



3800 Laverne Avenue North
Lake Elmo, MN 55042

(651) 747-3900
www.lakeelmo.org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, March 24, 2014 at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. March 10, 2014
4. Public Hearing
 - a. **CONDITIONAL USE PERMIT AMENDMENT – 901 LAKE ELMO AVENUE**
The Planning Commission will hold a Public Hearing to consider an application by Family Means to amend the existing Conditional Use Permit for the Cimarron Manufactured Home Park to allow the construction of a 4,000 square foot community center to serve as an accessory use to the approved manufactured home park.
 - b. **VARIANCE – 09.029.21.11.0015** (Lot 9, Krause's Addition located at the intersection of Jamaca Avenue North and Jane Road North). The Planning Commission will hold a Public Hearing to consider an application for a variance from the minimum lot area requirements of the RS – Rural Single Family Residential zoning district.
 - c. **ZONING MAP AMENDMENT AND PUD CONCEPT PLAN – LAUNCH PROPERTIES.** The Planning Commission will hold a Public Hearing to consider a request by Launch Properties for planned unit development business park on a parcel at the intersection of Lake Elmo Avenue North and Hudson Boulevard North (PID 36.029.21.33.0000). The applicants are also requesting to rezone the property to Business Park (BP).
5. Business Items
 - a. **OUTDOOR WEDDING VENUE ORDINANCE** – The Planning Commission is asked to review an updated draft ordinance of the Outdoor Wedding Venue Ordinance in advance of a future public hearing.

- b. SITE PLAN REVIEW ORDINANCE – The Planning Commission is asked to review the Site Plan Review Ordinance (§151.070).
 - c. EASTON VILLAGE SKETCH PLAN – 2ND REVIEW. The Planning Commission requests to review the updated version of the Easton Village Sketch Plan.
6. Updates
- a. City Council Updates March 18, 2014:
 - i. Zoning Text Amendment – Accessory Building Ordinance passed.
 - ii. The City Council reviewed the Schiltgen Farms, Parcel B Sketch Plan.
 - b. Staff Updates
 - i. Planning Commission Discussion Series – “Meaningful Dialogue with the Public”
 - ii. Upcoming Meetings:
 - April 14, 2014
 - April 28, 2014
 - c. Commission Concerns
7. Adjourn



**City of Lake Elmo
Planning Commission Meeting
Minutes of March 10, 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, Larson and Lundgren;

COMMISSIONERS ABSENT: Morreale;

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson.

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: February 24, 2014

Chairman Williams noted that he did not abstain from voting regarding the February 10th minutes, he did not vote on the minutes because he was not in attendance at the previous meeting.

M/S/P: Kreimer/Lundgren, move to approve the minutes as amended, **Vote: 7-0, motion carried unanimously.**

Public Hearing: *Zoning Text Amendment – Accessory Building Ordinance*

Johnson reviewed various revisions to the draft Accessory Building Ordinance, made as a result of the last meeting. He noted that the draft was revised to allow for additional accessory building square footage through a Conditional Use Permit process. He also stated that Staff is still researching the potential impacts of the 60/40 house to garage ratio in urban residential and mixed-use districts.

Williams questioned why garages are encouraged to be side or rear loaded when this would be difficult to accomplish with smaller lots. Johnson stated that this was intended to communicate the City's design preference at the time, but that it would not be something that could be enforced.

The Commission generally discussed the implications of the existing language concerning garages. Williams suggested revising this provision so that the garage could be set back from the primary façade or be side or rear loaded.

Klatt noted that the City Engineer also provided input to ensure that vehicles parked on driveways would not interfere or encroach onto sidewalks.

Yocum questioned whether or not Lennar had given the City any feedback on this provision. Johnson noted that Lennar was more concerned about the lot width and side yard setbacks.

Klatt noted that the code was intended to prohibit “snout houses” so that garages were not the dominant feature of the landscape.

M/S/P: Williams/Larson, move to add language to 154.456.B.1.a and b to state “unless the garage is side loaded”.

Dorschner stated that the City is not gaining much by adopting this language. Larson commented that the best examples of side-loaded garages occur on curved streets.

Vote: 6-1, motion carried, with Dorschner voting no.

Dodson noted that the same provision should be applied to the VMX district.

Williams noted that they should not have taken any action until after the public hearing.

Williams asked if the City allows accessory apartments or secondary dwellings in accessory buildings. Johnson replied that the City Code allows for secondary dwellings as a conditional use.

Williams questioned the language concerning accessory building height compared to the principal building. Klatt stated that the intent of this provision was to restrict the height of the accessory building to either 22 feet or no higher than the principal building.

Public Hearing opened at 7:30pm.

Dave Gonyea, Gonyea Company, asked whether or not the code would require garages to be side or rear loaded. Williams stated that the code language encourages, but does not require this. Gonyea stated that front loaded garages are often required on a smaller lots.

Staff noted that there were not written comments submitted for the public record.

Public Hearing closed at 7:34pm.

MSP: Williams/Dodson, move to add similar language regarding side loaded garages within the VMX district (see above), **Vote: 6-1, motion carried**, with Dorschner voting no.

There was a general discussion concerning the provision that requires a detached accessory building to be 22 feet in height or no higher than the principle building, whichever is higher.

M/S/P: Dodson/Williams, move to strike “whichever is higher” in 154.08 C2 and 154.4563c.2, **Vote: 6-1, motion carried**, with Dorschner voting no. Dorschner stated that he feels that 22’ in height is an adequate standard regardless of the height of the principal structure.

M/S/P: Dodson/Dorschner, move to recommend approval of the accessory building ordinance as amended, **Vote: 7-0, motion carried unanimously**.

Business Item: *Schiltgen Farms Parcel B Sketch Plan*

Johnson reviewed a sketch plan that has been submitted by Gonyea Homes for a proposed residential development in the northern portion of the Village Planning Area consisting of 101 single family sewerred homes on approximately 40 acres of land presently owned by Pete Schiltgen. He noted that the project includes a portion of Lake Elmo Avenue, which will need to be platted as road right-of-way as part of the subdivision.

Johnson reviewed staff comments concerning the plan: access and access spacing on Lake Elmo Avenue; park dedication, trails and landscaping/buffering along CSAH 17.

Haggard asked if roads taken out of the calculation when calculating net density. Johnson noted that different cities define net density differently. However, generally roads are not counted towards the area in a net density calculation. Staff is working on this definition to make sure that it is consistently applied throughout the City.

Lundgren asked if there is any plan to do construction on Lake Elmo Avenue. Johnson noted that no construction is currently planned in the County CIP north of Trunk Highway 5. Williams noted that there would be improvements required as part of the proposed subdivision such as a turn lane on Lake Elmo Avenue. Johnson sated that Staff is asking that the developer provide a trail along Lake Elmo Avenue.

Kreimer asked if the trail would continue north. Johnson said that extending the trail north makes sense if the northern parcel is developed as a nature preserve.

Dodson questioned why 39th street could not extend across Lake Elmo Avenue and serve that parcel. Johnson stated that it would in the future and would provide secondary access to the future residential neighborhood west of CSAH 17.

Williams expressed concern that the proposed subdivision represents a typical suburban layout and not a traditional grid pattern that would be expected as part of the Village Land Use Plan. Johnson replied that the gridded street pattern can be challenging because of constraints of the property such as access management required by the County. The gridded street pattern also does increase the amount of infrastructure and impervious surface. Nevertheless, the land use plan calls for greater connectivity. Klatt provided comments concerning gridded and traditional neighborhood design. Klatt stated that there needs to be some flexibility in the plans while still meeting the intent of the Comp Plan. Staff would like to see connectivity through sidewalks and trails.

Williams stated that he feels that the Land Use Plan encourages more uniformity between neighborhoods.

Haggard asked how the housing would be consistent with the Old Village character. She shared her concern that it will not be consistent.

Johnson discussed general market trends of housing and its application to this site. Alley loaded homes are not in demand right now. The City needs to be careful about over programming these developments where the market won't support them.

Larson shared some comments concerning park and lack of play areas for children within the development. Johnson noted that the applicant is not opposed to looking at a neighborhood park, but has been focusing on expansion of Reid Park. The City is currently looking at joint powers agreements with the school district for parks at Lake Elmo Elementary and Oakland Junior High. Klatt stated that the property to the North is guided for open space in the Comprehensive Plan and they are looking to put in a Nature Preserve with bees and butterflies and natural plantings.

Haggard stated that she would like to see better access to parks. Yocum stated that she would like to see a smaller park for neighborhood kids.

Williams asked if the northern portion that is covered by trees buildable. Johnson stated that it is not, and the area was not included in net density calculations.

Dodson would like to see a trail connection with the Cul-de-sacs for a more walkable neighborhood.

Dave Gonyea noted that they are not opposed to putting in a small park and are looking for feedback from the Park Commission. Williams suggested putting in a shared park with adjoining property owner to the east.

Williams questioned the objectives of the builder and stated that it is not the objective to have a series of monumented developments that feel separate from the Village. Gonyea commented that the proposed layout does create more connectivity and provides for a different feel to the neighborhood. In his opinion, it is much more walkable neighborhood than if it was in a grid pattern.

Williams stated that he would like to see additional roads that connect to adjacent development and would recommend that one of the cul-de-sac roads go through the development to the east.

Gonyea stated that they would consider the road connection, and that it may not significantly alter project.

Haggard asked how the proposed is consistent with the existing Old Village. Gonyea stated that they are trying to make as consistent as possible by making it walkable, providing connections to school and other points of interest, adding trees and fencing and other elements to the plan.

Johnson stated that the County's likely request to move the access further north will have some implications on how the streets flow through the development.

Kreimer asked what the typical lot width is for Gonyea. Gonyea stated that is between 80 – 95 feet in width for custom lots and they have gone down to 65-70 foot in some instances. They generally build larger homes.

Kreimer asked if Gonyea is planning on working with different builders. Gonyea stated that on a project like this they will probably bring in 5-6 different builders with different home plans. Dodson asked if the 65' wide lots will be starter homes. Gonyea stated will be in the 400k to 550k range.

Williams noted that drainage on the property slopes northwest to southeast. Pete Schiltgen commented that storm water flows more to the east and then south. Gonyea stated that there was a wetland delineation done for the site.

Dorschner would like to see connectivity to the east. Feels that if we can get connectivity to flow towards the downtown that would be the goal.

Kreimer also want to see better walkability. Would like to see trails through cul-de-sac in cases where streets do not extend through. Would like to see a park in the development and a trail along Lake Elmo Avenue.

Johnson asked the Planning Commission to clarify expectations and direction.

Williams suggested the Commission come up with street alternatives:

Street alignment alternatives

- 1) As presented
- 2) Trail from middle cul-de-sac the North/South street to the east
- 3) Connected road through to the east (extending cul-de-sac to neighboring property)

Yocum suggested looking at Interlochen parkway in Woodbury as an example.

Dorschner state that he would rather see trail connection if Lake Elmo access needs to move further to the north, otherwise it may generate too much through traffic.

Dodson not as concerned with curvilinear pattern.

There was a general consensus to make road connectivity a priority, and to otherwise provide trail connections where direct road access would not be possible.

Business Item: *Outdoor Wedding Venue Ordinance*

Klatt started his presentation by reviewing the draft ordinance of the Outdoor Wedding Venue Ordinance that was discussed at the last meeting. Klatt presented the specific standards in order to allow the accessory use of weddings to proceed. The specific performance standards include food, alcohol, noise, lighting, and other standards that are intended to mitigate potential nuisance. Klatt noted that the use would be processed under the interim use permit process. Related to potential nuisance, Klatt noted that amplification of noise would only be allowed during the wedding ceremony, not during the reception.

Dodson asked if other types of events would be allowed, such as anniversaries, graduation parties, bar mitzvahs, etc. He asked why the events have to be restricted to religious events. Dodson noted that it may be a slippery slope allowing only certain types of events, but not others. The Planning Commission noted that not all weddings are religious events. Dodson noted that to allow some type of use on agricultural sites, he would like to expand the types of uses that occur.

Larson asked about the timeframe of when the events would be allowed. Klatt noted it is May through October. Larson also asked if it would be appropriate to require notification of adjacent properties. Klatt noted that notice is sent out to all properties within 350 feet for a public hearing at the Planning Commission. In addition, the interim use permit allows for the City to review the permit when it expires.

Williams noted that he is in agreement with Dodson in that there may be other events that should be allowed in addition to weddings. Haggard noted her concern about the level of noise with other events. She added that enforcement of the City's noise ordinance is difficult.

Kreimer noted that he supports limiting the activity to weddings, as well as limiting the number of activities per week. Kreimer noted that he would be interested in the thoughts of the City Council so that the Planning Commission does not invest too much time before learning their perspective.

Klatt noted that the frequency restriction of limiting the number of events per week could be added back into the ordinance. Dorschner suggested limiting the number events per year, such as 10 events. Williams suggested restricting the number of hours per day as well to minimize the impact.

Williams asked the Commission if everyone is in agreement that there should be some allowance for these special events. Everyone agreed that there should be some allowance. Williams noted that some more thought into mitigating potential nuisance, particularly hours and frequency of operation, noise and the provision of alcohol.

Williams asked about State Statutes with regard to serving alcohol from grapes grown on-site. Klatt noted that Staff is doing additional research. Dodson noted his confusion between the various types of wines. Klatt noted that if alcohol is sold, a liquor license is required. There was a general discussion about alcohol. Staff will research this issue more.

Williams noted that the Planning Commission would like some feedback from the City Council.

Haggard asked about a number of provisions, including portable toilets, lighting, and signage. Williams suggested providing links to the other ordinances.

Kreimer suggested being more specific with regards to having portable toilets. Klatt stated that the specifics would be spelled out as part of the IUP.

Haggard asked how hard it is to revoke an interim use permit. Klatt noted that if the conditions of the interim use are violated, it can be revoked. Klatt explained that it depends on how the IUP agreement is written up, but it is not as difficult to revoke as a CUP.

Haggard also asked about the number of cars allowed to park on the site. Klatt noted the interim use permit review process can address many of these concerns. Each permit will be written based on site conditions.

Dodson asked about security. Klatt stated that an applicant would need to provide contact information for any security that is required.

Klatt asked if the Planning Commission would like to see a revised draft before a public hearing is scheduled. The Planning Commission confirmed that they would like to see a draft before setting up a public hearing.

Updates and Concerns

Council Updates

1. No updates from the previous City Council meeting
2. City Council is planning a joint workshop with the Planning Commission to discuss Thrive 2040 population forecasts – April or May.
3. The 3/11/14 City Council workshop is dedicated to downtown planning. They will be talking about a market study for downtown, business improvements, EDA and discussion of TIF and the County reconstruction of Lake Elmo Avenue.
4. The first open house for the Lake Elmo reconstruction project will take place 3/13/14 at Christ Lutheran Church from 4-7pm. This will be a good information gathering process for the City, VBWD, and Washington County.

Staff Updates

1. Upcoming Meetings
 - a. March 24, 2014
 - b. April 14, 2014

Commission Concerns -

Williams suggested that the Planning Commission take another look and discuss the sketch plan for Easton Village after the Park Commission review. Klatt stated that it could be brought back at a future meeting, but to keep in mind that they could come in with the preliminary plat at any time. Kreimer thinks if it is more than a few tweaks it should come back. Larson stated that some of the changes were based on Planning Commission recommendations and the larger changes were based on the Park Commissions recommendation that there not be a park in the northwest corner.

Dorschner is wondering if there has been any thought put into the need for schools with all of the upcoming development. Johnson stated that staff made a presentation to ISD 834 and they have the City's projection for growth. They could possibly put a school down along the I94 corridor and that would accommodate new growth down there along with the kids that currently go to Lake Elmo Elementary from Woodbury.

Dorschner would like to see the schools integrated more into the neighborhood areas so that they would feel more like neighborhood schools and the kids could walk to them vs. in the more commercial areas.

Yocum was wondering if they could get a map that shows all the developments and what currently surrounds them.

Meeting adjourned at 10:20 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant



PLANNING COMMISSION
DATE: 3/24/14
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2014-13

ITEM: Family Means Conditional Use Permit Amendment

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Rick Chase, Building Official
Greg Malmquist, Fire Chief

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to hold a Public Hearing to review an amendment to the Conditional Use Permit for the Cimarron Manufactured Home Park. The proposed amendment to the CUP is to allow for the construction of a 4,000 square-foot youth center to serve as an accessory use to the existing manufactured home park. The youth center will be run by the Family Means organization to accommodate after-school and summer programming for young residents of Cimarron between the ages of 6-18. Staff is recommending that the Planning Commission recommend approval of the CUP amendment request.

GENERAL INFORMATION

Applicant: Family Means (Arba-Della Beck); 1875 Northwestern Avenue, Stillwater, MN 55082

Property Owners: Equity Lifestyle Properties, Inc. (Kate Yunke); 901 Lake Elmo Avenue North, Lake Elmo, MN 55042

Location: Part of Sections 36, Township 29 North, Range 21 West in Lake Elmo, immediately east of Lake Elmo Avenue (CR-17) and immediately south of 10th Street (CSAH 10). PID Number: 36.029.21.21.0001.

Request: Conditional Use Permit (CUP) Amendment

Existing Land Use: Manufactured Home Park w/various accessory uses

Existing Zoning: MDR – Urban Medium Density Residential

Surrounding Land Use: North – gasoline station and neighborhood convenience store, and Tartan Meadows rural single family neighborhood; west – Midland Meadows rural single family neighborhood; south – vacant land guided for Urban Medium Density Residential (MDR) and Business Park (BP); east – Oakland Jr. High School and vacant/agricultural land guided for Urban High Density Residential (HDR).

Surrounding Zoning: RS – Rural Single Family (west and north); CC – Convenience Commercial (north); RT – Rural Development Transitional District (south and east)

Comprehensive Plan: Urban Medium Density Residential

History: Property was given approval through a Special Use Permit to operate a manufactured home park in 1967. As part of the approval for the manufactured home park, various accessory uses were also permitted, including a golf course, utility buildings, and a community center. As the park proceeded with the construction of the various accessory uses, such as the golf course in 1988, the City processed that additional uses via a Conditional Use Permit. Therefore, the proposed community center related to the Family Means youth programs is being processed as an amendment to Cimarron Park’s existing Conditional Use Permit. It should be noted Special Use Permits have been replaced by Conditional Use Permits in current land use law or best practice.

Deadline for Action: May 1, 2014 (60 day time deadline per State Statute)

Applicable Regulations: §154.106 Conditional Use Permits

REQUEST DETAILS

The City of Lake Elmo is in receipt of a proposed amendment to the Conditional Use Permit (CUP) for the Cimarron Manufactured Home Park. The CUP amendment has been submitted by Family Means, a non-profit organization that runs after-school and summer programming for youth in the Cimarron Manufactured Home Park. Family Means currently runs similar programming inside the existing clubhouse and office of Cimarron Park. However, due to a lack of space (900 square feet) within the existing facilities, the applicants have noted that they are unable to expand programming in Cimarron Park to provide a greater variety of programs and services. Due to this limitation, Family Means is proposing to construct a 4,000 square-foot youth center in the southeast corner of the existing parking lot that serves the clubhouse and office. As guided by the established procedure of adding other accessory uses to the manufactured home park in the past, the proposed use requires an amendment to Cimarron’s existing CUP.

BACKGROUND

The building proposed by Family Means is intended to increase capacity for after-school and summer programming for youth within the Cimarron manufactured home park. Family Means is currently providing some programming within a 900 square-foot space in the basement of the existing clubhouse/office of Cimarron Park. However, as stated in the provided narrative, they would like to expand their capacity and programming to serve greater numbers of youth with expanded activities. The proposed youth center would allow them to accomplish these goals. The applicants first met with staff in 2012 to discuss this proposal. At the meeting, staff instructed the applicants that the review of the youth center would be processed as an amendment to their existing CUP (formerly Special Use Permit). As instructed by staff, the applicants are now moving forward with their proposal by submitting an application for an amendment to the existing CUP.

The applicant’s submission to the City includes the following components:

- *Narrative.* The attached narrative includes a general overview of the project with additional background information regarding the organization and the intended use of the structure. The structure will have a teen area and a children's area, as well as additional space for quiet study, computer stations and a commercial grade kitchen. The applicants have noted that there is adequate parking for the facility with 108 total parking spots at the end of construction. In addition, the narrative provides important details about how the structure will be served by the domestic sanitary sewer and water systems within Cimarron Park. Finally, it is noted that the project will result in an overall reduction in the amount of impervious surface.
- *Lease Agreement.* Family Means have entered into a 30-year lease agreement with Equity Lifestyle Properties, Inc., the owners of Cimarron Park, to lease the area needed for the construction of the new youth center. In addition, the lease also provides access to common areas surrounding the building, including the dedicated parking spots for the facility.
- *Plan Sets*
 - *Lease Description Sketch.* The sketch includes a description of the area to be leased for the youth center, as well as information relating to existing conditions and topography.
 - *Grading, Drainage, Erosion Control and Utility Plan w/Details.* The grading and utility plan shows the proposed grading as well as the proposed utility connections. The sanitary sewer service for the building will connect to the existing 6" service line for the clubhouse and office. The proposed water service will be connected via a 6" service line on the northern side of the structure. The plan also shows a proposed rain garden on the east side of the site to address updated conditions related to drainage and storm water runoff. It is the City's understanding that the applicant has prepared the submitted plan in coordination with the Valley Branch Watershed District. Finally, the plan includes measures to address erosion and sediment control.
 - *Landscape Plan.* The Landscape Plan includes the species and location of a variety of plantings proposed for the site. The plan includes 6 trees and multiple varieties of shrubs and perennials. Upon review of the City's landscape ordinance, Staff found the proposed landscape plan to be consistent with the City's requirements.
 - *Building Plans and Elevations.* The applicants have provided elevations from the south and west sides of the proposed youth center, as well as the out or storage building. Building plans are also provided, showing how the interior space will be utilized in the youth center.
 - *Site Plan Sketch.* The Site Plan Sketch shows consistent information that supports the other documents in the plan sets. The sketch also demonstrates how the resulting parking lot will be striped in order to accommodate adequate parking facilities. The sketch and narrative note that 108 parking stalls will result from the redesign. However, when counting the stalls on the sketch, staff counted 95 parking stalls. Staff would request that the applicant verify the final number of parking stalls in advance of the building permit being approved.

In reviewing the submitted materials, staff has determined that the applicants have provided a complete and thorough application to review the proposed amendment to Cimarron's CUP. In order to further review the proposed use, staff reviewed the application in accordance with the City's

ordinance pertaining to conditional use permits. In addition, staff did review the history of the site to better understand how to process the request.

STAFF REVIEW COMMENTS:

In terms of the history of the manufactured home park, Cimarron Park was granted a Special Use Permit by the Town of East Oakdale in 1967 (Attachment #4). As part of this approval, various accessory uses were identified that could be constructed accessory to the manufactured home park at a later date. These accessory uses included a nine-hole golf course and a community center/office. In reviewing this application, staff has determined that the proposed youth center is an accessory use that is consistent with the original approval of the park. It should be noted that cities no longer issue special use permits, as these types of approvals have been replaced by conditional use permits (CUPs).

In reviewing the proposed amendment to the CUP, staff reviewed the request according to the required finding of the City's CUP Ordinance. The required findings include 12 findings that relate to minimizing potential impacts or nuisances associated with the proposed use. For the convenience of the Planning Commission, staff has provided the 12 required findings in Attachment #5. In reviewing the 12 required findings for granting a conditional use permit, or an amendment to that permit in this case, staff has found that the proposed use meets all of the required findings. In the judgment of staff, the proposed use is an expansion of a use that is currently occurring within the Cimarron clubhouse/office that will positively impact the community. In addition, there are no nearby land uses in close proximity that would be negatively impacted by the construction of the youth center in this location. After reviewing the required findings, staff finds that the proposed use would not conflict with the City's requirements for granting an amendment to the existing Conditional Use Permit. For these reasons, staff is recommending that the Planning Commission recommend approval of the proposed amendment to the CUP. To facilitate the review by the Planning Commission, staff can address any questions related to specific findings if needed.

The Fire Chief also reviewed the proposed youth center. The site will contain a fire hydrant in close proximity, and the structure will be sprinkled. The Fire Chief also wanted to know whether or not the facility could serve a dual purpose as an additional storm shelter in cases of extreme weather. Staff will follow up with the applicants and representatives of the manufactured home park to discuss any possibilities.

RECCOMENDATION:

Staff is recommending that the Planning Commission recommend approval of the proposed amendment to the Conditional Use Permit for the Cimarron Manufactured Home Park to allow the construction of a 4,000 square-foot youth center through the following motion:

“Move to recommend approval of the Conditional Use Permit Amendment submitted by Family Means to allow for the construction of a 4,000 square-foot youth center at the Cimarron Manufactured Home Park”

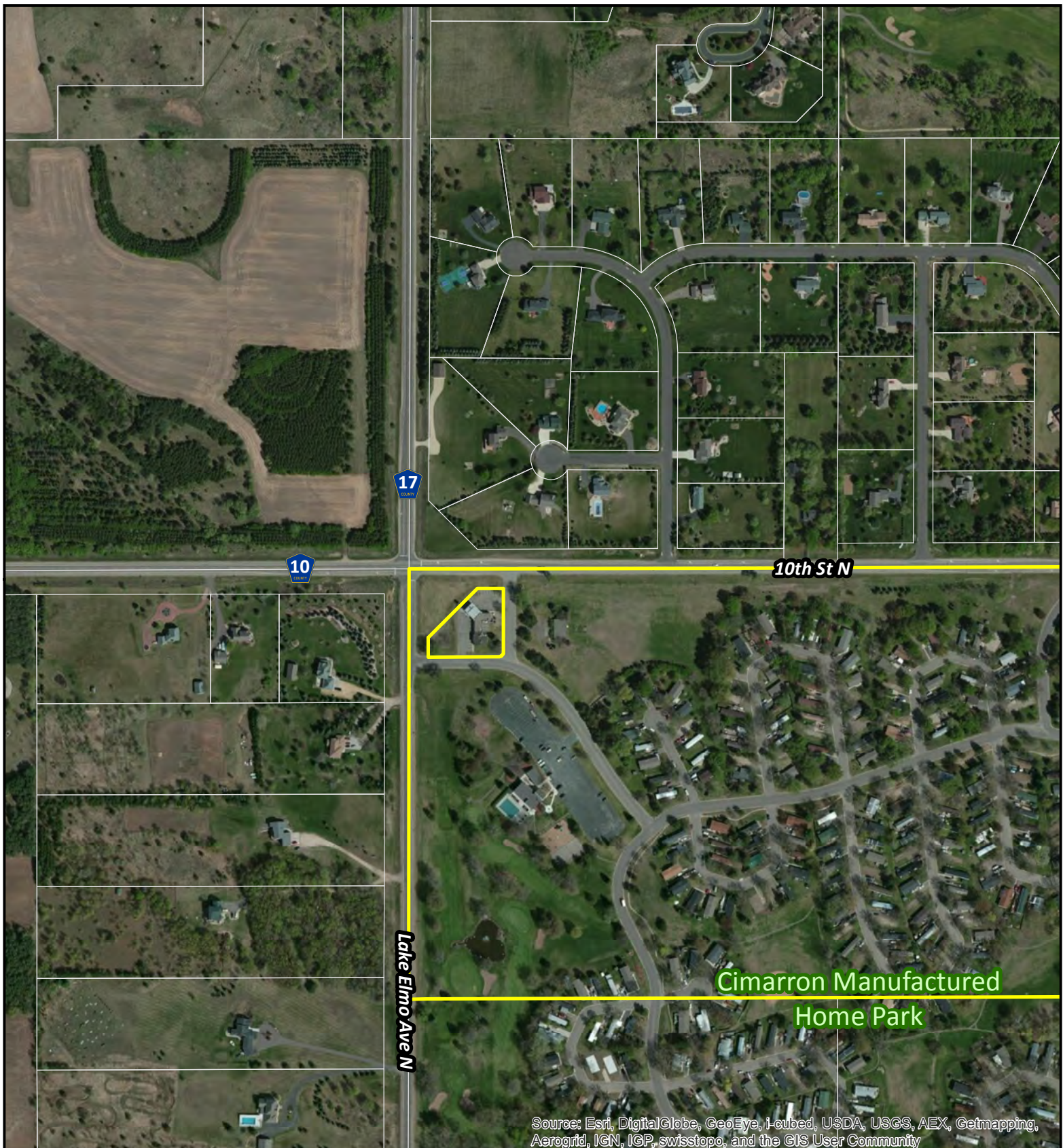
ATTACHMENTS:

1. Location Map

- 2. Application Form & Narrative
- 3. Youth Center Plan Sets
- 4. Cimarron Park’s Approved Special Use Permit
- 5. CUP Required Findings (§154.106.A)

ORDER OF BUSINESS:

- IntroductionPlanning 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



Location Map: Family Means CUP Amendment



Data Source: Washington County, MN
3-19-2014



Project Location
901 Lake Elmo Ave N

0 200 400 800 Feet
1"=400'



Date Received: _____
Received By: _____
Permit #: _____



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

LAND USE APPLICATION

☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal

☒ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
AMENDMENT

☐ Lot Line Adjustment ☐ Minor Subdivision

Applicant: Family Means, Arba-Della Beck, President / Brian Larson, AIA, architect

Address: 1815 Northwestern Avenue, Stillwater MN 55092

Phone # owner: 651-439-4840 architect: 651-430-0056

Email Address: owner: abeck@familymeans.org
architect: brian@larsonarchitectsllc.com

Fee Owner: Equity Life Style Properties Inc. / Cimarron Park Manager, Kate Yunke

Address: 901 Lake Elmo Ave. N. 55042

Phone # 651-436-8180

Email Address: Cimarron park - mgr@equitylifestyle.com

Property Location (Address and Complete (long) Legal Description: SEE ATTACHED DRAWING/SURVEY. LEASE
901 Lake Elmo Ave. N. Lake Elmo 55042 DESCRIPTION SKETCH

Detailed Reason for Request: SEE ATTACHED LETTER: Conditional Use Permit
Amendment to add a Community Building in an existing parking
lot to accomodate after-school and summer programs for
Cimarron children ages 6-18.

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

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

REPRESENTING FAMILY MEANS - BRIAN LARSON, AIA
Signature of applicant: [Signature] Date: MARCH 3 2014

City Use Only

Planning: Zoning District: _____ Date: _____

Reviewed by: _____ Subject to the following conditions: _____

Engineering: Reviewed by: _____ Date: _____

Subject to the following conditions: _____

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN MN 55042
03/03/2014
REVISED -03/18/14

Application for Conditional Use Amendment:

Cimarron Community Building 901 Lake Elmo Avenue North, Lake Elmo, MN 55042

Cimarron Park

Equity LifeStyle Properties, Inc.
Kate Yunke, Property Manager
901 Lake Elmo Avenue North, Lake Elmo, MN 55042
651-436-6188

Owners/Lessees:

Arba-Della Beck, President
FamilyMeans
1875 Northwestern Avenue
Stillwater, MN 55082
651-439-4840

Architect:

Brian Larson, AIA
Larson Architects, LLC
807 N. 4th Street
Stillwater MN 55082
651-430-0056

Project Background

FamilyMeans is a private nonprofit social services agency founded in 1963 by Stillwater area community leaders. Their Youth Development Initiative provides on-site after-school and summer enrichment programs for Cimarron children and teens. FamilyMeans has 20 years of experience providing high quality youth programs. Local law enforcement and Equity LifeStyle Properties (ELS) management have publically credited their Cimarron program as instrumental in reducing juvenile crime within the community.

The Cimarron youth programs have outgrown their existing space, located in the basement of the Cimarron golf clubhouse and business office. This 900 square-foot space limits the number of youth who can participate, as well as the variety of programming that can be offered.

FamilyMeans and ELS have entered a 30-year lease agreement, allowing FamilyMeans to construct a new 4,000 sf one-story building and 500 sf outbuilding at the south end of the Cimarron clubhouse parking lot. The larger building will support and allow for the growth of Cimarron's youth programming. Youth currently have the opportunity to explore art, science, music, sports, cooking and computer skill-building in an open free-choice environment. Expanded summer programming offers a soccer club, bike program and entrepreneurial garden project. Activities also include field trips and community service efforts. Help with school work is available daily, and teens explore post-secondary education options.

Project Narrative

As noted above, the proposed Cimarron Community Center building is located near the community entrance and existing offices and golf clubhouse. The new building and its yard occupy one end of an existing parking lot adjacent to existing playground and court areas, and are a short distance from the offices and the community pool. With its rear yard greenspace, the project reduces the overall impervious area of the site, and its location allows shared use of the existing parking lot. When striped as indicated, the remaining parking lot could provide 108 parking spaces (including the 15 spaces needed for this new facility) . The plans have been developed in consultation and with support from the ELS/Cimarron local staff, who have concluded that this number of spaces will be more than adequate for all parking needs.

The main building is a gable-roofed, slab-on-grade wood-framed structure with porches on both sides. Adjacent to the main building is an outbuilding with a seasonal bike shop and storage areas for outdoor recreation. The two buildings form edges to an outdoor play area bounded on the remaining sides by a earth berm and the playground areas.

The main building's plan is symmetrical, with a teen area and a children's area on each side separated by a movable wall partition . Each side has its separate entrance from the parking lot/drop-off area to the north, as well as direct access to the outdoor play area to the south. In the center of the building are large activity multi-use spaces , with high (12'-0") ceilings. The center movable wall partition can be folded into a pocket, allowing the entire center area to be opened for special events. There are also quiet rooms to the south, facing the play yard, for study, art or small group activities. A central commercial-grade kitchen will be used for preparing food and for teaching purposes. On both the north and south sides of the building there are outdoor porches protecting entrances and providing space for small gatherings out of the elements.

The site development of the building and yard will result in removal of some existing parking , and a net gain in pervious green space. As part of the reconfiguration of parking lot stormwater systems, a raingarden/bioswale is proposed that can help infiltrate and treat stormwater runoff from site and building. Smaller nearby raised bed gardens may be constructed to support the program's gardening and produce initiative.

A new 6" PVC line sanitary sewer service for the new building will be connected to the existing 6" sanitary sewer line running from the existing clubhouse/office building to the sanitary main in the street. Most of the usage from toilets, sinks, kitchen and other wastewater will be simply transferred from the program's current use in the existing building to the new building. Any increase in usage from the new facility should easily be accommodated: according to the Chris Chvala, Cimarron Utility Director, the Cimarron wastewater treatment facility has an average flow of 72,000gal. with a capacity of 120,000 gal. The water service to the new building will via a new 4" line connected to the existing water service near an adjacent fire hydrant. Chris Chvala indicated that water pressure in this area is good, with few other sites using the existing 6" main in the street. Once a sprinkler contractor is engaged, water flow rates at the site will be verified.

Summary

The primary use of the proposed new Community Building for after-school and summer programs (currently housed by the existing clubhouse) appears to conform and be compatible with uses in the immediate area. Its scale, appearance and character differentiates enough to provide its own identity, but is also compatible with the existing office/clubhouse and the surrounding residential neighborhood. No additional parking will need to be created, with the existing parking lot providing all of the spaces needed. The overall net impervious surface area will decrease as a result of this project, with the addition of green space in the rear yard.



Equity LifeStyle Properties, Inc.
Two North Riverside Plaza, Suite 800
Chicago, Illinois 60606
(312) 279-1400
(312) 279-1715 Fax

Direct Dial: (312) 279-1674
Direct Fax: (312) 279-1675
E-mail: walter_jaccard@equitylifestyle.com

July 25, 2013

By Federal Express

Arba-Della Beck
FamilyMeans
1875 Northwestern Ave. S.
Stillwater, MN 55082
651 789 4001

Dear Arba-Della:

Enclosed is a fully signed original of the Ground Lease for Family Means' new facility at the Cimarron Village Manufactured Home Community.

Sincerely,

Walter B. Jaccard
Vice President – Legal

Enclosure

GROUND LEASE

THIS GROUND LEASE made and entered into as of the 1st day of July, 2013, by and between MHC Cimarron, L.L.C., a Delaware limited liability company (the "Lessor"), and FamilyMeans, a Minnesota nonprofit corporation (the "Lessee").

Lessor and Lessee, for and in consideration of the keeping by the parties of their respective obligations hereinafter contained agree as follows:

ARTICLE I Leased Premises

Upon the terms and conditions hereinafter set forth, and in consideration of the payment of the rents and the performance by Lessee of the covenants and agreements, to be kept and performed by Lessee, Lessor does hereby lease, let, and demise to Lessee and Lessee hereby leases from Lessor, the premises, situate, lying, and being in Washington County, State of Minnesota, together with certain easements for the benefit of the premises, all as described on **Exhibit "A"** attached hereto, and all other rights, privileges, easements and appurtenances belonging to or in any way pertaining to said premises including, but not limited to, the right to use in common with others the "Common Area", as defined and described on **Exhibit "B"** attached hereto (all of the foregoing being hereinafter collectively referred to as the "Leased Premises").

LESSEE HEREBY ACCEPTS THE LEASED PREMISES IN ITS "AS IS" CONDITION, SUBJECT TO THE EXISTING STATE OF TITLE (WITHOUT EXPRESS OR IMPLIED WARRANTY OF LESSOR WITH RESPECT TO THE CONDITION, QUALITY, REPAIR OR FITNESS OF THE PREMISES FOR A PARTICULAR USE OR TITLE THERETO, ALL SUCH WARRANTIES BEING HEREBY DISCLAIMED BY LESSOR AND WAIVED AND RENOUNCED BY LESSEE).

SIGNATURE PAGE FOR GROUND LEASE

IN WITNESS WHEREOF, Lessor and Lessee have hereunto set their hands and seals, the day and year above written.

LESSOR:

**MHC Cimarron, L.L.C.,
a Delaware limited liability company**

By: *Ronald C. Bunce*
Its: RONALD C. Bunce, Sr. Vice President

STATE OF Arizona)
COUNTY OF Maricopa) ss.

The foregoing instrument was acknowledged before me this 22nd day of July, 2013, by Ronald C. Bunce, the Senior Vice President of MHC Cimarron, L.L.C., a Delaware limited liability company, on behalf of said company.



Susan Mary Subia
Notary Public

LESSEE:

FamilyMeans, a Minnesota non-profit corporation

By: *Jennifer L. Gillespie*
Its: Board Chair

STATE OF MINNESOTA)
COUNTY OF Washington) ss.

The foregoing instrument was acknowledged before me this 3 day of July, 2013, by Jennifer Gillespie, the Board Chair of FamilyMeans, a Minnesota non-profit corporation, on behalf of said corporation.

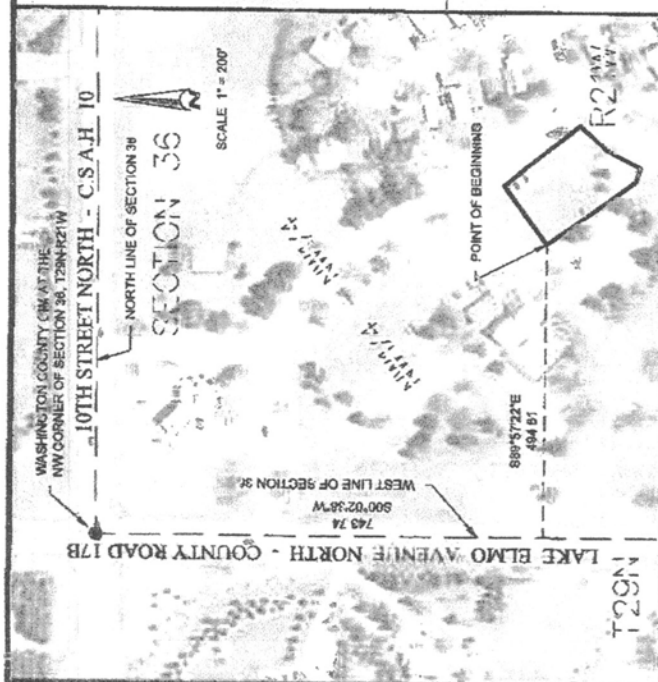


Elizabeth B. Johnson
Notary Public

EXHIBIT "A"

Leased Premises/Permitted Exceptions

Legal Description and Graphic Depiction of Leased Premises



PROPOSED LEASE PARCEL DESCRIPTION

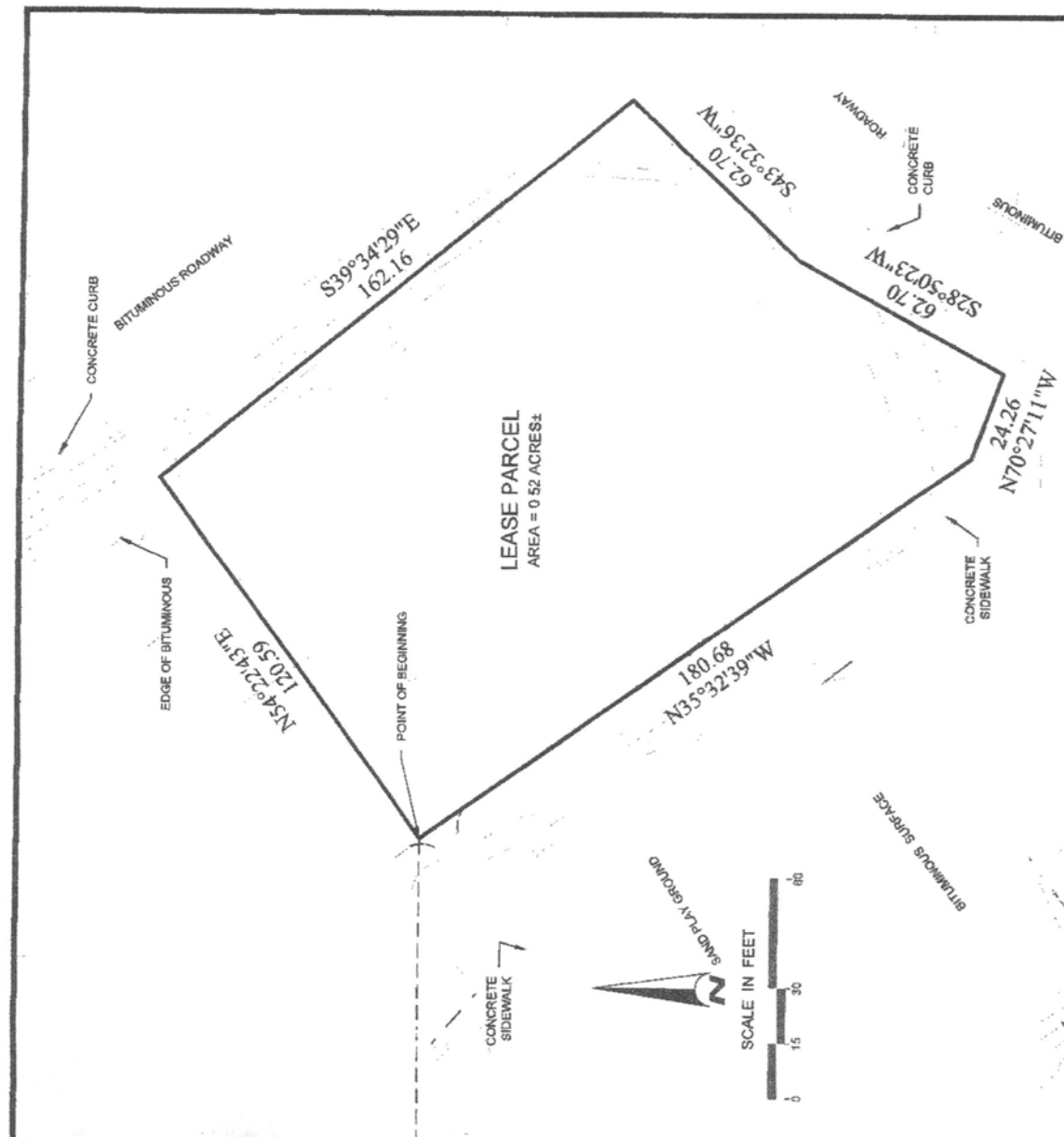
That part of the Northwest Quarter of the Northwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota described as follows:

Commencing at the northwest corner a said Section 36, thence South 00 degrees 02 minutes 38 seconds West, bearing oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the west line of said Section 36 a distance of 743.74 feet; thence South 89 degrees 57 minutes 22 seconds East 494.61 feet to the point of beginning; thence North 54 degrees 22 minutes 43 seconds East 170.59 feet; thence South 39 degrees 34 minutes 29 seconds East 162.16 feet; thence South 43 degrees 32 minutes 36 seconds West 62.70 feet; thence South 28 degrees 50 minutes 23 seconds West 62.70 feet; thence North 70 degrees 27 minutes 11 seconds West 24.26 feet; thence North 35 degrees 32 minutes 39 seconds West 180.68 feet to the point of beginning, containing 0.52 acres, more or less.

TOPOGRAPHY SHOWN HEREON IS BASED ON FIELD SURVEY PERFORMED IN JUNE OF 2011 BY BEARTOOTH DESIGN, INC.

ORIENTATION OF THIS BEARING SYSTEM IS THE WASHINGTON COUNTY
COORDINATE SYSTEM, NAD83, 1986 ADJUSTMENT.

AERIAL PHOTOGRAPHY IS FROM A FLIGHT BY THE NATIONAL GEODETIC ASSOCIATION AND OBTAINED FROM THE MINNESOTA NORTH STAR MAPPING WEB SITE.



THE FLOODING
2315 PEBBLE AVE NORTH
STILLWATER, MN 55082-1044

FAMILYMEANS
175 NORTHWESTERN AVENUE
STILLWATER, MN 55082

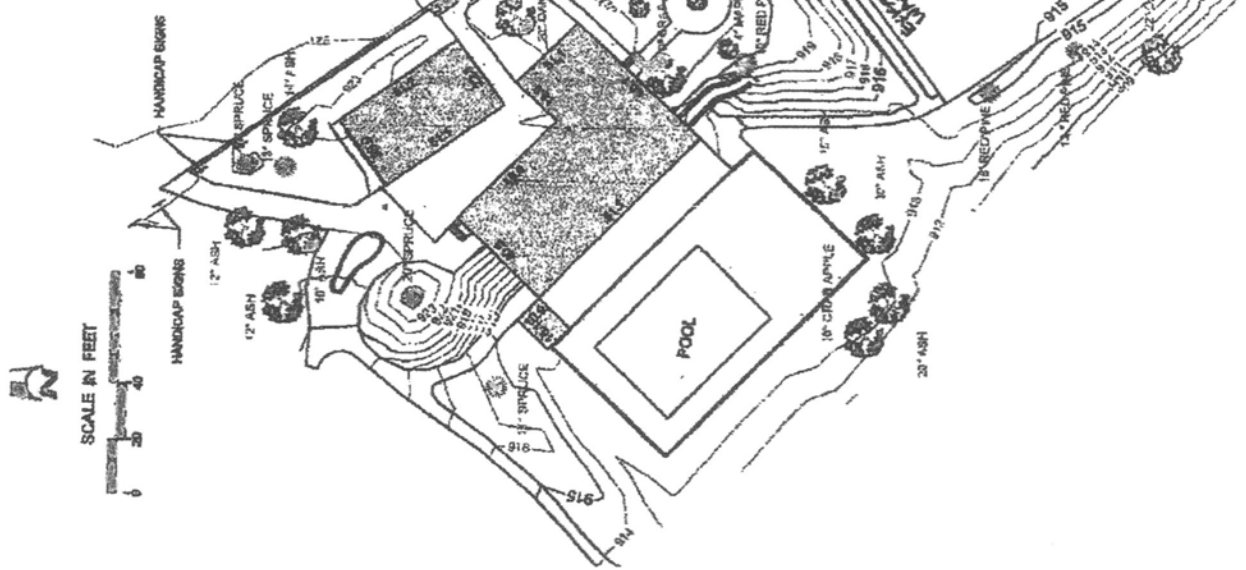
CIMARRON SITE
LAKE ELMO, MN 55042

LEASE DESCRIPTION
SKETCH

EXHIBIT “B”

Common Area

Exhibit B Common Area



SCALE IN FEET



Common Area
and
APPROXIMATE
CONSTRUCTION
LIMITS

LEASED
PROPERTY

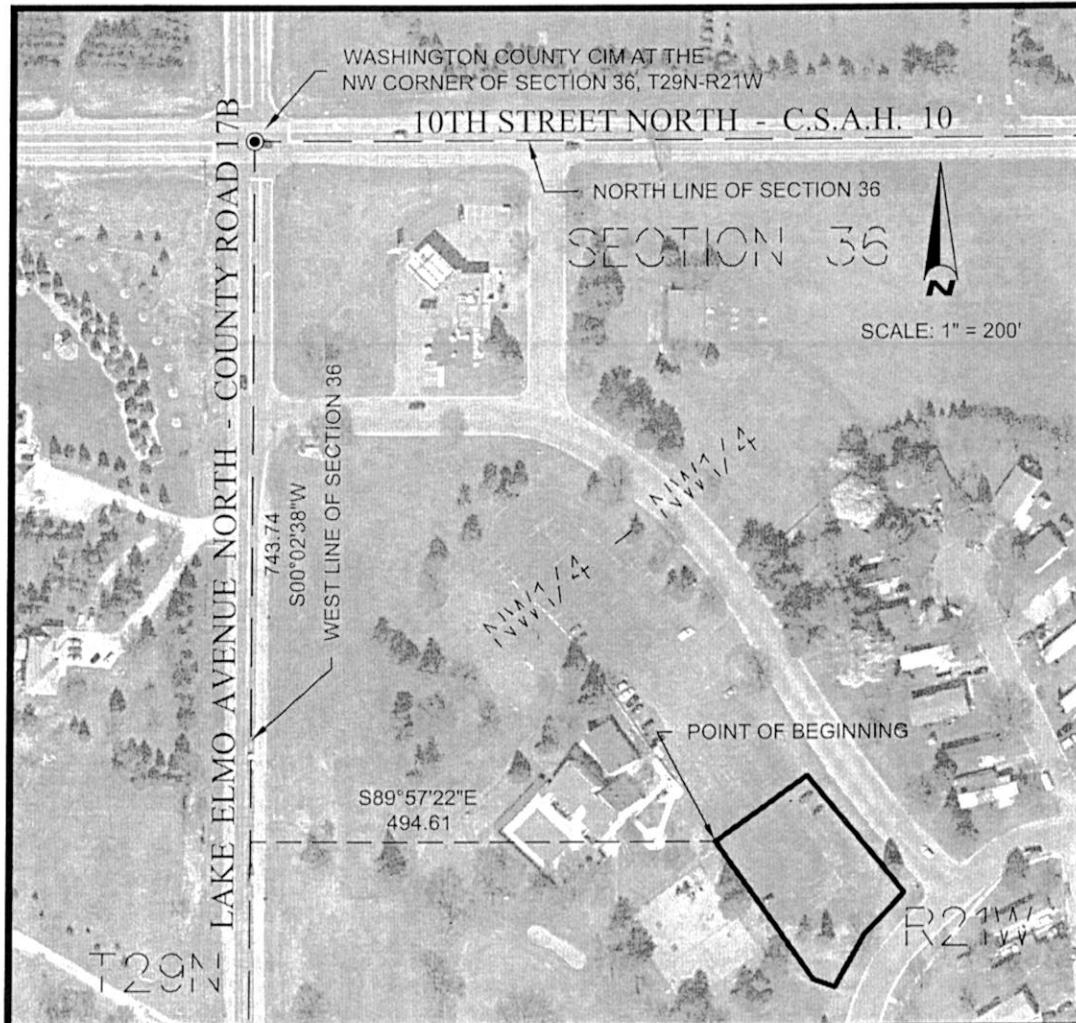
EXISTING
CIMARRON SITE PLAN.

08-14-13 - LARSON ARCHITECTS

Plan North



1:40



PROPOSED LEASE PARCEL DESCRIPTION

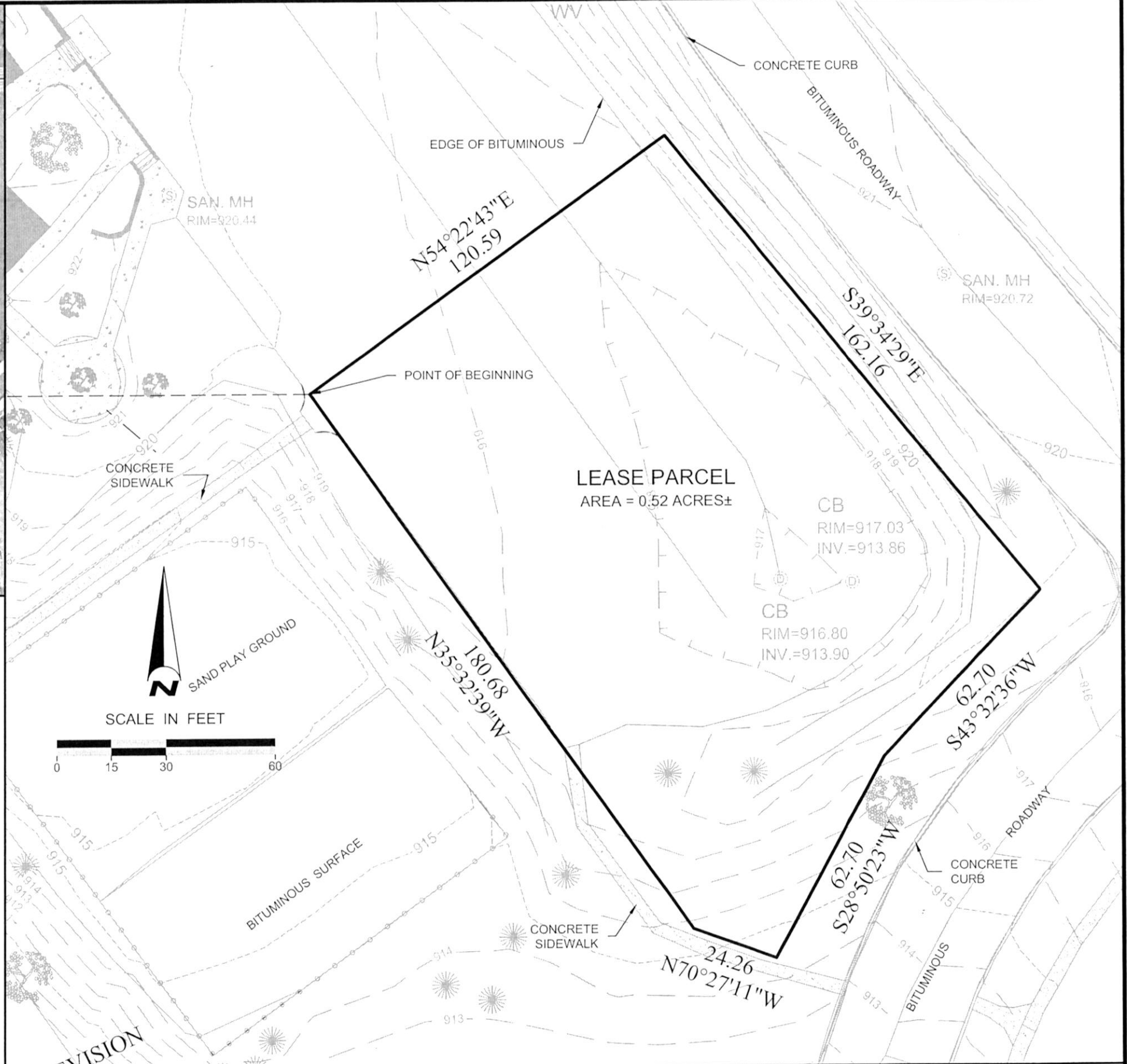
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Commencing at the northwest corner a said Section 36; thence South 00 degrees 02 minutes 38 seconds West, bearing oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the west line of said Section 36 a distance of 743.74 feet; thence South 89 degrees 57 minutes 22 seconds East 494.61 feet to the point of beginning; thence North 54 degrees 22 minutes 43 seconds East 120.59 feet; thence South 39 degrees 34 minutes 29 seconds East 162.16 feet; thence South 43 degrees 32 minutes 36 seconds West 62.70 feet; thence South 28 degrees 50 minutes 23 seconds West 62.70 feet; thence North 70 degrees 27 minutes 11 seconds West 24.26 feet; thence North 35 degrees 32 minutes 39 seconds West 180.68 feet to the point of beginning, containing 0.52 acres, more or less.

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ORIENTATION OF THIS BEARING SYSTEM IS THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD83, 1986 ADJUSTMENT.

AERIAL PHOTOGRAPHY IS FROM A FLIGHT BY THE NATIONAL GEODETIC ASSOCIATION AND OBTAINED FROM THE MINNESOTA NORTH STAR MAPPING WEB SITE.



6				
5				
4				
3				
2				
1				
NO	DATE	BY	REVISION	

I HEREBY CERTIFY THAT THIS SURVEY PLAN, OR REPORT, WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 04/12/2013
DATE: XXXXX/2013
LICENSE # 17252

DESIGN BY DLD
DRAWN BY DLD

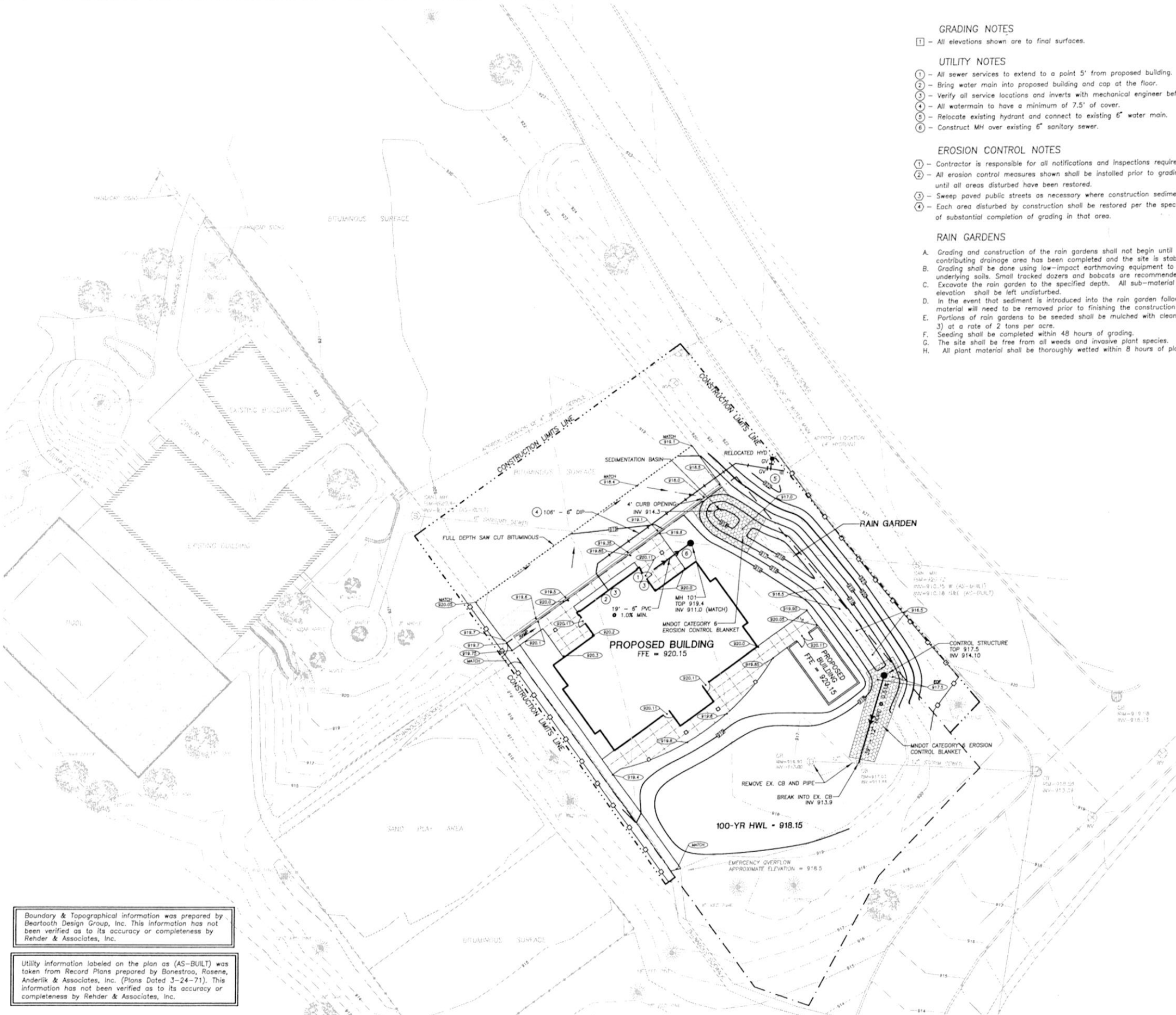
BDI PROJECT NO. 0123-001

BEARTOOTH DESIGN, INC.
2315 PERIWINKLE AVENUE NORTH
STILLWATER, MN 55082-1634
(855) 438-1781 dave@beartoothdesign.com

FAMILYMEANS
1875 NORTHWESTERN AVENUE
STILLWATER, MN 55082

CIMARRON SITE
LAKE ELMO, MN 55042

LEASE DESCRIPTION SKETCH
SHEET 01 OF 01 SHEETS



GRADING NOTES

- 1 - All elevations shown are to final surfaces.

UTILITY NOTES

- 1 - All sewer services to extend to a point 5' from proposed building.
2 - Bring water main into proposed building and cap at the floor.
3 - Verify all service locations and inverts with mechanical engineer before construction.
4 - All watermain to have a minimum of 7.5' of cover.
5 - Relocate existing hydrant and connect to existing 6" water main.
6 - Construct MH over existing 6" sanitary sewer.

EROSION CONTROL NOTES

- 1 - Contractor is responsible for all notifications and inspections required by the Watershed or City.
2 - All erosion control measures shown shall be installed prior to grading operations and maintained until all areas disturbed have been restored.
3 - Sweep paved public streets as necessary where construction sediment has been deposited.
4 - Each area disturbed by construction shall be restored per the specifications within two weeks of substantial completion of grading in that area.

RAIN GARDENS

- A. Grading and construction of the rain gardens shall not begin until all construction in the contributing drainage area has been completed and the site is stabilized.
B. Grading shall be done using low-impact earthmoving equipment to prevent compaction of underlying soils. Small tracked dozers and bobcats are recommended.
C. Excavate the rain garden to the specified depth. All sub-material below the specified elevation shall be left undisturbed.
D. In the event that sediment is introduced into the rain garden following excavation, this material will need to be removed prior to finishing the construction process.
E. Portions of rain gardens to be seeded shall be mulched with clean grain straw (MnDOT Type 3) at a rate of 2 tons per acre.
F. Seeding shall be completed within 48 hours of grading.
G. The site shall be free from all weeds and invasive plant species.
H. All plant material shall be thoroughly wetted within 8 hours of planting.

PROGRESS PRINT
2-26-14

LEGEND

- PROPOSED MANHOLE
● PROPOSED GATE VALVE
→ PROPOSED STORM SEWER
→ PROPOSED SANITARY SEWER
→ PROPOSED WATERMAIN
■ PROPOSED CONCRETE
□ PROPOSED STD. DUTY BITUMINOUS
--- PROPOSED CONTOUR
- - - PROPOSED ELEVATION
- - - SILT FENCE
- - - CONSTRUCTION LIMITS
- - - BOUNDARY/ROW/BLOCK LINE
→ DRAINAGE ARROW
- - - EXISTING CONTOUR
x 995.50 EXISTING ELEVATION

N

0 10 20 40 60
Scale in Feet

Boundary & Topographical information was prepared by Beartooth Design Group, Inc. This information has not been verified as to its accuracy or completeness by Rehder & Associates, Inc.

Utility information labeled on the plan as (AS-BUILT) was taken from Record Plans prepared by Bonestroo, Rosene, Anderlik & Associates, Inc. (Plans Dated 3-24-71). This information has not been verified as to its accuracy or completeness by Rehder & Associates, Inc.

LARSON
ARCHITECTS

807 FOURTH STREET
STILLWATER, MINNESOTA
55062

Telephone:
651-430-0056

larsen@larsenarchitects.com

Consultants

Rehder & Associates, Inc.

Civil Engineers, Planners and Land Surveyors
3940 Federal Drive, Suite 110
Eagan, Minnesota 55122
Phone: 651-450-5051
Fax: 651-450-4797
email: info@rehder.com
PROJECT NO.: 141-2720.010
DRAWING FILE: 2720010.DWG

Revisions		
No.	Date	Description

Date: 1-29-2014

Project No:

Drawn By: NPA

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

Signed:

License # 16525

Cimarron
Community
Center

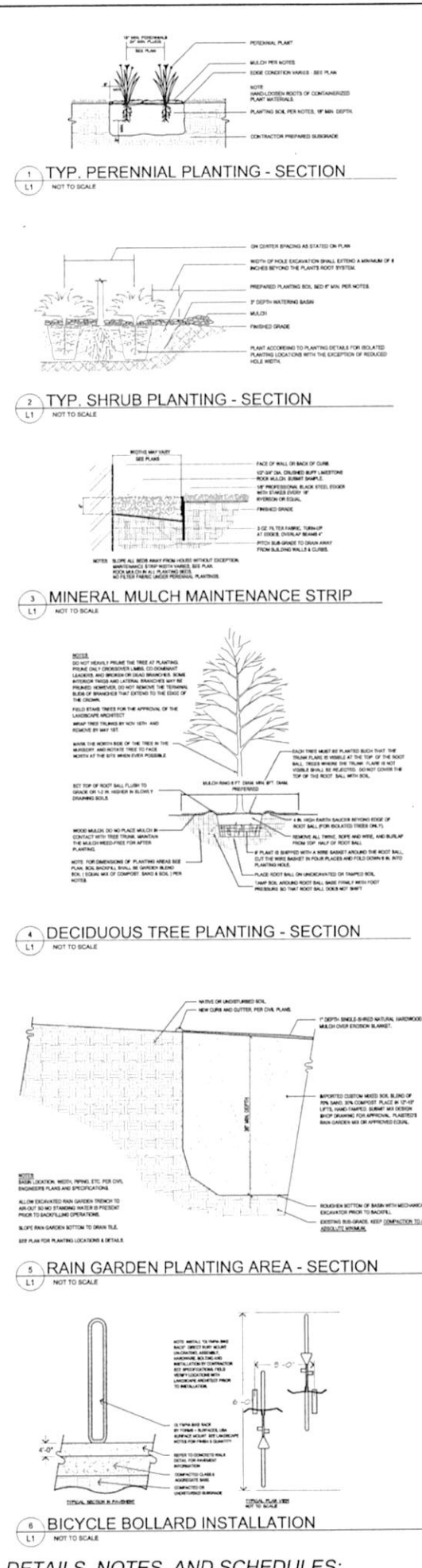
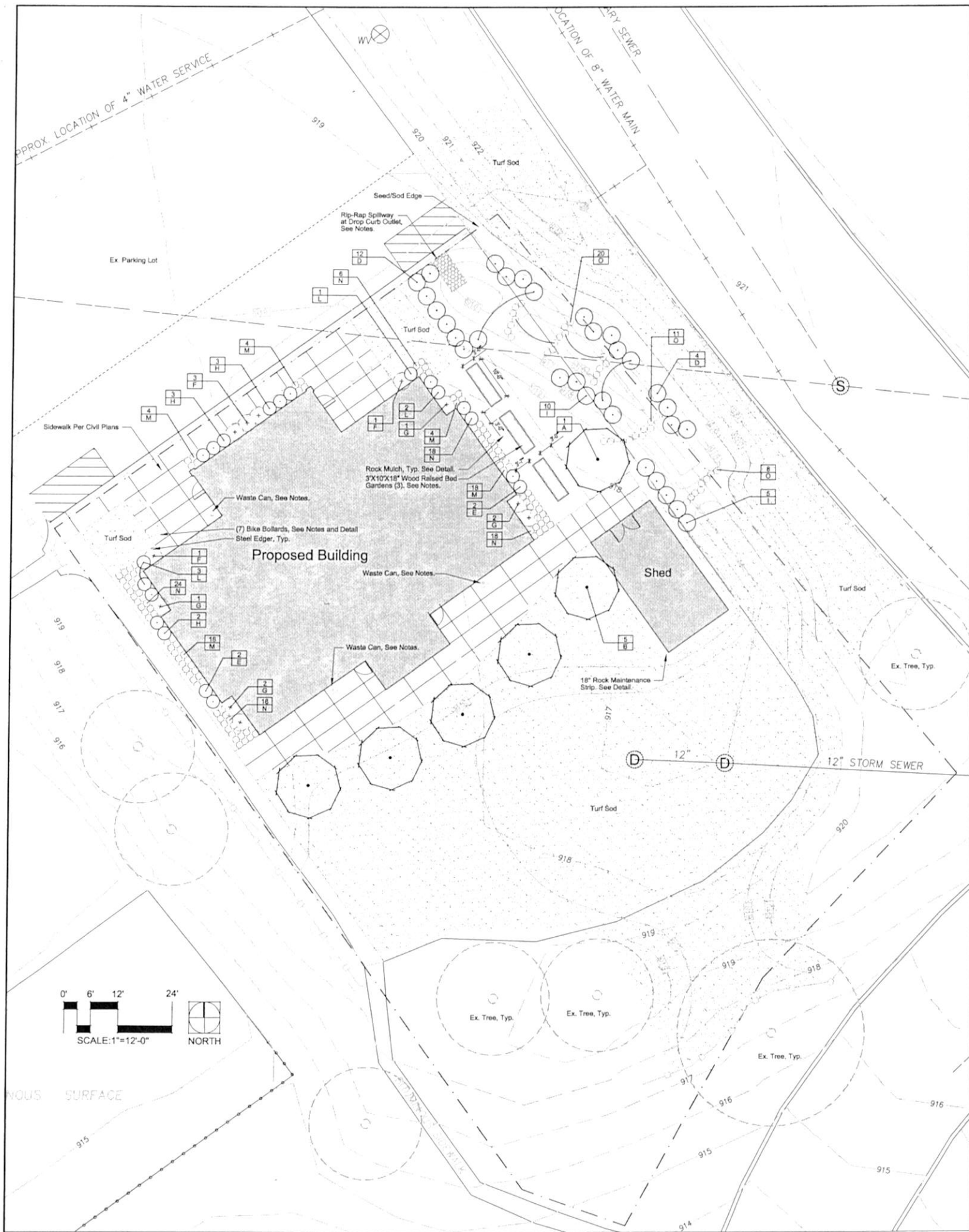
901 Lake Elmo Ave. N.
Lake Elmo, MN 55042

Sheet Title
GRADING,
DRAINAGE,
EROSION
CONTROL &
UTILITY PLAN

Sheet Number

C1

Printed:
© 2014 LARSON ARCHITECTS



Planting Palette:					
TREES:					
Qty	Key	Scientific Name	Common Name	Size	Root
1	A	Syringa reticulata	Japanese Tree Lilac	6' Hgt.	B&B
5	B	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' Hgt.	B&B
SHRUBS:					
Qty	Key	Scientific Name	Common Name	Size	Root
16	D	Cornus alba 'Sibirica' 'Red Gnome'	Red Gnome Dogwood	#2	POT
4	E	Diervilla lonicera	Dwarf Bush Honeysuckle	#2	POT
5	F	Taxus x media 'Dark Green'	Dark Green Yew (Spreading)	#5	POT
6	G	Juniperus chinensis 'Old Gold'	Old Gold Juniper	#5	POT
8	H	Spiraea japonica 'Neon Flash'	Neon Flash Spirea	#2	POT
15	I	Salix purpurea 'Nana'	Dwarf Blue Arctic Willow	#2	POT
PERENNIALS:					
Qty	Key	Scientific Name	Common Name	Size	Root
6	L	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	#1	POT
48	M	Echinacea purpurea 'Tomato Soup'	Tomato Soup Coneflower	#1	POT
84	N	Hemerocallis 'Pumpkin Festival'	Pumpkin Festival Daylily	#1	POT
39	O	Iris sibirica 'Sky Wings'	Sky Wings Siberian Iris	#1	POT

Landscape Plan Notes:

- Tree saucer mulch to be four inches (4") depth natural single-shred hardwood mulch for trees outside of a plant bed. Install per tree planting detail.
- By submitting a bid, the contractor attests that they personally walked the site and understand the existing conditions as they relate to the new improvements shown. No change orders will be considered for claims of unknown existing conditions or similar, above grade.
- All plant material shall comply with the latest edition of the American Standard for Nursery, American Association of Nurserymen. Unless noted otherwise, deciduous shrubs shall have at least 5 canes at the specified shrub height. Plant material shall be delivered as specified.
- Plan takes precedence over plant schedule if discrepancies in quantities exist.
- All proposed plants shall be located and staked as shown.
- Adjustment in location of proposed plant material may be needed in field. Should an adjustment be required, the client will provide field approval. Significant changes may require city review and approval.
- The project landscape contractor shall be held responsible for watering and properly handling all plant materials brought on the site both before and after installation. Schedule plant deliveries to coincide with expected installation time within 36 hours.
- All plant materials shall be fertilized upon installation as specified.
- The landscape contractor shall provide the owner with a watering schedule appropriate to the project site conditions and to plant material growth requirements.
- If the landscape contractor is concerned or perceives any deficiencies in the plant selections, soil conditions, drainage or any other site condition that might negatively affect plant establishment, survival or guarantee, they must bring these deficiencies to the attention of the landscape architect & client prior to bid submission.
- Contractor shall establish to his/her satisfaction that soil and compaction conditions are adequate to allow for proper drainage at and around the building site.
- Contractor is responsible for ongoing maintenance of all newly installed material until time of owner acceptance. Any act of vandalism or damage which may occur prior to owner acceptance shall be the responsibility of the contractor. Contractor shall provide the owner with a maintenance program including, but not limited to, pruning, fertilization and disease/pest control.
- The contractor shall guarantee newly planted material through one calendar year from the date of written owner acceptance. Plants that exhibit more than 10% die-back damage shall be replaced at no additional cost to the owner. The contractor shall also provide adequate tree wrap and deer/damage protection measures for the plantings during the warranty period.
- This layout plan constitutes our understanding of the existing conditions. Contractor shall inspect the site prior to bid submission and verify existing conditions to their own satisfaction. Submission of a bid constitutes acceptance of existing conditions.
- The landscape contractor shall be responsible for obtaining any permits and coordinating inspections as required throughout the work process.
- Plant size & species substitutions must be approved in writing prior to acceptance in the field.
- The landscape contractor shall include an irrigation system as a bid-alternate for the new improvements shown. Use Hunter Industries or equal. Bid to include internal house connection from the main building water line beyond the meter, atmospheric vacuum breaker, backflow device, time clock, main line, lateral lines, valves, heads, drip tubing, etc. Include the cost of plumbing and electrical in bid. All irrigation-related work to comply with Minnesota Uniform Building Code and City of Lake Elmo Plumbing Code permitting and regulations. Test irrigation system prior to plant installation. Include (1) fall shut-down and (1) spring start-up service in bid.
- All edge shall be professional grade black steel edger, 1/8" thick, Ryerson or Equal. Anchor every 18" on-center (minimum). Submit sample.
- Landscape Contractor is responsible for coordination with the Owner to protect the new and existing improvements on and off-site during landscape work activities. Report any damage to the Owner immediately.
- Unless otherwise noted/indicated, plant beds shall receive 2" depth buff limestone mulch (50" to 75" dia) without weed mat. Do not use weed mat under perennials or annuals. Submit mulch sample for Owner approval.
- Protect existing conditions to remain and report any damage outside the construction limits to the general contractor immediately.
- All sod areas shall be prepared prior to planting with a hand rake to provide a firm planting bed free of stones, sticks, construction debris, etc. Any alternate seed mixtures, rates, & application method noted shall be submitted to the landscape architect for approval. Sod areas outside plant bed limits disturbed by work within the scope of this project phase.
- Remove all demolition materials from the site the same day removal occurs. Stockpiling is not allowed.
- The Landscape Contractor shall furnish samples of all landscape materials for approval prior to installation.
- The Landscape Contractor shall be responsible for coordinating site staging location with Owner to minimize impact on driveway access.
- The general contractor shall be responsible for procurement of site furnishings, storage, on-cresting, assembly, & installation. Furnishings noted as surface-mount shall have a quick-bolt anchor concealed with an escutcheon plate or bolt painted to match furnishing color. Use stainless steel hardware and tamper-proof bolts.
- Rip-rap stone for rain garden inlet storm water dispersion shall be field stone (MnDOT Type III or better), 4"-6" diameter, hand-placed over filter fabric erosion control mat to a depth of 8" (min.) Slope edges of filter fabric every 18" and ensure all fabric is covered by rip-rap material. Hand-stage a V-ripple down the middle of the rip-rap bed. Refer to Civil Engineer's plans for grading and storm water piping. Match width at curb outlet opening.
- Site Furnishings shall consist of the following products & quantities:

Product	Manufacturer	Quantity	Model	Comment	Mounting	Color
Drainage Waste Can	Forma+Surfaces	04	SLDIS-220-1G	Including Liner	Surface	Black
Bike Bollard	Forma+Surfaces	07	OLMFA	Random Finish	Surface	Black

Contact Mike Koniczky, Forma+Surfaces Product Rep. at (651) 402-1432, for material quotation.
- The Landscape Contractor shall furnish samples of all landscape materials for approval prior to installation.
- Native Seed Area:

Mixed Height Mesic Grass Mix (Rain Garden Area)	Rate: 40 lbs. per acre
Mixed Height Mesic Wildflower (Forb) Mix	Rate: 10lbs. per acre

Application: Drill into compacted seed bed then install EC blanket per Note #33 below. Vendor: Prairie Restorations, Inc. or Equal.
- Install Curlex NetFree Erosion Control Straw Blanket with Bio-degradable Corn Starch Staples after seeding is completed per note #32. Apply 1" depth of natural double-shred hardwood mulch chips over blanket. Prairie seeding contractor shall provide the Owner with a proposal for (2) additional years of prairie maintenance. In addition to the (1) year warranty, it shall be the Owner's option to continue maintenance of the native prairie areas. Maintain under warranty per MnDOT Seeding Manual, 2007 edition.
- Landscape contractor to furnish and install (3) raised bed planters for gardening. Construct out of clear 2X12 cedar planks, reinforce with cedar 2X4's at inside corners. Use epoxy screws and pre-drill all holes. Fasteners are to be flush with wood surface. Finished above-grade dimensions: 3'-0" Wide, 12'-0" Long, 18" Tall. Install 4oz. filter fabric on sub-grade, then add 2" washed pea rock, then another layer of filter fabric, then 16" imported planting soil.

Consultant:

cdg

Calyx Design Group, llc

Landscape Architecture

Sustainable Design

Master Planning

1583 Berkeley Avenue

St. Paul, MN 55105

telephone: 651.334.5498

internet: www.calyxdesigngroup.com

e-mail: info@calyxdesigngroup.com

Project:

Cimarron Community Center

at

901 Lake Elmo Avenue North

LAKE ELMO, MN

Certification:

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

Print Name: Benjamin D. Hartberg, A.S.L.A.

Signature: _____

Date: X/XX/XX MN License # 48084

SCALE: AS NOTED

DATE: 2/16/2014

REVISIONS:

2/17/2014 OWNER REVIEW

LANDSCAPE PLAN

L1

PLAN

Cimarron Community Center

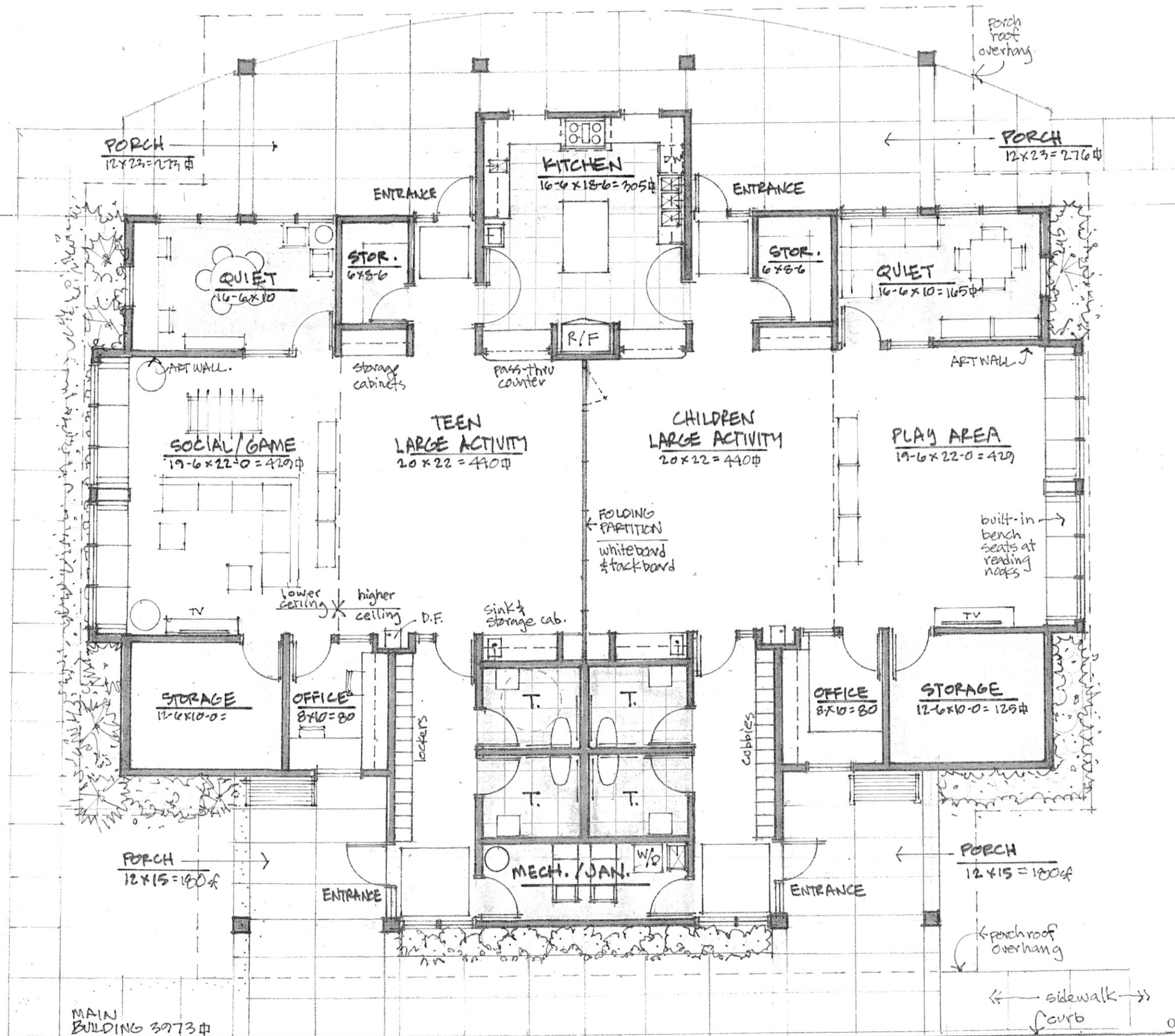
MAIN BUILDING 3973#

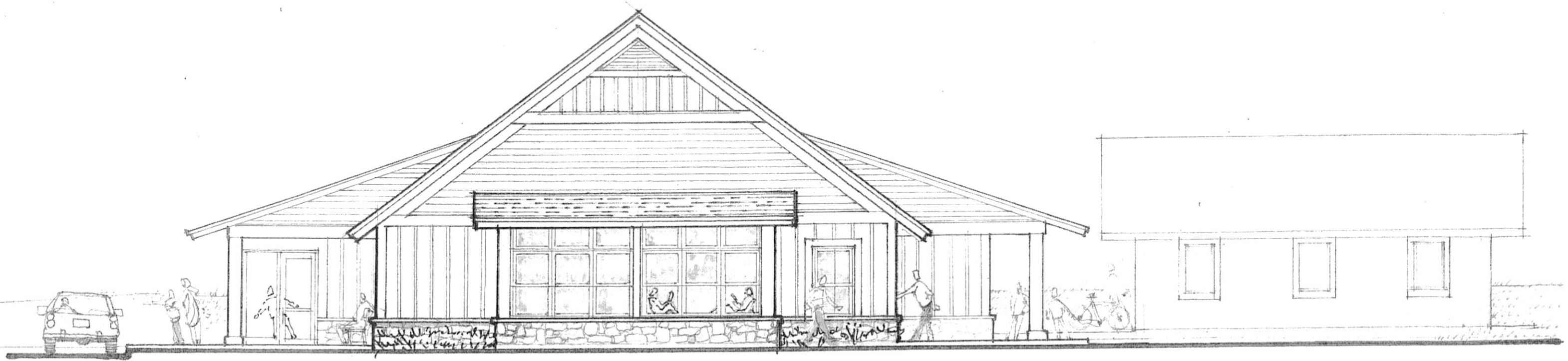
Larson Architects LLC 807 North Fourth Street Stillwater Minnesota 55082 651.430.0056

October 7, 2013

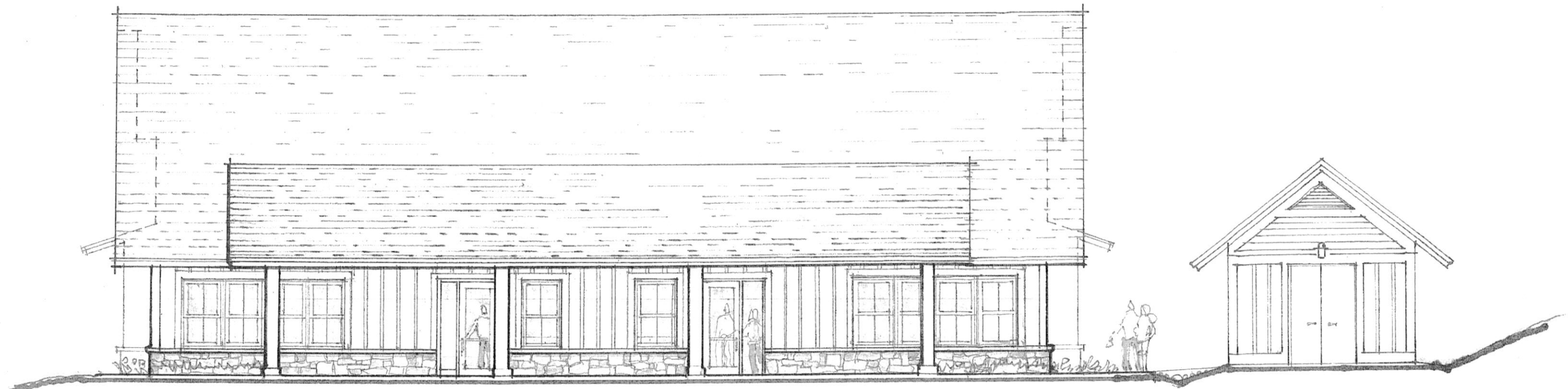
1/8"

2





WEST ELEVATION 1/8"



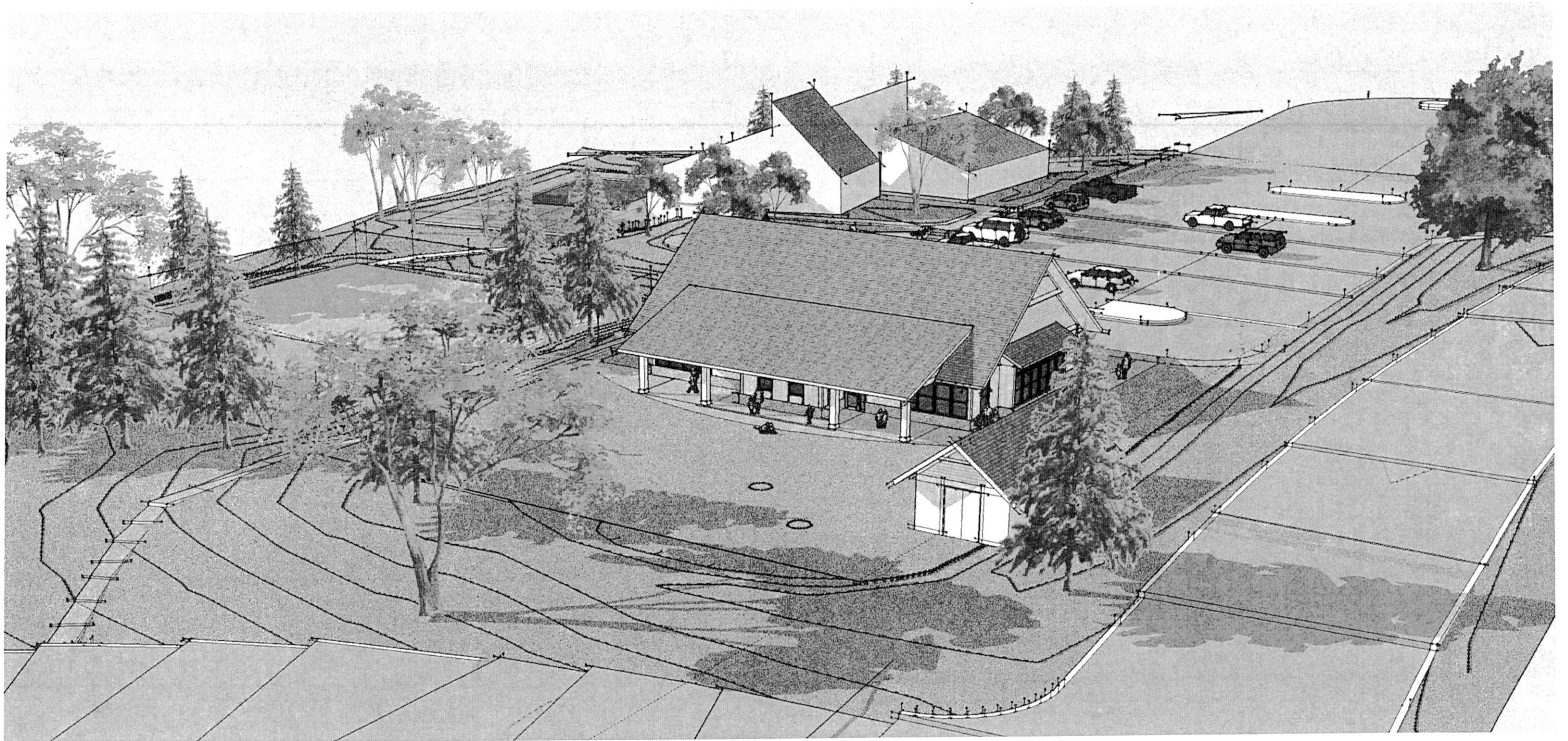
SOUTH ELEVATION 1/8"

ELEVATIONS

Cimarron Community Center

Larson Architects LLC 807 North Fourth Street Stillwater Minnesota 55082 651.430.0056

October 7, 2013



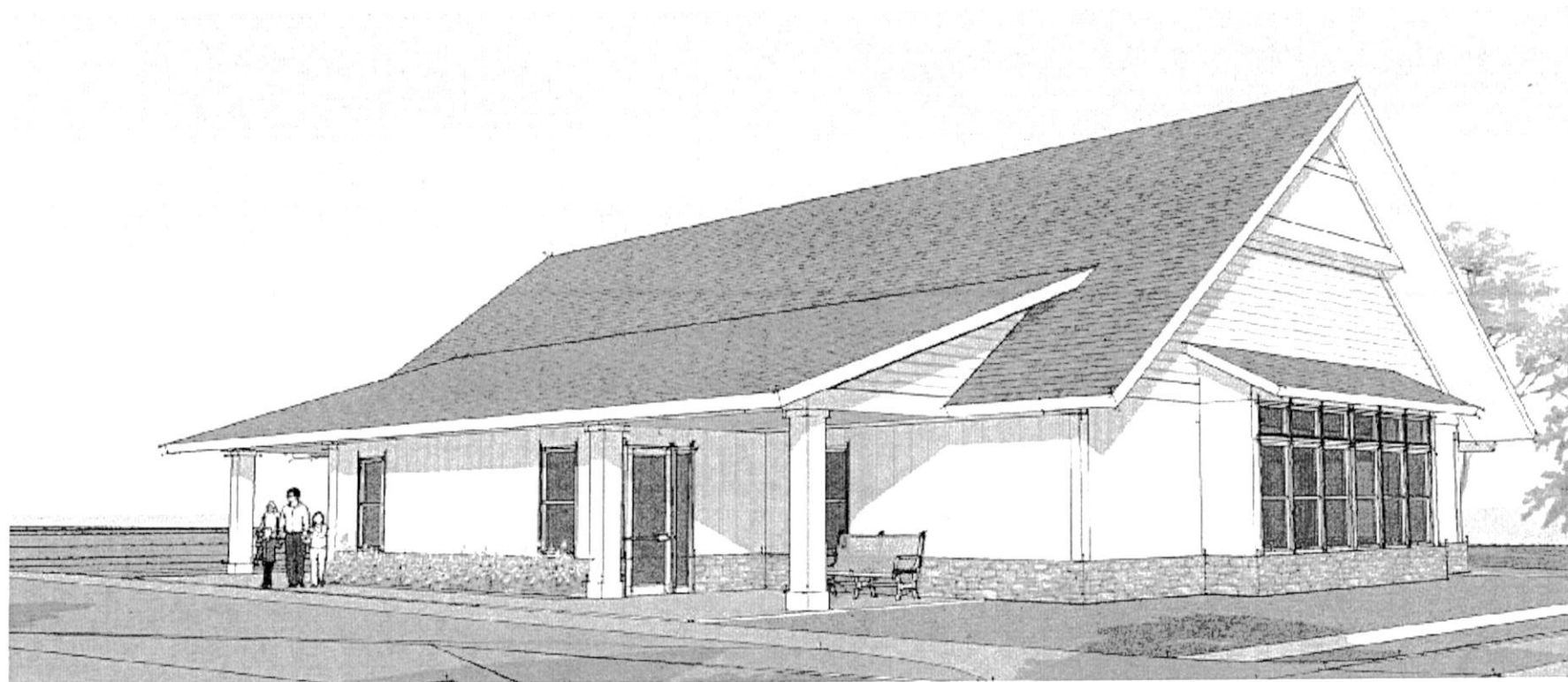
Aerial View from the Southeast

BUILDING IMAGES

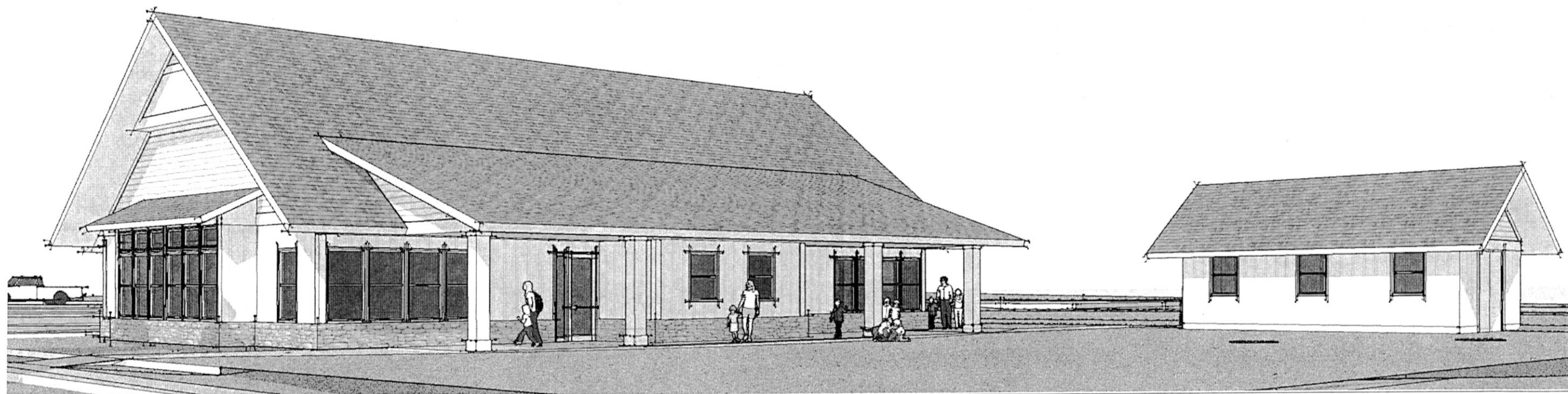
Cimarron Community Center

October 7, 2013

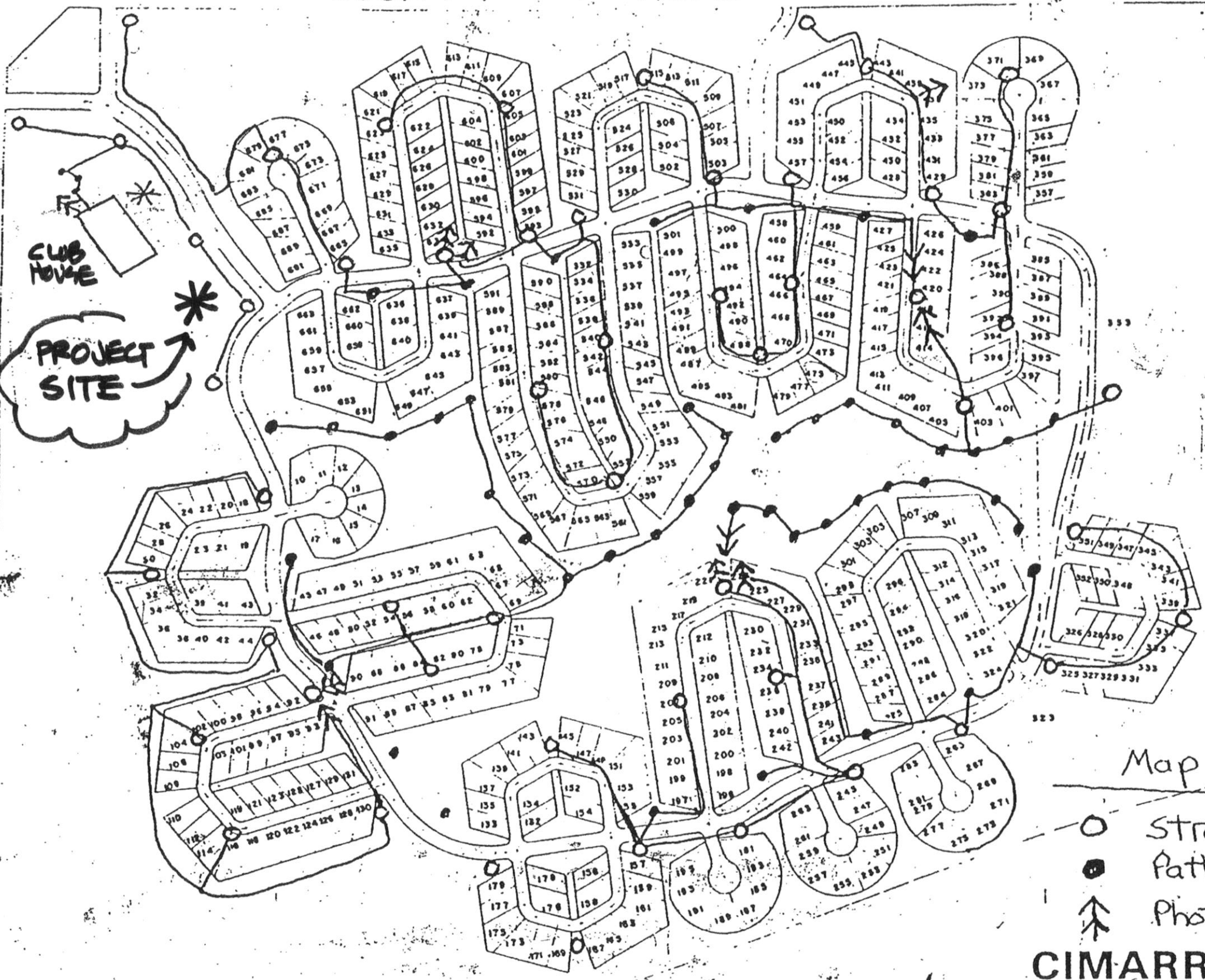
Larson Architects LLC 807 North Fourth Street Stillwater Minnesota 55082 651.430.0056



View From Northwest



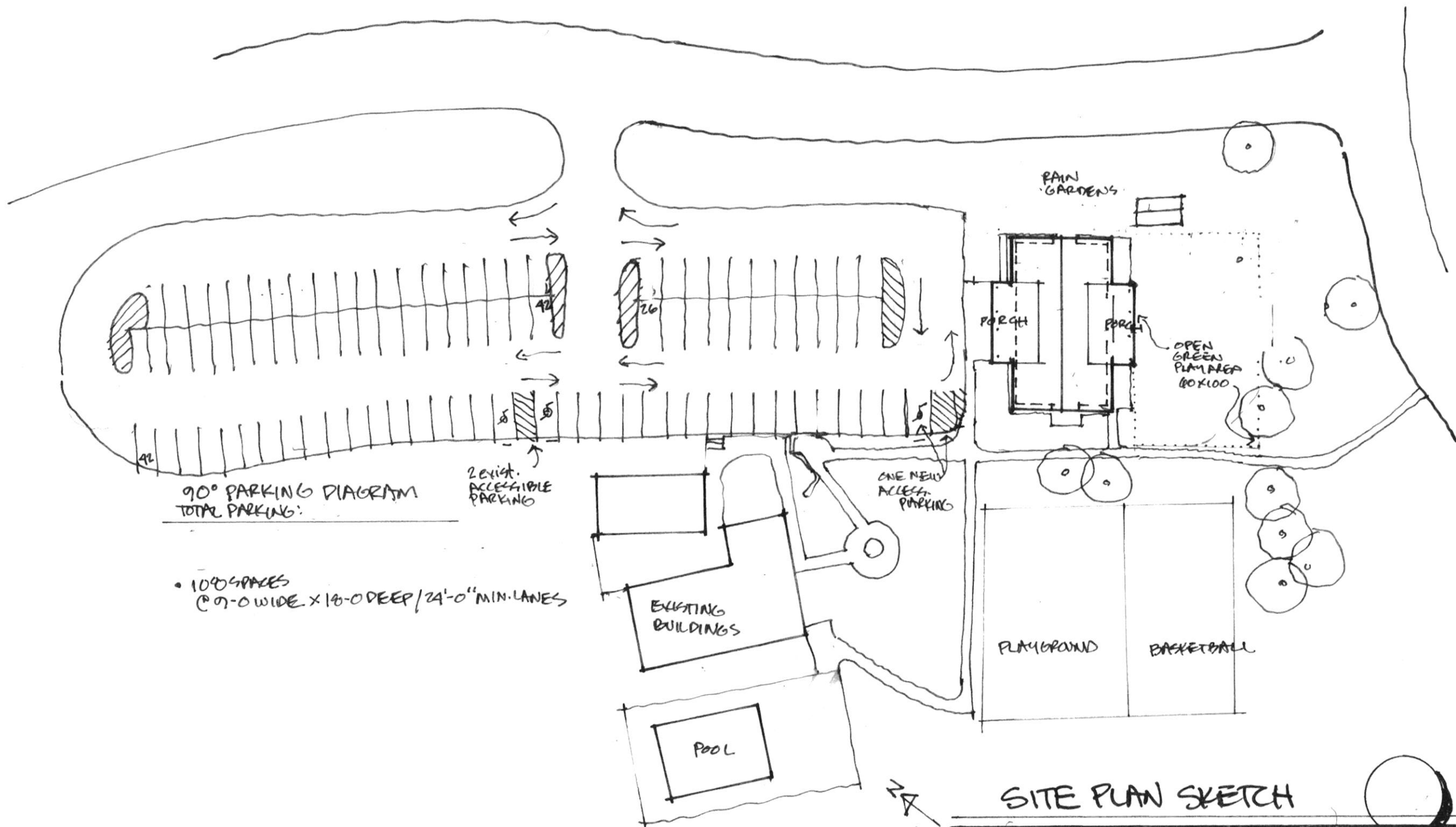
View from Southwest



Map Key

- Street Light
- Path Light
- ↑ Photo cell/circuit

CIMARRON



SITE PLAN SKETCH

LARSON ARCHITECTS

02.28.14

1:50

ZONING FORM

The Town of East Oakdale, Minnesota

TO: Board of Supervisors
The Town of East Oakdale, Minnesota
Care of: William R. Park, Clerk
2450 Birch Bark Lane
St. Paul 9, Minnesota

Case No. _____

Fee Paid _____

Date Filed _____

Application for a Permit to Establish, Maintain and Operate a Trailer
Coach Park Pursuant to Ordinance No. 32 of the Town of East Oakdale.

The undersigned does hereby petition the Board of Supervisors of the Town of East Oakdale, Minnesota, for the issuance of a permit to establish, maintain and operate a trailer coach park on the land hereinafter described.

Name and Address of Applicant: - Pentom, Inc.
8053 Bloomington Freeway
Minneapolis, Minnesota
Phone: 888-9561

Name and Address of Fee Owners:- Joseph Friedrich and Ila Friedrich,
husband and wife,
RFD, Lake Elmo, Minnesota

Raymond E. Friedrich and Elvera
Friedrich, husband and wife,
RFD, Lake Elmo, Minnesota

Legal Description of Land to be Used for a Trailer Coach Park:

See the attached Exhibit A, which is hereby made a part hereof.

Location of Land: A part of the Southeast quadrant bounded by County Road 70 on the North and Lake Elmo Road (CSAH 17) on the West.

Complete plan of the Trailer Coach Park in conformity with Section 8 of the above referenced Ordinance:

See the attached Exhibit B, which is hereby made a part hereof.

Preliminary Plans and Specifications of all Buildings, Improvements and Facilities Constructed or to be Constructed within the Trailer Coach Park Lands:

See the attached Exhibit C, which is hereby made a part hereof.

Date: 5-25-67

Respectfully submitted

PENTOM, INC.

By Bruce A. Thomas Its President
By J. O. Flax Its Secretary

LEGAL DESCRIPTION

Mobile Home Site:

The West 10 Rods of the NW 1/4 of the NE 1/4; all that part of the N 1/2 of the NW 1/4, Section 36, Township 29, Range 21, except the West 700 feet of the North 630 feet thereof; all that part of the South 1/2 of the NW 1/4 and the SW 1/4 of the NE 1/4, all in Section 36, Township 29, Range 21, lying Northerly of the proposed Interstate Highway No. 94, County of Washington, State of Minnesota

EXHIBIT A

Exhibit B: East Oakdale Mobile Home Park

Drainage: Ultimate drainage of the site will be thru the natural drainage course to Horseshoe Lake. The development itself will be properly graded and will contain two ponding areas not only for esthetic reasons, but also for partial storage of the storm water runoff. The drainage system will consist of concrete storm sewers, manholes, curb inlets, and other appurtenances necessary to provide for complete drainage of the site, according to approved plans and specifications by the Town Engineer.

Sanitary Sewer and Water Systems: The site will be served by a central sanitary sewer and water system approved by the Minnesota Health Department and the Town Engineer. The sewage system will provide for an on-site sewage treatment plant with an approved method of effluent disposal, and a collection system of pipes serving each lot. The water system will consist of a deep well of adequate depth and capacity, pumping facilities, distribution system to serve each lot, hydrants, valves, and other appurtenances necessary to provide for a complete central water system.

Lot Size, Setbacks, and Density: The site will consist of approximately 170 acres, in which 505 mobile home lots will be developed for an overall density of approximately three per acre.

Land to be used for parks and recreation will exceed the 10 per cent requirement. The lots will vary in size from a minimum of 45' x 100' to 60' x 100', all of which will back onto an open space which will be developed as either parks, parkways, or golf course. Mobile homes will be at least 20 feet apart, be 20 feet from the front lot line, and be 10 feet from the rear property line. No trailers will be located closer than 125 feet from the edge of the traveled part of a public road and no closer than 30 feet to a public road right of way. All lot corners will be staked to designate lot lines.

Roads and Walkways: All roadways within the development will be private, requiring no maintenance from the township. The width of the roadways will be as follows:

Main entrance: 41 feet, back of curb to back of curb

Ring Road and secondary entrances: 36 feet, back of curb to back of curb

Residential roads: 32 feet, back of curb to back of curb

All roadways will consist of S512 concrete curb and gutter, 2 inches of MHD 2341 bituminous pavement, 4 inches of class 5 gravel base and 4 inches of sand sub-base.

Walkways will be constructed throughout the parks, parkways and adjacent to the curb on one side of the Ring Road. Walkways will be hard surfaced and be four feet wide.

Guest parking to be provided for on residential streets on one side only. Residential streets are 10 feet wider than required to accomodate guest parking.

Electrical, Gas, and TV Services: All electrical and gas service mains will be buried, including a TV cable to each lot. Electrical service will be at least 50 amps to each lot.

Lot Improvements: Each mobile home lot will have, including previously listed improvements, the following:

1. Bituminous paved parking area for two cars.
2. Concrete patio.
3. Outdoor enclosed storage with canopy according to approved plans.
4. Landscaping, varying on each lot but in accordance with the approved overall landscaping plan for the development.

Community Facilities: Provided within the development will be the following community facilities:

1. Utility buildings having washer and dryer facilities.
2. Tot lots conveniently located near the utility buildings.
3. Park and parkways within and along the perimeter of the development will be landscaped according to approved plans, with security lighting and walkways throughout.
4. Nine hole, 2345 yard, golf course along the north and west perimeter of the development.
5. Community center to include recreational rooms, mobile home park office, swimming pool, tennis court, and putting green all according to approved plans.

Special Conditions or Restrictions as Imposed:

- 1 - Submission of final plans and specifications in substantial compliance with said preliminary plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the Trailer Coach Park;
- 2 - Execution of Development Agreement between the Town of East Oakdale and Pemtom, Inc. providing for:
 - a. A development performance bond in amounts and with sureties satisfactory to the Town Board; and
 - b. Provision for a limitation of .24 school-age children per mobile home.
- 3 - Conformance to the requirements of Section 8 of Ordinance No. 32, subject to granted variances thereto.
4. The permit shall outline and detail operational requirements necessary to fulfill the intent of Ord. #2 and Ord. #32 so there will be no misunderstanding. Such permit must be reapplied for and renegotiated sixty days prior to expiration of any current permit in effect. (Permits are issued Approved - Denied for one year and run concurrent with Minnesota Dept. By the Planning Commission of the of Health's Mobile Home Permit.) Town of East Oakdale on _____, 1967.

Approved - ~~Denied~~
By the Board of Supervisors of the
Town of East Oakdale on June 29, 1967.

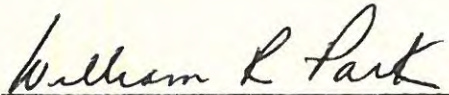
/s/Robert R. Watson
Chairman Town Board
East Oakdale

ATTEST: /s/ William R. Park
Clerk, Town of East Oakdale

STATE OF MINNESOTA)
COUNTY OF WASHINGTON) ss
TOWN OF EAST OAKDALE)

I, The undersigned, being the duly qualified and acting Clerk of the Town of East Oakdale, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract zoning form, find that the same is a full, true, and complete transcript therefrom.

WITNESS my hand as such Clerk and the corporate seal of the Town this 11th day of July, 1967.


Town Clerk, William R. Park



FINDINGS OF FACT: CONDITIONAL USE PERMIT

All applications for Conditional Use Permits in the City of Lake Elmo shall be reviewed according to the following required findings (§154.106.A):

1. The proposed use will/will not be detrimental to or endanger public health, safety, comfort, convenience or general welfare of the neighborhood or city because: _____

2. The use or development does/does not conform to the City of Lake Elmo Comprehensive Plan because: _____

3. The use or development is/is not compatible with the existing neighborhood because: _____

4. The proposed use does/does not meet all specific development standards for such use listed in Article 7 of the Zoning Ordinance because: _____

5. If the proposed use is in a flood plain or shoreland area, the proposed use does/does not meet all specific standards for such use in §150.250-257 (Shoreland Ordinance) and Chapter 152 (Flood Plain Management) because: _____

6. The proposed use will/will not be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will/will not change the essential character of the area because: _____

7. The proposed use will/will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures because: _____

8. The proposed use will/will not be served by adequate public facilities because: _____

9. The proposed use will/will not create excessive additional requirements at public cost for public facilities and services and will/will not be detrimental to the economic welfare of the community because: _____

10. The proposed use will/will not include excessive production of traffic, noise, smoke, fumes, glare or odors because: _____

11. Vehicular approaches to the property will/will not create traffic congestion or interfere with traffic on surrounding public thoroughfares because: _____

12. The proposed use will/will not result in the destruction, loss or damage of a natural or scenic feature of major importance because: _____



PLANNING COMMISSION
DATE: 3/24/14
AGENDA ITEM: 4B – PUBLIC HEARING
CASE # 2014-08

ITEM: Horning Lot Size Variance – Krause’s Addition, Lot 9
SUBMITTED BY: Kyle Klatt, Community Development Director
REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a request from Suzanne Horning (as Trustee of the Suzanne R.W. Horning Trust) for a variance that would classify Lot 9 of Krause’s Addition to Lake Elmo as a buildable lot. The lot currently does not meet the City’s minimum lot size for a lot of record in a RS – Rural Single Family Residential Zoning District. The applicant has also requested a variance from Section 154.017 of the Zoning Ordinance, which states that any variance granted by the City “shall expire if work does not commence within 12 months of the date of the granting of the variance. The applicant has asked that the 12-month time limit be waived for this request.

GENERAL INFORMATION

Applicant: Briggs and Morgan (Christine Cirilli), 2200 IDS Center, 80 South 8th Street, Minneapolis, MN acting on behalf of:
Suzanne Horning (Trustee), 8991 Jane Road North
Property Owners: Suzanne and Robert Horning Trust, 8991 Jane Road North
Location: Lot 9 of Krause’s Addition to Lake Elmo. PID Number 09.029.21.11.0015
Request: Variance – Lot Size and Time Limit for Completion
Existing Land Use: Vacant parcel, prior recreation use (tennis courts) accessory to 8991 Jane Road North
Existing Zoning: RS – Rural Single Family
Surrounding Land Use: Single family residential
Surrounding Zoning: RS – Rural Single Family
Comprehensive Plan: Rural Single Family
Proposed Zoning: No Change
History: Krause’s Addition was platted in 1963. The home at 8991 Jane Road North (across the street and also owned by the applicant) was constructed in 1979. The City granted a lot size variance for the subject property in 1985, but no home was ever

built on the site. A permit to install a tennis court on the subject property was approved later in 1985.

Deadline for Action: Application Complete – 2/3/14
 60 Day Deadline – 4/3/14
 Extension Letter Mailed – No
 120 Day Deadline – 6/3/14

Applicable Regulations: 154.450 – RS – Rural Single Family Residential Zoning District
 154.109 – Variances (Administration and Enforcement)
 150.250 – Shoreland Overlay District

REQUEST DETAILS

The City of Lake Elmo has received a request from Briggs and Morgan, PA acting on behalf of Suzanne Horning, for a variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district. The application also includes a request for the City to waive the one-year deadline for completion of the work proposed under the variance. In this case, the applicant has requested that the variance be granted without a deadline so that a home could be built on the lot at an unspecified time in the future. The applicant is therefore not proposing to construct any buildings on the property, and is instead seeking a variance to classify the lot as a buildable parcel in advance of any specific building plans for the property.

The lot under consideration is 0.785 acres (34,195 square feet) in size and the minimum lot size within the RS – Rural Single Family Residential zoning district is 1.5 acres. As an existing lot of record, otherwise known as a lot that was platted prior to the City's zoning regulations becoming effective, this property would be considered buildable if it met 60% of the district's minimum lot size. The applicant would therefore need at least 0.9 acres (39,204 square feet) for this lot to be considered buildable under the current zoning regulations.

The site is currently occupied by a tennis court that was built in the mid-1980's, and has served as an accessory use to the home located at 8991 Jane Road North. Should the variance be approved, the applicant intends to convey the lot to her children as a buildable lot, although she has not provided any specific time frame for a home to be constructed. The application materials include a septic system analysis documenting that a system compliant with Washington County septic regulations may be constructed on the property. For the purposes of this report, the septic designer assumed that a new home would be built on the same area presently occupied by the tennis court.

In addition to the above-referenced septic report, the applicant has provided a detailed project narrative with an analysis of the required variance findings. The applicant has also provided a detailed survey of the lot showing the existing topography, drainage patterns, tree cover, and improvements that are currently situated on the property. There are no specific site development plans, and any future construction on this property will need to comply with the City's zoning and subdivision requirements (with the exception of minimum lot size should the variance be granted).

BACKGROUND

The lot that is the subject of the variance request is part of Krause's Addition to the City of Lake Elmo, which was platted in 1963 when this area was still part of East Oakdale Township. The attached copy of the plat shows that the lot is the same size as it was when originally subdivided. It

likely would have been considered buildable up to the incorporation of the area into the City of Lake Elmo and the adoption of City zoning regulations in the late 1970's. The home at 8991 Jane Road North was constructed in 1979, and it appears that this property (Lot 7) and the subject property (Lot 9) have been under common ownership since at least this time. In June of 1985, a previous owner applied for and was granted a variance by the City to grant Lot 9 status as a buildable lot. It appears that this action was taken in response to the City's adoption of the 1.5-acre minimum lot size for single-family residential lots in this neighborhood. No home was ever constructed after the granting of the variance, and a tennis court was installed on the property later in 1985.

As noted in the application materials, the present owner acquired the property sometime in 1985. It appears that the property transfer occurred after the construction of the tennis court. Additionally, the applicant has described that City assessed the subject property as a buildable lot in 1985 for a City project. Based on this information, it does appear that the City would have considered the lot to be a buildable lot at the time the property was purchased by the applicant. The applicant has also pointed out that the property has been assessed as a buildable lot the entire time that they have owned it.

When the City was planning for the reconstruction of Jane Road North in 2012, the Planning Department was asked to review the assessment rolls for the project and to identify vacant, buildable parcels that would need to pay an assessment. Lot 9 of Krause's Addition was not deemed buildable because it does not meet the 60% size requirement referenced above. Because the current Zoning Regulations include a one-year time limitation concerning the time frame for construction of projects subject to a variance, it is Staff's opinion that the 60% requirement does apply in this situation. The applicant has therefore submitted a variance request in order to re-classify this property as a buildable lot.

The applicant's parcel is situated at the intersection of Jamaca Avenue North and Jane Road North, and is approximately 230 feet north of Lake Jane. Other than a tennis court, there have been no other improvements constructed on the site. There is a fairly heavy amount of tree cover surrounding the tennis court around the periphery of the lot. All of the surrounding lots are occupied by single family residential homes. In general, the properties to the north and west are larger lots (1.5 acres), while the properties to the south and east are smaller lots (generally under 1 acre). In particular, there is a cluster of homes along the northern edge of Lake Jane that are very similar in size, and sometimes smaller, than the applicant's parcel.

PLANNING AND ZONING ISSUES

In reviewing the applicable codes that apply to the subject property, Staff would like the Planning Commission to consider the following as it reviews this request:

- **RS District Setbacks.** Any new construction on the lot will need to comply with all required setbacks for the RS District. The portion of the lot that abuts Jamaca Avenue North is considered the front property line, and is therefore subject to a slightly larger setback.
- **Driveway Access.** Although the City Code does not include any restrictions on the location of a driveway on the property, Staff is recommending that any future driveway access Jane Road North instead of Jamaca Avenue North, since the latter is the less traveled roadway in adjacent to the lot.

- **Impervious Coverage.** The RS District allows a maximum impervious coverage of 25% while the Shoreland Ordinance limits lot coverage to 15% or 6,000 square feet, whichever is greater. The tennis court currently occupies 7,395 square feet, which is 21.6% of the lot. At the time a new house is constructed on the property, the applicant will need to comply with the maximum impervious coverage allowed under the Shoreland Ordinance.
- **Shoreland Setbacks.** The lot is far enough away from Lake Jane that any new structure will be able to comply with structure and septic system setbacks.
- **Drainage Area.** There is an existing drainage area immediately to the west and to the northwest of the applicant's lot, and it appears that a portion of the drainage area is also located on this lot. While the adjacent Sprinborn's Green Acres plat includes a drainage easement over the adjacent lots, there is currently no such easement in place on the applicant's property. Staff is recommending that the applicant be required to provide a drainage easement over the portion of the lot that collects storm water runoff as a condition of approval and prior to the issuance of any building permits for the property.
- **Septic and Drainfield Areas.** The subject parcel is large enough to meet the City's minimum requirement of 20,000 square feet for a primary and secondary septic system site.
- **Surrounding Lots.** The neighboring lots within the public hearing notification area range in size from 11,424 square feet (0.26 acres) to 83,025 square feet (1.9 acres), and of these 13 lots, the average size is 41,592 square feet (0.95 acres).
- **Variance Expiration.** The City Code specifies that variances are valid one year from the date a variance is issued. If construction has not taken place within one year, the variance becomes void. While the applicant has requested a full waiver of this requirement, Staff is recommending that the City maintain a specific deadline for construction of a home on the parcel. Staff is suggesting five years as a reasonable expectation.

REVIEW AND ANALYSIS

An applicant must establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 154.017 before an exception or modification to city code requirements can be granted. These criteria are listed below, along with comments from Staff regarding applicability of these criteria to the applicant's request.

- 1) **Practical Difficulties.** A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.

Under this standard, the City would need to find that the classification of the subject parcel as a buildable lot is a reasonable use of the property not otherwise permitted under the zoning ordinance. In this instance, the property was originally platted as a buildable lot and there is evidence in the

City's records that the current owner purchased the property with the understanding that it was a buildable lot. Additionally, the lot is consistent in size with other parcels platted at the same time and that have subsequently been built upon. The property has direct access to a platted and improved street, and a house can be placed on the property in manner consistent with the surrounding homes. Concerning the time extension associated with the variance request, Staff is recommending that a 5-year deadline is a reasonable expectation for construction of a new home. Proposed findings related to this criterion are as follows:

FINDINGS: *That the proposed use is reasonable because the lot was platted as a buildable parcel and all other parcels of similar size have had houses constructed on them since the subdivision was approved. The property is very close to meeting the required 0.9 acre minimum lot size requirement, and construction of a home on this lot will not be any more obstructive than structures built on lots meeting the 0.9 acre requirement. The applicant also purchased the lot at the time it was a buildable parcel, and the continued use of the property for a tennis court is not reasonable given the separation of this parcel by road right-of-way from any others under common ownership. The applicant has demonstrated the ability to install a compliant septic system on the property. A five year deadline for construction of a home on the property is a reasonable period of time for this work to be completed.*

- 2) **Unique Circumstances.** The plight of the landowner is due to circumstances unique to the property not created by the landowner.

In order to demonstrate compliance with this standard, the Planning Commission would need to identify those aspects of the applicant's property that would not pertain to other properties within the same zoning classification. In this case, the lot was platted as a buildable lot within an older subdivision. Other properties in the area were platted at a later date and under a different set of regulations. The property owner also purchased the lot as a buildable lot, and the site has been assessed as such for the past 25 years. Again, Staff is suggesting some findings that could be considered by the Planning Commission as follows:

FINDINGS: *That the applicant's property is unique due to former platting of this property as a buildable lot and continued classification of the property as buildable since the lot was subdivided. The applicant purchased the property with the understanding that a house could someday be built on the property, and City records indicate that the lot was indeed buildable at the time of purchase. Other homes on neighboring smaller lots were constructed prior to the adoption of the City's zoning regulations.*

- 3) **Character of Locality.** The proposed variance will not alter the essential character of the locality in which the property in question is located.

A formal set of findings related to this standard is suggested as follows:

FINDINGS: *The applicant's lot is larger than many of the lots in the surrounding neighborhood and is close to the minimum size needed to be considered buildable. The lot is of sufficient size to allow the installation of a compliant septic system and to allow the placement of a home on the parcel consistent with neighboring structures.*

- 4) **Adjacent Properties and Traffic.** The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

Propose findings for this criterion are as follows:

FINDINGS. *No impacts above and beyond those considered normal for any other single-family lot in the surrounding neighborhood would be expected should the variance be granted.*

Please note that the applicant has also provided a set of findings as part of the attached narrative and supporting documentation included with the application.

Considering the potential findings of fact as suggested in the preceding section, Staff is recommending approval of the variance request based on the findings noted in items 1-4 above and with conditions of approval related to the drainage area on the site, the location of the driveway access, and the time limit for the expiration of the variance.

DRAFT FINDINGS

Please refer to the comments in the previous section. Staff will be reviewing these findings with the Commission at its meeting.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the request from Briggs and Morgan, PA acting on behalf of Suzanne Horning, for a variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district and from the maximum time of one year for which a variance is valid. This recommendation includes the following conditions of approval:

- 1) The driveway for the future home of the lot shall access Jane Road North. Driveway access to Jamaca Avenue North shall be prohibited.
- 2) The applicant shall provide a drainage easement for the portion of the lot that collects storm water runoff from the subject property and adjacent parcels prior to the issuance of a building permit for the site. The specific location of the drainage easement shall be approved by the City Engineer.
- 3) The variance shall be valid for a period of five years, but may be renewed upon review and approval by the Board of Adjustment.
- 4) A grading, erosion control, and storm water management plan shall be submitted in conjunction with a building permit for the property.
- 5) The applicant shall secure any required permits from the Valley Branch Watershed District prior to commencing any grading or construction activity on the site.

The suggestion motion for taking action on the Staff recommendation is as follows:

“Move to recommend approval of the request for a variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district and from the maximum time of one year for which a variance is valid, subject to the conditions of approval as recommended by Staff”

ATTACHMENTS:

1. Application Form
2. Application and Project Narrative

3. Existing Site Conditions/Survey
4. Location Map
5. Krause's Addition Plat
6. Septic System Report – Tom Trooien

ORDER OF BUSINESS:

- IntroductionCommunity Development Director
- Report by StaffCommunity Development Director
- 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

Fee \$ _____

**City of Lake Elmo
DEVELOPMENT APPLICATION FORM**

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

APPLICANT: Suzanne Horning, as Trustee (see attached) 8991 Jane Road North, Lake Elmo, MN 55042
(Name) (Mailing Address) (Zip)

TELEPHONES: 239-765-8708 (Florida Phone Number)
(Home) (Work) (Mobile) (Fax)

FEE OWNER: Suzanne Horning, as Trustee (see attached) 8991 Jane Road North, Lake Elmo, MN 55042
(Name) (Mailing Address) (Zip)

TELEPHONES: 239-765-8708 (Florida Phone Number)
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): Krause's Addition Lot 9
Subdivision Cd 37425

DETAILED REASON FOR REQUEST: Please see attached.

***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:
Please see attached.

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.

Suzanne R. Horning 4/13/14
Signature of Applicant Date

Signature of Applicant Date



2200 IDS Center
80 South 8th Street
Minneapolis MN 55402-2157
tel 612.977.8400
fax 612.977.8650

February 3, 2014

Christie J. Cirilli
(612) 977-8926
ccirilli@briggs.com

VIA E-MAIL

Kyle Klatt
Planning Director
Lake Elmo City Hall
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Application for Variance - Krause's Addition, Lot 9 Subdivision Cd 37425

We represent Suzanne Horning, as Trustee of the Suzanne R.W. Horning Qualified Personal Residence Trust (the "Applicant"), in connection with her application for a variance. The Applicant requests that the City grant a variance for the property legally described as Krause's Addition, Lot 9 Subdivision Cd 37425, located in the City of Lake Elmo (the "Property").

Please find attached as exhibits written statements as required by the Variance Procedure for the City of Lake Elmo. Also included with this letter is (1) the Applicant's completed and signed land use application form; (2) verification of the Applicant's ownership of the Property; (3) address labels for the certified list of property owners located within three hundred fifty (350) feet of the subject property obtained from and certified by a licensed abstractor; (4) the proposed septic design plan for the Property; and (5) copies of a certified survey depicting the Property.

We look forward to working with you in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christie Cirilli".

Christie J. Cirilli

CJC

cc: Sue Horning
Dan Cole

Kyle Klatt
February 3, 2014
Page 2

EXHIBIT A

(List of Current Property Owners/Applicant)

Suzanne R.W. Horning, Trustee of the Suzanne R.W. Horning Qualified Personal Residence Trust under Agreement dated December 26, 2008, by Quit Claim Deed dated December 26, 2008, filed December 31, 2008, as Document No. 3720033.

Kyle Klatt
February 3, 2014
Page 3

EXHIBIT B

(List of Site Data)

1. Legal Description: Krause's Addition, Lot 9 Subdivision Cd 37425
2. Parcel Identification Number: 09.029.21.11.0015
3. Parcel Size (in acres and square feet): 0.785 acres/34,194.6 square feet
4. Existing Use of Land: Vacant parcel
5. Current Zoning: R1 One-Family Residential District

Kyle Klatt
February 3, 2014
Page 4

EXHIBIT C

(Provision of Zoning Code for which Applicant seeks a variance)

The Applicant is seeking a variance under Sections 154.041 and 154.080 of the Zoning Code. Section 154.041, which applies to R-1 One-Family Residential Districts, requires a minimum buildable lot size of 1-1/2 acre per unit without sanitary sewer or 24,000 square feet per unit with sanitary sewer. Section 154.080 contains an exception to this for any "existing lot." An "existing lot" is defined as "a lot or parcel of land in a residential district which was of record as a separate lot or parcel in the office of the County Recorder or Registrar of Titles, on or before the effective date of th[e] chapter." Section 154.080 states that "[a]ny [existing] lot or parcel of land which is in a residential district may be used for single-family detached dwelling purposes, provided the area and width of the lot are within 60% of the minimum requirements of this chapter; provided, all setback requirements of this chapter must be maintained; and provided, it can be demonstrated safe and adequate sewage treatment systems can be installed to serve the permanent dwelling."

The Property at issue therefore qualifies as an exception to the general lot requirements of Section 154.041 and must instead comply with the 60% (0.90 acre) lot requirement of Section 154.080. At 0.785 acres, the Property falls just short of the buildable lot requirements for existing lots in R1 One-Family Residential Districts. As a result, the Applicant is seeking a variance to the existing lot requirement contained in Section 154.080.

Finally, the Applicant is seeking a variance from Section 154.017 of the Zoning Code, which mandates that any variance granted by the City "shall expire if work does not commence within 12 months of the date of granting such variance or if that use ceases for more than 6 consecutive months." Because the Applicant desires to convey the Property to her children through her estate for buildable-lot purposes, any such work performed on the Property would not commence until after the twelve (12) month period required under Section 154.017 of the Zoning Code.

Kyle Klatt
February 3, 2014
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EXHIBIT D

(Written Description of Proposal)

The Applicant proposes the issuance of a variance to Section 154.080 of the Zoning Code and request that the Property, at 0.785 acres, be characterized as a buildable lot under the Zoning Code.

The Applicant further requests a variance to the requirement under Section 154.017 that work be commenced within twelve (12) months of the variance's issue date. The variance to the buildable lot size will be of no use to the Applicant without a variance to this requirement as well.

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EXHIBIT E

(Narrative of Pre-Application Discussions)

Christie Cirilli, Attorney with Briggs & Morgan, P.A. (the “Applicant’s Counsel”) spoke with Kyle Klatt, the Planning Director for the City of Lake Elmo (the “Planning Director”), on behalf of the Applicant. Applicant’s Counsel discussed Applicant’s pursuance of a variance under Section 154.017 of the Lake Elmo Zoning Code. Applicant’s Counsel inquired regarding the current standard for variances applied by the City of Lake Elmo. The Planning Director confirmed that the “practical difficulties” standard, as discussed in Minnesota Statutes 462.357, had been adopted by the City and incorporated into Section 154.017 of the Lake Elmo Zoning Code.

The Planning Director stated that the Property had been characterized as a non-buildable lot since 1979, but acknowledged that the Property was improperly assessed and taxed as a buildable lot during the Applicant’s ownership of the Property. Applicant’s Counsel explained to the Planning Director that the Property was being assessed and taxed as a buildable lot when the Applicant purchased the Property, and as a result, the Applicant believed she was buying land with buildable lot value. Applicant’s Counsel explained to the Planning Director that the Property was of little or no value to the Applicant or anyone else without characterization as a buildable lot because the Applicant was interested in transferring the Property via her estate to her children for buildable purposes. The Planning Director acknowledged the erroneous taxation of the Property, despite stating that the zoning classification of the property is separate and distinct from the taxation of the parcel – meaning that the fact that the Property was taxed as a buildable lot does not change the fact that it was characterized as unbuildable under the zoning code. The Planning Director confirmed, however, that the fact that the Applicant purchased the parcel at a buildable lot price and for buildable lot value would be considered by the Planning Commission in its decision of whether or not to grant a variance.

The Planning Director explained that he was not sure how much application of the new “practical difficulties” standard would affect the Planning Commission’s analysis and issuance of variances. The Planning Commission has not had many variance applications come before it since the new standard took effect. The Planning Director informed Applicant’s Counsel that, if the Planning Commission were to grant a variance for the Property, work would have to be commenced on the Property within 12 months of the date the variance was granted – otherwise, the variance would expire. Applicant’s Counsel responded that this may be an issue for Applicant, and an additional variance may be requested to waive this requirement.

The Applicant also separately had conversations with the City regarding her Property. In particular, the Applicant spoke with Dean Zuleger, the City Administrator for the City of Lake

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Page 7

Elmo, who informed the Applicant that he was unaware of any issues with the buildable nature of the Property. Mr. Zuleger acknowledged that other buildable lots in the area were of a similar size to the Property and that he did not see any reason why the Property should not be buildable as well. The discussions with Mr. Zuleger also revealed a prior variance that was issued for the Property in 1985. Upon following up with the Planning Director, there was not much information on file with the City regarding said variance, only that a variance was issued at that time regarding the buildable nature of the Property. This prior variance supports the current application for a variance for the Property.

The Applicant's Counsel further had discussions with Mr. Klatt regarding a variance passed by the Lake Elmo City Council on October 15, 2013, which variance was passed despite a recommendation from the Planning Commission to deny such variance. The property related to the variance request was of a considerably smaller size than the Applicant's property and was located on the shoreline. Mr. Klatt explained that the primary reason for granting the variance was that the property had room for adequate septic systems, and as a result the City Council passed the variance.

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EXHIBIT F

(Explanation of Applicant's Practical Difficulties)

Section 154.017 of the Zoning Code states that a variance shall be granted "where strict enforcement of the [Zoning Code] would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter." Under this Section, the "practical difficulties" standard means that "the property owner proposes to use the property in a reasonable manner not permitted by an official control."

The Applicant is proposing to use the Property in a reasonable manner not permitted by an official control. At 0.785 acres, the Property has been characterized as a non-buildable lot by the Zoning Code, which has a buildable lot size requirement for existing lots of 0.90 acres. The Applicant is proposing to reclassify the Property as a buildable lot prior to her conveyance of the Property through her estate. Given that the Property's acreage constitutes roughly 87% of the buildable lot size requirement, the Property is very close to meeting the required buildable lot size under the Zoning Code. As a result, it is unlikely that any structure built on the Property (that complied with the Zoning Code's building requirements) would be notably more obstructive than structures built on lots meeting the minimum 0.90 acre requirement.

The Property is zoned for residential use and the Applicant will have no use for the Property if it is not classified as a buildable lot. The other lots surrounding the Property are not much larger than the Property and were grandfathered in under the Zoning Code, as the Property at issue should have been. The Property was a platted lot approved by the City at its current size and was intended to be buildable. Therefore, classifying the Property as a buildable lot will not alter the "spirit and intent of the chapter."

Given that the proposed use of the Property is not unreasonable and that the Property should have been previously grandfathered in under the Zoning Code, the Planning Commission should grant a variance given the particularly unusual circumstances of the Applicant, as described on Exhibit G.

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EXHIBIT G

(Explanation of Applicant's Unique Circumstances)

Section 154.017 of the Zoning Code further states that a variance shall only be granted where "[t]he plight of the landowner is due to circumstances unique to the property not created by the landowner." The Applicant at issue has particularly unusual circumstances, which are not by fault of her own.

The Applicant was not the subdivider of the surrounding development and therefore did not create the problem. At the time the Applicant purchased the Property in 1985, the Applicant believed the Property was buildable. The Property was platted and approved by the City at its current size. The surrounding lots were of a similar size and were characterized as buildable. The Applicant paid a buildable lot value for the Property and has been paying taxes, assessed by Washington County, Minnesota, on that buildable lot value for the past twenty-seven (27) years. As a result, the Applicant had good reason to believe that she owned buildable land. The Applicant's belief that the land was buildable affected her decision to purchase and retain the Property.

The Property was specifically characterized as an assessable lot on the City's assessment role on September 10, 1985, at which time the City held a meeting for approval of a special assessment by local property owners. By characterizing the Property as an assessable lot, the City was acknowledging the value the Property was receiving from City improvements and assessing a fee on the Property for those improvements. The Property does not, however, receive any value from City improvements if it is not also buildable. As a result, the City's characterization of the Property as an assessable lot suggests that the Property was intended to be buildable as well.

The Applicant had no reason to believe that her land was not buildable. Any plight of the Applicant was due to the error of other parties. As a result, the Applicant has unique circumstances that she has not created and which justify the City's grant of a variance for the Property.

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February 3, 2014
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EXHIBIT H

(Essential Character of Neighborhood)

In order to obtain a variance from the City, the Applicant is required to show that the issuance of a variance would not alter the essential character of the neighborhood in which the Property is located. In other words, the Property must be consistent and not interfere with the use of the property surrounding it.

The Property is located in Krause's Addition of the City of Lake Elmo. Other lots within Krause's Addition that have houses built on them are not discernibly different in size than the Property. As previously stated, many of these lots were grandfathered in when the Zoning Code requirements changed, and the Property at issue should have been grandfathered in as well. Furthermore, the City Council recently granted a variance on October 15, 2013 for a lot of a considerably smaller size than the Applicant's property, constituting approximately 0.4 acres of land. The City Council's primary reason for granting the variance was that the property had adequate room for appropriate septic systems on the property. The Applicant's Property also has adequate room for appropriate septic systems on the property, with room for both a primary and backup drainfield location, as demonstrated by the septic design submitted in connection with the application. In addition, unlike the property at issue in the October 15, 2013 variance request, the Applicant's property is not located on the shoreline and therefore any building on the Applicant's Property won't interfere with any of the neighboring property rights associated therewith.

Springborn's Green Acres, which adjoins the Property to the North, contains two lots (Lot 2 and Lot 3) that both have less buildable area than the Property at issue, due to drainage and utility easements that bisect each lot. Lot 2 and Lot 3 are shown to each constitute 1.6 acres, but their buildable lot areas are actually only 150 feet by 170 feet due to the easements burdening each lot. Therefore, if granted a variance, the buildable lot area of the Property at issue would be greater than that of both Lot 2 and Lot 3 in Springborn's Green Acres.

Given the size of lots surrounding the Property and adequate room for appropriate septic systems on the property, the issuance of a variance for the Property would not alter the essential character of the neighborhood.

651-631-0351
FAX 651-631-8805
Email: kemperpro@aol.com
www.kemperpro.com

VICINITY MA
(NO SEA T.)

FLOODPLAIN SUMMARY

1568 A.C. - 1569 A.C. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837,

ZONING REQUIREMENTS

1. What is the difference between a primary and a secondary source?
 Primary sources are original sources of information. Secondary sources are sources that have been interpreted or analyzed by someone else.

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4077 JAMAICA AVENUE 1100-0
WEST SIDE OF "SUNNY COUNTRY"
LAKE CLAW MINNETOCA



4911 JAWACA AVENUE RD
SOUTH SIDE OF TOWN CEMETERY
LAKE ELMO MINNESOTA



4944 JAMAICA AVENUE ROBERT
SOUTH SIDE OF TENNESSEE CO. R.
LAFAYETTE MINNESOTA



4900 AVENUE NORTH
EAST 90E OF TENDS COURT
LAKE MINNISCOTA



JAMA-DA AVLEHJUC NORTH ADJACENT TO PROGRESSIVE
(FROM SOUTH FACING NORTH)
and the water.



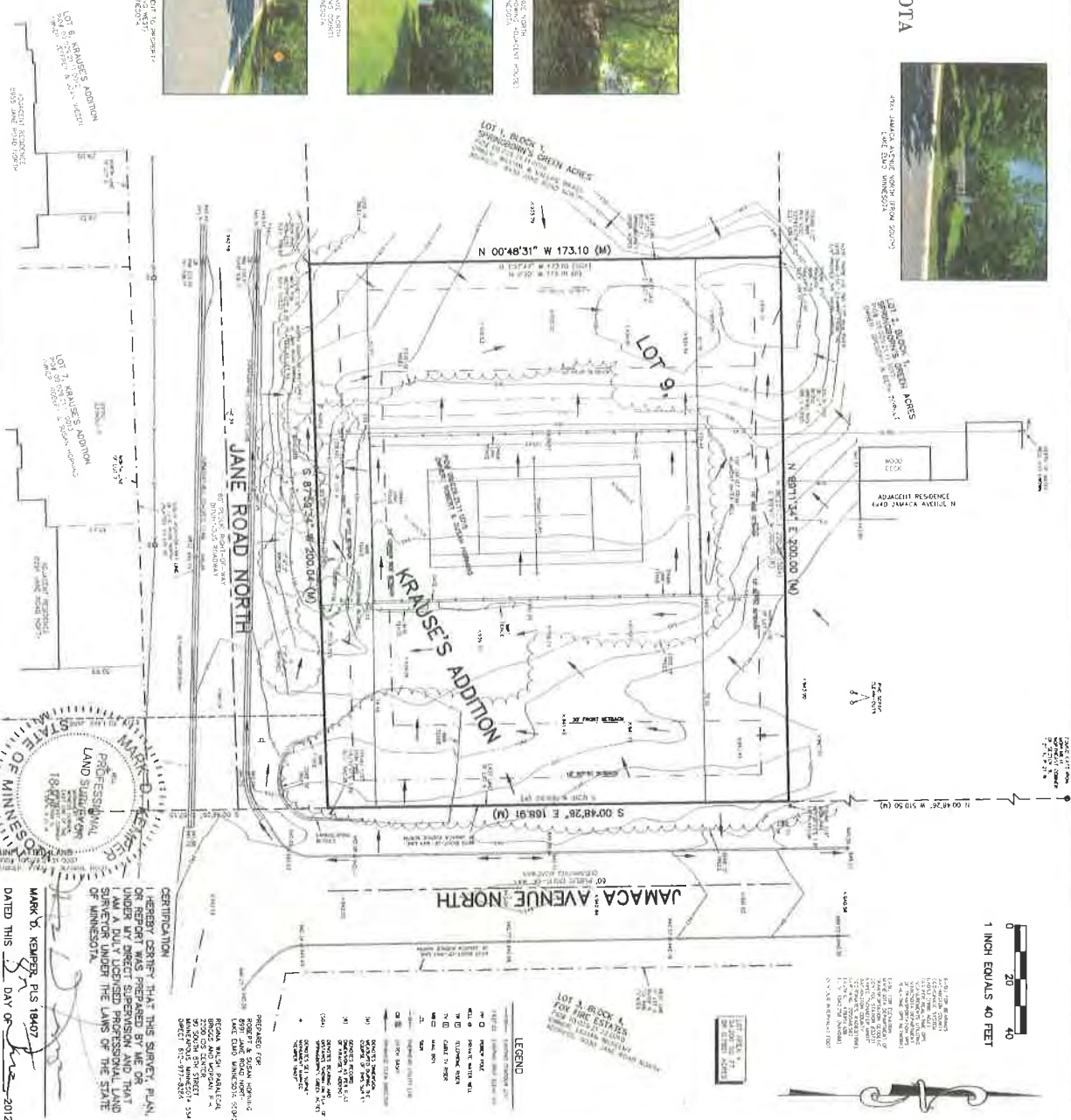
HANE OCAO NORTH ADJACENT TO PRESIDENT
 (FROM EAST FACING WEST)
 ARE TWO WINGED

EXISTING IMPERVIOUS COVERAGE

Journal of Interpersonal Violence 26(1) 10-28
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CERTIFICATE OF SURVEY

12084 (12084S.DWG)



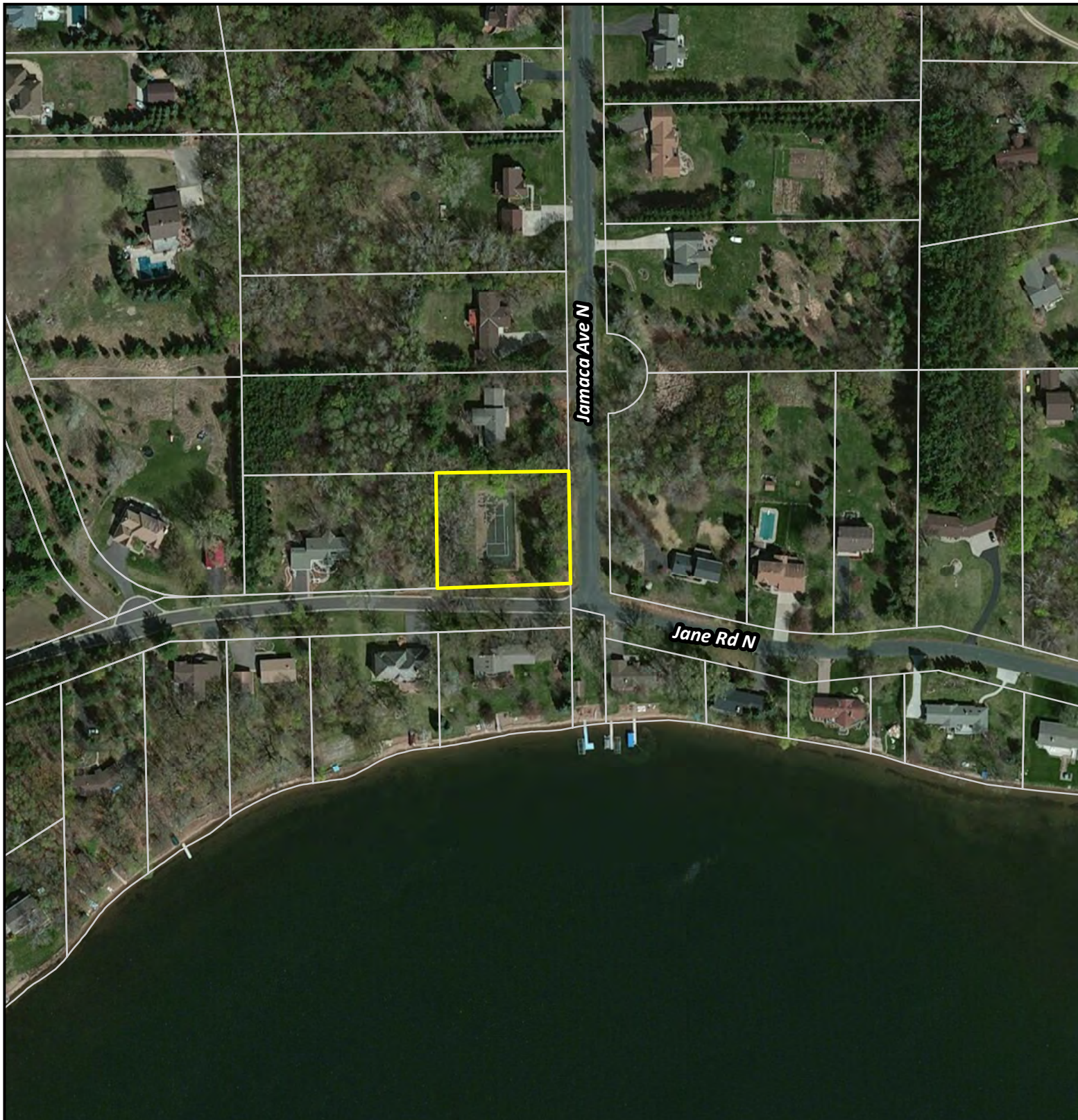
1 INCH EQUALS 40 FEET

LEGEND

PREPARED FOR:
ROBERT & SUSAN HORNUNG
8991 JANE ROAD NORTH
LAKE ELMO MINNESOTA 55042

MARK V. KEMPER, PLS 18407
DATED THIS 31 DAY OF June 2012

KENPER & ASSOCIATES INC ©



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Location Map: 09.029.21.11.0015



Data Source: Washington County, MN
2-26-2014



Variance Request
09.029.21.11.0015

0 100 200 400 Feet
1"=200'



KRAUSE'S ADDITION

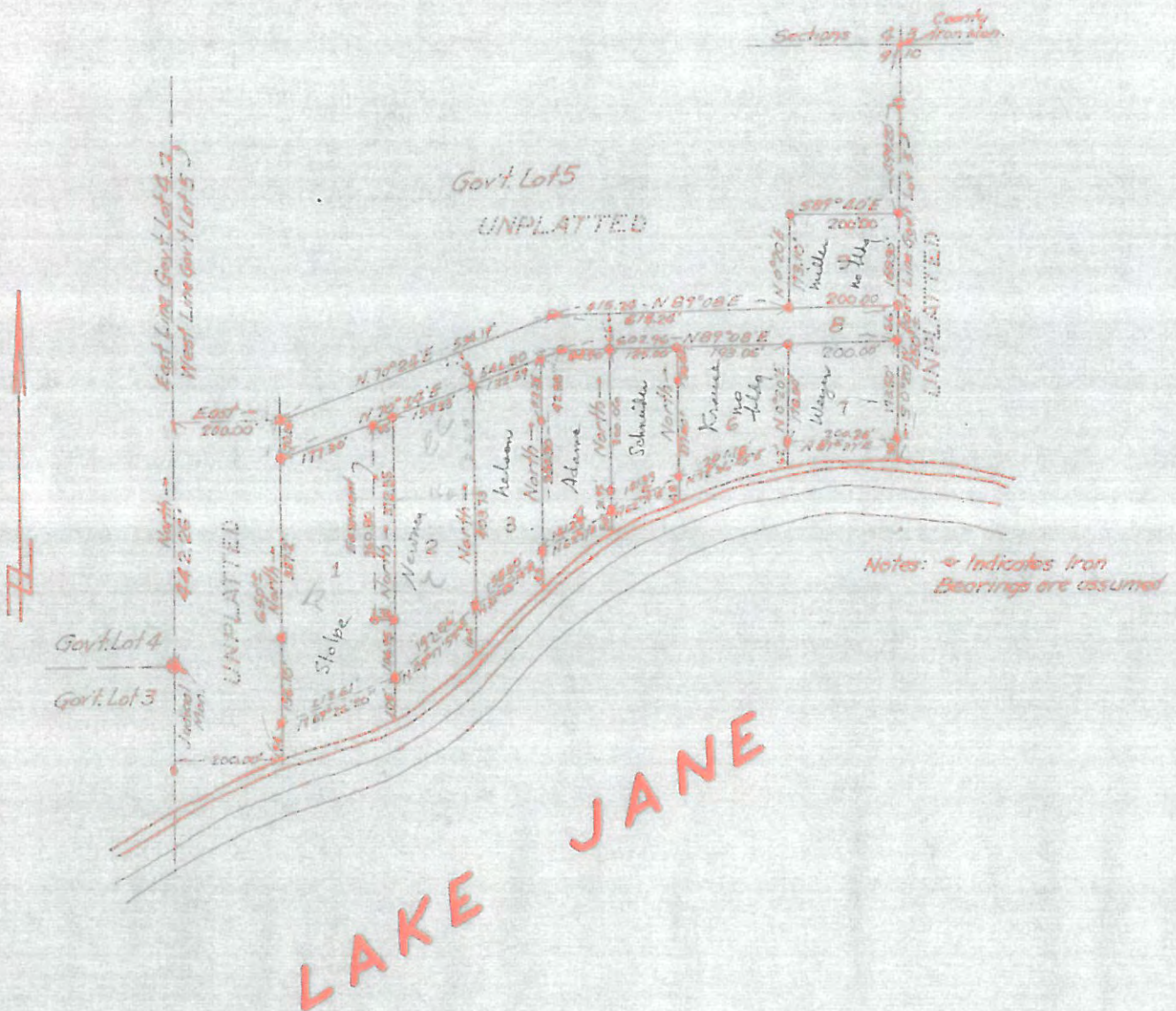
PART OF GOVT. LOT 5 SECTION 9, T 29 N., R 21 W.

EAST OAKDALE TOWNSHIP - WASHINGTON COUNTY

MINNESOTA

SCALE: 1 IN. = 200 FT.

J.R. Hoffman
Surveyor



surveyed the property described on this and to having placed iron monuments at same are correct, there is no undrained road nor easement on or across same the land conveyed in fee in each recorded is the same as the land shown on this plat in preceding each particular recorded

This plat approved and accepted by the Town Board of Washington County, Minnesota this 1st day of 1911

Chairman, Town Board,

MOUND SYSTEM DESIGN

INDIVIDUAL SEWAGE TREATMENT SYSTEM

Owner's Name	SUZANNE HORNING
Job Site Address	LOT 9, KRAUSE'S ADDITION 49XX JAMACA AVE.
City or Township	LAKE ELMO
Use of Building	SFD

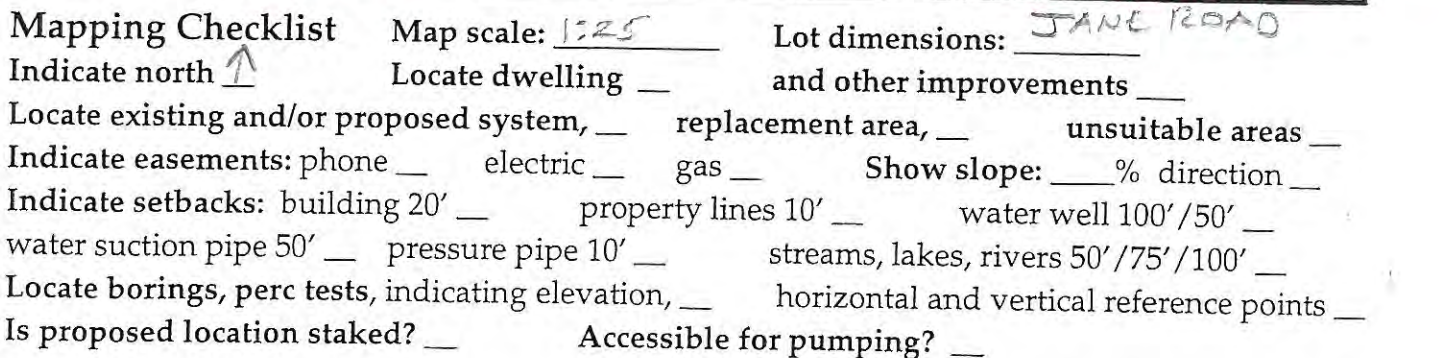
Design Flow Rate	750	Perc Rate	16-30	Land Slope	1	Percent
Two Required Tank Sizes	1500 Gallons 1000 Gallons	Lift Station Tank Size	1200	Gallons		
Rock Bed Width	10	Rock Bed Length	75			
Required Absorption Width	20	Feet		Depth of Clean Sand Fill at Upslope Edge of Rock Layer		Feet
Minimum Downslope Dike Width After Accounting for the Absorption Area			13	Feet		
Minimum Upslope Dike	10	Feet		Minimum Length of Dike	95	Feet
Any Other Special Conditions THIS DESIGN IS INTENDED TO DEMONSTRATE SUITABILITY OF LOT FOR SEPTIC PURPOSES ONLY IN ORDER TO OBTAIN A ZONING VARIANCE. ANY CHANGES OF FUTURE HOUSE OR SEPTIC LOCATION WILL REQUIRE ADDITIONAL TESTING OR SIZING TO SEPTIC SYSTEM						

COMPLETE THE PRESSURE DISTRIBUTION SYSTEM WORK SHEET ATTACHED.

This design <u>must</u> be accompanied by a site plan that clearly shows the location of the area tested and approved by the following (MOUND SYSTEMS SITE PLANS MUST CLEARLY SHOW THE LOCATION OF THE MOUND):	
1.	Use an appropriate scale and indicate direction by use of a north arrow.
2.	Show ALL property boundaries, rights-of-way, easements, wetlands. If necessary, an enlarged detail of house site may also be required.
3.	Show location of house, garage, driveway and all other improvements existing or proposed.
4.	Show location and layout of sewage treatment mound, and back-up mound.
5.	Show location of water supply (well and/or community supply line).
6.	Dimension all setbacks and separation distances.

This system has been designed by a Pollution Control Agency (PCA) Certified Professional.	
Designer Name	TOM TROOEN
PCA Certification #	1568
Address	12020 SQUARE LAKE TR. STILLWATER MN 55080
Phone #	612-594-4496
Signature	TOM TROOEN
Date	8-11-12

Any surface signs of compaction?



MOUND DESIGN WORKSHEET

(For Flows up to 1200 gpd)

A. FLOW

Estimated 750 gpd
or measured _____ x 1.5 = _____ gpd.

Estimated Sewage Flows in Gallons per day (gpd)

Number of Bedrooms	Type I	Type II	Type III	Type IV
2	300	225	180	60% of the values in Type I, II or III columns
3	450	300	218	
4	600	375	256	
5	750	450	294	
6	900	525	332	
7	1050	600	370	
8	1200	675	408	

B. SEPTIC TANK LIQUID VOLUMES

1500 gallons + 1000

C. SOILS (refer to site evaluation)

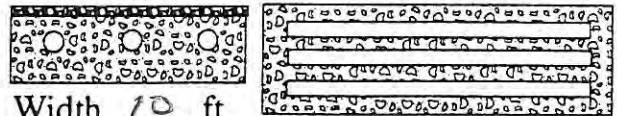
- Depth to restricting layer = 29 inches _____ feet
- Depth of percolation tests = 12 inches
- Texture SILT LOAM Percolation rate 16-30 mpi
- Land slope 1 %

Septic Tank Capacities (in gallons)

Number of Bedrooms	Minimum Liquid Capacity	Liquid capacity with garbage disposal
2 or less	750	1125
3 or 4	1000	1500
5 or 6	1500	2250
7, 8 or 9	2000	3000

D. ROCK LAYER DIMENSIONS

- Multiply flow rate by 0.83 to obtain required area of rock layer: $A \times 0.83 =$
750 gpd x 0.83 sq. ft./gpd = 750 sq. ft.
- Select width of rock layer (max 10' if <120 mpi max 5') = 10 ft.
- Length of rock layer = area ÷ width =
750 sq. ft. ÷ 10 ft. = 75 ft.



Width 10 ft
<120mpi <10'
>120mpi <5'

Length 75 ft

E. ROCK VOLUME

- Multiply rock area by rock depth to get cubic feet of rock; 750 sq. ft. x 1 ft. = 750 cu. ft.
- Divide cu. ft. by 27 cu. ft./cu. yd. to get cubic yards;
750 cu. ft. ÷ 27 = 28 cu. yd.
- Multiply cubic yards by 1.4 to get weight of rock in tons; 28 cu. yd. x 1.4 ton/cu. yd. = 39 tons.

F. ABSORPTION WIDTH

- Percolation rate in top 12 inches of soil is 16-30 mpi
Texture SILT LOAM
- Select allowable soil loading rate from table;
.60 gpd/ft²
- Calculate adsorption width ratio by dividing rock layer

Absorption Width Sizing Table

Percolation Rate in Minutes per Inch (MPI)	Soil Texture	Gallons per day per square foot	Ratio of Adsorption width to Rock Layer Width
Faster than 0.1	Coarse Sand	1.20	1.00
0.1 to 0.5	Sand	1.20	1.00
0.1 to 0.5	Fine Sand	0.60	2.00
6 to 15	Sandy Loam	0.79	1.52
16 to 30	Loam	0.60	2.00
31 to 45	Silt Loam	0.50	2.40
46 to 60	Clay Loam	0.45	2.67
60 to 120	Clay	0.24	5.00
Slower than 120	Clay	0.20	6.00

loading rate of 1.20 gpd/ft² by allowable soil loading rate;

$$1.20 \text{ gpd/ft}^2 \div \underline{.60} \text{ gpd/ft}^2 = \underline{2.00}$$

- Multiply adsorption width ratio by rock layer width to get required adsorption width;

$$\underline{10} \times \underline{2.00} \text{ ft} = \underline{20} \text{ ft}$$

G. MOUND SLOPE WIDTH & LENGTH (landslope 1% or more)

1. Subtract rock layer width from absorption width
to obtain minimum downslope width

$$20 \text{ ft} - 10 \text{ ft} = 10 \text{ feet}$$

2. Calculate minimum mound size

a. Determine depth of clean sand fill at upslope edge of rock layer:

$$\text{Separation } 3' - 2 \text{ ft} = 1 \text{ foot}$$

b. Add depth of clean sand for separation (2a) at upslope edge, depth of rock layer (1 foot) to depth of cover (1 foot) to find the mound height at the upslope edge of rock layer;

$$1 \text{ ft} + 1 \text{ ft} + 1 \text{ ft} = 3 \text{ feet}$$

c. Enter table with landslope and upslope ratio. Select berm multiplier of 3.85

d. Multiply berm multiplier by upslope mound height to find upslope width:

$$3 \times 3.85 = 12 \text{ feet}$$

e. Multiply rock layer width by landslope to determine drop in elevation;

$$10 \times 1\% \div 100 = .1 \text{ feet}$$

f. Add depth of clean sand for slope difference (2e) at downslope rock edge, to the mound height at the upslope edge of rock layer (2b) to find the downslope mound height;

$$3 \text{ ft} + .1 \text{ ft} = 3.1 \text{ feet}$$

g. Enter table with landslope and downslope ratio. Select downslope multiplier of 4.17

h. Multiply downslope multiplier by downslope mound height to get downslope width:

$$3.1 \times 4.17 = 13 \text{ feet}$$

i. Compare the values of step G.1 10 and Step G.2h 13

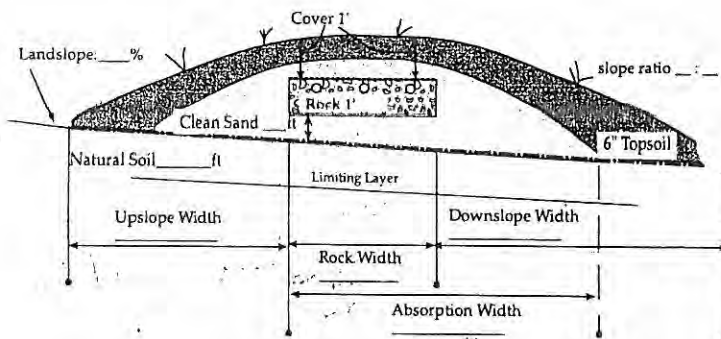
Select the greater of the two values as the downslope width: 13 feet

j. Total mound width is the sum of upslope (G.2d) width plus rock layer width (D.2) plus downslope width (G.2i);

$$10 \text{ ft} + 10 \text{ ft} + 13 \text{ ft} = 33 \text{ feet}$$

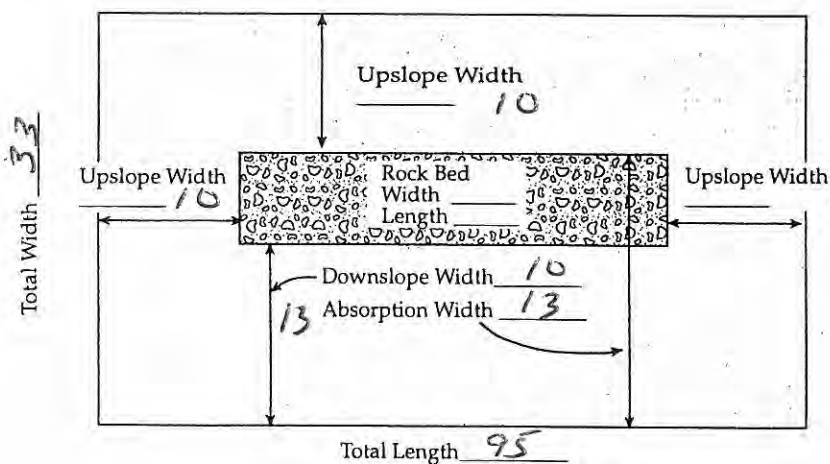
k. Total mound length is the sum of upslope width (G.2d) plus rock layer length (D.3) plus upslope width (G.2d);

$$10 \text{ ft} + 10 \text{ ft} + 75 \text{ ft} = 95 \text{ feet}$$



SLOPE MULTIPLIER TABLE

Land Slope, in %	UPSLOPE multipliers for various slope ratios						DOWNSLOPE multipliers for various slope ratios					
	3:1	4:1	5:1	6:1	7:1	8:1	3:1	4:1	5:1	6:1	7:1	
0	3.0	4.0	5.0	6.0	7.0	8.0	3.0	4.0	5.0	6.0	7.0	
1	2.91	3.85	4.76	5.66	6.54	7.41	3.09	4.17	5.26	6.38	7.53	
2	2.83	3.70	4.54	5.36	6.14	6.90	3.19	4.35	5.56	6.82	8.14	
3	2.75	3.57	4.35	5.08	5.79	6.45	3.30	4.54	5.88	7.32	8.86	
4	2.68	3.45	4.17	4.84	5.46	6.06	3.41	4.76	6.25	7.89	9.72	
5	2.61	3.33	4.00	4.62	5.19	5.71	3.53	5.00	6.67	8.57	10.77	
6	2.54	3.23	3.85	4.41	4.93	5.41	3.66	5.26	7.14	9.38	12.07	
7	2.48	3.12	3.70	4.23	4.70	5.13	3.80	5.56	7.69	10.34	13.73	
8	2.42	3.03	3.57	4.05	4.49	4.88	3.95	5.88	8.33	11.54	15.91	
9	2.36	2.94	3.45	3.90	4.30	4.65	4.11	6.25	9.09	13.04	18.92	
10	2.31	2.86	3.33	3.75	4.12	4.44	4.29	6.67	10.00	15.00	23.37	
11	2.26	2.78	3.23	3.61	3.95	4.26	4.48	7.14	11.11	17.65	30.00	
12	2.21	2.70	3.12	3.49	3.80	4.08	4.69	7.69	12.50	21.43	43.75	



Final Dimensions:

$$33 \times 95$$

Diagram illustrating a slope stabilization method. The cross-section shows a slope with the following layers from top to bottom:

- LOAMY SAND CAP
- TOPSOIL
- PERMEABLE SYNTHETIC FABRIC
- GRASS COVER
- CLEAN SAND FILL

Labels and dimensions include:

- (INCHES)
- (INCHES)
- (INCHES)
- 24"
- % SLOPE
- (%)
- METHOD OF SOIL PREPARATION
- (DESCRIBE METHOD)
- % SLOPE
- (%)

PERMEABLE SYNTHETIC FABRIC

GRASS COVER

CLEAN SAND FILL

% SLOPE

(%)

LOAMY SAND CAP

L (INCHES)

TOPSOIL

_____(INCHES)

(INCHES)

24

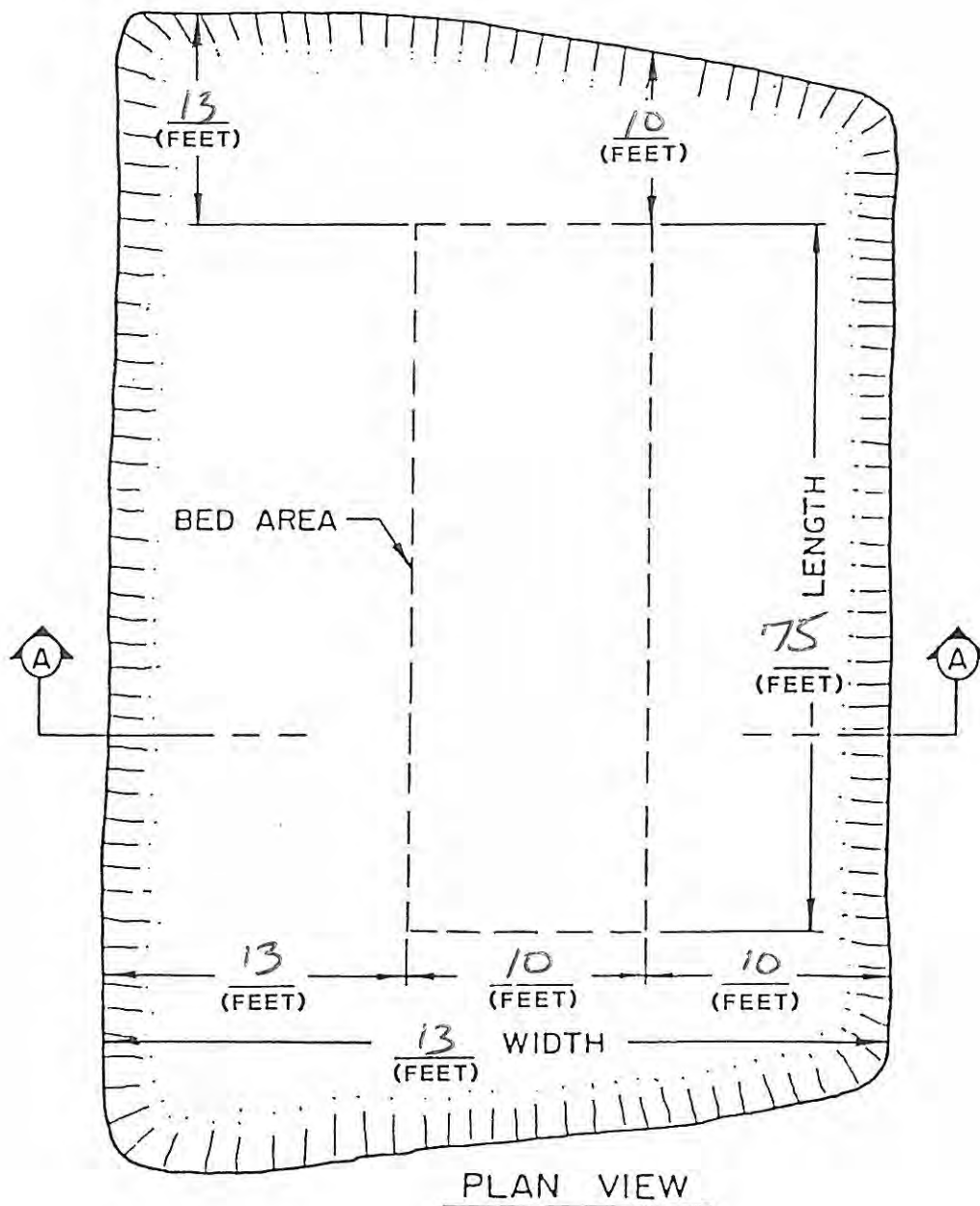
METHOD OF SOIL PREPARATION

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

(%)

(DESCRIBE METHOD)

CROSS SECTION A-A



13
(FEET)

(FEET)

10
(FEET)

(FEET)

BED AREA

LENGTH

75
(FEET)

(FEET)

13

(FEET)

(FEET)

10
(FEET)

(FEET)

10
(FEET)

(FEET)

13 WIDTH
(FEET)

(FEET)

WIDTH

Test hole location P1 Hole # _____

TIME	INTERVAL (MINUTES)	WATER DEPTH	WATER DROP (fraction)	WATER DROP (decimal)	PERC RATE CALCULATION
<u>12:45</u> <u>1:15</u>	START 30	<u>8</u> <u>6 1/4</u>	<u>1 3/4</u>	<u>1.75</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{17}{\text{PERC}}$ A
<u>1:15</u> <u>1:45</u>	REFILL 30	<u>8</u> <u>6 3/4</u>	<u>1 13/16</u>	<u>1.81</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{17}{\text{PERC}}$ B
<u>1:45</u> <u>2:15</u>	REFILL 30	<u>8</u> <u>6 3/8</u>	<u>1 5/8</u>	<u>1.63</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{18}{\text{PERC}}$ C
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ D
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ E
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ F
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ G
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ H

conversion:
 1/16 = .06
 1/8 = .13
 3/16 = .19
 1/4 = .25
 5/16 = .31
 3/8 = .38
 7/16 = .44
 1/2 = .5
 9/16 = .56
 5/8 = .63
 11/16 = .69
 3/4 = .75
 13/16 = .81
 7/8 = .88
 15/16 = .94

P2

TIME	INTERVAL (MINUTES)	WATER DEPTH	WATER DROP (fraction)	WATER DROP (decimal)	PERC RATE CALCULATION
<u>12:50</u> <u>1:20</u>	START 30	<u>8</u> <u>6 1/2</u>	<u>1 7/8</u>	<u>1.88</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{16}{\text{PERC}}$ A
<u>1:20</u> <u>1:50</u>	REFILL 30	<u>8</u> <u>6 1/4</u>	<u>1 3/4</u>	<u>1.75</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{17}{\text{PERC}}$ B
<u>1:50</u> <u>2:20</u>	REFILL 30	<u>8</u> <u>6 1/2</u>	<u>2 1/2</u>	<u>1.5</u>	$\frac{30}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{20}{\text{PERC}}$ C
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ D
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ E
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ F
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ G
_____ _____	REFILL _____	_____ _____	_____ _____	_____	$\frac{\text{TIME}}{\text{TIME}} \div \frac{\text{DROP}}{(\text{Decimal})} = \frac{\text{PERC}}{\text{PERC}}$ H

conversion:
 1/16 = .06
 1/8 = .13
 3/16 = .19
 1/4 = .25
 5/16 = .31
 3/8 = .38
 7/16 = .44
 1/2 = .5
 9/16 = .56
 5/8 = .63
 11/16 = .69
 3/4 = .75
 13/16 = .81
 7/8 = .88
 15/16 = .94

Date: 8-11-12Project Location: 49XX JANAC AVE LAKE ELMO, MN 55042

Client: _____ Borings made by: _____

Address: _____ TOM TROOEN
1568

City _____

State _____

Zip _____

Lic. # _____

Boring method: Auger X Pit Probe Other _____Color classification system: Munsell Other _____Boring Number B1

Surface Elevation _____

Soil type at system depth: _____

Boring Number B2

Surface Elevation _____

Soil type at system depth: _____

Depth (Feet)	Texture	Color
7"	LOAMY TOPSOIL	10YR 3/2
1	FINE SILT LOAM	10YR 4/6
2		
3		
43"		
4	SANDY SILT LOAM	7.5YR 5/6
5		
6		
60"		
7		

Depth (Feet)	Texture	Color
6"	LOAMY TOPSOIL	10YR 3/2
1	FINE SILT LOAM	10YR 4/6
2		
3		
38"		
46"	SANDY SILT LOAM	7.5YR 5/6
4		
5		
6		
7		

Slope: 1 %
End of boring at 6 feet.Standing water table: yes no
Present at _____ feet of depth,
_____ hours after boring.Mottled soil: MOTTLES @ 52"
Observed at _____ feet of depth.
Not present in boring hole _____
Observations and comments:Slope: 1 %
End of boring at 46" feet.Standing water table: yes no
Present at _____ feet of depth,
_____ hours after boring.Mottled soil: MOTTLES @ 40"
Observed at _____ feet of depth.
Not present in boring hole _____
Observations and comments:

Soil Boring Log

Date: _____

Project Location:

Client: _____ Borings made by: _____
 Address: _____

City _____

State _____

Zip _____

Lic. # _____

Boring method: Auger _____ Pit _____ Probe _____ Other _____

Color classification system: Munsell _____ Other _____

Boring Number B3
 Surface Elevation _____
 Soil type at system depth: _____

Boring Number _____
 Surface Elevation _____
 Soil type at system depth: _____

Depth (Feet)	Texture	Color	Depth (Feet)	Texture	Color
-	LOAM/TOPSOIL	10YR 3/2	-		
1 -	FINE SILT LOAM	10YR 5/6	1 -		
-			-		
2 -			2 -		
-	SAND/SILT LOAM	7.5YR 4/6	-		
3 -			3 -		
-			-		
4 -			4 -		
-			-		
5 -			5 -		
-			-		
6 -			6 -		
-			-		
7 -			7 -		

Slope: 1 %
 End of boring at 38" ~~feet~~

Standing water table: yes ☒ no ☐
 Present at _____ feet of depth,
 _____ hours after boring.

Mottled soil: MOTTLES @ 29"
 Observed at _____ feet of depth.
 Not present in boring hole _____
 Observations and comments:

Slope: _____ %
 End of boring at _____ feet.

Standing water table: yes ☐ no ☒
 Present at _____ feet of depth,
 _____ hours after boring.

Mottled soil:
 Observed at _____ feet of depth.
 Not present in boring hole _____
 Observations and comments:

Sizing of Pump Station

1. Determine Surface Area

Rectangle = Area = L x W

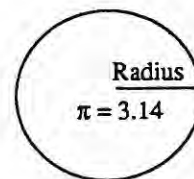
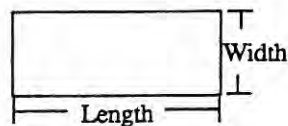
$$5 \times 10 = 50 \text{ square feet}$$

Circle = Area = $\pi \times (\text{Radius})^2$

$$3.14 \times \text{Radius} \times \text{Radius} = \text{square feet}$$

Other = Get Surface Area from Manufacturer

square feet



2. Calculate Gallons Per Inch

There are 7.5 gallons per cubic foot of volume, therefore you must multiply the area times the conversion factor and divide by 12 inches per foot to calculate gallons per inch

Area x 7.5 + 12

$$50 \times 7.5 + 12 = 31 \text{ gallons/inch}$$

3. Calculate Gallons to Cover Pump (with 2 inches of water covering pump)

(Height (in) + 2 inches) x gallons/inch

$$(10 + 2) \times 31 = 370 \text{ gallons}$$

4. Calculate Total Pumpout Volume

A. To maximize pump life select sump size for 4 to 5 pump operations per day.

$$750 \text{ gpd} \div 5 = 150 \text{ gallons per dose}$$

B. Calculate drainback

a. Determine total pipe length, 50 feet.

b. Determine liquid volume of pipe, 10 gallons per 100 feet. (see page F-13)

c. Multiply length by volume: Drainback quantity =

$$50 \text{ feet} \times 10 \text{ gallons} + 100 \text{ ft.} = 5 \text{ gallons.}$$

C. Total pump out volume equals dose volume + drainback

$$150 \text{ gallons per dose} + 5 \text{ gallons} = 155 \text{ Total gallons}$$

5. Calculate Volume for Alarm (typically 2 to 3 inches)

Depth (in) x gallons/inch =

$$31 \times 2 = 62 \text{ gallons}$$

6. Calculate Reserve Capacity (75% the daily flow)

Daily flow (see page D-7) x .75 =

$$750 \times .75 = 560 \text{ gallons}$$

7. Calculate total gallons

gallons over pump + gallons pumpout + gallons alarm + gallons reserve

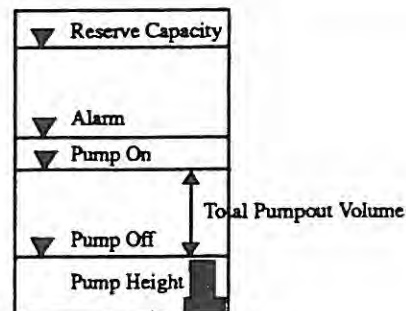
$$3 + 4 + 5 + 6$$

$$370 + 155 + 62 + 560 = 1147 \text{ gallons}$$

USE AT
1200 GALLON PUMPTANK

Estimated Sewage Flow in Gallons per Day (gpd)				
Number of Bedrooms	Type I	Type II	Type III	Type IV
2	300	225	180	60% of the volume in the other column
3	450	300	218	
4	600	375	256	
5	750	450	294	
6	900	525	332	
7	1050	600	370	
8	1200	675	408	

Pipe diameter (inches)	Gallons per 100 feet
1	4.49
1.25	7.77
1.5	10.58
2	17.43
2.5	24.87
3	38.4
4	66.1



8. Total Depth (Total gallon divided by gallon per inch)

Total Gallon ÷ gallon/inch

$$\text{Total Gallon} \div \text{gallon/inch} = \text{inches}$$

9. Float Separation Distance (equal total pumpout volume)

Total pumpout volume ÷ gallons/inch

$$155 \div 31 = 5 \text{ inches}$$

PUMP SELECTION PROCEDURE

A. Determine pump capacity: gravity distribution

- Minimum required discharge is 10 gpm
- Maximum suggested discharge is 45 gpm

pressure distribution

see pressure design worksheet

Selected pump capacity: 30 gpm

Perforation Discharges in gpm				
head (feet)	perforation diameter (inches)			
	1/8*	3/16	7/32	1/4
1.0 ^a	0.18	0.42	0.56	0.74
2.0 ^b	0.26	0.59	0.80	1.04
5.0	0.41	0.94	1.26	1.65

^a Use 1.0 foot for single-family homes.
^b Use 2.0 feet for anything else.
 * Potential for plugging

B. Determine head requirements:

- Elevation difference between pump and point of discharge.

8 ± feet

- Special head requirement:

If pumping to a pressure distribution system, five feet for pressure required at manifold. If gravity system, zero. 5 feet

- Friction loss

a. Enter friction loss table with gpm and pipe diameter. Read friction loss in feet per 100 feet from table.

F.L. = 1.55 ft./100 ft of pipe

b. Determine total pipe length from pump to discharge point. Estimate by adding 25 percent to pipe length for fitting loss. Equivalent pipe length times 1.25 = total pipe length

50 x 1.25 = 62.5 feet

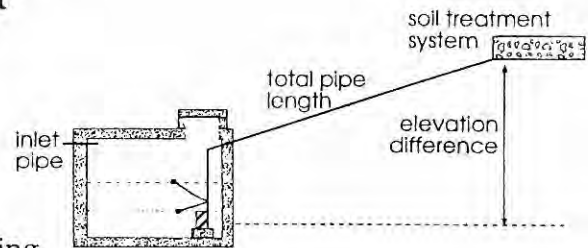
c. Calculate total friction loss by multiplying friction loss in ft/100 ft by equivalent pipe length.

Total friction loss = 62.5 x 1.55 ÷ 100 = 1 feet

- Total head required is the sum of elevation difference, special head requirements, and total friction loss.

8 + 5 + 1 (1) (2) (3c)

Total head: 14 feet



Friction Loss in Plastic Pipe Per 100 feet			
flow rate gpm	nominal pipe diameter		
	1.5"	2"	3"
20	2.47	0.73	0.11
25	3.73	1.11	0.16
30	5.23	1.55	0.23
35	6.96	2.06	0.30
40	8.91	2.64	0.39
45	11.07	3.28	0.48
50	13.46	3.99	0.58
55		4.76	0.70
60		5.60	0.82
65		6.48	0.95
70		7.44	1.09

C. Pump selection

- A pump must be selected to deliver at least 30 gpm (Step A) with at least 14 feet of total head (Step B).

Table III Minimum Setback Distances (Feet)

Feature	Sewage Tank	Soil Treatment Area
Water Supply Well less than 50 feet deep and not encountering at least ten feet of impervious material.	50	100
Any other water supply well or buried water suction pipe	50	50
Buried pipe distributing water under pressure	10	10
Occupied buildings and buildings with basements or crawl spaces	10	20
Non-occupied structures	5	10
Property lines	10*	10*
Above ground swimming pools	10	10
In ground swimming pools	10	10
The Ordinary High Water Mark of:		
Natural Environment Lakes and Streams	150*	150*
Recreation Development Lakes and Streams	75*	75*
General Development Lakes and Streams	75*	75*
All unclassified waters	75*	75*
St. Croix River Rural Districts	150*	150*
St. Croix River Urban Districts	100*	100*
Blufflines:		
St. Croix River Blufflines	40*	40*
Shoreland Blufflines	20*	20*



PLANNING COMMISSION
DATE: 3/24/14
AGENDA ITEM: 4C – PUBLIC HEARING
CASE # 2014-17

ITEM: Launch Properties Zoning Map Amendment and PUD Concept Plan for a Light Industrial Business Park

SUBMITTED BY: Kyle Klatt, Community Development Director

REVIEWED BY: Nick Johnson, City Planner
Jack Griffin, City Engineer
Mike Bouthilet, Public Works Director
Jim Sachs, Public Works/Water
Greg Malmquist, Fire Chief

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a request from Launch Properties (Dan Regan), 1875 Highway 36 West, Suite 200, Roseville, MN for a Zoning Map Amendment and Planned Unit Development (PUD) Concept Plan related to a two-phase, 385,000 square foot light industrial development that will be located at the intersection of Lake Elmo Avenue and Hudson Boulevard North. The initial phase will include the construction of a 125,000 square foot building on the western portion of the site, which will be occupied by a tire distribution business. The proposed zoning of BP – Business Park/Light Industrial allows for a range of office, light industrial, and non-production industrial uses on the site.

GENERAL INFORMATION

Applicant: Launch Properties (Dan Regan), 1875 Highway 36 West, Suite 200, Roseville, MN

Property Owners: Reco Real Estate, LLC, 1875 Highway 36 West, Suite 200, Roseville, MN

Location: Southwest Quarter of the Southwest Quarter of Section 36. Northeast quadrant of the intersection of Lake Elmo Ave. N. and Hudson Blvd. N. PID Number 36.029.21.33.0001

Request: Zoning Map Amendment and Planned Unit Development Concept Plan

Existing Land Use: Vacant/agricultural fields

Existing Zoning: RT – Rural Transitional

Surrounding Land Use: Agricultural fields, single family residential, golf driving range, drive-in theater

Surrounding Zoning: RT – Rural Transitional, RS – Rural Single Family Residential

Comprehensive Plan: Business Park

<i>Proposed Zoning:</i>	BP – Business Park/Light Industrial
<i>History:</i>	The site has been used for agricultural fields for a long time. The property has been placed on a holding zone since the adoption of the 2005 Comprehensive Plan.
<i>Deadline for Action:</i>	Application Complete – 3/6/14 60 Day Deadline – 5/6/14 Extension Letter Mailed – No 120 Day Deadline – 7/6/14
<i>Applicable Regulations:</i>	154.051 – BP Business Park Zoning District 154.800 – Planned Unit Development (PUD) Regulations 154.105 – Zoning Amendments

REQUEST DETAILS

The City of Lake Elmo has received a request from Launch Properties (Dan Regan), 1875 Highway 36 West, Suite 200, Roseville, MN for a Zoning Map Amendment and Planned Unit Development (PUD) Concept Plan for property located northeast of the intersection of Lake Elmo Avenue North and Hudson Boulevard North. The details concerning the two different aspects of the request are as follows:

- The zoning map amendment would change the zoning designation of the parcel from RT – Rural Transitional to BP – Business Park/Light Industrial. This zoning is consistent with the City’s land use plan for the I-94 Corridor.
- A request for a PUD Concept Plan to allow the construction of two light industrial buildings with a net area of 385,000 square feet. A PUD has been requested in order to allow for a zero lot line build out of what will eventually be two separate parcels and to allow for a waiver of the City’s current setback requirements for certain portions of the property.

If the City decides to approve the request, the applicant may then proceed with the preparation of preliminary development plans and preliminary plat for the site. Under the City’s PUD Ordinance, the applicant must also submit final development plans as part of the review process. The applicant has requested to submit the preliminary and final development plans at the same time, which may be allowed by the City for smaller development projects. Because the proposed development is confined to one existing parcel and will not require the construction of any public roads through the project area, Staff is supportive of a combined preliminary and final plan submission should the concept plan be approved.

The attached application narrative and site plans provide an overview of the applicant’s request, which will be built out in two phases. The first phase will include the construction of a 125,000 square foot building for a perspective tenant that intends to use the space for a tire distribution center. The bulk of the building will be used as a warehouse/distribution area, with a smaller office area located at the front of the building facing Hudson Boulevard North. The plan includes the reservation of space on the site for a future 25,000 square foot expansion of this building, along with an automobile parking area for employees near the front entrance and a truck loading area along the western portion of the building. Because the proposed tenant is expected to need a relatively small amount of customer/employee parking, the applicant is proposing to depict a portion of the parking area as “proof of parking” that could be constructed at a later date when needed.

The second phase of the project includes a much larger building of 235,000 square feet that would be located in the western portion of the lot. There is no specific use identified for the building, but it is being planned to handle businesses looking for “flexible, functional space in an accessible location along the I-94 corridor” in accordance with the applicant’s project narrative. Both buildings would be accessed via a shared driveway entrance off of Hudson Boulevard North, with ancillary access provided through driveway in the extreme western and northern portions of the site. The site plan includes shared storm water facilities that will be located along Hudson Boulevard North and along the western boundary of the property.

As part of the application for a PUD, the applicant has requested flexibility from some of the current BP zoning district requirements as follows:

- The establishment of a zero lot line configuration for the parking lot between the two proposed buildings and lots. If the zero lot line configuration was not approved as part of the project, the applicant would need to set the parking areas back 15 feet from the adjoining lot line (which would leave 30 feet of space between the two parking areas). The PUD will allow the creation of a common parking and truck loading area, all of which will be internal to the proposed development.
- A reduction from the required setbacks along the northern property boundary and the area guided for urban low density residential development. The applicant is proposing a building setback of 96 feet from this property line, with a drive aisle (fire lane) located 56 feet from this line. The Zoning Ordinance requires a minimum building setback of 150 feet from residential zones for buildings and 100 feet for parking areas (which would include maneuvering lanes and driveways). The applicant is proposing a berm and landscaping along this line to help compensate for the reduced setbacks.

BACKGROUND

The proposed development site is 29 acres in size and located within the City’s I-94 corridor planning area. This property, as well as the property to the north, west, and east is included in the City’s future sewer service area, with these parcels being guided for urban low density residential, commercial, and business park respectfully. The site has historically been used for agricultural fields except for the southern portion, which is lower in elevation and covered with vegetation. The surrounding existing uses include the Vali-Hi drive in theater, the Country Air golf practice facility, and the Forest residential subdivision. All but the Forest subdivision are guided for future public sewer service and are expected to be redeveloped at some point in the future. The City has recently reviewed a sketch plan for the property immediately north of the applicant’s site (the golf practice facility) for a 50-unit residential subdivision.

A portion of the City’s trunk sewer line extension project that will provide sanitary sewer service to the Village Area crosses the western portion of the applicant’s property. This portion of the sewer is a gravity line that will allow the applicant to immediately connect to service the proposed buildings. The City Engineer has noted that this service line will need to be extended to Lake Elmo Avenue in order to provide service to other properties in the area. Any properties that use the sewer connection will need to plan for the future extension of service through their properties as a requirement for being allowed access to the service. Water service is not to the site, but will be extended to the eventual location of 5th Street as part of a planned City project later this year. The applicant will be responsible for providing a plan for the connection to public water service as part of the preliminary plan submissions.

The City's future land use plan guides the subject parcel for Business Park, and this land use classification extends for the entire length of Hudson Boulevard North between Lake Elmo Avenue and Manning Avenue. The specific description for the land use category from the Comprehensive Plan reads as follows:

BUSINESS PARK – The Business Park land use category is intended to encourage the creation of significant employment centers that accommodate a diverse mix of office and light industrial uses and jobs. Specific desired attributes of this land use include a diversity of jobs, high development densities and jobs per acre, high quality site and building architectural design, and increased tax revenues for the community. Office, office showroom/warehousing, research and development services, light and high-tech electronic manufacturing and assembly, and medical laboratories are typical uses appropriate for this land use category. Some retail and service uses may be allowed as supporting uses for the primary office and light industrial uses of the employment center. In addition to the Eagle Point Business Park, much of the land between Manning Ave and Keats Ave adjacent to I-94 is guided for this land use classification. [Corresponding Zoning District(s): BP]

As part of the request, the applicant is asking that the City rezone the parcel to the BP – Business Park/Light Manufacturing District consistent with the Comprehensive Plan. The proposed activities are either permitted or conditional uses within this district. As part of the request for a planned development, Staff is recommending that the City structure the PUD so that the allowed uses within the development are consistent with the permitted and conditional uses within the BP zoning district. The final PUD should also specify any of the zoning exceptions being sought by the applicant as described in the preceding section.

PLANNING AND ZONING ISSUES/STAFF COMMENTS

Members of the Community Development, Public Works, Engineering, and Fire Departments have reviewed the proposed PUD Concept plan and provided comments in the following areas:

- **Land Use.** The proposed Concept Plan and the buildings/uses proposed are consistent with the Comprehensive Plan and Zoning Ordinance concerning the Business Park land use category. The PUD Ordinance does provide for flexibility from the underlying zoning standards with the understanding that this flexibility will help a developer better utilize site features and obtain a higher quality development. The objectives related to a PUD are noted in the findings section below.
- **Zoning.** With the extension of sewer and water service to the site, the City is able to take action rezone this parcel in a manner consistent with the future land use designation of Business Park.
- **Lake Elmo Theming Study.** The applicant is proposing to incorporate design elements from the City's Theming Study, including an enhanced corner treatment (signage and landscaping) at the intersection of Lake Elmo Avenue and Hudson Boulevard North and the installation of white horse fencing extending out from this corner area.
- **Impervious Coverage:** The proposed coverage of the parcel falls well within the allowable amount of impervious coverage (75%) for a BP zoning district. The site plan preserves 39%

of the site as open space, including storm water ponds, screening buffer areas, and general landscaping.

- **Access/Driveways.** The City Engineer has noted that the driveways will need to comply with the City's access spacing requirements and that the entrances along Hudson Boulevard North will likely need to be modified to meet these requirements. The County has questioned the future usage of the Lake Elmo Avenue access point, and has requested that a traffic study be conducted to more fully understand the expected traffic impacts from the development. Staff is recommending that access to the Lake Elmo Avenue driveway be limited to automobiles, and that all truck traffic be required to use the Hudson Boulevard entrance.
- **Setbacks.** The proposed buildings and driveway areas will comply with the setback requirements of the BP zoning district with the exception of the internal side yard parking setback and the building and parking area setbacks from the northern property line. The applicant is proposing to mitigate the northern property line setback by constructing a berm and additional landscaping in this area.
- **Screening and Buffering.** Because the northern property line represents the boundary between a light industrial and residential development, Staff is recommending that the proposed berm and landscaping as proposed be incorporated as a requirement of the PUD. The applicant should submit additional details, including a proposed cross section view of the berm, as part of the preliminary and final plan submittal.
- **Design Standards.** The proposed buildings will be subject to the City's Architectural and Design Standards and Guidelines Manual. The Planning Commission will be the reviewing body for the design review associated with these buildings, which will be incorporated as part of the preliminary and final plan review for the site. The applicant will need to provide the required information to complete this review with as part of any future plan submissions to the City.
- **Water and Sewer Services.** The applicant will need to submit a plan for the extension of water services to the site as part of the preliminary and final plan submission. The Engineer has noted that the applicant will be responsible for extending these service across the site as part of these plans.
- **Storm Water and Erosion Control.** The applicant will need to submit detailed storm water and erosion control plans with the preliminary and final development plans. These plans will need to conform to City of Lake Elmo and Valley Branch Watershed District (VBWD) requirements. The applicant is strongly encouraged to meet with VBWD to review the district requirements prior to preparing this plan. The applicant and City will also need to determine whether or not the proposed ponds will be deeded to the City or left under private control.
- **Parking.** The City's Parking Ordinance would require 60 parking stalls for the proposed use, including 18 associated with the office area and 42 for the warehouse portion of the building. The applicant has depicted 47 stalls adjacent to the first phase building, with another 85 stalls shown as "proof of parking". The parking ordinance does state that the Planning Commission may allow parking requirements for a particular use to be relaxed or lessened in response to an expected demand that is lower than the required standard in this section,

provided that sufficient open area is set aside on the parcel to meet the required standard, if determined to be necessary at a later date. With the expected demand for parking to be low for the proposed use, Staff is recommending that the site plan be approved as presented with the proof of parking concept.

- **County Review.** Washington County has submitted its review comments, which are attached for consideration by the Planning Commission. The most significant of the County's comments is the request for a traffic study, which Staff is recommending be included as part of a preliminary and final plan submission.
- **City Engineer Review.** The City Engineer has reviewed the concept plan and provided comments in a review letter to the City dated March 18, 2014. The applicant will need to address the Engineer's comments as part of the preliminary and final plan submission for the site.
- **Sidewalks and Trails.** The concept plan does not include any trails or sidewalks within or adjacent to the development area. Although this is a commercial development, Staff is recommending that the plans be amended to include a trail along Lake Elmo Avenue within the County right-of-way. This trail will provide a connection to the planned multi-purpose trail along 5th Street immediately to the north of the subject property. At this time, the City's plans do not include any trails or trail corridors along Hudson Boulevard North.
- **Landscaping.** The applicant has not provided any details concerning landscaping for the site, which must be submitted at the time of preliminary and final plan submission. The applicant will also need to submit a tree preservation and protection plan as part of this application.
- **Environmental Review.** The proposed project does not meet any threshold for a mandatory Environmental Assessment Worksheet.
- **Fire Chief Review.** The Fire Chief has asked that the fire lanes within the development be designed in accordance with Minnesota Fire Code standards. The fire chief will need to review the placement of fire hydrants within the project site.
- **Park Land Dedication.** The City has established a fee in lieu of land dedication for commercial land development. This fee will need to be paid at the time a final plat is approved by the City.
- **Lighting.** A specific lighting plan has been not been submitted and should be included with the preliminary and final development plans.
- **Signs.** The applicant has not provided a signage plan, which will be needed as part of future submissions to conform to the City's Sign Ordinance.

REVIEW AND ANALYSIS

Staff is recommending that the Planning Commission recommend approval of the request for a Zoning Map Amendment and Planned Unit Development (PUD) Concept Plan related to a two-phase, 385,000 square foot light industrial development that will be located at the intersection of Lake Elmo Avenue and Hudson Boulevard North. The proposed use of the site is consistent with the

City's Comprehensive Plan, and the applicant's use of a PUD will provide the applicant with flexibility to design a more unified and cohesive development than could be accomplished with the underlying zoning district. In particular, the proposed setback waivers will allow the loading areas to be configured to the center portion of the site and internally screened from adjacent properties. The proposed location of the buildings will also provide for a shared main access point to Hudson Boulevard, while eliminating truck traffic at the peripheral access driveways. The project includes a substantial buffer from the residential property north of the site, which in conjunction with the expected landscaping within the proposed residential subdivision will provide for an effective transition between these uses.

The proposed use will be subject to the recently revised required findings for Planned Developments. When reviewing requests for approval of a planned unit development, the PUD Ordinance notes that the City should consider whether one or more of the objectives listed below will be served or achieved:

- 1) Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches;
- 2) Promotion of integrated land uses, allowing for a mixture of residential, commercial, and public facilities;
- 3) Provision of more adequate, usable, and suitably located open space, recreational amenities and other public facilities than would otherwise be provided under conventional land development techniques;
- 4) Accommodation of housing of all types with convenient access to employment opportunities and/or commercial facilities; and especially to create additional opportunities for senior and affordable housing;
- 5) Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities;
- 6) Preservation of historic buildings, structures or landscape features;
- 7) Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses;
- 8) Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation;
- 9) Allowing the development to operate in concert with a redevelopment plan in certain areas of the City and to ensure the redevelopment goals and objectives will be achieved; and
- 10) Higher standards of site and building design than would otherwise be provided under conventional land development technique.

Please note that the Staff recommendation includes the following conditions of approval:

- 1) The preliminary and final development plans shall address all comments from the City Engineer in his review letter dated March 18, 2014.

- 2) The applicant shall prepare a traffic impact study prior to the submission of preliminary and final plans that addresses the concerns and comments included as part of the review letter from Washington County dated March 19, 2014. This study shall clarify the intended use of the secondary access driveways providing access to the automobile parking areas.
- 3) The applicant shall secure any required permits from the Valley Branch Watershed District prior to commencing any grading or construction activity on the site.
- 4) The final development plans shall include detailed landscape plans that conform to the Lake Elmo Zoning Ordinance and that conforms to the City's Tree Protection and Replacement Ordinance. The applicant shall provide a cross section view of the proposed berm and landscaping along the northern property line as part of these plans.
- 5) The applicant shall submit detailed architectural plans at the time of the preliminary and final development plan review by the City. These plans shall conform to the City's Design Guidelines and Standards Manual.
- 6) The final preliminary and final development plans shall include a signage plan.
- 7) The applicant shall pay a fee in lieu of park land dedication as determined by the City prior to the final plat being released for recording.
- 8) The final plat shall include all easements for drainage and utility and other purposes as required by the City Engineer.
- 9) The storm water plans shall differentiate between storm water retention and storm water infiltration areas.
- 10) The preliminary and final development plans shall include a specific land use plan for the property clarifying the uses allowed under the PUD, the dimensional requirements for the site, including any deviations from the underlying zoning, and other information deemed appropriate by the City.

DRAFT FINDINGS

Please refer to the comments in the previous section. Staff will review the recommended conditions of approval with the Commission at the meeting.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the request from Launch Properties (Dan Regan), 1875 Highway 36 West, Suite 200, Roseville, MN for a Zoning Map Amendment and Planned Unit Development (PUD) Concept Plan related to a two-phase, 385,000 square foot light industrial development that will be located at the intersection of Lake Elmo Avenue and Hudson Boulevard North. This recommendation includes the following conditions of approval:

- 1) The preliminary and final development plans shall address all comments from the City Engineer in his review letter dated March 18, 2014.
- 2) The applicant shall prepare a traffic impact study prior to the submission of preliminary and final plans that addresses the concerns and comments included as part of the review letter from Washington County dated March 19, 2014. This study shall clarify the intended use of the secondary access driveways providing access to the automobile parking areas.

- 3) The applicant shall secure any required permits from the Valley Branch Watershed District prior to commencing any grading or construction activity on the site.
- 4) The final development plans shall include detailed landscape plans that conform to the Lake Elmo Zoning Ordinance and that conforms to the City's Tree Protection and Replacement Ordinance. The applicant shall provide a cross section view of the proposed berm and landscaping along the northern property line as part of these plans.
- 5) The applicant shall submit detailed architectural plans at the time of the preliminary and final development plan review by the City. These plans shall conform to the City's Design Guidelines and Standards Manual.
- 6) The final preliminary and final development plans shall include a signage plan.
- 7) The applicant shall pay a fee in lieu of park land dedication as determined by the City prior to the final plat being released for recording.
- 8) The final plat shall include all easements for drainage and utility and other purposes as required by the City Engineer.
- 9) The storm water plans shall differentiate between storm water retention and storm water infiltration areas.
- 10) The preliminary and final development plans shall include a specific land use plan for the property clarifying the uses allowed under the PUD, the dimensional requirements for the site, including any deviations from the underlying zoning, and other information deemed appropriate by the City.

The suggested motion for taking action on the Staff recommendation is as follows:

“Move to recommend approval of the request for a Zoning Map Amendment and Planned Unit Development (PUD) Concept Plan related to a two-phase, 385,000 square foot light industrial development that will be located at the intersection of Lake Elmo Avenue and Hudson Boulevard North subject to the conditions of approval as recommended by Staff”

ATTACHMENTS:

1. Application Form
2. Legal Description
3. Application Description and Project Narrative
4. Existing Conditions Map
5. Concept Layout
6. Building Renderings
7. City Engineer Review Comments
8. Washington County Review Comments

ORDER OF BUSINESS:

- Introduction.....Community Development Director
- Report by Staff.....Community Development Director
- 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

Fee \$ _____

City of Lake Elmo
DEVELOPMENT APPLICATION FORM

- | | | |
|--|--|---|
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Variance * (See below) | <input type="checkbox"/> Residential Subdivision Preliminary/Final Plat |
| <input type="checkbox"/> Zoning District Amendment | <input type="checkbox"/> Minor Subdivision | <input type="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. Conditional Use Permit | <input type="checkbox"/> Residential Subdivision Sketch/Concept Plan | <input 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 checked="" type="checkbox"/> PUD |

APPLICANT: Launch Properties (Dan Regan) 1875 Hwy 36 W, Ste 200, Roseville, MN
(Name) (Mailing Address) (Zip) 55113

TELEPHONES: 612-564-4070 (work) 612-987-9966 (mobile) 612-234-4325
(Home) (Work) (Mobile) (Fax) (fax)

FEE OWNER: Reco Real Estate, LLC - same address as above.
(Name) (Mailing Address) (Zip)

TELEPHONES: Same phones as above.
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): Northeast quadrant of Lake Elmo Ave N and Hudson Blvd N.

DETAILED REASON FOR REQUEST: Application for PUD concept plan approval.

***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] 3-6-14
Signature of Applicant Date

Signature of Applicant Date

That part of the Southwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota lying northerly and easterly of Minnesota Department of Transportation Right-of-Way Plat 82-52, on file and of record in the office of the County Recorder, Washington County, Minnesota. Except small parcels of record. PID No. 36.029.21.33.0001.



1875 Highway 36 W, Suite 200 | Roseville, MN 55113
launchproperties.com

Mr. Nick Johnson
City of Lake Elmo
City Planner
3800 Laverne Ave N
Lake Elmo, MN 55042

Re: Lake Elmo I-94 Business Park PUD

Mr. Johnson:

On behalf of Launch Properties, I want to thank you for the opportunity to submit our PUD Concept Plan of Park 94 Business Park.

THE APPLICANT

The Applicant is Launch Properties, a leading developer of industrial, office, healthcare, and retail real estate in St. Paul – Minneapolis. Launch Properties' Principals, Dan Regan and Mark Nordland, have developed numerous light industrial business parks in the Twin Cities, including Airlake Industrial Park in Lakeville, Lexington Preserve in Blaine, Dean Lakes in Shakopee, and 610 Business Center in Brooklyn Park, resulting in over \$750 million worth of high quality, Class A employment hubs. The Applicant's affiliate, Reco Real Estate, LLC owns all of the property described in the Application, which includes approximately 30 acres of land.

The Applicant has: 1) been a member of the south of 10th land use work group, 2) held several meetings with City staff in regards to the proposed development, 3) submitted a build-to-suit proposal to a tenant seeking space in the Oakdale/Woodbury/Hudson/Lake Elmo areas for a 125,000 square foot light industrial building.

THE APPLICATION

The exhibits that accompany the Application illustrate several aspects of the Applicant's proposal. Specifically the Applicant requests:

1. Zoning ordinance amendment rezoning to PUD, Planned Unit Development; and
2. Concept Plan approval

This is the first step of a multi-step process of City review. If these requests are approved, the next steps would be Preliminary and Final Plat approval of the phase I project.

THE VISION

Consistent with the Comprehensive Land Use Plan, Launch Properties' concept plan is to develop a two-phase, light-industrial business park that will be designed and constructed to accommodate businesses looking for flexible, functional space in an accessible and visible location along the I-94 corridor. The proposed project responds to the needs of the local trade area and takes advantage of prominent views to I-94. The Applicant is pledging high quality architecture and landscape design for both buildings, including the implementation of Gateway Corridor streetscape components on the southwest corner of the site. Total square footage of the project is estimated to be 385,000 square feet with estimated market value of over \$20 million dollars.

SITE PLAN

The 30 acre site is located at the northeast corner of Lake Elmo Ave N and Hudson Blvd N and is anticipated to be fully developed within 3 years. The approximately 125,000 square foot phase I building is being proposed to a tenant and would break ground in early summer

2014 for occupancy in 4th quarter 2014. Subsequently, the approximately 235,000 square foot phase II building would be constructed when feasible.

PONDING & STORMWATER

The site has been analyzed for the proposed improvements and the proposed pond location is adequate in size to reduce runoff to that of existing conditions. The proposed design of the ponds will include a two cell system to clean and infiltrate the storm runoff. Storm sewer structures and piping will be utilized to deliver the storm water to the proposed ponding areas. Discharge for the site will be to existing outlet structures currently in place.

EXISTING WETLANDS

This site will require an updated wetland review. In a previous preliminary plat submittal to the City in 2002, the low area on the site was determined to have been constructed for a different purpose and did not require any mitigation because it was man made. The updated wetland review and approval of the Watershed will need to be a condition of approval until weather allows for a new report and site review to be completed.

WATER MAIN & SANITARY SEWER

The Applicant proposes that the site be serviced by City water main through an extension to the northwest corner of the site. Based on conversations with City staff, the Applicant's understanding is that water main is scheduled to be in place by the fall of 2014, towards the end of our proposed site improvements for the first phase of this project. The City will need to provide some direction if they intend on extending the water main through the site to connect to the existing parcel to the east.

BUILDING PLACEMENT

Buildings are oriented perpendicular to I-94 which provides the following benefits 1) access will primarily happen off of Hudson Blvd N, 2) building entries will be on the west, south, and east sides for easier wayfinding, and 3) loading docks and truck courts are interior, or facing one another, which minimizes their visibility from public right of way and is most compatible with adjacent land uses.

The two-building plan allows a shared access point off of Hudson Blvd N for employee vehicles and truck court access for phase I and truck court access for phase II. A second access is near the southeast corner for employee vehicles for phase II. The third access point is on the northwest corner of the site, primarily to provide circulation for safety as required by code. Trucks are restricted from the northwest and southeast access points as illustrated in the Applicant's plans.

STREETSCAPE & LANDSCAPING

Site amenities such as the Gateway Corridor components, as encouraged in the Lake Elmo Theming Study, are provided as illustrated in the plans. Components include a landscaped white picket fence wrapping around the corner of Lake Elmo Ave N and Hudson Blvd N. Street trees will be installed at regular intervals. High quality landscaping elements are expected surrounding the buildings where appropriate.

PARKING AND DELIVERY/STORAGE AREAS

Vehicle parking is planned on the south side of phase I building, with proof of parking shown on the west side of the phase I. Vehicle parking for the phase II building will be in front of the building on the east side, providing convenient access to the building entryways.

As mentioned above, truck court access off of Hudson Blvd N is shared between both phases. Along the north property boundary, as illustrated in the plans, a landscaped berm will be constructed to screen the parking and truck court areas of the project from the residential subdivision to the north.

FORM & FACADE

Consistent with prevailing building designs in other Class A business parks, a high level of architectural quality is planned. As per the plans, all sides of the buildings have architectural treatments. The creative use of color schemes breaks up long, continuous wall expanses and adds attractive visual interest. For the phase I building, the initial primary building entrance will be at the southeast corner. The west building elevation is designed to be upgraded with 3 entryways with architectural features for multiple tenants.

BUILDING MATERIALS

Exterior building panels will be 12" precast concrete VersaCore + Green insulated sandwich panels. Decorative staining, in an earth-tone color scheme per the plans, with multiple scoring lines are the panel finishes that pave the way for a signature business park design. Additional design features incorporated are prominent windows, architectural metals, and canopy around the building corners and main entryway.

LIGHTING

Lighting is provided in the entryways, parking areas, pedestrian ways to ensure safety and provided aesthetic value. However, all lighting is proposed to be down cast so as to minimize light pollution to neighboring properties. There will be no exposed or bare bulb lighting in the business park.

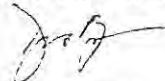
SIGNAGE

All signage will be constructed with high quality and durable materials. Consistent design will be carried through the project through the use of sign regulations inserted into lease documents with the building tenants. Signage is proposed on only two frontages per building as illustrated in the plans. A monument sign will be constructed at the Hudson Blvd N access point providing signage for multiple tenants. Lastly, as encouraged in the Lake Elmo Theming Study, the Gateway Corridor treatment is proposed for the southwest corner, including a City of Lake Elmo monument sign and peripheral fencing and landscaping.

We are excited about this opportunity and will bring a high level of product expertise and attention to detail, resulting in a development that exceeds expectations. We look forward to working with you and we hope that by breathing life into the south of 10th business district, our project can become a catalyst for more tax base and employment generating projects.

Sincerely,

For and on behalf of Launch Properties



Dan Regan



Mark Nordland

OUR TEAM



WE KNOW INDUSTRIAL REAL ESTATE. WE'VE BUILT THEM, BOUGHT THEM, OPERATED THEM, AND SOLD THEM. So we understand the difficulty of both delivering within a tight budget and schedule while maintaining work quality.



DAN REGAN

*Principal and Founder
Launch Properties*

In addition to founding Launch Properties, Dan is Managing Partner of Airlake Development, Inc., a family development business with a long track record of success in the Twin Cities. He has played a key role in growing the Airlake Industrial Park in Lakeville, MN, into the second-largest industrial park in the Twin Cities. Activities include the City of North St. Paul Economic Development Authority Committee, multiple NAIOP committees, and St. John's Hospital Community Advisory Committee. Dan is an active shareholder of Premier Banks, a family-owned, MN based, 20 branch community bank with \$800 million in assets. Lastly, Dan is a managing partner in The Wilds Golf Club, an upscale daily fee golf course in Prior Lake, MN.

MARK NORDLAND

*Principal and Founder
Launch Properties*

Over the past 18 years, Mark has established himself as a top investor and developer in Minnesota. He has led the acquisition and development of more than \$750 million of award winning projects throughout the US while at Launch Properties, Ryan Companies and CSM Corporation. Immediately prior to founding Launch Properties, Mark was in charge of Ryan Companies' Office and Industrial development team. Mark is the 2014 NAIOP MN Chapter President, a MSP Business Journal 40 Under Forty recipient and a Best in Real Estate award winner. Since forming Launch Properties in 2011, Mark and Dan have developed and invested in numerous projects in the industrial, healthcare, and retail sectors.

3RD PARTY TEAM MEMBERS

→ In the real estate business we rely on others to assist in transacting and keeping our buildings performing at a high level. We have a successful track record with the following people and each will play an important role:

1 BROKERS/ DEAL FLOW

Listing Brokers:
Bill Ritter, Ryan Krzmarzick, & Eric Rossbach
Colliers Int'l Mpls-St. Paul

2 DESIGN

Architectural:
Todd Mohagen, Mohagen Hansen

Civil Engineering:
Todd Erickson, Erickson Civil | Site

Transaction Attorney:
David Yung, Barnes & Thornburg

Entitlements Attorney:
Brian McCool, Fredrikson & Byron

4 CONSTRUCT

Construction Project Management:
Maverick PM, Ed Ulbricht

General Contractor:
Jack Grotkin, RJ Ryan Construction, Inc.

5 OPERATE

Property Management:
Internal Staff, Launch Properties

Preventative Maintenance:
Paul Dally, United Operations

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: March 18, 2014

To: Kyle Klatt, Planning Director
Cc: Nick Johnson, City Planner

Re: Launch Properties I94 Business Park PUD
Sketch Plan Review

From: Jack Griffin, P.E., City Engineer

We have received a Sketch Plan for the above referenced development proposal consisting of the following exhibits/documentation prepared by Erickson Civil. All materials were received on March 10, 2014:

- Application – Lake Elmo I-94 Business Park PUD Narrative
- Proposed Business Park – Existing Conditions, dated 03.07.2014.
- Proposed Business Park – Concept Layout, dated 03.07.2014.
- Proposed Business Park – Building Renderings, dated 03.07.2014.

We have the following review comments:

MUNICIPAL WATER SUPPLY

- Municipal water supply is not currently available to this property. The applicant has submitted a request to the City to extend municipal water to the northwest corner of the property as part of the Lake Elmo Avenue Trunk Watermain Improvements. As part of this City project, the connection point for the applicant, and applicants cost participation, will need to be determined.
- The applicant will be responsible to connect to City water and extend water across the applicant's property at applicant's cost to provide watermain stubs to adjacent properties.
- The applicant must install a looped watermain network to avoid dead end runs greater than 600 feet.
- The City may require pipe sizes in excess of 8-inch diameter pipe. When requested, the City will pay oversize costs for pipe sizes in excess of 8-inch diameter.
- The applicant will be responsible to place hydrants throughout the property at the direction of the Fire Department.
- The applicant should be informed that the City water supply capacity (pressures, fire suppression, use) may be limited until a new water tower is constructed to serve the City's low pressure zone.

MUNICIPAL SANITARY SEWER

- Municipal sanitary sewer is available along the southeast corner and along the entire eastern property line. The City retains a 40 foot sanitary sewer easement along the eastern property line and along the southeast corner to the MCES meter station to accommodate this trunk sewer line. This easement should be shown on the plans.
- The applicant will need to connect to the City sanitary sewer line and extend service to the proposed buildings.
- The applicant will be responsible to extend an 8-inch diameter sanitary sewer main to the corner of Lake Elmo Avenue and Hudson Boulevard.

STORMWATER MANAGEMENT

- Stormwater facilities shall be in accordance with the requirements listed in the City of Lake Elmo Engineering Design Standards, in addition to the requirements of the Valley Branch Watershed District.
- Stormwater facilities will include both storm water ponds and infiltration basins. Infiltration basins should be shown as grass/vegetated areas (not shown as wet ponds) on the sketch plan to more accurately communicate the site plan to the public and review commissions.
- The proposed stormwater facilities must remain outside of the 40-foot sanitary sewer easement and must allow for sewer maintenance activities without disturbing the stormwater pond operations.
- The City will need to review the intended ownership, operation and ongoing maintenance responsibilities of the proposed stormwater facilities. If City owned, the facilities should be placed within Outlots dedicated to the City for maintenance purposes. The Outlots must fully incorporate the 100-year HWL.
- Maintenance access roads meeting the engineering design standards must be provided for all storm water facilities.

STREETS AND TRANSPORTATION

- The development access location to CSAH 17 (Lake Elmo Avenue) must be reviewed jointly with the City and County to ensure that appropriate access spacing guidelines are met for this development, as well as allowing for proper access management opportunities for surrounding properties.
- Adequate R/W must be reserved along CSAH 17 per County requirements.
- The development will be required to provide any improvements along CSAH 17 as required by the County, including turn lanes and or by-pass lane improvements.
- Hudson Boulevard is a City owned street, classified as a Major Collector. The projected 2030 average day traffic volume is 6,000 trips. The access spacing guideline for streets and commercial driveways along Hudson Boulevard is 660 feet.
- The proposed site plan shows an access driveway at 490 feet from Lake Elmo Avenue. The access point should be moved further to the east. Further evaluation should also be completed to review sight lines and grades at the proposed access point.
- A second access point is also proposed along Hudson Boulevard. Spacing guidelines will also need to be met in relation to the adjacent Drive-in property.
- The City should review the site plan to determine trail connection requirements along Lake Elmo Avenue or Hudson Boulevard.

Kyle Klatt

From: Ann Pung-Terwedo <Ann.Pung-Terwedo@co.washington.mn.us>
Sent: Wednesday, March 19, 2014 10:17 AM
To: Kyle Klatt
Subject: RE: Launch Properties PUD Concept Plan

Kyle,
Washington County Transportation staff reviewed the PUD Concept Plan for the Launch Properties Business Park. The following are comments on the narrative and site plan:

1. The Washington County Right-of-Way requirements along this section of CR 17B is 184 feet (92 feet from the center line of the road). Future trails along 17B would be included in the right-of-way.
2. Is the Fire Lane along the north property line with access to CR 17B necessary? If so, will there be plans to restrict trucks and employees access to CR 17B at this location?
3. Has the developer considered internal traffic and pedestrian circulation throughout the site with connections to adjacent properties?
4. Based on the type and intensity of the uses at the site, a Traffic Impact Study (TIS) should be prepared that includes
 - i. Any traffic Impacts and future volumes on the Hudson Road/17B, Hudson Road/Manning Avenue and Hudson Road/CSAH 19.
 - li Based on the project, recommendations for improvements to the intersection of Hudson Boulevard/17B.

Thanks for sending the us the plans for comment.

Regards,



Ann Pung-Terwedo
Senior Planner
Washington County Public Works
11660 Myeron Road North
Stillwater, MN 55082
Phone: 651-430-4362
FAX: 651-430-4350
E-Mail: Ann. Pung-terwedo@co.washington.mn.us

Washington County Public Works Department

Stewards of the county's investment in parks, buildings, transportation, land survey, and land use planning,
www.co.washington.mn.us

LAUNCH
PROPERTIES

0 60 120 FEET

GRAPHIC SCALE

36

Lake Elmo Avenue North

NW1/4

NE1/4

SW1/4

SE1/4

SITE

Hudson Boulevard

I-94

Legend

— EXISTING PARCEL BOUNDARY

- - - 910 - - - EXISTING 2-FT CONTOUR

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333 North Main Street, Suite 201, Stillwater, MN 55082
Phone 612.309.3804 www.ericksoncivilsite.com

City Of Lake Elmo

Proposed Business Park

Lake Elmo, Minnesota

03-07-2014

Concept Layout



Total Parcel Area	1,263,650
Pavement	362,120
Sidewalks	8,510
Proof of Parking	16,380
Building	385,150
Total Imperviousness	772,160 61%
Total Open Area	491,490 39%

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Proposed Business Park

Lake Elmo, Minnesota

Building Renderings

03-07-2014



View from Southeast - Phase I Building



View from Southwest - Phase I Building



View from West - Phase I Building

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PLANNING COMMISSION
DATE: 3/24/14
AGENDA ITEM: 5A – BUSINESS ITEM
CASE # 2014-15

ITEM: Zoning Text Amendment – Commercial Wedding Venue Draft Ordinance

SUBMITTED BY: Kyle Klatt, Community Development Director

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review an updated draft ordinance that would allow commercial wedding venues as an interim use permit on certain properties that are zoned A – Agriculture and RT – Rural Transitional Zoning. This ordinance has been revised at the direction of the Planning Commission based on the discussion from its last meeting. Staff is recommending that the Planning Commission review the draft ordinance set a public hearing date of April 14, 2014 in order to continue moving forward with the ordinance.

REQUEST DETAILS

The attached draft ordinance has been revised from the last Planning Commission meeting in accordance with the comments received at the meeting. Most significantly, the ordinance now includes a time provision that limits wedding ceremonies to the month of May through October and for no more than two occurrences in any week during this time period.

Please note that Staff did present an update to the City Council concerning the proposed ordinance at the last Council meeting, and the Council supported the efforts of the Planning Commission to prepare a Commercial Wedding Venue ordinance.

At this time, Staff is seeking additional feedback from the Commission concerning the preliminary draft ordinance and will proceed in accordance with any further direction from the Commission.

RECOMMENDATION:

Staff is recommending that the Planning Commission proceed with a public hearing concerning the proposed Wedding Venue Ordinance at its April 14, 2014 meeting.

ATTACHMENTS:

1. Draft Commercial Wedding Venue Ordinance (3/10/14)

ORDER OF BUSINESS:

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

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-_____

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY ADDING
PROVISIOINS CONCERNING COMMERCIAL WEDDING VENUES AND ALLOWING SUCH
USES AS AN INTERIM USE IN A AND RT ZONING DISTRICTS

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended by adding the following:

§154.012 Zoning Use Types and Classifications

B. Use Types and Classifications.

12. Accessory Uses

Commercial Wedding Venue. A use involving a location to conduct wedding ceremonies, not including receptions, and operated with the intention of earning a profit by providing the venue to the public.

SECTION 2. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended by adding the following:

§154.400 Permitted and Conditional Uses.

Table 9-1 lists all permitted and conditional uses allowed in the rural districts. "P" indicates a permitted use, "C" a conditional use, and "I" an interim use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "Standards" indicate the location within this Ordinance of specific development standards that apply to the listed use.

Table 9-1: Permitted and Conditional Uses, Rural Districts

	RT	A	RR	RS	RE	Standard
Accessory Uses						
Commercial Wedding Venue	I	I	-	-	-	155.111.C

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 by adding the following:

§ 154. 310 Standards for Accessory Uses

- D. *Commercial Wedding Venue.* A commercial wedding venue is allowed as an accessory use with an interim use permit in the A - Agriculture and RT - Rural Transitional on parcels greater than 10 acres size. The suitability of a parcel for a wedding venue shall be determined by the characteristics of the site and by the unique capacity of the parcel to accommodate the use while preserving the essential rural character of the neighborhood and the site on which the use is located, by the ability of the parcel to accommodate the use without negative impact on the general health, safety, and welfare of the community, and by other factors the City may deem appropriate for consideration.
1. *Ownership.* The property will be the primary residence of the venue operator(s). The operator must be on the premises for the duration of each event.
 2. *Maximum Number of Guests.* The maximum numbers of guests is limited to 150 for each event.
 3. *Food Handling.* Any on-site preparation of food or beverages must comply with all applicable federal, state, or local requirements.
 - a. *Kitchen Facilities.* No commercial kitchen facility is allowed.
 - b. *Catering.* Caterers must be properly licensed.
 4. *Serving of Alcohol.* The serving of alcoholic beverages shall be limited to table, fortified, or sparkling wines. The serving of such beverages shall following proper City and State licensing requirements.
 - a. Bartenders serving guests must be properly licensed.
 5. *Seasonal Operation.* Events are limited to no more than twice per week and are permitted only during the months of May through October.
 6. *Hours of Operation.* Events shall only be allowed between the hours of 10:00 a.m. and 10:00 p.m. All guests and staff must vacate the premises by 10:00 p.m. All lights associated with the event must be turned off by 10:00 p.m.
 7. *Overnight Accommodations.* No overnight accommodations are allowed.
 8. *Off-Street Parking.* Off-street parking shall be required in the ratio of one (1) parking space for each three attendees based on the maximum number of attendees planned for the site. The off-street parking area and the number of parking spaces shall be documented on the required site plan.
 9. *Setbacks.* The minimum setbacks from neighboring houses and property lines for the various activities associated with the wedding venue shall be as follows:
 - a. Parking: 100 feet from residential property lines; 200 feet from neighboring houses.
 - b. Outdoor Activity Spaces: 300 feet from residential property lines; 400 feet from neighboring houses.
 - c. Indoor Activity Spaces: 300 feet from residential property lines; 300 feet from neighboring houses.
 10. *Landscaping/Screening.* Landscaping may be required to buffer the use from adjacent land uses and to provide screening when such screening does not presently exist on the site. A landscape plan shall be submitted at the time of application for an Interim Use Permit.

11. *Grading.* Any proposed grading shall observe all requirements of Section 151.017 of the City Code. If a grading plan is required, it shall be submitted in conjunction with an application for an Interim Use Permit.
12. *Traffic.* A transportation management plan shall be submitted as part of an application for an Interim Use Permit. The plan shall address traffic control, including traffic movement to the public street system and impact on the surrounding roadways.
13. *Structures.* All existing or proposed structures to be used for the wedding venue shall be inspected by the City's Building Official and must meet applicable Building Code requirements.
 - a. *Temporary Structures.* Temporary structures, including tents and canopies, may be allowed. Tents and canopies may be erected no more than two days prior to an event and must be removed no more than two days following the event.
14. *Application.* An application for a commercial wedding venue shall follow the application and review procedures for an Interim Use Permit as specified in Section 154.107. In addition to the submission requirements of Section 154.107, an application for a commercial wedding venue shall include the following information:
 - a. The expected number of attendees per ceremony;
 - b. The number of ceremonies per year;
 - c. The number of employees;
 - d. The hours of operation;
 - e. Sanitary facilities;
 - f. Lighting;
 - g. Sound amplification to be used;
 - h. Temporary structures or tents to be used in association with the planned events;
 - i. Signage;
 - j. Security to be provided;
 - k. Location of all trash receptacles;
 - l. Other documentation as specified herein;
15. *Sanitary Facilities.* Sanitary facilities adequate for the number of attendees shall be provided. Portable toilets may be approved for temporary use, and must be screened from view from roads and neighboring properties by landscaping or a wooden enclosure. No portable toilets shall be located closer than 400 feet from a neighboring residential structure.
16. *Lighting.* Lighting associated with the wedding venue shall be limited to downcast and shielded fixtures so that the source of the light is not visible from adjacent roads or neighboring properties. Lighting shall comply with Section 150.035 of the City Code.
17. *Noise.* All wedding venues shall comply with City's noise standards found in Section 130.045 of the City Code.
18. *Sound Amplification.* Amplification of music and participants and is allowed only in conjunction with a wedding ceremony. There shall be no other amplification of music outside of the ceremony.

19. *Waste.* All solid waste must be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, or other nuisance conditions and must be removed at least once every seven days by a licensed solid waste hauler.
20. *Liability.* The applicant shall secure adequate liability coverage, which shall be in place at least one week prior to any event.

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

SECTION 5. Adoption Date. This Ordinance 08-_____ 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-_____ was published on the _____ day of _____, 2014.



PLANNING COMMISSION
DATE: 3/24/14
AGENDA ITEM: 5B – BUSINESS ITEM
CASE # 2014 - 19

ITEM: Zoning Text Amendment – Site and Building Plan Review Ordinance

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 the Site and Building Plan Review Ordinance. Staff is recommending to strike the ordinance with the intent of improving operational efficiency by administratively processing construction projects for permitted uses on existing platted lots. This recommendation is based upon the fact that the City has a full-time administrative, planning, engineering and building staff who are able to process these requests administratively. In addition, the newly adopted design review process should aid staff in the review of building permits for permitted uses on existing platted lots. The requested action does not require a public hearing, as the ordinance is not located in the Zoning Code. Staff is recommending that the ordinance be struck.

REQUEST DETAILS

City staff has been working on an updating the Zoning Code and other Code sections to prepare for what is anticipated to be a busy growth phase for the community. In order to improve operational efficiency in advance of this growth period, staff is proposing to strike the Site and Building Plan Review Ordinance. The main reason to strike the ordinance relates to Section B, which reads the following:

“(B) *Review of Zoning Administrator.* The Zoning Administrator shall review the site and building plans for the purpose of determining their compliance with this section and other applicable city ordinances. The Zoning Administrator shall have 60 days in which to complete the review of the site and building plans. During the same 60-day period, the Council and Planning Commission shall also review the site and building plan and refer the plan to other city staff for review for the same purpose.”

Per the required procedure established under this ordinance, permitted uses on pre-existing platted lots also have to be reviewed by the Planning Commission and City Council. When reviewing this procedure compared to other communities, this requirement can only be described as atypical. In staff’s judgment, this ordinance language is likely remnant when the City did not have a full-time planning, building and engineering staff to review the construction projects in the community. In addition, now that the City has developed and adopted a design review process, staff is more prepared to assume the responsibility of processing these types of requests administratively. To be clear, staff would only process construction projects administratively in cases where the proposed use was a permitted use under the City’s Zoning Code, and the property is a pre-existing platted lot. In a significant proportion or majority of development projects, some platting or land subdivision will be required. In addition, applicants proposing a use that under the City’s Code is a conditional use will always be required to apply for a conditional use permit, which addresses many of the uses that have

potential impacts or nuisances associated with them. Both of these processes require a public hearing. It is only in cases where the proposed use is permitted and the lot is already platted where the staff administrative review would occur.

In addition to the improving operation efficiency component, there are other provisions within this ordinance that are no longer applicable. For example, the City has adopted new landscaping provisions and requirements. Therefore, the landscaping provisions within the Site Plan Review Ordinance are no longer necessary. Other requirements included in the ordinance, such as lighting, surveys, building plans, storm water management plans and other requirements are already addressed by other ordinances and by the City's building permit process. In other words, the Site Plan Review Ordinance is currently outdated and only adds additional unnecessary review. Staff would recommend striking this ordinance to improve efficiency and reduce confusion.

As stated in the summary, the proposed action does not require a public hearing because the ordinance is not in the City's zoning code. Staff is bringing the proposed action before the Planning Commission because it does relate to land use and development. Now that the City's design review process is in place, staff recommends proceeding with removing this ordinance to improve operational efficiency.

RECCOMENDATION:

Staff is recommending that the Planning Commission recommend striking the Site and Building Plan Review Ordinance (§151.070) through the following motion:

“Move to recommend striking the Site and Building Plan Review Ordinance.”

ATTACHMENTS:

1. Site and Building Plan Review Ordinance (§151.070)

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

Print

Lake Elmo, MN Code of Ordinances

§ 151.070 SITE AND BUILDING PLAN REVIEW.

(A) *Information required.* Except has hereinafter provided, every person, before commencing construction or alteration of a structure, shall submit to the Zoning Administrator the following documents and information:

(1) A survey drawing by a registered engineer or land surveyor showing pertinent existing conditions, accurately dimensioned;

(2) A complete set of preliminary drawings prepared by an architect, landscape architect, engineer, or planner showing:

(a) An accurately scaled and dimensioned site plan indicating parking layout including access provisions, designation of locations of principal and accessory buildings, landscaping, in conformance with the zoning code and division (A)(3) below;

(b) Fences or walls or other screening, including height and type of material in conformance with Chapter 1500 and the zoning district regulations;

(c) Lighting provisions, type, and location;

(d) Curbs;

(e) Building elevations, sections, and outline specifications, including material proposed;

(f) Existing and proposed land elevations in 2 foot contours, drainage provisions, and utility provisions as may be required, including water, sewer, drainfield, lake shore, flood plain, airport or environmental overlay districts; and

(g) Existing limitations imposed by zoning.

(3) Landscaping and screening plan.

(a) Complete landscaping, screening, and erosion control plans shall be prepared and signed by a professional landscape architect or professional site planner with educational training or work experience in land analysis and site plan preparation. These plans shall include:

1. Detailed natural land analysis, including vegetation, soil types, and slopes;

2. Man-made features (berms, fences, and the like);

3. Details of all proposed vegetative landscaping materials including: placement, Latin name/common name, caliper/height, and quantity;

4. Details of proposed non-vegetative landscaping materials; and

5. Planning and construction schedule for completion of landscaping and screening plans.

(b) The final landscaping and screening plan must be approved by the Council/engineer at the time of the site plan review.

(c) The plan for landscaping shall include ground cover, bushes, shrubbery, trees, sculpture, fountains, decorative walks, or other similar site design features or materials in a quantity having a minimum value in conformance with the following table:

<i>Project Value (Including building construction, site preparation, and site improvements)</i>	<i>Percentage of Total Project Value to Be Allocated to Landscaping</i>
Below \$1,000,000	2%
\$1,000,001 to \$2,000,000	1 and 3/4%
\$2,000,001 to \$3,000,000	1 and 1/2%
\$3,000,001 to \$4,000,000	1 and 1/4%
Over \$4,000,000	1%

(d) All landscaping must be guaranteed for 2 growing seasons, with a bond or security .

(4) A Storm Water Management Plan and/or and Erosion and Sediment Control Plan as required in § 150.273.

(B) *Review of Zoning Administrator.* The Zoning Administrator shall review the site and building plans for the purpose of determining their compliance with this section and other applicable city ordinances. The Zoning Administrator shall have 60 days in which to complete the review of the site and building plans. During the same 60-day period, the Council and Planning Commission shall also review the site and building plan and refer the plan to other city staff for review for the same purpose.

(Am. Ord. 9764, passed - -)

(C) *Exceptions.* The following types of construction or alteration are exempt from the site and building plan review provisions of this section:

(1) The construction or alteration of a single or double family detached dwelling and buildings accessory thereto; and

(2) The construction or alteration of any building where the Building Inspector estimates that the total cost of the construction or alteration will not exceed \$2,500, provided that in no event shall buildings be constructed or altered in violation of the Uniform Building Code or city ordinances.

(1997 Code, § 520.01) (Am. Ord. 08-024, passed 4-20-2010) Penalty, see § 10.99

Easton Village

Lake Elmo, Minnesota

02-18-2014



Meaningful Dialogue With the Public

by Elaine Cogan

To keep and maintain the trust of the public, it is imperative that your planning commission understands – and practices – the fine art of inviting their comments and questions and responding in a cordial and respectful manner.

This begins with the environment, the scene you set when the public comes to visit. If you conduct business while sitting on the same level as the audience, you send a nonverbal signal there is no “we” and “they” and you are all in this together. If, however, the protocols in your community dictate that you are on a dais above the people, and you cannot change that arrangement, it is more difficult to create an atmosphere that invites productive public dialogue.

The word “dialogue” is chosen carefully. You should want to engage in a conversation with the public, not a monologue where either side – the planning commissioners or the public – monopolizes. One caveat: in some states, public hearings are formal procedures, requiring sworn testimony and other legal processes that may preclude a meaningful conversation between commissioners and the public. While some of the advice in this column is also pertinent to these type of hearings (e.g., being clear about the ground rules, listening with respect), the primary focus is on those less formal situations where you invite people to give their opinions on various matters on your agenda, and a two-way dialogue is appropriate.

Although many of the points made below are addressed primarily to the chair and how that person handles the meeting, the rest of the commission has an active role to play, also. All members should interact freely with the public, although the chair is expected to be the primary person in control.

It is most important to establish ground rules and enforce them. Ask people

who wish to speak to sign in ahead of time and refer to that list throughout the meeting. You can then call on each one by name. If you accompany your words by a nod or a smile, you show a welcoming acceptance.

BE CAREFUL NOT TO
DIGRESS INTO
IRRELEVANCIES THAT DO
NOT ADVANCE THE
DISCUSSION.

This orderly process allows you to pace the meeting. If many people are signed up to speak on the same issue, divide the allotted time for comments equally and sound a buzzer or a bell when the time is up. A 20-30 second warning is usually appreciated. Do not hesitate to interrupt a loquacious lecturer with a polite but firm, “Thank you, now it is time to hear from (with the name of the next person).”

Encourage people not to reiterate what someone else has said, but be patient with repeaters. They may have been concentrating on their own presentation and not listened to those before them. It helps to move matters along by keeping brief notes of the salient points each person presents. At an opportune time, sum up what you have heard and request those following to confine their remarks to something new.

If you are asked a question that is somewhat long or ambiguous, paraphrase it. “As I understand it, Ms. Carlson, you want to know...” If Ms. Carlson nods, you can proceed. If she shakes her head, invite her to rephrase her question.

Some people just have a statement to make. Hear them out in the allotted time and move on. Do not invite their further loquaciousness by asking if they have a specific question.

Answer questions succinctly and to the point. Be careful not to digress into irrelevancies that do not advance the discussion. Avoid plannerese and jargon, always keeping in mind you are talking with laypeople.

Show by your body language that you are listening. Lean forward, with hands discretely on the table or in your lap. Never roll your eyes, shake your head, or tap a pencil or pen – all sure signals you are impatient or distracted.

Do not fall for “red herrings” or baited questions. If necessary, repeat what you or other commissioners have said or explain your answer in more detail.

Avoid a “one on one” with any questioner, broadening your answers so they are general and relate to the concerns of most or all the people in the audience.

Always be polite. You may have to agree to disagree, but insults and innuendo are never appropriate.

Do not be afraid to say you do not know, but add, “We will get the information for you.” Ask the questioner to see you or the staff afterwards. Never bore everyone else by asking a person’s name, phone number, etc., at the time.

Sum up before you go on to the next agenda item. “Thank you for talking with us today. We have taken down all your comments and questions and will consider them carefully.”

By engaging in a true dialogue with the public, you may learn some useful information and actually enjoy the give-and-take. ♦

Elaine Cogan, partner in the Portland, Oregon, planning and communications firm of Cogan Owens Cogan LLC, has worked for more than thirty years with communities undertaking strategic planning and visioning processes.



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