



*Our Mission is to Provide Quality Public  
Services in a Fiscally Responsible Manner  
While Preserving the City's Open Space  
Character*

## **NOTICE OF MEETING**

**City Council Workshop  
3800 Laverne Avenue North  
April 9, 2019  
6:30 PM**

## **AGENDA**

- |   |                |
|---|----------------|
| <b>I. Call to Order</b>                                     | <b>6:30 PM</b> |
| <b>II. Tree Trimming Policy Presentation and Discussion</b> | <b>6:30 PM</b> |
| <b>III. Valley Branch Watershed District Update</b>         | <b>7:00 PM</b> |
| <b>IV. Detachment Request</b>                               | <b>7:30 PM</b> |
| <b>V. Street Width and Parking Discussion</b>               | <b>7:45 PM</b> |
| <b>VI. Items for Future Work Session Agenda</b>             | <b>8:30 PM</b> |
| <b>VII. Adjourn</b>   | <b>8:30 PM</b> |



## STAFF REPORT

DATE: April 9, 2019

### **DISCUSSION**

**AGENDA ITEM:** Draft Tree Trimming Policy

**SUBMITTED BY:** Kristina Handt, City Administrator

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#### **BACKGROUND:**

A group of students from UW-River Falls (Alex Loewen, Abigail Nyseth, and Vinnie Simone), are completing a service learning project this semester in their Urban/Local Politics course. Their professor reached out to the city in January seeking project ideas. One of the projects we gave them was to draft a tree trimming policy for the public works department.

#### **ISSUE BEFORE COUNCIL:**

Does the Council have any questions about the draft policy? Should the City adopt a tree trimming policy?

#### **PROPOSAL DETAILS/ANALYSIS/OPTIONS:**

Included in your packet is a draft tree trimming policy that the student put together after reviewing other communities and consulting with city staff (public works and planning). They will be at the meeting to present their recommendation and answer any questions.

Since we will be bringing on a new public works director next month, I'd recommend we have him review the policy as well before bringing it back to Council for formal adoption.

#### **FISCAL IMPACT:**

NA

#### **ATTACHMENTS:**

- Draft Tree Trimming and Removal Policy

## **Tree Trimming and Removal Proposal for Lake Elmo, Minnesota**

Drafted by UWRF students Alex Loewen, Abigail Nyseth, and Vinnie Simone

### **Intent**

- October through March is a great time to think about tree trimming. All trees, large and small, can benefit from proper trimming. There are 3 major reasons to prune trees:
  1. Safety
  2. Health of tree
  3. Aesthetics

### **Responsibilities and Authority of the Public Works Department**

- The City has the authority to regulate tree trimming and removal activities within the city's right of way. The City will not perform any of these activities on private property unless it is impacting the right of way.
- Trimming is required if trees obstruct road lights and signs, block emergency vehicles, are diseased, or present an imminent threat to property or the public safety. Private utility companies will be responsible for trimming required due to tree impacting power lines or electrical services.
- The Public Works Director has discretion to decide appropriate action for trees on public land. All trees on public property may be trimmed or removed under order of the Public Works Director and are to be inspected periodically.
- It is the duty of the city to trim trees to allow clearance of necessary vehicles for public safety.
- The City pays for tree services on public property, the funds coming from the money allocated to the Public Works Department. At the discretion of the Public Works Director, stump removal in the city right of way may also occur.

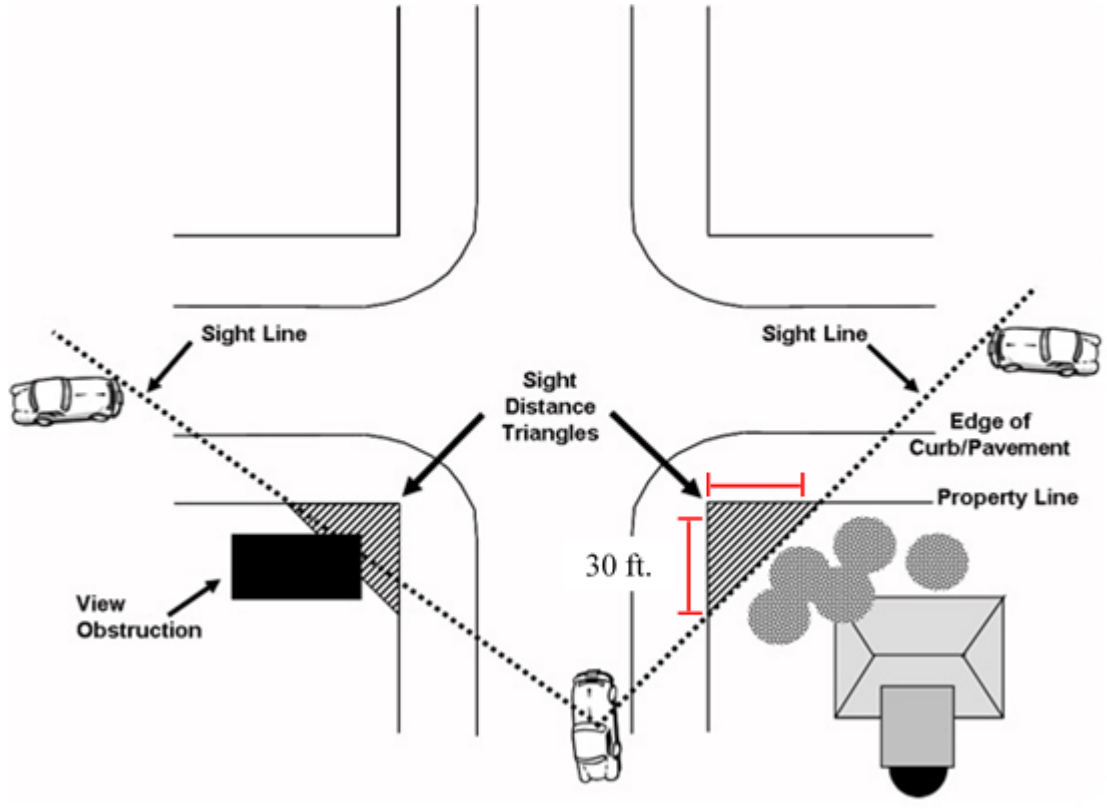
### **Procedures and Guidelines for Tree Maintenance**

- All trees and branches will be trimmed to the existing tree line.
- Overhanging trees will be cut to a 20-foot clearance over roads and a 7-foot clearance over sidewalks and ditches.
- In rural areas branches 4" or less in diameter are left behind. In urban areas branches are chipped and hauled away.
- Rural and urban branches that are > 4" are left behind at firewood length at the preference of the property owner.
- Trimming of limbs will be cut to the trunk for the safety of the tree.

- Diseased or infected trees will be removed.
- Trees are trimmed to 20 feet over street or curb, and 7 feet over sidewalk.
- Aged, decaying, or dead limbs will be removed.
- Priority is given to fallen trees blocking streets or interfering with homes, cars, in an area on or adjacent to the public right of way. The Public Works Director has discretion over specific determinations.
- All stop lights, stop signs, and other road signs must be clearly visible. The Public Works Director has discretion over what constitutes an unsafe obstruction of road signs and lights.

### **Information for Private Property Owners**

- Residents may plant new trees or remove existing trees that are not within the easement boundaries and are on private property, provided trees are setback 10 feet or more from utility lines (Electric, Sewer, Water, Etc.), 5 feet from any sidewalk or curbing, and outside of any vision triangle or otherwise endangering the public safety. Residents may plant new trees or remove existing trees within the easement on private property, provided they receive a permit from the City Planner. If the City Planner denies the request for a permit, property owners have the right to appeal the decision to the City Council.
- If a resident chooses to plant a tree within the easement on their property they must be aware that the City does have the right to remove the tree for a variety of reasons. The City will not reimburse the property owner for the value of the tree if it was planted within the easement and will not replant a new tree if the tree fails to survive.
- **VISIBLE TRIANGLE.** The area created by drawing an imaginary line between points 30 feet back from where the curb lines of the intersection quadrant meet.





## STAFF REPORT

DATE: April 9, 2019

### **DISCUSSION**

**AGENDA ITEM:** Detachment Petition

**SUBMITTED BY:** Kristina Handt, City Administrator

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#### **BACKGROUND:**

Mark Lambert, Central Commons, LLC, owns 38 acres at the southwest corner of Manning Ave and TH 36. Most of that area was detached from Lake Elmo a number of years ago and is within Stillwater Township. One exception to that is an approximately one acre parcel at 5775 Manning Ave which remained in the City of Lake Elmo. Mr. Lambert is now proposing to detach that one acre parcel from the City of Lake Elmo to assist in his development efforts.

#### **ISSUE BEFORE COUNCIL:**

Does the Council have any further questions/concerns related to the potential detachment?

#### **PROPOSAL DETAILS/ANALYSIS/OPTIONS:**

Included in your packet is a petition from Central Commons LLC to detach a 1 acre parcel in Lake Elmo to Stillwater Township. The petition and resolution have been reviewed by the city attorney. The parcel is located along Manning Ave across from Sanctuary. The developer has met with city staff and we have expressed our concerns related to providing the same level of access to the Sanctuary Development as they have today. He is supportive of our position and has met with Washington County to discuss access locations from his parcels to the east so as not to interfere with the Sanctuary access.

The purpose of this meeting is to get feedback from Council. Official action on the petition would be done at a later meeting.

#### **FISCAL IMPACT:**

Estimated loss of property tax revenue to the city is about \$900 per year. The applicant is planning to make a financial contribution to the city and pay for legal fees incurred by the city.

#### **ATTACHMENTS:**

- Detachment Petition and Resolution

**IN THE MATTER OF THE PETITION FOR DETACHMENT OF  
CERTAIN LAND FROM THE CITY OF LAKE ELMO, MINNESOTA  
PURSUANT TO MINNESOTA STATUTES § 414.06**

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TO: Office of Administrative Hearings  
Municipal Boundary Adjustment Unit  
P. O. Box 64620  
St. Paul, MN 55164-0620

PETITIONERS STATE: The number of petitioners required by Minnesota Statutes § 414.06, Subd. 1, to commence this proceeding is: all of the property owners if the area is less than 40 acres; or 75% or more of the property owners in number if the area is more than 40 acres.

It is hereby requested by:

  X   all of the property owners, the area is less than 40 acres; or  
       75% or more of the property owners, the area is more than 40 acres;

to detach certain properties described herein from the City of Lake Elmo and make a part of the Township of Stillwater.

1. There is one (1) property owner in the area proposed for detachment, Central Commons, LLC.
2. All property owners have signed this petition.
3. The property is situated within the City of Lake Elmo, abuts the municipal boundary, and is located in the County of Washington. The petitioned area abuts on the E (eastern) boundary of the City of Lake Elmo.

See attached Map(s).

4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The reason detachment is requested is: The land meets the statutory requirements for detachment from the City to a township and juts into land immediately to the east in the jurisdiction of Stillwater Township. The land is zoned Agricultural by Lake Elmo and is not served by any public utilities. The property proposed for detachment is more compatible with the adjacent land in the Township and can best be used in combination with the Township land.

6. Summarize what efforts were taken prior to filing this petition to resolve the issues: The current property owner had discussions with City of Lake Elmo staff regarding the issues. Because of its small size, the parcel proposed for detachment (the "detachment parcel") is best used in conjunction with the immediately surrounding properties currently in the Township of Stillwater. The detachment parcel was previously included in a petition for detachment from the City of Lake Elmo along with other land in file OAH 3-0330-21901-BA. However, the former owners of the detachment parcel (the "Hauths") subsequently decided not to proceed.
7. The number of acres in the property proposed for detachment is 1.08 acres and is described as follows:

All that part of Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Six (6), Township Twenty-nine (29), Range Twenty (20), described as follows: Beginning at a point on the West line of said Section 6, 923 feet South of the Northwest corner; thence North 73 degrees 0 minutes East a distance of 330 feet; thence South parallel to the West section line a distance of 148.5 feet; thence South 73 degrees 0 minutes West a distance of 330 feet to the West line of said Section 6; thence North along the West line a distance of 148.5 feet to the point of beginning.

Abstract Property

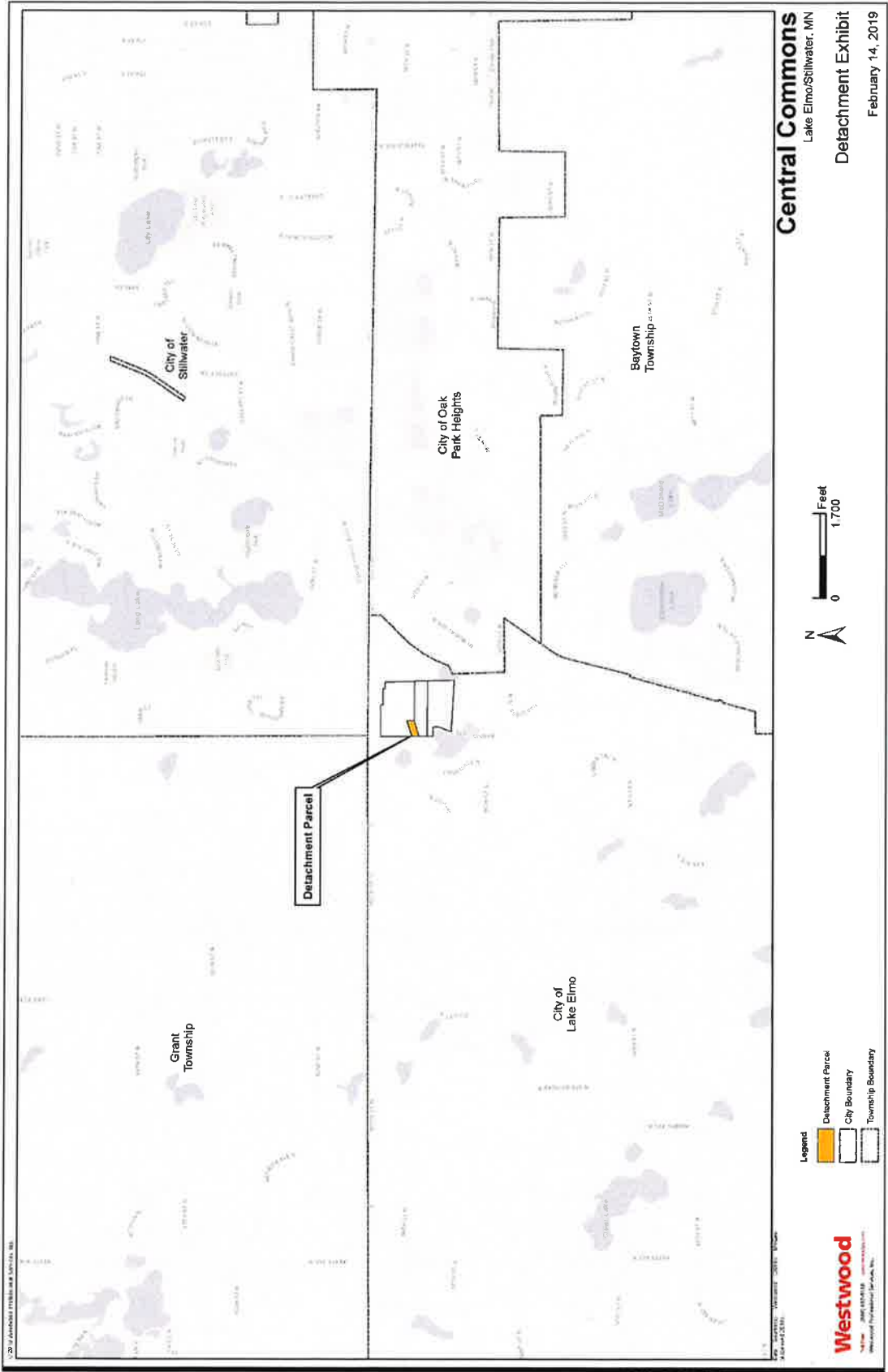
8. The number and character of buildings on said property is: 1 home (built 1970) and a shed.
9. The number of residents in the area proposed for detachment is None. The property is vacant and currently uninhabited.
10. Public improvements on said property are: None.

Property Owner: Central Commons, LLC

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_







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

**RESOLUTION NO. 2019-XX**

*A RESOLUTION SUPPORTING THE DETACHMENT OF CERTAIN LAND  
OWNED BY CENTRAL COMMONS, LLC FROM THE CITY OF LAKE ELMO  
PURSUANT TO MINN. STAT. SECTION 414.06*

**WHEREAS**, the City of Lake Elmo (the “City”) has received the Petition of Central Commons, LLC, for the detachment of certain land from the City (the Petition”); and

**WHEREAS**, the land proposed for detachment consists of approximately 1.08 acres and is legally described as follows:

All that part of Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Six (6), Township Twenty-nine (29), Range Twenty (20), described as follows: Beginning at a point on the West line of said Section 6, 923 feet South of the Northwest corner; thence North 73 degrees 0 minutes East a distance of 330 feet; thence South parallel to the West section line a distance of 148.5 feet; thence South 73 degrees 0 minutes West a distance of 330 feet to the West line of said Section 6; thence North along the West line a distance of 148.5 feet to the point of beginning. Washington County, Minnesota

Abstract Property

**WHEREAS**, a copy of the Petition is attached hereto and incorporated herein by reference.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The City Council of the City of Lake Elmo does hereby SUPPORT the above-referenced Petition for Detachment.

Passed and duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by the City Council of the City of Lake Elmo, Minnesota

\_\_\_\_\_  
Mike Pearson, Mayor

ATTEST:

\_\_\_\_\_  
Julie Johnson, City Clerk



**STAFF REPORT**

DATE: 4/9/2019

**DISCUSSION**

**TO:** Mayor and City Council  
**FROM:** Kyla Rippey, Intern  
**AGENDA ITEM:** Street Widths and Parking Restrictions  
**REVIEWED BY:** Kristina Handt, City Administrator

**BACKGROUND:**

In respect to the concerns brought forth at the 3-19-19 regular council meeting regarding street width and parking capacity in the medium density residential development of Bentley Village, the City's Engineering Design Standards were reviewed and compared to similar local residential street development in metro area.

**ISSUE BEFORE COUNCIL:**

Should the Engineering Design Standards for Lake Elmo be updated or do they remain appropriate?

**PROPOSAL DETAILS/ANALYSIS:**

**2018 Engineering Design Standards for Lake Elmo**

Geometric Design, Local Residential Street

- Minimum Street Width (B-B), parking both sides.....28-feet
- Minimum Street Width (B-B), parking one side (when allowed by City).....24-feet
- Minimum Street Width (B-B), no parking (when allowed by City).....22-feet

**Comparable Engineering Design Standards**

City	(b-b) parking both sides	(b-b) parking 1 side	(b-b) no parking
Lake Elmo	28 feet	24 feet	19 feet
Albertville* Marginal access	28 feet	28 feet	28 feet
Lakeville	32 feet		
Little Canada	32 feet		
Mahtomedi* Includes commercial	38 feet	32 feet	26 feet
Minnetrista* includes commercial	36 feet	32 feet	28 feet
Mounds View			25 feet
Oak Park Heights	28 feet		
Princeton	32 feet		
Rogers	28 feet	Will vary, no min in place	Will vary, no min in place
Victoria	32 feet	28 feet	28 feet
Waconia	28 -34 feet	28 feet	24 feet

**FISCAL IMPACT:**

Increasing residential street widths increases the cost of maintenance (seal coating, mill and overlay, reconstruction, etc) and impact storm water runoff and collection which comes with increased costs.

**OPTIONS:**

- Direct staff to make street width and parking changes to the Engineering and Design Standards for Lake Elmo
- Keep current Engineering and Design Standards for Lake Elmo without change
- Identify other questions relating to street width and parking on residential streets in Lake Elmo

**ATTACHMENTS:**

None