

**CITY OF ST. ANTHONY VILLAGE
CITY COUNCIL MEETING AGENDA**

OCTOBER 10, 2017

7:00 p.m.

HRA meeting immediately after
council meeting



Call to Order.

Pledge of Allegiance.

Roll Call.

Consideration, discussion, and possible action on all of the following items:

I. Approval of the October 10, 2017, City Council Meeting Agenda. (*action requested.*)

II. Proclamations and Recognitions.

III. Consent Agenda.

These items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which the item will be removed from the Consent Agenda and placed elsewhere on the agenda.

- A. Approval of September 26, 2017, City Council meeting minutes.
- B. Licenses and Permits.
- C. Claims.
- D. Resolution 17-063 a resolution Accepting Donations and Grants Received in the 3rd Quarter of 2017.
- E. Resolution 17-064 a resolution Certifying Special Assessments for Delinquent Public Utility Service Accounts to the 2018 Hennepin County Tax Rolls.
- F. Resolution 17-065 a resolution Certifying Special Assessments for Delinquent Public Utility Service Accounts to the 2018 Ramsey County Tax Rolls.
- G. Resolution 17-066 a resolution Certifying Special Assessments for Delinquent Waste Hauler Accounts to the 2018 Hennepin County Tax Rolls.
- H. Resolution 17-067 a resolution Certifying Special Assessments for Delinquent Waste Hauler Accounts to the 2018 Ramsey County Tax Rolls.

IV. Public Hearing.

V. Reports from Commission and Staff.

- A. Resolution 17-068 a resolution denying a request for a 17.5 foot variance to build a deck 7.5 feet from the property line at 3113 Edward St. Breanne Rothstein, City Planner presenting
- B. Resolution 17-069 a resolution approving the minor subdivision request for the properties located at 3725 Stinson Boulevard and 3701 Stinson Boulevard. Breanne Rothstein, City Planner presenting.

VI. General Business of Council.

- A. Resolution 17-070 a resolution denying The Comprehensive Plan Amendments, PUD Preliminary Development Plan/PUD Rezoning, and Preliminary Plat related to The Village, LLC Project Located at 2401 and 2501 Lowry Avenue. Mark Casey, City Manager presenting.

Our Mission is to be a progressive and livable community, a walkable village, which is sustainable, safe and secure.

- B. Ordinance 2017-03 an ordinance Approving the Comcast Cable Television Franchise. Mark Casey, City Manager presenting. (2nd of 3 readings).
- C. Quarterly Goals Update. Mark Casey, City Manager presenting. (No action required)

VII. Reports from City Manager and Council members.

VIII. Community Forum

Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, sign their name and address on the form at the podium, state their name and address for the Clerk's record, and limit their remarks to five minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct the matter to be scheduled on an upcoming agenda.

IX. Information and Announcements

X. Adjournment.

**CITY OF ST. ANTHONY
CITY COUNCIL REGULAR MEETING MINUTES
SEPTEMBER 26, 2017**

CALL TO ORDER.

Mayor Faust called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

Mayor Faust invited the Council and audience to join him in the Pledge of Allegiance.

ROLL CALL.

Present: Mayor Faust; Councilmembers Gray, Jenson, and Stille.

Absent: None

Also Present: City Manager Mark Casey, St. Anthony Fire Department Representatives Mark Sitarz and Mattie Jaros.

CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON ALL OF THE FOLLOWING ITEMS.

I. APPROVAL OF SEPTEMBER 26, 2017 CITY COUNCIL MEETING AGENDA.

Motion by Councilmember Gray, seconded by Councilmember Jenson, to approve the City Council Meeting Agenda of September 26, 2017 as presented.

Motion carried 4-0.

II. PROCLAMATIONS AND RECOGNITIONS - NONE.

III. CONSENT AGENDA.

- A. Approval of September 12, 2017, City Council Meeting Minutes.
- B. Licenses and Permits.
- C. Claims.

Motion by Councilmember Stille, seconded by Councilmember Jenson, to approve the Consent Agenda items.

Motion carried 4-0.

IV. PUBLIC HEARINGS.

A. **Ordinance 2017-03 an ordinance Approving the Comcast Cable Television Franchise**

Mayor Faust opened the public hearing at 7:02 p.m.

City Council Regular Meeting Minutes

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1 Councilmember Gray introduced the ordinance for Comcast Cable Television Franchise.
2 Council is requested to approve the first of three readings of an ordinance to adopt the renewal of
3 the Comcast cable television franchise. A memorandum from Mike Bradley, Attorney for the
4 North Suburban Cable Commission (NSCC) was provided for Council review summarizing the
5 Franchise Renewal. The second reading will be on October 10, 2017 and the third and final
6 reading will be on October 24, 2017. Following the adoption of the ordinance, the ordinance
7 goes into effect upon publication in the St. Anthony Bulletin. Councilmember Gray serves as the
8 liaison to the North Suburban Cable Commission and North Suburban Access Corporation. For
9 the past four years this agreement has been worked on. Before Council is a very favorable
10 franchise agreement. He reviewed some of the highlights of the agreement. The agreement has
11 a ten-year term. There will still be a 5% franchise fee paid to each City in the NSCC (9 cities).
12 That may be at risk as in many states there is a State Franchise Agreement or it may be
13 eliminated completely by the FCC. The franchise fee is for the right-of-way. The current PEG
14 funding continues until the end of the year. After 2018 the PEG funding is cut 40% by the new
15 franchise agreement. PEG fees are on each subscriber's bill. This is for Public, Educational and
16 Government programming. With these cuts the way CTV is run will need to be changed.
17 Councilmember Gray stated a budget is being done for next year currently. The Executive
18 Director intends to retire at some point so a new Director will be needed. A point of concern is
19 the number of people going to the internet to get their information. A consultant will be assisting
20 the Commission in looking at the future of the NSCC. The old franchise agreement included
21 universal service. This has been eliminated in the new franchise agreement.
22

23 Councilmember Stille thanked Councilmember Gray for serving on the Commission and
24 clarified the use of "we" refers to the North Suburban Cable Commission. He asked how this
25 content can be delivered to the public in the best way. Councilmember Gray stated this is a good
26 deal compared to what other States are paying across the nation.
27

28 Mayor Faust pointed out this is a user fee and no funds come out of taxpayer dollars. It is paid by
29 the subscribers to Comcast and CenturyLink. The City is not at risk for any liability or funding.
30

31 Mayor Faust closed the public hearing at 7:12 p.m.
32

33 Motion by Councilmember Stille, seconded by Councilmember Jenson, to approve First Reading
34 of Ordinance 2017-03; an Ordinance Approving the Comcast Cable Television Franchise.
35

Motion carried 4-0.

36 **V. REPORTS FROM COMMISSION AND STAFF - NONE**
37

40 **VI. GENERAL BUSINESS OF COUNCIL.**
41

42 A. Fire Prevention Presentation
43

44 Fire Department Representatives Chief Mark Sitarz and Firefighter Mattie Jaros provided the
45 Fire Prevention Presentation to Council. The Department provides education to all residents. The
46 Open Houses over the last few years has been a great success thanks to Mattie Jaros. Ms. Jaros

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1 stated this year's Fire Prevention Week is October 8-14, 2017. The Fire Department Open House
2 will be held Saturday, October 7 from 1-4 p.m. This is a free event open to all ages. Some
3 photographs were shown of last year's Open House. The Village Big Rigs will also be present.
4 She reviewed the Home Safety Surveys Program and residents are invited to call the Fire
5 Department to schedule their survey.

6

7 **VII. REPORTS FROM CITY MANAGER AND COUNCIL MEMBERS.**

8

9 City Manager Casey provided updates on some projects. The 37th Avenue sidewalk between
10 Highcrest and Stinson is substantially completed with just a few punch list items remaining.
11 Signal work being done includes ped ramps which are ADA compliant and countdown timers.
12 The 2017 street project is substantially completed with just a few punch list items and some
13 landscaping left to be completed. Weekly updates were sent to residents on the projects. The
14 final wear course will be going on Stinson next week. This project is substantially done and the
15 landscaping will be done next year. Mirror Lake is being drained to be able to continue work on
16 the project.

17

18 Councilmember Stille reported on September 22, he attended a reception for Fin Fest and
19 presented the proclamation from the City Council. The Sister City organization is always looking
20 for members. He attended the Planning Commission Meeting on September 25. There was a
21 comp plan meeting prior to the Planning Commission Meeting.

22

23 Councilmember Gray had nothing to report.

24

25 Councilmember Jenson attended the comp plan meeting last night as a replacement for former
26 Councilmember Brever.

27

28 Mayor Faust stated on September 21, he attended a focus group at the League of Minnesota
29 Cities office to review issues and items regarding last year's conference and next year's
30 conference.

31

32 Mayor Faust noted a comprehensive plan amendment was to come before Council but the
33 Applicant has requested to come before Council on October 10. He added he would not support a
34 comp plan amendment that would increase density to 48 units per acre. Mayor Faust hopes the
35 amendment has a significant reduction in density.

36

37 Councilmember Gray stated one good thing about these meetings is that it gives the public an
38 opportunity to address Council during Community Forum, noting not every City has this option.
39 The Council does not normally respond to those addressing Council. Councilmember Gray stated
40 he watched the meeting when he was absent and wanted to note the City has not lost power in
41 this process. One of the things that has been brought up a couple of times is that the City didn't
42 lift a finger to help the residents of Lowry Grove even though it says so in the comp plan. He
43 noted the comp plan does not say we were going to assist the residents of Lowry Grove, it says
44 we will ensure they are taken care of per State law. This will be a long process which he does
45 not think will end on October 10 as there are many things still up in the air. He stated the Council
46 has not met with the developer behind closed doors.

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1
2 Councilmember Stille elaborated regarding Council's stance on this and legal counsel advised
3 Council on what should be done and how it should be handled. He noted residents are concerned
4 about tax increment financing (TIF), which is not discussed until after the project is approved.
5 There has been no discussion about TIF as there is nothing to talk about at this time.
6

7 Councilmember Jenson stated on August 28, he attended the Planning Commission Meeting
8 where the development was proposed. It was not compliant to the comp plan. He read excerpts
9 from the comp plan.
10

11 Mayor Faust stated the Council/City is not here to design their project for them. They are to
12 present something for Council consideration as it is presented and whether or not it should go
13 forward.
14

15 **VIII. COMMUNITY FORUM.**

16
17 Ms. Ginny Lahti, 2601 Kenzie Terrace, stated she is in favor of the redevelopment but opposed
18 to the size and scope of the project. She believed that 832 units is too high density for this area
19 and would like to see a number closer to 425 and building heights of 3-4 stories. She would like
20 to see a map of the topography. She commented on Building C and would like to see that
21 building lower with a smaller footprint. She would also like a larger setback for that building.
22

23 Ms. Joanne Youngren, 2601 Kenzie Terrace, thanked the Council for explaining things to them
24 as they did. She asked about the original "plan" of assisted living, noting now they are called
25 Senior Buildings and asked what that meant. There is an assisted living building right across the
26 street that is not filled.
27

28 Mr. Jesse Piktunia, 2616 27th Avenue, thanked Council for their comments on the Lowry Grove
29 redevelopment. He stated he has a lot of concerns about the project, noting if the site is rezoned,
30 the bottom of the density range would be desired. He does not believe the project will put less
31 demand on schools and thinks stakeholders outside of St. Anthony have no risk yet the City's
32 residents will need to deal with increased traffic and the need for new schools. He is concerned
33 about storm water, public safety, traffic, etc., and thinks these issues need to be addressed before
34 any project can move forward.
35

36 Ms. Christine Lizdas, 3013 Townview Avenue, stated she was before Council a year ago to
37 discuss racial bias. She feels the CRIT program was not a good response to the killing of
38 Philando Castille and that an assessment of community policing practices was not a good choice.
39 She stated she researched this, talking to everyone she could about the work, and now
40 understands how the program can repair relations between the police and the community. Ms.
41 Lizdas stated the CRIT program has been discontinued and requested the Council bring the table
42 for continued discussions back.
43

44 Mayor Faust read his statement again concerning The Village LLC proposal.
45

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September 26, 2017

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1 Mr. Thomas Issacson, 2604 Pahl Avenue, stated he attended the Planning Commission Meeting
2 and the City Planner stated there would not be a new plan presented on October 3, 2017. City
3 Manager Casey stated there will not be a new staff report. For the October 10 meeting, Council
4 will be presented with the proposal that came before the Planning Commission, the Staff Report
5 that was presented, and any new materials provided by the Applicant. This will be available
6 October 3 and placed on the website as soon as practical.
7

8 Mayor Faust stated there was a variance for a deck and it would be possible for the Applicant to
9 revise their plans before coming before Council.
10

11 Mr. Issacson asked for the public to have an opportunity to voice their comments on the “new”
12 proposal on October 10, 2017.
13

14 Mayor Faust encouraged residents to sign up for the push notifications regarding the project.
15

16 **IX. INFORMATION AND ANNOUNCEMENTS.**

17 There will be a Tech Dump on October 7 at City Hall from 9 a.m. to 12:00 p.m.
18

20 **X. ADJOURNMENT.**

22 Mayor Faust adjourned the meeting at 7:55 p.m.
23

25 Respectfully submitted,
26 Debbie Wolfe
27 *TimeSaver off Site Secretarial, Inc.*
28

31 Mayor

32 ATTEST: _____
33 City Clerk
34

Saint Anthony Village

DATE: October 10, 2017 Approved:
TO: Mayor and Councilmembers
FROM: License Clerk
ITEM: License and Permits for Approval:

General Contractors Licenses:

Signcrafters Outdoor, Blaine, MN

Mechanical Licenses:

Glowing Hearth & Home, Jordan, MN
Innovative Mechanical, Ramsey, MN
Patton Heating, Cedar, MN

Rental Licenses:

Applicant: Sue Tettemer
Location: 3121 39th Ave NE

Applicant: Lang Nelson Associates
Location: 2540 Kenzie Ter
2600 Kenzie Ter

Applicant: Highland Court
Location: 3800 – 3808 Macalaster Dr

Vendor Number	Payee	Check Number	Check Issue Date	Amount
11798	CENTRAL PENSION FUND LOCAL #49	33280	09/22/2017	2,764.80
11809	CITY OF ST. ANTHONY SUNSHINE FUND	33281	09/22/2017	237.00
10710	ICMA RETIREMENT TRUST	33282	09/22/2017	1,735.00
11813	NCPERS GROUP LIFE INSURANCE	33283	09/22/2017	48.00
11808	SAPD ASSOCIATION	33284	09/22/2017	432.00
12077	SUN LIFE FINANCIAL	33285	09/22/2017	842.50
10011	ABLE HOSE & RUBBER LLC	33286	10/11/2017	13.50
10045	ALERT-ALL	33287	10/11/2017	1,342.00
10098	ARAMARK	33288	10/11/2017	250.46
1100	ARTISIAN BEER COMPANY	33289	10/11/2017	4,609.89
12180	ARVIG CONSTRUCTION	33290	10/11/2017	550.00
12537	ASIALA, JESSICA	33291	10/11/2017	74.59
10159	BEISSWENGER'S	33292	10/11/2017	57.03
1013	BELLBOY CORPORATION	33293	10/11/2017	3,288.73
1014	BELLBOY CORPORATION	33294	10/11/2017	37.65
1007	BENT BREWSTILLERY	33295	10/11/2017	195.36
1035	BERNICK'S BEVERAGE & VENDING	33296	10/11/2017	3,168.25
10172	BIFFS, INC.	33297	10/11/2017	222.00
8544	BOURGET IMPORTS	33298	10/11/2017	137.50
10188	BRAKE & EQUIPMENT WAREHOUSE	33299	10/11/2017	164.24
1018	BREAKTHRU BEVERAGE MN BEER	33300	10/11/2017	24,557.37
1011	BREAKTHRU BEVERAGE MN WINE & SPIRITS	33301	10/11/2017	1,478.53
1009	BREAKTHRU BEVERAGE MN WINE & SPIRITS	33302	10/11/2017	3,422.95
1017	CAPITOL BEVERAGE SALES	33303	10/11/2017	14,617.10
12150	CITY OF NEW BRIGHTON	33304	10/11/2017	5,743.80
10293	CITY OF ROSEVILLE	33305	10/11/2017	13,948.36
10306	CITY WIDE WINDOW SERVICE INC	33306	10/11/2017	85.66
1010	CLEAR RIVER BEVERAGE COMPANY	33307	10/11/2017	249.70
10327	COMMISSIONER OF TRANSPORTATION	33308	10/11/2017	55.56
10332	COMPTON'S COMMERCIAL CLNG. INC	33309	10/11/2017	3,578.00
10360	CROWN TROPHY	33310	10/11/2017	108.50
1042	CRYSTAL SPRINGS ICE	33311	10/11/2017	332.15
10438	D ROCK CENTER & SMALL ENG	33312	10/11/2017	24.92
10393	DELL MARKETING, INC.	33313	10/11/2017	1,310.32
10402	DEPARTMENT OF LABOR & INDUSTRY	33314	10/11/2017	1,131.30
10468	ELECTRO WATCHMAN INC	33315	10/11/2017	428.72
12019	ENFORCEMENT LIGHTING LLC	33316	10/11/2017	10,400.00
10526	FLEETPRIDE	33317	10/11/2017	120.03
1097	FORESTEDGE WINERY	33318	10/11/2017	117.00
10549	FULLER/CHRIS	33319	10/11/2017	360.00
10550	G & K SERVICES INC	33320	10/11/2017	882.94
10573	GOODIN COMPANY	33321	10/11/2017	187.58
10578	GOPHER STATE ONE CALL	33322	10/11/2017	455.00
10585	GRAINGER	33323	10/11/2017	21.85
1032	GRAPE BEGINNINGS, INC.	33324	10/11/2017	2,215.41
1021	GREAT LAKES COCA COLA	33325	10/11/2017	619.72
12409	GRIDOR CONSTRUCTION INC	33326	10/11/2017	180,933.24
10607	HACH COMPANY	33327	10/11/2017	560.84
12538	HAPP, DELENA	33328	10/11/2017	9.27
12539	HAROLD J. PIETIG & SONS INC	33329	10/11/2017	3,300.00
11911	HAWK LABELING SYSTEMS	33330	10/11/2017	50.73
10624	HAWKINS, INC	33331	10/11/2017	4,745.00
10636	HEDBACK, ARENDT & CARLSON PLLC	33332	10/11/2017	3,500.00

Vendor Number	Payee	Check Number	Check Issue Date	Amount
1019	HOHENSTEIN'S, INC	33333	10/11/2017	6,349.75
10684	HOME DEPOT CREDIT SERVICES	33334	10/11/2017	424.41
12479	IANNAZZO, DUSTIN	33335	10/11/2017	80.00
1027	INDEED BREWING COMPANY	33336	10/11/2017	1,910.33
11754	INTEGRATED LOSS CONTROL, INC.	33337	10/11/2017	598.00
12536	INTERNATATIONAL PUBLIC MANAGMENT	33338	10/11/2017	222.00
12105	INTERSTATE ALL BATTERY CENTER	33339	10/11/2017	319.90
12315	IRC RETAIL CENTERS SALO PARK	33340	10/11/2017	2,671.32
12313	IRC RETAIL CENTERS SLV LIQ	33341	10/11/2017	2,284.83
12544	JESAKOW-RADOMSKI, ISABALLA	33342	10/11/2017	26.60
1016	JJ TAYLOR DISTRIBUTING	33343	10/11/2017	28,904.19
1102	JOHNSON BROTHERS	33344	10/11/2017	3,285.30
1004	JOHNSON BROTHERS LIQUOR CO.	33345	10/11/2017	5,181.34
1005	JOHNSON BROTHERS LIQUOR COMPANY.	33346	10/11/2017	7,575.07
1006	JOHNSON BROTHERS LIQUOR COMPANY.	33347	10/11/2017	6,824.54
1044	JOHNSON BROTHERS LIQUOR COMPANY.	33348	10/11/2017	12,843.61
12540	JOSEPH CONSTRUCTION	33349	10/11/2017	2,745.00
10785	KATH FUEL OIL SERVICE	33350	10/11/2017	85.00
10786	KEEPERS, INC.	33351	10/11/2017	93.14
10831	LEAGUE OF MINNESOTA CITIES	33352	10/11/2017	375.00
10851	LILLIE SUBURBAN NEWSPAPER	33353	10/11/2017	90.85
2008	LUPINE BREWING	33354	10/11/2017	791.65
1022	M. AMUNDSON LLP	33355	10/11/2017	1,053.23
10879	MAILFINANCE	33356	10/11/2017	438.00
10932	METROPOLITAN COUNCIL	33357	10/11/2017	9,840.60
10931	METROPOLITAN COUNCIL - WASTEWATER	33358	10/11/2017	53,615.86
10940	MIDWEST ASPHALT CORPORATION	33359	10/11/2017	14.20
10947	MIDWEST SIGN & SCREEN PRINTING	33360	10/11/2017	57.10
12152	MILLER, NICOLE	33361	10/11/2017	207.37
10975	MINNESOTA CHIEFS OF POLICE	33362	10/11/2017	160.00
12374	NEOFUNDS BY NEOPOST	33363	10/11/2017	700.00
1051	NEW FRANCE WINE COMPANY	33364	10/11/2017	754.50
11121	NORSK CONCRETE	33365	10/11/2017	6,466.66
12088	OFFICE 8	33366	10/11/2017	144.95
11163	OFFICE DEPOT	33367	10/11/2017	630.50
11185	PACE ANALYTICAL SERVICES, INC.	33368	10/11/2017	1,095.00
1012	PAUSTIS & SONS	33369	10/11/2017	1,212.34
11211	PETTY CASH - U.S. BANK	33370	10/11/2017	177.23
1001	PHILLIPS WINE & SPIRITS	33371	10/11/2017	2,525.60
1002	PHILLIPS WINE & SPIRITS	33372	10/11/2017	8,525.55
12447	PMG 56 LLC MN SERIES	33373	10/11/2017	89.55
12541	POLSON, MARK	33374	10/11/2017	595.00
11246	PRAXAIR	33375	10/11/2017	41.26
11302	RAMSEY COUNTY	33376	10/11/2017	4,928.00
11319	RECREATION, SPORTS & PLAY, INC	33377	10/11/2017	910.00
12542	ROHRER, AMANDA	33378	10/11/2017	7.03
11345	ROSEVILLE CHRYSLER DODGE	33379	10/11/2017	192.45
12346	SHRED IT	33380	10/11/2017	33.00
11414	SITARZ/MARK	33381	10/11/2017	158.36
1024	SOUTHERN GLAZER'S OF MN	33382	10/11/2017	1,928.96
1008	SOUTHERN GLAZER'S OF MN	33383	10/11/2017	779.08
1026	SOUTHERN GLAZER'S OF MN	33384	10/11/2017	18,540.47
1036	SOUTHERN GLAZER'S OF MN	33385	10/11/2017	145.28

Vendor Number	Payee	Check Number	Check Issue Date	Amount
11452	ST ANTHONY CHAMBER OF COMMERCE	33386	10/11/2017	10.00
11457	ST ANTHONY VILLAGE CENTER, LLC	33387	10/11/2017	2,229.56
12543	STEWART TITLE COMPANY	33388	10/11/2017	369.43
11502	STREICHER'S	33389	10/11/2017	2,070.20
11536	TASC	33390	10/11/2017	37.00
11543	TECH SALES CO	33391	10/11/2017	7,775.00
11566	TIMESAVER OFF SITE SECRETARIAL	33392	10/11/2017	551.30
12492	TREATMENT RESOURCES INC	33393	10/11/2017	174.05
11819	TRUE NORTH ELECTRIC	33394	10/11/2017	3,313.35
11637	UNITED ELECTRIC COMPANY	33395	10/11/2017	96.12
2007	URBAN GROWLER	33396	10/11/2017	205.00
11674	VERIZON WIRELESS	33397	10/11/2017	1,574.24
11681	VIKING ELECTRIC SUPPLY INC	33398	10/11/2017	15.00
1025	VINOCOPIA	33399	10/11/2017	441.00
11704	WASTE MANAGEMENT OF WI-MN	33400	10/11/2017	709.74
1034	WINE COMPANY/THE	33401	10/11/2017	1,730.50
1038	WINE MERCHANTS INC	33402	10/11/2017	1,743.62
6540	Z WINES USA LLC	33403	10/11/2017	85.00
Grand Totals:				522,501.12

**CITY OF ST. ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 17-063

A RESOLUTION ACCEPTING GRANTS AND DONATIONS RECEIVED

WHEREAS, the City of St. Anthony is required to accept all grants and donations by resolution; and

WHEREAS, the City of St. Anthony has received the following grants and donations in the 3rd quarter of 2017:

Ramsey County Hi Viz 3 rd Qtr	\$7,613.54
2017 Hennepin County Recycling Grant-	\$18,989.00
<u>Ramsey County Emergency Management – Fire Dept. Radios</u>	<u>\$100.00</u>
Total	\$26,702.54

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of St. Anthony Village hereby accepts the grants and donations as received in the 3rd quarter of 2017.

Adopted this 10th day of October, 2017.

Jerome O. Faust, Mayor

ATTEST: _____
Nicole Miller, City Clerk

Review for Administration: _____

Mark Casey, City Manager

**CITY OF ST. ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 17-064

**A RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR DELINQUENT PUBLIC
UTILITY SERVICE ACCOUNTS TO THE 2018 HENNEPIN COUNTY TAX ROLLS**

WHEREAS, utility records for the City of St. Anthony identify certain delinquent charges and utility accounts as of October 06, 2017; and

WHEREAS, the owners of record of the properties served by each delinquent account have been notified of the delinquency according to the legal requirements of the ordinance 33.107; and

WHEREAS, the delinquent charges may be assessed under Minnesota Statutes §429.101 and 444.075 that authorize certification of such delinquent charges to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given to the owners of record as required by law, the City has met the requirements for the assessment of these delinquent public utility charges.

NOW, THEREFORE, BE IT RESOLVED that:

- 1) the special assessment of delinquent public utility accounts is hereby adopted and certified as Levy No: 19772 for the attached properties and amounts:
- 2) The special assessments as adopted shall be payable with collectible ad valorem taxes in 2018, with interest thereon at eight (8) percent per annum, and shall bear interest from the entire period of November 1, 2017 through December 31, 2018.
- 3) The City Clerk shall transmit a certified copy of this assessment to the County Auditor to be extended to the proper tax lists to the county, and such assessments shall be collected and paid over the same manner as other municipal taxes.

Adopted this 10th day of October, 2017.

Jerome O. Faust, Mayor

ATTEST: _____
Nicole Miller, City Clerk

Review for Administration:

Mark Casey, City Manager

HENNEPIN

JILL BOYDEN & JERRIOD SPEIDEL	2909 - 29TH AVE NE	06-029-23-34-0114	\$255.63
TIM WALDUSKY	2900 W. ARMOUR TER NE	06-029-23-34-0110	\$241.76
HEATHER VAUGHN	2606 - 30TH AVE NE	06-029-23-34-0083	\$144.13
ERIC BASSETT	3021 HARDING ST NE	06-029-23-34-0012	\$323.88
HEIDI & CHARLES ANDERMACK	2705 TOWNVIEW AVE NE	06-029-23-31-0057	\$188.29
STEPHANIE LANGSETH	2816 SILVER LAKE RD NE	07-029-23-21-0008	\$1,478.26
SHARLA BRAND	2808 - 33RD AVE NE	06-029-23-31-0093	\$203.97
ENOCH HTOO	2812 - 33RD AVE NE	06-029-23-31-0092	\$357.91
JODI HANSON & K. WAXLER	3326 BELDEN DR NE	06-029-23-24-0063	\$576.31
TOM STOCKER	2412 - 33RD AVE NE	06-029-23-32-0025	\$309.13
MARET OLSON	3312 EDWARD ST NE	06-029-23-23-0068	\$328.93
DANTE RICK MOFFETT	3404 ROOSEVELT ST NE	06-029-23-23-0044	\$252.07
MOLLY OLIMB	3404 ROOSEVELT ST NE	06-029-23-23-0044	\$180.51
SARAH LIESENFELD	3621 STINSON BLVD NE	06-029-23-22-0098	\$357.78
AMY DOBLER	3631 STINSON BLVD NE	06-029-23-22-0130	\$225.68
DAVID KAHLE	3632 ROOSEVELT ST NE	06-029-23-22-0089	\$606.70
DAVID HOKENSON	3628 EDWARD ST NE	06-029-23-22-0032	\$144.41
CHRISTOPHER NEBELUNG	2609 - 34TH AVE NE	06-029-23-24-0105	\$394.27
RACHEL BLODGETT	3612 COOLIDGE ST NE	06-029-23-21-0126	\$260.17
YANGCHEN DOLKAR	3412 BELDEN DR NE	06-029-23-24-0021	\$206.96
TED KAMINSKI	3633 BELDEN DR NE	06-029-23-21-0044	\$970.50
RAHMO MOHAMED	2905 SILVER LAKE RD NE	06-029-23-43-0058	\$2,335.33
JACK WATSON	2921 SILVER LAKE RD NE	06-029-23-43-0108	\$455.93
ELIE DUBAY	3012 - 32ND AVE NE	06-029-23-42-0056	\$177.20
MICHAEL DEAN	3213 TOWNVIEW AVE NE	06-029-23-42-0038	\$186.89
PETER & KRISTEN AITCHISON	3216 - 33RD AVE NE	06-029-23-42-0135	\$773.50
EUGENE HUNSTAD	3313 SKYCROFT CIR NE	06-029-23-14-0078	\$317.91
LORRAINE DOLL	3501 - 33RD AVE NE	06-029-23-14-0067	\$963.97
KAREN & MIKE MCDONALD	3409 DOWNERS DR NE	06-029-23-11-0068	\$312.73
ASHLEY NESS & TAMASEUGOGO MERRICK	3300 EDGEMERE AVE NE	06-029-23-12-0097	\$676.66
LILLAN ABDUL	3636 PENROD LANE NE	06-029-23-12-0024	\$7,067.90
GLEN PETERSON	3004 - 31ST AVE NE	06-029-23-43-0119	\$733.42
MARJORIE SHADDICK	2500 - 37TH AVE NE	06-029-23-22-0085	\$326.56
RONALD STURGEON	2910 OLD HIGHWAY 8	06-029-23-44-0090	\$163.93
		TOTAL	\$22,499.18

**CITY OF ST. ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 17-065

**A RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR DELINQUENT
PUBLIC UTILITY SERVICE ACCOUNTS TO THE 2018 RAMSEY COUNTY TAX
ROLLS**

WHEREAS, utility records for the City of St. Anthony identify certain delinquent charges and utility accounts as of October 6, 2017; and

WHEREAS, the owners of record of the properties served by each delinquent account have been notified of the delinquency according to the legal requirements of the ordinance 33.107; and

WHEREAS, the delinquent charges may be assessed under Minnesota Statutes § 429.101 and 444.075 that authorize certification of such delinquent charges to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given to the owners of record as required by law, the City has met the requirements for the assessment of these delinquent public utility charges.

NOW, THEREFORE, BE IT RESOLVED that:

- 1) The special assessment of delinquent public utility accounts is hereby adopted and certified as Levy No: 812017101 for the attached properties and amounts:
- 2) The special assessments as adopted shall be payable with collectible ad valorem taxes in 2018, with interest thereon at eight (8) percent per annum, and shall bear interest from the entire period of November 1, 2017 through December 31, 2018.
- 3) The City Clerk shall transmit a certified copy of this assessment to the County Auditor to be extended to the proper tax lists to the county, and such assessments shall be collected and paid over the same manner as other municipal taxes.

Adopted this 10th day of October, 2017.

Jerome O. Faust, Mayor

ATTEST: _____
Nicole Miller, City Clerk

Review for Administration: _____
Mark Casey, City Manager

RAMSEY

NAME	ADDRESS	TAX PARCEL	AMOUNT
JESSICA GROSS	3531 - 37TH AVE NE	31-30-23-44-0111	\$242.89
NEIL MOSSAIE	4073 FOSS RD NE	31-30-23-41-0130	\$813.86
GRETCHEN DAHLBERG	3924 MACALASTER DR NE	31-30-23-42-0075	\$522.19
MARY FARELL	4021 MACALASTER DR NE	31-30-23-42-0070	\$94.74
CHRISTOPHER REID	4001 FORDHAM DR NE	31-30-23-41-0222	\$352.53
AMADO LAY	4017 SHAMROCK DR NE	31-30-23-42-0042	\$198.15
SHERISE LEWIS	3720 CHANDLER DR NE	31-30-23-43-0004	\$604.99
RUTH ASBU	3923 SILVER LAKE RD NE	31-30-23-42-0186	\$2,587.01
SASS CORP	3811 STINSON BLVD NE	31-30-23-33-0003	\$173.48
SASS CORP	3809 STINSON BLVD NE	31-30-23-33-0003	\$214.56
SASS CORP	3813 STINSON BLVD NE	31-30-23-33-0003	\$400.38
SASS CORP	3807 STINSON BLVD NE	31-30-23-33-0003	\$169.68
SASS CORP	3805 STINSON BLVD NE	31-30-23-33-0003	\$159.63
	TOTAL		<u>\$6,534.09</u>

**CITY OF ST. ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 17-066

A RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR DELINQUENT WASTE HAULER ACCOUNTS TO THE 2018 HENNEPIN COUNTY TAX ROLLS

WHEREAS, waste hauler records for the City of St. Anthony identify certain delinquent charges and waste hauler accounts as of October 06, 2017; and

WHEREAS, the owners of record of the properties served by each delinquent account have been notified of the delinquency according to the legal requirements of the ordinance 33.107; and

WHEREAS, the delinquent charges may be assessed under Minnesota Statutes §429.101 and 444.075 that authorize certification of such delinquent charges to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given to the owners of record as required by law, the City has met the requirements for the assessment of these delinquent waste hauler charges.

NOW, THEREFORE, BE IT RESOLVED that:

- 1) the special assessment of delinquent waste hauler accounts is hereby adopted and certified as Levy No: 19773 for the attached properties and amounts:
- 2) The special assessments as adopted shall be payable with collectible ad valorem taxes in 2018, with interest thereon at eight (8) percent per annum, and shall bear interest from the entire period of November 1, 2017 through December 31, 2018.
- 3) The City Clerk shall transmit a certified copy of this assessment to the County Auditor to be extended to the proper tax lists to the county, and such assessments shall be collected and paid over the same manner as other municipal taxes.

Adopted this 10th day of October, 2017.

Jerome O. Faust, Mayor

ATTEST: _____
Nicole Miller, City Clerk

Review for Administration:

Mark Casey, City Manager

Hennepin

ANDERSON, DONALD & DEANNA	3001 ARMOUR TER	0602923430080	252.96
BASSETT, ERIC	3021 HARDING ST NE	0602923340012	252.96
WLRSAMI, FOSIYO	3226 29TH AVE NE	0702923120052	34.9
BROBURG, GREG	3039 CROFT DR	0602923410044	234.23
ABDUL, LILIAN	3636 PENROD LN	0602923120024	214.8
YANG CHIH ONG, ERIC	3001 29TH AVE NE	0602923430057	214.8
KHAN, JUNAID	3305 ROOSEVELT CT NE	0602923230061	214.16
WESTLUND, BARB	3213 RANKIN RD	0602923410091	190
OHMAN, GENE	3328 HIGHCREST RD NE	0602923140006	168.36
MERRICK, JOSH	3300 EDGEMERE AVE	0602923120097	143.63
LANGSETH, STEPHANIE	2816 SILVER LAKE RD NE	0702923210008	126.79
SAUER, STACY	2828 HIGHWAY 88	0702923120028	80.79
OLSON, MARET	3312 EDWARD ST NE	0602923230068	72.46
NORD, CARRIE	3319 BELDEN DR NE	0602923240081	72.46
PIKE, PAM	2909 STINSON BLVD	0602923330052	64.08
WATSON, JANET G	2921 SILVER LAKE RD NE	0602923430108	64.08
TESFAY, HELEN	2909 30TH AVE NE	0602923340030	63.62
DEAN, MIKE	3213 TOWNVIEW AVE NE	0602923420038	62.36
ENROOTH, RICHARD	3300 SKYCROFT DR	0602923140122	61.86
TRACY, SUSAN	2913 HILLCREST AVE	0602923310132	113.08
WATKINS, KATIE	3300 33RD AVE NE	0602923420127	59.69
JEANIE LABISSONIERE	3605 HARDING ST NE	0602923210131	77.48
GORSHE RESIDENCE	2909 36TH AVE NE	0602923210055	265.12
		Total	3104.67

**CITY OF ST. ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 17-067

A RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR DELINQUENT WASTE HAULER ACCOUNTS TO THE 2018 RAMSEY COUNTY TAX ROLLS

WHEREAS, waste hauler records for the City of St. Anthony identify certain delinquent charges and waste hauler accounts as of October 06, 2017; and

WHEREAS, the owners of record of the properties served by each delinquent account have been notified of the delinquency according to the legal requirements of the ordinance 33.107; and

WHEREAS, the delinquent charges may be assessed under Minnesota Statutes §429.101 and 444.075 that authorize certification of such delinquent charges to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given to the owners of record as required by law, the City has met the requirements for the assessment of these delinquent waste hauler charges.

NOW, THEREFORE, BE IT RESOLVED that:

- 1) the special assessment of delinquent waste hauler accounts is hereby adopted and certified as Levy No: 812017102 for the attached properties and amounts:
- 2)The special assessments as adopted shall be payable with collectible ad valorem taxes in 2018, with interest thereon at eight (8) percent per annum, and shall bear interest from the entire period of November 1, 2017 through December 31, 2018.
- 3)The City Clerk shall transmit a certified copy of this assessment to the County Auditor to be extended to the proper tax lists to the county, and such assessments shall be collected and paid over the same manner as other municipal taxes.

Adopted this 10th day of October, 2017.

Jerome O. Faust, Mayor

ATTEST: _____
Nicole Miller, City Clerk

Review for Administration:

Mark Casey, City Manager

Ramsey
HAWS, ANN 4017 SHAMROCK DR NE 313023420042 184.44



MEMORANDUM

To: Honorable Mayor and City Councilmembers
Mark Casey, City Manager

From: Breanne Rothstein, AICP, City Planner

Date: City Council meeting for October 10, 2017

WSB Project No. 02170-390

Request: **Request for a variance from the required rear yard setback to allow for placement of a proposed deck in the rear yard**

RECOMMENDATION

The City Code requires a rear yard setback of 25 feet. The applicant is requesting a variance to construct a deck that would project 17.5 feet into the required rear yard setback to result in a rear yard depth of 7.5 feet. The Applicant's request for a variance from the rear yard setback to allow for the construction of the deck addition is not reasonable, per the findings listed in city code. Therefore, staff recommends denial of the variance to encroach into the rear yard setback.

The Planning Commission met on September 25, 2017 held a public hearing (no one spoke, except the applicant) and recommended denial unanimously, based on the findings enclosed in the packet.

GENERAL INFORMATION

Applicant/Owner: David and Mary Friend

Location: 3113 Edward St. NE

Existing Land Use / Zoning: Low Density Residential/zoned: R-1; Single Family Residential

Surrounding Land Use / Zoning: North: Low Density Residential / Zoned R-1 - Single Family Residential
East: Low Density Residential / Zoned R-1 - Single Family Residential
South: Low Density Residential / Zoned R-1 - Single Family Residential
West: Low Density Residential / Zoned R-1 - Single Family Residential

Deadline for Agency Action: Application Date: 9-5-2017
60 Days: 11-5-2017
Letter Sent: No
120 Days: NA

CONSIDERATIONS RELATING TO THE PROPOSED VARIANCE

1. Background

The Applicant proposes to construct a deck from the back of the house on the property located at 3113 Edward Street NE. This is a new home, built in 2015, after the original home was torn down. According to the submitted plans, the applicant is requesting to construct a two level deck that is approximately 16' x 18' to lead up to a 6' deck/stoop from the existing house. This deck design would put the outermost edge of the deck 7.5 feet from the rear property line. In the R-1 Single Family Residential district, a 25' setback from the rear property line is required. The applicant is proposing that the required setback that a deck with only 6.5' of depth from the home would be compliant with the zoning code, but not useable. Therefore, they need the variance to add more space to make the deck planned as proposed to be more functional.

2. Applicable Codes.

Title XV Land Usage, Chapter 152 Zoning Code, Sections §152.035 through 152.039 R-1 Single-Family District apply to this proposal. Section 150.039 (G) requires a rear yard setback of 20% of the depth of the entire lot or 25 feet. The applicant requests a variance to encroach 17.5 feet to result in a rear yard depth of 7.5 feet.

Title XV Land Usage, Chapter 152 Zoning Code, Section §152.245 VARIANCES (A) Application states that "An owner of property with an existing structure which does not comply with the zoning code, or of property on which such a structure is proposed to be constructed, may apply for a variance upon payment of the fee specified in Chapter 33".

3. Criteria for and Consistency with Criteria for Variance Approval. Title XV Land Usage, Chapter 152 Zoning Code, Section §152.245, (C) *Evidence*, lists the criteria the City Council must consider in determining whether to grant or deny a variance. The applicable criteria include:

1. The subject matter of the application is within the scope of this section.

The application for a variance to the rear yard setback is eligible subject matter for variance criteria because these factors are related to dimensional and/or bulk standards. **Criterion met.**

2. Strict enforcement would cause practical difficulties because:

a. The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;

The property owners propose to use the property in a way that is reasonable. However, the proposed deck does not change the property owners reasonable use of their property without a deck of this construction, a patio constructed at grade does not require the variance process. **Criterion not met.**

b. The plight of the property owner is due to circumstances unique to the property not created by the property owner;

The plight of the property owner is due to the placement, construction proposed, and overall square footage of the proposed deck design. The lot is platted and home placement on the lot is relative to others in the general area. **Criterion not met.**

c. The variance, if granted, will not alter the essential character of the locality; and

Granting of this variance would not alter the essential character of the neighborhood. Applicants are not proposing any new use or density, decks do exist in the neighborhood. **Criterion met.**

d. Economic considerations alone are not the basis of the practical difficulties.

The basis for the practical difficulties is that the resale of the home without a variance to grant the proposed deck addition would make the house less appealing to potential buyers. The addition to the deck is based on the desire of the Applicants to use their backyard in a different manner. It is that type of construction and the space that is designed that creates the practical difficulty. **Criterion not met.**

3. *The variance, if granted, would be consistent with the City's comprehensive land use plan.*

If the variance is granted the use of the property would remain the same land use as it is today, single-family residential. The comprehensive plan guides this area for single-family use and the expansion of the deck will not alter that land use. However, this is a larger deck than can be found in the adjoining properties and neighborhood. Therefore, granting of the variance would not be consistent with the goals and policies of the Comprehensive Plan. **Criterion not met.**

4. *The granting of the variance is in harmony with the general purposes and intent of the zoning code.*

The intent of the zoning code is to protect the health, safety, and general welfare of the city and its people through the establishment of minimum regulations governing land development and use. The zoning code is established to: protect the use districts; promote orderly development and redevelopment; provide adequate light, air, and access to property; prevent congestion in the public streets; prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and densities; and provide for compatibility of different land uses.

Given these factors, this application is not in keeping with the intent of the ordinance to prevent overcrowding of land and undue concentration of structures and provide adequate access to light and air. Other properties in this location would not be able to construct a deck this close to the property line, nor are there decks this close to the property line on other properties.

Criterion not met.

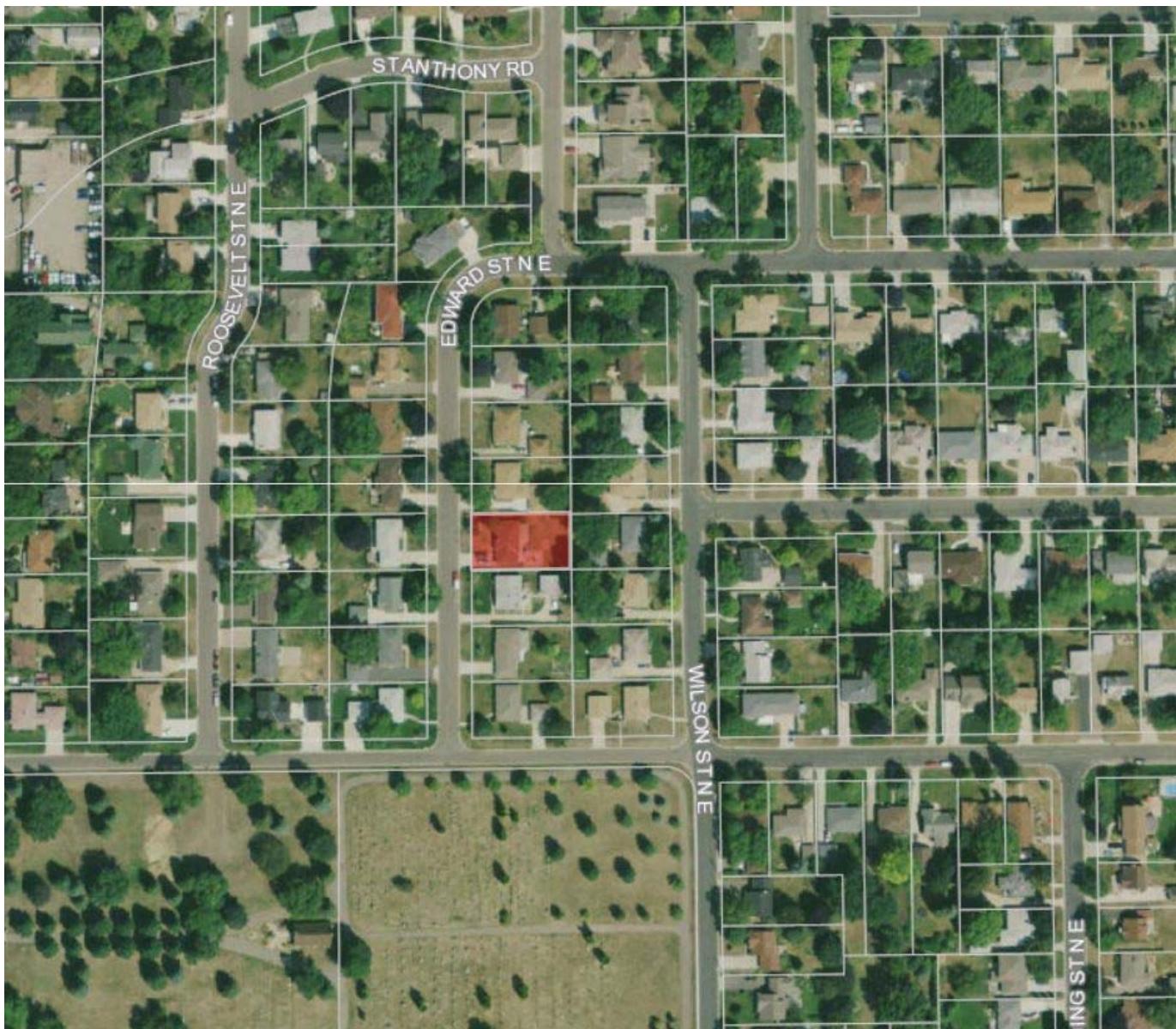
POSSIBLE ACTIONS

1. **Motion to adopt a resolution denying the variance, based on the findings listed therein.**
2. Motion to approve (with or without conditions) the variance and direct staff to prepare a resolution which approves the variance.
3. Request Additional Information and Continue the Public Hearing. The Applicant appears to have provided enough information for the City Council to approve or deny the request.

ATTACHMENTS

Exhibit A: Location map
Exhibit B: Supporting Material

3113 Edward St NE



BUILDING PERMIT APPLICATION

Permit Number

Licensing Requirements:

Residential contractors must provide a copy of their state license, or hold a City contractor's license.
 Commercial Contractors must be city licensed.

Date of Application: _____

Date Plans Submitted: _____

Date Contractor Notified: _____

Property Information

Property Type: Residential Commercial Industrial Multi-Family Townhomes Duplex

Property Address:

3113 EDWARD STREET N

612 781 7656

Owner Name:

DAVE FRIEND

Owner Phone Number

Applicant/Contractor Information

Residential Property Built Prior to 1978 (Y) (N) Lead Abatement # 126063 Contractor
 License# BC1638895

Applicant Name:

K2 BATH DESIGN & REMODEL

Mailing Address:

2710 URBANDALE LANE N Plymouth MN 55447

City/State/Zip:

Contact Name:

Bill Rolandelli

Contact Phone Number:

952.564.1877

Contact Fax Number:

Project Details

Reason for Work: New Remodel Other DECK

Describe Work:

NEW Composite Deck - lower deck averages 12" to grade

Project Value: (including labor and materials)

COULD Be Built Detached From House If Helped Pass Zoning \$ 5,000.00

IMPORTANT NOTICE: Applicant must attach 1 site plan and 2 sets of building plans for all applications requiring plan review. Min. 24 hour notice required for all inspections. There is a 10 working day turnaround for all permits requiring plan review.

Separate permits are required for electrical, plumbing, heating, ventilation, or air conditioning.

This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work has commenced (State Building Code 1300.0120 subp.11). By signing this application, you hereby certify that you have read and examined this application and know the same to be true and correct. All provision of laws and ordinances governing this type of work will be compiled with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. Applicant takes full responsibility for all work performed. Applicant is responsible for all plan check fees if permit is cancelled or withdrawn.

Applicant Signature

Date

7/12/2017

Building Official

Date

Planning

Date

Engineer

Date

Fire Department

Date

Permit Fee	\$
Plan Check Fee	\$
State Surcharge	\$
SAC *	\$
Park Dedication Fee	\$
License Verification Fee	\$
Water	\$
Sewer	\$
Total Permit Fee	\$

* To determine if Sewer Availability Charges (SAC) should be applied to your Building Permit, the plans will be submitted to the Metropolitan Council for review. Any changes in construction that varies from the original plans submitted could result in the collection of additional SAC charges being owed the Metropolitan Council at a later date.

3113 Edward St. NE

Variance Request

City Council Meeting
October 10, 2017



3113 Edward St. NE

General Information

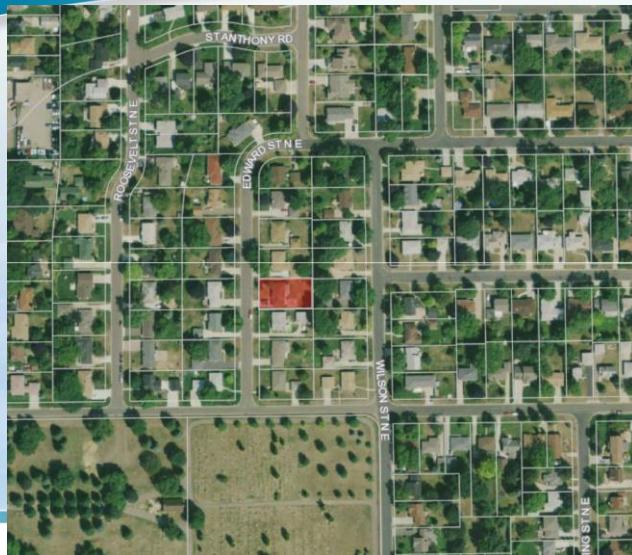
Applicants: David and Mary Friend
Owners: same
Location: 3113 Edward St. NE
Existing Land Use / Zoning: Low Density Residential
R-1 Single Family Residential

Surrounding Land Use / Zoning:

North: Low Density Residential / Zoned R-1 - Single Family Residential
East: Low Density Residential / Zoned R-1 - Single Family Residential
South: Low Density Residential / Zoned R-1 - Single Family Residential
West: Low Density Residential / Zoned R-1 - Single Family Residential



3113 Edward St. NE



Saint Anthony
Village



3113 Edward St. NE

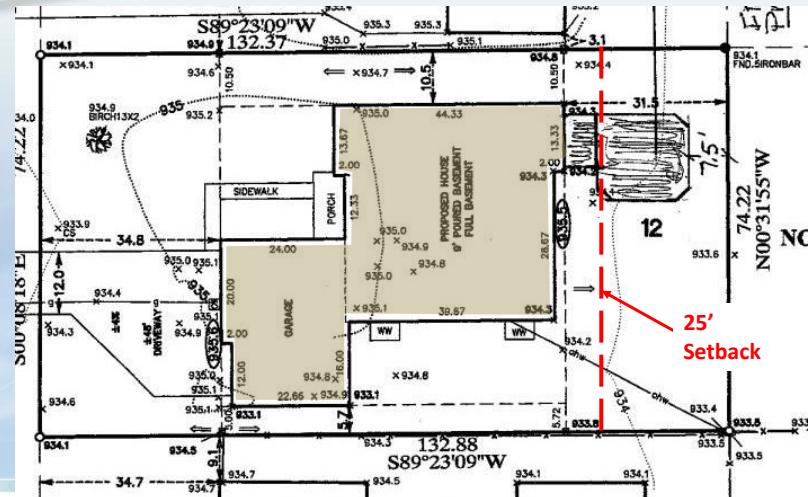
- **Overview**

- Rear Yard Setback requirement in the R-1 Single Family Residential District is 25 feet
- Proposal is to construct a deck expanding from the rear of the existing house
- Request for a 17.5 foot variance from the 25' rear yard setback to create a rear yard setback that is 7.5 feet

Saint Anthony
Village



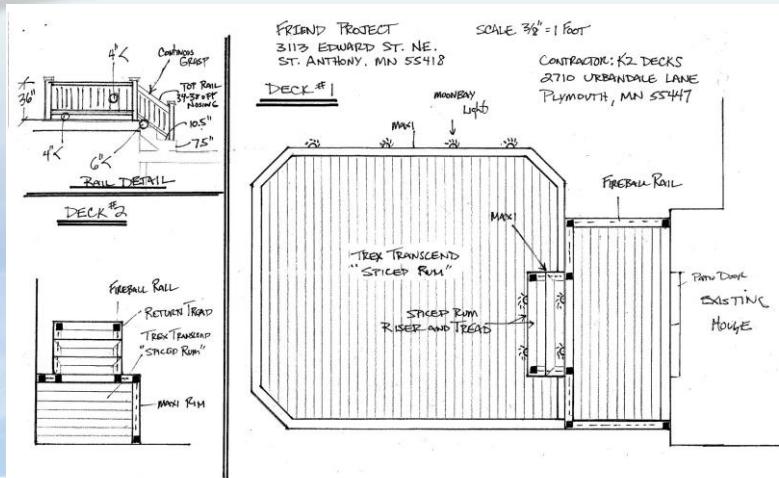
3113 Edward St. NE



Saint Anthony
Village



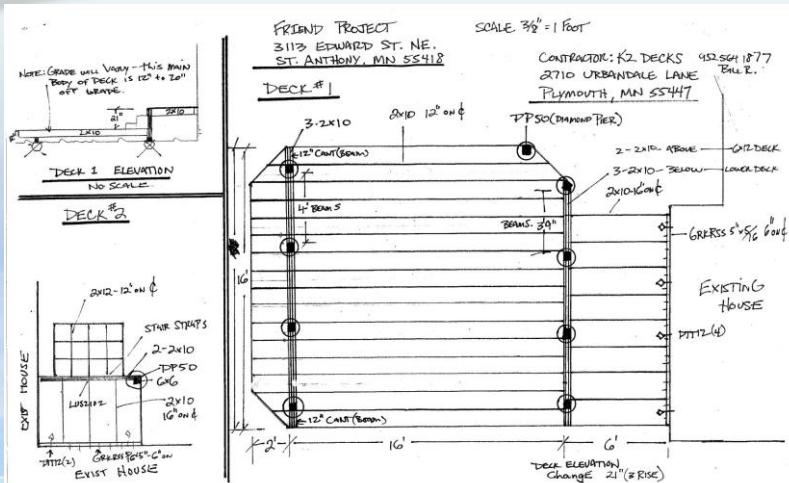
3113 Edward St. NE



Saint Anthony
Village



3113 Edward St. NE



Saint Anthony
Village



Variance Criteria Review

- Subject matter of the application is within the scope of this section;
 - Criterion met
- The property owner purports to use the property in a reasonable manner not permitted by the zoning code;
 - Criterion not met
- The plight of the property owner is due to circumstances unique to the property not created by the property owner;
 - Criterion not met

Saint Anthony
Village



Variance Criteria Review

- The variance, if granted, will not alter the essential character of the locality;
 - **Criterion met**
- Economic considerations alone are not the basis of practical difficulties;
 - **Criterion not met**
- The variance, if granted, would be consistent with the City's comprehensive land use plan;
 - **Criterion not met**
- The granting of the variance is in harmony with the general purposes and intent of the zoning code;
 - **Criterion not met**



3113 Edward St. NE

- **Recommendation**

- The Applicant's request for a variance from the rear yard setback to allow for the construction of the deck addition is not reasonable, per the findings listed in city code.
- Staff recommends denial of the variance to encroach into the rear yard setback.
- **Planning Commission met on September 25, 2017, held a public hearing, and recommended denial of the variance, unanimously.**



3113 Edward St NE

Questions?



**CITY OF SAINT ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 17-068

**RESOLUTION DENYING A VARIANCE FROM THE REQUIRED REAR YARD
SETBACK TO CONSTRUCT A DECK AT THE PROPERTY LOCATED AT 3113
EDWARD STREET NE**

WHEREAS, the City of St. Anthony Village received a request from the Applicants David and Mary Friend for a variance from the rear yard setback to allow the construction of a deck to result in a rear yard setback of 7.5 feet at the property located at 3113 Edward Street on July 12, 2016, legally described as follows:

Lot 12, Block 1, Wallace Roosevelt Heights Addition, Hennepin County, Minnesota

WHEREAS, the property located at 3113 Edward Street is located within the City's R-1 Zoning District; and

WHEREAS, per Section 150.039 of city code, a rear yard setback of 25 feet is required within the R-1 Zoning District; and

WHEREAS, the Applicants have requested a 17.5-foot variance from the rear yard setback to allow for the construction of a deck; and

WHEREAS, the Planning Commission acting as the Board of Adjustments and Appeals, reviewed and considered the request based on the related documents shown in the Applicant's application in a public hearing at their regular meeting on September 25, 2017, and recommended denial of the request; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of St. Anthony Village denies the request for a variance and adopts the following findings of fact related to the Applicant's request:

1. The requested variance is inconsistent with the standards for granting a variance as described in Section §152.245 of the St. Anthony Village Zoning Code. More specifically, the City Council finds that the requested variance is not justified for the following reasons:
 - 1) *The property owner does not propose to use the property in a reasonable manner;*
 - 2) *The plight of the property owner is due to circumstances created by the property owner;*
 - 3) *Economic considerations, along with use and enjoyment, are the basis of the practical difficulties.*

2. *The variance, if granted, would not be consistent with the intent of the City's comprehensive land use plan.*
3. *The granting of the variance is not in harmony with the general purposes and intent of the zoning code.*

NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council's hereby denies the requested variance, based on the findings stated herein.

APPROVED in the regular session of the City Council on October 10, 2017.

Jerome O. Faust, Mayor

ATTEST: _____
Nicole Miller, City Clerk

Review for Administration: _____
Mark Casey, City Manager



MEMORANDUM

To: St. Anthony Village City Council
From: Breanne Rothstein, AICP, City Planner
Date: City Council Regular Meeting for October 10, 2017
WSB Project No. 02170-390 Phase 4
Request: **Request for a minor subdivision to combine 3725 Stinson Boulevard with the north 70 feet of 3701 Stinson Boulevard property**

RECOMMENDATION

Staff has reviewed the proposed minor subdivision and parcel transfer requested, and recommends approval of the applications, subject on the following conditions:

- 1) Satisfactory submittal of evidence to provide proof of clear title (and resolution of any outstanding title issues);
- 2) City Attorney review and resolution of any other outstanding legal issues associated with recording of the minor subdivision and parcel transfer.

GENERAL INFORMATION

Applicant/Owner: Apache Redevelopment, LLC/Len Pratt
Location: 3725 Stinson Boulevard and 3701 Stinson Boulevard
Existing Land Use / Zoning Guidance: High Density Residential/Planned Unit Development
Surrounding Land Use / Zoning: North: Commercial
East: High Density Residential
South: Commercial (Unofficial)
West: High Density Residential
Deadline for Agency Action: Application Date: 9/18/2017
Action: 60 Days: 11/17/2017
Letter Sent: No
120 Days: NA

CONSIDERATIONS RELATING TO THE PROPOSED MINOR SUBDIVISION AND PARCEL TRANSFER

1. Background

The applicant is requesting to purchase the south 70 feet of the adjacent property at 3701 Stinson Boulevard and combine the lot with his existing lot 3725 Stinson Boulevard. The applicant, Len Pratt, is intending to combine these lots through the minor subdivision for the purposes of development. The development proposal will come forward as a separate application process. This application is to prepare the land for sale and financing.

The applicant is purchasing the 70 feet from the owner of the 3701 Stinson property, who owns two parcels immediately adjacent to each other. The southernmost parcel is occupied by the Unofficial. The conditional use permit approved for the Unofficial is unaffected by this action. All parking areas, and a 10 foot buffer between the parking areas and the lot line will be maintained.

The current property at 3725 Stinson and the property immediately south are vacant and undeveloped.

2. Applicable Codes.

Section 151 Subdivision Regulations, Section 152.08 "Subdivision Without Platting is the applicable section of city code related to this application. This section states:

"The City Council may waive compliance with the platting requirements of this subchapter and approve subdivision by conveyance of land by adoption of a resolution to that effect based upon findings by the City Council that: compliance with the platting requirements would create an unnecessary hardship or expense because of the nature of the subdivision, and failure to require the filing of a plat does not interfere with the purposes of this subchapter. The City Council may consider the number of parcels resulting from the subdivision, the complexity of the legal descriptions, the necessity for dedication of streets or drainage and utility easements, and the probability of future subdivision of the parcels."

3. Staff Recommendation

A lot line adjustment is considered a minor subdivision request. Staff supports the City Council's prerogative to waive compliance with the full subdivision criteria and use their discretion to make a final decision regarding this lot line adjustment request.

There is a rational basis for the request, in that the seller is not currently using the property for any purpose. Combined with 3725 Stinson Boulevard, it allows for a more reasonable reuse and redevelopment of both properties. Any reuse or redevelopment will be reviewed as a separate process.

Staff has reviewed the proposed minor subdivision requested, and recommends approval of the applications, subject on the following conditions:

- 1) Satisfactory submittal of evidence to provide proof of clear title (and resolution of any outstanding title issues);
- 2) City Attorney review and resolution of any other outstanding legal issues associated with recording of the lot line adjustment and parcel transfer.

POSSIBLE ACTIONS

- 1. Motion to adopt a resolution approving (with or without conditions) the request for the requested minor subdivision and transfer parcel to the property between 3725 and 3701 Stinson Boulevard and adopt the resolution found in Exhibit C.**
2. Motion to adopt a resolution denying (with or without conditions) the application. In the event of a denial (with or without conditions), the City Council must state its findings and any conditions related to denial.
3. Request Additional Information and table the item. The Applicant appears to have provided enough information for the City Council to take an action on the request. Should the City Council request additional information from the Applicant, the City Council should table the item until a later time.

ATTACHMENTS

Exhibit A: Location map
Exhibit B: Application
Exhibit C: Survey

3725 and 3701 Stinson Boulevard





3301 Silver Lake Road
St. Anthony Village, Minnesota 55418
Office: (612) 782-3301
Fax: (612) 782-3302
www.ci.saint-anthony.mn.us

-For Office Use Only-

Planning File Number _____
Project Number _____
Application Submittal Date _____
Application Completed Date _____
Fee Paid _____
Receipt Number _____
Planning Commission _____
Meeting Date _____
Council Decision _____
Council Decision Date _____

LAND USE APPLICATION

Address of Property Involved: 3725 & the north 70 feet of 3701 Stinson Blvd
Property ID Number: 31-30-23-33-0005 and the north 70 feet of 31-30-23-33-
Legal Description: Lot 8, Block 1 and the north 70 feet of Lot 1, BK 1
Apache Plaza Pillsbury Addition

Applicant Information

Applicant Name: Apache Redevelopment LLC, Attn: Len Pratt
Applicant Address: 3555 Willow Lake Blvd, Suite 200, Vadnais Heights
Applicant Telephone Number: 651-236-8358 Other: _____
Applicant Fax Number: _____
Applicant Email Address: lenpratt@pratthomes.com

Property Information

Property Owner (if different from above): Same as above
Owner Address: _____
Owner Telephone Number: _____
Owner Email Address: _____

Type of Request (Check All that Apply)

<input type="checkbox"/> Appeal (\$100 fee)	<input checked="" type="checkbox"/> Minor Subdivision/Lot Split (\$250 fee + \$1,250 escrow)
<input type="checkbox"/> Comprehensive Plan Amendment (\$750 fee + \$1,500 escrow if residential; \$3,500 escrow if commercial/industrial)	<input type="checkbox"/> Planned Unit Development (PUD) (\$750 fee + \$2,500 escrow)
<input type="checkbox"/> Conditional Use Permit (CUP) (\$200 fee + \$450 escrow if residential; \$850 escrow if commercial/industrial)	<input type="checkbox"/> Rezoning (\$500 fee + \$750 escrow)
<input type="checkbox"/> Easement Vacation (\$200 fee + \$500 escrow)	<input type="checkbox"/> Zoning Text Amendment (\$500 fee + \$750 escrow)
<input type="checkbox"/> Preliminary Plat (\$500 fee + \$500 escrow)	<input type="checkbox"/> Site Plan (\$250 fee + \$450 escrow)
<input type="checkbox"/> Final Plat (\$500 fee + \$500 escrow)	<input type="checkbox"/> Variance (\$200 fee + \$450 escrow if residential; \$850 escrow if commercial/industrial)

Description of the Request (OR a separate detailed narrative explaining the project):

Request combining Lot 8, Block 1, Apache Plaza
along with the north 70 feet of Lot 1, Block 1,
Pillsbury Addition, Ramsey County, Minnesota

Filing and Information Requirements

The City requests that you make a pre-application meeting with the City Planner to discuss the application process, requirements, and deadlines. Unless waived by the City Planner or Planning Commission, a certified survey of the property is required for all applications. A checklist with additional requirements can be found at www.ci.saint-anthony.mn.us.

Incomplete Applications and Submission Deadline

A complete land use application (including all required fees and escrows) must be received at least 30 days prior to the meeting of the Planning Commission or City Council meeting at which the request will be heard. Submission of an incomplete application may delay the processing of your land use request. The application approval time commences and an application is considered officially filed when the City Planner has received and examined the application and determined that the application is complete. A decision on whether the application is complete or incomplete shall be made within fifteen (15) working days following the submittal of the application. When the application is deemed to be "complete" it shall be placed on the agenda of the first possible Planning Commission meeting provided that all required public notices have been sent and published. Upon submission of a complete application, state statute requires that a decision be issued within 60 days regarding each request; however, a 60-day extension may be obtained if more time is needed.

Notice of Meeting Attendance

In order for the Planning Commission and the City Council to consider any application, the applicant or a designated representative must be present at the scheduled meeting. If not, the matter may be tabled until the next available agenda.

Agenda Deadline and Meeting Schedule

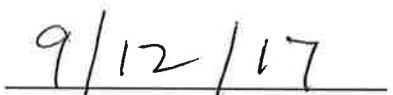
Planning Commission meetings are typically held on the fourth Monday of every month at 7:00 p.m., while City Council meetings are held typically the first and third Tuesday of every month at 7:00 p.m. Meeting dates and times are subject to change so please contact City Hall to verify the meeting date and time. All meetings are held at the St. Anthony Community Center in the Council Chambers, 3301 Silver Lake Road, St. Anthony, Minnesota 55418, unless otherwise stated. Applications are advised that additional meetings and/or workshops are scheduled when necessary.

Acknowledgement and Signature

I acknowledge that I have read all of the information listed in the City of St. Anthony Village Land Use Application and fully understand that I am responsible for all costs incurred by the City related to the processing of this application. If additional fees are required to cover costs incurred from processing of the application, the City has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. Such expenses may include (but are not limited to) direct city payroll and overhead costs, fees paid to consultants and other professionals, and the cost of printing, mailing, and supplies. Applicants are advised that an escrow deposit is required at the time of the submittal of the land use application to offset costs associated with the proposed project. Unused portions of an escrow are returned to the applicant upon successful implementation of an approved plan. I understand that approval from other agencies may be required before commencement with the stated project.



Property Owner Signature (Required)



Date

Applicant Signature (If different than the property owner)

Date

Please contact the City Planner at 763-231-4863 or
planner@ci.saint-anthony.mn.us if you have any questions regarding this application.

38TH AVE

↑
NORTH

BLOCK 1

LOT

S CAR WASH) X961.34
APACHE PLAZA

958.87 959.68 ED
THOP BARK

3725 and 3701 Stinson Boulevard Minor Subdivision

City Council Meeting
October 10, 2017



3725 and 3701 Stinson Boulevard

Applicant/Owner: Apache Redevelopment, LLC (Len Pratt)

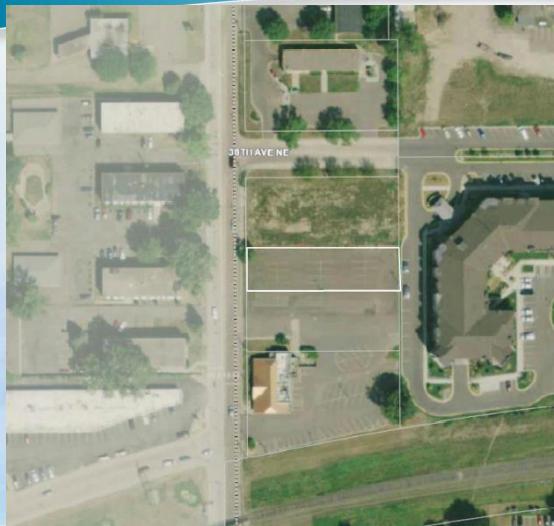
Location: 3725 Stinson and 3701 Stinson Boulevard

Existing Land Use/Zoning Designation: High Density Residential/Planned Unit Development

Surrounding Land Use/Zoning: *North: Commercial
East: High Density Residential
South: Commercial
West: High Density Residential*



3725 and 3701 Stinson Boulevard



3725 and 3701 Stinson Boulevard

• Overview

- Applicant proposes a minor subdivision to transfer land from southern lot to northern lot for the purposes of future redevelopment of the 3701 Stinson parcel.
- Lot line adjustment and transfer would add 70 feet to the 3701 Stinson lot.
- Evidence both property owners are amenable through provision of Purchase Agreement.



3725 and 3701 Stinson Boulevard

- Area is zoned Planned Unit Development, which requires a development plan for re-development.
- No specified minimum lot sizes within the district.
- The request is consistent with the submitted Development Plan for Silver Lake Village.



Guidance from City Code

Applicable Code Section: Section 151 Subdivision Regulations, Section 152.08 "Subdivision Without Platting"

*"The City Council may waive compliance with the platting requirements of this subchapter and approve...by adoption of a resolution to that effect based upon findings by the City Council that: compliance with the platting requirements would create **an unnecessary hardship or expense because of the nature of the subdivision**, and failure to require the filing of a plat does not interfere with the purposes of this subchapter."*



Guidance from City Code

Applicable Code Section: Section 151 Subdivision Regulations, Section 152.08 “Subdivision Without Platting”

“The City Council may consider the number of parcels resulting from the subdivision, the complexity of the legal descriptions, the necessity for dedication of streets or drainage and utility casements, and the probability of future subdivision of the parcels.”



Analysis of Request

- The request is for a minor lot adjustment
- The request does not change the land use or alter the site layout
- The Purchase Agreement shows both property owners agree to the minor subdivision
- The minor subdivision results in the increase of the size of 3701 Stinson lot, making it more likely to re-develop.



Recommendation

Staff has reviewed the minor subdivision requested, and recommends approval of the application, subject on the following conditions:

- Satisfactory submittal of evidence to provide proof of clear title (and resolution of any outstanding title issues);
- City Attorney review and resolution of any other outstanding legal issues associated with recording of the minor subdivision.



Recommendation

Motion to adopt a resolution approving (with or without conditions) the request for a 70-foot minor subdivision from the property at 3701 Stinson to the property at 3725 Stinson.



3725 and 3701 Stinson Boulevard

Questions?



**CITY OF ST. ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 17-069

**A RESOLUTION APPROVING THE MINOR SUBDIVISION REQUEST FOR THE
PROPERTIES LOCATED AT 3725 STINSON BOULEVARD AND 3701 STINSON
BOULEVARD**

WHEREAS, the City Council considered this request at a regular meeting on October 10, 2017; and

WHEREAS, staff presented a Staff Report that provided information regarding the proposed minor subdivision from the Applicant and the owner of 3725 Stinson Boulevard; and

WHEREAS, staff also presented the City Council with a survey showing the lot line adjustment and calculating the new parcel areas and impervious coverage; and

WHEREAS, the current owner of 3701 Stinson Boulevard, SS. St. Anthony, LLC, appears amendable to the minor subdivision and property transfer, owner at 3701 Stinson Boulevard, due to the provision of a signed purchase agreement; and

WHEREAS, the request is considered a minor subdivision request wherein the full subdivision and platting requirements can be waived at the discretion of the City Council; and

WHEREAS, the City Council has reviewed the request in its entirety, found the request for the minor subdivision to meet the requirements for approval set forth in city code and enumerated in the Staff Report; and

WHEREAS, the Staff recommends to the City Council to approve the minor subdivision, subject to the following conditions, and in accordance with the staff report dated October 10, 2017:

- 1) Satisfactory submittal of evidence to provide proof of clear title (and resolution of any outstanding title issues);
- 2) City Attorney review and resolution of any other outstanding legal issues associated with recording of the plat.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of St. Anthony does hereby approve the following request:

- 1) A request for a minor subdivision at 3725 Stinson Boulevard and 3701 Stinson Boulevard to transfer 70 feet on the southern property to the northern property.

Adopted this 10th day of October, 2017.

Mayor, Jerome O. Faust

ATTEST: _____
City Clerk, Nicole Miller

Review for Administration: _____
Mark Casey, City Manager



3301 Silver Lake Road, St. Anthony, Minnesota 55418-1699
Office: (612) 782-3301 • Fax: (612) 782-3302 • www.savmn.com

October 5, 2017

Dear Mayor and Council Members:

On October 2, the applicant submitted revised plans and additional information (“Revised Application”). This information revises the plan that was presented to the Planning Commission. All additional information contained in the revised Application has been made part of the public record, has been provided to you and has been posted on the City’s website. In particular, the Revised Plan requires a Comprehensive Plan amendment for the portion of the proposed project at 2401 Lowry which is proposed for affordable housing. In addition, the entire site requires a Planned Unit Development (“PUD”) authorization, which is a form of rezoning.

The applicant, by letter dated September 18, requested that the Council consider the Revised Plan at your October 10 meeting. Due to the revisions submitted on October 2, you may consider the revisions on October 10 or you may choose to ask the Planning Commission to consider the Revised Application. Since the applicant has requested that you directly consider on October 10 the updates contained in the Revised Application, I have had prepared a draft resolution for your consideration. The draft resolution addresses, in particular, the continued request for a Comprehensive Plan amendment and a PUD. Based on my review of the Planning Commission actions to-date and the Revised Application, I conclude that certain of the concerns documented in the staff report with regard to the original application remain in the Revised Plan. Based on consultation with the City Attorney, I advise that the City Council has significant discretion in determining whether a Comprehensive Plan amendment and a PUD as requested in the Revised Application are appropriate for the health, safety and welfare of St. Anthony. In my opinion, they are not. Therefore, I have prepared a draft resolution for your consideration, with recommended findings, to deny the Comprehensive Plan amendment and the PUD. You may, obviously, modify these findings and reach a different conclusion during your deliberations on October 10.

I would also like to recommend that the project site appears to be a good candidate for a Technical Assistance Panel (“TAP”). The TAP process is a service offered by the Urban Land Institute to consider a prospective project and offer alternatives that meet the interests of all interested parties. If you so direct, I could make inquiries as to the availability and timing of a TAP for this project site.

Sincerely,

A handwritten signature in blue ink that reads "Mark Casey".

Mark Casey
City Manager

**CITY OF ST. ANTHONY VILLAGE
STATE OF MINNESOTA**

RESOLUTION 17-070

**A RESOLUTION DENYING THE COMPREHENSIVE PLAN AMENDMENTS, PUD
PRELIMINARY DEVELOPMENT PLAN/PUD REZONING, AND PRELIMINARY
PLAT RELATED TO THE VILLAGE, LLC PROJECT LOCATED AT 2401 AND 2501
LOWRY AVENUE**

WHEREAS, on June 14, 2017, the City of St. Anthony Village received a request from the Applicant, The Village, LLC, for the following applications (the “Original Application”):

- Comprehensive plan amendment request to the High Density Residential district to accommodate a higher proposed density on the site;
- Comprehensive plan amendment request to change the guided land use from Commercial to High Density Residential at 2401 Lowry Avenue;
- Rezoning request/Planned Unit Development Preliminary Development Plan request to change the zoning of the site from R1 – Single Family Residential (at 2501 Lowry Avenue) and C – Commercial (at 2401 Lowry Avenue) to Planned Unit Development (PUD);
- Preliminary Plat request.

The property comprising the site is legally described in Exhibit A (the “Property”).

WHEREAS, on August 28, 2017 the Planning Commission held a public hearing regarding the proposals, took extensive public testimony, reviewed the Application, and took the following actions:

1. Motion to deny the Comprehensive plan amendment request to the High Density Residential district to accommodate a higher proposed density on the site (5 to 1);
2. Motion to approve the Comprehensive plan amendment request to change the guided land use from Commercial to High Density Residential at 2401 Lowry Avenue (4 to 2);
3. Motion to deny the Rezoning Request/Planned Unit Development Preliminary Development Plan request to change the zoning of the site from R1 – Single Family

Residential (at 2501 Lowry Avenue) and C – Commercial (at 2401 Lowry Avenue) to Planned Unit Development (PUD) (6 to 0);

4. Motion to deny the Preliminary Plat request (6 to 0).

WHEREAS, on October 2, 2017, the Applicant submitted a revised plan set (“Revised Application); and

WHEREAS, in preliminary review of the revised plan, staff found the overall density of the site to exceed the guidance in the comprehensive plan; and

WHEREAS, the portion of the Property located at 2401 Lowry Avenue is currently guided by the City’s Comprehensive Plan as Commercial; and

WHEREAS, the portion of the Property located at 2501 Lowry Avenue is currently guided by the Comprehensive Plan as High Density Residential; and

WHEREAS, the St. Anthony Village’s zoning district needs to be consistent with the City’s Comprehensive Plan allowing for a 25 to 40 units per acre; and

WHEREAS, the Planned Unit Development re-zoning is an appropriate zoning district to utilize for the review of this project, given its High Density Residential land use guidance, unique and varied site surroundings, and due to involving a larger re-development area with more than one parcel; and

WHEREAS, the re-development should be evaluated as a complete development, consistent with past practices involving more than one development site in a larger Planned Unit Development district; and

WHEREAS, the High Density Residential designation, within the Comprehensive Plan, allows a maximum of 25 to 40 units per acre which reflects the unique characteristics of each site;

WHEREAS, the Comprehensive Plan is the city’s guiding document, approved in 2008, and reviewed in accordance with State Statute by the Metropolitan Council; and

WHEREAS, the original (48 units per acre) and revised Application (41. 4 units per acre) is not consistent with the Comprehensive Plan regarding density maximums set forth; and

WHEREAS, A Planned Unit Development plan for the Subject Property, at a maximum density of 25 units per acre as currently allowed in the Comprehensive Plan, is more likely to achieve the following public values:

- Better consistency with surrounding residential land uses, particularly those located on the north and west adjacent property;
- Less impact to the northern alley in terms of access and setbacks;
- Less impact to the character of the neighborhood;

- Less impact to the pedestrian and vehicular access within the neighborhood;
- Less potential traffic risk to the health and safety of students on nearby properties;
- Better opportunities for green space and tree preservation within the development;
- More opportunities for higher parking ratios and less deviation from the required 2 spaces per unit; and
- Height of buildings which is more consistent with surrounding land uses, especially on the west and north side of the development, and those developments that have been approved over the 30 years.

Create an overall development that serves all public objectives, including the development of affordable housing at densities consistent with the Comprehensive Plan.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of St. Anthony Village denies all portions of the Application, original and revised, based on a review of the complete record and the findings contained in this Resolution which include:

- (1) The use districts are not protected by the Application;
- (2) Orderly development and redevelopment is not promoted by this Application;
- (3) The proposal does not provide adequate light, air, and access to property;
- (4) The proposal does not prevent congestion in the public streets;
- (5) The proposal does not prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and densities; and
- (6) The Rezoning Request/Planned Unit Development Preliminary Development Plan request and the Preliminary Plat are not consistent with the Comprehensive Plan.

Adopted this 10th day of October, 2017.

Jerome O. Faust, Mayor

ATTEST: _____
 Nicole Miller, City Clerk

Review for Administration: _____

Mark Casey, City Manager



MEMORANDUM

To: St. Anthony Village Planning Commission

From: Breanne Rothstein, AICP, City Planner

Date: Planning Commission meeting on August 28, 2017

WSB Project No. 02170-300

Request: Comprehensive Plan Amendments, Preliminary PUD Development Plan, and Preliminary Plat for The Village, LLC

GENERAL INFORMATION

Applicant: The Village, LLC

Owners: The Village, LLC

Location: 2401 and 2501 Lowry Avenue

Existing Land Use / Manufactured Home Community/Single-Family Residential (approximately 97 home sites and 95 RV sites); Bremer Bank Site/Commercial

Zoning:

Surrounding Land North: Low Density Residential / Zoned R-1 - Single Family Residential

Use / Zoning: East: High Density Residential/Planned Unit Development Kenzington Terrace (ownership condos for seniors) are located immediately to the east (5 stories, plus at grade garage (70 feet in height).

South: High Density Residential and Commercial/Planned Unit Development The Legacy (4 stories of rental, assisted living for seniors (48 feet), Walker Senior Housing (3 stories of affordable rental, assisted living for seniors (36 feet), and Autumn Woods (3 stories general occupancy rental units (40 feet).

West: Single-Family Residential and Commercial in Minneapolis

BACKGROUND

The applicant for the proposal, The Village, LLC, with lead developer Continental Property Group, purchased the Lowry Grove Manufactured Home Community on June 13, 2016. In the ensuing year, the mobile home park, and the former and new property owners were engaged in a series of State statutory requirements for mobile home park closures. The Lowry Grove mobile home park formally closed on June 30, 2017.

On October 24, 2016, the Planning Commission reviewed an initial Planned Unit Development (PUD) sketch plan submission for the site from The Village, LLC. An Environmental Assessment Worksheet (EAW) for the site was completed in November of 2016.

On July 18, 2017, The Village, LLC submitted a series of land use applications for their proposed redevelopment of the former Lowry Grove site. The proposed redevelopment now includes both 2401

August 28, 2017

Page 2

Lowry Avenue (the site of the former mobile home park) and 2501 Lowry Avenue (the current site of Bremer Bank).

DESCRIPTION OF THE REQUEST

The site under re-development consideration is approximately 17.26 acres located on the southwestern edge of the city of St. Anthony at 2501 Lowry Avenue and 2401 Lowry Avenue (see enclosed site location map). Bremer Bank (2 stories) is located on the southwestern-most corner of the property and has been added as part of the re-development plan since the review of the sketch plan.

The preliminary plat and PUD preliminary development submittal proposes a residential redevelopment that includes several housing types, styles, and ownership models. There are a total of 833 housing units proposed on the site, comprised of five buildings of multifamily housing and 32 for-sale townhome units. Buildings A and C include 300 units of senior housing; Buildings B and D together are proposed to have 391 market-rate apartments; and Building E includes 110 units of affordable housing. Buildings A and B, set back behind the townhomes on the west side of the development, are proposed to be 55 feet in height (5 stories). Buildings C, D and E are proposed at 66 feet (6 stories).

The redevelopment proposal includes two stormwater retention ponds and a stormwater infiltration basin feature. Lot 2 Block 2 contains a 1.4-acre park with a six-foot sidewalk trail connecting Roads A and B. There are six-foot sidewalks along each of the proposed roadways. There are a total of 1,122 designated parking stalls proposed for the development. These include 988 enclosed parking stalls (64 of these are associated with townhome garages), 72 surface stalls (associated with Building E) and 62 on street parking stalls associated with roadway bump-outs across the development site.

The Village, LLC has submitted the following requests with their land use application for the redevelopment plan for 2401 and 2501 Lowry Avenue:

- **Two Comprehensive Plan Amendments:**
 - A comprehensive plan amendment to the High Density Residential district to accommodate a higher proposed density on the site. The overall site density is proposed as 48 units per acre. The current comprehensive plan allows a maximum density of 40 units per acre in areas guided for High Density Residential.
 - At 2401 Lowry Ave, a comprehensive plan amendment to change the guided land use from Commercial to High Density Residential.
- **Rezoning request** to change the zoning of the site from R1 – Single Family Residential (at 2501 Lowry Avenue) and C – Commercial (at 2401 Lowry Avenue) to Planned Unit Development (PUD). A **Planned Unit Development (PUD) preliminary development plan review** is also requested, in accordance with the rezoning request.
- **Preliminary Plat review for their re-development plan for 2401 and 2501 Lowry Avenue;** a preliminary plat submission must include certain required elements to be considered for complete review.

Each of the components of the applicant's land use request was accompanied by a separate narrative written by the applicant, and included as attachments.

August 28, 2017

Page 3

COMPREHENSIVE PLAN GUIDANCE

The Comprehensive Plan's Land Use Plan discusses the following items related to the sites at 2401 and 2501 Lowry Avenue:

- It guides the 2401 Lowry Avenue (Bremer Bank) site for Commercial and the 2501 Lowry Avenue site for High Density Residential. It acknowledges that mobile home housing on the former Lowry Grove site was aging and states intent for a long-term redevelopment plan for higher-intensity use of the site.
- It states that any changes in land use would be initiated by the landowner, not proactively by the City.
- It states that any change in land use would require proper notification and provision for relocation under state statute.
- It states the importance of provision of affordable housing in this area to the community.
- It outlines a general vision, should the property re-develop, that includes a mix of multi-family housing ("townhomes and condominium apartments")
- It discusses the need for better pedestrian improvements and streetscape on Kenzie Terrace.
- The density range for High Density Residential is specified as a minimum of 25-40 dwelling units per acre.

ZONING GUIDANCE

The 2401 Lowry Ave site is currently zoned **C – Commercial**, which is a zoning district that allows generally for retail sales and service uses. The 2501 Lowry Ave site is currently zoned **R-1 – Single Family**, which is a zoning district that allows for detached single family uses. The applicant is requesting to rezone both sites to **Planned Unit Development (PUD)**. The intent of a PUD zoning designation is "to create a more flexible, creative, and efficient approach to the use of land", and may include a greater use variety and dimensional flexibility than the underlying zoning district(s) would allow.

City Code section §152.203 ("ALLOWED USES") stipulates that a PUD development plan may deviate from the area's underlying zoning and allowed uses, and that the uses defined in the final PUD agreement take precedence:

"Uses within a PUD may include only those uses generally considered associated with the general land use category shown for the area on the official Comprehensive Land Use Plan. However, in some unique situations, the PUD may allow the approval of use or uses that are not listed as either permitted or conditional uses in any underlying zoning district. The specific allowed uses and performance standards for each PUD shall be delineated in an ordinance and development plan. The PUD development plan shall identify all the proposed land uses, which shall become permitted uses if the final development plan is approved."

PRELIMINARY PUD DEVELOPMENT REVIEW

August 28, 2017

Page 4

Staff deemed the preliminary plat submission complete after reviewing the submitted elements against the required information listed in §151.02. The following summarizes the proposal for each element of the preliminary plat and preliminary PUD site plan.

Housing Types and Massing/Height: The preliminary plat and PUD preliminary development submittal proposes a residential redevelopment that includes several housing types, styles, and ownership models. The table below summarizes the housing types and massing for each segment of the proposed development.

Site Element	Housing Type	Total Units	Height
Building A	Senior housing	130	55' (5 stories)
Building B	Market-rate	171	55' (5 stories)
Building C	Senior housing	170	66' (6 stories)
Building D	Market-rate	220	66' (6 stories)
Building E	Affordable	110	66' (6 stories)
Townhomes	For sale attached housing	32	1-2 story
Total Units Proposed: 833 housing units			
Overall Site Density: 47.7 units per acre			

Buildings A and B, both proposed at five stories in height, are set back behind the townhomes located along Stinson Boulevard. Buildings C, D and E, each proposed to have six stories, front Kenzie Terrace. Buildings A and C are proposed to be managed and operated by Ebenezer, a senior home community. Buildings B and D are proposed to be constructed and operated by Continental Property Group, and Building E is proposed to be constructed and operated by Aeon, an affordable housing developer. The townhome element will be sold to a townhome developer/builder.

Traffic, Streets and Access: The development plan proposes two main access points, one from Stinson Boulevard and one from Kenzie Terrace. Building E would also retain its existing access drives off of Stinson and Kenzie, but there are no proposed internal roadway connections between Building E and the remainder of the site. Roads A, B, C and D are included on the preliminary plat as Outlot A and are proposed as private roadways. A traffic study was completed as a part of the Environmental Assessment Worksheet (EAW) review, and detailed recommendations were included in that report. The traffic study includes a recent additional memo to include and evaluate existing and proposed volumes on Stinson Parkway and Lowry Avenue.

Parking: There are 1,122 total parking stalls proposed for this development. The table below summarizes the parking type, stalls and area associated with each segment of the proposed development.

Site Element	Enclosed Parking Stalls	Surface Parking Stalls	Parking Area (SF)	Stalls per unit
--------------	-------------------------	------------------------	-------------------	-----------------

Building A	130 (underground)	--	47,000	1
Building B	222 (underground)	--	80,000	1.3
Building C	222 (underground)	--	80,000	1.3
Building D	285 (underground)	--	103,000	1.3
Building E	65 (underground)	72 (parking lot)	42,000	1.4
Townhomes	64 (garage)		64,000	2
Guest Parking	--	62 (on-street)	Not given	--
TOTAL	958 stalls	134 stalls		

Landscaping: The plan provides a suggestion of the development's landscaping concept through the Site Plan exhibit. However, the application does not include a separate landscaping exhibit and the elevation renderings do not provide landscaping detail. The site plan indicates boulevard tree plantings along the roadways surrounding Blocks 3 and 4 and the park plaza.

Streetscape/Urban Design: The site plan and preliminary plat shows street design, sidewalks and trails incorporated into the project design. Setbacks shown on the site plan are 20 feet along most site boundaries (30 feet along Kenzie Terrace), while internal setbacks are zero feet. The applicant has also provided a narrative description of some of the design elements of the project including overall configuration of the parks and green space elements within the site design, height and density of the buildings, and integration of the site into the existing surrounding area and land use.

Trails/Sidewalks: The preliminary plat shows 6-foot sidewalks integrated into the site design along all internal roads, as well as a sidewalk trail connecting Road A and Road B through the park plaza. While there is an existing sidewalk along both Stinson Blvd and Kenzie Terrace integrated into the project design, there are no proposed enhancements to existing sidewalks nor internal sidewalk connections proposed to connect Building E with the remainder of the site.

Public Spaces/Parks: The preliminary site plan includes the following park and public space elements. These are proposed to be open to the public, but privately maintained and programmed.

- Park/Plaza (Lot 2 Block 2): This 1.4-acre area is dedicated park space that includes a stormwater pond, a fountain feature, and a plaza. Site plan renderings show opportunity for additional park features to be incorporated into the park design.
- Building plazas/open space: Buildings A, B, C and D each incorporate a plaza or courtyard area into their design.

Environmental Assessment Worksheet: A full report was completed for the analysis of the environmental impacts, including infrastructure impacts, contamination, traffic, and permitting required. Detailed information was analyzed, and this report is available on the city's website, or at city hall.

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Environmental (Contamination): There is contamination on the site from the apparent spreading of oil on dirt roads for dust control (historically), the location of a dry cleaner on the Bremer site, and the siting of underground petroleum tanks (historical). The appropriate Response Action Plan has been submitted and approved by appropriate agencies. The developer is intending to remediate all environmental contamination on the site as a part of redevelopment. The EAW completed for this site has listed the detailed permits and information related to this clean up effort.

Grading: A grading plan has been submitted that appears to involve significant grading and changes to the grade on the site. It appears that most, if not all trees, will be removed as part of the grading.

Stormwater Management: A stormwater management collection and treatment system is proposed through a system of curbing, catch basins, underground conveyance, ponding, and bio-retention. This includes traditional at grade ponds and below grade bio-filtration systems.

Utilities: Public sanitary sewer and watermain extensions and hydrants are proposed as part of this development. The infrastructure is proposed under private streets, with public easements over them.

Phasing: The staging plan depiction is shown below. The staging plan indicates the sequence of site development and indicates a total buildout time frame of 5 to 7 years. Building D, the roads, the

utilities, the park, and the stormwater retention pond are all incorporated into the first stage of development. This will be followed by the construction of building A. Next staged are the townhomes, followed by Building C and then Building B. Building E is currently listed as "TBD" in the phasing plan. Aeon has indicated that they anticipate a 2019 construction season, depending on award of tax credits and other required funding sources.



Anthony. The amount of land (or cash in-lieu) will be determined at the time of final plat. All park dedication requests will need to be reviewed by the Park Commission. More details will be needed to determine appropriate park dedication obligation and credit.

Park Dedication Fees: Park dedication is required on all new subdivisions in St.

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Development Agreements/Contracts: A series of development agreements and contracts will be required for this project. These legal documents will be drafted and prepared at appropriate times during the final plat/final development plan stage.

Other Agency Requirements: In addition to city code requirements for the review and consideration of a Planned Unit Development preliminary development plan, re-zoning and subdivision application, this re-development is subject to many other jurisdictional requirements including the following:

State Rules Governing Completion of an Environmental Assessment Worksheet (EAW). Due to its size (over 375 attached units), State Rule 4410 requires preparation of an EAW to evaluate and identify existing environmental conditions and identify the impacts of this proposed development with regard to land use, soils, fish/wildlife, historical property, water resources, sewer, water, and transportation infrastructure and any potential noise, odor, light, or visual impacts. This document has been completed and several recommendations listed in this staff report are a result of this study.

Minnesota Pollution Control Agency. As part of the developer's purchase of the property, Phase I and Phase II Environment Assessments were completed and identified several sources of contamination on the property, which will need to be properly handled and remediated through the process established by the Minnesota Pollution Control Agency. Additionally, sanitary extension and construction permits will also be needed. Copies of all required permits will be required to be submitted prior to final approval of the development.

Hennepin County Transportation. Kenzie Terrace is a County Road and coordination with their plans and needs regarding changes or upgrades to Kenzie Terrace is required. Copies of all access permits will be required to be submitted to the city prior to final approval of the development.

Minneapolis Park and Recreation Board. MPRB has submitted comments regarding the proposed development, outlining the process and permits required. The land under which Stinson Parkway is built is considered MPRB parkland, not right-of-way. Therefore, special review and provision must be made for any upgrades or impacts to Stinson Parkway, given its designation as parkland and the MPRB jurisdiction. Copies of all required Park Board permits will be required to be submitted prior to final approval of the development.

Mississippi Watershed Management Organization. This development will be subject to the rules of the MWMO and the city regarding pollutant loading reduction, discharge rates and volumes, and flood elevations. The city is the permitting agency for the MWMO.

COMMUNITY INPUT TO DATE

There has been much interest in this proposal, starting last year and continuing to-date. Staff has received almost 100 emails since the sketch plan phase, and has included them as an attachment. Additionally, staff has spoken with many residents and concerned neighbors and has summarized the concerns as follows:

- Concerns over the density and height of the proposal. The most common concern is the opinion that the comprehensive plan should not be amended to accommodate this development and that heights should be consistent with those around the site.
- Concerns over the loss of affordable housing. People have expressed the need to retain/replace affordable housing on the site.
- Concerns over traffic and safety. People have stated the increase in traffic on Stinson Parkway will reduce livability and increase congestion at key intersections.
- Concerns regarding views for existing Kensington Terrace residents. People have expressed concern over the reduction in views from their units.
- Concerns over tree removal.
- Concerns over school capacity and other public services.
- Concerns over the handling and treatment of stormwater runoff.

While there have been other concerns expressed, and also support expressed for the project, the overwhelming majority have stated the above concerns.

ANALYSIS

Comprehensive Plan Amendments Requests

The City must follow statutory requirements and ensure conformity within the comprehensive plan when amending its comprehensive plan, which serves as the foundation for land use policy. Section 152.002 establishes the purpose and intent of the city of St. Anthony's zoning code. Therefore, Staff has evaluated the request for the comprehensive plan amendments using the standards set forth in Section 152.002:

A. Does the comprehensive plan amendment to increase the maximum allowable density from 40 to 48 units per acre achieve the following findings?

- (1) *The use districts are protected.* Yes, use districts are not affected by this comprehensive plan amendment request.
- (2) *Orderly development and redevelopment is promoted.* The increase in density requested does not promote orderly development since it is inconsistent with surrounding densities and inconsistent in density and scale with past re-development. Recent development in the city has been approved at 38 units per acre and 4 stories in height.
- (3) *The proposal provides adequate light, air, and access to property.* No, the proposed density does not allow adequate access within the site due to the location and placement of several, large retaining walls. The internal road and trail network does not allow for adequate access around all buildings.
- (4) *Prevent congestion in the public streets.* No, allowing an additional increase in density will not prevent congestion on public streets. While an increase in traffic is expected, and the traffic study calls for the completion of required improvements associated with the traffic study, an increase in density will not improve the current or proposed traffic situation.
- (5) *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and densities;* The proposed density of the development exceeds what the site

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can reasonably accommodate, given the surface water and grade challenges on the site. The site would be better configured if the density was a max of 40 units per acre;

(6) *Provide for compatibility of different land uses.* The proposal provides for a variety of residential land uses on the site.

B. Does the comprehensive plan amendment to change the land use at 2401 Lowry Avenue from commercial to high density residential achieve the following findings?

- (1) *Protect the use districts.* The proposed land use is high density residential, which is a change from the commercial designation.
- (2) *Promote orderly development and redevelopment.* In staff's review of the proposal, a change to land use from commercial to high density residential does promote orderly development since a commercial use of the parcel on the corner would be isolated from most nearby commercial.
- (3) *Provide adequate light, air, and access to property.* The land use change does not affect the provision of adequate light, air, and access. The proposed access to the site will need to be evaluated and commented on as part of the overall PUD request. Generally, high density residential uses generate less traffic than commercial uses.
- (4) *Prevent congestion in the public streets.* The land use change proposed does not prevent, or substantially affect, congestion in the street.
- (5) *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and densities.* The land use change proposed does increase the overall density on the site, but generally, high density residential is considered less intense than a full utilization of the site as a commercial use.
- (6) *Provide for compatibility of different land uses.* The proposed land use change provides for better compatibility with the rest of the development, which is proposed as high density residential. The integration of the site will be addressed as part of the PUD review.

Staff has completed a thorough review of the Preliminary PUD Development Plan and Preliminary Plat proposal and has the following comments and requested changes:

- ◆ *Full streetscape exhibit.* Currently the site plan is lacking in detail about the design and plan for the streetscape for the project. The look and feel of the streetscape is a critical feature for a site of this scale. Staff requests the submission of a full and separate streetscape exhibit that includes more detail regarding dimensions of sidewalks and trails, curbs, parking bump-outs, driveways, public infrastructure in streetscape (hydrants, utility boxes, etc), and boulevards and boulevard landscaping. This includes the area along the alleyway on the north side as well as on all public and private streets. Specifically, the following additions/considerations are requested:

- A trail plan is requested that connects all of the building areas together.
- Many retaining walls are proposed. The site needs to be re-evaluated to reduce the number of retaining walls, especially in areas critical to urban design (along Kenzie Terrace and along private streets; between Building E and Building C; and in the northeast corner of the site. This also relates to the grading and drainage plan, and stormwater management plan.
- Boulevard trees and sidewalks are requested on each of the streets.
- The removal of all existing encroachments into Stinson Parkway.
- The addition of street lights along Stinson Parkway, in coordination with the Park Board on number and spacing.

◆ *Landscaping Plan.* Staff is requesting submittal of a landscape plan that details the location and programming for greenspace (particularly over the areas labeled “biofiltration basin.”) All areas in the development need intentional landscaping and programming. More information is required regarding the green spaces indicated interior to Building B. All areas not proposed as greenspace (driveways in alley, Building B interior, biofiltration areas, patio on Building D) should be removed as “green” from the site plan. An effort should be made to indicate the preservation of trees, where possible.

◆ *Details regarding building plans.* Staff is requesting more detail about the proposed style(s) of the townhomes, and confirmation that there are no driveways proposed for the townhomes on Stinson Parkway and details regarding the off-street parking for these units (distance from garage door to curb along Road C). Additionally, there seem to be measurement discrepancies shown on the site plan for the lengths of the north side driveways as well as driveway access.

Staff requests that the Applicant examine the accuracy of these measurements and submit revised plans showing details of access along the alley, including location, grades, and building elevation views of the north side of those townhomes.

Staff is also requesting all four building elevations for each building and labeled for ease in reading/evaluating. Urban design and the interaction of the building with the street, walkways, and views from surrounding properties needs to be evaluated. The proposed number of 1, 2, and 3 bedroom apartments proposed should also be indicated, by building.

◆ *Details on Parking.* Staff is requesting more information on the details on the parking garages proposed is missing (underground, at-grade, or above grade, and proposed lowest floor elevations of underground garages). Also, more information is requested regarding guest parking (how many numbers of underground and at grade guest parking), handicap parking stalls (how many and location). Since the number of

proposed stalls is well below the city code requirement of 2 stalls per unit, staff is requesting information regarding best practices for the provision of parking at other recent development sites in the vicinity and more data to support allowing a reduction in the parking spaces required.

- ◆ *Area breakdown by use.* Similar to the table provided with the existing conditions exhibit, staff would like the Applicant to provide a table showing the areas associated with each *proposed* use of the development. This table would include the square footage associated with each type of residential (market, affordable, townhome, and senior), streets, trails and sidewalks, public use and/or open space. This should also include the estimated number of 1, 2, and 3 bedroom apartments proposed, by building.
- ◆ *Staging detail.* Staff is requesting a more detailed estimate of the timeline associated with each stage of the development. There is an understanding that uncertainty exists with development timing; however, staff would like a better understanding of the expecting duration of each stage of development.
- ◆ *Revised Plans for Building E.* Since a new developer is now involved, revised plans for Building E and the surrounding site are requested. As proposed, Building E (which contains the affordable housing associated with this project) is physically isolated from the remainder of the site by a large retaining wall and a bioretention area. There are no internal roadway or sidewalk connections to other site buildings or features, including the park and open space areas, and there is both a parking lot and retaining wall that act as a separation cutting off the building from the development overall. The design of this building could be better incorporated into the site plan and could be integrated into overall development in a more inclusive way with the addition of a trail. Grading changes are required to eliminate or reduce the grade change between Building B and D.
- ◆ *Vacation of Easement.* There is currently a watermain easement through the site, which will need to be vacated through a separate action accompanying a final plat.
- ◆ *Engineering Comments.* The full engineering staff report is available as an attachment.
 - There appear to be many outstanding questions and concerns with the stormwater management systems, especially as it relates to the rest of the site. Resolution of these questions and issues will require coordination with City Engineer.
 - An erosion control must be submitted and reviewed.
 - Soil borings and logs must be submitted and reviewed.
 - Details on the operations and maintenance of the privately held stormwater facilities will be required to be enumerated in the development agreement.

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- Detailed requirements for transportation improvements are listed in the traffic study, and incorporated here by reference. It has been concluded that the improvements listed in the report are satisfactory, in staff's recommendation, to meet the demands generated by this development. While there are intersections in the vicinity that currently experience congestion during peak hours, these conditions are not created by this development proposal.
- ◆ Police and Fire Comments. The full comments from Police and Fire are available as an attachment. In particular, the following changes are requested:
 - A 20 foot clear zone around each building, free of any trees, structures, ponds, or grade changes, and reinforced with material acceptable to the engineer for the purposes of access. This is particularly important between Buildings B and D, east of C, and east of A. This can be accomplished with a paved trail in many locations. A lesser width may be allowed in certain areas, with approval of the fire chief.
 - Placement of a hammerhead at the eastern terminus of Outlot A/Road B. This will require re-evaluating the 114 foot long retaining wall in this location.
 - Hydrants added to Stinson Parkway (on private property).
 - Location of building entrances, and distances to nearest hydrants, and provisions for emergency vehicle parking.
 - Closer review of access points along Kenzie and proximity to the Lowry/Stinson intersection. Hennepin County will need to review and approve these access points.
- ◆ The EAW incorporates many detailed comments and permitting requirements, all of which is incorporated by reference.

STAFF RECOMMENDATION

In consideration of the above items, staff recommends that the Planning Commission take the following actions:

- Concerning the comprehensive plan amendment to increase the allowed density on the site from 40 to 48 units per acre -- Staff recommends denial of the comprehensive plan amendment to increase density, based on the findings enumerated in the staff report.
- Concerning the comprehensive plan amendment to change 2401 Kenzie Terrace land use designation from commercial to high density residential -- Staff recommends approval of the comprehensive plan amendment, based on the findings enumerated in the staff report.
- Staff recommends tabling of the preliminary PUD plan and preliminary plat until such a time that the comprehensive plan amendments are acted upon and revised plans are submitted that are consistent with the comprehensive plan, as may be amended.

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SUGGESTED MOTION

The following actions are options for the Planning Commission to consider:

- 1) **Motion to recommend denial of the comprehensive plan amendment to increase density for the subject property from 40 to 48 units per acre, based on the findings listed in the staff report; motion to recommend approval of the comprehensive plan amendment to change the land use on 2401 Lowry from commercial to high density residential, based on the findings listed in the staff report; and motion to table action on the preliminary PUD development plan and preliminary plat until resolution of the comprehensive plan amendment request (RECOMMENDED MOTION);**
- 2) Motion to table action on the comprehensive plan amendments, preliminary PUD development plan, and preliminary plat, based on the submittal of additional information, as enumerated in the staff report;
- 3) Motion to recommend denial of the comprehensive plan amendments, preliminary PUD development plan, and preliminary plat, and direct staff to prepare a draft resolution declaring terms of the same.

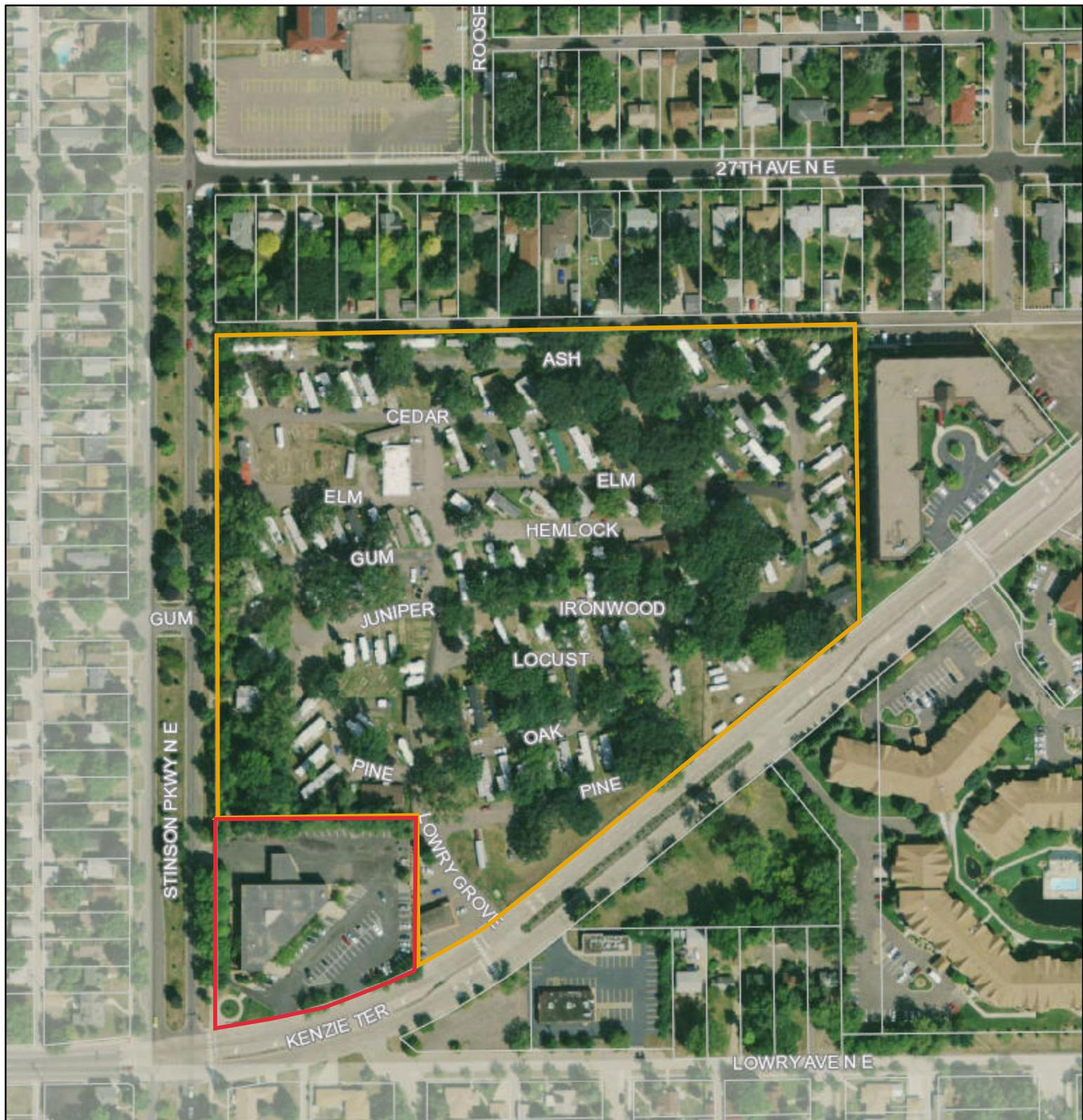
ATTACHMENTS

- 1) Site Location Map
- 2) Village LLC Building Exhibits, with parking information
- 3) Village LLC statement of support of PUD
- 4) Village LLC statement of support of comprehensive plan amendments
- 5) Village LLC Civil Plans
- 6) Public Comments
- 7) Traffic Study Addendum
- 8) Detailed staff review comments
- 9) Building Height Exhibit

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The Village LLC Site Location Map

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1 in = 200 ft

Saint Anthony Village



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Building Summary & Parking Count
Total 823 units

Building A - 55'
130 units (125,000 Housing + 47,000 Parking)
130 Enclosed Parking Stalls

Building B - 55'
171 units (161,000 Housing + 80,000 Parking),
222 Enclosed Parking Stalls

Building C - 66'
170 units (161,000 Housing + 80,000 Parking),
222 Enclosed Parking Stalls

Building D - 66'
220 unit (207,000 Housing + 103,000 Parking),
285 Enclosed Parking Stalls

Building E - 66'
100 units (94,000 Housing + 42,000 Parking)
137 Total = 65 Enclosed Parking Stalls & 72 Surface Stalls

Townhomes – 24'
32 units (2000 unit average with parking) 64,000 SF – 3 Story
64 Enclosed Parking Stalls

Site Parking
62 At Grade Stalls, additional 20 possible as proof of parking.

*Building heights listed are from first floor FFE (Finished Floor Elevation) listed on sheet C-3.01 to primary roof plane.

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The Village LLC Development
 St. Anthony, MN
 2017-07-17

Staging Plan

BKV GROUP **WENCK**



(Drawing done by ESG)

The Village LLC Development
St. Anthony, MN
2017-07-17

Building A

BKV GROUP **WENCK**



Cement Board

Clear Glass, Low-e

Cement Board

Pergola

Stone / Masonry

(Drawing done by ESG)

The Village LLC Development
St. Anthony, MN
2017-07-17

Building A

BKV GROUP **WENCK**



(Drawing done by ESG)

The Village LLC Development
St. Anthony, MN
2017-07-17

Building B

BKV GROUP **WENCK**



(Drawing done by ESG)

The Village LLC Development
St. Anthony, MN
2017-07-17

Building B

BKV GROUP **WENCK**



The Village LLC Development
St. Anthony, MN
2017-07-17

Building C





The Village LLC Development
 St. Anthony, MN
 2017-07-17

Building D

BKV GROUP  **WENCK**



The Village LLC Development
St. Anthony, MN
2017-07-17

Building D



The Village LLC Development
St. Anthony, MN
2017-07-17

Building E

BKV GROUP WENCK





(Drawing done by ESG)

The Village LLC Development
St. Anthony, MN
2017-07-17

Town Homes

BKV GROUP **WENCK**



Michael J. Mergens
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email: mike@entrepertnerlaw.com

July 18, 2017

Mayor Faust & Council Members
c/o Mark Casey
CITY OF SAINT ANTHONY VILLAGE
3301 Silver Lake Road
Saint Anthony Village, Minnesota 55418

VIA HAND DELIVERY

RE: Written Statement in Support of PUD Application

Dear Mayor Faust and Council Members:

This law firm represents THE VILLAGE, LLC ("The Village"). The Village is enthusiastic about the opportunity to embark on this strategic, well-rounded redevelopment effort that will help support Saint Anthony Village as a progressive, livable, walkable, sustainable, vibrant, and safe community in which to live, work, learn, and play.

At its highest level, this application begins the formal process by which The Village intends redevelop more than 17 pivotal acres on the City's southern rim with cohesive, beautiful, and well-designed affordable, market-rate, senior-focused, and for-sale townhome housing options.

We submit this written statement in support of The Village's Planned Unit Development ("PUD") Preliminary Development Plan application (and, together with its related applications and materials, the "**Applications**") for the combined development of real estate (the "**Project**") commonly known as 2401 and 2501 Lowry Avenue NE (collectively, the "**Property**"). Specifically, the Project includes a distinct affordable-housing component (the "**Affordable Site**") and a component that integrates market-rate, senior-focused, and for-sale townhome elements (the "**Village Site**") for a total of 823 units. The Applications are specifically intended to incorporate the entire Property to ensure that the development process ultimately produces a cohesive, thoughtful, creative, and holistic project.

Broadly, the Applications reflect the intent that, with the City's support and approval, The Village will enter a Master Development Agreement to develop the entire Property—including the Affordable Site and each separate phase of the Village Site—and that each distinct phase will include submission of separate final PUD applications and final plats. For the Affordable Site, The Village intends to secure necessary City guidance and approval in the preliminary application process, then to deliver the Affordable Site to a nationally-recognized affordable housing specialist to bring that aspect to completion. Ultimately, The

Village expects that this staged process will result in a fully-developed Project in 4 to 6 years.

The City of St. Anthony Village's PUD ordinance exists to "create a more flexible, creative, and efficient approach to the use of land" and to allow deviation from the strict provisions of the Zoning Code to encourage, among other things:

- Within a comprehensive site design concept, a mixture of land uses, housing types, and densities;
- Departure from the strict application of required setbacks, yard areas, lot sizes, minimum house sizes, minimum requirements, and other performance standards associated with traditional zoning to maximize the development potential of land while remaining sensitive to its unique and valuable natural characteristics;
- Project density to be clustered, basing density on a number of units per acre instead of specific lot dimensions; and
- District integration to combine uses that are allowed in separate zoning districts, including mixed residential uses to allow both densities and unit types to be varied within the project and mixed residential uses with increased density based upon the greater sensitivity of PUD projects to regulation.

Indeed, the City's 2008 Comprehensive Plan (the "**Comp Plan**") recognizes that "[t]here are many options available to land owners if they wish to redevelop their property. ... The Comprehensive Plan does not take a narrow view of what form any potential redevelopment might take. It provides flexibility and creativity."¹ And as the Comp Plan correctly notes, "[b]ecause the City is fully developed, additional housing would have to occur through redevelopment... [and] the anticipated density for this higher density housing development is 25 to 40 units per acre."²

Scholars have offered that "[f]lexibility is perhaps the most often cited advantage of PUDs."³ They go on to say:

Without the strict bulk and density restrictions imposed on a lot by lot basis, and freed from the strictures of site plan standards created

¹ Comp Plan at 2-22.

² *Id.* at 2-32.

³ Michael Murphy & Joseph Stinson, PLANNED UNIT DEVELOPMENTS, Pace University School of Law at 6 (1996)

for the average single lot development, a developer has the flexibility to design the tract as a whole. Other benefits flow from this new-found flexibility. For example, the developer can design the development around the various topographical characteristics of the tract such as steep slopes and wetlands.⁴

As the City has long recognized, the Property is nestled in a section of St. Anthony Village primed for redevelopment. But that redevelopment is a mammoth undertaking, which is why the flexibility and creativity cited in the Comp Plan and echoed by scholars is so important here: the “right” redevelopment project is one that creatively and flexibly leverages density, the Property’s unique topographical characteristics, and existing infrastructure to meet the City’s complex needs, including its need for affordable housing.

Here, The Village is proposing the Project as a planned unit development to take advantage of the City’s PUD ordinance to ignite the City’s desired rejuvenation of its southwest rim. The Project compliments the City’s 2008 Comprehensive Plan, conforms to the Zoning Ordinance’s overall intent and purpose, and enhances the health, safety, and welfare of the community’s residents. The PUD application, in particular, creatively maximizes several of the Property’s inherent characteristics through flexible land use and planning, elevated design and build standards from experienced and highly-respected planners, architects, builders, and engineers,⁵ and efficient use of available land.

In 2012, the City made clear in its Sustainability Plan the desire to “create a community in which there is a full range of sustainable housing options for individuals of all ages,” including its explicit strategy to “provide builders with incentives to build *maximum* density housing.”⁶

The Village has diligently pursued the Property’s strategic redevelopment, including due diligence before acquiring the land, a comprehensive market assessment, numerous public and private meetings with a variety of stakeholders, several concept plans and their variants, and the collective input and wisdom of some of the most credentialed and respected redevelopment experts in Minnesota. Specifically, the plan now incorporates suggestions for additional green space, reduced building heights, and a fully-reconfigured eastern layout to maximize the cushion between proposed buildings and the existing Kensington Condominiums, among many other things.

⁴ *Id.*

⁵ Names and addresses of all applicable professional consultants are attached as Exhibit A.

⁶ City of Saint Anthony Village Sustainability Plan (2012) (*emphasis added*).

From the outset, this Project has contemplated and made provision for affordable housing. The Village has been strategic in making (and revising) the Project for compatibility with surrounding land uses, and has worked diligently and creatively to provide appropriate infrastructure to manage water, sewer, runoff, streets, and access to serve the project and improve infrastructure for the surrounding community. The Village has a comprehensive vision in place to manage and remediate environmental issues, including significant pre-existing contamination. Finally, The Village has been committed from the beginning—and remains committed—to a fair and open public process with ample opportunity for community and staff discussion, input, and discourse.

This Project consists of four main elements housed in five (or more) distinct buildings: (i) affordable housing; (ii) market-rate apartments; (iii) senior-focused housing; and (iv) for-sale townhomes. We will explore each in turn below.

1. Affordable Housing.

As an experienced real estate developer throughout the nation, The Village knows affordable housing development is at its best when influenced by experienced affordable-housing experts. The Village expects that all of the Project's affordable housing will be built on the Affordable Site on the Property's southwest edge by a nationally-recognized affordable housing developer.

At this stage of the application process, The Village intends to include only the broad outlines of the plan for the Affordable Site and expects to agree to the building dimensions, the number of affordable units on the Affordable Site, and any provisions necessary to ensure that the affordable-housing portion is included in preliminary discussions and approvals. Upon finally acquiring the site and securing preliminary approvals, The Village will then sell the parcel and turn over its development to the affordable housing developer, which will present the City with the final plat and final PUD for the Affordable Site.

One primary benefit of incorporating the Affordable Site in the Project's overall preliminary application is that the Project's affordable component will be integrated into the entire project's look and feel, giving it the appearance and many amenities typically reserved for market-rate housing.

2. Market-Rate Apartments.

Saint Anthony Village needs additional market-rate housing. According to a comprehensive market assessment conducted for The Village by Maxfield Research and Consulting (the "**Maxfield Assessment**"), "[d]emand in the St. Anthony Market Area was estimated for 1,898 market-rate units annually over the next five years. We estimate that a Site in St. Anthony can capture 10% of the annual demand which equates to 190 units annually through 2020."

This proposal includes two separate buildings on the Village Site with market-rate apartment housing, both of which mirror features and amenities available in other luxury rental apartments. The first, Building D, is a 66-foot-tall building on the Property's south edge along Kenzie Terrace. It features 220 units, including studio, 1-bedroom, 2-bedroom, and 2-bedroom-plus apartments. The building was conceived to be compatible with the height of surrounding uses and to consciously cluster the project's highest-density and tallest elements as far from single-family residences as possible.

The other market-rate building, Building B, is a 55-foot-tall building that houses 171 units located on the Property's western edge, including six distinctive "walk-up" apartments facing Stinson Boulevard.

3. Senior-Focused Housing.

As the Property's Master Developer, The Village understands that senior-focused housing is a niche market that deserves planning from sophisticated, well-respected senior-housing experts. To that end, The Village has retained Ebenezer, whose continuous growth and innovation in developing senior-living facilities has been recognized throughout Minnesota. The details of the Project's senior-focused housing components will be presented with the final PUD application for that phase.

As proposed, the Project will include two separate buildings: one 55-foot and one 66-foot building for the senior-housing component. The buildings will feature prominently along the Property's Northwest and East reaches. We anticipate those two buildings will include 300 units, with one building focused on continuity of care and the other yet to be finalized.

Building C, specifically, is a 66-foot-high building that includes 170 units located on the Property's eastern edge, directly abutting the existing Kenzington condominiums. In response to neighborhood comments, The Village has reconfigured the entire parcel to allow for the greatest possible distance between the new building and its existing neighbors. This building as proposed now enjoys setbacks of considerable distance from the property line (and, indeed, at greater distances from the property line than Kenzington's setback from the property line).

4. Townhomes.

According to the Maxfield Assessment, "[t]here is very limited competition in the market for [For-Sale Townhomes] and that a primary market segment, empty-nesters, is not being offered any suitable new for-sale product once they sell their single-family homes. Many empty-nesters and independent seniors are looking

for smaller size homes with an attached double-car garage on a single level or with a walkout where the exterior maintenance is taken care of for them."

This Project includes 32 for-sale townhomes along the Property's northern-most and northwestern reaches and incorporates a plan to transition the Project's more substantial elements down to one- and two-story townhomes abutting the City's existing single-family residences to the north and Stinson Boulevard to the west.

Staging & Process

The Village is seeking approval for its preliminary PUD application on the entire Project to get building dimensions approved and share with the City how each building fits with the overall development. Upon its receipt of that approval, The Village will immediately commence grading, site improvement and preparation, and environmental remediation and infrastructure work (including roads, ponds, and utilities, among other things).

The Village and its affiliated developers would then submit final PUD applications as each particular element is ready to go online. First in line is Building D, for which the City would receive a final PUD application covering just that building. Subsequent buildings would follow a similar process, the timing of which would be dictated by the market.

To be sure, this Project will take many years to complete. We are confident that the proposed density is appropriate. Still, it is useful to remember that the Property will not go from nearly-vacant (as it is today) to 823 units overnight. Rather, the Project will proceed in stages spanning the course of several years, likely reaching its full capacity 4 to 6 years from the first approvals.

Building Heights.

The Project is specifically designed to integrate into the community and its surrounding uses. It is important to understand building heights conceptually as they relate to the surrounding uses, and, in order to do so given the dramatic grade elevations throughout the Property, we have estimated building heights from the first-floor elevation of each building.

Building heights as described assume finished floor elevations to the roof line using 12-foot floor-to-floor height for the first floors and 10'-8" floor-to-floor height for typical residential floors. The design is too preliminary to provide more accurate numbers at this stage. Generally, 55-foot-tall buildings in the Project are 5-story buildings, and 66-foot-tall buildings are 6-story buildings (although the relative heights vary significantly because of the Property's grade).

Infrastructure.

The City's Comp Plan encourages "reinvestment projects that make cost-effective use of infrastructure and increased density."⁷ And as The Village has discussed in detail with the City, all storm water generated on site will be maintained and controlled on site through underground vaults, blue roofs, and on-site ponding. As the Property exists today, there is no storm water management whatsoever (other than flooding). We anticipate the sophisticated, best-practice storm water management integrated into the site will result in reduced runoff rates and pollutant loads from storm water even beyond the Project's boundaries.

Parks.

The Project includes an exciting, significant, and well-designed park area approximately 1.25 acres in size (excluding water features) and exceeds the park dedication requirement by more than 10%. The Village views this centrally-located park as an amenity for the entire community and its existing (and planned) trail systems. While The Village will not formally dedicate this park to the public, its use will be open to the community and will not be an exclusively amenity for residents.⁸

Contamination.

As we have shared elsewhere in some detail, the Property is encumbered by significant environmental contamination. Specifically, the Property's prior uses have resulted in contamination with fuel oil and gasoline, diesel range organics, various volatile organic compounds, asbestos, and tetrachloroethene. The Village has already fully remediated the asbestos contamination and, together with appropriate governmental authorities, has incorporated comprehensive remediation into the Project. The Village Site is already part of the Minnesota Pollution Control Agency ("MPCA") Voluntary Investigation and Cleanup ("VIC") program and has received MPCA approval for its Voluntary Response Action Plan ("VRAP") to fully remediate contamination as part of the development. The Affordable Site has completed Phase I environmental testing, and The Village is ordering Phase II environmental testing and will submit the Affordable Site to the VIC program and secure the MPCA's approval of its Affordable Site-specific VRAP.

⁷ Comp Plan at 1-5.

⁸ Of course, while the park will be generally open, we reserve the right to manage the property for inappropriate behavior and will ban any individual disrupting the park and its surrounding community, violating park rules or the spirit of the community, engaging in criminal conduct, etc.

CITY OF SAINT ANTHONY VILLAGE

July 18, 2017

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Parking.

Parking will be well-managed. The Village anticipates that final parking planning will be incorporated into the final PUD for each phase. As just one example, for Building D's parking, we expect a ratio of 1.3 stalls per unit, which is quite robust given the Project's proximity to downtown Minneapolis and available public transit. The stalls will be primarily housed below ground, with additional spaces from limited public street parking and a small amount of internal, at-grade street parking. We do not anticipate parking lots in any form on the Village Site, and the affordable-housing developer will provide additional information about parking at the Affordable Site during the final submission and approval phases for that element of the Project.

Shade and Solar.

The Project will not cast inappropriate shade or impact the ability of surrounding land uses to integrate solar. Given the Property's size, no buildings will cast significant shadow off of the property, with the possible exception of some periods in December. We expect more detailed shade and solar data to be available during the final PUD approval process, but expect that nothing in the Project will reduce winter solar access for adjacent uses to the north.

Property Control.

The Village has sufficient control over the Property to effectuate the PUD. We have attached a copy of the deed for the Village Site as **Exhibit B**. Because the purchase agreement for the Affordable Site contains confidential and proprietary business terms, the Affordable Site Purchase Agreement will be available for the City Attorney's inspection and review.

The Village has heard and understands various stakeholders' comments and concerns about the Project's density in general, and we understand that density is a key component of the City's consideration of the Project as a whole. The Village believes the proposed density is reasonable and appropriate, particularly in light of the City's strategic goals, its Comp Plan, and the Property's unique size and location in the Metro Area. We have detailed this analysis for the proposed density and corresponding amendment to the City's Comp Plan in a separate letter.

To be clear, The Village wants to work cooperatively with the City to unearth a redevelopment option that the City can support. The Applications are the result of a year-long process of evolution and refinement that has integrated additional green space, resulted in the acquisition of new land, incorporated comments and feedback from stakeholders, and produced several interim concept plans. The Village and the City must finalize a development option that the City supports,

CITY OF SAINT ANTHONY VILLAGE

July 18, 2017

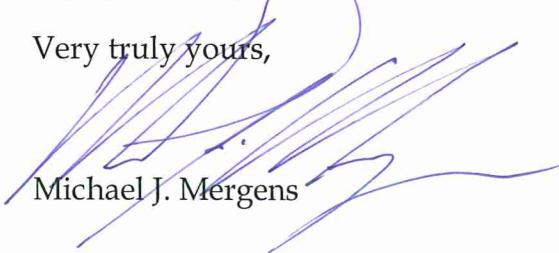
Page 9 of 11

that advances the City's guidance from its Comp Plan, and that the market justifies. This Project compliments the City's Comprehensive Plan, conforms to the zoning ordinance's overall intent and purpose, and puts the Property to its highest and best use.

We look forward to discussing the application at the public hearing and, more importantly, working with the City to bring this ambitious project to a City and Property primed for redevelopment. Please do not hesitate to contact me with any questions you may have.

Very truly yours,

Michael J. Mergens

A handwritten signature in blue ink, appearing to be "Michael J. Mergens", is written over a blue ink background that has been partially removed, creating a textured, layered effect.

CITY OF SAINT ANTHONY VILLAGE

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EXHIBIT A
PROFESSIONAL CONSULTANTS

<p>Engineer & Surveyor: WENCK & ASSOCIATES Attn: Jared Ward 7500 Olson Memorial Highway, Suite 300 Golden Valley, MN 55427 763-252-6800</p>	<p>Attorneys: ENTREPARTNER LAW FIRM, PLLC Attn: Michael Mergens 807 Broadway Street NE, Suite 140 Minneapolis, Minnesota 55413 mike@entreprtnrlaw.com 612-314-8001</p>
<p>Architect: BKV GROUP Attn: Christopher Palkowitsch Long & Kees Building 222 North Second Street Minneapolis, Minnesota 55401</p>	<p>Accountant: REDPATH AND COMPANY Attn: James Redpath 55 East Fifth Street, Suite 1400 Saint Paul, Minnesota 55101 jredpath@redpathcpas.com 651-426-7000</p>
<p>General Contractor (expected): FRANA COMPANIES Attn: Peter Donnino 633 Second Ave South Hopkins, MN 55343 pete@frana.com 952-935-8600</p>	<p>Environmental: LANDMARK ENVIRONMENTAL, LLC Attn: Ken Haberman 2024 West 98th Street Bloomington, Minnesota 55431 khaberman@landmarkenv.com 952-666-2424</p>

CITY OF SAINT ANTHONY VILLAGE

July 18, 2017

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EXHIBIT B
VILLAGE SITE DEED

C.V. filed C.V. not req. _____

No delinquent taxes

Transfer Entered

Jun 17, 2016 3:04 PM

Hennepin County, Minnesota
Mark Chapin
County Auditor and Treasurer



Doc No **T05356652**

Certified, filed and/or recorded on
Jun 17, 2016 3:04 PM

Office of the Registrar of Titles
Hennepin County, Minnesota
Martin McCormick, Registrar of Titles
Mark Chapin, County Auditor and Treasurer

Deputy 40

Pkg ID 1403814E

CRV# 516173

Well Cert 1014092

Conservation Fee	\$5.00
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Document Recording Fee	\$46.00
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Environmental Response Fund (SDT .0001)	\$600.00
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State Deed Tax (.0033 rate)	\$19,800.00
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Well Certificate	\$50.00
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Document Total	\$20,501.00
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PID(s)

07-029-23-23-0001

Existing Certs

1066595

New Certs

1425193

(Top 3 inches reserved for recording data)

WARRANTY DEED
Business Entity to Business Entity

Minnesota Uniform Conveyancing Blanks
Form 10.1.9(2013)

eCRV number: 516173

DEED TAX DUE: \$ 20,400.00

DATE: June 13, 2016
 (month/day/year)

FOR VALUABLE CONSIDERATION, Lowry Grove Partnership, LLP, a limited liability partnership under the laws of Minnesota ("Grantor"), hereby conveys and warrants to The Village, LLC, a limited liability company under the laws of Minnesota ("Grantee"), real property in Hennepin County, Minnesota, legally described as follows:

[See Exhibit A which is attached hereto and incorporated herein by reference]

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: (i) covenants, conditions, restrictions, declarations, certificates, agreements and easements of record or as shown on the plat of the real property; (ii) reservations of minerals or mineral rights by the State of Minnesota, if any; and (iii) building, zoning and subdivision laws and regulations.

Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: 1014092.)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor:

Lowry Grove Partnership, LLP

By:

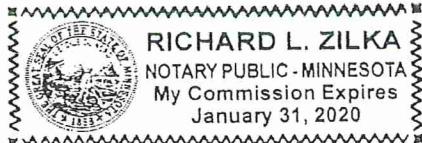
(signature)

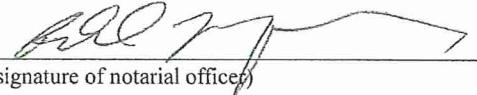
Its: Managing Partner

STATE OF MINNESOTA)
)
COUNTY OF MINNEAPOLIS) SS

This instrument was acknowledged before me on the 13th day of June, 2016 by Philip L. Johnson, as Managing Partner of Lowry Grove Partnership, LLP, a Minnesota limited liability partnership, on behalf of the limited liability partnership.

Notarial stamp or seal (or other title or rank):




(signature of notarial officer)

Title and Rank: _____

My commission expires: _____

THIS INSTRUMENT WAS DRAFTED BY:

Richard H. Speeter
Speeter & Johnson
1515 Canadian Pacific Plaza
120 South Sixth Street
Minneapolis, MN 55402
Telephone: (612) 339-7566

TAX STATEMENTS FOR THE REAL
PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:

The Village LLC
1907 Wayzata Blvd Suite 250
Wayzata MN 55391

EXHIBIT A

(Legal Description)

Parcel 1:

That part of the South 1/2 of the Northwest Quarter of Section 7, Township 29, Range 23, beginning at a point in the South line of said Tract 100 feet East of the Southwest corner thereof, thence North 1079.8 feet, thence East parallel to the South line of said quarter section 1041.74 feet, thence South to center of State Highway No. 63, thence Southwesterly along said center line of State Highway No. 63 and St. Anthony and Taylor Falls Road to intersection of center line of said road with the South line of said quarter section, thence West along said latter line to the point of beginning, except that part thereof embraced in the South 365 feet of the West 395 feet of the Southwest Quarter of the Northwest Quarter of said Section 7 and except the Easterly 100 feet thereof;

Except that part taken for highway purposes by the County of Hennepin as evidenced by Final Certificate, filed May 16, 1985, as Document No. 1652500.

Parcel 1A:

Together with easement for sanitary sewer purposes as set forth in Deed of Appurtenant Easement filed March 14, 1997 as Document No. 2794335.

Parcel 2:

That part of the following described property:

The Easterly 100 feet of that part of the South 1/2 of the Northwest Quarter, Section 7, Township 29, Range 23, beginning at a point in the South line of said Tract, 100 feet East of the Southwest corner thereof, thence North 1079.8 feet, thence East parallel to the South line of said quarter section 1041.74 feet, thence South to center of State Highway No. 63, thence Southwesterly along said center line of State Highway No. 63 and St. Anthony and Taylor Falls Road to intersection of center line of said road with the South line of said quarter section, thence West along said latter line to the point of beginning, lying Westerly of the following described line and its Southerly extension; Beginning at a point on the North line of the above described Tract, distant 5.5 feet Easterly of the Northwest corner thereof, assumed bearing of said North line is North 89 degrees 24 minutes 53 seconds East; thence South 1 degree 0 minutes 45 seconds East a distance of 486.65 feet, more or less, to the South line of the above described tract and there terminating.

Parcel 3:

That part of the Northwest Quarter of Section 7, Township 29, Range 23 described as commencing at a point on the South line of said Northwest Quarter distant 100 feet Easterly from the Southwest corner of said Northwest Quarter, thence Northerly parallel with the West line of said Northwest Quarter to the South line of MURRAY HEIGHTS ADDITION TO

MINNEAPOLIS, being the actual point of beginning; thence Southerly along said parallel line to a point distant 1079.8 feet Northerly from said South line of the Northwest Quarter; thence on an assumed bearing of North 89 degrees 24 minutes 53 seconds East, parallel with the South line of said Northwest Quarter a distance of 947.24 feet; thence North 1 degree 0 minutes 45 seconds East to said South line of MURRAY HEIGHTS ADDITION TO MINNEAPOLIS; thence Westerly along the last-described line to the point of beginning.

All situated in the County of Hennepin and State of Minnesota.

Torrens Property

July 18, 2017

Mayor Faust & Council Members
 c/o Mark Casey
CITY OF SAINT ANTHONY VILLAGE
 3301 Silver Lake Road
 Saint Anthony Village, Minnesota 55418

VIA HAND DELIVERY

RE: *Narrative in Support of The Village, LLC's Proposed Amendment to the City of Saint Anthony Village Comprehensive Plan*

Dear Mayor Faust and Council Members:

As you know, this firm represents THE VILLAGE, LLC ("The Village"), the owner of real property located at 2501 Northeast Lowry Avenue, Saint Anthony Village, Minnesota 55418 (the "Property"). With the City's support and cooperation, The Village plans to develop the Property into a high-density, mixed-use housing community (the "Project"). To that end, I write in support of The Village's proposed amendment (the "Amendment") to the City of Saint Anthony Village ("the City") 2008 Comprehensive Plan (the "Comp Plan").

The City's growing population and changing demographics have created demand for new types of homes, and antiquated planning that contributes to suburban sprawl is not sustainable. Instead, the City must embrace high-density development. The Village seeks a technical amendment to rezone the Comp Plan map to show the Property as guided for a planned unit development ("PUD"). The Village also seeks approval of the Amendment, recognizing its place as a long-term planning tool, to allow for higher-density. Specifically, The Village requests an increase from 40 units per acre to at least 48 units per acre.

The City's Mission Statement reflects its ongoing charge to be a progressive, livable, walkable, and sustainable community. To deliver on that mission, the City must leverage all available tools, including density. And while the Comprehensive Plan has long guided the Property for increased density, we believe The Village's proposal for a well-designed, well-integrated, higher-density development makes this successful planning for growth a reality.

For reasons I outline more specifically below, The Village seeks your approval of the proposed Amendment to the Comp Plan to allow The Village to develop a high-density PUD with a density allowance of at least 48 units per acre.

1. *The City's population is changing. Many of its households may prefer higher-density housing, even in its suburban location, and the Project can accommodate this desire.*

In recent years, demographic and market changes have led to significant population growth in cities, ultimately spreading to adjacent suburban locations, like the City. These changes present the City with an opportunity to compete for new residents and their consumption, especially young professionals, childless couples, baby boomers, new immigrants, empty nesters, elderly individuals, and high-end service professionals. Many of these target residents prefer high-density housing, and the Project can accommodate those preferences.

A huge opportunity exists for high-density development to capture and accommodate future growth. As America grows, its population changes, and so does its real estate preferences. Many Americans seek a convenient, vibrant lifestyle, and they look for that lifestyle in the suburbs. In fact, more than half of renters want to live in the suburbs.¹ And a national survey of community preferences found that nearly 75% of Americans prefer to live in a community where they can walk or bike to various places.² Put simply, a growing number of people prefer to live in suburban apartments that offer urban-like amenities. The Project and the City both have the ability to meet these consumers' desires.

By 2030, the nation will need a total of approximately 427 billion square feet of built space to accommodate growth projections, and, by 2030, about half of the buildings in which Americans live, work, and shop will have been built after 2000.³ This rising popularity of well-placed, mixed-use, high-density developments positions the Project and the City to meet increased demand and create a new sense of place for people. In doing so, the Project has the ability to use its high-density attributes to bring new residents, and their consumption, to the City.

2. *The Project must include high-density aspects that cater to the tastes and preferences of young professional millennials.*

The Village's planning efforts have focused on developing a clear understanding of the target market and delivering a project that fits that market's evolving needs. To build a successful project, The Village must balance current demand while securing the Project's longevity. Experts say demographic research should

¹ National association of Home Builders, "What Renters Want" (Washington, D.C.: Author, 2002).

² http://nelessen.org/NAR_web_files/frame.html#slide1263.html.

³ Liu, Amy, "The Benefits of High Density Development," *The Brookings Institution*, 2005.

guide this process, and that research shows that homeownership has been in steady decline, and has now reached generational lows. This shift has pushed an ever-broadening share of Americans into the rental market, including a large percentage that could afford to buy a home but choose not to.⁴ This “renting by choice” trend shows no sign of slowing, with new renter households predicted to outnumber new owner households by 2020.⁵

The available demographic research demonstrates that a high-density development tailored to young professional millennials’ tastes and preferences will maximize the initial and continued success of the Project. Recent surveys show a vast majority of apartment-dwelling millennials do not plan on trading their apartments for homes anytime soon.⁶ These “rent-by-choice” Millennials seek housing in smaller cities and suburbs that emulate the density of bigger cities in their walkability, infrastructure, and transit.⁷ Increased density fosters infrastructure and supports development of public transit, communal meeting spaces, and mixed land uses, meeting the demands of millennials for community-centered activities and engagement opportunities, convenience, and lifestyle flexibility.

In planning to unveil the Project as a haven for young professional millennials, The Village needs an increased density allowance. Today, and into the future, The Village’s target demographic wants higher-density housing tailored to their tastes and preferences. It will need your support for that higher density.

3. *The Project will decrease demand on schools and other public services, and the compact nature of the Property will require less-extensive infrastructure.*

Suburban sprawl is fiscally unsustainable and hampers the City’s ability to finance public facilities and service improvements. When suburban sprawl increases, cities face the task of providing an ever-broadening array of police and fire protection, schools, libraries, trash removal, and other services to new residents. Sprawl also requires cities to absorb costs of additional roadways, longer water and electrical lines, and larger sewer systems. Better-planned and

⁴ Aaron Terrazas, *Renters by Choice or Circumstance? Many Big-City Renters Earn Enough to Buy* (Zillow: Housing by Generation, 2016).

⁵ Laura Goodman, Rolf Pendall, Jun Zhu, *Headship and Homeownership: What Does the Future Hold?* (The Urban Institute, 2015).

⁶ RentPath, *Millennial Generation Choosing to Rent* (RentPath, 2017).

⁷ Nicholas Brown, *Housing Data Reveals: Millennials Flock to Markets with High Density & Walkability* (BiggerPockets, 2015).

CITY OF SAINT ANTHONY VILLAGE

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more-compact development, on the other hand, will help the nation as a whole save more than \$100 billion in infrastructure costs over 25 years.⁸

A growing body of evidence shows that sprawling development does not provide adequate property tax revenue to cover the services it requires. Studies show that public services for an average-priced single-family house can cost more than twice as much as the property taxes the homeowner pays.⁹ Public schools are just one primary example of this disparity. Low-density and exurban areas like the City attract families with school-age children, while multifamily housing attracts professional singles, childless couples, and empty nesters, averaging less than a third of the number of school-age children per 100 units in single-family developments.¹⁰ And while apartment renters do not pay property tax directly, apartment owners do, and usually at a higher tax rate.¹¹ Most multifamily developments also provide tenants with amenities like trash disposal and security. These factors suggest the Project will subsidize—not detract from—the City's schools and other public services required by the City residents in low-density housing.

Constructing the Project as proposed will also reduce the distance between homes, shops, and offices, thereby reducing costs of public infrastructure and increasing walkability. Public capital and operating costs for close-in, compact development are much lower than with fringe, scattered, linear, and satellite development.¹² The Village's proposal capitalizes on advantages from public transit access and efficiency in delivering basic services like trash collection, and police and fire protection.

A high-density project will significantly increase the City's revenue without significantly increasing the corresponding demand for infrastructure and public services. Blending the Project into the City can help pay for schools without drastically increasing the number of students, and increasing the density can

⁸ Sam Newberg and Tom O'Neil, "Making the Case," *Multifamily Trends*, vol. 6, no. 3, Summer 2003, p. 47.

⁹ Brett Hulsey, *Sprawl Costs Us All* (Madison, Wisconsin: Sierra Club Midwest Office, 1996).

¹⁰ U.S. Bureau of the Census and U.S. Department of Housing and Urban Development, 1999 *American Housing Survey* (Washington, D.C.: U.S. Department of commerce and U.S. Department of Housing and Urban Development, 2000).

¹¹ Emil Malizia and Jack Goodman, *Mixed Picture: Are Higher-Density Developments Being Shortchanged by Opinion Surveys?* (Washington, D.C.: ULI-the Urban Land Institute, July 2000) p. 12.

¹² Mark Muro and Rob Puentes, *Investing in a Better Future: A Review of the Fiscal and Competitive Advantages of Smarter Growth Development Patterns* (Washington, D.C.: Brookings Institution Center on Urban and Metropolitan Policy, 2004).

provide an economic boost that helps pay for infrastructure and public services both low-density and high-density residents need.

4. *Low-density development near the Property will not experience a discernible difference in appreciation rate, and the Project may even increase the value of nearby low-density development.*

Determining the precise value of real property is difficult because value is measured by several factors, many of which cannot be isolated. But several studies have examined whether multifamily housing has an impact on the value of nearby single-family detached houses. These studies have demonstrated either no impact or a slightly positive impact on appreciation rates.

For example, a long-term study by Harvard University's Joint Center for Housing Studies confirmed the long-understood principle that apartments pose no appreciation threat to nearby single-family homes.¹³ Information from the American Housing Survey – conducted every two years by the U.S. Census Bureau and Department of Housing and Urban Development – demonstrated that the value of single-family homes within 300 feet of an apartment or condominium building went up 2.9% a year, slightly higher than the 2.7% rate for single-family homes without multifamily properties nearby.¹⁴

Some research even suggests that, over the long run, well-placed market-rate apartments with attractive design and landscaping (like the Project) actually increase the value of nearby detached houses.¹⁵ Here, the Project itself will be an indicator that the City and its economy is vibrant and growing. And the Project may increase the pool of potential future homebuyers, creating more buyers for existing owners when they decide to sell their homes. Third, the Project, and the retail it will incorporate as part of its mixed-use element, will make the City more attractive than nearby communities with fewer housing and retail options.¹⁶

At worst, the City should expect no effect on nearby low-density property values if it approves the Project's permitted density. More likely, the Project will result in increased value to the low-density land uses surrounding it. The Village has

¹³ Alexander Hoffman, *The Vitality of America's Working Communities* (Cambridge, Massachusetts: Harvard University Joint Center for Housing Studies, 2003).

¹⁴ National Association of Home Builders, "Market Outlook: Confronting the Myths about Apartments with Facts" (Washington, D.C.: Author, 2001), p. 4.

¹⁵ Arthur C. Nelson and Mitch Moody, "Price Effects of Apartments on Nearby Single-Family Detached Residential Homes," Working Draft (Blacksburg, Virginia: Virginia Tech University, 2003).

¹⁶ Arthur C. Nelson, "Top Ten State and Local Strategies to Increase Affordable Housing Supply," *Housing Facts & Findings*, vol. 5, no. 1.

CITY OF SAINT ANTHONY VILLAGE

July 18, 2017

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already made a substantial financial investment in the Project. This investment incentivizes the Village to build a successful project, which will ultimately be determined by the Project's value and the stability of the value of the land uses that surround it.

5. *The Project will generate less traffic than low-density development per unit, and it will make walking and public transit more feasible.*

As we all know, traffic in the Twin Cities tends to be congested, especially in peak rush-hour conditions. By approving The Village's Amendment and altering the Comp Plan to include additional high-density development, the City can decrease regional traffic congestion and make walking and public transit options more readily available.

Residents of low-density single-family communities tend to have two or more cars per household. Residents of high-density apartments often have only one.¹⁷ The Project may reduce traffic congestion based on a decreased vehicle count alone, but the actual number of miles traveled per vehicle is likely to decrease, too. Doubling local density can decrease miles traveled per vehicle by 38%,¹⁸ with apartment dwellers averaging only 6.3 car trips per day (compared to 10 car trips per day by residents in low-density communities).¹⁹ Higher-density developments make for more walkable neighborhoods, which contribute to a healthier, more active community likely to support local businesses.

The Project can also create additional opportunities for the City's residents to use public transportation. Additional high-density development will expand the City's current public transportation options by decreasing the number of residents dependent on cars. With increased public transportation use, additional traffic can flow to residences, shops, and offices in the City while connecting residents to surrounding areas. Using high-density development to bolster these public transit offerings, the City can increase residents' transportation choices, decrease total car dependency, and encourage residents and visitors alike to support local businesses.

A Comp Plan amendment to allow higher-density development will decrease traffic and increase the engagement level of the City residents by providing them with additional access to their community and surrounding areas. Higher-density development, like the Project, will bring residents that make fewer and

¹⁷ National Multi Housing Council, "Tabulations of 1999 American Housing Survey" (Washington, D.C.: U.S. Census Bureau and U.S. Department of Housing and Urban Development, 1999).

¹⁸ Robert Dunphy and Kimberly Fisher, "Transportation, Congestion, and Density: New Insights," *Transportation Research Record*, 1996.

¹⁹ Institute of Traffic Engineers, *Trip Generation*, 6th ed., vol. 1 (Washington, D.C.: Author, 1997).

shorter auto trips than their low-density housing neighbors, alleviate traffic and congestion in the City, promote local walkability, and encourage the expansion and development of public transportation. Together, this can foster a sense of community, increase the health and wellness of residents, improve the local environment, and provide the City residents with desirable amenities.

6. *The Project is more efficient than low-density development alternatives that increase air and water pollution and destroy natural areas by paving and urbanizing greater swaths of land.*

Low-density sprawl takes an enormous toll on air, water, and land. It can also limit a city's capacity to preserve natural areas, like local parks, that serve a variety of community-oriented recreational needs. The Project offers the best solution to manage growth while maintaining clean air, clean water, and ample recreation space in the City.

New high-density development in areas already equipped with infrastructure (e.g., utility lines, police and fire protection, schools, and shops) eliminates financial and environmental costs of stretching services further from the core community. It allows the City to employ standards for dense development that use existing infrastructure, avoiding significant expansion costs. It also allows the City to facilitate best practices in urban design to preserve natural resources that might otherwise be prone to low-density development, like available green space and recreation areas.

Compact urban design also empowers the City to further reduce driving and smog. Low-density development consumes large quantities of land through large-lot zoning, which forces residents to drive longer distances and harms air quality. The national road network is growing at an alarming rate, mainly for the purpose of connecting low-density suburbs back to urban areas. Together with water and air pollution, constructing additional highways to connect a low-density, sprawling City perpetuates the cycle of sprawl, fragments green space, and requires extensive funding.

High-density structures, like the Project, may also aid in several other environmental aspects. Compact urban development minimizes surface area, which causes erosion and polluted storm water runoff. Studies show that compact development can achieve a 30% reduction in runoff and an 83% reduction in water consumption compared with conventional suburban

CITY OF SAINT ANTHONY VILLAGE

July 18, 2017

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development.²⁰ For the City, this also creates high-density land use opportunities for abandoned or unused lots, and infill and brownfield development can facilitate sound urban design to support the City's environmental goals.

High-density development allows the City to better protect local air, water, and land. It can also strengthen the City's ability to remain conscious of environmental threats. Increasing the density of the Project offers tools to manage growth while maintaining clean air, clean water, and ample recreation space in the City.

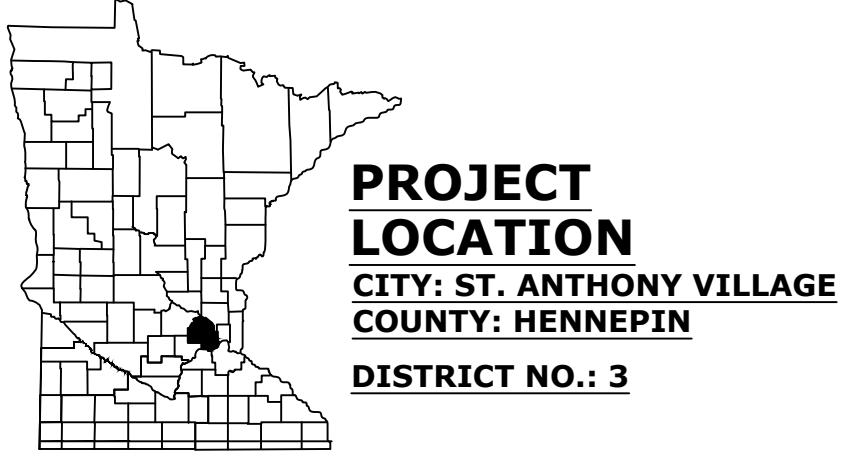
I will look forward to working with all of you to build a project of which The Village and the City can be proud. This unique, once-in-a-lifetime development opportunity can help the City deliver on its mission, and, in my judgement (and I hope yours), higher density is one key mechanism for that delivery.

I encourage you to contact me at your earliest opportunity if you have any questions about this letter or the proposed Amendment.

Very truly yours,

Michael J. Mergens

²⁰ Robert W. Burchell et al., *Impact Assessment of the New Jersey Interim State Development and Redevelopment Plan, Report II: Research Findings* (New Brunswick, New Jersey: Rutgers University Center for Urban Policy Research, 1992); and Center for Urban Policy Research, *The Costs and Benefits of Alternative Growth Patterns: The Impact Assessment of the New Jersey State Plan* (New Brunswick, New Jersey: Author, 2000).



THE VILLAGE LLC DEVELOPMENT

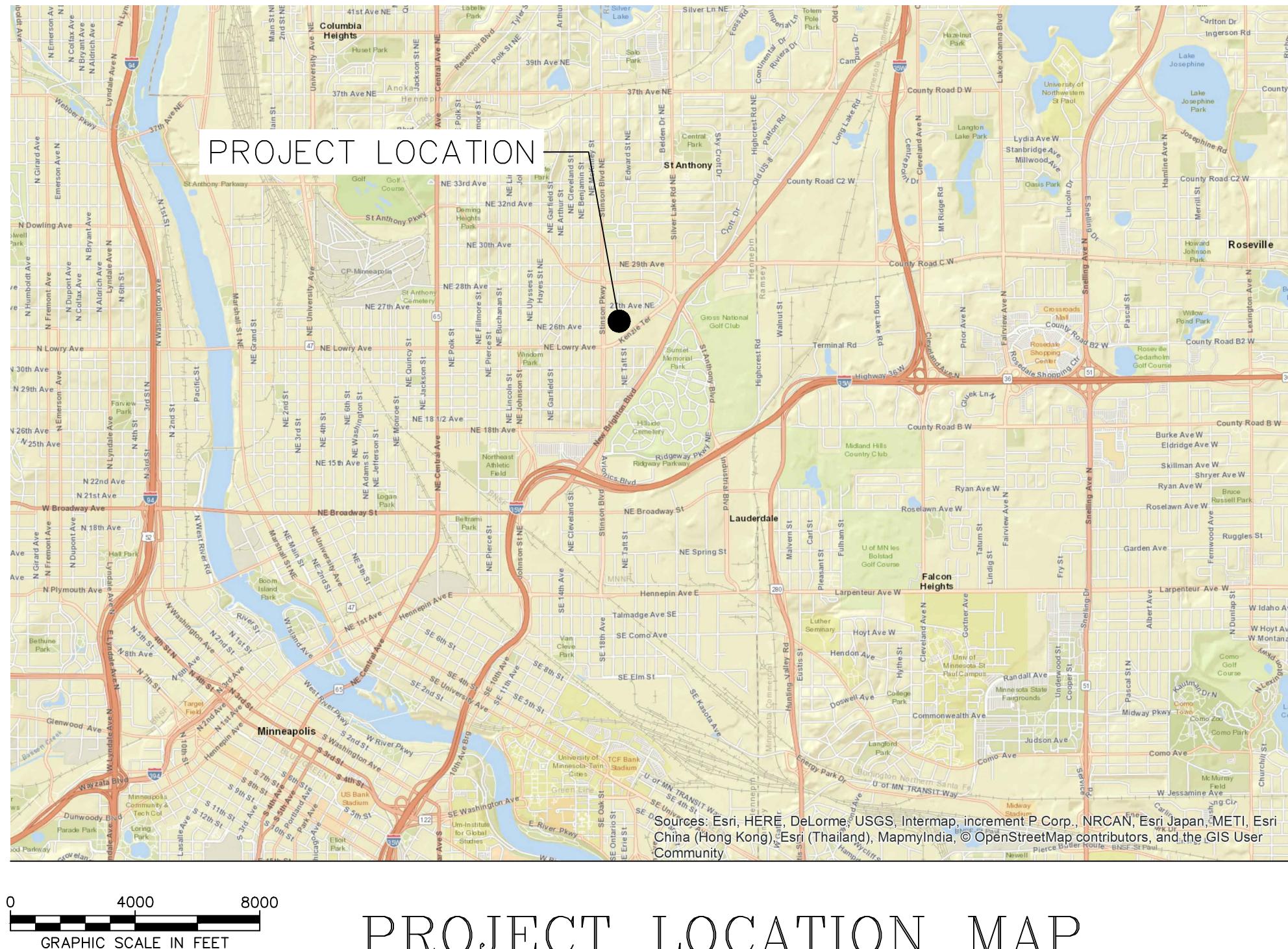
ST. ANTHONY VILLAGE, MN

THE VILLAGE LLC

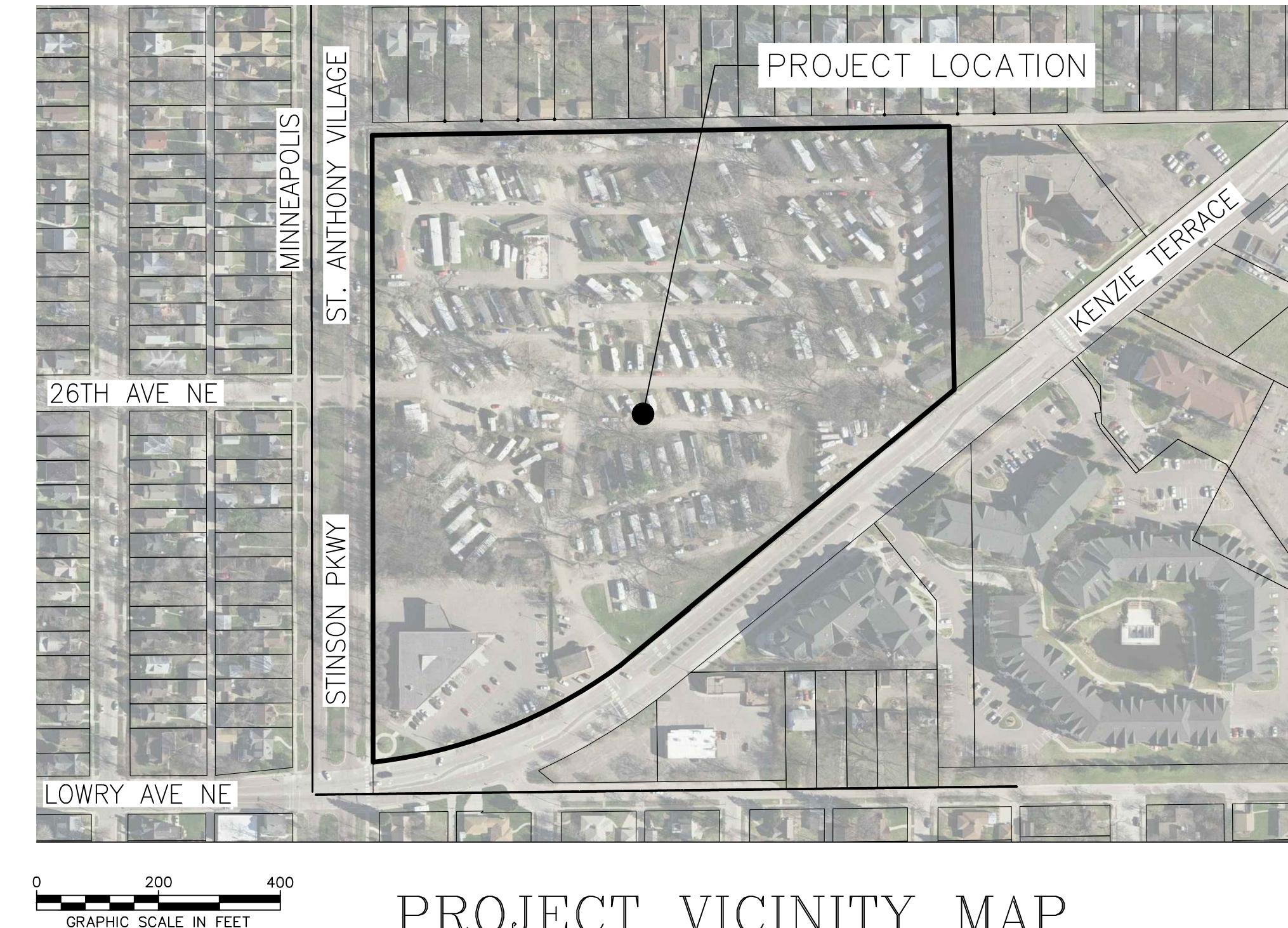
JULY 2017

INDEX OF SHEETS

G-101	COVER AND INDEX SHEET
C-100	NOTES AND LEGEND
C-101	PRELIMINARY PLAT
C-102	EXISTING CONDITIONS
C-103	EXISTING CONDITIONS
C-104	PRELIMINARY SITE PLAN
C-301	PRELIMINARY GRADING PLAN
C-401	PRELIMINARY UTILITY PLAN
C-501	PRELIMINARY STORM SEWER PLAN
C-801	DETAILS



PROJECT LOCATION MAP



PROJECT VICINITY MAP

GOVERNING SPECIFICATIONS:

1. CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD UTILITIES SPECIFICATIONS (LATEST EDITION)
2. THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" (LATEST EDITION).
3. ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND ORDINANCES WILL BE COMPLETED WITHIN THE CONSTRUCTION OF THIS PROJECT.
4. ALL TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, INCLUDING THE LATEST FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS.

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166



SEAL		PRIME CONSULTANT	
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.		THE VILLAGE LLC DEVELOPMENT ST. ANTHONY VILLAGE, MN	
JARED T. WARD 		PROJECT TITLE THE VILLAGE LLC ST. ANTHONY VILLAGE, MN	
PUD SUBMITTAL REV		SHEET TITLE COVER AND INDEX SHEET	
RAG JTW 07/17/17 REVISION DESCRIPTION		DWN BY CHK'D APP'D DWG DATE JULY 2017 SCALE AS SHOWN	
DATE 07/17/17 REG. NO. 48677		PROJECT NO. 1907 WAYZATA BLVD. SUITE 250 WAYZATA, MN 55391	
REV		SHEET NO. 5005-0001	
REVISION DESCRIPTION		REV NO. G-101	
DWN APP REV DATE			

WENCK
ASSOCIATES
Responsive partner. Exceptional outcomes.

EXISTING LEGEND

— 959 —	MINOR CONTOUR
— 960 —	MAJOR CONTOUR
=====	CURB AND GUTTER
=====	EDGE OF PAVEMENT
	CONCRETE SIDEWALK
— F/O —	F/O —
—> —>	UNDERGROUND FIBER OPTIC
—>> —>>	SANITARY SEWER
—>>> —>>>	STORM SEWER
— —	WATERMAIN
— X — X —	FENCE
— □ — □ —	GUARD RAIL
— L — L — L — L —	RETAINING WALL
— X — X —	FENCE
— WET —	DELINEATED WETLAND EDGE
	EDGE OF VEGETATION
⑤	SANITARY MANHOLE
⑥	STORM MANHOLE
⑦	STORM CATCH BASIN
HYDRANT	HYDRANT
GW	GATE VALVE
LP	LIGHT POLE
ET	ELECTRIC TRANSFORMER
TS	TRAFFIC SIGN
FE	FLARED END SECTION
TR	TREE

SITE PLAN LEGEND

	CURB AND GUTTER
	CONCRETE SIDEWALK
	BITUMINOUS PAVEMENT
	BITUMINOUS PATCHING
	ADA ACCESSIBLE ROUTE

GENERAL NOTES

- EXISTING FEATURES SHOWN ARE BASED ON TOPOGRAPHIC SURVEYS COMPLETED BY PREMIER LAND SURVEYING, CLARK ENGINEERING, AND WENCK ASSOCIATES, INC.
- EXISTING ELEVATIONS SHOWN ARE RELATIVE TO THE NAVD88 DATUM (UNLESS NOTED OTHERWISE).
- UNDERGROUND UTILITIES ARE SHOWN APPROXIMATELY, BASED ON THE SURVEYED LOCATION OF ABOVE GROUND APPURTENANCES/FEATURES; AVAILABLE MAPPING AND FIELD MARKINGS PROVIDED BY OTHERS AS A RESULT OF A GOPHER STATE ONE CALL UTILITY LOCATE REQUEST; AND RECORD PLANS PROVIDED BY THE ST. ANTHONY VILLAGE CONTRACTOR TO FIELD VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.

GRADING LEGEND

— 959 —	MINOR CONTOUR
— 960 —	MAJOR CONTOUR
— - - - -	GRADING LIMITS
1.00%	SURFACE DRAINAGE DIRECTION/GRADE
	TOP BACK OF CURB ELEVATION
	GUTTER FLOW LINE ELEVATION
	FINISHED GRADE ELEVATION
	EDGE OF SIDEWALK ELEVATION
	EDGE OF PAVEMENT ELEVATION
	EMERGENCY OVERFLOW ELEVATION

UTILITY/STORM SEWER LEGEND

—> —>	SANITARY SERVICE
— — —	WATER SERVICE
—>> —>>	STORM SEWER
⑤	SANITARY MANHOLE
⑥	SANITARY CLEANOUT
☒	GATE VALVE
□	CATCH BASIN/CBMH
●	STORM MANHOLE
△	FLARED END SECTION

GENERAL LEGEND

— — — — —	PROPERTY BOUNDARY
— - - - -	LOT LINES
— - - - -	EASEMENT LINE
— - - - -	SETBACK LINE
— — — — —	FLOODPLAIN BOUNDARY
— - - - -	SHORELAND TIER BOUNDARY

REMOVALS LEGEND

	REMOVE BITUMINOUS PAVEMENT
	CLEARING AND GRUBBING
	REMOVE BUILDING
	REMOVE TRASH AND DEBRIS
	REMOVE CURB AND GUTTER
	SAWCUT BITUMINOUS PAVEMENT
— X — X —	REMOVE FENCE
☒	REMOVE TREE
—> —>	REMOVE SANITARY SEWER/SERVICE
— — —	REMOVE WATER MAIN/SERVICE

WARNING:

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CALL BEFORE YOU DIG

GOPHER STATE ONE CALL

TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166

SPECIFICATION REFERENCE:

THE 2016 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATION FOR CONSTRUCTION" SHALL GOVERN.

ALL TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, INCLUDING THE LATEST FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS.

EROSION CONTROL LEGEND

	SILT FENCE
	ROCK CONSTRUCTION ENTRANCE
	EROSION CONTROL BLANKET
	RIPRAP
	INLET PROTECTION
	CULVERT PROTECTION
	SILT FENCE DITCH CHECK
	MNDOT SEED MIX 22-112
	SOD PER LANDSCAPE PLANS
	MNDOT SEED MIX 33-262
	MNDOT SEED MIX 34-262
	MNDOT SEED MIX 35-241

				SEAL
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.				
JARED T. WARD				
PUD SUBMITTAL	RAG	JTW	07/17/17	
REV	REVISION DESCRIPTION	DWN	APP	REV DATE
DATE 07/17/17 REG. NO. 48677				

PRIME CONSULTANT



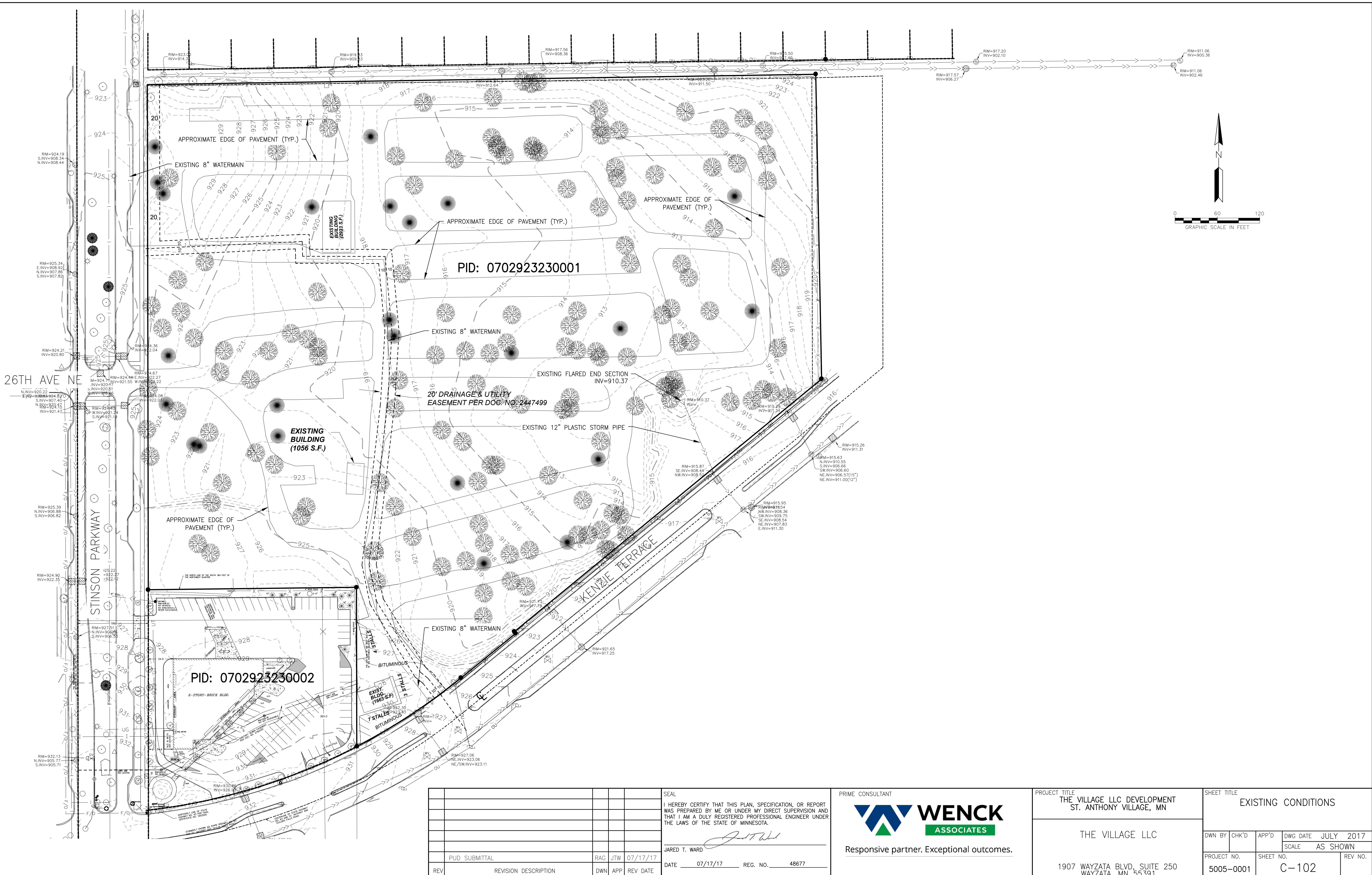
Responsive partner. Exceptional outcomes.

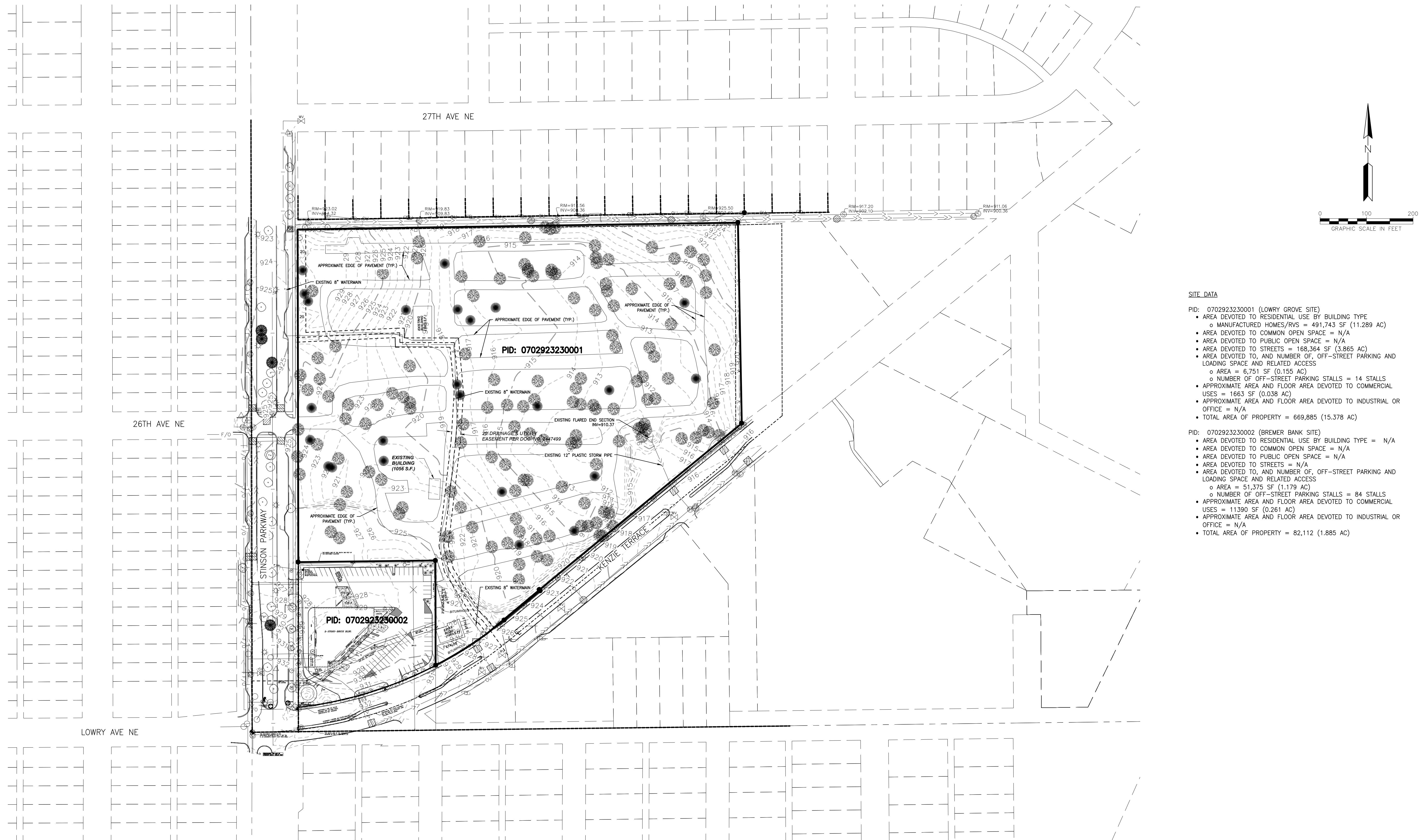
PROJECT TITLE
THE VILLAGE LLC DEVELOPMENT
ST. ANTHONY VILLAGE, MN

1907 WAYZATA BLVD, SUITE 250
WAYZATA, MN 55391

SHEET TITLE
GENERAL LEGEND AND NOTES

DWN BY	CHK'D	APP'D	DWG DATE	JULY 2017
SCALE AS SHOWN				
PROJECT NO.	SHEET NO.	REV NO.		
5005-0001	C-100			





SITE DATA

PID: 0702923230001 (LOWRY GROVE SITE)

- AREA DEVOTED TO RESIDENTIAL USE BY BUILDING TYPE
 - MANUFACTURED HOMES/RVs = 491,743 SF (11.289 AC)
- AREA DEVOTED TO COMMON OPEN SPACE = N/A
- AREA DEVOTED TO PUBLIC OPEN SPACE = N/A
- AREA DEVOTED TO STREETS = 168,364 SF (3.865 AC)
- AREA DEVOTED TO, AND NUMBER OF, OFF-STREET PARKING AND LOADING SPACE AND RELATED ACCESS
 - AREA = 6,751 SF (0.155 AC)
 - NUMBER OF OFF-STREET PARKING STALLS = 14 STALLS
- APPROXIMATE AREA AND FLOOR AREA DEVOTED TO COMMERCIAL USES = 1663 SF (0.038 AC)
- APPROXIMATE AREA AND FLOOR AREA DEVOTED TO INDUSTRIAL OR OFFICE = N/A
- TOTAL AREA OF PROPERTY = 669,885 (15.378 AC)

PID: 0702923230002 (BREMER BANK SITE)

- AREA DEVOTED TO RESIDENTIAL USE BY BUILDING TYPE = N/A
- AREA DEVOTED TO COMMON OPEN SPACE = N/A
- AREA DEVOTED TO PUBLIC OPEN SPACE = N/A
- AREA DEVOTED TO STREETS = N/A
- AREA DEVOTED TO, AND NUMBER OF, OFF-STREET PARKING AND LOADING SPACE AND RELATED ACCESS
 - AREA = 51,375 SF (1.179 AC)
 - NUMBER OF OFF-STREET PARKING STALLS = 84 STALLS
- APPROXIMATE AREA AND FLOOR AREA DEVOTED TO COMMERCIAL USES = 11390 SF (0.261 AC)
- APPROXIMATE AREA AND FLOOR AREA DEVOTED TO INDUSTRIAL OR OFFICE = N/A
- TOTAL AREA OF PROPERTY = 82,112 (1.885 AC)

				SEAL				
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.								PRIME CONSULTANT
JARED T. WARD								WENCK ASSOCIATES
PUD SUBMITTAL				RAG	JTW	07/17/17		PROJECT TITLE
REV	REVISION DESCRIPTION			DWN	APP	REV DATE		THE VILLAGE LLC DEVELOPMENT ST. ANTHONY VILLAGE, MN
	DATE	07/17/17	REG. NO.	48677	SHEET TITLE			

Responsive partner. Exceptional outcomes.

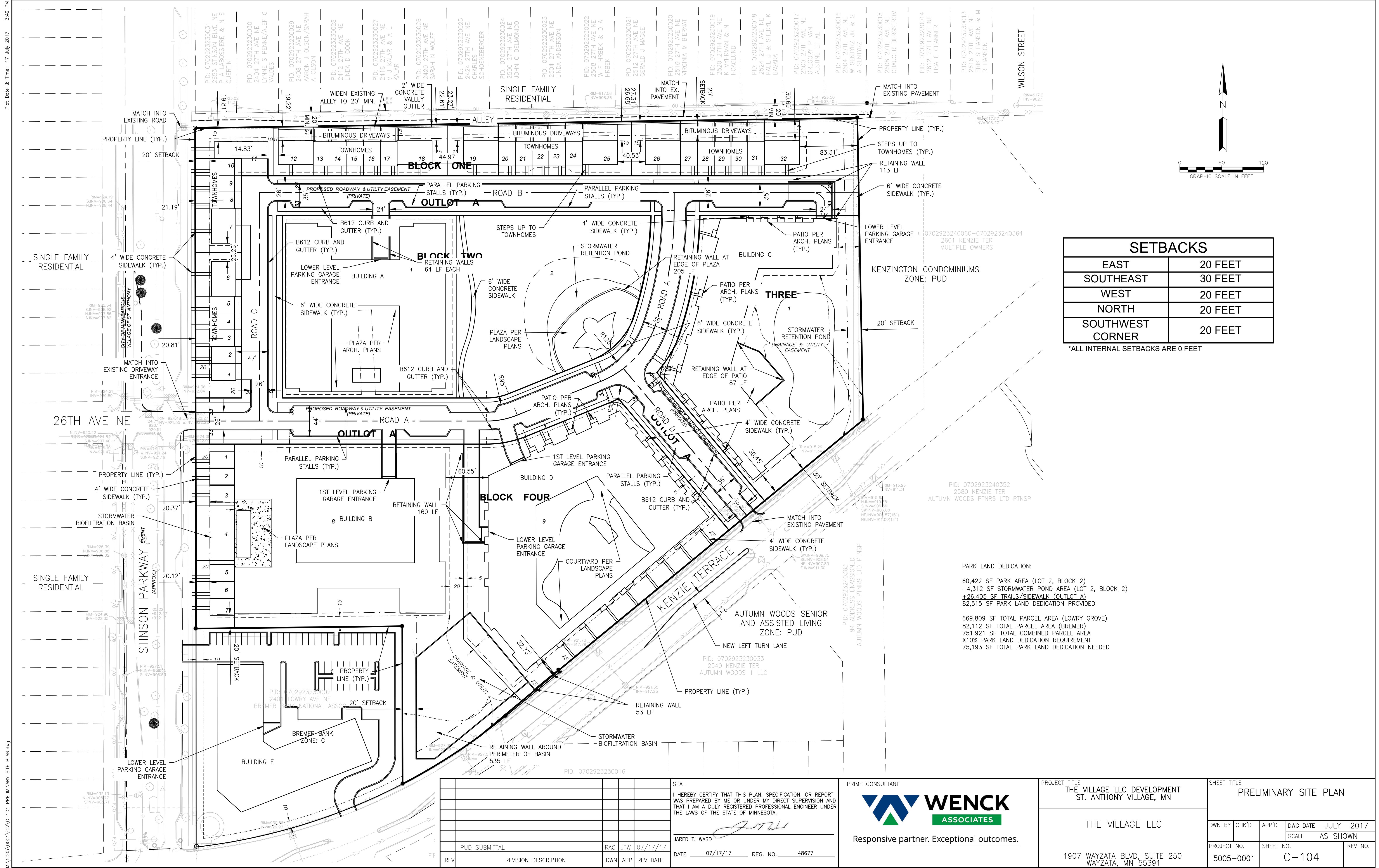
WENCK
ASSOCIATES

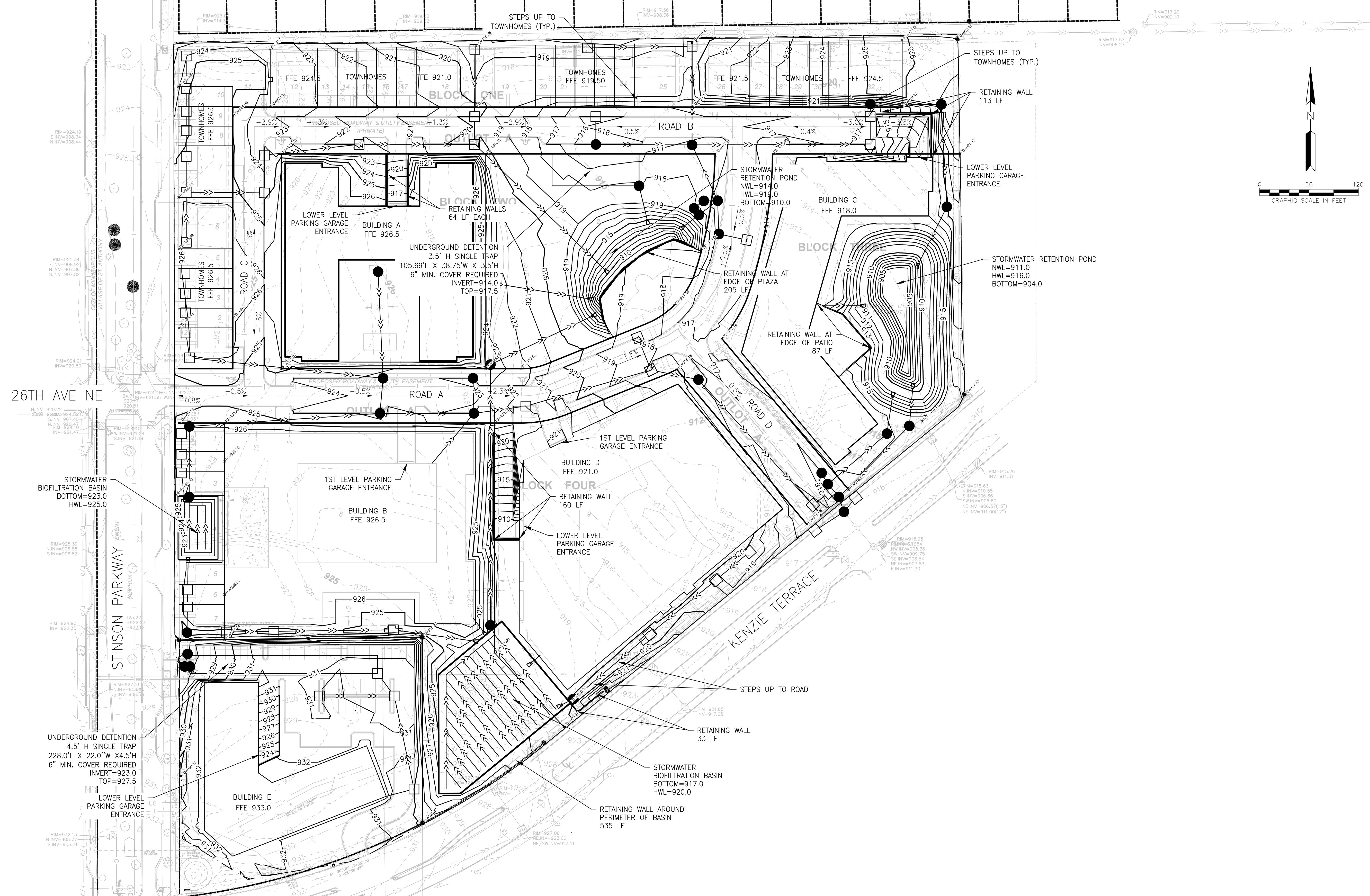
PROJECT TITLE
THE VILLAGE LLC
ST. ANTHONY VILLAGE, MN

1907 WAYZATA BLVD, SUITE 250
WAYZATA, MN 55391

SHEET TITLE
EXISTING CONDITIONS

DWN BY	CHK'D	APP'D	DWG DATE	JULY 2017
SCALE AS SHOWN				
PROJECT NO.	SHEET NO.		REV NO.	
5005-0001	C-103			





SEAL			
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JARED T. WARD			
PUD SUBMITTAL RAG JTW 07/17/17			
DATE	07/17/17	REG. NO.	48677
REV	REVISION DESCRIPTION	DWN APP	REV DATE

PRIME CONSULTANT
WENCK
ASSOCIATES
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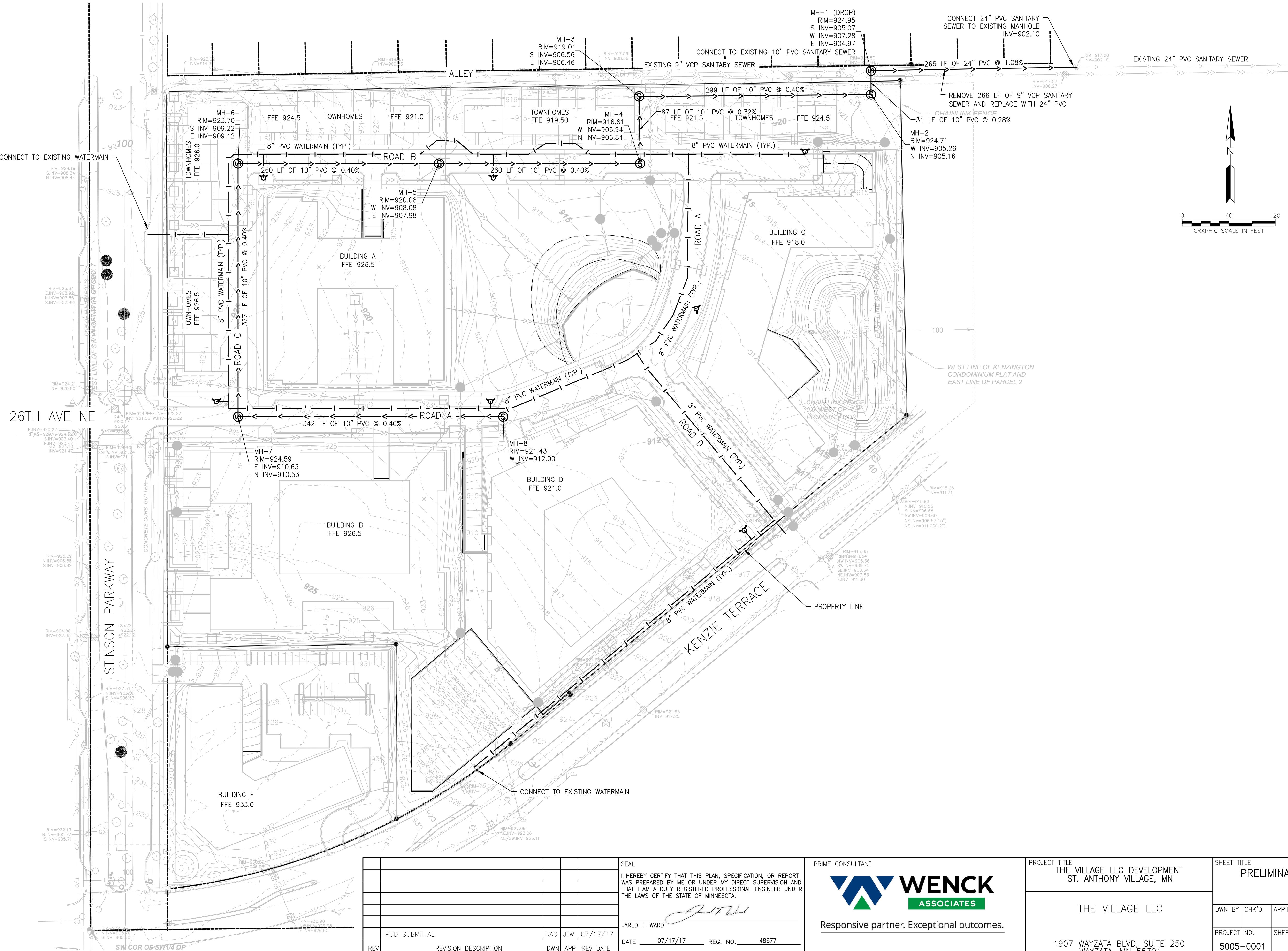
PROJECT TITLE
THE VILLAGE LLC DEVELOPMENT
ST. ANTHONY VILLAGE, MN

THE VILLAGE LLC

1907 WAYZATA BLVD, SUITE 250
WAYZATA, MN 55391

HEET TITLE
PRELIMINARY GRADING PLAN

DWN BY	CHK'D	APP'D	DWG DATE	JULY 2017
SCALE AS SHOWN				
PROJECT NO.	Sheet No.			
5005-0001	C-301	REV NO.		



				SEAL
				I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR RE WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISI THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER THE LAWS OF THE STATE OF MINNESOTA.
				
				JARED T. WARD
	PUD SUBMITTAL	RAG	JTW	07/17/17
REV	REVISION DESCRIPTION	DWN	APP	REV DATE
				DATE 07/17/17 REG. NO. 48677

PRIME CONSULT

ORT
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UNDER

Responsive partner. Exceptional outcomes



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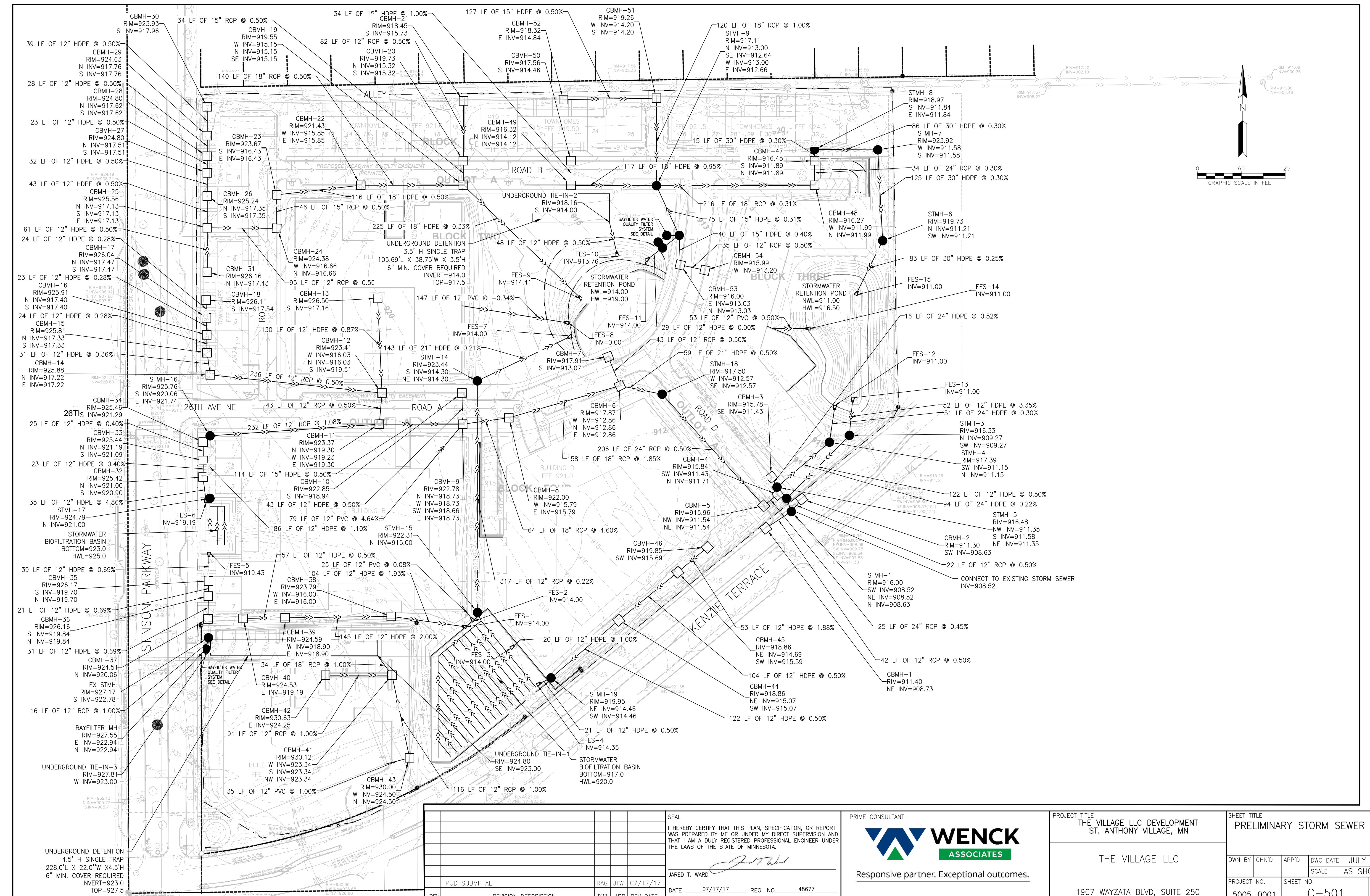
PROJECT TITLE
**THE VILLAGE LLC DEVELOPMENT
ST. ANTHONY VILLAGE, MN**

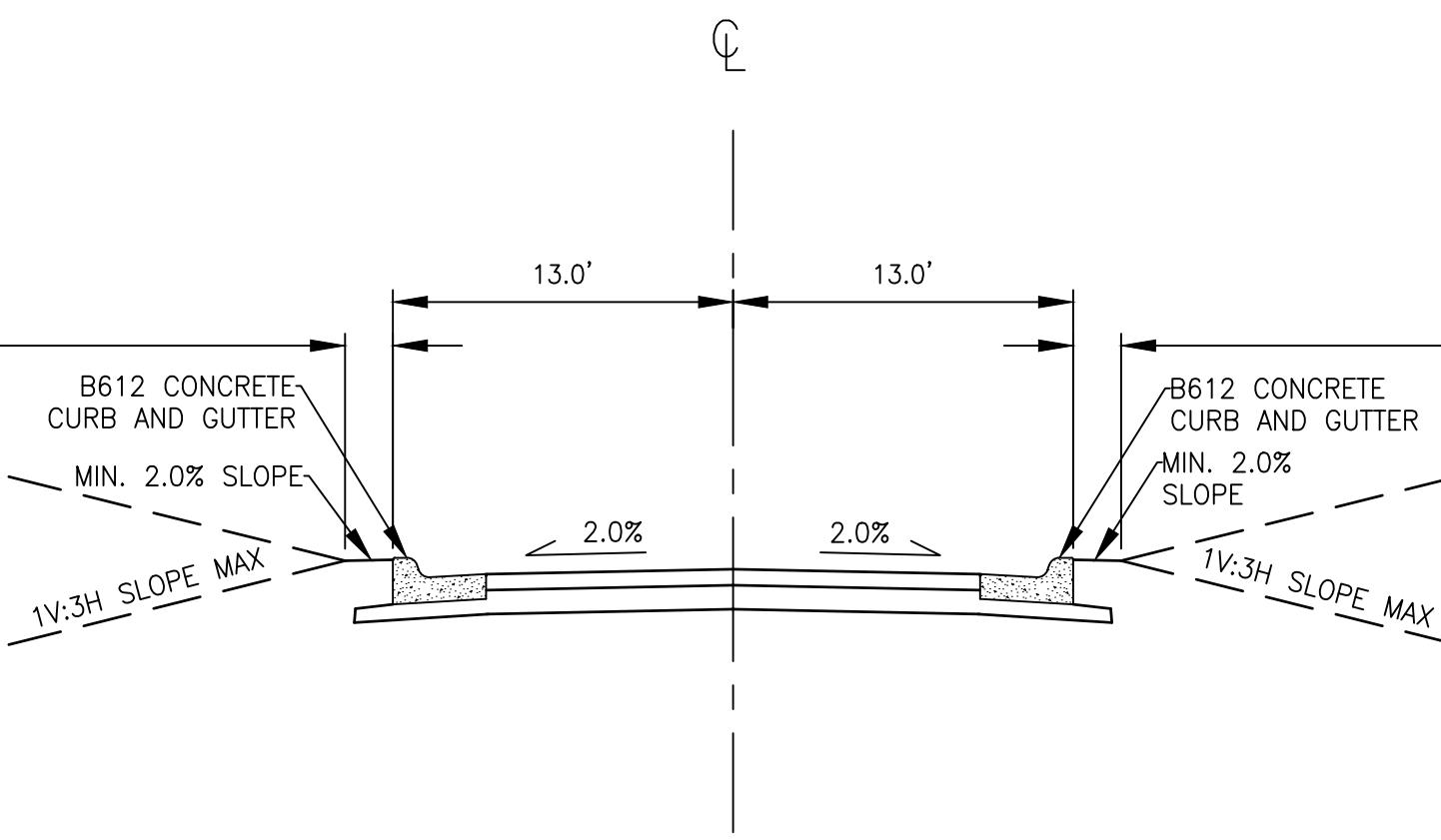
THE VILLAGE LLC

1907 WAYZATA BLVD, SUITE 250
WAYZATA, MN 55391

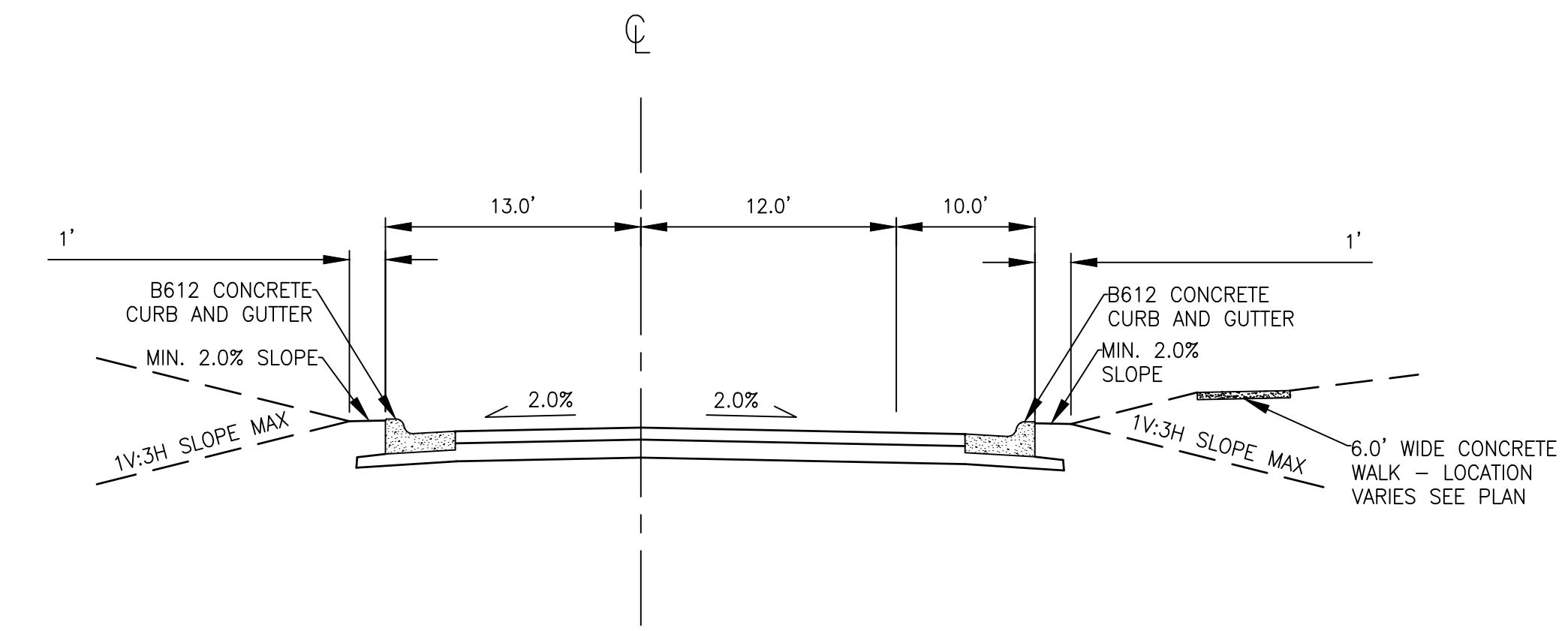
SHEET TITLE
PRELIMINARY UTILITY PLAN

OWN BY	CHK'D	APP'D	DWG DATE	JULY	2017
			SCALE	AS SHOWN	
PROJECT NO.		SHEET NO.			REV NO.
5005-0001		C-401			

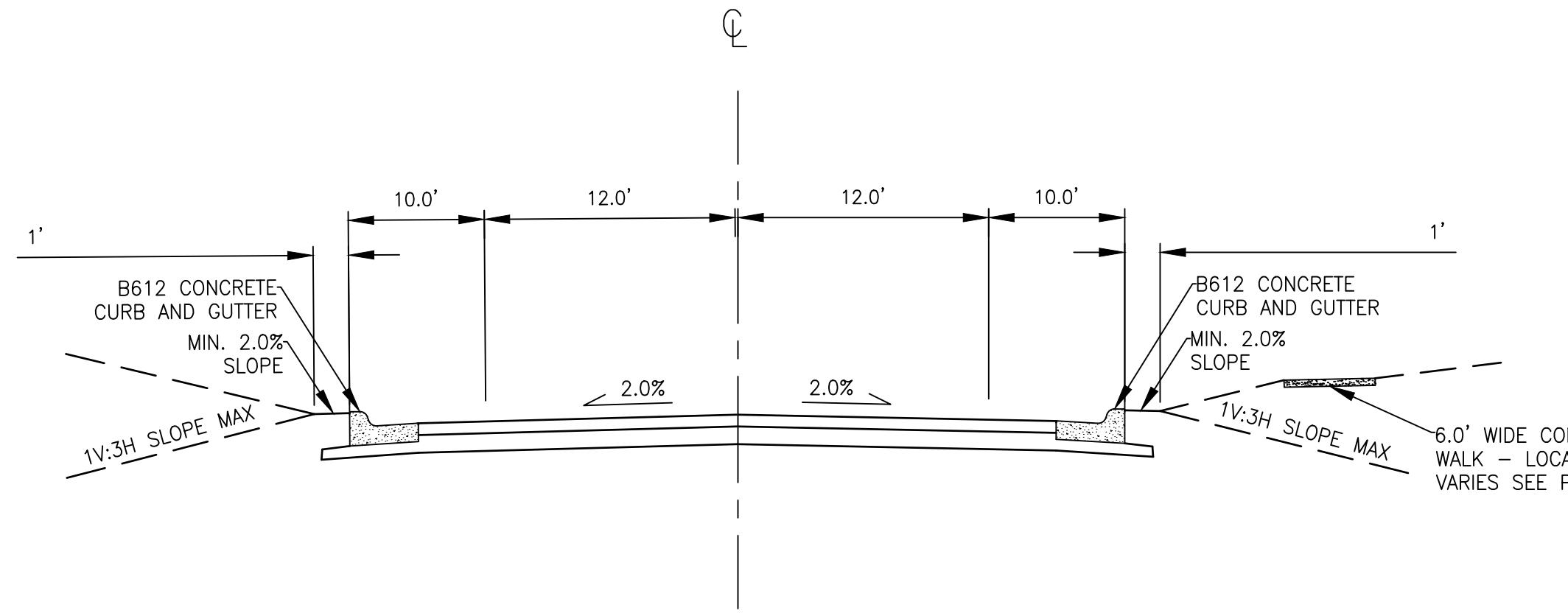




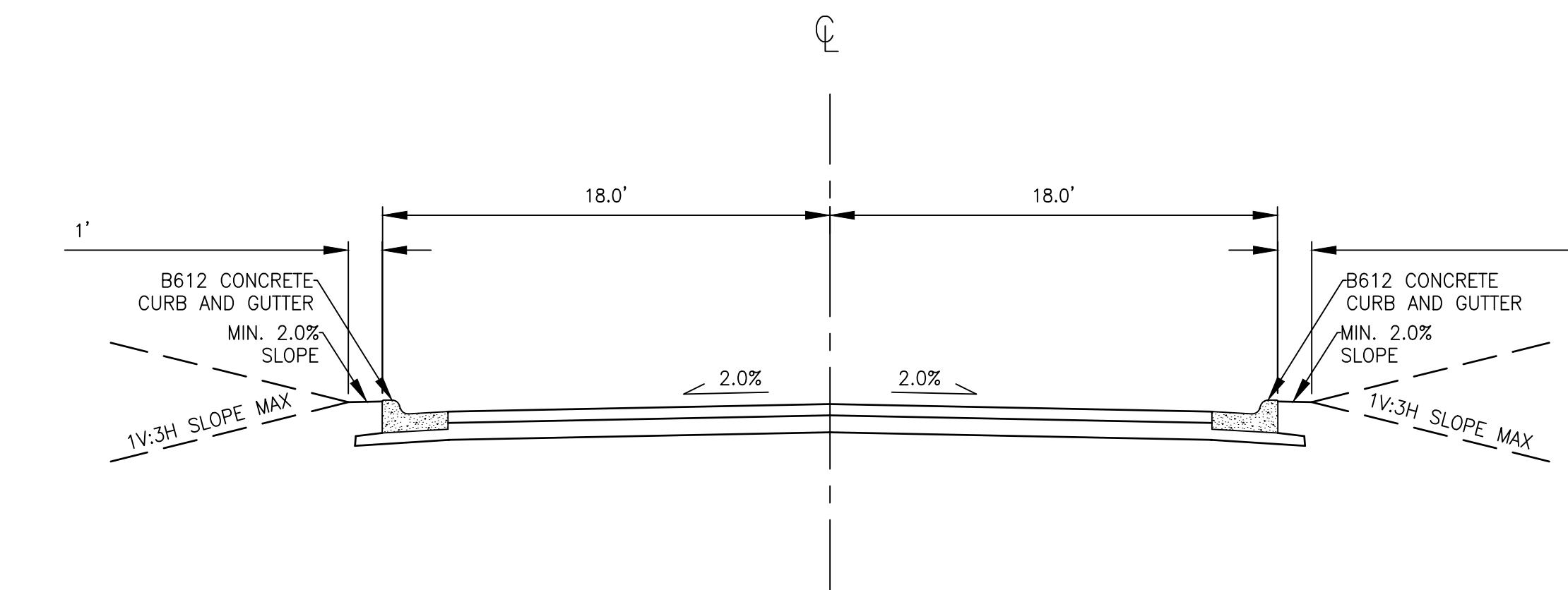
1 TYPICAL STANDARD ROAD SECTION
C801 NOT TO SCALE



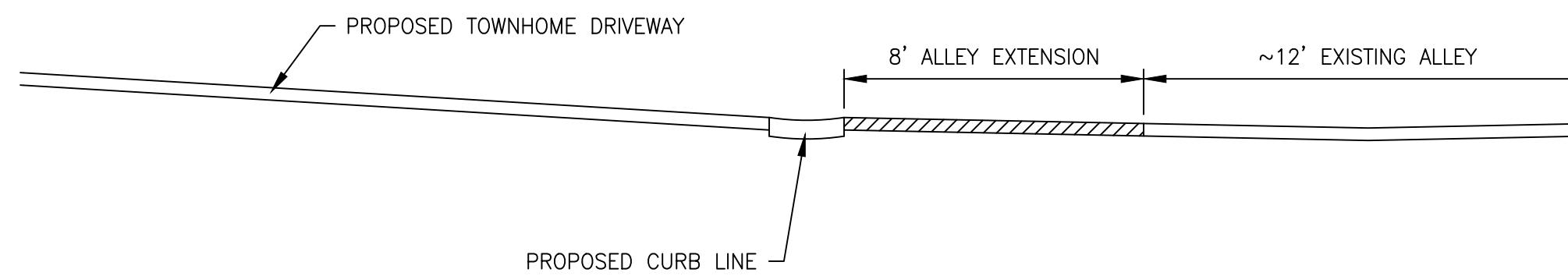
2 TYPICAL ROAD SECTION WITH SINGLE PARKING
C801 NOT TO SCALE



3 TYPICAL ROAD SECTION WITH DOUBLE PARKING
C801 NOT TO SCALE



4 TYPICAL ENLARGED ROAD SECTION
C801 NOT TO SCALE



5 ALLEY EXPANSION
C801 NOT TO SCALE

				SEAL
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JARED T. WARD				
PUD SUBMITTAL RAG JTW 07/17/17				
REV	REVISION DESCRIPTION	DWN	APP	REV DATE
				DATE 07/17/17 REG. NO. 48677

PRIME CONSULTANT
WENCK
ASSOCIATES
Responsive partner. Exceptional outcomes.

PROJECT TITLE
THE VILLAGE LLC DEVELOPMENT
ST. ANTHONY VILLAGE, MN

THE VILLAGE LLC

1907 WAYZATA BLVD, SUITE 250
WAYZATA, MN 55391

DETALS

DWN BY	CHK'D	APP'D	DWG DATE	JULY 2017
SCALE AS SHOWN				
PROJECT NO.	SHEET NO.	REV NO.		
5005-0001	C-801			



Memorandum

To: ***Honorable Mayor and City Council***
Mark Casey, City Manager
City of Saint Anthony Village

From: ***Charles Rickart, PE, PTOE, Traffic Engineer***
WSB & Associates Inc

Copy To: ***Breanne Rothstein, Planner & Todd Hubmer, City Engineer***
WSB & Associates, Inc.

Date: ***August 15, 2017***

Re: ***The Village LLC Traffic Study***
Supplemental Traffic Review
WSB Project No. 2170-300

A Traffic Study was prepared for redevelopment of the existing 15-acre, 200 unit manufactured home/RV park community located in the northeast quadrant of the intersection of Kenzie Terrace (CR 153) and Stinson Parkway in the City of St Anthony. The purpose of the study was to determine the potential transportation impacts from the redevelopment of the site. The study was prepared to be included as part of the Environmental Assessment Worksheet (EAW) process.

The proposed Village LLC development is anticipated to consist of a combination of multi-family residential units (townhomes and apartments). The project is proposed to include five, 3 to 5 story multi-unit buildings with a mix of apartments, senior living, and continuing care uses consisting of approximately 800 units. In addition, the project will include approximately 37, 2- to 3-story townhome units.

As part of the review process questions were raised with respect to the traffic conditions and impacts to Stinson Parkway south of Lowry Avenue/Kenzie Terrace (CR 153) and on Lowry Avenue west of Stinson Parkway. The propose of this supplemental traffic review is to address the following questions:

- 1. How many vehicles are there today on: Stinson Parkway south of Lowry Avenue/Kenzie Terrace and Lowry Avenue west of Stinson Parkway (ADT and peak hour)?**

AM and PM peak hour turning movement and daily counts were conducted during the week of October 10th, 2016 for the intersections and roadways surrounding the site including the intersection of Stinson Parkway at Lowry Avenue / Kenzie Terrace (CR 153). The traffic volumes were shown on Figure 4 and Figure 5 from the study.

Table 1 below shows the existing traffic volumes, based on the counts completed in October of 2016.

Table 1 – Traffic Volume Summary

Location	Existing 2016			2030 No-Build			2030 Build			2040 ADT
	ADT	AM Peak	PM Peak	ADT	AM Peak	PM Peak	ADT	AM Peak	PM Peak	
Stinson Pkwy - South of Lowry Ave /Kenzie Tr	8,000	698	1,053	8,200	716	1,078	10,250	886	1,293	11,500
Lowry Ave - West of Stinson Pkwy	7,000	793	1,117	7,150	812	1,142	7,500	833	1,168	8,100

2. How many vehicles would there be at full build (2030) of the site on: Stinson Parkway south of Lowry Avenue/Kenzie Terrace and Lowry Avenue west of Stinson Parkway (ADT and peak hour)?

The 2030 no-build condition was determined by projecting the existing traffic volumes with a background growth factor of 0.15% per year based on the Metropolitan Travel Demand model projections.

The 2030 full build traffic volumes were then determined by adding the proposed site traffic to the 2030 no-build volumes. The estimated trip generation from the proposed redevelopment project was based on rates for other similar land uses as documented in the Institute of Transportation Engineers Trip Generation Manual, 9th Edition. **Table 1** above shows the 2030 no-build and 2030 build traffic volumes.

3. How many vehicles would there be by 2040 on: Stinson Parkway south of Lowry Avenue/Kenzie Terrace and Lowry Avenue west of Stinson Parkway (ADT and peak hour)?

The original Traffic Study did not evaluate the year 2040 conditions. However, the City's Comprehensive plan update currently being prepared did provide projections to 2040. The plan has not been approved by the City or Met Council so they are still considered draft projections. Peak hour volumes have not been determined or analyzed. **Table 1** shows the 2040 ADT traffic volumes from the draft modeling which has been completed.

4. Can the current roadway designs handle the additional traffic? Will it worsen congestion during peak hour?

With any increase in traffic volume congestion would worsen, however an analysis needs to be completed to determine what impact it would have on the area intersections and roadway segments.

Roadway congestion is based on the capacity of the roadway. The City's current Comprehensive Plan update, Transportation Section, includes a table (Table 1) that indicates planning level thresholds for roadway segments. Based on this table a two-lane undivided has a threshold of 10,000 to 12,000 vehicles per day.

Based on projections shown in **Table 1** above, both Stinson Parkway south of Lowry Avenue/Kenzie Terrace and Lowry Avenue west of Stinson Parkway, have adequate capacity with the existing roadway sections through 2040.

In addition, based on the analysis in the original Traffic Study mitigation improvements were recommended for 2018 with the proposed development and by 2030 as the area continues to develop. Specifically, at the Stinson Parkway and Lowry Avenue/Kenzie Terrace intersection these recommendations include:

2018 with Lowry Grove Development:

- Lengthen the westbound left turn from Kenzie Terrace (CR 153) to southbound NE Stinson Parkway by shortening or removing the existing left turn lane from Kenzie Terrace to the Bremer Bank Building.
- Lengthen the northbound left turn from NE Stinson Parkway to westbound NE Lowry Ave from 150 feet to 300 feet.

2030 with Future Area Development:

- Consider a roundabout or other traffic control improvements at the intersection of Kenzie Terrace (CR 153)/NE Lowry Ave at NE Stinson Parkway.

5. Should the CR 88 at Stinson Parkway also be analyzed?

During the development of the original Traffic Study it was determined based on direction from Hennepin County that the intersection of CR 88 and Stinson Parkway would not need to be included in the analysis. The primary reason was that this location is the intersection of two county roads and has been identified with operational issues with existing conditions. The increase in traffic from the proposed redevelopment will add traffic to this intersection however, the magnitude of increase compared to the existing traffic will not significantly change the overall operation of the intersection.

If you have any further questions need any additional information, please contact me at (612) 360-1283 or crickart@wsbeng.com.

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August 16, 2017

Ms. Traci Tomas
Continental Property Group

Re: The Village LLC Development
St. Anthony Village, MN
Development Plan Review
WSB Project No. 02170-300

Dear Ms. Tomas:

We have reviewed the development plan submittal received on July 25, 2017, for the above referenced project. Plans have been prepared by Wenck Associates., dated July 17, 2017. The plan includes the storm water management plan, site plan, grading plan, sanitary sewer, water, and storm utility plans.

We have the following comments and recommendations for this development plan review.

General

1. Prior to the start of any construction, permits will need to be obtained and submitted to the city from the following agencies:
 - a. MPCA Construction General Permit
 - b. MPCA Sanitary Sewer Extension Permit
 - c. MnDOH Waterman Extension Permit
2. An operations and maintenance component will be required to ensure that the stormwater treatment facilities will be maintained long term. The declarations must at a minimum include the following:
 - a. Annual inspection and reporting to the city
 - b. Maintenance of all erosion control measures including, but not limited to: rip rap, storm sewer outlets, catch basin inlets, etc. (annual documentation required)
 - c. Verification of system drawdowns with 48 hours (annual documentation required)
 - d. Removal of sediment, trash and debris (annual documentation required)

Existing Conditions, Erosion, and Sediment Control

1. Submit erosion control plans.
2. Identify and label construction limits.
3. Identify and label benchmark elevations.
4. Submit boring report and logs.

Grading Plan

1. Label top and bottom elevations of the proposed retaining walls.

Ms. Traci Tomas

August 9, 2017

Page 2

2. Structural calculations for the proposed retaining walls greater than 4.0' in height need to be submitted for review prior to construction of the walls. The submittal will need to include:
 - a. Certification of a qualified MN licensed professional
 - b. Soil boring logs and geotechnical recommendation for support
 - c. Identify the type of material for the wall and design details
 - d. Provide details of the wall construction
 - e. Provide a safety railing or fence above the wall
3. The legend shows a floodplain boundary and a shoreland tier boundary. If those exist on the site, identify their locations.
4. Buildings A and D appear to have adjacent sidewalk elevations higher than their FFE. Document this need.
5. The slope south of Building B may require a retaining wall.
6. The northeast corner of Building A may require a retaining wall.
7. Label all steep slopes with minimums or maximums (i.e., 3:1 max).
8. Clarify the 919 contour between Pond 13P and Road B.

Storm Water Management

1. Label emergency overflow locations and elevations for all BMPs (aboveground and underground systems). Add flow arrows as necessary.
2. According to the Mississippi Watershed Management Organization, any new or redevelopment requires 2' of freeboard over the 100-year HWL or 1' over the EOF and lowest building floor elevation. Basin 9P, Basin 10P, Pond 12P, and Pond 13P do not have a 2' separation from the 100-year HWL.
3. The underground detention area near Stinson Parkway are not modeled. A design in HydroCAD with labeled EOF and HWL is required to ensure it will not flood downstream structures.
4. Avoid short circuiting with Basin 10P if possible, or provide explanation as to why the inlet/outlet configuration is necessary.
5. Provide detail on outlet control structures and pond sections.
6. Match HydroCAD values to plan set in final submittal.
7. Provide pretreatment structures and details for all permanent BMPs.
8. Submit drainage area map with the HydroCAD report for existing and proposed conditions.
9. Are drainage easements being added along Kenzie Terrace on the south side of Building D?
10. Provide storm sewer calculations in final submittal including cover, slopes, capacity, sizing, etc.
11. Add rip rap or other stabilization at pond inlets.
12. Pond 12P does not contain the HWL.
13. Will trench drains be located at each parking garage entrance?

Ms. Traci Tomas

August 9, 2017

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14. Incorporate 40% voids for all biofiltration basin models.
15. Label pond side slopes.
16. Label NWL and HWL for all structural BMPs.
17. Provide casting and structure size information.

Sanitary Sewer and Watermain

1. Label lighting fixture locations on final plan set.
2. Connection to the existing sanitary manhole to be core drilled and filled with a watertight boot.
3. MH-1 should include an outside drop.
4. The sanitary minimum velocity is 2 fps.
5. Where are the sanitary and water service connections to the building? The locations and elevations will be critical to ensure service can be met to the lower units and underground parking facilities.
6. Label the valves or cleanouts on final plan set.
7. Ensure separation distances between all utilities.
8. Hydrants shall be located to provide coverage of the building pad within a radius of 250 feet.
9. Ensure all hydrants are equipped with the proper nozzle treads per the City Standard Specifications.
10. Provide 4" thickness of insulation at watermain and storm sewer crossings where storm sewer and drainage structures provide less than 3.5 feet of cover over the watermain.
11. Verify an 8" watermain as proposed will provide adequate fire flow and pressure to serve the number of units and building elevations being proposed.
12. Watermain material – the plans call out PVC, city standard specification is ductile iron pipe with poly wrap.
13. Water and sanitary sewer connections to buildings must conform to the plumbing code as interpreted by the local building officials.
14. The applicant shall include a drain tile system behind the curbs to convey sump pump discharge from the units as detailed in the City Standard Specifications.

Please contact me if you have any questions or need any additional information from engineering staff.

Sincerely,

WSB & Associates, Inc.

Todd Hubmer
City Engineer

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Fire Department Review of Land Usage

Lowry Grove Redevelopment

Review of plans were performed by:

Fire Chief – Mark Sitarz

Fire Marshal – Chris Fuller

In reviewing the plans we have put together a listing of our comments and concerns below.

The City of St. Anthony is currently under the 2015 Minnesota State Fire Code (MSFC), based on the 2012 International Fire Code. All plans will be reviewed according to this and any reference to standards in that code.

- Access Roads: Appendix D of the MSFC has been adopted by the City of St. Anthony and provides rules for access roads and turn arounds. Additional requirements are in Chapter 5. Specifically detailed is roads shall be maintained to within 600 ft. in sprinkled R occupancies. It was difficult to determine if this is being met by the site drawing.
- A hammerhead style turn around will be needed in NE corner of development. One of our concerns relates to winter parking and snow accumulation in that area.
- There are various sides of the structures that will require additional access roads with a 20 foot width and engineered to provide access for fire apparatus
- It was unclear if there will be access to the courtyard areas.
- There were various areas of concern on whether road width appears to be in compliance.
- Hydrant spacing was difficult to determine from drawing.
- As a reminder that hydrant placement is tied to where the FDC (fire department connections) are placed as well as building standpipes. As of now, we do not know where the FDC locations on the structures will be and those locations will need to be determined and approved by the Fire Marshal.
- There were no hydrants noted on Stinson Boulevard. Those need to be added to the plan.
- All buildings, as currently proposed, will be sprinkled.
- Building entrances are not indicated on the drawing. Proposed building entrances are important for planning access issues, fire department connection locations, and fire lane restrictions. Garage entrance locations also need to be considered.
- Considerations for the actual buildings cannot be addressed until detailed plans are submitted for the actual buildings. A plan review process will occur for all proposed buildings and will reference the codes in force when the plans are submitted.

- With the underground parking, radio communications may not be possible for Fire\Police and EMS. Installation of a wired communications system may be required or a “booster” of some type.

We have been asked by residents as to the effect that an 833 unit development will put on our Fire\EMS services. Adding density will impact requests for service however to what degree we cannot be certain. We have noted that in past developments market rate housing does increase the demand however not to the extent that senior housing and assisted living do when it comes to EMS calls.

Public Safety Review

Project Address: 2401 and 2501 Lowry Avenue

Department: Police Department

Review Completed By: Name: Police Chief Jon Mangseth

Police Department Review of Proposed Development:

The Village Site project, 2401 and 2501 Lowry Avenue, is forecast to be an 833 unit site comprised of a distinct affordable housing component, as well as a component that integrates market-rate, senior focused and for sale townhome elements.

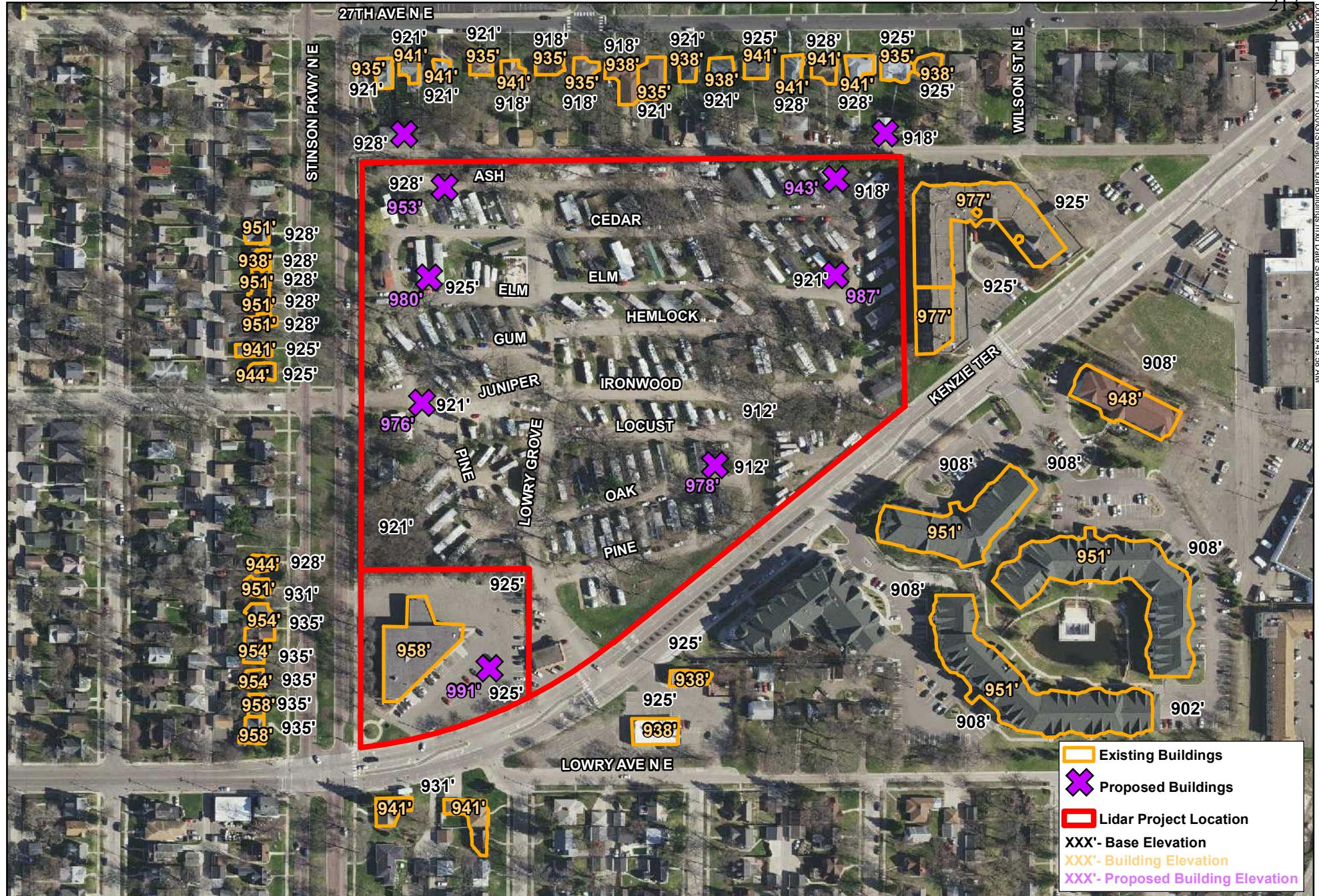
Concern was raised with regard to access to the development off of Stinson Boulevard and Kenzie Terrace, as well as egress from the development onto these streets. An exit/entry point off of Lowry Avenue would be very close to the intersection of Lowry Avenue and Stinson Boulevard. Vehicles leaving the development onto WB Lowry Avenue would have low risk for accident. Those leaving onto EB Lowry Avenue and Kenzie Terrace would present additional risk for vehicle, bicycle and pedestrian traffic. Vehicle exit/entry off of Stinson Boulevard would present minimal risk for area vehicle, bicycle and pedestrian traffic provided entry/egress is limited to NB traffic only. If a crossover to SB Stinson Boulevard is constructed, the risk potential would increase. It remains to be seen what influence the Minneapolis Park Board will have in regards to traffic management on Stinson Boulevard.

The layout of outdoor parking at this development should be consistent with other area developments. It is recommended that the development allow for easy access for police patrol cars, fire apparatus and local ambulance services. Provisions for emergency vehicle access should allow for easy access/egress to the property. There should be continuity with regard to pedestrian and vehicle circulation within the site, which will aid in police, fire and EMS response. Building entrances should be in close proximity to pedestrian walk ways and vehicle parking areas.

On street neighborhood parking on Stinson Boulevard and surrounding side streets, in St. Anthony and Minneapolis, may be impacted by a development of this size. Care should be given to future roadway design of Stinson Boulevard and Lowry Avenue/Kenzie Terrace. On street parking on Lowry Avenue should be avoided due to roadway design in that area. Due care should be taken in regard to a development of this size and existing residents as it pertains to quality of neighborhood life concerns related to traffic, parking, noise and littering complaints.

The demands an 833 unit site puts on the police department can be projected in two ways. First, a performance based approach to staffing that takes into account projected call load. Second, and more common, is the average ratio of full time officers per 1,000 residents. The first, being more accurate, would be appropriate to consider. Seeing how this development will be phased in over multiple years, it will be important to do yearly monitoring of calls for service to this site when making staffing decisions.

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Elevations

St. Anthony, MN



1

0 225
1 inch = 225 feet



Southern Gateway Redevelopment Project

PLANNING COMMISSION PUBLIC HEARING

AUGUST 28, 2017

Purpose of Tonight's Meeting

- ▶ First formal step in the city land use approval process
- ▶ Planning Commission will:
 - ▶ Receive the staff report
 - ▶ Receive a presentation from the applicant
 - ▶ Hold a public hearing regarding the proposal
 - ▶ Receive input from the public
 - ▶ Review all the information submitted in the application and all information presented tonight
 - ▶ Formulate a recommendation for the City Council to consider in making a final decision (no final decisions are made at Planning Commission)

Applications Submitted

- ▶ Developer Request for:
 - ▶ Comprehensive Plan Amendment to increase the maximum density allowed in the High Density Residential land use district from 40 to 48 units per acre;
 - ▶ Comprehensive Plan Amendment to change the land use designation on 2401 Lowry Avenue from Commercial to High Density Residential;
 - ▶ Request for Preliminary Planned Unit Development (PUD) Development Plan/Re-zoning to Planned Unit Development;
 - ▶ Request for Preliminary Plat to subdivide the property.

Site Overview

- ▶ 17.2 acres in size (15.2 and 2 acres)
- ▶ Approx. 30% land cover is trees
- ▶ No known wetlands
- ▶ Significant elevation variations
- ▶ Low point in neighborhood
- ▶ Access to infrastructure



Site Overview (cont)

- ▶ Historical Land Uses
 - ▶ Agricultural
 - ▶ Manufactured Home Community
 - ▶ Dry Cleaners
 - ▶ Commercial

Site Overview (cont)

- ▶ Current Zoning:
 - ▶ Single Family Residential
- ▶ Current Land Use Guidance:
 - ▶ 2501 Lowry Avenue – High Density Residential
 - ▶ 2401 Lowry Avenue – Commercial
- ▶ Existing Land Uses:
 - ▶ Property – Bremer Bank, Vacant (previously Lowry Grove Manufactured Home Park)
 - ▶ To the North – Single-Family Homes
 - ▶ To the West – Single-Family Homes, small scale commercial
 - ▶ To the South – High Density Housing (Autumn Woods, Legacy)
 - ▶ To the East – High Density Housing (Kenzington Terrace), commercial (St. Anthony Shopping center)



Project Overview (cont)

Site Element	Housing Type	Total Units
Building A	Senior housing	130
Building B	Market-rate	171
Building C	Senior housing	170
Building D	Market-rate	220
Building E	Affordable	110
Townhomes	For sale attached housing	32
Total Units Proposed: 833 housing units		
Overall Site Density: 47.7 units per acre		

Project Overview (cont)



Building A

Building B

Building C

Project Overview (cont)



Building D

Building E

Townhomes

Project Overview (cont)

Site Element	Housing Type	Height
Building A	Senior housing	55' (5 stories)
Building B	Market-rate	55' (5 stories)
Building C	Senior housing	66' (6 stories)
Building D	Market-rate	66' (6 stories)
Building E	Affordable	66' (6 stories)
Townhomes	For sale attached housing	1-2 story
Total Units Proposed: 833 housing units		
Overall Site Density: 48 units per acre		

▶ Height of surrounding buildings:

- ▶ Kenzington condos – 5 stories plus at grade garage (52 ft)
- ▶ The Legacy – 4 stories
- ▶ Walker Senior housing – 3 stories (40 ft)
- ▶ Autumn Woods – 3 stories (43 ft)
- ▶ 1-2 story single-family homes to north and west (20 to 25 feet)

Project Overview (cont)

Site Element	Enclosed Parking Stalls	Surface Parking Stalls	Parking Area (SF)	Stalls per unit
Building A	130 (underground)	--	47,000	1
Building B	222 (underground)	--	80,000	1.3
Building C	222 (underground)	--	80,000	1.3
Building D	285 (underground)	--	103,000	1.3
Building E	65 (underground)	72 (parking lot)	42,000	1.4
Townhomes	64 (garage)		64,000	2
Guest Parking	--	62 (on-street)	Not given	--
TOTAL	958 stalls	134 stalls		1.3 stalls/unit

Staff Review

- ▶ Comprehensive Plan
- ▶ City Zoning Code
- ▶ Environmental Assessment Worksheet (including traffic study and addendum)

Staff Review

- ▶ Additional Information Requested Regarding:
 - ▶ Landscaping
 - ▶ Streetscape
 - ▶ Building Elevations (with grades)
 - ▶ Bio-retention area
 - ▶ Retaining walls/grade changes
 - ▶ Parking location details

Staff Review

- ▶ Land Use Guidance
 - ▶ High Density Residential limits to 40 units per acre
 - ▶ High Density Residential is appropriate in this area
 - ▶ Mix of market rate/affordable and senior/general occupancy is acceptable
- ▶ Building Height/Massing
 - ▶ Higher than surrounding land uses
 - ▶ Reduced setbacks, match to sidewalk system
 - ▶ Appropriate architecture
- ▶ Parking/Traffic
 - ▶ Consistent with development trends in and around St. Anthony (detail requested)
 - ▶ Detailed recommendations for infrastructure improvements to city system in EAW

Staff Review (cont)

- ▶ Public space
 - ▶ Combined stormwater/passive recreation/program space
 - ▶ Trail connections/site connectivity need to be improved (for peds and fire access)
- ▶ Public Infrastructure
 - ▶ Bio-retention design
 - ▶ Several retaining walls
 - ▶ Utility connections (minor comments)
 - ▶ Private Roads (with public easements)
 - ▶ Alley design acceptable

Staff Recommendation: Comprehensive Plan #1

- ▶ Staff recommends denial of the Comprehensive Plan Amendment to increase the maximum allowed density in the High Density Residential Land Use District to 48 units per acre

Staff Recommendation: Comprehensive Plan #2

- ▶ Staff Recommends Approval of the Comprehensive Plan Amendment to change the land use designation at 2401 Lowry Avenue (Bremer Site) from Commercial to High Density Residential

Staff Recommendation: Zoning Amendment to Planned Unit Development/Preliminary PUD Development Plan

- ▶ Staff recommends tabling action on the Zoning Amendment and Preliminary PUD Development Plan and directs applicant to comply with the comprehensive plan

Staff Recommendation: Preliminary Plat

- ▶ Staff recommends tabling action on the Preliminary Plat until such a time the applicant submits plans that conform to the comprehensive plan.

Questions?

Next Steps

- ▶ Move forward negative recommendation for Comprehensive Plan Amendment regarding density to City Council on September 26th
- ▶ Move forward recommendation for approval for Comprehensive Plan Amendment regarding land use of 2401 Lowry Ave (Bremer site) to City Council on September 26th
- ▶ Planning Commission will re-consider at a later public hearing for a revised Preliminary PUD Development Plan and Preliminary Plat.
- ▶ Once Planning Commission re-considers a revised application, their recommendation will move forward to City Council for a final decision.
- ▶ Many other scenarios are possible.
- ▶ Statutory Review Deadline (unless an extension is granted) = November 15th

Stay Involved and Informed

- ▶ www.savmn.com
 - ▶ Register for Email Push Notifications
 - ▶ View all plans and updates at the website
 - ▶ Follow city newsletter, local newspaper public hearing notices
 - ▶ If within the project area, watch for mailed notice
 - ▶ Call or email City Planner (Breanne) anytime:
 - ▶ planner@savmn.com
 - ▶ (763) 231-4863

October 2, 2017

Mayor Faust & Council Members
c/o Mark Casey
CITY OF SAINT ANTHONY VILLAGE
3301 Silver Lake Road
Saint Anthony, Minnesota 55418

VIA EMAIL ONLY
(mark.casey@savmn.com)

RE: The Village, LLC's Applications for Rezoning, Preliminary PUD, Preliminary Plat, and Comp Plan Amendments.

Dear Mayor Faust and Council Members:

This letter is jointly submitted by The Village, LLC ("The Village"), Aeon, and the Lowry Grove Resident Association (the "LGRA") (the "Parties") about the proposed redevelopment (the "Project") at 2501 and 2401 Lowry Avenue NE, Saint Anthony Village, Minnesota 55418.

This letter's purpose is threefold. To:

- (i) advise the City that The Village has reduced the density on 2501 Lowry to 40 units per acre and has withdrawn its application to amend the Comp Plan as it relates to 2501 Lowry (while the affordable portion remains at 51.32 units per acre);
- (ii) summarize key updates; and
- (iii) summarize the Parties' responses to City Staff's comments. We have also attached exhibits to provide additional information for those interested in more detail.

BACKGROUND OF PROJECT DEVELOPMENT

To understand the current Project proposal, the Parties want to share highlights from its history. We provide greater detail in the memorandum attached as Exhibit A, but, briefly, here is how the Project has evolved:

- In early 2016, The Village met City Staff to advise them it had signed a Letter of Intent to purchase the property and to discuss development options. City Staff advised The Village that the City wanted the developer to have maximum flexibility and would not place any limitations on the proposal. Regarding density, staff expressly noted that more density was better.
- During early meetings, City Staff requested that The Village determine the maximum density it could foresee so that the City could run feasibility reports. There was no discussion of a 40 unit per acre limit whatsoever. In response, The Village prepared a preliminary sketch to determine maximum density, and City Staff ran a preliminary report that concluded its infrastructure had capacity for

1,000 units of development. A copy of that report is attached as Exhibit A1. The Village never formally proposed to develop the site with 1,000 units. The concept was designed strictly for infrastructure capacity assessments.

- Working with City Staff, The Village refined its plan to meet its needs and what it had been led to believe was the City's vision. That work resulted in a concept plan, which City Staff then used to prepare an Environmental Assessment Worksheet (EAW). The unit count used for the EAW was 54 units per acre.
- In February 2017, City Staff raised questions about storm-water management and explained the limits of the City's storm-water system. The Village responded by significantly redesigning the Project to include a park and significantly greater storm-water infrastructure. In turn—to accommodate the proposed park and the storm-water infrastructure—the revised plan called for Building D to be 14 stories. The proposed height received significant negative feedback and was quickly abandoned.
- The Village looked for additional ways to revise its plan and entered into a purchase agreement to acquire 2401 Lowry. With the additional land providing space for additional creativity, the Project was revised again to include a separate building to provide affordable housing, which The Village had committed to providing from its earliest concepts. This is the design set forth in the Applications.
- After submitting the Applications and after considerable negotiation, the Parties agreed on terms of a Settlement Agreement, which—among other things—put Aeon in control of the affordable housing building. Detail about how the Settlement Agreement was reached is attached as Exhibit B.

This timeline shows that City Staff had consistently supported the Project at vastly higher densities. The Village has never simply demanded that the City accept its vision; it has consistently worked to revise plans to respond to comments. Still, as with any developer, The Village must balance many inputs, including its own need for a viable and financeable project. Until recently, The Village thought that the City fully supported the proposed density. Nevertheless, based on recently-aired concerns, the Parties have looked at all ways to further refine the project. In that regard, the Parties have agreed to explore all aspects of the Project and found additional refinements. The proposed revisions are set out in the revised Site Plan, attached as Exhibit C, and the building elevations, attached as Exhibit D. The Parties have worked to refine the project. We trust the City will work in good faith with us to complete this important redevelopment.

PROJECT REFINEMENTS

The Parties have made several revisions to the Project, including the following highlights:

- The total number of units on 2501 Lowry Avenue has been reduced from 723 units to 615, or 40 units per acre.¹ Of the 386 rental units, 84 units are affordable at 80% AMI;
- The affordable building on 2401 Lowry has been reduced to 97 units to replace exactly the number of affordable units in the Lowry Grove Mobile Home Park;
- Buildings A and E have been reduced to 4 stories, and Building C has been reduced to five stories;
- The bio-filtration area between Buildings E and D has been revised to be an underground storage vault. With the revisions, the combined Property can store more than 2,000,000 gallons of rainwater during a 100-year storm event. More detail on storm-water is attached as Exhibit E;
- Internal roads and trails have been revised to increase connectivity and to ensure the Project incorporates public safety features that exceed state Fire Code; and
- Building A (senior continuum of care) was reoriented and a drop-off/surface parking area was added. Parking ratios have increased for each building and the Parties are proposing locations for proof of parking if the existing parking were to prove inadequate.

AFFORDABLE HOUSING ON THE 2401 LOWRY SITE

As it relates to 2401 Lowry, Staff recommended approval of the proposed change in designation from commercial to high-density residential. The Planning Commission passed a motion to approve that change 3 to 2. Staff believed (incorrectly, as it turns out) that the motion required a supermajority vote to pass. (The state statute requiring a supermajority vote to amend a comp plan applies only to governing body votes. Significantly, the statute provides that the requirement does not apply to changes to permit development of affordable housing).²

The current Comp Plan provides that the City will “ensure” that replacement housing is provided for the Lowry Grove units lost to the redevelopment, “preferably in St. Anthony.” The Metro Council statute requires every city’s Comp Plan describe specific actions that “will provide” the City’s share of affordable housing. The Comp Plan acknowledges the

¹ The Parties recognize that they previously proposed density should be measured across the entire property. However, the Parties recognize that the Comp Plan and state and federal law call for different treatment of affordable housing. Given that reality and the legacy of this site, the Parties have agreed to separate the consideration of density of the affordable housing from that of The Village’s project.

² Minn. Stat. §462.355 Subd. 3.

city's obligation to produce 312 new affordable units in the current decade.³ Total St. Anthony Village production for the decade is negative 97 units. There are no other new affordable units, and 97 were lost when Lowry Grove closed. The City has an obligation to permit the planned replacement of the Lowry Grove Units. The Legacy Apartments across the street from the site provide a precedent, as they were developed at about 70 du/acre, according to City staff. The reduction in density being recommended by City staff already seriously threatens the affordability levels possible on the 2401 Lowry site. See Exhibit K.

STAFF ANALYSIS RESPONSE

With proposed refinements to the Project, many comments or issues raised in the Staff have become moot or have otherwise been addressed. The Parties have attached Exhibit F as a detailed response to the comments. We also offer the following summary response to the Staff's analysis of the Comp Plan density amendment and to certain public comments from the public hearing.

Comp Plan Amendment for Density

Changes in unit counts to 2501 Lowry mean a deviation from the 40 units per acre anticipated by the Comp Plan is no longer necessary for that parcel.⁴ The Parties continue to request a Comp Plan amendment to re-guide 2401 Lowry from commercial to high-density residential to allow for 97 units on the site contingent on PUD and plat approval. The proposed density on 2401 Lowry is necessary for deeply-affordable units designed to allow former Lowry Grove residents (a high percentage of which are minorities) to return to the City. We believe that City approval is required under the Comp Plan's provisions about affordable housing production and Lowry Grove replacement housing. We also believe that rejecting this request could have serious federal Fair Housing Act implications for the City. (see Exhibit K). Out of an abundance of caution, the Parties provide a summary of the staff's analysis of the density amendment. In addition, a detailed analysis on density is attached as Exhibit G and technical comments are included in the BKV/Wenck memorandum in Exhibit F.

Before turning to the specific staff statements, the Parties believe it is important to understand the baseline for comparison. For example, some members of the public have suggested single-family housing is what should occur on the Property. As the staff report acknowledges, 2501 Lowry is identified (or more technically "guided") as high-density residential and identified as a point of redevelopment. Because state statutes mandate that

³ Comp Plan at 2-32.

⁴ The Parties continue to request a Comp Plan amendment to re-guide 2401 Lowry from commercial to high-density residential, permitting 97 units on the site, contingent on approval of the PUD and Plat.

the City's Comp Plan is its controlling land use document,⁵ the proper baseline for the redevelopment of 2501 Lowry is high density residential as stated in the Comp Plan. Additional detail on the impact of the Comp Plan's treatment of 2501 Lowry is set forth in Exhibit H.

In recommending denial of a Comp Plan amendment for the entire Property, staff relied on some unsupported conclusions that bear mentioning here, including that:

- (i) the Project was not consistent with “orderly development” or compatible with neighboring uses because the unit count exceeded 40 units per acre;
- (ii) the Project does not provide adequate access to the property;
- (iii) the project does not prevent congestion in the public streets; and
- (iv) the project did not prevent overcrowding of land and undue concentrations of structures.

We address these erroneous conclusions below:

- a) Factors (i) and (iv) do not support denial of increased density for affordable housing.

The staff's conclusions in factors (i) and (iv) are internally inconsistent and factually inaccurate.

The Staff Reports specifically address the Preliminary PUD application and expressly state that the environmental assessment worksheet (“**EAW**”) contained detailed comments “all of which is incorporated herein by reference.” City staff prepared the EAW that analyzed an early design showing 54 units per acre. We have attached the EAW as Exhibit I. The City Council unanimously agreed to declare that no environmental impact statement was warranted. And the City adopted the Record of Decision (“**ROD**”), a copy of which is attached as Exhibit J. The EAW and the ROD stand in stark contrast to the staff's claims, stating, for example, that “[t]he planned development *does fit* with the general vision outlined for the property in Comprehensive Plan and includes units of affordable housing.” (*emphasis added*).

Further, in analyzing the EAW, the City concluded that the 54 unit-per-acre proposal “*is reasonably similar to other development and redevelopment projects in the area*. Other large scale residential redevelopment projects have been completed in the neighboring areas of the City of Minneapolis in recent years.” (*emphasis added*).

In addition, with the request to exceed 40 units per acre now expressly limited to the 97 units of affordable housing, there is substantial support in the Comp Plan to allow such density and an express commitment to ensure the production of replacement housing for

⁵ “A local government unit shall not adopt any fiscal device or official control which is in conflict with its comprehensive plan, including any amendments to the plan, or which permits activity in conflict with metropolitan system plans.” Minn. Stat. § 473.858, subd. 1.

the Lowry Grove units lost to redevelopment. A detailed analysis of the need for greater density for affordable housing is attached as Exhibit K.

b) Factor (ii) does not support denial of increased density for affordable housing.

The issue of access, while factually untrue at the time, has been rendered completely moot by the revisions to the site plan and will not be further addressed here, though we remain open, as ever, to answering questions the Council may have about it.

c) Factor (iii) does not support denial of increased density for affordable housing.

Any suggestion that traffic is a basis to deny the increased density is not supported by the evidence. The lone expert opinion comes from the City's own traffic engineer, who did not identify *any* significant traffic issues (although it did make certain recommendations to optimize traffic flow).⁶

What is more, in reviewing and responding to the EAW, Hennepin County made suggestions about the study. The City then responded to Hennepin County by vowing to make certain modifications; at no time did the City suggest that traffic issues would adversely impact the Project in any way. The staff report indicates no traffic impacts to the proposed change of the 2401 Lowry from commercial to high density residential.

We have attached a more detailed discussion of the lack of traffic impacts as Exhibit L.

Response to Public Comments

During the public hearing, the public raised several questions that the Parties believe deserve a response. We have attached Exhibit M in response to those comments.

Conclusion

The Parties wish to reaffirm that their goal remains to find a shared vision with the City of St. Anthony Village for the Project. As with any resolution, it requires dialogue and a willingness to consider the needs of all involved, including the City and the Parties. The Parties have now made concessions and revised the Project to ensure that 97 units of deeply-affordable housing remain, while ensuring that the remainder of the Project not exceed 40 units per acre. In doing so, The Village has removed more than 100 units from its portion of the redevelopment, and Aeon has scaled back its unit count to simply try to replace the deeply affordable homes that were lost. The Project, as refined, fully responds to staff's comments and offers a vision that properly balances the City's and Parties' needs and desires for a property that loudly calls for redevelopment.

⁶ At least one resident suggested an "independent" traffic study was necessary. The City selected and hired WSB & Associates Inc. to conduct the traffic study. The Village had no involvement, input, or contact with the traffic engineer.

Very truly yours,

THE VILLAGE, LLC: SIGNED:  BY: TRACI TOMAS ITS: VICE PRESIDENT	AEON: SIGNED:  BY: ALAN ARTHUR ITS: PRESIDENT & CEO
THE LOWRY GROVE RESIDENT ASSOCIATION: SIGNED:  BY: JACK CANN ITS: LEGAL COUNSEL	

EXHIBIT A

EXHIBIT A

EVOLUTION OF THE VILLAGE, LLC REDEVELOPMENT

After signing a letter of intent to purchase the 2501 Lowry Avenue property and to further explore development options, The Village met with City staff to understand what limits it should consider for redevelopment. At the initial meeting, The Village discussed with staff that it had an LOI to purchase 2501 Lowry Avenue and that it was considering redeveloping the property under a planned unit development or “PUD.”

The Village specifically asked what limits applied to the design of the PUD. The staff's instruction was that they did not want to constrain the design and were not imposing any limits. Rather, the staff requested that The Village determine the maximum number of units that could work on the site and the City would determine whether the infrastructure could handle that level of units or whether infrastructure improvements would be required. Provided that infrastructure needs were met, the City informed The Village that the number of units would not be an issue.

It was that direction that led The Village to provide its initial maximum density design of nearly 1,000 units. To be clear, The Village never submitted a formal application for approval of a redevelopment including approximately 1,000 units, but it did discuss the design so that staff could analyze whether the existing infrastructure could service 1,000 units. Building on those initial meetings and the preliminary maximum design, staff outlined its intended approach in an April 26, 2017 e-mail. In early May 2016, City staff provided The Village with its preliminary analysis of the maximum build scenario. A copy of that memorandum is attached hereto as Exhibit A1.

Next, since nearly any level of high density residential on the 15.4 acres, would exceed the threshold for a mandatory EAW, The Village prepared a sketch plan submittal that included preliminary information necessary for the EAW process. A copy of that memorandum is attached hereto as Exhibit B. This preliminary plan showed 5 buildings on the 15.4 acres that would contain 300 senior living units and 500 apartments along with 37 two-story, for sale townhomes. At the time, The Village was proposing approximately 90 of the units would meet the federal affordable housing standard.

A hearing on the sketch plan was held before the Planning Commission on October 24, 2016. The Planning Commission did not offer any comments on the sketch plan and most specifically did not suggest that the development must be no more than 40 units/acre.

Based on the sketch plan submittal, the City prepared an EAW to understand the risk of significant environmental impacts of 837 units of residential housing added to the area. In the EAW and its Record of Decision on the EAW (ROD), the City repeatedly emphasized the proposed project's consistency with the City's Comprehensive Plan and compatibility with the surrounding neighborhoods. The EAW form specifically requests that the City “Discuss the project's compatibility with nearby land uses, zoning, and plans...” The City responded:

The site plan proposes townhomes along the west and north edges of the Project area that are adjacent to single family residential areas. It also indicates the multi-family housing adjacent to the existing high density residential areas.

The project area is zoned as single family and would need to be rezoned as Planned Unit development/Multi-Family Residential. *The planned development does fit with the general vision outlined for the property in the Comprehensive Plan and includes units of affordable housing.*

Conspicuously absent in the EAW is so much as a hint that the proposed 837 units (54 units/acre) was not consistent with “orderly development” or that the Comp Plan mandated that the project be limited to 40 units/acre. To the contrary, the Record of Decision (ROD) adopted by the City discusses four factors relating to potential environmental effects. With respect to environmental effects and mitigation measures related to zoning and land use, the ROD notes that “the project fits within the spirit of high density residential zoning” and the “land use is compatible with the Comprehensive Plan” but the density proposed is greater than the Comprehensive Plan’s description of High Density Residential. The mitigation measure proposed was not to limit density but rather to address the discrepancy in the 2040 Update to the Comprehensive Plan. The City concludes with respect to this factor that “the extent and reversibility of environmental impacts for the proposed project are consistent with those of a typical residential development project.”

With respect to the second factor, the City notes there are no potential cumulative impacts. With respect to the third factor relating to the extent that impacts are subject to mitigation, the City concluded that “the potential impacts...are minimal...” With respect to the fourth factor, regarding whether potential effects can be anticipated as a result of other environmental studies, the City concludes that “the proposed project is reasonably similar to other development and redevelopment projects in the area.” The ROD concludes that “the proposed project does not have the potential for significant environmental effects.”

Further, the City’s express responses to the Metropolitan Council’s questions on the EAW relating to the proposed density repeatedly emphasize that the City’s response will be to change the language of the updated Comprehensive Plan to make the plan consistent with the proposed project:

Comment 3 (Metropolitan Council):

The staff review finds that the EAW is complete and accurate with respect to regional concerns and does not raise major issues of consistency with Metropolitan Council policies. An EIS is not necessary for regional purposes.

City Response to Comment 3: Thank you for reviewing the EAW.

Comment 4 (Metropolitan Council):

The scale of development proposed in the EAW accommodates a greater number of households than what is currently forecasted for growth in the City of Saint Anthony Village. A forecast increase is needed and the City of

Saint Anthony Village should request a forecast increase as part of a comprehensive plan amendment or part of the comprehensive plan update due in 2018. Metropolitan Council staff would recommend the additional of 700 households and 1,800 population to the Transportation Analysis Zone (TAZ) #1263. The City of Saint Anthony Village can consult with Michael Larson, their Sector Representative.

City Response to Comment 4: The City will include the updated forecasts, as outlined in the 2040 Update to the Comprehensive Plan.

Comment 5 (Metropolitan Council):

The EAW is correct that the site is guided for High Density Residential but the EAW doesn't address the development density, which is addressed in the City of Saint Anthony Village's comprehensive plan. The residential density of the proposed development is greater (54 dwelling units per acres (du/acre)) than the residential density stated in Table 2-6 of the City of Saint Anthony Village's comprehensive plan (8 and 40 du/acre) for the High Density Residential. A review of the EAW by MCES indicates that there is adequate capacity of wastewater flow at this site for the anticipated residential density. The City of Saint Anthony Village should adjust its development density assumptions through a comprehensive plan amendment.

City Response to Comment 5: The City of Saint Anthony Village will include the updated land use descriptions and tables regarding density in the 2040 Update to the Comprehensive Plan.

Comment 6 (Metropolitan Council):

The proposed development fits with the description of High Density Residential in Table 2-4 of the City of Saint Anthony Village's Comprehensive Plan which includes descriptions of land use categories. Table 2-4 does not include assumptions about a density range for High Density Residential but does include assumptions about a density range for other land uses. Table 2-4 should be amended to include density ranges for all land use categories that allow residential development, consistent with Table 2-6.

City Response to Comment 6: The City of Saint Anthony Village will include the updated land use descriptions and tables regarding density in the 2040 Update to the Comprehensive Plan.

The EAW was presented to the City Council on February 14, 2017, for a determination of whether an environmental impact statement was necessary. The City Council voted for a negative declaration on the need for an EIS. In discussing comments on density, Mayor Faust noted, "The density for this proposal will be similar to Silver Lake, which is still not completed as there are still a few lots yet to be developed."

In February 2017, the City staff flagged stormwater management as an area of concern. The Village and its technical team met with the staff to understand the stormwater concerns and system limitations. At no point during the discussions did staff identify any further issues or suggest that the project was not consistent with “orderly development” or was incompatible with surrounding uses or otherwise take issue with the plan that had 54 units/acre.

To address the stormwater limitations of the City’s systems, which only permitted an outflow of 6.1 cubic feet per second of rainwater, The Village determined that it needed to revise its development. Ultimately, it determined that the only way to address the stormwater management issues was to reconfigure the project. Revised layouts were discussed with City staff on March 20, 2017. Again, City staff made no suggestion that the proposed density was inconsistent with “orderly development” or incompatible with surrounding uses. Staff did not raise any issues with the plan that had 54 units/acre. The revised layouts now included the central park concept that is present in the current application, but the inclusion of the park mandated significantly greater height. The Village held one of several community meetings to receive feedback on the updated proposal.

When the staff made clear that the greater height was unacceptable (with no discussion of a 40 units/acre limit) and the community provided significant push back on height, The Village determined that it needed to acquire the Bremer site in order for the project to be viable. In mid-April The Village advised the City that it was exploring the acquisition of the Bremer site. More meetings followed to discuss the procedural specifics of the expected applications.

On May 2, 2017, the City Planner provided written notification of what would be needed in the applications, a copy of which is attached as Exhibit A2. This letter is the first time that City staff suggested a Comp Plan amendment was necessary if the development had more than 40 units/acre rather than addressing the density in the 2040 Comp Plan as stated in the ROD.

In the meantime, The Village was in discussions with Bremer to purchase 2401 Lowry Avenue to include it in the development and had engaged with Aeon and the Lowry Grove Residents Association in the court required mediation.

After the Village entered into a purchase agreement for the Bremer property, it revised the project again to respond to community comments and concerns raised by staff. It submitted development applications on July 18, 2017 and staff deemed the applications complete. After submitting the applications, Aeon, LGRA, The Village, and other related parties entered into the Settlement Agreement that required amendments because Aeon would now develop the affordable housing component.

EXHIBIT A-1



Building a legacy -- your legacy.

701 Xenia Avenue South
Suite 300
Minneapolis, MN 55416
Tel: 763-541-4800
Fax: 763-541-1700

Memorandum

To: *Traci Tomas, Continental Property Group*

From: *Breanne Rothstein, Planner & Todd Hubmer, City Engineer*
WSB & Associates, Inc.

Date: *May 11, 2016*

Re: *Infrastructure Needs – Potential Redevelopment*

Project #: *2170-300*

Continental Property Group has requested that the City of St. Anthony complete a preliminary analysis of the infrastructure and planning needs associated with the re-development of the property located at 2501 Lowry Avenue. WSB has convened a group of planning, transportation, sewer, water, and surface water management experts to complete a preliminary and high level analysis of the site and existing infrastructure based on a maximum build-out of 1,000 new housing units of multi-family housing.

Staff has the following recommendations/considerations that should be examined upon moving forward in the development process:

- 1) Completion of an Environmental Assessment Worksheet (EAW). According to Minnesota Rules 4410.4300, subpart 19 (D), an EAW is required for the development of 375 or more attached units in a city within the seven county Twin Cities metro area that has an adopted Comprehensive Plan. This project does not meet the thresholds for a mandatory Environmental Impact System (EIS), which is for re-development over 1,500 attached units. The evaluation completed to compile this memo will be used to frame the development of an EAW, which takes 3 to 4 months to complete once authorized.
- 2) Based on a preliminary review of the sanitary sewer system, it appears as though the regional interceptor can accommodate additional flow from the development. We recommend using Met Council flow data to verify capacity.
- 3) The private lift station on the site has reached its reliable life and will need to be removed and the site will need to be served by gravity sewer connecting into the existing system. Preliminarily, the city will be requesting that the sanitary sewer flows be routed through the City of St. Anthony, south from the property.

- 4) The city is going to be testing hydrant flow starting at the end of May for this site. It is expected that potential development on the site will necessitate 3,500 gallons per minute of fire flow. Hydrant testing will verify current flow.
- 5) A booster station is likely needed to serve this site with adequate water supply. However, an updated water model is highly recommended to verify current water usage and available flow to this site.
- 6) Stormwater run-off will be expected to meet the requirements of a 70% reduction in TSS and a net decrease in volume, due to flooding problems in the area. The exact amount of reduction will be calculated through the EAW process.
- 7) A trail easement will be needed to extend a regional trail along Stinson Parkway. This will need to be coordinated with the Minneapolis Park and Recreation Board. Sidewalk will be requested along the north side of Kenzie Terrace through your project extent.
- 8) It appears that the current capacity of Kenzie Terrace is adequate to accommodate additional traffic produced by this development. However, detailed intersection analysis has not been completed at Stinson and St. Anthony Boulevard. This work should be completed in conjunction with an EAW.
- 9) Preliminarily, access will need to correspond to existing access points, to match with existing 26th Avenue on Stinson Parkway and the existing entrance for Autumn Woods on Kenzie Terrace. However, Stinson Parkway is the jurisdiction of the Minneapolis Park and Recreation Board, and Kenzie Terrace is the responsibility of Hennepin County, and both agencies will require review and permitting through them and review of the EAW document. It is also anticipated that they will require left and right turn lanes into the property at these locations.
- 10) Tree preservation is strongly encouraged along the perimeter of the property.
- 11) The city encourages the developer to consider sustainable elements in the project such as solar panels and green infrastructure such as green roofs or stormwater re-use facilities.
- 12) The city encourages the developer to complete a portion of the project with affordable housing, both to replace the housing lost through re-development, but to also provide for additional affordable options in the city. Both green infrastructure and affordable housing increase the likelihood of the project being eligible for public grants and funding.

EXHIBIT A-2



May 2, 2017

Village, LLC
1907 Wayzata Boulevard, Suite 250
Wayzata, MN 55391
Attention: Traci Tomas

Dear Ms. Tomas;

The purpose of this letter is to inform you of the requirements for submission of a preliminary development plan and a preliminary plat under City Code Sections 151.02 (Subdivisions) and 152.209 (Planned Unit Developments), specifically Section 151.02 Subd. B (8) *Additional Information*.

In addition to the submittal requirements found in City Code, based on your representations to-date about your proposed development, the following additional information will be required by the City to consider your application for development complete:

- 1) A comprehensive plan amendment application (*if the development exceeds 40 units per net acre*);
- 2) A plan outlining the specifics of the plan for affordable housing (number of units, level of affordability, location of affordable housing within the site plan, and unit size mix);
- 3) A Tax Increment Finance Application (and supporting required documents).

Please feel free to call me with any questions at (612) 360-1312 if you have any questions.

Sincerely,


Breanne Rothstein
St. Anthony City Planner

CC (via email): Jay Lindgren, City Attorney
Mark Casey, City Manager
Mike Mergens, Developer Attorney

Our Mission is to be a progressive and livable community, a walkable village, which is sustainable, safe and secure.

EXHIBIT B

EXHIBIT B

HOW DID THE PARTIES REACH A SETTLEMENT AND WHY?

To be sure, the Lowry Grove litigation saw passionate advocacy from all sides and with little belief that the Parties could agree on a single subject. But the eventual resolution started with a simple and frank discussion that validated the Parties' positions and simultaneously sparked the search for all options that could resolve the dispute. The first discussion began shortly before the Parties participated in a court-ordered mediation with a retired federal magistrate judge. That initial discussion raised the question of what the former residents expected to receive, since the Park was closing June 30th. The mediator (as mediators often do) pushed the Parties to explore all available options including options that involved Aeon developing affordable housing within the broader project. Ultimately, a shared commitment to include affordable housing in the redevelopment was the foundation for a complicated, multi-faceted, intricately-balanced resolution, but many points of disagreement remained and the mediator was not able to close the gap. The mediator declared an impasse and the parties separated.

Following a period of post-mediation silence, a chance call led to a host of discussions that reopened the discussion about what options existed that each party may not have preferred but could accept. As the Parties' spoke, they were able to share what The Village had learned about affordable housing, what Aeon could offer in developing a separate affordable building, what the former residents could expect, and the community's broader needs.

To be clear, each party agreed that the needs of the community were an important factor. The former residents of the Park had long enjoyed the community and had seen first hand the tension that was growing within the City on so many fronts; a feeling that Aeon had come to closely share. For The Village, not only was it now a significant landowner in the City but its owners had strong ties with the City. It had made a significant investment in the Property because of the owners' passion for and history with the City. Each party had taken part in or seen the ever-growing tension at City Council meetings. Each could see that the Lowry Grove litigation was fueling the fire that risked consuming the City they loved.

All Parties pointed to the Comp Plan in making their arguments, although each found different provisions to support their position. Ultimately the Parties each concluded that steadfastly marching forward in their respective camps was not the right course and would only continue to tear apart the City they cared for so deeply. The Parties agreed that the Comp Plan could be that guide as it recognizes *both* that Lowry Grove should be redeveloped *and* that the City, working with the developer, vowed to ensure affordable housing options existed for former residents and committed to provide a mechanism to assist the displaced tenants. The Parties agreed that it was incumbent on them to find a solution that could begin the healing that the City needed.

The solution that evolved included a complex and creative agreement that allows Lowry Grove's former residents to return to the City with comparable rents and creates a fund to assist them with extraordinary expenses. The key for the Parties was a structure that makes use of various strengths to achieve a better outcome than could be achieved separately. The Village's history is developing high end, Class A market rate apartments and then

surrounding itself with the best to develop surrounding uses. From the beginning, The Village had committed to including affordable housing in any redevelopment and had hired an expert to assist in that component. As it met with its affordable housing experts, it learned the complex and unique challenges in building and financing affordable units. Among other things, the expert stressed the need for the affordable housing to be separate. With those discussions, The Village had already come to the conclusion that it should transfer the separate building to an experienced affordable housing developer. That said, it was no small step for The Village to make to accept Aeon as that developer given the level of animosity that had grown in the litigation. The Village ultimately did so because it learned about Aeon's extensive experience and commitment and believed it needed to heal the City, a City in which it intended to make a 9-figure investment.

Aeon and the LGRA had a strong focus on giving the former residents a chance to return to the community that they had been such a part of and wanted to provide immediate and short-term relief. The redevelopment provided a unique opportunity to accomplish those goals. The key for affordable housing is reducing debt, often by the use of tax increment financing (TIF) among other things. Unfortunately, affordable housing as a separate development struggles to generate the amount of TIF that housing needs to make the rent affordable, especially when the goal is deeply affordable rent.

And while the Parties strongly disagreed about the closure of the Park, there was no dispute that the City had expressly closed Lowry Grove for redevelopment by identifying the park site in the Comp Plan and that the City would "ensure that the residents of the mobile home park are assisted in their relocation to other housing that meets their needs," and to meet the City's promise it would "on its own or in cooperation with the redevelopment company," and that the replacement housing for the residents would "ideally be located in St. Anthony."¹ The Parties saw the combined development as an opportunity to assist the City in meeting the promises of the Comp Plan and to provide the "cooperation with the redevelopment company" that the City suggested.

Ultimately, the Parties were able to reach an agreement on a shared vision for the redevelopment that included at least 97 units (the number of units that were lost) of deeply-affordable housing to which the former residents could return, that could provide an immediate source of relief for the residents in the Lowry Grove Resident Fund, that allowed The Village to share its costs through the sale of land to Aeon, and that responded directly to the City's stated promises in the Comp Plan.

Interestingly, some community members have speculated that the settlement agreement's "confidential" status exposes sordid and devious intent. Those speculators miss the mark by a wide margin. Indeed, two of the Parties are private businesses and all Parties were represented by capable counsel. Strict confidentiality clauses in settlements of this sort are ubiquitous. Still, in recognition of the public's interest and involvement, the Parties agreed to share—and have, in fact, shared—many of the agreement's major terms.

¹ 2008 Comprehensive Plan at 2-24



The Village LLC Development

St. Anthony, MN

2017-10-02

Site Plan

Original Proposed

Site Element	Housing Type	Total Units	Height
Building A	Senior housing	130	55' (5 stories)
Building B	Market-rate	171	55' (5 stories)
Building C	Senior housing	170	66' (6 stories)
Building D	Market-rate	220	66' (6 stories)
Building E	Affordable	110	66' (6 stories)
Townhomes	For sale attached housing	32	1-2 story
Total Units Proposed: 833 housing units			
Overall Site Density: 48.3 units per acre			

New Proposed (items in red indicate changes from the original proposal)

Site Element	Housing Type	Total Units	Height
Building A	Senior housing	122	48' (4 stories)
Building B	Market-rate	166	60' (5 stories)
Building C	Senior housing	75	60' (5 stories)
Building D	Market-rate	220	66' (6 stories)
Townhomes	For sale attached housing	32	1-2 story
Total Units Proposed: 615 housing units			
Overall Site Density: 40.0 units per acre			

Site Element	Housing Type	Total Units	Height
Building E	Affordable	97	52' (4 stories above grade)
Total Units Proposed: 97 housing units			
Overall Site Density: 51.3 units per acre			



Traffic Improvements

1. Optimize signal timing and coordination at these locations
2. Lengthen left turn lane by 75 feet
3. Lengthen right turn lane by 30 feet
4. Lengthen left turn lane by 75 feet
5. Lengthen left turn lane
6. Lengthen left turn lane by 150 feet
7. Provide left and right turn lanes from Kenzie Terrace into the site

Water Treatment

Total volume stored:
267,067 CF = 1,997,656 Gallons
Roughly = 8 City of St Anthony Water Towers
(250,000 gallons per water tower)

A. Stormwater retention pond
B. Underground storage and treatment

The Village LLC Development

St. Anthony, MN

2017-10-02

Traffic Improvements and Water Treatment

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Fire Code Requirements

- A. R Occupancies equipped throughout with an approved automatic sprinkler system the fire apparatus access road shall extend to within 600 feet. This requirement is met.
- B. Hydrants shall be located to provided coverage of the building pads within a radius of 250 feet. This requirement is met, and depicted on the adjacent figure with 250 foot radius coverage provided.
- C. Hydrants shall be located within 100 feet of the Fire Department Connection (FDC) to the building. This requirement is met.
- D. Fire apparatus access roads shall be designed to support the imposed loads of fire apparatus and surfaced to provide all-weather driving capabilities. This requirement is met, and final turning movements will be reviewed with the Fire Chief prior to approval.
- E. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. This requirement is met by providing a hammerhead conforming to Fire Code requirements.



Project Phasing

- **Basic Utilities, Roads and Infrastructure** - Construction Start Spring 2018, Completion Spring 2019
- **Park** - Construction Start Fall 2018, Completion Summer 2019
- **Building A** – Construction Start Summer 2018, Completion Fall 2019
- **Building B** – Construction Start Spring 2021, Completion Summer 2022
- **Building C** – Construction Start Spring 2019, Completion Summer 2020
- **Building D** – Construction Start Spring 2018, Completion Summer 2019
- **Building E** – Construction Start Spring 2020, Completion Summer 2021
- **Townhomes** – Construction Start Fall 2018, Completion Spring 2020



Site Details

- A. Resident Amenity Roof
- B. Neighborhood Park
- C. Pond
- D. Entry Plaza
- E. Central Plaza / Pavilion
- F. Stormwater Retention Pond

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St. Anthony, MN

2017-10-02

Site Plan

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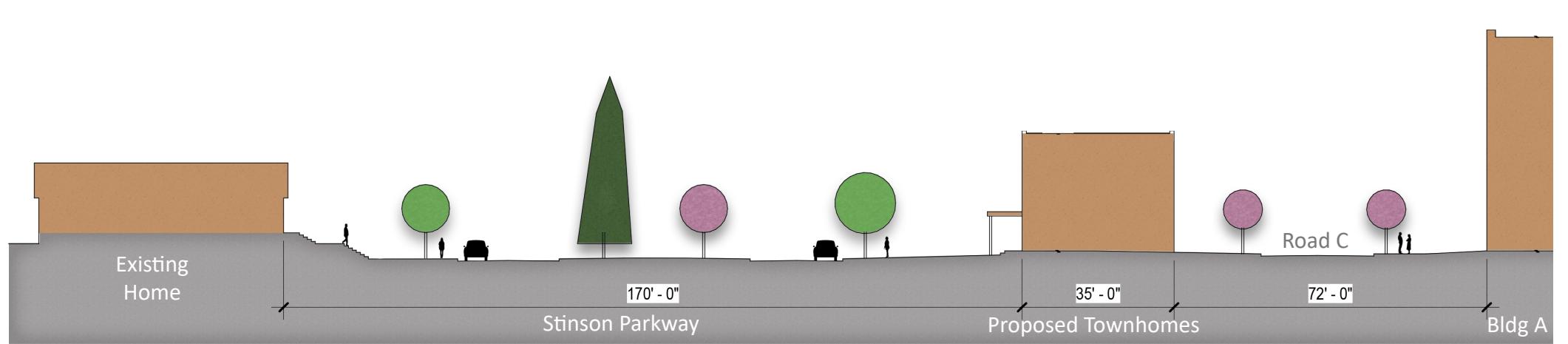
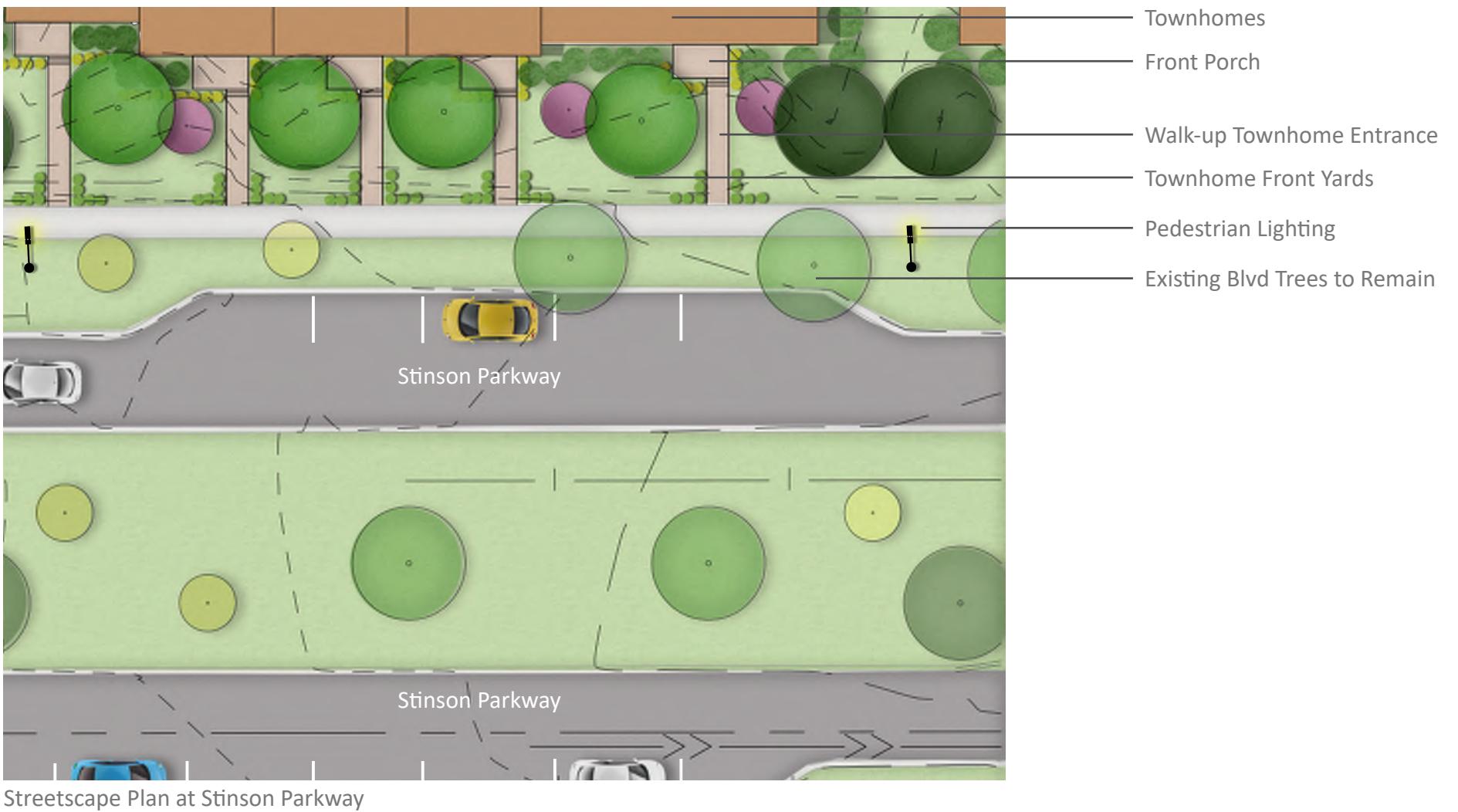


Visioning Image



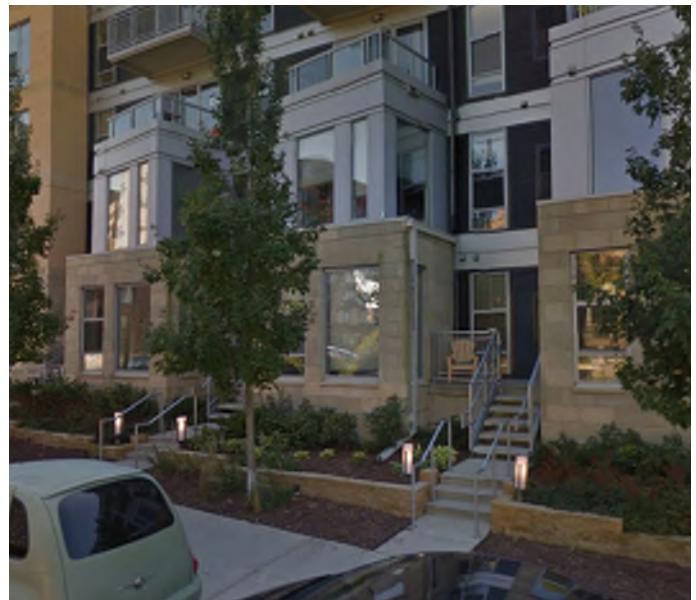
Overall Site Plan

The Village LLC Development
St. Anthony, MN
2017-10-02



Streetscape at Stinson Parkway

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GROUP

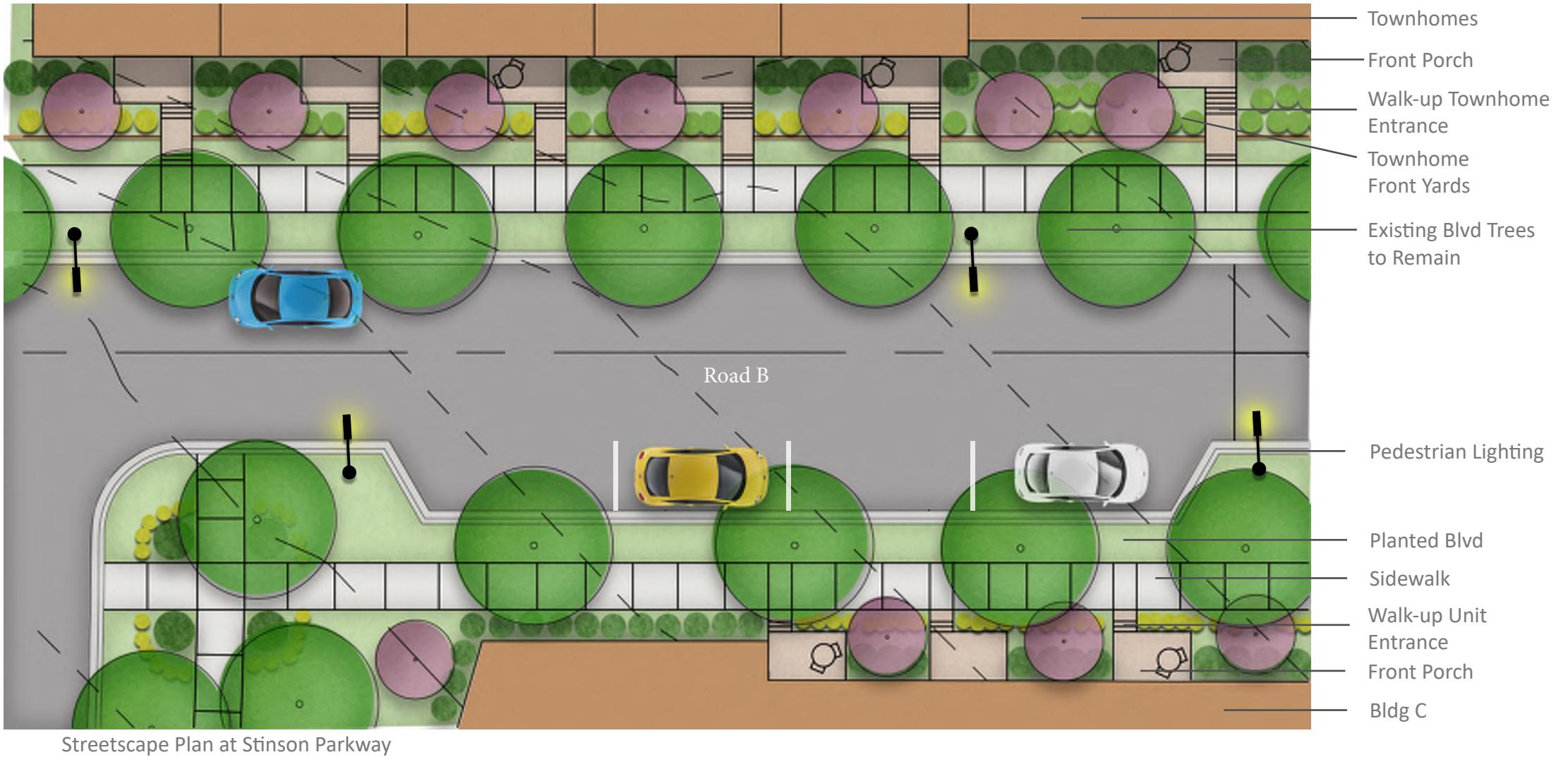


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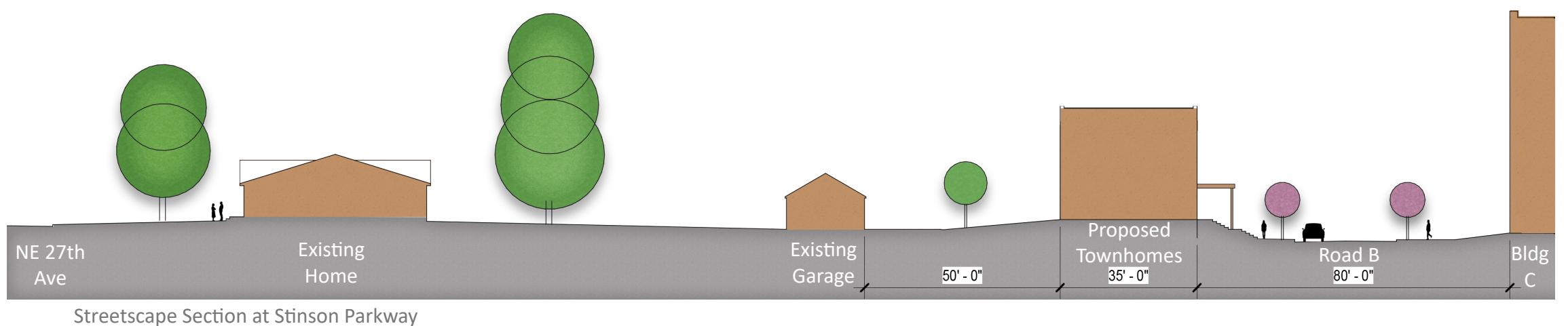


Overall Site Plan

The Village LLC Development
St. Anthony, MN
2017-10-02



Streetscape Plan at Stinson Parkway



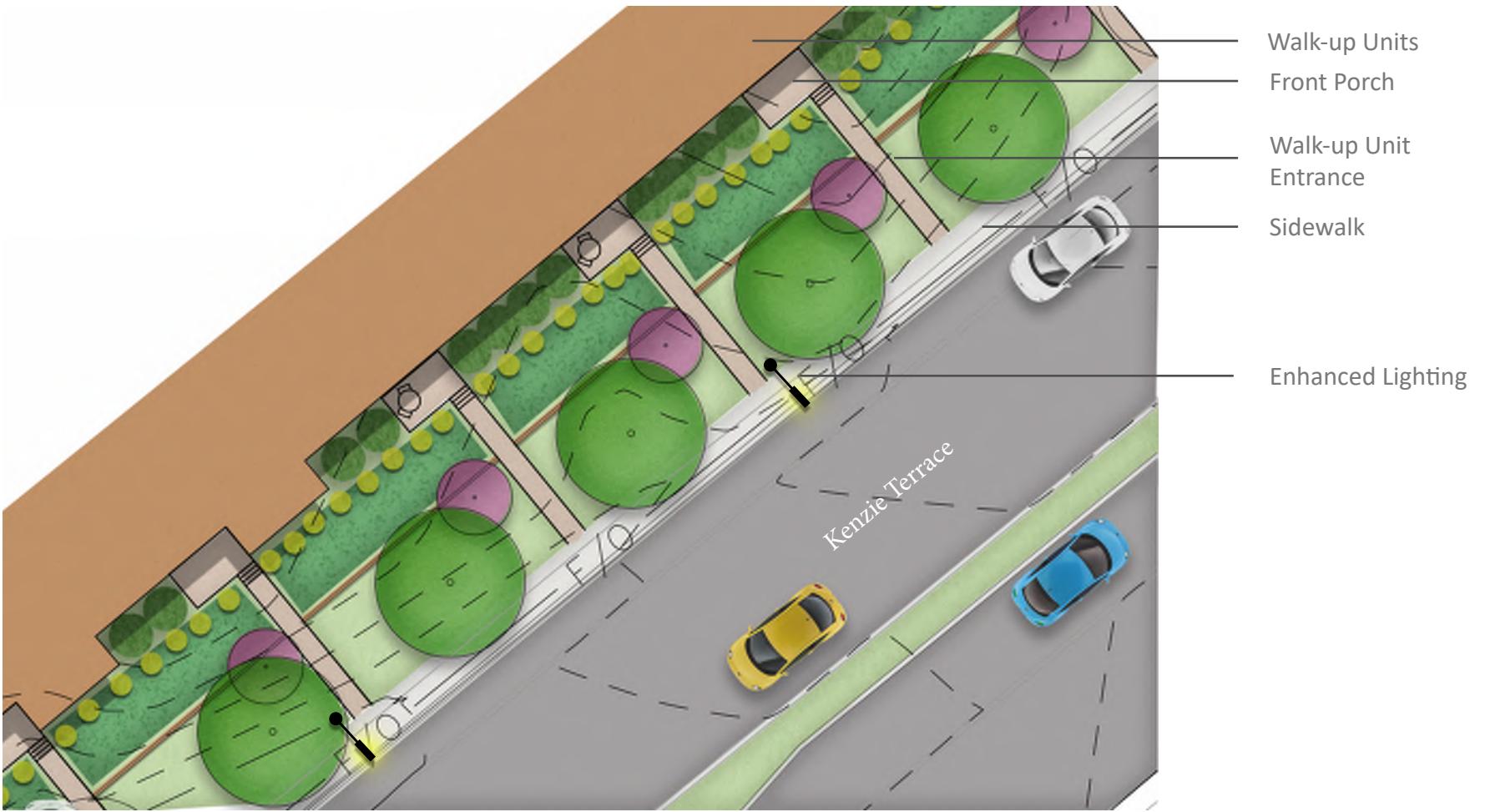
Streetscape Section at Stinson Parkway

Streetscape at the North Edge/Alley

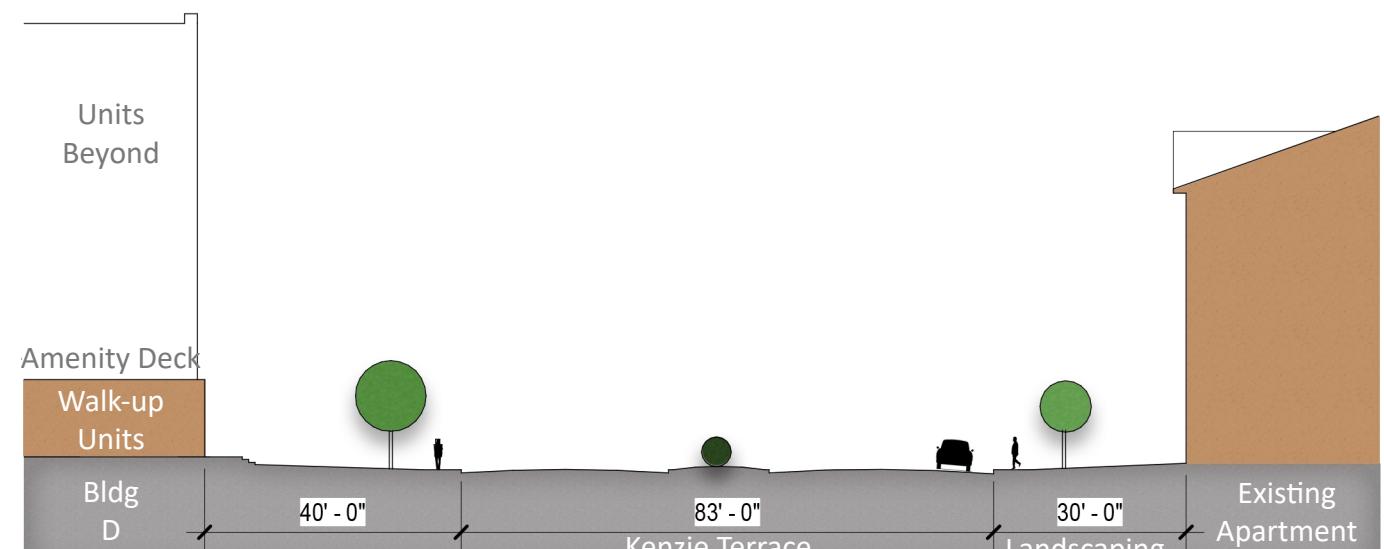
BKV GROUP **WENCK**



Visioning Image



Overall Site Plan



The Village LLC Development
St. Anthony, MN
2017-10-02

Streetscape at Kenzie Terrace

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Park



Building Information

- A. Resident Amenity Patio
- B. Terraced Pond Area
- C. Great Lawn Space
- D. Entry Plazas
- E. Central Plaza/Pavilion with Fixed Shade Structure and Movable Furniture
- F. Playground
- G. Ornamental Garden
- H. Dog Run
- I. Potential Surface Parking



View Looking South from Park

The Village LLC Development

St. Anthony, MN

2017-10-02

Landscape Details at Plaza

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Visioning Images



Overall Site Plan

The Village LLC Development
St. Anthony, MN
2017-10-02



Landscape Details at Plaza

TOWNHOMES



Building Information

Use	- for sale townhomes
Height	- 1 to 2 stories
Unit Count	- 32
Unit Mix	- single family home
Parking	<ul style="list-style-type: none">- 64 enclosed parking stalls (garage)- total parking area = 64,000 SF- 2 stalls per unit
Building Features	<ul style="list-style-type: none">- pitched roof to capture character of neighborhood- walkup entry ways- exterior materials use high percentage of brick and stone- rear garage to promote walkability- single level townhomes for better accessibility



Plan

The Village LLC Development

St. Anthony, MN

2017-10-02

Building Overview



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North



South



North



South

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St. Anthony, MN
2017-10-02

Town Homes (Typical Group)

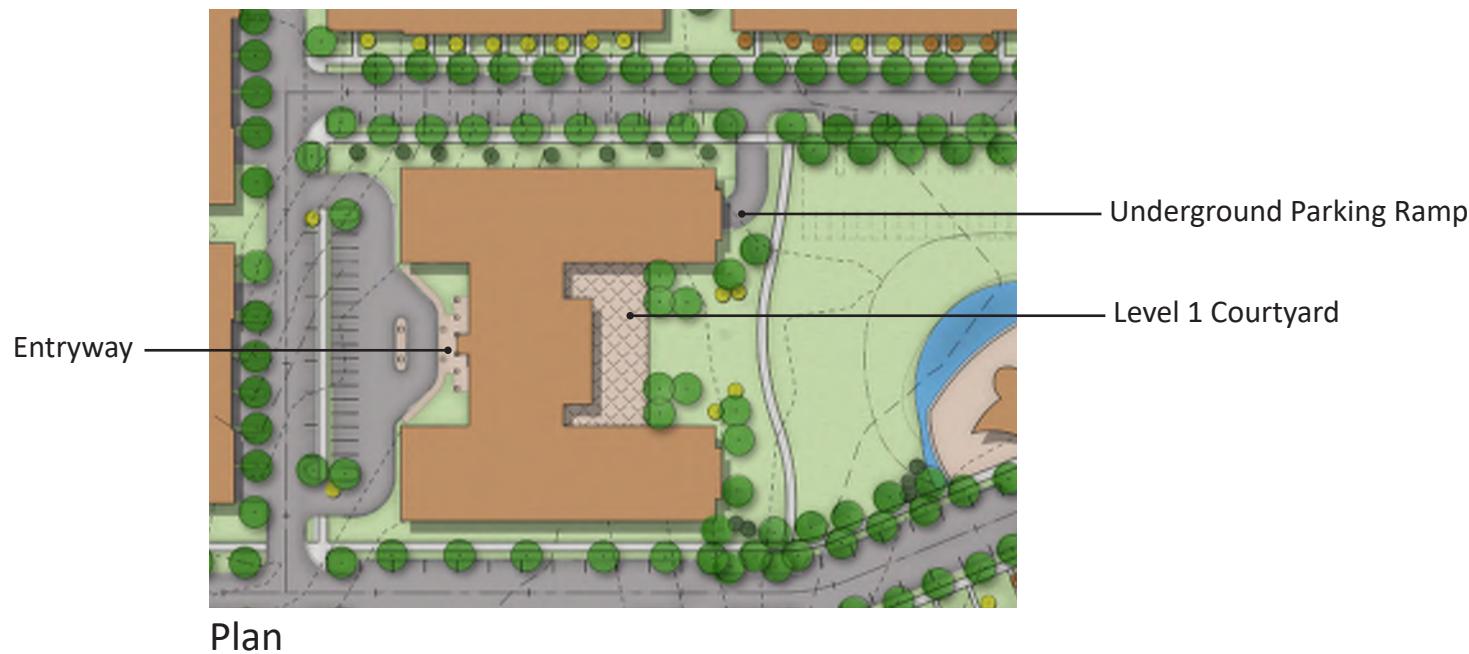
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BUILDING A

Building Information



Use	- senior housing with care, assisted living, and memory care
Height	- 4 stories (48')
Unit Count	- 122
Unit Mix	- Alc/S - 17, Alc/1BD - 52, Alc/1BD+Den - 16, 2BD - 21, Mem. Care - 16
Parking	- 88 enclosed parking stalls (underground) - 18 surface parking stalls - total parking area = 40,000 SF - 0.87 stalls per unit
Building Features	- connectivity to the park to promote walkability and wellness - allows the aging to remain in the neighborhood - all resident parking enclosed - variety of care and dining options - covered porte cochere entry





- Cement Board
- Composite Panel / Metal
- Clear Glass, Low-e
- Stone / Masonry



(Drawing done by kaas wilson)

The Village LLC Development

St. Anthony, MN

2017-10-02

Building A

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(Drawing done by kaas wilson)

The Village LLC Development

St. Anthony, MN

2017-10-02

Building A

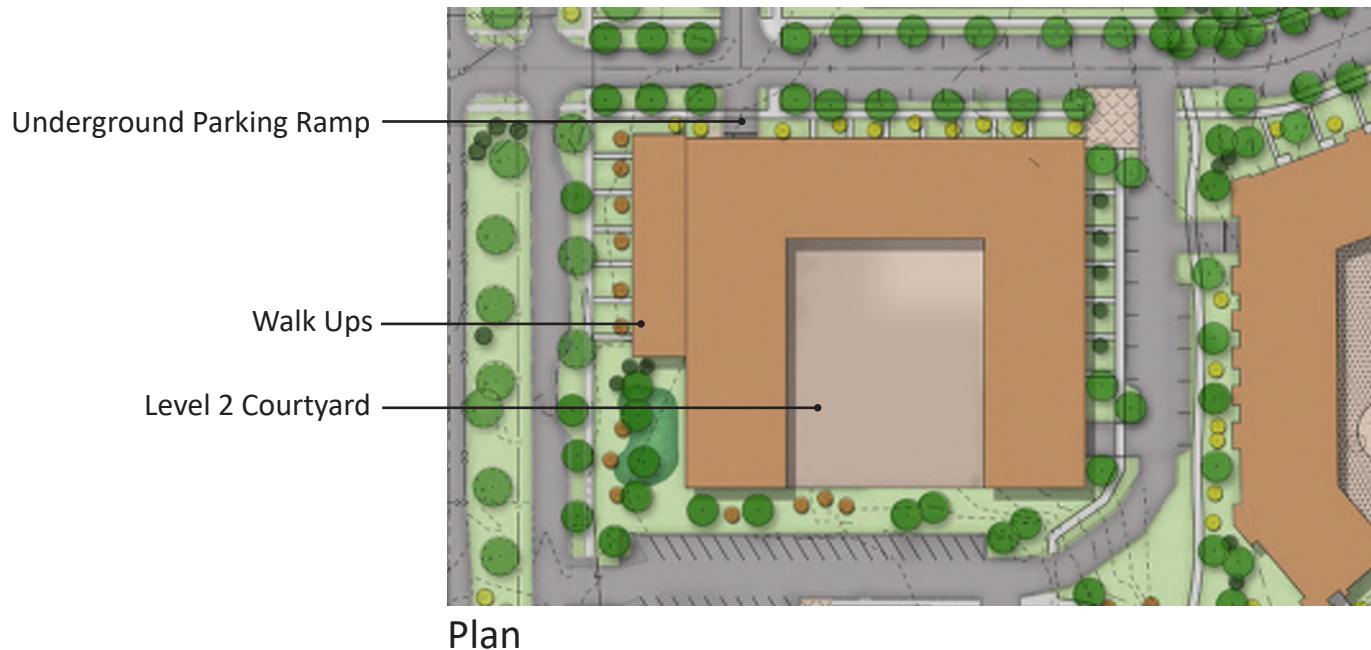
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BUILDING B



Building Information

Use	- market rate housing
Height	- 5 stories (60')
Unit Count	- 166
Unit Mix	- Alc - 58, 1BD - 76, 2BD – 24, 3BD - 8
Parking	- 221 enclosed parking stalls (underground) - total parking area = 83,500 SF - 1.3 stalls per unit
Building Features	- all resident parking enclosed - walk up units to promote walkability and pedestrian experience - large windows and extensive use of brick along public ways - level 2 roof courtyard for resident use - secure bicycle parking





West



North

The Village LLC Development

St. Anthony, MN

2017-10-02

Building B

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South



East

The Village LLC Development

St. Anthony, MN

2017-10-02

Building B

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BUILDING C

Building Information



Use	- senior cooperative housing
Height	- 5 stories (60')
Unit Count	- 75
Unit Mix	- 1BD - 25, 2BD - 50
Parking	- 143 enclosed parking stalls (underground) - total parking area = 54,000 SF - 1.9 stalls per unit
Building Features	- all resident parking enclosed - walk up units to promote walkability and pedestrian experience - large windows and extensive use of brick along public ways - level 2 roof courtyard for resident use - secure bicycle parking



Plan



South



East

The Village LLC Development

St. Anthony, MN

2017-10-02

Building C

BKV
GROUP  WENCK



North



West

The Village LLC Development

St. Anthony, MN

2017-10-02

Building C

BKV
GROUP  **WENCK**

BUILDING D



View Looking West on Kenzie Terrace



Building Information

Use	- market rate housing
Height	- 6 stories (66')
Unit Count	- 220
Unit Mix	- Alc - 71, 1BD - 93, 2BD - 47, 3BD - 9
Parking	- 285 enclosed parking stalls (underground) - total parking area = 103,000 SF - 1.3 stalls per unit
Building Features	- all resident parking enclosed - walk up units to promote walkability and pedestrian experience - large windows and extensive use of brick along public ways - level 2 roof courtyard for resident use - level 6 outdoor roof deck - secure bicycle parking



View Looking East on Kenzie Terrace



East



South

The Village LLC Development

St. Anthony, MN

2017-10-02

Building D

BKV
GROUP  WENCK



The Village LLC Development

St. Anthony, MN

2017-10-02

Building D

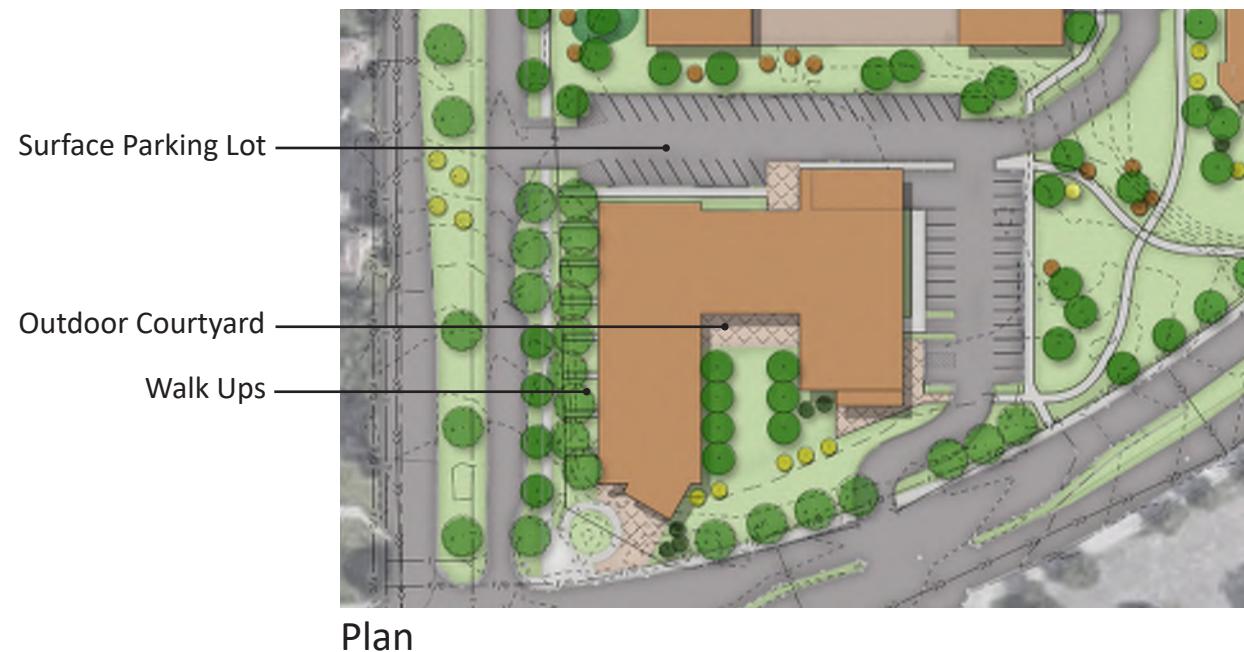
BKV GROUP  WENCK

BUILDING E



Building Information

Use	- affordable housing
Height	- 4 stories (52')
Unit Count	- 97
Unit Mix	- S - 10, 1BD - 15, 2BD - 46, 3BD - 26
Parking	<ul style="list-style-type: none">- 66 enclosed parking stalls (underground)- 54 surface parking stalls- total parking area = 25,000 SF- 1.2 stalls per unit
Building Features	<ul style="list-style-type: none">- all resident parking enclosed- walk up units to promote walkability and pedestrian experience- large windows and extensive use of brick along public ways- level 2 roof courtyard for resident use- secure bicycle parking



Plan

The Village LLC Development
St. Anthony, MN
2017-10-02

Building Overview

BKV  **WENCK**
GROUP



West



South

The Village LLC Development

St. Anthony, MN

2017-10-02

Building E

BKV GROUP  **WENCK**



West



North

The Village LLC Development

St. Anthony, MN

2017-10-02

Building E

BKV GROUP  WENCK

EXHIBIT E



Responsive partner.
Exceptional outcomes.

October 2, 2017

Ms. Traci Tomas
The Village, LLC
1907 Wayzata Blvd, Suite 250
Wayzata, MN 55391

RE: The Village Stormwater Memo

Dear Ms. Tomas:

Redevelopment requires following city and watershed requirements for stormwater management to protect the water resources of Minnesota and protect infrastructure like roads, parks and homes from damage. The City of St. Anthony Village and Mississippi Watershed Management Organization (MWMO) have jurisdiction over the The Village and require the proposed redevelopment to meet or exceed their stormwater rules in a way that does not redirect stormwater or flooding to neighboring properties.

Managing stormwater from site improvement or redevelopment is a three-step process.

1. First, the existing condition must be defined and modeled to understand how much stormwater volume is produced and how fast the stormwater drains away, which establishes the requirement that is referred to as rate control. The new condition of the site must meet or be less than the previous condition.
2. Second, the new condition must be defined and modeled to understand how much treatment of the water needs to occur to meet the City and MWMO requirements. This includes removing phosphorus and solids from the stormwater.
3. The third and final step is to design the site and a stormwater system that meets the first two requirements while providing the required free board from existing and proposed buildings to prevent flooding. This includes storage through surface ponds and underground chambers in combination with grading to get to a final product.

There are many stormwater management tools available to designers as new technology becomes available. These tools in order of preference include infiltration (allow the water to soak into the ground), surface storage (traditional stormwater ponds), underground storage (tanks, cisterns and chambers under streets, sidewalks or even parks), and/or re-use (store the storm water and use it to irrigate grass). The Village is working on a combination of these techniques to manage and store stormwater. Infiltration is not an option for the Village due to high ground water levels (minimum separation is required to allow the stormwater to be filtered before it has a chance to enter ground water), however a combination of other techniques include a traditional surface stormwater pond, a

Ms. Traci Tomas
October 2, 2017



Responsive partner.
Exceptional outcomes.

surface pond coupled with plaza for gather space, a rain garden and underground storage vaults allowing for the surface area to continue to be utilized for recreation.

The resulting design meeting the requirements of the City and MWMO is that the proposed project will have to have nearly 2 million gallons of stormwater storage on the site. What does 2 million gallons stormwater look like? This can be equated to approximately the following:

- o 8 City of St Anthony Water Tower (250,000 gallons per City Website)
- o 65 Semi-trucks (53'x8.5'x9')
- o 22 typical size homes (1,500 SF House)
- o 3 Olympic Swimming (50 meters x 25 meters x 2 meters)
- o 4'-7" depth of water over an entire football field

The proposed improvements meet the very significant restrictions on this site while implementing industry leading strategies and managing a significant amount of stormwater.

Sincerely,
Wenck Associates, Inc.



Jared T. Ward, PE
Principal

EXHIBIT F



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Brent Rogers, Molly Podratz: Saturday Properties
Pete Donnino, Ryan Meissner: Frana

FROM: Michael Krych, BKV Group
Jared Ward, Wenck

DATE: 10/02/2017

RE: Response to Aug 28, 2017 City of St Anthony Staff Memorandum

Following is a response to the August 28, 2017 City of St. Anthony Staff Memorandum to the Planning Commission regarding the Comprehensive Plan Amendments, Preliminary PUD development Plan, and Preliminary Plat for The Village, LLC. For this memo, only excerpts have been taken where responses are invited or necessary.

Staff Excerpt -

Housing Types and Massing/Height: The preliminary plat and PUD preliminary development submittal proposes a residential redevelopment that includes several housing types, styles, and ownership models. The table below summarizes the housing types and massing for each segment of the proposed development.

Response -

See exhibits and details further updated since the Planning Commission (PC) Presentation. Based on the team review of each building, we have successfully reduced the gross unit count by 119 units. As part of the revisions we have also been able to substantially reduce the heights and stories of Buildings A, C and E. The breakdown is below:

Original Proposed

Site Element	Housing Type	Total Units	Height
Building A	Senior housing	130	55' (5 stories)
Building B	Market-rate	171	55' (5 stories)
Building C	Senior housing	170	66' (6 stories)
Building D	Market-rate	220	66' (6 stories)
Building E	Affordable	110	66' (6 stories)
Townhomes	For sale attached housing	32	1-2 story
Total Units Proposed: 833 housing units			
Overall Site Density: 48.3 units per acre			

New Proposed (items in red indicate changes from the original proposal)

Site Element	Housing Type	Total Units	Height
Building A	Senior housing	122	48' (4 stories)
Building B	Market-rate	166	60' (5 stories)
Building C	Senior housing	75	60' (5 stories)
Building D	Market-rate	220	66' (6 stories)
Townhomes	For sale attached housing	32	1-2 story
Total Units Proposed: 615 housing units			
Overall Site Density: 40.0 units per acre			

Site Element	Housing Type	Total Units	Height
Building E	Affordable	97	52' (4 stories above grade)
Total Units Proposed: 97 housing units			
Overall Site Density: 51.3 units per acre			

Staff Excerpt -

Traffic, Streets and Access: The development plan proposes two main access points, one from Stinson Boulevard and one from Kenzie Terrace. Building E would also retain its existing access drives off of Stinson and Kenzie, but there are no proposed internal roadway connections between Building E and the remainder of the site. Roads A, B, C and D are included on the preliminary plat as Outlot A and are proposed as private roadways. A traffic study was completed as a part of the Environmental Assessment Worksheet (EAW) review, and detailed recommendations were included in that report. The traffic study includes a recent additional memo to include and evaluate existing and proposed volumes on Stinson Parkway and Lowry Avenue.

Response -

The updated plan proposes to connect Building E with the rest of the development with an internal private roadway. This creates greater interconnectivity throughout the site for residents and achieves better access for Fire and Life safety. This change also increases from two to four the number of options to access and exit the site.

Staff Excerpt -

Parking: There are 1,122 total parking stalls proposed for this development. The table below summarizes the parking type, stalls and area associated with each segment of the proposed development.

Response -

The updated plan proposes a total of 1,104 parking spaces. Increased parking opportunities and a reduction in the overall number of units has increased the stall per units from 1.31 to 1.55. Maximizing the on-street parking has allowed for most of the additional parking, along with the addition of the road connecting to Building E and its parking. The site plan also now shows proof of a 40 stall parking lot.

Original Proposed

Site Element	Enclosed Parking Stalls	Surface Parking Stalls	Parking Area (SF)	Stalls per unit
Building A	130 (underground)	--	47,000	1
Building B	222 (underground)	--	80,000	1.3
Building C	222 (underground)	--	80,000	1.3
Building D	285 (underground)	--	103,000	1.3
Building E	65 (underground)	72 (parking lot)	42,000	1.4
Townhomes	64 (garage)		64,000	2
Guest Parking	--	62 (on-street)	Not given	--
TOTAL	958 stalls	134 stalls		

New Proposed (items in red indicate changes from the original proposal)

Site Element	Enclosed Parking Stalls	Surface Parking Stalls	Parking Area (SF)	Stalls per unit
Building A	88 (underground)	18 (parking lot)	40,000	0.87
Building B	221 (underground)	--	83,500	1.3
Building C	143 (underground)	--	54,000	1.9
Building D	285 (underground)	--	103,000	1.3
Building E	66 (underground)	54 (parking lot)	25,000	1.2
Townhomes	64 (garage)	64 (drive-apron)	64,000	4
Guest Parking	--	100 (on-street)	Not given	--
TOTAL	867 stalls	237 stalls		

Total Stalls per Units Proposed: 1.40 (enclosed plus parking lot/apron)

Total Stalls per Units Proposed: 1.55 (enclosed plus parking lot/apron plus street)

Staff Excerpt -

Landscaping: The plan provides a suggestion of the development's landscaping concept through the Site Plan exhibit. However, the application does not include a separate landscaping exhibit and the elevation renderings do not provide landscaping detail. The site plan indicates boulevard tree plantings along the roadways surrounding Blocks 3 and 4 and the park plaza.

Response -

Additional site plan exhibits have been provided that include porch, yard and lighting locations. Exhibits also show the relationship of buildings to their surrounds including beyond the site boundaries. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt -

Streetscape/Urban Design: The site plan and preliminary plat shows street design, sidewalks and trails incorporated into the project design. Setbacks shown on the site plan are 20 feet along most site boundaries (30 feet along Kenzie Terrace), while internal setbacks are zero feet. The applicant has also provided a narrative description of some of the design elements of the project including overall

configuration of the parks and green space elements within the site design, height and density of the buildings, and integration of the site into the existing surrounding area and land use.

Response -

Additional site plan exhibits show the relationship of buildings to their surroundings and how they integrate with existing surroundings. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt -

Trails/Sidewalks: The preliminary plat shows 6-foot sidewalks integrated into the site design along all internal roads, as well as a sidewalk trail connecting Road A and Road B through the park plaza. While there is an existing sidewalk along both Stinson Blvd and Kenzie Terrace integrated into the project design, there are no proposed enhancements to existing sidewalks nor internal sidewalk connections proposed to connect Building E with the remainder of the site.

Response -

Additional site plan exhibits show proposed enhancements at all sidewalks including pedestrian lighting and landscaping. Internal sidewalks have been added that connect Building E to the internal pedestrian network. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt -

Public Spaces/Parks: The preliminary site plan includes the following park and public space elements. These are proposed to be open to the public, but privately maintained and programmed.

- Park/Plaza (Lot 2 Block 2): This 1.4-acre area is dedicated park space that includes a stormwater pond, a fountain feature, and a plaza. Site plan renderings show opportunity for additional park features to be incorporated into the park design.
- Building plazas/open space: Buildings A, B, C and D each incorporate a plaza or courtyard area into their design.

Response -

Updated site plan exhibits show a dog run, garden, and play area incorporated into the design. The stormwater pond will be designed as a water feature to enhance the park. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt -

Environmental Assessment Worksheet: A full report was completed for the analysis of the environmental impacts, including infrastructure impacts, contamination, traffic, and permitting required. Detailed information was analyzed, and this report is available on the city's website, or at city hall.

Response -

It is expected that the City hired traffic engineer will be present at the Council meeting to speak to the traffic report, the engineering and analysis and the projected outcome.

Staff Excerpt -

Grading: A grading plan has been submitted that appears to involve significant grading and changes to the grade on the site. It appears that most, if not all trees, will be removed as part of the grading.

Response -

The existing site grading creates storm water challenges. The updated landscape exhibits will denote potential trees to be saved within the site boundaries along Stinson Parkway, Kenzie Terrace and along the north edge of the Bremer Bank site. Trees within the boulevard on Stinson Parkway will remain as they are outside of our site.



Staff Excerpt -

Phasing: The staging plan depiction is shown below. The staging plan indicates the sequence of site development and indicates a total buildout time frame of 5 to 7 years. Building D, the roads, the utilities, the park, and the stormwater retention pond are all incorporated into the first stage of development. This will be followed by the construction of building A. Next staged are the townhomes, followed by Building C and then Building B. Building E is currently listed as "TBD" in the phasing plan. Aeon has indicated that they anticipate a 2019 construction season, depending on award of tax credits and other required funding sources.

Response -

More detail has been added to the Phasing Plan.

ANALYSIS

Comprehensive Plan Amendments Requests

The City must follow statutory requirements and ensure conformity within the comprehensive plan when amending its comprehensive plan, which serves as the foundation for land use policy. Section 152.002 establishes the purpose and intent of the city of St. Anthony's zoning code. Therefore, Staff has evaluated the request for the comprehensive plan amendments using the standards set forth in Section 152.002:

- A. Does the comprehensive plan amendment to increase the maximum allowable density from 40 to 48 units per acre achieve the following findings?
 - (1) *The use districts are protected.* Yes, use districts are not affected by this comprehensive plan amendment request.

Staff Excerpt -

(2) *Orderly development and redevelopment is promoted.* The increase in density requested does not promote orderly development since it is inconsistent with surrounding densities and inconsistent in density and scale with past re-development. Recent development in the city has been approved at 38 units per acre and 4 stories in height.

Response -

Greater density does not equate to lack of orderly development. In fact, the opposite is true for the redevelopment of this property. Thoughtful and comprehensive planning is required for the best and highest uses incorporating; orderly and safe traffic queues, appropriate entrance locations into the site, efficient road layouts promoting easy wayfinding and logical traffic patterns, logical locations of drives into underground parking to pull vehicles off the streets, pedestrian friendly circulation linking the boulevard- walk-ups- trails and public parks integrated into a connected network to promote a comprehensive safe sustainable and pleasant wayfinding approach, parkland that is centered to allow short walking distances and easy safe access by the residents and the community.

The proposed density compared to the noted 38 units/acre will be virtually imperceptible at the street level experience. The only differences relate to the proposed stories which does not impact the site experience. The heights indicated specifically are positioned to create minimal impact to the surrounding and adjacent uses, with our tallest building (at 6-stories) centered within the grouping of buildings, furthest away from all other existing developments, and then tiering and stepping down with each building toward existing development. The perimeter at the north and at the west is lined with 2-story townhome units that are compatible and in-scale with surrounding development. **Note:** Our tallest building D at 6-stories matches the visible number of stories of the Kenzington Development immediately adjacent to the east (Kenzington at 5 stories plus a fully exposed basement level along the Kenzie public ROW equating to a structure, which is equal to our proposed tallest structure). Our other buildings, which step down to 5 and 4 story along Kenzie parkway and at the interior of our site, are compatible with the adjacent apartment and senior communities to the southeast at 4 and 3 stories plus a $\frac{1}{2}$ story added for pitched roofs). The proposed heights and scale are consistent with the surroundings, and with recent and adjacent developments.

The Metropolitan Council publishes guidelines to help communities and developers build "walkable, transit-supportive development." Per the Met Council's recommendations, the minimum density in TOD's where bus is the primary form of transit is 50 du/a in our core cities, reducing to a minimum of 25 du/a in "urban neighborhoods." The Met Council likes to see more than the minimum incorporated in comprehensive plans as well as within individual projects. The 40 dwelling units per acre for Buildings A, B, C, D and the townhomes, plus Building E at 52 dwelling units per acre represent an orderly progression of decreased density from the adjacent urban core.

Staff Excerpt -

(3) *The proposal provides adequate light, air, and access to property.* No, the proposed density does not allow adequate access within the site due to the location and placement of several, large retaining walls. The internal road and trail network does not allow for adequate access around all buildings.

Response –

Overview: Further to the Planning Commission meeting, the team has initiated multiple changes to the site plan to create a safer and more adequate access around all buildings: a) extended a roadway connecting the Building E lot up to Road A, b) eliminated the exterior down ramp to underground parking at the west side of Building D and relocated to the interior of the building, c) Modified the layout of Building B to accommodate multiple access points to parking for this building, d) Reoriented Building A by rotating counterclockwise to position the main entrance off of Road C with a porte cochere and added surface parking to establish easy wayfinding and access for this senior community, e) Resized Building C to be able to modify the access to underground parking and create a hammerhead turnaround situation for the Fire Department, f) Added additional street parking in various areas around the development, and g) reduced the heights of 4 out of the 5 structures to provide greater access to air and light.

The building heights and locations are oriented and positioned specifically to provide adequate light, air and access to the spaces below, including a large 1.38 acre open-space public park for the community. Street widths are designed to provide adequate air and light to allow boulevard style design for overstory trees and plantings and provide a pleasant pedestrian experience to foster greater walkability and connectivity to parks, open spaces, dog walks and transit. The proposed site plan has been significantly altered to eliminate retaining walls and surface stormwater ponds, and instead create viable pedestrian connectivity between all parcels, plus connection to all public and private streetways. Further enhancement to the pedestrian realm experience is accomplished by providing activated uses with the apartment buildings providing walk-up units that have direct connections from the living units to the public sidewalks along Kenzie, Stinson, and the internal redeveloped streets.

Regarding Grading: Now that we understand the concerns from the staff report, we have altered our grading plan to eliminate walls and surface stormwater retention. Retaining walls on site are not as large and numerous as the staff report suggests, and some of the retaining walls such as those in the area adjacent to the park plaza/pavilion will be constructed of high quality materials and will in fact enhance the amenity value of the feature.

The existing 17 acre site has an elevation change of over 18 feet across the site. The proposed development accommodates these grade changes with site grading, strategic building placement and varied building elevations to present a seamless transition to existing developments.

Stormwater treatment and storage meeting the city's and water management organizations requirements is a combination of underground and above ground treatment placed to accommodate access and movement throughout the site while addressing significant stormwater challenges that were existing on the site.

As part of the buildings and stormwater treatment features, the proposed development incorporates decorative retaining walls to provide functionality and an aesthetic quality experience.

Upon review of the site layout with the Fire Chief and Fire Marshall, it has been confirmed that the proposed development not only meets the minimum state and city fire code requirements, but provides additional access and coverage to assist the fire department in easier service if needed.

The development also provides for the same or larger setbacks than adjacent existing development. Along Stinson the building setbacks are 20 feet, along Kenzie Terrace the building setbacks are 30 feet, along the east property line the building setbacks are over 40 feet, and along the alley are 20 to 30 feet.

While the proposed preliminary development submittal meets requirements of the City, further adjustments will be made through working with staff into final approval.

Staff Excerpt -

(4) *Prevent congestion in the public streets.* No, allowing an additional increase in density will not prevent congestion on public streets. While an increase in traffic is expected, and the traffic study calls for the completion of required improvements associated with the traffic study, an increase in density will not improve the current or proposed traffic situation.

Response -

The traffic study conducted by the City's engineering firm recommended 7 improvements to 5 intersections. The improvements included the lengthening of turn lanes, addition of turn lanes and optimizing signal timing. With these recommended improvements, the traffic study concluded that all of the intersections studied would result in the same level of service (LOS) as they exist without the development. The traffic study stated in conclusion:

"It has been concluded that the improvements listed in the report are satisfactory, in staff's recommendation, to meet the demands generated by this development. While there are intersections in the vicinity that currently experience congestion during peak hours, these conditions are not created by this development proposal".

Staff Excerpt -

(5) *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and densities;* The proposed density of the development exceeds what the site can reasonably accommodate, given the surface water and grade challenges on the site. The site would be better configured if the density was a max of 40 units per acre;

Response -

Overview: This is factually untrue. Decreasing the density will not impact the footprints and required alterations of the site to accommodate orderly development of the property with the grades as given. We are altering the site to raise grades, eliminate retaining walls and provide underground storm storage systems to further free up land to provide easy and manageable connectivity throughout the site as well as provide tested and broad municipally accepted practice access for fire truck and emergency vehicle access to each and every building. Upon further review of the site layout with the Fire Chief and Fire Marshall, it has been confirmed that the proposed development not only meets the minimum state and city fire code requirements, but provides additional access and coverage to assist the fire department in easier service if needed. Setbacks generally follow and comply with the City of St Anthony underlying zoning regulations and guidelines even as a PUD. The current massing could remain exactly the same and achieve the requested lower density with much larger units. We are proposing unit sizes that meet market demands for smaller units, that in-fact lead to greater affordability of the entire

redevelopment because of smaller unit sizes within the same massing. Large units equals greater burden and cost for the renter since rents are structured to pay by the Square foot of the unit. Keeping units sizes smaller equates to greater affordability.

With the revised layout, the proposal incorporates both strategies, reduced units and sizes, and larger units (in Building C) to reduce the overall number of units and the density to achieve 40 units per acre for the majority of the development (which includes Buildings A, B, C, D and the Townhomes). The Building E site has a higher density in order to provide as many affordable housing choices as possible.

Regarding Stormwater specifically:

A preliminary stormwater management plan addressing the three stormwater requirements of Rate Control, Freeboard and Water Quality has been developed to meet or exceed these requirements.

The existing site collects untreated storm water above ground, flooding internal roads and utilities, and proceeds to allow the storm water to drain off of the site, untreated for suspended solids and phosphorus, into the City's storm sewer system.

The proposed development stormwater management plan collects the untreated water that lands on the site and routes it to well-planned out treatment locations within the development. The proposed collection and treatment systems prevent the flooding of roadways and utilities, while storing and treating the water for total suspended solids and phosphorus prior to letting the stormwater drain into the City's storm sewer system. The treatment provides for 60% of the total phosphorus in the storm water. The proposed system also releases the water at a lower rate than the existing system, which improves the already overburdened City infrastructure situation.

Staff Excerpt -

- (6) *Provide for compatibility of different land uses.* The proposal provides for a variety of residential land uses on the site.

Response –

We would like to add in addition to a variety of residential land uses, that the proposed Site Plan uses are compatible, provide for aging in place, provide for mixed and multiple income levels, all of which foster the City's mission for equitable housing development and the met council's mission for projected growth, providing for mixed income housing, etc...Furthermore, the proposed density on site provides for compatibility of different land uses by increasing the population available to support surrounding neighborhood businesses and schools. Residential rooftops equal people available to purchase goods and services from neighborhood businesses, and provide a tax base that supports education and jobs.

Staff has completed a thorough review of the Preliminary PUD Development Plan and Preliminary Plat proposal and has the following comments and requested changes:

- ◆ *Full streetscape exhibit.* Currently the site plan is lacking in detail about the design and plan for the streetscape for the project. The look and feel of the streetscape is a critical feature for a site of this scale. Staff requests the submission of a full and separate streetscape exhibit that includes more detail regarding dimensions of sidewalks and trails,

curbs, parking bump-outs, driveways, public infrastructure in streetscape (hydrants, utility boxes, etc), and boulevards and boulevard landscaping. This includes the area along the alleyway on the north side as well as on all public and private streets. Specifically, the following additions/considerations are requested:

Staff Excerpt

- A trail plan is requested that connects all of the building areas together.

Response – The trail network has been expanded to connect all buildings. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt

- Many retaining walls are proposed. The site needs to be re-evaluated to reduce the number of retaining walls, especially in areas critical to urban design (along Kenzie Terrace and along private streets; between Building E and Building C; and in the northeast corner of the site. This also relates to the grading and drainage plan, and stormwater management plan.

Response – This has been completed as a part of an updated resubmittal. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt

- Boulevard trees and sidewalks are requested on each of the streets.

Response – This has been completed as a part of an updated resubmittal. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt

- The removal of all existing encroachments into Stinson Parkway.

Response - This has been completed as a part of an updated resubmittal.

Staff Excerpt

- The addition of street lights along Stinson Parkway, in coordination with the Park Board on number and spacing.

Response - This will be completed once we receive information from the Park Board on desired outcome. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt

- ◆ Landscaping Plan. Staff is requesting submittal of a landscape plan that details the location and programming for greenspace (particularly over the areas labeled “biofiltration basin.”) All areas in the development need intentional landscaping and programming. More information is required regarding the green spaces indicated interior to Building B. All areas not proposed as greenspace (driveways in alley, Building B interior,

biofiltration areas, patio on Building D) should be removed as “green” from the site plan. An effort should be made to indicate the preservation of trees, where possible.

Response – This work has been completed as a part of an updated resubmittal. The green space shown interior to building B will be an amenity deck at level 2. This is represented as such on the updated resubmittal. Refer to updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt

- ◆ Details regarding building plans. Staff is requesting more detail about the proposed style(s) of the townhomes, and confirmation that there are no driveways proposed for the townhomes on Stinson Parkway and details regarding the off-street parking for these units (distance from garage door to curb along Road C). Additionally, there seem to be measurement discrepancies shown on the site plan for the lengths of the north side driveways as well as driveway access.

Response – The townhomes style of the townhomes has been updated in the resubmittal. There are no driveways proposed off of Stinson Parkway. Each townhome will have 20' minimum in driveway length to accommodate 2 off-street parking spaces each (as noted in proposed parking table above). See updated Landscape exhibits and details further updated since the PC Presentation.

Staff Excerpt

Staff requests that the Applicant examine the accuracy of these measurements and submit revised plans showing details of access along the alley, including location, grades, and building elevation views of the north side of those townhomes.

Response – Full townhome elevations have been added. Civil drawings now indicate slope for the driveways at the alley and updated exhibits indicate the interaction of the townhomes and driveways with the alley.

Staff Excerpt

Staff is also requesting all four building elevations for each building and labeled for ease in reading/evaluating. Urban design and the interaction of the building with the street, walkways, and views from surrounding properties needs to be evaluated. The proposed number of 1, 2, and 3 bedroom apartments proposed should also be indicated, by building.

Response – Buildings elevations have been clarified and labeled. The buildings also now show their interaction with the ground plain. The proposed unit mix is also listed with each building.

Staff Excerpt

- ◆ Details on Parking. Staff is requesting more information on the details on the parking garages proposed is missing (underground, at-grade, or above grade, and proposed lowest floor elevations of underground garages). Also, more information is requested regarding guest parking (how many numbers of underground and at grade guest parking), handicap

parking stalls (how many and location). Since the number of proposed stalls is well below the city code requirement of 2 stalls per unit, staff is requesting information regarding best practices for the provision of parking at other recent development sites in the vicinity and more data to support allowing a reduction in the parking spaces required.

Response – Parking elevations have been added to the civil drawings. An updated parking table is included on page 3 of this memo. Refer to updated Site plan and civil plans further updated since the PC Presentation.

Staff Excerpt

- ◆ *Area breakdown by use.* Similar to the table provided with the existing conditions exhibit, staff would like the Applicant to provide a table showing the areas associated with each *proposed* use of the development. This table would include the square footage associated with each type of residential (market, affordable, townhome, and senior), streets, trails and sidewalks, public use and/or open space. This should also include the estimated number of 1, 2, and 3 bedroom apartments proposed, by building.

Response – Refer to updated Building Plans, exhibits and details further updated since the PC Presentation.

Staff Excerpt

- ◆ *Staging detail.* Staff is requesting a more detailed estimate of the timeline associated with each stage of the development. There is an understanding that uncertainty exists with development timing; however, staff would like a better understanding of the expecting duration of each stage of development.

Response – More detail has been added to the Phasing Plan. Refer to updated exhibits and details further updated since the PC Presentation.

Staff Excerpt

- ◆ *Revised Plans for Building E.* Since a new developer is now involved, revised plans for Building E and the surrounding site are requested. As proposed, Building E (which contains the affordable housing associated with this project) is physically isolated from the remainder of the site by a large retaining wall and a bioretention area. There are no internal roadway or sidewalk connections to other site buildings or features, including the park and open space areas, and there is both a parking lot and retaining wall that act as a separation cutting off the building from the development overall. The design of this building could be better incorporated into the site plan and could be integrated into overall development in a more inclusive way with the addition of a trail. Grading changes are required to eliminate or reduce the grade change between Building B and D.

Response – In the updated plans, Building E is no longer isolated and has been reoriented and integrated to function integrally with the overall site plan. An internal roadway has been added to connect Building E with the remainder of the site. The grading between Building B and D has been adjusted to accommodate a road. Refer to updated exhibits and details further updated since the PC Presentation.

Staff Excerpt

◆ Engineering Comments. The full engineering staff report is available as an attachment.

- There appear to be many outstanding questions and concerns with the stormwater management systems, especially as it relates to the rest of the site. Resolution of these questions and issues will require coordination with City Engineer.
- An erosion control must be submitted and reviewed.
- Soil borings and logs must be submitted and reviewed.
- Details on the operations and maintenance of the privately held stormwater facilities will be required to be enumerated in the development agreement.
- Detailed requirements for transportation improvements are listed in the traffic study, and incorporated here by reference. It has been concluded that the improvements listed in the report are satisfactory, in staff's recommendation, to meet the demands generated by this development. While there are intersections in the vicinity that currently experience congestion during peak hours, these conditions are not created by this development proposal.

Response - A preliminary package consisting of a plat, grading plan, site plan, utility plan, landscaping plan and stormwater management plan addressing the requirements of the City Code has been prepared and submitted. City engineer comments have been reviewed, discussed with the City Engineer and addressed for preliminary plan submittal. More detail related to these items are addressed in separate memo.

◆ Police and Fire Comments. The full comments from Police and Fire are available as an attachment. In particular, the following changes are requested:

Staff Excerpt

- A 20 foot clear zone around each building, free of any trees, structures, ponds, or grade changes, and reinforced with material acceptable to the engineer for the purposes of access. This is particularly important between Buildings B and D, east of C, and east of A. This can be accomplished with a paved trail in many locations. A lesser width may be allowed in certain areas, with approval of the fire chief.

Response – In addition to modifying the site layout, further review with the Fire Chief and Fire Marshall, has confirmed that the proposed development not only meets the minimum state and city fire code requirements, but provides additional access and coverage to assist the fire department in easier service if needed.

Specific items have been addressed under separate cover.

Staff Excerpt

- Placement of a hammerhead at the eastern terminus of Outlot A/Road B. This will require re-evaluating the 114 foot long retaining wall in this location.

Response – A hammerhead has been added.

Staff Excerpt

- Hydrants added to Stinson Parkway (on private property).

Response – See above

Staff Excerpt

- Location of building entrances, and distances to nearest hydrants, and provisions for emergency vehicle parking.

Response – See above

Staff Excerpt

- Closer review of access points along Kenzie and proximity to the Lowry/Stinson intersection. Hennepin County will need to review and approve these access points.

Response – See above

◆ The EAW incorporates many detailed comments and permitting requirements, all of which is incorporated by reference.

END OF MEMO

EXHIBIT G

EXHIBIT G

WHAT ARE PROPER CONSIDERATIONS FOR DENSITY

Why Did the Parties Believe 40 Units Per Acre is Outdated and Improper for the Project?

Analyzing density strictly on “units per acre” is a highly-imprecise measure. There is no meaningful distinction between a project at 40 du/acre and one at 44 du/acre. This is especially true because the average multi-family “unit” has changed dramatically since St. Anthony adopted its 2008 Comp Plan. The proposed modern mix of apartment sizes and types at 44 du/acre is likely to have the same number of people and cars as a typical 2008 project at 40 du/acre. There is simply no meaningful difference between the project proposed and one at 40 du/acre, except that the latter is substantially less feasible.

Using the term “unit” to limit density’s impacts requires (often imprecise) assumptions about what that “unit” looks like. Ten (plus) years ago, when the City adopted its 2008 Comp Plan, its assumptions about high-density residential units were different than they are today. This is particularly true for market-rate apartments, which have evolved significantly. To assist the Council in understanding how a “unit” of market-rate rental housing has changed, we requested Saturday Properties, an experienced apartment-management company, to provide a memorandum on this demographic evolution. That memorandum is attached as Exhibit G1.

Indeed the imprecise nature of “units per acre” as density measure especially in multi-family developments has been a point of consideration within Minneapolis. After careful consideration, Minneapolis decided to abandon units per acre. The staff report on the text amendment from 2013 and excerpts of more recent draft discussion are attached as Exhibit G2.

Key highlights for understanding how units per acre is no longer the best measure for density are: 1.) the evolution of unit mix; and 2.) end users in the typical market-rate apartment. Saturday Properties has examined likely demand for this project. Unlike a decade ago, when we would have expected 50% of the units in a market-rate apartment to be two or more bedrooms (“**Two-Plus Bedroom**”), today’s demand only calls for 25% Two-Bedrooms Plus. Of critical importance is the modern trend of who occupies Two-Bedroom Plus units. Saturday Properties has confirmed that today’s market rate apartments have less than 5% of the units rented to families with children at all, and even fewer will house families with school-aged children.¹ In other words, today most Two-Bedroom Plus units in market-rate apartments are occupied by 2 or more adult roommates, who often live independent of each other.

For more context, we have included a table below that includes four hypothetical scenarios, all built at 40-units-per-acre over the entire 17.2 acres with an exclusive housing type: (i) a design with only affordable units; (ii) a design with only market-rate units with 25% Two-

1 Based on data provided by Saturday Properties extrapolated from its units under management.

Bedroom Plus units; (iii) a design with only market-rate units with 50% Two-Bedroom Plus units; and (iv) a design with only senior living units. To be clear, the alternative scenarios are provided to show the different impacts that come from a development with a single housing type. The Parties are NOT proposing or suggesting developing the entire Property with a single type of housing is desirable or appropriate.

	40 units/acre Affordable units	40 units/acre market units 75/25 mix	40 units/acre market units 50/50 mix	40 units/acre Senior Units
Total Bedrooms	1,200 ²	894 ³	1,065 ⁸	757 ⁴
Adult Occupied Bedrooms	688	858	1,010	750 ⁵
Expected children	412	36	55	0
Estimated Vehicles	688	858	900	775
Estimated Peak AM Car Trips	341 ⁶	341	341	132
Estimated Peak PM Car Trips	396	396	396	184

This demonstrates that, given the mix of market-rate apartments and senior living typical in 2017, the originally proposed 691 units of market rate and senior living are less, or, at worst equally, impactful than a hypothetical 40-unit-per-acre project in 2008. As noted above, 40 units per acre results in 614 units on 15.37 acres or 688 units on 17.2 acres. To meet that arbitrary threshold, The Village could convert 134 one-bedroom or alcove units into 67 Two-Plus Bedrooms, resulting in a net loss of 67 units. That change in unit mix could have been accomplished without reducing height or changing footprints, although it would have very negative impacts on vacancy, lease up, financing, and other aspects. In that scenario, the

³ Assumes 5% are 3 bedroom units

³ Assumes 5% are 3 bedroom units

⁴ Assumes 416 of the units would be continuum of care and 341 would be co-op units

⁵ Based on data from Ebenezer, we have assumed a small percentage of the second bedrooms would remain unoccupied and used as guest rooms for visiting family.

⁶ Vehicle trips are based on ITE Guidance, which does not make any distinction for unit mix or types of apartments. With the ITE charts, apartments are averaged and assume each such average apartment generates the same number of vehicle trips.

number of Two-Bedroom Plus units in the two market-rate buildings would likely rise from 97 units (25%) to 164 units (42%),⁷ a percentage that would have been acceptable a decade ago, but does not match market demands today.

So why did The Village not just change the market rate unit mix and submit an application at 40 units per acre? Because it makes for a dramatically less-desirable project that fails to respond to market demand and does not reduce impacts in any meaningful sense. Generally speaking, multi-bedroom market-rate units are more likely to be occupied by two unrelated, single adults, and only 3-4% are likely to be occupied by families.⁸ So, of the 67 additional Two-Plus Bedroom units in this hypothetical, only two are likely to be occupied by families. The remainder of the Two-Plus Bedroom unit are likely occupied by two unrelated, single adults. In other words, our data suggest that nearly the identical number of single adults would live in 390 units (as proposed) as would live in a 349-unit project built with more Two-Bedroom Plus units. And that mix, for which the market is tepid at best, would mean approximately the same number of cars and nearly the same number of vehicle trips.

More importantly, the Project is comprised of blend of housing types precisely to manage impacts. That is, the proposed mix of housing types is less impactful on parking, sewer, water, traffic, infrastructure, and social services than a comparable project with only one use.

Further illustrating the point, Two-Bedroom Plus market-rate units typically have 20% higher vacancy and longer lease-up times compared to one-bedroom and alcove units. And because a Two-Bedroom Plus unit generates less rent than two separate one-bedroom units, it also means the market-rate component has less value. Complicating things further, the cost to construct a Two-Bedroom Plus unit is not significantly less than the cost to construct two separate one-bedroom units. The result is a number of negative impacts for the Project: the market-rate buildings generate less property tax, which is critical for the City and increment available for TIF; the reduced value results in fewer loan dollars available to construct the Project; and, simultaneously, the fixed costs, which are extraordinarily high here, remain unchanged. Together, these impacts create a larger gap between the costs to construct the Project and the value of the completed Project.

Since no developer will move forward with a project forecasted to lose money, the increased gap requires either a greater percentage of TIF to be reserved for the market-rate units, a scaled-back project in terms of amenities and finishes, or a combination of the two. Paradoxically, though, since the value will have been reduced, there will actually be *less* available TIF dollars and construction concessions will be necessary. So the question is: why force a less-desirable project that doesn't reduce impacts and makes the project less viable?

What Are the Advantages of Density?

Many residents have offered their anecdotal opinions about density's drawbacks. But density in general—and density of this Project in particular—also brings demonstrable benefits. To

⁷ Given the relative number of units in the senior buildings, the change mostly likely would have happened exclusively in the market rate buildings.

⁸ Based on data provided by Saturday Properties extrapolated from its units under management.

be sure, higher-density housing requires careful planning. Those who study urban development understand its vast benefits. But in practice, it frequently inspires emotional, critical, broad-based scorn from those irrationally convinced that a tsunami of negative impacts is sure to follow. But its advantages are abundant and well supported.

Keeping Saint Anthony's stated community goals in mind, The Village has dedicated significant resources to develop a plan to maximize the benefits and minimize any perceived negative impacts that residents fear this type of development might have on their community. This project presents attractive housing options for varying demographics, including giving aging residents comfort and accessibility, providing viable options to those displaced by the park closure, and attracting Millennials looking to prosper (and remain) in a community that shares their values of eco-friendly mobility, diversity, and convenient urban living. And, as an added bonus, higher-density residential development invariably provides greater "roof counts," which is a key component for attracting retailers and ensuring their long-term viability.

Along with its mixed affordability, the mixed-use aspect of this project provides employment opportunities, lower pollution, and access to green space and retail. With higher-density development, the city will see smaller-than-expected expenditures on policing, school funding, trash-removal services, additional roadways, and utility systems, among other things.

When it comes to higher-density residential, a host of data supports its benefits. For example, the Met Council's Thrive 2040 document includes a laundry list of benefits and valuable inputs. Elsewhere, countless other organizations dedicated to urban development have weighed in with similar dissertations on density's benefits: The Urban Land Institute, Center for Urban Policy Research, U.S. Green Building Council, Brookings Institution Center on Urban and Metropolitan Policy, National Association of Home Builders, Sierra Club, Harvard University Joint Center for Housing, U.S Department of Commerce, and U.S. Department of Housing and Urban Development. Included below is a mere sampling of the benefits and factors identified by these organizations as supporting higher-density development:

I. Demographic Changes

1.) Millennials

- Only 1 in 5 households will be households with children, reflecting an increase in empty-nesters and young professional Millennials.
 - Already the largest generation demographically, Millennials favor urban amenities, access to transit, and bicycle options. They are buying homes later and prefer higher-density housing options.
- The Met Council asks: "Critical to the Region's future prosperity, will we have places that retain and attract these young individuals and households?"

2.) Seniors

- Seniors seek housing that fits post-retirement lifestyles, including walkable and transit-served areas with accessible services and amenities.
 - Seniors are the fastest-growing segment of the population, projected to double in absolute numbers by 2030 and comprise 20% of our Region's residents by 2040.
 - As they age, seniors' housing preferences change. And across locational preferences, most seniors share common interests in less household maintenance, one-level or accessible living, and easy access to nearby good and services.
- The Met Council asks: "Are there adequate housing choices, including age-integrated options, available for seniors to stay active, conveniently access goods and services, and/or be near friends and family?"

II. Met Council's Response to Regional Change

- Because housing and residential land use patterns are durable (often lasting generations), residential development must advance the broader policy of "Orderly and Efficient Land Use" by using increased density to provide community connectivity to jobs, services, amenities, and transportation networks.
- "Orderly and Efficient Land Use" requires municipalities to align land use, development patterns, and infrastructure to best leverage public AND private investment.
- Over the long-term, the Met Council's plans for proportionately more development and redevelopment, resulting in a more compact region.
- By focusing on higher-density, compact development, the Met Council promotes regional and local efforts to streamline the process and reduce costs associated with developing housing, especially multifamily housing.
- Those compact development patterns, like the proposed development, are at the heart of the Met Council's plan to expand walkability in Urban areas like St. Anthony Village.

III. Local Responsibility for Higher-Density Development

- It is an identified local opportunity to provide for higher-density that supports community resilience and provides connections to jobs, schools, transit, and amenities.
- It is an identified local opportunity to target higher densities, including those that have a mix of housing affordability and proximity to regional job concentrations.
- The Met Council asks local governments to include plans and policies that implement inclusionary zoning or density bonuses for developers incorporating affordable housing.

IV. Expectations for Planning Higher-Density Development

- As part of its commitment to encourage higher-density development, the Met Council provides technical assistance to local governments to demonstrate what different densities look like in different communities.
- The Met Council believes higher-density development fits well in any community with the right design.
- By specifically developing a more compact land use pattern, the Met Council believes SAV can reduce energy consumption, protect public investments in infrastructure, lessen development pressure on habitat and open space, provide benefits to public health, and create a more sustainable community.

V. Higher-Density Development and Public Transit

- The Met Council's primary focus is to expand bus service and transitway investment to and within existing and emerging higher-density job concentrations, higher-density activity centers, and dense residential areas.
- The Met Council will prioritize transit investments in areas where the planning or development process demonstrate commitment to development patterns. Investment will include modes, coverage, and service levels that match the intensity of development.

VI. Additional Support for Increased Density

1.) Decreased demand on public services

- Suburban sprawl is fiscally unsustainable and hampers the City's ability to finance public facilities and service improvements.
- Increasing sprawl requires the City to provide an ever-broadening array of police and fire protection, schools, libraries, trash removal, and other services to new residents.
- Sprawl also requires cities to absorb costs of additional roadways, longer water and electrical lines, and larger sewer systems.
- More compact development, on the other hand, is projected to help the nation as a whole save more than \$100 billion in infrastructure costs over 25 years.

2.) Decreased demand on public schools

- A growing body of evidence also shows that sprawling development does not provide adequate property tax revenue to cover the services it requires. Studies show that public services for an average-priced single-family house can cost more than double the property taxes the homeowner pays. Public schools

are one example of this disparity. Higher-density housing provides tax revenue without increasing demand.

- The proposed project is a higher-density development that includes mostly seniors and Millennials, with demographics that suggest only moderate impact on schools. For this project, no children are expected in the two senior buildings, and few if any school age children are expected in the two market rate buildings. And while apartment renters do not pay property tax directly, the owner does, and at a higher tax rate.

3.) No difference in appreciation rates and possible increase in value of nearby low-density development

- Long term housing studies by Harvard's Joint Center for Housing Studies confirm the long-understood principle that apartments pose no appreciation threat to nearby single-family homes.
- Additional research also suggests that, over the long term, well-placed market-rate apartments like the proposed project actually increase values of nearby detached houses.
- This allows the project to increase the pool of potential future homebuyers and will create more buyers for existing owners.

4.) Improved efficiency that decreases air and water pollution and preserves natural areas

- New, higher-density development in areas already equipped with infrastructure (e.g., utility lines, police and fire protection, schools, and shops) eliminates financial and environmental costs of stretching services further from the core community.
- Compact development also helps cities reduce driving and smog and prevents low-density development that consumes large quantities of land through large-lot zoning, forcing residents to drive longer distances and harming air quality.

Studies show that compact development can reduce runoff by 30% and reduce water consumption by 83% compared with conventional suburban development.

EXHIBIT G-1



Ms. Tomas,

As you are aware, Saturday Properties has been hired by The Village, LLC as apartment experts and development managers for their market-rate portion of the St. Anthony development. Saturday Properties has a strong development and operating history within the luxury apartment market in Minneapolis and surrounding suburbs. Saturday Properties currently manages over 1,400 apartment units in the Minneapolis area. The Village, LLC has asked Saturday Properties to explain market trends and demands of today's renters.

Over the last 10 plus years, there has been an increased demand in multi-generational housing among the luxury apartment market. Market demand for the community-driven and highly amenitized projects has been led by young professionals and empty nesters. Young professionals are desiring smaller units that result in more affordable monthly rent without the need for a roommate. Empty nesters are downsizing after their children have grown and they prefer the maintenance free and flexible lifestyle with renting. Compensating for smaller living spaces are outsized common areas with clubrooms and game rooms for increased socialization, which is highly coveted amongst this demographic. Due to these resident trends, the unit mixes among properties over the last decade have evolved as well. Communities now have a higher demand for smaller studio or alcove units, with separate sleeping areas, and not the larger two to three bedroom units. In the suburban settings, our research and experience has shown that empty nesters prefer a semi-detached or townhouse style rental as opposed to apartment living.

We've analyzed Saturday's existing portfolio of Suburban and near-urban ring properties for comparison of occupancy rates as well as number of residents living per bedroom across the unit types. What we have found indicates occupancies are strongest amongst smaller unit types as illustrated below:

- 100% occupancy: studio and alcove units
- 98.7% occupancy: one bedroom units
- 80% occupancy: two bedroom units



In calculating the average number of residents per bedroom, the alcove/studio units have a ratio of 1.2 people/bedroom, whereas the number of residents in a two bedroom is 1 person/bedroom. This proves the smaller units are not directly related to overall density of a project. If you combine two studio/alcove units and compare occupancy to one two-bedroom unit, the increase in occupancy is only 30-40%, not doubling the density.

Additionally, across Saturday's near-urban and first lying suburban properties, only 3-4% of leased apartments contain families with children, of which few are school age. These numbers equate to about 10 children at each property on average. By extrapolating these statistics, Saturday Properties believes there will be very minimal, if any, impact on school enrollment attributed to the St. Anthony development.

Saturday Properties believes these occupancy levels are consistent with current market demand and therefore recommends to The Village, LLC that their St. Anthony development targets a unit mix that contains 75% alcove and one bedroom units, and 25% two to three bedroom units.

Sincerely,

Brent Rogers
Founder of Saturday Properties

EXHIBIT G-2

**Department of Community Planning and Economic Development
Zoning Code Text Amendment**

Date: July 29, 2013

Initiator of Amendment: Council Member Schiff

Date of Introduction at City Council: June 28, 2013

Specific Site: Citywide

Ward: Citywide **Neighborhood Organization:** Citywide

CPED Staff and Phone: Jason Wittenberg, (612) 673-2297

Intent of the Ordinance: To amend residential density standards

Appropriate Section(s) of the Zoning Code: Chapter 527: Planned Unit Development; Chapter 546: Residence Districts; Chapter 547: Office Residence Districts; Chapter 548: Commercial Districts; Chapter 551: Overlay Districts

Chapter 520, Introductory Provisions, was also introduced: However, staff is not recommending changes to this chapter as part of this amendment and recommends that it be returned to the author.

Background: An ordinance was introduced by Council Member Schiff to the City Council on June 28, 2013, to reconsider the way in which the city regulates residential density. The City's zoning ordinance has historically placed limits on residential density primarily through a standard that requires a minimum amount of lot area for each residential dwelling unit. For example, an apartment or condominium building in the R5 district must include at least 700 square feet of lot area per residential unit. To determine the number of dwelling units currently allowed on a property, one divides the property's area by the minimum lot area per dwelling unit. Applicable density bonuses may reduce this number, thereby increasing allowed density. Among the zoning districts that allow multi-family residential uses, all except the downtown districts (B4, B4S, B4C, and B4N) include this type of standard. In 2009 the City Council adopted a zoning code text amendment that reduced the minimum lot area requirements—thus increasing the allowed density—in many zoning districts.

The proposed ordinance would eliminate minimum lot area per dwelling unit standards in most zoning districts. The zoning ordinance includes a number of additional tools that would continue to place practical limitations on the number of dwelling units that may be constructed on a given piece of property in most zoning districts, including:

- Minimum off-street parking requirements
- Maximum permitted height
- Maximum floor area ratio
- Minimum size of individual dwelling units (350 sq. ft. for efficiency units; 500 sq. ft. for all other units)
- Required yards/setbacks (primarily in R and OR Districts)

Department of Community Planning and Economic Development

- Maximum building coverage (R and OR Districts only)

Minimum lot area per dwelling unit standards would be retained in the R3 and R4 Districts. Existing minimum lot area standards and floor-area ratio (FAR) standards are noted below for all districts that allow multi-family residential uses:

<i>Zoning Districts That Allow Multi-Family Residential Uses</i>	<i>Minimum Lot Area Per Dwelling Unit (square feet)</i>	<i>Maximum FAR for Multi-family Residential Uses</i>
R3	1,500	1.0
R4	1,250	1.5
R5	700	2.0
R6	400	3.0
OR1	1,500	1.5
OR2	700	2.5
OR3	300	3.5
C1	700	1.7
C2	700	1.7
C3A	400	2.7
C3S	400	2.7
C4	900	1.7
B4, B4S, B4C, B4N	No minimum	varies
ILOD	900	2.7

Purpose for the Amendment:

What is the reason for the amendment?

What problem is the amendment designed to solve?

What public purpose will be served by the amendment?

What problems might the amendment create?

The proposed amendment would change the way residential density is regulated in most zoning districts where multi-family uses are allowed. Standards requiring a minimum lot area per dwelling unit would be eliminated in all districts except for the low- and medium-density residence districts. The City Council last amended these standards in 2009. In spite of the flexibility added in 2009, approximately 20 percent of all major residential and mixed-use developments (i.e., those with 10 or more new dwelling units) received variances from these zoning ordinance standards since that time.

This amendment would add flexibility and would eliminate a built-in disincentive to incorporate smaller dwelling units into multi-family developments. Nothing in this amendment would allow additional building height or bulk in any zoning district. Although the amendment may allow for increased density as measured by the number of dwelling units per acre, this measure of density has inherent limitations. For example, a development with R5 zoning on a 70,000 square-foot lot can incorporate 100 dwelling units, prior to considering any applicable density bonuses. This theoretical development might build all two-bedroom units, for a total of 200 bedrooms. Under existing regulations, a developer could not construct the same building with 200 units containing one bedroom each (again, totaling 200 bedrooms).

Thus, while the two comparable buildings might house the same number of people, one development—the one with fewer and larger units—could be constructed under existing regulations while the other could not. While the building with more dwelling units might intuitively generate more apprehension from nearby residents concerned about “density,” it’s worth noting that a building with a higher number of dwelling units would also be required to provide a higher number of off-street parking spaces.

It’s expected that adoption of the amendment would reduce the regulatory burden on those providing additional housing in the city. Further, the amendment would reduce the number of variance and rezoning applications, freeing staff time to focus on issues that address a development’s compatibility with its urban context. A significant percentage of the rezoning applications considered by the City are filed for the sole purpose of increasing permitted density on the properties being rezoned.

There is a growing consensus among planning commissioners and staff that existing density standards may no longer be an important tool for regulating development and that, in some instances, the limitations may conflict with adopted policy objectives. As the City continues to place additional emphasis on quality urban design and ensuring that new development makes a positive contribution to its neighborhood, the specific number of dwelling units incorporated in new buildings has become less important.

The amendment would allow the marketplace to play a greater role in determining the number and size of dwelling units within new development projects. Existing regulations essentially penalize smaller dwelling units. Given ongoing changes to the structure of households in Minneapolis and nationwide, the city’s regulations may not be keeping pace with the type of dwelling units that are increasingly in demand. Between 1960 and 2010, the percentage of one-person households in the United States increased from 13.4 percent to 26.7 percent of all households. In Minneapolis, approximately 43 percent of all households are occupied by one person, compared to approximately 32 percent in Hennepin County as a whole. In some Minneapolis Census tracts, the percentage of households occupied by one person exceeds 65 percent. Among all dwelling units in Minneapolis, there is currently a relatively even distribution between one-bedroom (25.9%), two-bedroom (29.2%), and three-bedroom (26.3%) units.

Most existing density bonuses allow for a 20 percent increase in both the gross floor area and the number of allowed dwelling units in qualifying developments. The amendment would alter existing density bonuses to only allow an increase in the gross floor area. Because the number of dwelling units will not be subject to a specific limitation, the bonus to increase the number of allowed dwelling units would no longer be a meaningful incentive. In order to avoid the potential for higher-density developments in the two medium-density residence districts, staff is proposing to retain existing density standards (i.e., minimum lot area per dwelling unit) in the R3 and R4 districts while retaining bonuses that are applicable to those districts.

As noted in the background section of this report, the zoning ordinance would retain a number of tools that place practical limitations the number of dwelling units that can be constructed on a given piece of property, including:

- Minimum off-street parking requirements
- Maximum permitted height
- Maximum floor area ratio (FAR)
- Minimum size of individual dwelling units (350 sq. ft. for efficiency units; 500 sq. ft. for all other units)

Department of Community Planning and Economic Development

- Required yards/setbacks (primarily in R and OR Districts)
- Maximum building coverage (R and OR Districts only)

No changes are proposed to maximum permitted FAR—except to establish a maximum FAR for cluster developments. With a greater reliance on FAR as a tool for regulating residential intensity, the City might find that this amendment will create a need to revisit maximum FAR standards in the future, either to add flexibility or become more restrictive. It's possible that, with no specific limit on the maximum number of dwelling units, developers may seek to maximize allowed FAR to a greater extent. At this time, staff finds that the maximum FAR standards are appropriate in each zoning district.

It should be noted that existing large buildings, which may be nonconforming as to current maximum floor area and height standards, could accommodate a larger number of dwelling units under this amendment provided those units are able to meet their minimum off-street parking requirement as well as the minimum size of individual dwelling units. It should also be noted that staff has faced questions about reducing or eliminating the zoning code's minimum size of individual dwelling units. Those regulations were not part of the subject matter introduction for this amendment and changes to dwelling unit size are not proposed at this time.

Staff is proposing to establish a maximum floor-area ratio (FAR) for cluster developments in the residence and office residence districts. In these districts, cluster developments are limited to 2½ stories in height. To reinforce the fact that cluster developments are intended for lower-intensity uses and townhouse developments, staff proposes an FAR equivalent to the standard for single-family dwellings.

Staff is not proposing to amend the overall minimum lot size needed in order to construct a residential development. In most cases, 5,000 square feet of lot area is required for a residential development project.

Timeliness:

Is the amendment timely?

Is the amendment consistent with practices in surrounding areas?

Are there consequences in denying this amendment?

The amendment is timely given the high number of variances being granted from minimum lot area per dwelling unit standards. City planning commissioners have asked that staff bring this amendment forward as soon as possible. Architects with experience designing multi-family developments in Minneapolis have long-advocated for a different way of regulating density. Recent development proposals have demonstrated that existing regulations may act as an unnecessary barrier to development projects that are compatible with their surroundings. Some neighborhoods, particularly near the University of Minnesota, have specifically advocated for construction of smaller dwelling units and have found that existing regulations conflict with this objective.

Peer cities use several different standards to regulate multi-family residential density. This proposed amendment would align closely with practices in St. Paul, where there are no minimum lot area per dwelling unit standards in the business districts or in three of the four traditional neighborhood districts. St. Paul's ordinance retains minimum lot area standards in the residential zoning districts.

Practices in other selected cities:

Seattle:	Most multi-family districts have no density limits.
Portland:	Limits on density in lower-intensity residential districts, but no limits in higher-intensity districts. No minimum lot area per dwelling unit standards in commercial districts.
Denver:	No minimum lot area per dwelling unit standards
Milwaukee:	Has minimum lot area per dwelling unit standards
Pittsburgh:	Has minimum lot area per dwelling unit standards
Austin, TX:	Has density standards
Louisville:	Maximum dwelling units per acre standards in residence districts

If the amendment is denied, the city's zoning ordinance will continue to perpetuate a disincentive to construct smaller dwelling units. It's expected that the City would continue to receive a significant number of rezoning and variance requests in order to increase permitted density in many new development projects.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The cities comprehensive plan includes strong policies favoring growth, particularly in and along land use features such as Growth Centers, Transit Station Areas, Community Corridors, and Commercial Corridors.

The comprehensive plan notes that, "By increasing the housing stock and retaining and attracting residents, the city establishes a foundation for a strong and vibrant future. Increased population has a number of positive effects. New households can:

- stabilize and support the city's commercial districts;
- provide a basis for a strengthened transit system;
- contribute to safer streets; and improve the tax base, which keeps schools and libraries open, and supports city services"

The following general land use policies of the *Minneapolis Plan for Sustainable Growth* apply:

Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

Land Use Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

Land Use Policy 1.13: Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places.

Housing Policy 3.1: Grow by increasing the supply of housing.

Housing Policy 3.3: Increase housing that is affordable to low and moderate income households.

Economic Development Policy 4.1: Support private sector growth to maintain a healthy, diverse economy.

The proposed amendment is consistent with the policies of the comprehensive plan. The amendment creates additional flexibility to respond to the market for dwelling units of various sizes.

The comprehensive plan refers to areas where low-, medium- and high-density development is appropriate. While this amendment takes a new approach to residential density, without specific numeric limits, the city's zoning map will continue to include higher density/higher intensity districts in appropriate locations to align with adopted policy objectives. In general, permitted floor-area ratios increase with higher density districts. See the table in the background section of this report. Of course, more dwelling units (and more bedrooms) can be incorporated into buildings with more floor area. In this way, districts that allow greater floor area will allow greater density as well, consistent with the comprehensive plan. As noted above, this amendment does not authorize larger or taller buildings. Therefore, while the amendment may allow a greater number of *dwelling units* per acre in some districts, the amendment will not necessarily lead to greater number of *people* per acre.

In order to avoid the potential for higher density development in areas where the comprehensive plan calls for low- and medium-density development, staff proposes to retain existing density standards in the R3 and R4 districts.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and approve the zoning code text amendment, amending chapters 527, 546, 547, 548, and 551. Staff further recommends that Chapter 520 be returned to the author.

Attachments:

1. Information regarding major housing projects approved since 2008
2. Ordinance amending Chapter 527: Planned Unit Development.

Department of Community Planning and Economic Development

3. Ordinance amending Chapter 546, Residence Districts.
4. Ordinance amending Chapter 547, Office Residence Districts.
5. Ordinance amending Chapter 548, Commercial Districts.
6. Ordinance amending Chapter 551, Overlay Districts.



DRAFT

Van White Boulevard Station Area Plan METRO Blue Line Extension

City of Minneapolis
Department of Community Planning and Economic Development

**Draft for 45-Day Public Review and Comment Period
September 1 - October 16, 2017**

Future Land Use – Parcel Based Maps

The parcel-based Future Land Use map (Figure 4-2) has a land use designation for each specific parcel that indicates the appropriate land use. Where residential is allowed the category specifies a corresponding density. The land use categories and densities are based on the policies of The Minneapolis Plan for Sustainable Growth. Additional guidance for density and scale is detailed in the development intensity section later in this chapter.

Low Density Residential – Areas that are primarily single-and two-family residential, but may also have smaller cluster and townhome development. Density range is 8-20 dwelling units per acre.

Medium Density Residential - Areas that allow multi-family at 20-50 dwelling units per acre.

Medium to High Density Residential – Areas that allow multi-family residential at 20-120 dwelling units per acre.

Mixed Use Medium to High Density Residential – Allows for mixed-use development, including mixed-use with residential. Mixed-use may include a mix of commercial, office, or residential uses within a building or a district. There is not a requirement that every building be mixed-use. Where residential is present, it is at densities of 20-120 dwelling units per acre.

Mixed Use Medium to High Density Residential/Flex Space – Allows for mixed use development, including mixed use with residential. Mixed use may include a mix of commercial, office, production, processing, and warehousing flex space, or residential uses within a building or a district. There is not a requirement that every building be mixed use. Where residential is present, it is at densities of 20-120 dwelling units per acre. Production, processing, and warehousing flex space uses are environmentally friendly, job-

intensive, and transit oriented uses that may require light industrial zoning, as their scale would be larger than the production, processing, and warehousing use allowed in commercial districts. While warehousing is allowed, it is not intended to be the sole use of a building and should be designed so it can transition to more productive and job intensive uses in the future.

Parks and Open Space - Applies to land or water areas generally free from development. Primarily used for park and recreation purposes, natural resource conservation, or historic or scenic purposes. Private property shown as parks and open space indicates an aspiration for the area to transition to that use, but does not require a legally established use to become public park land unless acquired for that purpose.

Public and Institutional – This designation has been placed on existing public schools. Other public facilities have been given a future land use designation other than institutional to guide future use of the site, when appropriate, or for reuse of the existing building in the case of the Sumner Library landmark. The public schools will need to be evaluated for appropriate land use designation should they ever be purposed for redevelopment or reuse other than a school.

Transitional Industrial - Industrial areas (not necessarily all existing industrial uses) located outside of Industrial Employment Districts are labeled “transitional” since they may eventually evolve to other uses compatible with surrounding development. Although they may remain industrial for some time, they will not have the same level of policy protection as areas within industrial districts.

The categories above are meant to provide a general description of the land use for the station area. However, development proposals should be evaluated against the entire policy guidance of this plan (and other relevant plans and policies) to determine if they are an appropriate land use. In addition, the dwelling

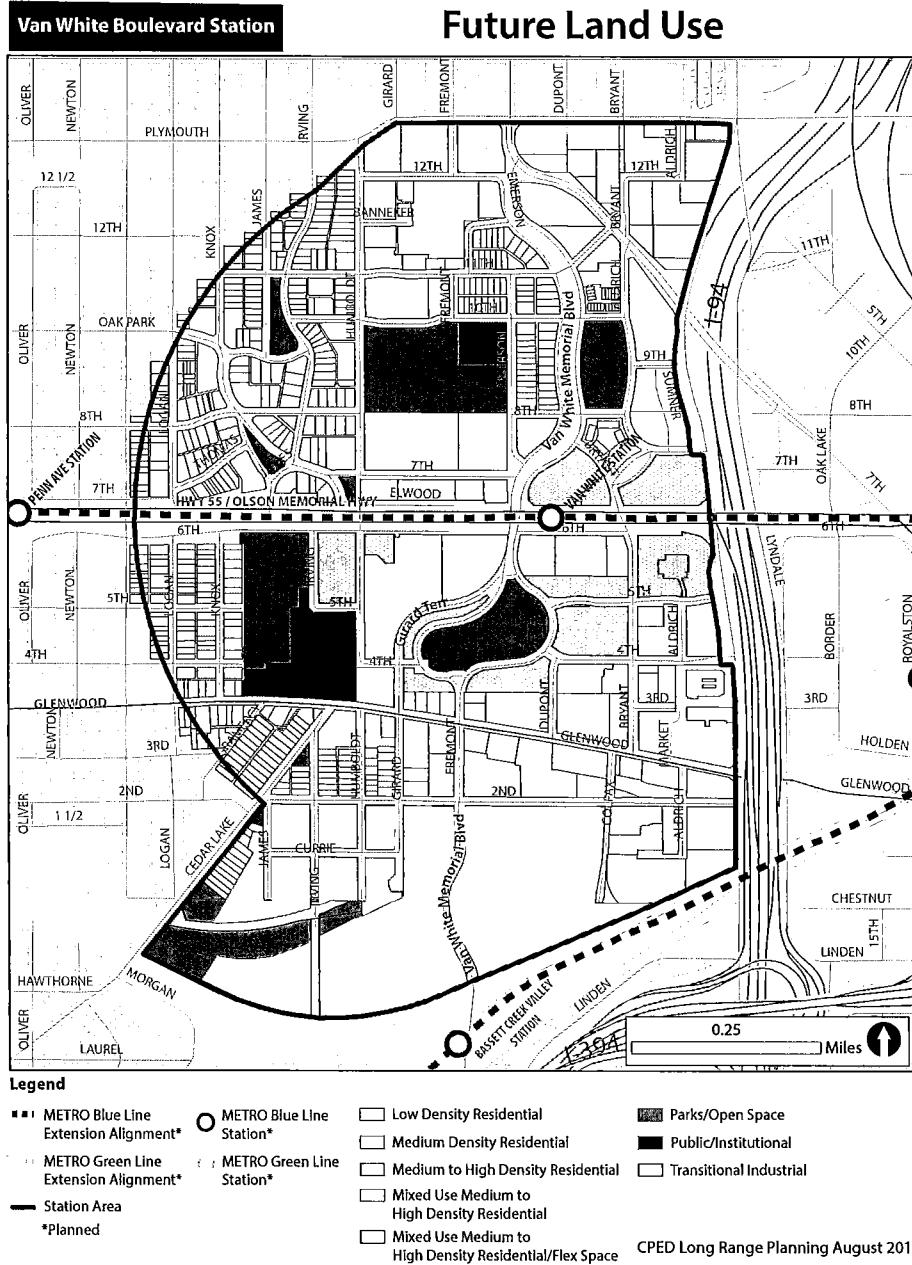


Figure 4-2. Future Land Use.

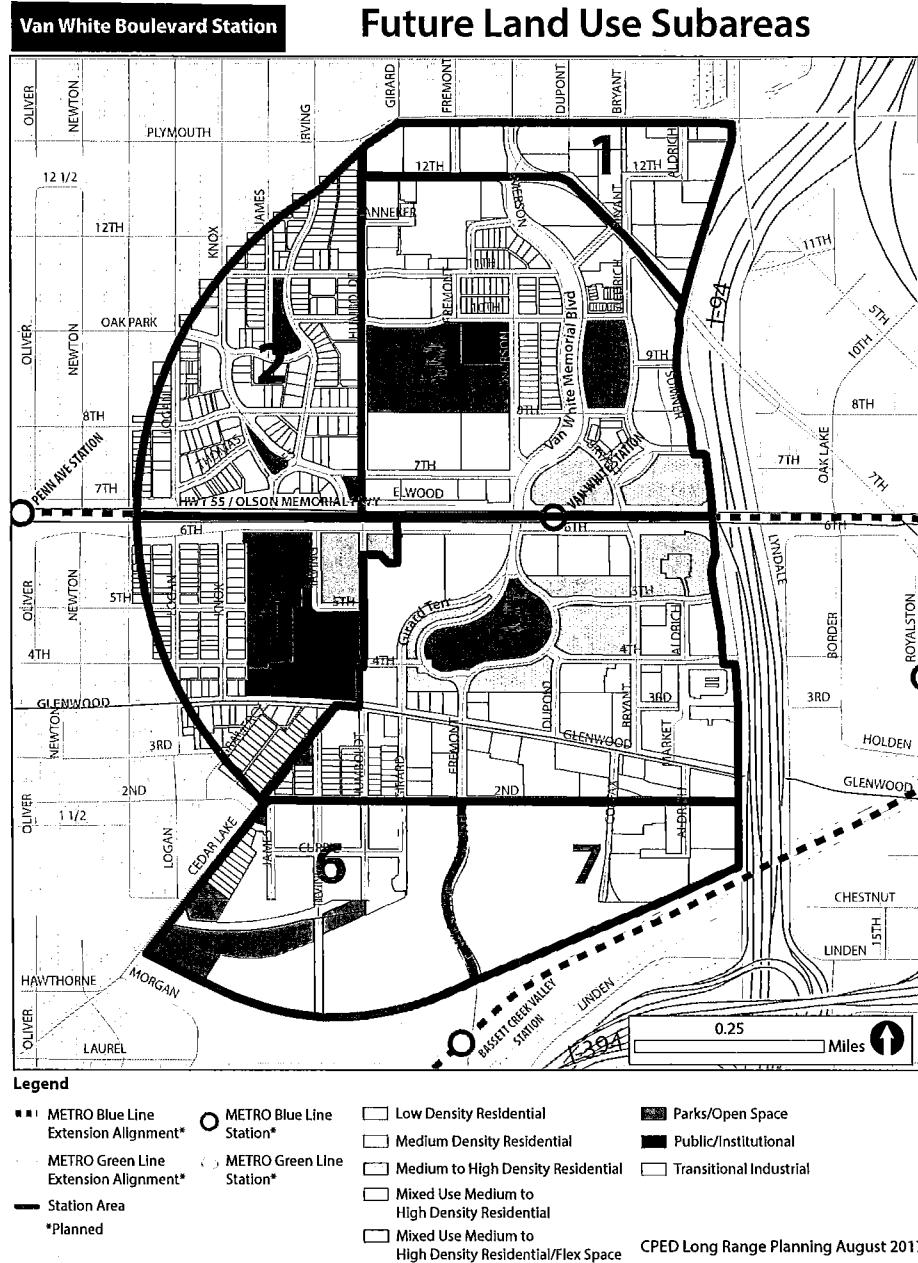


Figure 4-3. Future Land Use Subareas.

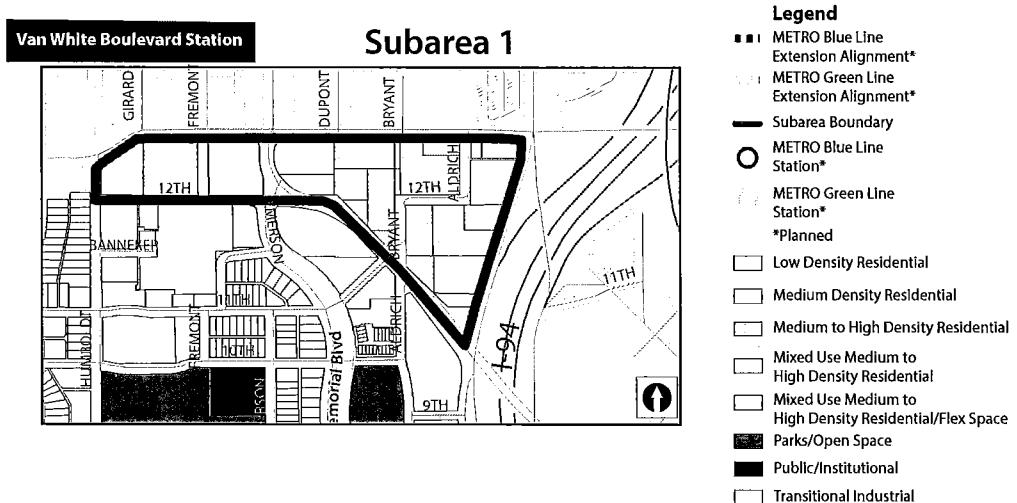


Figure 4-4. Future Land Use for Subarea 1.

units per acre measurement is a guideline that should be evaluated contextually with other factors such as building height, setbacks, impervious surface, floor area ratio, and site design and is not intended to be a strict limit. For example, some buildings on very small sites, or with smaller units, or that qualify for density bonuses, may exceed the specified density range and still be considered an appropriate land use for the site. Further, the City's current zoning code has already eliminated the minimum lot area per dwelling unit (a measurement of density) from most of the multi-family residential districts. It is anticipated that the future comprehensive plan will likely move away from dwelling units per acre and density measurements and move more toward building bulk standards for multi-family housing. Therefore, while this plan lists the dwelling unit per acre measurement, because it is the framework in the current comprehensive plan, it is to be considered a general guide and not a strict limit. It can be exceeded, when new buildings meet design standards and policy guidance of this plan. After the adoption of Minneapolis 2040, future land use decisions should utilize the policy guidance of that plan for development decisions.

Future Land Use Guidance by Subarea

The parcel-based land use map in Figure 4-3 divides the future land use map for the station area into sub areas. A corresponding narrative provides more detailed guidance for land use in each subarea, beyond the generalized categories listed in the preceding section.

Subarea 1

The station area plan will maintain the current Transitional Industrial designation for this subarea. The Minneapolis Plan for Sustainable Growth designates areas with industrial land uses that are located outside of Industrial Employment Districts as "transitional" because they may eventually evolve to other uses compatible with surrounding development. Although they may remain industrial for some time, they will not have the same level of policy protection as areas within industrial districts. While the area is transitional, the preferred land use for the subarea is job-intensive uses rather than residential. However, mixed-used residential, that is compatible with the non-residential uses, can be considered.

EXHIBIT H

Why Is the Baseline High Density Residential and Why is a PUD Proposed?

An important factor as the City Council reviews the application is to understand the baseline for comparison. The staff report properly notes that 2501 Lowry is identified (or more technically “guided”) as high-density residential and a priority for redevelopment. And because state law mandates that *the City’s Comp Plan is its controlling land use document*,¹ The Village is *entitled* to redevelop 2501 Lowry as high-density residential consistent with the Comp Plan’s terms.

This is an essential point. For more than a decade—based on its Comp Plan designation—the City has broadcast to the community, its residents and business owners, and interested real estate developers that multi-family residential of up to 40 units per acre is appropriate for 2501 Lowry (and that such use is compatible with neighboring uses). Accordingly, the community and its residents and business owners have known (because the Comp Plan says so) that the site would—almost certainly—one day see redevelopment with a density of up to 40 units per acre. The issue before the City Council, then, is not what impact 40 units per acre will have; it is whether the density, as proposed, will have any meaningful impact at all that is different from impacts reasonably anticipated at 40 units per acre.

The Parties are sensitive to the community’s input and concerns. And, without question, the Parties agree that developing the Property under a so-called planned unit development (or “PUD”) results in a far superior project than simply relying on what is permitted under the City’s zoning code or Comp Plan. Land planners and municipalities have long recognized that adhering to strict traditional district-wide zoning can, for large developments, “produce significant diseconomies of scale and discourage creativity and flexibility in the development of land.”² The goal of encouraging coordinated real estate development has led many zoning authorities, including Saint Anthony Village,³ to encourage PUDs for projects like this. Flexibility is the most often cited advantage of PUDs.⁴ Indeed:

Without the strict bulk and density restrictions imposed on a lot by lot basis, and freed from the strictures of site plan standards created for the average single lot development, a developer has the flexibility to design the tract as a whole. Other benefits flow from this new found flexibility. For example, the developer can design the development around the various topographical characteristics of the tract such as steep slopes and wetlands.⁵

¹ “A local government unit shall not adopt any fiscal device or official control which is in conflict with its comprehensive plan, including any amendments to the plan, or which permits activity in conflict with metropolitan system plans.” Minn. Stat. § 473.858, subd. 1 (emphasis added).

² Michael Murphy & Joseph Stinson, *Planned Unit Developments*, Pace University School of Law p.6 (1996).

³ Saint Anthony Village’s zoning code states, “**PUD**. A zoning district and development plan which may include single or mixed uses, and 1 or more lots or parcels, and which is intended to create a more flexible, creative, and efficient approach to the use of land. Any PUD shall be subject to the procedures, standards, and regulations contained in this subchapter. A PUD site must be at least 3 acres in size, and applications for PUD approval will not be considered for sites of less than 3 acres.”

⁴ *Id.*

⁵ *Id.*

The PUD allows municipalities, developers, and design professionals to agree on terms of a coordinated development in a binding contract between the City and the developer. Saint Anthony Village's zoning code recognizes that flexibility:

A PUD approval may allow the following:

- (A) *Variety*. Within a comprehensive site design concept, a mixture of land uses, housing types and densities;
- (B) *Sensitivity*. Through the departure from the strict application of required setbacks, yard areas, lot sizes, minimum house sizes, minimum requirements, and other performance standards associated with traditional zoning, a PUD can maximize the development potential of land while remaining sensitive to its unique and valuable natural characteristics;
- (C) *Efficiency*. The consolidation of areas for recreation and reductions in street lengths and other utility-related expenses;
- (D) *Density transfer*. The project density may be clustered, basing density on a number of units per acre in place of specific lot dimensions; and
- (E) *District integration*. The combination of uses which are allowed in separate zoning districts such as:
 - (1) Mixed residential uses to allow both densities and unit types to be varied within the project;
 - (2) Mixed residential uses with increased density based upon the greater sensitivity of PUD projects to regulation; and
 - (3) Mixed land uses with the integration of compatible land uses within the project.⁶

The Comp Plan also encourages use of PUDs for development such as the one at hand. First it states, the City will use a variety of tools to achieve its affordable housing objective (page 2-32 to 2-33), including the following:

Zoning and land use plan incentives such as higher allowable densities or the use of flexible design mechanism such as the planned-unit development provisions of the zoning ordinance.

The Comp Plan also describes the use of a PUD for flexibility under its discussion of Implementation Program/Official Controls on p. 6-1:

The City's Zoning Ordinance includes provisions for Planned Unit Development, permitting increased flexibility in permitted uses, dimensional standards and density. The City's PUD standards allow for a mix of uses, with commercial uses occupying up to 20 percent of the site's buildable area.

The Village has worked diligently with City staff and the Parties have reviewed the Comp Plan in great detail to understand the City's vision for the Property. And, since its very first meeting with City staff, The Village has focused on redeveloping 2501 Lowry as a PUD and with density that the staff—and the City in the EAW and ROD—had found acceptable.

⁶ City Code § 152.202.

EXHIBIT I

July 2013 version

ENVIRONMENTAL ASSESSMENT WORKSHEET

This Environmental Assessment Worksheet (EAW) form and EAW Guidelines are available at the Environmental Quality Board's website at:

<http://www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm>. The EAW form provides information about a project that may have the potential for significant environmental effects. The EAW Guidelines provide additional detail and resources for completing the EAW form.

Cumulative potential effects can either be addressed under each applicable EAW Item, or can be addressed collectively under EAW Item 19.

Note to reviewers: Comments must be submitted to the RGU during the 30-day comment period following notice of the EAW in the *EQB Monitor*. Comments should address the accuracy and completeness of information, potential impacts that warrant further investigation and the need for an EIS.

1. Project title: The Village, LLC Redevelopment EAW

2. Proposer: Continental Property Group

Contact person: Traci Thomas
Title: President
Address: 1907 Wayzata Blvd, Ste 250
City, State, ZIP: Wayzata, MN 55391
Phone: 952-746-4137
Fax:
Email: ttomas@continentalpropertygroup.com

3. RGU: City of Saint Anthony Village

Contact person: Breanne Rothstein
Title: City Planner
Address: 3301 Silver Lake Road
City, State, ZIP: St. Anthony, MN 55418
Phone: 763-231-4863
Fax: 612-782-3302
Email: planner@ci.saint-anthony.mn.us

4. Reason for EAW Preparation: (check one)

Required:

EIS Scoping
 Mandatory EAW

Discretionary:

Citizen petition
 RGU discretion
 Proposer initiated

If EAW or EIS is mandatory give EQB rule category subpart number(s) and name(s):

Subpt 19. Residential Development, Subpt D.

5. Project Location:

County: Hennepin

City/Township: City of Saint Anthony

PLS Location (1/4, 1/4, Section, Township, Range): SW, NW, 7, 29, 23

Watershed (81 major watershed scale): Mississippi River – Twin Cities (20)

GPS Coordinates: 45.015205, -93.225121

Tax Parcel Number: PID 0702923230001

At a minimum attach each of the following to the EAW:

- County map showing the general location of the project;
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable); and
- Site plans showing all significant project and natural features. Pre-construction site plan and post-construction site plan.

6. Project Description:

a. Provide the brief project summary to be published in the EQB Monitor, (approximately 50 words).

The proposed project will involve the redevelopment of an existing 15-acre manufactured home/RV park community, which holds 98 manufactured homes and 95 R.V. sites, into a combination of multi-family residential units (townhomes and apartments). The project is proposed to construct approximately 837 units.

b. Give a complete description of the proposed project and related new construction, including infrastructure needs. If the project is an expansion include a description of the existing facility. Emphasize: 1) construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes, 2) modifications to existing equipment or industrial processes, 3) significant demolition, removal or remodeling of existing structures, and 4) timing and duration of construction activities.

The proposed project will result in the redevelopment of an approximately 15-acre parcel from an existing manufactured home community with approximately 98 home sites and 95 RV sites to a medium- and high-density residential development containing a total of approximately 837 units.

As part of the redevelopment, the existing manufactured homes and RVs will be moved out of the project area. Existing pavement and utilities will be removed. All homes and buildings will be inspected for lead and asbestos and demolished. If lead or asbestos-containing materials are discovered, they will be disposed of at a facility licensed to handle that type of hazardous material. Approximately 15.38 acres of soil will be graded as part of the project. An estimated 65,000 cubic yards of cut and fill will occur on site, and is expected to result in a net balance. This includes excavation for the below-grade levels of the proposed buildings. Excess material unsuitable for foundation soils may require export from the site. Improved foundation material will be imported onsite as necessary. Equipment such as graders and backhoes will be used to grade the site and excavate soils.

Five multi-unit buildings will be constructed as part of the redevelopment (**Figure 4**). The tallest of the buildings will be 5 stories (56 feet). The total number of units within the buildings will be approximately 800 units. An additional 37 2- to 3-story townhome units will also be constructed. Construction methods will be typical of building construction and will include equipment such as graders, backhoes, and cranes. The buildings will be constructed using wood, steel and concrete. New utilities, including sanitary sewer will be installed and connected to the buildings. Construction waste produced during the construction of the project will be disposed of by a licensed garbage hauler serving the Saint Anthony Village area. No hazardous wastes will be produced during construction.

Interior roadways will be constructed throughout the project area to provide access to neighboring roadways and individual buildings/parking areas. Some interior roadways will allow parking. The dimensions of the proposed roadways are approximate:

- without parking: 28 feet
- with parking along one side: 37 feet
- with parking along both sides: 48 feet

The roads will be constructed using typical road construction methods and will be paved with bituminous pavement. Stormsewer will be constructed along with the roadways to collect runoff from storm events. Stormwater from the roadways and other impervious surfaces will be generally routed to a stormwater treatment system located within the redevelopment site.

The proposed redevelopment is anticipated to begin in summer 2017 with the removal of the manufactured homes. Grading of the project area is expected to begin in summer 2017, and construction of the buildings will be phased and construction will occur an approximately 5 year timeframe. The townhomes are anticipated to be constructed first followed by the apartments and senior co-op depending on demand. The project is expected to be completed in 2022.

c. *Project magnitude*

Table 1: Project Magnitude

Total Project Acreage	15.44
Linear project length	NA
Number and type of residential units	Apartment – 700 units Townhomes – 37 units Senior Co-op – 200 units
Commercial building area (in square feet)	N/A
Industrial building area (in square feet)	N/A
Institutional building area (in square feet)	N/A
Other uses – specify (in square feet)	N/A
Structure height(s)	56 feet

d. *Explain the project purpose; if the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.*

The purpose of the project is to redevelop an existing 15-acre manufactured home community and RV park into a mixed-use housing development that will provide a variety of housing options to more than 800 families. The project is being carried out by Continental Property Group, a private developer.

e. *Are future stages of this development including development on any other property planned or likely to happen? Yes No*

If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

f. *Is this project a subsequent stage of an earlier project? Yes No*

If yes, briefly describe the past development, timeline and any past environmental review.

7. *Cover types: Estimate the acreage of the site with each of the following cover types before and after development:*

Table 2: Cover Types (all acreages are approximate)

	Before	After
Wetlands	0	0
Deep water/streams	0	0
Wooded/forest	0	0
Brush/Grassland	0	0
Cropland	0	0
Lawn/landscaping	8.82 acres	5.78 acres
Impervious surface	6.56 acres	9.6 acres
Stormwater Pond	0	0
Other (describe)	0	0
TOTAL	15.38 acres	15.38 acres

8. *Permits and approvals required: List all known local, state and federal permits, approvals, certifications and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure. All of these final decisions are prohibited until all appropriate environmental review has been completed. See Minnesota Rules, Chapter 4410.3100.*

Table 3: Permits and Approval Required

Unit of government	Type of application	Status
State		
Minnesota Pollution Control Agency	NPDES Construction Stormwater Permit	To be obtained
Minnesota Pollution Control Agency	Sanitary Sewer Connection	To be obtained
State Statute Governing Manufactured Home Park Closure	Compliance with procedure	To be obtained
Metropolitan Council	MCES Permit	To be obtained, if necessary
County		
Hennepin County	Roadway Access to Kenzie Terrace	To be obtained
Local		
City of St. Anthony	Land Use Application	Under Review
City of St. Anthony	Declaration of Need for an EIS	To be obtained
City of St. Anthony	Building and/or grading permits	To be obtained
Mississippi River WMO permitting	Surface water	
Minneapolis Park and Recreation	Roadway Access to Stinson Parkway	To be obtained

Cumulative potential effects may be considered and addressed in response to individual EAW Item Nos. 9-18, or the RGU can address all cumulative potential effects in response to EAW Item No. 19. If addressing cumulative effect under individual items, make sure to include information requested in EAW Item No. 19

9. Land use:

a. Describe:

i. Existing land use of the site as well as areas adjacent to and near the site, including parks, trails, prime or unique farmlands.

Land Use

The land is currently zoned for Low Density Residential (**Figure 5**), but guided for High Density Residential in the City 2008 Comprehensive Plan (**Figure 6**). In the Metropolitan Land Planning Act, the Comprehensive Plan controls in the event of a conflict and, upon request of the owner, zoning must be amended to come into conformance with the Comprehensive Plan. The project area is currently a manufactured home community within a developed urban area. Bremer Bank (2 stories) is located on the southwestern-most corner of the property and currently is not part of the redevelopment plan. Kenzington Condos (ownership condos for seniors) are located immediately to the east (5 stories, plus at-grade garage). To the south is The Legacy (4 story rental, assisted living for seniors), Walker Senior Housing (3 story rental, assisted living for seniors) and Autumn Woods (3 story affordable rental units). The project area is on the eastern edge of an urban neighborhood that is comprised of multi-family housing, single family homes and a few small commercial business, schools, parks and churches.

Surrounding Zoning

North: Low Density Residential / Zoned R-1 - Single Family Residential

East: High Density Residential/Planned Unit Development

South: High Density Residential and Commercial/Planned Unit Development

West: Single-Family Residential and Commercial in City of Minneapolis

Parks

Silver Point Park and Trillium Park are located northeast of the project area within the commercial business area (**Figure 8**). Gross National Golf Club is located east of the project area, and two cemeteries, Minneapolis Diagonal Trail runs from north to south east of the project area along New Brighton Blvd.

Farmland

The project area is an urban area. There are no prime or unique farmlands within or near the project area.

ii. *Plans. Describe planned land use as identified in comprehensive plan (if available) and any other applicable plan for land use, water, or resources management by a local, regional, state, or federal agency.*

The 2008 Comprehensive Plan's Land Use Plan identifies the project area as multi-family housing and a location for planned change (**Figure 6**) and discusses the following items related to the site at 2501 Lowry Avenue:

- It acknowledges Lowry Grove as a source of affordable housing in the community.
- It recognizes its age and condition.
- It states that any changes in land use would be initiated by the landowner, not proactively by the City.
- It states that any change in land use would require proper notification and provision for relocation under state statute.
- It states the importance of provision of affordable housing in this area to the community.
- It outlines a general vision, should the property redevelop, that includes a mix of multi-family housing ("townhomes and condominium apartments").
- Discusses the need for pedestrian improvements and streetscape on Kenzie Terrace.

iii. *Zoning, including special districts or overlays such as shoreland, floodplain, wild and scenic rivers, critical area, agricultural preserves, etc.*

The project area is zoned as single family residential (**Figure 7**) and is part of the Kenzie Terrace District. No special districts or overlays exist for this project area.

b. *Discuss the project's compatibility with nearby land uses, zoning, and plans listed in Item 9a above, concentrating on implications for environmental effects.*

The site plan proposes townhomes along the west and north edges of the project area that are adjacent to single family residential areas. It also indicates the multi-family housing adjacent to the existing high density residential areas.

The project area is zoned as single family and would need to be rezoned as Planned Unit Development/Multi-Family Residential. The planned development does fit with the general vision outlined for the property in Comprehensive Plan and includes units of affordable housing.

c. *Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 9b above.*

The project area is zoned as single family and would need to be rezoned as Planned Unit Development/Multi-Family Residential prior to construction.

10. Geology, soils and topography/land forms:

a. *Geology - Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. Discuss any limitations of these features for the project and any effects the project could have on these features. Identify any project designs or mitigation measures to address effects to geologic features.*

The surficial geology of the project area is loamy till with moderate relief (**Figure 9**). Till is unsorted material deposited directly by glacial ice. The till within the project area was deposited during the most recent glacial period, which is referred to as the Wisconsin episode of the Quaternary Period, occurred from 110,000 years to 12,000 year before present time. The till is primarily loam-textured, unsorted sediment with pebbles, some cobbles and a few boulders. The till deposits form round or elliptical hills with an overall relief of about 40 feet to 70 feet. Within the project area, the till extends roughly 50 feet down before reaching the first bedrock layer. The first bedrock layer under most of the project area is Platteville and Glenwood Formation (**Figure 10**). The formation is made up of the Platteville formation underlain by the Glenwood formation. The Platteville formation is made up primarily of limestone and dolostone.

b. *Soils and topography - Describe the soils on the site, giving NRCS (SCS) classifications and descriptions, including limitations of soils. Describe topography, any special site conditions relating to erosion potential, soil stability or other soils limitations, such as steep slopes, highly permeable soils. Provide estimated volume and acreage of soil excavation and/or grading. Discuss impacts from project activities (distinguish between construction and operational activities) related to soils and topography. Identify measures during and after project construction to address soil limitations including stabilization, soil corrections or other measures. Erosion/sedimentation control related to stormwater runoff should be addressed in response to Item 11.b.ii.*

The soil on the project area is Urban land - Udorthents complex with 0-6% slopes (**Table 4**, **Figure 11**). These soils are the result of cut and fill activity. The soils are well drained. Grading will include approximately 65,000 cubic yards in the project area which includes grading for below grade levels. The cut and fill is expected to result in a net balance. Excess material unsuitable for foundations may require export from the site. Improved foundation material will be imported onsite as necessary. The project construction will comply with all NPDES permit conditions to ensure proper stabilization time. After project construction, all areas will be landscaped.

Table 4: Soils within Project Area

Saint Anthony Village, Minnesota					
Map Symbol	Name	Percent Slopes	Erodibility Status	Acres	Percent of Project Limits
U1A	Urban land-Udorthents	0-2% slopes	Not Highly Erodible	5.6 acres	36.3%
U6B	Urban land-Udorthents	0-6% slopes	Not Highly Erodible	9.84 acres	63.7%

NOTE: For silica sand projects, the EAW must include a hydrogeologic investigation assessing the potential groundwater and surface water effects and geologic conditions that could create an increased risk of potentially significant effects on groundwater and surface water. Descriptions of water resources and potential effects from the project in EAW Item 11 must be consistent with the geology, soils and topography/land forms and potential effects described in EAW Item 10.

11. Water resources:

- a. *Describe surface water and groundwater features on or near the site in a.i. and a.ii. below.*
 - i. *Surface water - lakes, streams, wetlands, intermittent channels, and county/judicial ditches. Include any special designations such as public waters, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within 1 mile of the project. Include DNR Public Waters Inventory number(s), if any.*

The DNR's Public Waters Inventory and National Wetlands Inventory maps were reviewed and there are no surface water features within the project area (**Figure 12**). There are no listed MPCA 303d Impaired waters within 1 mile of the project; however, the Mississippi River (approximately 2.3 miles west) is listed as impaired for bacteria, and water from this area of Saint Anthony drains to the river.

- ii. *Groundwater – aquifers, springs, seeps. Include: 1) depth to groundwater; 2) if project is within a MDH wellhead protection area; 3) identification of any onsite and/or nearby wells, including unique numbers and well logs if available. If there are no wells known onsite or nearby, explain the methodology used to determine this.*

Based on data gathered from well logs (**Appendix C**), the depth to groundwater varies between 68 - 125 feet across the project area. Based on the preliminary findings from the developer's environmental consultant, water is present approximately 6 feet below the surface in some areas. This is most likely a perched groundwater condition.

The project is not located in a MDH wellhead protection area. The project is in Minneapolis's Drinking Water Supply Management Area for Surface Water. The wells listed below in **Table 5** and shown in **Figure 13** are within or adjacent to the project area:

Table 5: Wells within 350 feet of Project Area

Well ID	Type	Status	Static Water Level (below land surface)
256760	Domestic	Inactive	68 ft.
276877	Domestic	Active	109 ft.
247102	Other	Abandoned	unknown
257353	Unknown	Sealed	107 ft.
507600	Monitor	Sealed	unknown
233267	Commercial	Active	125 ft.
233887	Domestic	Active	unknown

251491	Domestic	Sealed	115 ft.
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b. *Describe effects from project activities on water resources and measures to minimize or mitigate the effects in Item b.i. through Item b.iv. below.*

i. *Wastewater - For each of the following, describe the sources, quantities and composition of all sanitary, municipal/domestic and industrial wastewater produced or treated at the site.*

1) *If the wastewater discharge is to a publicly owned treatment facility, identify any pretreatment measures and the ability of the facility to handle the added water and waste loadings, including any effects on, or required expansion of, municipal wastewater infrastructure.*

The development will increase average day sanitary sewer flows by an estimated 230,000 gallons per day (274 gallons/unit/day for average flows), and was calculated based on the Metropolitan Council's Flow Variation Factors for Sewer Design from the 2040 Water Resources Policy Plan. These flows will ultimately travel to the Metropolitan Council's Metro Wastewater Treatment Plant via meter M104. It is planned that the wastewater from the development will enter the system at the 24" diameter PVC in the alley south of 27th Avenue NE. The pipe and downstream system is capable of handling the increased sanitary flows proposed from the development, according to the City's sanitary sewer model. Depending on the final grading of the site, a 600 gpm sanitary sewer lift station with a 10" inner diameter forcemain will likely be required.

St. Anthony will surpass the Metropolitan Council's wastewater projections, as outlined in its Water Resources Policy Plan. The Council currently does not predict a significant increase in wastewater flows from the City between 2010 and 2040, with wastewater flows meeting their expected peak of 0.76 MGD in 2020. The City's average daily wastewater flows from 2010 to 2015 were 0.73 MGD. Therefore, the Council is planning to treat, at most, an increase of 0.03 MGD, while this project will increase flows by an estimated 0.23 MGD, bringing the City's total to 0.96 - 0.99MGD. The development may therefore require review by the Metropolitan Council to determine if their interceptor can accommodate the increase in flows.

2) *If the wastewater discharge is to a subsurface sewage treatment systems (SSTS), describe the system used, the design flow, and suitability of site conditions for such a system.*

Wastewater will not discharge to a subsurface sewage treatment system.

3) *If the wastewater discharge is to surface water, identify the wastewater treatment methods and identify discharge points and proposed effluent limitations to mitigate impacts. Discuss any effects to surface or groundwater from wastewater discharges.*

Wastewater will not discharge to surface water.

ii. *Stormwater - Describe the quantity and quality of stormwater runoff at the site prior to and post construction. Include the routes and receiving water bodies for runoff from the site (major downstream water bodies as well as the immediate receiving waters). Discuss any environmental effects from stormwater discharges. Describe stormwater pollution prevention plans including temporary and permanent runoff controls and potential BMP site locations to manage or treat stormwater runoff. Identify specific erosion control, sedimentation control or stabilization measures to address soil limitations during and after project construction.*

Under existing conditions the site contains a manufactured housing park with 6.6 acres of impervious surface. Proposed conditions will consist of multi-family residences with 9.6 acres of impervious surface.

Existing runoff drains to a depression in the southeast quadrant of the project area and discharges to the Saint Anthony Village stormwater system. The stormwater is then discharged into the City of Minneapolis system and into the Mississippi River.

There is a history of flooding on this property and surrounding properties. An XP-SWMM model has been developed to determine the existing conditions runoff rates for the 2-, 10-, and 100-year Atlas-14 storm events (**Table 6**). This model indicates that the City Stormwater System currently surcharges and flows back into this property. Therefore, backflow preventers may be required to manage stormwater runoff onto this site.

Table 6: Existing Discharge Rate into the City Storm Sewer System

Storm	Discharge Rate (cfs)
2-Year	5.8
10-Year	5.9
100-Year	6.1

The proposed XP SWMM analysis of the proposed development will need to show that there will be no increase in the 100-year, 24-hour storm from the new development into the City of St. Anthony storm sewer. The final grading plan and design will be submitted to the City of Saint Anthony Village for review and approval prior to construction.

Stormwater quality requires the capture and retention of the first 1.1 inches of runoff from the new and fully reconstructed impervious surfaces. However, due to the presence of clay soils and the potential for mobilization of contamination, infiltration is discouraged on this site. Therefore, if the site is unable to capture and retain the 1.1 inches the site must achieve the following, per the Mississippi River Watershed Management Organization Watershed Management Plan 2011-2021 (11-09-2016 Revision) Appendix Q:

- 0.55 inch volume reduction
- Remove 75% of the annual Total Phosphorus between pre and post conditions.

- Examine the merits of relocating project elements to address, varying soil and contamination conditions.

A Stormwater Pollution Prevention Plan (SWPPP) will need to be prepared in accordance with NPDES guidelines and the City of Saint Anthony Village's Stormwater Management criteria, and will be required to be submitted and approved prior to construction. Grading, drainage, and erosion control measures must be consistent with Mississippi Watershed Management Organization's Management Plan and the City of Saint Anthony Village's Surface Water Management Plan.

There will be no anticipated downstream environmental effects from the proposed project based on the project needing to meet state and local requirements.

iii. *Water appropriation - Describe if the project proposes to appropriate surface or groundwater (including dewatering). Describe the source, quantity, duration, use and purpose of the water use and if a DNR water appropriation permit is required. Describe any well abandonment. If connecting to an existing municipal water supply, identify the wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure. Discuss environmental effects from water appropriation, including an assessment of the water resources available for appropriation. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation.*

Water Supply and Infrastructure

The proposed development will increase average and maximum day water demands by approximately 140,000 and 300,000 gallons per day, respectively. The additional water demands were calculated as 180 gallons per unit per day for average flows, with the peak factor of 2.14 determined from historic water usage data. These calculations resulted in an average daily demand of 105 gallons per minute and a peak daily demand of 225 gallons per minute. These flows would be delivered from the City's existing water treatment plant (WTP), through the 10-inch trunk main that runs along Silver Lake Road to Kenzie Terrace. The City's existing water storage and supply will be adequate in managing the increased water demand from this proposed development. It is planned that the development's service connections will be located along Kenzie Terrace to provide the maximum available fire flow rates.

Without knowing more information regarding the proposed building's interior sprinkler system flow rate requirements, a minimum fire flow rate for the development was conservatively assumed to be 3,500 gallons per minute (gpm). This fire flow was approximated based on the Insurance Service Office (ISO) standards and recommendations.

The City's existing water system was modeled to determine if the existing infrastructure would be adequate in providing the required minimum fire flow rate. As the system currently exists, the available flow rate at the proposed location is approximately 2,300 gpm which is below the ISO's requirement.

Since the City's existing watermain does not have sufficient capacity to supply the development with required ISO fire flow rate, the following are options for addressing this issue:

- Obtain more specific information pertaining to the Village, LLC development in regards to their interior sprinkler system flow rate requirements.
- Upsizing the City's existing trunk main may be required to provide the development with the required 3,500 gpm fire flow rate.
- Installation of a booster station to increase fire flow pressure may be an alternative.

There is an existing watermain easement running through the site that will need to be vacated and re-located as part of the development proposal.

Surface Waters

a) *Wetlands - Describe any anticipated physical effects or alterations to wetland features such as draining, filling, permanent inundation, dredging and vegetative removal. Discuss direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed. Identify measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands. Discuss whether any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed, and identify those probable locations.*

There are no wetlands within the property so no wetland impacts will occur.

b) *Other surface waters- Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features. Identify measures to avoid, minimize, or mitigate environmental effects to surface water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.*

There are no surface waters present within the project area. The project will not change the number or type of watercraft on any water body.

12. Contamination/Hazardous Materials/Wastes:

a. Pre-project site conditions - Describe existing contamination or potential environmental hazards on or in close proximity to the project site such as soil or ground water contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines. Discuss any potential environmental effects from pre-project site conditions that would be caused or exacerbated by project construction and operation. Identify measures to avoid, minimize or mitigate adverse effects from existing contamination or potential environmental hazards. Include development of a Contingency Plan or Response Action Plan.

The project area was reviewed for potentially contaminated soils using publically-available data. The following databases were reviewed:

- MPCA “What’s in My Neighborhood?” website and
- MPCA Tanks and Leaks website
- Minnesota Department of Agriculture (MDA) “What’s in My Neighborhood?” website
- Phase I Environmental Site Assessment (ESA)
- Phase II ESA

One MPCA database listing was identified within the project area for an underground storage tank (UST) and leak (**Figure 14, Site 1**). The UST, 12,000 gallons in size, contained fuel oil, and was removed in 1986. The location of the removed UST tank is unknown at this time. The associated site leak was discovered in 2012, consisted of fuel oil 1 & 2, impacted groundwater, and was issued site closure by the MPCA on March 15, 2013. Site closure means that an investigation has been completed and the MPCA has determined the leak does not pose a threat to human health or the environment in its current state. Site closure does not mean that the site is free of contamination.

Four MPCA database listings were identified immediately adjacent to the project area. One of these four listings, Site 2, contained evidence of contamination. Site 2 is listed on the Leaks database. The identified leak (ID 407) was discovered in 1987, consisted of fuel oil 1 & 2 and leaded gasoline, and was issued site closure by the MPCA on November 26, 1991. Due to the proximity of this site, it is possible the leak has resulted in contamination within the eastern portion of the project area.

In addition to the MPCA data, there have been a number of previous environmental documents prepared for the project area. Phase I and II ESAs were completed for the project area in 2012, and two additional Phase II investigations were completed in 2016.

The Phase I ESA identified two recognized environmental conditions (RECs) associated with the project area. REC-1 was the result of two historical dry cleaners located adjacent to the project area to the southwest. REC-2 was the result of two former fuel oil USTs, which were removed from the project area near the laundry/shower room building in 2012. Previous investigations determined that at least one of the two USTs had leaked, resulting in soil and groundwater impacts. The associated MPCA leak number (ID 18847) was issued site closure in 2013.

In 2016, diesel range organics (DRO) were detected at a maximum concentration of 364 milligrams per kilogram (mg/kg) in the soil at the project area which is above the MPCA’s criteria for unregulated fill of 100 mg/kg. Various volatile organic compounds (VOCs) were also

detected in soil vapor at the project area in 2016 at concentrations above residential intrusion screening values (ISVs). Tetrachloroethene (commonly associated with historical drycleaner operations) was detected in the soil vapor at a concentration of 43 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) which is greater than ten times the established residential ISV for this compound of 33 $\mu\text{g}/\text{m}^3$. Additionally, DRO was detected in the groundwater at a concentration of 0.22 micrograms per liter ($\mu\text{g}/\text{L}$) and tetrachloroethene was detected in the groundwater at a concentration of 2.6 $\mu\text{g}/\text{L}$. The tetrachloroethene detections are likely due to an off-site source (the former dry cleaner sites) located south of the project area.

Excavation during construction is likely to encounter contaminated soil and/or groundwater that will require special management during construction. Additionally, previous Phase II ESA information indicates the property soil is regulated for DRO and VOCs in select areas. A Voluntary Response Action Plan (VRAP) has been prepared for the proposed project and has been approved by the MPCA ([Appendix B](#)).

- b. Project related generation/storage of solid wastes - Describe solid wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from solid waste handling, storage and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of solid waste including source reduction and recycling.*

During construction solid wastes generated will be typical of a residential construction project. Construction waste produced during the construction of the project will be disposed of by a license garbage hauler serving the Saint Anthony Village area.

For the post development period, the waste generated will be mixed municipal waste collected and disposed of by a license garbage hauler serving the Saint Anthony Village area. As a manufactured home/ RV park community, the site currently generates mixed municipal waste. The proposed project will increase the amount of units and the amount of waste generated is expected to increase. Saint Anthony Village encourages recycling and all license garbage haulers serving the Saint Anthony Village area offer recycling options for their subscribers.

- c. Project related use/storage of hazardous materials - Describe chemicals/hazardous materials used/stored during construction and/or operation of the project including method of storage. Indicate the number, location and size of any above or below ground tanks to store petroleum or other materials. Discuss potential environmental effects from accidental spill or release of hazardous materials. Identify measures to avoid, minimize or mitigate adverse effects from the use/storage of chemicals/hazardous materials including source reduction and recycling. Include development of a spill prevention plan.*

During construction, some hazardous materials typical of a construction site (e.g. fuel oil) will be stored in approved containers. As required by the NPDES Construction Stormwater Permit, the fuel containers will be required to have secondary containment by either being bermed or stored in a truck or other facility. Fuel trucks and any other hazardous materials are required to be locked when not in use to avoid vandalism.

d. *Project related generation/storage of hazardous wastes - Describe hazardous wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from hazardous waste handling, storage, and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of hazardous waste including source reduction and recycling.*

No hazardous wastes are anticipated to be generated by the operation of the residential project.

13. Fish, wildlife, plant communities, and sensitive ecological resources (rare features):

a. *Describe fish and wildlife resources as well as habitats and vegetation on or in near the site.*

The project area is currently a manufactured home community made up of manufactured homes and paved roadways. The project area has some larger trees and lawns. There are no natural habitats present in the project area. Any wildlife present in the project area would be species typical of a disturbed urban area, such as raccoons, rabbits, squirrels, and some birds (e.g., crows).

b. *Describe rare features such as state-listed (endangered, threatened or special concern) species, native plant communities, Minnesota County Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number (LA-____) and/or correspondence number (ERDB 20170131) from which the data were obtained and attach the Natural Heritage letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe the results.*

A NHIS review request was submitted to the DNR. The NHIS review found no known occurrences of rare features within 1 mile of the project area. Correspondence is attached in **Appendix B**.

c. *Discuss how the identified fish, wildlife, plant communities, rare features and ecosystems may be affected by the project. Include a discussion on introduction and spread of invasive species from the project construction and operation. Separately discuss effects to known threatened and endangered species.*

The project area is currently a manufactured home community and does not contain wildlife habitat. Any wildlife currently utilizing the project area would be typical of a disturbed urban area, such as raccoons, rabbits, squirrels, and some birds (e.g., crows). The project area is surrounded by other disturbed urban areas and any wildlife present could move to the surrounding areas. It is unlikely that wildlife will be affected by the project.

d. *Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to fish, wildlife, plant communities, and sensitive ecological resources.*

Because of the current land use at the project area (urban developed), adverse impacts to wildlife are not anticipated with this project. Erosion control measures (e.g., silt fence, erosion control blanket) will be installed during construction to minimize impacts to downstream water resources. Following construction, landscaped areas may provide habitat for wildlife typical of urban areas.

14. Historic properties:

Describe any historic structures, archeological sites, and/or traditional cultural properties on or in close proximity to the site. Include: 1) historic designations, 2) known artifact areas, and 3) architectural features. Attach letter received from the State Historic Preservation Office (SHPO). Discuss any anticipated effects to historic properties during project construction and operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

A SHPO review was requested, and the results of the review are attached in **Appendix B**. There are two historic structures and one historic district in proximity to the project area (**Figure 16**).

The St. Charles Borromeo Church and School is identified in the SHPO database as a potential historic structure. This property is located north of the project area. The property is outside of the project limits and the project will have no effects on the church or school.

The Sunset Funeral Home and Mausoleum is identified in the SHPO database as a potential historic structure. The funeral home and mausoleum building is located southeast of the project area on the west edge of the Hillside Cemetery property. The property is outside of the project limits and the project will have no effect on the structure.

Stinson Parkway runs along the west side of the project area. Stinson Parkway is part of the Grand Rounds Historical District which has been determined eligible for listing on the National Register of Historic Places (NRHP). The application for listing is currently being reviewed by the National Register staff. Although the project will be visible from Stinson Parkway, the project has attempted to minimize visual impacts through site design. The site design for the project places the townhomes along the parkway and the taller buildings behind the townhomes and further away from the parkway. In the adjacent area, medium density residential homes border Stinson Parkway. The townhomes will have the same visual effect as the existing residential homes and for this reason the project will not change the feel of the parkway. There will be no physical changes to Stinson Parkway as part of this project.

15. Visual:

Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

There are no scenic views or vistas on or near the project area. Some of the upper floors of the buildings adjacent to the project area have views of the Mississippi River, I-35W bridge over the Mississippi River, and downtown Minneapolis. The project could block some of these views, depending on the site layout. However, the proposed development, with a mixture of one and two story townhomes and multi-unit buildings (tallest proposed at 5 stories) is comparable to the heights of buildings in adjacent developments.

The project will not produce vapor plumes. Lighting within the project area will be consistent with the surrounding areas and will not produce glare from intense lights.

16. Air:

- a. *Stationary source emissions - Describe the type, sources, quantities and compositions of any emissions from stationary sources such as boilers or exhaust stacks. Include any hazardous air pollutants, criteria pollutants, and any greenhouse gases. Discuss effects to air quality including any sensitive receptors, human health or applicable regulatory criteria. Include a discussion of any methods used assess the project's effect on air quality and the results of that assessment. Identify pollution control equipment and other measures that will be taken to avoid, minimize, or mitigate adverse effects from stationary source emissions.*

No stationary source emissions are proposed as part of the proposed redevelopment.

- b. *Vehicle emissions - Describe the effect of the project's traffic generation on air emissions. Discuss the project's vehicle-related emissions effect on air quality. Identify measures (e.g. traffic operational improvements, diesel idling minimization plan) that will be taken to minimize or mitigate vehicle-related emissions.*

The EPA has identified a group of 93 compounds emitted from mobile sources that are listed in their Integrated Risk Information System. In addition, the EPA identified seven compounds with significant contributions from mobile sources that are among the national and regional-scale cancer risk drivers. These are acrolein, benzene, 1, 3-butadiene, diesel particulate matter, plus diesel exhaust organic gases (diesel PM), formaldehyde, naphthalene, and polycyclic organic matter. While Federal Highway Administration (FHWA) considers these the priority mobile source air toxics, the list is subject to change and may be adjusted in consideration of future EPA rules.

EPA rule requires controls that will dramatically decrease Mobile Source Air Toxins (MSAT) emissions through cleaner fuels and cleaner engines. According to an FHWA analysis using EPA's MOBILE6.2 model, even if vehicle activity increases as assumed, a combined reduction of 72 percent in the total annual emission rate for the priority MSAT is projected from 1999 to 2050.

Air toxics analysis is a continuing area of research. While much work has been done to assess the overall health risk of air toxics, many questions remain unanswered. In particular, the tools and techniques for assessing project-specific health outcomes as a result of lifetime MSAT exposure remain limited. These limitations impede the ability to evaluate how the potential health risks posed by MSAT exposure should be factored into project-level decision-making within the context of the National Environmental Policy Act. The FHWA will continue to monitor the developing research in this emerging field.

Because of the uncertainties outlined above, a quantitative assessment of the effects of air toxic emissions impacts on human health cannot be made at the project level. While available tools do allow us to reasonably predict relative emissions changes between alternatives for larger projects, the amount of MSAT emissions from each of the study scenarios and MSAT concentrations or exposures created by each of the study scenarios cannot be predicted with enough accuracy to be useful in estimating health impacts. Therefore, it is not possible to make a determination of whether any of the scenarios would have "significant adverse impacts on the human environment."

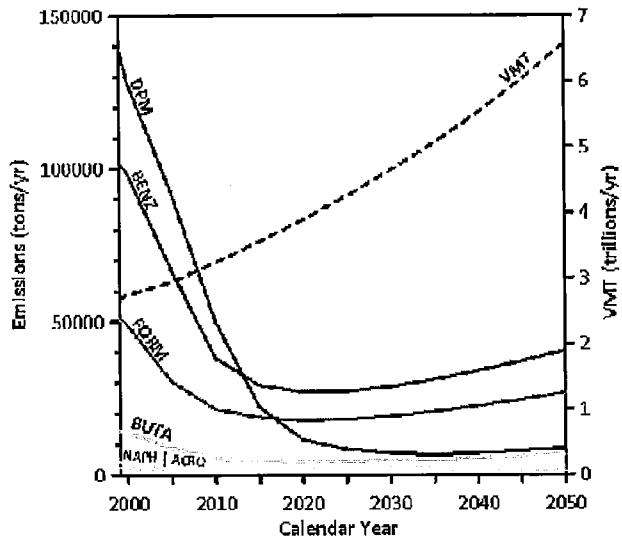
This document acknowledges that the build scenarios may result in increased exposure to MSAT emissions in certain locations, although the concentrations and duration of exposures are uncertain, and because of this uncertainty, the health effects from these emissions cannot be estimated.

Although a qualitative analysis cannot identify and measure health impacts from MSATs, it can give a basis for identifying and comparing the potential differences among MSAT emissions, if any, from the various scenarios. The qualitative assessment presented below is derived in part from a study conducted by the FHWA entitled *A Methodology for Evaluating Mobile Source Air Toxic Emissions among Transportation Project Alternatives*.

For this EAW, the amount of MSAT emitted would be proportional to the average daily traffic (ADT). The ADT estimated for the proposed site redevelopment is higher than that for the no build condition, because the project involves new development that produces additional trips. This increase in ADT means MSAT under the build scenarios would probably be higher than the no build condition in the study area. There could also be localized differences in MSAT from indirect effects of the project such as associated access traffic, emissions of evaporative MSAT (e.g., benzene) from parked cars, and emissions of diesel particulate matter from delivery trucks. Travel to other destinations would be reduced with subsequent decreases in emissions at those locations.

For the proposed site redevelopment, emissions are virtually certain to be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by 72 percent from 1999 to 2050, as shown in the following graph. The magnitude of the EPA-projected reductions is so great (even after accounting for ADT growth) that MSAT emissions in the study area are likely to be lower in the future than they are today.

**NATIONAL MSAT EMISSION TRENDS 1999 - 2050
FOR VEHICLES OPERATING ON ROADWAYS
USING EPA's MOBILE6.2 MODEL**



Note:

(1) Annual emissions of polycyclic organic matter are projected to be 561 tons/yr for 1999, decreasing to 373 tons/yr for 2050.

(2) Trends for specific locations may be different, depending on locally derived information representing vehicle-miles travelled, vehicle speeds, vehicle mix, fuels, emission control programs, meteorology, and other factors

Source: U.S. Environmental Protection Agency. MOBILE6.2 Model run 20 August 2009.

The U.S. Environmental Protection Agency has designated all of Hennepin, Ramsey, Anoka and portions of Carver, Scott, Dakota, Washington and Wright Counties as a maintenance area for carbon monoxide. The EAW study area is in Hennepin County that is in this carbon monoxide maintenance area.

The EPA has approved a screening method to determine which intersections need a hotspot analysis. A hot spot analysis is required if the intersection is above the benchmark average annual daily traffic (AADT) threshold or listed as one of the "Top Ten" intersections. All of the top ten intersections are within the Twin Cities carbon monoxide maintenance area. Below is a list of the top ten intersections and their 2007 AADT.

1. TH 169 at CSAH 81 – 79,400
2. TH 7 at CSAH 101 – 66,600
3. TH 252 at 85th Avenue – 66,800
4. University Avenue at Snelling Avenue – 59,700
5. TH 252 at Brookdale Drive – 61,300
6. Cedar Avenue at County Road 42 – 75,100
7. TH 7 at Williston Road – 54,900
8. University Avenue at Lexington Avenue – 59,700
9. TH 252 at 66th Avenue – 72,500
10. Hennepin Avenue at Lake Street – 37,000

The screening method demonstrates that because this project has less than the benchmark AADT of 79,400 and does not involve or affect the "Top Ten Intersections," a hotspot analysis is not needed.

In summary, it is expected there will be slightly higher MSAT emissions in the study area with the project relative to the no build condition due to increased ADT. There also could be increases in MSAT levels in a few localized areas where ADT increases. However, the EPA's vehicle and fuel regulations will bring about significantly lower MSAT levels for the area in the future when compared to today.

- c. *Dust and odors - Describe sources, characteristics, duration, quantities, and intensity of dust and odors generated during project construction and operation. (Fugitive dust may be discussed under item 16a). Discuss the effect of dust and odors in the vicinity of the project including nearby sensitive receptors and quality of life. Identify measures that will be taken to minimize or mitigate the effects of dust and odors.*

During construction, particulate emissions will temporarily increase due to generation of fugitive dust. The nearest and most sensitive receptors to the construction activity are the residential properties that immediately surround the property. Construction dust control is required to be in conformance with City of Saint Anthony Village's ordinances and the NPDES Construction Stormwater permit.

The construction and operation of the proposed site redevelopment is not anticipated to involve processes that would generate odors.

17. Noise

Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area, 2) nearby sensitive receptors, 3) conformance to state noise standards, and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

The existing site is located within a suburban area and is surrounded by low density residential, high-density residential and commercial uses. Existing noise sources are those typical of suburban residential/commercial areas and consist mainly of traffic on the area roadways, which include Kenzie Terrace, Stinson Parkway, St Anthony Boulevard and surrounding residential streets. The nearest sensitive receptors are the existing single family residential units north and west of the site.

Construction noise levels and types typical of construction equipment will occur as a result of this project. Construction noise will be limited to daytime hours consistent with the City of St Anthony Village's construction and noise ordinances (7 am to 10 pm on weekdays, 9 am to 9 pm on weekends and holidays). Construction equipment will be fitted with mufflers that would be maintained throughout the construction process. **Table 7** below summarizes the peak noise levels of common types of roadway construction equipment.

Table 7: Typical Roadway Construction Equipment Noise Levels at 50 Feet

Equipment Type	Manufacturers Sampled	Total Number of Models in Sample	Peak Noise Level	
			Range	Average
Backhoe	5	6	74-92	83
Front Loader	5	30	75-96	85
Dozer	8	41	65-95	85
Grader	3	15	72-92	84
Scraper	2	27	76-98	87
Pile Driver	N/A	N/A	95-105	101

Source: United States Environmental Protection Agency and Federal Highway Administration

18. Transportation

a. *Describe traffic-related aspects of project construction and operation. Include: 1) existing and proposed additional parking spaces, 2) estimated total average daily traffic generated, 3) estimated maximum peak hour traffic generated and time of occurrence, 4) indicate source of trip generation rates used in the estimates, and 5) availability of transit and/or other alternative transportation modes.*

The proposed project will involve the redevelopment of an existing 15-acre manufactured home community with 98 manufactured homes and approximately 95 RV sites, into a combination of multi-family residential units (townhomes and apartments). The site is located in the northeast quadrant of the intersection of Kenzie Terrace (CR 153) and NE Stinson Parkway. The project is proposed to include approximately 837 units. Five multi-unit apartment buildings will be constructed as part of the redevelopment. The total number of units within the apartment building will be approximately 800 units. Approximately 37, 2- to 3-story townhome units will also be constructed. **Figure 4** shows the project location and proposed site plan.

The estimated trip generation from the proposed site development project is shown below in **Table 8**. The trip generation used to estimate the proposed site traffic is also based on rates for other similar land uses as documented in the Institute of Transportation Engineers *Trip Generation Manual, 9th Edition*. The table shows the daily, AM peak hour, PM peak hour and PM peak hour of generator trip generation for the proposed site development.

Table 8 - Estimated Development Site Trip Generation

Planned Use	Dwelling Units	ADT			AM Peak			PM Peak		
		Total	In	Out	Total	In	Out	Total	In	Out
Apartments	500	3154	1577	1577	249	50	199	293	190	103
Senior Living	100	320	160	160	20	7	13	26	14	12
Continuing Care	200	640	320	320	47	31	16	85	34	51
Townhomes	37	270	135	135	23	4	19	27	18	9
Total	837	4384	2192	2192	339	92	247	431	256	175

Source: Institute of Transportation Engineers Trip Generation Manual, 9th Edition

Transit opportunities near the project area include seven MetroTransit bus stops along Kenzie Terrace between Stinson Blvd and 27th Avenue NE, including two at the entrance to Lowry Grove. A bikeway is located on Saint Anthony Blvd west of Stinson Avenue.

b. Discuss the effect on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project's impact on the regional transportation system. If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW. Use the format and procedures described in the Minnesota Department of Transportation's Access Management Manual, Chapter 5 (available at: <http://www.dot.state.mn.us/accessmanagement/resources.html>) or a similar local guidance,

A Traffic Impact Study was completed for the proposed Village, LLC site development. This Study provides a comprehensive look at anticipated traffic impacts for the regional area, including the area identified with this EAW.

The Traffic Study evaluated conditions for the years 2016 (existing), 2022 (proposed) and 2030 (proposed). Based on the analysis four intersections were identified with capacity or vehicle queueing impacts associated with the development of the proposed site. These intersections include:

1. St Anthony Blvd at New Brighton Blvd (CR 88)
2. St Anthony Blvd at Silver Lake Blvd/Kenzie Terrace (CR 153)
3. Kenzie Terrace (CR 153)/NE Lowry Ave at NE Stinson Parkway
4. Kenzie Terrace (CR 153) at Proposed Site Access/Wilson Street

The Traffic Impact Study was completed for this project and is included in **Appendix D**. Necessary traffic improvements are discussed within the Traffic Impact Study and are also summarized in the section below.

c. Identify measures that will be taken to minimize or mitigate project related transportation effects.

Based on the analysis mitigation improvements were recommended for 2018 with the proposed development and by 2030 as the area develops. These recommendations include:

1. 2018 with The Village, LLC Development:
 - Optimize the signal time and coordination between the St Anthony Blvd intersections at New Brighton Blvd (CR 88) and Silver Lake Blvd/Kenzie Terrace (CR 153).
 - Lengthen the northwest bound left turn lane from St Anthony Blvd to southbound New Brighton Blvd (CR 88) from 125 feet to 200 feet.
 - Lengthen the northeast bound right turn lane from Kenzie Terrace (CR 153) to southeast St Anthony Blvd from 170 feet to 200 feet.

- Lengthen the southwest bound left turn from Silver Lake Blvd (CR 153) to southeast St Anthony Blvd from 100 feet to 175 feet.
- Lengthen the westbound left turn from Kenzie Terrace (CR 153) to southbound NE Stinson Parkway (CR 27) by shortening or removing the existing left turn lane from Kenzie Terrace to the Bremer Bank Building.
- Lengthen the northbound left turn from NE Stinson Parkway to westbound NE Lowry Ave from 150 feet to 300 feet.
- At the proposed site driveway at Wilson St on Kenzie Terrace (CR 153) provide:
 - Two lanes exiting the site (one left turn and one through/right lane)
 - Left turn lane from Kenzie Terrace (CR 153) into the site
 - Right turn lane from Kenzie Terrace (CR 153) into the site

2. 2030 with Future Area Development:

- Consider a dual roundabout or other intersection control improvements for the St Anthony Blvd intersections at New Brighton Blvd (CR 88) and Silver Lake Blvd/Kenzie Terrace (CR 153).
- Consider a roundabout or other intersection control improvements at the intersection of Kenzie Terrace (CR 153)/NE Lowry Ave at NE Stinson Parkway.

The Traffic Impact Study is included in **Appendix D**.

19. Cumulative potential effects: *(Preparers can leave this item blank if cumulative potential effects are addressed under the applicable EAW Items)*

a. Describe the geographic scales and timeframes of the project related environmental effects that could combine with other environmental effects resulting in cumulative potential effects.

The proposed project will involve redevelopment of the 15-acre project area. Project-related impacts will include soil disturbance, building removal, vegetation removal, and the addition of impervious surface, stormwater, sanitary, and traffic. The project area will also need to be rezoned from Single Family Residential to Planned Unit Development/Multi-Family Residential.

Soil disturbance: The project will involve soil disturbance. An NPDES permit will be required and erosion control BMPs will need to be in place throughout construction.

Building removal: The project will involve demolition of buildings. The buildings will need to be inspected for regulated materials prior to demolition. If regulated materials are found they will need to be handled and disposed of in accordance with state and local regulations.

Vegetation removal: Vegetation removal will occur as part of this project. The vegetation present does not provide critical habitat for wildlife. Following construction, it is expected that a landscaping plan will include tree and other landscape plantings that will provide habitat similar to what currently exists.

Impervious surface and stormwater: The project will increase the impervious surface within the project area and, as a result, stormwater runoff. The project will need to provide volume and rate control that does not exceed the existing conditions.

Sanitary and Water: The existing sanitary sewer system is capable of handling the additional units, but the project will likely need to construct a lift station with two pumps (one for redundancy) with a capacity of 600 gpm through a 10" inner diameter forcemain.

The existing water supply system will be inadequate to provide the minimum fire flow rate under proposed conditions. Upsizing the City's existing trunk main may be required to provide the development with the required 3,500 gpm fire flow rate.

Traffic: The project will increase traffic in the area and four intersections will experience increased queue length as a result of the project. Several mitigation measures were recommended that will address the increased traffic, and are included in Section 18c above, and in the Traffic Impact Study in **Appendix D**.

The project is expected to begin in summer 2017. Construction will be phased and is expected to be completed by 2022. Mitigation measures to address the impacts resulting from the project will be put in place within the same timeframe. Therefore, it is not anticipated that the impacts will combine to create a cumulative potential effect.

- b. Describe any reasonably foreseeable future projects (for which a basis of expectation has been laid) that may interact with environmental effects of the proposed project within the geographic scales and timeframes identified above.*

The area surrounding the project area is fully developed. No reasonably foreseeable future projects that would combine with the impacts described in this EAW to create cumulative impacts exist.

- c. Discuss the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.*

No cumulative potential impacts are expected.

- 20. Other potential environmental effects:** *If the project may cause any additional environmental effects not addressed by items 1 to 19, describe the effects here, discuss the how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.*

No additional environmental effects have been identified or are anticipated.

RGU CERTIFICATION. (*The Environmental Quality Board will only accept **SIGNED** Environmental Assessment Worksheets for public notice in the EQB Monitor.*)

I hereby certify that:

- The information contained in this document is accurate and complete to the best of my knowledge.
- The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9c and 60, respectively.
- Copies of this EAW are being sent to the entire EQB distribution list.

Signature Brianne Rothstein Date 11/28/2016

Title City Planner

EXHIBIT J

Record of Decision

THE VILLAGE, LLC REDEVELOPMENT EAW

City of Saint Anthony Village

January 19, 2016

Prepared by:

**WSB & Associates, Inc.
701 Xenia Avenue South, Suite 300
Minneapolis, MN 55416**



701 Xenia Avenue South | Suite 300 | Minneapolis, MN 55416 | (763) 541-4800

Memorandum

To: *Honorable Mayor and City Council, City of Saint Anthony Village*

CC: *Breanne Rothstein, WSB & Associates, Inc.*

From: *Alison Harwood, WSB & Associates, Inc.*

Date: *January 19, 2017*

Re: *The Village, LLC Redevelopment
Environmental Assessment Worksheet
WSB Project No. 2170-380*

The public comment period for the proposed The Village, LLC Redevelopment Environmental Assessment Worksheet (EAW) ended January 4, 2017. The purpose of the EAW is to identify potential environmental impacts and determine whether or not an Environmental Impact Statement (EIS) is required. An EIS is a more extensive environmental review process. Determining whether or not an EIS is needed does not relate to providing approval or denial for the project.

Enclosed, please find the following items for your review relating to this EAW:

- The Record of Decision and Findings of Fact on the need for an Environmental Impact Statement (EIS).
- A summary of the review agencies comments received on the EAW and the responses to those comments. This section responds to each review agency issue.

Summary of Major Comments

Comments were received from the US Army Corps of Engineers (USACE), Metropolitan Council, Minnesota Pollution Control Agency (MPCA), Minnesota Historical Society (SHPO), and Hennepin County. These comments were general in nature. The Metropolitan Council comments have either been addressed or will be addressed during the City of Saint Anthony Village's Updated to the 2040 Comprehensive Plan. The Hennepin County comments have either been addressed or will be addressed during the revised traffic study or the preliminary plat review. The SHPO, MPCA, and USACE did not raise significant issues.

City Council Decision Action

The decision before the City Council regarding the EAW is to decide whether or not the project has the potential for significant environmental impacts that cannot be addressed through the permitting processes. If the Council determines that the project does not have the potential for these significant environmental impacts, the Council should issue a Negative Declaration of Need for an EIS. If the Council determines that the project does have the potential for significant environmental impact that cannot be addressed through the permitting and approval process, the Council should require an EIS. Based on the review completed by WSB & Associates, it is our recommendation that an EIS is not needed for this project.

If you have any questions, please feel free to call me at (763) 231-4847.

I. ADMINISTRATIVE BACKGROUND

Pursuant to Minnesota Rule 4410.4500, the City of Saint Anthony Village has prepared an Environmental Assessment Worksheet (EAW) for the proposed The Village, LLC Redevelopment. This Record of Decision addresses State of Minnesota environmental review requirements as established in Minnesota Rule 4410.1700. Continental Property Group is the project proposer for this project. The City of Saint Anthony Village is the Responsible Governmental Unit (RGU).

The EAW was filed with the Minnesota Environmental Quality Board (EQB) and circulated for review and comments to the required EAW distribution list. A Notice of Availability for the initial EAW was published in the EQB Monitor on December 5, 2016. Notices of Availability and Press Releases were published in the *St Anthony Bulletin* on December 7, 2016.

The public comment period ended January 4, 2017. Comments were received from the US Army Corp of Engineers (USACE), Metropolitan Council, Minnesota Pollution Control Agency (MPCA), Minnesota Historical Society (SHPO), and Hennepin County. All comments were considered in determining the potential for significant environmental impacts. Summaries of the comments received, and the City of Saint Anthony Village's responses to those comments, are provided in Section III, below.

II. FINDINGS OF FACT AND CONCLUSIONS

As to the need for an Environmental Impact Statement (EIS) on this project and based on the record in this matter, including the EAW and comments received, the City of Saint Anthony Village makes the following Findings of Fact and Conclusions:

A. PROJECT DESCRIPTION

Continental Property Group proposes to redevelop an existing 15-acre manufactured home/RV park community, which holds 98 manufactured homes and 95 RV sites, into a combination of multi-family residential units (townhomes and apartments). The project is proposed to construct approximately 837 units.

B. PROJECT HISTORY

- The project was subject to a mandatory EAW per Minnesota Rule 4410.4300 Subpt 19.
- The EAW was distributed to the EQB and to the EQB mailing list on December 5, 2016.
- Public notices containing information about the availability of the EAW for public review was provided to the *St Anthony Bulletin* for publication in the December 7, 2016 papers.
- Hard copies of the EAW were provided for public review at Saint Anthony Village City Hall, Northeast Library, Environmental Conservation Library, and an electronic copy was provided on the City of Saint Anthony's website.
- A notice was published for the EAW in the December 5, 2016 EQB Monitor. The public comment period ended January 4, 2017. Comments were received from the USACE, Metropolitan Council, MPCA, SHPO, and Hennepin County. Copies of these comment letters are hereby incorporated for reference and included in **Attachment A**.

- Corrections to the EAW – No corrections were made to the EAW

C. CRITERIA FOR DETERMINING THE POTENTIAL FOR SIGNIFICANT ENVIRONMENTAL EFFECTS.

Minnesota Rule 4410.1700, subp. 1, states "An EIS [Environmental Impact Statement] shall be ordered for projects that have the potential for significant environmental effects." In deciding whether a project has the potential for significant environmental effects, the City of Saint Anthony Village must consider the four factors set out in Minnesota Rule 4410.1700, subp. 7. With respect to each of these factors, the City of Saint Anthony Village finds the following:

1. MINNESOTA RULE 4410.1700, SUBP. 7.A - TYPE, EXTENT, AND REVERSIBILITY OF ENVIRONMENTAL EFFECTS

- a. The type of environmental impacts and mitigation efforts anticipated as part of this project include:

Soil Disturbance – The project will involve soil disturbance. A National Pollutant Discharge Elimination System (NPDES) permit will be required and erosion control best management practices (BMPs) will need to be in place throughout construction.

Zoning – The property is currently zoned as Low Density Residential but is guided to High Density Residential in the City of Saint Anthony Village's 2008 Comprehensive plan. The project fits within the spirit of high density residential zoning but the development as currently proposed will have a higher residential density than described in Comprehensive Plan's description of High Density Residential. The City of Saint Anthony Village will address these discrepancies in the 2040 Update to the Comprehensive Plan. A zoning amendment must be requested by the owner to rezone the property as High Density Residential.

Land Use - The existing property is a manufactured home community within a developed urban area. The project will convert the area into a high density residential area. This land use is compatible with the Comprehensive plan but the proposed density is greater than the residential density outlined in the comprehensive plan. The City of Saint Anthony Village will address these discrepancies in the 2040 Update to the Comprehensive Plan.

Wastewater – The project will increase average day sanitary sewer flows by an estimated 230,000 gallons per day. Wastewater will be conveyed to the Metro Wastewater Treatment Plant (WWTP) via the Metropolitan Council Environmental Services (MCES) interceptor. The existing wastewater system is capable of handling the increase sanitary flow. The increase in wastewater resulting from the proposed project is not expected to require immediate expansion or improvements to the existing wastewater infrastructure or treatment plant. A sanitary sewer lift station with a force main will likely be required to convey sanitary flow from the development to the existing infrastructure.

Water Supply – The proposed development will increase average and maximum day water demands by approximately 140,000 and 300,000 gallons per day, respectively. These flows would be delivered from the City of Saint Anthony Village's existing water treatment plant (WTP), through the 10-inch trunk main that runs along Silver Lake Road to Kenzie Terrace. The City's existing water storage and supply will be adequate in managing the increased water demand

from this proposed development but there are some existing differences in the City of Saint Anthony Village's system that will need to be addressed to provide the desired increase in levels of service. Any deficiencies in the system will be addressed at the time of preliminary plat review for the redevelopment.

The available flow rate for building's fire system at the proposed location is approximately 2,300 gpm which is below the Insurance Service Office (ISO)'s requirement. Since the City's existing water main does not have sufficient capacity to supply the development with required ISO fire flow rate, the City of Saint Anthony Village's existing trunk main may require upsizing or a booster station may need to be installed to increase pressure. This will be determined upon the review of the preliminary development plan.

There is an existing water main easement running through the site that will need to be vacated and re-located as part of the development proposal.

Water Quality – The project will increase impervious surface area and the rate of runoff at the project sites. Existing runoff drains to a depression in the southeast quadrant of the project area and discharges to the Saint Anthony Village stormwater system. The stormwater is then discharged into the City of Minneapolis system and into the Mississippi River. City Stormwater System currently surcharges and flows back into this property. Therefore, backflow preventers may be required to manage stormwater runoff onto this site. This will be determined upon the review of the preliminary development plan.

Stormwater quality requires the capture and retention of the first 1.1 inches of runoff from the new and fully reconstructed impervious surfaces. However, due to the presence of clay soils and the potential for mobilization of contamination, infiltration is discouraged on this site. Therefore, if the site is unable to capture and retain the 1.1 inches the site must meet the Mississippi River Watershed Management Organization Watershed Management Plan standards. Any deficiencies in the system for the development will be addressed at the time of preliminary plat review for the redevelopment.

The one existing storm sewer connection between the project site and Kenzie Terrace will need to be reviewed and permitted by Hennepin County.

Potential Environmental Hazards – An underground storage tank (UST) was located at project site but was removed in 1986. A site leak was discovered in 2012 and consisted of fuel oil 1 &2. The leak impacted groundwater. The leak was issued site closure by the MPCA in 2013. Site closure means that the leak does not pose a threat to human health or the environment but the site is not necessarily free of contamination. If excavation is proposed in the vicinity of this site, there is a potential for encountering petroleum impacted soils and/or groundwater will be encountered from the leak. Based on current information, the potential for this is high.

Phase I and II Environmental Site Assessments (ESAs) were completed for the project area in 2012, and two additional Phase II investigations were completed in 2016.

In 2016, various volatile organic compounds (VOCs), and tetrachloroethene were detected in soil vapor at the project site at levels higher than residential intrusion screening values. Diesel range organics (DROs) were detected at concentrations above the MPCA's criteria for unregulated fill. Diesel range organics and

tetrachloroethylene were detected in the ground water at the project site. Excavation during construction is likely to encounter contaminated soil and/or groundwater that will require special management during construction. Additionally, previous Phase II ESA information indicates the property soil is regulated for DRO and VOCs in select areas. A Voluntary Response Action Plan (VRAP) has been prepared for the proposed project and has been approved by the MPCA.

The project will involve demolition of buildings. The buildings will need to be inspected for regulated materials prior to demolition. If regulated materials are found they will need to be handled and disposed of in accordance with state and local regulations.

Transportation (Parking and Traffic) - A Traffic Impact Study was completed for the project. This Study provided a comprehensive look at anticipated traffic impacts for the regional area. The Traffic Study identified recommended mitigation improvements for 2018 with the proposed development and by 2030 as the area develops. These recommendations include:

1. 2018 with The Village, LLC Development:

- Optimize the signal time and coordination between the St Anthony Blvd intersections at New Brighton Blvd (CR 88) and Silver Lake Blvd/Kenzie Terrance (CR 153).
- Lengthen the northwest bound left turn lane from St Anthony Blvd to southbound New Brighton Blvd (CR 88) from 125 feet to 200 feet.
- Lengthen the northeast bound right turn lane from Kenzie Terrace (CR 153) to southeast St Anthony Blvd from 170 feet to 200 feet.
- Lengthen the southwest bound left turn from Silver Lake Blvd (CR 153) to southeast St Anthony Blvd from 100 feet to 175 feet.
- Lengthen the westbound left turn from Kenzie Terrace (CR 153) to southbound NE Stinson Parkway (CR 27) by shortening or removing the existing left turn lane from Kenzie Terrace to the Bremer Bank Building.
- Lengthen the northbound left turn from NE Stinson Parkway to westbound NE Lowry Ave from 150 feet to 300 feet.
- At the proposed site driveway at Wilson St on Kenzie Terrace (CR 153) provide:
 - Two lanes exiting the site (one left turn and one through/right lane)
 - Left turn lane from Kenzie Terrace (CR 153) into the site
 - Right turn lane from Kenzie Terrace (CR 153) into the site

2. 2030 with Future Area Development:

- Consider a dual roundabout or other intersection control improvements for the St Anthony Blvd intersections at New Brighton Blvd (CR 88) and Silver Lake Blvd/Kenzie Terrance (CR 153).
- Consider a roundabout or other intersection control improvements at the

intersection of Kenzie Terrace (CR 153)/NE Lowry Ave at NE Stinson Parkway.

- b. The extent and reversibility of environmental impacts for the proposed project are consistent with those of a typical residential development project. Impacts will be minimized to the extent practical, with mitigation provided for those impacts which cannot be avoided to resources such as water surface runoff, traffic etc.
- 2. MINNESOTA RULE 4410.1700, SUBP. 7.B - CUMULATIVE POTENTIAL EFFECTS OF RELATED OR ANTICIPATED FUTURE PROJECTS

The proposed project will result in redevelopment of the 15-acre project area. Impacts within the project area will result from removal of the existing manufactured home park and the construction of the apartments, townhomes and associated infrastructure. The area surrounding the project area is fully developed. No reasonably foreseeable future projects that would combine with the impacts described in this EAW to create cumulative impacts exist.

- 3. MINNESOTA RULE 4410.1700, SUBP. 7.C - THE EXTENT TO WHICH ENVIRONMENTAL AFFECTS ARE SUBJECT TO MITIGATION BY ONGOING PUBLIC REGULATORY AUTHORITY

- a) The following permits or approvals will be required for the project:

Unit of government	Type of application	Status
State		
MPCA	NPDES Construction Stormwater Permit	To be obtained
MPCA	Sanitary Sewer Connection	To be obtained
State Statue Governing Manufactured Home Park Closure	Compliance with procedure	To be obtained
Metropolitan Council	MCES Permit	To be obtained, if necessary
County		
Hennepin County	Roadway Access to Kenzie Terrace	To be obtained
Hennepin County	Storm sewer connection	To be obtained
Local		
City of St. Anthony Village	Land Use Application, which includes: -Preliminary Plat -Planned Unit Development Rezoning -Preliminary Development Plan -Final Development Plan Final Plat -Easement vacation	Under Review
City of St. Anthony Village	Declaration of Need for an Environmental Impact Statement (EIS)	To be obtained
City of St. Anthony Village	Building and/or grading permits	To be obtained
Mississippi River Watershed Management Organization (WMO) permitting	Surface water	
Minneapolis Park and Recreation	Roadway Access to Stinson Parkway	To be obtained

- b) The City of Saint Anthony Village finds that the potential impacts identified as part of the proposed The Village, LLC Redevelopment project are minimal and

can be addressed through the regulatory agencies as part of the permitting process. As a result, additional analysis of these impacts is not required.

4. MINNESOTA RULE 4410.1700, SUBP. 7.D - THE EXTENT TO WHICH ENVIRONMENTAL EFFECTS CAN BE ANTICIPATED AND CONTROLLED AS A RESULT OF OTHER AVAILABLE ENVIRONMENTAL STUDIES UNDERTAKEN BY PUBLIC AGENCIES OR THE PROJECT PROPOSER, INCLUDING OTHER EISs.

The City finds:

1. The proposed project is reasonably similar to other development and redevelopment projects in the area. Other large scale residential redevelopment projects have been completed in the neighboring areas of the City of Minneapolis in recent years.
2. No EIS that addresses a similarly sized project is known to be available in the City of Saint Anthony Village or the surrounding area.
3. In light of the results of environmental review and permitting processes for similar projects, the City of Saint Anthony Village finds that the environmental effects of the project can be adequately anticipated, controlled, and mitigated.

The City of Saint Anthony Village finds that the environmental effects of the project can be anticipated and controlled as a result of the environmental review, planning, and permitting processes.

D. CONCLUSIONS

The Village, LLC Redevelopment EAW and comments received have generated information adequate to determine that the proposed project does not have the potential for significant environmental effects.

The EAW has identified areas where the potential for environmental effects exist, but appropriate mitigation measures have been incorporated into the project plans and the required approvals and permits to mitigate these effects are being obtained. The project will comply with all county, city, and federal review agency requirements.

Based on the criteria established in Minnesota Rule 4410.1700, the project does not have the potential for significant environmental effects.

Based on the Findings of Fact and Conclusions, the project does not have the potential for significant environmental impacts.

Therefore, an EIS is not required for The Village, LLC Redevelopment project.

III. AGENCY COMMENTS AND CITY OF SAINT ANTHONY VILLAGE RESPONSES

A 30-day comment period for the above-referenced EAW ended on January 4, 2017. Comments were received from USACE, Metropolitan Council, MPCA, SHPO, and Hennepin County. On behalf of the City of Saint Anthony Village as the RGU, comment responses are provided below.

These letters are included in **Attachment A**. Comments received and responses are summarized below.

Comment 1 (USACE):

We have received your submittal.

Response to Comment 1: Thank you for reviewing the EAW.

Comment 2 (MPCA):

Thank you for the opportunity to review and comment on the EAW for The Village, LLC Redevelopment project. MPCA staff has reviewed the EAW and have no comments at this time.

Response to Comment 2: Thank you for reviewing the EAW.

Comment 3 (Metropolitan Council):

The staff review finds that the EAW is complete and accurate with respect to regional concerns and does not raise major issues of consistency with Metropolitan Council policies. An EIS is not necessary for regional purposes.

Response to Comment 3: Thank you for reviewing the EAW.

Comment 4 (Metropolitan Council):

The scale of development proposed in the EAW accommodates a greater number of households than what is currently forecasted for growth in the City of Saint Anthony Village. A forecast increase is needed and the City of Saint Anthony Village should request a forecast increase as part of a comprehensive plan amendment or part of the comprehensive plan update due in 2018. Metropolitan Council staff would recommend the additional of 700 households and 1,800 population to the Transportation Analysis Zone (TAZ) #1263. The City of Saint Anthony Village can consult with Michael Larson, their Sector Representative.

Response to Comment 4: The City will include the updated forecasts, as outlined in the 2040 Update to the Comprehensive Plan.

Comment 5 (Metropolitan Council):

The EAW is correct that the site is guided for High Density Residential but the EAW doesn't address the development density, which is addressed in the City of Saint Anthony Village's comprehensive plan. The residential density of the proposed development is greater (54 dwelling units per acres (du/acre)) than the residential density stated in Table 2-6 of the City of Saint Anthony Village's comprehensive plan (8 and 40 du/acre) for the High Density Residential. A review of the EAW by MCES indicates that there is adequate capacity of wastewater flow at this site for the anticipated residential density. The City of Saint Anthony Village should adjust its development density assumptions through a comprehensive plan amendment.

Response to Comment 5: The City of Saint Anthony Village will include the updated land use descriptions and tables regarding density in the 2040 Update to the Comprehensive Plan.

Comment 6 (Metropolitan Council):

The proposed development fits with the description of High Density Residential in Table 2-4 of the City of Saint Anthony Village's Comprehensive Plan which includes descriptions of land use categories. Table 2-4 does not include assumptions about a density range for High Density Residential but does include assumptions about a density range for other land uses. Table 2-4 should be amended to include density ranges for all land use categories that allow residential development, consistent with Table 2-6.

Response to Comment 6: The City of Saint Anthony Village will include the updated land use descriptions and tables regarding density in the 2040 Update to the Comprehensive Plan.

Comment 7 (Metropolitan Council):

There is no indication of any specific efforts to mitigate the loss of the 98 affordable housing units in Lowry Grove. The Metropolitan Council encourages the City of Saint Anthony Village to utilize available tools and resource to realize the development of 98 income-restricted units affordable at 60% of area median income as part of the development, elsewhere in the City of Saint Anthony Village, or some combination of the two.

Response to Comment 7: The City of Saint Anthony Village anticipates affordable housing as part of the developer's proposal. The details of which will be reviewed at the time of the preliminary development plan.

Comment 8 (Metropolitan Council):

The development appears to be in line with the MPCA's recommendations regarding site soils and potential groundwater contamination. There appears to be deficiencies, however, in the City of Saint Anthony Village's stormwater and water supply infrastructure that will need to be addressed by the City of Saint Anthony Village to provide the desired increase in levels of service to this proposed development.

Response to Comment 8: The City of Saint Anthony Village will address such deficiencies at the time of preliminary plat review for the re-development. The City of Saint Anthony Village has processes in-place to address these issues during the permit and review processes.

Comment 9 (Metropolitan Council):

The redevelopment of the project site provides an opportunity to enhance bus waiting facilities including the installation of electric utilities to support light and heat in shelters, as well as improved pedestrian connections. Please contact us about the potential for coordinated improvement.

Response to Comment 9: The City of Saint Anthony Village will contact Metropolitan Council to coordinate enhanced bus shelters at the time of preliminary plat.

Comment 10 (Hennepin County):

For all proposed mitigation work on Hennepin County roadways once ready, Hennepin County will require review and ultimately a permit will need to be obtained before this work commences.

Response to Comment 10: The City of Saint Anthony Village will submit to Hennepin County any improvement plans and permits required as identified in the EAW for review and approval.

Comment 11 (Hennepin County):

For work on Stinson Blvd and Hennepin County Road 153, the County will require Minneapolis Park Board coordination as well.

Response to Comment 11: The City of Saint Anthony Village will submit to the City of Minneapolis any improvement plans and permits required as identified in the EAW for review and approval.

Comment 12 (Hennepin County):

Is there any storm sewer connection (existing or proposed) between the project site and Kenzie Terrace (Hennepin County Road 153)? If so, this connection will require further review and permitting by Hennepin County. Connections to the Hennepin County storm sewer system are only allowed at existing connection locations by permit.

Response to Comment 12: There is one existing storm sewer connection between the project site and Kenzie Terrace. Permits will be obtained at the time of preliminary plat review for the re-development. The City of Saint Anthony Village and Hennepin County have processes in place to address storm water in the permit and plan approval processes.

Comment 13 (Hennepin County):

The traffic analysis discussed in the Transportation Section of the EAW needs to provide a 20 year projection for 2038 (not a 12 year projection for 2030) and should be reflected throughout the document and in the suggested mitigation. The analysis should also assume the full intersections are not rebuilt to roundabouts, unless that is what is proposed with the development.

Response to Comment 13: The analysis for 2030 included assumption of full build of the proposed development with a minimal background traffic growth of 0.15%/year. Increasing the traffic volumes from 2030 to 2038 would increase the background traffic conditions by only 1.2%. The recommended mitigation plan identified short term and long term improvements. The short term improvements are based on the 2018 conditions assuming the full build of the development. The long term represents improvements that should/could be considered as traffic increases. The recommendation indicated that roundabouts should be considered. At the point when additional intersection improvements are needed an Intersection Control Evaluation (ICE) would be completed to determine the best solution for each intersection.

Based on our engineering judgement the requested modification will not in our opinion change the recommended mitigation. However, the City of Saint Anthony Village will work with Hennepin County to make any necessary changes to the Traffic Study through the development approval process.

Comment 14 (Hennepin County):

It was suggested to optimize the signal time and coordination between the St Anthony Blvd intersections at New Brighton Blvd (CR 88) and Silver Lake Blvd/Kenzie Terrace (CR 153) – What signal timings were used in the analysis? The synchro/sim traffic files will need review by Hennepin County

Response to Comment 14: The signal timing used for the intersections was based on optimization of the intersection traffic conditions using the Synchro/SimTraffic software. The worksheet will be provided to Hennepin County for review with the revised Traffic Study.

Comment 15 (Hennepin County):

What is the logic of lengthening the NW bound left-turn lane on St. Anthony Parkway to the southbound New Brighton Blvd (CSAH 88) from 125' to 200' suggested as mitigation? The traffic study shows the movement largely stays the same through build and non-build scenarios. Is this suggesting that many residents/visitors to the development would cut through the shopping center via Pentagon Dr?

Response to Comment 15: Although the changes are not significant, the anticipated vehicle queue lengths will be reaching the available storage based on the Synchro/SimTraffic analysis.

Comment 16 (Hennepin County):

Lengthening the NB right-turn land from Kenzie Terrace (CSAH 153) to southbound St. Anthony Parkway to 200' would put the taper right at the existing curb cut from the shopping center

Response to Comment 16: The location of where the turn lane taper begins will be reviewed and approved by Hennepin County prior to completion of final design plans.

Comment 17 (Hennepin County):

The statement on page 23 or 24 that says "lengthen the southwest bound turn land from Silver Lake BLVD (CR 153)" should be corrected to Silver Lake ROAD, and as CR 136.

Response to Comment 17: Comment is noted and will be changed with the revised Traffic Study.

Comment 18 (Hennepin County):

If considering roundabouts in the immediate vicinity Stinson and St. Anthony Blvd intersection should potential by considered as a well

Response to Comment 18: Comment is noted and will be considered with the revised Traffic Study.

Comment 19 (Hennepin County):

Traffic Impact Study (Appendix D), Page 6, the lane configuration for the Kenzie at Lowry Grove Entrance listed is not correct and should include east bound (EB) Kenzie as one left, one through and one through/right

Response to Comment 19: The analysis used the correct lane configuration. The comment is noted and will be changed with the revised Traffic Study.

Comment 20 (Hennepin County):

Traffic Impact Study (Appendix D), Page 6, the lane configuration for the Kenzie at Wilson Street is not correct and should include EB Kenzie as one through and one through/right, and west bound (WB) Kenzie as one left and two through lanes

Response to Comment 20: The analysis used the correct lane configuration. The comment is noted and will be changed with the revised Traffic Study.

Comment 21 (Hennepin County):

Traffic Impact Study (Appendix D), Page 7, more discussion on the crash data is needed, including calculated crash rate and critical rate for all intersections and the average rate for similar types of intersections for comparison

Response to Comment 21: Comment is noted and additional discussion will be added with the revised Traffic Study.

Comment 22 (Hennepin County):

Traffic Impact Study (Appendix D), Page 10, the background growth of projected traffic needs to be projected to 2038. The growth rate used in the analysis of 0.15% seems low compared to historically what Hennepin County has seen. The rate of 0.50% is typically used for well-developed locations such as Minneapolis.

Response to Comment 22: As indicated in the Traffic Study the 0.15% growth rate is based on the Metropolitan Council modeling. Based on our engineering judgement the requested modification will not in our opinion change the recommended mitigation. However, the City of Saint Anthony Village will work with Hennepin County to make any necessary changes to the Traffic Study through the development approval process.

Comment 23 (Hennepin County):

Traffic Impact Study (Appendix D), Page 11, the 5% of traffic estimate is believed to underestimate trips to/from the southeast on St Anthony Blvd, especially since that route can account for the majority of St. Paul and other East/SE trips involving TH 280/ I-94E.

Response to Comment 23: The traffic distribution is based on the existing travel sheds and the Metropolitan Council modeling. As indicated previously we will work with Hennepin County to make any necessary changes to the Traffic Study through the development approval process.

Comment 24 (Hennepin County):

Traffic Impact Study (Appendix D), Page 11, the 50% of trips to/from the south on Stinson further complicates an already congested intersection with 18th Ave/Stinson Blvd/New Brighton Blvd. For completeness, the study should include this intersection in the scope/mitigation analysis

Response to Comment 24: This intersection was not identified during the initial meeting with Hennepin County. Additional traffic volume data will be required to complete the analysis. As indicated previously we will work with Hennepin County to make any necessary changes to the Traffic Study through the development approval process.

Comment 25 (Hennepin County):

Traffic Impact Study (Appendix D), Table 3, for all intersections with traffic signals, are these LOS [Level of Service] values based on existing signal timings or are these based on adjusted timings? If with timings adjusted, what adjustments have been made?

Response to Comment 25: As indicated previously, the signal timing used for the intersections was based on optimization of the intersection traffic conditions using the Synchro/SimTraffic software. The worksheet will be provided to Hennepin County for review with the revised Traffic Study.

Comment 26 (Hennepin County):

Traffic Impact Study (Appendix D), Tables 4 and 5, future projected level of service needs to be redone for the year 2038 and using a 0.5% growth rate.

Response to Comment 26: Comment is noted. All Tables will be updated with the revised Traffic Study.

Comment 27 (Hennepin County):

Traffic Impact Study (Appendix D), Tables 4 and 5, according to the tables, some movements at St. Anthony Boulevard/Kenzie Terrace and Stinson Boulevard/Lowry Avenue/Kenzie Terrace operate less than LOS D. What are those movements? The LOS of those movements needs to be identified as well as under the existing 2016 conditions for comparison purposes.

Response to Comment 27: Comment is noted and the additional information will be included with the revised Traffic Study.

Comment 28 (Hennepin County):

Traffic Impact Study (Appendix D), Tables 4 and 5, are these LOS values based on existing signal timings or are these based on adjusted timings? If with timings adjusted, what adjustments have been made?

Response to Comment 28: As indicated previously, the signal timing used for the intersections was based on optimization of the intersection traffic conditions using the Synchro/SimTraffic software. The worksheet will be provided to Hennepin County for review with the revised Traffic Study.

Comment 29 (Hennepin County):

Figure 6 is not included in the report. Please provide.

Response to Comment 29: Figure 6 is shown on page 12 of the current Traffic Study. The City of Saint Anthony Village will insure that it is included with revised Traffic Study.

Comment 30 (SHPO):

Based on our review of the project information, we conclude that there are no properties listed in the National or State Registers of Historical Places, and no known or suspected archaeological properties in the area that will be affected by this project.

Response to Comment 30: Thank you for reviewing the EAW.

Comment 31 (SHPO):

As stated in the EAW, Stinson Parkway is contributing to the Ground Rounds Historic District. We appreciate the efforts to minimize visual effects to the historic district by locating the small-scale (2-3 story) townhomes closer to the parkway and the taller multi-unit (5 story) buildings behind the townhomes, further away from the parkway.

Response to Comment 31: Thank you for reviewing the EAW.

Comment 32 (SHPO):

If this project is considered for federal assistance, or requires a federal license or permit, a Section 106 consultation will need to be completed. The responsible federal agency should submit the project to our office for consultation.

Response to Comment 32: If federal assistance or a federal license or permit becomes part of the project, your office will be consulted.

EXHIBIT K

EXHIBIT K

DENSITY AND THE NEED FOR AFFORDABLE RENTS.

There is a crisis in the lack of affordable housing in the metro area. Approximately 126,000 low income households pay more than half their income for housing when the federal standard is that no household should pay more than 30%.¹ Housing with rents affordable to these households is disappearing at an alarming rate.² The Metropolitan Council estimates that just to keep up with the need for housing for new low income households, without even addressing the 126,000 unit backlog, 8.3% of all new housing units built in the next decade should be affordable to households at 50% of Area Median Income (AMI) and 16.5% should be affordable at 30% of AMI.³

Currently, the 30% AMI income for a family of four is \$27,100. Median annual salaries for cashiers, child care workers, janitors, taxi drivers and bank tellers, for instance, are below this level. Median salaries for security guards, nursing assistants and receptionists are only slightly above the 30% AMI level.⁴

Metro Cities are required to adopt programs and other specific actions which “will provide” for each city’s share of the metro need for low income housing.⁵ Each decade, the Metro Council assigns a low income need number to each city, setting out the number of new affordable units to be produced over the decade to meet the needs of new low income households. For the current decade, the City requested that the Metro Council increase the projected city growth and therefore the need for new affordable housing in the City. The Council agreed and the City in its current Comprehensive Plan agreed that the resulting need for affordable housing was 312 new units.⁶ To date, not a single affordable unit has been produced in this decade, while 97 deeply affordable units have been removed from Lowry Grove.

The City’s Comprehensive Plan designated Lowry Grove for redevelopment, replacing the city’s only deeply affordable units with high density housing. Once that Comp Plan designation was made, it was inevitable that Lowry Grove would be redeveloped, its deeply affordable housing lost, and its lower income and disproportionately minority residents displaced.

¹ HUD Comprehensive Housing Affordability Strategy (CHAS) data 5 year data 2010-2014, https://www.huduser.gov/portal/datasets/cp.html#2006-2014_data

² <http://www.mhponline.org/publications/sold-out>

³ Metropolitan Council Housing Policy Plan, pgs. 151-153.

⁴ See <http://www.fhfund.org/fact-sheets/> “Working Doesn’t Always pay for a Home.”

⁵ Minn. Stat. § 473.859 Subd. 4.

⁶ Comprehensive Plan at 2-32.

The Comprehensive Plan specifically address this displacement and housing loss. It says the City will “ensure” that Lowry Grove residents” are assisted in their relocation to other housing that meets their needs in terms of cost, location...”⁷ It also provides that the City will take steps to “ensure...adequate and affordable replacement housing...ideally located in St. Anthony.”⁸ The City did nothing to implement the first promise of adequate relocation. It is now up to the City to decide whether it will take the steps necessary to make good on the second, replacement housing, promise.

As Stacie Kvivilang, the City’s financing consultant, explained in the City’s August 10th work session on affordable housing, households with low incomes can afford only rents that are far below market rate rents that are sufficient to pay for the debt required to construct apartments that meet modern demands and construction standards. As she pointed out, the key to making new apartments affordable to low income households is minimizing the debt that has to be covered by residents’ rents.

Aeon and The Village are committed to truly replacing the units lost from the Lowry Grove redevelopment. This is the goal the City committed to in its current Comprehensive Plan. Permitting adequate density on the site is critical to achieving this goal in two ways.

First, there are substantial fixed costs associated with this development that are common to most in-fill developments: land acquisition and associated costs, infrastructure (streets, water management, etc.), and pollution remediation. These costs are fixed no matter how many units are built on the site. And here, the costs are substantial.

- The purchase price of the former Park site was \$6,000,000. The Village was not the only developer willing to pay that price.⁹ That does not include the cost of the Bremer site, the payments to former residents, site inspections and design work, and other related land acquisition costs. All told, the land acquisition cost is more than \$10,000,000.
- Because of past uses on both the Park site and the Bremer site, significant environmental remediation must occur. The exact nature will be determined with and approved by the Minnesota Pollution Control Agency (MPCA), but will likely include a mix of removing contaminated soils, monitoring and venting wells, and other remediation features. Once the remediation is complete, the entire community will benefit, but the expected costs of the remediation are more than \$1,000,000.
- For this project, there is also significant stormwater management, grading, road construction, and related infrastructure costs.

The more units there are on the site, the lower these fixed costs are per unit, the lower the mortgage payment per unit, and therefore the lower the rent that must be charged per unit.

⁷ Comprehensive Plan at 2-24.

⁸ *Id*

⁹ Documents produced by the former owner during litigation included 9 offers.

Second, as Ms. Kvivilvang pointed out, the typical affordable housing development receives assistance from a variety of sources to “write down” the amount of mortgage debt and therefore the rents necessary to pay back that debt. She indicated that nearly all of these sources were highly competitive, with most proposals losing out in the annual competition for these funds. She also indicated that the exception was tax increment financing (TIF), which is within a city’s control and which has been used to assist recent St. Anthony affordable developments.

The idea behind TIF is simple – redevelopment occurs on an “underutilized” site. Redevelopment results in a large increase, the increment, in the taxes generated from the site. The increased amount of taxes generated by the new development, and only the amount of the increased taxes, can be used to help pay for the cost of the development, thus writing down the mortgage debt that would otherwise be required and making the project financially feasible. The City continues to collect at least the level of taxes previously generated from the site, and also receives at least 10 % of the increment. So TIF does not impose a cost on city taxpayers.

Because most of the sources available to write down project debt are scarce relative to the need, the typical project gets only enough of these resources to make the housing available at 50% to 60% of AMI; whereas, as the Metropolitan Council’s projections indicate, the greatest need is for rents affordable at closer to 30% of AMI. Further, true replacement of the Lowry Grove units requires a substantial number of new units affordable at 30% of AMI.

The Lowry Grove redevelopment is in a unique position to provide for a significant number of units with rents affordable to households with incomes at the 30% of AMI level. The tax increment generated by affordable housing is relatively modest because such housing is taxed at a lower rate than market rate housing. But because the proposed Aeon development will be part of a much larger market rate development, a portion of the increment from that development should also be available to further write down rents.

The relationship between affordability and permitted density is straightforward. The more units permitted on the Aeon site, the lower the fixed costs that have to be paid for by each apartment. The more market rate units permitted, the more tax increment generated and the more potentially available to write down affordable rents in the Aeon development. Further, more market rate units also mean lower fixed costs which must be covered by the rents from each market rate apartment; the less tax increment needed to make the market rate projects financially feasible; and the more increment therefore potentially available to write down affordable rents.

As described multiple times in its EAW and Record of Decision, the City initially approved The Village’s projects at significantly higher densities than were finally proposed. For instance, in response to the Metropolitan Council’s note that the densities proposed were higher than those permitted in the Comprehensive Plan, the City responded that it would amend the Comprehensive Plan to conform to the proposed densities. However, the City’s official attitude toward the project changed when the Lowry Grove lawsuit parties

announced a settlement that would provide deeply affordable housing on the site, available to Lowry Grove displacees. Then, for the first time, density became an issue. The reduction in density required to respond to the City's newly expressed concerns will obviously substantially reduce the tax increment available from the market rate housing to reduce rents on the 2401 Lowry site. This result calls into question the City's Comprehensive Plan promise to ensure replacement housing and its compliance with the affordable housing production requirements of Minn. Stat. § 473.859 Subd. 4. Because deeply affordable housing is disproportionately needed by metro area minority households and because Lowry Grove displaces disproportionately were minorities, the City's current rejection of the project it earlier supported raises obvious federal Fair Housing Act issues.

EXHIBIT L

EXHIBIT L

WHY DOESN'T THE PROJECT CREATE UNREASONABLE TRAFFIC IMPACTS?

By wide margin, the community's most passionate criticism of density seems to be the perceived traffic impacts. Indeed, many residents argued that massive congestion is preordained and ignored the City's traffic engineering opinions. Notably, the traffic engineer engaged by the City did not identify *any* significant traffic issues (although it did make certain recommendations to optimize traffic flow).¹ More importantly, in reviewing and responding to the EAW, Hennepin County made suggestions about the study. The City then responded to Hennepin County by vowing to make certain modifications; at no time did the City suggest that traffic issues would adversely impact the Project in any way.

Resident's opinions, regardless of the vehemence with which they are held or the anecdotes on which they are based, cannot supplant expert analysis. And this is particularly true for this particular project. Here, about one-third of the units are senior living. Every accepted traffic modeling principle used by professionals in the field informs us that senior living results in a fraction of traffic compared with non-age restricted apartments, particularly during peak traffic hours. The traffic-impact analysis must also recognize that the Property's proximity to downtown Minneapolis makes for compelling bus and other transit options. The primary demographic for any market-rate apartment, especially one this close to an urban core, is professional Millennials. Studies confirm that Millennials rely on public transportation far more than the single-passenger-vehicle travel preferred by their Baby-Boomer parents.² Finally, data also demonstrates that affordable housing occupants, particularly those in deeply-affordable housing, rely more heavily on public transportation than occupants of standard apartments.

Perhaps most importantly, the right comparison about traffic is not "zero development" versus "833 units" (or even 729 units for that matter). As discussed elsewhere, existing law guarantees that The Village can redevelop 2501 Lowry as high-density residential project with density described in the Comp Plan. And although that is not the Parties' desired path, the fact remains that The Village could develop 2501 Lowry with high-density residential of up to 40 units per acre with the City enjoying far less oversight, input, or involvement. Notably, the City did not study traffic at 40 units per acre and cannot, as a result, draw any conclusions at all about differential implications of a 40-unit-per-acre development versus a 48-unit-per-acre one.

¹ At least one resident suggested an "independent" traffic study was necessary. The City selected and hired WSB & Associates Inc. to conduct The Village had no involvement, input, or contact with the traffic engineer.

² See *Millennials' Transportation Behaviors Differ from Those of Other Americans and Prior Generations* pp. 9, 16, and 24-25. Available online at <http://uspirg.org/sites/pirg/files/reports/Millennials%20in%20Motion%20USPIRG.pdf>

EXHIBIT M

EXHIBIT M

RESPONSE TO SELECT PUBLIC COMMENTS

How does this project help Lowry Grove's former residents?

Under the Settlement Agreement, former residents benefit in two major ways. First, the Settlement Agreement was structured to assist Aeon in building not just “affordable housing,” but *deeply* affordable housing that includes units with rent similar to that paid by Lowry Grove’s residents; the Parties all expect that former residents will be a key demographic of the project’s affordable-housing component. Second, the Settlement Agreement contemplates the Lowry Grove Housing Fund, which will assist former residents with extraordinary costs.

In negotiating the Settlement Agreement, each party believed the Comp Plan justified its position. For LGRA, any redevelopment had to acknowledge that the Comp Plan—which was explicitly drafted to draw the attention of developers like The Village—also stated that:

If redevelopment of this site occurs, the City of St. Anthony will ensure that the residents of the mobile home park are assisted in their relocation to other housing that meets their needs in terms of cost, location, handicap access and other provisions as required by State law (M.S. 327C.095)...

To ensure that adequate and affordable replacement housing is found for the park residents, the City may work on its own or in cooperation with the redevelopment company and/or the Hennepin County Housing and Redevelopment Authority or a private non-profit housing corporation. The relocation housing would ideally be located in St. Anthony, either in the form of existing or newly-constructed units.¹

Given the Comp Plan’s language, and the City’s express intent described in it, the Parties had agreed the redevelopment *must* include *at least* 97 units of deeply-affordable housing and that the redevelopment, through available mechanisms, would assist with resident relocation.

Won’t the Project Unduly Burden the City’s Infrastructure?

No, it will not. At the beginning of The Village’s redevelopment discussion with the City, staff analyzed the density limits the City’s infrastructure could tolerate. Their preliminary analysis concluded that existing infrastructure could accommodate 1,000 units. The City also included its analysis of 850 units in the EAW. In both cases, City staff concluded that sufficient infrastructure exists to handle more units than are now proposed.

¹ Comp Plan, p. 2-24.

What are the impacts to Saint Anthony School District?

Neighbors have voiced concerns about the project's impacts on the school district. First, there is nothing in the record that shows the Project will have an adverse impact on the school district. Indeed, the Project's design suggests the opposite. For example, we do not believe a single school-aged child will reside in the senior units. And projections for the project's other major component, market-rate housing, suggest that those 386 units will house only 10 families (*approx.*) with school-aged children. And, while these 4 buildings add little demand on the school system, they will add significantly to the tax base. Finally, the remaining affordable-housing building (97 units) is designed in large part to replace the 97 homes that once existed on the site.

Why aren't there more details in the submission?

The Parties want to redevelop the property as a “planned unit development” or “PUD.” A PUD is a common (and very useful) tool employed by municipalities across the country when redeveloping of large parcels. Here, Saint Anthony's ordinances outline a three-tier application process for a PUD: the sketch plan (optional), the preliminary application, and the final application. Every municipality handles the PUD approval process differently. For some, preliminary applications require exquisite detail and final applications are essentially rubber-stamped. Others cities use the preliminary application stage to develop a broad understanding of the project's vision with details to follow in the final application. Saint Anthony staff indicated that the preliminary application should contain less detail. In fact, The Village first submitted its sketch plan and the Planning Commission refrained from providing any feedback. Following that, the applicant's engineer specifically requested comments from various City departments, but all declined to provide any feedback until a formal preliminary application was received.

Why can't The Village just accept less profit?

A common theme from the public hearing was that The Village is simply demanding too much profit. To be sure, The Village is a private, for-profit company in the business of real-estate development. Like any business, it must generate a profit from its development endeavors and, like any developer, will not proceed with a project that is preordained to lose money. But the more important fact is that each component—including Aeon's affordable apartment building—must be financeable.

A lender is the unquestioned gatekeeper in almost every multi-family development. And before *any* bank will lend tens (or, oftentimes, hundreds) of millions dollars toward a project's construction, it will demand sworn construction statements, *pro formas*, construction contracts, city contracts, feasibility studies, rent studies, and much more. This universe of data allows lenders to evaluate exactly what it will cost to build each unit, what it will cost to maintain each unit, how much rent will be generated once the buildings are stabilized, how much the completed project is worth, and the developer's expected return on investment. If any component is outside industry norms—including a developer trying to squeeze inordinate profit—the bank will decline the loan altogether, greatly reduce it, or saddle it with such onerous conditions that elevate the risk of project failure and loan default to unjustifiable levels.

Of course, a corollary to lender control is market desire. Every successful project must identify the void it seeks to fill, the extent of that need, and the desires of its target demographic. A poorly-designed, demand-deaf project will, in disturbingly short order, go dark and create more blight than it cures.

This project has another dimension: Lowry Grove's former residents. The Village—now as in the beginning—is committed to assisting Lowry Grove's now-former residents during their time of transition. The City, too, has made grand promises to Lowry Grove's former residents in its Comp Plan. That's why the settlement and the Project's design are carefully orchestrated to see those promises through. For starters, The Village has provided a six-figure donation (some of which has already addressed emergency needs), and has committed to work with Aeon to create affordable units that provide former residents the opportunity to return.

The proposal before the Planning Commission, and the revised proposal now before the City Council, is not an overreach burdened by a developer's greed. The proposal reveals sound design based on market-driven design criteria and the needs of Aeon, LGRA, The Village, and the City of Saint Anthony Village. It is a design that properly balances a complicated, but complimentary, set of needs and is consistent with every representation the City adopted in the EAW and ROD. In the end, the question is not "Why should the City approve the applications?" Why *wouldn't* the City happily approve all the applications?



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St. Charles Borromeo



Stinson Blvd



Homes on Stinson Blvd



The Legacy of St. Anthony



Kenzington Condominiums



Autumn Woods of St. Anthony

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St. Anthony, MN

2017-10-02

Area Images



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2017-10-02

Site Plan

Original Proposed

Site Element	Housing Type	Total Units	Height
Building A	Senior housing	130	55' (5 stories)
Building B	Market-rate	171	55' (5 stories)
Building C	Senior housing	170	66' (6 stories)
Building D	Market-rate	220	66' (6 stories)
Building E	Affordable	110	66' (6 stories)
Townhomes	For sale attached housing	32	1-2 story
Total Units Proposed: 833 housing units			
Overall Site Density: 48.3 units per acre			

New Proposed (items in red indicate changes from the original proposal)

Site Element	Housing Type	Total Units	Height
Building A	Senior housing	122	48' (4 stories)
Building B	Market-rate	166	60' (5 stories)
Building C	Senior housing	75	60' (5 stories)
Building D	Market-rate	220	66' (6 stories)
Townhomes	For sale attached housing	32	1-2 story
Total Units Proposed: 615 housing units			
Overall Site Density: 40.0 units per acre			

Site Element	Housing Type	Total Units	Height
Building E	Affordable	97	52' (4 stories above grade)
Total Units Proposed: 97 housing units			
Overall Site Density: 51.3 units per acre			



Traffic Improvements

1. Optimize signal timing and coordination at these locations
2. Lengthen left turn lane by 75 feet
3. Lengthen right turn lane by 30 feet
4. Lengthen left turn lane by 75 feet
5. Lengthen left turn lane
6. Lengthen left turn lane by 150 feet
7. Provide left and right turn lanes from Kenzie Terrace into the site

Water Treatment

Total volume stored:
267,067 CF = 1,997,656 Gallons
Roughly = 8 City of St Anthony Water Towers
(250,000 gallons per water tower)

A. Stormwater retention pond
B. Underground storage and treatment

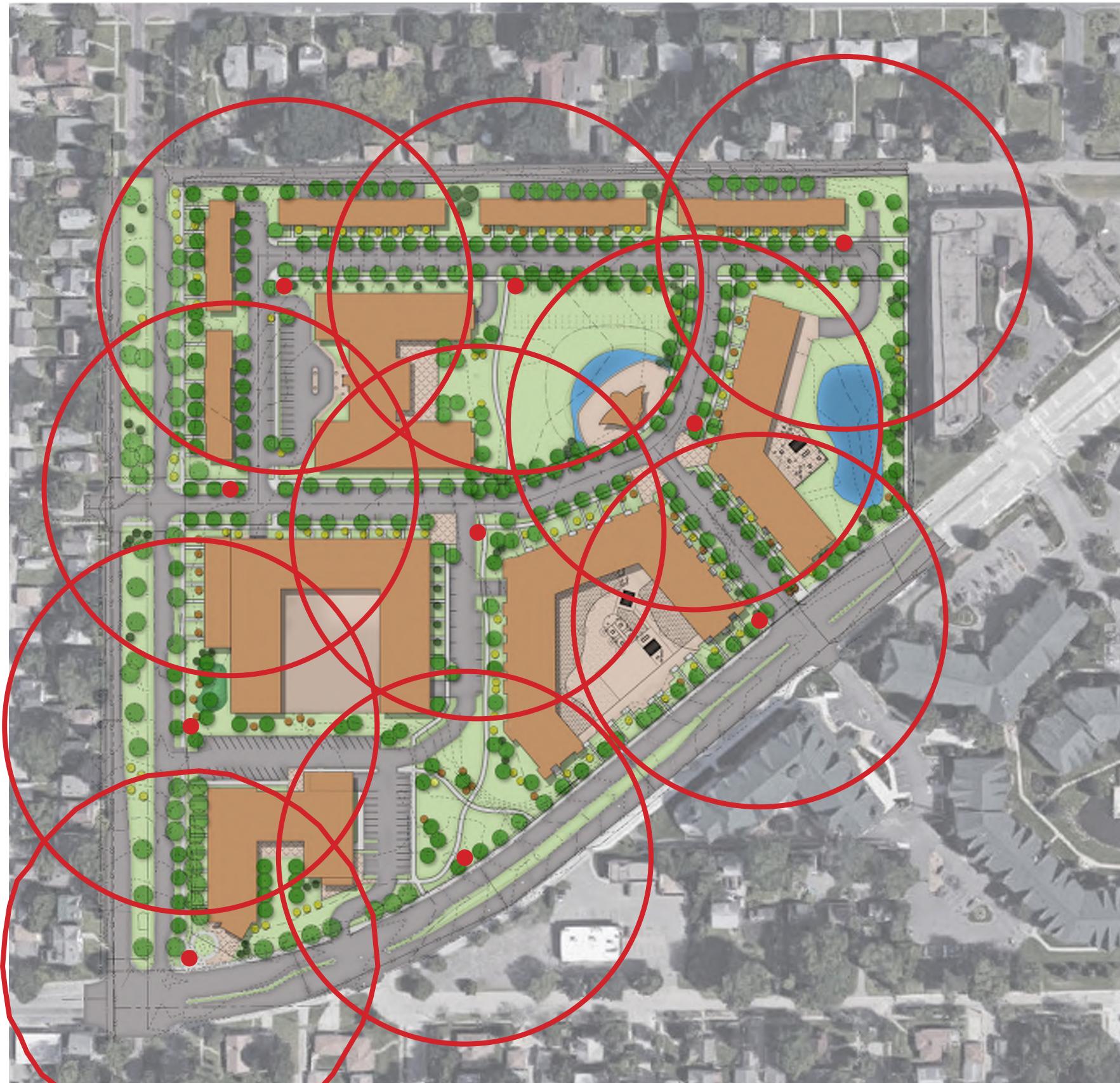
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St. Anthony, MN

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Traffic Improvements and Water Treatment

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Fire Code Requirements

- A. R Occupancies equipped throughout with an approved automatic sprinkler system the fire apparatus access road shall extend to within 600 feet. This requirement is met.
- B. Hydrants shall be located to provided coverage of the building pads within a radius of 250 feet. This requirement is met, and depicted on the adjacent figure with 250 foot radius coverage provided.
- C. Hydrants shall be located within 100 feet of the Fire Department Connection (FDC) to the building. This requirement is met.
- D. Fire apparatus access roads shall be designed to support the imposed loads of fire apparatus and surfaced to provide all-weather driving capabilities. This requirement is met, and final turning movements will be reviewed with the Fire Chief prior to approval.
- E. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. This requirement is met by providing a hammerhead conforming to Fire Code requirements.



Project Phasing

- **Basic Utilities, Roads and Infrastructure** - Construction Start Spring 2018, Completion Spring 2019
- **Park** - Construction Start Fall 2018, Completion Summer 2019
- **Building A** – Construction Start Summer 2018, Completion Fall 2019
- **Building B** – Construction Start Spring 2021, Completion Summer 2022
- **Building C** – Construction Start Spring 2019, Completion Summer 2020
- **Building D** – Construction Start Spring 2018, Completion Summer 2019
- **Building E** – Construction Start Spring 2020, Completion Summer 2021
- **Townhomes** – Construction Start Fall 2018, Completion Spring 2020



Site Details

- A. Resident Amenity Roof
- B. Neighborhood Park
- C. Pond
- D. Entry Plaza
- E. Central Plaza / Pavilion
- F. Stormwater Retention Pond

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Site Plan

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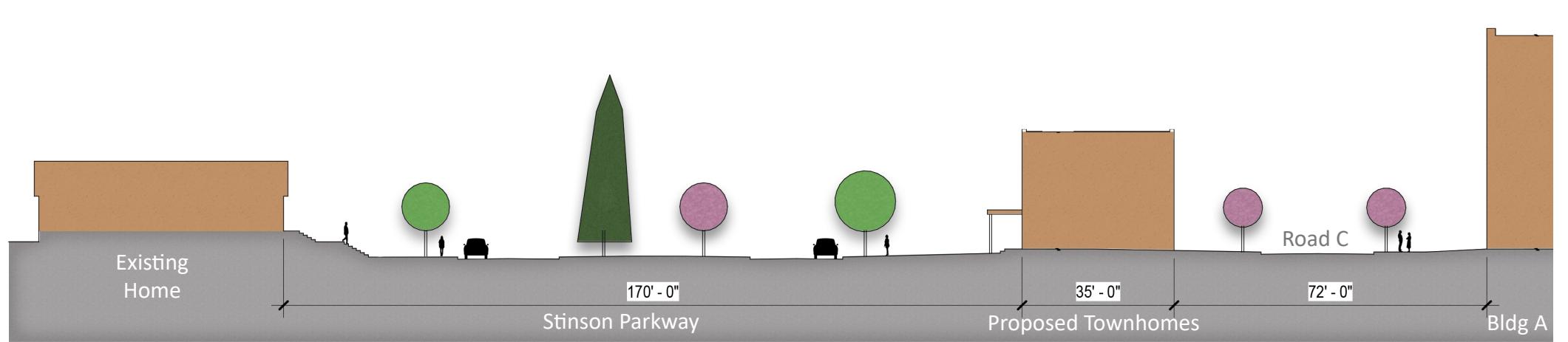
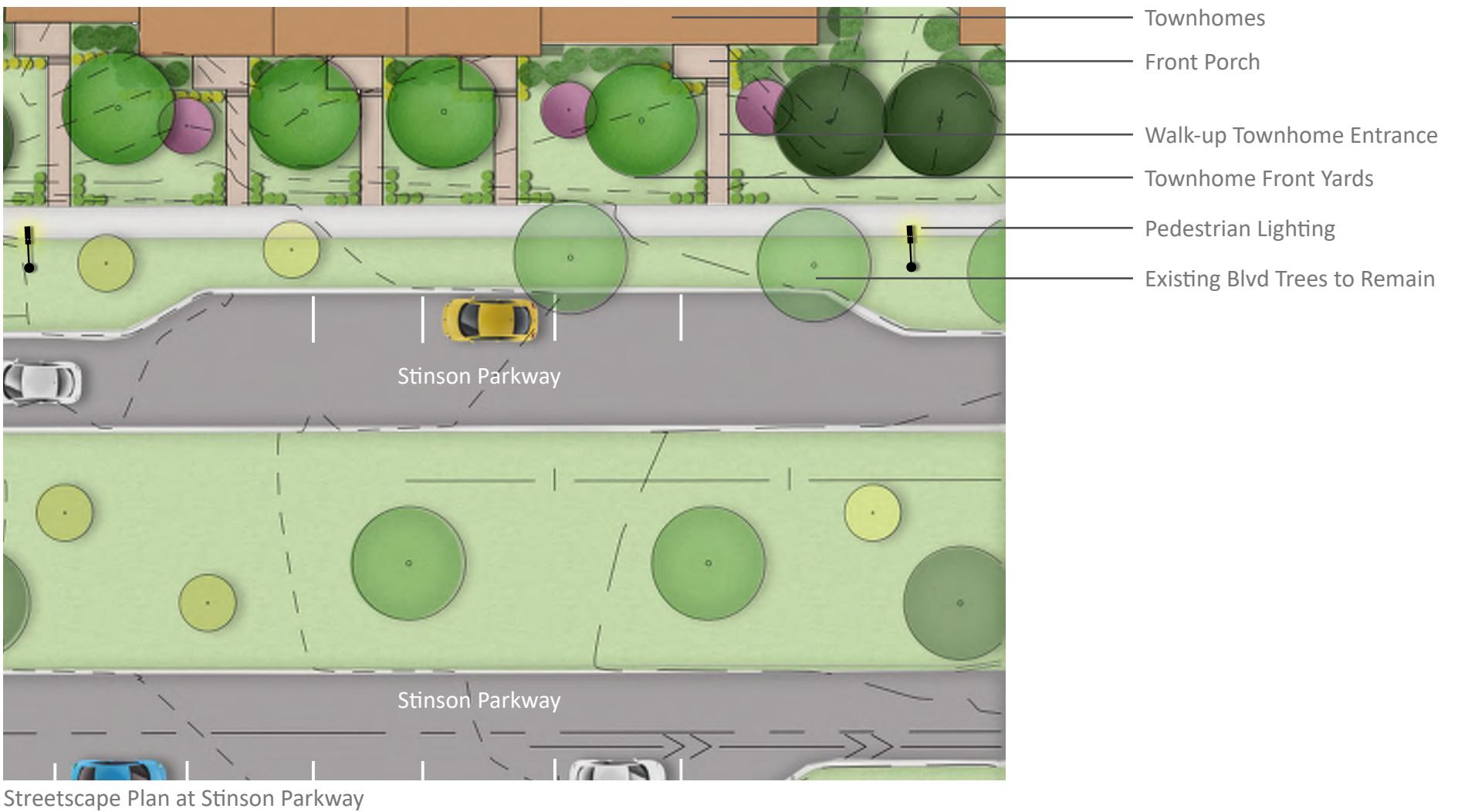


Visioning Image



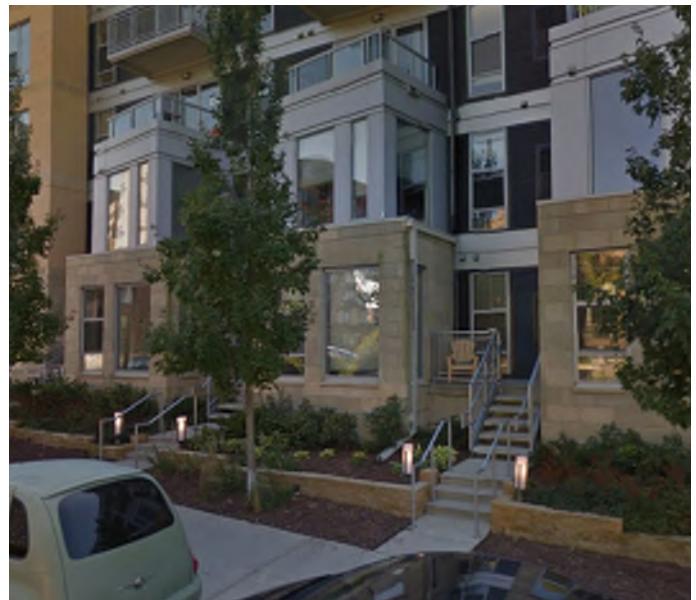
Overall Site Plan

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St. Anthony, MN
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Streetscape at Stinson Parkway

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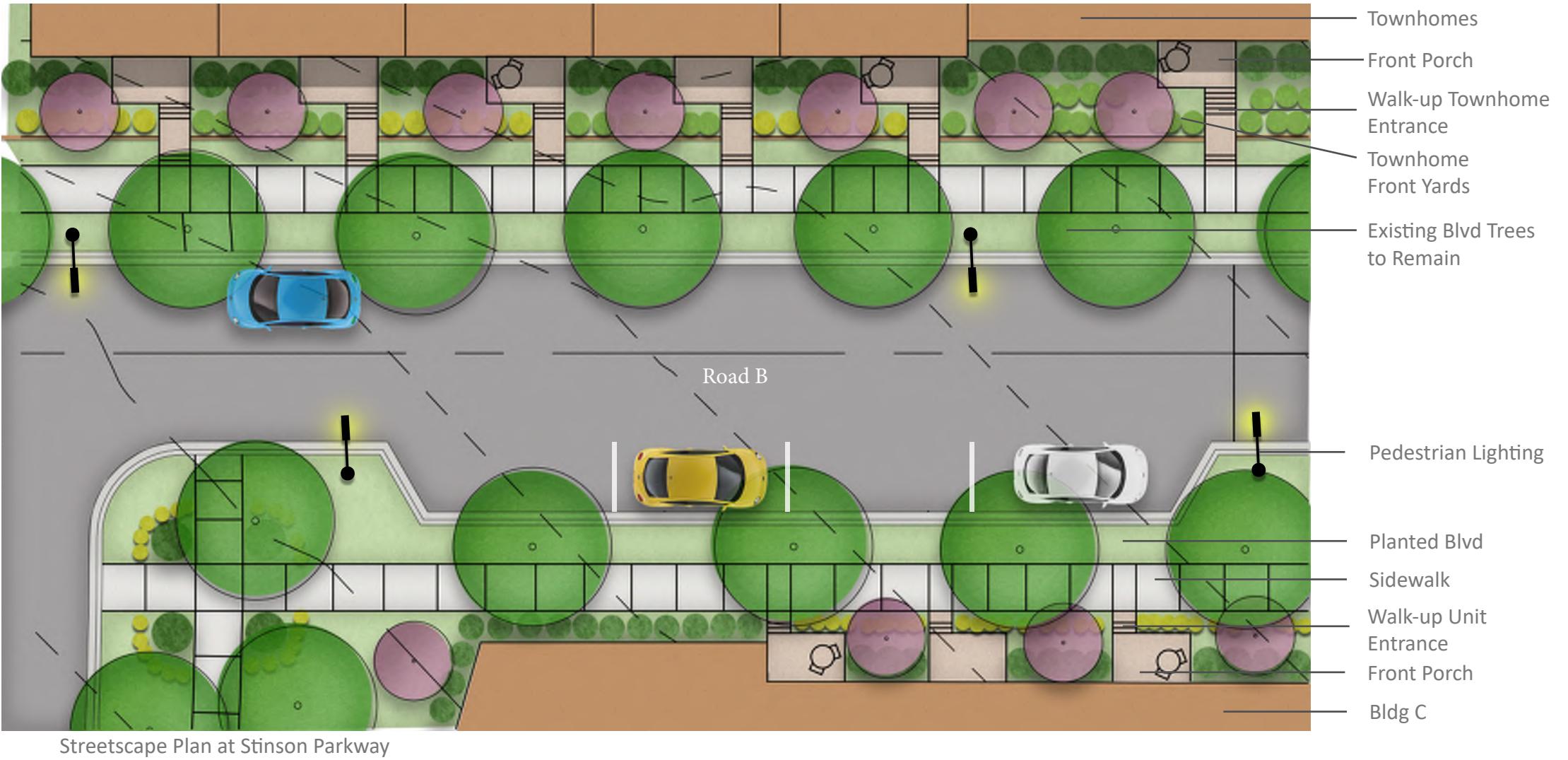


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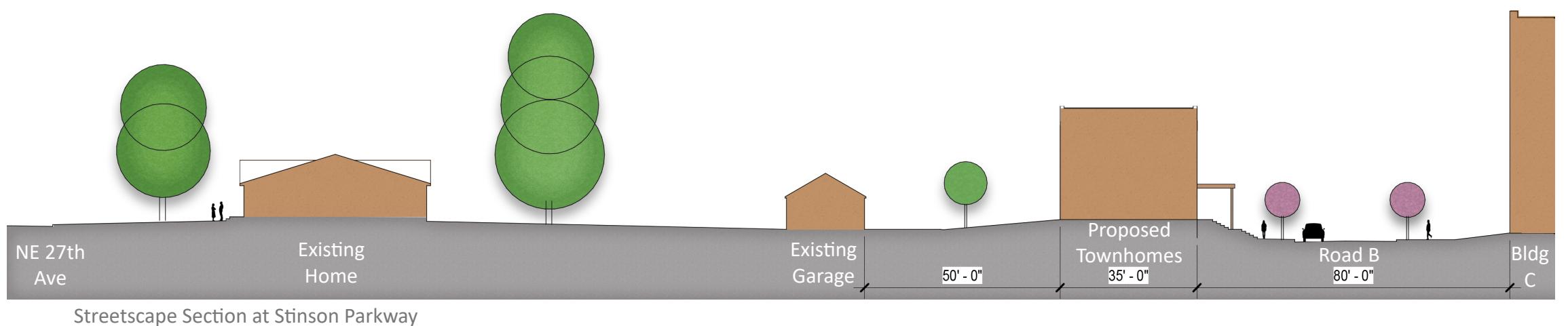


Overall Site Plan

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Streetscape Plan at Stinson Parkway



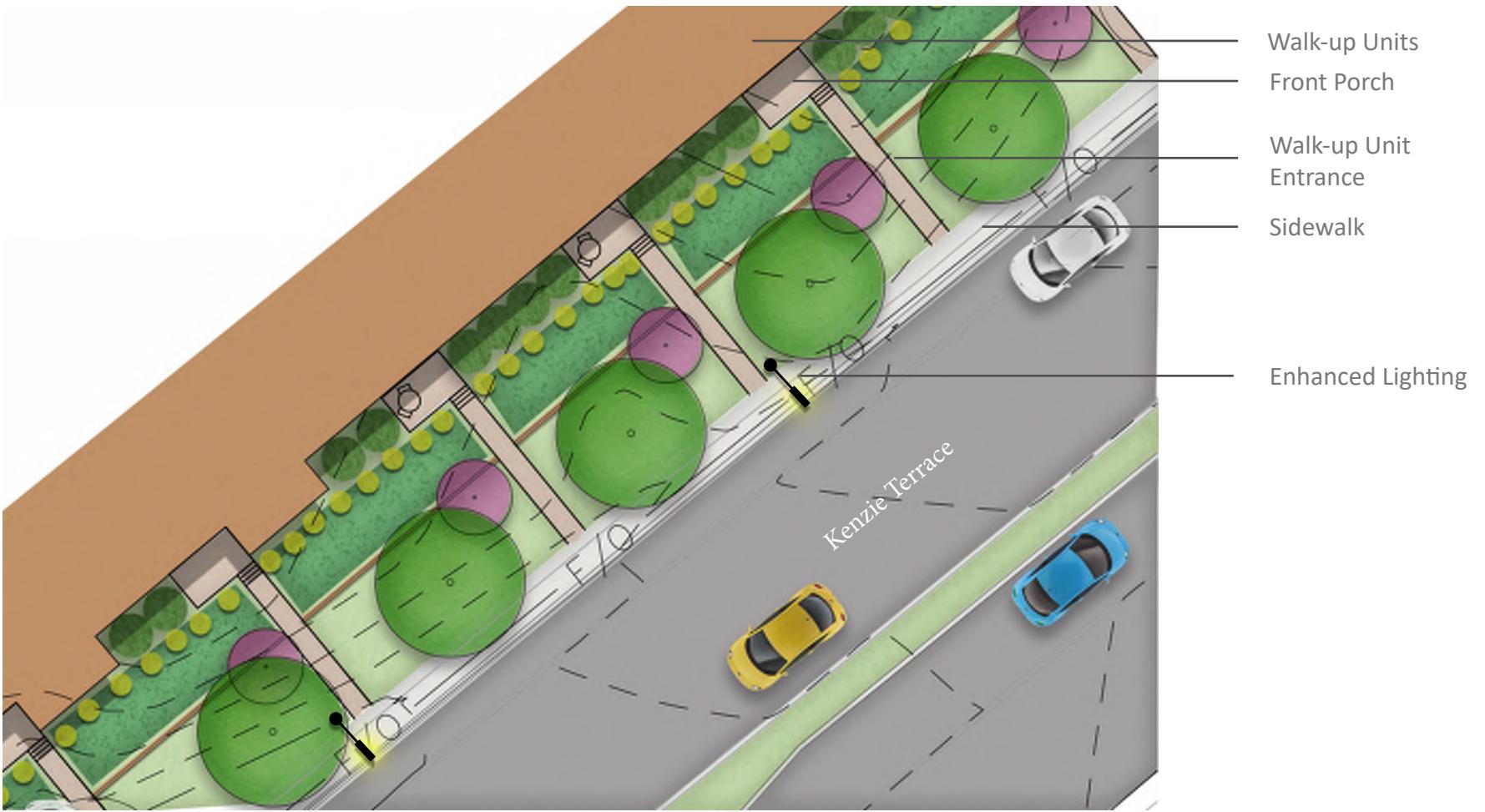
Streetscape Section at Stinson Parkway

Streetscape at the North Edge/Alley

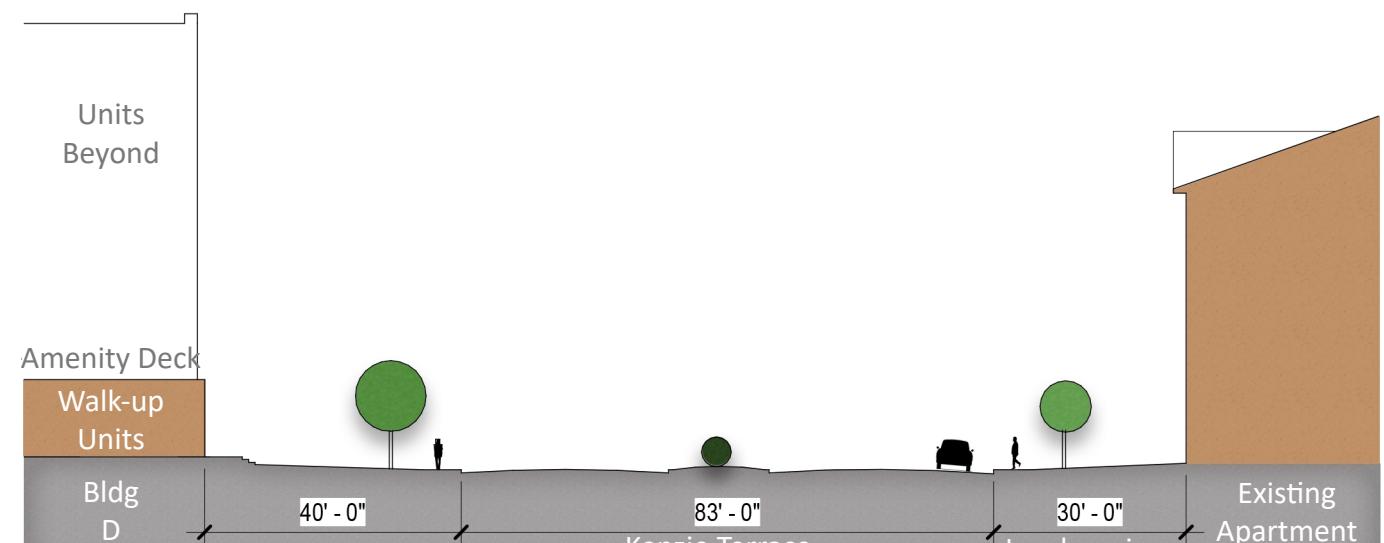
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Visioning Image



Overall Site Plan



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Streetscape at Kenzie Terrace

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Park



Building Information

- A. Resident Amenity Patio
- B. Terraced Pond Area
- C. Great Lawn Space
- D. Entry Plazas
- E. Central Plaza/Pavilion with Fixed Shade Structure and Movable Furniture
- F. Playground
- G. Ornamental Garden
- H. Dog Run
- I. Potential Surface Parking



View Looking South from Park

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Landscape Details at Plaza

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Visioning Images



Overall Site Plan

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Landscape Details at Plaza

TOWNHOMES



Building Information

Use	- for sale townhomes
Height	- 1 to 2 stories
Unit Count	- 32
Unit Mix	- single family home
Parking	- 64 enclosed parking stalls (garage) - total parking area = 64,000 SF - 2 stalls per unit
Building Features	- pitched roof to capture character of neighborhood - walkup entry ways - exterior materials use high percentage of brick and stone - rear garage to promote walkability - single level townhomes for better accessibility



Plan

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St. Anthony, MN

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Building Overview





North



South



North



South

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Town Homes (Typical Group)

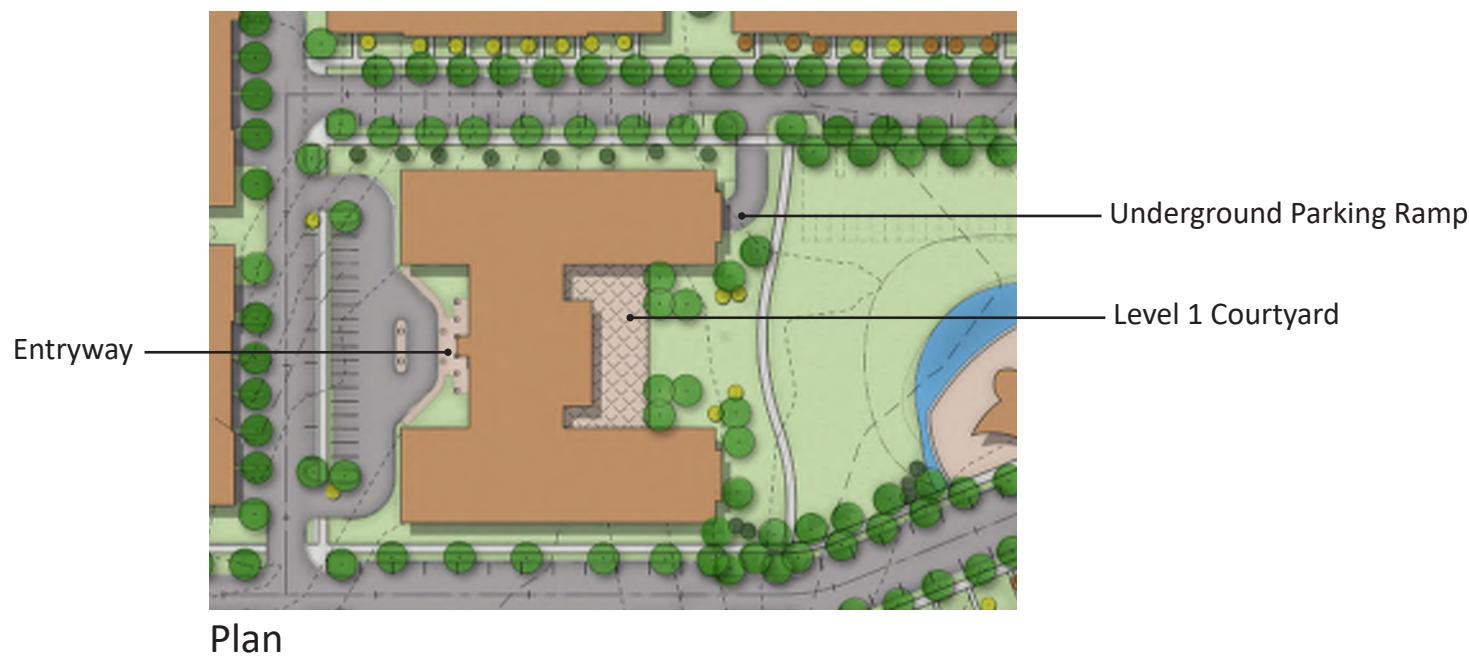
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BUILDING A

Building Information



Use	- senior housing with care, assisted living, and memory care
Height	- 4 stories (48')
Unit Count	- 122
Unit Mix	- Alc/S -17, Alc/1BD - 52, Alc/1BD+Den - 16, 2BD - 21, Mem. Care - 16
Parking	- 88 enclosed parking stalls (underground) - 18 surface parking stalls - total parking area = 40,000 SF - 0.87 stalls per unit
Building Features	- connectivity to the park to promote walkability and wellness - allows the aging to remain in the neighborhood - all resident parking enclosed - variety of care and dining options - covered porte cochere entry





South

Cement Board
Composite Panel / Metal
Clear Glass, Low-e
Stone / Masonry



West

(Drawing done by kaas wilson)

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St. Anthony, MN

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Building A

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(Drawing done by kaas wilson)

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Building A

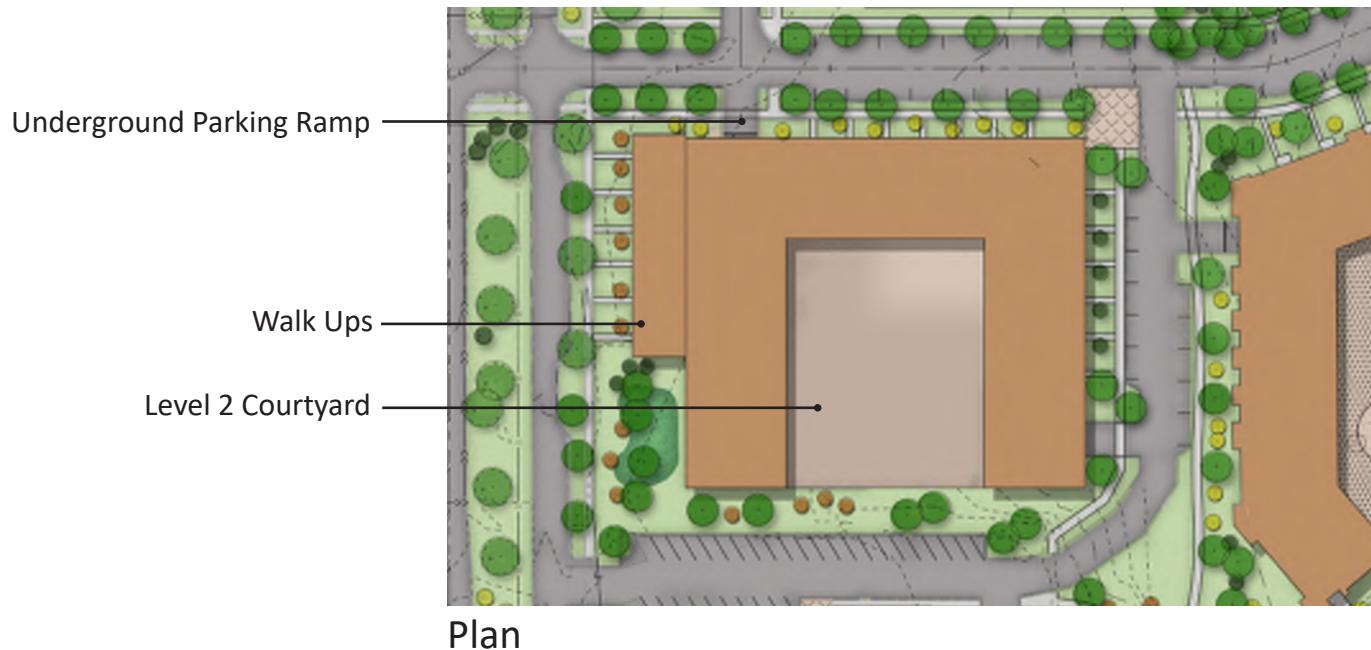
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BUILDING B



Building Information

Use	- market rate housing
Height	- 5 stories (60')
Unit Count	- 166
Unit Mix	- Alc - 58, 1BD - 76, 2BD – 24, 3BD - 8
Parking	- 221 enclosed parking stalls (underground) - total parking area = 83,500 SF - 1.3 stalls per unit
Building Features	- all resident parking enclosed - walk up units to promote walkability and pedestrian experience - large windows and extensive use of brick along public ways - level 2 roof courtyard for resident use - secure bicycle parking





West



North

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St. Anthony, MN
2017-10-02

Building B

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South



East

The Village LLC Development

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2017-10-02

Building B

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BUILDING C

Building Information



Use	- senior cooperative housing
Height	- 5 stories (60')
Unit Count	- 75
Unit Mix	- 1BD - 25, 2BD - 50
Parking	- 143 enclosed parking stalls (underground) - total parking area = 54,000 SF - 1.9 stalls per unit
Building Features	- all resident parking enclosed - walk up units to promote walkability and pedestrian experience - large windows and extensive use of brick along public ways - level 2 roof courtyard for resident use - secure bicycle parking



Plan



South



East

The Village LLC Development

St. Anthony, MN

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Building C

BKV
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North



West

The Village LLC Development

St. Anthony, MN

2017-10-02

Building C

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BUILDING D



View Looking West on Kenzie Terrace



Plan

Building Information

Use	- market rate housing
Height	- 6 stories (66')
Unit Count	- 220
Unit Mix	- Alc - 71, 1BD - 93, 2BD - 47, 3BD - 9
Parking	- 285 enclosed parking stalls (underground) - total parking area = 103,000 SF - 1.3 stalls per unit
Building Features	- all resident parking enclosed - walk up units to promote walkability and pedestrian experience - large windows and extensive use of brick along public ways - level 2 roof courtyard for resident use - level 6 outdoor roof deck - secure bicycle parking



View Looking East on Kenzie Terrace

The Village LLC Development

St. Anthony, MN

2017-10-02

Building Overview



East



South

The Village LLC Development

St. Anthony, MN

2017-10-02

Building D

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The Village LLC Development

St. Anthony, MN

2017-10-02

Building D

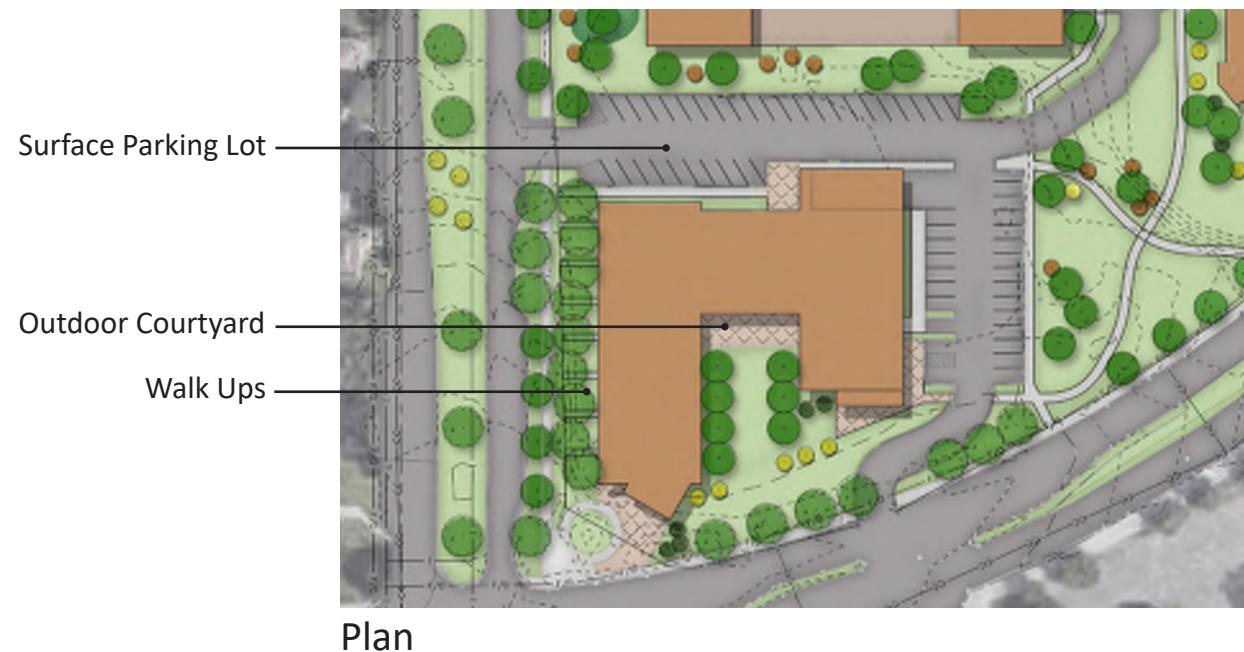
BKV GROUP  WENCK

BUILDING E



Building Information

Use	- affordable housing
Height	- 4 stories (52')
Unit Count	- 97
Unit Mix	- S - 10, 1BD - 15, 2BD - 46, 3BD - 26
Parking	<ul style="list-style-type: none">- 66 enclosed parking stalls (underground)- 54 surface parking stalls- total parking area = 25,000 SF- 1.2 stalls per unit
Building Features	<ul style="list-style-type: none">- all resident parking enclosed- walk up units to promote walkability and pedestrian experience- large windows and extensive use of brick along public ways- level 2 roof courtyard for resident use- secure bicycle parking



Plan

The Village LLC Development
St. Anthony, MN
2017-10-02

Building Overview

BKV 
GROUP WENCK



West



South

The Village LLC Development

St. Anthony, MN

2017-10-02

Building E

BKV GROUP  **WENCK**



West



North

The Village LLC Development

St. Anthony, MN

2017-10-02

Building E

BKV GROUP  WENCK



REQUEST FOR COUNCIL CONSIDERATION

Meeting Date: October 10, 2017

Ordinance 2017-03 – Approving Comcast Cable Television Franchise

OVERVIEW:

In front of you this evening is the second of three readings of an ordinance to approve the renewal of the Comcast cable television franchise.

The third and final reading will be on October 24, 2017. Following the adoption of the ordinance, the ordinance goes into effect upon publication in the St. Anthony Bulletin which is the official newspaper for the City of St. Anthony.

Councilmember Gray serves as the liaison to the North Suburban Cable Commission and North Suburban Access Corporation.

For those interested in viewing the proposed ordinance please contact Nicole Miller, City Clerk at nicole.miler@savmn.com or 612-782-3313.



REQUEST FOR COUNCIL CONSIDERATION

Meeting Date: October 10, 2017

Quarterly Goals Update

OVERVIEW:

In front of you this evening is the quarterly goals update. As a result of our annual strategic planning session, sixty –one (61) action steps were created. Attached is the third quarter update. This is for informational purposes and no action is requested.

City of St. Anthony Goals Chart

2017

STRATEGIC INITIATIVES

ENVIRONMENTAL STEWARDSHIP

QUALITY INFRASTRUCTURE

ROBUST TECHNOLOGY

QUALITY HOUSING & COMMERCIAL/ INDUSTRIAL BUSINESSES

WELCOMING "VILLAGE"

SAFE, SOUND & PROGRESSIVE COMMUNITY



GOALS

Build and Cultivate Environmental Responsibility

action steps	responsibility	comments
Complete Advance Oxidation Process (AOP) facility project	JH, TH	Completed
Continue Phosphorus Reduction Initiative	JH, TH	Stormwater Research Facility startup in April. Silver Lake Working Group (SAV, NB, CH, RCWD, TR) holding regular meetings. Mirror Lake Project anticipated completed date 3/15/18
Continue Silver Lake & Mirror Lake Clean Up	JH, TH	Silver Lake Working Group is meeting regularly. Mirror Lake 80% complete, anticipated completion date 3/15/18
Continue a rain barrel & rain garden workshop	JH	Conducted on 4/18
Maintain highest Greenstep status	JH	Step 5 awarded
Review policy for water usage	SR	Implemented new charging on 4/1
Continue less paper office concept	All	Police designated computer to run portal messages (messages were printed on paper).
Explore alternate energy ideas	MC, JH, TH, BR	Residential street lights converted to LED in 2018
Explore Organics	MC, NM	U of M Sustainable Studies students provided recommendations
Explore Urban Farming	MC, BR	On Planning Commission Work Plan

Maintain and Enhance Infrastructure

action steps	responsibility	comments
Expand city fiber network	MC	Harding Lift Station to be added with 37th sidewalk project. Exploring connecting to remaining wells and lift stations
Complete 2017 street, utility and sidewalk project	JH, TH	Substantially complete.
Complete accessible pedestrian signal (APS)	JH, TH	Near completion
Continue Mirror Lake area flooding options	JH, TH	80% completed. Finish 3/15/18
Continue LED Lighting	JH	Silver Lake bridge lights completed. Silver Lake Road north of 37th began. Residential street light to LED in 2018
Review adequacy, function & size of public facilities	All	Generator for AOP & City Hall/Police/Community Center installed
Explore Intersection control alternatives	JH, TH	Policy adopted on 4/11
Explore reduction of splash pad water usage	JH	Reduced flow, volume reduction to fixtures & reduced hours of operation.
Explore Inflow & Infiltration reduction policy	SR, JH, TH	Review post-construction flow monitoring to determine private I/I. Working with residents on private services

Foster & Encourage Civic Engagement

	action steps	responsibility	comments
	Participate in Collaborative Reform Initiative	MC, JM	Goals and Objectives released. Fair & Impartial Police training conducted. Two officers completed Train the Trainer Fair & Impartial Policing Training
	Support Initiatives of the Family Services Collaborative	All	Police Chief on board
	Provide more on-line city services from website	All	Police added ability to complete Officer commendation and complaint forms online. Add ability to contact Investigative Unit, evidence tech, admin, or other support online.
	Explore community gathering opportunity	MC	
	Participate in Night to Unite	JM	Conducted on 8/1
	Explore innovative Citizen Engagement ideas	All	Coffee w.Cop & Dare 2 be Real. Re-offer Citizen Academy, Ice Cream Social & lunch with a Cop at area schools. Police at Wilshire's 1st day of school.
	Provide road reconstruction education event	JH, TH	Conducted on 7/20
	Create code enforcement education materials	MS	
	Explore Cultural-Historical Center	MC	

Create & Maintain Healthy Neighborhoods

	action steps	responsibility	comments
	Participate in 2017 Government Alliance on Race & Equity (GARE) cohort	MC, CY, ML	Cohort attending monthly meetings
	Promote housing rehabilitation and reinvestment programs	MC	GMHC & Aging in Place
	Conduct Council Tour of City	MC	Conducted on 5/16
	Ensure city code reflects sustainability initiatives	MC, BR	
	Review short term rental policy	MC, BR	
	Discuss options for land use density/impact on walkability	MC, BR	Guest speaker at 2/27 Comp. Plan Steering Committee.
	Inventory of Anthony Lane Business Park	MC	
	Explore development of former bowling alley site	MC, BR	Met with prospective developers

Communicate Transparently & Effectively

	action steps	responsibility	comments
	Expand communication options to residents	MC, NM	Added email notifications for Redevelopment of Lowry Grove and 2017 37th Ave. Sidewalk & Signal Project. Police social media (Facebook, Twitter & Instagram) launched on 9/7
	Create communication plan	MC, NM	
	Continue Fix-it Clinics & TechDump	JH, NM	Fix-it Clinic conducted on 8/12 TechDump scheduled for 10/7
	Continue project update & information sheet	MC, TH	2016 Street project - 2 notifications, 2017 Street projects - 28 notifications, 2018 Street project - 1 notification, 37th sidewalk/signals - 19 notifications, Redevelopment of Lowry Grove - 13 notifications, Mirror Lake - 17 notifications, AOP - 24 notifications, Police-Community Engagement - 16 notifications and Newsletter - 2 notification.
	Expand options for efficient payment collection	SR	Allowed space for credit card link on "My Usage" web portal
	Create customer portal to monitor water usage	SR	Launched on 7/1
	Update sustainability tour online map	MC, JH, BR, TH	Added Advance Oxidation Process (AOP) Plant
	Explore communications contacts	MC, NM	

Communicate Transparently & Effectively			
action steps		responsibility	comments
Explore department presentations		ALL	Liquor Forum scheduled for 10/30
Ensure a Safe & Secure Community			
action steps		responsibility	comments
Plan and implement technology for all city applications		All	New website launched on 4/19
Implement police officer body cams		JM	Implementation targeted for Fall 2017.
Continue Summer Survival school		JM,MS	Conducted on 6/14 to 6/15
Continue crime prevention initiatives & community outreach		JM	Monthly updates to online calendar.
Explore pedestrian & bike friendly routes including sidewalks		JH, TH	2017 37th Ave. Sidewalk & Signal Project near completion
Conduct emergency management exercise		MS	
Implement City staff Inclusion Committee		CY	Meets monthly
Conduct traffic studies on major roadways & intersections		JH, TH	Evaluating based on redevelopment of Lowry Grove
Increase & Maintain Fiscal Strength			
action Steps		responsibility	comments
Track grant outcomes & opportunities		All	10.5 million from Army for AOP. BWC grant submitted. Night vision grant approved.
Assessment of cooperative ventures with other entities		All	Falcon Heights Police Contract
Plan 2018 levy and street improvement program		SR	Preliminary Levy adopted on 9/10
Support professional development		MC, CY	Conducted on 5/18
Review compensation, staffing & organizational structure		MC, CY	Reviewed police staffing levels
Expand long term revenue planning		SR	Water/sewer rate plan
Expand sharing of major equipment items with other governmental entities		JH, JM, MS	
Continue exploring ownership vs. leasing		MC, SR	Reviewed 3 pieces of equipment up for replacement in 2018/2019

KEY

CC - City Council SR- Shelly Rueckert

MC - Mark Casey JH - Jay Hartman JM - Jon Mangseth

MS - Mark Sitarz TH - Todd Hubmer

NM - Nicole Miller BR - Breanne Rothstein

FUTURE COUNCIL AGENDA ITEMS

Date	Type		Staff Present
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2017

October 24	Regular	Revocation of Massage License Comcast Franchise Ordinance-Final reading	City Council City Manager
October 30	Special 5:30 p.m.	Joint Meeting with School Board	City Council City Manager
October 30	Special 7:00 p.m.	Work Session	City Council City Manager
November 14	Regular	1st Reading Water, Sewer, Stormwater & 2018 Fee Schedule Canvassing Board-Municipal Election 1st Reading Small Cell Wireless Ordinance	City Council City Manager
November 28	Regular	Planning Commission items from October Fire Prevention Poster Winners 2018 Street Project Approve Plans & Specifications, Authorize Advertisement for Bids 2nd Reading Water, Sewer, Stormwater & 2018 Fee Schedule 2nd Reading Small Cell Wireless Ordinance	City Council City Manager Fire Dept City Engineer
December 4	Special 7:00 p.m.	Work Session - Commission Interviews	City Council City Manager
December 12	Regular	Planning Commission items from November Appoint Parks and Planning Commissioners and Chair/Vice Chairs Setting Salary of City Manager Authorizing Transfers & Closing of Specified Funds Setting the 2018 City & HRA Budgets and Final Property Tax Levy -Public Hearing Final Reading Water, Sewer, Stormwater & 2018 Fee Schedule Final Reading Small Cell Wireless Ordinance	City Council City Manager Finance Director
December 26	Regular		City Council City Manager

2018

January 9	Regular	Housekeeping Resolutions Resolution for the Street Improvement Bond Reimbursement Quarterly Donations & Grants	City Council City Manager
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FUTURE COUNCIL AGENDA ITEMS

Date	Type		Staff Present
January 23	Regular	2018 Parks Commission Work Plan- (motion only) Presentation-Northeast Youth and Family Services Northeast Youth and Family Services Agreement 2018 Street Project Call for Hearing on Improvements, Call for Hearing on Assessments, Order Preparation of Assessments	City Council City Manager City Engineer
February 13	Regular	Planning Commission items from January Ordinance Setting Water & Sewer Rates for 2018 - 1st Reading	City Council City Manager
February 27	Regular	Ordinance Setting Water & Sewer Rates for 2018 - 2nd Reading 2018 Street Project Public Hearing, Order Improvements, Adopt & Confirm Assessments, Award Contract for Construction, Call for Sale of GO Bonds Administration Annual Report	City Council City Manager City Engineer
March 13	Regular	Planning Commission Items from February Liquor Annual Report Fire Annual Report Liquor License Renewals GreenCorp Member application-resolution Ordinance Setting Water & Sewer Rates for 2018 - Final Reading 2018 Planning Commission Work Plan-(motion only)	City Council City Manager Fire Dept Liquor Op Manager
March 27	Regular	2018 Street Project Call for Sale of Bonds Public Works Annual Report Police Annual Report Order Feasibility Report for 2019 Street Project	City Council City Manager Public Works Director Police Dept City Engineer
April 10	Regular	Planning Commission Items from March Quarterly Donations & Grants	City Council City Manager
April 24	Regular	Arbor Day Proclamation 1st Quarter Goals Update Spirit of St. Anthony Award 2018 Street Project Bond Sale and Award of Bonds	City Council City Manager
May 8	Regular	Planning Commission items from April Public Hearing-Budget Calendar Finance Annual Report Chamber of the Year and Business of the Year	City Council City Manager Finance Director
May __	Special 5:00 p.m.	Tour of the City	City Council City Manager

FUTURE COUNCIL AGENDA ITEMS

Date	Type		Staff Present
May 22	Regular	Salo Park Concert Series Insurance Renewal Tort Limits - Consent Approval of 2019 Street & Utility Recon Feasibility Study & Order Final Plans and Specs	City Council City Manager City Engineer
June 12	Regular	Planning Commission Items from May	City Council City Manager
June 26	Regular	Audit Presentation	City Council City Manager Finance Director
July 10	Regular	Planning Commission items from June Quarterly Donations & Grants Quarterly Goals Update	City Council City Manager
July 24	Regular	Night to Unite Presentation Night to Unite Proclamation Liquor Operations Mid Year Report VillageFest Presentation	City Council City Manager Police Chief Liquor Op Mgr
August 14	Regular 7:00 p.m.	Planning Commission items from July SANB #282 Presentation	City Council City Manager
August 28	Regular	Budget Presentation	City Council City Manager Finance Director
September 11	Regular	Planning Commission items from August Commissioner Mary Jo McGuire 2019 Preliminary Operating Budget and Levy-Public Hearing Kiwanis Peanut Day	City Council City Manager Finance Director
September 25	Regular	Fire Prevention Presentation	City Council City Manager Fire Dept
October 9	Regular	Planning Commission items from September Quarterly Donations & Grants Certification of Delinquent Utility Accounts-Consent Agenda Certification of Delinquent Waste Hauler Accounts-Consent Agenda	City Council City Manager