



3800 Laverne Avenue North  
Lake Elmo, MN 55042

(651) 747-3900  
[www.lakeelmo.org](http://www.lakeelmo.org)

## NOTICE OF MEETING

The City of Lake Elmo  
Planning Commission will conduct a meeting on  
**Monday, June 24, 2013 at 7:00 p.m.**

## AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
  - a. June 10, 2013
4. Public Hearing
  - a. VARIANCE – 4719 OLSON LAKE TRAIL NORTH. The Planning Commission will consider an application from Mary Florence and Thomas Brink for a Variance at 4719 Olson Lake Trail North to allow a covered porch within the 100-foot shoreland setback per the City's Shoreland Ordinance (§150.255).
  - b. CONDITIONAL USE PERMIT AMENDMENT AND INTERIM USE PERMIT RENEWAL – COUNTRY SUN FARM AND GREENHOUSES. The Planning Commission will consider a request from Country Sun Farm and Greenhouses to amend its existing Conditional Use Permit to allow the inclusion of children's inflatable bouncers as part of the fall harvest sales activities at 11211 60<sup>th</sup> Street North. The Planning Commission will also review any comments received concerning an application to renew the Interim Use Permit for the Agricultural Sales Business.
5. Business
  - a. SKETCH PLAN REVIEW – HAMMES ESTATES CONCEPT. The Planning Commission is asked to provide feedback regarding a residential Concept Plan submitted Hammes West, LLC. No formal action is required by the Planning Commission.
6. Updates
  - a. City Council Updates
    - i. The City Council approved the following zoning text amendments at the meeting on June 18<sup>th</sup>:
      - Sign Ordinance
    - ii. The City Council postponed taking action of the following zoning text amendments at the meeting on June 18<sup>th</sup>:

- Fence Ordinance
    - Administration and Enforcement Ordinance
  - b. Staff Updates
    - i. Upcoming Meetings:
      - July 8, 2013
      - Potential special meeting to review Lennar Preliminary Plat
    - c. Commission Concerns
- 7. Adjourn



**City of Lake Elmo  
Planning Commission Meeting  
Minutes of June 10, 2013**

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

**COMMISSIONERS PRESENT:** Williams, Kreimer, Morreale, Larson, Dodson and Dorschner;

**COMMISSIONERS ABSENT:** Reeves and Haggard; and

**STAFF PRESENT:** City Planner Johnson

**Approve Agenda:**

The Planning Commission accepted the agenda as presented.

**Approve Minutes:** *May 29, 2013*

M/S/P: Williams/Dorschner to accept the minutes of May 29, 2013 as amended, **Vote: 3-0, Motion Carried** with Morreale, Kreimer and Dodson not voting.

**Public Hearing:** *Zoning Text Amendment – Administration and Enforcement*

Johnson made a presentation outlining the purpose of the zoning text amendment. He noted that the amendment is intended to revise the administration section of the Zoning Code in order to make it more straight-forward and less duplicative. It establishes the procedural elements of the Code. Changes since the last meeting include updating the interim use permit to be consistent with the rest of the Code. Interim Use Permits have a different set of criteria than Conditional Use Permits. The violation and enforcement section is updated, and the application requirements were updated as well. This code adds a zoning permit called a certificate of zoning compliance for applications that don't fall under the jurisdiction of the State Building Code. There is a new design review procedure that will be brought back in July, but it is included in this amendment to serve as a placeholder.

Planner Johnson explained what the difference is between a zoning map amendment, zoning text amendment and a variance. Johnson also explained that the ordinance is set out to provide base requirements for a large variety of applications. The informational handouts give the specifics for a wide variety of applications.

Dodson asked who is responsible to manage the escrow accounts as these escrows are essential to ensuring compliance. Johnson explained that the escrow accounts are managed by the finance director in conjunction with the building official.

Public Hearing was reconvened at 7:43pm.

No one from the public spoke. There was a letter submitted from Council Member Wally Nelson that was entered into the official written record.

Williams noted that he would prefer that a super majority exist for any rezoning that is not consistent with the Comprehensive Plan. Johnson noted that a super majority vote is required for all Comprehensive Plan Amendments per State Statute.

Public Hearing closed at 7:49pm.

M/S/P: Kreimer/Williams, move to recommend approval of the proposed Administration and Enforcement Ordinance as amended, ***Vote: 6-0, Motion Carried Unanimously.***

### **Updates and Concerns**

City Council approved the Minor Subdivision requested by Christ Lutheran Church at 3549 Lake Elmo Avenue at the meeting on 5/29/13.

City Council postponed consideration of the zoning text amendments related to the draft fence and sign ordinance at the meeting on 5/29/13 due to a lengthy agenda. They will pick up discussion of these items at the City Council Workshop on June 11, 2013.

The Planning Commission was given a Lake Elmo theory of success paper from the City Council and Administrator Zuleger for their consideration.

Staff notified the Planning Commission that the next meeting is scheduled for June 24, 2013.

Planning Commission Training will be available on Friday and Saturday. This Webinar will be available on DVD in August.

Williams suggested that all Planning Commissioners read an article in the Pioneer Press about upcoming development philosophy of Woodbury, MN.

Meeting adjourned at 8:14pm



Respectfully submitted,

Nick Johnson  
Planner



Planning Commission  
Date: 06/24/13  
Item: 4a  
Public Hearing

ITEM: Variance Request – 4719 Olson Lake Trail North

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Planning Director

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### **SUMMARY AND ACTION REQUESTED:**

The City of Lake Elmo has received an application from Mary Florence Brink and Thomas Brink, 1941 Millbank Street Southeast, Grand Rapids, MI, for a variance at 4719 Olson Lake Trail North to construct a covered porch within the 100-foot shoreland setback as required by the City's Shoreland Ordinance (§150.255). The proposed covered porch is part of a larger project to replace the existing single family home with a new home in close to the same footprint and location.

### **BACKGROUND INFORMATION:**

Due to the site conditions of the property at 4719 Olson Lake Trail North, the applicants have found it to be problematic to locate the proposed porch in any other location. The site has several constraining elements, including an existing septic drainfield, steep slopes along the sides of the principal structure, and issue related to access to the detached garage. After discussing these problems with the applicants, Staff made a site visit to the property and found the constraints to be accurate.

In addition, the applicants did provide a narrative to address the 4 required criteria for approving a variance. Staff reviewed these findings and found them to be reasonable and satisfactory. Greater detail regarding the review of the variance request can be found in the attached Staff report.

Finally, the applicant is still working with Washington County to determine if the existing septic system is compliant according to Washington County rules. Based upon a preliminary review of the septic system, it is more than likely that the system will be deemed non-compliant. If that is the case, it is possible that the applicants will be applying for an additional variance to allow for holding tanks for a period longer than 12 months, which is a longer time period than is allowed under Washington County rules. Given that the property is in the area guided for future sewer extension in the City's

Comprehensive Plan, the City would consider the variance request as long as the design and proposal met the approval of Washington County. Any issues or considerations pertaining to the septic system must be resolved before the issuance of a building permit.

### **RECCOMENDATION:**

Staff is recommending that the Planning Commission approve the variance request with the following motion:

***“Move to recommend approval of the variance request at 4719 Olson Lake Trail North to allow the construction of a covered porch within the 100-foot shoreland setback based upon the findings outlined in the Staff Report.”***

### **ATTACHMENTS:**

1. Staff Report
2. Variance Application w/Applicant Narrative
3. Site Plan
4. Location Map
5. Site Photos

### **ORDER OF BUSINESS:**

- Introduction.....Planning Staff
- Report by Staff.....Planning Staff
- Questions from the Commission..... Chair & Commission Members
- Open the Public Hearing.....Chair
- Close the Public Hearing .....Chair
- Discussion by the Commission..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members



City of Lake Elmo Planning Department  
**Variance Request**

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**To: Planning Commission**

**From:** Nick M. Johnson, City Planner

**Meeting Date:** 06/24/2013

**Applicant:** Mary Florence Brink and Thomas W. Brink

**Owner:** Mary Florence Brink and Thomas W. Brink

**Location:** 4719 Olson Lake Trail

**Zoning:** RS – Rural Single Family

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***Introductory Information***

***Application  
Summary:***

The City of Lake Elmo has received an application from Mary Florence Brink and Thomas Brink, 1941 Millbank Street Southeast, Grand Rapids, Michigan, for a variance to construct a single family home with a covered deck that encroaches on the 100-foot setback from the Ordinary High Water (OHW) level per the City's Shoreland Ordinance. The proposal involves the demolition of an existing single family home, followed by the construction of a new single family home in its place.

The applicant has provided a written statement to the City indicating the reason for the encroachment of the covered deck (screened porch) into the 100-foot shoreland setback. In addition, the applicant narrative addresses how the proposed variance meets the 4 required findings to grant a variance.

***Property  
Information:***

The property at 4719 Olson Lake Trail North (CSAH-13) is located on the western shore of Olson Lake in Lake Elmo. The attached location map details the location of the property.

***Applicable  
Codes:***

**Section 150.255 – Shoreland Standards**

(D) *Placement, design, and height of structures.*

(1) *Placement.* When more than 1 setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the ordinary high water level, provided the proposed building site is not located in a shore impact zone or in a bluff impact zone. Structures shall be located as follows.

(a) *Structure and on-site sewage system setbacks.* Structure and on-site sewage system setbacks (in feet) from ordinary high water level.

<b><i>Setbacks From OHW</i></b>		
<b><i>Classification</i></b>	<b><i>Structures</i></b>	<b><i>Sewage Treatment System</i></b>
Natural Environment	150 feet	150 feet
Recreational Development	100 feet	75 feet
Tributary	100 feet	75 feet

### **Section 150.256 Non-Conformities**

(2) *Additions/expansions to non-conforming structures.*

(a) *Additions/expansions.* All additions or expansions to the outside dimensions of an existing nonconforming structure must meet the setback, height, and other requirements of § [150.255](#). Any deviation from these requirements must be authorized by a variance pursuant to § [150.253](#)(B)(2).

(b) *Decks.* Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria and standards are met.

1. The structure existed on the date the structure setbacks were established.
2. A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure.
3. The deck encroachment toward the ordinary high water level does not exceed 15% of the existing setback of the structure from the ordinary high water level or does not encroach closer than 30 feet, whichever is more restrictive.
4. The deck is constructed primarily of wood and is not roofed or screened.

### **Section 150.017 Variances.**

(A-I) Variances. Identifies procedures and requirements for the processing and review of a variance application. Please note that this section was recently updated by the City to comply with revisions to Minnesota State Statutes.

## ***Findings & General Site Overview***

<b><i>Site Data:</i></b>	<p><i>Lot Size:</i> 0.56 acres</p> <p><i>Existing Use:</i> Single Family Detached Dwelling</p> <p><i>Existing Zoning:</i> RS – Rural Single Family</p> <p><i>Property Identification Number (PID):</i> 08.029.21.14.0060</p>
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### ***Application Review:***

<b><i>Variance Review:</i></b>	<p>As outlined in the narrative, the applicant is seeking to build a new single family home at 4719 Olson Lake Trail North in nearly the same footprint as the existing home. The proposal includes a deck with a covered porch within the shoreland setback. The Shoreland Ordinance requires a 100' setback for structures for recreational development lakes.</p> <p>It should be noted that that existing home has a deck that encroaches within the 100-foot setback from the OHW. Per the code section pertaining to non-conformities in the Shoreland District (§150.256.B.2.b.), decks are considered a permitted encroachment into the shoreland setback, as long as the encroachment does not exceed 15%. However, the reason that the proposal requires a variance is that they wish to have part of the deck covered as a screened porch, which is not allowed under the permitted encroachment of a deck.</p> <p>Regarding the need for a covered porch, the applicants have indicated that Thomas Brink is strongly allergic to vespids, or wasps/bees. Therefore, a covered porch on the deck would greatly increase the applicants' ability to enjoy their property. Regarding the location of the deck, the applicant's have stated that the existence of multiple mature oak trees prevent the screened porch from being located on the North side of the home. Staff conducted a site visit on June 18<sup>th</sup>, 2013 and confirmed the location and significant size of the trees referenced in the application. The applicants would like to preserve these mature oak trees for the screening they provide, as well as their environmental value to the property.</p>
<b><i>Variance Requirements:</i></b>	<p>An applicant must also establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 154.017 before an exception or modification to city code requirements can be granted. These criteria are listed below:</p> <ol style="list-style-type: none"> <li><b>1. Practical Difficulties.</b> A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.</li> <li><b>2. Unique Circumstances.</b> The plight of the landowner is due to circumstances unique to the property not created by the landowner.</li> <li><b>3. Character of locality.</b> The proposed variance will not alter the essential character of the locality in which the property in question is located.</li> <li><b>4. Adjacent properties and traffic.</b> The proposed variance will not impair an</li> </ol>

adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

Given the information that has been submitted by the applicant and pending further review by the Planning Commission, staff would offer the following suggested findings specific to the variances that have been requested by the applicant:

1. *Staff finds that the proposed use of a covered porch in the proposed location is a reasonable use of the property. Given that the applicant has an allergy to bees and wasps, a screened porch seems like a reasonable use of the property not permitted by an official control. In addition, the applicant has demonstrated that the proposed location of the porch is the most suitable location on the site given the location of the two mature oak trees. **Staff determines that this criterion is met.***
2. *The location of the mature oak trees is a unique circumstance not created by the landowner. The applicant has also noted other physical constraints of the lot that impact their ability to site the porch in another location. After analyzing the surveys and conducting a site visit, Staff determined that the proposed location of the covered porch is the most suitable location. **Staff determines that this criterion is met.***
3. *The applicant has noted that the architectural design of the home (and porch) will not conflict with the essential character of the neighborhood. Staff finds that the approval of the variance to allow the covered porch will not alter the character of the neighborhood. **Staff determines that this criterion is met.***
4. *The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. **Staff determines that this criterion is met.***

**Conclusions:** Staff finds that the applicants have met the 4 necessary criteria for a variance and demonstrated that the desire to build a covered porch is a reasonable use of the property not permitted by an official control. Staff has reviewed the proposed location of the porch and conducted a site visit, confirming that the plight of the landowner is due to circumstances unique to the property. Staff finds that the proposed location of the covered porch is the most suitable location on the site.

### **Conclusion:**

Mary Florence Brink and Thomas Brink, 1941 Millbank Street Southeast, Grand Rapids, MI, have submitted a request for a variance to construct a covered porch within the 100-foot shoreland setback at 4719 Olson Lake Trail North. The covered porch will be constructed as part of a project to construct a new single family home.

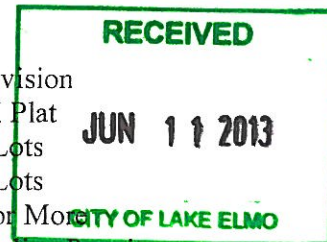
<b>Staff Rec:</b>	Staff is recommending that the Planning Commission recommend approval of the variance request by Mary Florence Brink and Thomas Brink given that the request meets the four criteria for a variance.
<b>Approval Motion</b>	To approve the request, you may use the following motion as a guide:
<b>Template:</b>	<i>“Move to recommend approval of the variance request at 4719 Olson Lake Trail North to allow the construction of a covered porch within the 100-foot shoreland setback based upon the findings outlined in the Staff Report.”</i>

cc: Mary Florence Brink and Thomas Brink



Fee \$ \_\_\_\_\_

City of Lake Elmo  
DEVELOPMENT APPLICATION FORM



- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Comprehensive Plan Amendment              | <input checked="" type="checkbox"/> Variance * (See below)           | <input type="checkbox"/> Residential Subdivision Preliminary/Final Plat |
| <input type="checkbox"/> Zoning District Amendment                 | <input type="checkbox"/> Minor Subdivision                           | <input type="checkbox"/> 01 - 10 Lots                                   |
| <input type="checkbox"/> Text Amendment                            | <input type="checkbox"/> Lot Line Adjustment                         | <input type="checkbox"/> 11 - 20 Lots                                   |
| <input type="checkbox"/> Flood Plain C.U.P. Conditional Use Permit | <input type="checkbox"/> Residential Subdivision Sketch/Concept Plan | <input type="checkbox"/> 21 Lots or More                                |
| <input type="checkbox"/> Conditional Use Permit (C.U.P.)           | <input type="checkbox"/> Site & Building Plan Review                 | <input type="checkbox"/> Excavating & Grading Permit                    |
|  |  | <input type="checkbox"/> Appeal   |
|  |  | <input type="checkbox"/> PUD  |

APPLICANT: Mary Florence Brink 1941 Millbank St SE Grand Rapids Michigan  
(Name) (Mailing Address) (Zip) 49508

TELEPHONES: 616-452-2883 651-779-4123 616-322-6591  
(Home) (Work) (Mobile) (Fax) cell

FEE OWNER: \_\_\_\_\_  
(Name) (Mailing Address) (Zip)

TELEPHONES: \_\_\_\_\_  
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): attached  
4719 Olson Lake Trail N, Lake Elmo, MN 55042

DETAILED REASON FOR REQUEST: \_\_\_\_\_

\*VARIANCE REQUESTS: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the Applicant must demonstrate a hardship before a variance can be granted. The hardship related to this application is as follows:

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

Thomas W. Brink 6/7/13  
Signature of Applicant Date

Mary Florence Brink 6/10/13  
Signature of Applicant Date

June 10, 2013

Variance Request

4719 Olson Lake Trail N., Lake Elmo, MN 55042

a) Property owners are Thomas W. Brink and Mary Florence Brink  
Ownership of the property was recently transferred from the trust of Robert F. Coles (deceased 4/15/11) and the trust of Catherine E. Coles to the current owners, and registered with Washington County on May 30, 2013.

b) Legal description: SECT 8 TWP 29 RG 21 PT GOV LOT 2 LYING ELY OF OLSON LAKE RD & LYING WITHIN FOLL DESC BDRY SECT 8 TWP 29 RG 21 PT GOV LOT 2 LYING ELY OF OLSON LAKE RD & LYING WITHIN FOLL DESC BDRY The property consists of 3 parcels that have been combined into one lot, 0.51 acres or 22,216 square ft in size. For the full legal description see Exhibit A in the accompanying packet showing the recent transfer of title.

PID: 08.029.21.14.0060

Existing use is for a residential home. Property is zoned R-1 residential.

Legal issues: There is currently a multi client title registration action being undertaken by the owners and 5 neighbors to the south to clarify a discrepancy of roughly 3' in the description of the lines separating the properties and the placement of existing surveyor monuments between the properties. The placement of the house on the lot as described in the **additional information** below keeps the proposed structure within the setback requirements of either boundary. The pump house easement shown on the survey has been vacated recently, so the easement setback is irrelevant.

c) A variance is sought for the Ordinary High Water setback of the proposed structure from section 150.255 subsection D-1-a, 150.256 B-2-b-3 and 150.256 B-2-b-4.

d) A variance is requested for placing a roofed screened area on the northernmost 1/3 of the deck. This is needed because the proposed screened porch encroaches on the 100' structure setback from Olson Lake, a Recreational Development Lake, by 12'. The screened porch will encroach no further than the proposed deck, which will remain within the 15% setback, per 150.256 subsection B-2-b-3. Code does not allow for a new *roofed* structure within that setback. (150.256 B-2-b-4)

e) Our architect, John Dwyer, AIA, and I have met with the Lake Elmo city planner, Kyle Klatt, and discussed the plans, ordinances and variance procedures. We discussed the fact that the lot size, setback restrictions, topography (a 15% grade sloping down from the road to the lake), and particularly the location of two oak trees we wish to preserve on the site severely restrict our options and limit design flexibility if we are to achieve our goal of building a home for aging in place, with all needed amenities on one level.

f) Denial of the variance would diminish our enjoyment and use of the property. Having a screened porch will allow us extended use of the deck, free from mosquitoes in the evening, and from, wasps, yellow jackets, and bees during the day. Thomas Brink is allergic to vespids and our daughter has very strong reactions to mosquito bites. Existing mature oak trees prohibit the screened porch from being located on any other side of the house without their removal. These trees are not only of significant environmental and personal value, but they would also screen the

view of the deck and screened porch both from the lake and from the nearest neighbor to the north, the end of the deck where the screened area will be located. The deck and screened porch will still be within the 15% allowance granted by code for attached decks within 100 feet of the ordinary high water line. In order to get maximum use and enjoyment of the deck, it makes the most sense to screen in a small portion of it. A screened porch will add value to the property.

g) The property is wooded to the north of the house. We wish to preserve 2 centrally located oak trees that are just north of, and immediately adjacent to the house and new garage location, which precludes expanding into the space to the north. The small size of the lot and setback requirements do not allow for moving the house or expanding into the area to the east, south, or west. The lot is too shallow from the road to the lake to accommodate a structure that sits much outside of the footprint of the current house. There is no other location on the property that would not infringe on setback requirements in one direction or another, or would not cause the destruction of the trees, where we could place a screened deck area.

h) The architectural design of the house is interesting but will not conflict with the essential character of the neighborhood, which has a mix of building styles. The size of the house has been kept intentionally modest both for aesthetic reasons and as an energy conservation measure. The exterior will be neutral in color and blend with the environment. An existing pump house near the lake (an eyesore) will be removed from the property. The landscaping will include prevention of excessive runoff into the lake, return some of the existing lawn to native non-invasive species, and include additional plantings of shade trees, fruit trees, a kitchen garden, and a tastefully concealed composting area and rain collection for garden and lawn irrigation. The new home will be an aesthetic improvement to the neighborhood, and add to the tax base of the community.

### **Additional information about the project**

The existing structure is an uninsulated cinderblock house built in 1955. The heating ducts for the main floor are in the unconditioned attic. There is no AC. The walkout basement ceiling height is 6'8", with concrete support beams below that height that are 6" deep. This is not considered "livable" space due to the low ceiling. The basement was never excavated to the full extent of the main floor footprint. There is an attached garage, barely big enough for one car, with entry to the house through the master bedroom.

The proposed structure will essentially be built on the footprint of the existing house, with these differences. It has a smaller footprint (proposed: 46 ft x 30 ft; existing: 58½ ft x 30 ft); the garage will extend toward the road in front (24ft x 24ft); the house will be turned on the lot 11° clockwise to provide better solar access. Turning the house and the smaller footprint put the main structure in compliance with the existing setback codes for next door neighbors and the distance from the ordinary high water line, which it currently is not. The main floor level will be raised between 2 and 3 feet to accommodate the 8-foot height needed for the walkout basement ceiling.

There are multiple goals for this project:

- 1) Provide a home for the owners to age in place, i.e., with a no step entry and all necessary amenities on the main floor.

- 2) Net zero energy: the home will be super insulated, energy efficient, and produce as much energy annually as it consumes.

- 3) The home will be sustainable in that the manufacture, transportation, installation and

maintenance of materials used do not degrade the ecosystem or permanently deplete resources.

4) The home will be constructed as much as possible using local labor and resources.

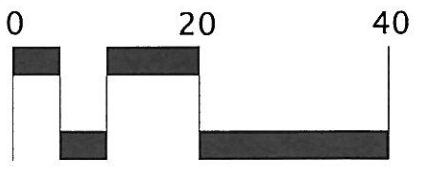
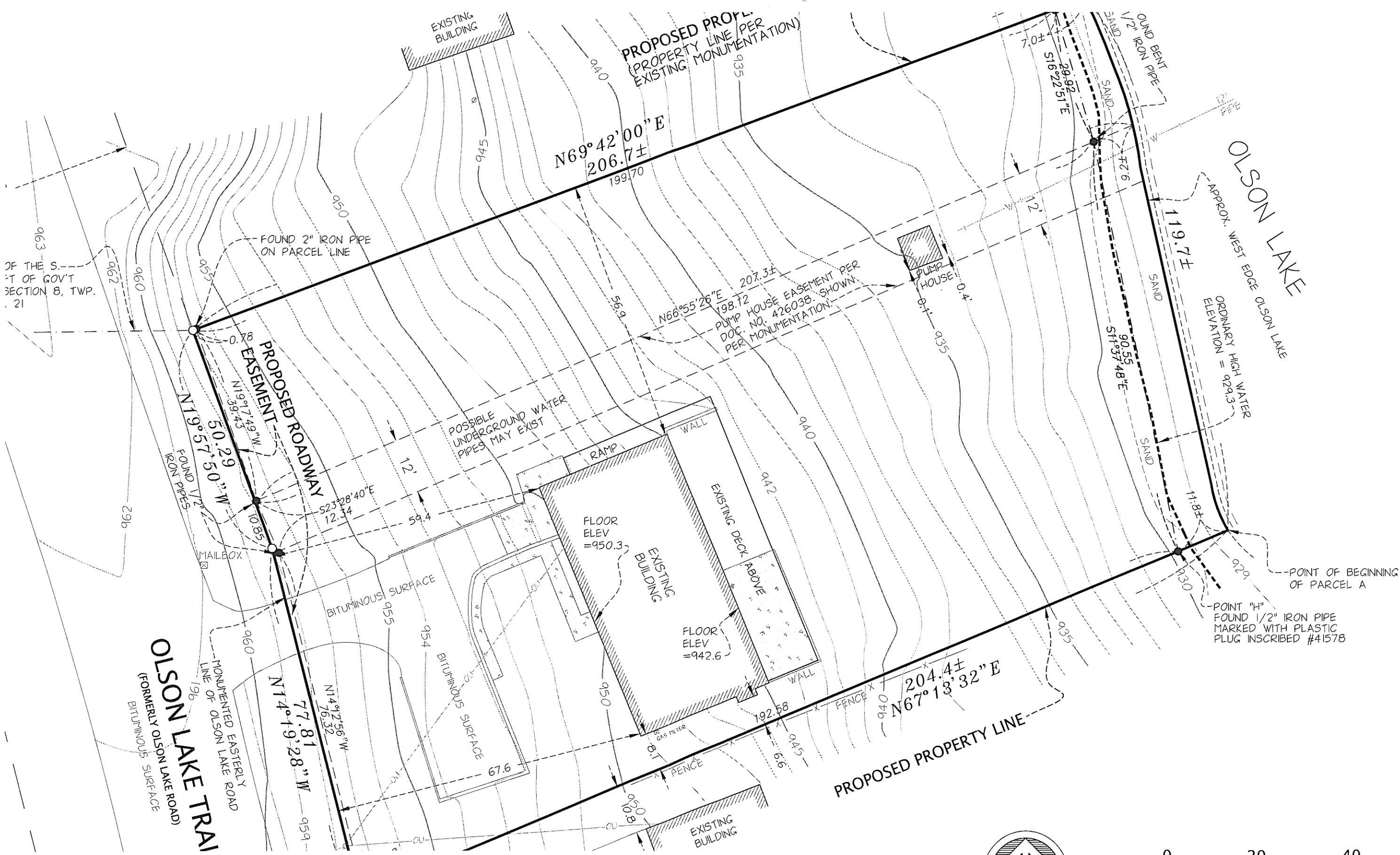
5) The home will be made of durable materials requiring little maintenance.

6) The home will seek LEED and Minnesota GreenStar certification, and may also qualify for Passive House certification.

7) The operation and maintenance of the home will have minimal impact on the environment and fit with the character of the neighborhood.

8) The home will serve as an example for local designers and builders of methods for sustainable and energy efficient construction, a resource for the Lake Elmo community.











## Location Map: 4719 Olson Lake Trail North



Data Source: Washington County, MN  
6-17-2013



4719 Olson Lake Trail North



Municipal Boundary

0 200 400 800 Feet



1"=400'





**Brink Variance—4719 Olson Lake Trail North**  
**Site Visit: June 18, 2013**



North side of Brink Property w/two mature oak trees



North side of deck and structure



Location of future covered porch



View of the rear of existing home





Planning Commission  
Date: 6/24/13  
**PUBLIC HEARING**  
Item: 4b

ITEM: Country Sun Farm and Greenhouses Conditional Use Permit Amendment and Interim Use Permit Renewal

REQUESTED BY: Keith Bergmann, Country Sun Farm and Greenhouses

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner

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#### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to review and conduct a public hearing on a request from Country Sun Farm and Greenhouses, 11211 60<sup>th</sup> Street North, to amend the existing Conditional Use Permit related to its Agricultural Entertainment Business to allow for the inclusion of children's inflatable bouncers as part of the fall harvest sales activities conducted on the site. A second portion of the request is to renew the Interim Use Permit for the uses classified as "Agricultural Sales Business" being conducted on the premises, which will only need to be considered by the Planning Commission if there are any objections to the renewal raised prior to or during the meeting. If there are no objections brought forward, the Planning Commission will not be required to review the renewal application and it will be forwarded to the City Council for action. In this case, because the Commission is already reviewing the Conditional Use Permit amendment, it would be appropriate for the Commission to also make a recommendation to the City Council regarding the Interim Use renewal as well.

#### **BACKGROUND INFORMATION:**

The City has undertaken several revisions to the zoning requirements for agricultural-related businesses in the past several years, and these regulations have varying degrees of impact on the Country Sun Farm operation, which has been in business in its current location for well over 30 years. Because of this history and subsequent growth and expansion of the business, it will be useful to first review how the City's zoning regulations apply to this site before discussing the current request. In summary, the following aspects of the Country Sun Farm are being regulated by the City of Lake Elmo:

- Agricultural activity and uses that are normally associated with a farm, including growing of crops, care of livestock, and other horticultural activities. All such uses are a permitted activity in the underlying zoning for the site.
- Agricultural sales of produce grown on the premises, including fresh flower and plant material, pumpkins, and other products. For the most part, this activity was in place at the start of the business and prior to many of the current agricultural business regulations. These activities are also considered a permitted use (if the products were grown on the premises).
- Greenhouses. Greenhouses are allowed as a Conditional Use in rural districts, and the Country Sun Farms has previously applied for and received such a permit from the City.

It is not always clear in the historical record exactly what uses and activities were associated with Conditional Use Permit for Greenhouses on the site.

- Agricultural entertainment business activities. As part of recent updates to the Zoning Ordinance, the City now regulates certain activities as an agricultural entertainment business, which at one point required a Conditional Use Permit but now is regulated at an Interim Use. The applicant applied for and received approval of a Conditional Use Permit for certain agricultural entertainment activities as defined by the code prior to this change, and this is the permit that would be amended as part of the current request (and still is an active permit).
- Agricultural sales of any products from a permanent facility or grown off the premises. The most recent permit issued to the applicant was needed to allow the sale of agricultural products that are grown off the premises. This permit now regulates all of the agricultural sales that are being conducted in the current sales building and greenhouses and allows for produce to be sold that is grown off-site. This is the permit that the applicant has asked to renew.
- The property owned by Country Sun Farm is either zoned A – Agriculture or RR – Rural Residential.

Given the history of the applicant's site and the various permits that have been issued over the past 30 years, it can be somewhat difficult to fully understand how and under what rules various activities are permitted on the site. Essentially, there are two active permits on the property that regulate everything happening that is not otherwise permitted outright: a Conditional Use Permit that is governed by Resolution No. 2009-047 and an Interim Use Permit that is regulated through an Interim Use Permit Agreement. These two permits now cover all of the Agricultural Sales and Agricultural Entertainment Uses on the property.

Please note the primary difference between a Conditional Use Permit (CUP) and an Interim Use Permit (IUP) is that a CUP is attached to the land and may continue indefinitely into the future while an Interim Use Permit is specifically tied to a specific use/user and is limited to a specific period of time.

#### **STAFF REPORT:**

The proposed CUP amendment being requested would revise Resolution No. 2009-047, which is attached for consideration by the Planning Commission. The specific sections to be amended are found under the heading of "Findings" and numbers 5 and 10. These are the sections that deal with uses that are allowed or not allowed as part of an Agricultural Entertainment Business. The proposed changes would allow children's inflatable bouncers as one of the activities that is specifically allowed under the CUP. Please note that the other sections of this resolution would not need to be amended and include things like the required review criteria, a description of other site activities, and the conclusions and decisions. Given the relatively minor nature of the requested change, Staff does not find that any other sections need to be updated.

The proposed changes would need to be incorporated into the resolution as follows (the proposed new language is underlined):

#### **Findings:**

[5] The proposed Conditional Use Permit for an Agricultural Entertainment Business would supplant all previous CUP permits for this property and permit the following uses:

- a. Corn Maze
- b. Hay Ride
- c. Petting Zoo/Farm
- d. Haunted house
- e. Seasonal sales of related Christmas decorations (such as wreaths or other agricultural-type creations)
- f. Children's activities and games with an agricultural component

- g. Children's inflatable bouncers, which are considered incidental to the agricultural sales business and the other children's activities and games permitted on the site.

[10] That the following uses on the site are not allowed/permitted, nor conditionally permitted on the site:

- a. Children's activities and games without and agricultural component, with the exception of children's inflatable bouncers as permitted in Number (5) above
- b. Seasonal sales of fresh flower and plant material [if the products are NOT produced on the premises and can NOT meet the definition of a "wayside stand"]
- c. Seasonal sale of pumpkins [if the products are NOT produced on the premises and can NOT meet the definition of a "wayside stand"]
- d. Seasonal sale of Christmas trees [if the products are NOT produced on the premises and can NOT meet the definition of a "wayside stand"]

In the past, the Country Sun Farm and Greenhouse business has used inflatable bouncers, but ceased using them as part of the City's ongoing review of the operation. Due to the relatively small impact of the bouncers on the overall operation and because they function only as an ancillary activity to the main agricultural sales business, Staff is recommending that the Planning Commission recommend approval of the CUP amendment to allow the bouncers as part of the applicant's permit.

The other component of the applicant's current request is to renew the Interim Use Permit for the Agricultural Sales Business, which was initially approved as a two-year interim use on September 20, 2011. Although the Planning Commission may not need to conduct a formal review of this permit, it would be appropriate for the Commission to make a recommendation to the City Council concerning the renewal request. In this case, there are a several conditions that were attached to the City's original IUP review, which are documented as part of the attached consent agreement. The ones that warrant further consideration deal with: trip generation, traffic management plan, master inventory of buildings and traffic count study. All other conditions have not been an issue over the past two years.

As an update to the other conditions, please note the following:

- ***Trip Generation/Traffic Counts:*** The interim use agreement establishes a maximum number of vehicle trips to the site that is partly based on limiting vehicle trips to no more than would be expected should the property develop for residential use. The applicant was also required to prepare a traffic count study for the business (including both daily and peak traffic counts) that was to be included with a request for renewal. In order to comply with this provision, the applicant purchased a traffic counting device that was used to log vehicle trips to the site throughout the 2012 fall season. The resulting data shows that for the majority of the days in October of 2012, the applicant was under the maximum daily traffic allowed (two times the base rate of 18 vehicle trips per 40 acres of land or 675 trips), but exceeded this amount on at least two of the days. The applicant is nowhere near the annual limit imposed by the interim use agreement. The peak number of trips was 947 trips in a day, with most being around or below the 700 number. Because the peak number only occurred on the two weekend days prior to Halloween (and may have been influenced by rainy days on the preceding weekend days) Staff does not recommend that the peak traffic counts be used to reject the renewal request, and instead would recommend that the applicant continue monitor trips to the site as requested by the City. Please also note that the traffic management plan is intended to help minimize the problems created by these periods of peak demand.
- ***Traffic Management Plan.*** The applicant prepared a plan for managing traffic that was presented to MnDOT last year, but was never formally permitted by the State. The primary component of this plan was a sign within the TH36 right-of-way that would warn drivers of slower traffic ahead. The applicant has stated that they will again submit a

permit for review by MnDOT, and City Staff will work with the applicant to ensure that this plan is implemented.

- ***Master Inventory of Buildings and Activities.*** The applicant has submitted a map documenting the use of all buildings on the property and the location of all other activities taking place on the site. Staff has converted this information into a GIS file that may be used in the future to help document compliance with City regulations.

Staff is not aware of any other issues that have arisen in the past two years concerning the ongoing operation of the Country Sun Farm and Greenhouses sales business and recommends that the Planning Commission recommend renewal of the interim use. The applicant has requested an extension of 20 years for the interim use. Staff is recommending that the interim use extension be granted for no more than five years due partly to its location along Highway 36 and the ongoing planning work that continues for the corridor.

**ADDITIONAL INFORMATION:**

Attached is a copy of Resolution No. 2009-047 approving a Conditional Use Permit for the Agricultural Entertainment Business and a copy of the consent agreement related to an Interim Use Permit for the Agricultural Sales Business.

**RECOMMENDATION:**

Staff recommends that the Planning Commission recommend approval of the request by Country Sun Farm and Greenhouses to amend its Conditional Use Permit to allow for the inclusion of children's inflatable bouncers as part of the fall harvest sales activities conducted on the site.

Staff further recommends that the Planning Commission recommend approval of the request by Country Sun Farm and Greenhouses to renew its Interim Use Permit for a period of an additional 5 years.

**ATTACHMENTS:**

1. Application Form
2. Resolution No. 2009-047 (CUP Approval)
3. Consent Agreement (IUP Approval)
4. Country Sun Farms Site Inventory (Map)



Planning Commission  
Date: 06/24/13  
Item: 5a  
Business

ITEM: Sketch Plan Review – Hammes Estates

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Planning Director  
Jack Griffin, City Engineer  
Mike Bouthilet, Public Works Director  
Greg Malmquist, Fire Chief

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#### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to review a Sketch Plan related to a proposed residential subdivision on a property located in the I-94 Corridor. The Sketch Plan, Hammes Estates, is being submitted by Hammes West, LLC, 36 Moonlight Bay, Stillwater, Minnesota and consists of 173 single family homes on 78 acres of land immediately to the west of Keats Avenue (CSAH-19) and south of 10<sup>th</sup> Street North (CSAH-10). Hammes West, LLC has agreed to purchase the property owned by the Hammes Family.

The Lake Elmo Subdivision Ordinance specifies that as part of the pre-application process for a new subdivision, the applicant must first submit a Sketch Plan for review by the Planning Commission. The Ordinance notes that the purpose of the Sketch Plan review is as follows:

*Sketch plan. In order to ensure that all applicants are informed of the procedural requirements and minimum standards of this chapter and the requirements or limitations imposed by other city ordinances or plans, prior to the development of a preliminary plat, the subdivider shall meet with the Planning Commission and prepare a sketch plan which explains or illustrates the proposed subdivision and its purpose. The Planning Commission shall accept the information received, but take no formal or informal action which could be construed as approval or denial of the proposed plat.*

Based on this wording, the Planning Commission is not being asked to take any formal action as part of its review other than to accept the information received. Staff has completed an internal review of the sketch plan, and general comments from Staff are included in this memorandum.

## BACKGROUND INFORMATION:

The proposed subdivision Sketch Plan from Hammes West, LLC is the second formal Sketch Plan that the City has received to be located within one of Lake Elmo's urban service areas. The Hammes Estates Sketch Plan has been developed to conform to the City's recently adopted Comprehensive Plan update for the I-94 Corridor. The submission to the City includes the following components:

- *Concept Plan Narrative.* The Concept Narrative that was submitted by the applicant highlights the important features of the Sketch Plan, including general information, buffering, density and lot dimensions, phasing, utilities, streets and trails and mining and grading.
- *Existing Conditions Plan.* The existing conditions map that was submitted by the applicant depicts the property that is included in the Sketch Plan (outlined with the pink line) and includes some of the properties adjacent to the proposed development area. The site contains significant grades due to ongoing grading mining operations. These operations have been conducted on the properties owned by the Hammes Family since prior to the incorporation of the City.
- *Concept Sketch.* The Sketch Plan includes a proposed configuration of roads, lots, wetlands, ponding areas, trails and open space areas on the applicant's site. Hammes West, LLC has noted on the plan that of the 173 single family lots shown, 33 slightly larger lots are included to accommodate custom or specialty builders. These lots have been sited next to the adjacent residential neighborhood (Stonegate). Regarding access, the Sketch Plan shows one access to Keats Avenue North (CSAH-19) in the northeastern portion of the site, and includes connections to two proposed roads on the southern boundary of the site that are currently proposed in a residential subdivision being proposed by Lennar Homes.

The Staff review comments that follow are all based on conducting a very high level review of the Sketch Plan since there is not a lot of detailed information that is required at this stage in the development process. Staff has instead focused on the bigger picture items and those things that would otherwise not allow the development to move forward if they contrasted with elements from the Comprehensive Plan or the City Code.

## STAFF REVIEW COMMENTS:

Members from the Planning, Public Works, Engineering, and Fire Departments have reviewed the proposed Sketch Plan and have provided comments in following areas:

- **Land Use:** The proposed sketch plan appears to conform to the City's future land use plan for this portion of the I-94 Corridor. The site is guided for Urban Low Density, which requires a net residential density between 2.5 to 4.0 units per acre.
- **Density:** The proposed sketch plan includes calculations for both the gross (all of the land) and net (once open space, roads, and wetlands, etc. are removed) densities over the planning area. In terms of densities, the Hammes Estates plan includes a gross density of 2.22 units per acre and a net density of 3.63 units per



acre. The net density provided in the Sketch Plan is found to be consistent with the Comprehensive Plan.

- ***Zoning***

- The City adopted new urban development districts, including the Urban Low Density Residential (LDR) zoning district. In general, the sketch plan has been designed to comply with this district in regards to lot area, setbacks, and other dimensional standards.
- The average lot sizes of 11,800 and 12,800 square feet are well over the 8,000 square foot minimum required within the LDR zoning district.

- ***Buffer Areas***

- The applicant has shown a 100-foot buffer area on the majority of the portion of the property that abuts the Stonegate Subdivision. However, in the eastern portion proposed subdivision, the 100 foot buffer is discontinued in the area to the south of Goose Lake. The Comprehensive Plan requires that a 100' buffer be provided adjacent to property within the Stonegate Subdivision that was platted at rural densities. Regarding this buffer, the Comprehensive Plan includes the following language:

Certain areas designated as Public/Park on the Future Land Use Map (Map 3-3) have been established to provide a green belt/buffer between areas developed under a previous Comprehensive Plan at rural development densities and areas planned for residential development at higher densities.

Therefore, Staff's interpretation is that the buffer area must be maintained from the edge of any parcels that have a residential use or purpose within the Stonegate Subdivision. As part of this interpretation, Staff does not believe that buffering is required from property that is guided as parkland, as is the case in the City property on the south side of Goose Lake.

- If a trail is provided in the buffer area, the City may consider this land part of the required parkland dedication.

- ***Parks***

- Given that the proposed subdivision is guided for Urban Low Density, the parkland dedication requirement per the City's Subdivision Ordinance is 10% of land, fee in lieu of land in the amount of equal market value of 10%, or some combination thereof.
- The City's Parks Plan identifies service areas for future neighborhood parks, and one of these service areas is situated within the Sketch Plan area.
- The Sketch Plan does not identify an area for a neighborhood or smaller (pocket) park in the subdivision. However, the Sketch Plan does identify several trails that will serve as local amenities and regional connections.

- To serve the residents of this area, Staff recommends that this subdivision be served by a minimum of one local or pocket park in addition to the various trails that may be approved as part of the parkland dedication for this subdivision.
- Per the City's Subdivision Ordinance, credit for parkland dedication will be granted for areas with an active recreational purpose. Staff is recommending that the details concerning the land or trails to be dedicated for park purposes be addressed at the time a Preliminary Plat is submitted. The Park Commission will also be reviewing the Sketch Plan for this proposed subdivision at its July 2013 meeting.
- ***Trails***
  - All trail corridors should include a minimum of 30 feet of right-of-way for construction and maintenance purposes.
  - The City may consider the construction of trails towards credit for parkland dedication purposes.
- ***Streets***
  - The City supports the County access management guidelines for CSAH-19. The applicant is strongly encouraged to meet with Washington County to address the appropriate access point to this development and to identify any improvements that will be required by the applicant by the County.
  - The primary access road to CSAH-19 must remain a continuous through street for serving the development. The cul-de-sac for this access road should be revised.
  - Scanning the proposed subdivision from west to east, the third north-south local road contains a dead-end cul-de-sac that measure over 850' in length. The Subdivision Ordinance (154.13.H.2.b.1) does not allow streets with permanent cul-de-sacs to extend over 600' in length for subdivisions with lots smaller than 2.5 acres in size.
  - The Sketch Plan includes a road connection to Jewel Avenue North within the Stonegate Subdivision. While Staff would recommend maintaining access points and road connections from new neighborhoods to existing neighborhoods for purposes of connectivity and emergency access, the City previously vacated right-of-way at the request of residents of Stonegate that would have allowed access to Jewel Avenue North.
  - All residential streets shall be constructed to a 28 foot width from back of curb to back of curb per the city standard details. Right-of-ways must be a minimum 60 feet.
  - Ten (10) foot utility easements are required on both sides of the right-of-way.
  - Six (6) foot sidewalks must be provided along all continuous residential streets and along other streets as may be required for connectivity.



- All street intersections must be at 90 degrees and maintain 100 feet of tangent with maximum slopes of 2% for first 100 feet.
- Residential maximum longitudinal grade is 8% with no sidewalks, 6% where there are sidewalks.
- Minimum diameter cul-de-sac is 90 feet with 120 foot right-of-way.
- Dead end streets will require temporary cul-de-sacs. Dead end streets must be placed where future connectivity is likely. The applicant must demonstrate future connectivity scenario(s).
- ***Utilities***
  - Extension of municipal sewer and water is being pursued through a 429 Public Improvement process with the intention of constructing these utilities in the Fall 2013 / Spring 2014. However, the improvements have not yet been ordered (they are not in construction as suggested by the concept narrative) and are contingent upon mutual agreement of the Section 34 property owners.
  - Watermain distribution lines will need to be looped wherever reasonably possible. Maximum length of for a watermain dead end is 600 feet.
  - Hydrant and valve placement will be made per City standards and as laid out by City staff.
- ***Storm Water Management***
  - The proposed development area resides within the Valley Branch Watershed District (VBWD). City staff recommends early planning/coordination meetings with VBWD.
  - The design of the storm water management systems must be compliant with the requirements of the VBWD, the City of Lake Elmo Storm Water Management Ordinance, and the City of Lake Elmo design standards manual.
  - It is the applicant's responsibility to creatively plan for adequate storm water ponding and infiltration facilities.
  - The storm water facilities should be platted as Outlots and deeded to the City for maintenance purposes.
  - Maintenance access roads must be provided for all storm water facilities including easements.
  - Storm water facilities should have sufficient contributing drainage sheds (following guidelines of the MN Storm Water Manual) to facilitate proper operation.
- ***Grading***

- Based upon the existing conditions of the site, the residential subdivision will require substantial grading activity. All grading activities shall meet the approval of the City Engineer.
- ***Mining***
  - As part of the clean-up of the Hammes property related to mining activities, a Reclamation Plan was approved by the City. Any part of the site that is not approved as part of a Final Plat must follow the recommendations and requirements of the Reclamation Plan.
  - All mining activity shall cease upon the acceptance of public infrastructure.
- ***General Comments***
  - The City would recommend that additional buffering or berming be provided for lots abutting Keats Avenue North (CSAH-19) to mitigate impacts from automobile traffic on CSAH-19.
- ***Subdivision Review Process.*** In order to proceed with the subdivision of the land included in the sketch plan area the applicant will need to next prepare a Preliminary Plat application. At this stage there is much more information required as part of the submission process, which also requires a public hearing. Hammes West, LLC has not yet indicated when they intend to submit a Preliminary Plat application.
- ***Environmental Review.*** The proposed development under the Sketch Plan does not trigger a mandatory environmental review.

#### **RECCOMENDATION:**

Staff is recommending that the Planning Commission accept the Sketch Plan provided by Hammes West, LLC for a 173 unit residential subdivision that would be located on property owned by the Hammes Family within the I-94 Corridor planning area.

#### **ATTACHMENTS:**

1. Sketch Plan Application
2. Concept Narrative
3. Existing Conditions Plan
4. Concept Plan

#### **ORDER OF BUSINESS:**

- Introduction.....Planning Staff
- Report by Staff.....Planning Staff
- Questions from the Commission.....Chair & Commission Members

- Discussion by the Commission..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members

City of Lake Elmo  
DEVELOPMENT APPLICATION FORM

RECEIVED

JUN 13 2013

- ☐ Comprehensive Plan Amendment    ☐ Variance \* (See below)    ☐ Residential Subdivision  
☐ Zoning District Amendment    ☐ Minor Subdivision    Preliminary/Final ☐ CHAD OF LAKE ELMO  
☐ Text Amendment    ☐ Lot Line Adjustment    ☐ 01 - 10 Lots  
☐ Flood Plain C.U.P.    ☒ Residential Subdivision    ☐ 11 - 20 Lots  
Conditional Use Permit    Sketch/Concept Plan    ☐ 21 Lots or More  
☐ Conditional Use Permit (C.U.P.)    ☐ Site & Building Plan Review    ☐ Excavating & Grading Permit  
☐ Appeal    ☐ PUD

APPLICANT: HAMMES WEST, LLC 36 Moonlight Bay, Stillwater, MN 55082  
(Name) (Mailing Address) (Zip)

TELEPHONES: 651-387-1000  
(Home) (Work) (Mobile) (Fax)

FEE OWNER: HAMMES Family ELEANOR - 1187 Frost Ave ST. PAUL 55109  
(Name) (Mailing Address) (Zip)

TELEPHONES: 651-774-1761 6054 651-774-1761  
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): See Attached

DETAILED REASON FOR REQUEST: Submittal of Concept Plan

**\*VARIANCE REQUESTS:** As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the Applicant must demonstrate a hardship before a variance can be granted. The hardship related to this application is as follows:

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

Ethan Hammes 6/12/13  
Signature of Applicant Date

Or J. M. Keldsh 6/12/13  
Signature of Applicant Date



## ***HAMMES ESTATES CONCEPT PLAN NARRATIVE***

*June 12, 2013*

The project property consists of 78 acres located along the west side of Keats Avenue North about a quarter mile south of 10<sup>th</sup> Street North. The property is owned by the Hammes Family and is being purchased by Hammes West, LLC.. The project will be developed by Hammes West LLC in conjunction with Ryland Homes. The property is currently used as a part of an active mining operation with an existing mining permit. The property is currently zoned RT, Rural Development Transitional District, and guided Low Density Residential in the Comprehensive Plan, Planned Land Use section. No change is required or requested of the Comprehensive Plan designation. The Zoning will need to be changed to LDR, Low Density Residential as a part of the Preliminary Plat process.

### **BUFFERING/TRANSITION**

There is a considerable buffer required and provided to the existing neighborhood on our north and west sides. We are planning a public park with walking trails to connect to the existing and future trails for these areas. The project features 173 single family home sites. They are varied in sizes and potential home uses from the buffered areas out toward the south and east. The plan includes custom lots adjoining the existing neighborhoods. Some of the custom lots will be developed and built by the national builder associated with the project. These lots have some of the best features and will probably feature the higher home values. There are 33 custom lots that will be reserved for local specialty builders that are even larger than the majority. This transition approach is designed to accentuate the buffering that was envisioned by the City to keep the newer projects from creating negative impacts on the existing homes.

### **DENSITY/LOTS**

The area used for home sites is 61.1% of the gross project area. The balance is Open Space and road right-of-way. The density of the project is 2.22 units per gross acre and 3.63 units per acre of net area. This is clearly within the density allowed in the Comprehensive Plan for this area (2.5 to 4 units of net density allowed). The average of the lots for the national builder is 11,800 square feet. The average of the lots for the specialty builders is 12,800 square feet. Minimum Lot area allowed is 8,000 square feet. All of the lots will meet or exceed the minimum standards of the LDR Low Density Residential zoning district. No variances or exceptions are anticipated.

### **PHASING**

The phasing of the project is anticipated to begin with approximately one third to one half of the lots on the easterly end starting first. This corresponds with the availability of the sanitary sewer and water on the east side of the project.

## **UTILITIES**

We are assured by City Staff that the new utilities should be available this fall when this project comes on line. The home sites will be served with City Sewer and City Water from the new systems that are currently under way in the construction process. The storm water facilities will be designed in accordance with the requirements of the Watershed District. New and innovative design features are anticipated to enhance the storm water system of this project. This approach is in keeping with Lake Elmo's long standing desire to be on the cutting edge of storm water handling.

## **STREETS/TRAILS**

The street design will be the (new) standard urban street section. This will feature concrete curb and gutter sections where appropriate with bituminous surfacing and sections built to the depth and thickness appropriate for the traffic anticipated. The trails shown on the plan are proposed to be bituminous surface 8 feet wide. This trail section provides for the most varied use of the trails over any other trail materials.

## **MINING/GRADING**

The project will continue to be utilized as a mining operation to facilitate the removal of the materials that are stockpiled on the property. It is anticipated that some of this mining will be used to grade portions of the property for the final project grades. This is the reclamation portion of the existing mining permit. The mining operations will cease as the residential project phases become active.



LEGEND

- PROPOSED BOUNDARY LIMITS  
EXISTING 2011 DNR LIDAR 2-FT CONTOUR

NOTES

- 1) EXISTING ACTIVE MINING OPERATION  
2) EXISTING PARCEL SIZE = 78 TOTAL ACRES  
3) MINING OPERATION TO CONTINUE UNTIL PRELIMINARY  
PLAT APPROVAL/LAND USE CHANGE IS GRANTED.  
4) PID NO. 3402921130001  
5) NO EXISTING WATER MAIN, SANITARY SEWER EXIST ON OR NEAR THIS PROPERTY

HAMMES ESTATES  
Existing Conditions



Folz, Freeman, Erickson, Inc.  
LAND PLANNING ♦ SURVEYING ♦ ENGINEERING  
12445 55TH STREET NORTH  
LAKE ELMO, MINNESOTA 55042  
Phone (651) 439-8833 Fax (651) 430-9331





# HAMMES ESTATES

## CONCEPT PLAN

### CONCEPT DATA

GROSS AREA	= 78.0 ACRES
RIGHT OF WAY AREA	= 13.9 ACRES
SINGLE FAMILY LOTS (NATIONAL BUILDER)	= 38.0 ACRES
SINGLE FAMILY (SPECIALTY BUILDER)	= 9.7 ACRES
OPEN SPACE	= 16.4 ACRES

### UNIT COUNT

77 x 145 (Min.) Single Family & Custom	= 140 UNITS
86 x 145 (Min.) Single Family (Specialty Builder)	= 33 UNITS
TOTAL UNIT COUNT	= 173 UNITS

**Folz, Freeman, Erickson, Inc.**  
LAND PLANNING ♦ SURVEYING ♦ ENGINEERING  
**FFE** 12445 55TH STREET NORTH  
LAKE ELMO, MINNESOTA 55042  
Phone (651) 439-8833 Fax (651) 430-9331



### LEGEND

- PROPOSED BOUNDARY LIMITS
- EXISTING WETLAND (APPROX.)
- NATIONAL BUILDER LOT
- NATIONAL BUILDER CUSTOM LOT
- SPECIALTY BUILDER CUSTOM LOT
- PROPOSED OPEN SPACE
- PROPOSED PONDING AREA
- PROPOSED ROADWAY (28-FT F-F, 60-FT ROW)
- PROPOSED 8-FT BIT. TRAIL
- PROPOSED PARCEL LINE
- PROPOSED PHASE LINE (11 CUSTOM UNITS) (87 NATIONAL BUILDER UNITS)