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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday September 26, 2016 at 7:00 p.m.
AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. September 12, 2016
4. Public Hearings
 - a. **CONDITIONAL USE PERMIT:** A request by Scott Wyckoff of Wasatch Storage Partners for a Conditional Use Permit for a self-service storage facility and exterior vehicle storage for the property located at 9200 Hudson Boulevard N in the Commercial Zoning District, PID No. 34.029.21.33.0005.
 - b. **INTERIM USE PERMIT:** A request by Dawn Oswald of Common Ground church for an Interim Use Permit for the keeping of horses in conjunction with a church for the property located at 10240 Stillwater Boulevard N in the Public and Quasi-Public Open Space zoning district, PID No. 14.029.21.32.0024.
5. Business Items
6. Updates
 - a. City Council Updates – September 20, 2016 Meeting
 - i. Solid Wall Fence Text Amendment
 - ii. OP Ordinance Amendment – Tabled.
 - b. Staff Updates
 - i. Upcoming Meetings:
 - October 10, 2016
 - October 24, 2016
 - c. Commission Concerns
7. Adjourn

***Note: The Public is advised that there may be a quorum of City Council Members in attendance as observers. No official action can or will be taken by the City Council at this meeting.

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



**City of Lake Elmo
Planning Commission Meeting
Minutes of September 12, 2016**

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

COMMISSIONERS PRESENT: Fields, Dodson, Dunn, Williams, Larson, Griffin, Kreimer, and Lundquist

COMMISSIONERS ABSENT: Haggard

STAFF PRESENT: Planning Director Wensman & City Planner Becker

Approve Agenda:

Amendments suggested are to add discussion of the Tartan Park Comprehensive Plan Amendment and to request an opinion from the City Attorney regarding majority vs super majority.

M/S/P: Dunn/Fields, move to approve the Agenda as amended, ***Vote: 7-0, motion carried Unanimously.***

Approve Minutes: August 22, 2016

M/S/P: Williams/Fields, move to approve the August 22, 2016 minutes as amended, ***Vote: 6-0, motion carried with Dunn not voting.***

Public Hearing – Variance Suzanne Horning

Becker started her presentation regarding the variance request from Suzanne Horning for Lot 9 of Krause's addition. This property is located at the intersection of Jamaca Ave N and Jane Road N. This application is for a variance from the 12 month time limit for the commencement of work associated with a lot size variance. A variance was granted on April 2014 for a variance from minimum lot size requirements. At that time, the applicant had requested that it be in perpetuity, but it was approved for a period of five years.

This lot is located in the RS zone, is located in the shoreland district, but is not a riparian lot. The applicant has owned the property since the mid 1980's and would like to convey the lot within the family as a buildable lot. The variance expires in April of 2019 and the owner will need to make a decision to build on or sell it now.

The applicant provided a survey showing existing conditions and that the site can support a home and septic system. The surrounding properties are of similar size, some being even smaller. The applicants have noted that without the variance, the property cannot be put to a reasonable use. The property has been taxed over time as a buildable lot and the applicant does not want to sell, but would like to convey the land to her children. Staff consulted with the City Attorney and found that it is possible to grant this as variances by nature run with the land. The applicant is requesting this so that they do not have to go through this process again. They have now been granted two variances, one in 1985 and one in 2014.

Staff went through the findings and how they relate to the four variance criteria of Practical difficulties, Unique circumstances, Character of locality and Adjacent properties and traffic. There was one call received with the caller concerned that allowing this lot to be built upon will set a precedent. Staff is recommending approval of this variance application with a number of conditions, most of which were conditions of the previous variance. A condition was added that states that the variance will be valid until any one of the conditions occurs: The properties planned use changes in the Comp Plan, the property is rezoned, zoning regulations in RS change that would make the lot more non-conforming, included but not limited to an increase in minimum lot size requirements; or an increase in minimum lot width requirements.

Dodson is wondering why this is an issue when this was originally platted as a buildable lot. Becker stated that it is because it does not have a home on it and would not be considered a legal non-conforming lot.

Bridget Eubank, 9960 57th Street, and Brent Weyer, Suzanne Hornings children, spoke on behalf of Suzanne who was unable to attend. They would like to maintain the flexibility to ensure that this lot is buildable in the future.

Public Hearing opened at 7:29 pm

There were no other written or electronic comments received

Public hearing closed at 7:30 pm.

Dunn supports the motion as this is a developed area and this lot is consistent with the other lots.

Williams would like to propose an additional condition that all other City, Zoning and development regulations must be satisfied before a building permit is issued.

M/S/P: Williams/Larson, move to recommend approval of the request for a variance from the minimum lot size requirements in the RS – Rural Single Family Residential zoning district and from the maximum time of one year for which a variance is valid,

subject to the conditions of approval as recommended by staff and the additional condition recommended by the Planning Commission, ***Vote: 7-0, motion carried unanimously.***

Public Hearing – Zoning Text Amendment – Solid Wall Fences

Becker started her presentation by explaining the current fence code regulations as it relates to solid wall fencing on lots under ½ acre and what the exceptions are. Becker went through some of the history on the fence code. Anticipated higher density residential development was cited as the reason for the recommendation for allowing privacy fencing. After discussion over the course of five meetings, the current ordinance amendment was adopted.

Section 154.081 requires that fences in side and rear yards need to be at least 30% open to air and light. Even if the prohibition of solid wall fences over four feet on lots under ½ acre is removed, fences would still need to adhere to this requirement unless this requirement is removed. Staff researched other Cities that allow solid wall fences over 4' and there were quite a few. Staff presented two different options to the Planning Commission for discussion. Option #1 eliminates the prohibition of solid wall fences on lots under ½ acre altogether and also eliminates requirement of permitted encroachments on required yards. Option #2 eliminates the requirement for adjacent property owner to give permission. It also exempts fences that do not exceed one-fourth of the linear distance of the perimeter of a lot from the 30% openness requirement. It also eliminates the exception which allows fences that are erected under other circumstances when a solid wall fence is warranted due to safety, etc. which could be considered subjective and discriminatory. Staff recommends that the Planning Commission adopt option #2.

Fields asked if this allows privacy from one neighbor, but not three. Williams is wondering why we would not want to allow it on 3 sides of the lot, but not in the front yard. Becker stated that there is already a provision on front and side on corner lots. Option #2 is much more restrictive and there is only exceptions for when solid wall fences can be erected.

Public Hearing opened at 7:51 pm

Denise Thompson, 9077 Jane Road N, tried to get a fence permit for their dog and they were not able to get the neighbor signature. They feel that they are not able to have enough privacy. She also did some research and she was not able to find another City in Minnesota that does not allow the 6 foot high privacy fence.

There were no other written or electronic comments received

Public Hearing closed at 7:57 pm

Dodson prefers option #1 because it is easier to understand and option #2 is too much in the design area of the fence. Williams agrees, but is struggling with why we would restrict it to ¼ of the perimeter. They should be allowed anywhere behind the front of the house on any lot.

Kreimer would prefer to take the smaller step and go for option #2. Larson likes the simplicity of option #1. He doesn't think the difference between 4' and 6' makes that much difference. He is wondering if it should be done different for urban vs. rural. This is Shoreland which might be different also. Fields prefers the step of option #2 because the City has not been inundated with requests, but this is based on one circumstance.

Williams is thinking that the CIC have their own restrictions on fences. Dodson doesn't see a need to restrict fences in other areas as other Cities do not do it. Kreimer feels that there was a lot of discussion a few years ago and is not in favor of changing it much because of one circumstance.

M/S/F:Williams /Dodson, move to recommend approval of option #1, **Vote: 3-4, motion Failed.**

Larson is wondering if the Planning Commission picks option #1 if the City Council won't accept it. Becker stated that staff has recommended option #2 because they felt that out of respect for previous work done on the code, it might be better received.

M/S/P: Fields/Dunn, move to recommend approval of Ord. 08- (Option #2), which amends Sec. 154.205: Fencing Regulations; Subd. (E) (3), by repealing language of Subp. D that requires permission from and adjacent property owner to erect a solid wall fence up to six feet in height for screening or privacy purposes when the lineal measurement of the fence does not exceed one-fourth of the linear distance of the perimeter of the lot on a lot under half an acre; and which repeals subp. e., **Vote: 5-2, motion carried.** Dodson voted no because he feels option #2 is just a little too complicated.

Business Item – Conditional Use Permit – 9200 Hudson Blvd

Becker started the discussion by stating that this item will be a public hearing at the next meeting. This is just for an introduction to give the Commission the opportunity to ask questions prior to that.

Scott Wycoff, Wasatch Storage Partners, they have submitted an application for a conditional use permit for a storage facility and exterior storage. Mr. Wycoff went through a rendering of the site and what they intend to do on the site.

Wensman stated that this is right next to Boulder Ponds. This requires a conditional use because it is a storage facility. Williams is concerned about the impervious surface coverage. Planner Becker stated that it meets the impervious requirement of 75%.

Williams stated that the design of the buildings are pretty minimal. He would like to see something to break up the surfaces that face the streets. Dodson would like to see what the screening is between this and Boulder Ponds. Wycoff stated that there is a pretty heavy screen along that side of the facility. Dunn asked how many units are being proposed. Wycoff stated there would be somewhere around 700 units. Dunn also asked about security. Wycoff stated that there is gated control, there are close circuit TV's and there are burglar alarms and it is well lit. They use "dark sky" light fixtures and motion sensor lighting. Fields stated that this is a dramatic improvement for what is currently there. But he feels that this is at the bottom of the scale though for what could go there for providing tax base and employment. Wycoff stated that the property has been for sale for awhile and there has not been any interest until now.

Business Item – Discussion of the Comprehensive Plan for Tartan Park Property

M/S/: Williams/Dunn, a motion to request three things in regards to the Tartan Park property. 1) The Council to direct the Planning Commission to look at the Comprehensive Plan for the appropriate density of housing 2) proof that the property cannot be developed under OP or RE standards due to regulatory requirements 3) City staff should require such proof from the applicant before any request for changing the Comprehensive Plan is deemed complete.

Dodson stated that the OP ordinance states that it cannot be sewerred. He feels this property could be an exception to the provision because of proximity. Larson asked if we have considered this being an urban vs. rural zoning classification. Williams stated that the zoning classification would be a next step after figuring out the Comprehensive Plan. Wensman stated that the property owner has made application for a Comprehensive Plan Amendment and rezoning of the property. If this is a City driven discussion, this would be quite costly. If it is applicant driven, they would pay for it. Dunn thinks there could be a hybrid of something that could be very nice. It is so unique and challenging and we need to make sure that it is done right.

Williams is wondering if the motion passes as written, the burden of the OP question would fall to the applicant. Why would there be a lot of staff time? Wensman stated that coming up with proof is one thing, but coming up with the proper Comprehensive Plan amendment, drafting it and getting it through the process and potentially coming up with a zoning district that is not one of our current ones, would be a considerable amount of staff time. Williams is wondering if the applicant is the driving force, would we be restricted to just looking at their proposal for the area. He would like the City to look at all possibilities and not just one possibility. Wensman stated that you can look at all possibilities and accept or reject what they are proposing. Wensman also stated that the City Council has already discussed this topic. By rules of the Council, in order to discuss a topic that has already been discussed by the Council, two members of the Council would need to ask to put it on the agenda. Williams stated that based on the discussion, it is very likely that there would be two Council members willing to put it

back on the agenda. Wensman stated that it was actually a 4-1 vote in the end, so there might not be two willing to put on agenda.

Williams asked if the City could require the proof that the property cannot be developed under OP ordinance before the application can be deemed complete or is that something that would be asked during the discussion. Wensman stated that it would be the later. It should be brought up during the discussion at the time comments are being made on the application. When giving feedback, clear direction can be given that you want that information. Williams feels that we probably can't require this because the application is already in hand. He feels he should withdraw the motion.

Business Item – Things for the City Attorney to address

Williams would like the City attorney to address the history and status of majority vs. super majority votes at the City Council level. What circumstances require majority and which ones require super majority? In addition, PUD deviations were changed to say that they could be approved by a simple majority vote, when previously it was super majority. He would like the City attorney to address if that applies to all provisions of the PUD ordinance, or only some of them. He would like this information to be presented to the Planning Commission in a brief form. Wensman stated that currently the Comprehensive Plan requires super majority. The super majority vote requirement was in the OP ordinance, but was not required to be. A PUD is a negotiated ordinance and is not required to be super majority.

M/S/P: Williams/Dunn, move to request information from the City Attorney regarding City Council majority votes vs. Super majority votes, ***Vote: 7-0, motion passed, unanimously.***

Dunn is concerned about the 20% bonus in housing for the PUD's. She feels that is a very high number when you are talking about housing. Wensman stated that it is a City ordinance and something the City chose to include to try to get a higher quality development.

City Council Updates – September 6, 2016 Meeting

- i) Royal Golf Course at Lake Elmo Concept PUD Plan – passed.
- ii) OP Ordinance – tabled.
- iii) Boulder Ponds LLC – Zoning Map Amendment/PUD Amendment – Ordinance 08-149 – tabled.

Staff Updates

- 1. Upcoming Meetings
 - a. September 26, 2016
 - b. October 10, 2016

Commission Concerns

Kreimer stated that he has noticed that the Asian beetles are back again this year with a vengeance. He is wondering if when the landscape plans are reviewed, we should be avoiding certain types of trees that are affected. Wensman stated that he will do some research on the topic.

Kreimer is also wondering if the met council will let us go to 1.7 units per acre for Tartan Park. Wensman stated that Met Council will allow Tartan Park to go lower, but it might affect density somewhere else. Williams stated that he heard that all they care about is the overall average of the sewered area of the City.

Meeting adjourned at 9:12 pm

Respectfully submitted,

Joan Ziertman
Planning Program Assistant



PLANNING COMMISSION
DATE: 9/26/2016
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2016-31

ITEM: Conditional Use Permit for Self-Service Storage Facility and Exterior Vehicle Storage at 9200 Hudson Blvd N

SUBMITTED BY: Emily Becker, City Planner

REVIEWED BY: Stephen Wensman, Planning Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a Conditional Use Permit for a self-service storage facility and exterior storage for the property located at 9200 Hudson Boulevard North.

GENERAL INFORMATION

Applicant: Scott Wyckoff, Wasatch Storage Partners

Property Owners: Brian Livingston, Star River Holdings

Location: 9200 Hudson Boulevard North

Request: Conditional Use Permit for Self-Service Storage Facility and Outdoor Vehicle Storage

Existing Land Use: Commercial With Outdoor Storage and Display

Surrounding Land Use: Commercial to the West and Southeast, Rural Transitional to the Northeast, Limited Density Residential – Planned Unit Development to the North, and Hudson Boulevard and I-94 to the South

Existing Zoning: Commercial

Comprehensive Plan: Commercial

History: Prior to 1978, the site was used for agriculture purposes and a farmstead was located on the south side. The east building has been present since 1978 with storage of boats/trailers/vehicles on the west side of the site. The west building was built around 1984 with parking to the west and south and storage along the far western site border. Beginning in 1997, storage was expanded north on the site. According to historical sources, the site was occupied by J & W Marineland/J & W Boat and Motor from 1973 to 1992; Dolan Marine from 1992 to 2005; Link Recreational from 2005 to 2010. Cranky Ape now operates at the site as a sales and storage lot for on-line auction items.

Deadline for Action: Application Complete – 8/25/2016

60 Day Deadline – 10/24/2016
 Extension Letter Mailed – N/A
 120 Day Deadline – N/A

Applicable Regulations: Article III – Administration and Enforcement
 Article XII – Specific Development Standards
 Article V – General Regulations
 Article VI – Environmental Performance Standards
 Article XI – Commercial Districts

REQUEST DETAILS:

The proposed project consists of the addition of four new storage buildings with the possibility of two future storage buildings located on the north end of the site. The two existing buildings on the site will be refinished to complement the proposed new buildings.

The back of the property is proposed to be an exterior storage area for recreational vehicles with a total of 170 parking spaces, a number of which are proposed to be replaced with possible future buildings.

The perimeter of the property will be fenced in, and motorized gates with keypad-only access are proposed. There will also be security cameras and an office burglar alarm. In addition to fencing, the perimeter of the property will be landscaped for added screening.

The south end of Building A will be utilized as an office, which will be open between the hours of 8:30 a.m. and 6:30 p.m. The office provides a location for existing and potential customers to interact with employees, lease units, make payments, and to purchase boxes, tape, locks, and packing material. The facility will staff two to three employees at a time; regional operational and facility managers will also frequent the site. The storage units are accessible through the secured gate at any time.

A 4-space parking lot is proposed to the west of Existing Building A, accessible through a new driveway off of Hudson Blvd. The main drive aisles between the two existing buildings will remain as two-way traffic and the drive aisles between the proposed storage buildings will provide one-way traffic.

If the Conditional Use Permit is approved by Council, the applicant intends to proceed with construction drawings and seek approval for building permits. Construction would start as soon as possible, and project completion is anticipated in the second quarter of 2017.

PLANNING AND ZONING ISSUES:

Proposed Uses and Applicable Definitions.

Sales and Storage Lots. Establishments engaged in the display for sale or lease of automobiles, trucks, machinery, recreational vehicles and manufactured homes, including auto dealerships or the farm commercial storage of privately owned trailers, boats, campers, or similar vehicles.

Self-service Storage Facility. An establishment designed and utilized for the purpose of renting or leasing individual storage spaces to tenants who have sole private access to such space for storing personal property.

Both of these uses are conditional uses in the Commercial zoning district.

Current Use. Midwest Recreation Clearinghouse, LLC (Crank Ape Powersport Auctions), which remarkets bank repossessed, insurance repairable recreational vehicles along with consignments, provides these items for purchase by the general public via an online bidding system and stores these items at the subject property. Existing conditions and photos of the site are included in the attachments.

Midwest Recreation Clearinghouse, LLC had originally applied for a Conditional Use Permit for the property to allow the outdoor display of merchandise for public viewing in 2010, but the City Council tabled the application. In order for Staff to prepare amendments to the City's holding districts changing all conditional uses to interim uses and to amend the general standards for interim uses. The intention was to provide the City with more control over the future uses that will be located in areas subject to new development or land use changes. At that time, the property was utilized for commercial purposes but was in a holding district to be developed for residential uses.

Because of this direction of Council, the applicant submitted an application for an Interim Use Permit for open sales lot activity and withdrew the application for the Conditional Use Permit request. The Interim Use Permit was granted by Council in November of 2010, subject to a number of conditions, including the provision that the Interim Use Permit would be valid until any one of the following events occurred: after ten years from the date of approval; upon the sale or transfer of ownership; violation of the conditions of this Consent Agreement; or until the redevelopment of the Property for a permitted or conditional use as allowed by the City's zoning regulations.

Based on the aforementioned, the transfer of ownership of the property would make the Interim Use Permit invalid. Subsequent to obtaining its Interim Use Permit, the property was re-guided and rezoned to Commercial, and self-service and exterior storage are conditional uses in this district. Therefore, the new owner must obtain a Conditional Use Permit for redevelopment with such uses.

Existing Conditions. The applicant has provided a layout of the site's existing conditions but must provide a complete depiction of the Hudson Boulevard right-of-way and all existing conditions for at least 150 in each direction in order to identify downstream drainage facilities.

Tree Preservation.

The applicant has provided an adequate tree removal plan. The Existing Conditions & Tree Removal Plan detail where significant trees exist that will be removed, and the Landscape Plan explains tree replacement. A total of 592 inches of significant trees are proposed to be removed, 30% (177.6 inches) of which may be removed without replacement. All of the significant trees are Common Trees per the City's Tree Preservation Ordinance: 345 inches of Boxelder; 60 inches of Cottonwood; and 187 inches of Poplar. The City's Tree Replacement Schedule requires that Common tree species shall be replaced with new trees at a rate of one-fourth (1/4) the diameter inches removed. The total number of inches subject to replacement is 414.4 inches, requiring 103.6 inches to be replaced. A total of 160.5 inches are proposed, and include a combination of common, coniferous, and deciduous hardwood. A total of 60 trees are proposed; the deciduous trees will have at least a 2.5" caliper; and the conifers will be six feet in height. No more than 25% of the replacement trees are of the same species.

Replacement trees shall be subject to the warranty requirement of the City's Tree Removal Ordinance two years following project closure. If irreparable damage occurs to a healthy significant tree that is designated to be preserved as part of the Tree Preservation Plan, the tree shall be removed and replaced. Applicant has indicated on the plan details that all restricted areas shall be fenced off

with bright orange polyethylene safety netting and steel stakes but the plans do not indicate restricted areas.

Landscaping.

The applicant has provided a landscape plan that details all ground covers, deciduous trees, conifers, and perennials. The perimeter of the site will be landscaped using low maintenance turf; the ponding area and infiltration basin will be landscaped using a stormwater basin seed mix; and the southeast corner will be covered with sod. The plan indicates that turf establishment shall be accomplished in accordance with provisions of MN/DOT 2105 and 2575, with specific exceptions. The landscape plan does not show provisions for irrigation but does indicate a watering schedule of once a week or more often in dry, hot weather. A retaining wall is proposed as special treatment near the southwest corner of the property with steeper slopes. The irrigation will need to comply with the City's general irrigation specifications and comply with the water supply connection detail.

The front property line has approximately 328 feet of street frontage, requiring at least six trees; seven trees are proposed. The site plan meets the requirement that at least 5% of the interior area of the parking lot with more than 30 spaces be devoted to landscape planting areas as the ponding area and infiltration basin cover approximately 26,700 square feet within the approximately 151,000 square feet of storage lot. There are no shade trees provided within the interior of the parking lot/storage area. One tree per 15 spaces is required, and because 170 parking spaces are proposed, 12 trees are required in this area.

Perimeter parking lot landscaping and screening is provided through deciduous and coniferous trees as well as fencing. American Elms as well as a cluster of Sierra Glen Maples are proposed along the north side of the parking lot as it abuts 5th Street North and Boulder Ponds. A combination of Norway Spruce, Black Hills Spruce, and Common Hackberry is proposed on the west side of the parking lot perimeter as it abuts Jade Trail North, and Sierra Glen Maples, Swamp White Oak, and Common Hackberry line the remaining west side of the perimeter of the parking lot going south.

Driveway.

The driveway is proposed to be 35 feet in width at the right-of-way, which exceeds the maximum-allowed commercial width standard. This will need to be decreased to meet city standards. The proposed driveway connects to Hudson Boulevard North.

Off-Street Parking Requirements

Parking Area Design and Maintenance. The off-street parking provided is directly off the proposed driveway, providing safe and efficient means of vehicular access to the parking space. The parking lot provides a 30 foot aisle width, which exceeds the City's 2-way aisle width of 22 feet. The driveway is proposed to be constructed of standard duty asphalt paving. The site plan designates parking spaces, but it is not clear if the spaces will be striped. Striping is required to be comprised of comprised of lines at least four (4) inches wide. Bituminous curbing is proposed in the front parking lot area, and a flat curb section is proposed in the area of the entrance driveway that is nearest Existing Building A to provide barrier-free access to the office.

Dimensions. The proposed front parking lot's parking space measurements of 9 feet wide by 20 feet long and the longer and wider recreational vehicle parking spaces meet City standards. All aisle widths exceed the City's standards for 2-Way Aisle Widths, and the 24 foot aisles will be designated as one-way. These should be striped with arrows to indicate this.

Setback requirements. The proposed parking lot is set back about 80 feet from Hudson Boulevard and 100 feet from the east side yard, meeting City standards. The vehicle storage lot is set back 15.5

feet from the side corner yard and 40 feet from the rear yard. Commercial zoning district requirements mandate a 35-foot separation from residential zones. This is met, as the vehicle storage area is separated, at a minimum, by a 75 foot right-of-way from neighboring residential property.

Number of Spaces Required – Self-Service Storage Facility. The site plan proposes four total parking spaces with one handicap parking space. The site provides adequate parking for the office space for a self-service storage facility. The office totals approximately 500 square feet, which would require two parking spaces. This leaves an extra two spaces.

Number of Spaces Required – Sales and Storage Lots. The site plan does not, however, meet the required number of parking spaces for sales and storage lots. Off-Street Parking Requirements require 1 space per 2,000 square feet of storage area. The proposed recreational vehicle storage area totals 68,400 square feet, which would require an additional 31 parking stalls, taking in to account the two extra stalls provided by the parking near the office area. The addition of the future buildings, which would reduce the area of the outdoor storage area, would reduce the number of required parking spaces to 22.

Proof of Parking Option. The Commission should consider the necessity of requiring these parking spaces for such a use. It may allow parking requirements for this facility to be relaxed or lessened in response to an expectedly lower demand of parking for this facility, as sufficient open area (recreational vehicle storage area) is set aside if it determined to be necessary at a later date.

Off-Street Loading Areas. Off-Street Loading Requirements of the City Code requires that off-street loading space shall be provided in all districts for any non-residential use which will involve the receipt or distribution of materials or merchandise by trucks or similar vehicles and has a gross floor area of 5,000 square feet or more. This section does not spell out, as the Off-Street Parking Requirements Section does, specific uses that require a loading berth. As such, it is essentially left up to interpretation if a loading berth should be required. Staff's interpretation is that this requirement does not apply.

Building Setbacks.

The site plan shows the existing and proposed buildings to meet all setback requirements of the Commercial zoning district. The property is separated from all residential zones by a minimum of a 75-foot right-of-way. The parking lot setbacks are described under Off-Street Parking Requirements in this report.

Building Height. The tallest point of all the buildings is 21 feet high. This meets the Commercial zoning district height maximum requirements.

Building Design

The proposed project is located in the I-94 Corridor and is therefore subject to standards set forth in the City's Design Guidelines & Standards Manual. An exterior perspective is provided in the attached packet for reference.

Form and Façade. The City's Design Guidelines & Standards Manual encourages architectural variety and creativity in building façade through changes of building materials, fenestration height, and roof lines, especially on primary facades that face the right of way. Windows and door styles shall reflect the prevailing architectural style of the structure, and ground level commercial uses should employ a significant amount of transparent glass.

- Building A minimizes continuous expanses of wall through a metal awning and tiebacks and prefinished metal parapet cap flashing. It also has, as recommended in the Manual, a significant amount of transparent glass in the form of windows and doors.
- Buildings #1, #2, and #3 lack architectural variety in that there is no façade articulation on these buildings.

Building Materials. Though it is not listed as a prohibited material, the proposed material of the fronts of the buildings is exterior insulation finishing system (EIFS), which is not a recommended building material. The existing buildings' front exterior consists of EIFS, and will have a new color as depicted in the architectural renderings. The sides of the buildings will be mostly metal siding; the existing buildings' metal siding will be repainted. The access doors for storage will be prefinished metal overhead doors.

Scale and Mass. There are four separate buildings instead of one larger building, which breaks down the appearance of mass, as guided by the Manual.

Roof Design. The design of the roof is consistent with the overall architecture and design of the structure and the buildings utilize parapets. The parapets are not, however, of varying height, as is suggested in the manual. Mechanical equipment must be screened by the roofs of the buildings.

Delivery, Service, Storage and Utility Areas. Storage and trash collection areas are proposed to be screened as required, as the proposed trash disposal area behind Building A adequately screens the trash area, and an enclosure is proposed.

Pedestrian Access. There is an existing on-street bike route on Hudson Boulevard. Staff does not find it necessary to require pedestrian access to the facility, as the use normally requires vehicles for hauling items to be stored.

Fencing. Aluminum fencing is proposed as outlined in the Site Plan connecting to Building #1, in front of Building #2, and connecting to Building #3. This will provide security as well as some screening. Additionally, an aluminum entry gate is proposed between Building A and Building #1. A six-foot high vinyl coated chain link fence is proposed

Signage. The tenant (Wasatch Storage Partners) will be required to apply for all applicable sign permits. The sign shown in the Exterior Perspective, attached, on the west side of Building A, would not be permitted as each building occupant is only allowed one sign per street frontage. The Site Plan also indicates that a pylon sign is proposed at the southeast corner of the property. Pole signs are prohibited unless the pole portion of the sign is enclosed in a shroud that causes the sign to appear to have a monolithic base or support structure. This sign will need to meet all size and height requirements of the City's Sign Regulations.

Additionally, "No Parking" and "Fire Lane" signs are proposed to be erected on all driveways as required by the city. These exact locations must be updated on the Site Plan for City Review.

Lighting. The photometric plan provided meets all requirements set forth in the City's Lighting, Glare Control, and Exterior Lighting Standards. No direct or sky-reflected glare is proposed to be directed onto adjoining property of right-of-way. 165 Lumark Xtoria lights are proposed along the storage buildings. The street-facing storage units will have downcast wall sconces. Twelve 25-foot high pole lights with three-foot bases are proposed within and surrounding the recreational vehicle storage area, with an additional two along the entrance driveway. All lights appear to have a total cutoff of less than 90 degrees. Such lights are allowed a maximum height of 30 feet in non-residential districts, and this requirement is met. According to the photometric plan, no light exceeds 3.0 foot candles, as is required by the Lighting Ordinance. Additionally, no light cast on the public

street is shown to exceed one foot-candle. Aside from the front property line, no light is shown to be cast outside of property lines whatsoever.

Standards for Self-Service Storage Facility (154.303 (D))

- 1) *No commercial transactions shall be permitted other than the rental or sale of storage units.*
It is recommended that a condition of approval be that no commercial transactions out of storage units be permitted, and that this provision be included in the lease agreement with tenants. The office does sell packing and security supplies, but this would be considered general retail sales, which is permitted in the Commercial zoning district. Additionally, these sales are ancillary to self-service storage.
- 2) *No more than one (1) unit shall be accessed directly from the public street.*
No units will be accessible directly from the street. All access to units will require entrance through a motorized gate with keypad.
- 3) *Site design shall accommodate a logical and safe vehicle pedestrian circulation pattern.*
The 24-foot wide aisles between the new storage buildings will be limited to one-way traffic. This exceeds even the two-way minimum aisle width requirement of 22 feet per the City's Off-Street Parking Requirements. The drive aisle width between Existing Building A and Building #1 is proposed to accommodate two-way traffic. This aisle width is proposed to be 38.2 feet and is minimized to 26.7 feet where a transformer pad, protected by bollards and an opaque maintenance free panel screening fence, is proposed. Aisle widths between Existing Building A and Existing Building B will remain 28.4 feet in width and will also accommodate two-way traffic. Proposed aisle widths in the vehicle storage area also meet two-way traffic standards, as they are proposed at 27-45 feet. Additionally, the applicant has provided fire truck turning radius for a pumper fire truck 40 feet in length and 8.16 feet in width.

Standards for Exterior Storage – Commercial District

It is required that exterior storage be screened from view and adjacent public streets and adjacent and residential properties from view at eye level (measured at 6 feet above ground level) on adjacent street or property. The Commission should consider if the proposed chain link fence enclosing the exterior storage, along with the proposed landscaping, would be sufficient to screen exterior storage. Staff would recommend more screening be added along 5th Street North.

Standards for Sales and Storage Lots.

The Standards for Sales and Storage Lots seems to be written more specifically for a car dealership and repair shop, and do not necessarily apply to storage of personal recreational vehicles.

- 1) *Size and Location. The site shall be a minimum of twenty thousand (20,000) square feet in size and shall have access to a collector or higher classification street. Vehicular access to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two streets.*
The site is at least 20,000 square feet and has access to Hudson Boulevard, which is designated as a Major Collector Street in the Comprehensive Plan. Vehicular access to the outdoor storage area is at least 60 feet from any intersection.
- 2) *All vehicle repairs shall be conducted in a completely enclosed building.*
This standard does not apply. All vehicles stored are expected to be operable.
- 3) *A site plan shall be submitted showing the layout of vehicles for sale or rent, employee parking and customer parking.*
This has been provided.

- 4) *Sound from any speakers used on the premises shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.*

It is not expected that there will be speakers on the property.

Impervious Surface Requirements. The project meets the City's maximum impervious surface requirements of 75% as 2.79 acres of the 9.38 acre site is proposed as pervious. The proposed site plan only add approximately 0.19 acres of impervious coverage.

Drainage and Stormwater Management.

Required Permits. City and South Washington Watershed District permits are required for this project. All standards for permanent storm water quality and quantity measures will need to be met. Additionally, a Stormwater Pollution Protection Plan (SWPPP)/ National Pollutant Discharge Elimination System (NPDES) Permit will be needed, though State Minnesota Pollution Control Agency (MPCA)/NPDES permanent treatment standards are not required as less than an acre of new impervious area is being added to the site.

Stormwater Facilities. The applicant has provided a preliminary stormwater management plan. The proposed system consists of a stormwater retention pond, three infiltration basins, and a grassed swale with check dams prior to the storm water being discharged to Hudson Boulevard right-of-way, across I-94, and to Wilmes Lake in Woodbury.

SWWD Requirements-Phosphorus Loading. The SWWD limits post-construction phosphorus discharge to a maximum of 0.10 lbs/acres/year. The proposed stormwater management plan does not meet this requirement; The storm water practices also provides a net reduction in total suspended solids (TSS) and total phosphorus (TP) from the existing conditions, however the SWWD annual pollutant discharge goal of 0.1 lb/TP per acre is not met for maximum allowable TP loading prescribed for Wilmes Lake. Additional treatment may be necessary as determined by SWWD. The TP leaving the site will be reduced from an existing 13.2 lbs to a proposed 1.1 lbs per year.

Rate and Volume Control Reduction. The storm water practices provides rate and volume control that reduces the rate of runoff for the 2, 10, and 100-year storm events and provides volume reduction consistent with SWWD rules.

Assumed Infiltration Rates. Soil borings must be provided at all infiltration locations to determine the infiltration rates for design purposes and additional infiltration capacity must be provided if determined to be necessary.

Additional Plan Revisions Needed:

- The storm water pond and infiltration basins must be labeled to match the storm water management plan.
- Correct discrepancy between the plans and the submitted model for Pond 9 outlet pipe.
- Infiltration Basin 7P discharges directly to Hudson Boulevard right-of-way using a riprap EOF as the only outlet. Grading clarification, detail and revisions are needed around the south and west sides of Infiltration Basin 7P to ensure the HWL is contained and the discharge is limited to a controlled point. The HWL contour must be located entirely within the site and may not encroach upon the drainage and utility easements or right-of-way. A pipe outlet must be used instead of a rip rap overflow, which may lead to erosion issues.
- The grading must be revised to remove the depression at the north end of the site and at the northwest corner of the site to avoid any potential standing water.

- Reinforced EOFs should be provided to match the functioning crest length up to the 100-year event (eg, Pond 9 EOF has an active flow width of >20' above a 10-year elevation).
- Reinforcement must be added to Infiltration Basin 4P overflow outlet with EOF elevation noted.
- Riprap areas should include fabric and riprap quantities should be listed on the plans. Plan details should be included in the plan set.
- Add plan note to subcut infiltration basin bottoms 6-inches, scarify 8-12-inches deep and add 6-inches of Rooting Topsoil Borrow (Mn/DOT 3877.2E) to grade.
- Temporary blanket should be placed over seeded infiltration basin bottoms to maintain moisture and aid in seed establishment.
- Areas to receive temporary erosion control blanket (eg, swales) must be identified on the plans.
- City Standard Plan Notes for Grading and Erosion Control must be placed directly on the Grading and Drainage Plan. All non-City plan notes that duplicate or contradict the City plan notes must be removed.

Utilities

- The site plan does not show all utility easements. These must be added.
- The hydrant at infiltration basin 5P must be relocated to be fully outside of the infiltration basin area and must be placed on a fully protected raised curbed median area with protective bollards.
- The proposed hydrant along Hudson Blvd. will be city owned and maintained. The watermain must be configured to be publically owned up to the hydrant/gate valve. A second gate valve should be installed to start the 8-inch private service to the site. The 8-inch watermain service must be labeled on the plans "8-inch DIP CL 52 water service".
- City Standard Plan Notes for Watermain must be placed directly on the Utility Plan to apply for all City owned watermain and hydrants. All non-City plan notes that duplicate or contradict the City plan notes must be removed or specifically called out to apply for service pipe only.
- The Site Plan must detail the street cut and restoration plan, including the construction limits and street section requirements for the watermain connection at Jade Trail. The street cut and restoration must be competed at full street width.
- The 30-inch driveway culvert in city right-of-way must be RCP pipe.
- CB-06 must be relocated to avoid conflicts with the existing sanitary sewer along Hudson Blvd.
- Minimum storm sewer pipe size is 15-inch. Storm sewer must be revised from CB-04 and MH-05.

Fire Access.

The site plan depicts four hydrants on the site. The two northerly-located fire hydrants will create the need for removal of some parking stalls/vehicle storage areas in order to provide 24-hour access. The proposed future Building #5 will also need to be relocated or resized in order to accommodate proper access. Additionally, the Building Official and Fire Chief have provided comments on the proposed locations of the fire hydrants. The locations and quantities of the fire hydrants will need to be readjusted according to these comments.

All fire hydrants on the site will be city owned and maintained. The plans must be updated to include a minimum 30-foot easement centered over the pipe to all hydrant locations. A 15-foot easement is also required in all directions around each hydrant.

As previously mentioned, the Site Plan must be updated to identify all fire lanes and fire lane signage for City review.

Environmental Issues.

The MPCA became aware of a petroleum tank release at the subject property. The property owner is required by the MPCA to investigate and address such contamination by hiring a qualified environmental consulting firm and submitting a report within a required time period; the time period is determined based on the risk the release poses. Staff spoke with the MPCA regarding this property and has confirmed that the proper report has been received. High soil vapors were found in the sample provided. While MPCA Staff require more information and details from the applicant to better determine risks involved, they don't see an environmental risk at this time.

The City should require a copy of this report as well as ensure that all required remediation has been performed satisfactorily to the MPCA.

CONDITIONAL USE PERMIT:

In order to approve a conditional use permit, the city is required to find the proposal compliant with the following (staff comments in bold):

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. **The proposed use is very similar to the current use of the property. Storage of hazardous materials is prohibited in lease agreements with tenants. Vehicle trips to the site are not expected to increase and may even be reduced. Site improvements will likely reduce nuisances such as weeds, dust and debris migrating to neighboring properties.**
2. The use or development conforms to the City of Lake Elmo Comprehensive Plan. **The proposal is consistent with the Comprehensive Plan in that the property is guided for commercial use. Self-service storage and vehicle storage are conditional uses in the Commercial zoning district.**
3. The use or development is compatible with the existing neighborhood. **The use is compatible with the existing neighborhood, as the property is located in a commercial zoning district. Furthermore, self-service storage and vehicle storage will serve an expected increase in the number of residents resulting from new housing developments and could potentially help reduce the amount of exterior storage on residents' lawns and in their garages.**
4. The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. **The proposal complies with development standards as outlined in this report, though some standards set forth in the Lake Elmo Design Guidelines and Standards Manual are not met.**
5. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management). **The property is located outside the 0.2% annual chance floodplain.**
6. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and

will not change the essential character of that area. **The proposed project is a redevelopment/repurposing of an existing site. Proposed site improvements should enhance the appearance of the property.**

7. The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. **The proposed development will be fenced and landscaped so as to not create a nuisance for existing and future neighboring properties. Additionally, the site is proposed to be well-secured through security cameras, key-pad only access, and an office alarm.**
8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. **This is addressed throughout the Planning and Zoning Issues section of this report. The applicant has addressed concerns of the Building Official and Fire Chief by providing adequate turning ratios for a fire truck. The applicant will need to provide fire hydrant locations as specified by the Building Official and Fire Chief in the attached document entitled "Building Official and Fire Chief Comments." If the applicant also addresses the comments provided in the City Engineer Memo, this criteria will be met.**
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. **The proposal will pay sewer and water service charges, benefiting the community.**
10. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. **Traffic to the site is expected to be minimal, and visits are expected to be short. Minimal noise is expected to come from the site, short of the sounds of unloading and loading items. Hazardous materials are prohibited from being stored on site, and lighting has been evaluated and determined to not cause a nuisance as proposed.**
11. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. **The proposed use will likely create no more traffic congestion than already exists at the site.**
12. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. **N/A**

RECOMMENDATION:

Based on the aforementioned, Staff recommends that the Planning Commission recommend approval of the requested Conditional Use Permit for a Self-Service Storage Facility and Outdoor Vehicle Storage for the property located at 9200 Hudson Boulevard North, subject to the following conditions:

Conditions:

- 1) **Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits, South Washington Watershed District approval.**
- 2) **Applicant must address all engineering review comments outlined in Engineering Memo dated September 8, 2016.**
- 3) **A copy of the lease agreement shall be provided to the City and include prohibition of: the storage or handling of hazardous materials; commercial transactions; inhabitation**

of storage facilities or recreational vehicles; inoperable and unlicensed vehicles. Such prohibitions shall not be removed from the lease.

- 4) The City should be provided confirmation from the MPCA that the site poses no environmental risk associated with the petroleum tank release.
- 5) Landscape Plans shall be revised with an additional 12 trees added to the internal parking/storage area. These plans shall also include additional trees providing top-down screening and approved by Landscape Architect.
- 6) Applicant shall provide financial security for 125% of landscaping materials.
- 7) The Site Plan shall be modified to show a proof-of-parking area of at least 28 21-foot wide stalls in the vehicle storage area. These need be converted only if so directed by the City.
- 8) Exterior storage shall be limited to recreational vehicles as defined by the City's Zoning Code.
- 9) Location of Proposed Building #5 must be changed, as it proposed to encroach needed watermain and hydrant easements.
- 10) The Utility Plan must be revised according the Building Official and Fire Chief Comments dated September 14, 2016.
- 11) Drive lanes shall be painted with one-way drive arrows and parking spaces are to be marked with painted lines at least four (4) inches wide.
- 12) The plans shall comply with the City's recommended building materials and design standards as recommended by the City.

ATTACHMENTS:

- CUP Application and Materials
- Engineering Review Memo Dated September 8, 2016
- Building Official and Fire Chief Comments Dated September 14, 2016

ORDER OF BUSINESS:

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

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



651-747-3900
3800 Lawrence 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: Scott Wyckoff, Wasatch Storage Partners
Address: 131 S. 700 E., Suite 102 American Fork, UT 84003
Phone #: 801-707-6976
Email Address: swyckoff@wasatchstoragepartners.com

Fee Owner: Brian Livingston, Star River Holdings
Address: 9200 Hudson Blvd N, Lake Elmo, MN 55042
Phone #: 651-292-4209
Email Address: BLIVINGSTON@STARIVR.COM

Property Location (Address and Complete (long) Legal Description): 9200 Hudson Blvd,
Lake Elmo, MN

Detailed Reason for Request: Obtain a Conditional Use Permit so we
can redevelop the site into a state of the art self
storage facility.

*Variance Requests: As outlined in Section 301.050 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: 7/22/2016

Signature of fee owner: [Signature] Date: 7/22/2016
STAR RIVER HOLDINGS

Conditional Use Permit Application 9200 Hudson Blvd. Self Storage Project

2. Written Statement

A. Developer/Applicant: Scott Wyckoff
Wasatch Storage Partners
131 S. 700 E., Suite 102
American Fork, UT 84121
Direct: 801-707-6976
Office: 801692-1474
swyckoff@wasatchstoragepartners.com

Owner/Seller: Brian Livingston
Star River Holdings, L.L.C.
9200 Hudson Blvd
Lake Elmo, MN 55042
651-292-4209
blivingston@crankyape.com

Civil Engineer: Mike Bultman, PE
Sambatek Engineering
12800 Whitewater Drive, Suite 300
Minnetonka, MN 55343
763-398-0867
MBultman@sambatek.com

Architect: Chris Whitehouse
DJR Architecture Inc.
333 Washington Avenue North
Suite 210 Union Plaza
Minneapolis, MN 55401
612-676-2736
cwhitehouse@djri-inc.com

B. Address: 9200 Hudson Blvd N, Lake Elmo, MN 55042.
Zoning classification: Commercial (Per the City of Lake Elmo Zoning Code.
Parcel Size: 408,645 Square Feet (9.381 acres)
Property Identification Number (PID): 34.029.21.33.0005

Legal Description per Title Commitment: The West ½ of the East ½ of the Southwest ¼ of the Southwest ¼ of Section 34, Township 29, Range 21, Washington County, Minnesota, except for that part taken for Minnesota State Trunk Highway No. 12 in Right of Way Plat 82-43, files as Document No. 429592

- C. Prior to 1978, the site was used for agriculture purposes and a farmstead was located on the south side. The east building has been present since 1978 with storage of boats/trailers/vehicles on the west side of the site. The west building was built around 1984 with parking to the west and south and storage along the far western site border. Beginning in 1997, storage was expanded north on the site until 2008. According to historical sources, the site was occupied by J & W Marineland/J & W Boat and Motor from 1973 to 1992; Dolan Marine from 1992 to 2005; Link Recreational from 2005 to 2010.

The property is currently operating as, "Cranky Ape". They specialize in remarketing bank repossessed, insurance repairable recreational vehicles along with consignments. CrankyApe.com provides these items for purchase by the general public via an online electronic bidding system. They have occupied the site from 2011 to the present time.

Multiple conversations and communication between the applicant, their consultants and city planning have occurred. Initial discussions included an explanation of our project and what we wanted to do, followed by conceptual drawings and renderings, and more recently discussion and review of Application materials. We were told in these conversations that Self Storage was a conditional use and that an investment in upgrading the existing buildings, adding new building and enhancing the properties curb appeal would probably be well received.

- D. i. The proposed project consists of the addition of 4 new storage buildings with the possibility of 2 future storage buildings located on the north end of the site. Our site will comprise of roughly 30% of new green space/landscaping area. This is well above the 25% minimum requirement for green space on a commercial site.

The site layout will be improved for better traffic circulation and well defined drive aisles. One way traffic will be utilized between the new storage buildings that are 24 feet wide, which is sufficient room for one-way traffic. The main drive aisles will remain as two-way traffic.

Building and parking setback requirements will be met with the proposed site layout, allowing for adequate transitions between the adjacent properties. The perimeter of the property will be landscaped to compensate for any loss of trees. Extra landscape and screening will be given to the west and north sides, where the site is adjacent to residential districts.

A majority of the existing stormwater runoff leaves the site untreated. The proposed project will utilize pre-treatment devices and ponding areas to provide infiltration, volume control, and water quality to help meet the requirements set forth by the South Washington Watershed District.

- ii. The self-storage business will have office hours between 8:30 am and 6:30 pm. The office is outside of the gate and has open access to the public. The office provides a location for existing and potential customers to interact with employees, lease units, make payments and purchase boxes, tape, locks and packing material. Existing customers will be able to enter an access code at the gate, drive into the facility to their leased unit without having to enter the office. This access to units through the secured gate is available at any time. The facility will be staffed with 2 – 3 employees at a time with regional employees frequently visiting and working at the site (Operational and Facility Service Managers). Security features include perimeter fencing, motorized gates with keypad only access, security cameras and an office burglar alarm.

The applicant intends to proceed immediately with Construction Drawings and seek approval for Building Permits pending the approval of the Conditional Use Permit. Construction would start as soon as possible and project completion is anticipated in the second quarter of 2017.

- E.
 - i. The proposed use will not be detrimental the health, safety, morals, convenience, or the general welfare of the surrounding lands. The environmental impact will be significantly reduced on the site. There will be no storing or handling of hazardous materials, it is strictly prohibited in our lease agreement with customers. There will be no maintenance or repair of vehicles trips to the site will be reduced, creating less traffic congestion and impact on the cities road and street infrastructure. In addition during the environmental investigation by the Applicant, underground storage tanks were identified. The owner removed those tanks eliminating a recognized environmental conditions. In addition improvements to the site and recreational vehicle storage area should reduce the number of nuisance animals, weeds, dust and debris that would migrate from the site to the neighboring properties.
 - ii. The proposed project conforms with the City of Lake Elmo Comprehensive Plan and the 2030 Land Use Map.
 - iii. The self-storage business will be compatible to the existing neighborhood and surrounding properties.
 - iv. The specific development standards for this use will be met.
 - v. The development is located outside the 0.2% annual chance floodplain.
 - vi. The project is redevelopment/repurposing of an existing site. The new streetscape elevations and site improvements should dramatically improve the appearance of the site from all neighboring property owners and the freeway. The new look will also be dramatically more modern and current than the neighboring lumber yard and consistent with residential development.
 - vii. The proposed development will be adequately fenced and landscaped as to not create a nuisance for existing or future neighboring structures. The site will operate during normal business hours as well.
 - viii. The proposed development will be served adequately by essential public facilities. An accessible parking stall will be provided as required by ADA code. Drive aisle widths will

be adequate for police/fire protection and customer vehicles. All drainage structures will be sufficiently drain rainwater and can be accessed for maintenance purposes. A perimeter fence will be provided to help protect public safety as well.

- ix. The storage use is very low impact and should not cause any additional burden on public facilities or public cost.
- x. The use will not involve activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. These impacts should be less than the existing facility because of the decreased vehicle traffic and business operation.
- xi. Traffic congestion should not be an issue on the site or on the surrounding streets.
- xii. The proposed project will not impact any natural or scenic features of major importance.

Preliminary Site Development Plans
for
9200 Hudson Blvd Redevelopment
Lake Elmo, Minnesota
Presented by:
Wasatch Storage Partners

CONSULTANT CONTACT LIST:

DEVELOPER/OWNER
WASATCH STORAGE PARTNERS
131 S. 700 E, SUITE 102
AMERICAN FORK, UT 84003
TEL 801-692-1474
CONTACT: SCOTT WYCKOFF

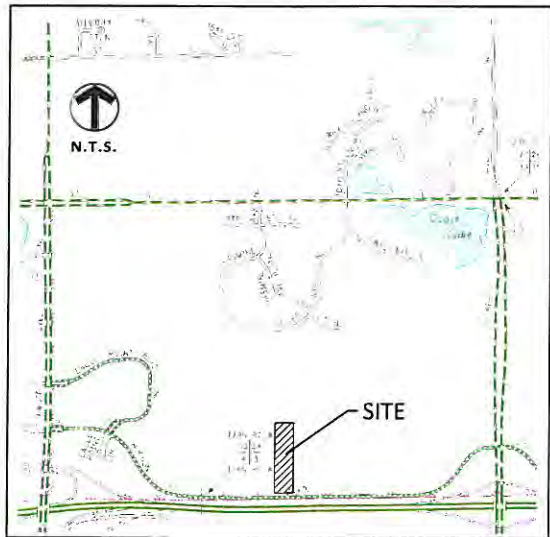
CIVIL ENGINEER
SAMBATEK
12800 WHITEWATER DRIVE, SUITE 300
MINNETONKA, MN 55343
TEL 763-476-6010
FAX 763-476-8532
CONTACT: MIKE BULTMAN

ARCHITECT
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333 N WASHINGTON AVE #210
MINNEAPOLIS, MN 55401
TEL 612-676-2700
CONTACT: CHRIS WHITEHOUSE

SURVEYOR
SAMBATEK
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GEOTECHNICAL
TERRACON CONSULTANTS INC.
13400 15TH AVE N
PLYMOUTH, MN 55441
TEL 763-489-3100
CONTACT: BRETT LARSEN

LANDSCAPING
SAMBATEK
12800 WHITEWATER DRIVE, SUITE 300
MINNETONKA, MN 55343
TEL 763-476-6010
FAX 763-476-8532
CONTACT: JOSH MCKINNEY



VICINITY MAP
NO SCALE

BENCHMARKS

BM NO. 1
TOP NUT HYDRANT WEST OF EXISTING ENTRY
ELEV. +990.64

BM NO. 2
TOP NUT OF HYDRANT NEAR EAST PROPERTY LINE
ELEV. +991.23

SHEET INDEX	
SHEET	DESCRIPTION
C1.01	TITLE SHEET
C2.01	EXISTING CONDITIONS & TREE REMOVAL PLAN
C3.01	SITE PLAN
C3.02	FIRE TURNING EXHIBIT
C4.01	GRADING AND DRAINAGE PLAN
C4.02	CITY STANDARD GRADING & EC NOTES
C6.01	UTILITY PLAN
L1.01	LANDSCAPE PLAN

*AN ALTA SURVEY DATED 8/25/2016, COMPLETED BY SAMBATEK, HAS BEEN INCLUDED.



12800 Whitewater Drive, Suite 300
Minnetonka, MN 55343
763.476.6010 Telephone
763.476.8532 Facsimile

Engineering / Surveying / Planning / Environmental

Client
WASATCH
STORAGE
PARTNERS
131 S. 700 E, SUITE 102
AMERICAN FORK, UT 84003

Project *
9200 HUDSON
BLVD
REDEVELOPMENT

Location
LAKE ELMO, MN

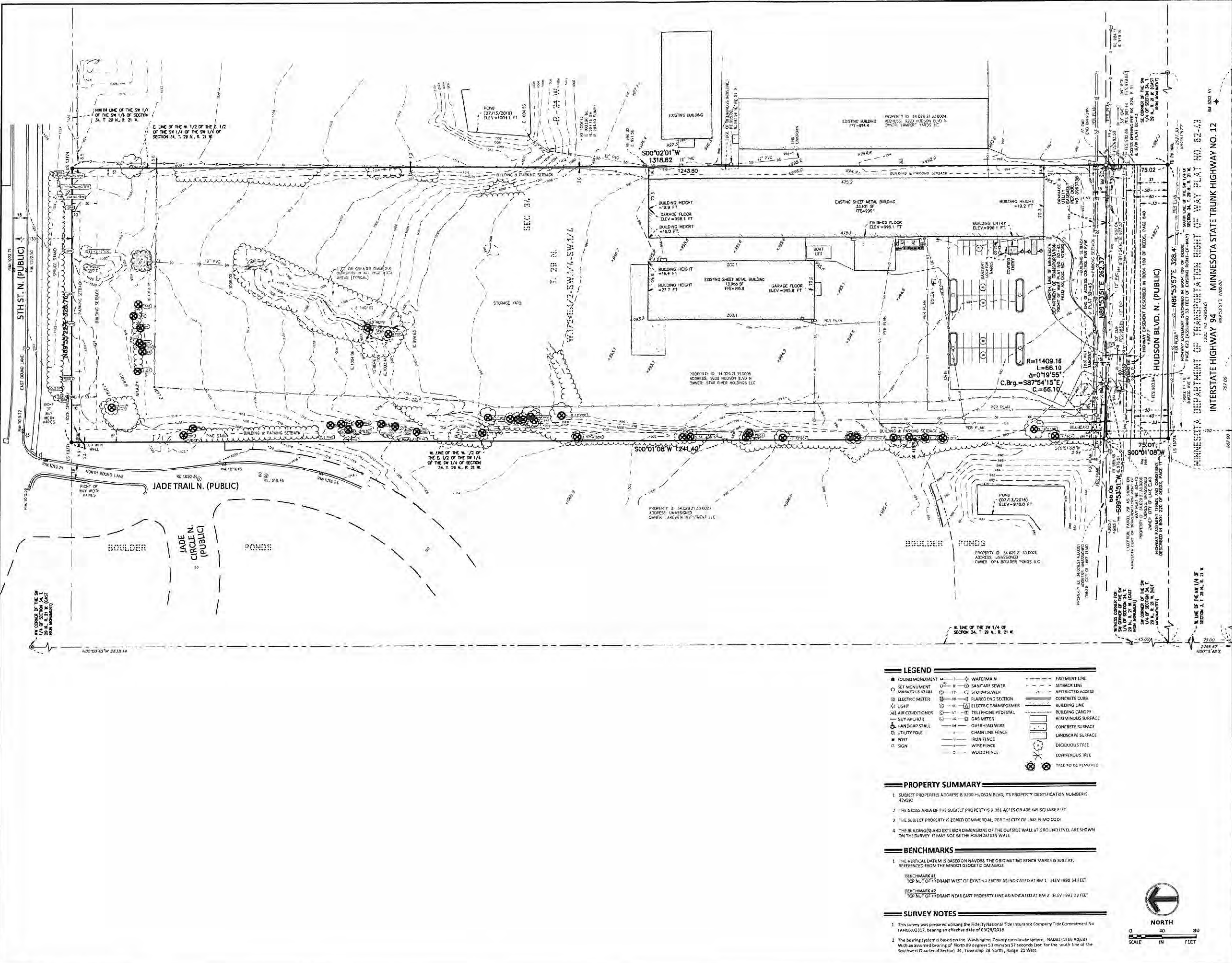
Certification

Summary
Designed: MSA Drawn: JMW
Approved: MSA Book / Page:
Phase: PRELIMINARY Initial Issued: 07/25/2016

Revision History	
No	Date By Submittal / Revision
1	7/25/2016 CUP APPLICATION
2	8/23/2016 REVISED CUP APPLICATION

Sheet Title
TITLE SHEET

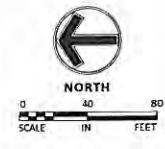
Sheet No. Revision
C1.01
Project No. WAS20602



LEGEND		
FOUND MONUMENT	WATERMAIN	EASEMENT LINE
SET MONUMENT	SANITARY SEWER	SETBACK LINE
MARKED L.S. 47481	STORM SEWER	RESTRICTED ACCESS
ELECTRIC METER	FLARED END SECTION	CONCRETE CURB
LIGHT	ELECTRIC TRANSFORMER	BUILDING LINE
AIR CONDITIONER	TELEPHONE PEDISTAL	BUILDING CANOPY
GUY ANCHOR	GAS METER	BITUMINOUS SURFACE
HANDICAP STALL	OVERHEAD WIRE	CONCRETE SURFACE
UTILITY POLE	CHAIN LINK FENCE	LANDSCAPE SURFACE
POST	IRON FENCE	DECIDUOUS TREE
SIGN	WIRE FENCE	CONIFEROUS TREE
	WOOD FENCE	TREE TO BE REMOVED

- PROPERTY SUMMARY**
- SUBJECT PROPERTIES ADDRESS IS 9200 HUDSON BLVD, ITS PROPERTY IDENTIFICATION NUMBER IS 439582
 - THE GROSS AREA OF THE SUBJECT PROPERTY IS 9.381 ACRES OR 408,545 SQUARE FEET
 - THE SUBJECT PROPERTY IS ZONED COMMERCIAL, PER THE CITY OF LAKE ELMO CODE
 - THE BUILDINGS AND EXTERIOR DIMENSIONS OF THE OUTSIDE WALL AT GROUND LEVEL ARE SHOWN ON THE SURVEY. IT MAY NOT BE THE FOUNDATION WALL.
- BENCHMARKS**
- THE VERTICAL DATUM IS BASED ON NAVD83. THE ORIGINATING BENCH MARK IS 9282 AT, REFERENCED FROM THE MNDOT GEODETIC DATABASE
- BENCHMARK #1**
TOP OF HYDRANT WEST OF EXISTING ENTRY AS INDICATED AT BM 1. ELEV = 990.54 FEET
- BENCHMARK #2**
TOP OF HYDRANT NEAR EAST PROPERTY LINE AS INDICATED AT BM 2. ELEV = 991.29 FEET

- SURVEY NOTES**
- This survey was prepared utilizing the Fidelity National Title Insurance Company Title Commitment No. T4H16002317, bearing an effective date of 01/28/2016
 - The bearing system is based on the Washington County coordinate system, NAD83 (1983 Adjust) with an assumed bearing of North 89 degrees 53 minutes 57 seconds East for the south line of the Southwest Quarter of Section 34, Township 29 North, Range 21 West.



Sambatek
www.sambatek.com
12800 Whitewater Drive, Suite 300
Minnetonka, MN 55343
763.478.6010 telephone
763.478.8532 facsimile
Engineering | Surveying | Planning | Environmental

Client
WASATCH STORAGE PARTNERS
131 S. 700 E. SUITE 102
AMERICAN FORK, UT 84003

Project
9200 HUDSON BLVD REDEVELOPMENT

Location
LAKE ELMO, MN

Certification

Summary
Designed by: Drawn by:
Approved by: Book / Page:
Phase: PRELIMINARY Initial Issued: 07/25/2016

Revision History	
No.	Date By Submittal / Revision
1	7/25/2016 CUP APPLICATION
2	8/23/2016 REVISED CUP APPLICATION

Sheet Title
EXISTING CONDITIONS & TREE REMOVAL PLAN

Sheet No. Revision
C2.01
Project No. WAS20602

Client
**WASATCH
STORAGE
PARTNERS**
131 S. 700 E, SUITE 102
AMERICAN FORK, UT 84003

Project
**9200 HUDSON
BLVD
REDEVELOPMENT**

Location
LAKE ELMO, MN

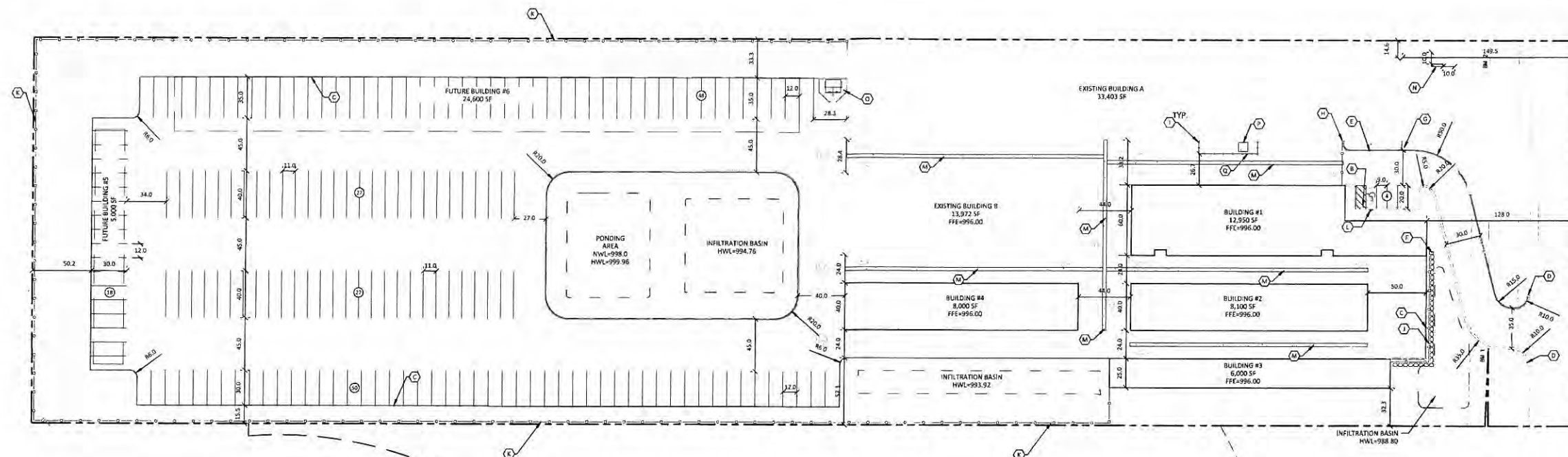
Certification

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8/24/2016 REVISED CUP APPLICATION

Sheet Title
SITE PLAN

Sheet No. Revision
C3.01
Project No. WAS20602



DEVELOPMENT NOTES

- ALL DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT.
- ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL REVIEW PAVEMENT GRADIENT AND CONSTRUCT "GUTTER OUT" WHERE WATER DRAINS AWAY FROM CURB. ALL OTHER AREAS SHALL BE CONSTRUCTED AS "GUTTER IN" CURB. COORDINATE WITH GRADING CONTRACTOR.
- ALL AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
- ALL PARKING STALLS TO BE 9' IN WIDTH AND 20' IN LENGTH UNLESS OTHERWISE INDICATED.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF EXIST. PONDS, RAMPS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- SEE ARCHITECTURAL PLANS FOR LIGHT POLE FOUNDATION DETAIL AND FOR EXACT LOCATIONS OF LIGHT POLE.
- ALL GRADIENTS ON SIDEWALKS ALONG THE ADA ROUTE SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 3% (1:20), EXCEPT AT CURB RAMPS (1:12), AND A MAXIMUM CROSS SLOPE OF 2.08% (1:48). THE MAXIMUM SLOPE IN ANY DIRECTION ON AN ADA PARKING STALL OR ACCESSIBLE STALL SHALL BE 2.08% (1:48). THE CONTRACTOR SHALL REVIEW AND VERIFY THE GRADIENT IN THE FIELD ALONG THE ADA ROUTES PRIOR TO PLACING CONCRETE OR BITUMINOUS PAVEMENT. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THERE IS A DISCREPANCY BETWEEN THE GRADIENT IN THE FIELD VERSUS THE DESIGN GRADIENT AND COORDINATE WITH GRADING CONTRACTOR.
- *NO PARKING*/"FIRE LANE" SIGNS SHALL BE PLACED ALONG ALL DRIVEWAYS AS REQUIRED BY CITY.

KEY NOTES

- A. BUILDING, STAIRS, STAIRS (SEE ARCHITECTURAL PLANS)
B. BITUMINOUS CURB
C. 18" 602 CONCRETE CURB AND GUTTER
D. CONNECT TO EXISTING CURB
E. FLAT CURB SECTION
F. SEGMENTAL BLOCK RETAINING WALL (DESIGN BY OTHERS)
G. NOSE DOWN CURB
H. ALUMINUM ENTRY GATE (DESIGN BY OTHERS)
I. CONCRETE PIPE BOLLARD
J. ALUMINUM FENCE (DESIGN BY OTHERS)
K. VINYL COATED CHAIN LINK FENCE (DESIGN BY OTHERS)
L. ACCESSIBLE SIGNAGE
M. 3' WIDE CONCRETE VALLEY GUTTER
N. PYLON SIGN (DESIGN BY OTHERS)
O. TRASH ENCLOSURE (DESIGN BY OTHERS)
P. TRANSFORMER PAD (DESIGN BY OTHERS)
Q. OPAQUE MAINTENANCE FREE PANEL SCREENING FENCE

LEGEND

PROPOSED	EXISTING	
PROPERTY LIMIT		STANDARD DUTY ASPHALT PAVING
CURB & GUTTER		HEAVY DUTY ASPHALT PAVING
SEWER		CONCRETE PAVING
BUILDING		
RETAINING WALL		
WETLAND LIMITS		
TREELINE		
SAWTOOTH LINE		
SIGN		
PIPE BOLLARD		
NUMBER OF PARKING STALLS PER ROW		
KEY NOTE		

DEVELOPMENT SUMMARY

AREA	408,845 SF	9.38 AC
IMPERVIOUS	287,060 SF	6.59 AC
PERVIOUS	121,585 SF	2.79 AC
BUILDING SETBACKS		
FRONT	30 FEET	
INTERIOR SIDE	10 FEET	
CORNER SIDE	25 FEET	
REAR	50 FEET	
REAR ACCESSORY BUILDING	10 FEET	
RESIDENTIAL ZONE (FROM ADJACENT LOT LINE)	50 FEET	
PARKING SETBACKS		
FRONT	15 FEET	
INTERIOR SIDE	10 FEET	
CORNER SIDE	25 FEET	
REAR	10 FEET	
RESIDENTIAL ZONE (FROM ADJACENT LOT LINE)	55 FEET	
ZONING		
EXISTING ZONING	COMMERCIAL	
PROPOSED ZONING	COMMERCIAL	
PARKING SUMMARY		
9' X 20' STALLS	5	
ACCESSIBLE STALLS	1	
RV PARKING STALLS	170	



Client

**WASATCH
STORAGE
PARTNERS**

131 S. 700 E, SUITE 102
AMERICAN FORK, UT 84003

Project

**9200 HUDSON
BLVD
REDEVELOPMENT**

Location

LAKE ELMO, MN

Certification

Summary

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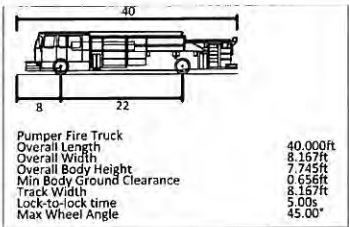
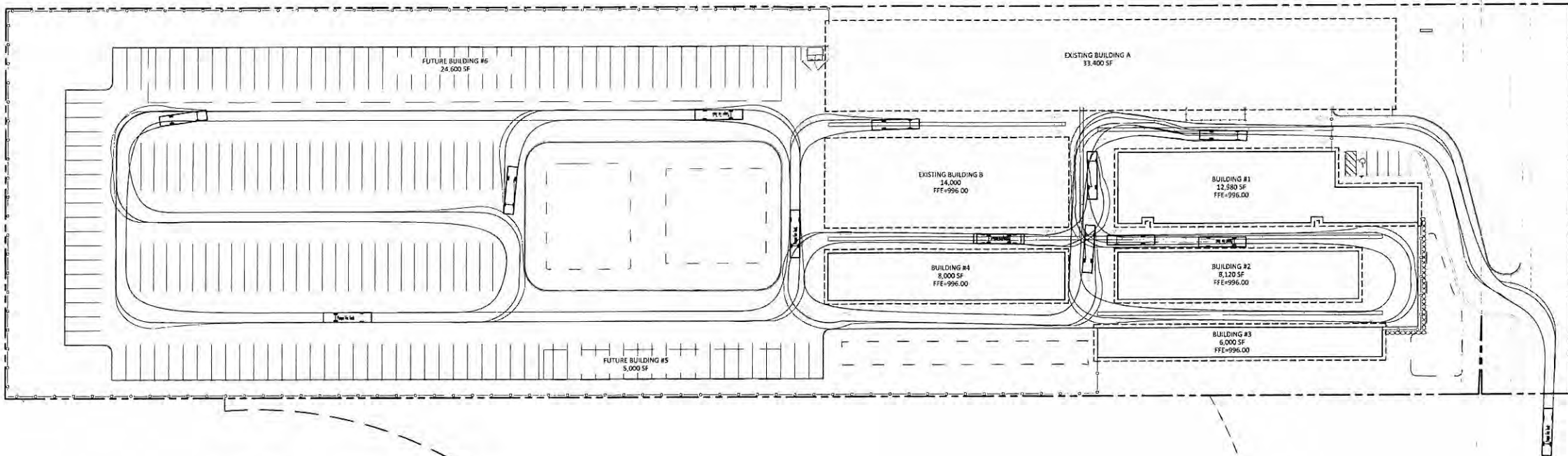
Sheet Title

**FIRE TURNING
EXHIBIT**

Sheet No. Revision

C3.02

Project No. WAS20602



LEGEND	
PROPOSED	EXISTING
PROPERTY LIMIT	STANDARD DUTY ASPHALT PAVING
CURB & GUTTER	HEAVY DUTY ASPHALT PAVING
EASEMENT	CONCRETE PAVING
BUILDING	
RETAINING WALL	
WETLAND LIMITS	
TREE LINE	
SAWCUT LINE	
SGN	
PIPE BOLLARD	
NUMBER OF PARKING STALLS PER ROW	
KEY NOTE	

DEVELOPMENT SUMMARY	
AREA	
SUBS SITE AREA	408,645 SF 9.38 AC
IMPERVIOUS	287,260 SF 6.59 AC
PERVIOUS	121,385 SF 2.79 AC
BUILDING SETBACKS	
FRONT	30 FEET
INTERIOR SIDE	10 FEET
CORNER SIDE	25 FEET
REAR	30 FEET
REAR ACCESSORY BUILDING	10 FEET
RESIDENTIAL ZONE (FROM ADJACENT LOT LINE)	50 FEET
PARKING SETBACKS	
FRONT	15 FEET
INTERIOR SIDE	10 FEET
CORNER SIDE	15 FEET
REAR	10 FEET
RESIDENTIAL ZONE (FROM ADJACENT LOT LINE)	35 FEET
ZONING	
EXISTING ZONING	COMMERCIAL
PROPOSED ZONING	COMMERCIAL
PARKING SUMMARY	
9' X 20' STALLS	5
ACCESSIBLE STALLS	1
RV PARKING STALLS	120



0 40 80
SCALE IN FEET



Location
LAKE ELMO, MN

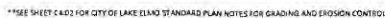
Summary

Revision History	
No.	Date By Submittal / Revision
1	7/25/2016 CUP APPLICATION

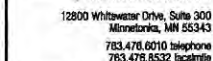
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C4.01
Project No. WAS20602



doi:10.1371/journal.pone.0178243.g002



WASATCH
STORAGE
PARTNERS

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

9200 HUDSON
BLVD
REDEVELOPMENT

LAKE ELMO, MN

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

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2	8/25/2016	REVISED CUP APPLICATION

100

C4.02

- ### STANDARD PLAN NOTES
- #### GRADING AND EROSION CONTROL PLANS

114

CHART OF STABLE ISOTOPES

600A

- STANDARD PLAN NOTES
GRADING AND EROSION CONTROL PLANS

600B

- STANDARD PLAN NOTES
-
- GRADING AND EROSION CONTROL PLANS

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11

600C

Location
LAKE ELMO, MN

Summary

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No.	Date By	Submittal / Revision
1	7/25/2016	CUP APPLICATION
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Sheet No. Revision

Project No. WAS20602



WASATCH
STORAGE
PARTNERS

131 S. 700 E, SUITE 102
AMERICAN FORK, UT 84003

9200 HUDSON
BLVD
REDEVELOPMENT

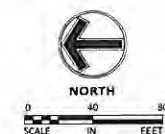
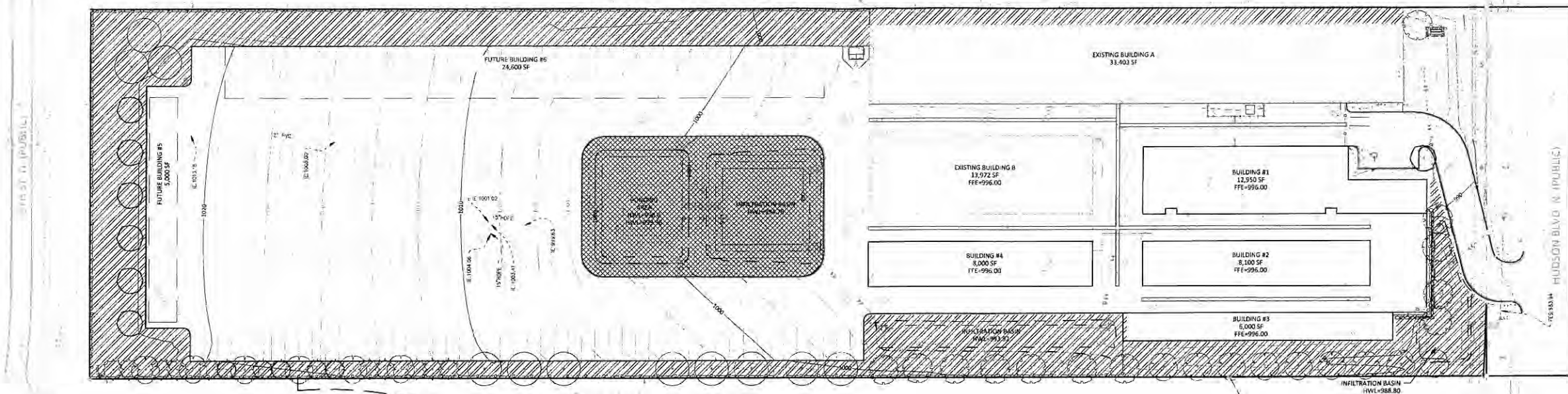
LAKE ELMO, MN











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8/25/2016		REVISED CUP APPLICATION

L1.01

Project No. WAS20602



PLANT SCHEDULE						
TREES	CODE	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	QTY
	3G	Acer Freemanii / Sierra Glen / Sierra Glen Maple	B & B	2.5"Cal		11
	HB	Celtis occidentalis / Common Hackberry	B & B	2.5"Cal		15
	SO	Quercus bicolor / Swamp White Oak	B & B	2.5"Cal		12
	PE	Ulmus americana / Princeton / American Elm	B & B	2.5"Cal		7
CONIFERS	CODE	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	QTY
	NS	Picea abies / Norway Spruce	B & B		6'	5
	BS	Picea glauca densata / Black Hills Spruce	B & B		6'	10
PERENNIALS	CODE	BOTANICAL NAME / COMMON NAME	CONT			QTY
	RRO	Hemerocallis x Rosy Returns / Daylily	1 gal			20
GROUND COVERS	CODE	BOTANICAL NAME / COMMON NAME	QTY			
	TUR MNG	Turf Seed MN 25-131 / Low Maintenance Turf	84,128 sf			
	TUR MN	Turf Seed MN 33-381 / Stormwater Basin Seed Mix	26,059 sf			
	TUR HIG	Turf Sod Highland Sod / Sod	9,906 sf			

1 TREE PER 50 LF OF STREET FRONTAGE
MINIMUM OF 5 TREES PLANTED/ ACRE OF DISTURBED AREA
MUST SCREEN RESIDENTIAL AREAS AT A HEIGHT OF 4'
CONIFERS MUST BE AT LEAST 25% OF TREE TOTAL

- 1 TREE PER 50 LF OF STREET FRONTAGE
- MINIMUM OF 5 TREES PLANTED/ ACRE OF DISTURBED AREA
- MUST SCREEN RESIDENTIAL AREAS AT A HEIGHT OF 4'
- CONIFERS MUST BE AT LEAST 25% OF TREE TOTAL

TOTAL DISTURBED AREA: 7.66 ACRES = 38.3 TREES

10% OF DIAMETER INCHES OF SIGNIFICANT TREES MAY BE REMOVED WITHOUT REPLACEMENT
COMMON TREES SHALL BE REPLACED AT A RATE OF 1 THE INCHES REMOVED

- 30% OF DIAMETER INCHES OF SIGNIFICANT TREES MAY BE REMOVED WITHOUT REPLACEMENT
- COMMON TREES SHALL BE REPLACED AT A RATE OF 1 THE INCHES REMOVED

TREES TO BE REMOVED:

BOXELDER	345 INCHES
COTTONWOOD	60 INCHES
POPLAR	187 INCHES

TOTAL INCHES REMOVED: 592 INCHES

TOTAL INCHES SUBJECT TO REPLACEMENT 414 4 INCHES

TOTAL INCHES TO REPLACE: 103.6 INCHES

TOTAL INCHES PROPOSED: 160.5 INCHES

[illegible]

THE CONTRACTOR SHALL RESPECT THE SITE AND BECOMING FAMILIAR WITH THE EXISTING CONDITIONS PRIOR TO THE START OF THE WORK.

THE CONTRACTOR SHALL VERIFY PLANT LOCATION AND BEING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT DISCREPANCIES WHICH MAY COMPROMISE THE DESIGN OR RESULT IN THE LAYOUT OF THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTION OF ALL APPLICABLE CODES, REGULATIONS, AND PERMITS GOVERNING THE WORK.

THE CONTRACTOR SHALL PROTECT EXISTING ROADS, CURBS, GUTTERS, TRAILS, TREES, LAWNS AND ANY OTHER EXISTING CONDITIONS. ANY DAMAGE TO EXISTING CONDITIONS SHALL BE IMMEDIATELY REPLACED AT NO ADDITIONAL COST TO THE OWNER.

LOCATE AND VERIFY ALL UTILITIES, INCLUDING IRRIGATION LINES, WITH THE OWNER OR AN APPROPRIATE AGENCY PRIOR TO THE START OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ANY DAMAGES TO SAME. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS TO FACILITATE PLANT NUCLEATION.

LANDSCAPE ARCHITECT'S RESPONSIBILITIES:

THE LANDSCAPE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PLANTING AND PLANTING INSTALLATION WITH OTHER CONTRACTORS WORKING ON SITE.

THE CONTRACTOR SHALL REVIEW THE DESIGN AND SPECIFICATIONS TO DETERMINE WHICH MATERIALS, PLANTS, AND FINISHES ARE REQUIRED, SURVIVAL, OR WARRANTY. UNSUITABLE SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING OF THE WORK.

THE PLAN TIES PRECEDENCE OVER THE LANDSCAPE ARCHITECT IF DISCREPANCIES OCCUR. QUANTITIES SHOWN IN THE PLANTING SCHEDULE ARE FOR THE CONTRACTOR'S CONVENIENCE. THE CONTRACTOR SHALL VERIFY QUANTITIES AND SPECIFICATIONS WITH THE LANDSCAPE ARCHITECT.

THE SPECIFICATIONS TAKE PRECEDENCE OVER THE PLANTING NOTES AND GENERAL NOTES.

POSTING TREES AND SHRUBS TO REMAIN SHALL BE PROTECTED TO THE TOP OF PLUM FROM ALL CONSTRUCTION MATERIALS AND EQUIPMENT. ALL PLANTING SHALL BE PROTECTED BY PLACING FENCINGS ADEQUATELY SUPPORTED BY STEEL POSTS OF 6" MAXIMUM SPACING.

LONG-TERM SURVIVAL OF MATERIALS OR SUPPLIES MUST NOT BE ALLOWED.

CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL PLANTS AND TREES TO REMAIN.

1 NO PLANTS SHALL BE INSTALLED UNTIL FINAL GRADING AND CONSTRUCTION HAS BEEN
2 COMPLETED.
3 A GRANULAR PINE MULCH BED SHALL BE APPLIED TO ALL PLANT BEDS AT THE
4 END OF EACH PLANTING ROW.
5 ALL PLANTING STOCK SHALL CONFORM TO THE "AMERICAN STANDARD FOR NURSERY STOCK,"
6 ANG-150, LATEST EDITION, OF THE AMERICAN ASSOCIATION OF NURSERYMEN, INC. AND SHALL
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- [illegible]

ALL AREAS TO RECEIVE SOIL SHALL ALSO RECEIVE 4" OF TOPSOIL PRIOR TO INSTALLING SOIL. TOPSOIL SHALL BE FREE OF TREE ROOTS, STUMPS, BUILDING MATERIALS, LIMBS, BRANCHES AND SHEDS. TOPSOIL SHALL BE FREE OF ROCKS, LIMBS, BRANCHES AND SHEDS. SOIL AND ITS PLANTED SURFACES, FINISH GRADE OF SOIL SHALL BE MINIMUM 2' BELOW SURFACE ELEVATION OF TRAIL, SLAB, CURB, ETC.

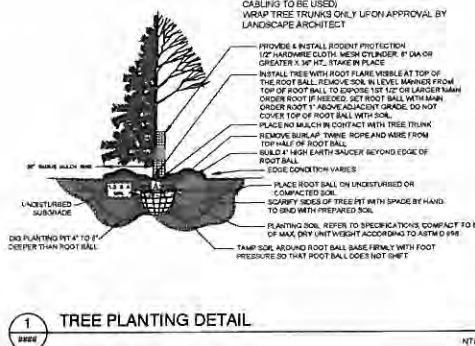
SOIL SHALL BE LAID PARALLEL TO THE CURBWAYS AND SHALL HAVE STAGGERED JOINTS. ON SLOPES STEEPER THAN 3:1 OR FLATTER, SOIL SHALL BE STAGED SECURELY.

ALL DISTURBED AREAS TO BE TURF SEED, ARE TO RECEIVE 4" TOPSOIL, SEED, MULCH, AND WATER UNTIL A HEALTHY STAND OF GRASS IS OBTAINED. FOR SLOPES STEEPER THAN 3:1 OR FLATTER, SOIL SHALL BE LAID PARALLEL TO THE CURBWAYS.

ALL DISTURBED AREAS TO RECEIVE NATIVE SEED, ARE TO RECEIVE PLANTING SOIL, SEED, MULCH, AND WATER UNTIL A HEALTHY STAND OF GRASS IS OBTAINED. FOR SLOPES STEEPER THAN 3:1 OR FLATTER, SOIL SHALL BE LAID PARALLEL TO THE CURBWAYS.

NO FERTILIZER TO BE APPLIED TO ANY DISTURBED AREAS.

- ALL AREAS TO RECEIVE SOIL SHALL ALSO RECEIVE 4" OF TOPSOIL PRIOR TO INSTALLING SOIL. TOPSOIL SHALL BE FREE OF TREE ROOTS, STUMPS, BUILDING MATERIALS, LIMBS, BRANCHES AND SHEDS. TOPSOIL SHALL BE FREE OF ROCKS, LIMBS, BRANCHES AND SHEDS. SOIL AND ITS PLANTED SURFACES, FINISH GRADE OF SOIL SHALL BE MINIMUM 2' BELOW SURFACE ELEVATION OF TRAIL, SLAB, CURB, ETC.
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- SEE ATTACHED DRAWING FOR DETAIL. SEE PROJECT MANUAL FOR SPECIFICATIONS.



① TREE PLANTING DETAIL

Client
**WASATCH
STORAGE
PARTNERS**

Project
**9200 HUDSON
BLVD.**

Location
**LAKE ELMO,
MINNESOTA**
9200 HUDSON BLVD.
55042

Certification

Summary

Designed: Drawn: GS
Approved: kws Book / Page: 1004/16
Phase: Initial Issue: 02/28/2016

Revision History

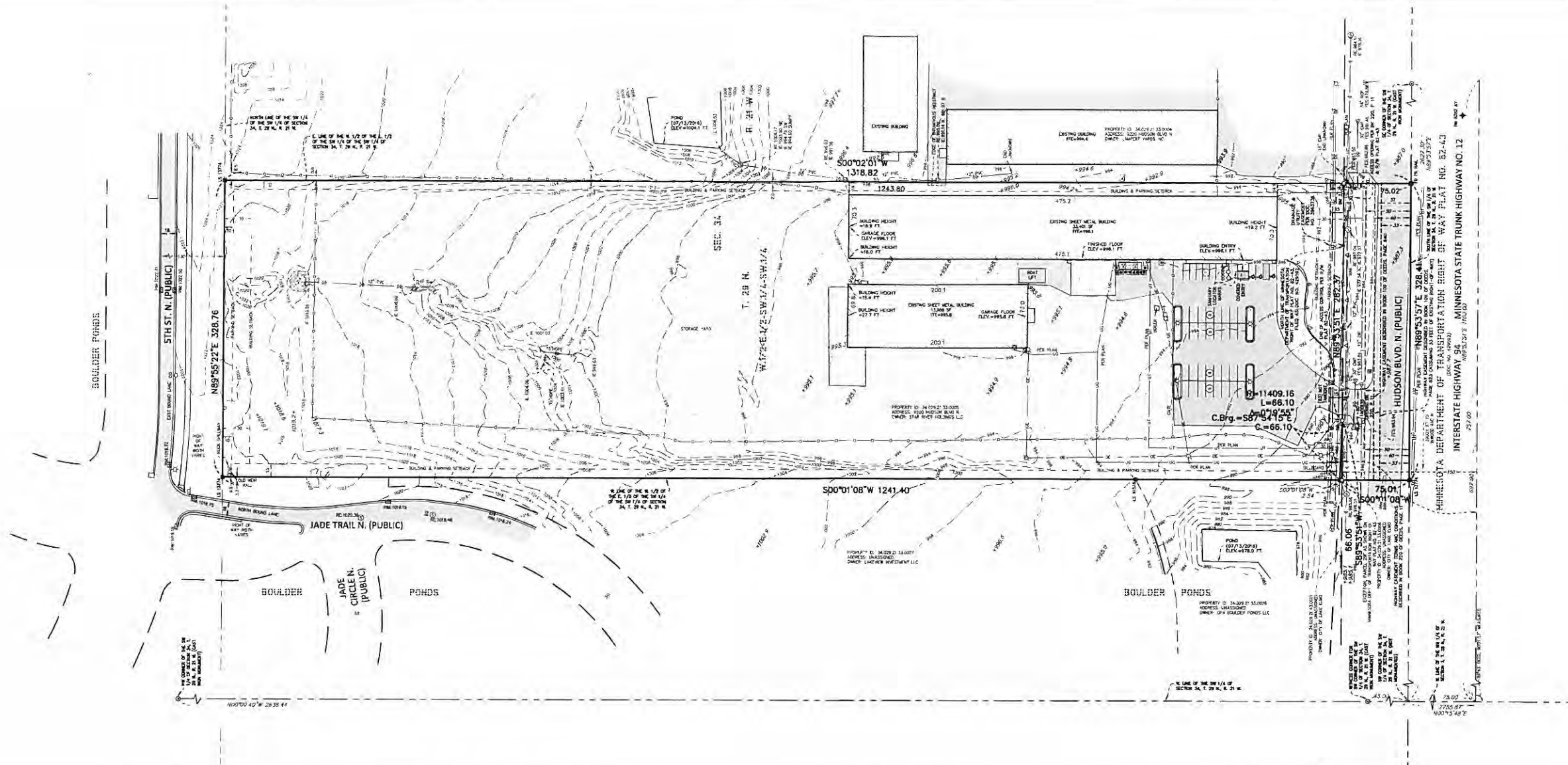
No. Date By Submit / Revision

Sheet Title
**ALTA/NSPS
LAND TILLE
SURVEY**

Sheet No. Revision

1/1

Project No. WAS20602



LEGEND	
● FOUND MONUMENT	— BOUNDARY LINE
○ FOUND CAST-IRON MONUMENT	— RIGHT-OF-WAY LINE
○ FOUND RIGHT-OF-WAY MONUMENT	— UNDERLYING / ADJACENT LOT TIL LINE
○ SET MONUMENT MARKED L5 23279	— SECTION LINE
○ SET MONUMENT MARKED L5 23279	— DEED DISTANCE
○ GATE VALVE / HYDRANT	— WATERMAIN
○ SANITARY MANHOLE	— SANITARY SEWER
○ CLEAN OUT	— STORM SEWER
○ STORM MANHOLE	— UNDERGROUND ELECTRIC
○ STORM CATCH BASIN	— UNDERGROUND GAS
○ FLARED END SECTION	— OVERHEAD ELECTRICAL WIRE
○ TRANSFORMER	— CHAIN LINK FENCE
○ LIGHT	— WOOD FENCE
○ GUY ANCHOR	— WIRE FENCE
○ UTILITY POLE	— METAL FENCE
○ GUARD POST	— RETAINING WALL
○ SIGN	— POND / WATER LINE
○ GAS METER	
○ GAS MANHOLE	
○ ELECTRIC MANHOLE	
○ ELECTRIC METER	
○ TELEPHONE PEDESTAL	
○ CABLE TV BOX	
○ COMMUNICATIONS MANHOLE	

SURVEY NOTES

- This survey was prepared utilizing the Fidelity National Title Insurance Company Title Commitment No. FAH36002317, bearing an effective date of 03/28/2016.
 - The bearing system is based on the Washington County coordinate system, NAD83 (1986 Adjust) with an assumed bearing of North 89 degrees 53 minutes 57 seconds East for the south line of the Southwest Quarter of Section 34, Township 29 North, Range 23 West.
 - The vertical datum is based on NAVD83. The originating bench mark is 4282 AY, referenced from the MNDOT Geodetic Database.
- BENCHMARK #1**
Top Nut of hydrant west of existing entry as indicated at BM 1. Elev = 1990.64 feet
- BENCHMARK #2**
Top Nut of hydrant near east property line as indicated at BM 2. Elev = 1991.23 feet

SUBJECT PROPERTY

Description from title commitment:
The West 1/2 of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 34, Township 29, Range 23, Washington County, Minnesota, except for that part taken for Minnesota State Trunk Highway No. 12, in Right of Way Plat 82-43, filed as Document No. 429592.

Abstract Property:
The following notes correspond to the reference numbers listed in Schedule B, Section 2 of the title commitment.

[11] Terms and conditions of Highway Easement, dated December 2, 1926, recorded February 2, 1927 in Book 109 of Deeds, page 621. Affects the surveyed property. Easement is shown on the survey.

[12] Terms and conditions of Highway Easement, dated January 18, 1927, recorded February 18, 1927 in Book 109 of Deeds, page 640. Affects the surveyed property. Easement is shown on the survey.

[13] Terms and conditions of Easement Certificate, recorded April 20, 1959 in Book 230 of Deeds, page 11. Affects the surveyed property. Shown on the survey.

[14] Right of Way Plat No. 82-43, dated March 18, 1982, recorded March 22, 1982 as Document No. 429592. Affects the surveyed property. Shown on the survey.

[15] Terms and conditions of Partition and Waiver Agreement, dated August 29, 2013, recorded September 10, 2013 as Document No. 3963736. Affects the surveyed property, creates no easements.

[16] Terms and conditions of Permanent Public Drainage & Utility Easement and Agreement, dated August 29, 2013, recorded September 10, 2013 as Document No. 3963738. Affects the surveyed property. Shown on the survey.

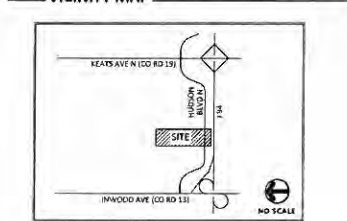
"TABLE A" NOTES

- The surveyor has depicted the property corner monuments, or the witness to the corner that were found during the field work, and set property corner monuments, or witnesses to the corner, at the locations where there did not appear to be any evidence of an existing monument.
- The property address is shown on the graphical portion of the survey.
- The subject property lies within Other Areas, Zone X - Areas determined to be outside the 0.2% annual chance floodplain, as depicted by scaled map location and graphic plotting according to FEMA, FIRM Map No. 27163C0335E dated 02/03/2010.
- Subject property areas: Gross 433,282 Square Feet or 9.947 Acres
Road 24,637 Square Feet or 0.566 Acres
Net Acreage Shown on Plat 0.381 Acres
- The building information has not been provided by the client. The subject property is zoned Commercial, per the City of Lake Elmo code. The setback requirements, height and floor space area restrictions and parking requirements are as follows:

Minimum Setbacks:			
Building Front:	30	Parking Front:	15
Interior Side:	10	Side:	10
Corner Side:	25	Corner Side:	15
Rear:	30	Rear:	10
Rear Accessory Building:	10		
Residential Zone:	50	Residential Zone:	35

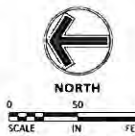
Maximum Building Height: 45
Minimum Building Floor Size: none
- The buildings and exterior dimensions of the outside walls at ground level are shown on the survey, which may or may not be the foundation wall.
- The square footage of all buildings are measured at ground level and are shown on the survey.
- The measured heights of all buildings above grade are shown on the survey.
- Visible substantial features observed in the process of conducting the fieldwork are shown hereon.
- The parking areas and stringing on the subject property are shown. There are 3 striped handicap parking stalls, and there are 39 striped regular parking stalls for a total of 42 striped parking stalls.
- A Gopher State One Call (GSOC) request was placed on 06/29/2016 for utility locates on this site and assigned GSOC Ticket No. 161812754. The surveyor makes no guarantee that the underground utilities shown hereon comprise all such utilities in the area, either in service or abandoned. Utility suppliers often do not respond to these requests in the field but may provide maps, plans, and drawings in lieu of physical location. Utility information shown hereon is a compilation of the provided map information and those visible utilities and marked utilities which were located during the survey field work. The surveyor further does not warrant that the underground utilities shown hereon are in the exact location as indicated, although they are located as accurately as possible from the available information. The surveyor has not physically located the underground utilities. Pursuant to MS 216.D contact Gopher State One Call at (651) 454-0000 prior to any excavation.
- The names of adjoining land owners according to the current county tax records are shown on the survey.
- The distance to the nearest intersecting street is shown hereon.
- There is no evidence of recent earth moving work, building construction or building additions observed in the process of conducting the fieldwork.
- Certificate of Insurance available upon request.
- Property setback lines are graphically depicted on the survey.
- Any offsite easements or servitudes benefiting the surveyed property and disclosed in Record Documents provided to the surveyor as part of the Schedule "A" are graphically depicted on the survey.

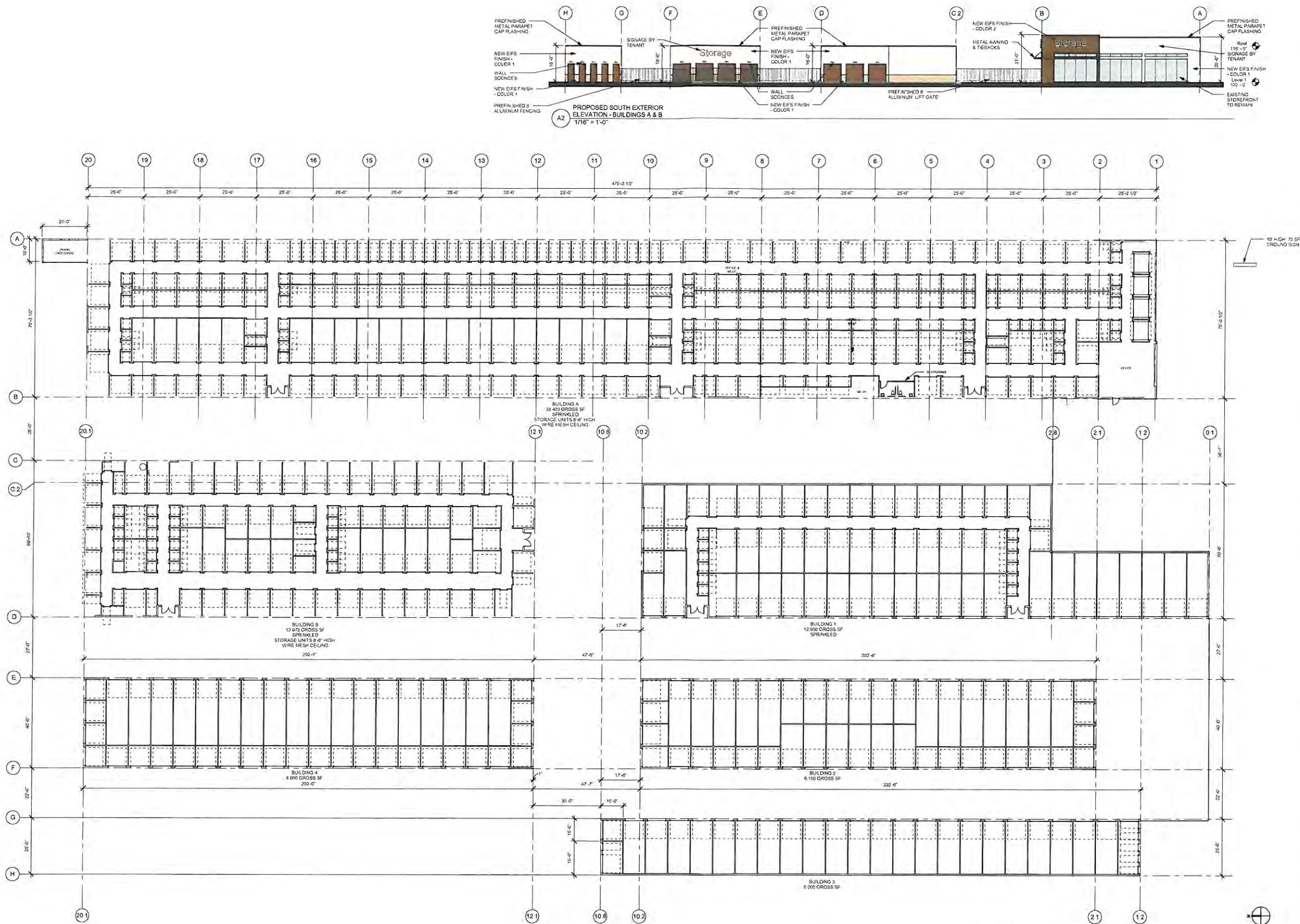
VICINITY MAP



CERTIFICATION

To Wasatch Storage Partners, LLC, Star River Holdings, LLC, a Minnesota limited liability company, and Fidelity National Title Insurance Company
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11, 13, 14, 16, 20, 21(a) and 21(b) of Table A thereof. The field work was completed on 07/13/2016.
Dated this 25th day of August, 2016
Sambatek, Inc.
Rick M. Blom, LS
Minnesota License No. 21729
rblom@sambatek.com





DJR
ARCHITECTURE INC.
11500 W. 33rd Avenue, Suite 100
Denver, CO 80231
Tel: 303.751.1100
Fax: 303.751.1101
www.djrarch.com

OWNER: **Wasatch Storage - Lake Elmo**

CONTRACTOR: **SN**

CLIENT: **SN**

DESIGNED BY: **SN**

DRAWN BY: **SN**

CHECKED BY: **SN**

DATE: **7/16/18**

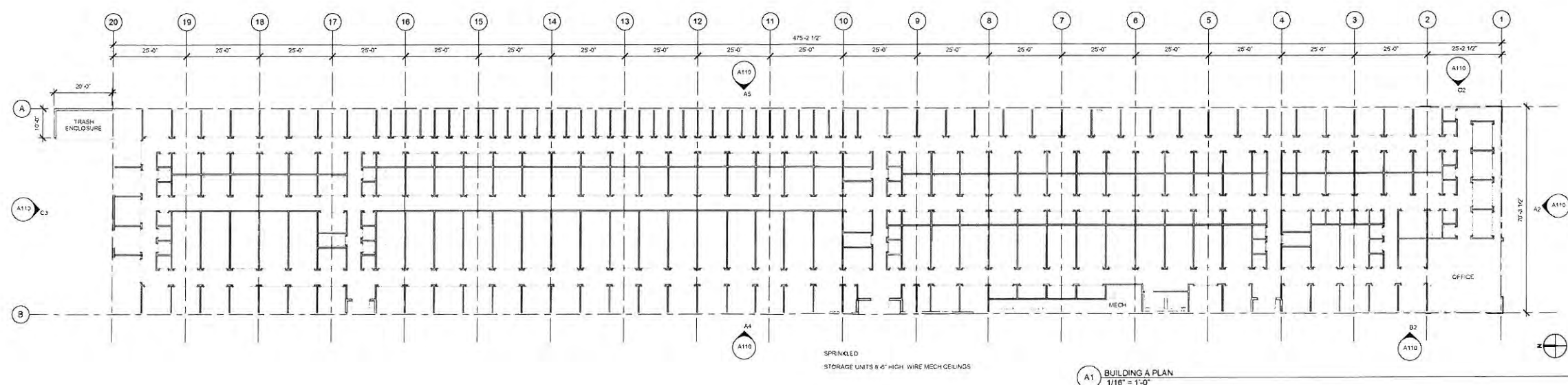
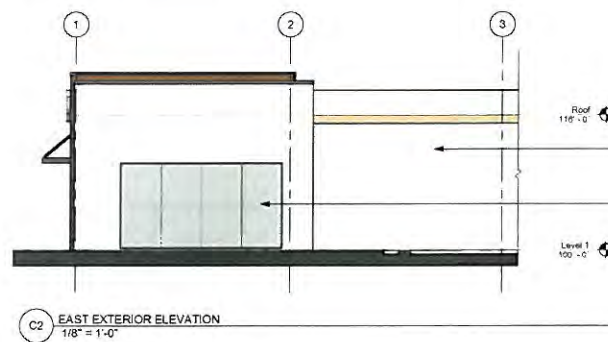
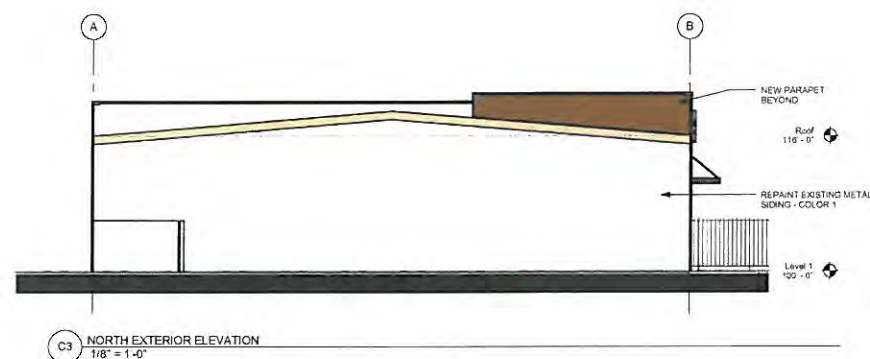
PROJECT # **18-045-0**

PRELIMINARY - NOT FOR CONSTRUCTION

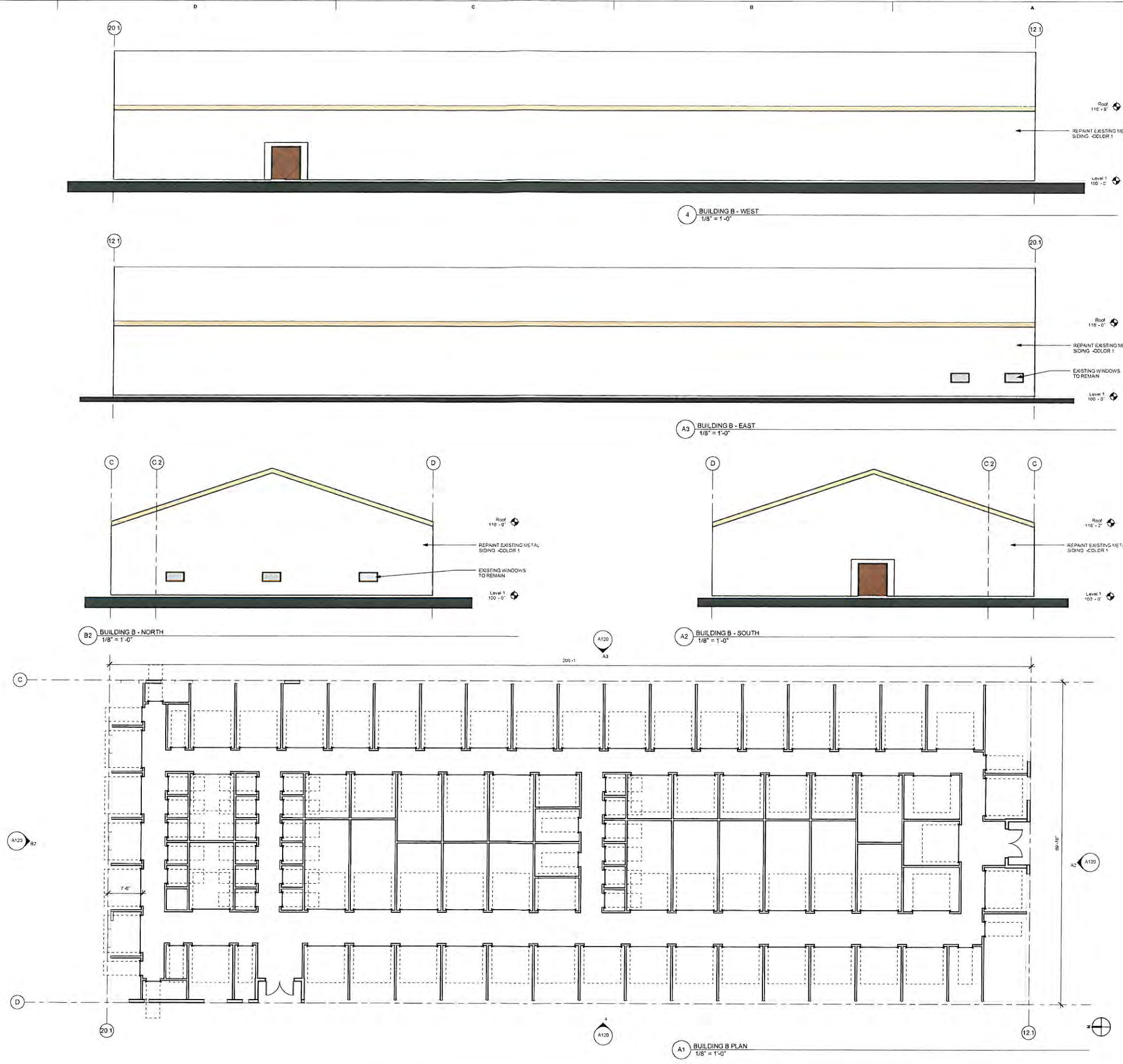
Wasatch Storage - Lake Elmo

OVERALL BUILDINGS A-B, 1-4

A100



Project #	Date	Drawn by	Checked by	Client	Contractor	Structural	Civil
10-000-0	1/15/19	CH	SN				



DJR
ARCHITECTURE, INC.
1000 N. 1st St., Suite 100
Phoenix, AZ 85004
Tel: 602.441.1234
Fax: 602.441.1235
www.djrarch.com

1. These plans are for the design of the building and are not to be used for any other purpose. The client is responsible for obtaining all necessary permits and approvals. The architect is not responsible for the construction of the building.

PROJECT: WASATCH STORAGE - LAKE ELMO
ARCHITECT: DJR ARCHITECTURE, INC.
DATE: 7/16/16
DRAWN BY: CW
CHECKED BY: SN

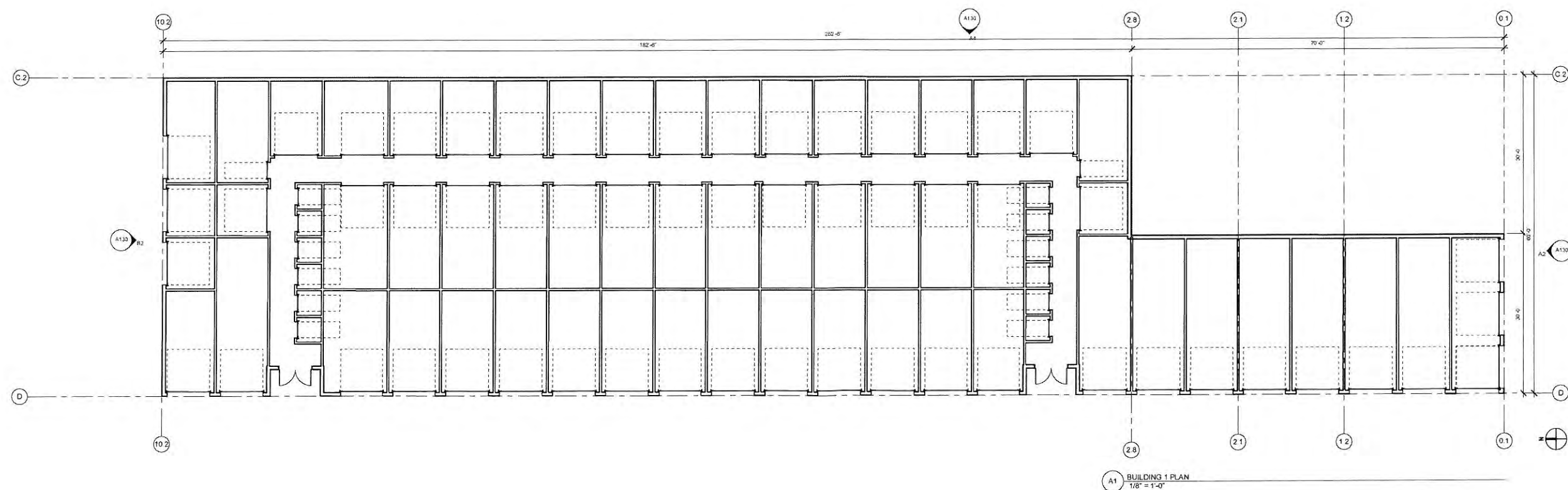
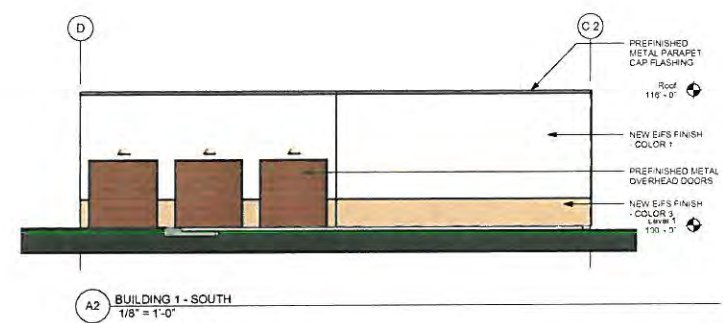
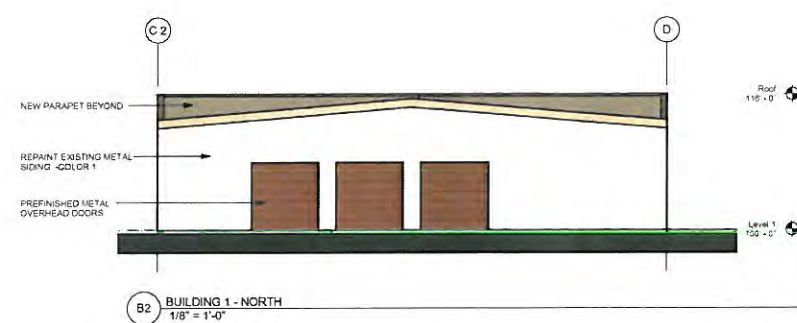
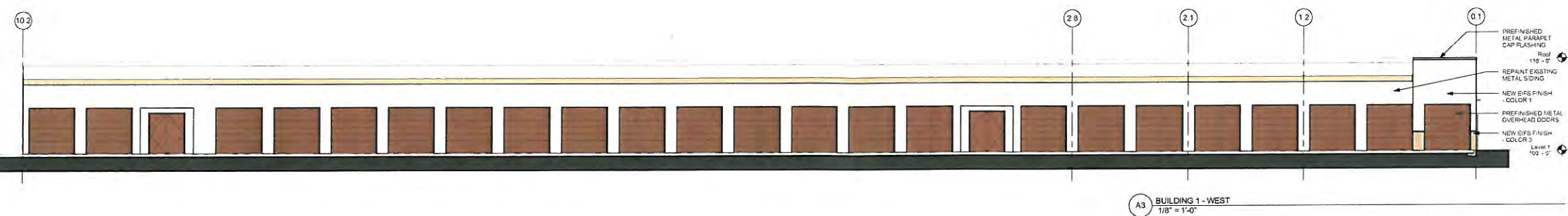
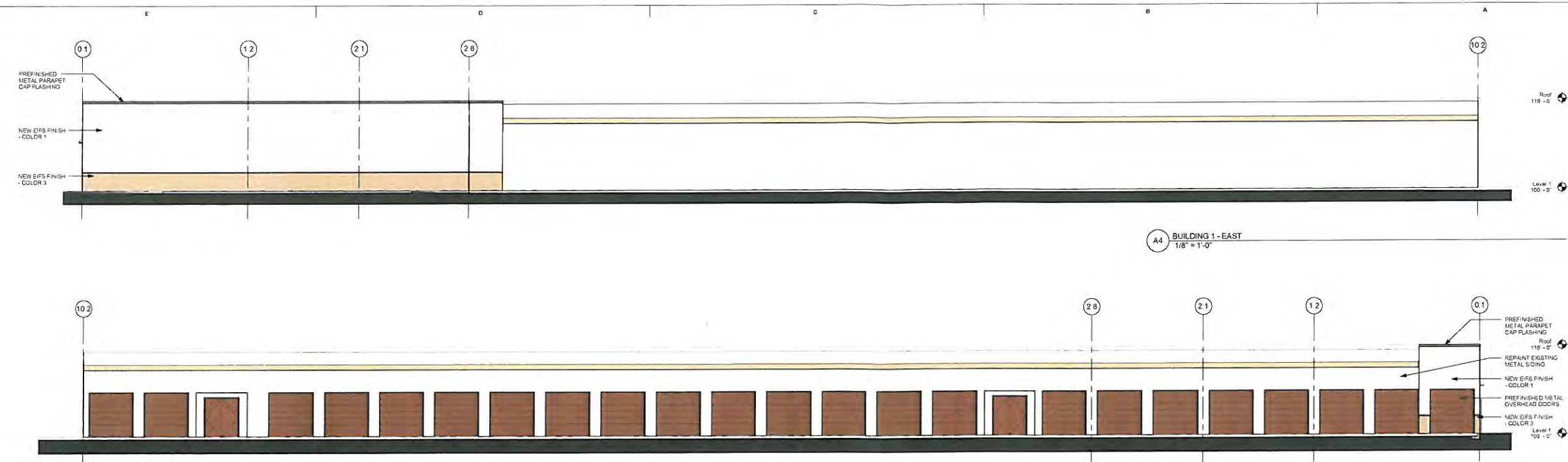
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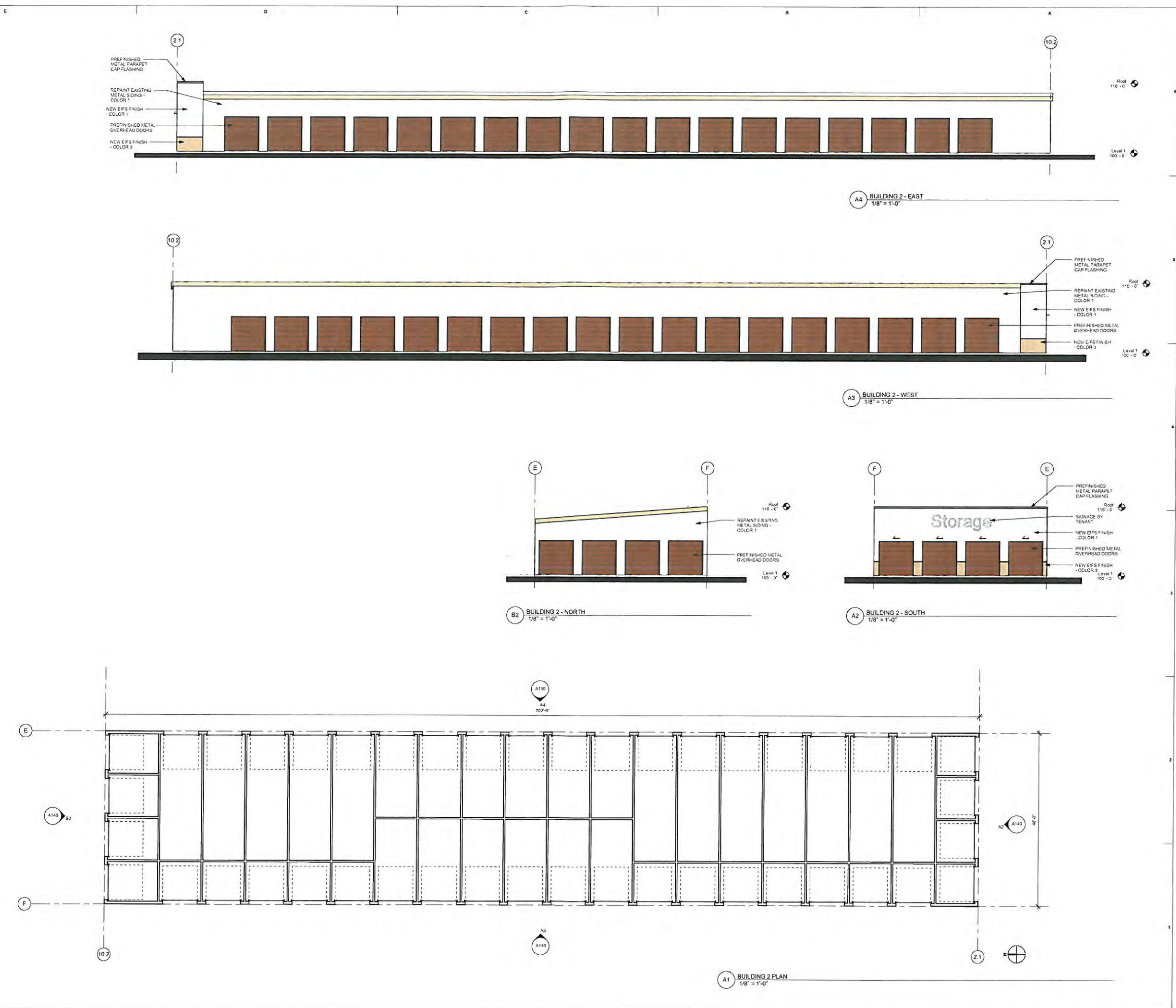
Issue: _____ Date: 7/16/16
Project #: 16-0488
Drawn by: CW
Checked by: SN

Wasatch Storage - Lake Elmo

BUILDING B

A120





DJR
ARCHITECTURE, INC.
11111 1st Street, Suite 100
San Diego, CA 92121
619.594.1111
www.djrarch.com

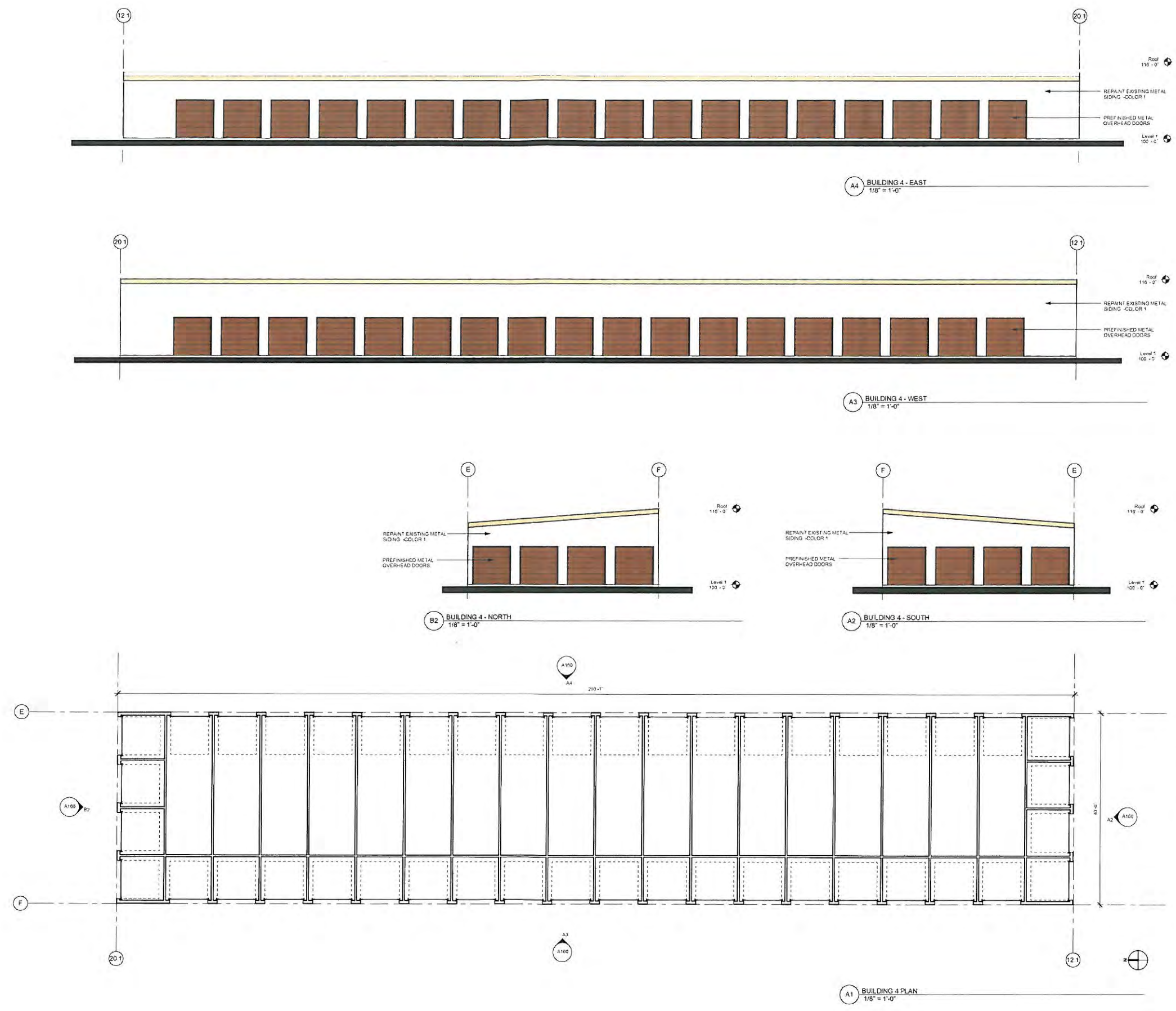
PROJECT: Wasatch Storage - Lake Elmo
DATE: 7/15/16
DRAWN BY: J. J. J.
CHECKED BY: S. N.

CLIENT: Wasatch Storage - Lake Elmo
CONTRACTOR: [blank]
STRUCTURAL: [blank]
CIVIL: [blank]

PRELIMINARY - NOT FOR CONSTRUCTION

Wasatch Storage - Lake Elmo
BUILDING 2
Enter address here

A140



DJR
ARCHITECTURE INC.
11000 S. 100th Ave., Suite 100
Overland Park, KS 66204-3111
Tel: 913.241.1100 Fax: 913.241.1101

PROJECT: **Wasatch Storage - Lake Elmo**

PROJECT # 104469

DATE 7/16/16

DRAWN BY CV

CHECKED BY SA

CLIENT: **Wasatch Storage**

CONTRACTOR: **Wasatch Storage**

PRELIMINARY - NOT FOR CONSTRUCTION

Issue

1

A160

BUILDING 4

Wasatch Storage - Lake Elmo

11000 S. 100th Ave., Suite 100
Overland Park, KS 66204-3111
Tel: 913.241.1100 Fax: 913.241.1101



WASATCH STORAGE

Lake Elmo, Minnesota

8-25- 2016

Exterior Perspective

16-024

MEMORANDUM

FOCUS ENGINEERING, inc.

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

Date: September 8, 2016

To: Emily Becker, City Planner
Cc: Stephen Wensman, Planning Director
From: Jack Griffin, P.E., City Engineer

Re: Wasatch Storage (9200 Hudson Blvd)
Site Plan Review

A Site Plan engineering review has been completed for the Wasatch Storage improvements at 9200 Hudson Boulevard. The submittal consisted of the following documentation prepared by Sambatek:

- Preliminary Civil Site Plans dated 08/25/2016.
- ALTA Survey dated 07/28/2016.
- Landscape Plan dated 08/25/2016.
- Storm Water Management Plan dated 08/24/2016.
- CUP Application Narrative.
- Building renderings and Photometric Plan dated 08/25/2016.

Engineering review comments are as follows:

Existing Condition Plans

1. The existing conditions plan must be revised to provide a complete depiction of the Hudson Boulevard right-of-way. All information must be shown on one plan sheet located in the Site Plan set (not supplemented by the ALTA survey) and must be presented at a scale that provides a legible plan. As presented, staff cannot complete a thorough review to identify all impacts for the proposed improvements. Upon resubmittal, additional site plan review will be necessary.
2. The existing conditions plan must be revised and resubmitted showing the existing conditions for a minimum distance of 150 feet in each direction from the property limits or project limits. Information beyond 150 feet may be necessary to identify downstream drainage facilities.
 - Hudson Blvd lane widths and shoulder widths have not be added to the plans.
 - The existing conditions must be detailed along Jade Trail where the project proposes to connect to the existing city watermain.

Site Plans

1. Utility Easements. All easements must be added to the Site Plan.
2. Fire Access. The Site Plan must be updated to identify all fire lanes and fire lane signage for city review. Parking stalls/vehicle storage areas must be eliminated to provide 24-hour access to all hydrant locations.

Drainage, Stormwater Management and Erosion Control

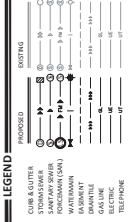
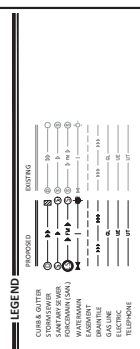
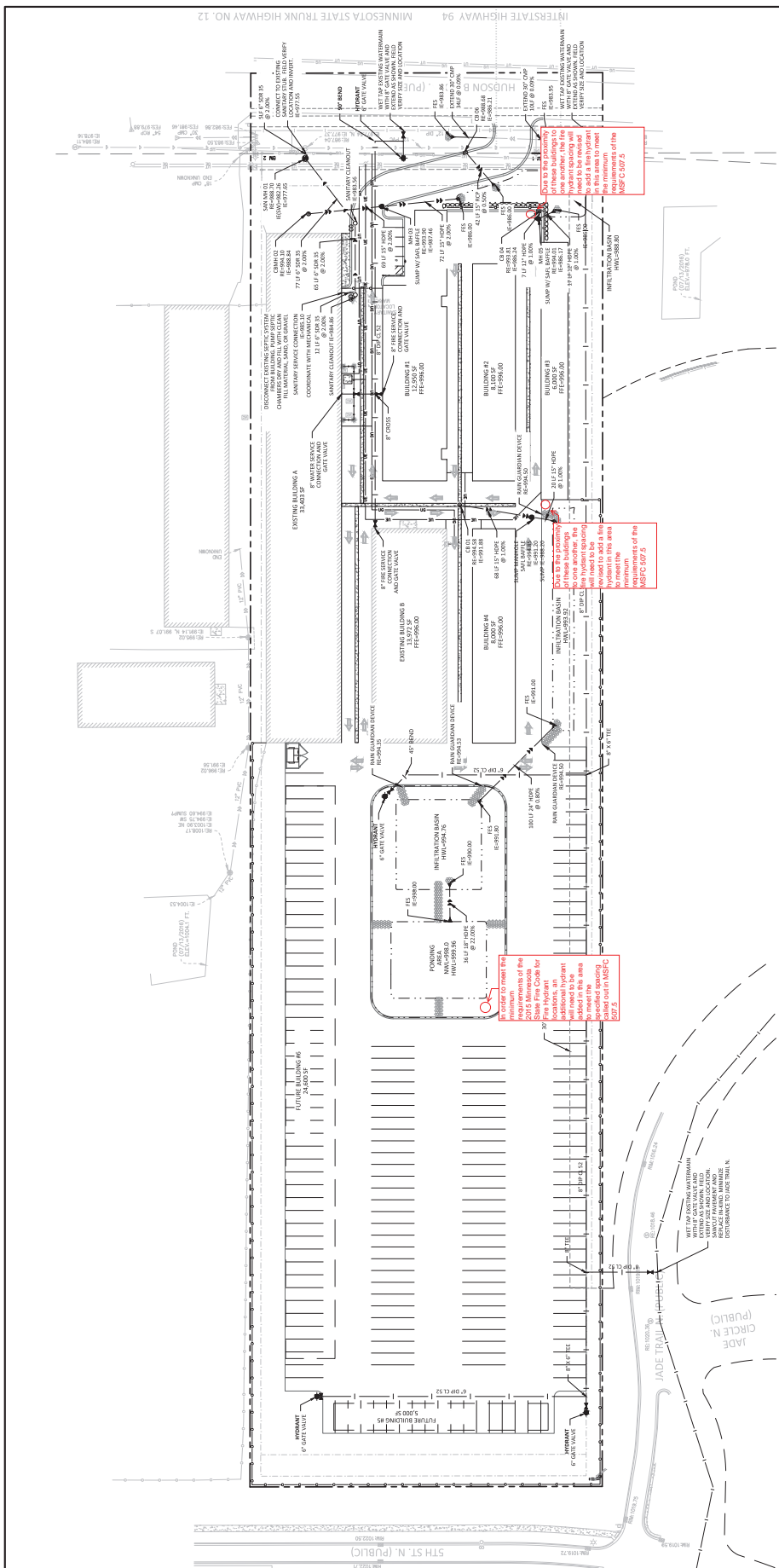
1. City and SWWD Storm Water Permits required. The site redevelopment is located in the South Washington Watershed District (SWWD) jurisdiction and will require permanent storm water quality and quantity measures compliant with City and SWWD standards. The proposed parking and storage facility improvements will add approximately 0.19 acres of impervious coverage to the existing property for a total of 6.6 impervious acres.

2. State MPCA/NPDES Permit. A SWPPP/NPDES Permit will be needed for the project, however permanent treatment standards are not required by the state MPCA/NPDES permit since < 1 acre of new impervious area is added to the site.
3. Proposed Storm Water Facilities. The site plan proposes a series of storm water management practices consisting of a storm water retention pond, three infiltration basins, sump manholes and a grassed swale with check dams prior to the storm water being discharged to the Hudson Boulevard right-of-way, across I-94 and to Wilmes Lake in Woodbury.
4. Rate and Volume Control Reduction. The storm water practices provides rate and volume control that reduces the rate of runoff for the 2, 10, and 100-year storm events and provides volume reduction consistent with SWWD rules.
5. Assumed Infiltration Rates. Soil borings must be provided at all infiltration locations to determine the infiltration rates for design purposes and additional infiltration capacity must be provided if determined to be necessary.
6. Water Quality. The storm water practices also provides a net reduction in total suspended solids (TSS) and total phosphorus (TP) from the existing conditions, however the SWWD annual pollutant discharge goal of 0.1 lb/TP per acre is not met for maximum allowable TP loading prescribed for Wilmes Lake. Additional treatment may be necessary as determined by SWWD. The TP leaving the site will be reduced from an existing 13.2 lbs to a proposed 1.1 lbs per year.
7. The storm water pond and infiltration basins must be labeled to match the storm water management plan. Correct discrepancy between the plans and the submitted model for Pond 9 outlet pipe.
8. Infiltration Basin 7P discharges directly to Hudson Boulevard right-of-way using a riprap EOF as the only outlet. Grading clarification, detail and revisions are needed around the south and west sides of Infiltration Basin 7P to ensure the HWL is contained and the discharge is limited to a controlled point. The HWL contour must be located entirely within the site and may not encroach upon the drainage and utility easements or City/County R/W. A pipe outlet must be used instead of a rip rap overflow, which may lead to erosion issues.
9. The grading must be revised to remove the depression at the north end of the site and at the northwest corner of the site to avoid any potential standing water.
10. Reinforced EOFs should be provided to match the functioning crest length up to the 100-year event (eg, Pond 9 EOF has an active flow width of >20' above a 10-year elevation).
11. Reinforcement must be added to Infiltration Basin 4P overflow outlet with EOF elevation noted.
12. Riprap areas should include fabric and riprap quantities should be listed on the plans. Plan details should be included in the plan set.
13. Add plan note to subcut infiltration basin bottoms 6-inches, scarify 8-12-inches deep and add 6-inches of Rooting Topsoil Borrow (Mn/DOT 3877.2E) to grade.
14. Temporary blanket should be placed over seeded infiltration basin bottoms to maintain moisture and aid in seed establishment.
15. Areas to receive temporary erosion control blanket (eg, swales) must be identified on the plans.
16. City Standard Plan Notes for Grading and Erosion Control must be placed directly on the Grading and Drainage Plan. All non-City plan notes that duplicate or contradict the City plan notes must be removed.

Utility Plans

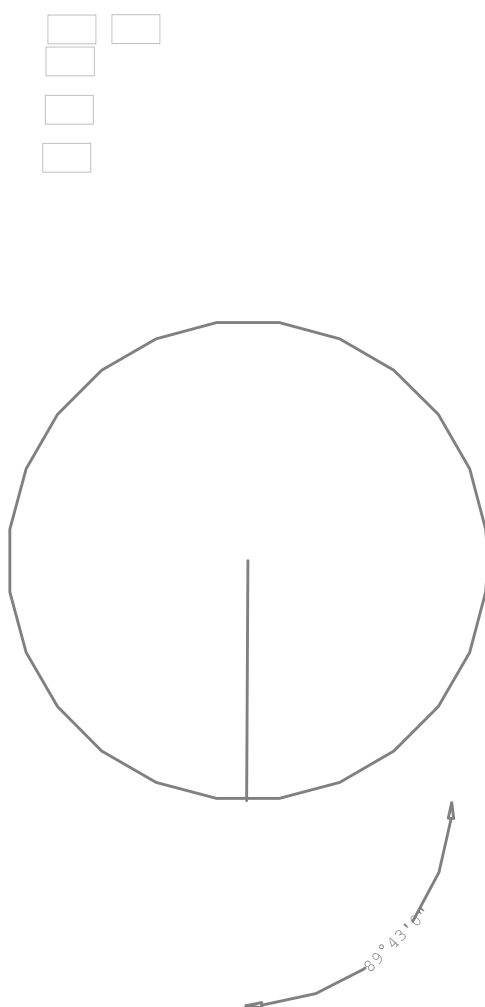
1. All fire hydrants on the site will be city owned and maintained. The plans must be updated to include a minimum 30-foot easement centered over the pipe to all hydrant locations. A 15-foot easement is also required in all directions around each hydrant.
2. The hydrant at infiltration basin 5P must be relocated to be fully outside of the infiltration basin area and must be placed on a fully protected raised curbed median area with protective bollards.
3. The proposed hydrant along Hudson Blvd. will be city owned and maintained. The watermain must be configured to be publically owned up to the hydrant/gate valve. A second gate valve should be installed to start the 8-inch private service to the site. The 8-inch watermain service must be labeled on the plans "8-inch DIP CL 52 water service".

4. City Standard Plan Notes for Watermain must be placed directly on the Utility Plan to apply for all City owned watermain and hydrants. All non-City plan notes that duplicate or contradict the City plan notes must be removed or specifically called out to apply for service pipe only.
5. The Site Plan must detail the street cut and restoration plan, including the construction limits and street section requirements for the watermain connection at Jade Trail. The street cut and restoration must be completed at full street width.
6. The 30-inch driveway culvert in city right-of-way must be RCP pipe.
7. CB-06 must be relocated to avoid conflicts with the existing sanitary sewer along Hudson Blvd.
8. Minimum storm sewer pipe size is 15-inch. Revise storm sewer from CB-04 and MH-05.

[illegible][illegible]

2. THIS RFP SHALL BE MAJOR CLASS 3.
3. COORDINATE ALL BUILDING SERVICE CODES, LOADINGS AND INVERT ELEVATIONS WITH MECHANICAL CONTRACTOR PRIOR TO START.
4. ALL BUILDING SERVICE CONNECTIONS (STOOL, SUMP, WATER, WITH FIVE ON GAS COVER) ARE TO BE INSTALLED IN BUILDING TO POINT WHERE 5 FEET OF COVER IS AVAILABLE.
5. CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO AVOID PROPERTY DAMAGE TO ADJACENT WAREHOUSE. BEING SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT WAREHOUSE OCCURRING WHILE THE CONTRACTOR WORKS ON THIS PROJECT.
6. CONTRACTOR TO COORDINATE WITH ALL OTHER CONTRACTORS ON THIS PROJECT.
7. CONTRACTOR TO COORDINATE WITH ALL OTHER CONTRACTORS ON THIS PROJECT RESPONSIBLE FOR CONTINGUOUS THE JOB. INCLUDING SCHEDULE OF ALL PERSONS INVOLVED IN THE PROJECT. CONTRACTOR TO BE RESPONSIBLE FOR THE PROJECT CONTINUOUS AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE DUTY OF

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PLANNING COMMISSION
DATE: 9/26/2016
AGENDA ITEM: 4B – PUBLIC HEARING
CASE # 2016-33

ITEM: Interim Use Permit for the Keeping of Horses in Conjunction with a Church in the Public and Quasi-Public Open Space Zoning District

SUBMITTED BY: Emily Becker, City Planner

REVIEWED BY: Stephen Wensman, Planning Director

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a request by Common Ground Church, located at 10240 Stillwater Boulevard North (PID # 1402921320024), for an Interim Use Permit for the keeping of horses in conjunction with a church. The property is zoned PF – Public and Quasi-Public Open Space and is currently being used as a place of worship. Horses are also kept on the premises, which is allowed in this zoning district by Interim Use Permit. The Interim Use Permit to keep horses in conjunction with the church was first issued in 2008, again renewed in 2009, but expired at the end of year in 2011. The Interim Use Permit has not been renewed since. The applicant is requesting the City issue an Interim Use Permit so that the property may be brought in to compliance with City Code.

GENERAL INFORMATION

<i>Applicant:</i>	Dawn Oswald
<i>Property Owners:</i>	Common Ground Church
<i>Location:</i>	10240 Stillwater Boulevard North
<i>Request:</i>	Interim Use Permit for Keeping of Horses in Conjunction with Church
<i>Existing Land Use:</i>	Place of Worship and Keeping of Horses in Conjunction with Church
<i>Zoning:</i>	PF – Public and Quasi-Public Open Space
<i>Comprehensive Plan:</i>	Rural Area Development
<i>History:</i>	The property was granted a Special Use Permit for a church in 1978. In 2007, Common Ground Church applied for a Conditional Use Permit to allow the keeping of horses on their property, but this was denied, as “horses” and/or “stables” were not listed as an allowable use in the PF – Public and Quasi-Public Open Space Zoning District. Staff was, however, directed to prepare an ordinance amendment to allow horses as an interim permitted use in conjunction with churches in the PF zoning district, and this ordinance amendment was approved later that year. After the aforementioned

amendment was passed, Common Ground Church reapplied and was granted an Interim Use Permit to keep horses on their property. This permit was granted for a period of two years with the condition it may be renewed. It was then renewed in 2009 for another period of 2 years. This Interim Use Permit expired at the end of 2011 and has not been renewed, though horses have continued to be kept on the property.

Deadline for Action: Application Complete – 8/26/2016
60 Day Deadline – 10/25/2016
Extension Letter Mailed – N/A
120 Day Deadline – N/A

Applicable Regulations: Section 154.107: Interim Use Permits
Section 154.600: PF – Public and Quasi-Public Open Space
Section 95.060: Horses
Section 95.090: Livestock
Section 154.914: Livestock

REQUEST DETAILS:

The property was granted an Interim Use Permit that was valid from late 2007 through late 2011. At this time, the Interim Use Permit has expired. Staff can find no record of the property being notified that the Permit was due to be renewed, though Resolution 2009-046 that granted the Interim Use Permit and the Consent Agreement both state that the expiration date of the Permit was December 31, 2011.

Although the Interim Use Permit expired almost five years ago, horses have continued to be kept on the site. Earlier this year, Staff conducted a City-wide review of Conditional and Interim Use Permits to ensure compliance. It was during this review that Staff discovered that the Interim Use Permit for the subject property had not been renewed, yet the use has continued. Since 2009, to Staff's knowledge, no complaints have been received about the use.

Terminated or suspended interim use permits cannot be renewed unless the Director of Planning received an application for and approved a 1-time 30-day extension to continue processing the renewal application. As such, this property cannot technically "renew" their Interim Use Permit following the process outlined by Section 154.107 (H), which allows an Interim Use Permit to be renewed by sending notices of the requested renewals to all property owners within 350 feet of the parcel containing the use. As such, this application must be processed in the manner of a new application, and therefore Common Ground has submitted an application for an Interim Use Permit.

PLANNING AND ZONING ISSUES:

Property Size. The property totals 24.5 acres in size, divided by Kelvin Avenue North. The church is to the west side of Kelvin Avenue North, and the horses reside to the east side. Approximately four acres have been identified for the pasture of horses.

Requirements of Section 154.600: Public and Quasi-Public Open Space; Subd. C. Per Section 154.600: Public and Quasi-Public Open Space; Subd. C, the keeping of horses in conjunction with churches is allowed by Interim Use Permit, provided that:

(1) The keeping of horses does not constitute a feedlot per Minn. Rules.

The definitions of feedlot and pasture are provided below. Because a pasture is not considered to be a feedlot, if the property can be defined as a pasture, it would not constitute a feedlot.

Minnesota Administrative Rule 7020.0300 Definitions

Subp. 3. Animal feedlot. "Animal feedlot" means a lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of these parts, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these parts.

Subp. 18. Pastures. "Pastures" means:

A. areas, including winter feeding areas as part of a grazing area, where grass or other growing plants are used for grazing and where the concentration of animals allows a vegetative cover to be maintained during the growing season, except that vegetative cover is not required:

- (1) in the immediate vicinity of supplemental feeding or water devices;
- (2) in associated corrals and chutes where livestock are gathered for the purpose of sorting, providing veterinary services, loading and unloading trucks and trailers, and other necessary activities related to good animal husbandry practices; or
- (3) in associated livestock access lanes used to convey livestock to and from areas of the pasture; or

B. agricultural land:

- (1) where livestock are allowed to forage during the winter;
- (2) that is used for cropping purposes in the growing season; and
- (3) where the concentration of animals is such that a vegetative cover, whether of grass, growing plants, or crops, is maintained during the growing season, except in the immediate vicinity of temporary supplemental feeding or watering devices.

According to this property's 2008 Interim Use Permit Staff Report, the Minnesota Pollution Control Agency defines a pasture as land that designates two acres per horse. Because the church can designate four acres for the keeping of horses, if they limit the property to two horses, the land would be considered a pasture, and therefore not a feedlot.

(2) The property is directly adjacent to only Agricultural (A) and Rural Residential (RR) zoned properties that are not developed as open space preservation subdivisions. Roadways shall be considered an adequate buffer.

The portion of the property that keeps the horses is directly adjacent only to properties zoned Rural Residential, and they are not developed as open space preservation subdivisions. Stillwater

Boulevard provides a buffer between the property and another property zoned Public and Quasi-Public Open Space.

(3) Evidence is provided to show adherence to all livestock and horse regulations in city code.

The specific regulations for livestock, found in Section 154.914: Livestock, of the Zoning Code, are below:

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

When the MPCA previously reviewed this site, it found no reason to believe that the amount of manure generated by the two allowable horses will pose any risk for area water bodies.

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

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

The applicant has been made aware, upon the granting of the initial Interim Use Permit, that the property would be subject to periodic inspections to ensure that unexpected manure issues do not arise.

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

The portion of the parcel on which horses are being kept is over two acres, and the overall parcel size is far greater than five acres. Therefore, the keeping of horses on this parcel should not be considered a nuisance.

(E) Grazable acres. Grazable acreage shall be defined as open, non-treed acreage exclusive of the homesite and yard that is currently providing enough pasture or other agricultural crops capable of supporting summer grazing at a density of 1 cow, or its equivalent, per 2 acres. Grazable acreage shall not include non-jurisdictional wetlands or slopes over 12%.

(1) For purposes of these regulations, the following animal equivalents apply: one slaughter steer, heifer or horse - 1.0; one mature dairy cow - 1.4; one swine over 55 pounds - .4; one sheep -.1; one turkey - .01; one chicken - .01; one duck - .02.

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

As previously mentioned, the property has been determined to have four grazable acres. As two grazable acres are required per horse, allowing the keeping of two horses on the property is in compliance with this Code.

Previous Comments from City Engineer, Valley Branch Watershed District, and Minnesota Department of Natural Resources. At the time of the initial Interim Use Permit application and its renewal, there were no foreseen issues with the current number of horses on the property. The Valley Branch Watershed District had stated that at least a two-inch high vegetative cover such as Kentucky Bluegrass to properly maintain pastures to prevent negative environmental impacts. The City Engineer determined existing drainage conditions would not be adversely affected by the proposed use but that adequate fencing should be confirmed to keep animals off of adjacent roadways. The parcel of land complies with this suggestion as it is completely enclosed by animal fencing that has proved to be adequate thus far. The present application has been forwarded to these parties and no further issues have been communicated.

REVIEW AND ANALYSIS:

If approved, the proposal would authorize the horses to continue to be kept on the property throughout the year as part of the “Hoof Prints” organization, which is a non-profit, faith-based, volunteer-run group. The purpose of the organization is to benefit people who may be dealing with abuse, sickness, or other troubles through work with horses.

Guests and volunteers care for the horses by exercising, grooming and feeding them; which in turn is meant to provide a sense of accomplishment and improved self-confidence. The hours of operation are primarily “after school” and weekends by appointment. The organization has served the Lake Elmo community throughout the years, working with Willow Haven Group Home, Washington County Adult and Youth Bureau Services, and many others.,

The granting of this Interim Use Permit would affect no change of use on the parcel, as it has been used as such for the past nine or so years. Granting the Interim Use Permit would, however, bring the property in to compliance with City Code.

DRAFT FINDINGS

An interim use permit may be granted only if the City makes the following findings. Recommended draft findings are *italicized*:

1. The use is allowed as an interim use in the respective zoning district and conforms to standard zoning regulations.

As previously outlined in the Planning and Zoning Issues section of this report, the property is located in the Public and Quasi-Public Open Space zoning district, and the keeping of horses in conjunction with churches by Interim Use Permit is allowed in this zoning district. The property meets all the provisions set forth for such use.

2. The use will not adversely impact nearby properties through nuisance, noise, traffic, dust, or unsightliness and will not otherwise adversely impact the health, safety, and welfare of the community.

As previously explained in the Planning and Zoning Issues section of this report, the property should not be considered a nuisance because it meets the minimum criteria for the keeping of horses set forth in City Code. The impact of two horses has proven and is expected to continue to be minimal.

3. The use will not adversely impact implementation of the Comprehensive Plan.

The Comprehensive Plan shows that the property is guided for Rural Area Development. The keeping of horses on this property would not adversely affect this, as no structures are being built on this portion of the property nor are any major changes to the land being made.

4. The user agrees to all conditions that the City Council deems appropriate to establish the interim use. This may include the requirement of appropriate financial surety such as a letter of credit or other security acceptable to the City to cover the cost of removing the interim use and any interim structures not currently existing on the site, upon the expiration of the interim use permit.

The applicant will need to sign another Consent Agreement that shows agreement to all conditions set forth.

5. There are no delinquent property taxes, special assessments, interest, or city utility fees due upon the subject parcel.

The Finance Director has been contacted to verify this and has stated that no substantial amount of the aforementioned is due to the City that should prevent the property from being granted the Interim Use Permit.

6. The date or event terminating the interim use shall be set by the City Council at the time of approval.

At the time the Interim Use Permit for this property was first issued, and even at the time it was renewed, there were restrictions that limited terms of interim use to two years. These restrictions no longer apply to current Code. Therefore, the applicant has requested, and Staff recommends, that the Interim Use Permit for the keeping of horses on this property should be granted for a period of ten years, provided that all other conditions of the permit are met throughout this time period. The termination date of December 31, 2026 is specifically recommended, as the end of the year is often associated with the renewal and review of many city projects and applications. Additionally, the property's previous Interim Use Permits expired on the date of December 31 and choosing this date as the expiration date will keep this consistent.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of an Interim Use Permit for the keeping of horses at 10240 Stillwater Boulevard North with the following conditions:

- 1) No more than two horses shall be allowed on the property;

- 2) The keeping of horses shall be limited to that side of the property that is located to the East of Kelvin Avenue North;
- 3) All efforts to maintain at least two inches of vegetative cover shall be made in order to properly upkeep the pasture area;
- 4) All riding of horses shall be done in accordance with Section 95.060: Horses, of the City Code, and the property must maintain compliance with regulations pertaining to Livestock: Sections 95.090 & 154.914 of the City Code;
- 5) The Interim Use Permit shall be valid until any one of the events listed below occurs, whichever occurs first:
 1. Until December 31, 2026;
 2. Upon the sale of the property;
 3. Until a violation of the Consent Agreement;
 4. Until a change in the City's zoning regulations, which renders the interim use non-conforming; or
 5. Until the redevelopment of the Property for a permitted or conditional use as allowed by the City's zoning regulations.
- 6) The applicant must sign and submit to the City a consent agreement before December 31, 2016.

ATTACHMENTS:

- Interim Use Permit Application
- Location map and site plan
- Resolutions 2009-046 & 2008-012
- Consent Agreement Draft

ORDER OF BUSINESS:

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

Date Received: 7-28
Received By: Patti
Permit #: _____



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

LAND USE APPLICATION

- ☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal
- ☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☒ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
- ☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan
- ☐ PUD Concept Plan ☐ PUD Preliminary Plan ☐ PUD Final Plan

Applicant: Dawn Oswald
Address: 10749 62nd St. N. Stillwater, MN 55082
Phone # 612-401-5181
Email Address: dawn09419@yahoo.com

Fee Owner: Common Ground Church
Address: 10240 Stillwater Blvd N. Lake Elmo 55042
Phone # 651-748-7984
Email Address: _____

Property Location (Address and Complete (long) Legal Description: See attached

Detailed Reason for Request: to offer a safe place using horses to come along side people as they work through their life challenges.

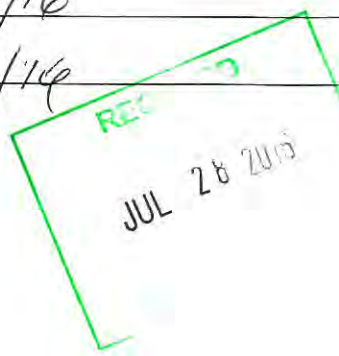
*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

though enough land for horses this is PF zoning

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: Dawn Oswald Date: 7/27/16

Signature of fee owner: Gary Johnson Date: 7/27/16



July 27, 2016

The City of Lake Elmo
3800 Lavern Ave N
Lake Elmo, MN 55042

Re: Interim Use Permit for 10240 Stillwater Blvd

To Whom it May Concern:

Common Ground church is asking to renew our Interim Use Permit for our Hoof Prints Ministry this permit allows the keeping of horses at 10240 Stillwater Blvd. N. Lake Elmo, MN.

Hoof Prints offers a safe place for people to come and work through their life challenges free of charge.

Throughout the years we have come along side and served the Lake Elmo Community by working with the Willow Haven Group home, Washington County Adult and Youth Bureau Services along with many others.

Hoof Prints is operated by donations only which pays for food, vetting, hooves, and teeth. We understand there is a \$200.00 fee to renew this permit but are asking the fee to be waived due to the smallness of our church congregation and the large assessment charges due the roads being resurfaced.

We are also requesting that the permit be extended to 10 years before renewal.

Please note the enclosed land description.

Thank you for your consideration to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dawn Oswald".

Dawn Oswald

Hoof Prints- Common Ground Church

Certificate of Title

No. 56860

Transfer from No. 27161. Originally registered the Twenty-sixth day of January, 1931,
Register of Titles 4, Page 124, Washington County, Minnesota.

STATE OF MINNESOTA,
COUNTY OF WASHINGTON

SS.

REGISTRATION

This is to certify that

COMMON GROUND CHURCH OF THE CHRISTIAN AND MISSIONARY ALLIANCE, a corporation under the laws of Minnesota

residing at 10240 North Stillwater Blvd. in the City of Lake Elmo
County of Washington, and State of Minnesota
is now the owner of an estate; in fee simple

of and in the following described land, situated in the County of Washington and State of Minnesota:

That part of the Northwest Quarter of the Southwest Quarter of Section 14, Township 29 North, Range 21 West, Washington County, Minnesota described as follows:
Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence South 00 degrees 42 minutes 44 seconds East, bearing oriented to the Washington County Coordinate System, South Zone, along the west line of said Northwest Quarter of the Southwest Quarter a distance of 992.71 feet to the center line of Stillwater Lane, formerly Trunk Highway 212, and the point of beginning; thence North 67 degrees 20 minutes 14 seconds East, along said center line, 501.43 feet; thence easterly along said center line and a tangential curve, concave to the south, having a central angle of 24 degrees 08 minutes 07 seconds and a radius of 881.47 feet, a distance of 371.31 feet; thence South 88 degrees 31 minutes 39 seconds East along tangent and along said center line 491.30 feet to the east line of said Northwest Quarter of the Southwest Quarter, thence South 00 degrees 50 minutes 00 seconds East along said east line 454.45 feet to the north right-of-way line of the Chicago North Western Railroad, said point being 44 feet North of the centerline of the most Northerly tract of the Chicago Northwestern Railroad; thence South 86 degrees 11 minutes 42 seconds West along said north right-of-way line 1322.01 feet to the west line of said Northwest Quarter of the Southwest Quarter; thence North 00 degrees 42 minutes 44 seconds West along said west line 293.80 feet to the point of beginning, containing 13.48 acres, more or less, of which 7.74 acres, more or less is not encumbered by road or highway easements.

Subject to a road easement over the northerly and north-westerly 33.00 feet thereof for Stillwater Lane.

Also, subject to a road easement over the easterly 33.00 feet thereof for Kelvin Avenue.

Also, subject to a road easement along the south line thereof as described in Final Certificate Document No. 17469 for Trunk Highway 212.

Subject to the encumbrances, liens and interest noted by the memorial underwritten or endorsed hereon, and subject to the following rights or encumbrances subsisting, as provided in Section 508.25, Minnesota Statutes, annotated, namely:

1. Liens, claims, or rights arising or existing under the laws or the Constitution of the United States, which this state cannot require to appear of record.
2. The lien of any real property tax or special assessment.
3. Any lease for a period not exceeding three years when there is actual occupation of the premises thereunder.
4. All rights in public highways upon the land.
5. Such right of appeal or right to appeal and contest the application as is allowed by law.
6. The rights of any person in possession under deed or contract for deed from the owner of the certificate of title.
7. Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

That the said _____ (is/is not) of the age of eighteen years or older,
is under no legal incapacity except _____ and is (single/married) to
incapacity except _____, who (is/is not) of the age of eighteen years or older and is under no legal

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of my office
this Twenty-first day of December, 20 01

Registrar of Titles, In and for the County of Washington and State of Minnesota

By *Christine M. Kober*

Doc. No. 1106777

Deputy.



OCT 25 2006

LAND RECORDS

14949 62nd STREET NORTH • PO BOX 6 • STILLWATER, MN 55082-0006
FAX: 430-6178 • PHONE: 430-6165

Kathleen Redman
Deputy Auditor

6170

Combining Real Estate Parcels into One Tax Parcel

Under MN Statutes, owners of contiguous property, which has exactly the same owners listed for the property and meets certain other conditions, may combine the parcels into one tax statement. To be combined, the following conditions must be met:

The parcels must have exactly the same (identical) ownership.

✓ Parcels may only be combined with contiguous (bordering) parcels and in same ownership.

Application will not be processed until all current year's taxes are paid in full.

All parcels must be taxed the same (city, township, TIF, TAP, Green Acres, etc.)

All Special Assessments must be paid on all parcels or the city/township will need to recertify those special assessments for the new parcel.

CAUTION

Parcels that have been combined cannot be divided again without municipality approval and if location is in a township, Washington County LM Department must also approve.

Combined property tax will be reflected on the next year's statement.

Owner (Applicant) Name: Mark E. Anderson

Address: 10240 Stillwater Blvd. N. Phone Number: 651-748-7984

Parcels to be combined: PIDs 14-029-21-32-0005
14-029-21-31-0003

Signature(s): Mark E. Anderson Date: 10-25-06

Washington County does not discriminate on the basis of race, color, national origin, sex, religion, age, and handicapped status in employment or the provision of services

The Tax Parcel Consolidation of land described by this instrument is hereby approved and is entitled to recording.

Sharon Lumby 10-25-06
Sharon Lumby, Deputy Clerk, City of Lake Elmo (651) 777-5510 Date

Certified filed and/or recorded on:
8/08/2006 11:26 AM

Document: QCD \$46.00



3599893

By County Recorder:
Kevin J Corbid

Return to:
120 SO SIXTH ST STE 2500

MPLS MN 55402

No delinquent taxes and transfer entered: Certificate
of Real Estate Value () filed (V) not required

Date August 7, 2006

Molly F. O'Rourke, Auditor-Treasurer

Deputy Fahma Gleichsbeil

14-029.21.31.0003

46

Docs 31-M-- QUIT CLAIM DEED
Corporation, Partnership or Limited Liability Company
to Corporation, Partnership or Limited Liability Company

(Top 3 inches Reserved for Recording Data)

Miller/Davis Co. St. Paul, MN 651-642-1988
Minnesota Uniform Conveyancing Blanks (1/15/97)

DEED TAX DUE: \$ 1.65

Date: July 27, 2006

FOR VALUABLE CONSIDERATION, Lake Elmo Baptist Church

a non-profit corporation under the laws of Minnesota
Grantor, hereby conveys and quitclaims to Common Ground Church of The Christian and Missionary Alliance

Grantee, a non-profit corporation under the laws of Minnesota
real property in Washington County, Minnesota, described as follows:

The THE TOTAL CONSIDERATION FOR THIS TRANSFER
OF PROPERTY IS \$500.00 OR LESS.

together with all hereditaments and appurtenances.

Check box if applicable:

- ☐ The Seller certifies that the seller does not know of any wells on the described real property.
☐ A well disclosure certificate accompanies this document.
☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

WASHINGTON COUNTY

Lake Elmo Baptist Church

Receipt No: 222861 Date: 8/7/2006
Registration tax hereon of: \$1.65 PAID
MN Conservation Fund M.S. 473h \$5.00 PAID
Molly F. O'Rourke, Auditor by CFReichstadt

By Steven C Forster
Steven C. Forster

Its Elder Board Chair

By

Its

STATE OF MINNESOTA
COUNTY OF WASHINGTON } ss.

This instrument was acknowledged before me on July 27, 2006
(Date)

by Steven C. Forster and
the Elder Board Chair and
of Lake Elmo Baptist Church

a non-profit corporation under the laws of Minnesota
on behalf of the non-profit corporation

NOTARY PUBLIC OR SEAL (OR OTHER TITLE OR NAME)
ROBERT L. RICHERT
Notary Public-Minnesota
My Commission Expires Jan 31, 2010

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

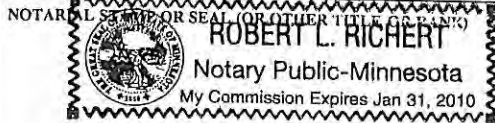
Check here if part or all of the land is Registered (Torrens) ☐
Tax Statements for the real property described in this instrument should
be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

Common Ground Church of The Christian and Missionary

of Lake Elmo Baptist Church

a non-profit corporation under the laws of Minnesota
on behalf of the non-profit corporation



[Handwritten Signature]

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens) ☐

Tax Statements for the real property described in this instrument should
be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

Ret
Robert L. Richert (#260344)
Lapp, Libra, Thomson, Stoebner & Pusch
Chartered
One Financial Plaza - Suite 2500
120 South Sixth Street
Minneapolis, MN 55402

Common Ground Church of The Christian and Missionary
Alliance
11325 North Stillwater Boulevard
Lake Elmo, MN 55042

WARNING: UNAUTHORIZED COPYING OF THIS FORM PROHIBITED.

EXHIBIT A

That part of the Northeast Quarter of the Southwest Quarter of Section 14, Township 29 North, Range 21 West, Washington County, Minnesota, which lies north of the North Right of Way line of the Chicago Northwestern Railroad and southerly and southwesterly of the following described line:

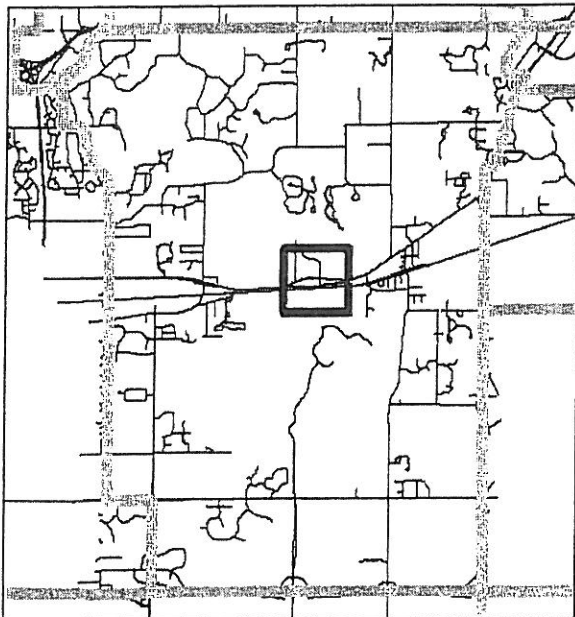
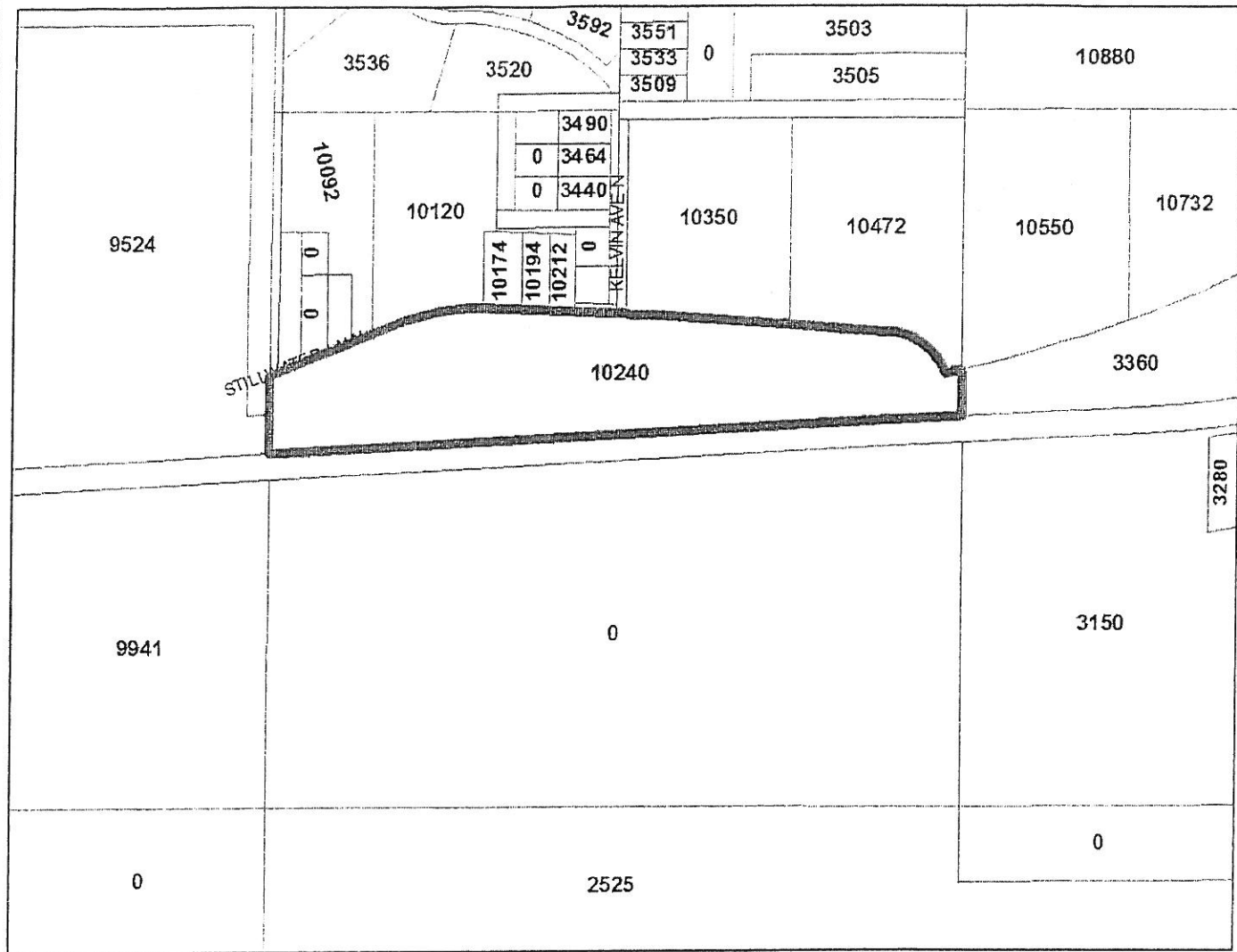
Commencing at the northeast corner of said Northeast Quarter of the Southwest Quarter; thence South 00 degrees 57 minutes 15 seconds East, bearing oriented to the Washington County Coordinate System, South Zone, along the east line of said Northeast Quarter of the Southwest Quarter, a distance of 982.94 feet to the center line of T.H. 212 and the point of beginning of the line to be described; thence southwesterly along said center line and a curve, concave to the north, having a central angle of 00 degrees 36 minutes 21 seconds and a radius of 5729.16 feet, a distance of 60.59 feet to the center line of Stillwater Lane, the chord of said curve bears South 75 degrees 55 minutes 21 seconds West; thence North 27 degrees 49 minutes 42 seconds West, along said center line of Stillwater Lane, a distance of 22.68 feet; thence northwesterly and westerly along said center line and a tangential curve, concave to the Southwest, having a central angle of 58 degrees 38 minutes 37 seconds and a radius of 249.11 feet a distance of 254.97 feet; thence North 86 degrees 28 minutes 18 seconds West, along tangent and along said center line, a distance of 733.07 feet; thence westerly along said center line and a tangential curve, concave to the south, having a central angle of 2 degrees 00 minutes 00 seconds and a radius of 7639.44 feet, a distance of 266.67 feet; thence North 88 degrees 28 minutes 18 seconds West along tangent and along said center line, a distance of 50.20 feet to the west line of said Northeast Quarter of the Southwest Quarter and said line there terminate,

ENTERED IN TRANSFER RECORD
WASHINGTON COUNTY, MINNESOTA

August 7, 2006
MOLLY F. O'ROURKE, AUDITOR-TREASURER

BY *Fabian Gleichfeldt*
DEPUTY

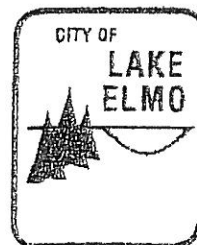
14.029. 21.31.0003

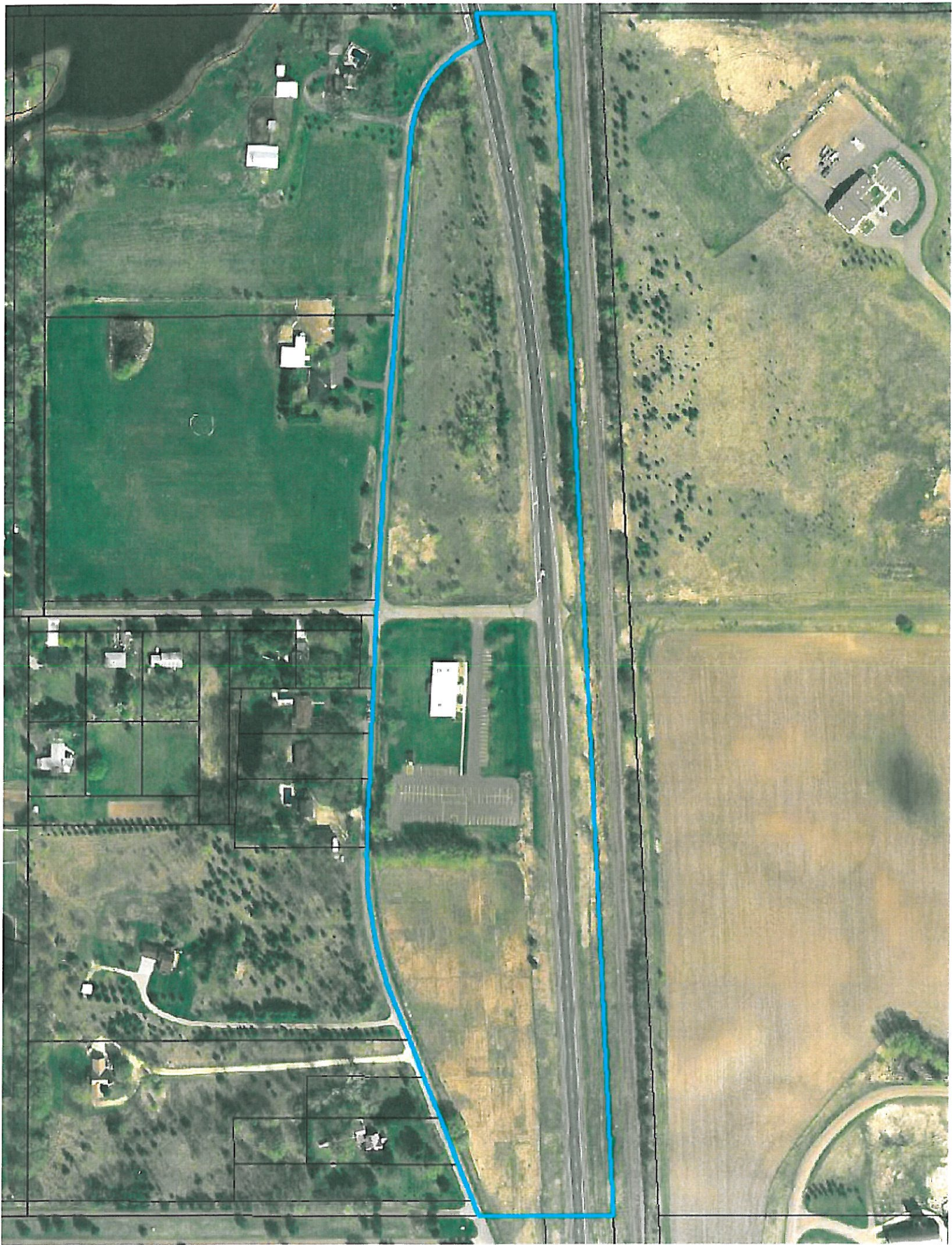


Location within the City of Lake Elmo

**Common Grounds Church
10240 Stillwater Blvd N.**

(PID 14-029-21-32-0024)





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

RESOLUTION NO. 2009-046

**A RESOLUTION GRANTING AN INTERIM USE PERMIT TO ALLOW THE KEEPING
OF HORSES AT 10240 STILLWATER BOULEVARD NORTH**

WHEREAS, Common Ground Church has requested an Interim Use Permit at 10240 Stillwater Boulevard North to allow the keeping of horses in conjunction with the Hoof Prints Ministry Program in the PF zoning district.

WHEREAS, the required mailing was completed in compliance with Section 154.019. No objections were received within ten days of the mailed notice.

WHEREAS, the applicants are not requesting any changes to the originally approved permit.

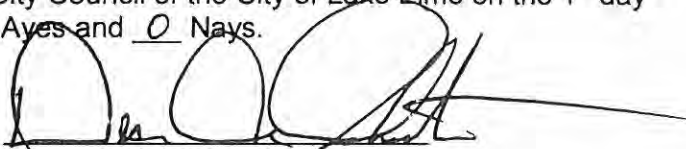
FINDINGS

1. Two horses would be in compliance with all livestock requirements and MPCA requirements for this type of facility;
2. A maximum of two horses will be in conformance with all interim use permit criteria outlined in code.

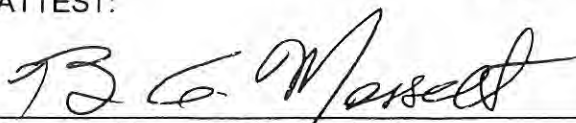
NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council hereby approves an Interim Use Permit at 10240 Stillwater Boulevard North to allow the keeping of horses, based on the Findings and subject to the following conditions:

1. No more than two horses shall be allowed;
2. All riding of horses shall be done in accordance with section 95.01 and 05.02 of city code;
3. The Interim Use Permit shall expire on December 31, 2011; at such time, the applicants may apply for another two year IUP.
4. The applicant must sign a consent agreement before expiration of the existing permit on December 31, 2009.

This resolution was adopted by the City Council of the City of Lake Elmo on the 1st day of December 2009, by a vote of 5 Ayes and 0 Nays.


Dean A. Johnston, Mayor

ATTEST:


Bruce A. Messelt, City Administrator

(SEAL)

**CONSENT AGREEMENT
INTERIM USE PERMIT**

1.0 Parties. This Consent Agreement/Interim Use Permit ("Agreement") is entered into by and between the City of Lake Elmo, a Minnesota statutory city ("City"); Common Ground Church, ("Applicant").

2.0 Recitals.

A. Applicant is the record fee Owner of the following described property situated in Lake Elmo, MN ("Property"): THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 29 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 42 MINUTES 44 SECONDS EAST, BEARING ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, SOUTH ZONE, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 992.71 FEET TO THE CENTER LINE OF STILLWATER LANE, FORMERLY TRUNK HIGHWAY 212, AND THE POINT OF BEGINNING; THENCE NORTH 67 DEGREES 20 MINUTES 14 SECONDS EAST, ALONG SAID CENTER LINE, 501.43 FEET; THENCE EASTERLY ALONG SAID CENTER LINE AND A TANGENTIAL CURVE, CONCAVE TO THE SOUTH, HAVING A CENTRAL ANGLE OF 24 DEGREES 08 MINUTES 07 SECONDS AND A RADIUS OF 881.47 FEET, A DISTANCE OF 371.31 FEET; THENCE SOUTH 88 DEGREES 31 MINUTES 39 SECONDS EAST ALONG TANGENT AND ALONG SAID CENTER LINE 491.30 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THENCE SOUTH 00 DEGREES 50 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE 454.45 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE CHICAGO NORTH WESTERN RAILROAD, SAID POINT BEING 44 FEET NORTH OF THE CENTERLINE OF THE MOST NORTHERLY TRACT OF THE CHICAGO NORTHWESTERN RAILROAD; THENCE SOUTH 86 DEGREES 11 MINUTES 42 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 1322.01 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 42 MINUTES 44 SECONDS WEST ALONG SAID WEST LINE 293.80 FEET TO THE POINT OF BEGINNING, CONTAINING 13.48 ACRES, MORE OR LESS, OF WHICH 7.74 ACRES, MORE OR LESS IS NOT ENCUMBERED BY ROAD OR HIGHWAY EASEMENTS. SUBJECT TO A ROAD EASEMENT OVER THE NORTHERLY AND NORTH-WESTERLY 33.00 FEET THEREOF FOR STILLWATER LANE. ALSO, SUBJECT TO A ROAD EASEMENT OVER THE EASTERLY 33.00 FEET

- C. The use will not adversely impact implementation of the comprehensive plan.
- D. No more than two horses shall be allowed on the property.
- E. The keeping of horses shall be limited to that side of the parcel to the east of Kelvin Avenue North.
- F. That all efforts to maintain at least two inches of vegetative cover shall be made in order to properly upkeep the pasture area.
- G. All riding of the horses shall be done in accordance with Section 95.060: Horses, of the City Code, and the property must maintain compliance with regulations pertaining to Livestock: Sections 95.090 & 154.914 of the City Code.
- H. That the applicant maintain compliance with all applicable City Code standards for the duration of the interim use.
- I. That the interim use is valid for a period of ten 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.
- J. The Interim Use Permit shall be valid until any one of the events listed below occurs, whichever occurs first:
 - 1. Until December 31, 2026;
 - 2. Upon the sale of the property;
 - 3. Until a violation of the Consent Agreement;
 - 4. Until a change in the City's zoning regulations, which renders the interim use non-conforming; or
 - 5. Until the redevelopment of the Property for a permitted or conditional use as allowed by the City's zoning regulations.

4.0 Renewal of Interim Use Permit. The interim use permit may be renewed by the Council prior to the expiration.

5.0 Acknowledgement of the Permitted Uses. Any Permitted Use that was previously conducted on the Property is allowed to continue in conjunction with the Interim Use Permit.

6.0 Acknowledgement and Consent. Applicant acknowledges that this is a legally binding agreement and that Applicant has had an opportunity to review the Agreement with legal counsel. Applicant consents to the terms of this Agreement and its restrictions on the use of the Property and the Interim Use Area.

7.0 Effective Date. This Consent Agreement/Interim Use Permit shall be effective upon execution by all parties.

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

RESOLUTION NO. 2008-012

**A RESOLUTION GRANTING AN INTERIM USE PERMIT TO ALLOW THE KEEPING
OF HORSES AT 10240 STILLWATER BOULEVARD NORTH**

WHEREAS, Common Ground Church has requested an Interim Use Permit at 10240 Stillwater Boulevard North to allow the keeping of horses in conjunction with the Hoof Prints Ministry Program in the PF zoning district.

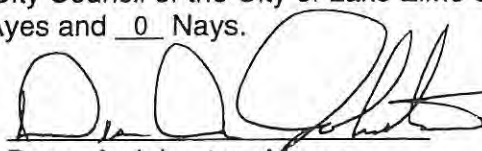
WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on February 11, 2008, and reviewed and recommended approval of the Interim Use Permit for the keeping of horses on the site based on the following findings:

1. Two horses would be in compliance with all livestock requirements and MPCA requirements for this type of facility;
2. A maximum of two horses will be in conformance with all interim use permit criteria outlined in code.


NOW, THEREFORE, BE IT RESOLVED that the Lake Elmo City Council hereby approves an Interim Use Permit at 10240 Stillwater Boulevard North to allow the keeping of horses, based on the Findings and subject to the following conditions:

1. No more than two horses shall be allowed;
2. All riding of horses shall be done in accordance with section 95.01 and 05.02 of city code;
3. The Interim Use Permit shall expire on December 31, 2009; at such time, the applicants may apply for another two year IUP.

This resolution was adopted by the City Council of the City of Lake Elmo on the 19th day of February 2008, by a vote of 5 Ayes and 0 Nays.


Dean A. Johnston, Mayor

ATTEST:



Susan Hoyt, City Administrator

(SEAL)

	Ayes	Nays
Mayor Johnston	X	
Council Members		
DeLapp	X	
Johnson	X	
Smith	X	
Park	X	

CONSENT AGREEMENT INTERIM USE PERMIT

1.0 Parties. This Consent Agreement/Interim Use Permit ("Agreement") is entered into by and between the City of Lake Elmo, a Minnesota statutory city ("City"); Common Ground Church, ("Applicant").

2.0 Recitals.

A. Applicant is the record fee Owner of the following described property situated in Lake Elmo, MN ("Property"): THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 29 NORTH, RANGE 21 WEST, WASHINGTON COUNTY, MINNESOTA DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST CORNER; THENCE SOUTH 00 DEGREES 42 MINUTES 44 SECONDS EAST, BEARING ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, SOUTH ZONE, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 992.71 FEET TO THE CENTER LINE OF STILLWATER LANE, FORMERLY TRUNK HIGHWAY 212, AND THE POINT OF BEGINNING; THENCE NORTH 67 DEGREES 20 MINUTES 14 SECONDS EAST, ALONG SAID CENTER LINE, 501.43 FEET; THENCE EASTERLY ALONG SAID CENTER LINE AND A TANGENTIAL CURVE, CONCAVE TO THE SOUTH, HAVING A CENTRAL ANGLE OF 24 DEGREES 08 MINUTES 07 SECONDS AND A RADIUS OF 881.47 FEET, A DISTANCE OF 371.31 FEET; THENCE SOUTH 88 DEGREES 31 MINUTES 39 SECONDS EAST ALONG TANGENT AND ALONG SAID CENTER LINE 491.30 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THENCE SOUTH 00 DEGREES 50 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE 454.45 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE CHICAGO NORTH WESTERN RAILROAD, SAID POINT BEING 44 FEET NORTH OF THE CENTERLINE OF THE MOST NORTHERLY TRACT OF THE CHICAGO NORTHWESTERN RAILROAD; THENCE SOUTH 86 DEGREES 11 MINUTES 42 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 1322.01 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 42 MINUTES 44 SECONDS WEST ALONG SAID WEST LINE 293.80 FEET TO THE POINT OF BEGINNING, CONTAINING 13.48 ACRES, MORE OR LESS, OF WHICH 7.74 ACRES, MORE OR LESS IS NOT ENCUMBERED BY ROAD OR HIGHWAY EASEMENTS. SUBJECT TO A ROAD EASEMENT OVER THE NORTHERLY AND NORTHWESTERLY 33.00 FEET THEREOF FOR STILLWATER LANE. ALSO, SUBJECT TO A ROAD EASEMENT OVER THE EASTERLY 33.00 FEET

THEREOF FOR KELVIN AVENUE. ALSO, SUBJECT TO A ROAD EASEMENT ALONG THE SOUTH LINE THEREOF AS DESCRIBED IN THE FINAL CERTIFICATE DOCUMENT NO. 17469 FOR TRUNK HIGHWAY 212., commonly known as 10240 Stillwater Boulevard North, Lake Elmo Avenue North.

- B. The Property is zoned Public and Quasi-Public Open Spaces.
- C. The interim use of keeping horses in conjunction with churches is allowed in the Public and Quasi-Public Open Spaces zoning districts subject to the regulations contained in Lake Elmo City Code Section 154.600.
- D. The applicant has requested that the City allow an interim use of the keeping of horses in conjunction with Common Ground Church as part of the “Hoof Prints” organization, which is a non-profit, faith-based, volunteer-run group.
- E. On the 26th day of August, 2016, the Applicant submitted a completed application for an Interim Use Permit.
- F. On the 26th day of September, 2016, the Lake Elmo Planning Commission, at a public hearing, reviewed the Interim Use Permit application, city staff comments and reports, Applicant’s comments and reports, and public comments, and recommended approval of the interim use permit to allow the keeping of horses in conjunction with a church subject to certain conditions.
- G. On the ____th day of _____, 2016, the Lake Elmo City Council reviewed the Interim Use Permit application, city staff comments and reports, Applicant’s comments and reports, public comments, and the recommendations of the Lake Elmo Planning Commission, and agreed to authorize the interim use subject to the terms and conditions as specified in Section 154.600 of the Zoning Ordinance and Resolution 2016-____ approving the interim use permit.

3.0 Terms and Conditions. The Lake Elmo City Council and Applicant, for itself, and its successors and assigns, agree that the interim keeping of horses in conjunction with a church shall be subject to the following conditions:

- A. The Applicant, and its successors and assigns, shall have no entitlement to future re-approval of the Interim Use Permit.
- B. The use will not adversely impact nearby property properties through nuisance, noise, traffic, dust, or unsightliness and will not otherwise adversely impact the health, safety, and welfare of the community.

- C. The use will not adversely impact implementation of the comprehensive plan.
- D. No more than two horses shall be allowed on the property.
- E. The keeping of horses shall be limited to that side of the parcel to the east of Kelvin Avenue North.
- F. That all efforts to maintain at least two inches of vegetative cover shall be made in order to properly upkeep the pasture area.
- G. All riding of the horses shall be done in accordance with Section 95.060: Horses, of the City Code, and the property must maintain compliance with regulations pertaining to Livestock: Sections 95.090 & 154.914 of the City Code.
- H. That the applicant maintain compliance with all applicable City Code standards for the duration of the interim use.
- I. That the interim use is valid for a period of ten 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.
- J. The Interim Use Permit shall be valid until any one of the events listed below occurs, whichever occurs first:
 - 1. Until December 31, 2026;
 - 2. Upon the sale of the property;
 - 3. Until a violation of the Consent Agreement;
 - 4. Until a change in the City's zoning regulations, which renders the interim use non-conforming; or
 - 5. Until the redevelopment of the Property for a permitted or conditional use as allowed by the City's zoning regulations.

- 4.0 Renewal of Interim Use Permit. The interim use permit may be renewed by the Council prior to the expiration.
- 5.0 Acknowledgement of the Permitted Uses. Any Permitted Use that was previously conducted on the Property is allowed to continue in conjunction with the Interim Use Permit.
- 6.0 Acknowledgement and Consent. Applicant acknowledges that this is a legally binding agreement and that Applicant has had an opportunity to review the Agreement with legal counsel. Applicant consents to the terms of this Agreement and its restrictions on the use of the Property and the Interim Use Area.
- 7.0 Effective Date. This Consent Agreement/Interim Use Permit shall be effective upon execution by all parties.

Date: ____/____16

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

**Dawn Oswald of Common Ground
Church**

By: _____
Dawn Oswald

Its: _____