

# ELKO NEW MARKET - PLANNING COMMISSION MEETING

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PC Members: Steve Thompson , Brad Smith, Heather Vetter, Nicole Kruckman, Kent Hartzler, and Harry Anderson  
City Staff: City Planner Bob Kirmis, Community Development Specialist Renee Christianson and City Engineer Rich Revering



## AGENDA

**TUESDAY, MAY 29, 2018 @ 7:00 PM**  
COUNCIL CHAMBERS – NEW MARKET AREA HALL  
601 MAIN STREET, PO BOX 99, ELKO NEW MARKET, MN 55020

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF AGENDA**  
Consider Approval of the Agenda
- 4. PUBLIC COMMENT** (public opportunity to comment on items not listed on the agenda)
- 5. ANNOUNCEMENTS**
- 6. APPROVAL OF MINUTES**  
Consider Approval of the following:
  - A. April 24, 2018 Meeting Minutes
- 7. PUBLIC HEARINGS**
  - A. Draft Amendment to Zoning Ordinance – Commercial Vehicle Definitions
- 8. GENERAL BUSINESS**
  - A. Discussion Regarding Rezoning of 580 Paul Street Property – Bernie Mahowald, applicant
  - B. Review of Sylvester Meadows – Bernie Mahowald, applicant
  - C. Review of Dakota Acres 1<sup>st</sup> Addition – Larry Gensmer, applicant
- 9. MISCELLANEOUS**
  - A. Expectations for Boards & Commissions
  - B. Education Opportunities for Planning Commissioners
  - C. Adelman Property Marketing Video
  - D. City Staff/Consultant Business Updates & Reports
  - E. Planning Commission Questions & Comments
- 10. ADJOURNMENT**

### **BOARD NOTICE:**

TO DETERMINE IF A QUORUM WILL BE PRESENT, PLEASE CONTACT ELKO NEW MARKET AREA HALL AT 952-461-2777  
IF YOU ARE UNABLE TO ATTEND

### **PUBLIC NOTICE:**

ANYONE SPEAKING TO THE BOARD SHALL STATE THEIR NAME AND ADDRESS FOR THE RECORD

**MINUTES**  
**CITY OF ELKO NEW MARKET**  
**PLANNING COMMISSION MEETING**  
**April 24, 2018**  
**7:00 PM**

**1. CALL TO ORDER**

Chairman Thompson called the meeting of the Elko New Market Planning Commission to order at 7:00 p.m.

Commission members present: Thompson, Kruckman, Smith, Vetter and Hartzler

Members absent and excused: Ex-officio member Anderson

Staff Present: City Administrator Terry, Community Development Specialist Christianson, City Planner Kirmis and City Engineer Revering

Separate

**2. PLEDGE OF ALLEGIANCE**

Chairman Thompson led the Planning Commission in the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

A motion was made by Hartzler and seconded by Smith to approve the agenda as written. Vote for: Thompson, Kruckman, Smith, Vetter and Hartzler. Against: None. Abstained: None. Motion carried: (5-0).

**4. PUBLIC COMMENT**

There were no public comments.

**5. ANNOUNCEMENTS**

There were no announcements.

**6. APPROVAL OF MINUTES**

A motion was made by Vetter and seconded by Kruckman to approve the minutes of the March 27, 2018 Planning Commission meeting as written. Vote for: Thompson, Kruckman, Smith, Vetter and Hartzler. Against: None. Abstained: None. Motion carried: (5-0).

**7. PUBLIC HEARINGS**

**A. Rezoning and Preliminary Plat of Barsness 1<sup>st</sup> Addition - Warren Barsness Applicant**

Chairman Thompson asked Community Development Specialist Renee Christianson to present her memorandum dated April 24, 2018 related to the Barsness rezoning and preliminary plat request. Christianson explained that the City has been working with

Warren Barsness regarding a possible commercial development located at the southeast quadrant of Co Rd 2 and Co Rd 91 for a number of years.

Christianson stated that the Planning Commission and City Council reviewed a PUD sketch plan application for the proposed development in March of 2018 and provided informal feedback at that time. Christianson explained that the applicant has made several revisions to the plans in response to previously received feedback and has now requested formal approval of the following:

1. **Rezoning** of the 10-acre subject property from B-1, Neighborhood Business to PUD, Planned Unit Development to allow for a commercial development containing a combination gas station and grocery/convenience store containing approximately 6,700 square feet, a 2,000 square foot carwash containing two drive-through bays, an attached 2-story speculative office / retail building containing approximately 16,800 square feet, and two freestanding speculative office/retail buildings.
2. A **preliminary plat** entitled Barsness 1st Addition, containing three lots and one outlot on ten gross acres.

Community Development Specialist Christianson summarized the following development issues identified in her memorandum dated April 24, 2018:

- Purpose of PUD (and requested flexibilities)
- Setbacks
- Height requirements
- Building design requirements
- Canopy and pump island design
- Carwash design and vehicle stacking space
- Site circulation
- Off-street parking
- Trash enclosure
- Landscaping
- Lighting
- Signage
- Easements
- Transportation issues (including site access)
- Trails
- Wetlands
- Utilities
- Park dedication

Christianson stated that Staff is supportive of the proposed uses upon the property (motor fuel station, carwash, convenience store, retail and office uses) but believe some design-related concerns exist which are in of need further attention. Christianson indicated that such concerns include the following:

Street Access. The design of the public street access into the property is not supported by Scott County or the City Engineer. The public street access as currently proposed does not allow for snow storage or turning around within the proposed City right-of-way.

Building Finish Materials. Question exists as to whether the finish materials on the motor fuel station building meet Ordinance requirements (Title 11-26A-A of the City Code).

Landscaping. Question exists whether the proposed landscaping plan is acceptable as a “trade-off” for reduced green space requirements (5 feet as opposed to the required 15 feet) and reduced drainage and utility easement widths (5 feet as opposed to the required 10 feet).

Carwash Stacking Space. The Code requires four stacking spaces per wash bay and three stacking spaces (per wash bay) have been proposed.

Christianson stated that feedback from the Planning Commission is requested regarding the acceptability of the proposed building finish materials, landscaping and carwash stacking space.

At the conclusion of her presentation, Christianson stated that Staff recommends that the Planning Commission hold the public hearing and then continue the item to allow the applicant time to address the preceding items. Following Community Development Specialist Christianson’s presentation, the Planning Commission raised questions related to the following:

- Canopy height and compliance with applicable City requirements.
- A Scott County recommendation related to the removal of certain off-street parking spaces near the proposed County Road 91 access.
- The design of proposed public street access points and approval responsibilities (County and/or City?).

Following the Planning Commission discussion, Chairman Thompson opened the public hearing at 7.47 p.m. The following comments were received at the public hearing:

Dale Runkle. Mr. Runkle spoke on behalf of the applicant/property owner and offered the following comments related to the development proposal:

- Question was raised as to why access points to the subject property (from County Roads 2 and 91) cannot be private in nature.
- It was contended that site access, as currently proposed, should be considered acceptable to the City.
- The property owner is willing to maintain the required public road access turnaround areas. Maintenance of such access points would include snow removal and roadway surface upkeep.

- Question was raised related to the need for City snow plows to be provided ample turnaround area within the City street right-of-way areas which access the property. Mr. Runkle suggested that City snow plows simply drive through the site in a manner similar to fuel trucks which will routinely frequent the motor fuel station.
- Question was raised regarding the identification of County and City rights-of-way dedication on the plat drawing.

As a follow-up to Mr. Runkle's comments, Chairman Thompson questioned whether the applicant could seek a variance from the County to allow private access to the subject site or to accommodate access as presently proposed by the applicant.

Also, in response to Mr. Runkle's comments, City Engineer Revering presented several public street design options which would be supported by the City.

Warren Barsness. Mr. Barsness, the applicant/property owner, offered the following comments related to the development proposal:

- Like Mr. Runkle, he also believes that the proposed site access in its current configuration should be considered acceptable.
- Carwash stacking space can be increased via a reduction in the carwash building's depth.

In response to Mr. Barsness' access-related comment, Planning Commission Hartzler questioned whether the southernmost building on the site could be reconfigured or reduced in size as a means of providing additional land area to devote to the County Road 91 street access.

Mayor Bob Crawford. Mayor Crawford reiterated a previous Staff comment related to the County's intent to control access to the subject site.

City Engineer Rich Revering informed the Commission of a phone call that he had received from adjacent property owner Tom Ryan who is contesting the proposed connection to the stormwater pond on his (Ryan) property.

Commissioner Smith asked if there has been discussion with property owner to the south regarding a potential shared access from County Road 91. Mr. Barsness stated that most recent discussion with that property owner indicated he was not interested in participating in a shared access point.

Following significant discussion on the access issue and as follow-up to received public testimony, Chairman Thompson reiterated the need to resolve cited property access issues prior to the project moving forward in the development review process.

Community Development Specialist Christianson then reviewed the following set of Planning Commission recommendations to be addressed by the applicant as the project continues to move forward:

- 1) The developer must enter into a Planned Unit Development Developer's Contract with the City of Elko New Market, and the Agreement must be approved by the City Council prior to final plat approval of the site.
- 2) The final development, grading, utility and construction plans shall be subject to the approval of the City Engineer and Public Works Director, and shall be revised to address the recommendations of the City Engineer's April 20, 2018 review memo.
- 3) The proposed access to the site shall be subject to the recommendations and approvals of the Scott County Highway Department.
- 4) The B1 Neighborhood Business District standards apply to the development, except as specifically noted in the table describing allowable variations.
- 5) All approvals are subject to the approval of all wetland applications, including wetland boundary concurrence and approval of the wetland replacement plan.
- 6) Cross access easements will be required to ensure perpetual access to proposed Lot 2.
- 7) Brick and/or stone features shall be integrated into the front building façade of the motor fuel station building to meet the requirements of Title 11-26A-4 of the City Code.
- 8) Buildings will be required to have increased design standards as a "trade-off" for the PUD variations. The building facades visible from public rights-of-way shall incorporate detail using colors, textures, and varying material treatments to break up the facades and provide a high degree of aesthetic treatments. The exterior wall treatments for the motor fuel station building shall incorporate brick, stone, decorative concrete block or stucco. The predominant exterior building material for the buildings on proposed Lots 1 & 3 shall consist of brick or stone. The front facing facades of buildings shall include 40% windows.
- 9) The landscape plan shall be enhanced to incorporate items such as flowering perennials, boulders, benches, etc. The trees located near the stormwater pond shall be removed from the landscape plan.
- 10) The lighting plan dated 12/11/17 shall be amended to meet the requirements of Title 11-4-7 of the City Code; the plan submitted exceeds the allowable 1 foot-candle reading at the property line.
- 11) The three proposed freestanding signs shall be compatible with a historic downtown design, shall be limited to monument signage, and must comply with the requirements of the B1 zoning district.
- 12) The plans shall be amended to depict a 10' shared use path / trail (as opposed to the 8' trail currently shown). The trail may be constructed by the developer, or constructed with the proposed roundabout project with a financial contribution covering the cost of construction from the developer.
- 13) The plans shall be amended to clearly depict a pedestrian route from the perimeter trail/sidewalk system into the proposed motor fuel station building.
- 14) The developer shall contribute cash in-lieu-of park land dedication, as recommended by the Parks Commission.
- 15) The applicant must enter into a Fire Hydrant Maintenance Agreement for any hydrants which may be placed within the private property.
- 16) An emergency /rapid access system will be required on the proposed commercial buildings at the time of construction.
- 17) The applicant is to verify the legality of connecting to the existing County stormwater pond located on Tom Ryan's property.

And noting that:

- 1) The plans, as currently submitted, do not depict a southbound left turn lane into the site from County Road 91, and the applicant has not formally requested the southbound left turn lane at this time.

Following the received public testimony and follow-up Planning Commission discussion, a motion was made by Hartzler and seconded by Kruckman to close the public hearing at 8:50 p.m. Vote for: Thompson, Kruckman, Smith, Vetter and Hartzler. Against: None. Abstained: None. Motion carried: (5-0).

A motion was then made by Smith and seconded by Kruckman to continue the rezoning and preliminary plat request to allow the applicant time to address the various issues and conditions as identified above and contained in Community Development Specialist Christianson's memorandum dated April 24, 2018. Vote for: Thompson, Kruckman, Smith, Vetter and Hartzler. Against: None. Abstained: None. Motion carried: (5-0).

## **8. GENERAL BUSINESS**

### **A. Adelmann Properties Concept Plan**

Chairman Thompson asked Community Development Specialist Renee Christianson to present her memorandum dated April 24, 2017. Christianson explained that the Adelmann family owns several properties located west of the Interstate 35/ County Road 2 interchange and has engaged Appro Development to assist in the development plans for the properties.

Christianson provided some historical background on the project and specifically noted that conceptual land use plans for the properties were subject to previous Planning Commission review and feedback in the fall and winter of 2017.

It was noted that the portion of the development site located on the north side of County Road 2 contains approximately 192 acres and the area located on the south of the County Road contains approximately 52 acres. Christianson stated that the City's 2030 Comprehensive Plan guides the properties primarily to commercial land uses with some residential uses. She noted that the Adelmans have worked with the City's Planning Commission to identify future land uses to be incorporated into the City's 2040 land use plan. Once the future land use designations were agreed upon, the conceptual development plans were created. It was noted that the 2040 land use plan has not been officially adopted but there was a preliminary consensus by the Planning Commission and City Council regarding future land uses.

Community Development Christianson stated that Adelmann Family and their development team are seeking feedback from the Planning Commission and City Council regarding the updated concept plan. Christianson explained that the development team is seeking City endorsement of the conceptual layout, and that an agreed upon arrangement of streets and uses will help in the marketing the property.

Following Christianson's presentation, the Planning Commission expressed their opinion that the updated concept plan sufficiently addresses previously conveyed issues/concerns. In this regard, the Planning Commission found the various illustrated uses and their arrangement to be well-conceived and was therefore supportive of the development concept.

A motion was made by Smith and seconded by Vetter expressing support for the submitted Adelman Properties development concept. Vote for: Thompson, Kruckman, Smith, Vetter and Hartzler. Against: None. Abstained: None. Motion carried: (5-0).

## **B. Zoning Ordinance Amendment - Commercial Vehicle Parking**

Chairman Thompson asked Community Development Specialist Renee Christianson to present her memorandum dated April 24, 2018 related to a proposed commercial vehicle parking amendment.

Christianson explained that, at the Planning Commission's March 6, 2018 meeting, the Commission recommended approval of a Zoning Ordinance amendment which corrected an inconsistency regarding the regulation of commercial vehicle parking in residential zoning districts. At the time of amendment consideration, the Ordinance prohibited the parking of all commercial vehicles, both Class I and Class II vehicles, on all residentially-zoned lots.

Christianson noted that the City Council ultimately approved the described amendment with the following changes (as recommended by the Planning Commission) at their April 12, 2018 meeting:

1. The parking of Class I commercial vehicles in residential zoning districts be prohibited.
2. An allowance be made for the parking of up to two Class II commercial vehicles residential zoning districts.
3. Commercial vehicle parking (storage) which is afforded "grandfather rights" be allowed via a one-time registration rather than annual permit as presently required by the Ordinance.

While not part of the amendment under formal consideration (or referenced in the public hearing notice), Christianson stated that the Planning Commission has received input and discussed the possibility of reviewing the definitions of Class I and Class II commercial vehicles at some future point (to possibly reference gross vehicles weight rating and dimensions rather than vehicle type). Considering that all Planning Commission members are expected to be in attendance at the April meeting, Christianson indicated that the topic was placed on the agenda for informal discussion/consideration.

Community Development Specialist then reviewed the City's present definitions of Class I and Class II commercial vehicles as provided below:

***Class I:** Vehicles with a gross vehicle weight rating (GVWR) of more than eighteen thousand (18,000) pounds, or any of the following types of vehicles regardless of weight,*

*including, but not limited to: semitrailers, the tractor portion of semitrucks, garbage trucks, tank trucks, dump trucks, flatbed trucks, tow trucks, cattle trucks, coach buses or school buses designed to carry more than twenty (20) persons or any similar vehicle.*

***Class II:*** *All vehicles other than class I commercial vehicles including pickup trucks, vans, trailers and school buses designed to carry twenty (20) persons or less. Vehicles shall also be eight feet (8') in height or under, a maximum of twenty-four feet (24') in length and no more than eighteen thousand (18,000) pounds.*

Christianson noted that if the Commission wanted to remove the specific vehicle types described in the Class I vehicle definition, by cross-referencing the existing definition of a Class II vehicle it can be concluded that a Class I commercial vehicle is also considered any vehicle greater than eight feet in height and twenty-four feet in length.

Christianson also summarized Staff research which was conducted on physical limits which other area communities place upon commercial vehicles.

Although there was no clear consensus on the issue, Christianson explained that, in previous discussions, the Planning Commission raised the possibility of removing the portion of the Class I commercial vehicle definition which relates specifically to vehicle type and instead base such definition strictly upon vehicle weight and size. In this regard, it was noted that a draft Ordinance amendment has been prepared for discussion and is included in the Planning Commission's meeting packet. Community Development Specialist Christianson noted that the draft amendment reflects existing vehicle weight, height and length requirements which are imposed by the City.

Community Development Specialist Christianson concluded her presentation by advising the Planning Commission that only informal feedback on the amendment is requested at this time. If the Planning Commission supports a change to the definition, the Commission should direct staff schedule a public hearing on the matter.

Following Community Development Specialist Christianson's presentation, the Planning Commission offered the following comments:

- Commissioners Smith and Kruckman suggested that references to various commercial vehicle types in the definitions of commercial vehicle (both Class I and Class II) be eliminated such that commercial vehicles are regulated solely by physical characteristics (weight, height and length).

Commissioner Hartzler indicated that he is not opposed to the Ordinance as it is currently written, and that he personally is not opposed to the parking of a small tow truck in residential zoning districts.

Commissioners Thompson and Vetter indicated that they do not feel that any changes to the existing commercial vehicle definition are needed.

Several Commissioners expressed concern over the maximum eight-foot height restriction currently placed upon Class II commercial vehicles. To better respond to

recent dimensional changes in work van design, it was suggested that the maximum height limitation imposed upon Class II commercial vehicles be increased from eight to nine feet.

Following a lengthy discussion, the majority of the Planning Commissioners expressed support for an Ordinance change to define commercial vehicles solely by physical characteristics and eliminate current vehicle type references in the definition. In this regard, the Commission directed staff to schedule a public hearing to consider such an amendment.

A motion was made by Smith and seconded by Hartzler directing Planning Staff to schedule a public hearing to consider a change to the definition of “commercial vehicle” and that the draft amendment text be changed to make an allowance for Class II commercial vehicles up to nine feet in height. Vote for: Thompson, Kruckman, Smith, Vetter and Hartzler. Against: None. Abstained: None. Motion carried: (5-0).

## 9. MISCELLANEOUS

### A. Planning Commissioner Membership

Community Development Specialist Christianson announced the resignation of Kent Hartzler from the Planning Commission.

### B. Community Development Updates

Community Development Specialist Christianson provided updates on various City projects as provided in her memorandum dated April 5, 2018. Specific discussion took place regarding the following projects:

- Dakota Acres
- Boulder Heights
- Pleasant Hills
- Boulder Pointe 7<sup>th</sup> Addition
- Barness project

## 10. ADJOURNMENT

A motion was made by Hartzler and seconded by Smith to adjourn the meeting at 10:09 p.m. Vote for: Thompson, Kruckman, Smith and Vetter and Hartzler. Against: None. Abstained: None. Motion carried: (5-0).

Submitted by:



Renee Christianson  
Community Development Specialist



601 Main Street  
Elko New Market, MN 55054  
phone: 952-461-2777 fax: 952-461-2782

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## MEMORANDUM

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**TO:** PLANNING COMMISSION  
**FROM:** RENEE CHRISTIANSON, COMMUNITY DEVELOPMENT SPECIALIST  
BOB KIRMIS, CONSULTING CITY PLANNER  
**RE:** PUBLIC HEARING REGARDING THE DRAFT AMENDMENT TO  
SECTION 11-2-2 OF THE CITY CODE / ZONING ORDINANCE  
PERTAINING TO THE DEFINITION OF “COMMERCIAL VEHICLE”  
**DATE:** MAY 29, 2018

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### **Background / History**

At the Planning Commission’s April 24, 2018 meeting, the Commission discussed a possible amendment to the City Code / Zoning Ordinance pertaining to the definition of Class I and Class II Commercial Vehicles. Over the preceding months the Planning Commission had discussed the possibility of reviewing the definitions of Class I and Class II commercial vehicles at some future point (to possibly reference gross vehicles weight rating and size rather than by vehicle type). Although there was not a full consensus of the Commission in regards to a possible amendment, staff was directed to coordinate a public hearing on the possible ordinance amendment.

Discussion on the matter was initially prompted by an inquiry from Marek Towing, who was seeking approval to park certain tow trucks within residential zoning districts. Under the City’s current ordinance, all tow trucks are considered Class I Commercial Vehicles, which are generally precluded from being stored in residential zoning districts within the City.

Current definitions of Class I and Class II commercial vehicles are provided below:

Class I: Vehicles with a gross vehicle weight rating (GVWR) of more than eighteen thousand (18,000) pounds, or any of the following types of vehicles regardless of weight, including, but not limited to: semitrailers, the tractor portion of semi-trucks, garbage trucks, tank trucks, dump trucks, flatbed trucks, tow trucks, cattle trucks, coach buses or school buses designed to carry more than twenty (20) persons or any similar vehicle.

Class II: All vehicles other than class I commercial vehicles including pickup trucks, vans, trailers and school buses designed to carry twenty (20) persons or less. Vehicles shall also be eight feet (8') in height or under, a maximum of twenty-four feet (24') in length and no more than eighteen thousand (18,000) pounds.

### **Research**

The City’s present definition of a Class I commercial vehicle refers to a vehicle having a gross vehicle weight rating of more than 18,000 pounds, and further defines a Class I commercial vehicle to include all semitrailers, the tractor portion of semi-trucks, garbage trucks, tank trucks, dump trucks, flatbed trucks, tow

trucks, cattle trucks, coach buses or school buses designed to carry more than twenty (20) persons or any similar vehicle, regardless of their GVWR. By also cross-referencing the existing definition of a Class II vehicle, it can also be concluded that a Class I commercial vehicle is also considered any vehicle greater than eight feet in height and greater than twenty-four feet in length.

As part of staff's research on the topic, it is worthwhile to examine the physical limits placed upon commercial vehicles by other area communities. The following is a summary of Planning Staff's research in this regard pertaining to cities which regulate commercial vehicle parking by physical characteristics:

<b>City</b>	<b>Commercial Vehicle Parking <u>Prohibition</u> Thresholds in Residential Zoning Districts</b>
Apple Valley	Commercial vehicles over <b>1 ton</b>
Belle Plaine	Commercial vehicles having a <b>GVWR over 9,000 pounds</b>
Bloomington	Commercial vehicles which are greater than <b>8 feet in height or 22 feet in length</b>
Burnsville	Commercial vehicles which exceed a <b>length of 22 feet</b>
Jordan	Commercial vehicles which exceed a capacity of <b>1.5 tons</b>
Lakeville	Commercial vehicles which are greater than <b>8 feet in height or 22 feet in length</b>
Lonsdale	Commercial vehicles having a <b>GVWR over 19,500 pounds</b>
Prior Lake	Commercial vehicles having a <b>GVWR over 9,000 pounds or more than 22 feet in length</b>
Savage	Commercial vehicles having a <b>GVWR over 10,000 pounds or more than 22' in length</b>
Shakopee	Commercial vehicles which exceed a capacity of <b>1.5 tons</b>

Note - "GVWR" refers to gross vehicle weight rating

As shown in the table above, a range of vehicle weights and sizes are applied to commercial vehicles which are not allowed to be parked in residential zoning districts. Specifically, a range exists from one ton applied by the City of Apple Valley – to greater than 22' in length applied by the City of Burnsville - to a gross vehicle weight rating (GVWR) of 19,500 pounds applied by the City of Lonsdale. The City of Elko New Market's standard of a GVWR of 18,000 pounds is greater than all sampled cities with the exception of only the City of Lonsdale standard.

WHAT DOES GVWR MEAN? **Gross Vehicle Weight Rating (GVWR)** refers to the maximum allowable weight a vehicle has been engineered by manufacturers to safely carry. This weight rating is regulated by the United States federal government and gets determined by a vehicle's:

- Body – frame of vehicle
- Chassis – main supporting area of vehicle
- Cargo – the load being hauled
- Driver
- Passengers
- Optional accessories – attachments for sleeping, etc
- Vehicle fluids – fuels, oils, etc
- Tongue – the hitch that connects the trailer to the vehicle
- Other factors specific to each manufacturer

The GVWR does not include the weight specs of any accompanying trailers. It is important to note that the GVWR value does not change. It is an assigned and permanent weight value unique to each vehicle.

### **Draft Amendment**

At the April 29<sup>th</sup> meeting, the Planning Commission discussed the possibility of removing the portion of the Class I commercial vehicle definition which relates specifically to vehicle type, and strictly limited a Class I vehicle to GVWR and size. Direction was also given to consider changing the Class I vehicle height to greater than 9' rather than 8'. Attached to this memorandum is a draft Zoning Ordinance amendment which incorporates the potential changes. Specifically, existing references to various vehicle types have been omitted while references to maximum vehicle weight and dimensions have been retained. Also, to be noted is that the definition qualifications have been reformatted to improve reader clarity.

### **Public Hearing**

A public hearing has been published in the City's official newspaper, and a public hearing on the proposed ordinance amendment is required.

### **Staff Recommendation**

No formal staff recommendation is being given on this matter. After holding a public hearing on the matter, the Planning Commission could choose to recommend approval or denial of the proposed amendment.

### **City Attorney Comments**

The City Attorney has not reviewed the draft ordinance amendment at this time but is aware of the ongoing discussion on the matter.

**DRAFT – 5/29/18**  
CITY OF ELKO NEW MARKET  
SCOTT COUNTY, MINNESOTA

ORDINANCE NO. \_\_\_\_\_

**AN AMENDMENT TO TITLE 11 OF THE CITY CODE (ZONING REGULATIONS)  
ADDRESSING THE DEFINITION OF “COMMERCIAL VEHICLE”**

THE CITY COUNCIL OF THE CITY OF ELKO NEW MARKET ORDAINS:

**SECTION 1.** Section 11-2-2 of the Elko New Market City Code (Definitions) is hereby amended to modify the definition of “commercial vehicle” to read as follows:

COMMERCIAL VEHICLE: Any vehicle used for commercial purposes including, but not limited to: trailers, motorized wheeled or tracked vehicles or vehicles displaying company signage, company logos, commercial equipment, fixtures or tools. **Commercial Vehicles are further defined by the following two categories:**

~~Class I: Vehicles with a gross vehicle weight rating (GVWR) of more than eighteen thousand (18,000) pounds, or any of the following types of vehicles regardless of weight, including, but not limited to: semitrailers, the tractor portion of semi-trucks, garbage trucks, tank trucks, dump trucks, flatbed trucks, tow trucks, cattle trucks, coach buses or school buses designed to carry more than twenty (20) persons or any similar vehicle.~~

**Class I: Vehicles which exceed any of the following:**

**A gross vehicle weight rating (GVWR) of eighteen thousand (18,000) pounds**  
**A height of nine (9) feet**  
**A length of twenty-four (24) feet**

~~Class II: All vehicles other than class I commercial vehicles including pickup trucks, vans, trailers and school buses designed to carry twenty (20) persons or less. Vehicles shall also be eight feet (8') in height or under, a maximum of twenty-four feet (24') in length and no more than eighteen thousand (18,000) pounds.~~

**Class II. All vehicles other than Class I commercial vehicles and which do not exceed any of the following:**

**A gross vehicle weight rating (GVWR) of eighteen thousand (18,000) pounds**  
**A height of nine (9) feet**  
**A length of twenty-four (24) feet**

**SECTION 2.** This Ordinance shall be effective immediately upon its passage and publication.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2018, by the City Council of the City of Elko New Market.

CITY OF ELKO NEW MARKET

BY: \_\_\_\_\_  
Robert Crawford, Mayor

ATTEST:

\_\_\_\_\_  
Sandra Green, City Clerk



601 Main Street  
Elko New Market, MN 55054  
phone: 952-461-2777 fax: 952-461-2782

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## MEMORANDUM

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**TO:** PLANNING COMMISSION  
**FROM:** RENEE CHRISTIANSON, COMMUNITY DEVELOPMENT SPECIALIST  
**RE:** 580 PAUL STREET – DISCUSSION REGARDING POSSIBLE REZONING TO R1  
**DATE:** MAY 29, 2018

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### Background

Bernie Mahowald owns the property at 580 Paul Street. This property is believed to be the original farmstead for what once was a much larger property, with various pieces of the original property being sold off over time. The remaining property is approximately 3.13 acres in size and has no public road frontage. Access to the property is from Paul Street via a 33' x 140' easement for driveway purposes over the adjacent (Tuma) property.

The site is currently zoned R-3 Medium Density Residential. The 2030 Land Use Plan Map guides the property to a low density residential (single family). Usually, zoning and Land Use Plan designations match. In this case however, they do not. Staff is unsure of why the zoning map and Land Use Plan are not consistent. Staff believes it may have related to a former City of New Market vision that the site and abutting site to the north would ultimately be developed as multiple-family residential use based on the site's proximity to downtown.

Most recently there was a single family home on the property and a detached accessory structure (barn). Mr. Mahowald recently demolished the home on the property but the barn remains.

### Utilities

Water service to the site is presently available. City staff is aware that the water service curb stop is actually located at the corner of St. Mary Street and Church Street. This means that the water line runs through the property to the north. Staff is unaware if a private easement exists between the two parties but suspects not.

Sanitary sewer service is not available to the property. The former home on the property was served by an on-site septic system. A new home on the property would be required to hook-up to City sewer. The former system should be properly abandoned (tank crushed) if not already completed. City sewer exists in the east end of Paul street and would need to be extended eastward approximately 200' to reach the property. An additional easement would likely be needed from the adjacent property owner to run a sanitary sewer line from Paul Street to the property. Alternatively, sanitary sewer exists in Seurer Street to

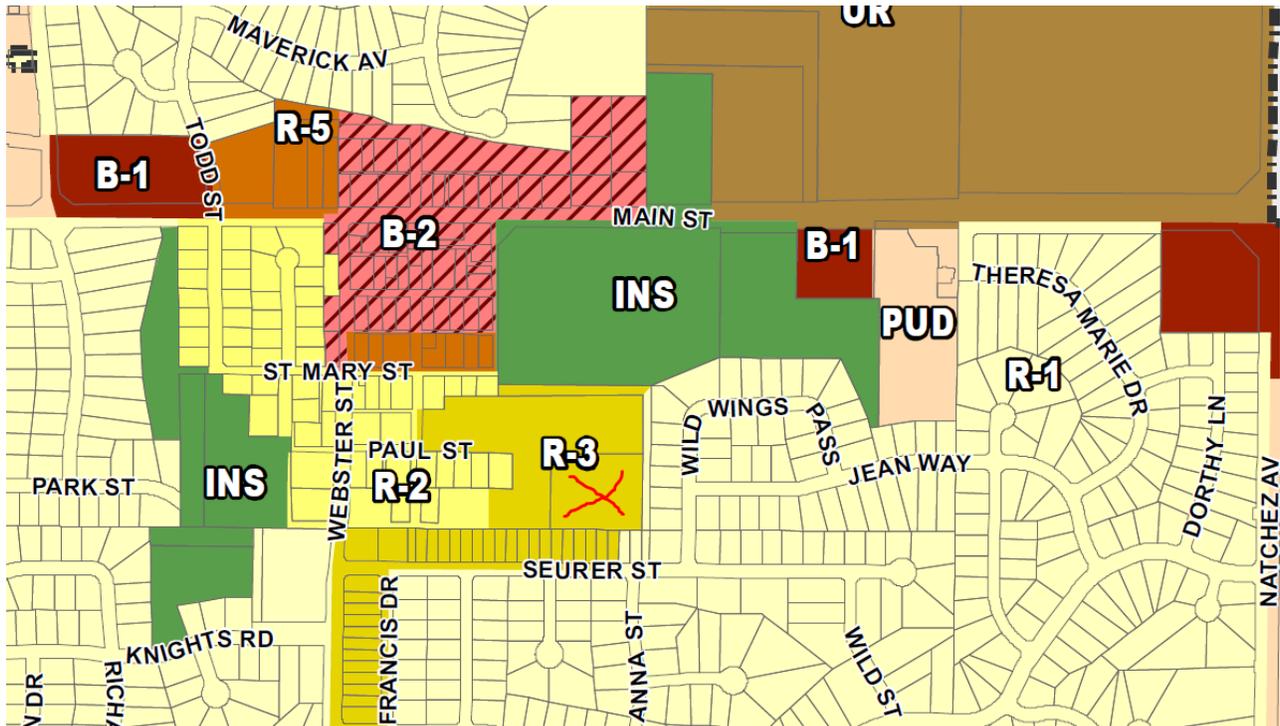
the south. The applicant could consider trying to connect to the Paul Street sanitary sewer, but a grinder pump lift station would be needed due to differences in elevation.

**Requested Action**

City staff and Mr. Mahowald are seeking preliminary feedback from the Planning Commission regarding a possible rezoning request from R3, Medium Density Residential, to R1 or R2, Low Density Residential. Rezoning the property to R1 or R2 would allow a single family home to be constructed on the property (lot of record), or would allow further platting and development of single family lots.

Staff sees both pros and cons to rezoning the property. Leaving the property zoned R3 would allow additional multi-family development in close proximity to the downtown. From a land use perspective, the tiered zoning approach makes sense, having higher density residential development closer to areas zoned for commercial.

Alternatively, the adopted 2030 Land Use Plan does guide the area to low density residential, so rezoning the property to low density residential (either R1 or R2) would be consistent with the adopted Comprehensive Plan. If there is support to rezone the property to low density residential, staff recommends that the adjacent property to the north (Tuma property) also be considered for rezoning.



Current Zoning Map



2030 Land Use Map (low density residential)



2040 (DRAFT) Land Use Map (medium density residential)



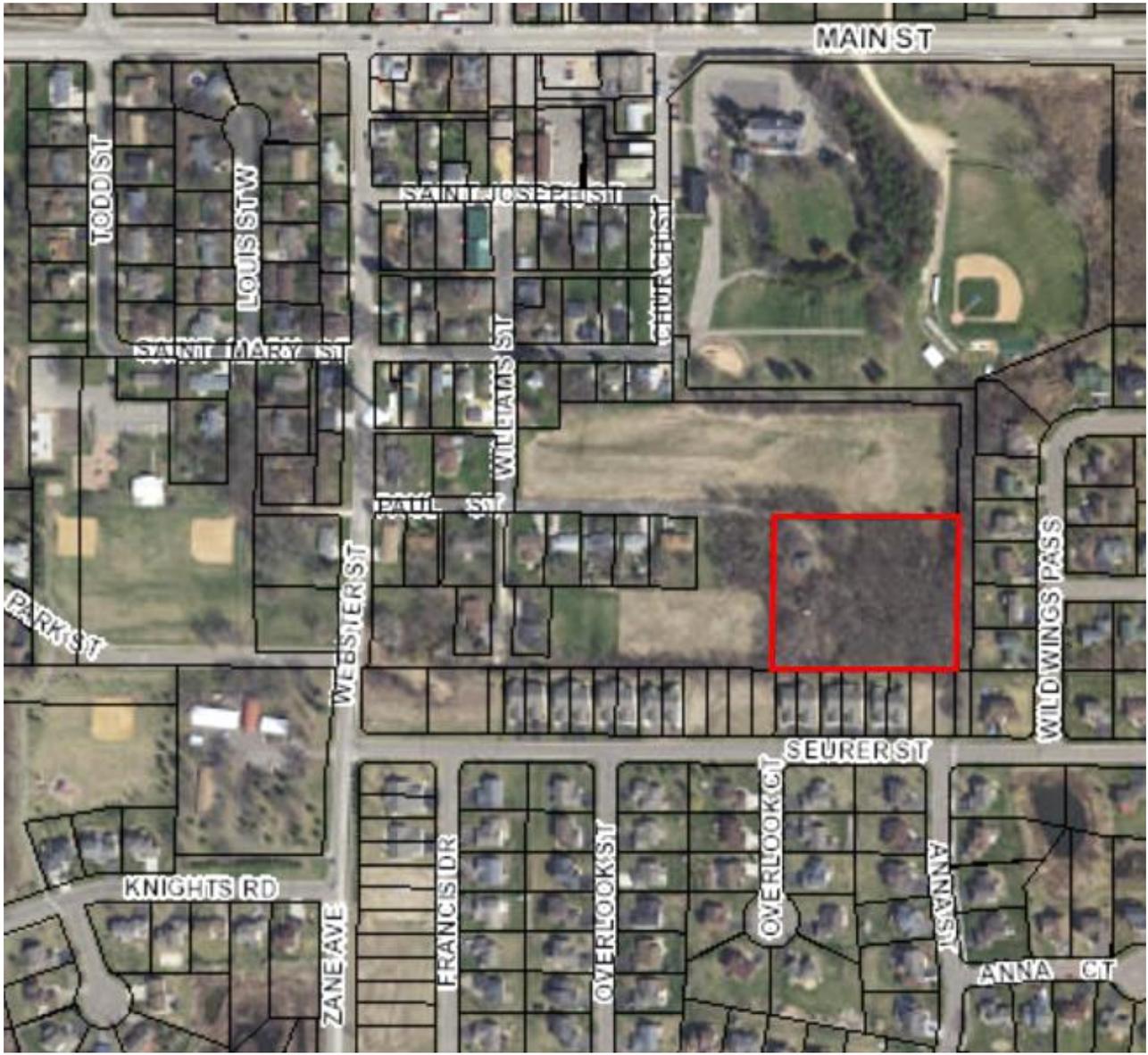
Downtown Master Plan (2005 – City of New Market)



1964 Aerial Photo



2008 Aerial Photo



2016 Aerial Photo



601 Main Street  
Elko New Market, MN 55054  
phone: 952-461-2777 fax: 952-461-2782

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## MEMORANDUM

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**TO:** BERNIE MAHOWALD  
**FROM:** RENEE CHRISTIANSON, COMMUNITY DEVELOPMENT SPECIALIST  
RICH REVERING, CITY ENGINEER, BOLTON & MENK  
CONCEPT PLAN REVIEW OF SYLVESTER MEADOWS, CONSISTING OF 10  
SINGLE FAMILY RESIDENTIAL LOTS ON APPROXIMATELY 41.08849 ACRES  
**DATE:** NOVEMBER 8, 2016

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### **Background / History**

Bernie Mahowald, representative of The Farm Development Co, LLC, submitted to the City a concept plan showing 10 residential lots on approximately 41.08849 acres and requested feedback regarding the concept plan. The drawing was received by way of U.S. mail on November 2, 2010. The drawing was prepared by Valley Surveying Co., was titled "Planned Unit Development Sketch of Sylvester Meadows", and was undated. It is noted that the concept plan is submitted for high-level feedback and lacks utility information and engineering details.

The purpose of this memorandum is to provide preliminary feedback regarding the concept plan which can inform elected and appointed officials, and can be incorporated into future concept plan or development plan submittals.

City staff has referred to the following City adopted ordinances and plans when reviewing the Sylvester Meadows Concept Plan:

- 2030 Comprehensive Land Use Plan
- Zoning Ordinance
- Subdivision Ordinance
- Sanitary Sewer Plan
- Water Plan
- Stormwater Plan

### **Neighborhood Conditions**

To the north and northwest of the proposed development are single family residential homes. To the east, south, and southwest of the proposed development is undeveloped rural residential properties and undeveloped land. The area to the south is also a large wetland area which will be noted later in this report. The proposed development is generally compatible with the surrounding land uses.

## **Legal Description**

The proposed development consists of five properties, four small platted outlots and one large unplatted parcel. The PID #'s, lot sizes, and legal descriptions are as follows:

23-024058-0 – approximately .35573 acres – Outlot C, The Farm 3<sup>rd</sup> Addn  
23-024059-0 – approximately .10704 acres – Outlot D, The Farm 3<sup>rd</sup> Addn  
23-024060-0 – approximately .29803 acres – Outlot E, The Farm 3<sup>rd</sup> Addn  
23-024062-0 – approximately .44353 acres – Outlot G, The Farm 3<sup>rd</sup> Addn  
23-928045-0 – approximately 39.88416 acres – The NW ¼ of the SE ¼ of Section 28, Township 113W, Range 21N, Scott County, Minnesota.

## **Comprehensive Land Use Plan**

The city's comprehensive land use plan guides the properties to a "Low Density Residential" land use designation. The comprehensive plan contains the following language regarding the Low Density Residential District:

*"Objective: This classification is characterized by a low to medium range of residential densities that provide opportunities for a variety of housing options. Single family detached homes at the lowest of the urban densities are typical uses. Lower densities are often required to preserve and protect environmentally sensitive land. Single family attached dwellings such as duplexes, townhomes, and four-plexes should be allowed and may be mixed with detached homes in Planned Unit Developments. Support facilities that are compatible with neighborhoods and accessory uses are allowed within this District.*

*Development Location Criteria:* • The characteristics of a proposed development will be based upon consideration of several factors including, but not limited to, topography, geography, existing development and character of the surrounding area, transportation system access, and market conditions. • Final density and development design will be a function of adopted zoning and subdivision standards and procedures.

*Density: The average density is 2.7 dwelling units per net acre, with a range of 2 to 5 units per net acre. Minimum Requirements for Development:* • Lot sizes typically are 10,000 – 12,000 square feet, but can be larger or smaller depending on the type of development and the specific property's characteristics. • The minimum area for Planned Unit Developments should be 10 acres in order to provide for the open space and mix of housing styles at higher densities, but may be smaller based on the benefit provided to the City or the objectives of the City. • Public street frontage is required for all development, unless alternate access is expressly approved by the City for a Planned Unit Development or similar arrangement.

*Typical Uses: Single family detached dwellings; other dwelling designs (townhomes, four-plexes and retirement complexes or other similar residential varieties) by Conditional Use Permit and/or Planned Unit Development; schools, churches, recreational open space, parks and playgrounds, and public buildings."*

The proposed use of the property meets the intent of the guided land use for the area. The development does exceed the guided density of 2.7 dwelling units per net acres. The current concept plan indicates 10 housing units on an estimated 41.088 net acres (acreages obtained from Scott County GIS system will be refined as additional survey work is provided).

## **Zoning**

The proposed development contains five existing parcels. The four smaller parcels are currently zoned R1 Suburban Single Family Residential District and the one larger parcel is currently zoned UR, Urban Reserve.

Development of the property as shown on the concept plan requires rezoning of the larger (39.88 acres) parcel to R1, or rezoning of the entire property (five parcels) to PUD.

The City's typical low density residential district is R-1, Suburban Single Family Residential District, and has minimum lot size requirements of 12,000 square feet and minimum lot width requirements of 85'. The minimum lot width requirement would be measured at the building setback line. Lot size and width details are not shown on the concept plan, however, staff suspects that all proposed lots meet the minimum lot size criteria, and that all lots meet the minimum lot width criteria with the exception of Lots 4, 5 & 6.

Staff recommends that the properties be zoned R1, Suburban Single Family Residential, and that Lots 4, 5 & 6 be adjusted to meet the minimum lot width requirement of 85' at the building setback line.

### **Lot Size**

The minimum lot size in the R1 zoning district is 12,000 square feet. Proposed lots should meet the minimum lot size requirement of 12,000 square feet.

### **Setbacks**

The setback requirements in the R1 zoning district are as follows:

- Front setback – 30'
- Side setback – 10'
- Side setback for corner lot – 25'
- Rear setback – 30'

### **Height Requirements**

Structures shall not exceed 35' in height in the R1 zoning district.

### **Landscaping**

There are no specific landscaping requirements associated with development of the property. Two trees must be planted upon each lot at the time of building permit, sod placed in the front and side yards, and rear yards must be seeded, hydroseeded or sodded. These requirements are placed on the builder rather than the developer.

### **Tree Preservation**

Section 12-9-9 of the City's Subdivision Ordinance contains Tree Preservation and Replacement regulations. A tree inventory must be completed which identifies the location of all significant trees on the property. 40% of the significant trees must be protected as part of the development.

### **Easements**

The Subdivision Ordinance requires that 10' wide perimeter easements and 5' wide interior easements be dedicated along all lot lines.

### **Sanitary Sewer**

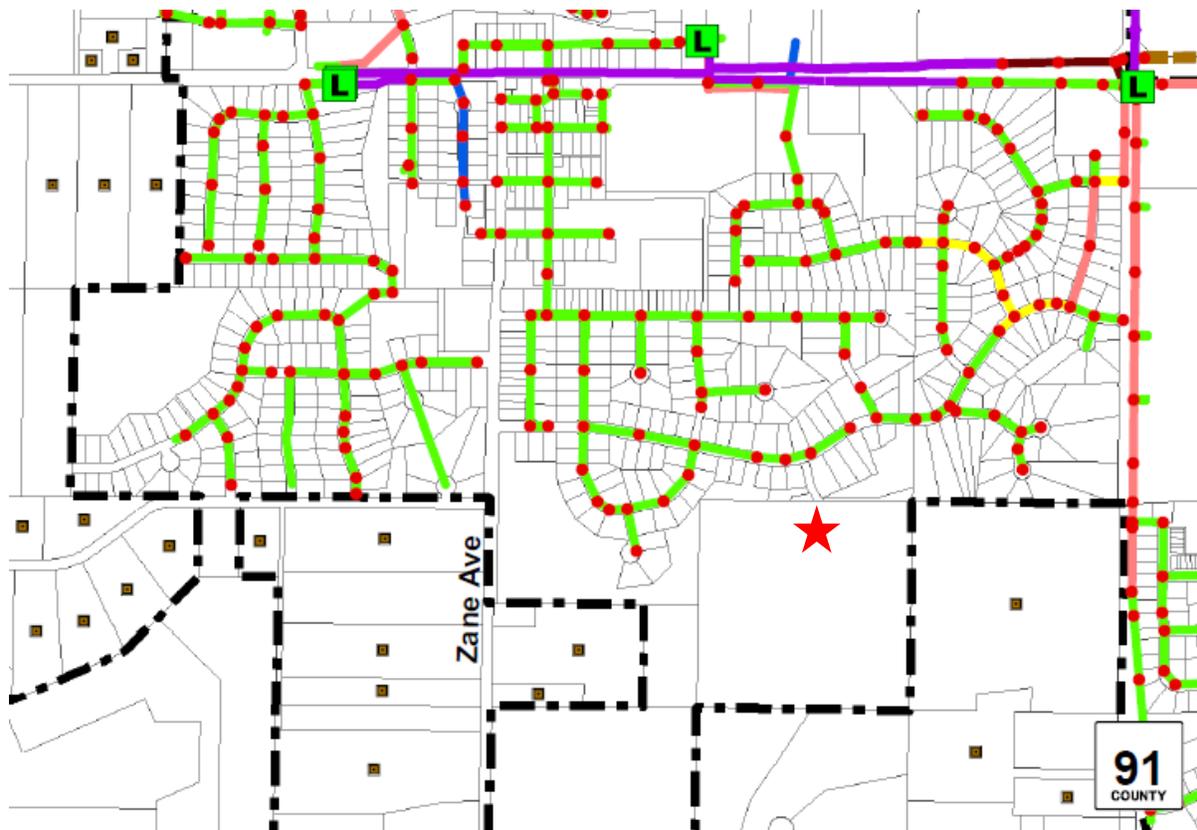
There is an existing 8" gravity sewer line located in Aaron Drive. Sanitary sewer for the proposed development would flow into the Aaron Drive sewer line which flows to the west by gravity. The elevation of the proposed development is substantially lower than the existing sewer line in Aaron Drive, therefore some type of pumping scenario will be required to service the lots with sanitary sewer. Staff supports the following options:

Sylvester Meadows Concept Plan Review – The Farm Development Co., LLC

- Installing an individual grinder pump lift station for each individual home. The grinders would be located on private property and would be under the ownership and maintenance responsibility of the individual homeowner.
- Installing shared grinder pump lift stations, typically shared by two homes. The grinder would be located on private property and would be under the ownership and maintenance responsibility of the individual homeowners. Cross easements allowing use of the shared grinder would be required.
- Install one small lift station that would serve all ten lots. Staff would recommend that if a single lift station is used for all the lots that it be city owned and maintained. Property and/or an easement would need to be dedicated to the City to cover the lift station. One option would be to place the small lift station and back-up standby generator in the center of the cul-de-sac island.

Serving the proposed development with sanitary sewer will require some type of lift station scenario. The developer has multiple options which are supported by City staff. The City's preference is that a single lift station be used to service the lots.

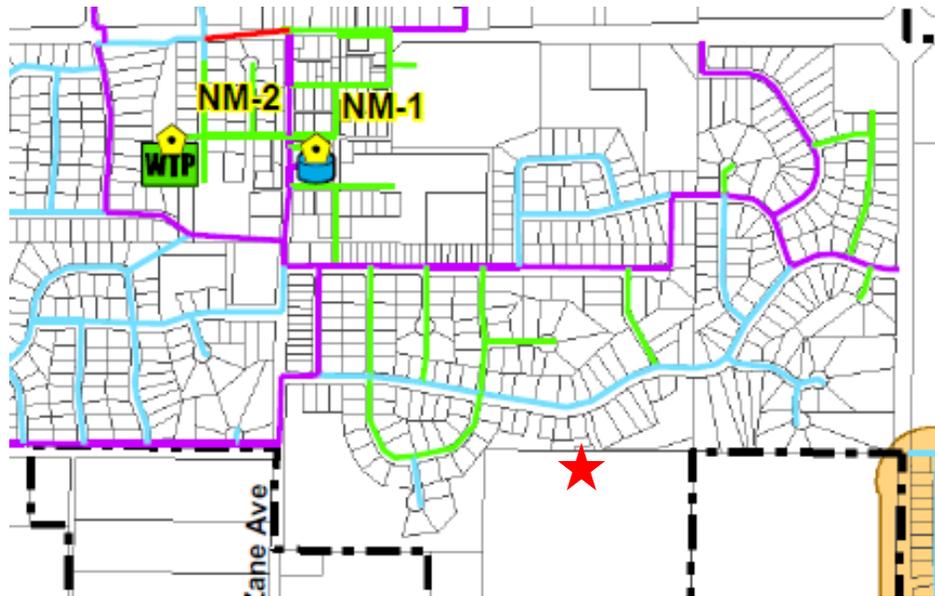
### Existing Sanitary Sewer Infrastructure



### Water

There is an existing 8" water main in Aaron Drive. The proposed development can connect to the existing water line in Aaron Drive. It is noted that the proposed cul-de-sac is approximately 750' in length which exceeds the desired street length and dead-end water line length. There is no reasonable opportunity to loop water lines within the development. The proposed development is consistent with the Water Distribution Plan.

## Existing Water Distribution System



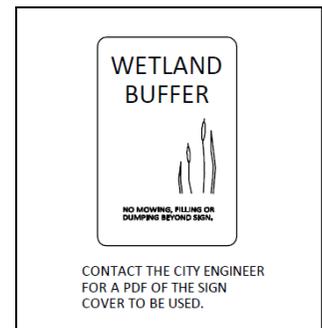
### **Stormwater**

Surface water from the subject property flows in a southerly direction towards a large wetland area and ultimately to the Vermillion River. The developer must submit a stormwater plan meeting the requirements of Chapter 11 of the Zoning Ordinance and the City's Surface Water Management Plan.

A 10' wide buffer is required around stormwater ponds. All structures shall have a minimum 35' setback from the edge of the HWL of stormwater ponds.

### **Wetlands / Floodplain / DNR Protected Waters**

A wetland delineation and MnRAM report will be required as part of the development process. There are known /existing wetlands on the subject property. Wetland buffers are required adjacent to all delineated wetlands; the required buffer width is dependent upon the quality of the wetland. A wetland buffer sign marker, meeting the requirements of Section 11-11-4 of the Zoning Ordinance, shall be placed along all lot lines at the buffer location. All structures shall have a minimum setback of 35' from the edge of a delineated wetland. The Subdivision Ordinance requires that wetlands and buffers be contained in Outlots. Wetlands and stormwater pond outlots shall be conveyed to the City upon filing of a plat.



The subject property is included on FEMA Flood Insurance Rate Map (FIRM) panel #2704280125C dated 2-19-87, and also on preliminary FIRM panel #27139C0330E dated 9-30-11. The wetland located adjacent to and south of the proposed development is designated as Zone X, areas of 500 year flood.

There are no DNR Protected Waters or Wetlands on the subject property.

### **Access / Roads / Transportation Issues**

The proposed development borders one existing city street, Aaron Drive. Functional classification is as follows:

Sylvester Meadows Concept Plan Review – The Farm Development Co., LLC

Page 5 of 10

November 8, 2016

Aaron Drive, Minor City Collector Roadway. Minor Collector streets serve short trips at relatively low speeds. Their emphasis is focused on access rather than mobility. Minor Collectors are responsible for providing connections between neighborhoods and the Major Collector/Arterial roadways. These roadways should be designed to discourage short-cut trips through the neighborhood by creating jogs in the roadway (not direct routes). Aaron Drive is 36' wide within a 70' right-of-way.

There is one road proposed within the development. The concept plan shows a 36' street proposed within a 50' right-of-way. The City's Subdivision Ordinance requires that 60' of right-of-way be dedicated for local roads and cul-de-sacs, and they be constructed at a 32' pavement width. Staff is planning to bring a proposed amendment to the Planning Commission which reduces the required street width for local roads to 28'. Staff is recommending that the street width for the proposed cul-de-sac be reduced to 28' to 32'. Staff is agreeable to the 50' right-of-way width, as opposed to the 60' required by ordinance, because the roadway will only service ten homes and there are only lots on one side of the proposed street.

### **Sidewalks & Trails**

The City's Subdivision Ordinance requires that concrete sidewalks are constructed on at least one side of all residential streets; the outside edge shall be located one foot from the property line.

The City's Park & Trail Plan identifies a City trail corridor running through the subject property. The trail would ultimately extend from Co Rd 91 to Mahowald Park. Staff recommends that the developer incorporate a trail plan into the development plans that meets the intent of the adopted Park & Trail Plan. Further input from the Park's Commission will be sought regarding phasing and implementation of this trail.

### **Parks Related Comments**

The City's Subdivision Ordinance requires 10% of the land be dedicated for parks, playgrounds, public open spaces or trails and/or the developer shall make a cash contribution to the city's park and trail fund. If no land dedication is required the park fee is \$2,000 per residential unit. A combination of land dedication and cash contribution may also be applied. The Parks Commission shall make a recommendation to the Planning Commission and City Council in regards to park land dedication.

The proposed development is adjacent to Mahowald Park properties. Mahowald Park is identified as a future Community Playfield Athletic Complex in the City's adopted Park & Trail Plan. This classification identifies parks that target organized adult and youth play and require softball fields, baseball fields, soccer/football fields, multiple tennis courts, etc. The park is currently undeveloped.

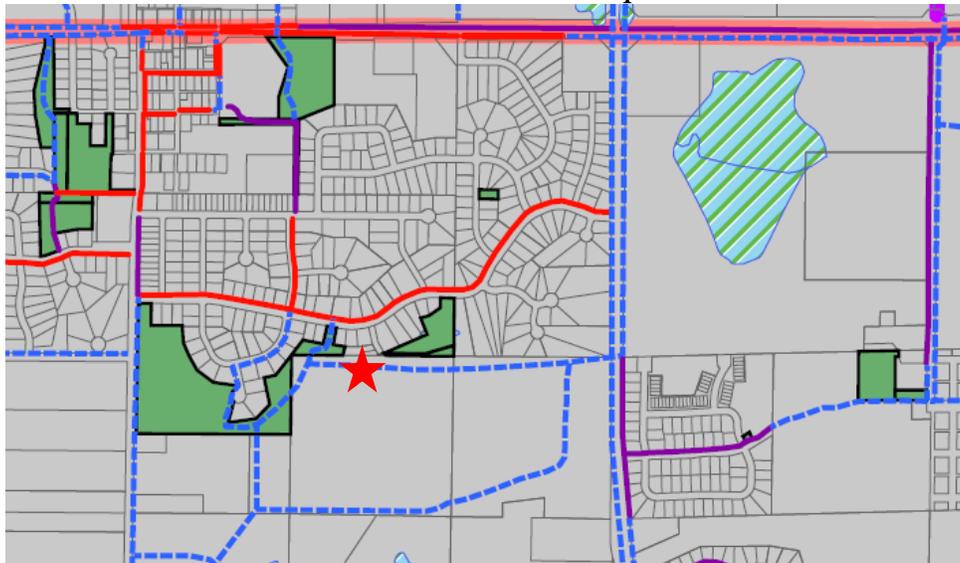
The proposed development would be served by two parks, St. Nicholas Park (privately owned) and Wagner Park. Both parks are within a 1/2 mile radius of the proposed development. Walkable routes to the park are approximately .7 miles to Wagner Park and .5 miles to St. Nicholas Park.

Staff presumes that the large wetland area and stormwater ponds on the subject property will be dedicated to the City during the platting process. The dedicated land would be adjacent to the existing Mahowald Park. It is noted that the developer would receive (park dedication) credit for any land located outside of the wetland and ponding areas.

### Location of Mahowald Park



### Park & Trail Plain Map



Staff will be recommending to the Park's Commission that the City accept any land remnant surrounding the wetland area (if any) as park dedication credit because they will abut existing Mahowald Park. It is noted that delineated wetland areas and the required wetland buffers are not applied towards acceptable park dedication requirements per the City's Subdivision Ordinance.

As noted earlier in this report, the City's Park & Trail Plan identifies a City trail corridor running through the subject property, extending in an east/west direction from Mahowald Park to Co. Rd. 91. Staff recommends that a future trail location through the development be planned for, consistent with the City's adopted Park & Trail Plan. The location of the proposed trail will likely depend upon the wetland delineation and buffer requirements.

### **City Engineer Comments**

The city engineer, Rich Revering, has reviewed the concept plan and has no comments regarding the development other than those already contained in this memorandum.

### **Public Works Director Comments**

Public Works Director, Corey Schweich, has reviewed the concept plan and has no comments regarding the development other than those already contained in this memorandum.

### **Fire Chief Comments**

The fire chief has reviewed the concept plan and finds them generally acceptable. The location of fire hydrants will need to be reviewed once a utility plan has been submitted.

### **Police Chief Comments**

The police chief has reviewed the concept plans and finds them generally acceptable.

### **Building Official Comments**

The building official has reviewed the concept plans and finds them generally acceptable.

### **Scott County Highway Department Comments**

Not applicable.

### **MnDOT Comments**

Not Applicable.

### **School District Impacts**

The proposed development is actually split between both the New Prague and Lakeville School Districts. It appears that potentially two proposed building sites would be located in the New Prague School District and eight proposed building sites would be located in the Lakeville School District. The surrounding development to the north is in the New Prague district. It is unclear to City staff whether the school districts may agree include the entire development in one school district or the mechanics of doing so.

According to the New Prague Superintendent of Schools, the City of Elko New Market has an average of .55 students per household within the district. According to the Lakeville Superintendent of Schools, the City of Elko New Market has an average of .75 students per household within the district. The Districts are obligated to provide student transportation from the development to the various schools.

### **New Market Township Comments**

Not applicable

### **Staff Recommendation:**

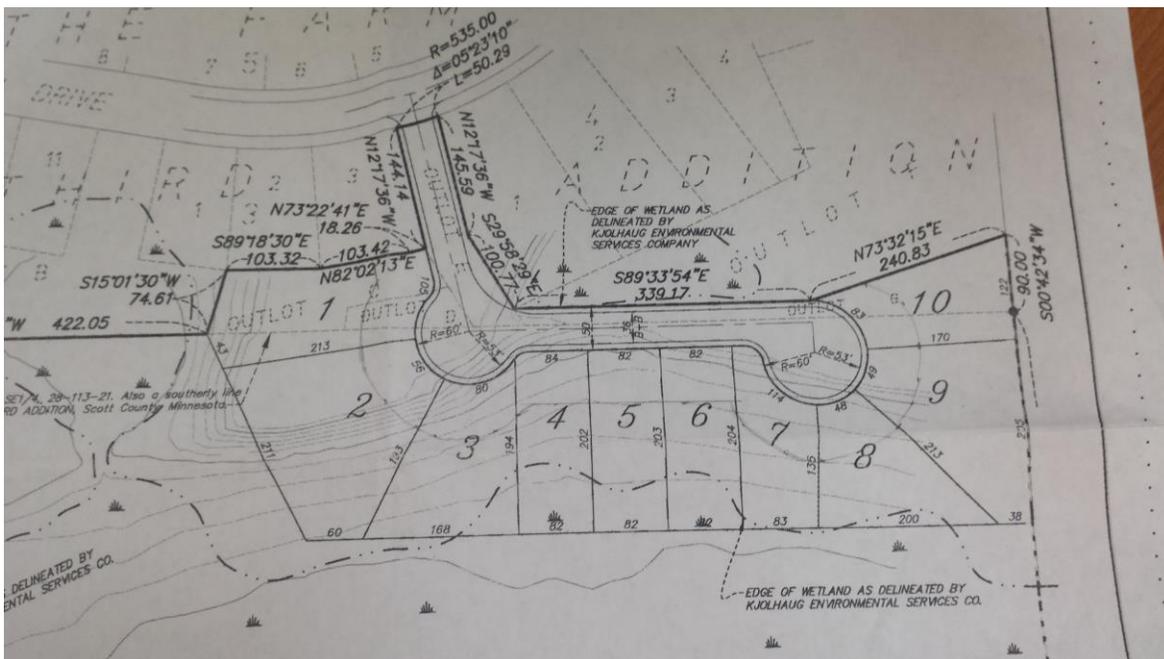
Staff finds the general layout and proposed land use acceptable. At this point staff would recommend the developer proceed with attending a City Development Review Team meeting, and then an application for concept plan review by the City's Planning Commission. Staff recommends to the developer, planning commission and city council that the following items be considered and certain items be incorporated into future plan submittals:

- 1) The proposed use of the property meets the intent of the guided land use for the area. The proposed development does exceed the guided density of 2.7 dwelling units per net acres.
- 2) The entire property shall be rezoned to R1, Suburban Single Family Residential.

- 3) Lots 4, 5 and 6 shall be adjusted to meet the minimum lot width requirement of 85' at the building setback line.
- 4) Proposed lots should meet the minimum lot size requirement of 12,000 square feet.
- 5) Serving the proposed development with sanitary sewer will require some type of lift station. The developer has multiple options which are supported by City staff. The City's preference is that a single lift station be used to service the lots and that the lift station be owned and maintained by the City.
- 6) The proposed development is consistent with the City's Water Distribution Plan.
- 7) The developer must submit a stormwater plan meeting the requirements of Chapter 11 of the Zoning Ordinance and the City's Surface Water Management Plan.
- 8) A wetland delineation and MnRAM report will be required as part of the development process. Vegetative buffers are required adjacent to delineated wetlands.
- 9) The street serving the proposed development shall be a publicly maintained street.
- 10) The proposed street width shall be reduced to 28' to 32'.
- 11) Staff is recommending approval of the proposed 50' right-of-way width, as opposed to the 60' required by ordinance, because the roadway will service ten homes and there are only lots on one side of the proposed street.
- 12) Concrete sidewalks must be constructed on at least one side of all residential streets.
- 13) The developer shall incorporate a trail plan into the development plans that meets the intent of the adopted Park & Trail Plan.
- 14) Staff will be recommending to the Park's Commission that the City accept any land remnants surrounding the wetland area (if any) as park dedication credit because they are contiguous to the existing Mahowald Park.
- 15) A tree inventory meeting the requirements of Section 12-9-9 of the City's Subdivision Ordinance must be completed and must identify the location of all significant trees on the property. 40% of the significant trees must be protected as part of the development.

**Attachments:**

Sylvester Meadows concept plan (undated) showing 10 lots



DEVELOPMENT SKETCH

TRUST  
MAHOWALD  
WEST

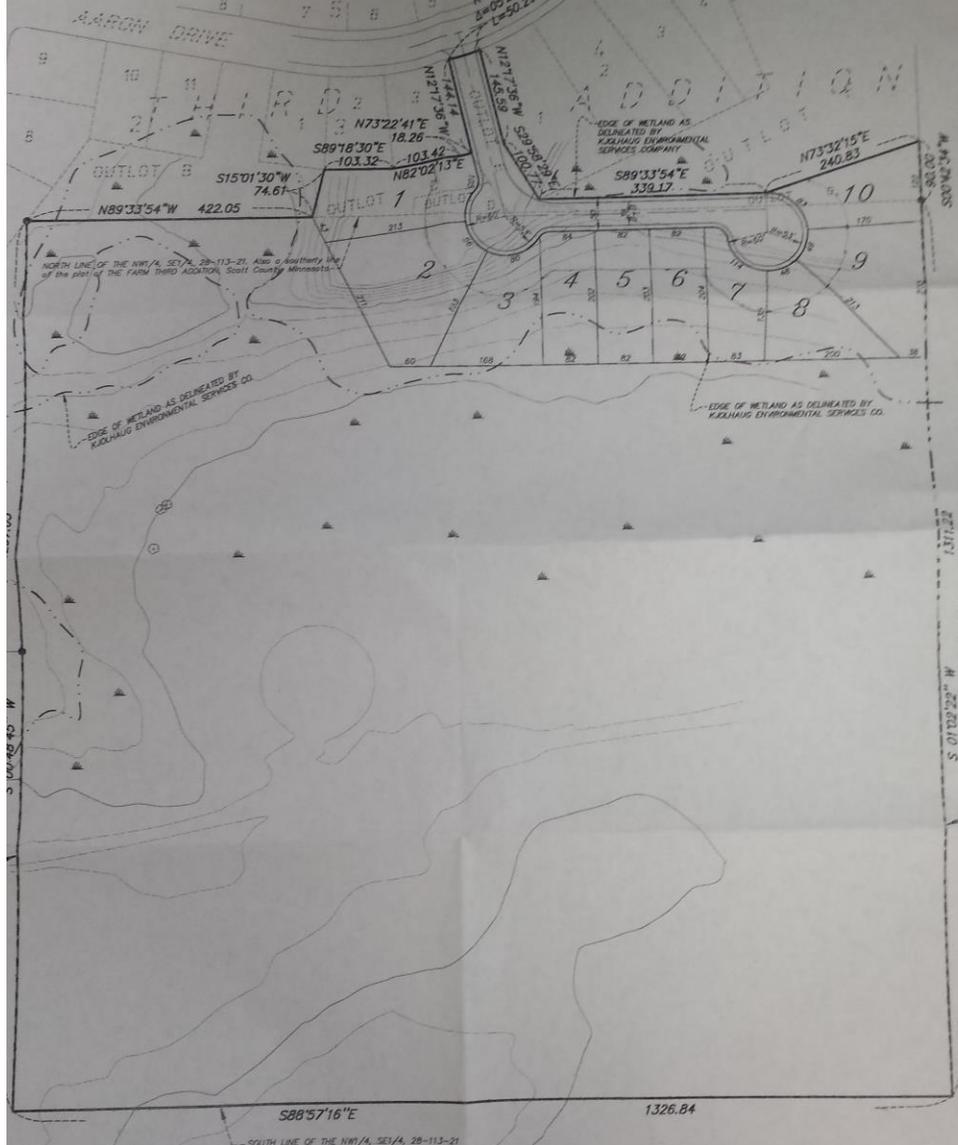
Valley Surveying Co., P.A.

Phone (952) 443-3000  
Fax (952) 443-3001

Sheet 230  
16679 Project Total 5.6  
Prior Sales Agreement 35379

# PLANNED UNIT DEVELOPMENT SKETCH OF SYLVESTERS MEADOWS

## THE FARM



**LEGAL DESCRIPTION:**

Outlots C, D, E, and G, THE FARM THIRD ADDITION, Scott County, Minnesota.

Together with

The Northwest Quarter of the Southeast Quarter of Section 28, Township 113,  
Range 21, Scott County, Minnesota.

I hereby certify that this Sketch 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.

**PRELIMINARY**

Minnesota License Number 42309  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015

FILE 9825 BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

GREG C./Drawings/BERNE.dwg

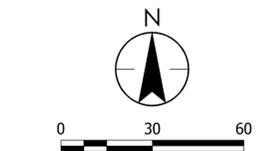
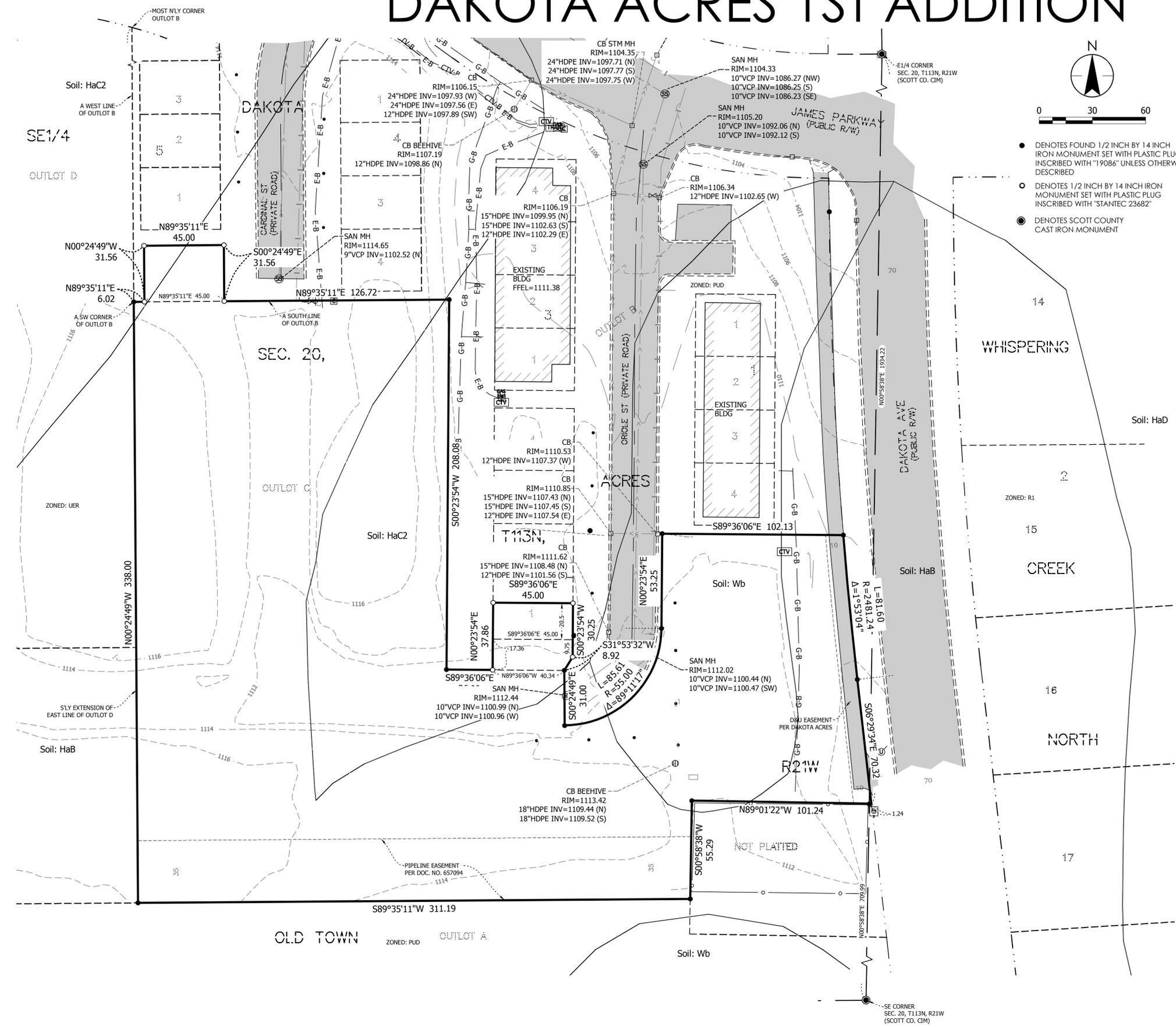
# BOUNDARY SURVEY/EXISTING CONDITIONS DAKOTA ACRES 1ST ADDITION

## LEGAL DESCRIPTION

Outlot C, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota, except that part lying westerly of the east line of Outlot D, said DAKOTA ACRES and its southerly extension.  
AND  
That part of Outlot B, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota, described as follows: Commencing at the most northerly corner of said Outlot B; thence South 00 degrees 24 minutes 49 seconds East, assumed bearing, along a west line of said Outlot B, a distance of 245.75 feet to a southwest corner of said Outlot B; thence North 89 degrees 35 minutes 11 seconds East, along a south line of said Outlot B, a distance of 6.02 feet to the point of beginning; thence North 00 degrees 24 minutes 49 seconds West, a distance of 31.56 feet; thence North 89 degrees 35 minutes 11 seconds East, a distance of 45.00 feet; thence South 00 degrees 24 minutes 49 seconds East, a distance of 31.56 feet to said south line of Outlot B; thence South 89 degrees 35 minutes 11 seconds West, along said south line of Outlot B, a distance of 45.00 feet to the point of beginning.  
AND  
The south 20.50 feet of Lot 1, Block 2, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota and that part of Outlot B, said DAKOTA ACRES, described as follows: Beginning at the southeast corner of said Lot 1; thence South 00 degrees 23 minutes 54 seconds West, along the southerly extension of the east line of said Lot 1, a distance of 9.75 feet; thence South 31 degrees 53 minutes 32 seconds West, a distance of 8.92 feet to a southwest corner of said Outlot B; thence North 89 degrees 36 minutes 06 seconds West, along a south line of said Outlot B, a distance of 40.34 feet; thence North 00 degrees 23 minutes 54 seconds West, a distance of 17.36 feet to the southwest corner of said Lot 1; thence South 89 degrees 36 minutes 06 seconds East, along the south line of said Lot 1, a distance of 45.00 feet to the point of beginning.

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. THE CONTRACTOR SHALL VERIFY THE CORNER MARKS AND DIMENSIONS ARE THE PROPERTY OF STANTEC. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY STANTEC IS FORBIDDEN.

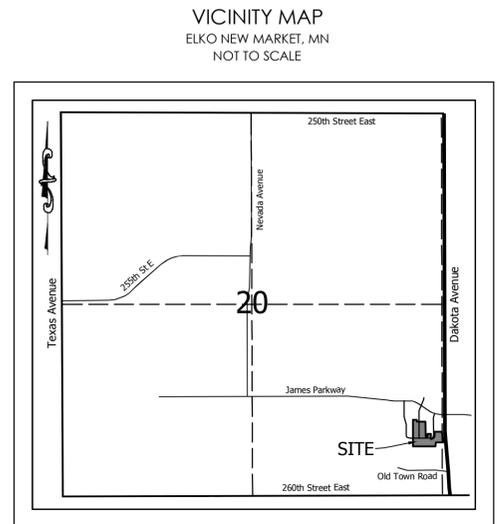
Plot Date: 05/01/2018 - 5:03pm  
Drawing Name: 193804152\_V01.dwg  
Drawing Path: \\server\193804152\_CAD\Drawings\193804152\_V01.dwg  
User: 193804152\_SNA14\_193804152\_SNA14



- DENOTES FOUND 1/2 INCH BY 14 INCH IRON MONUMENT SET WITH PLASTIC PLUG INSCRIBED WITH "19086" UNLESS OTHERWISE DESCRIBED
- DENOTES 1/2 INCH BY 14 INCH IRON MONUMENT SET WITH PLASTIC PLUG INSCRIBED WITH "STANTEC 23682"
- DENOTES SCOTT COUNTY CAST IRON MONUMENT

### LEGEND

	BOUNDARY		CENTERLINE
	EASEMENT LINE		NEW LOT LINE
	EXISTING LOT LINE		EXISTING RIGHT-OF-WAY
	SECTION LINE		QUARTER SECTION LINE
	EXISTING STORM SEWER LINE		EXISTING SANITARY SEWER LINE
	EXISTING WATER MAIN LINE		WETLAND LINE
	CHAIN LINK FENCE		CURB AND GUTTER
	SOIL BOUNDARY LINE		BURIED FIBER OPTIC LINE
	CTV-B		BURIED GAS LINE
	G-B		BURIED ELECTRIC LINE
	E-B		CATCH BASIN
	HYDRANT		COMMUNICATION PEDESTAL
	WATER MAIN VALVE		ELECTRIC PEDESTAL
	CURB STOP		POST
	BEEHIVE CATCH BASIN		TRAFFIC SIGN
	STORM MANHOLE		LIGHT POLE
	SANITARY MANHOLE		ASPHALT SURFACE
	CONCRETE SURFACE		



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**St. Cloud Office**  
 3717 23rd Street South  
 Saint Cloud, MN 56301  
 Phone: 320-251-4653  
 Fax: 320-251-4652  
 Website: www.stantec.com

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DATE	REVISION	SURVEY BY:	DESIGNED BY:	CHECKED BY:	APPROVED BY:	DATE:
		JJ	REH			5/1/2018

---

HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR SURVEY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 PRINT NAME: LINDA H. BROWN  
 SIGNATURE:   
 DATE: 5/1/2018 LIC. NO. 26392

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**SYNDICATED PROPERTIES**  
 BOUNDARY SURVEY/EXISTING CONDITIONS

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193804152\_V01  
 PROJECT NUMBER  
 193804152  
 SHEET NUMBER  
 V201

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. THE SURVEYOR'S OFFICE SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE SURVEY. THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. THE SURVEYOR'S OFFICE SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE SURVEY. THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. THE SURVEYOR'S OFFICE SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.

Plot Date: 05/01/2018 - 5:02pm  
 Drawing Name: 193804152\_V401.dwg  
 User: LINDA.H.BROWN  
 Project: 193804152\_V401.dwg  
 Path: \\server\projects\193804152\_V401.dwg

# PRELIMINARY PLAT/PUD OF DAKOTA ACRES 1ST ADDITION

Land Surveyor:  
 Linda H. Brown  
 MN License No. 23682  
 Stantec Consulting  
 3717 23rd Street South  
 St. Cloud, MN 56301  
 320-229-5535

Owner/Developer:  
 Lary Gensmer  
 Syndicated Properties, LLC  
 PO Box 190  
 Prior Lake, MN 55372



St. Cloud Office  
 3717 23rd Street South  
 Saint Cloud, MN 56301  
 Phone: 320-251-4653  
 Fax: 320-251-4652  
 Website: www.stantec.com

DATE	REVISION	BY	CHKD	APP	DATE

DATE	REVISION	BY	CHKD	APP	DATE

HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR SURVEY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 PRINT NAME: LINDA H. BROWN  
 SIGNATURE: *Linda H. Brown*  
 DATE: 5/1/2018  
 LIC. NO.: 23682

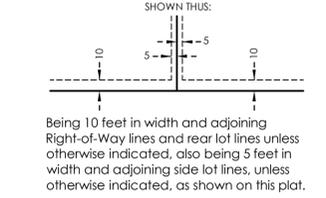
## LEGAL DESCRIPTION

Outlot C, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota, except that part lying westerly of the east line of Outlot D, said DAKOTA ACRES and its southerly extension.  
 AND  
 That part of Outlot B, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota, described as follows: Commencing at the most northerly corner of said Outlot B; thence South 00 degrees 24 minutes 49 seconds East, assumed bearing, along a west line of said Outlot B, a distance of 245.75 feet to a southwest corner of said Outlot B; thence North 89 degrees 35 minutes 11 seconds East, along a south line of said Outlot B, a distance of 6.02 feet to the point of beginning; thence North 00 degrees 24 minutes 49 seconds West, a distance of 31.56 feet; thence North 89 degrees 35 minutes 11 seconds East, a distance of 45.00 feet; thence South 00 degrees 24 minutes 49 seconds East, a distance of 31.56 feet to said south line of Outlot B; thence South 89 degrees 35 minutes 11 seconds West, along said south line of Outlot B, a distance of 45.00 feet to the point of beginning.  
 AND  
 The south 20.50 feet of Lot 1, Block 2, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota and that part of Outlot B, said DAKOTA ACRES, described as follows: Beginning at the southeast corner of said Lot 1; thence South 00 degrees 23 minutes 54 seconds West, along the southerly extension of the east line of said Lot 1, a distance of 9.75 feet; thence South 31 degrees 53 minutes 32 seconds West, a distance of 8.92 feet to a southwest corner of said Outlot B; thence North 89 degrees 36 minutes 06 seconds West, along a south line of said Outlot B, a distance of 40.34 feet; thence North 00 degrees 23 minutes 54 seconds West, a distance of 17.36 feet to the southwest corner of said Lot 1; thence South 89 degrees 36 minutes 06 seconds East, along the south line of said Lot 1, a distance of 45.00 feet to the point of beginning.

## SURVEYOR NOTES:

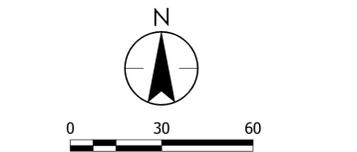
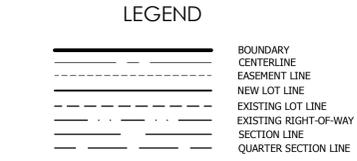
- The subject property total area = 94,482 SF +/- or 2.17 Acres +/-
- 28 Multi-Family Units area = 31,556 SF +/- or 0.72 Acres +/-
- Outlot A area = 62,926 SF +/- or 1.45 Acres +/-
- The subject property is Zoned: PUD per Official Zoning Map for the City of Elko New Market dated April 2, 2018
- Setbacks per previous PUD/Preliminary Plat of Dakota Acres:
  - Multi-Family Front...25 feet from the back of curb
  - Multi-Family Side...20 feet between building foundations or 20 feet from the back of curb on Private Drive
  - Multi-Family Rear...30 feet from the boundary line or R/W on Dakota Avenue (20 feet to deck)
  - Multi-Family...20 feet from R/W on James Parkway (Building foundation or deck)
- Wetlands  
 -There are no wetlands on the subject property per Scott County GIS.
- Floodplain  
 -The subject property is located in Zone X, areas determined to be outside the 500 year floodplain, per Flood Insurance Rate Map 270428 0125 dated February 19, 1987.
- Encroachments  
 -There were no obvious encroachments discovered at the time of this survey.
- Topography  
 -The subject property topographic data was obtained by Stantec Consulting in December 2017.
- Tree Inventory/Site Vegetation  
 -The subject property has no trees. The site is primarily grassland and cropland.
- Benchmark  
 -GSID Station #30198, MnDOT Name: DEUCE MNDOT
- Elevation = 1129.013 (NAVD 88)  
 -Scott County Coordinates NAD83(1984) = N136946.685 E504630.782

## DRAINAGE & UTILITY EASEMENTS



## BEARING ORIENTATION

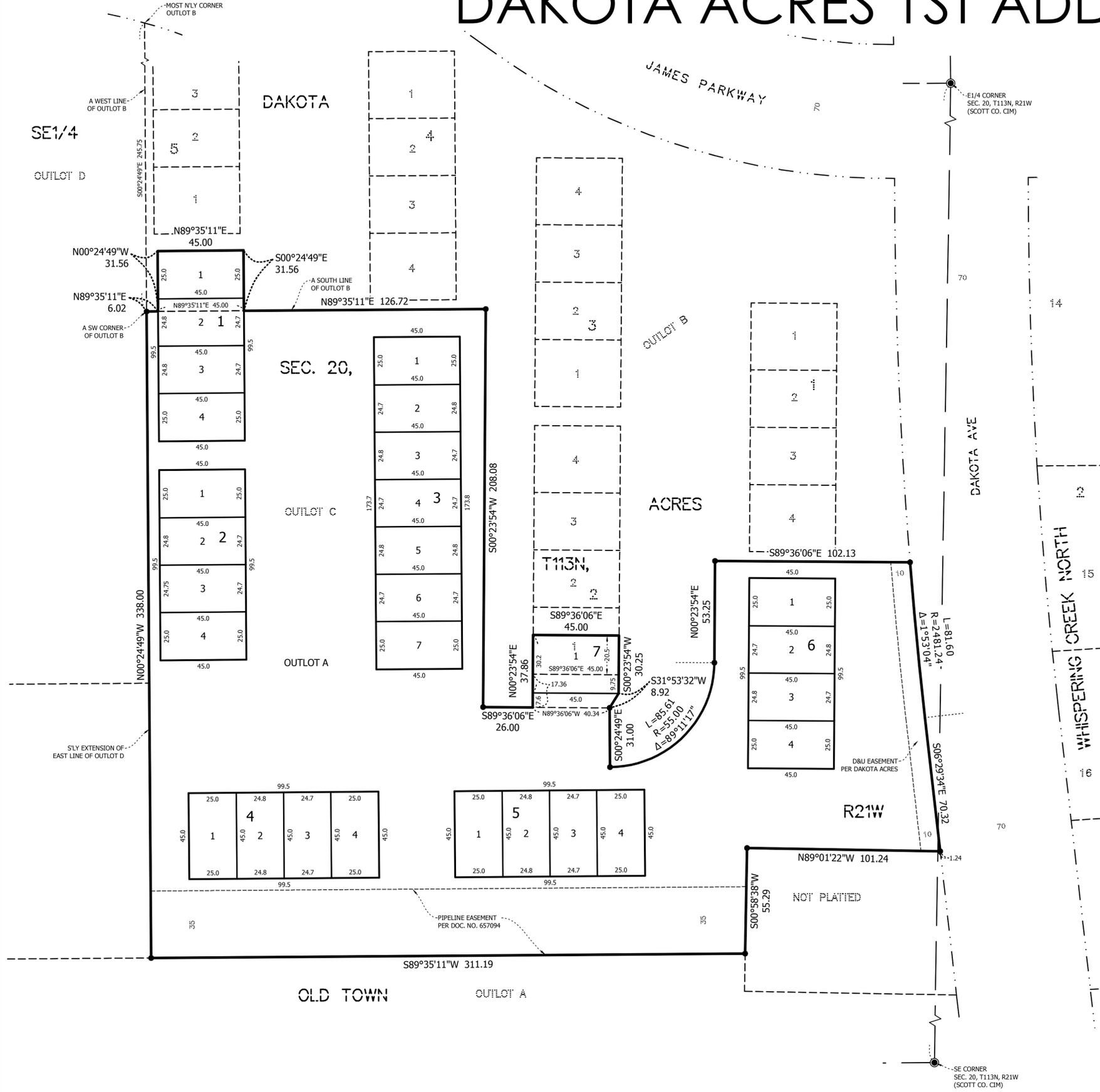
Orientation of this bearing system is based on the east line of the Southwest Quarter of Section 20, Township 113 North, Range 21 West and said lines is assumed to bear North 00 degrees 58 minutes 38 seconds East.



## VICINITY MAP

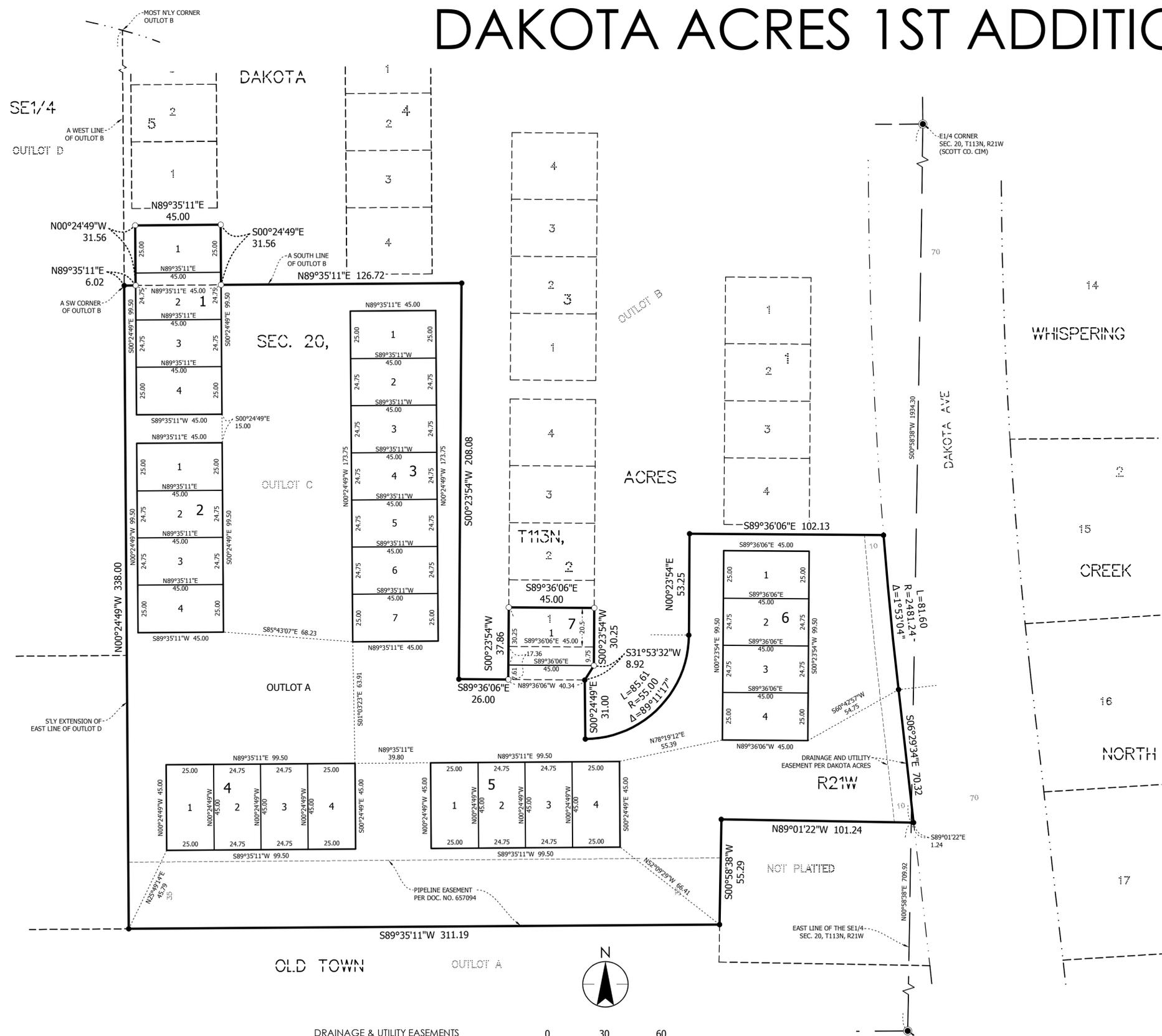


## TYPICAL LOT SIZE & AREA



# DAKOTA ACRES 1ST ADDITION

LOT AREA: SF+/-  
 BLOCK 1  
 LOT 1...1,125  
 LOT 2...1,114  
 LOT 3...1,114  
 LOT 4...1,125  
 BLOCK 2  
 LOT 1...1,125  
 LOT 2...1,114  
 LOT 3...1,114  
 LOT 4...1,125  
 BLOCK 3  
 LOT 1...1,125  
 LOT 2...1,114  
 LOT 3...1,114  
 LOT 4...1,125  
 BLOCK 4  
 LOT 1...1,125  
 LOT 2...1,114  
 LOT 3...1,114  
 LOT 4...1,125  
 BLOCK 5  
 LOT 1...1,125  
 LOT 2...1,114  
 LOT 3...1,114  
 LOT 4...1,125  
 BLOCK 6  
 LOT 1...1,125  
 LOT 2...1,114  
 LOT 3...1,114  
 LOT 4...1,125  
 BLOCK 7  
 LOT 1...1,361  
 OUTLOTS  
 A...62,926 OR  
 1.45 AC+/-  
 TOTAL AREA  
 94,471 OR  
 2.17 AC+/-



KNOW ALL MEN BY THESE PRESENTS: That Syndicated Properties, LLC, a limited liability company, under the laws of Minnesota, owners of record of the following described property, situated in the County of Scott, State of Minnesota, to-wit:

Outlot C, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota, except that part lying westerly of the east line of Outlot D, said DAKOTA ACRES and its southerly extension.

AND

That part of Outlot B, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota, described as follows: Commencing at the most northerly corner of said Outlot B; thence South 00 degrees 24 minutes 49 seconds East, assumed bearing, along a west line of said Outlot B, a distance of 245.75 feet to a southwest corner of said Outlot B; thence North 89 degrees 35 minutes 11 seconds East, along a south line of said Outlot B, a distance of 245.75 feet to the point of beginning; thence North 00 degrees 24 minutes 49 seconds West, a distance of 31.56 feet; thence North 89 degrees 35 minutes 11 seconds East, a distance of 45.00 feet; thence South 00 degrees 24 minutes 49 seconds East, a distance of 31.56 feet to said south line of Outlot B; thence South 89 degrees 35 minutes 11 seconds West, along said south line of Outlot B, a distance of 45.00 feet to the point of beginning.

AND

The south 20.50 feet of Lot 1, Block 2, DAKOTA ACRES, according to the recorded plat thereof, Scott County, Minnesota and that part of Outlot B, said DAKOTA ACRES, described as follows: Beginning at the southeast corner of said Lot 1; thence South 00 degrees 23 minutes 54 seconds West, along the southerly extension of the east line of said Lot 1, a distance of 9.75 feet; thence South 31 degrees 53 minutes 32 seconds West, a distance of 8.92 feet to a southwest corner of said Outlot B; thence North 89 degrees 36 minutes 06 seconds West, along a south line of said Outlot B, a distance of 40.34 feet; thence North 00 degrees 23 minutes 54 seconds West, a distance of 17.36 feet to the southwest corner of said Lot 1; thence South 89 degrees 36 minutes 06 seconds East, along the south line of said Lot 1, a distance of 45.00 feet to the point of beginning.

Have caused the same to be surveyed and platted as DAKOTA ACRES 1ST ADDITION, and do hereby dedicate and donate to the public for public use forever the easements as shown on this plat for drainage and utility purposes only.

In witness whereof said Syndicated Properties, LLC, a limited liability company, under the laws of Minnesota, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Syndicated Properties, LLC  
 \_\_\_\_\_  
 \_\_\_\_\_  
 STATE OF MINNESOTA  
 COUNTY OF \_\_\_\_\_  
 The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ of Syndicated Properties, LLC, a limited liability company, under the laws of Minnesota, on behalf of the company.  
 \_\_\_\_\_ (Notary Signature)  
 \_\_\_\_\_ (Notary Printed Name)

NOTARY PUBLIC, \_\_\_\_\_ COUNTY, MINNESOTA

MY COMMISSION EXPIRES \_\_\_\_\_

SURVEYOR  
 I hereby certify: that I have surveyed and platted the land described on this plat as DAKOTA ACRES 1ST ADDITION; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all outside boundary monuments of the plat have been correctly set and that all other required monuments will be correctly set within one year of the recording of this plat; that as of the date of this certificate, all water boundaries and wet lands, as defined in Minnesota Statutes 505.01, Subd. 3, are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

LINDA H. BROWN, LICENSED LAND SURVEYOR  
 MINNESOTA LICENSE NUMBER 23682

STATE OF MINNESOTA  
 COUNTY OF \_\_\_\_\_  
 The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by LINDA H. BROWN, Licensed Land Surveyor, Minnesota License Number 23682.  
 \_\_\_\_\_ (Notary Signature)  
 \_\_\_\_\_ (Notary Printed Name)

NOTARY PUBLIC, \_\_\_\_\_ COUNTY, MINNESOTA

MY COMMISSION EXPIRES \_\_\_\_\_

CITY ATTORNEY, NEW MARKET, MINNESOTA  
 I hereby certify that I have examined this plat of DAKOTA ACRES 1ST ADDITION and hereby recommend this plat for approval as to form this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_, City Attorney, New Market, Minnesota

CITY COUNCIL, ELKO NEW MARKET, MINNESOTA  
 This plat of DAKOTA ACRES 1ST ADDITION was approved and accepted by the City Council of Elko New Market, Minnesota at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_, Mayor

By \_\_\_\_\_, City Clerk

SCOTT COUNTY SURVEYOR  
 Pursuant to Minnesota Statutes, Section 389.09, Subd. 1, as amended, this plat has been reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STEARNS COUNTY SURVEYOR  
 MINNESOTA LICENSE NUMBER \_\_\_\_\_

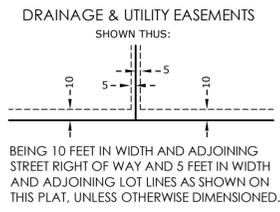
SCOTT COUNTY AUDITOR/TREASURER  
 I hereby certify that the current and delinquent taxes on the land described within are paid and the transfer is entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

DEPUTY

SCOTT COUNTY RECORDER  
 I hereby certify that plat was filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded as Document No. \_\_\_\_\_.

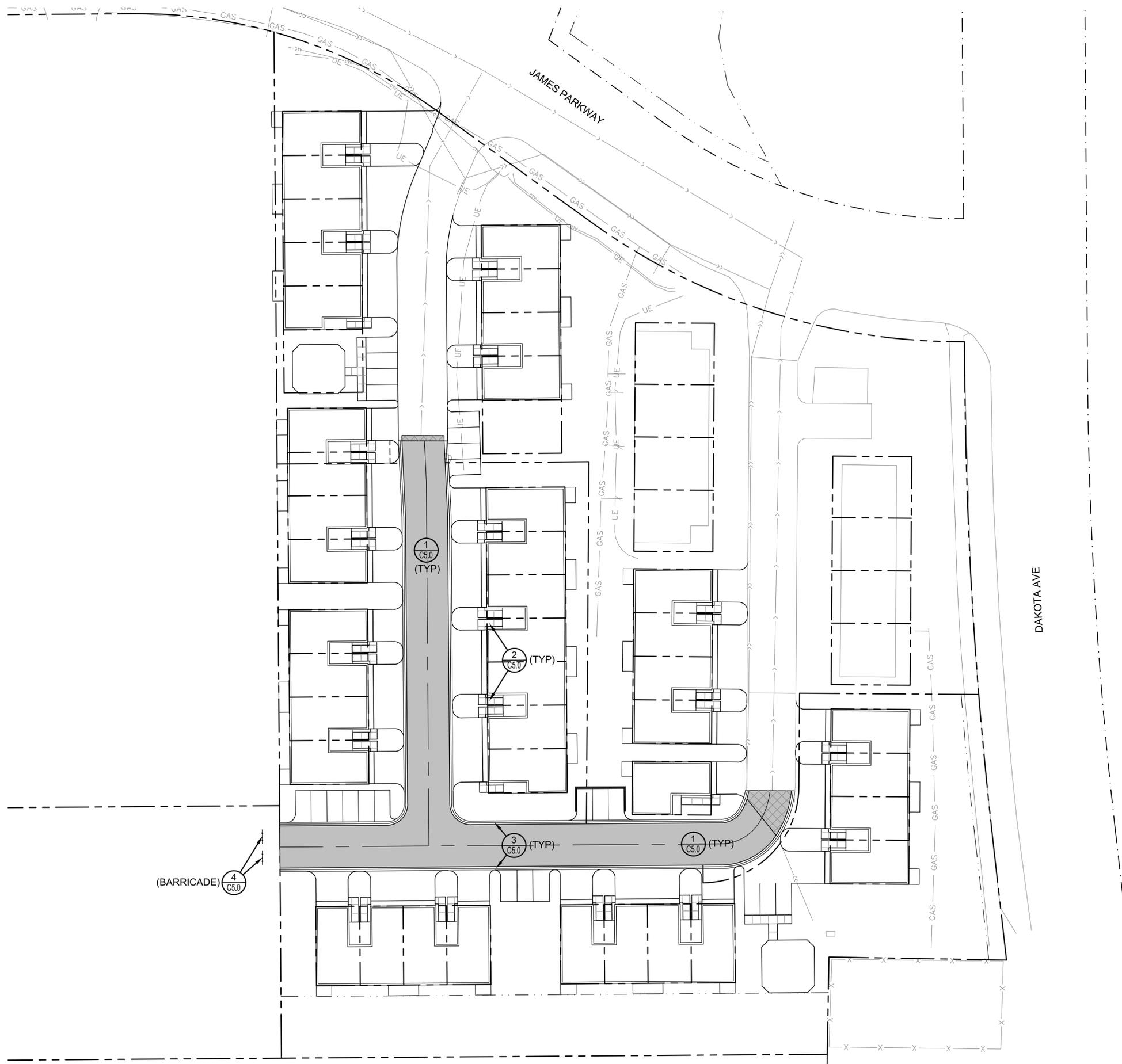
SCOTT COUNTY RECORDER

St. Cloud Office  
 3717 23rd Street South  
 Saint Cloud, MN 56301  
 Phone: 320-251-4553  
 Fax: 320-251-6252

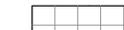


- DENOTES FOUND 1/2 INCH BY 14 INCH IRON MONUMENT SET WITH PLASTIC PLUG INSCRIBED WITH "19086" UNLESS OTHERWISE DESCRIBED
- DENOTES 1/2 INCH BY 14 INCH IRON MONUMENT SET WITH PLASTIC PLUG INSCRIBED WITH "STANTEC 23682"
- DENOTES SCOTT COUNTY CAST IRON MONUMENT

BEARING ORIENTATION  
 ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 113 NORTH, RANGE 21 WEST. SAID LINE IS ASSUMED TO BEAR NORTH 00 DEGREES 58 MINUTES 38 SECONDS EAST.



**SYMBOL LEGEND**

-  NEW 3.5" BITUMINOUS PAVEMENT OVER NEW 6" AGGREGATE BASE OVER NEW 24" SELECT GRANULAR BORROW SEE DETAIL 1/C5.0
-  REMOVE AND REPLACE EXISTING BITUMINOUS PAVEMENT SECTION SEE DETAIL 1/C5.0
-  NEW 6" CONCRETE PAVEMENT OVER NEW 6" AGGREGATE BASE SEE DETAIL 2/C5.0

**DEMOLITION NOTES**

1. Verify all existing utility locations.
2. It is the responsibility of the Contractor to perform or coordinate all necessary utility demotions and relocations from existing utility locations to all onsite amenities and buildings. These connections include, but are not limited to, water, sanitary sewer, cable tv, telephone, gas, electric, site lighting, etc.
3. Prior to beginning work, contact Gopher State OneCall (651-454-0002) to locate utilities throughout the area under construction. The Contractor shall retain the services of a private utility locator to locate the private utilities.
4. Sawcut along edges of pavements, sidewalks, and curbs to remain.
5. All construction shall be performed in accordance with state and local standard specifications for construction.

**Larson Engineering, Inc.**  
 816 W. St. Germain Street  
 Suite 308  
 St. Cloud, MN 56301  
 320.774.1944  
 www.larsonengr.com  
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**SYNDICATED PROPERTIES, LLC**  
 DAKOTA ACRES  
 ELKO, MN

**2018 CONSTRUCTION PLANS FOR CONDO DEVELOPMENT**  
 ELKO, MN

I hereby certify that this plan, specifications 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.  
*Thomas J. Herkenhoff*  
 Thomas J. Herkenhoff, P.E.  
 Date: 05.01.18 Reg. No.: 25520

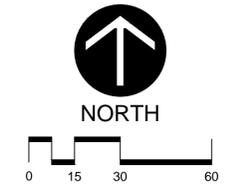
Rev.	Date	Description

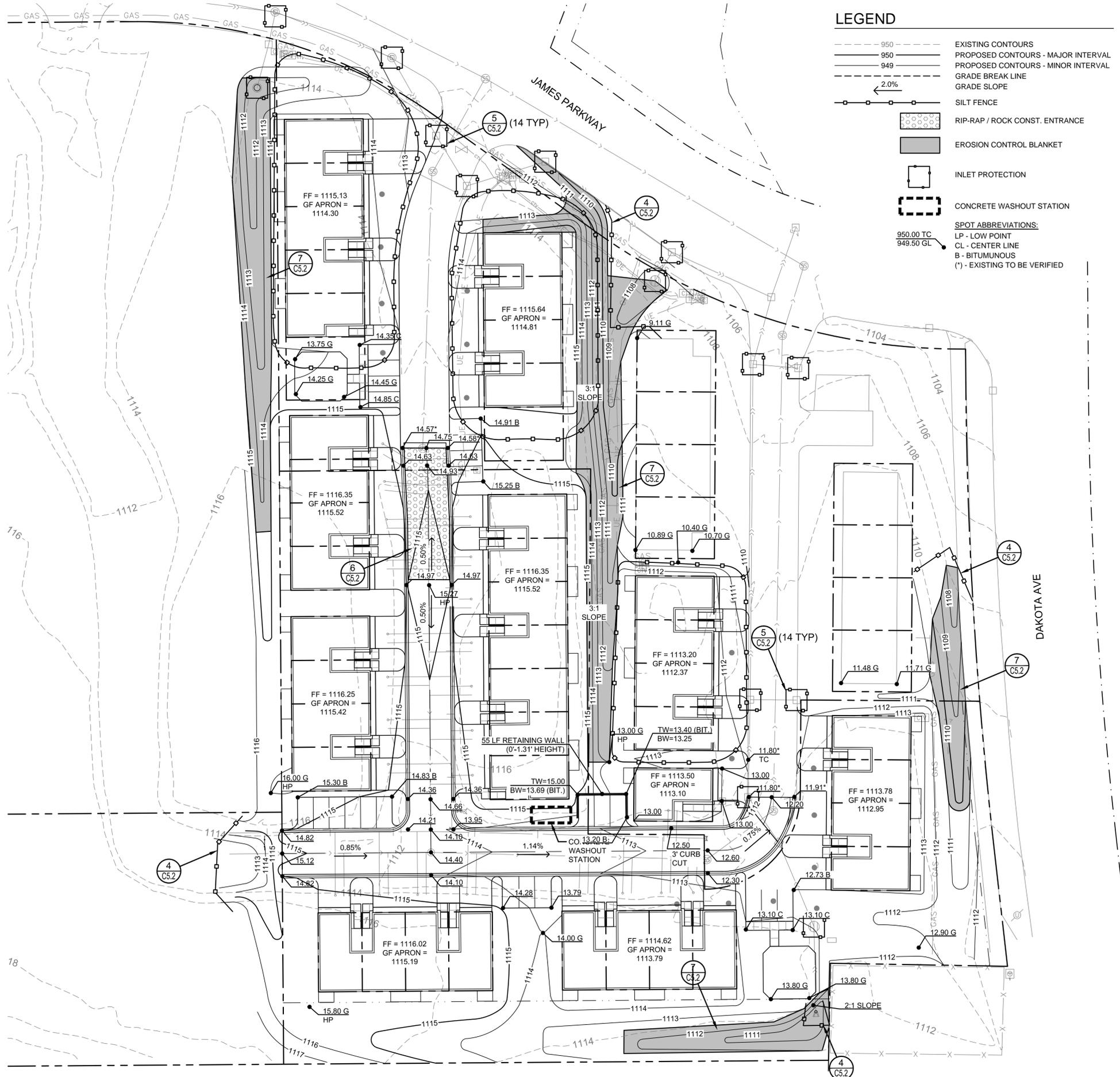
Project #: 12186003  
 Drawn By: KBK  
 Checked By: TJH  
 Issue Date: 05.01.18  
 Sheet Title:

**DEMOLITION AND PAVING PLAN**

**C1.0**

PRELIMINARY NOT FOR CONSTRUCTION





### LEGEND

- - - 950 EXISTING CONTOURS
- 950 PROPOSED CONTOURS - MAJOR INTERVAL
- - - 949 PROPOSED CONTOURS - MINOR INTERVAL
- - - GRADE BREAK LINE
- GRADE SLOPE
- SILT FENCE
- ▨ RIP-RAP / ROCK CONST. ENTRANCE
- ▨ EROSION CONTROL BLANKET
- INLET PROTECTION
- ▭ CONCRETE WASHOUT STATION

**SPOT ABBREVIATIONS:**  
 LP - LOW POINT  
 CL - CENTER LINE  
 B - BITUMINOUS  
 (\*) - EXISTING TO BE VERIFIED

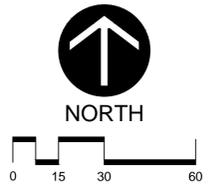
950.00 TC  
 949.50 GL

### EROSION CONTROL NOTES

- Owner and Contractor shall obtain MPCA-NPDES permit. Contractor shall be responsible for all fees pertaining to this permit. The SWPPP shall be kept onsite at all times.
- Install temporary erosion control measures (inlet protection, silt fence, and rock construction entrances) prior to beginning any excavation or demolition work at the site.
- Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins, additional siltation fencing, and/or disk the soil parallel to the contours as deemed necessary to further control erosion. All changes shall be recorded in the SWPPP.
- All construction site entrances shall be surfaced with crushed rock across the entire width of the entrance and from the entrance to a point 50' into the construction zone.
- The toe of the silt fence shall be trenched in a minimum of 6". The trench backfill shall be compacted with a vibratory plate compactor.
- All grading operations shall be conducted in a manner to minimize the potential for site erosion. Sediment control practices must be established on all down gradient perimeters before any up gradient land disturbing activities begin.
- All exposed soil areas must be stabilized as soon as possible to limit soil erosion but in no case later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stockpiles without significant silt, clay or organic components (e.g., clean aggregate stockpiles, demolition concrete stockpiles, sand stockpiles) and the constructed base components of roads, parking lots and similar surfaces are exempt from this requirement.
- The normal wetted perimeter of any temporary or permanent drainage ditch or swale that drains water from any portion of the construction site, or diverts water around the site, must be stabilized within 200 lineal feet from the property edge, or from the point of discharge into any surface water. Stabilization of the last 200 lineal feet must be completed within 24 hours after connecting to a surface water. Stabilization of the remaining portions of any temporary or permanent ditches or swales must be complete within 14 days after connecting to a surface water and construction in that portion of the ditch has temporarily or permanently ceased.
- Pipe outlets must be provided with energy dissipation within 24 hours of connection to surface water.
- All riprap shall be installed with a filter material or soil separation fabric and comply with the Minnesota Department of Transportation Standard Specifications.
- All storm sewers discharging into wetlands or water bodies shall outlet at or below the normal water level of the respective wetland or water body at an elevation where the downstream slope is 1 percent or flatter. The normal water level shall be the invert elevation of the outlet of the wetland or water body.
- All storm sewer catch basins not needed for site drainage during construction shall be covered to prevent runoff from entering the storm sewer system. Catch basins necessary for site drainage during construction shall be provided with inlet protection.
- In areas where concentrated flows occur (such as swales and areas in front of storm catch basins and intakes) the erosion control facilities shall be backed by stabilization structure to protect those facilities from the concentrated flows.
- Inspect the construction site once every seven days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours. All inspections shall be recorded in the SWPPP.
- All silt fences must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/3 of the height of the fence. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. All repairs shall be recorded in the SWPPP.
- If sediment escapes the construction site, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts.
- All soils tracked onto pavement shall be removed daily.
- All infiltration areas must be inspected to ensure that no sediment from ongoing construction activity is reaching the infiltration area and these areas are protected from compaction due to construction equipment driving across the infiltration area.
- Temporary soil stockpiles must have silt fence or other effective sediment controls, and cannot be placed in surface waters, including stormwater conveyances such as curb and gutter systems, or conduits and ditches unless there is a bypass in place for the stormwater.
- Collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other wastes must be disposed of properly and must comply with MPCA disposal requirements.
- Oil, gasoline, paint and any hazardous substances must be properly stored, including secondary containment, to prevent spills, leaks or other discharge. Restricted access to storage areas must be provided to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA regulations.
- External washing of trucks and other construction vehicles must be limited to a defined area of the site. Runoff must be contained and waste properly disposed of. No engine degreasing is allowed onsite.
- All liquid and solid wastes generated by concrete washout operations must be contained in a leak-proof containment facility or impermeable liner. A compacted clay liner that does not allow washout liquids to enter ground water is considered an impermeable liner. The liquid and solid wastes must not contact the ground, and there must not be runoff from the concrete washout operations or areas. Liquid and solid wastes must be disposed of properly and in compliance with MPCA regulations. A sign must be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
- Upon completion of the project and stabilization of all graded areas, all temporary erosion control facilities (silt fences, hay bales, etc.) shall be removed from the site.
- All permanent sedimentation basins must be restored to their design condition immediately following stabilization of the site.
- Contractor shall submit Notice of Termination for MPCA-NPDES permit within 30 days after Final Stabilization.

### GRADING NOTES

- All elevations with an asterisk (\*) shall be field verified. If elevations vary significantly, notify the Engineer for further instructions.
- Grades shown in paved areas represent finish elevation.
- Restore all disturbed areas with 6" of good quality topsoil and seed.
- All construction shall be performed in accordance with state and local standard specifications for construction.
- Place erosion control fabric on all slopes 4:1 and greater.
- The project intent is to balance cuts and fill volumes on site. Reference shaded area for placement location of excess fill material.



**Larson Engineering, Inc.**  
 816 W. St. Germain Street  
 Suite 308  
 St. Cloud, MN 56301  
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**SYNDICATED PROPERTIES, LLC**  
 DAKOTA ACRES  
 ELKO, MN

**2018 CONSTRUCTION PLANS FOR CONDO DEVELOPMENT ELKO, MN**

I hereby certify that this plan, specifications 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.

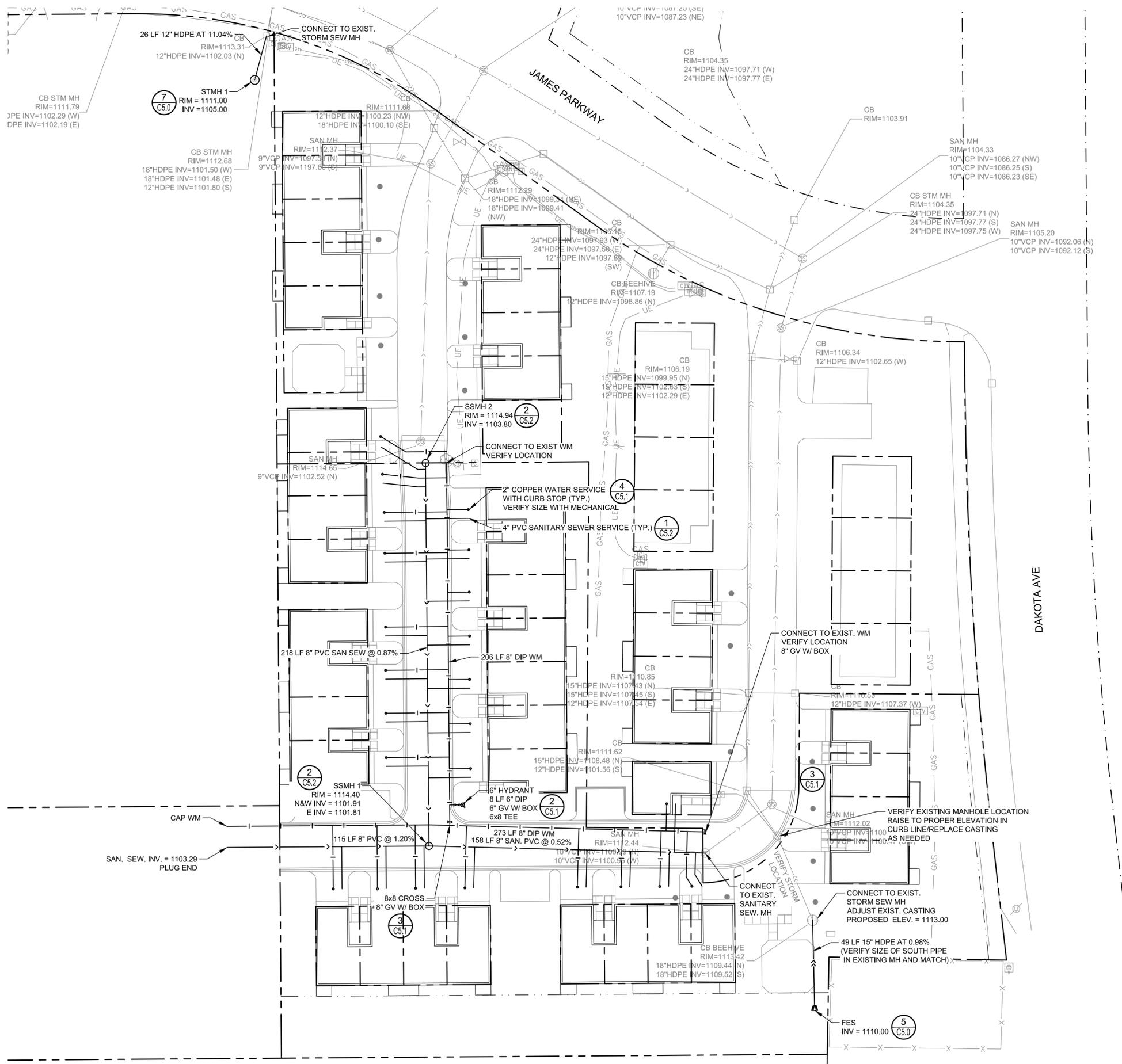
*Thomas J. Herkenhoff*  
 Thomas J. Herkenhoff, P.E.  
 Date: 05.01.18 Reg. No.: 25520

Rev.	Date	Description

Project #: 12186003  
 Drawn By: KBK  
 Checked By: TJH  
 Issue Date: 05.01.18  
 Sheet Title:

**GRADING AND EROSION CONTROL PLAN**

**C2.0**

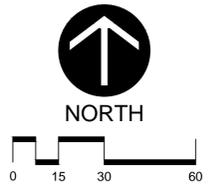


**LEGEND**

- STORM MANHOLE
- CATCH BASIN
- CURB INLET
- ▲ FLARED END
- SANITARY MANHOLE
- ⊕ HYDRANT
- ⊗ GATE VALVE & BOX
- ⊗ WATER SHUTOFF
- ☀ LIGHT POLE
- CTV
- OE
- UE
- FO
- G
- T
- DT
- CABLE UNDERGROUND LINE
- ELECTRIC OVERHEAD LINE
- ELECTRIC UNDERGROUND LINE
- FIBER OPTIC UNDERGROUND LINE
- NATURAL GAS UNDERGROUND LINE
- SANITARY SEWER PIPE
- STORM SEWER PIPE
- TELEPHONE UNDERGROUND LINE
- WATERMAIN PIPE
- DRAINTILE PIPE

**UTILITY NOTES**

- It is the responsibility of the contractor to perform or coordinate all necessary utility connections and relocations from existing utility locations to the proposed building, as well as to all onsite amenities. These connections include but are not limited to water, sanitary sewer, cable TV, telephone, gas, electric, site lighting, etc.
- All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.
- The contractor shall verify the elevations at proposed connections to existing utilities prior to any demolition or excavation.
- The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to construction. All necessary precautions shall be made to avoid damage to existing utilities.
- Storm sewer requires testing in accordance with Minnesota plumbing code 4714.1109 where located within 10 feet of waterlines or the building.
- HDPE storm sewer piping shall meet ASTM F2306 and fittings shall meet ASTM D3212 joint pressure test. Installation shall meet ASTM C2321.
- All RCP pipe shown on the plans shall be MN/DOT class 3.
- Maintain a minimum of 7 1/2' of cover over all water lines and sanitary sewer lines. Install water lines 18" above sanitary sewers, where the sanitary sewer crosses over the water line, install sewer piping of materials equal to watermain standards for 9 feet on both sides and maintain 18" of separation.
- Where 7 1/2' of cover is not provided over sanitary sewer and water lines, install 2" rigid polystyrene insulation (MN/DOT 3760) with a thermal resistance of at least 5 and a compressive strength of at least 25 psi. Insulation shall be 8" wide, centered over pipe with 6" sand cushion between pipe and insulation. Where depth is less than 5', use 4" of insulation.
- All watermain piping shall be class 52 ductile iron pipe unless noted otherwise.
- See Project Specifications for bedding requirements.
- Pressure test and disinfect all new watermains in accordance with state and local requirements.
- Sanitary sewer piping shall be PVC, SDR-35 for depths less than 12', PVC SDR-26 for depths between 12' and 26', and class 52 D.I.P. for depths of 26' or more.
- A structure adjustment shall include removing and salvaging the existing casting assembly, removing existing concrete rings to the precast section. Install new rings and salvaged casting to proposed grades, cleaning casting flange by mechanical means to insure a sound surface and install an external chimney seal from casting to precast section. Chimney seals shall be Infi-Shield Uni-Band or an approved equal.



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**Client:**  
**SYNDICATED PROPERTIES, LLC**  
 DAKOTA ACRES  
 ELKO, MN

**Project Title:**  
**2018 CONSTRUCTION PLANS FOR CONDO DEVELOPMENT**  
 ELKO, MN

I hereby certify that this plan, specifications 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.

*Thomas J. Herkenhoff*  
 Thomas J. Herkenhoff, P.E.  
 Date: 05.01.18 Reg. No.: 25520

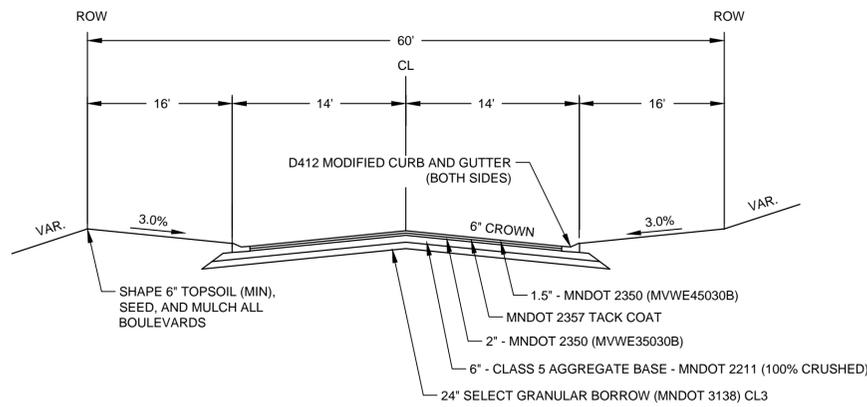
Rev.	Date	Description

Project #: 12186003  
 Drawn By: KBK  
 Checked By: TJH  
 Issue Date: 05.01.18  
 Sheet Title:

UTILITY PLAN

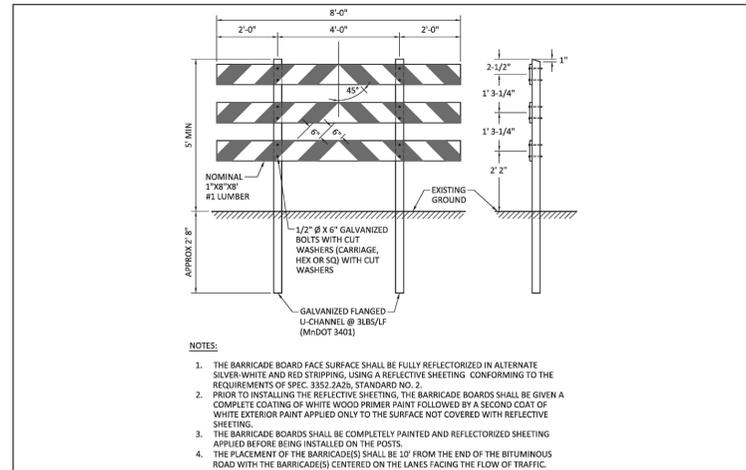
**C3.0**





**ROADWAY  
TYPICAL SECTION**

1  
C5.0  
NOT TO SCALE



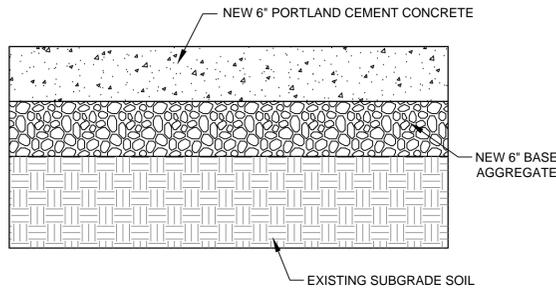
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STANDARD DETAIL  
NO. 7013ENM

CITY OF ELKO NEW MARKET  
DATE 02/2017

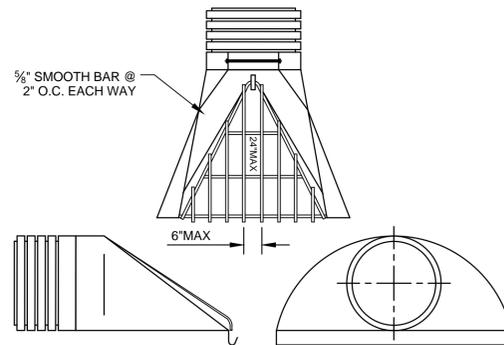
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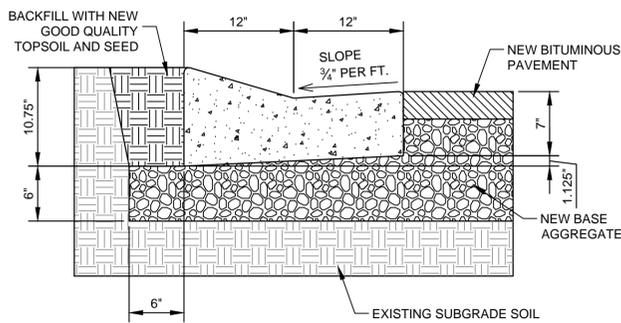
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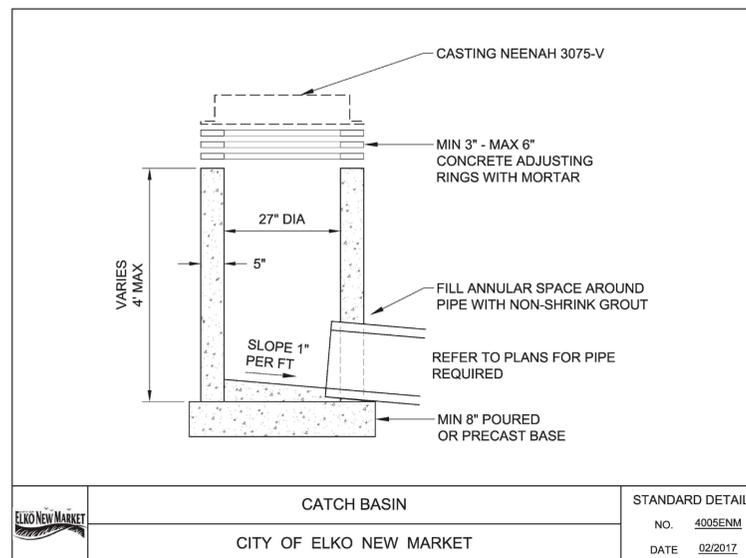
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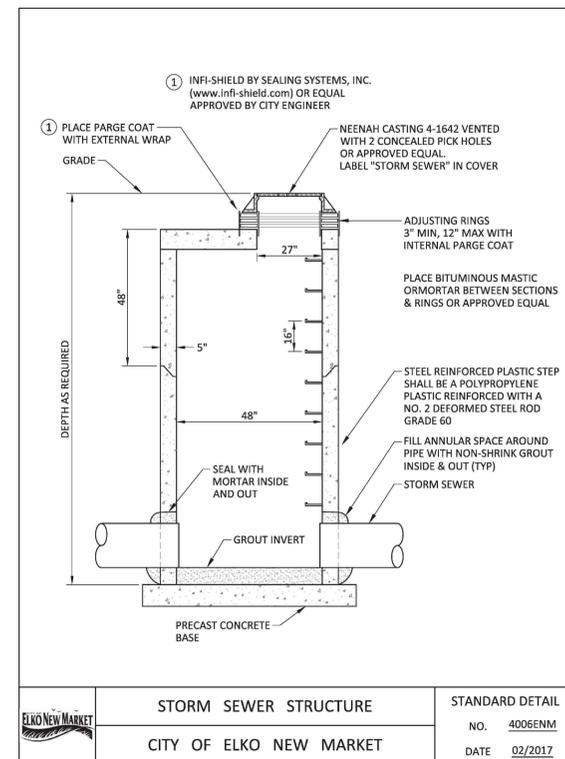
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NOT TO SCALE



**CATCH BASIN DETAIL**

6  
C5.0  
NOT TO SCALE



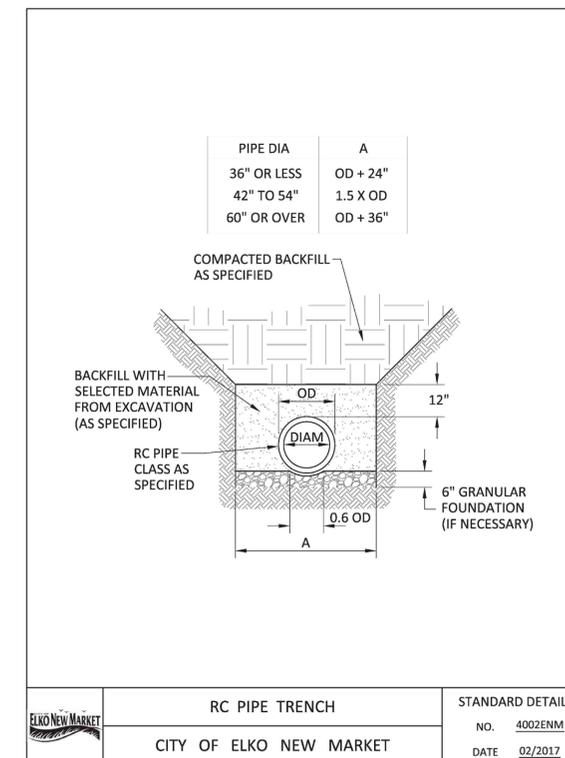
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STANDARD DETAIL  
NO. 4006ENM

CITY OF ELKO NEW MARKET  
DATE 02/2017

**STORM SEWER  
STRUCTURE DETAIL**

7  
C5.0  
NOT TO SCALE



**RC PIPE TRENCH**

STANDARD DETAIL  
NO. 4002ENM

CITY OF ELKO NEW MARKET  
DATE 02/2017

**RC PIPE TRENCH DETAIL**

8  
C5.0  
NOT TO SCALE

Client: **SYNDICATED PROPERTIES, LLC**  
Project Title: **2018 CONSTRUCTION PLANS FOR CONDO DEVELOPMENT**

ELKO, MN DAKOTA ACRES ELKO, MN

PRELIMINARY NOT FOR CONSTRUCTION

I hereby certify that this plan, specifications 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.

*Thomas J. Herkenhoff, P.E.*

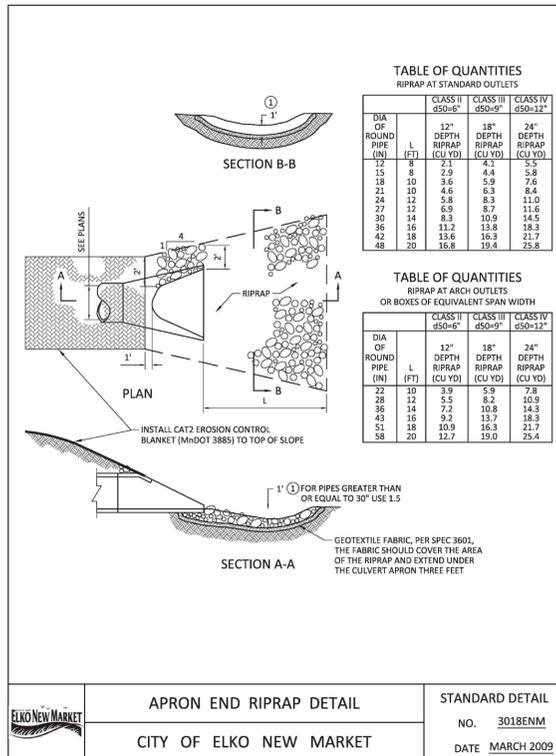
Thomas J. Herkenhoff, P.E.  
Date: 05.01.18 Reg. No.: 25520

Rev.	Date	Description

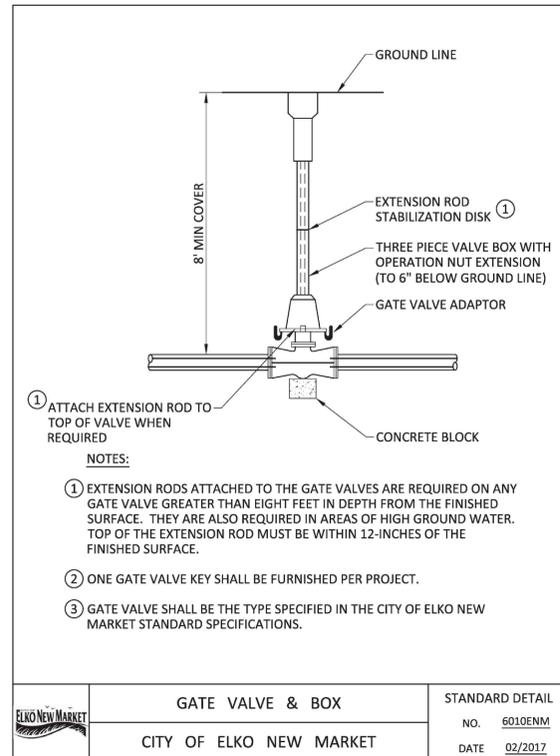
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Drawn By: KBK  
Checked By: TJH  
Issue Date: 05.01.18  
Sheet Title:

DETAILS

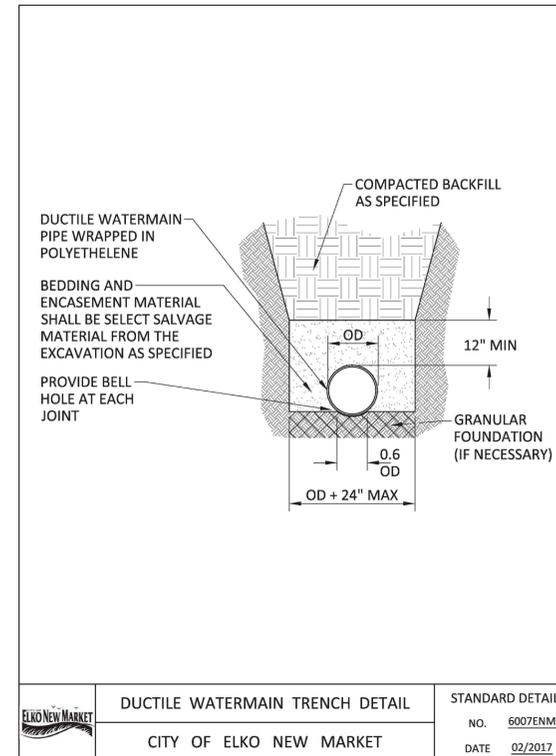
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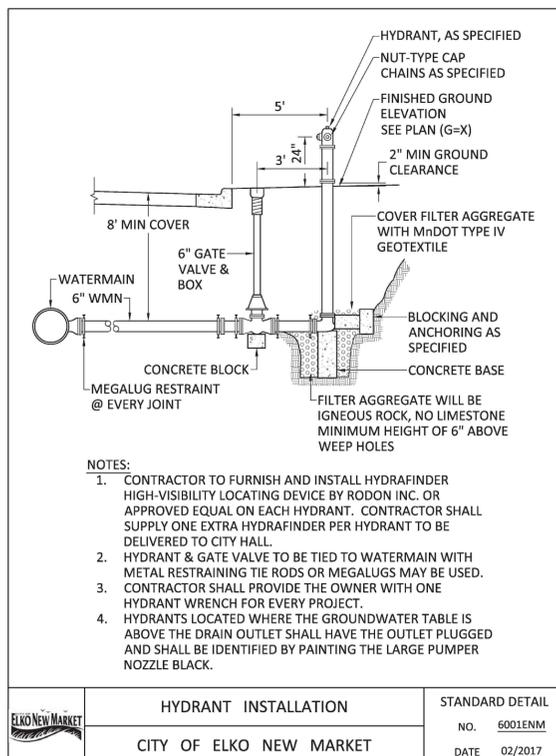
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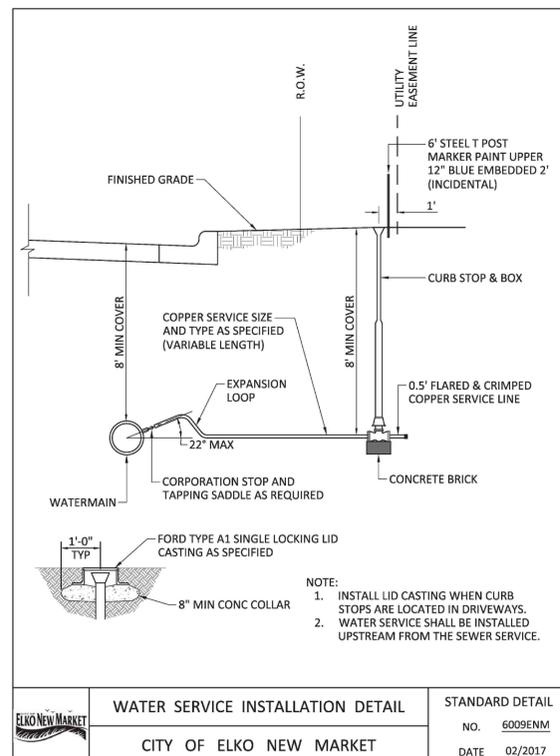
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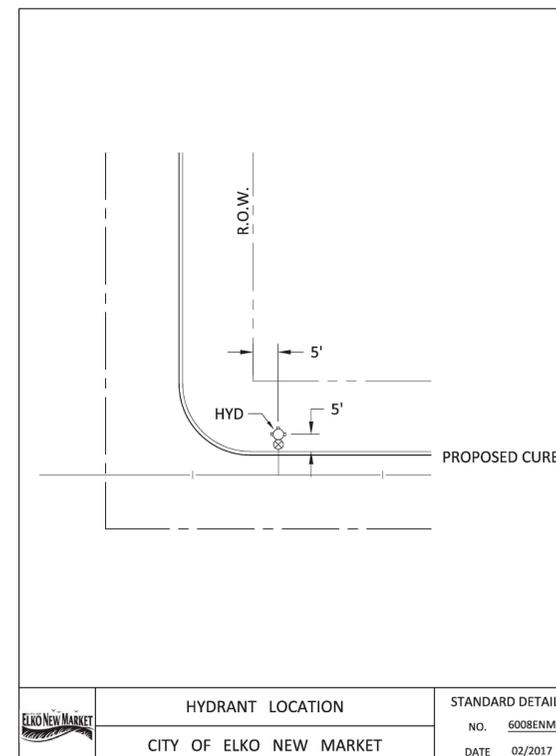
5  
C5.1  
**DUCTILE WATERMAIN TRENCH DETAIL**  
NOT TO SCALE



2  
C5.1  
**HYDRANT DETAIL**  
NOT TO SCALE



4  
C5.1  
**WATER SERVICE INSTALLATION DETAIL**  
NOT TO SCALE



6  
C5.1  
**HYDRANT LOCATION DETAIL**  
NOT TO SCALE

**Larson Engineering, Inc.**  
816 W. St. Germain Street  
Suite 308  
St. Cloud, MN 56301  
320.774.1944  
www.larsonengr.com  
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**SYNDICATED PROPERTIES, LLC**  
DAKOTA ACRES  
ELKO, MN

**2018 CONSTRUCTION PLANS FOR CONDO DEVELOPMENT**  
ELKO, MN

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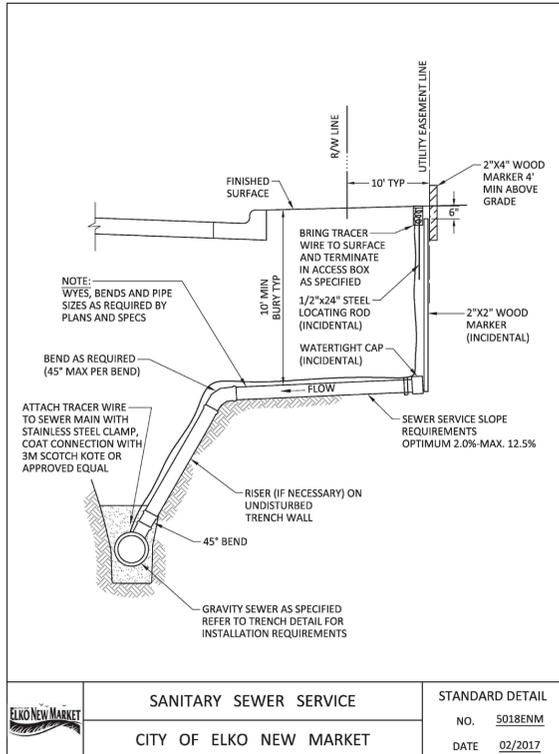
*Thomas J. Herkenhoff*  
Thomas J. Herkenhoff, P.E.  
Date: 05.01.18 Reg. No.: 25520

Rev.	Date	Description

Project #: 12186003  
Drawn By: KBK  
Checked By: TJH  
Issue Date: 05.01.18  
Sheet Title:

**DETAILS**

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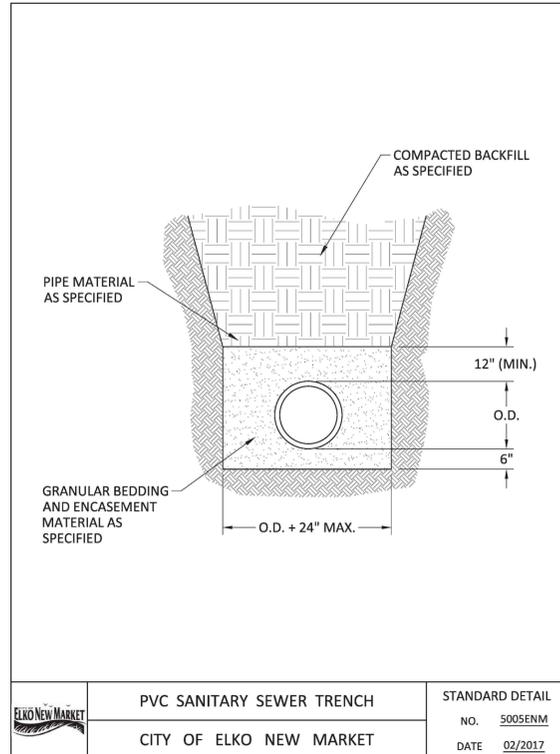


ELKO NEW MARKET	SANITARY SEWER SERVICE	STANDARD DETAIL
	CITY OF ELKO NEW MARKET	NO. 5018ENM DATE 02/2017

**SANITARY SEWER SERVICE DETAIL**

1  
C5.2

NOT TO SCALE

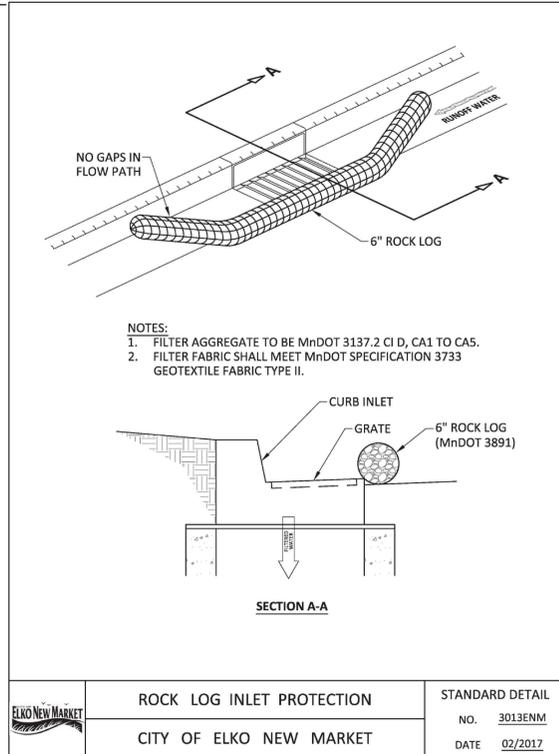


ELKO NEW MARKET	PVC SANITARY SEWER TRENCH	STANDARD DETAIL
	CITY OF ELKO NEW MARKET	NO. 5005ENM DATE 02/2017

**PVC SANITARY SEWER TRENCH DETAIL**

3  
C5.2

NOT TO SCALE

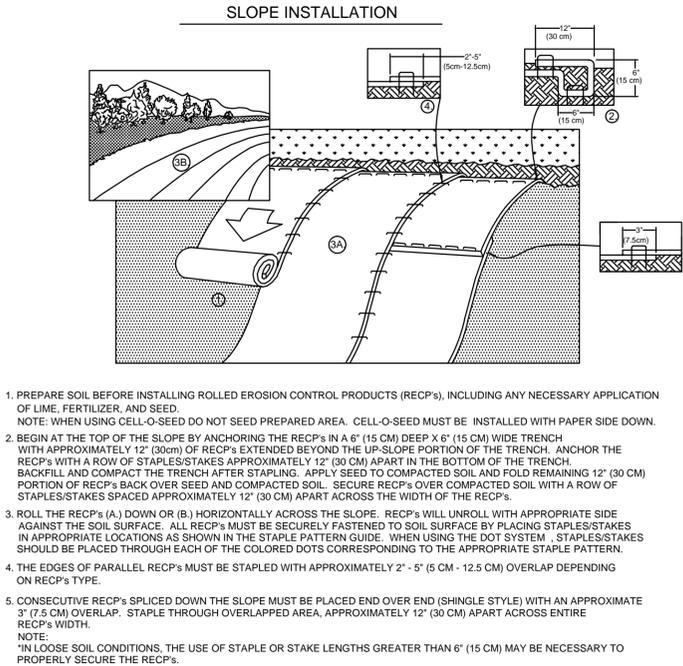


ELKO NEW MARKET	ROCK LOG INLET PROTECTION	STANDARD DETAIL
	CITY OF ELKO NEW MARKET	NO. 3013ENM DATE 02/2017

**INLET PROTECTION DETAIL**

5  
C5.2

NOT TO SCALE



1. PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL PRODUCTS (RECP'S), INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED.  
NOTE: WHEN USING CELL-O-SEED DO NOT SEED PREPARED AREA. CELL-O-SEED MUST BE INSTALLED WITH PAPER SIDE DOWN.
  2. BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE RECP'S IN A 6" (15 CM) DEEP X 6" (15 CM) WIDE TRENCH WITH APPROXIMATELY 12" (30cm) OF RECP'S EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. ANCHOR THE RECP'S WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" (30 CM) APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" (30 CM) PORTION OF RECP'S BACK OVER SEED AND COMPACTED SOIL. SECURE RECP'S OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" (30 CM) APART ACROSS THE WIDTH OF THE RECP'S.
  3. ROLL THE RECP'S (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. RECP'S WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL SURFACE. ALL RECP'S MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE. WHEN USING THE DOT SYSTEM, STAPLES/STAKES SHOULD BE PLACED THROUGH EACH OF THE COLORED DOTS CORRESPONDING TO THE APPROPRIATE STAPLE PATTERN.
  4. THE EDGES OF PARALLEL RECP'S MUST BE STAPLED WITH APPROXIMATELY 2" - 5" (5 CM - 12.5 CM) OVERLAP DEPENDING ON RECP'S TYPE.
  5. CONSECUTIVE RECP'S SPICED DOWN THE SLOPE MUST BE PLACED END OVER END (SINGLE STYLE) WITH AN APPROXIMATE 3" (7.5 CM) OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" (30 CM) APART ACROSS ENTIRE RECP'S WIDTH.
- NOTE:  
\*IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" (15 CM) MAY BE NECESSARY TO PROPERLY SECURE THE RECP'S.

**NORTH AMERICAN GREEN**  
EROSION CONTROL Products  
Guaranteed SOLUTIONS

14649 HIGHWAY 41 NORTH  
EVANSVILLE, IN 47725  
800-772-2040  
www.nagreen.com

Category 4 Erosion Control Blanket:  
North American Green S150 erosion control blanket or approved equal.

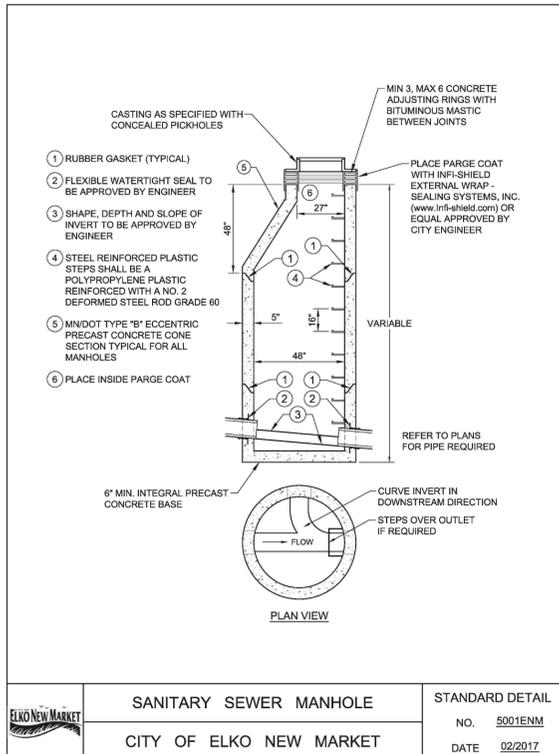
<b>Top Net</b> Polypropylene 1.5 lbs/1,000 ft <sup>2</sup> (0.73 kg/100 m <sup>2</sup> ) approx. wt.	<b>Bottom Net</b> Polypropylene 1.5 lbs/1,000 ft <sup>2</sup> (0.73 kg/100 m <sup>2</sup> ) approx. wt.
<b>Straw Fiber</b> 0.50 LBS/YD <sup>2</sup> (0.27 KG/M <sup>2</sup> )	<b>Thread</b> Photodegradable

Staples/Anchors:  
The type of anchors used to secure the blanket to the ground shall be Steel wire 11 Gauge 1" wide x 8" long.

**EROSION CONTROL BLANKET**

7  
C5.2

NOT TO SCALE

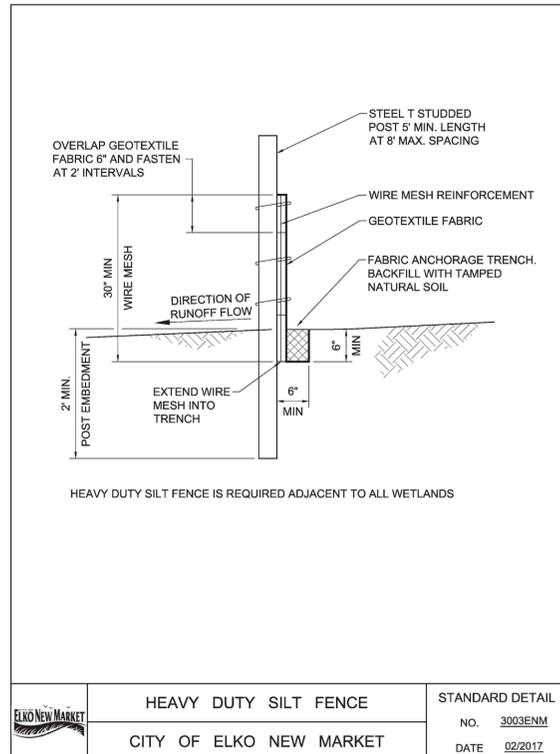


ELKO NEW MARKET	SANITARY SEWER MANHOLE	STANDARD DETAIL
	CITY OF ELKO NEW MARKET	NO. 5001ENM DATE 02/2017

**SANITARY SEWER MANHOLE DETAIL**

2  
C5.2

NOT TO SCALE

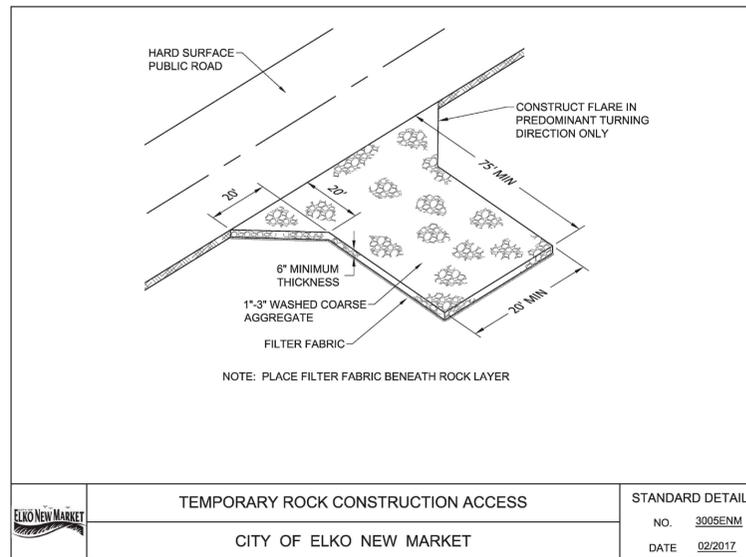


ELKO NEW MARKET	HEAVY DUTY SILT FENCE	STANDARD DETAIL
	CITY OF ELKO NEW MARKET	NO. 3003ENM DATE 02/2017

**SILT FENCE DETAIL**

4  
C5.2

NOT TO SCALE



ELKO NEW MARKET	TEMPORARY ROCK CONSTRUCTION ACCESS	STANDARD DETAIL
	CITY OF ELKO NEW MARKET	NO. 3005ENM DATE 02/2017

**ROCK CONSTRUCTION ENTRANCE**

6  
C5.2

NOT TO SCALE

**Larson Engineering, Inc.**  
816 W. St. Germain Street  
Suite 308  
St. Cloud, MN 56301  
320.774.1944  
www.larsonengr.com

**SYNDICATED PROPERTIES, LLC**  
DAKOTA ACRES  
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**2018 CONSTRUCTION PLANS FOR CONDO DEVELOPMENT**  
ELKO, MN

I hereby certify that this plan, specifications 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.

*Thomas J. Herkenhoff*  
Thomas J. Herkenhoff, P.E.  
Date: 05.01.18 Reg. No.: 25520

Rev.	Date	Description

Project #: 12186003  
Drawn By: KBK  
Checked By: TJH  
Issue Date: 05.01.18  
Sheet Title:

**DETAILS**

**C5.2**



601 Main Street  
Elko New Market, MN 55054  
phone: 952-461-2777 fax: 952-461-2782

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## MEMORANDUM

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**TO:** PLANNING COMMISSION  
**FROM:** RENEE CHRISTIANSON, COMMUNITY DEVELOPMENT SPECIALIST  
**RE:** EXPECTATIONS FOR BOARDS AND COMMISSIONS  
**DATE:** MAY 29, 2018

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### **Background / Introduction**

At the December, 2017 Planning Commission there was a brief review of Planning Commissioner expectations. Attached is a copy of the original PowerPoint which is reviewed with incoming Commission members, was in place at the time of current Commissioner appointments, and contains the current expectations.

At the May 10, 2018 City Council meeting the Council reviewed the expectations that are currently in place to determine if any changes should be made to the current policies. As part of this exercise staff was asked to identify a list of reasonable expectations for consideration by the City Council. Attached is a copy of the information that was provided to the City Council prior to the May 10<sup>th</sup> Council meeting.

Following discussion by the City Council there was a recommendation that there be additional education requirements. The recommended education requirements for the Planning Commission are as follows:

- Must attend “The Basics” training course offered by Government Training Services (GTS) within one year of being appointed to the Planning Commission
- Must attend “Beyond the Basics” training course offered by Government Training Services (GTS) within three years of being appointed to the Planning Commission
- Must participate in a minimum of one training event every two years (following the first three years of service and educational requirements). Examples of acceptable training organizations are the American Planning Association, MN Chapter of the American Planning Association, Government Training Services or similar organization as approved by the City Administrator or their designee

This item is being provided for informational purposes.

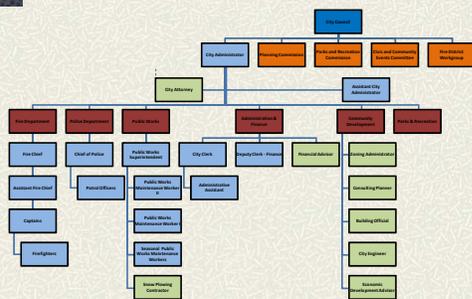
# Planning Commissioner Orientation

April 15, 2013

## Overview

- # Introductions
- # The City: Council, Commission and Staff
- # The Role of the Planning Commissioner
- # The Role of Staff
- # Planning Tools
- # The Agenda

## The City of New Market



## The Planning Commission

- # Organization
- # Duties and Responsibilities
- # Expectations

## Planning Commission Organization

- # 5 Members
  - 3 Year Terms
    - Appointed
    - Serve at the will of the City Council
- # Officers
  - Chair
  - Vice-Chair
- # Meetings
  - 1<sup>st</sup> Wednesday of each month
  - Additional workshops, special meetings, training

## Planning Commission Duties & Responsibilities

- # Advise the City Council on land use issues and applications.
- # Review subdivision and development proposals.
- # Review proposed zoning changes.
- # Hold public hearings on planning and zoning related applications and issues.
- # Review and initiate updates of Comprehensive Plan, Subdivision Ordinance and Zoning Ordinance.
- # Develop studies and plans as directed by the City Council

## Expectations

- # **Attend Meetings**
  - Commissioners shall be prepared to attend the regular Commission meeting and an additional special meeting or workshop each month. However, additional special meetings or workshops may not be scheduled each month.
  - Commissioners shall attend at least 75% of the scheduled regular meetings, special meetings and workshops each year.
  - Except in cases of emergency or unexpected illness, commissioners shall notify staff of an expected absence at least 7 days prior to the scheduled regular meeting, special meeting or workshop.
- # **Become Educated**
  - Planning Commissioners are expected to attend "The Basics" training course offered by the Government Training Service (GTS) or another conference/training session approved by the Zoning Administrator within one year of being appointed to the Planning Commission.
  - Planning Commissioners are expected to attend the "Beyond the Basics" training course offered by the Government Training Service (GTS) or another conference/training session approved by the Zoning Administrator within three years of being appointed to the Planning Commission.

## Expectations (cont'd)

- Also:
- # Review items in a "Judicial" manner
  - # Work towards consensus
  - # Define problems
  - # Provide clear recommendations
  - # Act as a facilitator
  - # Act as a "lightening rod"
  - # Remain apolitical
  - # Serve as a representative of the Planning Commission to other commissions, task forces, boards and the City Council

## Ethics

- # **Conflict of Interest**
  - Conflict of interest can occur when an elected or appointed official is making decisions in situations where personal involvement, gain or financial benefit exist for the decision-maker
  - The appearance of a conflict of interest can be as damaging as an actual conflict of interest
    - Disclosure
    - Abstention

## Staff

- # Process zoning applications
- # Collect background data and analyze proposals
- # Prepare reports for Planning Commission
- # Make presentations to Planning Commission
- # Provide technical assistance to Planning Commission
- # Provide recommendations as appropriate

## Planning Tools

- # Comprehensive Plan
- # Subdivision Ordinance
- # Zoning Ordinance

## Comprehensive Plan

- # Establishes the community's vision
- # Statement of public policy and objectives
- # Used as a guide for making land use changes, implementing ordinances, preparing capital improvement programs, and directing the rate, timing and location of future growth.

## Regulatory Tools

The regulatory tools serve as the mechanisms for implementing the Comprehensive Plan.

- ✦ Subdivision Ordinance
  - Regulates division of land
  - Standards determine the "look" of new development and maintain the same in existing development.
- ✦ Zoning Ordinance
  - Regulates the use of land
  - Consists of both text and maps
  - Organized by zoning districts

## The Agenda

- ✦ The Planning Year runs January through December and is divided into Planning Months.
- ✦ The Monthly Agenda directs the Planning Commission activity for that month.
- ✦ The typical monthly meeting agenda consists of the following:
  - Public Hearings
    - Variances
    - Conditional Use Permits
    - Preliminary Plats
  - General Business
    - Concept Plan Review
    - Site Plans
    - Studies
    - Other Planning items that require action by the Planning Commission, but do not require a public hearing
  - Discussion Items

## The Application Process

- ✦ Submit application materials
- ✦ Staff review
- ✦ Staff report
- ✦ Deliver Planning Commission packet
- ✦ Hold public hearing at Planning Commission meeting
- ✦ Planning Commission recommendation to City Council
- ✦ Decision by City Council at next City Council meeting

## Land Use Applications

- ✦ Typical land use applications include:
  - Variances
  - Conditional Use Permits (CUP)
  - Simple Property Subdivisions
  - Preliminary and Final Plats
  - Rezoning
  - Annexation
  - Comprehensive Plan Amendments

## Variances

- ✦ An exception to the provisions of the Zoning or Subdivision Ordinance
- ✦ Can not be granted for the use of the land
- ✦ Must demonstrate "undue hardship". An undue hardship means more than an ordinary inconvenience or difficulty.
  - Property can not be put to a *reasonable* use
  - The plight of the land owner is unique to the property and not created by the land owner
  - Granting the variance will not alter the essential character of the locality
  - Economic considerations alone shall not constitute an undue hardship

## Conditional Use Permit

Used to address the problems that arise when certain uses that are generally compatible with other use in a given zoning district should not be permitted to locate there as a matter of right, due to hazards or problems inherent in the use. Allows the City to review certain proposed uses on a case by case basis and place specific conditions on the use to mitigate hazards or problems inherent in the use. City is not required to approve a conditional use.

## Zoning Amendment

A change to either the text (amendment) or official map (rezoning) of the zoning ordinance.

## The Packet

The Packet will contain the following materials:

- # Agenda
- # Minutes of last meeting
- # Reports
- # Informational Materials

The Packets are typically delivered the Friday prior to the Planning Commission meeting.

## The Report

### Staff Report

- Background
- Analysis
- Staff recommendation (if appropriate)
- Additional Materials
  - Ordinance
  - Memorandums
  - Maps
  - Plans

## General Information

- # Past Development
- # Growth Areas
- # MetCouncil Sewer Line
- # Capital Improvement Plan
  - Trail Projects
  - Public Works Facility
  - Water Treatment Plant

## Projects In Progress & Future Projects

- # I-35 Corridor Evaluation & Comp Plan Update  
(based on recommendations from the Economic Development Strategic and Action Plan)
- # CR 2 & 91 Access/Roundabout Plan (Gateway Proj)
- # Firm Ground Senior Housing / Market Village
- # IMEDC Minnesota Speedway Park
- # Market Place: Northfield Clinic & N.M. Bank
- # Undeveloped PUDs  
(Pheasant Hills, Fairway Ridge, and Eagle View Estates)
- # Acquiring Strategic Properties (421 St Joseph Street)



# STAFF MEMORANDUM

<b>SUBJECT:</b>	Expectations for City Commissioners
<b>MEETING DATE:</b>	May 10, 2018
<b>PREPARED BY:</b>	Thomas Terry, City Administrator
<b>REQUESTED ACTION:</b>	Provide feedback and direction

## COMMUNITY VISION:

- A mature growing freestanding suburb of the Twin Cities Metropolitan Area, preserving historic landmarks and small town character while providing suburban amenities and services, as well as full range of employment, housing, business, service, social, technology infrastructure and recreational opportunities for citizens and visitors
- Promote a diverse commercial base including light industrial and facilitating planned redevelopment which will be aesthetically pleasing with architectural standards that promotes quality development
- Provide a full range of municipal services to its residents. The City will allocate sufficient resources to meet the growing needs of the community
- A comprehensive park and trails system that will have sufficient facilities, play fields and open space to meet the needs of residents
- An effective and efficient transportation system, including access to the greater metropolitan area, transit opportunities, and improved connectivity to the interstate
- Provide community oriented local government and be financially sound, engaging in long-term financial planning to provide municipal services without undue burden on tax payers

## 5 YEAR GOALS:

- Diverse tax base, employment opportunities, additional businesses and services, promote high quality broad spectrum of residential development
- Advance "shovel ready" status of areas guided for commercial and industrial development
- Acquisition of land for public purposes, position City to take advantage of land acquisition opportunities
- Enhance quality of life through parks, trails, recreational programming and cultural events
- The development of residential lots and an increase in residential building permit activity

## COMMUNITY ORIENTED LOCAL GOVERNMENT:

- Community Involvement
- Organizational Improvement
- Problem Solving
- Performance Measurement
- Professionalism

## **BACKGROUND**

In municipal government, commissioners serve as advisory bodies to the City Council in various areas of City services or authority. The City of Elko New Market has established two commissions – the Planning Commission and Parks & Recreation Commission. Generally, the Planning Commission is responsible for considering and making recommendations on all matters affecting zoning, subdivision and building regulations and land use development, Comprehensive Plans and any other matters referred thereto by the City Council. All recommendations made by the Planning Commission shall take into consideration the established policies of the City Council on such matters. The Planning Commission also carries on City planning activities and recommends plans for the regulation of future physical development of the City, including land use and building construction. The primary purpose of the Parks & Recreation Commission is to act in an advisory capacity to the City Council in the development of recreation facilities and programming for public enjoyment and a high quality of life for citizens.

Commissioners are appointees that are appointed by and serve at the will of the Council. Elko New Market Commissioners are appointed to three (3) year terms and may choose to seek reappointment at the end of their term. The City does not have a policy or practice limiting the number of terms a commissioner may serve.

The establishment of expectations for commissioners assists the City in conveying the nature of the position to newly appointed commissioners and as a basis for evaluating performance when considering the reappointment of commissioners or (in the worst case) the removal of a commissioner.

Several years ago, the City established expectations for City Commissioners. The Parks & Recreation Commission had not been established in its current format at the time, so some of the recommendations were oriented towards the Planning Commission. The expectations included:

- Attend Meetings
  - Commissioners shall be prepared to attend the regular Commission meeting and an additional special meeting or workshop each month. However, additional special meetings or workshops may not be scheduled each month.
  - Commissioners shall attend at least 75% of the scheduled regular meetings, special meetings and workshops each year.
  - Except in cases of emergency or unexpected illness, commissioners shall notify staff of an expected absence at least 7 days prior to the scheduled regular meeting, special meeting or workshop.
- Become Educated
  - *Specific to Planning Commissioners* - expected to attend “The Basics” training course offered by the Government Training Service (GTS) or another conference/training session approved by the Zoning Administrator within one year of being appointed to the Planning Commission.
  - *Specific to Planning Commissioners* - expected to attend the “Beyond the Basics” training course offered by the Government Training Service (GTS) or another conference/training session approved by the Zoning Administrator within three years of being appointed to the Planning Commission.

In addition to attendance requirements and an expectation to continuing education for commissioners, commissioners were expected to:

- *Specific to Planning Commission* - Review items in a “Judicial” manner
- Work towards consensus
- Define problems
- Provide clear recommendations
- Act as a facilitator
- Act as a “lightening rod”
- Remain apolitical
- *Specific to Planning Commission* - Serve as a representative of the Planning Commission to other commissions, task forces, boards and the City Council

The City Council had previously discussed revisiting the expectations for commissioner and directed staff to prepare and schedule a discussion for a future meeting.

### **DISCUSSION:**

The City Council is being asked to discuss commissioner expectations and provide direction on any changes to the current set of adopted expectations. At a minimum, the expectations should be updated to reflect the differences between the Planning Commission and Parks & Recreation Commission.

Staff has suggested the following as a starting point for the discussion:

#### **Planning Commission**

1. Attendance
  - a. Commissioners shall be prepared to attend the regular Commission meeting and an additional special meeting or workshop each month. However, additional special meetings or workshops may not be scheduled each month.
  - b. Commissioners shall attend at least 75% of the scheduled regular meetings, special meetings and workshops each year.
  - c. Except in cases of emergency or unexpected illness, commissioners shall notify staff of an expected absence at least 7 days prior to the scheduled regular meeting, special meeting or workshop
2. Meetings
  - a. Come to all meetings having read the agenda packet materials
  - b. Participate in the discussion of the agenda items for all meetings
  - c. Conduct themselves in a professional manner during Planning Commission meetings. This includes:
    - i. Review individual projects for consistency with Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance
    - ii. Make sound planning decisions that implement City ordinances, policies and plans
    - iii. Review applications and make recommendations based on the merits of the application
    - iv. Promote meaningful public involvement
    - v. Be impartial and not show favoritism to developers or others

- vi. Recognize obligation to serve the whole community and consider the interests of the entire community in reaching decisions
  - vii. Focus on merits of discussions, not personalities, character or motivations
  - viii. Be able to make recommendations that are unpopular to further the public's interest
  - ix. Promote equality and treat all people, projects and perspectives equitably
  - x. Treat fellow commissioners, staff and the public with courtesy, even when there are differences of opinion
  - xi. Maintain consistent standards while understanding the need for compromise, thinking outside the box
3. Continuing Education
- a. Educate themselves on the City's Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance
  - b. Must attend "The Basics" training course offered by Government Training Services (GTS) within one year of being appointed to the Planning Commission
  - c. Must attend "Beyond the Basics" training course offered by Government Training Services (GTS) within three years of being appointed to the Planning Commission
  - d. Must participate in a minimum of one training event every two years (following the first three years of service and educational requirements). Examples of acceptable training organizations are the American Planning Association, MN Chapter of the American Planning Association, Government Training Services or similar organization as approved by the City Administrator or their designee
4. Other expectations for Planning Commissioners:
- a. Avoid activities or actions that would be contrary to Professionalism as it is defined by the Community Oriented Government (COG) philosophy
  - b. Avoid conflicts of interest, both legal and ethical, including:
    - i. Excuse oneself from decisions when financial interest of oneself or family member may be affected by their recommendation
    - ii. Not use information acquired during role as a Planning Commissioner for their personal advantage

Parks & Recreation Commission

1. Attendance
- a. Commissioners shall be prepared to attend the regular Commission meeting and an additional special meeting or workshop each month. However, additional special meetings or workshops may not be scheduled each month.
  - b. Commissioners shall attend at least 75% of the scheduled regular meetings, special meetings and workshops each year.
  - c. Except in cases of emergency or unexpected illness, commissioners shall notify staff of an expected absence at least 7 days prior to the scheduled regular meeting, special meeting or workshop
2. Meetings
- a. Parks Commissioners must come to all meetings having read the Agenda Packet materials
  - b. Parks Commissioners must participate in the discussion of Agenda items for all meetings
  - c. Make sound decisions that implement City ordinances, policies and plans
  - d. Review proposals and make recommendations based on the merits of the item

- e. Promote meaningful public involvement
  - f. Be impartial and not show favoritism to particular groups or individuals
  - g. Recognize obligation to serve the whole community and consider the interests of the entire community in reaching decisions
  - h. Focus on merits of discussions, not personalities, character or motivations
  - i. Be able to make recommendations that are unpopular to further the public's interest
  - j. Promote equality and treat all people, projects and perspectives equitably
  - k. Treat fellow commissioners, staff and the public with courtesy, even when there are differences of opinion
  - l. Maintain consistent standards while understanding the need for compromise, thinking outside the box
3. Continuing Education
- a. Educate themselves on the City's Comprehensive Plan and park policies
  - b. Parks Commissioners must participate in a minimum of one MRPA training event per year or similar organization as approved by the City Administrator or their designee
4. Other expectations for Planning Commissioners:
- a. Parks Commissioners must attend a minimum of two Parks Commission sponsored events each year
  - b. Parks Commissioners must be visible to the community in attending a minimum of two other citywide City sponsored recreational or cultural events each year
  - c. Avoid activities or actions that would be contrary Professionalism as it is defined by the Community Oriented Government (COG) philosophy
  - d. Avoid conflicts of interest both legal and ethical, including:
    - i. Excuse oneself from decisions when financial interest of oneself or family member may be affected by their recommendation
    - ii. Not use information acquired during role as a Planning Commissioner for their personal advantage

# CITY COUNCIL WORK SESSION

## May 10, 2018

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Minutes

### 1. CALL TO ORDER

The meeting was called to order by Mayor Crawford at 7:03 p.m.

Members Present: Mayor Crawford, Councilmembers: Berg, Julius, Timmerman and Timmons

Members Absent: None

Also Present: City Administrator Terry, Police Chief Mortenson, City Engineer Revering, and City Clerk Green

### 2. PRESENTATIONS

None

### 3. REPORTS

None

### 4. GENERAL DISCUSSION

Expectations for City Commissioners

Administrator Terry discussed criteria for appointed City Commissioners, including Planning Commission and Parks Commission. Due to time constraints, this item was continued to the Business Meeting under Council Discussion.

### 5. REPORTS (Continued)

None

### 6. ADJOURNMENT

The Work Session was adjourned at 7:29 p.m.

**1) CALL TO ORDER**

The meeting was called to order by Mayor Crawford at 7:34 p.m.

Members Present: Mayor Crawford, Councilmembers: Berg, Julius, Timmerman and Timmons

Members Absent: None

Also Present: City Administrator Terry, Police Chief Mortenson, City Attorney Poehler, City Engineer Revering and City Clerk Green

**2) PLEDGE OF ALLEGIANCE**

Mayor Crawford led the Council and audience in the Pledge of Allegiance.

**3) ADOPT/APPROVE AGENDA**

**MOTION** by Councilmember Timmons, second by Councilmember Timmerman to approve the revised agenda.

- a) 6f – Approve Fiber License Agreement Between City of Elko New Market and Scott Rice Telephone Company (Integra) – **moved to General Business 8a**

**APIF, MOTION CARRIED**

**4) PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGEMENTS**

National Police Week Proclamation

Mayor Crawford, on behalf of the City Council, proclaimed the week of May 13 to 19, 2018 as National Police Week.

Donation from N.E.W. Lions Club for Purchase of Narcan

Police Chief Mortenson discussed the opioid epidemic with the City Council. Currently neither the Police Department nor Fire Department carries doses of Narcan, a medication that can reverse the effects of an Opioid overdose and possibly save the life of the person who has overdosed.

Members of the New Market Elko Webster Lions Club (N.E.W.) recognized the importance of all First Responders in the community to carry such medication. The N.E.W. Lions Club made a donation of \$360.00 to the Elko New Market Police Department for the cost of dosages of Narcan in each squad car, along with 3 extra dosages available to replace an administered dose. Police Chief Mortenson requested the City Council accept the donation of \$360.00 from the N.E.W. Lions. The Lions were represented at the Council Meeting by Laura and Bob Vogel.

**5) PUBLIC COMMENT**

None

## 6) CONSENT AGENDA

**MOTION** by Councilmember Timmons, second Councilmember Timmerman to approve Consent Agenda as amended.

- a. Approve April 26, 2018 Minutes of the City Council Meeting
- b. Approve Payment of Claims and Electronic Transfer of Funds
- c. Adopt Resolution 18-22 Requesting an Extension to the Metropolitan Council's 2040 Comprehensive Plan Submission Deadline
- d. Approve 2018 Recycling Agreement with Scott County
- e. Elko New Market Fire Relief Association Annual Dance
  - i. Adopt Resolution 18-26 Approving Outdoor Concerts and Events Permit
  - ii. Adopt Resolution 18-27 Approving Temporary On-Sale Intoxicating Liquor License
- f. Approve Fiber License Agreement Between City of Elko New Market and Scott Rice Telephone Company (Integra) - **Moved to Business 8a APIF, MOTION CARRIED**

## 7) PUBLIC HEARINGS

None

## 8) GENERAL BUSINESS

### Approve Fiber License Agreement Between City of Elko New Market and Scott Rice Telephone Company (Integra)

Fiber optic cable provides Elko New Market with the most consistent and reliable network connectivity between all physical Elko New Market locations. Of the options available for network connectivity (broadband, copper or point to point wireless) fiber is the best option for Elko New Market. When comparing the options and using the criteria of speed, distance, supportability, scalability, cost and building to the future fiber is the best option for Elko New Market now and into the future.

The Police Department will see a huge benefit from fiber connectivity. Currently the existing breathalyzer used for testing alcohol content is not able to reach the BCA/State due to multiple Virtual Private Network (VPN) connections. With fiber those multiple VPN connections will no longer be needed. The fiber allows the breathalyzer to connect to the State using one VPN connection. A single VPN connection is an industry standard and fiber brings that standard to Elko New Market.

The City Council reviewed three (3) options for the installation of fiber to the Police Department.

- Option 1 – City would install and own the fiber at an estimated cost of \$40,000.00.
- Option 2 – City would pay up front for a twenty (20) year fiber lease (\$20,500.00) and an annual maintenance fee for all locates, maintenance and repairs (\$360.00).

- Option 3 – Fiber lease for an initial period of five (5) years. The lease agreement includes locates, maintenance and repairs. Initial cost would be \$2,500.00 with a monthly fee of \$180.00.

After discussing this item, the Council unanimously decided Option 3, a five (5) year lease agreement would provide the most flexibility and lowest cost entry, but would result in the highest cost over an extended period of time. Council directed Staff that prior to the expiration of the five (5) year lease agreement to prepare a Request for Proposal for fiber maintenance and repairs.

**MOTION** by Councilmember Timmons, second Councilmember Timmerman to approve Fiber License Agreement Between City of Elko New Market and Scott Rice Telephone Company (Integra). **APIF, MOTION CARRIED**

## 9) REPORTS

### a) ADMINISTRATION

#### City Facebook Page

City Administrator Terry asked for Council direction on content to be included on the City of Elko New Market Facebook Page. Following a discussion on this item, the Council directed Staff that Facebook content be limited to City sponsored/related information.

### b) PUBLIC WORKS

Written report included in Council Packet.

### c) POLICE DEPARTMENT

Written report included in Council Packet. Chief Mortenson gave the Council a brief update on currently completed officer training and Point of Impact attendance.

### d) FIRE DEPARTMENT

None

### e) ENGINEERING

None

### f) COMMUNITY DEVELOPMENT

Written Community Development Updates included in Council Packet.

### g) PARKS DEPARTMENT

Written Parks Commission Update included in Council Packet.

### h) OTHER COMMITTEE AND BOARD REPORTS

#### i. SCALE

None



601 Main Street  
Elko New Market, MN 55054  
phone: 952-461-2777 fax: 952-461-2782

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## MEMORANDUM

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**TO:** PLANNING COMMISSION  
**FROM:** RENEE CHRISTIANSON, COMMUNITY DEVELOPMENT SPECIALIST  
**RE:** EDUCATION OPPORTUNITIES FOR PLANNING COMMISSIONERS  
**DATE:** MAY 29, 2018

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### **Background / Introduction**

There are education requirements in place for appointed City Planning Commissioners. Historically, the Planning Commission has been steered towards courses offered by Government Training Services (GTS). Attached is the GTS calendar of classes for 2018, which can also be found on-line at <http://www.mngts.org/LandUse/>. An inquiry has been made as to whether the GTS courses are offered on-line, and upon further research, two of their classes have virtual options. “Your Role as a Planning Commissioner” will be offered virtually on September 13<sup>th</sup> and November 14<sup>th</sup>. A new class on economic development will be offered virtually on June 18<sup>th</sup>, September 25<sup>th</sup>, October 11<sup>th</sup> (1:00 to 4:00 p.m.).

The American Planning Association (APA) is another option for educational classes; they offer both “on-demand education” and “live on-line education”. The on-demand education sessions can be viewed individually from one’s own computer, or can be viewed in a classroom-type setting. A listing of available on-demand classes can be found at <https://www.planning.org/ondemand/>. Staff has reviewed the listing of 157 available classes and attached are descriptions of some classes that may be of interest. In addition to the on-demand classes, the APA also offers live on-line education / webinars. A listing of upcoming live on-line classes can be found at <https://www.planning.org/ondemand/>. In order to participate in classes offered by the APA, a membership is required.

The League of Minnesota Cities also has to on-line classes (Land Use Basics, and Creating Ground Rules) which can be found at <https://www.lmc.org/page/1/LandUseServices.jsp>

Staff is seeking feedback from the Planning Commission regarding possible interest in classes offered by the GTS, APA, or LMC.

## 2018 Land Use Training & Education Program



Everyone is impacted by how land is used. Land Use describes a decision-making process used to determine how a land should be developed to meet the needs of residents, businesses, and government. Building mixed-use developments, adding more bike lanes and walking paths, or zoning land for commercial development are examples of just some of the ways land can be developed to meet community needs.

From basic to advanced core content, to special and emerging topics, the **Land Use Training and Education Program** is designed to provide opportunities for elected and appointed officials, land use planning and zoning staff, the business community, community-based organizations, and concerned citizens from cities, suburbs, towns, and rural areas to engage in conversations and collaborative learning that will drive toward equitable and sustainable land use outcomes.

2018 Land Use Trainings & Workshops

Basics of Planning & Zoning ([basics-of-planning-and-zoning.php](#))

Beyond the Basics of Planning & Zoning ([beyond-basics-of-planning-and-zoning.php](#))

Your Role as Planning Commissioner ([your-role-as-a-planning-commission-member.php](#))

Public Participation Techniques ([public-participation-techniques.php](#))

Managing Risk ([managing-risk-making-sound-planning-and-zoning-decisions.php](#))

Economic Development ([economic-development.php](#))

Collaborative Governance ([collaborative-governance.php](#))

Register now for 2018 Land Use training workshops!  
(<https://mngts.regfox.com/2018-land-use>)

Classes will begin in April and run through November. Check back here for more information or watch your email inbox for more information.

**Thanks to our 2018 Sponsors!**

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### Upcoming Workshops

May 24 - **Beyond the Basics of Planning & Zoning**, St Paul ([beyond-basics-of-planning-and-zoning.php](#))

June 27 - **Basics of Planning and Zoning**, Staples ([basics-of-planning-and-zoning.php](#))

June 28 - **Beyond the Basics of Planning & Zoning**, Staples ([beyond-basics-of-planning-and-zoning.php](#))

July 17 - **Public Participation Techniques**, Golden Valley ([public-participation-techniques.php](#))

July 24 - **Managing Risk: Making Sound Planning and Zoning Decisions**, Little Falls ([managing-risk-making-sound-planning-and-zoning-decisions.php](#))

July 25 - **Collaborative Governance**, St Paul ([collaborative-governance.php](#))

September 5 - **Basics of Planning and Zoning**, Rochester ([basics-of-planning-and-zoning.php](#))

September 13 - **Your Role as Planning Commissioner**, Burnsville ([your-role-as-a-planning-commission-member.php](#))

October 2 - **Beyond the Basics of Planning & Zoning**, Rochester ([basics-of-planning-and-zoning.php](#))

October 9 - **Managing Risk: Making Sound Planning and Zoning Decisions**, St Paul ([managing-risk-making-sound-planning-and-zoning-decisions.php](#))

November 8 - **Collaborative Governance**, Little Falls ([collaborative-governance.php](#))

November 14 - **Your Role as Planning Commissioner**, St Paul ([your-role-as-a-planning-commission-member.php](#))

If you would like to receive information on upcoming courses, or discuss co-sponsoring a workshop for your community, please email **Mary Wynne** ([mailto:mwynne@mngts.org?subject=Land Use Question](mailto:mwynne@mngts.org?subject=Land%20Use%20Question)).




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## Real Estate Law for Planners

**NPC17 attendee:** \$0.00

**APA member:** \$68.00

**List Price:** \$80.00

**Group viewing:** \$300.00

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### CERTIFICATION MAINTENANCE

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This session provides planners with an understanding of real estate law, and describes how a planner's day-to-day work relates to real estate transactions.

The program will: provide an overview of estates/interests in land (i.e. fee interests, easements, licenses, dedications, restrictive covenants); review the role of zoning and subdivision law in real estate transactions; discuss how property interests get conveyed, such as by deed, grant of easement, conveyance by plat, declaration of covenants, eminent domain; review government interests in land, including fee ownership, right-of-ways, easements; discuss where planners fit in during a real estate transaction, such as in contract contingencies; and provide a basic understanding of the players in a real estate transactions, such as brokers, title companies, and attorneys.

The session will also answer questions such as, "what gets recorded?", "what does a seller of land have to tell a buyer of land?", and "what are covenants and how are they different from zoning?" The presenters will use a variety of real-life case situations to give attendees a hands-on understanding of the concepts being discussed.

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## Supporting Small Businesses through Zoning

**NPC17 attendee:** \$0.00  
**APA member:** \$68.00  
**List Price:** \$80.00  
**Group viewing:** \$300.00

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### CERTIFICATION MAINTENANCE

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You'll learn about:

- How zoning affects small businesses as they progress through common stages of growth
- Why use categories are better suited to small businesses than overly specific use definitions
- How to modify site and building development standards to create zoning districts that are small-business friendly

Being small-business friendly is key to enhancing economic resilience. Homegrown businesses create new jobs, contribute to a sense of place, and facilitate the adaptive reuse of existing structures. They are also more nimble than large firms, and when they do fail, small businesses have a much smaller proportionate effect on the local economy. Yet despite these benefits, many localities have outdated zoning codes that inadvertently stifle local entrepreneurs.

This session—sponsored by APA's *Zoning Practice*—will highlight how zoning regulations either help or hurt small businesses as they progress from sole proprietorships to hiring their first employees to becoming major contributors to local identity. You will learn how antiquated cumulative use permissions and overly specific use definitions can frustrate innovation and explore how categorical use classification and small-business-centric site and building development standards can foster a supportive environment for homegrown businesses.

▼ [About the Speakers](#)




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# The Reality of Planning for Retail

**NPC17 attendee:** \$0.00

**APA member:** \$68.00

**List Price:** \$80.00

**Group viewing:** \$300.00

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## CERTIFICATION MAINTENANCE

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**CM | 1.25**

You'll learn about:

- What tenants, developers and the public sector require...from demographics to space requirements to financial returns to parking and signage restrictions... in order to make a retail project work.

Recognizing that retail space can activate and enliven the surrounding streetscape, planners often look to incorporate ground floor retail into their planning efforts. Oftentimes however, specific spaces are designated for retail uses without first taking into account market demand, area demographics, retail/restaurant operational requirements, project financial returns, conflicting ownership objectives and public sector incentives. This panel will shed light on what today's retailers and developers are looking for when it comes to parking requirements, store layouts, public sector incentives and other key criteria. It will also highlight the ways in which those requirements need to fit within often conflicting municipal regulations. The panel will feature store designers who have worked with a diverse array of clients, as well as developers and economic development professionals that have lead retail revitalization efforts.



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# Tiny Houses, Big Questions

**NPC17 attendee:** \$0.00

**APA member:** \$68.00

**List Price:** \$80.00

**Group viewing:** \$300.00

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## CERTIFICATION MAINTENANCE

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**CM | 1.25**

You'll learn about:

- How tiny homes are treated with regard to land-use regulation and financing
- Regulatory barriers to siting tiny homes on individual lots and changes that can be made to accommodate them
- The costs of installing tiny homes and the potential for them to meet affordable housing needs

Tiny houses are so popular they spawned the TV show *Tiny House Nation*. But the number of frustrated tiny home buyers is high—and the number of successful tiny home communities low—because tiny houses raise big questions with regard to zoning and subdivision regulations, building codes, restrictive covenants, and home financing. This session explores how each of these factors creates potential barriers to tiny home siting on individual lots, and how communities interested in accommodating tiny homes can revise their regulations to do so. It will also address why there are so few tiny home communities, as well as their potential as a source of affordable housing. Speakers include a state building code official familiar with tiny home issues, a local government planner who has approved a tiny home affordable housing community, and a national land-use expert with experience drafting regulations to accommodate alternative forms of housing.

[!\[\]\(9525cc01f205f1daab8717dd9f74a2bf\_img.jpg\) About the Speakers](#) 

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[Applied Research \(/research/\)](#)  
[Multimedia \(/multimedia/\)](#)  
[Topic Based Resources \(/resources/\)](#)  
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[Conferences and Meetings Overview \(/events/\)](#)  
[National Planning Conference \(/conference/\)](#)  
[NPC19 Proposals \(/npc19/\)](#)  
[Calendar of Events \(/events/#calendar\)](#)  
[Water and Planning Connect \(/connect/water/\)](#)  
[Policy and Advocacy Conference \(/policy/conference/\)](#)  
[Tuesdays at APA \(/tuesdaysatapa/\)](#)  
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[Certification Maintenance \(/cm/\)](#)  
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[Policy and Advocacy Overview \(/policy/\)](#)  
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[Planners' Advocacy Network \(/advocacy/\)](#)  
[Amicus Curiae \(/amicus/\)](#)  
[Communications Guide \(/communicationsguide/\)](#)

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[Career Center Overview \(/careercenter/\)](#)  
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[Advance Your Career \(/advance/\)](#)  
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[Mentoring at APA \(/mentoring/\)](#)  
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[In Your Community Overview \(/communityoutreach/\)](#)  
[What Is Planning? \(/aboutplanning/\)](#)  
[Great Places in America \(/greatplaces/\)](#)  
[National Community Planning Month \(/ncpm/\)](#)  
[National Planning Awards \(/awards/\)](#)  
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[About APA \(/aboutapa/\)](#)  
[Volunteering \(/volunteering/\)](#)  
[Chapters \(/chapters/\)](#)  
[Divisions \(/divisions/\)](#)  
[Students and New Planners \(/students/\)](#)  
[Awards and Honors \(/honors/\)](#)  
[Diversity \(/diversity/\)](#)  
[Elections \(/elections/\)](#)

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[Mission \(/foundation/mission/\)](#)  
[Priority Initiatives \(/foundation/initiatives/\)](#)  
[APA Scholarships \(/foundation/scholarships/\)](#)  
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## What Do We Do Post-Reed?

**NPC17 attendee:** \$0.00

**APA member:** \$68.00

**List Price:** \$80.00

**Group viewing:** \$300.00

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### CERTIFICATION MAINTENANCE

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**CM | 1.25**

You'll learn about:

- Case studies when regulating temporary and other signs
- Implications and impacts of *Reed vs. Town of Gilbert*
- Issues and challenges when regulating signs post *Reed vs. Town of Gilbert*

The U.S. Supreme Court's 2015 ruling in *Reed vs. Town of Gilbert* created numerous issues for communities in regulating signs. Learn about the impact of this landmark case from experts who will review the decision, examine how subsequent federal and state court decisions have applied it, investigate how several jurisdictions have responded to it, and discuss common concerns with regard to it—including the regulation of temporary and other signs.

Learn about options for sign codes that are easier to administer and enforce while allowing the reasonable use of signage for residents and businesses alike. Explore complex and vexing legal issues dealing with content neutrality. And examine several case studies—from Calvert County, Md., to Marin County, Calif.—to investigate how they changed their codes in the wake of the Reed decision.

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# Zoning for Small Urban Lots

**NPC17 attendee:** \$0.00  
**APA member:** \$68.00  
**List Price:** \$80.00  
**Group viewing:** \$300.00

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## CERTIFICATION MAINTENANCE

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CM | 1.25

You'll learn about:

- Pros and cons of developing infill commercial and residential projects on small urban lots
- The “do’s and don’ts” of preparing zoning policies addressing small urban lots
- Urban design considerations that should be addressed in writing zoning policies for small urban lots
- The importance of neighborhood context in preparing zoning policies

Zoning ordinances need to address the challenges of small urban lots, including density, open space, and parking. Many existing zoning codes require small lot consolidation, even when it is not possible or context-sensitive. Additionally, many bulk and design standards intended for larger lots result in variances for existing conditions at small sites. Context-sensitive small lot zoning is needed to redevelop urban neighborhoods, make smart use of existing infrastructure, maintain noteworthy neighborhood fabric and character, and facilitate smart regional growth.

Explore case studies and lessons learned from cities that are actively addressing the redevelopment of small urban lots. Learn about different types of regulations that facilitate context-appropriate and functional construction and discuss those regulations that unfortunately can lead to unintended consequences. Topics include planning projects that addressed small lots in an urban New Jersey city, revitalization of a Jersey Shore community, context-based infill design regulations for a Northern Virginia city, and small lot redevelopment in Superstorm Sandy-impacted towns.

▼ About the Speakers



Photo of the Hillsborough (Florida) City  
County Planning Commission by Dean Sallis

## Connect with APA all year long!

Stay connected to the planning community—and get the tools you need to become a first-class planning commission—by signing up with APA.

APA offers two options for connecting multiple commissioners: group planning board membership and affiliation. Eligible participants are members of planning boards and commissions, city council members, aldermen, mayors, and other elected officials. **Note: Neither planning board members nor affiliates may earn their living in planning.**

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### **Group Planning Board Membership**

- Planning board members receive *Planning* (including "The Commissioner"), enjoy all the benefits of regular APA members, and have access to special resources on the APA website.
- Planning board members are full members of APA national and a local chapter.
- The agency pays a \$115 annual participation fee and \$65 (\$60 national dues + \$5 chapter dues) per member.

### **APA Affiliates**

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- APA affiliates are not members of APA national, but may join some APA chapters.
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### **Get the APA connection today**

Identify group planning board members or APA affiliates, figure the total cost, and provide agency information on the next page.

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**American Planning Association**

*Making Great Communities Happen*

**Identify planning board members or affiliates** (Photocopy this form to identify additional individuals.)

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 Name  Mr.  Ms.  Mrs.

\_\_\_\_\_  
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<b>Group Planning Board Members (GPBM)</b>			<b>OR</b>	<b>APA Affiliates</b>		
Participation fee		\$ 115 (A)		Participation fee		\$ 115 (A)
Dues per member	\$ 65			Dues per affiliate	\$ 45	
Multiply by number of members	x _____			Multiply by number of affiliates	x _____	
Total member dues	=	\$ _____ (B)		Total affiliate dues	=	\$ _____ (B)
<b>GPBM TOTAL (A+B)</b>	=	<b>\$ _____</b>	<b>OR</b>	<b>AFFILIATES TOTAL (A+B)</b>	=	<b>\$ _____</b>

**Verification** *(required)*

I verify that the individuals named above are members of a planning board or commission or elected or appointed officials, and that they do not earn their living in planning.

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# Deconstructing Zoning for Repopulation

**NPC17 attendee:** \$0.00  
**APA member:** \$68.00  
**List Price:** \$80.00  
**Group viewing:** \$300.00

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## CERTIFICATION MAINTENANCE

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You'll learn about:

- How to look at zoning in a completely different way by thinking critically about zoning regulations and their intent
- How zoning regulations have evolved into what they have become and how that evolution fits into today's cities and towns
- How updating and eliminating zoning regulations designed to address big-city problems like overcrowding can foster development in smaller cities and towns where repopulation is needed most

Regulating for overcrowding is at the core of zoning, but in under-populated places zoning often creates barriers to development where investment is needed most. Removing unnecessary zoning regulations can open the door for revitalization and repopulation—making red tape pinker, urbanism leaner, and zoning smarter. During this "zoning boot camp," we will deconstruct and reconstruct zoning in a way where you will never think about zoning the same way again.

Minimum lot size and off-site parking requirements are pervasive in zoning codes across America. But are they really necessary anywhere other than in crowded cities? What we see, in fact, is that many of our current zoning practices stand directly in the way of our goals for places, walkability, innovation, job creation, and a place's ability to adapt to change. The good news is that this is a fixable problem.

Learn how to deconstruct and reconstruct zoning so that it works to achieve repopulation. Explore the fiction that forms the basis for certain zoning regulations where the reality may not support them. Discover how to review your community's land-use codes to verify that they address real and legitimate concerns and regulate only what is truly necessary to protect and promote public health, safety, and welfare.



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# Driverless Cars: Changing How You Plan

**NPC17 attendee:** \$0.00  
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You'll learn about:

- What market research tells us about the potential size and distribution of driverless cars, and how they will likely be owned, operated, or managed
- What research tells us about how driverless cars will affect traffic circulation, parking behavior and management, residential preference patterns, and the need to plan for support services
- What areas of zoning, subdivision, and development controls will need to be revised to respond to the challenges posed by driverless cars

The technological development of driverless cars has been impressive. What seemed like fiction only a few years ago is now imminent. Research shows not only that the technology is closer to being "safe" than we think but also that the market for autonomous vehicles is large—and their impacts on city life will vary significantly depending on how they are introduced, owned, and managed.

Hear a national researcher describe what we know about the science and market for driverless cars and how fast that market will emerge. Learn from a national parking and transportation consultant, who will describe available research on how driverless cars will influence land-use development patterns, residential preferences, parking space needs, office space needs, parking management, and work patterns. Finally, join a discussion, led by a national zoning practitioner, that explores what areas of zoning, subdivision, and development regulations will need to be revisited and revised to respond to the changes arriving in driverless cars.

▼ [About the Speakers](#)



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## Greater Sustainability with Autonomous Vehicles?

**NPC17 attendee:** \$0.00

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### CERTIFICATION MAINTENANCE

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You'll learn about:

- The state of autonomous vehicle research and development
- The range of challenges and opportunities automated vehicles present, from a variety of stakeholders
- What you can do now to enable autonomous vehicle policies that have the greatest positive impact

Automated vehicles have great potential to remake transportation completely. With self-driving cars, personal car ownership could be significantly reduced, and with it the industry's understanding of trip generation and vehicle miles traveled (VMT). Ridesharing could become mainstream, the total fleet of personal transportation vehicles could be significantly reduced, and so-called "empty" VMT could emerge as a critical metric in the evaluation of congestion and greenhouse-gas emissions. However, it is also possible that in some travel markets shared mobility fails to gain traction, and automated vehicles only induce demand for driving and owning more household vehicles. Possible implications for transit and the built environment also vary significantly between utopian and dystopian scenarios. While the future may seem too uncertain to proactively implement progressive policies, there are concrete actions planners, decision-makers, and other stakeholders can take to embrace technological change while furthering sustainability goals.

Join a panel of public and private sector experts from across the country to discuss the range of opportunities and challenges autonomous vehicles present to sustainability.

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## Green Streets, Complete Streets

**NPC17 attendee:** \$0.00

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You'll learn about:

- New, cutting-edge strategies from three American cities for integrating sustainable stormwater management into street reconstruction projects
- How planners have collaborated across agencies and departments, and with private partners, to identify opportunities and find funding to implement high-performing green stormwater infrastructure
- What leading U.S. cities are doing to measure performance on their streets beyond the basic metrics, targeting improvements in safety, public health, local economic activity, and access to green space

A flooded street is not a complete street, but stormwater management is often overlooked in urban street design. Increasingly, city transportation departments are partnering with water departments to fully leverage the opportunities for sustainable stormwater management in the right-of-way. Though constrained urban streets have a number of competing demands, green stormwater infrastructure can be integrated into street designs that achieve other city goals, such as traffic calming, increasing public space, improving pedestrian and bicyclist safety, and enhancing transit. Through inter-departmental collaboration, cities are unlocking new funding and achieving shared goals for more sustainable streetscapes.

Learn more about tools and strategies from the newest publication from the National Association of City Transportation Officials (NACTO): "Stormwater Street Design Guide," a resource for transportation professionals, land-use planners, stormwater engineers, and complete streets advocates alike. Practitioners from three American cities will also share stories on collaborating across agencies, developing innovative green infrastructure projects for streets, and identifying new strategies for measuring performance.



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# Hot Planning Topics for Planning Commissioners

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You'll learn about:

- Topics that are current or emerging in the planning field
- How communities are addressing these emerging latest issues
- How to keep your understanding of planning and community development up to date

Effective planning requires a strategic look at past and present trends in a way that helps offer reasonable predictions of future growth patterns. In our fast-paced, ever-changing world, this task can be daunting.

What are the hot topics and current trends in the profession that influence your work as a planning commissioner? This session will look to address a series of topics, including housing and affordability, climate change, hazards, new methods of public facilitation and participation, recent legal developments, new approaches to zoning, and economic development. Planning commissioners and planners will present and facilitate this session.

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## Leading with Staff Reports

**NPC17 attendee:** \$0.00

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### CERTIFICATION MAINTENANCE

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You'll learn about:

- Conventional wisdom on what makes a good staff report in contrast to the reality of what actual staff reports contain
- Results of two national studies of staff reports that examined performance and effectiveness
- Highlights of APA's "Planning Office of the Future" task force report
- How staff reports can help planners think big and lead effectively

Each year planners write thousands of staff reports explaining their evaluations of development applications to planning commissions and governing bodies. Yet to date there have been only three publications on how to write quality staff reports and no systematic nationwide studies on the topic. This important tool for planners deserves more attention.

This session provides an overview of the existing literature on how to write staff reports, reviews the legal basis for staff reports, and shares excerpts of top-notch staff reports. It also provides tenets—based on APA's "Planning Office of the Future" task force report—for the next generation of staff reports: experimentation, entrepreneurship, story-telling, and the use of video and technology.



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# Lessons from Painful Public Meetings

**NPC17 attendee:** \$0.00

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You'll learn about:

- Realities of the public participation process and how to expect the unexpected
- How to deal with and diffuse contentious and difficult situations
- Roles and responsibilities of the various parties in the public participation process

Accusers. Apathetics. Arguers. Attackers. Agitators. We have all been there before—experiencing or witnessing the planning meeting from “heck.” Some will make you laugh; others will make you cry. Painful as it might be at the time, we learn valuable lessons that can help us moving forward. Public meetings are the essence of democracy and an integral element in the planning process. Unfortunately, they do not always go as planned. Avoiding the meetings is not a viable alternative.

In this interactive session, you will hear war stories (and success stories!) from experienced planners that illustrate the types of issues that arise during the public hearings and forums, including how to address angry crowds and project opponents, how to respond to Agenda 21 protests, how to proceed when meeting participants decide your planned agenda is not what they want to talk about, and what happens when your client “throws you under the bus” for political reasons.




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## Planning Commissioner Training Bundle



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Take your Commissioners to the next level with this three-part training series. Listen in as four seasoned planners share insights from new research as well as sage wisdom gained from countless hours of running public meetings. These programs serve as a great addition to your planning commissioner training arsenal. There is also a lot of great insights for your new and seasoned staff planners.

#### You Will Get:

- *Preparing for Planning Commission Meetings: Staff Reports (30 minutes)*
- *Managing the Planning Commission Meeting (30 minutes)*
- *Legal Decision Making for Planning Commissioners (30 minutes)*

Group Viewing: Training products for planning commissioners and the public may be used for group viewing at no additional cost.

▼ [About the Speakers](#)

# Training and Services

Land use is complex—but LMCIT is here to help! A range of services are available to assist members with the unique concerns around land use:

## Phone Consultation

Staff is available to answer questions from elected officials, city managers, attorneys, and zoning administrators. Whether you are in the first stages of land use planning, or think a problem might develop down the road, please call staff for assistance.

## Written Assistance

Written materials are available on topics including zoning, sign ordinances, regulating adult uses, land use claims, findings of fact, public hearings, the 60-day rule, development fees, and more. If you find that these materials either don't answer all your questions—or perhaps create new ones—please contact us.

—Access these land use resources (*Link to: <http://www.lmc.org/page/1/LandUseMaterials.jsp>*)

## Online Training

### **Course LU501—Land Use Basics: Grasping the Ground Rules**

Cities must consider many perspectives and priorities when making land use decisions, and costly conflicts can occur when cities don't follow the ground rules. In this course, you will reflect on land use challenges that your city has faced and the consequences that can result when a city oversteps its authority. You'll consider typical land use situations where you'll be asked to identify what role the city is playing and determine what information can be considered when making land use decisions. Recognizing your city's role and how much authority it has can help your city avoid expensive lawsuits, minimize controversy, and make land use decisions less confusing.

—Register for this course (*Link to: <http://www.lmc.org/page/1/landuse.jsp>*)

### **Course LU502—Creating the Ground Rules: Developing Land Use Plans and Laws**

Cities have broad powers to set a community vision and create land use regulations to achieve it. However, cities have different needs and approach planning and land use regulation in different ways. The approach any city takes toward land use planning and regulation is ultimately a policy choice for each city to make. In this course, you will learn about a five-step model to guide your city's approach to land use planning and how to engage the public throughout the community planning process. You'll also complete activities that will help you develop goals, strategies, and regulations to effectively carry out your community's vision for the future. Proactive planning and regularly updating laws can minimize controversy and help cities make legally defensible land use decisions.

—Register for this course (*Link to: <http://www.lmc.org/page/1/landuse.jsp>*)

—Find out about more LMCIT land use services (*Link to: <http://www.lmc.org/page/1/land-use-lc.jsp>*)

## Your LMC Resource

Our land use attorney is at the ready to answer your questions and provide the customized training your city needs.

### **Contact Jed Burkett**

Loss Control/Land Use Attorney

(651) 281-1247 or (800) 925-1122

[jburkett@lmc.org](mailto:jburkett@lmc.org) (*Link to: <mailto:jburkett@lmc.org>*)

## Spotlight on Zoning

The League's Zoning Guide for Cities explores the framework of municipal zoning, provides guidance on zoning ordinance drafting, adoption, administration and enforcement. The Guide also introduces other land use controls available to cities that may complement or be used separately from zoning controls.

Read Zoning Guide for Cities (*Link to: [http://www.lmc.org/media/document/1/zoning\\_guide.pdf?inline=true](http://www.lmc.org/media/document/1/zoning_guide.pdf?inline=true)*)

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