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Lake Elmo, MN 55042

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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, February 10, 2014 at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. January 27, 2014
4. Public Hearing
 - a. **ZONING MAP AMENDMENT – SAVONA SUBDIVISION.** The Planning Commission will hold a public hearing to consider an application for a Zoning Map Amendment to rezone the parcels associated with the Lennar Homes Savona Subdivision from Rural Development Transitional District (RT) to Urban Low Density Residential (LDR) and Urban Medium Density Residential (MDR).
5. Business Items
 - a. **SAVONA FINAL PLAT – FIRST PHASE.** The Planning Commission is asked to review the first phase of the Savona final plat which includes 44 single family homes and is located in the I-94 Corridor Planning Area.
 - b. **ZONING TEXT AMENDMENT – LIVESTOCK ORDINANCE.** The Planning Commission is asked to review updated versions of ordinance pertaining to the City's animal and livestock ordinances.
 - c. **ZONING TEXT AMENDMENT – ACCESSORY STRUCTURES.** The Planning Commission is asked to review a draft ordinance update related to the City's Accessory Building Ordinance.
 - d. **OUTDOOR SOCIAL EVENTS DISCUSSION.** The Planning Commission has received a request to be addressed by Carol Palmquist (12202 55th Street North) to discuss an outdoor social event ordinance.
 - e. **CUL-DE-SAC DISCUSSION.** The Planning Commission will hold an informal discussion about cul-de-sacs.
6. Updates
 - a. City Council Updates – February 5, 2014 meeting:
 - i. Zoning Text Amendment – Zoning District Cleanup passed.

- ii. The City Council reviewed the Easton Village Sketch Plan.
 - iii. Approval of agreement to sunset the Memorandum of Understanding with the Met Council.
 - b. Staff Updates
 - i. Upcoming Meetings:
 - February 24, 2014
 - March 4, 2014
 - ii. Planning Commission Discussion Series – “Ma’am, We’re Here for You”, to be discussed at February 24th meeting.
 - c. Commission Concerns
- 7. Adjourn



**City of Lake Elmo
Planning Commission Meeting
Minutes of January 27, 2014**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Williams, Yocum, Dodson, Haggard, Dorschner, Kreimer and Larson;

COMMISSIONERS ABSENT: Lundgren and Morreale; and

STAFF PRESENT: Community Development Director Klatt

Approve Agenda:

Agenda accepted as published.

Approve Minutes: December 13, 2013

M/S/P: Kreimer/Dorschner, move to accept the minutes as presented, **Vote: 6-0.**

Public Hearing: Zoning Text Amendment – Livestock Ordinance.

Klatt began his presentation by explaining that they are proposing to move the Livestock Ordinance to a comprehensive animal chapter in the code. This change will redefine commercial and private kennels, amend the table and provide for private and commercial kennels through permitted or conditional uses, and allow the keeping of chickens and bees on parcels greater than half an acre with a permit review. The biggest change would allow domestic farm animals on 5 acres vs. the previous 10 acres and will slightly increase the animal equivalent units.

Dodson asked if the chart would be included and if it is cumulative and can interchange animals. Klatt explained that yes it is cumulative. The Planning Commission thought the point system seemed a little confusing and it should be made a little clearer by getting away from the decimal system. Klatt stated that the chart would not be included in the code, but was being used for illustrative purposes.

Larson asked what someone's recourse would be if there was negative impact from the smell of turkeys or chickens on smaller acreage. Klatt stated that we have nuisance and PCA standards to fall back on. Also, on smaller acreage if someone isn't taking good care of the area, the permit could be revoked or not renewed.

Haggard asked about the setbacks for bee hives. Klatt stated that this should probably be looked at.

Dorschner asked if there would be a site visit along with the permit. Klatt stated that if the Planning Commission felt that was important, it could be made part of the standards.

Dodson was wondering if there were any animals that we specifically want to exclude. He also felt that llama should be part of the goat category.

Public hearing opened at 7:48pm.

Written comment was received from Mr. Bob Engstrom in favor of the keeping of bees.

Public hearing closed at 7:49pm.

Larson asked about sounds created by animals, for instance, peacocks can be very noisy. Dodson stated that we need to be somewhat tolerant of smell and sounds if we want to live in a rural area.

The Planning Commission thought the definition of chicken was too loose and should be re-worded. Klatt agreed and would check with the clerk to see if it can just be taken out.

Williams asked why the first permit was good for 2 years and only 1 year thereafter. It seems backwards. Kreimer stated that it is probably because the year you apply in would be a stub year and it would be good the full year after that. Dodson thought the permit should go for 3 years as one year is a lot for staff to administer. Dorschner thought one year is reasonable as that way everyone is on the same schedule. Klatt stated that it would be administratively easier to have a set schedule for them. The Planning Commission agreed that it should stay at every year.

Kreimer & Dorschner thought there should be setbacks from the property line for chickens and bees. The Planning Commission would like to see the smallest acreage for bees be 1 acre.

Haggard was wondering why bee keeping education was only for small acreage and thinks that it should be all or nothing. Klatt stated that the way it is written it would apply to everyone, but believes the intent was for 5 acres or less.

Kreimer suggested that a bee colony be located at least 25 feet from a property line of an adjacent occupied residential lot. The Planning Commission agreed with that wording.

Williams was wondering about the selling of eggs on site as selling honey is specifically talked about. Klatt stated that state law allows people to sell agricultural products produced on site.

M/S/P: Kreimer/Larson, move to postpone consideration of the Livestock Ordinance until further information is obtained from staff ***Vote: 7-0, motion carried unanimously.***

Public Hearing: Zoning Text Amendment – Zoning District Cleanup.

Klatt began his presentation by stating that these amendments are intended to remove outdated zoning districts that are no longer utilized under the City's Comprehensive Plan and official Zoning Map. This cleanup will improve the organization of the document. The cleanup will remove 26 zoning districts, 19 of which are holding districts.

Public hearing opened at 8:40pm.

No written comment was received.

Public hearing closed at 8:41pm.

M/S/P: Larson/Kreimer, move to amend the zoning code to remove outdated zoning districts as presented, ***Vote: 7-0, motion carried unanimously***

Business Item: Sketch Plan Review – Easton Village

Klatt presented a proposed Sketch Plan that includes 224 single family homes and is located in the southeastern portion of the Village. Is located in the MUSA area and will have City water and sewer services. This project is 98 acres in size and comprised of 4 parcels. The gross density is 2.29 units per acre. This is consistent with the comprehensive plan. The zoning is LDR for this property. Part of the property includes green belt buffering and part of the larger planned park. The airport safety zones will come into play to some extent on this property. This property would include the village parkway which would be a minor collector street for the village. There is an existing home to the south of the railroad tracks that has a private crossing of the railroad tracks. This property will need to access one of the internal streets servicing this development. Major things that staff would like to see addressed before preliminary plat are the design of the subdivision and complying with the overall intent and purpose of the Village master plan. There needs to be more connectivity and integrate more traditional neighborhood elements. Want to ensure that there are sidewalks and trails that connect back to the Village and to Reid Park. The AUAR had some mitigation

factors that needed to be met before development could happen in the Village. The City will be looking to ensure that those things are met with this development.

Dodson asked if we need a road crossing where it is. Klatt stated that the transportation study done with the AUAR identified it as a vital crossing to alleviate impacts in other areas of the Village.

Todd Erickson, Project Engineer for Easton Village, gave more detail regarding the development and why it was designed this way.

Dodson asked about the ponds that close to the airport and if there would be concerns with geese. Erickson stated that the yard adjacent will have a buffer of long grass and will be designed to the specifications of the MAC. Dodson asked who would be responsible to make sure that would be maintained. Erickson stated that there would be signs and that the HOA would be responsible.

Yocum asked if there had been a traffic study on how the intersection at Manning will be regulated. Erickson stated that right now it will be regulated by a 2 way stop sign.

Haggard asked if the islands would be just concrete. Erickson stated that they would be landscaped. Klatt stated that with an 80 foot right of way, landscaping is difficult.

Williams is concerned about the amount of water this property accommodates and is wondering if the pond system will be adequate. Erickson explained how they plan to manage the surface water.

Williams thinks the collector road would be better in a different location. Klatt stated that moving it further to the West would pose problems because of slopes and natural resource issues.

Williams is not a fan of the length and number of cul-de-sacs. He would prefer more of a grid pattern. Erickson said that there are many limitations, one of them being the collector road.

Larson asked about sound proofing from the railroad. Erickson said it would be a natural berm. Kreimer asked if there were certain builders and what the average home cost would be. Erickson stated that they are working to solve some of the site issues before they get to that, but it would be a phased project.

The Planning Commission wants the developer to look at options to see if the cul-de-sacs can be shortened in some way.

Updates and Concerns

Council Updates

1. The City Council took no action at the January 21, 2014 meeting to change the property at 9434 Stillwater Blvd from RAD2 to RAD. The vote was 3-2 and any change to the Comprehensive Plan requires a super majority vote.

Staff Updates

1. Carol Palmquist (12202 55th Street N) would like to address the Planning Commission at a future meeting to discuss an outdoor social event ordinance.
The Planning Commission
2. There were 41 enforcement actions for 2012-2013 and 37 have been closed.
3. Upcoming Meetings
 - a. February 10, 2014
 - b. February 24, 2014

Commission Concerns - None

Meeting adjourned at 10:17 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant



PLANNING COMMISSION
DATE: 2/10/14
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2014 - 06

ITEM: Zoning Map Amendment – Savona Subdivision

SUBMITTED BY: Kyle Klatt, Community Development Director

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to hold a public hearing for a Zoning Map Amendment related to the Savona Subdivision being proposed by Lennar Homes. Now that the property owners have an approved Preliminary Plat application and utilities are now available to the site, the applicants are requesting to rezone the properties in a manner consistent with the City's Comprehensive Plan. Staff is recommending that the Planning Commission recommend approval of the Zoning Map Amendment request.

REQUEST DETAILS

In a typical subdivision process, applicants will usually request a rezoning action along with a Preliminary Plat application. However, as utilities were not available to the site of the proposed Savona Subdivision at the time of Preliminary Plat approval, the City postponed the rezoning action. At this time, Lennar Homes has now submitted an application for Final Plat for the first phase of their residential subdivision, which includes 44 single family homes. In preparation of this approval the city is also recommending that the Zoning Map be amended along with Final Plat approval.

As part of the Zoning Map Amendment request, there are 4 total parcels that are included in the proposed action. The parcels are located in Phase 1 of the I-94 Corridor Planning Area and are associated with the Savona Preliminary Plat. The Property Identification Numbers (PINs) for the subject parcels (from west to east) are the following: 34.029.21.31.0004, 34.029.21.31.0005, 34.029.21.42.0002, and 34.029.21.41.0004. The parcels are currently zoned Rural Development Transitional District (RT). As proposed in the rezoning action, the first three parcels are proposed to be rezoned Urban Low Density Residential – LDR. The fourth parcel, the former Mulligan Masters site, is proposed to be split between Urban Low Density Residential – LDR and Urban Medium Density Residential – MDR along the boundary of the future minor collector road 5th Street. The proposed zoning is consistent with the approved Preliminary Plat for the Savona Subdivision, as well as the City's Comprehensive Plan (Attachment #3). Given that utilities are now available to the site due to the near completion of the Section 34 Utility Project, and the landowner is now applying for Final Plat for the first phase of the subdivision, now is the appropriate time to move forward with the rezoning action.

RECCOMENDATION:

Staff is recommending that the Planning Commission recommend approval of the Zoning Map Amendment through the following motion:

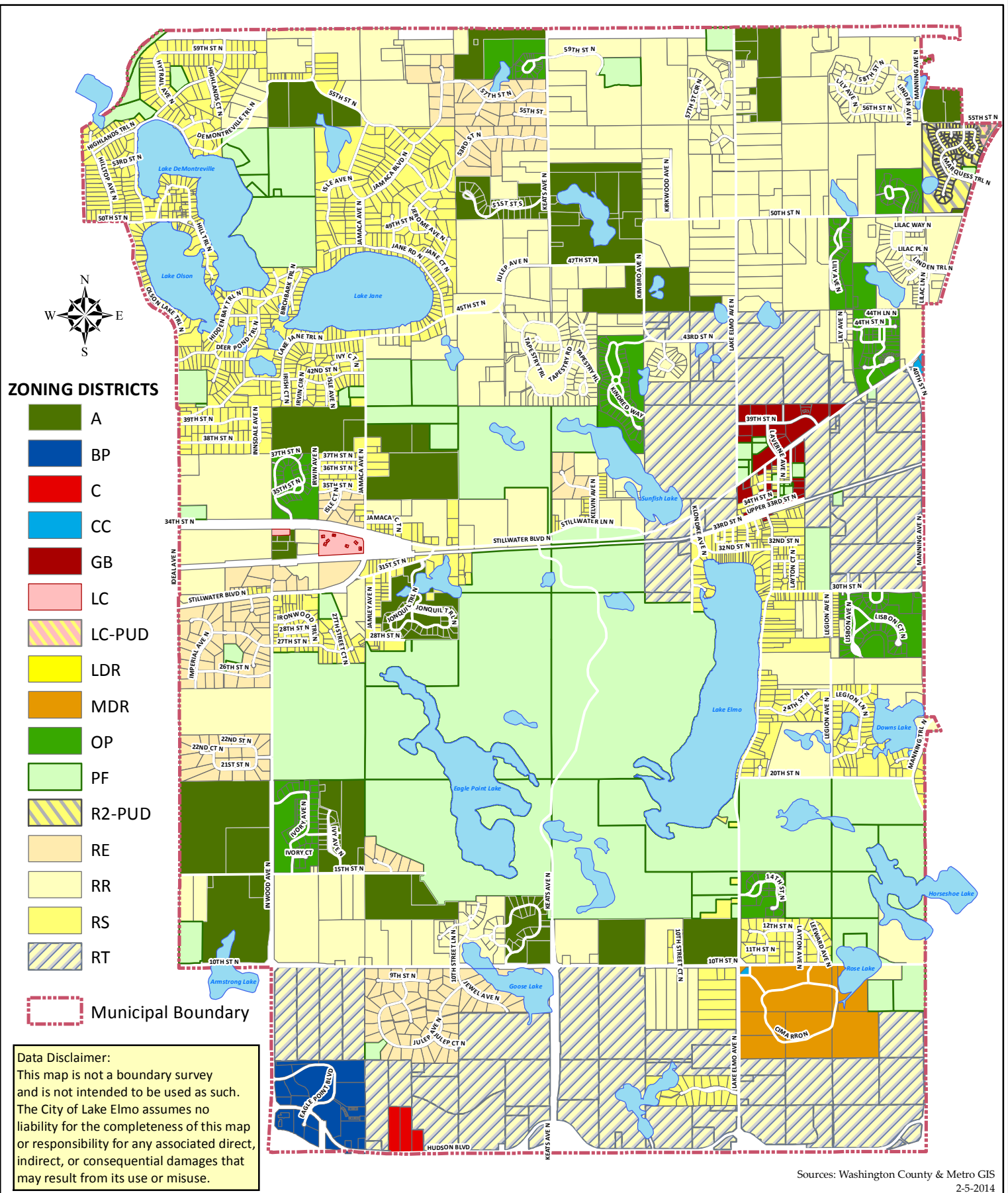
“Move to recommend approval of the Zoning Map Amendment to rezone the parcels associated with the Savona residential subdivision from Rural Development Transitional District to Urban Low Density Residential and Urban Medium Density Residential.”

ATTACHMENTS:

- 1. Official Zoning Map – Existing
- 2. Official Zoning Map – Proposed
- 3. Comprehensive Plan – Planned Land Use Map

ORDER OF BUSINESS:

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



Official Zoning Map Existing





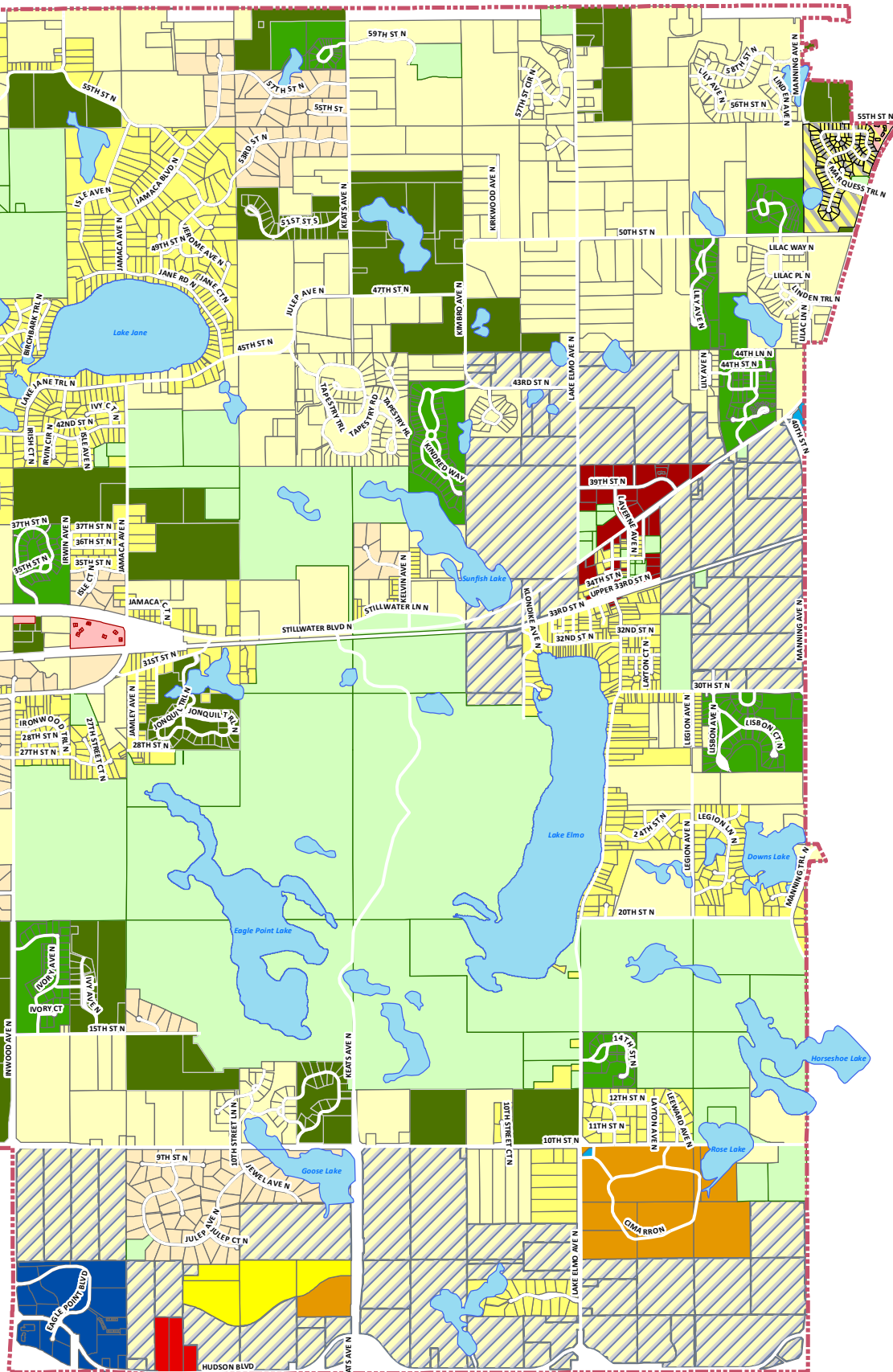
ZONING DISTRICTS

- A
- BP
- C
- CC
- GB
- LC
- LC-PUD
- LDR
- MDR
- OP
- PF
- R2-PUD
- RE
- RR
- RS
- RT

Municipal Boundary

Data Disclaimer:

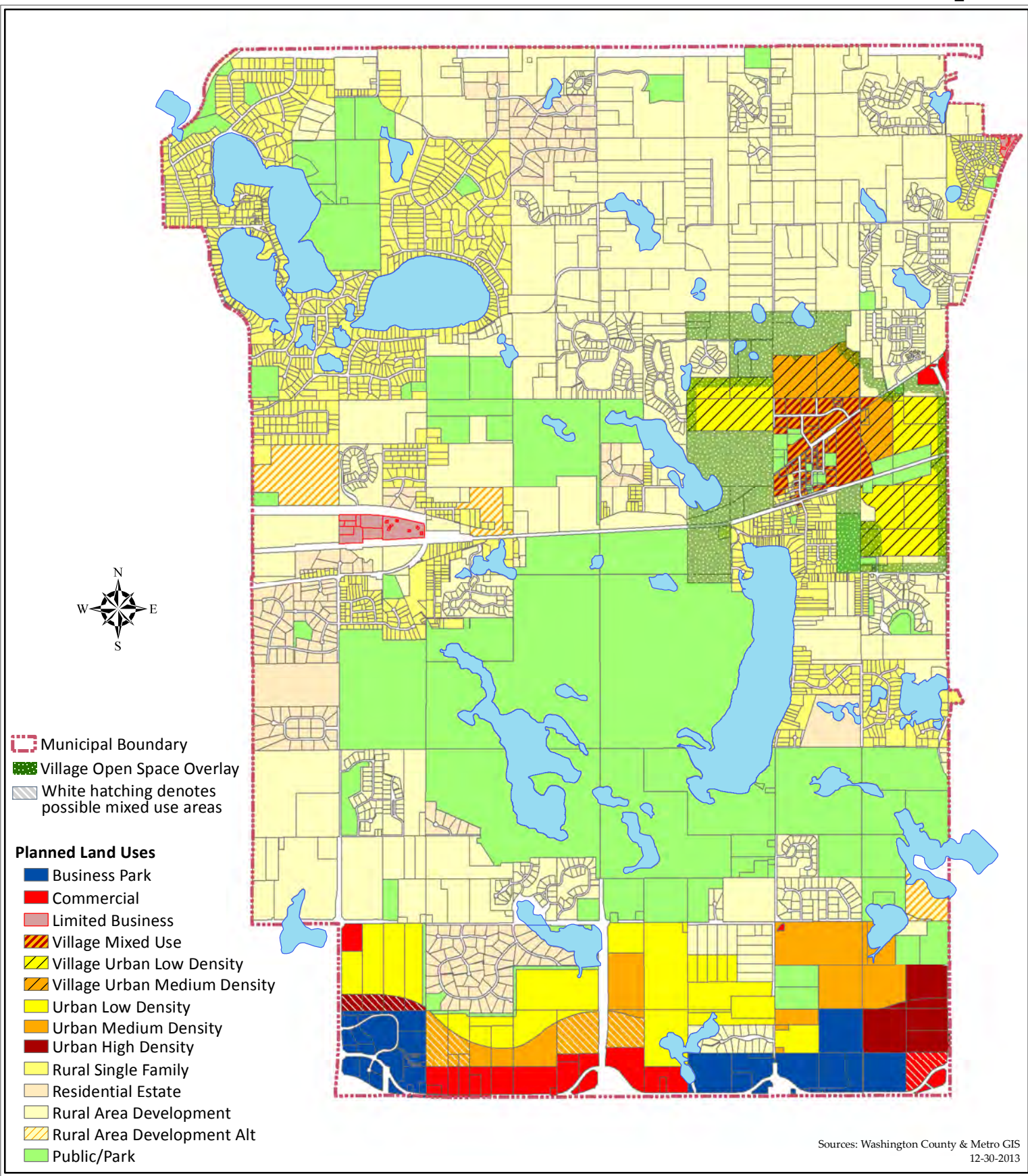
This map is not a boundary survey and is not intended to be used as such. The City of Lake Elmo assumes no liability for the completeness of this map or responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse.



Sources: Washington County & Metro GIS
2-5-2014

Official Zoning Map *Proposed*

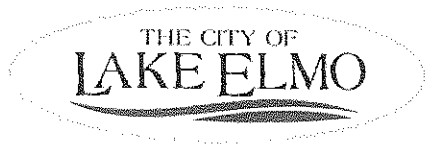




Planned Land Use

Lake Elmo Comprehensive Plan 2030





PLANNING COMMISSION
DATE: 2/10/13
AGENDA ITEM: 5A – BUSINESS ITEM
CASE # 2014-04

ITEM: Savona Residential Subdivision – Final Plat (Phase 1)

SUBMITTED BY: Kyle Klatt, Planning Director

REVIEWED BY: Nick Johnson, City Planner
Jack Griffin, City Engineer

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a Final Plat request from Lennar Corporation for the first phase of a planned 310 unit residential development to be located on 112.6 acres west of Keats Avenue and within the City's I-94 corridor planning area. The final plat will include 44 single-family lots, all of which will be accessed via an initial extension of the 5th Street Parkway off of Keats Avenue. Staff is recommending approval of the request subject to compliance with a series of conditions as listed in this report.

GENERAL INFORMATION

Applicant: U.S. Home Corporation, D/B/A Lennar, 16305 36th Avenue North, Suite 600, Plymouth, MN

Property Owners: U.S. Home Corporation, D/B/A Lennar, 16305 36th Avenue North, Suite 600, Plymouth, MN

Location: Part of Section 34 in Lake Elmo, north of I-94, west of Keats Avenue, and south of Goose Lake. PID Numbers 34.029.21.42.0002; 34.029.21.41.0004

Request: Application for final plat approval of a 44 unit residential subdivision to be named Savona.

Existing Land Use and Zoning: Agricultural land, closed and abandoned golf driving range and practice facility. Current Zoning: RT – Rural Transitional Zoning District; Proposed Zoning: LDR and MDR

Surrounding Land Use and Zoning: North – active mining and gravel operation; west, south and east – agricultural land

Comprehensive Plan: Urban Low Density Residential (2.5 – 4 units per acre) and Urban Medium Density Residential (4.5 – 7 units per acre)

History: Sketch Plan review by Planning Commission on 12/10/12. EAW approved by the City Council on 7/2/13. Preliminary Plat approved on 8/6/13

Deadline for Action: Application Complete – 1/21/14
60 Day Deadline – 3/21/14
Extension Letter Mailed – No

120 Day Deadline – 5/21/14

Applicable Regulations: Chapter 153 – Subdivision Regulations
Article 10 – Urban Residential Districts (LDR)
§150.270 Storm Water, Erosion, and Sediment Control

REQUEST DETAILS

The City of Lake Elmo has received a request from Lennar Corporation for final plat approval of the first phase of the Savona residential development. The final plat includes 44 single family residential lots and the infrastructure necessary to support the future homes on these lots. The City Council approved the Savona Preliminary Plat on August 6, 2013, which covered 113 acres of land within the I-94 Corridor planning area. There are 310 single family and multi-family residential units planned within the entire subdivision, and the final plat covers only a portion of the overall total of units that will eventually be platted. Lennar has finalized its purchase of the land included in the final plat area, and is acting as the sole applicant for this request.

The final plat area represents the initial project phase of the overall Savona development, and will include the construction of the first phase of the 5th Street minor collector road. The developer intends to build homes in the subdivision moving generally from the east to the west, extending infrastructure to serve each phase with future projects. Likewise, the developer will be grading the site in phases as well, with all of the phase one grading occurring within the limits of the final plat. This grading will be necessary to establish the overall storm water management system on the site, but the plan will be revised when the individual lots are created as part of a future development phase. The applicant has submitted detailed construction plans for related to sanitary sewer, water main, storm sewer, grading, drainage, erosion control, landscaping, and other details that have been reviewed by the City Engineer.

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed after the City takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the City. Please note that the City's approval of the Savona Preliminary Plat did include a series of conditions that must be met by the applicant, which are addressed in the "Review and Analysis" section below. There are no public hearing requirements for a final plat.

Because the City has not yet established zoning for any of the properties along the I-94 Corridor outside of the RT – Rural Transitional Zone, Staff has prepared a zoning map amendment for the Savona area that will be considered by the Planning Commission at its February 10th meeting. With the proposed final plat area, all of the property north of 5th Street will be LDR (Urban Low Density Residential) and the larger outlot south of 5th Street will be MDR (Urban Medium Density Residential).

Staff has reviewed the final plat and found that it is consistent with the preliminary plat that was approved by the City. The developer has recently updated the preliminary plan submissions to comply with the conditions of approval, and the final plat application incorporates these updates as well. Please note that the final plat now includes proposed street names, while the construction plans have not yet been updated to reflect this information.

The City Engineer has reviewed the final plat, and his comments are attached to this report. Although there are some additional revisions to the final construction plans that will need to be addressed by the applicant, the majority of these revisions can be made before the City releases the

final plat for recording. The Engineer does denote four issues that could impact the final plat; and Staff is recommending a condition of approval for each of these (which means that they must be addressed in order for any final approvals to be granted).

REVIEW AND ANALYSIS

The preliminary plat for Savona was approved with several conditions, which are indicated below along with Staff's comments on the status of each. For those items and issues that are not directly addressed below, Staff has provided additional comments following the preliminary plat conditions list. Staff is recommending approval of the final plat, but with additional conditions intended to address the outstanding issues that will require additional review and/or documentation.

Please also note that the applicant has also provided a response to the preliminary plat conditions and their response is included as an attachment to this report.

Preliminary Plat Conditions – With Staff Update Comments (updated information in bold italics):

- 1) Within six months of preliminary plat approval, the applicant shall complete the following: a) the applicant shall provide adequate title evidence satisfactory to the City Attorney; b) the applicant shall pay all fees associated with the preliminary plat; c) the applicant shall submit a revised preliminary plat and plans meeting all conditions of approval. All of the above conditions shall be met prior to the City accepting an application for final plat and prior to the commencement of any grading activity on the site. *Comments: a) all title work will need to be submitted and reviewed by the City Attorney before an City officials sign the final plat; b) the applicant has submitted an escrow payment related to the preliminary plat application that is being used to cover Staff and consultant expenses related to the City's review; c) revised preliminary plat and plans have been received by the City and were found to address all previous comments. No grading has occurred on the site to date, and the City is proceeding with a review of the final plat.*
- 2) The applicant shall dedicate a minimum of 30 feet of land around the "Exception" parcel in the northwest portion of the Savona subdivision to allow for the construction of an eight-foot bituminous trail to the western edge of the subdivision and to allow for sufficient room for drainage and utilities adjacent to "Street A". *Comments: The preliminary plat and plans have been revised to address this condition. Although the applicant is proposing to use a portion of the street right-of-way for the trail, there is a 30-foot area around all portions of the exception parcel for the trail. This proposed configuration is a reasonable compromise to still provide access to the exception parcel.*
- 3) The applicant shall provide for a minimum green belt/buffer of 100 feet around all of the adjacent Stonegate subdivision, and must revise the preliminary plat in the vicinity of Lots 1 and 2 of Block 10 to properly account for this buffer. *Comments: The applicant is proposing to acquire an easement from the adjacent property owner in order to account for the buffer requirement. Staff has found this alternative to be an acceptable approach since it cannot be accomplished without the implicit approval of the effected property owner in Stonegate. If no agreement can be reached between the applicant and neighboring property owner, the final plat for this area will need to account for the buffer. Because the current final plat does not impact this portion of the site, this condition may be addressed as part of a future final plat.*

- 4) The eight-foot bituminous trail located within Outlot A shall be moved off of the property line of the adjacent Stonegate subdivision and shall be designed to continue into the property to the north and to provide a connection to "Street A". *Comments: The preliminary plans have been updated to address this requirement.*
- 5) The trail within the green belt/buffer area is encouraged to be located within the southern one-third or eastern one-third of the buffer and as close as possible to the lots within the Savona subdivision. *Comments: The preliminary plans have been updated to address this requirement. The applicant further notes that the "design and plans have been revised to shift the trail to the southern portion of the buffer outlot, except as otherwise required due to grading, drainage, and topography challenges. The trail meanders to provide for a pleasant user experience, avoids the existing wetland, and minimizes impacts on property owners on either side".*
- 6) The sidewalk along "Street A" must continue along this street until its termination point at the northern boundary of the subdivision. *Comments: The preliminary plans have been updated accordingly, but it outside the scope public improvements planned for phase 1.*
- 7) The applicant shall work with the City and Washington County to identify and reserve sufficient space for a future trail corridor along the western right-of-way line of Keats Avenue. *Comments: The applicant notes that they have identified a preferred alignment for a trail along Keats Avenue, but this alignment is not depicted in the final construction plans. Staff is recommending that this trail be included as part of the final plans.*
- 8) The landscape plan shall be updated to include tree protection fencing in all areas where grading will be near trees intended for preservation. *Comments: Tree preservation fencing has been added to the final plans.*
- 9) The landscape plan shall be reviewed and approved by an independent forester or landscape architect in advance of the approval of a final plat and final construction plans. *Comments: Staff has previously reviewed the tree preservation and protection plan and found the plan to be in compliance with the City Code. The proposed boulevard plantings conform to the City's planting requirements for streets. Staff is still seeking an independent review of the landscape plans that will need to be completed prior to the City's acceptance of final construction documents.*
- 10) Sidewalks shall be required on both sides of the public street providing access to the multi-family housing portion of the subdivision. *Comments: The preliminary plans have been updated.*
- 11) The applicant shall be responsible for the construction of all improvements within the Keats Avenue (CSAH 19) right-of-way as required by Washington County and further described in the review letter received from the County dated July 3, 2013. The required improvements shall include, but not be limited to: construction of a new median crossing, closure and restoration of the existing median crossing in this area, continuation of the planned ten-foot bituminous trail through the median, turn lanes, and other improvements as required by the County. *Comments: The final construction plans have been modified to include all requirement improvements as requested by Washington County. The City will need to verify that these plans have received final approval by the County.*

- 12) The applicant shall observe all other County requirements as specified in the Washington County review letter dated July 3, 2013. *Comments: The final construction plans have been revised in response to these comments.*
- 13) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the appropriate watershed districts prior to the commencement of any grading or development activity on the site. *Comments: The applicant has received a permit from the Valley Branch Watershed District (attached) for the grading work proposed in the final plans. This permit includes conditions that must be met prior to the commencement of any grading work on the site.*
- 14) The applicant shall submit revised preliminary plans that incorporate the changes made to the western portion of the preliminary plat, and specifically, the rearrangement of lots around the "Exception" parcel. *Comments: The revised lot configuration has been included in the updated preliminary plans.*
- 15) The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat. *Comments: The applicant has indicated that there will be a homeowner's association created for this development; however, the City has not yet received documentation that this association has been established. A maintenance agreement and evidence that the HOA has been established should be retained as a condition of approval for the final plat.*
- 16) The developer shall be required to pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance less the amount of land that is accepted for park purposes by the City. Any cash payment in lieu of land dedication shall be paid by the applicant prior to the release of the final plat for recording. *Comments: Staff still needs to review the updated preliminary plat with the applicant to determine the final park land dedication calculations. Staff is recommending that any payment of fees in lieu of land dedication (if required) be pro-rated based on the percentage of the final plat area compared to the entire Savona development.*
- 17) Any land under which public trails are located will be accepted as park land provided the developer constructs said trails as part of the public improvements for the subdivision. *Comments: The dedication of land associated with trails will be reviewed in accordance with the preceding condition.*
- 18) The applicant shall provide for an active recreation area (either public or private) within the multi-family portion of the subdivision. This area shall be sufficient for a small play structure or other similar improvement subject to review and approval by the Planning Director. *Comments: The revised preliminary plans include a small play area within the multi-family area. The details concerning this play area will need to be submitted with a final plat for the townhouse area.*
- 19) No more than half of the residential units depicted on the preliminary plat (155) may be approved as part of a final plat until a second access is provided to the subdivision, either via a connection to Hudson Boulevard to the south, Inwood Avenue (CSAH 13) to the west, or back to Keats

Avenue (CSAH 19) through the property to the north of Savona. ***Comments: The proposed final plat includes 44 units, which means the applicant may plat an additional 111 units before this condition needs to be met.***

- 20) A future realignment of 5th Street along the western border of the plat may be considered by the City Council as part of the final plat submission for this are provided the realignment does not result in any significant modifications to the preliminary plat. ***Comments: Given the other pending developments in this area and the need to establish a final alignment for 5th Street sooner than later, Staff has requested that the applicant provide a signed affidavit from all impacted property owners in this area agreeing to the necessary land transactions needed to perform the road re-alignment. Staff is not recommending that the City Council take action on the final plat application until this document is submitted to the City. Since this re-alignment falls outside the scope of the proposed improvements, Staff is does not believe this issue should prevent the Commission from makings its recommendation to the City Council.***
- 21) The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site. ***Comments: The applicant is intending to commence grading shortly after the City approval of the final plat; therefore, this condition will not pertain to those portions of the preliminary plat that have already received final approval from the City.***
- 22) The preliminary grading, drainage and erosion control plan must be revised to address the comments from the City Engineer in his review letter dated July 9, 2013 regarding the size of specific ponds in relation to the drainage areas that are served by these ponds. ***Comments: The applicant has provided additional documentation to the City Engineer regarding the storm water management ponds in conjunction with the revised preliminary plans. As noted above, these plans have been approved by the Valley Branch Watershed District subject to conditions of approval.***
- 23) The preliminary plans must be revised to incorporate all proposed improvements within the 5th Street right-of-way. All improvements as requested by the City shall be included in these plans and the design shall be consistent with City specifications and with the concept plan prepared for the City by Dainon Farber and Associates. ***Comments: Since the approval of the Savona Preliminary Plat, the City has complete final design specifications for 5th Street and has forwarded these plans to the applicant. The final construction plans as submitted are very close to the City's final design, but may need small revisions to fully comply with the City's standards.***
- 24) All required modifications to the plans as requested by the City Engineer in a review letter dated July 9, 2013 shall be incorporated into the plans prior to consideration of a final plat. Specific requirements include, but are not limited to, the following:
 - a. The applicant must provide the city a letter of approval to perform the proposed work in the BP Pipeline easement. Work includes installation of storm sewer pipe, grading activities, and relocation of the High Pressure Gas line, if necessary.

- b. The applicant must provide the city a letter of approval to perform the proposed work in the Electrical Transmission easement areas. Work includes installation of storm sewer pipe, grading activities, and storm water ponding.

Comments: the final construction plans include work within the power line easement, and the applicant has not yet submitted any written documentation to the City that this work will be authorized by the easement holder. The applicant's response to the conditions of approval notes that they have been in contact with this easement holder, and that there do not appear to be any issues with obtaining this formal permission. Staff is recommending that this condition be carried forward as part of the City's final plat approval, which means that the final plat would need to be revised if the applicant is not able to secure the necessary consent.

- 25) The City will not accept an application for final plat approval until the 429 public improvement project for Section 34 has been ordered by the City Council. If the City Council does not order this project, the applicant must revise the preliminary plans to provide adequate utilities to serve the subdivision. Any such plan revisions will be subject to review and approval by the City Council. *Comments: The Section 34 public improvement project has been ordered by the City and the project is substantially complete as of today's date.*
- 26) The applicant shall secure any necessary permits for the multi-family area, including but not limited to a conditional use permit to allow for single family detached residences that do not have frontage on a public street, at the time a final plat is submitted for this area. *Comments: The final plat will not create any multi-family lots, which will be platted as part of a future development phase.*
- 27) The applicant is encouraged to preserve or re-use as many trees as possible that are currently located on the former golf facility property and to incorporate these trees as part of the landscape plan for the Savona subdivision. *Comments: The applicant has stated their intent to preserve these trees if possible, however, based on observed site conditions, it does not appear that many of these trees will be salvageable due to the sandy soil conditions.*
- 28) The applicant shall work with the Planning Director to name all streets in the subdivision prior to submission of a final plat. *Comments: The applicant has agreed to the street names as proposed by Staff. The proposed names have been designed to comply with the County's uniform addressing system.*

Staff is recommending that the conditions noted above that pertain to the final plat and that have not yet been addressed by the applicant should be adopted with the final plat. The City Engineer's review letter does identify several issues that need to be addressed by the developer in order for the City to deem the final plans complete; however, nearly all of these concerns are related to the construction plans and should not have any bearing on the final plat. Staff is recommending that City Officials not sign the final plat mylars until the City's construction plan review is finalized and all necessary easements are documented on the final plat.

Based on the above Staff report and analysis, Staff is recommending approval of the final plat with several conditions intended to address the outstanding issues noted above and to further clarify the City's expectations in order for the developer to proceed with the recording of the final plat.

The recommended conditions are as follows:

Recommended Conditions of Approval:

- 1) Final grading, drainage, and erosion control plans, utility plans, sanitary and storm water management plans, and street and utility construction plans shall be reviewed and approved by the City Engineer prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer shall be incorporated into these documents before they are approved.
- 2) The developer shall provide evidence in a form satisfactory to the City Attorney that warrants it has fee interest in area included in the Savona Final Plat.
- 3) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
- 4) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 5) A Common Interest Agreement concerning management of the common areas of Savona and establishing a homeowner's association shall be submitted in final form to the Community Development Director before a building permit may be issued for any structure within this subdivision. The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat
- 6) The applicant shall work with the City to determine the required park land dedication for the entire Savona subdivision prior to the recording of the final plat. Any payments in lieu of land dedication for the entire subdivision will be pro-rated based on the percentage of the overall subdivision included in the final plat.
- 7) The landscape plan shall be reviewed and approved by an independent forester or landscape architect prior to the City's final approval of the construction plans.
- 8) The applicant shall provide evidence that all conditions attached the Valley Branch Watershed District permit for the final plat and associated grading work have been met prior to the commencement of any grading activity.
- 9) The applicant must provide written authorization to perform the proposed work in the Electrical Transmission easement areas prior to the release of the final plat for recording. Work includes installation of storm sewer pipe, grading activities, and storm water ponding.

- 10) The applicant shall provide evidence that Washington County has approved final construction plans for all required work within the Keats Avenue right-of-way as described in a letter from the County dated July 3, 2013.
- 11) The final construction plans related to the 5th Street Minor Collector road shall be revised to be consistent with the City's design specifications for this road. These revisions shall be reviewed in conjunction with the other changes requested by the City Engineer.
- 12) The final construction plans shall be revised to incorporate a multi-purpose trail within the western portion of the Keats Avenue right-of-way and north of 5th Street consistent with Washington County design specifications.
- 13) The final construction plans shall be revised to include the additional storm sewer elements and street construction as specified in a review letter from the City Engineer dated February 7, 2014. These revisions shall be reviewed in conjunction with the other changes requested by the City Engineer.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Savona preliminary plat:

- That the Savona Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on August 8, 2013 and revised on November 25, 2013.
- That the Savona Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Savona Final Plat complies with the City's Urban Low Density Residential zoning district.
- That the Savona Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances.
- That the Savona Final Plat complies with the City's subdivision ordinance.
- That the Savona preliminary plat is consistent with the City's engineering standards with one exception as noted by the City Engineer in his review comments to the City dated February 7, 2014.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the Final Plat for Savona with the 13 conditions of approval as listed in the Staff report. Suggested motion:

“Move to recommend approval of the Savona Final Plat with the 13 conditions of approval as drafted by Staff”

ATTACHMENTS:

1. Application Form
2. Preliminary Plat Response (Westwood Engineering)
3. City Engineer Review Letter
4. Valley Branch Watershed District Permit
5. Construction Plans: Grading, Drainage, and Erosion Control
6. Construction Plans: Sanitary Sewer, Water Main, Storm Sewer and Streets
7. Phase 1 Landscape Plans
8. Post-Development Drainage Area 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

Fee \$ _____

City of Lake Elmo
DEVELOPMENT APPLICATION FORM

- | | | |
|--|--|--|
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Variance * (See below) | <input checked="" type="checkbox"/> Residential Subdivision Preliminary/Final Plat |
| <input type="checkbox"/> Zoning District Amendment | <input type="checkbox"/> Minor Subdivision | <input type="radio"/> 01 - 10 Lots |
| <input type="checkbox"/> Text Amendment | <input type="checkbox"/> Lot Line Adjustment | <input type="radio"/> 11 - 20 Lots |
| <input type="checkbox"/> Flood Plain C.U.P. | <input type="checkbox"/> Residential Subdivision Sketch/Concept Plan | <input checked="" type="radio"/> 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: Joe Jablonski 16305 36th Ave N. Suite 600, Plymouth MI 48178
(Name) (Mailing Address) (Zip)

TELEPHONES: 757-249-3094 612-490-6076
(Home) (Work) (Mobile) (Fax)

FEE OWNER: US Home Corporation DBA Lennar (Same as Applicant)
(Name) (Mailing Address) (Zip)

TELEPHONES: SAME
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): SEE ATTACHED
Legal description on the final plat

DETAILED REASON FOR REQUEST: Final Plat submitted for the
SAVONA project. See Attached transmittal for
A summary of our application materials

*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.

Signature of Applicant

Date

Signature of Applicant

Date

November 26, 2013

Westwood Professional Services

7699 Anagram Drive
Eden Prairie, MN 55344

MAIN 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150
EMAIL wps@westwoodps.com
www.westwoodps.com



Kyle Klatt
Planning Director
City of Lake Elmo
3800 Laverne Ave North
Lake Elmo, MN 55042

Re: Savona Preliminary Plat Conditions of Approval
File 0000565.00

Dear Kyle:

As part of the Preliminary Plat approval for Savona, a number of conditions were incorporated into the resolution that needed to be met or addressed prior to the City's acceptance of a Final Plat application. We have revised the preliminary plan sets to address these conditions in advance of our Final Plat application. Revised preliminary plans are included for your review. The following is a point by point response to each of the conditions of approval and outlines how we have addressed each item.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the preliminary plat for Savona subject to the following conditions:

- 1) *Within six months of preliminary plat approval, the applicant shall complete the following: a) the applicant shall provide adequate title evidence satisfactory to the City Attorney; b) the applicant shall pay all fees associated with the preliminary plat; c) the applicant shall submit a revised preliminary plat and plans meeting all conditions of approval. All of the above conditions shall be met prior to the City accepting an application for final plat and prior to the commencement of any grading activity on the site.*

1a: To be submitted with final plat.

1b: It Lennar's understanding that all fees relating to the preliminary plat are current. If there are any fees outstanding, please submit an invoice directly to Lennar.

1c: Plans are attached.

- 2) *The applicant shall dedicate a minimum of 30 feet of land around the "Exception" parcel in the northwest portion of the Savona subdivision to allow for the construction of an eight-foot bituminous trail to the western edge of the subdivision and to allow for sufficient room for drainage and utilities adjacent to "Street A".*



Design and plans have been revised to accommodate a minimum of 30' land area around the NW exception parcel, as measured from property line to back of curb.

- 3) *The applicant shall provide for a minimum green belt/buffer of 100 feet around all of the adjacent Stonegate subdivision, and must revise the preliminary plat in the vicinity of Lots 1 and 2 of Block 10 to properly account for this buffer.*

Design and plans provide for a 100' green belt /buffer adjacent to Stonegate properties. While this buffer distance is reduced on our property to 50' wide in the vicinity of Lots 1 & 2, we have been in discussions with the adjacent property owner in regards to the acquisition of a trail/greenway easement to meet the required 100' buffer width. This proposed easement area is noted on the plans, and falls entirely within the existing overhead powerline easement so as to not further encumber this property.

- 4) *The eight-foot bituminous trail located within Outlot A shall be moved off of the property line of the adjacent Stonegate subdivision and shall be designed to continue into the property to the north and to provide a connection to "Street A".*

Plans have been revised accordingly.

- 5) *The trail within the green belt/buffer area must be located within the southern one-third or eastern one-third of the buffer and as close as possible to the lots within the Savona subdivision.*

Design and plans have been revised to shift the trail to the southern portion of the buffer outlot, except as otherwise required due to grading, drainage, and topography challenges. The trail meanders to provide for a pleasant user experience, avoids the existing wetland, and minimizes impacts on property owners on either side.

- 6) *The sidewalk along "Street A" must continue along this street until its termination point at the northern boundary of the subdivision.*

Plans have been revised accordingly.

- 7) *The applicant shall work with the City and Washington County to identify and reserve sufficient space for a future trail corridor along the western right-of-way line of Keats Avenue.*

Sufficient space for a future trail corridor appears to exist within the current county ROW. In our review of the existing site conditions and topography,



we have identified the preferred alignment and lowest impact route to fall within the ROW when considering the existing berms, ponding slopes, and landscaping areas that will serve as an adequate buffer for future housing.

- 8) *The landscape plan shall be updated to include tree protection fencing in all areas where grading will be near trees intended for preservation.*

Plans have been revised accordingly.

- 9) *The landscape plan shall be reviewed and approved by an independent forester or landscape architect in advance of the approval of a final plat and final construction plans.*

Acknowledged.

- 10) *Sidewalks shall be required on both sides of the public street providing access to the multi-family housing portion of the subdivision.*

Plans have been revised accordingly.

- 11) *The applicant shall be responsible for the construction of all improvements within the Keats Avenue (CSAH 19) right-of-way as required by Washington County and further described in the review letter received from the County dated July 3, 2013. The required improvements shall include, but not be limited to: construction of a new median crossing, closure and restoration of the existing median crossing in this area, continuation of the planned ten-foot bituminous trail through the median, turn lanes, and other improvements as required by the County.*

Acknowledged. Final plans will include said improvements.

- 12) *The applicant shall observe all other County requirements as specified in the Washington County review letter dated July 3, 2013.*

Acknowledged.

- 13) *The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the appropriate watershed districts prior to the commencement of any grading or development activity on the site.*

Acknowledged.



- 14) The applicant shall submit revised preliminary plans that incorporate the changes made to the western portion of the preliminary plat, and specifically, the rearrangement of lots around the "Exception" parcel.*

Plans have been revised accordingly.

- 15) The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.*

Acknowledged. Land dedicated to the City of Lake Elmo for public uses should be maintained by the City of Lake Elmo. A homeowners association will be established to maintain areas that do not fall within a private lot or public land. Homeowners association documents will be provided with the final plat.

- 16) The developer shall be required to pay a fee in lieu of park land dedication equivalent to the fair market value for the amount of land that is required to be dedicated for such purposes in the City's Subdivision Ordinance less the amount of land that is accepted for park purposes by the City. Any cash payment in lieu of land dedication shall be paid by the applicant prior to the release of the final plat for recording.*

Acknowledged. Lennar would like to begin working with the City of Lake Elmo on the determination of fair market value.

- 17) Any land under which public trails are located will be accepted as park land provided the developer constructs said trails as part of the public improvements for the subdivision.*

Acknowledged.

- 18) The applicant shall provide for an active recreation area (either public or private) within the multi-family portion of the subdivision. This area shall be sufficient for a small play structure or other similar improvement subject to review and approval by the Planning Director.*

Design and plans have been revised to illustrate the proposed elements of the active recreation area within the townhome portion of the project. Additional details will be provided to City staff regarding specifications of proposed furnishings at final design.

- 19) No more than half of the residential units depicted on the preliminary plat (155) may be approved as part of a final plat until a second access is provided to the subdivision, either via a connection to Hudson Boulevard to the south,*



Inwood Avenue (CSAH 13) to the west, or back to Keats Avenue (CSAH 19) through the property to the north of Savona.

Acknowledged.

- 20) *A future realignment of 5th Street along the western border of the plat may be considered by the City Council as part of the final plat submission for this are provided the realignment does not result in any significant modifications to the preliminary plat.*

Acknowledged.

- 21) *The applicant must enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site.*

Lennar requests the City provide a copy of the grading agreement if only in draft form. If weather permits, Lennar would like to start grading as soon as possible.

- 22) *The preliminary grading, drainage and erosion control plan must be revised to address the comments from the City Engineer in his review letter dated July 9, 2013 regarding the size of specific ponds in relation to the drainage areas that are served by these ponds.*

We have prepared final stormwater calculations and drawing revisions to address the city and watershed review comments. These are attached for your review.

- 23) *The preliminary plans must be revised to incorporate all proposed improvements within the 5th Street right-of-way. All improvements as requested by the City shall be included in these plans and the design shall be consistent with City specifications and with the concept plan prepared for the City by Damon Farber and Associates.*

Plans have been revised to incorporate improvements (lighting, landscaping) that are generally consistent with the 5th Street concept prepared by Damon Farber.

- 24) *All required modifications to the plans as requested by the City Engineer in a review letter dated July 9, 2013 shall be incorporated into the plans prior to consideration of a final plat. Specific requirements include, but are not limited to, the following:*



- a. *The applicant must provide the city a letter of approval to perform the proposed work in the BP Pipeline easement. Work includes installation of storm sewer pipe, grading activities, and relocation of the High Pressure Gas line, if necessary.*
- b. *The applicant must provide the city a letter of approval to perform the proposed work in the Electrical Transmission easement areas. Work includes installation of storm sewer pipe, grading activities, and storm water ponding.*

We have been in contact with both BP and Xcel regarding the proposed work to be completed within the easement areas. As final plans are completed, we will continue to coordinate with these utility companies to gain their final approvals. We do not anticipate a formal letter of approval until the plans are final. The work proposed within the Electrical Transmission easement is a part of the initial phase, so we hope to gain their approval within the next few months. Work within the BP easement would not take place until future phases, so we do not anticipate final plans for this area until 2015 or beyond.

- 25) *The City will not accept an application for final plat approval until the 429 public improvement project for Section 34 has been ordered by the City Council. If the City Council does not order this project, the applicant must revise the preliminary plans to provide adequate utilities to serve the subdivision. Any such plan revisions will be subject to review and approval by the City Council.*

The 429 project has been approved.

- 26) *The applicant shall secure any necessary permits for the multi-family area, including but not limited to a conditional use permit to allow for single family detached residences that do not have frontage on a public street, at the time a final plat is submitted for this area.*

Acknowledged.

- 27) *The applicant is encouraged to preserve or re-use as many trees as possible that are currently located on the former golf facility property and to incorporate these trees as part of the landscape plan for the Savona subdivision.*

Acknowledged.

- 28) *The applicant shall work with the Planning Director to name all streets in the subdivision prior to submission of a final plat.*

Acknowledged.

November 25, 2013
Page 7



Please contact us if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES

Two handwritten signatures are shown. The first signature, on the left, appears to be 'Cory Meyer' and the second, on the right, appears to be 'Ryan Blum'. They are connected by a horizontal line.

Cory Meyer & Ryan Blum
Sr. Project Managers

CC: Joe Jablonski, Lennar Corporation

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: February 7, 2014

To: Kyle Klatt, Planning Director
Cc: Nick Johnson, City Planner
Ryan Stempksi, P.E., Assistant City Engineer
From: Jack Griffin, P.E., City Engineer
Re: Savona
Final Plat Review

An engineering review has been completed for the Savona development by Lennar Corporation. A Final Plat submittal and Construction Plans were received on January 28, 2014. The submittal consisted of the following documentation prepared by Westwood Professional Services, Inc.:

- Construction Plans for Phase 1 Sanitary Sewer, Watermain, Storm Sewer, and Streets, dated 01.16.2014.
- Construction Plans for Grading, Drainage and Erosion Control, dated 01.16.2014.
- Landscape Plan, Phase 1, dated 01.20.2014.
- Stormwater Management Narrative, dated 01.21.2014.
- Figure for Stormwater Management Narrative, not dated.

STATUS/FINDINGS: The Construction Plans as submitted remain incomplete and are not ready for construction. In addition, several design elements fail to meet city specified requirements and engineering design standards. Many of the comments below represent repeat requests from the previous city review comments.

The following comments summarize the major issues that may impact Final Plat documentation and/or easements.

1. The design as proposed relies heavily on the use of the electrical transmission easement areas for stormwater management and storm sewer piping systems. To date the city has not been provided any documentation indicating permission for this infrastructure to be placed within these areas. The proposed infrastructure will be owned and maintained by the city, therefore the city requires unrestricted ability to own, operate and maintain this infrastructure in perpetuity. No construction activity should be allowed until this issue is fully resolved.
2. The design of 5th Street must be revised to reflect the city standard section, including boulevard layout and dimensions, grading and drainage facilities, appropriate vertical curve profiles, and pavement section details.
3. The plans do not provide sufficient easements for the ongoing operation and maintenance of the proposed infrastructure. Easement widths must be labeled for each pipe and shown on the utility plans. Easement widths must be a minimum of 30 feet for utilities not located on Outlots or within city R/W. Wider easements may be required for deep pipes to meet OSHA excavation requirements. It is the applicant's responsibility to carefully review the plans to ensure all easements as required above have been provided as part of the Final Plat. Plan revisions and/or additional easements must be addressed for at least the following areas:

- Storm sewer run from CB 159 to STMH 156 (north of Street G). This run is also located in the Electrical Transmission easement area, which requires written permission from the owner.
 - Storm sewer run from CBMH 106 to STMH 71 encroaches onto Block 5, Lot 11.
 - Storm sewer run from CBMH 74 to STMH 52 encroaches onto future Townhome locations.
 - Additional easement is needed around CB 119 and CB 122.
4. The storm sewer system in the rear yards of Block 2 and the extension of Street F and related utilities between Block 1 and Block 2 should be added to Phase 1 construction plans if Block 2 is to be considered part of the Phase 1 Final Plat.

The following comments summarize the issues that must be addressed to facilitate additional construction plan review. The city will resume review of construction plans upon receipt of updated plans with a point by point response letter.

GENERAL PLAN REQUIREMENTS AND COMMENTS

1. Specifications must be submitted in accordance with the requirements of the city engineering design standards manual.
2. City standard plan notes must be placed on the plan sheets, incorporating the notes as an integral part of the construction plan set. Applicant's plan notes must not contradict city plan notes and/or details. City standard plan notes must be removed from the detail sheets.
3. Remove comment from all plan sheets "Bituminous pavement and concrete sections to be in accordance with the recommendations of the Geotechnical Engineer".
4. The applicant has requested an exception to the city standards to allow for a 6.5% sidewalk grade along Streets E and F. The maximum allowable grade along residential streets is 8%. However, the maximum allowable street grade with a sidewalk is 6.0%. Engineering recommends approval of this exception.
5. No additional design exceptions have been noted and requested in writing by the applicant. Therefore all infrastructure systems will be reviewed and accepted by the city upon meeting city design standards.

STREETS AND TRANSPORTATION

1. 5th STREET NORTH.
 - The typical section must be updated to meet the city required cross section previously sent to the applicant. Detailed dimensions must be consistent with the city standard including measurements from face and back of curb, clear zones, reaction zones, and boulevard areas.
 - The applicant continues to show a 5-foot sidewalk along 5th Street. All previous communications by the city have requested the sidewalk width to be changed to six feet.
 - The pavement section must meet a 10 ton design standard. The applicant must call out the design section with the necessary design criteria supporting the specified section. In no instance shall the pavement sections be less than the city standard pavement section.
 - Plan, profiles and grading plans must be updated to reflect the cross section changes including sidewalk, trail and amenity locations.
 - Profile alignments must be updated to meet state aid design standards. Vertical sag curves at station 1 and between station 5 and 6 must be increased to a minimum K-value of 64 for 40 mph design.
 - Revise the stripping and signing plan to be consistent with Phase 1 improvements.
 - Revise the stripping and signing plan to be consistent with the updated cross section.
2. RESIDENTIAL STREETS
 - A residential typical section has been added that is not consistent with the city standard. This section must be revised to meet the city standard. Boulevard trees shall be set 5 feet back of curb with or without sidewalks.
 - Remove proposed yellow centerline pavement markings from Street F.
3. CSAH 17 (Keats Avenue).
 - Washington County written approval must be submitted for all improvements proposed within the Washington County R/W.

- The divided median cross section should match and align with the cross section for 5th Street to allow for a continuous intersection design.
- Cross section plan sheets must be prepared and incorporated into the plan sets for Keats Avenue improvements and to identify the future trail corridor.

LANDSCAPE PLAN

1. The Landscape plans must be amended in accordance with the revised cross sections requested for 5th Street and the typical residential street.
2. City standard plan notes must be added to each landscape plan sheet with the plan notes eliminated from the detail pages.
3. As previously indicated a design-build irrigation system will not be allowed. The landscape irrigation system design must be submitted to the city for review and approval prior to the start of work.

SANITARY SEWER, WATER MAIN, STORM SEWER, AND STREETS

1. City standard plan notes for sanitary sewer, water main, storm sewer, and sidewalk and trail must be placed on the plan sheets to be prominently presented to the contractor. Delete notes from detail sheets.
2. Line type remains unclear to identify the improvements associated with Phase 1. Please remove or shade out ALL line types for other Phases not to be constructed with these Plans.

Sanitary sewer:

1. Provisions to adjustment the existing sanitary sewer manholes along 5th Street must be provided on Plans.
2. Please identify the need to lower the sewer line from Drop MH 11 to MH 13 on Street G. Also, the profile showing storm sewer crossing at STA 5+00 is not consistent with plan view. Please confirm.

Watermain:

1. Street F has more than 20 services isolated between valves. An additional gate valve should be added near STA 16+00.
2. Watermain and appurtenances must be upsized to 12 inches in diameter on Street G from Street F to the north end. Stub to Future Street F must be upsized to 12 inches in diameter.

Storm Sewer:

1. Storm sewer design calculations must be submitted to facilitate the city plan review. Provide a complete storm sewer schedule to include pipe capacity and cleansing velocities.
2. Calculations to support sufficient catch basin placement must be provided.
3. Provide written documentation to indicate Washington County approval for proposed modifications and use of OCS – 205.
4. Minimum easement widths must be provided as previously identified in this letter.
5. Plans must include RIM and inverts for all existing storm sewer infrastructure (see County R/W).
6. The minimum city standard pipe size for storm sewer is 15-inches. Please revise storm sewer from CBMH 166 to CBMH 169 accordingly.
7. Culvert from FES 200 to FES 201 must be increased to a minimum size of 15 inches. Additionally, a profile of this culvert must be shown on the Construction Plans.
8. Minimum outfall pipe slope is 1%. Storm sewer from STMH 51 to FES 50 must be revised accordingly.
9. Storm Sewer from CB 119 to CBMH 118 must cross perpendicular to 5th Street.
10. CBMH 131 – include stub extension for future connection.
11. Revise catch basin casting note to sump 0.10 feet at curb line (to be consistent with City Standard Detail).
12. Drain tile stubs should be a minimum of 100 feet in length.

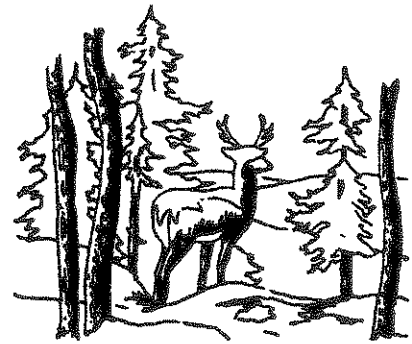
GRADING AND EROSION CONTROL

1. The grading plan should be revised in the area of Outlot G where the drainage swale in Block 12 is directed to the back property of Lots 1 and 2, Block 2.

STORMWATER MANAGEMENT

1. The Stormwater Management Plan narrative and exhibit must be updated to properly identify all ponds and infiltration basins to support the narrative.
2. Written documentation must be provided indicating VBWD permit approval for the Stormwater Management Plan for the entire VBWD drainage area. VBWD documentation must indicate that the conditions of approval have been met.
3. Details must be added to the plans to address the specific restoration and finishes for all infiltration basins and storm water facilities.
4. The storm water facilities have been located in Outlots dedicated to the city for maintenance purposes. All 100-year high water levels (HWL) and HWL overflows must remain within a city Outlot.

January 15, 2014



Joe Jablonski
Lennar
16305 36th Ave North, Suite 600
Plymouth, MN 55446

**Re: Savona—Lake Elmo, Minnesota
VBWD Permit #2013-20**

Dear Mr. Jablonski:

Enclosed is the Valley Branch Watershed District (VBWD) permit for your project. Please note the following conditions imposed by the Managers, which are also listed on the back of the permit.

1. This permit is for Lots 14-15 of Block 8 and Blocks 9-19, the southeast portion of Outlot A, most of Outlot E, part of Outlot I, and all of Outlots B, C, G, and H, and the associated roads and storm sewer, as shown on the Sheets 3-6 of the Grading, Drainage & Erosion Control Plan dated 11/25/2013 and as owned by US Home Corporation. Another permit(s) will be required for all other work, including but not limited to the proposed multifamily units.
2. Manholes immediately upstream from treatment basins (e.g., Lots 10/11 of Block 8; Lot 5 of Block 17; Outlot C; CB in Street I upstream of Outlot I) shall have sumps greater than 3 feet and be equipped with porous baffles (e.g., SAFL baffles) to provide pretreatment and reduce washout/resuspension of sediment.
3. The bioretention basins shall be no deeper than 1.5 feet. The grading plans shall be revised and approved by the VBWD Engineer prior to construction.
4. Prior to construction, details of the proposed outlets from the treatment basins shall be provided and approved by the VBWD Engineer.
5. The low openings of Lots 4-7, Block 8 shall be no lower than El. 996.9. The low openings of Lots 1-2, Block 8 shall be no lower than El. 992.2. Drain tile shall be installed around the perimeter of the foundations of the homes on these lots.
6. This permit is not valid until a maintenance agreement in the general format of Appendix B of the VBWD Rules is submitted to and approved by the VBWD Attorney.
7. Prior to construction, the required surety shall be submitted to the VBWD.



DAVID BUCHECK • LINCOLN FETCHER • DALE BORASH • JILL LUCAS • EDWARD MARCHAN

VALLEY BRANCH WATERSHED DISTRICT • P.O. BOX 838 • LAKE ELMO, MINNESOTA 55042-0538

www.vbwd.org

8. The VBWD Engineer and Inspector shall be notified at least 3 days prior to commencement of work.
9. Erosion controls shall be installed prior to the commencement of grading operations and must be maintained throughout the construction period until turf is established. Additional erosion controls may be required, as directed by the VBWD Inspector or VBWD Engineer.
10. All disturbed areas shall be vegetated within 14 days of final grading.
11. This permit is not transferable.
12. The required drainage easements and access easements shall be recorded with the Washington County Recorder's Office.
13. This permit is subject to obtaining all other permits required by governmental agencies having jurisdiction (including a NPDES permit).
14. The applicant is responsible for removal of all temporary erosion-control measures, including silt fence, upon establishment of permanent vegetation at the project site as determined by the VBWD Engineer and/or Inspector.
15. The following additional erosion controls shall be implemented on the site:
 - a. All proposed slopes 3 feet horizontal to 1 foot vertical (3H:1V) should be covered with erosion-control blanket.
 - b. Silt fence should follow existing contours as closely as feasible to limit the potential for gully erosion along the edges.
 - c. Additional silt fence may be needed during construction.
 - d. Street sweeping shall be performed if sediment collects on streets.
 - e. A construction sequencing plan shall be submitted, approved, and followed.
 - f. If erosion occurs at the outlets of the storm sewer pipes, the applicant will be responsible for correcting the problem to the satisfaction of the VBWD.
 - g. Any sediment that collects in storm sewers, ponds, or other water management features shall be removed.
16. To prevent soil compaction, the proposed infiltration areas shall be staked off and marked during construction to prevent heavy equipment and traffic from traveling over it. If infiltration facilities are in place during construction activities, sediment and runoff shall be kept away from the facility, using practices such as diversion berms and vegetation around the facility's perimeter. Infiltration facilities shall not be excavated to final grade until the contributing drainage area has been constructed and fully stabilized. The final phase of excavation shall remove all accumulated sediment and be done by light tracked equipment to avoid compaction of the basin floor. To

provide a well-aerated, highly porous surface, the soils of the basin floor shall be loosened to a depth of at least 24 inches to a maximum compaction of 85% standard proctor density prior to planting.

17. The Valley Branch Watershed District shall be granted drainage easements, which cover land adjacent to stormwater management facilities, wetlands, and lowlands up to their 100-year-flood elevations and which cover all ditches, storm sewers, and maintenance access to the stormwater management facilities.
18. The minimum floor elevations for all buildable lots in the development shall be recorded in a Declaration of Covenants and Restrictions or on the final plat.
19. Return or allowed expiration of any remaining surety and permit closeout is dependent on the permit holder providing proof that all required documents have been recorded (including but not limited to easements) and providing as-built drawings that show that the project was constructed as approved by the Managers and in conformance with the VBWD rules and regulations.

Thank you for your cooperation with the District's permit program.

Sincerely,



David J. Bucheck, President
Valley Branch Watershed District

DJB/ymh
Enclosure

c: Ray Marshall, VBWD Attorney
Ray Roemmich, VBWD Inspector
Molly Shodeen, MDNR
Kyle Klatt, City Planning Director—City of Lake Elmo
Jack Griffin, City Engineer, FOCUS Engineering—City of Lake Elmo
Building Inspector—City of Lake Elmo
Ryan Bluhm, P.E., Westwood Professional Services—Authorized Agent
Nathan Campbell, Corps of Engineers
Brad Johnson, MDNR
Jed Chesnut, Washington Conservation District
Melissa Doperalski, MDNR
Dennis Rodacker, Minnesota Board of Water and Soil Resources
Karen Wold, Barr Engineering Company
Yvonne Huffman, Barr Engineering Company

**VALLEY BRANCH WATERSHED DISTRICT
PERMIT APPLICATION**

TO BE COMPLETED BY VBWD:

PERMIT NUMBER 2013-20
PERMIT FEE RECEIVED \$17,000
DATE RECEIVED Oct. 17, 2013

Return application to
John Hanson
Barr Engineering Company
Engineers for the Valley Branch Watershed District
4700 West 77th Street
Edina, MN 55435-4803



A permit fee shall accompany this permit, unless waived by the Board of Managers.
(Governmental Bodies are not required to pay a fee.)

Name of Project: <u>SANDS</u>		Name: <u>LENNAR - Joe J. Salomski</u>
Purpose of Project: <u>Grading & Drainage</u>		Address: <u>16305 36th Avenue North</u> <u>Suite 600</u>
Project Location (street address, if known; otherwise, major intersection): <u>Kentz Avenue & Hudson</u>		City, State, Zip: <u>Plymouth, MN 55446</u>
City or Township: <u>Lakeville</u>		Phone: <u>952-249-3033</u>
Legal Description (proof of ownership required): PID: Section: Township: Range:		Fax:
Project Timeline: Start Date: <u>9/15/2013</u> Completion Date: <u>10/31/2014</u>		Email: <u>Joe.Salomski@lennar.com</u>
Name: <u>Ryan Blum</u>		Name:
Business Name: <u>Westwood Pro Service</u>		Address:
Address: <u>7699 Anthony Drive</u>		City, State, Zip:
City, State, Zip: <u>Eden Prairie, MN 55344</u>		Phone:
Phone: <u>952-906-1152</u>		Fax:
Fax:		Email:
Email: <u>Ryan.Blum@westwoodps.com</u>		

Once a Valley Branch Watershed District permit has been approved, the permit conditions will be attached to the back of this form.

By signing this permit application, the permit applicant, his/her agent, and owner (hereinafter "Permittee") shall abide by all the conditions set by the Valley Branch Watershed District (VBWD). All work which violates the terms of the permit by reason of presenting a serious threat of soil erosion, sedimentation, or an adverse effect upon water quality or quantity, or violating any rule of the VBWD may result in the VBWD issuing a Stop Work Order which shall immediately cause the work on the project related to the permit to cease and desist. All work on the project shall cease until the permit conditions are met and approved by the VBWD representatives. In the event Permittee contests the Stop Work Order issued by the VBWD, Permittee shall attend a VBWD Board of Managers meeting and discuss the project. Any attorney fees, costs, or other expenses incurred on behalf of the VBWD in enforcing the terms of the permit shall be the sole expense of the permit applicant. Costs shall be payable from the permit applicant's permit fee. If said fees exceed the permit amount, the Permittee shall have ten (10) days from the date of receipt of the invoice from the VBWD to pay for the cost incurred in enforcing the permit, by which to pay the VBWD for said costs. If costs are not paid within the ten (10) days, the VBWD will draw on the permit applicant's surety. The Permittee agrees to be bound by the terms of the final permit and conditions required by the VBWD for approval of the permit. The permit applicant further acknowledges that he/she has the authority to bind the owner of the property and/or any entity performing the work on the property pursuant to the terms of the VBWD permit, and shall be responsible for complying with the terms of the VBWD permit.

Signatures (Required):

[Signature] 1/13/2014
Applicant/Date

[Signature]
Owner (if different than Applicant)/Date

[Signature] 8/23/2013
Owner's Authorized Agent/Date



LINCOLN FETCHER • DAVID BUCHECK • DONALD SCHEEL • DALE BORASH • RAY LUCKSINGER

VALLEY BRANCH WATERSHED DISTRICT • P.O. BOX 838 • LAKE ELMO, MINNESOTA 55042-0538

www.vbwd.org

KNOW ALL PERSONS BY THESE PRESENTS, that U.S. Home Corporation, a [foreign corporation] the owner of the following described property situated in the County of Washington State of Minnesota, to wit:

The Northwest Quarter of the Southeast Quarter in Section 34, Township 23, Range 27, Washington County, Minnesota

[illegible][illegible]

U.S. HOME CORPORATION

By Jonathan Auer, Diversity Vice President

STATE OF MONTANA

COUNTY OF _____ day of _____, 20____, by Jonathan Allen, Division Vice President of U.S. Harris Corporation, a Delaware corporation on behalf of the corporation

Notary Public, _____ County, Minnesota
my Commission Expires _____

[illegible]

United States of America

Erwig W. Morse, Licensed Land Surveyor
Minnesota License No. 23021

STATE OF MINNESOTA

COUNTY OF HENNEPIN

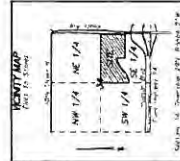
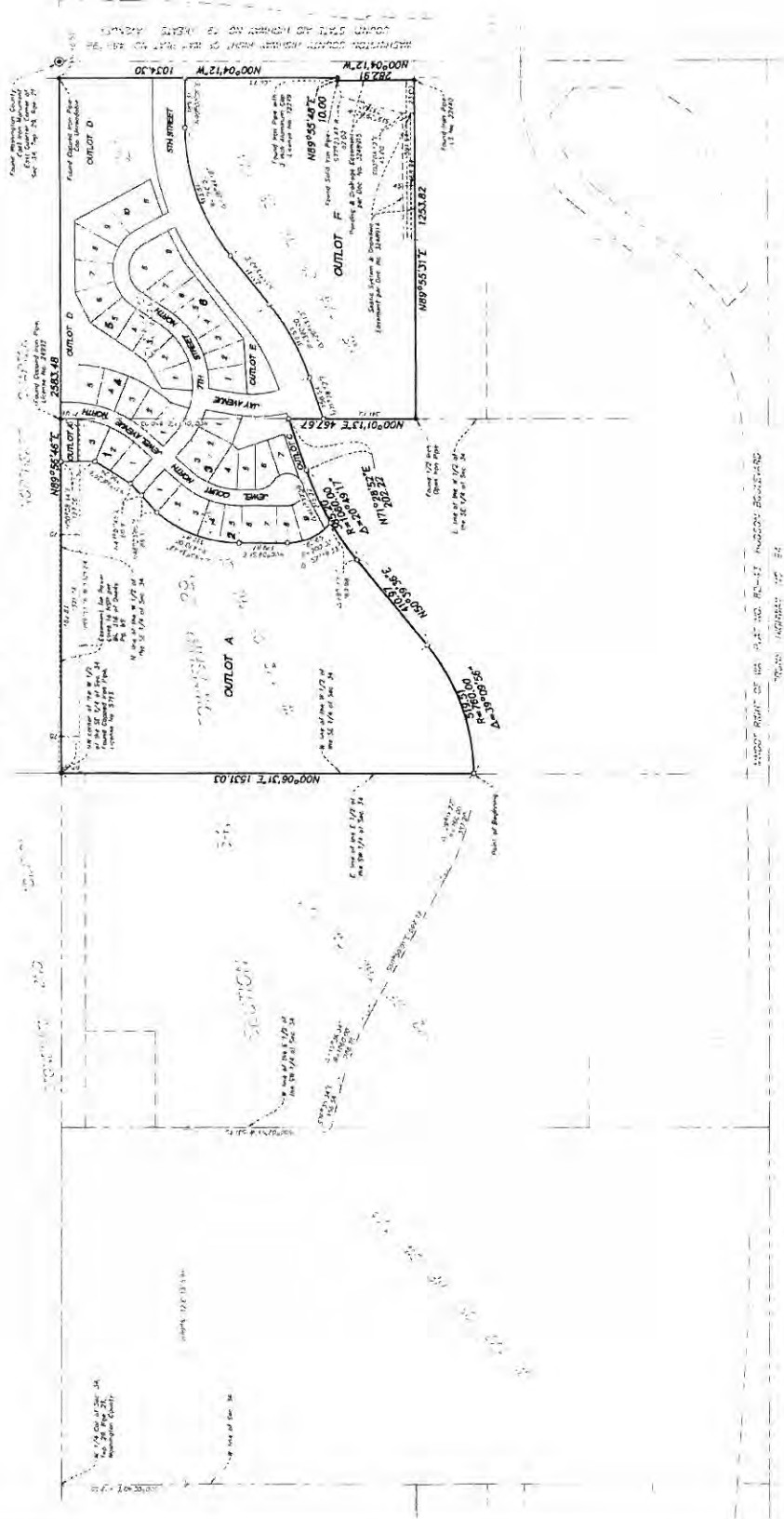
The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 20____, at _____, Dr. City of _____.

Worse, Licensed Land Surveyor, Minnesota License No. 23021

Notary Public, _____ County Minnesota

Westwood
Professional Services, Inc.

SAVONA



- ① Original Plat Map Document (dated 1900) by Washington County
- ② Original 1/2 acre by 1/2 acre plat map and monument by licensed No. 23021
- ③ Original 1/2 acre by 1/2 acre plat map and monument by licensed No. 23021

The north line of this plat is the line of the Savona building and the line of the Savona street.



Westwood
Professional Services, Inc.

SAVONA

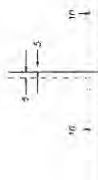
INSET

(From Sheet 2 of 3 Sheets)



- Delineate Civil from Monuments found marked by Washington County
- Delineate 1/2 inch by 14 inch iron monument set and marked by License No. 2037
- Delineate 1/2 inch by 14 inch iron monument found and marked as shown

Emphasis and Utility Easements are shown thus



Block 2 (see also with survey showing indicated easements and utility easements as shown on the site)

Construction Plans

for

Grading, Drainage & Erosion Control Plans

for

Savona
Lake Elmo, Minnesota

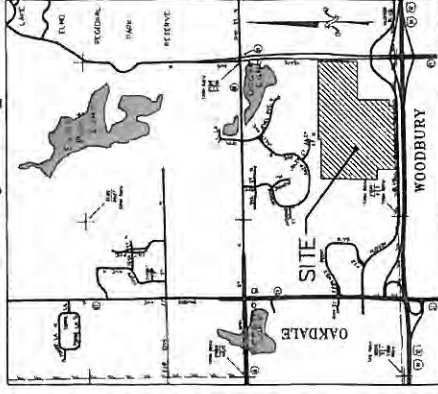
Prepared for:

Lennar Corporation
16305 36th Avenue North Suite 600
Plymouth, Minnesota, 55446
Contact: Steve Ach
Phone: 952-249-3033

Prepared by:


Westwood
Professional Services, Inc.
2147 Algonquin Drive
Lake Elmo, MN 55440
P.O. Box 848374
TOLSON, MN 55484-8374
www.westwoodps.com
Project number: 0000565.00
Contact: Ryan M. Blum

Vicinity Map



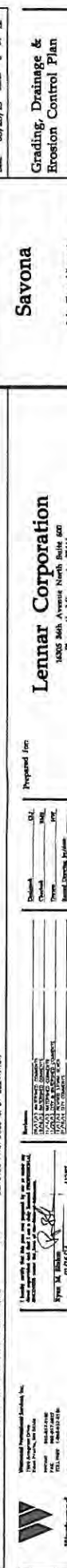
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Sheet Number	Sheet Title
1	Cover
2	Overall Grading Plan
3	Grading, Drainage & Erosion Control Plan
4	Grading, Drainage & Erosion Control Plan
5	Grading, Drainage & Erosion Control Plan
6	Grading, Drainage & Erosion Control Plan
7	Ditches
8	Ditches
9	Street Profiles
10	Street Profiles
11	Pre-Development Drainage Area Plan
12	Post-Development Drainage Area Plan

NO.	DATE	REVISION	SHEETS
1	09/17/13	WATERSHED COMMENTS	ALL
2	10/16/13	WATERSHED COMMENTS	ALL
3	11/14/13	WATERSHED COMMENTS	ALL
4	11/25/13	CITY & WATERSHED COMMENTS	ALL
5	12/13/13	REVISED STORM SEWER	ALL
6	01/16/14	CITY COMMENTS	ALL

Construction Plans
for
Grading, Drainage & Erosion Control
Plans
for
Savona
Lake Elmo, Minnesota

Date: 08/29/13 Sheet: 1 of 12



Lake Pleno, Minnesota

205 36th Avenue North Suite 600
Plymouth, Minnesota 55444

Prepared for:

Delivered _____ Q1
 Closed _____ Q4
 Open _____ FY
 Board Director In/Out _____

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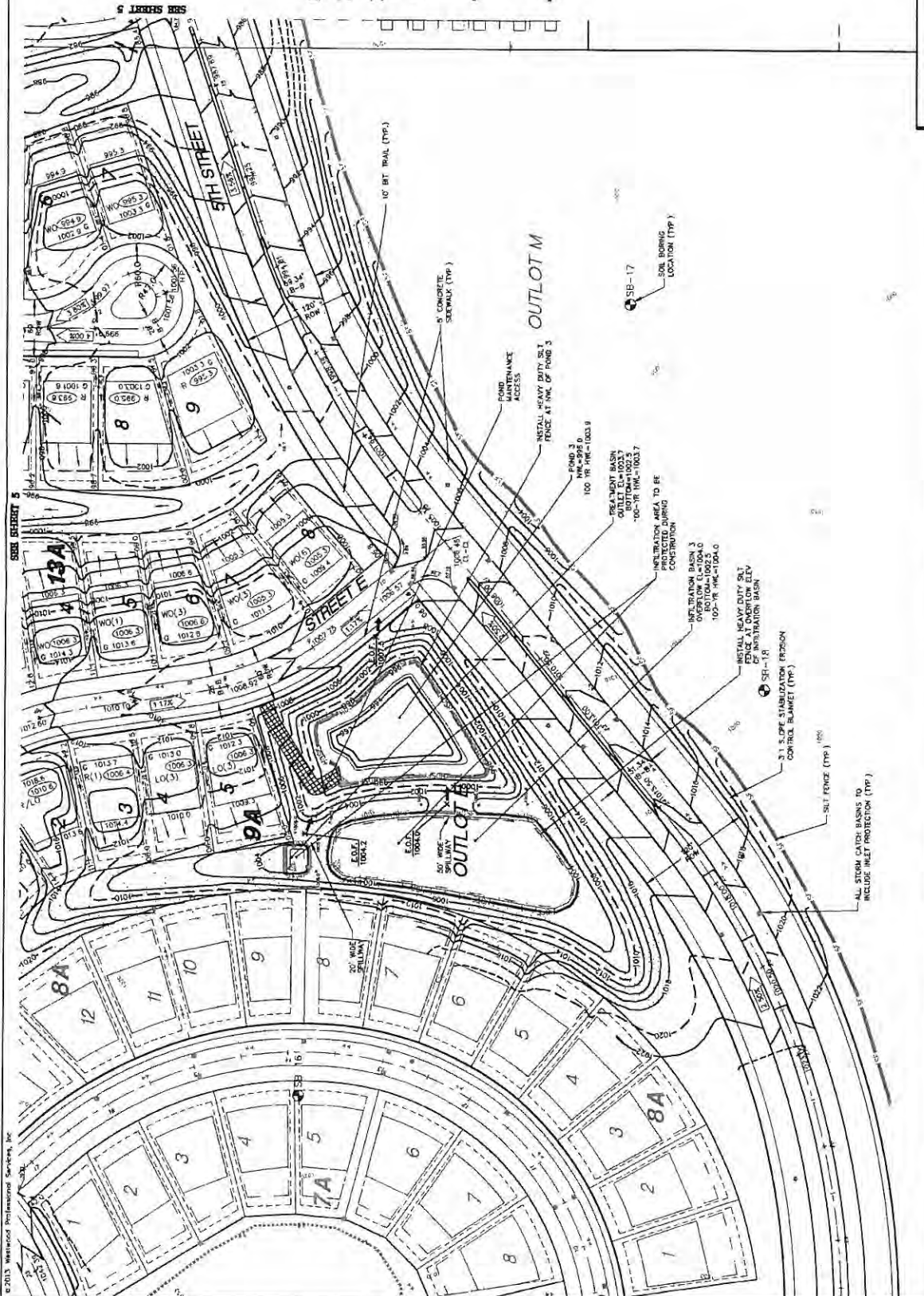
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4/25/74

11

1995 American Drive
 Kansas City, MO 64114
 Phone: 816-433-8780
 Fax: 816-433-8873
 E-Mail: info@kci.com
 Web: www.kci.com





SEE SHEET 7 FOR CITY OF LAKE ELMO
STANDARD PLAN NOTES FOR GRADING
AND EROSION CONTROL

Savona
Lake Elm, Minnesota

Lennar Corporation
3500 36th Avenue North, Suite 400
Troy, Michigan, 48064

Prepared for:
City of Savona
City Engineer
City of Savona
City of Savona

Checked:
City Engineer
City of Savona
City of Savona

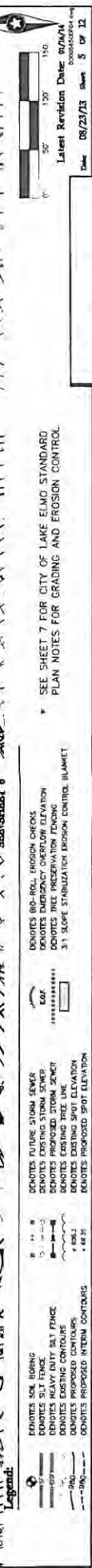
Designed:
City Engineer
City of Savona
City of Savona

Drawn:
City Engineer
City of Savona
City of Savona

Project No.: 43537
Date: 07/16/13
Scale: As Shown

Westwood Professional Services, Inc.
10000 Highway 100, Suite 200
Troy, Michigan 48064
Phone: 248.614.4400
Fax: 248.614.4401
www.westwood-pro.com



[illegible]

Savona

Lake Elmo, Minnesota

Lennar Corporation

305 36th Avenue North Suite 600
Plymouth, Minnesota, 55446

Prepared for:

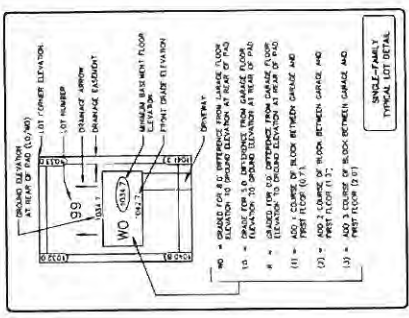
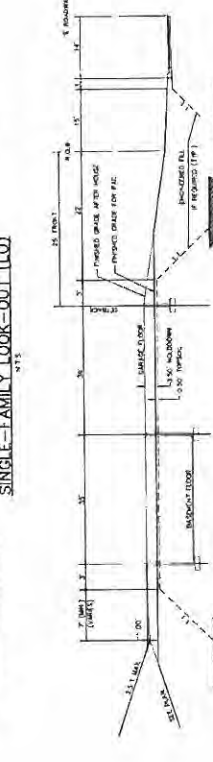
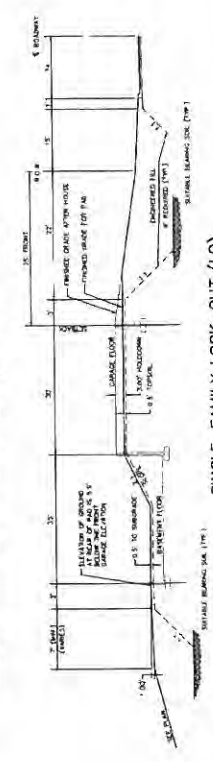
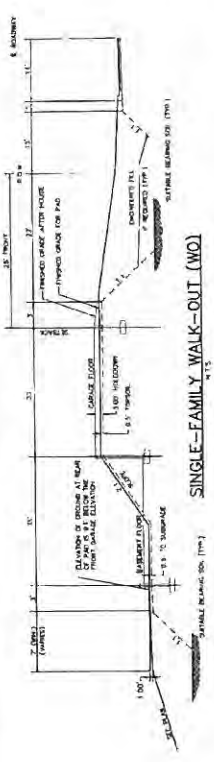
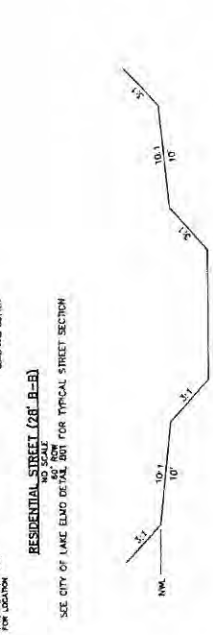
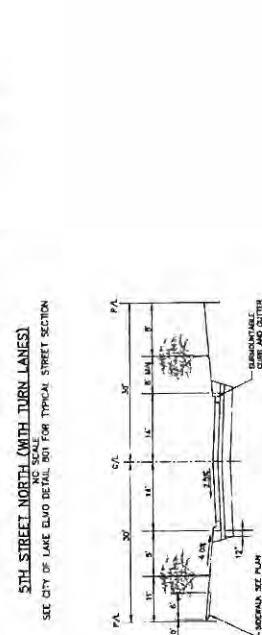
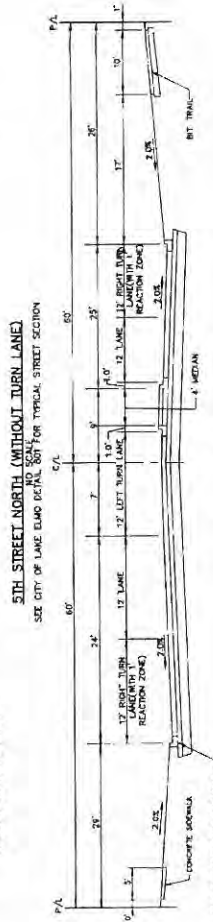
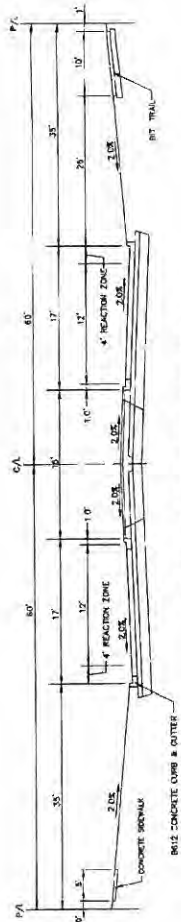
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On hand	100
On order	100
On hand	100

Barbican

10/10/10

International Professional Services, Inc.
17040 Alhambra Drive
Dallas, Texas 75244
PDS(US) 952-837-9100
PDS 952-837-4822
Toll Free 1-800-372-5100

Call 48 Hours before digging
811 or call811.com
Common Ground Alliance



Call 48 hours before digging
811 or 800.811.com
 Common Ground Alliance

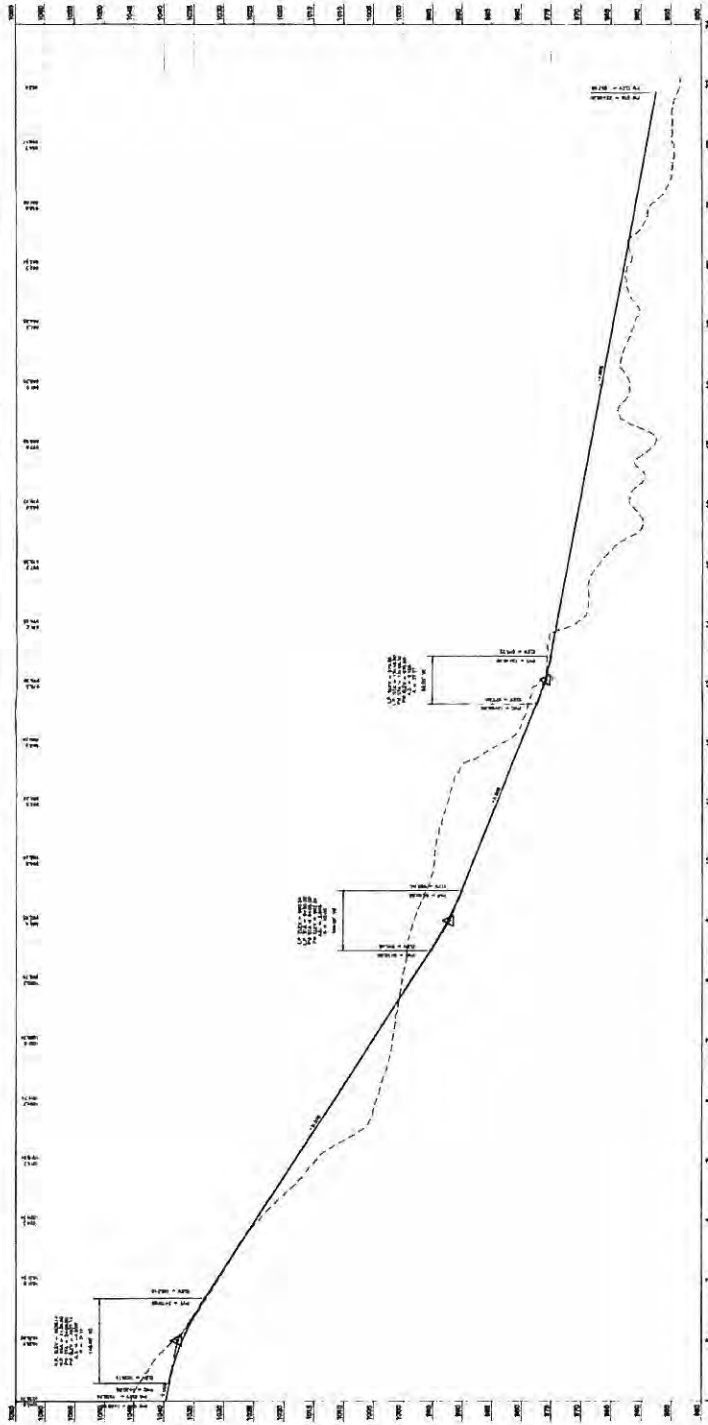
Latest Revision Date: 8/26/14
 Date: 08/23/13 Sheet: 8 of 12

Savona
 Lake Elmo, Minnesota

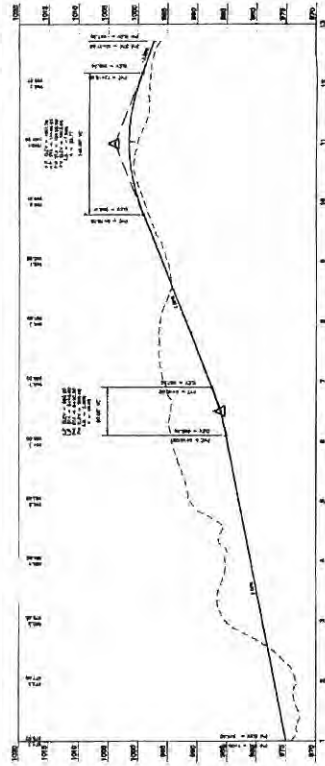
Lennar Corporation
 1805 34th Avenue North Suite 400
 Plymouth, Minnesota, 55446

Prepared for:	Client:
	City of Lake Elmo
	Project: 14-0001
	Drawn: J. J. J.
	Checked: J. J. J.
	Reviewed: J. J. J.
	Approved: J. J. J.
	Date: 08/23/13
	Sheet: 8 of 12

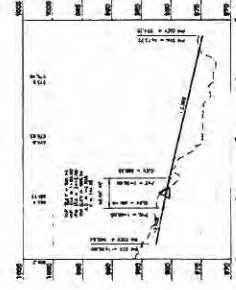
Westwood Professional Services, Inc.
 10000 15th Avenue North, Suite 100
 Minneapolis, MN 55412
 Phone: 612.480.1000
 Fax: 612.480.1001
 Email: info@westwood.com



Street F



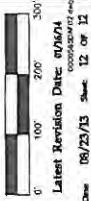
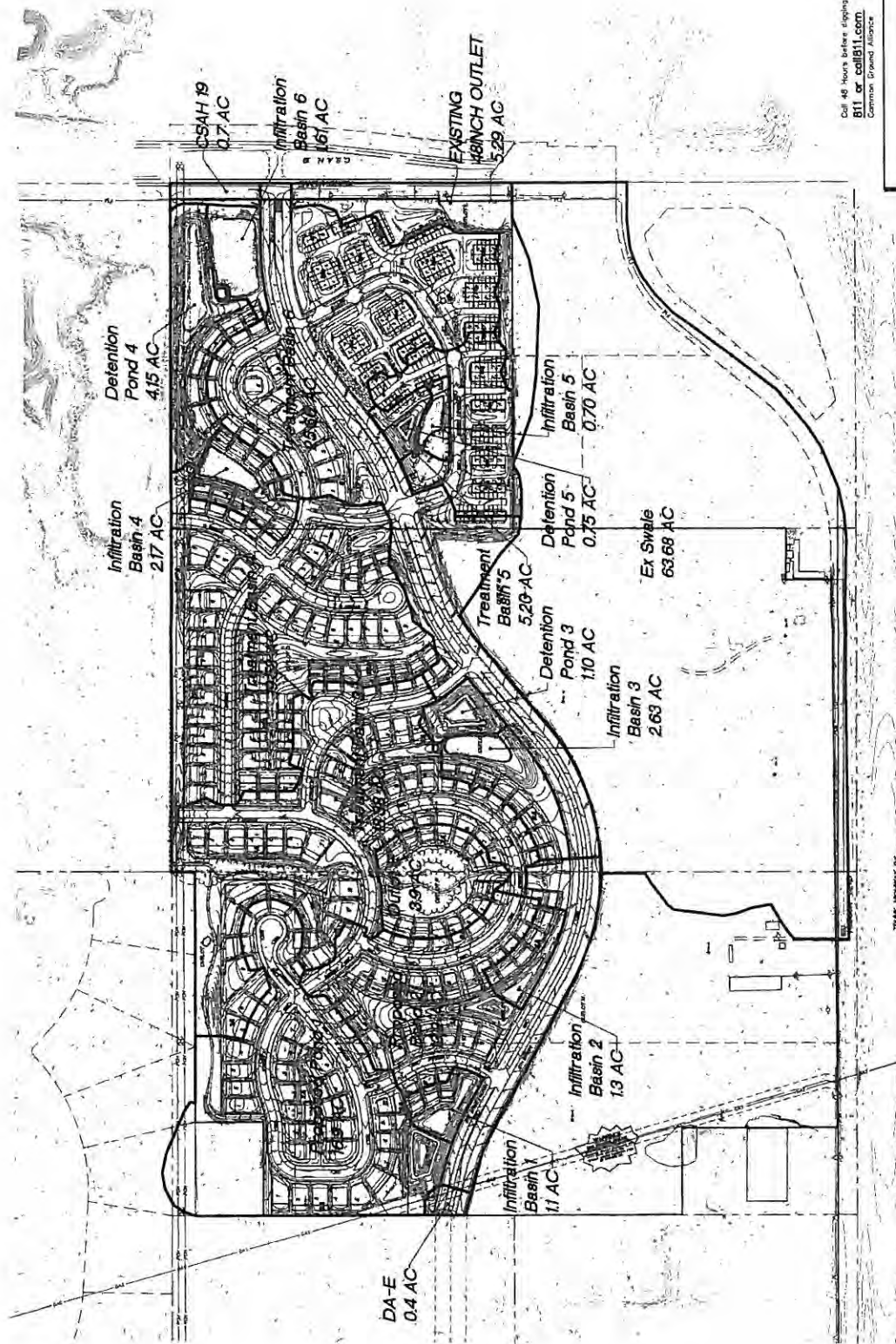
Street G



Street H



Latest Revision Date: 07/24/14
Drawn by: J. J. J. J.
Date: 08/23/13 sheet 10 of 12



Call 48 hours before digging
811 or call811.com
Common Ground Alliance

Latest Revision Date: 07/20/14
Drawn: 08/25/13 Sheet: 12 of 12

Savona

Post-Development
Drainage Area Plan

Lake Elmo, Minnesota

Lennar Corporation
1800 30th Avenue North, Suite 600
Plymouth, Minnesota 55444

Prepared for:

Prepared:	CU
Checked:	SM
Drawn:	DR
Scale:	As Shown

Approved for Construction by the City of Savona, MN
Date: 07/24/14

Project No. 14-000000-0000
Sheet No. 12 of 12

Westwood Professional Services, Inc.
10000 Lake Elmo Road, Suite 100
Lake Elmo, MN 55440
Tel: 763.433.1100
Fax: 763.433.1101
www.westwood-pro.com



Construction Plans

for
Sanitary Sewer, Water Main, Storm Sewer
and Streets

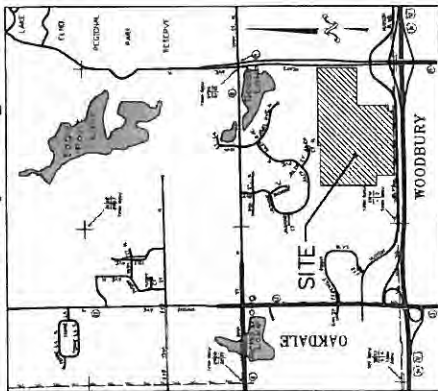
for
Savona
Lake Elmo, Minnesota

Prepared for:
Lennar Corporation
16305 36th Avenue North Suite 600
Plymouth, Minnesota, 55446
Contact: Steve Ach
Phone: 952-249-3033

Prepared by:

Westwood
Professional Services, Inc.
Plymouth, MN 55446
PHONE 952-927-5150
FAX 952-927-5151
TOLL FREE 1-888-877-5555
www.westwoodps.com
Project number: 0000565.00
Contact: Ryan M. Blum

Vicinity Map



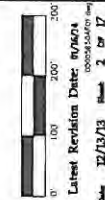
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NO.	DATE	REVISION	SHEETS
1	01/16/14	CITY COMMENTS	ALL

Construction Plans
for
Sanitary Sewer, Water Main, Storm Sewer
and Streets
for
Savona
Lake Elmo, Minnesota

Date: 12/19/13 Sheet: 1 of 17

Sheet Number	Sheet Title
1	Cover
2	Overall Plan
3	Sanitary Sewer and Water Main Construction Plan
4	Sanitary Sewer and Water Main Construction Plan
5	Sanitary Sewer and Water Main Construction Plan
6	Storm Sewer and Street Construction Plan
7	Storm Sewer and Street Construction Plan
8	Storm Sewer and Street Construction Plan
9	Storm Sewer and Street Construction Plan
10	Storm Sewer and Street Construction Plan
11	Storm Sewer and Street Construction Plan
12	Storm Sewer and Street Construction Plan
13	Details
14	Details
15	Details
16	5th Street Signing & Striping Plan
17	Ketch Avenue Improvements Plan



FUTURE		EXISTING		PROPOSED	
Sanitary Sewer	—	Sanitary Sewer	—	Sanitary Sewer	—
Water	—	Water	—	Water	—
Hyd. w/ Valve	—	Hyd. w/ Valve	—	Hyd. w/ Valve	—
Storm Sewer	—	Storm Sewer	—	Storm Sewer	—

• SEE SHEETS 13 & 14 FOR CITY OF LAKE ELMO STANDARD PLAN NOTE

Lake Erie. Minnesota.

1
6505 36th Avenue North Suite 407
Plymouth, Minnesota 55446

Checked _____ Date _____
 Per _____
 Board Director's Signature _____

any/all are constants

1757

15/9/77 R.S.

By:

CONTACT INFORMATION:

PERSONNEL: (602) 487-9100
FAX: (602) 433-8075
WEBSITE: www.mesa.gov



GENERAL NOTES:

- DENOTES SANITARY SERVICE
 INVERT @ END OF STAKE
 DENOTES SEWER SERVICE W/IC
 LOCATED ON MAINLINE FROM
 DOWN STREAM W/IN
 FLAG HYDRANTS
 EXTENDING RODS ON DEEP VALVES
 ALL DROP MANHOLES TO BE CONSTRUCTED
 USING OUTSIDE DIPS
 ALL SANITARY SEWER SERVICES SHALL BE
 4" PVC SDR 26
 ALL SINGLE FAMILY WATER SERVICES
 SHALL BE 1" TYPE K COPPER UNLESS
 OTHERWISE NOTED



• SEE SHEETS 13 & 14 FOR CITY OF LAKE ELMO STANDARD PLAY NOTE

Latest Revision Date: 01/06/74

**Sanitary Sewer
and Water Main
Construction Plan**
5th Street North

Lake Elton, Minnesota

Lennar Corporation
1825 36th Avenue North Suite 600
Plymouth, Minnesota, 55446

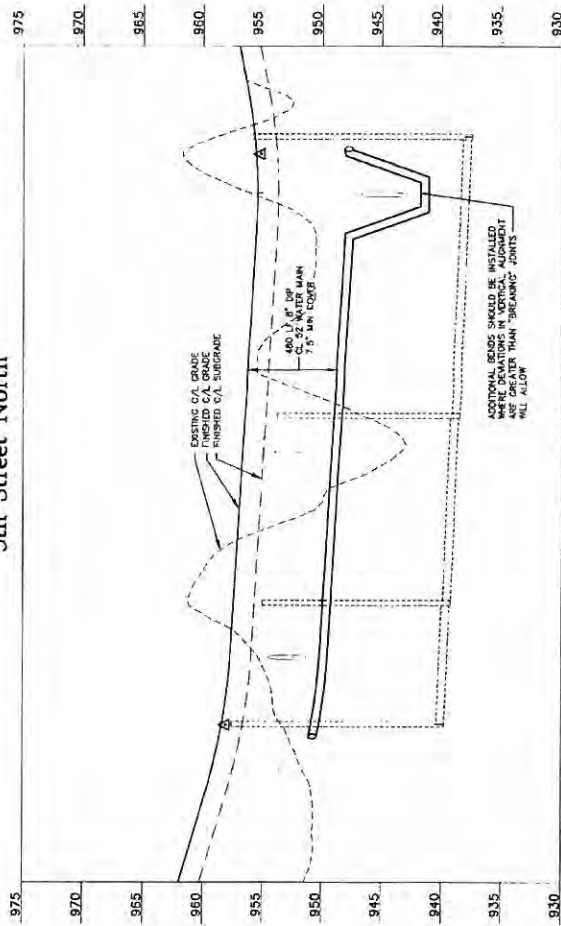
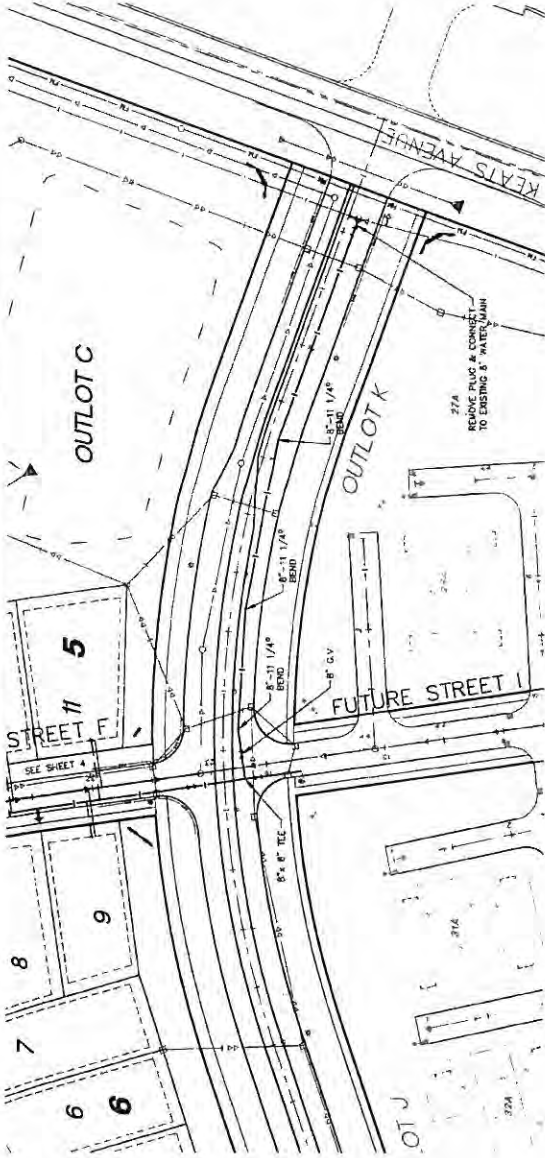
Prepared for:

Designated _____ CL
 Charles _____ JR
 Dennis _____ RY
 Record-Keeping Institute _____

I hereby certify the sum has been deposited in an account in
 your institution and that I am duly bonded as required. All
 payments made for the sum of Four hundred dollars

By Wm. M. Wilson 41257
 Date 02/16/74 County No. _____

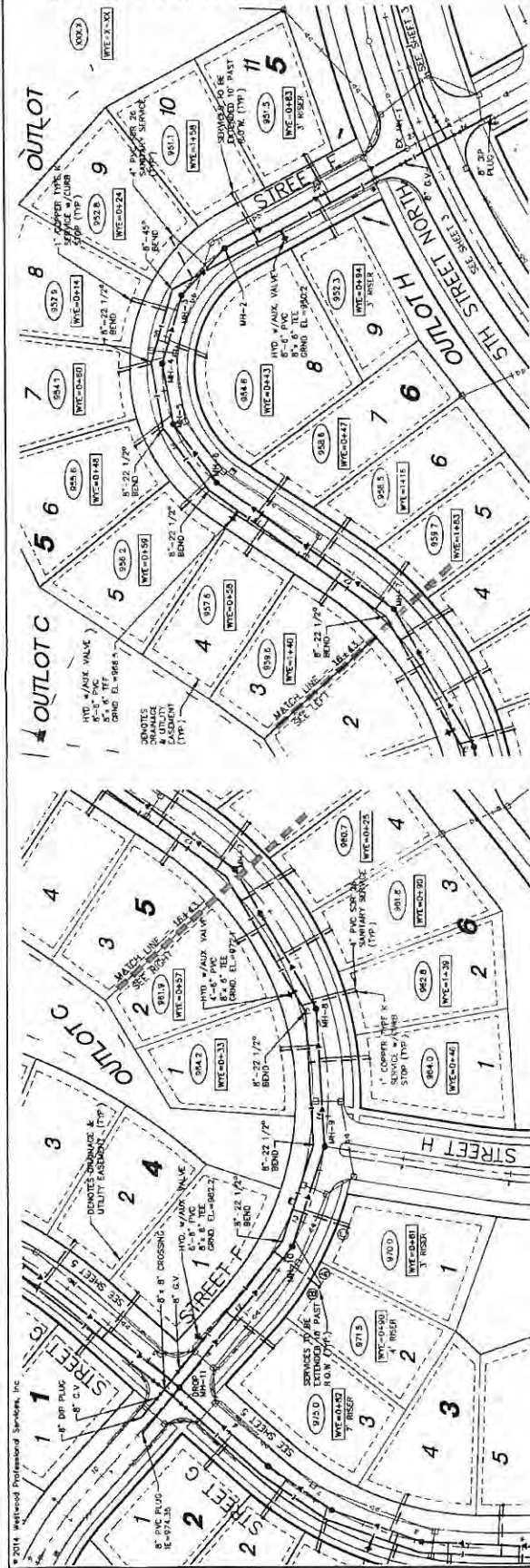
Western Professional Services, Inc.
 10000 Jumping Horse Drive
 El Paso, TX 79907, USA
 PHONE: 952-437-4632
 FAX: 952-437-4607
 ITAL: 952-437-4636
www.westernprofs.com



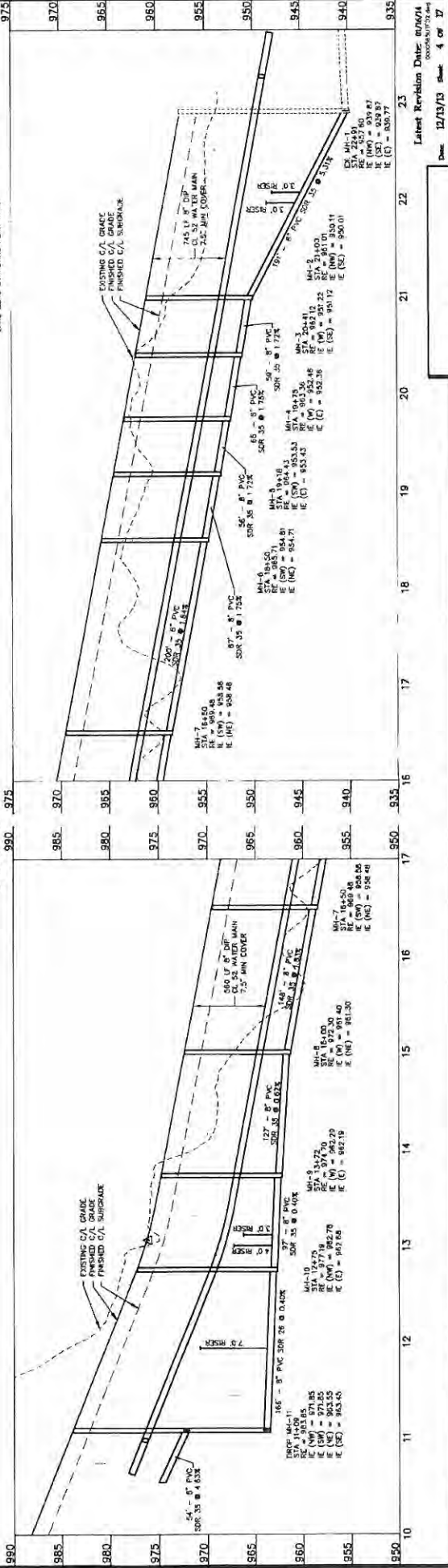
Call 48 Hours before copying:
611 or 601.611.1111
Common Ground Alliance

GENERAL NOTES:

1. DENOTES SANITARY SEWER SERVICE
2. INVERT # END OF STUB
3. DENOTES SANITARY SEWER STANDING WATER LOCATION
4. DENOTES SANITARY SEWER STANDING WATER LOCATION
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99. DENOTES SANITARY SEWER STANDING WATER LOCATION
100. DENOTES SANITARY SEWER STANDING WATER LOCATION



Street F



Savona

Lake Bluff, Illinois

Lennar Corporation

1800 5th Avenue NE, Suite 600
Plymouth, Minnesota, 55448

Sanitary Sewer and Water Main Construction Plan

Sheet F

Latest Revision Date: 07/07/14

Drawn: 12/13/13

Scale: 4" = 1'

Prepared for:

Client:

Contract:

Drawn:

Checked:

Reviewed:

Approved:

Scale:

Sheet:

Project:

Location:

Drawn:

Checked:

Reviewed:

Approved:

Scale:

Sheet:

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

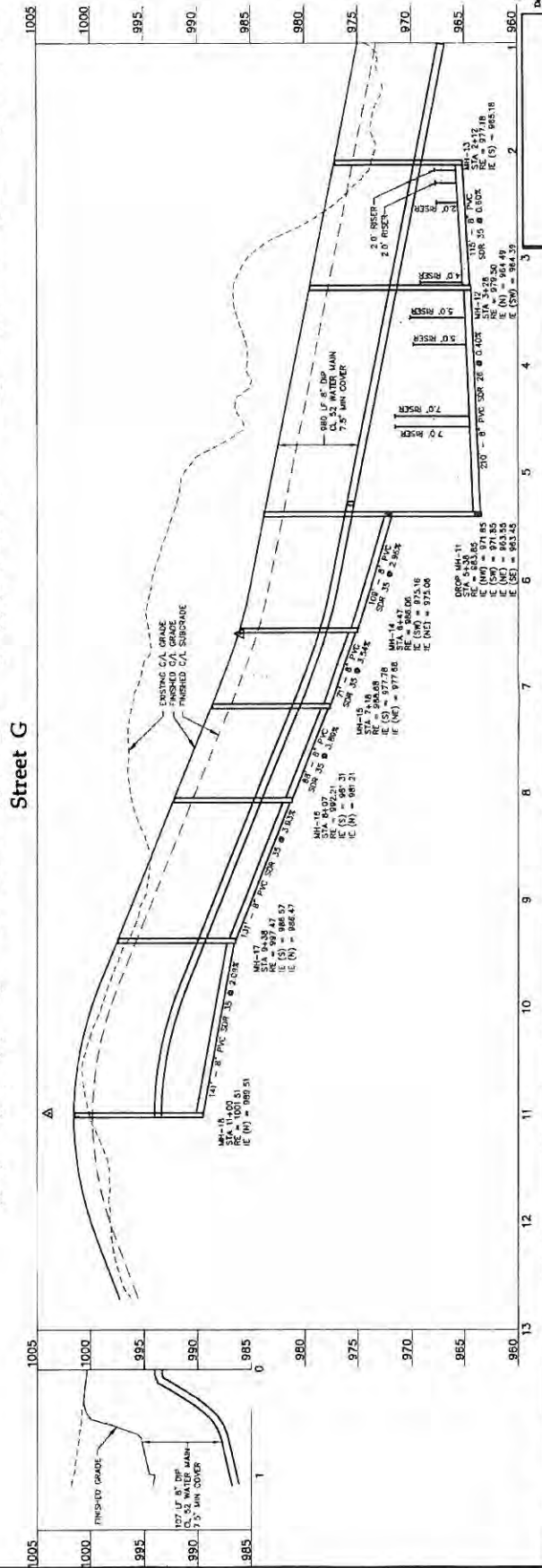
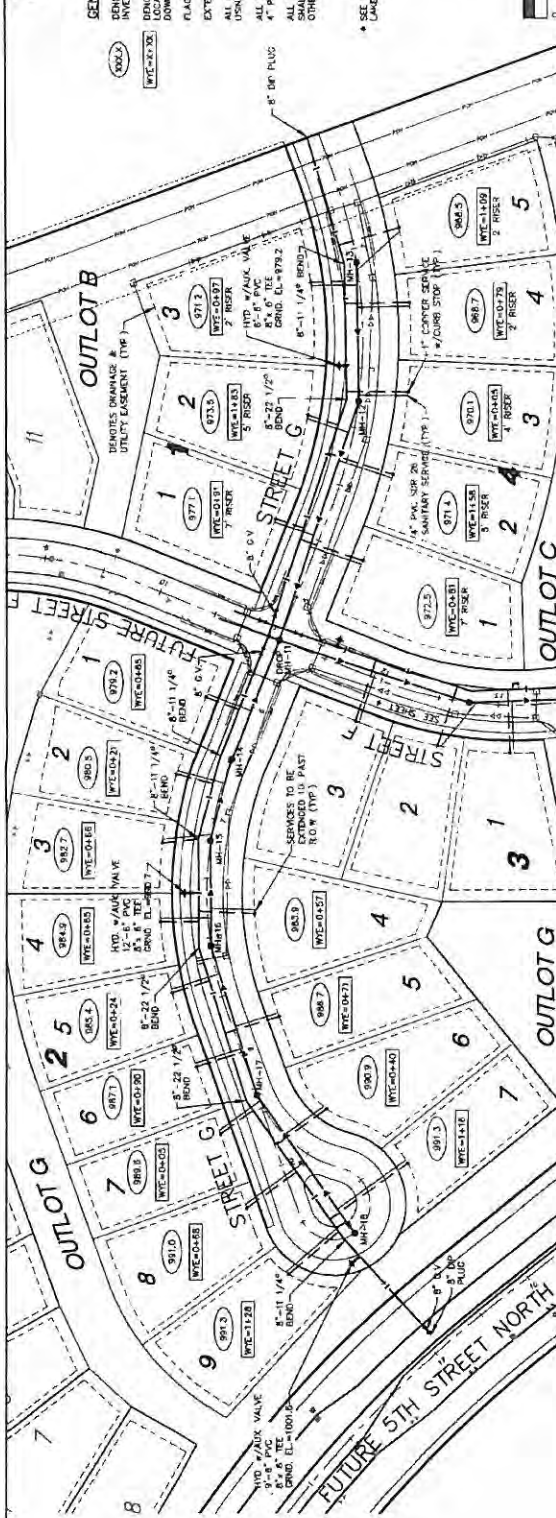
GENERAL NOTES:

INDICATES SANITARY SEWER SERVICE
INVERT @ END OF STUB

ALL DROP MANHOLES TO BE CONSTRUCTED USING OUTSIDE DROPS.

ALL SANITARY SEWER SERVICE SHALL BE
4" PVC SDR 26
ALL SINGLE FAMILY WATER SERVICES
SHALL BE 1" TYPE K COPPER UNLESS
OTHERWISE NOTED.

♦ SEE SHEETS 13 & 14 FOR CITY OF LAKE ELMO STANDARD PLAN NOTE



0 - Latest Revision Date: 01/26/14
Date 12/13/13 sheet 5 of 17

International Professional Services, Inc.
 7001 Augustine Drive
 Dallas, Texas 75248
 PHOENIX 602-827-9118
 FAX 602-827-9822
 TELEPHONE 1-800-937-2186

I hereby certify that the facts are true and correct to the best of my knowledge and belief, and that I am a duly licensed Notary Public in and for the State of New York, and that I am duly qualified to perform the duties of a Notary Public in and for the State of New York.

 Susan M. Harkin
 Notary Public
 41257

Prepared for _____

Designed: CU
Checked: JEH
Drawn: HT
Issued Drawing: 1/1/00

Lennar Corporation
14305 34th Avenue North Suite 600
Plymouth, Minnesota 55446

Savona

Call 48 Hours before digging:
811 or call811.com
Conryon Ground Alliance

GENERAL NOTES:

RADIUS TO BE 6618 C. & G.
WITH 10' TRANSITION FROM
SURMOUNTABLE CURB
DENOTES GUTTERLINE ELEVATION
AT INTERSECTIONS
ALL ROP SHALL BE CLASS 4
UNLESS OTHERWISE NOTED

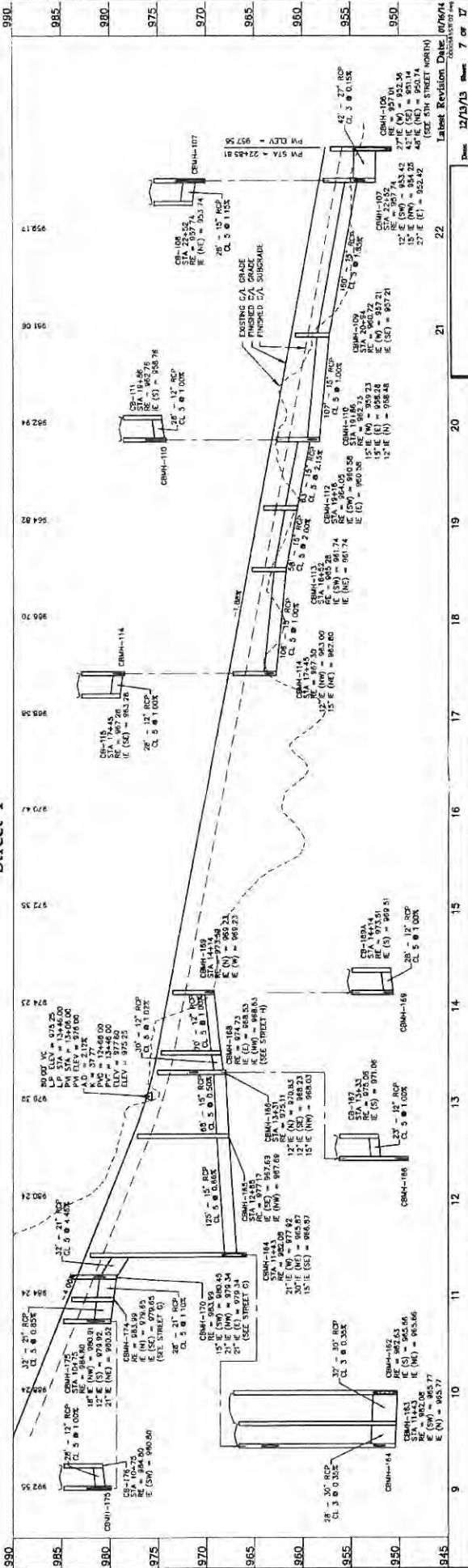
CASTING NOTE:

ALL CATCH BASIN CASTINGS IN CURB SHALL BE SUMPED 0.15 FEET AND MANHOLE CASTINGS IN PAVED AREAS SHALL BE SUMPED 0.05 FEET. RIM ELEVATIONS ON PLAN PROFILES REFLECT THE SUMPED ELEVATIONS.

* SEE SHEETS 13 & 14 FOR CITY OF LAKE ELMO STANDARD PLAN NOTE



Street F



DATE 12/13/13 PAGE 7 OF 17

Storm Sewer and Street
Construction Plan

Savona

Lennar Corporation

6305 36th Avenue North Suite 601
Plymouth, Minnesota 55446

Prepared for:

[illegible]

International Professional Bookings, Inc.
300 Avenue Du Parc
Westborough, MA 01581
Tel: 508/865-4130
Fax: 508/865-4000
E-Mail: info@ipb.com



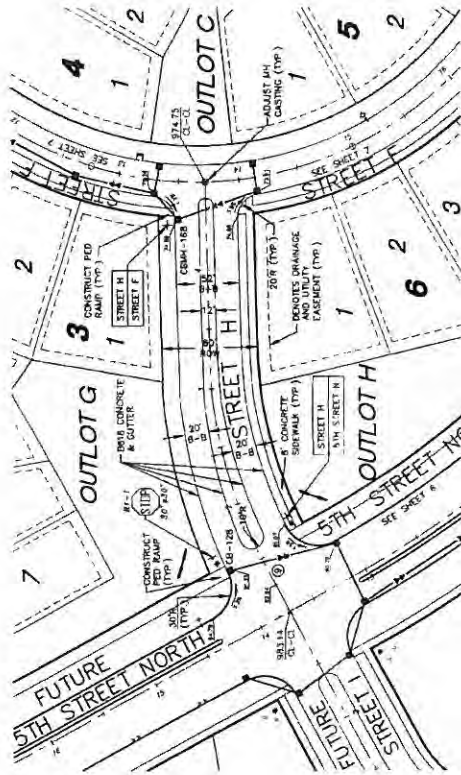
GENERAL NOTES:

- RADIUS TO BE 6018 C & D WITH 10' TRANSITION FROM SURMOUNTABLE CURB
- DENOTES GUTTERLINE ELEVATION AT INTERSECTIONS
- ALL RCP SHALL BE CLASS 4 UNLESS OTHERWISE NOTED

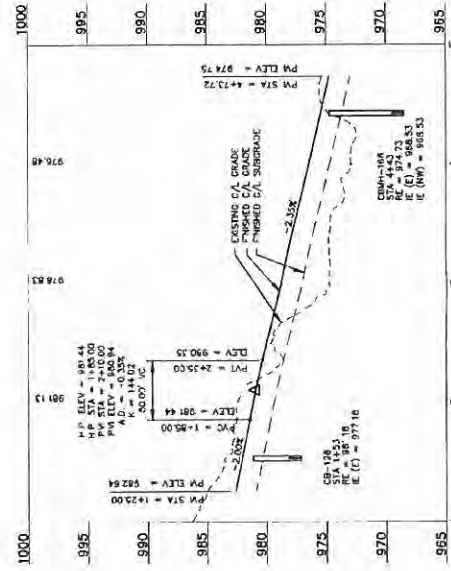
CASTING NOTE:

ALL CATCH BASIN CASTINGS IN CURB SHALL BE DUMPED 0.15 FEET AND MANHOLE CASTINGS IN PAVED AREAS SHALL BE DUMPED 0.05 FEET. RIM ELEVATIONS ON PLAN PROFILES REFLECT THE DUMPED ELEVATIONS.

- * SEE SHEETS 13 & 14 FOR CITY OF LAKE ELMO STANDARD PLAN NOTE



Street H



Latest Revision Date: 01/24/14
COPD065/STTC v 4-4
Date: 12/13/13 Page: 9 of 17

Storm Sewer and Street Construction Plan

Stevens H.

Savona

Lake Umbagog, Minnesota

Lennar Corporation

16305 36th Avenue North Suite 60
Plymouth, Minnesota, 55446

Prepared for:

Plaintiff	CU
Defendant	Wing
Deceased	1997
Reason for death	

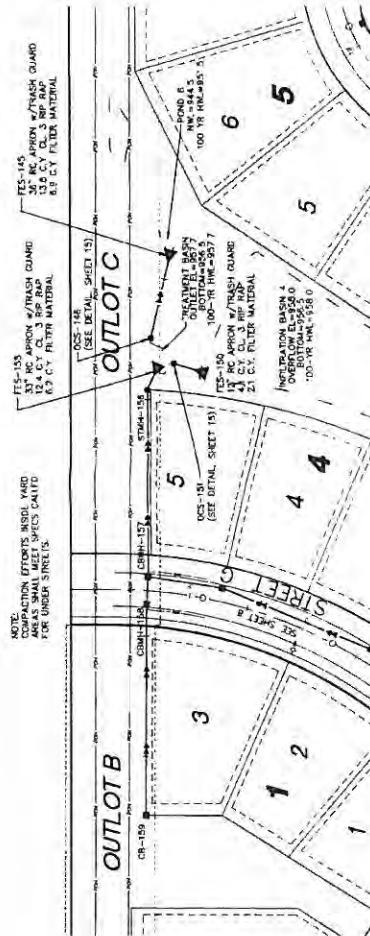
1

4/15/74

MicroMed Professional Services, Inc.
Sales Department
Eight Poplar, MS 39204
P.O. Box 522-02-97-88
Rd 1
Tulsa, OK 74103
TULSA (918) 437-4700



NOTE:
COMPACTION EFFORTS INSIDE YARD
AREAS SHALL MEET SPEC'S CALLED
FOR UNDER STREET'S.



GENERAL NOTES:

- RADIUS TO BE 80'± C. & O. WITH 10' TRANSITION FROM SURMOUNTABLE CURB
- DENOTES GUTTERLINE ELEVATION AT INTERSECTIONS
- ALL RCP SHALL BE CLASS 4, UNLESS OTHERWISE NOTED

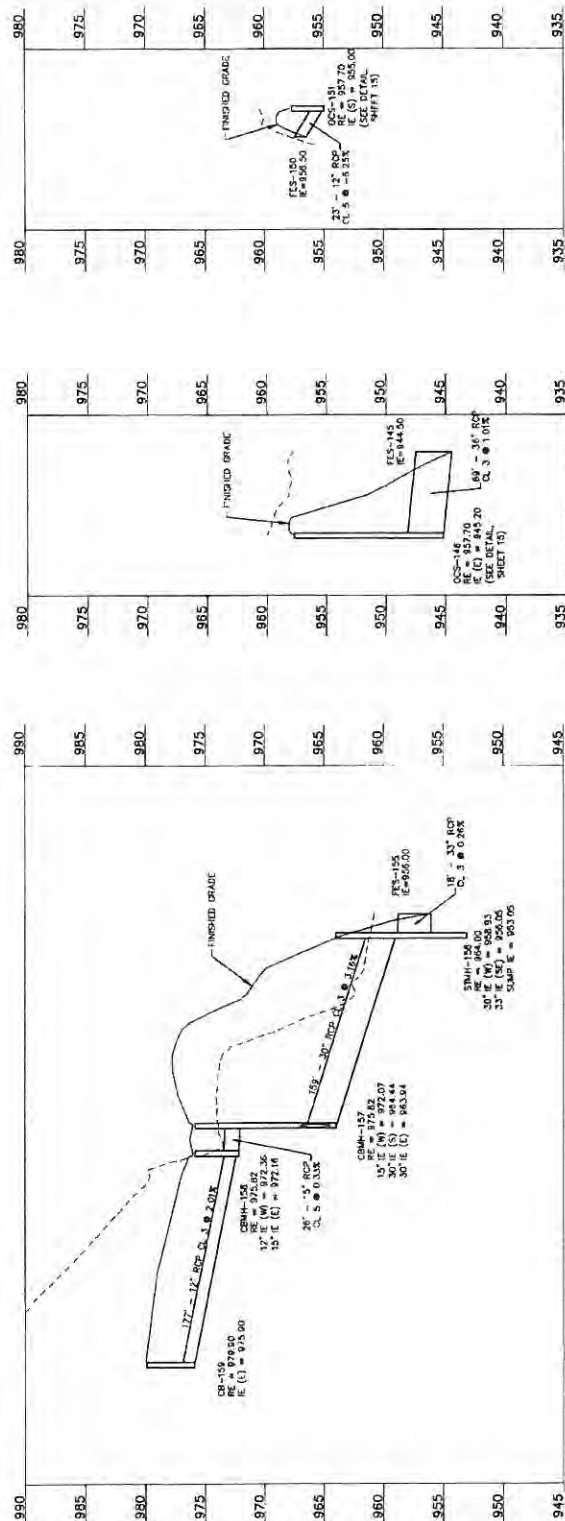
CASTING NOTE:

ALL CATCH BASIN CASTINGS IN CURB SHALL BE SUMPED 0.15 FEET AND MANHOLE CASTINGS IN SUMPED AREAS SHALL BE SUMPED 0.05 FEET FROM ELEVATIONS ON PLAN PROFILES REFLECT THE SUMPED ELEVATIONS.

- * SEE SHEETS 13 & 14 FOR CITY OF LAKE ELMO STANDARD PLAN NOTE



Backyard



Latest Revision Date: 07/16/14
C:\DOC\56558\CS_09-04

**Storm Sewer and Street
Construction Plan**

Backward

Savona

Take Home Message: Management

Lennar Corporation

6305 36th Avenue North Suite 600
Pharmco, Minneapolis, MN 55416

Prepared for:

Dressed _____ oz.
 Chicken _____ oz.
 Potatoes _____ oz.
 Bread _____ oz.

I hereby certify that this plan was prepared by me or under my supervision and that I am a duly Licensed Professional Engineer.

National Industrial Security, Inc.
 1000 Annapolis Drive
 Glenview, IL 60025
 (708) 421-2100
 FAX (708) 421-2102
 Telex 980000



Call 24 Hours before digging:
811 or call811.com
 Common Ground Alliance

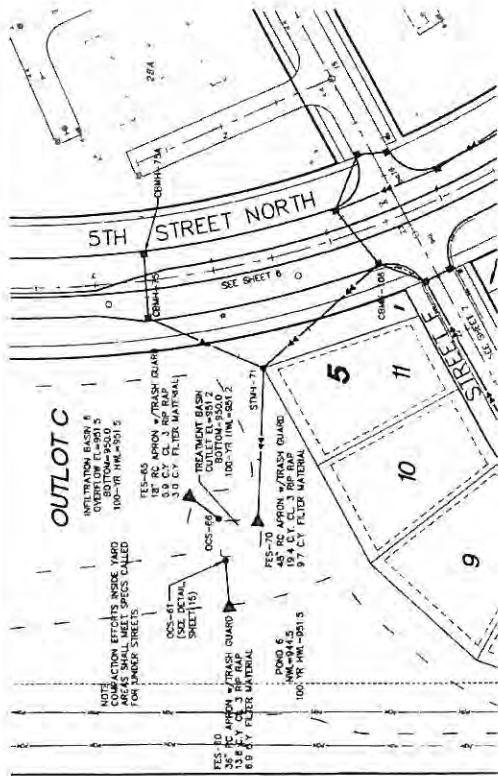
GENERAL NOTES:

- * RADIUS TO BE 8" IN C & D
- * WITH 10' TRANSITION FROM
- * TO 12" RADIUS
- * AT INTERSECTIONS
- * UNLESS OTHERWISE NOTED

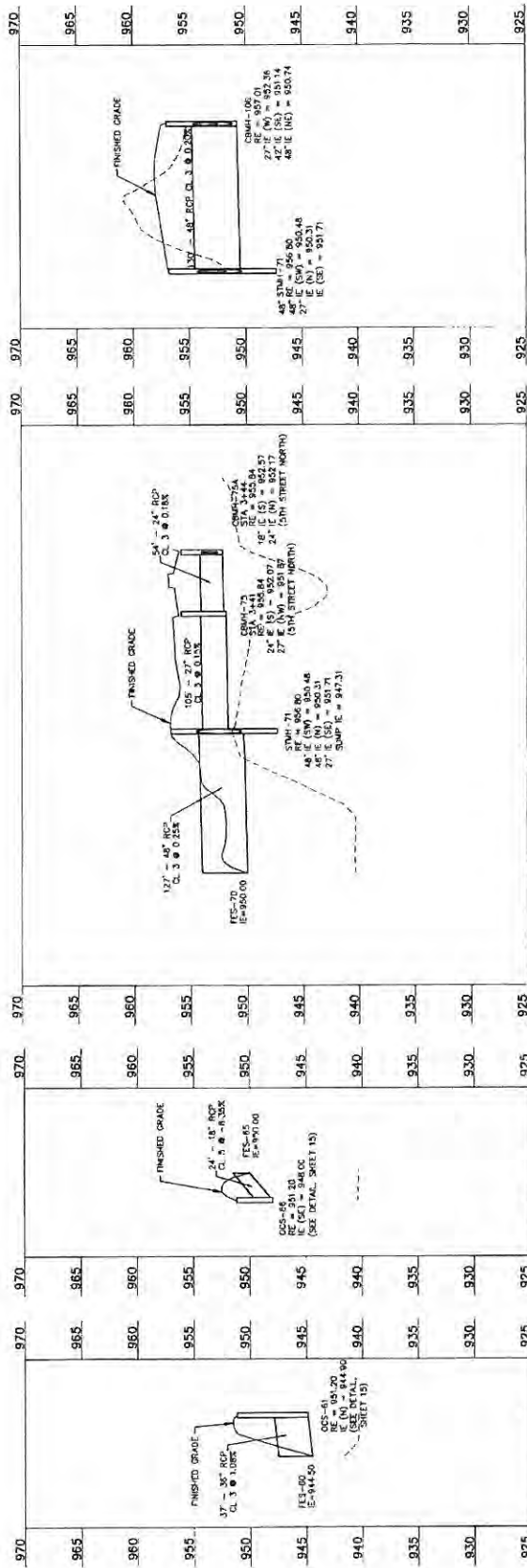
CASTING NOTE:

ALL CATCH BASIN CASTINGS IN CURBS SHALL BE
 SUMPED 215 FEET AND MANHOLE CASTINGS IN
 CURBS SHALL BE SUMPED 215 FEET. ALL OTHER
 CASTINGS SHALL BE SUMPED 215 FEET. ALL
 ELEVATIONS ON PLAN IMPERILS REFLECT
 THE SUMPED ELEVATIONS.

* SEE SHEETS 13 & 14 FOR CITY OF
 LAKE ERIE STANDARD PLAN NOTE



Backyard



Savona

Lake Erie, Massachusetts

Lennar Corporation

3000 Mid Avenue North, Suite 400
 Jacksonville, Pennsylvania, 15464

Prepared for:

Client: ☐ City
 Owner: ☐ Lennar
 Designer: ☐ Lennar
 Record Drawing: ☐ Lennar

Reviewed by:

Project: ☐ 17-07-07 (000000)
 Date: ☐ 07/07/14
 Sheet: ☐ 4205

Westwood Professional Services, Inc.
 10000 Peachtree Dunwoody Road, Suite 100
 Atlanta, Georgia 30328
 Phone: 404.251.1000
 Fax: 404.251.1001
 Website: www.westwood-engineers.com



Storm Sewer and Street
 Construction Plan
 Backyard

Latest Revision Date: 07/07/14
 Date: 12/15/13
 Sheet: 11 of 17

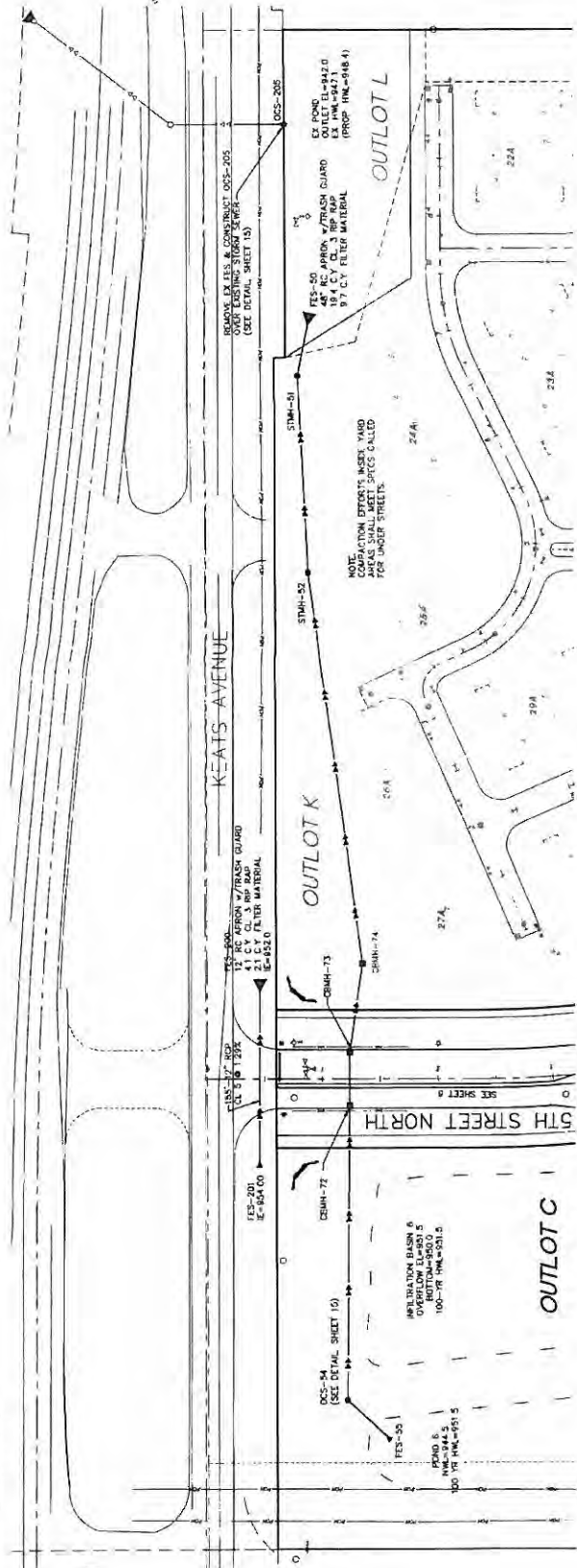
GENERAL NOTES:

- BASINS TO BE BUILT C & C WITH 10" MANHOLE FROM CENTERLINE OF STREET AT INTERSECTIONS. ELEVATION TO BE SHOWN ON PLANS UNLESS OTHERWISE NOTED.

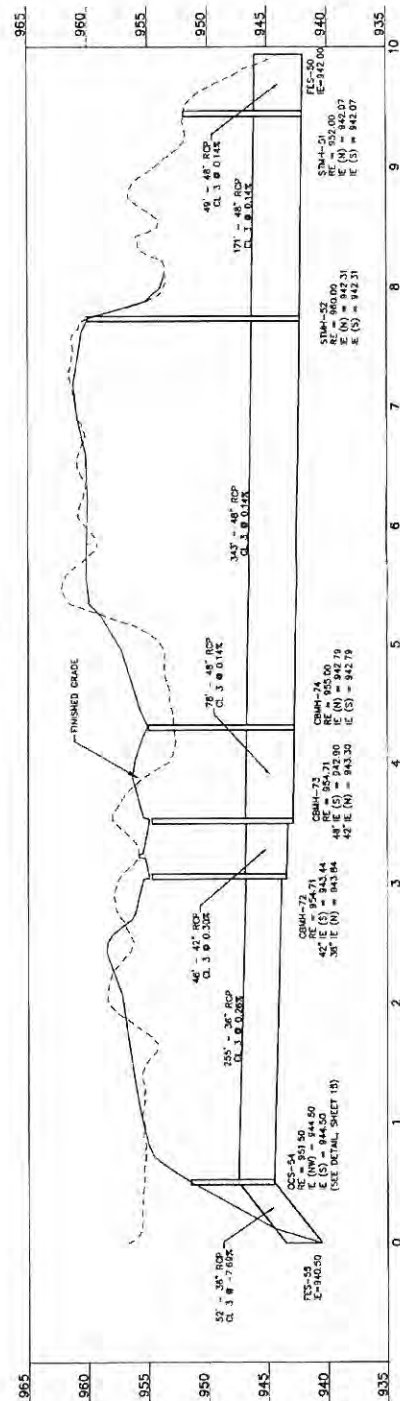
CASTING NOTE:

ALL CATCH BASIN CASTINGS IN CURB SHALL BE SUMPED TO 15 FEET AND MANHOLE CASTINGS IN STREET SHALL BE SUMPED TO 10 FEET. ELEVATIONS ON PLAN PROFILES REFLECT THE SUMPED ELEVATIONS.

* SEE SHEETS 11 & 14 FOR CITY OF LAKE ELMO STANDARD PLAN NOTE



Backyard



Westwood Professional Services, Inc.
1000 36th Avenue North, Suite 600
Plymouth, Minnesota 55444
Phone: 763.882.2200
Fax: 763.882.2201
www.westwood-engineers.com

Project No. 07/24/14
Sheet No. 41257

Prepared by: [Signature]
Checked by: [Signature]
Reviewed by: [Signature]

Project No. 07/24/14
Sheet No. 41257

Lennar Corporation
1000 36th Avenue North, Suite 600
Plymouth, Minnesota 55444

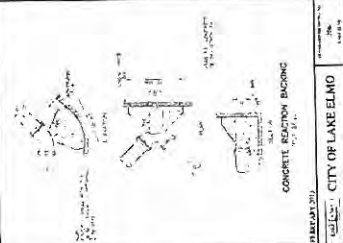
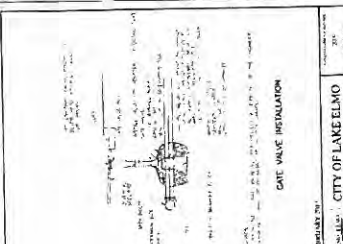
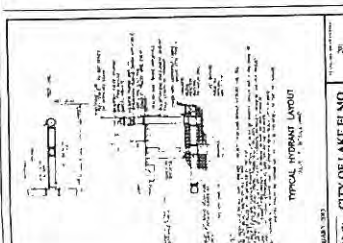
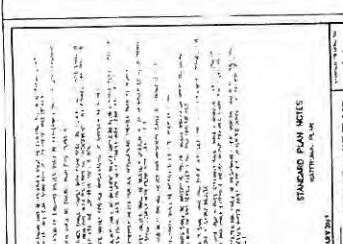
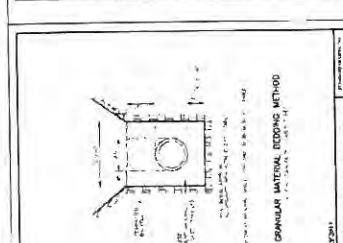
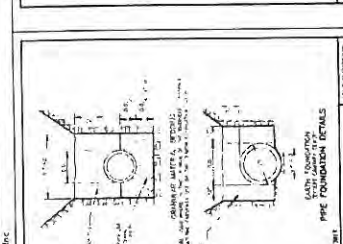
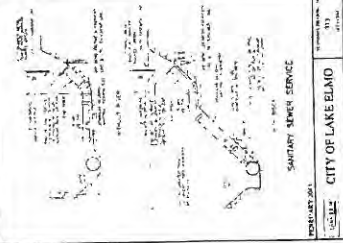
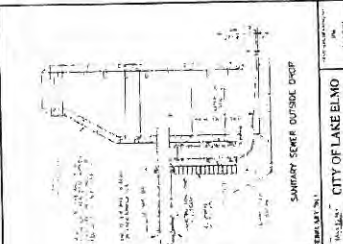
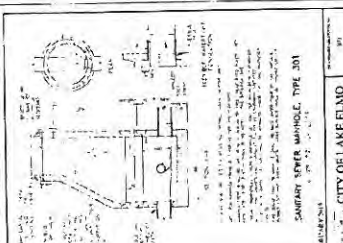
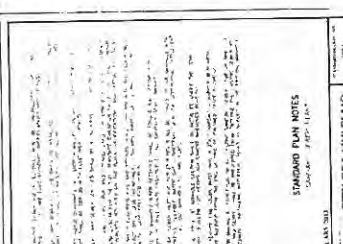
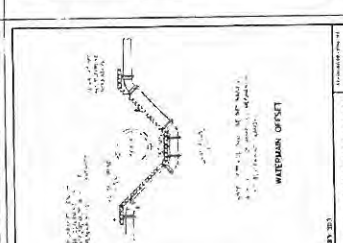
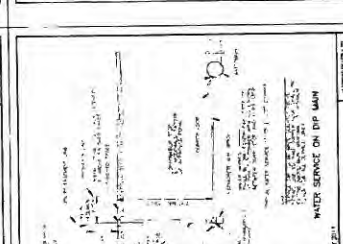
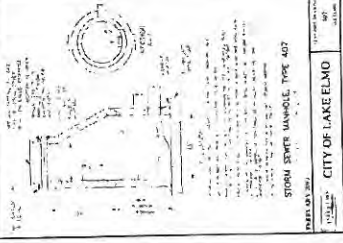
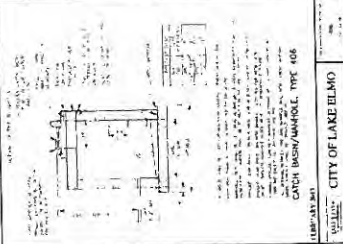
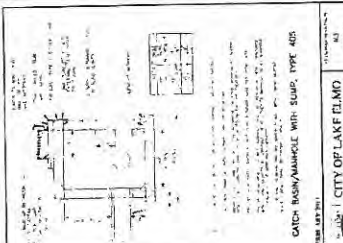
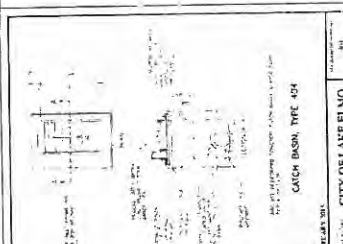
Savona

Lake Elmo, Minnesota

Storm Sewer and Street Construction Plan

Backyard

Latest Revision Date: 07/24/14
Sheet 12 of 17

Savona		Lennar Corporation		Prepared for:		Revision		Details							
Lake Elmo, Minnesota		16000 36th Avenue North, Suite 600 Plymouth, Minnesota 55446		City of Lake Elmo		Sheet 13 of 17		Latest Revision Date: 07/24/14							
 <p>CONCRETE EDUCTOR MACHINE</p>	 <p>GATE VALVE INSTALLATION</p>	 <p>TYPICAL HYDRANT LAYOUT</p>	 <p>STANDARD PLAN NOTES</p>	 <p>GRANULAR MATERIAL BEDDING METHOD</p>	 <p>PIPE TRANSITION DETAILS</p>	 <p>WATER SERVICE ON DP MAN</p>	 <p>WATERMAIN OFFSET</p>	 <p>SANITARY SEWER OUTSIDE DROP</p>	 <p>SANITARY SEWER SERVICE</p>	 <p>STORM SEWER MANHOLE TYPE 407</p>	 <p>CATCH BASIN/MANHOLE TYPE 406</p>	 <p>CATCH BASIN TYPE 405</p>	 <p>CATCH BASIN TYPE 404</p>	 <p>CATCH BASIN TYPE 402</p>	 <p>STANDARD PLAN NOTES</p>

Savona

Lake Elmo, Minnesota

Lennar Corporation

305 36th Avenue North Suite 600
Plymouth Minnesota 55446

Prepared for:

Delivered	Q
Ordered	100
Received	100
Shipped	100

Reference:
1974/1975 QM Census RTE

By W. H. H. H.
Witness my hand and seal this 1st day of June 1901.

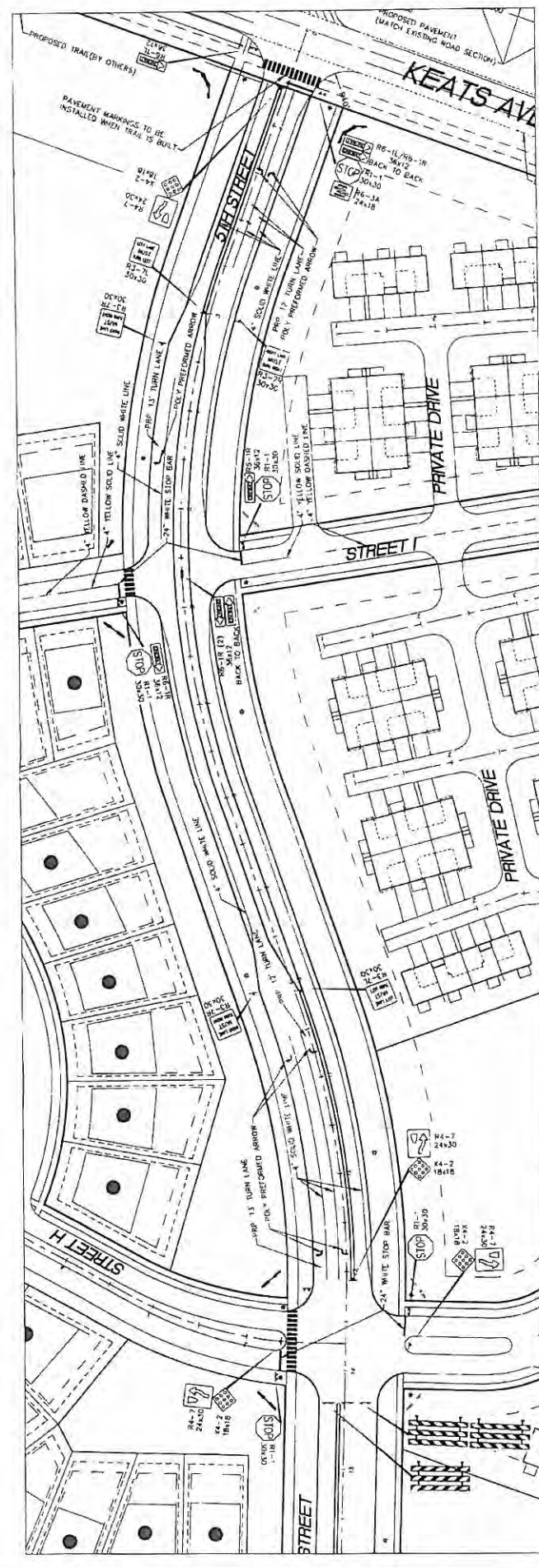
Minimum Proficiency Requirements (MPE)
1999 Acronym Drug
Sales Program, MPE 2000



Call 48 Hours before digging
811 or call811.com
Common Ground Alliance

Call 48 hours before display.
811 or 811.com
Common Ground Maine

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Latest Revision Date: 08/04/2014
Drawn: 12/13/13
Sheet: 16 of 17

Savona

5th Street Signing & Striping Plan

Labor: Elmore, Minnesota

MARKINGS FOR PEDESTRIAN CROSSWALKS

WALKWAY WIDTH (ft)	PAINTED AREA (sq ft)	PAINTED AREA (sq ft)
5	25	25
10	25	25
15	25	25
20	25	25
25	25	25
30	25	25

CROSSWALK NOTES:

- PAINTED AREAS TO BE CENTERED ON CENTERLINE AND LANE LINES.
- A MINIMUM OF 15 FT. CLEAR DISTANCE SHALL BE LEFT ADJACENT TO THE CURB IF LAST PAINTED AREA FALLS INTO THIS DISTANCE IT MUST BE SORTED.
- ON TWO LANE TWO WAY STREETS, USE SPACING SHOWN FOR AN 11 FT. WIDE LANE.
- PAINTED AREAS SHOULD BE MAINTAINED IN SPACING OF THE BLOCKS SHOULD BE MAINTAINED IN THE MIDDLE SO THAT THE BLOCKS ARE MAINTAINED IN THEIR PROPER LOCATION ACROSS THE TRAVELED PORTION OF THE ROADWAY.
- AT SKEWED CROSSWALKS, THE BLOCKS ARE TO REMAIN PARALLEL TO THE LANE LINES AS SHOWN.

Site Legend

EXISTING	PROPOSED
PROPERTY LINE	PROPERTY LINE
LOT LINE	LOT LINE
SETBACK LINE	SETBACK LINE
EASEMENT LINE	EASEMENT LINE
CURB AND GUTTER	CURB AND GUTTER
FORD NORMAL WATER LEVEL	FORD NORMAL WATER LEVEL
RETAINING WALL	RETAINING WALL
FENCE	FENCE
CONCRETE PAVEMENT	CONCRETE PAVEMENT
HEAVY DUTY BITUMINOUS PAVEMENT	HEAVY DUTY BITUMINOUS PAVEMENT
NORMAL DUTY BITUMINOUS PAVEMENT	NORMAL DUTY BITUMINOUS PAVEMENT
NUMBER OF PARKING SPACES	NUMBER OF PARKING SPACES
TRANSFORMER	TRANSFORMER
TRAFFIC SIGNAL	TRAFFIC SIGNAL
POWER POLE	POWER POLE
ESLIDAR / POST	ESLIDAR / POST

General Site Notes

- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN SHALL BE MAINTAINED. ANY CHANGES SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING ALL NECESSARY TRAFFIC CONTROL DEVICES TO MAINTAIN THE MOVEMENT OF TRAFFIC WHILE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR MAINTENANCE OF HIGHWAYS.
- ALL PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.

Lennar Corporation
3800 5th Avenue North, Suite 400
Plymouth, Minnesota 55444

Prepared for:

Client: Savona
Owner: Savona
Design: Savona
Drawn: Savona
Checked: Savona
Reviewed: Savona

Scale: 1" = 40'
Date: 07/26/14
Drawn: Savona
Checked: Savona
Reviewed: Savona

Westwood Professional Services, Inc.
10000 Highway 100, Suite 100
Plymouth, Minnesota 55444
Phone: 763.222.2222
Fax: 763.222.2222
www.westwoodinc.com



Latest Revision Date: 05/16/14
Date: 12/13/13 Sheet 17 of 17

Lake Erie, Minnesota

6305 36th Avenue North Suite 600
Plymouth, Minnesota 55446

General Site Notes

1. LOCATIONS AND ELEVATIONS OF EXISTING TOWNSHIPS AND UTILITIES AS SHOWN ON THE RECORD PLANS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY.
2. AFTER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING ALL NECESSARY ACCESS, EGRESS, AND UTILITIES TO THE ADJACENT PROPERTIES AND TRAFFIC. ALL NECESSARY LIGHTS TO BE PROVIDED TO THE ADJACENT PROPERTIES WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTINUING TO MAINTAIN THE SAME THROUGHOUT TO ADAPPT TO CHANGING STANDARDS.
4. BRUSHES, PILEDRIPS, AND COMPACTED MATERIALS TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE GEOTECHNICAL ENGINEER.

General Site Notes

- PROPERTY LINE
LOT LINE
5" TRACK LINE
EASEMENT LINE
CURB AND GUTTER
FMSD NORMAL WATER LEVEL
RETURN WALL
FENCE
CONCRETE DRIVEWAY
HEAVY DUTY INTUMESCENT PAINT
NORMAL DUTY INTUMESCENT PAINT
TRANSFORMER
TREE LISTING
STAKE SIGN
POWER POLE
BOLLARD / POST

Prepared for:

Projected _____ C/L
 Checked _____ P/L
 Entered _____ M/L
 Internal Document Number _____

I hereby certify that this form was prepared by me or under my direct supervision and that I am a duly qualified Professional Engineer, duly registered under the laws of the State of California.

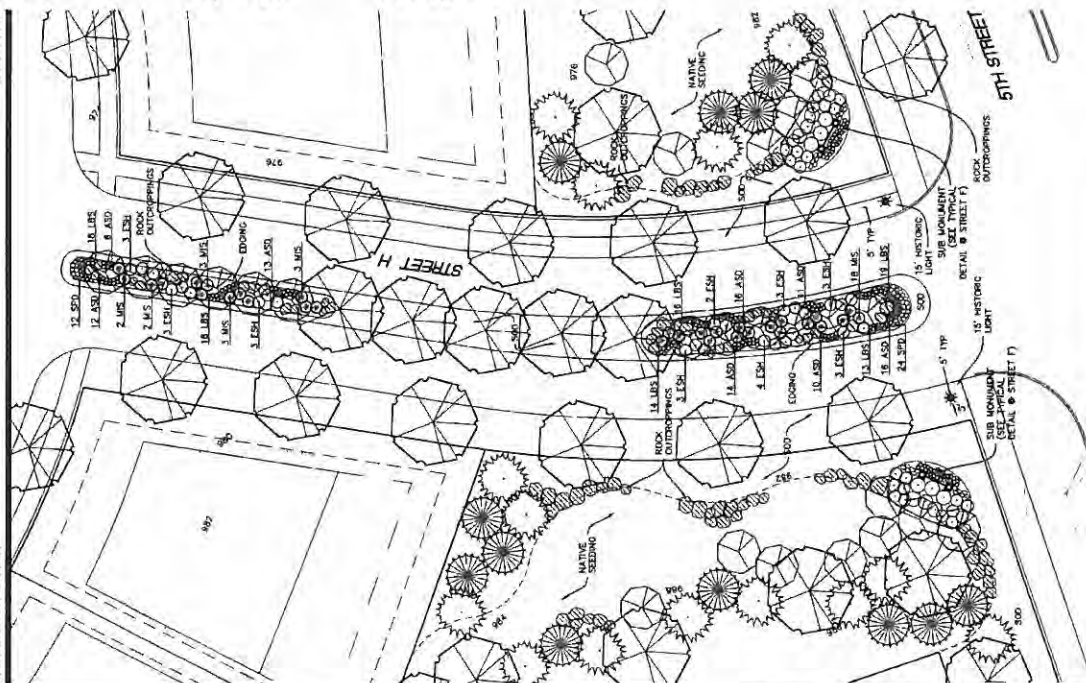
Signed _____
Byron M. Halton
Date 01/16/74 License No. 41257

International Professional Services, Inc.
7700 American Drive
Carmel, NY 12016
Phone: 518/227-4188
Fax: 518/227-4222
TOLL FREE: 1-800-871-4188
E-mail: info@ips-intl.com



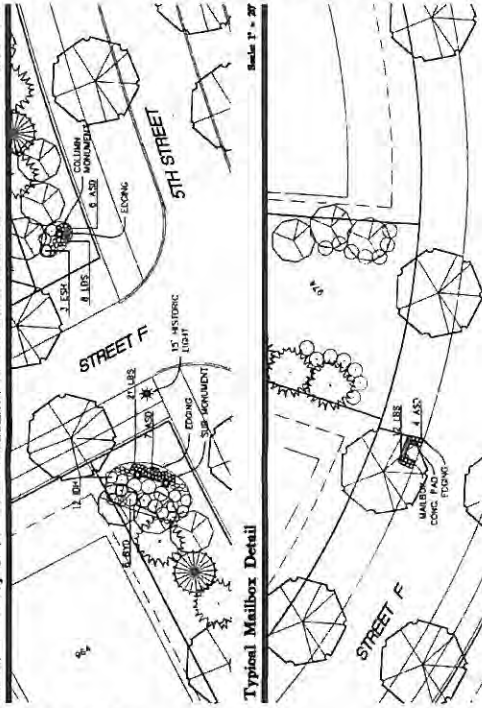
Promenade Detail

Scale 1" = 20'



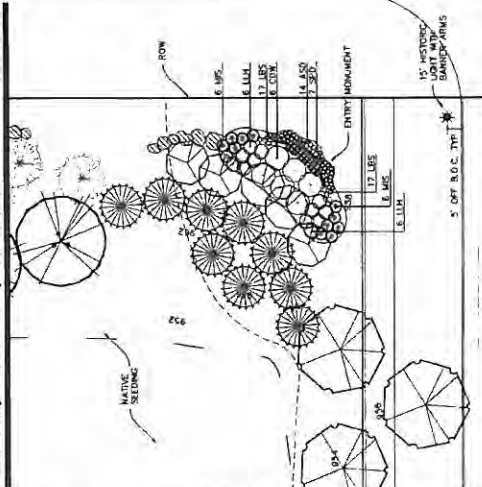
Street "F" Entry Detail - Sub Monument & Column Monument

Scale 1" = 20'



Main Entry Detail - Entry Monument

Scale 1" = 20'



Monuments Plant Schedule

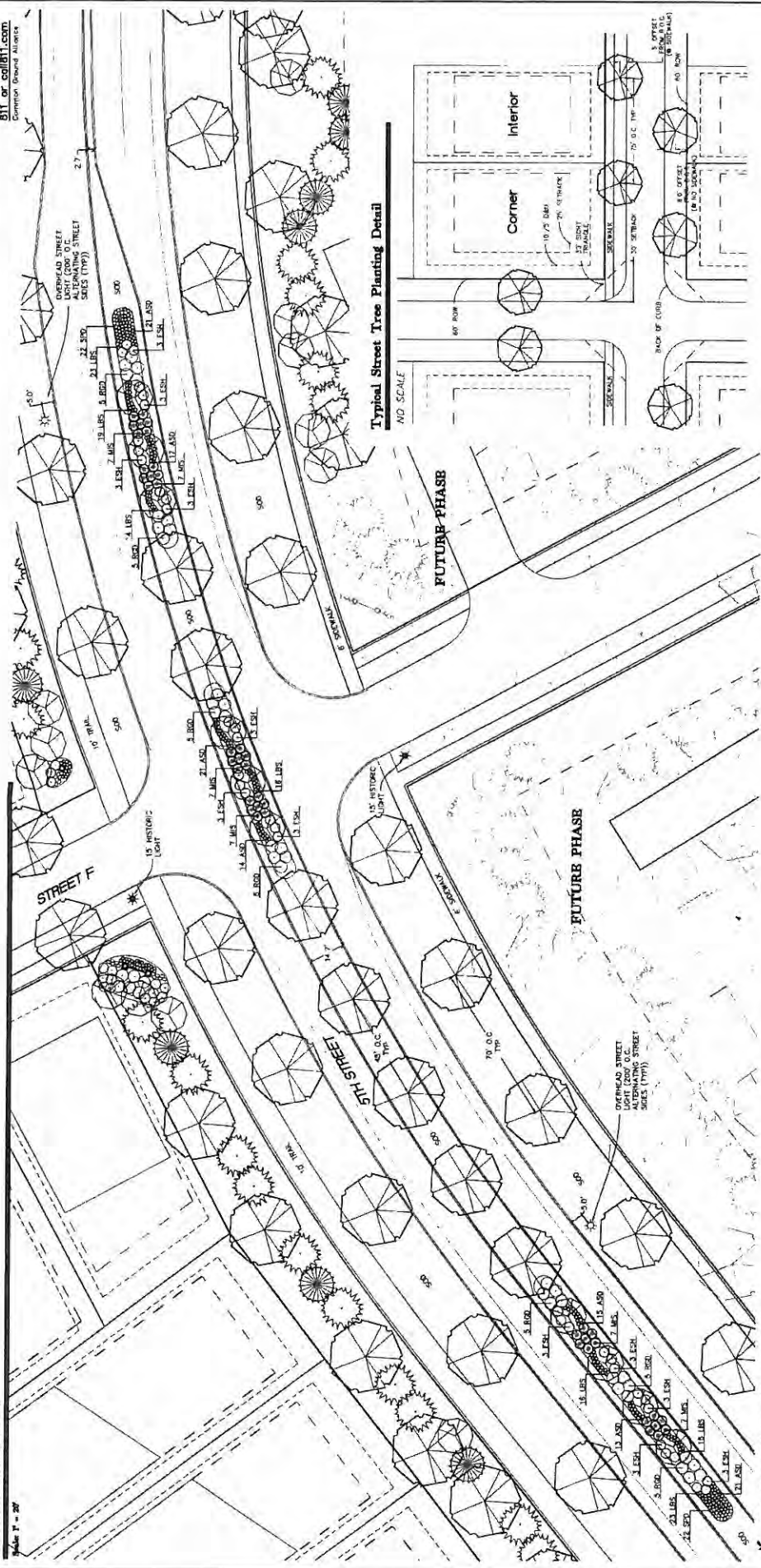
CODE	QTY	COMMON/PLANT/ALFA NAME	SIZE	SPACING O.C.
12. STD	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. ASD	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. LBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. MBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. SPS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. TBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. VBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. WBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. XBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. YBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. ZBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.

Promenade Plant Schedule

CODE	QTY	COMMON/PLANT/ALFA NAME	SIZE	SPACING O.C.
12. STD	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. ASD	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
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12. XBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. YBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.
12. ZBS	12	Common/Plant/Alfa Name	12" DIA	12' O.C.

2014 Westwood Professional Services, Inc.
5th Street Median Detail

Später: $T^* = 20^\circ$



5th Street Median Plant Schedule

[illegible]

NOTES

1. TREES OF PLANT INSTALLATION WILL BE DEFUNCT UPON SEASON AND PLANT AGE.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL A-E GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. TREES INSTALLED ON FRONTS OF INDIVIDUAL LOTS SHALL BE PLANTED IN A LOCATION THAT DOES NOT INTERFERE WITH CURBSIDE, SIDEWALKS, WATER CONNECTIONS, DRIVEWAYS, OR OTHER FEATURES OF THE LOT.



Latest Revision Date: 07/20/14

12/13/13 3 of 5



I hereby certify that the facts stated herein are true to the best of my knowledge and belief, and that I am a duly licensed LAWYER.
 I solemnly swear that I am a member of the State of Missouri.

 Date: 01/20/14 License No. 24977

Described	GL
Described	WAG
Described	WV
Described	WV
Described	WV

Prepared for:

Lennar Corporation

16309 36th Avenue North, Suite 630
Plymouth, Minnesota, 55446

Savona

Lake Elmo, Minnesota

Phase 1 Final Landscape Details

Supplemental Planting Notes

- [illegible]

Dry Swale / Pond Seed Grass Mix - Outlets C & I

Concave Area	Days before / After	Scientific Name	Mean depth (m)	% of All fish in the pool	Sample size
21-24	Days before / After	Acropora sp.	1.68	1.30	3478
		Acropora sp.	1.68	1.30	3478
		Acropora sp.	1.68	1.30	3478
		Acropora sp.	1.68	1.30	3478
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		Acropora sp.	1.68	1.30	3478
Total Corals			29.74	18.85	42373
		Acropora sp.	0.17	0.10	0.11
		Acropora sp.	0.17	0.10	0.11
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Total Shells			0.18	0.02	1516

Dry Prairie Seed SE Grass Mix - Outlots G & H (Partial)

[illegible]

Latest Revision Date: 07/20/14

Lennar Corporation
16205 36th Avenue North Suite 600
Plymouth, Minnesota, 55446

Savona

Take Five Moments

Final Landscape Details & Notes

Presented by

Designed	by
Overhead	by
Class	by
Number of Descriptions to Make	

Barbados
27/02/2016 01:19 PM

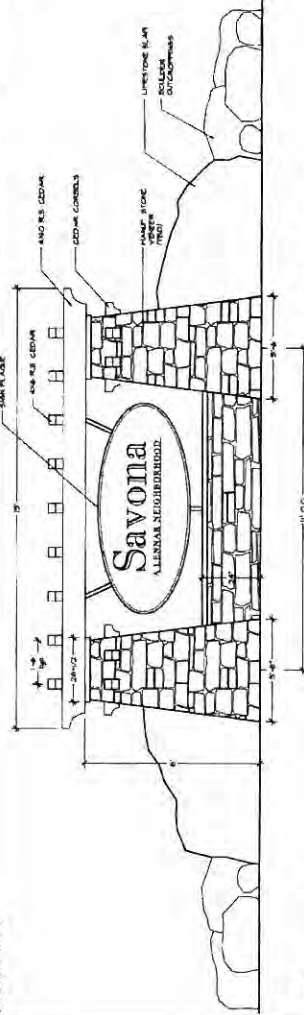
Signature of Agent or Agent in Charge: _____
Special Agent in Charge, FBI

Western Professional Services, Inc.
1998 Acropolis Dr.
Fremont, CA 94538
FAX: 916-481-1106
FAX: 916-481-3822
TOLL FREE: 1-800-227-4163



Main Entry Monument

Scale 1/2" = 1'-0"

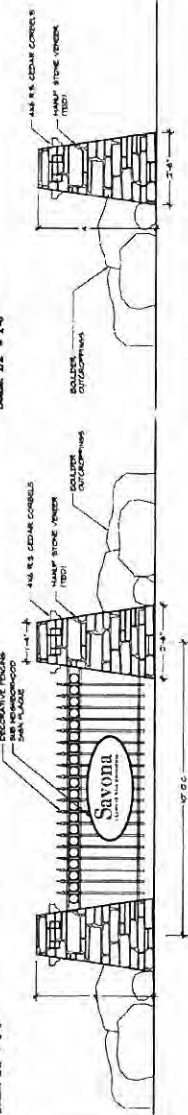


Mailbox Unit (Post Mount)



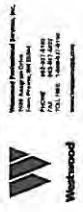
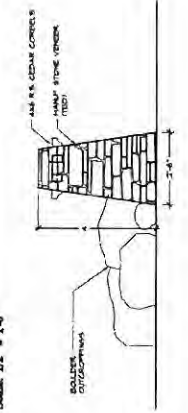
Sub Monument

Scale 1/2" = 1'-0"



Column Monument

Scale 1/2" = 1'-0"



Wetwood
Wetwood Professional Services, Inc.
1000 West 10th Street
P.O. Box 1000
Tulsa, Oklahoma 74101
Phone: (918) 438-1234
Fax: (918) 438-1235
www.wetwoodinc.com

I hereby certify that the plans are correct for the work to be done as shown on the drawings and that I am a duly Licensed Professional Engineer.
Date: 07/20/14 License No.: 26973
Signature: [Signature]

Revised: 07/20/14
07/20/14 07/20/14
07/20/14 07/20/14
07/20/14 07/20/14

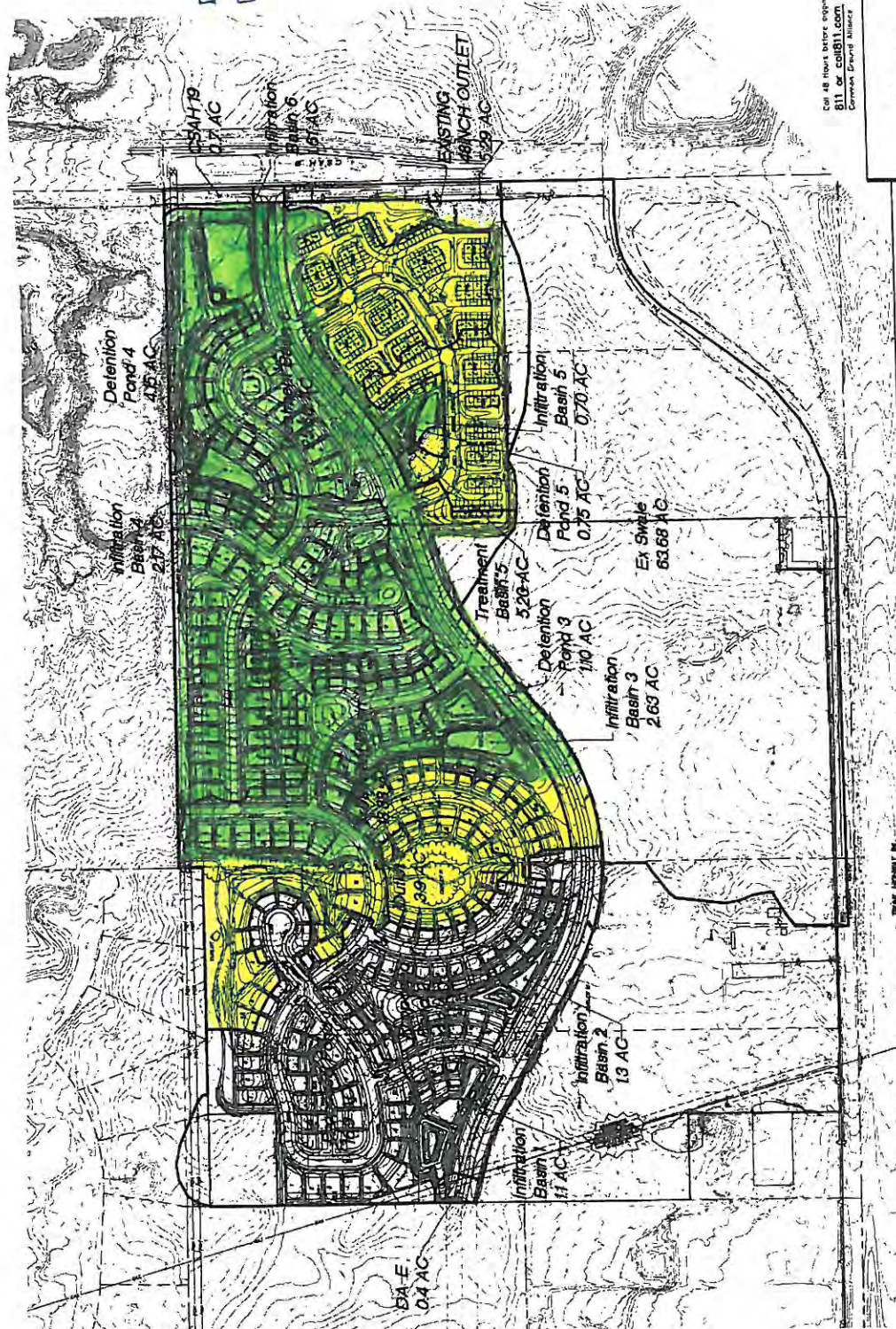
Described: CUL
Checked: CUL
Drawn: JTE
Printed: JTE

Prepared for: Lennar Corporation
1000 West 10th Street
Tulsa, Oklahoma 74101

Savona
Lake Elm, Minnesota

Monument Details

Call 48 hours before digging
811 or call 811.com
Common Ground Alliance
Latest Revision Date: 07/20/14
Date: 12/13/13 Sheet: 5 of 5



Call 48 Hours before ending.
811 or call811.com
Common Ground Alliance

Savona

Make Time. Minnesota

Post-Development Drainage Area Plan

Lennar Corporation

Prepared for:

Student	CU
Teacher	MA
Other	NY

Partitions

10/1/1944

placement professional garden, Inc.
1948 August Drive
15 Park Ave., and 252nd





PLANNING COMMISSION

DATE: 2/10/14

AGENDA ITEM: 5B

ITEM: Zoning Text Amendment – Animal Ordinance Update

SUBMITTED BY: Adam Bell, City Clerk/Asst. City Administrator

REVIEWED BY: Kyle Klatt, Community Development Director
Nick Johnson, City Planner
Beckie Gumatz, Deputy City Clerk

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a Zoning Text Amendment as part of the comprehensive update of the City's Animal Code. Staff amended the Animals Chapter of the City Code regarding cats, dogs, horses, and dangerous animals in the fall of 2013. We are now looking at moving the Livestock section from the Zoning Code to the Animals Chapter, amending the definition of a Kennel, as well as adding sections on the keeping of Chickens and Bees. Staff is respectfully requesting action from the Planning Commission in two regards.

Staff is first recommending that the Planning Commission recommend approval of the proposed removal of the Livestock section from the Zoning Code to allow it to be placed in the Animals Chapter of the City Code, along with the perfecting amendments to the various sections related to Kennels and stables. In order to remove the Livestock section from the Zoning Code, a public hearing is required. Secondly, as the proposed ordinance involving the keeping of chickens and bees does have limited land use implications, staff is also respectfully requesting input and feedback from the Planning Commission, along with a recommendation for approval of the entire proposed Animals Chapter Ordinance amendment.

REQUEST DETAILS

City Staff is updating the current Animals Chapter of the City Code. As part of this update, city staff is looking to move the Livestock section from the Zoning Code into the Animals Chapter. Staff also is proposing changes to the definition of a private kennel. Staff would also like to add language to specifically allow chickens and bees on certain parcels in the City.

Staff previously introduced this topic as a business item at the 10/28/2013 Planning Commission meeting. The input gained from that discussion was incorporated in the new draft language, which was submitted to the Commission for the 1/27/2014 meeting that included a public hearing. The Commission voted 7-0 to postpone passage until staff provided additional information.

Based on the feedback provided by the Commission at the 1/27/14 meeting, staff has made the following additional changes:

- The Minimum acreage required to keep bees has been raised from .5 acres to 1.0 acres as requested.

- Regarding the use of Animal Unit Equivalents to determine the number of allowed animals: Animal Unit Equivalents (AU) are the standard used by most communities throughout the state and country to ensure that the carrying capacity of grazing animals on their habitat. The MPCA and MN Department of Agriculture use and recommend using AU. Staff must note that the City is already using the AU standard and has a currently higher threshold than many other comparable cities. Lake Elmo requires 2 grazable acres per 1 Animal Unit. Most communities only require 1 acre. The proposal further decreases the number of animals allowed to accommodate lots smaller than 10 acres. Animals not specifically listed on the chart are calculated average weight of the animal divided by 1,000 pounds. This is the universal standard. The chart that was created is a worksheet to be used by staff and the public to simplify the calculation of allowed animals. The chart can be further simplified for the public, if the Commission prefers.
- Concerns expressed regarding noise and odor issues can be addressed by the permitting process as well as the City nuisance ordinances and state regulations.
- Clarification was added that flyways are required for colonies less than 25 feet from adjacent occupied residential properties.
- Staff does expect to conduct site visits, but the entire permitting/application process has not been completed yet because it will depend on the final ordinance language. Staff did not want to codify this requirement if it determines that it is not necessary for all applications. If the Commission desires, the application process similar to the chickens permit can be added. Included would be: a site plan, setbacks, etc. This new language has been added.
- If there are any specific animals the Commission recommends excluding, they can do so. There is already a comprehensive list of prohibited animals in the city code that was just re-adopted by the council. *See City Code § 95.92.*
- Llamas, alpacas, and similar animals were not listed in current livestock ordinance. Due to the increasing popularity of these animals, staff thought it prudent to include them at this time. Most communities do include them along with sheep and goats; however, staff took a more conservative approach to setting their AU. This has been changed in the new proposal.
- Regarding the definition of chicken, this is the common dictionary definition. Staff recommends adding further specification rather than eliminating the definition. Further specification has been added. In the AU standards, other fowl are distinguished.
- Regarding the term of the chicken permit, staff believed that it should be an annual permit similar to dog licenses for ease of staff processing, with the exception of the first term to accommodate the chickens and coop to be established depending on when permit was obtained. Bee keeping permits are valid for two years as they involve more time to establish and maintain.
- Bee-keeping permits were intended to only be required on parcels less than five acres. This clarification has been added.

RECCOMENDATION

Staff is recommending that the Planning Commission recommend approval of the proposed removal of the Livestock section from the Zoning Code to allow it to be placed in the Animals Chapter of the City Code, along with the perfecting amendments to the various sections related to kennels and stables, as well as provide input and recommend approval of the proposed ordinance related to the keeping of chickens and bees to the City Council through the following motion:

“Move to recommend approval of the adoption of Animal Ordinance, amending the Zoning Code concerning Livestock and Kennels and amending the Animals Chapter of the General Regulations of the City of Lake Elmo.”

ATTACHMENTS:

1. Ordinance 08-0XX

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning 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
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-0XX

AN ORDINANCE AMENDING THE ZONING CODE CONCERNING LIVESTOCK
AND KENNELS AND ALSO AMENDING THE ANIMALS CHAPTER OF THE
GENERAL REGULATIONS OF THE CITY OF LAKE ELMO

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, by repealing City Code Section 154.914 in its entirety.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title IX: General Regulations; Chapter 95: Animals, by adding the following language:

ARTICLE IV. LIVESTOCK

§ 95.50 LIVESTOCK.

(A) *Purpose.* The purpose of the following sections are to promote and preserve the natural resources within the City of Lake Elmo by regulating the keeping of livestock. Erosion as a result of overgrazing and leeching of manure into groundwater have adverse and potentially irreversible impacts on water quality and environmentally sensitive lands.

(B) ~~(A)~~ *Prohibition of manure deposition without safeguards.* No manure or livestock waste shall be deposited, stored, kept, or allowed to remain upon any site without reasonable safeguards adequate to prevent the escape or movement of the manure or wastes or a solution of the manure or wastes from the site which may result in pollution of any public waters or any health hazard.

(C) ~~(B)~~ *Pollution Control Agency standard minimum requirement.* All regulations imposed by the Minnesota Pollution Control Agency relating to keeping of livestock shall be adhered to and the regulations shall be considered the minimum safeguard necessary to prevent pollution of public water or creation of a health hazard.

(D) ~~(C)~~ *Inadequate safeguards.* In case the Zoning Administrator shall find that any manure is stored or kept on any lot or storage site without a safeguard, or that any existing safeguard is inadequate, the Zoning Administrator may order the owner or other responsible person to immediately remove the manure from the storage site and refrain from further storage or keeping of any manure at the site unless and until an adequate safeguard is provided.

(E) ~~(D)~~ *Hazards and nuisances.* On parcels of less than 40 acres which are not part of a larger crop-producing commercial agricultural farm, the keeping of horses, cattle, or other grazing animals on a site with less than 2 acres of existing grazable land per animal is, by this section, declared to be a nuisance. ~~Horses may be kept on any parcel larger than 5 acres.~~ No domestic farm animals, or livestock, other than chickens or bees, ~~or commercial kennels~~ shall be ~~placed~~ allowed on any ~~site~~ parcel of less than ~~40~~ 5 acres. No commercial kennels shall be placed on any site of less than 10 acres.

(F) ~~(E)~~ *Grazable acres.* Grazable acreage shall be defined as open, non-treed acreage exclusive of the homesite and yard that is currently providing enough pasture or other agricultural crops capable of supporting summer grazing at a density of 1 ~~cow, or its equivalent,~~ animal unit per 2 acres. Grazable acreage shall not include non-jurisdictional wetlands or slopes over 12%. There is a presumption that 0.5 acres of site are dedicated to the homesite and yard, or considered ungrazable. This presumption is subject to rebuttal if a different calculation can be established by owner and city.

(G) ~~(1)~~ For purposes of these regulations, the following animal equivalents apply: one slaughter steer, heifer or horse — 1.0; one mature dairy cow — 1.4; one swine over 55 pounds — .4; one sheep — .1; one turkey — .01; one chicken — .01; one duck — .02. The number of permitted animals shall be determined by the following table:

TYPE OF ANIMAL	ANIMAL UNITS
One slaughter steer, heifer, or mature dairy cow	1.4
One horse, mule, donkey	1.0
One hog/swine	0.5
One sheep or goat, llama, or alpaca	0.2
One turkey or goose	0.1
One duck or other fowl	0.04
One chicken, 5 acres or more	0.02

(1) ~~(2)~~ For all other animals, the number of animal units shall be defined as the average weight of the animal divided by 1,000 pounds.

(2) The number of animal units allowed per parcel is cumulative. The animal density per parcel shall not exceed 1 animal unit equivalency per 2 grazable acres.

SECTION 3. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended in the following manner:

§154.012(B)(3)(c) *Commercial Kennel.* The boarding, breeding, raising, grooming or training of ~~two~~four or more dogs, cats, or other domestic pets of any age not owned by the owner or occupant of the premises, and/or for commercial gain.

§154.012(B)(12)(f) *Kennel, Private.* The keeping, breeding, raising, showing or training of 4 or more dogs, cats, or other domestic pets over ~~six~~four months of age for personal enjoyment of the owner or occupants of the property on parcels 5 acres or greater, and for which commercial gain is not the primary objective. The maximum number of animals allowed is 6.

SECTION 4. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended in the following manner:

§ 154.051 GB – GENERAL BUSINESS.

(A) *Permitted uses and structures.*

(5) *Uses permitted by conditional use permit.:*

Commercial Kennels	-
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SECTION 5. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended in the following manner:

Table 9-1 is amended to read as follows:

§ 154.401 PERMITTED AND CONDITIONAL USES.

Table 9.1: Permitted and Conditional Uses, Rural Districts

Accessory Uses						
Kennel, Private	CP	CP	CP	-	-	154.404.I
Stable, Private	CP	CP	CP	-	-	154.404.I

§ 154.404 SITE DESIGN AND DEVELOPMENT STANDARDS.

- I. *Commercial Kennel, Commercial Stable, or Accessory Kennel or Stable, RT, A, RR Districts.* The commercial facility facilities shall occupy a site at least ten (10) acres in size. Outdoor exercise areas shall be located at least 100 feet from adjacent properties; landscaping or other screening may be required. Private kennels or stables shall be allowed on sites at least five (5) acres in size.

SECTION 6. The City Council of the City of Lake Elmo hereby ordains that Title IX: General Regulations; Chapter 95: Animals, is hereby amended in the following manner:

§ 95.05 Number of Dogs and Cats Limited

- A. The keeping of a large number of dogs or cats poses health, safety and public welfare risks and is deemed a public nuisance.
- B. *Cats.* Unless the property owner ~~holds a valid kennel license~~ has an authorized kennel, no individual or family unit living together, firm, or corporation shall keep more than three (3) cats over the age of four (4) months on any parcel not zoned RT, A, or RR.
- C. *Dogs.* Unless the property owner ~~holds a valid kennel license~~ has an authorized kennel, no individual or family unit living together, firm, or corporation shall keep more than three (3) dogs over the age of four (4) months on any parcel not zoned RT, A, or RR.
- D. *Cats and Dogs.* Unless the property owner ~~holds a valid kennel license~~ has an authorized kennel, no individual or family unit living together, firm, or corporation shall keep more than a combination of three (3) cats and dogs over the age of four (4) months on any parcel not zoned RT, A, or RR.

§ 95.10 Prohibition of Kennels; Private Kennels

- A. No commercial kennels may be established in the city unless a special use permit has been issued for the kennel as provided by the city ordinances regulating land use.
- B. An individual or family unit living together, firm, or corporation may keep a private kennel consisting of a combination of no more than six (6) domestic pets over the age of four (4) months on any parcel 5 acres or greater in size and located in zoning districts RT, A, or RR.

Cross Reference: § 11.01 Definitions; §154.012 *et seq.* Zoning Use Types and Classifications.

SECTION 7. The City Council of the City of Lake Elmo hereby amends Title IX: General Regulations; Chapter 95: Animals, by adding the following language:

ARTICLE V. KEEPING OF CHICKENS

- Sec. 95.60. Definitions
- Sec. 95.61. Purpose
- Sec. 95.62. Investigation and Enforcement
- Sec. 95.63. Keeping of Chickens
- Sec. 95.64. Permit Required; Term, Consent, Fee
- Sec. 95.65. Application
- Sec. 95.66. Permit Conditions
- Sec. 95.67. Violations
- Sec. 95.68. Issuance, Revocation

§ 95.60. Definitions.

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

Brooding means the period of chicken growth when supplemental heat must be provided, due to the bird's inability to generate enough body heat.

Chicken means a domesticated bird that serves as a source of eggs or meat (*Gallus gallus domesticus*).

Coop means the structure for the keeping or housing of chickens permitted by the article.

Exercise yard means a larger fenced area that provides space for exercise and foraging for the birds when supervised.

Hen means a female chicken.

Officer means any person designated by the city as an enforcement officer.

Rooster means a male chicken.

Run means a fully-enclosed and covered area attached to a coop where the chickens can roam unsupervised.

§ 95.61. Purpose.

It is recognized that the ability to cultivate one's own food is a sustainable activity that can also be a rewarding pastime. Therefore, it is the purpose and intent of this article to permit the keeping and maintenance of hens for egg and meat sources in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety, and welfare of the community.

§ 95.62. Investigation and Enforcement.

Officers designated by the city shall have authority in the investigation and enforcement of this article, and no person shall interfere with, hinder or molest any such officer in the exercise of such powers. The city shall make investigations as is necessary and may grant, deny, or refuse to renew any application for permit, or terminate an existing permit under this article.

§ 95.63. Keeping of Chickens.

A. Chickens on less than 5 acres.

Lot Size (acres)	Chickens Allowed
0.00 – 0.49	0
0.50 – 0.99	2
1.00 – 1.49	4
1.50 – 1.99	6
2.00 – 2.49	8
2.50 – 2.99	10
3.00 – 3.49	12
3.50 – 3.99	14
4.00 – 4.49	16
4.50 – 4.99	20

B. Chickens on more than 5 acres.

Chickens maintained on parcels more than 5 acres are restricted to 0.02 animal units per acre. A permit is not required for keeping chickens on a parcel size of more than 5 acres. *For reference, see "Animal Unit Equivalency" chart in Section 95.50*

§ 95.64. Permit Required; Term, Consent, Fee.

- A. No person shall (without first obtaining a permit in writing from the City Clerk) own, keep, harbor, or have custody of any live chicken on a lot less than five (5) acres.
- B. The first permit is valid for up to two (2) years beginning on the date of issuance and ending on December 31 of the following year. Subsequent permits are valid

from January 1 to December 31.

- C. Prior to issuance of a permit, notices must be mailed to all homes within 150 feet of the applicant's property lines.
 - 1. If there are objections received within ten days of mailing the notices, then the permit application must be considered by the city council.
 - 2. If there are no objections received within ten days of mailing the notices, then the permit application will be processed by city staff. It will not be referred to the city council for consideration.
- D. The fee for a permit may be imposed, set, established and fixed by the city council, by ordinance, from time to time.

§ 95.65. Application.

Any person desiring a permit required under the provisions of this article shall make written application to the city clerk upon a form prescribed by and containing such information as required by the city. Among other things, the application shall contain the following information:

- 1. A description of the real property upon which it is desired to keep the chickens.
- 2. The breed and number of chickens to be maintained on the premises.
- 3. A site plan of the property showing the location and size of the proposed chicken coop and run, setbacks from the chicken coop to property lines and surrounding buildings (including houses and buildings on adjacent lots), and the location, type, and height of fencing proposed to contain the chickens in a run or exercise area. Portable coops and cages are allowed, but portable locations must be included with the site plan.
- 4. Statements that the applicant will at all times keep the chickens in accordance with all of the conditions prescribed by the officer, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this article and grounds for cancellation of the permit.
- 5. Such other and further information as may be required by the officer.

§ 95.66. Permit Conditions.

Each person keeping chickens within the City of Lake Elmo shall comply with the following:

- 1. No person may keep a rooster or crowing hen.
- 2. No person may allow chickens to range freely without fencing or without a mobile pen.
- 3. No person may keep chickens inside the house or attached garage.
- 4. Chickens must be provided a secure and well ventilated roofed structure ("chicken coop")
- 5. The roofed structure and required fencing for the chickens may only be located in a rear yard and must meet setback and building separations as established in city zoning and building codes, except that the roofed structure and fencing must

maintain a 100 foot separation from dwellings on adjacent properties.

6. The roofed structure shall be fully enclosed, wind proof, and have sufficient windows for natural light.
7. Chickens, coops, and/or runs shall not be kept in such a manner as to constitute a nuisance.
8. The chicken coop and run shall be kept in good repair as to be in compliance with the property maintenance regulations elsewhere in the Code.
9. All chicken coops must have a minimum size of four (4) square feet per bird and must be at least six (6) feet in height to allow access for cleaning and maintenance.
10. Fenced in chicken runs must have a minimum of ten (10) square feet per bird and must be at least six (6) feet in height to allow access for cleaning and maintenance.
11. No chicken shall be allowed to roam freely without being within a completely enclosed pen.
12. Butchering a chicken must not be in public view.
13. All butchering waste shall be disposed of in a sanitary manner.
14. Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include burial, off-site incineration or rendering, or composting.

§ 95.67. Violations.

1. Any person violating any of the sections of this article shall be deemed guilty of a misdemeanor and upon conviction, shall be penalized in accordance with Section 10.99.
2. If any person is found guilty by a court for violation of this section, their permit to own, keep, harbor, or have custody of chickens shall be deemed automatically revoked and no new permit may be issued for a period of one year.
3. Any person violating any conditions of this permit shall reimburse the city for all costs borne by the city to enforce the conditions of the permit including, but not limited to, the pickup and impounding of chickens.

§ 95.68. Issuance, Revocation.

A. If granted, the permit shall be issued by the city clerk and officer and shall state the conditions, if any, imposed upon the permitted for the keeping of chickens under this permit. The permit shall specify the restrictions, limitations, conditions and prohibitions which the officer deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or annoyance, or to protect the public health and safety. Such permit may be modified from time to time or revoked by the officer for failure to conform to such restrictions, limitations, or prohibitions. Such modification or revocation shall be effective after ten days following the mailing of written notice thereof by certified mail to the person or persons keeping or maintaining such chickens.

B. The city may revoke any permit issued under this article if the person holding the permit refuses or fails to comply with this article, with any regulations promulgated by the city council pursuant to this article, or with any state or local law governing cruelty to animals or the keeping of animals. Any person whose permit is revoked shall, within ten days

thereafter, humanely dispose of all chickens being owned, kept or harbored by such person, and no part of the permit fee shall be refunded.

SECTION 8. The City Council of the City of Lake Elmo hereby amends Title IX: General Regulations; Chapter 95: Animals, by adding the following language:

ARTICLE VI. KEEPING OF BEES

Sec. 95.50	Definitions
Sec. 95.51	Purpose of Ordinance
Sec. 95.52	Standards of Practice
Sec. 95.53	Colony Density
Sec. 95.54	Permit Required
Sec. 95.55	Penalty for Violation of Section

§ 95.70 Definitions

The following words and terms shall have meanings ascribed in this section unless the context of their used indicates another usage:

Apiary means the assembly of one or more colonies of bees at a single location.

Beekeeper means a person who owns or has charge of one or more colonies of bees.

Beekeeping equipment means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

Colony means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.

Hive means the receptacle inhabited by a colony that is manufactured for that purpose.

Honey bee means all life stages of the common domestic honey bee, *apis mellifera* (African subspecies and Africanized hybrids are not allowed).

Lot means a contiguous parcel of land under common ownership.

§ 95.71 Purpose of Ordinance

The purpose of this section is to establish certain requirements for beekeeping within the city, to avoid issues that might otherwise be associated with beekeeping in populated areas.

1. Compliance with this section shall not be a defense to a proceeding alleging that a given colony constitutes a nuisance, but such compliance may be offered as evidence of the beekeeper's efforts to abate any previous nuisance.

2. Compliance with this section shall not be a defense to a proceeding alleging that a given colony violates applicable ordinances regarding public health, but such compliance may be offered as evidence of the beekeeper's compliance with acceptable standards of practice among hobby beekeepers in the State of Minnesota.

§ 95.72 Standards of Practice

These standards of practice apply only to lots smaller than five (5) acres.

1. Honey bee colonies shall be kept in hives with removable frames, which must be kept in sound and usable conditions.
2. Each beekeeper must ensure that a convenient source of water is available within ten feet of each colony at all times that the colonies remain active outside the hive.
3. Each beekeeper must ensure that no wax comb or other material that might encourage robbing by other bees that are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other vermin-proof container.
4. Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hived painted if they have been painted but are peeling or flaking, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms.
5. Honey bee colonies may only be kept on lots one-half acre lots or larger.
6. Each beekeeper is allowed to make in person sales of honey from the beekeeper's residence as long as the following standards are met:
 - i. The beekeeper must live on the apiary lot;
 - ii. All honey sold in person on the residential premise must be produced by the beekeeper's hives that are located on the subject residential premise;
 - iii. No products may be sold in person at the residence except honey and honey related products produced from hives on the premise;
 - iv. No outside storage or display of products or merchandise;
 - v. No traffic that is greater than the residential level of the neighborhood;
 - vi. No separate business entrance;
 - vii. All signage must comply with city sign regulations;
 - viii. Not more than 15 percent of the total gross floor area of the residence or 200 square feet, whichever is less is devoted to making, storing, and selling honey;
 - ix. No activity or equipment may be used that creates noise, vibration, glare, fumes, odor, or electric or television interference is permitted if it is detectable by adjacent neighbors; and
 - x. No nonresident employees are permitted.

§ 95.73 Colony Density

1. No person is permitted to keep more than the following numbers of colonies on any lot within the city, based upon the size of the apiary lot:
 - i. Lot one acre or larger but smaller than two and one-half acres: four colonies;
 - ii. Two and one-half acre lot or larger but smaller than five acres: six colonies;

- iii. Five acres or larger: no restriction.
- 2. In each instance where a colony is kept less than 25 feet from an adjacent occupied residential lot, the beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height.

§ 95.74 Permit Required

1. No beekeeping may occur on properties of less than five (5) acres unless the city issues a permit to the beekeeper on that specific property. The permit will be valid for two growing seasons.
2. A beekeeping permit will only be issued if:
 - a. The permit application documents the satisfaction of all applicable items found in Sections 95.70-95.76 of the City Code, and
 - b. Notices have been mailed to all homes within 150 feet of the applicant's property lines.
 - i. If there are objections received within ten days of mailing the notices, then the permit application must be considered by the city council.
 - ii. If there are no objections received within ten days of mailing the notices, then the permit application will be processed by city staff. It will not be referred to the city council for consideration.
3. Permits are non-transferable and do not run with the land.
4. A permit constitutes a limited license granted to the beekeeper by the city and in no way creates a vested zoning right.
5. By signing the permit, the beekeeper acknowledges that he or she shall defend and indemnify the city against any and all claims arising out of keeping the bees on the premises.
6. Beekeeping permit fees shall be as established by the city council.
7. All standards of practice and colony density standards must be met in order to issue a permit.
8. If the standards of practice are not maintained subsequent to issuance of a beekeeping permit, the permit may be revoked by the city.
9. Beekeeping training is required for the beekeeper prior to issuance of an initial beekeeping permit by the city.
 - i. Either provide a certificate of completion from a honeybee keeping course from the University of Minnesota or from Century College;
 - ii. Request consideration for having completed a comparable course from another institution or instructor;
 - iii. Request consideration for substituting equivalent experience for the honeybee keeping course; or

- iv. Provide a letter from a current beekeeping instructor at the University of Minnesota, Century College, or other educational institution offering similar beekeeping courses that states that the permit applicant has gained through other means a substantially similar knowledge base to one that could be gained through appropriate beekeeping courses at the University of Minnesota or Century College.

10. Any beekeeper wishing to make in person sales of honey from their home according to the standards of practice section must so indicate on the annual permit.

§ 95.75. Application.

Any person desiring a permit required under the provisions of this article shall make written application to the city clerk upon a form prescribed by and containing such information as required by the city. Among other things, the application shall contain the following information:

1. A description of the real property upon which it is desired to keep the bees.
2. A site plan of the property showing the location and size of the proposed apiary, the number of hives, setbacks from apiary to property lines and surrounding buildings (including houses and buildings on adjacent lots), and the location, type, and height of any related flyways.
3. Statements that the applicant will at all times keep the bees in accordance with all of the conditions prescribed by the officer, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this article and grounds for cancellation of the permit.
4. Such other and further information as may be required by the officer.

§ 95.76 Penalty for Violation of Section

Any person who shall violate the provisions of this section shall be guilty of a misdemeanor and upon conviction, shall be penalized in accordance with Section 10.99.

SECTION 9. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 10. Adoption Date. This Ordinance 08-0XX was adopted on this _____ day of _____ 2014, by a vote of _____ Ayes and _____ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson
Mayor

ATTEST:

Adam Bell
City Clerk

This Ordinance 08-0XX was published on the _____ day of _____, 2014.

DRAFT



PLANNING COMMISSION
DATE: 2/10/14
AGENDA ITEM: 5C – BUSINESS ITEM
CASE # 2014 - 10

ITEM: Zoning Text Amendment – Accessory Building Ordinance Updates

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review a draft ordinance that would update various portions of the City's provisions related to accessory buildings. The ordinance update is partially a house cleaning effort to organize the various accessory building provisions into the correct location. Also, there are some additional amendments that staff is proposing. The purpose of reviewing the accessory building ordinance is to get feedback from the Planning Commission in advance of a future Public Hearing.

REQUEST DETAILS

City staff has been working on an update to the City's accessory building provisions. One of the key elements of this effort is to complete some house-keeping by removing an unnecessary code section that is currently duplicative. When the City adopted new zoning district sections as part of the Zoning Code Update Project, accessory building provisions were included in each individual Article (Article 9 – Rural Districts, Article 10 – Urban Residential Districts and Article 11 – Village Mixed-Use District). However, the old accessory building ordinance (§154.902) was left in-tact despite the recent updates to accessory building provisions. It is staff's intent to remove this duplicative section and replace it with general accessory structures provisions that relate to structures in all districts (rural, urban and mixed use). The general provisions would be located in Article 5 – General Regulations. Included in this section are the following additions:

- The existing ordinance (§154.902) requires that all accessory buildings over 100 square feet require a building permit. However, under the current version of the State Building Code, the current threshold is 120 square feet. In addition, there is a possibility that this may be raised to 160 square feet in the future. For this reason, staff is proposing to eliminate this provision and replace it with language that requires a certificate of zoning compliance or building permit dependent on the size of the structure.
- Exempt Structures: The current ordinance does not address certain structures that other cities do not include in their accessory building allowance. For example, gazebos, play structures, sport courts, and other structure types do not count towards a property owner's accessory building allowance in other communities. In other words, if a resident wanted

to build a small gazebo, this structure would not count as their one allowed accessory building under the proposed ordinance.

In addition, staff is proposing to relocate the City Code provisions that relate to pole building from Chapter 151: Building Regulations to the Zoning Code.

In addition to the cleanup effort, staff has also evaluated the accessory building provisions for rural districts. The City has undertaken previous efforts to update the accessory building provisions in rural districts in the past. However, these efforts were not completed at that time. As part of this proposed update, staff is proposing the following changes/recommendations:

- The maximum number and size of allowed accessory buildings chart (Table 9-3) has been simplified by regulating accessory structure allowance based solely on parcel size as opposed to parcel size and zoning. More specifically, the existing ordinance provides different accessory building allowances depending on whether a parcel is Rural Residential (RR) or Agricultural (A) zoning. However, in all practicality, the land use of these two types of areas is extremely similar. Farming and other similar activities that drive the need for accessory buildings take place on properties with both RR and A zoning classifications. Therefore, in staff's judgment, the parcel size is the more critical consideration than the zoning considering that the zoning categories and the parcels that have those categories are so similar.
- Regarding structure location, the existing ordinance does not allow accessory buildings to be located nearer the front lot line than the principal structure. However, there is an exception listed for A, RR and RS (formerly R-1) properties where these structures can be located closer to the front lot line by resolution by the City Council. This procedure is similar to a variance, but more streamlined. Staff recommends that if this provision is kept in place, it should apply to all rural zoning districts, as opposed to just the A, RR, and RS districts.
- Finally, regarding structure design, there are some types of accessory buildings that are unable to match the design of the principal structure for reasons related to their intended use. Animal buildings, greenhouses, and gazebos are a few examples where the use of the structure calls for a different design than the principal building.

While the changes to the accessory building provisions in the rural districts may not seem substantial, staff is still seeking feedback regarding the allowed size and number of buildings. Given the wide mix rural and older platted lots and variety of agricultural and other land uses in Lake Elmo, the accessory building provisions need to accommodate a wide mix of situations.

Finally, it should be noted that staff is proposing to leave the accessory building provisions for the Urban Residential and Village Mixed-Use Districts the same as before, with minor title and order changes. In terms of accessory structures in Commercial districts, it is also worth noting that all structures in commercial districts have to meet setback building material requirements of principal structures. The Lake Elmo Design Guidelines and Standards Manual would also apply to structures in more intense districts related to building materials and design.

RECCOMENDATION:

No formal action is required at this time. Staff is looking for feedback on the accessory building ordinance in advance of a future Public Hearing.

ATTACHMENTS:

1. Draft Accessory Building Ordinance
2. Existing Ordinances pertaining to Accessory Buildings

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning Staff
- Questions from the Commission Chair & Commission Members
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

ARTICLE 5. GENERAL REGULATIONS

§154.213 Accessory Buildings and Structures, Generally

§154.213 Accessory Buildings and Structures, Generally

- A. *Purpose.* Within the city of Lake Elmo, the following provisions shall apply to accessory building and structures in all zoning districts.
- B. *Definitions.* The following words, terms and phrases, when used in this section, and all sections pertaining to accessory buildings or structures, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- Agricultural Farm Building.* An accessory building used or intended for use on an active commercial food-producing farm operation of more than 20 acres. A Minnesota Pollution Control Agency permit may be required.
- Detached Domesticated Farm Animal Building.* A 1-story accessory building used or intended for the shelter of domestic farm animals and/or related feed or other farm animal supportive materials. The building may require a Minnesota Pollution Control Agency feedlot permit in addition to site and building plan approval.
- Detached Residential Garage.* A 1-story accessory building used or intended for the storage of motor driven passenger vehicles. No door or other access opening shall exceed 14 feet in height.
- Storage or Tool Shed.* A 1-story accessory building of less than 160 square feet gross area with a maximum roof height of 12 feet. No door or other access opening shall exceed 28 square feet in area.
- C. *Permit Required.* All accessory building and structures require either a certificate of zoning compliance or a building permit as determined by the Minnesota State Building Code.
- D. *Principal Structure Necessary.* No accessory buildings or structures shall be constructed nor accessory use located on a lot until a building permit has been issued for the principal structure to which it is accessory.
- E. *Proximity to Principal Structure.* An accessory building or structure will be considered as an integral part of the principal building if it is located six (6) feet or less from the principal structure.
- F. *Storage or Tool Sheds.* A storage or tool shed as defined in this section may be placed on any lot in addition to the permitted number of accessory buildings.
- G. *Exempt Structures.* The following residential improvements shall be exempt from the maximum allowed structure size and number requirements in residential districts:
1. Unenclosed playhouses
 2. Gazebos up to 120 square feet in size and a maximum of twelve (12) feet in overall height
 3. Detached decks up to 120 square feet in size
 4. Outdoor swimming pools
 5. Patios
 6. Tennis and sport courts
 7. Structures, sheds or coops up to two hundred (200) square feet in size used to house permitted animals, such as chickens, horses, or other livestock. These structures must meet all required setbacks per MPCA guidelines and the City's animal ordinances.

§154.214 Pole Construction Buildings

- A. *Pole Construction Buildings, A and RR Districts.*
1. Pole construction buildings are permitted in the A and RR zoning districts subject to the setbacks and other performance standards required under the Zoning Code.
 2. Pole construction buildings are prohibited on properties zoned A and RR where a conditional use permit has been issued for an open space preservation (OP) development.
- B. *Pole Construction Buildings, RS District.* Pole construction buildings are permitted in the RS zoning district only on parcels that are abutted by land zoned Rural Residential (RR) or Agricultural (A) Zoned along 75% or more of the perimeter of the subject parcel.

ARTICLE 9. RURAL DISTRICTS

§154.406 Accessory Structures, Rural Districts.

- A. *Size and Number.* The maximum number and size of accessory buildings permitted in rural zoning districts are outlined in Table 9-3:

Table 9-3: Accessory Buildings, Rural Zoning Districts

Lot Size	Maximum Structure Size ^a (square feet)	No. of Permitted Bldgs
5,000 sq. ft. - 1 acre	1,200 ^b	1
1 - 2 acres	1,200	1
2 - 5 acres	1,300	1
5 - 10 acres	2,000	1
10 - 15 acres	2,500	1
15 - 20 acres	3,000	2
20 - 40 acres	4,000	2
40+ acres	Unregulated	Unregulated

Notes to Table 9-3

- a. Maximum structure size accounts for the total maximum area allowed for all permitted accessory structures combined.
 - b. The 1,200 square foot allowance is for the combined area of the attached and detached accessory structure or residential garage.
- C. *Structure Height, Rural Districts.* No accessory building shall exceed twenty (20) feet in height or the height of the principal structure, with the exception of buildings that are intended for a farming or other agricultural use in the judgment of the City. Building projections or features, such as chimneys, cupolas, and similar decorations that do not exceed twenty-five (25) feet in height are permitted in rural districts.
- D. *Structure Location, Rural Districts.* No detached garages or other accessory buildings shall be located nearer the front lot line than the principal building on that lot, unless, by Resolution of the City Council, an exception is made to permit a detached garage or accessory structure nearer the front lot line than the principal building.

- E. *Exterior Design and Color.* The exterior building materials, design and color of all accessory building or structures shall be similar to or compatible with the principal building, with the exception of the following accessory building or structures:
 - 1. Detached domesticated farm animal buildings
 - 2. Agricultural farm buildings
 - 3. Pole buildings, as defined and regulated in §154.214.
 - 4. Gazebos
 - 5. Swimming pools
 - 6. Other structures in which the required design is integral to the intended use, such as a greenhouse.
- F. *Openings and Doors.* Garage doors and other openings shall not exceed fourteen (14) feet in height for all accessory structures, with the exception of buildings that are intended for a farming or other agricultural use in the judgment of the City.

ARTICLE 10. URBAN RESIDENTIAL DISTRICTS

§154.456 Residential Accessory Structures, Urban Residential Districts.

- A. *Attached Structures, Urban Residential Districts.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:
 - 1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located; and
 - 2. The structure shall not exceed the height of the principal building to which it is attached.
- B. *Attached Garages, Urban Residential Districts*
 - 1. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:
 - a. The front of the garage is recessed at least 4 feet behind the plane of the primary facade; or
 - b. The front of the garage is recessed at least 4 feet behind a porch if the garage is even with the primary facade.
 - 2. The width of the attached garage shall not exceed 60% of the width of the entire principal building facade (including garage) fronting the primary street.
 - 3. Attached garages shall not exceed 1,000 square feet in area at the ground floor level except by conditional use permit.
 - 4. Garage doors or openings shall not exceed 14 feet in height.
- C. *Detached Structures, Urban Residential Districts.* Detached accessory structures shall be permitted in residential districts in accordance with the following requirements:

1. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
 2. Detached garages shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of 22 feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.
 3. Pole barns, as defined herein, exceeding 120 square feet shall be prohibited.
 4. No more than 30% of the rear yard area may be covered by accessory structures.
 5. Garage doors or openings shall not exceed 14 feet in height.
- D. *Exterior Design and Color, All Accessory Structures.* The exterior building materials, design and color of all accessory building or structures shall be similar to or compatible with the principal building, with the exception of the following accessory building or structures:
1. Gazebos
 2. Swimming pools
 3. Tennis and sport courts
 4. Other structures in which the required design is integral to the intended use, such as a greenhouse.

ARTICLE 11. VILLAGE MIXED-USE DISTRICT

§154.508 Residential Accessory Structures, Village Mixed-Use District.

- A. *Attached Structures, Village Mixed-Use District.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:
1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.
 2. The structure shall not exceed the height of the principal building to which it is attached.
- B. *Attached Garages, Mixed-Use District*
1. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:
 - a. The front of the garage is recessed at least four (4) feet behind the plane of the primary façade; or
 - b. The front of the garage is recessed at least four (4) feet behind a porch if the garage is even with the primary façade;
 2. The width of the attached garage shall not exceed 40% of the width of the entire principal building façade (including garage) fronting the primary street.
 3. Attached garages shall not exceed one thousand (1,000) square feet in area at the ground floor level except by conditional use permit.
 4. Garage doors or openings shall not exceed fourteen (14) feet in height.
- C. *Detached Structures, Village Mixed-Use District.* Detached accessory structures for permitted residential structures in the VMX District accordance with the following requirements:

1. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
 2. Detached garages shall not exceed one thousand (1,000) square feet at ground floor level and shall not exceed a height of twenty-two (22) feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.
 3. Pole barns, as defined herein, shall be prohibited.
 4. No more than thirty (30) percent of the rear yard area may be covered by accessory structures.
 5. Garage doors or openings shall not exceed fourteen (14) feet in height.
- D. *Exterior Design and Color, All Accessory Structures.* The exterior building materials, design and color of all accessory building or structures shall be similar to or compatible with the principal building, with the exception of the following accessory building or structures:
1. Gazebos
 2. Swimming pools
 3. Tennis and sport courts
 4. Other structures in which the required design is integral to the intended use, such as a greenhouse.



***Existing Ordinances pertaining to Accessory Structures
Planning Commission, 2/10/2014***

§154.902 ACCESSORY BUILDINGS AND STRUCTURES.

(A) Types of accessory buildings include storage or tool sheds; detached residential garage; detached rural storage building; detached domesticated farm animal buildings; agricultural farm buildings. The accessory buildings are defined as follows:

(1) ***STORAGE OR TOOL SHED.*** A 1-story accessory building of less than 160 square feet gross area with a maximum roof height of 12 feet and exterior colors or material matching the principal structure or utilizing earthen tones. No door or other access opening in the storage or tool shed shall exceed 28 square feet in area.

(2) ***DETACHED RESIDENTIAL GARAGE.*** A 1-story accessory building used or intended for the storage of motor driven passenger vehicles regulated in § 154.093 with a maximum roof height of 20 feet. No door or other access opening shall exceed 14 feet in height. The exterior color, design, and materials shall be similar to the principal structure.

(3) ***DETACHED RURAL STORAGE BUILDING.*** A 1-story accessory building used or intended for the storage of hobby tools, garden equipment, workshop equipment and the like. Exterior materials shall match the principal structure in exterior color or be of an earthen tone.

(4) ***DETACHED DOMESTICATED FARM ANIMAL BUILDING.*** A 1-story accessory building used or intended for the shelter of domestic farm animals and/or related feed or other farm animal supportive materials. The building shall require a Minnesota Pollution Control Agency feedlot permit and site and building plan approval.

(Am. Ord. 97-38, passed 11-17-1998)

(5) ***AGRICULTURAL FARM BUILDING.*** An accessory building used or intended for use on an active commercial food-producing farm operation of more than 20 acres, a Minnesota Pollution Control Agency permit may be required.

(B) A tool shed as defined in this section may be placed on any lot in addition to the permitted number of accessory buildings.

(C) No accessory building shall be constructed nor accessory use located on a lot until a building permit has been issued for the principal building to which it is accessory.

(D) No accessory building used or intended for the storage of passenger automobiles shall exceed 1,000 square feet of gross area, nor shall any access door or other opening exceed the height of 10 feet, nor shall any structure exceed 1 story in height except when the garages are located in business, industrial or planned unit developments. On parcels of 20,000 square feet in area or less, no detached accessory building or garage shall exceed the size of the principal

building in gross floor area.

(E) An accessory building shall be considered as an integral part of the principal building if it is located 6 feet or less from the principal building. The exterior design and color shall be the same as that of the principal building or be of an earthen tone; the height shall not exceed the height of the principal structure unless more restrictive portions of this chapter prevail.

(F) No accessory building in a commercial or industrial district shall exceed the height of the principal building.

(G) No accessory buildings in apartment developments shall exceed the height of the principal building.

(H) Accessory buildings in the commercial and industrial districts may be located to the rear of the principal building, subject to the Building Code and fire zone regulations.

(I) No detached garages or other accessory buildings in residential districts shall be located nearer the front lot line than the principal building on that lot, except in AG, RR, and R-1 Districts where detached garages may be permitted nearer the front lot line than the principal building by resolution of the City Council, except in planned unit developments or duster developments.

(Ord. 97-107, passed 4-16-2002)

(J) Accessory structures located on lake or stream frontage lots may be located between the public road and the principal structure, provided that the physical conditions of the lot require such a location and a resolution is issued. In no event shall the structure be located closer than 20 feet to the public right-of-way.

(K) All accessory buildings over 35 square feet in area shall have a foundation, concrete slab or wind anchor. Buildings larger than 100 square feet shall require a building permit regardless of improvement value. Roof loads and wind loads shall conform to requirements as contained in the Building Code.

(L) The required rear yard setbacks for detached residential garages, and storage, boat, and tool sheds shall be a distance equal to the required side yard setback for each zoning district, except on through lots when the required rear yard setback in each zoning district shall apply.

(M) Performance standards for detached agricultural buildings and domesticated farm animal buildings on parcels of less than 20 acres shall include the following:

(1) *Setbacks.* All animal buildings, feedlots, and manure storage sites shall be set back in accordance with the underlying zoning district regulations.

(2) *Slopes.* The building, feedlot, or manure storage shall not be placed on slopes which exceed 13%.

(3) *Water level.* Evidence of the seasonally high groundwater level or mottled soil (as established by 8-1/2 foot borings) shall not be closer than 6-1/2 feet to the natural surface ground grade in any area within 100 feet of the proposed building and/or feedlot.

(4) *Wetlands.* No marsh or wetland (as established by the predominant wetland vegetation and/or soils) shall be utilized for placement of the proposed structure, feedlot, or grazing area.

(1997 Code, § 300.13 Subd. 3)

§ 154.903 NUMBER/SIZE OF ACCESSORY BUILDINGS.

The maximum number and size of accessory buildings permitted in each zoning district shall be as follows. No accessory building shall be constructed unless there is adequate room for the required secondary drainfield site.

<i>Maximum Number and Size of Accessory Buildings</i>	
Agricultural	There shall be no limit on the size or number of accessory buildings so long as the parcel is a nominal 40 acres or more, and buildings are agricultural buildings as defined in § 154.092(A)(5).
<i>Maximum Number and Size of Accessory Buildings</i>	
Agricultural (Non-conforming)	
Up to 10 acres	Two buildings with a combined area not to exceed 2,000 square feet
Over 10 acres but less than 40 acres	Two buildings and the area of each building not to exceed 2,000 square feet
Rural Residential	
Up to 10 acres	One 2,000-square foot detached building, in addition to an attached garage
Over 10 acres 15 Acres	One 2,500-square foot detached building in addition to an attached garage
Over 15 acres	One 3,000-square foot detached building, in addition to an attached garage
Residential - R-1, RED, and OP	
Over 5,000 square feet but less than 1 acre	A combined 1,200 square feet total for both attached and detached accessory structures or residential garage; the size of the footprint of the detached structure shall not exceed the size

	of the footprint of the primary structure
From 1 acre to 2 acres	One 1,200-square foot detached residential, garage or building, in addition to an attached garage
Over 2 acres	One 1,300-square foot detached residential garage or building in addition to an attached garage

(1997 Code, § 300.13 Subd. 4) (Am. Ord. 97-38, passed 11-17-1998; Am. Ord. 97-206, passed 12-11-2007)

§ 151.024 POLE CONSTRUCTION BUILDINGS.

Pole construction buildings shall be permitted in the Agricultural and Rural Residential Zoning Districts only, except they are permitted in the R1 Zoning District where a parcel Zoned R-1 is abutted in a measured amount of 75% or more its perimeter by lands zoned Agricultural; and except they shall be prohibited where a conditional use permit has been issued for an open space preservation development.

(1997 Code, § 505.10) (Am. Ord. 97-91, passed 10-16-2001; Am. Ord. 97-100, passed 2-5-2002)

§ 154.406 ACCESSORY STRUCTURES – RURAL DISTRICTS.

In all rural districts, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the principal building. The exterior building materials, roof style, and colors shall be similar to or compatible with the principal building.

- A. *Maximum Number and Size of Accessory Structures in Rural Districts.* The maximum number and size of accessory buildings permitted in the rural districts are outlined in Table 9-3. No accessory building shall be constructed unless there is adequate room for the required secondary drainfield site.

**Table 9-3 Maximum Number and Size of Accessory Structures –
Rural Districts**

Zoning District + Parcel Size	Standard
A (Conforming)	There shall be no limit on the size or number of accessory buildings so long as the parcel is a nominal 40 acres or more, and buildings are agricultural buildings as defined in § 154.092 (A)(5)
A (Non-conforming)	
Up to 10 acres	Two buildings with a combined area not to exceed 2,000 square feet.
Over 10 acres but less than 40 acres	Two buildings and the area of each building not to exceed 2,000 square feet
RR	
Up to 10 acres	One 2,000-square foot detached building.
10-15 acres	One 2,500-square foot detached building.
Over 15 acres	One 3,000-square foot detached building.
RS and RE	
Over 5,000 square feet but less than one acre	A combined 1,200 square feet total for both attached and detached accessory structures or residential garage; the size of the footprint of the detached structure shall not exceed the size of the footprint of the primary structure

1-2 acres	One 1,200-square foot detached residential garage or building.
Over 2 acres	One 1,300-square foot detached residential garage or building.

- B. *Attached Structures.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:
1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.
 2. The structure shall not exceed the height of the principal building to which it is attached.
- C. *Detached Structures.* Detached accessory structures shall be permitted in rural districts in accordance with the following requirements:
1. Detached structures shall comply with the provisions of [Section 154.092](#).
 2. No detached garages or other accessory buildings in residential districts shall be located nearer the front lot line than the principal building on that lot, except in AG, RR and RS Districts where detached garages may be permitted nearer the front lot line than the principal building by resolution by the City Council.
 3. Pole barns, as defined herein, exceeding one hundred twenty (120) square feet shall be prohibited in the RS and RE Districts.
 4. Garage doors or openings shall not exceed fourteen (14) feet in height.
 5. Detached structures shall not exceed a height of twenty-two (22) feet or the height of the principal structure, whichever is higher unless otherwise specified in [Section 154.092](#).

(Ord. 2012-073, passed 3-19-2013)

§ 154.457 RESIDENTIAL ACCESSORY STRUCTURES.

In all residential districts, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to or compatible with the main building or shall be commonly associated with residential construction.

(A) *Attached structures.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:

- (1) The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located; and
- (2) The structure shall not exceed the height of the principal building to which it is attached.

(B) *Attached garages.*

(1) Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:

- (a) The front of the garage is recessed at least 4 feet behind the plane of the primary facade;
- (b) The front of the garage is recessed at least 4 feet behind a porch if the garage is even with the primary façade; or

(2) The width of the attached garage shall not exceed 60% of the width of the entire principal building façade (including garage) fronting the primary street.

(3) Attached garages shall not exceed 1,000 square feet in area at the ground floor level except by conditional use permit.

(4) Garage doors or openings shall not exceed 14 feet in height.

(C) *Detached structures.* Detached accessory structures shall be permitted in residential districts in accordance with the following requirements:

(1) Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.

(2) Detached garages shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of 22 feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.

(3) Pole barns, as defined herein, exceeding 120 square feet shall be prohibited.

(4) No more than 30% of the rear yard area may be covered by accessory structures.

(5) Garage doors or openings shall not exceed 14 feet in height.

(Ord. 2012-062, passed 9-18-2012) Penalty, see § 154.999

§ 154.508 RESIDENTIAL ACCESSORY STRUCTURES

On parcels used for residential structures within the VMX District, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to or compatible with the main building or shall be commonly associated with residential construction.

A. *Attached structures.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:

1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.
2. The structure shall not exceed the height of the principal building to which it is attached.

B. *Attached Garages.*

1. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:
 - a. The front of the garage is recessed at least four (4) feet behind the plane of the primary façade; or
 - b. The front of the garage is recessed at least four (4) feet behind a porch if the garage is even with the primary façade; or
 - c. The width of the attached garage shall not exceed 40% of the width of the entire principal building façade (including garage) fronting the primary street.
2. Attached garages shall not exceed one thousand (1,000) square feet in area at the ground floor level except by conditional use permit.
3. Garage doors or openings shall not exceed fourteen (14) feet in height.

C. *Detached structures.* Detached accessory structures for permitted residential structures in the VMX District accordance with the following requirements:

1. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
2. Detached garages shall not exceed one thousand (1,000) square feet at ground floor level and shall not exceed a height of twenty-two (22) feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.

3. Pole barns, as defined herein, shall be prohibited.
4. No more than thirty (30) percent of the rear yard area may be covered by accessory structures.
5. Garage doors or openings shall not exceed fourteen (14) feet in height.

(Ord 08-091, passed 11-13-2013)

TO: Lake Elmo Community Development Department

FROM: Todd Williams, Planning Commission Chair

RE: Culdesac Discussion

DATE: Feb 4, 2014

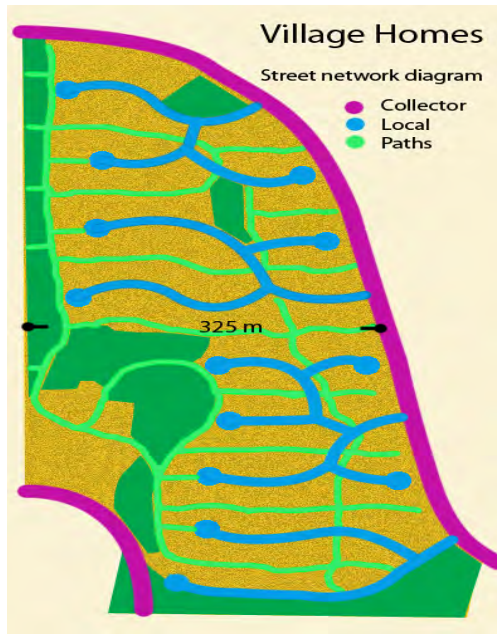
There is an apparent divergence of opinion regarding the desirability of culdesacs in new residential developments in the Old Village. This issue has been brought to the forefront by the Easton Village development, whose initial concept plan was presented at the last Planning Commission meeting.

It occurs to me that our current zoning code and design standards do not address this issue, but they should. Accordingly, I request that this issue be part of the next Planning Commission meeting agenda as a discussion item. Specifically, the Commission should discuss whether or not the Lake Elmo development regulations and standards should contain language either favoring or discouraging culdesacs in new residential developments in the Old Village.

I understand that development in the Mixed Use area of the Old Village will be regulated by some kind of form based code, yet to be developed. But the significant areas of residential development outside the MX area do not have any regulations about culdesacs, except a general limit of 600 feet in length. These are the areas the Commission should discuss.

Because I will not be attending the next Commission meeting, I wish to present my own comments here, for the benefit of the overall discussion. I am highlighting only the most important considerations, in my current understanding.

1. Former Planning Commissioner Nadine Obermuller sent an email to the Council, Community Development Department, and myself regarding this topic. She included a selection of text from a Wikipedia discussion of culdesacs. I found the Wikipedia discussion very balanced and informative. All Commissioners are encouraged to read the text at <https://en.wikipedia.org/wiki/Culdesac>. Note that the text included by Obermuller is down several screens from the start.
2. Culdesacs certainly have an advantage in reducing overall traffic in local neighborhoods. They also improve opportunities for children to play in the street more safely than in through streets.
3. As the Old Village sewered development was discussed over years, the concept of walkability was frequently mentioned as being desirable for all areas, not just the Mixed Use area. Traditional culdesacs do not encourage walkability, because they are not connected except by convoluted roadways. Some kind of trail or pathway system connecting culdesacs would go a long way to improving the traditional model. In the Wikipedia entry is a diagram of such a "connected" culdesac system. I have copied it here:



Certainly, this is only one concept, but it does give us an idea of how the traditional, “disconnected” culdesac development might be made more walkable. I think it is obvious that this concept could easily apply to the Easton Village development, and by inference to all future Old Village residential developments.

4. As sewer development in Lake Elmo proceeds, unanticipated issues will continue to arise. As long as Lake Elmo’s leaders maintain a healthy attitude of continuous learning, we will successfully deal with such issues as they arise and make the best decisions based on knowledge available. When such issues arise, we must address them forthrightly and honestly. This culdesac consideration is one of those issues.
5. It is very important that the Lake Elmo Planning Commission and Council address this culdesac issue at the earliest opportunity. While this is only one issue in the complex development planning process for the Old Village, it will likely have a very large effect on the overall feeling and environment of the final, developed area. Our current regulations do not really address the issue, so concept plans and preliminary plats have no guidance one way or the other. We need to make a conscious decision how we want to direct residential developments: either leave it up to the inconsistencies of different developers or have a unifying standard for the Old Village area.
6. Walkability is a goal in the sewer residential developments south of 10th Street. Some attention should be given to whether traditional, disconnected culdesacs are desirable for that area as well.

Respectfully submitted,

Todd Willams

Ethics & the Planning Commission

“Ma’am, We’re Here for You.”

by Ben Frost, AICP, Esq.

December 11th, 2013

We’re pleased to welcome Ben Frost to the PlannersWeb. In this column, he addresses a question every planning commissioner faces, but one that’s not often discussed: who does the planning commission serve? We invite you to join a discussion of this article — adding your own thoughts — [on our PlannersWeb LinkedIn group page](#).

As I sat through a public hearing for another minor site plan revision, what I wanted to say was “Ma’am, we’re here for *you*.”

I serve on my town’s planning commission. We’re a group of volunteers appointed by our board of selectmen; our appointments are based partly on our qualifications, but mainly they’re based on the fact that we show an interest in our community and its future. I suspect that this is the primary factor that motivates the interest of most planning commissioners – wanting to *give something back*. But to give back to whom? Who do we serve as we fulfill this motivation?

This was the situation at that recent public hearing: the owner of a small light manufacturing plant wanted to modestly expand his building to accommodate new equipment, and this required a modification to the approved site plan. The facility is in a commercial zone, but surrounded by residential uses. Abutters were notified, the hearing was scheduled, and there we sat listening to the presentation by the applicant. The commissioners all seemed amenable to the proposal and asked few questions.

The public hearing was opened, and an elderly woman — the only person there other than us and the applicant — introduced herself as a direct abutter. She spoke glowingly of the applicant, saying that he was a good neighbor, and then she started to gently interrogate him — would the hours of operation change? would the traffic pattern change? would there be added noise from the new HVAC unit? and so on. All her questions were good and expressed the valid concerns of an abutter, but at one point she turned to the commissioners and said “I’m sorry, I don’t want to waste your time.”

It was then that I wanted to say “Ma’am, we’re here for *you*.” But I didn’t say it, because as the words sat inside my head I thought, I’m also here for the *applicant*. While I know that we commissioners sat there also to represent the interests of the public generally, our decisions often are reduced to a struggle between an applicant and those who would be directly impacted by the proposal under consideration.

When there is such conflict, the commission can’t please both the applicant and the abutters, and it may feel easier to yield to abutter-raised concerns and either deny the application or impose unreasonable conditions. Otherwise, the commission risks being seen as a “rubber stamp” body that is in the pocket of developers. The abutters are the people whom commissioners are more likely to run into in the grocery store. They’re more often our neighbors than are the applicants. But commissioners generally are compelled by law to make the harder decision and say “yes” to the applicant.



As a young town planner twenty-five years ago, I remember reading a local newspaper article about my counterpart in an adjacent town who had been fired because of allegations that he was too “friendly” with developers. Chances are he was just doing his job. Planning commissioners are in the same boat. My state’s constitution has been interpreted to mean that as governmental bodies, planning commissions are required to assist the applicants appearing before them; ¹ your state likely has a similar requirement, whether it is in your constitution, statutes, or court decisions.



You don’t need to engineer the applicant’s plans, but you do need to provide the applicant with guidance through the process. For example, a commission should tell an applicant early on what the major concerns are that will pose a barrier to approval. Failure to give this guidance doesn’t protect the public interest by validating abutters’ issues. Rather, it ignores the purpose of government and the planning commission’s ethical obligations to serve all of the people, not just those you pass regularly on the sidewalk. By the same token, you’re there to serve your friends and neighbors too — so the abutters deserve your best advice as well.

At the end of our recent hearing for the minor site plan amendment, the elderly abutter expressed her gratitude to us for listening to her concerns and the commission approved the application with a short list of conditions. The abutter and the applicant both left with the satisfaction that we had done our job. We had balanced the interests of the property owner against those of the people living in the neighborhood — that is, the private property rights weighed against the interests of the larger community. Striking that balance and serving the interests of all is the essential legal and ethical obligation of the planning commission.





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Ben has over 25 years of experience as a land use planner, and over 15 years as an attorney. Previously, he was a Senior Planner with the NH Office of Energy and Planning, he was the executive director of the Upper Valley Lake Sunapee Regional Planning Commission, and he was also a planner and administrator in local and regional government in New Hampshire and elsewhere.

Ben is also past chairman of the Municipal Section of the New Hampshire Bar Association and is a founding director of the NH Municipal Lawyers Association. He serves as the Treasurer of the NH Planners Association and as the Professional Development Officer of the Northern New England Chapter of the American Planning Association. Ben holds B.A. and M.A. degrees in Geography from Colgate University and Syracuse University, respectively and a law degree from Cornell Law School. He lives in Warner, NH, where he serves on the planning board.

Notes:

1. “...in furtherance of Part I, Article 1 of our State Constitution, municipalities have an obligation ‘to provide assistance to all their citizens’ seeking approval under zoning ordinances.”
Richmond Company, Inc. v. City of Concord, 149 N.H. 312, 315, 821 A.2d 1059 (2003)
(quoting *Savage v. Town of Rye*, 120 N.H. 409, 411, 415 A.2d 873 (1980) and *Carbonneau v. Town of Rye*, 120 N.H. 96, 99, 411 A.2d 1110 (1980)). ↵

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