited retailing (by appointment only) associated with fine arts, crafts, or personal services. It may not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business, small engine or power equipment repair or service or a motor vehicle service or repair facility for any motor vehicles other than those registered to residents of the property.
- (7) The business of the live-work unit must be conducted by a person who resides on the same lot. The business shall not employ more than two workers on-site at any one time who live outside of the live-work unit.

(f) *Public assembly and community services.*

- (1) No exterior bells or loudspeakers are allowed.
- (2) The structure containing the use shall be no less than 100 feet from residential properties.
- (3) Outdoor recreation areas shall be setback a minimum of 100 feet from residential properties with adequate screening.
- (4) The building's meeting space seating capacity shall not exceed 500 persons.

(g) *Educational services.*

- (1) The structure containing the use shall be no less than 100 feet from residential properties.
- (2) Outdoor recreation areas shall be setback a minimum of 100 feet from residential properties with adequate screening.
- (3) The number of persons on-site at any given time shall not exceed 700, with the exception of larger events occurring no more than four times per year.

(h) *Funeral home.* The site shall have access to an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate. The site shall have a minimum of two driveways or vehicle access points. Crematoriums are not allowed.

(i) *Medical facilities.* Medical facility structures, primary vehicular access points, and landing pads for helicopters involved in emergency transport or rescue operations shall not be located within 1,500 feet of a residential property.

(j) *Repair and maintenance shop.* No outdoor storage is permitted. All business activities (including repairs and maintenance) shall be conducted completely indoors.

(k) *Veterinary services.* All activities and services must be conducted within an enclosed building. Crematoriums are not allowed.

(l) *Restaurant with drive-through.* All parts of the drive-through lanes shall be no less than 200 feet from residential properties.

(m) *Standard restaurant and restaurant with drive-through, MU-BP district.* Must be incorporated as part of a larger business center or lodging use.

(n) *Retail trade, MU-BP district.* Limited to uses clearly incidental and accessory to a permitted or conditionally permitted principal use of the land. The compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the permitted or conditionally permitted uses is only allowed when conducted in the building occupied primarily by medical facilities or offices.

(o) *Garden center.*

- (1) The storage or display of any materials or products shall meet all primary building setback requirements of a structure, and shall be maintained in an orderly manner. Screening along the boundaries of adjacent residential properties may be required, meeting the standards of LEC 105.12.950(g).
- (2) All loading and vehicle parking associated with the business shall be provided off-street.
- (3) The storage of any soil, fertilizer, landscape rock, mulch or other loose, unpackaged materials shall be contained so as to prevent any negative effects on adjacent uses.

(p) *Motor vehicle parts/supply.*

- (1) The structure containing the parts supply shall be no less than 200 feet from residential properties or land uses.
- (2) The storage or display of inoperable or unlicensed vehicles or other equipment shall meet all setback requirements of a primary structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties.
- (3) No test driving of vehicles shall be permitted on local residential streets.
- (4) The city does not allow the sales, exterior storage, or display of motor vehicles in the mixed-use zoning districts.

(q) *Motor vehicle washes.*

- (1) The structure containing the vehicle wash shall be no less than 200 feet from residential properties.
- (2) The city may require additional screening to limit sight and noise impacts of service or wash bays.
- (3) The owner or operator shall submit equipment specifications to the city. The city may require the owner or operator of the vehicle wash to implement noise reduction measures to minimize potential negative impacts to nearby residential properties.
- (4) The developer and owner shall make adequate provisions for vehicle circulation and stacking on-site. Stacking requirements shall be based on the specifications of the vehicle wash and the amount of time required to wash each vehicle.

(r) *Motor vehicle fuel stations.*

- (1) Fuel pumps, canopies and structures shall be no less than 200 feet from residential uses.
- (2) The city may require additional screening to limit the impact of headlights and noise on adjacent property.

(s) *Parking facility.*

(1) *Within a mixed-use building.*

- a. Structured parking is allowed only as a ground floor use within a mixed-use building, provided that it is located on side or rear facades, not facing the primary abutting street.
- b. The primary street-facing facade shall be designed for retail, office or residential use.

(2) *In general, as an accessory use.*

- a. The parking structure shall not exceed the height of the principal structure on the parcel.
- b. The parking structure shall meet the exterior building material requirements of the district and shall be consistent with the architectural design of the principal structure.

(t) *Sales and storage lots.*

- (1) All inventory shall be stored and displayed inside of a building or within an approved outdoor storage area that shall meet the standards required herein.
- (2) The outdoor storage of vehicles is prohibited.

(u) *Outdoor recreation facility.*

- (1) The city may require performance standards or conditions to minimize the impact of noise and lighting and to minimize the likelihood of the recreational activity spilling over onto adjacent property or rights-of-way. The conditions may include, but are not limited to, limiting hours of use, restricting the location of outdoor courts or rinks, and requiring the installation of fencing and/or screening.

- (2) Sport courts or ice rinks shall not be located in the front yard or in a side yard adjacent to

a right-of-way of a residential property, and shall abide by structure setback requirements.

(v) *Indoor recreation and indoor athletic facility.*

- (1) Entrances for public access as well as other outdoor areas where patrons may congregate shall be no less than 200 feet from residential districts.
- (2) Provisions for noise reduction shall be identified and implemented based on the type of use.

(w) *Non-production and light industrial, MU-BP district.* Non-production industrial use shall be allowed as a principal use, and may include wholesale and off-premises sales, provided that:

- (1) The structure containing the use shall be no less than 200 feet from residential land uses;
- (2) The use shall be served by a street of sufficient capacity to handle the traffic the use will generate;
- (3) The use shall include a retail or office component equal to at least 25 percent of the floor area of the use;
- (4) An appropriate transition area between the use and adjacent property may be required, to include landscaping, screening and other site improvements consistent with the character of the area;
- (5) The owner or operator shall submit equipment specifications to the city. The city may require the owner or operator to implement vibration and noise reduction measures as part of their business.

(x) *Outdoor dining accessory to food services.*

- (1) Tables shall not block a public sidewalk or other walkway needed for pedestrian circulation. A minimum of five feet of sidewalk or walkway must remain open.
- (2) All outdoor dining space shall be at least 200 feet from any residential property.
- (3) The outdoor dining area shall be directly adjacent to the principal structure and shall be clearly delineated by fencing and decorative landscaping.
- (4) Outdoor loudspeakers and lighting shall be designed to limit impacts on adjacent property or rights-of-way.

(y) *Medical facilities.* Medical facility structures, primary vehicular access points, and landing pads for helicopters involved in emergency transport and rescue operations shall be located at least 1,500 feet from a residential property.

(z) *Outdoor storage yard/facility.*

- (1) Outdoor storage of display of goods used in conjunction with and on the same site as the permitted or conditional use:
  - a. The display area shall be directly adjacent to a structure or under a permanent canopy.
  - b. The display area shall not exceed two percent of the area of the footprint of the principal building or 400 square feet, whichever is less.
  - c. Goods in the display area shall be neatly organized and stored.
  - d. The display area shall not occupy parking/loading or landscaping areas, and shall not interfere with fire and safety access to the building.

(2) Outdoor storage of materials and inventory:

- a. Outdoor storage shall not be permitted on parcels less than three acres in size.
- b. The area of storage shall not exceed an area equal to ten percent of the gross area of the lot or 20 percent of the footprint area of the principal structure, whichever is less.
- c. The area of storage shall not be located within the front yard or a side yard adjacent to a right-of-way.
- d. The outdoor storage of damaged or inoperable motor vehicles or equipment is prohibited.

HISTORY

Adopted by Ord. [08-253](#) on 11/3/2021



## STAFF REPORT

DATE: 05/23/2022

### **NEW BUSINESS**

**TO:** Planning Commission  
**FROM:** Molly Just, Planning Director  
**AGENDA ITEM:** Consideration of front setbacks in MDR and HDR Districts

---

### **GENERAL BACKGROUND:**

The City Council has directed the Planning Department to pursue amendments to the Medium Density Residential (MDR) and High Density Residential (HDR) zoning districts. As development has been proposed and occurred along the new 5<sup>th</sup> Street in the South Planning Area, some buildings have been located closer to the public way than others. With the varying land use densities and intensities planned for 5<sup>th</sup> Street there should be planning for building placement along this new local street.

The proposed changes would establish a setback of 40 feet from the right of way of 5<sup>th</sup> Street. The distance of 40 feet is based off of staff's analysis of existing and proposed development along 5<sup>th</sup> Street. The proposed increased setback would only be along 5<sup>th</sup> Street. It may also be appropriate for future development along 5<sup>th</sup> Street to face (have its front façade along) 5<sup>th</sup> Street. Staff requests Planning Commission feedback on that concept.

The Future Land Use Map is attached to illustrate the planned land use designations along the built and planned 5<sup>th</sup> Street. This street is located between Hudson Boulevard and 10<sup>th</sup> Street in the South Planning Area.

### **PROPOSED CHANGES**

The proposed 40 foot setback would apply to all new development along property along the built and planned 5<sup>th</sup> Street. If supported, the proposal to require new development to face 5<sup>th</sup> Street would apply along the built and planned 5<sup>th</sup> Street.

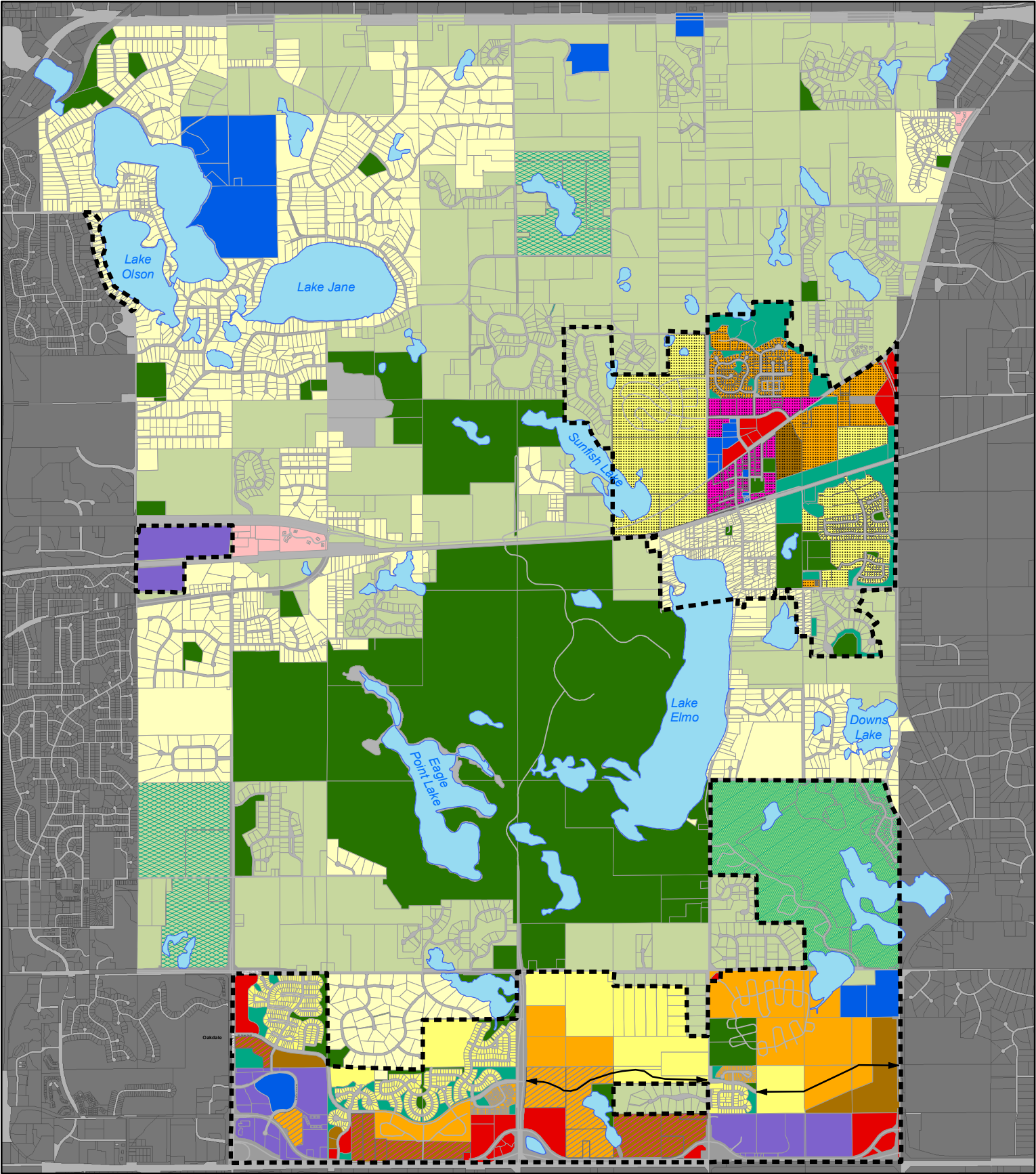
### **NEXT STEP:**

Staff recommends a public hearing to require a minimum setback of 40 feet for new development along 5<sup>th</sup> Street and the planned 5<sup>th</sup> Street in Lake Elmo. If supported by the Planning Commission, and as a separate motion, staff recommends a public hearing to require that development along 5<sup>th</sup> Street be oriented to have the front of buildings face 5<sup>th</sup> Street.

### **ATTACHMENT:**

Future Land Use Map

Future Land Use Map



2040 Future  
Land Use

0 1800 3600 5400 7200 Ft

Map Date: January 2021



MUSA Boundary



Planned Roadway (Parkway)

- |      |     |       |       |       |                 |
|------|-----|-------|-------|-------|-----------------|
| PSP  | AP  | GC    | MU-BP | V-HDR | C               |
| ROW  | RAD | LDR   | MU-C  | V-MU  | Closed Landfill |
|      | RSF | MDR   | V-LDR | LB    | Institutional   |
| RSFS | HDR | V-MDR | BP    |       | Park            |