

**INVER GROVE HEIGHTS
PLANNING COMMISSION AGENDA**

**WEDNESDAY, AUGUST 7, 2013 – 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue**

1. CALL TO ORDER
2. APPROVAL OF PLANNING COMMISSION MINUTES FOR JULY 16, 2013.
3. APPLICANT REQUESTS AND PUBLIC HEARINGS

3.01 ISD #199 – CASE NO. 13-35SCV

Consider the following requests for the property located at 3201 – 68th Street:

- A) A **Conditional Use Permit Amendment** to exceed the impervious surface amount allowed in the shoreland district;

Planning Commission Action _____

- B) A **Variance** allowing a 20 foot rear yard setback whereas 30 feet is required

Planning Commission Action _____

3.02 160 INVESTMENTS (Argenta Hills 8th Addition) - CASE NO. 13-23PUD

Consider the following requests for the property located north of Amana Trail and west of Addisen Court:

- A) **Preliminary Plat** approval of Argenta Hills 8th Addition consisting of 53 lots and 6 outlots which is the balance of the residential area in outlots for future phases.

Planning Commission Action _____

- B) **Preliminary PUD Development Plan Amendment** of the Argenta Hills PUD as required by the Northwest Overlay District.

Planning Commission Action _____

- C) **Vacation** of certain drainage and utility easements within the plats of Argenta Hills 5th, 7th and Argenta Hills.

Planning Commission Action _____

3.03 HALLBLADE PROPERTIES, LLC- CASE NO. 13-28VAC

Consider a Vacation of certain public drainage and utility easements within the plat of Arbor Pointe Commons Second Addition.

Planning Commission Action _____

3.04 CITY OF INVER GROVE HEIGHTS- VAWT'S - CASE NO. 13-36ZA

Consider a Zoning Code Amendment to allow vertical axis wind turbines as a permitted use in the A, E-1, and E-2 zoning districts.

Planning Commission Action _____

4. OTHER BUSINESS

5. ADJOURN

This document is available upon 3 business day request in alternate formats such as Braille, large print, audio recording, etc. Please contact Kim Fox at 651.450.2545 or kfox@invergroveheights.org

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, July 16, 2013 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Hark called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Armando Lissarrague
Tony Scales
Paul Hark
Pat Simon
Bill Klein
Annette Maggi
Victoria Elsmore

Commissioners Absent: Dennis Wippermann (excused)
Harold Gooch (excused)

Others Present: Allan Hunting, City Planner
Heather Botten, Associate Planner
Tom Link, Community Development Director

APPROVAL OF MINUTES

The minutes from the July 2, 2013 Planning Commission meeting were approved as submitted.

PATRICIA PERISH - CASE NO. 13-31V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to allow a 12 foot front yard setback for a deck and handicap ramp addition whereas 24 feet is required, for the property located at 3160 – 71st Street. 5 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She stated the applicant is requesting a 12 foot variance to allow a deck and ramp addition to be located 12 feet from the front property line whereas 24 feet is the required setback. The proposed deck would be 19' wide and 10'6" deep with a 4' wheelchair ramp coming down to the driveway. The applicant's home was built prior to the City's first zoning ordinance and is setback 27 feet from the front lot line whereas 30 feet is the minimum setback. The code allows an uncovered deck, landing, and handicapped access ramp to be 24 feet from the front property line. For the reasons listed in Alternative B in the report, staff recommends denial of the request as proposed. Staff would, however, support a 17 foot setback from the front lot line which would allow a six foot uncovered deck along with the four foot wide proposed ramp with the condition listed in Alternative A. Staff heard from only one neighbor who was inquiring as to the details of the request and expressed no objections to what was being proposed.

Chair Hark asked Ms. Botten to clarify staff's alternative for a 17 foot setback.

Ms. Botten advised staff would support a six foot wide deck rather than the proposed 10'6" deck being proposed with a four foot ramp along the front.

Chair Hark asked if the only change would be the dimensions of the deck.

Ms. Botten replied in the affirmative.

Opening of Public Hearing

Terry Johnson, 847 – 1st Avenue S, South St. Paul, representing the homeowners, stated that reducing the deck to six feet would change the ramp as it would no longer have the necessary 1:12 slope. Additionally, more than six feet was necessary in order to build the proposed steps for accessibility for the mailman, neighbors, etc. He stated a six foot deck would not be wide enough to allow for maneuverability of a wheelchair, in addition to the three foot door swing coming out of the house. He noted that the inspector may request an additional landing, which would result in an even greater distance being needed. He advised that the homeowner is a business owner in the community who had a stroke in December. He has been having difficulty navigating the stairs and is looking for future wheelchair access and to be able to have enough room to enjoy the deck; this would require a minimum depth of 10'6".

Commissioner Klein asked staff to respond to Mr. Johnson's statements.

Ms. Botten replied that the Chief Building Official stated that a six foot deck and four foot ramp would meet building codes.

Commissioner Klein questioned whether it would be deep enough to function for a wheelchair.

Ms. Botten replied in the affirmative. She stated although this layout was the applicant's preference, there were other ways to configure the ramp. She noted that building code requires only a three foot wide ramp rather than the four feet being proposed.

Commissioner Simon stated the ramp could be reconfigured and made longer to accommodate a 1:12 slope.

Ms. Botten agreed, stating the ramp could be started from the other side, have a turn-around area, and then head back towards the driveway. Building code requires three feet for steps.

Mr. Johnson stated that building the ramp as suggested would result in an even greater distance for the homeowner to travel in his wheelchair.

Commissioner Simon stated she had seen many ramps built as such.

Mr. Johnson agreed, but questioned if she would prefer such a ramp on her home.

Commissioner Maggi asked if it would be an option to put the deck on the back of the house instead.

Mr. Johnson replied it was not feasible as the applicant's in-home hair salon was located on the back of the building.

Commissioner Lissarrague stated this situation was unusual and warranted some flexibility and compassion. He asked if the neighbors had been approached regarding the request.

Mr. Johnson replied that he spoke with the neighbors on both sides and across the street. They did not voice any objections to the request.

Commissioner Klein asked if the attached garage was handicapped accessible from the house.

Mr. Johnson replied it was not.

Commissioner Klein asked if it could become accessible.

Mr. Johnson replied it could not. He stated he was essentially only asking for an additional 4 ½ feet of deck.

Chair Hark asked if the applicant reviewed and understood the conditions listed in the report.

Mr. Johnson replied in the affirmative.

Chair Hark asked if the applicant agreed with the conditions listed in the report.

Mr. Johnson replied he did not.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark stated that although he had compassion for the homeowner's situation, he did not believe the Planning Commission could consider health issues as a practical difficulty.

Commissioner Elsmore stated if the homeowner were able to turn 90 degrees onto the four foot ramp, he would likely be able to maneuver onto a six foot deck as well. She also questioned whether reducing the deck depth would affect the slope of the proposed ramp.

Commissioner Simon stated although she had compassion for the homeowner's situation, she would likely vote to deny the request due to lack of a practical difficulty.

Commissioner Klein stated a four foot ramp would allow very little room for maneuverability of a wheelchair and possibly another person pushing it.

Commissioner Elsmore stated staff was recommending that only the deck dimensions change; not the ramp width.

Commissioner Maggi asked if Commissioner Klein could define a practical difficulty.

Commissioner Lissarrague stated there were many practical difficulties present, although they did not necessarily align with what the zoning code considered a practical difficulty, and he supported the request as it would allow the homeowner a better quality of life.

Commissioner Klein questioned why the handicapped aspect would not be considered a criterion for a practical difficulty.

Chair Hark advised that the City Council had more flexibility to approve a request that did not meet the variance criteria.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Elsmore, to deny the request for a variance to allow a 12 foot front yard setback for a deck and handicap ramp addition whereas 24 feet is required, for the property located at 3160 – 71st Street, for the reasons stated in Alternative B of the report.

Motion carried (5/2 – Klein, Lissarrague)

Commissioner Simon asked for clarification regarding a recommendation for a six foot deck.

Mr. Hunting replied rather than making a motion, the Planning Commission could state on record that they would be supportive of a six foot deck.

Commissioner Simon stated she supported allowing a six foot deck and a four foot ramp.

Chair Hark asked if anyone had an opposing view.

Commissioner Klein asked if the applicants could choose to build a five foot deck and five foot ramp.

Ms. Botten replied that staff would support a 17 foot setback, which would give the applicants the flexibility to change the width of the ramp or the deck.

Commissioner Simon advised that this item goes to the City Council on July 22, 2013.

BRYAN TSCHIDA – CASE NO. 13-32V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to allow a 20 foot front and side yard setback for an accessory building, whereas 50 feet is the required setback, for the property located at 11990 Akron Avenue. 5 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the property is a little over five acres in size and is zoned Agricultural. The applicant is proposing to replace an existing 624 square foot structure, which currently sits approximately 20 feet from both the side property line and front right-of-way easement. The applicant is proposing to place the new garage no closer to the road or the side setback than what it is existing, however, the required setback for a structure over 1,000 square feet is 50 feet. Mr. Hunting stated that because of the existing topographical issues, staff agrees that the logical place for the garage is the proposed location and staff would support the front yard setback request. Staff does not support the side yard variance; however, as they feel it could be avoided or lessened if the applicant reduced the size of the structure to just under 1,000 square feet, in which case only a 25 foot setback would be required.

Commissioner Simon asked if staff heard from any of the neighbors.

Mr. Hunting replied they had not.

Commissioner Klein asked if the road leading to the subject property was paved.

Mr. Hunting replied it was a private gravel road.

Commissioner Klein asked if the property was located on a cul-de-sac and heavily treed.

Mr. Hunting replied in the affirmative.

Commissioner Lissarrague asked for clarification of the setback requirements for a 1,000 square foot building as opposed to a 1,200 square foot building.

Mr. Hunting replied that a 1,000 square foot building or smaller would require a 25 foot side yard setback whereas a building larger than 1,000 square feet would require a 50 foot side setback.

Opening of Public Hearing

Brian Tschida, 11990 Akron Avenue, stated he was available to answer any questions.

Chair Hark asked if the applicant reviewed the report and understood the recommendations.

Mr. Tschida replied in the affirmative.

Chair Hark asked if the applicant agreed with the conditions listed in the report.

Mr. Tschida replied he did not.

Commissioner Elsmore asked what the building would be used for.

Mr. Tschida replied it would be used to store his boat, truck, and other personal belongings.

Commissioner Elsmore asked Mr. Tschida if he had considered reducing the building to 1,000 square feet.

Mr. Tschida replied he would prefer a 1,200 square foot structure.

Chair Hark stated the house was in a rather remote area and hard to find.

Mr. Tschida submitted a letter of support from Steve and Deborah Peterson, who he stated were the only neighbors who could see his house.

Commissioner Simon stated she understood the front yard setback variance, but could not find a practical difficulty for the side yard variance.

Mr. Tschida asked for clarification of the goal of a setback.

Mr. Hunting replied the goal of setbacks was to minimize the impact of a structure by keeping it away from property lines; which was the Council's objective when they recommended larger setbacks for structures over 1,000 square feet in size.

Commissioner Klein stated there was disagreement amongst Council regarding that decision and he noted that they have changed their minds from time-to-time on this subject.

Mr. Tschida stated the practical difficulty was the limitation that would be put on how much could be stored in the garage, and he noted it was a large lot with plenty of room between he and his neighbor.

Commissioner Klein commented on the fact that adding only 200 square feet of extra space resulted in a significantly larger setback.

Chair Hark stated at some point the line had to be drawn.

Commissioner Elsmore stated that even though the current neighbors were supportive of the request, the Planning Commission had to consider the situation in the long-term as well as the precedent this would set.

Commissioner Klein noted that staff has stated this is the only place on the applicant's lot where this structure could be placed.

Commissioner Scales stated he supported the request with the practical difficulty being the topography of the lot.

Commissioner Klein agreed with the stated practical difficulty.

Commissioner Lissarrague stated he supported the request as well, stating the practical difficulty was the topography and this being the only possible location for the proposed building.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark stated he understood the need for setbacks but felt they were splitting hairs on this request.

Commissioner Elsmore stated the Planning Commission had a specific responsibility to advise the City Council about whether or not the request complied with code requirements, and in her opinion there was no practical difficulty as the applicant could maintain his current setback and build a 1,000 square foot structure.

Commissioner Maggi agreed with Commissioner Elsmore.

Planning Commission Recommendation

Motion by Commissioner Klein, second by Commissioner Scales, to approve the request for a variance to allow a 20 foot front and side yard setback for an accessory building, whereas 50 feet is the required setback, for the property located at 11990 Akron Avenue, with the three conditions listed in the report.

Motion carried (4/3 – Maggi, Elsmore, Simon). This item goes to the City Council on August 12, 2013.

JOE LEXA (DAKOTA COUNTY) – CASE NO. 13-30PR

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a major site plan review to add approximately 4,400 square feet of building additions, along with other property improvements, for the property located at 8098 Blaine Avenue. 20 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the project consists of two 2,200 square foot additions; one on the west side of the building which would include a new entry addition and meeting room, and the other on the east side which would include meeting and reading rooms. Staff recommends approval of the request with the conditions listed. Staff has not heard from any of the surrounding property owners.

Opening of Public Hearing

Joe Lexa, Project Manager, Dakota County, 1590 Highway 55, Hastings, stated he was available to answer any questions.

Chair Hark asked if the applicant reviewed and understood the staff recommendations and agreed

with the conditions listed in the report.

Mr. Lexa replied in the affirmative.

Melissa Rasmussen, Perkins and Will Architects, displayed color renderings of the proposed site. She advised they were proposing a new entrance on the north side of the building, but would retain the existing entrance on the south as well.

Chair Hark asked when the applicant anticipated project completion.

Mr. Lexa replied the summer of 2014.

Commissioner Elsmore asked if the library would be closed at any point during construction.

Mr. Lexa replied either the entire library would be closed during some periods of construction, or the new addition would be used as a temporary space while the existing library space was renovated.

Chair Hark closed the public hearing.

Planning Commission Discussion

Chair Hark advised that he supported the request and felt it was a valuable asset.

Commissioner Klein stated the City fought a long time to get the library and he was pleased to see the proposed expansion.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Maggi, to approve the request for a major site plan review to add approximately 4,400 square feet of building additions, along with other property improvements, for the property located at 8098 Blaine Avenue, with the conditions listed in the report.

Motion carried (7/0). This item goes to the City Council on July 22, 2013.

OTHER BUSINESS

The meeting was adjourned by unanimous vote at 8:02 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary

**PLANNING REPORT
CITY OF INVER GROVE HEIGHTS**

REPORT DATE: August 1, 2013

CASE NO: 13-35SCV

HEARING DATE: August 7, 2013

APPLICANT AND PROPERTY OWNER: ISD #199 – Hilltop Elementary School

REQUEST: Conditional Use Permit to exceed impervious surface maximums and a rear yard setback Variance

LOCATION: 3201 – 68th Street

COMPREHENSIVE PLAN: P, Public/Institutional

ZONING: P, Public/Institutional

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner



BACKGROUND

The applicant is proposing to add a 10,000 square foot building addition onto Hilltop Elementary School. The project consists of an Early Childhood Development Center located on vacant property on the northwest side of the building. The addition would have its own entrance with secured internal access to the school.

The specific request includes the following:

- a. A **Conditional Use Permit** to exceed 25% impervious surface in the shoreland overlay district.
- b. A **Variance** from the rear yard setback to allow a 20 foot setback whereas 30 feet is required.

EVALUATION OF THE REQUEST

The following land uses, zoning districts and comprehensive plan designations surround the subject property:

North-	Back of Village Square shopping center and multiple family; zoned B-4 and R-3C; guided CC and MDR
East -	Multiple family; zoned R-3C; guided MDR
West -	Drkula's Bowling; zoned B-3; guided CC
South -	Single family residential; zoned R-1C; guided LDR

SITE PLAN REVIEW

Setback Standards. The rear yard setback for structures in the “P” district is 30 feet. The addition is proposed at 20 feet from the rear property line. The variance request is discussed later in the report. All other setbacks are exceeded.

Impervious Surface/Building Coverage. The property is located in a Shoreland Overlay District with a maximum impervious surface of 25%. A conditional use permit to exceed this amount is discussed later in the report.

Within the “P” district, the maximum building coverage is 20%. Including the proposed building addition the property would be at approximately 17% building coverage.

Access/Parking. Access to the property is not changing. There is one access point off of 68th Street and Carleda Avenue. No changes are being proposed to the existing parking lot. The Early Childhood Development Center would be used during off peak hours. It would have its own separate entrance, not interfering with the drop off and pick up at the school.

Landscaping. Landscaping requirements require a total of nine trees or the equivalent to be planted. A landscape plan must be reviewed and approved by staff prior to any work commencing on the site.

Exterior Materials. The materials used for the addition would match the existing school building with brick and metal panels. The materials proposed conform with code requirements.

Screening. Any new rooftop and ground mounted mechanical equipment shall be screened 100% from view of the public.

Grading and Drainage. Engineering has reviewed the plans and has been working with the applicant on storm water and grading requirements. Engineering has made some recommendations on conditions that should be added to the approval; these recommendations are included in the list of conditions at the end of this report. These conditions include erosion repairs and stormwater facility maintenance needs of existing facilities. Additionally, the applicant shall enter into stormwater and improvement agreements with the City. Final site, grading, storm water management, and erosion control plans shall be approved by the City Engineer.

CONDITIONAL USE PERMIT TO EXCEED 25% IMPERVIOUS SURFACE

The property is located within the shoreland overlay of Bohrer Pond, DNR Lake #19-34. Impervious surface coverage is limited to 25% of the lot. This may be increased by conditional use permit provided the City has approved and implemented a stormwater management plan affecting the subject site.

Existing impervious surface on the lot is 39%; the proposed expansion would increase the impervious surface to 41%. The applicant is proposing a filtration trench for water quality along the normal water line of the pond slope. The City is requiring they treat the stormwater volume from the proposed building expansion at an additional location on site including meeting the 1-inch infiltration standard. The applicant's are working with the City on obtaining final approval of a storm water management plan.

The request was sent to the DNR for review. The City has not yet received a response. In 2006, a much larger request was sent to them for a school addition and they did not have any concerns with the proposed request and its proximity to Bohrer Pond; staff is anticipating a similar response.

Section 10-3A-5 of the Zoning Regulations lists criteria to be considered with all conditional use permit requests. This criterion generally relates to the Comprehensive Plan and Zoning consistency, land use impacts such as setbacks, drainage, and aesthetics, environmental impacts, and public health and safety impacts. The proposed conditional use permit meets the above criteria.

VARIANCE REVIEW

City Code Title 11, Chapter 3. **Variances**, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request for a 20 foot rear yard setback whereas 30 feet is required is reviewed below against the criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

This area of the City is developed with commercial, multiple and single family. Allowing the school addition 20 feet from the rear property line would have the least amount of impact to the single and multi-family areas. By allowing for the proposed setback the surrounding properties would not be negatively impacted, therefore the addition would not be contrary to the zoning code. The building addition is consistent with the comprehensive plan as the property is guided Public/Institutional.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

One of the functions of a rear yard setback is to maintain separation between buildings and residential properties and to preserve the character of a neighborhood. The closest building to the proposed addition is about 300 feet away. The property abutting the

school parcel to the north of the addition is currently vacant. Aesthetically the addition would blend in as it would be built with similar material as the existing school. Functionally the location of the addition would have the least amount of impact to the layout of the school property. The proposed location would allow the use the property in a reasonable manner and in the safest way as the addition would have its own entrance for the public.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

Because of the nature of the business and the layout of the lot, the addition would have a greater impact to the surrounding properties if placed elsewhere on the property to meet the required setbacks. The proposed location has minimal impacts to the existing retention pond and it would have access to the existing public parking area minimizing the amount of impervious surface added to the property. The Early Childhood Development Center would have its own entrance for safety and security reasons and would be designed to connect to the kindergarten wing with an internal secure door.

4. *The variance will not alter the essential character of the locality.*

Staff does not believe this variance would alter the essential character of the locality. The addition would be over 200 feet from Carmen Avenue and over 300 feet from the closest structure. The addition would be constructed with similar material as the existing school.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis for this request.

ALTERNATIVES

The Planning Commission has the following actions available for the request:

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following actions should be taken:
- Approval of the **Conditional Use Permit** to exceed the maximum impervious surface allowed in the shoreland overlay district subject to the following conditions:
 1. The site shall be developed in substantial conformance with the following plans on file with the Planning Department:

Site Plan	7/8/13
Drainage and Erosion Control Plan	7/8/13
Landscape Plan	TBD
Exterior Building Elevations	07/02/13

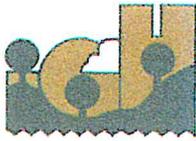
2. An improvement agreement shall be prepared by the City Attorney and executed by both the City and the property owner.
 3. A storm water facility maintenance agreement shall be prepared by the City Attorney and executed by both the City and the property owner to ensure long term maintenance of the facilities.
 4. Prior to any work being done on the site, an Engineering cash escrow and letter of credit shall be submitted to the City to ensure the proper construction of the improvements and to review the drainage modeling.
 5. The developer shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence. Prior to commencement of any grading, the final grading, drainage and erosion control, and utility plans shall be approved by the City Engineer.
 6. All new roof and ground mounted mechanical equipment shall be screened from public view.
 8. All plans shall be subject to the review and approval of the Fire Marshal.
 9. The City Code Enforcement Officer, or other designee, shall be granted right of access to the property at all reasonable times to ensure compliance with the conditions of this permit.
 10. A landscaping plan shall be approved by the Planning Department meeting the landscaping requirements of the City Code prior to any work being done on site.
- Approval of the Variance allowing a 20 foot rear yard setback whereas 30 feet is required setback subject to the following conditions:
 1. The site shall be developed in substantial conformance with the plans on file with the Planning Department.

- B. Denial. If the Planning Commission does not favor the proposed application or portions thereof, the above request or requests should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

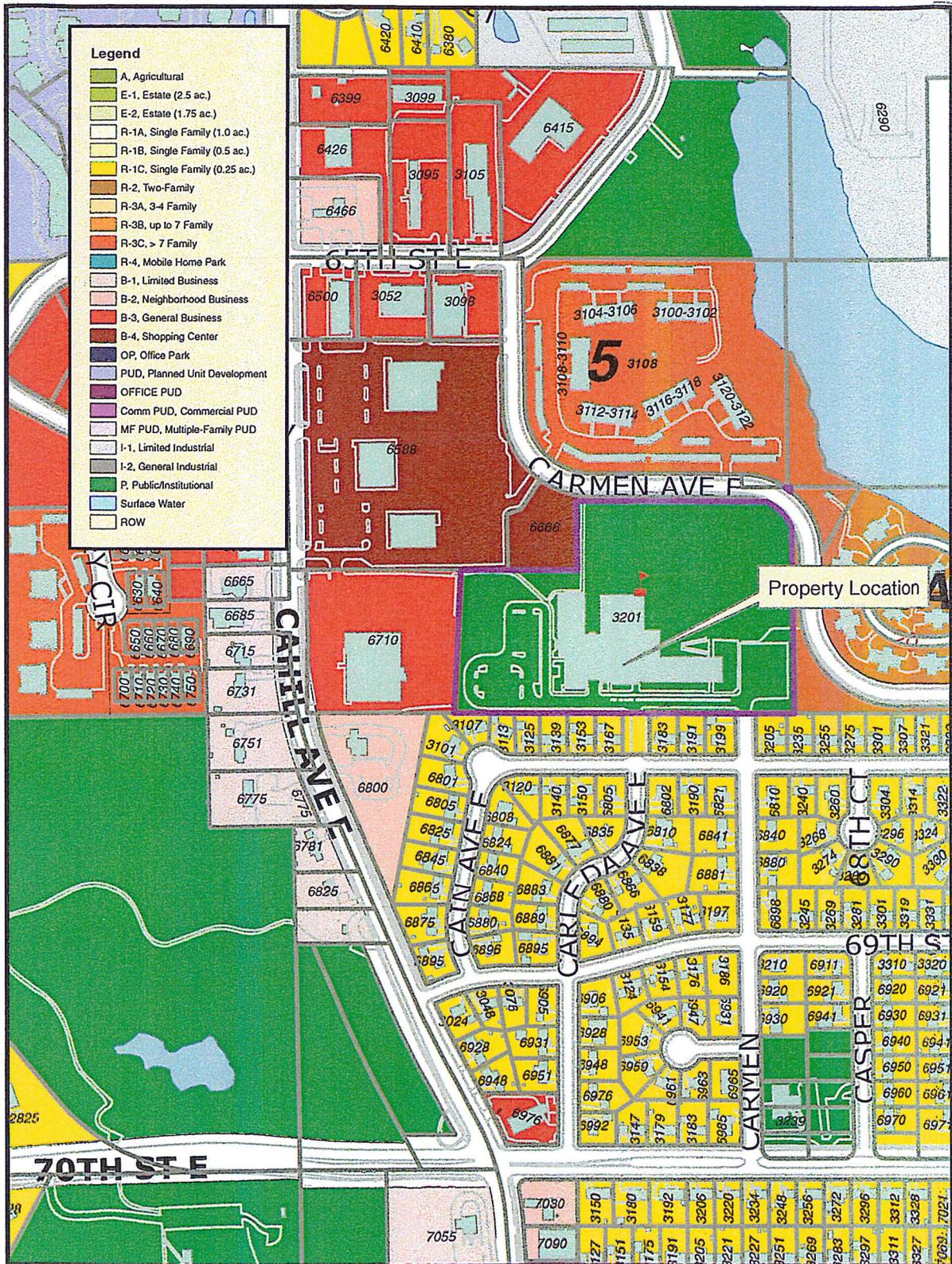
RECOMMENDATION

Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the conditional use permit and the rear yard setback variance with the conditions listed. The rationale for the variance being the request is not out of character for the neighborhood and is consistent with the comprehensive plan. The ten foot setback encroachment does not appear to have any adverse impacts on the neighboring properties. Additionally, the proposed location has minimal impacts to the existing retention pond, would have access to the existing public parking area and would have its own entrance for safety and security reasons. .

- Attachments: a- Zoning and Location Map
b- Applicant Narrative
c- Site Plan
d- Grading Plan
e- Elevations



20-00300-52-031
3201- 68th Street



N
Map not to scale

Exhibit A
Zoning and Location Map



ARCHITECTS REGO + YOUNGQUIST
Planning Architecture Interiors

July 8, 2013

Allan Hunting
City Planner
8150 Barbara Avenue
Inver Grove Heights, MN 55077
PH: 651-450-2545

RE: 2014 Additions and Alterations to Hilltop Elementary School
Commission # 2006

Description of Request:

We are requesting a Variance to the setback requirement along the property line running S89°57'56"E 337.86' from the northwest corner of the property. The setback requirement is outlined in Inver Grove Heights Ordinance Chapter 12 (10-12-2: Bulk Standards) as "Rear Yard Setback of 30 feet."

Reason for Request:

We are designing an Early Childhood Development Center addition to the Hilltop Elementary School of approximately 10,100 square feet. It is important the addition be designed to connect to the existing kindergarten wing while utilizing the main public parking and access to the Hilltop Elementary School. Due to the location of the retention pond in the northwest corner of the site, we have located the new addition in such a manner as to incorporate as much space possible for the Early Childhood Center without infringing on the retention pond and minimal disturbance to the setback requirement.

We believe by granting a Variance to the setback requirement of 9.76' we are still within the general intent of the Zoning Ordinance and are consistent with the Comprehensive Plan. We also believe there are practical difficulties complying with the Zoning Ordinance due to the square foot size requirements of an Early Childhood Center and its location in relation to the existing retention pond and property line.

We appreciate your consideration to our request of a Variance and look forward to working with you. Please let me know if there is any additional information that I can provide at this time.

Sincerely,

Eric McCartney
Project Manager

July 8, 2013
Mr. Allan Hunting
Page 2 of 2

Enclosures:

Variance, Major Site Plan Review, and Conditional Use Permit Applications

C0.1 – Existing Drainage Area Map

C0.2 – Proposed Drainage Area Map

C1.2 – Site Plan

C1.3 – Grading and Drainage Plan

C1.4 – Utility, Sediment, and Erosion Control Plan

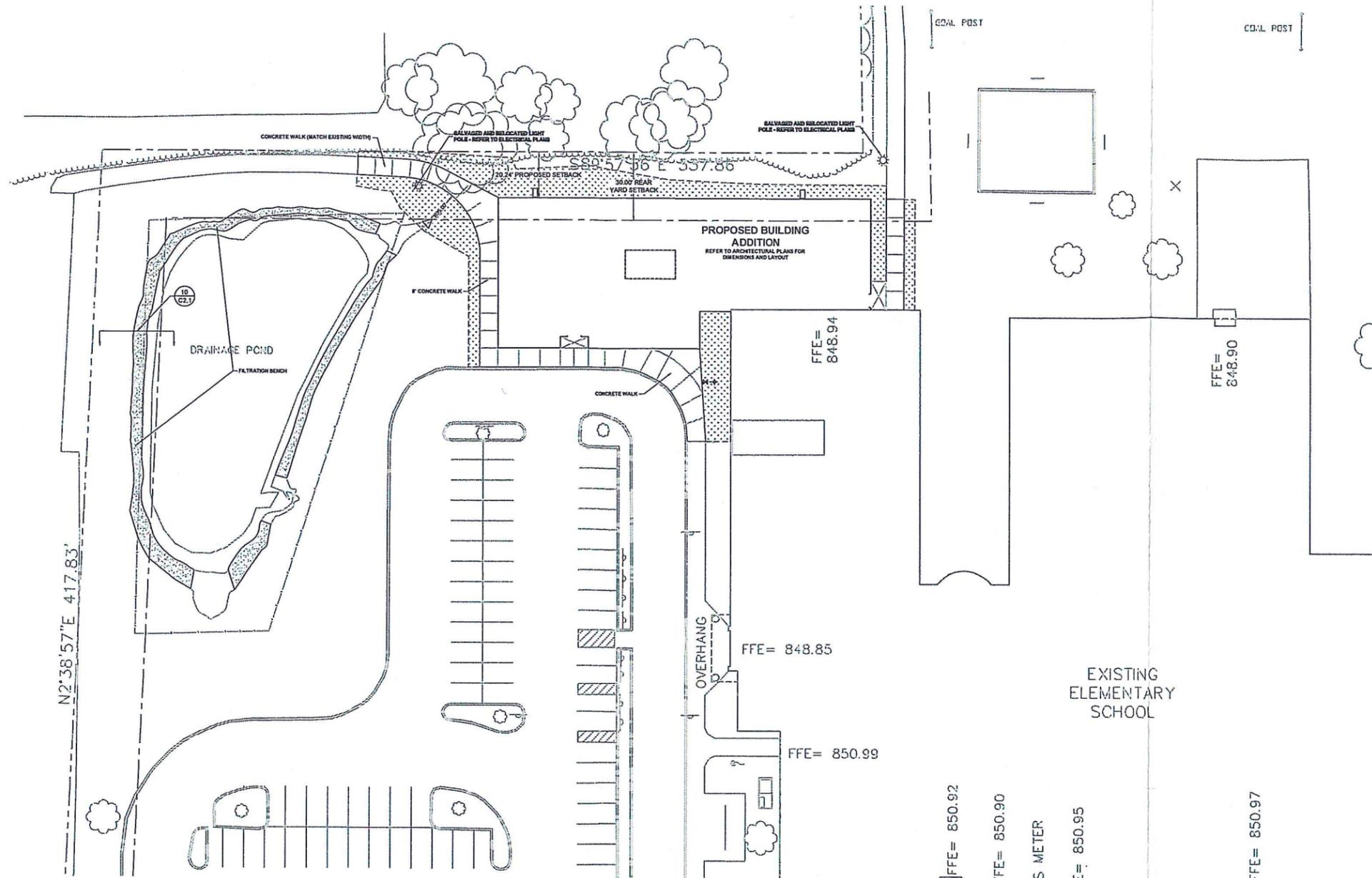
C2.1 – Site Details

A2.1 – Floor plan

A5.0 – New Addition Exterior Elevations

A5.0 – Existing Exterior Elevations

Cc: Dr. Deirdre Wells – ISD #199
Dave Rey – Anderson Johnson Associates
Bob Rego, Paul Youngquist, File – Architects Rego and Youngquist



SITE STATISTICS

PARKING REQUIREMENTS:

1 STALL PER EMPLOYEE (105 EMPLOYEES) + 1 FOR EACH CLASSROOM (40 CLASSROOMS) = 125 STALLS REQUIRED

TOTAL STALLS PROVIDED:

159 STALLS (EXISTING)

SHORELAND CALCULATIONS:

ADDITIONAL IMPERVIOUS SURFACE = 0.228 ACRES

LEGEND

- REFERENCE KEY TO SITE DETAILS
DETAIL ID NUMBER (TOP)
DETAIL NUMBER (BOTTOM)
- PROPOSED CONCRETE WALK
- PROPOSED 800 LIMITS
- BUILDING ETOOP - REFER TO ARCHITECTURAL PLANS
- PROPOSED GATE VALVE
- PROPOSED HYDRANT
- PROPOSED MANHOLE
- PROPOSED LIGHT POLE - REFER TO ELECTRICAL PLANS
- 30' REAR YARD SETBACK LINE
- PROPERTY LINE

NOTES

1. REFER TO SHEET C1.3, GRADING AND DRAINAGE PLAN, FOR GENERAL NOTES.
2. CHECK ALL PLAN AND DETAIL DIMENSIONS AND VERIFY SAME BEFORE FIELD LAYOUT.
3. ALL APPLICABLE DIMENSIONS ARE TO EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
4. ALL DISTURBED AREAS WHICH ARE NOT DESIGNATED TO BE PAVED SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND BE SOODED.
5. WHERE NEW 800 MEETS EXISTING TURF, EXISTING TURF EDGE SHALL BE CUT TO ALLOW FOR A CONSISTENT, UNIFORM STRAIGHT EDGE. JAGGED OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. REMOVE TOPSOIL AT JOINT BETWEEN EXISTING AND NEW AS REQUIRED TO ALLOW NEW 800 SURFACE TO BE FLUSH WITH EXISTING.
6. FAILURE OF TURF DEVELOPMENT: IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TURF, THE CONTRACTOR SHALL RE-800 ALL APPLICABLE AREAS, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER.

ARY

ARCHITECTS REGO + YOUNGQUIST
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AJA
 ASSOCIATES, INC.
 LANDSCAPE ARCHITECTURE • SITE PLANNING • CIVIL ENGINEERING
 PROFESSIONAL CORPORATION

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.
 Date of Issue: 07/08/2013
 License Number: 2400233
 Signature: [Signature]

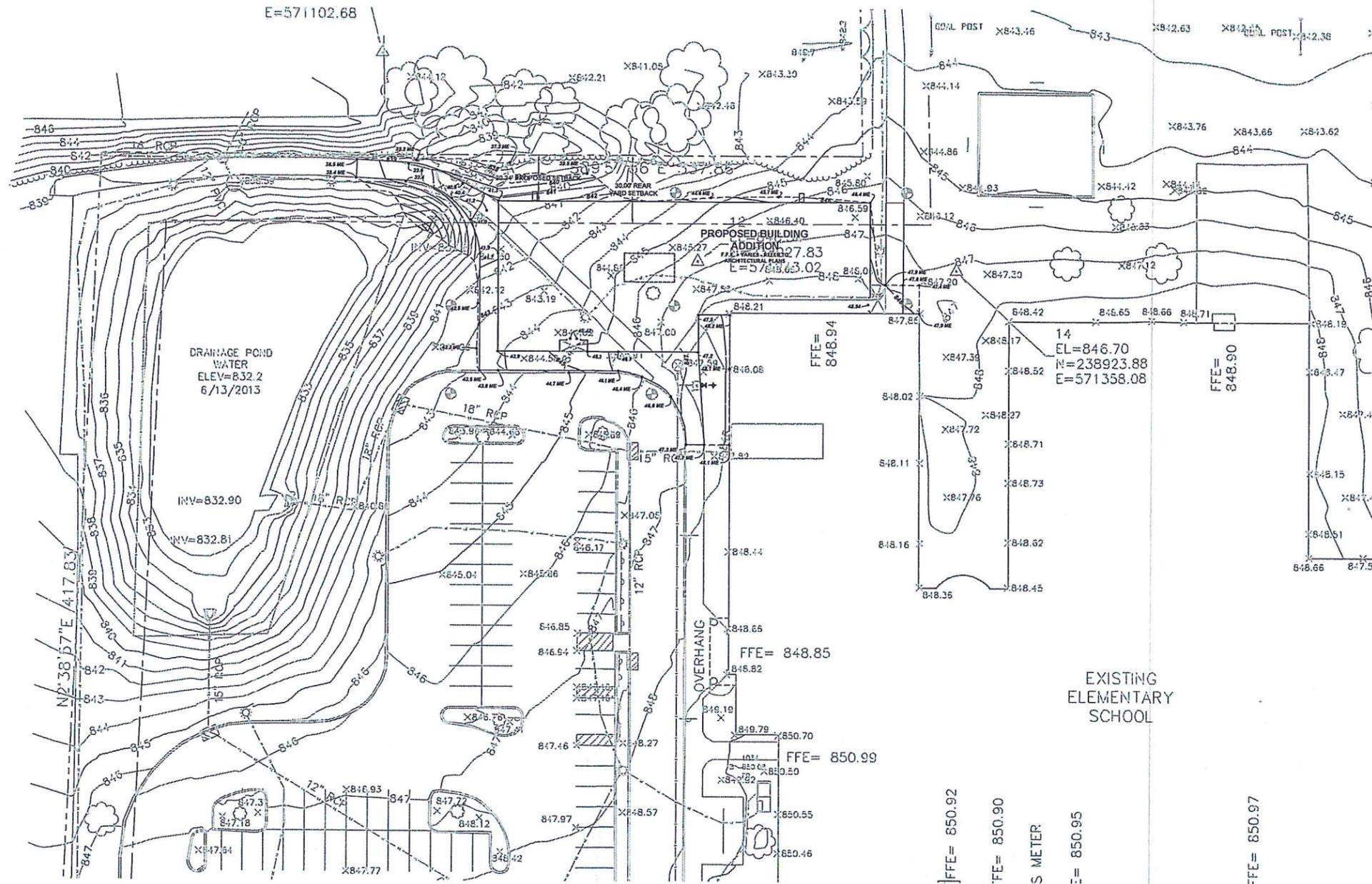
2014 ADDITIONS AND ALTERATIONS TO HILLTOP ELEMENTARY SCHOOL
 ISD #199 Inver Grove Heights, MN
 Commission Number 2006

Project Title
2014 ADDITIONS AND ALTERATIONS TO HILLTOP ELEMENTARY SCHOOL

Sheet Title
SITE PLAN

Drawn by MET
 Checked by DAR
 Date: 07/08/2013
 Revised
 Scale: 1" = 20'

Sheet Number
C1.2



GENERAL NOTES

- ALL CONSTRUCTION MUST COMPLY WITH APPLICABLE STATE AND LOCAL ORDINANCES.
- THE CONTRACTOR WILL BE RESPONSIBLE FOR AND SHALL PAY FOR ALL CONSTRUCTION STAKING / LAYOUT.
- THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL RELATED CONSTRUCTION PERMITS, INCLUDING THE NPDES PERMIT FROM THE MPCA. SUBMIT A COPY OF ALL PERMITS TO THE CITY.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL SIGNAGE (CONSTRUCTION ZONES) NECESSARY TO CONSTRUCT PROPOSED IMPROVEMENTS. ALL SIGNAGE LAYOUTS MUST BE DESIGNED BY THE CONTRACTOR AND APPROVED BY LOCAL AUTHORITIES.
- INSTALL CONTROL FENCING AND BARRICADEING AS NECESSARY TO PROTECT THE PUBLIC.
- INSPECT SITE AND REVIEW SOIL BORINGS TO DETERMINE EXTENT OF WORK AND NATURE OF MATERIALS TO BE HANDLED.
- REFER TO SPECIFICATIONS FOR DEWATERING REQUIREMENTS.
- CHECK ALL PLAN AND DETAIL DIMENSIONS AND VERIFY SAME BEFORE FIELD LAYOUT.
- REFER TO ARCHITECTURAL PLANS FOR BUILDING AND STOOP DIMENSIONS AND LAYOUT.
- MANTAIN ADJACENT PROPERTY AND PUBLIC STREETS CLEAN FROM CONSTRUCTION CAUSED DIRT AND DEBRIS ON A DAILY BASIS. PROTECT DRAINAGE SYSTEMS FROM DECONTAMINATION AS A RESULT OF CONSTRUCTION RELATED DIRT AND DEBRIS.
- MANTAIN DUST CONTROL DURING GRADING OPERATIONS.
- ALL EROSION CONTROL METHODS SHALL COMPLY WITH MPCA AND LOCAL REGULATIONS.
- CONTRACTOR SHALL MINIMIZE DISTURBANCE TO SITE AND PROTECT EXISTING SITE FEATURES (INCLUDING TURF AND VEGETATION) WHICH ARE TO REMAIN.
- PROPOSED CONTOURS AND SPOT ELEVATIONS ARE SHOWN TO FINISH GRADE UNLESS OTHERWISE NOTED.
- PROPOSED ELEVATIONS SHOWN TYPICALLY AS 40.1 OR 40 SHALL BE UNDERSTOOD TO MEAN 840.1 OR 840.
- SPOT ELEVATIONS WITH LABELS OUTSIDE THE BUILDING PERIMETER INDICATE PROPOSED GRADES OUTSIDE THE BUILDING. SPOT ELEVATIONS WITH LABELS INSIDE THE BUILDING PERIMETER INDICATE PROPOSED FINISH FLOOR ELEVATIONS.
- THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING QUANTITIES OF CUT, FILL AND WASTE MATERIALS TO BE HANDLED, AND FOR AMOUNT OF GRADING TO BE DONE IN ORDER TO COMPLETELY PERFORM ALL WORK INDICATED ON THE DRAWINGS. IMPORT SUITABLE MATERIAL AND EXPORT UNSUITABLE / EXCESS / WASTE MATERIAL AS REQUIRED. ALL COSTS ASSOCIATED WITH IMPORTING AND EXPORTING MATERIALS SHALL BE INCIDENTAL TO THE CONTRACT.
- NO FINISHED SLOPES SHALL EXCEED 4" HORIZONTAL TO 1" VERTICAL (4:1), UNLESS OTHERWISE NOTED.
- ALL DISTURBED AREAS OUTSIDE THE BUILDING PAD WHICH ARE NOT DESIGNATED TO BE PAVED SHALL RECEIVE AT LEAST 6" OF TOPSOIL AND SHALL BE SOEDED.
- WHERE NEW 800 MEETS EXISTING 800, EXISTING 800 EDGE SHALL BE CUT TO ALLOW FOR A CONSISTENT, UNIFORM STRAIGHT EDGE. JAGGED OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. REMOVE TOPSOIL AT JOINT BETWEEN EXISTING AND NEW AS REQUIRED TO ALLOW NEW 800 SURFACE TO BE FLUSH WITH EXISTING.
- FAILURE OF TURF DEVELOPMENT IN THE EVENT THE CONTRACTOR FAILS TO PROVIDE AN ACCEPTABLE TURF, THE CONTRACTOR SHALL RE-SEED ALL APPLICABLE AREAS, AT NO ADDITIONAL COST TO THE OWNER, TO THE SATISFACTION OF THE ENGINEER.
- ALL WATERMAIN PIPE SHALL BE DP, CLASS 82. ALL WATERMAIN SHALL HAVE MINIMUM 8" BURY (TOP OF PIPE TO FINISH GRADE), UNLESS OTHERWISE NOTED.
- ALL SANITARY SEWER PIPE SHALL BE PVC PIPE (ASTM D 3054, SDR 35), UNLESS OTHERWISE NOTED. SANITARY SEWER INSTALLATION SHALL BE IN ACCORDANCE WITH ASTM D2231.
- LOCATE ALL EXISTING UTILITIES, VERIFY LOCATION, SIZE AND INVERT ELEVATION OF ALL EXISTING UTILITIES. VERIFY LOCATIONS, SIZES AND ELEVATIONS OF SAME BEFORE BEGINNING CONSTRUCTION.
- PRIOR TO CONSTRUCTION OF PROPOSED BUILDING UTILITY SERVICES (STORM, SANITARY SEWER), VERIFY ALL PROPOSED BUILDING UTILITY SERVICE PIPE SIZES, LOCATIONS AND ELEVATIONS WITH MECHANICAL PLANS. COORDINATE CONSTRUCTION AND CONNECTIONS WITH MECHANICAL CONTRACTOR.
- CONTRACTOR SHALL MAINTAIN DRAINAGE FROM EXISTING BUILDING AT ALL TIMES. PROVIDE TEMPORARY STORM SEWER (INCLUDING, BUT NOT LIMITED TO, CATCH BASINS, MANHOLES, PIPING, ETC.) AS REQUIRED. EXISTING STORM SEWER SHALL NOT BE REMOVED UNTIL TEMPORARY OR PERMANENT STORM SEWER IS INSTALLED AND FUNCTIONAL. COORDINATE ALL REMOVALS WITH APPROPRIATE TRADES (SITE UTILITY CONTRACTOR, MECHANICAL CONTRACTOR, ETC.) AS REQUIRED.

LEGEND

- REFERENCE KEY TO BITE DETAILS
DETAIL ID NUMBER (TOP)
DETAIL SHEET NUMBER (BOTTOM)
- EXISTING CONTOUR
- EXISTING SPOT ELEVATION
- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
ME = MATCH EXISTING
- PROPOSED GRADING LIMITS
- PROPOSED GATE VALVE
- PROPOSED HYDRANT
- PROPOSED MANHOLE
- PROPOSED LIGHT POLE - REFER TO ELECTRICAL PLANS
- APPROXIMATE SOIL BORING LOCATION
- 30' REAR YARD SETBACK LINE
- PROPERTY LINE

ARY

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ANDERSON - JOHNSON
ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE • SITE PLANNING • CITY DEVELOPMENT
PARKS AND RECREATION

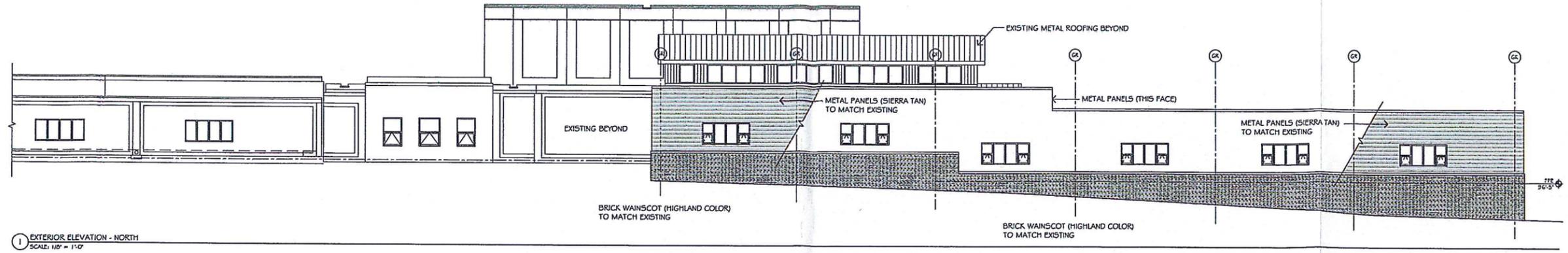
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.
Signature: _____ License No.: 0308273-0001
Date: 07/06/2013
Professional Seal: 0308273-0001
Minnesota State Board of Professional Engineers

Project Title
2014 ADDITIONS AND ALTERATIONS TO HILLTOP ELEMENTARY SCHOOL

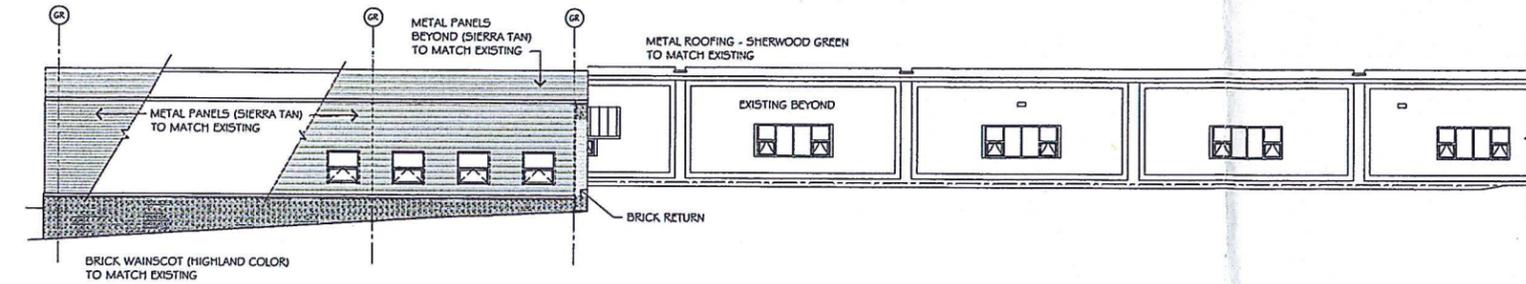
Sheet Title
GRADING AND DRAINAGE PLAN

ISD #199 Inver Grove Heights, MN
Commission Number: 2006

Drawn by MET
Checked by DAR
Date 07/06/2013
Revised
Scale 1" = 20'
Sheet Number
C1.3



1 EXTERIOR ELEVATION - NORTH
SCALE: 1/8" = 1'-0"



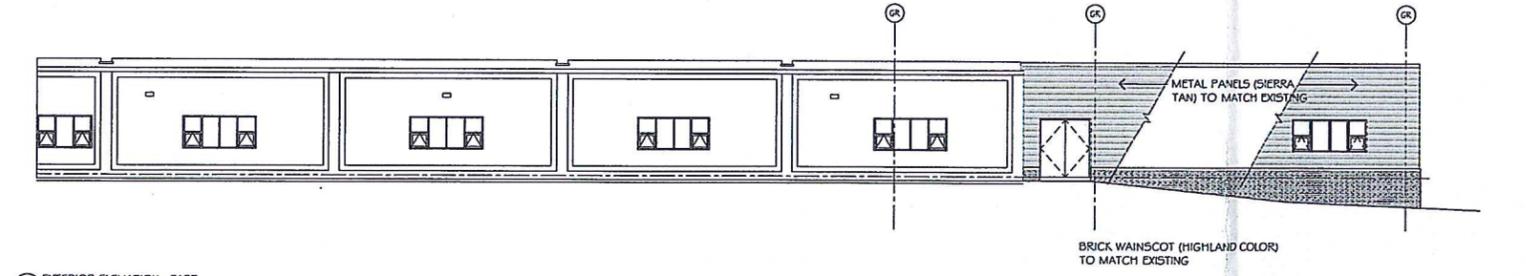
2 EXTERIOR ELEVATION - WEST
SCALE: 1/8" = 1'-0"

FACE BRICK LEGEND:
ALL FACE BRICK TO BE MODULAR 2-1/4" x 7-5/8" ACTUAL FACE SIZE.

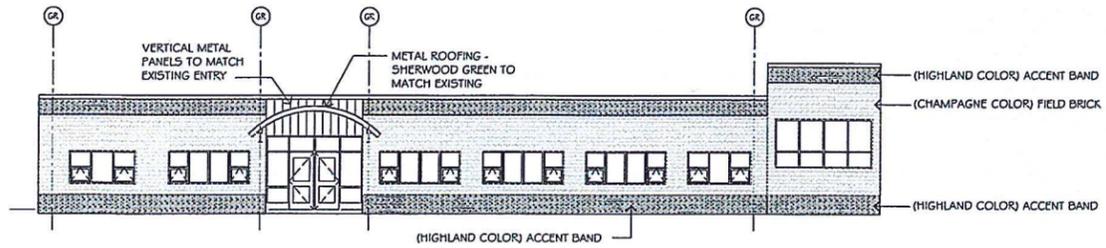
EXTERIOR MASONRY LEGEND:

	04 2000 A - TYPE 1: BRICK NOMINAL FACE SIZE 2 1/4" x 8" (MODULAR) CHAMPAGNE COLOR TO MATCH EXISTING
	04 2000 A - TYPE 2: BRICK NOMINAL FACE SIZE 2 1/4" x 8" (MODULAR) HIGHLAND COLOR TO MATCH EXISTING
	07 42 63 A - TYPE 1: METAL PANEL SIERRA TAN COLOR TO MATCH EXISTING

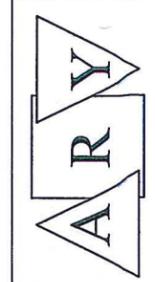
NOTE: BRICK TYPES AND GRAY COLORS TO BE SELECTED BY ARCHITECT. SEE SECTION 04 20 00 UNIT MASONRY AND SECTION 01 21 00 CASE ALLOWANCES.
NOTE: MASONRY HATCHES ARE NOT TO SCALE.



3 EXTERIOR ELEVATION - EAST
SCALE: 1/8" = 1'-0"



4 EXTERIOR ELEVATION - SOUTH
SCALE: 1/8" = 1'-0"



ARCHITECTS REGO + YOUNGQUIST
7601 Wayzata Boulevard Suite 200 St. Louis Park, Minnesota 55426
Phone: 952-544-8941 Fax: 952-544-0585 aryarch.com

I hereby certify that this plan was prepared under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.
PAUL YOUNGQUIST
Registration Number 13831

Project Title
2014
ADDITIONS AND ALTERATIONS
TO HILLTOP ELEMENTARY
SCHOOL
ISD #199 Inver Grove Heights, MN
Commission Number 2006

Sheet Title
NEW ADDITION
EXTERIOR
ELEVATIONS

Drawn by EGM/North
Checked by BR
Date
Revised
Sheet Number

A5.0

PRELIMINARY PLAN - Tuesday, July 02, 2013

P L A N N I N G R E P O R T
C I T Y O F I N V E R G R O V E H E I G H T S

REPORT DATE: August 1, 2013

CASE NO: 13-23PUD

APPLICANT: IGH INVESTMENTS LLC (ARGENTA HILLS 8th)

REQUEST: Preliminary Plat, Preliminary PUD Development Plan Amendment and Vacation of certain Drainage and Utility Easements for Argenta Hills 8th Addition

HEARING DATE: August 7, 2013

LOCATION: West side of Hwy 3, north of Amana Trail

COMPREHENSIVE PLAN: LDR, Low Density Residential

ZONING: A, Agricultural

REVIEWING DIVISIONS: Planning
Engineering
Park and Recreation
Fire Marshall

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant has submitted an application which consists of an amended preliminary PUD development plan and plat for the eight phase of residential development in the overall Argenta Hills PUD. This preliminary plat addresses the balance of the residential portion of Argenta Hills. Changes to the design were a result of desire to reduce grading for the custom lots, add a through street as required by Dakota County and a redesign of the northwest part of the development based on the re-aligned Amana Trail.

A quick summary of the proposed changes are:

1. Plat consisting of adding 53 lots and 6 outlots. Total residential lots to equal 132. The current PUD is approved for 134 residential lots.
2. Changes to the street layout design based on changes required by Dakota County for Addisen Court and the re-alignment of Amana Trail.
3. Changes to the grading of the custom lots resulting in a private street proposed to serve these lots. Reduced street design allows for reduced grading.
4. Request flexibility from driveway widths, front yard setbacks, setbacks on some corner lots and maximum driveway length in the custom lot neighborhood.

A request to vacate certain drainage and utility easements within previous addition to clean up the plat and rededicate easements based on the new lot layout design.

The specific applications being requested are:

3. Preliminary Plat approval of Argenta Hills 8th Addition consisting of 53 lots and 6 outlots which is the balance of the residential area in outlots for future phases.
4. Preliminary PUD Development Plan Amendment of the Argenta Hills PUD as required by the Northwest Overlay District.
5. Vacation of certain drainage and utility easements within the plat of Argenta Hills 7th, 5th and Argenta Hills.

The applicant is also requesting flexibility from the following two standards found in the Northwest Overlay District Ordinance:

1. The applicant is requesting flexibility from the maximum driveway width requirement in order to provide for standard three car garage driveways without installing pervious pavement. Maximum driveway width is 20 feet. Reason for requirement is to minimize impervious surface. Additional width is allowed provided that driveway portion beyond 20 feet is constructed of pervious materials. This will be discussed later in the report.
2. To allow Lots 6-9, Bk 5 to have driveways longer than 30 feet. The Ordinances establishes a minimum driveway length of 20 feet and maximum at 30 feet. Reason for requirement is to minimize impervious surface. Applicant is requesting 40 foot driveways for two lots and 35 feet for the other.
3. To allow corner side yard setbacks of 15 feet when adjacent to a residential local street.
4. To allow corner side yard setbacks of 20 feet when adjacent to a minor collector road (north/south road).
5. Side yard setback of 30 feet for Lot 1, Bk 1 along a minor arterial. This is due to road re-configuration.

There are no other changes being proposed to any other portion of the approved Preliminary PUD. The approved development contract allows for a 10 year approval period for development before the applicant would be required to either ask for an approval extension or resubmit a new PUD plan.

The Northwest Area Overlay District was established to encourage development that provides such features as:

- Cluster development practices which preserve significant natural features,
- Pedestrian connections,
- Innovative storm water management practices,
- Reduction in impervious surface cover to maximize natural storm water infiltration,
- Provide on-site retention of storm water and,
- Open space areas as development amenities.

EVALUATION OF THE REQUEST

PRELIMINARY AND FINAL PLAT AND PUD DEVELOPMENT PLAN

The review will address each of the current 36 conditions of approval. A copy of the resolution approving the preliminary plans, including the conditions is attached.

A revised preliminary plat and PUD development plan is required because lot layout and street patterns have changed due to a number of factors. The following summarizes the changes to the original PUD preliminary plan:

- a. Revised street layout. The original plan separated the old townhouse neighborhood from the single family detached to the north and northwest with cul-de-sacs. Dakota County has since required the local streets connect so not all traffic needs to access Amana Trail to exit/enter. Addisen Path will now become a continuous through street leading to the next property to the north. The through street changes the previous plan which still provided a cul-de-sac for the single family lots along Amana Trail. A private street is being proposed on the east side of the 8th Addition in order to reduce grading and impacts on the open space area. The larger lots can be shifted westerly due to the reduced width needed for the private road easement as compared to a public right-of-way.
- b. The total number of lots proposed would be reduced from 134 to 132. This is due to the change in alignment of Amana Trail at the northwest corner. The roadway shifted northerly and the additional right-of-way needed impacts this area and there is now less room for lots. The requirement of providing a through street has further impacted the original plan and the number of lots anticipated.

Overall, however, the proposed plan is consistent with the original intent for the residential neighborhoods. Custom graded larger lots were planned for on the eastern side and single family of generally the same lot size was anticipated for the remainder of the site.

Vacation of Easements

As part of platting of the final phase, there are left over easements from previous phases that need to be vacated since they are either no longer necessary or they are overlapping and these easements from previous plats should be vacated as new easements are dedicated on newer plats. There are some easements in Argenta Hills 7th that were put in place with the old cul-de-sac design. With a redesign and through street, these easements need to be vacated. There are some other easements on the north side of the lots in the 5th and 7th Addition that would be redundant with the platting of the final phases. Engineering is currently reviewing all the easements to make sure there are no issues with the vacation. Any modification would take place with the final platting of that neighborhood. Staff supports the vacation request.

The balance of the report compares the proposed plans to the preliminary PUD conditions of approval.

Condition #1 relating to consistency with preliminary plans. The submitted preliminary plans are generally consistent with the original preliminary plans approved by Council. The same general street layout exists with two access points to the north for future connections, Amana Trail will be re-aligned and constructed at some point in the future. Unit type neighborhoods have remained the same.

Open Space. The Northwest Area Overlay District establishes requirements for open space preservation within the Northwest Area Overlay. Based on the net developable area the project contains the following:

	Required Acres	Proposed Acres 2007	Proposed Acres 2010	Proposed Acres 2012	Proposed Acres 2013
<i>Total Net Developable Area</i>	120.9				
Minimum Open Space Required = 20% of net area	24.2	43.7	42.7	40.4	40.6
Required contiguous area = 75% of required open space with a minimum 100 foot corridor width	18.2	18.9	20.4	18.2	19.9
Area to be undisturbed = 50% of required open space	12.1	19.6	21.1	18.9	18.2
Disturbed Open Space	12.1	23.6	21.4	21.5	22.4

This is the final phase of residential development in the PUD. The balance of the commercial development must also comply with these numbers. The commercial development open space would not change due to the design layout and improvements that are already in place. The overall PUD still exceeds the minimum open space requirements for the Northwest Area.

Building Setbacks and Separation. The current preliminary PUD allowed for varying building separation standards in the residential areas down to 10 feet. The proposed plans are consistent with this allowed separation. In this development, there are no storm water features needed or proposed in side yards. All storm water is addressed with larger infiltration basins and in the regional pond to the east. The lots in the larger lot section will have separations generally 20 feet or greater.

The following lots are requested to have lesser corner lot setbacks down to 15 feet (20 feet required):

Lot 2, Bk 3

Lot 4, Bk 6

Lot 2, Bk 4

Lot 1, Bk 1 setback to 30 feet from Arterial road (50 feet required).

Condition #2 relating to approval of the final grading, drainage and erosion control plans. Engineering has been working with the developer on the grading and erosion control plans. Attached to this report are review memos from the Engineering Department and EOR, the City's engineering consultant for the Northwest Area. There are a number of comments and issues raised. Since this is only the preliminary plat review, the specific details listed in the memos must be addressed with the final plat and final PUD for each additional phase.

Condition #3 relating to drainage and utility easements provided on the plat. The plat will provide for easements over the main drainage areas and open space areas. These will be dedicated in outlots that would be owned by the city. Standard perimeter drainage and utility easements will be provided on the final plat phases.

Condition #4 relating to ownership of natural area/open space. Outlots A, C, E, F and G constitute open space in this phase and will be private except. Ownership of outlots that contain stormponding will be determined with the final plat. Conservation easements will be placed over all of the open space and undisturbed areas. These areas will be owned and maintained by the homeowners association. The open space areas are allowed to be mowed, maintained and can have improvements installed. The undisturbed areas must be left natural with no mowing or maintenance. The removal of dead, diseased, dangerous or downed trees would be allowed. Any marking of trails would also be allowed.

Condition #5 relating to rooftop and ground mounted equipment being screened. Not applicable to this phase.

Condition #6 relating to park dedication. Park dedication will consist of a cash payment of \$4011.00. The park dedication fees are collected at time of final plat release.

Condition # 7 relating to parking lot and building lighting being downcast. Not applicable to this phase.

Condition #8 relating to plans reviewed by the Fire Marshall. The Fire Marshall has reviewed the plans and provides the following comments;

- Addisen Path should be provided with a temporary turn around or it should be continued out to Amana Trail.

- The private drive at the northeast corner of the subdivision serving part of block 4 and all of block 5 must comply with fire code requirements for fire department access found in MN State Fire Code Section 503:
 - o An approved area for turning around fire apparatus must be provided at the end.
 - o Road must be posted no parking fire lane on both sides and in the turn around.
 - o The road may not be obstructed in any manner; full width and to a height of 13 feet, six inches.
 - o The surface must be designed and maintained to support the imposed loads of fire apparatus.

These specific comments will be addressed with a final plat of that particular neighborhood.

Condition #9 relating to MnDOT and County Review. The plans have been sent to Dakota County for their review. The County has already been involved in the layout of the streets and Amana Trail. We do not expect any additional comments.

Condition #10 relating to storm water facilities maintenance agreement and responsibilities. The developer will be required to enter into a maintenance agreement with the City for all of the storm water features. The details of the agreement will be addressed during the development contract meeting which is currently in progress. The City Engineer is involved in the drafting of the agreements to insure all of the design elements of the Northwest Storm Water Manual are incorporated into the maintenance agreement. The City Council will review and take action on the maintenance agreement with the development contract.

Condition #11 relating to entering into a boulevard maintenance agreement. This is a standard condition that will be included in all projects in the Northwest Area where appropriate. The maintenance agreement will be addressed during the development contract meetings and will be approved by the City Council.

Condition #12 relating to payment of plat utility fees. As in previous phases where there was a reduction in lot count, the developer agreed to pay the equivalent fees. We expect the same process to be approved for the loss of the two lots in the 8th Addition.

The development contract will address the specific fees that the developer must pay before plat release as part of the funding for the infrastructure of the sewer and water for the Northwest Area. The Council adopted an ordinance which specifies fees to be paid at time of final plat release. There will also be additional fees collected at time of building permit for all commercial and residential structures. This condition was intended to state the developer's responsibility for paying these fees.

Condition #13 relating to payment of building permit fees. This condition is intended to state the developers are responsible for payment of northwest area building permit fees similar to what is noted in as noted in condition #12. These fees are collected at time of building permit issuance. The developer has also agreed to pay these same fees for the five lot reduction.

Condition #14 relating to acknowledgment of future city approvals. This condition was drafted by the City Attorney to clarify in all developments in the Northwest Area what changes require administrative or Council review. This language will be carried over into the development contract.

Condition # 15 relating to acknowledgement of PUD zoning. This condition was drafted by the City Attorney to indicate an acknowledgement will be recorded with the County for each development indicating the zoning and regulations placed on the property. It puts on record for any future land owners that there are special regulations on the property. This same type of notification was used in Arbor Pointe.

Condition #16 relating to entering into a development contract. This process will begin shortly. A development contract will be drafted and reviewed by the City Council during their review of the final plan set.

Condition #17 relating to conditions of building occupancy. Not applicable to this phase.

Condition #18 relating to recording of documents. A standard condition notifying all parties of what documents must be recorded with the final plat. The City Attorney's office will work with the developer and city staff to insure all documents are recorded.

Condition #19 relating to private street maintenance. The private street proposed would be the responsibility of the association for maintenance. This will be spelled out specifically in the development contract for the final plat that includes the large lot neighborhood.

Condition #20 relating to guest parking in the residential neighborhoods. The project is proposed with 28 foot wide public streets which would allow for parking on one side of the street. Required parking is satisfied with the driveway and garage. The private drive for the large lot neighborhood will be required to be posted no parking on both sides per the Fire Marshal due to the width of the drive. The applicant will be required to address how guest parking will be handled for the 12 lots on the private road at time of final plat for that phase.

Condition #21 and #22 relating to landscape and reforestation plans. The developer has submitted a landscape plan with details for the final residential phase and tree reforestation information for the entire PUD.

For the balance of the residential portion, the applicant is proposing a total of 709.5 inches to be planted along the front yards, side and rear yards. There will be an additional 312 caliper inches to be planted in yards abutting Amana Trail. The tree reforestation requirement is currently 1,700 caliper inches. With the planting of a total of 1021.5 inches, that leaves a balance of 678.5 caliper inches. There is a balance of approximately 750 inches to be planted in the remaining commercial areas. Based on these numbers, overall reforestation for the PUD will be met.

The through road connection of Addisen Path, as required by Dakota County will require the removal of additional trees within the pine forest located generally in the middle of the site. These trees were however, removed from the overall tree count at the first PUD approval and therefore no additional tree reforestation is required.

Condition #23 relating to providing wetland buffers. There are no wetlands in this area of the development.

Condition #24 relating to signage. Condition not applicable to this phase of the development.

Condition #25 and #26 relating to a noise assessment along the major roadways and noise mitigation. This condition stems from the standard condition found in both the State's and County's review that noise is a concern for homes along major roadways and that some type of noise mitigation is recommended because both these agencies do not provide any mitigation for roadway noise. The applicant is proposing a number of trees planted in back yards and along Amana Trail to provide some noise relief.

The western portion of this phase is located within the Met Council Noise Abatement Overlay District. The overlay district requires that home construction be designed to attenuate aircraft noise from MSP. The zoning ordinance contains a number of specifications that need to be met to meet this standard. Specific details will need to be submitted with any final plat in the overlay district and these standards would be reviewed by the Inspections Department as part of the building permit review.

Condition #27 relating to grading of the custom lots. Engineering will be reviewing all plans for the custom graded section or large lot area to ensure conformance with overall grading plans and Northwest Area Standards.

Condition #28 relating to grading of trail system. Additional segments of the trail system will be constructed with this phase. The loop system started in the first phases will be extended to have two access points connecting to Amana Trail. There will be additional trails and sidewalks along the local streets to provide connections to future neighborhoods.

Condition #29 relating street widths. All of the streets proposed and constructed have been 28 feet wide which provide for parking on one side and are consistent with the Northwest Area standards.

Condition #30 relating to street lighting. Street lights will be installed per city and utility company spacing standards.

Condition #31 relating to trail easements through the development. All trails that are in the boundaries of this development are either in outlots that will be deeded to the city or will have trail easements under them.

Condition #32 relating to boundaries of open space shown on final grading plans. The plans are being revised to show the actual location of the marker posts. These areas will be inspected by Engineering as part of the silt fence installation review.

Condition #33 relating to future development of Outlot F must be consistent with approved preliminary PUD plans. The 8th Addition is the balance of original Outlot F. this condition will no longer be necessary.

Condition #34 relating to payment of all fees and escrows incurred by the city during the review process. The intent of this condition is to let the developer know of their financial responsibility of payment of fees. The development contract will also address this issue and state all outstanding fees must be paid prior to release of the final plat.

Condition #35 relating to the current governing resolution. This condition will be updated to reflect the latest resolution number.

Condition #36 relating to reforestation calculations. The developer has and will be planting an extra tree in each of the lots in the first phases to address the additional 45 tree requirement. With the 519 caliper inches being planted in this phase, the outstanding balance is now 1,700 caliper inches.

ALTERNATIVES

The Planning Commission has the following actions available for the request:

A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:

- Approval of the Preliminary Plat and Preliminary PUD Amendment to Argenta Hills subject to the following conditions:
 1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	10/12/2007,	6/30/10,	8/10/12,
	7/10/13		
Preliminary Site Layout Plan	6/25/2007,	7/19/10,	7/10/13
Preliminary Grading and Drainage Plan	6/25/2007,	7/19/10	8/10/12,
	7/10/13		
Preliminary Overall Utility Plan	6/25/2007		
Preliminary Landscape Plan	6/25/2007,	8/10/10,	8/10/12,
	7/10/13		
Preliminary Tree Inventory and Preservation Plan	6/25/2007,	8/11/10,	7/9/12,
	7/10/13		

Building Elevations	6/25/2007		
Trail Plan	6/25/2007		
Signage Location Site Plan	10/11/2007		
Open Space Plan	6/25/2007, 7/10/13	7/19/10,	7/6/12,
Development Capacity Plan	6/25/2007		
Trails, Walks and Green Framework Plan	6/25/2007		
Roadway and Trail Plan	6/25/2007		
East-West Pedestrian Connection	6/25/2007		
Concept Signage Sketches	9/17/2007		
Main Street - Argenta Perspective Sketch			
Target View Perspective Sketch			
Commercial Buildings Schematic Elevations	8/7/2007		
Argenta Hills Design Guidelines Outline			
Design Features (9 sheets)	6/25/2007		
Overall Stormwater Plan (2 sheets)			
Stormwater Details (3 sheets)			
Grading and Drainage Plans (9 sheets)	6/25/2007		
Landscape Plans (8 sheets)	6/25/2007		
Residential Lot Design Layout (3 sheets)	9/25/2007		
Argenta Hills Residential Overall Impervious Surface Illustration		8/10/12,	7/10/13

2. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works including addressing comments from Engineering memo dated 8/1/13 and EOR dated 7/19/13.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. The ownership of all of the natural area/open space to be owned in private ownership by the property owner. A conservation easement shall be required by the City restricting the use of the open space.
5. All rooftop equipment shall be completely screened from view from the public streets. Screening materials shall be compatible with the building's overall design. If the mechanical equipment is found to be visible after construction, the applicant shall provide screening subject to the approval of the City.
6. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved.

7. All parking lot and building lighting on site shall be a down cast “shoe-box” style and the bulb shall not visible from property lines. The design of the fixtures shall be subject to further staff review prior to final plan approval.
8. All plans shall be subject to the review and approval of the Fire Marshal.
9. The approval of the preliminary Plat and PUD development plans are subject to the review and comment from MnDOT and Dakota County.
10. The Agreement shall stipulate the storm water improvements shall be maintained by the following entities; in instances where the City is not responsible for maintenance of the storm water improvements, the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
11. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Boulevard Maintenance Agreement with the City whereby the owner of the lots shall be responsible for the maintenance of boulevard improvements on such lots; the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
12. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
13. In the Development Contract, the Developer and Owner shall acknowledge that at the time the building permits are obtained additional connection fees for the water utility system and sanitary sewer utility system are due and owing.
14. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department
Location of Conservation Easement	City Council

and Open Space	
Parking Areas	City Council
Signage Location Plan	City Council

15. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
16. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
17. The Development Contract shall provide that parking lots associated with specific buildings are completed before a Certificate of Occupancy is issued.
18. The following documents shall be recorded when the plat is recorded:
 - Development Contract;
 - Storm Water Facilities Maintenance Agreement;
 - Conservation Open Space Easement; and
 - Acknowledgement of PUD Zoning.
19. All private streets shall be maintained by the Home Owners Association.
20. Prior to City Council review of final PUD development plans in residential areas, the plans shall be modified such that visitor parking shall be accommodated in the single family and town home neighborhoods.
21. Prior to City Council review of final PUD development plans of any phase, the landscape plan shall identify quantities of plant materials proposed for verification of code compliance.
22. Prior to City Council review of final PUD development plans of any phase, the reforestation plan shall be updated indicating the location of replacement trees on site in addition to the landscaping requirements described by the ordinance.
23. Prior to City Council review of final PUD development plans of any phase, wetland buffers shall be provided around the perimeter of all wetlands. The developer shall describe the proposed seed mix, installation and erosion control measures for the buffer areas on the landscape plan.

24. All signage for all future proposed development shall be subject to review and approval by the City.
25. Prior to City Council review of final PUD development plans of residential portions, a noise assessment of the proposed development from the major roadways (State and County) including Highway 55, Robert Street and the proposed CSAH 28 shall be required. This analysis should outline areas of concern and detail mitigation strategies for reducing noise pollution on site.
26. Residential neighborhoods located within the boundary of the Noise Abatement Overlay district shall conform to the noise mitigation measures as defined in the Airport Noise Abatement Overlay District, Section 515.80. Subd. 34 of the City Code.
27. Prior to City Council review of final PUD development plans for appropriate phases, the Developer must demonstrate how grading of the custom lots, streets and retaining walls function for the long term, realizing the development of individual lots and construction timing.
28. Prior to City Council review of PUD development plans, the Developer must demonstrate how the trail system can be graded through the open space area. Benches for proper trail widths and cross culverts for drainage shall be designed and implemented into the grading and drainage plans and shall respond to the stormwater ponding and infiltration network.
29. The private drive for the large lot neighborhood will be required to be posted no parking on both sides per the Fire Marshal due to the width of the drive. The applicant will be required to address how guest parking will be handled for the 12 lots on the private road at time of final plat for that phase.
30. Street lighting shall be required within the single family neighborhoods and along all public streets. The street lighting plans shall be approved by the City and Dakota County or MnDOT where appropriate prior to installation.
31. Separate trail easements shall be granted to the City for the trail system through the development. The City shall be responsible for the maintenance of the trail and trail easement area.
32. The boundaries of the designated natural area/open space and conservation easement areas shall be clearly delineated on the approved final PUD plans and shall be clearly marked and delineated in the field before grading begins and after final grading is completed with signage approved by the City.
33. At the time the City signs the plat, the owner must fully pay the City of Inver Grove Heights for all planning, engineering review and legal fees that have been incurred up to

the date the City signs the final plat, and the owner must further escrow with the City an amount determined by the City of Inver Grove Heights for future planning and engineering review fees and for legal fees, except for such fees as may already otherwise be taken into account in the calculations or engineering inspection escrow made a part of the Development Agreement. Further, at the time the City signs the final plat, the owner must pay the City the fees prescribed by the ordinance (to be enacted prior to final plat) to defray the costs incurred by the City in preparation of the planning studies, engineering analysis, storm water analysis, environmental review, alternative urban areawide review, natural resource inventory and transportation modeling as such studies, analysis, reviews, inventories and modeling relate to the review, investigation and administration of the owner's applications.

34. This PUD Amendment resolution replaces Resolution No. 12-147 and is now the guiding resolution for the overall Preliminary PUD Plan Approval for Argenta Hills.
35. An additional 678.5 caliper inches shall be required to be planted in the overall development of the Argenta Hills PUD.

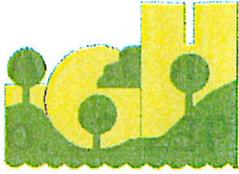
B. Denial. If the Planning Commission does not find the application to be acceptable, a recommendation of denial should be made. Specific findings supporting a basis for denial must be stated by the Commission if such a recommendation is made.

RECOMMENDATION

There are a few issues to be addressed from Engineering before any final plat/PUD would be approved. However, based on this being the preliminary plat and revised preliminary PUD, staff recommends approval of the project with the conditions listed in the report.

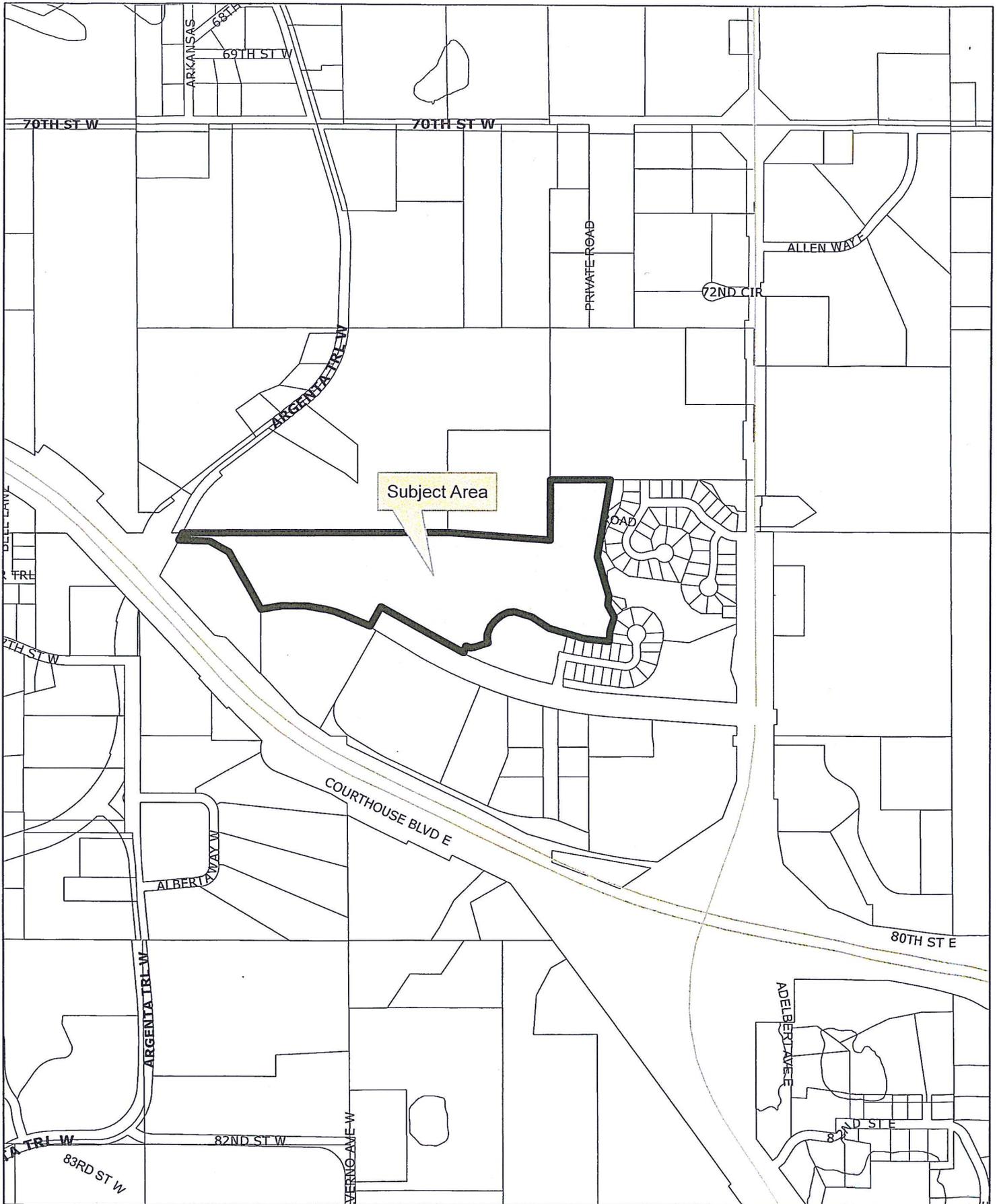
ATTACHMENTS:

- Location Map
- Project Narrative
- Preliminary PUD conditions of approval and site plan
- Proposed PUD Site Plan
- Preliminary Plat
- Grading Plan
- Revised Natural area/open space and undisturbed area plan
- Landscape Plan for Argenta Hills 8th Addition
- Argenta Hills Impervious Surface Exhibit
- 2007 Original Approved PUD Site Plan
- 2010 Approved PUD Site Plan
- Engineering comment memo dated 8/1/13
- Memo from EOR dated 7/19/13



Argenta Hills 8th Addition Location Map

Case No. 13-23PUD





TRADITION
Development

May 22, 2013

Allan Hunting, AICP
City Planner
City of Inver Grove Heights
Inver Grove Heights, MN

Re: Argenta Hills 8th Addition Preliminary Plat

Dear Mr. Hunting

We are excited to submit our next phase of single family lots in Argenta Hills as Argenta Hills 8th Addition Preliminary plat for consideration by City Council, Planning Commission and City staff. This area was previously approved as a preliminary plat showing single family homes as well, but due to County requirements for interconnection we have had to redesign our site plans in order to keep our development moving forward. The primary use of the land is the same being all single family but the mix of lots has changed from larger lots to more small lot single family. The other change to this plan is we are now accounting for Amana Trail's ultimate connection to Argenta Trail. The City, County, and State have changed the interchange needs at Argenta Trail and HWY 55 now and therefore the alignment of Amana has changed thereby reducing the number of lots west of the City's north south collector. While the uses are the same the street alignments have now changed creating a different mix of lots from what was originally approved. This change is unfortunate in many aspects but the good news is that the smaller lot single family product has been very well received and is selling at a good pace.

The plan we present to you now shows 47 lots versus the previously approved 48 lot but while there is only one less lot in total, the mix of lots is much different. The current plan shows 15 -80' lots and 37 - 60' lots, some of which were originally part of the Argenta Hills 5th Addition approved plans. This plan also shows a private street servicing 12 custom single family lots. This is being proposed to help with the grading and reduce the number of large retaining walls if we have to put a public street in. The private street will be owned by the Home Owners Association that will service these 12 lots and will be covered by a Drainage and Utility easement for the City's benefit. The other significant change is with regards to how we had planned on developing the site. With our original plan we figured on custom grading these larger single family lots, but after further exploration and soil testing we found that this area along our northern property lines is primarily 10-20 feet of old unconsolidated fill that all needs to be dug up and replaced to ensure all the homes have a safe foundation to build a home on. This greatly increased our footprint, but is completely necessary if it is to be developed at all. We are thus presented with asking the City for this change in our development layout/design.

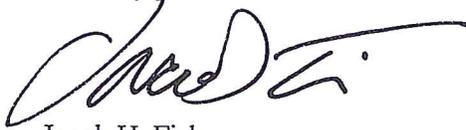
A TRADITION COMPANY

Development • mortgage • title • realty • golf • capital bank • homes

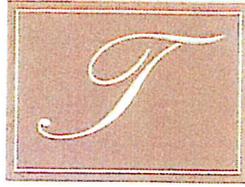
While still a change, the revised design and layout will satisfy the County's requirement for interconnectivity and allow for the future connection of Amana Trail to Argenta Trail and still maintain a similar number of homes to be built as originally contemplated. Thus far selling single family homes in Inver Grove Heights has been very well received in our Argenta Hills neighborhood and with this revised plan we don't see why that would change. The site still sets up well for single family homes offering great views and convenience. We feel this change will still add to this great neighborhood here in Inver Grove Heights and will continue the positive momentum we've been able to capture in Argenta Hills.

Thank you for your consideration and we look forward to hearing the Commissions and Staff's comments regarding this new addition to our Argenta Hills neighborhood and the City of Inver Grove Heights.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob H. Fick", with a long horizontal flourish extending to the right.

Jacob H. Fick
Project Manager
Tradition Development
IGH Investments, LLC



TRADITION
Development

July 14, 2013

Allan Hunting, AICP
City Planner
City of Inver Grove Heights
Inver Grove Heights, MN

Re: Argenta Hills 8th Preliminary Plat NW Area Ordinance Exceptions

Dear Mr. Hunting

Per our discussions there are a few guidelines in the Northwest Area Design Guidelines we'd like to ask for variances from. We've listed them below with the reasoning for our request and why we feel these exceptions are in the best interest of the project. Please let me know if you have any questions or concerns as you review the items below.

1. We ask for 3 car driveways to be allowed at full width at the garage tapered to 20' at the back of curb without the use of pervious pavers. This request is the same as we asked for in Argenta Hills 2-5 Preliminary Plats as our overall impervious area is still below the 25% threshold for the entire residential site.
2. We ask that the impervious surface of each lot is allowed to exceed the 40% impervious area per lot. Rather that the impervious area be considered for the entire residential area as long as the impervious area is less than or equal to the impervious areas used to calculate the 25% total for the site. See impervious area calculation exhibit. The proposed lots could be make bigger to always meet the 40% rule but at that point all that is being done is the lots would be deeper to add more lot area and the corresponding open space would therefore be reduced.
3. Setbacks Changes:
 - a. Corner Side Yard Setbacks = 15 feet from side property line when adjacent to a residential street as done on all the other phases
 - b. Corner Side Yard Setbacks = 20 feet from side property line when adjacent to a minor collector (City North South Road)
 - c. Side yard setback along Amana Trail = 30' as shown and understand the standard is 50' but at this point we feel comfortable with 30 as the house sits 23 feet above the road and the ultimate alignment is yet to be determined and for the road to shift south 10-20' I don't think would be out of the question. As the final design for Amana is yet to be determined.
 - d. Front yard setback: 12 of the larger lots have frontage on a private road. We have narrowed the widths at the front to 28', less than the required 30' for a public street and we feel if

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needed we could make up the 8 feet, but do not feel that 28' is a problem for these lots on a private drive. We ask that 28' of front lot width is allowed.

- e. Front yard setback: Some of the larger lot homes within block 5 will have longer than typical setbacks we ask that the maximum front yard setback requirement be waived for these lots as they are set up to utilize a nature high spot and reduce the amount of walls should they need to be closer to the street.
4. We ask that the street grades are allowed to exceed 8% where necessary to better match the existing topography on and off our property. This site as a tremendous amount of topography and to minimize retaining walls on our property and the amount of cut that would be necessary on neighboring properties we ask that the 8% street grade maximum be increased to 10%.
5. Driveway grades: we have a few lots on the private street that will have driveways that exceed 10%. We ask that these few lots be granted the ability to have steeper driveways. They can meet the 10% requirement but we have designed them such that the water runs away from the garage at 4% for 25 feet or so and then slope up to the street as these homes will sit lower than the road.

Please let me know if you have any questions or need any further clarification on the described requests above. I'm available by phone, email or by meeting if you'd like to further discuss. Thank for your help and support.

Sincerely,



Jacob H. Fick
Project Manager
Tradition Development
IGH Investments/160 Investment

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 12-147

A RESOLUTION APPROVING A PRELIMINARY PLAT AND PRELIMINARY PUD
DEVELOPMENT PLAN AMENDMENT FOR A MULTI-LOT 134 UNIT RESIDENTIAL
AND APPROXIMATELY 410,000 SQUARE FOOT COMMERCIAL PLANNED UNIT
DEVELOPMENT KNOWN AS ARGENTA HILLS

CASE NO. 12-23PUD)
(160 Investments)

WHEREAS, the City Council approved a preliminary plat and preliminary PUD development plan for a seven (7) lot and seven (7) outlot subdivision and an approximately 410,000 square foot retail and 154 unit residential development on October 22, 2007;

WHEREAS, the City Council approved a preliminary PUD amendment altering the lot number and design of one of the residential neighborhoods in the northeast corner resulting in a reduction in the housing number to 139 units on September 13, 2010;

WHEREAS, a preliminary plat and preliminary PUD development plan amendment application has been submitted to the City for property legally described as;

SEE EXHIBIT A

WHEREAS, a revised preliminary PUD development plan has been submitted altering one of the residential neighborhoods in the original preliminary PUD from a 44 unit townhouse development to a 39 unit detached single family development on the north side of Amana Trail;

WHEREAS, a public hearing concerning the preliminary plat and preliminary PUD development plan was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on August 21, 2012;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Preliminary Plat and Preliminary PUD development plan amendment for a Seven (7) lot and Seven (7) outlot plat and approximately 410,000 square foot retail and 134 unit residential development is hereby approved subject to the following conditions:

1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	10/12/2007, 6/30/10 and 8/10/12
Preliminary Site Layout Plan	6/25/2007 and 7/19/10
Preliminary Grading and Drainage Plan	6/25/2007, 7/19/10 and 8/10/12
Preliminary Overall Utility Plan	6/25/2007
Preliminary Landscape Plan	6/25/2007, 8/10/10 and 8/10/12
Preliminary Tree Inventory and Preservation Plan	6/25/2007, 8/11/10 and 7/9/12
Building Elevations	6/25/2007
Trail Plan	6/25/2007
Signage Location Site Plan	10/11/2007
Open Space Plan	6/25/2007, 7/19/10 and 7/6/12
Development Capacity Plan	6/25/2007
Preliminary Phasing Plan	6/25/2007 and 7/19/10
Trails, Walks and Green Framework Plan	6/25/2007
Roadway and Trail Plan	6/25/2007
East-West Pedestrian Connection	6/25/2007
Concept Signage Sketches	9/17/2007
Main Street - Argenta Perspective Sketch	
Target View Perspective Sketch	
Commercial Buildings Schematic Elevations	8/7/2007
Argenta Hills Design Guidelines Outline	
Design Features (9 sheets)	6/25/2007
Overall Stormwater Plan (2 sheets)	
Stormwater Details (3 sheets)	
Grading and Drainage Plans (9 sheets)	6/25/2007
Landscape Plans (8 sheets)	6/25/2007
Residential Lot Design Layout (3 sheets)	9/25/2007
Argenta Hills Residential Overall Impervious Surface Illustration	8/10/12

2. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. The ownership of all of the natural area/open space to be owned in private ownership by the property owner. A conservation easement shall be required by the City restricting the

use of the open space. No private homeowner improvements shall be allowed in the open areas.

5. All rooftop equipment shall be completely screened from view from the public streets. Screening materials shall be compatible with the building's overall design. If the mechanical equipment is found to be visible after construction, the applicant shall provide screening subject to the approval of the City.
6. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved.
7. All parking lot and building lighting on site shall be a down cast "shoe-box" style and the bulb shall not be visible from property lines. The design of the fixtures shall be subject to further staff review prior to final plan approval.
8. All plans shall be subject to the review and approval of the Fire Marshal.
9. The approval of the preliminary Plat and PUD development plans are subject to the review and comment from MnDOT and Dakota County.
10. The Agreement shall stipulate the storm water improvements shall be maintained by the following entities; in instances where the City is not responsible for maintenance of the storm water improvements, the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
11. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Boulevard Maintenance Agreement with the City whereby the owner of the lots shall be responsible for the maintenance of boulevard improvements on such lots; the City shall nonetheless have the right to repair, maintain and replace the improvements if the responsible party does not fulfill its responsibility and the City shall have the right to charge the costs to the responsible party and impose the charges on the property if the responsible party fails to pay the costs.
12. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
13. In the Development Contract, the Developer and Owner shall acknowledge that at the time the building permits are obtained additional connection fees for the water utility system and sanitary sewer utility system are due and owing.

14. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department
Location of Conservation Easement and Open Space	City Council
Parking Areas	City Council
Signage Location Plan	City Council

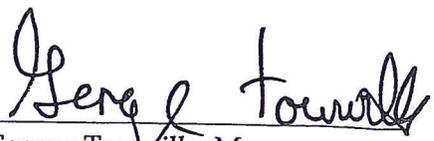
15. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
16. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
17. The Development Contract shall provide that parking lots associated with specific buildings are completed before a Certificate of Occupancy is issued.
18. The following documents shall be recorded when the plat is recorded:
- Development Contract;
 - Storm Water Facilities Maintenance Agreement;
 - Conservation Open Space Easement; and
 - Acknowledgement of PUD Zoning.
19. All private streets shall be maintained by the Home Owners Association.
20. Prior to City Council review of final PUD development plans in residential areas, the plans shall be modified such that visitor parking shall be accommodated in the single family and town home neighborhoods.
21. Prior to City Council review of final PUD development plans of any phase, the landscape plan shall identify quantities of plant materials proposed for verification of code compliance.

22. Prior to City Council review of final PUD development plans of any phase, the reforestation plan shall be updated indicating the location of replacement trees on site in addition to the landscaping requirements described by the ordinance.
23. Prior to City Council review of final PUD development plans of any phase, wetland buffers shall be provided around the perimeter of all wetlands. The developer shall describe the proposed seed mix, installation and erosion control measures for the buffer areas on the landscape plan. .
24. All signage for all future proposed development shall be subject to review and approval by the City.
25. Prior to City Council review of final PUD development plans of residential portions, a noise assessment of the proposed development from the major roadways (State and County) including Highway 55, Robert Street and the proposed CSAH 28 shall be required. This analysis should outline areas of concern and detail mitigation strategies for reducing noise pollution on site.
26. Residential neighborhoods located within the boundary of the Noise Abatement Overlay district shall conform to the noise mitigation measures as defined in the Airport Noise Abatement Overlay District, Section 515.80. Subd. 34 of the City Code.
27. Prior to City Council review of final PUD development plans for appropriate phases, the Developer must demonstrate how grading of the custom lots, streets and retaining walls function for the long term, realizing the development of individual lots and construction timing.
28. Prior to City Council review of PUD development plans, the Developer must demonstrate how the trail system can be graded through the open space area. Benches for proper trail widths and cross culverts for drainage shall be designed and implemented into the grading and drainage plans and shall respond to the stormwater ponding and infiltration network.
29. The private streets shown at 24' in the custom single family and small lot single family neighborhoods and in the townhouse neighborhood do not allow for on-street parking. If no other guest parking areas are being provided within these neighborhoods, these streets shall be modified to 28' width to accommodate parking on one side of the street.
30. Street lighting shall be required within the single family neighborhoods and along all public streets. The street lighting plans shall be approved by the City and Dakota County or MnDOT where appropriate prior to installation.
31. Separate trail easements shall be granted to the City for the trail system through the development. The City shall be responsible for the maintenance of the trail and trail easement area.

32. The boundaries of the designated natural area/open space and conservation easement areas shall be clearly delineated on the approved final PUD plans and shall be clearly marked and delineated in the field before grading begins and after final grading is completed with signage approved by the City.
33. The re-platting of Outlot F shall be consistent with the approved preliminary PUD development plans dated 6/25/07, 7/19/10 and 8/10/12 unless a revised plan has been approved by the City Council. All conditions, restrictions, covenants, contributions and dedications must occur at time of re-platting Outlot F. This provision shall be included in the approved and recorded development contract.
34. At the time the City signs the plat, the owner must fully pay the City of Inver Grove Heights for all planning, engineering review and legal fees that have been incurred up to the date the City signs the final plat, and the owner must further escrow with the City an amount determined by the City of Inver Grove Heights for future planning and engineering review fees and for legal fees, except for such fees as may already otherwise be taken into account in the calculations or engineering inspection escrow made a part of the Development Agreement. Further, at the time the City signs the final plat, the owner must pay the City the fees prescribed by the ordinance (to be enacted prior to final plat) to defray the costs incurred by the City in preparation of the planning studies, engineering analysis, storm water analysis, environmental review, alternative urban areawide review, natural resource inventory and transportation modeling as such studies, analysis, reviews, inventories and modeling relate to the review, investigation and administration of the owner's applications.
35. This PUD Amendment resolution replaces Resolution No. 10-142 and is now the guiding resolution for the overall Preliminary PUD Plan Approval for Argenta Hills.
36. An additional 1,700 caliper inches shall be required to be planted in the overall development of the Argenta Hills PUD.

Passed this 10th day of Sept., 2012.

AYES: 4
NAYS: 1 (Grannis)


George Tourville, Mayor

ATTEST:

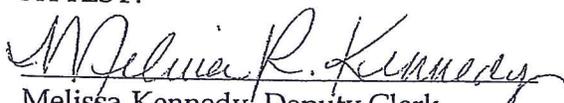

Melissa Kennedy, Deputy Clerk

EXHIBIT A

PROPERTY LEGAL DESCRIPTIONS

1. AREGNTA HILLS Final Plat Legal Description:

The following described properties situated in the County of Dakota, State of Minnesota, to wit;

That part of the South one-half of the South one-half of the Southeast Quarter of the Northeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota and that part of the Southeast Quarter of said Section 7 described as follows:

Beginning at the Northwest corner of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 7; thence East along the North line of said Southeast Quarter a distance of 1,999.71 feet, more or less, to the East line of said Section 7; thence South along the East line of said Section 7 a distance of 523 feet; thence West a distance of 895 feet; thence South 80 degrees 25 minutes West a distance of 810.6 feet; thence West a distance of 303.4 feet to the Southwest corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 7; thence North a distance of 655.7 feet to the point of beginning.

Which lies Westerly, Southerly and Southeasterly of the following described line:

Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 7; thence Southerly along the West line of said Northeast Quarter of the Southeast Quarter, a distance of 56.25 feet; thence Easterly, parallel with the North line of said Northeast Quarter of the Southeast Quarter, a distance of 790.00 feet; thence deflect to the left 18 degrees 07 minutes 00 seconds a distance of 494.00 feet; thence deflect to the right 18 degrees 07 minutes 00 seconds a distance of 71.32 feet to the East line of the Southeast Quarter of the Northeast Quarter of said Section 7 and there terminating.

EXCEPTING therefrom all that part of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota, described as follows: Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter, thence on an assumed bearing of South 00 degrees 22 minutes 51 seconds East, along the easterly line of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter, for 256.29 feet; thence South 89 degrees 37 minutes 09 seconds West for 46.94 feet to the actual point of beginning; thence South 18 degrees 25 minutes 35 seconds West for 203.64 feet; thence North 71 degrees 34 minutes 25 seconds West for 191.01 feet; thence North 01 degrees 59 minutes 28 seconds East for 187.96 feet; thence South 88 degrees 00 minutes 32 seconds East for 41.03 feet; thence easterly for 56.66 feet along a tangential curve concave to the south, radius 213.00 feet and central angle 15 degrees 14 minutes 32 seconds; thence South 72 degrees 46 minutes 00 seconds East, tangent to said curve, for 149.04 feet to the point of beginning.

Together with a non-exclusive permanent utility easement as contained in Grant of Permanent Easement dated August 10, 1998, recorded November 12, 1998 as Document No. 1550254 in the Office of the County Recorder, Dakota County, Minnesota.

Being more particularly described as follows:

That part of the South one-half of the South one-half of the Southeast Quarter of the Northeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota and that part of the Southeast Quarter of said Section 7 described as follows:

Beginning at the Northwest corner of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 7; thence East along the North line of said Southeast Quarter a distance of 1,999.71 feet, more or less, to the East line of said Section 7; thence South along the East line of said Section 7 a distance of 523 feet; thence West a distance of 895 feet; thence South 80 degrees 25 minutes West a distance of 810.6 feet; thence West a distance of 303.4 feet to the Southwest corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 7; thence North a distance of 655.7 feet to the point of beginning.

Which lies Westerly, Southerly and Southeasterly of the following described line:

Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 7; thence Southerly along the West line of said Northeast Quarter of the Southeast Quarter, a distance of 56.25 feet; thence Easterly, parallel with the North line of said Northeast Quarter of the Southeast Quarter, a distance of 790.00 feet; thence deflect to the left 18 degrees 07 minutes 00 seconds a distance of 494.00 feet; thence deflect to the right 18 degrees 07 minutes 00 seconds a distance of 71.32 feet to the East line of the Southeast Quarter of the Northeast Quarter of said Section 7 and there terminating.

EXCEPTING therefrom all that part of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota, described as follows: Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter; thence on an assumed bearing of South 00 degrees 22 minutes 51 seconds East, along the easterly line of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter, for 256.29 feet; thence South 89 degrees 37 minutes 09 seconds West for 46.94 feet to the actual point of beginning; thence South 18 degrees 25 minutes 35 seconds West for 203.64 feet; thence North 71 degrees 34 minutes 25 seconds West for 191.01 feet; thence North 01 degrees 59 minutes 28 seconds East for 187.96 feet; thence South 88 degrees 00 minutes 32 seconds East for 41.03 feet; thence easterly for 56.66 feet along a tangential curve concave to the south, radius 213.00 feet and central angle 15 degrees 14 minutes 32 seconds; thence South 72 degrees 46 minutes 00 seconds East, tangent to said curve, for 149.04 feet to the point of beginning.

Also excepting therefrom all that part of the hereinbefore described property that is described as Parcel B by Document No. 1550253, as filed in the Office of the County Recorder, Dakota County, Minnesota.

Together with a non-exclusive permanent utility easement as contained in Grant of Permanent Easement dated August 10, 1998, recorded November 12, 1998 as Document No. 1550254 in the Office of the County Recorder, Dakota County, Minnesota.

TOGETHER WITH

That part of the South one-half of the South one-half of the Southeast Quarter of the Northeast Quarter and that part of the Northeast Quarter of the Southeast Quarter all in Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota, which lies north of the following described line:

Commencing at the Northwest corner of said Northeast Quarter of the Southeast Quarter; thence Southerly along the West line of said Northeast Quarter of the Southeast Quarter, a distance of 56.25 feet to the point of beginning of the line to be described; thence Easterly, parallel with the North line of said Northeast Quarter of the Southeast Quarter, a distance of 790.00 feet; thence deflect to the left 18 degrees 07 minutes 00 seconds a distance of 494.00 feet; thence deflect to the right 18 degrees 07 minutes 00 seconds a distance of 71.32 feet to the East line of said Southeast Quarter of the Northeast Quarter and there terminating, according to the United States Government Survey thereof, Dakota County, Minnesota.

TOGETHER WITH

The Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, except the following described tract:

Commencing at the intersection of the North line of State Trunk Highway No. 55 with the west line of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, said point being 505 feet North of the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence North along said West line of the Southeast Quarter of the Southeast Quarter 77 feet; thence South 79 degrees 30 minutes East 657.5 feet to the West line of the cut-off from State Trunk Highway No. 218; thence South 56 degrees 30 minutes West 242 feet to the Southwest corner of the intersection of the said West line of said cut-off with the aforesaid North line of State Trunk Highway No. 55; thence Westerly along the North line of said Highway No. 55, 480 feet to the point of beginning;

And except as follows:

Beginning at the point of the West line of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, said point being 582 feet North of the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence North along the West line of said Southeast Quarter of the Southeast Quarter a distance of 732.38 feet to the Northwest corner of said Southeast Quarter of the Southeast; thence East along the North line of said Southeast Quarter of the Southeast, a distance of 380 feet; thence South and parallel with the West line of said Southeast Quarter of the Southeast Quarter, a distance of 607 feet; thence East 200 feet; thence South and parallel with the aforesaid West line of the Southeast Quarter of the Southeast Quarter a distance of 234.1 feet; thence North 79 degrees 30 minutes West, 589.9 feet to the point of beginning.

And except as follows:

Parcel 410A as shown on the Minnesota Department of Transportation Right of Way Plat No. 19-122 acquired by the State of Minnesota in Final Certificate dated November 13, 1996, recorded February 3, 1997 as Document No. 1403330.

Being more particularly described as follows:

All that part of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, Dakota County, Minnesota lying northerly, northwesterly and westerly of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 19-122, according to the recorded plat thereof;

EXCEPT:

Beginning at the point of the West line of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, said point being 582 feet North of the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence North along the West line of said Southeast Quarter of the Southeast Quarter a distance of 732.38 feet to the Northwest corner of said Southeast Quarter of the Southeast; thence East along the North line of said Southeast Quarter of the Southeast, a distance of 380 feet; thence South and parallel with the West line of said Southeast Quarter of the Southeast Quarter, a distance of 607 feet; thence East 200 feet; thence South and parallel with the aforesaid West line of the Southeast Quarter of the Southeast Quarter a distance of 234.1 feet; thence North 79 degrees 30 minutes West, 589.9 feet to the point of beginning.

TOGETHER WITH

All that part of the Northeast Quarter of the Southeast Quarter, the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter Section 7, Township 27 North, Range 22, lying Northerly and Easterly of Minnesota State Highway No. 55.

Excepting therefrom the following:

Commencing at the Northwest corner of the Northeast Quarter, Northwest Quarter, Southeast Quarter Section 7, Township 27 North, Range 22 West; thence East along the North line of said Southeast Quarter 1,884.71 feet to the West line of State Trunk Highway No. 218; thence South along said Highway line 523 feet; thence West 780 feet; thence South 80 degrees 25 minutes West 810.6 feet; thence West 305.4 feet to the Southwest corner of said Northeast Quarter, Northwest Quarter, Southeast Quarter; thence North 655.7 feet to the point of beginning

Commencing at the northwest corner of said NE 1/4 of the SW 1/4; thence southerly along the west line of said NE 1/4 of the SW 1/4 a distance of 50.00 feet; thence North 89 degrees 48 minutes 29 seconds East, assumed bearing, parallel with the north line of said NE 1/4 of the SW 1/4 a distance of 452.36 feet to the point of beginning of the parcel to be described; thence South 60 degrees 51 minutes 45 seconds East, 153.25 feet; thence South 28 degrees 51 minutes 45 seconds East, 420.13 feet; thence South 0 degrees 08 minutes 15 seconds West, 489.01 feet to the northeasterly right-of-way line of S.T.H. No. 55; thence North 42 degrees 54 minutes 59 seconds West along said right-of-way line 958.83 feet; thence North 27 degrees 43 minutes 39 seconds East along the easterly right-of-way line of S.T.H. No. 55 a distance of 258.38 feet to the intersection with a line which bears South 89 degrees 48 minutes 29 seconds West from the aforesaid point of beginning; thence North 89 degrees 48 minutes 29 seconds East, 197.19 feet to the point of beginning and there terminating.

That part of the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, Dakota County, Minnesota which lies southerly of the northerly 1095.65 feet of said Northwest Quarter of the Southeast Quarter of Section 7 and which lies northeasterly of the northeasterly line of State Trunk Highway No. 55 per MnDOT Final Certificate Parcel 8 Rev. (55=116-21) recorded in Book 47 of Miscellaneous Records, Page 153

and per MnDOT Final Certificate Parcel 208A S.P. 1909 (55=116-21) recorded in Book 67 of Miscellaneous Records, Page 620, Doc. No. 324766, Dakota County, Minnesota.

Parcel 308A as shown on Minnesota Department of Transportation Right of Way Plats Nos. 19-121, 19-122 and 19-126 acquired by the State of Minnesota in Final Certificate dated November 13, 1996, recorded February 3, 1997 as Document No. 1403330

TOGETHER WITH

That part of the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, Dakota County, Minnesota which lies southerly of the northerly 1095.65 feet of said Northwest Quarter of the Southeast Quarter of Section 7 and which lies northeasterly of the northeasterly line of State Trunk Highway No. 55 per MnDOT Final Certificate Parcel 8 Rev. (55=116-21) recorded in Book 47 of Miscellaneous Records, Page 153 and per MnDOT Final Certificate Parcel 208A S.P. 1909 (55=116-21) recorded in Book 67 of Miscellaneous Records, Page 620, Doc. No. 324766, Dakota County, Minnesota.

Excepting therefrom Parcel 308A as shown on Minnesota Department of Transportation Right of Way Plat No. 19-122 acquired by the State of Minnesota in Final Certificate dated November 13, 1996, recorded February 3, 1997 as Document No. 1403330.

TOGETHER WITH

Beginning at a point on the West line of the Southeast Quarter of the Southeast Quarter of Section 7, Township 27, Range 22, said point being 582 feet North of the Southwest corner of said Southeast Quarter of Southeast Quarter; thence North along the West line of said Southeast Quarter of Southeast Quarter a distance of 732.38 feet to the Northwest corner of said Southeast Quarter of Southeast; thence East along the North line of said Southeast Quarter of Southeast a distance of 380 feet; thence South and parallel with the West line of said Southeast Quarter of Southeast Quarter a distance of 607 feet; thence East 200 feet; thence South and parallel with the aforesaid West line of the Southeast Quarter of Southeast Quarter a distance of 234.1 feet; thence North 79 degrees 30 minutes West, 589.9 feet to the point of beginning.

Excepting therefrom the following:

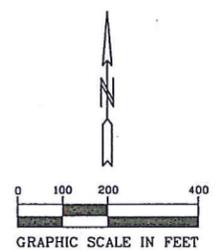
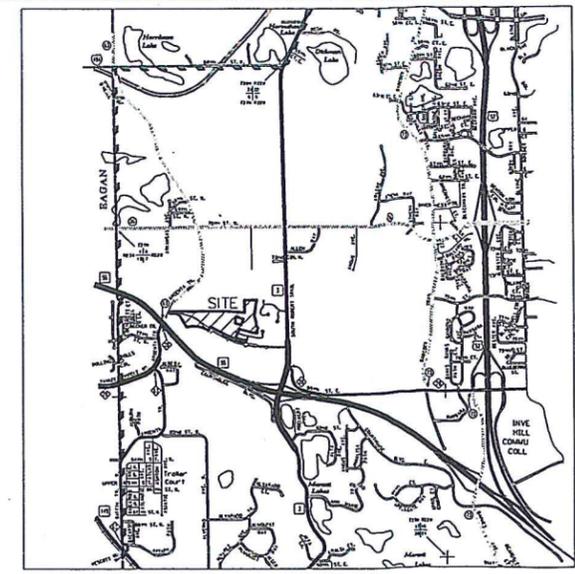
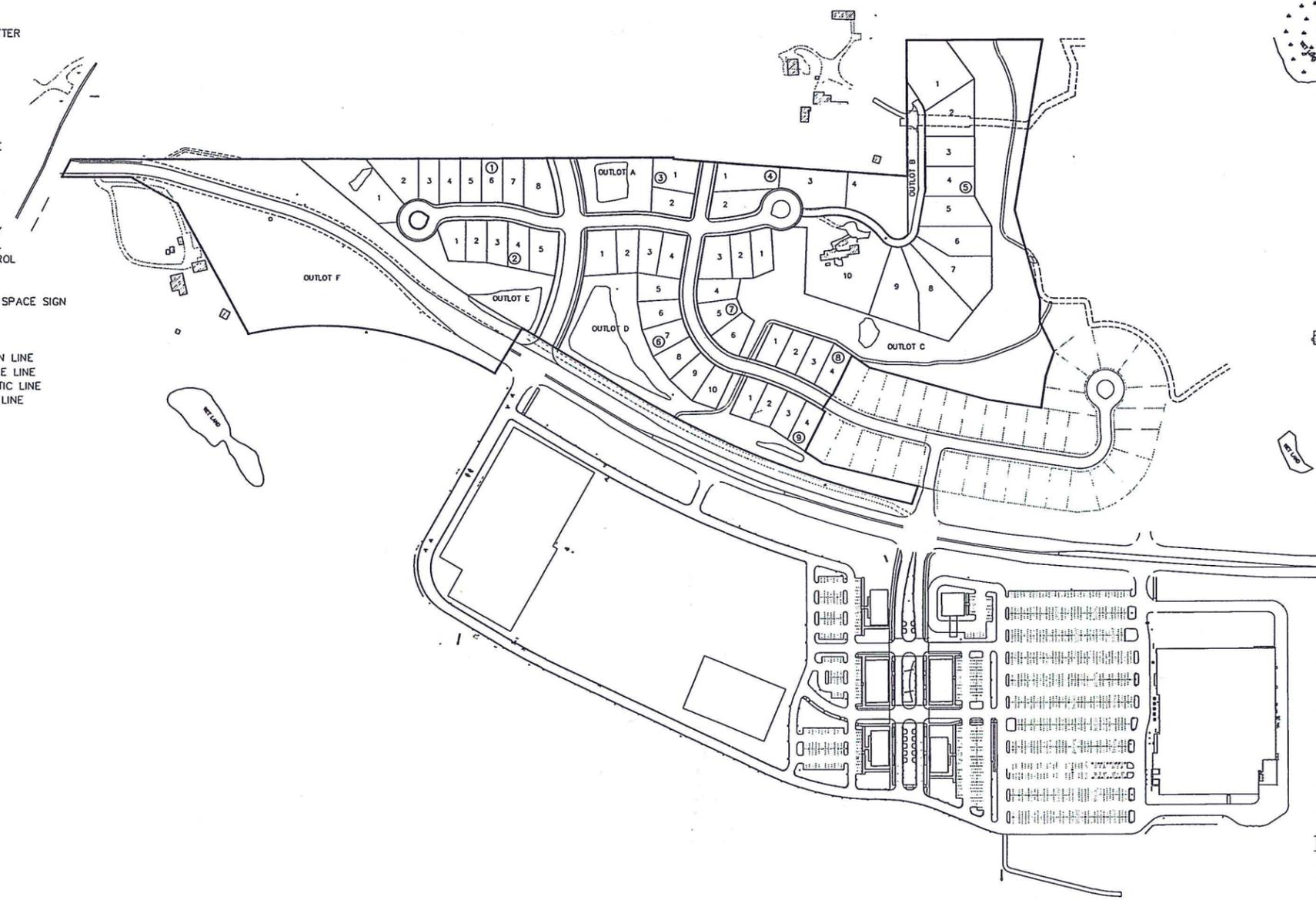
Parcel 308A as shown on Minnesota Department of Transportation Right of Way Plat No. 19-122 acquired by the State of Minnesota in Final Certificate dated November 13, 1996, recorded February 3, 1997, as Document No. 1403330.

~~2. Phase I Final Planned Unit Development Legal Description (Development Tract):
All that part of the south half of Section 7, Township 27, Range 22, Dakota County, Minnesota described as follows:
Commencing at the southeast corner of said Section 7, said southeast corner also being the southeast corner of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 19-122, according to the recorded plat thereof; thence North 00 degrees 18~~

LEGEND

EXISTING	PROPOSED	FUTURE	DESCRIPTION
●	○	○	SANITARY MANHOLE
—	—	—	EXISTING SANITARY SEWER
—	—	—	PROPOSED SANITARY SEWER
—	—	—	FUTURE SANITARY SEWER
⊗	⊗	⊗	HYDRANT
⊗	⊗	⊗	GATE VALVE
▽	▽	▽	REDUCER
—	—	—	EXISTING WATERMAIN
—	—	—	PROPOSED WATERMAIN
—	—	—	FUTURE WATERMAIN
□	□	□	CATCH BASIN
⊙	⊙	⊙	BEEHIVE
⊙	⊙	⊙	STORM MANHOLE
—	—	—	FLARED END SECTION
⊙	⊙	⊙	CONTROL STRUCTURE
—	—	—	EXISTING STORM SEWER
—	—	—	PROPOSED STORM SEWER
—	—	—	FUTURE STORM SEWER
—	—	—	SURMOUNTABLE CURB & GUTTER
—	—	—	B-STYLE CURB & GUTTER
—	—	—	RIBBON CURB & GUTTER
—	—	—	PHASE LINE
—	—	—	EASEMENT LINE
—	—	—	EXISTING 2' CONTOUR LINE
—	—	—	EXISTING 10' CONTOUR LINE
—	—	—	PROPOSED 2' CONTOUR LINE
—	—	—	PROPOSED 10' CONTOUR LINE
—	—	—	OUTLET 287.0
—	—	—	HW=899.2
—	—	—	POND OUTLET LINE
—	—	—	INVER GROVE HEIGHTS OPEN SPACE SIGN
—	—	—	WETLAND BUFFER SIGN
—	—	—	EX. CULVERT
—	—	—	EX. OVERHEAD UTILITY LINES
—	—	—	EX. UNDERGROUND TELEVISION LINE
—	—	—	EX. UNDERGROUND TELEPHONE LINE
—	—	—	EX. UNDERGROUND FIBER OPTIC LINE
—	—	—	EX. UNDERGROUND ELECTRIC LINE
—	—	—	EX. UNDERGROUND GAS LINE
—	—	—	EX. FENCE (BARBED WIRE)
—	—	—	EX. FENCE (CHAIN LINK)
—	—	—	EX. FENCE (WOOD)
—	—	—	EX. CAST IRON MONUMENT
—	—	—	EX. ELECTRIC BOX
—	—	—	EX. FLAG POLE
—	—	—	EX. NATURAL GAS METER
—	—	—	EX. HAND HOLE
—	—	—	EX. FOUND IRON PIPE
—	—	—	EX. JUDICIAL LAND MARK
—	—	—	EX. LIGHT POLE
—	—	—	EX. PK NAIL
—	—	—	EX. UTILITY POLE
—	—	—	EX. LAWN SPRINKLER VALVE
—	—	—	EX. LAWN SPRINKLER HEAD
—	—	—	EX. SEMAPHORE
—	—	—	EX. SERVICE
—	—	—	EX. TELEPHONE BOX
—	—	—	EX. TEST HOLE
—	—	—	EX. TELEVISION BOX
—	—	—	EX. WATER WELL
—	—	—	EX. MONITORING WELL
—	—	—	EX. MAILBOX
—	—	—	EX. CONTROL POINT
—	—	—	EX. SPIKE
—	—	—	EX. SIGN
—	—	—	EX. CLEANOUT
—	—	—	EX. SIGNIFICANT TREE
—	—	—	EX. TREE LINE
—	—	—	EX. GRAVEL SURFACE
—	—	—	EX. BITUMINOUS SURFACE
—	—	—	EX. CONCRETE SURFACE
—	—	—	SELECT BACKFILL MATERIAL
—	—	—	GRAVEL CONST. ENTRANCE

ARGENTA HILLS 8TH ADDITION PRELIMINARY PLAT INVER GROVE HEIGHTS, MINNESOTA



SHEET INDEX

1. COVER
2. EXISTING CONDITIONS
3. PRELIMINARY PLAT
- 4-6. PRELIMINARY GRADING PLAN
- 7-9. PRELIMINARY EROSION CONTROL PLAN
10. GRADING DETAILS
11. EROSION CONTROL DETAILS
- 12-14. PRELIMINARY UTILITY/ SITE PLAN

PRINTED

JUL 10 2013

PIONEER
ENGINEERING, P.A.

BENCH MARK
T.M. EAST SIDE OF HWY. 3, APPROX.
1450 FT. NORTH OF AMANA TRAIL
ELEV=871.46



2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
Name: Brian N. Molinaro
Reg. No. 47504 Date: 5-22-2013

Revisions: 1. 7-10-2013 CITY PLANNING COMMENTS
Date: 5-22-2013
Designed: BNMP/C
Drawn: BNMAKAW

COVER SHEET

160 INVESTMENTS, LLC
16972 BRANDTIEN PARK DR.
LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 8TH ADDITION
INVER GROVE HEIGHTS, MINNESOTA

1 OF 14

DESAH ARGENTA TRAIL NO. 53 57

GAS PIPELINE EASEMENT PER DOC. NO. 655

NORTHERN STATES POWER COMPANY ELECTRIC TRANSMISSION EASEMENT OVER ALL OF THE NE 1/4 OF THE SW 1/4 OF SEC. 7, TWP. 27, RGE 22 PER DOC. NOS. 166022 AND 166251.

DRAINAGE AND UTILITY EASEMENT

DRAINAGE AND UTILITY EASEMENT OVER ALL OF OUTLOT B

DRAINAGE AND UTILITY EASEMENT OVER ALL OF OUTLOT C

AMANA TRAIL (FUTURE COUNTY ROAD NO. 28)

ARGENTA HILLS 2ND ADDITION

ARGENTA HILLS 5TH ADDITION

ARGENTA HILLS 8TH ADDITION

Legal description for Preliminary Plat purposes only.

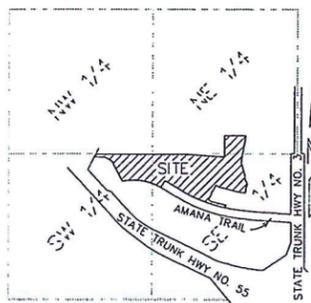
Outlot F, ARGENTA HILLS, according to the recorded plat thereof, Dakota County, Minnesota. Except that part thereof platted as ARGENTA HILLS 2ND ADDITION and ARGENTA HILLS 5TH ADDITION, according to the recorded plats thereof, said Dakota County.

Together with:

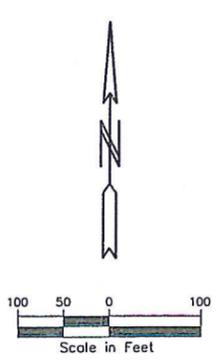
Outlot B, said ARGENTA HILLS 5TH ADDITION and Outlot A, ARGENTA HILLS 7TH ADDITION, according to the recorded plat thereof said Dakota County.

Together with:

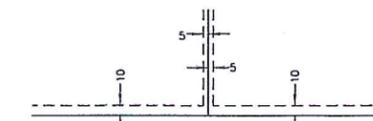
All that part of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota, described as follows: Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter; thence on an assumed bearing of South 00 degrees 22 minutes 51 seconds East, along the easterly line of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter, for 256.29 feet; thence South 89 degrees 37 minutes 09 seconds West 46.94 feet to the actual point of beginning; thence South 18 degrees 25 minutes 35 seconds West for 203.64 feet; thence North 71 degrees 34 minutes 25 seconds West for 191.01 feet; thence North 01 degrees 59 minutes 28 seconds East for 187.96 feet; thence South 88 degrees 00 minutes 32 seconds East for 41.03 feet; thence easterly for 56.66 feet along a tangential curve concave to the south, radius 213.00 feet and central angle 15 degrees 14 minutes 32 seconds; thence South 72 degrees 46 minutes 00 seconds East, tangent to said curve, for 149.04 feet to the point of beginning.



SECTIONS 7, TWP. 27, RGE. 22 LOCATION MAP NO SCALE



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



being 5 feet in width, and adjoining lot lines unless otherwise indicated, and 10 feet in width and adjoining street lines and rear lot lines unless otherwise indicated on the plat.

TOTAL AREA	36.7468 ACRES
TOTAL LOT AREA	14.2997 ACRES
NUMBER OF LOTS	53
LARGEST LOT	52,169 SQ. FT.
SMALLEST LOT	7,009 SQ. FT.
AVERAGE LOT	11,753 SQ. FT.
TOTAL OUTLOT AREA	18.9484 ACRES
NUMBER OF OUTLOTS	6
TOTAL RIGHT OF WAY AREA	3.4987 ACRES
GROSS DENSITY (EXCLUDES OUTLOTS)	2.9778 LOTS/ACRES
NET DENSITY (EXCLUDES OUTLOTS & R/W)	3.7064 LOTS/ACRES
PROPOSED ZONING	DF
EXISTING ZONING	DF
UTILITIES	AVAILABLE

PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
2422 Enterprise Drive
Mendota Heights, MN 55120
(651) 681-1914
Fax: 681-9488
www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor under the laws of the State of Minnesota.
Name: Peter J. Hawkins
Reg. No. 42299 Date 05-17-2013

Revisions: 1, 7-10-2013 CITY PLANNING COMMENTS

Date: 7-10-2013
Designed: NAPRAW
Drawn: NIK/MDP

PRELIMINARY PLAT

160 INVESTMENTS, LLC
16972 BRANDTIEN FARM DR.
LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 8TH ADDITION
INVER GROVE HEIGHTS, MINNESOTA

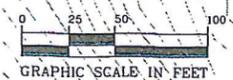


INF 1400
 OUTLET=921.6
 HWL=922.0
 WET VOL.=0.00 AC*FT
 STOR. VOL.=0.116 AC*FT

6' CONC. SIDEWALK
 (TYP.)

OUTLOT E
 INF 1500
 OUTLET=888.8
 HWL=889.2
 WET VOL.=0.000 AC*FT
 STOR. VOL.=0.451 AC*FT

INF 1510
 OUTLET=888.8
 HWL=889.7
 WET VOL.=0.000 AC*FT
 STOR. VOL.=1.295 AC*FT



PIONEER Engineering
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 Fax: 681-9488
 www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Name: Brian N. Molinaro
 Reg. No.: 47504
 Date: 5-22-2013

Revisions
 1, 7-10-2013 CITY PLANNING COMMENTS

Date: 5-22-2013
 Designed: BNM/BJC
 Drawn: BNM/KAW

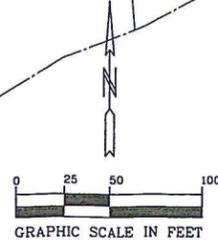
PRELIMINARY GRADING PLAN

160 INVESTMENTS, LLC
 1672 BRANDTJEN PARK DR
 LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 8TH ADDITION
 INVER GROVE HEIGHTS, MINNESOTA

4 OF 14

BENCH MARK
 1/4 MI EAST SIDE OF HWY. 3, APPROX.
 1450 FT. NORTH OF AMANA TRAIL
 ELEV.=871.46
 00-ENG-112005-SHEET-GRAD



50
 =908.5
 39.4
 L=0.000 AC FT
 VOL=1.045 AC FT
 06.0

INF: 405
 OUTLET=877.0
 HWL=877.2
 WET VOL=0.000 AC FT
 STOR: VOL=0.364 AC FT

BENCH MARK
 1450 FT. NORTH OF AMANA TRAIL
 ELEV=871.45

PIONEEREngineering
 CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

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 Name: Brian N. Molinaro
 Reg. No.: 47504 Date: 5-22-2013

Revisions
 1. 7-10-2013 CITY PLANNING COMMENTS

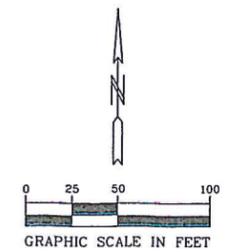
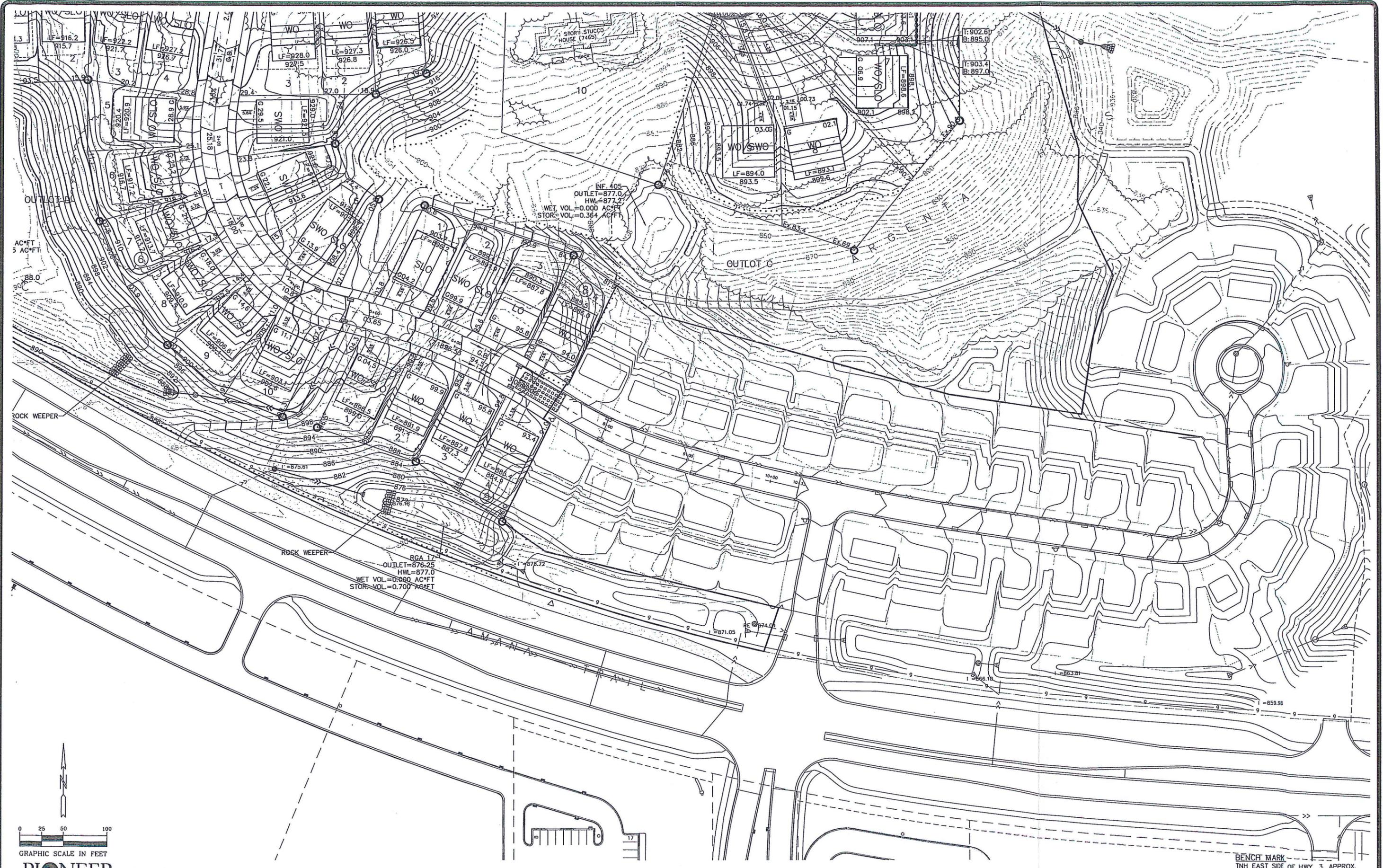
Date: 5-22-2013
 Designed: BNM/PC
 Drawn: BNM/RAW

PRELIMINARY GRADING PLAN

160 INVESTMENTS, LLC
 16972 BRANDTIEN PARK DR.
 LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 8TH ADDITION
 INVER GROVE HEIGHTS, MINNESOTA

5 OF 14



PIONEERengineering
 CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS

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 Name: Brian N. Molinaro
 Reg. No. 47504 Date: 5-22-2013

Revisions
 1. 7-10-2013 CITY PLANNING COMMENTS

Date: 5-22-2013
 Designed: ENMPJC
 Drawn: ENMKAW

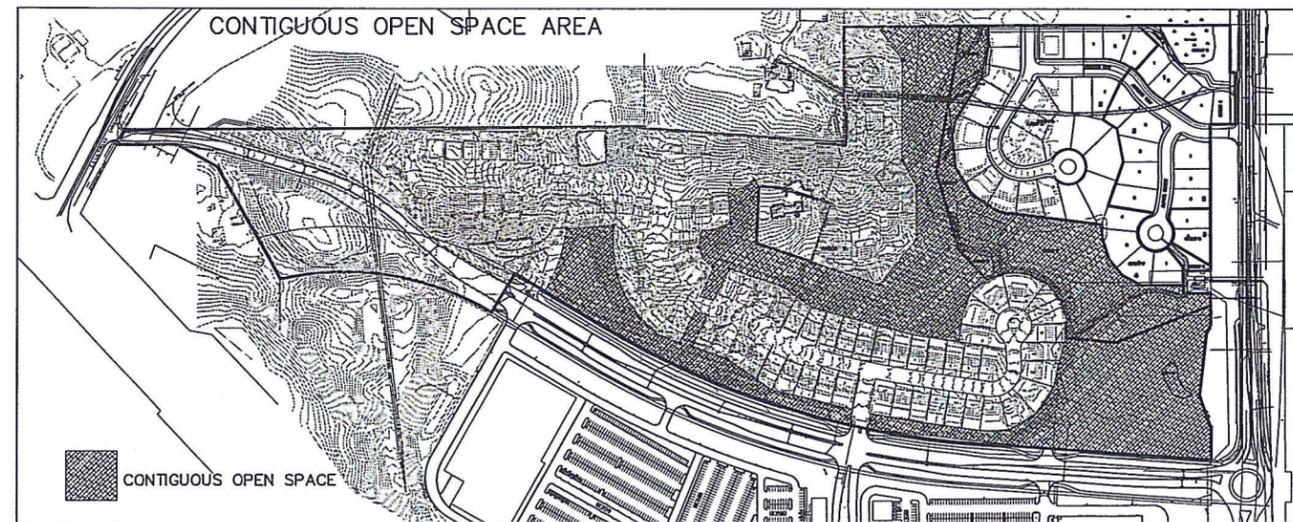
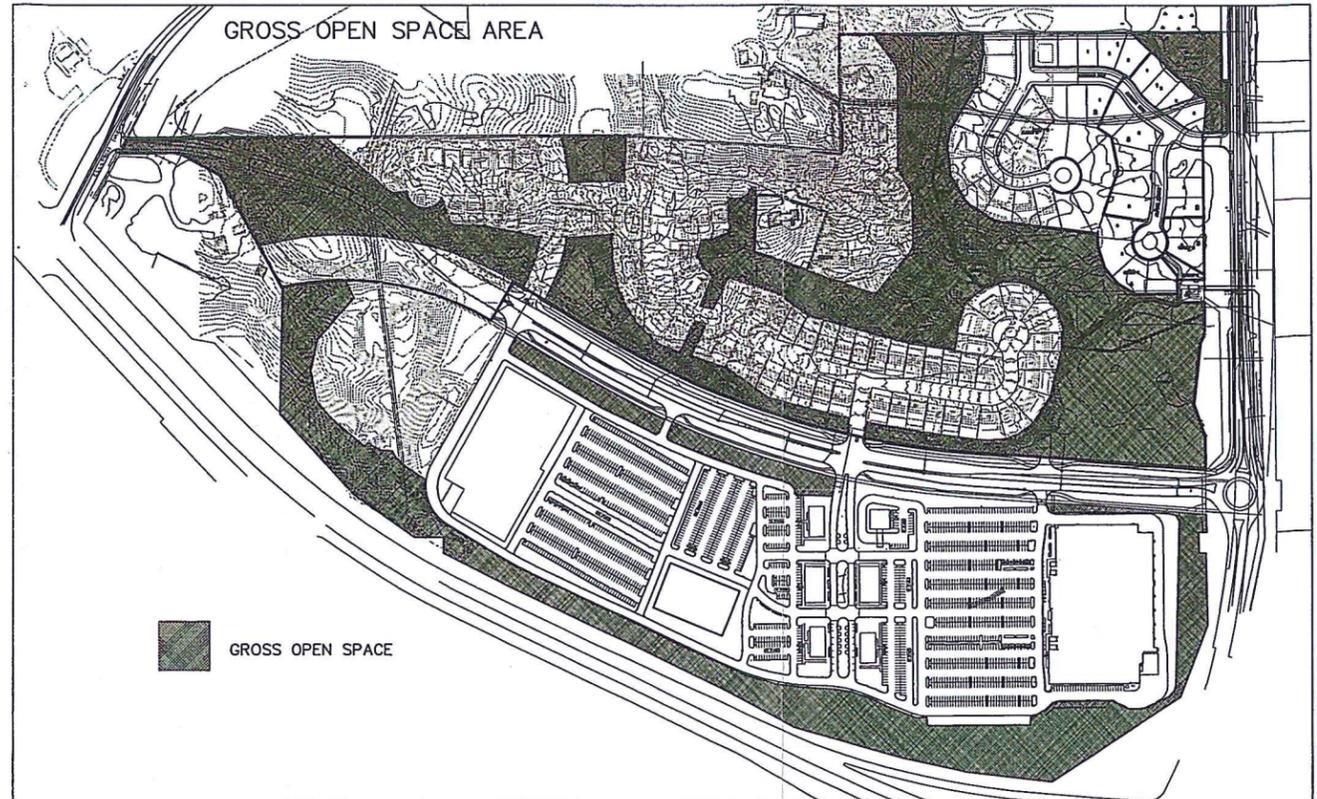
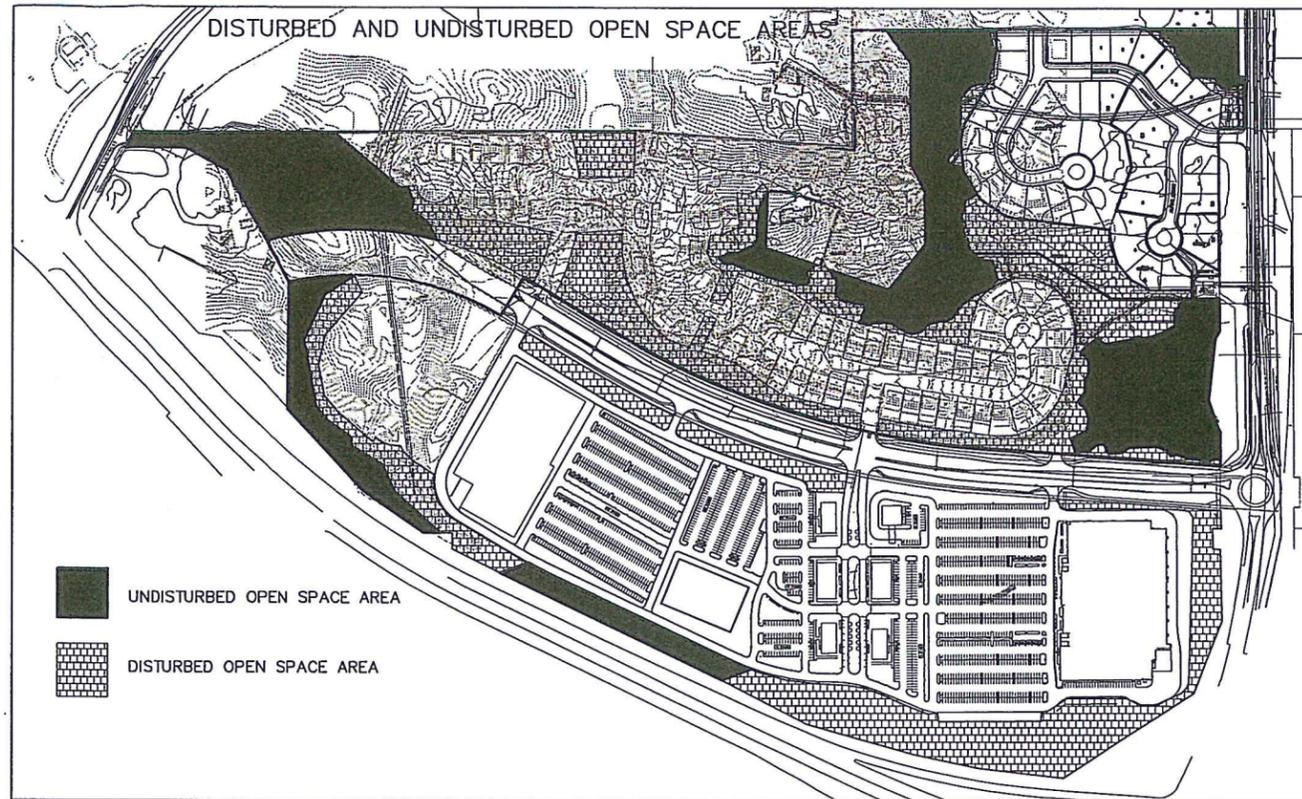
PRELIMINARY GRADING PLAN

160 INVESTMENTS, LLC
 1672 BRANDTJEN PARK DR.
 LAKEVILLE, MINNESOTA, 55044

ARGENTA HILLS 8TH ADDITION
 INVER GROVE HEIGHTS, MINNESOTA

6 OF 14

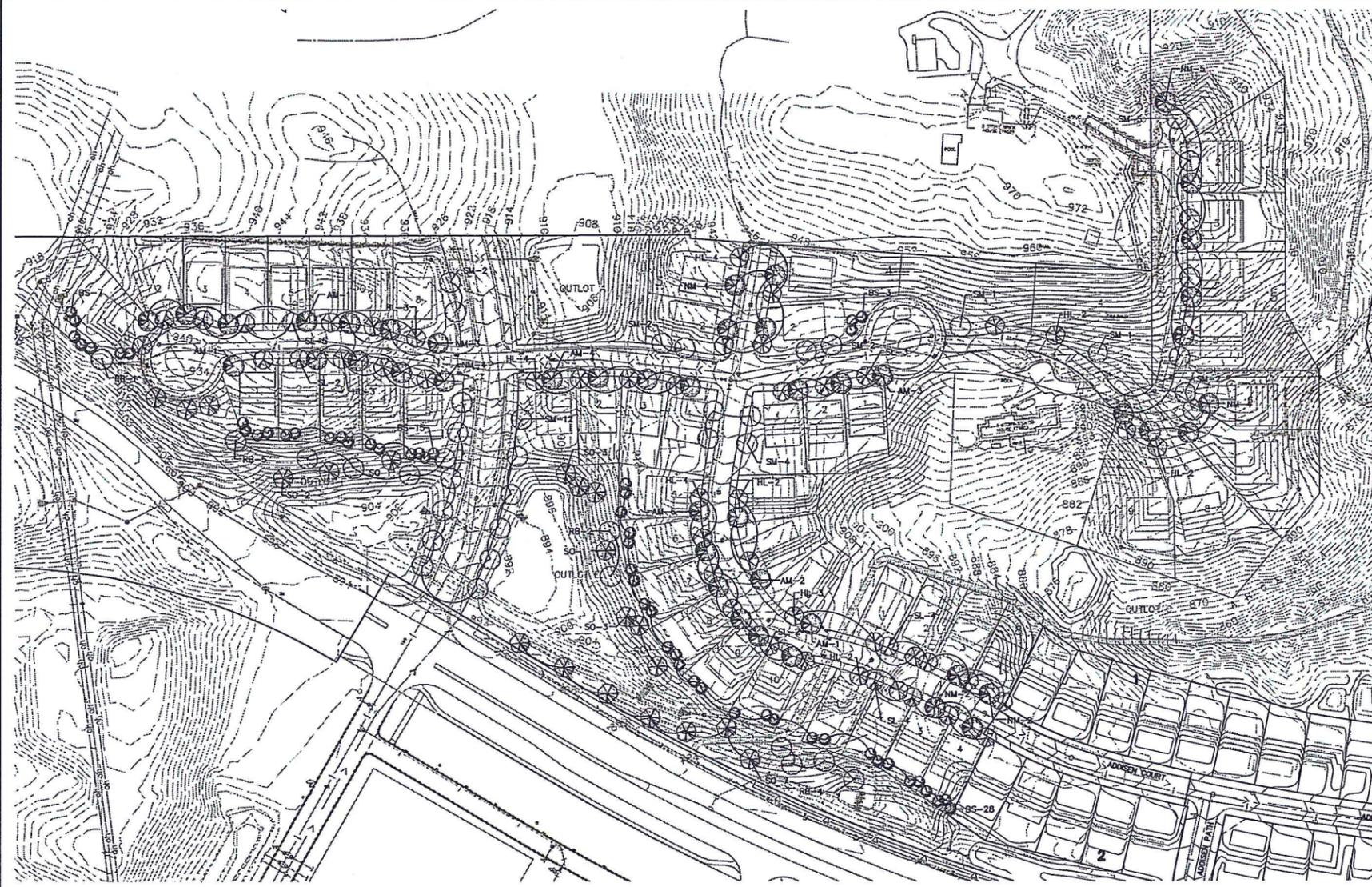
BENCH MARK
 1450 FT. NORTH OF AMANA TRAIL
 ELEV=871.46
 00-ENG-112005-SHEET-GRAD



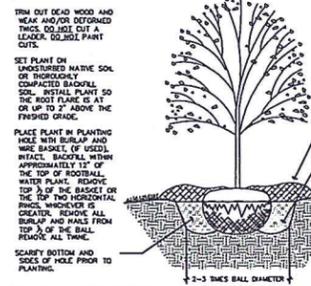
OPEN SPACE TYPES	REQUIRED ACRES**	PROPOSED ACRES 2007	PROPOSED ACRES 2010	PROPOSED ACRES JULY 9, 2012	PROPOSED ACRES JULY 10, 2013
GROSS OPEN SPACE	24.2	43.7***	42.7	40.4	40.6
UNDISTURBED OPEN SPACE	12.1	19.6	21.1	18.9	18.2
DISTURBED OPEN SPACE		23.6	21.4	21.5	22.4
CONTIGUOUS OPEN SPACE	18.2	18.9	20.4	18.2	19.9
COMMERCIAL OPEN SPACE (NUMBERS BELOW ARE INCLUDED IN TOTALS ABOVE)					
GROSS OPEN SPACE		13.1	13.1	13.1	13.1
UNDISTURBED OPEN SPACE		3.2	3.2	3.2	3.2
DISTURBED OPEN SPACE		9.9	9.9	9.9	9.9

**REQUIRED ACRES TAKEN FROM PREVIOUSLY APPROVED DEVELOPMENT PLANS

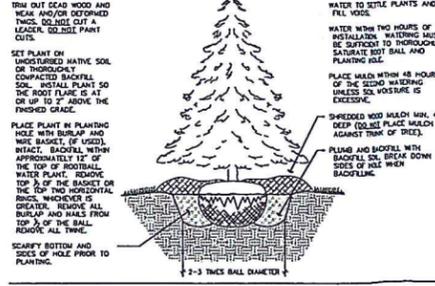
***PREVIOUSLY APPROVED OPEN SPACE PLANS SHOW 45.5 ACRES PROPOSED GROSS OPEN SPACE AREA. 1.8 ACRES OF UNDISTURBED PRIVATE OPEN SPACE HAVE BEEN SUBTRACTED FROM THIS NUMBER AS IT IS UNREQUIRED DATA.



DECIDUOUS TREE PLANTING DETAIL



CONIFEROUS TREE PLANTING DETAIL

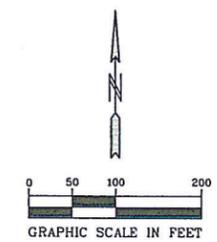


LANDSCAPE NOTES

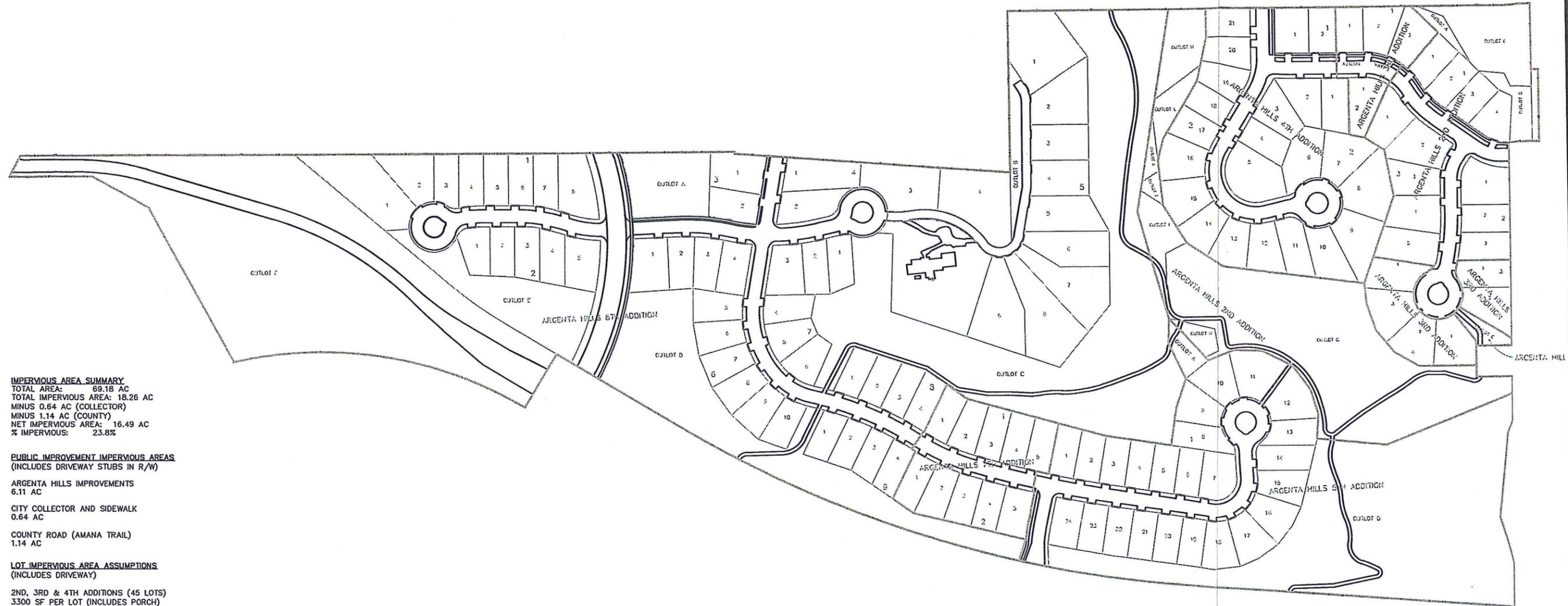
- THE LANDSCAPE CONTRACTOR SHALL VISIT THE PROJECT SITE TO BECOME FAMILIAR WITH THE EXISTING CONDITIONS PRIOR TO SUBMITTING A BID.
- THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF PROPOSED PHYSICAL START DATE AT LEAST 7 DAYS IN ADVANCE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FIELD VERIFICATION OF ALL EXISTING UTILITY LOCATIONS ON THE PROJECT SITE WITH Gopher State One Call 1-800-252-1168 PRIOR TO COMMENCING WORK. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF EXISTING UTILITIES DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS TO FACILITATE PLANT RELOCATION.
- GRADING TO BE PERFORMED BY OTHERS.
- NO PLANT MATERIAL SHALL BE INSTALLED UNTIL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- ALL PLANT MATERIAL SHALL MEET THE STANDARDS FOUND IN THE AMERICAN ASSOCIATION OF NURSERYMEN-AMERICAN STANDARD FOR NURSERY STOCK.
- ALL CONTAINER MATERIAL TO BE CROWN IN THE CONTAINER A MINIMUM OF SIX (6) MONTHS PRIOR TO PLANTING ON SITE.
- DECIDUOUS AND CONIFEROUS TREES SHALL NOT BE STAKED, BUT THE LANDSCAPE CONTRACTOR MUST GUARANTEE STABILITY TO A WIND SPEED OF 60 M.P.H.
- THE LANDSCAPE CONTRACTOR SHALL PROVIDE A MINIMUM GUARANTEE OF ONE YEAR ONE REPLACEMENT ON NEW PLANT MATERIALS. GUARANTEE SHALL BE AGREED UPON BY DEVELOPER/BUILDER AND LANDSCAPE CONTRACTOR.
- THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING OR AFTER INSTALLATION.
- IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER SHOWN ON THE PLANT LIST, THE NUMBER SHOWN ON THE PLAN WILL TAKE PRECEDENCE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MULCHES AND PLANTING SOIL QUANTITIES TO COMPLETE WORK SHOWN ON THE PLAN. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THE PLANT SCHEDULE.
- COMMERCIAL GRADE POLY LAWN EDGING SHALL BE INSTALLED WHERE NOTED.
- THE LANDSCAPE CONTRACTOR SHALL REPAIR ALL DAMAGE TO THE SITE CAUSED BY THE PLANTING OPERATION AT NO COST TO THE OWNER.
- THE LANDSCAPE CONTRACTOR SHALL KEEP PAVEMENTS CLEAN UNSTAINED. ALL PEDESTRIAN AND VEHICLE ACCESS TO BE MAINTAINED THROUGHOUT CONSTRUCTION PERIOD. ALL WASTES SHALL BE PROMPTLY REMOVED FROM THE SITE. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS AND PERMITS GOVERNING THE WORK.
- STORAGE OF MATERIALS OR SUPPLIES ON-SITE WILL NOT BE ALLOWED.

KEY	COMMON NAME/SCIENTIFIC NAME	ROOT	QUANTITY
OVERSTORY TREES			
AM	AUTUMN BLAZE MAPLE/ACER X FREEMANII 'AUTUMN BLAZE'	3" B&B	23
HL	THORNLESS HONEYLOCUST/GLEDITSIA TRIACANTHOS INERMIS	3" B&B	29
NM	NORTHWOODS MAPLE/ACER RUBRUM 'NORTHWOODS'	3" B&B	22
RB	RIVER BIRCH/BETULA NIGRA 'HERITAGE' (CLUMP)	12" B&B	12
SL	SENTRY LINDEN/TILIA AMERICANA 'SENTRY'	3" B&B	20
SG	SIENNA GLEN MAPLE/MAPLE X FREEMANII 'SIENNA GLEN'	3" B&B	31
SO	SWAMP WHITE OAK/QUERCUS BICOLOR	3" B&B	20
EVERGREEN TREES			
BS	BLACK HILLS SPRUCE/PICEA GLAUCA DENSATA	8" B&B	53

TREE MITIGATION NOTES:
 PROPOSED TREE MITIGATION INCHES: 709.5 CALIPER INCHES (157 DECIDUOUS TREES AT 3" AND 53 CONIFEROUS TREES AT 4.5").
 EACH 8' CONIFER COUNTS AS 4.5 CALIPER INCHES AS PER CITY ORDINANCE (2.5" FOR FIRST 6' IN HEIGHT, 1" FOR EACH FOOT THEREAFTER).



ARGENTA HILLS IMPERVIOUS EXHIBIT INVER GROVE HEIGHTS, MINNESOTA



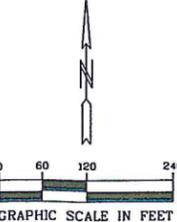
IMPERVIOUS AREA SUMMARY
 TOTAL AREA: 69.18 AC
 TOTAL IMPERVIOUS AREA: 18.26 AC
 MINUS 0.64 AC (COLLECTOR)
 MINUS 1.14 AC (COUNTY)
 NET IMPERVIOUS AREA: 16.49 AC
 % IMPERVIOUS: 23.8%

PUBLIC IMPROVEMENT IMPERVIOUS AREAS
 (INCLUDES DRIVEWAY STUBS IN R/W)

ARGENTA HILLS IMPROVEMENTS
 6.11 AC
 CITY COLLECTOR AND SIDEWALK
 0.64 AC
 COUNTY ROAD (AMANA TRAIL)
 1.14 AC

LOT IMPERVIOUS AREA ASSUMPTIONS
 (INCLUDES DRIVEWAY)

2ND, 3RD & 4TH ADDITIONS (45 LOTS)
 3300 SF PER LOT (INCLUDES PORCH)
 5TH ADDITION (24 LOTS)
 3300 SF PER LOT (INCLUDES PORCH)
 7TH ADDITION (10 LOTS)
 3300 SF PER LOT (INCLUDES PORCH)
 8TH ADDITION SMALL FOOTPRINT LOTS (43 LOTS)
 3300 SF PER LOT (INCLUDES PORCH)
 8TH ADDITION LARGE FOOTPRINT LOTS (9 LOTS)
 5500 SF PER LOT (INCLUDES PORCH)



PIONEERengineering

CIVIL ENGINEERS LANDSCAPE ARCHITECTS
 2422 Enterprise Drive
 Mendota Heights, MN 55120
 (651) 681-1914
 Fax: 681-9488
 www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota
 Name: Brian N. Molinaro
 Reg. No. 47501 Date: 5-22-2013

Revisions:
 1. 7-10-2013 CITY PLANNING COMMENTS

Date: 5-22-2013
 Designed: BNM/PC
 Drawn: BNM/KAJ

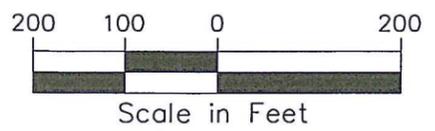
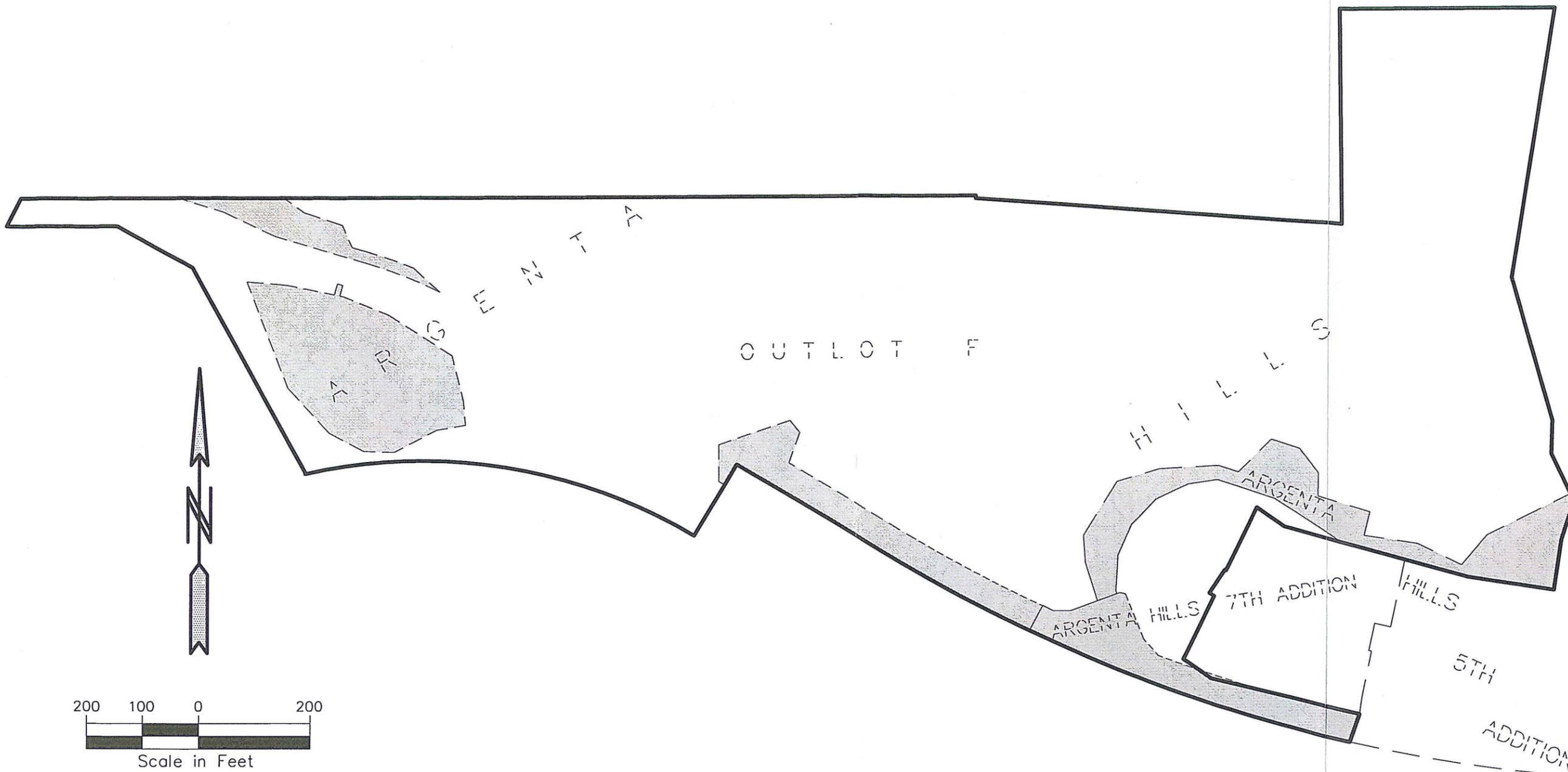
IMPERVIOUS EXHIBIT

160 INVESTMENTS, LLC
 16972 BRANDTJEN FARM DR.
 LAKEVILLE, MINNESOTA 55044

ARGENTA HILLS 8TH ADDITION
 INVER GROVE HEIGHTS, MINNESOTA

1 OF 1

BENCH MARK
 1/4" EAST SIDE OF HWY. 3, APPROX.
 1450 FT. NORTH OF AMANA TRAIL.
 ELEV=871.46 (BASED ON DATUM: IMPERVIOUS)



PROPOSED DESCRIPTION TO VACATE DRAINAGE AND UTILITY EASEMENTS

All drainage and utility easements lying over, under and across Outlot A, ARGENTA HILLS 7TH ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, as delineated and dedicated on said ARGENTA HILLS 7TH ADDITION and as delineated and dedicated on ARGENTA HILLS, according to the recorded plat thereof, said Dakota County.

Together with:

All drainage and utility easements lying over, under and across Outlot B, ARGENTA HILLS 5TH ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, as delineated and dedicated on said ARGENTA HILLS 5TH ADDITION.

Together with:

All drainage and utility easements lying over, under and across Outlot F, ARGENTA HILLS, according to the recorded plat thereof, Dakota County, Minnesota, as delineated and dedicated on said ARGENTA HILLS. Except that part of said Outlot F, platted as ARGENTA HILLS 2ND ADDITION and ARGENTA HILLS 5TH ADDITION, according to the recorded plats thereof, said Dakota County.

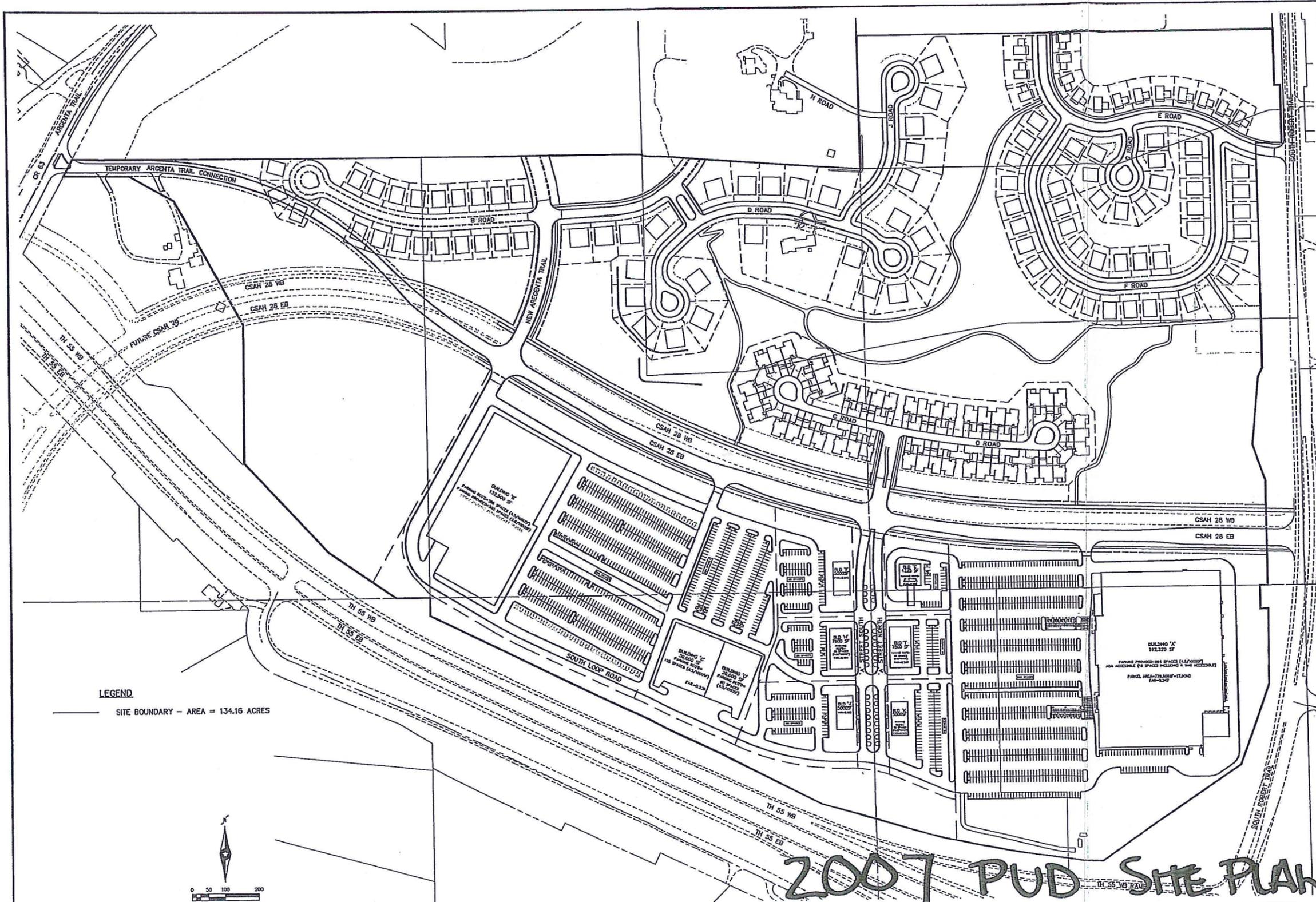
* THIS LEGAL DESCRIPTION SHALL BECOME VALID UPON RECORDING THE PLAT OF ARGENTA HILLS 7TH ADDITION.

* THIS SKETCH DOES NOT PURPORT TO SHOW THE EXISTENCE OR NONEXISTENCE OF ANY ENCROACHMENTS FROM OR ONTO THE HEREON DESCRIBED LAND, EASEMENTS OF RECORD OR UNRECORDED EASEMENTS WHICH AFFECT SAID LAND OR ANY IMPROVEMENTS TO SAID LAND.

Description Sketch for:
Tradition Development

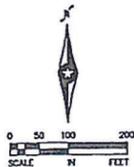
112005-Easement - Vacation
Sketch
Cad File: 7399
Folder #: 7399
Drawn by: mdp

PIONEERengineering
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2422 Enterprise Drive
Mendota Heights, MN 55120
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Fax: 681-9488
www.pioneereng.com



LEGEND

— SITE BOUNDARY - AREA = 134.16 ACRES



2007 PUD SITE PLAN

DEVELOPER
MGT DEVELOPMENT, INC.

DESIGN FILE:	REV. NO.	BY	DATE	REVISIONS DESCRIPTION
31609970				
DRAWN BY: RMC	DESIGN BY: RMC			
CHKD. BY: T.J.	CHK. NAME: [unclear]			
DATE: 06/07/2007				



Thresh Square
100 Third Street South
Inver Grove Heights, MN 55448
612.310.0100 Tel
612.310.0118 Fax

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

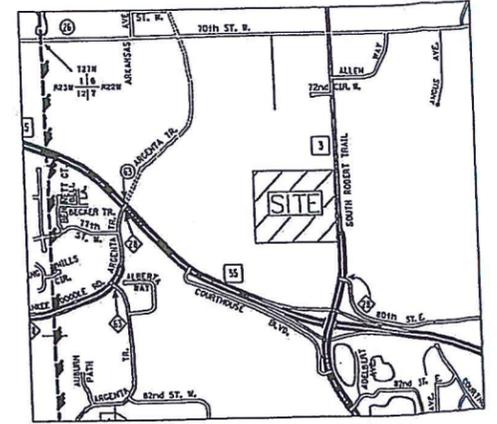
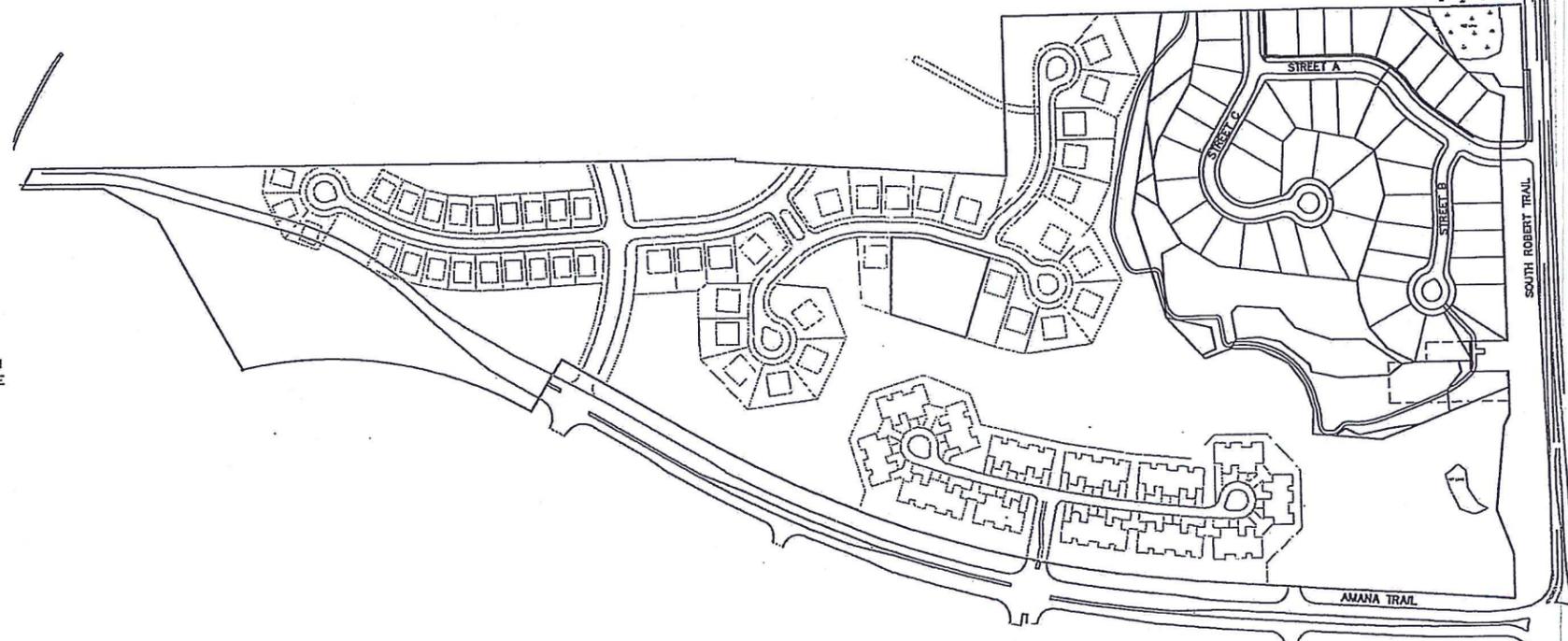
DATE: _____ MPR. LIC. NO. _____

ARGENTA HILLS
SITE LAYOUT PLAN
INVER GROVE HEIGHTS, MN

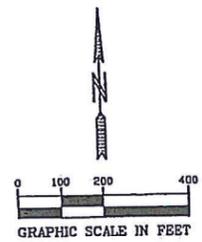
CITY PROJECT	XXXXX	SHEET NO.
COUNTY PROJECT	XXXXX	1
S.P.	XXXXX	
S.A.P.	XXXXX	1

ARGENTA HILLS PRELIMINARY PLAT/PUD AMENDMENT INVER GROVE HEIGHTS, MINNESOTA

EXISTING	PROPOSED	DESCRIPTION
		HYDRANT(S)
		GATE VALVE(S)
		REDUCER(S)
		EXISTING WATERMAIN
		PROPOSED WATERMAIN
		FUTURE WATERMAIN
		SANITARY MANHOLE(S)
		EXISTING SANITARY SEWER
		PROPOSED SANITARY SEWER
		FUTURE SANITARY SEWER
		CATCH BASIN
		MANHOLE
		FLARED END
		BEEHIVE
		EXISTING STORM SEWER
		PROPOSED STORM SEWER
		FUTURE STORM SEWER
		EXISTING 2' CONTOUR LINE
		EXISTING 10' CONTOUR LINE
		PROPOSED 2' CONTOUR LINE
		PROPOSED 10' CONTOUR LINE
		POND OUTLET LINE
		POND HIGH WATER LINE
		PROPOSED SPOT ELEVATION
		EMERGENCY OVERFLOW
		DELINEATED WETLAND LINE
		PROPOSED/EX. RET WALLS
		EROSION CONTROL FENCE
		EASEMENT LINE
		GRAVEL SURFACE
		BITUMINOUS SURFACE
		CONCRETE SURFACE
		EX. SERVICE
		EX. LAWN SPRINKLER VALVE
		EX. LAWN SPRINKLER HEAD
		EX. WATER WELL
		EX. CULVERT
		EX. TREE LINE
		EX. MAJOR TREE
		EX. OVERHEAD UTILITY LINES
		EX. UNDERGROUND TELEVISION
		EX. UNDERGROUND TELEPHONE
		EX. FIBER OPTIC LINE
		EX. ELECTRIC LINE
		EX. UNDERGROUND GAS
		EX. FENCE LINE
		EX. ELECTRIC BOX
		EX. ELECTRIC BOX
		EX. MONITORING WELL
		EX. TELEPHONE BOX
		EX. TELEVISION BOX
		EX. UTILITY POLE
		EX. LIGHT POLE
		EX. TEST HOLE
		EX. MAILBOX
		EX. SIGN
		ROADWAY IMPROVEMENTS
		BITUMINOUS PATH
		CURB LINE
		CONCRETE WALK
		RIGHT-OF-WAY LINE
		SETBACK LINE



LOCATION MAP



SHEET INDEX

- 1. COVER SHEET
- 2. EXISTING CONDITIONS
- 3. PRELIMINARY PLAT
- 4. PRELIMINARY SITE PLAN
- 5. PRELIMINARY GRADING PLAN
- 6. STREET PROFILE
- 7. PHASING PLAN
- 8. DETAILS
- 9. DETAILS
- 10. DETAILS
- 11. DETAILS
- L1. PRELIMINARY LANDSCAPE PLAN
- L2. PRELIMINARY LANDSCAPE PLAN
- L3. OPEN SPACE & TRAIL PLAN
- T1-13. TREE PRESERVATION PLAN

2010 PUD SITE PLAN

PIONEERengineering
CIVIL ENGINEERS LAND PLANNERS LAND SURVEYORS LANDSCAPE ARCHITECTS
 2422 Enterprise Drive
 Mendota Heights, MN 55120
 (651) 681-1914
 Fax: 681-9488
 www.pioneereng.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Name: Paul J. Chene
 Reg. No. 19960 Date: 7-19-10

Revisions:
 Date: 7-19-10
 Design: PJG
 Drawn: JDC

COVER SHEET

IGH INVESTMENTS, LLC
 16972 BRANDTJEN FARM DR.
 LAKEVILLE, MN 55044

ARGENTA HILLS
 INVER GROVE HEIGHTS, MINNESOTA

MEMO
CITY OF INVER GROVE

TO: Allan Hunting, City Planner
FROM: Steve W. Dodge, Assistant City Engineer
DATE: August 1, 2013
SUBJECT: Engineering Preliminary Plan Review
Argenta Hills 8th Addition
Case No. 13-23PUD

The Engineering Division and Emmons & Olivier Resources (EOR) have reviewed the Argenta Hills 8th Addition submittal dated July 10, 2013. The submittals included a preliminary plat; site, grading, utility and erosion control plans; and storm water management report for a 23-acre major site plan review.

1. Attached is EOR's storm water management review. Erosion and meeting water quality treatment standards will be a challenge with this development due to the extreme change in relief.
2. Additional emergency overflow protection/conveyance from this proposed development to Pond SP-17 and adjacent plats shall be taken into consideration for the protection of SP-17 and downstream residents.
3. Amana Trail is a designated arterial roadway and a 150-foot right-of-way (ROW) corridor needs to be shown, protected, and left with appropriate grades to accommodate the future development of the roadway system. Extending the future Amana Trail ROW westerly and along the north side of Outlot F and basin SP-14 impacts Lot 1 Block 1, the cul-de-sac, and the bioretention basin. The plat and design will need to be updated to accommodate the future Amana Trail ROW. Dakota County input is needed.
4. The roadway connecting at Amana Trail is considered a neighborhood collector road and designated as Alverno Avenue in the NW Area Collector Street System Study (CS3). Alverno Avenue should have B6 curb and gutter the entire length, 80-foot right-of-way, a bituminous trail on one side, 6-foot sidewalk on one side, and maximum 6-percent grades. The CS3 depicts Alverno Avenue with a 5% grade and at an elevation of approximately 908. Your proposed road elevation at the plat line is approximately 920. The grades on Alverno Avenue need to be adjusted to follow the CS3.
5. Greenways shall be further reviewed in relation to the affect on this development and connectivity with overall system by the Planning Division. Trail connectivity and needs shall be further reviewed by the Parks and Recreation Division.
6. Local roadway grades shall be maximum 8-percent unless otherwise approved by City Engineer.
7. Provide proposed profiles and roadway alignments extending 200-feet outside of the platted development.
8. The total drainage area for Filtration Basin 1550 should be included in the storm water management report and a preliminary sizing shown so the roadway location is determined to be correct in order to allow the proper space for future ponding needs in the low area.
9. Consider arch pipes or box culverts connecting ponds (SP-15A and 15B) under Alverno Avenue in order to increase connectivity and storage capacity.

10. Additional easement will be required to preserve the sight triangle on the street intersection with Alverno Avenue as a collector road.
11. Provide a plat showing all easements, sewers, grading, ponds, swales and retaining walls. Additional easement may be required as necessary.
12. Backyard drainage swale design will need to incorporate conveying the 100-yr 10-day snow melt for overland flow while protecting from erosion and maintaining freeboard with basements and lowest openings. Additional storm sewer inlet, pipe and emergency overflow system needs to be in place and more stringent to manage steep slopes.
13. Add storm inlets and storm sewer system at intersection with Amana Trail. Alverno Avenue storm sewer system and inlets will be integrated into a curb & gutter system instead of the swale system shown. High capacity inlets may be needed to safely capture and convey the emergency overflow storm water into the storm basins.
14. A 10-foot access and maintenance bench is required around the basins and ponds .
15. Notify City Engineer of storm sewer velocities over 10 feet-per-second in order to discuss additional considerations to protect against displacement, erosion, and scouring as approved by City Engineer.
16. An additional storm water facilities (pond) are required to capture, treat, and convey the proposed private drive area and steep grades. Provide a pond at the inside of the curve (north side) of the private drive.
17. There may be other mechanisms and best management practices available for meeting NW Area storm water standards discussed with developer such as rainwater harvesting and strategically placed roadside bioretention facilities.
18. Emergency Overflows shall be designated on the steep slopes, armored, and provided additional easement.
19. Label Verify that Pond SP-7 (filtration basin 1550) low land area is a wetland or not? Add Pond SP-7 label. Label other ponds with NW Area designations if available.
20. Do not fill in basin at RGA-17. Add retaining wall as necessary to protect existing low area.
21. Review needs to occur addressing future storm water pump station in pond SP-17 with this and future developments.
22. Provide a erosion and sediment control phasing plan, temporary sediment basin sizes and locations, and guidelines for building permanent storm water bioretention facilities.
23. Provide the typical Argenta Hills' cul-de-sac design with internal bioretention basin.
24. Storm sewer outlet velocities shall remain under 6 feet-per-second.
25. The sanitary sewer velocities shall remain under 15 feet-per-second or additional considerations shall be made to protect against displacement, erosion, and scouring as approved by City Engineer.
26. The City is considering the size and depth of sanitary sewer and water main for Alverno Avenue.
27. The private drive along block 4 and 5 should be widened from 20 feet to 28 feet with 50-foot ROW and a temporary or permanent cul-de-sac at the end. The City would like to entertain a discussion on how the area along this roadway will be graded and plated in the future developments. Future connectivity with other roads to the north, west and east should be considered. It is most likely the hill to the north and west sides will be excavated for a future development and lots along this

proposed roadway developed. If approved as a private drive by the City Engineer, Easements are required for access to public utilities and fire truck access turning movements for public safety shall be incorporated into the design as directed by the City Engineer and City Fire Marshall.

28. All retaining walls in easements will require an agreement. All retaining walls four feet and higher will require a separate building permit and submittal requirements with Building Inspections Department. Retaining walls shown on the grading plan shall be construction during the development grading phase. Buffer zones (easements) shall be added above retaining walls to ensure the slopes, swales and turf remains in place while the lots are under construction by builders. An established turf buffer zone will also hold sediment and erosion from leaving lots and adversely impacting downstream facilities and land. All proposed retaining walls need to be outside of ROW.
29. A revised Building Inspections erosion and sediment control exhibit and requirement is necessary for stopping migration of soils in steep slopes from builders and lot owners. One option is to install 10-foot sod turf buffers downstream of site in order to slow and collect migration of sediment in rainfall events.
30. Swales must be designed and shown above retaining walls in order to re-direct flow around wall instead of over wall.
31. Custom Grading Agreements will be required to build lots 3 and 4 of block 4.
32. Slopes steeper than 3:1 need City Engineer approval.
33. Some lots are shown with major grade changes near or on the building pads. City Engineer and Planner to verify if lots are considered buildable. Several are located in Outlot B and private drive area amongst others. Easements will be needed to preserve areas with steep slopes in backyards. Conservation easements may be a consideration in these areas in order to establish native vegetation and protect from disturbance or erosion.
34. Lots below street grade will require approval by City Engineer. Grades need to be more clearly defined to ensure drainage around house and lowest openings. Driveways shall rise 6-inches above the curb flow-line prior to backslope.
35. Outlot B and private drive area back lots are above steep slopes and will require further permanent drainage and erosion control design. Storm water facilities may need to be added and piped downhill. Ditches will need to be added to convey the 100-year 10-day snow melt. Storm water conveyance and steep slope protection shall be taken into consideration to protect the trail and houses below on Auburn Court.
36. Core drill and Install a 12-inch PVC sanitary sewer at 0.25 percent grade starting at the invert of sewer manhole in Amana Trail boulevard near the 969 elevation. Will need to relay sewer and connect to existing manhole. Will need to address connecting to the sewer in future developments from the north by: (a) extending to north and obtaining easement or (b) holding back Alverno Avenue, signing, and getting escrow from developer.
37. Extend a 12-inch DIP water main along Alverno Avenue.
38. Please refer to the pressure zone map to follow watermain needs.
39. An engineering cash escrows will be required, amounts and types (crack seal, seal coat, vegetation escrow, inspection escrow, consultant services, erosion and sediment control, etc.) to be determined. A Letter of Credit for project surety will also be required. The Developer shall provide a cost estimate to the City Engineer to establish the surety amount.
40. Dakota County comments and requirements shall apply. Addisen Avenue extension and connectivity with Argenta Hills 8th addition is being addressed with current plan.

41. Show proposed trail grades within or along development.
42. City Engineer reserves the right to provide further comments and conditions.
43. Various development-related agreements will be prepared by the City Attorney for execution

cc: Scott D. Thureen, Public Works Director
Tom Kaldunski, City Engineer
Jacob Fick, Tradition Homes
Paul Cherne, Pioneer Engineering
Tim Kuntz, City Attorney
Mike Edwards, Senior Engineering Technician

“trading” of storage (SP-8, SP-17, & SP-15) to accomplish the approvals for the A. Hills 2nd Addition (including discussions about if recreated storage was equivalent to natural storage). From the file information reviewed it appears the project should still include the drainage area diversion as previously approved in the 2nd Addition. See attached exhibits for Argenta Hills 2nd Addition submittals - northwest portion.

2. SP-15 – Summary of Regional Storage Volume - Per the Agreement for expansion of regional storage of SP-15 (previously referenced in 6-6-13 EOR Memo) signed as part of Argenta Hills 2nd Addition, there is a deficit of 6.79 AF (4.97 AF due to previous phase fill of SP-15 + 1.82 AF due to drainage boundary shift, discussed above) to be addressed in this phase. There still remains 0.69 AF of storage in SP-15. Therefore the total Regional Storage required for the SP-15 drainage is 7.48 AF (0.69 AF existing + 6.79 AF deficit).
3. SP-15 – Proposed Reconfigured Regional Storage – the proposed Concept Plan shows 1.5 AF in/near the existing location of SP-15 and 4.4 AF in a new location in a natural depression off the site to the north via a berm. This totals 5.9 AF (1.5 AF + 4.4 AF) of regional storage. This appears less than the 7.48 AF needed, so a deficit still exists. The use of the depression in the north part of the site for regional storage, is worth exploring. Currently none of that depression is being used for regional storage on the project property (being used as local infiltration BMP). Off-site facilities, as proposed here, would presumably include a different land owner, so drainage easements or legal agreements should be provided and/or this will need additional discussion.

Comments Related to Unique/Steep Site:

4. Proposed Swales - Use of swales for pretreatment before infiltration BMPs can be a very effective strategy. Swales on steeper slopes, like those shown here in the 8% - 10% range, appear difficult to “fit” within the area next to the road and erosion concerns arise. Swales as shown in the flatter portions of the site are more feasible and appear appropriate. Additional consideration of transitions off of the ribbon curb configuration are needed to avoid blockage of flow at the transition point (ribbon curb to grass) and concentration of the flow along the street edge (given slopes of roads). As shown in the example cross sections, there is not sufficient drop at the curb line nor enough slope in the first section of grass. The curb with curb cut configuration, with stabilization at the curb cuts (not shown), is likely a better fit for this situation.
5. Backyard swales, especially where steep grades transition to yards, tend to be problematic. There should be a construction detail, plus plan sheet notes, showing sufficient slope to contain and convey runoff, protecting homes. Consideration to a home builder verification and sign off process should be included. Design should address sharp turns (90 degree turns) and provide 3% slope and minimum 1’ of separation of homes (grade at building edge) and swale HWL.
6. Off-site drainage needs to be considered and allowances for conveying higher flows through the site should be provided (e.g., Block 3, Lot 1 & Private Drive for Block 5), which could include a storm inlet/CB and/or TRM.
7. Private Drive Area (Block 5) – A BMP should be added at the driveway turn (upstream side). This is needed to address upstream drainage (off-site and on-site) to prevent erosion and risk of overwhelming local drainage conveyance, plus could be utilized for local BMP requirements. Down slope conveyance throughout Block 5 needs to include more conveyance capacity for

overland/EOF conveyance to avoid impacting building lots/homes (e.g., between Lots 6/7). Behind Lots 4/5 there should be protected flow paths in the natural/undisturbed areas and likely add a CB at the trail behind Lot 6. The existing driveway entrance onto the new private drive will likely channel runoff that could go overland causing erosion/lot flooding. There are several lots with steep slopes that appear difficult to fit the site, allow for drainage, and allow for a yard. Lot 1 grades do not appear to connect to existing contours.

8. All local features that convey concentrated flows within the site (swales, EOFs, etc.) should provide formal/pipe capacity to convey the 100-yr flows given the steep topography of the site, close proximity of adjacent homes, and high erodibility. It is suggested that 100-yr flows and EOF conveyance is show explicitly (where/footprint) within the site to ensure home flooding and erosion are addressed.
9. All formalized basins should show how maintenance access is provided for which does not currently appear to be the situation.
10. During final design (since design is still changing), specific strategies for erosion control must be developed to be phased in consistent with build out and will likely include temporary sediment basins.
11. Retaining wall drainage – drainage should be diverted away from flowing over the top of retaining walls. Drainage flow paths should avoid sharp turns when diverting flow away from the wall. A buffer zone of vegetation, such as turf, should be established immediately upon completion of retaining walls to prevent erosion near the wall.

Potential BMPs:

The following are ideas we would suggest might fit the unique setting of this site. In the discussions, it has been suggested that the developer would like to know what the city would find appropriate, so this list will help address that question. It is likely that a combination of BMPs/practices will be the best fit for the site. However, it is not implied that the city expects all the BMPs listed to be used (tools in the tool box), nor is the list meant to be all-inclusive, so other BMPs could be proposed.

- a. Steep slope/soil restoration – Avoid mass grading of steep slopes where possible, especially where wooded. When grading is needed, restore the areas with soil enhancements (tilling, addition of compost) and consider vegetative restoration/landscaping with plant material, such as trees. The soil restoration could also apply to the lot graded areas, possibly with a phasing plan to come in after home construction for maximum area. Both the soil restoration and vegetation can reduce the development runoff requiring BMPs. This could be close to a net zero requirements, and can add up over the area of the development. Plus this reduces erosion repairs and could provide enhanced “curb appeal” for sales.
- b. Infiltration trenches with pretreatment structures – for flatter areas such as the road intersections, the intersection ROW at corners could be used for below ground pretreatment chambers connected to infiltration trenches.
- c. Perforated Pipe and rock trench ROW – A system of small scale rock trenches with perforated pipes could systematically parallel the road system to convey local drainage while also serving as infiltration BMPs. Depending on the configuration, a portion of the pipe and rock layer storage could serve as the pretreatment, while the remainder serves as the infiltration area.

- d. Roof leader infiltration systems – As suggested by the developer, roof water that does not need pretreatment, could be directed to infiltration trenches. The trenches could be protected during construction and connected directly to the roof drainage. Depending on locations, access for maintenance should be considered.
- e. Rainwater Reuse/Harvesting – Similar to the roof leaders, cisterns could be used to store water for use as irrigation. The source of the water could be roof tops or could include overall lot drainage, with pretreatment needs varying. An operations plan would need to be provided as part of the plan. Depending on locations, access for monitoring/maintenance should be considered.
- f. 1-side road raingardens – raingardens could be more easily accommodated in the ROW, if the road were placed on one side of the ROW, allowing for additional space on the other side.
- g. Permeable pavements – permeable low volume roads, shoulders, or driveways could be used to infiltrate runoff. For roads, permeable concrete would be preferred and roads should be rated for traffic in the range of 300 trips/day and is best suited to the less steep streets. Permeable driveways should have a plan for maintenance.
- h. Additional site-specific BMPs (raingardens, infiltration basins, and infiltration trenches) – BMPs could be added in various locations in the project. For example, behind: Block 7 Lots 2/3, Block 8 Lot 1, Block 5 Lots 3/4, and between Block 6/7 and 8/9.

Please let us know if you have specific questions.

**PLANNING REPORT
CITY OF INVER GROVE HEIGHTS**

REPORT DATE: July 8, 2013 **CASE NO:** 13-28VAC

HEARING DATE: August 6, 2013

APPLICANT/PROPERTY OWNER: Hallblade Trailers, Inc.

REQUEST: Vacation of certain public drainage and utility easements

LOCATION: Between Cahill Avenue, Hwy 52 and south of Cafferty Court

COMPREHENSIVE PLAN: CC, Community Commercial

ZONING: B-3, General Business

REVIEWING DIVISIONS: Planning
Engineering **PREPARED BY:** Allan Hunting
City Planner

BACKGROUND

The applicant received plat approval and major site plan approval for a trailers sales operation on June 24, 2013. The approved plat was replatting two lots in an existing subdivision. There were perimeter drainage and utility easements dedicated around the two lots in question on the subdivision. When a property is replatted, the existing public drainage and utility easements need to be vacated when a property line is moved or eliminated. In this case, the two lots were combined into one lot and the vacation of the easements should have been acted upon at that same time. There was an error in the original application and this action was not done. This request is to take the action necessary to vacate public drainage and utility easements within a subdivision plat.

EVALUATION OF THE REQUEST

ANALYSIS

There is a 10 foot easement along the east line of Lot 2 and a five foot easement along the southern portion of Lot 1. The new plat combined these two lots and so the easements need to be vacated because they are not needed for any utility purpose. All necessary easements were rededicated on the new plat.

Engineering has reviewed the application and finds no need for these easements.

ALTERNATIVES

The Planning Commission has the following alternatives for the requested action:

A. Approval If the Planning Commission finds the Vacation of the drainage and utility easements, as shown on the attached exhibit, to be acceptable, the Commission should recommend approval of the request.

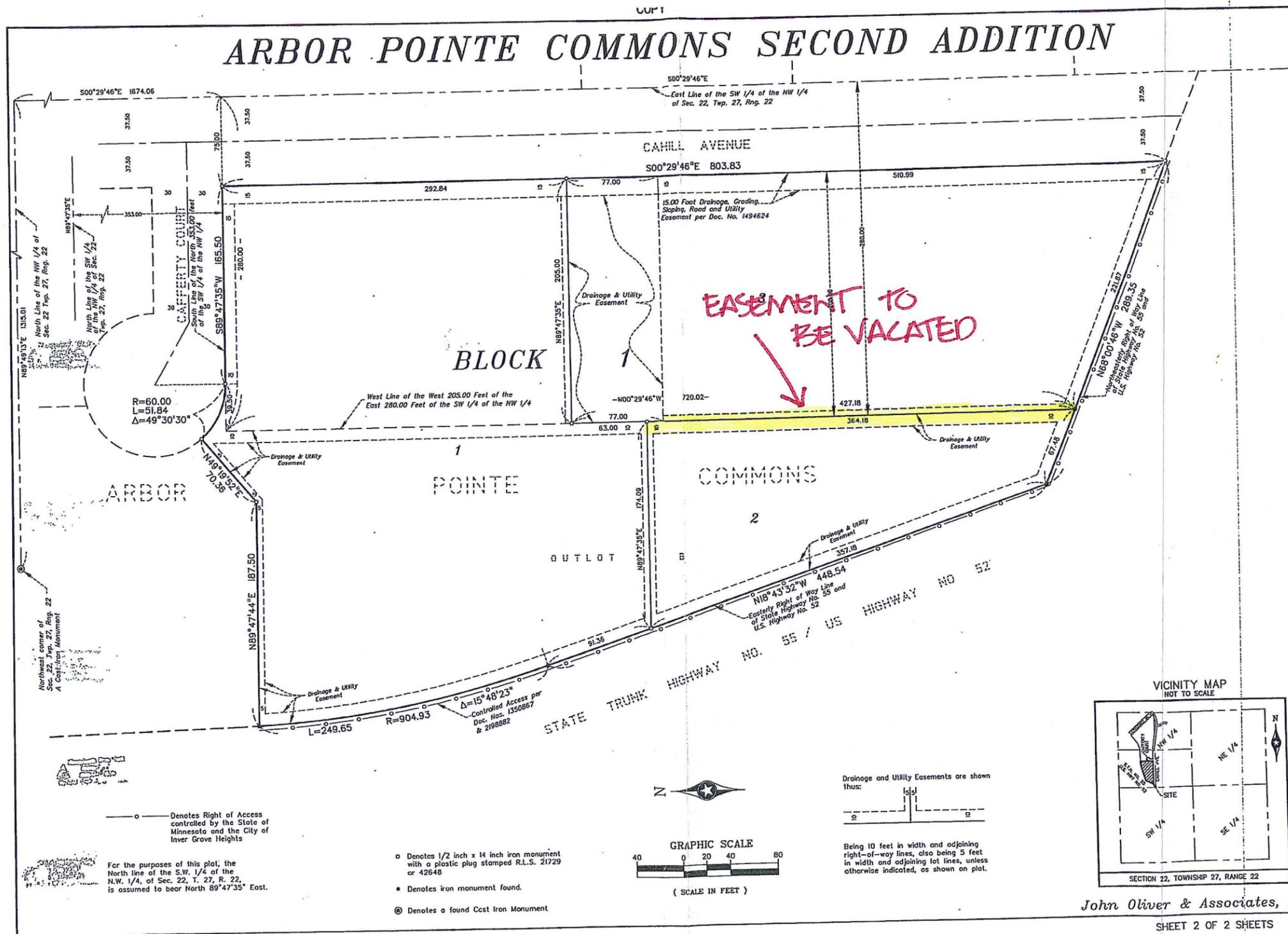
B. Denial If the Planning Commission does not favor the proposed application the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

Based on the information in the preceding report, staff is recommending approval of the vacation of the drainage and utility easements.

Attachments: Plat Drawing Showing easements to be vacated

ARBOR POINTE COMMONS SECOND ADDITION



○ Denotes Right of Access controlled by the State of Minnesota and the City of Inver Grove Heights

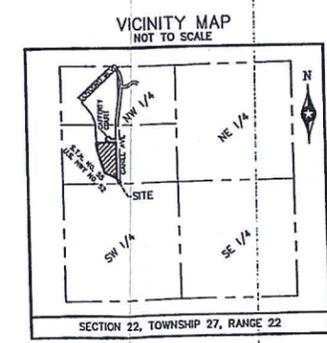
○ Denotes 1/2 inch x 1/4 inch iron monument with a plastic plug stamped R.L.S. 21729 or 42648

● Denotes iron monument found.

◎ Denotes a found Cast Iron Monument

For the purposes of this plot, the North line of the S.W. 1/4 of the N.W. 1/4 of Sec. 22, T. 27, R. 22, is assumed to bear North 89°47'35" East.

EASEMENT TO BE VACATED



John Oliver & Associates, Inc.
SHEET 2 OF 2 SHEETS

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER

P L A N N I N G R E P O R T
CITY OF INVER GROVE HEIGHTS

REPORT DATE: July 26, 2013 **CASE NO.:** 13-36ZA
HEARING DATE: August 7, 2013
APPLICANT: City of Inver Grove Heights
REQUEST: An Ordinance Amendment to allow vertical access turbines in certain districts
REVIEWING DIVISIONS: Planning **PREPARED BY:** Heather Botten
Associate Planner 

BACKGROUND

Vance Grannis spoke at a Council meeting a few months ago regarding his concern for vertical axis turbines not being a permitted use in the City. Following Mr. Grannis' presentation, the City Council discussed this item at a work session meeting. The Council directed staff to prepare a code amendment that would allow vertical access turbines with performance standards in the A, E-1, and E-2 zoning districts. There was some discussion about permitting the vertical axis turbines in the I and P districts as well. Staff believes that because these districts are located in urban areas the CUP permit process should be the avenue to go through for approval, which is what the code currently requires.

At this time, staff is only writing the ordinance permitting vertical axis wind turbines (VAWT's). The City of Inver Grove Heights does not take any position as to the efficiency or effectiveness of the VAWT design and operation. Staff will be reviewing an alternative energy ordinance addressing solar and wind this upcoming winter.

EVALUATION OF THE REQUEST

Currently the city code **conditionally** allows wind power converters in the A, E-1, E-2, I-1, I-2, and P zoning districts. The code defines a wind power converter as: *A mechanical device that harnesses energy from the wind.* By this definition vertical axis turbines would be allowed by CUP in the above mentioned zoning districts.

The definition of a vertical axis wind turbine is any type of wind turbine where the main rotor shaft is set vertically. Generally speaking the vertical axis turbines are a newer technology compared to the standard propeller type. VAWT can be mounted on roof tops or free-standing.

Staff believes the following performance standards should be included with the ordinance allowing vertical axis wind turbines as a permitted use in the A, E-1, and E-2 districts only. The performance standards are a collaboration of parts of the current zoning ordinance, direction from Council, and other wind ordinances.

- Height. Height limitations set forth elsewhere in this ordinance shall be increased fifty percent (50%) when applied to free-standing vertical axis turbines. Heights in excess of those allowed shall be permitted by conditional use permit. Example: Agricultural district allows the height of a principal structure to be 35 feet, a VAWT could be up to 52.5 feet in height.

The maximum height of the VAWT shall be 15 feet if attached to or placed on the roof of the principal structure.

Property located in the shoreland/critical area districts are limited to a maximum VAWT height of 35 feet, per state regulations. All structures in this overlay are limited to a 35 foot height limit. Anything above 35 feet would require a variance.

- Setbacks. The base of the turbine shall be set back from all property lines a distance equal to the turbine height, measured to the highest point of the turbine or equal to the principal structure setback of the base zoning district, whichever is greater.
- Number. On lots less than 15 acres, no more than one roof top or one free-standing turbine is permitted. On lots greater than 15 acres additional turbines are allowed provided they do not exceed a density of 15 acres per turbine. Example: 150 acre parcel is allowed 15 free-standing turbines or 15 roof mounted turbines or combination thereof.
- Permits. VAWT's shall comply with all applicable state and federal regulatory standards including, but not limited to, the Federal Aviation Administration (FAA), Minnesota Pollution Control Agency (MPCA) and State Building Code. A building permit consisting of a completed application, site plan, two (2) sets of plans, and structural engineering is required for a VAWT prior to installation. VAWT's shall be certified by Underwriters Laboratories, Inc, the Small Wind Certification Council or other body as determined by the Chief Building Official. The City reserves the right to deny a building permit for a VAWT's deemed to have inadequate certification or testing for operation in a severe winter climate.
- Aesthetics. The appearance of the VAWT shall be maintained throughout the life of the wind energy system pursuant to industry standards. The system shall not be used for displaying any advertising.

- Utility Connection. All grid connected systems shall have an agreement with the local utility prior to the issuance of a building permit. A visible external disconnect must be provided if required by the utility company.
- Abandonment. If the VAWT remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including foundation to below natural grade and transmission equipment.

ALTERNATIVES

The Planning Commission has the following actions available on the following request:

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be recommended for approval:
- Approval of an Ordinance Amendment that would allow vertical axis wind turbines in the A, E-1, and E-2 with the performance standards listed in the report.
- B. **Denial.** If the Planning Commission does not favor the proposed application, the above request or requests should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff recommends approval of the zoning ordinance amendment allowing vertical axis wind turbines as a permitted use in the A, E-1, and E-2 zoning districts with the performance standards listed in the report.

Attachments: Draft Ordinance
 Information submitted by Vance Grannis
 Handout from the MN Department of Commerce

DRAFT

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 10, (ZONING ORDINANCE) REGARDING ALLOWING VERTICAL
AXIS TURBINES AS A PERMITTED USE IN THE A, AGRICULTURAL AND E-
1 AND E-2, ESTATE RESIDENTIAL ZONING DISTRICTS

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

Section One. Amendment. Title 10, Chapter 6, LAND USE MATRICES of the Inver
Grove Heights City Code is hereby amended to add the following:

10-6-1: LAND USES IN ALL RESIDENTIAL DISTRICTS:

Use	Zoning District												
	A	E-1	E-2	R1A	R1B	R-1C	R-2	R-3A	R-3B	R-3C	R-4	MF-PUD	MU-PUD
Permitted Uses													
<u>Vertical Axis Turbines</u> (see section 10-15G-7 of this title)	P	P	P										

Section Two. Amendment. Title 10, Chapter 2-2, DEFINITIONS, of the Inver Grove
Heights City Code is hereby amended to add the following:

Vertical Axis Turbine: A type of wind turbine where the main rotor shaft is set
vertically

Section Three. Amendment. Title 10, Chapter 10-15G-7, PERFORMANCE
STANDARDS, of the Inver Grove Heights City Code is hereby amended to add the following:

DRAFT

VERTICAL AXIS WIND TURBINES: shall be allowed as a permitted use in the A, E-1, and E-2 districts provided the following criteria are met:

- a. Height limitations set forth elsewhere in this ordinance shall be increased fifty percent (50%) when applied to free-standing vertical axis turbines. Heights in excess of those allowed shall be permitted by conditional use permit.

The maximum height of the VAWT shall be 15 feet if attached to or placed on the roof of the principal structure

Property located in the shoreland and critical area districts are limited to a maximum VAWT height of 35 feet, per state regulations.

- b. The base of the turbine shall be set back from all property lines a distance equal to the turbine height, measured to the highest point of the turbine or equal to the principal structure setback of the base zoning district, whichever is greater.
- c. On lots less than 15 acres, no more than one roof top or one free-standing turbine is permitted. On lots greater than 15 acres additional turbines are allowed provided they do not exceed a density of 15 acres per turbine.
- d. VAWT's shall comply with all applicable state and federal regulatory standards including, but not limited to, the Federal Aviation Administration (FAA), Minnesota Pollution Control Agency (MPCA) and State Building Code. A building permit consisting of a completed application, site plan, two (2) sets of plans, and structural engineering is required for a VAWT prior to installation. VAWT's shall be certified by Underwriters Laboratories, Inc, the Small Wind Certification Council or other body as determined by the Chief Building Official. The City reserves the right to deny a building permit for a VAWT's deemed to have inadequate certification or testing for operation in a severe winter climate.
- e. The appearance of the VAWT shall be maintained throughout the life of the wind energy system pursuant to industry standards. The system shall not be used for displaying any advertising.
- f. All grid connected systems shall have an agreement with the local utility prior to the issuance of a building permit. A visible external disconnect must be provided if required by the utility company.
- g. If the VAWT remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including foundation to below natural grade and transmission equipment.

Section Four. Effective Date. This Ordinance shall be in full force and effect upon its publication as provided by law.

DRAFT

Passed in regular session of the City Council on the ____ day of _____, 2013.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

DRAFT

Submitted by V.G.

Minnesota Wind Technology's

400 Watt Vertical Axis Wind Turbine

Hybrid Light Pole Assembly

Retail Cost: \$5,990.00

To Include:

- Wind Turbine
- 120 watt PV Module
- Charge Controller
- 30 Watt LED Spotlight
- Pole
- Batteries
- Anchor Bolts



Accessories:

Typical Combined Cost - \$1,500.00 - \$2,000.00

To Include Any or All of the Following:

- Permitting
- Ground Mount - Footing
- Installation
 - General Contractor
 - Install/Mount Unit
- Electrical
 - Wire System Including Associated Parts

Minnesota Wind Technology, LLC

Submitted by V.G.

**COOK COUNTY
OFFICE OF
PLANNING & ZONING**

TIMOTHY NELSON
Planning Director
Solid Waste Officer

411 WEST 2ND STREET
COURT HOUSE, GRAND MARAIS, MN 55604
Phone 218-387-3630 FAX 218-387-3042

Bill Lane
Planning & Zoning
Administrator

January 11, 2013

Re: *Vertical Axis Wind Turbine Ordinance Provisions*

To Whom It May Concern:

I am writing this by request to elaborate on the process through which Cook County, Minnesota researched, drafted and adopted ordinance provisions specific to Vertical Axis Wind Turbines (VAWT), since they differ distinctly from the standard propeller-type Wind Energy Conversion Systems (WECS). In 2001, Cook County drafted and adopted a tower ordinance primarily due to the increased interest in the construction of wireless telecommunication towers along our major trunk highway system; however we decided to include standard WECS systems provisions into the ordinance simply as a pre-emptive measure in order to have provisions in place should some interest arise.

Since the time of the Tower Ordinance adoption until early in 2012, we had not had any inquiries regarding the construction of any WECS system until we were approached about how our existing regulations related to the newer technology of the vertical axis systems. A review of our provisions in comparison to the technological issues surrounding VAWT's made us aware that our adopted provisions did not adequately accommodate the construction of VAWT systems even though they seemed to present a lower profile alternative to the standard propeller design WECS system.

After some discussion with the Board of County Commissioners, it was determined that we would investigate the vertical axis wind turbine design along with inquiring what other governmental jurisdictions had in place with regards to possible regulatory provisions. Since the technology is relatively newer compared to the standard propeller type wind conversion systems, we did not find much in the way of existing ordinance provisions from other jurisdictions. On March 23, 2012, representatives of a company called Minnesota Wind Technology held a seminar at our Cook County Community Center to highlight the operational characteristics of the vertical axis system, and this seminar was attended by some members of our County Board of Commissioners. One of our County Commissioners personally visited a site where an operational vertical axis turbine was located and was impressed at the minimal level of noise associated with the turbine, and was also favorably impressed with the minimal overall size of the tower itself.

After further research, Cook County drafted, conducted public hearing on, and adopted the attached provisions specifically related to the vertical axis wind towers, determining that the impacts of the placement of the VAWT's were much less than they would be for the larger propeller type WECS. Specifically, all of the vertical axis towers less than 35 feet in height are now allowed in all zone districts without any administrative review provided that all of the appropriate setbacks would remain in conformance with the required distances.

Vertical Axis Wind Turbine Letter
January 11, 2013
Page 2

While Cook County cannot take any position as to the efficiency and effectiveness of the vertical axis wind turbine design and operation, we did feel that there was sufficient information in order for us to adopt new ordinance provisions that would better accommodate the installation and operation of these systems.

Please contact me with any questions as to our process or adopted ordinance provisions.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Nelson', with a long horizontal line extending to the right.

Timothy J. Nelson

Planning Director

Submitted by
Vance Grannis

Notice of Adoption. The Cook County Board of Commissioners adopted the following amendment into the Wind Tower Ordinance #47 at their regular meeting on Tuesday, November 27, 2012. The adopted amendment will be effective upon this final publication. The following are the amended provisions in accordance with MN. Statute 375.51, copies of the amended ordinance are available for review at the Cook County Auditor's Office, the Planning & Zoning Department in the Cook County Courthouse in Grand Marais, or on the Cook County website at www.co.cook.mn.us.

TOWER ORDINANCE #47 AMENDMENTS

Section II - Definitions

2.16 Vertical Axis Wind Turbine (VAWT) - Any type of wind turbine where the main rotor shaft is set vertically.

Section VI. Wind Energy Conversion Systems

- 6.01 General Permitting Requirements – The following WECS facilities will be deemed generally to be permitted in Cook County without having to make application, but must still meet the appropriate provisions regarding accessory structures and uses listed in the Cook County Zoning Ordinance and setback provisions contained herein:
- a. Any residential production phase WECS within the FAR-1, FAR-2 & FAR-3 zone districts where the lot size is conforming to the appropriate size requirement.
 - b. Any residential Vertical Axis Wind Turbine (VAWT) less than 35 feet in height in any zone district provided the greater of the setback distances identified within Section 4.01 of this Ordinance and Section 4 of the Cook County Zoning Ordinance are met.
- 6.02 Land Use Permits Required – The following WECS facilities will be given an administrative land use permit from the Cook County Planning & Zoning Office upon the completion of the application requirements and meeting the standards outlined within this ordinance:
- d. Any residential VAWT in excess of 35 feet, but less than 90 feet in height in the FAR-1, FAR-2 & FAR-3, R-1 and RC/R zone districts, excluding the North Shore Management Zone.
- 6.03 Conditional Use Permits – The following WECS facilities shall require a conditional use permit by the Cook County Board of Commissioners, which may be granted upon completion of the application requirements, having conditions placed upon the tower facility, and findings of fact that support the tower facility:
- e. Any VAWT in excess of 35 feet but less than 90 feet in height within the NSMZ area, any VAWT in excess of 90 feet in height within the FAR-1, FAR-2 & FAR-3, R-1 and RC/R zone districts, and any VAWT proposed within any other zone district not expressly identified within Sections 6.01(b) and 6.02(d).
- 6.04 WECS Prohibited – Commercial Wind Energy Conversion Systems, and any VAWT in excess of 90 feet in height, are prohibited within 1,000 feet from the Ordinary High Water Level from any classified lake or 300 feet from any protected stream.

- 6.05 WECS Performance Standards – All WECS and VAWT facilities, except for VAWT's below 35 feet in height, shall at a minimum conform to the following performance standards:
- l. ~~The~~ Except for VAWT's, the maximum height of the lowest extent of a WECS blade shall be 130 feet or thirty (30) feet above any obstacles within 300 feet from the WECS tower whichever is lower.
 - m. The maximum total height of a WECS or VAWT tower shall be 199 feet.
 - n. ~~The~~ Except for VAWT's, the minimum height of the lowest extent of a WECS blade shall be thirty (30) feet above the ground.
- 6.06 Conditional Use Permits – In addition to the general requirements for conditional use permit applications; all applications for new WECS and VAWT towers must also include the following:

Info from Dept. of Commerce website

Can I have a wind turbine, please?

Can I put one on my roof/in my yard?

Wind turbine towers can vary in height from 100 feet (30m) for small towers to 492 feet (150m) for industrial towers. Typically, wind turbine manufacturers recommend siting a tower on a minimum of a half to 1 acre of land without trees or buildings. Roof or building mounted turbines are an emerging technology and may require additional reinforcement and support to avoid structural damage from strong wind and vibration. Vibration from building mounted units can also result in loud noise.

What building/zoning codes apply to wind turbines?

Some jurisdictions restrict the height of the structures permitted in residentially zoned areas, although variances are sometimes obtainable. Most zoning ordinances have a height limit of 35 feet. You should speak with local representatives to determine any building permits, electrical permits, approvals, and certification that is needed prior to installing a wind system. This is a critical phase and it is vital that you have all approvals in place before beginning any installation or ordering your equipment. Your installer should have experience helping customers secure necessary permits.

How much of my house can I run off a turbine?

A typical Minnesota home uses approximately 810 kWh of electricity per month. Depending on the average wind speed, a wind turbine rated from 5 to 15 kilowatts would be required to make a significant contribution to this demand. A 1.5-kW wind turbine will meet the needs of a home requiring 300 kWh per month in a location with a 14-mile-per-hour annual average wind speed.

How can I store electricity for later use?

Battery systems can be installed to store electricity for off-grid installations. Battery back-up for an off-grid site is an advantage when the cost to connect to the grid is significantly more than the cost of a wind energy system with battery back-up. The cost of interconnection starts to become

comparable at distances over a half-mile. Off-grid wind systems are typically combined with a solar electric system and/or a back-up propane, diesel or gas generator to provide more reliable power under a variety of seasonal weather conditions.

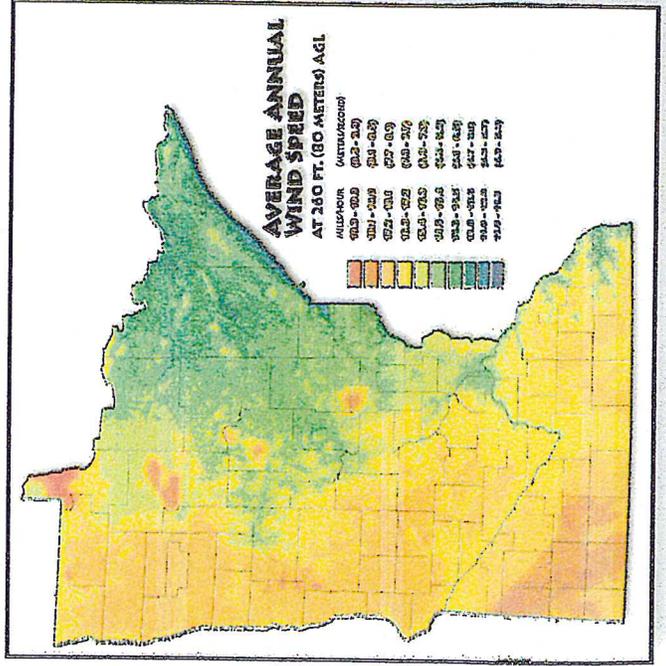
Installation and maintenance of battery systems adds significant up-front and maintenance costs to a wind energy system, so they are not generally recommended for sites that are already connected to the utility power-grid. Costs vary widely depending on the back-up power needs, but typically add 25% to the up-front cost of the system. Battery life is typically 4-10 years depending on battery type. Most electricity storage systems use lead-acid batteries. Once spent, the batteries must be properly disposed of. Where a grid connection is already available, connecting to the grid without batteries is the most cost-effective and environmentally friendly way to go.

What kind of maintenance is needed?

Wind turbines operate thousands of hours per year, often under harsh conditions. The wear and tear on a small wind turbine has been compared to putting 100,000 miles a year on a car. As a result, periodic maintenance is required to maintain bearings and lubricants. The maintenance costs of a wind turbine depend both on the quality of the turbine and the local climatic conditions such as the amount of turbulence at the site. For basic maintenance, not including major overhaul or repair costs, the average annual repair costs are approximately 1% of the original turbine cost. With proper maintenance, a wind turbine should last 20 years or longer.

How much does it cost?

A general rule of thumb for estimating the installed cost of a residential turbine is \$5,000 to \$10,000 per kilowatt, depending on size, application, and service agreements with the manufacturer. Wind energy becomes more cost effective as the size of the turbine's rotor increases. Although small turbines cost less in initial outlay, they are proportionally more expensive. For a wind tower that is tall enough to take advantage of available wind (100-120 feet for small wind systems) the tower itself is often just as expensive as the turbine equipment - a fact that is frequently overlooked in reports of wind system pricing.



The Minnesota Office of Energy Security has a series of wind speed maps (www.energy.mn.gov) that can help determine likely locations for wind turbines. An annualized average of 12 mph at the rotor height is recommended as a minimum for a successful wind installation.

Can I have a wind turbine, please?

How much money will I save?

Depending on your wind resource, and the size of the turbine, a small wind energy system can lower your electricity bill by 50-90%. If you generate 400 kWh/month (4800 kWh/yr) and you pay \$0.08/kWh, you can save \$384 per year in offset electricity costs. In Minnesota, if you generate more electricity than you use in a month, the utility must pay you the average retail rate for the excess electricity. If your excess electricity is 100 kWh/month and you pay \$0.08/kWh, then the utility will pay you \$8.00/month.

How long before my system is paying for itself?

It can take anywhere from ten to forty years to recapture costs of equipment and installation, depending on the size and complexity of your installation, the wind resource, price of electricity (or distance from the grid), electricity usage, finance rate, and available rebates or incentives.

Where do I find a good manufacturer/installer?

The Office of Energy Security does not endorse any particular manufacturer or installer, however, the OES can provide a list of renewable energy dealers and installers. You can also call or go to the manufacturer's website to see who distributes their equipment in Minnesota. When shopping for a wind turbine system, you should compare warranties, predicted lifetimes, and the manufacturer's and turbine model's reputation for quality and service.

How can I invest in wind systems?

Even if building a wind turbine on your property is not an option, there are a number of options to invest in wind power. Green Pricing programs are available from your utility so that you can offset your electricity usage by investing in new wind energy development. You can also purchase Renewable Energy Certificates from the Chicago Climate Exchange through a variety of brokers. See the Department of Energy's website at www.eere.energy.gov/greenpower/markets/ for more information. Communities can take advantage of Minnesota's Community-Based Energy Development (C-BED) tariffs that provide higher payments from utilities for community-based projects.

Why do I have to pay extra for Green Pricing?

Green pricing is an optional utility service that allows customers an opportunity to support a greater level of utility investment in renewable energy technologies. Participating customers pay a premium on their electric bills to cover the incremental cost of developing new renewable energy generation facilities. In Minnesota, utilities cannot use green pricing energy generation to satisfy renewable energy mandates, so the green pricing program is a way for customers and utilities to go above and beyond the minimum standard.

Aren't turbines noisy and dangerous to birds?

Wind turbine noise levels from small wind turbines are comparable to the noise level that a refrigerator or air conditioner would be from an adjacent room. Noise level issues from industrial size wind turbines are mitigated by setback requirements that specify an acceptable decibel level, comparable to natural background noise levels. Bird deaths due to wind development will never be more than a very small fraction of those caused by other commonly accepted human activities. The modern wind turbine is far less harmful to birds than are tall buildings & windows, domestic cats, vehicles, pesticides, radio towers, and airplanes. Summaries of available wind studies can be found at www.currykerlinger.com and at www.nationalwind.org. Wind power does not create any carbon dioxide or toxic byproducts, so compared to the noise levels and environmental effects of conventional fossil fuel energy sources, wind is an optimum environmental option.



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