

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday, March 14, 2016 at 7:00 p.m.
AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. November 23, 2015 (Revote) Dodson, Kreimer, Williams & Dunn
 - b. February 8, 2016
 - c. February 22, 2016
4. Public Hearings
 - a. None
5. Business Items
 - a. INWOOD 3rd ADDITION – FINAL PLAT – The Planning Commission is being asked to consider a request to approve a final plat and final Planned Unit Development for Inwood 3rd addition to create 68 single family homes.
 - b. HOME OCCUPATION DISCUSSION – The City Council has asked the Planning Commission to review the Home Occupation Code.
6. Updates
 - a. City Council Updates – March 2, 2016 Meeting
 - i. Refer Home Occupation to Planning Commission.
 - ii. Palmquist Commercial Wedding Ceremony IUP – Postponed to the 4/5/16 City Council meeting
 - iii. Legends Concept Plan – Passed.
 - b. Staff Updates
 - i. Upcoming Meetings:
 - March 28, 2016
 - April 11, 2016
 - c. Commission Concerns
7. Adjourn



**City of Lake Elmo
Planning Commission Meeting
Minutes of February 8, 2016**

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

COMMISSIONERS PRESENT: Dodson, Haggard, Kreimer, Dunn, Larson, Griffin and Williams.

COMMISSIONERS ABSENT: Fields

STAFF PRESENT: City Planner Stephen Wensman & Interim Administrator Schroeder

Election of Officers:

M/S/P: Williams/Dunn move to nominate Tom Kreimer for Chairperson, **Vote: 7-0, motion carried unanimously.**

M/S/P: Kreimer/Haggard move to nominate Todd Williams for Vice Chairperson, **Vote: 7-0, motion carried unanimously.**

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: January 11, 2016

M/S/P: Williams/Kreimer move to postpone consideration of the January 11, 2016 minutes until clarification of the vote on the November 23, 2015 minutes is brought forward, **Vote: 7-0, motion carried unanimously.**

M/S/P: Williams/Dodson move to amend the agenda to include consideration of the January 25, 2016 minutes, **Vote: 7-0, motion carried unanimously.**

Approve Minutes: January 25, 2016

M/S/P: Dodson/Griffin move to approve the January 25, 2016 minutes, **Vote: 4-0, motion carried, with Larson, Haggard and Williams not voting.**

Public Hearing Zoning Text Amendment – Commercial Wedding Venue.

Wensman started his presentation regarding the Zoning Text Amendment for the Commercial Wedding Venue. The zoning text amendment addresses changing the number of venues per week from 2-4, eliminating the owner to be on site at all times, to exempt them from the commercial parking code requirements and to change the minimum criteria for sites 10 acres or greater. Wensman explained the rationale for these changes.

Wensman started discussion regarding the Hecker IUP application. There will be conifers to the north that will act as a sound barrier. The access to the facility will be off of 50th. The driveway will branch off to a new driveway for guest access to barn parking. Wensman reviewed the City Engineer Comments and traffic control measures. The applicant is requesting turf parking for 66 cars. The 100' setback for parking does not apply because the property to the North is currently Agricultural.

There are some draft conditions of approval that will be stricken if the Commission feels they should be exempted from Commercial standards.

Dodson asked if the City can reserve the right to revoke the permit. Wensman stated that if they are following the conditions, the City can not revoke, but can re-evaluate the standards at the 10 year marker.

Haggard asked if there is a definition for wedding ceremonies yet and wanted to know what the current noise ordinance is. Wensman stated that there is a definition and read it for the commission.

Williams asked if there is a definition for "responsible party" and would like to know what the applicants response is to the engineers letter.

The Planning Commission wanted to see the Concept plan of the Legends development and where the road will be.

Kreimer asked about the fire safety and the suppression system. Kreimer asked about the trail. It sounds like they are required to give the right of way and build the trail.

Danielle Hecker, 11658 50th Street, addressed the zoning text amendment. She would like the code to be changed to not require the owner to be present at all events, but a responsible designee. She wants the number of events to change from 2-4 to make this viable. She also feels that a full asphalt driveway and parking lot takes away from the feel of the event and neighbor is opposed to this as well. As far as the handicapped space, the building code will dictate that. For the IUP, she is in agreement with most of the staff requirements.

Williams asked about her reaction to the 18 foot 7 ton driveway. She stated that she is working on that and they might have secondary access through the Legends

development. Williams asked about the noise requirement. Hecker stated that there is equipment that you can cap and that was a recommendation that she got from another venue.

There was discussion regarding parking if the number goes over 66 cars. Griffin suggested they talk to VBWD to see what options there are for pervious surface.

Williams asked Hecker about the setback for the parking and the barn and the fact that it doesn't meet the setback. She stated that she talked to the previous Community Development Director regarding the barn and he assured her that it met the setback. As far as the parking, she believes it meets the setback to agricultural property, but would like to work with the developer on that.

Public Hearing opened at 8:03 pm.

Brett Thompson, 11491 50th Street, he is concerned that originally it would only be 2 events a week and now it is 4 because of financial reasons. He lives close to the property and is concerned about the noise.

Chip Longacre, 12058 55th Street, feels the noise ordinance is very clear in the existing code. He feels the City is being too difficult on the restrictions.

No written comment was received

Public Hearing closed at 8:09 pm.

Williams has no problem having the parking being exempt from the surfacing requirement, but is concerned with the setback issue. He believes that even though it is currently zoned agricultural, they can't ignore the proposed development. He is ok with increasing the number to 4, but thinks it should be no more than 2 per day.

Haggard would like to talk about the ordinance first. She feels that the 2 should not be meshed together. The ordinance doesn't just apply to these 2 properties, but any property that this code would apply to.

Williams would like a definition for responsible designee. Wensman brought up the current noise ordinance 130.46. Williams pointed out that the current allowed noise level is very low.

Williams would like the following text added under ownership after responsible designee "there shall be a family member, employee, or contractor of at least 21 years of age".

Commissioners would like to see 4 ceremonies per week, but no more than 3 on any given day.

Commissioners are fine with exempting the commercial wedding ceremony venues from the commercial surfacing and curbing requirements of the parking.

M/S/P: Williams/Dodson move to recommend approval to amend the Lake Elmo Code of Ordinances, Section 154.310, Subd. D, limiting ceremonies to no more than 4 per week and no more than 3 per day, requiring the operator or responsible designee, with amended definition, to be on the premises for the duration of each event, exempting commercial wedding ceremony venues from the commercial surfacing and curbing requirements for parking, and changing the minimum criteria to sites ten acres or greater, ***Vote: 7-0, motion carried, unanimously.***

Public Hearing – Interim Use Permit Application – Commercial Wedding Ceremony

Wensman stated that it is 10 years that the applicant is asking for, but the Commission can use any length of time.

Williams feels that they should be allowed to use the current driveway as is until such time as they can connect to the Legends development. There would need to be an agreement with the Legends development.

Williams would like condition 11 reworded to have a circular drive with a minimum 45' radius with a 12 foot, 7 ton standard as shown on the site plan circling the barn.

Public Hearing opened at 9:07 pm.

No one spoke and there was no written or electronic correspondence.

Public Hearing Closed at 9:08 pm.

Williams would like condition #10 to be reworded that the existing driveway be used until a road is constructed to serve the adjacent development. When that road is constructed, the existing driveway will not be used for the wedding venue, but will access the venue from a new driveway that will be 18' wide and a 7 ton standard, off the new road according to the engineers letter dated 12/7/15.

Williams suggests condition number 13 to read that the proposed parking location is allowed provided a written agreement be provided to the City between applicant and adjacent property owner to provide additional screening along the North property line equivalent visually to at least a double staggered row of 4 season plantings such as spruce.

M/S/P: Williams/Dodson, move to recommend approval of the interim use permit for a commercial wedding ceremony venue to be located at 11658 50th Street North based on the findings of fact and 13 conditions of approval as amended, ***Vote: 7-0, motion carried Unanimously.***

Council Updates – February 8, 2016 Meeting

1. None

Staff Updates

1. Upcoming Meetings
 - a. February 22, 2016
 - b. March 14, 2016
2. February 9, 2016 the City Council will be discussing the OP ordinance.

Commission Concerns

Williams would like to see the reports for applications have the findings of fact and conditions to be a little more clear.

Dunn is concerned that the Village area will get over buildt when the moratorium comes off.

Haggard would like the homeowners agreements to have something in them that the City would not be responsible for sound proofing from the airport.

Meeting adjourned at 10:03 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant

**City of Lake Elmo
Planning Commission Meeting
Minutes of February 22, 2016**

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

COMMISSIONERS PRESENT: Haggard, Kreimer, Dunn, Larson, Griffin, Lundquist and Williams.

COMMISSIONERS ABSENT: Fields & Dodson

STAFF PRESENT: Planning Director Wensman

Approve Agenda:

The agenda was accepted as amended.

Approve Minutes: January 11, 2016

M/S/P: Williams/Kreimer move to approve the January 11, 2016 minutes excluding the vote on the November 23, 2015 minutes, ***Vote: 7-0, motion carried unanimously.***

Public Hearing Interim Use Permit Application – Commercial Wedding Ceremony.

Wensman started his presentation regarding the Palmquist Commercial Wedding Ceremony Venue. This request is for a 10 year interim use permit on an agricultural property at 12202 55th Street N. The applicant is requesting wedding ceremonies adjacent to the vineyard with turf parking. There would be 3-4 employees and up to 200 guests. There would be up to 4 events per week from May – October, with no more than 3 venues on any Saturday. Hours would be 10 am – 10 pm. The noise ordinance would be complied with and there would be a traffic attendant during venues. There will be trash receptacles and temporary tents that comply with code.

Access from the site would be off of 55th Street. 55th street becomes a gravel drive after Carriage Station. The engineer is concerned about long term maintenance. There are a couple of options 1) there could be a maintenance agreement or 2) they could require a paved cul-de-sac and assess the improvements. All activities will be taking place in an open field. There is no structure being used in this case, however, there would need to be restroom facilities. Staff is recommending approval with 12 conditions.

Williams asked about the tent. The ordinance states that it has to be taken down within 72 hours of the event. Based on the comment of the Building Official, will they need a permit each time a tent is put up. Wensman stated that yes they would.

Dunn asked about the storm water management plan. Wensman stated that the City is requiring upgrades to the driveway for safety purposes. Williams asked if there is a turn around. Wensman stated that there is not a structure and it is not as difficult of an entry.

Carol Palmquist, 12202 55th Street, is the applicant and stated that she has maintained the gravel road. She is not prepared to pay the assessment for a paved road or a cul-de-sac.

Kreimer asked why she is asking for 10 years for the IUP. Palmquist stated that she is asking for 10 years as she has additional expense to get the business off the ground.

Griffin asked about the field road. She is wondering how far it will go into the property and how wide it will be.

Public Hearing opened at 7:38 pm.

Chip Longacre, 12058 55th Street N, is dismayed that it is being made so difficult for Ms. Palmquist to make a little money from her property. The City has done a poor job of maintaining the gravel road in front of property.

Carolyn Cary, 5201 Linden Ave, wants the City to understand how to abate the noise. There are a number of environmental issues that have an impact.

Donna Sloan, 12208 Marquess Lane, she does not have a problem with this venue as long as it complies with the sound, traffic, and other issues. She would like to know what happens if it does not comply.

Wensman stated that if there is a problem, the City would contact Ms. Palmquist to bring it into compliance. If there is a chronic problem, staff would document that and take appropriate steps to revoke the permit.

There were no electronic or written comments.

Public Hearing closed at 7:49 pm.

Dunn does not think that the paved 7 ton road is necessary as her driveway is paved. She would like to see condition #2 removed. She is in support of this application.

Lundquist is concerned about the road and the path. She thinks there should be a condition that rectifies the problem. She is concerned that people coming to this venue will come up Manning.

Haggard wants to make sure that the street is safe and maintained. As far as the financial aspect, that is for the Council to decide. She is in support of this application. She would like to see number 4 include "responsible designee".

Williams is concerned about #6 stating for 10 years. He does not think the expenses mentioned relate to the length of the permit. He would like to see it be 5 years which would give the City the opportunity to review the wedding venue.

Williams thinks there needs to be a maintenance agreement, but what that is, is up to the City Council. He would also like to add a condition that the applicant submit a report regarding the noise levels.

Williams would like to see condition #2 remain as the applicant does not intend to use her primary driveway for the venue.

Lundquist stated that driving a fire truck or an emergency vehicle on a gravel driveway or field, is no different than driving on them at the county fair grounds.

Williams thinks that since this is a commercial application, we should stick to the commercial standards.

Griffin thinks it makes more sense to use the homeowner driveway for emergency access and then use a gate to the venue.

Wensman stated that he would be comfortable with the field road entrance at 18' wide and designed to a 7 ton standard and that the regular driveway be for emergency access and that the main driveway remain clear during all events.

The Commission would like Chief Malmquist to look at the driveway prior to this going to the City Council.

Move to amend condition #2 to read that the access road be 18 feet wide and be to a 7 ton standard to accommodate emergency vehicles to the northernly area of the parking area or that the private drive remain clear during the venue, **Vote: 7-0, motion carried, unanimously.**

Move to amend condition #6 to read "The interim use is valid for a period of five years and must be renewed by the City Council prior to the end of this time period in order to continue operating from the site", **Vote: 7-0, motion carried, unanimously.**

Move to add condition number 11 that would be to enter into a maintenance agreement with the City regarding the maintenance of the road only through the term of the interim use, ***Vote: 7-0 motion carried, unanimously.***

Move to add condition number 12, to require an erosion control plan with any extension of the gravel entrance road, ***Vote: 7-0, motion carried unanimously.***

Move to add a condition 13 that the applicant is required to submit the results of an instrumented measurement of sound at the east and west property lines at the wedding ceremony site to demonstrate compliance with the City's noise ordinance, ***vote: 7-0, motion carried unanimously.***

M/S/P: Williams/Griffin, move to recommend approval of the Interim Use Permit for a commercial wedding venue based on the finding of facts in the staff report and with the 13 conditions of approval as discussed, ***Vote: 7-0, motion carried unanimously.***

Public Hearing – Open Space Development – Legends of Lake Elmo

Wensman started his presentation by showing the location of this development and presenting some of the background information from previous meetings. With the current plan, there are 40 lots and there are 5 outlots that are platted as ghost lots. These are held in reserve in case of ordinance change and will be held in reserve for future development. Staff is recommending that the 5 outlots be platted as one outlot as we do not know what will happen in the future and they will need to be replatted anyway.

A big discussion is the interconnectivity of neighborhoods for safety. Currently Sanctuary only has one access. The future of signalization at 50th Street and Manning is dependent on connectivity of neighborhoods. The County has made it clear that if the City does not have interconnected neighborhoods, they will not invest in signalization.

There was a new plan for the development submitted today that is in response to negotiations with the Heckers. Nothing has been finalized, as those negotiations are ongoing. Those negotiations include agreeing to screening to the north of the Hecker property and access management on 50th Street for driveway access to the Legends entrance. There is no park shown on this plan to connect to the Sanctuary Park as the slopes are high. There are 5 standards for open space in this type of development. There should be conservation easements, contiguous parcels not less than 10 acres (60% must meet this standard), maintained for the purposes for which it is set aside, maintained by the HOA and contiguous with adjacent open space. Buffering is still an issue to the Hecker parcel. The road and 3 parcels violate this setback. This is not fully resolved with the Heckers. This can be waived by 4/5 vote of the Council.

Parks is recommending to construct a trail to the Sanctuary Park and the rest of the dedication will be cash in lieu of park dedication. The City Engineer is recommending 50th street right of way and a trail.

The deviations from the OP Ordinance for this plan are that the homes are on the least fertile soils, Lots 4, 32 and 37 and entrance road are within the buffer area. The deviations require a 4/5 vote. Phase I is going to start to the North. Staff is recommending a condition that construction traffic access the site off of 50th street.

Haggard asked if the ghost lots were factored in for the open space. Wensman stated that they were not. Haggard asked about the trail maintenance. Wensman stated that it is in the public right of way and would be the City's responsibility.

Todd Erickson, representing Landucci Homes, talked about the trail system and the connection to the Sanctuary Park. They are concerned about connecting the Legends road to the Wedding venue driveway. Erickson stated that they are close to an agreement with the Heckers. He discussed some of the issues with the individual septic systems.

Public Hearing opened at 9:31 pm.

Carolyn Cary, 5701 Linden Ave, the roads in Sanctuary are narrow. They are curvy and have many blindspots. There are a lot of pedestrians and kids and others riding bikes, etc. in the street. The trail system in Sanctuary is shared with Carriage Station and will be shared with Legends. Any additional traffic will affect this trail system. She would like to see a trail connection and cul-de-sac rather than a connected road.

Michelle Chickett, 5711 Linden Ave, she agrees with previous speaker. She would like to refer to the ordinance that talks about the distinct neighborhoods. She thinks a Cul-de-sac is a good compromise. She presented Mndot data regarding the intersection at Manning.

Pamela Chickett, 5711 Linden Ave, she agrees with the previous speakers. She would like their neighborhood to be distinct and separate. She thinks there is more of a safety concern by making that a through street because it places the children in the neighborhood at risk.

Todd Nimmo, 11679 58th Street, he is opposed to Linden Ave going through. He believes that the dangers of running this road through far outweigh the benefits.

Danny Hecker, 11658 50th Street, they are heavily impacted on 2 sides by this development. They are not ok with the buffer setbacks being violated, but they have had some good conversations with Nate regarding options. They would prefer to keep their driveway, but that may not be an option.

Jessica Erickson, 5760 Lily Ave, she is opposed to the connection of Linden Ave for safety reasons. Their neighborhood is safe and peaceful, but increasing the traffic will change the feel of the development.

Mark Cotton, 11797 56th Street, agrees with previous comments.

Ben Backberg, 5693 Linden Ave, his lot is the closest lot that would be impacted by Linden going through. The research from MNdot is that the Manning intersection is one of the worst in the state. Lake Elmo only owns a portion of the road and Stillwater Township owns the rest.

Charles Cadenhear, 12190 Marquess Lane, he is a civil engineer and believes that MNdot will be required to provide access during construction times. He does not feel there is a need for a connection for those 2 developments.

There were 14 written comments received via email today. In effect, they are the same comments previously heard. Wensman read the names into the record and they will be attached to the minutes.

Public Hearing Closed at 10:10 pm.

Williams does not think it is clear in the staff report what the findings are. He would like to propose some findings as follows: 1) that the concept plan is consistent with the Comprehensive plan 2) Concept plan provides acceptable compromise of lot location and design 3) plan meets the density and open space requirements of the open space standards 4) the plan requires relaxation of the OP development standards in the following areas a) buffer encroachment of lots 32, 37 & 38 in the plan dated February 22, 2016 b) buffer encroachment of the entrance road by the Hecker property.

Larson wanted to know if the Cul-de-sac would impact the number of lots in the development. Landucci stated that at the last Planning Commission, they were directed to provide the connection. They could rework the Cul-de-Sac and it would not affect their lots. They are willing to go either way.

Williams is not comfortable with the idea of a Cul-de-Sac being this long. The City code does not allow it to be longer than 600 feet. He feels that it is not uncommon for there to be increased traffic when developments happen around them. There was a paved road planned to be connected when Sanctuary went in and he feels it should go through.

Haggard is torn in regards to the road going through. She believes if there is a connection, the roads in Sanctuary need to be maintained better. She asked about the

Cul-de-sac and if the City Engineer had comments about that. Wensman stated that they are not in favor as they are harder to maintain and snow plow. Lundquist asked about a round about to slow traffic. Erickson stated that roundabouts are typically used at a 4 way intersection, but they could look into that.

Larson stated that there a number of options to use to slow traffic like treads and bump outs.

Williams is suggesting an additional condition to read "to reach and file an agreement with the City the required agreement with the Hecker family for a driveway from the new road and the buffer encroachments".

Williams is also concerned about the configuration of the open space. There are a lot of long thin outlots that he does not feel meets the spirit of the ordinance. Haggard had the same concern and adding the ghost lots, will take some of the open feeling away. Kreimer is ok with it as shown as these are larger lots which makes it harder to accommodate the open space.

There is concern about the driveway for lot 40 from an access management standpoint. The Heckers are being required to remove their driveway and this lot might be creating the same sort of situation.

M/S/P: Williams/Haggard recommend approval of the Legends concept plan dated 1/25/16, based on the findings of fact as earlier discussed, and with the conditions as listed in the staff report, with the additional one regarding the agreement with the Heckers, **Vote 6-1, motion carried**. Dunn voted no as she would like to see the street connection as a cul-de-sac.

M/S/P: Williams/Lundquist, move to amend the motion to include the trail shown in the northwest corner on the concept plan dated 2/22/16 as part of the concept plan, **Vote 7-0, motion carried unanimously**.

Business item - Final Plat –Savona 4th

Wensman started his presentation regarding Savona 4th which is the final phase of the Lennar development. This phase is for 78 single family lots over 20.4 acres. This phase will complete 5th street from Keats to Boulder Ponds. This phase is LDR. The issues to discuss are setbacks, lot fit, landscaping and agreements. The setback issue is that LDR setback is principal building 10 feet and garage 5 feet. If there is living space behind the garage, what do you do? Preliminary Plat report talks about averaging. How should we move forward? Lot fit is that they lost some lots due to ponding and other issues and they are adding back 2 lots in this phase. They seem to still meet the requirements and staff feels it is acceptable. They would like to use the boulders from their development

for landscaping. The City engineer wants to review to ensure there is no problem getting to storm ponds. There are a number of agreements that need to be resolved.

Paul Tabone, Lennar, explained the phasing of the trail. He spoke about the lot fit and the setback issue. Lennar would like to continue with the setbacks that they used in 1st, 2nd and 3rd addition in 4th addition. He touched on adding 2 lots which conforms to the Preliminary Plat. They are working on finalizing the landscape plan. Tabone stated that they are meeting with staff next week to discuss the agreements. He explained some of the issues they are trying to work through.

Kreimer is concerned about the street names. They are not in a good sequence. It was in the Fire Chiefs comments. He would like the street names to be reviewed.

Williams would like 2 minor changes to the draft findings. On the 4th bullet point, he would like to add after requested by the City Landscape Architect the words "letter dated 2/10/16." On the last bullet after requested by the City Engineer the words "letter dated 2/15/16."

M/S/P: Williams/Larson, move to recommend approval of the Final Plat for Savona 4th addition with draft findings and conditions of approval included in staff report and as amended, **Vote 6-0, motion carried unanimously.** (Haggard left meeting early).

M/S/F: Williams/Larson, move that the Planning Commission endorse using aerially spaced boulders in erosion control structures pursuant to the landscape architect approval, **Vote 1-5, motion fails.**

M/S/P: Kreimer/Dunn, move that the Planning Commission endorse using boulders in erosion control structures pursuant to the landscape architect approval, **Vote 6-0, motion carried unanimously.**

M/S/P: Williams/Kreimer, move that the Planning Commission endorse the 7.5 foot average setback for Savona 4th addition and that in no case should living space be closer than 7.5 feet and also that the code be changed to increase the lot width and change the setbacks for future developments, **Vote 6-0, motion carried unanimously.**

Council Updates – February 16, 2016 Meeting

1. Commercial Wedding Ceremony Ordinance – Passed.
2. Commercial Wedding IUP – Passed.
3. ZTA Senior Living – Passed.
4. Arbor Glen – Rezoning & Conditional Use Permit – Passed.
5. Appointment of Kristina Lundquist as 2nd Alternate.

Staff Updates

1. Upcoming Meetings
 - a. March 14, 2016
 - b. March 28, 2016

Commission Concerns

Lundquist is concerned about people driving on the walking path on 55th street. She would like to either see the road opened back up or to see it clearly marked as a trail.

Dunn wants us to stay on top the transportation issues so that people have safe access to highway 5 and highway 36.

Meeting adjourned at 12:27 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant



PLANNING COMMISSION
DATE: 3/14/16
AGENDA ITEM: __ – BUSINESS ITEM
CASE # 2016-01

ITEM: Inwood 3rd Addition Final Plat and Final Planned Unit Development

SUBMITTED BY: Stephen Wensman, Planning Director

REVIEWED BY: Jack Griffin, City Engineer
Emily Becker, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a request to approve a Final Plat and Final Planned Unit Development (PUD) for Inwood 3rd Addition to create 68 single family. Staff is recommending approval of the request subject to compliance with the conditions listed in this report.

GENERAL INFORMATION

Applicant: Hans Hagen Homes (John Rask), 941 NE Hillwind Rd. Suite 300, Fridley, MN

Property Owners: Hans Hagen Homes (John Rask), 941 NE Hillwind Rd. Suite 300, Fridley, MN

Location: Outlot J, InWood 1st Addition.

Request: Application for Final Plat and Final PUD approval of a 68 unit residential subdivision to be named Inwood 2nd Addition.

Existing Land Use and Zoning: Vacant land –within Inwood Final Plat area. Current Zoning: PUD/LDR – Low Density Residential

Surrounding Land Use and Zoning: Completely surrounded by residential lots or vacant land within Inwood. Adjacent to storm water pond and future single family residential lots. Commercial/PUD to the east, LDR/PUD to the north and south, RE to the east.

Comprehensive Plan: Urban Low Density Residential (2.5 - 4 units per acre)

History: The City Council approved the general concept plan for the Inwood on September 16, 2014, the preliminary plat on December 2, 2014 and the Final Plat on May 19, 2015 for phase 1. Inwood 2nd was approved on 9/1/15.

Deadline for Action: Application Complete – 2/29/2016
60 Day Deadline – 4/19/2016
Extension Letter Mailed – No
120 Day Deadline – N/A

Applicable Regulations: Chapter 153 – Subdivision Regulations
Article 10 – Urban Residential Districts (LDR)

Article 16 – Planned Unit Development Regulations
§150.270 Storm Water, Erosion, and Sediment Control

REQUEST DETAILS

Hans Hagen Homes is requesting Final Plat and Final Planned Unit Development (PUD) approval of InWood 3rd Addition, replat of Outlot J, InWood 1st Addition. The final plat will result in 68 single family lots on 20.2 acres, 3 fewer lots than the approved preliminary plat, resulting in slightly larger lots in the third phase. Consistent with the preliminary plat, the plat will create three new street islands, Outlots C, D, and E, which are stormwater amenities within the streets. The remaining undeveloped land is being replatted into Outlots F, A, and B. Island Trail will be completed, connecting it to 10th Street N. (CSAH 10) in this third phase.

There is no parkland dedication in this phase. All parkland dedication was dedicated with the first phase. No trails are proposed with this plat, however, Staff is recommending that the proposed trail in Outlot L, Inwood 1st Addition, directly to the east, be installed up to the north edge of the area being platted or completed all the way to 10th Street N.

The City's subdivision ordinance establishes the procedure for obtaining final subdivision approval. A final plat can only be approved if it is in substantial conformance with the approved preliminary plat. It should also be noted that there were a series of conditions of Preliminary Plat approval that have not been met by the applicant, which will be required prior to issuing building permits in the 3rd phase of this development.

Staff has reviewed the final plat and found that it is generally consistent with the preliminary plat. The developer will need to follow all approved development and construction plans for this area.

REVIEW AND ANALYSIS

The InWood 3rd Addition final plat is in conformance with the preliminary plat with the exception that it contains 3 fewer lots. As a result of the lot reduction, some of the lots have gotten slightly larger. The change affects, Blocks 3 & 4. The proposed reduction does not impact any infrastructure and overall is an improvement, providing more lot area for home sites. Staff is recommending a revision to the lot line configuration of Lots 6, 7, 8, 11 and 12, Block 4. The staff recommended revisions will not significantly affect lot area, however it will slightly increase in the size of Outlot F. The proposed Staff revisions are attached to this staff report. In addition, the 3rd Addition development plans show no trail additions. Staff is recommending the planned trail within the east buffer area be constructed to the 10th Street as part of this phase of development to eliminate potential objections to a public trail near individual lots as they get constructed and residents move in.

The preliminary plat and plans for InWood were approved with conditions. From that preliminary plat approval, the following conditions remain outstanding (Staff has provided comments related to each condition in bold italics):

- 3) The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated November 18, 2014. ***The City's landscape architect has reviewed phases 1, 2 and 3 and has submitted review comments on February 14, 2016 and March 8, 2016. To date, there are no approved landscape plans or irrigation plans for Inwood 1st – 3rd Addition. Compliance with the Landscape Architect's comments and approval of the plans shall be required prior to release of building permits in the 3rd phase.***

- 10) All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat. ***There is no signed maintenance agreement. An approved and executed maintenance agreement shall be required prior to the release of building permits in the 3rd phase.***
- 16) The developer shall provide landscape material along the west side of Pond #200 to the satisfaction of the City's landscape consultant. ***The phase 1, 2 and 3, and the 5th Street landscape plan shall be reviewed and approved by the City's Landscape Architect prior to release of building permits in the 3rd phase.***
- 18) The developer shall install a multi-purpose trail along 10th Street between "Street B" and Inwood Avenue. ***This condition will be addressed in a future phase.***

Any conditions that would still apply to the second addition are included as part of the Staff recommendation below. Based on the above Staff report and analysis, Staff is recommending approval of the final plat for Inwood 3rd Addition with any conditions from the resolution of approval for the first addition final plat that are still relevant for the proposed subdivision.

The recommended conditions are as follows:

Recommended Conditions of Approval:

- 1) All easements as requested by the City Engineer shall be documented on the Final Plat prior to the execution of the final plat by City Officials.
- 2) All conditions/comments from the City Engineer's review memorandum dated 3/10/16 be complied with prior to the execution of the final plat by City Officials.
- 3) That the Landscape Plans and Irrigation Plans be reviewed and approved by the City's Landscape Architect before a building permit may be issued for any structure within this subdivision.
- 4) A Common Interest Agreement concerning management of the common areas of InWood and establishing a homeowner's association shall be submitted in final form to the Planning Director before a building permit may be issued for any structure within this subdivision.
- 5) The applicant shall also enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space on the final plat.
- 6) The final plat and final development plans shall include provisions satisfactory to the City that no structure be located within 15 feet of any storm water improvement (include pipes and catch basins).
- 7) Retaining walls within rear yard utility easements shall be clearly documented and shall be owned and maintained by the InWood homeowners' association. All costs associated with protection, replacement, or maintenance of retaining walls due to any work in easements by the City shall be the full responsibility of the HOA.

- 8) That the trail in the east buffer area be constructed to 10th Street with the 3rd Addition development.
- 9) That lots 11 and 12, Block 4 be reconfigured as recommended by City Staff.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Inwood 2nd Addition Final Plat:

- That all the requirements of City Code Section 153.08 related to the Final Plat have been met by the Applicant.
- That the proposed Final Plat for Inwood 3rd Addition consists of the creation of 68 single-family detached residential structures.
- That the Inwood 3rd Addition Final Plat is consistent with the Preliminary Plat and Plans as approved by the City of Lake Elmo on December 2, 2014.
- That the Inwood 3rd Addition Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Inwood 3rd Addition Final Plat generally complies with the City's Urban Low Density Residential zoning district except as previously approved as part of the Inwood PUD.
- That the Inwood 3rd Addition Final Plat complies with all other applicable zoning requirements, including the City's landscaping, storm water, sediment and erosion control and other ordinances, except as previously approved as part of the Inwood PUD.
- That the Inwood 3rd Addition Final Plat complies with the City's subdivision ordinance.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the Inwood 2nd Addition Final Plat with the 4 conditions of approval as listed in the Staff report.

Suggested motion:

“Move to recommend approval of the Inwood 3rd Addition Final Plat with the 9 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report.”

ATTACHMENTS:

1. Application Forms
2. Inwood 3rd Addition Final Plat
3. Inwood 3rd Addition Inset B (3 pages)
4. Inwood 3rd Addition Final Plans

SUGGESTED ORDER OF BUSINESS:

- Introduction Planning Staff
- Report by Staff Planning Staff
- Questions from the Commission Chair & Commission Members
- Public Comments Chair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

Date Received: _____
Received By: _____
LU File #: _____



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

FINAL PLAT APPLICATION

Applicant: Hans Hans Hagas
Address: 941 NE Hillwood Rd, Suite 300 Fridley, MN 55432
Phone #: 763-586-7297
Email Address: josh@hanshagahomes.com

Fee Owner: Tanwood 10 LLC
Address: 95 South Oronoco Blvd W.
Phone #: 651-484-0070
Email Address: Schuei@azuraproperties.com

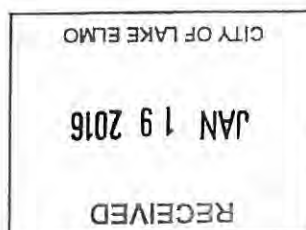
Property Location (Address and Complete (long) Legal Description: SW SE corner of 10th Street and Tanwood Ave
Parcel 1, Tanwood

General information of proposed subdivision: See Attached

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

Signature of applicant: [Signature] Date: 1/17/16

Fee Owner Signature: [Signature] Date: 18 Jan 2016



Revised 3/12/2014 11:38 AM

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



651-747-3900
3800 Lavene 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
- ☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan
- ☐ PUD Concept Plan ☐ PUD Preliminary Plan ☒ PUD Final Plan

Applicant: Hans Hagen Homes
Address: 941 NE Hillwood Rd, Suite 300 Fridley, MN 55432
Phone #: 763-586-7202
Email Address: jsask@hanshagenhomes.com

Fee Owner: Turner 10 LLC
Address: 95 South Omaha Blvd. L.
Phone #: 651-484-0022
Email Address: Schwartz@azuroproperties.com

Property Location (Address and Complete (long) Legal Description): Lot 5, Inwood

Detailed Reason for Request: Final Plat & PUD

*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.

Signature of applicant: [Signature] Date: 1/17/16

Signature of fee owner: R. Schneider Date: 18 Jan 2016

Received 1/19/16
[Signature]

Final Plat and PUD Final Plan Narrative
Hans Hagen Homes
January 17, 2016

2. Written Statements

a. *List of contact information:*

Applicant

John Rask
Hans Hagen Homes
941 NE Hillwind Road, Suite 300
Fridley, MN 55432
763-586-7200

Property Owner

Tom Schuette
Inwood 10 LLC
95 South Owasso Blvd. E
St. Paul, MN 55117
651-484-0070

Surveyor

Dan Obermiller
EG Rud and Sons, Inc.
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
651-361-8200

Civil Engineer

Brian Krystofiak, PE
Carlson McCain, Inc.
248 Apollo Drive, Suite 100
Lino Lakes, MN 55014
763-489-7905

Wetland Consultant

Melissa Barrett
Kjolhaug Environmental
26105 Wild Rose Lane
Shorewood, MN 55331
952-401-8757

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

See attached.

- c. *Final Subdivision and Lot Information*

- i. InWood 3rd Addition
- ii. Lot Tabulation – see attached plat and table. The 3rd addition plat includes a total of 68 lots, which is a reduction of 4 lots from the approved preliminary plat.
- iii. There is no park land dedicated in this phase.
- iv. Outlot A wetland is 17,773 sq. ft., buffer is 16,089 square feet
- v. 5.5 acres of public right-of-way.

- d. *An explanation of how issues have been addressed since the Preliminary Plat phase of the development;*

The final plat for the 3rd Addition is consistent with the preliminary plat and conditions of approval as discussed below. The applicant has reduced the numbers of lots in this area of the neighborhood by 4 lots. This change is being made to increase the size of the remaining lots for larger homes.

Conditions of Preliminary Plat Approval:

1. The applicant shall work with Community Development Director to name all streets in the subdivision in a manner acceptable to the City prior to the submission of final plat.

Response: The Community Development Director has supplied street names for the entire plat.

2. The City and the applicant shall reach an agreement concerning the location and dedication of land associated with the proposed water necessary to provide adequate water service to the InWood project area prior to the acceptance of a final plat for any portion of the PUD area.

Response: The applicant and City have agreement on the final water system design. The property owner, Inwood 10 LLC, has provided land for a future City water tower.

3. The preliminary landscape plan shall be updated to address the review comments from the City's landscape architecture consultant as noted in a review letter dated November 18, 2014.

Response: The application has submitted revised plans to the City addressing the above. Landscaping for the first phase and 5th Street has been partially installed.

4. Prior to the submission of a final plat for any portion of the InWood PUD, the developer shall work with the City to determine the appropriate park dedication calculations for the entire development area.

Response: The Park Dedication requirements were determined with the Final Plat for Inwood. Outlot L, Inwood is being dedicated to the City for future park.

5. As part of any development agreement that includes improvements to one of the adjacent County State Aid Highways (CSAH 13 and 10th Street), the City and the developer shall determine the appropriate responsibility for the cost of these improvements.

Response: There are no improvements or connections planned to either CSAH 13 or 10th Street with this phase. Cost sharing was determined and agreed upon with the Inwood final plat for CSAH 13 and funds were provided by Hans Hagen Homes.

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

Response: The applicant entered into a separate grading agreement with the City and has graded the property consistent with the approval.

7. The applicant shall continue to work with the City on the final design of 5th Street, and in particular, the transition from the InWood PUD to properties located further to the east (including the Boulder Ponds development and land owned by Bremer Financial Services).

Response: The applicant worked with the City on the final design and has constructed 5th Street through the project site.

8. The utility construction plans shall be updated to incorporate the recommendations of the City Engineer concerning the appropriate location and size of sewer services through the PUD planning area, including any requested oversizing of these facilities to service adjacent properties.

Response: The utility plans were updated and resubmitted to the City Engineer prior to the approval of the Inwood Final Plat.

9. The proposed public street access to 5th Street from Streets D2 and the southwest park area (Park 1) shall be eliminated from the preliminary development plans in order to bring the proposed spacing into conformance with the City's access spacing

guidelines. Staff is requesting that the developer continue working with the City to determine the most appropriate access into and out of the southwest park area.

Response: This change was made to the preliminary plat. The change does not impact this phase of the neighborhood.

10. All center median planting areas as depicted on the preliminary plat and plans shall be owned by the City of Lake Elmo and maintained by the Home Owners Association. The applicant shall enter into a maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park, trails, or open space on the final plat.

Response: The HOA documents for the project were drafted consistent with this condition. The documents are recorded against the property.

11. The applicant must either move the planned north/south trail through Park 1 further to the west around an existing wetland area located approximately 400 feet south of 10th Street or will need to work with the South Washington Watershed District to design a multi-purpose trail through the buffer area that complies with all applicable watershed district's requirements.

Response: The trail is not being stalled with this phase of the development

12. The Final Plat and Plans must address the requested modifications outlined in the City Engineer's review memorandum dated November 16, 2014.

Response: The applicant updated the preliminary streets and utility plans to be consistent with the City Engineer's comments. The update plans were submitted to the City prior to the Final Plat and Final PUD plan for the 1st phase.

13. The applicant shall be responsible for updating the final construction plans to include the construction of all improvements within County rights-of-way as required by Washington County and further described in the review letter received from the County dated November 17, 2014.

Response: The plans are updated to include the necessary right-of-way as required by Washington County.

14. Prior to recording the Final Plat for any portion of the area shown in the Preliminary Plat, the Developer shall enter into a Developers Agreement acceptable to the City Attorney that delineates who is responsible for the design, construction, and payment of public improvements.

Response: The applicant has entered into a Developers Agreement consistent with this condition.

15. The developer must follow all the rules and regulations of the Wetland Conservation Act, and adhere to the conditions of approval for the South Washington Watershed District Permit.

Response: There are no wetlands being impacted as a result of this project and all the conditions of South Washington Watershed District are being met. The applicant has received the necessary development approvals from the Watershed District.

- e. *A statement showing the proposed density of the project with the method of calculating said density shown (Below numbers are based on all the single family lots, and not just this phase);*
- i. Single Family land use area of the overall plat includes 102.9 acres (The 3rd additional includes 47.65 acres, of which 20.15 acres consists of lots and right-of-way.)
 - ii. 275 total single family homes (68 lots in 3rd Addition).
 - iii. Single Family Gross Density of 3.37 units per acre (Overall project density is 2.7 units per gross acres)
 - iv. Single Family Net Density of 3.37 units per acre (there is no park land, ponds, wetlands, and collector roads in this phase of the neighborhood.)
- f. *Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc) necessary to serve the subdivision;*

The 3rd phase will include the construction of the necessary roads, sewer and water. The storm water improvements, including ponding and infiltration basins were installed with the first phase of development.

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

Neighborhood input was provided during the PUD Plan review stage. Comments generally related to concerns over the extension of municipal services in this area of the community and the impacts that come along with changes to land use.

The land uses and density of the InWood neighborhood are consistent with the City's Comprehensive Plan, and no changes are necessary as a result of the Preliminary Plat application.

Hans Hagen Homes has also designed the neighborhood to lessen the impacts on adjacent property owners, as well as to enhance the neighborhood for future residents. These design features include:

- i. A linear park along the eastern edge of the property that exceeds the City's initial standard of 100 feet. The InWood linear park varies from 100 feet to over 200 feet.
- ii. The lots and streets were orientated east/west with cul-de-sac lots backing to the linear park. There are only 19 lots that back up to the linear park over a distance of 2,640 feet. Under standard zoning, there could be 40 lots backing up to the buffer.
- iii. Additional land for a neighborhood park adjacent to the existing Stonegate development. This park will serve the needs of residents living in InWood as well as the neighborhoods to the east.
- iv. Landscaped berms along 10th Street, 5th Street, and along a portion of the western edge of the neighborhood.

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

The InWood neighborhood is consistent with the City's Comprehensive Plan which provides for a graduation of land use intensities over the site. North of the 5th Street parkway will be single family homes. Transitioning to the west will be commercial. The neighborhood plan for InWood provides a large pond and berms to help transition between the commercial and single family neighborhood.

The InWood neighborhood plan avoids and preserves the three wetland basins found on the site. While these wetlands are currently farmed and significantly degraded, it's our intent to restore them with native vegetation.

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

The City's Comprehensive Plan provides for the planned and orderly growth of the community by making sure that the necessary infrastructure and services are in place as growth occurs. Because the proposed neighborhood is consistent with the City's Comprehensive Plan, no impacts or excessive burdens are anticipated to the roads, public utilities, or public services.

A detailed traffic study was prepared as part of the EAW, and found no traffic impacts that could not be mitigated.

The majority of the homes in the neighborhood will not contain school age children. As such, no impacts are anticipated to the North St. Paul school district.

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

Not applicable.

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

The neighborhood will include approximately 14.5 acres of public parkland. Overall, the neighborhood includes approximately 49 acres of open spaces, including public park, trail corridors, landscaped berms, ponding, infiltration areas, wetland preservation areas, and private open space. The private open space and infiltration areas will be maintained by a homeowners association.

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

Construction of the 3rd Addition improvements will commence in April and be completed by June.



INWOOD – LANDSCAPE ARCHITECTURE DESIGN REVIEW REPORT **LAKE ELMO, MN**

LANDSCAPE ARCHITECTURE DESIGN REVIEW DATED FEBRUARY 14TH, 2016

REVIEWED PLAN TITLE & DATE:

LANDSCAPE PLAN – INWOOD MARCH 26TH, 2015

PHASE 1 ISLAND PLANTINGS JUNE 10TH, 2015

ENTRANCE FEATURE AUGUST 26TH, 2015

5TH STREET LANDSCAPE PLAN OCTOBER 28TH, 2015

LANDSCAPE PLAN – INWOOD THIRD ADDITION JANUARY 19TH, 2016

Per this review the Landscape Plans for all phases submitted to date including 5th Street are **NOT** in compliance with the City's requirements and therefore are rejected and require resubmittal of a comprehensive complete set of landscape plans per our required action items below.

Required Action Items by INWOOD Project Team

1. Use the City standard planting notes & planting detail plates issued February 2015 (Deciduous Trees, Coniferous Trees & Shrubs, etc.).
2. Remove all independent notes that are in conflict with the city approved planting notes and detail plates.
3. Use correct horticultural nomenclature for plants documented in all plant schedules, including correct spelling. For example should read: Heritage River Birch / *Betula nigra* 'Cully'.
4. Review and correct all clerical and spelling errors within all the plan sets.
5. Provide more detailed information as it relates to where and how the required tree preservation replacement trees are being utilized.
6. Resubmit the most current tree preservation plans and inventory.
7. Provide most current set of grading plans for our review of soils preparation, seeding and drainage details.
8. Provide design drawings for all signage and way finding elements.
9. Provide a graphic scale on every plan sheet.
10. Provide plants that meet City Standards. Minimum size for shrubs per Table 6-1. Minimum Size Standards for Landscape Materials within the City's landscape requirement is #5 Container.
11. Provide more diversity of all plantings – Deciduous Trees, Coniferous Trees, Ornamental Trees, Shrubs and Perennials. For example specify more than two types of coniferous trees on the entire project. The expectation is to see many kinds of coniferous trees in the next submission to fit the many different micro climates and conditions within this large development. Focusing on hardy native and pollinator friendly choices that would work nicely with the City's dedication to this important environmental issue.

2350 BAYLESS PLACE • ST. PAUL, MN • 55114

PHONE: 651.646.1020 • EMAIL: STEPHEN@LANDARCINC.COM

12. Provide design sections for all berms / landscape screening suggested representing all typical planting arrangements with species specified and represented to scale at time of installation. When planting berms please consider planting side slopes verses simply planting the top as it is currently suggested. Plants perform best when not placed on the highest, driest and windiest part of the berm.
13. Rethink the species, spacing and layout of some of the shrubs and perennials utilized in the islands and throughout development. In the islands specifically some of the species are not durable enough to thrive at the back of curb.
14. Provide a column for spacing in all plant schedules for shrubs, perennials and bulbs. Typically, smaller perennials should be spaced at 12 inches on center and for larger types spaced at 18 inches on center.
15. Revise infiltration basin details. The rock mulch specified does not appear to be consistent with the grading/drainage details and plans which note: "Plant Native Plants Tolerant of Inundation and Drought". There are concerns related to maintenance, functionality of the basins without the water cleansing benefit of plantings, the sterile nature of these spaces and lack of biodiversity / wildlife habitat as currently proposed.
16. Remove notes that state: Soil Modifications not required for this Site. It is required to have information on soil preparation and planting specifications noted on the plans and that they be consistent with City Requirements for all plantings/seeding.
17. Provide landscape irrigation system plans and details including water sources for entire development including all commonly held HOA & City Outlots / R.O.W. areas.
18. Provide a three year maintenance plan for all landscape materials/areas within all commonly held HOA & City Outlot / R.O.W areas.
19. Add a note on plans that all plants to be planted within the City Public Spaces to be verified that they were grown free of Neonicotinoids as to be in compliance with the City of Lake Elmo Bee-Safe Ordinance. Please provide written acknowledgement of this to the City for written City approval prior to planting operations.
20. Revise the tree selections for 5th Street Corridor. The City requires about 1/3 of the trees to be a type of Freeman Maple, 1/3 Heritage Oaks, 1/3 Disease Resistant American Elm. Currently about half of the trees suggested in the plan are Freeman Maple cultivars. Currently the plan suggests Red Oak which is not as tolerant of urban conditions as the Heritage Oak.
21. Correct plant bed layout in center median of 5th Street at Inwood.
22. Revise 5th Street Boulevard Trees to be planted in boulevard over deep Stormwater Pipes. We appreciate that it was acknowledged but in this situation the Street Tree Layout takes precedence.
23. Add Bulbs and Perennials to 5th Street plant schedule.
24. Suggest more durable trees than Red Oak or Red Maple for use in Boulevard locations.
25. Provide detail design drawings of all proposed walls in section with exact materials specified.
26. Provide detail design drawings of all pedestrian patios and paths with exact materials specified.
27. Provide design detail drawing of all site furnishings specified.

28. Verify that Inwood Avenue North & 10th Street North frontages are included in public street frontage street tree calculations.
29. Street trees are absent on and along the interior boulevards / street frontages of the planted islands within the development. Please verify how the street tree calculations were derived in those locations and why they are only single loaded on those streets.
30. Remove notes from plan set that state "Front yard Trees will be planted after the home is constructed on each lot".
31. Provide Clarification how the multi-stem B & B trees are being counted towards tree requirements.
32. Provide more detailed plans for the understory plantings (sod and native seeding) and how it is integrated with the proposed trees, shrubs and other plantings as part of the landscape plan.

SINCERELY,

LANDSCAPE ARCHITECTURE, INC.

STEPHEN MASTEY, ASLA, CLARB, LEED AP BD+C
LANDSCAPE ARCHITECT / DESIGN LEAD



INWOOD 3RD ADDITION – LAND. ARCH. DESIGN REVIEW REPORT **LAKE ELMO, MN**

LANDSCAPE ARCHITECTURE DESIGN REVIEW DATED MARCH 8TH, 2016

REVIEWED PLAN TITLE & DATE:

LANDSCAPE PLAN – INWOOD THIRD ADDITION FEBRUARY 24TH, 2016

Required Action Items by INWOOD Project Team

1. Use the City standard planting notes & planting detail plates issued February 2015 (Coniferous Trees & Shrubs, etc.).
2. Resubmit the most current tree preservation plans and inventory.
3. Per 154.258 Landscape Requirements (see attached document) F. Screening. Provide adequate screening where uses are differing within the development to meet the requirements of the code.
4. Where screening is required provide design sections for all different conditions exhibited with landscape screening suggested representing all typical planting arrangements with species specified and represented to scale at time of installation.
5. Provide updated detail drawings of landscape plans of featured island planting/ basin areas for review.
6. Provide a column for spacing in all plant schedules for shrubs, perennials and bulbs. Typically, smaller perennials should be spaced at 12 inches on center and for larger types spaced at 18 inches on center.
7. Provide a design section of infiltration basin details. I created a quick hand sketch and attached for some ideas / notes of what we discussed at our sit down meeting. Once this is created please update landscape plans notes to be consistent with new graphic. The plans most recently submitted specify Geogrid which is a structural fabric typically utilized for structural reinforcement in a retaining wall system. We discussed utilizing Geotextile Fabric. Please specify an exact product specification as part of the detail... if you would like some suggestions we are happy to redline detail once it is resubmitted and point you to an acceptable product line for this application so you can further your research selection with your client and make a final selection.
8. Provide landscape irrigation system plans and details including water sources for entire development including all commonly held HOA & City Outlots / R.O.W. areas.
9. Provide a three year maintenance plan for all landscape materials/areas within all commonly held HOA & City Outlot / R.O.W. areas. We attached an example of what are expectations are for this document for reference.

March 8, 2016

10. Add this additional sentence to note #4 under landscape notes on L2 of L4 plans a "Please provide written acknowledgement of this to the City for written City approval prior to planting operations".
11. Provide updated set of grading plans for our review of soils preparation, seeding and drainage details per our recommendations at our last sit down meeting where modifications to drainage sections/details were suggested and discussed. Also, on the landscape plans note for the contractors what the expectation for tree, shrub, perennial and sod planting bed preparation is to be in compliance with project requirements and City specifications/requirements.
12. Provide written acknowledgment from the watershed district that they are aware and approve of the currently proposed non-vegetated infiltration basin designs with the adjusted revisions to the detail sections as discussed.

SINCERELY,

LANDSCAPE ARCHITECTURE, INC.

STEPHEN MASTEY, ASLA, CLARB, LEED AP BD+C
LANDSCAPE ARCHITECT / DESIGN LEAD

INWOOD THIRD ADDITION (PHASE 2) LOT SUMMARY TABULATIONS

9-Feb-16

Lot #	Block #	Area (sq.ft.)	Lot Width	Lot Depth
1	1	11,432	105.7	130.0
2	1	6,500	50.0	130.0
3	1	6,500	50.0	130.0
4	1	6,500	50.0	130.0
5	1	6,500	50.0	130.0
6	1	7,540	58.0	130.0
7	1	6,500	50.0	130.0
8	1	6,500	50.0	130.0
9	1	12,150	59.7	135.7
10	1	7,792	51.3	121.4
11	1	8,989	52.2	123.7
12	1	8,610	52.0	128.4
13	1	10,856	59.5	121.8
14	1	6,500	50.0	130.0
15	1	6,500	50.0	130.0
16	1	6,500	50.0	130.0
17	1	7,540	58.0	130.0
18	1	6,500	50.0	130.0
19	1	6,500	50.0	130.0
20	1	6,500	50.0	130.0
21	1	8,914	58.3	129.3
22	1	8,245	51.0	122.0
23	1	6,500	50.0	130.0
24	1	9,757	70.0	130.0
1	2	8,840	71.4	130.6
2	2	8,019	69.5	142.4
3	2	6,763	50.0	135.3
4	2	6,424	50.0	128.4
5	2	6,255	50.0	125.0
6	2	6,250	50.0	125.0
7	2	6,250	50.0	125.0
8	2	7,612	58.4	125.1
9	2	6,420	50.0	128.4
10	2	7,641	58.0	131.7

Lot #	Block #	Area (sq.ft.)	Lot Width	Lot Depth
11	2	8,338	61.1	135.4
1	3	19,755	75.3	228.7
2	3	10,311	50.4	168.4
3	3	8,388	50.5	142.3
4	3	8,508	58.4	130.6
5	3	6,500	50.0	130.0
6	3	6,500	50.0	130.0
7	3	6,500	50.0	130.0
8	3	6,500	50.0	130.0
9	3	7,627	58.0	131.5
10	3	8,063	55.5	140.0
11	3	9,948	75.1	125.0
12	3	6,250	50.0	125.0
13	3	9,693	58.0	167.1
14	3	8,957	65.8	156.0
1	4	9,636	89.8	130.3
2	4	6,500	50.0	130.0
3	4	6,500	50.0	130.0
4	4	6,500	50.0	130.0
5	4	6,833	58.0	114.0
6	4	11,315	67.0	114.6
7	4	28,113	60.8	238.8
8	4	15,496	61.8	192.7
9	4	12,599	60.7	151.8
10	4	9,264	62.0	149.4
11	4	12,589	61.8	148.8
12	4	15,096	71.6	147.5
13	4	6,174	50.0	125.8
14	4	6,582	50.0	131.9
15	4	6,596	50.0	131.9
16	4	6,596	50.0	131.9
17	4	7,628	58.0	131.9
18	4	6,490	50.0	129.8
19	4	8,696	67.0	129.8

TOTAL	577,840
-------	---------

OUTLOT	Area (sq.ft.)
A	615,712
B	382,785
C	12,832
D	17,616
E	29,817
F	199,432
TOTAL	1,258,194

RIGHT OF WAY	Area (sq.ft.)
RESIDENTIAL	239,640

TOTAL SITE AREA	2,075,674
-----------------	-----------

Please Note: Lot widths shown represent the width of the lot at the proposed house location.

E.G. Rud & Sons, Inc.
Job No. 13777PP

INWOOD THIRD ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Inwood 10, LLC., a Minnesota limited liability company, fee owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot J, INWOOD, according to the recorded plat thereof, Washington County, Minnesota.

Has caused the same to be surveyed and platted as INWOOD THIRD ADDITION and does hereby dedicate to the public the public ways and the drainage and utility easements created by this plat.

In witness whereof said Inwood 10, LLC., a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

INWOOD 10, LLC.

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me on this _____ day of _____, 20____, by _____ of Inwood 10, LLC., a Minnesota limited liability company, on behalf of the company.

Notary Public, _____ County, Minnesota
My Commission Expires _____

I, Daniel W. Obermiller do hereby certify that I have surveyed and platted or directly supervised the survey and platting of the property described on this plat as INWOOD THIRD ADDITION; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands as defined in MS Section 505.01, Subd. 3 existing as of the date of this certification are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this _____ day of _____, 20____.

Daniel W. Obermiller, Licensed Land Surveyor
Minnesota License No. 25341

STATE OF MINNESOTA

COUNTY OF _____

The foregoing Surveyor's Certificate was acknowledged before me on this _____ day of _____, 20____, by Daniel W. Obermiller, Licensed Land Surveyor, Minnesota License No. 25431.

Notary Public, _____ County, Minnesota
My Commission Expires _____

LAKE ELMO PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, this _____ day of _____, 20____.

PLANNING COMMISSION, CITY OF LAKE ELMO, MINNESOTA

By _____
Chairman

By _____
Secretary

CITY OF LAKE ELMO, MINNESOTA

The foregoing plat of INWOOD THIRD ADDITION was approved by the City Council of Lake Elmo, Minnesota, this _____ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subdivision 2.

CITY OF LAKE ELMO, MINNESOTA

By _____
Mayor

By _____
Clerk

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____.

By _____
Washington County Surveyor

By _____

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer has been entered on this _____ day of _____, 20____.

By _____

Washington County Auditor/Treasurer

By _____

Deputy

COUNTY RECORDER

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _____ day of _____, 20____, at _____ o'clock _____ M., and was duly recorded in Washington County Records.

By _____

Washington County Recorder

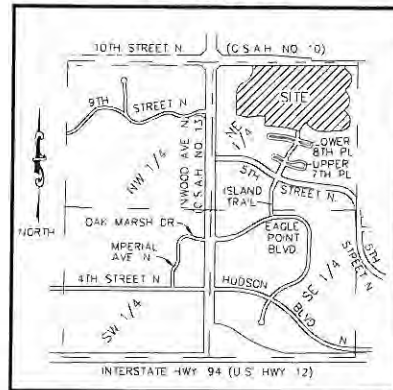
By _____

Deputy

E. G. RUD & SONS, INC.
EST. 1977 Professional Land Surveyors

VICINITY MAP

NOT TO SCALE



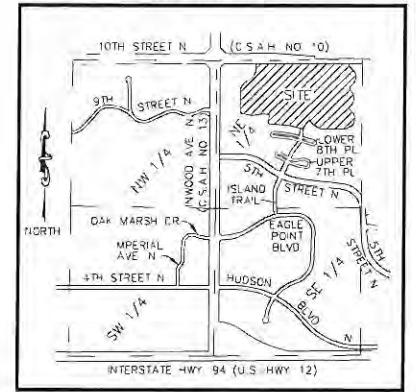
SECTION 33, TOWNSHIP 29 NORTH, RANGE 21 WEST
CITY OF LAKE ELMO



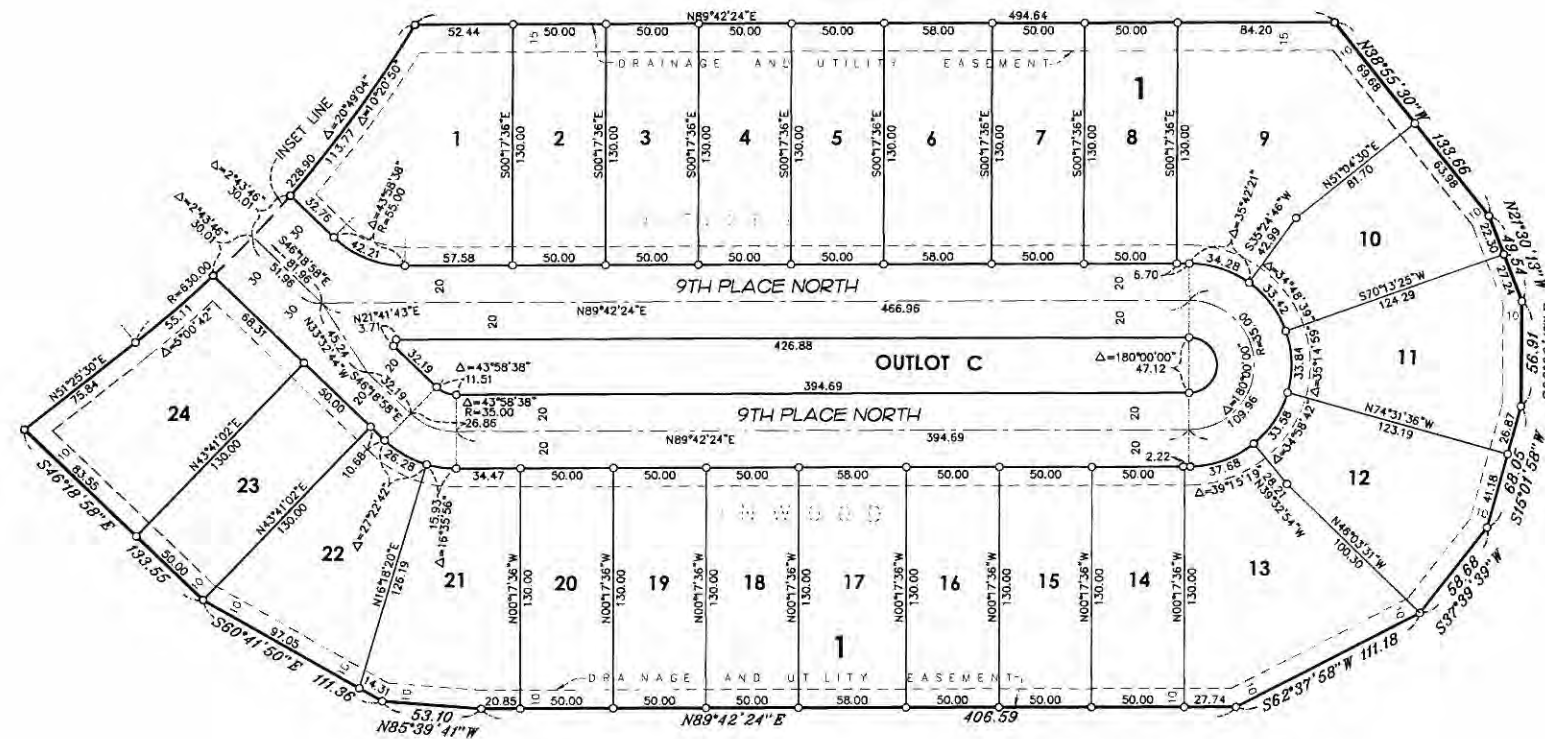
ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).
DENOTES WASHINGTON COUNTY CAST IRON MONUMENT, UNLESS OTHERWISE SHOWN.
DENOTES A 1/2 INCH BY 1/4 INCH IRON PIPE, WITH PLASTIC CAP INSCRIBED R.L.S. NO. 25341, WHICH HAS BEEN SET OR WILL BE SET IN ACCORDANCE WITH MS 505.021, SUBD 10.

INWOOD THIRD ADDITION INSET A

VICINITY MAP NOT TO SCALE



SECTION 33, TOWNSHIP 29 NORTH, RANGE 21 WEST
CITY OF LAKE ELMO

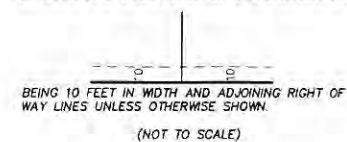


ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE
WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).

○ DENOTES A 1/2 INCH BY 14 INCH IRON PIPE, WITH PLASTIC
CAP INSCRIBED R.L.S. NO. 25341, WHICH HAS BEEN SET OR
WILL BE SET IN ACCORDANCE WITH MS 505.021, SUBD 10.

EASEMENT DETAIL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

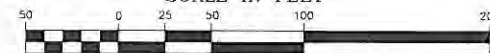


BEING 10 FEET IN WIDTH AND ADJOINING RIGHT OF
WAY LINES UNLESS OTHERWISE SHOWN.

(NOT TO SCALE)

NORTH

SCALE IN FEET

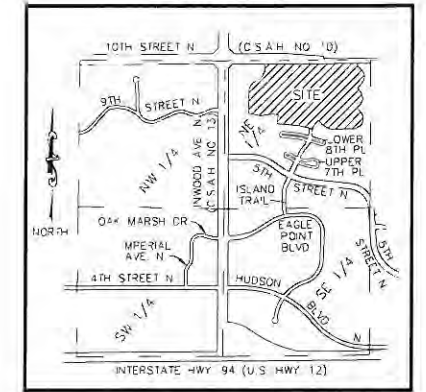


1 Inch = 50 Feet

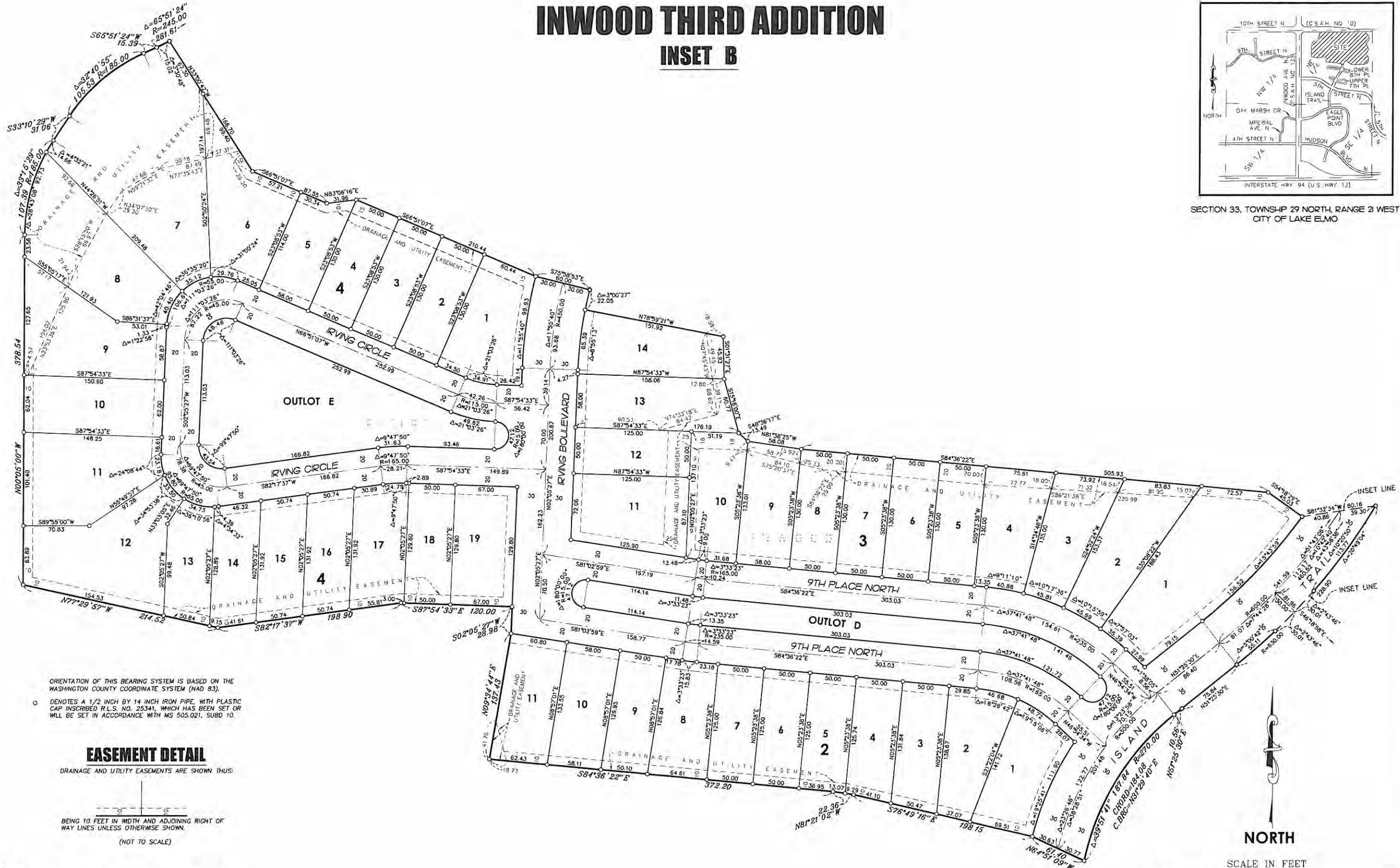
INWOOD THIRD ADDITION INSET B

VICINITY MAP

NOT TO SCALE



SECTION 33, TOWNSHIP 29 NORTH, RANGE 2 WEST
CITY OF LAKE ELMO

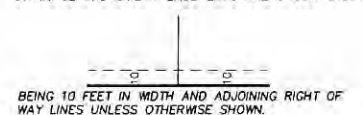


ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE
WASHINGTON COUNTY COORDINATE SYSTEM (NAD 83).

- DENOTES A 1/2 INCH BY 1/4 INCH IRON PIPE, WITH PLASTIC
CAP INSCRIBED R.L.S. NO. 25341, WHICH HAS BEEN SET OR
WILL BE SET IN ACCORDANCE WITH MS 505.021, SUBD 10.

EASEMENT DETAIL

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



(NOT TO SCALE)

VICINITY MAP

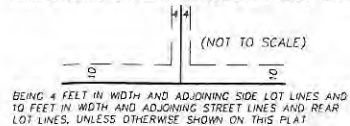
PART OF SEC. 33, TWP. 29, RNG. 21



WASHINGTON COUNTY, MINNESOTA
(NO SCALE)

BLOCK 6 AND 7 EASEMENT DETAIL

PUBLIC DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS



NORTH

APPLICANT:

John Rask
Hans Hagen Homes
941 NE Hillwind Road, Suite 300
Fridley, MN 55432
763-586-7200

PROPERTY OWNER:

Tom Schuette
Inwood 10 LLC
95 South Owasso Blvd E
St. Paul, MN 55117
651-484-0070

PROPERTY DESCRIPTION:

The West Half of the Southeast Quarter of Section 33, Township 29 North, Range 21 West, lying north of the north right of way line as shown on State Highway Right-of-way Plat No. 4 of 12, State Project 8282 (94-392) 902 Washington County, Minnesota (Abstract) AND The Northeast Quarter of Section 33, Township 29 North, Range 21 West, less and except Parcel No. 4 of Washington County Highway Right-of-way Plat No. 41, and Parcel No. 3 of Washington County Highway Right-of-way Plat No. 42, Washington County, Minnesota (Torrens)

NOTES:

- Field survey was completed by E.G. Rud and Sons, Inc. on 4/10/14
- Bearings shown are on the Washington County Coordinate System
- Curb shots are taken at the top and back of curb
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion
- Parcel ID Nos. 33-029-21-11-0001, 33-029-21-11-0002, 33-029-21-12-0001, 33-029-21-12-0003, 33-029-21-42-0002
- Total parcel area = 157.18 acres
- Wetland delineation/location provided by Kjelhaug Environmental Services. See report dated July 3, 2014
- Borings done by American Eng. Testing, Inc. from 5/13/14 Report

SITE DATA AND LAND USE NOTES:

TOTAL PLAT AREA (ALL PHASES)	157.2 ACRES
PHASE 2 INFORMATION	
PROPOSED SINGLE FAMILY LOTS	68
PROPOSED OPEN SPACE LOTS	3
PUD SINGLE FAMILY LAND AREA	13.3 ACRES
OPEN SPACE OUTLOT AREA	1.4 ACRES
RIGHT OF WAY AREA	5.5 ACRES
TOTAL AREA OF PHASE 2	20.2 ACRES

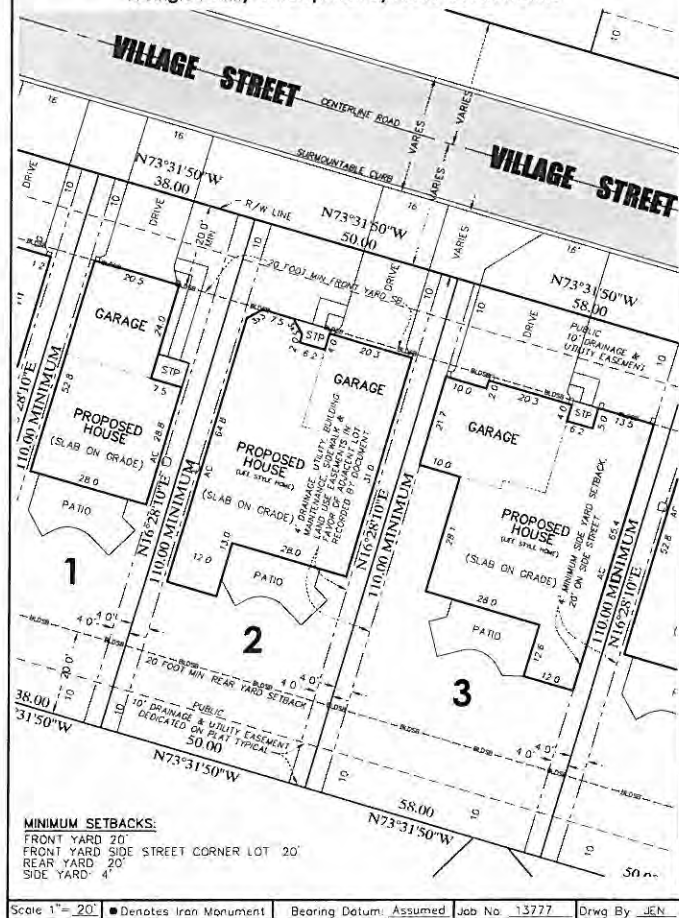
SINGLE FAMILY HOME BUILDING SETBACKS:

FRONT YARD	20 FEET
SIDE YARD	4 FEET
CORNER SIDEYARD	20 FEET
REAR YARD	20 FEET

DETAIL SHEET SINGLE FAMILY HOMES BLOCKS 1-5 AND 8-13

@ "INWOOD"

A Single Family development by HANS HAGEN HOMES





LANDSCAPE REQUIREMENTS (FROM APPROVED PRELIMINARY PLAT):

- ONE TREE/50' OF PROPOSED PUBLIC STREET FRONTAGE
SINGLE FAMILY PROPOSED STREET FRONTAGE: 19,184'=384 TREES
MULTI FAMILY PROPOSED STREET FRONTAGE: 1,413'= 28 TREES
COMMERCIAL PROPOSED STREET FRONTAGE: 4,576'=92 TREES
- FIVE TREES PLANTED FOR EVERY ONE ACRE OF LAND THAT IS DEVELOPED OR DISTURBED BY DEVELOPMENT ACTIVITY*.
SINGLE FAMILY DEVELOPMENT AREA**: 90 ACRES X 5 = 450 TREES
MULTI FAMILY DEVELOPMENT AREA: 27 ACRES X 5 = 135 TREES
COMMERCIAL DEVELOPMENT AREA: 25 ACRES X 5 = 125 TREES

* 5TH STREET ROW TAKEN OUT OF DEVELOPED AREA CALCULATIONS

** 100' BUFFER ALONG EAST SIDE TAKEN OUT OF DEVELOPED AREA CALCULATIONS

TOTAL TREES REQUIRED FOR LANDSCAPE ORDINANCE:

SINGLE FAMILY: 834
MULTI FAMILY: 163
COMMERCIAL: 217 (PLUS PARKING LOT LANDSCAPE REQUIREMENTS)
TOTAL: 1,214 (PLUS PARKING LOT LANDSCAPE REQUIREMENTS IN COMMERCIAL)

PROPOSED TREES ENTIRE SITE (APPROVED PRELIMINARY PLAT):

SINGLE FAMILY AREA (HANS HAGEN HOMES): 991
BUFFER AND BOULEVARD TREES: 689
RAIN GARDEN TREES: 63
REAR YARD TREES: 132
5TH STREET TREES: 107
MULTI-FAMILY: TBD
COMMERCIAL: TBD

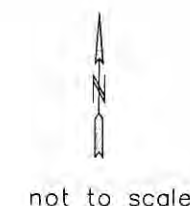
TREES PROPOSED BY ADDITION (AT TIME OF SUBMITTALS, ONLY DECIDUOUS TREES 2.5" AND LARGER OR CONIFERS 6' IN HEIGHT OR LARGER ARE COUNTED):

5TH STREET: 125
FIRST AND SECOND ADDITION TREES (BUFFER AND BOULEVARD): 208
THIRD ADDITION TREES : 173

TREE PRESERVATION DATA:

CALIPER INCHES TO BE MITIGATED: 256
NUMBER OF TREES REQUIRED FOR REPLACEMENT: 102 (2.5" TREES)
LANDSCAPE REQUIREMENTS COUNT TOWARD TREE MITIGATION REQUIREMENTS IN MIXED USE DEVELOPMENTS; NO FURTHER TREE PLANTING IS REQUIRED ABOVE THE LANDSCAPE ORDINANCE REQUIREMENTS.
SEE TREE PRESERVATION PLAN AND TREE INVENTORY DOCUMENT FOR MORE DETAILS

SHEET SHEETS L2-3 FOR TREE LOCATIONS
SEE SHEET L2 FOR TREE SCHEDULE



PIONEERengineering

2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: 651-948-8888
www.pioneereng.com

I hereby certify that this plan 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.

Name

Jeffrey L. Thompson

Reg. No.

31763

Date

Revised: 2-24-18 city comments

Date: 1-10-18

Designed: jh

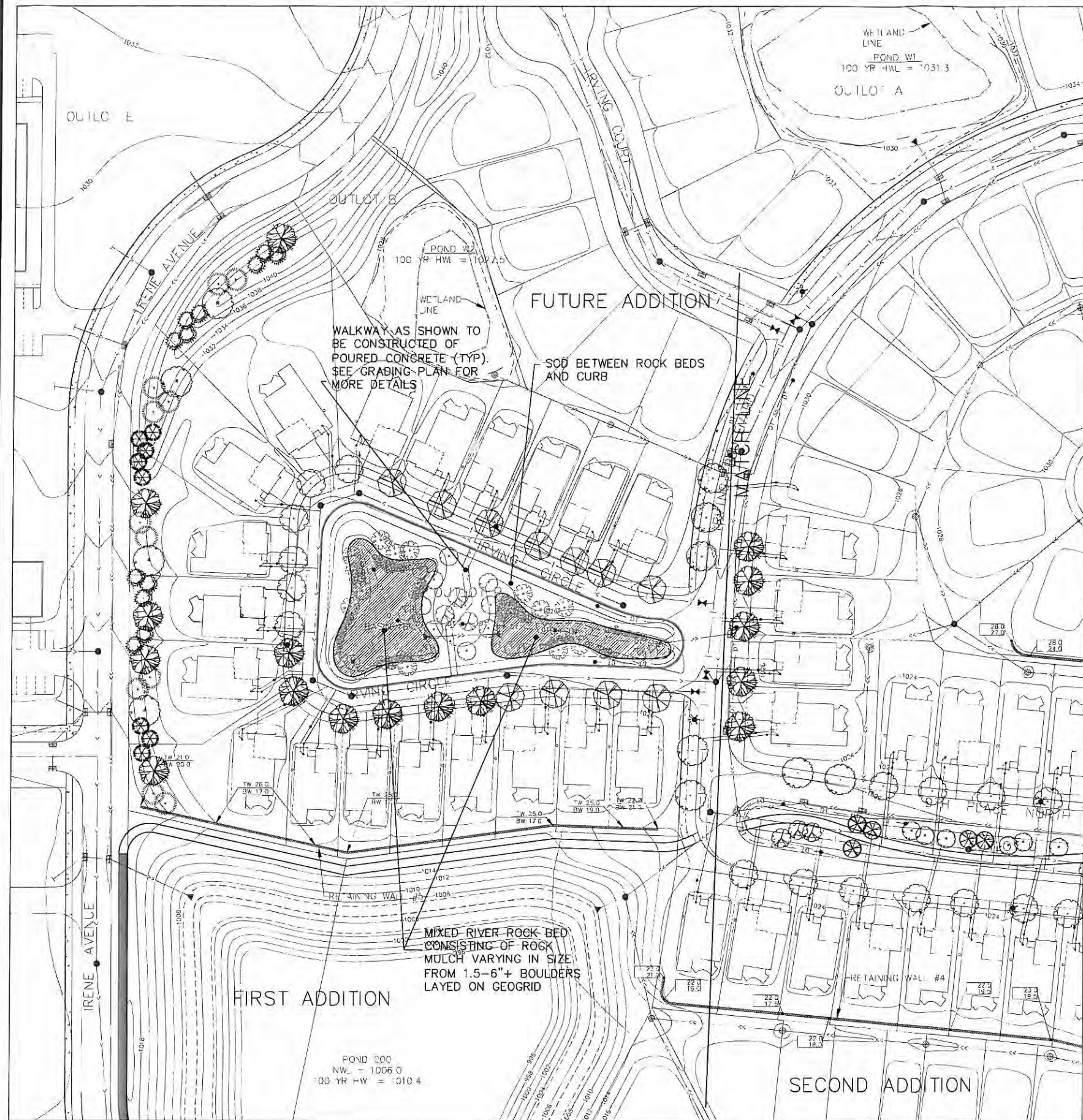
Drawn: jh

LANDSCAPE PLAN

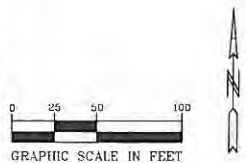
HANS HAGEN HOMES
941 HILLWIND ROAD NE, SUITE 300
FRIDLEY, MINNESOTA 55432

INWOOD THIRD ADDITION
LAKE ELMO, MINNESOTA

L1 OF 4



TREE TOTALS FOR ALL OF 3rd ADDITION			
PLANT SCHEDULE			
KEY	COMMON NAME/Scientific name	ROOT	QUANTITY
OVERSTORY TREES			
	SUGAR MAPLE/Acer 'Saccarum' 'Green Mountain'	2.5" B&B	21
	AUTUMN BLAZE MAPLE/Acer x freemanii 'Jeffersred'	2.5" B&B	19
	SIENNA GLEN MAPLE/Acer x freemanii 'Sienna'	2.5" B&B	4
	HERITAGE RIVER BIRCH/Betula nigra 'Cully'	12" B&B	4
	COMMON HACKBERRY/Celtis occidentalis	2.5" B&B	28
	HONEYLOCUST/Gleditsia triacanthos var. 'enermis'	2.5" B&B	11
	NORTHERN PIN OAK/Quercus ellipsoidalis	2.5" B&B	16
	SENTRY LINDEN/Tilia americana 'Sentry'	2.5" B&B	12
EVERGREEN TREES			
	BLACK HILLS SPRUCE/Picea glauca densata	10" B&B	12
	BLACK HILLS SPRUCE/Picea glauca densata	12" B&B	11
	BALSAM FIR/Abies balsamea	10" B&B	8
ORNAMENTAL TREES			
	SUGAR TYME CRAB/Malus 'Sugar Tyme'	2.5" B&B	10
	PRAIRIFIRE CRAB/Malus 'Prairifire'	2.5" B&B	9
	JAPANESE TREE LILAC/Syringa reticulata	8" B&B	8



LANDSCAPE NOTES:

1. LOTS WILL BE SODDED AFTER CONSTRUCTION.
2. SEE SHEET L1 FOR LANDSCAPE REQUIREMENT DATA
3. TREES ON LOTS TO BE PLANTED WITHIN TWO YEARS OF PLAT RECORDING
4. ALL PLANTS TO BE PLANTED WITHIN CITY PARKS AND ON CITY PROPERTIES SHALL COMPLY WITH THE CITY'S RESOLUTION ENDORSING BEE-SAFE POLICIES AND PROCEDURES.

INFILTRATION NOTES:

1. HATCHED AREAS SHOWN IN ISLAND INFILTRATION AREAS WILL CONSIST OF RIVER ROCK OF VARYING SIZES FROM 1.5" TO AT LEAST 6". THERE WILL BE SMALL TO LARGE BOULDERS PLACED THROUGHOUT THE ISLAND.
2. GEOGRID TO BE USED BELOW ROCK MULCH.
3. LANDSCAPING FOR THESE AREAS ON SEPERATE PLAN
4. SEE GRADING PLANS FOR MORE GRADING AND DRAINAGE DETAILS FOR THESE AREAS

1. PRIOR TO TREE STAKING AND PLANTING OPERATIONS CONTRACTOR MUST CONTACT DOPHER STATE ONE CALL (www.dopherstateonecall.org or 811) TO VERIFY UNDERGROUND UTILITIES. WHERE PRIVATE UTILITIES EXIST ON-SITE THE CONTRACTOR IS REQUIRED TO HAVE THOSE LOCATED AS WELL.

2. PLANT MATERIALS SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1 LATEST EDITION.

3. ALL PLANT SUBSTITUTIONS SHALL BE MADE WITHOUT THE PRIOR WRITTEN AUTHORIZATION FROM THE CITY.

4. ALL TREE PROTECTION MEASURES TO BE FIELD STAKED PRIOR TO INSTALLATION. CONTRACTOR TO COORDINATE FIELD REVIEW OF PROPOSED TREE PROTECTION LOCATIONS WITH THE CITY AND PROJECT LANDSCAPE ARCHITECT PRIOR TO ANY TREE PROTECTION INSTALLATION.

5. ALL TREE LOCATIONS TO BE FIELD STAKED PRIOR TO INSTALLATION. CONTRACTOR TO COORDINATE FIELD REVIEW OF PROPOSED TREE LOCATIONS WITH THE CITY AND PROJECT LANDSCAPE ARCHITECT PRIOR TO ANY TREE INSTALLATION.

6. ALL PLANTS SHALL BE PLANTED IMMEDIATELY UPON ARRIVAL TO PROJECT SITE. NO PLANT MATERIAL IS TO BE LEFT OVERNIGHT ON THE PROJECT SITE WITHOUT BEING WATERED UNLESS WRITTEN APPROVAL BY CITY.

7. ALL TREES, SHRUBS, PERENNIALS AND TURF LAWN TO HAVE A TWO YEAR WARRANTY BEGINNING UPON WRITTEN ACCEPTANCE BY THE CITY. DEFECTIVE PLANTS AS DETERMINED BY THE CITY SHALL BE REPLACED WITHIN 30 DAYS OF NOTICE DURING THE GROWING SEASON. AND REPLACEMENT MATERIALS SHALL RECEIVE THE SAME TWO YEAR WARRANTY UNTIL PLANTS ARE SUCCESSFULLY ESTABLISHED.

8. CONTRACTOR TO PROTECT AND MAINTAIN ALL PLANTINGS AND PLANT BEDS, INCLUDING PROTECTION FROM WILDLIFE, WEEDING, RE-MULCHING, FERTILIZATION, IRRIGATION AND ALL OTHER TYPICAL FORMS OF HORTICULTURAL CARE UNTIL THE END OF THE WARRANTY PERIOD AS DETERMINED AND APPROVED BY CITY.

9. ALL AREAS DISTURBED ADJACENT TO THE PROJECT SITE INCLUDING BOULEVARDS SHALL BE REPAIRED AND MAINTAINED PER CITY SPECIFICATION.

10. PROVIDE A THREE YEAR MAINTENANCE PLAN FOR ALL SEEDING OF PLANT MATERIALS/AREAS WITHIN ALL COMMERCIAL PROPERTIES, COMMONLY USED HOA AREAS, CITY OUTLOTS AND P.O.D. AREAS.

11. ALL TREE, SHRUB AND PERENNIAL BEDS, WITHIN THE R.O.W. OR LOCATED ON COMMERCIAL PROPERTIES OR ON COMMONLY HELD HOA PROPERTY AND CITY OUTLOTS WITHIN DEVELOPMENTS ARE REQUIRED TO HAVE AN AUTOMATIC IRRIGATION SYSTEM DESIGNED BY AN EPA WATER SENSE CERTIFIED PROFESSIONAL. THIS PLAN IS REQUIRED FOR CITY REVIEW AT THE SAME TIME AS LANDSCAPE PLAN REVIEW.

12. ALL TRADITIONAL TURF LAWN AREAS WITHIN R.O.W. OR LOCATED ON COMMERCIAL PROPERTIES OR ON COMMONLY HELD HOA PROPERTY AND CITY OUTLOTS WITHIN DEVELOPMENTS ARE REQUIRED TO HAVE AN AUTOMATIC IRRIGATION SYSTEM DESIGNED BY AN EPA WATER SENSE CERTIFIED PROFESSIONAL. THIS PLAN IS REQUIRED FOR CITY REVIEW AT TIME OF LANDSCAPE PLAN REVIEW.

STANDARD PLAN NOTES

LANDSCAPE PLANS

FEBRUARY 2015

CITY OF LAKE ELMO

STANDARD DRAWING NO. 900

LAKE ELMO

Notes:

1. Modified soil. Depth of soil varies (see specifications for soil modification).
2. Trees shall be of quality prescribed in crown observations and root observations details and specifications.
3. See specifications for further requirements related to this detail.

Poorly Drained Soil Notes:

1. Root ball surface shall be positioned to be one-quarter above finished grade.
2. Existing site soil shall be added to create a smooth transition from the top of the raised root ball to the finished grade at a 15% max. slope.

DECIDUOUS TREE - MODIFIED/UNMODIFIED SOIL & POORLY DRAINED SOIL

FEBRUARY 2015

CITY OF LAKE ELMO

STANDARD DRAWING NO. 902A

LAKE ELMO

PIONEEREngineering

2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: (612) 948-1144
www.pioneereng.com

I hereby certify that the plan 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.

Reg. No. 21763

Date: 1/16/16

Revised: 2/24/16 City comments

Drawn: H

Checked: H

Reviewed: H

Approved: H

Sealed: H

Stamp: H

Signature: H

Date: 1/16/16

Drawn: H

Checked: H

Reviewed: H

Approved: H

Sealed: H

Stamp: H

Signature: H

Date: 1/16/16

Drawn: H

Checked: H

Reviewed: H

Approved: H

Sealed: H

Stamp: H

Signature: H

Date: 1/16/16

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Stamp: H

Signature: H

Date: 1/16/16

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Checked: H

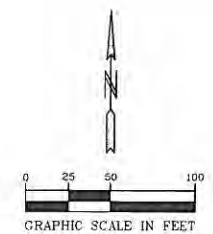
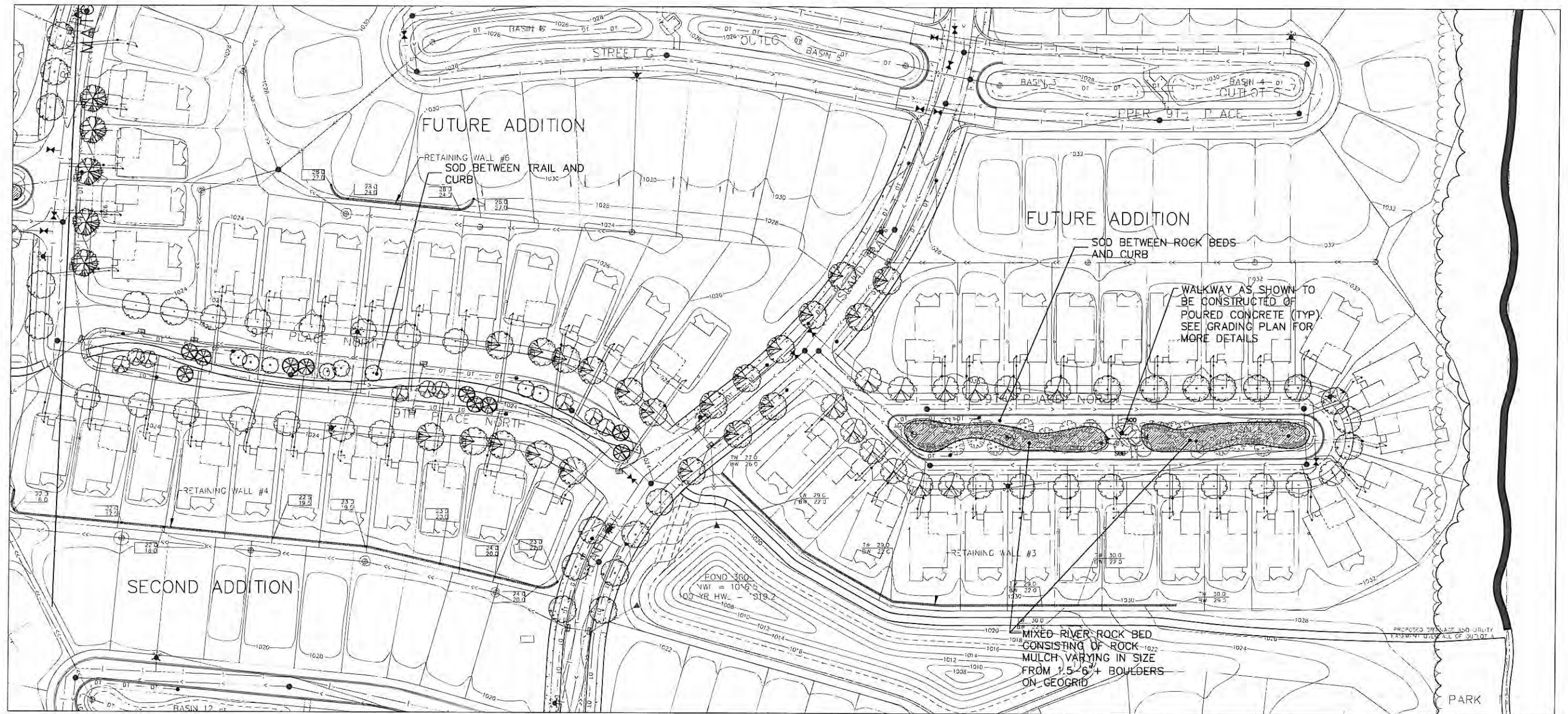
Reviewed: H

LANDSCAPE PLAN

HANS HAGEN HOMES
941 HILLWEND ROAD NE SUITE 100
FRIEDLY, MINNESOTA 55412

INWOOD THIRD ADDITION
LAKE ELMO, MINNESOTA

L2 OF 4



PIONEERengineering
 LANDSCAPE ARCHITECTS
 2422 Enterprise Drive
 Mendota Heights, MN 55120
 (651) 681-1914
 Fax: (651) 948-1800
 www.pioneereng.com

I hereby certify that this plan 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.
 Name: Jennifer L. Thompson
 Reg. No.: 34764
 Date: 1-19-16

Date: 1-19-16
 Drawn: [blank]
 Check: [blank]

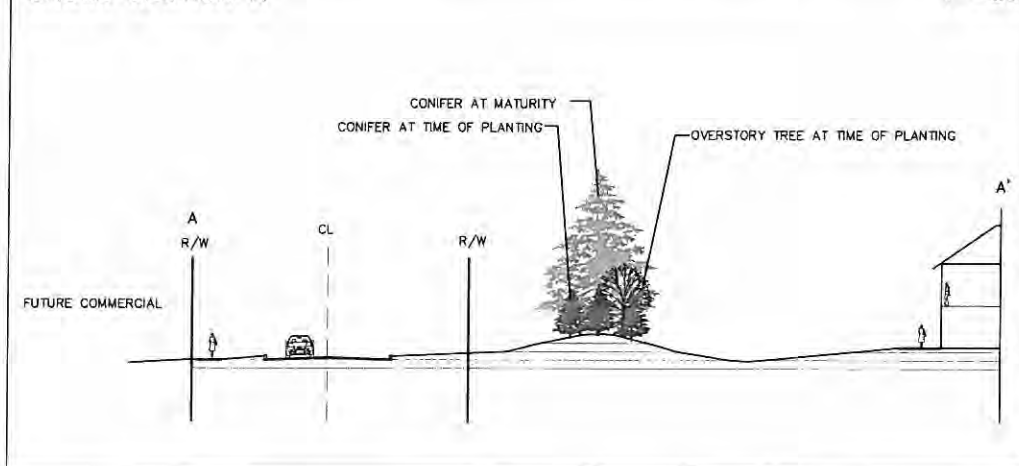
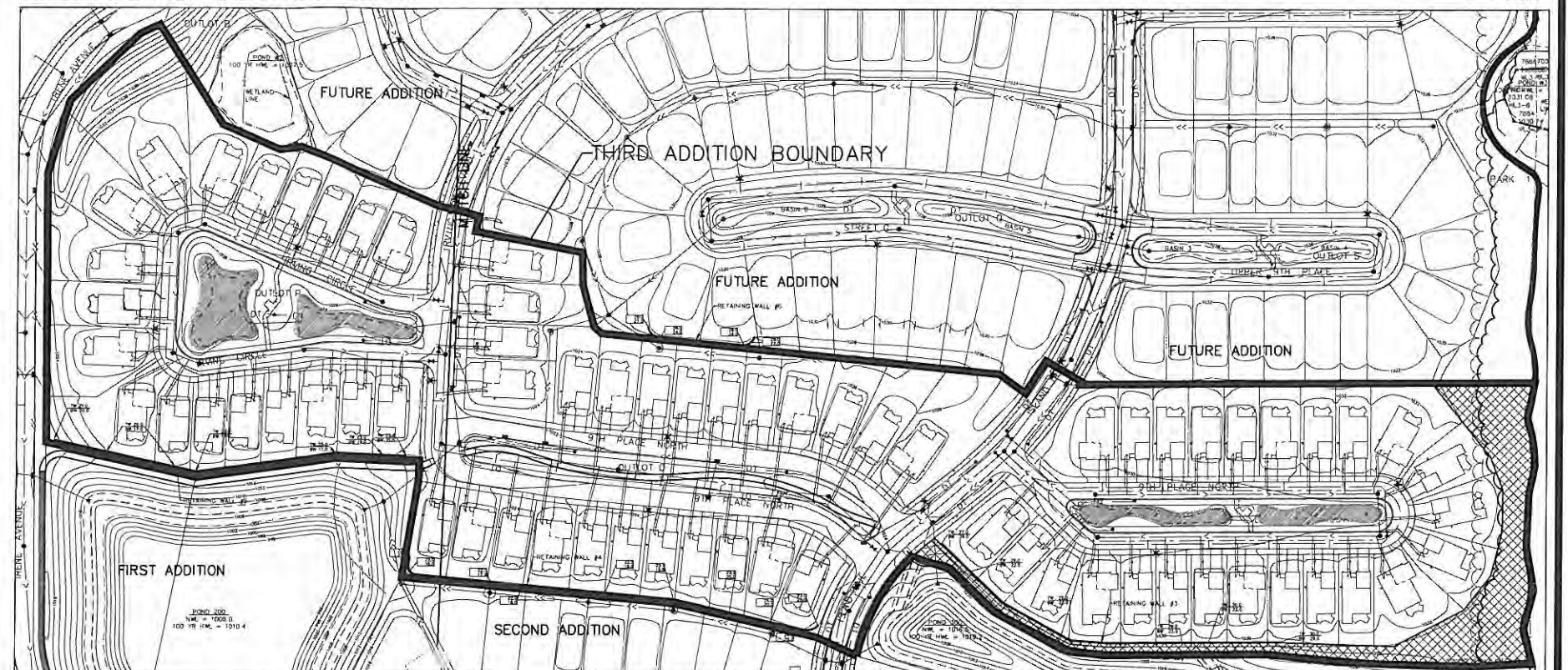
LANDSCAPE PLAN

HANS HAGEN HOMES
 941 HILLWIND ROAD NE SUITE 300
 FRIEDLEY, MINNESOTA 55432

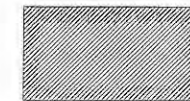
INWOOD THIRD ADDITION
 LAKE HLMO, MINNESOTA

L3 OF 4

$$1'' = 50'$$

$$1'' = 20'$$
 $1'' = 100'$ 

DISTURBED UPLAND AREA INCLUDING DISTURBED AREAS AT THE EDGE OF THE EXISTING PINE/SPRUCE EASTERN BOUNDARY TO BE SEEDED WITH MN STATE SEED MIX 35-621 OR EQUIVALENT



ROCK MULCH DRY CREEK/POND WITHIN INFILTRATION BASIN
AREAS. SEE SHEET L2-3 FOR MORE DETAILS.

NATIVE DRY PRAIRIE SOUTHEAST
(STATE SEED MIX 35-621 FORMERLY U6)

35-421	Dry Prairie Southwest				
Common Name	Scientific Name	Rate (lb/a)	Rate (lb/a) (by wt)	% of Mix (by wt)	Seeds/ sq ft
side-crest grama	<i>Bouteloua curtipendula</i>	1.37	1.13	10.23%	2.48
blue grama	<i>Bouteloua gracilis</i>	0.75	0.68	6.10%	10.00
stair-flower	<i>Bromus Adairi</i>	0.35	0.31	2.78%	0.98
noisy red top	<i>Elymus canadensis</i>	1.08	0.90	8.04%	2.40
stems wheelgrass	<i>Elymus trachycarpus</i>	1.32	1.16	10.09%	3.00
junegrass	<i>Koeleria macgregoriae</i>	0.48	0.41	3.71%	3.00
late bluestem	<i>Sporobolus vaginatus</i>	1.69	1.51	13.70%	35.00
sand dropseed	<i>Sporobolus vaginatus</i>	0.35	0.22	1.98%	18.00
rain dropseed	<i>Sporobolus heliopsis</i>	0.59	0.20	1.82%	75.00
Total Grasses					
butterfly milkweed	<i>Asclepias tuberosa</i>	0.07	0.05	0.52%	0.58
whorled milkweed	<i>Asclepias verticillata</i>	0.01	0.01	0.11%	0.05
bird's foot clover	<i>Coronilla varia</i>	0.06	0.05	0.50%	0.20
white prairie clover	<i>Dalea candida</i>	0.10	0.09	0.78%	0.08
purple prairie clover	<i>Dalea purpurea</i>	0.17	0.15	1.35%	0.38
scarlet	<i>Hesperis matronalis</i>	0.07	0.09	0.81%	0.11
gum-headed bush clover	<i>Lespedeza capitata</i>	0.03	0.03	0.31%	0.10
rough blazing star	<i>Liatris aspera</i>	0.02	0.02	0.19%	0.11
doiled blazing star	<i>Liatris punctata</i>	0.02	0.02	0.23%	0.08
wild bergamot	<i>Monarda fistulosa</i>	0.03	0.03	0.30%	0.05
hardstem	<i>Monarda punctata</i>	0.02	0.02	0.20%	0.05
soft goldenrod	<i>Quercus coccinea</i>	0.07	0.05	0.50%	0.20
large-flowered beard tongue	<i>Pantherium grandiflorus</i>	0.04	0.04	0.35%	0.20
black-eyed susan	<i>Rudbeckia hirta</i>	0.10	0.09	0.80%	0.30
gray goldenrod	<i>Solidago nemoralis</i>	0.31	0.01	0.14%	1.60
skyblue aster	<i>Symphoricarpos occidentalis</i>	0.21	0.01	0.09%	0.00
wild aster	<i>Symphoricarpos nemoreum</i>	0.02	0.02	0.19%	0.20
bracted sparrowwort	<i>Tidestromia bioretii</i>	0.01	0.01	0.12%	0.05
heart-leaved alexanders	<i>Zizia aurea</i>	0.02	0.02	0.21%	0.10
Total		6.90	0.80	7.42%	10.37
Oats or winter wheat (see note at beginning of list for recommended rates)					
		3.30	3.00	27.52%	1.33
		3.36	3.00	27.23%	1.33
Totals		12.33	11.00	100.00%	86.79
Purpose:	Regional dry prairie revegetation for wetland mitigation ecological restoration, or conservation prairie plantings				
Planting Area:	Eastern Deciduous / Great Plains including hardwood mix; subsection MidUOT; Districts M6 & 6				

DISTURBED GROUND TREATMENT NOTES:
PHASE 3 IS DIVIDED UP INTO INDIVIDUAL LOTS EXCEPT HATCHED AREA AS SHOWN.
INDIVIDUAL LOTS WILL BE SODDED OR TURF SEEDDED (TYPICAL).
SEE GRADING AND EROSION PLANS FOR TEMPORARY SEEDING PLANS

SODDED (UNHATCHED) AREAS TO BE IRRIGATED

IRRIGATION BY OTHERS

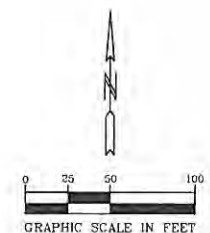
SEEDING NOTES:

MULCH: MNDOT TYPE 3 @ 2 TONS PER ACRE AND DISK ANCHORED IN PLACE OR APPROVED EQUAL, INSTALLED TO MINIMUM 90% COVERAGE OF THE SURFACE AREA DISTURBED. MULCH AT 90 % COVERAGE WITH DISC ANCHOR.

3-YEAR MAINTENANCE PLAN FOR UPLAND SEEDING

YEAR 1-3

1. MOWING SHOULD OCCUR AS NECESSARY THROUGHOUT THE GROWING SEASON FOR THE FIRST TWO SEASONS TO PREVENT NOXIOUS WEEDS FROM TAKING HOLD
2. WEEDS SHOULD BE HAND PULLED OR SPOT SPRAYED AS NECESSARY
3. TYPE 2 BLANKET SHOULD BE USED ON SLOPES UNLESS THE AREAS ARE HYDRO SEEDED WITH A HEAVY TACKIFIER IN WHICH CASE NO BLANKET OR MULCH
4. WILL BE NECESSARY
5. IF AREA (S) LOWER AREAS) BECOMES SATURATED WITH ANY FREQUENCY, REED CANARY GRASS OR OTHER NOXIOUS WEEDS CAN BECOME A PROBLEM
6. SETHOXYDIM (OR EQUIVALENT) OR OTHER HERBICIDES WILL BE EFFECTIVE IN CONTROLLING REED CANARY GRASS AND OTHER NOXIOUS WEEDS WITHOUT
7. HARMING SEDGES, RUSHES, AND FORBS
8. TREES AND SHRUBS SHOULD ONLY BE PRUNED IN THE EVENT OF DAMAGED OR BROKEN BRANCHES
9. MULETS MUST BE KEPT CLEAR OF DEBRIS
10. WHERE APPLICABLE, ANY DEBRIS OBSERVED IN INFILTRATION BASIN OR POND SHALL BE REMOVED



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.	651.300.4283

Date: March 10, 2016

To: Stephen Wensman, City Planner
Cc: Chad Isakson, P.E., Municipal Engineer
From: Jack Griffin, P.E., City Engineer

Re: Inwood 3rd Addition – Final Plat Review
Engineering Review Comments

An engineering review has been completed for the Inwood 3rd Addition Construction Plans consisting of the following documentation prepared by Carlson McCain:

- Inwood 3rd Addition Final Plat, Sheets 1-3, REVISED 02.29.2016.
- Grading, Development and Erosion Control Plans, dated 02.26.2016.
- Construction Plans for Sanitary Sewer, Water Main, Storm Sewer and Streets, dated 02.26.2016.
- Landscape Plans prepared by Pioneer Engineering, dated 02.24.2016. **Review by others.**
- Storm Sewer Design Tabulation, dated 02.16.2015.

STATUS/FINDINGS: An engineering review has been completed for the Inwood 3rd Addition Final Plat submittal on 02.29.2016. Engineering review comments have been provided in two separate memos; one for Final Plat approval, and one to assist with the completion of the final Construction Plans. Please see the following review comments relating to the Final Plat application.

FINAL PLAT AND INWOOD 3RD ADDITION

- Outlots C (storm water), D (trail), and E (storm water) must be dedicated to the City as part of the Final Plat. City ownership must be noted on the final construction plans.
- Final Plat should be contingent upon the applicant expanding utility easements or other building restriction provisions to assure that no building or retaining wall can be constructed within 15 feet of a City utility pipe, that all utility pipe easements are at least 30 feet in width with the utility pipe located no closer than 10 feet from the easement line.
- Retaining walls are proposed within rear yard utility easements throughout much of the development. It should be clearly documented that the retaining walls remain within the ownership of the HOA even though they are within drainage and utility easements. It should be further documented that any and all costs associated with protection, replacement or maintenance of retaining walls due to any work in the easements by the City, shall be the full responsibility of the HOA.
- Inwood 3rd Addition includes trunk watermain (12-inch diameter) and trunk sanitary sewer (12-inch diameter) pipe oversizing along Island Trail. Payment for pipe oversizing from the City standard 8-inch pipe should be addressed as part of the development agreement.

FINAL CONSTRUCTION PLANS & SPECIFICATIONS

- No construction for Inwood 3rd Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans; the applicant has obtained and submitted to the City all applicable permits, easements and permissions needed for the project; and a preconstruction meeting has been held by the City's engineering department.

- No construction for Inwood 3rd Addition may begin until the applicant provides a detailed storm water management report and drainage design calculations specific to the Inwood 3rd Addition Improvements that addresses the phasing of construction, and addresses erosion control and SWPPP corrections required to bring the entire Inwood PUD site into compliance.
- The Final Plat shall not be recorded until final construction plan approval is granted.
- Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual using City details and specifications and meeting City Engineering Design Guidelines.
 - Storm sewer must be redesigned to maintain all pipe velocities below 15 fps and all pipe outlet velocities below 5 fps.
- A separate memorandum will be provided to direct additional plan corrections necessary for final construction plan approval.



PLANNING COMMISSION

DATE: 03/14/2016

AGENDA ITEM: __ – DISCUSSION

CASE #2015-43

ITEM: Home Occupation Ordinance Discussion

REQUESTED BY: Planning Department

SUBMITTED BY: Emily Barker, Planner

REVIEWED BY: Stephen Wensman, Planning Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to review, discuss, and provide Staff with feedback on a revised draft of Lake Elmo's Home Occupation definition. The Planning Commission and City Council have considered revision of the ordinance several times over the past years, starting in February of 2005 at a City Council Home Based Business Workshop. There have been several drafts of the ordinance, however, none have been approved by the City Council. The last review by the City Council was on May 24, 2011. The current definition home occupation definition causes confusion, specifically as it states that hairdressing is permitted, while barber shops and beauty shops are not. On March 2, 2016, the City Council directed Staff to prepare a simple amendment to the current definition to eliminate the confusing text for Planning Commission review and recommendation, then in the future revisit the larger Home Based Business discussion and previously drafted ordinances for review and recommendation.

ADDITIONAL INFORMATION:

Staff is providing the Commission background on the Home Occupation Ordinance and the most recently revised portion of both the City Council and Planning Commission drafts.

RECOMMENDATION:

The Planning Commission is being asked to review the attached ordinance amendment, Draft Ordinance 2008-__, and provide staff feedback prior to a public hearing on the item proposed for the March 28, 2016 Planning Commission meeting.

ATTACHMENTS:

1. May 24, 2011 Mayor & Council Workshop Agenda Item: Draft Home Occupation Ordinance containing the most recently revised portion of both the City Council and Planning Commission drafts, home occupation timeline, and April 11, 2011 Planning Commission meeting minutes
2. Draft Ordinance 2008-__



MAYOR & COUNCIL WORKSHOP

DATE: 5/24/11
WORKSHOP
ITEM #: 2
DISCUSSION

AGENDA ITEM: Draft Home Occupation Ordinance

SUBMITTED BY: Kelli Matzek, City Planner

THROUGH: Kyle Klatt, Acting City Administrator *K.K.*

REVIEWED BY: Planning Commission

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to review the attached ordinances that have been drafted to regulate home occupations and to provide Staff with direction on how to proceed with revisions to the draft Ordinance. In 2004, the City Council gave an outline of information to staff with main topics to be covered under a draft ordinance. Since then, the Planning Commission has revisited and discussed this topic and suggested a departure from the original points supplied by the City Council. At the September 14, 2010 workshop meeting, the City Council was provided the alternate recommendation by the Planning Commission and considered the proposed draft. However, after further discussions, the City Council directed staff to move forward with a draft Home Occupation ordinance which differed from that recommended by the Planning Commission and instead followed the original direction.

The Planning Commission minutes from the update dated April 11, 2011 is attached. The points of concern expressed regarding the original direction are as follows:

- That the ordinance as proposed by the City Council would be too restrictive for certain types of home offices (i.e. those that have customers but otherwise have no other impacts).
- That the proposed ordinance is not business friendly and would discourage new businesses from locating in Lake Elmo.

A point of concern expressed regarding the Planning Commission's recommended ordinance was the impact of traffic from business trips for a home occupation in a more compact residential neighborhood.

BACKGROUND INFORMATION: Staff is providing the Council with a Timeline of the Home Occupation Ordinance, 2006 proposed Home Occupation regulations from Council Members Smith and DeLapp and Ordinance No. 08-027.

The main discrepancies between the Planning Commission's recommended Ordinance and the 2006 regulations proposed by Council Members Smith and DeLapp fall upon 9 principle items:

Item	Planning Commission Recommendations	2006 City Council Directions
Classifications	2 Classifications: Home offices and Home Based Businesses	1 Classification
Business Vehicles	3 (to include employees) allowed on site at any onetime for Home Based Businesses. Must comply with city parking regulations	1 pickup truck or van allowed
Equipment	No limit	Limited by those normally found at a residence
On Premise Sales	Home Offices: not permitted. Home Based Businesses: not regulated but limited by customer visits (5 per day)	Not permitted
Employees	Home Office: no non-resident employees. Home Based Businesses: 2 non-resident employees	No non-resident employees
Customer Visits	Home Office: Not permitted. Home Based Businesses: 5 per day	Not permitted
Accessory Buildings	Office/Business allowed to operate within.	Not allowed to operate within
Storage	Within residential/garage/accessory building structures/	Enclosed and limited to 100sqft
Infrequent Sales	Twice a year no more than 3 days in length	Twice a year no more than 6 days in length

STAFF REPORT: The Home Occupation Ordinance is currently out of date. It is only referenced in the definition section of the City Code, does not address garage sales or merchandise sales, and provides no review process to evaluate how intrusive a Home Occupation is on surrounding property. Now that more and more individuals are beginning to use Home Occupations, it is becoming a necessity to update Lake Elmo's regulation in order to provide better guidance on the proper usage of Home Occupations.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council discuss the discrepancies between City Council recommended regulations and those recommended by the Planning Commission. Staff is seeking direction on moving forward with the Home Occupation Ordinance.

ATTACHMENTS:

1. Draft Home Occupation Ordinance – City Council Version
2. Draft Home Occupation Ordinance – Planning Commission Version
3. Home Occupation Timeline
4. April 11, 2011 Planning Commission Minutes

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item Planning Staff
- Report/Presentation Planning Staff
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Council Discussion Mayor & City Council
- Council Action/Director..... Mayor Facilitates

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-_____

AN ORDINANCE ADDING HOME OCCUPATION REGULATIONS TO
THE CITY CODE

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title I: General Provisions; Chapter 11: General Code Provisions, by amending section 11.01 Definitions to eliminate existing definitions as follows:

~~**HOME OCCUPATION.** Any gainful occupation or profession engaged in by the occupant, only, of a dwelling when carried on within a dwelling unit or in an accessory building, provided that no signs other than those normally utilized in a residential district are present, no stock in trade is stored on the premises, that no over the counter retail sales are involved, and entrance to the home occupation is or can be gained from within the structure. Uses include professional office, hairdressing, or teaching limited to 3 students at any time, and similar uses. A **HOME OCCUPATION** shall not be interpreted to include barber shops, beauty shops, tourist homes, restaurants, disorderly house as defined by M.S. § 609.33, Subd. 1, as it may be amended from time to time, or similar uses. No **HOME OCCUPATION** shall be permitted that creates the need for more than 3 parking spaces at any given time in addition to the parking spaces required by the occupants. **HOME OCCUPATIONS** shall not be carried on except between the hours of 7:00 a.m. and 10:00 p.m.~~

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title I: General Provisions; Chapter 11: General Code Provisions, by amending section 11.01 Definitions to add the following definitions in alphabetical order with the already existing definitions:

Garage Sales. Any isolated or occasional display and sale of used personal property or home-crafted items conducted on residential premises by the occupant of the residential property. Garage sales shall include rummage sales, basement sales, yard sales, porch sales, craft sales, and seasonal boutiques. Garage sales are limited to no more than two (2) sales per calendar year at any one property. Such sale cannot exceed three (3) consecutive calendar days.

Home Based Business. A home occupation that does not meet the definition of home office either because it allows non-resident employees, additional parking, or customer visits.

Home Occupation. Any occupation, profession or trade engaged in by the occupant of a residential dwelling unit, which is clearly incidental and secondary to the residential use of the premises and does not change the character of said premises. There are two types of home occupations: home offices and home based businesses.

Home Office. A home occupation which consists primarily of an office or home crafts. It includes, but is not limited to, receiving or initiating correspondence, such as phone calls, mail, fax, or e-mail; preparing or maintaining business records; word or data processing; and telephone, mail order, and off-premise sales.

Merchandise Parties. Private parties held for the purpose of soliciting sales. Merchandise parties shall include but not be limited to Tupperware, Mary Kay, and Avon parties. Merchandise parties shall be limited to no more than six (6) sales per year from a residential dwelling unit.

SECTION 3. The City Council of the City of Lake Elmo hereby adds 154.112: Land Usage; Chapter 154: Zoning Code, by adding the following language:

§ 154.112 Home Occupations.

(A) **Purpose and Intent.** The City of Lake Elmo recognizes the desire and/or the need of some citizens to use their residences for business activities. The City also recognizes that the use of residences for limited business purposes may result in a reduction of vehicle trips on City streets as well as economic benefit to City residents. It is therefore the purpose and intent of this Section to allow the use of residences for limited business purposes while regulating such business use in a manner that precludes such business use from becoming a nuisance to neighboring residential property owners, and while preserving the distinction between residential and commercial zoning districts.

(B) **Home Based Business and Home Office.** Permits responsive to this Section shall be applicable to Home Based Businesses, but not to Home Offices, as both are defined by Section 150 of this City Code.

(C) **Administrative Enforcement.**

(1) **Home Based Business Permit.** Any Home Based Business shall require a "Home Based Business Permit." Permits shall not run with the land and shall not be transferrable. A complete application, including the signature of the property owner, shall be submitted to the City. The planning department may impose such conditions on the granting of a Home Based Business Permit as may be necessary to carry out the purpose and provisions of this Section.

(2) **Review.** The planning department shall approve or deny Home Based Business Permit applications upon receipt of a complete application. If the permit is denied, the planning department will send a written notice of denial to the applicant. The written notice will indicate the reason(s) for denial and a description of the applicant's appeal rights as indicated in section 31.10

(D) **Home Office Performance Standards.** Home Offices must meet the following Performance Standards:

(1) **Residency.** A full-time resident of the property must conduct the home office.

(2) **Impact on Adjacent Properties.** The Home Office shall have no adverse effect on adjacent properties which shall include but is not limited to traffic or offensive noise, light, odor, dust, electro-magnetic interference or other noxious substances, as may be defined elsewhere in the City Code.

(3) **Exterior Appearance.** There shall be no exterior evidence, including signs advertising the home occupation, that a building is being used for any purpose other than as a residential dwelling or permitted accessory structure.

(4) **Number of Businesses.** More than one Home Office is allowed, however the combined impact shall be considered when evaluating if it meets the requirements of a Home Office.

(5) **Non-resident Employees.** No non-residents may work on the site.

(6) **Customer Visits to Site.** The general public shall not come to the premises in question for purposes pertaining to the conduct of the Home Office.

(7) **Deliveries to Site.** No more than six (6) delivery/pickup trips per week. Delivery vehicles shall not be larger than a typical residential delivery truck.

(8) **Storage.** Any merchandise or stock in trade sold, repaired, or displayed shall be stored entirely within the residential structure, garage, or an accessory building.

(E) **Home Based Business Performance Standards.** Review of applications for Home Based Business Permit and subsequent determinations regarding revocation of a Home Based Business Permits shall be based on the initial and continued compliance of a Home Based Business on the following Performance Standards:

(1) **Residency.** A full-time resident of the property must conduct the business.

(2) **Impact on Adjacent Properties.** The Home Based Business shall have no adverse effect on adjacent properties which includes but is not limited to traffic or offensive noise, light, odor, dust, electro-magnetic interference or other noxious substances, as may be defined elsewhere in the City Code.

2011 shown
9-11-2010
(3) **Exterior Appearance.** There shall be no exterior evidence, including signs advertising the home occupation, that a building is being used for any purpose other than as a residential dwelling or permitted accessory structure.

(4) **Number of Businesses.** More than one Home Based Business is allowed, however the combined impact shall be considered when evaluating the terms of the Home Based Business Permit.

(5) **Non-resident Employees.** Not more than two (2) non-residents may work on the site.

(6) **Business Vehicles.** A maximum of three (3) business vehicles may be on site at any time, and the vehicles must be parked off-street at all times. No parking shall replace the required parking of the residents. Said vehicles must be in compliance with section 154.095 in the City Code regarding the maximum size of vehicles permitted to be parked in residential zones.

(7) **Customer Visits to Site.** Permitted only where specified by the Home Based Business Permit, and shall be limited to a maximum of five (5) per day.

(8) **Deliveries to Site.** No more than six (6) delivery/pickup trips per week. Delivery vehicles shall not be larger than a typical residential delivery truck.

(9) **Storage.** Any merchandise or stock in trade sold, repaired, or displayed shall be stored entirely within the residential structure, garage, or an accessory building.

(10) **Off-Street Parking.** When customer site visits are specifically allowed by the Home Based Business Permit, adequate Off-Street Parking must be provided for customers and for those who reside on the premises. All required parking spaces shall be in compliance with section 154.095 in the City Code.

(11) **Hours of Operation.** Home Based Businesses can only have non-resident employees at the site, deliveries to the site, or customer visits to the site between the hours of 7:00 a.m. to 10:00 p.m. seven (7) days a week.

(F) **Exceptions.** Home Occupations do not pertain to Agricultural Sales, Garage Sales, Licensed Residential Facilities, or Merchandise Parties.

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 No. 08-____ was adopted on this ____ day of _____ 2011, by a vote of ____ Ayes and ____ Nays.

Mayor Dean Johnston

ATTEST:

Bruce Messelt
City Administrator

This Ordinance No 08-____ was published on the ____ day of _____, 2011.

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

ORDINANCE NO. 08-____

**AN ORDINANCE ADDING HOME OCCUPATION REGULATIONS TO
THE CITY CODE**

SECTION 1. The City Council of the City of Lake Elmo hereby adds 154.112: Land Usage; Chapter 154: Zoning Code, by adding the following language:

§ 154.112 Home Occupations.

(A) **Purpose and Intent.** The purpose of this section is to maintain the character and integrity of residential areas and to provide a means through the establishment of specific standards and procedures by which home occupations can be conducted in residential neighborhoods without jeopardizing the health, safety, and general welfare of the surrounding neighborhood.

(B) **General Provisions:**

(1) No home occupation shall produce light, glare, noise, odor, vibration, smoke, dust, heat, or hazardous or toxic material shall not be produced, stored, or kept on the premises that will in any way have an objectionable effect upon adjacent or nearby property.

(2) No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.

(3) Any home occupation shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.

(4) No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.

(5) There shall be no exterior storage of equipment or materials used in the home occupation.

(6) Vehicles associated with a home occupation shall be limited to one automobile, pick-up truck, or van on the premises.

(7) The home occupation shall be conducted using only equipment or machinery that is normally found at a residence.

- (8) The home occupation shall meet all applicable fire and building codes.
- (9) There shall be no exterior display or exterior signs which are visible from outside the dwelling.
- (10) All home occupations shall comply with the provisions of the city code.
- (11) No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m., unless said occupation is contained entirely within the principle building, excluding attached garage space and will not require any off street parking facilities.
- (12) No commodity shall be sold on the premises, excluding party based sales.
- (13) No persons other than those who customarily reside on the premises shall be employed.
- (14) The general public shall not come to the premises in question for purposes pertaining to the conduct of the home occupation.
- (15) All home occupations shall be conducted entirely within the principle dwelling excluding the attached garage space, and may not be conducted in an accessory building.
- (16) The home occupation shall not require storage of over 100 square feet.

SECTION 2. Effective Date

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

SECTION 3. Adoption Date

This Ordinance No. 08-____ was adopted on this ____ day of _____ 2011, by a vote of ____ Ayes and ____ Nays.

Mayor Dean Johnston

ATTEST:

Bruce Messelt

City Administrator

This Ordinance No 08-____ was published on the ____ day of _____, 2011.

Home Occupation Timeline

- April 11, 2011 – Planning Commission was updated with City Council’s direction at September meeting
- September 14, 2010 – City Council reviewed recommendation by Commission, directed staff to proceed with Council’s original ordinance direction
- July 20, 2010 – City Council removed the item from the agenda and asked for it to be discussed at a workshop.
- July 6, 2010—City Council tabled decisions for all members to be present.
- June 28, 2010—Planning Commission recommended approval of the Home Occupation Ordinance to the City Council
- April 12, 2010—Planning Commission made the following recommendation with regard to Home Occupations:
 - Home Occupations will be defined by two subtypes: Home Offices and Home Based Businesses.
 - Home Based Businesses should have a Home Based Business Permit that is monitored by the staff using an application procedure.
 - Home Offices should be regulated by performance standards.
 - Exceptions to the Home Occupation Ordinance should include garage sales, licensed facilities, and agricultural sales.
 - A Garage Sale provision should be added to the definition section.
- March 22, 2010—Planning Commission made the following suggestions with regard to Home Occupations:
 - They suggested separate regulations and definitions for home offices and home based businesses and wanted to return to the old planning commission draft as a starting point.
 - Degree of storage should not be limited for any home occupation.
 - Home offices would not have a permit and home based businesses would require a Special Home Occupation Permit.
 - Signs would not be permitted for any home occupation
- March 8, 2010—Planning Commission reopened discussion on the Home Occupation Ordinance
- July 18, 2006—City Council
 - Tabled discussion
- June 12, 2006—Planning Commission made revisions to the recommended ordinance
 - Made the following changes:
 - Degree of storage should not be limited
 - Two non-resident employees are allowed in a home-based business
 - Annual license renewals is not needed
 - Three business related vehicles are allowed at any time (parked off street)
 - Limited visits from 10 to 5 per day
 - Deliveries limited to 6 trips daily
- June 6, 2006—City Council workshop

- Made a draft ordinance
- March 27, 2006—Planning Commission Public hearing
 - Concern over stock and trade being limited because of invasion of privacy
 - Concern over how to address adverse impacts on adjacent property
- March 13, 2006—Planning Commission Public Hearing
 - Discussed Shoreview ordinance
 - Discussed the definition currently in use and suggested splitting it into two categories: home based business, and home office
 - Discussed difference between seasonal and year long businesses
 - Discussed deliveries
- November 14, 2005—Planning Commission
 - Discussed Shoreview Ordinance and created a table
 - Discussed accessory structures
 - Discussed licensing
 - Discussed distinction between land uses
- October 24, 2005—Planning Commission
 - Discussed traffic concerns
 - Discussed exterior visibility of business
- March 14, 2005—Planning Commission
 - Home occupations discussed under a zoning text amendment
 - Was amended to include RR zoning
- February 28, 2005—Planning Commission
 - Set up schedule for March 14, 2005 text amendment, and suggest tabling rest of the issue
- February 7, 2005—City Council, Home Based Business Workshop

Planning Director Klatt said if the city wanted to go to a form based code, parts of this proposed ordinance could change or go away completely. He asked the commission to also review a draft purpose section for each district.

Commissioner Williams suggested keeping Rural Residential and Residential Estate zoning districts separate as they have different lot size requirements.

Planning Director Klatt asked the commission to consider if they would want to see additional land in the Neighborhood Conservation category which allows one and a half acre lots. He said the Comprehensive Plan (NC) currently does not allow for additional properties that are not already guided for NC. He suggested consideration of recreating an updated Open Space Preservation (OP) District. He identified low, medium and high density residential districts with density ranges provided for discussion purposes.

Commissioner Williams said the proposed 3.5 to 6 units is not low density. He said that would exclude anything less than three units per acre and it should be looked at in more detail. He said the R-2 district allows too much variable as a developer will always push for the highest density allowed. He said the VR language is very general, but should include a maximum density.

Planning Director Klatt said the numbers are to start discussions and he has found in his experience that developers go towards the lower end of density requirements while cities push for higher densities to meet objectives.

Commissioner Williams said he thinks mention of public investment in the Mixed Use and Central Business category should be removed as the city should not be making that commitment.

Business Item – Home Occupation Ordinance Update

Planner Matzek briefly updated the commission on the previous work done on the home occupation ordinance. She said the City Council received the commission's recommendation, but chose to move forward with their original direction.

Commissioner Fliflet said it does not make sense that the ordinance proposed by the City Council would not allow a tax consultant to do so from home.

Commissioner Hall said the Council proposed ordinance is not business friendly and discourages instead of encourages businesses to locate in Lake Elmo. He asked if the City Council's Economic Development Subcommittee would like any volunteer advisory members.

Commissioner Haggard said her neighborhood is more compact and a home occupation could have a greater impact on her neighborhood, especially if there were multiple businesses on the same road.

Chairman Van Zandt said the city needs to think of who creates the taxes and it is not the people who leave this city.

Business – Amending Storm Water and Erosion and Sediment Control

Planner Matzek said the ordinance is proposed to have minor clarifying revisions. She said the AUAR ~~would also have a minor amendment to reflect this new change, but that~~ is a more administrative process.

Commissioner Williams suggested taking out the text “and discretion” from Sections 150.287 B and C.

Commissioner Fliflet suggested the Best Management Practices are subjective and this gives the engineer additional flexibility.

M/S, Bidon/Fliflet, move to approve the changes as recommended by staff.

M/S/P, Williams/Hall, move to amend the motion to remove “and discretion” from Sections 150.287 B and C. Vote: 6:2. Bidon and Fliflet against.

The commission voted on the original motion as amended. Vote: 6:2. Bidon and Fliflet against.

Business Item – I-94 Stakeholder Meeting (Held March 31st)

Planner Matzek said 36 people attended a stakeholder meeting regarding the area guided for future sewered development south of 10th Street. She said the City Engineer and herself presented information on existing conditions and took questions; the meeting went well.

Updates

Planning Director Klatt said there were no City Council updates.

Adjournment

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Kelli Matzek
Planner

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-__

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES PERTAINING
TO HOME OCCUPATIONS

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title I: General Provisions; Chapter 11: General Code Provisions, by amending section 11.01 Definitions to amend existing definition as follows:

HOME OCCUPATION. Any gainful occupation or profession engaged in by the occupant, only, of a dwelling when carried on within a dwelling unit or in an accessory building, provided that no signs other than those normally utilized in a residential district are present, stock in trade stored on the premises, that no over-the-counter retail sales are involved, and entrance to the home occupation is or can be gained from within the structure. Uses include professional office, ~~hairedressing hair salons~~, or teaching limited to 3 students at any time, and similar uses. A **HOME OCCUPATION** shall not be interpreted to include ~~barber shops, beauty shops~~, tourist homes, restaurants, disorderly house as defined by M.S. § 609.33, Subd. 1, as it may be amended from time to time, or similar uses. No **HOME OCCUPATION** shall be permitted that creates the need for more than 3 parking spaces at any given time in addition to the parking spaces required by the occupants. **HOME OCCUPATIONS** shall not be carried on except between the hours of 7:00 a.m. and 10:00 p.m.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-__ was published on the ____ day of _____, 2016.