3880 Laverne Avenue North
Lake Elmo, MN 55042

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www.lakeelmo.org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday July 22nd, 2024
at 6:30 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes of June 10th, 2024
4. Public Hearing
   a) **Highpointe Crossing Preliminary Plat and Open Space PUD.** Rachel Development has submitted a preliminary plat and planned unit development applications for a 65-unit single family open space subdivision located at 2298 Inwood Ave (PID 21.029.21.32.0001).
   b) **Zoning Text Amendment.** The City has initiated a zoning text amendment to City Code Section 105.12.430 *Sign Regulations* to update regulations, create signage subdistricts, and correct conflicting or outdated references.
5. New/Unfinished Business
   a) Old Village Vision Study. Bolton and Menk will provide an update on the progress of the Old Village Vision community engagement and timeline.
6. Communications/Updates
   a) GreenStep Cities - Step 5 Award
   b) National Night to Unite - August 6th, 2024
   c) City Council Updates 7/2/2024
      i. 8286 Hidden Bay Ct Variance - Approved
   d) Upcoming Meetings
      i. August 12th 2024
      ii. August 26th 2024
7. Adjourn

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

City of Lake Elmo Planning Commission
Meeting City Council Chambers – 3880 Laverne Avenue North Minutes of Regular Meeting of
June 10, 2024

CALL TO ORDER: Commission Chair Risner called to order the meeting of the Lake Elmo Planning Commission at 6:30 P.M.

COMMISSIONERS PRESENT: Risner, Bohlig, Dean, Rehkamp, Steil, Vrieze

COMMISSIONERS ABSENT:

STAFF PRESENT: City Administrator Nicole Miller, City Planner Sophia Jensen

Pledge of Allegiance at 6:30 PM

Approve Agenda:
M/S/P: Rehkamp/Vrieze made a motion to approve the amended agenda. **Vote: 6-0, motion carried unanimously**

Approve Minutes:
M/S/P: Vrieze / Bohlig made a motion to approve the 5-13-2024 meeting minutes. **Vote: 6-0, motion carried unanimously.**

PUBLIC HEARING

a) **8286 Hidden Bay Ct Variance.** Jeff and Judy Otto have submitted a variance application for a variance from City's shoreland overlay district code (LEC 105.12.1260 Table 17-3) for structure setback from the ordinary high water level. The applicant is proposing to construct a new home at the same distance from the OHWL mark as the existing home. The applicant is proposing to reduce impervious surface on the site to comply with existing code requirements.

City Planner, Sophia Jensen gave presentation and answered questions.

Architect Mathew Byers, 1229 Tyler Street N.E., Minneapolis spoke on behalf of the applicants,

M/S/P: Steil / Rehkamp moved to open the public hearing at 6:38 PM. **Vote: 6-0, motion carried unanimously.**

Public Comments:
Digital comment from Doug Huntley, 8290 Hidden Bay Court N, had concerns regarding water runoff. After assurances from the architect, he supports that variance request.

M/S/P: Bohlig / Steil moved to close the public hearing at 6:38 PM. **Vote: 6-0, motion carried unanimously.**

M/S/P: Bohlig / Vrieze moved to recommend approval of the request with conditions from Jeff and Judy Otto for a variance to allow a reduced structure setback of 47.2 feet from the ordinary high water level for the property located at 8286 Hidden Bay Court Based on the findings listed in the staff report. **Vote: 6-0, motion carried unanimously.**

New/Unfinished Business
N/A

Communications/Updates:

a) City Council Updates – 5/21/2024

i. Planning Commission Start Time to 6:30 PM - Approved
ii. At Home Apartments Final Plat - Approved
iii. Bridgewater Village Final Plat and Zoning Text Amendment - Approved
iv. Birth and Haven Zoning Text Amendment Denial Resolution - Approved

c) Upcoming Meetings

i. June 24th 2024 – Canceled
ii. July 8th 2024

Meeting adjourned at 6:42 PM.

Respectfully submitted
Diane Wendt
Permit Technician

STAFF REPORT

PLANNING COMMISSION
DATE: 7/22/2024

TO: Planning Commission

FROM: Nathan Fuerst, AICP, Consulting Planner

AGENDA ITEM: PUBLIC HEARING - Preliminary Plat/Open Space Planned Unit Development request, Highpointe Crossing by Rachel Development

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BACKGROUND:

Rachel Development is requesting Preliminary Plat and Open Space Planned Unit Development (OP-PUD) approval for a 65-unit development on approximately 78 acres of land. The project is to be called Highpointe Crossing and is located west of Inwood Avenue North between the existing Torre Pines and Lake Elmo Heights subdivisions. The developer is requesting flexibility from the Rural Residential zoning regulations to allow for an Open Space development.

The City of Lake Elmo has not approved an OP-PUD since 2006. OP-PUD's provide greater development flexibility for projects, such as increased development density, in return for a minimum of 50% of a project being dedicated for open natural areas which are preserved into perpetuity through conservation easements. This project makes several requests for flexibility beyond what is provided for in the City's OP-PUD ordinance. Such requests must be approved through a supermajority vote of the City Council.

At its regular workshop meeting on December 12, 2023, the City Council reviewed this project and was generally supportive of the request for increased density.

With a greater level of detail in the proposed plans, staff have provided an assessment in this report and appended memos about conformance with the City's requirements and policies.

ISSUE BEFORE THE COMMISSION:

The Planning Commission should review and make a recommendation to the City Council for the Preliminary Plat, and Preliminary Open Space Planned Unit Development (PUD).

GENERAL INFORMATION:

Applicant: Rachel Development, 4180 Napier Court, NE, St. Michael, MN 55376

Property Owner: Allan Eberhard, Caroline M. Eberhard Trust, 1320 Ryan Ave. W. Roseville, MN 55113

Location: 2298 Inwood Avenue N, Lake Elmo (PID#: 2102921320001)

Request: Preliminary Plat/ Open Space Planned Unit Development (OP PUD)

Deadline: Application Complete – 6/7/2024
120 Day Deadline – 10/5/24

PROPOSAL DETAILS/ANALYSIS:

Site Data.

Total Site Area	78.24 acres
Wetlands	2.58 acres
Net Acreage	75.66 acres
Outlots	49.87 acres
Right-of-Way (R/W)	7.06 acres
Number of Units	65 single family units
Net Density	.86 units/acre

The calculation of net density in this case nets out only the wetlands present on the property. The City's calculation of net density is consistent with the Metropolitan Council. The Metropolitan Council determines net density through netting out wetlands and water bodies, dedication for designated arterial right-of-way, wetland buffers, public parks and qualifying preserved open space.

Environmental Review. This project does not trigger a mandatory Environmental Assessment Worksheet under Minnesota Rules 4410.4300. No further environmental review is required.

Phasing. This project would be completed in two phases, with the phase abutting Inwood Avenue North proceeding first. There are 32 units proposed in the first phase (including the existing homestead) with 33 in the second phase.

Open Space Planned Unit Developments (OP PUDs).
A PUD is a negotiated zoning district. The City of Lake Elmo has a somewhat unique ordinance in that it has PUD regulations for both sewered (PUD) and nonsewered (OP PUD) areas. The purpose of OP PUD's is established by City Code Section 105.12.980 as follows:

> *The purpose of open space planned unit developments is to provide greater development flexibility within rural portions of the community while maintaining the rural character by preserving agricultural land, woodlands, wildlife or natural corridors, pollinator and wildlife habitat, and other significant natural features consistent with the goals and objectives of the city's comprehensive plan. The city reserves the right to deny establishment of an open space PUD overlay district and direct a developer to re-apply under standard zoning provisions if it is determined that proposed benefits of the open space PUD do not justify the requested flexibilities.*

The Applicant is proposing a density of .86 units per acre along with other flexibilities to the City's ordinances which go beyond what is established through the City's Open Space PUD Ordinance; therefore, a supermajority (4/5 vote) of the City Council will need to approve of the development.

OP PUD Minimum Requirements.
Article 17 does provide for minimum prerequisites for OP PUDS. Staff has found that the proposed development **does** meet the following minimum requirements of a PUD:

a. Only land zoned as agricultural, rural residential, or rural estate may be considered for establishment of an open space planned unit development. **Requirement met.**
b. The minimum land area for establishment of an open space planned unit development is a nominal contiguous 20 acres. **Requirement met.**
c. Establishment of an open space planned unit development will be considered only for areas of land in single ownership or control. Alternatively, multiple party ownership, in the sole discretion of the city, is acceptable when legally sufficient written consent from all persons and entities with ownership interest is provided at the time of application. **Requirement met.**

Required vs. Proposed OP PUD Bulk Standards
Cells in the 'As Proposed' cells shaded in **blue** indicate a deviation from City Code.

Standards (105.12.1050)	OP PUD Requirement:	As Proposed
Minimum Lot Area	21,780 sq ft	Range of 11,200 to 20,800 sq ft
Minimum Lot Width	N/A	70'
Max Impervious Cover	25% of developable area	47% of developable area, 18% of total site (50% of area on individual lots)
Minimum Setback - Front	30 feet	30 feet
Minimum Setback - Side	15 feet	10 feet
Minimum Setback - Corner	30 feet	30 feet
Minimum Setback - Rear	20 feet	20 feet
Maximum Height	35 feet	Not provided
Driveway Setback from intersection	50 feet from r-o-w	200+ feet
Driveway setback from side lot line	5 feet	Driveway locations/widths not provided
Driveway Width	12-26 feet	Driveway locations/widths not provided

Design Standards for OP PUDs.
The following development standards are created for OP PUDs by City Code Sec. 105.12.1050. For any standard not strictly met by the development, a supermajority vote is required to approve the project:

(a) **Density** – City Code allows a maximum density in OP PUDs of .45 units per acre. This development is proposed to have .86 units per acre. **Deviation Requested**.
(b) **Lot Design** – Lot locations and configuration should be according to the following sequence of review steps.
  (1) Soils analysis conducted – **Requirement met.**
  (2) Septic design identified - **Requirement met.**
  (3) Buffer areas identified - **Requirement met.**
  (4) Building pad locations identified - **Requirement met.**

(5) Placement of streets - **Requirement met.**
(6) Lots identified – see bulk standard review, above. **Deviation requested.**
(7) Open Space and park land adjustments **–**
a) Open space – The total preserved open space is over 50% **Requirement met**.
b) Park land – a cash fee in lieu of land dedication is suggested for this project**. Requirement to be met.**

Development Standards for OP PUDs.
The following development standards are created for OP PUDs by City Code Sec. 105.12.1060. For any standard not strictly met by the development, a supermajority vote is required to approve the project:

a. Preserved Open Space Standards – The Applicant has submitted an Open Space Restoration Plan. That plan details the management goals, objectives, and strategies for a conversion from tilled agricultural land to natural habitat. The open areas on site are generally split into three categories, Upland Prairie, Wildflower Drifts, and Basins/Wetlands. Vegetation is proposed in each area that is intended to be consistent with the topography and plant and animal species native to the area. A conservation easement shall be placed over the Open Space areas to ensure permanent protection from development. After the area is graded and restored and proposed vegetation is established, the HOA for this development would be responsible for maintenance of the open space area, and yearly reporting to the City. If additional management is identified as necessary, the HOA would be responsible. The City's Landscape Architect has reviewed and supports the restoration plan. **Requirement met.**
b. Septic Design Standards – The Applicant is proposing a community septic system. An acceptable location was identified for the primary and secondary drain fields. The Community Wastewater Treatment System (CWTS) plans are considered incomplete by the City Engineer. Staff believe that plans can be provided that will meet applicable requirements. **Requirement to be met.**
c. Building Standards – The Applicant has submitted architectural guidelines for the site and elevation renderings consistent with applicable City Code design requirements. HOA controls for architectural standards are more restrictive than the City's ordinance. **Requirement met.**
d. Landscaping Standards – A total of 10 trees per lot and one boulevard tree located every 30 feet is required. The Applicant's plan only provides 5 trees per lot and one boulevard for every 50 feet. Staff suggest that the applicant revise the plan to conform with the City's planting requirements. **Deviation requested**.
e. Impervious Surface Standards – The maximum impervious surface that is allowed in the development is 25% of the developable (non-open space) areas. This number includes roads and trails. The Applicant is proposing an impervious coverage of 47% of the "developable area", which assumes 50% impervious on each proposed lot. The entire site would be approximately 18% impervious including roads and trails. **Deviation requested**.
f. Trail Standards – City Code requires trails and sidewalks to be established within the development. Trails must be equal to the centerline length of all public roads in the development, and surfaced with asphalt. Instead of the required 3550 feet of trail (commensurate with centerline of all proposed roads), the Applicant is proposing 5968 feet of grass trails. **Deviation requested**.

Parks. §103.00.150 Park Land Dedication Requirements. The City Code requires that the project provide a minimum of at least 5% of the land for parks, or a cash in lieu fee using the estimated fair market value of the property. The City's Parks Commission reviewed the concept plan for this development in November of 2023, and provided a recommendation for cash in lieu given the close proximity of the Washington County Park Reserve.

Subdivision Signs. Section 105.12.430 allows one (1) subdivision sign for this residential development with a maximum sign area of 32 sq. ft. One sign is proposed within the 10-foot setback for such signage. There does not appear to be a rationale for deviations to the signage requirements. A condition of approval has been added that the signage is relocated and ultimately conforms with City Code.

Lot Configuration. Of the 65 lots, nearly all have a backyard with a full view of the open space area. Lots 1-3 of Block 3 are in the immediate area of the rear yards of lots 6-10 of Block 2. This creates a potentially undesirable condition where units may look out directly to a neighboring property.

Lot width and area are also a concern. Typical OP-PUDs have wider, larger lots, greater space between houses, and less driveway area in the front yard. The developer should consider increasing lot frontage. This would reduce impervious area on the individual lots and be more aligned with existing OP-PUDs. Staff suggest that this could be modified by eliminating several lots throughout the development to allow wider frontages.

Landscaping. As described in the above section on Development Standards for OP PUDs, the developer is proposing not to provide all trees required in LEC 105.12.1060. This is broken down as follows:

- Street Trees –
    - Required – every 30', 118 trees would be required.
    - Proposed – every 50', 71 trees would be provided, leaving a gap of 47 trees.
- Trees per lot –
    - Required – 10 trees per lot, for a total of 650 trees
    - Proposed – 5 trees per lot, for a total of 325 trees, leaving a gap of 325 trees.

While the number of lots will increase if the proposed density is approved, the buildable area will still be the same. Using the buildable area of 20 acres, with the base density in the OP PUD Ordinance (1/2 acre lots), a total of 400 trees would be required at 10 per lot. Staff suggest that this be used as the total number of trees required for the development instead of being on a per lot basis. The City's Landscape Architect finds that the full required number of trees could be supplied on site. Staff suggest that this request for flexibility be partially rejected. A condition of approval has been added to require 30' trees per foot of street frontage, and a total of 400 tree plantings.

Tree Preservation. The proposed tree preservation plan is acceptable per the City's Landscape Architect. The Applicant should provide additional detail on how existing trees will be protected during construction on site.

Access. The roadway proposed for this development, called 24th Street North, would be public and is proposed to connect Inwood Avenue North to the current roadway stub of Imperial Avenue North. Given that the first phase units will only have one access, only 30 units can be platted in that phase. An acceptable turnaround will also be required. A condition has been added.

Parking and Driveways. Section 105.12.410 requires 2 spaces per dwelling unit. The homes will have 2 or more enclosed stalls with driveways to accommodate additional visitor parking. Given the width of the right of way, parking will be limited to one side of the street.

Section 9.16.090 details driveway requirements. Driveways must be at least 5 feet from property side yards and must be between 12 and 26 feet in width. Driveways are not shown on the project plans, and locations cannot be verified. As such, driveways must conform to all City standards including location, grade, and surface, when proposed.

Traffic. A trip generation report was submitted by the Applicant's consultant, S2 Traffic Solutions. The report documents the expected traffic generated from this land use. This land use is anticipated to generate on average a total of 669 trips per day on weekdays. During peak hours, there would be an estimated 50 trips in the AM peak period (highest hour period between 7-9am) and 65 total trips in the PM peak period (highest hour period between 4-6pm). The report concludes that existing infrastructure, and that which is proposed by the developer, is acceptable to accommodate the traffic generated by this use.

Sidewalk and Trail. The City's subdivision ordinance requires a concrete sidewalk along at least one side of all public streets. One is provided in the plans. OP PUDs are also required to have a paved trail at least the length of the centerline of all public streets. The Applicant is requesting flexibility for 5968 feet of mowed grass trails instead of 3550 feet of paved trails. Preferably, the street should have a sidewalk on one side and asphalt trail on the other. Staff suggest that an asphalt trail be required.

REVIEW COMMENTS:

Fire Chief Comments. The City's Fire Chief provided a comment memo dated July 15, 2024 which details a comment on phasing for plans to meet City standards and state fire code.

Engineering Review. This project has been reviewed by the City Engineer for conformance with the City's Engineering Design Standards Manual. Detailed comments relating to the review are included in the Engineer's memo dated June 28, 2024. Ultimately, the City Engineer is recommending that if approved, the development fully address all City Engineering comments. Several key comments are summarized below:

- Revisions are required to the Preliminary Plat, Grading, Utility, Storm Sewer, Stormwater Irrigation Reuse, Lighting, and Landscaping Plans in order to bring them into compliance with City Standards.
- The phasing plan should be incorporated into the Preliminary Plans. One of the Phase 1 lots should be platted as an Outlot with Phase 1 and can then be platted as a lot with Phase 2.
- Consideration should be made to create a dedication Outlot for Community Wastewater Treatment System and potentially the two stormwater ponds. The dedicated Outlots may

be necessary to ensure that the infrastructure maintenance, repair and replacement are not encumbered by conservation easements.

- The Preliminary Plat must be revised to provide additional right-of-way width for a portion of 24th Street North to accommodate the required turn lanes at the intersection with Inwood Avenue (CSAH 13).

Valley Branch Watershed District. This property is located within Valley Branch Watershed District. The Applicant will be required to follow watershed rules and permitting requirements. The District commented that a review of the application was underway as of June 2024. A permit from VBWD will be required before any work can begin on site.

REVIEW OF OP PUD FLEXIBILITIES:

The developer's requests for flexibility from the City's OP PUD ordinance requirements must be approved by a supermajority (4/5) vote of the City Council. The following summary is intended to provide a consolidated review of the flexibilities requested by the developer.

- 65 Units vs. 34 units – Under the Lot Configuration section, above, staff suggest several modifications to the configuration of lots in this development, which could reduce the total number of units.
- Grass vs. Paved trail – Under the Sidewalk and Trail section, above, staff suggest requiring a paved trail aligned along the public right of way, rather than mowed trails.
- 50% vs 25% Impervious – Under the OP PUD Bulk standards section, above, staff calculate that the development is at 47% impervious in the developable area (non open space areas). Staff acknowledge that the smaller lots create a need for flexibility to the impervious limit of 25% of buildable area. It is suggested that the lots are more in line with developments in the City zoned as Low Density Residential which has a maximum impervious surface area of 40% per lot. Provided that stormwater plans and the Stormwater Irrigation Reuse plan is approved by the VBWD and City, staff are supportive of a request for up to 40% impervious on the single family home lots.
- 50' Street Tree Spacing – Under the Landscaping section, above, staff do not recommend allowing this flexibility.
- 5 vs 10 Trees per Lot – Under the Landscaping section, above, staff do not recommend allowing this flexibility as proposed. A total of 400 trees, minimum, are suggested to be required for this development.
- 10' vs 15' Side yard setbacks – Staff find that a 10' side yard setback (20' minimum between homes) is reasonable if the 70' wide lots are found acceptable by the City's Planning Commission and City Council.
- ¼ vs ½ acre Minimum Lot Area – Staff recommend larger lots to reduce the lot area flexibility request. While the staff agree that flexibility should be granted based on OP-PUD Council Workshops, the input did not support lots less than 16,000 square feet. The City's Planning Commission and City Council should determine if the lot area, proposed density, and 70' wide lots are acceptable.
- Allow 3:1 or Flatter Slopes – Staff find that City Engineer shall ultimately help make a determination on slopes that are acceptable. The City Engineer's memo dated June 28, 2024, or as subsequently revised shall be what is suggested.

- 2.021 ac Homestead Parcel – Staff find that the proposed homestead parcel is acceptable, provided that access remains acceptable for this development.
- Monument Sign – Under the Subdivision Signs section, above, staff do not recommend allowing a deviation to the required setback of 10' to preserve the dry utility corridor.
- 1% slopes within open space stormwater swales – The City Standard is a grade of at least 2%. Staff find that City Engineer shall ultimately help make a determination on slopes that are acceptable. The City Engineer's memo dated June 28, 2024, or as subsequently revised shall be what is suggested.

RECOMMENDED FINDINGS:

OP PUD Review Criteria.

When evaluating a PUD proposal, the Planning Commission and City Council must find an OP PUD meets the criteria contained in Article 17 (Sec. 105.12.1070) and meet the minimum requirements for an OP PUD. Staff find that the proposed development appears consistent with the following criteria for approval:

(a) The proposed development is consistent with the goals, objectives, and policies of the comprehensive plan.
(b) All prerequisites for an open space PUD as outlined in LEC 105.12.1030 are met.
(c) All open space PUD design standards (as outlined in LEC 105.12.1050) and all open space development standards (as outlined in LEC 105.12.1060) are met; or if deviations are proposed, that all such deviations are supported because they achieve the following three goals:
    (1) The deviations allow for higher quality building and site design that will enhance aesthetics of the site;
    (2) The deviations help to create a more unified environment within the project boundaries by ensuring one or more of the following: architectural compatibility of all structures, efficient vehicular and pedestrian circulation, enhanced landscaping and site features, and/or efficient use of utilities; and
    (3) The overall design provides appropriate solutions to eliminate adverse impacts that proposed deviations may impose on surrounding lands.
(d) If the proposed PUD involves construction over two or more phases, the applicant has demonstrated that each phase is capable of being a stand-alone development independent of other phases.

Recommended Findings for Preliminary Plat. Staff recommends approval of the Preliminary Plat based on the following findings:

1. That the Preliminary OP 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 plat generally complies with the City's Subdivision regulations and does not meet the criteria for denial in Section 103.00.090 (d)(2).
3. That the preliminary plat generally complies with the City's Zoning Code with the exceptions provided for in the OP PUD.
4. That the preliminary plat generally complies with the City's design standards.

5. That the preliminary OP PUD Plan meets the minimum requirements for an OP PUD identified in LEC 105.12.1030 and criteria for approval in LEC 105.12.1070.

RECOMMENDED CONDITIONS OF APPROVAL:
Staff recommends approval of the Preliminary Plat/Preliminary Open Space Planned Unit Development (OP PUD) for PID 21.029.21.32.0001 with the following conditions:

1. Prior to the City finding any application for a final plat and final PUD complete, the applicant shall fully address all comments in the following review memos to the satisfaction of the City:
   a. City Engineer's memo dated June 28, 2024.
   b. City Landscape Architect's memo dated June 26, 2024.
   c. City Fire Chief's memo dated July 14, 2024.
2. The Plans must be revised as follows to address Planning Comments in the Staff Report dated July 22, 2024:
   a. The Plans must demonstrate conformance with applicable City Code requirements for trails, and subdivision monument signs in OP PUDs.
   b. The Plans must demonstrate at least 400 tree plantings in the development, as approved by the City's Landscape Architect, meeting the boulevard spacing requirements in City Code.
   c. The Plans must demonstrate a maximum of 40% impervious surface for each single-family lot.
3. That prior to the City finding any application for final plat and final PUD complete, the applicant shall demonstrate that the plans reflect compliance with Valley Branch Watershed (VBWD) review requirements and that the applicant provide the City evidence that all conditions attached to a VBWD permit will be met before the starting any grading activity on the site.
4. That the applicant shall obtain all necessary permits including but not limited to all applicable City permits (building, grading, sign, etc.), NPDES/SWPPP permits and Valley Branch Watershed District approval before starting any grading or construction activities.
5. The applicant/developer is responsible, at their own expense, for installing all required right of way improvements.
6. Storm water ponds shall be placed on separate outlots and conveyed to the City through a warranty deed in a form acceptable to the City.
7. No stormwater impacts shall be created on CSAH 13 (Inwood Avenue North).
8. The applicant/developer shall provide the City a fee in lieu of park land dedication as required by Section 103.00.150 to be paid prior to recording of the final plat.
9. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before the execution of the final plat by City Officials.
10. If applicable, a storm water maintenance and easement agreement in a form acceptable to the City shall be executed and recorded with the final plat.
11. If applicable, a landscape and irrigation license agreement in a form acceptable to the City shall be executed and recorded with the final plat.
12. The Applicant shall submit information demonstrating compliance with a Plat Opinion by the City Attorney, to the satisfaction of the City, before execution or recording of the Final Plat.

13. If necessary, the applicant shall provide the City with a copy of written permission for any off-site grading work and storm sewer discharges to adjacent properties before starting any site work, grading and as part of any final plat or final PUD application.
14. Before the execution and recording of a final plat for the development, the developer or applicant shall enter into a Developer's Agreement or a Site Work Agreement with the City. Such an Agreement must be approved by the City Attorney and by the City Council. The Agreement shall delineate who is responsible for the design, construction and payment for the required improvements with financial guarantees therefore. The Agreement shall outline any approved phasing plan.
15. The applicant or developer shall enter into a separate grading agreement with the City before starting any grading activity in advance of final plat/ PUD approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat or final PUD, and said plan shall document the extent of any proposed grading on the site.

FISCAL IMPACT: Approval of a Preliminary Plat and Preliminary OP PUD grant entitlements to a developer. Therefore, there would be no fiscal impact to the City at this time. When the property begins to develop, it will have municipal water service and will pay water connection charges, building permit fees, and the like.

PUBLIC HEARING:
A public hearing is required for this item. The Planning Commission should hold the dually noticed hearing prior to providing a recommendation to the City Council. At the time of writing, no comments have been received on this project.

PREMATURE SUBDIVISONS:
Staff acknowledge concerns regarding water appropriations. If found that it is not in the best interests of the City to approve development, and that this request is considered a Premature Subdivision, the City would have to articulate such concerns and find that conditions exist to warrant a denial on that basis. The City's Premature Subdivisions ordinance is found in Section 103.00.025. Subsection C, Lack of adequate water supply, is copied as follows:

> *Lack of adequate water supply. Unless the city has guided the site of the proposed plat or subdivision as rural by the comprehensive plan, a proposed plat or subdivision may be deemed premature if municipal water is not available to serve the proposed subdivision if it is developed to its maximum permissible density without causing and unreasonable depreciation of existing municipal water supplies. The term "available" shall mean existing or readily extended and funded consistent with the phasing in the comprehensive plan, the capital improvement program, and any relevant city ordinances, plans, and policies. If the site of the proposed plat or subdivision is guided as rural by the comprehensive plan, a proposed subdivision shall be deemed premature with respect to a lack of adequate water supply if a private well or wells cannot adequately or safely serve the proposed subdivision.*

If applied, City staff strongly suggest that the premature subdivisions ordinance be consistently used in development review. No developments have yet been denied due to water appropriations under the premature subdivision ordinance.

RECOMMENDATION:

Based on the above review, City staff find the proposal to be generally in line with the City's adopted ordinances and policies. Staff is therefore recommending the Planning Commission provide a recommendation to the City Council for conditional approval.

Example Motion:

"Move to recommend approval of the preliminary plat and OP PUD requested by Rachel Development on the subject property based on the findings of fact and recommended conditions of approval listed in the staff report."

ATTACHMENTS:

1. Draft PUD Ordinance
2. Application Narrative
3. Preliminary Plat and OP PUD Plans
4. Trip Generation Report
5. City Engineer Memo
6. Landscape Architect Memo
7. Fire Chief Memo

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. XX-YYY

AN ORDINANCE AMENDING CHAPTER 105 OF THE LAKE ELMO CITY CODE OF ORDINANCESBY REZONING ALL PROPERTY AT PID 21.029.21.32.0001 FROM RR (RURAL RESIDENTIAL) TO OP (OPEN SPACE PLANNED UNIT DEVELOPMENT)

SECTION 1. Zoning Map Amendment. The following property is hereby rezoned from RR – Rural Residential to OP – Open Space Planned Unit Development:

> The North Half of the Southwest Quarter of Section 21, Township 29, Range 21. Washington County, Minnesota; Except: All that part of the North 75.00 feet of the East 150.00 feet of the North Half of the Southwest Quarter of Section 21, Township 29 North, Range 21 West, Washington County, Minnesota, which lies westerly of the west line of Parcel 3 of the Washington County Highway Right of Way Plat No. 98 – C.S.A.H 13, according to the recorded plat thereof.

SECTION 2. PUD District Regulations. Permitted uses and regulations acceptable to the OP-PUD are hereby established as follows:

1. Development Density – The development is to contain ___ single-family residential lots with a net density of ____.
2. Land Use – Uses permitted within this OP PUD shall be: Residential.
3. Accessory Uses – Accessory uses shall be incidental to the principal uses of the property and as allowed in the OP PUD, Open Space Planned Unit Development, Zoning District.
4. Design and Performance Standards – Unless a PUD deviation has been granted or conditions imposed the standards for the property shall be those found in the OP PUD, Open Space Planned Unit Development, Zoning District, Article XVII of the Zoning Ordinance. The following deviations are granted as proposed:
    a. Minimum Lot Area of _____ square feet as depicted on the Final PUD plans approved by the City through resolution 2024-XX on _____.
    b. Minimum Side Yard Setback of _____ feet.
    c. Maximum Impervious Surface Cover on residential lots of _____ percent.
5. Other Standards – Other standards including but not limited to bulk and design standards shall be those found in the Open Space PUD (OP) Zoning District, Article XVII or as applicable in other Articles of the Lake Elmo Zoning Ordinance.

SECTION 3. Zoning Map. The zoning map of the City of Lake Elmo shall be republished in the ordinary course to show the aforesaid zoning, and in the interim the Clerk shall appropriately mark the zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance, and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

DRAFT

SECTION 4. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 5. Adoption Date. This Ordinance XX-YYY was adopted on this ___ day of _____, 2024, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

_____

Charles Cadenhead, Mayor

ATTEST:

_____

Julie Johnson, City Clerk

This Ordinance XX-YYY was published on the _____ day of _____, 2024

DRAFT

4180 Napier Ct NE Michael, MN 55376
Office: 763.424.1500
www.racheldevelopment.com

Highpointe Crossing - 2298 Inwood Ave N – Preliminary Plat/PUD Narrative

To: City of Lake Elmo

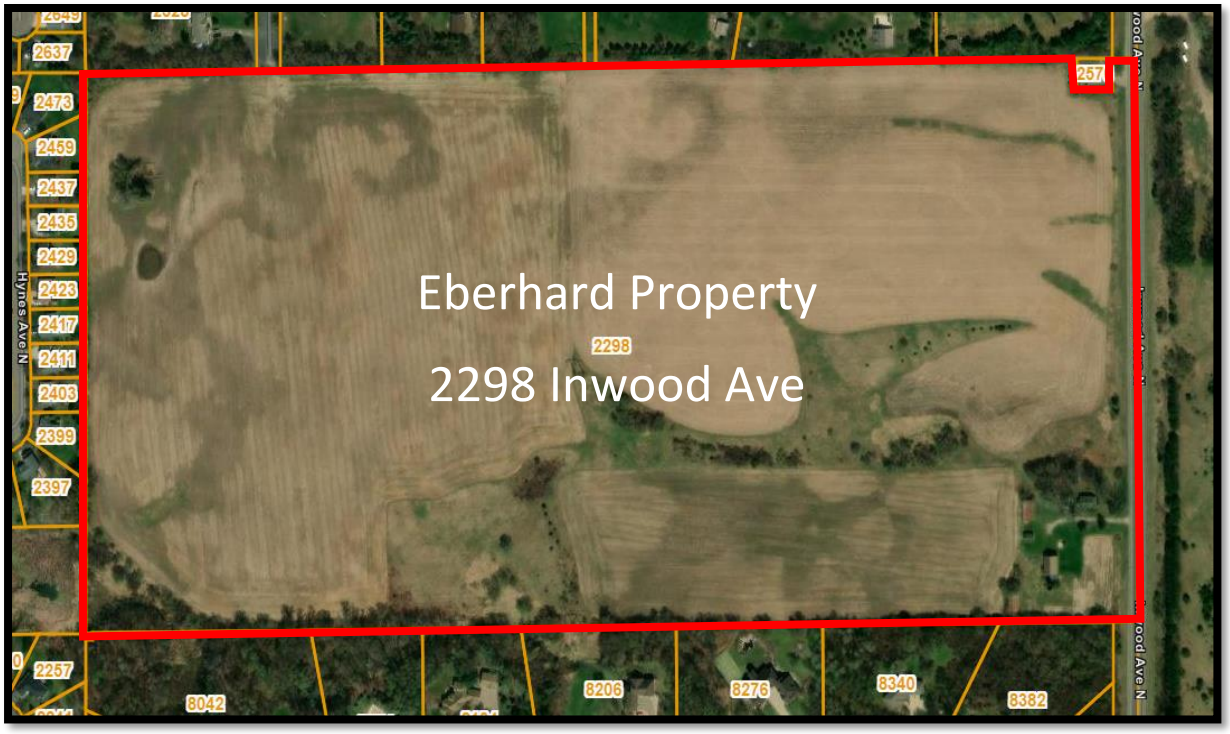
From: Rachel Development, Paul Robinson – Development Director

Date: 6/7/24

A - Submittal Documents:

1. Narrative/Preliminary Plat and PUD Applications
2. Preliminary Plan Set
    - Site Information
    - Existing Conditions
    - Preliminary Plat
    - Preliminary Erosion and Sediment Control Plan
    - Preliminary Grading and Drainage Plan
    - Preliminary Sanitary Sewer and Watermain
    - Preliminary Storm Water
    - Tree Preservation
    - Preliminary Landscaping Plan/Monument
    - Preliminary Irrigation Plan
3. Stormwater Management Plan - Narrative and Supporting Data/Calculations
4. Street Lighting Plan
5. Open Space Restoration Plan
6. Community Wastewater Treatment System Report
7. Traffic Memo
8. Letter from Washington County
9. Wetland Delineation Report
10. Notice of Decision - Wetland Delineation - Valley Branch Watershed District
11. De-minimis Wetland Impact Application/Report
12. Soil Boring Report – Haugo
13. Soil Boring Letter/Logs – Braun
14. Mailing Labels - from Washington County
15. DRAFT - Declaration of Covenants
16. DRAFT - Architectural Guidelines

B - Development Property:



- Owner
  - Caroline M Eberhard Trust - Allan Eberhard is the Trustee.

- Applicant
  - Rachel Development – Paul Robinson, Development Director

- Property
  - Address – 2298 Inwood Ave N, Lake Elmo Mn 55042
  - Current Zoning – Rural Residential (RR)
  - Current Zoning/Uses Around Property – see below
  - Current Land Use Plan Guiding – Rural Single Family (RSF)

C - Introduction:

We are excited to present our plan for developing the Eberhard property. Some of you may or may not know that over the past 10 years Rachel Development has developed over 5,000 units in and around the Twin Cities. We develop single family residential neighborhoods, apartments and memory care facilities.

Our goal for the Eberhard property is to use the OP-PUD zoning district as a guide to create a conservation subdivision. Over my career I have been a part of several conservation subdivision developments including Wild Meadows in Medina, Locust Hills in Wayzata and Woodland Cove in Minnetrista. My experience with conservation developments dates back to my time as City Administrator of Medina when, as coincidence may have it, I took the city council and planning commission on a tour of Fields of St. Croix which ultimately led to the adoption of a PUD conservation ordinance in Medina and then ultimately to the development of Wild Meadows.

Work on a development plan for the Eberhard property started late last year with a concept review by the City staff in September/October and then a more formal sketch plan review by the City Council on December 12, 2023. The Preliminary Plat, which we are calling Highpointe Crossing, is consistent with the Sketch Plan reviewed by the City Council in December. Since the Council's review we have refined our plans, completed additional soil analysis on the property and held a neighborhood meeting. The Neighborhood meeting was held on April 3, 2024. Feedback from the neighbors is summarized later in this narrative.

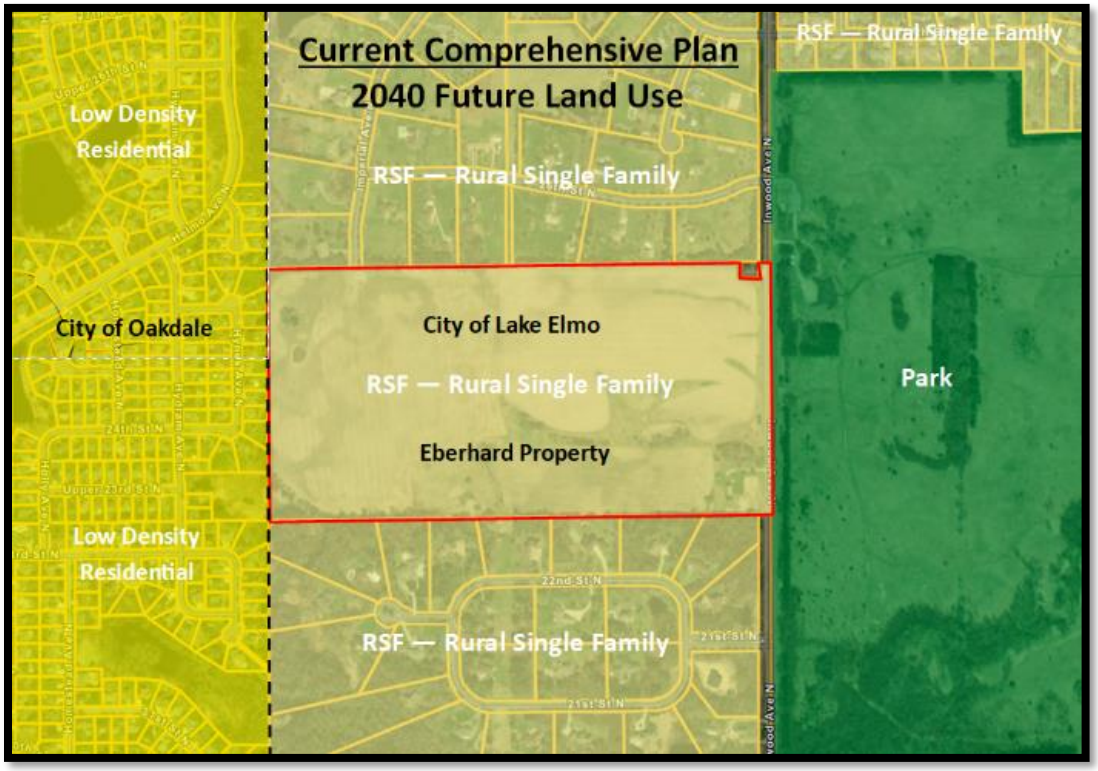
We believe our plans for this property, which follow the essence of the OP-PUD zoning, will create a beautiful neighborhood that will take what is and has been primarily a row crop farm and transform it into a neighborhood surrounded by open space with robust native vegetation that includes areas of mesic and wet prairies, intermixed with wildflower drifts.

D - Property Facts

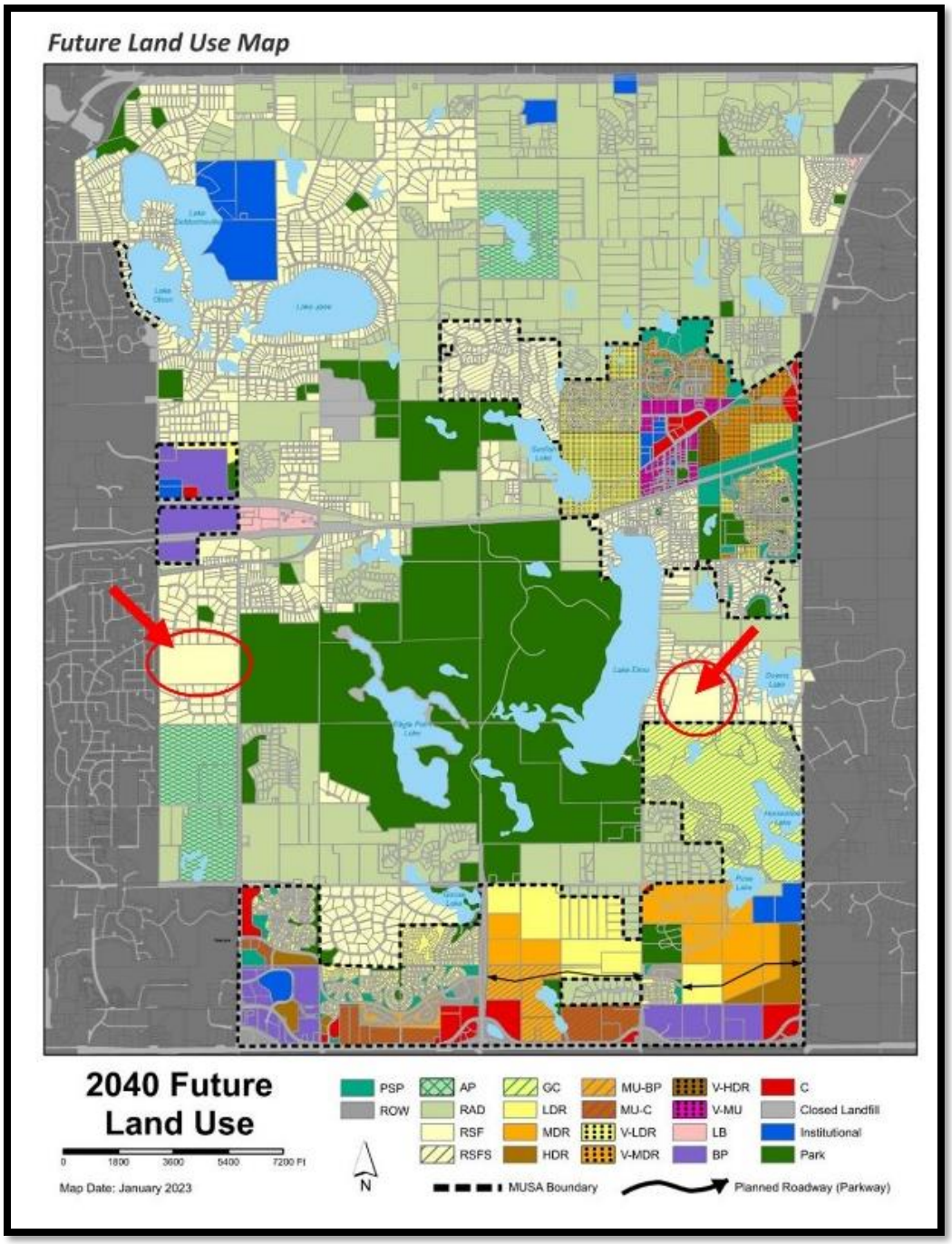
- Gross Acres 78.24
- Wetlands Acres (2.58)
- **Net Acres 75.66**

E - Property Zoning and Comprehensive Plan Guiding

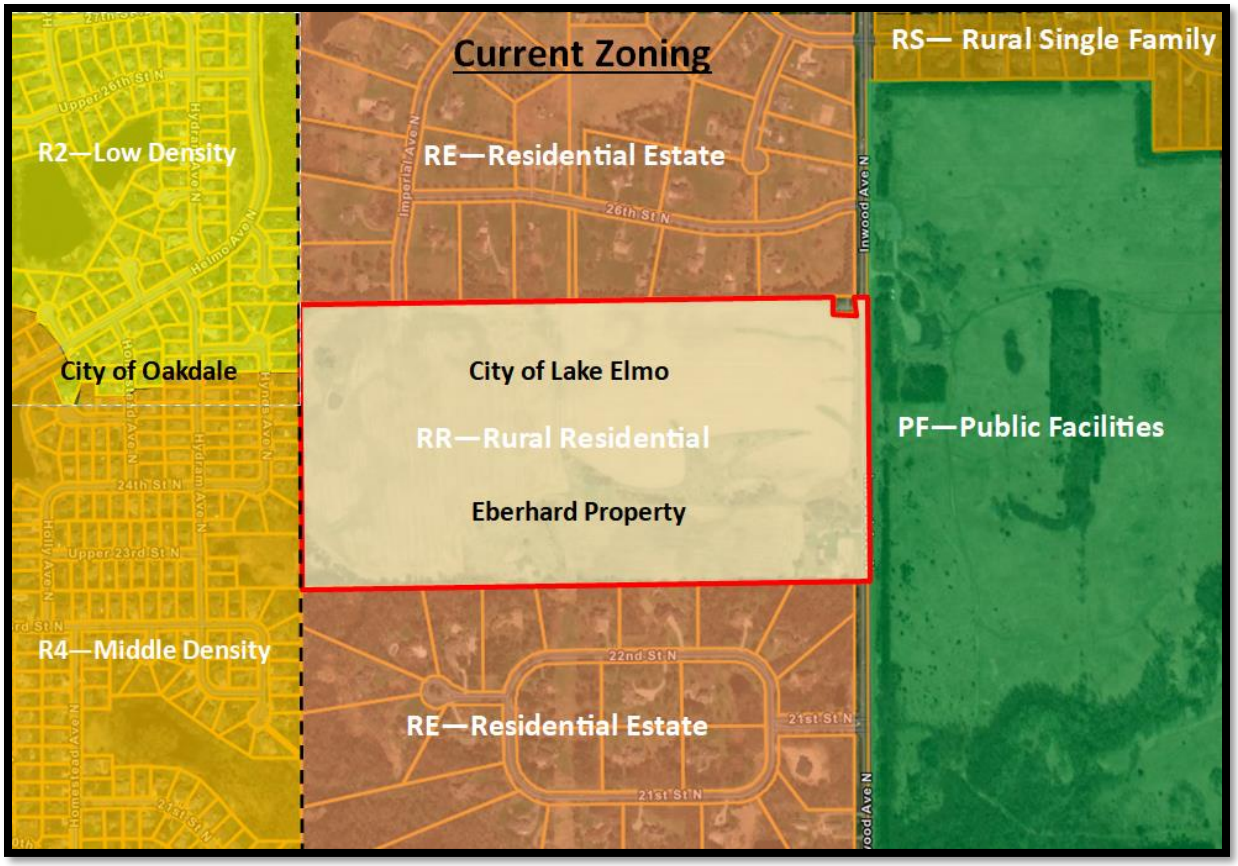
The Eberhard property is guided Rural Single Family (RSF). As we understand it, the 2040 Comprehensive Plan merged the Residential Estates (RE) areas with the Rural Single Family (RS) areas into a new guiding called Rural Single Family (RSF). This change allowed properties with this guiding to have some additional density. The stated density range for RSF is 0.1 units per acre to 2 units per acre. I am jumping ahead here but our proposal is 0.86 units per acre, well within that density range.



There are only two properties in the City that could take advantage of the RSF guiding that are 20 acres or greater as required by the OP-PUD code. These properties are highlighted below. One is the Eberhard property and the other is owned by Mary Durand Trust.



The current zoning of the property is Rural Residential. Adjacent zoning districts which are lower density single family districts are still higher density than Rural Residential.



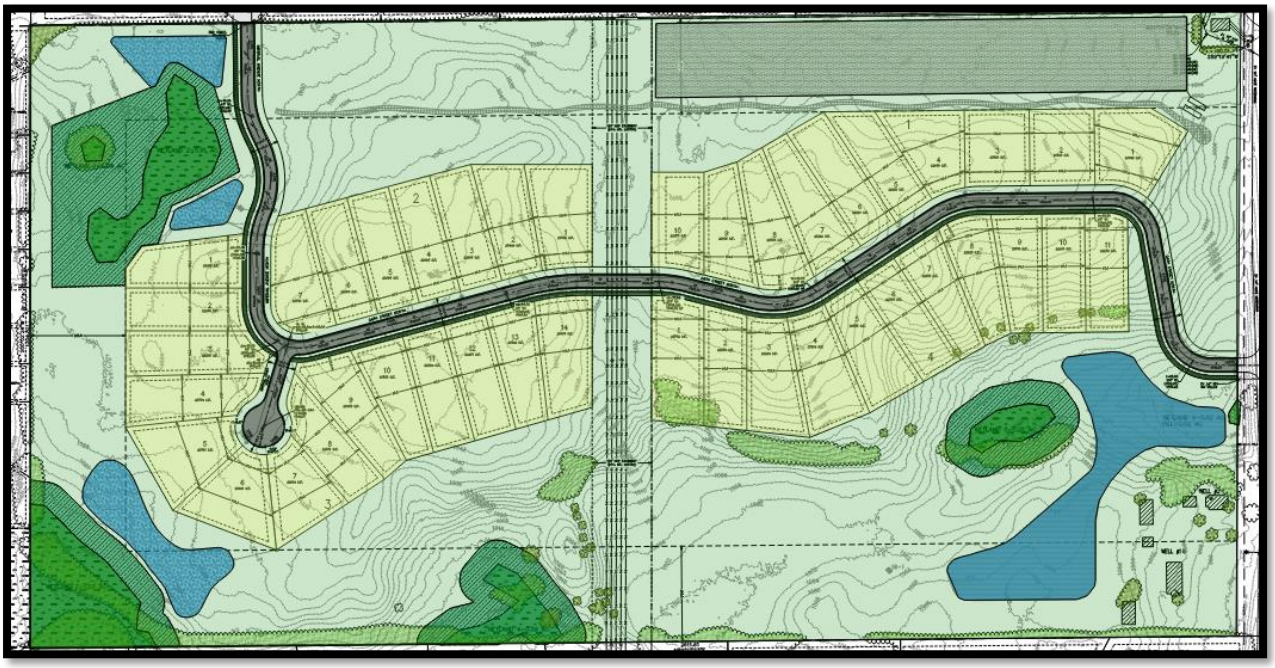
- To the North
  - Residential Estate Zoning (RE) - Single family large lot development, generally 2.5 acre lots.
- To South
  - Residential Estate Zoning (RE) - Single family large lot development, generally 2.5 acre lots.
- To East
  - Public Facilities Zoning – 2,165 acre Lake Elmo Regional Park
  - Residential Single Family (RS) - To Northeast, generally 1.5 acre lots.
- To West
  - Suburban density residential development, generally 1/4 - 1/5 acre lots

F - Submittal History

Before describing our current plan in detail, I wanted to provide some background on how we got to the plan before you. On September 22, 2023, we submitted a concept plan to the City for an Open Space Preserve (OP) neighborhood on the 78 acre Eberhard property.

That plan included 42 units (35 plus a 20% bonus). At the time we submitted our initial concept plan we were still working through our due diligence work including wetlands, soils, septic design, and cost analysis etc. We submitted our concept plan early in order to get some initial feedback from City staff and Consultants.

Below is that sketch plan.



This plan included 42 half acre lots and assumed that we would qualify for the 20% PUD bonus.

Initial Staff Review

We received a very thorough staff review from both the Planning and Engineering departments which helped us put together a detailed cost estimate for the project. What we found was that even if the Seller gave us the property, we would not be able to successfully complete an OP neighborhood plan with 42 units. This is likely why the City has not approved a neighborhood using OP zoning since 2006.

Our intent with this initial concept plan submittal was to meet or come as close as possible to meeting all of the City codes and rules including but not limited to those in the OP zoning district and PUD overlay.

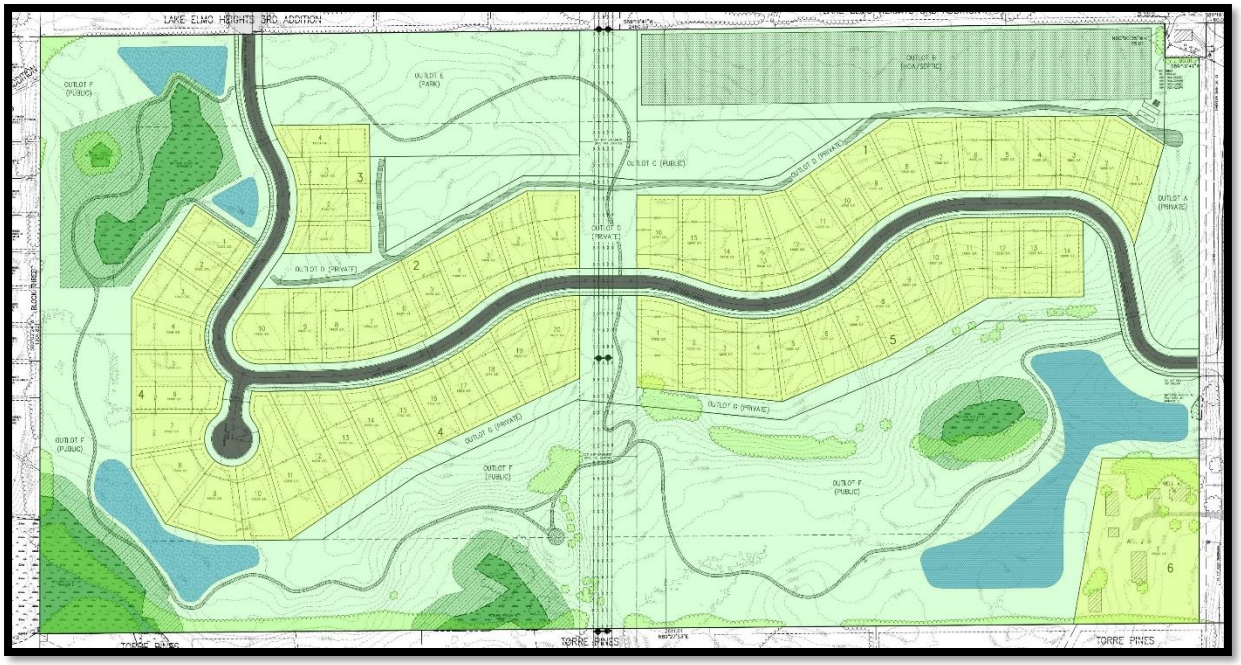
We believe that the 42 Lot plan did meet the letter and intent of the OP zoning. We kept over 60% of the property in open space, fit the lots into the natural landscape of the property, created a community septic treatment system, a water reuse system for irrigation, plans to restore all of the open space, provide trails, etc. We felt very good about the plan until we realized that there was no way to pay for the project with the revenues we could generate from 42 lots.

So, after we met with staff, we looked at what it would take to get a project to work financially and yet keep as many of the OP goals intact. What we came up with is a 65 unit project that continued to

- to preserve a 200' buffer around the property (except for the homestead lot),
- to provide over 60% open space, and
- stay within the same basic footprint as the 42 lot plan.

City Council Sketch Plan Review

On December 12, 2023 the City Council reviewed our sketch plan at a Council Workshop meeting. At that meeting we received feedback from a majority of the council that they liked our plan and would be in favor of us proceeding to a preliminary plat. There were some members that would have liked an alternative to the community septic system and after the meeting we spent a couple months exploring the option of a connection to the City of Oakdale. In the end we were discouraged by the City of Oakdale staff to pursue a connection to their City. They did not believe there would be City Council or even Met Council support for a connection to their City. Therefore, we continued our work testing and evaluating the property for a primary and alternative community septic system location. That system is included and described in greater detail later in this narrative and in a separate report provided with our preliminary plat submittal.



Neighborhood Meeting

On April 3, 2024 we held a neighborhood meeting. Approximately 35 people attended the meeting. We gave a presentation about the neighborhood, similar to what we will give to the Planning Commission and City Council.

In general, we described our proposal in detail and then clarified a number of facts about the neighborhood and its surroundings. At the end of our presentation there were a number of questions and concerns raised by the neighbors. These are summarized below with our general response and how we have or have not addressed them with revisions included in our preliminary plat.

- **Density** - In general we heard from several residents from neighborhoods to the north and south of our proposed neighborhood that they would prefer to see a neighborhood that was more aligned with the lots sizes and density found in their neighborhoods. Lots within the two neighborhoods to the north and south are about 2.5 acres in size which would yield about 30-32 lots on the 78-80 Eberhard parcel about ½ of what is being proposed.
    - Response – Our response in general is that we are proposing a neighborhood that seeks to meet the principals of the OP-PUD zoning district and within the allowed density of the Comprehensive Plan. This neighborhood permanently conserves over 50% of the 78 acres as permanent open space. This includes a 200' buffer around the entire site. There will be no active uses within the open space besides a few walkers on grass trails. No sheds, pools, cars, RV's or any storage within 200' or more of neighbors' homes anywhere surrounding the site. Homes will be clustered and the lotted area as proposed only occupies 22 acres or 28 % of the total property. The homes proposed are targeted toward empty nesters which will make for quieter neighbors even if there are more homes. This neighborhood will have a community treatment system that is professionally operated and maintained vs numerous individual treatment systems that are often more prone to failure. There will also be a shared irrigation system that will to irrigate lawns and portion of the open space. This system utilizes pond water reducing the burden on the City water system. City water will be provided to residents within the neighborhood vs numerous individual wells. This will reduce the number of people directly and individually using water from an aquifer already contaminated with PFAS. The Comprehensive Plan mentions a number of times the City's desire to have open space neighborhoods, neighborhoods like what is being proposed here that protect large areas of open space.

- **Traffic** – There were concerns raised about the additional traffic that could go through the adjacent neighborhood to the north and about the additional traffic that would use Inwood. Many neighbors felt that there is too much traffic on Inwood today and that the speed on Inwood is too high making an already unsafe roadway more unsafe.
    - Response – Since the neighborhood meeting we have completed a traffic study which is included in our preliminary plat submittal. That study shows that little to no traffic will travel north through the adjacent neighborhood. The only times that the north access would be used would be in the very rare occasions when the access to Inwood was

closed because of some type of emergency. The study also shows that the traffic generated by our neighborhood can be handled by the existing roadway systems, including Inwood. To handle the traffic safely our neighborhood will also include building a full right and left turn lane access into the neighborhood unlike either of the neighborhoods to the north and south which both access Inwood and only provide a right turn lane and bypass. We did not comment on the speed on Inwood since we do not have control over the speed of the current traffic on Inwood.

- **Minimize construction traffic through adjacent neighborhood** – Residents in the neighborhood to the north would prefer that all construction traffic use the Inwood access
    - Response – We are okay requiring that of our builders once home construction starts. There could be times in the early stages of site construction when the Imperial access would be used on a very limited basis, most likely for delivering equipment.

- **Noise from Septic System** – Some neighbors living adjacent to the community septic system drain field were concerned about noise coming from the operation of the system. They used the example that the City had told them the well booster station was supposed to be quiet but they say it's not. They are now concerned that when we say there will be no noise that there will actually be noise.
    - Response – The current noise issue appears to be when the power goes out and backup generators are needed for the booster station. Adjacent residents said this is an issue because the power goes out frequently in their neighborhood.

      When the Community System is up and running there will be little to no discernable noise from the day to day operation. There will, like the booster station, be a backup generator. Based on the neighbors' concerns we will locate our backup generator on the south side of the small control shed. When it runs, only during power outages, the generator will be buffered by the shed and it will likely be unnoticed by the neighbors.

- **Concerns about the appearance of the drain fields** – There were some concerns that residents adjacent to the drain fields were not getting the same true 200' buffer that other residents were getting.
    - Response - In general, the drain field will look like all the other opens spaces. There will be slight undulations within the prairie. A majority of the mounds in the drain field will not rise more than 1' over the existing elevation. A small portion of the westernmost mounds will rise 2.5'. We tested soils across the entire property and the area along the northern boundary was determined to be the best location for the community treatment system. To help the residents who are adjacent to the primary drain fields we increased the buffer in this area from 200 feet to 250' feet.

- **Possible Septic System Odor** – There were some concerns and questions about odors coming from the treatment system.

- Response – In the general day to day operation of the system odors will not be noticed. Activated charcoal filters are placed in locations where odors could escape. These filters significantly minimize any odors. You would need to be directly over the area to get any indication of odor. There will be rare times when the system is being maintained, once every 1-2 years where for a short period of time odors may be present during a cleaning or removal of built up solids. In general, by the time the treated water is pumped from the treatments tank to the mounds there is very little discernible odor and no detectable odor within the drain field. This would be similar but likely better than the drain fields neighbors have in their own backyards. There is more information on this in the community treatment system report.

- **Fence around Septic System** – Some residents asked if there would be a fence around the system.
  - Response – Since the drain field will be part of the conservation area and planted with natives it will be like any other part of the open space area. That said it is possible that some fencing could be required by the state. We would prefer not to have fencing but would consider it if needed.

- **Concerns about the appearance of the small control shed** (16' by 16' shed for septic system controls and additives) – A few residents mentioned that they did not like the shed example we provided at the neighborhood meeting. It was a simple shed with little architectural interest. They mentioned that the City booster station was a very nice structure and would like to see the shed be nicer as well.
  - Response – Based on the feedback from the neighbors we had Charles Cudd design the control structure to include architectural features that align with the home styles within the neighborhood. The plans for this structure are included in the community treatment system report.

- **No Screening from Headlights** – Some residents were concerned that cars entering the neighborhood could shine streetlights into their properties.
  - Response - We modified the entry road location, alignment and elevations to mitigate adjacent properties from headlight impacts. We also added some additional landscaping to help block headlights. We indicated to one of the adjacent owners potentially most impacted that we could look at adding some landscaping on their property if needed.

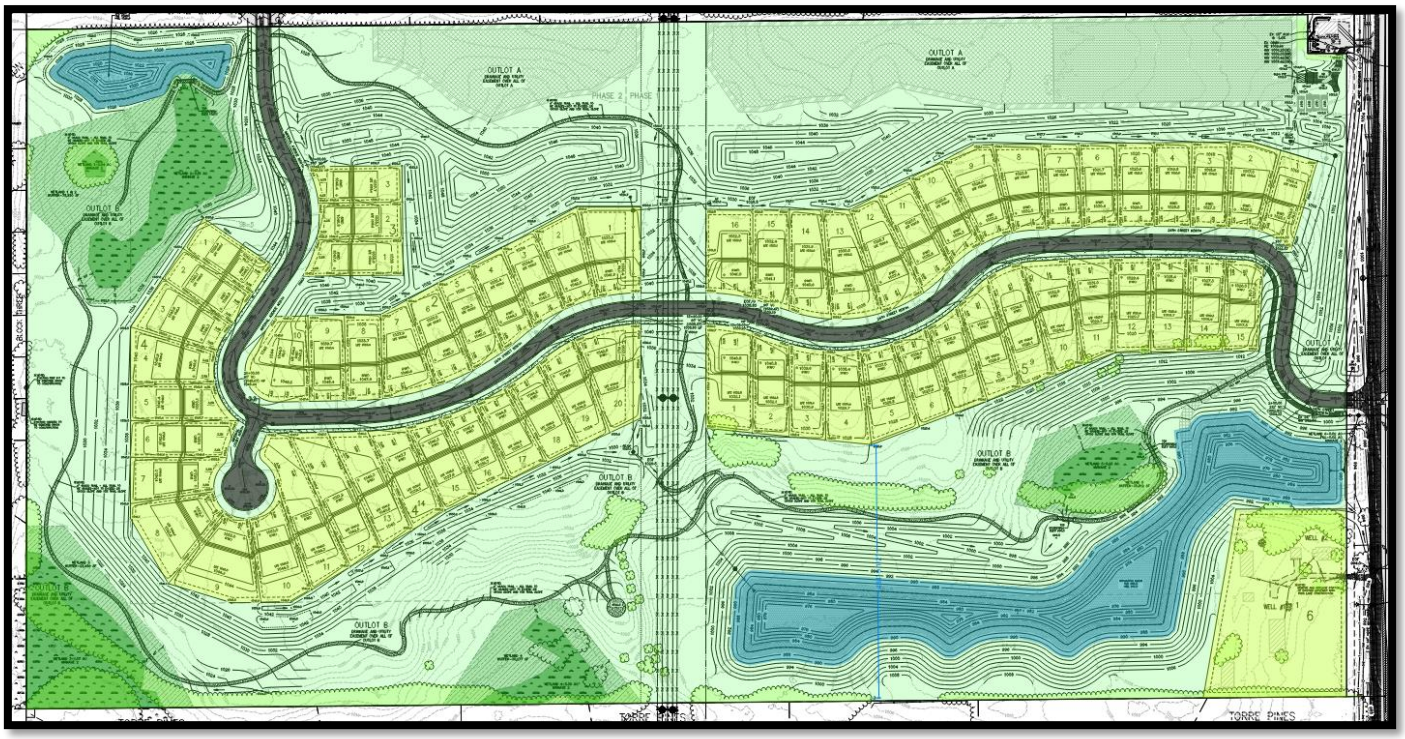
- **Grass Trail appeared close too adjacent properties**– Some neighbors felt that the proposed trails were too close to their homes.
  - Response – We moved a majority of the trail system interior to our property and further away from some of the adjacent properties who had concerns. The only portion of the trail system that comes close to the adjacent properties that are in the current Preliminary Plat plans are in areas where there is heavy tree cover or at roadway connections.

- **Water pressure concerns** – Some residents expressed that they have water pressure issues and that certain neighbors need booster pumps in their homes. They are concerned that our development would make that worse.
    - Response – We are being required to install a pressure reducing value. We are not aware of pressure issues and would need the City to weigh in on answering this question. Generally, when water mains are looped they provide better water quality and pressure to the adjacent properties.

- **Install Berms** - Some residents suggested adding berms around the property to screen them from this neighborhood.
    - Response – We added some berms adjacent to the primary or alternate septic system areas, mostly in the northern portion of the property. The homes located on the south side of the roadway are much higher than the neighboring homes to the south. Because of that and other reasons berms were not provided on the southern portion of the neighborhood. That said, the buffer provided to the majority of the homes on the south side of the neighborhood is over 300' and in many cases over 400'.

G - Development Plan

65 Lot OP-PUD Plan



The tables below provide basic information about the property. You will see that the site is 78.24 gross acres and while our neighborhood plan includes 65 homesites it maintains over 60% open space and a net density of 0.86 units/ net acre.

- **Area/Unit Information**

Units	65*	
Net Density	0.86 units/net acre	
Gross Density	0.83 units/acre	
Open Space	49 ac	63 %
Right of Way	7 ac	9 %
Lotted Area	22 ac	28 %

  - 2 ac Homestead lot plus 64 OP lots

- **Lot Information***

Lot Minimums*

Area	11,200 sf
Width(setback)	70’
Depth	160’

  - Except homestead lot which has 2 acres of lot area.

Lot Set-backs*

Front	30’
Side	10’
Side (Street)	30’
Rear	20’

  - Except homestead lot which, due to existing structures, has 20’ setbacks – side, front, rear.

H – Open Space Preserve (OP) PUD Flexibility

Within this narrative we are asking for a number of flexibilities to the OP code. These are summarized at the end of the narrative. We are not trying to show bonus points or come up with a specific calculation to justify our request. What we are doing is trying, the best we can, to make a case that we are meeting the intent of the code and comprehensive plan. For these flexibilities we understand that the OP code will require a super majority vote of the City Council (code provision shown below). That is why we provided a detailed sketch plan and narrative and are following up with a detailed preliminary plat plan and narrative.

> Open space PUDs shall comply with all of the following development standards unless modifications are authorized for consideration by the city council via a super-majority vote.

I - Property Characteristics/Background

- **Wetlands**
  - Wetland Delineation - Within the past year a wetland delineation was processed and approved by a previous developer. We purchased the rights to this report. This delineation report identified 6 wetlands; these are shown within our Preliminary Plat plans.

  - MNRAM & Buffers– We have completed a Minnesota Routine Assessment Method for Wetlands (MnRAM) to determine the quality of the wetlands. This report was approved by the Valley Branch Watershed District (VBWD) and all wetlands on the property were identified as Management 2. Management 2 wetlands in the VBWD require a 50' buffer. Buffer averaging is allowed and is shown on the Sketch Plan. Buffer averaging allows for a minimum buffer of 25' so long as the total area of buffer is the same as if it were all 50'. As a part of our restoration plan, we will be planting the wetland buffers with native seed.

  - Wetland Impacts – Our plan assumes filling Wetland 6. Wetland 6 is 872 sf in size. This impact qualifies as a de-minimus impact. We have submitted a de-minimis application with the Valley Branch Watershed. Filling this wetland is being driven in part by the County requesting an access location in the middle of the property to CR 13 and by the need for ponding in this location. The de-minimis application and report was included with our preliminary plat submittal.

- **Soils**
  - Soil Borings/Test Pits **–** Included in our submittal is a soil boring report done by Haugo Geotechnical Services, a geotechnical letter done by Braun Intertec, and a draft test pit log also from Braun Intertec. The Haugo soil report was initially done for a previous developer but we have, similar to the wetland report, purchased the rights to this report. Braun Intertec was hired to conduct additional borings and evaluate test pits. In general, the reports show that the soils on the Eberhard property are suitable to support housing. There was one boring that found, what Braun has characterized as glacial slopewash or native organic soil, found approximately 20' deep. This is currently not a concern since it is not near any of the homesites planned within the neighborhood.

- **Karst**
  - The Valley Branch Watershed District has pointed out that there is an indication that there could be some Karst features on or near this property. Braun Intertec studied this issue. To date the nearest Karst formation in or near Lake Elmo is a couple miles from

this property. Braun stated that it is unlikely that there will be significant Karst and that if found there is adequate soil cover to any bedrock layer.

- **Tree Inventory**
  - We have completed a tree inventory. 78 total trees and 40 qualifying trees were identified. Their locations and numbers are shown on our plans. We are removing under 5% of the existing trees (inches), well below the removal threshold required by the City's Tree Preservation code.

- **Wells**
  - There are two known wells on the property. Both are shown on the plans. Well #1 has been sealed and Well # 2 will be sealed with development work since the homestead in connected to City water.

- **Slope Analysis**
  - A slope analysis was included within our sketch plan submittal. We are designing our plan in a way to best work within the existing topography while creating beautiful marketable homesites.

- **County Road 13**
  - Included in our submittal is a letter from Washington County containing their initial review of our first concept (different from the sketch plan reviewed by the Council). Their comments in summary were:
    - Ideally place the CR 13 access near the center of the property – center location shown on plans
    - Show trail access to CR 13 on the plans – Shown on plans
    - They will require full turn lanes from CR 13
    - We will need access and utility permits – will complete with final construction plans

- **Powerline Easement**
  - As you can see from the aerial included on the first page there are Xcel Energy Power lines that bifurcate the property. These are located in a 125' easement as shown on the plans. We are staying within the rights of our easement and are also in communication with Xcel Energy concerning work within the easement area. We will be submitting our plans for their review concurrent with the City's review.

J - Development Plan Details

- **Lot Sizes and Setbacks**
  - The homesites themselves have been kept smaller. The setbacks are generally consistent with the OP zoning. Reducing the lot sizes provided the additional density

needed to make this project possible while keeping the development footprint small staying true to the intent of the OP-PUD.

- **Landscaping/Theming/Amenities**
  - Overall Landscaping – As shown in our landscaping plans we will have a nicely landscaped entry feature, including a monument along with white fencing. The fencing feature continues in select locations throughout the neighborhood to accentuate the rural character of the neighborhood's open spaces.

  - Monument – We are planning on installing a very nice monument at the Inwood entrance. We are asking for the flexibility to have the structure of the monument be 10' high and to locate it 20' from the county ROW and adjacent to the City ROW. This will help the monument be seen and create a prominent sense of entry coming into the neighborhood.

  - Site Restoration – Since a majority of the site is farmland, the primary amenity we are creating is the restoration of the open space back to native vegetation. Included in our submittal is a restoration plan completed by Minnesota Native Landscapes for the open spaces within the property. This plan includes…
    - Upland and Wet prairies
    - Native drifts designed for pollinators in both dry and wet areas

  - Street Trees – 130 street trees are shown on the plans. That is, in general, one street tree for every 50' of roadway frontage except for the area within the powerline easement where trees are not allowed. While we understand that the OP code calls for street trees every 30' we believe this is not practical with the layout we are proposing and adds additional cost that does not add to the rural character of the neighborhood and takes away from other ways to add amenity value to the neighborhood.

  - Open Space Trees – Over 320 open space landscaping trees are shown on the plans. The number of trees was determined by multiplying 5 trees times the number of lots. We are requesting flexibility here. The OP code would require 10 trees per lot. In large part we believe that planting over 300 trees will be more than sufficient in conjunction with the other requirements and goals of the OP code that we are meeting. This is over four times the number of trees currently on the property. This total number of trees is basically the same number of trees that would have been required with a more typical OP-PUD plan.

  - Mailboxes – The cluster mailboxes will also be designed to fit within the theme of the property yet be durable.

  - Trails – We are also including over 5,968' of grass trails through and around the restoration areas on the site as a substitute to the 3,550' of paved trail that would

typically be required by the OP-PUD (OP Code requires a paved trail equivalent in length to the length of roadway within the neighborhood). The trail system will include themed bird feeders, pedestrian nodes with informal boulder seating, an overlook, and interpretive signage identifying the flora and fauna that the residents are experiencing. We are currently identifying the grass trails as private unless the City is interested in them being public.

There is a shoulder trail along CR 13. We are keeping or constructing the same or similar shoulder trail along the county road. The County and City have both told us they have no other trail plans along CR 13 other than what is currently being provided by the shoulder trail.

- Streetlights – A photometric street light plan has been included within the plan included with the Preliminary Plat submittal.

- Homeowner's Association – The intention for this neighborhood is that the HOA maintain the lawns and landscaping and remove snow among the other items such as maintain the community septic, restoration areas and water reuse system.

- **Declarations and Architectural Controls**
  - Draft declarations and architectural guidelines have been included with our submittal. This will help ensure that the homes built in this neighborhood are high quality homes with a focus on architectural detailing. Examples of these homes are provided later in this narrative.

- **Conservation Easement**
  - For an open space development, we have been told that the City ideally prefers that a 501 C3 organization holds the easement. We have spoken with the Mn Land Trust. They are not interested in holding an easement in this development. The OP code does indicate that the City could hold the easement. We have been told that the City would also prefer not to hold the easement. We are suggesting an alternative to the City holding the easement. That alternative is to place conservation and open space requirements in the homeowners associations declarations of covenants.

    Your OP code requires that the declarations in each OP neighborhood include a provision allowing the City to assess the HOA in the case that the HOA is not maintaining the open space. This appears to give the City a way to enforce open space principles in a declaration the same as if it were in a conservation easement.

    So as mentioned above we are proposing that with our PUD the Homeowner's Association (HOA) includes similar restrictions of a conservation easement in the declarations of covenants. To help monitor the ongoing health of the open space a

requirement can be added that the HOA provide the City with an annual inspection report done by a qualified third party approved by the City and the HOA.

In a previous project I used an ecologist working for Kjolhaug Environmental to complete the inspections and reports. If the report identified issues needing attention the HOA had to complete the repairs within a specific timeframe. If not done within that timeframe the City could use the assessment provisions already included in the declarations to pay for and complete any necessary work.

- **Builder/Homes/Architecture**

    - The primary builder of this neighborhood will be Charles Cudd Co. It is possible that we may include another luxury villa homebuilder to join Charles Cudd Co but we have not yet made that determination. Charles Cudd Co has built a number of homes in Lake Elmo over the years including in Clover Dale Farms and Royal Club as well as nearby in West Lakeland Township in Wyndstone, Waterford, and Waterford East.

    - Above is an example rendering of the streetscape using Charles Cudd Homes and below photo of a recent project in the City of Victoria.

- Below are some photo examples of the interior finishes Charles Cudd Villa homes.

- **Impervious**
  - A typical OP-PUD limits impervious surfaces to 25% of the lot area including streets and trails. We are unsure of the reason for this stricter standard since over 50% of the property will be deep rooted prairie open space and water running off from the impervious surfaces will be treated within the storm water ponds. That said since our lots are smaller there will be a need for a higher percentage of impervious. We are asking for an allowance of up to 50% impervious on the homesites. While some lots will need up to 50% impervious, most lots will likely need less. Below is a table with hard cover examples based on models that Charles Cudd is planning to build within the neighborhood. These are modest sized homes in the luxury villa category. You will see that without a pool most lots, not all, will be able to accommodate the largest of the planned Cudd home models. If a customer wants a pool, the size of the pool deck could eliminate some of the smaller homesites. We are ok that not all lots will accommodate a pool. Without a pool most lots work with most models so some lots may not accommodate a pool. Still there are some lots where 50% may not work for certain models and just like the examples with the pools, compromises will need to be made or customers who want larger homes will need to look to the larger lots. The examples below are conservative. We believe that when all is said and done the overall hardcover of the property including sidewalks and roads will be under 15%. However, if all lots use up their 50% hardcover the neighborhood including streets, sidewalk and the county road turn lanes will be 18.64% hardcover.

Impervious Examples

		Bennington		Willow		Coventry	
		High	Low	High	Low	High	Low
	Driveway	1,500	950	1,500	950	1,500	900
	Home	2,350	2,350	1,900	1,900	2,330	2,330
	Garage	975	975	990	990	850	850
	Entry Sidewalk	160	60	120	90	125	70
	Patio	1,000	300	1,000	300	1,000	300
	Total	5,985	4,635	5,510	4,230	5,805	4,450
Smallest Lot	11,300	53%	41%	49%	38%	52%	40%
Average Lot	13,692	44%	34%	40%	31%	42%	33%
	Pool Deck	1,200	1,000	1,200	1,000	1,200	1,000
	Total	7,186	5,636	6,711	5,231	7,006	5,451
Smallest Lot	11,300	64%	50%	60%	47%	63%	49%
Average Lot	13,692	52%	41%	49%	38%	51%	40%

- **Storm Water Treatment**
  - One of the refinements from the sketch plan includes reducing the number of storm water ponds and centralizing more water into the larger pond in the southeast corner of the property. This was done to help keep as much water as possible in the pond that will be irrigating a large portion of the property.

  - The OP code asks that ponds and water conveyance features be placed in City outlots. We were unsure how to best do that. Since the HOA will be maintaining the restoration work within all the open spaces it seemed better to have the ponds and drainage swales be located in drainage and utility easements giving the city access and maintenance rights but having the outlots still be owned by the HOA. If the City would like outlots that they own we can accommodate that but would like to know where and how those outlots should be arranged and located.

- **Park**
  - On November 20, 2023 the Park Commission reviewed the Highpointe Crossing Sketch Plan and determined that they would prefer a payment of cash in leu of a land dedication. Therefore, no public park areas are shown within the Preliminary Plat.

K - <u>Development Standards/Infrastructure/Other</u>

- **Roadway Width** – OP code states that streets shall comply with the engineering standards. The engineering standards have street standards listed in multiple locations. Both seem to indicate that a 28' F-F wide residential roadway is acceptable. Excerpt from engineering standard included below.

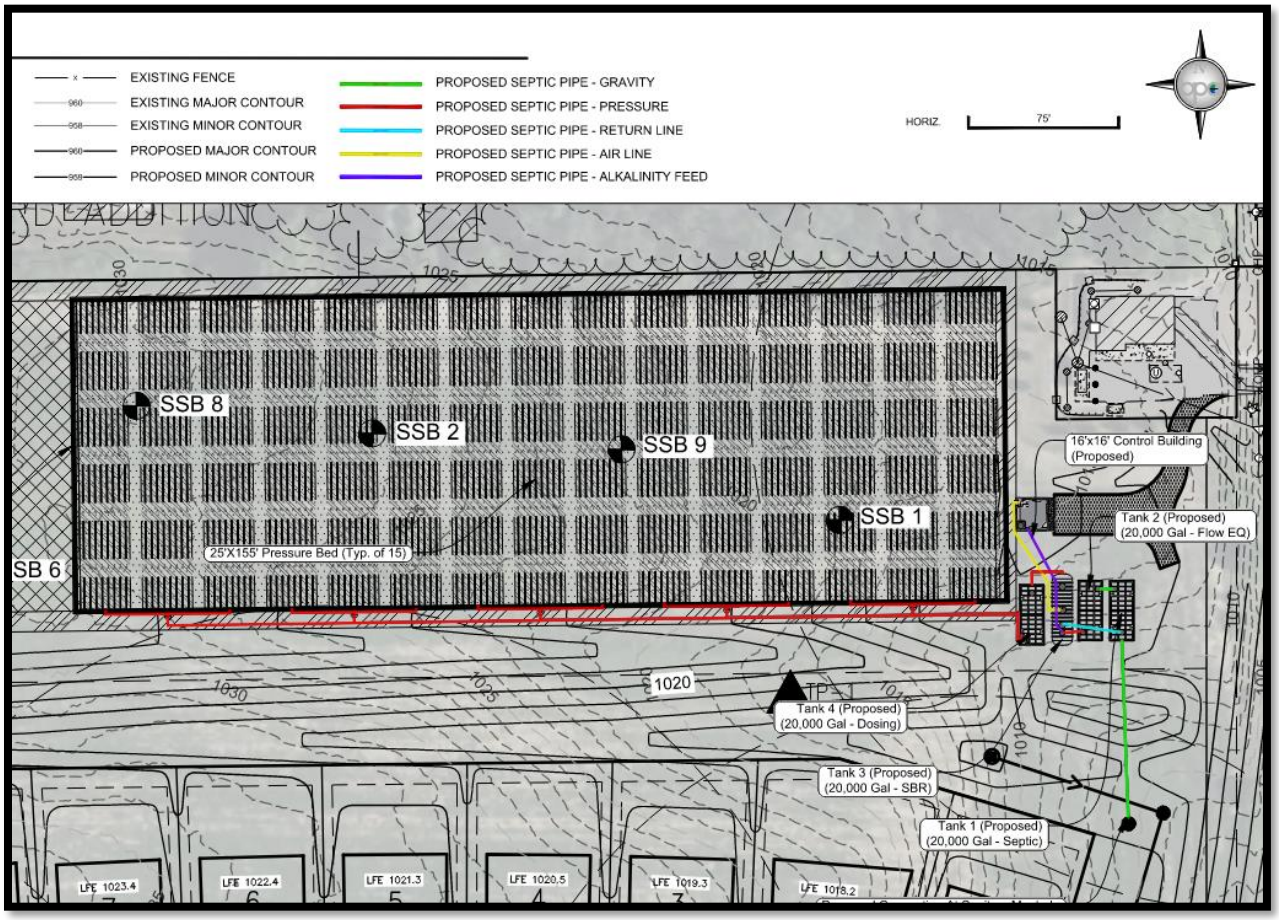
  - *Minimum Street Widths, Measured from Face of Curb to Face of Curb (F-F)*
    - *New Local Residential Streets (with parking on both sides) - 32-feet F-F*
    - *Local Residential Street (when parking is allowed on one-side) - 28-feet F-F*
  - *Minimum Right-of-way Widths*
    - *Local Multi-Family Residential Street (32 feet wide) - 66-feet ROW*
    - *Local Single Family or Twinhome Residential Street (28-feet wide) - 60-feet ROW*

  There is also a section in the engineering standards on Low Impact Design Practices. This section encourages the use of:
  - Open Space Developments (Such as the OP-PUD)
  - Narrow streets (Like the 28' Standard)
  - Stormwater reuse (Which we are including)
  - Vegetated Swales (which we are also using to convey water across the site)

  Since we are using a conservation design, we are using the roadway listed for low impact design practices identified in the Engineering Standards. We believe that there will be sufficient parking with one-sided parking.

- **Stormwater Reuse** – We are proposing a stormwater reuse system that will be installed to irrigate 100% of the sodded and landscaped areas on the lots along with a portion of the open space and entry landscaping. We have previously installed these types of systems with success in other neighborhoods.

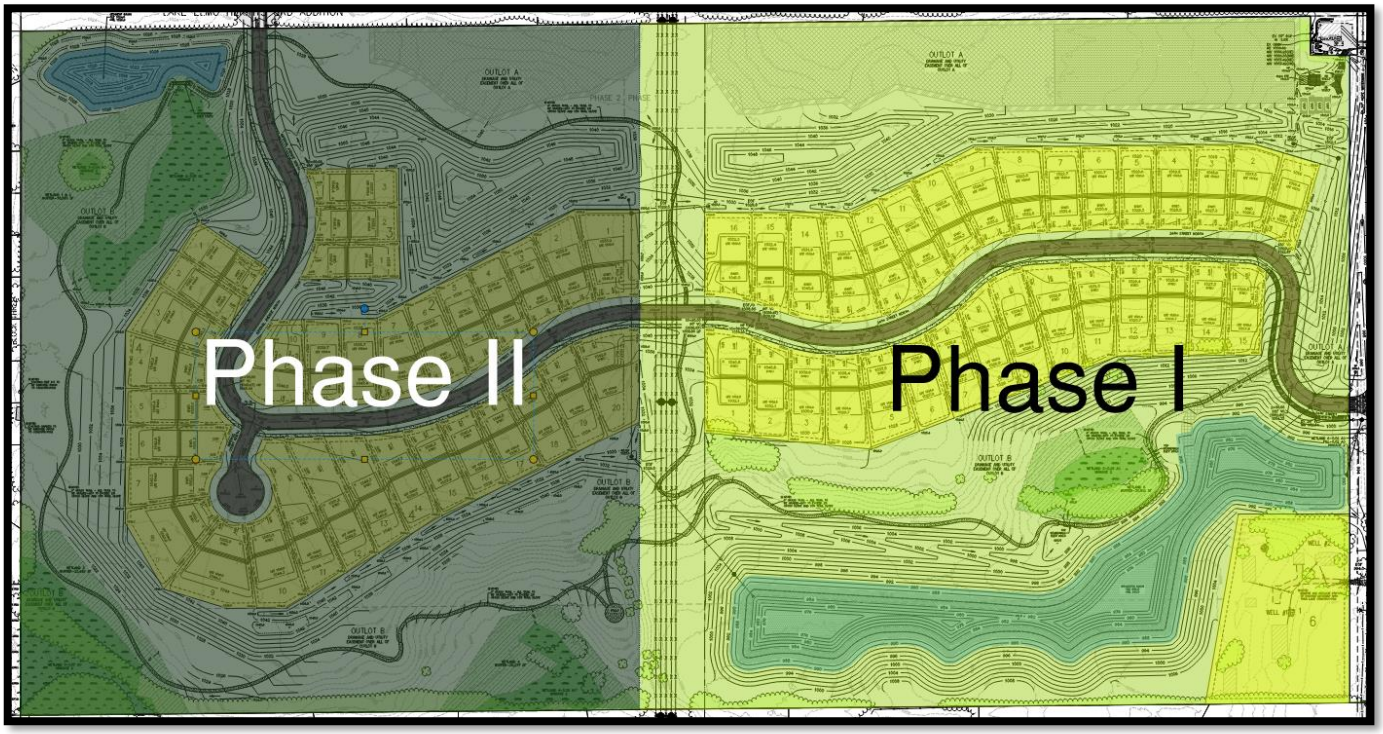
- **Sanitary Sewer - Community Septic** – We have completed soil and infiltration tests as well as test pits to identify the best location(s) for a community septic system. That location is along the north boundary of the property. Community treatment systems today are like package plants they include a series of underground tanks including one called a Sequencing Batch Reactor (SBR). These tanks basically function as a sewage treatment plant. A more detailed report and explanation of the system has been included with our preliminary plat submittal. Below is the preliminary plan for the community system.



- **City Water/ Water Allocation**
- The City has asked that we provide City water to this neighborhood along with a loop connection to the Lake Elmo Heights neighborhood. This includes a City watermain as shown

on our plans. We will be connecting to the 8" watermain in Lake Elmo Heights 3rd Addition neighborhood on Imperial Ave N and also be making a connection to the 16" high pressure line along Inwood. In addition the Inwood connection will require pressure-reducing valve.

- **Phasing**
  - We will likely need to develop this neighborhood in two phases from east to west as shown below. The first phase includes the communal septic system and water reuse pond.



L - Summary

- **Items consistent with OP-PUD code, engineering standards, or staff directives:**
  - 200' open space buffer (no lotted area included in buffer, except for homestead lot)
  - 50% open space (actual over 60%)
  - Set-Backs – Front 30', Rear 20'
  - Community Septic System
  - Storm Water Reuse System
  - Wetland Buffers (Manage 2 = 50' Buffer Averaging)
  - Theming – Entry monuments, fencing and other landscaping and decorative features
  - Enhanced restoration of 100% of the open space
  - Conservation Easements – Held by HOA with City Oversight or held by City.
  - No wetland buffer within lotted areas

- Providing city water vs. private wells
- Site layout works with existing topography of the site
- Open space provided in 5 ac or greater contiguous parcels
- Low Impact Design Roadway - 29' B to B Roadway (no parking one side) within 60' ROW

- **Flexibilities requested to OP-PUD Code/City Standards**
  - 65 units vs. 34 units
    - Increased density from 34 unit (.45 units/net acre) to 65 units (0.86 units/net acre)
  - Grass Trail vs Paved Trail
    - Substituting over 5,968 feet of grass trail for 3,550 feet of paved trail to meet and possibly exceed the required trail which is supposed to be a paved trail equivalent to the length of street.
  - 50% impervious vs 25% Impervious
    - Due in large part to the smaller lot sizes we are asking for up to 50% of lot area to be impervious, as mentioned above even with this the overall site will only have 18.64% impervious.
  - 50' Street Tree Spacing
    - Asking for trees every 50' which is the City's typical standard vs. 30' which is asked for in the OP-PUD
  - Landscaping Requirements Five 1.5" Landscaping Trees per Lot vs. ten.
    - Asking to reduce landscaping standard to five 1.5" trees per lot vs. ten 1.5" trees per lot and to allow substituting larger caliper trees for smaller. For example, 3" would be the equivalent to two 1.5" trees.
  - 10' Side yard set-back
    - 10' side yard vs 15' side yard – Lot width is 70'
  - 11,200 sf Minimum Lot Size
    - Reduce lot size from 21,780 sf to 11,200 sf.
  - Allow 3:1 or flatter slopes
    - Clarify that for this OP-PUD steep slopes are slopes in excess of 3:1.
  - 2.021 ac Homestead Parcel
    - Allowance to create a homestead parcel with its own rules, 20' setbacks all around and private septic. This homestead parcel would then be sold separately and not be part of the subdivision.
  - Monument Sign
    - 20' from County ROW, Adjacent to City ROW, Monument to be 10' high, and Sign to be located no higher than 7' from the ground.
  - 1% slopes within open space storm water swales
    - The open space swales are intended to convey water slowly across the site. These are not within homesites and the speed at which they dry out is not as significant a concern. Over time the slow draining swales will encourage more natural storm water treatment aided by the deep rooted native and evapotranspiration.

M - Closing

- We believe that OP-PUD plan we are proposing meets the intent of the OP-PUD code as well the goals of the comprehensive plan for properties in the rural areas of the City especially ones with RSF guiding. It does that by…
    - Providing over 60% of the property in open space and placing it in a conservation easement.
    - Restoring the open space from what is today 80% corn and soybeans to native prairie.
    - Buffering our development from surrounding neighbors by 200' – No other OP development has ever done this. While the buffer is 200', the distance from our homes to the nearest adjacent homes will in most cases be greater than a football field.
    - Using storm water to irrigate the lawns and open spaces which lowers the burden on the City water system by reducing the amount of good, treated water that is used to water lawns.
    - Providing trails, landscaping and theming to make this neighborhood different and special.

As noted above we started with an OP plan that would have more closely met the initial intended density of the zoning district. Well, times have changed, costs have gone up, regulation has increased and it is no longer possible to create a plan with that density that also provides sewer and water service, urban roads, theming, a complete restoration of the open space and more. What we are proposing is a modern OP plan that meets the goals of the OP but includes enough units to cover the additional development costs of meeting those goals.

This property has been in the Eberhard family for over 100 years. They are now ready to sell and have tried unsuccessfully to sell/develop their property. The landowners have made concessions to help us get this to a point where we have a plan that we believe can succeed. We believe our development plan will create a beautiful neighborhood, one that will become one of the more sought after neighborhoods in this City.

We look forward to talking with you about our plans and hope we can together create the first Open Space Development in almost two decades in the City.

HIGHPOINTE CROSSING

LAKE ELMO, MINNESOTA

PRELIMINARY PLAT/PUD EXHIBITS

FOR

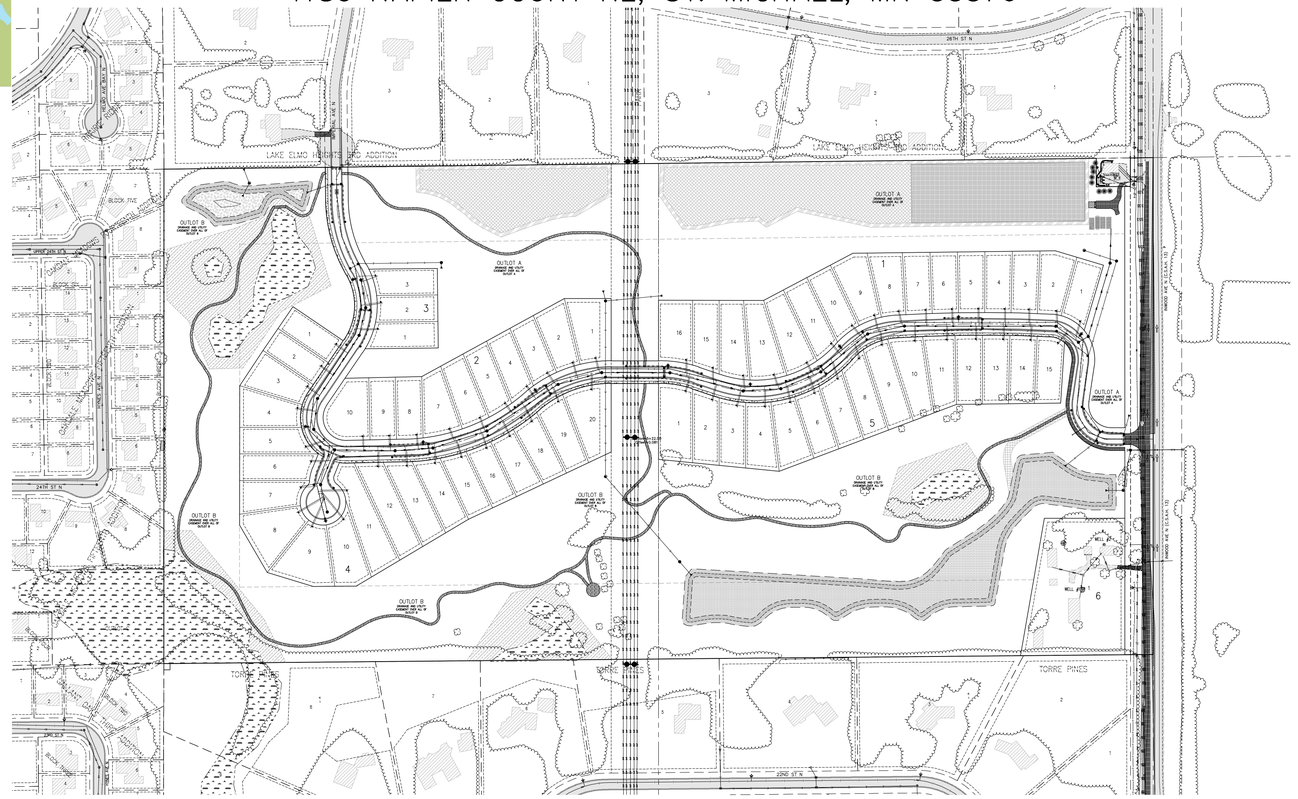
RACHEL DEVELOPMENT

4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

LOCATION MAP
NOT TO SCALE

LEGEND

- EXISTING ASPHALT
- EXISTING GRAVEL
- EXISTING BUILDING
- EXISTING CONCRETE
- EXISTING WETLAND DELINEATION
- EXISTING LANDSCAPE
- EXISTING SEPTIC TANK-EBERHARD HOMESTEAD
- EXISTING FIRE PIT
- EXISTING WATERMAIN
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING OVERHEAD POWER LINE/POWER POLES
- EXISTING UNDERGROUND FIBER OPTIC
- EXISTING UNDERGROUND TELEPHONE
- EXISTING UTILITY VAULT
- EXISTING TELEPHONE PEDESTAL
- EXISTING TELEVISION PEDESTAL
- EXISTING LIGHT POLE
- EXISTING WELL
- EXISTING CONTOUR
- EXISTING FENCE
- EXISTING SIGN
- EXISTING TREES & TREELINE
- EXISTING LANDSCAPE TREE
- EXISTING WETLAND DELINEATION LINE
- SB SOIL BORING LOCATION
- TP TEST PIT LOCATION
- ST SOIL BORING LOCATION
- PROPOSED CONCRETE SIDEWALK
- PROPOSED ASPHALT
- PROPOSED WETLAND BUFFER (25' MIN/50' AVG-5:1 MAX SLOPE)
- PROPOSED WETLAND FILL AREA
- PROPOSED BITUMINOUS TRAIL
- PROPOSED 6' WIDE MOWED NATURAL TRAIL
- PROPOSED IRRIGATION BASIN
- PROPOSED SEDIMENTATION BASIN
- PROPOSED COMMUNAL SEPTIC AREA-PRIMARY
- PROPOSED COMMUNAL SEPTIC AREA-SECONDARY
- PROPOSED COMMUNAL SEPTIC AREA BUFFER
- PROPOSED 10' MAINTENANCE BENCH
- PROPOSED 10' AQUATIC BENCH
- PROPOSED 20' POND ACCESS
- PROPOSED BOARDWALK
- PROPOSED BUILDING
- PROPOSED WETLAND BUFFER SIGN
- PROPOSED STOP SIGN/STREET SIGN
- PROPOSED NO PARKING SIGN
- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- PROPOSED GARAGE LOCATION
- PROPOSED CONCRETE CURB & GUTTER
- PROPOSED STORM SEWER
- PROPOSED WATERMAIN
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY SERVICE
- PROPOSED WATER SERVICE
- PROPOSED DRAINTILE
- PROPOSED SEED & MnDOT CATEGORY 3 EROSION CONTROL BLANKET-NATURAL NETTING (POST-CONSTRUCTION)
- ROCK CONSTRUCTION ENTRANCE (PRE-CONSTRUCTION)
- PROPOSED CONCRETE WASH AREA
- PROPOSED SILT FENCE (POST-CONSTRUCTION)
- PROPOSED SILT FENCE (PRE-CONSTRUCTION)
- PROPOSED DOUBLE ROW SILT FENCE (PRE-CONSTRUCTION)
- PROPOSED STOCKPILE SILT FENCE (POST-CONSTRUCTION)
- PROPOSED TOPSOIL STOCKPILE AREA
- PROPOSED EXISTING FES PROTECTION (PRE-CONSTRUCTION)
- PROPOSED FES PROTECTION (POST-CONSTRUCTION)
- PROPOSED STREET CB INLET PROTECTION-WIMCO (POST-CONSTRUCTION)
- PROPOSED REAR YARD CB INLET PROTECTION (POST-CONSTRUCTION)
- PROPOSED DITCH CHECK (POST-CONSTRUCTION)
- PROPOSED TEMPORARY SEDIMENT BASIN & OUTLET PIPE (INCLUDES TEMPORARY ROAD DIKE IF NEEDED)(POST GRADING/UTILITY CONSTRUCTION)
- PROPOSED ROCK CHECK DAM (POST GRADING/UTILITY CONSTRUCTION)
- PROPOSED TEMPORARY CULVERT - INWOOD ENTRANCE (PRE-CONSTRUCTION)
- PROPOSED FLOATING HEAD SKIMMER OUTLET (POST GRADING/UTILITY CONSTRUCTION)
- UNDISTURBED AREA



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N

SCALE IN FEET
0 200 400 600
1"=200'

BENCHMARKS

1.) TOP NUT HYDRANT 485 FEET SOUTH OF 26TH STREET NORTH ON THE WEST SIDE OF INWOOD AVENUE NORTH (C.S.AH. 13). ELEVATION=1011.29 (NAVD 88)

2.) CAST IRON MONUMENT–NORTHWEST LOT CORNER OF SITE. ELEVATION=1023.99. (NAVD 88)

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Call 811 before you dig.

GOPHER STATE ONE CALL

CALL 48 HOURS BEFORE YOU DIG!
TWIN CITY AREA 651-454-0002
MN. TOLL FREE 1-800-252-1166

SITE ADDRESS

2298 INWOOD AVENUE N., LAKE ELMO, MN

SITE AREA

78.24 ACRES

SITE LOCATION

N 44° 59' 01"
W 92° 56' 21"

MINIMUM SETBACKS

BUILDING

FRONT	30 FEET
SIDE (GARAGE/HOUSE)	10 FEET
SIDE (STREET)	30 FEET
REAR	20 FEET

SEPTIC SYSTEM AND DRAINFIELDS

PROPERTY LINE	10 FEET
WELL	300 FEET
RECREATIONAL USE	50 FEET

PROJECT CONTACTS

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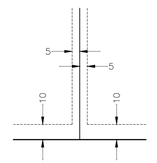
BRIAN GREEN – MPCA (EROSION CONTROL)	(507)-206-2610	BRIAN.GREEN@STATE.MN.US

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



DRAINAGE AND UTILITY EASEMENTS BEING 5 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, ADJOINING LOT LINES, AND BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, ADJOINING RIGHT OF WAY LINES, AS SHOWN ON THIS PLAT.

James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2999 W. Cty. Rd. 42, Suite 100, Burnsville, MN 55306
PHONE: (952)890-6044 FAX: (952)890-6244

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.
KURT D. QUAINTANCE, P.E.
Date: _____ Reg.No. 24676

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
TITLE SHEET
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY
CJK

DATE
6/7/24

REVISIONS

CAD FILE
24110TS

PROJECT NO.
24110

1.00

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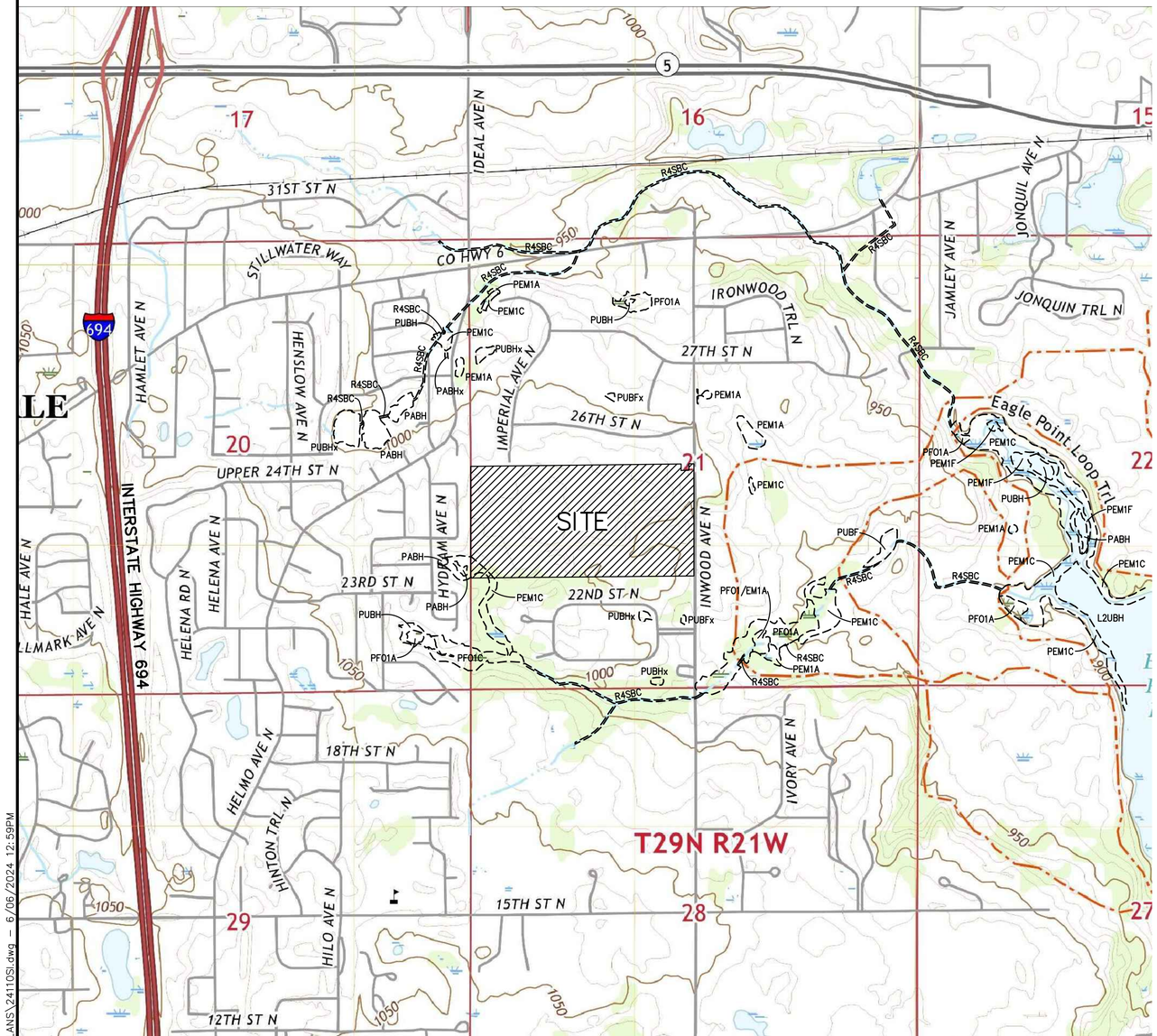
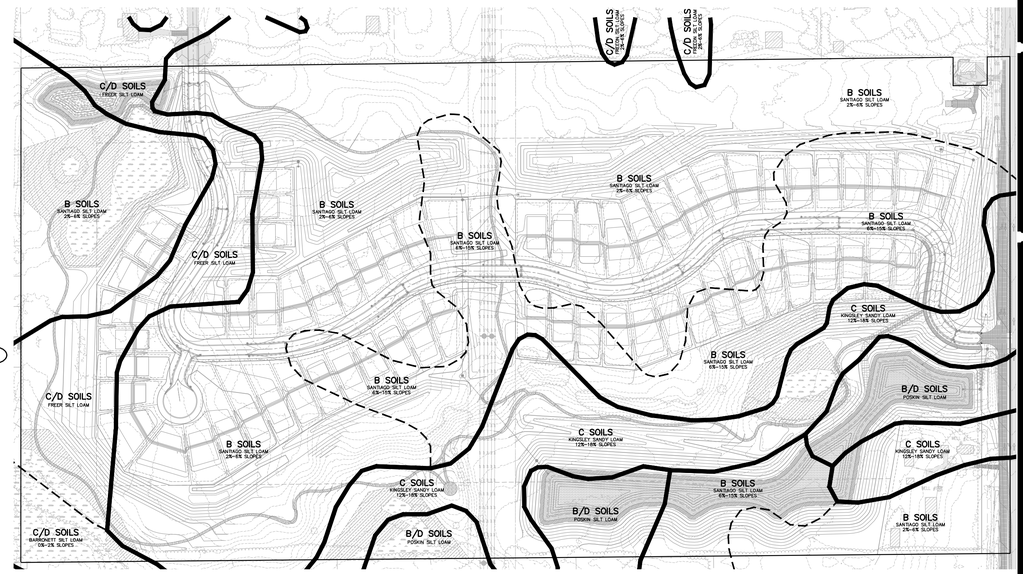


USGS MAP

SCALE 1"=800'



SOILS MAP

SCALE 1"=200'

BENCHMARKS

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HIGHPOINTE CROSSING

LAKE ELMO, MINNESOTA

SITE INFORMATION

FOR

RACHEL DEVELOPMENT

4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

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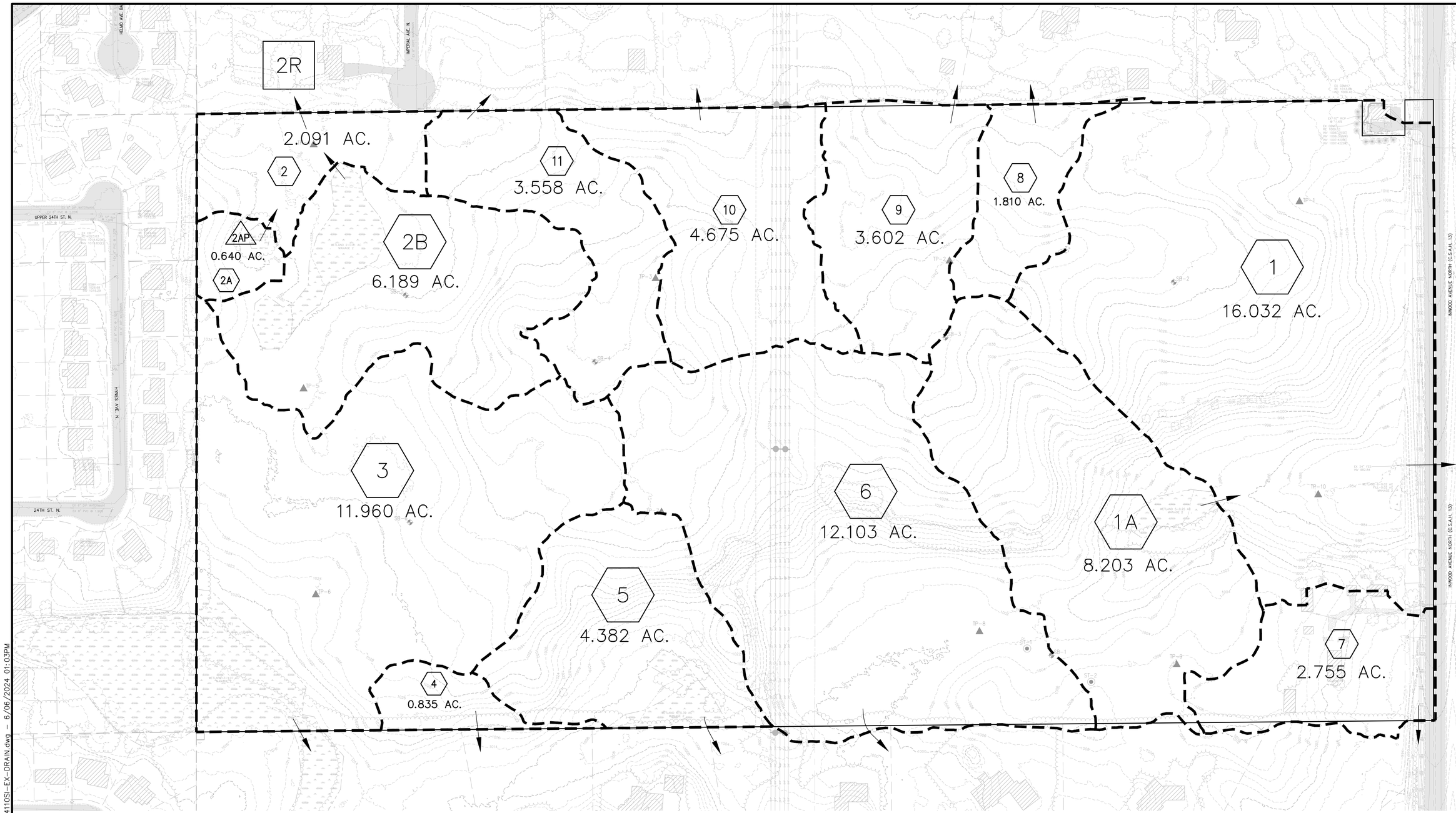

EXISTING DRAINAGE MAP
OVERALL DRAINAGE AREA=78.835 AC.

LEGEND

- POND AREA
- DRAINAGE AREA
- REACH
- PRIMARY FLOW DIRECTION

N

SCALE IN FEET
0 100 200 300
1"=100'

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LAKE ELMO, MINNESOTA
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FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

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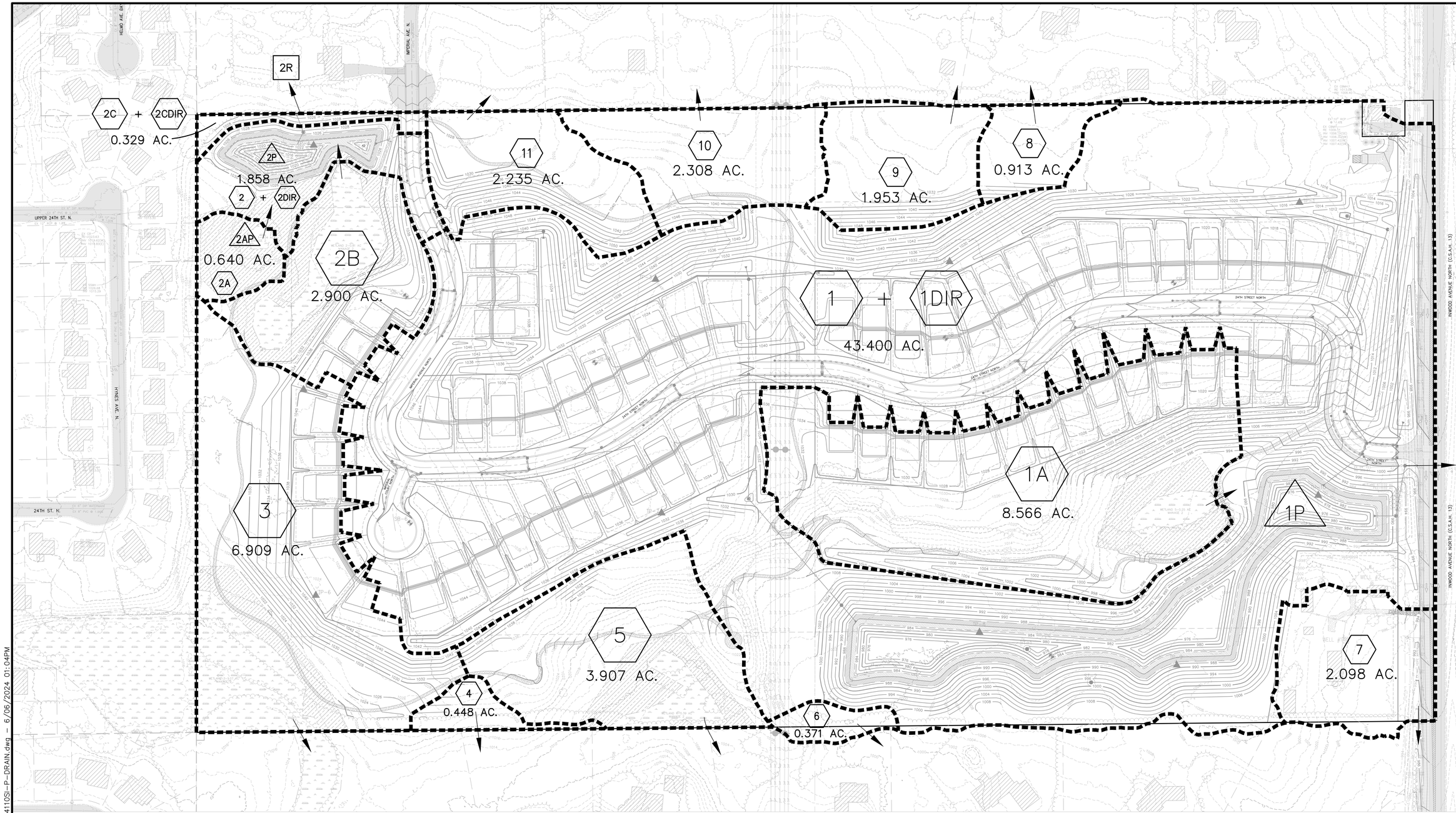

PROPOSED DRAINAGE MAP
OVERALL DRAINAGE AREA=78.835 AC.

LEGEND

- POND AREA
- DRAINAGE AREA
- REACH
- PRIMARY FLOW DIRECTION

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0 100 200 300
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Date:_____ Reg.No._24676

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
SITE INFORMATION
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY CJK
DATE 6/7/24
REVISIONS
CAD FILE 24110SI-P-DRAIN
PROJECT NO. 24110
1.12

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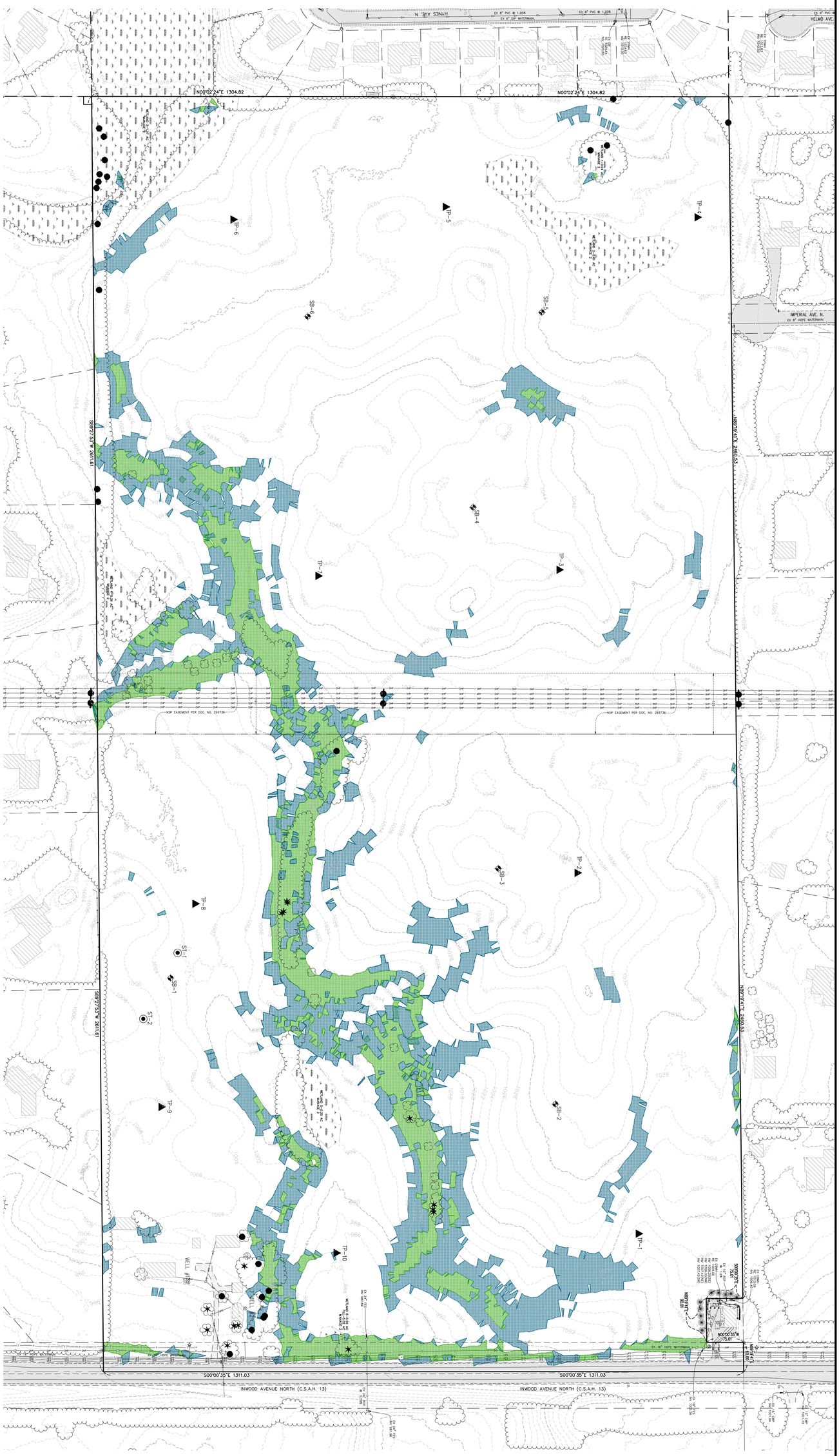

LEGEND

12%-18% SLOPES

18% AND STEEPER SLOPES

SCALE IN FEET
0 100 200 300
1"=100'

N

BENCHMARKS

1.) TOP NUT-HYDRANT 485 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF 30TH STREET NORTH AND 70 FEET EAST OF THE SIDE OF INWOOD AVENUE NORTH (C.S.A.H. 13). ELEVATION=1011.29 (NAVD 88)

2.) CAST IRON MONUMENT-NORTHWEST LOT CORNER OF SITE. ELEVATION=1023.99. (NAVD 88)

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DATE 6/7/24
REVISIONS

PROJECT NO. 24110
1:20

CAD FILE 24110EXC

HIGHPOINTE CROSSING

LAKE ELMO, MINNESOTA

EXISTING CONDITIONS

FOR

RACHEL DEVELOPMENT

4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

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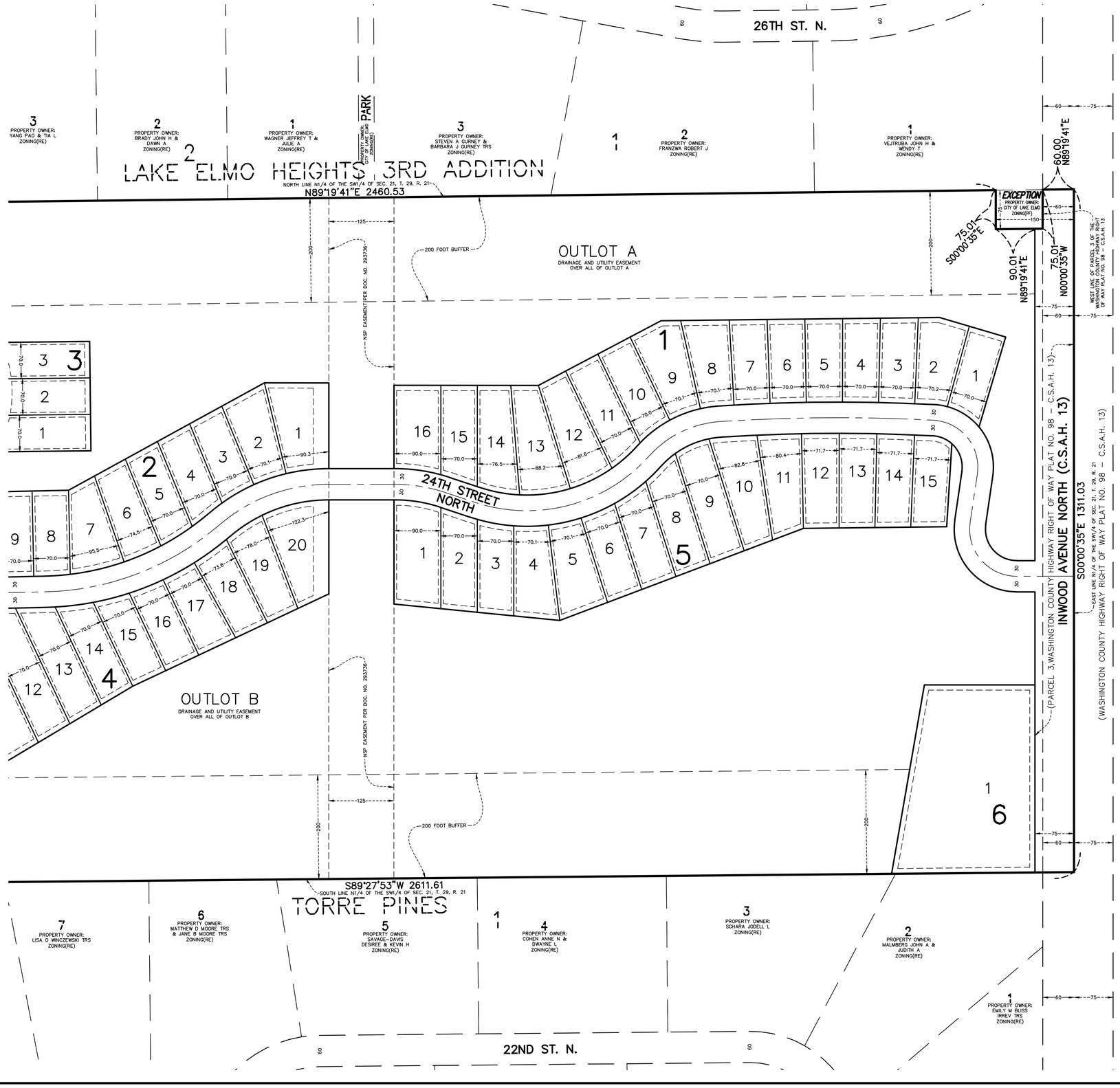
KURT D. QUAINTANCE, P.E.

Date:_____ Reg.No. 24676

James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2999 W. Cty. Rd. 42, Suite 100, Burnsville, MN 55306
PHONE: (952)890-6044 FAX: (952)890-6244



LEGAL DESCRIPTION—ABSTRACT PROPERTY

The North Half of the Southwest Quarter of Section 21, Township 29, Range 21, Washington County, Minnesota; Except: All that part of the North 75.00 feet of the East 150.00 feet of the North Half of the Southwest Quarter of Section 21, Township 29 North, Range 21 West, Washington County, Minnesota, which lies westerly of the west line of Parcel 3 of the Washington County Highway Right of Way Plat No. 98 — C.S.A.H. 13, according to the recorded plat thereof.

OWNER
CAROLINE MARY EBERHARD LIVING TRUST
1320 RYAN AVENUE WEST, ROSEVILLE, MN 55113

PROPERTY ADDRESS
2298 INWOOD AVENUE N., LAKE ELMO, MN 55042

PID NO.
21.029.21.32.0001

SITE DATA

EXISTING ZONING	RR — RURAL RESIDENTIAL
PROPOSED ZONING	OP PUD — OPEN SPACE PLANNED UNIT DEVELOPMENT
TOTAL SITE AREA—GROSS	3,408,136 S.F. (78.240 ACRES)
R.O.W. AREA	307,522 S.F. (7.060 ACRES)
EXISTING COUNTY ROAD (INWOOD AVE N/CSAH 13)	97,196 S.F. (2.231 ACRES)
SUBDIVISION ROADS (60' RIGHT OF WAYS)	210,326 S.F. (4.829 ACRES)
OUTLOT AREA	2,138,228 S.F. (49.087 ACRES)
EXISTING FARM HOMESTEAD LOT (LOT 1, BLOCK 6)	88,052 S.F. (2.021 ACRES)
SINGLE FAMILY LOT AREA	874,334 S.F. (20.072 ACRES)
NO. OF LOTS (UNITS) (BLOCKS 1–5)	64 LOTS
GROSS DENSITY	0.82 UNITS/GROSS ACRE
SMALLEST LOT SIZE	11,200 S.F.
LARGEST LOT SIZE	20,800 S.F.
AVERAGE LOT SIZE	13,661 S.F.
MINIMUM LOT WIDTH AT FRONT OF BUILDING PAD	70 FEET
MINIMUM LOT DEPTH	160 FEET
PAD DEPTH	85 FEET

MINIMUM SETBACKS

BUILDING	
FRONT	30 FEET
SIDE (GARAGE/HOUSE)	10 FEET
SIDE (STREET)	30 FEET
REAR	20 FEET
SEPTIC SYSTEM AND DRAINFIELDS	
PROPERTY LINE	10 FEET
WELL	300 FEET
RECREATIONAL USE	50 FEET

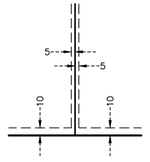
PROPOSED SITE IMPERVIOUS (NOT INCLUDING COUNTY ROAD 13)

SUBDIVISION LOTS (50% LOT AREA)	437,167 SF
EXISTING FARM HOMESTEAD	8,737 SF
SUBDIVISION ROAD	103,610 SF
SUBDIVISION SIDEWALK AND TRAIL (WITHIN SUBDIVISION ROAD RIGHT-OF-WAY)	20,369 SF
SUBDIVISION DRIVEWAY (WITHIN SUBDIVISION ROAD RIGHT-OF-WAY - 26' MAX.)	21,517 SF
COMMUNITY SEPTIC DRIVEWAY/ACCESS	1,995 SF
COMMUNITY SEPTIC BUILDING	256 SF
TOTAL PROPOSED SITE IMPERVIOUS	593,651 SF
SITE AREA (NOT INCLUDING COUNTY ROAD 13)	3,310,940 SF
PERCENTAGE IMPERVIOUS	17.93%

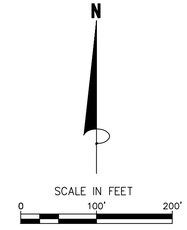
PROPOSED SITE IMPERVIOUS (INCLUDING COUNTY ROAD 13)

COUNTY ROAD 13	41,794 SF
TOTAL PROPOSED SITE IMPERVIOUS (FROM ABOVE)	593,651 SF
TOTAL PROPOSED SITE IMPERVIOUS	635,445 SF
SITE AREA (INCLUDING COUNTY ROAD 13)	3,408,136 SF
PERCENTAGE IMPERVIOUS	18.64%

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



DRAINAGE AND UTILITY EASEMENTS BEING 5 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, ADJOINING LOT LINES, AND BEING 10 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, ADJOINING RIGHT OF WAY LINES, AS SHOWN ON THIS PLAT.



James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2999 W. Cty. Rd. 42, Suite 100, Burnsville, MN 55306
PHONE: (952)890-6044 FAX: (952)890-6244

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.
MARCUS F. HAMPTON, MN L.S.
Reg.No. 47481
Date:

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
PRELIMINARY PLAT
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY
PLM
DATE
6/7/24
REVISIONS
CAD FILE
24110PP
PROJECT NO.
24110
2.00

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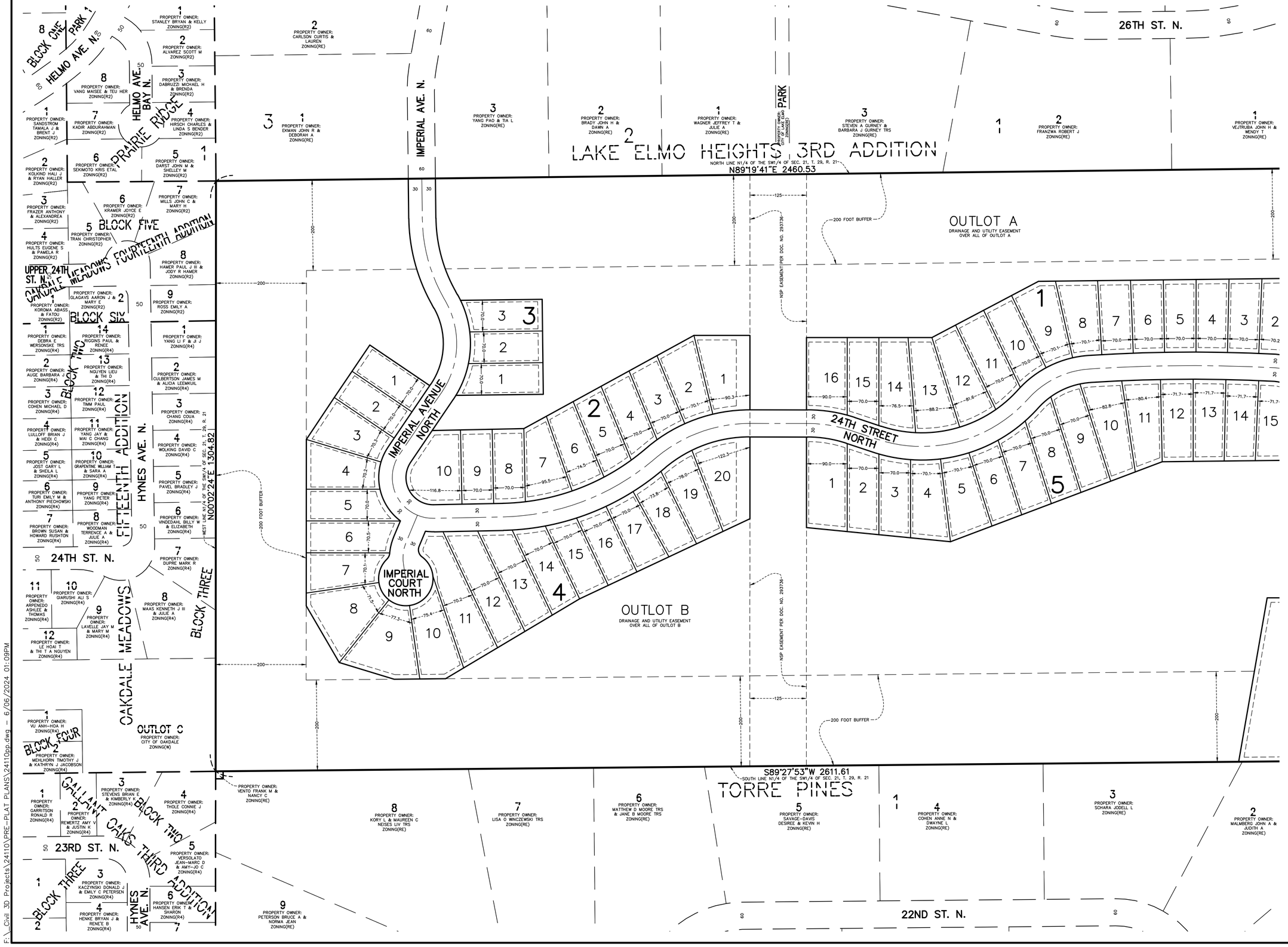

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MARCUS F. HAMPTON, MN L.S.

Date: _____ Reg.No. 47481

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA

PRELIMINARY PLAT
FOR

RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY
PLM
DATE
6/7/24
REVISIONS
CAD FILE
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PROJECT NO.
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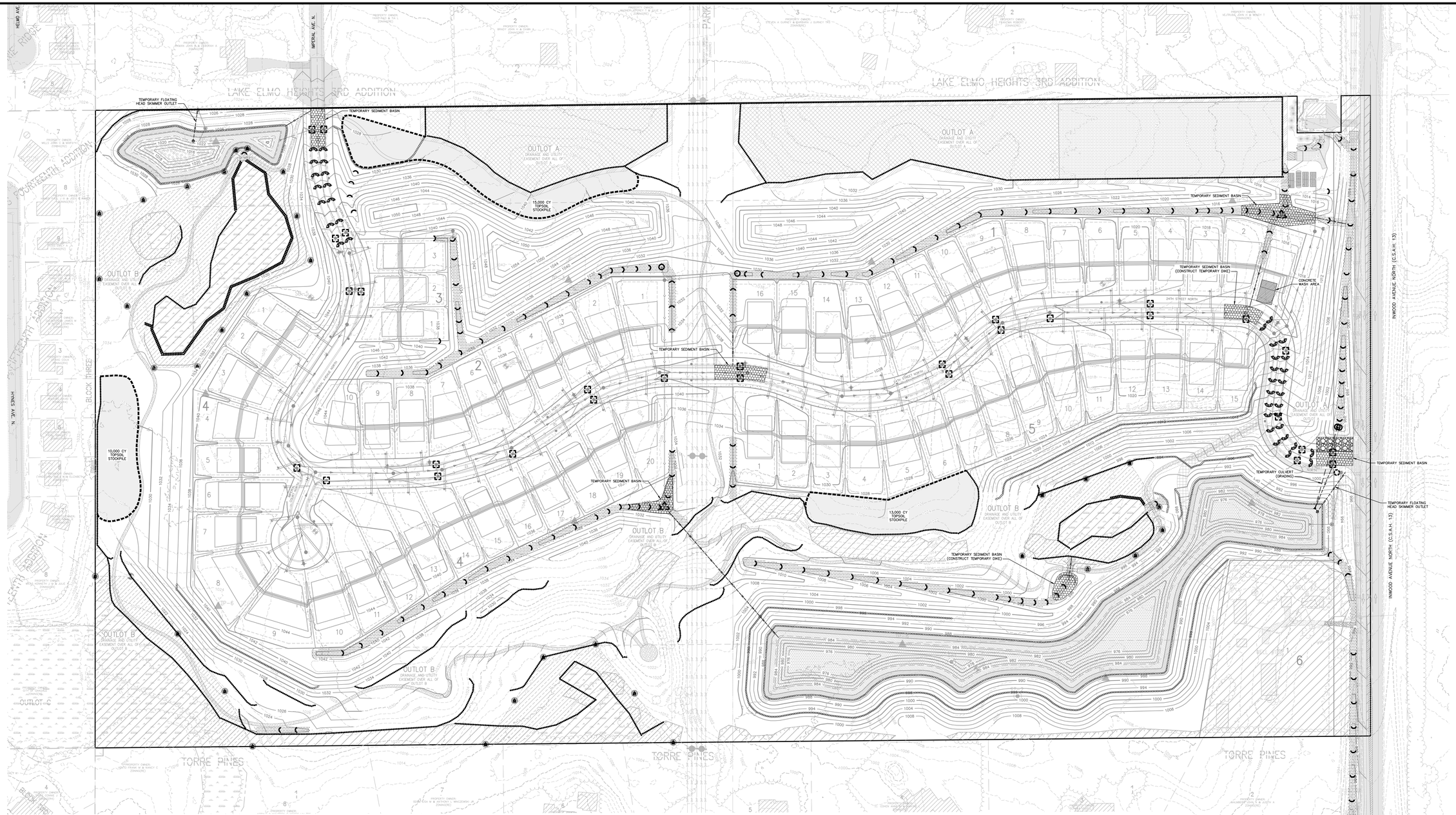

N

SCALE IN FEET
0 100 200 300
1"=100'

*DISTURBED AREA = 70.72 AC
–TOPSOIL REQUIRED FOR RESPREAD (4" THICKNESS–MIN.) = 37,651 CY
–TOPSOIL PILES = 38,000 CY

BENCHMARKS

1.) TOP NUT HYDRANT 485 FEET SOUTH OF 26TH STREET NORTH ON THE WEST SIDE OF INWOOD AVENUE NORTH (C.S.AH. 13). ELEVATION=1011.29 (NAVD 88)

2.) CAST IRON MONUMENT–NORTHWEST LOT CORNER OF SITE. ELEVATION=1023.99. (NAVD 88)

James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
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KURT D. QUAINTANCE, P.E.
Date: _____ Reg.No. 24676

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
PRELIMINARY EROSION & SEDIMENT CONTROL PLAN
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY
CJK
DATE
6/7/24
REVISIONS
CAD FILE
24110ERC
PROJECT NO.
24110
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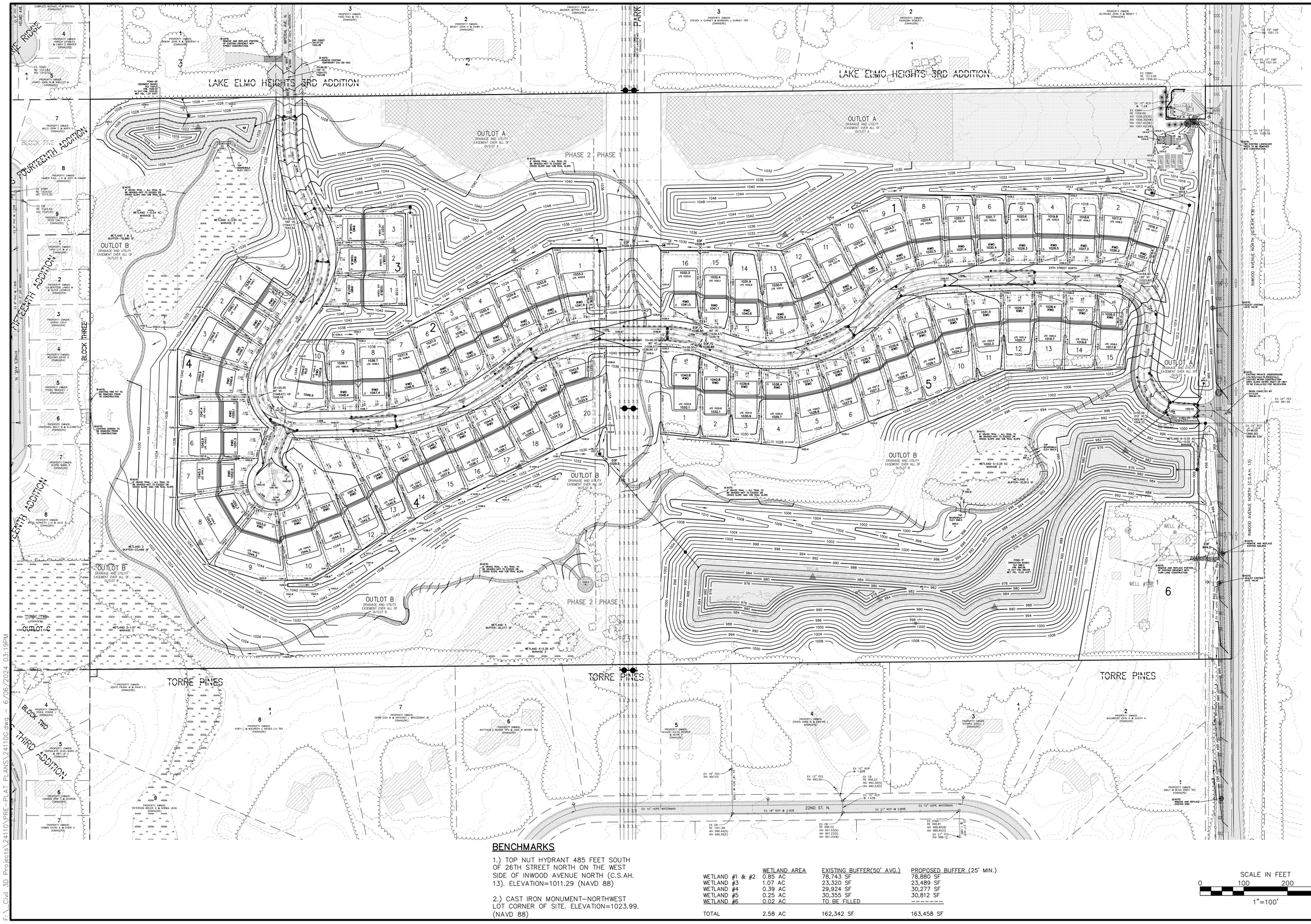

BENCHMARKS

1.) TOP NUT HYDRANT 485 FEET SOUTH OF 26TH STREET NORTH ON THE WEST SIDE OF INWOOD AVENUE NORTH (C.S.AH. 13). ELEVATION=1011.29 (NAVD 88)

2.) CAST IRON MONUMENT–NORTHWEST LOT CORNER OF SITE. ELEVATION=1023.99. (NAVD 88)

	WETLAND AREA	EXISTING BUFFER(50' AVG.)	PROPOSED BUFFER (25' MIN.)
WETLAND #1 & #2	0.85 AC	78,743 SF	78,880 SF
WETLAND #3	1.07 AC	23,320 SF	23,489 SF
WETLAND #4	0.39 AC	29,924 SF	30,277 SF
WETLAND #5	0.25 AC	30,355 SF	30,812 SF
WETLAND #6	0.02 AC	TO BE FILLED	
TOTAL	2.58 AC	162,342 SF	163,458 SF

SCALE IN FEET
0 100 200 300
1"=100'

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KURT D. QUAINTANCE, P.E.
Date: _____ Reg.No. 24675

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
PRELIMINARY GRADING & DRAINAGE PLAN
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY: CJK
DATE: 6/7/24
REVISIONS:
CAD FILE: 24110G
PROJECT NO.: 24110
3.20

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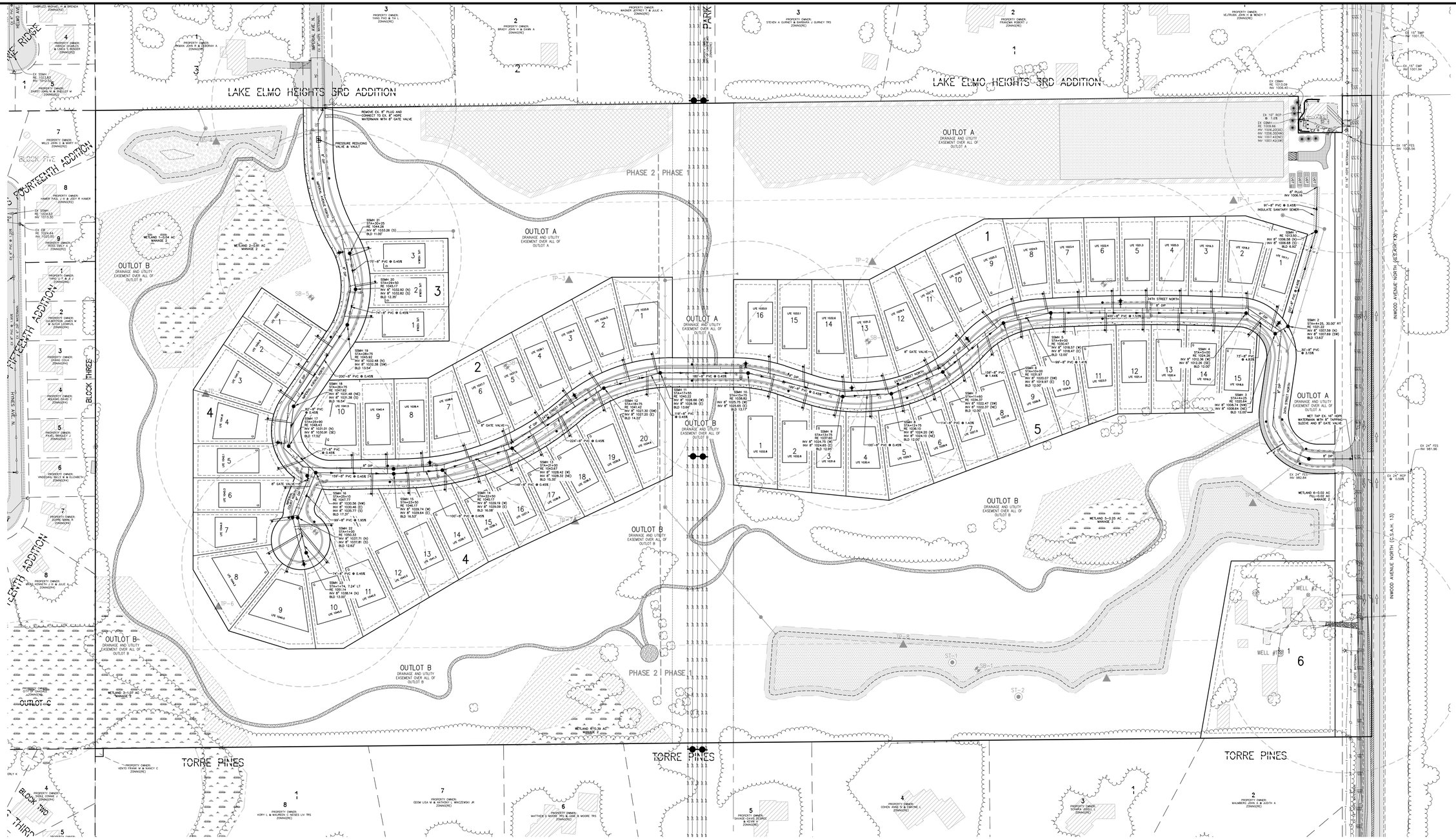

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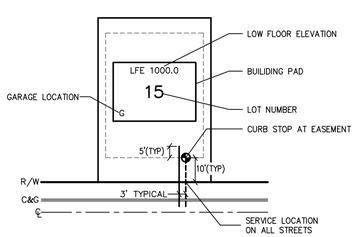
SCALE IN FEET
0 100 200 300
1"=100'

BENCHMARKS

1.) TOP NUT HYDRANT 485 FEET SOUTH OF 26TH STREET NORTH ON THE WEST SIDE OF INWOOD AVENUE NORTH (C.S.AH. 13). ELEVATION=1011.29 (NAVD 88)

2.) CAST IRON MONUMENT–NORTHWEST LOT CORNER OF SITE. ELEVATION=1023.99. (NAVD 88)



SERVICE LEGEND

NOTES

1.)ALL WATERMAIN TO BE 8" DIP CL52 WITH POLYWRAP.

2.)ALL WATERMAIN SERVICES TO BE 1" TYPE K COPPER.

3.)ALL SANITARY SEWER TO BE 8" PVC SDR 35 WITH TRACER WIRE

4.)ALL SANITARY SEWER SERVICES TO BE 4" PVC SCH 40 WITH TRACER WIRE.

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KURT D. QUAINTANCE, P.E.
Date:_____ Reg.No._24676

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
PRELIMINARY UTILITY PLAN
SANITARY SEWER & WATERMAIN
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY CJK
DATE 6/7/24
REVISIONS
CAD FILE 24110U-SS
PROJECT NO. 24110
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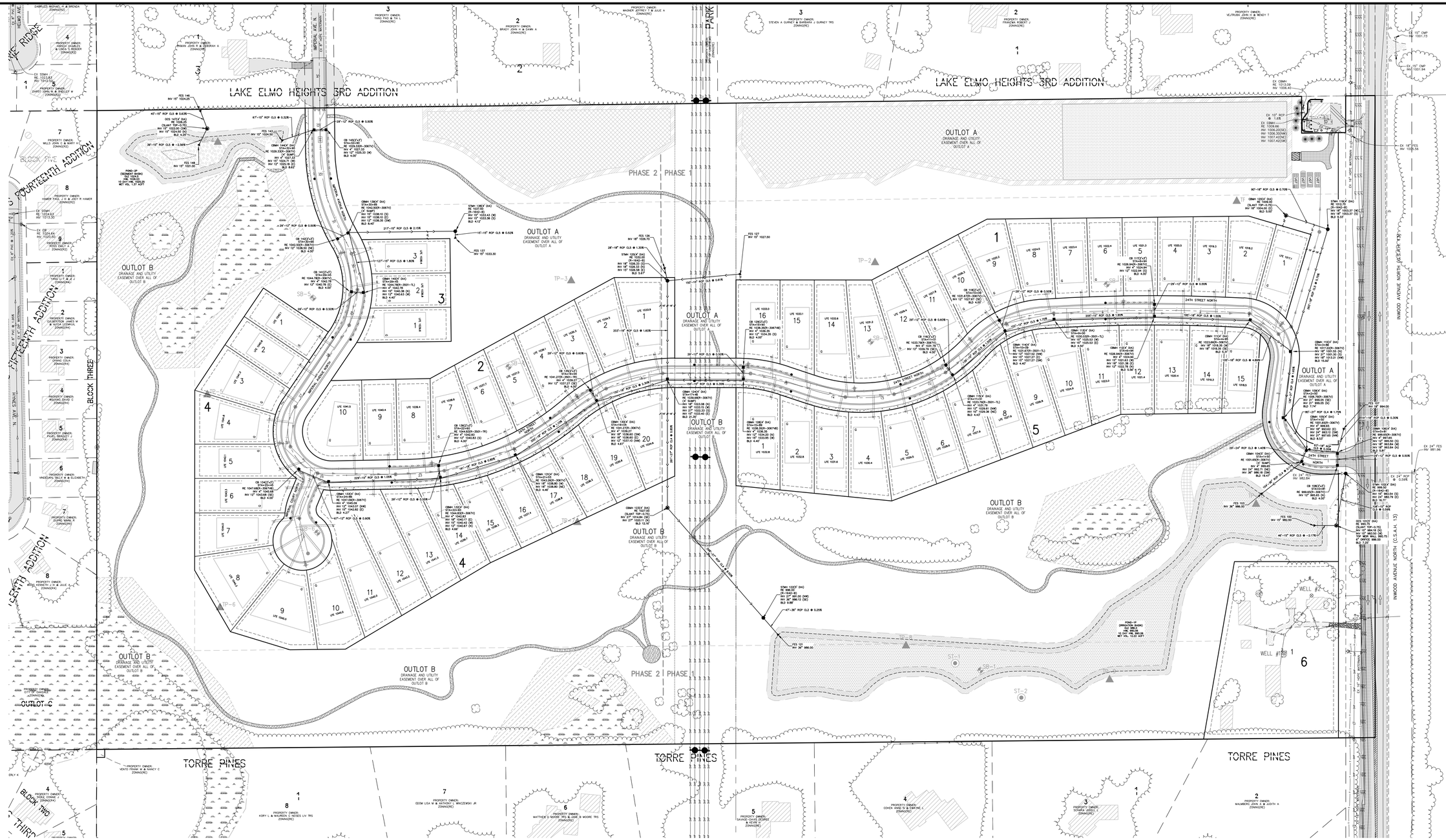

NOTES

1.)ALL SUMPS TO BE INSTALLED WITH SAFL BAFFLE OR APPROVED EQUAL.

2.)ALL DRAINTILE TO BE 4" PERFORATED PVC SCHEDULE 40.

BENCHMARKS

1.) TOP NUT HYDRANT 485 FEET SOUTH OF 26TH STREET NORTH ON THE WEST SIDE OF INWOOD AVENUE NORTH (C.S.AH. 13). ELEVATION=1011.29 (NAVD 88)

2.) CAST IRON MONUMENT–NORTHWEST LOT CORNER OF SITE. ELEVATION=1023.99. (NAVD 88)

N

SCALE IN FEET
0 100 200 300
1"=100'

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Date: _____ Reg.No. 24676

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
PRELIMINARY UTILITY PLAN
STORM SEWER
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY: CJK
DATE: 6/7/24
REVISIONS
CAD FILE: 24110U–ST
PROJECT NO.: 24110
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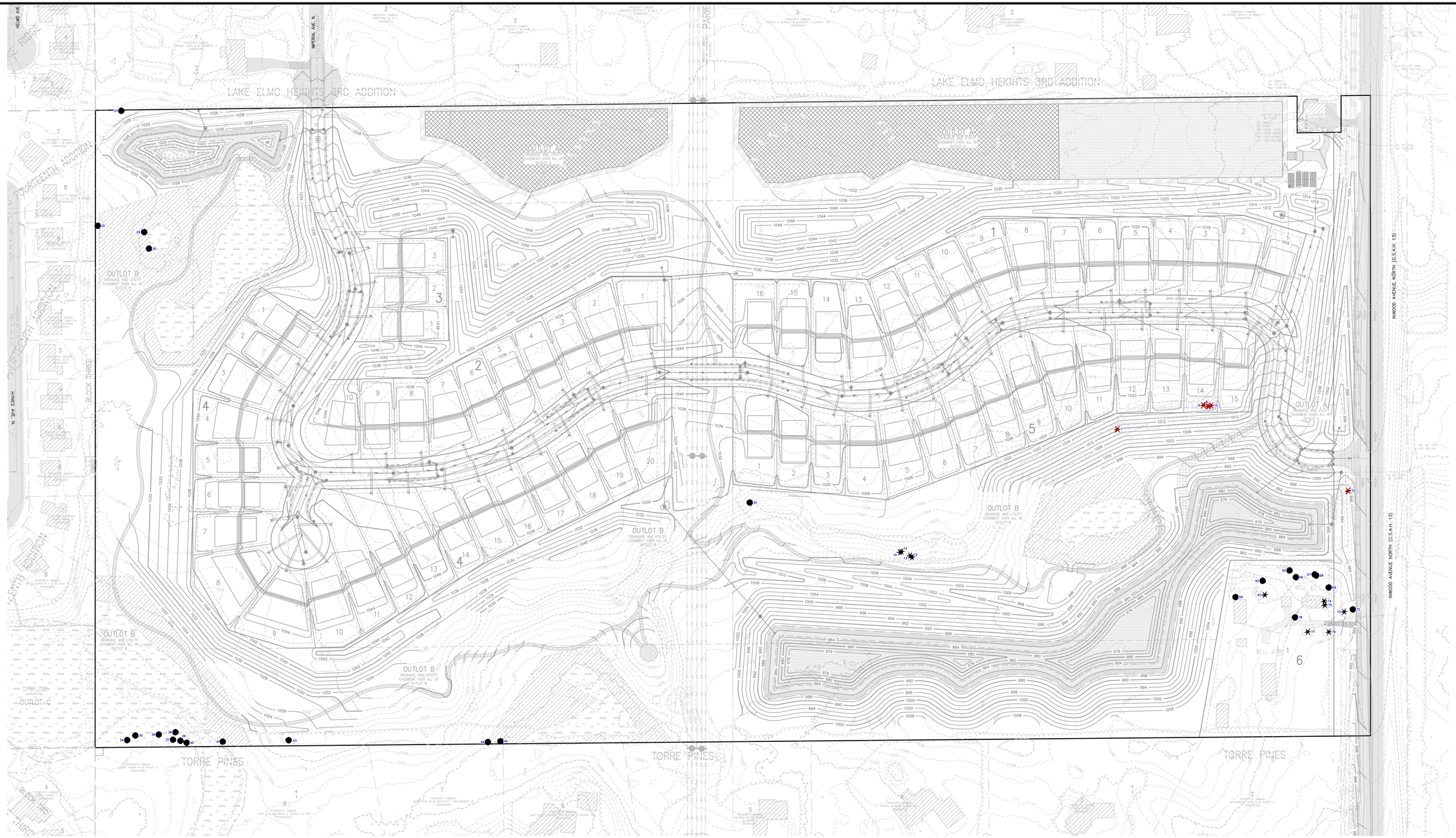

SIGNIFICANT TREES

TREE NO.	SPECIES	CALIPER INCHES	CONDITION	SPECIMEN	HEIGHT	TYPE
7	Spruce, white	4.0	Good	No		Conifer
8	Redcedar	4.0	Good	No		Conifer
9	Redcedar	6.0	Good	No		Conifer
10	Spruce, white	5.5	Good	No		Conifer
12	Redcedar	6.0	Good	No		Conifer
13	Redcedar	3.0	Good	No		Conifer
14	Redcedar	7.0	Good	No		Conifer
15	Redcedar	6.0	Good	No		Conifer
20	Oak, bur	13.5	Good	No		Hardwood
23	Cherry, black	48.0	Fair	Yes		Hardwood
25	Walnut	9.0	Good	No		Hardwood
29	Willow	40.0	Good	No		Common
30	Willow	23.0	Fair	No		Common
34	Oak, pin	8.5	Good	No		Hardwood
35	Oak, pin	6.5	Good	No		Hardwood
36	Oak, bur	27.0	Good	No		Hardwood
37	Cherry, black	11.5	Fair	No		Hardwood
38	Oak, bur	23.0	Good	No		Hardwood
39	Oak, pin	12.5	Good	No		Hardwood
40	Oak, bur	7.5	Good	No		Hardwood

SIGNIFICANT TREES

TREE NO.	SPECIES	CALIPER INCHES	CONDITION	SPECIMEN	HEIGHT	TYPE
41	Cherry, black	7.0	Good	No		Hardwood
43	Cherry, black	11.0	Good	No		Hardwood
44	Cherry, black	20.0	Fair	No		Hardwood
45	Aspen	13.0	Good	No		Common
59	Elm, American	14.0	Good	No		Common
62	Oak, bur	29.0	Good	No		Hardwood
63	Spruce, blue	11.0	Fair	Yes	40'	Conifer
65	Elm, American	14.0	Good	No		Common
66	Maple, silver	33.5	Good	No		Common
67	Oak, pin	17.5	Good	No		Hardwood
68	Oak, pin	18.5	Good	No		Hardwood
69	Maple, silver	35.0	Fair	No		Common
70	Spruce, white	10.5	Fair	Yes	35'	Conifer
72	Maple, silver	45.5	Good	No		Common
73	Spruce, white	18.5	Good	Yes	45'	Conifer
74	Arborvitae	10.0	Fair	No		Conifer
75	Arborvitae	10.0	Good	No		Conifer
76	Spruce, white	19.5	Fair	Yes	50'	Conifer
77	Spruce, white	22.0	Fair	Yes	35'	Conifer
78	Maple, silver	42.0	Good	No		Common

TOTAL NO. OF SIGNIFICANT TREES	40	
TOTAL NO. OF CALIPER INCHES	673.0	
TOTAL SAVED CALIPER INCHES	643.0	95.54%
TOTAL REMOVED CALIPER INCHES	30.0	4.46%
CONIFEROUS TREES	15	
TOTAL CALIPER INCHES	143.0	
SAVED CALIPER INCHES	113.0	79.02%
REMOVED CALIPER INCHES	30.0	20.98%
COMMON TREES	9	
TOTAL CALIPER INCHES	260.0	
SAVED CALIPER INCHES	260.0	100.00%
REMOVED CALIPER INCHES	0.0	0.00%
HARDWOOD TREES	16	
TOTAL CALIPER INCHES	270.0	
SAVED CALIPER INCHES	270.0	100.00%
REMOVED CALIPER INCHES	0.0	0.00%

LEGEND

SAVED TREES

REMOVED TREES

N

SCALE IN FEET
0 100 200 300
1"=100'

BENCHMARKS

1.) TOP NUT HYDRANT 485 FEET SOUTH OF 26TH STREET NORTH ON THE WEST SIDE OF INWOOD AVENUE NORTH (C.S.AH. 13). ELEVATION=1011.29 (NAVD 88)

2.) CAST IRON MONUMENT–NORTHWEST LOT CORNER OF SITE. ELEVATION=1023.99. (NAVD 88)

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HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
PRELIMINARY TREE PRESERVATION PLAN
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY
CJK

DATE
6/7/24

REVISIONS

CAD FILE
24110TP

PROJECT NO.
24110

5.00

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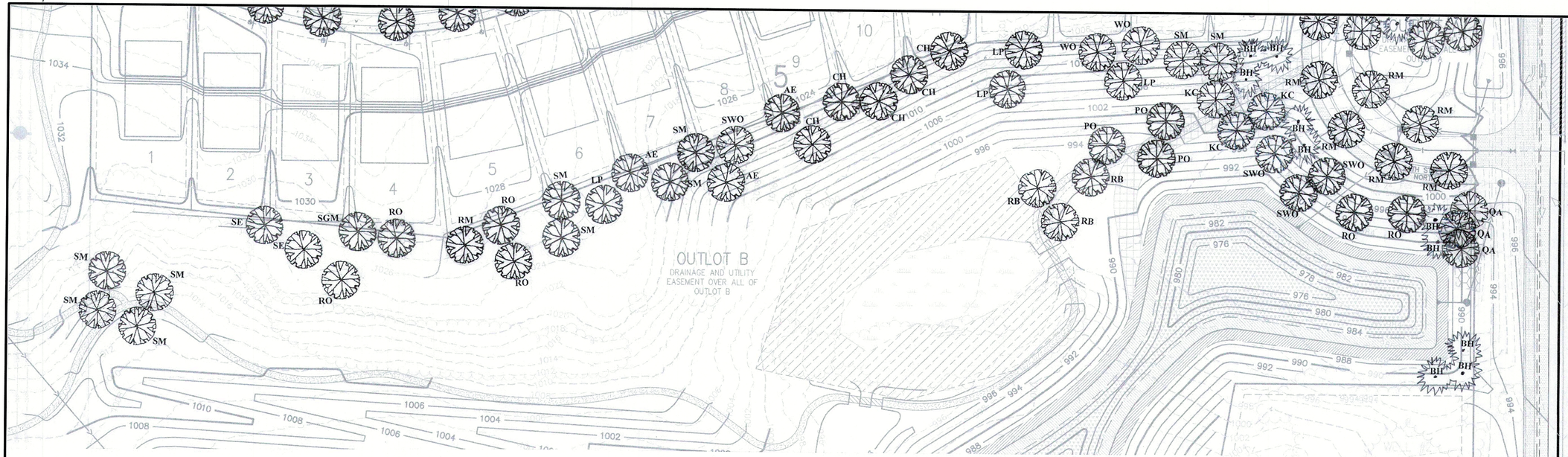

STREET TREE PLANT LIST/SHEETS 6.00, 6.01, 6.02 & 6.03

12	AE	Accolade Elm / Ulmus Japonica x wilsoniana 'Morton'	2.5" cal. BB	Straight trunk, No V-crotch
14	HL	Skyline Honeylocust / Gleditsia triacanthos var. inermis 'Skycole'	2.5" cal BB	Straight trunk, No V crotch
8	NE	New Horizon Elm / Ulmus x 'New Horizon'	2.5" cal BB	Straight trunk, No V crotch
29	RM	Autumn Blaze Maple / Acer x freemannii 'Jeffersred'	2.5" cal BB	Straight trunk, No V crotch
8	RO	Red Oak / Quercus rubra	2.5" cal BB	Straight trunk, No V crotch
5	SM	Fall Fiesta Sugar Maple / Acer saccharum 'Bailsta'	2.5" cal BB	Straight trunk, No V crotch
28	SWO	Swamp White Oak / Quercus bicolor	2.5" cal BB	Straight trunk, No V crotch
17	LP	Greenspire Linden / Tilia cordata 'Greenspire'	2.5" cal BB	Straight trunk, No V crotch
7	SE	St. Croix Elm / Ulmus americana 'St Croix (PP20,097)	2.5" cal BB	Straight trunk, No V crotch
9	SGM	Sienna Glen Maple / Acer x freemanii' Sienna' (P11,322)	2.5" cal BB	Straight trunk, No V crotch

OPEN SPACE TREE PLANT LIST/SHEETS 6.00, 6.01, 6.02 & 6.03

7	AE	Accolade Elm / Ulmus Japonica x wilsoniana 'Morton'	1.5" cal. BB	Straight trunk, No V-crotch
12	CH	Common Hackberry / Celtis occidentalis	1.5" cal. BB	Straight trunk, No V crotch
4	HL	Skyline Honeylocust / Gleditsia triacanthos var. inermis 'Skycole'	1.5" cal BB	Straight trunk, No V crotch
14	KC	Espresso Kentucky Coffeetree / Gymnocladus dioica 'Espresso'	1.5" cal BB	Straight- trunk, No V crotch
11	NE	New Horizon Elm / Ulmus x 'New Horizon'	1.5" cal BB	Straight trunk, No V crotch
9	PO	Majestic Skies Pin Oak / Quercus ellipsoidalis 'Bailskies'	1.5" cal BB	Straight trunk, No V crotch
3	QA	Quaking Aspen / Populus tremuloides	1.5" cal BB	Straight trunk, No V crotch
32	WO	White Oak / Quercus alba	1.5" cal BB	Straight trunk, No V crotch
31	RM	Autumn Blaze Maple / Acer x freemannii 'Jeffersred'	1.5" cal BB	Straight trunk, No V crotch
24	RO	Red Oak / Quercus rubra	1.5" cal BB	Straight trunk, No V crotch
32	SM	Fall Fiesta Sugar Maple / Acer saccharum 'Bailsta'	1.5" cal BB	Straight trunk, No V crotch
22	SWO	Swamp White Oak / Quercus bicolor	1.5" cal BB	Straight trunk, No V crotch
26	IW	Ironwood / Ostrya virginiana / Clump form	10' ht BB	Multi-stem
13	LP	Sycamore / Platanus x acerifolia 'Bloodgood'	1.5" cal BB	Straight trunk, No V crotch
10	SE	St. Croix Elm / Ulmus americana 'St Croix (PP20,097)	1.5" cal BB	Straight trunk, No V crotch
20	BO	Bur Oak / Quercus macrocarpa	1.5" cal BB	Straight trunk, No V crotch
9	RB	River Birch (single-stem)	1.5" cal.BB	Straight trunk, No V crotch
5	MG	Green Mountain Maple / Acer saccharum 'Green Mountain'	1.5" cal BB	Straight trunk, No V crotch
11	AP	Austrian Pine / Abies balsamea / Pinus Nigra	6' ht. BB	Full Form to grade
16	BH	Black Hills Spruce / Picea Glauca 'Densata'	6' ht. BB	Full Form to grade
10	BF	Balsam Fir / Abies balsamea	6' ht BB	Full Form to grade

GENERAL NOTES

- LANDSCAPE CONTRACTOR SHALL VISIT SITE PRIOR TO SUBMITTING BID TO BECOME COMPLETELY FAMILIAR WITH SITE CONDITIONS.

- ALL ROUGH AND FINISH GRADING TO BE DONE BY OTHERS.

- NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN IMMEDIATE AREA.

- IT IS THE RESPONSIBILITY OF THE OWNER & CONTRACTOR TO IDENTIFY ALL UNDERGROUND CABLES, PIPING, CONDUITS, WIRES, ETC, ON THE PROPERTY.

- ALL CONTAINER MATERIAL TO BE GROWN IN CONTAINER A MINIMUM OF 6 MONTHS.

- REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO THE OWNER.

- GUARANTEE NEW PLANT MATERIAL THROUGH ONE CALENDAR YEAR FOR DECIDUOUS TREES UP TO 3-1/2" CAL. & CONIFERS UP TO 11' HT. (LARGER SIZES WILL BE GUARANTEED FOR TWO CALENDAR YEARS FROM TIME OF PROVISIONAL ACCEPTANCE.

- ALL PROPOSED PLANTS SHALL BE LOCATED CAREFULLY AS SHOWN ON THE PLANS AND SHALL BE APPROVED BY LANDSCAPE ARCHITECT BEFORE THEY ARE INSTALLED.

- CONTRACTOR CAN SUBSTITUTE MACHINE MOVED MATERIAL USING APPROPRIATE SIZE TREE SPADE FOR B&B WITH LANDSCAPE ARCHITECTS APPROVAL.

- LANDSCAPE CONTRACTOR SHALL ENSURE THAT NEW TREES MOVED ONTO THE SITE ARE DUG FROM SIMILAR SITES WITH SIMILAR SOILS TO THE SOILS OF THIS PROJECT (HEAVY TO HEAVY, LIGHT TO LIGHT, HEAVY TO LIGHT SOILS)

- LANDSCAPE CONTRACTOR IS REQUIRED TO PROVIDE OWNER WITH MAINTENANCE INFORMATION DURING GUARANTEE PERIOD RELATING TO WATERING, FEEDING, PRUNING, PEST CONTROL, AND RELATED ITEMS. THIS WILL BE PREPARED AND DELIVERED TO OWNER AFTER PROVISIONAL INSPECTION APPROVAL HAS BEEN GIVEN BY LANDSCAPE ARCHITECT.

- WRAPPING MATERIAL SHALL BE WHITE CORRUGATED TREE PROTECTION WITH THE SIZE OF TUBE 1" DIA.(MIN.) LARGER THAN THE CALIPER INCH SIZE OF TREE TO BE PROTECTED. WRAP ALL TREES, EXCEPT HACKBERRY. TREES SHALL BE PROTECTED PRIOR TO 12/1 AND TUBES REMOVED BY 5/1.

- POLY EDGER UNLESS SPECIFIED OTHERWISE, SHALL BE BLACK VINYL EDGER, OLY-OLA EDGINGS INC. SUPER-EDG STYLE EDGER.

- WOOD MULCH WILL BE 3" DEEP FINE SHREDDED HARDWOOD MULCH (MED TO DARK. BROWN COLOR) WITH WEED CHEK CLOTH IN AREAS AS SHOWN ON THE PLAN.

- 3" DEEP SHREDDED HARDWOOD MULCH WILL BE INSTALLED UNDER ALL TREES AND SHRUBS THAT ARE ISOLATED FROM GROUNDCOVER AREAS AND GENERAL SHRUB MASSES.

- LANDSCAPE WEED CHEK FABRIC (FILTER MAT) TO HAVE A COMBINED WEIGHT OF 4.5 -5.5 OZ. PER S.Y. FABRIC SHOULD BE U.V. STABILIZED AND HAVE A FIVE YEAR MINIMUM WEATHERABILITY FACTOR IN FULL SUNLIGHT. FABRIC TO BE PHILLIPS DUON R OR EQUIVALENT. SAMPLED REQUIRED FOR APPROVAL.

- ALL PLANTING SHALL RECEIVE FERTILIZER AS FOLLOWS: SUMMER AND FALL PLANTING – BEFORE WINTER FREEZE-UP APPLY 0-20-20 GRANULAR IN SAUCER AROUND PLANT AT THE RATE OF (1) 12 OZ. CAN PER 2-3" CAL. TREE & (1) 6 OZ. CAN FULL PER SHRUB. FOLLOW UP WITH THE SAME AMOUNT OF 10-10-10 THE FOLLOWING SPRING.

- AREAS NOTED TO RECEIVE SOD – SOD SHALL BE HIGHLAND SOD, TO BE LAID PARALLEL TO THE CONTOURS AND HAVE STAGGERED JOINTS. ON SLOPES STEEPER THAN 3:1 OR DRAINAGE SWALES, THE SOD SHALL BE STAKED INTO THE GROUND. SCARIFY THE EXISTING GRADES WITH FIELD CULTIVATOR TO A MIN. DEPTH OF 6" PRIOR TO PLACING OF TOPSOIL AND FINISH GRADING FOR SOD IMMEDIATELY PRIOR TO PLACING SOD. CONTRACTOR SHALL APPLY 10-6-4 FERTILIZER AT THE RATE OF 10 POUNDS PER 1000 SQ. FT. PRIOR TO INSTALLING SOD.

- AREAS NOTED TO RECEIVE SEED- REFER TO PROJECT SPECIFICATIONS MANUAL.

- SMALL ORNAMENTAL TREES SHALL HAVE NO BRANCHES BELOW 36" ABOVE THE ROOTBALL, AND HAVE NO "V" CROTCHES.

- CALIPER OF ALL TREE TRUNKS UP TO AND INCLUDING 4" SHALL BE MEASURED 6" ABOVE GROUND LEVEL, AND 12" ABOVE GROUND LEVEL FOR LARGER SIZES.

- DECIDUOUS SHRUBS SHALL HAVE MINIMUM OF FIVE (5) CANES AT SPECIFIED HEIGHT UNLESS OTHERWISE NOTED IN PLANT LIST.

- PLANTING SOIL - ALL PLANTING AREAS RECEIVING GROUNDCOVER, PERENNIALS, SHALL RECEIVE A MIN. 8" SETTLED DEPTH OF PLANTING SOIL (45% TOPSOIL, 45% PEAT OR MANURE, 10% CLEAN SAND THOROUGHLY MIXED). PLANTING SOIL INSTALLATION SHALL BE INSPECTED AND APPROVED BY LANDSCAPE ARCHITECT FOR DEPTH AND SOIL MIXTURE PRIOR TO INSTALLATION OF PLANTS, FABRIC AND MULCH.

- ALL PERENNIAL BEDS WHERE PERENNIALS ARE PLANTED. WEED CHEK MAT WILL BE CUT A MINIMUM OF 12" INCHES IN BOTH DIRECTIONS AT THE CENTER LOCATION OF THE PLANT TO ALLOW FOR PLANT TO INCREASE IN SIZE. MULCHES WILL NOT BE ANY DEEPER THAN 3".

- IF THE CONTRACTOR FEELS AN ERROR HAS BEEN MADE REGARDING SPACING OR HARDINESS OF A SPECIES OF PLANT MATERIAL INDICATED ON THE PLAN, NOTIFY THE LANDSCAPE ARCHITECT PRIOR TO THE INSTALLATION OF PLANT MATERIAL.

- ALL NEWLY INSTALLED PLANT MATERIAL SHALL BE PLANTED IN WELL-DRAINED AREAS. CONTRACTOR SHALL AVOID INSTALLING ANY PLANT MATERIAL IN DRAINAGE SWALES OR WET OR POORLY DRAINED AREAS.

- IRRIGATION SYSTEM TO BE DESIGNED AND INSTALLED BY CONTRACTOR. AFTER IRRIGATION SYSTEM HAS BEEN INSTALLED AND OPERATING THE OWNER/ PLANTING CONTRACTOR SHALL CONTROL THE IRRIGATION SYSTEM DURING THE PLANT GUARANTEE PERIOD TO INSURE THAT THE CORRECT AMOUNT OF WATERING IS BEING APPLIED TO NEW PLANTINGS.

- CONTRACTOR BIDDING PROJECT SHALL BE REQUIRED TO VERIFY THAT THE NUMBER OF PLANT SYMBOLS ON PLAN ARE THE SAME AS NOTED IN THE PLANT LIST. NUMBER OF PLANT SYMBOLS ON THE PLAN SHALL TAKE PRECEDENCE OVER PLANT LIST.

N

SCALE IN FEET
0 50 100 150
1"=50'

BENCHMARKS

1.) TOP NUT HYDRANT 485 FEET SOUTH OF 26TH STREET NORTH ON THE WEST SIDE OF INWOOD AVENUE NORTH (C.S.AH. 13). ELEVATION=1011.29 (NAVD 88)

2.) CAST IRON MONUMENT–NORTHWEST LOT CORNER OF SITE. ELEVATION=1023.99. (NAVD 88)

PROPOSED DECIDUOUS TREE (412)
–STREET TREES –130 DECIDUOUS
–OPEN SPACE TREES –282 DECIDUOUS
–38 CONIFEROUS

PROPOSED CONIFEROUS TREE (38)

NOTES

1. SOME TREES HAVE BEEN PLACED NON–TYPICALLY TO AVOID ENCROACHMENTS WITH EXISTING AND PROPOSED UTILITIES.

2. FINAL TREE VARIETIES AND SELECTION WILL BE BASED ON SPECIES AVAILABILITY AT TIME OF FINAL PLAT.

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1949 Woodstone Lane Victoria, MN 55386 (952) 283-1415

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GENE F. ERNST, PLA.
Date: 6.6.24 Lic. No. 12297

James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2999 W. Cty. Rd. 42, Suite 100, Burnsville MN 55306
PHONE: (952)890-6044 FAX: (952)890-6244

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
FOR
PRELIMINARY LANDSCAPE PLAN
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

DRAWN BY CJK
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PROJECT NO. 24110
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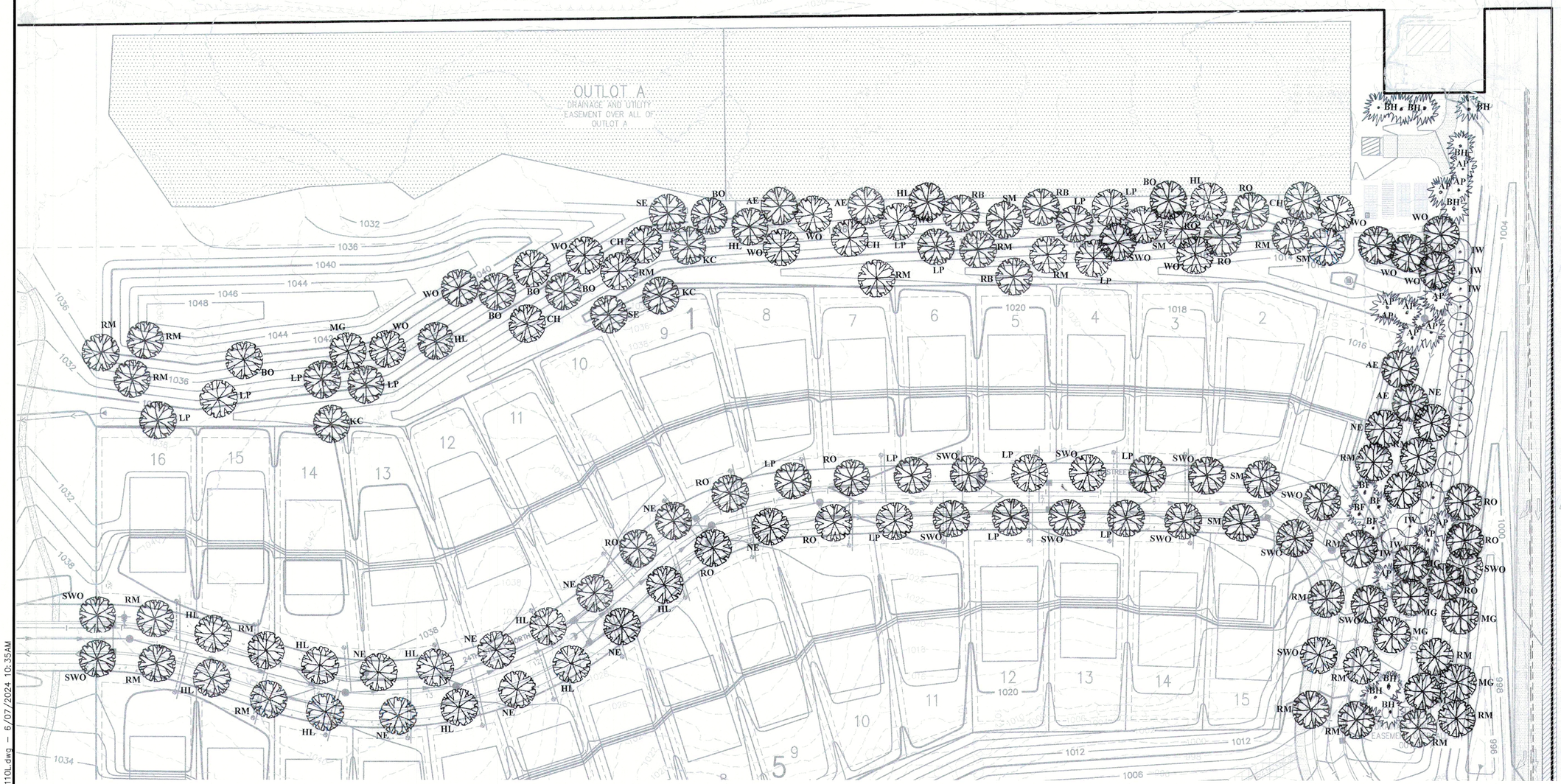

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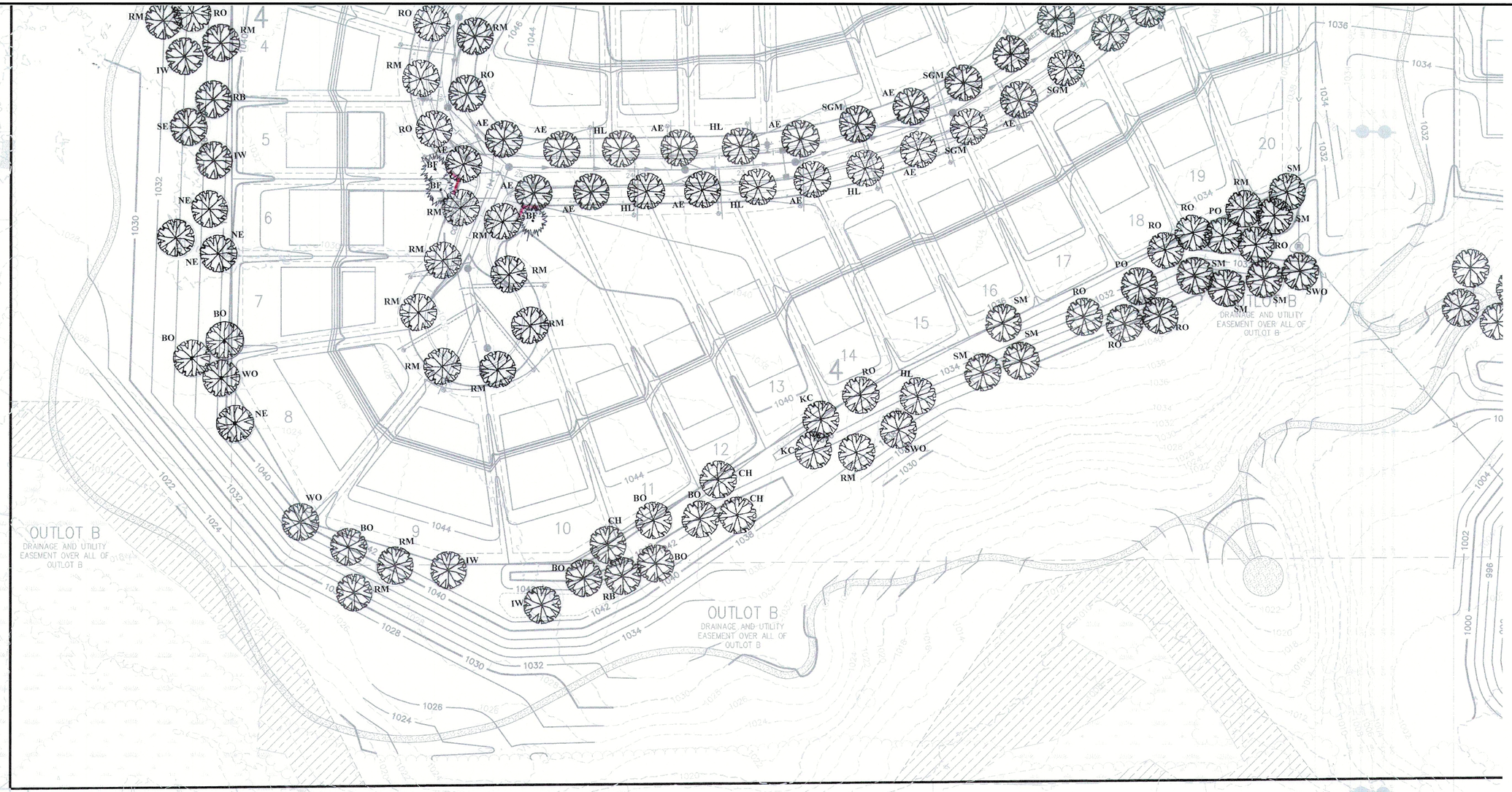

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SCALE IN FEET
0 50 100 150
1"=50'

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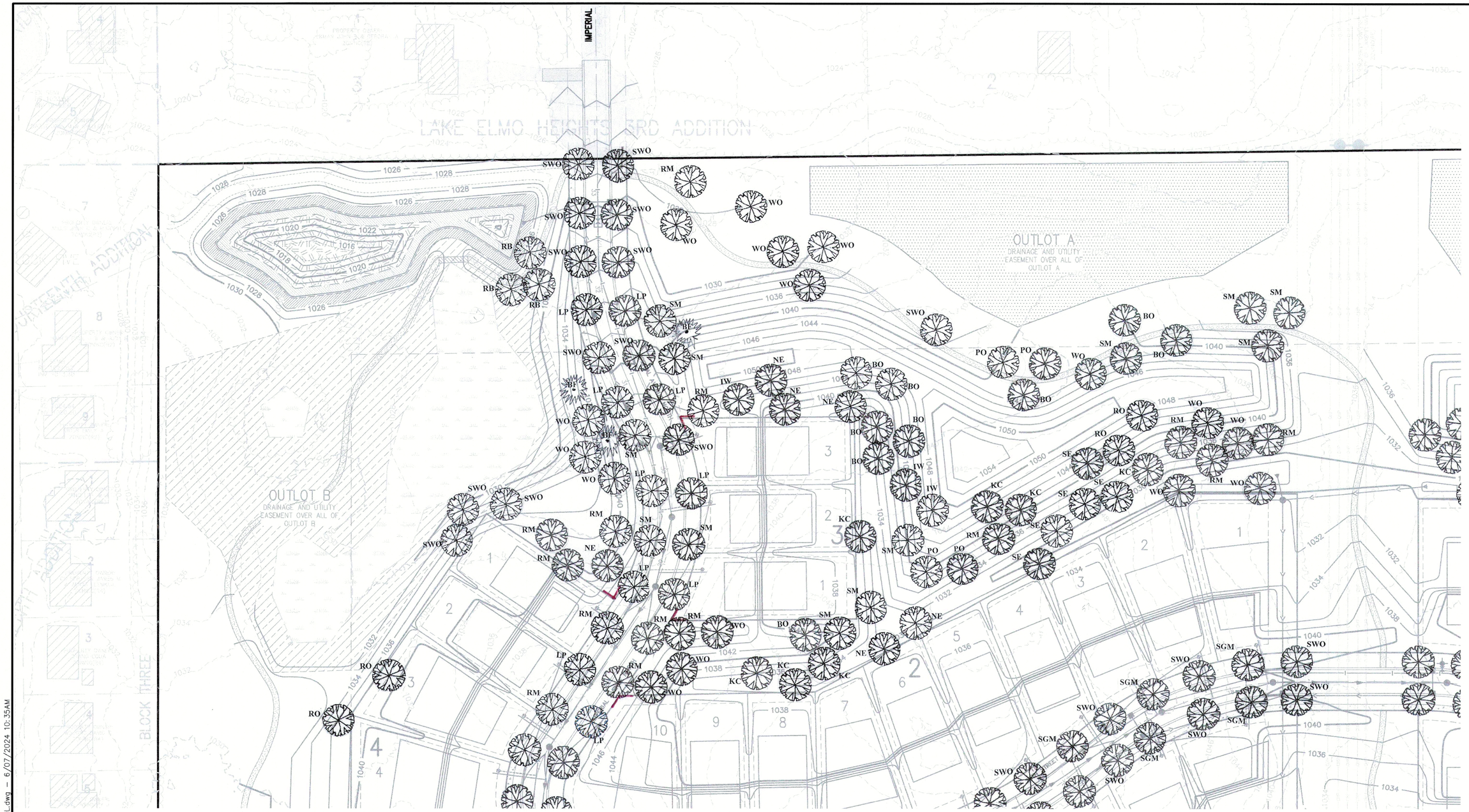

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SCALE IN FEET
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1"=50'

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HIGHPOINTE CROSSING
PLANTING PLAN @ MAIN ENTRANCE

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SCALE IN FEET
0 20 40 60
1"=20'

N

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HIGHPOINTE CROSSING
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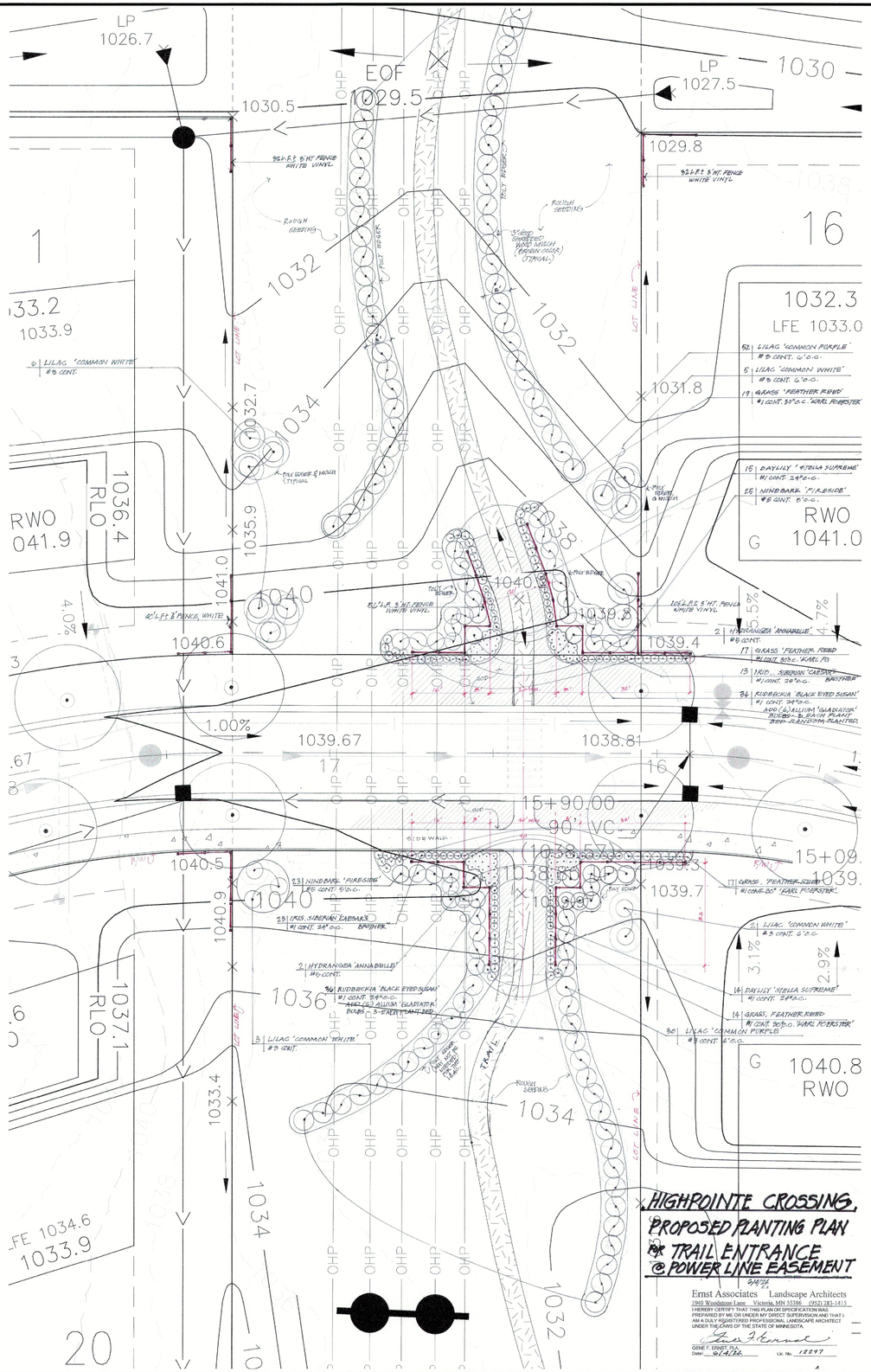

HIGHPOINTE CROSSING, PROPOSED PLANTING PLAN FOR TRAIL ENTRANCE @ POWER LINE EASEMENT

HIGHPOINTE CROSSING PROPOSED PLANTING PLAN FOR SECONDARY ENTRANCE

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1"=20'

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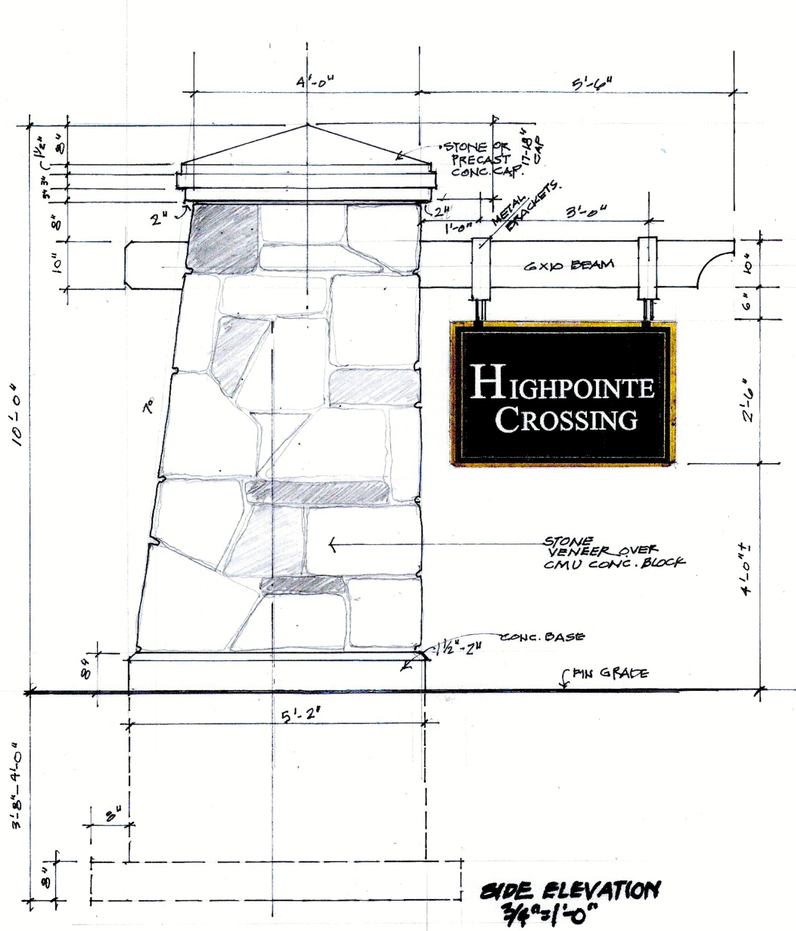
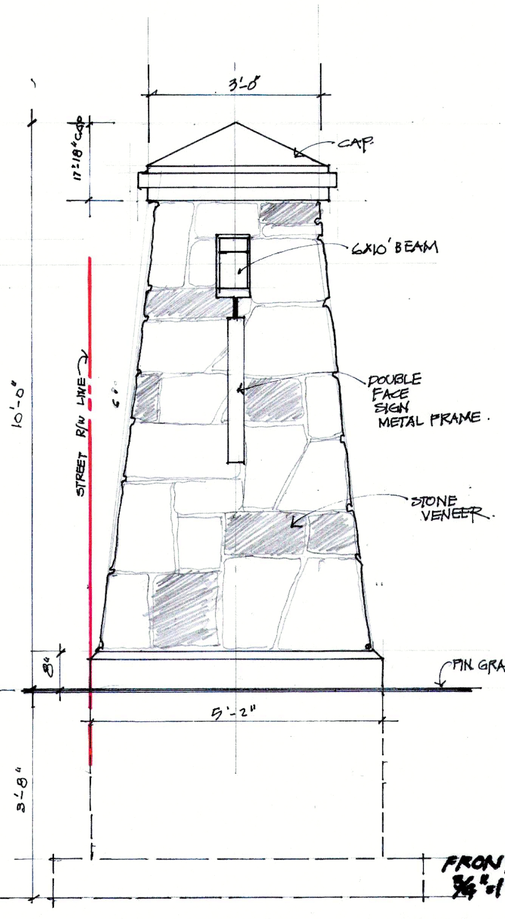


SIDE ELEVATION
3/4"=1'-0"



FRONT ELEVATION
3/4"=1'-0"

CONCEPT - PROPOSED MONUMENT SIGN
HIGHPOINTE CROSSING

EA 6-7-24

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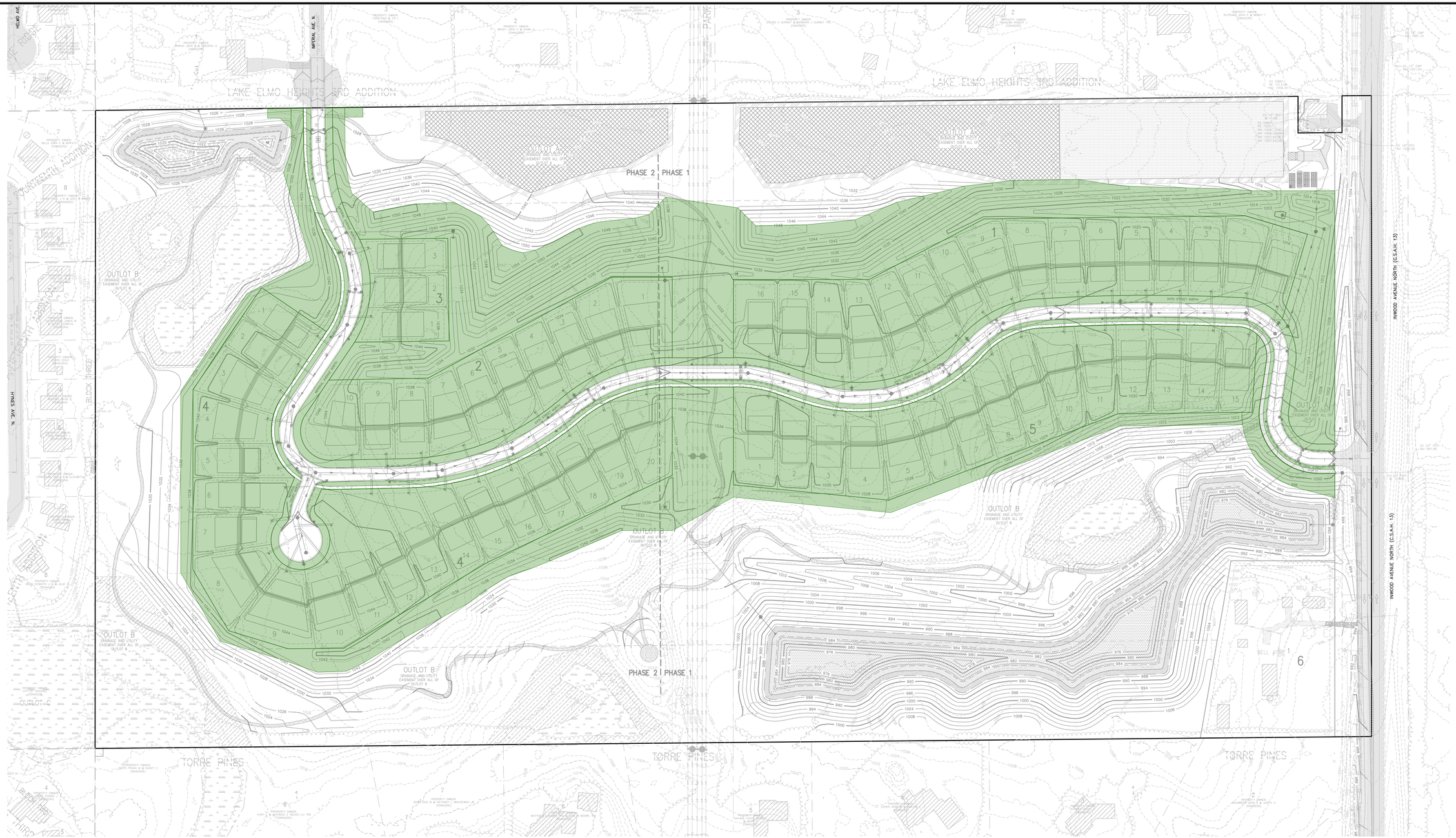

IRRIGATABLE AREA=22.65 ACRES
(INCLUDES 50% OF THE SINGLE FAMILY LOT AREA)

N

SCALE IN FEET
0 100 200 300
1"=100'

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PHONE: (952)890-6044 FAX: (952)890-6244

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.
KURT D. QUAINTANCE, P.E.
Date:_____ Reg.No._24678_

HIGHPOINTE CROSSING
LAKE ELMO, MINNESOTA
PRELIMINARY IRRIGATION MAP
FOR
RACHEL DEVELOPMENT
4180 NAPIER COURT NE, ST. MICHAEL, MN 55376

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Eberhard Site

Lake Elmo, MN

Open Space Restoration Plan

Prepared for:

Rachel Development

4180 Napier Court NE

St. Michael

Prepared by:

MNL, Inc

8740 77th Street NE

Otsego, MN 55362

June 4, 2024

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Appendix A: Seed Mixes

1.0 Executive Summary

Rachel Development proposes to construct a residential development in Lake Elmo, MN, known as the Eberhard project (or Project). The area within the Project boundary is approximately 78 acres. A portion of this area will be occupied by housing, lots, roads, and associated infrastructure (the Site). The remaining areas will be established with a high diversity of native prairie and wetland plant species to provide wildlife habitat and pollinator food sources throughout the growing season. The overall goal of this open space restoration plan (the Plan) is to highlight goals and objectives for vegetation establishment, outline seed mix options, and describe vegetation management approaches within the prairie and wetland areas. This perennial, native vegetation is expected to stabilize the soil, improve soil health, and provide habitat for native wildlife. The homeowner's association will maintain this vegetation to control invasive and other unwanted species and to provide habitat for native insects and other wildlife, such as the rusty patched bumblebee.

2.0 Open Space Restoration Plan

2.1 Goals and Objectives

Rachel Development's primary goals related to vegetation management are described below, with the related objectives to meet the goals.

- **Goal 1:** Establish native, perennial vegetation within the restoration areas within the Site (not including single family lots, roads, and infrastructure).
    - ***Objective 1a.*** Design seed mixes appropriate for this region and expected conditions in the Project area, with a diversity of grasses and forbs where appropriate.
    - ***Objective 1b.*** Use plant species that provide habitat and nectar sources throughout the growing season for native pollinators.
- **Goal 2:** Provide soil stability and improve soil health over the duration of the Project.
    - ***Objective 2a.*** Quickly establish vegetation to minimize the duration and extent of bare soil.
    - ***Objective 2b.*** Include diverse native plant species that stabilize soils, improve soil health, and sequester carbon with deep and varied root structures.
- **Goal 3:** Minimize invasive species, noxious weeds, and other undesirable species on the Site.
    - ***Objective 3a.*** Establish and selectively manage plant species that do not require extensive maintenance, provide complete cover, and minimize invasion of undesirable species, such as noxious weeds.
    - ***Objective 3b.*** Plan for long-term monitoring and maintenance to quickly detect new infestations and effectively control undesirable species.

3.0 Site Description

3.1 Site Overview

The proposed Project is located in Lake Elmo in Washington County, Minnesota. The site is surrounded by residential developments, except for the east side, which is bordered by Lake Elmo Park Reserve. The Site is made up of a contiguous block of land, covering approximately 78 acres in total.

The Site falls within the Minnesota Department of Natural Resources (DNR) Ecological Classification System's Eastern Broadleaf Forest Province, Minnesota & NE Iowa Morainal Section, and St. Paul-Baldwin Plains Subsection. The landscape of this area is rolling terrain with predominately urban development. Historically, vegetation in this area was likely forest and woodlands with periodic fire and some area of open prairie where wildfires carried across the landscape.

The existing vegetation at the Site is predominately agricultural cultivated cropland. Typically, corn and soybeans are grown in the area. Historically, the vegetation of this area was primarily oak openings and barrens, with scattered big woods, wet prairies, and bogs and swamps. Most of the soils on the Site likely developed under historic deciduous forest cover and are well-drained silt loam and sandy loam textures. Portions of the Site have moderate to poorly drained soils with silt loam textures and are considered hydric.

Planned grading activities on the Site will result in a rolling topography, with elevations ranging from 976 to 1040 feet above mean sea level. Low points within the Site are associated with stormwater basins or wetlands. A mapped shallow marsh wetland is located in the southwest corner of the Site. Depending on the history of drainage, hydrology may have been affected by drain tiling or ditching.

4.0 Management Units

The restoration portions of the Site will be divided into three management unit types (Figure 1). These units are as follows:

- **Upland Prairie:** This management unit will be comprised of short-statured native grasses and diverse forbs that provide wildlife habitat and nectar sources throughout the growing season. This unit encompasses upland areas, including septic mounds.
- **Wildflower Drifts:** These upland prairie areas will be overseeded with additional native wildflowers that are favored by butterflies, bees, and other pollinators, including the rusty patched bumblebee.
- **Basin/Wetland**: These areas will be seeded with a diverse native seed mix within stormwater catchments. This seed mix may also include some areas of existing wetland that need to be seeded. This will include species adapted to saturated soils and periods of shallow inundation.

5.0 Management Objectives

5.1 Establishment Period (0-5 Years)

- Minimize soil disturbance and ensure appropriate seedbeds with minimal compaction and subsoil mixing.
- Comply with the SWPPP and Construction Stormwater General Permit by installing appropriate BMPs and carefully monitoring construction activities.
- Establish perennial native vegetation including a diversity of native grasses and forbs to provide high quality wildlife habitat and pollinator nectar sources. Specifically, these mixes in combination will include a minimum of:
    - 25% wildflower seed by number of seeds
    - 25 native species

- Three forb species that bloom in each portion of the growing season: early, mid, and late.
- Flower species that are identified as preferred species by the rusty patched bumblebee and other pollinators.

5.2 Long Term Objectives (5+ Years)

- Maintain desirable, seeded perennial native vegetation to reduce invasion of noxious weeds, woody species, and other undesirable plants.
- Monitor annually to assess conditions and identify problems to be addressed through management activities.

6.0 Vegetation Establishment and Management

The following vegetation establishment guidelines are based on expected conditions prior to and during construction.

Table 1: Establishment Timeline

Activity	Summary	Timeline
Preparatory herbicide treatments (unnecessary if seeding soon after crops are harvested from weed-free soil)	Application of a non-specific herbicide to all live vegetation in the seeding area if undesirable vegetation is present	At minimum 14-21 days prior to seeding
Install BMPs	Placement of erosion control measures	Immediately prior to grading and seedbed preparation
Grading and seedbed preparation	Conduct Site grading, manage topsoil appropriately, de-compact soil if needed, and prepare a smooth, evenly textured soil surface	Immediately following BMP installation
Seeding	Install seed mixes with specialty equipment designed for native species: no-till drill seeder or appropriate broadcast seeder	Within 14 days of completion of seedbed preparation; seeding is best conducted whenever soils are not frozen and not in the middle of summer (avoid seeding Jun 15 – Sep 15)

6.1 Site Preparation

BMPs will be installed before and during grading activities, including placement of erosion control measures such as silt fences, biologs, and sediment catch basins to prevent soil loss. Tree clearing, grubbing, and stump removal will be conducted only where necessary. Grading will be completed in accordance with the Site plans and in a manner that minimizes overall soil disturbance and reduces the movement of soil as much as possible.

Topsoil will be segregated during grading and redistributed across graded areas. Where necessary, soils compacted by construction activities beyond the range of 250 PSI as determined by a soil compaction

test will be decompacted with chisel plows, rippers, or tillers depending on severity of compaction. Decompaction may be followed by disking to prepare a smooth, evenly textured soil surface.

If existing undesirable vegetation is present following grading and decompaction, preparatory herbicide treatment should be conducted as needed. This spraying should be done at least 14-21 days prior to scheduled seeding with the application of a non-specific herbicide to all undesirable live vegetation in the seeding area. A second herbicide treatment may be applied to any significant areas of undesirable vegetation still growing 14 days after the first herbicide application. Herbicide drift would be minimized by utilizing appropriate equipment calibrated to be conducive to the weather conditions at the time of treatment.

6.2 Seeding and Planting

Seed should be installed using a Truax no-till drill or Trillion type seeder (or similar seeder designed for native species). Where drill-seeding is not practical due to Site conditions or management unit size, seed should be broadcast onto the soil surface using a Vicon seeder (or similar) and raked to ensure good seed-to-soil contact.

Prior to seed installation, the seeding contractor will calibrate and adjust seeding equipment to sow seeds at the proper seeding rate. Equipment will be operated in a manner to ensure complete coverage of the entire area to be seeded. Equipment will be steam cleaned or thoroughly washed prior to starting work to prevent contamination from outside seed sources.

6.2.1 Seed Mixes

Three seed mix types are planned for the Project, corresponding with each management unit.

- Upland Prairie: MNL Upland Dry Prairie Mix – Shortgrass (Appendix A)
    - This seed mix is appropriate for a wide range of soil types and includes species that will tend to grow about 2 to 4 feet tall.
    - Similar state seed mixes:
        - BWSR Little Bluestem Urban Prairie 35-121
        - BWSR Pollinator Plot Urban SE 38-631 seed mix
- Basin/Wetland: MNL Stormwater Basin Mix (Appendix A)
    - This seed mix is appropriate for wetter soils and includes plant species that may grow 3 to 6 feet tall.
    - Similar state seed mixes:
        - BWSR Stormwater South and West 33-261
        - Wet Meadow South and West 34-272
- Wildflower Drifts: Three specialty drift mixes to be overseeded in select upland prairie areas (Table 2). These drift areas may be overseeded, or planted with forbs, with some combination of the listed species in Table 2.

A cover crop should be installed into any open soils left undisturbed for more than 14 days without erosion control or permanent seeding to provide soil stabilization.

Trees and shrubs may be installed throughout the site as a part of revegetation activities. MNL recommends the use of native-origin tree species appropriate for the site and expected conditions. This would include species like bur oak (*Quercus macrocarpa*), white oak (*Quercus alba*), northern pin oak (*Quercus ellipsoidales*), quaking aspen (*Populus tremuloides*), black cherry (*Prunus serotina*), paper

birch (*Betula papyrifera*), among others. A more detailed native tree and shrub species list can be provided upon request.

Table 2: Wildflower Drifts Species Lists

Drift Mix	Common Name	Scientific Name	Bloom Season
Rusty patched bumblebee drift	Showy penstemon	*Penstemon grandiflorus*	Spring
	Columbine	*Aquilegia canadensis*	Spring
	Heart leaved alexander	*Zizea aptera*	Spring
	Wild bergamot	*Monarda fistulosa*	Summer
	Hoary vervain	*Verbena stricta*	Summer
	Purple prairie clover	*Dalea purpurea*	Summer
	Sky-blue aster	*Symphyotrichum oolentangiense*	Fall
	Upland white goldenrod	*Solidago ptarmicoides*	Fall
	Stiff goldenrod	*Solidago rigida*	Fall
Monarch butterfly drift	Meadow blazing star	*Liatris ligulistylis*	Summer
	Swamp milkweed	*Asclepias incarnata*	Summer
	Butterfly milkweed	*Asclepias tuberosa*	Summer
	New England aster	*Symphyotrichum novae-angliae*	Fall
	Gray goldenrod	*Solidago nemoralis*	Fall
	Sky-blue aster	*Symphyotrichum oolentangiense*	Fall
Pollinator drift	Long-bracted spiderwort	*Tradescantia bracteata*	Spring
	Cream wild indigo	*Baptisia bracteata*	Spring
	Columbine	*Aquilegia canadensis*	Spring
	Purple prairie clover	*Dalea purpurea*	Summer
	Meadow blazing star	*Liatris ligulistylis*	Summer
	Butterfly milkweed	*Asclepias tuberosa*	Summer
	Common oxeye	*Heliopsis helianthoides*	Fall
	Smooth blue aster	*Symphyotrichum laeve*	Fall
	Upland white goldenrod	*Solidago ptarmicoides*	Fall

6.2.2 Supplemental Seeding

Supplemental seeding may be necessary where native vegetation does not establish. Establishment failure can occur for a variety of reasons, including compacted soil conditions, flooding, drought, and extensive weed competition. Depending on the reason(s) for failure, recommendations may be provided to adjust species in the re-seeding mix to better accommodate growing conditions in the specific area.

6.3 Seed Establishment Techniques (Establishment Phase)

A variety of vegetation establishment techniques should be implemented on the Site. Methods will be selected to provide the best control possible of noxious, invasive, and woody species while minimizing impacts on seeded species.

6.3.1 Control and Prevention of Invasive Species

Noxious, invasive, and undesirable plant species will be controlled, including all species listed on the state noxious weed list maintained by the MDA in accordance with State of Minnesota noxious weed rules and regulations. Invasive plant species as listed by MN DNR may be controlled as appropriate for Project objectives. During the establishment phase, efforts to prevent and control the spread of invasive species will likely require a combination of herbicide use and mechanical mowing. Prescribed burning or other methods described in Section 6.4 may also be considered.

Invasive Species Prevention
To reduce the spread of noxious and invasive weeds, all machinery and equipment to be used on the Site should be thoroughly inspected and cleaned before arrival. Any plants, seeds, mud, and dirt clods should be removed through washing to prevent the import of undesirable species to the Site.

Herbicide Use
Herbicides are an effective weed management tool. Herbicide treatments should begin as needed based on weed populations, as early as the first year, if extensive perennial weeds or woody species are present. Selective herbicide application, using herbicides formulated for specific plant groups, and spot herbicide application, applying herbicide directly to the foliage of target plants, are preferred over broadcast and non-selective applications. All herbicide applications will be completed per manufacturer label instructions, and all applicators will hold a valid State of Minnesota Pesticide Applicator License.

6.3.2 Mechanical Mowing
During the first year, vegetation in the seeded areas should be mowed 2-3 times throughout the growing season as needed to prevent weed seed production and remove shading from small plant seedlings. During the subsequent few years during establishment, vegetation in the seeded areas will likely require mowing 1-2 times throughout the growing season to control annual weeds and to ensure good establishment of seeded species. Noxious, invasive, and woody plants may also require mowing to prevent seed development.

Mowing will be accomplished by agricultural tractors with flail or rotary mower attachments, zero-turn mowers, and/or other mechanical option(s). Flail mower implements are preferred to mulch the cut material and avoid forming a mat of cut vegetation which could smother desirable plant growth. Other mechanical cutting implements may be used if haying is expected to follow the mowing operation. Where appropriate, mower height should be at least 6-9” from the ground to avoid damaging flowering plants. Weed whipping may be used to remove excessive vegetation growth in areas that are difficult to access with mechanical mowing equipment.

6.4 Plant Community Management Techniques (Long-Term)
A variety of vegetation management techniques should be implemented on the Site. Methods will be selected to provide the best control possible of noxious, invasive, and woody species while minimizing impacts on desirable, native species.

6.4.1 Control and Prevention of Invasive Species
Preventing and controlling invasive species within the management units will require long-term management efforts. These efforts will likely take shape as a combination of the following approaches.

6.4.2. Herbicide Use
While mowing/grazing controls annuals and may provide short-term control for some perennials, most perennial invasive species, and in particular woody plants, must be treated with herbicide to provide effective control. Herbicide treatment will reduce populations, prevent the spread of weed seeds, and kill vegetation. Ongoing annual herbicide applications 2-3 times per year will likely be required into the long-term maintenance phase to continue providing control of woody and noxious species introduced to the Site from surrounding landscapes.

6.4.2 Mechanical Mowing

After the establishment period, mowing specific areas 1 or 2 times per year may be required to control noxious weeds and woody species. Mowing may be targeted to certain management areas depending on invasive species cover. Any mowers should be cleaned before entering the area to reduce the potential to spread invasive species into the prairies.

6.4.4 Prescribed Burning

Periodic wildfire has played a crucial role in maintaining fire-dependent plant communities, including upland prairies. Fire re-invigorates the growth of native species, maintains species diversity, and improves wildlife habitat. Prescribed burning is a management strategy that land managers can use to improve the conditions of prairies, which are fire-dependent plant communities.

Periodic prescribed burning may be recommended to manage invasive species, remove accumulated thatch, and invigorate native fire-dependent plant communities. Burns can be conducted at different times of the year depending on the objectives. Prescribed burns should be set in a controlled manner by trained professionals using burn plans that are understood by the Protected Property manager and the full burn crew. The goals and objectives should be clearly identified before each burn.

6.4.5 Grazing

Grazing may be utilized as a management tool, if appropriate for the site. Sheep grazing can be implemented in place of mowing to manage vegetation height or density. Grazing provides many of the same impacts as mowing, such as removing the vegetative thatch from the Site and reducing the risk of wildfires. Sheep grazing also re-introduces valuable services for the overall health of the vegetation by recycling nutrients and has been shown to increase soil carbon and nutrients when grazing in native vegetation. Grazing intensity and timing will vary based on vegetation type and management objectives.

6.4.6 Haying

Haying is an optional method that could be used to help with specific goals especially if burning and grazing will not be used. Haying would include mowing, and it would be followed by mechanical removal of the cut thatch material. This is beneficial for the Site to minimize the accumulation of material that may pose wildfire risks. In addition, removing the thatch is beneficial for the growth of many species, because it allows new seedlings to become established.

7.0 Vegetation Monitoring and Reporting

Periodic site monitoring is recommended to evaluate the establishment of seeded species, identify invasive, noxious, and woody species presence, check for erosion or other Site issues, and determine vegetation maintenance needs and timing. These monitoring visits should occur three times per year/growing season during the early establishment period (Years 1-3) and 1-2 times per year thereafter.

7.1 Projected Outcomes

Monitoring will be used to assess the vegetative cover relative to the following projected outcomes:

- All vegetated areas have at least 90% vegetative cover.
- Vegetative cover should have at least 60-70% cover by native species.
- Noxious weeds and invasive species should not exceed 20% cover.
- Aim to have at least 15 native species with 1% or greater cover.
- Wildflower species (forbs) should compose at least 15% cover.

- At least 3 plant species are present that bloom in spring/early summer and 3 that bloom in late summer/fall.

Areas that fail to meet these performance standards should be treated accordingly to remediate the issues. This may include re-seeding or installing live plants if necessary.

7.2 Annual Reporting

A brief annual monitoring report should be prepared after each growing season, beginning in Year 1 and continuing for 10 years or until it is determined that monitoring is no longer needed. The annual report can be very brief and should include the following:

- A description of Site conditions.
- A summary of monitoring results.
- A summary of management activities implemented during the reporting period intended to meet objectives for each management unit.
- A description of challenges or unforeseen circumstances (e.g., unanticipated weather events) that the Project faced during the reporting year and how these challenges may have affected vegetation establishment.
- Representative photographs of the management area vegetation.
- A summary of the recommended management activities for the coming season(s).

Eberhard Lake Elmo Project
Restoration Plan
Figure 1:
Management Units

Pollinator drift

Community septic system

Rusty patch
bumblebee drift

Pollinator drift

Mown walking trails

Monarch butterfly drift

Rusty patch
bumblebee drift

Monarch butterfly drift

Rusty patch
bumblebee drift

Basin-Wetland
Community septic
Wildflower-Drifts
Upland Prairie

0 100 200 400
Feet

N

2021 Imagery
CIR 7-County

MNL

MNL Upland Dry Prairie Mix
Shortgrass

Similar Minnesota state seed mixes:
- BWSR Little Bluestem Urban Prairie 35-121
- BWSR Pollinator Plot Urban SE 38-631

bwsr.state.mn.us/seed-mixes

Ideal for dry (xeric) or sandy sites, or where shorter species are desired. Height 2-4'

	Scientific Name	Common Name	% of Mix	Seeds/ Sq Ft	PLS lbs/ac	Bloom Season
Grasses:	Bouteloua curtipendula	Side-oats Grama	26.00	11.40	3.12	
	Bouteloua gracilis	Blue Grama	3.00	5.29	0.36	
	Bromus kalmii	Prairie Brome	1.50	0.53	0.18	
	Elymus trachycaulus	Slender Wheat Grass	7.65	2.33	0.92	
	Koeleria macrantha	Junegrass	0.25	1.93	0.03	
	Schizachyrium scoparium	Little Bluestem	27.00	17.85	3.24	
	Sporobolus compositus	Rough Dropseed	2.60	3.44	0.31	
	Sporobolus heterolepis	Prairie Dropseed	0.25	0.18	0.03	
Sedges/Rushes:	Carex brevior	Plains Oval Sedge	1.75	2.24	0.21	
Forbs:	Achillea millefolium	Yarrow	0.08	0.62	0.01	Summer
	Agastache foeniculum	Fragrant Giant Hyssop	0.15	0.60	0.02	Summer
	Allium stellatum	Prairie Onion	0.20	0.10	0.02	Summer
	Amorpha canescens	Leadplant	2.25	1.59	0.27	Summer
	Artemisia ludoviciana	Prairie Sage	0.07	0.77	0.01	Summer
	Asclepias syriaca	Common Milkweed	1.20	0.21	0.14	Summer
	Asclepias tuberosa	Butterfly Milkweed	0.65	0.12	0.08	Summer
	Baptisia bracteata	Cream Wild Indigo	0.10	0.01	0.01	Spring
	Chamaecrista fasciculata	Partridge Pea	6.00	0.71	0.72	Fall
	Coreopsis palmata	Prairie Coreopsis	0.20	0.09	0.02	Summer
	Dalea candida	White Prairie Clover	4.25	3.56	0.51	Summer
	Dalea purpurea	Purple Prairie Clover	6.35	4.20	0.76	Summer
	Drymocallis arguta	Prairie Cinquefoil	0.30	3.04	0.04	Summer
	Echinacea angustifolia	Narrow-leaved Coneflower	0.50	0.15	0.06	Summer
	Helianthus pauciflorus	Stiff Sunflower	0.50	0.09	0.06	Fall
	Lespedeza capitata	Round-headed Bushclover	0.70	0.25	0.08	Summer
	Liatris punctata	Dotted Blazing Star	0.20	0.06	0.02	Summer
	Monarda punctata	Spotted Bee Balm	0.10	0.40	0.01	Summer
	Penstemon grandiflorus	Large-flower Penstemon	1.00	0.62	0.12	Spring
	Ratibida columnifera	Long-headed Coneflower	0.80	1.48	0.10	Summer
	Rudbeckia hirta	Black-eyed Susan	1.30	5.27	0.16	Summer
	Solidago missouriensis	Missouri Goldenrod	0.25	2.81	0.03	Fall
	Solidago nemoralis	Gray Goldenrod	0.25	3.31	0.03	Fall
	Solidago ptarmicoides	Upland White Goldenrod	0.20	0.56	0.02	Fall
	Solidago rigida	Stiff Goldenrod	0.20	0.36	0.02	Fall
	Symphyotrichum laeve	Smooth Blue Aster	0.40	0.97	0.05	Fall
	Symphyotrichum oolentangiense	Sky-blue Aster	0.50	1.76	0.06	Fall
	Tradescantia bracteata	Long-bracted Spiderwort	0.20	0.09	0.02	Spring
	Verbena stricta	Hoary Vervain	0.75	0.93	0.09	Summer
	Zizia aptera	Heart-leaved Alexanders	0.35	0.19	0.04	Spring
			100.00	80.08	12.00	

Seeds/sq ft:	80.00
Grass Species:	8
Sedges/Rush Sp:	1
Forb Species:	30

Seed mixes are subject to change based on availability

MNL Stormwater Basin Mix

Similar Minnesota state seed mixes:
- BWSR Stormwater South and West 33-261
- Wet Meadow South and West 34-272

bwsr.state.mn.us/seed-mixes

Native mix for stormwater & retention basin pond edges or rain gardens. Height 3-6'

	Scientific Name	Common Name	% of Mix	Seeds/ Sq Ft	PLS lbs/ac	Bloom Season
Grasses:	Andropogon gerardii	Big Bluestem	9.00	2.98	0.81	
	Calamagrostis canadensis	Blue-joint Grass	0.30	2.78	0.03	
	Elymus virginicus	Virginia Wild Rye	18.00	2.50	1.62	
	Glyceria grandis	Reed Manna Grass	3.50	9.23	0.32	
	Leersia oryzoides	Rice Cutgrass	10.00	11.24	0.90	
	Panicum virgatum	Switchgrass	4.75	2.20	0.43	
	Sorghastrum nutans	Indian Grass	16.00	6.35	1.44	
	Spartina pectinata	Prairie Cordgrass	7.00	1.53	0.63	
Sedges/Rushes:	Carex hystericina	Porcupine Sedge	0.50	0.50	0.05	
	Carex stipata	Awl-fruited Sedge	0.75	0.84	0.07	
	Carex vulpinoidea	Fox Sedge	2.00	5.36	0.18	
	Scirpus atrovirens	Green Bulrush	0.50	7.60	0.05	
	Scirpus cyperinus	Woolgrass	0.25	14.05	0.02	
Forbs:	Anemone canadensis	Canada Anemone	0.20	0.05	0.02	Spring
	Asclepias incarnata	Swamp Milkweed	4.50	0.71	0.41	Summer
	Bidens cernua	Nodding Beggarstick	1.50	1.04	0.14	Summer
	Desmodium canadense	Showy Tick-trefoil	3.00	0.55	0.27	Summer
	Eutrochium maculatum	Joe-pye Weed	0.55	2.19	0.05	Summer
	Eupatorium perfoliatum	Boneset	0.25	2.07	0.02	Fall
	Helenium autumnale	Sneezeweed	0.80	3.44	0.07	Fall
	Hypericum pyramidatum	Great St. Johnswort	0.40	2.51	0.04	Summer
	Liatris pycnostachya	Prairie Blazing Star	1.30	0.47	0.12	Summer
	Lythrum alatum	Winged Loosestrife	0.20	6.25	0.02	Summer
	Mimulus ringens	Monkey Flower	0.15	11.40	0.01	Summer
	Monarda fistulosa	Wild Bergamot	0.75	1.74	0.07	Summer
	Ratibida pinnata	Yellow Coneflower	1.45	1.44	0.13	Summer
	Silphium perfoliatum	Cup Plant	2.40	0.11	0.22	Summer
	Solidago rigida	Stiff Goldenrod	1.50	2.03	0.14	Fall
	Sparganium eurycarpum	Giant Burreed	2.00	0.03	0.18	Summer
	Symphyotrichum novae-angliae	New England Aster	0.75	1.64	0.07	Fall
	Thalictrum dasycarpum	Purple Meadow Rue	0.50	0.33	0.05	Summer
	Verbena hastata	Blue Vervain	1.00	3.07	0.09	Summer
	Vernonia fasciculata	Ironweed	2.75	2.18	0.25	Summer
	Veronicastrum virginicum	Culver's Root	0.30	7.93	0.03	Summer
	Zizia aurea	Golden Alexanders	1.20	0.44	0.11	Spring
			100.00	118.78	9.00	

Seeds/sq ft:	119.00
Grass Species:	8
Sedges/Rushes:	5
Forb Species:	22

Seed mixes are subject to change based on availability

SSTS
S² TRAFFIC SOLUTIONS

June 5, 2024

To: **Paul Robinson, Rachel Development**

From: **Vernon Swing, PE**

Re: **Trip Generation Study for Eberhard Property, Lake Elmo, MN**

Per your request, S² Traffic Solutions, LLC has conducted a trip generation analysis for the build out of the proposed 64 single family residential development on the Eberhard Property, in Lake Elmo, MN. The proposed development would construct 64 single family residential units on the 78.24 acre site located on the west side of Inwood Avenue N. The site is located at 2298 Inwood Ave N, south of Stillwater Blvd and north of 15th St N. Access to the site is proposed via a new connection to Inwood Ave N at 24th St N, as well as from a new connection on the west side of the site to the property to north which indirectly connects to Inwood Ave N via 26th St N and 27th St N. This secondary connection will primarily serve as emergency vehicle access if 24th St N is blocked. It is noted, the development will also include the construction of a southbound dedicated right-turn lane and a northbound dedicated left-turn lane on Inwood Ave N at the new 24th St N intersection.

To determine the trip generation potential for the proposed Eberhard Property residential development, S² Traffic Solutions assumed the Single-Family Detached Housing category, Land Use Code 210, as described by the Institute of Transportation Engineers (ITE) in *Trip Generation*, 11th Edition. Table 1 summarizes the findings.

Table 1
Trip Generation

Land Use	Units	ITE Code	AM Peak Trips		PM Peak Trips		Daily Trips
			Enter	Exit	Enter	Exit	
Single Family Residential	64	210	12	38	41	24	669
TOTAL			**50**		**65**		**669**

As shown in Table 1, when fully built out and occupied the residential development is forecast to generate 50 AM Peak hour trips distributed as 12 entering and 38 exiting trips; is forecast to generate 65 PM Peak hour trips distributed as 41 entering and 24 exiting trips; and is forecast to generate 669 daily trips.

These trips will be distributed to the local roadway network via the new 24th St N access to Inwood Ave N. Review of traffic counts in the area, as provided by Washington County, the majority will travel to the regional roadways I-94, I-694 and TH 5 via Inwood Ave N and its connections at Stillwater Blvd to the north, and 10th St N or I-94 to the south. A review of the traffic counts taken in 2024 indicate that 40 percent of the site generated traffic will be distributed to/from the north on Inwood Ave N, and 60

percent of the site generated traffic will be distributed to/from the south on Inwood Ave N. In other words:

- Entering in the AM Peak – 5 trips will enter the site from the north by turning right from Inwood Ave N on 24th St N, and 7 trips will enter the site from the south by turning left from northbound Inwood Ave N to westbound 24th St N.
- Exiting in the AM Peak – 15 trips will turn left from eastbound 24th St N to northbound Inwood Ave N, and 23 trips will turn right from eastbound 24th St N to southbound Inwood Ave N.
- Entering in the PM Peak – 16 trips will turn right from southbound Inwood Ave N to the westbound 24th St N, and 25 trips will turn left from northbound Inwood Ave to westbound 24th St N.
- Exiting in the PM Peak – 10 trips will turn left from eastbound 24th St N to northbound Inwood Ave N, and 14 trips will turn right from eastbound 24th St N to southbound Inwood Ave N.

The magnitude of traffic generated by the development of the Eberhard Property as 64 single family homes will not result in a change in traffic operations along the roadway system serving the site. As mentioned above the development of the site will include a southbound dedicated right-turn lane from Inwood Lane N to 24th St N and a northbound dedicated left-turn lane on Inwood Ave N to allow turning vehicles a refuge from through traffic on Inwood Ave N. No other improvements are necessary to accommodate traffic generated by the 64-family home development.

Please contact Vernon Swing at vswingtraffic@gmail.com or 612-968-4142 with any questions.

MEMORANDUM

FOCUS ENGINEERING INC

Date: June 28, 2024

To:	Nathan Fuesrt, Planning Consultant	Re:	Highpointe Crossing (Rachel Development) Preliminary Plat/Plans
Cc:	Jason Stopia, Community Development Director Marty Powers, Public Works Director Chad Isakson, PE, Assistant City Engineer		
From:	Jack Griffin, PE, City Engineer		

An engineering review has been completed for the Highpointe Crossing Preliminary Plat/Plans (2298 Inwood Avenue) received on June 10, 2024. The submittal consisted of the following documentation:

- Highpointe Crossing Preliminary Plat/Plans dated June 7, 2024.
- Stormwater Management Narrative dated June 5, 2024 and misc. supporting documents.
- Community Wastewater Treatment System dated June 4, 2024.

STATUS/FINDINGS: A condition of Preliminary Plat approval, if granted, must require the applicant to revise and resubmit Preliminary Plat/Plans to address each review comment and condition of approval to the satisfaction of City staff prior to the City accepting a Final Plat/Plan application. Engineering has prepared the following review comments to be addressed. A point-by-point response letter must accompany the plan resubmittal.

It is further recommended that it be a condition of Preliminary Plat/Plan approval that all subdivision improvements constructed to support the development must be designed and constructed in accordance with the City Engineering Design Standards Manual dated January 2022, unless approved otherwise by the City.

Also, see the attached supplemental stormwater review memo prepared by Bolton and Menk dated June 25, 2024.

PRELIMINARY PLAT AND EASEMENTS

1. The Preliminary Plat and Plans must be revised to show Outlot ownership and dedication. Both Outlot A and Outlot B should be shown as HOA owned. Drainage and utility easements have been shown over all of Outlot A and Outlot B as required.
2. Stormwater Ponds are required to be placed in Outlots dedicated to the City for ownership and maintenance. The PUD narrative seeks flexibility to allow the two stormwater ponds to be located on HOA owned Outlots with drainage and utility easements.
3. Consideration should be made to create a dedicated Outlot for the Community Wastewater Treatment System and potentially the two stormwater ponds. The dedicated Outlots may be necessary to ensure that the infrastructure maintenance, repair and replacement are not encumbered by conservation easements.
4. The Preliminary Plat must be revised to provide additional right-of-way width for a portion of 24th Street North to accommodate the required turn lanes at the intersection with Inwood Avenue (CSAH 13).
5. Off-site temporary construction easements must be obtained and provided to make the required street connection to Imperial Avenue and associated grading tie-ins. The temporary construction easement must be obtained using the City standard form of easement agreement with the City named an additional party to the easement. The easement must be shown on the Preliminary Plans.

6. When not located within the public right-of-way, minimum 30-foot easements are required for public watermain and storm sewer, centered over the pipe/hydrant/structure and without encroachments from retaining walls, trees, other small/dry utilities, or storm water management BMPs. Utility easements must be dedicated to the City as part of the plat. All utility easements must be shown on all grading, utility, and landscape plans.
7. If not address through a right-of-way permit, the privately owned sanitary sewer collection system will require a utility easement agreement as prepared by the City Attorney and Public Works Director, to address the ongoing ownership and maintenance of the private sanitary sewer collection system located within the public right-of-way.

STREETS AND TRANSPORTATION

1. Inwood Avenue Right-of-way dedication. Right-of-way dedication will be required as part of the Plat including 75-feet as measured from the existing roadway centerline. Right-of-way dedication has been shown on the Preliminary Plat and Plans as required.
2. Access Management. Site access is shown from a new street (24th Street North) extending west into the subdivision from Inwood Avenue (CSAH 13). The Access location is subject to final approval by Washington County.
3. Inwood Avenue (CSAH 13) Improvements. The development will be responsible to make improvements to Inwood Avenue at developer's sole cost. Improvements will include right and center left turn lanes at the intersection of the new local street (24th Street north) consistent with Washington County Standards. The Preliminary Plans include turn lane improvements as required. The turn lane plans are subject to review and final approval by Washington County.
4. Secondary access to the site is required for residential units exceeding 30 homes. Secondary access will be accomplished through a connection to Imperial Avenue, connecting into the existing Lake Elmo Heights residential neighborhood.
5. Phasing Plan. The development phasing will require the secondary connection to Imperial Avenue to be operational before the 31st building permit will be issued. Access for the initial phases of development should be prohibited from Imperial Avenue to avoid construction traffic through the existing Lake Elmo Heights neighborhood. Temporary cul-de-sacs meeting City design standards will be required as the development is phased.
   - A phasing plan was included in the Narrative of the application. The Preliminary Plans must be revised to incorporate the Phasing Plan as part of the Preliminary Plan set.
   - Phase 1 of the phasing plan includes 31 lots. The Phasing Plan must be revised to show one of the 31 lots as an Outlot in Phase 1 to be platted as a lot with Phase 2 and available for a building permit once the secondary roadway connection is complete.
   - The Phasing Plan must include a temporary cul-de-sac consistent with City design standards at the end of the Phase 1 street. Add City detail 807B (temporary cul-de-sac) to the Preliminary Plan detail sheets.
6. The public streets are proposed at 28-ft wide within a 60-ft right-of-way. No Parking signs will be required as part of the final construction plans to designate parking on one side, as determined by the Fire Department and Public Works Director.
7. All streets must be designed to meet the City's Engineering Design Standards, including cross slopes, boulevard grades and utility easement grades. Surmountable concrete curb and gutter shall be installed along the frontage of properties with future driveways and B618 curb installed along entrance roads.
8. Street intersections must connect at 90 degrees and maintain 50-feet of tangent with maximum slopes of 2.5%. Residential maximum longitudinal grade is 6%. All cul-de-sacs must meet City design standards for minimum diameter of 90-feet, minimum right-of-way diameter of 120-feet, and signed "No parking" throughout.
   - The Preliminary Plans must be revised to incorporate proposed street improvement Plan Sheets, including vertical profiles meeting City design standards. Minimum vertical curve K-values of K=19 (crest) and K=37 (sag), including stop conditions.
9. The street connection to the Lake Elmo Heights neighborhood at Imperial Avenue will require the removal of the existing cul-de-sac.

- Additional design detail is required to support the proposed street connection at the existing Lake Elmo Heights cul-de-sac. As presented to design appears to raise the grades adjacent to an existing property and will require off-site temporary construction easements. It is recommended that the design match into the existing conditions to minimize impacts to existing properties and to alter the transition of the street into the subdivision. A detailed vertical profile is needed to review the proposed street connection and drainage.
- The temporary easement area must be shown on the preliminary plans.

10. The Preliminary Plans must be revised to include a dedicated right and left right turn lane along 24th Street North at the subdivision entrance at Inwood Avenue (CSAH 13). Additional right-of-way will be required to accommodate the turn lane. A typical section must be added to the Preliminary Plans to address the turn lane details and additional right-of-way. The Preliminary Plat must be revised to include the additional right-of-way.
11. Sidewalks. City design standards require a six (6) foot sidewalk along all residential streets. The Preliminary Plans show a 6-ft. concrete sidewalk along the south and west sides of the proposed streets as required, except that no sidewalk is shown along the short stub of the proposed cul-de-sac.
    - The Preliminary Plans should be revised to reflect a concrete sidewalk along the full extents of 24th Street, thereby eliminating the short segment of bituminous trail (400+/- feet) in lieu of sidewalk, and creating a consistent pedestrian facility.
    - Revise the typical section for 24th Street and Imperial Avenue to provide a consistent pedestrian path The transition from trail to sidewalk is not recommended as presented on the Preliminary Plans.
12. Trail Requirements. The Open Space PUD ordinance requires a trail system to be established equal in length to the sum of the centerline length of all public roads within the development. The Open Space PUD ordinance also requires all trails to be paved. The Preliminary Plans and Narrative propose an extensive grass trail system to be privately owned and maintained.
    - Should the unpaved trails be approved by the City, it is strongly recommended that the trails be paved in the vicinity of each street crossing, providing paved trails within the full extents of the right-of-way.
13. Ten (10) foot utility easements are required on either side of all public right-of-way. The 10-ft. easement corridor must be preserved for the installation of small/dry utilities and remain free from all encroachments, and graded to a maximum 4% grade per city detail 805.
    - Landscape plan revisions are necessary to remove all tree and monument encroachments.
14. Driveways. No driveways were shown as part of the Preliminary Plans. All driveways must be installed in accordance with all city ordinances, including minimum distance from intersections, driveway angles installed at 90-degrees as they cross public right-of-way, and distance between driveways. Revisions to the lot layouts may be necessary for driveway compliance.
15. Streetlights. A separate street light plan was submitted that remains inconsistent with the City design standards in regards to the standard fixture and pole. The City requires the fixtures and poles to be Xcel Energy fixture/poles, installed by the developer, and owned and maintained by Xcel Energy.
    - Street light fixtures shall by 4000 Lumen Type B Traditional Colonial LED (Black in Color)
    - Street light pole shall be 15 ft. Washington Fluted Aluminum pole (Black in Color).
    - The Preliminary Plans should be revised to include a street pavement marking, signing and lighting plan as required by the City design standards. The street light locations appear to be consistent with City requirements, including at the entrance at Inwood Avenue, at the intersection with Imperial Court, at the end of the cul-de-sac of Imperial Court, and at each trail crossing.

STORMWATER MANAGEMENT/GRADING

1. The proposed development is subject to a Stormwater Management Plan (SWMP) meeting State, Valley Branch Watershed District (VBWD) and City rules. A VBWD permit is required. Storm water facilities proposed as part of the development to meet State and watershed permitting requirements must be constructed in accordance with the City Engineering Design Standards Manual dated January 2022.
2. Preliminary Plat approval must be conditioned on revisions to the SWMP as follows:
    - The SWMP must be combined into a Report document with a Table of Contents, executive summary and all supporting calculations. The Report must be signed by a registered professional engineer.

- The executive summary must include a summary of existing and proposed curve numbers, summary of stormwater basins with their resulting normal water level (NWL) and high-water level (HWL) for each NURP pond, and a summary of the volume extraction requirements and extraction volume provided by each pond. The pre and post development NWL and HWL must also be provided for all wetlands.

3. The SWMP is required to verify that rate control requirements are met for all points of discharge from the site. Curve numbers must be adjusted per the attached Memo prepared by Bolton and Menk dated June 25, 2024.
4. Revisions to the volume control requirements and water quality treatment must be completed and resubmitted for further review; per the attached Memo prepared by Bolton and Menk dated June 25, 2024.
5. Stormwater Reuse System. The SWMP must indicate that the stormwater reuse system must be provided in accordance with the City design standards for Stormwater Reuse.
6. For stormwater reuse systems, City design standards require that flood management provisions be implemented for all new developments assuming no storm water reuse irrigation is operating. The SWMP executive summary must be revised to clarify that all 100-year HWL flood elevations were determined assuming no volume reduction is occurring for storm water reuse irrigation at the time of the flood event.
7. The SWMP executive summary must include reuse system design and operating criteria, including identification for the collection area for the reuse pond, a summary of the dedicated irrigation areas, by lot and Outlot, the assumed application rate and frequency, the storage requirement for the reuse pond, and the storage area available.
8. Stormwater Irrigation Plan Sheet. The Preliminary Irrigation Map must be revised to include the following information for City review, and must be revised as needed to meet the following design criteria:
   - Area to be irrigated with a chart summarizing the area calculations together with an exhibit. For these calculations the contributing area for each private lot must be limited to the maximum allowable impervious surface. Areas with slopes of 3H:1V or greater should be removed, as well as removing all drainage ditches and swale areas.
   - Identification of the source pond, pond name and depiction of the drainage area to source water.
   - Location of reuse system components, including the pump, intake from pond, usage meter, location of potable connection (if applicable), location of backflow prevention device (if applicable), location and type of filters (if applicable), location of debris collection sumps (if applicable).
   - Location of maintenance access.
   - Drawdown elevation of pond.
   - Irrigation pipe routing that is proposed. Irrigation system supply and feeder lines must be shown to not encroach City drainage and utility easements with the exceptions of perpendicular crossings. If irrigation piping is proposed within any City right-of-way, the detailed piping locations must be provided for City review and approval.
9. The Reuse Pond should be revised as necessary to meet the following design criteria:
   - The Reuse Pond should be sized to provide a minimum of 4 times the weekly irrigation demand within the reuse zone. The reuse zone is the allowable drawdown zone of the pond for water reuse and is defined as the volume between the “off” elevation and the normal water level.
   - The Reuse Pond should be designed so a minimum depth of four feet remains below the reuse zone of the pond.
   - The Pond reuse zone shall have a slope shallower than 5H:1V and be stabilized with tolerant vegetation or bank armoring. The grading plans must be revised accordingly.
10. Revise the grading plans to provide the NWL and HWL for all water bodies including NURP ponds and wetlands. HWL contours must be shown on the plans to verify that flood levels are contained.
11. All wetlands and wetland buffers must be protected by easement and may not encroach individual lots.
12. Minimum floor elevations must be at least 2 feet higher than the adjacent 100-year HWL elevation. Also, all low opening elevations for all buildings must be at least 1-ft higher than any adjacent emergency overflow elevation (EOF).
13. All localized low points must be protected within a drainage easement. All localized low points must include the 100-year HWL and HWL contour on the grading plans.

14. The storm sewer system shall be designed to meet all City design standards including RCP pipe materials and maintaining the minimum pipe cover of 3 feet. Drain tile is required as part of the city standard street section at all localized low points in the street. Drain tile considerations may impact the storm sewer design and depth requirements at low points. Per city requirements all storm sewer pipe easements must be a minimum 30-feet in width.
15. See attached Memo prepared by Bolton and Menk dated June 25, 2024 for additional storm sewer and stormwater management comments.

MUNICIPAL WATER SUPPLY

1. Connection to the municipal water system is available near the proposed development in two locations. The applicant will be responsible for connecting to the existing 16-inch trunk watermain located along Inwood Avenue (CSAH 13). An 8-inch ductile iron watermain will need to be extended along the new streets into and throughout the development at developer's sole cost, and to serve each proposed parcel in the Subdivision.
2. A second connection point is required to create a looped watermain system, connecting to the existing 8-inch watermain located along Imperial Avenue in the adjacent Lake Elmo Heights neighborhood. This secondary connection will require the installation of a pressure reduction valve (PRV) as the Lake Elmo Heights neighborhood is located in the intermediate pressure zone while the Highpointe OP parcel is located in the high-pressure zone.
3. The Preliminary Plans show the required watermain improvements to serve the subdivision. The Pressure Reducing Valve (PRV) and vault will need to be relocated so that the valve and vault reside outside of the street pavement surface. Additional drainage and utility easement may be necessary for the revised PRV location.
4. No watermain oversizing reimbursement is applicable for this development.
5. The developer 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. Hydrant and system valve locations will be reviewed and finalized as part of the final construction plans.

WATEWATER MANAGEMENT / SANITARY SEWER

1. The proposed development is located outside of the City designated Municipal Urban Service Area (MUSA) for sanitary sewer service. The developer is therefore responsible to provide wastewater management infrastructure to support the proposed development in perpetuity, including professional management of the system. All sewer infrastructure must be provided at the developer's sole cost and will remain privately owned and maintained.
2. The City will require the private sanitary sewer collection system to be constructed as a gravity sewer system meeting City design standards even though it will remain privately owned and maintained. All sanitary sewer manholes must be located at the street centerline. Additional manholes may be required to maintain utility pipe alignments centered within the street pavements.
3. Grading revisions are recommended to increase pipe cover over the sanitary sewer run from the wastewater system tanks to ½ way between SSMH-1 and SSMH-2. Additional pipe cover is strongly recommended over pipe insulation along this stretch of the conveyance system.
4. The privately owned sanitary sewer collection system will require either a utility easement agreement as prepared by the City Attorney and Public Works Director, or the facility will require a City right-of-way permit to address the ongoing ownership and maintenance of the private sanitary sewer collection system located within the public right-of-way.
5. A Communal Septic System is proposed to be located in the 200 ft. buffer area, including both the primary and secondary community drain fields. The primary system is shown in the northeast quadrant of the site, with additional area reserved for secondary treatment systems to the west of the primary system. A community wastewater treatment system serving 65 Lots will exceed a 10,000 gpd capacity and will therefore require a NPDES permit and be regulated through the MPCA.

6. The Community Wastewater Treatment System design remains incomplete as submitted. Preliminary Plat approval must be conditioned on revisions to the Community Wastewater Treatment System design documents as follows:
   - The Community Wastewater Treatment System (CWTS) Report must be signed by a qualified licensed professional.
   - The CWTS Report must identify all permits necessary to construct, own and operate the proposed facility, including the minimum required Professional Service Operation credentials.
   - The CWTS Report must be revised to address LEC 105.12.1050 (b)(1).
   - The CWTS Plans must be incorporated into the Preliminary and Final infrastructure Plan set as part of the required utility infrastructure to serve the development. Plan sheets must fully detail all proposed infrastructure components including labeling and dimensions. All plan sheets must include title blocks identifying the proposed project, revision dates and professional certifications.
   - The grading plans must include the proposed grading for the pressure bed areas and showing how the pressure bed grading will match into the existing north property line.
   - The primary and secondary pressure bed areas must be clearly labeled and dimensioned on the grading and utility plans, demonstrating a minimum reserved area of 52,500 sq. ft for both the primary and secondary systems. All setbacks and buffers for the system must be clearly labeled and dimensioned.

LANDSCAPE IMPROVEMENTS

1. The Preliminary Landscape Plans, in electronic format, are not legible. Revised electronic plans must be submitted is clear, legible plan format.
2. The Landscape Plans must be revised to further detail the location of all proposed trees within the public right-of-way. All typical sections must be updated to include boulevard tree locations consistent with City design standards. Landscape Plans must include notes to identify tree locations with respect to back of curb.
3. The Landscape Plans must be revised to include notes to identify that all trees must be at least 10 feet from all sanitary sewer, storm sewer and watermain pipes. Dimensions must be shown between each tree and utility (including private water/sewer service lines to each property) with less than 15 feet of separation.
4. Significant landscaping improvements have been proposed at each subdivision entrance. The landscaping must be revised to eliminate all tree and monument encroachments from the 10-ft. small/dry utility easement corridor.

DETAILS

1. Add City Standard Detail 416 and revise pond grading to meet City design standards.
2. Revise City Details 200A, 201, 400A, and 901 with details dated March 2023.
3. Revise City Details 207A, 207B, and Engineering Spec Section 3310 with standards dated February 2024.
4. Revise the typical sections shown on Sheet 8 to include all boulevard design elements as shown on City Detail 805, including boulevard trees, and topsoil and sod requirements.
5. Revise irrigation basin cross section to show maximum basin slopes of 5H:1V for the irrigation draw down (per the Minnesota Stormwater Manual). Revise grading plans accordingly.
6. Add City details for irrigation reuse including, C-01, C-03, C-04, and C-05.

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MEMORANDUM

Date: 06/25/2024

To: Cara L. Geheren, P.E.

From: Brent Johnson, P.E.

Subject: High Pointe Crossing Development Plan Review
City of Lake Elmo, MN
Project No.: N15.110350

This memo summarizes the review of stormwater related documents submitted by James R. Hill, Inc., received 06/18/2024. The submittal included plans, stormwater narrative, and storm sewer design information:

- 02-Highpointe Crossing-Preplat Submittal 2024-06-06.pdf
- 03a-Highpointe Crossing – Stormwater Narrative 06-05-24.pdf
- 03b – Existing Drainage 06-05-24.hcp
- 03c – Proposed Drainage 06-05-24.hcp
- 03d-Highpointe Crossing – Existing HydroCAD 06-05-24.pdf
- 03e-Highpointe Crossing – Proposed HydroCAD 06-05-24.pdf
- 03f -Highpointe Crossing – 10Yr Storm Design 06-03-24.pdf
- 03g- Highpointe Crossing – 10Yr Storm Map 06-03-24.pdf
- 03h- Highpointe Crossing – NURP 1P 06-05-24.pdf
- 03i- Highpointe Crossing – NURP 2P 06-05-24.pdf
- 03j- Highpointe Crossing – VBWD Calculator 06-05-24.pdf
- 10 - 23-01-13-Highpointe Crossing WCA Delineation – Notice of Decision. Pdf
- 12 – 22-03-26 Highpointe Crossing – Haugo Geo Report Bundle Final.pdf

1. **Curve Numbers**: Existing ag cropland areas are modeled in HydroCAD with a curve number of 72 (for conditions of small grain, straight row and crop residue (SR + CR), good condition, HSG B). Proposed conditions pervious areas are generally modeled with a curve number of 61 (for conditions with greater than 75% grass cover, good condition, HSG B). These existing and proposed conditions pervious area curve numbers don't quite comply with Valley Branch Watershed rule requirements:

   "The runoff curve number for existing agriculture areas shall be less than or equal to the developed condition curve number."[1]

   Please adjust the HydroCAD curve numbers to comply with the watershed district rule or explain the reasoning.

[1] Valley Branch Watershed District Rules, Rule 2 Stormwater Management Standard 5, 2-9-2023

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2. **Volume Control and Water Quality Treatment**: The Valley Branch Watershed requires volume control and water quality treatment for 1.3 inches of runoff from the sum of new and fully reconstructed impervious surfaces (1.3 inches over 14.6 acres = 1.58 acre-feet).
    - Two proposed wet sediment (NURP) ponds will provide water quality treatment for the development along with a proposed stormwater reuse system. J.R. Hill, Inc. submitted Valley Branch Stormwater Reuse Calculator results indicating 87.4% reduction in average annual runoff volume. It appears that the computed 87.4% reduction in average annual runoff volume attributed to the reuse system is for the watershed area (51.97 acres @ 25.9% impervious) tributary to the stormwater harvest and irrigation system rather than for the full site (78.8 acres @ 18.5% impervious). Please compute the reduction in runoff volume for the full site and please also submit the MIDS calculator analysis referenced in the VBWD Reuse Summary Table.
    - If meeting the total volume control requirement is infeasible, please document the reasoning and analyze the flexible treatment options (FTOs) outlined in the Valley Branch Watershed rules (for example FTO1: retain 0.55 inches of runoff from impervious and 75% TP removal).
3. **Stormwater Reuse Pond**: The MPCA Stormwater Manual lists a number of design considerations for multipurpose stormwater reuse ponds. Please provide information regarding the following:
    - Does a drawdown limit need to be set…to maintain sufficient water levels for pond aesthetics?
    - Will riprap or other measures be used to address potential erosion from pond inlets under low pond water levels?
    -
4. **Pond 2P**: Please label the location and elevation of the EOF on Sheet 3.24.
5. **Pond 2AP:** Please show pond 2AP on the plan sheets 3.20 and 3.24 so the plans match the HydroCAD model. Please also label the NWL, HWL and EOF elevations of the pond.
6. **Pond Liner**: Valley Branch Watershed Rule 2 Standard 10.D requires: "*Impermeable liners shall be used at ponds used as reservoirs to draw irrigation water."* Please show the pond liner in the plans or explain why a liner is not feasible.
7. **Storm Drain Design**: The 27" RC Pipe segment between 123 and 122 is at 8% grade with design velocity of 22 ft./s.--exceeding the 15 ft./s. maximum city standard. Please reduce the design pipe velocity by adjusting grades or explain why adjustments are not feasible.
8. **Swale 2% Grade**: Sheet 3.22 shows swales along Lots 1 through 10 of Block 1 and Sheet 3.23 shows swales along lots 10 through 20 of Block 4, and Sheet 3.24 shows swales along Lots 1 through 6 of Block 2 and Lots 1 through 3 of Block 3. that appear to have grades less than the city design standard of 2%. Please revise the grades or explain why this is not feasible.
9. **SWPPP**: The erosion control sheets and SWPPP were reviewed using a checklist from the MPCA. The SWPPP might be improved with the following:
    - Identify those responsible for long-term operation and maintenance of the permanent stormwater treatment systems.

- When determined, identify the person knowledgeable and experienced in the application of erosion prevention and sediment control best management practices (BMPs) who will oversee the implementation of the SWPPP.
- Describe whether infiltration is prohibited or the other reason(s) why infiltration basins have not been proposed as stormwater BMPS.
- Attach or reference the stormwater reports, model summaries, and Geotechnical Reports.

Memorandum

June 26, 2024

TO: SOPHIA JENSEN

FROM: SARAH EVENSON, PLA

RE: CITY OF LAKE ELMO LANDSCAPE AND TREE PRESERVATION PLAN REVIEW:
RACHEL DEVELOPMENT | HIGHPOINTE CROSSING PRELIMINARY PLAT/PUD SUBMITTAL

SUBMITTALS

1. Rachel Development Sketch Plan dated 9/21/23 and Landscape Theming Concept dated 9/18/23. Both received 9/25/23.
2. Preliminary Plat/PUD Submittal dated 6/7/2024.

REVIEW HISTORY

Initial sketch plan review on September 29, 2023.

Preliminary Plat / PUD review on June 26, 2024.

LOCATION: PID# 2102921320001 The North ½ of the SW ¼, Section 21, Township 29, Range 21, Washington County Except all that part of the North 75.00 feet of the East 150.00 feet of the North ½ of the SW ¼ of Section 21, Township 29 North, Range 21 West, Washington County, MN. Address: 2298 Inwood Ave. N., Lake Elmo MN 55042

CURRENT LAND USE CATEGORY: RR – Rural Residential. Future zoning: Open Space (OS) PUD

ADJACENT AND SURROUNDING LAND USE: RE- Residential Estate to the North and South, PF—Public Facilities to the East, City of Oakdale R4—Middle Density to the West (south) and R2-Low Density to the West (north).

SPECIAL LANDSCAPE PROVISIONS: 200' yard buffers required for OS

TREE PRESERVATION PLAN: 105. 12. 470

» The tree preservation plan has been submitted and will meet code requirements upon the inclusion of the following on the plans:
- Identify locations of tree protection fencing around significant tree species identified to be preserved
- Include Lake Elmo's city standard tree protection detail

LANDSCAPE PLAN: 105.12.480

» Landscape plans have been submitted that require the following adjustments prior to approval:
- Provide plans that illustrate seeding, sodding, and ground cover materials across all disturbed portions of the site
- Include city standard landscape plan notes and planting details

800 Washington Avenue North, Suite 103
Minneapolis, MN 55401

HKGi
Planning | Landscape Architecture | Urban Design

- Provide a landscape plan sheet showing proposed trees across the full site with keyed areas for each of the zoomed in plan areas for legibility
- Planting plans do not meet the required minimum percentage of evergreens. A minimum of 25% of plantings must be evergreen per code. Applicant appears to have the space to plant additional evergreen trees around the site perimeter, which would contribute to resolving the adjacent neighbors' concerns about viewsheds and bring the development closer to meeting the OP PUD landscaping requirements. Understanding that the intent of this site is primarily to reflect a prairie landscape, if additional evergreens are proposed where they contribute to buffering and the minimum requirement is not yet met, we will consider waiving the remainder required.
    - The proposed Techny Upright Arborvitae shown in the main entrance planting plan may be counted toward this requirement but does not appear to be reflected in the tree schedule.
- Please provide calculations on the planting plans listing total disturbed area and total linear feet of street so that landscaping requirements can be confirmed.
- The narrative indicates that the proposer requests the following landscape-related variances:
    1. 50' street tree spacing vs 30'
        - Assuming roughly 6500 linear feet of roadway based on the narrative (please confirm), 217 street trees are required, but only 130 are proposed.
        - Street trees may be planted in clusters to achieve the requirement rather than individually, which may be an option to increase tree quantities in some areas. While it makes sense to grant a variance beneath the power lines where trees are not allowed to be planted and in areas where minimum utility offsets cannot be achieved, 30' spacing is otherwise not unreasonable. Please see how many street trees can reasonably be planted along the proposed roadways beginning with a 30' spacing and adjusting to ensure required utility offsets.
    2. 5 trees / lot rather than 10
        - The currently proposed 450 trees do not meet even the minimum landscape requirements of a typical development, which would be required include 353 trees (at 5 trees/acre disturbed with 70.72 acres disturbed) in addition to the required street trees. Given that this is an open space PUD and flexibility is already being requested for street trees, additional tree plantings are warranted. The applicant's efforts to restore native prairie and pollinator habitat are valuable; however, even native savannas have up to 25 trees per acre, and there is plenty of space on site for additional tree planting without compromising the open, rolling prairie aesthetic. Please adjust the plan to add in additional trees, especially along the site boundaries, and see what makes reasonable sense without shading out the intended native seeding. Any tree plantings within the seeded prairie should be fire tolerant to withstand prescribed burns.

RECOMMENDATION:

Submittal does not meet criteria for approval. Prepare and resubmit tree preservation and landscape plans per memo instruction for future review.

Sarah Evenson, PLA (MN)
City of Lake Elmo Municipal Landscape Architect
P: (262) 391-7653
E: Sarah@hkgi.com

LAKE ELMO FIRE DEPARTMENT – OFFICE OF THE FIRE MARSHAL

Fire Prevention, Code Enforcement, and Public Education

July 15, 2024

Nathan Furst, Senior Planner
Bolton & Menk, Inc.

Re: Proposed phasing plan, Highpoint Lake Elmo

Nathan,

Per the proposed plan, the Fire Department supports, as described for phase one, the use of a temporary cul de sac and outlots past 30 plats.

Respectfully,

Anthony Svoboda

Anthony Svoboda | Assistant Chief
Lake Elmo Fire Department
Fire Station #1 - 3510 Laverne Ave N. | Lake Elmo, MN | 55042
651-747-3907 *office* | www.lakeelmo.org

Washington County

PUBLIC WORKS
Wayne Sandberg, P.E., Director, County Engineer
Frank D. Ticknor, P.E., Deputy Director

September 15, 2023

Paul Robinson
Development Director
Rachael Development
4180 Napier Court NE
St. Michael, MN 55376

Comments on 2298 Inwood Sketch Plan

Dear Paul,

Thank you for the opportunity to review and comment on the sketch plan for the site located at 2298 Inwood located along CSAH 13. We are grateful for Rachael Development reaching out to the County to receive initial feedback on the site plan before moving forward on the project. Our development review team has reviewed the sketch plan proposal and offers the following comments.

CSAH 13 at this location is currently classified as an "A-Minor Expander" roadway. The Washington County 2040 Comprehensive Plan contains access criteria for county roads related to spacing, sight lines, and availability of local road connections. CSAH 13 requires preserving 150 feet of right-of-way for this portion of CSAH 13. The site plan will need to indicate a dedication of 75 feet of right-of-way along the parcel to meet the needs identified in the Comprehensive Plan.

Washington County access spacing guidelines for minor arterial roads is ¼ of a mile. The development proposes accessing CSAH 13 just south of Lake Elmo's booster station. The existing intersections located at 21st and 26th Streets are approximately 2400 feet apart. The ideal spacing for the site access would be for it to be located at approximately the center of this parcel. Deviation from normal access spacing can sometimes be considered in favor of other access management goals, such as removal of other access and/or locations with improved sight distance. In this instance, access near the north end of the parcel might be considered in pairing with the removal of 26th Street (conversion to cul-de-sac) and the city utility driveway from CSAH 13, along with removal of any inplace driveways or field access points along the parcel.

Access permits will be needed to construct new street connections within the county right-of-way. Based on number of units, the development will be required to construct turn lanes and connect to adjacent developments wherever stubs are provided as a condition of county road access, which in this case would be Imperial Ave. We appreciate the foresight in connecting this development to Imperial Avenue North. The plans should identify trail connections within the site and along CSAH 13.

Washington County's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S.

Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC), where the establishment of the land use would result in violations of established noise standards. Minnesota Statute 116.07, Subpart 2a exempts County Roads and County State Aid

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

A Right of Way Permit will be required for any work within the County highway right of way as it relates to the development. As the development progresses, a plan set will be required with the application and include any grading, culvert installation, water and sewer services, parallel trail development, signage, and any landscaping and other improvements within the County right of way.

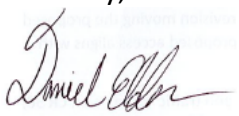
Additionally, the developer or the City will need to submit a drainage report and calculations for review of any downstream impacts to the county drainage system. Along with the drainage calculations, we will request written conclusions that the volume and rate of stormwater run-off into the county right of way will stay the same as part of the project.

All utility connections to County highway right of way for the development require Washington County Right of Way permits. Typically, these utility connection permits are the responsibility of the utility companies.

Thank you again for the opportunity to provide comments on the sketch plan for 2298 Inwood. We look forward to continuing to work with you and the City of Lake Elmo to ensure that development in this area is successful and well-served by the transportation network.

If you have any questions, please get in touch with me at 651-430-4307 or daniel.elder@co.washington.mn.us

Sincerely,



Daniel Elder
Planner II

Cc (email only):

Sophia Jensen, City Planner City of Lake Elmo
Wayne Sandberg, Public Works Director/County Engineer
Frank Ticknor, Deputy Director Public Works
Lyssa Leitner, Public Works Planning Director
Joe Gustafson, Traffic Engineer
Kevin Peterson, Design Engineer

STAFF REPORT
DATE: 7/22/2024
ITEM – PUBLIC HEARING
MOTION

TO: Planning Commission
FROM: Jason Stopa, Community Development Director
AGENDA ITEM: **Sign Code Text Amendment**

INTRODUCTION:
The City has initiated a zoning text amendment to City Code Section 105.12.430 Sign Regulations to update regulations, create signage subdistricts, and correct conflicting or outdated references. The proposed amendment comes after discussions with the Planning Commission, Economic Development Authority (December 2023 meeting), and a City Council Workshop. The Community Development Department plans to create a sign permit guide for businesses owners to better explain the process, fees, and number and size of signs allowed.

ISSUE BEFORE THE PLANNING COMMISSION:
The Planning Commission is being asked to review the proposed text amendment to the City's sign code.

PROPOSAL DETAILS/ANALYSIS
Proposed changes are attached.

PUBLIC COMMENT
A hearing notice was published in the local newspaper on July 12th, 2024.

FISCAL IMPACT
None

OPTIONS
The Planning Commission may:

- Recommend approval of the proposed text amendment.
- Recommend changes to the proposed text amendment.
- Recommend denial of the proposed text amendment.

RECOMMENDATION
Staff recommend that the Planning Commission recommend approving the proposed text amendment to the City Council as presented.

"Move to recommend approval of the proposed text amendment to the sign code"

ATTACHMENTS
Proposed text amendment to the sign code.

~~Strikethrough Text:~~ Text that is deleted or moved
Bold and Underlined: Text that is added

105.12.430 Sign Regulations

a) *Purpose and intent*. The purpose of this section is to provide standards to safeguard life, health, and property and to promote the public welfare by regulating the design, area, number, construction, location, and installation of all signs referred to hereunder. The city council and planning commission of the city find that the visual environment has an effect on the welfare of the citizens of the city and that careful control of signage can protect and enhance the community. To carry out this general purpose, the regulations set forth herein are intended to:

1. Protect the public from hazards that result from signs which are structurally unsafe, obscure the vision of motorists and/or compete or conflict with necessary traffic signals and warning signs.
2. Preserve the land value of private property by ensuring the compatibility of signs with nearby land uses.
3. Foster high quality commercial and industrial development and to enhance economic development of existing businesses and industries by promoting reasonable, orderly, attractive and effective signs that meet the need for business identification, advertising and communication.
4. Encourage creative and well-designed signs that contribute in a positive way to the community's visual environment, express local character and help develop a distinctive image in the city. ~~When appropriate, signage is encouraged to utilize design elements that are consistent with the Lake Elmo Branding and Theming Study.~~
5. Recognize that signs are a necessary form of communication and provide flexibility within the sign review and approval process to allow for unique circumstances.
6. Provide applicants with clear and consistent rules and regulations **and to guarantee equal treatment under the law through accurate record keeping and consistent enforcement.**

It is not, however, the purpose or intent of this section to regulate the message displayed on any sign.

b) *Definitions*. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Abandoned sign means any sign remaining in place which for a period of 90 consecutive days or more **that** no longer advertises or identifies a **bona fide** ~~n ongoing~~ business, product, service, idea, or ~~commercial~~ activity ~~located on the site~~ or has not been properly maintained in accordance with the requirements of this section.

Ancillary sign means a wall sign separate from and subordinate in area to the principal sign~~, identifying generic services, goods or departments in the building, such as~~

~~pharmacy, optical, auto repair, or garden center, but not including the identification of brand names.~~

Attention-attracting object means any streamer, pinwheel, pennant, flag, propeller, inflatable sign, statuary, tethered balloon, bunting, beacon, or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated, or still, that is intended to attract attention to the use or business being conducted on the site. Attention-attracting object does not include the flag of any governmental country.

Awning means a roof-like cover consisting of fabric, plastic or structural protective cover that projects from the wall of a building which generally serves the purpose of shielding a doorway, entrance, window, or outdoor service area from the elements or to provide decorative distinction.

Banner means a suspended sign made of a flexible material such as canvas, sailcloth, plastic, paper, or fabric of any kind, and intended to be displayed on a temporary basis. A decorative banner is a banner containing no message or logo that is displayed for the purpose of adding color or interest to the surroundings or to the building to which it is attached. A flag or canopy shall not be considered a banner.

Beacon means a stationary or revolving light that flashes or projects illumination, single color or multicolored, in any manner that is intended to attract or divert attention.

Billboard **means an off-premises sign on which lettered, figured, or pictorial matter is displayed that has a display surface of 250 square feet or more.**

~~*Business opening sign* means a temporary sign displayed prior or in addition to permitted permanent signs to promote the opening of a new business, a change of name, or a change of ownership.~~

Canopy means a detachable, roof-like cover, supported from the ground or deck, floor or walls of a structure, for protection from the sun or weather.

Changeable copy sign means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or the surface of the sign and on which the message changes less than eight times a day and less than once per hour. A sign on which the only copy that changes is an electronic or mechanical indication of **price,** time or temperature shall not be considered a changeable copy sign.

~~*Commercial message* means a message that directs attention to or acts as advertising for a business, commodity, product, service, or form of entertainment or tends to encourage the occurrence of a commercial transaction related thereto.~~

Comprehensive sign plan means a complete signage plan for a building or lot that has been approved by the city.

~~*Construction sign* means a sign identifying individuals or companies involved in design, construction, wrecking, financing, or development of a building or lot upon which the sign sits and/or identifying the future use of buildings or lot upon which the sign sits.~~

Copy means words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

Directional sign, on-premises, means a sign ~~without commercial message~~ erected for the purpose of indicating the required or preferred direction of vehicular, bicycle, or pedestrian traffic on private property~~, including, but not limited to, "no parking," "entrance," "exit only," "loading only," and other similar signage~~.

Directional sign, off-premises, means any sign ~~without commercial message~~ that is displayed for the purpose of informing people of or guiding people to a particular place for a specified event~~, including, but not limited to, an open house, garage sale, estate sale or other similar event~~.

~~*Directly illuminated sign* means any sign designed to give any artificial light directly through any transparent or translucent material from a source of light originating within or on such sign.~~

Directory sign means a sign which serves as a common or collective identification for a group of persons or businesses operating on the same lot. ~~Such a sign commonly lists the tenants, occupants, floor plan, addresses or suite numbers of an office complex, shopping center, or residential building complex.~~

Election ***sign*** ~~*campaign period*~~ means **signs authorized by Minnesota Statutes Section 211B.045** ~~a period prior to a general election starting on August 1 until ten days following the general election, or a period prior to a special election starting 13 weeks prior to the special election until ten days following the special election.~~

Electronic variable message sign means a changeable copy sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign, not including signage or portions thereof displaying **price**, time and temperature.

Facade means any separate face or surface of a building, including parapet walls, and roof surfaces or any part of a building which encloses or covers unusable space. Where separate facades are oriented in the same direction, or where the inside angle at the intersection of two surfaces is greater than 135 degrees, they are to be considered as part of a single facade.

Flag means a device generally made of flexible material, such as cloth, paper, or plastic, and displayed from a pole, cable or rope. It may or may not include copy.

Frontage means the boundary of a lot that abuts a public street.

~~*Garage sale sign* means a sign advertising the sale of personal property including estate sales, yard sales or rummage sales used to dispose of personal household possessions.~~

Government sign means any sign erected by the city or any other governmental entity in the exercise of official government business and authority.

Ground sign means any freestanding sign that is supported by structures or supports in or upon the ground and independent of support from any building. A single sign structure having two identical or nearly identical faces back to back shall constitute a single sign. For the purposes of this definition, a ground sign is intended to refer to a primary, permanent, ground-mounted sign, not a temporary sign or sign that is ancillary to the primary sign, such as a directional sign or portable sign.

Hanging sign means a sign that is suspended from the underside of a surface and is supported by such surface.

~~*Indirectly illuminated sign* means a sign that is illuminated from a source outside of the actual sign.~~

Inflatable sign means a freestanding or moored sign expanded or inflated with air or another gas, like a balloon, and which may rise and float above the ground.

Legal nonconforming sign means any sign which was lawfully erected and displayed ~~on [city clerk to insert effective date],~~ but which does not conform to the requirements and limitations herein, or any sign which was lawfully erected and displayed on the effective date of any amendment to this section, but which does not conform to such amendment. **Said legal nonconforming sign may be continued through repair, replacement, restoration, maintenance, or improvement, but not including expansion. "Expansion" shall be defined as any structural alteration, change, or addition that is made outside of the original sign structure or sign area, including the addition of a dynamic display.**

~~*Logo* means a symbol or trademark commonly used to identify a business or organization.~~

~~*Memorial sign* means a sign or tablet memorializing a person, event, place or structure.~~

~~*Menu sign* means a permanent changeable copy sign associated with restaurants with drive-through windows, car washes, or other businesses with drive-up services which gives a detailed list of food or services available.~~

Monument sign means a ground sign having a monolithic base or support structure of any material measuring no less than one-third (one-third) of the greatest width of the sign at any point.

~~*Noncommercial message* means a message intended to direct attention to a political, social, community or public service issue or an idea, aim viewpoint, aspiration or purpose and not intended to produce any commercial benefit or tend to encourage a commercial transaction.~~

~~*Off-premises sign* means a sign which displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered, or occurs elsewhere than on the lot where such sign is located.~~

~~*On-premises sign* means a sign which displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered, or occurs on the same lot as the sign.~~

Pennant means a tapered or dove-tailed banner or flag.

~~*Permanent*, when used in reference to a sign, means that the sign is constructed of durable materials and intended to exist for an indefinite period of time or the duration of the time that the use or occupant is located on the premises and is generally, but not necessarily, affixed to the ground or structure. Unless the context clearly dictates otherwise, the term "permanent," in this definition, is not intended to mean literal permanence, but rather it is meant to distinguish such signs from more transient or temporary signage.~~

Pole sign means a ground sign mounted upon a pole or pylon, or multiple poles or pylons, not meeting the definition of a monument sign.

Portable sign means a type of temporary sign that is not permanently attached to the ground or a building or not designed to be permanently attached to the ground or a building, including, but not limited to, trailers or other vehicles that are used principally as a sign, posters, sandwich boards or other freestanding signboards, regardless of whether such signs are attached to the ground or to a building or structure.

Projecting sign means a sign that is attached to the wall of a building and projects more than 15 inches beyond such wall.

~~*Real estate sign* means a sign advertising only the sale, rental or lease of the premises upon which the sign is located.~~

Sign means any **letter, word, or symbol, poster, picture, statuary, reading matter or representation in the nature of an advertisement, announcement, message, or visual communication, whether painted, posted, printed, affixed, or constructed including all associated brackets, braces, supports, wires and structures, which is displayed for information or communicative purposes.** ~~display of lettering, logos, colors, lights, or illuminated neon tubes visible to the public from outside of a building or from a~~

~~traveled way, that either conveys a message to the public, or intends to advertise, direct, invite, announce or draw attention to any event, goods, products, services, facilities, persons, property interest or business.~~ **A sign does not include wall or building art.**

Street frontage means the distance for which a lot boundary adjoins a single public street.

Temporary sign means **a sign that is not constructed or intended for long term use.** ~~any sign that is not a permanent sign.~~

***Village Area* means all properties within the Village Area Metropolitan Urban Service Area (MUSA) boundary.**

Wall sign means a sign that is attached to a wall of a building and is affixed parallel to the wall at a distance of not more than 15 inches from the surface of the wall **with no copy on the sides or edges. This definition includes painted, individual letter, cabinet signs, and signs on a mansard.**

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Window sign means any sign located completely within an enclosed building and visible from a public way or placed upon a window. Merchandise within the premises and visible from the exterior shall not be considered a window sign under this definition**; however, any signs that are placed on the backs of shelving units or similar structures, or interior walls where the sign is located less than seven feet from the window's surface shall be considered a window sign.**

c) *Applicability*. The sign ordinance codified in this section shall apply to any sign placed, erected, altered, maintained, or relocated within the city that is plainly visible, although not necessarily legible, from any **vehicular or pedestrian** public right-of-way ~~or any lot in ownership separate from the lot upon which the sign is located.~~ **This section shall not regulate government signs; the copy or message displayed on signs; signs not intended to be viewed from a public right-of-way; interior window displays; product dispensers; non-dynamic displays on scoreboards on athletic fields, flags, gravestones, barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display not defined herein as a sign. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.**

d) *Sign permits and fees*.

1. *Permit required*. Except as provided in this section, it shall be unlawful for any person to place, erect, alter or relocate within the city, any sign without first obtaining a permit from the ~~planning~~ **community development** department and making payment of all **permit** fees as required by the city's fee schedule. This subsection shall not be interpreted to require a permit for a change of copy on a changeable copy sign, changing occupant sign panels on a directory sign, repainting, cleaning, or other normal maintenance and repair of any existing sign or its structure as long as the sign copy does not change.

2. *Application for sign permit*. All applications for sign permits shall be filed on a form supplied by the city. Such application shall be submitted with all required information provided and shall contain or have attached thereto the following information:
    a) Date of application.
    b) Name, address, telephone number, and~~, if available, fax and~~ email address, of the applicant as well as of the person, firm, corporation, or association erecting the sign.
    c) The written consent of the owner or lessee of the premises upon which the sign is to be erected, or the sworn statement of the applicant that the applicant is authorized by the owner, lessee or other authorized occupant of the premises to erect the proposed sign.
    d) A scale drawing showing the existing and proposed location and dimensions of all buildings, structures, and signs on the subject property. For a ground sign, the drawing shall also indicate the following: ~~D~~**d**istance of the sign from either the face of curb or sidewalk as well as its location relative to other ground signs, driveways, fire hydrants, and any other features of a site that could be obscured by the sign.
    e) A landscaping plan around the base of all ground signs.
    f) The configuration of the proposed sign listing the height, width, total square footage, proposed copy, method of construction and attachment, method of illumination and description of all electrical equipment, sign materials and colors, and at least one image showing the location of the proposed sign and its relationship to either the building to which it is to be mounted or the surrounding lot if it is a ground sign.
    g) The total area and number of all signs by type on the subject property both before and after the installation of the proposed sign.
    h) For temporary signs, applications must be accompanied by a signed, written statement acknowledging the ordinance requirements governing the duration of time during which the sign may be displayed.
    i) Such other information as the city may require to ensure compliance with this section and any other applicable laws.
3. *Application process and review procedure*. It shall be the duty of the ~~planning~~ **community development department** ~~**director**~~, upon the filing of an application for a sign permit, to examine the application for compliance with the requirements of this section and, if deemed necessary by the ~~planning~~ **community development** director, to inspect the premises upon which the proposed sign is to be erected. If the application is complete and the proposed sign is in compliance with all the requirements of this section, and any other applicable laws, the following actions shall be taken:
    a) If the application is for a permanent sign that conforms to an approved comprehensive sign plan that applies to the property upon which it is to be located, or for a permanent or temporary sign that adheres to the requirements of this Code, the ~~planning~~ **community development** director may issue a permit.

b) If an application for approval of a comprehensive sign plan pursuant to subsection (i) ***Comprehensive sign plans*** ~~of this section~~ is submitted with a development application subject to planning commission review and city council approval, the ~~planning~~ **community development** director shall review the application and make a recommendation to the planning commission prior to issuing a permit.

c) Except for applications for approval of a comprehensive sign plan~~, applications shall be approved or denied within 30 days of the filing of a complete application or be deemed approved unless an extension of time for review is granted, in writing by the applicant~~. Any decision of the ~~planning~~ **community development** director may be appealed to the board of adjustment and appeals.

d) In the event that a permit is issued but the sign authorized by the permit is not placed, erected, altered or relocated within six months after the issuance of the permit, the permit shall expire and be null and void.

e) *Design review criteria*. Signs shall meet the following criteria:

1. Any signage affixed to a building shall be dimensioned and located in such a manner that it fits the building's architectural features and proportions.
2. All signs shall be designed to fit the zoning and character of the surrounding area. Special consideration should be made where proposed signage is located on or adjacent to locally identified historic structures or publicly owned recreation and conservancy areas. Signage in planned unit developments, or in developments seeking comprehensive sign plans, shall conform to the planned or existing dominant architectural theme of the area. Signage in or abutting residential properties should be designed and located so as not to create a nuisance. **When applicable, signage shall conform to the Lake Elmo Design Guidelines and Standards Manual.**
3. Signs illuminated by lights shall be positioned in such a manner that none of the light spills over onto an adjourning property or glares or shines into the eyes of motorists or pedestrians. All signs must conform to the sign illumination standards in subsection (f)(7) of this section and LEC 105.04.050.
4. ~~Landscape features shall be incorporated around~~ **T**~~t~~he base of all permanent ground signs **must be landscaped**. Landscape plantings or other landscape materials **will** ~~shall~~ not be considered as part of the allowable signage.

f) *General sign regulations*. This section pertains to all signs erected in the city. Additional regulations may apply based on sign type and zoning district in which the sign is to be displayed. Whenever regulations conflict anywhere within this section or with any other applicable rule or regulation, unless expressly stated otherwise, the more restrictive provision shall control.

1. *Surface area calculation*. The sign surface area shall be calculated based on the area within the smallest single continuous rectilinear perimeter of not more than eight straight lines encompassing all elements of the actual sign face including any writing, representation, emblems or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed, but excluding any support structure. For a sign painted on or applied to a building, the area shall be

considered to include all lettering, wording and accompanying design or symbols, together with any background of a different color than the natural color, or finish material of the building. Area of signs displaying copy on two parallel, back-to-back faces not separated by more than 12 inches shall be calculated with reference to a single face only.

2. *Sign location, placement and setback requirements*. Except as provided elsewhere in this section, all signs shall be subject to the following requirements:
    a) *Limitations based on building setbacks*.
        1. Except as provided in **paragraph** ~~subsection (f)(2)~~ **(**b**) below** ~~of this section~~, no part of any permanent or temporary sign shall extend over a property line.
        2. Where buildings are lawfully permitted to exist on the property line, a permanent sign attached to a building may project not more than six feet over the abutting public sidewalk or right-of-way, provided that the bottom of the sign components are located no less than eight feet above the ground immediately beneath such sign. No sign may project over adjacent private property. Any ground sign shall be located on the premises unless it is an authorized temporary sign for which a valid permit is in effect.
    b) *Signs on public property*. No sign shall be located within or across any public right-of-way, or on any public property, easement, or utility pole, except for:
        1. A sign erected by, or required by, a government agency or temporarily erected to protect the health and safety of the general public;
        2. A sign erected in conformity with **paragraph** ~~subsection (f)(2)~~ **(**a**)**~~.~~**(**2**)** of this section;
        3. Subdivision identification signs, provided an encroachment ~~and license~~ agreement is obtained from the appropriate **jurisdiction if the sign is located within the public right-of-way**;
        4. Directional signs to ~~religious~~ institutions, schools, parks and public buildings within the city not to exceed four square feet subject to the approval of the road authority. Not more than three directional signs are allowed for each building location.
    c) *Safety of motorists and non-motorists*.
        1. No sign shall be erected or maintained at any location whereby reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure the vision of road users, or otherwise obstruct, interfere with the view of, or be confused with, any authorized traffic control sign, signal or device.
        2. No ground sign, with the exception of government signs, may be placed within ten feet of a fire hydrant, within 15 feet of a crosswalk, or within 15 feet of the intersection of any circulation lane, **roundabout**, driveway or alley.
        3. No sign exceeding a height of 30 inches may be placed within the vision triangle as defined in LEC 1.~~04~~ **08**.

4. No sign or structural components shall obstruct passage on a sidewalk or walkway.

d) *Additional regulations pertaining to placement of all signs*. Except for a sign erected by, or required by, a government agency or temporarily erected to protect the health and safety of the general public:
   1. No sign shall be attached to a fence, tree, shrubbery, utility pole or like items on either public or private property, and no sign shall obstruct or obscure primary signs on adjacent premises.
   2. No sign shall extend beyond the perimeter of a permanent structure or obstruct any window, door, fire escape, ventilation shaft or other area that is required to remain unobstructed by an applicable building code.
   3. No sign shall be mounted upon any roof of any building or structure.

e) *Americans with **D**~~d~~isabilities **Act** compliance*. Sign placement shall meet all Americans with Disabilities Act (ADA) requirements.

3. *Construction and structural requirements*. Every sign ~~and its framework, braces, anchors and other supports~~ shall be constructed of such material and with such workmanship as to be safe. Every sign shall be designed and constructed in conformity with the applicable provisions of the state building code and shall be free of any exposed extra bracing, angle iron, guy wire or cables. The base or support of all permanent ground signs shall be securely anchored to an appropriately designed concrete base or footing per the state building code.
4. *Load requirements*. All signs and other advertising structures shall be designed and constructed to meet all load requirements according to all applicable regulations in the state building code.
5. *Installation*. All signs shall be ~~property~~ **properly** secured, supported and braced. No sign or any part thereof, or anchor, brace, or guy wire shall be attached, fastened or anchored to any fire escape, fire ladder or standpipe, and no sign or any part thereof, or anchor, brace or guy wire shall be erected or maintained which may cover or obstruct any door, doorway, or window of any building or which may hinder or prevent ingress or egress through such door, doorway or window, or which may hinder or prevent the raising or placing of ladders against such building in the event of fire. All signs or attention-attracting **objects** ~~devices~~ shall be free of projections that could cause injury to a pedestrian and shall be installed in such a manner to avoid obstruction of a public sidewalk or street or portion thereof.
6. *Maintenance*. All signs, including nonconforming signs, and sign structures shall be maintained to preserve the appearance and structural integrity substantially identical to the new condition of the sign.
7. *Sign illumination*. All illuminated signs shall comply with LEC 105.04.050 (Lighting, Glare Control and Exterior Lighting Standards) and the following requirements:
   a) *Electrical permit*. All signs in which electrical wiring and connections to be used shall comply with all applicable provisions of the state electrical code.
   b) *Voltage displayed*. The voltage of any electrical apparatus used in conjunction with a sign shall be conspicuously noted on that apparatus. In addition, all electrical signs shall bear the label of approval of a recognized

testing laboratory and be equipped with a watertight safety switch that is located where the electrical supply enters the sign.

c) *External illumination*. All external lighting fixtures shall be steady, stationary, fully shielded and directed solely onto the sign, and shall use lighting designed to minimize light spill and glare. Lighting sources shall not be directly visible or cause glare to adjacent public rights-of-way or adjacent private property.

d) *Internal illumination*. Internally illuminated signs shall permit light to shine fully through only the lettering and graphic elements of the sign. The background for such lettering and graphics shall be opaque or translucent and shall transmit light at a level substantially less than that transmitted through the lettering and graphics. If the contrast between the lettering or graphic elements and background does not permit adequate legibility, a translucent white boarder of up to one inch in width may be placed around said lettering or graphic elements.

e) *Brightness limitation*. Except for daytime displays on electronic variable message signs, in no instance shall the lighting intensity of any illuminated sign exceed:

1. Three footcandles at the front lot line and one footcandle at all other lot lines, measured three feet above the surface of the ground.
2. 50 footcandles measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign.

f) *Glare*. All artificial illumination shall be so designed, located, shielded and directed so as to prevent the casting of glare or direct light up adjacent public right-of-way or surrounding property.

g) *Reflectors and lights*. Gooseneck and similar reflectors and lights shall be permitted on ground and wall signs; provided, however, the reflectors and lights shall concentrate the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property. It shall be unlawful to maintain any sign which is wholly or partially illuminated by floodlights or spotlights, unless such lights are completely concealed from view from the public right-of-way.

8. *Motion as a component of a sign*. No sign shall have any flashing, scintillating, moving or blinking lights or rotating beacons, whether operated by electronic or mechanical means or wind driven, nor shall any floodlight, spotlight, or beacon utilize such actions to illuminate a sign. In addition, no beam of light shall be projected through a mechanism which periodically changes the color of the light reaching the sign.
9. *Attention-attracting objects*. The use of any attention-attracting object, as defined in this Section, shall be allowed only as a temporary sign in conjunction with a special event permit, not to exceed ten days per issuance. No permit shall be granted for any premises more than four times in any calendar year; or more than once in any three-month period.
10. ~~*Lots having multiple street frontages*. Business occupying corner lots, or multiple frontages adjacent to more than one public right-of-way, may display up to one additional ground-mounted or building-mounted sign for each additional frontage,~~

~~provided that such additional sign may not exceed 50 percent of the area allowed by the primary frontage and is oriented toward the additional frontage. For the purposes of this Code, the primary frontage shall be presumed to be the frontage upon which the main entrance to the building is located. The applicant, however, may identify a different frontage as the primary frontage to maximize the effectiveness of the signage.~~

10. *Resemblance to traffic signs*. No sign shall contain or resemble any sign resembling in size, shape, message, or color any traffic control devices compliant with the Minnesota State Manual on Uniform Traffic Control Devices.

g) *Limitations according to the type of land use **and zoning district***. Unless exempt under **paragraph** ~~subsection~~ (k) of this section or as expressly provided elsewhere, no permanent or temporary signs shall be displayed except in conformity with the following regulations as they correspond to the type of land use and districts in which the sign is to be displayed.

1. *Residential uses in residential districts*.

a) In connection with legal home occupations, a single sign ~~which is limited in content to the name, address and legal home occupation of the owner or occupant of the premises, and~~ which does not exceed two square feet in area. Signs under this subsection shall be wall signs only.

b) A residential condominium or multifamily apartment complex may display **identification** signs ~~identifying the name of the condominium or apartment complex~~ if the total acreage of the lot is one acre or more and the condominium or apartment includes eight or more units. One wall **identification** sign and one ground **identification** sign per street frontage may be displayed, with a maximum of two wall **identification** signs and two ground **identification** signs per lot. No identification sign shall exceed 32 square feet in area, and the maximum height **is six feet above curb level for ground signs or** ~~is~~ one story or 12 feet above curb level **for wall signs**, whichever is lower. For the purposes of this subsection, the term "lot," when used in reference to a condominium, means all property within **the** common interest community **complex and not each unit**.

c) Subdivision identification signs.

1. Number. Each residential subdivision is allowed up to one subdivision identification sign per entrance **to the subdivision**. For the purposes of this section, residential subdivision shall include all phases of approved staged developments.
2. Location. Subdivision identification signs shall be located near entrances to the subdivision, except that one sign may be located along an abutting arterial or major collector roadway.
3. Size. The maximum size for a subdivision identification sign is 32 square feet at a subdivision's main entrance and 24 square feet for all other locations. **The maximum height for a ground identification sign is six feet above curb level.**

4. Setback. Subdivision identification signs and support structure shall maintain a setback of at least ten feet from any street right-of-way. Signs as well as support structures within a center island shall maintain a setback of at least five feet from the curb and are subject to regulations set forth by **paragraph** ~~subsection~~ (f)(2)~~2. b of this section~~.
5. Changeable copy signs, including electronic variable message signs, are not a permitted sign type for subdivision identification signage.

2. *Institutional uses in **or abutting** residential districts*. Nonresidential **institutional** uses located in **or abutting** residential districts~~, such as churches and schools,~~ located in residential districts may erect signs as follows:

a) *Wall and ground signs*.

1. *Area and number*. One wall sign and one ground sign per street frontage may be displayed, identifying the entity, with a maximum of two wall signs and two ground signs per lot. Additional wall or ground signs for wayfinding purposes may be permitted when the size of the lot, number of vehicular or pedestrian entrances, and layout of the buildings require additional signs in order to promote traffic and pedestrian safety. Signs under this subsection, whether displayed on a wall or on the ground, shall not exceed 12 square feet in area, except such signs may be increased in area by one square foot for each additional foot that the sign is set back more than 12 feet from a lot line. No sign under this section shall exceed 32 square feet in area.
2. *Height*. No identification **wall** sign shall project higher than one story, or 12 feet above curb level, whichever is lower. **No ground sign shall project higher than six feet.**

b) *Temporary signs*.

3. ***Agricultural sales businesses*. Signage related to agricultural sales business may be erected as follows:**

a) *On-premises signs, agricultural sales businesses*. One or more on-premises signs may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:

1. Agricultural sales businesses utilizing less than ten acres of land specifically for the growing of agricultural crops for the businesses are allowed one on-premises sign not to exceed 32 gross square feet of advertising surface.
2. Agricultural sales businesses utilizing more than ten acres of land but less than 40 acres of land specifically for the growing

of agricultural crops for the businesses are allowed up to two on-premises signs not to exceed 48 gross square feet of total advertising surface, with no individual sign surface exceeding 32 square feet in size.

3. **Agricultural sales businesses utilizing more than 40 acres of land specifically for the growing of agricultural crops for the business are allowed up to three on-premises signs not to exceed 64 gross square feet of total advertising surface, with no individual sign surface exceeding 32 square feet in size.**
4. **Any illuminated sign shall be consistent with paragraph (f)(7) of this section and illuminated only during those hours when business is open to the public for conducting business.**

b) *Temporary off-premises signs, agricultural sales businesses*. Independent of the total allowable sign area for an individual property anywhere within the city, a temporary off-premises sign may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:

1. ***Maximum number*. Every agricultural sales business shall have no more than three off-premises signs at any given time to direct the public to the location of the business.**
2. ***Timeframe of use*. Temporary off-premises signs may be erected for 45-day time periods no more than four times in any given calendar year. The required temporary sign permit shall stipulate the range of dates for each of the four allowable time periods in any given calendar year.**
3. ***Size and height*. An off-premises agricultural sales advertising sign shall not exceed 50 square feet in area and shall not be taller than ten feet in height.**
4. ***Setbacks*. Off-premises signs shall be a minimum of 25 feet from all side property lines, and a minimum of 50 feet from other off-premises advertising signs.**
5. ***Permission required*. Applicants for off-premises signs shall acquire permission from the property owner upon whose land the sign is to be erected.**

4. *Commercial, mixed-use, and* ~~*industrial*~~ ***business park districts.***

a) Wall signs.

1. **Number. No building occupant shall display more than one wall sign per street frontage except as provided below:**

a) One additional wall sign may be displayed on a building with no front setback, provided that such sign is a flat

sign that is either painted upon the building or does not extend outward more than six inches or,

b) One additional wall sign may be displayed on single occupant buildings with a minimum lot width of 100 feet or,

~~c)~~ Up to three ancillary wall signs may be displayed on buildings measuring at least 100 feet in length along the front lot line. Any ancillary sign displayed under this paragraph shall not exceed 50 percent of the net area or ~~50 percent of the height~~ of the largest permitted wall sign displayed on that façade ~~nor shall the aggregate area of the ancillary signs exceed 50 percent of the net area of such wall sign.~~

d) Lots having multiple street frontages. Commercial buildings occupying corner lots, or multiple frontages adjacent to more than one public right-of-way, may display up to one additional building-mounted sign for each additional frontage, provided that such additional sign may not exceed 50 percent of the area allowed by the primary frontage and is oriented toward the additional frontage. For the purposes of this Section, the primary frontage shall be presumed to be the frontage upon which the main entrance to the building is located. The applicant, however, may identify a different frontage as the primary frontage in order to maximize the effectiveness of the signage.

e) Businesses not fronting onto a street. Buildings without street frontage may have only one wall sign per business.

2. Surface area. The total permitted sign surface area of all wall signs on a facade shall not exceed ~~one~~ 1.5 square ~~foot~~ feet of signage for each lineal foot of building frontage that is coterminous with the occupancy to which the sign refers, unless a different amount allocated to the building occupant is identified in an approved comprehensive sign plan pursuant to subsection (i) of this section. In addition, no individual wall sign shall exceed 100 square feet in area.

b) Ground Signs/Directory.

1. Number. There shall be no more than one ground sign for each street on which the lot has frontage, except one additional ground sign per lot frontage may be allowed for any lot frontage over 1,000 linear feet. On lots where the number of businesses

exceed the number of allowed ground signs, a directory sign shall be used in lieu of multiple ground signs. No single business or building occupant shall be allowed signage on both an individual ground sign and a ground directory sign on the same street frontage. On premises having no principal building, there shall be no more than one ground sign for the premises.

2. **Surface area. No ground sign shall exceed ten feet in height and 64 square feet in area. No directory sign shall exceed 12 feet in height and 80 square feet in area except as follows:**

    a) **Village Area. No ground sign shall exceed six feet in height and 32 square feet in area. No directory sign shall exceed 12 feet in height and 80 square feet in area.**
    b) **Parcels abutting Hudson Boulevard. No ground or directory sign shall exceed 30 feet in height and 250 square feet in area. Signs shall be within 100 feet of the property line abutting Hudson Boulevard.**

a) ~~Ground signs.~~
b) ~~Directory signs.~~
c) ~~Awning and canopy signs.~~
d) ~~Wall signs.~~
e) ~~Projecting signs.~~
f) ~~Hanging signs.~~
g) ~~Window signs.~~
h) ~~Directional and informational signs.~~
i) ~~Corporate flags and decorative banners.~~
j) ~~Temporary signs.~~

5. *Planned **unit** development districts*. No permanent sign shall be displayed except a sign authorized by the city and included in the comprehensive sign plan pertaining to the **development** site. Temporary signs are permitted for commercial, institutional or industrial uses unless prohibited by the comprehensive sign plan.
6. *Conservancies and parks*. No sign shall be permitted **in a city park or open space** except those installed **with permission** ~~by direction~~ of the **city's** public works director.

~~7. *Agricultural sales businesses*. Signage related to agricultural sales business may be erected as follows:~~

~~d) *On-premises signs, agricultural sales businesses*. One or more on-premises signs may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:~~

~~1. Agricultural sales businesses utilizing less than ten acres of land specifically for the growing of agricultural crops for the businesses~~

~~are allowed one on-premises sign not to exceed 32 gross square feet of advertising surface.~~

2. ~~Agricultural sales businesses utilizing more than ten acres of land but less than 40 acres of land specifically for the growing of agricultural crops for the businesses are allowed up to two on-premises sign not to exceed 48 gross square feet of total advertising surface, with no individual sign surface exceeding 32 square feet in size.~~
3. ~~Agricultural sales businesses utilizing more than 40 acres of land specifically for the growing of agricultural crops for the business are allowed up to three on-premises signs not to exceed 64 gross square feet of total advertising surface, with no individual sign surface exceeding 32 square feet in size.~~
4. ~~Any illuminated sign shall be consistent with subsection (f)(7) of this section and illuminated only during those hours when business is open to the public for conducting business.~~

e) ~~*Temporary off-premises signs, agricultural sales businesses*. Independent of the total allowable sign area for an individual property anywhere within the city, a temporary off-premises sign may be erected on a property in conjunction with an operating agricultural sales business subject to the following requirements and restrictions:~~

1. ~~*Maximum number*. Every agricultural sales business shall have no more than three off-premises signs at any given time to direct the public to the location of the business.~~
2. ~~*Timeframe of use*. Temporary off-premises signs may be erected for 45-day time periods no more than four times in any given calendar year. The required temporary sign permit shall stipulate the range of dates for each of the four allowable time periods in any given calendar year.~~
3. ~~*Size and height*. An off-site agricultural sales advertising sign shall not exceed 50 square feet in area and shall not be taller than ten feet in height.~~
4. ~~*Setbacks*. Off-premises signs shall be a minimum of 25 feet from all side property lines, and a minimum of 50 feet from other off-premises advertising signs.~~
5. ~~*Permission required*. Applicants for off-premises signs shall acquire permission from the property owner upon whose land the sign is to be erected.~~

h) ~~*Regulations*~~ ***Sign installation standards*** *pertaining to specific sign type*. Except as expressly provided elsewhere, signs shall meet the following regulations according to sign type:

1. *Wall signs.*

a) ~~*Number*. No building occupant shall display more than one wall sign per street frontage except as provided below:~~

6. ~~One additional wall sign may be displayed on a building with no front setback, provided that such sign is a flat sign that is either painted upon the building or does not extend outward more than six inches.~~
7. ~~Up to three ancillary wall signs may be displayed on buildings measuring at least 100 feet in length along the front lot line. Any ancillary sign displayed under this paragraph shall not exceed 50 percent of the net area or 50 percent of the height of the largest permitted wall sigh displayed on that facade, nor shall the aggregate area of the ancillary signs exceed 50 percent of the net area of such wall sign.~~

f) ~~*Surface area*. The total permitted sign surface area of all wall signs on a facade shall not exceed one square foot of signage for each lineal foot of building frontage that is coterminous with the occupancy to which the sign refers, unless a different amount allocated to the building occupant is identified in an approved comprehensive sign plan pursuant to subsection (i) of this section. In addition, no individual wall sign shall exceed 100 square feet in area.~~

a) Location. Wall signs shall be mounted parallel to building walls and only on a portion of an exterior wall that is coterminous with the occupancy to which the sign refers, unless a different location is identified in an approved comprehensive sign plan pursuant to subsection (i) of this section. No wall sign shall extend above or beyond the wall to which it is attached.

b) Installation requirements. No wall sign shall cover or interrupt significant architectural elements such as columns, column caps, friezes, door or window heads, embellishments, adornments, fenestration, or ornamental detailing on any building. All mounting brackets and other hardware used to affix a sign to a wall as well as all electrical service hardware and equipment shall be concealed by architectural elements of the building or the sign itself.

2. *Ground signs*.

g) ~~*Number*. There shall be no more than one ground sign for each street on which the lot has frontage, except one additional ground sign per lot frontage may be allowed for any lot frontage over 1,000 linear feet. On lots occupied by two or more occupants, or where a second ground sign is permitted, three or more occupants, a directory sign shall be used in lieu of multiple ground signs. No single business or building occupant shall be allowed signage on both an individual ground sign and a ground directory sign on the same street frontage. On premises having no principal building, there shall be no more than one ground sign for the premises.~~

h) ~~*Surface area*. No ground sign shall exceed the size listed in Table 5-3.~~

a) Type of sign. Any permanent ground sign shall be erected as a monument sign. Pole signs are prohibited unless the pole portion of the sign is enclosed in a shroud that causes the sign to appear to have a monolithic base or support structure of any material measuring no less than one-third of the greatest width of the sign at any point or unless the height is no greater than three feet. This provision does not apply to signs erected on properties **in a commercial, mixed-use, or business park district abutting Hudson Boulevard.** ~~located south of 5th Street and north of I-94~~. The base of the monument sign shall not exceed the width of the widest portion of the sign face by more than 25 percent.

b) Location. Ground signs shall be placed with consideration for visibility, access, maintenance, and safety, consistent with the provisions of **paragraph** ~~subsection~~ (f)(2) of this section. Ground signs shall be located beyond required setbacks a distance equal to or greater than the height of the sign. If this is not possible, ground signs shall be located as far from required setback lines as possible. In no case shall a ground sign, as defined in this section, extend beyond a lot line of a property. A ground sign larger than six square feet shall be located no closer than 100 feet of another ground sign or the furthest distance possible from another ground sign, whichever distance is shorter.

c) *Height*.

1. The height of a ground sign shall be measured from the approved grade at the base of the sign or the elevation of the street upon which the sign faces, whichever is lower, to the top of the highest attached component of the sign.
2. A ground sign shall be mounted on a base not to exceed four feet in height.
3. ~~Allowable height of a ground sign shall be as set forth in Table 5-3.~~
4. ~~No ground sign shall be taller than the principal building on the premises to which it pertains.~~

i) *Landscaping*. Perennial plantings, grass or other landscaping features shall be incorporated around the base of all ground signs.

j) *Exempt or special purpose ground signs*. The location of and maximum height and surface area of any other exempt or special-purpose ground sign expressly authorized by another section of this section, shall be as set forth in such other section.

~~Table 5-3 Ground Signs~~

~~Table 5-3 describes the zoning districts in which ground signs may be displayed, and the maximum height and area of the signs, as determined by street classification (as designated in the Lake Elmo comprehensive plan) of the closest street to which each freestanding sign is located. For~~

ground signs on zoning lots with more than one street frontage, use the higher street classification to determine the maximum height and area allowed. Businesses that are located on a road designed to provide safe access to minor arterials and principal arterials shall be permitted to erect a freestanding sign up to the determined maximum height and size allowable for a freestanding sign on said minor arterial or principal arterial road to which it is adjacent.

Table 5-3: Ground Signs

Zoning District	*A[a], LDR, OP, RE, RS, RR[a], RT[a]*	*MDR, HDR*	*BP, C, CC, GB, LC, VMX*
	Max. Height/Area (square feet)	*Max. Height/Area (square feet)*	*Max. Height/Area (square feet)*
Local Street	-	6'/32 -	10'/40 -
Collector Street		6'/32	10'/50
Minor Arterial		6'/32	10'/64
Principal Arterial[b]		6'/32[b]	12'/80[b]
Notes to Table 5-3:			
[a] Ground signs are only permitted in the A, RR, and RT districts in conjunction with agricultural sales business.			
[b] In lieu of a ground sign meeting underlying zoning requirements, properties located south of 5th Street and north of I-94 may have one ground sign up to 30 feet in height and up to 250 square feet in size when within 50 feet of the property line nearest I-94. The base of the sign shall be constructed of materials similar to those used on the building for which the sign is installed.			

3. *Window signs*.

a) *Location*. All window signs must be located inside an exterior window unless the sign is weatherproof and does not pose a danger from falling or being blown by the wind. Lettering or graphic elements that are directly mounted on a window shall not encroach upon the frame, mullions, or other supporting features of the glass.

b) *Permanent signs*. When a sign is painted on or otherwise attached or applied to the window area in a permanent manner, then such a sign shall be

included in the total allowable wall sign area for the building and shall not exceed 20 percent of the total ground-floor window area of the building, excluding the door windows. All permanent window signs which have their lettering or graphic elements directly on the glazing shall be painted, metal leafed, vinyl transferred, or in some other manner permanently applied to the interior side of the glass of an exterior building window or door. No application using a temporary adhesive shall be permitted unless the ~~planning~~ **community development** director determines the application to be reasonably safe.

c) *Temporary signs*. **Temporary window** ~~S~~signs ~~advertising sales and specials~~ shall not exceed 30 percent of the total ground-floor window area of any building, excluding the door windows. Such signs must be displayed in conformance with the temporary sign regulations listed in **paragraph** ~~subsection~~ (j) of this section.

d) *Limitation*. Under no circumstances shall any combination of permanent or temporary window signage cover more than 50 percent of the total ground **floor** window area of any building.

4. *Changeable copy signs*.

a) *Not an additional permitted sign type*. Changeable copy signs are not an additional permitted sign type, but any permitted sign type may be a changeable copy sign, provided that the total surface area of the entire sign does not exceed the maximum allowed for the type and location of sign upon which the changeable copy is displayed.

b) *Electronic variable message signs*. Any sign type may be an electronic variable message sign subject to the following regulations:

1. *Surface area*. The areas of electronic variable message signs capable of displaying copy shall not exceed 40 square feet and shall be included within the maximum aggregate sign surface area allowed for the type and location of sign upon which the changeable copy is displayed.
2. ***Location*. Electronic variable message signs are not permitted in the Village Area.**
3. *Length of cycle*. The electronic changeable copy or images shall not alternate, change, fade in, fade out, or otherwise change more frequently than once every ten seconds. Electronic variable message sign signs may not display scrolling, racing, pixelating or moving characters or images, or similar actions that convey motion.
4. ~~*Color*. All copy, characters or other changeable images shall be of one color only, with light copy on a dark background.~~
5. *4. Brightness adjustment*. An electronic variable message sign shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination such that the light level

does not exceed three footcandles at the front lot line and one footcandle at all other lot lines, measured three feet above the surface of the ground.

6. *Maintenance*. Any electronic variable message sign shall be maintained so as to be able to display messages in a complete and legible manner.

5. *Canopy and awning signs*. ~~The use of canopy and awning signs reduces the maximum area of any allowed wall sign by half.~~ Canopy and awning signs are subject to the following provisions:

a) *Surface area*. The sign surface area of a canopy or awning sign shall not exceed 15 percent of the area of the vertical section of the canopies and awnings. The area of the vertical section of the canopies and awnings is calculated as the difference between the highest and lowest point on the canopy or awning multiplied by the length of the canopy or awning ~~measured parallel to the facade upon which it is attached..~~ **The difference between the highest and lowest point shall be measured parallel to the facade upon which it is attached.**

b) *Location*.

1. Canopies and awnings shall be constructed and erected so that the lowest portion of the projecting frame thereof shall be not less than nine feet, and the lowest portion of the descending **skirt** ~~shirt~~ shall be not less than eight feet above the level of the sidewalk or public thoroughfare.
2. No portion of the canopy or awning sign shall extend above or beyond the canopy or awning upon which it is attached. However, a sign may be hung beneath a canopy parallel to the building frontage so long as it and its structural components are no less than eight feet above the ground immediately beneath the sign.
3. Awnings shall not project more than 72 inches out from the building upon which they are attached, nor extend out from the building beyond the extension of the awnings on adjoining buildings.

c) *Installation requirements*. To preserve the architectural integrity of a building, no canopy or awning, and no canopy or awning sign, shall cover or interrupt significant architectural elements such as columns, column caps, friezes, door or window heads, embellishments, adornments, fenestrations or ornamental detailing.

d) *Illumination*. **Signs on** ~~A~~ **a**wnings and canopies may be illuminated where the following conditions are maintained:

1. Both interior type strip lighting and exterior type gooseneck lighting is permitted, not exceeding a maximum light level of 18 footcandles measured three feet from the perpendicular to the light source.

2. The bottom of any illuminated awning or canopy shall be enclosed.
3. The provisions of **paragraph** ~~subsection~~ (f)(7) of this section are satisfied.

e) *Materials*. Canopy and awning signs shall be made of either the material with which the canopy or awning is covered or other waterproof materials affixed flush to the face of the canopy or awning, or be painted directly on the awning or canopy material with weather-resistant paint.
f) *Snow load*. It is found that snow and ice that accumulates on awnings can pose a danger to pedestrians. To ensure the safety of pedestrians, snow and ice shall be removed from awnings within a reasonable time period after an event of snow and ice accumulation.

6. *Hanging signs*. One sign up to six square feet in area may be suspended above a walkway near a primary building entrance so long as it and its structural components are no less than eight feet above the ground immediately beneath the sign.
7. *Projecting signs*. A projecting sign may be displayed ~~in lieu of a wall sign and~~ subject to the following restrictions:

a) *Maximum projection*. The maximum distance a projecting sign may project is not more than 24 inches into the right-of-way. Subject to zoning setback limitations, a projecting sign may project no more than six feet from the building face.
b) *Location*. A building may have one projecting sign facing a street or on a corner of the building.
c) *Surface area*. The permitted area of a projecting sign shall not exceed the square footage for the amount that would otherwise be allowed for a wall sign on the building. **When a projecting sign, not exceeding six square feet, is displayed in lieu of a ground sign, the square footage shall not count towards the maximum allowable area for a wall sign.**
d) *Height*. A projecting sign must vertically clear any pedestrian area by at least eight feet and vehicular ways by at least 14 feet. A projecting sign may extend to the juncture of the roof with the building wall or to the top of any parapet, but no projecting sign may extend above a second story.

8. *Directional signs*. On-premises directional signs may be placed on private property near driveway entrances, at building entrances, and in parking lots and loading areas where reasonably necessary. Each such sign shall be located on premises and shall adhere to the regulations pertaining to vision triangles and other setbacks as defined in subsection (f)(2) of this section. Such signage shall be considered exempt from the total signage calculation for the premises as long as all the following standards are met:

a) Such signage does not serve an additional advertising purpose.

b) There are no more than ~~three~~ **four** directional signs per lot, not including a maximum of one directional sign allowed per driveway entrance/exit.
c) Surface area per sign does not exceed four square feet.
d) Logos do not exceed two square feet in area per sign.
e) Sign height does not exceed five feet above ground elevation at base of sign.

9. *Flags and decorative banners*. The following regulations apply to all flags and decorative banners:

a) A minimum clearance of eight feet over pedestrian ways and 14 feet over vehicular areas.
b) Maximum number of flagpoles for any lot is three.
c) Maximum height of any flagpole is 50 feet.
d) Maximum number of flags per lot is four.
e) Maximum area of any flag shall be 40 square feet.
f) Flags representing a private entity, including corporate or business flags, shall be included within the maximum sign area total for the site, as applied to the allowance for a ground sign, and shall require a sign permit.

i) *Comprehensive sign plans*.

1. *Purpose*. Multi-tenant developments such as shopping malls, due to the varying occupants' needs for signage and the potential for unique architecture and placement of different occupancies as they relate to street frontages, can create challenges to the applicability of sign regulations and the fair distribution of permitted square footage for occupants. This section is intended to define how signage permitted under this **Section** ~~Code~~ will be distributed among the different occupancies available in the development. The comprehensive sign plan shall create visual harmony between the signs, buildings, and building site through unique and exceptional use of materials, design, color, and lighting, and other design elements; and shall result in signs of appropriate scale and character to the uses and buildings on the lot as well as adjacent buildings, structures and uses.
2. *Applicability*. A comprehensive sign plan shall be required of an applicant for all planned **unit** developments and commercial or industrial multi-tenant developments where different occupancies will compete for permitted square footage on a single lot.
3. *Submission requirements*. An application for comprehensive sign plan approval shall be submitted to the ~~planning~~ **community development** director and shall include:

a) A site plan, dimensioned, showing the location of the buildings, structures, parking areas, driveways, and landscaped areas on the lot upon which the proposed sign is to be attached or erected.
b) A table or tables containing:
    1. Computation of the maximum total sign area.
    2. Maximum area for individual signs.

3. Height and number of ground signs.
4. Statement of the maximum total sign area and maximum number of signs permitted on the site by this section.

c) An accurate indication on the site plan of the location and orientation of each sign for which a permit is currently being requested, the anticipated location of future signs requiring a permit, and the location of all reasonably anticipated temporary signs.
d) A description and illustration of the following may be required:

1. Colors and materials to be used in sign construction.
2. Style of lettering for all signs.
3. Appearance/location of logos or icons.
4. Location of each sign on the buildings, with building elevations if necessary.
5. All sign proportions.
6. Types of illumination.

4. *Amendment*. A comprehensive sign plan may be amended by filing a new comprehensive sign plan, in conformance with the requirements of the sign ordinance in effect at the time, and obtaining approval of the ~~planning~~ **community development** director.
5. *Binding effect*.

a) After approval of a comprehensive sign plan, no permanent sign shall be erected, placed, painted, or maintained by the property owner or any buyer, tenant, **occupant,** subtenant, assignee, employee, agent or other party in use of the subject property except in conformance with such plan without obtaining a sign permit and in conformance with the comprehensive sign plan.
b) If the city council has approved a comprehensive sign plan with flexible criteria, the~~ planning~~ **community development** director is authorized to approve, through the standard sign permit approval process, sign applications in conformance with the comprehensive sign plan, but only to the extent that the application is in conformance with the comprehensive sign plan.
c) The terms and conditions of an approved comprehensive sign plan shall have the same force and effect and be enforced in the same manner as any other provision of this section.

j) *Temporary signs*.

1. *General requirements*. Temporary signs shall conform to the following standards:

a) *Permit required*. No temporary sign may be displayed without a valid temporary sign permit or portable sign permit.

b) *Sign type*. Temporary signs may include any sign type permitted by this section.
c) *Number*. No more than two temporary signs may be displayed on a lot at any time.
d) *Surface area*. The maximum area of all temporary signs displayed shall be a combined total of eight square feet if displayed for ten days or longer.
e) *Location*. ~~Temporary signs shall be located only upon the premises to which the special, unique, or limited activity, service product, sale, or event is to occur.~~ No temporary sign may be placed off-premises except as otherwise provided elsewhere in this section.
f) *Duration*. No temporary sign permit shall be issued to erect or maintain any temporary signage for a period exceeding 21 days~~, or to be displayed three days after termination of the activity, service, project, sale, or event to which the sign pertains, whichever comes first~~. A permit for temporary sign or signs shall be granted no more than four times in any calendar year and only once every three months.
g) *Installation requirements*. All temporary signs shall be constructed, anchored and supported in a manner which reasonably prevents the possibility of such signs becoming hazards to the public health and safety as determined by the ~~planning~~ **community development** director.

~~2. *Business opening signs*.~~

~~a) *Permit required*. A permit shall be issued before a business opening sign may be erected. The permit may not be renewed.~~
~~b) *Type of sign and location*. A business opening sign may be a wall sign, projecting sign, or ground sign. A business opening sign may be displayed in addition to, in lieu of, or affixed to a permanent sign. A banner may be used as a business opening sign.~~
~~c) *Size*. The size of a business opening sign shall be determined by the type of sign chosen, and shall be limited to the maximum size allowed for a permanent sign of that type at the location.~~
~~d) *Illumination*. A business opening sign may be illuminated subject to subsection (f)(7) of this section.~~
~~e) *Duration*. A business opening sign may be displayed for a period not to exceed 30 days from the date the business opened, changed names, or changed ownership.~~

2. *Portable signs*. In addition to the general requirements pertaining to temporary signs, the following standards pertain to portable signs:
a) *Permit required*. A sign permit shall be issued on an annual basis before a ~~stationary~~ portable sign may be erected. Such permit shall only be valid during the calendar year during which it is issued.
b) *Construction*. A sign shall be manufactured to a professional standard of construction, finish and graphics. A portable sign shall be freestanding, self-supported and constructed of substantial materials such as wood, metal or plastic such that the sign will reasonably withstand the elements.

c) *Size and design regulations*.

1. A portable sign shall not exceed six square feet in surface area per side, with a maximum of two signable sides or faces.
2. The sign shall not exceed three feet measured at the widest point of the sign face.
3. Any portion of the sign's face used for a chalk or dry-erase board shall not exceed 50 percent of the total sign face surface area.

d) *Number*. One portable sign may be displayed per business or occupant in any commercial or industrial area or planned unit development.

e) *Location*. A portable sign is restricted to the lot of the business establishment to which a permit has been issued, except such a sign may be located in the public right-of-way in front of the premises only where no front setback is required.

f) *Placement*. A portable sign shall:

1. Be placed only along sidewalks where a minimum five-foot-wide clear sidewalk is maintained. In no event shall a portable sign be placed on any bicycle path. The placement, of a portable sign shall not obstruct access to any crosswalk, mailbox, curb cut, fire hydrant, fire escape, fire door, building entrance, public parking space or any other public property, nor shall a sign obstruct the ability of persons to exit/enter vehicles parked along the curb;
2. Not be attached, chained or in any manner affixed to public property including street trees, utility poles or sign posts;
3. Not obstruct the clear view of any traffic signal, regulatory sign or street sign;
4. Not be located closer than ten feet to any other portable sign;
5. Not be located directly adjacent to a bus ~~stop~~ or transit vehicle **stop or station**, shall not obstruct sight lines of road users, nor be placed less than 25 feet from a street intersection or 15 feet from a crosswalk;
6. Not be placed in such a way as to interfere with snowplowing of the streets;
7. Be maintained free of snow, be placed on solid ground at all times and shall not be placed on top of snow banks.

g) *Illumination*. A portable sign shall not be illuminated.

h) *Time limitations and removal*. A portable sign may be displayed only during business hours. Such sign must be removed and safely stored out of view during times when the business is not open to the public. Trailers or other vehicles that are not used principally as a sign may be parked on the lot when the business is not open to the public.

i) *Enforcement*. Portable signs located within the public right-of-way are a privilege and not a right. The city in permitting placement of such signs in the public right-of-way reserves the right to require their removal at any time because of anticipated or unanticipated problems or conflicts. To the extent possible, the permittee shall be given prior notice of any time period during which, or location at which, the placement of portable signs **within the public right-of-way** is prohibited. Furthermore, the sign permit may be revoked by the ~~planning~~ **community development** ~~–~~director following notice to the permittee. The permit may be revoked if one or more conditions outlined in this section have been violated, or if the sign is determined to constitute a public nuisance not specifically outlined in this section. Following the revocation of the sign permit, no application for the same site shall be filed within 180 days from the date of revocation. The permittee has a right to appeal the decision of the ~~planning~~ **community development** ~~–~~director within 30 days of issuance of a revocation notice pursuant to **paragraph** ~~subsection~~ (n)(2) of this section.

j) *Indemnification*. Where a temporary **or a**, portable sign is permitted in the public right-of-way, the owner, lessee or lessor of the business to which a permit has been issued and the property owner shall agree in writing to fully indemnify**, defend,** and hold the city harmless for any personal injury or property damage resulting from the existence or operation of said sign, and shall furnish evidence of general liability insurance in the amount of **$1,500,000** ~~$50,000.00~~ with the city as additional named insured or provide other security to the satisfaction of the city administrator.

k) *Permit renewal*. The permit for a portable sign must be renewed annually prior to January 1 of each year.

k) *Signs exempt from permit*. Consistent with the purpose and scope of this section, the city recognizes that certain temporary, necessary, or limited-purpose signs should be lawfully displayed without the need to obtain a permit and should not count as part of the specific sign area allowed to be displayed on a particular property. All signs exempt from permit requirements must, nonetheless, adhere to all other applicable sections of this section and all other applicable state and federal regulations. The city finds that the following signs may be displayed without a permit:

1. *Address and nameplates*. Address and name plates not exceeding three square feet in area.
2. *Athletic field signage*. Signs, banners, and scoreboards designed solely for view from spectator areas and displayed on interior walls, fences, or other structures located inside an enclosed athletic field at a school, park, or other public or private athletic complex. Approval of the park commission shall be required to display a sign, banner, or scoreboard under this subsection at a city park.
3. *Awning signage*. Signs displayed on awnings located on commercial or industrial buildings, provided that the signs are displayed on the lowest 12 inches of the principal face or side panels of awnings and, provided that they do not exceed six inches in height.

~~4. *City signs on city property*. City signs on city property not exceeding 32 square feet in area.~~

4. ~~*Construction*~~ ***S****signs* ***on construction sites***. Such signs may only be placed on the property where **construction** work is in progress, shall not be erected prior to the beginning of work for which a valid building permit has been issued, and shall be removed within ten days of completion of work or the expiration of the building permit, whichever is sooner. ~~Construction~~ ~~s~~**S**igns on parcels **under construction** in residential **zones** or **in** park**s** ~~uses~~ shall not exceed 32 square feet per street frontage. ~~Construction s~~ **S**ign **on parcels under construction in** ~~area for~~ commercial, industrial, multifamily, or planned **unit** development ~~uses~~ on parcels less than 100,000 square feet shall not exceed 64 square feet per street frontage; and on parcels greater than 100,000 square feet shall not exceed 96 square feet per street frontage. Square footage must be divided.

5. *Flags*. Flags that comply with the provisions of subsection (h)(9) of this section.
6. ~~*Garage sale and estate sale*~~ ***Temporary*** *signs* ***during a garage or estate sale***. Signs **on properties having a garage or an estate sale** ~~advertising a garage sale~~ shall not exceed four square feet in rea, shall not be displayed for a period of time more than 72 consecutive hours and may be displayed no more than twice in any one calendar year. Up to three ~~residential garage sale~~ signs may be displayed per event, two of which may be displayed off-premises, but not in the public right-of-way. Any such sign placed on private property must have the consent of the property owner on whose property such sign is displayed.
7. *Government signs, including traffic or official public hearing notice signs*. Such signs are placed, authorized, or required by the city or other authorized governmental agency. The requirements for maximum area, height, setback, or other size, materials or physical specifications shall be as required by law or the authorizing agency.
8. *Holiday and temporary decorations*. Holiday or temporary decorations when located on private property, or with the approval of the city if on public property. In addition, any sign in the nature of a decoration, identification or direction, incidentally and customarily associated with any national or religious holiday or any civic festival, fair or similar gathering, held during a period of ten days or less in any year, provided such sign shall not differ substantially from the requirements set forth in this section. ~~Such decorations may not contain any commercial message or logo or depict any commercial symbol or character.~~
9. ~~*Home occupation*~~ ~~*s****S****igns* ***on properties with a home occupation***. **One s**~~S~~igns ~~on a~~ **property with a home occupation is permitted.** ~~identifying only the name and occupation of the resident. Home occupation signs~~ **The sign** shall be non-illuminated, flush-mounted to a wall of the residence, and shall not exceed two square feet in area.
10. *Memorial signs*. Any ~~noncommercial sign in the nature of a~~ cornerstone, commemorative, or historical tablet or landmark designation plaque.
11. *Menu signs*. Menu signs up to 55 square feet in area and six feet in height, provided they are located within 15 feet of the commercial building with which they are

associated or advertise and in a manner such that the copy is not readily viewable from the public right-of-way or a residential occupancy on an adjacent lot.

12. *Noncommercial messages*. One sign per parcel per street frontage carrying any lawful noncommercial message not exceeding 12 square feet in area. Any other permitted commercial sign may be substituted for a noncommercial message but will count toward the total signage type and area for the parcel upon which it is located. Hand-held signs carrying noncommercial messages are not subject to any size limitation so long as they are held by and under the physical control of a person during all times they are on display.
13. *Parking lot regulation signs*. ~~Parking s~~**S**igns **in parking lots** not exceeding nine square feet and having a minimum setback of ten feet.
14. *Parking lot directional signs*. **Parking lot s**~~S~~igns must comply with the provisions of subsection (h)(8) of this section.

~~15. *Parking lot traffic signs*. Parking lot traffic signs shall be as required by law.~~

15. ~~*Political and election campaign signs*~~ ***Signs authorized by Minnesota Statutes Section 211B.045***. ~~Signs containing a political message and displayed during an election campaign period~~ are ~~allowed in addition to the noncommercial message sign under subsection (k)(13) of this section during the election campaign period, however, after ten days has passed from the election date, such sign may continue to be displayed, but will count as the allowed noncommercial message sign under subsection (k)(13) of this section. Political and election campaign signs may also substitute for any commercial message sign in the same manner. Unless substituted for another permitted sign, such signs shall not have any electrical component. Such signs shall not have a mechanical or audio auxiliary component, and shall not be attached to or placed on utility poles, trees, traffic devices, or within the public rights-of-way~~.

~~16. *Real estate s*~~***Signs on residential properties that are for sale or rent*** ~~*advertising residential properties*~~. Signs located on **these** premises may not be placed above the top of the lowest level of the building. ~~All signs authorized under this subsection shall be removed within ten days of the sale or rental of the residential units being advertised.~~

a) For lots **for sale or rental** containing less than four dwelling units within one residential structure, one non-illuminated sign up to six square feet per unit may be displayed ~~to advertise the sale or rental of the premises or any part thereof.~~
b) For lots **for sale or rental** where at least four but less than 16 dwelling units are contained within one residential structure, one non-illuminated ~~real estate~~ sign up to 12 square feet may be displayed ~~to advertise the sale or rental of the premises or any part thereof.~~
c) For lots **for sale or rental** where 16 or more dwelling units are contained within one residential structure, one non-illuminated ~~real estate~~ sign up to 32 square feet may be displayed ~~to advertise the sale or rental of the premises or any part thereof.~~

d) Up to two **directional** signs ~~directing traffic to open houses~~, each sign no more than six square feet in area, may be installed off property after obtaining the consent of the property owner on whose property such sign is to be displayed. These signs may not be located in the public right-of-way. These off-**premises** ~~property~~ directional signs ~~may be displayed only during the hours that the advertised activity is to take place, and they~~ must be a self-supporting type of sign.

17. ~~*Real estate*~~ ***~~s~~S****igns* ***on*** ~~*advertising*~~ *single occupant commercial property* ***that is for sale or rental***. For lots **that are for sale or rent that are** less than five acres, one non-illuminated ~~real estate~~ sign up to 12 square feet in area may be displayed. For larger lots **that are for sale or rent**, one non-illuminated ~~real estate~~ sign up to 32 square feet in area may be displayed. ~~All signs authorized under this subsection shall be removed within ten days of the sale or rental of the commercial unit being advertised.~~
18. ~~*Real estate*~~ ~~*s*~~***S****igns* ***on nonresidential grouped development or multi-tenant buildings*** ~~*advertising nonresidential grouped development or multi-tenant buildings*~~. For each **property containing a** group development or multi-tenant building containing nonresidential land uses, a maximum of two signs, one per each nonresidential street frontage, may be displayed up to a maximum of 32 square feet in area.
19. ~~*Real estate*~~ ~~*s*~~***S****ubdivision signs*. For each ~~real estate~~ subdivision that has been approved in accordance with the city subdivision regulations, a maximum of two temporary ~~development project identification~~ signs may be located on **a** ~~some~~ portion of the subject subdivision. Each such sign shall be not more than 32 square feet in area. One additional similar sign shall be permitted for each 100 lots in the subdivision in excess of 100 lots. These signs may be displayed until a time at which building permits have been issued for 80 percent of the lots in the subdivision. ~~Signs advertising sale or lease after such time shall conform to the requirements of subsection (k)(18) of this section.~~
20. *Temporary notices*. Leaflet-type notices flat-mounted to kiosks or public information boards.
21. *Utility company signs*. Signs that serve as an aid to public safety or that show the location of facilities such as public telephones and underground cables only to the extent necessary to accomplish those goals.
22. *Window signs, temporary*. Signs and displays that are of a temporary nature such as for advertising sales and specials and that do not cover more than 30 percent of the total ground-floor window area of any building, excluding the door windows. Merchandise and pictures or models of products or services incorporated in a window display are not considered signs. Any sign placed on the outside of a window requires a sign permit unless the sign is weatherproof and does not pose a danger from falling or being blown by the wind.
23. *Window or wall signs not readable off-premises*. Window or wall signs not exceeding two square feet in area with lettering not exceeding three inches high designed to provide information to persons on the premises such as hours of operation, or sample restaurant menu. Where no front yard setback exists, such

signs as would generally be unreadable off premises where minimum setback regulations apply shall qualify for this exemption notwithstanding that such signs are readable from the public right-of-way. Such signs shall not be counted toward total permitted signage.

24. ***Signs on vehicles***. **Signs of any size on vehicles traveling to or lawfully parked on an operating and insured vehicles, construction trailers or equipment which are temporarily parked on a permitted construction site, or primary business location.**

l) *Prohibited signs*. The following signs are expressly prohibited in the city:

1. Abandoned signs **or signs on vacated or abandoned buildings**.
2. Off-premises signs, except as expressly allowed under this section.
3. Inflatable signs.

    a) Rationale. Inflatable signs shall be prohibited because they are generally more distracting and hazardous to pedestrian traffic safety, tend to have an anchoring device that is less reliable under wind pressure, and out of scale and less compatible with surrounding structures and signs.
    b) The following inflatable devices shall not be considered a sign:
        1. Registered hot air balloons in use and momentarily moored but not being used primarily as a sign.
        2. Novelty type balloons less than two feet in diameter and less than three feet in any dimension tethered or moored no more than ten feet above the ground.
        3. Inflatable holiday or other decorations displayed temporarily on private property, that do not contain any commercial message ~~or logo or depict any commercial symbol or character,~~ and that do not exceed 15 feet in height.

4. Signs attached to any public utility pole or structure, street tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, or other location on public property except as otherwise expressly permitted under this section.
5. **Signs that interfere with the safe operation of official traffic control devices.**
6. **Signs that emit sound.**
7. **Signs anchored by guy wires, chains, cables, or similar devices that project down to the ground or in any way which create an unsafe condition for pedestrians or motorists.**
8. **Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said signs (this does not apply to permitted portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business).**
9. **Signs imitating or resembling official traffic or public safety signs or signals in shape, size, or color.**
10. **Billboards.**
11. **Roof signs.**

12. Beacons, unless authorized for use by the city or any other governmental entity in the exercise of official government business and authority.

m) *Legal nonconforming signs*. Any legal nonconforming sign may continue to be displayed or replaced consistent with LEC 105.12.340 through LEC 105.12.350.

n) *Variances and appeals*.

1. *Variances*. It is recognized that circumstances may exist from time to time where strict application of the size, location and type of sign standards hereinafter specified for the various zoning districts may be unreasonable or where literal enforcement of the regulations may work an unnecessary hardship on the applicant. Variations from the standards are, therefore, permitted by issuance of a variance by the city council upon recommendation of the planning commission that such extenuating circumstances exist. Variances shall be considered according to the provisions of LEC 105.12.320.
2. *Appeals*. An applicant may appeal any decision of the ~~planning~~ **community development** director to the board of adjustment and appeals according to the provisions of LEC 3.08.100.

o) *Violations.*

1. It shall be unlawful and a violation of this section for any person to maintain any prohibited sign, to perform or order the performance of any act prohibited by this section, or to fail to perform any act which is required by the provisions of this section. In the case of any such violation, each 24-hour period in which such violation exists shall constitute a separate violation.
2. Any and all signs, erected, altered, or maintained in violation of this section, or any of the clauses and provisions of the same, or in violation of any of the laws or ordinances of the city and/or the state, are, and each of them is declared to be, a public nuisance and subject to enforcement. Any such signs are erected, altered or maintained contrary to law shall be abated as a ~~common~~ nuisance by the ~~planning~~ **community development** director.

p) *Penalty*. Any person who shall fail to comply with any of the provisions of this section shall be subject to a penalty as prescribed by LEC 1.04.230.

q) *Enforcement*.

1. If the ~~planning~~ **community development** director or building official finds that any sign has been erected, altered, or is being maintained in violation of this section, or is in an unsafe condition as to be a menace to the safety, health, or welfare of the public, ~~he~~ **they** shall give written notice to the owner thereof of the person entitled to possession of the sign and the owner of the real estate upon which the sign is located. No notice shall be required for permitted temporary signs displayed in violation of time limitations prior to taking enforcement action.
2. Said letter shall notify the owner, or person entitled to possession of the sign, of the specific violation or violations and direct that alterations, repairs or removal,

whichever may be applicable, be made to bring said violations in conformance with the terms and conditions of this section.

~~3.~~ In the event the person so notified fails or neglects to comply with or conform to the requirements of such notice, the ~~planning~~ **community development** director or building official may file an appropriate citation or complaint in an appropriate court of law or take whatever other legal action may be necessary to cause such sign to be altered or removed. If a sign is considered abandoned, the city, after notice, may remove such sign at the cost of the owner of the property upon which the sign sits. An invoice for such costs shall be sent to the property owner and, if not paid, shall be **certified to the county for collection with the property taxes.** ~~placed on~~

r) Severability. If any section subsection, sentence, clause, or phrase of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have adopted this Section in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

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MEMORANDUM

Date: 7/22/2024

To: Planning Commission, City of Lake Elmo

From: Nathan Fuerst, AICP, Consulting Planner

Subject: Village Area Vision – Update & Discussion

Overview

In recognition of the significance of the Old Village area to Lake Elmo's economic vitality and overall identity, the City of Lake Elmo initiated a visioning study to ensure future development aligns with the City's objectives. At its workshop on July 9, 2024, the Lake Elmo City Council discussed Lake Elmo's Village Area and provided general discussion and feedback to the project team.

At the Planning Commission's July 22nd meeting, staff will cover the following areas:

- Overview of Village Area Vision Study
- Public Engagement Update
- Policy Review Update
- Discussion – The Planning Commission will have an opportunity to discuss preliminary observations.

Public Engagement to Date:

Public engagement creates an opportunity to understand concerns from community members and eventually serves as an important data point when making policy decisions. Over the past month, City and Bolton and Menk staff have worked closely to conduct public engagement. This started with a survey published on the City's website. Project staff held two public open house events at City Hall. Those events saw strong attendance and were advertised on the City's website, social media channels, on flyers sent to businesses and Village Area HOA's and with postcards mailed to residents in the village area not in an HOA. Data on the quantitative questions are appended to this report, while staff are still reviewing and summarizing the qualitative responses.

Policy Review to Date:

Staff have reviewed the applicable plans and policies guiding land use and development in Lake Elmo's Village area. A Policy Review Memo is appended to this report which summarizes the tools currently employed by the City to manage land use and development in the Village Area.

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TECHNICAL MEMORANDUM

Date: 7/02/2024

To: City Council, City of Lake Elmo

From: Nathan Fuerst, Consulting Planner
Jenni Faulkner, Consulting Planner

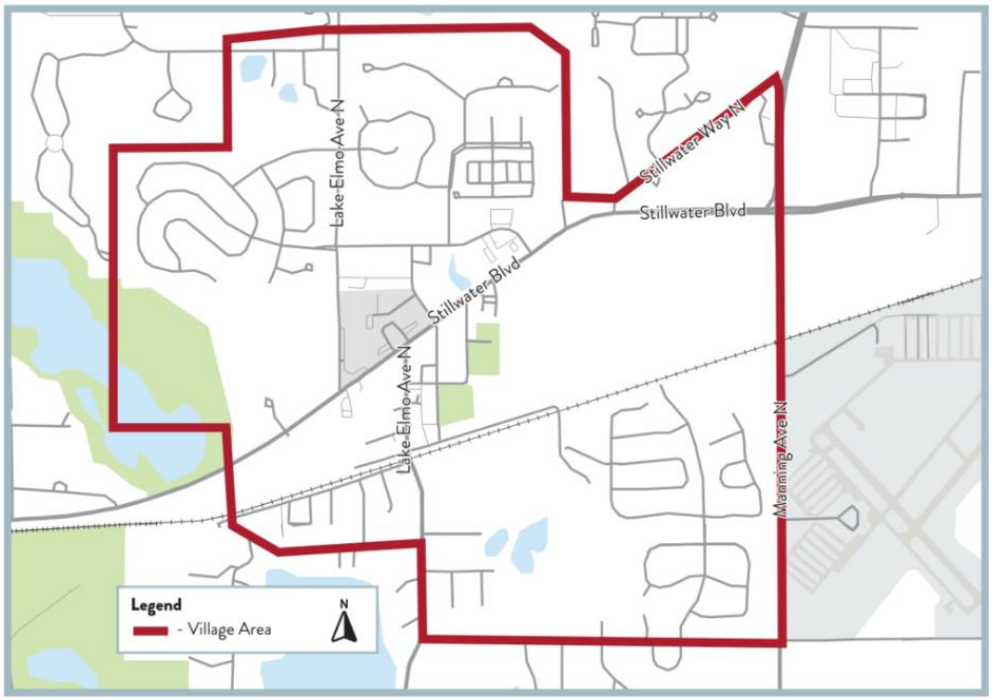
Subject: City of Lake Elmo, Village Area Policy Review

Overview

In recognition of the significance of the Old Village area to Lake Elmo's economic vitality and overall identity, the City of Lake Elmo initiated a visioning study to ensure future development aligns with the City's objectives. This memo is intended to summarize existing policies or plans that guide development and redevelopment in the Village Area. Considerations are provided that address the stated goals of the City and how these policies can better work together towards that vision.

The Village Area

The "Village Area" is delineated by different boundaries depending on which City policy document one might be reviewing. For the purpose of this policy review, the area in the image to the right generally defines the Village Area.



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The Zoning Code

Purpose: To provide zoning regulations and be a tool for implementing the Comprehensive Plan and other guiding documents.

Regulatory Impact: Zoning ordinances are laws created and passed by the City to regulate land uses and development within the City's boundaries. Minnesota Cities are granted authority by State Statute and federal case law to control land use through zoning. The Zoning Ordinance regulates the specific land uses as well as lot provisions such as lot area, setbacks, and lot coverage. The ordinance also addresses site elements such as building design and materials, landscaping and screening, parking, and signage.

Zoning and the Village Area: The Zoning Code calls for 4 different Village land uses:

- V-LDR is low density residential 1.5 – 3.0 u/acre, meant for perimeter and buffer to adjacent low density uses
- V-MDR is medium density residential 3.01-8.0 u/acre, meant to bring people closer to Old Village amenities
- V-HDR is high density residential 8.01 u/acre -12 u/acre, meant to bring higher density and life cycle housing choose to Old Village Area. Non-residential uses on 1st floor.
- VMX is mixed use with commercial and public uses combined with higher density residential, 5-10 u/a, senior up to 16 u/acre, meant to establish vitality and intensity to support retail and service uses in the Old Village. Placement of buildings and pedestrian amenities are essential.

In addition, there is a significant amount of other zoning districts in the Village area:

- RS- Rural Single Family, are only for lots patted prior to 2005. No new lots can be created. The district allows for single family residential, parks and a variety of accessory uses.
- PF- Public Facilities are for parcels with parks, schools, or public facilities (city Hall and Fire Station sites).
- LDR- Low Density Residential is considered typical single family zoning district with city sewer and water. A large portion of the village area contains this land use.
- Commercial and Convenience Commercial and Medium Density Residential are in the NE corner of the area, just north of Stillwater Blvd which is currently the Holiday gas station and future Bridgewater Village commercial and medium density residential development.

The uses for the residential districts are straightforward, however the allowed or conditionally allowed uses of the Mixed-Use Village district may permit for undesirable uses. The district allows the following type of uses:

- Residential
- Public and Civic
- Commercial and Personal Service
- Food Service

- Retail Sales
- Auto type uses
- Recreation Uses

Most uses are conditional, including residential, while personal and business service type uses are permitted. Most accessory uses are also permitted. Several of the uses could have an outdoor component such as outdoor recreation, drive-up, or outdoor sales and storage lots.

The Zoning Ordinance does reference the Village Districts and has the following emphasis:

- Refence to the Design Guidelines
- Circulation and limited access on CSAH 14
- Screening of existing residential structures
- Sidewalk and trail connections, esp. from cul-de-sacs to nearest through streets
- Theming Study (2013) to be incorporated.

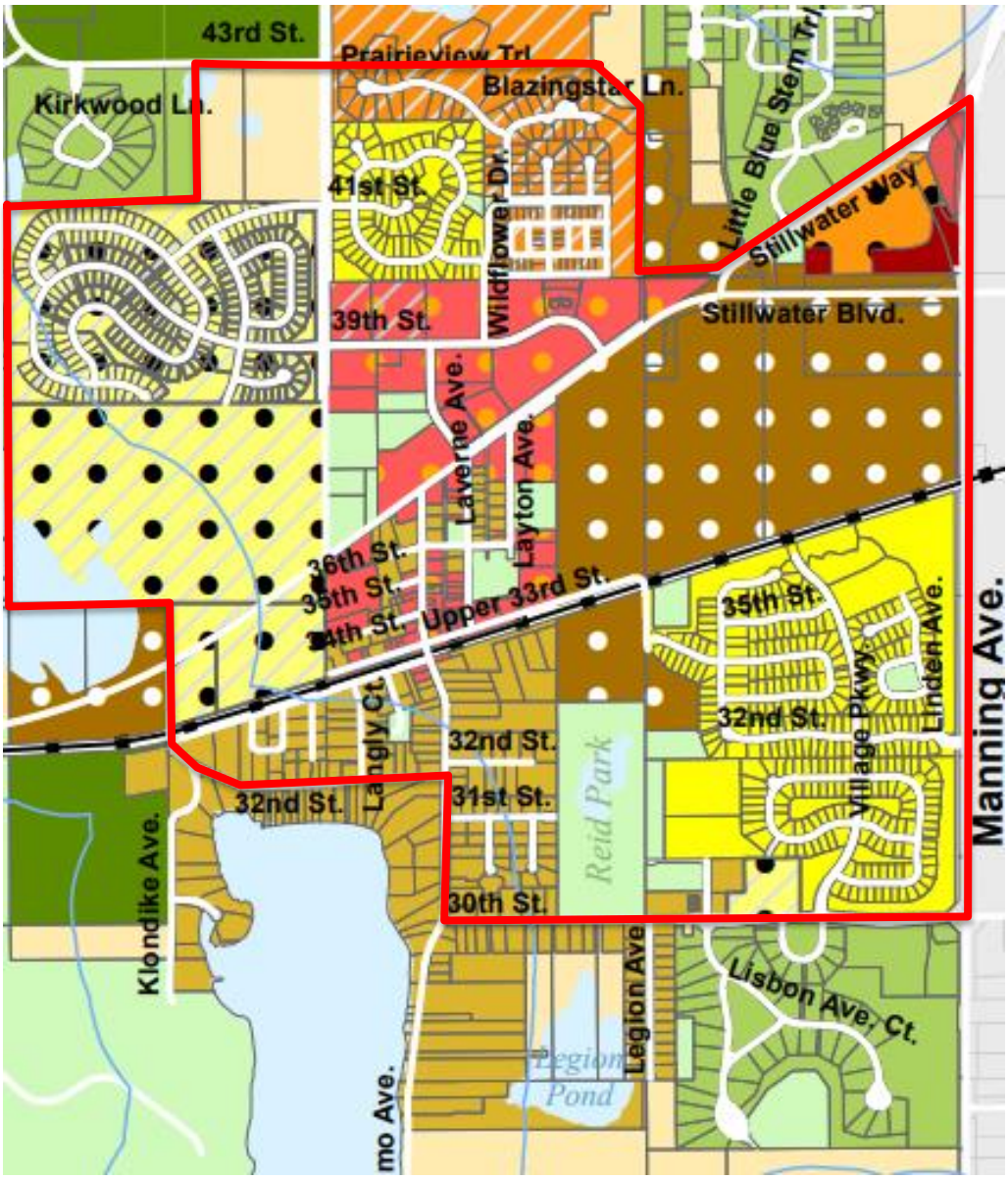
Other Zoning Considerations:

- The Shoreland Overlay covers approximately the westerly 1,000 feet of the area and is all zoned residential. Limits on development and impervious surface are a consideration.
- The Airport Overlay covers a the eastern part of the area. The airport is on the east side of Manning, outside the city limits. The overlay zoning and impacts are on the west side of Manning Avenue within the city limits. There are noise considerations and height limits in this area.

Considerations:

- Consolidating districts in the village area may streamline the zoning review process and could reduce confusion about land uses or performance standards in the Village Area.
- ADU's and mixed uses could be permitted where Rural Single Family is now the zoning district. Existing housing and uses could continue to be preserved.
- Consider defining the Village Area within the City Code or adopting a zoning map with that area delineated.
- The City would benefit from more review or discussion in the following areas:
    - Land uses permitted or conditionally permitted in the Village Area.
    - Review and consideration of whether additional uses should be permitted
    - Understand existing performance standards in the districts affecting the Village area, and how they relate to the City's vision, comprehensive plan goals, or adopted Design Standards Manual.
    - Determine if the Theming Study remains relevant or should be removed from the code

Lake Elmo Zoning Map – Village Area



Zoning Districts

- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- R2 - One & Two-Family Residential
- RS - Rural Single Family
- RE - Residential Estate
- RR - Rural Residential
- RT - Rural Transitional
- OP - Open Space
- GCC - Golf Course Community
- LC - Limited Commercial
- C - Commercial
- CC - Convenience Commercial
- BP - Business Park
- MU-BP - Mixed-Use Business Park
- MU-C - Mixed-Use Commercial
- V-MX - Village Mixed Use
- V-LDR - Village Low Density Residential
- V-MDR - Village Medium Density Residential
- V-HDR - Village High Density Residential
- A - Agricultural
- PF - Public Facilities
- Water Body
- Closed Landfill
- Browns Creek
- South Washington
- Valley Branch
- Shoreland Overlay District
- Hatching Represents Planned Unit Developments (PUD)

Lake Elmo Comprehensive Plan

Purpose: This document provides long-term guidance on land uses to ensure the efficient provision of public infrastructure in the City. In the Twin Cities Metropolitan Area, municipalities are required to adopt comprehensive use plans every decade which guide development of land and public infrastructure. Metro area comprehensive plans must contain specific elements including land use, housing, transportation, water management, parks, etc. The planning horizon for Lake Elmo's 2040 Comprehensive Plan (hereafter the "2040 Plan") is from 2020 to 2040. The 2040 Plan was approved and adopted in November of 2019 after a considerable planning and community engagement process.

Regulatory Impact: The 2040 Comprehensive Plan is a legal document which, as required by state statute, is the guiding document for all development in Lake Elmo. Any development or redevelopment must comply with the Comp Plan. The City's zoning requirements must be consistent with the Comprehensive Plan's Land Use Chapter.

Comp Plan and the Village Area: This review is broken down by certain elements of the City's 2040 Comprehensive Plan:

Future Land Uses (Chapter 3) - Future Land Uses (see map on page 7) allowed in the Village Area include:

- Rural Single Family Sewered (0.1-2.0 du/acre) – previously unsewered but currently single-family land uses located within the Village Planning Area.
- Village Low Density Residential (1.5 – 3 du/acre) – single-family detached housing development
- Village Medium Density Residential (3.01 – 8 du/acre) – single-family detached, duplexes, and townhomes/villa housing types.
- Village High Density Residential (8.01 – 12 du/acre) – apartment buildings and multi-family dwellings.
- Village Mixed Use (5 – 10 du/acre) – Integrated commercial/business and residential uses provide development types that benefit from proximity to each other.
- Commercial – retail and service businesses primarily located in the MUSA. This excludes residential and industrial uses.
- Institutional - Schools, religious institutions, City hall, municipal buildings, libraries, and other institutional uses
- Public/Semi-Public - generally owned by the City or other agency, whose primary purpose is to support adjacent developments with stormwater management and other utilities.

MUSA Staging (Chapter 3) – The Metropolitan Urban Service Area (MUSA) boundary provides an indication of where sewered development can occur. This is broken down into phases by decade. Only two areas of the Village are in MUSA staging areas beyond the current decade. One area is the remaining Schiltgen farmstead parcel south of North Star, the other is just north of Easton Village. Those

areas would require a Comprehensive Plan Amendment to develop sooner than 2035. (See Map on page 8)

Subdistricts (Chapters 2 & 3) – Chapter 3 of the 2040 Plan created the following subdistricts for the Village area:

- Civic District – area north of Stillwater Boulevard N.
- Old Village District – core of old village area centered around Lake Elmo Ave N.
- Elmo Station District – area East of Layton Ave N. and containing primarily undeveloped land.

There is no narrative in the 2040 Plan to provide a description of the subdistricts, but goals are articulated in Chapter 2, which envision the creation of specific zoning overlays to support or require certain types of development in each area. Land Use Goals 4 – 6 discuss the subdistricts.

Parks and Trails (Chapter 6) – The 2040 Plan contains guidance for the development of park and recreation facilities in the City.

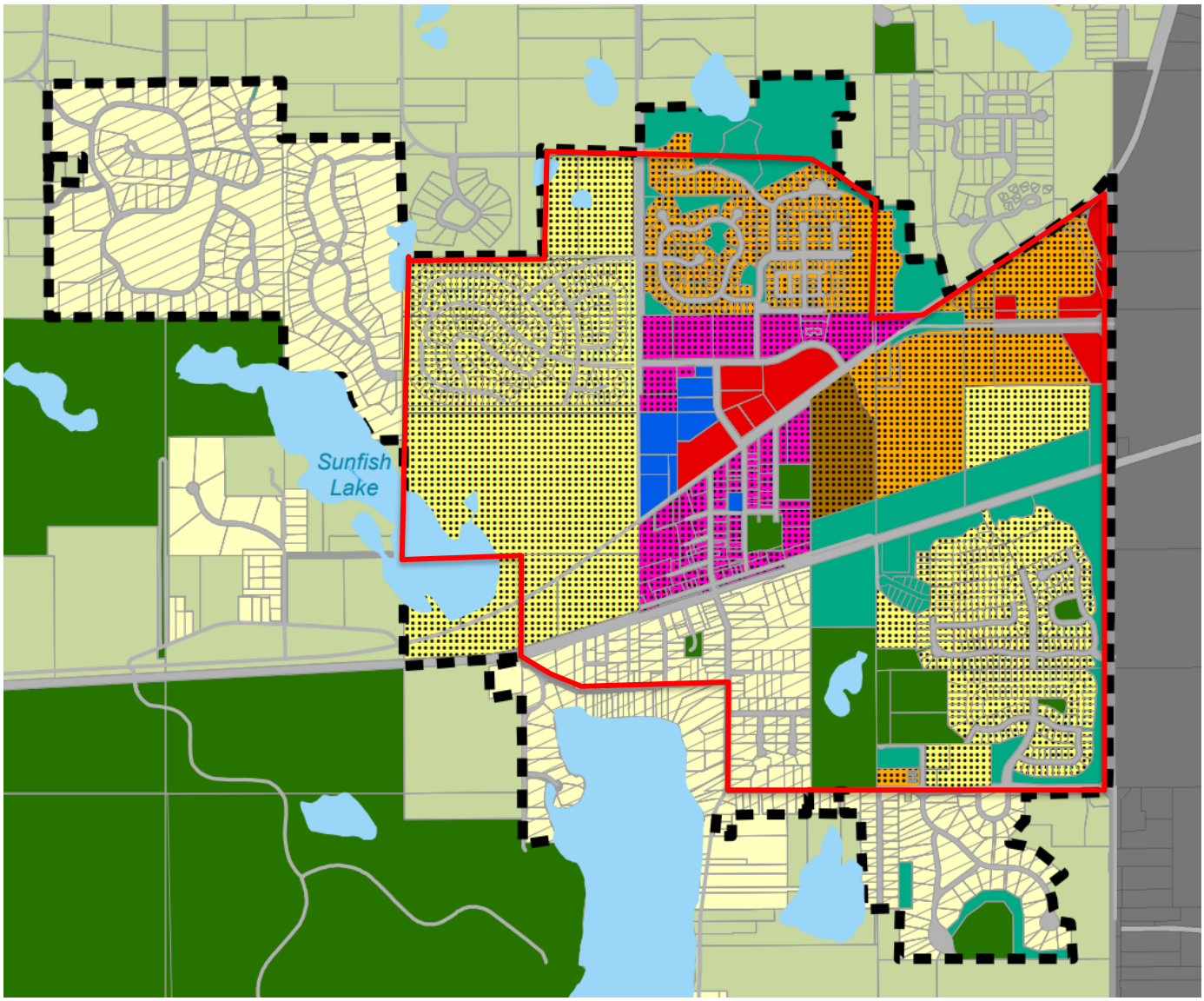
- Park Search Areas (Map 6-7) – contains a search area for a Community Park over the Village Planning Area. A community park in this area is defined as a park an area of 10-15 acres that would serve as a community gathering place and landmark.
- Trail Search Areas (Map 6-8) – contains existing facilities and search areas for new ones. A regional search corridor runs along Lake Elmo Ave. N. and Stillwater Blvd. N. for creation of a county facility. The map also contains search areas for local connections to/through the Village area and surrounding residential development. Village Parkway would contain a road and trail connection through undeveloped parcels to Easton Village.

Transportation (Chapter 7) – The 2040 Plan contains guidance on planned functional classifications for roadways serving or running through the Village planning area. Designations for Stillwater Boulevard North, Lake Elmo Avenue North, 39th Street North, and the future Village Parkway all impact the way those roadways function. The classification may impact ROW width needs, access spacing, alignment and traffic speeds, etc.

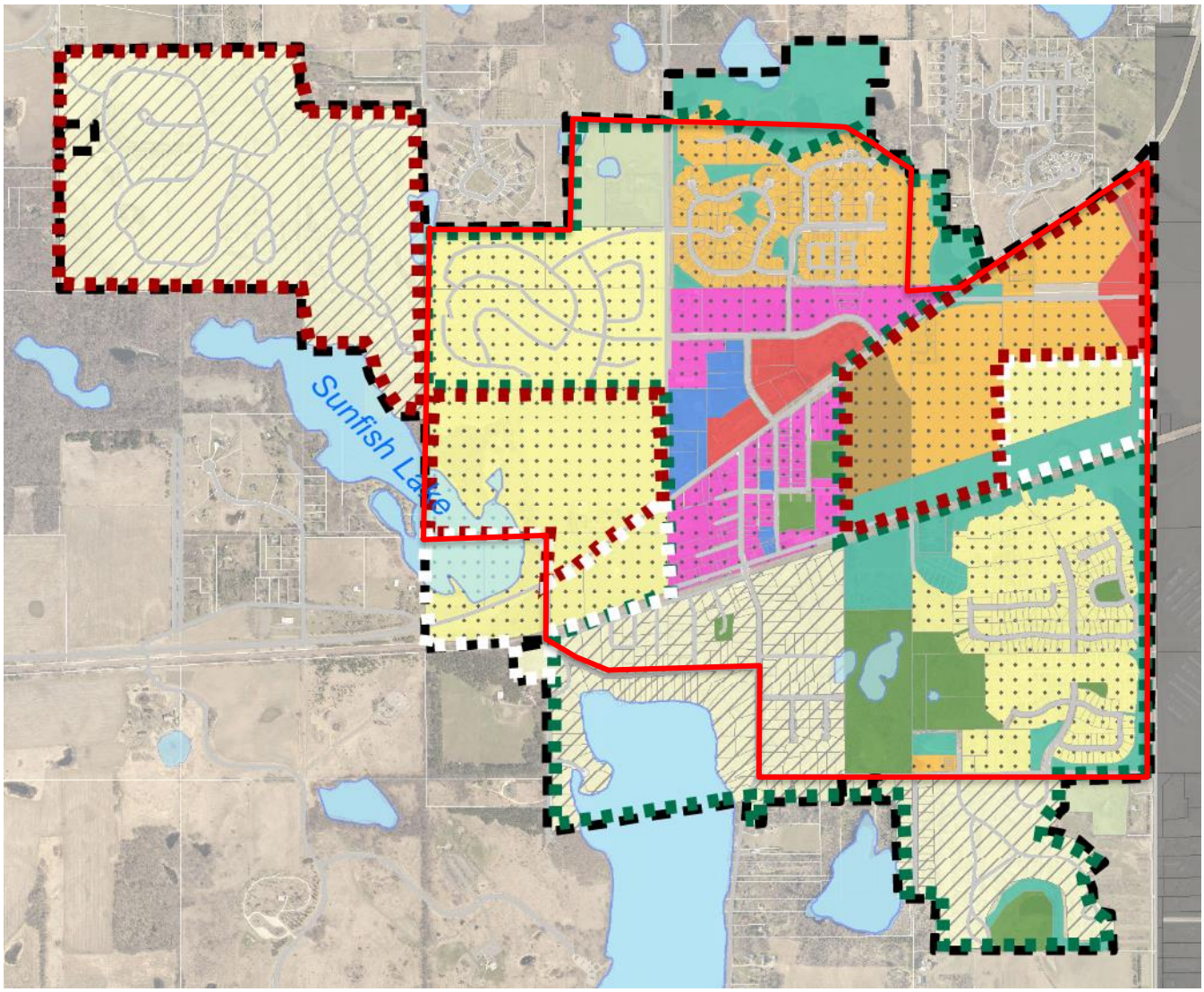
Considerations:

- Consider removing PSP Designation until development is complete north of UP RR Tracks.
- Reconsider split guidance of land north of Easton Village
- MUSA staging should be consistent across Village East to allow master planning.
- Reconsider Subdistricts and associated goals to realign with potential future development or redevelopment.
- Small Area Plan is needed to effectively plan land use guidance.

Lake Elmo Future Land Use Map – Village Area



Lake Elmo Future Land Use Map – Village Area



MUSA Boundary

Planned Roadway (Parkway)

Staging/Phase Timeline

Current (2020)

2020 - 2030

2030 - 2040

2035 - 2040 +

Lake Elmo Design Guidelines

Purpose: To ensure development of the Village area is high quality and meets the goals and principles of the City. Specifically, high quality site design and building materials, promote open space to support the existing character of the city, accommodate vehicles that respect pedestrian environment, utilize natural ecosystems (stormwater) in development, cohesion of development into the neighborhood and community, and to foster connections through theming to create unique community identity. The Design Guidelines and Standards were last revised in February 2022.

Regulatory Impact: The Design Guidelines are intended to influence how sites are developed. They cover the Village Area as well as the I-94 Corridor Area and is for parcels within the MUSA public utility service area. Sites are reviewed for compliance at the final stage of development review or building permit review. The guidelines terminology are primarily recommendations and not requirements. They are written with lots of "recommendations", "may", "should" verbiage opposed to "must" and "shall". There are some required elements such as sidewalks, lighting, and signage. However, some of this language is subjective rather than prescriptive.

Design Guidelines and the Village Area: Only applies to *high density residential, commercial, business park and mixed uses*. The Zoning Ordinance references the design guidelines in the Village Districts in general, Mixed Use, Commercial, and Public/Quasi-Public districts (commercial uses). The guidelines address suggestions for:

- building placement
- streetscaping
- landscaping
- parking & delivery areas
- building design, mass/scale, roof, entries
- building materials
- lighting
- signage

Considerations:

- Identify the purpose of the design guidelines to ensure they still align with city goals.
- Certain sections or requirements may be seen as higher or lower priority. Issues directly tied to City goals could be codified in the zoning ordinance.
- Not all projects will reasonably meet all requirements in the design guidelines. Discussion is needed on the process for good projects to receive flexibility.
- Projects receiving PUD's could be required to comply with some or all design requirements.

2007 Lake Elmo Village Area Master Plan

Purpose: This plan was created in 2007. The intent of the City's Village Area Master Plan (hereafter "2007 Master Plan") is to guide development of private land, and public infrastructure, along with revisions to applicable City Land Use guidance to allow the vision to materialize. The 2007 Master Plan created 13 principals to guide development and a conceptual vision for future development in the areas surrounding the "heart" of the Village.

Regulatory Impact: For Small Area or Master Plans to have regulatory impacts, they must be incorporated into the City's Comprehensive Plan or Zoning Ordinance. While the 2007 Master Plan may have influenced land use policies in both the City's adopted 2040 Plan and Zoning Ordinance, there are no references to this planning document. Therefore, it does not have a legally binding impact on development. The City's 2040 Plan has created subdistricts and associated Land Use goals which don't appear to either conflict with, or support, the 2007 Master Plan's vision.

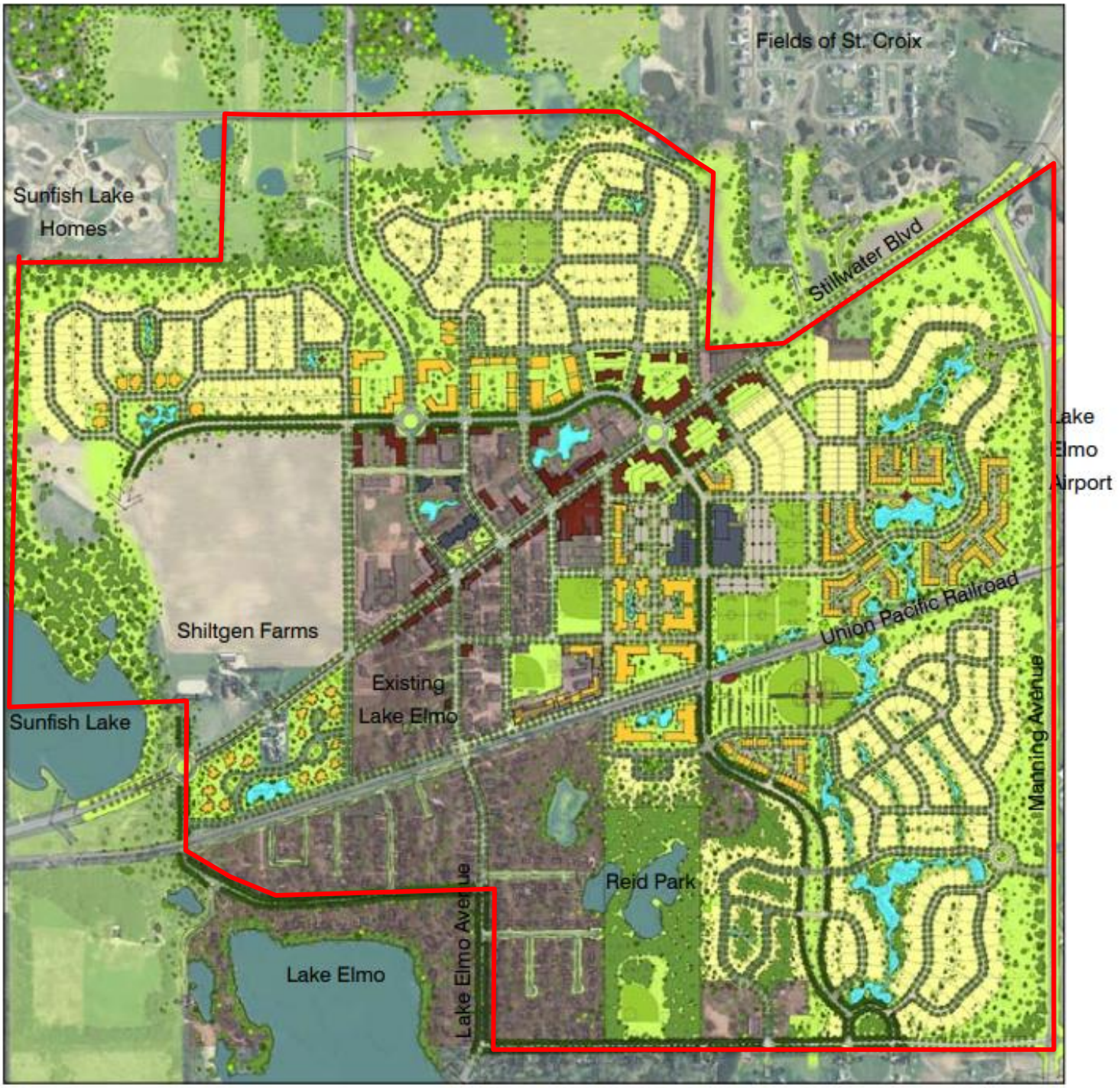
The 2007 Village Area Master Plan Elements: The plan is generally broken down into the following elements:

1. Background – which discusses guiding principles and a framework
2. The Master Plan – a layout of the vision, with focus on the different aspects such as parks and trails, public and green space, streets, blocks & parcels, land uses, housing types, and densities.
3. Master Plan Components – discusses higher level components of the plan such as the Stillwater Blvd. corridor, Lake Elmo Avenue corridor, Public Facilities, Greenbelt, Existing Development, and planned housing.
4. Village Character – discusses case studies from, Detroit Lakes, Litchfield, Cannon Falls, and Redwood Falls, MN, Cedarburg, WI, and Zeeland, MI. Nearly all examples are of rural town centers as opposed to town centers in metropolitan areas.
5. Utilities and other Infrastructure – discusses Sewer and water utilities, stormwater systems, and a street network with example road typologies.
6. Planning Process and Planning Tools – this section is incomplete in the version reviewed by staff.

Considerations:

- The location of roadway connections and alignment of key corridors such as Lake Elmo Avenue and the Village Parkway have changed since the 2007 Master Plan was created.
- County Access spacing requirements and planning along Stillwater Boulevard likely mean that the roadway connections envisioned by this plan are infeasible.
- Nearly all of the single family residential developments envisioned in the Village Area has now occurred. This means local roads, sidewalks, and trail connections are set in a variety of areas.
- Future Land Use guidance in the City's 2040 Plan is inconsistent with the development, primarily east of the existing Village Area's core.
- Park needs across the community have been evaluated and may have changed since 2007.

The Village Area Vision



2021 Village Area Alternative Urban Areawide Review (AUAR)

Purpose: The purpose of an AUAR is to evaluate the potential environmental impacts within a large planning area and to ensure mitigation plans are effectively managed and implemented as development occurs. The Village Area Alternative Urban Areawide Review (2009 Village Area AUAR) comprises approximately 1,275 acres surrounding the City of Lake Elmo's historic downtown. This 2021 Update is prepared as an update and progress report to the 2009 Village Area AUAR and the subsequent 2016 Update. The analysis and information contained in this report provides an inventory of development to-date within the AUAR area and an update to relevant items or sections as needed and/or affected since the 2016 Update

Regulatory Impact: Per Minnesota Rules 4410.3610 Subpart 7, the City is required to update the 2009 Village AUAR every 5 years. The most recent update was in 2021. Until the Village Area is fully developed, the City will need to update the AUAR to ensure that the review and mitigation plans are consistent with the known and planned development within the AUAR area. If the AUAR becomes expired prior to the complete buildout of the Village area, individual projects may be required to receive a formal environmental review under statutory thresholds. This would cause delays and expense for development to occur, and reviews would be completed on a piecemeal basis.

The 2021 Village Area AUAR: The update provided an opportunity to revisit the original 2009 document and subsequent 2016 update. Many areas of the review had no change from the 2009 AUAR and 2016 update. Areas of additional review included the following:

- Review of development scenarios
- Development timeline update
- Land use guidance updates
- Land cover type updates
- Water use
- Water quality – surface water runoff
- Water quality – wastewater
- Traffic
- Compatibility with plans

Considerations:

- The City should plan to update the AUAR in 2026 in order to allow the AUAR to remain in effect until the complete buildout of the Village area. Several large parcel developments may otherwise trigger the need to complete environmental review.

2013 Lake Elmo Branding and Theming Study

Purpose: The Lake Elmo Branding and Theming Study seeks to establish a kit of parts that will create a strong visual identity for the gateways, streets, sidewalks and open spaces of Lake Elmo that reinforces the unique agricultural and open space heritage of the community.

Design Principles:

- Elements and furnishings will reflect a connection to the land through material and form.
- Elements and furnishings will be detailed and placed with a simplicity of purpose and function that pays tribute to the Lake Elmo agrarian heritage.
- Landscapes will reflect the native prairie, lakes and big woods that help define Lake Elmo as a special community within a metropolitan area.
- Elements and furnishings will be comfortable and functional.
- The Kit of Parts must have an authenticity that creates a memorable and lasting impression for visitors, residents and business owners.

Regulatory Impact: The City's Zoning Ordinance currently contains a reference that requires elements of the Lake Elmo Theming Study must be incorporated in to developments within the village districts where applicable. The City has design standards for the Village Parkway which will connect existing areas of the Village and with the current terminus in Easton Village. Buildout will be required with future development.

The 2013 Theming Study: The 2013 Theming study primarily focuses on the public right of way, and streetscape improvements that the City can implement, or require to be implemented, in existing or newly platted areas of the Village. The Theming Study generally touches on the following areas:

- Placement and Pattern in the Streetscape
    - Placement of lighting and trees in the streetscape
    - Creating a pattern in the streetscape
    - Maintenance and community commitment
- Streetscape requirements
    - Sidewalks
    - Parking
    - Corners and intersections
- Streetscape Components
- Street Furniture
- Implementation

Considerations:

- This document is not available online, it is recommended that it be added to the list of design standards on the City's website.
- The City should conduct plan reviews, particularly for newly proposed developments on the undeveloped east side of the current Village Area with this theming study in mind.
- A discussion by the City as to the relevancy and priority of theming may be helpful. Is this document still valid?

Heritage Preservation Commission

The City Code establishes a Heritage Preservation Commission to "engage in a comprehensive program of historic preservation and to preserve and promote the city's historic resources". This commission is tasked with several things. Specifically related to land use and interest in the Village Area, their causes is as follows:

1. To survey and recommend to the council the designation of districts, sites, buildings, structures, and objects that are of historical, architectural, archaeological, engineering, or cultural significance;
2. To recommend to the council rules governing construction, alteration, demolition, and use, including the review of building permits, and the adoption of other measures appropriate for the preservation, protection, and perpetuation of designated properties and areas;
3. To recommend to the council the acquisition by purchase, gift, or bequest of a fee or lesser interest, including preservation restrictions, in designated properties and adjacent or associated lands which are important for the preservations and use of the designated properties;
4. To recommend to the council the use of its powers of eminent domain to maintain or preserve designated properties and adjacent or associated lands;
5. To recommend to the council the granting of use variances to the zoning ordinance for the purpose of promoting historical preservation or continuity;
6. To participate in the conduct of land use planning processes by the review and comment on documents or actions relating to designated areas and on comprehensive plans; and
7. To recommend to the council the removal of blighting influences in designated areas, including signs, unsightly structures, and debris incompatible with the physical well-being of the areas.

There is currently no established commission. The commission stopped meeting with the onset of COVID restrictions in 2020 and has not been re-established.

Considerations:

- This commission could provide insights and recommendations on the Village Area. Is the Heritage Preservation Commission something that should be re-established to support the Village Area goals?
- Could this commission provide value in supporting the village area and uses and the experience while engaging residents serving on the commission? Or would this commission add a layer of bureaucracy, whose objectives could be addressed administratively or through other processes?

Next Steps

Concurrent with this work, and in partnership with City Staff, public engagement efforts have resulted in hundreds of responses to the online survey and many conversations with residents at three different public events. Staff are in the process of gathering and reflecting upon the feedback provided from the community, which will help to inform next steps.

We appreciate the opportunity to conduct this review. After a discussion with the City Council at its July 9, 2024 workshop, we will refine the considerations found in this memo to create a list of policy recommendations.

Bolton & Menk, Inc.

Nathan Fuerst, AICP,
Senior Planner

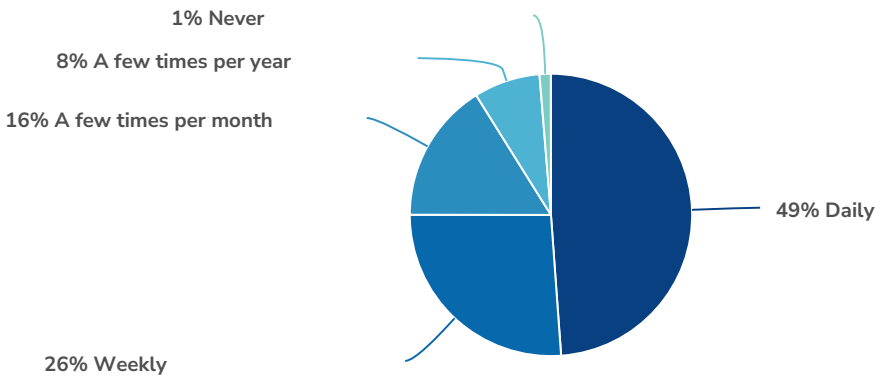
Report for Lake Elmo Village Vision Plan

Response Counts

Completion Rate:	**48%**		
	Complete		556
	Partial		603

Totals: 1,159

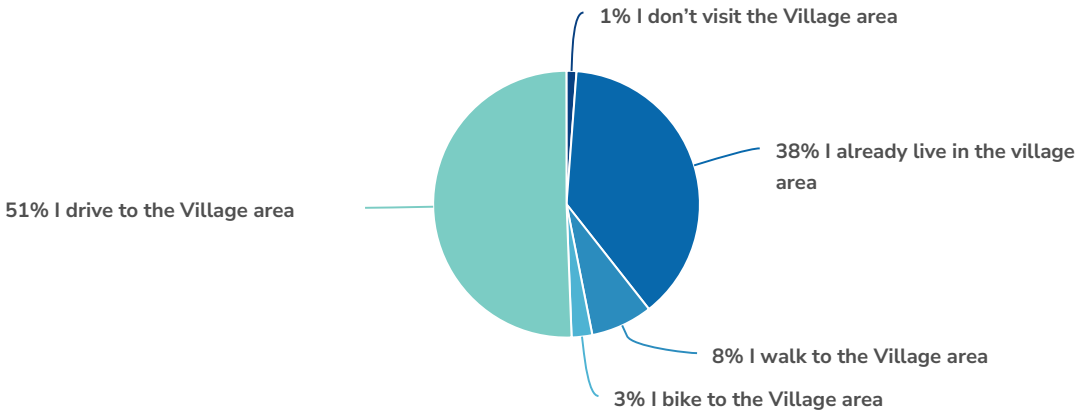
1. How often do you visit locations in the Village area?



Value	Percent	Responses
Daily	48.9%	452
Weekly	26.2%	242
A few times per month	16.1%	149
A few times per year	7.6%	70
Never	1.3%	12

Totals: 925

2. When you visit the Village area, how do you usually get there?

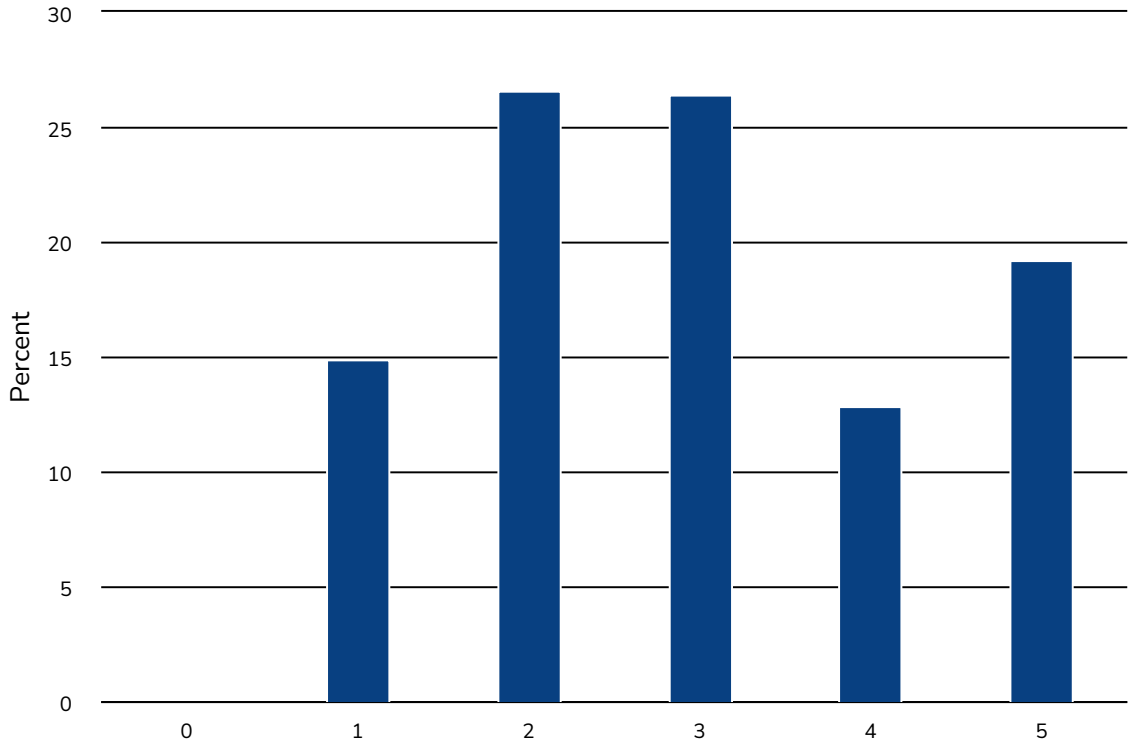


Value	Percent	Responses
I don't visit the Village area	1.2%	11
I already live in the village area	38.2%	353
I walk to the Village area	7.5%	69
I bike to the Village area	2.5%	23
I drive to the Village area	50.6%	467

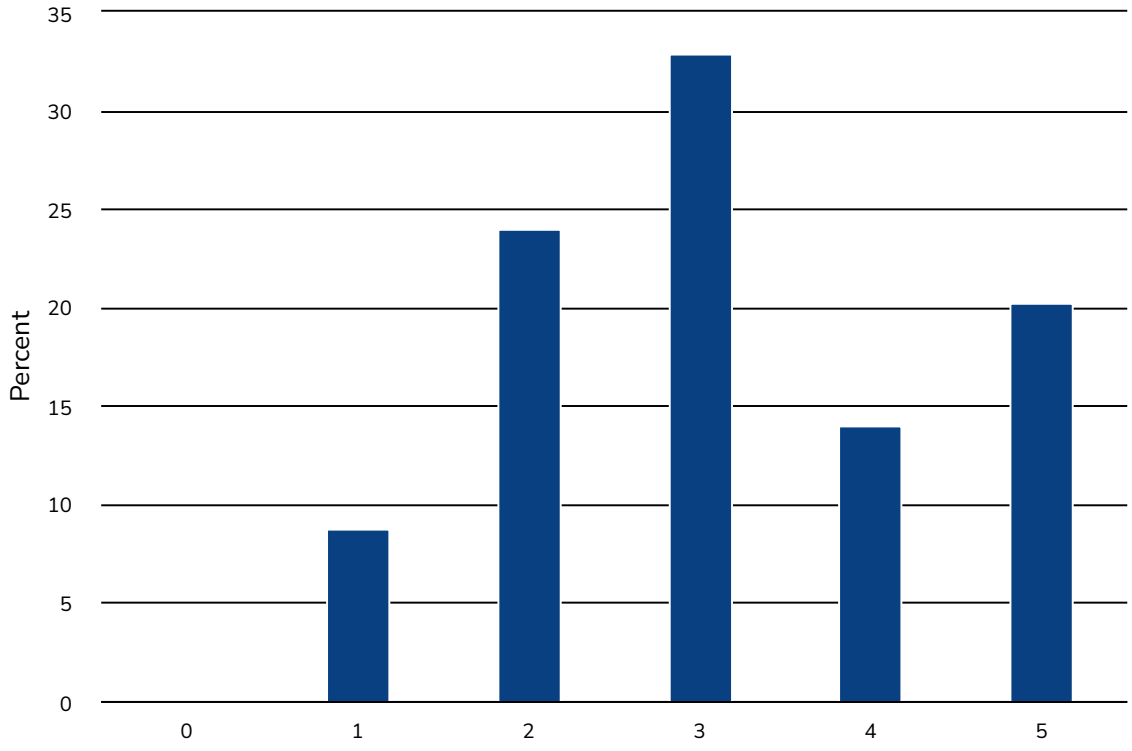
Totals: 923

3. How would you rate the ease of getting to the Village area by each of the following travel modes? Use the slider to indicate between "Very difficult" and "Very easy" for each mode of travel.

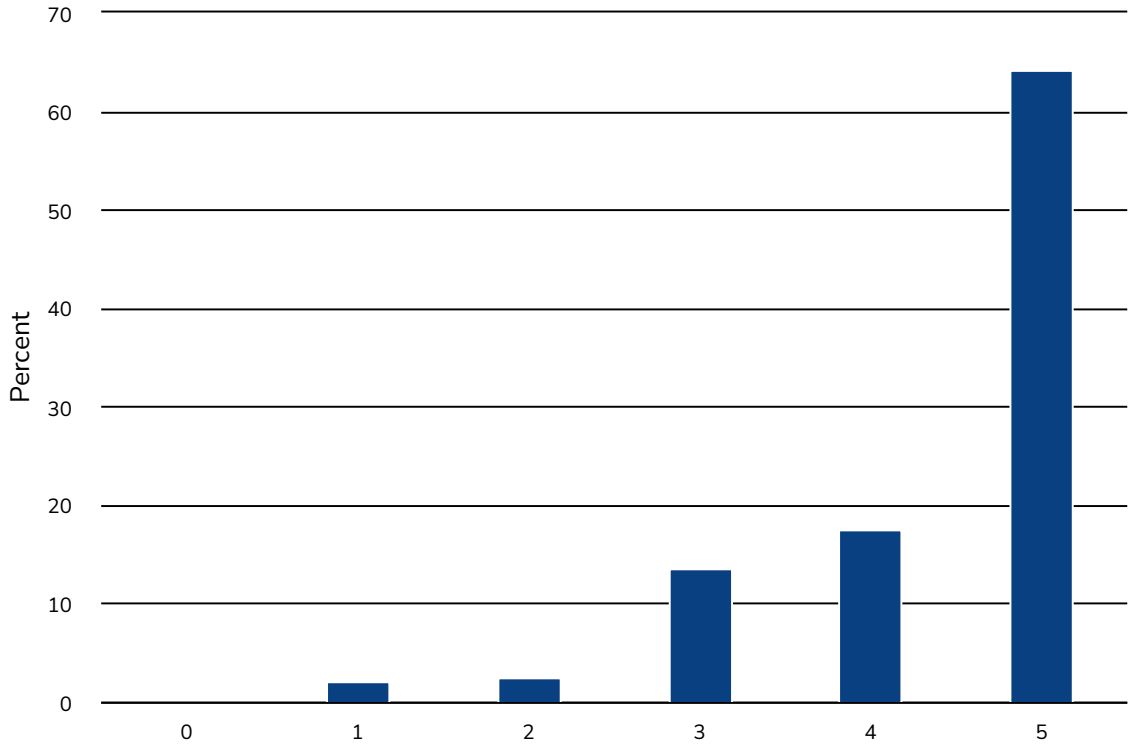
Walking



Biking



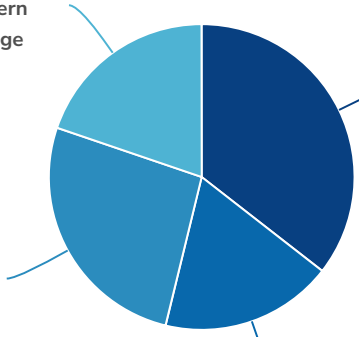
Driving



11. Select all the types of single-family houses you would prefer in the Village area.

43% Single family house; modern manor style; front-loaded garage

78% Single family house; rear loaded white ranch style house



58% Single family house; modern prairie style; front porch; side-loaded garage

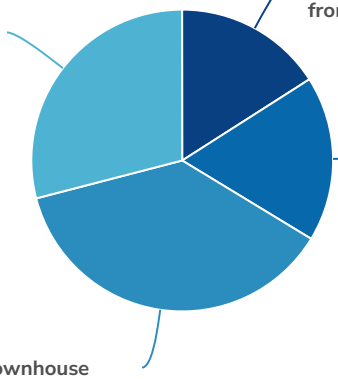
40% Single family house; modern carriage house

Value	Percent	Responses
Single family house; rear loaded white ranch style house	77.8%	428
Single family house; modern carriage house	40.0%	220
Single family house; modern prairie style; front porch; side-loaded garage	57.8%	318
Single family house; modern manor style; front-loaded garage	43.3%	238

12. Select all the types of townhouses you would prefer in the Village area.

46% Classic, rear-loaded, walk-in townhouses. Half of units have turf yard and half of units have brick patios.

25% Typical suburban townhouse, front loaded with garages

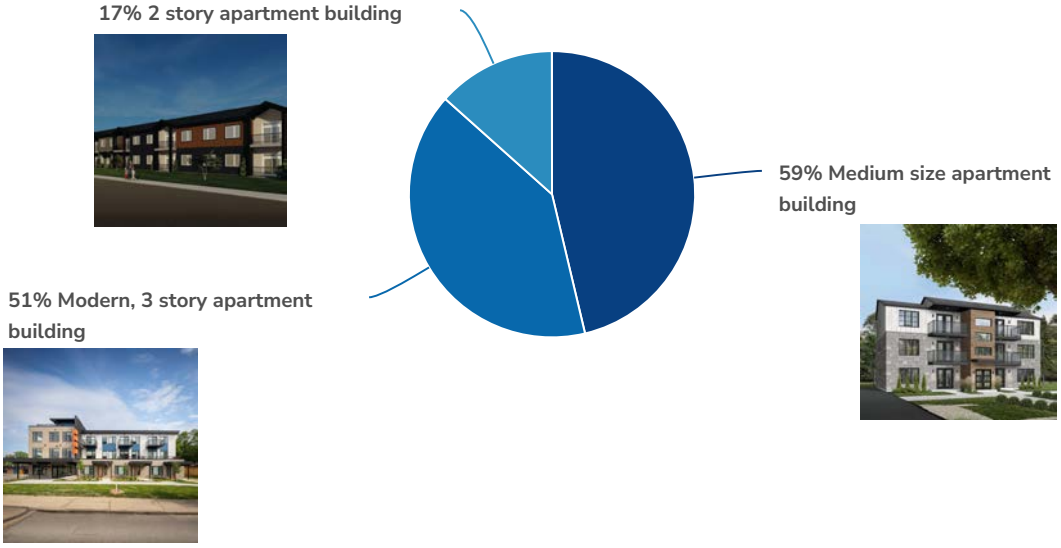


28% modern front loaded townhouses

59% Classic, walk-in townhouse

Value	Percent	Responses
Typical suburban townhouse, front loaded with garages	25.4%	130
modern front loaded townhouses	28.2%	144
Classic, walk-in townhouse	59.3%	303
Classic, rear-loaded, walk-in townhouses. Half of units have turf yard and half of units have brick patios.	46.2%	236

13. Select all the types of small-/mid-sized apartment buildings you would prefer in the Village area.

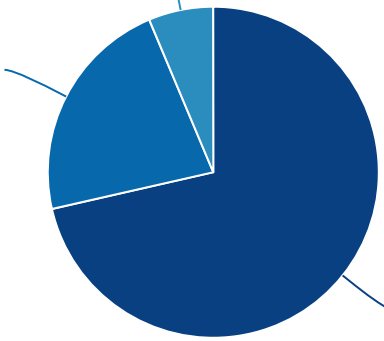


Value	Percent	Responses
Medium size apartment building	58.8%	277
Modern, 3 story apartment building	51.2%	241
2 story apartment building	17.0%	80

14. Select all the types of mid-/large-sized apartment buildings you would prefer in the Village area.

8% Modern 4 story large apartment

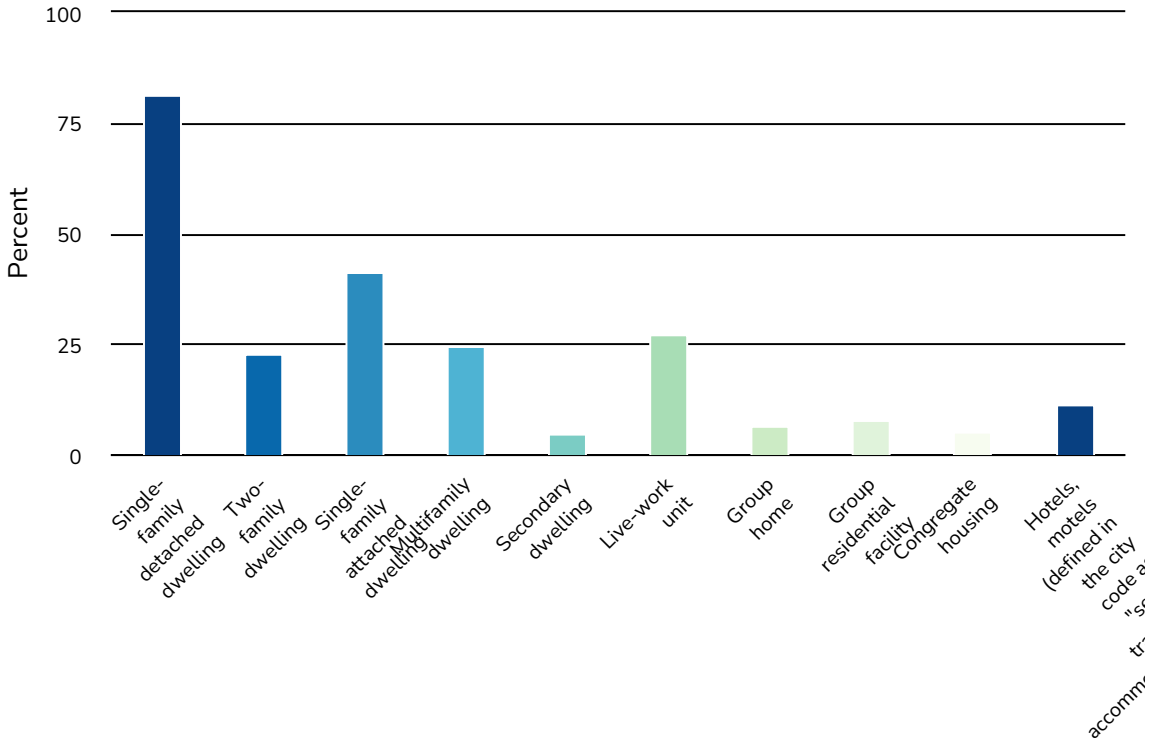
26% Modern 6 story large apartment



85% Modern four story apartment

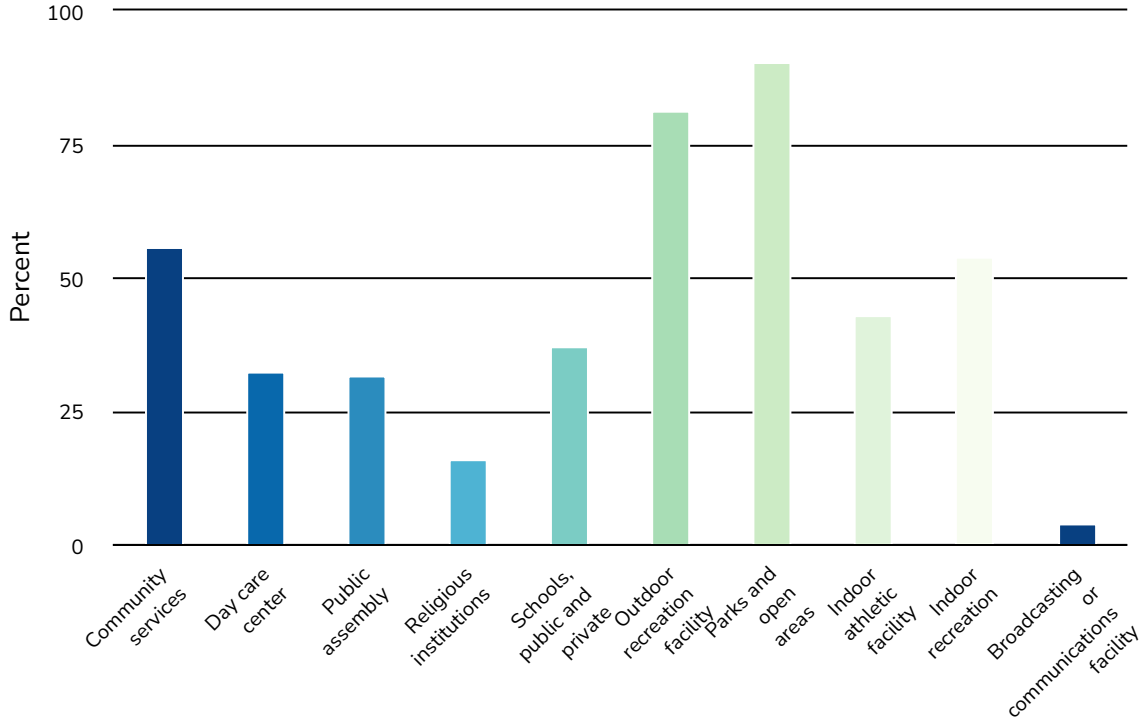
Value	Percent	Responses
Modern four story apartment	84.8%	373
Modern 6 story large apartment	26.4%	116
Modern 4 story large apartment	7.5%	33

15. Select all the residential uses you would prefer in the Village area.



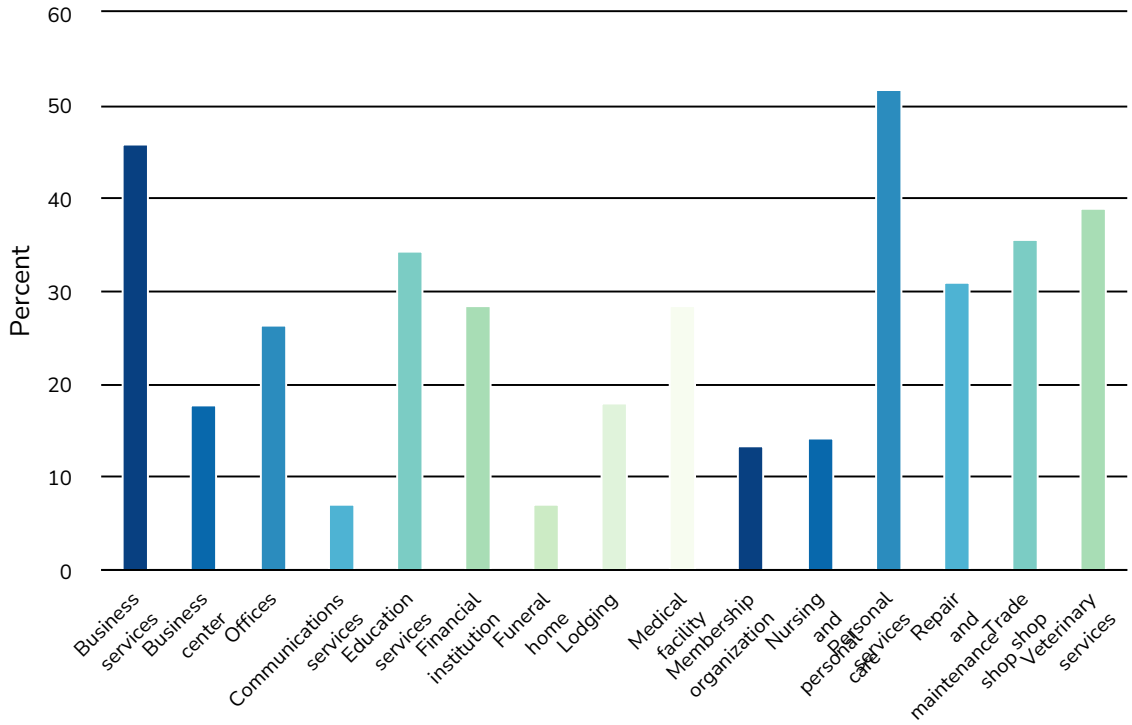
Value	Percent	Responses
Single-family detached dwelling	81.4%	447
Two-family dwelling	22.8%	125
Single-family attached dwelling	41.5%	228
Multifamily dwelling	24.8%	136
Secondary dwelling	4.9%	27
Live-work unit	27.1%	149
Group home	6.7%	37
Group residential facility	8.0%	44
Congregate housing	5.3%	29
Hotels, motels (defined in the city code as "semi-transient accommodations")	11.5%	63

16. Select all the public, civic, and recreational uses you would prefer in the Village area.



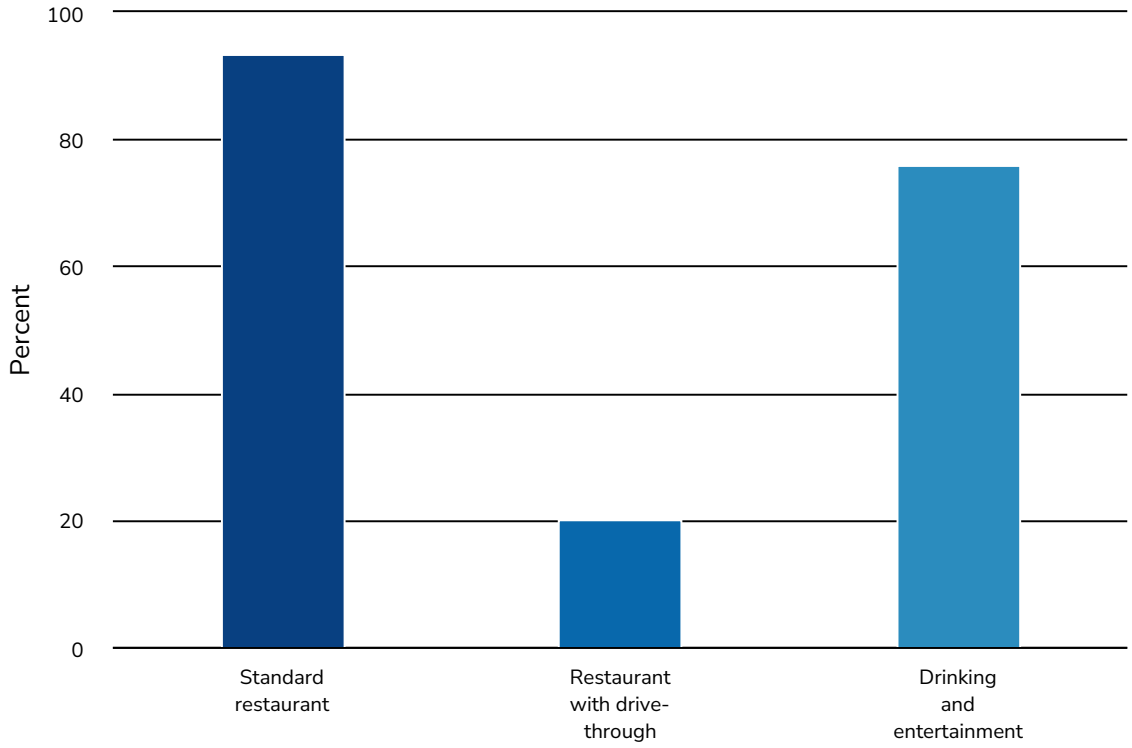
Value	Percent	Responses
Community services	55.9%	314
Day care center	32.4%	182
Public assembly	31.9%	179
Religious institutions	16.2%	91
Schools, public and private	37.2%	209
Outdoor recreation facility	81.5%	458
Parks and open areas	90.6%	509
Indoor athletic facility	43.2%	243
Indoor recreation	53.9%	303
Broadcasting or communications facility	4.1%	23

17. Select all the services you would prefer in the Village area.



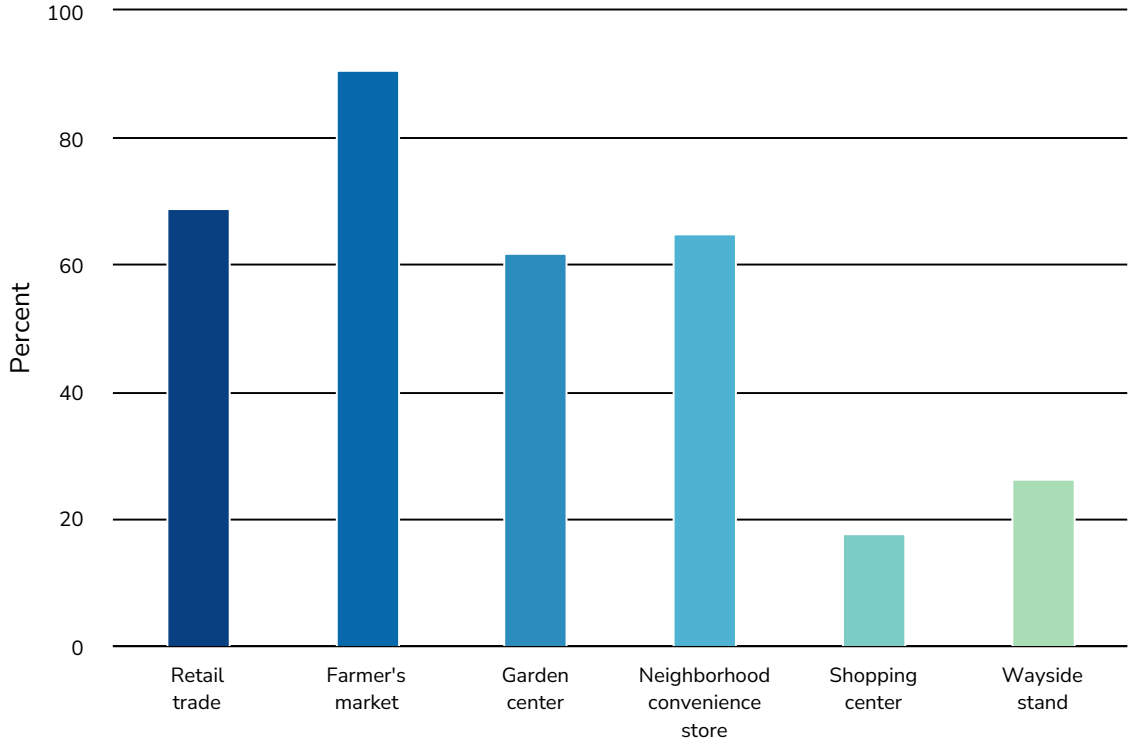
Value	Percent	Responses
Business services	45.9%	229
Business center	17.8%	89
Offices	26.5%	132
Communications services	7.2%	36
Education services	34.5%	172
Financial institution	28.5%	142
Funeral home	7.2%	36
Lodging	18.0%	90
Medical facility	28.5%	142
Membership organization	13.4%	67
Nursing and personal care	14.2%	71
Personal services	51.9%	259
Repair and maintenance shop	31.1%	155
Trade shop	35.7%	178
Veterinary services	39.1%	195

18. Select all the food services you would prefer in the Village area.



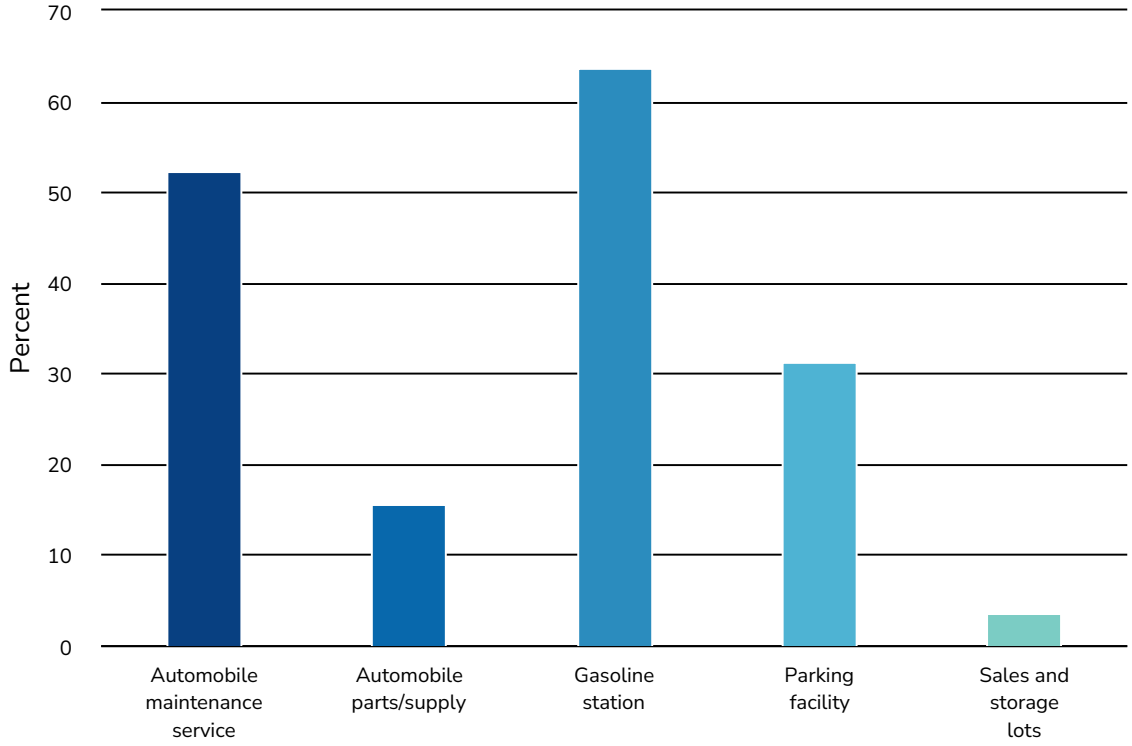
Value	Percent	Responses
Standard restaurant	93.5%	522
Restaurant with drive-through	20.3%	113
Drinking and entertainment	76.0%	424

19. Select all the types of merchandise sales uses you would prefer in the Village area.



Value	Percent	Responses
Retail trade	68.9%	387
Farmer's market	90.9%	511
Garden center	62.1%	349
Neighborhood convenience store	64.9%	365
Shopping center	17.8%	100
Wayside stand	26.5%	149

20. Select all the automobile or vehicular uses you would prefer in the Village area.



Value	Percent	Responses
Automobile maintenance service	52.3%	205
Automobile parts/supply	15.6%	61
Gasoline station	63.8%	250
Parking facility	31.4%	123
Sales and storage lots	3.6%	14