MAHTOMEDI PLANNING COMMISSION
AGENDA
6:30 P.M.
AUGUST 12, 2020
Meeting to be held via teleconference pursuant to Min. Stat. Sec. 13D.021
Join Zoom Meeting via Zoom teleconferenceing website:
https://tinyurl.com/MahtAugPC
You will be prompted to enter the meeting password: 505404
Join Meeting Via Telephone:
Dial: (312) 626-6799
Enter Meeting ID: 958 0467 4183 Password: 505404

1. CALL TO ORDER

2. APPROVAL OF THE AGENDA

3. APPROVAL OF THE JULY 8, 2020 REGULAR PLANNING COMMISSION MEETING MINUTES

4. PUBLIC HEARINGS

   a. CONSIDER APPROVAL – Request from Allen Holcomb on behalf of Holcomb Rev. Trust for a Minor Subdivision to create three (3) lots and three (3) Variances at 182 Bevins Lane and described as PID 32.030.21.24.0005
   b. CONSIDER APPROVAL – Request from Rose Urbihia for a Minor Subdivision to create three (3) lots at 175 Bevins and described as PID 32.030.21.24.0006

5. STAFF REPORT

   a. Century Avenue Small Area Plan update
   b. Ordinance Amendment Work Plan

6. UPDATE - CITY COUNCIL AND OTHER COMMISSION ACTIVITIES AND INFORMATIVE ITEMS.

7. ADJOURNMENT
To: Members of the Planning Commission
From: Scott Neilson, City Administrator
Date: August 5, 2020
Subject: PLANNING COMMISSION MEETING AUGUST 12, 2020

The meeting of the Mahtomedi Planning Commission will be held on Wednesday, August 12, 2020, 6:30 p.m. at the Mahtomedi City Hall. Please contact me at 651-426-3344 if you will be unable to attend this meeting via teleconference. In addition to reviewing the material below, please visit the site(s) that are subject to the business items and contact staff if you have any questions or require additional information prior to the meeting.

APPROVAL OF AGENDA

The agenda, as presented or modified, is in order for adoption by the Commission.

APPROVAL OF MINUTES

The minutes of the July 8, 2020 regular Planning Commission meeting are enclosed on pages __ for your review. These minutes, as presented or modified, are in order for adoption by the Commission.
MAHTOMEDI PLANNING COMMISSION  
MEETING MINUTES  
JULY 8, 2020

Chairperson Alex Rogosheske convened the regular Planning Commission meeting telephonically at 6:30 p.m. with the following members in attendance: Chantell Knauss, Dan Soler, Greg Maples, Susan Stewart, Tony Chesak and Peter Frank. Also in attendance were Planner Hannah Rybak, Engineer John Sachi, Mayor Jud Marshall and Office Assistant Luann Tembreull.

APPROVAL OF THE AGENDA

Commissioner Chesak moved, and Commissioner Stewart seconded the motion to approve the agenda as presented. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Stewart, Maples, Chesak, Frank and Rogosheske. Nay: None.

APPROVAL OF THE JUNE 10, 2020 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Soler moved, and Commissioner Knauss seconded the motion to approve the minutes of the June 10, 2020 regular Planning Commission meeting as written. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Stewart, Maples, Chesak, Frank and Rogosheske. Nay: None.

4. PUBLIC HEARINGS

4a. CONSIDER APPROVAL – Request from Robert and Erin Ostler for a minor subdivision to create 3 lots at 222 Quail.

Planner Rybak introduced the item and provided a power point presentation. The property is zoned R1-C Low Density Residential and guided by the Comprehensive Plan for low density residential. The applicants are requesting a minor subdivision of the subject parcel resulting in three single-family lots. The lot area of the subject parcel is 90,777 square feet. There is currently one single-family home on the property, which is to remain, and would sit on Parcel 3. Parcels A and C would be developed for single-family homes.

Criteria is met by:
• Creating no more than three (3) new lots
• Dividing the lot in a location where conditions are well defined
• The newly created property lines not causing any new lots to be in violation of the Zoning Code
• The proposed division being prepared by a registered land surveyor and showing the original lot and the proposed subdivision
• The site and grading plan showing all three lots meeting the wetland buffer requirements
4a. (Continued)

The City requires a minimum of 10% of the fair market value of the land prior to subdividing for Parkland dedication, or a fee equal to $3,000 per new dwelling unit for single family residence, whichever is less. In this instance, the flat $3,000 per lot fee, or a total of $6,000 will need to be paid to the City for Parkland dedication.

Per the evaluation of the City Forester, the site is considered heavily wooded; therefore, a replanting of one (1) tree for every three (3) removed will be required. Any trees that will be ultimately removed due to their locations (including those in the building pads, driveways, streets and holding pads) shall be considered and accounted for. Trees utilized for replanting should be suitable to the site and represent a mix of deciduous and evergreen species that reasonably represent the trees removed and meet the criteria as specified by ordinance.

Engineer Sachi stated that there were two sanitary sewer services stubbed into the Ostler property as part of the Quail Street Utility Extension project in 2018. The northern service stubs will be used for Parcel A, while the southern ones are already connected to the existing home at 222 Quail Street. Since the property is now being subdivided into 3 lots instead of the previously noted 2 back in 2018, the service lines for Parcel C will have to be cut into the main lines in the street and the street will have to be patched upon completion of these connections. This will be addressed as part of the sewer and water connection permits.

He noted that the preliminary site grading plan is very well done. Extra erosion control will be needed uphill of the wetland locations but this will be addressed at the time of the individual building permits for Parcels A and C, and for the driveway relocation for Parcel B. The driveway slopes for Parcel B and C are quite steep, but are within the permitted grades allowed by the City. Once Parcel A begins use of the existing driveway, Parcel B must discontinue use of the existing driveway and install a new driveway for Parcel B off Quail Street. Driveway culverts will be required for the driveways at parcels B and C, and will require Rice Creek Watershed District permits.

Legal descriptions for lot line drainage and utility easements are required to be submitted so proper documents can be produced by the City Attorney. Five (5) foot easements along common side lot lines and ten (10) foot easements along front and rear lot lines.

The applicant will be required to enter into a Minor Subdivision Agreement with the City which will outline the conditions of approval and the easements required.

Based on the criteria in this report, staff recommends approval of the requested minor subdivision at 222 Quail Street, subject to the following conditions:
4a. (Continued)

1. The Applicant must enter into a minor subdivision agreement with the City.
2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.
3. The future houses to be constructed on the resulting parcels must meet all setback, height, and building coverage requirements, as prescribed by the Zoning Ordinance.
4. The Applicant shall pay $6,000 cash in lieu of parkland dedication.
5. Once Parcel A begins use of the driveway shown (which is currently the driveway for Parcel B), Parcel B must discontinue use and install the driveway for Parcel B as shown. Driveway culverts will be required for the driveways at Parcels B and C. A Rice Creek Watershed District (RCWD) permit will be required for this work.
6. Evidence of the wetland exemption determination by the RCWD must be submitted prior to any filling of this area.
7. Legal descriptions for easements for the wetland area must be provided.
8. Legal descriptions for lot line drainage and utility easements must be provided.

Upon a question by Commissioner Stewart, Engineer Sachi stated that the amount of fill allowed on this property is regulated by the Rice Creek Watershed District and a permit is required.

Commissioner Soler stated that he is comfortable approving this application with the conditions outlined.

Chair Rogosheske opened the Public Hearing.

Mr. Peter Hagstrom, Quail Villas, stated that this is a special area on Quail and feels these new homes will add to this area in creating a great block of homes.

Hearing no other comments, the Public Hearing was closed.

Upon motion by Commissioner Soler, seconded by Commissioner Frank, the Planning Commission recommends the City Council approve the resolution approving a minor subdivision at 222 Quail as outlined in Exhibit C with the addition of tree removal on Quail Street for adequate visual site lines. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Maples, Stewart, Chesak, Frank, and Rogosheske. Nay: None.
WHEREAS, the City of Mahtomedi received a request from the Applicant, Dan Thurmes on behalf of the property owners, Robert and Erin Ostler, for a minor subdivision resulting in three lots at the property located at 222 Quail St. on May 29, 2020, legally described as follows:

Lots 9, 10, and 11, Block 141 and Lots 1, 2, 3, 4, and 5, Block 142 all in the recorded plat of Wildwood, Washington County, Minnesota;

Together with that part of vacated Grant Street lying between Lot 11, Block 141, and Lot 1, Block 142, Wildwood;

Also together with that part of the Westerly 1/2 of vacated Grant Street adjoining Lots 1, 2, 3, 4, and 5, Block 142, Wildwood and lying between the extensions across it of the Northeasterly line of Lot 1 said Block 142 and the Southwesterly line of Lot 5, said Block 142.

WHEREAS, the Applicant has requested a minor subdivision to allow for the division of the property to create three residential lots; and

WHEREAS, the Planning Commission reviewed and considered the requests based on the related documents shown in the Applicants’ Application at their regular meeting on July 8, 2020; and

WHEREAS, the City Council can approve a minor subdivision if it finds that the standards for minor subdivisions as described in Chapter 11, Section 11.02, Subdivision 10, E: Minor Subdivision of the Mahtomedi City Code have been met; and

WHEREAS, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the Applicant’s minor subdivision request based on the following findings of fact:

1. All required information for a minor subdivision has been supplied.
2. The minor subdivision meets the requirements for Minor Subdivision Approval;
3. The lot to be divided is in a location where conditions are well defined;
4. The newly created property lines will not cause any resulting lot to be in violation of the Zoning Code;
5. The proposed division was prepared by a registered land surveyor;
6. The minor subdivision request is consistent with the City’s Comprehensive Plan; and
7. The minor subdivision is consistent with the City’s Subdivision Regulations and Zoning Ordinance for property in the R1-C – Low-Density Residential Zoning District.

NOW THEREFORE BE IT FURTHER RESOLVED that the Applicant must meet the following conditions for minor subdivision approval:

1. The Applicant must enter into a minor subdivision agreement with the City.
2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.
3. The future homes to be constructed on the resulting parcels must meet all setback, height, and building coverage requirements, as prescribed by the Zoning Ordinance.
4. The Applicant shall pay $6,000 cash in lieu of parkland dedication.
5. Once Parcel A begins use of the driveway shown (which is currently the driveway for Parcel B), Parcel B must discontinue use and install the driveway for Parcel B as shown. Driveway culverts will be required for the driveways at Parcels B and C. A Rice Creek Watershed District (RCWD) permit will be required for this work.
6. Evidence of the wetland exemption determination by the RCWD must be submitted prior to any filling of this area.
7. Legal descriptions for easements for the wetland areas must be provided.
8. Legal descriptions for lot line drainage and utility easements must be provided.

Adopted by the City Council of the City of Mahtomedi on July 21, 2020.

Judson Marshall, Mayor

Attested:
Jerene Rogers, City Clerk
CONSIDER APPROVAL – Consider rezoning of properties generally located in the Bevins Lane, Bichner Lane and Talahi Drive area, from RR – Rural Residential to R1-C – Low Density Residential, and described as PIDs:

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Planner Rybak introduced the item and stated that pursuant to the City Council’s recent approval of the extension of public utilities to several properties in the area of Bevins Lane, Bichner Lane and Talahi Drive, the City has initiated a rezoning of these properties from their current zoning of RR Rural Residential to R1-C Low-Density Residential.

The rezoning is being initiated by the City because the Rural Residential district is used only for properties without public utilities. The extension of utilities requires that the properties be rezoned.

The R1-C district was deemed the most appropriate of the Low-Density residential districts in the City given the prevailing conditions in the area. It was noted that this rezoning does not include or require any new development or subdivision of any of the properties in question. Any further subdivisions would be handled through individual applications from property owners.

Upon a question by Chair Rogosheske, Engineer Sachi stated that this area is being rezoned per a petition by over fifty (50) percent of the affected property owners.

Upon another question by Chair Rogosheske, Engineer Sachi stated that once city utilities are in the street, residents need to hook up to city sewer by a certain date, but can keep their wells.

Planner Rybak noted that these affected residents don’t need to do anything relative to the rezoning request, but need to hook into the city sewer line within five (5) years.

Chair Rogosheske opened the Public Hearing for comment.

Hearing none, the Public Hearing was closed and brought back to the commission for comment.
Upon a motion by Commissioner Knauss, seconded by Commissioner Chesak, the Planning Commission recommends the City Council approve the resolution approving the rezoning from RR-Rural Residential to RI-C Single Family Residential as outlined in Exhibit C. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Maples, Stewart, Chesak, Frank and Rogosheske. Nay: None.
WHEREAS, the City of Mahtomedi has initiated the rezoning of the above referenced property from RR to R1-C, legally described as follows:


LOTS 1 THRU 7, BLOCK 1 AND OUTLOT A BEVINS ACRE LOTS; AND

LOTS 1-9 AND LOTS 17-26 BICHERN WOODLAND ACRES; AND

LOTS 5-8 TALAHY FIRST SUBDIVISION

WHEREAS, consistent with the intent of the City of Mahtomedi Zoning Ordinance, the rezoning is being initiated in conjunction with the provision of public water and sewer service to these properties; and

WHEREAS, the Planning Commission reviewed and considered the rezoning at their regular meeting on July 8, 2020, and

WHEREAS, the City Council reviewed and considered the reports, documents, testimony, and other materials presented; and

WHEREAS, the City Council can approve a rezoning if it finds that the standards for rezoning as described in Chapter 11, Section 11.01, Subdivision 8.17.E: Zoning Map Amendment of the Mahtomedi City Code have been met; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the rezoning based on the following findings:
1. All required information for a zoning map amendment has been supplied.
2. The Zoning Map Amendment is consistent with the Comprehensive Plan;
3. The Zoning Map Amendment promotes public health, safety, morals, and the
   general welfare, as well as efficiency and economy in the process of
   development;
4. The Zoning Map Amendment is compatible with the present zoning and
   conforming uses of nearby property and with the character of the neighborhood;
   and
5. The properties to be amended (rezoned) are suitable for the uses permitted by
   the Zoning District that would be applied by the proposed Zoning Map
   Amendment.

Adopted by the City Council of the City of Mahtomedi on _____________, 2020.

__________________________________________
Judson Marshall, Mayor

Attested:

__________________________________________
Jerene Rogers, City Clerk
CONSIDER APPROVAL - Request from Thomas and Anna Albert for a variance for a reduced side yard setback in order to construct an accessory structure at 98 Dunbar Way and described as PID 31.030.21.41.0021.

Planner Rybak introduced the item and provided a power point presentation. The property is zoned R1-D Low Density Residential and the City’s Comprehensive Plan guides this property for Low Density Residential land use.

The Applicant is requesting a variance to construct an accessory structure within the required corner side yard setback of their property. The Applicants wish to place the structure in the southwest corner of their yard, because the southeast corner (interior side of the rear yard) contains an existing patio. The accessory structure is proposed to be twenty (20) feet wide by thirty (30) feet deep, or 600 square feet. Typical storage shed sizes range from anything fewer than 80 square feet up to 288 square feet (large). Therefore, the proposed storage shed is double the size of a typical large storage shed. The Applicants plan to have a PVC privacy fence installed along the west side of the property line.

The request to construct an accessory structure on the property is a reasonable use within the residential district. However, due to the existing patio in the southeast corner of the yard, the most logical location for the shed is west of the patio. However, it appears that the storage shed could be moved further east than what is being proposed. It should be noted that the presence of a patio does not constitute a practical difficulty.

Granting of this variance would be out of character with the locality because it would be significantly different than required building setback along a public right-of-way. It would also be the only accessory structure in the immediate area located so close to the street.

Therefore, based on the finding of fact in the staff report and submitted plans, staff recommends denial of the variance request because practical difficulties have not been demonstrated under the strict interpretation of the Ordinance.

However, if the Planning Commission is so inclined, a reduced variance could be considered, with a revised corner side yard setback of twenty (20) feet. A twenty (20) foot setback would be within five (5) feet of the front setback of 99 Berwick Place, and with the additional sixteen (16) foot boulevard, the impacts of the accessory structure would be mitigated and more closely follow the existing pattern of this locality. This would put the storage shed approximately thirty-six (36) feet from the edge of the public right-of-way.

Upon a question from Chair Rogosheske of the Applicant, Mr. Albert stated that they are hoping to build this shed to store their boat trailer and snowmobile trailer instead of having trailers stored all over their property.
Chair Rogosheske opened the Public Hearing.

Mr. Tony Hoffman of 40 Berwick stated that he has several concerns. He noted that nothing of this size is in their neighborhood and that it doesn’t fit in the neighborhood. He stated that the property at 99 Berwick which abuts this property in their yard yard, is vacant at this time, so those new owners don’t get a say in this request.

Hearing no further comments, the Public Hearing was closed.

Upon a question of the Applicant from Commissioner Stewart, the Applicant stated that they will access the shed through the front yard into the back yard by driving on the grass through the back yard.

Commissioner Knauss stated that a variance wouldn’t be needed if the applicant placed their shed at the southeast corner of their back yard.

Engineer Sachi stated that if the shed were moved 18’ over into the property, a variance would not be needed.

Commissioner Soler stated that he doesn’t have a problem with a shed on this property, but would be in favor of sliding the shed over 18’ further away from the proposed new fence. Commissioner Frank concurs with Commissioner Soler regarding placing 18’ further into the yard.

Upon a question of the Applicant from Chair Rogosheske, Mr. Albert said that he will be installing a fence along the west side of his rear yard whether the shed is approved or not.

Upon another question of the Applicant from Chair Rogosheske, Mr. Albert said he would accept a decrease in his variance request.

Chair Rogosheske said he is not in favor of asking the applicant to have to move their pavers and play structure in order to insist that the shed be constructed in the southeast corner of the applicant’s rear yard.

Commissioners Frank, Soler and Maples are in support of supporting approval for a twenty (20’) foot side yard setback instead of the original requested twelve (12) foot.

Commissioner Stewart stated that she supports a compromise.

Commissioner Knauss stated that she is not in support of any variance for this property.

Commissioner Chesak stated that he understands a parent needing to keep an eye on their children while they play in the back yard, but approving this request would be setting precedence. He also feels that the shed will be too high.
4c. (Continued)

After much discussion, upon motion by Commissioner Soler, seconded by Commissioner Maples, The Planning Commission recommends approval of a resolution supporting a variance of ten (10) feet from the required thirty (30) foot corner side yard setback for the purpose of constructing an accessory structure at the property located at 98 Dunbar Way. The Planning Commission finds support for the variance for the following reasons:

- The width of the right-of-way ensures that despite the variance, the structure will still be located 30 feet from the street.
- The configuration and current uses on the lot prevent the property owner from complying with the setback.
- Trees located along the rear property line and the proposed fence mitigates the impact of the setback variance.

The motion was approved by roll call vote: Yea: Soler, Maples, Stewart, Frank and Rogosheske Nay: Knauss and Chesak.
CITY OF MAHTOMEDI  
WASHINGTON COUNTY, MINNESOTA  
RESOLUTION NO. ________

RESOLUTION DENYING A VARIANCE FOR A REDUCTION IN THE REQUIRED CORNER SIDE YARD SETBACK FOR THE PURPOSE OF CONSTRUCTING AN ACCESSORY STRUCTURE ON THE PROPERTY LOCATED AT 98 DUNBAR WAY., PID 31.030.21.41.0021

WHEREAS, the City of Mahtomedi received a request from Thomas and Anna Albert, on June 10, 2020 for a variance from the minimum required corner side yard setback for an accessory structure at the property located at 98 Dunbar Way. The property is legally described as follows:

LOT 5, BLOCK 5, ECHO LAKE ADDITION, WASHINGTON COUNTY, MINNESOTA

WHEREAS, the Applicant has requested a variance of 18-feet from the required minimum corner side yard setback of 30-feet for the purpose of building an accessory structure; and

WHEREAS, the Planning Commission reviewed and considered the request based on the related documents shown in the Application at their regular meeting on June 8, 2020; and

WHEREAS, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented; and

WHEREAS, the City Council, acting as the Board of Adjustments and Appeals, can deny a variance if it finds that the standards for granting a variance as described in Chapter 11, Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi City Code have not been met.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi denies the variance request of 18-feet from the minimum required corner side yard setback based upon the following findings of fact:

The requested variance is not consistent with all the standards for granting a variance as described in Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi Zoning Ordinance. More specifically, the City Council finds that the requested variance is not justified for the following reasons:

I. There is no practical difficulty associated with the request to place the accessory structure closer to the corner side property line than the Ordinance allows; while the use is reasonable, there is ample opportunity to move the shed out of the setback.
2. There are no conditions unique to this property that would necessitate a variance. This setback is applied to all corner lots throughout the City, and there is adequate space on the property to place the accessory structure in a location where it would meet all setbacks;

3. Because the variance request stems from the property owner’s desire to place the accessory structure in the location on the property that is the most convenient for them, the difficulties are posed by the property owner, not the Ordinance;

4. Because all other structures in the area meet the minimum required setbacks along the public right of way, the setback variance would visually alter the character of the area;

5. The proposed variance is not in keeping with the spirit and intent of the Ordinance, as the intent of the Ordinance is to provide a minimum front yard setback along all street frontages.

Adopted by the City Council of the City of Mahtomedi on July 21, 2020.

__________________________
Judson Marshall, Mayor

Attested:

__________________________
Jerene Rogers, City Clerk
4d. **CONSIDER APPROVAL – Request from Mike and Shanna Kempe for a Conditional Use Permit to allow for a reduction to the front and side yard setback requirements in order to add onto the home at 67 Grove Street and described as PID – 29.030.21.21.0049.**

Planner Rybak introduced the item and provided a power point presentation. The property is zoned R1-E Historic Mahtomedi District and guided by the Comprehensive Plan for Low Density Residential.

The Applicant is requesting approval of a Conditional Use Permit to allow for a reduction in the front and side yard setback requirements within the R1-E Historic Mahtomedi District for the purpose of constructing an addition to the home and attached garage at the property located at 67 Grove Street.

The Applicants wish to construct an addition onto the existing home on the property that includes living space and garage space. The existing home is situated in the center of the buildable area of the lot and is approximately forty (40) feet from the front property line. The most practical location for an addition is to expand in the location of the existing garage.

The proposed front yard setback will be 27.5 feet from the front property line where a minimum of forty-five (45) feet is required, and the side yard setback will be four (4) feet, where seven (7) feet is required.

The proposed living space and garage addition conforms to all regulations, apart from the front yard and side yard setbacks for which a CUP has been requested.

The proposed living space and garage addition will not create any dangerous, injurious or noxious conditions and complies with the required performance standards, nor does it cause any safety issues for drivers on adjacent streets.

The proposed living space and garage addition would be similar to the existing pattern of homes and garages of adjacent properties.

The proposed addition is in keeping with the character of the area and will allow the Applicants to continue to reside on their property as their family expands.

The City Engineer has reviewed the application and has no considerations.

Therefore, based on the findings in this report and submitted plans, staff recommends approval of the requested conditional use permit based on the following conditions:
4d. (Continued)

1. Any driveway expansion will be evaluated at the time of the building permit application must meet ordinance requirements for setbacks and width.
2. The height of the addition may not exceed 25 feet, measured as prescribed in the zoning ordinance.
3. A grading and sediment and erosion control plan must be submitted at the time of the building permit.
4. The Applicant must obtain documentation that the neighboring property owner is agreeable to removal of either of the trees that sit on the property line, partly on both properties.
5. Any trees removed must be replaced at a 1:1 ratio, with the species that is on the City’s approved tree species list.
6. A tree preservation and replacement plan will be required at the time of building permit.

Commissioner Knauss asked why this request is a Conditional Use Permit instead of a Variance.

Commissioner Soler stated that the R1-E Historic District was created which allows CUP’s instead of a variance, because a variance request requires a hardship, where a CUP does not.

Applicant, Shanna Kempe, stated that with their growing family, they are short on space in their home. They love the neighborhood and would hate to have to move.

Chair Rogosheske stated that he knows this neighborhood and that he thinks the addition would be very nice.

Chair Rogosheske opened the Public Hearing for comment.

Mr. Mike DeWeese, 53 Grove Street, stated that he supports what the applicant is proposing.

Hearing no further comments, the Public Hearing was closed.

Commissioner Chesak stated that he feels this addition would be a great addition to this home.

Upon motion by Commissioner Chesak, seconded by Commissioner Soler, the Planning Commission recommends the City Council approve the resolution approving a Conditional Use Permit for a reduction in the front and side yard setback for the purpose of constructing an addition onto their home at the property located at 67 Grove Street as outlined in Exhibit C. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Maples, Stewart, Chesak, Frank and Rogosheske. Nay: None.
CITY OF MAHTOMEDI  
WASHINGTON COUNTY, MINNESOTA  
RESOLUTION NO. __________

RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR REDUCTIONS TO THE MINIMUM FRONT AND SIDE YARD SETBACK REQUIREMENTS AT THE PROPERTY LOCATED AT 67 GROVE ST, PID 29.030.21.21.0049

 Whereas, the City of Mahtomedi received a request from the Applicants Mike and Shanna Kempe on June 11, 2020 for a conditional use permit to allow for a reduction in the required front setback from 45-feet to 27.5-feet, and a reduction in the required side yard setback from 7-feet to 4-feet at the property located at 67 Grove St. The property is legally described as follows:

LOT 35 AND THE EASTERLY 20 FEET OF LOT 34, BLOCK 2, LAKEVIEW, WASHINGTON COUNTY, MINNESOTA

 Whereas, the Applicants have requested a conditional use permit for a reduction to the required front and side yard setbacks to allow for the construction of an addition to the principal structure; and

 Whereas, the proposed addition meets all other zoning requirements for the R1-E Historic Mahtomedi District; and

 Whereas, the Planning Commission reviewed and considered the request based on the related documents shown in the Application at their regular meeting on July 8, 2020; and

 Whereas, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented; and

 Whereas, the City Council, acting as the Board of Adjustments and Appeals, can approve a conditional use permit if it finds that the standards for granting a conditional use permit as described in Chapter 11, Section 8.21 C.1 a through f of the Mahtomedi City Code have been met.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the Applicants' request for a conditional use permit for a reduction in the required front yard setback and an increase in allowable building coverage.

The requested conditional use permit is consistent with all the standards for granting a conditional use permit as described in Section 11.01, Subdivision 8.21, C., 1, a through f of the Mahtomedi Zoning Ordinance. More specifically, the City Council finds that the requested conditional use permit is justified for the following reasons:
1. The proposal conforms to the District and conditional use provisions and all
general regulations of the Ordinance;

2. The proposal does not involve any element or cause any conditions that may
be dangerous, injurious, or noxious to any other property or persons;

3. The proposed addition is sited, oriented and landscaped to produce a
harmonious relationship of buildings and grounds to adjacent buildings and
properties;

4. The proposed addition produces a total visual impression and environment
which is consistent with the environment of the District and neighborhood in
which it is located;

5. The proposal promotes the objectives of this Ordinance and the overall
Comprehensive Land Use Plan of the City;

NOW THEREFORE BE IT FURTHER RESOLVED that the Applicant must
meet the following conditions for conditional use permit approval:

1. Any driveway expansion will be evaluated at the time of the building permit
application. It must meet ordinance requirements for setbacks and width.

2. The height of the addition may not exceed 25 feet, measured as prescribed in
the zoning ordinance.

3. A grading and sediment and erosion control plan must be submitted at the
time of a building permit.

4. The Applicant must obtain documentation that the neighboring property
owner is agreeable to removal of either of the trees that sit on the property
line, partly on both properties.

5. Any trees removed must be replaced at a 1:1 ratio, with a species that is on the
City’s approved tree species list.

6. A tree preservation and replacement plan will be required at the time of a
building permit. This will detail removals, replacements and any protection
measures that will be put in place to protect remaining trees through the
construction process.

Adopted by the City Council of the City of Mahtomedi on July 21, 2020.

Judson Marshall, Mayor

Attested:
Jerene Rogers, City Clerk
MAHTOMEDI PLANNING COMMISSION MEETING MINUTES
July 8, 2020

5. STAFF REPORTS – None Scheduled

6. UPDATE - CITY COUNCIL AND OTHER COMMISSION ACTIVITIES AND INFORMATIVE ITEMS.

Copies of the recent City Council and other City Commission minutes may be found on the City’s website.

7. ADJOURNMENT

There being no further discussion, Commissioner Soler moved, and Commissioner Maples seconded the motion to adjourn the regular Planning Commission meeting at 8:15 p.m. The motion was unanimously approved by roll call vote: Yea: Knauss, Soler, Maples, Stewart, Chesak, Frank and Rogosheske. Nay: None.

Respectfully submitted by Luann Tembreull, Office Assistant.

APPROVED:

ALEX ROGOSHESKE CHAIRPERSON

ATTESTED:

LUANN TEMBREULL OFFICE ASSISTANT
MEETING DATE: August 12, 2020

4a. CONSIDER APPROVAL – A request from Allen Holcomb on behalf of Holcomb Rev. Trust for a Minor Subdivision to create three (3) lots and Variances at 182 Bevins Lane.

ACTION TO BE CONSIDERED: To recommend the City Council approve or deny a request for a Minor Subdivision to create three (3) lots and Variances at 182 Bevins Lane.

FACTS:
- The City is in receipt of an application from Allen Holcomb for the request outlined above.
- The application has been reviewed by City staff and consultants and is in order for consideration at this time.

BACKGROUND:
- City Planner’s report on pages 23-26
- Location map on page 37
- Application on pages 38-43
- Draft Resolution on pages 44-46
CITY OF MAHTOMEDI MEMORANDUM

To: Planning Commission Members
    Scott Neilson, City Administrator

From: Hannah Rybak, City Planner
      Erin Perdu, AICP, City Planner
      John Sachi, City Engineer

Date: August 6, 2020
      Planning Commission Regular Meeting August 12, 2020

WSB Project No. 015205-000, Phase 010

Request: Request for approval of a minor subdivision and three variances at the property located at 182 Bevins Ln., PID: 20.030.21.24.0008.

GENERAL INFORMATION

Applicant: Allen Holcomb
Owner: Holcomb Rev. Trust
Location: 182 Bevins Lane
Existing Land Use / Zoning:
- Residential; zoned R1-C Low Density Residential District

Surrounding Land Use / Zoning:
- North: Residential; zoned R1-C Low Density Residential District
- East: Residential; zoned R1-C Low Density Residential District
- South: Single-Family Residential & open space – City of Pine Springs
- West: Residential; zoned R1-C Low Density Residential District

Comprehensive Plan: The 2040 Comprehensive Plan guides this property for Low Density Residential land use.

Deadline for Agency Action:
- Application Date: 07-10-20
- 60 Days: 09-08-20
- Extension Letter Mailed: N/A
- 120 Days: 11-07-20

OVERVIEW.
The Applicant is requesting a minor subdivision of the subject parcel resulting in three single-family lots. The total lot area of the subject parcel is 39,152 square feet, and the net
lot area, less the wetlands, is 36,894 square feet. There are two areas of wetlands on the property. The larger wetland area sits on the southwest portion of the property. There is a very small wetland area located in the southeast corner of the property. There is currently one single-family home on the property. This home is proposed to remain and would sit on proposed Parcel B. Proposed Parcels A and C would be developed for single-family homes.

The City project extending public utilities to these parcels is currently underway. The properties were recently rezoned from RR – Rural Residential to R1-C Low Density Residential.

This application also includes requests for three variances for proposed Parcel A, as it is impacted by the presence of the large wetland and its frontage on the cul-de-sac. The following variances have been requested:

- A variance of 2,214 square feet from the minimum required net area of 11,900 square feet
- A variance of 1.86 feet from the required minimum lot depth of 125 feet
- A variance of 10 feet from the required front yard setback of 30 feet

MINOR SUBDIVISION REVIEW

1. Ordinance Authority.

   Chapter 11, Section 11.02, Subdivision 10, E: Minor Subdivision, allows minor divisions of an existing lot with several conditions:

   1. The division will result in no more than three (3) new lots;
      Three lots are proposed. Criterion met.
   2. The lot to be divided is in a location where conditions are well defined;
      Criterion met.
   3. The newly created property lines will not cause any resulting lot to be in violation of the Zoning Code;
      Variances have been requested for the areas that do not conform to Zoning Code requirements. Criterion met.
   4. The proposed division must be prepared by a registered land surveyor and must show the original lot and the proposed subdivision.
      Criterion met.

2. Consistency of the Request with the Comprehensive Plan 2008-2040. The 2040 Comprehensive Plan guides this property for Low Density Residential land use. Low density residential allows single-family residences at 1-5 dwelling units per acre. The proposed minor subdivision is consistent with the Comprehensive Plan.

3. Consistency with Lot Requirements of the R1-C Zoning District. The property is located within the R1-C Zoning District. The proposed lots within the minor subdivision must adhere to the following dimensional standards:

   Minor Subdivision Evaluation
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<th>Standard</th>
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4. **Wetland Buffer.** *Section 11.07, Subd. 4.0 provides wetland buffer requirements.* The pond to the south of the subject property is a Manage 3 Wetland. This requires a minimum buffer of twenty (20) feet and an average buffer of thirty-five (35) feet. The Site and Grading Plan shows that the two lots impacted by wetlands, proposed Parcels A and C, can meet the wetland buffer requirement.

The concept housing pad shown on proposed Parcel A encroaches into the average wetland buffer. The encroachment is 497 square feet. The Applicant has shown 500 square feet of additional wetland buffer space to the north of the wetland, along the west property line. This meets the mitigation requirement. The concept housing pad on proposed Parcel C does not encroach into the minimum or average buffer requirement.

5. **Parkland Dedication.** *Section 11.02, Subdivision 10, B (4) (a): Land Requirements – Residential,* states that ‘In all new residential subdivisions, a minimum of ten percent (10%) of the gross area subdivided shall be dedicated for a public recreation space or open space. In the City’s sole discretion, the ten percent (10%) may be calculated on the net area, which shall be the gross area of the subdivided property minus the area of wetlands, lakes, and streams below the ordinary high water mark. The land dedicated for public use shall be in addition to property dedicated for streets, alleys, easements, or other public ways.’

*Section 11.02, Subdivision 10, B (5)(a): Cash Requirements: Amount of Payment Required* states that, ‘When the subdivision is too small for practical dedication of public land or if no land in the subdivision is suitable for such use, the subdivider shall be required to pay a cash fee in lieu of such land dedication. The subdivider shall be required to pay a fee equal to ten percent (10%) of the fair market value of the land prior to subdivision or pay a cash fee as established by Ordinance of the City Council, whichever is the lesser of the two. The market..."
value of land shall be determined by utilization of tax assessment records, a report from a certified appraiser, or by agreement between the City Council and the subdivider.

The 2020 Fee Schedule adopted by the City Council requires a minimum of 10% of the fair market value of the land prior to subdivision OR a fee equal to $3,000 per new dwelling unit for single family residence, whichever is less.

In this instance there are two new lots being created. According to 2020 data from Washington County, the appraised value of the property is $389,300. The flat $3,000 per lot fee is less than 10% of the market value of the land prior to the subdivision; therefore the applicant must pay $6,000 for park land dedication.

6. Tree Preservation. The applicant has provided a tree inventory along with the application for the subdivision. Because the exact locations of the future homes have not been decided yet, tree removal and replacement (tree preservation plan) will be evaluated on an individual lot basis at the time of application for building permit.

The site is to be considered heavily wooded so a replanting of one (1) tree for every three (3) removed will be required. Any trees that will be ultimately removed due to their locations (including those in the building pads, driveways, streets and holding pads) shall be considered and accounted for. Trees utilized for replanting should be suitable to the site and represent a mix of deciduous and evergreen species that reasonably represent the trees removed and meet the criteria as specified by ordinance.

VARIANCE REVIEW

1. Ordinance Authority. Chapter 11, Section 11.01, Subdivision 8.20, Section C provides for variances from the terms of the Zoning Ordinance if the City Council finds failure to grant the variance will result in practical difficulties on the applicant.

2. Consistency of the Request with the Standards for Granting a Variance.
   1. Practical difficulties as opposed to mere inconvenience.

   The ‘practical difficulties’ test requires that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a reasonable way, but cannot do so under the rules of the ordinance.

   The practical difficulties in this case are the impact of the wetland and the cul-de-sac on Parcel A. The cul-de-sac protrudes into the west side of this parcel, decreasing the depth of one of the property lines. The presence of the wetland on the property decreases the net lot area. The variance requests are very reasonable, given the context of the property. Criterion met.

   2. Conditions unique to the land.

   The conditions upon which the applications for the variance are based are unique to the parcel of land and are not applicable, generally, to other property throughout the City.
Net Area: The wetland on this property is located completely within the rear yard setback. This means that no potential building area is eliminated with the lower net area. If the variance were to be granted, the wetland is still land owned by the property owner and will be open space, as the required rear yard is intended to be.

Lot Depth: The lot depth request is due to the property’s placement on the cul-de-sac. The cul-de-sac extends into the west side of the parcel. If the cul-de-sac were centered between the side lot lines, its impact would not be as great and very likely would not require this minimal variance. The west side property line exceeds the minimum required depth by over nine (9) feet.

Setback Reduction: This property is unique in terms of existing configuration of the area. The requested setback reduction would actually allow the future home on this property to line up with the existing homes on either side of it. Adhering to the required front yard setback would cause this home to be further back into the property and therefore out of line with the prevailing setbacks, because the cul-de-sac protrudes into it. Additionally, there is a sizeable strip of right-of-way that runs between the edge of the pavement and the property line, which mitigates the impact of the setback variance.

Criterion met.

3. Purpose is not solely financial.

The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the parcel of land.

While the request certainly will increase the value of the land, it will also provide an additional residential unit on an overall appropriately sized parcel. Criterion met.

4. Difficulties are posed by the Ordinance, not the property owner.

This property is truly unique in the placement of the wetland and the configuration of the property and cul-de-sac. This is a circumstance where the requests are reasonable because the Ordinance can’t possibly account for this odd configuration. These properties were originally platted to a very large size to accommodate septic systems and wells. The extension of City utilities to this area results in the desire for higher density development, which now has to be retrofitted into the existing property boundaries. Criterion met.

5. Granting the variance is not detrimental and it does not alter the essential character of the locality.

The granting of these variances will not be detrimental. Overall, Parcel A is appropriately sized to accommodate a single-family dwelling. The variances requested are minor given the total lot area and the placement of the wetland. The concept plan shows a distance of over thirty (30) feet between the existing home on Parcel B and the concept home on Parcel A, and over twenty (20) feet between the deck on Parcel B and the concept home on Parcel A. Criterion met.

6. Variance is in keeping with the spirit and intent of the Ordinance.
Net Area & Depth: The variance request is consistent with the intent to provide adequate net area and depth for the subject parcel. The loss of net area due to the wetland has virtually no impact to the buildable size of the lot, as the wetland is entirely within the rear yard setback. As for the depth, the variance request is for a reduction of less than two (2) feet, and the need is understandable given the configuration of the cul-de-sac.

Front Setback: The intent of the front yard setback requirement is to provide a sizeable open space between the front of homes and the street. The granting of this variance request is not inconsistent with that intent, given the width of the boulevard and the configuration of the cul-de-sac.

Criterion met.

7. Variance will not impair adequate light and air or result in additional congestion, fire danger or harm to public safety.

The homes on the proposed lots will be adequately spaced and the lots are appropriately sized overall. Staff does not anticipate any safety issues. Criterion met.

8. Consistency with the Comprehensive Plan.

The requested variances are consistent with the Comprehensive Plan, as they meet all of the standards for granting a variance due to practical difficulties and unique conditions. The proposed density of the property, at three (3) units per acre, is consistent with the future land use map within the Comprehensive Plan. Criterion met.

ENGINEERING CONSIDERATIONS

The City Engineer has reviewed the plans and offers the following comments:

- The site grading will be reviewed as each house plan is submitted for a building permit, and sediment and erosion control plans will be reviewed at that time.
- Stubs for City sewer and water will be installed for each proposed lot this summer, during the street and utility project that is currently underway.
- Appropriate lot line drainage and utility easements are shown on the certified survey map. These easement descriptions shall be provided to the City. The City Attorney will draft the appropriate easement document for recording.
- The applicant shall provide the City with a legal description for the ponding area on the southwestern portion of Parcel A over the existing wetland. The City Attorney will draft the appropriate easement document for recording.
- The drainage swale that currently exists along the eastern side of Parcel C will be re-directed and regraded to the eastern edge of Parcel C to lie within the 10-foot common lot line drainage and utility easement. This work can be done when the building permit for the house plan on Parcel C is submitted.
- Any permits necessary from the Valley Branch Watershed District must be obtained.

RECOMMENDATION
Based on the criteria in this report, staff recommends approval of the requested minor subdivision and variances at 182 Bevins Ln., subject to the following conditions:

1. The Applicant must enter into a minor subdivision agreement with the City.
2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.
3. The Applicant shall pay $6,000 cash in lieu of parkland dedication.
4. Legal descriptions for lot line drainage and utility easements must be provided.
5. Any permits necessary from the VBWD must be obtained.
6. Any area of wetland buffer encroachment shall be replaced with the exact square footage of the encroachment.
7. The wetland buffer boundary shall be marked with VBWD signs.
8. The Applicant must provide a legal description for a drainage easement over the entirety of the wetland on Parcel A.
9. The City Attorney will draft all of the aforementioned easement documents for recording.

POTENTIAL ACTION

1. Request Additional Information and Continue the Meeting. The Applicant appears to have provided enough information for the Planning Commission to make a recommendation to approve or deny the request. Should the Planning Commission request additional information from the Applicant, the Planning Commission should continue the meeting until a later time.

2. Approval (with or without conditions) of the Request. In the event of a decision to recommend approval (with or without conditions), the Planning Commission may refer to Exhibit C, and may modify the draft resolution for approval to include any conditions that it deems necessary.

3. Denial of the Request. In the event the Planning Commission chooses denial of the requested conditional use permit, it should clearly state its reasons for the denial and direct staff to prepare a resolution of denial.

ATTACHMENTS

Exhibit A: Location Map
Exhibit B: Application
Exhibit C: Draft Resolution – Approving the Minor Subdivision
CITY OF MAHTOMEDI MEMORANDUM

To: Planning Commission Members
   Scott Neilson, City Administrator

From: Hannah Rybak, City Planner
       Erin Perdu, AICP, City Planner
       John Sachi, City Engineer

Date: August 6, 2020
      Planning Commission Regular Meeting August 12, 2020

WSB Project No. 015205-000, Phase 010

Request: Request for approval of a minor subdivision and three variances at the property located at 182 Bevins Ln., PID: 20.030.21.24.0008.

GENERAL INFORMATION

Applicant: Allen Holcomb
Owner: Holcomb Rev. Trust
Location: 182 Bevins Lane
Existing Land Use / Zoning: Residential; zoned R1-C Low Density Residential District

Comprehensive Plan: The 2040 Comprehensive Plan guides this property for Low Density Residential land use.

Deadline for Agency Action:
   Application Date: 07-10-20
   60 Days: 09-08-20
   Extension Letter Mailed: N/A
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OVERVIEW.

The Applicant is requesting a minor subdivision of the subject parcel resulting in three single-family lots. The total lot area of the subject parcel is 39,152 square feet, and the net
lot area, less the wetlands, is 36,894 square feet. There are two areas of wetlands on the property. The larger wetland area sits on the southwest portion of the property. There is a very small wetland area located in the southeast corner of the property. There is currently one single-family home on the property. This home is proposed to remain and would sit on proposed Parcel B. Proposed Parcels A and C would be developed for single-family homes.

The City project extending public utilities to these parcels is currently underway. The properties were recently rezoned from RR – Rural Residential to R1-C Low Density Residential.

This application also includes requests for three variances for proposed Parcel A, as it is impacted by the presence of the large wetland and its frontage on the cul-de-sac. The following variances have been requested:

- A variance of 2,214 square feet from the minimum required net area of 11,900 square feet
- A variance of 1.86 feet from the required minimum lot depth of 125 feet
- A variance of 10 feet from the required front yard setback of 30 feet

MINOR SUBDIVISION REVIEW

1. Ordinance Authority.

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1. The division will result in no more than three (3) new lots;
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4. The proposed division must be prepared by a registered land surveyor and must show the original lot and the proposed subdivision.
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2. Consistency of the Request with the Comprehensive Plan 2008-2040. The 2040 Comprehensive Plan guides this property for Low Density Residential land use. Low density residential allows single-family residences at 1-5 dwelling units per acre. The proposed minor subdivision is consistent with the Comprehensive Plan.

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The concept housing pad shown on proposed Parcel A encroaches into the average wetland buffer. The encroachment is 497 square feet. The Applicant has shown 500 square feet of additional wetland buffer space to the north of the wetland, along the west property line. This meets the mitigation requirement. The concept housing pad on proposed Parcel C does not encroach into the minimum or average buffer requirement.

5. **Parkland Dedication.** Section 11.02, Subdivision 10, B (4) (a): Land Requirements – Residential, states that ‘in all new residential subdivisions, a minimum of ten percent (10%) of the gross area subdivided shall be dedicated for a public recreation space or open space in the City’s sole discretion, the ten percent (10%) may be calculated on the net area, which shall be the gross area of the subdivided property minus the area of wetlands, lakes, and streams below the ordinary high water mark. The land dedicated for public use shall be in addition to property dedicated for streets, alleys, easements, or other public ways.’

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In this instance there are two new lots being created. According to 2020 data from Washington County, the appraised value of the property is $389,300. The flat $3,000 per lot fee is less than 10% of the market value of the land prior to the subdivision; therefore the applicant must pay $6,000 for park land dedication.

6. Tree Preservation. The applicant has provided a tree inventory along with the application for the subdivision. Because the exact locations of the future homes have not been decided yet, tree removal and replacement (tree preservation plan) will be evaluated on an individual lot basis at the time of application for building permit.

The site is to be considered heavily wooded so a replanting of one (1) tree for every three (3) removed will be required. Any trees that will be ultimately removed due to their locations (including those in the building pads, driveways, streets and holding pads) shall be considered and accounted for. Trees utilized for replanting should be suitable to the site and represent a mix of deciduous and evergreen species that reasonably represent the trees removed and meet the criteria as specified by ordinance.

VARIANCE REVIEW

1. Ordinance Authority. Chapter 11, Section 11.01, Subdivision 8.20, Section C provides for variances from the terms of the Zoning Ordinance if the City Council finds failure to grant the variance will result in practical difficulties on the applicant.

2. Consistency of the Request with the Standards for Granting a Variance.
   1. Practical difficulties as opposed to mere inconvenience.

   The ‘practical difficulties’ test requires that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a reasonable way, but cannot do so under the rules of the ordinance.

   The practical difficulties in this case are the impact of the wetland and the cul-de-sac on Parce A. The cul-de-sac protrudes into the west side of this parcel, decreasing the depth of one of the property lines. The presence of the wetland on the property decreases the net lot area. The variance requests are very reasonable, given the context of the property. Criterion met.

   2. Conditions unique to the land.

   The conditions upon which the applications for the variance are based are unique to the parcel of land and are not applicable, generally, to other property throughout the City.
Net Area: The wetland on this property is located completely within the rear yard setback. This means that no potential building area is eliminated with the lower net area. If the variance were to be granted, the wetland is still land owned by the property owner and will be open space, as the required rear yard is intended to be.

Lot Depth: The lot depth request is due to the property’s placement on the cul-de-sac. The cul-de-sac extends into the west side of the parcel. If the cul-de-sac were centered between the side lot lines, its impact would not be as great and very likely would not require this minimal variance. The west side property line exceeds the minimum required depth by over nine (9) feet.

Setback Reduction: This property is unique in terms of existing configuration of the area. The requested setback reduction would actually allow the future home on this property to line up with the existing homes on either side of it. Adhering to the required front yard setback would cause this home to be further back into the property and therefore out of line with the prevailing setbacks, because the cul-de-sac protrudes into it. Additionally, there is a sizeable strip of right-of-way that runs between the edge of the pavement and the property line, which mitigates the impact of the setback variance.

Criterion met.

3. **Purpose is not solely financial.**

   The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the parcel of land.

   While the request certainly will increase the value of the land, it will also provide an additional residential unit on an overall appropriately sized parcel. **Criterion met.**

4. **Difficulties are posed by the Ordinance, not the property owner.**

   This property is truly unique in the placement of the wetland and the configuration of the property and cul-de-sac. This is a circumstance where the requests are reasonable because the Ordinance can’t possibly account for this odd configuration. These properties were originally platted to a very large size to accommodate septic systems and wells. The extension of City utilities to this area results in the desire for higher density development, which now has to be retrofit into the existing property boundaries. **Criterion met.**

5. **Granting the variance is not detrimental and it does not alter the essential character of the locality.**

   The granting of these variances will not be detrimental. Overall, Parcel A is appropriately sized to accommodate a single-family dwelling. The variances requested are minor given the total lot area and the placement of the wetland. The concept plan shows a distance of over thirty (30) feet between the existing home on Parcel B and the concept home on Parcel A, and over twenty (20) feet between the deck on Parcel B and the concept home on Parcel A. **Criterion met.**

6. **Variance is in keeping with the spirit and intent of the Ordinance.**
Net Area & Depth: The variance request is consistent with the intent to provide adequate net area and depth for the subject parcel. The loss of net area due to the wetland has virtually no impact to the buildable size of the lot, as the wetland is entirely within the rear yard setback. As for the depth, the variance request is for a reduction of less than two (2) feet, and the need is understandable given the configuration of the cul-de-sac.

Front Setback: The intent of the front yard setback requirement is to provide a sizeable open space between the front of homes and the street. The granting of this variance request is not inconsistent with that intent, given the width of the boulevard and the configuration of the cul-de-sac. **Criterion met.**

7. **Variance will not impair adequate light and air or result in additional congestion, fire danger or harm to public safety.**

The homes on the proposed lots will be adequately spaced and the lots are appropriately sized overall. Staff does not anticipate any safety issues. **Criterion met.**

8. **Consistency with the Comprehensive Plan.**

The requested variances are consistent with the Comprehensive Plan, as they meet all of the standards for granting a variance due to practical difficulties and unique conditions. The proposed density of the property, at three (3) units per acre, is consistent with the future land use map within the Comprehensive Plan. **Criterion met.**

**ENGINEERING CONSIDERATIONS**

The City Engineer has reviewed the plans and offers the following comments:

- The site grading will be reviewed as each house plan is submitted for a building permit, and sediment and erosion control plans will be reviewed at that time.
- Stubs for City sewer and water will be installed for each proposed lot this summer, during the street and utility project that is currently underway.
- Appropriate lot line drainage and utility easements are shown on the certified survey map. These easement descriptions shall be provided to the City. The City Attorney will draft the appropriate easement document for recording.
- The applicant shall provide the City with a legal description for the ponding area on the southwestern portion of Parcel A over the existing wetland. The City Attorney will draft the appropriate easement document for recording.
- The drainage swale that currently exists along the eastern side of Parcel C will be redirected and regraded to the eastern edge of Parcel C to lie within the 10-foot common lot line drainage and utility easement. This work can be done when the building permit for the house plan on Parcel C is submitted.
- Any permits necessary from the Valley Branch Watershed District must be obtained.

**RECOMMENDATION**
Based on the criteria in this report, staff recommends approval of the requested minor subdivision and variances at 182 Bevins Ln., subject to the following conditions:

1. The Applicant must enter into a minor subdivision agreement with the City.
2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.
3. The Applicant shall pay $6,000 cash in lieu of parkland dedication.
4. Legal descriptions for lot line drainage and utility easements must be provided.
5. Any permits necessary from the VBWD must be obtained.
6. Any area of wetland buffer encroachment shall be replaced with the exact square footage of the encroachment.
7. The wetland buffer boundary shall be marked with VBWD signs.
8. The Applicant must provide a legal description for a drainage easement over the entirety of the wetland on Parcel A.
9. The City Attorney will draft all of the aforementioned easement documents for recording.

POTENTIAL ACTION

1. Request Additional Information and Continue the Meeting. The Applicant appears to have provided enough information for the Planning Commission to make a recommendation to approve or deny the request. Should the Planning Commission request additional information from the Applicant, the Planning Commission should continue the meeting until a later time.

2. Approval (with or without conditions) of the Request. In the event of a decision to recommend approval (with or without conditions), the Planning Commission may refer to Exhibit C, and may modify the draft resolution for approval to include any conditions that it deems necessary.

3. Denial of the Request. In the event the Planning Commission chooses denial of the requested conditional use permit, it should clearly state its reasons for the denial and direct staff to prepare a resolution of denial.

ATTACHMENTS

Exhibit A: Location Map
Exhibit B: Application
Exhibit C: Draft Resolution – Approving the Minor Subdivision
APPLICATION FOR CONSIDERATION OF REQUEST
CITY OF MAHTOMEDI, MINNESOTA

STREET ADDRESS OF PROPERTY: 182 Bevins Ln.

LEGAL DESCRIPTION OF PROPERTY: See survey.

OWNER: Name Holcomb Rev. Trust Address 182 Bevins Ln, Mahtomedi, MN 55115

Phone: Home Business FAX

APPLICANT: (if other than owner)
Name Allen C. Holcomb Address 182 Bevins Ln, Mahtomedi, MN 55115

Phone: Home 651-772-3803 Business 651-246-4547 FAX

Type of Request
- Rezoning
- Conditional Use Permit
- Site Plan
- Interim Use Permit
- Administrative Site Plan Review
- Appeal of an Administrative Decision

X Minor Subdivision (more than 3 lots)

Concept Plan Review

Final Plat

Description of Request
Request for a minor subdivision resulting in three lots

IF POSSIBLE, OBTAIN THE SIGNATURES OF ALL ADJACENT PROPERTY OWNERS:

<table>
<thead>
<tr>
<th>SIGNATURE</th>
<th>ADDRESS</th>
<th>GIVEN</th>
<th>NOT GIVEN</th>
<th>UNDECIDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>182 Bevins Lane</td>
<td>170 Bevins Lane</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>180 Bevins Lane</td>
<td>182 Bevins Lane</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>185 Bevins Lane</td>
<td>185 Bevins Lane</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Information Provided:
- Preliminary Plat
- Grading/Drainage Plan
- Utilities Plan
- Site Plan
- Landscape Plan
- Building Elevation
- Sign Plan
- Registered Land Survey
- Narrative of Project
- Copy of Property Deed(s) (For Conditional Use Permit Applications)

(SEE OTHER SIDE)
As the applicant, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal, and other professional consultants in reviewing this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project.

Owner’s Signature

Applicant’s Signature

Date

Date

BELOW IS FOR USE BY CITY OFFICIALS

Application received with fee of $250 on 7/20/20 by ______
Amount of cash deposit for City consultant costs $2,000 on ______
Action by Planning Commission ______ on ______
Action by City Council ______ on ______

(Revised January 2011)
CITY OF MAHTOMEDI
600 STILLWATER ROAD
TELEPHONE: 651-426-3344
PETITION FOR VARIANCE

STREET ADDRESS OF PROPERTY: 182 Bevins Ln.

LEGAL DESCRIPTION: See survey.

OWNER: Name HOCOMB REV. TRUST Address 182 BEVINS LN MAHTOMEDI, MN 55115
Phone: Home Business FAX

APPLICANT: (if other than owner)
Name ALLEN G. HOCOMB Address 182 BEVINS LN, MAHTOMEDI, MN 55115
Phone: Home 651-777-3863 Business 651-246-4547 FAX

TYPE OF STRUCTURE: X single unit double unit multiple unit

DESCRIPTION OF BUILDINGS, ADDITIONS AND ALTERATIONS (INCLUDE BUILDING PLANS):
N/A

PROVIDE A DESCRIPTION OF THE OVERALL PROJECT INCLUDING ITS HEIGHT AND DIMENSIONS:

Variances of 186 ft. from the required minimum lot depth of 125 ft, Variance of 2,203 sq ft from min lot area of 11,500 sq ft, Variance of 10 ft. from required front yard setback of 30 ft.

All variance requests are for proposed Parcel A o the requested minor subdivision.

STATEMENT OF THE PRACTICAL DIFFICULTY/REASONS FOR THIS VARIANCE. ATTACH LETTERS, PHOTOGRAPHS OR OTHER EVIDENCE IF APPROPRIATE:

Practical difficulty is the cul-de-sac and the wetland on site.

IF POSSIBLE, OBTAIN THE SIGNATURES OF ALL ADJACENT PROPERTY OWNERS:

<table>
<thead>
<tr>
<th>SIGNATURE</th>
<th>ADDRESS</th>
<th>GIVEN</th>
<th>NOT GIVEN</th>
<th>UNDECIDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joe Bevins (U.S.)</td>
<td>180 BEVINS LN</td>
<td>☑️</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carol M. Nilsen</td>
<td></td>
<td>☑️</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(SEE OTHER SIDE)
As the applicant, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal and other professional consultants in reviewing this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project. In addition, to the best of my knowledge, the above statements are true and correct.

Owner’s Signature


Applicant’s Signature


Date


7/7/2020


Date


OFFICE USE ONLY

Fee Received: $2,250.00
Receipt #: 42192
PC Approve:
PC Deny:
CC Approve:
CC Deny:
Current Legal Description: (Deed)
Lot 3 (3), Block one (1), SEVING ACRE LOTS, according to the plat thereof on the face thereof, recorded in the office of the Register of Deeds in and for
Washington County, Minnesota.

Lot 3 (3), Block one (1), SEVING ACRE LOTS, according to the plat thereof on the face thereof, recorded in the office of the Register of Deeds in and for
Washington County, Minnesota.

Proposed Legal Description: Parcel A
That part of Lot 3, Block 1, SEVING ACRE LOTS, according to the plat thereof on the face thereof, recorded in the office of the Register of Deeds in and for
Washington County, Minnesota.

Proposed Legal Description: Parcel B
That part of Lot 3, Block 1, SEVING ACRE LOTS, according to the plat thereof on the face thereof, recorded in the office of the Register of Deeds in and for
Washington County, Minnesota.

Proposed Legal Description: Parcel C
That part of Lot 3, Block 1, SEVING ACRE LOTS, according to the plat thereof on the face thereof, recorded in the office of the Register of Deeds in and for
Washington County, Minnesota.

182 SEVING LANE, MAHTOMED, MN 55355

TOTAL SITE AREA: 35,132 SQ. FT. OR 0.80 ACRES
CITY OF MAHTOMEDI
WASHINGTON COUNTY, MINNESOTA
RESOLUTION NO. ________

RESOLUTION APPROVING A MINOR SUBDIVISION AT THE PROPERTY
LOCATED AT 182 BEVINS LN., PID: 20.030.21.24.0008

WHEREAS, the City of Mahtomedi received a request from the Applicant, Allen
Holcomb, on behalf of the property owner, Holcomb Rev. Trust, for a minor subdivision
resulting in three lots at the property located at 182 Bevins Ln. on July 10, 2020, legally
described as follows:

Lot five (5), Block one (1), Bevins Acre Lots, according to plat thereof on
file and of record in the office of the Register of Deeds in and for
Washington County, Minnesota.

EXCEPTING THEREFROM:

The East (E) ten (10) feet of Lot five (5), Block one (1), Bevins Acre Lots,
according to the plat thereof on file and of record in the office of the
Register of Deeds in and for Washington County, Minnesota.

(Document No. 3363177) Subject to a 10 foot drainage and utility easement
in, over and upon, described as follows:

The West (W) Ten (10) feet of the East (E) Twenty (20) feet of Lot
Five (5), Block One (1), Bevins Acre Lots, according to the plat thereof on
file and of record in the office of the Register of Deeds in and for
Washington County, Minnesota.

WHEREAS, the Applicant has requested a minor subdivision and three variances
to allow for the division of the property to create three residential lots; and

WHEREAS, the Planning Commission reviewed and considered the requests
based on the related documents shown in the Applicants’ Application at their regular
meeting on August 12, 2020; and

WHEREAS, the City Council, acting as the Board of Adjustments and Appeals,
can approve a variance if it finds that the standards for granting a variance as described in
Chapter 11, Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi City Code
have been met; and

WHEREAS, the City Council can approve a minor subdivision if it finds that the
standards for minor subdivisions as described in Chapter 11, Section 11.02, Subdivision
10, E: Minor Subdivision of the Mahtomedi City Code have been met; and

WHEREAS, the City Council acting as the Board of Adjustments and Appeals,
reviewed and considered the reports, documents, testimony, and other materials
presented.
NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the following variance requests: a 2,214 sf. net lot area variance for Parcel A; a 1.86 ft. lot depth variance for Parcel A, and a 10 ft. front yard setback variance for Parcel A based upon the following findings of fact:

The requested variance is consistent with all the standards for granting a variance as described in Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi Zoning Ordinance. More specifically, the City Council finds that the requested variance is justified for the following reasons:

1. The configuration of the cul-de-sac and wetland on Parcel A present practical difficulties to compliance with the ordinance;

2. The proposed use for a single-family dwelling is reasonable for the zoning district;

3. The purpose of the variances is not based exclusively upon a desire to increase the value or income potential of the parcel of land;

4. The difficulties presented by the parcels are not posed by the property owner;

5. Granting the requested variances would not be detrimental to the public welfare or injurious to other land or improvements in the vicinity of the parcel;

6. The proposed variances are in keeping with the spirit and intent of the Ordinance;

7. Allowing the requested variances will not impair an adequate supply of light and air to adjacent property, or increase the congestion of the public street, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood; and

8. The variances are consistent with the Comprehensive Plan.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Mahtomedi approves the Applicant’s minor subdivision request based on the following findings of fact:

1. All required information for a minor subdivision has been supplied.

2. The minor subdivision meets the requirements for Minor Subdivision Approval;

3. The lot to be divided is in a location where conditions are well defined;

4. The newly created property lines will not cause any resulting lot to be in violation of the Zoning Code;

5. The proposed division was prepared by a registered land surveyor;
6. The minor subdivision request is consistent with the City's Comprehensive Plan; and

7. The minor subdivision is consistent with the City's Subdivision Regulations and Zoning Ordinance for property in the R1-C - Low-Density Residential Zoning District.

NOW THEREFORE BE IT FURTHER RESOLVED that the Applicant must meet the following conditions for minor subdivision approval:

1. The Applicant must enter into a minor subdivision agreement with the City.

2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.

3. The Applicant shall pay $6,000 cash in lieu of parkland dedication.

4. Legal descriptions for lot line drainage and utility easements must be provided.

5. Any permits necessary from the VBWD must be obtained.

6. Any area of wetland buffer encroachment shall be replaced with the exact square footage of the encroachment.

7. The wetland buffer boundary shall be marked with VBWD signs.

8. The Applicant must provide a legal description for a drainage easement over the entirety of the wetland on Parcel A.

9. The City Attorney will draft all of the aforementioned easement documents for recording.

Adopted by the City Council of the City of Mahtomedi on August 18, 2020.

________________________________________________________
Judson Marshall, Mayor

Attested:

________________________________________________________
Jerene Rogers, City Clerk
4b. **CONSIDER APPROVAL – A request from Rose Uribia for a Minor Subdivision to create three (3) lots at 175 Bevins Lane.**

**ACTION TO BE CONSIDERED:** To recommend the City Council approve or deny a request from Rose Uribia for a Minor Subdivision to create three (3) lots.

**FACTS:**
- The city is in receipt of an application from Rose Uribia for the request outlined above.
- The Application has been reviewed by City staff and consultants and is in order for consideration at this time.

**BACKGROUND:**
- City Planner's report on page 48-52
- Location map on page 53
- Application on pages 54-58
- Draft Resolution on pages 59-61
CITY OF MAHTOMEDI MEMORANDUM

To: Planning Commission Members
Scott Neilson, City Administrator

From: Hannah Rybak, City Planner
Erlin Perdu, AICP, City Planner
John Sachi, City Engineer

Date: August 6, 2020
Planning Commission Regular Meeting August 12, 2020

WSB Project No. 015205-000, Phase 011

Request: Request for approval of a minor subdivision at the property located at 175 Bevins Ln., PID: 32.030.21.24.0006.

GENERAL INFORMATION

Applicant/Owner: Rose Urbioha
Location: 175 Bevins Lane
Existing Land Use: Residential; zoned R1-C Low Density Residential District
Surrounding Land Zoning:
North: Residential; zoned R1-C Low Density Residential District
East: Residential; zoned R1-C Low Density Residential District
South: Residential; zoned R1-C Low Density Residential District
West: Park; zoned P Parklands/Public

Comprehensive Plan: The 2040 Comprehensive Plan guides this property for Low Density Residential land use.

Deadline for Agency Application Date: 07-13-20
Action: 60 Days: 09-11-20
Extension Letter Mailed: N/A
120 Days: 11-10-20

OVERVIEW.
The Applicant is requesting a minor subdivision of the subject parcel resulting in three single-family lots. The lot area of the subject parcel is 74,358 square feet. There is currently one single-family home on the property. This home is proposed to remain, and would sit on
proposed Parcel C. There is an existing shed currently located on proposed Parcel B. Proposed Parcels A and B would be developed for single-family homes.

The City project extending public utilities to these parcels is currently underway. The properties were recently rezoned from RR – Rural Residential to R1-C Low Density Residential.

MINOR SUBDIVISION REVIEW

1. Ordinance Authority.

Chapter 11, Section 11.02, Subdivision 10, E: Minor Subdivision, allows minor divisions of an existing lot with several conditions:

1. **The division will result in no more than three (3) new lots;**
   Three lots are proposed. **Criterion met.**

2. **The lot to be divided is in a location where conditions are well defined;**
   **Criterion met.**

3. **The newly created property lines will not cause any resulting lot to be in violation of the Zoning Code;**
   **Criterion met.**

4. **The proposed division must be prepared by a registered land surveyor and must show the original lot and the proposed subdivision.**
   **Criterion met.**

2. Consistency of the Request with the Comprehensive Plan 2008-2040. The 2040 Comprehensive Plan guides this property for Low Density Residential land use. Low density residential allows single-family residences at 1-5 dwelling units per acre. The proposed minor subdivision is consistent with the Comprehensive Plan.

3. Consistency with Lot Requirements of the R1-C Zoning District. The property is located within the R1-C Zoning District. The proposed lots within the minor subdivision must adhere to the following dimensional standards:

   **Minor Subdivision Evaluation**

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required in R1-C Zoning District</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>11,900 SF</td>
<td>Parcel A: 11,994 SF</td>
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<tr>
<td></td>
<td></td>
<td>Parcel B: 12,031 SF</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parcel C: 50,333 SF</td>
</tr>
<tr>
<td>Lot Width</td>
<td>85 feet</td>
<td>Parcel A: 85.08 ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parcel B: 97.99 ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parcel C: 165.26 ft.</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>125 feet</td>
<td>Parcel A: 132.08 ft.</td>
</tr>
</tbody>
</table>

-49-
4. **Wetland Buffer.** *Section 11.07, Subd. 4.0 provides wetland buffer requirements.* There is a wetland along the western lot line of the subject property. The City Engineer has determined that a wetland delineation must be performed, and a drainage easement be recorded over the wetland, but it has no bearing on the minor subdivision. The wetland is located on proposed Parcel C, which is the lot on which the existing home will remain. The home is approximately two hundred (200) feet from the edge of ice shown on the survey. There are no wetlands on the two proposed parcels for future development.

5. **Parkland Dedication.** *Section 11.02, Subdivision 10, B (4) (a): Land Requirements – Residential, states that ‘In all new residential subdivisions, a minimum of ten percent (10%) of the gross area subdivided shall be dedicated for a public recreation space or open space. In the City’s sole discretion, the ten percent (10%) may be calculated on the net area, which shall be the gross area of the subdivided property minus the area of wetlands, lakes, and streams below the ordinary high water mark. The land dedicated for public use shall be in addition to property dedicated for streets, alleys, easements, or other public ways.’*

*Section 11.02, Subdivision 10, B (5)(a): Cash Requirements: Amount of Payment Required states that, ‘When the subdivision is too small for practical dedication of public land or if no land in the subdivision is suitable for such use, the subdivider shall be required to pay a cash fee in lieu of such land dedication. The subdivider shall be required to pay a fee equal to ten percent (10%) of the fair market value of the land prior to subdivision or pay a cash fee as established by Ordinance of the City Council, whichever is the lesser of the two. The market value of land shall be determined by utilization of tax assessment records, a report from a certified appraiser, or by agreement between the City Council and the subdivider.*

The 2020 Fee Schedule adopted by the City Council requires a minimum of 10% of the fair market value of the land prior to subdivision OR a fee equal to $3,000 per new dwelling unit for single family residence, whichever is less.

In this instance there are two new lots being created. According to 2020 data from Washington County, the appraised value of the property is $408,700. The flat $3,000 per lot fee is less than 10% of the market value of the land prior to the subdivision; therefore the applicant must pay $6,000 for park land dedication.

6. **Tree Preservation.** The applicant has provided a tree inventory along with the application for the subdivision. Because the exact locations of the future homes have not been decided yet, tree removal and replacement (tree preservation plan) will be evaluated on an individual lot basis at the time of application for building permit.

The site is not considered heavily wooded so a replanting of one (1) tree for each tree (1) removed will be required. Any trees that will be ultimately removed due to their locations (including those in the building pads, driveways, streets and holding pads) shall be considered and accounted for. Trees utilized for replanting should be suitable to the site and
represent a mix of deciduous and evergreen species that reasonably represent the trees removed and meet the criteria as specified by ordinance.

7. Engineering Considerations.
The City Engineer has reviewed the plans and offers the following comments:

- The site grading will be reviewed as each house plan is submitted for a building permit, and sediment and erosion control plans will be reviewed at that time.
- Stubs for City sewer and water will be installed for each proposed lot this summer, during the street and utility project that is currently underway.
- Appropriate lot line drainage and utility easements are shown on the certified survey map. These easement descriptions shall be provided to the City. The City Attorney will draft the appropriate easement document for recording.
- The Applicant has agreed to grant the City a 20 foot wide watermain easement running along the shared property line of Parcels A and B, and then west along a portion of the rear property line of Parcel B. The easement is properly shown running along the shared property line. However, the easement is only shown 10 feet in width instead of 20 where it runs along the rear property line of Parcel B. The 20 foot width is only needed for about 50 from the common lot line of Parcels A and B westerly to the common lot line of Lots 17 and 18 of Bichner Woodland Acres. The Applicant must work with the City Engineer to provide the proper easement description, which will then be drafted by the City Attorney and legally recorded.
- The applicant shall provide the City with a legal description for the ponding area on the western edge of Parcel C, over the existing wetland. The City Attorney will draft the appropriate easement document for recording.

RECOMMENDATION

Based on the criteria in this report, staff recommends approval of the requested minor subdivision at 175 Bevins Ln., subject to the following conditions:

1. The Applicant must enter into a minor subdivision agreement with the City.
2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.
3. The Applicant shall pay $6,000 cash in lieu of parkland dedication.
4. Legal descriptions for lot line drainage and utility easements shall be provided.
5. A legal description showing the full watermain easement shall be provided.
6. The Applicant shall remove the shed from proposed Parcel B prior to the recording of the subdivision.
7. All permits necessary from the VBWD must be obtained.
8. A wetland delineation must be completed for the wetland on proposed Parcel C, in order to properly describe the required easement.
9. The wetland buffer boundary shall be marked with VBWD signs.
10. The Applicant must then provide a legal description for a drainage easement over the entirety of the wetland.
11. The City Attorney will draft all of the aforementioned easement documents for recording.
POTENTIAL ACTION

1. Request Additional Information and Continue the Meeting. The Applicant appears to have provided enough information for the Planning Commission to make a recommendation to approve or deny the request. Should the Planning Commission request additional information from the Applicant, the Planning Commission should continue the meeting until a later time.

2. Approval (with or without conditions) of the Request. In the event of a decision to recommend approval (with or without conditions), the Planning Commission may refer to Exhibit C, and may modify the draft resolution for approval to include any conditions that it deems necessary.

3. Denial of the Request. In the event the Planning Commission chooses denial of the requested conditional use permit, it should clearly state its reasons for the denial and direct staff to prepare a resolution of denial.

ATTACHMENTS

- Exhibit A: Location Map
- Exhibit B: Application
- Exhibit C: Draft Resolution – Approving the Minor Subdivision
APPLICATION FOR CONSIDERATION OF REQUEST
CITY OF MAHTOMEDI, MINNESOTA

STREET ADDRESS OF PROPERTY: 175 Bevins Lane

LEGAL DESCRIPTION OF PROPERTY: Lot 3, Block 1, Bevins Add, lots

OWNER: Name Rose M. Urbina Address 175 Bevins Lane
Phone: Home 763-341 Business ___ Email rose@premium.net

APPLICANT: (if other than owner) Name __________________________ Address __________________________
Phone: Home ______ Business ______ Email ______

Type of Request
Rezoning ___ Conditional Use ___ Minor Subdivision ___ Concept Plan Review ___
Plan for Subdivision (more than 3 lots) ___ Final Plat ___
Site Plan ___ Amendment to Ordinance ___
Interim Use Permit ___ Administrative Site Plan Review ___
Appeal of an Administrative Decision ___

Description of Request: New Subdivision of two lots on the east end of property as described by Plan that have been provided to the City.

IF POSSIBLE, OBTAIN THE SIGNATURES OF ALL ADJACENT PROPERTY OWNERS:

<table>
<thead>
<tr>
<th>SIGNATURE</th>
<th>ADDRESS</th>
<th>GIVEN</th>
<th>NOT GIVEN</th>
<th>UNDECIDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen</td>
<td>182 Bevins Ln</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reuter</td>
<td>85 Bevins Ln</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Information Provided:
X Preliminary Plat
X Grading/Drainage Plan
Utilities Plan
Site Plan
Landscape Plan
Building Elevation
Sign Plan
X Registered Land Survey
Narrative of Project
Copy of Property Deed(s) (For Conditional Use Permit Applications)

(SEE OTHER SIDE)
As the applicant, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal, and other professional consultants in reviewing this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project.

Owner's Signature

Applicant's Signature

Date

Date

BELOW IS FOR USE BY CITY OFFICIALS

Application received with fee of $250 on 7-13-20
Amount of cash deposit for City consultant costs $2,500.00
Action by Planning Commission
Action by City Council
WHEREAS, the City of Mahtomedi received a request from the Applicant and property owner, Rose Urbhia, for a minor subdivision resulting in three lots at the property located at 175 Bevins Ln. on July 13, 2020, legally described as follows:

Lot 3, Block 1, Bevins Acre Lots, according to the plat on file and of record in the office of the Register of deeds in and for the County of Washington, State of Minnesota.

(Document No. 309021) Subject to an easement for or right of way for the construction, improvement, operation and maintenance of a public road, upon and across the following land described as follows, to-wit:

All that part of the Southerly 30 feet of Lot 3, Block 1, Bevins Acre Lots, lying westerly of Bevins Lane as platted.

to have and to hold said easement or right of way for public road or highway purposes so long as the same shall be constructed, used, operated and maintained as a public road or highway.

(Document No. 4015540) Partial Vacation of street/public road easement situated in the City of Mahtomedi, County of Washington, State of Minnesota, as dedicated by Book 32B of Deeds, page 714, upon and across the following land described as follows, to-wit:

All that part of the Northerly 20 feet of the Southerly 30 feet of Lot 3, Block 1, Bevins Acre Lots, lying westerly of Bevins Lane as platted.

(Document No. 4015540) Subject to a permanent easement for drainage and utility purposes, over, across, under and through the following land described as follows, to-wit:

All that part of the Southerly 10 feet of the Northerly 20 feet of the Southerly 30 feet of Lot 3, Block 1, Bevins Acre Lots, lying westerly of Bevins Lane as platted.

WHEREAS, the Applicant has requested a minor subdivision to allow for the division of the property to create three residential lots; and

WHEREAS, the Planning Commission reviewed and considered the request based on the related documents shown in the Applicants’ Application at their regular meeting on August 12, 2020; and

WHEREAS, the City Council can approve a minor subdivision if it finds that the standards for minor subdivisions as described in Chapter 11, Section 11.02, Subdivision 10, E: Minor Subdivision of the Mahtomedi City Code have been met; and

WHEREAS, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the Applicant’s minor subdivision request based on the following findings of fact:

1. All required information for a minor subdivision has been supplied.
2. The minor subdivision meets the requirements for Minor Subdivision Approval;
3. The lot to be divided is in a location where conditions are well defined;
4. The newly created property lines will not cause any resulting lot to be in violation of the Zoning Code;
5. The proposed division was prepared by a registered land surveyor;
6. The minor subdivision request is consistent with the City’s Comprehensive Plan; and
7. The minor subdivision is consistent with the City’s Subdivision Regulations and Zoning Ordinance for property in the R1-C – Low-Density Residential Zoning District.

NOW THEREFORE BE IT FURTHER RESOLVED that the Applicant must meet the following conditions for minor subdivision approval:

1. The Applicant must enter into a minor subdivision agreement with the City.
2. A Tree Preservation and Replacement Plan must be approved by the City Forester prior to the removal of any trees and issuance of any grading or building permit.
3. The Applicant shall pay $6,000 cash in lieu of parkland dedication.
4. Legal descriptions for lot line drainage and utility easements shall be provided.
5. A legal description showing the full watermain easement shall be provided.
6. The Applicant shall remove the shed from proposed Parcel B prior to the recording of the subdivision.
7. Any permits necessary from the VBWD must be obtained.
8. A wetland delineation must be completed for the wetland on Parcel C, in order to properly describe the required easement.
9. The wetland buffer boundary shall be marked with VBWD signs.
10. The Applicant must then provide a legal description for a drainage easement over the entirety of the wetland.
11. The City Attorney will draft all of the aforementioned easement documents for recording.

Adopted by the City Council of the City of Mahtomedi on August 18, 2020.
Judson Marshall, Mayor

Attested:

Jerene Rogers, City Clerk
5. **STAFF REPORT**
a. Century Avenue Small Area Plan update on pages 63-91
b. Ordinance Amendment Work Plan on pages 92-95
Memorandum

To: Planning Commission Members
CC: Scott Neilson, City Administrator
From: Eirr Perdue, AICP, Senior City Planner
Date: 08/06/2020
Re: Century Avenue Small Area Plan
   WSB Project No. 013679-000

Attached is the Century Ave. Small Area Plan that has been reviewed with the City Council at the November 19, 2019 work session. The Plan has been funded by a grant from the Washington County CDA. Its adoption has been delayed by COVID as well as reliance on the County and MNDOT proceeding with the turnback of the road.

The purpose of the Plan is to study the area in more detail than the recently completed draft 2040 Comprehensive Plan and provide guidance on the feasibility of future land uses, infrastructure (roads and utilities) and economic development activities. The goal of the Small Area Plan is to help set a clear vision for the area that can be used when discussing the area with potential developers, and to spur future investment.

The draft plan is organized in the following manner:

1. Purpose
2. Background, including information on land use, context, past plans and studies, zoning, property values and recent development trends
3. Market Analysis: while a formal market analysis was not conducted, we provide information from ESRI Business Analyst, which summarizes the surrounding business environment and may be helpful in determining general types of businesses that will be attracted to the study site. This section also contains commercial development trends in the area and summaries of past market studies for hotel development on the site.
4. What We Heard: Interviews with property owners in the study area, including the shopping center, were held and summarized.
5. Century Avenue Turnback: Meetings were held with MNDOT, Ramsey and Washington Counties to discuss potential future improvements to Century Ave. should the roadway be turned back to the counties. One important topic discussed was ROW needs for those future improvements, which we incorporated into the design recommendations.
6. Redevelopment Concepts: These include goals, future land uses, and both short and long-term design concepts. (The shopping center was included in the analysis, but was found to not have momentum for any near-term redevelopment.)
7. Infrastructure: This last section includes cost estimates for roads, water, sanitary and storm sewer upgrades needed to implement the redevelopment concepts.

The plan was provided to Chris Eng at the Washington County CDA for comments. We also held meetings with a couple of area developers to also obtain feedback. The Plan has been updated based on all of this feedback. The Plan is now ready for Planning Commission recommendation to Council for adoption.
I will present the Plan and facilitate discussion at the meeting. Please feel free to contact me with any questions or comments before then if you have them (eperdu@wsbeng.com, 763-287-8316).
CENTURY AVENUE
SMALL AREA PLAN

DRAFT FOR CITY COUNCIL

12/30/19

Prepared for:
City of Mahtomedi
600 Stillwater Rd.
Mahtomedi, MN 55115

WSB PROJECT NO. 013679
Purpose

The purpose of the Century Avenue Small Area Plan is to assess the feasibility of future land uses, infrastructure, including roads and utilities, and economic development activities in the area. The goal is to help set a vision for the area that the City can use to spur investment and create interest in redevelopment of the southwestern gateway into Mahtomedi.

The small area plan provides a clear vision of the type, scale, and intensity of development that the City wants in this area. It also provides an assessment of development trends, market forces and demands to ensure that the vision is achievable. The ultimate goal is to eventually shift the tax base in this area from single-family residential to commercial/mixed use. Measures of success will include the number of parcels redeveloped, diversification of use along the corridor, and taxable value of the subject parcels.

The study site in a city-wide context is shown in Figure 1 below, and a more detailed study area is shown in Figure 2.
Background

Location, Context, and Existing Land Use
The redevelopment area is located in the southwestern part of the City, approximately 0.2 miles north of Interstate-694 at the MN-120 N/E County Line Rd N, or Century Avenue. Century Avenue runs along the western edge of the site, dividing both White Bear Lake and Ramsey County to the west, and Mahtomedi and Washington County to the east. The redevelopment site is approximately 8 acres in size, and consists of five homesteads interspersed with undeveloped parcels on the north part of the site, and a commercial center on the southern part of the site. The commercial center has space available for approximately 8-9 businesses, and there are currently an estimated 7 operating businesses, featuring restaurants, a liquor store, a hair salon, a massage business, and an e-cigarette business. Century College, a 2-year community and technical college, sits just north of the site.

Current property owners include a single owner for the commercial center, and approximately 7 different owners for the 18 parcels on the north part of the site. One private property owner owns several of the larger parcels and the City owns one of the vacant parcels in the subject area.
Past Plans and Studies

Maxfield - Market Feasibility Study, 2005
The City began studying the area back in 2005, when it commissioned a Market Feasibility Study for a Limited-Service Hotel. The study determined that while the subject property would work well for lodging, and that the forecasted population and employment for Mahtomedi would cause demand for hotel rooms, the demand was not great enough at the time to support a new hotel. Several other hotels had recently opened in the market area. The final report recommended revisiting and reevaluating the study in two to three years.

Hospitality Marketers International – Hotel Market Study, 2016
In 2016, the City received some interest from a small-scale hotel developer on one of the properties in the study area. This triggered the commissioning of a hotel market study. The study provided an overview of the highlights observed in Mahtomedi and the surrounding hotel market area. It concluded that the market area could support a limited service, mid to upper-midscale hotel. The report also provided a breakdown of the room-types and amenities that would be successful.

2040 Comprehensive Plan
The City recently completed the 2040 Comprehensive Plan update. This provided an opportunity to establish a vision for how the community will grow and develop over the next 20 years and is intended to be reflective of the desires of the entire community. It analyzed various topics related to development including land use, housing and neighborhoods, economic development, transportation, utilities, and parks & trails, among others. It is the goal of this plan to build off of the Comprehensive Plan and provide a more detailed vision for the study area.

The City’s 2040 Comprehensive Plan designates this site as a probable redevelopment site for mixed residential/commercial use. Some combination of vertical or horizontal mixed use should occur in a coordinated fashion in the area, with a roughly 50/50 mixture of residential and commercial uses. The plan recognizes that the properties are currently occupied by single family homes but acknowledges the area’s potential for a mixture of high density residential and commercial uses. The Future Land Use plan guides the study area as Mixed Residential/Commercial.

Zoning District
Following the 2005 Maxfield Market Feasibility Study, the City designated the area for mixed use development in the 2030 Comprehensive Plan and created a special zoning district for the area (Mixed Use Planned Unit Development) with the intent of promoting commercial uses integrated with mixed-income/density residential development. The zoning district is highly flexible with regard to the arrangement of the development.

The Mixed Use – Planned Unit Development (MU – PUD) District is intended to provide an area for a mixture of medium to high density residential and limited commercial uses that embody a village atmosphere. Mixed income residential uses should comprise the majority of the District. Limited commercial uses and open space should be sensitively integrated with the residential development. This District allows for maximum flexibility in the promotion of difficult redevelopment projects and it allows the arrangement of residential and commercial uses in a manner that is in the best interest of the City.
Figure 4: Current Zoning
Property Values
Figure 3 shows estimated market values for each property as determined by Washington County in 2018. Properties with single-family homes fronting on Century Avenue range in value from approximately $204,000 to $225,000. There are also several small, undevelopable parcels fronting Century Avenue ranging from $5,000 to $21,000. The two parcels that make up the existing commercial space are valued at $2,766,500. The triangle-shaped parcel in the southeastern part of the study area, currently undeveloped but a potential area for stormwater management, is valued at $276,400. The total value of the study area land as it currently exists is estimated to be $4.55 million.

Shopping Center
The shopping center at the southern boundary of the study area is a 2.16 acre parcel, containing 94,090 square feet of commercial space, divided up between eight storefronts. The building layout is an upside down “L” shape, with most of the parking stalls situated in front of the building. There are three access points to the property, two of which are closer than what is desirable to the intersection of Long Lake Road and Century Avenue. There are no sidewalks on the same side of the street as the shopping center.

The current owner purchased the property in 2017, so data on vacancies and turnover is not available prior to that time. The shopping center has been fully leased during 2017 and 2019 and had only one vacancy for several months in 2018. The current owner has seen very little turnover in tenants since taking the property over.

The shopping center maintains a nice mix of uses, including three restaurants, two health and beauty service establishments, a school district office, and two retail locations: a liquor store and tobacco shop. The busiest time of day for the center is in the evenings, due to the restaurants and liquor store.

Development
Recently, the City has been actively working with the other major property owner on getting the site redeveloped with a mixture of residential and commercial uses that are consistent with the zoning and comprehensive plan for the area. However, several immediate obstacles have prevented that redevelopment from getting off the ground, namely:

- Inability for the property owner to assemble the other small parcels
- Lack of vision for the interaction between the commercial and residential uses on the site
- Need for design and cost estimates for infrastructure
- Funding gaps in the pro forma
Century Ave. Redevelopment Area
Study Area Property Values

Figure 5: Study Area Property Values
Market Analysis

Maxfield - Market Feasibility Study, 2005

The first hotel market study for the City of Mahtomedi was completed in 2005. The study determined that while the subject property would work well for lodging, and that the forecasted population and employment for Mahtomedi would cause demand for hotel rooms, the demand was not great enough at the time to support a new hotel. Several other hotels had recently opened in the market area. The final report recommended revisiting and reevaluating the study in two to three years.

2016 Hotel Feasibility Study

The 2016 study by Hospitality Marketers International, Inc. provides overall support for the construction of a hotel in the subject area. The study specifically looked at the subject area in the context of the “competitive set” of hotels which includes five nearby hotels, in Vadnais Heights, White Bear Lake and St. Paul.

The bulk of the study focused on lodging demand in the area. While there are not currently any hotels within the City of Mahtomedi, there are several businesses and institutions within the City that draw overnight travelers to the area. These include the FedEx distribution center and Century College. Located just outside of Mahtomedi is the Vadnais Sports center, which holds sporting events year-round and brings in teams from a broad area. Finally, Mahtomedi is also within a general area that will see corporate visitors in need of lodging. The study projected lodging need in the area to grow by five percent between 2016 and 2019.

In addition to lodging demand, many other site-specific factors were evaluated. The overall rating of the subject site was “very good” with 3.9 out of 5 possible points. The highest scoring categories were “accessibility” and “visibility,” which both stem from the subject site’s location near the interchange of Interstate 694 and Century Avenue. “Area support services” was another high scoring category, given that there are several restaurants, conduences stores and banking locations in the immediate vicinity. Development factors, including access to utilities, site preparation and zoning are not anticipated to cause challenges at this site, which also contributed to the “very good” rating.

The study provided recommendations on the type of hotel that would be most successful in the study area. The hotel should be a mid to upper-mid scale, limited service hotel. Amenities that would contribute to the success of a hotel in this location could include: a complimentary breakfast area, an exercise area, an indoor pool/whirlpool, a small business center and adequate parking for oversized vehicles. The hotel could support up to eighty rooms. Ten percent of those should be suites, with the remaining ninety percent a mix of queen and king bedded rooms.

Area Businesses Data

ESRI’s ArcGIS Business Analyst tool was utilized to prepare reports that contain data on the businesses that are presently within a one, five, and ten-minute drive time from the study site. This information can be used to summarize the existing surrounding business environment and may be helpful in determining the general types of businesses that will be attracted to the study site.

Business Analyst estimates that there are currently sixteen businesses within a one-minute drive time from the study site. This includes six service businesses, three retail/trade businesses, one finance/insurance/real estate business, and one “unclassified” establishment. The nearest commercial
center is approximately 0.8 miles from the study site, located directly north at the intersection of E County Line Road/Century Avenue and County Road East/Wildwood Rd. There are businesses at each of the four corners of the intersection, including a Festival Foods grocery store, two pharmacies, a gas station, several fast food and sit-down restaurant options, a pet supply store, a liquor store, two auto-oriented businesses, a bank, and an insurance office, among a few other smaller businesses.

The following table is a summary of an estimated percentage of general business categories that currently exist within a five and ten-minute drive from the study area. In general, the majority of businesses found within a ten-minute drive radius are services and retail businesses. It should also be noted that there is only one business classified as “hotels and lodging” within a five-minute drive, and ten within a ten-minute drive from the study site.

<table>
<thead>
<tr>
<th>Percent of Businesses</th>
<th>Within 5-minute drive</th>
<th>Within 10-minute drive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Services</td>
<td>41.2</td>
<td>42.0</td>
</tr>
<tr>
<td>Retail / Trade</td>
<td>22.7</td>
<td>21.0</td>
</tr>
<tr>
<td>Agriculture &amp; Mining, Construction, Manufacturing, Transportation, Communication, Utility, Wholesale Trade</td>
<td>19.1</td>
<td>19.6</td>
</tr>
<tr>
<td>Finance, Insurance, Real Estate</td>
<td>9.6</td>
<td>10.9</td>
</tr>
<tr>
<td>Government</td>
<td>2.2</td>
<td>1.8</td>
</tr>
<tr>
<td>Unclassified Establishments</td>
<td>5.4</td>
<td>4.7</td>
</tr>
<tr>
<td>Total Number of Businesses</td>
<td>741</td>
<td>3,622</td>
</tr>
</tbody>
</table>

*Table 1: Percent of Business Types within 5 and 10-Minute Drive*

**Area Development Trends 2014-2018**

Table 2 includes building permit data for the past 5 years, within Mahtomedi and the surrounding communities of White Bear Lake (note the distinction between White Bear Lake in Washington County and Ramsey County), Maplewood, and Oakdale. Mahtomedi does not appear in the table because there have been no building permits for new commercial establishments from 2014 through 2018. Data from the current year 2019 was not available, so data from 2014 through 2018 is presented. All of the building permits are categorized as new construction commercial buildings, and the table breaks down the information further to describe the specific businesses that are recent additions to the area. The description column of the table helps provide an idea of the type of businesses that will be attracted to the area, for example, local versus chain businesses. The permit values provide an idea of initial construction investment that these businesses are making.

With a total of 45 new commercial building permits in these communities between 2014 and 2018, the more general categories are broken down as follows. Retail space makes up one-third of the new commercial building permits in the area, with a combined total permit valuation of $42.4 million. Office space makes up approximately 27 percent of the permits, with a combined total permit valuation of $159 million. Services make up 20 percent of the permits, with a combined total permit valuation of $14.4 million. And finally, food service is 15.6 percent of the permits, with a combined total permit valuation of $6.5 million.
<table>
<thead>
<tr>
<th>Year</th>
<th>Type</th>
<th>Description</th>
<th>Permit Value</th>
<th>City</th>
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<td></td>
<td>Restaurant</td>
<td>Panera Bread</td>
<td>$950,000</td>
<td>Maplewood</td>
</tr>
<tr>
<td></td>
<td>Retail</td>
<td>Retail Strip Mall</td>
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<td>2018</td>
<td>Bank</td>
<td>US Bank within Lunds &amp; Byerly's</td>
<td>$169,962</td>
<td>White Bear Lake (Ramsey Co.)</td>
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<tr>
<td></td>
<td>Coffee Shop</td>
<td>Caribou within Lunds &amp; Byerly's</td>
<td>$100,000</td>
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<td></td>
<td>Car Dealership</td>
<td>Walser Polar Mazda Car Dealer</td>
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<td>Grocery Store</td>
<td>Lunds &amp; Byerlys Grocery Store</td>
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<td>Restaurant</td>
<td>Chick-fil-A</td>
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<td></td>
<td>Restaurant Rebuild</td>
<td>McDonald's</td>
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<td></td>
<td>Self Storage</td>
<td>Beyond Self Storage</td>
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<td>Retail</td>
<td>Rice Street Shoppes</td>
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<td>Car Dealership</td>
<td>Porsche</td>
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<td>Office and Storage</td>
<td>Boaters Outlet</td>
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<td>2017</td>
<td>Office</td>
<td>Beacon Shores</td>
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<td>Beacon Shores</td>
<td>$318,774</td>
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<td>Office</td>
<td>Beacon Shores</td>
<td>$320,073</td>
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<td>Movie Theater</td>
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<td>Culvers</td>
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<td>Animal Hospital</td>
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<td>Restaurant Rebuild</td>
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<td>Medical Office</td>
<td>Hazelwood Medical Commons</td>
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<td></td>
<td>Restaurant</td>
<td>Hardee's</td>
<td>$925,000</td>
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<td>2016</td>
<td>Hotel</td>
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<td>Coffee Shop</td>
<td>Starbucks</td>
<td>$193,000</td>
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<td>Dental Office</td>
<td>White Bear Dentists</td>
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<td>Retail</td>
<td>Goodwill</td>
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<td>Medical office</td>
<td>Prairie Care</td>
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<td>2015</td>
<td>Retail / Services</td>
<td>Starbucks, Great Clips, Pacific Dental</td>
<td>$550,000</td>
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<td>Retail</td>
<td>Northern Tool</td>
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<td>Car Wash</td>
<td>CarMax</td>
<td>$135,000</td>
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<td></td>
<td>Office</td>
<td>CarMax - Sales Office</td>
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<td>3M</td>
<td>$100,069,351</td>
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<td>Shell for Retail</td>
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<td>Gas Station</td>
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<td>2014</td>
<td>Veterinary Clinic</td>
<td>Petcare</td>
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<td>Health Clinic</td>
<td>Allina Health Clinic</td>
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<td>Grocery Store</td>
<td>Hy-Vee</td>
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<td>Phase 1 Of Strip Center</td>
<td>Anytime Fitness</td>
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<td>Maintenance Building</td>
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<td>Storage Building</td>
<td>Manitou Ridge Golf Course</td>
<td>$385,000</td>
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<td></td>
<td>Restaurant</td>
<td>Boatwerks Waterfront Restaurant</td>
<td>$430,000</td>
<td>White Bear Lake (Ramsey Co.)</td>
</tr>
</tbody>
</table>

Table 2: New Commercial Development in the Area: Building Permit Data
Summary
All of this data indicates that there has been a significant amount of retail, restaurant and service uses developed and/or existing in the surrounding area. The shopping center within the study area is also doing well, and the owners are satisfied with the returns being generated by tenants there. There are strong indicators that a small hotel establishment would be successful in the study area.

Therefore, there is not likely to be significant new retail or service development within the study area. The area is more suited for a small hotel as well as high-density residential development as envisioned in the City’s 2040 Comprehensive Plan. The hotel or multi-family development may include some small commercial amenity that would serve residents and/or hotel guests, such as a coffee shop or small café.

What We Heard
Property Owner Feedback
There are five homes located on the study site, with the majority being owner-occupied. Six of the property owners were interviewed to gather feedback about future land use plans for the area, and how it might relate to their property. Two of the property owners that were more resistant to change ultimately stated that they may be willing to sell their property under the right circumstances. Two of the property owners, including one that owns some vacant parcels, were very receptive to the idea of redevelopment at this site. The final two property owners were relatively indifferent, but in conclusion there are no major obstacles standing in the way of selling their property.

Gathering feedback from current property owners was a great opportunity to continue the conversation about the future plans for this site, acknowledging that with the combination of time and a more solidified idea of potential development scenarios for the site, opinions can change in favor of redevelopment.

Shopping Center Feedback
The actual owner of the property was unavailable for an interview. However, a representative from the management company did provide some feedback. The current owner is happy with the performance of the shopping center and does not have any desire to redevelop it. There were approximately $5,000 in updates made in 2019, and $20,000 planned for 2020. The updates will be primarily on the parking lot and the exterior of the building.
Century Avenue – Turnback/Options

Several parties are currently negotiating the turnback of Century Avenue/TH 120 from MNDOT to Ramsey and Washington Counties. The terms of the turnback have not yet been decided, but both parties (MNDOT and the Counties) have plans for improvements to the segment of Century Avenue through this project area.

There are a couple of options being discussed, including a three-lane concept and four-lane concept. Both concepts include significant needs for additional right-of-way (ROW), which will impact the Mahtomedi properties. The current right-of-way is 66 feet wide, or 33 feet from the center of the road. The new improvements will require between 150 and 180 feet of ROW total, or an additional 42-57 feet of ROW on each side. The single-family homes on the Mahtomedi side of the road are between 36 and 44 feet away from the existing ROW. Figure 6 on the following page illustrates the potential impacts of a worst-case-scenario 180-foot right-of-way expansion.

When the County or MNDOT proceed with the improvement project, they will acquire the necessary ROW, which will hasten the redevelopment potential of these single-family lots. They will no longer be usable as single-family residential. The redevelopment concepts shown in the next section reflect the widest ROW necessary for TH 120 depending on which jurisdiction is in control of the roadway.
Century Ave. Redevelopment Area
Century Avenue Right-of-Way Dimension Details

Figure 6: Right-of-way expansion impacts
Redevelopment Concepts

Planned/Future Land Use
The City has set a vision for the future of this site through the Future Land Use Map. The parcels on the north part of the site, where the homes and vacant parcels sit, are planned for "Mixed Residential Commercial." Land uses that would be appropriate here include: (1) High density residential uses including condominiums, townhomes, and apartments, and (2) Commercial uses including those allowed in the Community and Neighborhood Commercial Districts. This district assumes a mixture of 50 percent residential and 50 percent commercial, and the uses are intended to be neighborhood-serving. As stated in the previous section, the commercial portion of the area would likely include a small hotel.

The current commercial site is planned for Community Commercial, with the intended uses being businesses that cater to the entire community, including restaurants, gas stations, and retail.

The townhomes adjacent on the east side of the study site are an example of a recent development project nearby. Constructed in 2007, this site is approximately 5.5 acres in size with 70 townhomes. These are the closest residents within Mahtomedi that may be able to benefit from new commercial and community-serving development, particularly on foot or by bike.

Goals
- Based on the comprehensive plan, previous studies, market analysis, and input from property owners, the City has the following overall goals for the future of the study area:
  - Development of high-density housing, including affordable housing units
  - Development of a small, mid- to upscale hotel
  - Placement of new buildings close to the right-of-way, designed with connections to a non-motorized trail along Century Ave.
  - Consolidation of access points to Century Ave. where possible

Land Use Concept
Figure 7: Land Use Concept & Transportation Concept shows the general layout of the study site in regard to the future land use, with the primary land use shown. In this concept, the northern-most area of the site is multi-family residential, the middle area is designated as mixed-use, and the southern-most portion is commercial. It shows a new road constructed between the two commercial sites going east-west, connecting to another new road going north-south to open up dead-end Ledgestone Drive (the existing road between the between the townhomes), ultimately connecting with the side street (currently a private drive) that provides access into Century College. There has been discussion of plans to improve Century Avenue, so this concept illustrates the basic idea of adding lanes and a trail on either side of the roadway, utilizing approximately 180 feet of right-of-way.

An improved roadway along Century Avenue will also raise the question of access points along it, with the diagram pointing out some of the potentially extraneous access points. In this concept, the two new roads provide access into each of the three areas, and the private drive into Century connects back with the new road on the eastern edge of the study site. Stormwater management areas are shown in two locations in this concept; the southeastern area may be used for stormwater management of the study area, and the stormwater area on the north is a potential location for water management of an
improved Century Avenue.

Figure 7: Land Use and Transportation Concept
Design Concepts
The next figures are renderings of the study site from a perspective view looking northwest across Century Avenue. The potential future buildings include the three buildings in the foreground of the image along Century Avenue. The buildings in the background, including the townhomes and building situated towards the center of the image, are existing. The image provides an idea for how a redeveloped site will fit into the existing landscape, how the site itself may be built out including what the general look and feel of the site could be, and how the area as a whole could be transformed.

In this concept, all three buildings have a minimal setback from Century Avenue, moving the parking to the rear of the building. Positioning the buildings closer to Century Avenue along the street provides for a greater sense of enclosure along Century Avenue. This sense of enclosure can be an important factor to the overall experience of this 1000-foot stretch of Century Ave. For example, as a pedestrian, it creates a more human-scaled environment, and as a driver, it can slow you down. An important consideration with this concept is to be thoughtful about location of building access, in order to avoid flipping the orientation of the site away from Century Avenue and onto the secondary roadway.

Figure 8 depicts a near-term concept, with the existing shopping center structure staying as-is. A space for pop-up uses, such as farmer’s market, seasonal sales or food trucks has been included as a way to activate the space closer to Century Ave. and draw people to the shopping center. There is also a clear pedestrian connection from a new trail along Century Ave. to the sidewalk along the storefronts.

Figure 8 shows a long-term concept for the shopping center area, in the event that the owners seek to completely redevelop the site at some point in the future. This concept shows a complete reconstruction of the site with the building fronting the streets and parking located in the back (accessible from Century Ave. and the new backage road. This design would compliment the mixed use, hotel, and/or multi-family redevelopment to the north.
Figure 8: Near Term Development Design Concept
Figure 9: Long-Term Development Design Concept
In both the near- and long-term concepts, it is presumed that the south building will be commercial, the north building will be multi-family residential and the middle building either mixed use or a hotel per the conclusions of the market analysis.

**Implementation**

**Sequence**
There are several things that need to happen, and several responsible parties, in order for the vision of the Plan to be realized. Some of these steps are dependent on others and will therefore need to take place in sequence. Below is a rough guide to the implementation of this plan; the individual steps are described in more detail following the figure:

- **Turnback and redesign of Century Avenue**
  - Design to be finalized by Counties and/or MNDOT
  - Negotiations currently underway

- **Assemble parcels**
  - City may work with property owners and developers

- **Approve development and Funding for Infrastructure**
  - Possible grant funding, cost shares
  - Include in City CIP

- **Install infrastructure**

- **Build the development**

**Zoning**
Currently the entire site is zoned MU-PUD – Mixed Use Planned Unit Development, but much of the language is outdated and does not match the current goals for the site as described in this plan. While the City waits for the first step in the implementation process to take place (the redesign and turnback of Century Avenue), work on the zoning district should take place. Several updates should be made to the district to facilitate the redevelopment envisioned in this plan:

- Changing the title of the district to avoid confusion with the adjacent Planned Unit Development (Ledgestone Townhomes)
- Removing the percentage requirement for owner-occupied dwellings
- Removing the ratio of commercial v. residential uses (but keeping the requirement for affordable housing units)
• Allowing more commercial uses than just those described in the B-2 district

Infrastructure

Roadway
One of the issues associated with the Century Small Area Plan is Roadway access. Routing the traffic on to Century Ave can be an issue given the traffic volumes and State control of the roadway. The City has street right-of-way that extends along the eastern side of the study area from Ledgestone Drive to Long Lake Road. I may make sense from a traffic circulation standpoint and alternate access standpoint to build a second access point for this development using this existing right-of-way. A rough cost estimate for the roadway has been determined to extend the roadway as shown on the attached sketch. The roadway was estimated to be a 24-25 wide curbed roadway with no parking allowed on either side.

Estimated cost: $300,000, including stormwater improvements (detailed cost estimates in Appendix A)

Water Supply
The existing water supply system in the vicinity of the redevelopment area includes a 10-inch watermain in Ledgestone Dr and a 16-inch trunk watermain in Long Lake Rd. The 10-inch watermain in Ledgestone Dr can be extended to serve the redevelopment area. In order to provide redundancy and improve the available fire flow, it is also recommended that a 12-inch watermain loop be installed in Century Ave or in the new roadway between Ledgestone Dr and Long Lake Rd, connecting to the 16-inch trunk watermain in Long Lake Rd. The cost of this watermain loop is listed separately in the attached cost estimate.

Estimated cost: $231,000 (detailed cost estimates in Appendix A)

Sanitary Sewer
The existing sanitary sewer system in the vicinity of the redevelopment area includes an 8-inch gravity sewer in Ledgestone Cr and an 8-inch gravity sewer in Long Lake Rd. The 8-inch gravity sewer in Ledgestone Dr has an invert elevation of 1,025.80 ft. The ground elevations within the redevelopment area range from 1,028-1,050 ft, with the lower elevations along the western boundary at Century Ave. Therefore, connecting to the sewer in Ledgestone Dr will require fill, insulation, or a combination of the two to prevent freezing in the pipe. The estimated cost for this option is listed as Option B in the attached table.

The 8-inch gravity sewer in Long Lake Rd has an invert elevation of 1,009.87 ft. This sewer can be extended approximately 350 ft in Long Lake Rd and then be routed north in the new roadway to the redevelopment area. This routing would create surface disturbance in Long Lake Rd, but it would provide sufficient sewer depth within the redevelopment area and would eliminate the need for fill or insulation. The estimated cost for this option is listed as Option A in the attached table.

The City of Mahtomeci 2040 Comprehensive Wastewater Plan lists a residual capacity of 249 gpm in the trunk sewer that would serve the redevelopment area. The estimated peak hourly wastewater flow from the multi-family residential and mixed use areas is 34 gpm and from the commercial area is 5 gpm, which is well within the available capacity.

Estimated cost for Option B (recommended): $228,000
Figure 10: Existing water, sewer and storm sewer infrastructure
Figure 11: Location of proposed backage roadway
Appendix A: Detailed Infrastructure Cost Estimates
## Opinion of Probable Cost

**WSB Project:** Century Ave Study  
**Project Location:** City of Maitland  
**WSB Project No.:** 013679-000  
**Design By:** JS  
**Checked By:** JS  
**Date:** 11/13/2019

### Schedule A. Surface Improvements

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Total Schedule A. Surface Improvements $ 204,670.00
+10% Contingency $ 29,670.00

Subtotal Schedule A. Surface Improvements $ 234,377.00
+ 20% Indirect Costs $ 46,874.00

Total Schedule A. Surface Improvements $ 281,251.00

$239,676.00
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**SANITARY SEWER - OPTION B**

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<th>Estimated Quantity</th>
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**WATERMAIN IMPROVEMENTS**

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<th>Description</th>
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<th>Estimated Total Cost</th>
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**WATERMAIN LOOP IMPROVEMENTS**

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<th>Estimated Quantity</th>
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<tbody>
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Memorandum

To: Planning Commission Members
CC: Scott Neilson, City Administrator
From: Ern Perdu, AICP, Senior City Planner
Date: 08/06/2020
Re: Work Plan for Zoning Updates and Intent Edits
WSB Project No. 013679-000

Work Plan

Attached is the proposed work plan for upcoming zoning work as discussed at the joint work session with City Council. The work is organized into two phases: the first focused on updates mandated by the Comprehensive Plan, the second are other items related to City Council priorities. The exception in Phase 1 is the discussion and amendments related to neighborhood character. We have moved these to phase 1 given that they are a high priority for the Council and there is some momentum to this discussion that we don't want to lose.

The dates shown on the work plan are Planning Commission meetings that the material will be presented for your discussion.

Intent

The first item for discussion and updates is the overall intent section of the ordinance. During the work session there were a few additions that were discussed. Below is a redlined version of the intent that we will discuss at your meeting next week:

**Statement of Legislative Intent:** This Ordinance is adopted to:
A. Protect and promote the public health, safety and general welfare of the community.
B. Classify properties into zones and districts reflecting their peculiar suitability for particular uses, densities and development patterns.
C. Guide future land development to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities.
D. Provide for sequential planned development that will allow the efficient and orderly expansion of utility systems without premature urbanization of existing undeveloped land.
E. Preserve the unique character and individuality of the City’s historic growth pattern.
F. Regulate the location, construction, alteration and use of buildings, structures and land.
G. Conserve property values.
H. Insure adequate light, air, privacy and convenience of access to property.
I. Prevent the overcrowding of land and the undue concentration of population.
J. Fix reasonable standards to which building structures and uses shall conform.
K. Lessen congestion in the public streets by providing off-street parking of motor vehicles and off-street loading and unloading of commercial vehicles.
L. Facilitate adequate transportation, water, sewage disposal, education, recreation and other public facilities and requirements.
M. Provide for safe, accessible connections between land uses that include provisions for vehicles, pedestrians, bicyclists, and use of transit.
L.N. ______ Provide performance standards that allow the flexible use of properties in ways that do not negatively impact surrounding uses.
O. ______ Prohibit the use of buildings, structures and lands that are incompatible with the intended use or development of lands within the specified zones.
M.P. ______ Allow for a diverse range of housing options.
N.Q. ______ Protect against fire, explosion, noxious fumes, offensive noise, vibration, dust, odor, heat, glare and other pollution and hazards in the interest of the public health, comfort and general welfare.
Q.R. ______ Conserve natural resources and maintain high standards of environmental quality.
P.S. ______ Preserve significant open spaces and conserve the natural and scenic beauty and attractiveness of road sides of the City.
Q.T. ______ Preserve the quality of surface waters and guide the prudent development of shore land areas.
R. ______ Preserve and protect the capacity of flood plains and natural ponding areas to carry, hold and discharge excess surface waters.
U. ______ Support local businesses with flexibility to operate creatively without negatively impacting surrounding properties.
S.V. ______ Provide for the administration of this Ordinance and define the powers and duties of the various administrative officers and bodies.
T.W. ______ Provide for the enforcement of this Ordinance and prescribe penalties for the violation of its provisions or any future amendments.
Mahtomedi Zoning Updates – Work Plan

Phase 1: Updates Required by Comprehensive Plan

1. (8/2020) Ordinance Intent: update the Zoning Ordinance intent based on the goals of the comp plan and strategic goals of City Council
   a. Open Space preservation
   b. Economic Development
   c. Accessibility and connections
   d. Diversity in Housing

2. (9/2020-10/2020) Neighborhood Character (largely R-1E): Update residential portions of the ordinance to match the Council’s goals of ensuring that infill development and redevelopment truly fits with the neighborhood character.
   a. Setback averaging
   b. Lot coverage/FAR standards (regulating the size/bulk of new homes)
   c. Changes CUPs allowed in the historic district
   d. Building height and roof pitch

3. **Work Session with CC**

4. (11/2020) Residential Densities: Update densities in the R-4, MU-PUD and VMU to reflect comprehensive plan guidance

5. (11/2020) Mixed Use PUD: Update the MU-PUD district per the recommendations of the Century Ave. Small Area Plan and comprehensive plan
   a. Affordable housing
   b. Allowable uses
   c. Owner-occupied requirement
   d. Ratio of uses

6. (12/2020) Updates to Use Table
   a. Remove outdated language
   b. Add newer uses that should be considered

7. **Work Session with CC**

Phase 2: Updates Requested by City Council

1. Briarwood Neighborhood
   a. Develop options for new district that deals with non-conformities

2. Sustainability: make changes to allowable uses and standards to be consistent with sustainability chapter of the comprehensive plan and City Council strategic priorities
   a. Broad allowance for solar as an accessory use
   b. Renewable energy in new developments
   c. Community gardens
   d. Green Streets Program strategies
   e. Shared parking
   f. Low-impact development

3. Housing Policies
   a. Requirements for affordability
   b. Property maintenance
4. **Work Session with CC**
5. Other maintenance: Changes to remove ambiguities, eliminate inconsistencies and correct outdated definitions
   a. Impervious surface regulations
   b. Riparian lot standards
   c. Setbacks
   d. Signs
   e. Accessory structures
   f. Building code-related
6. **UPDATE – CITY COUNCIL AND OTHER COMMISSION ACTIVITIES AND INFORMATIVE ITEMS.**

A copy of the recent City Council and other City Commission minutes may be found the City's website. If Commission members have questions regarding these or other City activities, staff will be happy to respond to them.

7. **ADJOURNMENT**