



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 Meeting
Tuesday, October 6, 2015 7:00 P.M.
City of Lake Elmo | 3800 Laverne Avenue North

Agenda

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Approval of Agenda**
- D. Accept Minutes**
 - 1. Approve September 15, 2015 Minutes
- E. Council Reports**
- F. Presentations/Public Comments/Inquiries**
- G. Finance Consent Agenda**
 - 2. Approve Payment of Disbursements
 - 3. 2015 Stormwater Assessments
 - 4. 39th St. N. Street & Sanitary Sewer Improvements – Pay Request No. 7
- H. Other Consent Agenda**
 - 5. Administrative Assistant Position Request
 - 6. Approve Animal Humane Society 2016 Letter of Understanding for Impound Services
 - 7. Approve Building Inspector Hiring Recommendation
 - 8. Approve Purchase of Building Inspector Truck
 - 9. Approve Hiring of City Planner
- I. Regular Agenda**
 - 10. Kleis Minor Subdivision
 - 11. Preliminary and Final Plat – Halcyon Cemetery **Resolution No. 2015-59**
 - 12. Plat Approval Process/Conditions of Approval (*Fliflet request*)
 - 13. 2014 Street Improvements – Assessment Hearing on Improvements & Adopt Final Assessment Roll – **Resolution 2015-78**
 - 14. 2016 Street Improvements – Approve Feasibility Report and Order Public Hearing – **Resolution 2015-79**
 - 15. Inwood Booster Station Improvements – Approve Building Architecture/Site Plan (30% Design/EOC)
 - 16. Water Tower No. 4 – Approve Engineering Services Task Order for Design and Construction
 - 17. 10:00 p.m. City Council Meeting Time Limit
 - 18. Councilmember/Staff Communications (*no attachment*)
- J. Staff Reports and Announcements**
- K. Adjourn**

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
SEPTEMBER 15, 2015**

A. CALL TO ORDER

Mayor Pearson called the meeting to order at 7:00 pm.

PRESENT: Mayor Mike Pearson and Council Members Julie Fliflet, Anne Smith, Justin Bloyer, and Jill Lundgren.

Staff present: Interim Administrator Schroeder, City Attorney Brekken, City Engineer Griffin, Finance Director Bendel, Community Development Director Klatt, Library Director Deprey, Fire Chief Malmquist, Planner Gozola and City Clerk Johnson.

B. PLEDGE OF ALLIGENCE

C. APPROVAL OF AGENDA

Councilmember Fliflet moved Item 14 to the Regular Agenda and tabled item 27. Mayor Pearson moved item 13 to the Regular Agenda. Councilmember Bloyer moved item 28 up to before item 23. Mayor Pearson moved item 15 to the Regular Agenda.

Councilmember Fliflet, seconded by Mayor Pearson, moved TO APPROVE THE AGENDA AS AMENDED. MOTION PASSED 5 – 0.

D. ACCEPT MINUTES

Minutes of the September 1, 2015 Regular Meeting were accepted as amended.

E. COUNCIL REPORTS

Mayor Pearson: Announced Christ Lutheran Church Rally Day on September 20th, 9:00 a.m. would appreciate local support due to construction.

Councilmember Fliflet: Attended Finance Committee meeting, Library Board meeting, Farmers Market and announced strong interest from residents in serving on an Environmental Committee. Thanked staff for all their assistance.

Councilmember Smith: Spoke with a resident on property site issues, met with Lennar representatives at the Savona development.

Councilmember Bloyer: Spoke with residents regarding 30th Street, the dog park proposal, downtown project and cemetery proposal. Reported on additional cost incurred by the City on legal publications. Noted a resignation from the Finance Committee and stated he does not feel he is an asset to the Finance Committee and submitted his resignation as a committee member.

Councilmember Lundgren: Noted that September 26th is the last Farmers Market for 2015.

F. PUBLIC COMMENTS/INQUIRIES

None

G. PRESENTATIONS

Susan Schmidt, Trust for Public Land, reported that conserving Tartan Park as a public park does not have strong support at this time and the Trust for Public Land will not be pursuing this project any further at this time.

H. FINANCE CONSENT AGENDA

2. Approve Payment of Disbursements
3. Accept Assessor Report
4. Approve Financial Report Dated August 31, 2015
5. Approve Purchase of Replacement Skid Unit for Fire Department Brush Truck
6. Approve Eagle Point Blvd. Street Improvements – Pay Request No. 1
7. Approve Production Well No. 4 – Pay Request No. 10 (FINAL)
8. Approve Production Well No. 4 – Compensating Change Order No. 2

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE FINANCE CONSENT AGENDA AS PRESENTED. MOTION PASSED 5-0.

I. OTHER CONSENT AGENDA

9. Accept Building Report
10. Approve Election Judge Appointments for November 4, 2015 Special Election –
Resolution 2015-74
11. Phase 2 Downtown Street, Drainage and Utility Improvements: Request County to Proceed with 30th Street Right-of-Way Acquisition
12. Approve Lake Elmo Jaycees Temporary Liquor License for 2015 Volksmarch October 10, 2015
16. Approve Fire Station Parking Lot Paving
17. Approve Sanctuary Park Trail Paving

Councilmember Smith, seconded by Mayor Pearson, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION PASSED 5-0.

J. REGULAR AGENDA

ITEM 13: ADOPT TARTAN PARK RESOLUTION – Resolution 2015-75

Interim Administration Schroeder reviewed proposed Resolution 2015-75 summarizing the City's position on the future disposition of Tartan Park.

Councilmember Fliflet, seconded by Councilmember Smith, moved TO ADOPT RESOLUTION 2015-75 RELATING TO TARTAN PARK. MOTION PASSED 4 – 1. (Bloyer – Nay)

ITEM 14: STATUS OF ARTS CENTER

Interim Administrator Schroeder reviewed his memo to the Council reporting on the present use and condition of the Arts Center, noting that the property is in disrepair and may not meet standards for a public facility. Schroeder reviewed photos of the property and current utility and insurance cost information.

Mike Kramer, 142500 45th Street, Stillwater, offered a history of the Arts Center as a member of the New Century Artists painting group that has been meeting every Monday night since 2008 at the Arts Center. Noted that the building was a true arts center and utilized more heavily for that purpose prior to the Library moving in. The group has provided over 50 paintings currently hanging at the Lake Elmo Library.

Susan Kane, 4372 Little Bluestem, Lake Elmo, spoke on behalf of the Valley Friendship Club that has been meeting at the Arts Center and storing supplies there since 2010. The group provides activities for kids and young adults with disabilities.

Councilmembers discussed the condition of the property with no support for demolish the building at the present time. Consensus was to obtain costs for repairing the building and assessing the current uses. Interim Administrator Schroeder noted that if the building is retained for public use it should be updated to ensure safety.

Bill Walker, 3603 Laverne Avenue N., stated he lives across from the Arts Center and expressed concern over the exterior condition of the house and property. He encouraged the Council to tour the property and consider demolishing it.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO NOT DEMOLISH THE ARTS CENTER AND TO ALLOW ART GROUPS TO CONTINUE TO USE THE BUILDING AS THEY HAVE BEEN. MOTION PASSED 3 – 2. (Pearson, Bloyer – nay)

Mayor Pearson stated that the City has a liability with public use of the building, a neighbor objection and the City is setting a bad example by allowing the property to fall into disrepair. Pearson suggested that the building should be winterized and investigated. Councilmember Bloyer stated that the City has an obligation to make sure the building is safe before people use it any longer.

Finance Director Bendel noted that the Arts Center is currently insured as a vacant building and coverage will need to be added if it will continue to host the public.

Councilmember Bloyer, seconded by Councilmember Fliflet, moved TO INSTRUCT THE FINANCE DIRECTOR TO IMMEDIATELY PLACE INSURANCE COVERAGE ON THE BUILDING AND INSTRUCT THE BUILDING INSPECTOR TO INSPECT THE BUILDING. MOTION PASSED 5 – 0.

ITEM 15. DOWNTOWN PHASE 1 AND PHASE 2 STREETScape AND LANDSCAPE PLANS – APPROVE ALLEY CONCEPT PLAN CHANGES

City Engineer Griffin reviewed the features of the proposed plan changes and noted that curbs will be installed on Laverne Avenue in the next week so decisions need to be made on where curb cuts will go. Library Director Deprey thanked the engineering department for their work on the alley design. Deprey reported that the Library Board heard concerns from residents and neighboring businesses at a board meeting and felt this was the best compromise after weighing all the input.

Councilmember Bloyer, seconded by Councilmember Smith, moved TO APPROVE THE REVISED ALLEY PLAN FOR THE PHASE 1 DOWNTOWN STREET, DRAINAGE AND UTILITY IMPROVEMENTS. MOTION PASSED 5 – 0.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO ASK THE LIBRARY BOARD TO COVER ADDITIONAL COST OF THE REVISED ALLEY PLAN FROM LIBRARY FUNDS. MOTION FAILED 1 – 4. (Bloyer, Fliflet, Lundgren, Smith – Nay)

ITEM 18: GATEWAY CORRIDOR MARKET AND FISCAL IMPACT STUDY

Interim Administrator Schroeder introduced the East Metro Strong and Bus Rapid Transit concept. Community Development Director Klatt noted that the Planning Commission also received information from East Metro Strong at the last meeting. Will Schroeder, Executive Director of East Metro Strong, explained that the market study would not bind the City to anything and explained how the information may be useful to the City.

Councilmember Fliflet, seconded by Mayor Pearson, moved to remove the motion from the table TO CONTRIBUTE \$20,000 TO THE LAKE ELMO MARKET AND FISCAL IMPACT STUDY. MOTION PASSED 3 – 2. (Bloyer, Smith – Nay)

ITEM 19. MANNING AVENUE REDESIGN/REALIGNMENT

Interim Administrator Schroeder reviewed a map of the area, noting staff recommendation to approve Concept C. Frank Ticknor, Washington County Public Works, discussed the phases and timeline for the project.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO ACCEPT THE STAFF AND PLANNING COMMISSION RECOMMENDATION TO APPROVE CONCEPT C. MOTION FAILED 2 – 3. (Fliflet, Lundgren, Smith – Nay)

Discussion held concerning stoplight locations, traffic patterns and safety issues.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO ACCEPT CONCEPT C2, TO NOT BUILD THE ROAD FROM OLD HIGHWAY 5 TO CSAH 14 AT THIS TIME, AND TO EXPLORE OPTIONS ON TEMPORARY EMERGENCY VEHICLE ACCESS BETWEEN THE CUL DE SAC AND CSAH 14. MOTION PASSED 3 – 2. (Pearson, Bloyer – Nay)

ITEM 20: PEBBLE PARK PICNIC SHELTER

Public Works Superintendent Bouthilet presented itemization of costs for add on features of the Pebble Park picnic shelter recommended by the Parks Commission.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE PEBBLE PARK PICNIC SHELTER WITHOUT THE LOGO AND ORNAMENTATION ON THE GABLE END. Mayor Pearson, seconded by Councilmember Lundgren, moved TO AMEND THE MOTION TO ALLOW THE LASER CUT CITY LOGO TO REMAIN. AMENDMENT PASSED 5 – 0. PRIMARY MOTION PASSED 4 – 1. (Bloyer – Nay)

ITEM 21: DOWNTOWN PHASE 1 AND PHASE 2 STREETScape AND LANDSCAPE PLANS – APPROVE SCOPE OF IMPROVEMENTS

Frank Ticknor, Washington County Public Works, provided a review of the process of the project and asked for the Council's guidance on burying the overhead utilities. Discussion was held concerning the cost of burying the utilities and potential funding sources.

Barry Weeks, 3647 Lake Elmo Avenue, stated concern that the cost of burying the overhead utilities could increase and stated that this money could be spent on a lot of other things.

Dick Wier, 3645 Laverne Avenue, stated that there will be power lines everywhere else so there is not value in burying lines on one street and also expressed concern over hidden costs.

Stuart Johnson, 3603 Lake Elmo Avenue, expressed concern about the cost of the project and feels the costs will increase.

Wally Nelson, 4582 Lilac, stated a franchise fee is a tax and asked why the city would pay for the cost for upgrades inside buildings when that was not done for sewer hookups.

Mayor Pearson, seconded by Councilmember Lundgren, moved TO NOT BURY THE UTILITIES OWNED BY XCEL ENERGY AND COMCAST ALONG LAKE ELMO AVENUE FROM THE RAILROAD TO OLD HIGHWAY 5. MOTION PASSED 5 – 0.

Discussion held concerning the lighting portion of the project.

David Faint, 3617 Laverne Avenue, stated there are too many lights in the proposed plan.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE EVANS STYLE LIGHT FOR THE DOWNTOWN PROJECT AND FOLLOW THE REVISED LAYOUT PROVIDED BY WASHINGTON COUNTY. After discussion and receiving further information from SEH, MOTION FAILED 0 – 5.

Councilmember Fliflet, seconded by Mayor Pearson, moved TO MIX THE EVANS LIGHT WITH ACORN LIGHTS WITH CAPS IN THE DOWNTOWN AND DIRECT THE LIGHTING DESIGNER TO REVISIT THE PLAN WITH DIRECTION THAT THE CITY COUNCIL WANTS AS FEW LIGHTS AS POSSIBLE AND WORK WITH STAFF TO FIND FIXTURES THAT COMPLY WITH CITY CODE AS CLOSELY AS POSSIBLE. MOTION PASSED 3 – 2. (Bloyer, Smith – Nay)

Discussion held concerning the landscaping portion of the project. Revised plans were presented based on past input from the City Council. Cost and need for irrigation was discussed with alternatives offered such as asking for businesses and other to adopt planting areas for purposes of providing maintenance.

Mayor Pearson, seconded by Councilmember Bloyer, moved TO APPROVE THE PRIOR WORKSHOP PLAN AS IT RELATES TO THE PLANTING BEDS. MOTION PASSED 3 – 2. (Fliflet, Lundgren – Nay)

Councilmember Bloyer, seconded by Mayor Pearson, moved TO APPROVE THE LANDSCAPE ARCHITECT PLAN FOR TREES IN THE DOWNTOWN PROJECT. MOTION PASSED 4 – 1. (Fliflet – Nay)

ITEM 22: INTERNAL FINANCIAL CONTROLS

Councilmember Fliflet introduced the request for Council support of the City's internal control policy passed earlier this year, noting concurrence from the City's auditor and bond counsel.

Councilmember Bloyer expressed concern over transparency and stated that past City Council members have had access to full working documents. Mayor Pearson stated that the City should have written policies concerning this subject.

Dale Doerschner, 3150 Lake Elmo Avenue, stated he has been hearing the Council ask for proformas that haven't been provided, and expressed concern over the Finance Committee agendas.

Stuart Johnson, 3603 Lake Elmo Avenue, stated that models are essential and it seems unusual to not provide working documents to the Council.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO SUPPORT THE STAFF AND UPHOLD THE CITY'S INTERNAL CONTROL POLICY SURROUNDING THE RELEASE OF PROPRIETARY FINANCIAL INFORMATION. MOTION PASSED 3 – 2. (Pearson, Bloyer – Nay)

Councilmember Bloyer moved TO MOVE AGENDA ITEM 28 TO BEFORE ITEM 23. MOTION DIED FOR LACK OF A SECOND.

Councilmember Fliflet, seconded by Councilmember Smith, moved TO CONSIDER THE SAVONA AGENDA ITEMS NEXT. MOTION PASSED 3 – 2. (Pearson, Bloyer – Nay)

ITEM 24: SAVONA 3RD ADDITION FINAL PLAT – RESOLUTION 2015-70

Community Development Director Klatt reviewed prior City Council action on the plat and clarified areas of past concern.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2015-70 APPROVING THE FINAL PLAT FOR SAVONA 3RD ADDITION WITH CONDITIONS 11 AND 12 STRICKEN. Councilmember Smith moved TO LEAVE CONDITON 12 IN THE APPROVAL AND DIRECT THE LANDSCAPE ARCHITECT TO LOOK AT THE PLANS. AMENDMENT DIED FOR LACK OF SECOND. PRIMARY MOTION FAILED 2 – 3. (Fliflet, Lundgren, Smith – Nay)

Councilmember Smith stated that she met with representatives at the Savona development and thanked them for their attempts to make the exterior of the townhomes look better. Discussion held regarding multifamily classification and design standards. Councilmember Fliflet suggested rewording the City's code to better define multifamily and single family. Challenges related to landscaping around the stormwater pond retaining wall were discussed. Councilmember Fliflet stated the City should review the park to be installed by the developer. Councilmember Bloyer stated that he would not support that condition, as the park is on private property.

Councilmember Smith, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2015-70, STRIKING CONDITION 11. MOTION FAILED 2 – 3. (Pearson, Bloyer, Fliflet – Nay)

Councilmember Fliflet, seconded by Councilmember Smith, moved TO ADOPT RESOLUTION 2015-70 APPROVING THE FINAL PLAT FOR SAVONA AS PRESENTED AND RECOMMENDED BY STAFF. MOTION PASSED 3 – 2. (Pearson, Bloyer – Nay)

ITEM 25 – SAVONA 3RD ADDITION DEVELOPMENT AGREEMENT – RESOLUTION 2015-71

Councilmember Smith, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2015-71 APPROVING THE DEVELOPMENT AGREEMENT FOR SAVONA 3RD ADDITION. MOTION PASSED 5 – 0.

ITEM 23: APPROVE 2016 PRELIMINARY GENERAL FUND AND LIBRARY FUND ANNUAL BUDGET AND TAX LEVY – RESOLUTION 2015-76

Finance Director Bendel reviewed the timeline for the 2016 budget process, noting that the preliminary budget and levy up for approval can be reduced, but not increased once approved. Budget assumptions, key considerations, staffing costs, library levy and CIP were presented. Bendel noted that the levy as presented, if not reduced later, would impact the average homeowner by \$60 per year in additional property taxes.

Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO APPROVE RESOLUTION 2015-76 ADOPTING THE PRELIMINARY 2016 GENERAL FUND AND LIBRARY FUND ANNUAL BUDGETS AND LEVIES. MOTION PASSED 4 -1. (Bloyer – Nay)

ITEM 28: LAKE ELMO MUNICIPAL WATER AND SEWER ENTERPRISE FUNDS STATUS (WACs AND SACs)

Finance Director Bendel provided a brief explanation on the proforma for water and sewer funds. Detailed discussion was held on the proforma, water rates and fund balances. Councilmember Bloyer expressed concern that the numbers don't add up.

Councilmember Bloyer, seconded by Mayor Pearson, moved TO SEND THE PROFORMA OUT TO A THIRD PARTY VENDOR TO CHECK THE ASSUMPTIONS FOR ACCURACY. MOTION FAILED 2 – 3. (Fliflet, Lundgren, Smith – Nay)

ITEM 26: PLAT APPROVAL PROCESS/CONDITIONS OF APPROVAL

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO POSTPONE ITEM 26 TO THE NEXT MEETING DUE TO THE LATENESS OF THE HOUR. MOTION PASSED 5 – 0.

STAFF REPORTS AND ANNOUNCEMENTS

Interim City Administrator Schroeder: Attended Washington County water meeting and Planning Commission, Manning Ave. redesign, Parks Commission. Interviews for the City Planner position will be held in the coming days. Congratulated the city on receiving the Pollinator Friendly award, has been working on the Tartan Park transition.

City Clerk Johnson: No report.

Finance Director Bendel: No report.

City Attorney Snyder: No update due to the hour but will have input for items on the next agenda.

Community Development Director Klatt: Reported on the September 14, 2015 Planning Commission meeting.

City Engineer Griffin: Noted dates and times for upcoming neighborhood meetings concerning CSAH 13/Inwood project.

Meeting adjourned at 12:50 am.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
CONSENT
ITEM #2
MOTION

AGENDA ITEM: Approve Disbursements in the amount of \$332,052.87

SUBMITTED BY: Patty Baker, Accountant

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Cathy Bendel, Finance Director

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECOMMENDER: Finance

FISCAL IMPACT: \$332,052.87

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$332,052.87. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

LEGISLATIVE HISTORY: NA

BACKGROUND INFORMATION/STAFF REPORT: The City of Lake Elmo has the fiduciary responsibility to conduct normal business operations. Below is a summary of current claims to be disbursed and paid in accordance with State law and City policies and procedures.

Claim #	Amount	Description
ACH	\$ 10,815.12	Payroll Taxes to IRS & MN Dept of Revenue 10/1/15
ACH	\$ 5,323.78	Payroll Retirement to PERA 10/1/15
DD6662-DD6681	\$ 27,388.71	Payroll Dated (Direct Deposits) 10/1/15
43374-43385	\$ 22,196.17	Accounts Payable 9/30/15
43386-43439	\$ 266,269.09	Accounts Payable 10/6/15
2746	\$ 60.00	Library Card Reimbursement 10/6/15
TOTAL	\$ 332,052.87	

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the aforementioned disbursements in the amount of \$332,052.87.

ATTACHMENTS:

1. Accounts Payable – check registers



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
CONSENT
ITEM #3
MOTION Resolution 2015-77

AGENDA ITEM: Authorize Certification to Washington County Auditor for the Unpaid Surface Water Utility Bills

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Patty Baker, Accountant

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Finance

FISCAL IMPACT: Up to \$30,857.15 in cash flow to the storm water fund in 2016

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is respectfully asked to approve the certification of the delinquent Surface Water Bills to the Washington County Auditor. No specific motion is needed as this is recommended to be part of the overall approval of the *Consent Agenda*.

BACKGROUND INFORMATION: The City of Lake Elmo has authority by Minnesota State statute 444.075, subd.3 to assess property owners for unpaid surface water utilities and services. Affected homeowners with past due balances were sent notification of the proposed assessment. Property owners have until October 9th to pay these amounts to be removed from the final assessment list.

STAFF REPORT: The City operates the water, sewer and surface water under its Enterprise funds. Enterprise funds account for specific City operations that are financed and operated

similar to a private business. Generally, the services are provided to identifiable beneficiaries, as well as the general public, and all or most of the costs come from user fees. All parcels in the City are charged for this fee.

The user fees collected are utilized to operate the City's respective water, sewer and surface water systems. Assessing the property owners listed on Exhibit A (attached) for unpaid services will assure collection of charged fees. The deadline to certify the unpaid surface water utility to Washington County is October 15, 2015.

RECOMMENDATION: It is recommended that the City Council authorize the certification of the delinquent surface water accounts to the Washington County Auditor.

ATTACHMENTS:

1. Resolution 2015-77
2. Exhibit A



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
CONSENT
ITEM # 4

AGENDA ITEM: 39th Street North: Street and Sanitary Sewer Improvements – Pay Request No. 7

SUBMITTED BY: Chad Isakson, Project Engineer

THROUGH: Clark Schroeder, Interim City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Cathy Bendel, Finance Director

SUGGESTED ORDER OF BUSINESS *if removed from the Consent Agenda*:

- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate.....Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT:

None. Partial payment is proposed in accordance with the approved Contract and change orders for the project.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving Pay Request No. 7 for the 39th Street North: Street and Sanitary Sewer Improvements project. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve Pay Request No. 7 to Geislinger & Sons Inc. in the amount of \$55,487.06 for the 39th Street North: Street and Sanitary Sewer Improvements”.

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Geislinger & Sons Inc., the Contractor for the project, has submitted Partial Pay Estimate No. 7 in the amount of \$55,487.06. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$98,604.51.

RECOMMENDATION:

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 7 for the 39th Street North: Street and Sanitary Sewer Improvements project. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve Pay Request No. 7 to Geislinger & Sons Inc. in the amount of \$55,487.06, for the 39th Street North: Street and Sanitary Sewer Improvements”.

ATTACHMENT(S):

1. Partial Pay Estimate No. 7.

PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. <u> 7 </u>	FOCUS ENGINEERING, inc.
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39TH ST N: STREET AND SANITARY SEWER IMPROVEMENTS PROJECT NO. 2014.131	PERIOD OF ESTIMATE FROM <u> 7/21/2015 </u> TO <u> 9/24/2015 </u>
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PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER	CONTRACTOR: GEISLINGER & SONS, INC. 511 CENTRAL AVE S, PO BOX 437 WATKINS, MINNESOTA 55389 ATTN: GARY LUEBBEN, PROJECT MANAGER
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CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
1	9/16/2014	\$118,975.00		1. Original Contract Amount	\$1,760,458.80
2	2/3/2015	\$22,214.00		2. Net Change Order Sum	\$315,064.00
3	2/24/2015	\$19,435.00		3. Revised Contract (1+2)	\$2,075,522.80
4	4/7/2015	\$154,440.00		4. *Work Completed	\$1,972,090.21
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$1,972,090.21
				7. Retainage* <u> 5.0% </u>	\$98,604.51
				8. Previous Payments	\$1,817,998.63
TOTALS		\$315,064.00	\$0.00	9. Amount Due (6-7-8)	\$55,487.06
NET CHANGE		\$315,064.00		*Detailed Breakdown Attached	

CONTRACT TIME					
START DATE:	<u> 9/2/2014 </u>	ORIGINAL DAYS	<u> 347 </u>	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	<u> 6/30/2015 </u>	REVISED DAYS	<u> 0 </u>	YES	<input type="checkbox"/>
FINAL COMPLETION:	<u> 8/15/2015 </u>	REMAINING	<u> -40 </u>	NO	<input checked="" type="checkbox"/>

ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.	FOCUS Engineering, inc. ENGINEER <u> 9/28/2015 </u> DATE
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CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.	CONTRACTOR BY <u> 9/28/2015 </u> DATE
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APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA	
BY _____	BY _____
DATE _____	DATE _____

**39TH ST N: STREET AND SANITARY SEWER IMPROVEMENTS
CITY OF LAKE ELMO, MINNESOTA
PROJECT NO. 2014.131**



ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
PART 1 - SANITARY SEWER									
1	8" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	62	\$125.00	\$7,750.00	0	\$0.00	153.00	\$19,125.00
2	10" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	1,025	\$87.00	\$89,175.00	0	\$0.00	1,054.00	\$91,698.00
3	10" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	315	\$89.00	\$28,035.00	0	\$0.00	284	\$25,276.00
4	12" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	500	\$92.00	\$46,000.00	0	\$0.00	495	\$45,540.00
5	12" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	630	\$94.00	\$59,220.00	0	\$0.00	632	\$59,408.00
6	10" PVC SANITARY SEWER, SDR 26, IN CASING	LF	100	\$40.00	\$4,000.00	0	\$0.00	100	\$4,000.00
7	12" PVC SANITARY SEWER, SDR 26, IN CASING	LF	120	\$45.00	\$5,400.00	0	\$0.00	120	\$5,400.00
8	20" STEEL CASING PIPE (JACK/AUGERED)	LF	100	\$525.00	\$52,500.00	0	\$0.00	100	\$52,500.00
9	24" STEEL CASING PIPE (JACK/AUGERED)	LF	120	\$535.00	\$64,200.00	0	\$0.00	120	\$64,200.00
10	PIPE FOUNDATION ROCK	LF	1,400	\$0.10	\$140.00	0	\$0.00	118	\$11.80
11	TELEVISION	LF	2,850	\$2.00	\$5,700.00	0	\$0.00	0	\$0.00
12	4' DIAMETER SANITARY SEWER MH	EA	12	\$3,000.00	\$36,000.00	0	\$0.00	12	\$36,000.00
13	4' DIAMETER EXCESS MANHOLE DEPTH	LF	140	\$125.00	\$17,500.00	0	\$0.00	117.7	\$14,712.50
14	10"X6" PVC WYE, SDR 26	EA	6	\$400.00	\$2,400.00	0	\$0.00	6	\$2,400.00
15	12"X6" PVC WYE, SDR 26	EA	4	\$460.00	\$1,840.00	0	\$0.00	6	\$2,760.00
16	6" PVC SCH 40 SANITARY SEWER RISER	LF	85	\$35.00	\$2,975.00	0	\$0.00	118	\$4,130.00
17	6" PVC SCH 40 SANITARY SEWER SERVICE	LF	400	\$32.00	\$12,800.00	0	\$0.00	389	\$12,448.00
18	PRECAST CONCRETE JERSEY BARRIERS AT HIGHWAY 5 JACKING PITS	LS	1	\$4,500.00	\$4,500.00	0	\$0.00	1	\$4,500.00
19	PRECAST CONCRETE JERSEY BARRIERS AT HIGHWAY 17 JACKING PITS	LS	1	\$4,500.00	\$4,500.00	0	\$0.00	1	\$4,500.00
20	CROSS EXISTING WATER SERVICE	EA	7	\$450.00	\$3,150.00	0	\$0.00	7	\$3,150.00
21	EXPLORATORY DIGGING	HR	5	\$500.00	\$2,500.00	0	\$0.00	0	\$0.00
SUBTOTAL - PART 1					\$450,285.00		\$0.00		\$451,759.30
PART 2 - WATERMAIN									
1	TEMPORARY WATER SYSTEM	LS	1	\$1,500.00	\$1,500.00	0	\$0.00	1	\$1,500.00
2	CONNECT TO EXISTING 6" WATER MAIN	EA	3	\$900.00	\$2,700.00	0	\$0.00	1	\$900.00
3	CONNECT TO EXISTING 8" WATER MAIN	EA	1	\$950.00	\$950.00	0	\$0.00	1	\$950.00
4	CUT IN 8" X 8" TEE	EA	1	\$2,600.00	\$2,600.00	0	\$0.00	0	\$0.00
5	REMOVE AND DISPOSE OF EXISTING GATE VALVE & BOX	EA	3	\$1,500.00	\$4,500.00	0	\$0.00	0	\$0.00
6	REMOVE AND REPLACE 6" GATE VALVE & BOX	EA	4	\$3,400.00	\$13,600.00	0	\$0.00	4	\$13,600.00
7	REMOVE AND REPLACE 8" GATE VALVE & BOX	EA	11	\$3,900.00	\$42,900.00	0	\$0.00	10	\$39,000.00
8	REMOVE AND DISPOSE OF EXISTING HYDRANT	EA	5	\$760.00	\$3,800.00	0	\$0.00	3	\$2,280.00
9	6" DIP CL. 52 WATER MAIN	LF	70	\$46.00	\$3,220.00	0	\$0.00	30.5	\$1,403.00
10	8" DIP CL. 52 WATER MAIN	LF	30	\$53.00	\$1,590.00	0	\$0.00	88	\$4,664.00
11	6" GATE VALVE AND BOX	EA	4	\$1,450.00	\$5,800.00	0	\$0.00	1	\$1,450.00
12	HYDRANT	EA	5	\$4,000.00	\$20,000.00	0	\$0.00	3	\$12,000.00
13	VALVE BOX EXTENSION	LF	2	\$260.00	\$520.00	0	\$0.00	0	\$0.00
14	HYDRANT EXTENSION	LF	1	\$600.00	\$600.00	0	\$0.00	0	\$0.00
15	DUCTILE IRON FITTINGS	LB	100	\$10.00	\$1,000.00	0	\$0.00	94	\$940.00
SUBTOTAL - PART 2					\$105,280.00		\$0.00		\$78,687.00
PART 3 - STORM SEWER									
1	REMOVE AND DISPOSE OF EXISTING STORM SEWER	LF	910	\$10.00	\$9,100.00	0	\$0.00	902	\$9,020.00
2	REMOVE AND DISPOSE OF EXISTING STORM SEWER MANHOLE	EA	8	\$400.00	\$3,200.00	0	\$0.00	8	\$3,200.00
3	POTHOLE EXISTING WATER MAIN	EA	7	\$450.00	\$3,150.00	0	\$0.00	7	\$3,150.00
4	12" RCP STORM SEWER, CLASS 5	LF	70	\$40.00	\$2,800.00	0	\$0.00	70	\$2,800.00
5	15" RCP STORM SEWER, CLASS 5	LF	891	\$42.00	\$37,422.00	0	\$0.00	891	\$37,422.00
6	18" RCP STORM SEWER, CLASS 5	LF	236	\$45.00	\$10,620.00	0	\$0.00	236	\$10,620.00
7	24" RCP STORM SEWER, CLASS 4	LF	369	\$62.00	\$22,878.00	0	\$0.00	369	\$22,878.00
8	12" RCP FLARED END SECTION INCL TRASH GUARD	EA	2	\$900.00	\$1,800.00	0	\$0.00	2	\$1,800.00
9	18" RCP FLARED END SECTION INCL TRASH GUARD	EA	2	\$1,050.00	\$2,100.00	0	\$0.00	2	\$2,100.00
10	24" RCP FLARED END SECTION INCL TRASH GUARD	EA	1	\$1,400.00	\$1,400.00	0	\$0.00	1	\$1,400.00
11	RIP RAP, CLASS 3	CY	8	\$115.00	\$920.00	0	\$0.00	12	\$1,380.00
12	2'X3' CATCH BASIN	EA	3	\$2,100.00	\$6,300.00	0	\$0.00	3	\$6,300.00
13	4' DIA CATCH BASIN/MANHOLE	EA	5	\$2,500.00	\$12,500.00	0	\$0.00	5	\$12,500.00
14	5' DIA CATCH BASIN/MANHOLE	EA	2	\$3,600.00	\$7,200.00	0	\$0.00	2	\$7,200.00
15	5' DIA CATCH BASIN/MANHOLE W/ SUMP	EA	1	\$4,350.00	\$4,350.00	0	\$0.00	1	\$4,350.00
16	BULKHEAD 15" RCP STORM SEWER	EA	1	\$125.00	\$125.00	0	\$0.00	1	\$125.00
17	BULKHEAD 18" RCP STORM SEWER	EA	1	\$150.00	\$150.00	0	\$0.00	1	\$150.00
18	BULKHEAD 36" RCP STORM SEWER	EA	1	\$225.00	\$225.00	0	\$0.00	1	\$225.00
19	INLET PROTECTION	EA	12	\$175.00	\$2,100.00	0	\$0.00	3	\$525.00
20	INSULATION	SY	30	\$30.00	\$900.00	0	\$0.00	24	\$720.00
21	POND EXCAVATION (P)	CY	420	\$10.00	\$4,200.00	0	\$0.00	420	\$4,200.00
22	INFILTRATION SWALE EXCAVATION (P)	CY	675	\$10.00	\$6,750.00	0	\$0.00	0	\$0.00
23	SEED MIX 330 AND HYDROMULCH	SY	1600	\$2.75	\$4,400.00	0	\$0.00	0	\$0.00
SUBTOTAL - PART 3					\$144,590.00		\$0.00		\$132,065.00
PART 4 - STREET IMPROVEMENTS									
1	MOBILIZATION	LS	1	\$90,000.00	\$90,000.00	0.00	\$0.00	1.00	\$90,000.00
2	TRAFFIC CONTROL	LS	1	\$9,000.00	\$9,000.00	0.00	\$0.00	1.00	\$9,000.00

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
3	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	3	\$1,200.00	\$3,600.00	0.00	\$0.00	1	\$1,200.00
4	CLEAR AND GRUB TREES AND BRUSH	LS	1	\$4,500.00	\$4,500.00	0.00	\$0.00	1	\$4,500.00
5	TEMPORARY ACCESS GRADING	LS	1	\$2,000.00	\$2,000.00	0.00	\$0.00	1	\$2,000.00
6	TEMPORARY ACCESS AGGREGATE BASE CLASS 5	TN	60	\$30.00	\$1,800.00	0.00	\$0.00	60	\$1,800.00
7	TEMPORARY ACCESS MAINTENANCE	HR	10	\$125.00	\$1,250.00	0.00	\$0.00	10	\$1,250.00
8	REMOVE TEMPORARY ACCESS	LS	1	\$1,500.00	\$1,500.00	0.00	\$0.00	1	\$1,500.00
9	REMOVE AND DISPOSE OF EXISTING CONCRETE CURB AND GUTTER	LF	290	\$6.00	\$1,740.00	0.00	\$0.00	290	\$1,740.00
10	REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT	SY	9160	\$2.00	\$18,320.00	0.00	\$0.00	9,487	\$18,974.00
11	REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT (DRIVEWA	SY	335	\$4.00	\$1,340.00	0.00	\$0.00	300	\$1,200.00
12	REMOVE AND DISPOSE OF EXISTING LIGHT BASE	EA	4	\$300.00	\$1,200.00	0.00	\$0.00	0	\$0.00
13	SALVAGE AND REINSTALL SIGN	EA	8	\$200.00	\$1,600.00	0.00	\$0.00	0	\$0.00
14	SALVAGE AND REINSTALL MAIL DROPBOX	EA	1	\$250.00	\$250.00	0.00	\$0.00	0	\$0.00
15	SALVAGE AND REINSTALL RETAINING WALL	LS	1	\$7,500.00	\$7,500.00	0.00	\$0.00	0	\$0.00
16	SAWCUT BITUMINOUS PAVEMENT	LF	200	\$3.00	\$600.00	0.00	\$0.00	200	\$600.00
17	COMMON EXCAVATION (P)	CY	7750	\$9.00	\$69,750.00	0.00	\$0.00	7,750	\$69,750.00
18	SUBGRADE CORRECTION (EV)	CY	340	\$12.00	\$4,080.00	0.00	\$0.00	216	\$2,592.00
19	SUBGRADE PREPARATION	RS	24.34	\$465.00	\$11,318.10	0.00	\$0.00	24.34	\$11,318.10
20	4" PERFORATED PVC DRAIN TILE WITH AGGREGATE AND WRAP	LF	1000	\$12.00	\$12,000.00	0.00	\$0.00	980	\$11,760.00
21	AGGREGATE BASE CLASS 5	TN	6380	\$10.50	\$66,990.00	0.00	\$0.00	6,380	\$66,989.79
22	SELECT GRANULAR BORROW (P)	CY	4090	\$10.00	\$40,900.00	0.00	\$0.00	4,485	\$44,850.00
23	TYPE SP 9.5 BITUMINOUS WEARING COURSE MIXTURE (2,B) [SPWEA230B	TN	800	\$66.50	\$53,200.00	785.36	\$52,226.44	785	\$52,226.44
24	TYPE SP 12.5 BITUMINOUS NON WEARING COURSE MIXTURE (2,B) [SPNM	TN	1335	\$57.75	\$77,096.25	0.00	\$0.00	1,290.5	\$74,526.38
25	BITUMINOUS MATERIAL FOR TACK COAT	GAL	565	\$2.00	\$1,130.00	300.00	\$600.00	325	\$650.00
26	ADJUST MH CASTING - STEEL RING (2015)	EA	12	\$450.00	\$5,400.00	0.00	\$0.00	0	\$0.00
27	ADJUST VALVE BOX (2015)	EA	20	\$250.00	\$5,000.00	0.00	\$0.00	0	\$0.00
28	B624 CONCRETE CURB AND GUTTER	LF	4310	\$10.77	\$46,418.70	0.00	\$0.00	4,465	\$48,088.05
29	B612 CONCRETE CURB AND GUTTER	LF	105	\$14.80	\$1,554.00	0.00	\$0.00	43	\$636.40
30	CONCRETE PEDESTRIAN RAMP	EA	12	\$420.00	\$5,040.00	0.00	\$0.00	12	\$5,040.00
31	5" CONCRETE SIDEWALK	SF	13110	\$3.50	\$45,885.00	0.00	\$0.00	12,840	\$44,940.00
32	8" COMMERCIAL CONCRETE DRIVEWAY PAVEMENT (HIGH EARLY)	SY	340	\$70.00	\$23,800.00	0.00	\$0.00	331	\$23,170.00
33	6" CONCRETE FLUME	SY	35	\$50.00	\$1,750.00	25.00	\$1,250.00	60	\$3,000.00
34	TRUNCATED DOME PANELS	SF	168	\$42.00	\$7,056.00	0.00	\$0.00	160	\$6,720.00
35	BITUMINOUS DRIVEWAY PAVEMENT	SY	105	\$50.00	\$5,250.00	0.00	\$0.00	160	\$8,000.00
36	TYPE SP 9.5 BITUMINOUS WEARING COURSE MIXTURE - TRAIL (2,B) [SPW	TN	270	\$65.00	\$17,550.00	0.00	\$0.00	265	\$17,219.15
37	SODDING	SY	5000	\$4.25	\$21,250.00	0.00	\$0.00	4,163	\$17,692.75
38	IMPORT AND PLACE TOPSOIL BORROW (CV)	CY	500	\$35.00	\$17,500.00	0.00	\$0.00	783	\$27,405.00
39	SEED & EROSION CONTROL BLANKET	SY	2000	\$3.25	\$6,500.00	0.00	\$0.00	646	\$2,099.50
40	SEED & HYDROMULCH	SY	5500	\$2.15	\$11,825.00	0.00	\$0.00	3,499	\$7,522.85
41	SILT FENCE, TYPE MACHINE SLICED	LF	1000	\$1.95	\$1,950.00	0.00	\$0.00	0	\$0.00
42	SILT FENCE, TYPE FLOATING	LF	30	\$22.50	\$675.00	0.00	\$0.00	0	\$0.00
43	DITCH CHECK - BIOROLL	LF	200	\$5.75	\$1,150.00	0.00	\$0.00	30	\$172.50
44	STREET SWEEPING	HR	15	\$125.00	\$1,875.00	0.00	\$0.00	0	\$0.00
45	SIGN PANELS, TYPE C	SF	6	\$45.00	\$281.25	0.00	\$0.00	0	\$0.00
46	4" DOUBLE SOLID YELLOW LINE, EPOXY	LF	2270	\$1.50	\$3,405.00	2,274.00	\$3,411.00	2,274	\$3,411.00
47	4" SOLID WHITE LINE, EPOXY	LF	110	\$0.75	\$82.50	100.00	\$75.00	100	\$75.00
48	RIGHT TURN ARROW, TAPE	EA	1	\$845.00	\$845.00	1.00	\$845.00	1	\$845.00
SUBTOTAL - PART 4					\$714,706.80		\$58,407.44		\$684,463.91
ALTERNATE NO. 1 - SANITARY SEWER SOUTH OF TH 5									
1	CLEAR AND GRUB TREES AND BRUSH	LS	1	\$4,000.00	\$4,000.00	0	\$0.00	1	\$4,000.00
2	REMOVE AND DISPOSE OF EXISTING STORM SEWER	LF	20	\$10.00	\$200.00	0	\$0.00	0	\$0.00
3	PATCH GRAVEL DRIVEWAY	TN	200	\$20.00	\$4,000.00	0	\$0.00	0	\$0.00
4	18" CMP DRIVEWAY CULVERT	EA	20	\$45.00	\$900.00	0	\$0.00	0	\$0.00
5	18" CMP FLARED END SECTION	EA	2	\$480.00	\$960.00	0	\$0.00	0	\$0.00
6	15" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	625	\$94.00	\$58,750.00	0	\$0.00	625	\$58,750.00
7	15" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	1255	\$96.00	\$120,480.00	0	\$0.00	1,255	\$120,480.00
8	14" PVC SANITARY SEWER, C905 DR 25, IN CASING	LF	164	\$40.00	\$6,560.00	0	\$0.00	164	\$6,560.00
9	14" PVC SANITARY SEWER, C905 DR 25, 20' - 25' DEEP	LF	20	\$76.00	\$1,520.00	0	\$0.00	20	\$1,520.00
10	28" STEEL CASING PIPE (JACK/AUGERED)	LF	164	\$565.00	\$92,660.00	0	\$0.00	60	\$33,900.00
11	PIPE FOUNDATION ROCK	LF	1000	\$0.01	\$10.00	0	\$0.00	0	\$0.00
12	TELEVISION	LF	2061	\$2.00	\$4,122.00	0	\$0.00	0	\$0.00
13	4' DIAMETER SANITARY SEWER MH	EA	8	\$3,200.00	\$25,600.00	0	\$0.00	8	\$25,600.00
14	4' DIAMETER EXCESS MANHOLE DEPTH	LF	115	\$125.00	\$14,375.00	0	\$0.00	109.2	\$13,650.00
15	SOIL DECOMPACTION	AC	5	\$1,200.00	\$6,000.00	0	\$0.00	0	\$0.00
16	SILT FENCE, TYPE MACHINE SLICED	LF	300	\$1.95	\$585.00	0	\$0.00	0	\$0.00
17	SEED AND BLANKET	SY	1500	\$3.25	\$4,875.00	0	\$0.00	0	\$0.00
SUBTOTAL - ALTERNATE NO. 1					\$345,597.00		\$0.00		\$264,460.00

TOTALS - BASE CONTRACT

\$1,760,458.80

\$58,407.44

\$1,611,435.21

CHANGE ORDER NO. 1

CO1-1	CONNECT TO EXISTING 6" WATER MAIN	EA	-2.0	\$900.00	-\$1,800.00	0	\$0.00	0	\$0.00
CO1-2	CONNECT TO EXISTING 8" WATER MAIN	EA	2.0	\$950.00	\$1,900.00	0	\$0.00	2	\$1,900.00
CO1-3	CONNECT TO EXISTING 16" WATER MAIN	EA	1.0	\$1,600.00	\$1,600.00	0	\$0.00	1	\$1,600.00
CO1-4	CUT IN 8" X 8" TEE	EA	-1.0	\$2,600.00	-\$2,600.00	0	\$0.00	0	\$0.00
CO1-5	REMOVE AND DISPOSE OF EXISTING 8" WATER MAIN	LF	875.0	\$6.00	\$5,250.00	0	\$0.00	884	\$5,304.00

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
CO1-6	REMOVE AND DISPOSE OF EXISTING GATE VALVE & BOX	EA	1.0	\$1,500.00	\$1,500.00	0	\$0.00	1	\$1,500.00
CO1-7	16" DIP CL. 51 WATER MAIN	LF	875.0	\$69.00	\$60,375.00	0	\$0.00	875	\$60,375.00
CO1-8	8" GATE VALVE AND BOX	EA	2.0	\$1,700.00	\$3,400.00	0	\$0.00	2	\$3,400.00
CO1-9	16" BUTTERFLY VALVE AND BOX	EA	2.0	\$3,000.00	\$6,000.00	0	\$0.00	2	\$6,000.00
CO1-10	DUCTILE IRON FITTINGS	LB	2,680.0	\$10.00	\$26,800.00	0	\$0.00	2,525	\$25,250.00
CO1-11	8" DIP CL. 52 WATER MAIN	LF	10.0	\$53.00	\$530.00	0	\$0.00	9	\$477.00
CO1-12	10" HDPE DR 11 WATERMAIN INSTALLED BY DIRECTIONAL DRILL	LF	90.0	\$178.00	\$16,020.00	0	\$0.00	0	\$0.00

TOTALS - CHANGE ORDER NO. 1 **\$118,975.00** **\$0.00** **\$105,806.00**

CHANGE ORDER NO. 2

CO2-1	MANHOLE CORE DRILL	LS	1.0	\$3,825.00	\$3,825.00	0	\$0.00	1	\$3,825.00
CO2-2	GEOTEXTILE FABRIC	SY	9,940.0	\$1.85	\$18,389.00	0	\$0.00	9,940	\$18,389.00

TOTALS - CHANGE ORDER NO. 2 **\$22,214.00** **\$0.00** **\$22,214.00**

CHANGE ORDER NO. 3

CO3-1	30-INCH CASING PIPE - PIPE HAMMER	LS	1.0	\$19,435.00	\$19,435.00	0	\$0.00	1	\$19,435.00
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TOTALS - CHANGE ORDER NO. 3 **\$19,435.00** **\$0.00** **\$19,435.00**

CHANGE ORDER NO. 4

CO4-1	48-INCH CASING PIPE	LF	164.0	\$1,300.00	\$213,200.00	0	\$0.00	164	\$213,200.00
CO4-2	DEDUCT 28-INCH CASING PIPE (NOT INSTALLED)	LF	-104.0	\$565.00	-\$58,760.00	0	\$0.00	0	\$0.00

TOTALS - CHANGE ORDER NO. 4 **\$154,440.00** **\$0.00** **\$213,200.00**

TOTALS - REVISED CONTRACT **\$2,075,522.80** **\$58,407.44** **\$1,972,090.21**



MAYOR & COUNCIL COMMUNICATION

DATE: Oct 6, 2015
REGULAR
ITEM
MOTION

AGENDA ITEM: Administrative Assistant
SUBMITTED BY: Clark Schroeder Interim City Administrator
THROUGH: Clark Schroeder
REVIEWED BY: Clark Schroeder

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: Staff

FISCAL IMPACT: Recommended salary of \$40,000 to \$45,000 with a fully load cost of \$59,200 to \$66,583. Upgrading planning assistant would be between \$3,010 and \$8,010 additional in salary and the same fully

SUMMARY AND ACTION REQUESTED:

With the recent staff turnover in Lake Elmo it has been determined that adding an Administrative Assistant and upgrading the current Planning Assistant would be in the best interest for the city.

BACKGROUND INFORMATION (SWOT):

Strengths – Adding another position and adding responsibilities to current position will allow the city to have some redundancies in the administrative department as well as the Community Development Department.

Weaknesses – Increased costs

Opportunities – The city will have personnel to support policy review, procedure development, organization and maintenance of city records, communication to residents and overall support to all departments.

Threats- Tax base could decline and make funding the position difficult.

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council authorize the hiring of an administrative assistant and upgrade current planning assistant.

“Move to authorize the City Administrator to advertise, recruit, interview, and present for employment an Administrative Assistant.”



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
Consent #6

AGENDA ITEM: Animal Humane Society Contract

SUBMITTED BY: Clark Schroeder

THROUGH: Clark Schroeder

REVIEWED BY: Clark Schroeder

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item Administrator
- Report/Presentation.....Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: Clark Schroeder

FISCAL IMPACT: \$135 per day for dogs/cats, \$41 other domestic animals.

SUMMARY AND ACTION REQUESTED: Attached is our 2016 municipal contract for housing small animals at their shelter.

RECOMMENDATION: If item is pulled from consent agenda, the recommendation should read.

“Approve administrator signing the 2016 contract with the animal humane society.”

ATTACHMENTS: 2016 Letter of Understanding for Impound Housing Services



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015

CONSENT

ITEM # 7

AGENDA ITEM: Hiring of Building Inspector

SUBMITTED BY: Clark Schroeder

THROUGH: Clark Schroeder

REVIEWED BY: Kyle Klatt

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: Clark Schroeder

POLICY BEING SET: Fulfilling council direction to recruit, interview and recommend for employment a City Planner.

FISCAL IMPACT: Upgrading from part-time contract position to full-time position. \$30.00/hr salary with estimated \$29,000 benefits

SUMMARY AND ACTION REQUESTED:

We had 11 individuals submit applications for this position, of those, 4 were interviewed. Out of those 4 we are recommending that Toni Liljedahl be hired with a start date on or around 10/26/15. Mrs Liljedahl has been offered the position of Building inspector contingent on the approval by the City Council and passing a background check at a salary of \$30/hr with benefits offered to all City of Lake Elmo Full Time Equivalent employees.

RECOMMENDATION: If pulled from consent agenda motion should be
Move to affirm the hiring of Toni Liljedahl as City Planner effective 10/30/15



MAYOR & COUNCIL COMMUNICATION

DATE: September 1, 2015
CONSENT
ITEM # 8

AGENDA ITEM: Building inspector truck purchase

SUBMITTED BY: Clark Schroeder

THROUGH: Clark Schroeder

REVIEWED BY: Rick Chase

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item Administrator
- Report/Presentation.....Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: Clark Schroeder

POLICY BEING SET: No policy being set, affirming the purchase of a budgeted item.

FISCAL IMPACT: \$21,560- \$24,267

SUMMARY AND ACTION REQUESTED: In the 2015 budget a new truck was budgeted at \$23,000 to be purchased upon the hiring of an additional building inspector. Based on the quotes given based on State pricing, staff is recommending purchasing the 2016 Jeep Compass Sport 4x4 for \$21560.8.

ATTACHMENTS: Two quotes based on State Pricing



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015

CONSENT

ITEM # 9

AGENDA ITEM: Hiring of City Planner

SUBMITTED BY: Clark Schroeder

THROUGH: Clark Schroeder

REVIEWED BY: Kyle Klatt

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: Clark Schroeder

POLICY BEING SET: Fulfilling council direction to recruit, interview and recommend for employment a City Planner.

FISCAL IMPACT: Replacing vacant position. \$60,000 salary with estimated \$31,000 benefits

SUMMARY AND ACTION REQUESTED:

Administrator requests the authorization to hire the individual recommended by staff.

RECOMMENDATION: If pulled from consent agenda motion should be

Move to affirm the hiring of recommended City Planner effective on or about 10/30/15.



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
REGULAR
ITEM # 10
RESOLUTION 2015-060

AGENDA ITEM: Kleis Farm Minor Subdivision
SUBMITTED BY: Kyle Klatt, Community Development Director
THROUGH: Clark Schroeder, Interim City Administrator
REVIEWED BY: Planning Commission

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission is recommending that the City Council approve a minor subdivision that will facilitate the creation of two 10-acre parcels from a larger 54.29 acre parcel presently owned by the Kleis Family Trust

FISCAL IMPACT: None

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request from Peter Kastler, 9130 55th Street North, for a Minor Subdivision to split property that has historically been called the Kleis farmstead at the same address into three parcels as follows:

- Two 10-acre parcels along the western edge of the larger farmstead property that would each have direct access to 55th Street North.
- The remaining 34.29 acres that would consist of the existing farmstead and related buildings and surrounding land east of the two new lots.

The Planning Commission considered this matter at its September 14, 2015 meeting and recommended approval of the minor subdivision as presented. The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-060 approving the Minor Subdivision”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: The attached Staff report to the Planning Commission a summary of the proposed minor subdivision along with details concerning the application. The Planning Commission reviewed the application at its September 14, 2015 meeting and asked general questions concerning the surrounding properties and conditions on the site to be subdivided.

The Planning Commission adopted a motion to recommend approval of the minor subdivision consistent with the findings as noted in the attached Resolution No. 2015-060. The vote on the motion was unanimous (5 ayes, 0 nays).

BACKGROUND INFORMATION (SWOT):

- | | |
|----------------------|---|
| Strengths | <ul style="list-style-type: none">• The minor subdivision meets all underlying subdivision and zoning requirements. |
| Weaknesses | <ul style="list-style-type: none">• None |
| Opportunities | <ul style="list-style-type: none">• The minor subdivision will allow the Kleis family to retain ownership of the larger farmstead parcel. |
| Threats | <ul style="list-style-type: none">• None |

RECOMMENDATION: The Planning Commission and Staff are recommending that the City Council approve the Kleis family minor subdivision by adopting Resolution No. 2015-060. The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-060 approving the Minor Subdivision”

ATTACHMENTS:

1. Resolution No. 2015-060
2. Planning Commission Staff Report – 9/14/15
3. Application Form
4. Application Narrative
5. Minor Subdivision Survey
6. Proposed Legal Descriptions
7. Septic Report
8. Wetland Delineation Report (Available Upon Request)

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

RESOLUTION NO. 2015-060

*A RESOLUTION APPROVING A MINOR SUBDIVISION OF
THE KLEIS FAMILY FARMSTEAD*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Peter Kastler, 9130 55th Street North, Lake Elmo, MN, (Applicant) has submitted an application to the City of Lake Elmo (City) for a Minor Subdivision to split the farmstead property located at 9130 55th Street North into three separate parcels in accordance with the certificate of survey dated August 31, 2015 signed by Timothy J. Freeman, P.L.S., License #16989, a copy of which is on file in the City of Lake Elmo Planning and Zoning Department; and

WHEREAS, the Lake Elmo Planning Department has reviewed the Minor Subdivision request for consistency with the City of Lake Elmo Zoning and Subdivision Ordinances; and

WHEREAS, the Lake Elmo Planning Commission reviewed the proposed Minor Subdivision at a meeting held on September 14, 2015; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Minor Subdivision as part of a memorandum to the City Council from Community Development Director Kyle Klatt for the October 6, 2015 Council Meeting; and

WHEREAS, the City Council reviewed the Applicant's Minor Subdivision request at a meeting held on October 6, 2015.

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

1. That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's RR – Rural Residential Zoning District.
3. That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

CONCLUSIONS AND DECISION

NOW, THEREFORE, BE IT RESOLVED THAT that based on the testimony elicited and information received, the City Council of the City of Lake Elmo hereby approves the Minor Subdivision request, provided the following conditions are met:

1. The applicant shall pay a fee in lieu of parkland dedication in the amount of \$3,600 per buildable lot (\$7,200 total) prior to any formal City authorization to split the existing parcel into three lots.
2. The future location of any driveways providing access to the two 10-acre parcels shall be subject to review and approval by the City Engineer.
3. The applicant must obtain any permits, if required, from the Valley Branch Watershed District either in conjunction with the City's approval of a Minor Subdivision or prior to the commencement of any construction activity on each parcel.
4. The minimum low floor elevations for the individual lots must be depicted on any future surveys for building permits on each lot.

Passed and duly adopted this 6th day of October 2015 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



PLANNING COMMISSION
DATE: 9/14/15
AGENDA ITEM: 6A – BUSINESS ITEM
CASE # 2015-30

ITEM: Kleis Farm Minor Subdivision
SUBMITTED BY: Kyle Klatt, Planning Director *KK*
REVIEWED BY: N/A

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a minor subdivision request from Peter Kastler to create two new 10-acre parcels from a larger 54.29 acre parcel presently owned by the Kleis Family Trust. Staff is recommending approval of the minor subdivision as presented with conditions of approval related to any future building on the new parcels.

GENERAL INFORMATION

Applicant: Peter Kastler, 9130 55th Street North, Lake Elmo, MN
Property Owners: Kleis Family Trust, 9130 55th Street North, Lake Elmo, MN
Location: 9130 55th Street North
Request: Application for a Minor Subdivision to split said property into three separate parcels with two new lots of 10 acres in size.
Existing Land Use and Zoning: Agricultural land with farmstead.
Surrounding Land Use and Zoning: Rural Residential, Agricultural, Rural Single Family, and Residential Estates lots. Located across from Green Acres.
Comprehensive Plan: RAD – Rural Agricultural Density
History: The site has historically been used for farming. There are multiple agricultural buildings on the premises, in addition to two separate single family residential dwelling units. Based on Staff's review of the property, these units appear to be a legal non-conforming use of the property.
Deadline for Action: Application Complete – 8/27/15
60 Day Deadline – 10/27/15
Extension Letter Mailed – No
120 Day Deadline – 12/27/15
Applicable Regulations: Chapter 153 – Subdivision Regulations
§154.400-408 Rural Zoning District Standards

REQUEST DETAILS

The City of Lake Elmo has received a request from Peter Kastler, 9130 55th Street North, for a Minor Subdivision to split property that has historically been called the Kleis farmstead at the same address into three parcels as follows:

- Two 10-acre parcels along the western edge of the larger farmstead property that would each have direct access to 55th Street North.
- The remaining 34.29 acres that would consist of the existing farmstead and related buildings and surrounding land east of the two new lots.

The subdivision will facilitate the sale of the larger 10 acre parcels while allowing the Kleis family to retain ownership of the larger farmstead. Each of the parcels that will be created with the minor subdivision will meet the City's minimum requirements for lot size, frontage, and ratios for parcels in the rural residential zoning district. The applicant has provided a wetland delineation report with the application to the City, and there is an existing wetland in the extreme southwestern portion of "Parcel A" as labeled on the attached survey. Any future construction on this property will need to observe appropriate setbacks from the wetland. The applicant has also submitted a site evaluation performed by a licensed septic designer establishing two preliminary sewage treatment areas on the two new lots. Prior to permitting any building on the property, any future owners will need to demonstrate that there is 20,000 square feet of land suitable for septic drain fields and area sufficient for 2 separate and distinct drain field sites on each parcel.

The City's Subdivision regulations allow for certain subdivisions of land to be exempt from the City's requirements for platting when nor more than four lots are being created and when these lots comply with the minimum road frontage and area requirements of the underlying zoning. The lots that would be created as part of the minor subdivision each meet or exceed the RR- Rural Residential zoning requirements concerning lot size and lot frontage (10 acres and 300 feet respectfully).

REVIEW AND ANALYSIS

With the configuration of the lots as proposed, Staff is recommending that the City's review include conditions to ensure that future reviews are properly conducted on the site. Of particular importance will be the placement of the driveways for each lot so that they do not create a public safety issue at the intersection of Jamaca Avenue North and 55th Street North, therefore, any future driveway locations should be reviewed and approved by the City Engineer. Staff is also recommending a condition of approval related to any required Watershed District permitting necessary for either subdivision approval or future construction on the site.

Because the proposed subdivision will create two new buildable lots, the applicant will need to pay a fee in lieu of land dedication for the newly created lots consistent with the City's adopted fee schedule. In this case, the applicant will need to pay a fee of \$3,600 for each lot.

Based on the above Staff report and analysis, Staff is recommending approval of the minor subdivision with conditions intended to address the future review issues noted above. The recommended conditions are as follows:

Recommended Conditions of Approval:

- 1) The applicant shall pay a fee in lieu of parkland dedication in the amount of \$3,600 per buildable lot (\$7,200 total) prior to any formal City authorization to split the existing parcel into three lots.
- 2) The future location of any driveways providing access to the two 10-acre parcels shall be subject to review and approval by the City Engineer.
- 3) The applicant must obtain any permits, if required, from the Valley Branch Watershed District either in conjunction with the City's approval of a Minor Subdivision or prior to the commencement of any construction activity on each parcel.
- 4) The minimum low floor elevations for the individual lots must be depicted on any future surveys for building permits on each lot.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Minor Subdivision:

- That the Minor Subdivision is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Minor Subdivision complies with the minimum lot frontage and area requirements of the City's RR – Rural Residential Zoning District.
- That the Minor Subdivision complies with the City's subdivision ordinance and specifically the requirements concerning exceptions to platting.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the minor subdivision request from Peter Kastler to split the parcel at 9130 55th Street North into three separate parcels, thereby creating two new buildable lots of 10-acres each.

Suggested motion:

“Move to recommend approval of the Kleis Farmstead Minor Subdivision”

ATTACHMENTS:

1. Application Form
2. Application Narrative
3. Minor Subdivision Survey
4. Proposed Legal Descriptions
5. Septic Report
6. Wetland Delineation Report (Available Upon Request)

ORDER OF BUSINESS:

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

Date Received: _____
Received By: _____
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: PETER KASTLER
Address: 9130 55th St. N. LAKE ELMO MN 55042
Phone #: 612 382 9385
Email Address: peter.kastler@gmail.com

Fee Owner: KLEIS FAMILY TRUST
Address: 9130 55th St. N. LAKE ELMO MN 55042
Phone #: 612 636 8212 (LINDA DORNFELD)
Email Address: ldornfeld@tds.net

Property Location (Address and Complete (long) Legal Description): 9130 55th St. N., LAKE ELMO MN 55042
TAX PARCEL # 03-029-21-24-0001; COMPLETE LEGAL DESCRIPTION
ON ATTACHMENT DOCUMENTATION.

Detailed Reason for Request: THIS APPLICATION FOR THE MINOR SUBDIVISION OF TWO
10 ACRE PARCELS IS BEING REQUESTED BECAUSE THE APPLICANT IS PURCHASING
ONE OF THE CO-OWNER'S (AL KLEIS) HALF OF THE PROPERTY. THE APPLICANT WILL
THEN RETAIN OWNERSHIP OF THE FAMILY FARM ALONG WITH THE OTHER CURRENT
CO-OWNER (LINDA DORNFELD), WHO IS HIS MOTHER. TO BE ABLE TO FINANCE THIS, A PORTION
OF THE PROPERTY WILL NEED TO BE SOLD, THUS THE NEED FOR THE MINOR SUBDIVISION.

*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:

N/A

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 payments received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 8/27/15

Signature of fee owner: [Signature] Date: _____

Al Kleis 8-28-15
AL KLEIS, CO PROPERTY OWNER
AND CO-TRUSTEE
KLEIS FAMILY TRUST

Linda J. Dornfeld
LINDA DORNFELD, 8-28-15
CO-PROPERTY OWNER &
CO-TRUSTEE
KLEIS FAMILY TRUST

Ed Eklin Septic System Design

2303 County Road F East • White Bear Lake, MN 55110
651-485-2300

August 21, 2015

Parcel 1

Peter Kastler
2829 37th Ave S
Minneapolis, MN 55406

Dear Peter,

At your request, a site evaluation was performed at the property located at 9130 55th St N, Lake Elmo, MN. Parcel ID # 0302921240001. This parcel is approximately 54 acres.

I have established two preliminary sewage treatment areas for a proposed minor subdivision on this property. I will refer to these as parcel 1, which is the western proposed parcel, and parcel 2, which will be the eastern proposed parcel. These proposed parcels will be approximately 10 acres each.

Because there is tall corn on this property, it is difficult to perform soil borings. For this reason, the proposed sewage treatment areas start at the edge of the corn.

The preliminary sewage treatment areas must be reviewed by Washington County Public Health and a permit must be obtained.

If you have any questions or concerns, please feel free to call me. I would be glad to help.

Sincerely,

Ed Eklin

Feier Knistler
750 55th St N
Lake Elmo, MN
No + A Survey
1' = 230'

North
↑



Kingsley Farm

Office
for
feier knistler

EXISTING
BUILDING
AREA

55th St N

10,000 sq ft
SEWERAGE TREATMENT
AREA

841

JAN 2011



1. Contact Information 4/12/04/25

Property Owner/Client: Peter Kastler Client Phone Number: _____
 Mailing Address: _____ Project ID: _____
 Site Address: 9130 55th St. N. Lake Park, MN
 Parcel ID: 302921240001 Township #: _____ Range #: _____ Section: _____
 Date: 8/15/2015 Township name: _____ Legal Desc. or Lat. Long: _____
 Evaluation for system type: New Construction Replacement Parcel dimensions: _____

2. Flow Information

Client-Provided Information
 Types of use (all that apply): Residential Commercial Other Use (Specify): _____
 No. of bedrooms: (if applicable) _____ Unfinished space: (ft²) _____
 No. of residents in home: Adults Children Teenagers Daycare
 Existing flow measurements: Yes (if yes, attach readings) No
 Water-using devices (check all that apply): Garbage Disposal Water Softener Dishwasher Sump Pump Other (Specify): _____
 Large bathtub/shower High Efficiency Furnace Hot Tub Clear water source
 Laundry (Large Tub on 2nd Floor)
 Water use concerns (check all that apply): Fossil Fuel Toilets Multiple Loads of Laundry Day Long Term Prescription Meds
 In Home Business No Lint Screen Use of Anti-Bacterial Soap Frequent Entertaining of Out-of-Town Guests
 Any additional current or future uses on this parcel (specify): _____
 Any non-sewage discharges to system (specify): _____
 Sewage ejector or grinder pump in home: Yes No
 I am knowledgeable the above is complete and accurate: Yes No (circle one and state) _____
 Designer-determined Flow Information
 A. Estimated Design Flow (gallons per day): _____
 Anticipated waste strength values: Domestic High Low Other
 TSS: _____ mg/l BOD₅: _____ mg/l NH₃-N: _____ mg/l Nitrite-N: _____ mg/l

3. Preliminary Site Information

B1(1) Water supply well(s) within 100 ft of absorption area: Yes No
 Well(s) were tested: Direct Observation County Well Index Maps Perennial Unique Well ID #: _____
 Depth of well(s): _____ ft Well yield (gpm): _____
 Is the well(s) tested: No Yes (if yes, enter test date) _____
 B1(2) Site within 200 ft of noncommunity transient supply well: Yes No
 B1(3) Site within a drinking water supply management area: Yes No
 B1(4) Location of all existing and proposed buildings and improvements on lot (see site plan): Yes No
 B1(5) Buried water supply pipes within 50 ft of proposed system: Yes No
 C. Location of all easements on lot (see site plan): Yes No
 D. Elevation of arbitrary high water level (AHWL) (MNDNR if adjacent to parcel): _____
 E. Floodplain designation and flood elevation: _____
 F. Determine property lines (see Site Evaluation Map): Survey Plat Other _____
 G. Distance of setbacks: Property Lines DHW Easements Water Supply Pipes Weasit
 Other Building _____
 H. Soil survey information (from web soil survey): MAP Map location: _____ Field or desk study: _____
 Soil type: _____
 Soil characteristics (check all that apply): Shale Sandstone Limestone Other _____
 Soil type: _____
 Soil characteristics (check all that apply): Summit Shoulder Backslope Footsl Toeslope
 Depression Stream Terrace Manmade Plain
 Maximum depth (ft): _____
 Minimum depth (ft): _____
 Maximum depth (ft): _____
 Minimum depth (ft): _____
 Map scale: _____
 Map date: _____
 Map author: _____

OSTP Preliminary Evaluation Form



4. Preliminary Soil Profile Information (from web soil survey - map unit description & official series descriptions)

Enter information here or attach map and description

Map Unit	Depth	Texture(s)	Structure(s)	Consistence	Other (bleeding, ponding, etc.)
1550					
Horizon 1	0-8	sandy loam			
Horizon 2	8-14	loam			
Horizon 3	14-19	Sandy loam			gravelly
Horizon 4	19-60	coarse sand			gravelly
Horizon 5					
Map Unit	Depth	Texture(s)	Structure(s)	Consistence	Other (bleeding, ponding, etc.)
Horizon 1					
Horizon 2					
Horizon 3					
Horizon 4					
Horizon 5					
Map Unit	Depth	Texture(s)	Structure(s)	Consistence	Other (bleeding, ponding, etc.)
Horizon 1					
Horizon 2					
Horizon 3					
Horizon 4					
Horizon 5					
Map Unit	Depth	Texture(s)	Structure(s)	Consistence	Other (bleeding, ponding, etc.)
Horizon 1					
Horizon 2					
Horizon 3					
Horizon 4					
Horizon 5					

5. Local Government Unit Information

Name of local government: _____

Local government address: _____

Local government design requirements: _____

Local government installation requirements: _____

I hereby certify that I have completed this work in accordance with all applicable Minnesota rules and laws.

Designator

Designator

Designator

Date



1. Contact Information		Project ID	v. 12.04.25
Property Owner/Client: Peter Kastler		Client Phone Number	
Address: 9130 55th St. N., Lake Elmo, MN			
Date: 8/15/2015	Weather Conditions:	sunny	

2. Utility and Structure Information	
Utility Locations Identified:	<input type="checkbox"/> Gopher State One: <input type="text"/> <input type="checkbox"/> Any Private Utilities: <input type="text"/>
Property Lines:	<input type="checkbox"/> Determined and Approved by Client: <input type="text"/> Client's Approval (initials): <input type="checkbox"/> Determined But Not Approved <input checked="" type="checkbox"/> Approximate <input type="checkbox"/> Property Lines Surveyed
Locate and Verify (see Site Evaluation map):	
<input type="checkbox"/> Existing Buildings <input type="checkbox"/> Improvements <input type="checkbox"/> Basements <input type="checkbox"/> Setbacks	

3. Site Information	
Percent Slope: 11	Slope Direction: southwest
Landscape Position: shoulder	Slope Shape: linear/convex
Vegetation type(s): corn	
Evidence of soil fill, compacted or disturbed areas:	<input type="checkbox"/> yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Locate Area on Site Evaluation Map
Discuss the flooding or run on potential of site: <input type="text"/>	
Identify benchmarks and elevations (Site Evaluation Map): <input type="text"/>	
Proposed soil treatment area adequately protected: <input type="checkbox"/> yes <input checked="" type="checkbox"/> No	

4. General Soils Information	
General soils:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Typical observation:	Soil Probe: <input checked="" type="checkbox"/> Soil Pit: <input type="checkbox"/>
Number of soil observations:	4
Soil observations were conducted in the proposed system location:	<input type="checkbox"/> Yes <input type="checkbox"/> No
A soil observation was made within the most limiting area of the proposed system:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Soil boring log forms completed and attached:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Percolation tests performed, forms completed and attached:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

5. Phase I Reporting Information		
Depth to standing water:	<input type="text"/> inches	Additional test questions/responses:
Flange elevation:	<input type="text"/> feet	
Depth to bedrock:	<input type="text"/> inches	Differences between soil survey and field evaluation:
Depth to periodically saturated soil:	<input type="text"/> inches	
Maximum depth of system:	<input type="text"/> inches	
Elevation of system bottom:	<input type="text"/> feet	
Percolation rate:	<input type="text"/> min./in.	
Leaching rate:	0.5 gpd/ft	
Confined leaching rate:	1.2 gpd/ft	
Site evaluation issues - comments: 		

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

(Designer)	(Signature)	(License #)	(Date)
------------	-------------	-------------	--------

Additional Soil Observation Logs

Project ID:



Client Address: Peter Kastler		Legal Description: GPS 9130 55th St N, Lake Elmo, MN	
Soil parent material(s): (Check all that apply) <input checked="" type="checkbox"/> Outwash <input type="checkbox"/> Lacustrine <input type="checkbox"/> Loess <input type="checkbox"/> Till <input type="checkbox"/> Alluvium <input type="checkbox"/> Bedrock <input type="checkbox"/> Organic Matter			
Landscape Position (check one) <input type="checkbox"/> Summit <input checked="" type="checkbox"/> Shoulder <input type="checkbox"/> Back/Side Slope <input type="checkbox"/> Foot Slope <input type="checkbox"/> Toe Slope <input type="checkbox"/> Slope shape		linear	
Vegetation: corn	soil survey map units: 155D	Elevation:	
Weather Conditions: Time of Day: partly sunny 10:10 AM		Date:	08/20/15
Observation #: Location: 3H5		Observation Type: <input checked="" type="checkbox"/> Auger <input type="checkbox"/> Probe <input type="checkbox"/> Pit	
Depth (in)	Texture	Rock Frag. #	Matrix Color(s)
0-14	Loamy Fine Sand		7.5yr 4-2
14-42	Loamy Fine Sand		7.5yr 4-3
		Indicator(s)	Shape
		----- Structure-----	
		Grade	Consistence
Single grain			
Single grain			
Comments OK 3 6			
Observation # Location: brief			
Depth (in)	Texture	Rock Frag. #	Matrix Color(s)
0-14	Loamy Sand		7.5yr 4-2
14-54	Loamy Sand		7.5yr 5-4
		Indicator(s)	Shape
		----- Structure-----	
		Grade	Consistence
		Auger	
		Shape	Single grain
		Shape	Single grain
Comments OK 4 6			

Additional Soil Observation Logs

Project ID:

Client/ Address:		Legal Description / GPS:									
Soil parent material(s): (Check all that apply)		<input checked="" type="checkbox"/> Outwash	<input type="checkbox"/> Lacustrine	<input type="checkbox"/> Loess	<input type="checkbox"/> Till	<input type="checkbox"/> Alluvium	<input type="checkbox"/> Bedrock	<input type="checkbox"/> Organic Matter			
Landscape Position: (check one)		<input type="checkbox"/> Summit	<input checked="" type="checkbox"/> Shoulder	<input type="checkbox"/> Back Side Slope	<input type="checkbox"/> Foot Slope	<input type="checkbox"/> Toe	Slope shape		linear/convex		
Vegetation	corn	Soil survey map units		155D	Slope		Elevation:				
Weather Conditions: Time of Day:		partly sunny									
Observation #: Location:		BH8									
Depth (in)	Texture	Rock Frag. #	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Shape	Grade	Consistence	Observation Type: <input checked="" type="checkbox"/> Auger <input type="checkbox"/> Probe <input type="checkbox"/> Pit	
0-12	Fine Sand		7.5y ^r 4.2				Single grain				
12-24	Fine Sand		7.5y ^r 5.3				Single grain				
Comments		OK 24									
Observation #: Location:		BH9									
Depth (in)	Texture	Rock Frag. #	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Shape	Grade	Consistence	Observation Type: Auger	
Comments											

Minor Subdivision

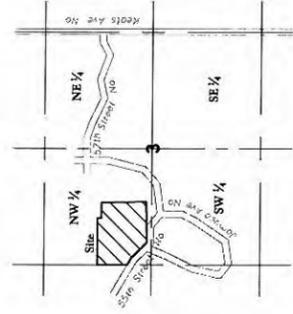
Part of the Northwest Quarter of Section 3
 Township 29 North, Range 21 West
 City of Lake Elmo, Washington Co., MN

SURVEY FOR:

Peter Kastler
 Klies Family Trust
 9130 55th St N
 Lake Elmo, MN 55042

LEGAL DESCRIPTION:

See separate sheet.



Vicinity Map
 Section 3 - T29N - R21W
 City of Lake Elmo,
 Washington County, Minnesota

Folz, Freeman, Erickson, Inc.
 LAND PLANNING • SURVEYING • ENGINEERING
 12445 55TH STREET NORTH
 LAKE ELMO, MINNESOTA 55042
 Phone (651) 499-8833 Fax (651) 490-9331



LEGEND

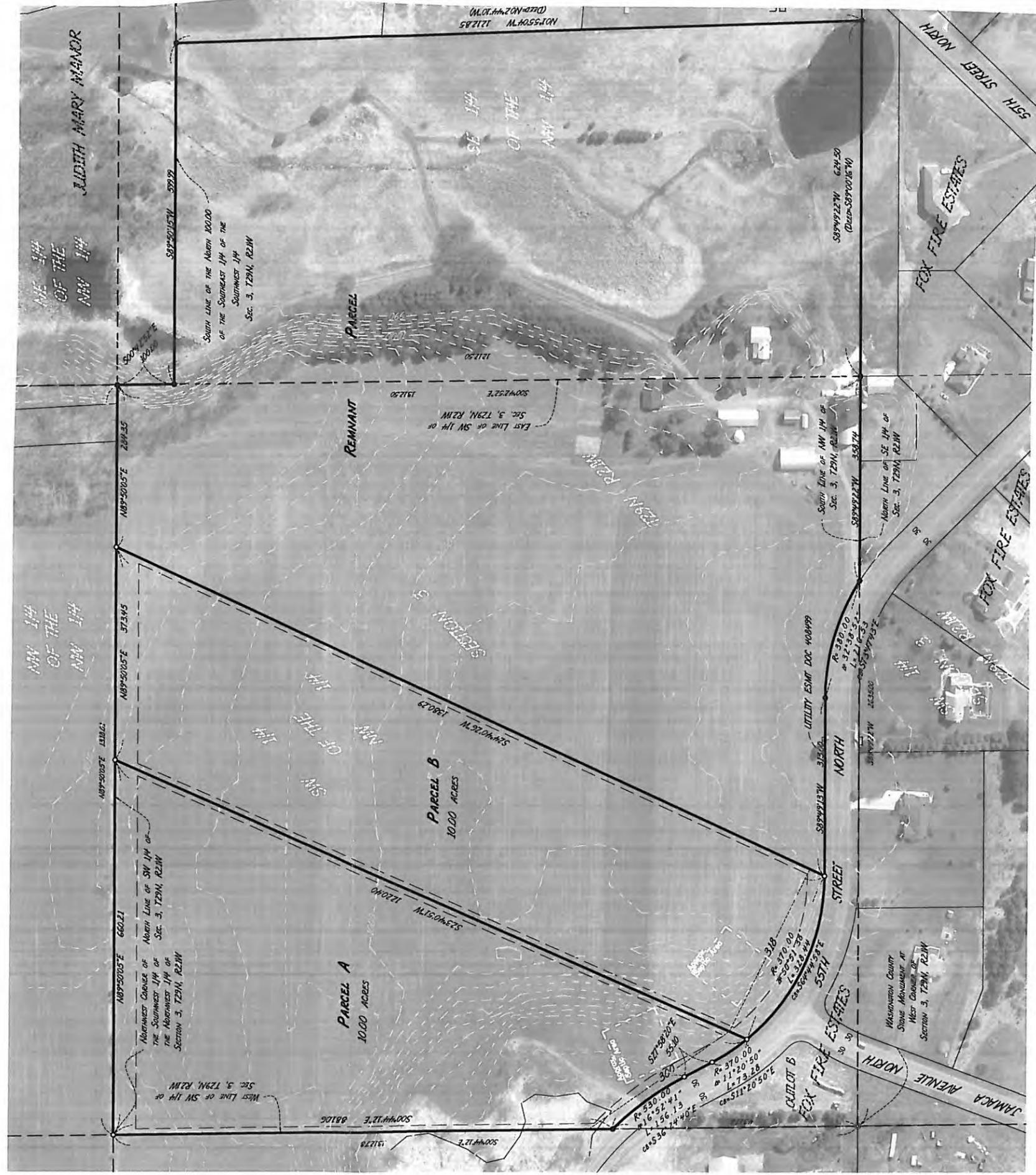
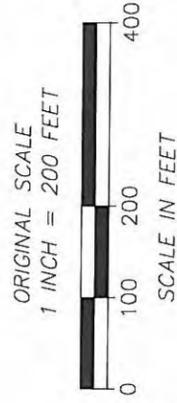
- DENOTES SET 1/2 INCH DIA. BY 18 INCH IRON PIPE MONUMENT MARKER WITH 1/2 INCH OF INSCRIBED "FREDMAN LS 16898", UNLESS SHOWN OTHERWISE.
- DENOTES FOUND MONUMENT, SIZE AND MARKINGS AS INDICATED (RMBP)
- DENOTES BEARING PER TITLE COMMITMENT P22405-15-P1436 - EXHIBIT A.

Note: Monuments shown on map will be set barring approval.

NOTES

BEARING ORIENTATION IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD83, 1988 ADJUSTMENT.
 BEARING ORIENTATION FOR THE NORTH LINE OF 55TH STREET NORTH PER FOXFIRE ESTATES ROTATED 0°49'06" COUNTER-CLOCKWISE FROM RECORD BEARING ORIENTATION.

Note: Survey prepared without the benefit of current title work. There may be documents of record that affect this property.



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

Timothy J. Hoffmann
 Timothy J. Hoffmann, LS
 Minnesota License No. 16989

8/31/2015

Date

Minor Subdivision

Part of the Northwest Quarter of Section 3

Township 29 North, Range 21 West

City of Lake Elmo, Washington Co., MN

SURVEY FOR:

Peter Kastler
Klies Family Trust
9130 55th St N
Lake Elmo, MN 55042



PROPOSED LEGAL DESCRIPTIONS:

Proposed Parcel A Legal Description

That part of the Southwest Quarter of the Northwest Quarter, Section 3, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:
Beginning at the northwest corner of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 50 minutes 05 seconds East, bearings oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the north line of said Southwest Quarter of the Northwest Quarter, a distance of 660.21 feet; thence South 23 degrees 40 minutes 51 seconds West, a distance of 1220.40 feet to the north line of 55th Street North as dedicated on FOX FIRE ESTATES, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota; thence northwesterly along said north line of 55th Street North, on a non-tangential curve, concave to the north, chord bearing North 11 degrees 20 minutes 50 seconds West, radius 370.00 feet, central angle 11 degrees 20 minutes 50 seconds, 73.28 feet; thence North 27 degrees 58 minutes 20 seconds West along said north line of 55th Street North, a distance of 55.10 feet; thence northwesterly along a tangential curve, concave to the southwest, chord bearing North 36 degrees 24 minutes 40 seconds West, radius 530.00 feet, central angle 16 degrees 52 minutes 41 seconds, 156.13 feet, along said north line of 55th Street North to the west line of said Southwest Quarter of the Northwest Quarter; thence North 00 degrees 44 minutes 12 seconds West, along said west line of the Southwest Quarter of the Northwest Quarter, a distance of 881.06 feet to the point of beginning.

Proposed Parcel B Legal Description

That part of the Southwest Quarter of the Northwest Quarter, Section 3, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:
Commencing the northwest corner of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 50 minutes 05 seconds East, bearings oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the north line of said Southwest Quarter of the Northwest Quarter a distance of 660.21 feet to the point of beginning; thence continue North 89 degrees 50 minutes 05 seconds East, along said north line, a distance of 373.45 feet; thence South 24 degrees 40 minutes 26 seconds West, a distance of 1380.29 feet to the north line of 55th Street North as dedicated on FOX FIRE ESTATES, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota; thence northwesterly along said north line of 55th Street North, on a non-tangential curve, concave to the north, chord bearing North 64 degrees 44 minutes 58 seconds West, radius 370.00 feet, central angle 50 degrees 51 minutes 38 seconds, 328.44 feet to the intersection with a line bearing South 23 degrees 40 minutes 51 seconds West from the point of beginning; thence North 23 degrees 40 minutes 51 seconds East, a distance of 1220.40 to the point of beginning.

Proposed Remnant Parcel Legal Description

That part of the Southwest Quarter of the Northwest Quarter, Section 3, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota described as follows:
Commencing the northwest corner of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 50 minutes 05 seconds East, bearings oriented to the Washington County Coordinate System, NAD83, 1986 adjustment, along the north line of said Southwest Quarter of the Northwest Quarter a distance of 1033.66 feet to the point of beginning; thence continue North 89 degrees 50 minutes 05 seconds East, along said north line, a distance of 284.35 feet to the east line of said Southwest Quarter of the Northwest Quarter; thence South 00 degrees 42 minutes 52 seconds East, along said east line, a distance of 1312.50 to the south line of said Southwest Quarter of the Northwest Quarter, thence South 89 degrees 49 minutes 22 seconds West, along said south line, a distance of 358.74 feet to the north line of 55th Street North as dedicated on FOX FIRE ESTATES, according to the plat thereof on file and of record in the office of the County Recorder, Washington County, Minnesota; thence northwesterly along said north line of 55th Street North, on a non-tangential curve, concave to the north, chord bearing North 73 degrees 47 minutes 43 seconds West, radius 380.00 feet, central angle 32 degrees 38 minutes 52 seconds, 216.53 feet; thence South 89 degrees 49 minutes 13 seconds West along said north line of 55th Street North, a distance of 313.00 feet to the intersection with a line bearing South 24 degrees 40 minutes 26 seconds West from the point of beginning; thence North 24 degrees 40 minutes 26 seconds East, a distance of 1380.29 to the point of beginning.

Also, that part of the Southeast Quarter of the Northwest Quarter of Section 3, Township 29 North, Range 21 West, Washington County, Minnesota lying southerly of the North 100.00 feet thereof and lying westerly of the following described line:

Commencing at the southeast corner of said Southeast Quarter of the Northwest Quarter, thence South 89 degrees 00 minutes 16 seconds West, assumed bearing, along the south line of said Southeast Quarter of the Northwest Quarter a distance of 693.00 feet to the point of beginning of the line to be described; thence North 02 degrees 44 minutes 10 seconds West 1212.85 feet to the south line of said North 100.00 feet of the Southeast Quarter of the Northwest Quarter and said line there terminate.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.


Timothy J. Freeman, L.S.
Minnesota License No. 16989

8/31/2015

Date



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
REGULAR
ITEM #11
RESOLUTION 2015-59 (Approval)
RESOLUTION 2015-59A (Denial)

AGENDA ITEM: Halcyon Cemetery Preliminary and Final Plat

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Clark Schroeder, Interim City Administrator

REVIEWED BY: Nick M. Johnson, City Planner
David Snyder, City Attorney
Planning Commission
Jack Griffin, City Engineer
Greg Malmquist, Fire Chief
Washington County Public Works

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission recommended approval of the preliminary and final plat at its July 13, 2015 meeting. The City Council tabled taking action on this matter at its July 21, 2015 meeting.

FISCAL IMPACT: None, all of the review activities on the part of the City are reimbursed by application and escrow fees submitted by the developer. All of the improvements to the site are private.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to bring back from the table and to consider a request from Mr. Lee Rossow for approval of a preliminary and final plat for a cemetery to be called Halcyon located at 11050 50th Street North. The Planning

Commission held a public hearing to consider the matter at its July 13, 2015 meeting and unanimously recommended approval of the Halcyon Cemetery Preliminary and Final Plat subject to 14 conditions of approval. The City Council considered the application at its July 21, 2015 meeting; however, the Council tabled taking action on the request in order to provide the City with additional time to consider various aspects of the project. In response to the Council's concerns, Staff is offering additional information concerning the use of the property for review and is presenting alternative findings of fact that may be used by the Council to either move forward with the Planning Commission recommendation or to adopt a different set of findings for denial of the request.

The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-059, approving the Halcyon Cemetery Preliminary and Final Plat.”

The suggested motion to deny the request is as follows:

“Move to adopt Resolution No. 2015-059A, denying the Halcyon Cemetery Preliminary and Final Plat.”

BACKGROUND INFORMATION: Attached is the original detailed Staff report that was provided to the Planning Commission regarding the applicant's request for preliminary and final plat approval in addition to the previous memorandum to the City Council. The staff report includes general information about the application, a summary of the relevant planning and zoning issues, a thorough review and analysis of the final plat (including a draft list of recommended conditions of approval), draft findings, and the Staff recommendation to the Planning Commission. The City Council report also includes a summary of the public hearing comments and a general summary of the Planning Commission discussion.

APPLICATION HISTORY: As noted above, the City Council tabled the Cemetery preliminary and final plat request at its July 21, 2015 meeting. Prior to this meeting, the history of this application is as follows:

Date	Event	Action
November 2014	Sketch Plan submitted to the City	Scheduled for review
11/24/14	Sketch Plan reviewed by the Planning Commission	No action required, Planning Commission meeting minutes attached
12/2/14	Sketch Plan reviewed by the City Council	No action required. Meeting minutes attached
January 2015	Plat application materials submitted to the City	Application deemed incomplete pending wetland delineation and watershed district review

June 17, 2015	Revised plans submitted to City and watershed district with wetland delineation	Application deemed complete and review scheduled with Planning Commission
July 1, 2015	Valley Branch review complete	Valley Branch Watershed District Permit issued to applicant (attached)
July 13, 2015	Preliminary and Final Plat reviewed by Planning Commission	Recommended approval with additional conditions. Meeting minutes attached.
July 21, 2015	Preliminary and Final Plat reviewed by City Council.	Tabled. Meeting minutes attached.

During the course of its review of the combined preliminary and final plat application, the City received plans that were dated 1/5/15, 3/14/15, and 6/17/15. The only plans that the City could have taken action to approve were the latest submission, which included the wetland delineation for the property. The location of the wetlands required revisions to the earlier plan submissions and was a requirement before the watershed district would review the request. Staff had discussed splitting the review up between the preliminary plat and final plat, and told the developer that the preliminary plat could proceed in advance of the wetland delineation and watershed district review. The applicant elected to keep the joint review process moving forward, and understood that the City would therefore not be able to take action on the plans that had been submitted prior to June 17, 2015.

ZONING REVIEW: As part of its discussion on July 21, 2015, the City Council raised questions about the zoning regulations for cemeteries and how they specifically apply to the applicant's property. In order to address these questions, Staff would like to focus on three specific aspects of the Cemetery request and how they apply to the present application as follows:

Rural District Ordinance Amendments

As part of the larger process of updating the City's Zoning Ordinance, the City Council approved revisions to the City's rural development districts, including the RR – Rural Residential Zoning District, on May 19, 2013. The amendments were intended to bring these sections of code into conformance with earlier ordinance amendments, which included a complete overhaul of the City's uses and use classification system and revised formatting throughout the document. Prior to these 2013 amendments, the City only allowed cemeteries in PF – Public Facility zoning districts. As part of the 2013 revisions, cemeteries and other uses were added to the rural districts, and specifically identified as a permitted use in A and RR zoning districts.

All new uses that were included in the rural development districts were recommended by Staff. These uses included secondary dwellings, cemeteries, commercial kennels and stables, golf courses, restricted recreation, and agricultural production. All of these uses represent activities that are typically require a lot of room to operate or that are generally found in rural areas as

opposed to more heavily developed urban areas. The proposed changes were reviewed by the Planning Commission and City Council and were adopted as presented. In reviewing the meeting minutes and other information associated with the meeting, there was no discussion on cemeteries at that time and only some general questions about any of the other uses shown on the chart.

Since the submission of the applicant's request to construct a new cemetery at 11050 50th Street North, there have been a lot of questions raised about the inclusion of cemeteries in the rural development districts and whether or not this type of use should be permitted, conditional, or not allowed at all. In the near future, Staff will be conducting a review of all use classifications and where each type of use is allowed in the City with the Planning Commission to ensure that this aspect of the code accurately reflects the purpose and intent of the Comprehensive Plan. Regardless of any future reviews, the applicant's request is based on cemeteries being a permitted use in Rural Residential zoning districts.

Use Definitions Focusing on the actual use classification and definitions in the City Code that pertain to cemeteries, Staff would like to state the two definitions in the ordinance for a cemetery or related activity, in addition to the general requirements concerning these classifications. These provisions are as follows:

Purpose of Use Types. The purpose of the Use Types is to establish a classification system for land uses and a consistent set of terms defining uses permitted within various zoning districts. The Use Types section also facilitates the process of determining the applicable use type of any activity not clearly within any defined use type.

Interpretation. In the event of any question as to the appropriate use type of any existing or proposed use or activity, the Planning Director shall have the authority to determine the appropriate use type. In making such a determination, the Planning Director shall consider the operational and physical characteristics of the use in question and shall consider the classification contained in the most recent edition of the Standard Industrial Classification Manual published by the U.S. Office of Management and Budget. In addition, the Planning Director shall consider the specific requirements of the use in common with those included as examples of use types. Those examples, when included in use type descriptions, are intended to be illustrative, as opposed to exclusive lists. The Planning Director may also determine that a proposed use or activity is sufficiently different from any use type listed below and will require an amendment to the text of this chapter.

Public and Civic Uses - Cemetery. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Services - Funeral Home. Establishments engaged in undertaking services such as preparing the dead for burial, and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

Of particular note is the fact that funeral homes are considered an entirely different type of use than cemeteries, and do not show up in the City's list of uses allowed in rural development districts. The other issue that is pertinent to this particular property and proposal is that the applicant intends to make use of the existing house on the property as an administrative building/caretaker's residence. The City's definitions and regulations are silent on this aspect of the proposal. In these situations, the code will generally allow uses that are accessory to the principle use; however in this case, the use of an existing single family home as part of a cemetery is unique and perhaps not anticipated under the ordinance provisions. The Planning Commission did ask questions about the use of the existing house as part of its review, but did not make any findings specific to the repurposing of the home as an administrative building.

Platting Procedures

The creation of a new cemetery under Minnesota State Statutes requires the platting of the property to be used for a cemetery. Because the City has adopted a subdivision ordinance that regulates the subdivision and platting of property within the City, it has been Staff's interpretation that any new cemetery must be reviewed in accordance with the City's subdivision ordinance. The ordinance specifies that a subdivision may only be approved after the City has reviewed a sketch plan for the property to be subdivided, which must be submitted prior to a preliminary or final plat. As part of the current request, the applicant has asked that the City conduct a concurrent review of the preliminary and final plat.

The Subdivision Ordinance includes a series of requirements that must be met by an applicant in order to receive approval of a new subdivision. These requirements primarily relate to required plan submissions and required improvements within the subdivision. The applicant has submitted a plat document in addition to the required construction plans for the property. Although there are no public services being extended into the site, the applicant was required to submit grading, drainage, erosion control, and a storm water management plan for the site. This plan (as amended by the applicant) has been reviewed for conformance with City and watershed district requirements.

As part of its review of the cemetery proposal and consideration of issues that have been raised throughout the City's subdivision review process, Staff has identified some of the more relevant questions that may impact the Council's decision of this matter. These questions include the following (along with a brief response):

- Can the applicant operate a funeral home on the premises? ***Response: No, the City's Zoning Ordinance clearly regulates cemeteries and funeral homes differently, and funeral homes are not allowed in any of the rural development districts.***

- Is the applicant allowed to utilize or repurpose the existing single-family home as part of his plans for a cemetery? **Response: The Zoning Ordinance is unclear on this matter. As an accessory use to a cemetery, it is reasonable to expect that there will be some maintenance equipment stored on the premises. The applicant has stated that the home will not be used as a funeral home, and has further indicated that building would be used for memorial services and gatherings in conjunction with burials. The plans identify the repurposed home as an administration building and show a proposed expansion that is intended to increase the amount of space available for gatherings. In this case, the Council does have the authority to decide that the use and incorporation of the existing structure into the development plans for the cemetery is not consistent with or allowed under the City's definition of a cemetery.**
- Is platting necessary? Can the City deny a preliminary plat that meets all City requirements? **Response: Generally, the City cannot deny a plat application that meets the minimum requirements of the City Code. If the Council decided to deny the preliminary and final plat, Staff would recommend that the Council focus on the first two findings listed in the draft resolution for consideration. These findings note that the plat must be consistent with the Lake Elmo Comprehensive Plan and that it must also comply with the City's RR – Rural Residential District requirements.**
- Is there a minimum amount of land or minimum number of burial plots needed to be considered a cemetery? **Response: The City's ordinances include no such minimal levels; however any burial sites will have special protection under State law. Under the City's current ordinances, the only development standards specific to cemeteries are found in the PF zoning district section of the code, and do not apply to the current application. This is certainly an issue concerning cemeteries that warrants further review by the City.**
- Is the use of the house as a gathering space and administration building allowed under the code? Is this a business use? **Response: The Council may want to consider the relative size of the proposed cemetery and the plans for other related activity taking place on the site. The proposed development plans show that there will be over 6,000 square feet of building area (for the administration and maintenance building) on the site, and that only roughly half of the 10 acres will be used for burial sites. The size of these buildings and the amount of activity expected to take place within them are pertinent to any discussion concerning the accessory nature (or lack thereof) of these buildings. If the primary activity on the site is a public gathering space and parking, this would indicate that principle use is more than just a cemetery.**
- Are burial sites allowed within areas designated as flood plain? **Response: The City and Watershed district regulations do not prohibit the placement of burial sites below the established 100-year flood elevation on the property. In conducting research on this issue, Staff was not able to find any evidence that the burial sites would pose any threat to the City's near-by well or water supply.**

Because the applicant's proposal is very unique and unprecedented for the City, Staff is not surprised that there are numerous questions about the proposed activity and whether or not the development plans are consistent with the City Code. In order to help the City Council give

weight to all of the issues associated with the request, there are really two main issues that will need to be decided at the meeting:

- 1) Does the application meet the City's requirements for a preliminary and final plat, and more specifically, is the plat consistent with the Comprehensive Plan and RR zoning regulations?
- 2) Are the uses proposed allowed under the City's Zoning Ordinance?

In considering the first question, Staff believes that the applicant has met the City's requirements for platting and receiving approval of a subdivision. On the latter issue, there do appear to be some legitimate questions about how the property will be used, and in particular, the inclusion of a building for public gathering space as part of the plans. This is especially apparent when looking at the proportionality between the size of the actual cemetery and what might normally be expected on a property of this size to provide care and maintenance of the grounds. The inclusion of this gathering space is not fully addressed by the underlying zoning or use classifications, and the City Council may want to consider this in making its final decision on the request.

COUNCIL CONCERNS: The Council has previously expressed some concerns with the project if it were to move forward. Based on previous discussions by the Council during the review of this application, Staff has noted the following as the more significant issues that warrant repeating:

- *Perpetual maintenance.* The Council has previously expressed concern that the long-term maintenance of the site will be the responsibility of a non-profit association that could someday go away. The applicant has stated that the association will be creating a permanent care trust fund that will be used to ensure that there are funds available for long-term maintenance and upkeep of the site. The Planning Commission recommended a condition of approval that the cemetery association provide copies of all annual minutes and financial reporting of the permanent care trust fund to the City on an annual basis so that the City would be aware of any pending problems with the association or fund.
- *Park land dedication or fees in lieu of dedication.* The applicant has maintained that the City cannot levy any water assessments, park dedication, or other special assessments against the property. It is Staff's opinion that fees in lieu of park land dedication do not meet this requirement and can therefore be required as a condition of approval. If the Council chooses to require a park fee, it would be for the equivalent of 0.4 acres of land based on the dedication schedule found in the Subdivision Ordinance.
- *Traffic.* The applicant has revised the site plan to address comments from the City Engineer concerning the set back of the entrance road into the property from Lake Elmo Avenue. The property is located at the intersection of a County Road and a Municipal State Aid road, both of which were designed to accommodate higher levels of traffic.
- *Floodplain issues.* The previous section of this report notes that the site development plans conform to applicable City and watershed district requirements concerning floodplains.

Please note that the City has received several emails written in support for the Cemetery since the Council's July 21st meeting. These emails were sent to all members of the Council and are attached to this report.

DRAFT FINDINGS/ALTERNATIVES: With all of the questions that have previously been raised concerning the cemetery proposal, Staff is presenting an alternate set of findings so that the Council will have the ability consider either approving or denying the applicant's request at its meeting. This additional recommendation and alternate findings are also being provided because the City has already extended its review beyond 60 days and the deadline for a final decision on this matter (without the applicant's consent) is October 15, 2015.

In considering all of the options available to the Council, Staff has identified the following alternative actions that could be taken by the Council in response to the Halcyon Cemetery Preliminary and Final Plat request:

- 1) Follow the Planning Commission recommendation to approve the preliminary and final plat with the findings and conditions as drafted by the Commission.
 - a. Alternative action – approve the preliminary and final plat with amended findings or conditions of approval.
- 2) Approve the preliminary plat but take no action on the final plat in order to give the City and developer additional time to address review comments. The developer would then need to submit a final plat application consistent with the preliminary plat approval.
- 3) Deny the preliminary and final plat request with appropriate findings of fact. Staff has drafted alternate findings for denial that may be considered by the Council if it decides to take this action.
- 4) Approve the subdivision request but without the inclusion of the existing single family home and parking area as part of the approval so that the cemetery use remains the principle activity on the site. In order to carry out this alternative, the home would need to be removed from the site before the City would release the plat for recording. If the Council wants to pursue this alternative action, it may be more appropriate to deny the request and allow the applicant to bring forward a new application without the public gathering space as shown on the current plans.

In order to take action to approve the cemetery request, the Council may consider adopting the attached Resolution No. 2015-059. This resolution incorporates all of the previous findings and conditions as recommended by the Planning Commission.

As an alternate action, the City Council may consider denying the request by adopting the attached alternative Resolution No. 2015-059A. This resolution includes the following findings of fact to support this action:

- 1) That the Halcyon Cemetery Final Plat is not consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area. The site under consideration is located within the City's Rural Development Area land use classification, which allows for: *large areas of rural residential development within the City. Common uses found in these areas include working farms, alternative agricultural uses as defined by City Code, and rural single family detached residences. Development*

in these areas requires 10+ acres, or a conditional use permit to authorize a cluster development meeting the City's Open Space Preservation regulations. The establishment of a private cemetery and related gathering space, administrative activities, funeral services, and large parking area is not consistent with the City's land use plan for this area.

- 2) That the Halcyon Cemetery does not comply with the City's RR – Rural Residential zoning district because it includes uses and activities that are not allowed under the definition of a "Cemetery" in Section 154.102 of the Zoning Ordinance. Specifically, the proposed site plan includes an administration building, a proposed expansion of this structure to add room for public gathering space, and parking lot that will accommodate 59 parking stalls. The definition of "Cemetery" offers no provisions for the conduct of services on the premises. The proposed buildings and parking areas exceed the activities allowed for "land used or intended to be used for the burial of the dead and dedicated for cemetery purposes".
- 3) That the combined size of over 6,000 square feet for the proposed administration building, expansion area, and maintenance garage is not proportional to the size of the proposed cemetery. The re-use and expansion of the existing single family structure far exceeds what would otherwise be required to provide for the car and maintenance of the cemetery.
- 4) The Zoning Ordinance does not allow for two principle uses to exist on property that is zoned Rural Residential. Specifically, the continued occupation of a single-family residence on the property is in conflict with the proposed platting of a cemetery on the same property. Because the site is 10 acres in size and is at the minimum requirement of the Zoning Ordinance for lot size in a RR zoning district, the applicant would not be able to separate the home from the cemetery use.

STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS (SWOT): Please refer to previous Council report.

RECOMMENDATION: Based on the aforementioned, if the Council decides to take action on the Planning Commission recommendation to approve the Halcyon Cemetery Preliminary and Final Plat, it should do through the following motion:

“Move to adopt Resolution No. 2015-059, approving the Halcyon Cemetery Preliminary and Final Plat.”

Based on the aforementioned, if the Council decides deny the Halcyon Cemetery Preliminary and Final Plat, it should do through the following motion:

“Move to adopt Resolution No. 2015-059A, approving the Halcyon Cemetery Preliminary and Final Plat.”

ATTACHMENTS: *(all attachments previous provided to the Council except where noted)*

1. Resolution 2015-059 (Approval of the Plat)
2. NEW - Resolution 2015-059A (Denial of the Plat)
3. Staff Report to the City Council 7/21/15
4. Staff Report to the Planning Commission, 7/13/15
5. Location Map
6. Application Forms and Project Narrative
7. Preliminary and Final Plat and Plans
8. City Engineer Review Memorandum, dated 7/8/15
9. Fire Chief Review Memorandum, dated 7/7/15
10. Washington County Review Memorandum, dated 7/7/15
11. Valley Branch Watershed District Permit
12. Lake Elmo Transportation Plan, Existing and Projected Traffic Volumes
13. Cemetery Proximity and Single Family Home Price Report (1st Half)
14. NEW - Letters/Emails Concerning the Request Received Since 7/21/15

INCLUDED IN THE ELECTRONIC PACKET BUT NOT PROVIDED IN HARD COPY:

1. 2nd Half of Cemetery Proximity and Single Family Home Price Report – Supporting Data
2. Information Handout from League of MN Cities on Cemeteries

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

RESOLUTION NO. 2015-59

*A RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT FOR THE HALCYON
CEMETERY*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Mr. Lee Rossow, 11050 50th Street North, Lake Elmo MN 55042 has submitted an application to the City of Lake Elmo (“City”) for a Preliminary and Final Plat for a cemetery to be called Halcyon, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the proposed Final Plat includes a cemetery on one parcel of land (PID: 01.029.21.33.0003) in the Rural Planning Area; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on July 13, 2015 to consider the Preliminary and Final Plat application; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat subject to 14 conditions of approval; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary and Final Plat as part of a memorandum to the City Council for the July 21, 2015 Council Meeting; and

WHEREAS, the City Council reviewed the Halcyon Cemetery Preliminary and Final Plat at its meeting held on July 21, 2015 and tabled taking action at that time; and

WHEREAS, the City Council further reviewed the Halcyon Cemetery Preliminary and Final Plat at its meeting held on October 6, 2015 and made the following findings of fact:

- 1) That the Halcyon Cemetery Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the Halcyon Cemetery complies with the City’s RR – Rural Residential zoning district.
- 3) That the Halcyon Cemetery complies with the City’s subdivision ordinance.
- 4) That the Halcyon Cemetery Final Plat meets other City zoning ordinances, such as landscaping, tree preservation, erosion and sediment control, off-street parking and other ordinances, except where noted in this report herein.

- 5) That the Halcyon Cemetery Final Plat is consistent with the City's engineering standards, except where noted, provided the plans are updated to address the City Engineer's comments documented in a letter dated July 8, 2015 and the Fire Chief's comments documented in a letter dated July 7, 2015.
- 6) The applicant has committed to establishing a permanent care trust fund consistent with the requirements established under State Statute.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Halcyon Cemetery Preliminary and Final Plat subject to the following conditions:

- 1) The applicant shall revise the Final Plat to accommodate all required right-of-way on Lake Elmo Avenue and 50th Street North as documented in review memorandums submitted by Washington County and the City Engineer.
- 2) All required modifications to the plans as requested by the City Engineer in a review letter dated July 8, 2015 shall be incorporated into the plans prior to the City's execution of the Final Plat.
- 3) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and abide by all conditions of approval established in the approved Valley Branch Watershed District permit.
- 4) The applicant shall be responsible to address all review comments submitted by Washington County described in the review memorandum received from the County dated July 7, 2015. In addition, the applicant shall obtain all necessary right-of-way permitting from Washington County.
- 5) The Landscape Plan shall be revised to include 6 additional trees to fulfill the City's Landscaping Requirements. In addition, the plant material that is on top of utilities shall be moved to comply with the direction of the City Engineer per his memorandum dated July 8, 2015. Finally, prior to installation of plant material, the plan shall be reviewed by the City's Landscape Consultant for final approval.
- 6) The applicant must enter into an agreement with the City to own, operate and maintain the private storm water facilities on the property. The storm water maintenance agreement must be recorded with the Final Plat.
- 7) Prior to the issuance of grading/building permits, all review comments of the Fire Chief must be addressed by the applicant.
- 8) The applicant shall obtain the necessary permitting from Washington County to install a new septic system to serve the property prior to the City issuing and building permits for the remodel of the home.
- 9) Any future expansion of the site, including plans to install a crematorium, shall be reviewed and approved by the City.

- 10) All lighting installed on the Halcyon Cemetery site must comply with the City's dark skies ordinance.
- 11) Any alterations to the existing single family home shall be reviewed for conformance to the City's design standards.
- 12) All transplanted trees transplanted on the site shall include a 2-year warranty period to ensure survival. Any trees that do not survive the two-year period shall be replaced.
- 13) The Landscape Plan shall be amended to add plantings along the Eastern and Northern property lines consistent with screening requirements specified in 154.258.F of the City Code.
- 14) Annual meeting minutes, including annual financial reporting and status of the permanent care trust fund, shall be submitted to the City on an annual basis.

Passed and duly adopted this 6th day of October, 2015 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

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

RESOLUTION NO. 2015-059A

*A RESOLUTION DENYING A PRELIMINARY AND FINAL PLAT FOR THE HALCYON
CEMETERY*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Mr. Lee Rossow, 11050 50th Street North, Lake Elmo MN 55042 has submitted an application to the City of Lake Elmo (“City”) for a Preliminary and Final Plat for a cemetery to be called Halcyon, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the proposed Final Plat includes a cemetery on one parcel of land (PID: 01.029.21.33.0003) in the Rural Planning Area; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on July 13, 2015 to consider the Preliminary and Final Plat application; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat subject to 14 conditions of approval; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary and Final Plat as part of a memorandum to the City Council for the July 21, 2015 Council Meeting; and

WHEREAS, the City Council reviewed the Halcyon Cemetery Preliminary and Final Plat at its meeting held on July 21, 2015 and tabled taking action at that time; and

WHEREAS, the City Council further reviewed the Halcyon Cemetery Preliminary and Final Plat at its meeting held on October 6, 2015 and made the following findings of fact:

- 1) That the Halcyon Cemetery Final Plat is not consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area. The site under consideration is located within the City’s Rural Development Area land use classification, which allows for: *large areas of rural residential development within the City. Common uses found in these areas include working farms, alternative agricultural uses as defined by City Code, and rural single family detached residences. Development in these areas requires 10+ acres, or a conditional use permit to authorize a cluster development meeting the City’s Open Space Preservation regulations.* The establishment of a private cemetery and related gathering space, administrative activities, funeral

services, and large parking area is not consistent with the City's land use plan for this area.

- 2) That the Halcyon Cemetery does not comply with the City's RR – Rural Residential zoning district because it includes uses and activities that are not allowed under the definition of a "Cemetery" in Section 154.102 of the Zoning Ordinance. Specifically, the proposed site plan includes an administration building, a proposed expansion of this structure to add room for public gathering space, and parking lot that will accommodate 59 parking stalls. The definition of "Cemetery" offers no provisions for the conduct of services on the premises. The proposed buildings and parking areas exceed the activities allowed for "land used or intended to be used for the burial of the dead and dedicated for cemetery purposes".
- 3) That the combined size of over 6,000 square feet for the proposed administration building, expansion area, and maintenance garage is not proportional to the size of the proposed cemetery. The re-use and expansion of the existing single family structure far exceeds what would otherwise be required to provide for the car and maintenance of the cemetery.
- 4) The Zoning Ordinance does not allow for two principle uses to exist on property that is zoned Rural Residential. Specifically, the continued occupation of a single-family residence on the property is in conflict with the proposed platting of a cemetery on the same property. Because the site is 10 acres in size and is at the minimum requirement of the Zoning Ordinance for lot size in a RR zoning district, the applicant would not be able to separate the home from the cemetery use.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby deny the Halcyon Cemetery Preliminary and Final Plat.

Passed and duly adopted this 6th day of October, 2015 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



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October 2, 2015

Hon. Mike Pearson
Mayor
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
mpearson@lakeelmo.org

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RE: Halcyon Cemetery | Denial of Application is Warranted
Preliminary and Final Plat Application of Lee Rossow ("Developer")

Dear Mayor Pearson and Council Members:

I represent a group of Lake Elmo residents and homeowners (collectively, the "Concerned Neighbors") in connection with their objection to the Preliminary and Final Plat Application dated June 17, 2015 ("Application") for the Halcyon Cemetery and funeral establishment proposed for 11050 50th Street North in Lake Elmo ("Project"). Accordingly, I respectfully submit this letter in advance of the October 6th City Council meeting to supplement the 147 signed petitions collected from members of the community and the testimony to be provided from the Concerned Neighbors and other Lake Elmo residents in opposition to the Project.

For the reasons set forth below, the City Council is urged to depart from the recommendations of City Staff and the Planning Commission and deny the Application for the Project. At the outset, it is important to reiterate the purpose of rural districts according to the Lake Elmo City Code ("City Code") is to "preserve and enhance quality of living, and regulate structures and uses which may affect the character and desirability of the area." (§ 154.400)



1. **Although a cemetery is a permitted use in the City’s RR-Rural Residential zoning district (“RR District”), the Project itself does not comply fully with applicable zoning controls. Denial of the Application is warranted and defensible.**

Generally, a landowner is allowed to engage in a permitted use, except where that use does not otherwise comply with the zoning code or development controls. *Chase v. City of Minneapolis*, 401 N.W.2d 408, 413 (Minn. 1981). In the event of such non-compliance, a municipality is under no obligation to approve a land use application allowing the permitted use. *Chanhassen Estates Residents Association v. City of Chanhassen*, 342 N.W.2d 335, 340 (Minn.1984). This concept is echoed in the Lake Elmo City Code. Section 154.005 states:

Except as in this chapter specifically provides, no structure shall be erected, converted, enlarged, reconstructed or altered, and no structure or land shall be used for any purpose in any manner which is not in conformity with this chapter.

Therefore, while the “cemetery” facet of the Project may be considered a permitted use in the RR-Rural Residential zoning district pursuant to Table 9-1 of City Code § 154.401, all accessory uses and other improvements comprising the Project must also strictly conform to Lake Elmo’s zoning code and applicable law, and the Developer must observe those controls throughout the planning, development, and operation of the Project. Based on the contents of the Application and the Developer’s on-the-record narrative at public hearings, the Project appears to violate a number of applicable controls. Consequently, denial of the Application is appropriate and supported under existing Lake Elmo ordinances and Minnesota law.

- a. **In violation of City Code, the Project will be operated as a mixed-use Cemetery, Funeral Home/Mortuary, and Single Family Dwelling.**

The Application describes the Project as a cemetery and nothing more, and it is through that thin lens that the public discourse and City review of the Project has been focused and framed. Whether it was the too-broad definition of “cemetery” contained in the City Code that caused additional use regulations to be overlooked, a fresh eye to the operational aspects and business plan regarding the Project indicate the true uses of the property are multiple and nuanced. Troublingly, the separate uses are impossible to harmonize and as such denial of the Application is warranted..

- i. **Cemetery use is permitted in the RR District.**

The City Code defines a “cemetery” as land that is “used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.” (§ 154.012(B)(2)(a)) (hereinafter “Cemetery Definition”). Classified as a Public/Civic use type,



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cemeteries are allowable uses in only two of Lake Elmo's zoning districts: 1) in the PF-Public/Quasi-Public Open Space zoning district ("PF District") as a conditional use subject to performance standards (*see* City Code §§154.600 (B)(1)(a-b)); and 2) in the RR District as a permitted use without performance standards, as contemplated in the Application (*see* Table 9-1 of City Code § 154.401).

There is broad agreement between all stakeholders that the Project will be partially used as a "cemetery", which is a permitted use in the RR District pursuant to Table 9-1 of City Code.

ii. Funeral Home/Mortuary use is prohibited in the RR District.

The City Code does not specifically define the term "mortuary", however "mortuary" uses are allowed in cemeteries pursuant to the Cemetery Definition above, and also in "Funeral Homes." The City Code defines "funeral homes" as "[e]stablishments engaged in undertaking services such as preparing the dead for burial, and arranging and managing funerals. Typical uses include funeral homes or mortuaries." § 154.012(B)(3)(h) (hereinafter "Funeral Home Definition"). Classified as a Service use type, a funeral home is an allowable use in four of Lake Elmo's zoning districts.¹ However, as the Developer conceded at the July 21st City Council meeting, a funeral home use is prohibited in the RR District (City Council Meeting Video Archive, July 21, 2015; *and see* City Code § 154.401 explaining that uses not identified upon Table 9.1 as either permitted or conditional "shall be considered prohibited").² The opposite is also true – while funeral home uses are prohibited in the zoning districts where cemetery uses are allowed, cemetery uses are prohibited in the four zoning districts where funeral homes are allowed.³

The use conflict between funeral homes and cemeteries is irreconcilable. If mortuaries fall under the "funeral home" classification, by rule they cannot also be associated with the "cemetery" classification because the applicable zoning district regulations prevent cemetery uses and funeral home (mortuary) uses from coexisting as envisioned within the Cemetery Definition.

So what use classification does "mortuary use" slot into? Before diving deeper into the mire, some perspective: the "mortuary use" conundrum is only worth solving if the Developer plans to engage (or is deemed to engage) in a funeral home/mortuary use on the property under the existing Cemetery Definition (currently allowing for both a cemetery and a mortuary). The Application does

1 Funeral Homes are allowable in: 1) in the HDR-Urban High Density Residential zoning district as a conditional use subject to performance standards (*see* City Code Table 10-2 and § 154.454(I)); 2) in the VMX-Village Center zoning district as a conditional use without performance standards (*see* City Code § 154.501; Table 11.1); 3) in the CC-Convenience Commercial zoning district as a conditional use (*see* City Code Table 12.1); and 4) in the C-Commercial zoning district as a permitted use (*see* City Code § 154.551; Table 12.1).

2 Resolving the "allowable use" discrepancies by way of use variances would also be ineffective. City Code § 154.109 B (prohibiting use variances for all uses that are not listed as permitted or conditional use in the zoning district where the property is located.)

3 *See* provisions cited in Note 1 above, where each provides that all uses not classified as permitted or conditional in the respective zoning district shall be considered prohibited.



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not reference a planned mortuary/funeral home use and the Developer has consistently stated the Project “will not be a mortuary.” (City Council Meeting Video Archive, July 21, 2015). However, in light of the Developer’s articulated business plan and the related analysis below, there is little doubt the Project will be used as a mortuary, perhaps even despite the Developer’s best efforts. Therefore, it is important to determine whether a “mortuary” use should be included in the “Public/Civic – cemetery” classification, and thereby allowed in the RR District, or whether a mortuary is in the “Service – funeral home” classification.

Section 154.012(A)(2) of the City Code guides interpretation of zoning use types and classifications “in the event of any question as to the appropriate use type of any existing or proposed use.” In determining what classification an undefined use fits into, the Planning Director shall (a) “consider the operational and physical characteristics of the use in question” and (b) “shall consider the classification contained in the most recent edition of the Standard Industrial Classification [SIC] Manual published by the U.S. Office of Management and Budget.” (City Code § 154.012(A)(2)) The following analysis applies (a) and (b) to the undefined mortuary use:

(a) Operational and physical characteristics of a proposed mortuary use. As a starting point, common language usage suggests “mortuary” and “funeral home” are closely related terms, if not identical, whereas a practical distinction can be drawn between “mortuary” and “cemetery” uses. Webster’s Dictionary defines “mortuary” as “a place in which dead bodies are kept until burial; especially: funeral home,” and defines “cemetery” as “a place where dead people are buried.”⁴

Regarding operational and physical characteristics, the Developer’s own public narrative suggests that mortuary/funeral use will occur upon the Project. Aside from interment of the deceased in the facilities identified upon the Project’s site plans, the Project’s planned features also include a parking lot designed to park up to 53 multiple-occupant vehicles,⁵ plus a 1,600 square-foot addition to the Administrative Center (currently the single family residence on the property), which according to the Developer will be known as the “Palaestra” and will accommodate up to 295 guests for the purpose of hosting wakes, memorial services, funeral services, and related celebrations and ceremonies at the Project. Therefore, the Project will be used as both “a place where dead people are buried” (Webster’s: cemetery) and as “a place in which dead bodies are kept until burial” (Webster’s: mortuary) that is “engaged in...arranging and managing funerals” (City Code: Funeral Home Definition).

The operational and physical characteristics of the Project suggest a mortuary use, if any, should be classified as a “Service – funeral home” type and therefore prohibited in the RR District.

(b) Government classification of a proposed mortuary use. In 1997, the Office of Management and Budget replaced the SIC system identified in City Code with the North American Industry Classification System (NAICS). Under the NAICS, mortuaries and funeral homes are

⁴ Webster’s Dictionary accessed via <http://www.merriam-webster.com/dictionary>.

⁵ Based on City Staff’s trip forecasting data. (City Planning Commission Meeting Video Archive; July 13, 2015; City Council Meeting Video Archive, July 21, 2015)



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classified as code 812210: “Funeral Homes and Funeral Services.”⁶ This classification “comprises establishments primarily engaged in preparing the dead for burial or interment and conducting funerals (i.e., providing facilities for wakes, arranging transportation for the dead, selling caskets and related merchandise).” Meanwhile, the NAICS classifies cemeteries as code 812220: “Cemeteries and Crematories,” which comprises “establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains and/or cremating the dead.” Illustrative examples provided include “Cemetery Associations, Memorial Gardens, Mausoleums, and Crematories (except combined with funeral homes.)” The NAICS classifications suggest both a mortuary use, if any, should be classified as a “Service – funeral home” type and therefore prohibited in the RR District.⁷

Finally, in the Developer’s own words, the Project is “not just a lot where people will be buried,” but rather a state-of-the art establishment designed to facilitate funeral and gravesite services as well as wakes “where people come to grieve” and to “be by the side of a deceased loved one prior to interment.” (City Council Meeting Video Archive, July 21, 2015). To the extent the City Council believes a conflict exists in the City Code regarding what a “mortuary use” is and what zoning district(s) it fits into, the Council may direct the City Attorney to advise the Planning Director to issue a determination pursuant to City Code § 154.012(A)(2). However, it is abundantly clear the Developer seeks to engage a prohibited “funeral home” use within the Project, which use type has no place in the RR District. Whether this violation is intentional or not, the City Council should nonetheless deny the Application.

iii. Single Family Dwelling use is permitted in the RR District, but not as an accessory to cemetery or funeral home use.

The Project contains an existing single family residence structure that will be retrofitted to house the Administration Center, Palaestra, and resident caretaker’s quarters. This arrangement does not work in the RR District. City Code Section 154.401(A) allows for principal and accessory uses to be combined within a single RR District parcel. Although the term “principal use” is not specifically defined in the Code, the provisions regarding accessory uses in the RR District, and limitations imposed thereon, prohibit the Project’s implied mixed-use concept.

Here, the single family residence is being entirely repurposed to support the cemetery use. On this basis, we will presume the cemetery is the principal use of the Project, and the single family dwelling and residential use of the Project for the caretaker to be an accessory use. This is

⁶ NAICS searches for terms “mortuaries” and “cemetery” conducted at <https://www.census.gov/eos/www/naics/> using 2012 edition of NAICS.

⁷ Although not directly at issue for the purposes of this letter, it is extremely important to note that Chapter 149A of Minnesota Statutes will require the cemetery association operating the Project, and possibly engaged individuals as well, to be licensed by the Minnesota Department of Health. “No person shall, without being licensed by the Minnesota Department of Health ... arrange, direct, or supervise a funeral, memorial service, or graveside service.” Minn. Stat. § 149A.01, Subd 2(3).



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problematic however, because a residential use does not appear to be an allowed Accessory Use in the RR District. (*see* § 154.401, Table 9.1 (list of “Accessory Uses” does not include “residential use”). Moreover, because the single family residence pre-exists the cemetery use on the property, the Project further violates the “phasing” requirement of City Code § 154.405(A). Third, and as a practical matter, the Developer has explained that he does not expect profitability prior to year eight because “cemeteries take a long time to mature.” (Planning Commission Meeting Video Archive, July 13, 2015; City Council Meeting Video Archive, July 21, 2015). If true, the immediate need for a resident caretaker at the Project seems dubious at best, and an accessory residential use likely does not meet the Code’s “incidental to principal use” or “function” requirements, which provide that an accessory use “shall be incidental to and customarily associated with the principal use...” and “shall contribute to the comfort, convenience, or necessity of the... principal use served.” (City Code §§ 154(B)(D)) This is especially true in considering the extensive security fencing the Developer has demanded.

Under any permutation, the principal use vs. accessory use analysis generates a non-compliant mix of uses. Therefore, the Application does not meet with zoning regulations and should be denied.

b. The “maintenance garage” violates accessory structure regulations.

In the RR District, accessory buildings are limited to a size of 2,000 square feet. (City Code § 154.406, Table 9-3). The survey of the property contained within the Application depicts the “maintenance garage” accessory structure to measure 30.1 feet by 72.1 feet for a rough total area of 2,170 square feet. In addition, no detached accessory in the RR District may be located nearer the front lot line than the principal building, except by resolution of the City Council. (City Code § 154.406 (C)(2)) The survey depicts the accessory structure to lie 104.5 feet from the front lot line, while the principal structure lies 166.2 feet from the front. Upon information and belief, the City Council has not passed a resolution to approving this non-conformity. Alternatively, in the event the accessory structure is presently considered a legal non-conforming use, the Board of Adjustment will need to approve the accessory structure’s proposed change in use from residential to cemetery use, which upon information and belief such approval has not been sought or granted. (City Code § 154.151(F)) As a result, the Application does not comply with applicable zoning regulations and should be denied.

c. The proposed security fence violates fence regulations.

In the RR District, no permanent fence shall be installed without a fence permit. (City Code § 154.205(C)(1). Even with a permit, “a fence within a front or side (corner) yard setback may not exceed forty-two (42) inches in height and must be 50% open to air and light” and under no circumstances may a fence in a residential district exceed six (6) feet in height. (City Code §§ 154.205(E)(1-2)). The security fence proposed in the Application, which according to the Developer is essential to “keep out vandals,” is eight (8) feet in height. The proposed security fence for the



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Re: Halcyon Cemetery Application

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Project does not comply with applicable zoning regulations and therefore the Application should be denied.

d. The proposed off-street parking does not comply with zoning regulations.

City Code provides that “development of land within the rural districts shall follow established standards for traffic circulation, landscape design, parking, signs and other considerations as specified in Articles 5, 6, and 7” of the zoning code. (§ 154.404) In residential areas, on-street and off-street parking is limited to the use of residents and guests. (City Code § 154.210(C)(5)) As depicted in the site plans contained in the Application, the Project will provide off-street parking for up to 53 vehicles in a paved parking lot, plus parking along the 16 foot-wide bituminous driveways between the in-ground burial sections of the cemetery and around the perimeter of the property.

According to Table 5-2 in Section 154.210 of the City Code, the minimum parking requirement for cemeteries is “as determined by the Planning Director.” According to the Staff Report to the Planning Commission dated July 13, 2015, the Table 5-2 standard was applied by Staff to analyze the parking on the Project based on the Application, and the 53 provided spaces were deemed sufficient for the cemetery use articulated in the Application. However, City Code dictates that in the event of a conflict between more restrictive and less restrictive regulations for comparable conditions, “the regulations which are more restrictive... shall prevail.” (§ 154.006(B))

Alternatively, it is apparent from the Staff Report that the parking analysis of the Project contemplated cemetery use only. (Staff Report to the Planning Commission, July 13, 2015) The Developer has since articulated a business plan that implicates additional uses on the Project, including a funeral home use. (Planning Commission Meeting Video Archive, July 13, 2015; City Council Meeting Video Archive, July 21, 2015). In the scenario this impermissible mixed use is approved and if the Table 5-2 “minimum permissible parking” standard is determined to be the applicable standard for off-street parking, as opposed to the above standard limiting all parking in residential areas to residents and guests, a shared-use parking analysis will need to be conducted by staff pursuant to Section 154.210(G), which upon information and belief has not been completed.

Based on all of the foregoing, the Application does not comply with applicable zoning regulations and denial is warranted.

2. Denial of the Application will not create legal precedent binding the City vis-à-vis future developments that properly comply with the City Code and community objectives.

Municipal officials can be reluctant to deny land use applications due to concerns that such decision will limit their discretion in approving or denying later land use applications submitted by different property owners for different projects. However, such concerns are not supported by Minnesota law. Minnesota courts have consistently declared that land use decisions made by local



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governments fail to create any sort of binding precedent because every application involves different facts and circumstances and takes place at different times from previous situations whereby similar applications were considered and granted.

The Minnesota Court of Appeals rejected a property owner's argument that a county zoning board was required to grant him a setback variance because the zoning board had granted his neighbor a similar setback variance. *Stotts v. Wright County*, 478 N.W.2d 802, 806 (Minn. Ct. App. 1991), citing *In re Johnson*, 404 N.W. 2d 298, 301 (Minn. Ct. App. 1987), rev'd on other grounds 562 N.W. 2d 21 (Minn. Ct. App. 1997). In *In re Johnson*, the Minnesota Court of Appeals held that "an applicant for a variance is not entitled to a variance merely because similar variances were granted in the past. Otherwise, the granting of one variance would likely result in the destruction of the entire zoning scheme." *Id.* at 301. Accordingly, the City Council's decision to reject the Application must not be swayed by the false pretense that doing so would unfairly preclude this Developer or others from submitting plans that duly comply with City Code and the comprehensive plan while carefully considering the fabric of the community in which the development sits.

3. Conclusion

Based on the foregoing and on behalf of the Concerned Neighbors, we respectfully urge the City Council to deny the Application and take such follow-up action it deems necessary to further "preserve and enhance the quality of living" of Lake Elmo's distinguished and desirable rural areas. Thank you for your consideration.

Very truly yours,

MORRISON SUND PLLC

A handwritten signature in blue ink, appearing to read "Robert Q. Williams".

Robert Q. Williams, Esq.

Cc. Julie Johnson, City Clerk (jjohnson@lakeelmo.org)
Clark Schroeder, Interim City Administrator (cschroeder@lakeelmo.org)
Dave Snyder, City Attorney (david@johnsonandturner.com)



MAYOR & COUNCIL COMMUNICATION

DATE: July 21, 2015
REGULAR
ITEM #17
RESOLUTION 2015-59

AGENDA ITEM: Halcyon Cemetery Preliminary and Final Plat

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Julie Johnson, City Clerk

REVIEWED BY: Planning Commission
Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Greg Malmquist, Fire Chief
Washington County Public Works

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: Planning Commission

FISCAL IMPACT: None, all of the review activities on the part of the City are reimbursed by application and escrow fees submitted by the developer. All of the improvements to the site are private.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request from Mr. Lee Rossow for approval of a preliminary and final plat for a cemetery to be called Halcyon located at 11050 50th Street North. The Planning Commission held a public hearing to consider the matter at its July 13, 2015 meeting and unanimously recommended approval of the Halcyon Cemetery Preliminary and Final Plat subject to 14 conditions of approval. The suggested motions to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2015-59, approving the Halcyon Cemetery Preliminary and Final Plat.”

BACKGROUND INFORMATION:

Attached is the original detailed Staff report that was provided to the Planning Commission regarding the applicant’s request for preliminary and final plat approval. The staff report includes general information about the application, a summary of the relevant planning and zoning issues, a thorough review and analysis of the final plat (including a draft list of recommended conditions of approval), draft findings, and the Staff recommendation to the Planning Commission.

PLANNING COMMISSION REPORT:

The Planning Commission held a public hearing to review the preliminary and final plat application at its July 13, 2015 meeting. During the public hearing, the Planning Commission received the following testimony:

- Jean Madrinich, 11420 50th Street N., noted that there are multiple flood plains in the area. She asked how the flood plains are being addressed. Lee Rossow noted that they have worked through those issues with the watershed district. Ms. Madrinich also noted concern about additional traffic that would be generated on 50th Street.
- Deb Kreuger, 4552 Lake Elmo Ave. N., asked questions about the need for parkland dedication associated with this property. In addition, she referenced several State Statutes that relate to cemeteries. She wanted to ensure that the statutory requirements are being followed with the project, especially the establishment of a permanent care trust fund for the cemetery association. The applicant noted that a trust fund is being established with the project.
- Janet Thompson, 11491 50th Street N., noted that she is concerned about a commercial venue being placed in a residential area. She stated that her family moved here to live in a rural area, and this use is not in keeping with that goal.
- Rebecca Tenpas, 11330 50th Street N., stated that she does not believe the proposed use is consistent with the rural character that the City desires. She also stated that the traffic on 50th Street is a concern, and the use will add to the existing problem.
- Rich Day, owner of a property to the south of the proposed cemetery, asked if the project has undergone an environmental review, such as an EIS. Johnson noted that the project did not meet the threshold to trigger an environmental review, but that the City does have the discretion to request environmental review. Mr. Day also voice his concern about the storm water on the site that travels to his property. The applicant noted that they have received permit approval from the Valley Branch Watershed District for the proposed storm water management design.

- Jeffrey Saffle, 11180 50th Street N., asked if the lights on the site would be compliant with dark skies standards. He noted that is important to follow the City's dark skies ordinance.
- Saxe Roberts, 11165 50th Street N., noted his concern about the effect of cemeteries on property values. Mr. Roberts agreed with staff that research is inconclusive on the matter, but he worried that the presence of the cemetery would eliminate some buyers for his property in the future.

The full account of the testimony can be reviewed in the draft Planning Commission minutes dated 7/13/15.

The Planning Commission discussed a variety of topics in considering the preliminary and final plat application for the cemetery. In discussing the project, the Planning Commission added the following conditions:

- A condition was added that any future expansions for the cemetery use would need City review and approval.
- A condition was added to ensure that dark skies ordinances were followed.
- A condition was added that any expansion of the home meet design criteria contained in the City's design standards.
- A condition was added to add a warranty period for the transplanted trees on the site.
- A condition was added to provide additional screening along the east and north property lines.
- Finally, a condition was added that the cemetery association provide copies of all annual minutes and financial reporting of the permanent care trust fund to the City on an annual basis.

The Planning Commission recommended approval of the Halcyon Cemetery Preliminary and Final Plat with 14 conditions of approval. The vote to recommend approval of the preliminary and final plat was unanimous (Vote: 6-0).

STRENGTHS, WEAKNESSES, OPPORTUNITIES, THREATS (SWOT):

Strengths: The proposed preliminary and final plat are compliant with the City's subdivision ordinance, as well as other ordinances found in the zoning code.

Weaknesses: Neighboring property owners have expressed concerns about traffic generated by the use.

Opportunities: N/A

Threats: N/A

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council approve the Halcyon Cemetery Preliminary and Final Plat through the following motion:

“Move to adopt Resolution No. 2015-59, approving the Halcyon Cemetery Preliminary and Final Plat.”

ATTACHMENTS:

1. Resolution 2015-59
2. Staff Report to the Planning Commission, 7/13/15
3. Location Map
4. Application Forms and Project Narrative
5. Preliminary and Final Plat and Plans
6. City Engineer Review Memorandum, dated 7/8/15
7. Fire Chief Review Memorandum, dated 7/7/15
8. Washington County Review Memorandum, dated 7/7/15
9. Valley Branch Watershed District Permit
10. Lake Elmo Transportation Plan, Existing and Projected Traffic Volumes
11. Cemetery Proximity and Single Family Home Price Report (1st Half)

INCLUDED IN THE ELECTRONIC PACKET BUT NOT PROVIDED IN HARD COPY:

1. 2nd Half of Cemetery Proximity and Single Family Home Price Report – Supporting Data
2. Information Handout from League of MN Cities on Cemeteries

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

RESOLUTION NO. 2015-59

*A RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT FOR THE HALCYON
CEMETERY*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Mr. Lee Rossow, 11050 50th Street North, Lake Elmo MN 55042 has submitted an application to the City of Lake Elmo (“City”) for a Preliminary and Final Plat for a cemetery to be called Halcyon, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the proposed Final Plat includes a cemetery on one parcel of land (PID: 01.029.21.33.0003) in the Rural Planning Area; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on July 13, 2015 to consider the Preliminary and Final Plat application; and

WHEREAS, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat subject to 14 conditions of approval; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Preliminary and Final Plat as part of a memorandum to the City Council for the July 21, 2015 Council Meeting; and

WHEREAS, the City Council reviewed the Halcyon Cemetery Preliminary and Final Plat at its meeting held on July 21, 2015 and made the following findings of fact:

- 1) That the Halcyon Cemetery Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the Halcyon Cemetery complies with the City’s RR – Rural Residential zoning district.
- 3) That the Halcyon Cemetery complies with the City’s subdivision ordinance.
- 4) That the Halcyon Cemetery Final Plat meets other City zoning ordinances, such as landscaping, tree preservation, erosion and sediment control, off-street parking and other ordinances, except where noted in this report herein.
- 5) That the Halcyon Cemetery Final Plat is consistent with the City’s engineering standards, except where noted, provided the plans are updated to address the City Engineer’s

comments documented in a letter dated July 8, 2015 and the Fire Chief's comments documented in a letter dated July 7, 2015.

- 6) The applicant has committed to establishing a permanent care trust fund consistent with the requirements established under State Statute.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the Halcyon Cemetery Preliminary and Final Plat subject to the following conditions:

- 1) The applicant shall revise the Final Plat to accommodate all required right-of-way on Lake Elmo Avenue and 50th Street North as documented in review memorandums submitted by Washington County and the City Engineer.
- 2) All required modifications to the plans as requested by the City Engineer in a review letter dated July 8, 2015 shall be incorporated into the plans prior to the City's execution of the Final Plat.
- 3) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and abide by all conditions of approval established in the approved Valley Branch Watershed District permit.
- 4) The applicant shall be responsible to address all review comments submitted by Washington County described in the review memorandum received from the County dated July 7, 2015. In addition, the applicant shall obtain all necessary right-of-way permitting from Washington County.
- 5) The Landscape Plan shall be revised to include 6 additional trees to fulfill the City's Landscaping Requirements. In addition, the plant material that is on top of utilities shall be moved to comply with the direction of the City Engineer per his memorandum dated July 8, 2015. Finally, prior to installation of plant material, the plan shall be reviewed by the City's Landscape Consultant for final approval.
- 6) The applicant must enter into an agreement with the City to own, operate and maintain the private storm water facilities on the property. The storm water maintenance agreement must be recorded with the Final Plat.
- 7) Prior to the issuance of grading/building permits, all review comments of the Fire Chief must be addressed by the applicant.
- 8) The applicant shall obtain the necessary permitting from Washington County to install a new septic system to serve the property prior to the City issuing and building permits for the remodel of the home.
- 9) Any future expansion of the site, including plans to install a crematorium, shall be reviewed and approved by the City.
- 10) All lighting installed on the Halcyon Cemetery site must comply with the City's dark skies ordinance.

- 11) Any alterations to the existing single family home shall be reviewed for conformance to the City's design standards.
- 12) All transplanted trees transplanted on the site shall include a 2-year warranty period to ensure survival. Any trees that do not survive the two-year period shall be replaced.
- 13) The Landscape Plan shall be amended to add plantings along the Eastern and Northern property lines consistent with screening requirements specified in 154.258.F of the City Code.
- 14) Annual meeting minutes, including annual financial reporting and status of the permanent care trust fund, shall be submitted to the City on an annual basis.

Passed and duly adopted this 21st day of July, 2015 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



PLANNING COMMISSION
DATE: 7/13/2015
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2015-06

ITEM: Halcyon Cemetery – Preliminary and Final Plat

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director
Jack Griffin, City Engineer
Ann Pung-Terwedo, Washington County
Greg Malmquist, Fire Chief

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to hold a public hearing to consider a Preliminary and Final Plat application request from Mr. Lee Rossow for a cemetery to be platted on a 10-acre parcel located at the northeast corner of Lake Elmo Avenue (CSAH 17) and 50th Street North. Staff is recommending approval of the request subject to compliance with 8 conditions as noted in this report.

GENERAL INFORMATION

Applicant: Lee Rossow, 11050 50th Street North, Lake Elmo, MN 55042

Property Owners: Lee Rossow, 11050 50th Street North, Lake Elmo, MN 55042

Location: Part of Section 01, Township 29 North, Range 21 West in Lake Elmo, immediately north of 50th Street and immediately east of Lake Elmo Avenue (CSAH 17). PID Number: 01.029.21.33.0003

Request: Application for preliminary and final plat approval of a cemetery to be called Halcyon.

Existing Land Use and Zoning: Single Family Detached, Rural Residential (RR) zoning

Surrounding Land Use and Zoning: North – single family home (RR); west – single family home (RR); south – Agricultural (RR); east – single family residential (RR) and Municipal Well Site #4.

Comprehensive Plan: Rural Area Development

History: Sketch Plan review by Planning Commission on 11/24/2014.

Deadline for Action: Application Complete – 6/17/2015
60 Day Deadline – 8/17/2015
Extension Letter Mailed – No
120 Day Deadline – 10/16/2015

Applicable Regulations: Chapter 153 – Subdivision Regulations
 Article IX – Rural Districts
 Article V – Off Street Parking
 Article VI – Landscaping and Tree Preservation
 §150.270 Storm Water, Erosion, and Sediment

REQUEST DETAILS

The City of Lake Elmo has received a request from Mr. Lee Rossow to plat a 10-acre cemetery at 11050 50th Street North to be called Halcyon. Under State Law, cemeteries must be filed and recorded with the County. In order for the cemetery plat to be filed and recorded at the County, the City must approve a final plat for the cemetery. The Planning Commission is asked to hold a public hearing on the proposed cemetery plat. The proposed cemetery would be located at the northeast corner of Lake Elmo Ave. and 50th St. North. The 10-acre parcel has historically been used as a single family residential home.

It should be noted that a Sketch Plan of the Halcyon Cemetery was reviewed by the Planning Commission on November 24th of 2014. At the Sketch Plan review level, the City completed a high-level review of the proposal to inform a future preliminary/final plat application. There is no formal approval issued by the City at the time of Sketch Plan review. According to standard subdivision procedures, a typical plat will go through both a preliminary and final plat review process. However, it is possible to proceed with preliminary and final plat review concurrently for plats of more limited scope and size. In the judgment of staff, the review of the Halcyon Cemetery represents such an application of more limited scope/size where the review of preliminary and final plans should be permitted to proceed in a concurrent fashion. Therefore, the applicant has prepared a final plat and construction plans for consideration by the City.

The existing condition of the property is that of a single family residential home with an accessory building on the eastern side of the property. It should be noted that the existing home has access off both 50th Street and Lake Elmo Avenue. The proposed cemetery would eliminate the access on Lake Elmo Ave., improving the access spacing related to driveways on the County arterial road. Access to the proposed cemetery would be accommodated off of 50th Street North approximately 270 feet east of Lake Elmo Ave. (CSAH 17). As part of the proposed cemetery use, the existing home and accessory building would be repurposed to support the cemetery use. The home would be used as an administrative office, caretaker quarters and gathering space for the bereaved. The existing accessory building would be utilized as a maintenance garage. In addition to these existing improvements, the applicant is planning to construct private storm water management facilities along the eastern portion of the site to address the additional impervious surface. It should be noted that these facilities have been designed to comply with the rules of the City of Lake Elmo and the Valley Branch Watershed District. With regards to the cemetery, the applicant is planning a total of 5 sections or areas to serve as burial sites or columbarium/mausoleums. Sections 1, 2 and 5 are within the planned Phase 1 area of the cemetery, while Sections 3 and 4 are in the planned Phase 2 area of the cemetery. The options for burial or interment include in-ground burials, mausoleums, columbarium, in-ground cremation and estate lots. At full capacity, the 5 sections could host the remains of 1,995 persons according to the site plan. Finally, there is also a 58-stall parking area planned for the cemetery. The parking lot would be utilized to accommodate larger parties for various burial ceremonies or rituals.

As far as utilities are concerned, the existing building will be served by a private septic system. The applicant has completed a compliance inspection and submitted to Washington County. The inspection revealed that the existing system is not compliant per Washington County ordinance.

Therefore, the applicant will need to construct a new septic system in consultation with Washington County Health Department (Condition #8). With regards to water, the site does have access to the City's municipal water system within 50th Street. Water service will be extended to the site to provide proper fire suppression for the home once it is converted to serve the cemetery use. It should also be noted that there is an existing well on the site. It is the understanding of the City that the well is to be protected and maintained for irrigation purposes.

PLANNING AND ZONING ISSUES

The Halcyon Cemetery parcel is guided Rural Area Development (RAD) according to the City's Comprehensive Plan. The existing zoning of the parcel is Rural Residential (RR). According to Article XI – Rural Districts of the Zoning Code, cemeteries are considered a permitted use within the Agricultural (A) and Rural Residential (RR) zoning districts. Therefore, the proposed use of a cemetery on this property is in compliance with the City's Zoning Code. It should also be noted that the Zoning Code does not contain any specific development standards for the cemetery use.

Based on Staff's review of the preliminary and final plat, the applicant has demonstrated compliance with all applicable code requirements at the level of detail that is required for a plat. As noted previously, the plat approval from the City is not required as a result of splitting the parcel into 4 or more lots, but rather as an approval of the proposed use prior to the filing of the property as a cemetery with Washington County. However, the platting procedures do allow the City and County to obtain the necessary right-of-way to serve both Lake Elmo Avenue and 50th Street.

With regards to parkland dedication, the Subdivision Ordinance does require that residential and commercial plats provide parkland dedication based upon a percentage or fee set under the City's Fee Schedule. Residential developments typically require a dedication percentage in between 7-10%, whereas the City's Fee Schedule require \$4,500/acre for commercial development be provided for parkland fees. In researching the cemetery use, staff has determined that the use is technically defined as a public cemetery association, meaning that the cemetery is owned privately but is open to the public. As a result of this definition and the fact that private cemeteries are considered a quasi-public use, staff does not believe that the City can require parkland dedication fees for the proposed use. The cemetery use is neither residential nor commercial, and thus staff is not recommending to impose any parkland dedication fees.

Finally, it should be noted that City staff has received some inquiries of concern from some surrounding property owners about the cemetery use. In speaking with the surrounding property owners, the general concerns staff has received relate to traffic, the effect on property values and the means to maintain the cemetery into perpetuity. Staff has completed some general research to look into these concerns:

- **Traffic.** With regards to increased traffic generated by the cemetery, the property is located at the intersection of a County arterial road and City major collector road. These facilities, as opposed to local residential streets, should be able to accommodate any increased traffic generated from the cemetery use. According to the City's Transportation Plan, the average daily traffic of 50th Street in 2009 was 500 trips, whereas the projected volume on 50th Street in 2030 is 1500 trips per day. Given this lower average daily traffic as of 2009, it is unlikely that the cemetery use would generate the amount of traffic that would come within any proximity of the available capacity. Lake Elmo average daily traffic as of 2009 was 3100 vehicle trips per day. The projected traffic volume for 2030 is 9200 vehicle trips per day. The applicant has estimated that daily travel to the cemetery will be extremely limited, with peak

travel resulting from scheduled funerals on an infrequent basis. While staff understands the concern over additional traffic generated by the proposed cemetery, the fact that the subject property is located at the intersection of an arterial road and major collector provides assurance to staff that the use would be ideally located. In the judgment of staff, there is adequate capacity on Lake Elmo Ave. and 50th Street.

- **Property Values.** Staff has received two concerns about reduced property values as a result of the proposed cemetery. Staff has conducted some research into this concern. Based on the limited research conducted, staff is not confident that there is a documented or proven correlation between property values and cemeteries. In researching the matter, the connection between cemeteries and property values remains inconclusive. There are academic studies and anecdotal articles that fall on both sides of the argument. For the benefit of the Planning Commission, staff has attached the article (Attachment #9) that presented the most comprehensive look at the effect of cemeteries on property values based on the research conducted.
- **Permanent Care of the Cemetery.** One resident that contact staff inquired about how the cemetery would be well maintained into the future. In researching this question, staff found that some cemeteries depending on location and population are required to maintain a Permanent Care and Improvement Fund. Whether or not the Halcyon Cemetery is required to establish this fund is undetermined at this time. However, the applicant has noted in their narrative that they intend to utilize a percentage of funds from every burial and interment to pay a permanent care and maintenance fund, which would be established and run by the cemetery association. The narrative notes that this fund will be in compliance with State Statutes. According to the applicant, this fund would be utilized to care for the grounds and complete capital projects and improvements to the cemetery.

REVIEW AND ANALYSIS

City Staff has reviewed the proposed preliminary and final plat for the Halcyon Cemetery. It should be noted that the applicant chose to wait to submit the plat application until the Valley Branch Watershed Permit was approved and issued, which occurred on June 25th, 2015. During the course of these review, staff has evaluated the proposed plans according to City ordinances and engineering standards. In completing the review, there are some elements of the plat that remain in conflict with City, County or Valley Branch Watershed District standards, which must still be addressed or corrected by the applicant. In general, the proposed plat will meet all applicable City requirements for conditional approval, and any deficiencies or additional work that is needed is noted as part of the review record.

The City has received a detailed list of comments from the City Engineer, Fire Chief and Washington County concerning the proposed cemetery, all of which are attached for consideration by the Commission.

In addition to the general comments that have been provided in the preceding sections of this report, Staff would like the Planning Commission to consider the issues and comments related to the following discussion areas as well:

- **Comprehensive Plan.** The proposed subdivision is consistent with the Lake Elmo Comprehensive Plan for this area. The subject property is guided Rural Area Development (RAD), which correlates to Agricultural and Rural Residential land uses. Under the Comprehensive Plan, cemetery use is not in conflict with this land use guidance.

- **Zoning.** The zoning of the subject property is Rural Residential (RR). Under this zoning designation, cemeteries are a permitted use according to the Zoning Code.
- **Subdivision Requirements.** The City's Subdivision Ordinance details the process for platting and other pertinent design standards. The majority of the standards are not applicable as the parcel is not being subdivided in the manner that is typical of other development. Staff, as well as the City Engineer, have not identified any existing conflicts with the City's Subdivision Ordinance. However, staff has found that additional public right-of-way may need to be provided on both 50th Street and Lake Elmo Avenue. The requirements to provide public right-of-way is found in the Subdivision Ordinance.
- **Infrastructure.** No public infrastructure is proposed to be constructed as part of the cemetery use. The wastewater facilities will be private. The existing home will be connected to the City water system via a water service. In addition, the Fire Chief will be requesting a hydrant to be located on the property. Nevertheless, the water line and hydrant will be privately owned and maintained. Finally, the storm water management facilities will also be privately owned and maintained. The City will require the landowner or association to enter into a maintenance agreement for the storm water facilities.
- **Wetlands.** The landowner has completed a wetland delineation as part of the permitting process for the Valley Branch Watershed. The applicant will be required to meet all the rules and regulations of the Wetland Conservation Act and Valley Branch Watershed District (Condition #3).
- **Landscaping.** Staff has reviewed the landscape plan submitted by the applicant and found the plan to be in general conformance with the City's ordinance. However, the applicant must provide 6 additional new trees to meet the City's quantity standards. Aside from this issue, the plant material provided meets the City standards for variety and plant size. It should also be noted that the applicant is proposing to transplant many of the existing trees on the site. In combination with the new plant material, there should be a fairly significant amount of landscaping on the 10-acre site. Staff was unable to have the plan reviewed by a registered Landscape Architect prior to consideration by the City. Therefore, Staff would recommend that the plan be reviewed for final approval prior to the installation of the plant material on the site. Finally, it should be noted that the City Engineer has identified some areas where plant material or trees are located on top of proposed utilities. The Landscape Plan should be revised to provide separation between the proposed utilities and plant material. These recommendations are included in a recommended condition of approval (Condition #5).
- **Tree Preservation Plan.** Staff has reviewed the Tree Preservation Plan and found it to be in conformance with the City's regulations pertaining to tree preservation for sites undergoing development activity. The total number of caliper inches on the site according to the survey is 1,550 caliper inches of significant trees. According to the Tree Preservation Ordinance, an applicant is allowed to remove 30% of significant trees on the site before tree replacement schedule is initiated. 30% of 1,550 total caliper inches is 465 caliper inches. The applicant is proposing to remove 340 caliper inches of significant trees, which is below the threshold for tree replacement. It should be noted that the applicant is proposing to transplant a significant amount of existing trees on the site to install mature plantings from an early point. Under the Tree Preservation Ordinance, transplanted trees do not count towards the total tree removals.

Staff finds the submitted tree preservation plan to be in conformance with the City's ordinance.

- ***Off-Street Parking.*** The proposed site plan for the cemetery shows 58 parking stalls. The City's Off-Street Parking Ordinance (§154.210) includes the required number of off-street parking stalls for various uses. As for cemeteries, the ordinance does not provide concrete direction, but rather states that parking should be provided in an amount determined by the Planning Director. Planning staff has reviewed the overall amount of parking on the plan and found it to be more than adequate. The amount of parking provided in the southern parking lot should prevent cars from parking on 50th Street or Lake Elmo Ave., both of which are currently designated no parking. Should an overflow parking be necessary, it is likely it could be accommodated within the various drive lanes that circulate the cemetery. In the judgment of staff, the amount of parking provided is more than adequate. Finally, it should be noted that the parking stall dimensions meet the City's minimum standards per the ordinance.
- ***City Engineer Review.*** The City Engineer has completed a review of the proposed cemetery and submitted his review comments in a memorandum dated July 8, 2015. With regards to the plat, he notes that 50th Street North is a major collector road, requiring 80 total feet of right-of-way. The plat currently shows 35 feet granted on the north side of 50th Street. He is requesting an additional 5 feet to establish the correct amount of right-of-way for collector roads. In addition, he is requesting additional right-of-way at the intersection to accommodate the sight line triangle. Finally, he is also requesting that a 10-foot drainage and utility easement be provided on the southern property line. This additional right-of-way and easement should not impact the proposed improvements on the site. Should any improvement be located in the drainage and utility easement, an easement encroachment agreement may be approved to allow fencing and other such improvements to be located there. In addition to the review comments on right-of-way, the engineer is requiring that the storm water management system be owned and maintained privately. The storm water facilities have not been designed to meet City standard. These facilities must be owned, operated and maintained privately. The City will expect a maintenance agreement to ensure proper operation of the facilities. Finally, the City Engineer has also noted several revisions and additions to the Construction Plan sheets. These review comments are mostly detail and plan notes that provide greater accuracy and clarity on the plans. Staff is recommending that the Engineer's review comments be adopted as a condition of approval (Condition #2). These modifications should be completed prior to the City executing the Final Plat.
- ***Fire Department Review.*** The Fire Chief has reviewed the proposed cemetery and identified some areas of further review. One request included additional information about the location of hydrants on the property. In addition, the Fire Chief is requesting additional information related to the movement of emergency vehicle on the site. Staff is recommending that the concerns identified by the Fire Chief be addressed prior to the issuance of grading or building permits (Condition #7)
- ***Washington County Review.*** County Staff has reviewed the cemetery plat and responded with a review memorandum dated July 7, 2015. Within the memo, County staff correctly notes that the amount of public right-of-way for Lake Elmo Ave. shown on the final plat is insufficient. In order to address this deficiency, an additional 25 feet must be provided. Staff is confident that the additional amount of right-of-way requested can be accommodated, as the Final Construction Plans include the correct amount of right-of-way, while the plat does

not. In other words, the additional right-of-way should not result in redesign of the site. In addition to the right-of-way issue, County staff notes that a right-of-way permit will be needed for the removal of the driveway and grading work associated with the retaining wall. In addition, the applicant must submit drainage calculations to review downstream impacts in the County ditch. Staff is recommending that all requirements and modifications identified in the County review memorandum be adopted as a condition of approval (Condition #4).

- ***Watershed District Review.*** The project area lies within the Valley Branch Watershed District (VBWD). The Valley Branch Watershed District reviewed the proposed cemetery at their June 25th meeting. At the meeting, the Valley Branch Board of Managers approved the permit for the cemetery with several conditions (see Attachment #7). It should be noted that the applicant must meet all the rules of the Wetland Conservation Act and the conditions of the VBWD permit. Staff is recommending a condition of approval (Condition #3) that these requirements be fulfilled.

Based on the above Staff report and analysis, Staff is recommending approval of the preliminary plat with 8 conditions intended to address the outstanding issues noted above and to further clarify the City's expectations in order for the developer to move forward with a final plat. The recommended conditions are as follows:

Recommended Conditions of Approval:

- 1) The applicant shall revise the Final Plat to accommodate all required right-of-way on Lake Elmo Avenue and 50th Street North as documented in review memorandums submitted by Washington County and the City Engineer.
- 2) All required modifications to the plans as requested by the City Engineer in a review letter dated July 8, 2015 shall be incorporated into the plans prior to the City's execution of the Final Plat.
- 3) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and abide by all conditions of approval established in the approved Valley Branch Watershed District permit.
- 4) The applicant shall be responsible to address all review comments submitted by Washington County described in the review memorandum received from the County dated July 7, 2015. In addition, the applicant shall obtain all necessary right-of-way permitting from Washington County.
- 5) The Landscape Plan shall be revised to include 6 additional trees to fulfill the City's Landscaping Requirements. In addition, the plant material that is on top of utilities shall be moved to comply with the direction of the City Engineer per his memorandum dated July 8, 2015. Finally, prior to installation of plant material, the plan shall be reviewed by the City's Landscape Consultant for final approval.
- 6) The applicant must enter into an agreement with the City to own, operate and maintain the private storm water facilities on the property. The storm water maintenance agreement must be recorded with the Final Plat.

- 7) Prior to the issuance of grading/building permits, all review comments of the Fire Chief must be addressed by the applicant.
- 8) The applicant shall obtain the necessary permitting from Washington County to install a new septic system to serve the property prior to the City issuing and building permits for the remodel of the home.

DRAFT FINDINGS

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Halcyon Cemetery Final Plat:

- That the Halcyon Cemetery Final Plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- That the Halcyon Cemetery complies with the City’s RR – Rural Residential zoning district.
- That the Halcyon Cemetery complies with the City’s subdivision ordinance.
- That the Halcyon Cemetery Final Plat meets other City zoning ordinances, such as landscaping, tree preservation, erosion and sediment control, off-street parking and other ordinances, except where noted in this report herein.
- That the Halcyon Cemetery Final Plat is consistent with the City’s engineering standards, except where noted, provided the plans are updated to address the City Engineer’s comments documented in a letter dated July 8, 2015.

RECCOMENDATION:

Staff recommends that the Planning Commission recommend approval of the Halcyon Cemetery Final Plat with the 8 conditions of approval as listed in the Staff report. Suggested motion:

“Move to recommend approval of the Halcyon Cemetery Final Plat with the 8 conditions of approval as drafted by Staff based on the findings of fact listed in the Staff Report.”

ATTACHMENTS:

1. Location Map
2. Application Forms and Narrative
3. Preliminary and Final Plat and Plans
4. City Engineer Review Memorandum, dated 7/8/15
5. Fire Chief Review Memorandum, dated 7/7/15
6. Washington County Review Memorandum, dated 7/7/15
7. Valley Branch Watershed District Permit
8. Lake Elmo Transportation Plan, Existing and Projected Traffic Volumes
9. Cemetery Proximity and Single Family Home Price Report (1st Half)

INCLUDED IN THE ELECTRONIC PACKET BUT NOT PROVIDED IN HARD COPY:

- 1. 2nd Half of Cemetery Proximity and Single Family Home Price Report – Supporting Data
- 2. Information Handout About Cemeteries from League of Minnesota Cities

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



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

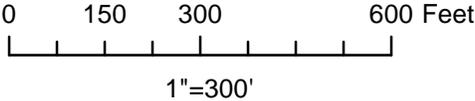
Location Map: Proposed Halcyon Cemetery



Data Source: Washington County, MN
11-17-2014



11050 50th Street N.



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



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

PRELIMINARY PLAT APPLICATION

Applicant: LEE ROSSOW
Address: 1870 RICE STREET
Phone #: 651-308-3999
Email Address: 337 @ LACH.NET

Fee Owner: SAME
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address and Complete (long) Legal Description): _____
11050 50TH STREET N

General information of proposed subdivision: _____
CEMETERY

Conducted pre-application meeting with Staff? Yes No

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: Lee Rossow Date: 2-8-2015
Signature of Fee Owner: SAME Date: _____

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



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

FINAL PLAT APPLICATION

Applicant: LEE ROSSOW
Address: 1870 RICE STREET
Phone #: 651-308-2999
Email Address: 339 Q LACH, NET

Fee Owner: SAME
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address and Complete (long) Legal Description): _____

11050 50TH STREET N

General information of proposed subdivision: _____

CEMETERY

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: Lee Rossow Date: 2-8-2015

Fee Owner Signature _____ Date: _____



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

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant LEE ROSSOW
(Please Print)

Street address/legal description of subject property
11050 50TH STREET N

Lee Rossow
Signature

OCTOBER 30, 2014
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



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

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant Lee Rossow Date OCTOBER 30, 2014

Name of applicant LEE ROSSOW Phone 651 308 2999
(Please Print)

Name and address of Contact (if other than applicant) _____

E-MAIL 337 @ LACH. NET

February 16, 2015

Lee Rossow
Halcyon, GLCJ Properties, LLC, Rossow, INC
1870 Rice Street
St. Paul, MN 55113

Nick Johnson
City of Lake Elmo
3800 Laverne Ave North
Lake Elmo, MN. 55042

Dear Nick Johnson,

The following narrative is in response to the Final Plat Application Requirements.

Item 1: Submitted with the proper fees on January 9, 2015.

Item 2: Sub a. Contact. Lee Rossow, 1870 Rice Street. (651) 308 – 2999, email – 337@lach.net.
Architect. William Sanders at LOUCKS

Sub b. Halcyon at 11050 50th Street North, 10 acres, Rural Residential, 435,600 sq. feet.

Sub c. i. HALCYON

iv. Wetland cannot be exactly determined until May, 2015. The area where the proposed wetland is located is in the phase II construction area which will not be touched until after the exact delineation is completed.

v. There are no dedicated rights of way within the property boundaries. There is a discussion with the County and right of way along Lake Elmo Ave. 25 feet

vi. The general legal descriptions of the burial locations are listed on the plans.

Sub d. Issues discussed after the sketch plan review: Park dedication and water assessment. Open issues are right of Way on Lake Elmo Ave. and the wetland delineation. Discussed in iv. v.

Sub f. All of the site work during the first building season, except that which is deemed necessary by the V.B.W.D. will be confined to the western 400 feet of the parcel. Including parking, sidewalks, storm sewer, mausoleums, columbariums, structure modifications and landscaping.

Sub g. Issues raised by one of the neighbors were addressed at the sketch plan meetings.

Sub h. At this time I am unaware of any issues with the neighbors.

Sub i. Halcyon will develop into a serene park like setting with minimal impact the community. Traffic will be accommodated entirely on site. Any funeral processions will enter the property and be accommodated on the property.

Sub I. We intend to start as soon as our plans are approved. We will work on phase 1 during this building season and phase II probably in 2016. Target date to be operational is August 2015.

Item 1. Administrative Information.

Sub 14. Labels with addresses of adjacent property owners were secured from Washington County and delivered to you on January 12, 2015.

Item 3. Final grading. Signed copies. Once the Engineers and the Watershed agree on the details, freshly signed plans will be resubmitted to your office.

Item 12. Spot elevations. I talked to Bill Sanders about including this on the plan if not already there.

Item 17. Phasing plan. As discussed the phase 1 and phase 2 areas on the erosion control plan will be clearly identified.

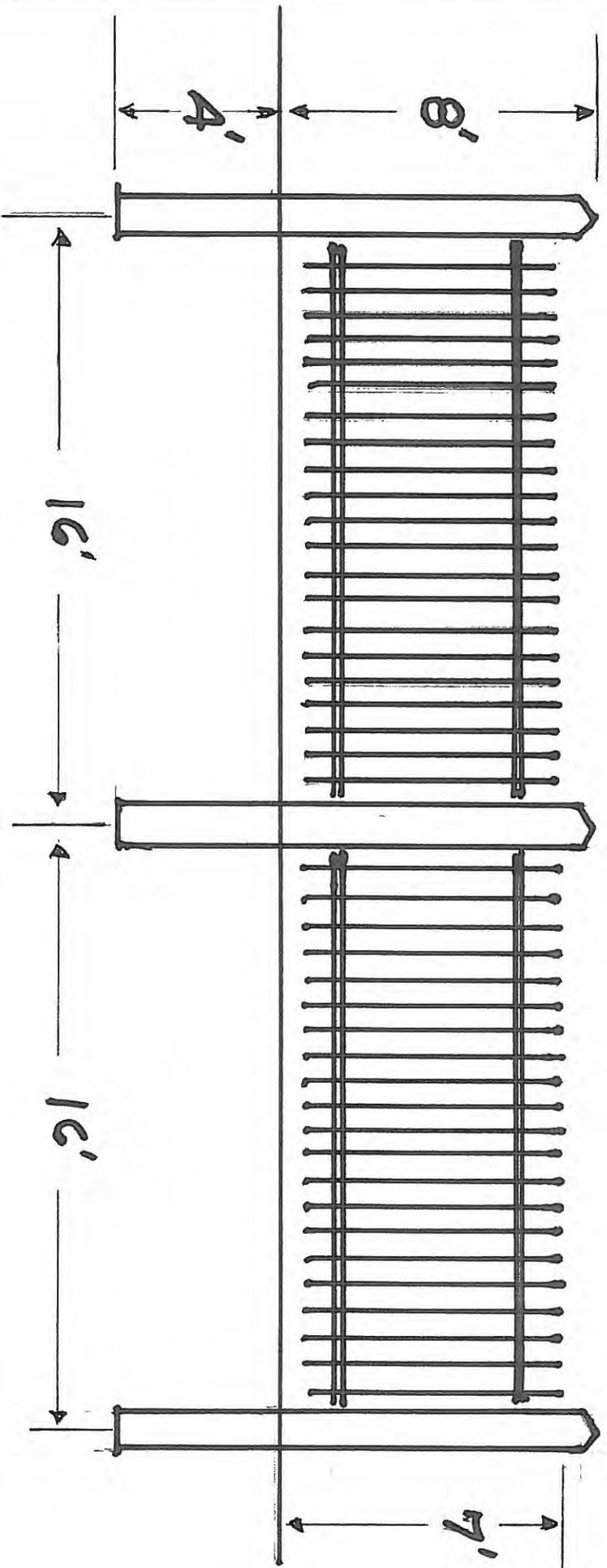
Other topics:

Care and Improvement: In compliance with Minnesota Statute 306.37, 306.41, 306.731, 20% of every burial lot and 10% of every mausoleum or columbarium space shall be paid to a permanent trust fund for the care, maintenance and improvement of the cemetery.

Public Service Agreement. I'm at a loss to make a suggestion because the City doesn't currently have any public service agreements with the other three cemeteries or religious organizations.



Lee Rossow



HALCYON FENCE DETAIL

12' CONCRETE POSTS

2-24-2015

15' SPAN STEEL SECTIONS

By LEE ROSSOW

HALCYON

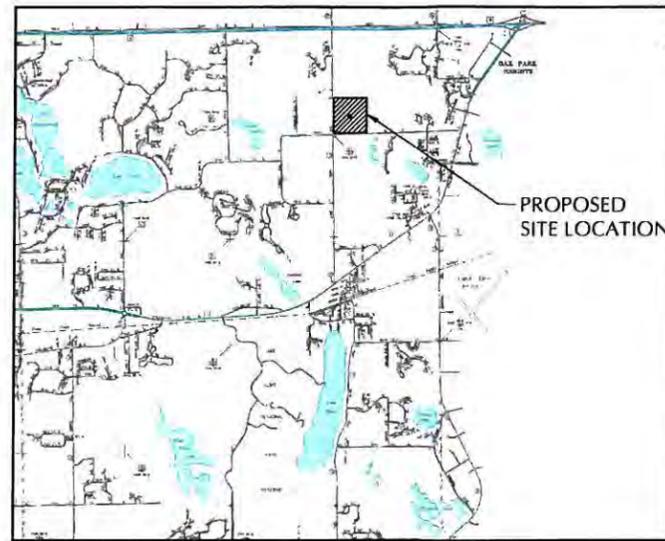
LAKE ELMO, MINNESOTA

PLANS FOR:
CEMETERY BURIAL LOCATIONS, PARKING, GRADING &
DRAINAGE, UTILITIES AND LANDSCAPE

SHEET INDEX

- C0-1 COVER SHEET
- C1-1 EXISTING CONDITIONS / REMOVALS
- C2-1 SITE LAYOUT PLAN
- C3-1 GRADING & DRAINAGE PLAN
- C3-2 EROSION CONTROL PLAN
- C5-1 PRELIMINARY PLAT
- C8-1 CIVIL DETAILS
- C8-2 CIVIL DETAILS
- C8-3 CIVIL DETAILS
- L1-0 TREE PRESERVATION PLAN
- L2-0 LANDSCAPING PLAN
- L2-1 LANDSCAPING DETAILS

VICINITY MAP



EXISTING	CIVIL LEGEND	PROPOSED
	SANITARY MANHOLE	
	STORM MANHOLE	
	CATCH BASIN	
	CULVERT	
	HYDRANT	
	GATE VALVE	
	POST INDICATOR VALVE	
	LIGHT POLE	
	POWER POLE	
	SIGN	
	BENCHMARK	
	SOL. BORINGS	
	WATER MANHOLE	
	TELEPHONE MANHOLE	
	UTILITY MANHOLE	
	ELECTRIC MANHOLE	
	WATER SERVICE	
	SANITARY SERVICE	
	HANDICAP PARKING	
	DIRECTION OF FLOW	
	SPOT ELEVATION	
	CONTOURS	
	SANITARY SEWER	
	STORM SEWER	
	WATERMAIN	
	FOREMAN	
	DRAIN TILE	
	SILT FENCE	
	CURB & GUTTER	
	RETAINING WALL	
	TREE LINE	
	EASEMENT LINE	
	SETBACK LINE	
	FENCE LINE	
	UNDERGROUND TELE	
	UNDERGROUND GAS	
	OVERHEAD UTILITY	

Project Name:

HALCYON

11050 50th St. N.
Lake Elmo, MN 55042

halcyoncemetry.com

Owner/Developer:

GLCJ Properties, Inc.
Lee Rossow
1870 Rice St.
Roseville, MN 55113
651-308-2999
337@lach.net

Professional Services:

LOUCKS ASSOCIATES

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

7200 Hennock Lane - Suite 300
Maple Grove, MN 55369
Telephone: (763) 424-5505
www.LoucksAssociates.com

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14530 C0-1 COVER SHEET.DWG/Cover

03/04/15 Revised City Submittal

05/14/15 Watershed Submittal

06/17/15 Final City Submittal

Professional Signature:

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

William D. Sanders
William D. Sanders

12335 License No. 6/17/15 Date

Quality Control:

Project Lead: WS Drawn By: GAJ
Checked By: WS Review Date: 06/17/15

- C0-1 COVER SHEET / PROJECT LOCATION
- C1-1 EXISTING CONDITIONS & REMOVALS
- C2-1 SITE LAYOUT PLAN
- C3-1 GRADING & DRAINAGE PLAN
- C3-2 EROSION CONTROL PLAN
- C4-1 UTILITY PLAN
- C5-1 PRELIMINARY PLAT
- C8-1 - C8-3 CIVIL DETAILS
- L1-0 TREE PRESERVATION PLAN
- L2-0 LANDSCAPING PLAN
- L2-1 LANDSCAPING DETAILS

Sheet Title:

COVER SHEET

Project No.:

14530

Sheet No.:

C0-1

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.



CALL BEFORE YOU DIG!

Gopher State One Call

TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

DESIGN CONSULTANTS

LANDSCAPE ARCHITECT
LOUCKS ASSOCIATES
365 E. KELLOGG BLVD.
ST. PAUL, MINNESOTA 55101

BILL SANDERS
TEL: 763-496-6784

CIVIL ENGINEER
LOUCKS ASSOCIATES
365 E. KELLOGG BLVD.
ST. PAUL, MINNESOTA 55101

VICKI VANDELL
TEL: 763-496-6720

Preliminary Plat of: HALCYON

Project Name
11050
50th Street North

PRELIMINARY PLAT GENERAL NOTES

SURVEYOR:

Loucks Associates, Inc.
7200 Hemlock Lane, Suite 300
Maple Grove, MN 55330
763-424-5505

OWNER/DEVELOPER:

GLCJ Properties, LLC
1870 Rice Street
Roseville, MN 55113
651-308-2999

LEGAL DESCRIPTION:

The South 660 feet of the West 660 feet of the Southwest Quarter of the Southwest Quarter, Section 1, Township 29 North, Range 21 West, Washington County, Minnesota.

DATE OF PREPARATION:

February 27, 2015

BENCHMARK:

Top nut of hydrant located at the northeast corner of Lake Elmo Avenue and 50th Street North as shown. Elev. = 933.90 (NAVD88)

EXISTING ZONING:

Zone RR (Rural Residential)

PROPOSED ZONING:

Zone RR (Rural Residential)

AREAS:

Total Property Area =	435,638	Sq.Ft. or 10.00 Acres
Right of way Dedication Area =	54,354	Sq.Ft. or 1.25 Acres
Net Property Area =	381,284	Sq.Ft. or 8.75 Acres

PROPOSED BUILDING SETBACKS:

Front	= 30 Feet
Side (Corner)	= 25 Feet
Side (Interior)	= 10 Feet
Rear	= 40 Feet

FLOOD ZONE DESIGNATION:

This property is contained in Zone X (areas determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27163C0245E, effective date of February 3, 2010

Lake Elmo, Minnesota

Owner/Developer:

GLCJ Properties, LLC

1870 Rice Street
Roseville, MN 55113

Professional Services:

LOUCKS ASSOCIATES

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

7200 Hemlock Lane - Suite 300
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S14510-MASTER.DWG/PREPLAT

Revisions:

Date	Description
02-27-15	Drawing Issued

Professional Signature:

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

Richard L. Licht
Richard L. Licht - PLS

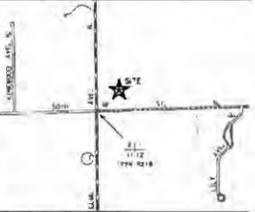
26724 February 27, 2015
License No. Date

Quality Control:

Project Lead: RLL Drawn By: SFH

Checked By: Katherine Olson

Vicinity Map:



Sheet Title:

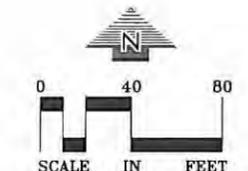
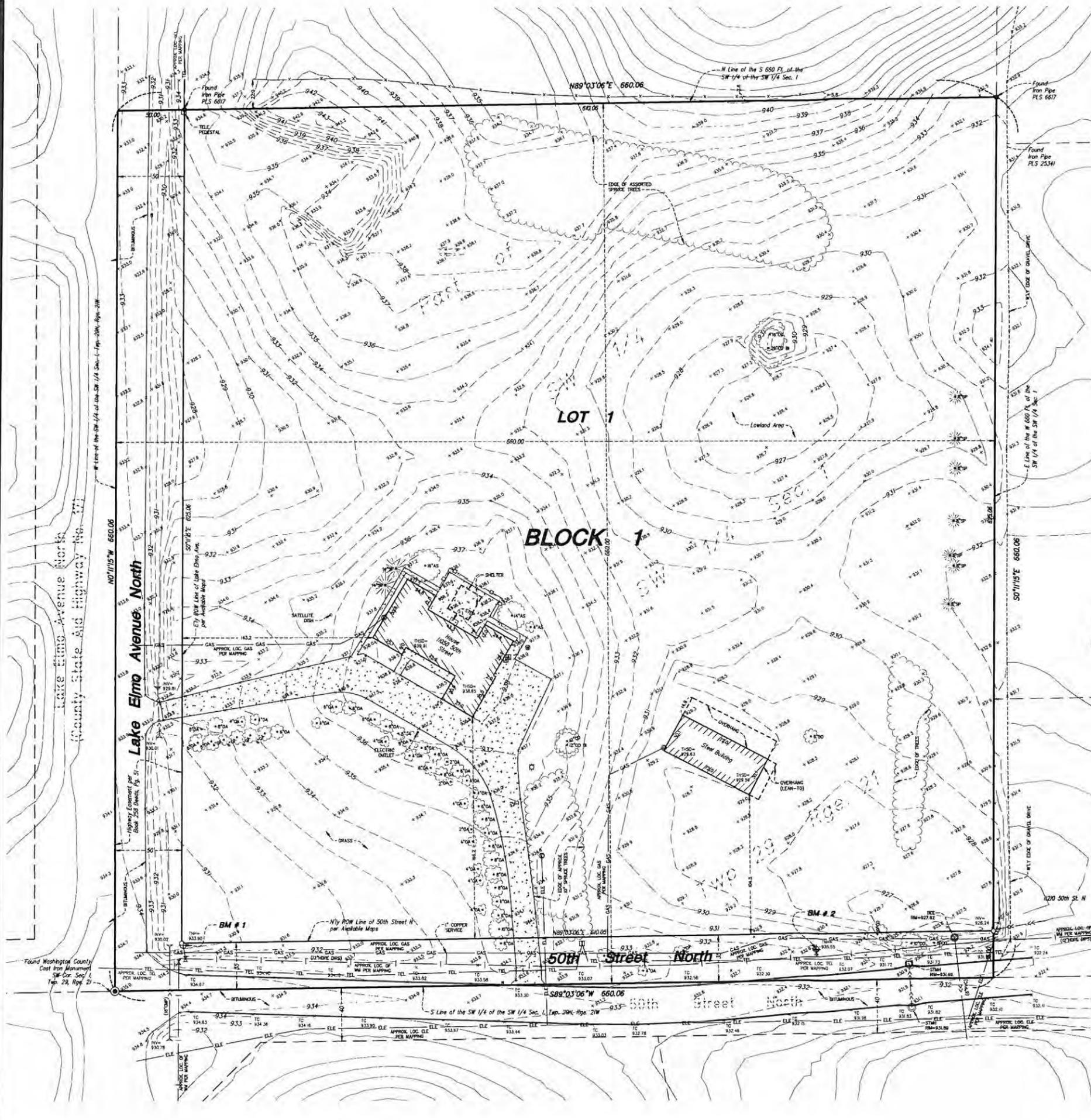
Preliminary Plat

Project No.:

14-530

Sheet No.:

C5-1



○ DENOTES 1/2 INCH X 14 INCH IRON MONUMENT SET, MARKED "RLS 17255"
● DENOTES IRON MONUMENT FOUND
HORIZONTAL DATUM IS BASED ON WASHINGTON COUNTY COORDINATES

SURVEY LEGEND

- | | | |
|----------------|----------------------|--------------------------|
| AS ASH | ☒ CATCH BASIN | —> STORM SEWER |
| BO BOXELDER | ⊙ STORM MANHOLE | — WATERMAIN |
| CO COTTONWOOD | ⊙ WATER WELL | —> CULVERT |
| OA OAK | ⊙ HYDRANT | —> UNDERGROUND ELECTRIC |
| SP SPRUCE | ⊙ GATE VALVE | —> UNDERGROUND GAS |
| BT TWIN TREES | ⊙ LIGHT POLE | —> UNDERGROUND TELEPHONE |
| TC TOP OF CURB | ⊙ MAIL BOX | —> CHAIN LINK FENCE |
| THSD THRESHOLD | ⊙ GUARD POST | —> WOOD FENCE |
| | ⊙ SIGN | —> CONCRETE CURB |
| | ⊙ SPOT ELEVATION | —> CONCRETE |
| | ⊙ A/C UNIT | —> CONTOUR |
| | ⊙ TELEPHONE PEDESTAL | ☼ CONIFEROUS TREE |
| | ⊙ ELECTRIC METER | ☼ DECIDUOUS TREE |
| | ⊙ GAS METER | |

Plotted: 02/27/2015 10:52 AM W:\2014\141530\CADD\DATA\SURVEY

HALCYON

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

The South 660 feet of the West 660 feet of the Southwest Quarter of the Southwest Quarter, Section 1, Township 29 North, Range 21 West.

Has caused the same to be surveyed and platted under Minnesota Statute 307.01 as HALCYON, and do hereby donate and dedicate to the public the thoroughfares as shown hereon.

In witness whereof said GLCJ Properties, LLC, a Minnesota limited liability company has caused these presents to be signed by its proper officer this _____ day of _____, 201____

GLCJ PROPERTIES, LLC

By _____

its _____

State of _____
County of _____

This instrument was acknowledged before me this _____ day of _____, 201____ by _____ of GLCJ Properties, LLC, a Minnesota limited liability company, on behalf of the company.

(Signature)

(Printed Name)
Notary Public _____ County, _____
My Commission Expires January 31, 20____

SURVEYORS CERTIFICATION

I, Richard L. Licht, do hereby certify that I have surveyed and platted the property described on this plat under Minnesota Statute 307.01 as HALCYON, that this is a correct representation of the survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown; that the outside boundary lines are correctly designated on the plat.

Dated this _____ day of _____, 201____

Richard L. Licht, Licensed Land Surveyor
Minnesota License No. 26724

State of Minnesota
County of Hennepin

This instrument was acknowledged before me this _____ day of _____, 201____ by Richard L. Licht, a Licensed Land Surveyor.

(Signature)

(Printed Name)
Notary Public Hennepin County, Minnesota
My Commission Expires January 31, 2020

LAKE ELMO PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, this _____ day of _____, 201____

By _____ Chair
By _____ Secretary

COUNTY SURVEYOR

I certify that this plat has been checked mathematically and approved the _____ day of _____, 201____.

By _____
Washington County Surveyor

COUNTY AUDITOR/TREASURER

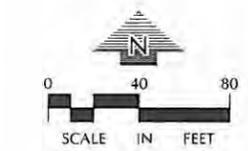
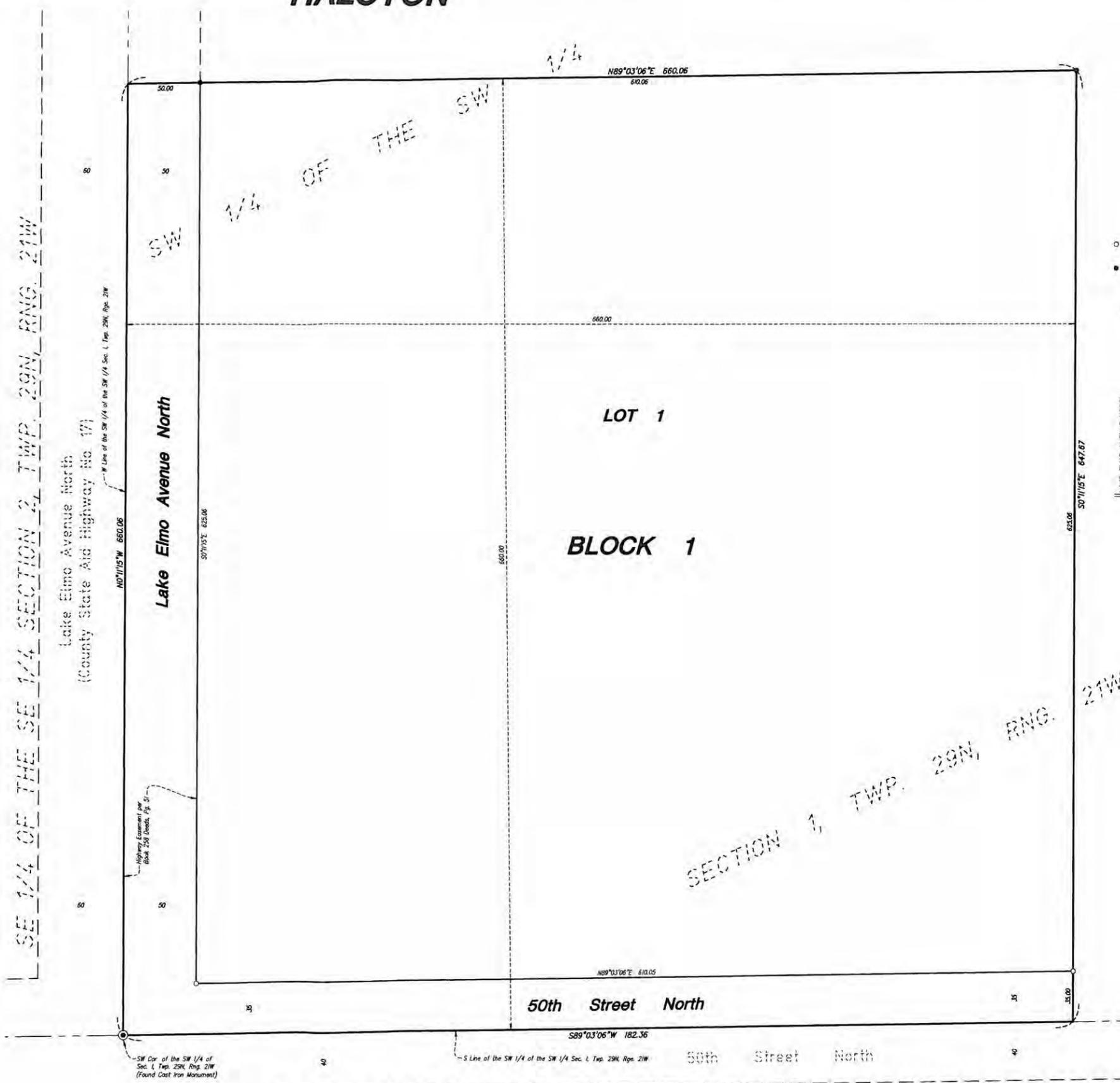
There are no delinquent taxes, the current taxes due are payable for the year _____ have been paid and transfer has been entered this _____ day of _____, 201____.

By _____ Washington County Auditor/Treasurer
By _____ Deputy

COUNTY RECORDER, Washington County, Minnesota

I hereby certify that the within plat of HALCYON was recorded in this office this _____ day of _____, 201____, at _____ o'clock _____ M.

By _____ Washington County Recorder
By _____ Deputy



○ DENOTES 1/2 INCH X 1/4 INCH IRON MONUMENT SET, MARKED "RLS 28724"
● DENOTES IRON MONUMENT FOUND

THE SOUTH LINE OF THE SW1/4 OF THE SW1/4 IS ASSUMED TO HAVE A BEARING OF S89°03'06"W

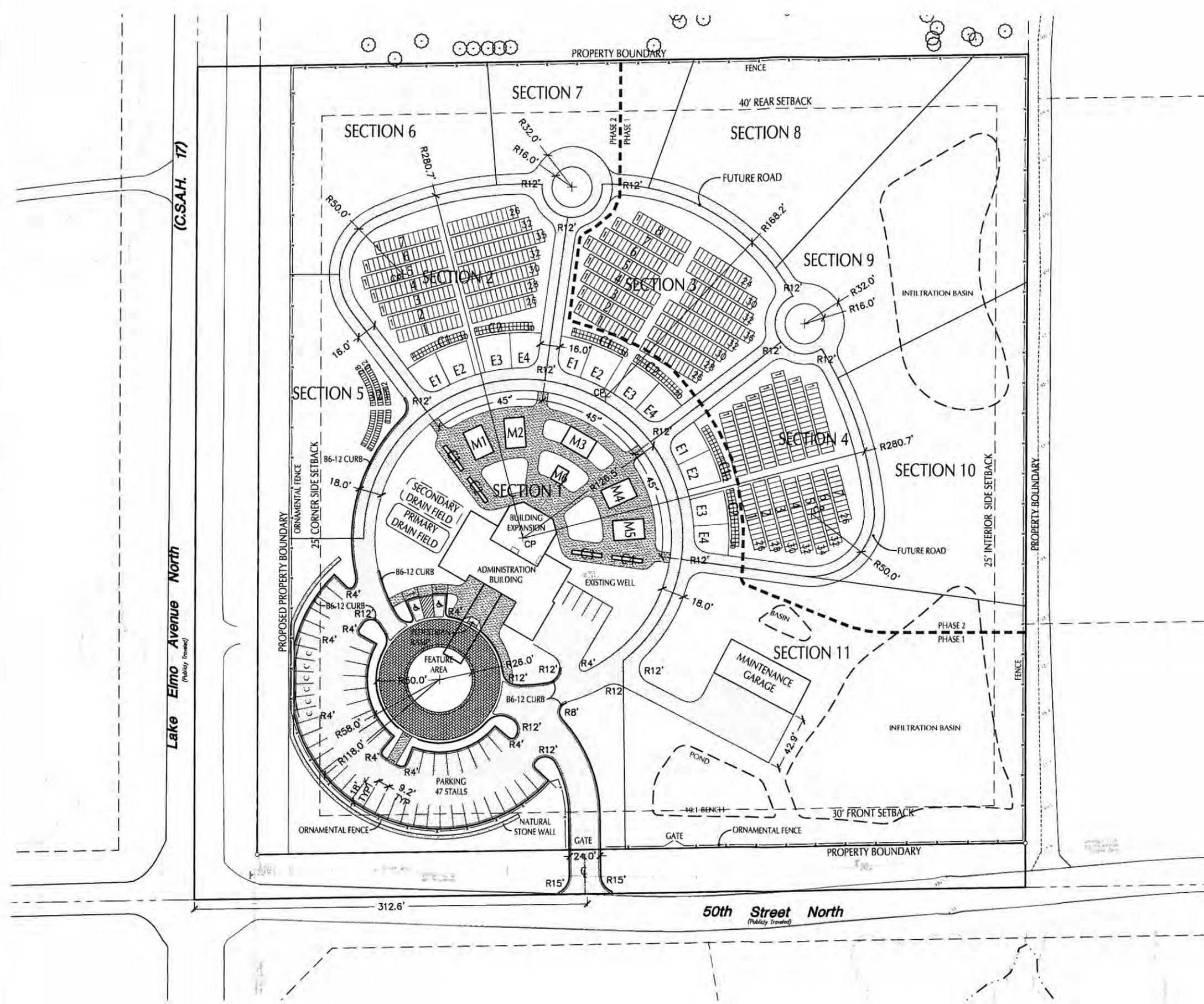


SECTION 1, TWP. 29N, RNG. 21W

JOHN M. DAY FARM ADDITION

LOUCKS ASSOCIATES

Plotted: 09/12/2015 3:6 PM W:\2014\14530\CADD\DATA\LANDSCAPE.dwg Sheet Files

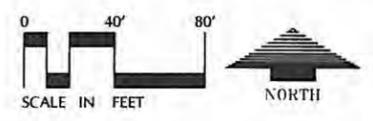


LEGEND

- BITUMINOUS ROAD
- CONCRETE SURFACING
- PAVER SURFACING

BURIAL TOTALS

SECTION 1 -	MAUSOLEUM	322
	COLUMBARIUM	640
SECTION 2 -	IN-GROUND FULL	209
	IN-GROUND CREMATION	60
	ESTATE LOTS	48
SECTION 3 -	IN-GROUND FULL	209
	IN-GROUND CREMATION	60
	ESTATE LOTS	48
SECTION 4 -	IN-GROUND FULL	209
	IN-GROUND CREMATION	60
	ESTATE LOTS	48
SECTION 5 -	IN-GROUND INFANT	72
SECTION 6 -	FUTURE	
SECTION 7 -	FUTURE	
SECTION 8 -	FUTURE	
SECTION 9 -	FUTURE	
SECTION 10 -	FUTURE	
SECTION 11 -	FUTURE	
TOTAL		1985



Project Name: **HALCYON**

11050 50th St. N.
Lake Elmo, MN 55042

halcyoncemetery.com

Owner/Developer:
GLCJ Properties, Inc.
Lee Rossow
1870 Rice St.
Roseville, MN 55113
651-308-2999
337@lach.net

Professional Services:
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14530 C2-1 LAYOUT PLAN.DWG/Layout Plan

03/04/15	Revised City Submittal
05/14/15	Watershed Submittal
06/17/15	Final City Submittal

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

24610 License No. 6/17/15 Date

Quality Control: _____ GAI

Project Lead: WS Drawn By: _____ 06/17/15
Checked By: _____ Review Date: _____

Sheet Title:
PRELIMINARY SITE PLAN

Project No: 14530
Sheet No.: _____

C2-1

SITE LAYOUT PLAN:



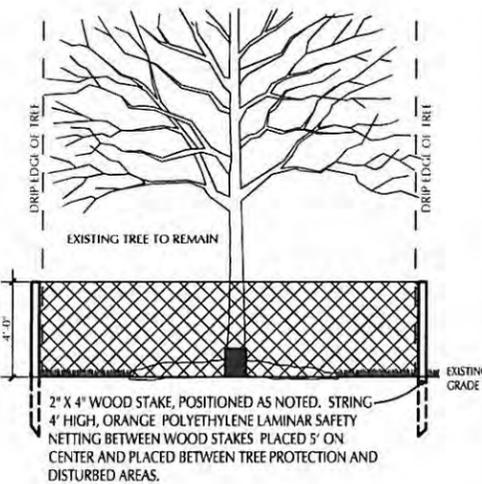
EXISTING CONDITIONS AND REMOVALS:

REMOVALS / SITE PREPARATION NOTES:

- REFER TO SHEET C3-2 FOR EROSION CONTROL PLAN AND ADDITIONAL NOTES.
- CONTRACTOR SHALL VISIT THE SITE PRIOR TO SUBMITTING BID. INSPECT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS RELATING TO THE NATURE AND SCOPE OF THE WORK.
- ASSURE COMPLIANCE WITH ALL APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK OR MATERIALS SUPPLIED.
- PREVENT SOIL FROM WASHING INTO THE STORM SEWER. ALL SEDIMENT AND EROSION CONTROL MEASURES AS REQUIRED BY STATE AND LOCAL CODES SHALL BE INSTALLED PRIOR TO ANY DEMOLITION OR EARTHWORK ACTIVITIES.
- LOCATION AND SIZES OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE AND ARE SHOWN BASED ON FIELD LOCATION OF VIEWABLE FIXTURES. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES WITH GOPHER ONE AND LOCAL UTILITY SERVICES. PROVIDE THE NECESSARY PROTECTION FOR EXISTING UTILITIES BEFORE CONSTRUCTION OR MATERIAL INSTALLATION BEGINS (MINIMUM 10' CLEARANCE).
- NO CONSTRUCTION, DEMOLITION OR COMMERCIAL POWER MAINTENANCE EQUIPMENT SHALL BE OPERATED WITHIN THE CITY BETWEEN THE HOURS OF 6:00 PM AND 7:00AM ON WEEKDAYS OR DURING ANY HOURS ON SATURDAYS, SUNDAYS AND STATE AND FEDERAL HOLIDAYS, EXCEPT UNDER PERMIT.
- CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING SITE FEATURES TO REMAIN. ANY DAMAGE TO EXISTING SITE FEATURES SHALL BE REPORTED TO LANDSCAPE ARCHITECT AND OWNER PRIOR TO START OF CONSTRUCTION ACTIVITIES. ANY DAMAGE TO SAME SHALL BE REPAIRED AT NO COST TO THE OWNER.
- LOCATIONS FOR STORING CONSTRUCTION EQUIPMENT AND MATERIALS SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT.
- ALL CONSTRUCTION AND POST-CONSTRUCTION PARKING SHALL BE AS DIRECTED BY THE OWNER. NO ON-STREET PARKING / LOADING / UNLOADING ALLOWED.
- SEE SHEETS L1-0 AND L2-0 - FOR ADDITIONAL TREE REMOVAL / TRANSPLANT INFORMATION

LEGEND

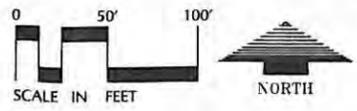
- EXISTING CONTOUR
- EXISTING DECIDUOUS TREE TO BE TRANSPLANTED
- EXISTING TREE TO BE PROTECTED - SEE 2/C1-1
- EXISTING TREE TO BE REMOVED
- CONCRETE SURFACE TO BE REMOVED



TREE PROTECTION NOTE:
 INSTALL SNOW FENCE AROUND EACH TREE TO BE PROTECTED PRIOR TO GRADING. FENCE SHALL BE PLACED AT THE DRIP EDGE OR CRITICAL ROOT ZONES OF THE TREES. FENCING SHALL BE NO CLOSER THAN 6' TO THE TRUNK OF ANY TREE TO BE PROTECTED. THE PERIMETERS FOR TREES BEING PROTECTED SHALL BE DESIGNATED AT ALL TIMES DURING CONSTRUCTION ACTIVITY AND SIGNAGE SHALL BE INSTALLED AT ALL TREE PROTECTION AREAS THAT INSTRUCTS WORKERS TO STAY OUT. CONTRACTOR SHALL AVOID ALL AREAS WITHIN TREE PROTECTION FENCE. SOIL SHOULD BE PROTECTED FROM EROSION AND CHANGES IN CHEMISTRY FROM CONCRETE OR TOXIC MATERIALS SUCH AS FUELS AND PAINTS.

ALL DAMAGE TO TREES TO BE PROTECTED SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT.

2 TREE PROTECTION
 C1-1 SCALE: 1/2" = 1'-0"



CALL BEFORE YOU DIG
Gopher State One Call
 TWIN CITY AREA: 651-454-0002
 TOLL FREE: 1-800-252-1166

Project Name:

HALCYON
 11050 50th St. N.
 Lake Elmo, MN 55042

halcyoncemetery.com

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GLC Properties, Inc.
 Lee Rossow
 1870 Rice St.
 Roseville, MN 55113
 651-308-2999
 337@lclch.net

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14530 C1-1 REMOVALS.DWG/Removals

03/04/15	Revised City Submittal
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Professional Signature:

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12335 License No. 6/17/15 Date

Quality Control: GAJ

Project Lead: WS Drawn by: 06/17/15

C0-1	COVER SHEET / PROJECT LOCATION
C1-1	EXISTING CONDITIONS & REMOVALS
C2-1	SITE LAYOUT PLAN
C3-1	GRADING & DRAINAGE PLAN
C3-2	EROSION CONTROL PLAN
C6-1	UTILITY PLAN
C5-1	PRELIMINARY PLAN
C8-1 - C8-3	CIVIL DETAILS
L1-0	TREE PRESERVATION PLAN
L3-0	LANDSCAPING PLAN
L3-1	LANDSCAPING DETAILS

Sheet Title:

EXISTING CONDITIONS & REMOVALS

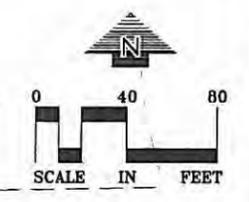
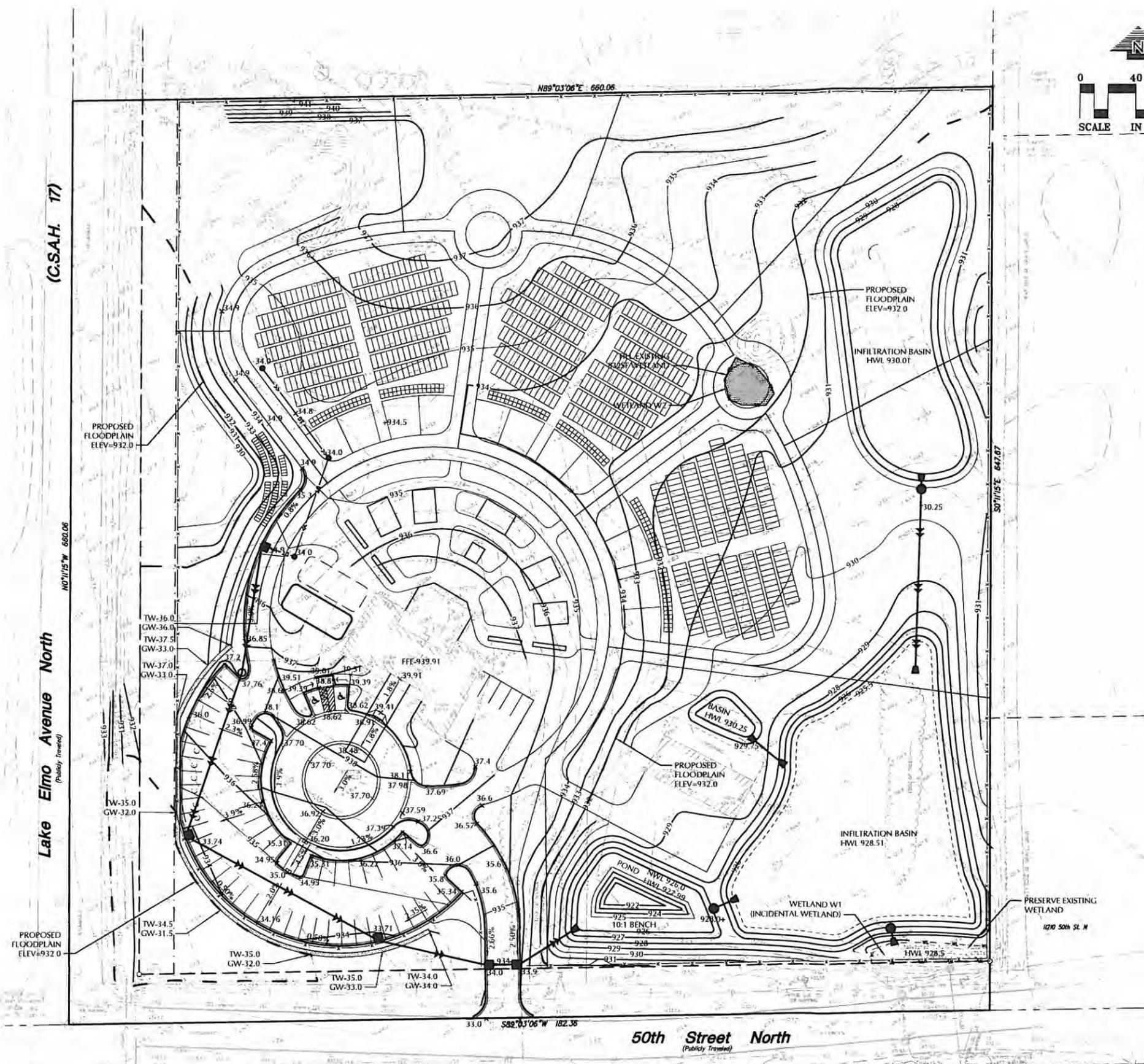
Project No.:

14530

Sheet No.:

C1-1

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EXISTING	PROPOSED
TOPOGRAPHIC CONTOUR	800
SPOT ELEVATION	X 800.0
DRAINAGE SLOPE	X.XX%
STORM SEWER	
STORM MANHOLE	
CATCH BASIN	
SANITARY SEWER	
WATERMAIN	
BENCHMARK	
EMERGENCY OVERTFLOW	
CONSTRUCTION LIMITS	

NOTE:
CATCH BASINS RIMS ARE 2 INCHES LOWER THAN FLOW LINE ELEVATION.

NOTE:
SPOT ELEVATIONS AT CURB LINES INDICATE BASE OF CURB AND GUTTER LINE (I.E. FLOW LINE) ELEVATIONS UNLESS OTHERWISE NOTED.

GRADING PLAN NOTES

- BACKGROUND INFORMATION IS BASED ON A FIELD SURVEY BY LOUCKS ASSOCIATES AND RECORD UTILITY DRAWINGS FROM THE CITY OF LAKE ELMO. LOUCKS ASSOCIATES DOES NOT GUARANTEE THE ACCURACY OF INFORMATION PROVIDED BY OTHERS.
- THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF BUILDINGS, VESTIBULES, SLOPED PAVING, EXIT PORCHES, RAMPS, TRUCK DOCKS, ENTRY LOCATIONS AND LOCATIONS OF DOWNSPOUTS.
- THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASE OF THIS PROJECT. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASE OF THIS PROJECT.
- IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
- BEFORE BEGINNING CONSTRUCTION THE CONTRACTOR SHALL INSTALL A TEMPORARY ROCK ENTRANCE PAD AT ALL POINTS OF VEHICLE EXIT FROM THE PROJECT SITE. SAID ROCK ENTRANCE PAD SHALL BE MAINTAINED BY THE CONTRACTOR FOR THE DURATION OF THE PROJECT.
- EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE ESTABLISHED AROUND THE ENTIRE SITE PERIMETER AND IN ACCORDANCE WITH NPDES PERMIT REQUIREMENTS, BEST MANAGEMENT PRACTICES, AND CITY REQUIREMENTS.
- ALL SPOT ELEVATIONS SHOWN REPRESENT FINISHED SURFACE OR GUTTER LINE ELEVATIONS UNLESS OTHERWISE NOTED.
- CONTRACTOR TO VERIFY EXISTING INFORMATION PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF ANY PLAN DISCREPANCIES.
- EXISTING UTILITY LOCATIONS AS-PER CITY AS-BUILT PLANS AND FIELD SHOTS.
- SEE SHEET C3-2 FOR EROSION CONTROL INFORMATION.
- GENERAL CONTRACTOR MUST VERIFY ALL THE IN GRADES.
- THE POND IS TO BE LINED BELOW 926.0 ELEVATION WITH 2' OF CLEAN CLAY COMPACTED TO 98%. CLAY MATERIAL PROVIDED NEEDS TO BE TESTED TO VERIFY QUALITY AND INFILTRATION RATE.

WARNING

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG!

Gopher State One Call

TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

Project Name

HALCYON

11050 50th St. N.
Lake Elmo, MN 55042

halcyoncemetery.com

Owner/Developer:

GLC Properties, Inc.
Lee Rossow
1870 Rice St.
Roseville, MN 55113
651-308-2999
337@lach.net

Professional Services:

LOUCKS ASSOCIATES

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

7400 Hemlock Lane - Suite 300
Maple Grove, MN 55369
Telephone: (763) 424-5505
www.LoucksAssociates.com

2015

CADD Qualification:

CADD files prepared by the Consultant for this project are instruments of the Consultant's professional services for use solely with respect to the project. These CADD files shall not be used on other projects, for additions to the project, or for completion of the project by others without written approval by the Consultant. With the Consultant's approval, others may be permitted to obtain copies of the CADD drawing files for information and reference only. All fractional or unconditional revisions, additions, or deletions to these CADD files shall be made at the full risk of that party making such revision, addition or deletion and that party shall hold harmless and indemnify the Consultant from any & all responsibilities, claims, and liabilities.

C:\14530 3-1.DWG/Layout

Submittal:

03/04/15	Revised City Submittal
05/14/15	Watershed Submittal
06/17/15	Final City Submittal

Professional Signature:

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

John J. Madell
John J. Madell
4/15/15
License No. 6/17/15 Date

Quality Control:

Project Lead:	VJV	Drawn By:	WBS
Checked By:	VJV	Review Date:	6/17/15

Sheet Index:

C0-1	COVER SHEET / PROJECT LOCATION
C1-1	EXISTING CONDITIONS & REMOVALS
C2-1	SITE LAYOUT PLAN
C3-1	GRADING & DRAINAGE PLAN
C3-2	EROSION CONTROL PLAN
C4-1	UTILITY PLAN
C5-1	PRELIMINARY PLAN
C6-1 - C6-3	CIVIL DETAILS
L1-0	TREE PRESERVATION PLAN
L2-0	LANDSCAPING PLAN
L2-1	LANDSCAPING DETAILS

Sheet Title:

GRADING & DRAINAGE PLAN

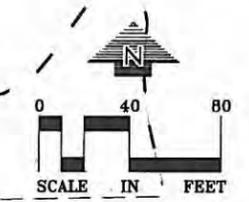
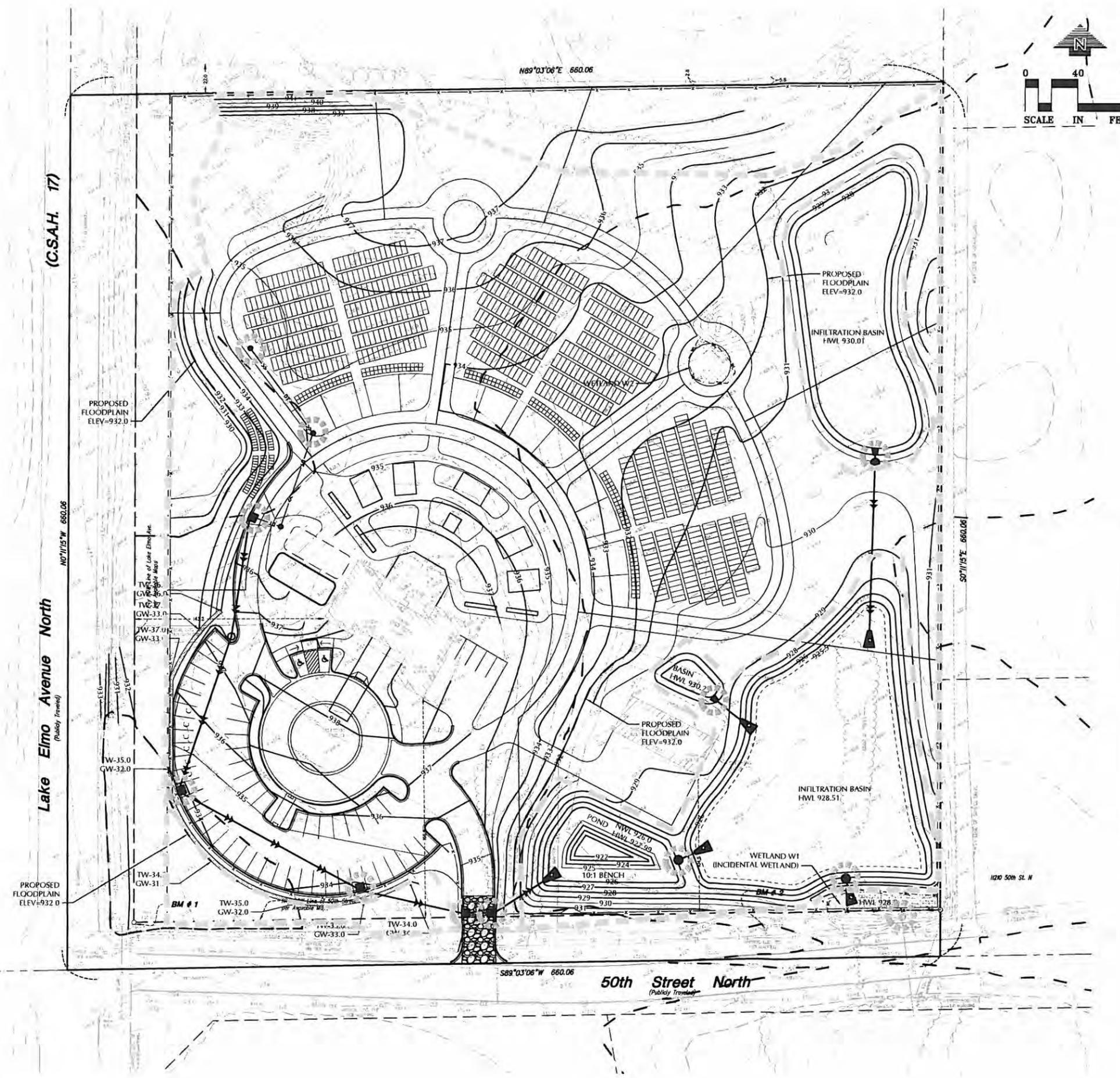
Project No.:

14530

Sheet No.:

C3-1

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EXISTING IMPERVIOUS	0.46 Acres
PROPOSED IMPERVIOUS	2.07 Acres
DISTURBED AREA	8 Acres

NOTE:
SEE C8-2 FOR EROSION
CONTROL NOTES & DETAILS

EXISTING	PROPOSED
TOPOGRAPHIC CONTOUR	— 800 —
SPOT ELEVATION	X 800.0
DRAINAGE SLOPE	X XX%
STORM SEWER	—>—>—>
STORM MANHOLE	○
CATCH BASIN	●
SANITARY SEWER	—>—>—>
WATERMAIN	—>—>—>
BENCHMARK	⊕
EMERGENCY OVERTFLOW	~>
CONSTRUCTION LIMITS	—
ADA ACCESSIBLE ROUTE	▭
SILT FENCE	—
BASIN SILT FENCE	—
INLET PROTECTION	⊙

Project Name:

HALCYON
11050 50th St. N.
Lake Elmo, MN 55042

halcyoncemetery.com
Owner/Developer:

GLCJ Properties, Inc.
Lee Rossow
1870 Rice St.
Roseville, MN 55113
651-308-2999
337@lach.net

Professional Services:

LOUCKS ASSOCIATES
Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental
7200 Hemlock Lane - Suite 300
Maple Grove, MN 55369
Telephone: (763) 424-5205
www.LoucksAssociates.com

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03/04/15	Revised City Submittal
05/14/15	Watershed Submittal
06/17/15	Final City Submittal

Professional Signature:

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
John J. Jandell
4952 License No. 6/17/15 Date

Quality Control:

Project Lead: VJV Drawn By: WBS
Checked By: Review Date: 06/17/15

Sheet Index:

C8-1	COVER SHEET / PROJECT LOCATION
C1-1	EXISTING CONDITIONS & REMOVALS
C2-1	SITE LAYOUT PLAN
C3-1	GRADING & DRAINAGE PLAN
C3-2	EROSION CONTROL PLAN
C4-1	UTILITY PLAN
C5-1	PRELIMINARY PLAN
C8-1 - C8-3	CIVIL DETAILS
L1-0	TREE PRESERVATION PLAN
L2-0	LANDSCAPING PLAN
L2-1	LANDSCAPING DETAILS

Sheet Title:

EROSION CONTROL PLAN

Project No.:

14530

Sheet No.:

C3-2

Project Name:

HALCYON

11050 50th St. N.
Lake Elmo, MN 55042

halcyoncemetry.com

Owner/Developer:

GLC Properties, Inc.
Lee Rossow
1870 Rice St.
Roseville, MN 55113
651-308-2999
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C14530 4-1.DWG/Layout1

Submittal:

03/04/15	Revised City Submittal
05/14/15	Waterlined Submittal
06/17/15	Final City Submittal

Professional Signature:

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

John J. Jundell
John J. Jundell
4552 License No. 6/17/15 Date

Quality Control:

WBS
Project Lead: VJV Drawn By: 06/17/15
Checked By: Review Date:

Sheet Index:

C0-1	COVER SHEET / PROJECT LOCATION
C1-1	EXISTING CONDITIONS & REMOVALS
C2-1	SITE LAYOUT PLAN
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C3-2	EROSION CONTROL PLAN
C4-1	UTILITY PLAN
C5-1	PRELIMINARY PLAT
C8-1 - C8-3	CIVIL DETAILS
L1-0	TREE PRESERVATION PLAN
L2-0	LANDSCAPING PLAN
L3-1	LANDSCAPING DETAILS

Sheet Title:

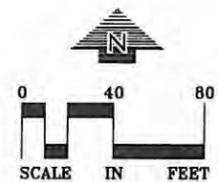
UTILITY PLAN

Project No.:

14530

Sheet No.:

C4-1



NOTES

- BACKGROUND INFORMATION IS BASED ON A FIELD SURVEY BY LOUCKS ASSOCIATES AND RECORD UTILITY DRAWINGS FROM THE CITY OF ELMO. LOUCKS ASSOCIATES DOES NOT GUARANTEE THE ACCURACY OF INFORMATION PROVIDED BY OTHERS.
- ALL SANITARY SEWER, STORM SEWER AND WATERMAIN UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS, THE CITY AND THE STANDARD UTILITIES SPECIFICATION OF THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), 1999 EDITION. HDPE PIPE CONNECTIONS INTO ALL CONCRETE STRUCTURES SHALL BE MADE WITH WATER TIGHT MATERIALS, UTILIZING AN A-LOK OR WATERSTOP GASKET OR BOOT, CAST-IN-PLACE RUBBER BOOT, OR APPROVED EQUAL. WHERE THE ALIGNMENT PRECLUDES THE USE OF THE ABOVE APPROVED WATERTIGHT METHODS, CONSEAL 231 WATERSTOP SEALANT, OR APPROVED EQUAL WILL ONLY BE ALLOWED AS APPROVED BY THE ENGINEER. ALL SANITARY SEWER MAIN LINE SHALL BE SDR 35. ALL SANITARY SEWER SERVICES SHALL BE SDR 26.
- SEE SHEETS C8-1 - C8-3 AND THE CONTRACT SPECIFICATIONS FOR SPECIFIC UTILITY DETAILS AND UTILITY SERVICE DETAILS.
- ALL UTILITY PIPE BEDDING SHALL BE COMPACTED SAND OR FINE GRANULAR MATERIAL PER THE REQUIREMENTS OF THE CITY. ALL COMPACTION SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CEAM SPECIFICATION.
- THE CONTRACTOR SHALL NOTIFY GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS PRIOR TO PERFORMING ANY EXCAVATION OR UNDERGROUND WORK.
- ADJUST ALL EXISTING STRUCTURES, BOTH PUBLIC AND PRIVATE TO THE PROPOSED GRADES WHERE DISTURBED AND COMPLY WITH ALL REQUIREMENTS OF THE UTILITY OWNERS. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
- PROPOSED PIPE MATERIALS:
STORM SEWER 12" HDPE-WT 12" - 18" DIAMETER.
WATER SERVICE 6" DIP CL 52 7.5' BURY DEPTH
- STORM SEWER PIPE SHALL MEET OR EXCEED AASHTO M294 MINIMUM PIPE STIFFNESS PER ASTM D2412 60PSI FOR 8"-18".
- PROPOSED GAS, TELEPHONE & ELECTRIC SERVICES ARE APPROXIMATE LOCATIONS ONLY. COORDINATE EACH SERVICE WITH THE UTILITY OWNER AND GENERAL CONTRACTOR. IF ANY PROPOSED SERVICE LOCATION VARY SIGNIFICANTLY OR CONFLICT, THE ENGINEER MUST BE NOTIFIED PRIOR TO THE INSTALLATION OF THE SERVICE.
- THE REMOVAL OF EXISTING SERVICES WITHIN THE CONSTRUCTION LIMITS SHALL BE COORDINATED WITH THE GENERAL CONTRACTOR AND UTILITY OWNER. ADDITIONAL SERVICES MAY EXIST.

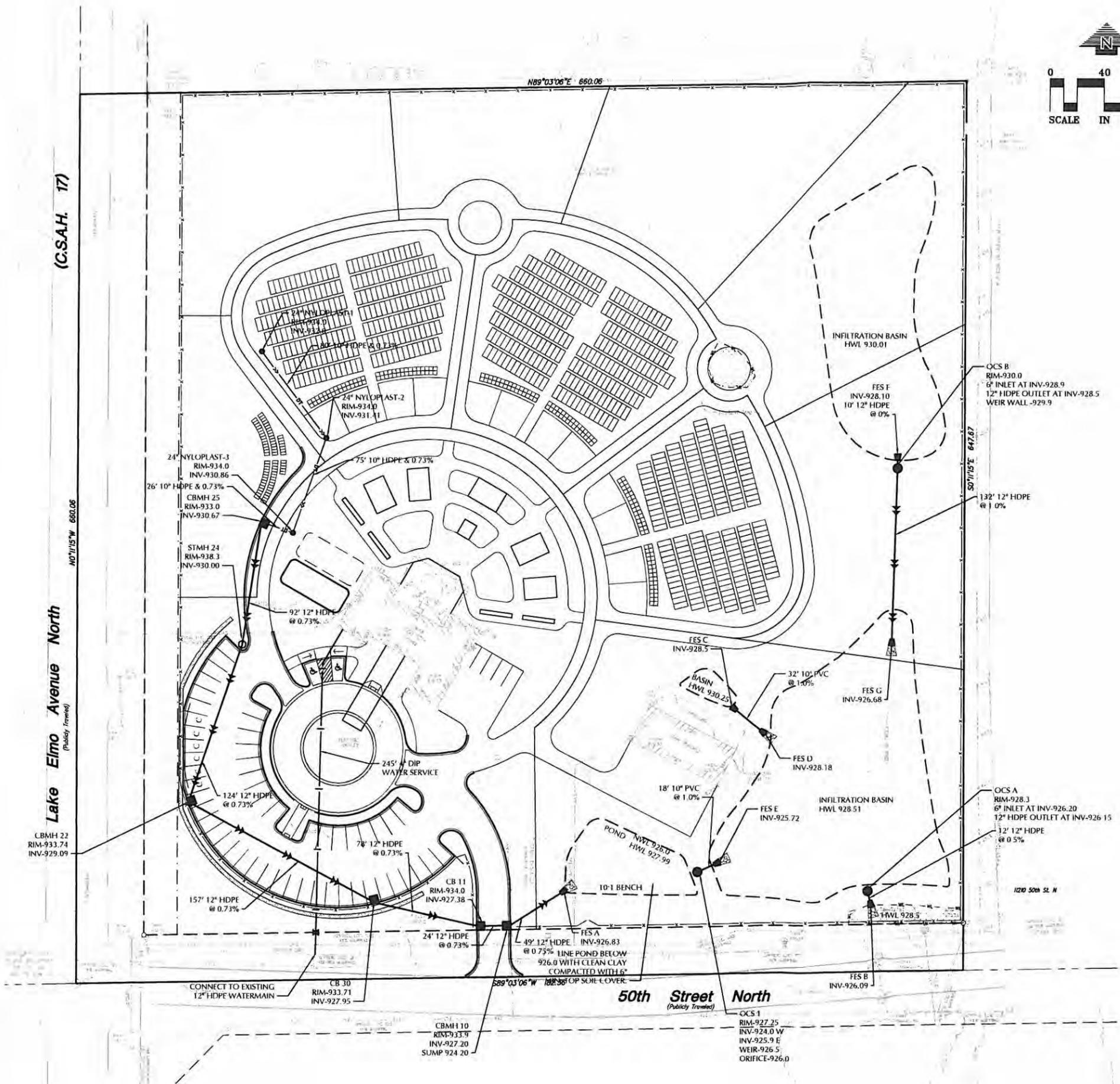
WARNING

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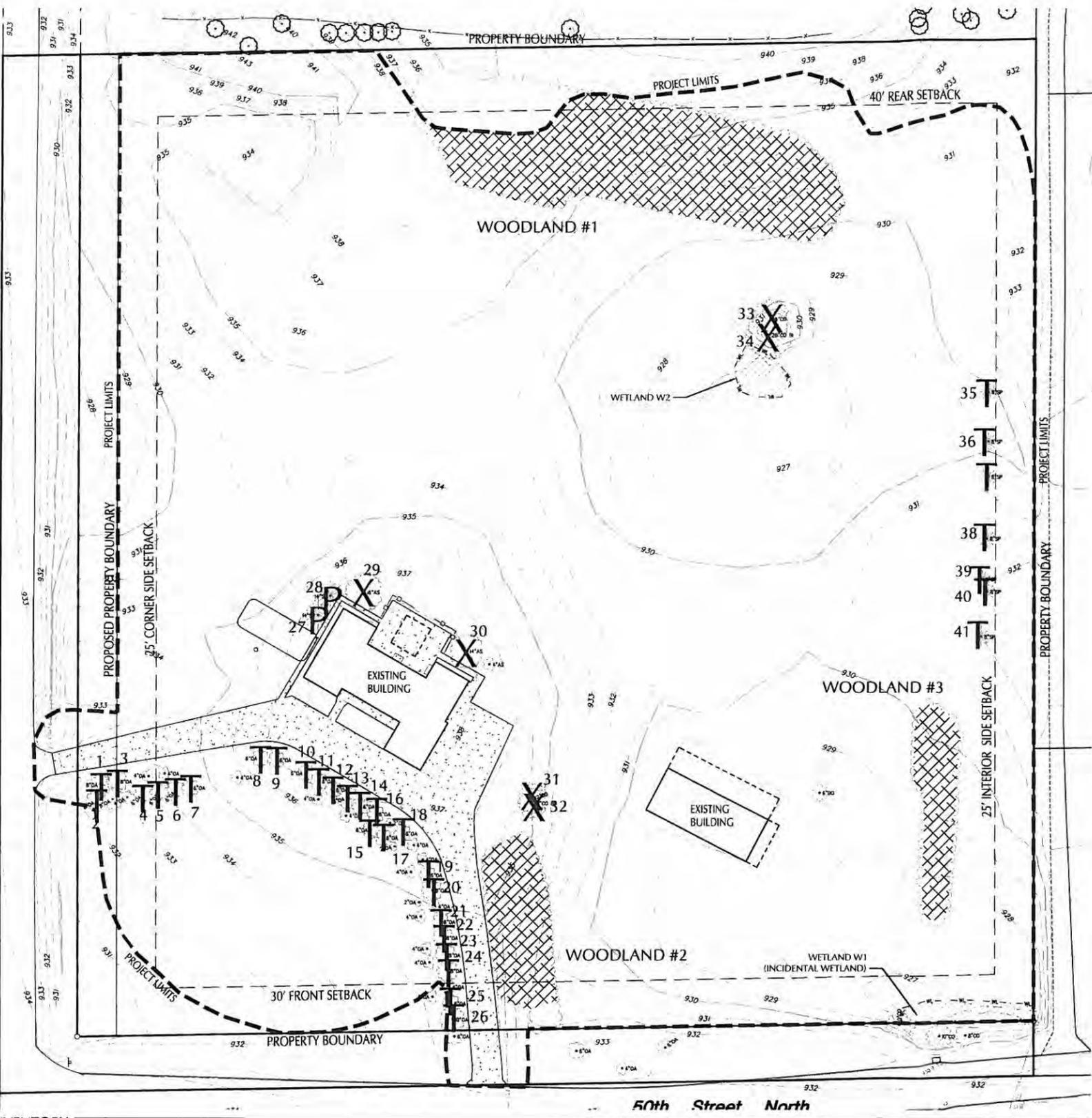
CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166



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(CSAH. 17)

Lake Elmo Avenue North
(Publicly Traded)



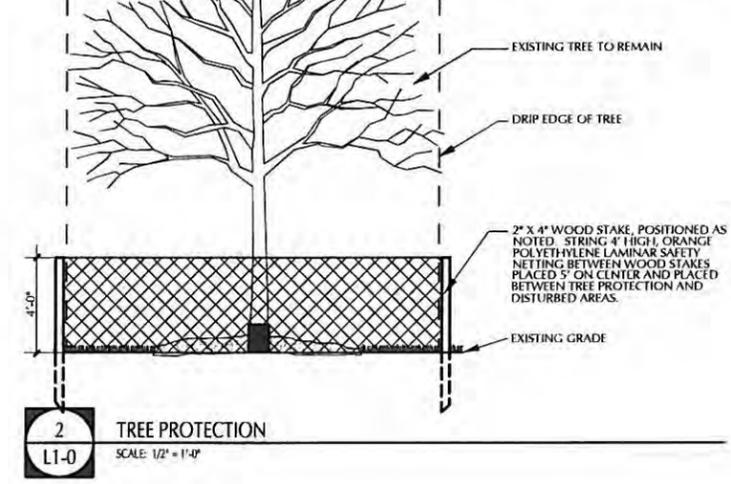
SIGNIFICANT TREE INVENTORY

TREE #	SPECIES	DIAM (IN.)	DISPOSITION
1	OAK	8	TRANSPLANT
2	OAK	8	TRANSPLANT
3	OAK	8	TRANSPLANT
4	OAK	6	TRANSPLANT
5	OAK	6	TRANSPLANT
6	OAK	6	TRANSPLANT
7	OAK	6	TRANSPLANT
8	OAK	6	TRANSPLANT
9	OAK	6	TRANSPLANT
10	OAK	6	TRANSPLANT
11	OAK	6	TRANSPLANT
12	OAK	6	TRANSPLANT
13	OAK	8	TRANSPLANT
14	OAK	6	TRANSPLANT
15	OAK	6	TRANSPLANT
16	OAK	6	TRANSPLANT
17	OAK	6	TRANSPLANT
18	OAK	6	TRANSPLANT
19	OAK	6	TRANSPLANT
20	OAK	8	TRANSPLANT
21	OAK	6	TRANSPLANT
22	OAK	8	TRANSPLANT
23	OAK	8	TRANSPLANT
24	OAK	8	TRANSPLANT
25	OAK	6	TRANSPLANT
26	OAK	10	TRANSPLANT
27	SPRUCE	14	SAVED
28	SPRUCE	14	SAVED
29	ASH	16	REMOVED
30	ASH	14	REMOVED
31	COTTONWOOD	12	REMOVED
32	COTTONWOOD	12	REMOVED
33	COTTONWOOD	16	REMOVED
34	COTTONWOOD	20	REMOVED
35	SPRUCE	8	TRANSPLANT
36	SPRUCE	8	TRANSPLANT
37	SPRUCE	8	TRANSPLANT
38	SPRUCE	8	TRANSPLANT
39	SPRUCE	8	TRANSPLANT
40	SPRUCE	8	TRANSPLANT
41	SPRUCE	8	TRANSPLANT
WOODLAND #1	SPRUCE	(17) @10	SAVED
	SPRUCE	(52) @10	TRANSPLANTED
	SPRUCE	(16) @10	REMOVE
WOODLAND #2	SPRUCE	(16) @10	TRANSPLANTED
	SPRUCE	(6) @10	REMOVE
WOODLAND #3	SPRUCE	(10) @10	TRANSPLANTED
	SPRUCE	(3) @10	REMOVED

TREE INVENTORY NOTES:
SIGNIFICANT TREES LISTED ARE AS SHOWN ON THE BOUNDARY AND TOPOGRAPHICAL SURVEY DATED 1-5-15 BY LOUCKS ASSOCIATED (SEE ATTACHED)
TRANSPLANTED TREE SPECIES WILL BE VERIFIED PRIOR TO FINAL SUBMITTAL. TREES LISTED AS OAK MAY ALSO INCLUDE WALNUT AND MAPLE SPECIES
WOODLAND TREE EVALUATION QUANTITIES ARE BASED ON 10" DIAM SPRUCE (TYP) AT APPROXIMATELY 15' O.C.
SEE SHEET L2-0 FOR PROPOSED STRUCTURES AND IMPERVIOUS SURFACE LOCATIONS

TREE PROTECTION NOTE:
INSTALL SNOW FENCE AROUND EACH TREE TO BE PROTECTED PRIOR TO GRADING. FENCE SHALL BE PLACED AT THE DRIP EDGE OR CRITICAL ROOT ZONES OF THE TREES. FENCING SHALL BE NO CLOSER THAN 6" TO THE TRUNK OF ANY TREE TO BE PROTECTED. THE PERIMETERS FOR TREES BEING PROTECTED SHALL BE DESIGNATED AT ALL TIMES DURING CONSTRUCTION ACTIVITY AND SIGNAGE SHALL BE INSTALLED AT ALL TREE PROTECTION AREAS THAT INSTRUCTS WORKERS TO STAY OUT. CONTRACTOR SHALL AVOID ALL AREAS WITHIN TREE PROTECTION FENCE. SOIL SHOULD BE PROTECTED FROM EROSION AND CHANGES IN CHEMISTRY FROM CONCRETE OR TOXIC MATERIALS SUCH AS FUELS AND PAINTS.

THE CONTRACTOR SHALL HAVE "TREE PAINT" ON SITE AT ALL TIMES. IF AN OAK IS WOUNDED DURING CONSTRUCTION, THE CONTRACTOR MUST IMMEDIATELY APPLY PAINT TO THE WOUND IN ORDER TO PREVENT OAK WILT. ALL DAMAGE TO TREES TO BE PROTECTED SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT.



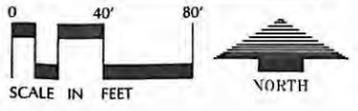
TREE INVENTORY:

LEGEND:

- X SIGNIFICANT TREE TO BE REMOVED
- T SIGNIFICANT TREE TO BE TRANSPLANTED
- P SIGNIFICANT TREE TO BE SAVED / PROTECTED DURING CONSTRUCTION - SEE DETAIL 2/L1-0
- [Cross-hatched box] SIGNIFICANT WOODLAND TREES TO BE TRANSPLANTED

TREE INVENTORY SUMMARY:

EXISTING SIGNIFICANT TREES	187 (1550" TOTAL CAL. DIAM.)
30% ALLOWED REMOVAL	56 (465" TOTAL CAL. DIAM.)
SIGNIFICANT TREES TO BE REMOVED	35 (286" TOTAL CAL. DIAM.)
NO TREE MITIGATION IS REQUIRED	



2 TREE PROTECTION
SCALE: 1/2" = 1'-0"

Project Name:

HALCYON

11050 50th St. N.
Lake Elmo, MN 55042

halcyoncemetry.com

Owner/Developer:

GLC Properties, Inc.
Lee Rossow
1870 Rice St.
Roseville, MN 55113
651-308-2999
337@lach.net

Professional Services:

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7200 Herlock Lane - Suite 300
Maple Grove, MN 55369
Telephone: (763) 424-5255
www.LoucksAssociates.com

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CADD Qualification:

03/04/15 Revised City Submittal

05/14/15 Waterford Submittal

06/17/15 Final City Submittal

Professional Signature:

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

William R. Spitzer

12335 License No. 06/17/15 Date

Quality Control: (GA)

Project Lead: WS Drawn By: 06/17/15

Checked By: Review Date:

00-1 COVER SHEET / PROJECT LOCATION

01-1 EXISTING CONDITIONS & REMOVALS

02-1 SITE LAYOUT PLAN

03-1 GRADING & DRAINAGE PLAN

03-2 EROSION CONTROL PLAN

04-1 UTILITY PLAN

05-1 PRELIMINARY PLAN

06-1 CIVIL DETAILS

06-1 - 06-3 TREE PRESERVATION PLAN

L1-0 TREE PRESERVATION PLAN

L2-0 LANDSCAPING PLAN

L3-1 LANDSCAPING DETAILS

Sheet Title:

TREE PRESERVATION PLAN

Project No. 14530

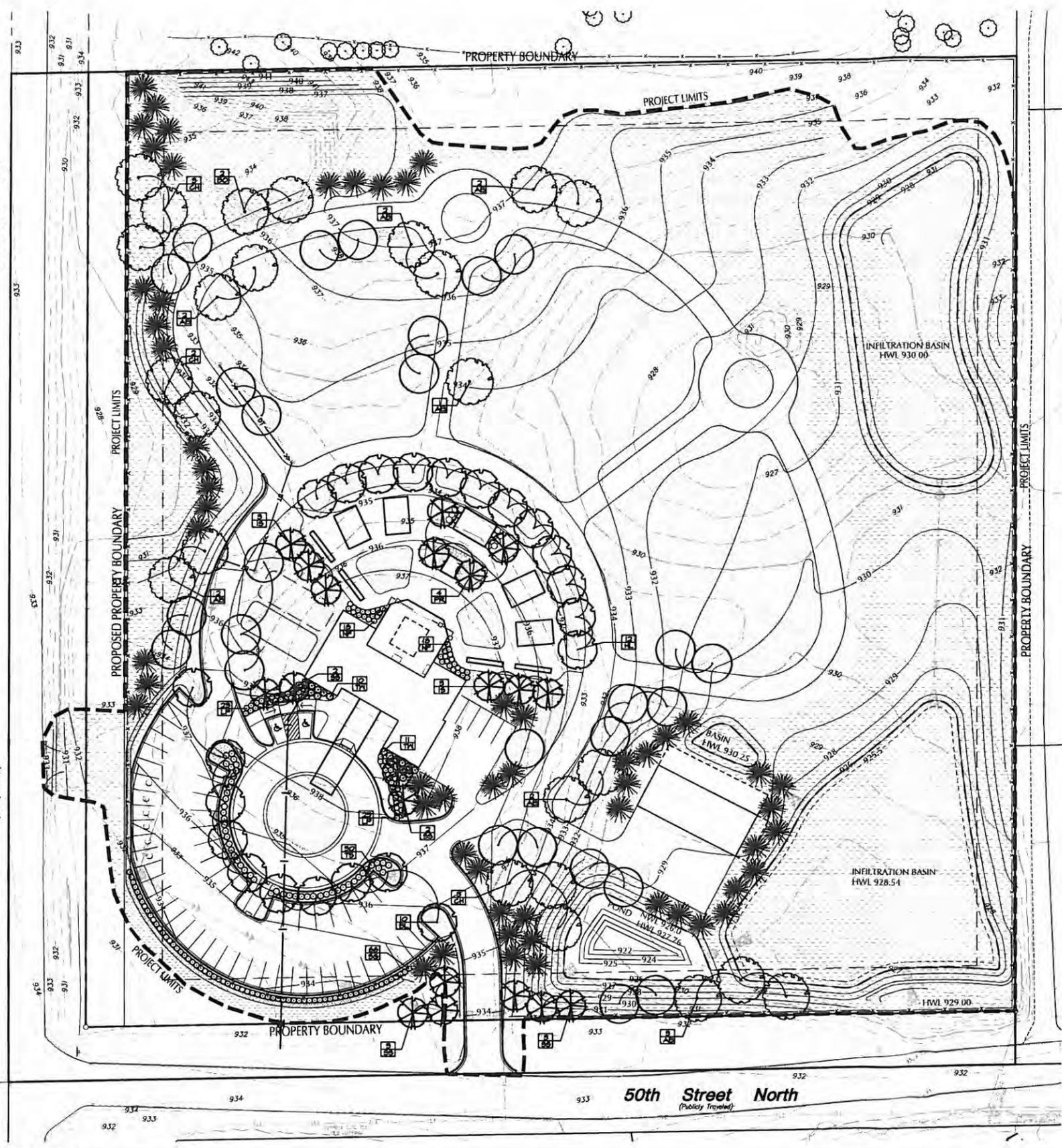
Sheet No. L1-0

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(CSAH. 17)

Lake Elmo Avenue North
(Publicly Traveled)

PLANTING PLAN:



PLANT LIST:

	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	COMMENTS
OVERSTORY TREES					
BL	10	BOULEVARD LINDEN	Tilia americana "Boulevard"	2-1/2" CAL B.B.	
AB	12	AUTUMN BLAZE MAPLE	Acer x freemanii "Jeffersred"	2-1/2" CAL B.B.	
CH	10	COMMON HACKBERRY	Celtis occidentalis	2-1/2" CAL B.B.	
PO	12	IMPERIAL HONEYLOCUST	Quercus ellipsoidalis	2-1/2" CAL B.B.	
BO	2	BUR OAK	Quercus macrocarpa	6" - 10" CAL	
	26	OAK - TRANSPLANTS	Quercus x species	6" - 10" CAL	
ORNAMENTAL TREES					
SS	10	SPRING SNOW CRABAPPLE	Malus "Spring Snow"	2" CAL B.B.	
AF	4	PRAIRIE FIRE CRABAPPLE	Malus "Prairie Fire"	2" CAL B.B.	
IS	6	IVORY SILK LILAC	Syringa reticulata "Ivory silk"	2" CAL B.B.	
EVERGREEN TREES					
	61	SPRUCE - TRANSPLANTS	Picea x species	15'-25' HT	
CONIFEROUS SHRUBS					
SG	66	SEA GREEN JUNIPER	Juniperus chinensis "Sea Green"	#5 CONT	4' O.C.
TY	21	TAUNTON YEW	Taunton x media "Taunton"	#5 CONT	3-1/2' O.C.
DECIDUOUS SHRUBS					
NF	36	NEON FLASH SPIREA	Spiraea japonica "Neon Flash"	#2 CONT	4' O.C.
LP	48	LITTLE PRINCESS SPIREA	Spiraea japonica "Little Princess"	#2 CONT	3' O.C.
TS	50	TOR SPIREA	Spiraea betulifolia "Tor"	#2 CONT	3' O.C.
PERENNIALS / GRASSES					
KF	52	KARL FOERSTER GRASS	Calamagrostis acutiflora "Karl Foerster"	#1 CONT	2' O.C.
SD	90	STELLA DE ORO DAYLILY	Hemerocallis "Stella de Oro"	#1 CONT	2' O.C.

LANDSCAPE REQUIREMENTS:

1 TREE PER 50 LF. OF STREET FRONTAGE - 1210 LF — 25 TREES
 5 TREES PER 1 ACRE OF DISTURBED LAND - 8.5 ACRES — 45 TREES
TOTAL TREES REQUIRED — 70 TREES

PROPOSED PLANT TOTALS:

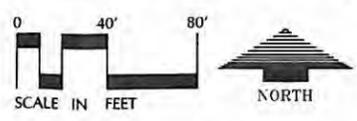
OVERSTORY TREES - NEW — 44
 OVERSTORY TREES - TRANSPLANT — 26
 ORNAMENTAL TREES — 20
 CONIFEROUS TREES - TRANSPLANT — 61
 SHRUBS — 221
 PERENNIALS / GRASSES — 142

LEGEND:

- OVERSTORY TREE
- TRANSPLANTED OAK
- ORNAMENTAL TREE
- TRANSPLANTED SPRUCE
- SHRUB BED
- PERENNIAL BED
- TURF SEED
- NATIVE SEED MIX - MNDOT #35-221

GENERAL NOTES:

- CONTRACTOR SHALL VISIT SITE PRIOR TO SUBMITTING BID. HE SHALL INSPECT SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS RELATING TO THE NATURE AND SCOPE OF WORK.
- VERIFY LAYOUT AND ANY DIMENSIONS SHOWN AND BRING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT ANY DISCREPANCIES WHICH MAY COMPROMISE THE DESIGN AND/OR INTENT OF THE PROJECT'S LAYOUT.
- ASSURE COMPLIANCE WITH ALL APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK OR MATERIALS SUPPLIED.
- CONTRACTOR SHALL PROTECT ALL EXISTING ROADS, CURBS/GUTTERS, TRAILS, TREES, LAWNS AND SITE ELEMENTS TO REMAIN DURING PLANTING OPERATIONS. ANY DAMAGE TO SAME SHALL BE REPAIRED AT NO COST TO THE OWNER.
- CONTRACTOR SHALL VERIFY ALIGNMENT AND LOCATION OF ALL UNDERGROUND AND ABOVE GRADE UTILITIES AND PROVIDE THE NECESSARY PROTECTION FOR SAME BEFORE CONSTRUCTION / MATERIAL INSTALLATION BEGINS (MINIMUM 10' - 0" CLEARANCE).
- ALL UNDERGROUND UTILITIES SHALL BE LAID SO THAT TRENCHES DO NOT CUT THROUGH ROOT SYSTEMS OF ANY EXISTING TREES TO REMAIN.
- EXISTING CONTOURS, TRAILS, VEGETATION, CURB/GUTTER AND OTHER EXISTING ELEMENTS BASED UPON INFORMATION SUPPLIED TO LANDSCAPE ARCHITECT BY OTHERS. CONTRACTOR SHALL VERIFY ANY AND ALL DISCREPANCIES PRIOR TO CONSTRUCTION AND NOTIFY LANDSCAPE ARCHITECT OF SAME.



Project Name:

HALCYON
 11050 50th St. N.
 Lake Elmo, MN 55042

halcyoncemetery.com
 Owner/Developer:

GLCJ Properties, Inc.
 Lee Rossow
 1870 Rice St.
 Roseville, MN 55113
 651-308-2999
 337@lach.net

Professional Services:

LOUCKS ASSOCIATES
 Planning • Civil Engineering • Land Surveying
 Landscape Architecture • Environmental
 7200 Hemlock Lane - Suite 300
 Maple Grove, MN 55369
 Telephone: (763) 424-5525
 www.LoucksAssociates.com
 © 2015

CADD Qualification:

CADD files prepared by the Consultant for this project are instruments of the Consultant's professional services. They are not to be used on other projects, for additions to this project, or for completion of this project by others without written approval by the Consultant. With the Consultant's approval, others may be permitted to create copies of the CADD files for use in the field for information and reference only. All dimensional or circumferential variations, additions, or deletions to these CADD files shall be made at the full risk of the party making such revisions, additions or deletions and that party shall hold harmless and indemnify the Consultant from any and all responsibilities, claims, and liabilities.

03/04/15	Revised City Submittal
05/14/15	Watershed Submittal
06/17/15	Final City Submittal

Professional Signature:

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

12335 06/17/15
 License No. Date

Quality Control:

Project Lead: **WS** Drawn By: **GA**
 Checked By: **WS** Review Date: **06/17/15**

C0-1	COVER SHEET / PROJECT LOCATION
C1-1	EXISTING CONDITIONS & REMOVALS
C2-1	SITE LAYOUT PLAN
C3-1	GRADING & DRAINAGE PLAN
C3-2	EROSION CONTROL PLAN
C4-1	UTILITY PLAN
C5-1	PRELIMINARY PLAN
C6-1 - C6-3	CIVIL DETAILS
L1-0	TREE PRESERVATION PLAN
L2-0	LANDSCAPING PLAN
L3-1	LANDSCAPING DETAILS

Sheet Title:

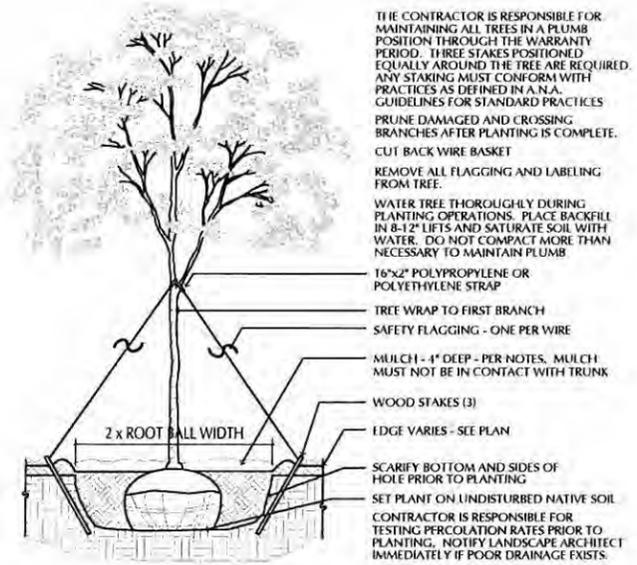
LANDSCAPE PLAN

Project No.:

14530

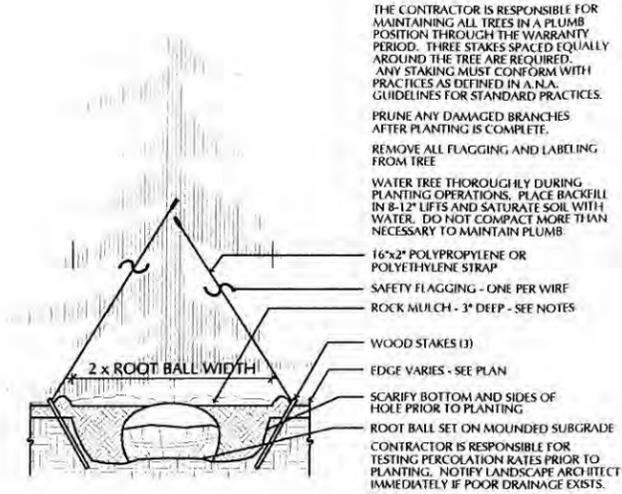
Sheet No.:

L2-0



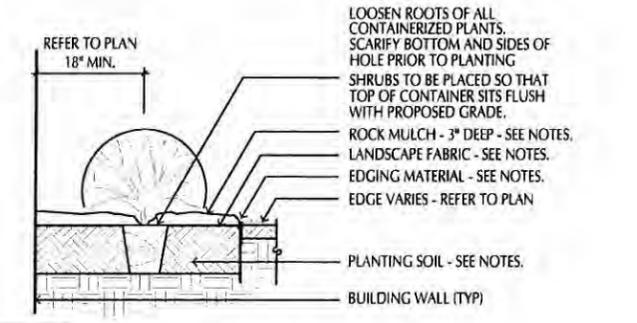
THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL TREES IN A PLUMB POSITION THROUGH THE WARRANTY PERIOD. THREE STAKES POSITIONED EQUALLY AROUND THE TREE ARE REQUIRED. ANY STAKING MUST CONFORM WITH PRACTICES AS DEFINED IN A.N.A. GUIDELINES FOR STANDARD PRACTICES. PRUNE DAMAGED AND CROSSING BRANCHES AFTER PLANTING IS COMPLETE. CUT BACK WIRE BASKET REMOVE ALL FLAGGING AND LABELING FROM TREE. WATER TREE THOROUGHLY DURING PLANTING OPERATIONS. PLACE BACKFILL IN 8-12\"/>

1
L2-1 DECIDUOUS TREE PLANTING DETAIL
SCALE: 1/2" = 1'-0"



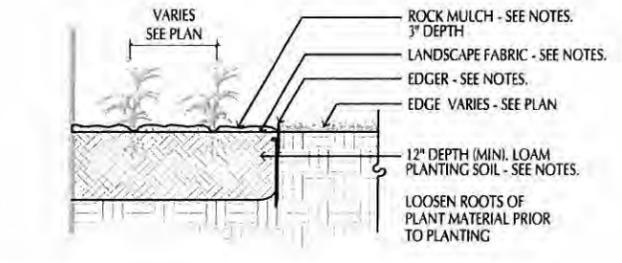
THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL TREES IN A PLUMB POSITION THROUGH THE WARRANTY PERIOD. THREE STAKES SPACED EQUALLY AROUND THE TREE ARE REQUIRED. ANY STAKING MUST CONFORM WITH PRACTICES AS DEFINED IN A.N.A. GUIDELINES FOR STANDARD PRACTICES. PRUNE ANY DAMAGED BRANCHES AFTER PLANTING IS COMPLETE. REMOVE ALL FLAGGING AND LABELING FROM TREE. WATER TREE THOROUGHLY DURING PLANTING OPERATIONS. PLACE BACKFILL IN 8-12\"/>

2
L2-1 CONIFEROUS TREE PLANTING DETAIL
SCALE: 1/2" = 1'-0"



LOOSEN ROOTS OF ALL CONTAINERIZED PLANTS. SCARIFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING. SHRUBS TO BE PLACED SO THAT TOP OF CONTAINER SITS FLUSH WITH PROPOSED GRADE. ROCK MULCH - 3\"/>

3
L2-1 SHRUB PLANTING DETAIL
SCALE: 3/4" = 1'-0"



ROCK MULCH - SEE NOTES, 3\"/>

4
L2-1 PERENNIAL PLANTING
SCALE: 3/4" = 1'-0"

LANDSCAPE INSTALLATION:

- COORDINATE THE PHASES OF CONSTRUCTION AND PLANTING INSTALLATION WITH OTHER CONTRACTORS WORKING ON SITE.
- NO PLANTING WILL BE INSTALLED UNTIL COMPLETE GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- WHERE TURF ABUTS PAVED SURFACES, FINISHED GRADE SHALL BE HELD 1" BELOW SURFACE ELEVATION OF TRAIL, SLAB, CURB, ETC.
- ALL SEEDED AREAS SHALL HAVE 4" OF TOPSOIL BORROW. TOPSOIL BORROW SHALL BE USDA CLASSIFICATION MEDIUM SANDY LOAM. THE TOPSOIL SHALL HAVE 50% TO 70% SAND BY WEIGHT, A SILT/CLAY RATIO OF 2/1 OR LESS WITH NO MORE THAN 15% TO 20% CLAY BY WEIGHT AND 12% TO 20% ORGANIC MATTER BY WEIGHT.
- ALL PLANT MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN. UNLESS NOTED OTHERWISE, DECIDUOUS SHRUBS SHALL HAVE AT LEAST 5 CANES AT THE SPECIFIED SHRUB HEIGHT. ORNAMENTAL TREES SHALL HAVE NO V CROTCHES AND SHALL BEGIN BRANCHING NO LOWER THAN 3' ABOVE ROOT BALL. STREET AND BOULEVARD TREES SHALL BEGIN BRANCHING NO LOWER THAN 6' ABOVE FINISHED GRADE.
- PLAN TAKES PRECEDENCE OVER PLANT SCHEDULE IF DISCREPANCIES IN QUANTITIES EXIST. SPECIFICATIONS TAKE PRECEDENCE OVER NOTES.
- ALL PROPOSED PLANTS SHALL BE LOCATED AND STAKED AS SHOWN ON PLAN. ALL TREES ARE REQUIRED TO BE STAKED WITH 3 STAKES SPACED EQUALLY AROUND THE TREES.
- NO PLANT MATERIAL SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVAL IS REQUESTED OF THE LANDSCAPE ARCHITECT BY THE LANDSCAPE CONTRACTOR PRIOR TO THE SUBMISSION OF A BID AND/OR QUOTATION.
- ADJUSTMENTS IN LOCATION OF PROPOSED PLANT MATERIALS MAY BE NEEDED IN FIELD. SHOULD AN ADJUSTMENT BE ADVISED, THE LANDSCAPE ARCHITECT MUST BE NOTIFIED.
- ALL PLANT MATERIALS SHALL BE FERTILIZED UPON INSTALLATION WITH DRIED BONE MEAL. OTHER APPROVED FERTILIZER MIXED IN WITH THE PLANTING SOIL PER THE MANUFACTURER'S INSTRUCTIONS OR MAY BE TREATED FOR SUMMER AND FALL INSTALLATION WITH AN APPLICATION OF GRANULAR 0-20-20 OF 12 OZ PER 2.5' CALIPER PER TREE AND 6 OZ PER SHRUB WITH AN ADDITIONAL APPLICATION OF 10-10-10 THE FOLLOWING SPRING IN THE TREE SAUCER.
- ALL PLANTING AREAS RECEIVING PERENNIALS SHALL RECEIVE A MINIMUM OF 12" DEPTH OF PLANTING SOIL CONSISTING OF AT LEAST 45 PARTS TOPSOIL, 45 PARTS PEAT OR MANURE AND 10 PARTS SAND.
- ALL PLANTS TO BE INSTALLED AS PER PLANTING DETAILS.
- WRAPPING MATERIAL SHALL BE CORRUGATED PVC PIPING 1" GREATER IN CALIPER THAN THE TREE BEING PROTECTED OR QUALITY, HEAVY, WATERPROOF CREPE PAPER MANUFACTURED FOR THIS PURPOSE. WRAP ALL DECIDUOUS TREES PLANTED IN THE FALL PRIOR TO 12-1 AND REMOVE ALL WRAPPING AFTER 5-1.
- BLACK METAL EDGER TO BE USED TO CONTAIN SHRUBS, PERENNIALS, AND ANNUALS WHERE BED MEETS SOD/SEED UNLESS NOTED OTHERWISE.
- ALL PLANTING BEDS TO RECEIVE 3" ROCK MULCH 3/4", 1-12" SIZE, COLOR TO BE VERIFIED WITH OWNER. ROCK MULCH SHALL BE PLACED OVER 3.5 OUNCE MINIMUM FIBER MAT WEED BARRIER.
- ALL TREES NOT WITHIN PLANTING BEDS TO RECEIVE 4" DEEP SHREDDED HARDWOOD MULCH WITH NO MULCH IN DIRECT CONTACT WITH TREE TRUNK.
- SPREAD GRANULAR PRE EMERGENT HERBICIDE (PREEN OR EQUAL PER MANUFACTURER'S RECOMMENDATIONS UNDER ALL MULCHED AREAS.
- IF THE LANDSCAPE CONTRACTOR IS CONCERNED OR PERCEIVES ANY DEFICIENCIES IN THE PLANT SELECTIONS, SOIL CONDITIONS OR ANY OTHER SITE CONDITION WHICH MIGHT NEGATIVELY AFFECT PLANT ESTABLISHMENT, SURVIVAL OR GUARANTEE, HE MUST BRING THESE DEFICIENCIES TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO PROCUREMENT AND/OR INSTALLATION.
- CONTRACTOR SHALL SUBMIT A WRITTEN REQUEST FOR THE OWNER ACCEPTANCE INSPECTION OF ALL LANDSCAPE AND SITE IMPROVEMENTS.
- CONTRACTOR IS RESPONSIBLE FOR ON-GOING MAINTENANCE OF ALL NEWLY INSTALLED MATERIALS UNTIL TIME OF OWNER ACCEPTANCE. ANY ACTS OF VANDALISM OR DAMAGE WHICH MAY OCCUR PRIOR TO OWNER ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL PROVIDE THE OWNER WITH A MAINTENANCE PROGRAM INCLUDING, BUT NOT NECESSARILY LIMITED TO, PRUNING, FERTILIZATION AND DISEASE/PEST CONTROL.
- CONTRACTOR SHALL GUARANTEE NEW PLANT MATERIAL THROUGH ONE CALENDAR YEAR FROM THE DATE OF OWNER ACCEPTANCE.
- WARRANTY (ONE FULL GROWING SEASON) FOR LANDSCAPE MATERIALS SHALL BEGIN ON THE DATE OF ACCEPTANCE BY THE LANDSCAPE ARCHITECT AFTER THE COMPLETION OF PLANTING OF ALL LANDSCAPE MATERIALS. NO PARTIAL ACCEPTANCE WILL BE CONSIDERED.
- REPRODUCIBLE AS-BUILT DRAWING(S) OF ALL LANDSCAPE INSTALLATION AND SITE IMPROVEMENTS UPON COMPLETION OF CONSTRUCTION INSTALLATION AND PRIOR TO PROJECT ACCEPTANCE.
- THE APPROPRIATE DATES FOR SPRING PLANT MATERIAL INSTALLATION AND SOD PLACEMENT IS FROM THE TIME GROUND HAS THAWED TO JUNE 15. FALL SODDING IS GENERALLY ACCEPTABLE FROM AUGUST 15 - NOVEMBER 1. FALL CONIFEROUS PLANTING MAY OCCUR FROM AUGUST 15 - OCTOBER 1 AND FALL DECIDUOUS PLANTING FROM THE FIRST FROST UNTIL NOVEMBER 15. PLANTING OUTSIDE THESE DATES IS NOT RECOMMENDED. ANY ADJUSTMENT MUST BE APPROVED IN WRITING BY THE LANDSCAPE ARCHITECT.
- LANDSCAPE CONTRACTOR SHALL ESTABLISH TO HIS SATISFACTION THAT SOIL AND COMPACTION CONDITIONS ARE ADEQUATE TO ALLOW FOR PROPER DRAINAGE AT AND AROUND THE BUILDING SITE

Project Name:

HALCYON
11050 50th St. N.
Lake Elmo, MN 55042

halcyoncemetery.com

Owner/Developer:

GLC Properties, Inc.
Lee Rossow
1870 Rice St.
Roseville, MN 55113
651-308-2999
337@lach.net

Professional Services:

LOUCKS ASSOCIATES
Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental
7200 Hemlock Lane - Suite 300
Apple Grove, MN 55349
Telephone: (763) 424-5505
www.LoucksAssociates.com

CADD Qualification:
CADD files prepared by the Consultant for this project are instruments of the Consultant professional services. For use solely with respect to this project. These CADD files shall not be used on other projects, for additions to this project, or for completion of this project by others without written approval of the Consultant. With the Consultant's consent, others may be permitted to obtain copies of the CADD drawings for information and reference only. All intentional or unintentional revisions, additions, or deletions to these CADD files shall be made at the full risk of the party making such revisions, additions or deletions and that party shall hold harmless and indemnify the Consultant from any & all responsibility, claims, and liabilities.
14530 L2-1 LANDSCAPE DETAILS.DWG/Planting

03/24/15	Revised City Submittal
05/14/15	Watershed Submittal
06/17/15	Final City Submittal

Professional Signature:

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

12335 06/17/15
License No. Date

Quality Control: GAJ

Project Lead: WVS Drawn By: 06/17/15
Checked By: System Date:

CD-1	COVER SHEET / PROJECT LOCATION
CI-1	EXISTING CONDITIONS & REMOVALS
CI-1	SITE LAYOUT PLAN
CI-1	GRADING & DRAINAGE PLAN
CI-2	EROSION CONTROL PLAN
CI-1	UTILITY PLAN
CI-1	PRELIMINARY PLAT
CI-1 - CI-3	CIVIL DETAILS
L1-0	TREE PRESERVATION PLAN
L1-0	LANDSCAPING PLAN
L2-1	LANDSCAPING DETAILS

Sheet Title:

LANDSCAPING DETAILS

Project No.: 14530

Sheet No.: L2-1

MEMORANDUM

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

Date: July 8, 2015

To: Nick Johnson, City Planner Re: Halcyon Cemetery
Preliminary and Final Plan Review
Cc: Kyle Klatt, Planning Director
From: Jack Griffin, P.E., City Engineer

An engineering review has been completed for the Halcyon Cemetery Preliminary-Final Plat, and Construction Plans. The submittal consisted of the following documentation prepared by Loucks Associates, dated January 5, 2015:

- Site Plan and Preliminary Plat dated June 17, 2015.
- Construction Plans for Parking, Grading, Drainage, Erosion Control and Utilities dated June 17, 2015.
- Tree Preservation Pland and Landscape Plan dated June 17, 2015.
- Stormwater Management Plan dated May 14, 2015.

STATUS/FINDINGS: Engineering has prepared the following review comments and conditions for Final Plat:

PRELIMINARY / FINAL PLAT

- The Final Plat must be revised to include an additional 25 feet R/W along CSAH 17 (Lake Elmo Avenue) as required by Washington County (75 feet from CSAH 17 centerline).
- An 80 foot R/W with 10 foot utility easements immediately outside of the R/W is the recommended minimum corridor plan for 50th Street as a Municipal State Aid major collector roadway.
 - The Final Plat must include an additional 5 feet R/W along 50th Street so that the 50th Street R/W is a total of 80 feet. The proposed plat of 35 feet must be revised to 40 feet.
 - The Final Plat must include a 10 foot utility easement along the full length of the south property line, located just outside of the 50th Street R/W.
- The Final Plat must include additional R/W at the intersection of CSAH 17 and 50th Street to accommodate a sight line triangle similar to the sight triangle at the southeast corner of this intersection.
- The Final Plat must be contingent upon the applicant providing written documentation demonstrating adequate wastewater management facilities for the proposed land use. Minimum documentation must include:
 - If the existing system is to continue in use, submit to the City a compliance inspection report that has been reviewed and approved by Washington County.
 - Provide water use data used to size the current and secondary ISTS systems for the property.
 - Provide percolation testing indicating that the proposed locations are suitable for the proposed use.
 - Provide to the City a copy of Washington County’s ISTS system approvals, including conditions.

- The storm water ponds, infiltration basins and all storm sewer are to be privately owned and maintained by the property owner with this responsibility recorded to run with the property ownership. These facilities have not been designed to meet City design standards for storm sewer or storm water management facilities. The Final Plat must be conditioned upon the applicant executing an agreement to own, operate and maintain the storm sewer and storm water facilities proposed on the site and recording this agreement with the property.

CONSTRUCTION PLANS: The following engineering review comments must be addressed prior to any construction work on the property.

- Provide plan notes on Sheet C3-1, C3-2 and C4-1 calling out measures to protect both the existing and proposed drainfield sites throughout the construction process.
- Sheet C4-1, Utility Plan: Add note that all storm sewer pipe and storm water facilities are to be privately owned and maintained.
- Sheet C4-1, Utility Plan: Update all Plan Notes to be pertinent and consistent with the proposed Utility Plan. Generic notes appear to be inconsistent or irrelevant to this project.
- Replace all City Standard Details and Plan Notes with the updated Details and Plan Notes dated February 2015.
- Sheet C8-1, Civil Details: Remove details 3003 and 3013. The City Standard Detail No. 605 and 604 respectively must be used as shown on Sheet C8-2.
- The Construction Plans must be updated with field verified utility locations with the plans resubmitted for engineering review and approval prior to the start of construction. The applicant must complete a Gopher State One call and utility locate and field survey all utilities to finalize the construction plans. All notes referring to utility information being provided by others must be removed from the plans.
- The Tree Protection detail on Sheet C1-1 and Sheet L1-0 must be replaced with the City standard detail 904.

LANDSCAPE PLANS: This engineering review does not include a review of the proposed Landscape Plans, however the following comments are noted.

- The landscape plan must be revised to provide maintenance access for the storm water pond adjacent to the entrance driveway.
- The landscape plan must be revised to relocate trees planted directly over the proposed utilities. Revisions must be made to address these conflicts to maintain a minimum 5 foot separation.

Station #1
3510 Laverne Ave. No.
Lake Elmo, MN 55042
651-770-5006



Station #2
4259 Jamaca Ave. No.
Lake Elmo, MN. 55042
651-779-8882

LAKE ELMO FIRE DEPARTMENT

July 7, 2015

Review of the PRELIMINARY AND FINAL PLAT – CEMETARY

Following a review of the packet provided, I have questions and concerns related to the following:

- Hydrant placement/spacing. This being a commercial property, we must adhere to the 350' spacing. I did not see any indication of hydrants on the drawings I had.
- FD will also need to approve the placement of the FDC (Fire Department Connection) as it relates to the fire sprinkler suppression system.
- Designation of "Fire Lanes" and possibly "No Parking" area to ensure proper access for emergency vehicles to all areas at all times.
- Adequate overhead clearance of driveway canopy for ambulance and fire vehicles.
- Proper turning radius's at all corners to allow emergency vehicles to access all areas of the facility.

Sincerely,

Greg Malmquist, Fire Chief

"Proudly Serving Neighbors & Friends"



Public Works Department

Donald J. Theisen, P.E.
Director

Wayne H. Sandberg, P.E.
Deputy Director/County Engineer

July 7, 2015

Nick Johnson
City Planner
City of Lake Elmo
3600 Laverne Avenue North
Lake Elmo, MN 55042

RE: Washington County comments on the plans and plat for Halcyon

Dear Mr. Johnson,

Thank you for providing Washington County with the plans and plat for Halcyon. Based on review of the plans, we offer the following comments and recommendations to consider as you process this application through the City of Lake Elmo:

- The plans identify a retaining wall at the west edge of the parking lot along the future right-of-way line of CSAH 17/Lake Elmo Avenue. In order to construct the retaining wall, work from the county road right-of-way will be necessary. Also, the retaining wall must be located outside the road right-of-way so it will be necessary to stake the property line to verify the location.

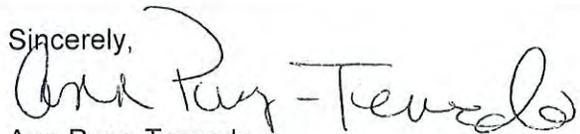
A detailed construction plan set of the wall should be prepared and submitted with a Washington County Right-of-Way Permit application.

- The existing driveway access on Lake Elmo Avenue should be removed as a condition of approval. The plan to remove the driveway can be included in the permit application noted above.
- The Plat of Halcyon is included in the application package. The final plat should include the additional 25 feet required for CSAH 17/Lake Elmo Avenue. Currently, there is 100 feet of right-of-way (50 feet from the centerline). The Washington County Comprehensive Plan 2030, Right-of-Way requirement is 150 feet (75 feet from the centerline).
- The developer or the city must submit the drainage report and calculations to our office for review of any downstream impacts to the county drainage system. Along with the drainage calculations, we will request written conclusions that the volume and rate of stormwater run-off into the county right of way will not increase as part of the project.
- A copy of the Valley Branch Watershed Permit shall be submitted to our office.

Halcyon
July 7, 2015
Page 2

Thank you for the opportunity to comment on this plan. If you have any questions, please contact me at 651-430-4362 or ann.pung-terwedo@co.washington.mn.us. For permit applications, please contact Carol Hanson at Carol.hanson@co.washington.mn.us.

Sincerely,

A handwritten signature in black ink that reads "Ann Pung-Terwedo". The signature is written in a cursive style with a large initial "A" and a long horizontal stroke for the "T".

Ann Pung-Terwedo
Senior Planner

C: Carol Hanson, Office Specialist

R/Plat Reviews/City of Lake Elmo/Halcyon 7-7-2015

**VALLEY BRANCH WATERSHED DISTRICT
PERMIT APPLICATION**

TO BE COMPLETED BY VBWD:

PERMIT NUMBER 2015-04
 PERMIT FEE RECEIVED \$1,000 (\$2,347 still required)
 DATE RECEIVED December 30, 2014

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



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

Project Information	Applicant Information
Name of Project: Purpose of Project: H A L C Y O N	Name: GLCJ PROPERTIES
Project Location (street address, if known; otherwise, major intersection): 11050 50TH ST N	Address: 1870 RICE ST
City or Township: LAKE ELMO	City, State, Zip: ST PAUL, MN
Legal Description (proof of ownership required): PID: Section: Township: Range:	Phone: 651-308-2999
Project Timeline: Start Date: 2-1-15 Completion Date: 9-1-15	Fax:
Authorized Agent Information	Owner Information (if different than Applicant)
Name:	Name: LEE ROSSOW
Business Name:	Address: 4416 RIVER RD S
Address:	City, State, Zip: AFTON, MN 55001
City, State, Zip:	Phone: SAME
Phone:	Fax:
Fax:	Email:
Email:	

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

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

Signatures (Required):

12-30-2014 Lee Rossow 12-30-14
 Applicant/Date Owner (if different than Applicant)/Date Owner's Authorized Agent/Date



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

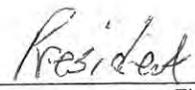
VALLEY BRANCH WATERSHED DISTRICT • P.O. BOX 838 • LAKE ELMO, MINNESOTA 55042-0538

www.vbwd.org

1. Plans shall be revised and/or calculations shall be updated to show the site will conform to VBWD stormwater runoff-rate control standards on the west side.
2. Specifications for the needed soil corrections at the proposed infiltration basin shall be provided for VBWD approval prior to construction. The biofiltration detail on Sheet C8-3 should not allow the use of native soil that is clayey in the planting medium.
3. The plans should be updated to include details of OSA, and the elevations should be consistent with the HydroCAD model for Pond 10P.
4. This permit is not valid until a maintenance agreement in the general format of Appendix B of the VBWD Rules is submitted to and approved by the VBWD Attorney.
5. The required surety and fees shall be submitted prior to construction.
6. This permit is not transferable.
7. This permit is subject to obtaining all other permits required by governmental agencies having jurisdiction (including an NPDES permit).
8. The VBWD Engineer and Inspector shall be notified at least 3 days prior to commencement of work.
9. Erosion controls shall be installed prior to the commencement of grading operations and must be maintained throughout the construction period until turf is established. Additional erosion controls may be required, as directed by the VBWD Inspector or VBWD Engineer.
10. The following additional erosion controls shall be implemented on the site:
 - a. All proposed slopes 3 feet horizontal to 1 foot vertical (3H:1V) should be covered with erosion-control blanket.
 - b. Silt fence should follow existing contours as closely as feasible to limit the potential for gully erosion along the edges.
 - c. Any sediment that collects in storm sewers, ponds, or other water management features shall be removed.
 - d. Street sweeping shall be performed if sediment collects on streets.
11. To prevent soil compaction, the proposed infiltration areas shall be staked off and marked during construction to prevent heavy equipment and traffic from traveling over it. If infiltration facilities are in place during construction activities, sediment and runoff shall be kept away from the facility, using practices such as diversion berms and vegetation around the facility's perimeter. Infiltration facilities shall not be excavated to final grade until the contributing drainage area has been constructed and fully stabilized. The final phase of excavation shall remove all accumulated sediment and be done by light, tracked equipment to avoid compaction of the basin floor. To provide a well-aerated, highly porous surface, the soils of the basin floor shall be loosened to a depth of at least 5 feet to a maximum compaction of 85% standard proctor density prior to planting. The upper 10 inches of soil shall be tilled prior to planting.
12. All disturbed areas shall be vegetated within 14 days of final grading.
13. The applicant is responsible for removal of all temporary erosion-control measures, including silt fence, upon establishment of permanent vegetation at the project site as determined by the VBWD Engineer and/or Inspector.
14. Valley Branch Watershed District shall be granted drainage easements which cover land adjacent to stormwater management facilities, wetlands, and lowlands up to their 100-year flood elevations and all ditches, storm sewers, and maintenance access to the stormwater management facilities.
15. The required drainage easements and access easements shall be recorded with the Washington County Recorder's Office.
16. Return or allowed expiration of any remaining surety and permit closeout is dependent on the permit holder providing proof that all required documents have been recorded (including but not limited to easements) and providing as-built drawings that show that the project was constructed as approved by the Managers and in conformance with the VBWD Rules and Regulations.

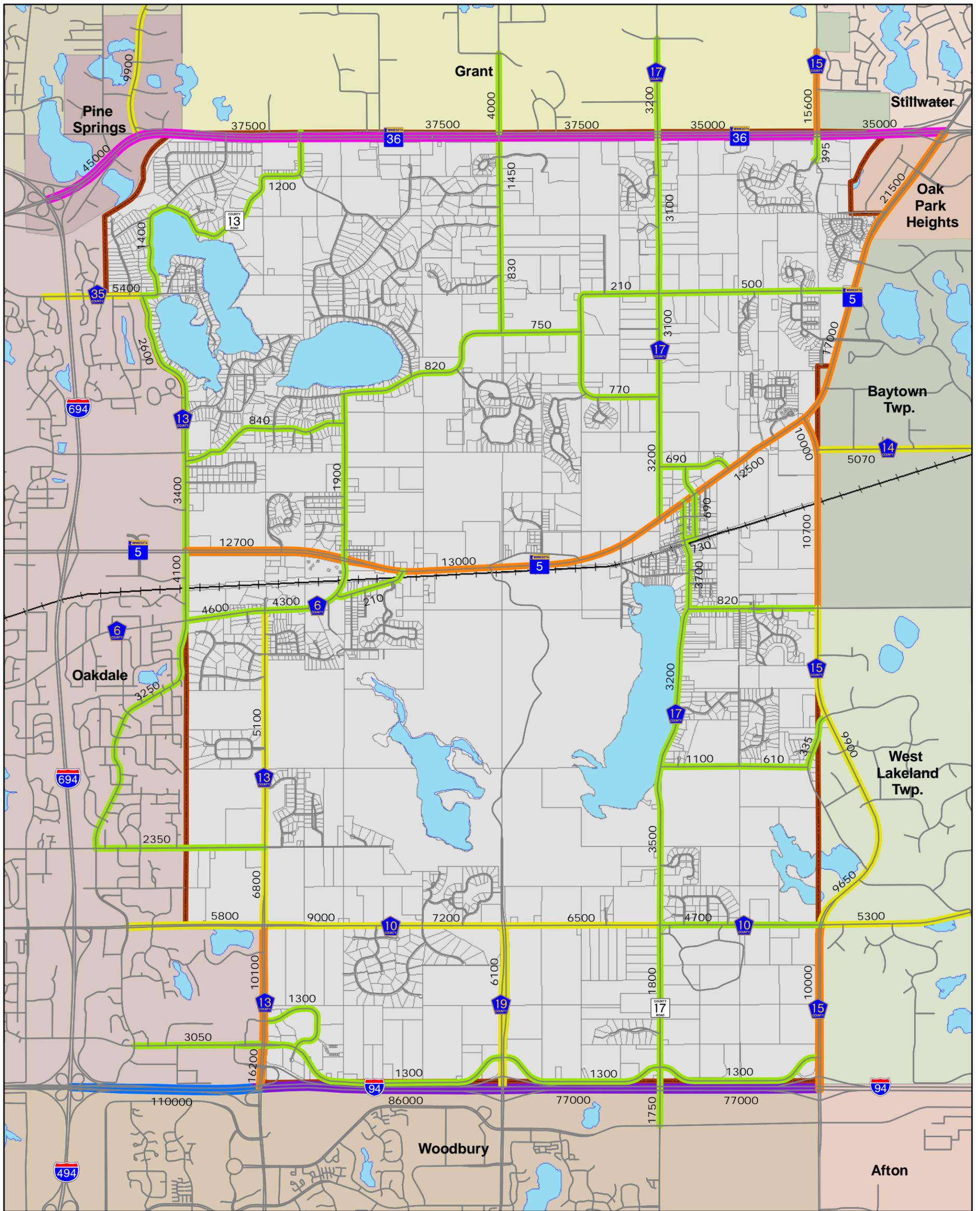
Approved: _____

June 25, 2015

 Signature Title
 Valley Branch Watershed District

Note: The grant of this permit in no way purports to permit acts, which may be prohibited by other governmental agencies.



**FIGURE 3:
EXISTING AADT**

Transportation Plan
2030 Comprehensive Plan
City of Lake Elmo, Minnesota



Map date: April 2009
Prepared by:

TKDA
ENGINEERS • ARCHITECTS • PLANNERS



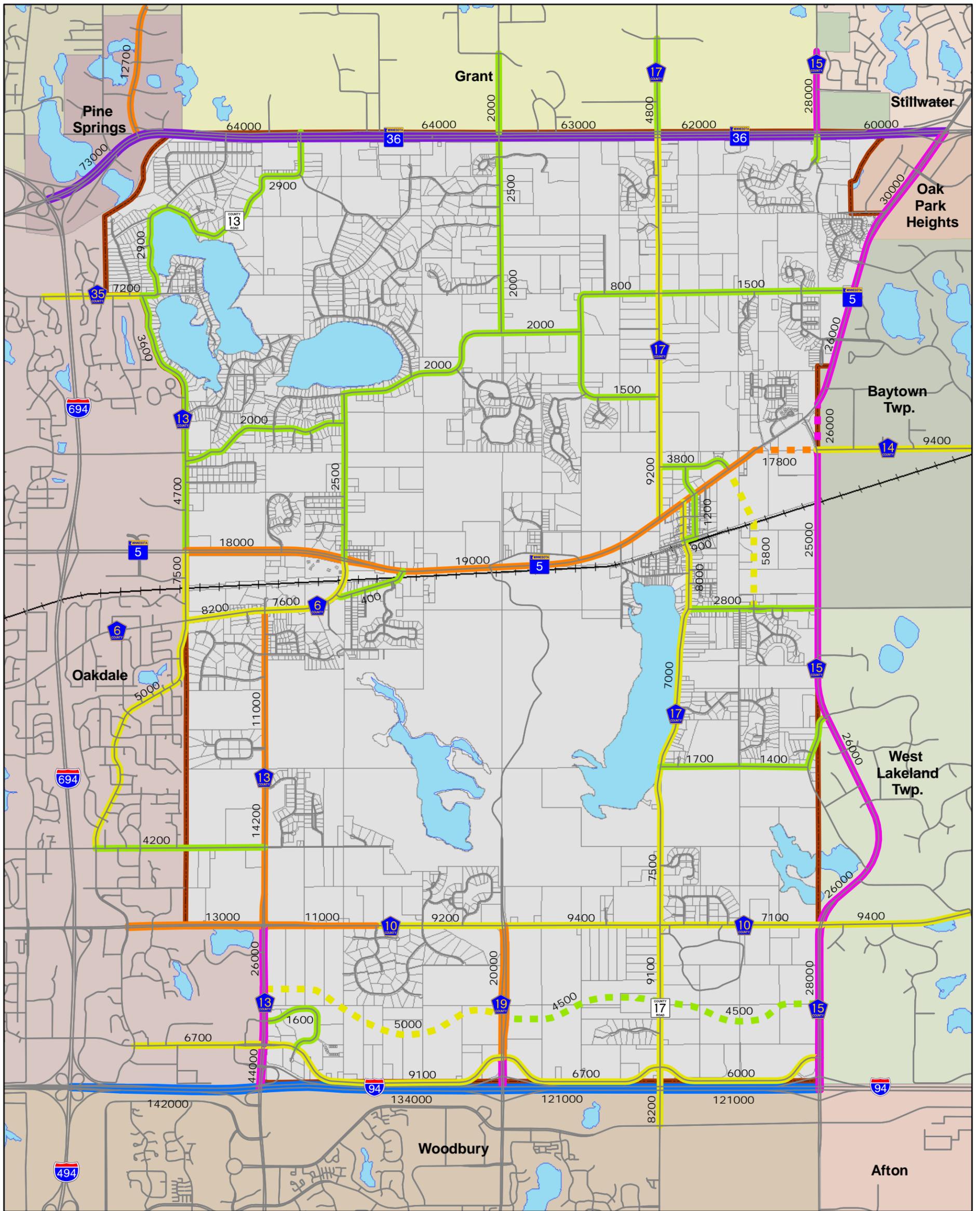
LEGEND

- City Boundary
- Parcels
- Roadways
- Lakes

EXISTING AADT

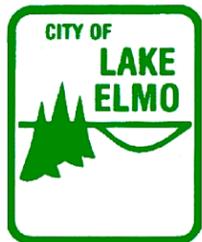
- < 5,000
- 5,000 - 9,999
- 10,000 - 24,999
- 25,000 - 49,999
- 50,000 - 99,999
- 100,000 OR >

LIMITATION OF LIABILITY
This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and city offices, and other sources.



**FIGURE 8:
2030 PROJECTED VOLUMES
IMPROVED SCENARIO**

Transportation Plan
2030 Comprehensive Plan
City of Lake Elmo, Minnesota



Map date: April 2009
Prepared by:

TKDA
ENGINEERS • ARCHITECTS • PLANNERS



LEGEND

- City Boundary
- Parcels
- Roadways
- Lakes

**2030 PROJECTED VOLUMES
IMPROVED SCENARIO**

- < 5,000
- 5,000 - 9,999
- 10,000 - 24,999
- 25,000 - 49,999
- 50,000 - 99,999
- 100,000 OR >

Note: Dashed lines represent future roadways not currently in place.

LIMITATION OF LIABILITY
This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and city offices, and other sources.



984

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Periodicals Literature

Keyword Title Author Topic

Cemetery proximity and single-family house price.

Stadium View /

Luxury Apartments In A Convenient



[Link/Page Citation](#)

1

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ABSTRACT

In this article, the potential impact of cemeteries on value is addressed empirically using regression analysis on data from 575 transactions of single-family houses in the vicinity of four cemeteries. Consistent with the limited previous research on this topic, when all observations are analyzed simultaneously no price effect is discovered. However, when each cemetery is investigated separately, the results vary. In two cases, cemetery view is not significantly related to price. In a third case, cemetery view is associated with higher prices (equal to 8.8% of mean house price), and in a fourth case, cemetery view is associated with lower prices (equal to 10.1% of mean house price).

The real estate literature is replete with papers reporting the influence of externalities on residential property values. Studies appearing in *The Appraisal Journal*, for example, observe positive price effects given a house's proximity to a golf course, (1) or an ocean, (2) and negative effects for proximity to freight rail lines, (3) a cell phone tower, (4) a ruptured oil pipeline, (5) highway noise barriers, (6) and the residence of a registered sex offender. (7)

It is intuitive that price premiums should apply when an externality adds to an owner's enjoyment of his or her property and that discounts should apply when a property is located close to an externality that poses either a nuisance or potential danger. Not all market participants, however, immediately adopt this view, as indicated by Hansen, Benson, and Hagen (8) who report significant price discounts for houses located close to a major fuel pipeline after, but not before, it exploded.

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The impact of open space property uses on nearby residential property values has been subject to some empirical investigation. The results, in general, are not surprising. Golf courses, parks, and green spaces tend to be positive externalities for surrounding properties, and landfills tend to be negative externalities. Of the various types of open space property uses, cemeteries have been the least studied. A search of the literature reveals only two published studies on this topic and both of these examine the same Portland, Oregon, database to report an insignificant price difference between houses located close to a cemetery and those located farther away. (9)

The purpose of the current study, therefore, is to direct some additional attention to this little-examined subject. In this study, regression analysis is applied to transaction data from 575 single-family houses located in relatively close proximity to four cemeteries in Greene County, Ohio. Grouping cemeteries for analysis, as was done in previous analyses, may mask the impact of a cemetery on the transaction price of nearby houses.

Because some of the advantages and disadvantages associated with close cemetery proximity depend upon whether or not the cemetery is within sight of the subject property, the present study also improves upon the previous research by simultaneously investigating the price effect resulting from both the distance from, and view of, a cemetery. This article describes the characteristics of cemeteries that may impact the value of nearby properties, reviews the pertinent literature, and explains the data and methodology used in the research. The results of the analysis are then presented.

Cemetery Characteristics That May Influence Value

The effect of proximity to a cemetery on nearby residential property value is uncertain. On the positive side, cemeteries offer a place to walk, jog, exercise, or otherwise enjoy the outdoors safe from speeding traffic. In effect, some people may view a cemetery as a park, and the tombstones as incidental.

A view of a relatively open vista that includes some tombstones may be preferable to one that is limited to the back of the neighbor's garage or house. Further, a person who wishes to regularly visit the final resting place of a loved one may value a house located conveniently close to the loved one's grave. To the extent that any of these advantages apply, purchasers may be willing to pay a premium for a house located in close proximity to a cemetery, and the premium may be enhanced to the degree that market participants believe the future use of the cemetery will not change.

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Historically, there has been considerable reluctance, especially in rural areas, to disturb land used as a cemetery. Therefore, owners of houses in close proximity to such cemeteries can be fairly certain that their properties will not subsequently be squeezed in by additional houses or less desirable property uses. On the other hand, there is no guarantee that the use of cemetery property is fixed. Cemeteries are occasionally relocated and the property put to an alternative use, which residential neighbors may find objectionable. Kay (10) observed that the probability of cemetery relocation may be positively related to the rate at which an area is becoming urbanized.

There are also potential disadvantages associated with close proximity to a cemetery. Cemetery workers, visitors, or trespassers may create noise disturbances. The relatively pleasing vista previously mentioned may be compromised if the cemetery falls into disrepair or if trespassers vandalize it.

Potential physical dangers to people residing in close proximity to a cemetery include poisoning and disease. Spongberg and Becks (11) reported that cemeteries may release hazardous chemicals and metals into surrounding soil and ground water. Possible contaminants include arsenic and mercury, which were used in past embalming practices, or formaldehyde used in current embalming practices; and varnishes, sealers, and preservatives used on wood coffins, or lead, zinc, and copper from metal coffins.

Vezzani (12) asserts that mosquitoes are the most medically important insect vectors of disease. He also concludes that cemeteries are highly suitable habitats for artificial container-breeding mosquitoes due to the great availability of the different resources that they need (i.e., sugar substances, shelter, and water-filled containers).

Finally, there are psychological factors associated with cemeteries that may negatively impact some people. The sight of a grave being dug or an interment service can put a damper on a party being held at a residence with a cemetery view. For some, the sight of a cemetery or of tombstones may be upsetting, and for others, knowing that the cemetery is close may be disconcerting.

Each of these factors may influence potential purchasers who may lower their bids or refuse to make offers on properties with cemetery views. Larsen and Coleman (13) report moderate, but statistically significant selling price effects for residential properties that were classified as psychologically impacted for reasons other than the property's proximity to a cemetery.



Casual examination of cemeteries in the U.S. Midwest results in several observations that are consistent with the notion that cemeteries may negatively impact the value of nearby single-family houses. First, cemeteries tend to be initially situated remotely from residential properties. Second, in recent years when residential development has occurred in close proximity to a cemetery, developers have shown a propensity, where possible, to leave a wooded buffer zone between the cemetery and the residential development. Finally, houses constructed in close proximity to an existing cemetery are rarely, if ever, high-end properties.

Even if the disadvantages enumerated are significant in the transaction process, their impact may not be observable in transaction prices as long as the search for a buyer routinely continues until a buyer is located who does not care about or is ignorant of the physical risks or is not psychologically impacted by the proximity of a cemetery to the subject property. It may, however, take more time to locate such a purchaser and this would be revealed by a significantly longer time on market for houses located in close proximity to a cemetery.

The fact that the only relevant database previously studied did not contain time on market data may help explain why it yielded no significant market effects attributable to cemetery proximity. Also, there are other factors that may have contributed to the previous findings. Unfortunately, time on market is not available in the present database. The addition of a time on market variable would be a valuable addition to any extensions of this research.

Literature Review

Bolitzer and Netusil (14) employ regression analysis to study how single-family house selling price is influenced by the proximity of the house to a variety of open space property uses, including cemeteries. They analyze transactions that occurred in 1990-1992 in Portland, Oregon. Selling prices of 662 houses located within 1,500 feet of one of fifteen cemeteries are compared to prices of 6,005 houses that are not located within 1,500 feet of any type of open space (e.g., cemetery, golf course, public park). No significant differences in prices attributable to cemetery proximity are discovered.

Lutzenhiser and Netusil (15) analyze the same database and employ basically the same methodology as Bolitzer and Netusil. Again, selling price is found not to differ significantly between houses located on either side of the 1,500-foot demarcation. In addition, a variable to account for cemetery size is included in this model, and house prices are found to be insignificantly related to it.

These studies are noteworthy because they were pioneering efforts, but both suffer from problematic methodological issues. For instance, the 1,500-foot demarcation point appears a bit arbitrary; Bolitzer and Netusil state it "was selected after consulting with park specialists at Metro." (16) It is unclear what expertise metropolitan park specialists possessed concerning setting this kind of criteria. No tests were conducted to determine if price effects are present within 1,500 feet of each cemetery or whether 1,500 feet is an appropriate demarcation point. It is possible that in some cases local price effects do not occur, but for other cases the local price effects exist and are exhausted before 1,500 feet, while for still other properties, local price effects extend farther. The exact solution is unique to each situation and dependent upon factors such as topography, foliage, housing density, and cemetery condition.

Another methodological problem is that neither one of the studies compares properties with a cemetery view to those without a view to investigate whether view might represent a better demarcation point. Also, although the model employed in these studies includes binary variables to control for the area of the city in which a particular house is located, a number of factors not included in the model could compromise the validity of the comparison (e.g., the extent to which other externalities affect properties on both sides of the demarcation line). Further, the data for houses surrounding the fifteen cemeteries is incorporated into a single model, which may have exacerbated the issue if the variables that significantly influence nearby residential property values are not identical for all cemeteries. This possibility is demonstrated in the current study by first estimating a single model that includes all four study areas, and then comparing this result to results obtained by estimating separate models for each cemetery and restricting the analysis to houses located in the same neighborhood.

Data

This article analyzes transactions of 575 single-family houses in the vicinity of four cemeteries, all located in Greene

County, Ohio. Greene County, located in southwestern Ohio, was established at its present boundaries in 1819. Historically, Greene was an agricultural county, and today it remains predominantly rural. Only 4% of the county's 421 square miles consists of urban areas. Its total population is about 148,000 residents. After World War II, parts of Greene County became a bedroom community for the city of Dayton in adjacent Montgomery County. In more recent years, the county has undergone substantial commercial development.

According to the Greene County Auditor's office, 65 cemeteries are located in the county. Several are small family plots and most of the 65 are located remotely enough that measuring their effect on nearby houses is problematic because there are not many houses close by. This article focuses on four locations where residential development has extended to an active (i.e., burials are still taking place) cemetery border: Bellbrook, Fairborn, Beavercreek, and Xenia. All four study areas were personally inspected to determine whether each property currently has a cemetery view. A definition of variables used in studying the four locations can be found in Table 1.

Bellbrook Area

The first study location is situated on 16.9 acres in the northeastern corner of the city of Bellbrook (population 7,009). Residential development reached this cemetery in 1961, when the first of five houses that abut the cemetery was constructed. The last house to abut the cemetery was built in 1965. All houses in the sample were constructed in 1951-2003. There are 157 houses located to the east and southeast and within 1,513 feet of the well-maintained cemetery. The sample is limited to the 122 houses where an arm's-length transaction of an improved lot could be identified. Transactions in this study area occurred in 1958-2008.

There is no buffer zone between the Bellbrook cemetery and the residential development, but trees, houses, and structures in the development block a cemetery view for most houses in the Bellbrook study area. However, 18 of the sample properties do have a full or partial view of this cemetery. It was assumed that the view from each property was the same at the time of each transaction. Data limitations prevent determination of property quality and condition at the time of each transaction, but at the time of the study, it was observed that property quality and condition tended to improve with distance from the cemetery. The Bellbrook area is limited to 1,513 feet by default because the neighborhood ends at that distance.

Property characteristic and transaction information analyzed in this study were obtained from the office of the Greene County Tax Assessor and the office of the Greene County Recorder. Table 2 shows descriptive statistics for houses in the Bellbrook study area. The mean transaction price (PRICE) for these houses is \$97,012. The mean house age at the time of the transaction (AGE) is 27.4 years. The mean living space (SQFT) is 1,408 feet, and the mean parcel size (LOT) is 13,427 square feet.

Fairborn Area

The second cemetery in the study is situated on 22.3 acres near the eastern edge of Greene County's second largest city, Fairborn (population 51,390). The residential development is located south of the cemetery. The first house in the development, constructed on the southern boundary of the development, sold in 1996. Development proceeded to the north (toward the cemetery), with all the houses closest to the south side of the cemetery being sold between 2003 and 2006.

Transaction data could not be obtained for 28 houses (these lots were purchased unimproved from the developer), so the sample is restricted to the 244 observations that are arm's-length transactions of improved lots. The Fairborn area is the newest development of the study areas, and the developer dedicated a buffer zone between the development and cemetery that is approximately 200-feet wide (187 feet at the narrowest point) and fairly heavily wooded.

The deciduous trees in the buffer zone eliminate any view of the well-maintained cemetery from all but a few houses for approximately seven months of the year, but when the trees are bare, 46 houses have a full or partial view of the cemetery. There is no discernable difference in the house quality and condition in this study area; all are currently in above-average condition due, in no small part, to their relatively young age.

Table 3 shows that PRICE in this area is the highest of the four study areas. More houses in this area, 85.9%, have a basement (BASE) than the other study areas and all houses in this development have central air conditioning (AIR).

Beavercreek Area

The third cemetery investigated is situated on 8.7 acres near the southern edge of Greene County's largest city, Reavercreek (population 40,014). There are 103 houses located to the south and southwest and within 1,215 feet of the cemetery. The study is restricted to the 77 houses for which an arm's-length transaction of an improved lot could be identified.

The oldest house in the sample was built in 1900. All but three houses have been constructed since 1950, with the newest built in 2005. Residential development reached the western and southern border of this cemetery in 1956, when the first two of twelve houses that abut the cemetery were built. Transactions included in the sample occurred in 1962-2008.

There is no buffer zone between the residential development and this well-maintained cemetery, but only 18 of the sample houses have a full or partial view of the cemetery. Similar to the Bellbrook study area, house quality and condition in this area tend to improve with distance from the cemetery. Table 4 shows that the mean lot size in the Beaver creek area is the largest of the four study areas.

Xenia Area

The fourth cemetery is situated on 9.9 acres in the southwestern portion of Xenia, the county seat and the county's third-largest city (population 27,557). Two hundred houses, located north and east of the cemetery, are within 1,594 feet of the cemetery. The study is restricted to the 151 houses where an arm's-length transaction of the improved lot could be identified, 28 of which have a full or partial cemetery view.

Similar to the Fairborn study area, there is little difference in house quality within this study area. Almost all the houses in this sample are single-story, tract houses constructed in 1956-1958; none has a basement. Although house quality and condition at the time sale could not be ascertained, almost all houses in this sample were rated average at the time of the study. The oldest house was built in 1951 and the newest in 2000. Transactions included in the sample occurred in 1967-2008.

The maintenance condition of this cemetery can be generously described as moderate/average. There is no buffer zone between the residential development and this cemetery. The nominal transaction prices shown in Tables 2, 5, 4, and 5 are partially a function of the year in which the transactions occurred. Table 5 shows that the Xenia study area involves the lowest-valued houses of the four study areas.

Correlation of Variables

Table 6 contains the simple correlation of model variables for all four cemetery areas and shows that most of the explanatory variables are highly correlated with transaction price. There is high correlation among many of the independent variables (e.g., square footage, bathrooms, bedrooms, and basement).

What is surprising is the significant correlation between distance from a cemetery (DISTANCE) and every other variable. The correlations indicate that house size increases with distance from the cemetery. Houses located farther from the cemetery tend to have more garage space, bathrooms, and bedrooms, but lot size tends to decrease with distance from the cemetery.

The correlations also indicate that the farther a house is located from a cemetery in the sample, the greater the probability that the house has air conditioning and a basement. On the other hand, a significant simple correlation between whether a cemetery view is available from the house and the other explanatory variables does not exist.

The appendix section of this article provides the correlation coefficients for the individual study areas.

Methodology

In studies of the impact of externalities on real property values, regression analysis is frequently referred to as hedonic regression. This well-known and often-used technique facilitates the effective unbundling of the implicit value attributable to the physical and location-specific characteristics of a property from the sale price.

The methodology in this study has two basic parts. First, the data for all four study areas is combined and the following model is estimated to investigate whether housing prices are influenced by cemetery proximity: (17)

[MATHEMATICAL EXPRESSION NOT REPRODUCIBLE IN ASCII] (1)

where:

PRICE = the transaction price

[alpha] = the intercept

[beta] = the estimators

SALEYR = a variable equal to the year in which the house sold

e = the error term

All the other independent variables are as defined in Table 1.

Based on the results of previous studies, (18) a positive sign is expected on the estimator for SQFT, LOT, GAR, BATH, BED, AIR, and BASE, and a negative sign is expected for AGE. The expected sign for GAS is positive because it was the most affordable form of heat in the area over the study period and should be capitalized in house prices.

Preliminary analysis reveals that three variables designed to detect seasonality in selling prices are highly insignificant and they were dropped from the model. The REG Procedure (19) was used to estimate Equation 1 with the COLLIN option specified. The results of the COLLIN option indicate a moderate amount of multicollinearity is present. (20)

For the second part of the methodology in this article, Equation 1 is estimated separately for each cemetery. The estimate of the Fairborn data does not include AIR or GAS because each of the sample houses in this area has central air conditioning and gas heat. The estimate of the Xenia data does not include GAS or BASE because all houses in this area have gas heat and none has a basement. (21)

Results

The results of the present study are similar to the two previous cemetery proximity studies when, as was the case in the previous studies, all cemeteries are analyzed with a single estimate. Table 7 shows summarized estimation results of the full model; the data fits the model well.

The F-value is highly significant and the independent variables explain 92.29% of the variation in the dependent variable. Seven of the ten control variables are significant at the 99% confidence level. Focusing on the two variables of interest, the estimators for both VIEW and DISTANCE are highly insignificant, indicating that neither a cemetery view nor distance from a cemetery has a significant effect on nearby house price.

To investigate the possibility that the results may vary by cemetery, this study estimates Equation 1 separately for each area. The results for the Fairborn cemetery area are consistent with the full model results. Table 8 shows the summarized estimation results for the Fairborn cemetery area; the data fits the model well, the F-value is highly significant. The adjusted [R.sup.2] indicates that the model explains 78.14% of the variation in the dependent variable.

This figure is low compared to the [R.sup.2] reported for the full model, but recall that AIR and GAS have been dropped from this model because they are constants. Five of the eight control variables are significant at the 99% confidence level. Regarding the variables of interest, the estimators for both VIEW and DISTANCE are highly insignificant in this estimation, indicating that no price effect can be attributed to cemetery proximity.

A different result occurs when the analysis is limited to the Xenia cemetery area. Examination of the results, which are summarized in Table 9, shows that the data fits the model fairly well; the F-value is highly significant, and the model explains 70.11% of the variation in the dependent variable.

This is the lowest adjusted [R.sup.2] of any of the estimates, but this estimate does not include BASE or GAS because each is constant. Only one of the control variables is significant at the 99% confidence level; two more are significant at the 90% level, and the sign of the estimator for each of these variables is in the anticipated direction.

Recall that almost all the houses in this sample are nearly identical tract houses. It is interesting, therefore, that the estimation indicates only four factors are significantly related to house price: date when the house sold, age of the

house when the sale occurred, garage size, and whether the house has a cemetery view.

The estimator for VIEW is negative and significant at the 90% confidence level and indicates that houses with a cemetery view in this area sold, on average, at a discount of \$6,291.89 compared to those without a cemetery view. For the mean-priced house in this sample, this represents a discount of 10.1% ($\$6,291.89/\$62,531.30$). The variable DISTANCE is not significant in this estimate.

Table 10, where the estimation results for the Beavercreek cemetery area are presented, shows that the data fits the model well. The F-value is highly significant, and the adjusted [R.sup.2] indicates that the model explains 90.71% of the variation in the dependent variable. Four of the ten control variables are significant at the 99% confidence level, and three are significant at the 95% level. Focusing on the variables of interest, VIEW is insignificant, indicating no price effect can be attributed to this variable, but DISTANCE is significant at the 90% level.

The positive estimator for DISTANCE indicates that transaction price in this area increased by \$29.58, on average, for each additional foot the lot is removed from the cemetery. This result should occur if market participants systematically deem the negative factors associated with close cemetery proximity to dominate the positive factors, but this may not be the case here and there may be an alternative explanation.

Recall that casual observation indicated that property quality and condition in this study area improved with distance from the cemetery, so DISTANCE may actually be serving as a proxy for quality and condition. If this explanation is correct, there is a cemetery proximity effect associated with distance, but it is occurring not because market participants judged the disadvantages of close proximity to the cemetery to outweigh the advantages; it occurred because the original homeowners and/ or developers/builders constructed better-quality houses farther from, rather than closer to, the cemetery.

Table 11, where the estimation results of Equation 1 for the Bellbrook cemetery area are summarized, reveals that the data fits the model well. The F-value of 124.4 is highly significant and the adjusted [R.sup.2] indicates that the model explains 92.45% of the variation in the dependent variable.

Four of the ten property characteristic variables are significant at the 99% confidence level and four are significant at the 95% level. The sign of each of the significant explanatory variables is in the expected direction, and each appears reasonable in amount. Both of the variables of interest are significant: VIEW at the 90% confidence level, and DISTANCE at the 95% level.

The results indicate that buyers in this area value the park-like view. A cemetery view added \$8,521.46 on average to the transaction price for houses with a cemetery view. For the mean priced house in this sample, this represents a premium of 8.8% ($\$8,521.46/\$97,012.30$).

The estimator for DISTANCE indicates that residential property values increased by \$8.10 for each foot the lot was removed from the cemetery. As was the case for the Beavercreek cemetery area, casual observation indicates that property quality and condition in this study area improve with distance from the cemetery; here again it is believed that DISTANCE is acting as a proxy for house quality and condition and the effect is occurring because the original homeowners and/or developers/builders constructed better quality houses farther from rather than closer to the cemetery.

Conclusion

The characteristics of cemeteries that may influence value are presented in this article and suggest that the influence of a particular cemetery on nearby residential properties is uncertain. To empirically test this issue, data from 575 sale transactions of houses in relatively close proximity to one of four cemeteries is subjected to regression analysis.

In five iterations, transaction price is regressed against a battery of property characteristic variables to control for price differences. Transaction price is also regressed against two variables of interest, DISTANCE, specified as the shortest straight-line distance between the cemetery and the lot on which the subject house is located; and VIEW, specified as the ability to view the cemetery from the subject property.

When all observations are tested in a single model, the results are consistent with the limited previous studies on this topic--no significant price effect attributable to cemetery proximity is discovered. When each cemetery is tested individually, however, the results vary. For two cemeteries, no price effect can be attributed to VIEW. For a third cemetery, the estimator for VIEW is a negative \$6,291.89, but for a fourth cemetery, the estimator for VIEW is a

positive \$8,521.46. For the mean priced house in each sample, the former represents a 10.1% discount and the latter represents an 8.8% premium.

The sign of the estimator in each of these two instances is intuitively appealing because the positive estimator is associated with a well-maintained cemetery, and the negative estimator is associated with a less well-maintained cemetery. The fact that the results vary by cemetery suggest the possibility that previous studies might have arrived at different conclusions if they had not grouped all cemeteries into a single model. The fact that VIEW is significant in two of the four samples investigated here suggests that previous models may have used the wrong criteria in testing for market effects due to cemetery proximity; VIEW may be more important than DISTANCE.

DISTANCE is insignificant in two of the four study areas. In both of these cases, almost all sample houses are constructed within a relatively compact Lime frame and house quality and condition do not vary within the study area. In the other two samples, house construction took place over a protracted period of time and it is observed that property quality and condition tend to improve with distance from the cemetery.

In these two cases, the estimator for DISTANCE is a positive \$8.10 per foot in one case and \$29.58 per foot in the other. The interpretations of these findings is that DISTANCE is actually serving as a proxy for house quality and condition in these two cases. This suggests that the effect occurred not because market participants judged the disadvantages of close proximity to outweigh the advantages, but because the original homeowners and/or developers/builders constructed better quality houses farther from rather than closer to the cemetery.

Cemetery proximity should not be ignored by residential appraisers in arriving at a value estimate. It is possible cemetery proximity will have no significant impact on nearby residential property values, but as the present study indicates, it may. It is recommended, therefore, that appraisers test their local area to determine if cemetery proximity market effects are present.

Unfortunately, data restrictions prevented the testing for another important market effect--time on market. Time on market is more likely to be influenced by cemetery proximity than price. Extensions of this research, therefore, could examine not only whether the results reported here apply in other markets, but also whether cemetery proximity impacts time on market.

Appendix 1 Correlation Coefficients, Bellbrook Cemetery Area

	SQFT	LOT	AGE	GAR	BATH	BED	AIR
PRICE	.6178 <.0001	.2025 .0253	.0435 .6345	.2391 .0080	.5543 <.0001	.3430 .0001	.2152 .0173
SQFT		.2461 .0063	.4490 <.0001	.2019 .0257	.6604 <.0001	.5693 <.0001	.1973 .0294
LOT			.1509 .0971	.1023 .2623	.2059 .0229	.1103 .2264	.0593 .3465
AGE				.0617 .4994	.3369 .0001	.2343 .0094	.0593 .5167
GAR					.1426 .1172	.0246 .7875	.0842 .3566
BATH						.3688 <.0001	.2749 .0022
BED							.2042 .0240
AIR							
GAS							
BASE							
SALEYR							
VIEW							
	GAS	BASE	SALEYR	VIEW	DISTANCE		
PRICE	.0105 .9089	.4717 <.0001	.7429 <.0001	.2245 .0129	.09185 .3143		
SQFT	.1194	.4804	.1286	.1397	.0053		



515 Little Canada Road, Little Canada, MN 55117-1600
(651) 766-4029 / FAX: (651) 766-4048
www.ci.little-canada.mn.us

July 13, 2015

MAYOR
John Keis

COUNCIL
Rick Montour
Michael McGraw
Tom Fischer
Christian Torkelson

ADMINISTRATOR
Joel R. Hanson

**Mayor & City Council
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042**

RE: Lee Rossow

Dear Mayor Pearson and Members of the City Council:

Mr. Lee Rossow asked me to write a letter of reference for him relative to his pursuit of establishing a cemetery in your community. I have known Mr. Rossow for over 20 years in my capacity as Little Canada's City Administrator. He owns multiple industrial properties in our city and we have worked with him on a number of issues. He also owns Centerline Charter Corporation (formerly Comfort Bus Company) that was located in our community until he was able to construct a new facility in Maplewood.

In my dealings with Mr. Rossow, I have found him to be a person of high integrity and very reasonable to deal with. He understands local government processes and appreciates the job elected officials face in balancing interests. Lee has been a person you can rely on. If he says he will do something, he will. He has been a leader in dealing with other property owners in one of your industrial areas. He has been instrumental in helping others to understand the City's position on certain matters. All in all, Lee Rossow is a person I have tremendous trust and confidence in and I can assure you he will be a business person your community will enjoy dealing with.

Should you have further comments or questions regarding Mr. Rossow that you think I can assist you with, please feel free to give me a call at 651-766-4040.

Sincerely,



Joel R. Hanson
City Administrator

Kyle Klatt

From: Dave.Bakken@wellsfargo.com
Sent: Tuesday, September 08, 2015 11:19 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: Halcyon Approval Support

To interested parties:

I am writing in support of the Halcyon Cemetery project proposed by Lee Rossow.

I have been aware of the project from its early days, I know the honorable motivations of the project owner and believe the cemetery would be very beneficial to your community and surrounding communities. I have also known the owner of this project for nearly thirty years and would attest to his integrity.

Please consider taking actions would allow this project to move forward.

Dave

David C. Bakken
Senior Vice President
Wells Fargo Insurance Services USA, Inc.
Direct 952-242-3095
Fax 877-402-7485
dave.bakken@wellsfargo.com

Kyle Klatt

From: Earl H. Cohen <ECohen@hjlawfirm.com>
Sent: Tuesday, September 08, 2015 10:15 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: HALCYON APPROVAL SUPPORT

Ladies and gentlemen:

I have been involved with the subject property for many years, going back to the previous owners and have watched how the surrounding area of your community has grown, having grown up in St. Paul with a family business on the east side of the community.

I have reviewed the plans for the cemetery, it's buildings and grounds and cannot think of a better use in Lake Elmo. I visited several cemeteries this past weekend visiting family and friends who have departed. Several of these were in residential areas just like the area chosen for the Halcyon cemetery. In each case, each of the cemeteries brought a sense of peace and tranquility to otherwise hectic areas.

While not a resident of your community, I do urge its approval.

Earl H. Cohen
Attorney at Law
Direct dial: (952) 460-9242
ecohen@hjlawfirm.com



HELLMUTH & JOHNSON PLLC
ATTORNEYS AT LAW

8050 West 78th Street
Edina, MN 55439
Phn: (952) 941-4005
Fax: (952) 941-2337

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Kyle Klatt

From: Lyth Hartz <lhartz@mwsservices.org>
Sent: Tuesday, September 08, 2015 1:56 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt
Subject: HALCYON APPROVAL SUPPORT

To whom it may concern,

I am writing to support the approval of the Halcyon Cemetery project being proposed by Lee Rossow.

I have worked with Mr. Rossow and his family for the past 20 years or so, as he and his family's bus Company provide quality bussing services to our clients who are adults with disabilities. I have always found Lee and his family to be easy to work with over these many years. Lee and his family fix problems, they don't create them.

A few months ago, Mr. Rossow shared with me and some of my leadership team his vision for the Halcyon Cemetery that he is planning to create. I thought that the plan looked like it would be a lovely place to memorialize loved ones who have passed. It appears to me that Mr. Rossow has cleared the many hurdles that these kinds of developments need to pass and I believe that this development will be of benefit to the Lake Elmo area and to the eastern parts of the Twin Cities. It appears to be a lovely peaceful place from what I have seen in the drawings and in listening to Mr. Rossow explain his vision.

Therefore, I want to show my support for this project.

Sincerely,

Lyth J. Hartz, President
Midwest Special Services, Inc.
900 Ocean Street
Saint Paul, MN 55106
(651) 793-4123 Direct

www.mwsservices.org

We See Possibility.

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Kyle Klatt

From: William Hooper <billhooper2005@yahoo.com>
Sent: Tuesday, September 08, 2015 2:14 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: HALCYON APPROVAL SUPPORT

I am writing to express my full support for the Halcyon Cemetery proposal.

It clearly fits the needs for our city and surrounding communities.

Regards,

Bill Hooper
8820 27th Street Ct N
Lake Elmo, MN

Kyle Klatt

From: Wagner, Jane <Jane.Wagner@biworldwide.com>
Sent: Tuesday, September 08, 2015 2:23 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; 'annejsmith@msn.com'; Kyle Klatt; '337@lach.net'
Subject: HALCYON APPROVAL SUPPORT

Dear City Council Members,

A cemetery in Lake Elmo is a positive attribute to have in a small community, especially a suburb of St. Paul. I am writing to support the Halcyon Cemetery and to encourage you to approve the last item to make this a reality for the town, Plat Approval!

Keeping loved ones, who have passed, close by living relatives and friends is ideal. It provides the living opportunity to morn, visit frequently, and be close to their home. This is a great benefit for those who aren't able to drive or drive long distances- youth and young at heart. ☺

Approving Halcyon would set precedent in communities like Lake Elmo.

Thank you for your consideration!

JANE WAGNER
Team Leader | Customer Support and Administrative Services
d 320.453.1664

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Kyle Klatt

From: Jessica Jagoe
Sent: Tuesday, September 08, 2015 3:14 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; 'annejsmith@msn.com'; Kyle Klatt
Cc: 337@lach.net
Subject: Halcyon Approval Support

Mayor & City Council Members:

I am sending this email as a reference for Mr. Lee Rossow as you consider the development of Halcyon Cemetery in your community. I have had the opportunity to work with Mr. Rossow for 15+ years while serving as the Code Enforcement Officer for the City of Little Canada. Mr. Rossow owns multiple properties in our industrial park area. This industrial park over the years has drawn a number of code enforcement concerns with rental tenants and outdoor storage. However, Mr. Rossow has been one owner that I have come to count on for keeping his property well maintained and frequently monitoring his tenants without the need for city staff involvement. If ever something has come up, Lee is quick to respond and resolve any concerns that staff may have. I have confidence that Mr. Rossow will uphold the same commitment to the upkeep of his property and values of your community as he does in ours.

If you have any questions, please feel free to contact me.

Sincerely,
Jessica Jagoe
Code Enforcement Officer
City of Little Canada

Kyle Klatt

From: Kerry Hooper <hoopk2012@yahoo.com>
Sent: Tuesday, September 08, 2015 3:27 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: Halcyon Approval Support

I support the Halcyon Cemetery proposal

Kerry Hooper
8820 27th Street Ct N
Lake Elmo

resident of Lake Elmo for 33 years

Kyle Klatt

From: DarleneRossow <darlenerossow@comcast.net>
Sent: Tuesday, September 08, 2015 3:34 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt
Cc: Lee Rossow
Subject: Fwd: Halcyon Approval Support

Members of Lake Elmo City Council,

I am requesting your support and approval of the Halcyon Cemetery project for Lake Elmo.

As you are aware the Planning Commission has approved it 6-0.
The Valley Branch Watershed approved it unanimously.
The City Staff has recommended it for approval.

Please do the next required step, timely, which is Plat approval.

The Halcyon Cemetery will be a beautiful positive addition to Lake Elmo.

Thank you,

Darlene Wagner Rossow

Kyle Klatt

From: Mike Klein <mike@isofinishing.com>
Sent: Tuesday, September 08, 2015 5:20 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: HALCYON APPROVAL SUPPORT

To whom it may concern,

I have known Lee Rossow professionally for over 10 years. He's always been very detail oriented in every aspect of his personal life as well and in his business setting.

I've worked with him as he was the general contractor on his own new buildings. He is methodical, calculated and doesn't quit until things are perfect.

His new project will undoubtedly carry the same passion for perfection as well as the added burden of paying tribute to those closest to him.

When completed, Halcyon will be a welcoming and tranquil setting for families from many of the surrounding communities. It will be an accessible alternative to many other cemeteries and it will truly be an enduring legacy.

Sincerely,

Mike Klein



www.isofinishing.com

Mike Klein
Operations Manager

50 South Medina Street
Loretto, MN 55357

P 763.273.1052
C 612.747.5452
F 763.493.2990
Toll Free 844.623.7998
mike@isofinishing.com

Kyle Klatt

From: Dennis Conlin <dnr.conlin@gmail.com>
Sent: Tuesday, September 08, 2015 7:27 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; Lee Rossow
Subject: Proposed Cemetery

To Lake Elmo City Council ~

Cemeteries are a permitted use in RR, and unfortunately there is a public need for them. Lake Elmo Ave is built to handle the minimal increase in traffic resulting from funerals. And while there is neighborhood opposition, where was the opposition when current RR zoning uses were reviewed and public meetings held?

I urge you to act responsibly and proceed with plat approval as there is no justifiable reason to deny or further delay the project.

Rita Conlin (past resident and city council member)
10710 88th St. N.
Stillwater, MN 55082

Kyle Klatt

From: Diane Wolf <dw07sep09@outlook.com>
Sent: Wednesday, September 09, 2015 7:51 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; >; Kyle Klatt; Lee Rossow
Subject: Halcyon Cemetery

Greetings:

I was born and raised in the Twin Cities area. I moved away but I am now trying to return home and make plans for the inevitable. I have followed what is happening in Lake Elmo regarding the Halcyon Cemetery.

Please consider approval of this project. It appears to be a professional, top notch project. I have been involved in my current City Council and can understand the pressures you encounter. That being said, this project will be something your community can be proud of.

It will also help your community financially when family and friends use the services provided by Halcyon Cemetery.

Thank you for your consideration. Remember the "Not in my back yard" mentality, is not always true.

D. G. Wolf

Kyle Klatt

From: Larry Anthony <lcanthony1@gmail.com>
Sent: Wednesday, September 09, 2015 8:16 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: HALCYON approval support

I would like to provide my support for the Halcyon cemetery project and urge approval by the Lake Elmo City Council. Development of this project would support many surrounding communities and has the support of the planning commission and city staff. I encourage you to support the approval of the Halycon project.

Thank you
Larry Anthony

Kyle Klatt

From: jaclmyer@hssd.k12.wi.us
Sent: Wednesday, September 09, 2015 10:21 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net

Please support the approval of the Halcyon Cemetery. It will help our community and our citizens. Thank you for your consideration.

Jaclyn Beattie

Language Arts & Drama Teacher
Assistant Director Fall Play/Spring Musical
Bay Port High School
920.662.7106
jaclbeat@hssd.k12.wi.us

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Kyle Klatt

From: Barbara <beezohughes@frontier.com>
Sent: Wednesday, September 09, 2015 10:54 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Kyle Klatt; 337@lach.net; Jill Lundgren
Subject: Please support

Please support the approval of the Halcyon Cemetery. It will help the community and the citizens. As a non-denominational cemetery, all people will have an option.

Thank you for your consideration.

B Hughes

Sent from my iPad

Kyle Klatt

From: James Weiss <mijweiss@yahoo.com>
Sent: Wednesday, September 09, 2015 12:37 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: HALCYON APPROVAL SUPPORT

Dear Council Members,

Please approve the Halcyon Cemetery as I'm planning on being interred there.

Thank you,

J. Weiss

Kyle Klatt

From: tom.burr@spps.org
Sent: Thursday, September 10, 2015 6:30 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: HALCYON APPROVAL SUPPORT

To Lake Elmo City Council,

I believe the proposed Halcyon Cemetery would be an added benefit to the community of Lake Elmo. Mr. Rossow's plan is well thought out and developed.

Thank you for your time.

Tom Burr
Transportation Director
Saint Paul Public Schools
(New Address)
261 Chester St
St. Paul, MN 55107
651-744-8104 Office
612-270-0667 Cell
651-265-0910 Fax
tom.burr@spps.org

Kyle Klatt

From: Jeff Rossow <jeffr3824@gmail.com>
Sent: Thursday, September 10, 2015 11:01 AM
To: Mike Pearson; Justin Bloyer; jflilfet@lakeelmo.org; Jill Lundgren; annejsmith@msn.com; Kyle Klatt
Subject: Halcyon Cemetery

Dear Council Members,

Please approve the Halcyon Cemetery as I'm planning on being interred there.

Thank you,

Jeff Rossow

Kyle Klatt

From: Vicki Vandell <vickijvandell@gmail.com>
Sent: Thursday, September 10, 2015 11:16 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: Halcyon Cemetery Approval

Dear Lake Elmo City Council,

I am writing a note to you to show support for the Halcyon Cemetery project. When I got the opportunity to meet Mr. Rossow, he told me about his wife's passing and how he is building this cemetery as a place of rest for her and his parents. He is a very passionate person who would like to complete this project so he can find peace.

This is a great project that will be a good addition to the City. It is a permitted use and does not require zoning or variance approval. The City and county have asked Mr. Rossow to plat the property. He has agreed and jumped through all of the hoops, fees, extensions, etc. that have been asked of him. I really hope that you can allow the cemetery project to move forward in a timely manner.

Thank you,

Vicki VanDell

Kyle Klatt

From: John Malmberg <john.malmberg@fa-bank.net>
Sent: Thursday, September 10, 2015 5:02 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt
Cc: 337@lach.net
Subject: Support for HALYCON

I am a resident of Lake Elmo and fully support Lee Rossow's construction of a cemetery on land that he owns. I have spoken with Lee about the plans for the property and feel that it would be an attractive addition to the community and one which is needed as the current baby boom generation ages. I have also know Lee for fifteen years and know that if he is involved, it will be classy, be done right and will be maintained properly.

I heartily endorse his project.

John Malmberg

John Malmberg
President / CEO

First American Bank N.A.
2424 Monetary Blvd. - Suite 107
Hudson, WI 54016



John.Malmberg@fa-bank.net

715-381-8330 | Main
715-377-5310 | Direct
715-377-5330 | Fax
www.fa-bank.net

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Kyle Klatt

From: Rochelle D Jacobs <annemorelakehouse@gmail.com>
Sent: Friday, September 11, 2015 10:11 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; Kyle Klatt
Cc: annejsmith@msn.com
Subject: I am writing to support the Halcyon Cemetery

Dear City Council Members,

I am writing to express my full support for the Halcyon Cemetery proposal. It clearly fits the needs for our city and surrounding communities.

Almost a year ago was when I first learned about the proposed Cemetery at the corner of 50th and Lake Elmo ave. The project seems to be one of a kind and very impressive. Sadly, I can't visit my loved ones in their final resting places often due to the distance from my home and this would provide a local place for people to visit their loved ones regularly. I have lived in this area for all of my life (almost 40 years) and drive on Lake Elmo Ave daily. Most of the homes on that street are not of high value, with the exception of the Gonyea Development. I feel this would be a beautiful addition to Lake Elmo and that main thoroughfare. Being a 20 year Real Estate professional, I can tell you that a project like this will not only increase property values, but it will bring increased tax revenue to the area. The people visiting will shop and eat in town, they will visit regularly. It will be a huge benefit to the City of Lake Elmo and surrounding Areas.

I have shown my support on the Facebook group page <https://www.facebook.com/groups/SUPPORTHALCYON/> along with many other people that have joined the page in support.

This project has a lot of supporters and *just because a few opponents create some stir, does not mean they are not the majority!*

Please approve the Proposed Halcyon Cemetery.

Thank you,
Rochelle Jacobs
651-724-5381
LONG TME LOCAL RESIDENT!

Kyle Klatt

From: Deborah Malmberg Smith <deb.malmberg@gmail.com>
Sent: Friday, September 11, 2015 4:13 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: Halcyon Cemetery approval support

Greetings,

I support the approval of the Halcyon Cemetery project. I believe Lee Rossow will ensure the project is completed to his high standards and that the property will be well-maintained. He is a good man and will be a good neighbor to the surrounding properties.

Thank you,
Deborah M Smith

Kyle Klatt

From: John McNamara <johnrmcnamara1946@gmail.com>
Sent: Saturday, September 12, 2015 9:30 AM
To: Kyle Klatt
Subject: Halcyon Approval Support

We would like to voice our support of Lee Rossow and his proposal. We have known Lee for over 50 years and know him to be a very successful businessman. Lee plans every aspect of his undertakings. He's informed, he takes his work seriously and does not get easily sidetracked. He is very good at solving problems and making things better. We are sure Lee did a thorough study of every aspect of this project before deciding to go through with it. Please decide in favor of the Halcyon proposal.

Susan and Jack McNamara

Kyle Klatt

From: Daniel Heffron <heffroncpi@mac.com>
Sent: Saturday, September 12, 2015 9:36 AM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: Halcyon Cemetery

Dear Lake Elmo City Council Members:

I am writing in support of the Halcyon Cemetery project and ask that you give it Plat approval. I feel this cemetery is a much desired addition to the city of Lake Elmo and the surrounding area. It gives families a place to lay their loved ones to rest in a place that is not only beautifully designed but in a location which is nearby, allowing them an opportunity to visit more frequently. I wish my family members were so close. I see all positives and no negatives to this addition to the city. Please give Halcyon Cemetery Plat approval.

Thank you, Dan Heffron

Kyle Klatt

From: Tom Van Sloun <tom@hoglundbus.com>
Sent: Sunday, September 13, 2015 2:28 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: Halcyon Approval Support

To all concerned citizens,

I would like to offer you a few of my impressions on the Halcyon Cemetery proposal.

Society has an ongoing need for new cemeteries. When considering future development, certainly among the top questions are; where would be the best places to locate them, and what is the proposed scope of the plans.

There are always concerned neighbors who fear the unknown consequences of a new development, or just simply prefer the status quo and vote for no change. A reasonable concern for any neighbor is how will any new development affect my property values. I believe a well planned cemetery at this location on 50th street would not adversely affect any of the neighbors property values. The site at 50th and Co Rd 17 does not appear to present any new potential traffic problems.

I have known Lee Rossow for 30 years and can tell you he is focused and driven to do all of his projects the right way. To help put some concerned citizens at ease, you could take the opportunity to view a couple of Lee's past projects by viewing the School bus facility and office which he has built on Rice St. in St. Paul, or view the major addition he made to his house on the St. Croix river. Both projects are extremely well done with great attention to many details.

I feel Mr. Rossow's latest project is a benefit to society and a definite worthwhile cause.

Sincerely,

Tom Van Sloun
3590 Mississippi Dr.
Coon Rapids, Mn 55433

Kyle Klatt

From: Mark Busta <mark@goodoldboat.com>
Sent: Sunday, September 13, 2015 5:56 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; annejsmith@msn.com; Kyle Klatt; Rossow Lee & Geni
Subject: HALCYON APPROVAL SUPPORT
Categories: Red Category

As a past member of the Parks Commission in Lake Elmo and a resident for 34 years and having been involved in trying to maintain the status-quo on development for all those years, the fact is we lost to the whims of the Metropolitan Council some time ago. We can now choose the kinds of development that make the most sense for the present and future of Lake Elmo. The Halcyon project would be an excellent fit for development that would have very little impact on a quiet neighborhood and city services. It would also protect 10 acres as basically open space that could never be subdivided and developed as high density housing should zoning changes or more spurious direction from the Metropolitan Council occur in the future.

Please vote YES on Halcyon, its a win-win.

Mark Busta – Circulation / Merchandise Director

GOOD OLD BOAT Magazine

8810 27th Street Ct N, Lake Elmo MN 55042

Office 701-952-9433 Fax 701-952-9434

Home Office 651-770-8810

mark@goodoldboat.com www.goodoldboat.com

[facebook.com/goodoldboat](https://www.facebook.com/goodoldboat)

Good old boats , 'ya gotta love 'em

Kyle Klatt

From: barb busta <barbbusta@aim.com>
Sent: Sunday, September 13, 2015 6:01 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: Halcyon Approval Support

Please vote yes on Halcyon. It would be a great benefit for Lake Elmo.

Kyle Klatt

From: Sonja Muellerleile <smuellerleile@ci.hutchinson.mn.us>
Sent: Monday, September 14, 2015 12:45 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: HALCYON APPROVAL SUPPORT
Importance: High

Sonja R. Muellerleile
Oakland Cemetery Coordinator
City of Hutchinson

1400 Adams St SE
Hutchinson, MN 55350
Direct – 320-234-2583
E-mail – smuellerleile@ci.hutchinson.mn.us
Fax – 320-234-55644
Web – www.ci.hutchinson.mn.us/cemetery

Kyle Klatt

From: sanders725@aol.com
Sent: Monday, September 14, 2015 1:47 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Subject: HALCYON APPROVAL SUPPORT

Lake Elmo City Council,

I am submitting this email in support of the proposed Halcyon project.

I believe the Halcyon project will be beneficial to the Lake Elmo community for the following reasons:

1. The project will preserve the history of Lake Elmo through its people and its families.
2. The project will preserve the rural character of Lake Elmo through its green and tranquil landscape.
3. The project provides a valuable community service as a place of dignity, peace and remembrance for the friends and families of loved ones buried there.
4. The project is well planned and viable. It is privately financed, a permitted use, and meets all City, County and Special District requirements with no variances.

Thank you for your consideration.

Bill and Jan Sanders

Kyle Klatt

From: bdischinger <bdischinger@minnesotacoaches.com>
Sent: Monday, September 14, 2015 3:57 PM
To: Kyle Klatt
Cc: bdischinger
Subject: HALCYONCEMETERY PROJECT

To Lake Elmo City Council members:

I write on behalf and support of the Halcyon Cemetery that has been proposed (approved by the Planning Commission and the Valley Branch Watershed District, and recommended for approval by City Staff). Virtually any project requiring the approvals of all these bodies, with final approval by the Council, is going to have its supporters and detractors. And in all cases, the decision should be made based on what is best and for the good of the community as a whole. Moving ahead on this project is just such a project – it is good for the whole. Yes, all voices should be heard. However, if it is truly not good for the detractors, it is probably not good for the community. But, if it is truly good for the community, the detractors opposition is probably not truly valid – rather, the opposition is likely rooted in personal and/or individually vested interest.

This is a project truly good for the whole community, including the extended neighboring communities. And I would encourage the Council to approve it as soon as it is practical to do so.

Thank you for your consideration.

Respectfully,

Bruce H. Dischinger

2141 N. Avon St.

Roseville, MN 55113

Kyle Klatt

From: John Van Valkenburg <jvanvalkenburg@gertenvanv.com>
Sent: Monday, September 14, 2015 5:14 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; annejsmith@msn.com; Kyle Klatt; 337@lach.net
Cc: John Van Valkenburg
Subject: HALCYON APPROVAL SUPPORT

I am writing in support of Lee Rossow's efforts to build a cemetery in Lake Elmo. I have worked with Mr. Rossow for a number of years and his businesses are of the highest caliber and quality. He dedicates the time and financial resources needed to organize and complete a first rate project. I believe this cemetery will be the same. Mr. Rossow has spent many years developing this concept for a cemetery. I believe it is a well-planned cemetery and will be an asset to the community and preserve green spaces. There is a need for a cemetery in Washington County which this project will fill. Except for an occasional burial I cannot imagine significant traffic in any way. There are many far more intrusive and dense building developments that would have significantly less appeal to the city and neighbors. This project will protect and enhance the rural nature of the area.

Halcyon is very personal to Mr. Rossow as he intends to bury his family here and I believe he is dedicated to its extraordinary quality and appeal. Please approve this project. Thank you.

John P. Van Valkenburg
Gerten & Van Valkenburg Law Office
303 E. Little Canada Rd.
Little Canada, Mn. 55117
Phone: 651-484-7000
Fax: 651-484-6174

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HALCYON APPROVAL SUPPORT

Dear Sir or Madam,

I am writing this in support of the Halcyon Cemetery proposal you have before you by Mr. Lee Rossow. I understand there is some hesitation within the community to implement this project and I just wanted to add my own vote for the following reasons to name a few:

1. The cemetery is promising to encompass services and provisions for people of all faith traditions. As a chaplain in a long term care facility, I know firsthand how important people feel about inclusiveness of their own spiritual practices and sensitivity to those needs. Even those without such a practice want that value to be appreciated.
2. Recognizing this endeavor is the first to be built in many years, it promises to include the most up to date and modern amenities.
3. I know Lee Rossow and his business sense - he will be most accommodating to work with and respectful of all the rules and regulations. I believe the majority of approvals have been given; this demonstrates it is a priority for him in meeting the goals of this space for the needs of others.

As a society we have a tendency to ignore what people experience as mourners and grievors during a time that is most difficult, yet avoided because of its very nature. With programs such as palliative care and hospice that is now changing but we have to present to all people of society, a willingness to encompass all aspects of life's journey and that includes a final resting place. I hope you will vote affirmatively for this proposal.

Sincerely,

Trish Flannigan

Kyle Klatt

From: David Misukanis <djmisukanis@gmail.com>
Sent: Wednesday, September 23, 2015 12:12 PM
To: Mike Pearson; Justin Bloyer; Julie Fliflet; Jill Lundgren; Kyle Klatt; annejsmith@msn.com
Cc: 337@lach.net
Subject: Halcyon cemetery approval

Dear Sir or Madam,

I am writing this in support of the Halcyon Cemetery proposal you have before you by Mr. Lee Rossow. I understand there may be community concerns regarding the project and would like to share my feedback in support of it.

As an individual that has lived nearby and within the city of Lake Elmo over the last 25 years, I believe the Halcyon project is one that will proudly serve the needs of the community

I do not believe there are any negative ramifications of the environment with this project such as pollution, noise, ground water. Its location will have little to no impact on the immediate community around it. The vast majority of any traffic would be occurring during normal business hours with very light traffic in the form of visitation before sunset.

I have known Lee Rossow for many years. He always has been respectful of all rules, regulations and concerns with those impacted by projects and businesses he has managed. I am highly confident he would continue in those ways as he works with the community to establish the Halcyon Cemetery.

Please include my recommendations to move forward with the project as you go through the approval process

Sincerely,

David Misukanis

Larson asked about the need to include the discussion about the sidewalks within the loop roads. Williams noted a lack of support for this recommendation.

M/S/P: Dodson/Larson, move to recommend approval of the Preliminary PUD Plan with the conditions outlined in the staff report and added by the Planning Commission based on the findings of fact as amended, **Vote: 5-2, motion carried**, with Haggard and Lundgren voting no.

M/S/P: Haggard/Lundgren, motion that the Park Commission prioritize Stonegate Park, including the Inwood development portion, in light of the overall development plans for the area around this park. **Vote: 7-0, Motion carried unanimously.**

M/S/P: Dodson/Larson motion to recommend that when HOA's are established, before homeowners move into development, that the City makes sure that a bank account and accounting system is set up to ensure that HOA is viable. **Vote: 7-0, Motion carried unanimously.**

Williams asked for a friendly amendment to clarify that developer's agreement include this provision.

Business Item: Sketch Plan - Halcyon Cemetery

Johnson presented an overview of a sketch plan review related to a proposed cemetery that would be located at Lake Elmo Avenue and 50th Street. He noted that a sketch plan has been submitted to the City because a cemetery must be processed as a plat. Staff reviewed the site for land use and zoning. Public utilities, private utilities, access, landscaping and tree preservation, screening and fencing, park dedication, and the subdivision review process.

Johnson noted that the City has received a letter with questions from the property owner adjacent to the proposed cemetery. This letter was distributed to the Planning Commission.

Williams asked why the application is coming forward as a plat since the boundaries are not changing. The applicant stated that they would address this question.

Dodson questioned how the existing house would be used. Johnson stated that the applicant intends to convert the house into a caretakers residence.

Lee Rossow, 11050 50th Street North, addressed the Commission and offered a response to the questions from the adjacent property owner. He noted that: there will be a gate restricting access to the site, there will be lights but they will adjust to lower levels at night, fencing will be used around the perimeter of the property, with wrought iron

along Lake Elmo Avenue and 50th Street North and chain link around the other boundaries, once approved as a cemetery the site can never be used for any other use. There are no dangers for soil contamination since concrete vaults are now used for all burials.

Mr. Rossow explained the rationale for the creation of a new cemetery and noted that the cemetery would be catering to the needs for modern burials.

Bill Sanders, Loukes Associates, Landscape Architect, explained that he has 25 years of experience with cemetery design. He reviewed the proposed plans for the property, and discussed access to the site, parking, use of the building, and other site design considerations. He stated that all bodies would be placed in concrete vaults and would not pose any risk for soil contamination.

Dodson asked for clarification for the ownership of each burial lot. Sanders indicated that the owner will be required to file a plat with the County, but any persons that wish to be buried on the site would purchase a right to be buried in the cemetery. State law requires that a portion of any burial fees be placed into a long-care perpetual maintenance fund for the cemetery. He noted that the tax exempt status takes effect upon filing of a final plat for the property. It was noted that the cemetery will be private and non-denominational, and that Halcyon would not be providing any funeral home services. The overall plan includes space for approximately 1,200 burials.

Williams expressed concern with the access spacing for the proposed driveway and with the overall storm water management plans for the site.

The Commission asked general questions concerning the function and operation of the facility.

Updates and Concerns

Council Updates

None

Staff Updates

1. Upcoming Meetings
 - a. December 8, 2014
 - b.
2. Possible 6:30 meeting start time for next year.
3. Possible Planning Commission Retreat.

Commission Concerns

**LAKE ELMO CITY COUNCIL MINUTES
DECEMBER 2, 2014**

ITEM 16: HALCYON CEMETERY SKETCH PLAN REVIEW

Community Development Director Klatt presented overview of the cemetery proposal.

Mayor Pearson asked about the park dedication fee. Staff would recommend 4% to be consistent with rural residential development. Council Member Reeves asked if non-denominational cemeteries are still eligible for non-profit status. It was clarified that they are.

Lee Rossow, 11050 59th St., applicant, spoke about the proposal. **Project Architect Bill Sanders** described the proposal in detail. It was noted that there will be no soil contamination due to the type of vaults proposed.

How it would be expanded in future was explored. It will be funded for 10 years and there is currently enough capacity to provide space for several hundred years. The cemetery will be governed as part of a trust. The Council discussed including a possible service fee and park dedication fees. Council Member Smith stated she finds the proposal intriguing.

Council Members Smith and Bloyer left meeting at 10:20pm.

Mayor Pearson called for the mentioned issues to be addressed when the proposal comes back. Council Member Nelson suggested the City look at the zoning code vis-à-vis cemeteries for the future. Community Development Director Klatt agreed with the suggestion that this land use should be looked at. He said he would add it to the Planning Commission plan of work.

NO FORMAL ACTION REQUESTED.



**City of Lake Elmo
Planning Commission Meeting
Minutes of July 13, 2015**

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

COMMISSIONERS PRESENT: Dodson, Dorschner, Williams, Fields, Larson, and Kreimer

COMMISSIONERS ABSENT: Griffin and Haggard

STAFF PRESENT: City Planner Johnson & Planning Program Assistant Ziertman

Approve Agenda:

The agenda was accepted as presented.

Approve Minutes: June 22, 2015

M/S/P: Williams/Kriemer, move to approve minutes as presented, ***Vote: 6-0, motion carried unanimously.***

Public Hearing: Preliminary Plat and Final Plat – Cemetery

Johnson started his presentation summarizing the final plat request for a cemetery at 11050 50th Street. The staff is recommending approval subject to 8 conditions. The site is surrounded by other rural residential properties. This property is currently zoned rural residential and is used as a single family home. According to the Lake Elmo Zoning Code, cemeteries are considered a permitted use in the AG & RR zones. The Valley Branch reviewed this application and approved a permit.

The access for the site would come in off of 50th street. This site would be served with City water, and a new septic system would need to be constructed. As far as the platting goes, there will be an additional amount of road right of way of 25 feet needed on Lake Elmo Avenue. Along 50th street, an additional 5 feet of right of way will be required by the City.

The engineer comments include the required additional right of way for 50th Street. In addition, the private stormwater management system must be privately owned and operated, and a maintenance agreement is required with the City. There were also some construction plan revisions identified by the Engineer.

Washington County comments include the additional right of way on Lake Elmo Ave. and the need for a county right of way permit to remove the existing driveway and conduct grading in the right-of-way.

The review comments of the Fire Chief include the need for a proposed hydrant location, fire suppression equipment, proper turning radii and emergency vehicle movements, and height of proposed entrance canopy on the structure to allow for emergency vehicles.

Concerns that staff heard from surrounding property owners regarding the application are increased traffic, effect on property values and permanent care of the cemetery.

Dorschner asked what this lot could be developed at. Johnson stated that it is a 10 acre minimum, so it is at the maximum residential use.

Williams asked about the crematory. The City's definition includes the ability to have a crematory. Williams asked if that mean that at a future date this use could be added. Johnson stated that yes they could if the current definition of cemeteries did not change.

Kriemer asked about the areas planned for future phases on the plan, specifically asking about setbacks. Johnson stated that beyond the 5 foot setback, there is no other setbacks in place. Kreimer asked if the fence was on the property line. Johnson stated fences can be put on the property line.

Dodson asked who enforces the private drainage. Johnson stated that the City falls under the MS4 program and the property owner is required to submit annual reports.

Fields asked how much this property currently pays in taxes. Johnson stated that once this property becomes a cemetery, it becomes tax exempt.

Lee Rossow, applicant, stated that there would be normal hours of operation, 7 days a week. Rossow stated it is a low impact use and takes a long time to ramp up. There is a permanent trust fund for maintenance that is statutorily required.

Williams asked if Rossow would enter into an agreement not to build a crematorium on this site. Rossow stated that putting one on the site would be almost impossible. He stated he would be willing to sign a document saying he would not do so.

Dodson asked where the future gravesites would stop. Rossow stated that he would be surprised if they reached 1000 gravesites in 30 years, so they left that future site a little vague so it could be re-evaluated in the future. Dodson asked how the transfer of ownership worked from generation to generation. Rossow stated that presently there is

an association planned with 3 committed members. After about 8 years, he plans to go to a non-profit with a board of 8, which should should sustain itself.

Kreimer asked about how many burials are shown right now. Rossow stated that there is close to 2000 shown and when it is built out it is around 4500.

Public Hearing opened at 7:45pm

Jean Madrinich, 11420 50th Street N, she stated that when the well house went in, they had a lot of problems with the floodplains and she is wondering how this will be addressed. Rossow stated that the VBWD stated that no one can be buried below the 100 year flood plain. Madrinich is also very concerned with the traffic on the road and there is another property that wants to do a commercial endeavor. She was also wondering about signage. Rossow stated that there would be an identifying sign that will probably be made out of granite.

Deb Krieger, 4552 Lake Elmo Ave, she is wondering about the parkland dedication. She believes that if it is RR there should be a 4% park land dedication. Johnson noted that the subdivision ordinance calls for land dedication for residential subdivisions, whereas the proposed project is a public/civic use under the City's Zoning Code. She is also wondering about the board and the trust fund. Rossow stated that they will follow the state statute. Krieger asked if a fence is required around a cemetery. Johnson stated that our code does not require it or exclude it. Krieger stated that she would like to see no fencing. She is worried about the traffic, especially with a funeral procession. She is wondering about setbacks. 50-80% of deaths are cremations and she is wondering where those will happen. She reiterated the need for a permanent care fund and following state statutes as they relate to cemeteries.

Dodson asked Rossow how they handle winter burials. Rossow stated that there is equipment that is used to prepare the ground. He stated that the bodies would be stored in a mausoleum until the ground is thawed. Rossow stated that a fence is a must for security and to deter vandalism.

Janet Thompson, 11491 50th Street, stated that she believes this use to be a large commercial venue placed within their residential area. They purchased their property in a rural area, not to be placed next to mausoleums.

Rebecca Tenpas, 11330 50th Street, ask the Planning Commission to think about the rural areas and what people think about for that type of environment. She thinks this commercial venue does not fit in with the rural character. She is concerned about the traffic. 50th street has become a very busy road. The surrounding uses around this are all single family homes and this should be a single family home as well.

Rich Day, property owner on 50th Street, is wondering if there is an environment impact statement with this request. The storm water from the Rossow property runs to his property to the south. He wanted to ensure that this project would not increase the water flow to his property. Johnson noted that the Valley Branch Watershed District did review the proposed storm water facilities and found them to be in compliance with watershed rules. State requirements do not allow post development water volume and velocity to increase from the existing condition. Johnson also stated that the proposed use would likely not meet the threshold for an environmental assessment worksheet, but the City has the discretion to require one.

Jeffrey Saffle, 11180 50th Street, noted that they have an easement that runs to the east of this property. He is concerned about the LED lights and would like assurance that this will conform to the dark sky ordinance. Rossow stated that the only LED lights would be in the parking lot. At night they will go down to almost off when the day is over and they will all have hoods on them.

Saxe Roberts, 11165 50th Street, did research about property values and the results are mixed or inconclusive as staff suggested. However, some people just don't like cemeteries. They put a significant investment into their property and feel that it will affect the value. He is also concerned about the traffic and especially with funeral processions.

The City received no written or electronic correspondence.

Public Hearing closed at 8:25 pm

Williams heard 4 major concerns. Traffic, property values, commercial in residential and storm water. VBWD is the custodian of storm water. They are the experts, so if they issued the permit, it must be on track.

Dorschner stated that usually the funeral processions are during business hours and not during rush or peak travel hours.

Kreimer would like to add a tree transplant warranty, he would like to see trees planted around the property line, add something regarding the crematorium and would like to stipulate that the trust fund be governed by the Minnesota cemetery association.

Dodson feels that this should be split between preliminary plat and final plat with more detailed plans. Johnson stated that applications that proposed to proceed with preliminary and final plat concurrently are accepted when there is little to no public infrastructure. In addition, the scope or size of the plat also determines if the process can be expedited.

Williams is wondering if a condition could be added that if any design changes occur to the main structure, that it complies with the Cities design standards.

M/S/P: Fields/Dorschner, Move to add a condition that development of a crematorium is excluded from use on this property. Motion withdrawn

M/S/P: Williams/Fields, move that any future expansion of the site, including plans to install a crematorium, must be reviewed and approved by the City, **Vote: 6-0, motion carried unanimously.**

M/S/P: Williams/Kreimer, move to add condition that the Cities dark sky ordinance will be followed, **Vote: 6-0, motion carried unanimously.**

M/S/P: Williams/Dorschner, move that any alterations to existing building conform to the City's design standards. **Vote: 6-0, motion carried unanimously.**

M/S/P: Williams/Dorschner, move that draft finding number 5 read "That the Halcyon Cemetery Final Plat is consistent with the City's engineering standards, except where noted, provided the plans are updated to address the City Engineer's comments documented in a letter dated July 8, 2015 and the Fire Chiefs letter dated July 7, 2015. **Vote: 6-0, motion carried unanimously.**

M/S/P: Williams/Dorschner, move to add draft finding number 6 that the applicant has committed to a permanent trust fund according to state statute. **Vote: 6-0, motion carried unanimously.**

M/S/P: Kreimer/Larson, move that if trees that are transplanted die within two years, they will be replaced, **Vote: 6-0, motion carried unanimously.**

M/S/P: Kreimer/Williams: Landscape plan shall be amended to add plantings along the Eastern and Northern property lines consistent with screening requirements specified in 154.258.F of the City Code, **Vote: 6-0, motion carried unanimously.**

M/S/P: Fields/Dodson Move that any annual financial reporting regarding the permanent care trust fund that is sent to state or federal authorities also be submitted to the City. Withdrawn

M/S/P: Dorschner/Williams, move that minutes from annual meetings, including the annual financial reporting, be submitted to the City. **Vote: 6-0, motion carried unanimously.**

M/S/P: Williams/Dorschner, Move to recommend approval of the Halcyon Cemetery Preliminary & Final Plat with the conditions of approval as drafted by Staff and amended

by the Planning Commission and based on the findings of fact listed in the Staff Report and amended by the Planning Commission **Vote: 6-0, motion carried unanimously.**

17. HALCYON CEMETERY PRELIMINARY AND FINAL PLAT

Community Development Director Klatt reviewed the request for approval of a preliminary and final plat for a cemetery located at 11050 50th Street North and reported on the six conditions on the Planning Commission recommendation for approval.

The applicant, Mr. Lee Rossow addressed the Council and provided background information on the project. Mr. Rossow explained the proposed site improvements and anticipated operations of the cemetery and conversion of the existing single family home to offices, caretaker living quarters, and a facility to hold gatherings and services.

Susan Dunn, 11018 Upper 33rd Street N., asked when cemeteries were added to the Comp Plan and stated they were not allowed under the old Ordinance. Dunn added that there was a pet crematorium in the City in the past and it was a problem. Dunn also commented on the tax exempt status of cemeteries.

Kristy Roberts, 11165 50th Street N., stated she purchased her home two and an half years ago because she wanted to be in a rural residential area with her six children and never imagined a commercial property across the street. Ms. Roberts expressed concern over property values if this application is approved.

Saxe Roberts, 11165 50th Street N., stated that the rural residential intended use is for single family homes on a large lots and questioned how a commercial parking lot is allowed in that zone. Mr. Roberts expressed concern over the operation of the cemetery and the lack of park dedication funds from this development.

Rebecca Tenpas, 11330 50th Street N., stated her opposition to the application due to it being a commercial venue, noting that it may fit the rules but not the neighborhood.

James Tenpas, 11330 50th Street N., stated that the City needs to protect its rural residential residents and not allow this additional traffic on 50th Street. Mr. Tenpas stressed that this is a permanent decision.

Sadie Tenpas, 11330 50th Street N., voiced opposition to the project, stating that there are environmental and aesthetic consequences, harm to property values, and commercial use in rural residential zone. Ms. Tenpas also expressed concern over long term maintenance and upkeep of the property.

Janet Thompson, 11491 50th Street N., stated that the zoning allows this type of use but it does not fit with the neighborhood. Ms. Thompson also stated she is opposed to a business like this that will attract vandals.

Richard Hesse, 5235 Kirkwood Ave., read an email he sent to the Councilmembers and stated that no business should be allowed at this site and stated many concerns regarding the proposal.

Deb Krueger, 4452 Lake Elmo Ave., questioned if the Planning Commissioners did their research or were familiar with City codes. Ms. Krueger expressed concern over the care fund at the State of Minnesota and asked the Council to table the request to allow for further research.

Community Development Director Klatt read an email from Jean Madrinich, 11240 50th Street, expressing opposition to the project.

Councilmember Bloyer asked City Attorney Snyder and Community Development Director Klatt for guidance, as he felt the City Council was not comfortable with the proposal. Councilmember Fliflet asked for further definition of "cemetery" and Councilmember Lundgren requested further definition of "funeral home."

LAKE ELMO CITY COUNCIL MINUTES

July 21, 2015

*Councilmember Smith moved TO TABLE THE REQUEST FOR FURTHER CITY REVIEW.
Councilmember Fliflet seconded the motion. MOTION PASSED 5 – 0.*



MAYOR & COUNCIL COMMUNICATION

DATE: 10/6/2015
REGULAR AGENDA
ITEM #12

AGENDA ITEM: Plat Approval Process/Conditions of Approval

SUBMITTED BY: Councilmember Fliflet

THROUGH: Administration

REVIEWED BY: Councilmember Fliflet

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item Councilmember Fliflet
- Report/Presentation..... Councilmember Fliflet
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECOMMENDER: Councilmember Fliflet

FISCAL IMPACT: Unknown

SUMMARY AND ACTION REQUESTED:

Council is being asked to discuss the process under which plats are brought forward for approval. Several areas of concern have been identified including:

- Parks Commission concerns and recommendations not being brought forward with the Plat approval (this was brought up and identified as a problem at our joint council/parks commission meeting)
- Landscape architect concerns and recommendations not being brought forward with the Plat approval (this was brought forward as a concern by our landscape architect)
- The number of conditions accompanying plat approvals
- The follow up to ensure all conditions are met following plat approvals
- The follow up to ensure landscape plans and other items are in compliance with approved plats
- Developers granted permission for grading before tree preservation plans have been discussed and adopted
- Release/reallocation of special assessments/liens with the county without City Council approval



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
REGULAR
ITEM # 13

AGENDA ITEM: 2014 Street Improvements – Assessment Hearing on Improvements and Adopting the Final Assessment Roll

SUBMITTED BY: Ryan Stempski, Project Engineer

THROUGH: Clark Schroeder, Interim City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Cathy Bendel, Finance Director
Dave Snyder, City Attorney

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Engineer
- Report/Presentation..... City Engineer
- Questions from Council to Staff Mayor Facilitates
- Open Public Improvement Hearing; Public Input Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT: None.

Holding the final assessment hearing follows state statute for assessing benefitting properties for the improvements and adopting the final assessment roll finalizes the special assessments to be levied for the project.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to conduct the Final Assessment Hearing for the 2014 Street Improvements and to hear upon any objections to the proposed assessment whether presented verbally or in writing. Following the Hearing, the Council is asked to consider adopting the final assessment roll. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2015-78, Adopting the Final Assessment Roll for the 2014 Street Improvements.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

On September 1, 2015, the City Council approved a Resolution declaring the costs to be assessed, ordering the preparation of the proposed assessment, and calling for the hearing on proposed assessment for the 2014 Street Improvements.

The Project is substantially complete and the Final Assessment Rolls for this project were established per the City’s Special Assessment Policy and the final project costs for the Improvements. Final total project costs were 90% of the authorized project amounts, or \$188,500 less than planned. Therefore the unit assessment rates were reduced, at Council direction, to remain in line with the current assessment policies and practices, assessing 30% of eligible costs to residential properties in each project area. With the reduced project costs and assessment amounts, the City cost-share portion of the project is also reduced by \$127,150, or 9.6% of the planned amount.

	<u>Preliminary</u>	<u>Final</u>
TOTAL PROJECT	\$1,744,150	\$1,561,891.41
City Share	\$1,322,350	\$1,195,200
Assessed Costs	\$491,400	\$429,200
UNIT ASSESSMENTS		
Packard Park	\$6,000 (per unit)	\$5,000 (per unit)
Deer Pond Area	\$6,400 (per unit)	\$5,700 (per unit)
Manning Trail	\$3,200 (per unit)	\$2,900 (per unit)
Tartan Park	\$95,800 (100% per foot)	\$87,400 (100% per foot)

Pursuant to Minnesota Statutes, Section 429 the Council must declare the final amount to be assessed against the benefitting properties and the hearing on the proposed assessment for these improvements must be conducted. Staff has attached a proposed Final Assessment Roll per the unit assessment amounts presented above. Mailed notice has been provided to each assessed property and notice of the public hearing has been published in the local paper in accordance with Minnesota Statutes, Section 429. The Final Assessment Roll must be certified to the County Auditor by November 30, 2015.

RECOMMENDATION:

Staff is recommending that the City Council adopt Resolution No. 2015-78; Adopting the Final Assessment Roll for the 2014 Street Improvements. The recommended motion for this action is as follows:

***“Move to approve Resolution No. 2015-78, Adopting the Final Assessment Roll
for the 2014 Street Improvements.”***

ATTACHMENT(S):

1. Resolution No. 2015-78, Adopting the Final Assessment Roll on Street Improvements.
2. Final Assessment Roll.
3. Notice of Hearing on Street Improvements.
4. Final Project Cost Summary.

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

**RESOLUTION NO. 2015-78
A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL FOR
THE 2014 STREET IMPROVEMENTS**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the 2014 Street Improvements.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January, 2016, and shall bear interest at the rate of 4.61% percent per annum from the date of the adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2015. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with the interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 21 or interest will be charged through December 31 of the next succeeding year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTH DAY OF
OCTOBER 2015.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)
ATTEST:

Julie Johnson
City Clerk

2014 STREET IMPROVEMENTS
 PACKARD PARK AREA
 FINAL ASSESSMENT ROLL

NO.	NAME	ADDRESS	PID	AMOUNT
1	SCHWARTZ STEVEN R	2393 LAKE ELMO AVE N LAKE ELMO	55042 02402921320019	\$ 5,000.00
2	BUSH LARRY W & KATHRYN L	11140 24TH ST N LAKE ELMO	55042 02402921320012	\$ 5,000.00
3	FEUERHERM FREDERICK P & NANCY	11202 24TH ST N LAKE ELMO	55042 02402921320018	\$ 5,000.00
4	DAVIS PETER E & JEANNE E	11233 24TH ST N LAKE ELMO	55042 02402921310013	\$ 5,000.00
5	SCHMELZ JONATHAN & CAROL	11277 24TH ST N LAKE ELMO	55042 02402921310014	\$ 5,000.00
6	LAFAVOR RYAN B & NORMA P	11350 24TH ST N LAKE ELMO	55042 02402921310015	\$ 5,000.00
7	VANDERKELEN GARY J TRS & MARLINE A VANDERKELEN TRS	11355 24TH ST N LAKE ELMO	55042 02402921310010	\$ 5,000.00
8	HUNSTAD STEVE D & MERRI J	11420 24TH ST N LAKE ELMO	55042 02402921310011	\$ 5,000.00
9	JOHNSTON RAYMOND P & VICKIE	2410 LANSING AVE N LAKE ELMO	55042 02402921310012	\$ 5,000.00
10	KONISZCZUK WALDEMAR & JANICE	2430 LANSING AVE N LAKE ELMO	55042 02402921320017	\$ 5,000.00
11	FERGUSON ANTHONY G TRS	2450 LANSING AVE N LAKE ELMO	55042 02402921320016	\$ 5,000.00
12	MOELLER WILLIAM P JR & MARGARET MOELLER	2455 LANSING AVE N LAKE ELMO	55042 02402921310016	\$ 5,000.00
13	EITZMAN PHILIP D & DIANA M	2470 LANSING AVE N LAKE ELMO	55042 02402921320015	\$ 5,000.00
14	SCHWABEL KENDRA K	11365 24TH ST CT N LAKE ELMO	55042 02402921310009	\$ 5,000.00
15	GREUPNER GERALD W & PATRICIA	11375 24TH ST CT N LAKE ELMO	55042 02402921310008	\$ 5,000.00
16	RYAN STEPHEN P & PATRICIA A	11385 24TH ST CT N LAKE ELMO	55042 02402921310006	\$ 5,000.00
17	FOUT BRYAN JAMES & MOSEMAN & JOAN T MOSEMAN	11395 24TH ST CT N LAKE ELMO	55042 02402921310005	\$ 5,000.00
18	ST MICHEL MARK L & JAMIE J	11407 24TH ST CT N LAKE ELMO	55042 02402921310004	\$ 5,000.00
19	GESCHKE JAMES C & CLOE M	2450 LEGION AVE N LAKE ELMO	55042 02402921310003	\$ 5,000.00
20	MATTISON DONALD W & FAY A	2359 LEGION AVE N LAKE ELMO	55042 02402921420021	\$ 5,000.00
21	SMITH ADAM D	2329 LEGION AVE N LAKE ELMO	55042 02402921420020	\$ 5,000.00
22	JOHNSON SCOTT & JUDITH A	2320 LEGION AVE N LAKE ELMO	55042 02402921310007	\$ 5,000.00
23	BUCHECK DAVID J & ANN M	2301 LEGION AVE N LAKE ELMO	55042 02402921420019	\$ 5,000.00
24	BERNIER RICHARD A TRS & LINDA K BERNIER TRS	2257 LEGION AVE N LAKE ELMO	55042 02402921420018	\$ 5,000.00
25	BARTHOLOMEW CHERYL A & MICHAEL	2229 LEGION AVE N LAKE ELMO	55042 02402921430023	\$ 5,000.00
26	DURAND MARY JEAN TRS	GREEN ACRES 11332 20TH ST N LAKE ELMO	55042 02402921340001	\$ 25,000.00
27	FAIRROW RICHARD S & SARAH M	2075 LEGION AVE N LAKE ELMO	55042 02402921430012	\$ 5,000.00
28	COOK CHRISTOPHER P & KAREN F	11120 20TH ST CT N LAKE ELMO	55042 02402921330011	\$ 5,000.00
29	JUNKER JEROME E & SANDRA L TRS & SANDRA L JUNKER T	11130 20TH ST CT N LAKE ELMO	55042 02402921330010	\$ 5,000.00
30	BURNS JAMES A & BETH R	11140 20TH ST CT N LAKE ELMO	55042 02402921330009	\$ 5,000.00
31	MORGAN DIANE TRUDEAU	11150 20TH ST CT N LAKE ELMO	55042 02402921330008	\$ 5,000.00
TOTAL				\$ 175,000.00

2014 STREET IMPROVEMENTS
 DEER POND COURT AND TRAIL NORTH
 FINAL ASSESSMENT ROLL

NO.	NAME	ADDRESS	PID	AMOUNT
1	WALMAR BEVERLY & JACK TRS	8203 HIDDEN BAY TRL N LAKE ELMO	55042 0902921320020	\$ 5,700.00
2	BROSSART DIANE S	8206 DEER POND TRL N LAKE ELMO	55042 0902921320003	\$ 5,700.00
3	KRINGS MICHAEL R & PATRICIA A	8220 DEER POND TRL N LAKE ELMO	55042 0902921320004	\$ 5,700.00
4	BRENGEN JOHN H & EMILY E	8260 DEER POND TRL N LAKE ELMO	55042 0902921310022	\$ 5,700.00
5	CAPELING LAWRENCE L & YVONNE	8281 DEER POND TRL N LAKE ELMO	55042 0902921340004	\$ 5,700.00
6	LARSON REUBEN A & GERALDINE R	8292 DEER POND TRL N LAKE ELMO	55042 0902921310021	\$ 5,700.00
7	NICOSIA S CHRISTIAN & ROXANNE	8295 DEER POND TRL N LAKE ELMO	55042 0902921340003	\$ 5,700.00
8	MODEAN JASON M & AMY L	8312 DEER POND TRL N LAKE ELMO	55042 0902921310020	\$ 5,700.00
9	OSTARELLO BENJAMIN	8323 DEER POND TRL N LAKE ELMO	55042 0902921340002	\$ 5,700.00
10	YARUSSO GENTILE R JR & SHARON	8355 DEER POND TRL N LAKE ELMO	55042 0902921340001	\$ 5,700.00
11	HOLDER VIRGINIA M TRS & J THOMAS MCHENRY TRS	8390 DEER POND TRL N LAKE ELMO	55042 0902921310019	\$ 5,700.00
12	WALD LEON D & LORRAINE M	8401 DEER POND TRL N LAKE ELMO	55042 0902921310028	\$ 5,700.00
13	JOHNSON DONNA M	8405 DEER POND TRL N LAKE ELMO	55042 0902921310007	\$ 5,700.00
14	PETERSON CHARLES I & JUDITH	8233 DEER POND CT N LAKE ELMO	55042 0902921330018	\$ 5,700.00
15	BLANEY JAMES E & DAWN M	8237 DEER POND CT N LAKE ELMO	55042 0902921330019	\$ 5,700.00
16	FLANAGAN STEVEN J & SUSAN M	8239 DEER POND CT N LAKE ELMO	55042 0902921330020	\$ 5,700.00
17	SNELL JOHN B & JEANIE B	8241 DEER POND CT N LAKE ELMO	55042 0902921330014	\$ 5,700.00
18	BULTMAN PAUL A	8243 DEER POND CT N LAKE ELMO	55042 0902921330013	\$ 5,700.00
19	WILLIAMSON JUDITH C	8245 DEER POND CT N LAKE ELMO	55042 0902921330012	\$ 5,700.00
20	PEARSON RICHARD O & DIANE E	8247 DEER POND CT N LAKE ELMO	55042 0902921330011	\$ 5,700.00
21	LIPMAN ERIC L & KIMBERLY A	8249 DEER POND CT N LAKE ELMO	55042 0902921330010	\$ 5,700.00
22	CARLSON ERIC J & JANE L M	8251 DEER POND CT N LAKE ELMO	55042 0902921330009	\$ 5,700.00
23	SJERVEN GENE A & LORRAINE TRS	8255 DEER POND CT N LAKE ELMO	55042 0902921330008	\$ 5,700.00
TOTAL				\$ 131,100.00

2014 STREET IMPROVEMENTS
 MANNING TRAIL NORTH
 FINAL ASSESSMENT ROLL

NO.	NAME	ADDRESS	PID	AMOUNT
1	TARTAN PARK LLC	11455 20TH ST N LAKE ELMO	55042 02502921120001	\$ 87,400.00
2	SELINSKI MICHAEL JOSEPH	1875 MANNING TRL N LAKE ELMO	55042 02502921110001	\$ 2,900.00
3	NORMA L VALERI	1957 MANNING TRL N LAKE ELMO	55042 02502921110003	\$ 2,900.00
4	BEAN ROBERT D	1985 MANNING TRLN LAKE ELMO	55042 02502921110002	\$ 2,900.00
5	KIEKHAFER ALLEN L & MARCELLA	2040 MANNING TRL N LAKE ELMO	55042 02402921440006	\$ 2,900.00
6	ZWIEFEL MICHAEL P & COLLEEN M MORAN	2055 MANNING TRL N LAKE ELMO	55042 02402921440017	\$ 2,900.00
7	PEARSON RICHARD M & ANNE K	2101 MANNING TRL N LAKE ELMO	55042 02402921440018	\$ 2,900.00
8	SULLIVAN KOLLEEN F	2270 MANNING TRL N LAKE ELMO	55042 02402921440003	\$ 2,900.00
9	BIRD JAYNE E & RONALD E	2244 MANNING TRL N LAKE ELMO	55042 02402921440005	\$ 2,900.00
10	SCHMIDT LILLIAN M	2296 MANNING TRL N LAKE ELMO	55042 02402921410001	\$ 2,900.00
			TOTAL	\$ 113,500.00

CITY OF LAKE ELMO
NOTICE OF HEARING ON PROPOSED ASSESSMENT
2014 STREET IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will meet in the Council Chambers of the City Hall at or approximately after 7:00 P.M. on Tuesday, October 6, 2015, to consider, and possibly adopt, the proposed assessment against abutting property for the 2014 Street Improvements. Adoption by the Council of the proposed assessment may occur at the hearing. The following describes the area proposed to be assessed:

- Packard Park Area: The amount to be specially assessed against each particular lot, piece, or parcel of land located within the Packard Park Area, including 24th Street North from Lake Elmo Avenue to Legion Avenue; 24th Street Court North; Lansing Avenue North; 20th Street Court North; and Legion Avenue North from 20th Street to 24th Street is \$5,000.
- Manning Trail North: The amount to be specially assessed against each particular residential lot, piece, or parcel of land located along Manning Trail North from Manning Avenue to the City Limits is \$2,900. The amount to be specially assessed against Tartan Park, the non-residential property along Manning Trail North from Manning Avenue to the City Limits is \$87,400.
- Deer Pond Area: The amount to be specially assessed against each particular lot, piece, or parcel of land located within the Deer Pond Area, including Deer Pond Trail from Hidden Bay Trail to Jack Pine Trail; and Deer Pond Court is \$5,700.

You may at any time prior to certification of the assessment to the county auditor on November 21, 2015, pay the entire assessment on such property to the City Clerk with interest accrued to the date of payment. No interest shall be charged if the entire assessment is paid to the City Clerk 30 days from the adoption of this assessment. You may at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 (date assessment certified to County Auditor) or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is 4.61 percent per year.

Once assessments are certified to the County, the assessments are payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2016, and will bear interest at the rate of 4.61 percent per annum from the date of adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2015. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed street improvement assessment is \$429,200. *The City contribution for the street improvement project is \$1,195,200.* Written or oral objections

will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

An owner may appeal an assessment to district court pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

The City Council is authorized in its discretion to defer the payment of an assessment for any homestead property owned by a person for whom it would be a hardship to make payment if the owner is 65 years of age or older and/or the owner is a person retired by virtue of a permanent and total disability or by a person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in section 190.05 subdivision 5b or 5c, as stated in the person's military orders, for whom it would be a hardship to make the payments. The owner must request a deferment of the assessment at or before the public hearing at which the assessment is adopted and make application on forms prescribed by the City Clerk within 30 days after the adoption.

Notwithstanding the standards and guidelines established by the City for determining a hardship, a deferment of an assessment may be obtained pursuant to Minnesota Statutes Section 435.193.

DATED: September 1, 2015

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

(Published in the Oakdale-Lake Elmo Review on September 9, 2015)



PROJECT BUDGET SUMMARY REPORT - ENGINEERING SERVICES

PROJECT BUDGET BY PHASE	BUDGET	CONTRACT TYPE	JTD INVOICED	%
Feasibility Report	\$13,000.00	Lump Sum	\$12,998.09	100.0%
Design/Bidding Phase Services	\$80,732.00	Hourly NTE	\$74,474.84	92.2%
Construction Administration	\$55,668.00	Est. Hourly	\$29,347.00	52.7%
Construction Staking	\$18,850.00	Est. Hourly	\$20,579.00	109.2%
Construction Observation	\$68,600.00	Est. Hourly	\$39,046.45	56.9%
Easement & Description	\$1,000.00	Hourly NTE	\$987.50	98.8%
<hr/>				
TOTAL Engineering Fees	\$237,850.00		\$177,432.88	74.6%
ADDITIONAL SERVICES	BUDGET	CONTRACT TYPE	JTD INVOICED	%
<hr/>				
TOTAL Additional Services				
<hr/>				
TOTAL ENGINEERING SERVICE FEES	\$237,850.00		\$177,432.88	74.6%

PROJECT INFORMATION

TOTAL PROJECT BUDGET BREAKDOWN	FEASIBILITY REPORT	FINAL COST
Construction Cost	\$1,380,000.00	\$1,469,015.70
Change Order No. 1		\$7,988.30
Compensating Change Order No. 2 - Reconcile bid quantities to actual.		-\$91,056.29
REVISED Contract Amount	\$1,380,000.00	\$1,385,947.71
Contingencies	\$137,900.00	\$0.00
Engineering Report and Design Phase Services	\$93,732.00	\$88,460.43
Engineering Construction Phase Services	\$74,518.00	\$59,926.00
Construction Observation	\$68,600.00	\$39,046.45
Geotechnical Engineering	\$20,000.00	\$12,022.30
Legal, Fiscal & Administration	\$39,000.00	\$39,000.00
TOTAL PROJECT BUDGET	\$1,813,750.00	\$1,624,402.89
Reimbursed from WLT:	-\$69,600.00	-\$62,511.48
TOTAL PROJECT BUDGET - CITY OF LAKE ELMO	\$1,744,150.00	\$1,561,891.41

2014 STREET IMPROVEMENTS - TOTAL ASSESSABLE PROJECT COSTS

Preliminary	Final		Unit Assessments	
\$491,400	\$429,200	<i>Costs Assessed to Benefitting Properties</i>		
\$1,322,350	\$1,195,203	<i>City Share of Street Improvement Costs</i>	Preliminary:	Final:
			Packard Park	\$6,000
			Deer Pond	\$6,400
			Manning Trail	\$3,200
			Tartan Park	\$95,800
				\$87,400
Construction Start Date:	July 8, 2014			
Substantial Completion Date:	October 10, 2014	October 31, 2014		
Final Completion Date:	November 21, 2014	January 20, 2015		



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
REGULAR
ITEM 14

AGENDA ITEM: 2016 Street, Drainage and Utility Improvements – Resolution Receiving Feasibility Report and Calling Hearing on Improvement

SUBMITTED BY: Ryan Stempski, Assistant City Engineer

THROUGH: Clark Schroeder, Interim City Administrator

REVIEWED BY: Julie Johnson, City Clerk
Cathy Bendel, Finance Director
Jack Griffin, City Engineer

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Engineer
- Report/Presentation..... City Engineer
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT: None.

The Feasibility Report was previously authorized. Calling for and conducting the Public Improvement Hearing is included in the feasibility report scope of services.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider adopting Resolution No. 2015-XX receiving the Feasibility Report and calling for a Public Improvement Hearing for the 2016 Street, Drainage and Utility Improvements to be held on November 3, 2015. The recommended motion for this action is as follows:

“Move to adopt Resolution No. 2015-79, receiving the Feasibility Report and calling Hearing for the 2016 Street, Drainage and Utility Improvements.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

The 2016 Street Improvements were identified in the City’s 5-Year Street Capital Improvement Program. The City is also responding to petitions for municipal water along Kelvin Avenue North.

The feasibility report was authorized by the city council on August 4, 2015 in order to ready these improvements for 2016 construction. A feasibility report must be prepared to meet state statutory requirements if any portion of the project is to be assessed to benefitting properties. The report identifies the necessary improvements, the estimated project costs, the assessment methodology and preliminary assessment amounts to be levied against properties adjacent to and benefitting from the street, drainage and utility improvements.

The improvements consist of the following:

- Reconstruction of Kirkwood Avenue North from 50th Street to the north cul-de-sac. The improvement includes a new bituminous surface along an existing gravel roadway. In 2011 the property owners petitioned the City to be scheduled within the Street CIP for a new paved roadway.
- Reconstruction of Kelvin Avenue North from Old TH5 to the north cul-de-sac. The report considers improvements to convert a portion of a private drive serving 8 residential properties to a public street. The converted street would become an extension of Kelvin Avenue North.
- Resurfacing the streets through a street reclaim within the Stonegate 1st Addition, including 9th Street North, Jasmine Avenue Place North, and Jasmine Avenue North from 10th Street to Julep Avenue North.
- Based upon receipt of a property owner petition, extension of 6-inch, 8-inch and 12-inch diameter lateral and trunk watermain is considered along Kelvin Avenue North with service stubs to existing properties. Recommendation of associated watermain improvements is dependent upon support of the property owners to be 100% assessed.

The total estimated project cost is \$1,409,000. The street improvement portion is \$1,195,000 and the watermain improvement is \$214,000. The improvements would be partially assessed against the benefitting properties consistent with the City’s Special Assessment Policy. Residential street improvements are typically assessed 30% of the total project costs while watermain improvements are assessed 100% to the benefitting properties. Kirkwood Avenue North property owners will be assessed 100% of the bituminous paving costs and 30% of the remaining base and shouldering improvements, since the bituminous surface is a new improvement. The City’s general tax levy typically covers the bond payments for the remaining street improvements. The Water Enterprise Fund is used to cover the watermain oversize or trunk costs. A lateral benefit assessment would be levied against properties along the proposed trunk watermain on Kelvin

Avenue. Assessments for street improvements are levied over 10 years while assessments for watermain improvements are levied over 15 years. The feasibility report findings and recommendations will be further presented at the meeting.

RECOMMENDATION:

Staff is recommending that the City Council adopt Resolution No. 2015-79, receiving the Feasibility Report and calling Hearing for the 2016 Street, Drainage and Utility Improvements. The recommended motion for this action is as follows:

“Move to adopt Resolution No. 2015-79, receiving the Feasibility Report and calling Hearing for the 2016 Street, Drainage and Utility Improvements.”

ATTACHMENT(S):

1. Resolution 2015-79 Receiving the Feasibility Report for the 2016 Street Improvements.
2. Notice of Hearing on Improvement.
3. Location Maps.
4. Project Schedule.
5. Feasibility Report (*available for review at City Hall*)

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

RESOLUTION NO. 2015-79

**A RESOLUTION RECEIVING A FEASIBILITY REPORT FOR THE
2016 STREET, DRAINAGE AND UTILITY IMPROVEMENTS AND
CALLING HEARING ON IMPROVEMENT**

WHEREAS, pursuant to city council authorization, adopted on August 4, 2015, a feasibility report has been prepared by FOCUS Engineering, Inc. for the 2016 Street, Drainage and Utility Improvements; and

WHEREAS, the feasibility report recommends that benefitting properties along the project route be assessed all or a portion of the cost of the improvements pursuant to the city's Special Assessment Policy and Minnesota Statutes, Chapter 429; and

WHEREAS, the feasibility report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvements as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

NOW, THEREFORE, BE IT RESOLVED,

1. That the City Council will consider the improvements in accordance with the report and the assessments of the abutting properties for all or a portion of the cost of the improvements pursuant to Minnesota Statutes, Chapter 429 with an estimated total project cost of \$1,195,000 for the street improvements and an estimated total project cost of \$214,000 for the watermain improvements.
2. A public hearing shall be held on such proposed improvements on the 3rd day of November, 2015, in the council chambers of the City Hall at or approximately after 7:00 P.M. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTH DAY OF OCTOBER, 2015.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)
ATTEST:

Julie Johnson
City Clerk



LEGEND

 2016 STREET IMPROVEMENTS



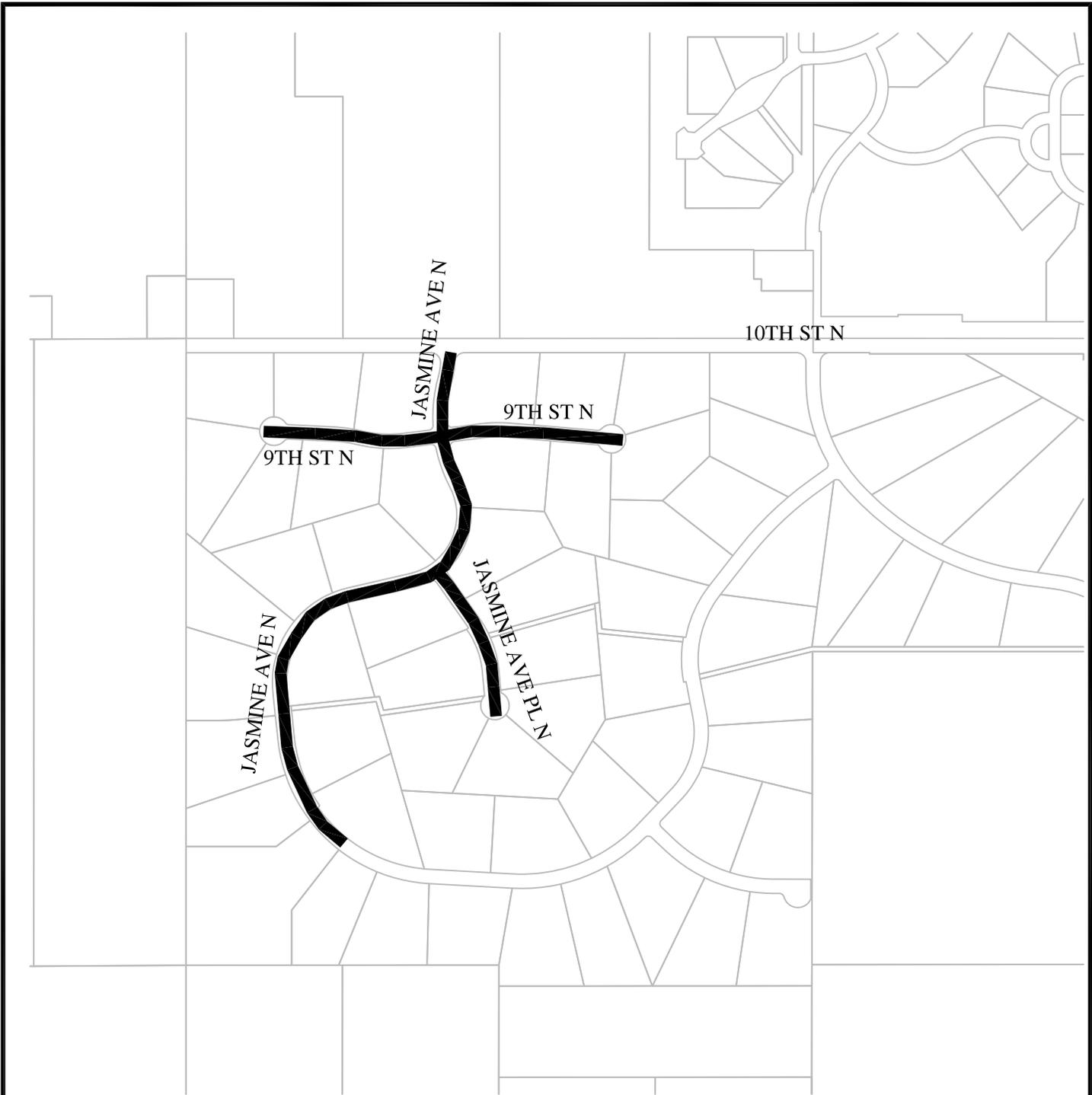
FIGURE NO. 1

LOCATION MAP

KIRKWOOD AVENUE NORTH &
KELVIN AVENUE NORTH

FOCUS
ENGINEERING

2016 STREET IMPROVEMENTS
PROJECT NO. 2015.129
SEPTEMBER, 2015



LEGEND

 2016 STREET IMPROVEMENTS



PRELIMINARY PROJECT SCHEDULE
CITY OF LAKE ELMO

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

2016 STREET, DRAINAGE AND UTILITY IMPROVEMENTS
PROJECT NO. 2015.129

AUGUST 2015

August 4, 2015	Council authorizes Feasibility Report.
October 6, 2015	Presentation of Feasibility Report. Council accepts Report and calls Hearing.
November 3, 2015	Public Improvement Hearing. Council orders preparation of Plans and Specifications.
February 16, 2016	Council approves Plans and Specifications and orders Advertisement for Bids.
March 17, 2016	Receive Contractor Bids.
April 5, 2016	Council accepts Bids and awards Contract.
May 2, 2016	Conduct Pre-Construction Meeting and issue Notice to Proceed.
August 12, 2016	Substantial Completion.
September 30, 2016	Final Completion.



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
REGULAR
ITEM # 15

AGENDA ITEM: Inwood Water Booster Station Improvements – Review Building Architecture Options

SUBMITTED BY: Chad Isakson, Project Engineer

THROUGH: Clark Schroeder, Interim City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Mike Bouthilet, Public Works

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... City Engineer
- Report/Presentation City Engineer
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT: To be determined.

The purpose of this item is to introduce architectural design options and the associated costs for each option for the Inwood Water Booster Station along Inwood Avenue just south of 26th Street North.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to review architectural options presented at the meeting and to provide direction regarding architectural preferences and associated costs. The City Council may consider approving the building architecture for the Inwood Water Booster Station. The recommended motion for this action would be as follows:

“Move to approve the building architecture for the Inwood Water Booster Station as directed by Council at the meeting.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

The Inwood Booster Station project is needed to deliver City water service to support the growth and development in the I94 corridor, residing in the high water pressure zone. The City has recently completed the purchase of the water booster station site and is moving forward with the final design for the purpose of obtaining contractor bids in early 2016. Staff is looking for direction from the Council on the architectural look of the booster station in order to complete the final plans and specifications.

The building structure will be approximately 40-feet by 28-feet to house pumps, discharge piping, electrical equipment, and chemical feed equipment. The building environment is humid and corrosive due to chemicals, so the general building structure will be a slab on grade with masonry load bearing walls and a protective/water resistant coated ceiling.

For the exterior architecture, the base plan (or low cost option) provides a decorative split face block with gable roof and asphalt shingles similar to the Pumphouse No. 4 building exterior recently constructed along 50th Street. At the request of the property owner, the design consultant has prepared additional options for review and consideration, essentially replacing the block with a stone veneer. Each option and associated construction cost will be presented at the meeting with the intent to have Council provide direction on the style, look, and budget of the building for final plan preparation purposes.

RECOMMENDATION:

Staff is recommending that the City Council review architectural options presented at the meeting to provide direction regarding architectural preferences and associated costs. The City Council may consider approving the building architecture for the Inwood Water Booster Station. The recommended motion for this action would be as follows:

“Move to approve the building architecture for the Inwood Water Booster Station as directed by Council at the meeting.”

ATTACHMENT(S):

1. Site Location Map.



Property Viewer





MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015
REGULAR
ITEM # 16

AGENDA ITEM: Inwood Water Tower (No. 4) – Approve Engineering Services Task Order for Design and Construction.

SUBMITTED BY: Chad Isakson, Project Engineer

THROUGH: Clark Schroeder, Interim City Administrator

REVIEWED BY: Jack Griffin, City Engineer

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... City Engineer
- Report/Presentation..... City Engineer
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT: \$65,700 to complete the preliminary and final design including the preparation of plans and specifications and bidding services.

Authorizing the preparation of plans and specifications for the Inwood Water Tower (No. 4) commits the City to incur the engineering costs necessary to complete detailed design and receive contractor bids to ready the project for 2016/2017 construction. The council will be asked to award a contract for construction in March 2016 once contractor bids are received, at which time the City would commit to the remaining project costs.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to award a Professional Engineering Design and Construction Support Services Contract to SEH for the Inwood Water Tower (No. 4) project. The recommended motion for the action is as follows:

“Move to approve a Professional Engineering Design and Construction Support Services Contract with SEH for the Inwood Water Tower (No. 4) project in an amount not to exceed \$108,500.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

The Inwood Water Tower (No. 4) Improvement is a \$3.0 million project. The elevated storage tank will provide water supply and fire suppression storage for the City’s high pressure zone in the southwest portion of the City. The facility will be constructed on a 1.5 acre site located along Inwood Avenue approximately half-way between 10th Street and 15th Street. The site was purchased by the City in 2015. The Inwood Water Tower (No. 4) will be partially funded using MN-DEED Grant funds and partially funded through the issuance of general obligation bonds with bond payments made from the water enterprise funds.

The project need and location is consistent with the City’s Comprehensive Water System Plan and was programmed in the Capital Improvement Plan for construction in 2015/2016. The project has been delayed due to the delay in the City’s MN-DEED grant receipt. Proceeding at this time will bring the water tower into operation in the summer/fall 2017.

To complete the engineering design, the City Engineer prepared and sent out a Request for Proposal (RFP) for Engineering Support Services that includes the preparation of plans and specifications; plan printing, distribution and bidding services; construction administration, and construction observation. FOCUS Engineering will provide council communication, project management, construction administration support, and will oversee the project design standards and documents to be incorporated with the project plans.

The RFP was sent to five firms from the City’s Engineering Consultant Pool, including AE2S, Bolton and Menk, MSA, SEH, and TKDA. The proposals were received on September 22, 2015. Upon a detailed review of the proposals it is the City Engineer’s recommendation to enter into a services agreement with SEH for this project. Proposals were reviewed and ranked on the following basis:

- Project Team Qualifications with a focus on a Project Manager and Team with specific elevated storage tank experience including composite elevated storage tanks.
- Demonstrated understanding and experience with the project and understanding of the critical success factors for the City of Lake Elmo.
- Understanding the scope of work and roles and responsibilities of the Consultant.
- Collaboration of skills and responsiveness demonstrated during the RFP submittal process.
- Engineering Fees, with a detailed breakdown that is consistent with the Consultant’s written work plan in the proposal.

The attached table summarizes the fees proposed by each consultant, ranging from \$108,500 to \$198,690. Engineering Fees are subtotaled for each project phase including Plans and Specifications, Bidding, and Construction Services. The size and style of tower will be determined during the preliminary design phase of the improvements.

The City Engineer is recommending a contract be awarded to SEH, Inc. SEH has assigned a qualified team appropriate for the level of work required for this project, they were engaged and responsive throughout the proposal preparation process, they have demonstrated a thorough understanding of the work to be performed by them, and they were the lowest cost both with observation and adjusted without observation taken into account.

RECOMMENDATION:

Staff is recommending that the City Council award a Professional Engineering Design and Construction Support Services Contract to SEH for the Inwood Water Tower (No. 4) project. The recommended motion for the action is as follows:

“Move to approve a Professional Engineering Design and Construction Support Services Contract with SEH for the Inwood Water Tower (No. 4) project in an amount not to exceed \$108,500.”

ATTACHMENT(S):

1. Project location map.
2. Proposal Fee Summary.

15TH STREET

PROPOSED WATER
TOWER PROPERTY
LOCATION

1.5 acres

80 foot R/W

INWOOD AVENUE

10TH STREET

1044

1040



CITY OF LAKE ELMO, MINNESOTA

INWOOD WATER TOWER (NO. 4)

PROJECT NO. 2015.130

DATE RECEIVED: SEPTEMBER 22, 2015

PROPOSAL FEE SUMMARY - AS RECEIVED									
Consulting Firm	Total Engineering	Project Management	Preliminary Design	P&S	Bidding	Construction	Post Construction Services	Construction Observation	
AE2S	\$119,700	\$0	\$15,500	\$43,400	\$4,500	\$52,900	\$3,400		
Bolton & Menk, Inc.	\$198,690	\$12,600	\$11,685	\$51,475	\$6,090	\$116,840			
MSA Professional Services, Inc.	\$127,149	\$8,100	\$16,713	\$48,788	\$7,514	\$46,034		Options	
SEH, Inc.	\$108,500	\$0	\$10,600	\$35,600	\$4,000	\$58,300	\$0		
TKDA, Inc.	\$122,900	\$11,500	\$23,400	\$31,400	\$6,300	\$44,400	\$5,900		
PROPOSAL FEE SUMMARY - STAFF ADJUSTED									
Consulting Firm	Total Engineering	Project Management	Preliminary Design	P&S	Bidding	Construction	Post Construction Services	Construction Observation	Total W/O Observation
AE2S	\$119,700	\$3,300	\$14,760	\$40,840	\$4,500	\$31,910	\$6,640	\$17,750	\$101,950
Bolton & Menk, Inc.	\$198,690	\$12,600	\$11,685	\$51,475	\$6,090	\$37,380	\$4,820	\$74,640	\$124,050
MSA Professional Services, Inc.	\$127,149	\$8,100	\$16,713	\$48,788	\$7,514	\$29,026	\$8,208	\$8,800	\$118,349
SEH, Inc.	\$108,500	\$2,889	\$10,130	\$33,181	\$4,000	\$20,375	\$1,889	\$36,036	\$72,464
TKDA, Inc.	\$122,900	\$11,500	\$23,400	\$31,400	\$6,300	\$27,136	\$5,900	\$17,264	\$105,636



MAYOR & COUNCIL COMMUNICATION

DATE: October 6, 2015

REGULAR

ITEM 18

AGENDA ITEM: Time limit to City Council Meetings

SUBMITTED BY: Clark Schroeder Interim City Administrator

THROUGH: Clark Schroeder

REVIEWED BY: Dave Snyder

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item Administrator
- Report/Presentation.....Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: Clark Schroeder

FISCAL IMPACT: none

SUMMARY AND ACTION REQUESTED:

Due to city council meetings running 5 to 6 hours in length, it is the recommendation of the Administrator that an ordinance be adopted that will limited how long meetings can run. The ordinance dictates that the meeting adjourn at 10pm unless 4/5ths of the council members present vote to extend the meeting for an additional 15 minutes.

RECOMMENDATION:

“Move to adopt ordinance 08-127”

ATTACHMENTS: Ordinance 08-127

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA
ORDINANCE 08-127

AN ORDINANCE GOVERNING CITY COUNCIL MEETINGS

Regular meetings of the city council shall be automatically adjourned at 10:00 p.m. unless 4/5^{ths} of councilmembers present vote to extend the meeting for one additional 15 minutes. If the vote to extend the meeting does not garner a 4/5th majority, the meeting is adjourned.

Any agenda items not completed or acted upon at the time of adjournment shall be carried forward to the next regular meeting of the city council, unless referred to an earlier called additional regular meeting or special meeting of the council.

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

This Ordinance 08-127 was adopted on this ___ day of October 2015, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-127 was published on the ___ day of _____, 2015.