



CITY OF WEST ST. PAUL
1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118

**COMMITTEE OF ADJUSTMENTS/
PLANNING COMMISSION**
October 18, 2016
7:00 p.m.
MUNICIPAL CENTER COUNCIL CHAMBER

1. COMMITTEE OF ADJUSTMENTS

2. Roll Call

3. Adopt Minutes

4. Public Hearings

5. New Business

6. Old Business

7. Other

8. Adjourn

9. PLANNING COMMISSION

10. Roll Call

11. Adopt Minutes

11.A. Minutes - September 20, 2016

Documents:

[PC 9-20-16 MINUTES.PDF](#)

12. Public Hearings

- 12.A. Case #16-14 – Applications For A Conditional Use Permit To Allow A Drive-Through Lane In A B3, General Business District And Site Plan Review For The Construction Of A New Office Building (Bank) And Parking Lot At 1994 Robert St. S. – Civil Site Group

Documents:

PC REPORT.PDF
REVIEW MEMOS.PDF
APPLICATIONS.PDF
NOTICE.PDF
CIVIL PLANS.PDF
ARCHITECTURAL PLANS.PDF

- 12.B. Case #16-15 – Application For A Conditional Use Permit To Allow An Accessory Structure In A B3, General Business District At 1906 Livingston Ave. – The Povolny Goup, Inc.

Documents:

PC REPORT.PDF
APPLICATION.PDF
NOTICE.PDF
SITE PLAN.PDF

- 12.C. Case #16-16 – Zoning Ordinance Amendment, Sections 153.004 And 153.050 Through 153.128 Relating To Group Homes – City Of West St. Paul

Documents:

PC REPORT.PDF
ORDINANCE.PDF

13. New Business

14. Old Business

15. Other

16. Adjourn

*If you need an accommodation to participate in the meeting, please contact the ADA Coordinator at
651-552-4100, TDD 651-322-2323 at least 5 business days prior to the meeting
www.wspmn.gov EOE/AA*

WEST ST. PAUL PLANNING COMMISSION

The regular meeting of the West St. Paul Planning Commission was called to order by Vice Chair Leuer on Tuesday, September 20, 2016, at 7:00 p.m. in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota, 55118.

ROLL CALL

Commissioners present: Vice Chair Leuer and Commissioners Fernandez, McPhillips, Nelson, Kavanaugh, and Ramsay.

Absent:

Chair Hubert

Also Present:

Assistant Community Development Director Boike, Council Liaison Bellows and Recording Secretary Dull.

APPROVE MINUTES

ON MOTION of Fernandez, seconded by Nelson, RESOLVED to approve the West St. Paul Planning Commission meeting minutes of August 18, 2016 as written.

Ayes: 6 Nays: 0 Abstain: 0

PUBLIC HEARINGS

CASE # 16-10

**Application For A
Conditional Use Permit To
Allow Adult Day Care In
A B2 Neighborhood
Business District At 355 E.
Marie Ave – Snyder
HealthCare Systems Inc.**

Assistant Community Development Director Boike reviewed the staff memo to the Commissioners. Staff recommended approval of the Conditional Use Permit subject to the conditions detailed in the memo.

Commissioner Kavanaugh questioned the condition of the parking lot and whether the applicant would be willing to resurface. Commissioner Ramsay agreed that resurfacing rather than patching would make sense for seniors. Asst. Director Boike confirmed the parking lot was rough and needed to be patch and restriped at a minimum. He asked Commissioners discuss with the applicant.

Commissioner McPhillips confirmed with Asst. Director Boike that the existing property was vacant but under contract for purchase pending City approvals.

Clarence Tweh, Snyder HealthCare Systems Inc., applicant

Mr. Tweh advised that he intended to resurface the lot and had no issues with making that a required condition of approval.

Commissioner McPhillips inquired about the business. Mr. Tweh advised that the business provides services for vulnerable adults and seniors or those with developmental disabilities in Dakota County. He added that they have been a corporation for eight years and were previously foster parents and they have been

caregivers for over 20 years. Mr. Tweh stated the business was geared toward adults from 18 year old and up and they are also working on developing a respite program Mondays through Saturdays for families with a disabled family member. He added that the business intends to enrich the lives of the clients it serves through community experience and day trips. There would not be a residence so there would be no overnight.

Vice Chair Leuer opened the Public Hearing at 7:20 p.m. and seeing no one wishing to speak for or against the application, **Vice Chair Leuer closed the Public Hearing at 7:20 p.m.**

ON MOTION by Ramsay, seconded by Kavanaugh, the Planning Commission approved Case #16-10, application for a Conditional Use Permit to allow Adult Day Care in a B2 Neighborhood Business District at 355 E. Marie Ave. subject to the condition provided in the staff memo and adding condition 2 requiring the applicant to resurface the parking lot.

Ayes: 6 Nays: 0 Abstain: 0

**CASE # 16-11
Application For Site Plan
Review To Modify
(Expand) The Existing
Parking Lot At 1675
Livingston Ave – Dakota
County CDA**

Assistant Community Development Director Boike reviewed the staff memo to the Commissioners. Staff recommended approval of the Conditional Use Permit subject to the conditions detailed in the memo.

Commissioner McPhillips asked how the site was approved for only 40 parking stalls when it required 160 and whether additional parking could be created using the land behind the site. Asst. Director Boike stated it was likely because the site pre-dates the ordinance and is now grandfathered in as a legal non-conforming use. He also noted that there were some elevation issues with the land behind but that the City wanted to alleviate some of the existing parking issues which the proposal would do. Commissioner McPhillips also asked whether Livingston was to be widened or resurfaced in the near future. Asst. Director Boike stated there were no plans that he was aware of.

Commissioner Kavanaugh clarified with Asst. Director Boike tree replacement and required caliper inches.

Commissioner Fernandez confirmed underground parking was not available. He also asked what the street looked like on Saturday mornings when all cars and most people are home and whether parking time restrictions were in place.

Vince Markell, Dakota Co. CDA, applicant

Mr. Markell advised that the facility has been in operation since 1980 or 1981. He stated that current parking allows for 29 spots in front and 11 in the rear, all of which are numbered. Mr. Markell stated that after surveying, the CDA feels the proposal meets the needs as there are more single bedroom units and not many multi-car tenants, if any. He added that the CDA's budget comes solely from HUD and requires sharing across many buildings. Because of the limited funding, they are only proposing what would meet the needs as they exist now. Commissioners continued to question Mr. Markell regarding the site. Mr. Markell noted that DARTS was a partner and provided many services. He also stated that snow emergencies are smooth given the caretaker helps with notification and vehicles are moved.

Vice Chair Leuer opened the Public Hearing at 7:39 p.m. and seeing no one wishing to speak for or against the application, **Vice Chair Leuer closed the Public Hearing at 7:39 p.m.**

Commissioner Fernandez stated that the proposal was for additional parking spaces and if the Commissioners didn't allow the application, the site and neighborhood would remain the same. He hoped the CDA looks to expansion in the back in the future.

Commissioner Kavanaugh pointed out that the feel of the neighborhood would remain the same with no significant changes except to alleviate some of the street parking issues.

Nelson, McPhillips, all approved

ON MOTION by Nelson, seconded by McPhillips, the Planning Commission approved Case #16-11, application for Site Plan Review to modify (expand) the existing parking lot at 1675 Livingston Ave subject to the conditions provided in the staff memo.

Ayes: 6 Nays: 0 Abstain: 0

**CASE # 16-12
Applications For Plat To
Combine Lots And Site
Plan Review To Modify
(Expand) The Existing
Parking Lot At 963 Robert
St. – Alliant Engineering**

Assistant Community Development Director Boike reviewed the staff memo to the Commissioners. Staff recommended approval of the Conditional Use Permit subject to the conditions detailed in the memo.

Commissioner Nelson noted the screening and asked whether the proposed would satisfy the six foot requirement. Asst. Director

Boike suggested revising the recommendation to amount to the six foot requirement.

Commissioner Kavanaugh inquired whether the proposal was only moving forward to quickly satisfy a condition in the development agreement. He also asked about overlapping of parking use and demand. Asst. Director Boike provided some background to Commissioners regarding the development agreement and changes in use over time. He confirmed that the development agreement has been amended to allow the proposed parking lot. He also stated that the uses and operation offset each other and didn't see any issues with the parking lot satisfying business parking and overflow parking.

Council Liaison Bellows added that the parking lot may provide overflow parking for the neighboring apartments. Asst. Director Boike explained the issue of apartment overflow parking.

Commissioner Fernandez noted that the building has been vacant for two to three years and confirmed with Asst. Director Boike that the City agrees that developing a parking lot is the best use for that land. He also inquired about the drainage at the north east corner and lighting.

Commissioner Ramsay questioned the residential property owners adjacent to the proposed development and also questioned why the City would agree to a parking lot and take the land off the tax rolls for later commercial development. Asst. Director Boike advised that from a zoning standpoint, the applicant meets all code requirements and that the EDA agreed with the developer for a parking lot.

Discussion regarding how the proposed parking lot fits with the City's Comprehensive Plan ensued and it was noted that the Comprehensive Plan calls for mixed use and density but that there hasn't been a market for it.

Rob Coast, Sherman & Associates, applicant

Mr. Coast noted the building was completed 1 ½ year ago and has been vacant since completion. However, they were anxious to fill the building and parking. He advised there were four prospects, a couple of them grocers, but no leases at this point and they are keeping the city informed. Mr. Coast stated the proposed detention pond to the north would be a micro-park and is intended to beautify the property.

Discussion took place between Commissioner Fernandez and Mr. Coast regarding apartment overflow parking, development agreement provisions, sufficient parking created for the site initially, why developing the vacant lot before a use is confirmed and whether the properties can be platted without developing the parking lot. Apartment residents were allowed to begin using the lot for parking. If the building were to expand, additional parking would be needed and the reason to develop the parking lot was to get the plat completed and create more marketability having more parking. Commissioner Fernandez stated he had reservations allowing a parking lot in a place where there is a vacant building adding that the intent with the Robert St. project is to develop. Mr. Coast responded there was something in the background saying parking is needed for the tenant to go in but he could not discuss any details.

Council Liaison Bellows stated Sherman has been working this property for years. The development agreement requires that they complete the property going north to Haskell. The parking lot “finishes” the property but not necessarily puts it in the end game result. There is a storm water drainage issue which is also why we require the ponding. He stated the parking lot gets the property finished and compatible with the development. If any prospect wants more building space, they can come back and address that moving forward.

Mark Cromett, Engineer, stated they also required the pond to detain water at the rates for the homes in the area.

Vice Chair Leuer opened the Public Hearing at 8:13 p.m.

Robert Van Cleve, 972 Livingston Ave.

Mr. Van Cleve advised that the building has been a shell for approximately four years and work to complete the site has been intermittent. He stated the site remains unfinished but liked the proposed parking lot and micro-park. Mr. Van Cleve noted that initially everything was tore out leaving big open space between Robert St. and the residential houses. The homes need noise abatement and the proposed trees and shrubs will do that. Mr. Van Cleve stated there is no fence up right now but it shows in the plans that it was supposed to have been up. He also suggested limiting how long vehicles can be parked in the lot so that it doesn't become a place for abandoned vehicles. In response to Commissioner Fernandez's question, Mr. Van Cleve stated the

site currently consists of weeds, ponding, and is a basic vacant lot except that construction equipment for the Robert St. project seems to be kept there. Mr. Van Cleve closed stating that if the project is completed with the trees, striping and fencing, he would support the proposal.

Gil Gustafson, 994 Livingston

Mr. Gustafson stated he was happy to see the proposal as he has been in front of the Council pushing parking issues on Livingston. He noted that parking on Livingston occurs at all times and regularly residents cannot park in front of their own houses. Mr. Gustafson noted the residents were asking for permit parking in the neighborhood previously as there isn't enough parking for the apartment buildings but if the parking lot as proposed is constructed and an easement for parking is in place, he would be very grateful and appreciative. He confirmed the intent was to establish a permanent parking easement and hoped it would incorporate language for residents and visitors. Mr. Van Cleve also stated that currently residents are not parking there and maybe additional notification should occur. He was in favor of the proposal.

Discussion regarding timeline for completion took place as well as additional discussion regarding the effects of the development agreement. If approvals were in place, the projected was anticipated to begin in fall.

Vice Chair Leuer closed the Public Hearing at 8:23 p.m.

Commissioner Kavanaugh inquired about solving residential issues or expanding commercial, parking easement, and whether parking lots existed on any other Robert St. corner lots. Asst. Director Boike stated the development agreement is the main reason the proposal is coming through but works with the timing of the residential issue as well so as to complete a project that would benefit both residential and commercial. He also detailed setbacks and corner lots but indicated that he was not aware of parking lots on Robert St. corner lots.

Commissioners discussed noise abatement. They questioned whether fence or vegetation would be the better option. It was noted that fencing provides better noise abatement as typically it takes 75 feet of vegetation to equal a noise wall.

Commissioner Fernandez asked what happens to Sherman if the project doesn't go through. Asst. Director Boike stated that question would need to be answered by the Council or City Attorney in regards to the development agreement as he was not aware of all terms of the agreement.

Commissioner Fernandez stated Sherman's timeline was not the Commission's problem and didn't agree with developing a parking lot just to complete a project that has already been extended for years. He stated he cared about how residents are impacted and the redevelopment of Robert St. and its businesses but would vote no because the proposal didn't make sense and because something better can be placed in that location.

Commissioner Kavanaugh agreed commenting he was not in favor of putting a parking lot on the corner on Robert St.

ON MOTION by McPhillips, seconded by Leuer, the Planning Commission moved approval of Case #16-12, applications for Plat to combine lots and Site Plan Review to modify (expand) the existing parking lot at 963 Robert St. subject to the conditions provided in the staff memo.

Ayes: 3 (McPhillips, Leuer, Nelson)

Nays: 3 (Fernandez, Kavanaugh, Ramsay)

Abstain: 0

The motion failed. The application will go to City Council for review on Monday, September 26, 2016.

**CASE # 16-13
Applications For A
Conditional Use Permit To
Allow A Dental Office
(Lab) In a B1, Limited
Business District And Site
Plan Review For A
Building Expansion And
Parking Lot Modification
At 5 Wentworth Ave. E. –
Mularoni & Co.**

Assistant Community Development Director Boike reviewed the staff memo to the Commissioners. Staff recommended approval of the Conditional Use Permit subject to the conditions detailed in the memo.

Commissioner Kavanaugh requested explanation of the existing parking lot area and whether it was connected. Asst. Director Boike confirmed connection noting some grading currently with a bit of a slope. He added that the main entry is on the upper level and that employees and delivery parking is on the lower level. Commissioner Kavanaugh confirmed with Asst. Director Boike that the lot would be considered one parking lot and inquired about the number of handicapped stalls. Asst. Director Boike advised the existing handicapped parking is in compliance with ADA requirements.

Commissioner McPhillips pointed out that the business was a good neighbors and there was nothing adverse about the building.

Michael Mularoni, Mularoni Architecture, applicant

Mr. Mularoni advised that the lower lot was secured access and that public would only come to the main entrance on the upper level. He noted the business was not a dental clinic and does not serve the public. It creates molds for dentists. Mr. Mularoni stated they would be decreasing impervious surface and adding more to the landscape noting that between the elevation change, headlights wouldn't be an issue for neighbors either. He added that all other mechanicals and conditions are addressed in the plan.

Vice Chair Leuer opened the Public Hearing at 8:48 p.m.

Jeanette Fordyce, 19 Wentworth Ave. W.

Ms. Fordyce stated she lived across from the business. She asked that if there is additional light proposed, she'd like it to not be any greater than it exists currently and would like it to continue to be amber in color. She also stated she was happy with boulevard as it is but asked that should trees die, they should be replaced and preferably with fir trees.

Vice Chair Leuer closed the Public Hearing at 8:50 p.m.

Commissioners asked the applicant address the lighting issue. Mr. Mularoni advised that lighting was to remain the same and in the same locations. However, they were entertaining placing a light on the upper level but noted from perspective, it would be 100 feet from the lot line and would shine straight down.

ON MOTION by Nelson, seconded by Kavanaugh, the Planning Commission approved Case #16-13, applications for a Conditional Use Permit to allow a Dental Office (Lab) in a B1, Limited Business District and Site Plan Review for a Building Expansion and Parking Lot Modification at 5 Wentworth Ave. E. subject to the conditions provided in the staff memo.

Ayes: 6 Nays: 0 Abstain: 0

NEW BUSINESS

None.

WEST ST. PAUL PLANNING COMMISSION

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OLD BUSINESS:

None.

OTHER:

None.

ADJOURNMENT:

ON MOTION of McPhillips, seconded by Fernandez, Commissioners RESOLVED to ADJOURN the September 20, 2016 regular meeting of the Planning Commission at 8:52 p.m. All Ayes: 6/0

TO: Planning Commission
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: October 18, 2016
SUBJECT: Case #16-14



REQUEST

Civil Site Group is requesting the following applications for the development of a new Bank of America at 1994 Robert St.:

- 1) Site Plan Review for the construction of a new bank building and parking lot
- 2) Conditional Use Permit approval to allow a Drive-through Lane

Attachments:

Memos from MnDOT, the City Civil Engineer, & the Environmental Comm.
Applications/Notice
Copies of submitted Civil and Architectural plans



EXISTING LAND USES

The subject property currently consists of a vacant commercial parcel. Adjacent properties to the north, south, and west consist of commercial uses. The adjacent property to the east consists of Southview County Club.

ZONING

The subject property and adjacent properties to the north and south are zoned B3, General Business. Adjacent properties to the west are zoned B4, Shopping Center. The adjacent property to the east is zoned R1, Single-family Residential.

SITE PLAN ANALYSIS

Proposal

The applicant is proposing to construct a new 4,287 sq. ft. bank building (Bank of America) on the vacant parcel. The proposed building is to be located adjacent to Robert St., consistent to the setback of the Pearl Vision/AT&T building to the north. A north-south driveway is proposed adjacent to the east side of the building per the existing access easement (provides access to the property and connection between the properties to the north and south). Off-street parking is proposed east of the drive aisle and an ATM drive-through is proposed north of the proposed building.

Building Materials

Section 153.032(F)(1) of the Zoning Ordinance requires that exterior building materials be comprised of a minimum 60 percent primary materials (brick, stone, stucco, or glass). Secondary materials which includes decorative block, synthetic stucco, wood and metal, may only account for 40 percent of the façade.

The applicant is proposing a combination of stucco (primary), stone (primary) glass (primary), and metal paneling (secondary)(see submitted building elevations). The proposed elevations meet the exterior building material requirements as noted above.

Window Coverage

Section 153.032(F)(3) requires 40 percent window coverage for all facades facing a street, parking lot, or open space. The east and south elevations meet the requirement with standard windows. However, in order to meet this requirement for the west (Robert St. side) and north elevations, the applicant is proposing a curtain wall of spandrel glass that wraps the northwest corner of the building. The majority of the interior spaces along the west and north elevations are “back of store” secure areas and/or restrooms that, according to the applicant, prevents see through windows.

Visual Relief

Section 153.032(F)(4) requires that all exterior elevations adjacent to a street, parking lot or open space must not exceed 60 feet in length without visual relief of two or more of the following:

- (a) The facade is divided architecturally with different materials or textures;
- (b) There are horizontal offsets of at least two feet in depth;
- (c) There are vertical offsets in the roof line of at least two feet; and
- (d) The windows on the first floor are recessed horizontally at least one foot.

The proposed building meets the visual relief requirements by meeting (a) and (c) above.

Rooftop Mechanicals

The proposed plans do not address whether or not rooftop mechanicals will be properly screened as required by the Zoning Ordinance. Staff recommends a condition of approval requiring that all rooftop mechanicals be screened per Section 153.032(F)(5).

Setbacks

The proposed building and parking lot meets all setback requirements per the requirements below.

<i>B-3, B-5, B-6</i>	<i>Building</i>	<i>Parking</i>
Front yard	10 to 40 feet	Not permitted
Rear yard	20 feet minimum	10 feet minimum
Side yard	0 feet	0 feet

Access

The subject property does not have direct access to Robert St. Access to the property is provided through an existing access agreement between the subject property and the properties to the north and south. The proposed north-south driveway provides the necessary connection to the adjacent properties per the agreement. In addition, per the Robert St. Improvement project, the Robert St. access that was previously located in the area of the proposed drive-through ATM, has been relocated directly south of the proposed building.

As a result, patrons of the new bank can either access the property from the north, through the Petco property via the new signaled intersection of Crusader and Robert St., or from the south via the new Robert St. access to the adjacent retail center.

Parking Requirements

The proposed site plan includes a total of 27 off-street parking stalls. The proposed 4,287 sq. ft. office building requires a total of 21 parking stalls.

Drive Aisles/Parking Stall Dimensions

All proposed drive aisles and all parking stall dimensions meet minimum requirements.

Trash Enclosure

The applicant is not proposing a trash enclosure at this time as they are working on an agreement with the neighboring property to the north to utilize their existing enclosure.

Sidewalks

The applicant is proposing sidewalk connection from Robert St. to the front door of the building.

Lighting

The applicant is proposing six (6) twenty-five foot tall LED light fixtures for the property to provide coverage of the drive-through ATM and the parking lot. The Zoning Ordinance requires that all lighting be at or near zero for all property lines. The proposed lighting plan indicates that lighting extends beyond the property lines however since the adjacent properties are all commercial in nature Staff is not concerned.

Signage

The proposed plans show wall signage on the building elevations however the plans do not include any proposed freestanding signage. As a result, Staff is recommending a condition of approval that all signage must meet the provisions as outlined in Section 153.435 of the Zoning Ordinance.

Landscaping

Based on the exterior linear feet of the newly created property, code requires a total of 51 trees on-site (1 tree per 20 lineal ft. of property). The applicant is proposing a total of 15 deciduous trees at 2.5 caliper inches, 2 ornamental trees at 1.5 caliber inches, and 12 evergreen trees at 6 ft. in height for a total of 29 trees.

The Robert Street project includes 3 trees evenly spaced directly behind the sidewalk (not shown on the plan). As a result, Staff is recommending that the proposed tree located closest to the front property line be removed (proposed location of one of the three Robert St. project trees). In addition, since the proposed site plan is well short of the required 51 trees, Staff also recommends additional deciduous trees be added directly adjacent to the southern curb line of the parking lot as well as directly adjacent to the south property line (staying clear of the proposed future ATM drive through lane as shown on the plan). Said trees shall be spaced appropriately per approval of staff.

In addition to the trees proposed, the plan also includes a total of 241 perennials and grasses as detailed in the plant schedule table at the lower left side of the plan.

Environmental Committee

The landscape plan was reviewed by the Environmental Committee at their October 5th meeting (see attached memo). The committee agreed with the Assistant Community Development Director's recommendations, including the additional deciduous trees to be added directly adjacent to the southern curb line of the parking lot as well as directly adjacent to the south property line (staying clear of the proposed future ATM drive through lane as shown on the plan). The Committee feels an additional 10-12 trees will fit in this space and recommend the following species; Columnar Norway Maple, Japanese Tree Lilac and Ginko. They also recommend that a variety of trees be planted that are both native tree species and that have a high salt tolerance. The Committee unanimously voted to approve the site plan, with an additional comment that they strongly encourage the developer to use "pollinator friendly" native plants that were not treated with "neonicotinoids".

Irrigation

The Zoning Code requires all landscaped areas to be irrigated. The proposed landscape plan states that an irrigation system will be installed (see L1.0).

Engineer's Recommendation

The City Engineer has provided a memo with five (5) recommended conditions pertaining to the Site Plan (see attached memo). Staff is recommending a condition of approval that the applicant adhere to the recommendations in the memo. The conditions are as follows:

1. Permits from the appropriate regulatory agencies must be obtained, including but not limited to the MPCA, Dakota County, MnDOT, etc.
2. On sheet C5.0 and C5.1, replace City of St. Paul standard plates with West St. Paul city plates. City staff to provide electronic copies of needed city plates.
3. Install perimeter control around the entire site (continue bio-roll/silt fence along Robert St.)
4. On sheet L1.0, remove three Northwood Red Maple trees abutting Robert St. Robert St. landscape project will provide deciduous tree cover along Robert St.
5. Provide the city with a copy of all AutoCAD electronic files.

MnDOT Recommendation

Since the subject property abuts Robert St., which is a State Road, MnDOT reviewed the proposed Site Plan and provided the attached letter dated October 10, 2016. Staff is recommending a condition of approval requiring that the applicant adhere to the requests of MnDOT.

CONDITIONAL USE PERMIT ANALYSIS

Zoning Ordinance

Section 153.156 of the Zoning Ordinance requires a Conditional Use Permit to allow Drive-through Lanes in the B2 District (uses in the B2 are also allowed in the B3):

153.156 CONDITIONAL USES

Within the B-2 Neighborhood Business District, no structure or land shall be used for the following uses, except by conditional use permit:

(D) Drive-through lanes, subject to the following provisions:

- (1) They are not permitted in a front yard or within the setback area.
- (2) Adequate stacking distance must be provided, as determined by the city, which does not interfere with other driving areas, parking spaces or sidewalks.
- (3) Electronic speaker devices must not be audible beyond the property line and must not be operated between 10:00 p.m. and 7:00 a.m.
- (4) Screening of automobile headlights must be provided. Screening must be at least three feet in height and fully opaque, consisting of a wall, fence, dense

vegetation, berm or grade change or similar screening as determined by the city.

- (5) A by-pass lane must be provided, allowing autos to exit the drive-through lane from the stacking area.

Analysis

The applicant is proposing a Drive-through Lane for a proposed ATM to be located adjacent to the north side of the building. Staff is recommending a condition of approval that the proposed drive-through lane meets the requirements outlined in Section 153.156(D) of the Zoning Ordinance.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the SITE PLAN subject to the following conditions:

1. Council approval of the corresponding Conditional Use Permit application.
2. The applicant shall apply for all applicable building and sign permits. All new signage must meet requirements of Section 37 of the Zoning Ordinance.
3. All rooftop mechanical protrusions shall be properly screened as outlined in Section 153.032(F)(5), as determined by the City Planner.
4. The applicant shall revise the landscape plan removing the proposed tree located closest to the west property line and include additional deciduous trees directly adjacent to the southern curb line of the parking lot as well as directly adjacent to the south property line (staying clear of the proposed future ATM drive through lane as shown on the plan). Said trees shall be spaced appropriately per approval of staff.
5. The applicant shall adhere to the recommendations outlined in the attached memos provided by the City Civil Engineer, the Environmental Committee and MnDOT.

Staff recommends APPROVAL of the CONDITIONAL USE PERMIT to allow a DRIVE-THROUGH LANE subject to the following conditions:

1. Council approval of the corresponding Site Plan application.
2. The Drive-through lane must adhere to the requirements outlined in 153.156(D) of the Zoning Ordinance.



Minnesota Department of Transportation

Metropolitan District

Waters Edge Building
1500 County Road B2 West
Roseville, MN 55113

October 10, 2016

Ben Boike, Zoning Administrator
City of West St. Paul
1616 Humboldt Ave
West St. Paul, MN 55118

SUBJECT: Bank of America - MnDOT Review #S16-069
NE quad of Robert St (952A) and Mendota Rd
West St. Paul, Dakota County
Control Section 1908

Dear Mr. Boike:

Thank you for the opportunity to review the proposed Bank of America site plan. The Minnesota Department of Transportation (MnDOT) has reviewed the site plan and has the following comments:

Traffic

The plan proposes closing access off of TH 952 which MnDOT is supportive of. The plan must extend the existing curb and sidewalk across the closed access point.

For questions concerning these comments, please contact Jesse Larson (651-234-7824 or Jesse.Larson@state.mn.us) in MnDOT's Metro Traffic section.

Right-of-Way

MnDOT's right-of-way along TH 952 should be shown and labeled.

For questions regarding these comments please contact Matt Aguirre in MnDOT's Metro Right-of-Way section at 651-234-7599 or matt.aguirre@state.mn.us.

Design

The plans need to show the removal of the old Robert Street curb cuts and replacement with curb, gutter, and sidewalk.

For questions on this comment, please contact Nancy Jacobson in MnDOT's Metro Design section at (651.234.7647 or Nancy.L.Jacobson@state.mn.us).

Permits

Any use of or work within or affecting MnDOT right of way requires a permit. Permit forms are available from MnDOT's utility website at

<http://www.dot.state.mn.us/metro/maintenance/permits.html>

Please include one to one set of plans formatted to 11 x 17 size with each permit application. Please direct any questions regarding permit requirements to Buck Craig (651-234-7911 or buck.craig@state.mn.us) of MnDOT's Metro Permits Section.

Review Submittal Options:

MnDOT's goal is to complete the review of plans within 30 days. Submittals sent in electronically can usually be turned around faster. There are four submittal options. Please submit either:

1. One (1) electronic pdf. version of the plans. MnDOT can accept the plans via e-mail at metrodevreviews.dot@state.mn.us provided that each separate e-mail is under 20 megabytes.
2. Three (3) sets of full size plans. Although submitting seven sets of full size plans will expedite the review process. Plans can be sent to:

MnDOT – Metro District Planning Section
Development Reviews Coordinator
1500 West County Road B-2
Roseville, MN 55113

3. One (1) compact disc.
4. Plans can also be submitted to MnDOT's External FTP Site. Please send files to: <ftp://ftp2.dot.state.mn.us/pub/incoming/MetroWatersEdge/Planning> Internet Explorer doesn't work using ftp so please use an FTP Client or your Windows Explorer (My Computer). Also, please send a note to metrodevreviews.dot@state.mn.us indicating that the plans have been submitted on the FTP site.

If you have any questions concerning this review, please feel free to contact me at (651) 234-7793.

Sincerely,



Michael J. Corbett, PE
Principal Planner

Copy sent via E-Mail:

Buck Craig, Permits

Nancy Jacobson, Design

Tara McBride, Area Engineer

Bryce Fossand, Water Resources

Matt Aguirre, Right-of-Way

Jesse Larson, Traffic

Clare Lackey, Traffic

Russell Owen, Metropolitan Council

Memorandum

TO: Ben Boike, Assistant Community Development Director/City Planner
FROM: Darin Rezac, Civil Engineer
DATE: October 11, 2016
SUBJECT: Site Review 1994 Robert St S

The engineering department has completed its review of the above-referenced project. In conjunction with the site plan approval, the following conditions must be met.

RECOMMENDED CONDITIONS OF APPROVAL

1. Permits from the appropriate regulatory agencies must be obtained, including but not limited to the MPCA, Dakota County, MnDOT, etc.
2. On sheet C5.0 and C5.1, replace City of St. Paul standard plates with West St. Paul city plates. City staff to provide electronic copies of needed city plates.
3. Install perimeter control around the entire site (continue bio-roll/silt fence along Robert St.)
4. On sheet L1.0, remove three Northwood Red Maple trees abutting Robert St. Robert St. landscape project will provide deciduous tree cover along Robert St.
5. Provide the city with a copy of all AutoCAD electronic files.

C: Ross Beckwith, City Engineer/Public Works & Parks Director
Chuck Price, Engineering Tech III

TO: Asst. Community Dev. Dir.
THROUGH: Asst. Parks & Recreation Dir.
FROM: Environmental Committee
DATE: October 11, 2016



SUBJECT:

CASE #16-14 – Site Plan review for 1994 Robert St

BACKGROUND INFORMATION:

At the October 5, 2016 Environmental Committee (EC) meeting, members reviewed the Site Plan submitted by Civil Site Group to construct a 4,297 sq. ft. bank (Bank of America) that includes a drive-through ATM. The EC members liked the overall plan. They agreed with the Assistant Community Development Director's recommendations, including the additional deciduous trees to be added directly adjacent to the southern curb line of the parking lot as well as directly adjacent to the south property line (staying clear of the proposed future ATM drive through lane as shown on the plan). The EC feels an additional 10-12 trees will fit in this space and recommend the following species; Columnar Norway Maple, Japanese Tree Lilac and Ginko. They also recommend that a variety of trees be planted that are both native tree species and that have a high salt tolerance. The EC unanimously voted to approve the site plan, with an additional comment that they strongly encourage the developer to use "pollinator friendly" native plants that were not treated with "neonicotinoids".

RECOMMENDATION:

Environmental Committee members approve the site plan for redevelopment of 1994 Robert St with the recommendations listed above.



CITY OF WEST ST. PAUL

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972

MUNICIPAL CENTER 651-552-4100
PARKS/RECREATION 651-552-4150
FAX 651-552-4190

POLICE 651-552-4200
FIRE 651-552-4176
TDD 651-552-4222

SITE PLAN APPLICATION

Filing Fee: \$275.00

(OFFICE USE ONLY)

Escrow Amount: \$1300.00

CASE NO. _____

DATE RECEIVED _____

RECEIPT # _____

60 DAY DATE _____

TOTAL FEES \$1,575.00

1. STREET ADDRESS OF PARCEL 1794 SOUTH ROBERT ST.

2. NAME OF APPLICANT DAVID KNABE Phone # 63-234-7523

3. ADDRESS OF APPLICANT 4931 W. 75TH ST, #200 Email dknabe@civilsitegroup.com
St Louis Park, MN 55416

4. NAME OF OWNER TOM LOHMAN (1994 SOUTH ROBERT ST, LLC) Phone # 612-940-7137

5. ADDRESS OF OWNER 7101 TRALEE DR. Email tralee@mehnstpress.com
EDINA, MN 55439

6. LEGAL/PID # 42711 000 10 22

7. PRESENT ZONING B-3

8. PROPOSED USE OF PARCEL BANK BUILDING

9. WHAT WILL BE THE EFFECT ON EXISTING AND ANTICIPATED TRAFFIC CONDITIONS, INCLUDING PARKING FACILITIES ON ADJACENT STREETS _____

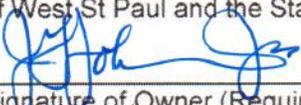
NO DEMONSTRABLE EFFECTS.

EXHIBITS REQUIRED

1. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 copies in sets and folded plans, showing application information as follows:
 - a. A survey scaled and dimensioned site plan showing pertinent existing conditions such as parking layout, access provisions, structure locations, drainage, lot area, and yard dimensions, including but not limited to the surrounding parcels within 150 feet.
 - b. A complete set of preliminary drawings prepared and signed by a registered Civil Engineer, Architect, and/or Landscape Architect showing:
 - (i) A site plan indicating parking layout, access provisions, structure locations, any fences, walls, or other screening, including height and type of material, landscaping, drainage, trees and shrubbery including types and locations, and sizes.
 - (ii) Building Elevations including finishes on all buildings all sides.
 - (iii) All lighting provisions on site, including type, location, and lumens affecting the surrounding parcels and streets.
 - (iv) Curb type and location on site.
 - (v) Proposed plans for sidewalk to service, parking, recreation and service areas within the site.

ACKNOWLEDGE AND SIGNATURE

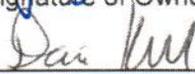
The undersigned hereby represents upon all penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the State of Minnesota.



Signature of Owner (Required)

612-940-7137

Phone Number



Signature of Applicant (If different)

763-234-7523

Phone Number

NOTE: All Materials relevant to this Application must be filed on or before the dates listed on the Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.

LAPSE OF SITE PLAN: An approved Site Plan shall lapse and become null and void six months following the date on which the Site Plan was approved, unless prior to the expiration of six months a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the subject site. An approved Site Plan may be renewed once for a period of one year by the City Council.

FEES

1. The fees to be paid by each applicant for each zoning request shall be as prescribed by the City Council. Fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable unless the application is withdrawn prior to being sent for legal publication and notice. There shall be no fee in the case of applications filed in the public interest by the City Council or by the Planning Commission. Fees shall include application fee, filing fees, consultant, legal, planning, and engineering fees.
2. Applicants shall deposit with the City, together with the application filing fees, the sums required by Council resolution toward prepayment of the Consultants and Attorney's expenses and all costs to be billed and charged to the City. The prepayment amounts shall be a credit toward all reasonable fees and expenses charged by the Consultants to the City in the investigation report and recommendation to the City Council concerning the application. All reasonable expenses and fees in excess of the deposit, shall be paid by the applicant to the City within 30 days of final action on the matter by the City. If not paid within 30 days, the account shall be deemed delinquent. If the fees and expenses incurred by the City from the Consultants are less than the amount of deposit, such excess shall be returned to the applicant upon final action by the City in said manner.



CITY OF WEST ST. PAUL

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FAX 651-552-4190

POLICE 651-552-4200
FIRE 651-552-4176
TDD 651-552-4222

CONDITIONAL USE PERMIT APPLICATION

Filing Fee: \$275.00

(OFFICE USE ONLY)

Escrow Amount: \$400.00 (residential)
\$800.00 (commercial)

CASE NO. _____
DATE RECEIVED _____
RECEIPT # _____
60 DAY DATE _____

TOTAL FEES \$1,075.00

1. STREET ADDRESS OF PARCEL 1994 SOUTH ROBERT ST.

2. NAME OF APPLICANT DAVID KNAEBLE Phone # 763-234-2523

3. ADDRESS OF APPLICANT 4931 W. 35TH ST #200 Email ~~XXXXXXXXXX~~
ST. LOUIS PARK, MN 55416 dknaeble@civilsitegrp.com

4. NAME OF OWNER Tom Leitman (1994 South Robert, LLC) Phone # 612-940-7137

5. ADDRESS OF OWNER 7101 KALISE DR. Email tr1@pinehurstpropr.com
EDINA, MN 55439

6. LEGAL/PID # 427110001022

7. PRESENT ZONING B-3

8. PROPOSED USE OF PARCEL BASE BUILDING

9. ZONING SECTION AUTHORIZING CUP DRIVE-IN

10. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE HEALTH, SAFETY, & WELFARE OF THE OCCUPANTS IN THE SURROUNDING PARCELS?
NO DETERMINABLE EFFECTS

11. WHAT WILL BE THE EFFECT ON EXISTING AND ANTICIPATED TRAFFIC CONDITIONS, INCLUDING PARKING FACILITIES ON ADJACENT STREETS?
NO DETERMINABLE EFFECTS

12. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE COMPREHENSIVE PLAN?
NO DETERMINABLE EFFECTS

**PROMOTING AND PRESERVING A COMMUNITY OF EXCELLENCE
BY THE ETHICAL, RESPONSIVE, EFFICIENT AND INNOVATIVE PROVISION OF SERVICES
EOE/AEE**



CITY OF WEST ST. PAUL

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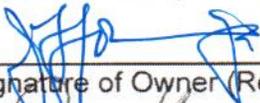
**PROMOTING AND PRESERVING A COMMUNITY OF EXCELLENCE
BY THE ETHICAL, RESPONSIVE, EFFICIENT AND INNOVATIVE PROVISION OF SERVICES
EOE/AEE**

EXHIBITS REQUIRED

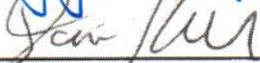
- A. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies, of a map or plat showing the property on which the Conditional Use Permit is requested, and all parcel within 150 feet of the boundaries of the subject parcel.
- B. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies in sets and folded plans, showing application information as follows:
 - a. Proposed and existing topography and drainage.
 - b. A complete plan prepared and signed by a registered Civil Engineer, Architect, and/or Landscape Architect showing:
 - i. The parking layout, access provisions, structure locations, landscaping, drainage, trees and shrubbery including types and locations, and sizes.
 - ii. Any fences, walls, or other screening, including height and type of material.
 - iii. All lighting provisions, including type, location, and lumens affecting the surrounding parcels and streets.
 - iv. Curb type and location on site.
 - v. Proposed plans for sidewalk to service, parking, recreation and service areas within the site.

ACKNOWLEDGE AND SIGNATURE

The undersigned hereby represents upon all penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the State of Minnesota.



Signature of Owner (Required)



Signature of Applicant (If different)

612-940-7137
Phone Number

763-234-2523
Phone Number

NOTE: All Materials relevant to this Application must be filed on or before the dates listed on Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.

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An approved Conditional Use Permit shall lapse and become null and void six months following the date on which the Conditional Use Permit was approved, unless prior to the expiration of six months a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the subject site, or a Certificate of Occupancy is issued by the Building Official. A Conditional Use Permit may be renewed once for a period of one year by the City Council.

FEES

1. The fees to be paid by each applicant for each zoning request shall be as prescribed by the City Council. Fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable unless the application is withdrawn prior to being sent for legal publication and notice. There shall be no fee in the case of applications filed in the public interest by the City Council or by the Planning Commission. Fees shall include application fee, filing fees, consultant, legal, planning, and engineering fees.
2. Applicants shall deposit with the City, together with the application filing fees, the sums required by Council resolution toward prepayment of the Consultants and Attorney's expenses and all costs to be billed and charged to the City. The prepayment amounts shall be a credit toward all reasonable fees and expenses charged by the Consultants to the City in the investigation report and recommendation to the City Council concerning the application. All reasonable expenses and fees in excess of the deposit, shall be paid by the applicant to the City within 30 days of final action on the matter by the City. If not paid within 30 days, the account shall be deemed delinquent. If the fees and expenses incurred by the City from the Consultants are less than the amount of deposit, such excess shall be returned to the applicant upon final action by the City in said manner.

**CITY OF WEST ST. PAUL
NOTICE OF PUBLIC HEARINGS**

TO WHOM IT MAY CONCERN:

The items listed below will be public hearings at the Planning Commission meeting on October 18, 2016 at 7:00 p.m. and public hearings at the City Council meeting on October 24, 2016 at 6:30 p.m.:

Case #16-14 – Applications for a Conditional Use Permit to allow a Drive-through Lane in a B3, General Business District and Site Plan review for the construction of a new office building (bank) and parking lot at 1994 Robert St. S. – Civil Site Group

Interested persons will be heard at the meeting. If you have any questions, please contact City Planner Ben Boike at 651-552-4134. If you need any type of accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4102 at least 5 (five) business days prior to the meeting.



Chantal M. Doriott
City Clerk
City of West St. Paul

Published: October 9, 2016

REVISION SUMMARY	
DATE	DESCRIPTION

SITE SURVEY

C0.1

1994 Robert Street South

West St. Paul, MN

Pinehurst Properties

4999 France Avenue South
Minneapolis, MN 55410



PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com

CADD QUALIFICATION

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

SUBMITTAL/REVISIONS

05-14-15	DRAWING ISSUED BY RICHARD LIGHT
06-01-15	UPDATED INVERTS
07-07-15	ADDED STORM SEWER
07-14-15	ADD'L ENTITY
01-26-16	ADDED S'LY TOPO (SH 2)

PROFESSIONAL SIGNATURE

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

Henry D. Nelson
Henry D. Nelson - JLS
License No. 17255
Date 01-26-16

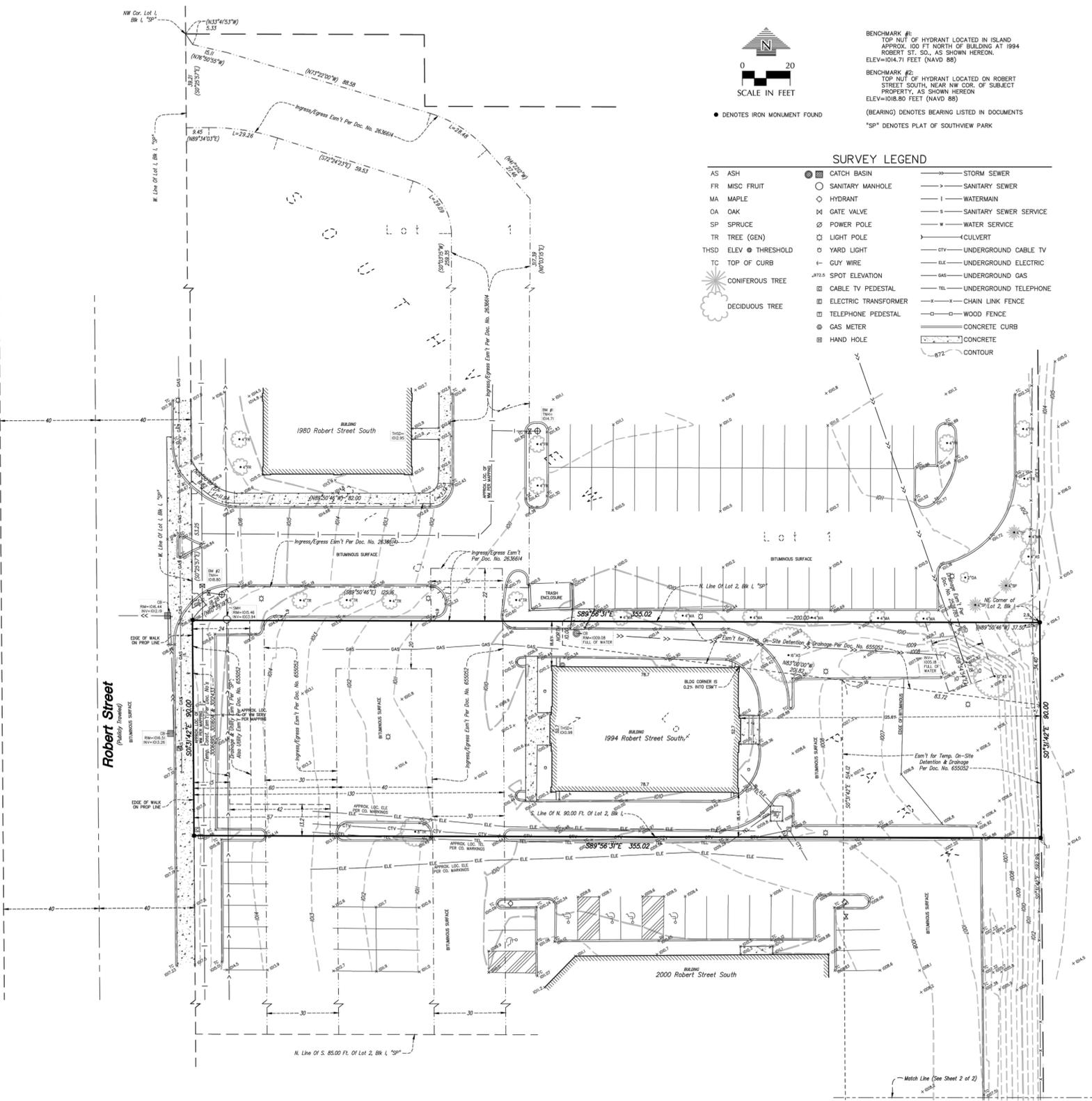
QUALITY CONTROL

Loucks Project No. 09069C
Project Lead RLL/HDN
Drawn By SFM/JAA/TMB
Checked By MLS
Field Crew DJP

VICINITY MAP



ALTA/ACSM Land Title Survey



BENCHMARK #1:
TOP NUT OF HYDRANT LOCATED IN ISLAND APPROX. 100 FT NORTH OF BUILDING AT 1994 ROBERT ST. SO., AS SHOWN HEREON. ELEV=1014.71 FEET (NAVD 88)

BENCHMARK #2:
TOP NUT OF HYDRANT LOCATED ON ROBERT STREET SOUTH, NEAR NW COR. OF SUBJECT PROPERTY, AS SHOWN HEREON. ELEV=1018.80 FEET (NAVD 88)

(BEARING) DENOTES BEARING LISTED IN DOCUMENTS
SP DENOTES PLAT OF SOUTHWEST PARK



● DENOTES IRON MONUMENT FOUND

SURVEY LEGEND

AS	ASH	○	CATCH BASIN	—	STORM SEWER
FR	MISC FRUIT	○	SANITARY MANHOLE	—	SANITARY SEWER
MA	MAPLE	○	HYDRANT	—	WATERMAIN
OA	OAK	⊗	GATE VALVE	—	SANITARY SEWER SERVICE
SP	SPRUCE	⊗	POWER POLE	—	WATER SERVICE
TR	TREE (GEN)	⊗	LIGHT POLE	—	CULVERT
THSD	ELEV THRESHOLD	○	YARD LIGHT	—	UNDERGROUND CABLE TV
TC	TOP OF CURB	—	GUY WIRE	—	UNDERGROUND ELECTRIC
	CONFEROUS TREE	—	SPOT ELEVATION	—	UNDERGROUND GAS
	DECIDUOUS TREE	—	CABLE TV PEDESTAL	—	UNDERGROUND TELEPHONE
		—	ELECTRIC TRANSFORMER	—	CHAIN LINK FENCE
		—	TELEPHONE PEDESTAL	—	WOOD FENCE
		—	GAS METER	—	CONCRETE CURB
		—	HAND HOLE	—	CONCRETE
		—		—	CONTOUR

DESCRIPTION OF PROPERTY SURVEYED

(Per Schedule A of the herein referenced Title Commitment)

The Northerly 90.00 feet of Lot 2, Block 1, Southview Park, Dakota County, Minnesota.

Subject to and together with easements created in Deed filed as Document No. 655052, Dakota County, Minnesota.

Abstract Property

(The following items refer to Table A optional survey responsibilities and specifications)

- This property is contained in Flood Insurance Rate Map, Community Panel No. 27037C0040E, and is a non-printed panel (no special flood hazard areas).
- The Gross land area is 31,952 +/- square feet or 0.73 +/- acres.
- Exterior dimensions of the buildings are shown at ground level.
- There are no striped parking stalls on this site.
- We have shown buried structures and utilities on and/or serving the site Per Gopher State One-Call Ticket No's 151182618 and 51182632. The following utilities and municipalities were notified:
 - CITY OF INVER GROVE HEIGHTS - (651) 450-2579
 - CITY OF WEST ST. PAUL - (651) 552-4100
 - COMCAST - (612) 522-8141
 - DAKOTA COUNTY HIGHWAY DEPT - (952) 891-7900
 - DEPT OF TRANSPORTATION - (651) 366-5750
 - MCI - (800) 289-3427
 - SPRINT/LONG DISTANCE - (800) 521-0579
 - ST PAUL WATER UTILITY - (651) 266-6868
 - WINDSTREAM COMMUNICATIONS - (763) 682-3514
 - XCEL ENERGY - (651) 229-2427
 - TTM OPERATING CORP - (866) 753-8309
 - CENTURYLINK - (855) 742-6062
 - LIGHTNET LLC - (218) 298-1025
 - XCEL ENERGY - (651) 229-2427

- Utility operators do not consistently respond to locate requests through the Gopher State One-Call service for boundary purposes such as this. Those utility operators that do respond often will not locate services from their main line to the customer's structure or facility - they consider those segments private installations that are outside their jurisdiction. If a private service to an adjointer's site crosses this site or a service to this site crosses an adjointer, it may not be located since most operators will not mark such "private" services.
- Snow and ice conditions during winter months may obscure otherwise visible evidence of a buried structure or utility.
- Maps provided by operators, either along with a field location or in lieu of such a location, are very often inaccurate or inconclusive. EXTREME CAUTION MUST BE EXERCISED BEFORE AN EXCAVATION TAKES PLACE ON OR NEAR THIS SITE. BEFORE DIGGING, YOU ARE REQUIRED BY LAW TO NOTIFY GOPHER STATE ONE CALL AT LEAST 48 HOURS IN ADVANCE AT 651/454-0002.

SURVEY REPORT

The property depicted on this survey and the easements of record shown hereon are the same as the property and the easements described in the Commitment for Title Insurance issued by Burnett Title as agent for Old Republic National Title Insurance Company, File No. 15-03031, dated March 2, 2015.

- The following remarks reference items in Schedule B, Part II - Exceptions of the herein referenced Title Commitment:
 - Item no. 1, 2, 4, 5, 6 and 11 are not survey related items.
 - Item no. 3: The easement for utility purposes over the west 24 feet, per the plat of Southview Park, is shown hereon along the westerly side of the site.
 - Item no. 7: Document no. 655052 contains an easement for utility purposes, as shown hereon along the westerly side of the site; an ingress and egress easement, as shown hereon west of the building; and an easement for temporary on-site detention and drainage, as shown hereon along the easterly side of the site.
 - Item no. 8: Document no. 2526785 contains a drainage easement that is shown hereon at the northeast corner of the site. Document no. 2636614 contains an easement area that is shown hereon lying on the west side of the property to the north.
 - Item no. 9: Document no. 3011604 is a temporary construction easement that is shown hereon along the west side of the site.
 - Item no. 10: Document no. 3012433 is a temporary construction easement that is shown hereon along the west side of the site.
 - Item no. 12: Document no. 3006895 is a temporary construction easement that is shown hereon along the west side of the site.
- At the northwest corner of the site, part of the parking area lies north of the property line.
- This update was prepared for the purpose of showing topography on a portion of the property to the south, as shown on sheet 2; no attempt was made to re-verify conditions of the original survey.
- There is a fence that falls west of the east property line, as shown hereon.

CERTIFICATION

To Pinehurst Properties; 1501 Partnership, a Minnesota partnership; Burnett Title and Old Republic National Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2011, and includes items 1 - 4, 7a, 8, 9 and 11b of Table A thereof. The field work was completed on January 9, 2016.

Date of Plat or Map: January 26, 2016

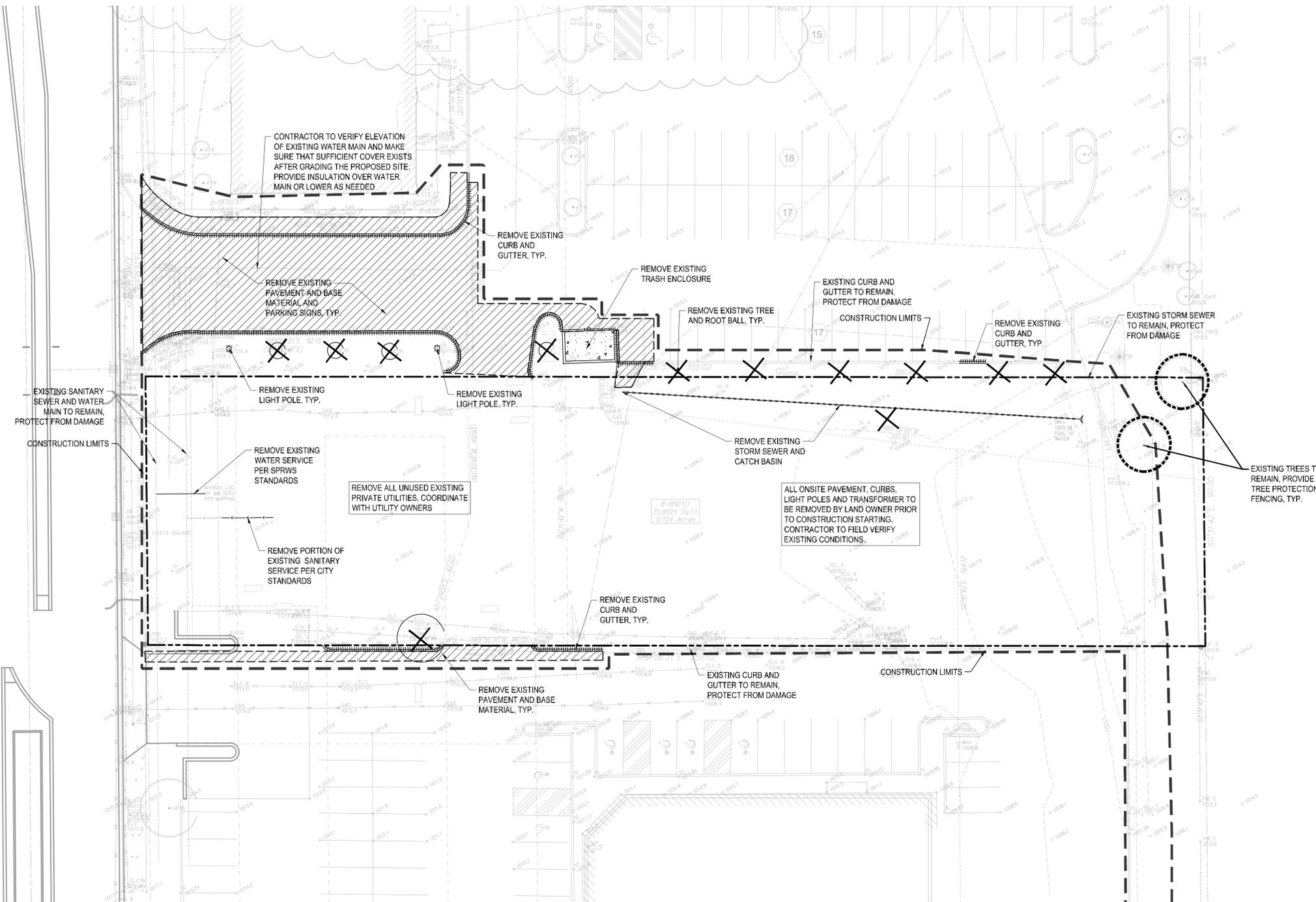
Henry D. Nelson
Henry D. Nelson, PLS
Minnesota License No. 17255
hnelson@loucksinc.com



TREE REMOVALS:

NO.	Tree Type	Caliper	Trunk	DISPOSITION
1	TR		4	REMOVE
2	TR		4	REMOVE
3	TR		4	REMOVE
4	TR		4	REMOVE
5	MA		4	REMOVE
6	MA		4	REMOVE
7	MA		4	REMOVE
8	MA		4	REMOVE
9	MA		4	REMOVE
10	MA		4	REMOVE
11	ASH		16	REMOVE
12	ASH		12	PROTECT
13	ASH		12	PROTECT
14	TR		8	REMOVE

CALIPER INCHES TO BE REMOVED:	64
CALIPER INCHES FOR REPLACEMENT (30%):	19
NUMBER OF REPLACEMENT TREES (2.5" CAL.):	8
NUMBER OF EXIST. TO REMAIN:	2



REMOVAL NOTES:

- SEE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) PLAN FOR CONSTRUCTION STORM WATER MANAGEMENT PLAN.
- REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH MNDOT, STATE AND LOCAL REGULATIONS.
- REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
- EXISTING PAVEMENTS SHALL BE SAWCUT IN LOCATIONS AS SHOWN ON THE DRAWINGS OR THE NEAREST JOINT FOR PROPOSED PAVEMENT CONNECTIONS.
- REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
- ABANDON, REMOVAL, CONNECTION, AND PROTECTION NOTES SHOWN ON THE DRAWINGS ARE APPROXIMATE. COORDINATE WITH PROPOSED PLANS.
- EXISTING ON-SITE FEATURES NOT NOTED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT THE DURATION OF THE CONTRACT.
- PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
- MINOR WORK OUTSIDE OF THE GENERAL CONSTRUCTION LIMITS SHALL BE ALLOWED AS SHOWN ON THE PLAN AND PER CITY REQUIREMENTS.
- DAMAGE BEYOND THE PROPERTY LIMITS CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED IN A MANNER APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT OR IN ACCORDANCE WITH THE CITY.
- PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.

- SITE SECURITY MAY BE NECESSARY AND PROVIDED IN A MANNER TO PROHIBIT VANDALISM, AND THEFT, DURING AND AFTER NORMAL WORK HOURS, THROUGHOUT THE DURATION OF THE CONTRACT. SECURITY MATERIALS SHALL BE IN ACCORDANCE WITH THE CITY.
- VEHICULAR ACCESS TO THE SITE SHALL BE MAINTAINED FOR DELIVERY AND INSPECTION ACCESS DURING NORMAL OPERATING HOURS. AT NO POINT THROUGHOUT THE DURATION OF THE CONTRACT SHALL CIRCULATION OF ADJACENT STREETS BE BLOCKED WITHOUT APPROVAL BY THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
- ALL TRAFFIC CONTROLS SHALL BE PROVIDED AND ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) AND THE CITY. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, SIGNAGE, BARRICADES, FLASHERS, AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL REMAIN OPEN TO TRAFFIC AT ALL TIMES. NO ROAD CLOSURES SHALL BE PERMITTED WITHOUT APPROVAL BY THE CITY.
- SHORING FOR BUILDING EXCAVATION MAY BE USED AT THE DISCRETION OF THE CONTRACTOR AND AS APPROVED BY THE OWNERS REPRESENTATIVE AND THE CITY PRIOR TO CONSTRUCTION ACTIVITIES.
- STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.

CITY OF WEST ST. PAUL REMOVAL NOTES:

- RESERVED FOR CITY SPECIFIC REMOVAL NOTES.

EROSION CONTROL NOTES:

SEE SWPPP ON SHEETS SW1.0-SW1.5

REMOVALS LEGEND:

- 932--- EX. 1' CONTOUR ELEVATION INTERVAL
- [Hatched Box] REMOVAL OF PAVEMENT AND ALL BASE MATERIAL, INCLUDING BIT., CONC., AND GRAVEL P/MTS.
- [Cross-hatched Box] REMOVAL OF STRUCTURE INCLUDING ALL FOOTINGS AND FOUNDATIONS.
- [Dashed Circle] TREE PROTECTION
- [X] TREE REMOVAL - INCLUDING ROOTS AND STUMPS

**BANK OF AMERICA
WEST ST. PAUL**

1994 SOUTH ROBERT STREET, WEST ST. PAUL, MN 55118

JONES LANG LASALLE

200 EAST RANDOLPH STREET, CHICAGO, IL 60601

PROJECT

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.

Matthew R. Pavlek
Matthew R. Pavlek
DATE 9/23/16 LICENSE NO. 44263

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
9/23/16	CITY SUBMITTAL

REVISION SUMMARY

DATE	DESCRIPTION

REMOVALS PLAN

C1.0

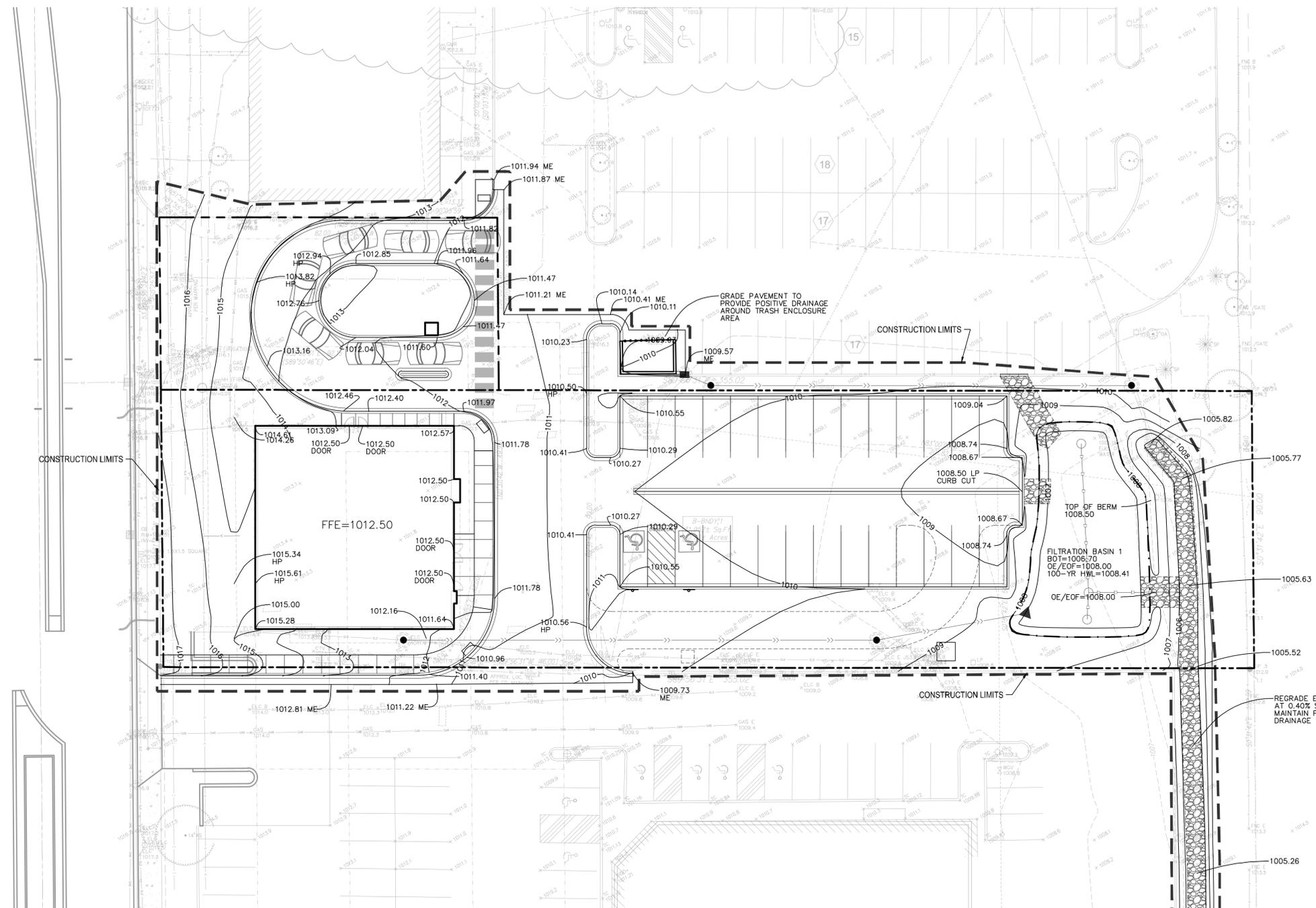
GOPHER STATE ONE CALL
WWW.GOPHERSTATEONECALL.ORG
(800) 252-1166 TOLL FREE
(651) 454-0002 LOCAL

EROSION CONTROL NOTES:
SEE SWPPP ON SHEETS SW1.0-SW1.5

GROUNDWATER INFORMATION:
PER GEOTECHNICAL REPORT BY NORTHERN TECHNOLOGIES, INC., DATED 07-13-15
GROUNDWATER WAS NOT OBSERVED IN BORINGS RANGING FROM 11 FEET TO 21 FEET DEEP.

CITY OF WEST ST. PAUL GRADING NOTES:

- RESERVED FOR CITY SPECIFIC GRADING NOTES.



GENERAL GRADING NOTES:

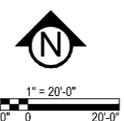
- SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
- THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
- PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
- GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
- PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1
- PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE

- ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SODDING ACTIVITIES.
- IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
- EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
- FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BECOME RUTTED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
- PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR

- PARKING AREA ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER.
- TOLERANCES
 - THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
 - THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
 - AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
 - TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
- MAINTENANCE
 - THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
 - CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES. DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEEDING AND MULCHED.
 - WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARIFY, SURFACE, RESHAPE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.

GRADING PLAN LEGEND:

- 891 ----- EX. 1' CONTOUR ELEVATION INTERVAL
- 819 ----- 1.0' CONTOUR ELEVATION INTERVAL
- 891.0 SPOT GRADE ELEVATION (FLOW LINE UNLESS OTHERWISE NOTED)
- 891.0 G SPOT GRADE ELEVATION GUTTER
- 891.0 BC SPOT GRADE ELEVATION BACK OF CURB (TOP OF CURB)
- 891.0 BS/TS SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
- T.O. TIP OUT (T.O.) CURB AND GUTTER WHERE APPLICABLE - TAPER GUTTERS TO DRAIN AS SHOWN
- EXISTING AND PROPOSED DRAINAGE ARROWS



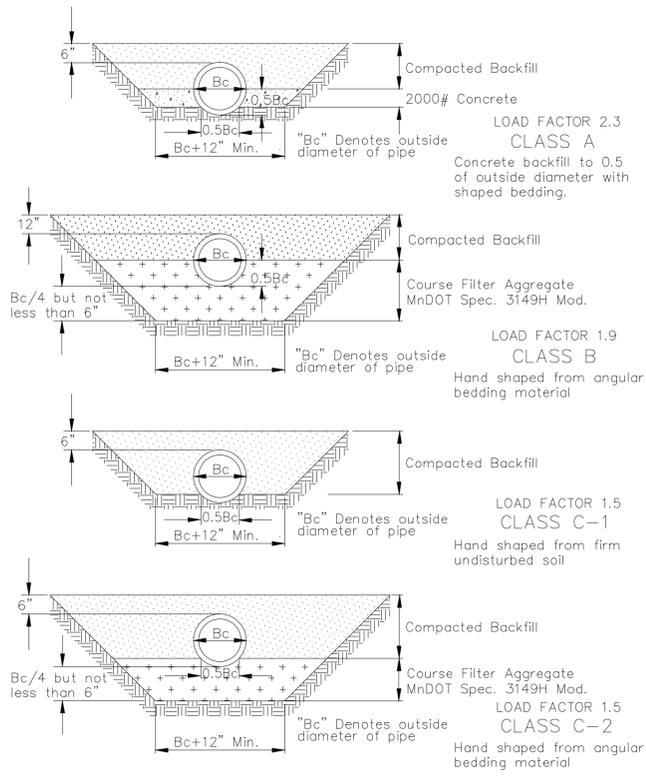
**BANK OF AMERICA
WEST ST. PAUL**
1994 SOUTH ROBERT STREET, WEST ST. PAUL, MN 55118

JONES LANG LASALLE
200 EAST RANDOLPH STREET, CHICAGO, IL 60601

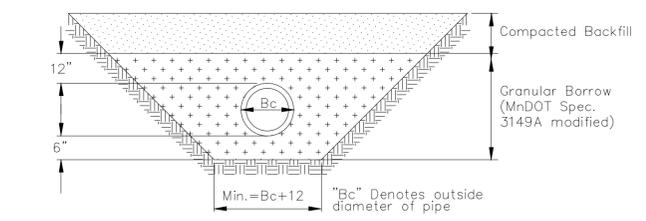
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Matthew R. Pavlek
Matthew R. Pavlek
DATE 9/23/16 LICENSE NO. 44263

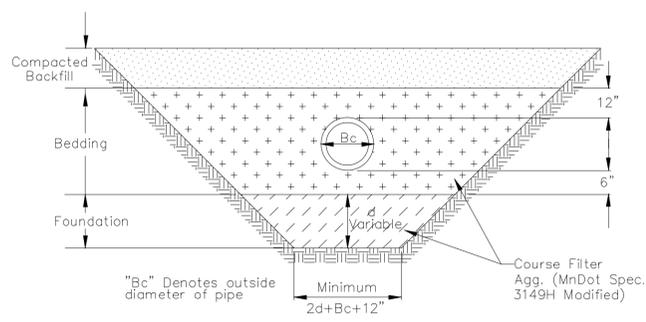
ISSUE/SUBMITTAL SUMMARY	
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1 PIPE BEDDING - RCP & DIP
NTS

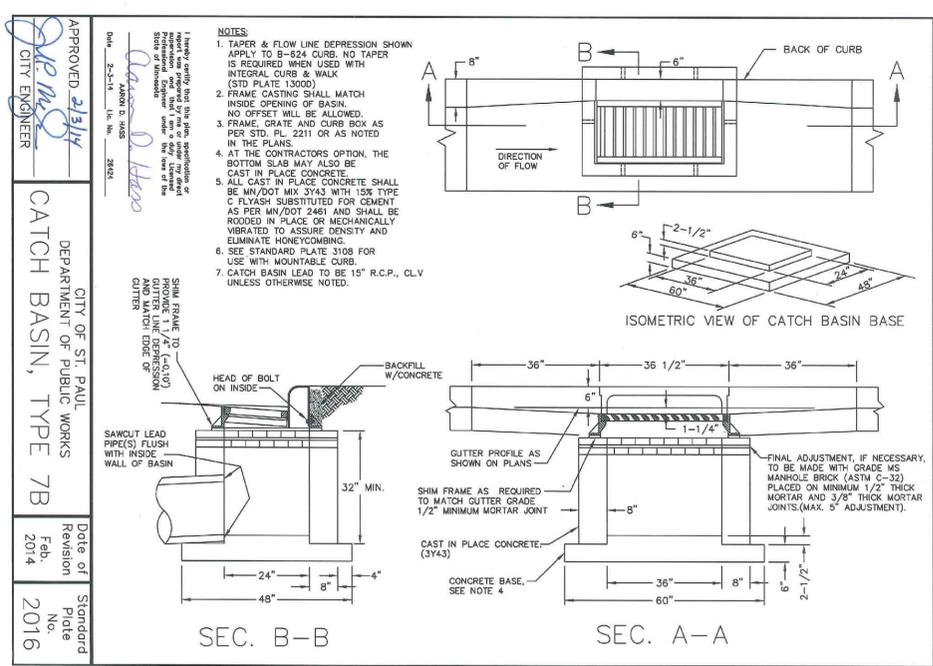


PIPE FOUNDATION & BEDDING IN GOOD SOILS

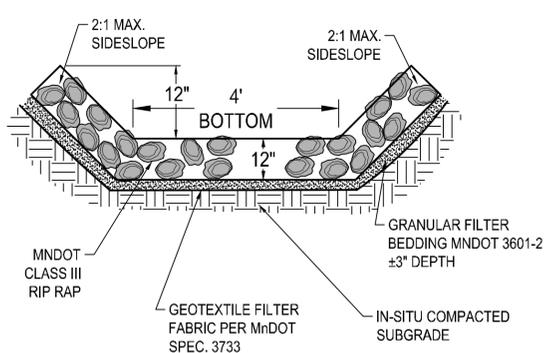


PIPE FOUNDATION & BEDDING IN POOR SOILS

2 PIPE BEDDING - PVC
NTS

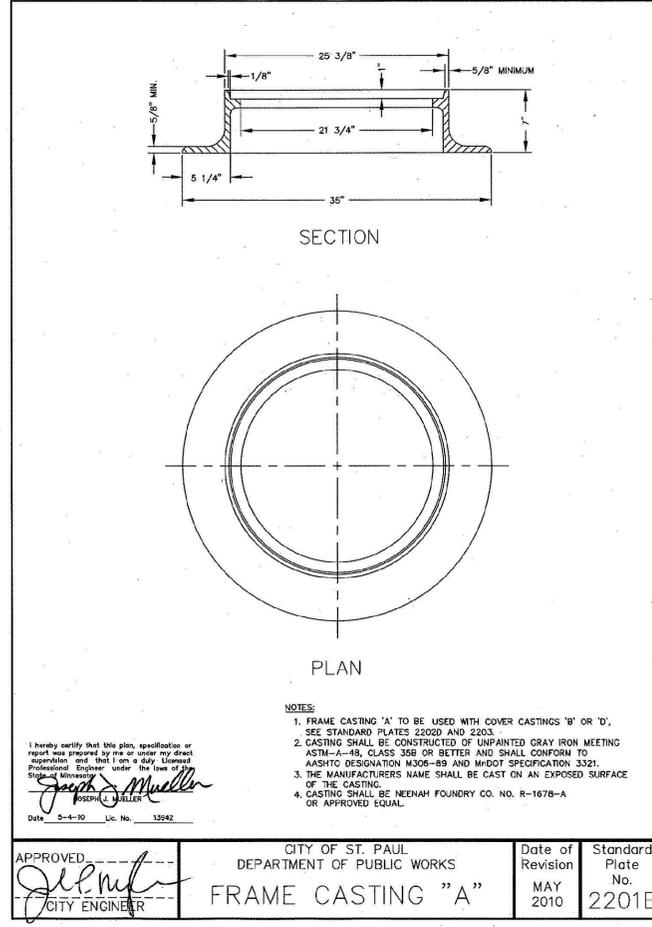


3 CATCH BASIN, TYPE 7B
NTS

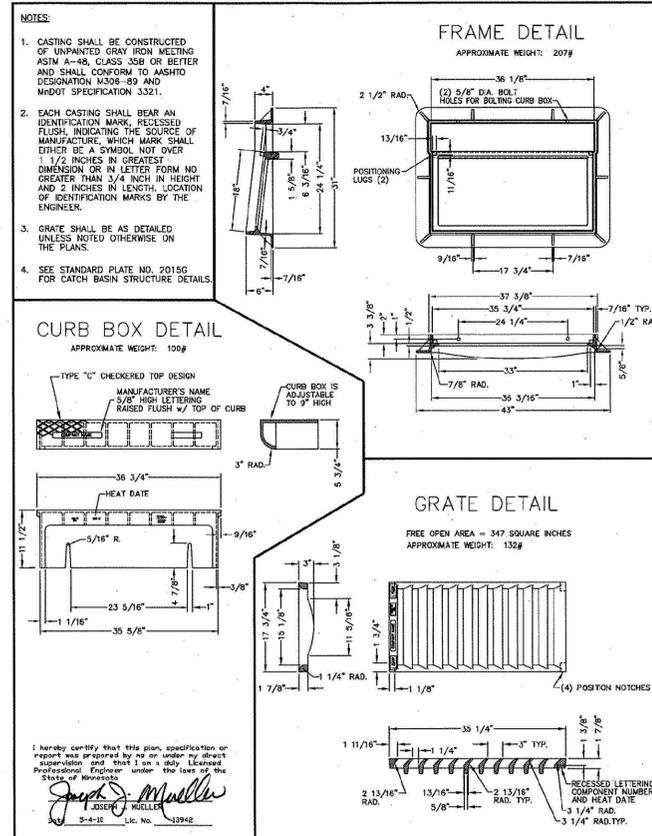


NOTES:
1. GEOTEXTILE FILTER FABRIC, MNDOT SPEC. 3733, SHALL COVER THE BOTTOM AND SIDES OF THE AREA EXCAVATED FOR THE RIP RAP, GRANULAR FILTER BEDDING MATERIALS.
2. GRANULAR FILTER, SPEC. 3601, MAY BE USED AS A CUSHION LAYER. PLACE FILTER PER SPEC. 2511. THE CUSHION LAYER IS INCIDENTAL.

3 RIP RAP SWALE
NTS



APPROVED [Signature] **CITY ENGINEER**
CITY OF ST. PAUL
DEPARTMENT OF PUBLIC WORKS
FRAME CASTING "A"
Date of Revision: MAY 2010
Standard Plate No. 2201E



APPROVED [Signature] **CITY ENGINEER**
CITY OF ST. PAUL
DEPARTMENT OF PUBLIC WORKS
TYPE 7A CATCH BASIN CASTING DETAILS
Date of Revision: MAY 20010
Standard Plate No. 2211

BANK OF AMERICA
WEST ST. PAUL
1994 SOUTH ROBERT STREET, WEST ST. PAUL, MN 55118
JONES LANG LASALLE
200 EAST RANDOLPH STREET, CHICAGO, IL 60601

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[Signature]
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LANDSCAPE CALCULATIONS:

ZONING: B-3 GENERAL BUSINESS

REQUIRED TREES:

PERIMETER CALCULATION
1 TREE PER 20 LF SITE PERIMETER
1002 / 20 = 51

TREE REPLACEMENT CALCULATION
REPLACE 30% OF REMOVED CALIPER INCHES

CALIPER INCHES REMOVED = 64
(SEE TREE REMOVAL TABLE)
30% REPLACEMENT = 19
NUMBER OF TREES (@ 2.5 CAL.) REQUIRED = 8

SUBTOTAL TREES REQUIRED: 59

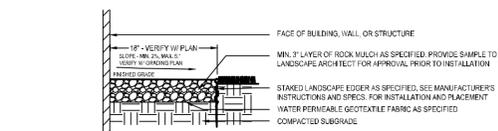
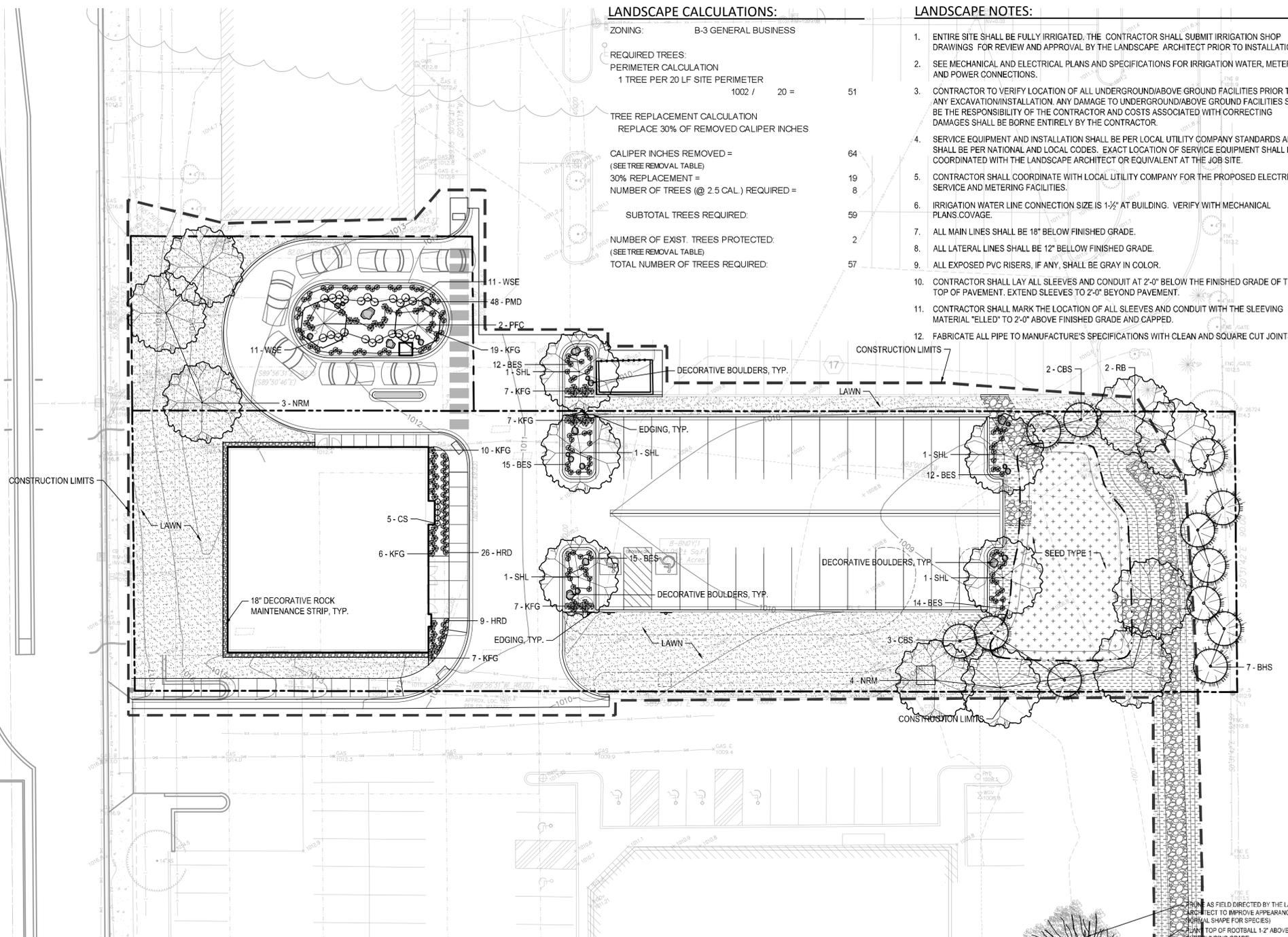
NUMBER OF EXIST. TREES PROTECTED: 2
(SEE TREE REMOVAL TABLE)

TOTAL NUMBER OF TREES REQUIRED: 57

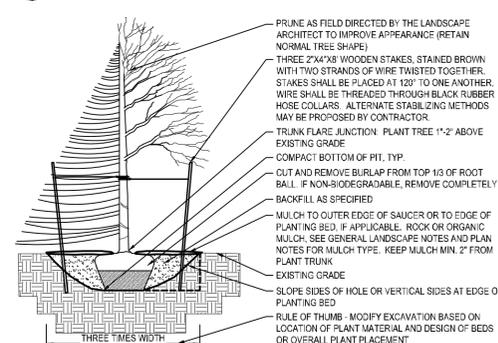
LANDSCAPE NOTES:

- ENTIRE SITE SHALL BE FULLY IRRIGATED. THE CONTRACTOR SHALL SUBMIT IRRIGATION SHOP DRAWINGS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- SEE MECHANICAL AND ELECTRICAL PLANS AND SPECIFICATIONS FOR IRRIGATION WATER, METER, AND POWER CONNECTIONS.
- CONTRACTOR TO VERIFY LOCATION OF ALL UNDERGROUND/ABOVE GROUND FACILITIES PRIOR TO ANY EXCAVATION/INSTALLATION. ANY DAMAGE TO UNDERGROUND/ABOVE GROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND COSTS ASSOCIATED WITH CORRECTING DAMAGES SHALL BE BORNE ENTIRELY BY THE CONTRACTOR.
- SERVICE EQUIPMENT AND INSTALLATION SHALL BE PER LOCAL UTILITY COMPANY STANDARDS AND SHALL BE PER NATIONAL AND LOCAL CODES. EXACT LOCATION OF SERVICE EQUIPMENT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT OR EQUIVALENT AT THE JOB SITE.
- CONTRACTOR SHALL COORDINATE WITH LOCAL UTILITY COMPANY FOR THE PROPOSED ELECTRICAL SERVICE AND METERING FACILITIES.
- IRRIGATION WATER LINE CONNECTION SIZE IS 1-1/2" AT BUILDING. VERIFY WITH MECHANICAL PLANS/COVERAGE.
- ALL MAIN LINES SHALL BE 18" BELOW FINISHED GRADE.
- ALL LATERAL LINES SHALL BE 12" BELOW FINISHED GRADE.
- ALL EXPOSED PVC RISERS, IF ANY, SHALL BE GRAY IN COLOR.
- CONTRACTOR SHALL LAY ALL SLEEVES AND CONDUIT AT 2'-0" BELOW THE FINISHED GRADE OF THE TOP OF PAVEMENT. EXTEND SLEEVES TO 2'-0" BEYOND PAVEMENT.
- CONTRACTOR SHALL MARK THE LOCATION OF ALL SLEEVES AND CONDUIT WITH THE SLEEVING MATERIAL "ELLED" TO 2'-0" ABOVE FINISHED GRADE AND CAPPED.
- FABRICATE ALL PIPE TO MANUFACTURER'S SPECIFICATIONS WITH CLEAN AND SQUARE CUT JOINTS.

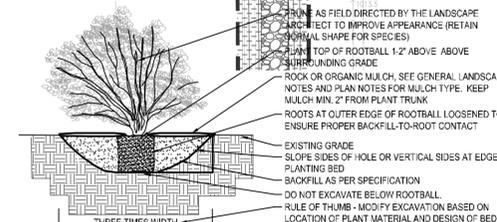
- USE QUALITY GRADE PRIMER AND SOLVENT CEMENT FORMULATED FOR INTENDED TYPE OF CONNECTION.
- BACKFILL ALL TRENCHES WITH SOIL FREE OF SHARP OBJECTS AND DEBRIS.
- ALL VALVE BOXES AND COVERS SHALL BE BLACK IN COLOR.
- GROUP VALVE BOXES TOGETHER FOR EASE WHEN SERVICE IS REQUIRED. LOCATE IN PLANT BED AREAS WHENEVER POSSIBLE.
- IRRIGATION CONTROLLER LOCATION SHALL BE VERIFIED ON-SITE WITH OWNER'S REPRESENTATIVE.
- CONTROL WIRES: 14 GAUGE DIRECT BURIAL, SOLID COPPER IRRIGATION WIRE. RUN UNDER MAIN LINE. USE MOISTURE-PROOF SPLICES AND SPLICE ONLY AT VALVES OR PULL BOXES. RUN SEPARATE HOT AND COMMON WIRE TO EACH VALVE AND ONE (1) SPARE WIRE AND GROUND TO FURTHEST VALVE FROM CONTROLLER. LABEL OR COLOR CODE ALL WIRES.
- AVOID OVER SPRAY ON BUILDINGS, PAVEMENT, WALLS AND ROADWAYS BY INDIVIDUALLY ADJUSTING RADIUS OR ARC ON SPRINKLER HEADS AND FLOW CONTROL ON AUTOMATIC VALVE.
- ADJUST PRESSURE REGULATING VALVES FOR OPTIMUM PRESSURE ON SITE.
- USE SCREENS ON ALL HEADS.
- A SET OF AS-BUILT DRAWINGS SHALL BE MAINTAINED ON-SITE AT ALL TIMES IN AN UPDATED CONDITION.
- ALL PIPE 3" AND OVER SHALL HAVE THRUST BLOCKING AT EACH TURN.
- ALL AUTOMATIC REMOTE CONTROL VALVES WILL HAVE 3" MINIMUM DEPTH OF 3/4" WASHED GRAVEL UNDERNEATH VALVE AND VALVE BOX. GRAVEL SHALL EXTEND 3" BEYOND PERIMETER OF VALVE BOX.
- THERE SHALL BE 3" MINIMUM SPACE BETWEEN BOTTOM OF VALVE BOX COVER AND TOP OF VALVE STRUCTURE.



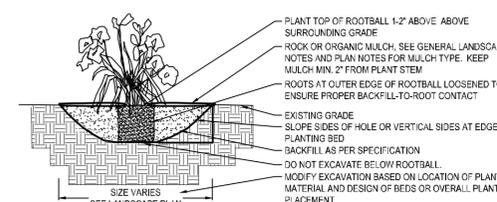
1 AGGREGATE MAINTENANCE STRIP
NTS



2 DECIDUOUS & CONIFEROUS TREE PLANTING
NTS



3 DECIDUOUS & CONIFEROUS SHRUB PLANTING
NTS



4 PERENNIAL BED PLANTING
NTS

LEGEND

- SEED TYPE 1 - NATIVE, MNDOT 33-261 - INSTALL PER MNDOT SEEDING MANUAL (2014)
- SEED TYPE 2 - NATIVE, MNDOT 35-221 - INSTALL PER MNDOT SEEDING MANUAL (2014)
- SOD
- 1" DIA. DECORATIVE ROCK MULCH OVER FILTER FABRIC, SAMPLES REQUIRED
- PROPOSED CANOPY & EVERGREEN TREE SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- PROPOSED DECIDUOUS AND EVERGREEN SHRUB SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- PROPOSED PERENNIAL PLANT SYMBOLS - SEE SCHEDULE AND PLAN FOR SPECIES AND PLANTING SIZES
- DECORATIVE BOULDERS, 18"-30" DIA.

GOPHER STATE ONE CALL
WWW.GOPHERSTATEONECALL.ORG
(800) 252-1166 TOLL FREE
(651) 454-0002 LOCAL

PLANT SCHEDULE - ENTIRE SITE

SYM	QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	COMMENTS
DECIDUOUS TREES						
NRM	7	NORTHWOOD RED MAPLE	<i>Acer rubrum</i> 'Northwood'	2.5" CAL.	B&B	STRAIGHT LEADER, FULL FORM
SHL	5	SKYLINE HONEYLOCUST	<i>Gleditsia triacanthos</i> 'Skycole'	2.5" CAL.	B&B	STRAIGHT LEADER, FULL FORM
RB	2	RIVER BIRCH	<i>Betula nigra</i>	2.5" CAL.	B&B	STRAIGHT LEADER, FULL FORM
ORNAMENTAL TREES						
PFC	2	PRAIRIEFIRE FLOWERING CRAB	<i>Malus</i> 'Prairiefire'	1.5" CAL.	B&B	STRAIGHT LEADER, FULL FORM
EVERGREEN TREES						
BHS	7	BLACK HILLS SPRUCE	<i>Picea glauca</i> 'Densata'	6' ht.	B&B	STRAIGHT LEADER, FULL FORM
CBS	5	COLORADO SPRUCE	<i>Picea pungens</i>	6' ht.	B&B	STRAIGHT LEADER, FULL FORM
PERENNIALS & GRASSES						
KFG	63	KARL FOERSTER GRASS	<i>Calamagrostis x acutiflora</i> 'Karl Foerster'	#1	CONT.	
PMD	48	PARDON ME DAYLILLY	<i>Hermerocallis</i> 'Pardon Me'	#1	CONT.	
BES	68	GOLDSTURM RUDBECKIA	<i>Rudbeckia fulgida</i> 'Goldsturm'	#1	CONT.	
CS	5	CARADONNA SALVIA	<i>Salvia x sylvestris</i> 'Caradonna'	#1	CONT.	
WSE	22	WHITE SWAN ECHINACEA	<i>Echinacea purpurea</i> 'White Swan'	#1	CONT.	
HRD	35	HAPPY RETURNS DAYLILLY	<i>Hermerocallis</i> 'Happy Returns'	#1	CONT.	

LANDSCAPE NOTES:

- ALL SHRUB BEDS SHALL BE MULCHED WITH 4" DEPTH OF DOUBLE SHREDDED HARDWOOD MULCH OVER WEED BARRIER. OWNER'S REP SHALL APPROVE MULCH SAMPLE PRIOR TO INSTALLATION. EDGING SHALL BE METAL EDGING OR APPROVED EQUAL.
- PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS AND SHALL BE OF HARDY STOCK, FREE FROM DISEASE, DAMAGE AND DISFIGURATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING PLUMPNESS OF PLANT MATERIAL FOR DURING OF ACCEPTANCE PERIOD.
- UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE PLAN SHALL GOVERN.
- CONDITION OF VEGETATION SHALL BE MONITORED BY THE LANDSCAPE ARCHITECT THROUGHOUT THE DURATION OF THE CONTRACT. LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTED FOR ONE (1) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
- ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 4" LAYER LOAM AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- COORDINATE LOCATION OF VEGETATION WITH UNDERGROUND AND OVERHEAD UTILITIES, LIGHTING FIXTURES, DOORS AND WINDOWS. CONTRACTOR SHALL STAKE IN THE FIELD FINAL LOCATION OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
- REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
- SWEEP AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.

**BANK OF AMERICA
WEST ST. PAUL**

JONES LANG LASALLE

1994 SOUTH ROBERT STREET, WEST ST. PAUL, MN 55118
200 EAST RANDOLPH STREET, CHICAGO, IL 60601

PROJECT

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

Patrick J. Sarver
DATE 9/23/16 LICENSE NO. 24904

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REVISION SUMMARY

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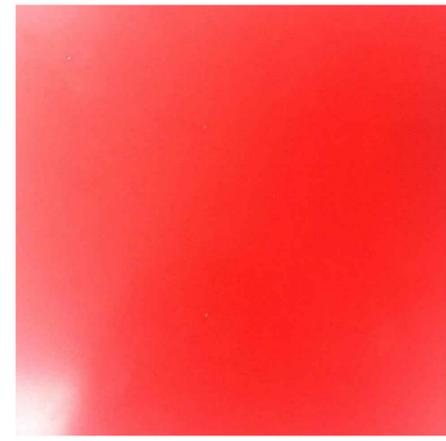
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Issue for Schematic Design Review				
	08/23/2016		KD	BG
City Submittal / Issue for Design Development Review				



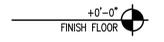
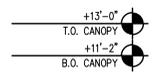
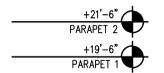
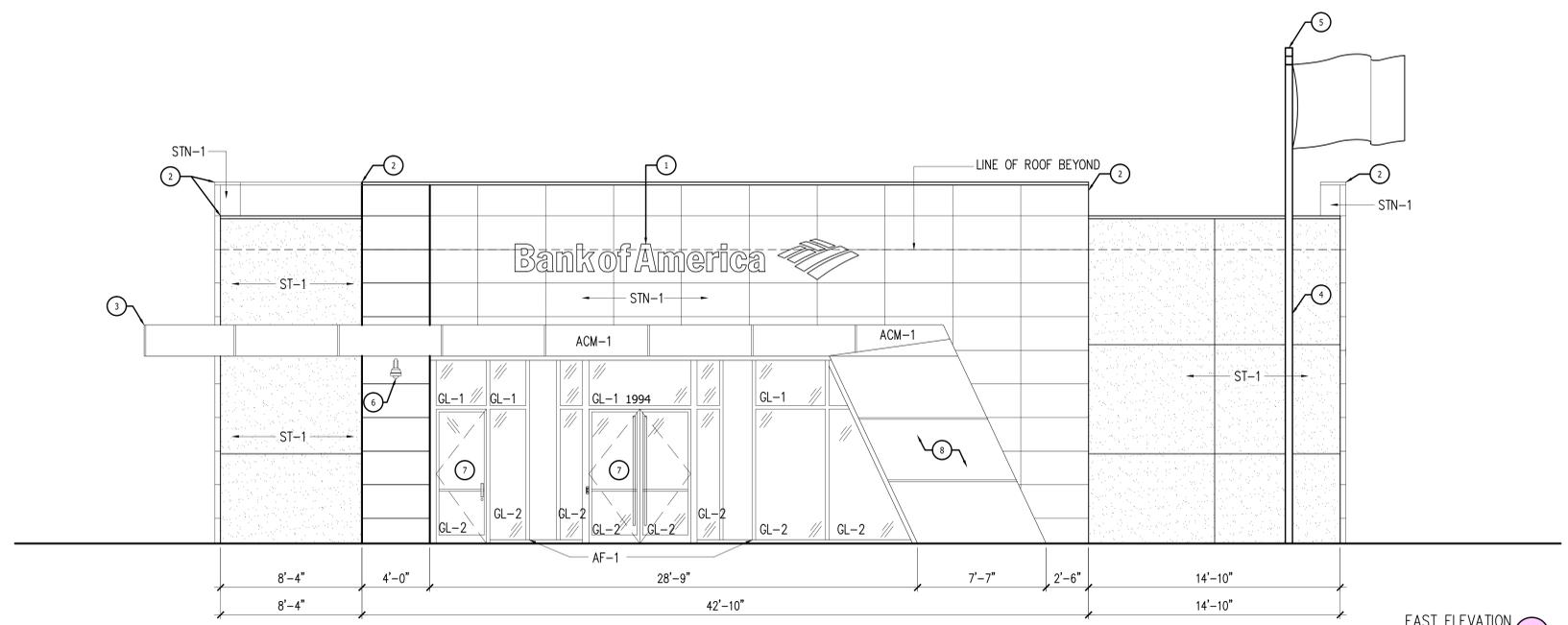
STN-1
STONE SOURCE
 COLOR: LIMESTONE, FINISH: HONED



ST-1
PAREX
 COLOR: CAVERN, FINISH: SAND SMOOTH

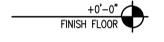
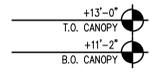
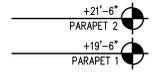
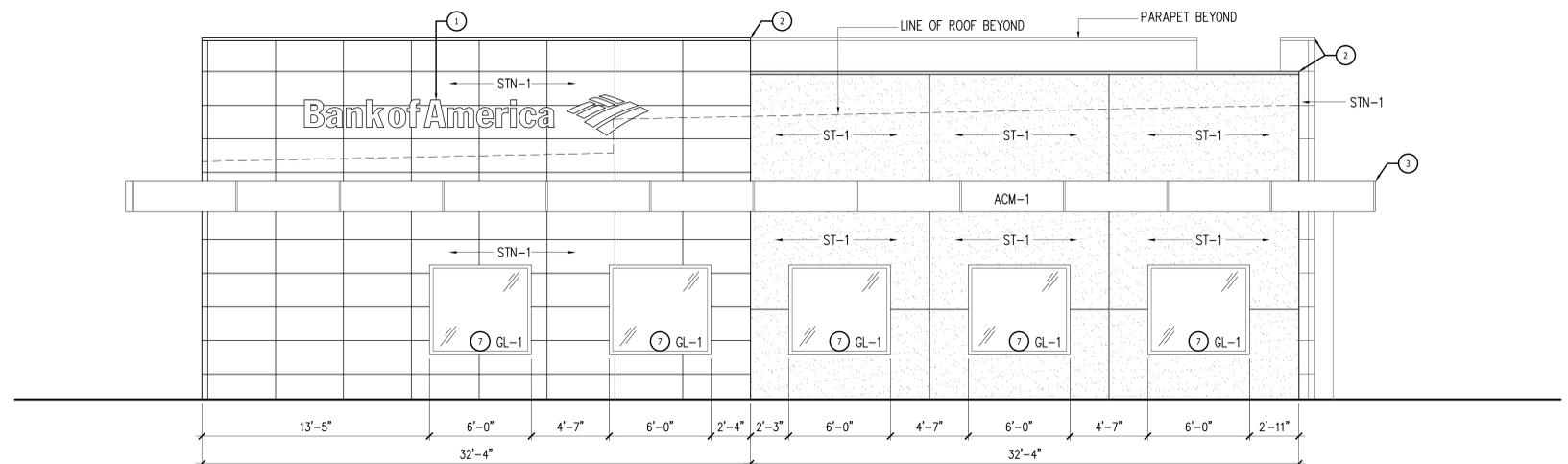


ACM-1
ALPOLIC
 COLOR: BRITE RED



EAST ELEVATION
 1/4" = 1'-0" (01)

GLAZING COVERAGE GLAZING: 345" (28'-9") FACADE: TOTAL = 792" (66'-0") 345" / 792" = 44% GLAZING COVERAGE	PRIMARY EXTERIOR FINISH COVERAGE THIS ELEVATION LIMESTONE (STN-1): 514" (42'-10") FACADE: TOTAL = 792" (66'-0") 514" / 792" = 65% STN-1 COVERAGE	PRIMARY EXTERIOR FINISH COVERAGE TOTAL BUILDING EAST ELEVATION FINISHED WITH STN-1: 514" (42'-10") TOTAL BUILDING FACADE (4 ELEV.): 3136" (261'-4") 514" / 3136" = 16% TOTAL STN-1 COVERAGE W/ 1 ELEVATION
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SOUTH ELEVATION
 1/4" = 1'-0" (02)

GLAZING COVERAGE GLAZING: 5 WINDOWS @ 6'-0" EACH = 360" FACADE: TOTAL = 776" (64'-8") 360" / 776" = 46% GLAZING COVERAGE	PRIMARY EXTERIOR FINISH COVERAGE THIS ELEVATION LIMESTONE (STN-1): 388" (32'-4") FACADE: TOTAL = 776" (64'-8") 388" / 776" = 50% STN-1 COVERAGE	PRIMARY EXTERIOR FINISH COVERAGE TOTAL BUILDING EAST ELEVATION FINISHED WITH STN-1: 514" (42'-10") SOUTH ELEVATION FINISHED WITH STN-1: 388" (32'-4") TOTAL BUILDING FACADE (4 ELEV.): 3136" (261'-4") 902" / 3136" = 29% TOTAL STN-1 COVERAGE W/ 2 ELEVATIONS
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KEY NOTES

- 1 BANK OF AMERICA SIGN BY OWNER
- 2 PROVIDE END FLASHING AND SEALANT AT PARAPET FACE AND ADJACENT CAP
- 3 ACM METAL PANEL SYSTEM AT CANOPY
- 4 31-FT FLAG POLE AND MOUNTING BRACKETS - PROVIDED BY CONTRACTOR (FLAG FURNISHED BY OWNER, INSTALLED BY CONTRACTOR)
- 5 LIGHT FIXTURE MOUNTED ON TOP OF FLAG POLE. SEE ELECT. DWG. FOR FIXTURE TYPE.
- 6 EXTERIOR SECURITY CAMERA. COORDINATE LOCATION WITH SECURITY DRAWINGS BY VENDOR.
- 7 INSULATED GLAZING.
- 8 EXTERIOR FLAGSCAPE OMEGALITE WALL TO BE INSTALLED BY BANK OF AMERICA VENDOR. GC TO COORDINATE VENDOR DRAWINGS WITH CONSTRUCTION OF "RHOMBUS" STRUCTURE.

EXTERIOR FINISH SCHEDULE

STUCCO / PLASTER (BASED ON PAREX STUCCO) [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" ST-1 3001L "CAVERN", SAND SMOOTH FINISH.	LIMESTONE (BASED ON STONE SOURCE) [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" STN-1 "LIMESTONE", HONED FINISH #14-DHE REFER TO SECTION 04 42 00	ALUMINUM COMPOSITE METAL PANEL (BASED ON APOLIC) [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" ACM-1 "BRITE RED" #4MMBTR REFER TO SECTION 07 42 43
GLAZING [BAC PERFORMANCE] GL-1 1" HEAT STRENGTHENED CLEAR INSULATED GLAZING AS SPECIFIED GL-2 1" TEMPERED INSULATED GLAZING AS SPECIFIED	ALUMINUM GLAZING FRAMES [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" AF-1 STOREFRONT SYSTEM AS SPECIFIED	

STUCCO ACCESSORIES (ALL PAINTED TO MATCH ST-1) [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" (BASED ON FRY REGLET) SA-1 WIDE CHANNEL SCREED AS SPECIFIED SA-2 NARROW CHANNEL SCREED AS SPECIFIED SA-3 MODIFIED CHANNEL SCREED AS SPECIFIED	METAL COPING [BAC PERFORMANCE] MC-1 PREFINISHED METAL COPING CUSTOM COLOR: TO MATCH STN-1 & ST-1 WHERE APPLICABLE	EXTERIOR PAINT (BASED ON BENJAMIN MOORE) [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" EXPT-1 EXTERIOR PAINT TO MATCH ADJACENT EXTERIOR FINISH
EXTERIOR SEALANT COLOR [BAC PERFORMANCE] GLAZING AT EXTERIOR STOREFRONT (ACM, RED AND WHITE) METAL PANEL TO METAL PANEL WINDOW FRAME / STOREFRONT TO STUCCO (ACM, RED AND WHITE) METAL PANEL TO STUCCO (ACM, RED AND WHITE) METAL PANEL TO STOREFRONT	BLACK MATCH METAL CLIP COLOR MATCH METAL FRAME MATCH ADJACENT STUCCO FINISH MATCH STOREFRONT FRAME	

SHEET NOTES

- A. CONTRACTOR TO COORDINATE ELECTRICAL SERVICE FOR WALL MOUNTED SIGNS WITH OWNER. SIGN VENDOR TO DETERMINE EXACT MOUNTING LOCATION(S).
- B. SIGNAGE - TO BE COVERED UNDER SEPARATE PERMIT BY OWNER VENDOR.
- C. REFER TO A12.11 FOR ENTRANCE DOOR HARDWARE WIRING DIAGRAM
- D. REFER TO A00.31 FOR EXTERIOR FINISHES

Project Name
Bank of America West St. Paul

Prototype Layout
 New Financial Center

NELSON Project Number
 16.03027.00

Description
EXTERIOR ELEVATIONS

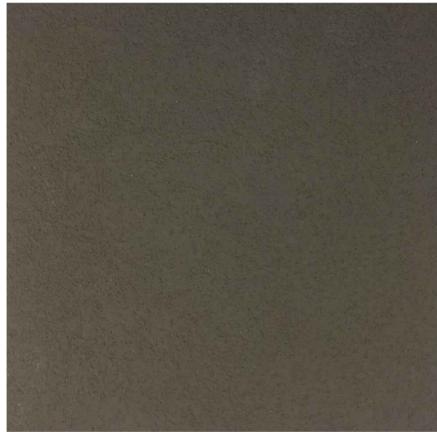
Scale

 SCALE: 1/4" = 1'-0"

A09.11A



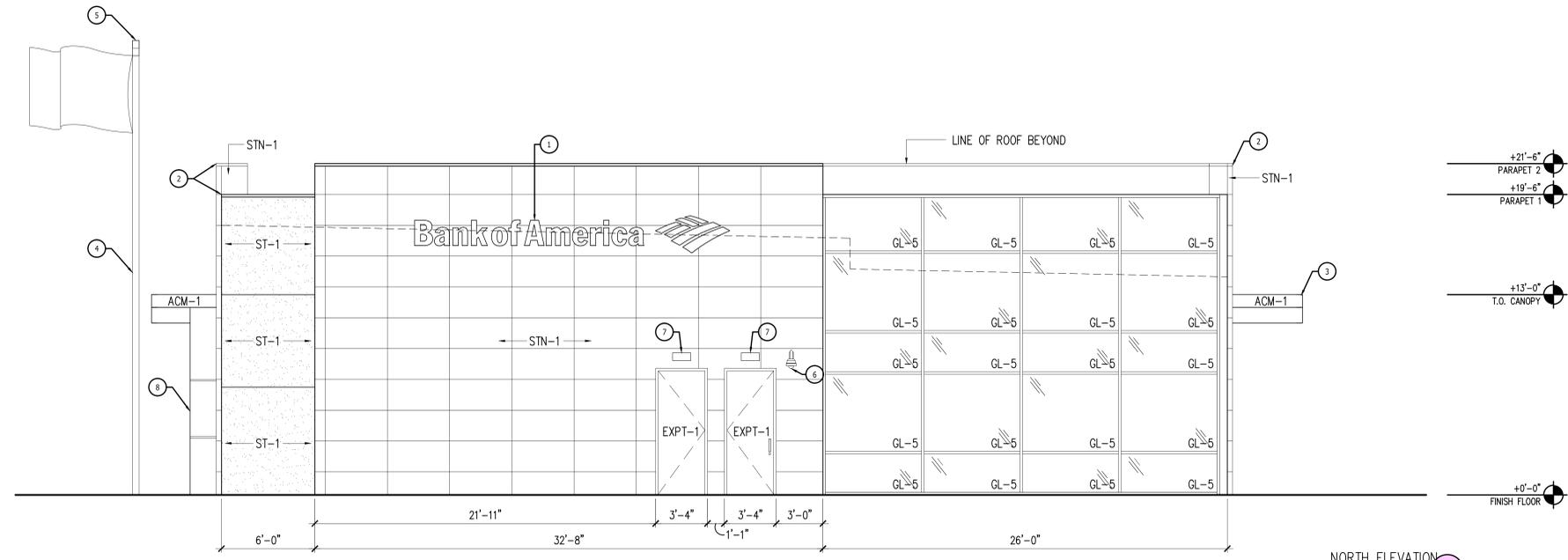
**STN-1
STONE SOURCE**
COLOR: LIMESTONE, FINISH: HONED



**ST-1
PAREX**
COLOR: CAVERN, FINISH: SAND SMOOTH



**ACM-1
ALPOLIC**
COLOR: BRITE RED

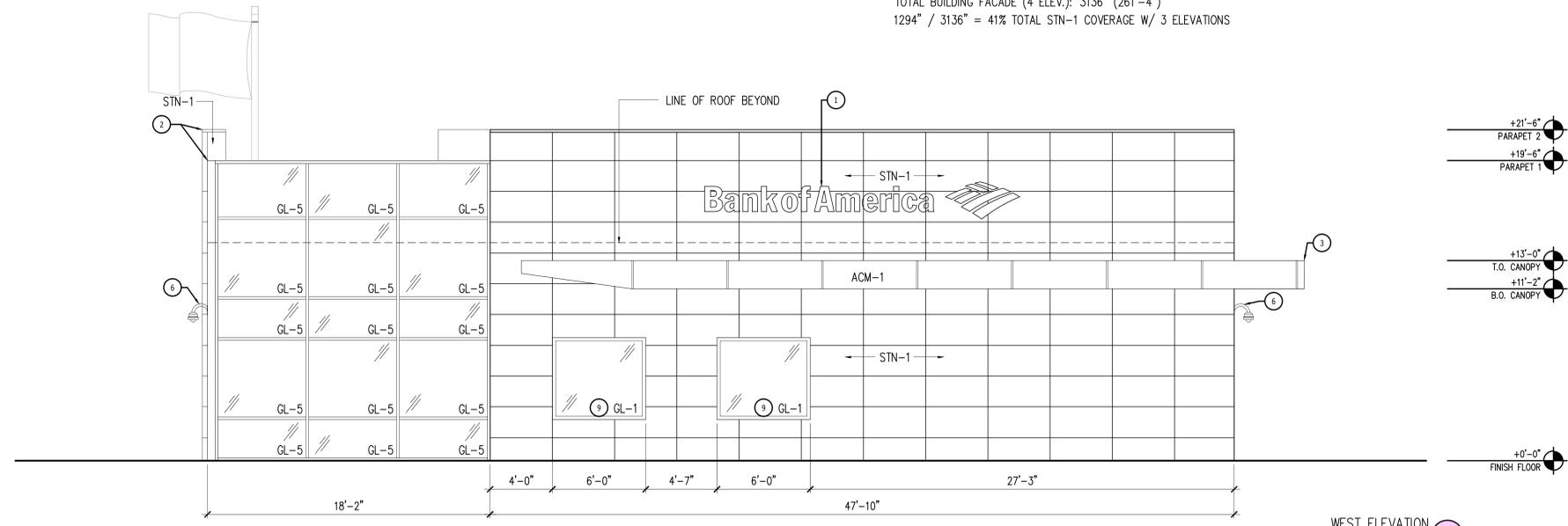


GLAZING COVERAGE
GLAZING: 312" (26'-0")
FACADE: TOTAL = 776" (64'-8")
312" / 776" = 40% GLAZING COVERAGE

PRIMARY EXTERIOR FINISH COVERAGE THIS ELEVATION
LIMESTONE (STN-1): 392" (32'-8")
FACADE: TOTAL = 776" (64'-8")
392" / 776" = 51% STN-1 COVERAGE

PRIMARY EXTERIOR FINISH COVERAGE TOTAL BUILDING
EAST ELEVATION FINISHED WITH STN-1: 514" (42'-10")
SOUTH ELEVATION FINISHED WITH STN-1: 388" (32'-4")
NORTH ELEVATION FINISHED WITH STN-1: 392" (32'-8")
TOTAL BUILDING FACADE (4 ELEV.): 3136" (261'-4")
1294" / 3136" = 41% TOTAL STN-1 COVERAGE W/ 3 ELEVATIONS

NORTH ELEVATION
1/4" = 1'-0" 01



GLAZING COVERAGE
GLAZING: 2 WINDOWS + CURTAINWALL = 362" (30'-6")
FACADE: TOTAL = 792" (66'-0")
362" / 792" = 46% GLAZING COVERAGE

PRIMARY EXTERIOR FINISH COVERAGE THIS ELEVATION
LIMESTONE (STN-1): 574" (47'-10")
FACADE: TOTAL = 792" (66'-0")
574" / 792" = 73% STN-1 COVERAGE

PRIMARY EXTERIOR FINISH COVERAGE TOTAL BUILDING
EAST ELEVATION FINISHED WITH STN-1: 514" (42'-10")
SOUTH ELEVATION FINISHED WITH STN-1: 388" (32'-4")
NORTH ELEVATION FINISHED WITH STN-1: 392" (32'-8")
WEST ELEVATION FINISHED WITH STN-1: 574" (47'-10")
TOTAL BUILDING FACADE (4 ELEV.): 3136" (261'-4")
1868" / 3136" = 60% TOTAL STN-1 COVERAGE W/ 4 ELEVATIONS

WEST ELEVATION
1/4" = 1'-0" 02

KEY NOTES

- 1 BANK OF AMERICA SIGN BY OWNER
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- 9 INSULATED GLAZING

EXTERIOR FINISH SCHEDULE

STUCCO / PLASTER [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" ST-1 3001L "CAVERN", SAND SMOOTH FINISH.	(BASED ON PAREX STUCCO)
LIMESTONE [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" STN-1 "LIMESTONE", HONED FINISH #H4-DHE REFER TO SECTION 04 42 00	(BASED ON STONE SOURCE)
ALUMINUM COMPOSITE METAL PANEL [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" ACM-1 "BRITE RED" #4MBTR REFER TO SECTION 07 42 43	(BASED ON APOLIC)
GLAZING [BAC PERFORMANCE]	
GL-1 1" HEAT STRENGTHENED CLEAR INSULATED GLAZING REFER TO SECTION 08 80 00	
GL-2 1" TEMPERED INSULATED GLAZING REFER TO SECTION 08 80 00	
GL-5 2-1/2" CURTAINWALL SYSTEM WITH 1" COLORED SPANDREL GLAZING TO MATCH GL-1 REFER TO SECTION 08 44 13	
ALUMINUM GLAZING FRAMES [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" AF-1 STOREFRONT SYSTEM AS SPECIFIED	

STUCCO ACCESSORIES (ALL PAINTED TO MATCH STN-1) [BAC PRESCRIPTIVE] / "BASIS OF DESIGN" (BASED ON FRY REGLET)	
SA-1 WIDE CHANNEL SCREED AS SPECIFIED	
SA-2 NARROW CHANNEL SCREED AS SPECIFIED	
SA-3 MODIFIED CHANNEL SCREED AS SPECIFIED	
METAL COPING [BAC PERFORMANCE]	
MC-1 PREFINISHED METAL COPING CUSTOM COLOR: TO MATCH STN-1 & ST-1 WHERE APPLICABLE	
EXTERIOR PAINT (BASED ON BENJAMIN MOORE) [BAC PRESCRIPTIVE] / "BASIS OF DESIGN"	
EXPT-1 EXTERIOR PAINT TO MATCH ADJACENT EXTERIOR FINISH	
EXTERIOR SEALANT COLOR [BAC PERFORMANCE]	
GLAZING AT EXTERIOR STOREFRONT BLACK	
(ACM, RED AND WHITE) METAL PANEL TO METAL PANEL MATCH METAL CLIP COLOR	
WINDOW FRAME/ STOREFRONT TO STUCCO MATCH METAL FRAME	
(ACM, RED AND WHITE) METAL PANEL TO STUCCO MATCH ADJACENT STUCCO FINISH	
(ACM, RED AND WHITE) METAL PANEL TO STOREFRONT MATCH STOREFRONT FRAME	

SHEET NOTES

- A. CONTRACTOR TO COORDINATE ELECTRICAL SERVICE FOR WALL MOUNTED SIGNS WITH OWNER. SIGN VENDOR TO DETERMINE EXACT MOUNTING LOCATION(S).
- B. SIGNAGE - TO BE COVERED UNDER SEPARATE PERMIT BY OWNER VENDOR.
- C. REFER TO A12.11 FOR ENTRANCE DOOR HARDWARE WIRING DIAGRAM
- D. REFER TO A00.31 FOR EXTERIOR FINISHES

Project Name
**Bank of America
West St. Paul**

Prototype Layout
New Financial Center

NELSON Project Number
16.03027.00

Description
EXTERIOR ELEVATIONS

Scale
0 2'-0" 4'-0" 8'-0"
SCALE: 1/4" = 1'-0"

A09.11B

TO: Planning Commission
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: October 18, 2016
SUBJECT: Case #16-15



REQUEST

The Povolny Group, Inc. is requesting a Conditional Use Permit to allow an Accessory Structure in a B3, General Business District at 1906 Livingston Ave.

Attachments:

Application Package
Notice
Plans



EXISTING LAND USES

The subject property consists of an existing office building. Adjacent properties to the north, east, and south consist of commercial uses. Adjacent properties to the west consist of multi-family residential.

ZONING

The subject property and adjacent properties to the north are zoned B3, General Business. Adjacent properties to the east and south are zoned B4, Shopping Center. Adjacent properties to the west are zoned R4, Multiple Family Residential.

ANALYSIS

Zoning Ordinance

Section 153.156 of the Zoning Ordinance requires a Conditional Use Permit to allow Accessory Structures in the B2 District (uses in the B2 are also allowed in the B3):

153.156 CONDITIONAL USES

Within the B-2 Neighborhood Business District, no structure or land shall be used for the following uses, except by conditional use permit:

- (B) Accessory structures other than private garages;

Proposal

The applicant is proposing to construct a 30' x 60' accessory structure behind the existing office building (see site plan). The proposed building will be utilized to store construction materials, equipment and trailers on-site. The applicant is currently storing these items off-site. The proposed building includes two over-head garage doors that will be accessed via the exiting parking lot. The applicant is also proposing a small expansion of the parking lot in order to re-orientate the existing parking stalls (currently east-west orientation) that are located in the area of the proposed garage to a north-south orientation at the rear of the parking lot.

Setbacks

The Zoning Ordinance does not list specific setbacks for accessory structures in commercial districts. The minimum principal building setbacks in the district are 0' for the side yard and 20' for the rear yard. The applicant is proposing to match the side yard setback of the existing building along the north property line at 6.2 feet. The proposed building is well clear of the 20' rear yard setback requirement.

Building Materials

The proposed building will be constructed with wood framing and vinyl or composite lap siding. The applicant is proposing shingles for the roof that match the shingles on the existing building. Staff is recommending a condition of approval that the exterior materials complement the siding of the existing building as required by code. Staff is also recommending a condition of approval requiring the applicant to revise plan sheet A201 by moving the proposed overhead garage doors to the same location as shown on plan sheet A300.

Parking Requirements

The existing parking count for the property is legal non-conforming. Code requires a total of 20 parking stalls for the office building. The existing parking lot has a total of 17 parking stalls. As mentioned, the applicant is proposing a small expansion to the southeast corner of parking lot in order to allow for the re-orientation of the current east-west row of parking (in the area of the proposed building) to a new north-south orientation at the rear of the lot. In doing so, the applicant is able to maintain the existing non-conforming number of parking stalls.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the CONDITIONAL USE PERMIT to allow an Accessory Structure in a B3 District at 1906 Livingston Ave subject to the following conditions:

1. The applicant shall apply for applicable building for the construction of the accessory structure.
2. The exterior building materials shall complement the existing building.
3. The applicant shall revise plan sheet A201 by moving the two overhead doors to the same location as shown on plan sheet A300.
4. The applicant shall re-stripe the parking lot per the submitted site plan.



CITY OF WEST ST. PAUL

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972

MUNICIPAL CENTER 651-552-4100
PARKS/RECREATION 651-552-4150
FAX 651-552-4190

POLICE 651-552-4200
FIRE 651-552-4176
TDD 651-552-4222

CONDITIONAL USE PERMIT APPLICATION

Filing Fee: \$275.00

(OFFICE USE ONLY)

Escrow Amount: \$400.00 (residential)
\$800.00 (commercial)

CASE NO. 16-15
DATE RECEIVED 9/23/16
RECEIPT # _____
60 DAY DATE 11/22/16

TOTAL FEES 1075⁰⁰

1. STREET ADDRESS OF PARCEL 1906 Livingston Avenue, West St. Paul, MN 55118

2. NAME OF APPLICANT The Povolny Group, Inc. Phone # 651-643-0866

3. ADDRESS OF APPLICANT 1906 Livingston Avenue, West St. Paul, MN 55118
Email jim@povolnygroup.com

4. NAME OF OWNER Debco Leasing, LLC Phone # 651-247-9052

5. ADDRESS OF OWNER 1012 35th Avenue NE, Great Falls, MT, 59404
Email deb@archetone.com

6. LEGAL/PID # 42 14101 01 016

7. PRESENT ZONING Office

8. PROPOSED USE OF PARCEL Office

9. ZONING SECTION AUTHORIZING CUP _____

10. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE HEALTH, SAFETY, & WELFARE OF THE OCCUPANTS IN THE SURROUNDING PARCELS? No changes in any of the named potential impacts on the property or surrounding parcels

11. WHAT WILL BE THE EFFECT ON EXISTING AND ANTICIPATED TRAFFIC CONDITIONS, INCLUDING PARKING FACILITIES ON ADJACENT STREETS? No changes to any current or future street traffic, parking conditions for the site or street.

12. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE COMPREHENSIVE PLAN?

EXHIBITS REQUIRED

- A. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies, of a map or plat showing the property on which the Conditional Use Permit is requested, and all parcel within 150 feet of the boundaries of the subject parcel.
- B. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies in sets and folded plans, showing application information as follows:
 - a. Proposed and existing topography and drainage.
 - b. A complete plan prepared and signed by a registered Civil Engineer, Architect, and/or Landscape Architect showing:
 - i. The parking layout, access provisions, structure locations, landscaping, drainage, trees and shrubbery including types and locations, and sizes.
 - ii. Any fences, walls, or other screening, including height and type of material.
 - iii. All lighting provisions, including type, location, and lumens affecting the surrounding parcels and streets.
 - iv. Curb type and location on site.
 - v. Proposed plans for sidewalk to service, parking, recreation and service areas within the site.

ACKNOWLEDGE AND SIGNATURE

The undersigned hereby represents upon all penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the State of Minnesota.


Signature of Owner (Required)

651-643-0866
Phone Number

Signature of Applicant (If different)

Phone Number

NOTE: All Materials relevant to this Application must be filed on or before the dates listed on Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.

LAPSE OF CONDITIONAL USE PERMIT:

An approved Conditional Use Permit shall lapse and become null and void six months following the date on which the Conditional Use Permit was approved, unless prior to the expiration of six months a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the subject site, or a Certificate of Occupancy is issued by the Building Official. A Conditional Use Permit may be renewed once for a period of one year by the City Council.

FEES

1. The fees to be paid by each applicant for each zoning request shall be as prescribed by the City Council. Fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable unless the application is withdrawn prior to being sent for legal publication and notice. There shall be no fee in the case of applications filed in the public interest by the City Council or by the Planning Commission. Fees shall include application fee, filing fees, consultant, legal, planning, and engineering fees.
2. Applicants shall deposit with the City, together with the application filing fees, the sums required by Council resolution toward prepayment of the Consultants and Attorney's expenses and all costs to be billed and charged to the City. The prepayment amounts shall be a credit toward all reasonable fees and expenses charged by the Consultants to the City in the investigation report and recommendation to the City Council concerning the application. All reasonable expenses and fees in excess of the deposit, shall be paid by the applicant to the City within 30 days of final action on the matter by the City. If not paid within 30 days, the account shall be deemed delinquent. If the fees and expenses incurred by the City from the Consultants are less than the amount of deposit, such excess shall be returned to the applicant upon final action by the City in said manner.

August 26, 2016

Mr. Ben Boike,
1616 Humboldt Avenue
West St. Paul, MN 55118

RE: Conditional Use Permit Application
Company Profile and Usage of new Garage Intent

Mr. Boike,

The Povolny Group, Inc. is a Service Disabled Veteran Owned Small Business doing General Construction work primarily for the Federal Government and State of MN. We have 7 office staff in the office building with a staff of field personnel at sites around the country. The current office space is sufficient for our use with possible staffing expansion of 2 into the future as our business grows. The installation of additional onsite storage for materials and equipment will provide more efficiency of operational considerations and separation of materials from the office staff.

The intent to construct a storage garage for use by The Povolny Group is to store construction materials, equipment and trailers on site. Currently, we are storing some of these items off site due to recent theft attempts that have caused damage to a truck and an enclosed trailer in the unsecured rear parking area. The intent is to store materials and equipment in a separate building from the office use. The goal of developing this garage is to eliminate any future issues with theft or burglary damage to these items by keeping them in a secured area, provide an environmentally controlled storage space, and maintain a clean and safe environment for staff and workers without congestion and consolidation of items into one location.

We have more than adequate parking spaces on the site right now totaling 17 spaces. The new plan totals 18 spaces. The current design rotates the seven current stalls facing North to be re-aligned along the East edge of the current lot. These noted parking stalls are in line with one of the Overhead Garage Doors. There are three overhead doors total facing South. These spaces will not interrupt the intent of the parking locations or the intent of the use of the garage. We will be able to coordinate and control access into the garage space during normal business hours as these spaces will typically not be used by staff. The need to access the garage space is very limited and does not impact parking of vehicles in front of the garage. We can move a vehicle that may block usage of this one overhead door at any time without disruption of our staff. There are two overhead doors that are not impacted by parking that will allow for more extensive use of the garage area.

The construction materials for the garage space will complement the current office building. We will use standard 6" wood framing materials, plywood sheathing with water barrier and 6" siding, hard board or vinyl. Roofing will be shingles to match the current office building. Any disturbed asphaltic pavement will be patched to match the existing. We intend to expand parking by construction of a

retaining wall along the SW corner to provide additional parking spaces and utilize additional portion of the property that is currently unusable. The retaining wall system will be engineered and submitted with the building permit for the project. The parking expansion is limited to less than 10% of the overall parking surfaces.

There is an unusual hardship encumbrance at this property due to the aggressive grade changes along the East property line. There is a significant amount of property that cannot be built on due to these grade changes. The hill removes any potential for additional parking expansion without extensive costs to create retaining walls in excess of 20' high

We seek the approval of Staff for the Conditional Use Permit for additional garage space. We are requesting garage space of 1,800 SF with dimension of 30X 60. The structure is consistent with Zoning and will not impact any access issue, site lines for neighboring property and is in the back of the lot across from the shopping center alley.

Contact me if you have any additional questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "James M. Povolny".

James M. Povolny
President

**CITY OF WEST ST. PAUL
NOTICE OF PUBLIC HEARINGS**

TO WHOM IT MAY CONCERN:

The items listed below will be public hearings at the Planning Commission meeting on October 18, 2016 at 7:00 p.m. and public hearings at the City Council meeting on October 24, 2016 at 6:30 p.m.:

Case #16-15 – Application for a Conditional Use Permit to allow an Accessory Structure in a B3, General Business District at 1906 Livingston Ave. – The Povolny Group, Inc.

Interested persons will be heard at the meeting. If you have any questions, please contact City Planner Ben Boike at 651-552-4134. If you need any type of accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4102 at least 5 (five) business days prior to the meeting.



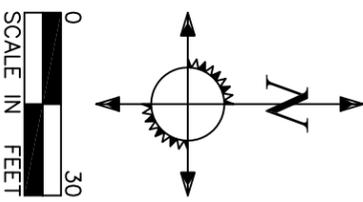
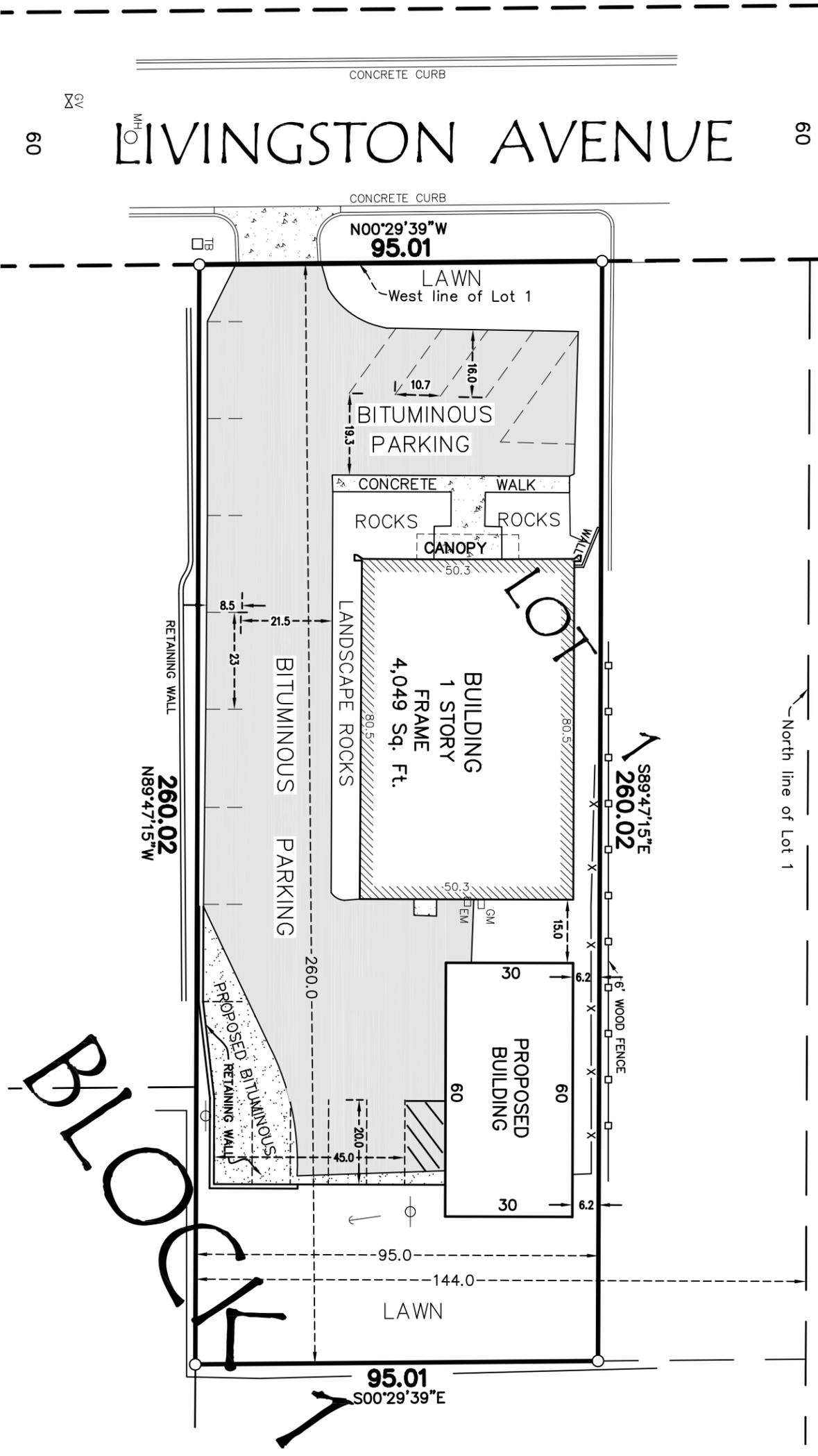
Chantal M. Doriott
City Clerk
City of West St. Paul

Published: October 9, 2016

PROPOSED SITE PLAN FOR: THE POVOLNY GROUP, INC.

PROPERTY ADDRESS
1906 Livingston Avenue
West St. Paul, MN 55118

DESCRIPTION: FROM TAX RECORDS
The South 95 feet of the North 144 feet of the West 260 feet of Lot 1, Block 1, L. W. BISANZ AND J. E. CONROY 2ND ADD. Dakota County, Minnesota.
Subject to easements of record, if any.
AREA = 24,702 Sq. Ft.



- LEGEND:**
- Denotes Iron monument found
 - Denotes Iron monument set and marked with RLS 47223
 - EM □ Denotes Electric Meter
 - ⊖ Denotes Power Pole
 - Denotes Guy Wire
 - TB □ Denotes Telephone Box
 - GM □ Denotes Gas Meter
 - GV ⊗ Denotes Water Valve
 - MH ○ Denotes Manhole

NOTES:
BEARINGS ARE ON ASSUMED DATUM.
EXISTING BITUMINOUS PARKING LOT IS 9,334 S.F.
PROPOSED BITUMINOUS PARKING LOT IS 933 S.F.
PROPOSED PARKING = ADDITIONAL 10% OF EXISTING PARKING LOT

M&P associates
1440 Arcade St. Suite 250
Saint Paul, MN 55106
Phone: 651-766-0112
Fax: 651-776-0206
E-mail: info@mpasso.com



City of West St. Paul

TO: Planning Commission
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: October 18, 2016
SUBJECT: Ordinance Amend. – Group Homes

CASE #16-16 – Zoning Ordinance Amendment, Sections 153.004 and 153.050 through 153.128 relating to Group Homes – City of West St. Paul.

BACKGROUND:

In July 2015, the City Council adopted a one-year moratorium on accepting any zoning applications related to transitional housing, foster care, overnight shelters, and chemical dependency facilities.

The one-year has expired and we are now proposing several ordinance changes to be consistent with recent changes in state law. Our ordinances have numerous types of categories of “group homes” that can be simplified by adopting the state law categories of: State Licensed Residential Care Facilities (i.e. nursing homes, developmentally disabled group homes) and Registered Housing with Services Establishments (i.e. people recently released from prison, chemically dependent-related group homes).

State law (Minn. Stat. §462.357 subd. 7-8) *requires* a State-License Residential Care Facility and a Registered Housing With Services Establishment to be permitted uses in certain zoning districts, which coincide with our ordinances as follows:

	R1-R2	R3	R4	B1-B4, B6	B5	I1-I2
State-Licensed	Permitted 0-6 persons	Permitted 7-16 persons	Permitted 7-16 persons	Prohibited	CUP for mixed use	Prohibited
Registered Housing with Services	Permitted 0-6 persons	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited

Issues/Concerns to consider:

- We cannot regulate the density of these uses (i.e. no more than xx number per block), as that could be considered discrimination on the basis of a disability.
- We cannot enforce our definition of “family” for these uses (up to 6) in a single-family home as they are allowed by state law.
- We cannot prohibit an owner of a multi-family building from renting all of its units to people who have housing vouchers from the County or renters who utilize a provider that offers housing with services, because the building itself is a permitted use as multi-family building.

We are recommending adding a PROHIBITED USE section to B1-B4, B5 and B6 that will specifically prohibit these uses in those zoning districts.

RECOMMENDATION:

Hold public hearing and recommend approval of the amendment.

ATTACHMENT:

Draft Ordinance

TIMELINE:

Oct. 18: PC public hearing

Oct. 24: CC first reading

Nov. 14: CC final reading (public hearing)

ORDINANCE NO. _____
CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

**AN ORDINANCE AMENDING SECTIONS 153.004 AND 153.050 THROUGH 153.128
OF THE WEST ST. PAUL CITY CODE REGARDING GROUP HOMES**

The City Council of West St. Paul does ordain:

SECTION 1. The following definitions are removed from West St. Paul City Code Section 153.004:

- Adult Day Care Facility;
- Adult Foster Care;
- Chemical Dependency Treatment Facility;
- Elderly Housing with Services Establishment;
- Overnight Shelter Facility; and
- Transitional Housing Facility.

SECTION 2. The following definition in West St. Paul City Code Section 153.004 is renamed from Residential Care Facility to Residential Care Facility, State-Licensed.

SECTION 3. West St. Paul City Code Sections 153.050 through 153.128 are hereby amended as follows:

§ 153.050 PERMITTED USES.

Within any “R-1A” One-Family Residential District, no structure or land shall be used except for one or more of the following uses:

- (A) One-family detached dwellings;
- (B) Public parks and playgrounds;
- (C) Public and parochial schools with the following conditions:
 - (1) No school building shall be located within 50 feet of any lot line of an abutting lot in an R District; and
 - (2) Where a school has an open play area abutting a street, a fence shall be erected 15 feet or more from the street right-of-way.
- (D) Churches, including those related structures located on the same site which are an integral part of the church property, such as convents or homes for persons related to a religious function on the same site with the following conditions:

(1) No church building shall be located within 50 feet of any lot line of an abutting lot in an R District; and

(2) No more than ten persons shall reside on the site.

(E) Municipal buildings and structures including storage of maintenance equipment and trucks. No building shall be located within 50 feet of any lot line of an abutting lot in an R District;

(F) A state licensed residential care facility [or a housing with services establishment registered under Chapter 144D](#) serving six or fewer persons, a licensed day care center serving 12 or fewer persons ~~as defined in § 153.004~~, or a group family day care facility licensed under Minn. Rules 9502.0315 to 9502.0445, to serve 14 or fewer children;

(G) Radio and television antennas, subject to the provisions in § [153.395](#);

(H) Satellite dish antennas less than one meter (39 inches) in diameter;

(I) Those uses as permitted and regulated in § [153.006](#); [and/or](#)

~~(J) — A state licensed child day care facility serving 12 or fewer children;~~

~~(K) — A state licensed adult day care facility serving 12 or fewer adults;~~

~~(L) — A state licensed adult foster care program serving 12 or fewer adults;~~

~~(M) — Residential hospice facility serving eight or fewer hospice patients;~~

~~(N) — Transitional housing facility serving a total of four or fewer adults and children; and/or~~

~~(O)~~ [\(J\)](#) Farmers market for the sale of agricultural and horticultural products.

(Ord. 08-09, passed - -; Ord. 08-17, passed - -; Ord. passed 10-11-1963)

§ 153.051 CONDITIONAL USES.

Within any R-1A One-Family Residential District, no structure or land shall be used for the following uses, except by conditional use permit:

(A) Golf courses, country clubs, tennis clubs, public swimming pools serving more than one family. The principal structure for any of the above listed uses shall be 100 feet or more from any abutting lot in an R District, and accessory structure shall be a minimum of 50 feet from any lot line;

(B) Essential service structures, including, but not limited to, buildings, such as telephone exchange stations, booster or pressure regulating stations, wells and pumping stations, elevated

tanks, lift stations and electrical power substation provided no building shall be located within 50 feet from any lot line of an abutting lot in an R District. Prior to granting the permit it shall be found that the architectural design of essential service structures is compatible to the neighborhood in which it is to be located and thus will promote the general welfare;

(C) Commercial greenhouses provided all outside storage is fenced in such a manner so as to screen the stored material from view when observed from the public street or an adjoining lot;

(D) Nursing homes, retirement homes, elderly housing with services establishments and state licensed residential uses.

(1) For nursing homes the site shall contain not less than 1,000 square feet of lot area for each person to be accommodated and buildings for uses described in this division are 50 feet or more from a lot line of an abutting lot in an R-1, R-2 or R-3 District.

(2) For retirement homes, elderly housing with services establishments and state licensed residential uses, the site shall contain not less than 3,500 square feet of lot area per dwelling unit. Parking facilities shall be equal to one space for each dwelling unit and proof of the availability of one additional space per unit.

(3) All parking for facilities in this section shall comply with §§ 153.345 through 153.351.

(E) A state licensed child day care facility serving 13 or more provided that the conditional use be in structures at least 50 feet of any lot line of an abutting lot in an R District and that a fence be erected 15 feet or more from any street right-of-way where the intended use is for open play;

(F) Off-street parking when the proposed site of the off-street parking abuts on a lot which is in the B or I District and is in the same ownership as the land in the B or I District and subject to those conditions set forth in §§ 153.345 through 153.351, and other conditions as found necessary by the City Council to carry out the intent of this chapter;

(G) School buildings which are a part of the physical system of the school district but which are considered temporarily in surplus may be used as research centers, offices not directly serving the public or for some form of educational activity provided:

(1) The off-street parking requirements are met; and

(2) The work day of the use falls between 7:00 a.m. and 7:00 p.m.

(H) Commercial buildings which have previously been classified and certified as nonconforming uses at the time of the effective date of this chapter may be used as the same nonconforming or less intense use provided:

(1) The off-street parking requirements for the use are met;

- (2) The hours of operation of the use shall be determined by the City Council;
 - (3) The structure is significant to the neighborhood and its continued active use will not be detrimental to the value of quiet enjoyment or surrounding residential properties; and
 - (4) The use would be normally allowed as a permitted use in the B-2 Neighborhood Business District.
- (I) Satellite dish antennas greater than one meter (39 inches) in diameter. See § 153.396;
 - (J) Bed and breakfast residence;
 - (K) Elderly community education center, provided that it is located in a building that contains a civic or community center or a multifamily elderly residential housing facility;
 - ~~(L) Residential hospice facility serving from nine to 12 hospice patients;~~
 - ~~(M) Shelter for battered persons serving a total of six or fewer persons, including adults and children;~~
 - ~~(N) Overnight shelter facility serving a total of six or fewer persons, including adults and children;~~
 - ~~(O)~~(L) School with more than four accessory buildings or structures; or
 - ~~(P)~~(M) On-site residential housing for an educational facility operating ~~school owned and operated~~ in conjunction with a permitted principal use, provided:
 - (1) Housing structures are limited to three stories in height;
 - (2) The number of on-site residents is limited to 200; and
 - (3) Housing structures must meet the building setback requirements from adjacent property lines as outlined in § 153.128.
 - ~~(Q)~~(N) Columbaria, provided they are located on the same property as an existing church and located a minimum of 50 feet from any property line.
- (Ord. 03-04, passed - -; Ord. 08-09, passed - -; Ord. 09-02, passed - -; Ord. 11-10, passed - -; Ord. passed 10-11-1963)

§ 153.052 PERMITTED ACCESSORY USES.

Within any R-1A One-Family Use District, the following uses shall be permitted accessory uses:

- (A) Private garages and parking spaces;
- (B) Private swimming pool and tennis court;
- (C) Home occupations as defined herein, provided that:
 - (1) Only persons residing in the dwelling shall be engaged in the occupation;
 - (2) The occupation shall be conducted entirely within the principal structure;
 - (3) Evidence of the occupation shall not be visible from the street;
 - (4) No stock or warehousing for the occupation shall be stored on the premises;
 - (5) Over-the-counter retail sales are not involved;
 - (6) There shall be no more than three parking spaces for the occupant and visitors;
 - (7) No accessory building or attached garage shall be used for the home occupation;and
 - (8) Property cannot be used as a meeting location for employees.
- (D) Signs as regulated by §§ 153.430 through 153.438 and by §§ 150.105 through 150.110;
- (E) Temporary buildings located for purposes of construction on the premises for a period not to exceed time necessary for the construction;
- (F) Gardening and other horticultural uses where no sale of products is conducted on the premises;
- (G) Decorative landscape features;
- (H) The keeping of domestic animals for noncommercial purposes for use of the occupants of the premises, provided that any accessory building used for housing the animals shall be located not less than 30 feet from the nearest residence, and provided further that the keeping of the animals shall be subject to requirements of the city code; and
- (I) Storage buildings subject to § 153.380.

(Ord. 04-15, passed - -; Ord. passed 10-11-1963)

§ 153.053 LOT AREA, HEIGHTS, LOT WIDTH, YARD AND OTHER REQUIREMENTS.

(A) No structure or building shall exceed 30 feet in height as defined in § 153.004 “Building Height,” except as provided in § 153.009.

(B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter.

<i>Lot Area</i>	
Corner lot	9,100 square feet
Interior lot	7,000 square feet

Lot Width	
Corner lot	65 feet
Interior lot	50 feet

Yard, Building Setback	
Front	30 feet
Rear	30 feet or 20% of average lot depth, whichever is greater
Side	5 feet adjacent to another lot
	20 feet adjacent to street

(C) (1) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator.

(2) Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

(Ord. 09-19, passed - -; Ord. passed 10-11-1963)

§ 153.065 PERMITTED USES.

Within the R-1B One-Family Residential District, no land or structure shall be used except for one or more of the following uses: any permitted use regulated in the R-1A District, § 153.050.

(Ord. 99-03, passed - -; Ord. passed 10-11-1963)

§ 153.066 CONDITIONAL USES.

Within any R-1B One-Family Residential District, no structure or land shall be used for the following uses except by conditional use permit: any conditional use regulated in the R-1A District, § 153.051.

(Ord. passed 10-11-1963)

§ 153.067 PERMITTED ACCESSORY USES.

Within any R-1B One-Family Use District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

(Ord. passed 10-11-1963)

§ 153.068 LOT AREA, HEIGHT, LOT WIDTH, YARD AND OTHER REQUIREMENTS.

(A) No structure or building shall exceed 30 feet in height as defined in § 153.004 “Building Height,” except as provided in § 153.009.

(B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter:

<i>Lot Area</i>	
Corner lot	12,500 square feet
Interior lot	10,000 square feet

Lot Width	
Corner lot	90 feet
Interior lot	75 feet

Yard, Building Setback	
Front	30 feet
Rear	30 feet or 20% of average lot depth, whichever is greater
Side	9 feet one side/6 feet one side
	20 feet adjacent to street

(C) (1) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator.

(2) Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

(Ord. 09-19, passed - -; Ord. passed 10-11-1963)

§ 153.080 PERMITTED USES.

Within the R-1C One-Family Residential District, no land or structure shall be used except for one or more of the following uses: any permitted use regulated in the R-1A District, § 153.050.

(Ord. 99-03, passed - -; Ord. passed 10-11-1963)

§ 153.081 CONDITIONAL USES.

Within any R-1C One-Family Residential District, no structure or land shall be used for the following uses except by conditional use permit: any conditional use regulated in the R-1A District, § 153.051.

(Ord. passed 10-11-1963)

§ 153.082 PERMITTED ACCESSORY USES.

Within any R-1C One-Family Residential District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

(Ord. passed 10-11-1963)

§ 153.083 LOT AREA, HEIGHT, LOT WIDTH, YARD AND OTHER REQUIREMENTS.

(A) No structure or building shall exceed 30 feet in height as defined in § 153.004 “Building Height,” except as provided in § 153.009 of this chapter.

(B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter:

<i>Lot Area*</i>	
Corner lot	15,000 square feet
Interior lot	15,000 square feet
*A 10% deviation in lot width and/or area may be permitted provided the average lot area for each plat or subdivision shall not be less than 15,000 square feet, and the average lot width not less than 100 feet	

<i>Lot Width*</i>	
Corner lot	100 feet
Interior lot	100 feet
*A 10% deviation in lot width and/or area may be	

permitted provided the average lot area for each plat or subdivision shall not be less than 15,000 square feet, and the average lot width not less than 100 feet

Yard, Building Setback	
Front	30 feet
Rear	30 feet or 20% of average lot depth, whichever is greater
Side	10 feet adjacent to another lot
	30 feet adjacent to street

(C) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator. Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheetmetal and corrugated metal.

(Ord. 09-18, passed - -; Ord. passed 10-11-1963)

§ 153.095 PERMITTED USES.

Within the R-2 Two-Family Residential District, no structure or land shall be used, except for one or more of the following uses:

(A) Any permitted use regulated in the R-1A District, § [153.050](#); [and/or](#)

(B) Two-family dwelling;

~~(C) Transitional housing facility serving a total of four or fewer adults and children. The facility may not be located in a duplex unless it occupies the entire structure; and/or~~

~~(D) Overnight shelter facility serving a total of six or fewer persons, including adults and children. The facility may not be located in a duplex unless it occupies the entire structure.~~

(Ord. 99-03, passed - -; Ord. passed 10-11-1963)

§ 153.096 CONDITIONAL USES.

Within any R-2 Two-Family Residential District, no structure or land shall be used for the following uses except by conditional use permit: Any conditional use regulated in the R-1A District, § [153.051](#).

(Ord. passed 10-11-1963)

§ 153.097 PERMITTED ACCESSORY USES.

Within the R-2 Two-Family Residential District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

(Ord. passed 10-11-1963)

§ 153.098 LOT AREA, HEIGHT, LOT WIDTH, YARD AND OTHER REQUIREMENTS.

(A) No structure or building shall exceed 30 feet in height as defined in § 153.004 “Building Height,” except as provided in § 153.009 of this chapter.

(B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter:

- (1) Lot area: 15,000 square feet;
- (2) Lot width:
 - (a) Yard, building setback: 100 feet;
 - (b) Front: 30 feet;
 - (c) Side: ten feet adjacent to another lot, 20 feet adjacent to street; and
 - (d) Rear: 30 feet or 20% of average lot depth, whichever is greater.
- (3) Lot area per dwelling unit: 7,500 square feet.

(C) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator. Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

(Ord. 09-19, passed - -; Ord. passed 10-11-1963)

§ 153.110 PERMITTED USES.

Within any R-3 Townhouse Residential District, no structure or land shall be used except for of the following uses:

- (A) Structures housing three to eight dwelling units; and
- (B) Farmers market for the sale of agricultural and horticultural products.

(Ord. passed 10-11-1963)

§ 153.111 CONDITIONAL USES.

Within the R-3 Townhouse Residential District, no structure or land shall be used for the following uses except by conditional use permit:

- (A) Any conditional use regulated in the R-1A District, § 153.051;
- (B) Multiple dwelling structures containing more than eight dwelling units;
- (C) Two-family dwellings subject to lot and yard requirements of the R-2 District, § 153.098;
or
- ~~(D) A state licensed child day care facility;~~
- ~~(E)~~ (D) State licensed residential care facility serving up to from 7 through 16 persons or a licensed day care facility serving from 13 through 16 persons;
- ~~(F) A state licensed adult day care facility serving up to 16 adults;~~
- ~~(G) A state licensed adult foster care serving up to 16 adults;~~
- ~~(H) Shelter for battered persons serving a total of up to 16 persons, including adults and children;~~
- ~~(I) Overnight shelter facility serving a total of up to 16 persons, including adults and children. The facility may not be located in a duplex or multi family dwelling unless it occupies the entire structure; or~~
- ~~(J) Transitional housing facility serving a total of up to 16 persons, including adults and children. The facility may not be located in a duplex or multi family dwelling, unless it occupies the entire structure.~~

(Ord. passed 10-11-1963)

§ 153.112 PERMITTED ACCESSORY USES.

Within the R-3 Townhouse Residential District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

(Ord. passed 10-11-1963)

§ 153.113 LOT AREA, HEIGHT, LOT WIDTH AND YARD REQUIREMENTS.

- (A) No limit shall be placed on height of buildings in this R-3 Zone, except that buildings over 35 feet shall have front, side and rear yards not less than one-half of the height of the building.

(B) The following minimum requirements shall be observed subject to additional requirements, exceptions and modifications as set forth elsewhere in this chapter:

- (1) Lot area per dwelling unit: 5,500 square feet;
- (2) Lot width: 100 feet;
- (3) Yard, building setback:
 - (a) Front: 30 feet;
 - (b) Side: ten feet adjacent to another lot, 20 feet adjacent to street, except where the lot in question abuts any R-1 District where the side yard setback shall conform to the established setback or 30 feet, whichever is greater; and
 - (c) Rear: 30 feet or 20% of average lot depth, whichever is greater.
- (4) Distance between principal structures: 30 feet.

(C) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator. Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

(Ord. 09-19, passed - -; Ord. passed 10-11-1963)

§ 153.125 PERMITTED USES.

Within the R-4 Multiple-Family District, no structure or land shall be used except for the following use:

- (A) Structures housing three to 16 multiple-family dwelling units; and
- (B) Farmers market for the sale of agricultural and horticultural products.

(Ord. passed 10-11-1963)

§ 153.126 CONDITIONAL USES.

Within the R-4 Multiple-Family District, no structure or land shall be used for the following uses except by conditional use permit:

- (A) Any conditional use regulated in the R-1A District by § 153.051;

(B) Structure or structures over three stories in height or where ceilings of any dwelling unit are more than 31 feet above average grade;

(C) Two-family dwellings;

(D) Structure or structures containing more than 16 dwelling units;

~~(E) — A state licensed child day care facility;~~

~~(F)~~(E) A state licensed residential care facility serving ~~up to 7~~ through 16 persons or licensed day care facility serving from 13 through 16 persons;

~~(G)~~(F) Private clubs and lodges provided buildings are not less than 30 feet from a lot line of an abutting lot in an R District;

~~(H)~~(G) Private swimming pools intended for and used solely by the occupants of the property in which it is located and their guests, provided the water surface of the pool is located not less than 15 feet from any lot line, that the pump and filter installed be not less than 25 feet from any lot line and that the pool area be so fenced as to prevent uncontrolled access from the street or from adjacent property;

~~(I)~~(H) Nursing homes, retirement homes;

~~(J)~~(I) Hospitals provided the site shall contain not less than 800 square feet of lot area for each person to be accommodated, and provided the lot line is 50 feet or more from a lot line of an R-1, R-2 or R-3 District; or

~~(K)~~(J) Community centers as part of a multiple-family complex, provided the community center is located within setbacks no less than any other structure permitted in the district; does not exceed the height or size of the principal buildings(s); and shall be subject to the parking standards as set forth in §§ 153.345 through 153.351. For purposes of this division (K), of the term **COMMUNITY CENTERS** shall include meeting space, offices, bathrooms, indoor pool, indoor recreational space, limited kitchen facilities and related storage;.

~~(L) — A state licensed adult day care facility serving up to 16 adults;~~

~~(M) — A state licensed adult foster care serving up to 16 adults;~~

~~(N) — Shelter for battered persons serving a total of up to 16 persons, including adults and children;~~

~~(O) — Chemical dependency treatment facility serving a total of up to 16 persons. The facility may not be located in a duplex or multi-family dwelling unless it occupies the entire structure. The facility shall be located at least 600 feet, when measured in a straight line from the property line in which the facility is located to the property line of the following;~~

~~(1) — A licensed child day care facility;~~

~~(2) — A public or private educational facility classified as an elementary, middle, junior high or senior high school; or~~

~~(3) — Single family or two family use.~~

~~(P) Overnight shelter facility serving a total of up to 16 persons, including adults and children. The facility may not be located in a duplex or multi family dwelling unless it occupies the entire structure; or~~

~~(Q) Transitional housing facility serving a total of up to 16 persons, including adults and children. The facility may not be located in a duplex or multi family dwelling unless it occupies the entire structure.~~

(Ord. 99-03, passed - -; Ord. 08-09, passed - -; Ord. passed 10-11-1963)

§ 153.127 PERMITTED ACCESSORY USES.

Within the R-4 Multiple-Family District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

(Ord. passed 10-11-1963)

§ 153.128 LOT AREA, HEIGHT, LOT WIDTH AND YARD REQUIREMENTS.

(A) The following minimum requirements shall be observed subject to additional requirements, exceptions and modifications as set forth elsewhere in this chapter. Minimum requirements for three or more dwelling units:

(1) Lot area per dwelling unit: 3,500. For dwelling units with more than two bedrooms, an additional 1,750 square feet is required;

(2) Lot width: 200 feet;

(3) Yard, building setback:

(a) Front: 50 feet, plus one foot per foot of building height over 50 feet;

(b) Side: 40 feet, plus one-half foot per foot of building height over 50 feet;
and

(c) Rear: 40 feet, plus one-half foot per foot of building height over 50 feet.

(4) Distance between principal structures: 50 feet.

(B) Building height: no maximum height for buildings with three or more units.

(C) Storage space requirement: a minimum of 96 cubic feet of miscellaneous storage space shall be provided for each dwelling within the principal structure containing the unit. The space shall be in addition to normal storage space provided in wardrobes, cabinets and closets or linen closets.

(D) (1) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator.

(2) Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

(Ord. 09-19, passed - -; Ord. passed 10-11-1963)

SECTION 4. The following section is added to the West St. Paul City Code prohibiting certain uses in the B-1 zoning district:

§ 153.145 PROHIBITED USES

Within the B-1 Limited Business District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

SECTION 5. The following section is added to the West St. Paul City Code prohibiting certain uses in the B-2 zoning district:

§ 153.160 PROHIBITED USES

Within the B-2 Neighborhood Business District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

SECTION 6. The following section is added to the West St. Paul City Code prohibiting certain uses in the B-3 zoning district:

§ 153.175 PROHIBITED USES

Within the B-3 General Business District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

SECTION 7. The following section is added to the West St. Paul City Code prohibiting certain uses in the B-4 zoning district:

§ 153.192 PROHIBITED USES

Within the B-4 Shopping Center District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

SECTION 8. Section 153.206 (N) of the West St. Paul City Code regarding conditional uses in the B-5 is hereby amended as follows:

(N) Retirement homes ~~or elderly housing with services establishment~~, provided that the site shall contain not less than 3,500 square feet of lot area per dwelling unit.

SECTION 9. The following section is added to the West St. Paul City Code prohibiting certain uses in the B-5 zoning district:

§ 153.210 PROHIBITED USES

Within the B-5 Gateway North Mixed Use District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

SECTION 10. The following section is added to the West St. Paul City Code prohibiting certain uses in the B-6 zoning district:

§ 153.225 PROHIBITED USES

Within the B-6 Town Center Mixed Use District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

SECTION 11. The following section is added to the West St. Paul City Code prohibiting certain uses in the I-1 zoning district:

§ 153.239 PROHIBITED USES

Within the I-1 Light Industrial District, the following uses are prohibited:

- (A) State-licensed residential care facilities;
- (B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

SECTION 12. The following section is added to the West St. Paul City Code prohibiting certain uses in the I-2 zoning district:

§ 153.254 PROHIBITED USES

Within the I-2 General Industrial District, the following uses are prohibited:

- (A) State-licensed residential care facilities;
- (B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

SECTION 13. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance is intended to mirror state law regarding the permission of certain residential care facilities in residential zoning districts. Since these uses are now categorized as being either licensed or registered with the state, the individual types of uses no longer need to be identified. Facilities serving 6 or fewer people are permitted uses in single-family zoning districts, while facilities with 7-16 people require a conditional use permit in multi-family zoning districts. Since these uses would be inappropriate for commercial or industrial districts, language was added to prohibit them in these areas.

SECTION 14. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this _____ day of _____, 2016.

Ayes:

Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk