



Saint Paul Planning Commission
City Hall Conference Center Room 40
15 Kellogg Boulevard West

Agenda

Christopher B. Coleman,
Mayor

February 8, 2013
8:30 – 11:00 a.m.

Saint Paul
Planning Commission

Chair
Barbara A. Wencil
First Vice Chair
Elizabeth Reveal
Second Vice Chair
Paula Merrigan
Secretary
Daniel Ward II

Pat Connolly
Daniel Edgerton
Gene Gelgelu
William Lindeke
Gaius Nelson
Rebecca Noecker
Christopher Ochs
Trevor Oliver
Julie Perrus
Marilyn Porter
Tony Schertler
Emily Shively
Robert Spaulding
Terri Thao
Jun-Li Wang
David Wickiser

Planning Director
Donna Drummond

I. Approval of minutes of January 25, 2012.

II. Chair's Announcements

III. Planning Director's Announcements

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. *(Tom Beach, 651/266-9086)*

NEW BUSINESS

#13-142-919 Keith Jacobson & Patricia Jacobson – Rezoning from B2 Community Business to BC Community Business (Converted). 1836 – 1838 Grand Avenue between Fairview and Howell. *(Scott Tempel, 651/2666-6621)*

#13-143-806 Dairy Queen (Craig Thaumert/Maureen Herring) – Rezoning from B2 Community Business to T2 Traditional Neighborhood. 1537 White Bear Avenue North between Hoyt and Montana. *(Bill Dermody, 651/266-6617)*

#13-143-820 Allen Plaisted (Dairy Queen) – Conditional use permit for fast food restaurant with drive-through service, with modification of entrance/exit distance from residentially zoned property, and access from street Primarily serving residential property, and T2 design standards for amount of windows. 1537 White Bear Avenue North between Hoyt and Montana. *(Bill Dermody, 651/266-6617)*

#13-143-407 Capitol Lien/Anthony Magnotta – Determination of similar use for vertical wind turbine with hybrid street light (wind and solar powered) in the B3 general business district. 1000 and 1010 Dale Street North, NE corner of Hatch. *(Kate Reilly, 651/266-6618)*

#13-144-366 Capitol Lien/Anthony Magnotta – Extension of existing determination of similar use/conditional use permit at 1010 Dale Street North. *(Kate Reilly, 651/266-6618)*

#13-143-460 Saint Paul Department of Parks & Recreation – Conditional use permit for placement of fill and grading in the flood plain and variance for wetland impact in the River Corridor (Lilydale Regional Park improvements). 720 Water Street West area between Smith Avenue bridge and Union Pacific Railroad bridge. *(Josh Williams, 651/266-6659)*

- V. **Central Corridor 2012 Development Update** – Informational presentation by Donna Drummond, PED. (*Donna Drummond, 651/266-6556*)
- VI. **Comprehensive Planning Committee**
- VII. **Neighborhood Planning Committee**
- VIII. **Transportation Committee**
- IX. **Communications Committee**
2012 Planning Commission Annual Report
- X. **Task Force/Liaison Reports**
- XI. **Old Business**
- XII. **New Business**
- XIII. **Adjournment**

Information on agenda items being considered by the Planning Commission and its committees can be found at www.stpaul.gov/ped, click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &
Heritage Preservation Commission**
MASTER MEETING CALENDAR

WEEK OF FEBRUARY 4-8, 2013

Mon (4) _____

Tues (5) _____

3:30-5:00 p.m. **Comprehensive Planning Committee**
(Merritt Clapp-Smith, 651/266-6547)

HAS BEEN CANCELLED
25 Fourth Street West

Weds (6) _____

Thurs (7) _____

Fri (8) _____

8:30-11:00 a.m. **Planning Commission Meeting**
(Donna Drummond, 651/266-6556)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

NEW BUSINESS

#13-142-919 Keith Jacobson & Patricia Jacobson – Rezoning from B2 Community Business to BC Community Business (Converted). 1836 – 1838 Grand Avenue between Fairview and Howell. (Scott Tempel, 651/2666-6621)

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Informational Presentation.... Central Corridor 2012 Development Update – Informational presentation by Donna Drummond, PED. (Donna Drummond, 651/266-6556)

Communications Committee... 2012 Planning Commission Annual Report

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes January 25, 2013

A meeting of the Planning Commission of the City of Saint Paul was held Friday, January 25, 2013, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Merrigan, Noecker, Perrus, Porter, Reveal, Shively, Thao, Wang; and Messrs. Connolly, Edgerton, Gelgelu, Nelson, Ochs, Oliver, Schertler, and Spaulding.

Commissioners Absent: Ms. *Wencl, and Messrs. *Lindeke, *Ward, and *Wickiser.
*Excused

Also Present: Donna Drummond, Planning Director; Patricia James, Allan Torstenson, Merritt Clapp-Smith, Bill Dermody, Scott Tempel, Hilary Holmes and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes January 11, 2013.

MOTION: *Commissioner Noecker moved approval of the minutes of January 11, 2013. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Commissioner Reveal, the Commission's First Vice Chair, chaired the meeting.

Report of the Nominating Committee and Election of Officers.

Commissioner Spaulding reported on behalf of the Nominating Committee. The committee offered the following slate of officers: Barbara A. Wencl for Chair, Elizabeth Reveal for First Vice-Chair, Paula Merrigan for Second Vice Chair, and Daniel Ward, II for Secretary.

First Vice Chair Reveal called for nominations from the floor. There were none.

MOTION: *Commissioner Spaulding moved to approve the slate of candidates. The motion carried unanimously on a voice vote.*

III. Planning Director's Announcements

Donna Drummond, Planning Director, announced that the City Council approved a resolution to request that Ramsey County Regional Rail Authority study the Riverview Corridor for transit options. This is very significant because Riverview was considered for major transit improvements some years ago and there was community disagreement about what should happen

there. The City turned back \$40 million of funding that would have gone for those transit improvements. The corridor that will be studied will include West 7th, Shepard Road, and a portion of 35E. The Ford Spur, which is being abandoned, is also a part of the study. This could potentially connect to the 46th Street station for Hiawatha LRT. West 7th and Shepard Road connect out to the airport and that is an important connection; it's the missing piece of the triangle of the three major transit improvements with Central Corridor and Hiawatha and Riverview.

Planning Director's report on achievements during 2012 and projects for 2013.

Donna Drummond, Planning Director, referred to the list of 2012 planning accomplishments and the major planning projects for 2013 that was handed out. Ms. Drummond highlighted some of projects that were completed in 2012. She highlighted a number of projects such as the Greater Lowertown and Great River Passage Master Plans, Student Housing Zoning Study, Bar/Restaurant Parking Amendments, Non-conforming Use Text Amendments and the Saint Paul Trends Report. The Trends report is a new effort by staff and includes information on building permits, jobs and various demographics and statistics which will be updated regularly.

Ms. Drummond highlighted projects where there had been major progress on in 2012. There continues to be a lot of time spent on Central Corridor related projects and issues, which is focusing more on implementation. Other projects and activities she highlighted included the Streetcar Study, Complete Streets Plan, Peak Democracy/Open Saint Paul, and the Central Corridor Design Center. The Design Center is an ongoing activity where the Saint Paul Riverfront Corporation's Design Center and staff from Public Works, Parks & Recreation, Planning and Economic Development (PED) and Department of Safety and Inspections (DSI) meet to do early concept review of development projects. This input to the developers and architects provides early feedback on ways to make projects better for both the developer and meet some of the goals and objectives for new development along Central Corridor.

2013 is divided up into topic areas and work will continue on Central Corridor. Transportation planning projects will take up a larger portion of work program this year. A new area of focus will be Permit Parking, and PED's newest addition to staff, Hilary Holmes, will be working on that along with other projects. She also highlighted several neighborhood plans and zoning studies that are underway or will be started in 2013.

Commissioner Connolly asked how staff approaches a project like the permit parking.

Ms. Drummond said staff will look at what other cities have done, including Minneapolis, and look at how Saint Paul's system works currently. It's a grass roots approach now, where people on a block have to sign a petition to have their block face considered for permit parking. It is unclear whether that will be the best approach for Central Corridor.

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

One item to come before the staff Site Plan Review Committee on Tuesday, January 29, 2013:

- St. Albans Park townhouses, site improvements for existing townhouses at 633-701 Selby Avenue and 662-676 Dayton Avenue.

One item to come before the staff Site Plan Review Committee on Tuesday, February 5, 2013:

- Christie Place - Complete a single-family development that was started in 2007 by another developer but never finished. Fifteen lots were platted and only five houses were built at 1589 Christie Place.

NEW BUSINESS

#12-222-925 Hamline Park (Mosaic On A Stick) – Rezoning from R4 One-Family Residential to T2 Traditional Neighborhood. 1564 Lafond Avenue, area bounded by Lafond, Snelling, Thomas, and Asbury. (*Scott Tempel, 651/266-6621*)

MOTION: Commissioner Nelson moved the Zoning Committee’s recommendation to approve the rezoning. The motion carried unanimously on a voice vote.

Commissioner Nelson announced the items on the agenda for the next Zoning Committee meeting on Thursday, January 31, 2013.

V. Comprehensive Planning Committee

Industrial Zoning Study - Approve resolution recommending adoption of zoning amendments pertaining to industrial districts. (*Allan Torstenson, 651/266-6579*)

Allan Torstenson, PED staff went through the highlights of the testimony and the recommendations of the Comprehensive Planning Committee. The Zoning Code amendments pertaining to industrial zoning districts and regulation of industrial uses were drafted to reflect policies in the *Saint Paul Comprehensive Plan*, support the intent and purpose of industrial districts for employment and economic activities, and provide for efficient land use and aesthetic quality. The amendments also bring the code up-to-date, incorporating Planning Commission determinations of similar use in recent years, and addressing current technology and market conditions.

The Planning Commission conducted a public hearing on the draft industrial zoning text amendments last June, and referred the draft amendments to Comprehensive Planning Committee for consideration, review of the public testimony, and recommendation. The public testimony was in four main topic areas which are addressed in the committee report.

One area of public testimony was amendments to the “Principal Uses in Industrial Districts” table. The draft amendments considered at the public hearing included deleting churches, grades K-12 schools, theaters and assembly halls from the list of uses permitted in industrial districts. The committee’s recommendation is to continue to include churches, schools, theaters, assembly halls, and certain limited residential uses in the list of uses in the table as they are currently permitted in the IT (currently IR) and I1 districts; to add a conditional use permit requirement for mixed residential and commercial use, churches, schools, theaters, and similar institutions and places of assembly in the I2 General Industrial District; and to avoid separation requirements for industrial uses from residential uses in industrial districts.

The second topic area of public testimony was about draft amendments to standards for residential uses in industrial districts. The draft amendments considered at the June 1, 2012, public hearing included amendments to § 65.143, *Mixed residential and commercial use*, that would require a conditional use permit for mixed residential and commercial use with more than 6 dwelling units in the I1 Light Industrial and I2 General Industrial Districts, and not allow dwelling units in the basement or first floor of buildings in these districts, to provide greater protection for primary commercial and industrial functions and uses in these districts. District 12, South Saint Anthony Park Creative Enterprise Zone, and others opposed the draft amendments to further narrow and restrict residential uses in industrial districts. The committee's recommendation is to revise the draft amendments to § 65.143, *Mixed residential and commercial use*, to apply the addition of a requirement for a conditional use permit for mixed residential and commercial use with more than 6 dwelling units only to the I2 General Industrial District.

A third topic of public testimony was the draft amendments for elimination the I3 Industrial District and incorporating three I3 uses into the I2 General Industrial District as conditional uses. There was a lot of testimony against this from District Councils 1, 2, 6, 7, and 12 and from Brown & Bigelow. The committee recommendation is to retain the I3 district and continue to permit the uses currently permitted only in the I3 district as they are currently permitted only in the I3 district, and not to incorporate them into the I2 General Industrial District.

The fourth primary topic area of the public testimony was about dimensional, density and design standards. The committee recommends removing the floor area ratio limits for industrial uses, removing the 3 story height limit for the IT Transitional Industrial District, and changing the IT Transitional Industrial District height limit from 3 stories/30 feet to 35 feet. They also recommend revising the I1 light industrial design standards to subject development in the I1 district only to draft design standards; (4) door and window openings, (6) landscaping and street trees, and (7) sidewalks, not to design (2) building facade articulation and (3) materials and detailing, and deleting new §66.544, *I2 general industrial district design standards*.

The recommendation for action is that the Planning Commission forward the committee report and the attached draft zoning code amendments pertaining to industrial districts to the Mayor and City Council with a recommendation for adoption.

Commissioner Nelson said that the design standard for materials and detailing lists synthetic stucco products as generally not acceptable. There have been concerns about some of these products in the past, particularly when improperly used and installed. However, when current products are properly used they can work well, with different material near the ground for long-term durability.

Commissioner Merrigan agreed, saying the bad reputation that the material got that may no longer be warranted, and use of is not so much of a problem in the industry any more.

Commissioner Nelson said synthetic stucco products provide for cost-effectively adding articulation and color to a building.

MOTION TO AMEND: *Commissioner Nelson moved to amend the committee recommendation by striking out the term "synthetic stucco products." Commissioner Oliver seconded the motion.*

Commissioner Ochs asked about adding language for building inspectors to determine whether the material is quality or not.

Commissioner Merrigan said she thinks interpretation by individual building inspectors would be too unpredictable.

The motion to amend carried unanimously on a voice vote.

MOTION: *Commissioner Merrigan moved on behalf of the Comprehensive Planning Committee to recommend approval of the resolution as amended and forward the zoning amendments to the Mayor and City Council for adoption. The motion carried unanimously on a voice vote.*

VI. Neighborhood Planning Committee

District 12 Plan Amendment for the Creative Enterprise Zone – Recommendation to release for public review and set public hearing for March 8, 2013. (*Merritt Clapp-Smith, 651-266-6547*)

Merritt Clapp-Smith, PED staff gave a presentation about a proposed update to the District 12 St. Anthony Park Community Plan. This plan was adopted as a summary to the Comprehensive Plan in 2008. Ms. Clapp-Smith presented a map showing the outline of what is being called the Creative Enterprise Zone in South St. Anthony Park. The Creative Enterprise Zone is an attempt to identify and brand something that's been going on in South St. Anthony Park for years. The main tag that they are using to describe themselves is to be a recognized center of creativity and enterprise, a place where more people make a living by their creative capacities. The Creative Enterprise Zone does not exist elsewhere in the city or other cities; it is a name they have given to identify a hub of industry and creative commerce that has evolved in South St. Anthony Park.

The Creative Enterprise Zone effort kicked off in 2010 and 2011, but related efforts go back to 1992 when the area was recommended as a cultural district, followed by the formation of cultural association, and subsequent efforts to retain space for artists and arts groups. City staff from the Mayor's office, Councilmember Stark's office and PED participated in the 2010-2011 Creative Enterprise Zone steering committee, which formally launched the initiative, but it has always been a community driven process guided by the St. Anthony Park Community Council. The Creative Enterprise Zone initiative is now well underway, with various activities to grow it and to connect businesses and entrepreneurs in South St. Anthony Park with one another.

The District 12 Planning Council wants to formally identify to the "Creative Enterprise Zone" in the district plan because it has become one of their leading priorities. The proposed District 12 Plan amendment identifies the Creative Enterprise Zone as an initiative of the District 12 Planning Council, marks its general boundaries are, and states that the district will work with the City of Saint Paul and other partners to stabilize and advance conditions in which creative enterprises – light industry, artisans and artists – can thrive in the zone. There are three strategies listed: (1) consideration of a special designation for the zone, such as a development district, to help advance job retention and creation for workers in light industry, artisans and artists; (2) project support through site preparation, zoning, cleanup, design standards, financial incentives, tax credits and/or financing, as available and appropriate; and (3) consideration of infrastructure improvements that encourage a livable, mixed-use transit oriented neighborhood recognized and sustained as a center of creativity and enterprise such as pedestrian friendly corridors, pocket

parks, greenways and facade improvements. The proposed amendment to the District 12 Plan is consistent with the Comprehensive Plan and other small area plans.

Commissioner Merrigan asked how a “zone” works verses an overlay district and how it dovetails with the approximately 30% industrial property in the area and new zoning amendments under consideration in the industrial zoning study. For example: some of the conditions about pocket parks, greenways and façade improvements may conflict with design standards of industrial zoning. How does that functionally work if we adopt the Creative Enterprise Zone amendment, designating it as a special district or zone?

Ms. Clapp-Smith said that the Creative Enterprise Zone is not intended to imply zoning or related standards; the word zone means an area. The ideas and objectives of the Creative Enterprise Zone are consistent with zoning that exist in the area currently. There isn't a plan to seek broad property rezoning or design standards. The effort is focused on nurturing connections between businesses and industry and offering support that helps them stay and grow.

First Vice Chair Reveal added that the proposed amendments in the industrial zoning study, which the Planning Commission just voted to recommend to the City Council, are more consistent with the Creative Enterprise Zone goals than existing industrial zoning. It may happen that IT will be more appropriate to certain parts of this area than I1 and I2 and the Planning Commission can consider some tweaking there, but any actual project will be subject to zoning review and decisions. The proposed District 12 Plan amendment is an organizing concept for the area, not a zoning proposal.

Commissioner Schertler asked if there would be any reason they couldn't expand the Creative Enterprise Zone to other areas of the city or the entire city. If it isn't a zoning designation, then what would be the harm of applying it more broadly, since many areas might want to be considered creative zones?

Ms. Clapp-Smith noted that this question came up in the Neighborhood Planning Committee. However, one of the goals of the Creative Enterprise Zone is to publicly identify it as a unique area of the Metro that fills a niche and is visible as such. The Creative Enterprise Zone effort and related activities are already underway. Giving the effort a name and actively working to advance its goals creates a lot of energy. It's similar to having a business group on Grand Avenue or in Highland Park or the Phalen Village initiative. There are lots of areas around the city that have names or names for their projects. It does not mean that we have to apply those to the whole city. The strength of the city comes from finding its niches and identifying them so that each neighborhood has something that can attract people on terms appropriate to the place.

Commissioner Edgerton asked if the vision was for a place where artist and artisans would live and work or sell their things? Those are two very different things -- the artist working versus artist selling -- and creates different needs for the neighborhood.

Ms. Clapp-Smith replied that both of these do and would occur in this area.

Commissioner Spaulding commented that this area of the Central Corridor has the potential to direct in more subtle ways that aren't changing zoning or influence the course of action. He appreciates that this is coming forward in this way and the effort that's been made.

Commissioner Connolly asked what the second bulleted strategy* in the proposed amendment text promises or commits us to?

* “Project support through site preparation, zoning, cleanup, design standards, financial incentives, tax credits and/or financing, as available and appropriate.”

Ms. Clapp-Smith explained that because the phrase ends with “as available and appropriate”, it doesn’t promise or commit the city to anything from a legal standpoint.

Commissioner Connolly doesn’t want the language to represent a hollow promise, but it is okay as long as the people who are involved in the work that lead to this and drafting the language, understand that it doesn’t promise anything.

Commissioner Noecker asked if these types of smaller plans, when approved, are reflected on changes to the Comprehensive Plan map.

Ms. Clapp-Smith said this plan amendment would not be recognized on a Comprehensive Plan map.

Donna Drummond, Planning Director, added that on the city’s Neighborhood Plans web page there is a map that shows the whole city and the boundaries of all small area plans and district plans, but not sub-areas within plans. However, if you click on the map, it opens the respective plan for the area and you can view maps within that plan. Therefore, there should probably be a map of the Creative Enterprise Zone added to the district plan as part of the amendment, to identify it further and make it easier to find.

Ms. Clapp-Smith said that an illustrative map showing the Creative Enterprise Zone area could be added to the District Plan amendment, without it being a formal designation.

Commissioner Noecker thought that it would be nice to be able to see special areas like this in the city represented somewhere on a map.

Commissioner Schertler thinks that is a good idea, because when you identify a special area or initiative, certain expectations may go with it or access to certain resources may follow. When you define a distinct area, it’s easy to amend other things that can occur in there. We are always asked does this particular investment conform with the Comprehensive Plan and land use, so our participation is limited and it would be nice to know what it is.

Commissioner Oliver said the map of district and small area plans is not part of the official mapping where we are bound by a legal requirement, so PED staff can add maps on their own to the extent that they think it is a good idea. It’s an automatic; we don’t have to worry about implementing it in the resolutions.

Commissioner Edgerton suggested doing some research into potential funding for the Creative Enterprise Zone work in South St. Anthony Park. It may not impact how the plan amendment is written, but it should be in the back of our minds.

First Vice Chair Reveal said that they will probably hear about such opportunities in the public hearing and expects that the people who initiated this have been thinking about it for a decade.

Commissioner Wang said that it just happens that this group through much work and community involvement chose the name 'Creative Enterprise Zone', but the city does not have a designated meaning for an enterprise zone. The project could have been named 'Little Bohemia' and we could have Little Bohemia come to the Planning Commission and we decide we'd like to adopt it into the plan -- that's kind of an equivalent. There is no defined 'enterprise zone' designation in the city; it just happens that this is the name that makes sense for this community effort.

Commissioner Porter added that in Minneapolis there are 'empowerment zones', which is different because it is officially defined and has designated funding. She agrees that it is important to provide a clear distinction.

MOTION: Commissioner Oliver moved on behalf of the Neighborhood Planning Committee to release the draft for public review and set a public hearing on March 8, 2013. The motion carried unanimously on a voice vote.

Commissioner Oliver announced the items on the agenda for the next Neighborhood Planning Committee meeting on Wednesday, January 30, 2013.

VII. Transportation Committee

Commissioner Spaulding reported that at their last meeting they discussed three items. Public Works provided their list of submissions to the CIB process and the Planning Commission will review and make comments as to conformance with the Comprehensive Plan.

Next they talked about the Hamline Avenue bridge reconstruction. This is the Hamline Avenue bridge between Summit and Selby Avenue, it is a bridge that no longer is in suitable condition and is being replaced through a variety of funds.

Finally the committee talked about and reviewed the presentation that was given two weeks before from the Department of Transportation which is planning for potential multi modal improvements along Snelling Avenue between Selby and Midway Parkway. The committee faced a deadline that did not allow them to formally make comments through the Planning Commission so they submitted comments that were from individual committee members at the committee meeting and presented as such to MnDot as comments.

Commissioner Spaulding announced the items on the agenda for the next Transportation Committee meeting on Monday, January 28, 2013.

VIII. Communications Committee

Commissioner Thao announced that the Communications Committee will meet today immediately after Planning Commission.

IX. Task Force/Liaison Reports

None.

X. Old Business

None.

XI. New Business

None.

XII. Adjournment

Meeting adjourned at 9:41 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Daniel Ward II
Secretary of the Planning Commission



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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Saint Paul, Minnesota 55101-1806

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Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE

Tuesday, February 12, 2012

3rd Floor West Conference Room*

375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:00	1000 University Avenue Building 1000 University Avenue Addition to existing building and improvements to parking lot
9:30	Roosevelt Homes 1580 Ames Avenue New 6-plex

Applicants should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff. The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

*Applicants and staff should come to the front counter on the 2nd floor (Suite 220) and we will take you up to the 3rd floor.

Parking

A few free parking spaces are available in our visitor parking lot off of 6th Street at Jackson. Parking is also available at on-street meters. The closest parking ramp is on Jackson one block south of our office between 4th and 5th Street.

If you have any questions, please call Tom Beach at 651-266-9086 or tom.beach@ci.stpaul.mn.us.

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, January 31, 2013 3:30 P.M.
City Council Chambers, Room #300
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF JANUARY 17, 2013, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 13-142-919 Keith Jacobson & Patricia Jacobson**
Rezoning from B2 Community Business to BC Community Business (Converted)
1836 - 1838 Grand Ave, between Fairview and Howell
B2
Scott Tempel 651-266-6621

- 2 13-143-806 Dairy Queen (Craig Thaemert / Maureen Herring)**
Rezoning from B2 Community Business to T2 Traditional Neighborhood
1537 White Bear Ave N, between Hoyt & Montana
B2
Bill Dermody 651-266-6617

- 3 13-143-820 Allen Plaisted (Dairy Queen)**
Conditional use permit for restaurant with drive-through service, with modifications for entrance/exit location, access from street used primarily for abutting residences, and T2 design standards
1537 White Bear Ave N, between Hoyt and Montana
B2
Bill Dermody 651-266-6617

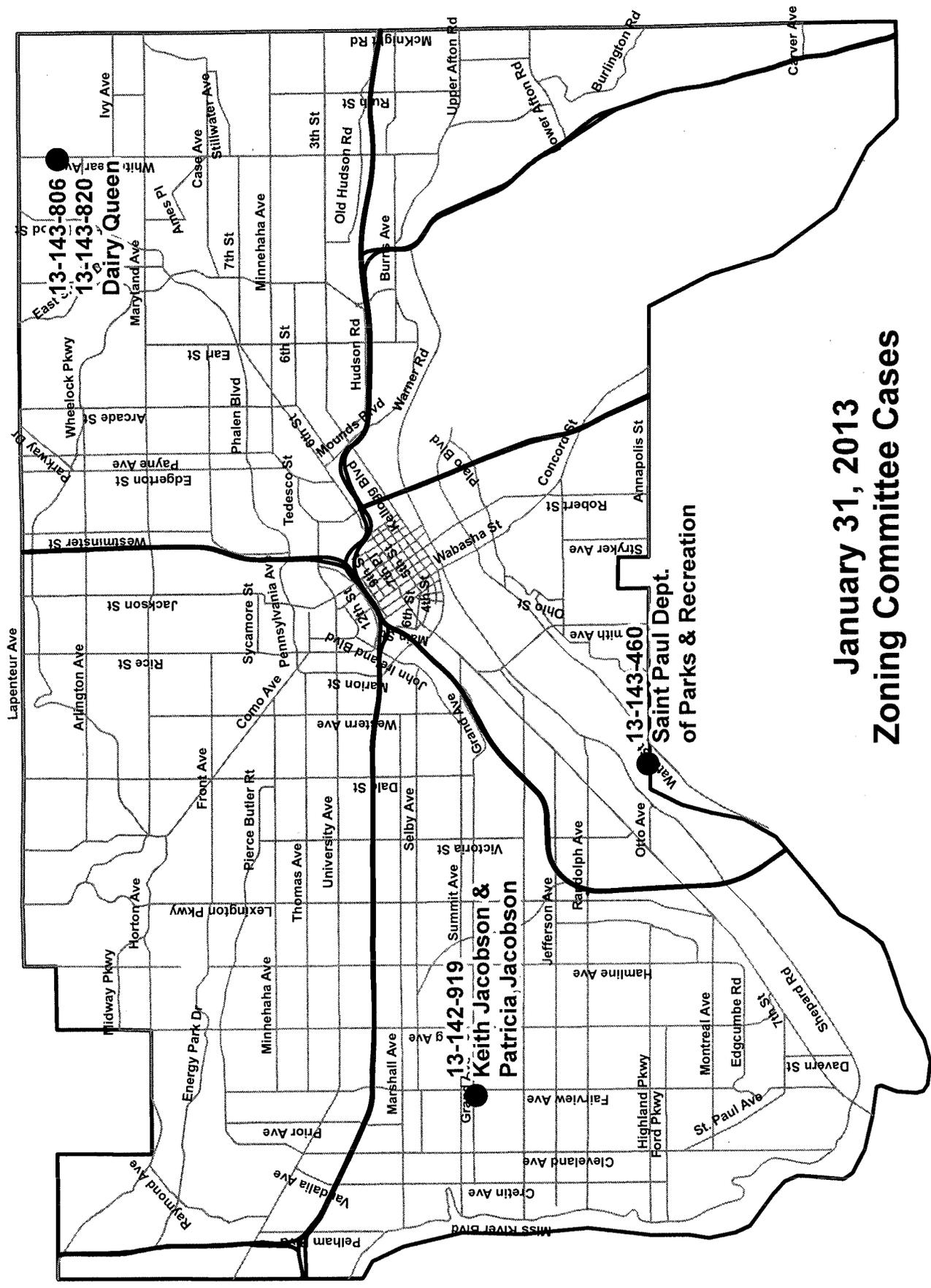
- 4 13-143-460 Saint Paul Dept. of Parks & Recreation**
Conditional use permit for placement of fill and grading in the flood plain and variance for wetland impact in the River Corridor (Lilydale Regional Park improvements)
720 Water St W, area between Smith Avenue bridge and Union Pacific railroad bridge
R4
Josh Williams 651-266-6659

ADJOURNMENT

Information on agenda items being considered by the Zoning Committee can be found online at www.stpaul.gov/ped, then Planning, then Zoning Committee.

ZONING COMMITTEE MEMBERS: Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



13-143-806
13-143-820
Dairy Queen

13-142-919
Keith Jacobson & Patricia Jacobson

13-143-460
Saint Paul Dept. of Parks & Recreation

January 31, 2013
Zoning Committee Cases

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Keith Jacobson & Patricia Jacobson **FILE #:** 13-142-919
 2. **APPLICANT:** Keith W Jacobson/Patricia A Jacobson **HEARING DATE:** January 31, 2013
 3. **TYPE OF APPLICATION:** Rezoning-Council
 4. **LOCATION:** 1836 - 1838 Grand Ave, between Fairview and Howell
 5. **PIN & LEGAL DESCRIPTION:** 042823310070; Lot 5 Kennas Subdivision of Lot 53, Block 4, Rosedale Park Addition
 6. **PLANNING DISTRICT:** 14 **EXISTING ZONING:** B2
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** January 22, 2013 **BY:** Scott Tempel
 9. **DATE RECEIVED:** January 9, 2013 **60-DAY DEADLINE FOR ACTION:** March 10, 2013
-
-

- A. **PURPOSE:** Rezoning from B2 Community Business to BC Community Business (Converted).
- B. **PARCEL SIZE:** 40 ft. x 150 ft. = 6000 sq. ft.
- C. **EXISTING LAND USE:** Two story residential structure
- D. **SURROUNDING LAND USE:**
 - North: Retail and other Commercial (B2)
 - East: Duplex, Commercial and Mixed Use Residential (B2)
 - South: Single Family Detached (R3)
 - West: Multi- and Single-Family Residential (BC)
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** This structure was constructed as a duplex in 1911. It was zoned B2 in 1975 during the citywide rezoning. The building was used as a duplex until 1986 when Jolanda's restaurant opened on the first floor. The current owners operated mercantile sales on the first floor from 1997 to 2009 when they started to rent both units to students. However it was not discovered that the zoning did not support the use as a duplex until 2012 when the applicants attempted to register for student housing.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The applicant went before the District 14 Housing and Land Use committee on January 23, 2012, and received a recommendation for approval but the District Council had not formally commented on the case at the time of the staff report.
- H. **FINDINGS:**
 1. This application is to rezone the property at 1836 -1838 Grand Avenue from B2 community business to BC community business (converted) to permit the use of the building as a residential duplex.
 2. The proposed zoning is consistent with the way this area has developed. According to §66.413 "The BC community business (converted) district is a business district expressly for existing residential structures in commercial areas, which will permit the operation of businesses which do not generate large amounts of traffic and at the same time will retain the visual character of the building forms and open space associated with residential uses." There are similar structures both to the east and west of this building.
 3. The proposed zoning is consistent with the 2030 St. Paul Comprehensive Plan, Land Use Policy 1.1 *Guide the development of housing in Established Neighborhoods, Commercial areas within Established Neighborhoods, and in Residential Corridors.* This

policy is intended to provide for the development of housing in these areas consistent with the area's prevailing character and overall density. Grand Avenue is designated a Residential Corridor along this section of the Avenue. Residential Corridors are defined as corridors that run through Established Neighborhoods and that are predominately characterized by medium-density residential uses.

4. The proposed zoning is compatible with the surrounding uses, which are a mix of retail, commercial, and multi- and single-family residential.
5. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term "applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property." Approval of this proposal would not result in spot zoning as the area to the west of this property is currently zoned BC. This proposal would extend the existing BC zoning to the east along the Residential Corridor.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Rezoning from B2 Community Business to BC Community Business (Converted).



PETITION TO AMEND THE ZONING CODE
 Department of Planning and Economic Development
 Zoning Section
 1400 City Hall Annex
 25 West Fourth Street
 Saint Paul, MN 55102-1634
 (651) 266-6589

Zoning Office Use Only
 File #: 13-142919
 Fee: 1200⁰⁰
 Tentative Hearing Date:
1-31-13

PD=14

047825310070

APPLICANT

Property Owner Keith W. and Patricia A. Jacobson
 Address 4557 Nokomis Ave.
 City Mpls St. MN Zip 55406 Daytime Phone 612-298-9616
 Name of Owner (if different) _____
 Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address/Location 1234/38 Grand Ave. St. Paul, MN 55105
 Legal Description _____
 Current Zoning BZ
 (attach additional sheet if necessary)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

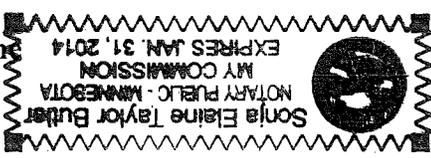
Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes,
Keith W. and Patricia A. Jacobson, owner of land proposed for rezoning, hereby petitions you to
 rezone the above described property from a BZ zoning district to a zoning BC
 district, for the purpose of: using duplex as residential

(attach additional sheets if necessary)

Attachments as required: Site Plan Consent Petition Affidavit

CK 3485
 1200⁰⁰ add
 1-9-13

Subscribed and sworn to before me
 this 4th day
 of January, 2013



By: Patricia A. Jacobson
 Fee owner of property
 Title: Owner

[Signature]
 Notary Public



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

December 20, 2012

PAT JACOBSON
1838 GRAND AVE
SAINT PAUL MN 55105

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 1836 GRAND AVE
Ref. # 14081

Dear Property Representative:

An inspection was made of your building on December 20, 2012 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately. A reinspection will be made on or after January 22, 2013.

Failure to comply may result in a criminal citation or revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy.
2. SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. Discontinue:

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8688) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at: mike.urmann@ci.stpaul.mn.us or call me at 651-266-8990 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Michael Urmann
Fire Inspector

Ref. # 14081



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jacksons Street Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-8989

December 20, 2012

RE: 1836 GRAND AVE

PAT JACOBSON
1838 GRAND AVE
SAINT PAUL MN 55105

Notice of Incomplete Student Housing Registration Application

Your application for Registration of Existing Student Housing has been received and is being returned to you because it is **INCOMPLETE, and can not be processed.**

Your application for Registration of Existing Student Housing lacks the following information, or is deficient as noted below. Please provide the listed information and resubmit your complete application, **BEFORE** December 5, 2012.

Applications received after December 5, 2012, will be reviewed as new applications and must meet all requirements of a new Student Housing property.

The listed property did not possess a valid Fire Certificate of Occupancy or valid Provisional Fire Certificate of Occupancy prior to June 27, 2012, and is not eligible for the initial registration period.

Documentation was not provided to validate student residents at the listed property within the 18 months immediately prior to August 8, 2012. (provide lease and student ID, or lease and student university registration receipt, or other acceptable documentation that identifies a student as a current or former resident)

The application form is incomplete as noted on the form.

Application forms, definitions, frequently asked questions, and other information to assist in completing your application for registration of an existing Student Housing property is available on our website at stpaul.gov/dsi or, you may contact me at the below listed address.

Michael G. Urmann
Fire Inspector II
Department of Safety & Inspections
375 Jackson Street – Suite 220
Saint Paul, MN 55101-1806
tel: 651-266-8990
fax: 651-266-8951

Google

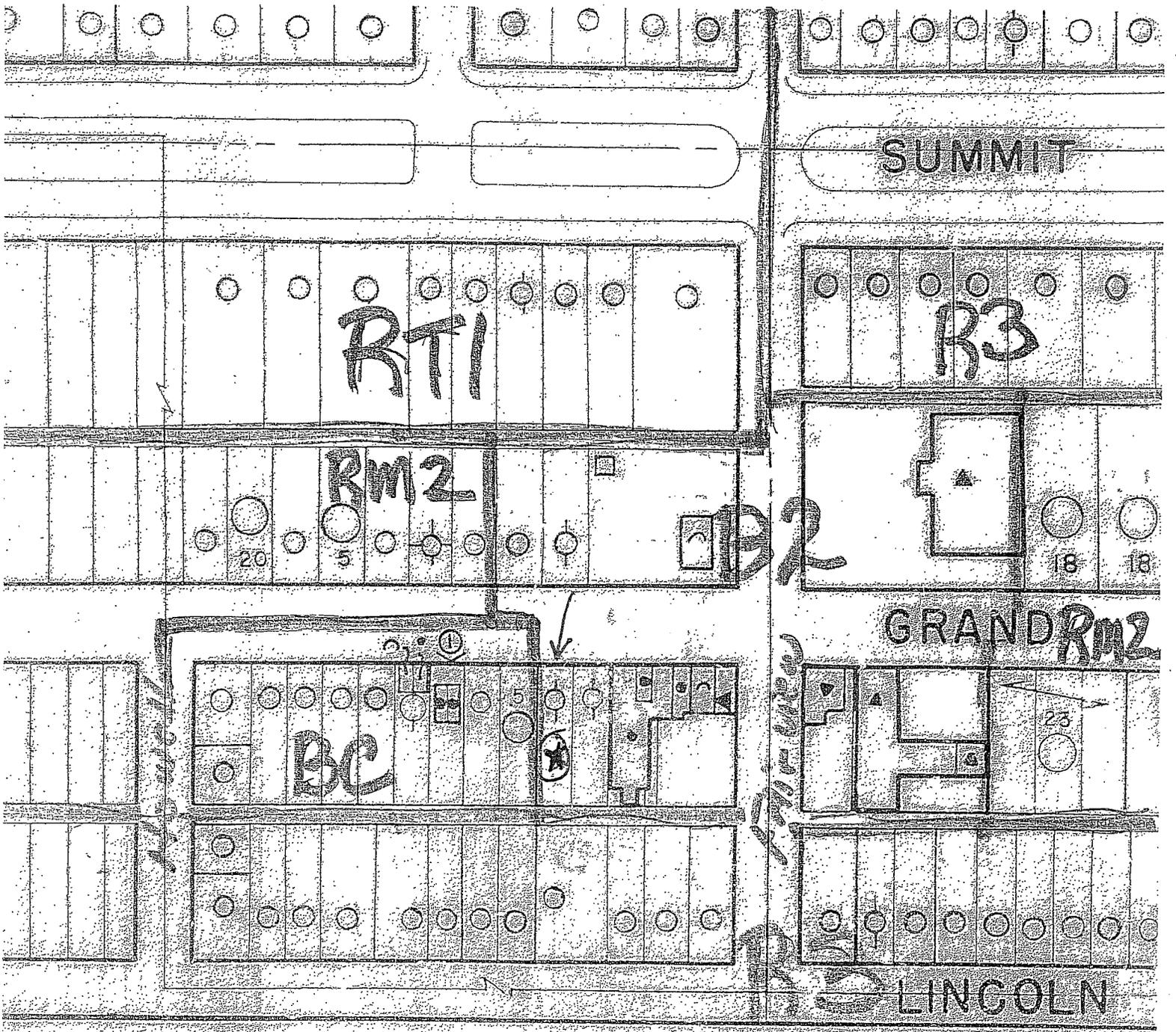
Address **Grand Avenue**

Address is approximate

1836 - 1838 Grand Avenue







APPLICANT Keith + Patricia Jacobson
 PURPOSE REZ B2 → BC
 FILE # 13-142919 DATE 1-11-13
 PLNG. DIST 14 Land Use Map # 18
 SCALE 1" = 400' Zoning Map # 13

LEGEND

- zoning district boundary
- subject property
- one family
- two family
- multiple family
- commercial
- industrial
- vacant



- commercial
- industrial
- vacant

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Dairy Queen **FILE #:** 13-143-806
 2. **APPLICANT:** Craig Thaemert/Maureen Herring **HEARING DATE:** January 31, 2013
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 1537 White Bear Ave N, between Hoyt & Montana
 5. **PIN & LEGAL DESCRIPTION:** 222922140019, 222922140020; J A Humphreys Subdivision A, Lots 28 29 And Lot 30 Blk 1
 6. **PLANNING DISTRICT:** 2 **EXISTING ZONING:** B2
 7. **ZONING CODE REFERENCE:** §66.300; §67.500; §61.801(b)
 8. **STAFF REPORT DATE:** January 24, 2013 **BY:** Bill Dermody
 9. **DATE RECEIVED:** January 9, 2013 **60-DAY DEADLINE FOR ACTION:** March 10, 2013
-

- A. **PURPOSE:** Rezoning from B2 Community Business to T2 Traditional Neighborhood.
- B. **PARCEL SIZE:** 123 ft. (White Bear Ave.) x 118 ft. (Montana Ave.), totaling 14,564 sq. ft.
- C. **EXISTING LAND USE:** C-Restaurant-Fast Food
- D. **SURROUNDING LAND USE:** North and south along White Bear Avenue are a variety of commercial uses (B2), including retail and gas station. To the west is an apartment property (RM2) with a residential building on its western portion and a single-level parking garage for residents on its eastern portion. Beyond the apartments to the west are single-family houses (R3).
- E. **ZONING CODE CITATION:** §66.300 details the intent and regulations for the T2 district; §67.500 details the provisions of the Hillcrest Village Overlay District; §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The site was developed for the restaurant use prior to 1953. It has been zoned B2 since 1975. In 2010, the Hillcrest Village Overlay District was created and it includes the subject property. An application for a conditional use permit (File #13-143-820) accompanies this request.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 2 has provided a letter of support for the rezoning, which is among the attachments.
- H. **FINDINGS:**
 1. The application requests rezoning from B2 to T2 in order to allow for consideration of a drive-through addition to the existing restaurant. The restaurant meets the definition of a fast-food restaurant in §65.616 and is a legal nonconforming use in the B2 district. The drive-through is prohibited in B2. Both the fast-food restaurant and the drive-through can be considered through a conditional use permit in T2.
 2. The proposed zoning is consistent with the way this area has developed. The T2 district allows most, but not all of the commercial uses prevalent along White Bear Avenue. The T2 district also allows residential uses that would not be inconsistent with the surrounding area, which is predominantly residential to the west.
 3. The property is located within the Hillcrest Village Overlay District (HVOD). The HVOD prohibits certain uses including auto service stations, auto repair facilities, pawn shops, and currency exchange businesses. The HVOD is unaffected by the proposed rezoning.
 4. The proposed zoning is consistent with the Comprehensive Plan, which designates the property as being part of a Mixed Use Corridor, as shown in the Generalized 2030 Future Land Use Map (Figure LU-B). The property is also on the edge of a Neighborhood Center, as designated by the Comprehensive Plan. Both the Mixed Use

Corridor and Neighborhood Center designations call for a mix of uses, such as those allowed in T2. The District 2 Plan has no provisions specific to this site.

5. The proposed zoning is compatible with the surrounding uses, including commercial uses to the north and south along White Bear Avenue and residential uses to the west.
6. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term "*applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property.*" The proposed zoning is not "spot zoning" because it allows uses consistent with the adjacent B2 uses along White Bear Avenue and provides a potential transition between the commercial uses and residential uses to the west.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from B2 Community Business to T2 Traditional Neighborhood.



DISTRICT 2 COMMUNITY COUNCIL

1365 Prosperity Ave
Saint Paul, MN 55106-2108
Phone: (651) 774-2220
Fax: (651) 774-2135

January 17, 2013

Paul Dubriel
City of St. Paul
375 Jackson St Suite220
St Paul, MN 55101

On behalf of the board of directors, this letter is to notify you that at the January land use committee meeting of the District 2 Community Council on Wednesday, January 16, a unanimous motion was passed to support the proposed zoning application for an addition of the drive thru and extension of the building with the condition of addition of stop signs and change in the proposed fencing on the property both of which were agreeable to the applicant.

Please let me know if you have any questions or concerns.

Sincerely,



Lisa Theis
Community Organizer

148

RM2 1 OS

Lowry

VP

B2

PEAC
GARY

R2

RM2

Nebraska

Nebraska

R2

APPLICANT Craig Thamer / Maureen Herring

PURPOSE Rez B2 -> T2

FILE # 13-143806 DATE 1-15-13

PLNG. DIST 2 Land Use Map # 7

SCALE 1" = 400' Zoning Map # 6

LEGEND

zoning district boundary

subject property

one family

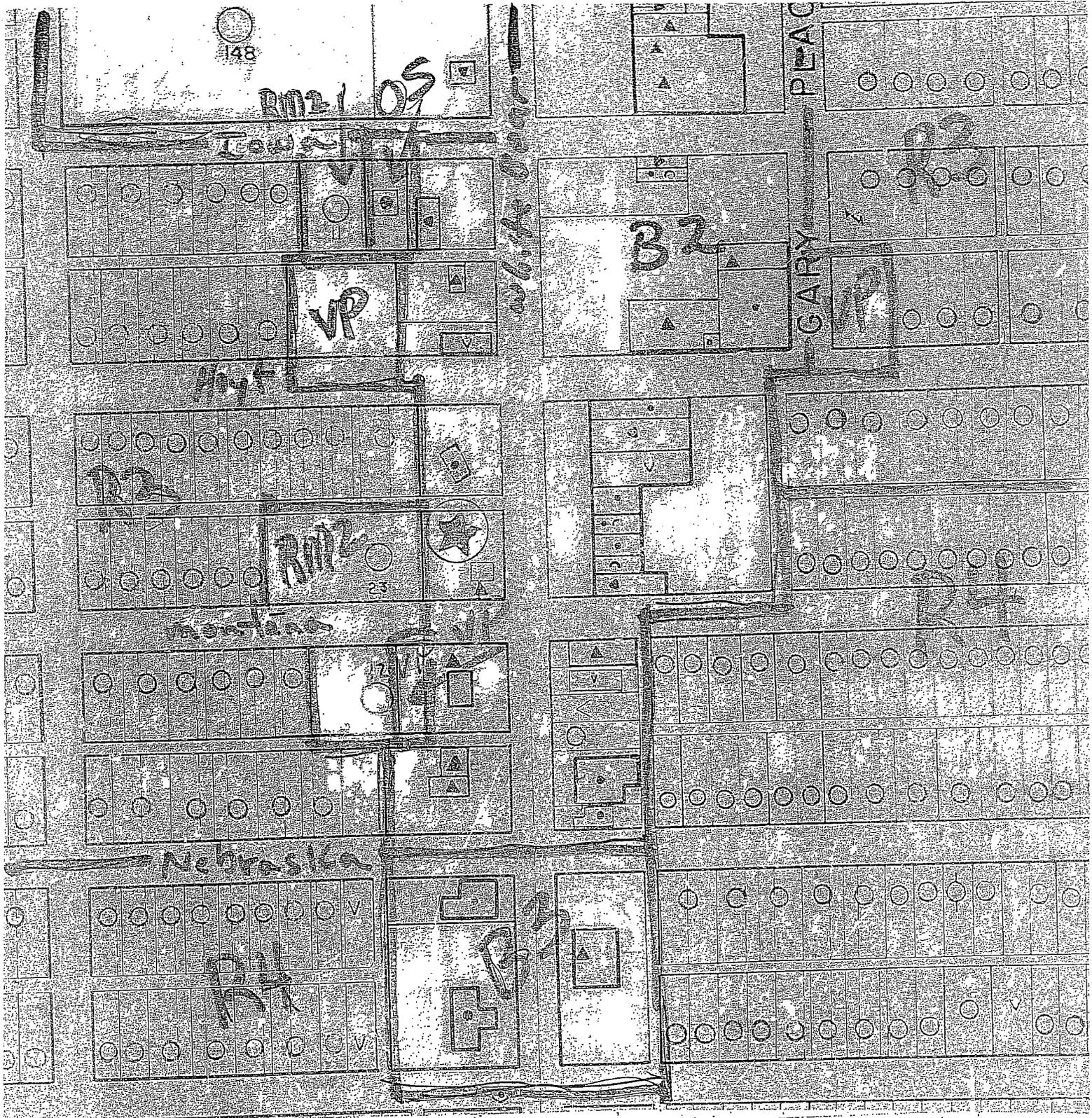
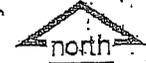
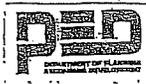
two family

multiple family

commercial

industrial

vacant



ZONING COMMITTEE STAFF REPORT

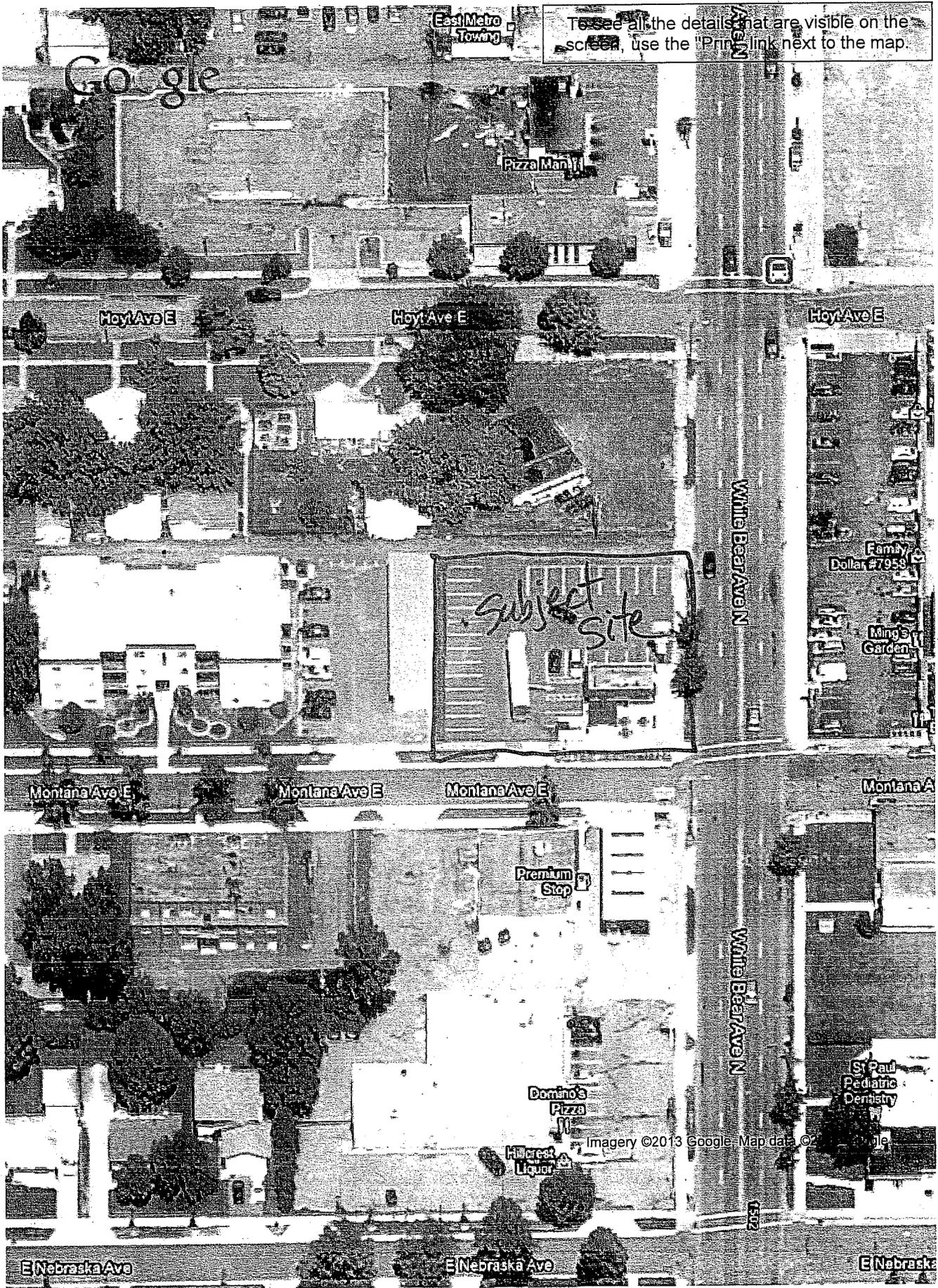
1. **FILE NAME:** Dairy Queen **FILE #** 13-143-820
2. **APPLICANT:** Allen Plaisted **HEARING DATE:** January 31, 2013
3. **TYPE OF APPLICATION:** Conditional Use Permit
4. **LOCATION:** 1537 White Bear Ave N, between Hoyt and Montana
5. **PIN & LEGAL DESCRIPTION:** 222922140019, 222922140020, J A Humphreys Subdivision A, Lots 28 29 And Lot 30 Blk 1
6. **PLANNING DISTRICT:** 2 **PRESENT ZONING:** B2
7. **ZONING CODE REFERENCE:** §65.513; § 65.616; §66.643; §61.501; §61.502
8. **STAFF REPORT DATE:** January 24, 2013 **BY:** Bill Dermody
9. **DATE RECEIVED:** January 9, 2013 **60-DAY DEADLINE FOR ACTION:** March 10, 2013
-

- A. **PURPOSE:** Conditional use permit for fast food restaurant with drive-through service, with modifications for entrance/exit location, access from street primarily serving abutting residential property, and T2 design standards for amount of windows
- B. **PARCEL SIZE:** 123 ft. (White Bear Ave.) x 118 ft. (Montana Ave), totaling 14,500 sq. ft.
- C. **EXISTING LAND USE:** C-Restaurant-Fast Food
- D. **SURROUNDING LAND USE:** North and south along White Bear Avenue are a variety of commercial uses (B2), including retail and gas station. To the west is an apartment property (RM2) with a residential building on its western portion and a single-level parking garage for residents on its eastern portion. Beyond the apartments to the west are single-family houses (R3).
- E. **ZONING CODE CITATION:** §65.513 lists standards and conditions for drive-through sales and services, including that "points of vehicular ingress and egress shall be located... at least sixty (60) feet from abutting residentially zoned property"; §65.616 lists standards and conditions for fast-food restaurants, including that "points of vehicular ingress and egress shall not be onto a street which is used primarily for access to abutting residential property"; §66.643 lists T2 design standards, including standard 13a, which states that "for new commercial and civic buildings, windows and doors or openings shall comprise at least fifty (50) percent of the length and at least thirty (30) percent of the area of the ground floor along arterial and collector street façades"; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** The site was developed for the restaurant use prior to 1953. It has been zoned B2 since 1975. In 2010, the Hillcrest Village Overlay District was created and it includes the subject property. An application for rezoning (File # 13-143-806) accompanies this request.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 2 Council recommends approval, conditional on the addition of stop signs and a change in the proposed fencing. Both proposed conditions are agreeable to the applicant's representative.
- H. **FINDINGS:**
1. The application requests a conditional use permit to allow for the existing fast-food restaurant to add a drive-through. The proposal also involves a 230 square foot building addition along Montana Avenue to accommodate the drive-through service. Associated site improvements proposed for the property include closing off access from the alley to the north, moving the Montana Avenue driveway west at the request of city Public Works staff, planting new trees along the western property line, and adding wrought iron fencing along the White Bear Avenue frontage.
 2. The application requests modification of the condition that would require the driveway along Montana Avenue to be located at least 60 feet from the apartment property to the west. Instead, a separation of only 10 feet is proposed. The driveway is being relocated to this location at the request of the city's Public Works department in order to provide greater

separation from White Bear Avenue in pursuit of improved safety.

3. The application requests modification of the condition that forbids vehicular ingress and egress from a fast-food restaurant via a street used primarily for access to abutting residential property. Montana Avenue, in fact, is used primarily for access to abutting residential property to the west. However, the restaurant has long had access via Montana Avenue. Also, maintenance of access via Montana Avenue is necessary for orderly traffic flow on the site.
4. The application requests modification of the conditions that windows and doors comprise 50% of the length and 30% of the area along the façade facing White Bear Avenue. Instead, the applicant's representative anticipates windows and doors to comprise approximately 48% of the length and 27% of the area along this frontage. The existing building is brick construction with large service windows and a prominent red roof. The proposed addition will be of a similar architectural style, but will not contain any windows on the elevations facing Montana Avenue or White Bear Avenue because of the functional needs for its interior. The existing building will obscure views from the north along White Bear Avenue because the addition is set back about 12 feet from the existing building's front façade.
5. The property currently has access via the alley to its north. The proposed development will close off this access; vehicular access will be solely via White Bear Avenue and Montana Avenue.
6. §61.501 lists five standards that all conditional uses must satisfy:
 - (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The Comprehensive Plan designates the property as being part of a Mixed Use Corridor, as shown in the Generalized 2030 Future Land Use Map (Figure LU-B). The property is also on the edge of a Neighborhood Center, as designated by the Comprehensive Plan. Both designations call for a compact mix of uses. The proposed use does not detract from these goals. The District 2 Plan has no provisions specific to this site.
 - (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Adequate ingress and egress are already provided. Alley access is eliminated, which effectively eliminates one more commercial access point on White Bear Avenue. Additional traffic generated by the proposed use is anticipated to be minimal and can be adequately handled by the arterial street.
 - (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The use must abide by regulations regarding shielding of new light poles and controlling menu box volumes so as to not negatively affect the apartment neighbors. Landscaping proposed for the west property line, in combination with the existing residential garages, will provide a visual buffer.
 - (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The proposed use is essentially an expansion of an existing use and does not have a significant effect on the normal and orderly development and improvement of the surrounding property.
 - (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The development will reduce the number of parking spaces from 27 to 16. Sixteen (16) spaces is above the maximum of 6, but brings the site closer to compliance. The development will meet the landscape buffer requirements along the western property line, including the provision of several trees that will reduce direct views from the adjacent apartment building to the drive-through.

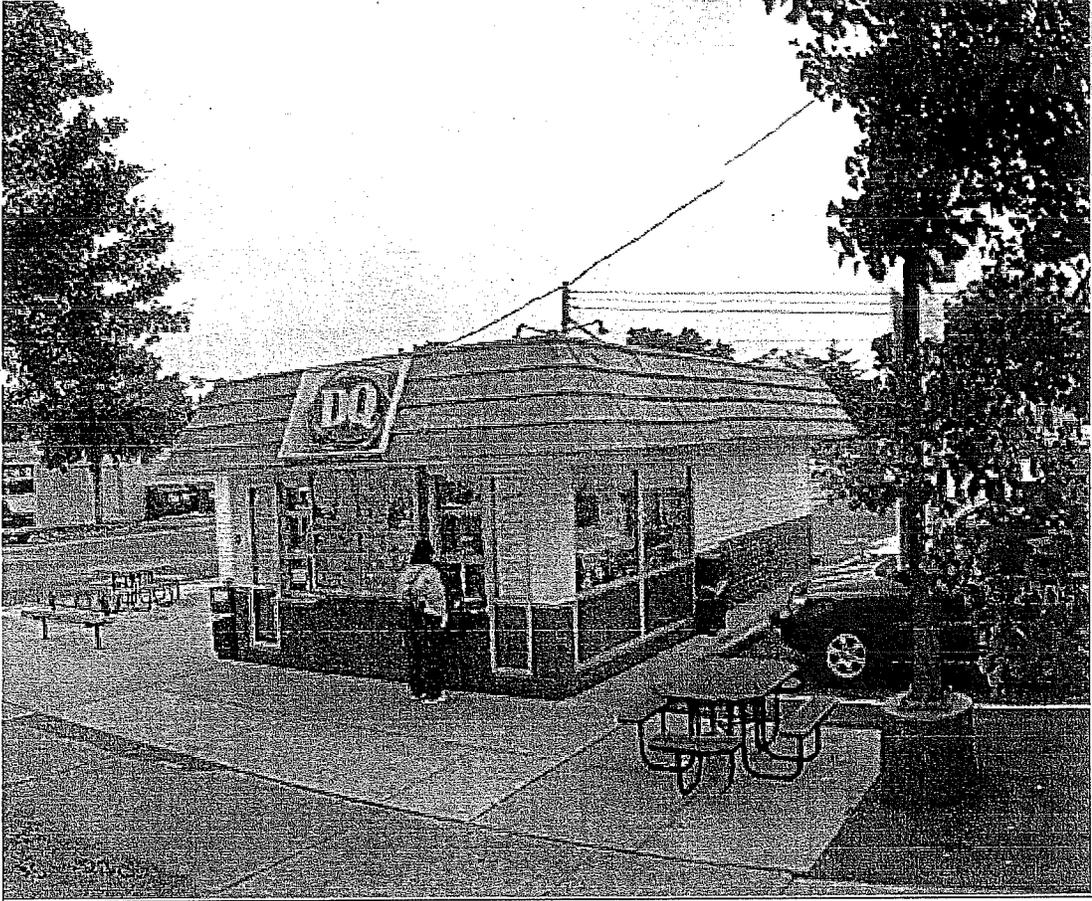
7. The planning commission may approve modifications of special conditions when specific criteria of §61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.* This finding is met. The strict application of these conditions would unreasonably limit the otherwise lawful use of this property. As described in findings 2 through 4, the modifications will not impair the intent and purpose of the conditions, nor be inconsistent with general welfare or reasonable enjoyment of adjacent property.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for a fast-food restaurant with drive-through service, with modifications for entrance/exit location, access from street primarily serving abutting residential property, and T2 design standards for amount of windows subject to the following additional conditions:
 1. Rezoning to T2 is approved by the City Council.
 2. Final plans approved by City staff for this use shall be in substantial compliance with the plan submitted and approved as part of this application.
 3. The hours of operation of the drive-through service shall be limited to 7:00 a.m. to 11:00 p.m. daily.



Google

Address 1535 White Bear Avenue North

Address is approximate



DISTRICT 2 COMMUNITY COUNCIL

1365 Prosperity Ave
Saint Paul, MN 55106-2108
Phone: (651) 774-2220
Fax: (651) 774-2135

January 17, 2013

Paul Dubriel
City of St. Paul
375 Jackson St Suite220
St Paul, MN 55101

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Please let me know if you have any questions or concerns.

Sincerely,



Lisa Theis
Community Organizer

148

RM2 OS

Lower

VP

B2

PEAC
GARY

M2

RM2

Nebraska

RM2

APPLICANT Craig Thamer / Maureen Herring

PURPOSE Rez B2 → T2

FILE # 13-143806 DATE 1-15-13

PLNG. DIST. 2 Land Use Map # 7

Zoning Map # 6

SCALE 1" = 400'

LEGEND

zoning district boundary

subject property

- one family
- two family
- multiple family

- commercial
- industrial
- vacant



ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Lilydale Park **FILE #:** 13-143-460
 2. **APPLICANT:** Saint Paul Parks and Recreation **HEARING DATE:** January 31, 2013
 3. **TYPE OF APPLICATION:** Conditional Use Permit (CUP) w/ Variance
 4. **LOCATION:** 720 Water St W, area between Smith Avenue bridge and Union Pacific railroad bridge
 5. **PIN & LEGAL DESCRIPTION:** 122823430037, Joys Addition Part Of Govt Lot 8 Beg At Nw Cor Of Blk 3 Grand View Th S 88 Deg 30 Min W 150.12ft Th S 40 Deg 15 Min W 194ft Th S 60 Deg 25 Min E 150ft Th S 29 Deg 35 Min W 160ft To A Pt On Nl Of Blk 38 Banning And Olivers Add 76ft E From Nw Cor Thereof Th
 6. **PLANNING DISTRICT:** 3 **PRESENT ZONING:** R4
 7. **ZONING CODE REFERENCE:** §§ 61.501; 61.601; 61.202(b); 68.601(a); 72.63
 8. **STAFF REPORT DATE:** January 24, 2013 **BY:** Josh Williams
 9. **DATE RECEIVED:** January 10, 2013 **60 DAY DEADLINE FOR ACTION:** March 11, 2013
-

- A. **PURPOSE:** Conditional use permit for placement of fill and grading in the flood plain and variance for wetland impact in the River Corridor (Lilydale Regional Park improvements)
- B. **PARCEL SIZE:** 175000 sq. ft.
- C. **EXISTING LAND USE:** G-Parks/Rec. Facility
- D. **SURROUNDING LAND USE:**
 - North: Park (R4)
 - East: Park (R4)
 - South: Park (R4)
 - West: Park (R4)
- E. **ZONING CODE CITATION:** §72.63 permits fill in the floodway as a conditional use; §72.32 lists factors the Planning Commission shall consider in reviewing conditional use permit applications in the FW Floodway district; §72.33 lists conditions that may be attached to any conditional use permits issued in the floodplain; §72.64 list standards for conditional uses in the FW Floodway district; §61.501 lists general conditions that must be met by all conditional uses; §68.402(b)(5)(e) requires that transportation corridors avoid wetlands in the river corridor; §68.601(a) provides for variance of river corridor standards; MN Stat. 462.357, Subd. 6, establishes grounds for the approval of a variance request.
- F. **HISTORY/DISCUSSION:** In 2010, the Planning Commission approved a conditional use permit for grading and filling in the floodway for purposes of environmental remediation.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 3 Council has not made a recommendation regarding the application.
- H. **FINDINGS:**
 1. Saint Paul Parks and Recreation has developed a master plan for improvements to Lilydale Regional Park. Long-term improvements include a dog off-leash area, trail improvements, road realignment, a picnic area including pavilion, and clean-up of legacy contamination. The portion of the project for which a conditional use permit and variance is being sought includes additional excavation of contaminated soil from the Lilydale Dump site and backfilling with clean stockpiled material from the former Lilydale Marina to allow construction of the realigned road, trail improvements and construction, and placement of additional fill for a picnic area near Pickerel Lake. This work will be constructed in two phases: spring through fall 2013 and, pending funding, spring through fall 2014.
 2. The proposed project will require grading and fill in the floodway, and wetland impacts within the river corridor. Floodway grading and filling is a conditional use, per §72.63 of the zoning code. Impact of wetlands in the river corridor requires variance of §68.402(b)(5)(e) of the zoning code.

3. The applicant has submitted the following information with the application: A narrative project description, project plans, and phase I construction documents; A revised Response Action Plan (RAP) and Construction Contingency Plan for mitigation of soil contamination associated with the former Lilydale Dump Site (approved by Minnesota Pollution Control Agency (MPCA)); A No-Rise Certification verifying that the proposed project will not impact the 100-year flood elevation of the Mississippi River (reviewed by Minnesota Department of Natural Resources (DNR)); All documentation associated with a voluntary Environmental Assessment Worksheet (EAW) completed by the applicant; Documentation of an approved conditional use permit from the City of Lilydale for the proposed project. The EAW Finding of Facts identifies needed mitigation in the form of wetland replacement for impacted wetlands and accommodation for blanding's turtle and bald eagle habitat. The project as proposed includes the required mitigation.
4. Sec. 63.600 of the zoning code specifies that the Planning Commission shall not consider wetland replacement unless the applicant has complied with this sequencing requirement, and that the City may seek the advice of a Technical Evaluation Panel (TEP), as provided for in Minnesota Rules 8420, in making this determination. The TEP has given preliminary approval for wetlands avoidance sequencing and mitigation (replacement) plan, pending final report and notice of decision. DNR and United States Army Corps of Engineers (USACE) approval is also required. DNR approval is pending. USACE has given preliminary approval, pending determination of need for additional cultural resources study of wetlands. Conditional use permit and variance approvals should be conditional upon final approvals from the TEP, DNR, and USACE.
5. A stormwater pollution prevention plan (SWPPP) was submitted as part of site plan review. Pending final approval of this plan by the city's Water Resources Coordinator, the applicant will make application to MPCA for a general construction stormwater permit. City SWPPP approval and MPCA general stormwater construction permit issuance should be conditions of CUP and variance approval.
6. §72.32 lists factors that the Planning Commission shall consider in reviewing conditional use permits applications in the FW Floodway district:
 - (a) *The relationship of the proposed use to the comprehensive plan and floodplain management program for the city.* The proposed use is consistent with the Comprehensive Plan. Two major strategies of the Parks and Recreation Plan (Chapter) are to *Promote Active Lifestyles* and *Promote a Vital Environment*. The proposed project will improve accessibility and facilities for recreational use of Lilydale Regional Park. It is also a net benefit to the environment by removing contaminated soils and providing for replanting with native plants. The proposed project is also consistent with the City's floodplain management program; it will not compromise floodway capacity and does not permit development prone to flood damage.
 - (b) *The importance of the services provided by the proposed facility to the community.* The proposed use will contribute to the improvement of facilities in Lilydale Park. Open space and passive recreational facilities are an important amenity for the community.
 - (c) *The ability of the existing topography, soils and geology to support and accommodate the proposed use.* The proposed project will include replacement of contaminated soils in the proposed road bed with clean, structural sufficient soils. The topography and soils of the remainder of the site are suitable for the proposed park uses.
 - (d) *The compatibility of the proposed use with existing characteristics of biologic and other natural communities.* The propose use will result in the replacement of mixed native and non-native vegetation existing on the site with native vegetation. The proposed road will be built along an existing trail corridor to minimize disturbance. Tree removal will be limited. The plan accommodates blanding's turtle and bald eagle habitats as required by the mitigation measure identified in the EAW Findings of Fact.

- (e) *The proposed water supply and sanitation systems and the ability of those systems to prevent disease, contamination and unsanitary conditions.* The proposed project includes extension of water supply and sanitary sewer lines for a planned future picnic shelter and restrooms.
 - (f) *The requirements of the facility for a river-dependent location, if applicable.* The facility is already located in the river floodplain.
 - (g) *The safety of access to the property for ordinary vehicles.* Road access to, from, and through the park already exists. The proposed project includes a road realignment, which will improve maintain safe access to the property and reduce trail/road conflicts.
 - (h) *The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.* Floodway grading will allow realigned and new road and trail segments to be constructed; these segments will not be highly susceptible to flood damage, and any potential damage does not present an unacceptable risk to the facility owner. Interim soil stabilization and restoration of disturbed areas with native vegetation will provide protection from flood-related erosion.
 - (i) *The dangers to life and property due to increased flood heights or velocities caused by encroachments.* The project will not result in a net-rise of flood heights or increased flood velocities. A No-Rise Certification from a professional engineer verifying this has been submitted to the City of Saint Paul and the regulatory authority, the Minnesota DNR.
 - (j) *The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.* The property is located within the floodway. However, the proposed use will not increase the susceptibility of the area to damage, nor increase the likelihood of contribution of the area to downstream problems, based on height, velocity, duration, rate of rise, or sediment transport of floodwaters.
 - (k) *The danger that materials may be swept onto other lands or downstream to the injury of others.* The proposed use will not result in location of additional materials on the site that may be subject to downstream movement.
 - (l) *The availability of alternative locations or configurations for the proposed use.* The proposed realignment of the road, enabled by the proposed use, is the best alternative when considering facility improvement plans, water quality in Pickerel Lake and the Mississippi River, site access, and trail safety.
 - (m) *Such other factors as are relevant to the purposes of this chapter.* No other factors suggest alternative conclusions to those above in regard to the purposes of this chapter.
7. §72.33 lists conditions which the Planning Commission may attach to conditional use permits issued in the floodplain:
- (a) *Modifications of design, site planning or site treatment.* No such modifications are suggested.
 - (b) *Requirements for implementation of erosion and sediment control, vegetation management, wildlife management and other protective measures.* The applicant has submitted a SWPPP for review by the city's Water Resource Coordinator. Pending approval of the SWPPP, the applicant will apply for a general construction stormwater permit from MPCA. CUP approval should be conditional on SWPPP approval and issuance of a general construction stormwater permit.
 - (c) *Modifications of waste disposal and water supply facilities or operations.* The proposed project includes extension of water supply and sanitary sewer lines for a planned future picnic shelter and restrooms.

- (d) *Limitations on period of use and operation, a flood warning system and an evacuation plan.* The proposed project is located within Lilydale Regional Park, which is subject to closure during times of seasonal flooding. The area is not subject to flash flooding.
- (e) *Imposition of operational controls, sureties and deed restrictions.* No such controls or restrictions are needed.
- (f) *Requirements for construction of channel improvements, modifications, dredging, dikes, levees and other protective measures.* No improvements, modifications, or protective measures are needed.
- (g) *Floodproofing measures shall be designed consistent with state-established floodproofing standards in the Minnesota State Building Code and with the flood protection elevation for the particular area including flood velocities, duration and rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The planning commission shall require that the applicant submit a plan or documents certified by a registered professional engineer or architect that the floodproofing measures are consistent with the regulatory flood elevation and associated flood factors for the particular area. The floodproofing measures that may be required include, but are not limited to, the following:*
- (1) *Anchorage to resist flotation and lateral movement.*
 - (2) *Installation of watertight doors, bulkheads and shutters, or similar methods of construction.*
 - (3) *Reinforcement of walls to resist water pressure.*
 - (4) *Use of paints, membranes or mortars to reduce seepage of water through walls.*
 - (5) *Addition of mass or weight to structures to resist flotation.*
 - (6) *Installation of pumps to lower water levels in structures.*
 - (7) *Construction of water supply and waste treatment systems to prevent the entrance of floodwaters.*
 - (8) *Installation of pumping facilities or comparable practice for subsurface drainage systems for buildings to relieve external foundation wall and basement floor pressures.*
 - (9) *Construction to resist rupture or collapse caused by water pressure or floating debris.*
 - (10) *Installation of valves or controls on sanitary and storm drainage which will permit the drains to be closed to prevent backup of sewage and stormwaters into the buildings or structures. Gravity draining of basements may be eliminated by mechanical devices.*
 - (11) *Location of all electrical equipment, circuits and installed electrical appliances such that they are not subject to the regional flood.*
 - (12) *Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials that could be hazardous to public health, safety and welfare (if permissible under the Minnesota State Building Code) above the flood protection elevation or provision of adequate floodproofing to prevent flotation of or damage to storage containers which could result in the escape of toxic materials into floodwaters.*

The proposed project does not include structures. The future planned picnic shelter and restrooms will be located above floodplain elevation.

- (h) *Specifications for building construction and materials, filling and grading, water supply, sanitary facilities, utilities and other work or construction to be submitted to the city department of safety and inspections for review and approval prior to any development.* A site plan for the proposed grading and filling activities and site improvements has been submitted to the Department of Safety and Inspections. Planning Commission approval of the conditional use permit should be conditional on final site plan approval.

8. §72.64 lists standards for conditional use in the FW Floodway district:

- (a) *No structure (temporary or permanent), fill deposit (including fill for roads and levees), obstruction, storage of materials or equipment, or other use may be allowed that will cause an increase in the height of the regional flood or cause an increase in flood damages in the reach or reaches affected. The use shall not adversely affect the hydraulic capacity of the channel or floodway or any tributary to the main stream or of any ditch or other drainage facility or system. For Lake Phalen and Beaver Lake, compensating flood water storage volume shall be provided below the 100-year flood elevation for any obstruction placed in the floodplain. The project will result in a net import of fill to the project site, which includes areas of floodway, flood fringe, and non-floodplain, but will not cause an increase in height of the regional flood. A signed A No-Rise Certification has been submitted to the City of Saint Paul and the DNR. DNR acceptance of the No-Rise Certificate should be a condition of approval.*
- (b) *Fill shall be protected from erosion by vegetative cover, mulching, riprap or other acceptable method. The SWPPP filed by the applicant includes temporary and permanent stabilization measures for areas of fill. SWPPP is subject to approval by the city's Water Resources Coordinator and should be a condition of approval.*
- (c) *Accessory structures shall not be designed for human habitation. The proposed use does not include any accessory structures.*
- (d) *Accessory structures shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters:*
 - (1) *Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow; and*
 - (2) *So far as practicable, structures shall be placed approximately on the same flood flow lines as those of adjoining structures.*

The proposed use does not include any accessory structures.

- (e) *Accessory structures shall be elevated on fill or structurally dry floodproofed in accordance with the FP-1 or FP-2 floodproofing classification in the Minnesota State Building Code. As an alternative, an accessory structure may be floodproofed to the FP-3 or FP-4 floodproofing classification in the Minnesota State Building Code, provided the accessory structure constitutes a minimal investment, does not exceed five hundred (500) square feet in size, and for a detached garage, the detached garage must be used solely for parking of vehicles and limited storage. All floodproofed accessory structures must meet the following additional standards:*
 - (1) *The structure must be adequately anchored to prevent flotation, collapse or lateral movement of the structure and shall be designed to equalize hydrostatic flood forces on exterior walls;*
 - (2) *Any mechanical and utility equipment in a structure must be elevated to or above the regulatory flood protection elevation or properly floodproofed; and*
 - (3) *To allow for the equalization of hydrostatic pressure, there must be a minimum of two "automatic" openings in the outside walls of the structure having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. There must be openings on at least two sides of the structure and the bottom of all openings must be no higher than one foot above the lowest adjacent grade to the structure. Using human intervention to open a garage door prior to flooding will not satisfy this requirement for automatic openings.*

The proposed use does not include any accessory structures.

- (f) *The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited. Storage of materials or equipment may be allowed if readily removable from the area within the time available after a flood warning and in accordance with a plan approved by the Planning Commission. The proposed use does not include processing or storage of any materials.*
 - (g) *Structural works for flood control that will change the course, current, or cross-section of protected wetlands or public waters shall be subject to the provisions of Minnesota Statutes Chapter 103G. Structural works for flood control intended to remove areas from the regulatory floodplain shall not be allowed in the floodplain. The proposed use does not include any flood control structures.*
 - (h) *A levee, dike or floodwall constructed in the floodway shall not cause an increase to the regional flood and the technical analysis must assume equal conveyance or storage loss on both sides of a stream. Soil grading activities include creation of a small berm at the former Lilydale Marina site; modeling found no net-rise in the regional flood and included the proposed berm as well as the required assumptions.*
 - (i) *No use shall be permitted which is likely to cause pollution of waters, as defined in Minnesota Statutes, §115.01, unless adequate safeguards, approved by the state pollution-control agency, are provided. The proposed use, subject to stabilization of fill and reestablishment of vegetation as outlined in the SWPPP, is not likely to result in pollution of waters.*
9. §61.501 lists five standards that all conditional uses must satisfy:
- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The proposed use is consistent with the Comprehensive Plan. Two major strategies of the Parks and Recreation Plan (Chapter) are to *Promote Active Lifestyles* and *Promote a Vital Environment*. The proposed placement of fill will allow planned development of improved facilities for active recreation in Lilydale Regional Park. It is also a net benefit to the environment by removing contaminated soils and providing for replanting with native plants.*
 - (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. Current ingress to and egress from the park as a whole is adequate, and the proposed use will not directly impact this access. Road specifications have been reviewed and approved by Public Works staff as part of site plan review.*
 - (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This condition is met. The use is consistent with the character of the immediate area. Removal of some contaminated soils is part of a larger contamination response plan, and will benefit the public health and safety. The general welfare of the public is also benefitted by the long-term planned park improvements.*
 - (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met. The proposed use will allow park facility development to proceed.*
 - (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. This condition can be met. Subject to the proposed conditions of approval, the proposed use will conform to all applicable regulations for the district in which it as located.*
10. §68.601(a) states: *Applications for variance to the provisions of this chapter may be filed as*

provided in section 61.600. The burden of proof shall rest with the applicant to demonstrate conclusively that such variance will not result in a hazard to life or property and will not adversely affect the safety, use or stability of a public way, slope or drainage channel, or the natural environment; such proof may include soils, geology and hydrology reports which shall be signed by registered professional engineers. Variances shall be consistent with general purposes of the standards contained in this chapter and state law and the intent of applicable state and national laws and programs.

Construction of the proposed re-aligned roadway will require impacting approximately 21,000 square feet of wetlands, in violation of §68.402(b)(5)(e) which states that *transportation, utility, and other transmission service facilities and corridors shall avoid wetlands* in the river corridor. The applicant has requested variance of this development standard. Pursuant to the Minnesota Wetland Conservation Act, projects must seek to first avoid wetland impacts, then minimize, and finally mitigate any unavoidable wetland impacts. Sec. 63.600 of the zoning code specifies that the Planning Commission shall not consider wetland replacement unless the applicant has complied with this sequencing requirement, and that the City may seek the advice of a Technical Evaluation Panel, as provided for in Minnesota Rules 8420, in making this determination. The Technical Evaluation Panel, staffed by the City's Water Resources Coordinator, has found that sequencing requirement has been met, and has approved of the Department of Parks and Recreations proposed wetland replacement (mitigation) plan, subject to United States Army Corps of Engineers (USACE) approval of proposed wetland impacts. The USACE has issued preliminary approval, subject to the determination whether or no additional cultural resources survey of wetlands is required. Final approval from USACE and compliance with all USACE requirements should be a condition of approval.

The proposed wetland impacts will not result in a hazard to life or property, and will not affect the safety or use of any public way, slope or drainage channel. The TEP has determined, as supported by modeling performed for the no-net rise determination, that proposed wetland impacts will not impact flood storage capacity. Plans have also been reviewed for impacts by city staff through the site plan review process.

11. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. Required findings for a variance consistent with the amended law are as follows:
- (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The proposed wetland impacts have undergone significant review, and are consistent with the general purpose and intent of the zoning code.
 - (b) *The variance is consistent with the comprehensive plan.* This finding is met. The proposed project is consistent with the comprehensive plan, and the proposed wetland impacts are an unavoidable aspect of the project.
 - (c) *The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. The sequencing process required by the Minnesota Wetland Conservation Act has demonstrated that wetland impacts were unavoidable, as confirmed by the preliminary findings of the TEP. The proposed use of the property is reasonable.
 - (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. Wetlands are naturally occurring.
 - (e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.* This finding is met. The proposed use is allowed in the zoning

district where the affected land is located.

- (f) *The variance will not alter the essential character of the surrounding area. This finding is met. The area is largely natural in area, with limited development to create access and allow passive recreation. The variance will not alter this character.*

I. STAFF RECOMMENDATION: Based upon the findings set forth above, staff recommends approval of a conditional use permit to allow grading and fill in the floodway with variance of the standard that transportation corridors in the river corridor avoid wetlands, subject to the following conditions:

- 1) Applicant receives final site plan approval.
- 2) Applicant receives approval of its SWPPP and abides by any conditions imposed in the SWPPP by the Department of Safety and Inspections.
- 3) Applicant receives approval of its NPDES permit and abides by any conditions imposed under that permit.
- 4) Applicant receives final approval from the TEP, DNR, and USACE for wetlands impacts and replacement plan, and abides by any conditions of those approvals.
- 4) Applicant receives acceptance of No Rise Certification from DNR.
- 5) Applicant abides by the RAP and Construction Contingency Plan approved by MPCA.
- 6) Applicant abides by the CUP issued by the City of Lilydale.
- 7) Applicant abides by mitigation measures for wildlife habitat and wetland impacts identified in the EAW Findings of Fact.



CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only	
File #	13-113460
Fee	
Preliminary Hearing Date	1-31-13

PD = 3

#

APPLICANT

Name City of St. Paul Parks & Recreation
 Address 25 W. 4th Street, 400 City Hall Annex
 City St. Paul St. MN Zip 55102 Daytime Phone 266-6412
 Name of Owner (if different) Michael Mahm, Director
 Contact Person (if different) Alice Messer Phone 266-6412

PROPERTY LOCATION

Address / Location Lakdale Regional Park, see attached
 Legal Description see attached
 Current Zoning R4, FW, FF, RCI, RCR
 (attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter 72, Section 63, Paragraph a, e of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

Required site plan is attached

Applicant's Signature [Signature] Date 1.10.13 City Agent A & M



CITY OF SAINT PAUL

Mayor Christopher B. Coleman



300 City Hall Annex
 25 West Fourth Street
 Saint Paul, Minnesota 55102
 www.ci.stpaul.mn.us/depts/parks

Telephone: 651-266-6400
 Facsimile: 651-292-7405
 TTY: 651-266-6378

January 10, 2013

LETTER OF TRANSMITTAL

To: Department of Planning and Economic Development
 Zoning Section Attn: Paul Dubriel
 1400 City Hall Annex
 25 West 4th Street
 Saint Paul, MN 55101

Fr: Alice Messer
 400 City Hall Annex
 25 West 4th Street.
 St. Paul MN 55102

RE: Conditional Use Permit Application – Lilydale Regional Park Roadway and Trail Improvements

With this letter, for your use/reference in the project we transmit the following:

- Shop Drawings Prints Plans Samples
 Specifications Copy of Letter Spreadsheet _____

Item	Copies	Description	Type
<u>1</u>	<u>1</u>	<u>Conditional Use Permit Application</u>	
<u>2</u>	<u>1</u>	<u>Overall Site Map</u>	
<u>3</u>	<u>1</u>	<u>Construction Document Set – Phase I</u>	
<u>4</u>	<u>1</u>	<u>City of Lilydale Conditional Use Permit</u>	
<u>5</u>	<u>1</u>	<u>No Rise Certificate</u>	
<u>6</u>	<u>1</u>	<u>Wetland Permit Submittal</u>	

- For your Approval Approved as Submitted Re-Submit () copies for approval.
 For your Use Approved as Noted Submit () copies for Distribution
 As Requested Approved as Noted Return () Corrected Prints
 For Review and Comment _____

Paul,

Please find the Conditional Use Permit Application and associated information attached for Phase I Roadway and Trail Improvements in Lilydale Regional Park.

A Conditional Use Permit from the City of Lilydale was obtained for all work associated with master plan improvements occurring within City of Lilydale limits. A copy of the permit is attached.

A Site Plan Review of the project was completed in May 2012. Comments received during Site Plan Review have been implemented in the attached documents.

Fee for Conditional Use Permit to be determined by Josh Williams and will be provided later. Please contact me if you need any additional information.

Thank you,

A handwritten signature in cursive script that reads "Alice Messer".

Alice Messer
651-266-6412



CITY OF SAINT PAUL
Mayor Christopher B. Coleman

400 City Hall Annex
25 West 4th Street
Saint Paul, Minnesota 55102
www.stpaul.gov/parks

Telephone: 651-266-6400
Facsimile: 651-292-7405

Roadway, Trail and Environmental Clean Up work in Lilydale Regional Park

Project Description

The City of Saint Paul Parks and Recreation is requesting a Conditional Use Permit (CUP) for placement of fill in the floodway and wetland impacts associated with construction of a roadway, trails and environmental remediation in Lilydale Regional Park. Implementation of this project will occur in two phases. Phase I will begin at the existing DNR boat launch road and extend to the existing Union Pacific railroad. Phase II will begin at the existing Union Pacific railroad and conclude at the Smith Avenue High Bridge, near the western edge of Harriet Island Regional Park. Future phases will include construction of public restroom, picnic shelter and other associated park improvements addressed in the master plan for Lilydale Regional Park. Future improvements are not included in this CUP.

The approved Master Plan amendment for Lilydale Regional Park addresses the need for a new roadway alignment and associated trail connections to protect and enhance Lilydale Regional Park. A portion of this work began with environmental cleanup work in 2010/2011. A CUP for environmental cleanup work was approved August 27, 2010.

Since 2010, the City has continued to work on implementation of the master plan. The next step in implementation of the plan is to complete environmental remediation work at the Marina Demolition Site and Lilydale Park Dump Site and to construct the new roadway and trails within the park.

To insure the next step of improvements in the park will not result in a rise in flood elevations, a No Rise Certificate was completed for the entire project by Stantec on December 11, 2012. The No Rise Certificate, included in the CUP, concludes that the proposed improvements to Lilydale Regional Park will not raise the 100-year flood elevation of the Mississippi River.

On November 19 2012, the City of Saint Paul also submitted an application for impacts to existing wetlands. The City of Saint Paul followed the process of "avoid, minimize, mitigate" for all delineated wetlands within Lilydale Regional Park. Existing site constraints result in impacts to Wetland D and Wetland H. The City is mitigating impacts to these wetlands through wetland banking since existing site conditions and presence of invasive species would preclude proper maintenance and management of wetlands if they were created on-site.

It was requested that all perceived wetland impacts in Lilydale Regional Park be permitted together. Impacts to Wetland H will occur with Phase I construction and impacts to Wetland D will occur with Phase II construction. However, wetland mitigation for the entire project will occur with Phase I. The City of Saint Paul is currently waiting for final approval on the wetland permit. A Public Waters Permit Application was submitted on December 3, 2012, to the Minnesota DNR for Wetland D since it is connected to a public waterway; the Mississippi River. The City is waiting for approval.



In August 2012, the City of Saint Paul completed a discretionary Environmental Assessment Worksheet for proposed plan improvements. The Record of Decision was filed on August 10, 2012 and determined that no significant environmental effects are associated with the project.

Finally, the City of Saint Paul is completing a Response Action Plan (RAP) to address how construction will cap the existing Lilydale Park Dump Site to recreational standards. The RAP will be submitted to the MPCA for their review January 2013. Final approval is anticipated late February 2013.

Additional project details for overall roadway, trail, bridge construction and environmental cleanup work are provided below. As stated earlier, at this time, the City of Saint Paul has funding to implement Phase I of the proposed improvements which are included in with the CUP application. Phase II has been preliminary designed in order to complete the No Rise Certificate and wetland permit.

Roadway

The proposed road is intended to introduce a variety of traffic calming measures intended to reduce speed and increase safety. It has been designed as a rural roadway with two-way traffic on bituminous pavement. The roadway will provide roadside shoulder trails, gravel shoulders, and stormwater management BMPs.

The proposed 1.69-mile roadway alignment for Phase I and Phase II construction will be:

- 1.0 miles on in-place roadway
- 0.35 miles on in-place trail corridor
- 0.33 miles new alignment through existing parkland
- Timber bridge over existing creek to provide regional trail and roadway separation

A 12-foot wide bituminous trail will run semi-parallel on the north side of the roadway in portions of the alignment. Where existing trail is being removed for new road, trails will be replaced in other interior park areas to make critical connections for a usable trail system.

Roadway construction will require clearing and grubbing of existing vegetation and earth moving including import and export of excavated materials and structural fill to provide appropriate roadway elevations. Revegetation, as planned within the construction boundary, is designed to enhance the natural community cover types.

Trail Enhancements

New road construction would leave a disconnected regional trail system requiring various segment connections to be made. Road abandonment was identified as a key opportunity to remove and reclaim much of the road corridor while at the same time providing needed trail connections with limited impact to existing woodland cover. Trail segments will be provided riverside and lakeside of the proposed road reconnecting the existing trail system.

The majority of the trail system is located along the new roadway as an on-road trail, converts old roadway into trail, uses existing trail corridor, is over the remediation site, or is located over existing gravel parking lots. The overall trail improvements cover 11,433 ln ft of trail as follows:

- 2,564 ln ft of reclaimed road
- 525 ln ft of reclaimed parking or graded areas
- 1,456 ln ft over the remediated dumpsite
- 1,223 ln ft of rebuilt trail
- 5,683 ln ft of new trail alignment

These trails were planned as connected segments into the existing 12-foot wide shared use trail system in the park. The proposed section is a 12-foot bituminous trail at or slightly above existing grades. Phase I trail construction will occur from DNR boat launch to existing Union Pacific railroad. Phase II will begin at the Union Pacific rail line and conclude at Harriet Island.

Bridge

The roadway and regional trail currently cross an existing creek together at an existing 20-foot wide Mendota Heights historic bridge. Elimination of this pinch point and separation of modes of travel will be accommodated by realigning this segment of roadway away from the Mississippi River, and maintaining the trail traffic over the historic bridge. The new roadway will require a way to span the creek.

The new bridge, located approximately 120 feet inland from the existing historic bridge, will have a clear width of 36 feet and an overall width of 38 feet, wide enough to accommodate two-way traffic as well as on-road commuter bicycle lanes. It will be located approximately 120 feet inland from the existing bridge with a 38-foot single span timber slab bridge (Mn/DOT Structure Code 709) with a bituminous wearing course. The bridge is supported with timber abutments utilizing steel pipe piling that will be filled with concrete after driving.

Bridge construction will occur in an existing delineated Wetland D. The historic bridge and new roadway alignment both cross a creek that provides a connection between Pickerel Lake and the Mississippi River. Surrounding low areas are often inundated with water from the Mississippi River resulting in the wetland. Filling within the wetland was minimized to the greatest extent possible and impacts to Wetland D are included in the wetland permit. Bridge construction will occur with Phase II.

Trailhead Development at Fossil Grounds

The fossil grounds trailhead provides improvements to the existing trailhead parking area. The current parking lot is a poorly defined gravel lot with above ground power, fragmented wetland, eroded areas, and various areas with debris and other construction materials. The proposal reduces the paved parking area and introduces bituminous paving. The proposed road realignment will also run through the current parking lot. New spur trail connections link to the riverside trail providing Americans with Disabilities Act (ADA) access to the main trail system. Parking for 19 vehicles is provided with one ADA stall.

The plan avoids any impact to two delineated wetlands at the base of the bluff. The site will be re-vegetated with 20-plus native species trees and native species seeding, all to be consistent with the prevailing natural communities. Overhead power will be buried. Water service allows for the opportunity to provide potable water to the trailhead. Trailhead construction will occur with Phase II construction.

Environmental Remediation

The 6¼-acre Lilydale Dump Site is irregularly shaped rising about 10 to 16 feet above surrounding terrain, primarily covered by herbaceous vegetation with some rubble protruding in several areas of the landfill.

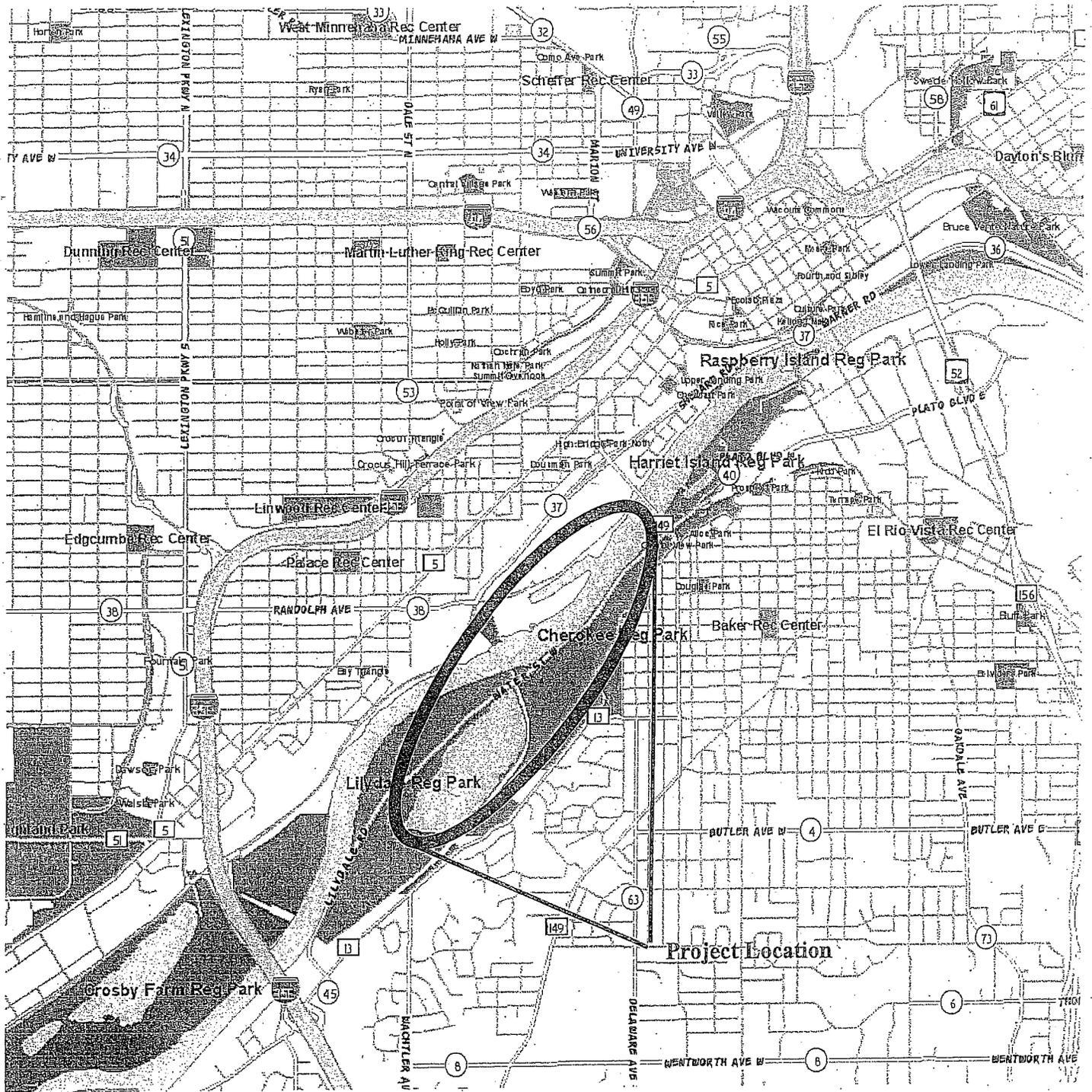
Limited investigations were conducted at the Park Site in 1988 (Braun), 2010 (Bonestroo) and 2011 (Liesch/AET), respectively. Debris observed within the waste mass includes concrete, brick, metal piping and wood. Contaminants of concern identified at the Lilydale Dump Site include asbestos, metals and SVOCs.

Proposed future development for the Lilydale Dump Site includes the addition of a picnic shelter and restrooms in connection with the construction of the road realignment and walking/bicycle paths in the surrounding park area. This will require that future users of the proposed picnic area be protected from contact with the waste materials disposed of at the Lilydale Dump Site. The Lilydale Park Dump Site is enrolled in the Minnesota Pollution Control Agency (MPCA) Voluntary Investigation and Cleanup (VIC) Program as a site currently under investigation and remediation. A common MPCA-approved method to prevent exposure of the general public to buried waste and/or contaminants of concern is constructing a soil buffer layer.

The Dump Site is an existing open grassland area and the proposed short grass prairie restoration will enhance the site biodiversity and serve as additional habitat for wildlife. For a portion of the remediation site, we will initiate re-forestation that transitions from an upland forest condition to floodplain forest at lower elevations. Despite requiring a 4-foot fill cap over all of the remediation, all specimen cottonwood trees have been preserved.

The City has completed a Response Action Plan (RAP) that will be submitted for approval by the MPCA. The RAP is for Phase I construction only as environmental remediation is not anticipated with Phase II construction. However, if a RAP is required for Phase II construction, this will be completed separately with Phase II.

Lilydale Regional Park - Location Map



Conditional Use Permit - Roadway and Trail Improvements
January 10, 2013

**City of Saint Paul
Technical Evaluation Panel
Meeting Summary**

Project: Lilydale Regional Park Project
Date: Thursday, January 4, 2013
Time: 1:30 p.m.
Location: Department of Safety and Inspections, Conf Rm 2e
Attendees: Wes Saunders-Pearce, City of Saint Paul 
Molly Shodeen, Dept. of Natural Resources
Dennis Rodacker, Board of Water and Soil Resources
Andy Beaudet, Army Corps of Engineers
Ryan Johnson, Ramsey Conservation District
Alice Messer, City of Saint Paul, Parks and Recreation
CJ Fernandez, LHB Consultants
Absent: Brian Watson, Dakota County SWCD

Summary

The purpose of the meeting was to review and discuss the November 19, 2012 wetland replacement application for Lilydale Regional Park improvements. The goal was to discuss sequencing and alternatives analysis, and mitigation approach.

The following items were noted during the meeting:

1. The wetland replacement plan is a comprehensive application to address the entire project. The project will be constructed in two phases.
 - a. Phase I will result in impacts to wetlands H and I.
 - b. Phase II will result in impacts to wetland D.
2. A brief summary of previous wetland reviews and approvals for the project area was provided.
3. Parks and Recreation and LHB Consultants discussed the overall design approach, tree preservation and tree design considerations.
4. Parks and Recreation provided a supplemental narrative describing in more detail the sequencing and alternatives analysis efforts for the project. The constraints limiting on-site wetland replacement as described in the narrative were discussed.
 - a. The site context (frequently floods, invasive vegetation) creates a very challenging environment to realize a successful restoration effort.
 - b. Flood storage capacity loss is not a significant concern. Separate analysis for floodplain considerations indicates there is no-rise in the 1% chance annual flood.
 - c. LGU indicated these constraints were acceptable for considering banking.
5. Wetland D is a Public Water Wetland due to connection with the Mississippi River. DNR will take jurisdiction over wetland D and issue a permit. The DNR will not require replacement for impacts because it is not a DNR requirement. Corps of Engineers will require 2:1 replacement. LGU concurred with this ratio.

6. BWSR noted Minnesota statute changed for WCA which affects the spatial / geographic approach for procuring wetland bank credits. Applicant (Parks) needs to re-assess if full amount of credits are available in the watershed where impacts will occur.
7. Discussion regarding the timing of construction relative to permit authorization window.
 - a. Phase II currently not funded so project may not occur until 2018.
 - b. WCA decisions are good for 5 years, unless the TEP determines a different period is warranted.
 - c. Corps General Permit would expire January 31, 2017.
 - d. DNR permit would expire in 5 years.
 - e. BWSR suggested the Notice of Decision include language indicating that banking credits for the whole project were procured and approved, so that if a re-issuance of permits is required, it is clear that credits are already addressed.
8. ACTION ITEMS
 - a. Parks and Recreation to elaborate their supplemental narrative to better articulate why on-site mitigation is not an alternative.
 - b. If full amount of credits are available in the watershed where impacts will occur, Parks and Recreation to revise the banking form to better reflect Minnesota statute's required spatial / geographic approach.

**Additional Information Sheet for Local/State/Federal Water & Wetlands Permit Application
City of St. Paul MN, Department of Parks & Recreation
Lilydale Regional Park Roadway Improvements Project: December 31, 2012**

The Technical Evaluation Panel (TEP) has requested additional information regarding sequencing and project alternatives that would further minimize wetland impacts. Below is a summary specifying why the proposed road alignment was selected, reasoning for its location, along with sketches illustrating physical constraints and site features that were preserved.

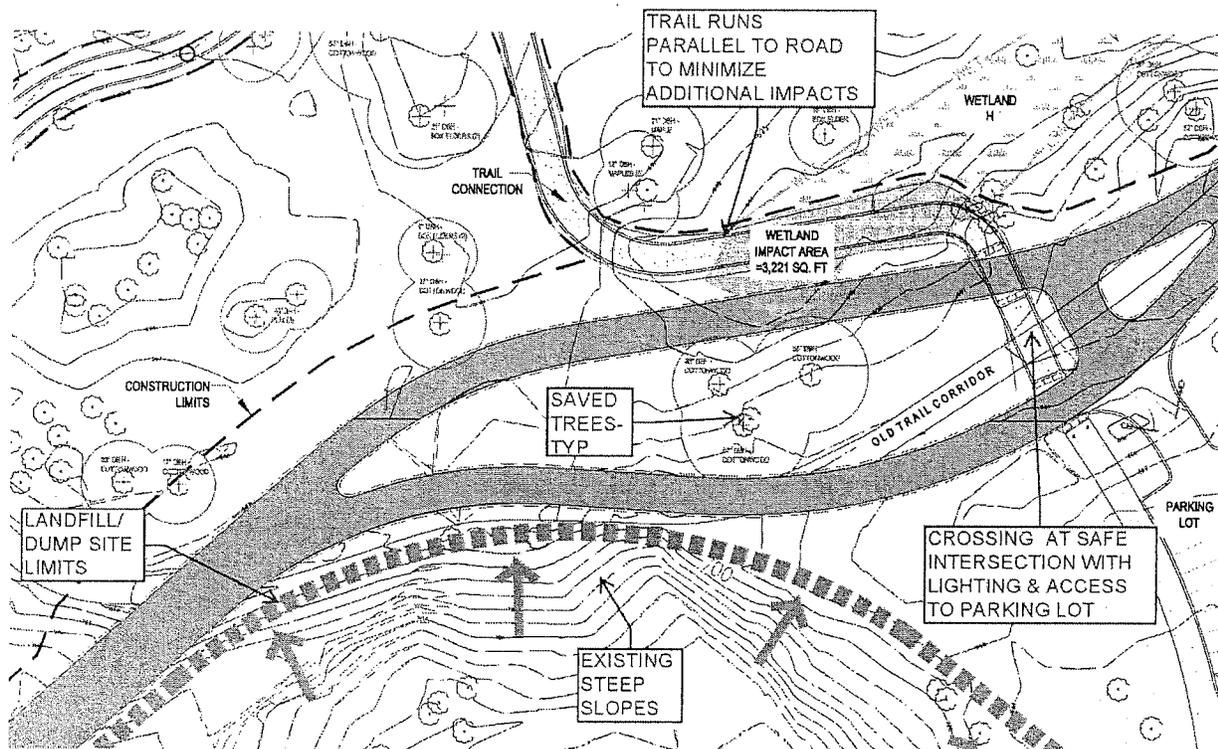
1. SUSTAINABLE & SENSIBLE DEVELOPMENT REASONING FOR WETLAND H IMPACTS

While the proposed road design disturbs 3,814 square feet of Wetland H, it was chosen as the best alignment with sustainable and sensible development in mind. The basic objectives of *sustainability* are to reduce consumption of nonrenewable resources, limit development footprint, minimize waste, re-cycle/re-use, and to protect/conserve natural resources. To be specific, the preferred road alignment was selected because of the following reasons:

- The road is routed through a soil correction area, re-using a cleanup area of the Lilydale Landfill/dump site.
- The road avoids steep grades along the existing dump site. This will reduce the overall footprint for construction activity, will result in less erosion, reduce energy and material waste, and provide a significant costs savings for the project.
- The road utilizes an existing 12' trail corridor. Re-using the existing corridor will minimize tree clearing through mature forestlands and reduce the amount of materials needed for the project. In addition, re-using the corridor will prevent creating a significant amount of new impervious surface, which will result in less stormwater runoff, and will conserve water quality and ground water resources.
- The road splits in two and has been routed as such to save very large specimen trees (note trees preserved in island area and along road corridor). This wooded area is providing many environmental benefits including stabilizing microclimate temperatures, cleaning the air, cleaning ground water, and providing wildlife habitat for many birds, mammals, and amphibians. Forested areas also provide screening, promote plant biodiversity and add to the aesthetic value of the surrounding landscape.
- At the east end of Wetland H, additional large specimen trees were saved by routing the road between trees and elevating the road to minimize tree root disturbance. A deep sand section is used below paving surfaces and ensures the

movement of water into root zones. By raising the road, additional wetland impacts could not be avoided.

- Based on the location of existing wetlands, the dump site and large specimen trees, the road geometrics have been revised to the fullest extent possible to minimize impacts, but does not allow for the complete avoidance of Wetland H. However, other on-site wetlands have been preserved in their entirety (see Exhibit Map 2 for Wetland I location). If the road alignment was designed to avoid Wetland H, impacts to Wetland I would result, along with other natural resources mentioned above.



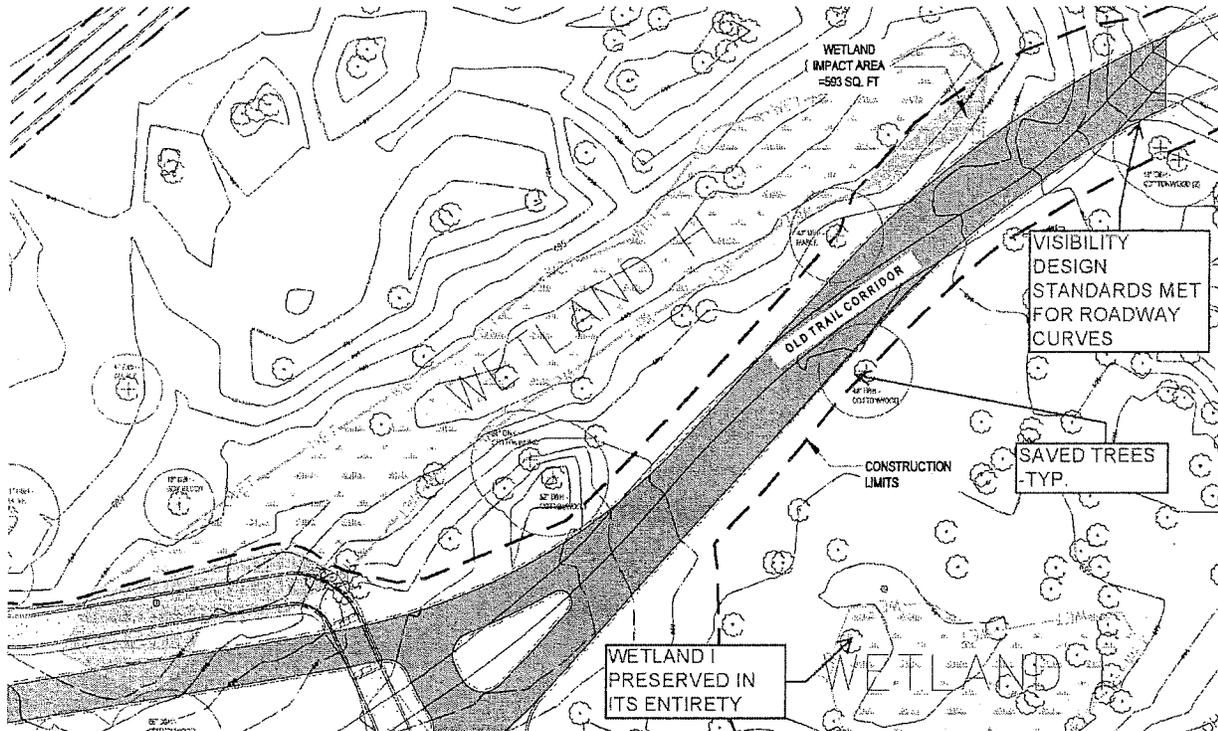
ROAD ALIGNMENT ADJACENT TO WETLAND H: EXHIBIT MAP 1

2. SAFETY & CIRCULATION REASONING FOR WETLAND H IMPACTS

Vehicular and pedestrian safety, along with mindful circulation were also important factors when siting the preferred road and trail alignments. Design decisions made with safety and circulation in mind include the following:

- A perpendicular (90 degree) trail crossing, the safest way to move pedestrians through traffic, is placed at an intersection where there is ample site lighting, a viewshed and access to the public parking lot.
- The road and trail do not exceed 5% longitudinal slopes.

- There is a buffer of green space between the trail and road, which provides a small safety zone for bike and pedestrian traffic.
- The road alignment has been designed with appropriate curves that ensure good visibility and sight lines throughout the corridor.



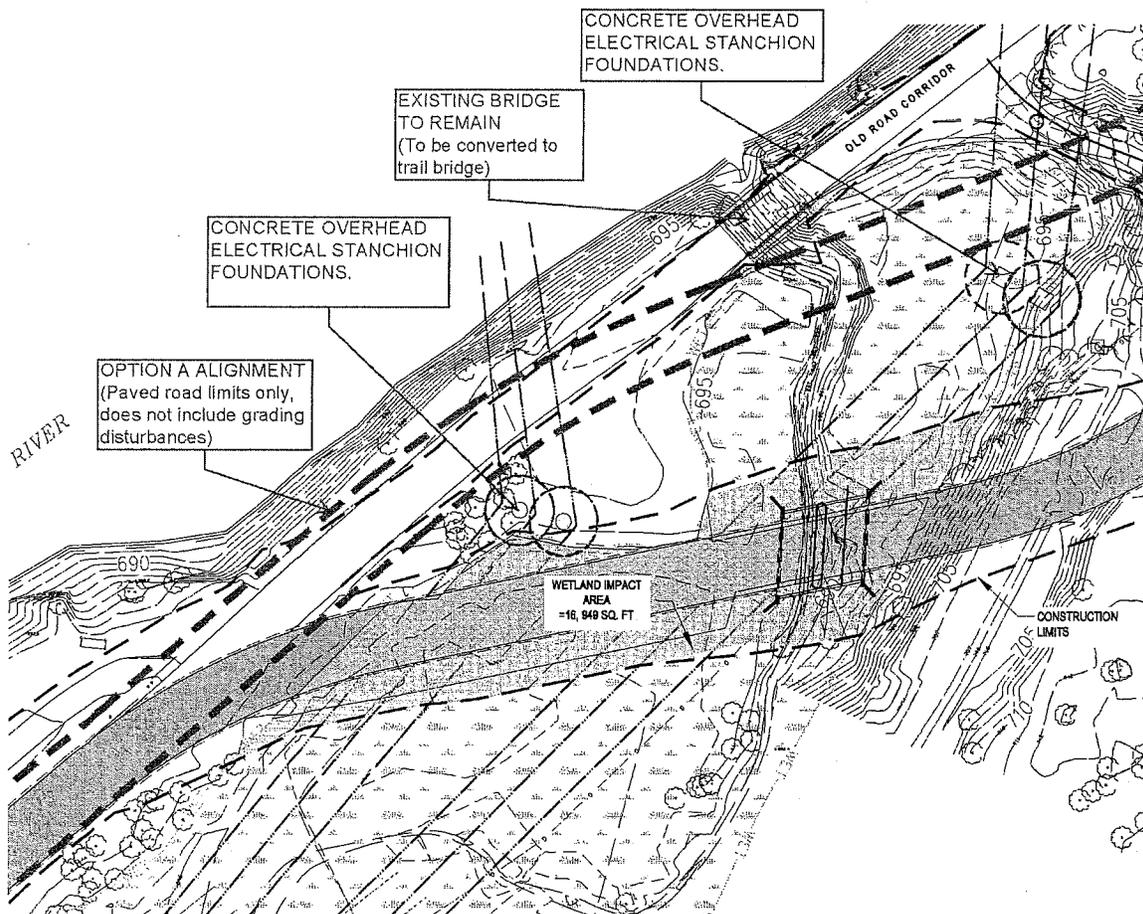
ROAD ALIGNMENT ADJACENT TO WETLAND H: EXHIBIT MAP 2

3. SITE CONSTRAINTS FOR WETLAND D

Because of existing electrical stanchions, a bridge, and narrow configuration of upland, the site conditions around Wetland D leave a very limited space for the construction of a new roadway. Option A alignment (see Exhibit Map 3) attempts to thread the road between two existing electrical stanchion lines; Xcel Energy high power lines cross the Mississippi River from these stanchions and represent some of the largest stanchions in the area, and the existing bridge. The result was 11-foot and 4-foot offset from the side of the road to the stanchions and an 8-foot offset from the bridge. The grades and embankments from the proposed edges of the road would partially bury both the stanchions and the existing bridge, therefore option A alignment was not feasible.

The selected alignment allows the road to maintain safe off-sets from both stanchions and the existing bridge. The road was designed to minimize wetland impacts by swinging north back to

the existing road alignment as soon as the road was past the stanchion setback. In doing this the road actually passes, partially, over upland conditions minimizing impacts on wetland areas. Although the new roadway will disturb 16,949 square feet of Wetland D, this alignment appears to be the best solution for vehicle safety while avoiding existing on-site utility structures and the bridge.



ROAD ALIGNMENT AT WETLAND D CROSSING: EXHIBIT MAP 3

4. OVERALL ROAD DESIGN AND CONSTRUCTION METHODS

Best Management Practices (BMPS) have been specified on the construction documents and will be used to minimize disturbances throughout the entire site. They include:

- Silt fence will be placed along toe slopes to prevent sedimentation entering wetlands and other downstream areas.
- The road bed will be raised to minimize excavation and grading activities within the trees' dripline.

- The road will have a deep granular sand subgrade below to facilitate infiltration to the root zones.
- Sides slopes of 3:1 have been utilized to minimize wetland disturbances while maintaining safe side slopes adjacent to roads and trails.

5. REASONING FOR PURCHASING CREDITS AS WETLAND REPLACEMENT PLAN

Lilydale Regional Park has a relatively flat terrain, but is heavily wooded throughout, leaving little space for potential on-site mitigation. In addition, most of the on-site wetlands are degraded, contain invasive species and/or have little to no plant biodiversity. The requirements of maintaining mitigated wetlands surrounded by invasive species will be extremely difficult for the City of St. Paul Parks and Recreation Department to maintain due to lack of staff and budget to keep invasive species at bay.

Due to the above cited reasons, the City of St. Paul prefers to purchase credits for their replacement plan. At an informational TEP meeting spring 2012, the City expressed their desire to purchase credits and TEP members concurred that purchasing credits was the appropriate method for replacement considering the existing site conditions.

6. WETLAND BANK CREDITS SUMMARY

The City of St. Paul understands that wetland bank credits provided as compensation for the wetland impacts must follow the replacement guidelines of the Wetland Conservation Act (WCA), more specifically Minnesota Rules, Chapter 8420.0522, Subpart 7. The City has made an effort to obtain wetland credits per the WCA requirements, however this cannot be met in its entirety for the following reasons:

- 1.) The proposed project cannot meet Subpart 7.A.1, due to the fact that no wetland banks are located in the same minor watershed as the proposed wetland impact.
- 2.) The proposed project cannot meet Subpart 7.A.2 for the following reasons:
 - a) The proposed wetland impacts are COE-jurisdictional and therefore wetland credits must be provided from a COE-approved wetland bank. Of the nine wetland banks located in the Mississippi River – Metro (#20) major watershed, only seven are COE-approved.
 - b) Wetland banks #116 and #1469 are owned and managed by a government body and are not selling the wetland credits for projects to private developments.

- c) Wetland bank #1171 is owned and managed by a developer and is not willing to sell the wetland credits to another private party.
 - d) Wetland bank #119 only has approximately 200 SF of wetland credits, which does not meet the required amount of wetland credits to satisfy the needs of the project.
 - e) Wetland banks #1346, #1412, and #1138 have pending Purchase Agreements that make the remaining wetland credits unavailable for additional projects.
- 3.) The proposed project cannot meet Subpart 7.A.1, due to the fact that no additional wetland banks are located within Ramsey County.
- 4.) The City of St. Paul has contacted wetland bank #1410 for remaining credits that cannot be obtained in the Mississippi River – Metro (#20) major watershed. Wetland bank #1410 is located in the North Fork Crow (#18) major watershed and Hennepin County. The wetland bank is located in a less than 50% area, which satisfies Subpart 7.A.4. Wetland bank #1410 meets Subpart 7.C.2 of the WCA.

- copy -

Minnesota Wetland Conservation Act

Notice of Application

Local Government Unit (LGU) City of Saint Paul	Address 375 Jackson Street, Suite 220 Saint Paul, MN 55101
--	--

1. PROJECT INFORMATION

Applicant Name City of Saint Paul Department of Parks and Recreation	Project Name Lilydale Regional Park	Date of Application 11/19/2012	Application Number
--	--	--------------------------------------	-----------------------

Type of Application (check all that apply):

<input type="checkbox"/> Wetland Boundary or Type	<input type="checkbox"/> No-Loss	<input type="checkbox"/> Exemption	<input checked="" type="checkbox"/> Sequencing
<input checked="" type="checkbox"/> Replacement Plan	<input type="checkbox"/> Banking Plan		

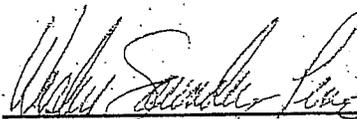
Summary and description of proposed project (attach additional sheets as necessary):

<p>NOTE: Original application for replacement (March 30, 2012 with revised submittal May 23, 2012) has been withdrawn by applicant.</p> <p>This project is part of the City of St. Paul's, Department of Parks and Recreation Park Enhancements plan and will include reconstructing a 1.69-mile roadway within the Lilydale Regional Park. Approximately 0.3-miles of road will be constructed along new alignment through wooded parkland with some wetlands.</p>

2. APPLICATION REVIEW AND DECISION

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 3 provides notice that an application was made to the LGU under the Wetland Conservation Act as specified above. A copy of the application is attached. Comments can be submitted to:

Name and Title of LGU Contact Person Wes Saunders-Pearce Water Resource Coordinator	Comments must be received by (minimum 15 business-day comment period): December 28, 2012
Address (if different than LGU)	Date, time, and location of decision: Upon completion of TEP findings.
Phone Number and E-mail Address 651-266-9112 wes.saunders-pearce@ci.stpaul.mn.us	Decision-maker for this application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board or Council

Signature:  Date: 12/3/12

3. LIST OF ADDRESSEES

<input checked="" type="checkbox"/> SWCD TEP member: Ryan Johnson, 1425 Paul Kirkwold Drive, Arden Hills, MN 55112 <div style="text-align: center; padding: 5px;">Brian Watson, Dakota County SWCD</div>
<input checked="" type="checkbox"/> BWSR TEP member: Dennis Rodacker, 520 Lafayette Road North, Saint Paul, MN 55155 <input checked="" type="checkbox"/> LGU TEP member (if different than LGU Contact): City of Lilydale <input checked="" type="checkbox"/> DNR TEP member: Molly Shodeen <input type="checkbox"/> DNR Regional Office (if different than DNR TEP member) <input type="checkbox"/> WD or WMO (if applicable): <input checked="" type="checkbox"/> Applicant (notice only) and Landowner (if different) <input type="checkbox"/> Members of the public who requested notice (notice only):
<input checked="" type="checkbox"/> Corps of Engineers Project Manager (notice only) <input type="checkbox"/> BWSR Wetland Bank Coordinator (wetland bank plan applications only)

4. MAILING INFORMATION

- For a list of BWSR TEP representatives: www.bwsr.state.mn.us/contact/WCA_areas.pdf
- For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf
- Department of Natural Resources Regional Offices:

NW Region:	NE Region:	Central Region:	Southern Region:
Reg. Env. Assess. Ecol.	Reg. Env. Assess. Ecol.	Reg. Env. Assess. Ecol.	Reg. Env. Assess. Ecol.
Div. Ecol. Resources	Div. Ecol. Resources	Div. Ecol. Resources	Div. Ecol. Resources
2115 Birchmont Beach Rd. NE	1201 E. Hwy. 2	1200 Warner Road	261 Hwy. 15 South
Bemidji, MN 56601	Grand Rapids, MN 55744	St. Paul, MN 55106	New Ulm, MN 56073

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

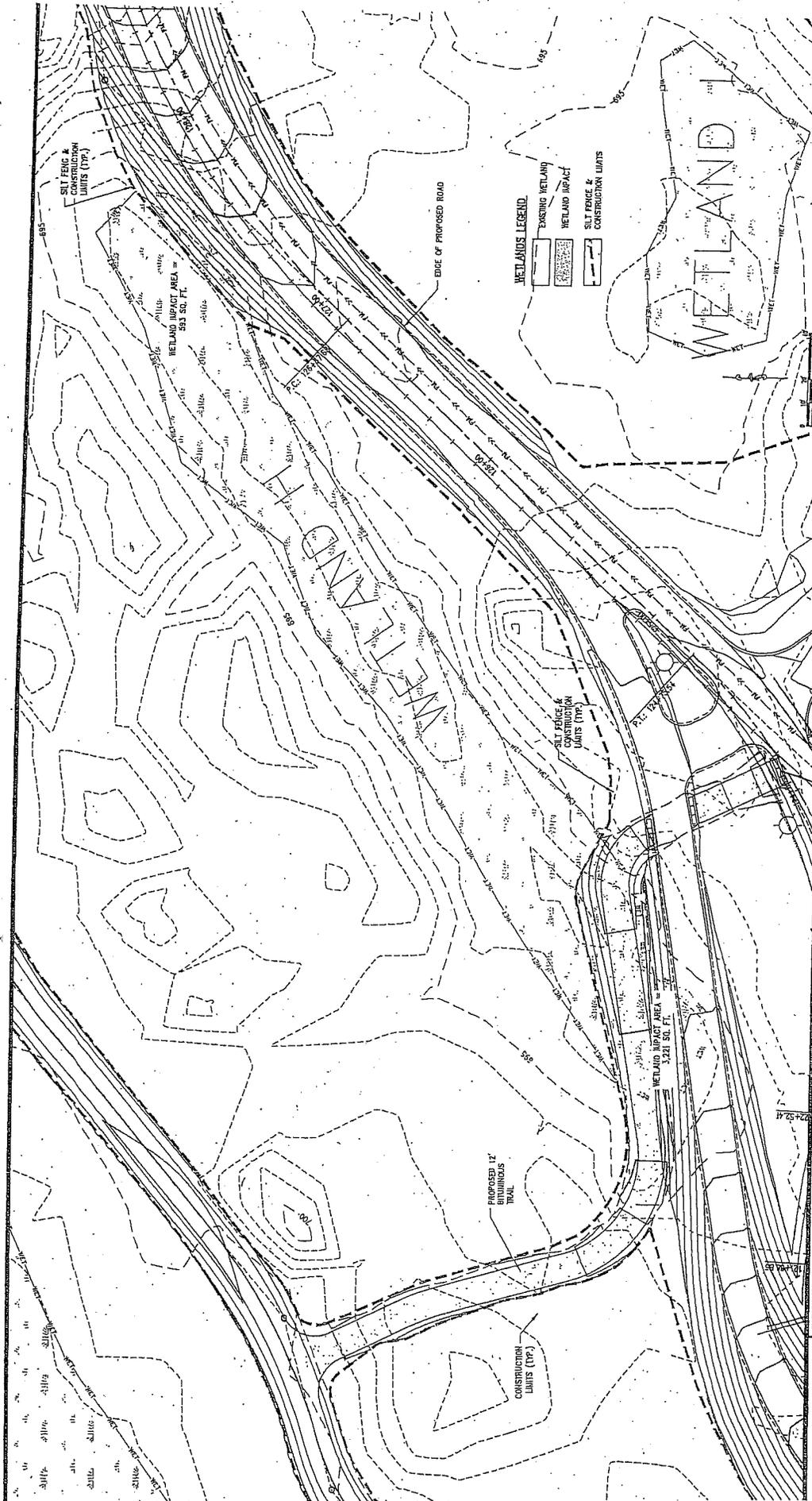
- For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

US Army Corps of Engineers
 St. Paul District, ATTN: OP-R
 180 Fifth St. East, Suite 700
 St. Paul, MN 55101-1678

- For Wetland Bank Plan applications, also send a copy of the application to:
 Minnesota Board of Water and Soil Resources
 Wetland Bank Coordinator
 520 Lafayette Road North
 St. Paul, MN 55155

5. ATTACHMENTS

In addition to the application, list any other attachments:
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

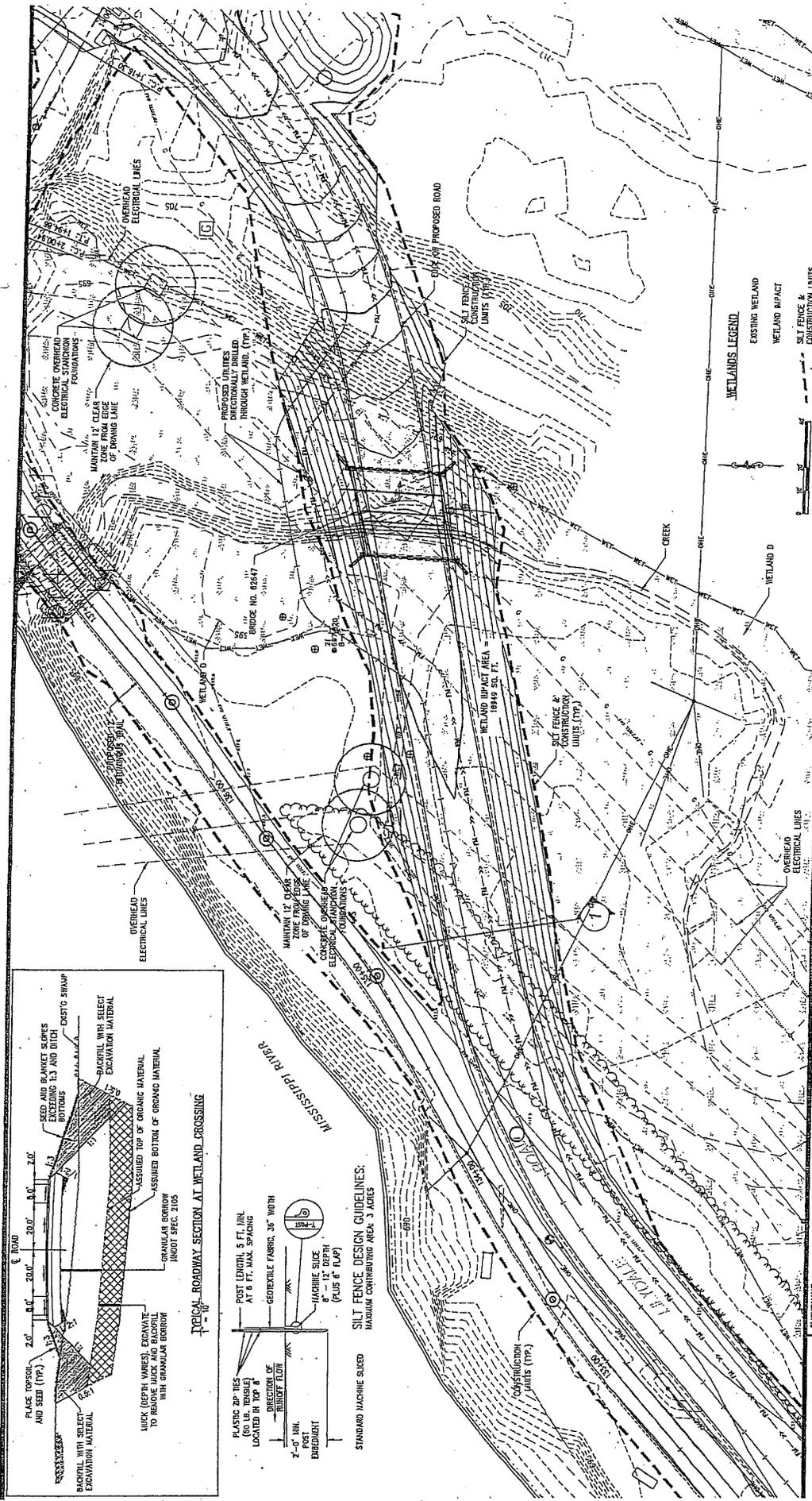


CLIENT NAME
CITY OF ST. PAUL MINNESOTA
DEPARTMENT OF PARKS & RECREATION
 21 N. Superior Street
 Suite 500
 Duluth, MN 55802
 TEL 218/727-3444
 FAX 218/727-4188
<http://www.ci.stpaul.mn.us>
 DULUTH • MINNEAPOLIS

PROJECT NAME
LILYDALE PARK
 DRAWING TITLE
WETLAND IMPACTS
 FILE: J:\000891000\Drawings\Regulatory\Wetlands\Wetland Layouts.dwg DRAWING NO:
 DRAWN BY: SHH
 CHECKED BY: HSB
 PROD. I.D.: 10089

QUANTITY
NOVEMBER 2012 SUBMITTAL
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WETLAND MAP 1



PROJECT NAME: LILYDALE PARK
 DRAWING TITLE: WETLAND IMPACTS
 FILE: J:\0039\00\Design\01 Regulatory\Wetland\Wetland\Permit\Appendix 1\0039\WETLAND_LAYOUTS.dwg (DRAWING NO.)
 DRAWN BY: SJH
 CHECKED BY: HSR
 PLOTTED BY: 0039S

CLIENT NAME: CITY OF ST. PAUL MINNESOTA
 CLIENT ADDRESS: DEPARTMENT OF PARKS & RECREATION
 DATE: NOVEMBER 2012 SUBMITTAL
 PROJECT LOCATION: DULUTH - MINNEAPOLIS
 DRAWING NO.: 0039S

WETLAND MAP 2


 21 W. Superior Street
 Suite 500
 Duluth, MN 55802
 TEL 218/727-8116
 FAX 218/727-8185
 http://www.lhr.com

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Stantec

Memo

To: CJ Fernandez
LHB, Inc.

From: Dan Edgerton, PE
Stantec Consulting Services Inc.

File: 193802292

Date: December 11, 2012

Reference: Lilydale Regional Park Improvements No-Rise Certification

This memo summarizes the technical analysis performed to verify the absence of any impact to the Mississippi River's 100-year Base Flood Elevation (BFE) due to floodway fill within a portion of Lilydale Regional Park in Saint Paul, MN.

Description of Project

The project consists of capping an environmentally-sensitive area, expansion of the trail system, and general park improvements within Lilydale Regional Park. This project will disturb an area within the park between River Station (RS) 165 and 184. The area being disturbed is 31.7 acres. Approximately 59,500 cubic yards of additional fill will be used during the capping process.

Technical Background

Federal Emergency Management Administration (FEMA) floodplain information for the City of Saint Paul consists of floodplain maps used for flood insurance purposes called Flood Insurance Rate Maps (FIRMs). The effective maps for Saint Paul are dated between June 4, 2010 and December 2, 2011. These maps represent the current maps used by FEMA and other State agencies in evaluating flood boundaries for the City of Saint Paul. The FIRMs for Saint Paul show Lilydale Regional Park within the floodplain and floodway of the Mississippi River.

Procedure

A HEC-RAS model created for the updated 2003 Mississippi River Floodplain Study was used to determine the effects of the proposed improvements within the floodway. The HEC-RAS model was selected for this analysis, rather than the HEC-2 model created in the early 1970s, as the RAS model incorporates the most current available information.

The cross sections within the project boundary (RS 165 -184) were modified to reflect the existing conditions from 2009 survey data. The HEC-RAS model was run using the existing conditions to determine existing water surface elevations at each cross section. The cross sections (RS 165-184) were then modified to reflect the proposed grading for the project area. The HEC-RAS model was then run using the proposed conditions to determine the 100-year flood water surface elevations throughout the project area.

Results

The modeled results for both the existing and proposed conditions are shown in a table found in the supporting documents. The model shows that the water surface elevations do NOT rise through the modeled cross sections as a result of the proposed park improvements.

Therefore, the proposed improvements at Lilydale Regional Park will not raise the 100-year flood elevation of the Mississippi River.

One Team. Infinite Solutions.

MINNESOTA "NO-RISE" CERTIFICATION

This is to certify that I am a duly qualified professional engineer licensed to practice in the State of Minnesota.

It is further to certify that the attached technical data supports the fact that the grading improvements to Lilydale Regional Park proposed by the City of Saint Paul for 2013 between River Stations 165 and 184 will not impact the floodway width or 100-year flood elevation (will not raise by more than 0.00 feet) on the Mississippi River at published sections in the Flood Insurance Study for the City of Saint Paul dated April 2, 2003, and will not impact the 100-year flood elevation (will not raise by more than 0.00 feet) at unpublished cross-sections in the vicinity of the proposed development / project.

Attached are the following documents that support my findings:

A technical findings memo, project grading plans, current FIRM maps, modeled river cross sections, and HEC-RAS output.

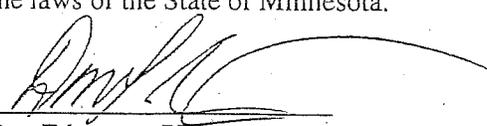
Date: December 11, 2012

Name: Dan Edgerton

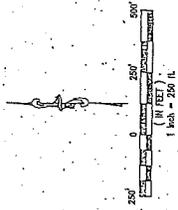
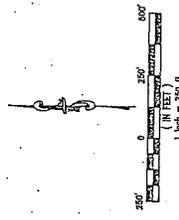
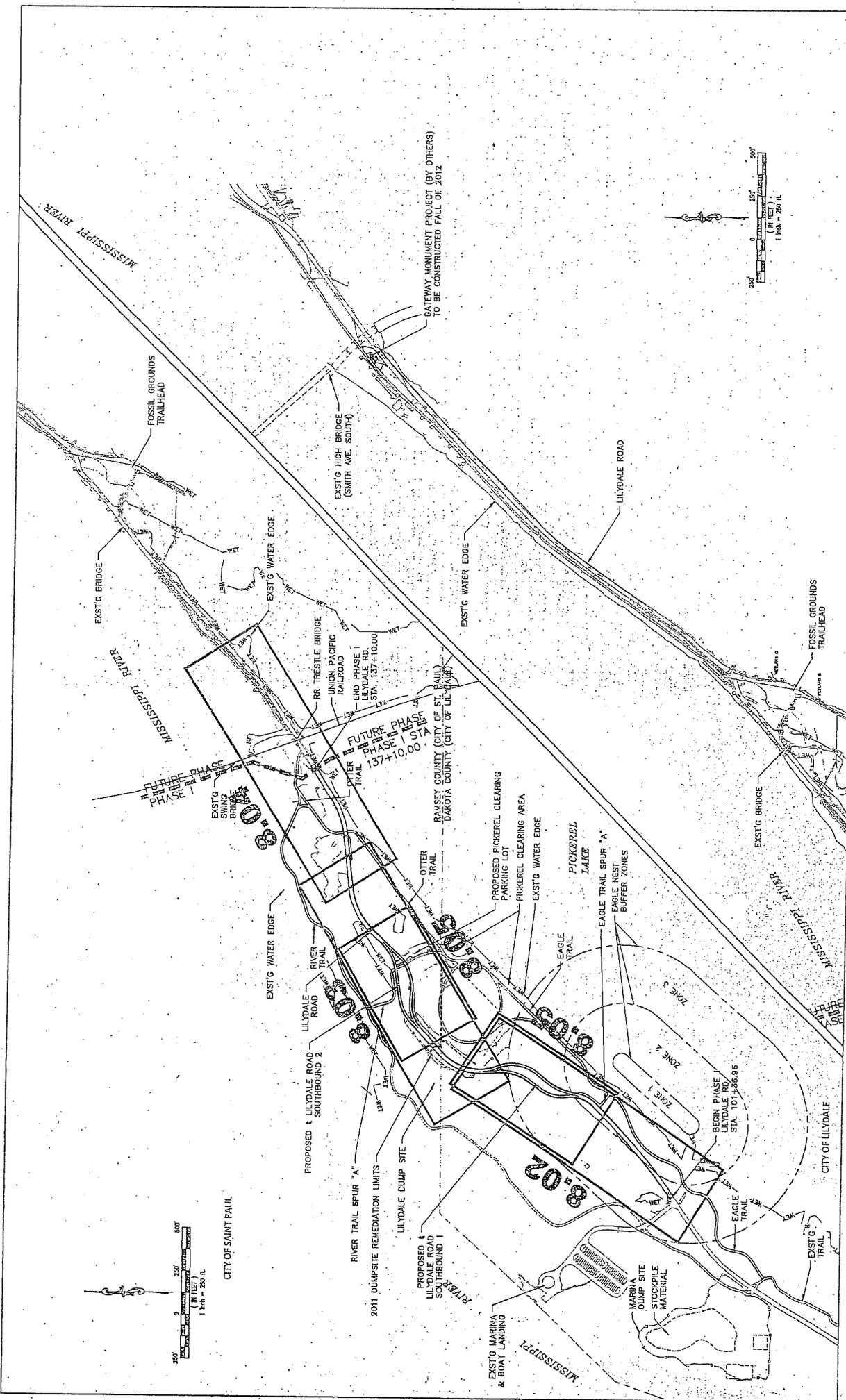
Signature: 

Title: Senior Associate

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


Dan Edgerton, PE

Date: December 11, 2012 Registration No. 19206



PRELIMINARY
NOT FOR CONSTRUCTION
09.27.2012

DATE: _____ LIC. NO. _____

DESIGNED BY:
C/F JAH/R/APS/AJB/JAH

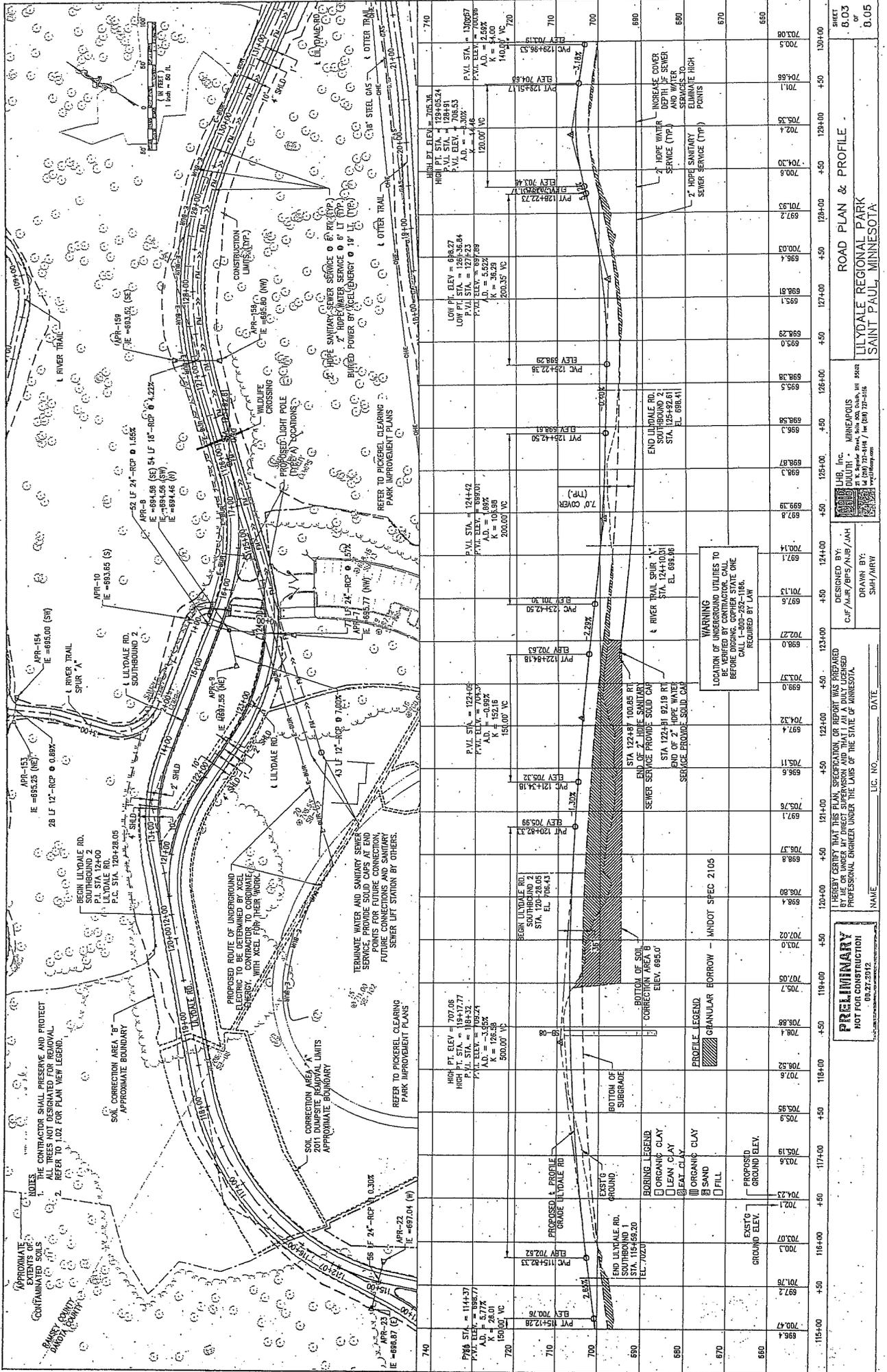
DRAWN BY:
SMH/MRW

J.H.B., Inc.
MINNEAPOLIS
1115 BULLOCH
100 N. Superior Street, Suite 200, Minneapolis, MN 55402
Tel: (612) 339-1111 / Fax: (612) 727-1155
www.jhbinc.com

ROAD PLAN & PROFILE
LILYDALE REGIONAL PARK
SAINT PAUL, MINNESOTA

SHEET
8.01
OF
8.05

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



NOTES
 1. THE CONTRACTOR SHALL PRESERVE AND PROTECT CONTAMINATED SOILS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF EXISTING UTILITIES.
 3. REFER TO 102 FOR PLAN TIE IN LEGEND.

APPROXIMATE EXTENTS OF RAINY COUNTY DRAINAGE

APPROXIMATE CORRECTION AREA OF SOUTHBOUND 2 LILYDALE RD.

APPROXIMATE CORRECTION AREA OF SOUTHBOUND 1 LILYDALE RD.

SOIL CORRECTION AREA 2011 DUMPSTE REMOVAL LIMITS APPROXIMATE BOUNDARY

PROPOSED ROUTE OF UNDERGROUND ELECTRIC TO BE DETERMINED BY XCEL CONTRACTOR TO COORDINATE WITH XCEL FOR THEIR WORK

TERMINATE WATER AND SANITARY SEWER END POINTS FOR FUTURE CONNECTIONS AND SANITARY SEWER LIFT STATION BY OTHERS.

REFER TO PICKEREL CLEARING PARK IMPROVEMENT PLANS

PRELIMINARY
 NOT FOR CONSTRUCTION!
 01/27/2012

NAME: _____ DATE: _____
 LIC. NO. _____

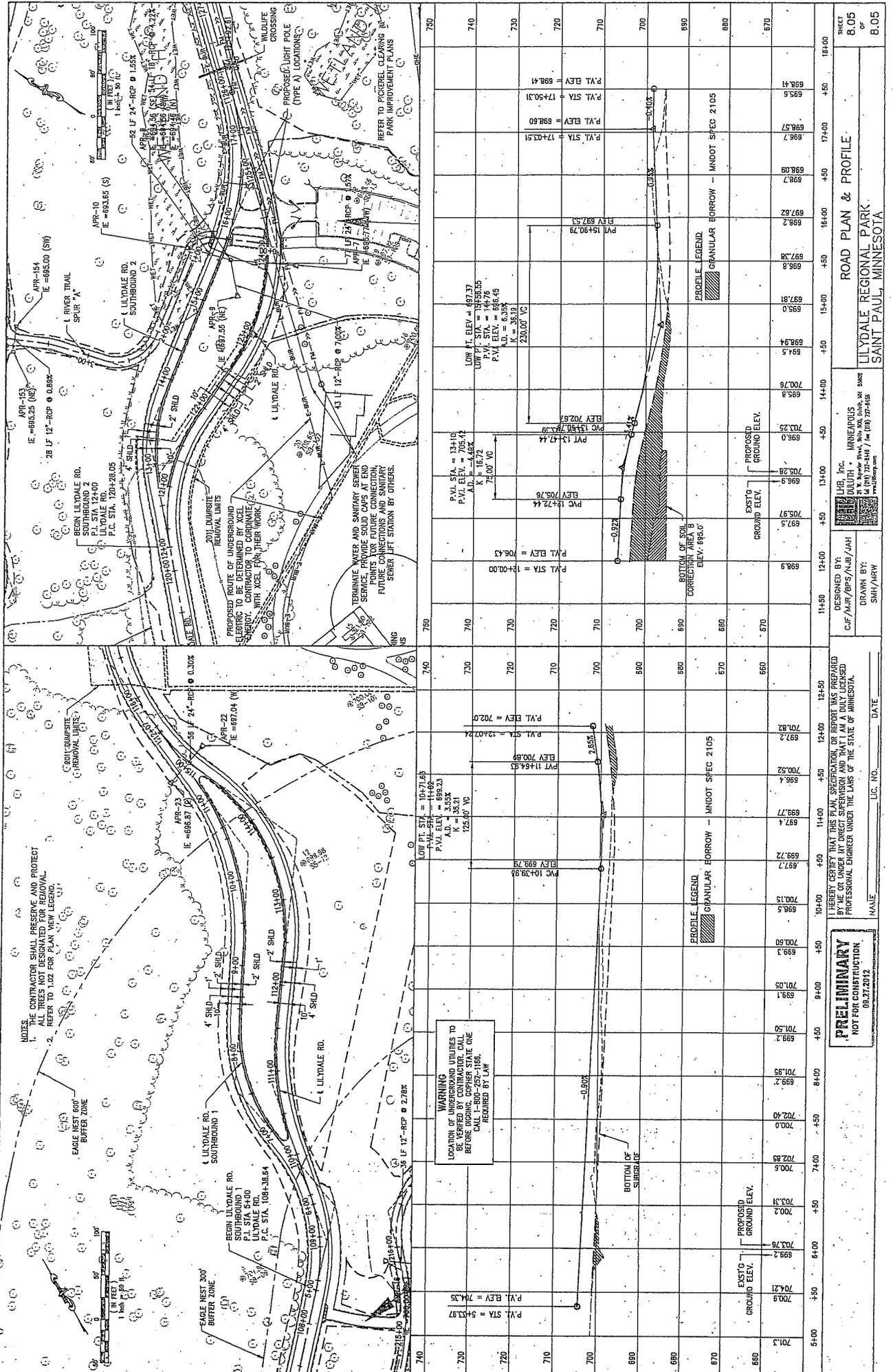
DESIGNED BY: C.P./A.M./B.P.S./N.B./J.A.H.
 DRAWN BY: S.H.H./M.R.V.

UHG, Inc. MINNEAPOLIS
 1000 W. WISCONSIN ST. SUITE 200
 ST. PAUL, MN 55102-3114
 TEL: 612-702-1144 FAX: 612-702-1145
 www.uhg.com

ROAD PLAN & PROFILE
 LILYDALE REGIONAL PARK
 SAINT PAUL, MINNESOTA

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 OF 8.05

10/20/2012 10:00:00 AM C:\Users\jch\Documents\10228497-roads

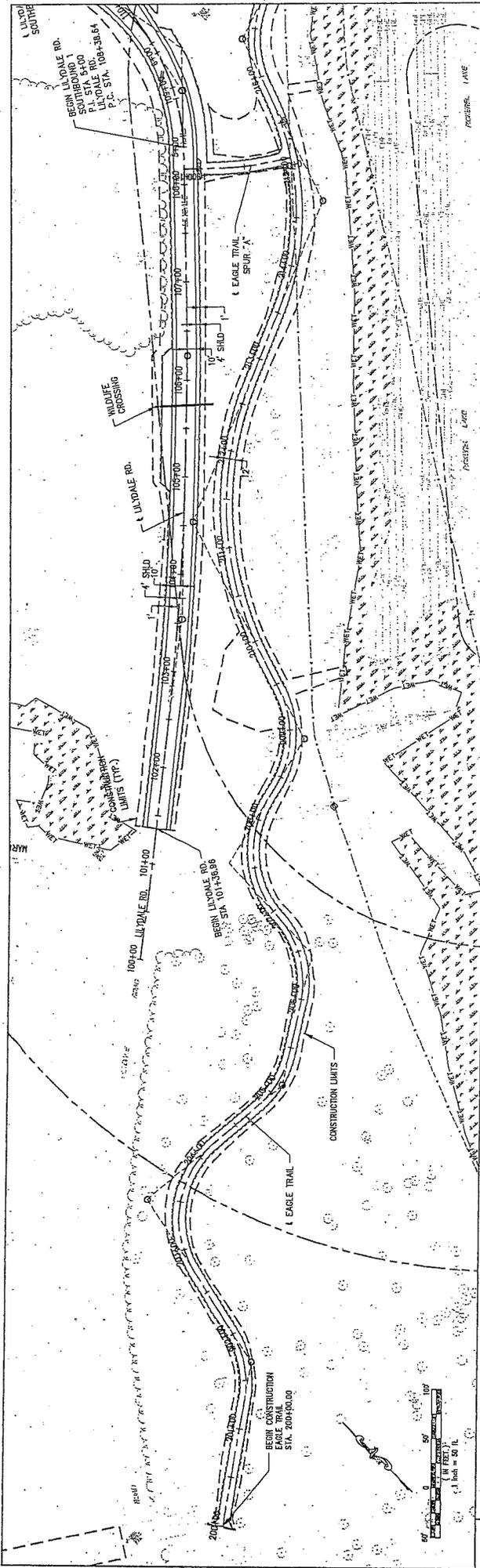


NOTES
 1. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UTILITIES NOT DESIGNATED FOR REMOVAL. REFER TO UG FOR EXISTING UTILITY LOCATIONS.
 2. REFER TO UG FOR EXISTING UTILITY LOCATIONS.

WARNING
 LOCATION OF UNDERGROUND UTILITIES TO BE VERIFIED BY CONTRACTOR. CALL BEFORE DIGGING. OTHER STATE ONE CALL NUMBERS MAY BE REQUIRED BY LAW.

STATION	ELEVATION	DESCRIPTION
1+00	701.3	GROUND ELEV.
1+00	703.9	EXIST'G GROUND ELEV.
1+00	704.21	EXIST'G GROUND ELEV.
1+00	699.2	GROUND ELEV.
1+00	703.76	PROPOSED GROUND ELEV.
1+00	700.2	PROPOSED GROUND ELEV.
1+00	703.31	PROPOSED GROUND ELEV.
1+00	700.6	PROPOSED GROUND ELEV.
1+00	702.85	PROPOSED GROUND ELEV.
1+00	700.0	PROPOSED GROUND ELEV.
1+00	702.40	PROPOSED GROUND ELEV.
1+00	699.2	PROPOSED GROUND ELEV.
1+00	701.93	PROPOSED GROUND ELEV.
1+00	699.2	PROPOSED GROUND ELEV.
1+00	701.50	PROPOSED GROUND ELEV.
1+00	699.1	PROPOSED GROUND ELEV.
1+00	700.80	PROPOSED GROUND ELEV.
1+00	700.15	PROPOSED GROUND ELEV.
1+00	697.2	PROPOSED GROUND ELEV.
1+00	697.4	PROPOSED GROUND ELEV.
1+00	693.77	PROPOSED GROUND ELEV.
1+00	696.4	PROPOSED GROUND ELEV.
1+00	700.52	PROPOSED GROUND ELEV.
1+00	697.2	PROPOSED GROUND ELEV.
1+00	697.82	PROPOSED GROUND ELEV.
1+00	701.82	PROPOSED GROUND ELEV.
1+00	700.82	PROPOSED GROUND ELEV.
1+00	697.0	PROPOSED GROUND ELEV.
1+00	705.97	PROPOSED GROUND ELEV.
1+00	696.9	PROPOSED GROUND ELEV.
1+00	705.28	PROPOSED GROUND ELEV.
1+00	696.0	PROPOSED GROUND ELEV.
1+00	703.25	PROPOSED GROUND ELEV.
1+00	695.8	PROPOSED GROUND ELEV.
1+00	700.76	PROPOSED GROUND ELEV.
1+00	698.5	PROPOSED GROUND ELEV.
1+00	698.94	PROPOSED GROUND ELEV.
1+00	695.0	PROPOSED GROUND ELEV.
1+00	697.81	PROPOSED GROUND ELEV.
1+00	696.8	PROPOSED GROUND ELEV.
1+00	697.38	PROPOSED GROUND ELEV.
1+00	698.2	PROPOSED GROUND ELEV.
1+00	697.62	PROPOSED GROUND ELEV.
1+00	698.7	PROPOSED GROUND ELEV.
1+00	698.09	PROPOSED GROUND ELEV.
1+00	696.7	PROPOSED GROUND ELEV.
1+00	695.6	PROPOSED GROUND ELEV.
1+00	698.41	PROPOSED GROUND ELEV.

DESIGNED BY: JUB, Inc. MINNEAPOLIS, MN
 C/J/AAR/BPS/AJH/AH
 DRAWN BY: SMH/AJW
 DATE: _____
 L.C. NO. _____
 I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
PRELIMINARY
 NOT FOR CONSTRUCTION
 09.27.2012



Station	Elevation	Ground Elevation	Proposed Profile
702.3	702.3		
702.5	702.5		
701.7	701.7		
703.2	703.2		
702.0	702.0		
703.5	703.5		
701.5	701.5		
702.82	702.82		
701.6	701.6		
702.71	702.71		
701.6	701.6		
703.67	703.67		
701.6	701.6		
703.92	703.92		
702.0	702.0		
703.98	703.98		
702.2	702.2		
700.8	700.8		
703.42	703.42		
700.9	700.9		
701.2	701.2		
206+00	702.83		
206+10	702.83		
206+20	699.0		
206+30	701.0		
206+40	702.51		
206+50	703.64		
206+60	701.0		
206+70	702.51		
206+80	701.0		
206+90	702.51		
207+00	703.64		
207+10	701.0		
207+20	702.51		
207+30	701.0		
207+40	702.51		
207+50	703.64		
207+60	701.0		
207+70	702.51		
207+80	701.0		
207+90	702.51		
208+00	703.64		
208+10	701.0		
208+20	702.51		
208+30	701.0		
208+40	702.51		
208+50	703.64		
208+60	701.0		
208+70	702.51		
208+80	701.0		
208+90	702.51		
209+00	703.64		
209+10	701.0		
209+20	702.51		
209+30	701.0		
209+40	702.51		
209+50	703.64		
209+60	701.0		
209+70	702.51		
209+80	701.0		
209+90	702.51		
210+00	703.64		
210+10	701.0		
210+20	702.51		
210+30	701.0		
210+40	702.51		
210+50	703.64		
210+60	701.0		
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210+90	702.51		
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213+50	703.64		
213+60	701.0		
213+70	702.51		
213+80	701.0		
213+90	702.51		
214+00	703.64		
214+10	701.0		
214+20	702.51		
214+30	701.0		
214+40	702.51		
214+50	703.64		
214+60	701.0		
214+70	702.51		
214+80	701.0		
214+90	702.51		
215+00	703.64		

PRELIMINARY
NOT FOR CONSTRUCTION

DESIGNED BY: C/F/A/M/R/B/S/A/J/B/A/H
DRAWN BY: S/M/A/M/R/W

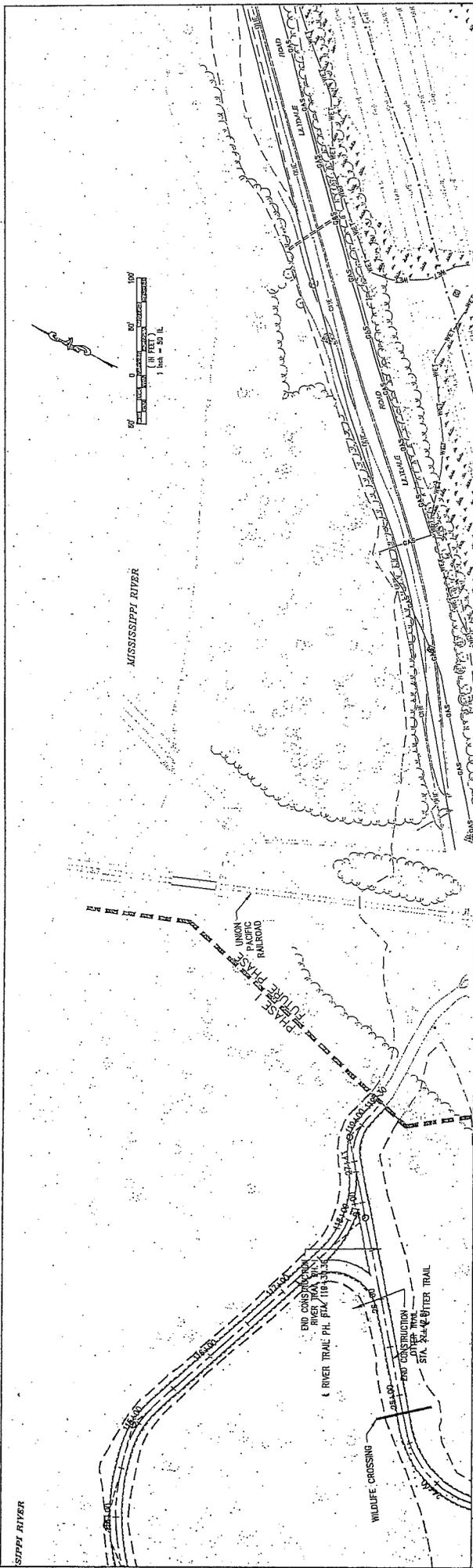
DATE: _____

LIC. NO. _____

LHB, Inc. MINNEAPOLIS
1100 BULLOCH ST. SUITE 200, MINNAPOLIS, MN 55404
TEL: (612) 339-7258 FAX: (612) 339-7259

TRAIL PLANS & PROFILES - EAGLE TRAIL
LILYDALE REGIONAL PARK
SAINT PAUL, MINNESOTA

SHEET 6.02 of 9.07



Station	Ground Elevation	Proposed Elevation	Notes
114+00	698.8	700.70	
114+10	701.01	700.79	
114+20	699.5	700.84	
114+30	701.59	701.94	
114+40	701.59	702.22	
114+50	701.0	702.50	
114+60	702.50	702.80	
114+70	700.4	703.08	
114+80	700.4	702.08	
117+00	700.4	702.08	
117+10	700.4	702.24	
117+20	700.6	702.57	
117+30	700.7	702.57	
117+40	701.98	702.7	
117+50	700.3	700.3	
117+60	700.3	700.3	
117+70	700.94	700.94	
119+00	699.7	699.7	
119+10	700.00	700.00	
119+20	699.2	699.2	
119+30	699.3	699.3	
120+00	699.2	699.2	
120+10	699.2	699.2	
120+20	699.2	699.2	
120+30	699.2	699.2	
120+40	699.2	699.2	
120+50	699.2	699.2	
120+60	699.2	699.2	
120+70	699.2	699.2	
120+80	699.2	699.2	
120+90	699.2	699.2	
121+00	699.2	699.2	
121+10	699.2	699.2	
121+20	699.2	699.2	
121+30	699.2	699.2	
121+40	699.2	699.2	
121+50	699.2	699.2	
121+60	699.2	699.2	
121+70	699.2	699.2	
121+80	699.2	699.2	
121+90	699.2	699.2	
122+00	699.2	699.2	
122+10	699.2	699.2	
122+20	699.2	699.2	
122+30	699.2	699.2	
122+40	699.2	699.2	
122+50	699.2	699.2	
122+60	699.2	699.2	
122+70	699.2	699.2	
122+80	699.2	699.2	
122+90	699.2	699.2	
123+00	699.2	699.2	
123+10	699.2	699.2	
123+20	699.2	699.2	
123+30	699.2	699.2	
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123+50	699.2	699.2	
123+60	699.2	699.2	
123+70	699.2	699.2	
123+80	699.2	699.2	
123+90	699.2	699.2	
124+00	699.2	699.2	
124+10	699.2	699.2	
124+20	699.2	699.2	
124+30	699.2	699.2	
124+40	699.2	699.2	
124+50	699.2	699.2	
124+60	699.2	699.2	
124+70	699.2	699.2	
124+80	699.2	699.2	
124+90	699.2	699.2	
125+00	699.2	699.2	
125+10	699.2	699.2	
125+20	699.2	699.2	
125+30	699.2	699.2	
125+40	699.2	699.2	
125+50	699.2	699.2	
125+60	699.2	699.2	
125+70	699.2	699.2	
125+80	699.2	699.2	
125+90	699.2	699.2	
126+00	699.2	699.2	
126+10	699.2	699.2	
126+20	699.2	699.2	
126+30	699.2	699.2	
126+40	699.2	699.2	
126+50	699.2	699.2	
126+60	699.2	699.2	
126+70	699.2	699.2	
126+80	699.2	699.2	
126+90	699.2	699.2	
127+00	699.2	699.2	
127+10	699.2	699.2	
127+20	699.2	699.2	
127+30	699.2	699.2	
127+40	699.2	699.2	
127+50	699.2	699.2	
127+60	699.2	699.2	
127+70	699.2	699.2	
127+80	699.2	699.2	
127+90	699.2	699.2	
128+00	699.2	699.2	
128+10	699.2	699.2	
128+20	699.2	699.2	
128+30	699.2	699.2	
128+40	699.2	699.2	
128+50	699.2	699.2	
128+60	699.2	699.2	
128+70	699.2	699.2	
128+80	699.2	699.2	
128+90	699.2	699.2	
129+00	699.2	699.2	

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

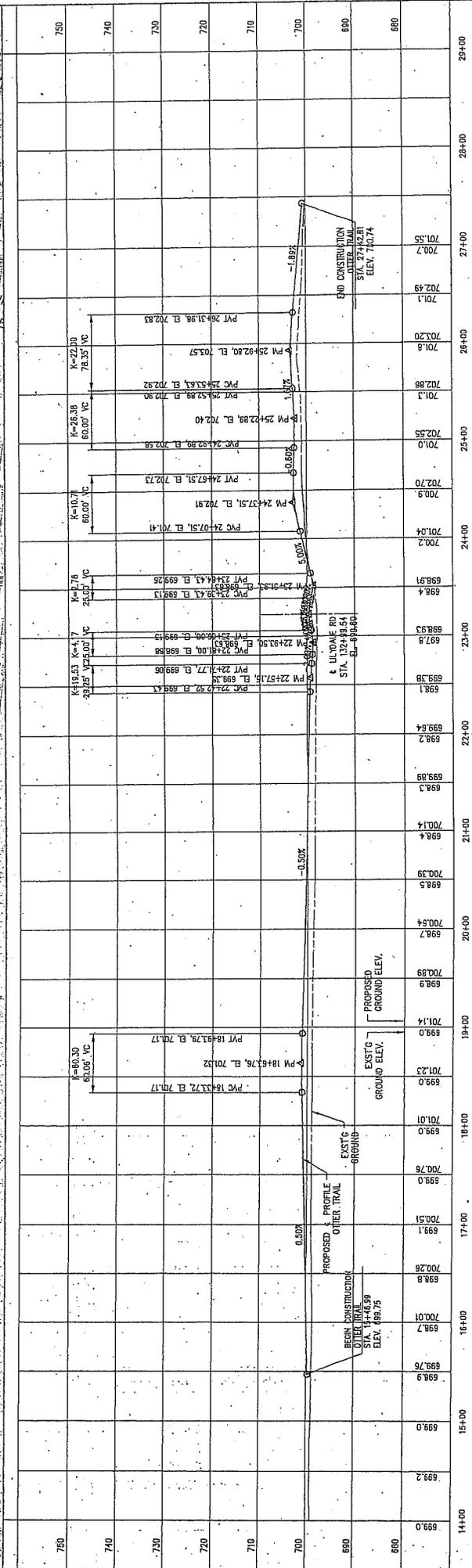
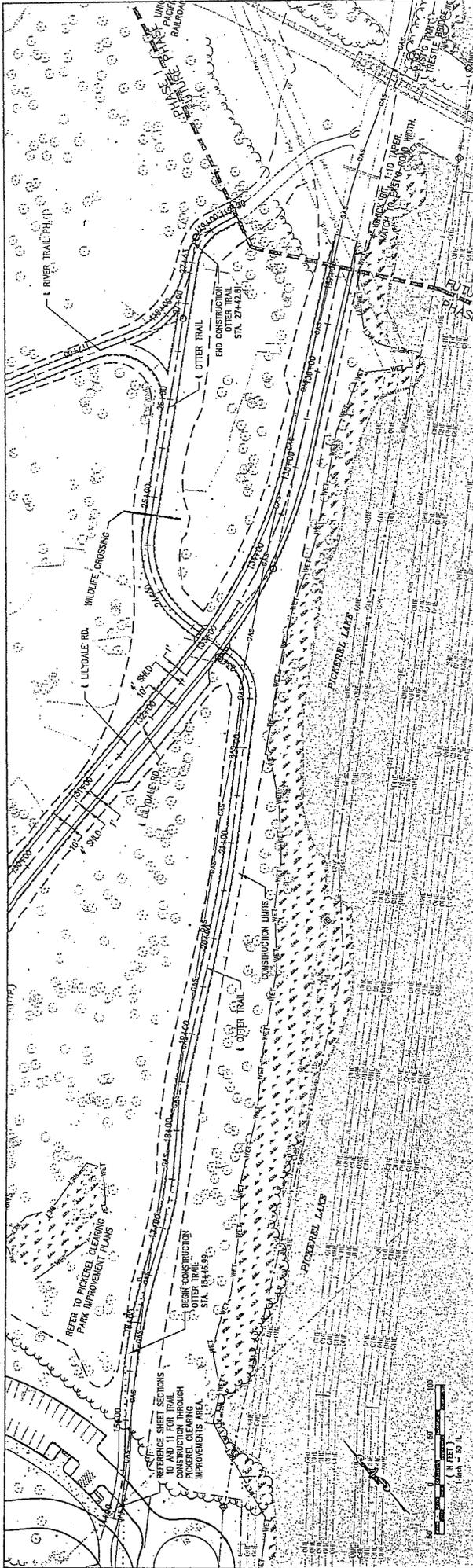
DESIGNED BY: **MINNEAPOLIS QUALITY**
 C/E / M/R / P/S / N/S / A/H
 21 N. Superior Street, Suite 500, St. Paul, MN 55102
 Tel: (612) 777-8118 / Fax: (612) 777-8145
 www.mnquality.com

DRAWN BY: **SAR/ARW**

NAME: _____ UC: 110. _____ DATE: _____

PRELIMINARY
 NOT FOR CONSTRUCTION
 08.27.2012

SHEET 9.05 OF 9.07
TRAIL PLANS & PROFILES - RIVER TRAIL PHASE 1
LILYDALE REGIONAL PARK
SAINT PAUL, MINNESOTA



PRELIMINARY
NOT FOR CONSTRUCTION
06.27.2012

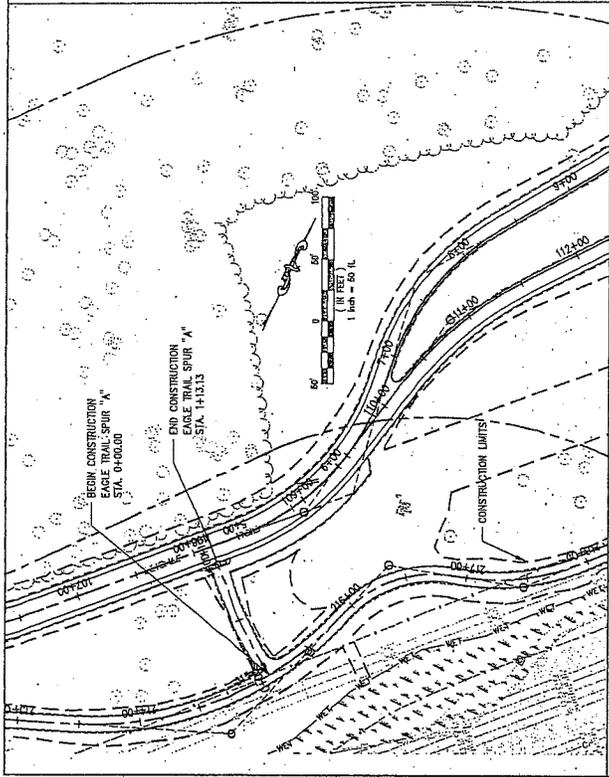
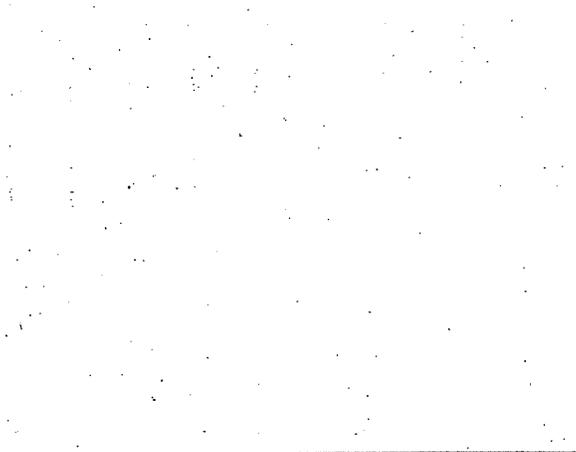
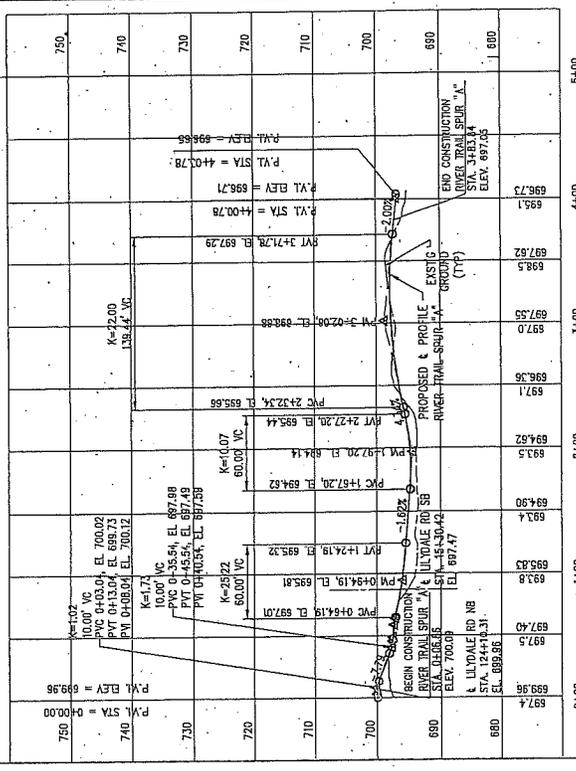
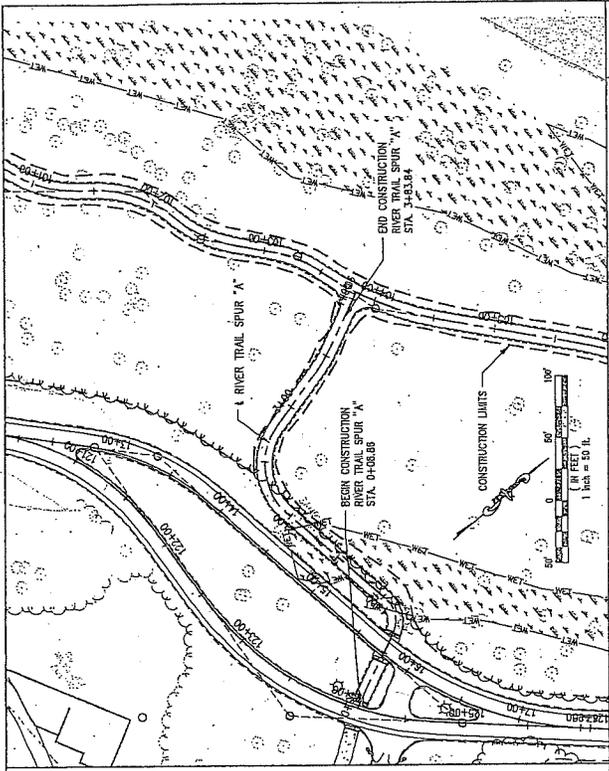
DESIGNED BY: C.J. MAJRS/SPS/ALB/JAH
DRAWN BY: SMH/MRW

DATE: _____

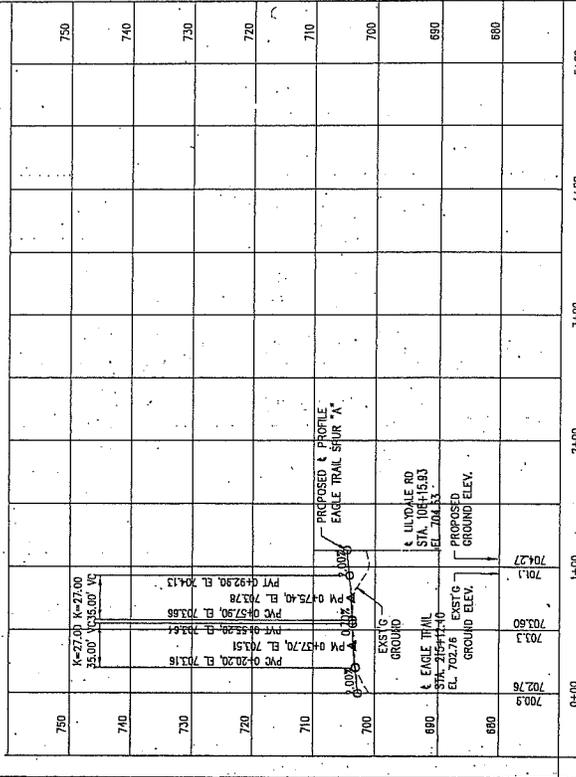
LIC. NO. _____

PROJECT: TRAIL PLANS & PROFILES - OTHER TRAIL
LOCATION: LLYDALE REGIONAL PARK
CITY: SAINT PAUL, MINNESOTA

DATE: 06.06.12
SHEET: 9.07



10/02/2012



10/02/2012

PRELIMINARY
NOT FOR CONSTRUCTION
08/27/2012

DESIGNED BY: C.F./M.A.R./B.F.S./A.S./J.A.H.
DRAWN BY: S.H./A.R.W.

DATE: _____

UC. NO. _____

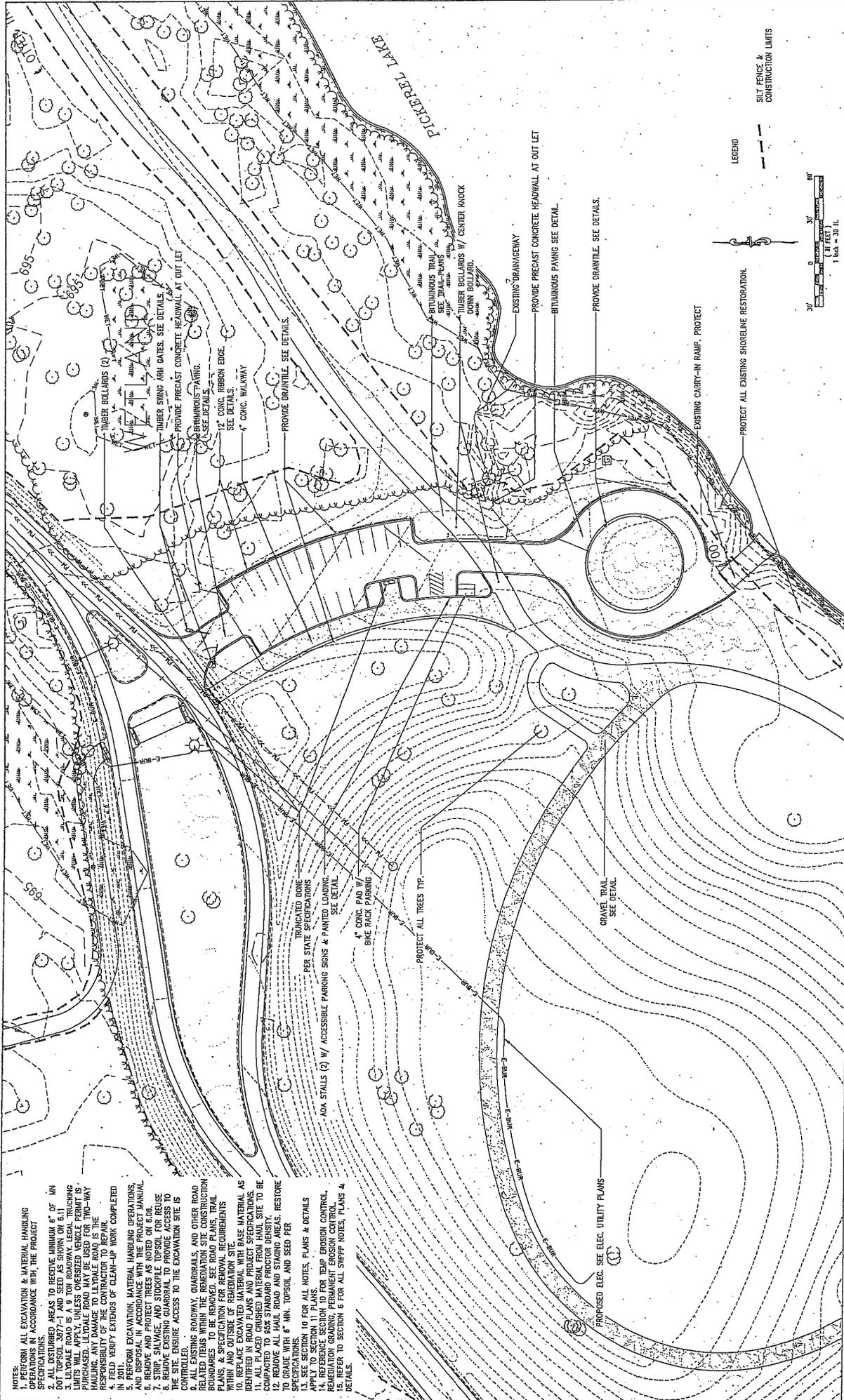
NAME: _____

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

J.H.R., Inc. MINNEAPOLIS
1000 University Ave. Suite 500, St. Paul, MN 55102
Tel: (612) 377-4444 / Fax: (612) 377-4458
http://www.jhrinc.com

TRAIL PLANS & PROFILES
EAGLE TRAIL SPUR "A" & RIVER TRAIL SPUR "A"
of
LILYDALE REGIONAL PARK
SAINT PAUL, MINNESOTA

SHEET 9.07
of 9.07



- NOTES:
1. PERFORM ALL EXCAVATION & MATERIAL HANDLING OPERATIONS IN ACCORDANCE WITH THE PROJECT MANUAL.
 2. ALL DISTURBED AREAS TO RECEIVE UNIMULCH 6" OF 1/4" DOT TOPSOIL 3877-1 AND SEED AS SHOWN ON 6.11.
 3. LLOYDALE ROAD IS A 9 TON ROADWAY LEGAL TRUCKING UNIT. UNLESS OTHERWISE NOTED, ALL TRUCKING OPERATIONS SHALL BE LIMITED TO 9 TONS PER TRUCK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RESPONSIBILITY OF THE CONTRACTOR TO REPAIR ANY DAMAGE TO LLOYDALE ROAD DURING THE PROJECT.
 4. FIELD VERIFY EXTENS OF CLEAN-UP WORK COMPLETED.
 5. PREFORM EXCAVATION, MATERIAL HANDLING OPERATIONS AND DISPOSAL IN ACCORDANCE WITH THE PROJECT MANUAL.
 6. REMOVE AND PROTECT TREES AS NOTED ON 6.09.
 7. STRIP, SALVAGE, AND STOCKPILE TOPSOIL FOR REUSE.
 8. REMOVE EXISTING GUARDRAIL TO PROVIDE ACCESS TO EXCAVATION. PROVIDE ACCESS TO THE EXCAVATION SITE IS CONTROLLED.
 9. ALL EXISTING ROADWAY, GUARDRAILS, AND OTHER ROAD RELATED ITEMS WITHIN THE REMEDIATION SITE CONSTRUCTION BOUNDARIES TO BE REMOVED. SEE ROAD PLANS, TRAIL PLANS, AND SPECIFICATIONS FOR REMOVAL REQUIREMENTS.
 10. REPLACE EXCAVATED MATERIAL WITH BASE MATERIAL AS IDENTIFIED IN ROAD PLANS AND PROJECT SPECIFICATIONS.
 11. ALL PLACED CRUSHED MATERIAL FROM HAIL SITE TO BE COMPACTED TO 95% STANDARD PROCTOR DENSITY.
 12. GRADE WITH 6" MIN. TOPSOIL AND SEED PER SPECIFICATIONS.
 13. SEE SECTION 10 FOR ALL NOTES, PLANS & DETAILS APPLY TO SECTION 11 PLANS.
 14. REFER TO SECTION 10 FOR TEMP EROSION CONTROL, REVEALING, AND SEEDING REQUIREMENTS.
 15. REFER TO SECTION 6 FOR ALL SHEET NOTES, PLANS & DETAILS.

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

NAME: _____ LIC. NO.: _____ DATE: _____

DESIGNED BY: UNIVERPOSIS
 C.J.F./A.M.R./B.P.S./A.L.B./J.A.H.

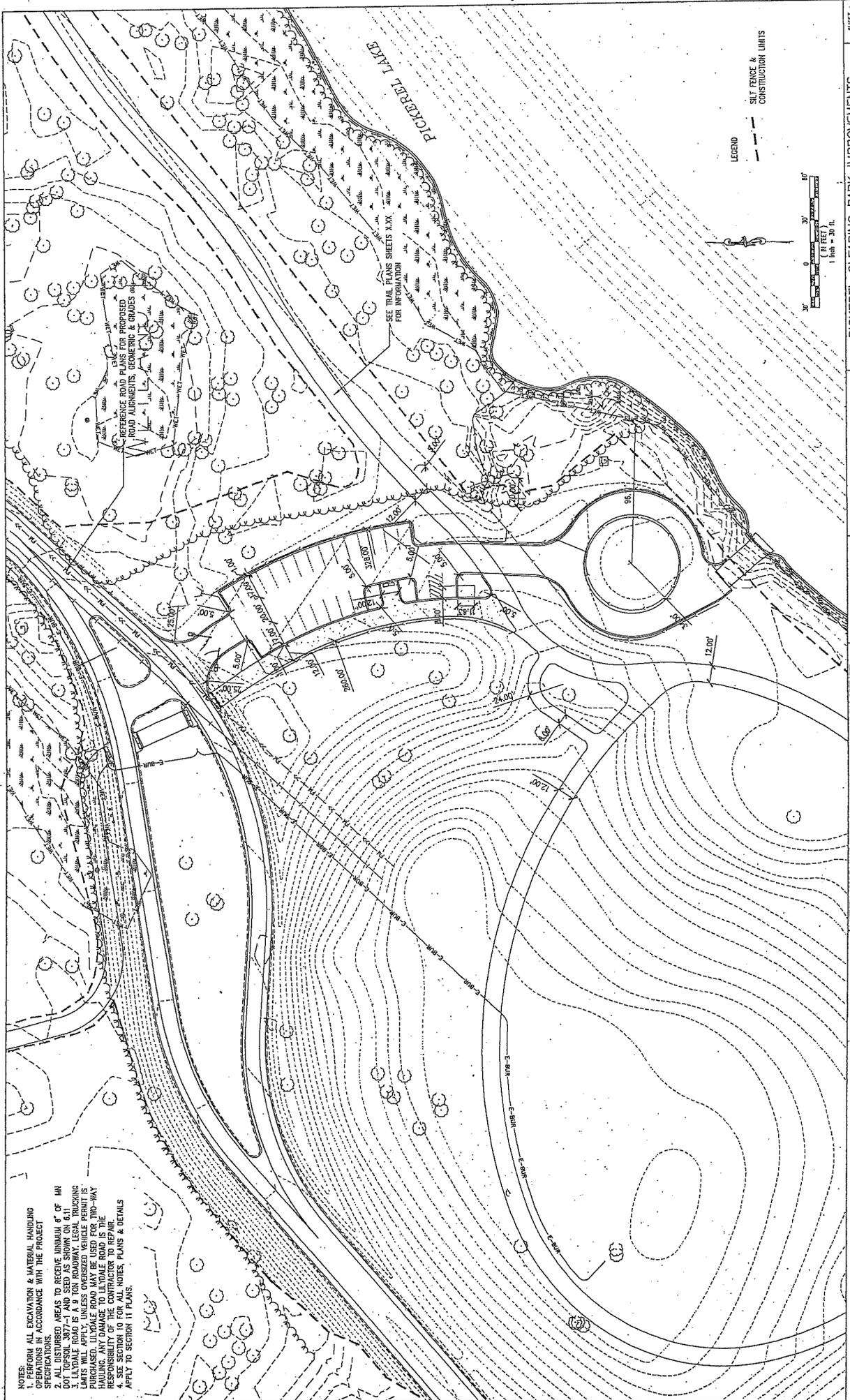
DRAWN BY: SHM/ARW

PICKEREL CLEARING PARK IMPROVEMENTS
 LLOYDALE REGIONAL PARK
 SAINT PAUL, MINNESOTA

SHEET 11.01 OF 11.05

PRELIMINARY
 NOT FOR CONSTRUCTION
 09.27.2012

10/03/2012



NOTES:
 1. PERFORM ALL EXCAVATION & MATERIAL HANDLING OPERATIONS IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
 2. ALL AREAS TO BE REVEALED SHALL BE OF MIN. DOT TOLERANCE 3/37-1 AND SEED AS SHOWN ON 411.
 3. LULLVALE ROAD IS A 9 TON ROADWAY. LEGAL TRUCKING LIMITS WILL APPLY, UNLESS OVERSIZED VEHICLE PERMIT IS PURCHASED. LULLVALE ROAD MAY BE USED FOR TWO-WAY TRAFFIC AT THE DISCRETION OF THE CONTRACTOR TO REPAIR RESPONSIBILITY TO FOR ALL NOTES, PLANS & DETAILS APPLY TO SECTION 11 PLANS.

<p>PROJECT: PICKEREL CLEARING PARK IMPROVEMENTS LULLVALE REGIONAL PARK SAINT PAUL, MINNESOTA</p>	
<p>DATE: 11.02 OF: 11.05</p>	
<p>DESIGNED BY: JAH, INC. MINNEAPOLIS C.F. JAH/ABPS/ALB/JAH DRAWN BY: SHY/MRW</p>	
<p>I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.</p>	
<p>NAME: _____</p>	<p>LIC. NO.: _____</p>
<p>DATE: _____</p>	<p>DATE: _____</p>
<p>PRELIMINARY NOT FOR CONSTRUCTION 08.27.2012</p>	



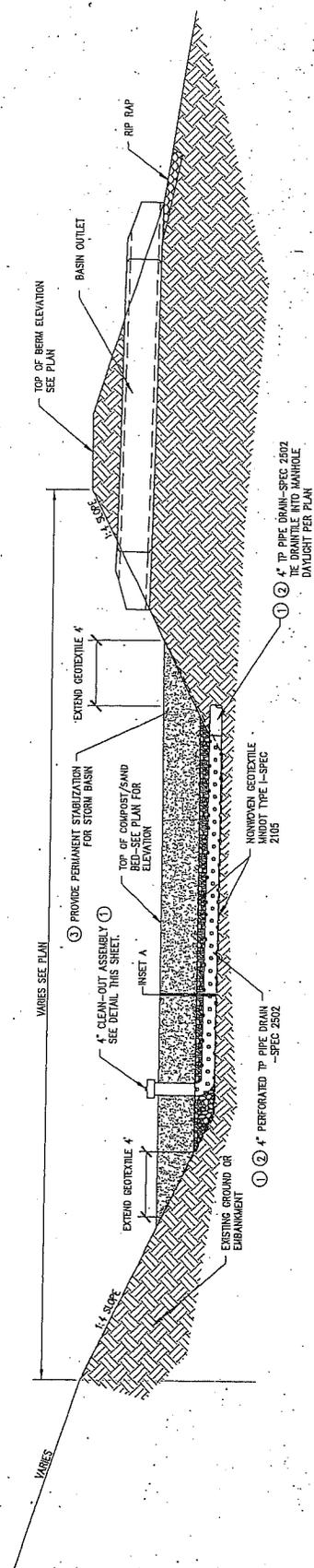
NOTES:

1. PERFORM ALL EXCAVATION & MATERIAL HANDLING OPERATIONS IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
2. ROAD AREAS TO BE RESEED WITHIN 6" OF 1/4" DOT TOPSOIL, 307-1 AND SEED AS SHOWN ON 6.1.
3. ULTYDALE ROAD IS A 9 TON ROADWAY. LEGAL TRUCKING LIMITS WILL APPLY, UNLESS OVERSIZED VEHICLE PERMIT IS PURCHASED. ULTYDALE ROAD MAY BE USED FOR TWO-WAY RESPONSIBILITY FOR THE ROAD TO ULTYDALE ROAD IS THE RESPONSIBILITY OF THE OWNER.
4. SEE SECTION 11 FOR ALL NOTES, PLANS & DETAILS APPLY TO SECTION 11 PLANS.
5. SEE SHEET XXX FOR SPECIFIC PERMANENT EROSION CONTROL MEASURES.
6. SEE SECTION 11 FOR SPECIFIC PERMANENT EROSION CONTROL MEASURES, NOTES, PLANS & DETAILS FOR SWPPP & EROSION CONTROL.

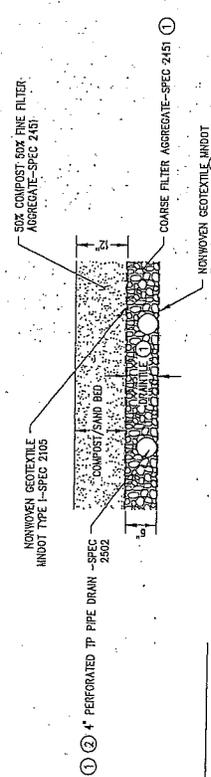
LEGEND

- SILT FENCE & CONSTRUCTION LIMITS
- EROSION CONTROL BLANKET, 1/4" DOT
- SEE NOTES.
- 1/4" DOT TYPE 3 CLEAR GRAIN STRAW & SHORT/DRY SEED MIX, SEE NOTES.
- 1/4" DOT TYPE 3 CLEAR GRAIN STRAW MENS SEED MIX, SEE NOTES.

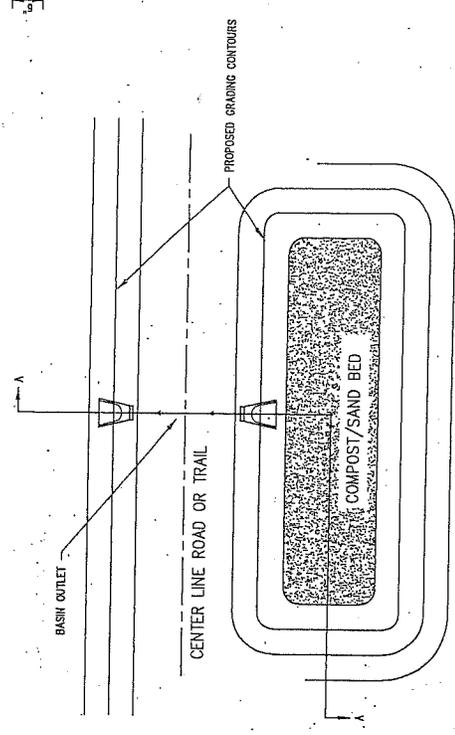
CODE	QTY	COMMON NAME/LATIN NAME	SIZE
AS	0	AUTUMN BLAZE MAPLE	3" BB
AZ	2	AZALEA	2" BB
BA	0	BALTIMORE	2" BB
BN	0	BURNING BUSH	3" BB
BR	0	BURMALESE	2" BB
CA	0	CANADIAN	2" BB
CC	0	COMMON	2" BB
CD	0	CANDID	2" BB
CE	0	CELESTINE	2" BB
CF	0	CORNER	2" BB
CG	0	CORNER	2" BB
CH	0	CHERRY	2" BB
CI	0	CORNER	2" BB
CJ	0	CORNER	2" BB
CK	0	CORNER	2" BB
CL	0	CORNER	2" BB
CM	0	CORNER	2" BB
CN	0	CORNER	2" BB
CO	0	CORNER	2" BB
CP	0	CORNER	2" BB
CQ	0	CORNER	2" BB
CR	0	CORNER	2" BB
CS	0	CORNER	2" BB
CT	0	CORNER	2" BB
CU	0	CORNER	2" BB
CV	0	CORNER	2" BB
CW	0	CORNER	2" BB
CX	0	CORNER	2" BB
CY	0	CORNER	2" BB
CZ	0	CORNER	2" BB
DA	0	CORNER	2" BB
DB	0	CORNER	2" BB
DC	0	CORNER	2" BB
DD	0	CORNER	2" BB
DE	0	CORNER	2" BB
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DJ	0	CORNER	2" BB
DK	0	CORNER	2" BB
DL	0	CORNER	2" BB
DM	0	CORNER	2" BB
DN	0	CORNER	2" BB
DO	0	CORNER	2" BB
DP	0	CORNER	2" BB
DQ	0	CORNER	2" BB
DR	0	CORNER	2" BB
DS	0	CORNER	2" BB
DT	0	CORNER	2" BB
DU	0	CORNER	2" BB
DV	0	CORNER	2" BB
DW	0	CORNER	2" BB
DX	0	CORNER	2" BB
DY	0	CORNER	2" BB
DZ	0	CORNER	2" BB
EA	0	CORNER	2" BB
EB	0	CORNER	2" BB
EC	0	CORNER	2" BB
ED	0	CORNER	2" BB
EE	0	CORNER	2" BB
EF	0	CORNER	2" BB
EG	0	CORNER	2" BB
EH	0	CORNER	2" BB
EI	0	CORNER	2" BB
EJ	0	CORNER	2" BB
EK	0	CORNER	2" BB
EL	0	CORNER	2" BB
EM	0	CORNER	2" BB
EN	0	CORNER	2" BB
EO	0	CORNER	2" BB
EP	0	CORNER	2" BB
EQ	0	CORNER	2" BB
ER	0	CORNER	2" BB
ES	0	CORNER	2" BB
ET	0	CORNER	2" BB
EU	0	CORNER	2" BB
EV	0	CORNER	2" BB
EW	0	CORNER	2" BB
EX	0	CORNER	2" BB
EY	0	CORNER	2" BB
EZ	0	CORNER	2" BB
FA	0	CORNER	2" BB
FB	0	CORNER	2" BB
FC	0	CORNER	2" BB
FD	0	CORNER	2" BB
FE	0	CORNER	2" BB
FF	0	CORNER	2" BB
FG	0	CORNER	2" BB
FH	0	CORNER	2" BB
FI	0	CORNER	2" BB
FJ	0	CORNER	2" BB
FK	0	CORNER	2" BB
FL	0	CORNER	2" BB
FM	0	CORNER	2" BB
FN	0	CORNER	2" BB
FO	0	CORNER	2" BB
FP	0	CORNER	2" BB
FQ	0	CORNER	2" BB
FR	0	CORNER	2" BB
FS	0	CORNER	2" BB
FT	0	CORNER	2" BB
FU	0	CORNER	2" BB
FV	0	CORNER	2" BB
FW	0	CORNER	2" BB
FX	0	CORNER	2" BB
FY	0	CORNER	2" BB
FZ	0	CORNER	2" BB
GA	0	CORNER	2" BB
GB	0	CORNER	2" BB
GC	0	CORNER	2" BB
GD	0	CORNER	2" BB
GE	0	CORNER	2" BB
GF	0	CORNER	2" BB
GG	0	CORNER	2" BB
GH	0	CORNER	2" BB
GI	0	CORNER	2" BB
GJ	0	CORNER	2" BB
GK	0	CORNER	2" BB
GL	0	CORNER	2" BB
GM	0	CORNER	2" BB
GN	0	CORNER	2" BB
GO	0	CORNER	2" BB
GP	0	CORNER	2" BB
GQ	0	CORNER	2" BB
GR	0	CORNER	2" BB
GS	0	CORNER	2" BB
GT	0	CORNER	2" BB
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GW	0	CORNER	2" BB
GX	0	CORNER	2" BB
GY	0	CORNER	2" BB
GZ	0	CORNER	2" BB
HA	0	CORNER	2" BB
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IA	0	CORNER	2" BB
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PU	0	CORNER	2" BB
PV	0	CORNER	2" BB
PW	0	CORNER	2" BB
PX	0	CORNER	2" BB
PY	0	CORNER	2" BB
PZ			



STORM BASIN CROSS SECTION A-A
NTS



INSET A
NTS



STORM BASIN PLAN
NTS

- KEY NOTES:
- 1 PROVIDE ORANTILE AND CLEANOUTS IN STORM BASIN WHERE SHOWN ON PLANS.
 - 2 SEE STORM BASIN DETAILS FOR BASIN SUBDRAIN LAYOUT AND ELEVATIONS
 - 3 PERMANENT STABILIZE WITH SEED MIX 428, FERTILIZER TYPE 3, AND EROSION CONTROL BLANKET CATEGORY 4

STORM BASIN DETAILS

SHEET 13.01 OF 13.03

STORM WATER MANAGEMENT PLANS

LILYDALE REGIONAL PARK
SAINT PAUL, MINNESOTA

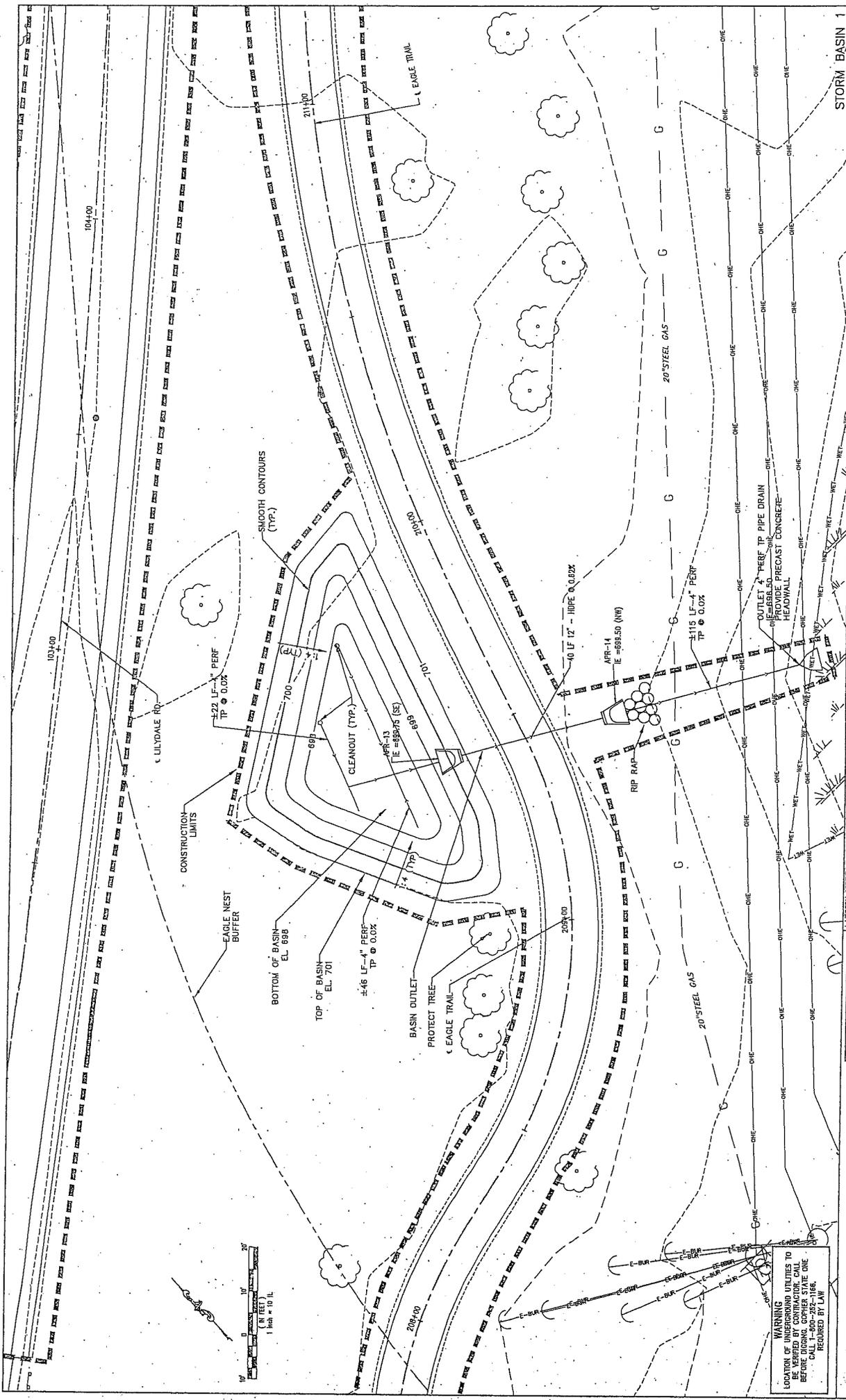
DESIGNED BY: C.F./MWR/SPS/MSB/JMH
DRAWN BY: SMH/MRW

UHB, Inc. MINNEAPOLIS, MN 55405
1000 DULUTH ST. ST. PAUL, MN 55102
(612) 725-4141 FAX (612) 725-4142
www.uhb.com

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

NAME _____ LIC. NO. _____ DATE _____

PRELIMINARY
NOT FOR CONSTRUCTION
09.27.2012



PRELIMINARY
NOT FOR CONSTRUCTION
09-27-2012

WARNING
LOCATION OF UNDERGROUND UTILITIES TO BE VERIFIED BY CONTRACTOR. CALL BEFORE ANY EXCAVATION. SEE ONE SHEET OF THE PROJECT FOR UTILITY LOCATIONS. CALL 1-800-392-1164 FOR MORE INFORMATION. REQUIRED BY LAW.

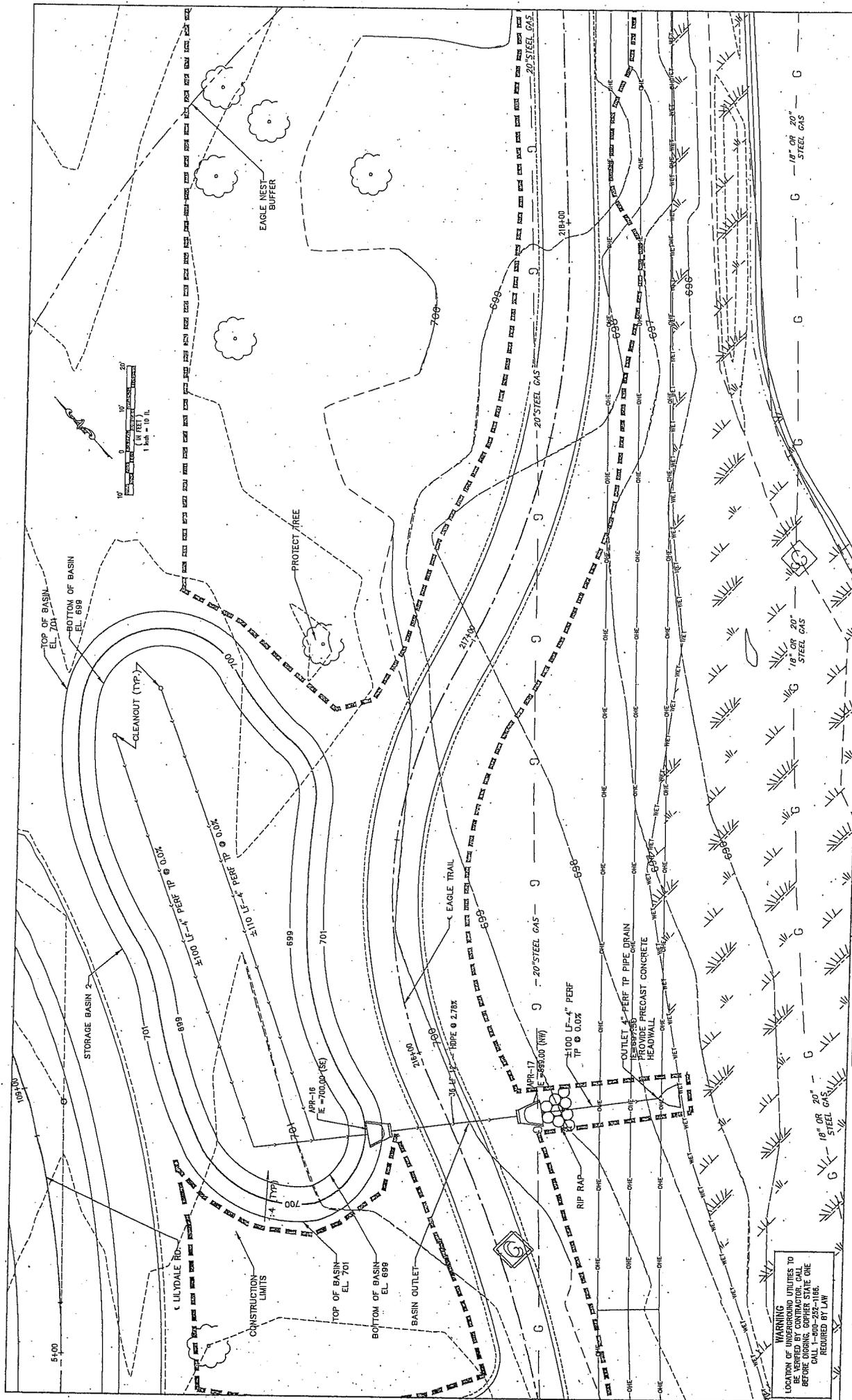
DESIGNED BY: C-JF/AMR/EP/S/AJ/B/AH
DRAWN BY: SMH/JAR/W

MINNEAPOLIS
LULYDALE REGIONAL PARK
SAINT PAUL, MINNESOTA

STORM WATER MANAGEMENT PLANS
LILYDALE REGIONAL PARK
SAINT PAUL, MINNESOTA

SHEET 13.02 OF 13.03

10/11/2012 10:03:59 AM C:\Users\jg\Documents\100389\100389.dwg



PRELIMINARY
NOT FOR CONSTRUCTION
09.27.2012

DESIGNED BY: C.J. FAY/DFCS/ANB/AJH
DRAWN BY: SHH/ARW

LHB, Inc. MINNEAPOLIS
1000 BROADWAY, SUITE 200, MINNEAPOLIS, MN 55402
TEL: 612.339.1100 / FAX: 612.339.1101
WWW.LHBINC.COM

STORM WATER MANAGEMENT PLANS
LILYDALE REGIONAL PARK
SAINT PAUL, MINNESOTA

PROJECT NO. 13.03
SHEET 13.03 OF 13.03

DATE

LIC. NO.

NAME

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

WARNING
LOCATION OF EXISTING UTILITIES TO BE MARKED BEFORE CONSTRUCTION
BEFORE DIGGING, REFER TO STATE ONE
CALL 1-800-252-1166
REQUIRED BY LAW