



## CITY OF MENDOTA HEIGHTS

### CITY COUNCIL REGULAR MEETING AGENDA

July 1, 2025 at 6:00 PM

Mendota Heights City Hall, 1101 Victoria Curve, Mendota Heights

**1. Call to Order**

**2. Roll Call**

**3. Pledge of Allegiance**

**4. Approval of the Agenda**

*The Council, upon majority vote of its members, may make additions or deletions to the agenda. These items may be submitted after the agenda preparation deadline.*

**5. Public Comments - for items not on the agenda**

*Public comments provide an opportunity to address the City Council on items which are not on the meeting agenda. All are welcome to speak. Individuals should address their comments to the City Council as a whole, not individual members. Speakers are requested to come to the podium and must state their name and address. Comments are limited to three (3) minutes. No action will be taken; however, the Mayor and Council may ask clarifying questions as needed or request staff to follow up.*

**6. Consent Agenda**

*Items on the consent agenda are approved by one motion of the City Council. If a councilmember requests additional information or wants to make a comment on an item, the item will be removed from the consent agenda and considered separately. Items removed from the consent agenda will be taken up as the next order of business.*

- a. Approve Minutes from the June 17, 2025, City Council Meeting
- b. Approve Minutes from the June 17, 2025, City Council Work Session Meeting
- c. Acknowledge Minutes from the May 27, 2025 Planning Commission Meeting
- d. Approve Resolution 2025-34 Proclaiming July 2025 as "Parks and Recreation Month"
- e. Approve Resolution 2025-35 for a Joint Powers Agreement with the Bureau of Criminal Apprehension Internet Crimes Against Children Task Force Program
- f. Approve Bank Account Changes
- g. Approve May 2025 Treasurer's Report

- h. Approve Claims List

## **7. Presentations**

- a. Recognition and Presentation of Life-Saving Award

## **8. Public Hearings**

## **9. New and Unfinished Business**

- a. City of Mendota Heights FY2024 Audit Report
- b. City Council Governing Principles
- c. Resolution 2025-36 Approving a Preliminary Plat of McMillan Estates to subdivide three (3) existing parcels into six (6) single-family residential parcels located at 1707 Delaware Avenue and its adjacent vacant parcels owned in common. (Planning Case 2025-03)
- d. Resolution 2025-37 Approving a Variance to allow for the construction of a fence exceeding 6-ft in height for the property located at 1341 Cherry Hill Road. (Planning Case 2025-07)
- e. Resolution 2025-38 Approving a Conditional Use Permit Amendment for Glenn Baron (representing The Heights Racquet & Social Club) for the outdoor commercial recreation use located at 1415 Mendota Heights Road. (Planning Case 2025-08)
- f. Resolution 2025-39 Approving a Variance to the rear yard setback to allow for the construction of a new three-season porch addition located at 2150 Aztec Lane (Planning Case 2025-09)
- g. Resolution 2025-40 Approving a MRCCA Permit and Conditional Use Permit Amendment Application for Northern States Power Company (Xcel Energy) to allow for the construction of a new 24-ft x 24-ft concrete pad foundation and prefabricated structure at the property located at 800 Sibley Memorial Highway (Planning Case 2025-10)

## **10. Community / City Administrator Announcements**

## **11. City Council Comments**

## **12. Adjourn**

**Next Meeting: July 15, 2025 at 6:00PM**

Information is available in alternative formats or with the use of auxiliary aids to individuals with disabilities upon request by calling city hall at 651-452-1850 or by emailing [cityhall@mendotaheightsmn.gov](mailto:cityhall@mendotaheightsmn.gov).

Regular meetings of the City Council are cablecast on NDC4/Town Square Television Cable Channel 18/HD798 and online at [TownSquare.TV/Webstreaming](https://TownSquare.TV/Webstreaming)

CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY  
STATE OF MINNESOTA

**DRAFT** Minutes of the Regular Meeting  
Held Tuesday, June 17, 2025

Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota Heights, Minnesota, was held at 6:00 p.m. at City Hall, 1101 Victoria Curve, Mendota Heights, Minnesota.

CALL TO ORDER

Mayor Levine called the meeting to order at 6:00 p.m. Councilors Paper, Mazzitello, and Maczko, were also present. Councilor Lorberbaum was absent.

PLEDGE OF ALLEGIANCE

Council, the audience, and staff recited the Pledge of Allegiance.

AGENDA ADOPTION

Mayor Levine presented the agenda for adoption. Councilor Mazzitello moved adoption of the agenda. Councilor Paper seconded the motion.

Ayes: 4

Nays: 0

PUBLIC COMMENTS

Sean Fahnhorst, 1767 Ridgewood Drive, presented a petition signed by himself and 18 neighbors supporting better pedestrian/cyclist options for Delaware Avenue and Dodd Road. He recognized the upcoming road projects for those roadways and hoped that safer pedestrian options could be included.

Mayor Levine commented that the Council just held a workshop on that topic and noted that staff will accept the petition and can follow up with him.

Joe Nunez, 2058 Acacia Drive, commented that he is the President of the Augusta Shores Townhome Association and shared concerns with the impaired water designation of Lake Augusta. He commented that people years ago swam and fished in the lake and noted the changes that have occurred, which have impaired the water quality. He stated that because the lake does not have an outlet, there is no way for the pollutants to be washed out. He referenced a study completed on the lake by Barr Engineering on behalf of the Lower Mississippi Water Management Organization (LMWMO) and reviewed some of the options included, which could improve the lake's water quality.

Phil Frosh, 2358 Lemay Shores Drive, commented that he is the President of the Lemay Shores HOA and is speaking on behalf of his neighbors as well. He shared the concerns about the water quality of Lake

Augusta. He also referenced the Barr Engineering study and encouraged the City to move forward with the implementation of the recommendations from the study. He recognized that the actions would have a cost, but wanted to ensure that the natural resources in the community were maintained and protected.

Rodney Chena, 580 Sibley Memorial Highway, commented that he is requesting the support of the Council to remove the no-parking signs posted on Garden Lane. He stated that the signs cause unnecessary inconvenience to guests and neighbors. He stated that he obtained signatures from the two residents on Garden Lane. He stated that this would allow for additional parking options for residents and guests, noting that this street is the only street off the highway that does not allow parking. He submitted the petition to staff.

### CONSENT AGENDA

Mayor Levine presented the consent agenda and explained the procedure for discussion and approval. Councilor Mazzitello moved approval of the consent agenda as presented.

- a. Approval of June 3, 2025, City Council Minutes
- b. Acknowledge the February and March 2025 Fire Synopses
- c. Acknowledge the April Par 3 Financial Report
- d. Approve Liquor License Renewals
- e. Approve Massage License Renewal
- f. Appoint City Representatives to the Metropolitan Airports Commission Noise Oversight Committee
- g. Adopt Resolution 2025-32 to Approve Plans and Authorize Advertisement for Bids for the Kensington East Street Improvements
- h. Approve Purchase Order for Replacement of Pumps at St. Thomas and Culligan Lift Stations
- i. Approval of Claims List

Councilor Paper seconded the motion.

Ayes: 4

Nays: 0

### PRESENTATIONS

#### A) BADGE PINNING FOR FIRE DEPARTMENT TRAINING OFFICER BECKY JOHNSON

Fire Chief Dan Johnson explained that a badge pinning is a momentous occasion in the career of a firefighter. He introduced the Assistant Chief.

Assistant Fire Chief Goldenstein introduced Becky Johnson and provided background information on her career with the Fire Department.

Mayor Levine administered the Oath of Office, and Fire Chief Dan Johnson pinned the badge for Training Officer Becky Johnson.

### PUBLIC HEARING

A) RESOLUTION 2025-33 PUBLIC HEARING ON EASEMENT VACATION FOR MENDOTA HEIGHTS INDUSTRIAL PARK

Public Works Director Ryan Ruzek explained that the Council was being asked to hold a public hearing and consider approval of an easement vacation commenced by petition for Lots 6 and 7, Block 1 of the Mendota Heights Industrial Park. He noted that he did receive calls from three property owners, and he was able to answer their questions, and they were happy to see something being done with the property.

Councilor Mazzitello moved to open the public hearing.

Councilor Maczko seconded the motion.

Ayes: 4

Nays: 0

There being no one coming forward to speak, Councilor Paper moved to close the public hearing.

Councilor Mazzitello seconded the motion.

Ayes: 4

Nays: 0

Councilor Mazzitello moved to adopt RESOLUTION NO. 2025-33 APPROVING AN EASEMENT VACATION COMMENCED BY PETITION.

Councilor Maczko seconded the motion.

Ayes: 4

Nays: 0

NEW AND UNFINISHED BUSINESS  
A) 2040 PARK SYSTEM MASTER PLAN

Parks and Recreation/Assistant Public Works Director Meredith Lawrence explained that the Council was being asked to review and accept the 2040 Park System Master Plan. She provided information on the process that was followed and public input that was received throughout the process to create the plan. She explained that accepting the plan is a procedural step and does not approve any of the projects or programming within. She acknowledged that a large number of the comments received from residents were related to a potential increase in the park user fees and explained that action is not before the Council at this time and will be part of a future discussion.

Brad Aldrich and Mo Convery of Confluence and Leon Younger of PROS Consulting presented the 2040 Park System Master Plan.

Parks and Recreation/Assistant Public Works Director Meredith Lawrence explained the next steps and how the plan will be implemented in a phased approach.

Mayor Levine thanked the consultants and staff for their hard work. She also recognized the work of the Park and Recreation Commission.

Councilor Maczko echoed the comments of praise for the work that has been done. He commented that because he is new to the Council, he was not fully involved in the process, although he is a park user. He

asked how broad the study was on the programming, noting the local athletic association that handles the youth sports programs.

Mr. Younger explained that typically, the parks system provides the facilities, and youth sports govern themselves and the programming. He explained the review that was done for programming and explained that, because there are limited staff, that is a large burden for programming. He provided examples of different types of programming found in parks departments. He stated that programming activates the spaces within the park system.

Councilor Maczko commented that the parks staff does a great job and offers numerous programming opportunities, noting that Mendota Heights provides more programming than any of the other benchmark cities used for comparison. He stated that the City has community partnerships with the athletic association and others, which ease the burden on the City. He stated that the report provides great information, although it may not all be implemented.

Parks and Recreation/Assistant Public Works Director Meredith Lawrence stated that the benchmark cities used for comparison also do not provide youth sports and have similar partnerships with associations that provide sports programming.

Mr. Younger commented that the programs suggested came out of the survey results.

Mr. Aldrich stated that they looked more broadly at programming outside of youth athletics. He explained that if staff had more time, they could work with Dakota County and other partners to find additional opportunities.

Parks and Recreation/Assistant Public Works Director Meredith Lawrence commented that the school district and community ed are also involved to ensure they are not duplicating programs.

Councilor Paper asked why Green River, Wyoming, was chosen.

Mr. Younger replied that is a gold medal city through the National Park and Recreation Association (NPRA), which is similarly sized to Mendota Heights.

Councilor Paper commented that there was a robust group interviewed, but noticed a hole in the age group of 12 to 15 and asked for more information.

Ms. Convery stated that historically, that is a tricky group to include in community engagement. She stated that staff did a tremendous job of going to the schools to have sessions in the classrooms to obtain information. She commented that it is unique for a staff person to be able to go into the school like that.

Parks and Recreation/Assistant Public Works Director Meredith Lawrence commented that she did go to the elementary school, and the students completed a handwritten survey. She stated that they also engaged with students at the middle and high schools and through after-school programming. She noted that some of the input was survey-based based while additional information was obtained through discussion.

Ms. Convery provided additional information on community engagement with youth.

Councilor Paper stated that adult sports and softball were mentioned, and asked how softball is separated from sports.

Parks and Recreation/Assistant Public Works Director Meredith Lawrence commented that adult softball is one of the most common adult sports offered and is currently offered by the City. She stated that softball is the only adult sport offered by the City.

Mr. Younger commented that the numbers in adult sports have decreased since the 1990s.

Mayor Levine commented that there are a lot of adults who engage in sports throughout the community, recognizing the popularity of pickleball with adults. She stated that the infrastructure within the community allows for informal sports, aside from organized sports. She stated that when they make decisions going forward, they will continue to make the best decision for Mendota Heights.

Councilor Paper asked if Mendakota Park was being considered for an accessible park.

Parks and Recreation/Assistant Public Works Director Meredith Lawrence commented that staff are working on an ADA plan for parks and facilities. She agreed that Mendakota would make the most sense for a fully accessible park because of its location, it has the most parking spaces, it has bathrooms with running water, and has accessible elements.

Mayor Levine commented that when Mendakota Park was constructed, it was considered accessible and acknowledged that what may be considered accessible is not always accessible in practice.

Councilor Paper stated that two out of three people who responded supported more funding for the parks system and asked if that could be correlated to a majority of residents.

Ms. Convery stated that it was outside of the scope to do a statistically valid survey, but 67 percent of the respondents did support some additional funding. She encouraged that a funding study be done to find additional park funding.

Councilor Paper asked if kids were responding to the survey.

Ms. Convery replied that the age of the respondent was not asked, but because of the topic, she did not anticipate that many children had completed the survey.

Councilor Maczko commented that the survey was very open-ended, which could have led to a positive response. He acknowledged that there was good interaction from people on both sides of the issues.

Ms. Convery commented that they were surprised to get such a positive response when they were not providing them with much detail. She noted that sometimes they include beautiful photos, and that could lead to more support, but they were cautious not to include that type of detail. She stated that when there are detailed plans or a potential project, that will bring more responses from residents as well.

Councilor Mazzitello stated that the support for additional funding does not define what the additional funding would look like, and recognized that will be a debate for the Council. He referenced goal six, to

develop a long-term sustainable funding model has been on his list as a member of the Council. He appreciated that the plan refers to the parks as infrastructure and that they should be managed as such. He referenced the scope provided to the consultants and believed that this plan provides the information that will help guide future decisions. He explained that this information will help them to improve the park system in the future. He commented that the answers to open-ended questions seem to show that the public trusts them.

Mr. Younger confirmed that this community does have a strong trust in the City and its elected officials.

Councilor Mazzitello referenced the statement that typical capital investment in parks is three to five percent of the total asset value. He asked if the total asset value was known.

Mr. Younger replied that they did have that discussion, but the answer was not known.

Parks and Recreation/Assistant Public Works Director Meredith Lawrence commented on the work that she has been doing to create an inventory and noted that staff will be bringing forward a Capital Improvement Plan (CIP). She noted that part of that process would be to identify the value of the park system.

Councilor Mazzitello commented that number will be important as they move forward and plan for needed funding. He stated that missing piece will help staff to create the CIP. He stated that the Council must find a sustained funding source for the park system. He thanked the people who sent in comments related to the plan and hoped they reviewed the entire plan and not just the fee schedule. He explained that adoption of the plan does not commit the City to any specific fee structure. He stated that TRAA will be part of the discussion as they find something that works for both parties.

Mr. Younger commented on the importance of transparency in what the cost is to provide the service and/or infrastructure. He stated that it is also important for an athletic association to share what they do with its funds to provide the same level of transparency.

Councilor Maczko stated that he was surprised to see that the parkland and trails possessed by the community are lower than the NPRA average. He stated that outside of Golden Valley, the City has double the assets of the other benchmark communities.

Parks and Recreation/Assistant Public Works Director Meredith Lawrence explained that the NPRA is based on the national level of service, where the benchmarks are local communities.

Mayor Levine recognized that this is a lot of information to digest and gives information and data to have additional conversations.

Councilor Mazzitello moved to accept THE 2040 PARK SYSTEM MASTER PLAN.

Councilor Maczko seconded the motion.

Ayes: 4

Nays: 0

## COMMUNITY ANNOUNCEMENTS

City Administrator Cheryl Jacobson announced upcoming community events and activities.

#### COUNCIL COMMENTS

Councilor Mazzitello offered deepest sympathies and condolences to the Hoffman and Hortman families. He encouraged people not to become divided but instead find a way to come together. He stated that Saturday was the 250<sup>th</sup> anniversary of the founding of the US Army and recognized the founding of the US Air Force.

Councilor Maczko echoed the comments of sympathy and condolences. He thanked Police Chief Kelly McCarthy, her team, and law enforcement as a whole for their ability to act quickly, protect others, and bring the person to justice. He recognized the great work that law enforcement can accomplish in split-second scenarios.

Councilor Paper thanked former Mayor Garlock for another successful Scott Patrick Memorial 5K, which is a terrific community event. He commented that there was a robust turnout for the most recent session of Coffee with the Council that he attended. He thanked everyone who participated in the engagement for the Park System Master Plan, as that provides them with much-needed information. He also congratulated Two Rivers graduate, Taylor Taurinkskas, for winning the State girls' high jump.

Councilor Mazzitello also congratulated the Cretin-Derham baseball team for winning the state championship for the first time since 2007.

Mayor Levine congratulated Training Officer Becky Johnson on her new position.

#### ADJOURN

Councilor Paper moved to adjourn.

Councilor Maczko seconded the motion.

Ayes: 4

Nays: 0

Mayor Levine adjourned the meeting at 7:46 p.m.

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Stephanie B. Levine

Mayor

ATTEST:

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Nancy Bauer  
City Clerk

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CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY  
STATE OF MINNESOTA

**DRAFT** Minutes of the City Council Work Session  
Tuesday, June 17, 2025

Pursuant to due call and notice thereof, a work session of the Mendota Heights City Council was held at Mendota Heights City Hall, 1101 Victoria Curve, Mendota Heights, Minnesota.

CALL TO ORDER

Mayor Levine called the work session to order at 4:30 pm. Councilors Maczko, Mazzitello, and Paper were in attendance. Councilor Lorberbaum was absent.

Others present included: City Administrator Cheryl Jacobson, Assistant City Administrator Kelly Torkelson, Public Works Director Ryan Ruzek, Finance Director Kristen Schabacker, Park and Recreation Director/Assistant Public Works Director Meredith Lawrence, Community Development Manager Sarah Madden, Assistant City Engineer Lucas Ritchie, and City Clerk Nancy Bauer.

Also in attendance were Dakota County Project Manager Hassan Hussein and Kimley Horn Consultant/Project Manager Luke Moren.

DELAWARE AVENUE RECONSTRUCTION (MARIE AVENUE TO DODD ROAD)

Dakota County Project Manager Hassan Hussein and Kimley Horn Consultant/Project Manager Luke Moren presented the Delaware Avenue Reconstruction & Butler Avenue Trail & Sidewalk Improvements.

H. Hassan stated that the scope of the project consists of the reconstruction of Delaware Avenue from Marie Avenue to Dodd Road, adding a multi-use trail on the west side of the roadway, adding concrete curb/gutter, improve stormwater management, and sanitary sewer and watermain improvements. Butler Avenue improvements include adding a multi-use trail along the south side of Butler Avenue and adding a sidewalk.

The project goals were to engage the public, incorporate public input, improve pedestrian and bike safety, urbanize the roadway, mitigate property impacts, and evaluate intersection and roadway safety.

For public engagement two open houses were held. The one held on December 2, 2024, was to present to the public the purpose, need, traffic/crash data and analysis, project consideration and potential typical section improvements. The second open house on April 23, 2025, was to present recommendations for the trail on the west side of Delaware Avenue including

alternatives, receive feedback on the proposed sidewalk along the east side of Delaware Avenue from Emerson Avenue to Dodd Road, and introduce the right-of-way acquisition process.

A hosted active website was launched to solicit feedback via an online interactive map and solicit feedback via project surveys in December 2024 and April 2025.

Multiple property owner meetings were held with additional meetings to be held for the right-of-way acquisition process.

Kimley Horn Consultant/Project Manager Luke Moren presented the analysis considered for the project and stated they were driveways impacts (slopes, parking, etc.), regional connectivity, private property impacts (easements), retaining walls, tree/vegetation impacts, private utility impacts and the need for on-street parking.

A trail was recommended on the west side of Delaware Avenue due to significantly fewer private property impacts between Wentworth Avenue and Dodd Road. Dakota County staff are working directly with Somerset Country Club to discuss the impact of the project. Dakota County has accepted minimum lane and shoulder widths to reduce impacts. Parking will be maintained for on-street parking between Emerson Avenue and Dodd Road on the east side only. The modified roadway elevation and cross slopes are used to balance impacts on both sides of the roadway.

Mayor Levine asked about the width of the trail. L. Moren responded that the minimum trail width is eight feet for ADA accessibility going both ways on the trail. A 10-foot width is preferred by Dakota County, being that the trail is only on one side of the roadway.

The intersection safety improvements on Delaware Avenue and Wentworth Avenue include additional signage, markings, lights, and geometric improvements. It is proposed to leave the intersection as an all-way stop. There is no realignment of Emerson Avenue proposed. At Dodd Road and Delaware Avenue a new right-turn lane is being proposed at Butler Avenue and Dodd Road. A stormwater pond is being proposed in the southwest corner of the intersection.

H. Hussein stated that for easement acquisitions there are 71 impacted parcels along Delaware Avenue and 10 impacted parcels along Butler Avenue. There are 35 proposed easement acquisitions in Mendota Heights. These include permanent and temporary easements. The easements are for tree clearing, driveway reconstruction, and yard grading for the proposed multi-use trail. The process for the easement acquisitions is just beginning and is expected to extend into the summer of 2025. The proposed design is considering retaining walls, roadway elevation changes, and steeper front yard slopes to minimize work on private property.

The next steps are to finish the final design, hold another open house, work on the right-way acquisitions, bid the project so construction can begin in 2027.

Councilor Paper asked about the speed limit on Delaware Avenue. L. Moren responded that a speed study was not done as part of the process, and the speed limit should remain the same.

Councilor Maczko said this would be the time to do a speed study and asked about the shoulder width. L. Moren said that a narrower shoulder was discussed. Public Works Director Ryan Ruzek responded that a five-foot shoulder would meet bike lane standards.

Councilor Maczko asked if the work would be substantially completed in the right-of-way and asked if there would be temporary easements used. H. Hussein replied that to construct the trail some permanent easements would need to be acquired.

Councilor Paper asked for more information about the pond and angle of the road that is being proposed at Dodd Road and Delaware Avenue. L. Moren replied that at that intersection crash issues were not as prevalent as they were at Emerson Avenue. Other concept plans for the intersection were also studied.

R. Ruzek stated that staff wanted Council to be aware of this project as the acquisitions of rights-of-way will be starting.

#### TITLE 11: SUBDIVISION ORDINANCE

Community Development Manager Sarah Madden reported that rewriting the Title 11: Subdivision Ordinance had been a priority for the Council. She stated that the purpose of the revised subdivision ordinance was to clarify and modernize the language, improve enforcement, and align it with current city documents.

S. Madden reviewed the key changes, noting which areas of this ordinance had been rearranged or relocated. The application process has been updated for the required submittal materials for an application.

Councilor Mazzitello liked the definition of street and said that in Title 12 it is defined as street, public.

S. Madden commented that the permanent markers paragraph had been moved to the required improvements. The word normally was removed and the word shall was used throughout the revised ordinance so that it could be strictly enforced.

Changes to the design standards in the revised ordinance were discussed. Changes to the street width and grade had been changed for the different street types upon the recommendation of Engineering staff. The street width is defined as right-of-way width. More clarity for the street definition would be added in the revised ordinance. The definition of developer and legal property owner was also discussed.

Councilor Maczko asked about the section under streets, sanitary sewers, and water distribution.

S. Madden replied that current practice and preference is for the developer to install new utilities in a new subdivision. The city will still have the right to install utilities, but it is preferred the developer install the utilities by a developer agreement, as per past practice.

Public Works Director Ryan Ruzek stated that if the city installs the utilities the City will assess the properties. Councilor Maczko stated that it should be clearly written in the revised ordinance. S. Madden stated that this section had not been completely written yet and is working with the city attorney on the language.

S. Madden stated that the park dedication portion of the revised ordinance had been modified, but the requirements remain the same. The requirements for park dedication were discussed.

Councilor Mazzitello stated it was an outstanding draft. Mayor Levine echoed those comments.

## 2026 BUDGET OUTLOOK/PREVIEW

City Administrator Cheryl Jacobson stated that staff will be preparing the 2026 budget and provided an overview of anticipated budget challenges and opportunities. She noted that the council's number one priority is the city hall/police department building and the funding of improvements. She highlighted the remainder of the council's priorities, including developing a sustainable long-term funding plan for capital improvements, enhanced cell coverage in the city, completing an industrial park visioning plan, fiscal rightsizing, and developing performance measures.

C. Jacobson continued that key revenue factors include utility franchise fees. She noted that the first full year of utility franchise fees was in 2025. According to the Parks Master Plan, there is concern for park user fees from field users and the council may want to consider charitable gambling in the future.

Key expenditures will be public safety, which historically is approximately 50 percent of the budget, and employee health insurance costs, with the costs likely to be higher than in 2025. She highlighted the new State Paid Family Medical Leave Act, which will impact the 2026 budget with an estimated cost of \$50,000 to \$65,000.

Councilor Maczko asked if current benefits could offset the new family medical leave law.

Assistant City Administrator Kelly Torkelson replied that current leave benefits are not as robust as the new law requirements and that staff are reviewing all options.

C. Jacobson noted that the Capital Improvement Plan includes street improvement projects, replacement of the fire hall parking lot, vehicle replacements, and replacement of the 2,000-gallon fire department tanker. She highlighted that known 2026 projects with budget impacts are the 2050 Comprehensive Plan process, administration of the 2026 election, and sustainability efforts.

C. Jacobson concluded with an overview of the budget timeline, stating that the preliminary budget approval is set for the September 16 City Council meeting.

## ADJOURNMENT

Councilor Mazzitello made a motion to adjourn the work session, and the motion was seconded by Councilor Paper. Motion carried 4-0. The meeting adjourned at 6:53 pm.

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Stephanie B. Levine, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Bauer, City Clerk

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**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**PLANNING COMMISSION MINUTES  
MAY 27, 2025**

The regular meeting of the Mendota Heights Planning Commission was held on Tuesday, May 27, 2025, in the Council Chambers at City Hall, 1101 Victoria Curve, at 7:00 P.M.

The following Commissioners were present: Acting Chair Patrick Corbett, Commissioners Cindy Johnson (arrived at 7:20 p.m.), Brian Udell, Jason Stone, Jeff Nath, and Steve Goldade. Those absent: Chair Litton Field.

**Election of Planning Commission Vice Chair for 2025**

Acting Chair Corbett commented that he appreciated that the item was tabled at the last meeting in his absence. He stated that while he has enjoyed serving as Vice Chair for the last few years, he would gladly provide the opportunity to someone else to serve.

Commissioner Stone volunteered to serve.

ACTING CHAIR CORBETT MOVED, SECONDED BY COMMISSIONER GOLDADE, TO ELECT JASON STONE AS VICE CHAIR FOR 2025.

AYES: 5  
NAYS: 0

**Approval of Agenda**

The agenda was approved as submitted.

**Approval of March 31, 2025 Minutes**

COMMISSIONER GOLDADE MOVED, SECONDED BY COMMISSIONER NATH, TO APPROVE THE MINUTES OF MARCH 31, 2025.

AYES: 5  
NAYS: 0

**Hearings**

- A) PLANNING CASE 2025-03  
SPENCER MCMILLAN, 1707 DELAWARE AVENUE AND ADJACENT  
VACANT PARCELS – PRELIMINARY PLAT**

Community Development Manager Sarah Madden explained that the applicant is seeking a Preliminary Plat approval of the properties located at 1707 Delaware Avenue and two vacant parcels generally located at the north end of Ridgewood Drive. The residential property and two vacant parcels are all owned by Spencer McMillan, the applicant. The proposed plat is entitled McMillan Estates, and the subdivision would divide and redistribute the existing land within the three parcels into six new lots of record.

Hearing notices were published and mailed to all properties within 350-ft. of the site; seven written comments were provided in the packet, along with two additional written comments provided at the dais.

Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).

Commissioner Johnson arrived.

Staff recommended approval of this application based on the findings and with conditions.

Commissioner Johnson asked for more details on the decision timeline related to the Wetland Conservation Act (WCA).

Community Development Manager Sarah Madden reiterated that the decision is still pending while that review is completed and confirmed that the related condition of approval would address that item.

Acting Chair Corbett stated that much of the feedback received from residents was related to the potential wetland impacts. He clarified that is being reviewed under a separate application and is not part of the discussion tonight.

Community Development Manager Sarah Madden confirmed that is a separate application. She noted that there was a public comment period for the wetland request, which is why many of the comments were related to that topic.

Acting Chair Corbett asked if there is a limit on the amount of wetland that can be impacted without replacement.

Community Development Manager Sarah Madden confirmed that is true.

Acting Chair Corbett stated that while it appears the applicant's request would be just under that maximum disturbance threshold, the narrative also mentions that additional wetland impacts may occur by each lot in the future, and asked for more information.

Community Development Manager Sarah Madden replied that the applicant is requesting the full amount allowed under a de minimis request. She stated that if there were future wetland impacts

as the individual home lots are created, they would need to come forward with new wetland applications, as there would not be any further exemptions allowed.

Acting Chair Corbett commented that he would not want to see three of these lots become unbuildable because of wetland impacts, but it seems that each lot would be buildable as proposed. He also asked for details on who makes the decision related to wetlands and impacts.

Community Development Manager Sarah Madden commented that wetlands two and three are adjacent to the potential driveways and, therefore, those wetland impacts had been accounted for. She explained that staff reviews an exemption request under the WCA Ordinance within the City Code.

Commissioner Stone asked who would pay for the utility connections, roadways, fire hydrants, and stormwater management.

Community Development Manager Sarah Madden replied that the developer/applicant would be responsible for the public improvements associated with the project. She commented that following construction and inspection, the City would take over management of those improvements.

Commissioner Stone asked the definition of a heritage tree.

Natural Resources Coordinator Krista Spreiter replied that a significant tree is six inches or greater, while a heritage tree is 24 inches or greater. She commented that there is more than one heritage tree, but only one is proposed for removal.

Commissioner Stone asked how the residents in the area were made aware that the wetland process was separate from this public hearing.

Natural Resources Coordinator Krista Spreiter replied that the WCA process does not have a notice requirement unless those property owners requested notification. She stated that anyone who expressed interest in this matter ahead of time was sent notice.

Commissioner Stone recognized that many residents in that area are interested in the wetlands portion of the request and asked if they were not notified.

Natural Resources Coordinator Krista Spreiter replied that the WAC notice is only done by request, but it is public information. She stated that the public comment period for the WCA ended on May 13<sup>th</sup>.

Commissioner Udell referenced draft condition 14 and asked for clarification on the order of operations.

Community Development Manager Sarah Madden explained that the street construction and utility installation would be the first step, and as part of that, the applicant would be required to remove the existing cul-de-sac to create a straight street.

Acting Chair Corbett asked if the additional land that is no longer used for the road would be dedicated to the neighbors.

Community Development Manager Sarah Madden replied that the land is not automatically vacated as right-of-way. She stated that if the neighbors wanted to request the right-of-way to be vacated, they would need to make that separate request to the City.

Commissioner Goldade referenced the culvert that would be placed and asked if that water is from Hidden Creek.

Public Works Director Ryan Ruzek replied that staff refer to that drainageway as Marie Creek. He noted that Hidden Creek does not actually exist as it is groundwater.

Commissioner Goldade asked who would document the conditions of the creek over time.

Public Works Director Ryan Ruzek explained the path the water flows prior to reaching this point, noting the water goes through pipes throughout that process until Nature Way, where it goes through a 36-inch culvert.

Commissioner Goldade asked if that is taken into account as part of the wetland application.

Public Works Director Ryan Ruzek commented that there is a stormwater management report, which is in a preliminary stage. He stated that the City is currently objecting to the current stormwater design and is requiring the water to be managed publicly rather than requiring treatment to be provided on individual lots.

Commissioner Stone asked if the City has approved the stormwater management plan.

Public Works Director Ryan Ruzek commented that the Commission is reviewing the plat at this time, and the draft conditions would need to be corrected before a final plat application would be considered.

Commissioner Stone asked if it would make sense for the City to approve that element before the Commission makes its decision.

Public Works Director Ryan Ruzek commented that any approval of the Commission would be contingent upon meeting all the conditions as drafted prior to final plat. He commented that those issues do not need to be resolved prior to preliminary plat.

Acting Chair Corbett asked if the culvert and stormwater management would be part of the wetland decision.

Public Works Director Ryan Ruzek replied that the WCA application only looks at the potential wetland impacts. He commented that the City will review the overall hydrology and stormwater management separately from the WCA request.

Community Development Manager Sarah Madden commented that the culvert construction is included in one of the potential wetland impacts because of the impact that construction would have on the wetland. She stated that the condition related to stormwater management was included for the applicant to address prior to final plat.

Acting Chair Corbett referenced lot six and asked for clarification related to the easement and setback.

Community Development Manager Sarah Madden explained that the driveway is five feet from the property line, which does meet the driveway setback. She stated that the easement width is 15 feet in that location, and therefore, the driveway will be within an easement.

Public Works Director Ryan Ruzek commented that the setback is met, and driveways are allowed within drainage and utility easements.

Acting Chair Corbett stated that it seems like there is bad language within the cul-de-sac ordinance and asked whether that could be addressed or cleaned up, as it seems unenforceable.

Community Development Manager Sarah Madden commented that the language “shall not normally” exists several times in the subdivision ordinance, and perhaps the original intent was to allow flexibility. She stated that staff will be looking at all the subdivision ordinance language with the City Attorney as a separate project, noting that will come before the Planning Commission at a later time. She noted that this request must then be considered under the current ordinance language.

Acting Chair Corbett asked why the language is included if it is not enforceable.

Community Development Manager Sarah Madden stated that it is assumed that the intent is related to turnaround access for a fire truck and related to safety. She stated that the Fire Marshall did review the request and has no concerns with the length or plan as currently drawn.

Acting Chair Corbett opened the public hearing.

Spencer McMillan, applicant, thanked staff for working with him over the past 18 months. He stated that he was told during the first round of review that there cannot be additional wetland impacts after the WCA plan is approved, and everything proposed must occur all at once.

Natural Resources Coordinator Krista Spreiter stated that a future property owner could come in and request a replacement plan, but could not request further exemptions.

Paul Pontinen, 1760 Ridgewood Drive, commented that they share a 320-foot boundary with lot six and therefore have concerns. He wanted a more accurate count of the significant and heritage trees along their property lines, so he measured the trees himself last week. He reported 18 significant trees and six heritage trees. He noted that he did not measure the trees or bushes under six inches, and also did not measure on the McMillan property. He provided information on the

critical root zone for trees and wanted to ensure that the trees, and their root zones, for his property and on the property line would be protected. He was concerned that the potential driveway for lot six could impact the critical root zone for those trees.

Acting Chair Corbett commented that he was unsure where the driveway could be moved by 40 feet, but appreciated the concern.

John Weikert, 1737 Delaware Avenue, stated that his concern is also related to lot six. He asked why anyone would want to put a home on the lowest, wettest, steepest, most environmentally sensitive portion of the property. He proposed that lot six be eliminated and that land be added to one of the other lots. He noted that the other lots have more desirable building areas, and removing lot six would remove a lot of the problems. He stated that area of the property often floods and was unsure why anyone would want to build on that area. He stated that if the City approves this, he believed the City would be setting itself up for problems in the future.

Kris Fischer, 1775 Ridgewood Drive, was unsure of the measurements from Marie Avenue to the proposed new end of Ridgewood Drive and asked if there are any comparable cul-de-sac lengths in the community.

Sean Fahnhorst, 1767 Ridgewood Drive, stated that two years ago, the City introduced a living streets policy that promised engagement with the stakeholders in the design of all streets, and commented that the process did not occur for this project.

Commissioner Goldade asked the resident to share the three commonsense proposals that he included in his email.

Mr. Fahnhorst reviewed his suggestions related to the living streets questionnaire, onsite mitigation for tree replacement should be required, and there should be a no net loss requirement for the wetlands. He commented that the wetland on this property also goes onto all of the adjacent properties, and he did not want to see impacts on any property as a result of this action. He asked the recourse that adjacent properties would have if the changes on this property causes flooding of another home as a result of this development.

Commissioner Johnson asked the document the resident found the no net loss for wetlands.

Mr. Fahnhorst replied that he did not have that information with him but could follow up with an email.

Jonathan Deering, 1759 Ridgewood Drive, commented that his property is south of proposed lot one. He asked for clarification on the proposed routing of the road. He stated that it was mentioned that Ridgewood Drive would be the only access point. He asked if there was consideration made to provide access from Delaware to reduce the wetland impacts and concerns with the cul-de-sac length. He referenced the Orchard Heights case and stated that Judge did not rule against City Code, but found that the variance was met, therefore, he did not believe a Judge would rule against City Code. He stated that routing was approved because they were attempting to avoid wetland impacts. He referenced the intent to develop the Super Block 21 and stated that this could create

a cul-de-sac that is a full city block. He acknowledged the validity of the wetland delineation, but commented that if the date were seven days later, it would no longer be valid. He stated that delineation is as small as it would ever be, noting the dry conditions when it was completed.

Susan Micevych, 1778 Ridgewood Drive, stated that a few years ago, there was a variance requested to build a stadium at Sibley Memorial High School, which brought forward concerns from this neighborhood because of the impacts. She felt that the neighborhood is being placed in a similar situation where it will face impacts. She noted that it took several years to mitigate the noise concerns from the stadium. She asked why this would be approved now if additional wetland impacts are anticipated and would be pushed on future property owners. She asked the Commission to delay the decision until more information is made available. She believed that their property values would be impacted by the construction process and the addition of six homes in the area. She asked who would be responsible for redoing the cul-de-sac and how it would be landscaped. She also noted the increased traffic that would come down the cul-de-sac and how that could increase further if it were extended to Foxwood Lane in the future. She was unaware that the wetland report had to be requested and therefore requested that the eight homes on Ridgewood be provided with that report.

Jill Lipset, 1770 Ridgewood Drive, commented that she just moved to her property two months ago and therefore is still learning and appreciates the input that has been provided by her neighbors. She commented that she previously lived on Dodd Road and moved to her property to have more privacy, which would be impacted by the additional lots and construction. She asked for information on the length and phasing of construction. She stated that lot six would be most impactful to her property and seems to stick out as a sore thumb. She agreed that the lot should be removed.

Jim Kolar, 1695 Delaware, stated that he has appeared before this Commission many times related to requests for the development of this property. He noted that this proposal is significantly different than the previous proposal from Mr. McMillan and this creates a much denser development. He stated that he has supported the requests for development that have been presented for this property with the stipulation that his interests not be adversely harmed nor his property become landlocked, whether intentionally or unintentionally. He stated that he has repeatedly asked the Commission and Council to take a comprehensive approach to the planning of the Super Block, which has not occurred, as he would remain the sole 10-acre owner if this proposal is approved. He stated that he is generally supportive of the request, and while he appreciated that the utility easement would be extended for both water and sewer, he would also want a similar 60-foot nub from the cul-de-sac towards his property. He stated that without that, he would be limited in the potential development of his property. He believed that Ridgewood provided foresight for development that he should be granted as well. He noted that the stub provided by Ridgewood provides access for the McMillan property, and he is asked for the same. He stated that he agreed with the five-acre lots previously proposed for the McMillan property but noted that this is a much denser proposal. He asked that the Commission think forward to allow future development to the north. He stated that the back acreage of his property could accommodate the development of four to five lots and could provide additional opportunity for the Bader property. He stated that if the access that was provided to the McMillans is similarly provided to him, he would then provide similar connectivity to the Bader property. He stated that

if a comprehensive approach is taken, a better public safety solution could be provided, noting that a fire gate could be installed in the future for emergency access at Foxwood.

Acting Chair Corbett asked if the resident has concerns with more density as proposed.

Mr. Kolar replied that he will match whatever density there is of the surrounding development. He stated that in the previous proposal, he would have matched a five-acre lot, but with this density proposed, he would expect to match that as well. He stated that he is not interested in developing in the near future, but does not want to be landlocked.

Max Lipset, 1770 Ridgewood, echoed the comments his wife made related to a desire for privacy. He commented that the neighbors have been extremely welcoming to them as they joined the community. He referenced the renaming of the High School to Two Rivers and believed that wetlands near a school with that name should be preserved. He asked about the impacts that this development would have on the wildlife in the area. He asked if there has been a comprehensive study on potential endangered species that could be going through the property. He commented that he has known Mr. McMillan since high school and has no ill feelings towards him or his property rights, but also believes that there is value in maintaining the wetland.

Mr. McMillan stated that they have been working on this project for about 16 months and have tried every alternative and option. He noted that there is a giant wall of wetland along Delaware, and therefore, providing access from Delaware would have a much greater impact on the wetland. He commented that there were normal precipitation levels during the wetland delineation, as noted in that report. He disagreed that this is similar to Foxwood, as the road in Foxwood is only 50 feet wide with buildings that do not meet the setback requirements. He commented that there were many variances in that proposal, which did not leave much room for future development. He stated that this plan meets the requirements of the City Code, and the request tonight is related only to the plat request and not the wetland request. He stated that there are 5.5 acres of wetland and he is trying to mitigate the impact to the extent possible, noting that there will be a very small impact that falls below the de minimis.

Seeing no one further coming forward wishing to speak, Acting Chair Corbett asked for a motion to close the public hearing.

COMMISSIONER STONE MOVED, SECONDED BY COMMISSIONER NATH, TO CLOSE THE PUBLIC HEARING.

AYES: 6  
NAYS: 0

Commissioner Goldade asked staff to review the implications of the wetland review, the decision tonight, and how those interact.

Community Development Manager Sarah Madden stated that the action tonight is a recommendation from the Commission to the City Council related to the preliminary plat. She stated that the wetland impacts and request for exemption are not the purview of the Planning

Commission. She explained how the WCA review is completed, involving the Technical Evaluation Panel (TEP) and the different agencies involved.

Acting Chair Corbett asked for more information on the living streets policy and whether it should have been followed in this process.

Public Works Director Ryan Ruzek stated that the City developed that policy within the last 12 months. He stated that he reviewed the policy today, and the only element that would seem to apply is that the road width could be reduced. He noted that a narrower roadway could also reduce environmental impacts.

Acting Chair Corbett asked staff for more information on the no net loss policy for wetlands.

Natural Resources Coordinator Krista Spreiter stated that perhaps that is from the Surface Water Management Plan, or a similar document. She stated that it is always the goal of the City to conserve wetlands; however, under WCA, there are impacts allowed for development.

Acting Chair Corbett referenced lot six and the neighboring property. He asked if the placement of that home could be challenged based on a previous decision of the Council that homes should not be placed so far back as to be out of continuity with the neighborhood.

Public Works Director Ryan Ruzek replied that the zoning code has been revised, and the applicant has met the building setback lines. He was unsure if they would need to look at the string lines for lot six, as that is a requirement of R-1, but this is zoned R-E.

Community Development Manager Sarah Madden believed that only applies to R-1, but could find that information prior to the City Council meeting. She also noted the differences in home placement for the adjacent lots.

Acting Chair Corbett stated that it appears that staff finds this request in accord with the Comprehensive Plan.

Community Development Manager Sarah Madden confirmed that to be true.

Commissioner Johnson stated that the Comprehensive Plan speaks of development that does not prohibit or landlock other properties from future development and asked how that would be addressed.

Community Development Manager Sarah Madden stated that the proposal shows an easement extension and that the resident was requesting an extension of the right-of-way as well. She commented that a 60-foot easement width is provided on the current plans, and that condition could be amended to require the 60-foot easement and right-of-way.

Public Works Director Ryan Ruzek commented that a second cul-de-sac could also be added to Delaware to provide access to the northern properties.

Community Development Manager Sarah Madden stated that they did review the option of access from Delaware, but that would require even more wetland impacts along with demolition of the existing home, and therefore, staff found the stub from the Ridgewood Drive cul-de-sac to be the feasible option.

Commissioner Johnson asked how the Tree Preservation Ordinance would relate to the property line of lot six and the proximity to the property line. She stated that perhaps the driveway could curve away from the property line to lessen the impact on the trees.

Community Development Manager Sarah Madden commented that there is a driveway setback from the property line, but there is also a wetland buffer setback requirement that would come into play.

Natural Resources Coordinator Krista Spreiter stated that within the forestry management plan, any trees to be preserved must have protections in place as shown on the plan. She stated that does not address neighboring property trees, but that could be added to the forestry management plan.

ACTING CHAIR CORBETT MOVED, SECONDED BY COMMISSIONER GOLDADE, TO TABLE CASE #2025-03 BASED ON NEW QUESTIONS THAT HAVE COME TO LIGHT, POTENTIAL CONFLICTS WITH THE COMPREHENSIVE PLAN AND THE ABILITY FOR FUTURE DEVELOPMENT, AND THE POSITION OF LOT SIX RELATED TO CONTINUITY IN THE NEIGHBORHOOD BASED ON PREVIOUS RULING OF THE CITY COUNCIL.

Further discussion: Commissioner Goldade stated that he is also interested in knowing the results of the WCA decision before making a decision.

AYES: 6  
NAYS: 0

Acting Chair Corbett commented that he will work with staff to address the concerns he brought forward before the Commission revisits this next month.

### *New and Unfinished Business*

#### **B) PLANNING CASE 2025-06 CONDOOR CORPORATION, 2320 LEXINGTON AVENUE – CONCEPT PUD**

Community Development Manager Sarah Madden explained that the applicant, Condor Corporation, is seeking a Planned Unit Development – Concept Plan Review for an addition to the Lexington Heights Planned Unit Development located at 2320 Lexington Avenue. The subject site is currently zoned R-3 Multi-Family Residential and was developed as a Planned Unit Development in 1983 for a three-building, 225-unit apartment development. Once a PUD has been approved, it typically serves as a form of zoning category (overlay) on a site, however, the apartment complex properties have remained under the R-3 High Density Residential District since their development, as all current and past zoning maps for the City have identified the sites as R-3 zoning. This does not negate the fact that the City adopted a Resolution for a Conditional Use

Permit (CUP) and PUD to establish the Lexington Heights Planned Unit Development. The City recently adopted a new zoning ordinance that modified the way that the City acknowledges and processes PUDs. AS this application moves forward in the PUD Amendment process, part of the requested approvals will be a rezoning request to acknowledge the PUD overlay district.

Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).

Jon Riley, applicant, commented that his family has owned the property for over 45 years, noting that his father originally developed and built the property. He stated that they do not have a lot of detail as this is a concept plan, but there is excess land on the north end of the site, and he believes a new apartment building would fit nicely into that area and provide nice amenities for the residents. He welcomed input from the Commission.

Acting Chair Corbett commented that he appreciates the applicant bringing this forward early to obtain input. He asked for input on the change from 650 to 700 square feet.

Mr. Riley replied that originally they envisioned corporate offices on the first floor, but believed they would be eliminating those offices, which would create space for larger units and/or more amenities. He stated that they believe the residents will desire larger units.

Commissioner Goldade asked if the new building would go into the existing parking lot.

Mr. Riley commented that the building would not go into that parking area, but the parking would be reconfigured.

Commissioner Goldade asked if the trees to the north would be impacted.

Mr. Riley commented that there are some trees there, and he would minimize the removal to the extent possible. He stated that there are not many trees in the area proposed for building, as there was previously a helipad in that location.

Commissioner Goldade referenced the driveway furthest to the north, asking and receiving confirmation that the driveway would provide two-way access. He asked if the lost stalls to the east would be replaced with a 1:1 ratio in the north.

Mr. Riley commented that it would not be a 1:1 replacement as the property is currently overparked.

Commissioner Goldade asked why a four-story building would be put in when the others are three-stories.

Mr. Riley replied that it would provide more units and more opportunities for people to live in the community.

Commissioner Stone asked if the rent prices would be similar.

Mr. Riley anticipated that the rent would be higher than the existing building, but in line with The Reserve and newer constructed properties.

Commissioner Johnson asked if this would be a pet-friendly building.

Mr. Riley stated that the rest of the property is not pet-friendly, but many of his developments in other communities are pet-friendly. He stated that decision is yet to be determined.

Commissioner Johnson stated that if the building is going to accept pets, she would request a fenced outdoor area for pets to go to the bathroom. She encouraged the applicant to look at their tree and landscaping to provide natural species. She asked if the applicant would consider realigning the driveway to allow for a native buffer between the subject property and the neighboring property. She appreciated that the applicant would be increasing the bedroom unit range size, similar to other recently developed apartment complexes.

Acting Chair Corbett asked if the applicant had watched the proceedings from the AtHome Apartment project.

Mr. Riley commented that he is familiar with that development and its review.

Acting Chair Corbett commented on some of the concerns the Commission had with the density, but recognized that it is ultimately a decision of the City Council.

Mr. Riley thanked the Commission for their comments.

### **Staff Announcements / Updates**

Community Development Manager Sarah Madden commented that she anticipates that the June meeting agenda will be robust. She provided an update on recent actions of the City Council and other items of interest to the Commission.

Commissioner Johnson asked if the Commission should review the subdivision ordinance in a workshop setting.

Community Development Manager Sarah Madden commented that she originally planned to present that at the June meeting, but agreed that it would perhaps be best to review the draft in a workshop setting. She noted that she could send an email to determine the availability of the Commission. She provided additional information on the housing needs study completed by Dakota County CDA, and related specifically to Mendota Heights. She commented that the presentation is available during the recording of the May 6<sup>th</sup> City Council meeting. She noted that she also has a copy of the full report for the county.

### **Adjournment**

COMMISSIONER STONE MOVED, SECONDED BY COMMISSIONER JOHNSON, TO  
ADJOURN THE MEETING AT 9:39 P.M.

AYES: 6

NAYS: 0

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**REQUEST FOR CITY COUNCIL ACTION**

**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Approve Resolution 2025-34 Proclaiming July 2025 as "Parks and Recreation Month"

**ITEM TYPE:** Resolution

**DEPARTMENT:** Parks and Recreation      **CONTACT:** Meredith Lawrence, Parks and Recreation/Assistant Public Works Director

**ACTION REQUEST:**  
 Approve Resolution 2025-34 Proclaiming July 2025 as "Parks and Recreation Month"

**BACKGROUND:**  
 Nationally, July is designated as Park and Recreation month to emphasize the importance of parks, community gathering spaces, and recreation programs, and to recognize the dedicated professionals who work to maintain these spaces and provide these unique resources to their community. This year's theme of "Build Together, Play Together" is especially significant to Mendota Heights' Parks and Recreation staff, who work tirelessly to deliver high-quality recreation programs and events, clean and safe park amenities and infrastructure, and opportunities for our residents to build a strong, vibrant community.

We extend our gratitude to our Parks and Recreation staff for the wonderful job they do in maintaining and improving all the amenities within the Mendota Heights parks system, as well as coordinating programs and events that create memories that last a lifetime. Together, we are committed to enhancing the vitality of our community.

**FISCAL AND RESOURCE IMPACT:**  
 None.

**ATTACHMENTS:**  
 1. Resolution 2025-34 Proclaiming July as Parks and Recreation Month

**CITY COUNCIL PRIORITY:**  
 Economic Vitality & Community Vibrancy, Premier Public Services & Infrastructure, Environmental Sustainability & Stewardship, Inclusive and Responsive Government

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2025-34**

**PROCLAIMING JULY 2025 AS “PARKS AND RECREATION MONTH”**

**WHEREAS**, parks and recreation programs are an integral part of communities throughout this country, including Mendota Heights; and

**WHEREAS**, our parks and recreation facilities and programs are vitally important to establishing and maintaining the quality of life in Mendota Heights, improving the physical, mental and emotional health of all citizens, and contributing to the economic and environmental well-being of our community; and

**WHEREAS**, the parks and recreation programs increase our community’s economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

**WHEREAS**, parks and recreation are fundamental to the environmental well-being of our community because they improve water quality, protect groundwater, prevent flooding, improve air quality, provide vegetative buffers to development, and produce habitats for wildlife; and

**WHEREAS**, the National Recreation and Park Association has celebrated the annual Park and Recreation Month since 1985, and the City of Mendota Heights recognizes the benefits derived from parks and recreation resources.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the City Council of the City of Mendota Heights, Dakota County, Minnesota, does hereby proclaim the month of July 2025 as Parks and Recreation Month.

Adopted by the City Council of the City of Mendota Heights this 1<sup>st</sup> day of July, 2025.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

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**Stephanie B. Levine, Mayor**

**ATTEST:**

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**Nancy Bauer, City Clerk**

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**REQUEST FOR CITY COUNCIL ACTION**

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Approve Resolution 2025-35 for a Joint Powers Agreement with the Bureau of Criminal Apprehension Internet Crimes Against Children Task Force Program

**ITEM TYPE:** Resolution

**DEPARTMENT:** Police

**CONTACT:** Wayne Wegener, Police Captain

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**ACTION REQUEST:**

Approve Resolution 2025-35 for a Joint Powers Agreement with the Bureau of Criminal Apprehension Internet Crimes Against Children Task Force Program.

**BACKGROUND:**

The Bureau of Criminal Apprehension (BCA) oversees an Internet Crimes Against Children Task Force program (ICAC). This program implements a three-pronged approach of prevention, education, and enforcement to combat internet crimes against children. The Mendota Heights Police Department currently investigates these types of cases and works to combat this increasing type of crime. By partnering with the BCA through a JPA with ICAC, the department will have access to related training, additional resources, and potential reimbursement for investigations of certain related crimes.

**FISCAL AND RESOURCE IMPACT:**

There is no financial impact on the budget. The Mendota Heights Police Department currently investigates these types of crimes, so there is not a negative impact on departmental resources.

**ATTACHMENTS:**

- 1. Res. 2025-35 Approving State of MN JPA with Mendota Heights Police Regarding the MN Internet Crimes Against Children Task Force (ICAC)
- 2. State of MN JPA for MN Internet Crimes Against Children Task Force

**CITY COUNCIL PRIORITY:**

Premier Public Services & Infrastructure, Inclusive and Responsive Government

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2025-35**

**APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE  
CITY OF MENDOTA HEIGHTS ON BEHALF OF ITS POLICE DEPARTMENT  
REGARDING THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK  
FORCE (ICAC)**

**WHEREAS**, the City of Mendota Heights on behalf of its Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation on children that is committed and/or facilitated by or through the use of computers.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the City Council of the City of Mendota Heights approves the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Mendota Heights on behalf of its Police Department.

Adopted by the City Council of the City of Mendota Heights this 1<sup>st</sup> day of July, 2025.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

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**Stephanie B. Levine, Mayor**

**ATTEST:**

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**Nancy Bauer, City Clerk**



# STATE OF MINNESOTA

## JOINT POWERS AGREEMENT MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE

This Joint Powers Agreement (“Agreement”) is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension (“BCA” or “Lead Agency”), and the City of Mendota Heights on behalf of its Police Department at 1101 Victoria Curve Mendota Heights, MN 55118 (“Governmental Unit” or “Affiliate Agency”). The BCA and Governmental Unit may be referred to jointly as “Parties.”

### Recitals

Under Minnesota Statutes § 471.59, BCA and Governmental Unit are empowered to engage in agreements that are necessary to exercise their powers. Governmental Unit wishes to participate in the Minnesota Internet Crimes Against Children (“ICAC”) Task Force. The Parties wish to work together to investigate and prosecute crimes committed against children, including the criminal exploitation of children committed and/or facilitated by or through the use of computers. The Parties further wish to disrupt and dismantle organizations engaging in these activities. This Agreement identifies what the Parties, either individually or jointly, will provide under this Agreement and identifies the consideration to be paid by BCA to Governmental Unit, if any, for equipment, training, and expenses (including travel and overtime) incurred by Governmental Unit as a result of investigations conducted pursuant to this Agreement.

### Agreement

#### 1. Term of Agreement

- 1.1 **Effective Date.** This Agreement is effective on the date BCA obtains all required signatures pursuant to Minnesota Statutes § 16C.05, subdivision 2.
- 1.2 **Expiration Date.** This Agreement expires five (5) years from the date it is effective unless terminated earlier pursuant to Clause 13.

#### 2. Purpose

Governmental Unit and BCA enter into this Agreement for the purpose of facilitating the Governmental Unit’s participation in the ICAC Task Force, which implements a three-pronged approach of prevention, education, and enforcement to combat internet crimes against children. This Agreement also provides the mechanism to reimburse Governmental Unit for equipment, training, and expenses (including travel and overtime), if any, that it incurs as a result of its participation in the ICAC Task Force.

#### 3. Definitions

- 3.1 **“Affiliate” or “Affiliate Agency”** is an agency that is working with a *Lead Agency* as part of a regional or state *ICAC Task Force*. An *Affiliate* has agreed in writing to adhere to these *Standards*. Governmental Unit is the *Affiliate Agency* for purposes of this Agreement.
- 3.2 **“Authorized Personnel”** are those who lack powers of arrest but have been authorized to participate in *Investigations* directed by law enforcement personnel (e.g., agency personnel, digital evidence experts, etc.).
- 3.3 **“Commander”** means the BCA Special Agent in Charge (“SAIC”) who serves as the leader of the ICAC Task Force.
- 3.4 **“Contraband Image”** is a visual depiction of any kind (including computer generated) in any form (including live streaming) that depicts or conveys the impression that: (1) a minor or purported minor is engaged in

*Sexually Explicit Activity*; or (2) an adult is engaging in *Sexually Explicit Activity* in the presence of a minor or purported minor.

- 3.5 “**CGI**” is a wholly computer-generated visual depiction in any form (including printed/digital or video).
- 3.6 “**Crime**” is any offense (or group thereof) *Investigated* by law enforcement that involves (or involve) the exploitation/victimization of children facilitated by technology.
- 3.7 “**Deconfliction**” is a process whereby law enforcement can submit *Investigative* information to each other and/or to ICAC-related databases in order to determine whether other *Members* or other law enforcement agencies have information concerning the same targets or *Crimes*.
- 3.8 “**Employee**” is a sworn or compensated individual of a law enforcement agency who is working under the direction and control of a law enforcement agency.
- 3.9 “**Investigation**” is an investigation into a *Crime*. Likewise, “*Investigate*,” “*Investigated*,” “*Investigating*,” and “*Investigative*” are used within the same context.
- 3.10 “**Investigative Persona**” any identity established or created by an *Employee* to aid an *Investigation*.
- 3.11 “**Investigator**” is a *Member* who is a part of the *Sworn Personnel* of a *Task Force*.
- 3.12 “**Lead Agency**” is the law enforcement agency that receives the ICAC grant and is designated by the Office of Juvenile Justice Delinquency Prevention (“OJJDP”) within the Department of Justice to act as the *Lead Agency* for the corresponding *Task Force*. BCA is the *Lead Agency* for purposes of this Agreement.
- 3.13 “**Member**” is a *Lead* or *Affiliate Agency’s Employee* who is either *Sworn Personnel* or *Authorized Personnel* and who has been designated to work on ICAC-related matters for his/her respective agency and *Task Force*.
- 3.14 “**Partner**” is a civilian or non-sworn organization that OJJDP has recognized as a legitimate source of assistance.
- 3.15 “**Sexually Explicit Activity**” is real or simulated: (1) sexual intercourse of any kind; (2) masturbation; (3) sadistic/masochistic conduct; and/or (4) lascivious exhibition of the anus, breast, genitals, or pubic area of any person.
- 3.16 “**Supervisor**” is a *Member* who has been designated by his/her respective agency to supervise *Investigations* and other ICAC-related matters.
- 3.17 “**Standards**” are all of the provisions of this Agreement and the ICAC Task Force Program Operational and Investigative Standards established by OJJDP.
- 3.18 “**Sworn Personnel**” are *Members* with powers of arrest.
- 3.19 “**Task Force**” is the *Lead Agency* and their *Affiliate(s)* (combined) as designated by OJJDP for a particular state or region.
- 3.20 “**Vigilante**” is a non-*Partner* activist or activist organization engaged in investigative tactics or other law enforcement-like activities.

#### 4. Responsibilities of Governmental Unit and BCA

##### 4.1 Governmental Unit will:

- 4.1.1 Assign one or more *Employees* as *Members* of the ICAC Task Force. All *Employees* of Governmental Unit assigned as *Members*, and while performing ICAC *Investigations* and assignments, shall continue to be employed and directly supervised by the same Governmental Unit currently employing that *Member*. All services, duties, acts, or omissions performed by the ICAC Task Force *Member* will be within the course and duty of the *Member’s* employment and therefore covered by the workers’ compensation and other compensation programs of Governmental Unit including fringe benefits.
- 4.1.2 Conduct *Investigations* in accordance with all applicable *Standards* and conclude *Investigations* in a timely manner.
- 4.1.3 Submit Performance Measure data to the ICAC Data System (IDS) by the end of each month for the duration of this Agreement. The BCA must fulfil its reporting requirements as a recipient of the OJJDP grant award for MN ICAC Task Force in partnering with law enforcement agencies. Failure to timely provide OJJDP with Performance Measure data may jeopardize the BCA’s future grant qualifications as well as result in the delinquent law enforcement agency’s denial to participate in the Minnesota ICAC Task Force.
- 4.1.4 Assign a Governmental Unit point of contact to act as the liaison between it and the BCA ICAC Project *Commander* to assist in reimbursement deadlines.
- 4.1.5 Submit an ICAC reimbursement request for pre-approval of funds. This request shall include a description of the item requested for reimbursement, an operational plan, and an explanation of how it qualifies under the required criteria in Clauses 5.1 and 5.2 below.

- 4.1.6 Allow BCA to inform *Affiliate Agencies* and *Partners* of potential case connections based on data submitted to BCA through the ICAC Program.
- 4.1.7 Not comingle ICAC funds with any other existing federal or state grant funded overtime or additional local Governmental Unit funding.

**4.2 BCA will:**

- 4.2.1 Provide a Special Agent in Charge (“SAIC”) who will serve as the *Commander* of the *Task Force*.
- 4.2.2 Provide daily direction and assign duties and other assignments to *Members*.
- 4.2.3 Review and approve or decline reimbursement requests under Clause 4.1.5 within seven (7) business days of the reimbursement request.

- 4.3 Nothing in this Agreement shall otherwise limit the jurisdiction, powers, and responsibilities normally possessed by the Governmental Unit acting through its *Members* or *Employees*.

**5. Standards**

Governmental Unit and its *Members* will adhere to all applicable *Standards*, including, but not limited to, the following:

- 5.1 *Investigate* activities related to internet *Crimes* and the exploitation of children through the use of computers.
- 5.2 *Investigate* organizations to disrupt and dismantle *Crimes* committed against children.
- 5.3 Comply with the ICAC Task Force Program Operational and Investigative Standards, as established by OJJDP.
- 5.4 *Investigators* assigned by the Governmental Unit to the ICAC Task Force must be licensed peace officers.
- 5.5 Follow appropriate state and/or federal laws in obtaining arrest warrants, search warrants, and civil and criminal forfeitures.
- 5.6 Follow proper legal procedures in securing evidence, including electronic devices.
- 5.7 Understand and use appropriate legal procedures in the use of informants including documentation of identity, monitoring of activities, and use and recordation of payments.
- 5.8 Use, as appropriate, the most current investigative technologies and techniques.
- 5.9 Obtain approval from the BCA ICAC Project *Commander* before conducting a pro-active undercover chat operation with anticipated multiple targets.
- 5.10 Make reasonable efforts to *Deconflict* active *Investigations*.
- 5.11 Document *Investigations*.
- 5.12 Not collaborate with *Vigilantes* or approve, condone, encourage, or promote the activities of *Vigilantes*.
- 5.13 *Investigations* shall be conducted in an approved work environment, using approved equipment, as designated by the *Commander* or a *Supervisor*. Personally owned equipment, accounts, and networks shall not be used in *Investigations*.
- 5.14 As part of an active *Investigation*, *Members* shall not upload, transmit, or forward any *Contraband Images* to those outside their respective agency (e.g., suspects, witnesses, ESPs, etc.), except where otherwise permitted by law (e.g., to sworn law enforcement, to NCMEC employees, etc.).
- 5.15 During active *Investigations*, *Members* may use visual depictions as a representation of any *Investigative Person/person/purported person* or as proof-of-life evidence under two circumstances only:

First, when the following factors are met:

- 1. The visual depiction (whether or not modified to suit *Investigative* needs by, e.g., age regression) is of an actual person;
- 2. That person is an *Employee*;
- 3. The *Employee* has given his or her written consent for the visual depiction to be used;
- 4. Regardless of whether or not the *Employee* was a minor when the visual depiction was taken, the *Employee* nevertheless was at least 18 years old when the *Employee* gave consent for such use; and,
- 5. The visual depiction does not depict or convey the impression of *Sexually Explicit Activity*.

Second, when the visual depiction is *CGI* and does not depict or convey the impression of *Sexually Explicit Activity*.

**6. Payment**

- 6.1 To receive reimbursement for equipment, training, and expenses (including travel and overtime) incurred by Governmental Unit as a result of conducting *Investigations* pursuant to this Agreement, Governmental Unit must

make a request for reimbursement to the BCA Authorized Representative under the required criteria outlined in the ICAC Task Force Operational and Investigative Standards established by OJJDP.

- 6.2 The *Commander* or his/her successor will review the reimbursement request and approve or deny the request within seven (7) business days of receipt of the request by BCA's Authorized Representative.
- 6.3 Subsequent to receiving notice of approval of a reimbursement request, Governmental Unit must submit an expense form to the BCA Authorized Representative no later than fifteen (15) business days after the end of the month during which the expense is incurred.
- 6.4 BCA will reimburse Governmental Unit within thirty (30) calendar days of the submission of the expense form.
- 6.5 In the event Governmental Unit breaches this Agreement, it will not be eligible to receive any further reimbursement under this Agreement.

## 7. Authorized Representatives

BCA's Authorized Representative is the following person, or her successor:

Name: Bobbi Jo Pazdernik, Commander of MN ICAC  
Address: Department of Public Safety; Bureau of Criminal Apprehension  
1430 Maryland Street East, Saint Paul, MN 55106  
Telephone: 651-793-7000  
E-mail Address: [bobbijo.pazdernik@state.mn.us](mailto:bobbijo.pazdernik@state.mn.us)

Governmental Unit's Authorized Representative is the following person, or his/her successor:

Name: Wayne J Wegener Jr., Captain  
Address: 1101 Victoria Curve  
Mendota Heights, MN 55118  
Telephone: 651-255-1134  
E-mail Address: [wwegener@mendotaheightsmn.gov](mailto:wwegener@mendotaheightsmn.gov)

If Governmental Unit's Authorized Representative changes at any time during this Agreement, Governmental Unit must immediately notify BCA's Authorized Representative identified above.

## 8. Assignment, Amendments, Waiver, and Agreement Complete

- 8.1 **Assignment.** Governmental Unit may neither assign nor transfer any rights or obligations under this Agreement.
- 8.2 **Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 8.3 **Waiver.** If BCA fails to enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.
- 8.4 **Agreement Complete.** This Agreement contains all negotiations and agreements between BCA and Governmental Unit. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

## 9. Liability

BCA and Governmental Unit agree each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. BCA's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes § 3.736, and other applicable law. Governmental Unit's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes §§ 466.01-466.15, and other applicable law.

## 10. Audits

Under Minnesota Statutes § 16C.05, subdivision 5, Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by BCA and/or the State Auditor and/or Legislative Auditor, as appropriate, for a minimum of six (6) years from the end of this Agreement.

## 11. Government Data Practices

Governmental Unit and BCA must comply with the Minnesota Government Data Practices Act, Minnesota Statutes

Chapter 13 and other applicable law, as it applies to all data provided by BCA under this Agreement and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by Governmental Unit under this Agreement. The civil remedies of Minnesota Statutes § 13.08 apply to the release of the data referred to in this Clause by either Governmental Unit or BCA.

If Governmental Unit receives a request to release the data referred to in this Clause, Governmental Unit must immediately notify BCA. The BCA will give Governmental Unit instructions concerning the release of the data to the requesting party before the data is released.

**12. Venue**

The venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

**13. Expiration and Termination**

**13.1** Either party may terminate this Agreement at any time, with or without cause, upon thirty (30) calendar days' written notice to the other party. To the extent funds are available, the Governmental Unit shall receive reimbursement in accordance with the terms of this Agreement through the date of termination.

**13.2** In the event that federal funding is no longer available, BCA will email Governmental Unit's Authorized Representative and terminate the Agreement. The termination will be effective two (2) business days after email notification to Governmental Unit; and Governmental Unit shall receive reimbursement in accordance with the terms of this Agreement through the date of termination.

**14. Continuing Obligations**

The following clauses survive the expiration or cancellation of this Agreement: 9, Liability; 10, Audits; 11, Government Data Practices; and 12, Venue.

***[Remainder of page intentionally left blank; signature page follows]***

**The parties indicate their agreement and authority to execute this Agreement by signing below.**

**1. STATE ENCUMBRANCE VERIFICATION**  
*Individual certifies that funds have been encumbered as required by Minnesota Statutes §§ 16A.15 and 16C.05.*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

SWIFT PO Number: 3000085301

**3. DEPARTMENT OF PUBLIC SAFETY; BUREAU OF CRIMINAL APPREHENSION**

By: \_\_\_\_\_  
(with delegated authority)

Title: Deputy Superintendent, Investigations

Date: \_\_\_\_\_

**2. GOVERNMENTAL UNIT**  
*Governmental Unit certifies that the appropriate person(s) has(have) executed this Agreement on behalf of the Governmental Unit and its jurisdictional government entity as required by applicable articles, laws, by-laws, resolutions, or ordinances.*

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**4. COMMISSIONER OF ADMINISTRATION**  
*As delegated to the Office of State Procurement*

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ADMIN ID: \_\_\_\_\_




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**REQUEST FOR CITY COUNCIL ACTION**


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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Approve Bank Account Changes

**ITEM TYPE:** Consent Item

**DEPARTMENT:** Finance

**CONTACT:** Kristen Schabacker, Finance  
Director

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**ACTION REQUEST:**

Approve bank account changes.

**BACKGROUND:**

The City currently has two bank accounts with Deerwood Bank that have not had any activity in a number of years. There is an account with \$112.69 that was for senior programming, and another account has \$302.45 that was for the Parks Celebration. The City now has both of these programs accounted for under the General Fund. There is no longer a need for these separate accounts. Staff is requesting that these accounts be closed and that the funds be deposited in the checking account that the City holds with Deerwood Bank.

The City holds a CD at BankCherokee that was worth \$13,487 on December 31, 2024. It is due to mature on 7/27/25. The City has typically renewed this CD. It is the only investment that the City has at BankCherokee. Staff is proposing that when this CD matures that we do not reinvest and deposit the value of this investment into the checking account at Deerwood Bank.

**FISCAL AND RESOURCE IMPACT:**

There is no budget impact.

**ATTACHMENTS:**

None

**CITY COUNCIL PRIORITY:**

Premier Public Services & Infrastructure

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REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:** July 1, 2025  
**AGENDA ITEM:** May 2025 Treasurer's Report  
**ITEM TYPE:** Consent Agenda  
**FROM:** Kristen Schabacker, Finance Director *KMS*

**Deerwood Bank**

Checking Account .03%	\$238,192.93	
Collateral - Bonds		\$3,240,000.00
Gov't. Guar.		\$200,000.00

**Investments**

	<u>Cost</u>	<u>PV</u>
Saving Cert 7/27/2020 @ 1.50% Cherokee	\$14,540.30	\$14,540.30
FHLB 1.50% 10/14/25	\$500,000.00	\$496,995.00
FHLB 0.90% 2/25/26	\$340,000.00	\$331,765.20
FHLB 1.00% 3/16/26	\$505,000.00	\$492,268.95
FHLB 1.25% 6/30/26	\$300,000.00	\$292,386.00
FHLB 1.25% 8/26/26	\$250,000.00	\$242,012.50
FHLMC 4.125% 8/13/29	\$497,500.00	\$496,745.00
FHLMC 4.25% 12/5/29	\$498,000.00	\$498,505.00
Ally Bank 2.60% 4/14/26	\$245,000.00	\$241,327.45
Sallie Mae Bank 1.00% 7/8/26	\$144,000.00	\$138,928.32
Goldman Sachs Bank 1.05% 9/22/26	\$160,000.00	\$153,470.40
State Bank of India 1.10% 9/28/26	\$245,000.00	\$235,043.20
Popular Bank 4.60% 4/19/27	\$245,000.00	\$246,881.60
Discover Bank 3.35% 7/12/27	\$235,000.00	\$231,193.00
Capital One 3.40% 8/17/27	\$245,000.00	\$241,106.95
Capital One USA 3.40% 8/17/27	\$245,000.00	\$241,106.95
BMW Bank America 4.85% 9/29/27	\$245,000.00	\$248,638.25
UBS Bank 4.150% 2/14/28	\$245,000.00	\$244,992.65
Morgan Stanley Bank 4.45% 5/3/28	\$245,000.00	\$246,884.05
Toyota Financial Savings Bank 4.20% 8/8/28	\$245,000.00	\$245,178.85
Cross River Bank 4.00% 1/3/29	\$245,000.00	\$243,262.95
Central State Bank 4.50% 5/22/29	\$245,000.00	\$247,224.60
Customers Bank 4.55% 6/27/29	\$245,000.00	\$247,653.35
Optum Bank 4.05% 12/11/29	\$245,000.00	\$242,939.55
JP Morgan Chase Bank 4.65% 1/31/30	\$245,000.00	\$245,085.75
American Express National Bank 4.25% 2/12/30	\$245,000.00	\$244,955.90
Morgan Stanley Private Bank 4.10% 3/26/30	\$245,000.00	\$243,285.00
Fidelity Institutional Government Portfolio (Piper)	\$12,341,270.08	\$12,341,270.08
Gov't. Securities Fund 28% Sold 6/4	\$433,187.00	
MMkt Fd (WF)	\$96,529.31	
<b>TOTAL FUNDS AVAILABLE 5/31/2025</b>	<b>\$20,473,219.62</b>	
Funds Available 1/1/2025	\$26,567,104.60	

	<u>Rates</u>	<u>Money Market</u>
May	Bank	0.03%
	5 Yr. Tr.	3.96%
	10 Yr. Tr.	4.41%

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## REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:** June 1, 2025  
**AGENDA ITEM:** Claims List Summary  
**ITEM TYPE:** Consent Agenda  
**FROM:** Kristen Schabacker, Finance Director *KMS*

### **BACKGROUND**

#### **Significant Claims**

US Bank – Monthly Purchases	\$ 11,190.75
Alex Pro Firearms LLC – Rifles	\$ 23,225.00
Bituminous Roadways – Friendly Hills Street Project	\$ 823,301.54
Excel Turf & Ornamental – Par 3 Course Maintenance	\$ 3,796.73
Inspectron – May Building Inspection Services	\$ 35,766.14
Kimley-Horn & Associates – Friendly Hills Street Project Services	\$ 53,038.81
Kirchner Contracting – Sewer Utility Work	\$ 4,750.00
Mansfield Oil Company – Fuel	\$ 12,607.42
Northfield Solar – Utilities	\$ 11,900.55
Pearson Bros Inc – Crack Seal/Seal Coat Streets	\$ 55,885.70
Savatree – Tree Services	\$ 4,265.00
Stonebrooke Engineering – ADA Transition Plan	\$ 8,383.22
TKDA – Emerson Street Project Services	\$ 5,559.78
Total Control Systems – Main Lift Station VFD/Upgrades	\$ 31,725.00

Manual Checks Total	\$ 70,277.99
System Checks Total	\$ 1,155,772.89

**Total of the list of claims for July 1, 2025 City Council meeting \$1,226,050.88**

### **RECOMMENDATION**

Staff recommends the Mendota Heights City Council approve the list of claims for July 1, 2025.

CITY OF MENDOTA HEIGHTS

**Claims List**  
**MANUAL CHECKS**  
**06/25/25 MAN**

Account	Comments	DEPT Descr	Amount
MANGO ENTERTAINMENT LLC			
E 01-4435-200-70	10/9/25 MOVIES IN THE PARK	Parks & Recreation	\$1,175.00
MANGO ENTERTAINMENT LLC			\$1,175.00
MISSION SQUARE (ICMA RETIREMENT)			
G 01-2072	6/20/25 PAYROLL		\$4,150.00
G 01-2073	6/20/25 PAYROLL		\$150.00
MISSION SQUARE (ICMA RETIREMENT)			\$4,300.00
PUBLIC EMPL INS PROGRAM			
G 01-2071	JULY 2025 HEALTH INSURANC		\$681.98
E 01-4131-105-15	JULY 2025 HEALTH INSURANC	Engineering Enterprise	\$5,313.16
E 01-4131-070-70	JULY 2025 HEALTH INSURANC	Parks & Recreation	\$1,825.38
E 01-4131-050-50	JULY 2025 HEALTH INSURANC	Road & Bridges	\$608.46
E 01-4131-030-30	JULY 2025 HEALTH INSURANC	Fire	\$889.52
E 01-4131-020-20	JULY 2025 HEALTH INSURANC	Police	\$17,602.92
E 01-4131-110-10	JULY 2025 HEALTH INSURANC	Administration	\$10,114.18
G 01-2074	JULY 2025 HEALTH INSURANC		\$1,284.60
E 01-4131-020-20	JULY 2025 HEALTH INSURANC	Police	\$13,328.16
E 08-4131-000-00	JULY 2025 HEALTH INSURANC	Spec Fds	\$608.46
PUBLIC EMPL INS PROGRAM			\$52,256.82
SAM S CLUB			
E 45-4310-210-45	MEMBERSHIP RENEWAL	Golf Course	\$110.00
SAM S CLUB			\$110.00
U. S. BANK			
E 01-4330-440-20	EQUIP REPAIR - PD	Police	\$148.32
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$16.90
E 01-4300-070-70	OFFICE SUPPLIES - PARKS	Parks & Recreation	\$46.16
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$129.00
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$16.90
E 01-4330-440-20	EQUIP REPAIR - PD	Police	\$146.61
E 01-4300-020-20	OFFICE SUPPLIES - PD	Police	\$123.20
E 01-4410-020-20	UNIFORM - PD	Police	\$89.00
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$16.90
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$64.49
E 01-4400-020-20	TRAUMA MED TRAINING - E. H	Police	\$699.00
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$17.80
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$17.81
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$17.81
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$64.95
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$92.97
E 01-4301-020-20	COMPUTER ACCESSORIES - PD	Police	\$21.98
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$524.29
E 01-4300-110-10	NAMEPLATE/NAMETAG - ADMI	Administration	\$135.51
E 01-4300-070-70	OFFICE SUPPLIES - PARKS	Parks & Recreation	\$49.99
E 01-4300-070-70	OFFICE SUPPLIES - PARKS	Parks & Recreation	\$37.98
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$38.00
E 29-4220-000-00	RAIN GARDEN	Spec Fds	\$87.22
E 01-4331-105-15	OFFICE EQUIPMENT - ENGINEE	Engineering Enterprise	\$139.93
E 01-4331-105-15	OFFICE EQUIPMENT - ENGINEE	Engineering Enterprise	\$63.25
E 01-4301-114-14	SUPPLIES - IT	Info Tech	\$38.98

CITY OF MENDOTA HEIGHTS

**Claims List**  
**MANUAL CHECKS**  
**06/25/25 MAN**

Account	Comments	DEPT Descr	Amount
E 01-4490-109-09	MTG SUPPLIES - CITY COUNCI	City Council	\$190.70
E 01-4300-110-10	OFFICE SUPPLIES - ADMIN	Administration	\$80.91
E 01-4490-109-09	MTG SUPPLIES - CITY COUNCI	City Council	\$72.56
E 01-4333-075-75	TREE CARE - EAB GRANT - NAT	Natural Resources	\$275.61
E 27-4460-807-00	FRIENDLY HILLS IMPROVEMEN	Spec Fds	-\$23.49
E 01-4300-110-10	TONER - ADMIN	Administration	\$75.75
E 15-4300-060-60	TONER - UTILITY BILLING	Utility Enterprise	\$75.74
E 01-4400-020-20	BCA TRAINING - PD	Police	\$75.00
E 29-4220-000-00	RAIN GARDEN	Spec Fds	\$128.86
E 01-4330-440-20	EQUIP REPAIR - PD	Police	\$36.96
E 01-4404-110-10	SOCIETY OF HUMAN RESOURC	Administration	\$299.00
E 29-4220-000-00	RAIN GARDEN	Spec Fds	\$294.04
E 01-4331-105-15	OFFICE EQUIPMENT - ENGINEE	Engineering Enterprise	\$113.29
E 01-4300-050-50	OFFICE SUPPLIES - STREET	Road & Bridges	\$23.66
E 01-4331-020-20	FURN/EQUIP - PD	Police	\$66.65
E 01-4305-030-30	OPERATING SUPPLIES - FIRE	Fire	\$50.67
E 01-4410-020-20	UNIFORM - PD	Police	\$80.99
E 01-4301-020-20	COMPUTER ACCESSORIES - PD	Police	\$29.44
E 01-4301-020-20	COMPUTER ACCESSORIES - PD	Police	\$16.58
E 01-4301-020-20	COMPUTER ACCESSORIES - PD	Police	\$59.39
E 01-4410-105-15	CLOTHING - ENGINEERING	Engineering Enterprise	\$13.01
G 45-2035	REC SUPPLIES - PAR 3		-\$2.54
E 45-4330-490-45	EQUIP REPAIR - PAR 3	Golf Course	\$26.85
E 01-4300-070-70	OFFICE SUPPLIES - PARKS	Parks & Recreation	\$8.92
E 45-4310-211-45	CONCESSIONS - PAR 3	Golf Course	\$42.11
E 01-4435-200-70	SENIOR PROGRAMMING - REC	Parks & Recreation	\$11.65
E 45-4310-211-45	CONCESSIONS - PAR 3	Golf Course	\$78.15
E 45-4335-045-45	BLDG MAINT - PAR 3	Golf Course	\$61.56
E 45-4310-211-45	CONCESSIONS - PAR 3	Golf Course	-\$15.06
E 01-4435-200-70	TENNIS PROGRAMMING - REC	Parks & Recreation	\$136.57
E 01-4435-200-70	STAFF TRAINING - REC	Parks & Recreation	\$31.46
E 45-4334-045-45	MAINTENANCE - PAR 3	Golf Course	\$15.17
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$95.00
E 45-4435-045-00	REC SUPPLIES - PAR 3	Spec Fds	\$39.44
E 01-4435-200-70	SUPPLIES - REC	Parks & Recreation	\$81.46
E 45-4410-045-45	CLOTHING - PAR 3	Golf Course	\$16.52
G 45-2035	CLOTHING - PAR 3		-\$1.06
E 45-4310-211-45	CONCESSIONS - PAR 3	Golf Course	\$76.16
E 01-4435-200-70	8/9/25 SANDY'S PHOTO BOOT	Parks & Recreation	\$499.00
E 45-4310-211-45	CONCESSIONS - PAR 3	Golf Course	\$408.37
E 01-4400-020-20	BCA TRAINING - PD	Police	\$75.00
E 01-4490-175-20	EMPLOYEE WELLNESS - PD	Police	\$250.00
E 01-4490-175-20	EMPLOYEE WELLNESS - PD	Police	\$250.00
E 01-4490-175-20	EMPLOYEE WELLNESS - PD	Police	\$250.00
E 01-4490-175-20	EMPLOYEE WELLNESS - PD	Police	\$250.00
G 45-2035	MAINTENANCE - PAR 3		-\$0.98
E 01-4435-200-70	MARKETING - REC	Parks & Recreation	\$119.99
E 15-4300-060-60	OFFICE SUPPLIES - UTILITY	Utility Enterprise	\$8.91
E 01-4300-050-50	OFFICE SUPPLIES - STREET	Road & Bridges	\$8.92
E 15-4300-060-60	OFFICE SUPPLIES - UTILITY	Utility Enterprise	\$23.66
E 01-4300-070-70	OFFICE SUPPLIES - PARKS	Parks & Recreation	\$23.66
E 15-4300-060-60	OFFICE SUPPLIES - UTILITY	Utility Enterprise	\$39.06
E 01-4300-050-50	OFFICE SUPPLIES - STREET	Road & Bridges	\$39.07

CITY OF MENDOTA HEIGHTS

**Claims List**  
**MANUAL CHECKS**  
 06/25/25 MAN

Account	Comments	DEPT Descr	Amount
E 01-4300-070-70	OFFICE SUPPLIES - PARKS	Parks & Recreation	\$39.07
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$215.60
G 45-2035	EQUIP REPAIR - PAR 3		-\$1.73
E 01-4400-200-70	APWA FELLOWSHIP - M. LAWRE	Parks & Recreation	\$1,161.16
E 01-4400-110-10	MN ASSOC OF GOVERNMENT C	Administration	\$30.00
E 45-4310-211-45	CONCESSIONS - PAR 3	Golf Course	\$180.17
E 01-4435-200-70	OFFICE SUPPLIES - REC	Parks & Recreation	\$53.76
G 45-2035	OPERATING SUPPLIES - PAR 3		\$0.82
E 01-4400-070-70	APWA FELLOWSHIP - M. LAWRE	Parks & Recreation	\$500.00
E 45-4210-045-45	5/8/25-6/7/25 COMCAST SERV	Golf Course	\$363.22
E 01-4435-200-70	OFFICE SUPPLIES - REC	Parks & Recreation	\$64.98
E 01-4223-020-20	MAY 2025 TRANSUNION - PD	Police	\$75.00
E 01-4410-020-20	UNIFORM - PD	Police	\$87.57
E 01-4404-020-20	FBINAA MEMBERSHIP 5/29/25-	Police	\$125.00
E 01-4435-200-70	MARKETING - REC	Parks & Recreation	\$365.23
E 01-4435-200-70	OFFICE SUPPLIES - REC	Parks & Recreation	\$46.39
E 01-4435-200-70	OFFICE SUPPLIES - REC	Parks & Recreation	\$69.99
E 45-4305-045-45	OPERATING SUPPLIES - PAR 3	Golf Course	-\$12.77
U. S. BANK			\$11,190.75
US POSTAL SERVICE			
G 01-1210	REPLENISH POSTAGE METER		\$1,200.00
US POSTAL SERVICE			\$1,200.00
XCEL ENERGY			
E 01-4211-320-70	UTILITIES	Parks & Recreation	\$33.48
E 01-4211-320-70	UTILITIES	Parks & Recreation	\$11.94
XCEL ENERGY			\$45.42
			\$70,277.99

CITY OF MENDOTA HEIGHTS

**Claims List**  
**SYSTEM CHECKS**  
 07/01/25 PAY

Account	Comments	DEPT Descr	Amount
ALEX PRO FIREARMS LLC			
E 01-4223-020-20	RIFLES	Police	\$23,225.00
ALEX PRO FIREARMS LLC			\$23,225.00
ALLSTREAM			
E 01-4210-020-20	6/15/25-7/14/25 TELEPHONE S	Police	\$575.61
ALLSTREAM			\$575.61
AUTOZONE			
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$43.42
E 01-4330-490-30	EQUIP REPAIR - FIRE	Fire	\$21.11
E 15-4330-490-60	EQUIP REPAIR - UTILITY	Utility Enterprise	\$38.78
AUTOZONE			\$103.31
BARR, DONOVAN			
E 01-4400-020-20	TUITION REIMBURSEMENT - D.	Police	\$1,312.00
BARR, DONOVAN			\$1,312.00
BITUMINOUS ROADWAYS			
E 27-4460-807-00	FRIENDLY HILLS IMPROVEMEN	Spec Fds	\$823,301.54
BITUMINOUS ROADWAYS			\$823,301.54
CARRIE YOUR YOGI			
E 01-4435-200-70	7/11/25 YOGA	Parks & Recreation	\$85.00
CARRIE YOUR YOGI			\$85.00
CENTRAL IRRIGATION SUPPLY			
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$21.22
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$3.09
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$355.66
CENTRAL IRRIGATION SUPPLY			\$379.97
CJ SPRAY, INC.			
E 01-4335-310-70	BLDG MAINT - PW	Parks & Recreation	\$528.89
E 15-4335-310-60	BLDG MAINT - PW	Utility Enterprise	\$528.88
E 01-4335-310-50	BLDG MAINT - PW	Road & Bridges	\$528.89
CJ SPRAY, INC.			\$1,586.66
CONTINENTAL SAFETY EQ			
E 15-4330-490-60	EQUIP REPAIR - UTILITY	Utility Enterprise	\$150.00
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$144.39
CONTINENTAL SAFETY EQ			\$294.39
DAKOTA 911 (DAKOTA COMMUNICATIONS)			
E 01-4275-030-30	JULY DISPATCH	Fire	\$705.69
E 01-4275-020-20	JULY DISPATCH	Police	\$23,135.31
DAKOTA 911 (DAKOTA COMMUNICATIONS)			\$23,841.00
DAKOTA COUNTY FINANCIAL SERVIC			
E 01-4275-020-20	MAY 2025 RADIO SUBSCRIBER	Police	\$933.20
E 01-4275-030-30	MAY 2025 RADIO SUBSCRIBER	Fire	\$839.88
E 15-4200-610-60	MAY 2025 RADIO SUBSCRIBER	Utility Enterprise	\$23.33
E 01-4200-610-50	MAY 2025 RADIO SUBSCRIBER	Road & Bridges	\$186.64
E 01-4200-610-70	MAY 2025 RADIO SUBSCRIBER	Parks & Recreation	\$139.98
E 01-4200-610-15	MAY 2025 RADIO SUBSCRIBER	Engineering Enterprise	\$69.99

CITY OF MENDOTA HEIGHTS

**Claims List**  
**SYSTEM CHECKS**  
**07/01/25 PAY**

Account	Comments	DEPT Descr	Amount
DAKOTA COUNTY FINANCIAL SERVIC			\$2,193.02
DELTA DENTAL			
E 01-4131-050-50	JULY 2025 DENTAL PREMIUM	Road & Bridges	\$457.33
E 01-4131-070-70	JULY 2025 DENTAL PREMIUM	Parks & Recreation	\$312.36
E 01-4131-110-10	JULY 2025 DENTAL PREMIUM	Administration	\$712.01
E 01-4131-020-20	JULY 2025 DENTAL PREMIUM	Police	\$2,006.90
E 01-4131-030-30	JULY 2025 DENTAL PREMIUM	Fire	\$52.06
E 01-4131-105-15	JULY 2025 DENTAL PREMIUM	Engineering Enterprise	\$405.26
E 08-4131-000-00	JULY 2025 DENTAL PREMIUM	Spec Fds	\$52.06
E 15-4131-060-60	JULY 2025 DENTAL PREMIUM	Utility Enterprise	\$254.70
G 01-2071	JULY 2025 DENTAL PREMIUM		\$555.84
G 01-2074	JULY 2025 DENTAL PREMIUM		\$988.14
E 01-4131-020-20	JULY 2025 DENTAL PREMIUM	Police	\$156.18
DELTA DENTAL			\$5,952.84
ESTRIN, LEONILDA			
E 57-4460-805-00	REIMBURSEMENT - EMERSON	Spec Fds	\$30.99
ESTRIN, LEONILDA			\$30.99
EXCEL TURF & ORNAMENTAL			
E 45-4334-045-45	COURSE MAINTENANCE CHEMI	Golf Course	\$3,796.73
EXCEL TURF & ORNAMENTAL			\$3,796.73
FLEET SERVICES			
E 01-4200-610-20	MAY SQUAD LEASES - PD	Police	\$7,678.94
FLEET SERVICES			\$7,678.94
FLEETPRIDE			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$54.26
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$205.98
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	-\$177.52
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$36.15
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$974.21
E 01-4330-490-30	EQUIP REPAIR - FIRE	Fire	\$21.68
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$90.96
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$393.47
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$12.73
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	-\$211.96
E 01-4330-490-30	EQUIP REPAIR - FIRE	Fire	\$174.97
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$6.28
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$13.36
E 15-4330-490-60	EQUIP REPAIR - UTILITY	Utility Enterprise	\$53.24
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$24.39
E 01-4330-490-30	EQUIP REPAIR - FIRE	Fire	\$49.06
E 01-4330-490-30	EQUIP REPAIR - FIRE	Fire	\$34.32
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$510.87
FLEETPRIDE			\$2,266.45
FLEXIBLE PIPE TOOL			
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$154.95
FLEXIBLE PIPE TOOL			\$154.95
GERLACH OUTDOOR			

CITY OF MENDOTA HEIGHTS

**Claims List**  
**SYSTEM CHECKS**  
 07/01/25 PAY

Account	Comments	DEPT Descr	Amount
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$125.26
GERLACH OUTDOOR			\$125.26
GREEN2 SOLAR LEASING, LLC			
E 01-4213-050-50	SOLAR PANEL LEASE - PUBLIC	Road & Bridges	\$137.60
E 01-4213-030-30	SOLAR PANEL LEASE - FIRE	Fire	\$206.42
E 01-4213-070-70	SOLAR PANEL LEASE - PUBLIC	Parks & Recreation	\$137.60
E 15-4213-060-60	SOLAR PANEL LEASE - PUBLIC	Utility Enterprise	\$137.61
E 08-4213-000-00	SOLAR PANEL LEASE - CITY HA	Spec Fds	\$413.12
E 45-4213-045-45	SOLAR PANEL LEASE - PAR 3	Golf Course	\$190.05
E 01-4213-070-70	SOLAR PANEL LEASE - PUBLIC	Parks & Recreation	\$68.80
E 15-4213-060-60	SOLAR PANEL LEASE - PUBLIC	Utility Enterprise	\$68.80
E 01-4213-050-50	SOLAR PANEL LEASE - PUBLIC	Road & Bridges	\$68.80
GREEN2 SOLAR LEASING, LLC			\$1,428.80
HANCO CORPORATION			
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$299.95
HANCO CORPORATION			\$299.95
HOECHST, SHAYNA			
E 01-4400-020-20	TUITION REIMBURSEMENT - S.	Police	\$3,000.00
HOECHST, SHAYNA			\$3,000.00
HOME DEPOT CREDIT SERVICES			
E 01-4305-030-30	OPERATING SUPPLIES - FIRE	Fire	\$5.97
G 45-2035	EQUIP REPAIR - PAR 3		-\$0.83
E 45-4330-490-45	EQUIP REPAIR - PAR 3	Golf Course	\$12.85
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$9.96
HOME DEPOT CREDIT SERVICES			\$27.95
HONSA LIGHTING SOLUTIONS INC			
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$189.05
HONSA LIGHTING SOLUTIONS INC			\$189.05
HUBNER, HUNTER			
E 01-4400-020-20	MAY 2025 2025 TRAINING REI	Police	\$82.50
E 01-4400-020-20	MARCH 2025 TRAINING REIMB	Police	\$55.00
E 01-4400-020-20	APRIL 2025 TRAINING REIMBU	Police	\$55.00
HUBNER, HUNTER			\$192.50
IDEAL ENERGIES SOLAR LEASING 2021			
E 01-4213-030-30	SOLAR PANEL LEASE - FIRE	Fire	\$166.16
IDEAL ENERGIES SOLAR LEASING 2021			\$166.16
INNOVATIVE OFFICE SOLUTIONS			
E 01-4300-110-10	OFFICE SUPPLIES - ADMIN	Administration	\$21.36
E 01-4300-020-20	OFFICE SUPPLIES - PD	Police	\$103.02
E 01-4300-110-10	OFFICE SUPPLIES - ADMIN	Administration	\$39.23
INNOVATIVE OFFICE SOLUTIONS			\$163.61
INSPECTRON INC			
E 01-4231-040-40	MAY 2025 PLAN REVIEWS & IN	Code Enforcement/Inspe	\$35,766.14
INSPECTRON INC			\$35,766.14
KAT KEYS			

CITY OF MENDOTA HEIGHTS

**Claims List**  
**SYSTEM CHECKS**  
 07/01/25 PAY

Account	Comments	DEPT Descr	Amount
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$170.00
KAT KEYS			\$170.00
KENNEDY & GRAVEN			
E 01-4220-120-10	MAY 2025 LEGAL SERVICES	Administration	\$1,120.50
KENNEDY & GRAVEN			\$1,120.50
KIMLEY-HORN AND ASSOCIATES, INC.			
E 27-4220-807-00	FRIENDLY HILLS ST. PROJ.	Spec Fds	\$53,038.81
KIMLEY-HORN AND ASSOCIATES, INC.			\$53,038.81
KIRCHNER CONTRACTING			
E 15-4330-490-60	EQUIP REPAIR - UTILITY	Utility Enterprise	\$4,750.00
KIRCHNER CONTRACTING			\$4,750.00
L E L S			
G 01-2075	JULY 2025 UNION DUES		\$1,095.00
L E L S			\$1,095.00
LANDBRIDGE ECOLOGICAL			
E 01-4333-075-75	CPL GRANT - NATURAL RESOU	Natural Resources	\$2,745.04
LANDBRIDGE ECOLOGICAL			\$2,745.04
LAWSON PRODUCTS, INC			
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$80.93
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$80.93
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$80.93
LAWSON PRODUCTS, INC			\$242.79
LOCAL UNION NO. 70			
G 01-2075	JULY 2025 UNION DUES		\$90.50
LOCAL UNION NO. 70			\$90.50
LOGIS			
E 01-4220-114-14	MAY 2025 NETWORK SERVICE	Info Tech	\$4,339.99
E 01-4220-114-14	GOPHER STATE LOCATES	Info Tech	\$13.50
E 01-4301-114-14	SOFTWARE LICENSES	Info Tech	\$276.31
E 01-4220-030-30	MAY 2025 NETWORK SERVICE	Fire	\$400.42
E 01-4223-020-20	MAY 2025 NETWORK SERVICE	Police	\$998.34
LOGIS			\$6,028.56
M T I DISTRIBUTING COMPANY			
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$128.40
M T I DISTRIBUTING COMPANY			\$128.40
MANSFIELD OIL COMPANY			
G 01-1210	FUEL		\$12,607.42
MANSFIELD OIL COMPANY			\$12,607.42
MENARDS			
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$45.90
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$17.96
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$21.99
MENARDS			\$85.85
MIDWEST MACHINERY CO (FRONTIER AG)			

CITY OF MENDOTA HEIGHTS

**Claims List**  
**SYSTEM CHECKS**  
 07/01/25 PAY

Account	Comments	DEPT Descr	Amount
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$545.93
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$328.51
MIDWEST MACHINERY CO (FRONTIER AG)			\$874.44
MN DEPT OF AGRICULTURE			
G 45-1215	RETAIL FOOD HANDLER LICEN		\$2.50
E 45-4490-045-45	RETAIL FOOD HANDLER LICEN	Golf Course	\$2.50
MN DEPT OF AGRICULTURE			\$5.00
MNL (MINNESOTA NATIVE LANDSCAPE)			
E 01-4333-075-75	MAINTENANCE - NATURAL RES	Natural Resources	\$495.00
E 01-4333-075-75	MAINTENANCE - NATURAL RES	Natural Resources	\$525.00
MNL (MINNESOTA NATIVE LANDSCAPE)			\$1,020.00
MNPEA			
G 01-2075	JULY 2025 UNION DUES		\$144.00
MNPEA			\$144.00
NORTHFIELD SOLAR LLC			
E 01-4211-310-50	MAY 2025 ELECTRIC UTILITIES	Road & Bridges	\$486.69
E 01-4211-310-70	MAY 2025 ELECTRIC UTILITIES	Parks & Recreation	\$486.69
E 01-4211-315-30	MAY 2025 ELECTRIC UTILITIES	Fire	\$1,383.32
E 01-4211-320-70	MAY 2025 ELECTRIC UTILITIES	Parks & Recreation	\$518.36
E 01-4211-420-50	MAY 2025 ELECTRIC UTILITIES	Road & Bridges	\$260.12
E 08-4211-000-00	MAY 2025 ELECTRIC UTILITIES	Spec Fds	\$4,400.27
E 15-4211-310-60	MAY 2025 ELECTRIC UTILITIES	Utility Enterprise	\$486.69
E 15-4211-400-60	MAY 2025 ELECTRIC UTILITIES	Utility Enterprise	\$1,419.88
E 28-4211-000-00	MAY 2025 ELECTRIC UTILITIES	Spec Fds	\$2,421.48
E 45-4211-047-45	MAY 2025 ELECTRIC UTILITIES	Golf Course	\$37.05
NORTHFIELD SOLAR LLC			\$11,900.55
NUSS TRUCK & EQUIPMENT			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$413.36
NUSS TRUCK & EQUIPMENT			\$413.36
OPACK, JOE			
E 57-4460-805-00	REIMBURSEMENT EMERSON A	Spec Fds	\$307.77
OPACK, JOE			\$307.77
OREILLY AUTO/FIRST CALL			
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$14.99
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$14.99
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$15.00
OREILLY AUTO/FIRST CALL			\$44.98
OXYGEN SERVICE CO			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$144.76
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$329.62
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$177.31
OXYGEN SERVICE CO			\$651.69
PEARSON BROS INC			
E 01-4423-050-50	CRACK SEAL / SEAL COAT - ST	Road & Bridges	\$55,885.70
PEARSON BROS INC			\$55,885.70

CITY OF MENDOTA HEIGHTS

**Claims List**  
**SYSTEM CHECKS**  
 07/01/25 PAY

Account	Comments	DEPT Descr	Amount
PLAN IT SOFTWARE LLC			
E 01-4301-114-14	ADD USER PLAN IT SOFTWARE	Info Tech	\$500.00
PLAN IT SOFTWARE LLC			\$500.00
POMPS TIRE SERVICE (GCR TIRES)			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$1,578.26
POMPS TIRE SERVICE (GCR TIRES)			\$1,578.26
PRECISE MRM LLC			
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$20.00
PRECISE MRM LLC			\$20.00
RENT N SAVE			
E 01-4200-610-70	MAY 2025 RENTALS - PARKS	Parks & Recreation	\$2,095.00
E 45-4200-610-45	MAY 2025 RENTALS - PAR 3	Golf Course	\$154.97
G 45-2035	MAY 2025 RENTALS - PAR 3		-\$9.97
RENT N SAVE			\$2,240.00
ROOTX			
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$758.00
ROOTX			\$758.00
SAVATREE			
E 01-4500-075-75	TREE SERVICES - NATURAL RE	Natural Resources	\$1,500.00
E 01-4500-075-75	TREE SERVICES - NATURAL RE	Natural Resources	\$206.00
E 01-4500-075-75	TREE SERVICES - NATURAL RE	Natural Resources	\$775.00
E 01-4500-075-75	TREE SERVICES - NATURAL RE	Natural Resources	\$1,784.00
SAVATREE			\$4,265.00
SCHLOMKA SERVICES, LLC			
E 15-4330-490-60	EQUIP REPAIR - UTILITY	Utility Enterprise	\$1,251.72
SCHLOMKA SERVICES, LLC			\$1,251.72
SEAL MASTER			
E 01-4422-050-50	STREET MATERIAL	Road & Bridges	\$239.88
SEAL MASTER			\$239.88
STANDARD INSURANCE			
E 01-4131-070-70	JULY 2025 PREMIUM - LIFE/DI	Parks & Recreation	\$272.08
E 01-4131-020-20	JULY 2025 PREMIUM - LIFE/DI	Police	\$972.18
E 01-4131-110-10	JULY 2025 PREMIUM - LIFE/DI	Administration	\$363.42
E 01-4131-050-50	JULY 2025 PREMIUM - LIFE/DI	Road & Bridges	\$329.37
E 01-4131-105-15	JULY 2025 PREMIUM - LIFE/DI	Engineering Enterprise	\$134.35
E 01-4131-030-30	JULY 2025 PREMIUM - LIFE/DI	Fire	\$1.40
G 01-2071	JULY 2025 PREMIUM - LIFE/DI		\$1,842.25
E 15-4131-060-60	JULY 2025 PREMIUM - LIFE/DI	Utility Enterprise	\$199.97
E 08-4131-000-00	JULY 2025 PREMIUM - LIFE/DI	Spec Fds	\$142.21
STANDARD INSURANCE			\$4,257.23
STOKES, ROBERT			
E 01-4435-200-70	7/9/25 MUSIC IN THE PARK PE	Parks & Recreation	\$700.00
STOKES, ROBERT			\$700.00
STONEBROOKE ENGINEERING			
E 01-4220-110-10	ADA TRANSITION PLAN	Administration	\$8,383.22

CITY OF MENDOTA HEIGHTS

**Claims List**  
**SYSTEM CHECKS**  
**07/01/25 PAY**

Account	Comments	DEPT Descr	Amount
STONEBROOKE ENGINEERING			\$8,383.22
STREICHERS			
E 01-4330-440-20	EQUIP REPAIR - PD	Police	\$529.99
STREICHERS			\$529.99
SUN LIFE (ASSURANT BENEFITS)			
E 01-4132-031-30	JULY 2025 PREMIUM	Fire	\$321.70
SUN LIFE (ASSURANT BENEFITS)			\$321.70
TECH ACADEMY			
E 01-4435-200-70	MINECRAFT ADVENTURE - REC	Parks & Recreation	\$1,056.00
TECH ACADEMY			\$1,056.00
THOMPSON, EMMAH			
E 01-4410-020-20	UNIFORM REIMBURSEMENT - E	Police	\$109.90
THOMPSON, EMMAH			\$109.90
TIME SAVER OFF SITE SEC. SVC.			
E 01-4220-110-10	6/3/25 CITY COUNCIL MINUTE	Administration	\$174.50
TIME SAVER OFF SITE SEC. SVC.			\$174.50
TKDA			
E 57-4220-805-00	EMERSON AVE ST IMPROVEME	Spec Fds	\$5,559.78
TKDA			\$5,559.78
TOTAL CONTROL SYSTEMS, INC			
E 15-4620-060-60	MAIN SLS CONTROLS UPGRAD	Utility Enterprise	\$14,519.00
E 15-4620-060-60	MAIN SLS VFD & DVDT UPGRA	Utility Enterprise	\$17,206.00
TOTAL CONTROL SYSTEMS, INC			\$31,725.00
TOWMASTER			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$263.60
TOWMASTER			\$263.60
TRACTOR SUPPLY			
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$105.97
TRACTOR SUPPLY			\$105.97
VESTIS (ARAMARK)			
E 15-4200-610-60	MAT SERVICE - PW	Utility Enterprise	\$21.03
E 01-4200-610-70	MAT SERVICE - PW	Parks & Recreation	\$15.29
E 01-4200-610-50	MAT SERVICE - PW	Road & Bridges	\$15.29
E 15-4200-610-60	MAT SERVICE - PW	Utility Enterprise	\$15.29
E 01-4410-050-50	UNIFORM - PW	Road & Bridges	\$10.26
E 08-4335-000-00	MAT SERVICE - CITY HALL	Spec Fds	\$115.50
E 01-4200-610-50	MAT SERVICE - PW	Road & Bridges	\$21.02
E 01-4410-050-50	UNIFORM - PW	Road & Bridges	\$10.26
E 01-4200-610-70	MAT SERVICE - PW	Parks & Recreation	\$21.02
VESTIS (ARAMARK)			\$244.96
			\$1,155,772.89

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**REQUEST FOR CITY COUNCIL ACTION**

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Recognition and Presentation of Life-Saving Award

**ITEM TYPE:** Presentation

**DEPARTMENT:** Police

**CONTACT:** Kelly McCarthy, Police Chief

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**ACTION REQUEST:**

None

**BACKGROUND:**

On 6/4/2025, officers responded to a medical in the 600 Block of 1st Avenue on a report of a male who had a heart attack. Responders worked alongside friends and neighbors in delivering life-saving interventions.

**FISCAL AND RESOURCE IMPACT:**

none

**ATTACHMENTS:**

None

**CITY COUNCIL PRIORITY:**

Premier Public Services & Infrastructure, Inclusive and Responsive Government

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**REQUEST FOR CITY COUNCIL ACTION**

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** City of Mendota Heights FY2024 Audit Report

**ITEM TYPE:** New and Unfinished Business

**DEPARTMENT:** Finance

**CONTACT:** Kristen Schabacker, Finance Director

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**ACTION REQUEST:**

Accept the audit and ask any questions that you may have.

**BACKGROUND:**

BerganKDV has completed the audit for 2024. The reports for 2024 are the Annual Report & Basic Financial Statements and the Communications Letter. These reports are included in the meeting packet. Caroline Stutsman from BerganKDV will be presenting the Annual Audit Review for 2024.

**FISCAL AND RESOURCE IMPACT:**

There is no budget impact.

**ATTACHMENTS:**

- 1. Communications Letter - 2024 Mendota Heights - Final
- 2. Financial Statements - 2024 Mendota Heights - Final

**CITY COUNCIL PRIORITY:**

Premier Public Services & Infrastructure



**City of Mendota Heights  
Dakota County, Minnesota**

**Communications Letter**

**December 31, 2024**

**City of Mendota Heights  
Table of Contents**

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Required Communication	4
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Emerging Issues	17



## Report on Matters Identified as a Result of the Audit of the Basic Financial Statements

Honorable Mayor, Members  
of the City Council and Management  
City of Mendota Heights  
Mendota Heights, Minnesota

In planning and performing our audit of the basic financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Mendota Heights, Minnesota, as of and for the year ended December 31, 2024, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that have not been identified. In addition, because of inherent limitations in internal control, including the possibility of management override of controls, misstatements due to error, or fraud may occur and not be detected by such controls. However, as discussed below, we identified a certain deficiency in internal control that we consider to be a material weakness.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control over financial reporting, such that there is a reasonable possibility that a material misstatement of the City's basic financial statements will not be prevented, or detected and corrected, on a timely basis. A reasonable possibility exists when the likelihood of an event occurring is either reasonably possible or probable as defined as follows:

- *Reasonably possible*. The chance of the future event or events occurring is more than remote but less than likely.
- *Probable*. The future event or events are likely to occur.

The material weakness identified is stated within this letter.

The accompanying memorandum also includes financial analysis provided as a basis for discussion. The matters discussed herein were considered by us during our audit and they do not modify the opinion expressed in our Independent Auditor's Report dated June 4, 2025, on such statements.

The purpose of this communication, which is an integral part of our audit, is to describe for the Members of the City Council and management and others within the City and state oversight agencies the scope of our testing of internal control and the results of that testing. Accordingly, this communication is not intended to be and should not be used for any other purpose.

*BerganKDV, Ltd.*

St. Cloud, Minnesota  
June 4, 2025

## City of Mendota Heights Material Weakness

### **Lack of Segregation of Accounting Duties**

The City had a lack of segregation of accounting duties due to a limited number of office employees. The lack of adequate segregation of accounting duties could adversely affect the City's ability to initiate, record, process, and report financial data consistent with the assertions of management in the financial statements. This lack of segregation of accounting duties can be demonstrated in the following areas, which is not intended to be an all-inclusive list:

- The Finance Director has the ability to receipt City service revenue, prepares the deposit receipts, is responsible for coding, and prepares the Treasurer's report for the City Council.
- The Utility Billing Clerk enters consumption into the utility billing system, prepares and reviews utility bills, applies payments to customer accounts, and has the ability to make adjustments to customer accounts.

In addition to having responsibilities in the cycles listed above, the City's Finance Director has full general ledger access and the ability to write and post journal entries. While we believe this access is necessary to efficiently perform the financial duties required, this access allows the ability to override many of the controls and segregation the City has in place.

The City has implemented certain controls to mitigate the risk due to the lack of segregation of accounting duties, including but not limited to reviewing adjustments to customer accounts before they are posted, having a non-finance employee prepare bank reconciliations and review of all journal entries. However, due to the number of staff needed to properly segregate all of the accounting duties, the cost of obtaining desirable segregation of accounting duties can often exceed benefits which could be derived. However, management and the City Council must remain aware of this situation and should continually monitor the accounting system, including changes that occur.

We recommend that the City review the internal control process to ensure segregation or independent review be implemented whenever practical and cost effective.

## **City of Mendota Heights Required Communication**

We have audited the basic financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City as of and for the year ended December 31, 2024. Professional standards require that we advise you of the following matters related to our audit.

### **Our Responsibility in Relation to the Financial Statement Audit**

As communicated in our engagement letter, our responsibility, as described by professional standards, is to form and express opinions about whether the basic financial statements prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the basic financial statements does not relieve you or management of its respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the basic financial statements are free of material misstatement. An audit of the basic financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the City solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgement, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

Generally accepted accounting principles provide for certain Required Supplementary Information (RSI) to supplement the basic financial statements. Our responsibility with respect to the RSI, which supplements the basic financial statements, is to apply certain limited procedures in accordance with generally accepted auditing standards. However, the RSI was not audited and, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance, we do not express an opinion or provide any assurance on the RSI.

Our responsibility for the supplementary information accompanying the basic financial statements, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the basic financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### **Our Responsibility in Relation to Government Auditing Standards**

As communicated in our engagement letter, part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we performed tests of the City's compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of basic financial statement amounts. However, the objective of our tests was not to provide an opinion on compliance with such provisions.

### **Planned Scope and Timing of the Audit**

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

## City of Mendota Heights Required Communication

### Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and our network firms have complied with all relevant ethical requirements regarding independence.

### Significant Risks Identified

We have identified the following significant risks of material misstatement:

- Risk of Improper Revenue Recognition - Revenue recognition is considered a fraud risk on substantially all engagements as it is generally the largest line item impacting a City's change in fund balance or net position.
- Risk of Misappropriation of Assets - Misappropriation of Assets is considered a risk in substantially all engagements as assets may be misappropriated due to fraud or error.
- Risk of Management Override of Controls - Management override of internal control is considered a risk in substantially all engagements as management may be incentivized to produce better results.
- Lease Valuation - Lease Receivable and Related Deferred Inflows of Resources - These are material to the financial statements and involve significant estimates.
- Pension Valuation - Net Pension Liability, Deferred Outflows of Resources Related to Pensions, and Deferred Inflows of Resources Related to Pensions - These are generally material to the financial statements and involve significant estimates.
- Other Post-Employment Benefits Valuation - Total OPEB Liability, Deferred Outflows of Resources Related to OPEB, and Deferred Inflows of Resources Related to OPEB - These are generally material to the financial statements and involve significant estimates.

### Qualitative Aspects of the City's Significant Accounting Practices

#### *Significant Accounting Policies*

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the City is included in the notes to the basic financial statements. There have been no initial selection of accounting policies and no changes to significant accounting policies or their application during 2024. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

#### *Significant Accounting Estimates and Related Disclosures*

Accounting estimates and related disclosures are an integral part of the basic financial statements prepared by management and are based on management's current judgements. Those judgements are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the basic financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgements. The most sensitive estimates affecting the basic financial statements related to:

Lease Receivable and Related Deferred Inflows of Resources - These balances are based on estimates and judgments determined by the City related to the discount rate, lease term, and lease payments.

**City of Mendota Heights  
Required Communication**

**Qualitative Aspects of the City's Significant Accounting Practices (Continued)**

*Significant Accounting Estimates and Related Disclosures (Continued)*

Total Other Post Employment Benefits (OPEB) Liability, Deferred Outflows of Resources Related to OPEB, and Deferred Inflows of Resources Related to OPEB - These balances are based on an actuarial study using the estimates of future obligations of the City for post employment benefits.

Net Pension Liability, Deferred Outflows of Resources Related to Pensions and Deferred Inflows of Resources Related to Pensions - These balances are based on an allocation by the pension plans using estimates based on contributions.

We evaluated the key factors and assumptions used to develop the accounting estimates and determined that they are reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

*Financial Statement Disclosures*

Certain basic financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The basic financial statement disclosures are neutral, consistent, and clear.

**Significant Difficulties Encountered during the Audit**

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

**Uncorrected and Corrected Misstatements**

For the purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effects of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the basic financial statements taken as a whole and each applicable opinion unit. Management did not identify, and we did not notify them of any uncorrected financial statement misstatements

The following bullet point summarizes the uncorrected financial statement misstatement whose effects in the current and prior periods, as determined by management, are immaterial, both individually and in the aggregate, to the financial statements taken as a whole and each applicable opinion unit. Uncorrected misstatements or matters underlying those uncorrected misstatements could potentially cause future-period financial statements to be materially misstated, even though the uncorrected misstatements are immaterial to the financial statements currently under audit.

- Capital assets are understated

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. None of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the basic financial statements taken as a whole.

## **City of Mendota Heights Required Communication**

### **Disagreements with Management**

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the City's basic financial statements or the auditor's report. No such disagreements arose during the course of our audit.

### **Representations Requested from Management**

We have requested certain written representations from management, which are included in the management representation letter.

### **Management's Consultations with Other Accountants**

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management has informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

### **Other Significant Matters, Findings, or Issues**

In the normal course of our professional association with the City, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, significant events or transactions that occurred during the year, operating and regulatory conditions affecting the City, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the City's auditor.

### **Other Information Included in Annual Reports**

Pursuant to professional standards, our responsibility as auditors for other information, whether financial or nonfinancial, included in the City's annual reports, does not extend beyond the information identified in the audit report, and we are not required to perform any procedures to corroborate such other information.

We applied certain limited procedures to the RSI that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the basic financial statements or to the basic financial statements themselves.

Our responsibility also includes communicating to you any information which we believe is a material misstatement of fact. Nothing came to our attention that caused us to believe that such information, or its manner of presentation, is materially inconsistent with the information, or manner of its presentation, appearing in the basic financial statements.

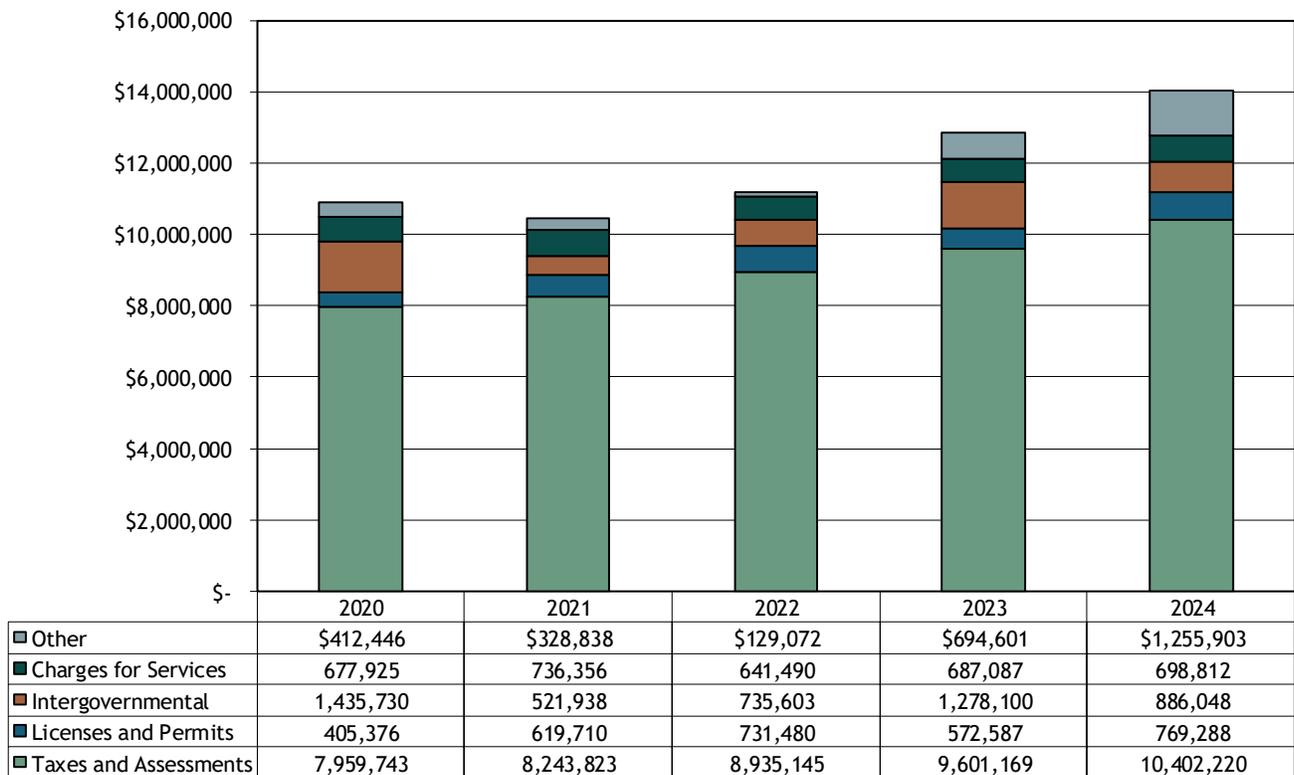
## City of Mendota Heights Financial Analysis

The following pages provide graphic representation of select data pertaining to the financial position and operations of the City for the past four years. Our analysis of each graph is presented to provide a basis for discussion of past performance and how implementing certain changes may enhance future performance. We suggest you view each graph and document if our analysis is consistent with yours. A subsequent discussion of this information should be useful for planning purposes.

### General Fund Revenues

The General Fund revenues for the past five years are depicted in the following graph.

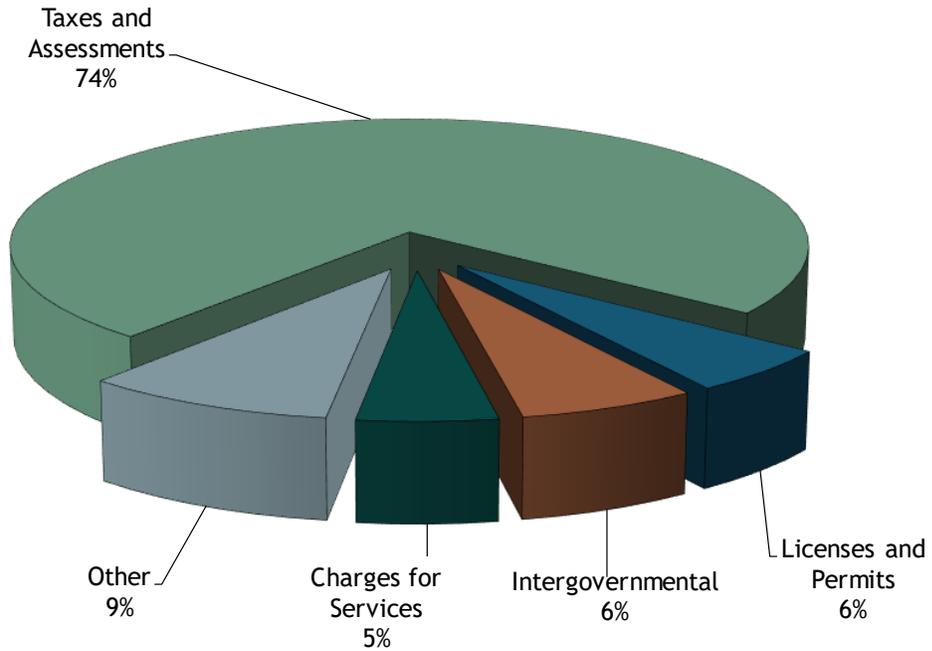
**General Fund Revenues**



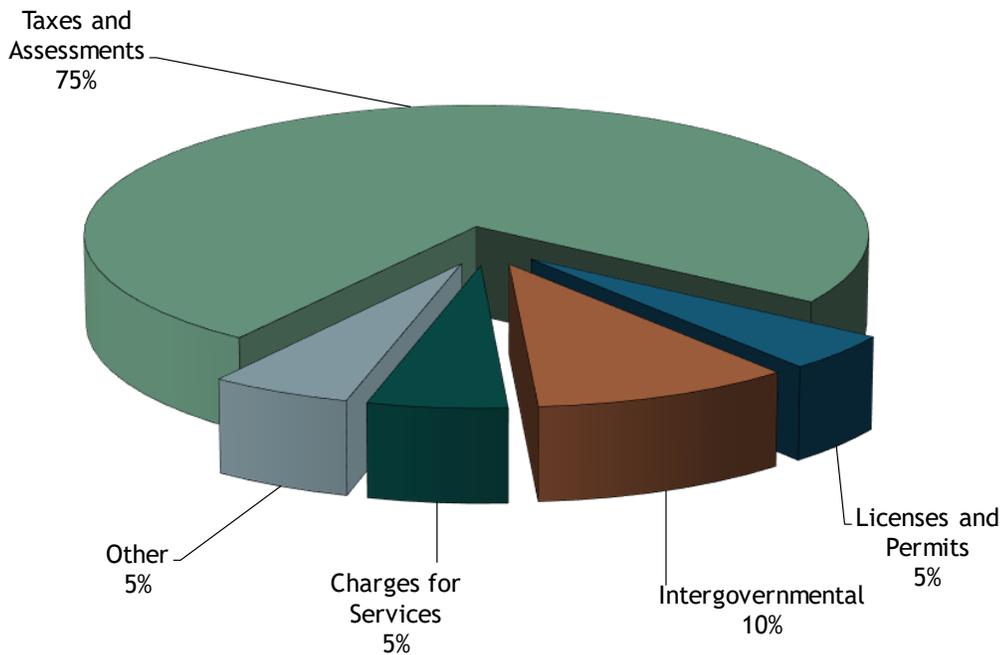
General Fund revenue increased \$1,178,727, or 9.2%, during the year, from \$12,833,544 in 2023 to \$14,012,271 in 2024. The largest fluctuation occurred in taxes and assessments, which increased \$801,051 due to an increase in the amount of taxes levied in 2024. License and permit revenue increased \$196,701 due to an increase in the number of building permits. Other revenue increased \$561,302 due to a positive market value adjustment related to better market conditions and the collection of franchise fees. Intergovernmental revenue decreased \$392,052 due to a decrease in the number of grants received.

General Fund Revenues (Continued)

2024 General Fund Revenues



2023 General Fund Revenues

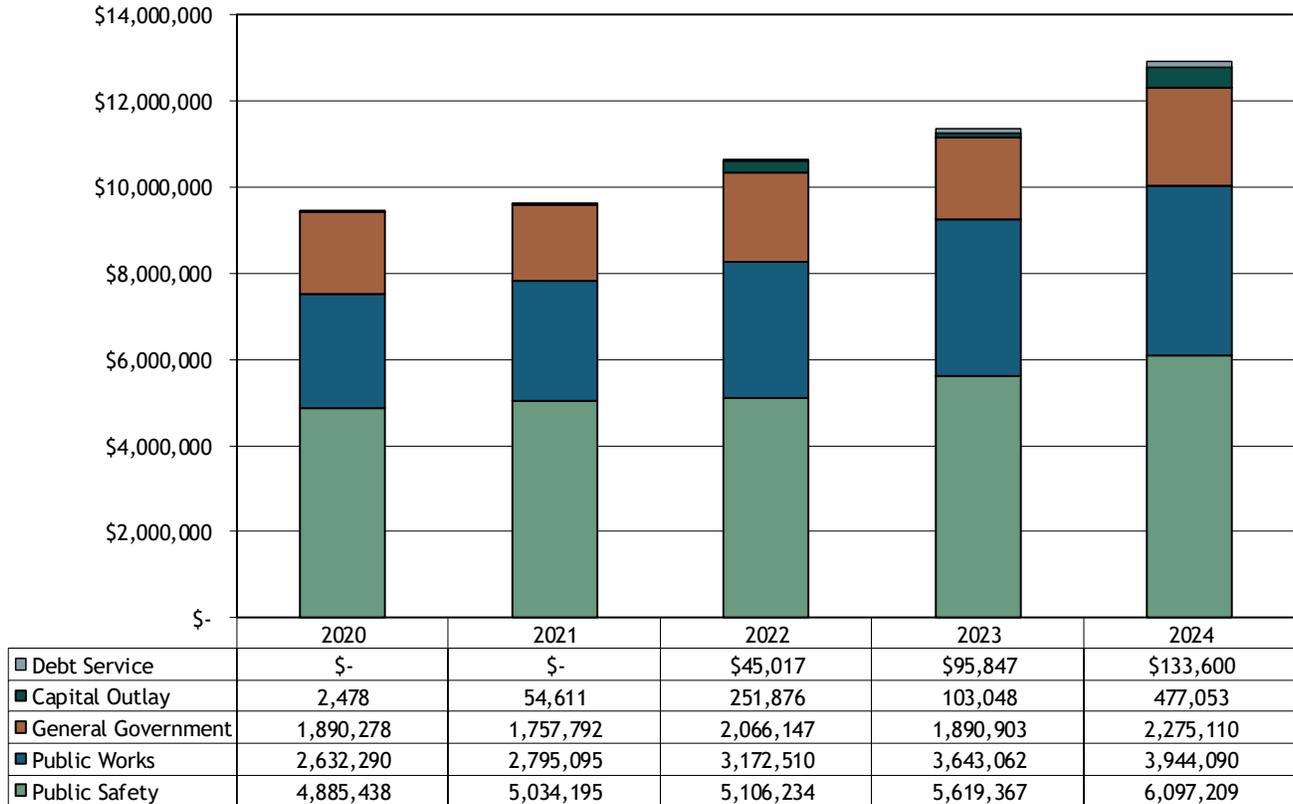


## City of Mendota Heights Financial Analysis

### General Fund Expenditures

The General Fund expenditures for the past five years are depicted in the following graph.

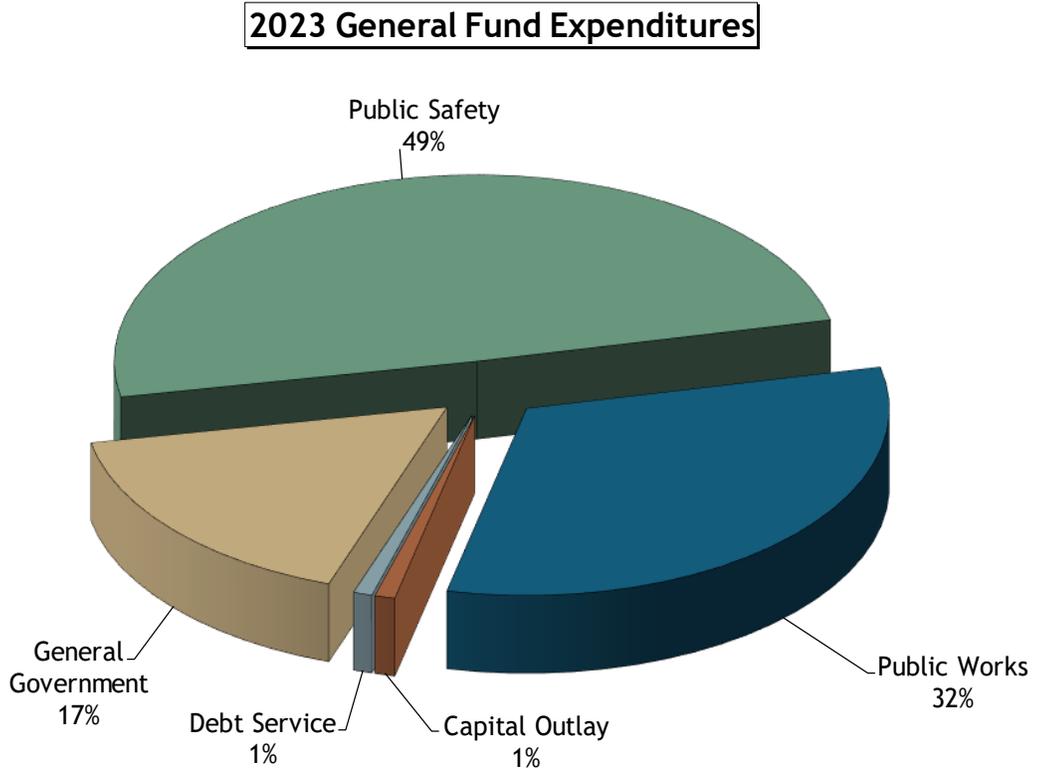
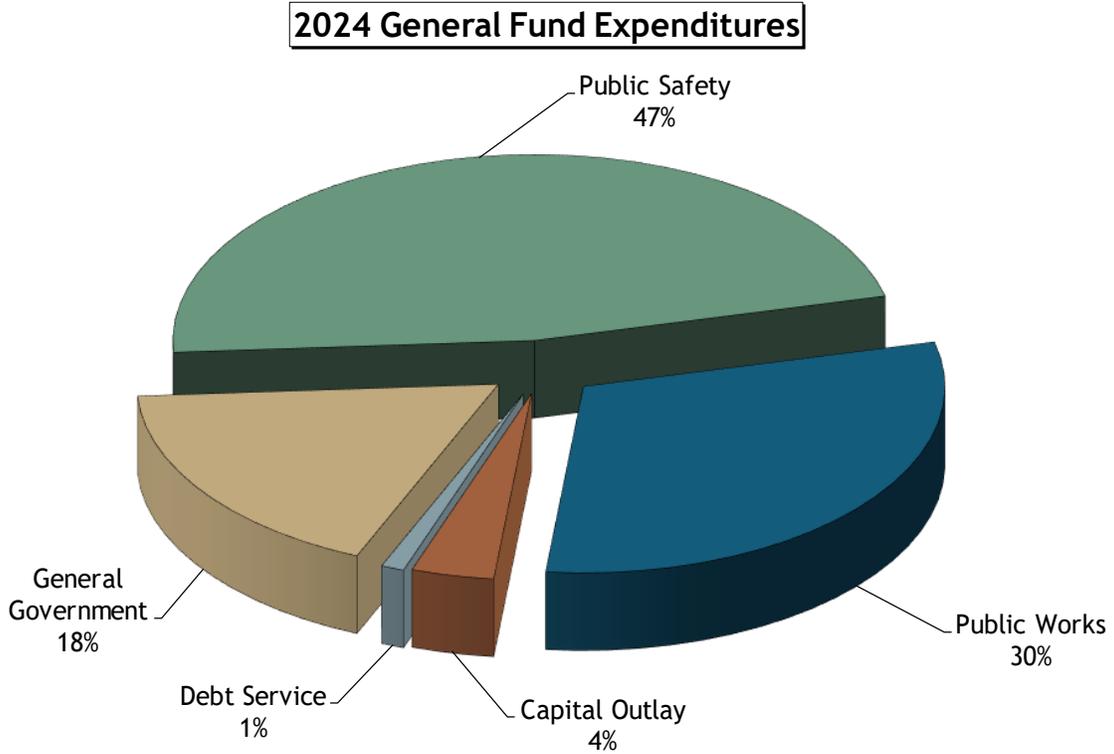
**General Fund Expenditures**



General Fund expenditures increased \$1,574,835, or 13.9%, from \$11,352,227 in 2023 to \$12,927,062 in 2024. Public safety increased the most from 2023, by \$477,842, or 8.5%. This increase is due in part to an increase in wages. Public works increased \$301,028, or 8.3% due in part to changing to contracted building inspection services. General government expenditures increased \$384,207 or 20.3% due to an increase in wages. Capital outlay increased \$374,005 due to leasing new squad cars.

City of Mendota Heights  
Financial Analysis

General Fund Expenditures (Continued)



**City of Mendota Heights  
Financial Analysis**

**General Fund Expenditures (Continued)**

The table below presents a comparison of budget and actual General Fund revenues and expenditures by function. In total, the fund's expenditures were \$217,391, or 1.7%, over budgeted expenditures of \$12,709,671. The fund's revenue was \$1,350,150, or 10.7%, over budgeted revenues of \$12,662,121.

Licenses and permits revenue was \$359,288 over budget due to budgeting conservatively. Intergovernmental revenue was \$257,134 over budget due to budgeting conservatively. Other revenue was \$676,859 over budget due to better market conditions at year end, as well as an increase in reimbursements. All other functions were consistent with the budgeted amounts.

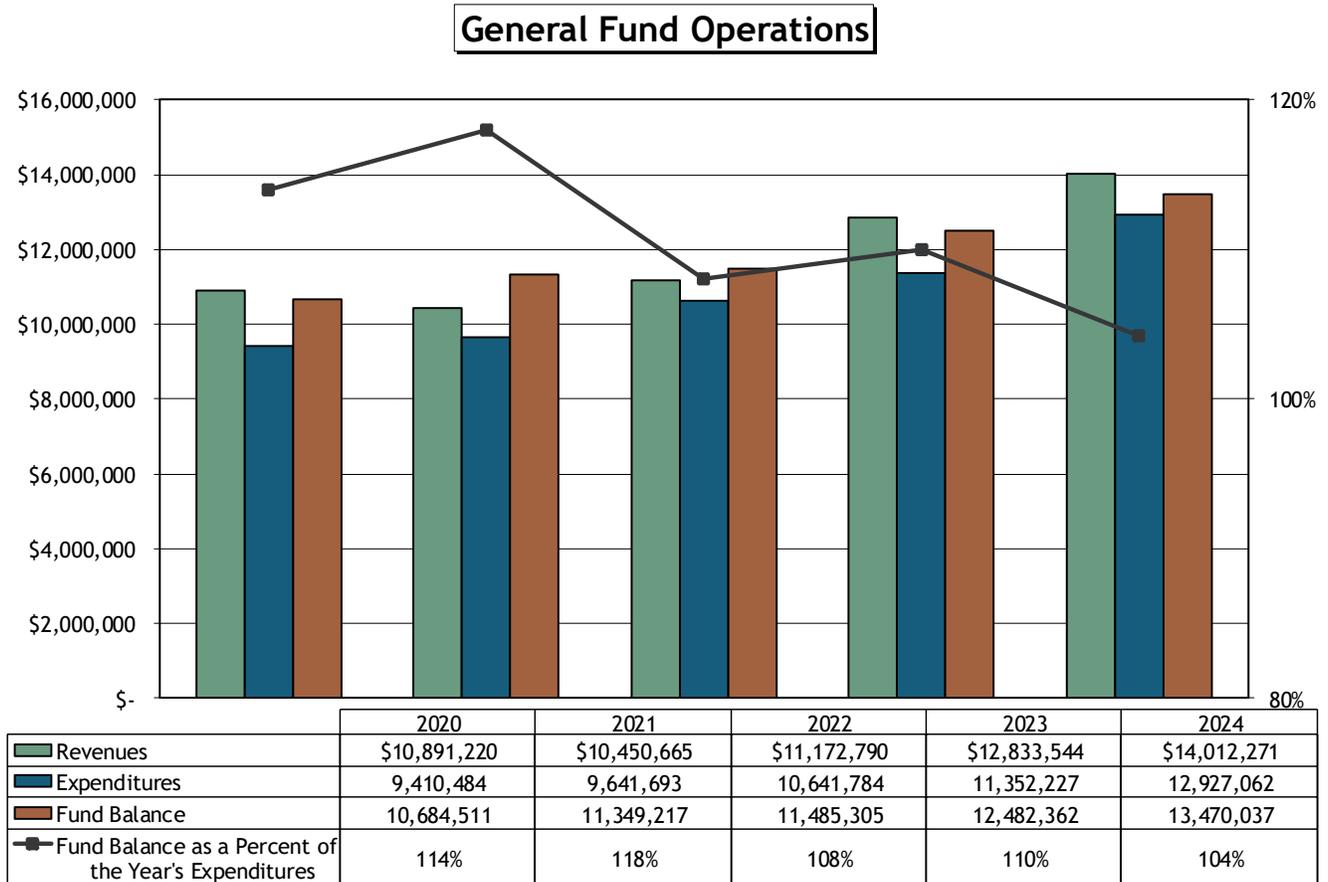
Public Safety expenditures were under budget by \$114,350. This was due to the police staffing turnover causing vacancies and variations in personnel levels. Capital outlay expenditures were \$477,053 over budget due in part to the issuance of new leases and subscription liabilities. Public works expenditures were under budget due to conservative budgeting. All other functions were relatively consistent with the budgeted amounts.

	Original and Final Budget	Amounts	Variance Final Budget - Over (Under)
<b>Revenues</b>			
Taxes and assessments	\$ 10,356,289	\$ 10,402,220	\$ 45,931
Franchise fee	350,000	382,044	32,044
Licenses and permits	410,000	769,288	359,288
Intergovernmental	628,914	886,048	257,134
Charges for services	719,918	698,812	(21,106)
Other	197,000	873,859	676,859
Total revenues	12,662,121	14,012,271	1,350,150
<b>Expenditures</b>			
General government	2,267,018	2,275,110	8,092
Public safety	6,211,559	6,097,209	(114,350)
Public works	4,098,094	3,944,090	(154,004)
Capital outlay	-	477,053	477,053
<b>Debt service</b>			
Principal	133,000	133,600	600
Total expenditures	12,709,671	12,927,062	217,391
<b>Other Financing Sources Uses)</b>			
Insurance Proceeds	-	97,985	97,985
Issuance of leases and subscription liabilities	-	300,919	300,919
Transfers in	47,550	47,550	-
Transfers out	-	(543,988)	(543,988)
Total other financing sources (uses)	47,550	(97,534)	(145,084)
Net change in fund balances	\$ -	\$ 987,675	\$ 987,675

## City of Mendota Heights Financial Analysis

### General Fund Operations

The bar chart below highlights General Fund results for the last five years.



As shown in the chart, the City's fund balance increased to its highest point in the five years presented. The amount of fund balance as a percentage of the current year's expenditures had increased steadily since 2018, with a slight decrease in 2022 due to increased 2022 expenditures levels with an increase again in 2023. The City implemented a policy in accordance with GASB 54 whereby the General Fund's unassigned fund balance is at least 75% of the subsequent year's budgeted expenditures. As of December 31, 2024, the City's unassigned General Fund balance of \$13,079,199 was 99% of 2025 budgeted expenditures.

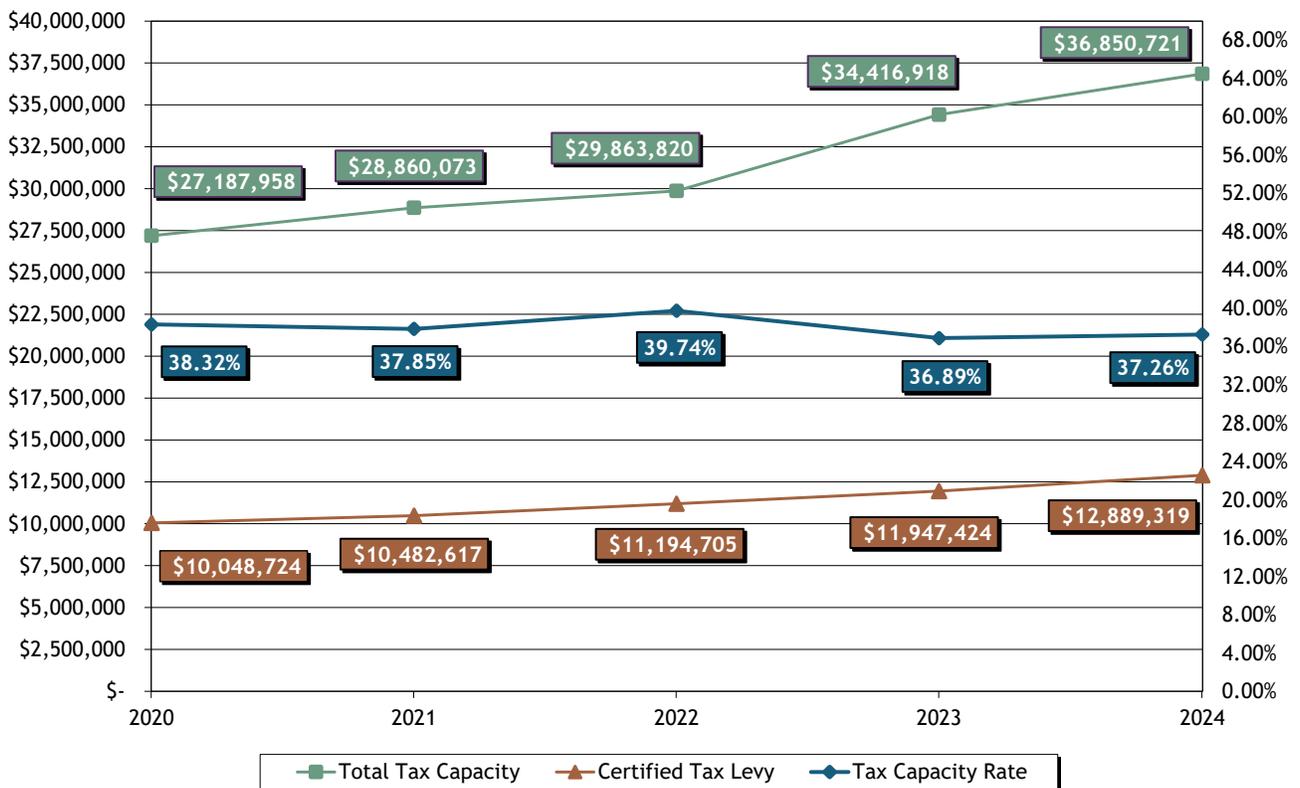
## City of Mendota Heights Financial Analysis

### Tax Capacity, Levy, and Rates

The chart below graphs the tax capacity, certified tax levy, and City tax rate for 2020 through 2024. The tax capacity is based on total tax capacity, prior to adjustments for captured Tax Increment Financing (TIF) and fiscal disparities. The certified tax levy amount is also prior to fiscal disparity adjustments.

With improving market values, the City's tax capacity increased from 2020 to 2024 by \$9,662,763 or 35.5%. In 2024, the City's tax capacity increased \$2,433,803 or 7.1%.

**Tax Capacity, Levy, and Rates\***



\* Property tax data was obtained from Dakota County.

## City of Mendota Heights Financial Analysis

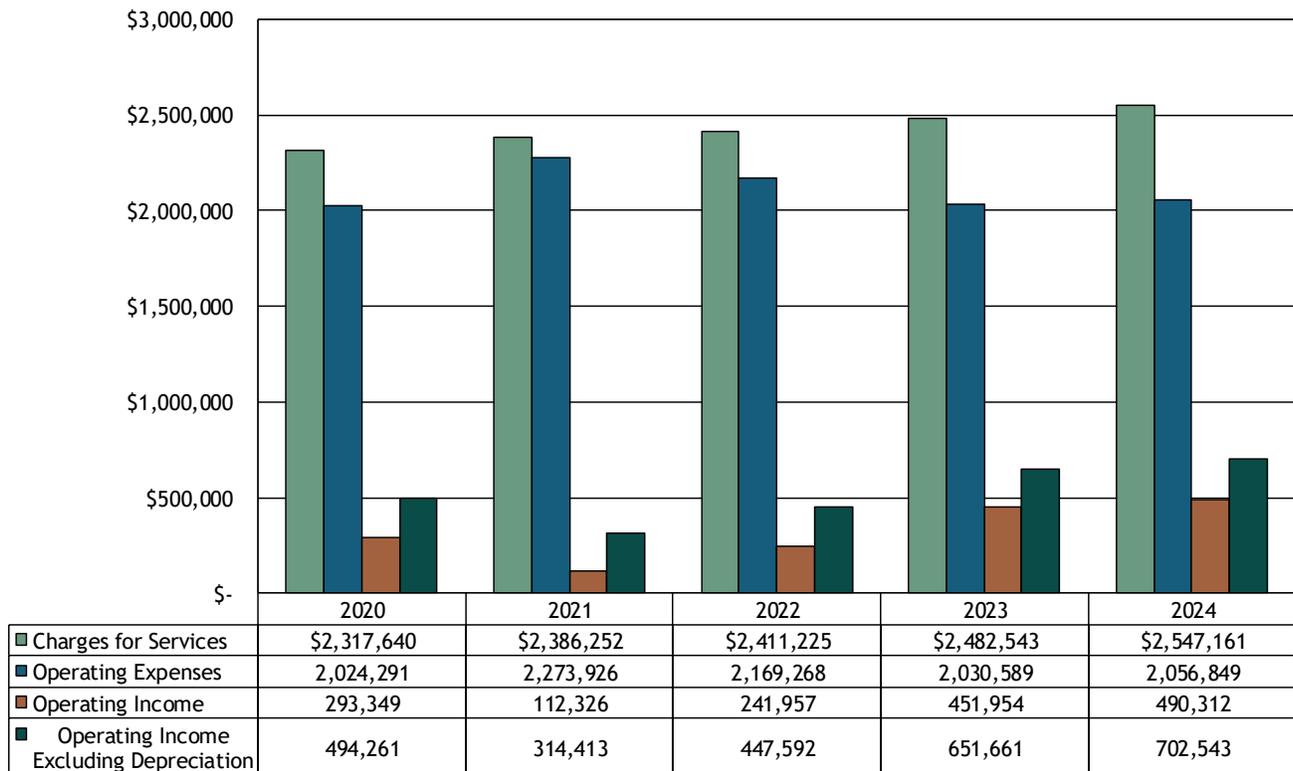
### Enterprise Funds

#### Sewer Utility Fund

The following graph presents a five-year history of the Sewer Utility Fund. Due to the nature and cost of Sewer Utility Fund assets, it is often difficult to establish sewer rates that are sufficient to cover the current year's use of the assets represented by depreciation expense. Ideally, Sewer Utility Fund revenues should cover all operating expenses, including depreciation.

The Sewer Utility Fund had an operating income of \$490,312, which included recognition of \$212,231 of depreciation expense. Revenues exceeded expenses in all five years presented. Net position of the fund increased \$587,918 after factoring in nonoperating revenues, and net transfers.

#### Sewer Fund



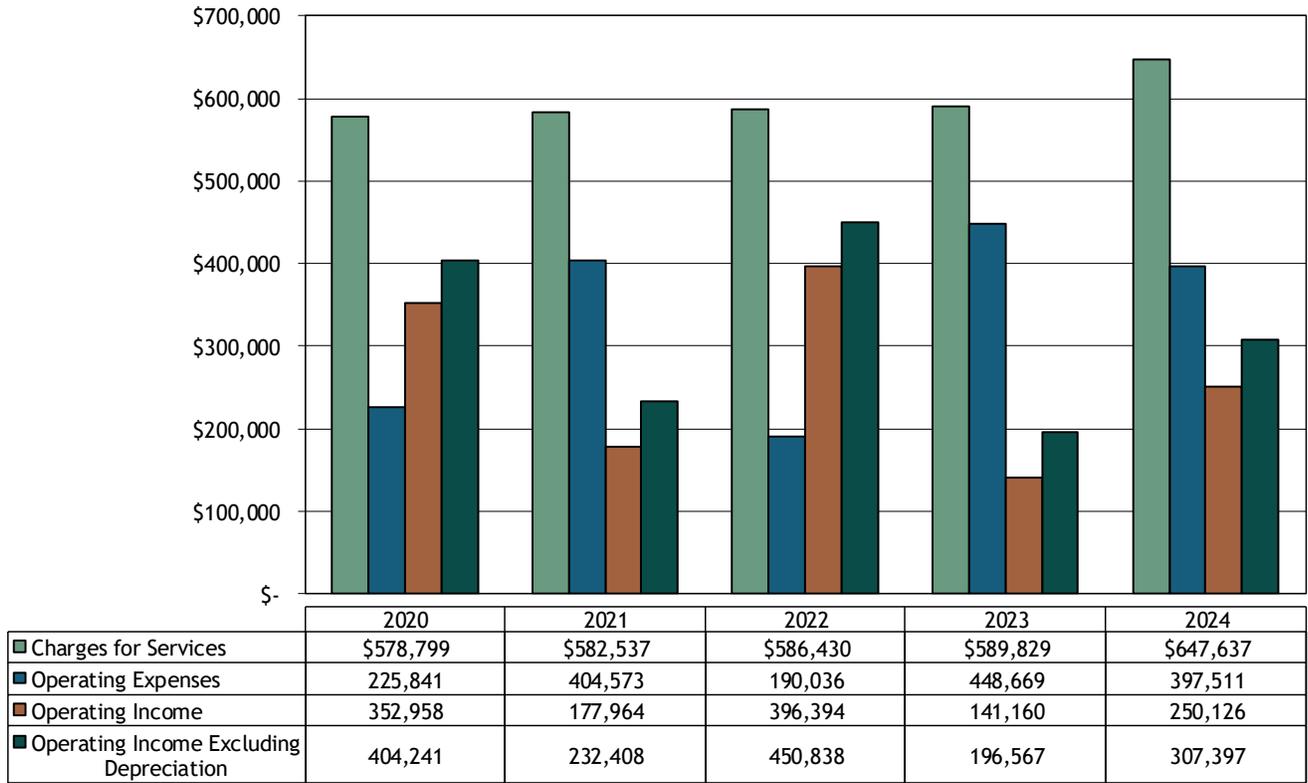
**City of Mendota Heights  
Financial Analysis**

**Enterprise Funds (Continued)**

**Storm Water Fund**

The Storm Water Fund had an operating income of \$250,126, which included recognition of depreciation expense of \$57,271. Net position increased \$121,663 in 2024 after factoring in nonoperating revenues and transfers out. The fund has shown operating income for all years presented.

**Storm Water Fund**



## City of Mendota Heights Emerging Issues

### Executive Summary

The following is an executive summary of financial related updates to assist you in staying current on emerging issues in accounting and finance. This summary will give you a preview of the new standards that have been recently issued and what is on the horizon for the near future. The most recent and significant updates include:

- **Accounting Standard Update - GASB Statement No. 102 - *Certain Risk Disclosures***  
GASB has issued GASB Statement No. 102 relating to risk disclosures. The disclosures will provide users with timely information regarding certain concentrations or constraints and related events that have occurred or have begun to occur that make a government vulnerable to a substantial impact.
- **Accounting Standard Update - GASB Statement No. 103 - *Financial Reporting Model Improvements***  
GASB has issued GASB Statement No. 103 relating to changes in financial reporting requirements. The changes provide clarity, enhance the relevance of information, provide more useful information for decision-making, and provide for greater comparability amongst government entities.
- **Accounting Standard Update - GASB Statement No. 104 - *Disclosure of Certain Capital Assets***  
GASB has issued GASB Statement No. 104 relating to capital asset disclosures. The disclosures required by this Statement provide users of the financial statements with essential information about certain types of capital assets.

The following is an extensive summary of the current updates. As your continued business partner, we are committed to keeping you informed of new and emerging issues. We are happy to discuss these issues with you further and their applicability to your City.

**City of Mendota Heights  
Emerging Issues**

**Accounting Standard Update - GASB Statement No. 102 - *Certain Risk Disclosures***

The objective of this Statement is to provide users of government financial statements with information about risks related to a government's vulnerabilities due to certain concentrations or constraints that is essential to their analyses for making decisions or assessing accountability.

This Statement provides definitions for concentration and constraint. A concentration is a lack of diversity related to an aspect of a significant inflow of resources or outflow of resources. A constraint is a limitation imposed on a government by an external party or by formal action of the government's highest level of decision-making authority.

This Statement requires a government to assess whether a concentration or constraint could present a risk of financial difficulty. The City will need to make a disclosure in the notes to the financial statements if all three of the following criteria are true:

- The City knows about the concentration or constraint prior to financial statement issuance.
- The concentration or constraint makes the City vulnerable to risk of a substantial impact.
- An event or events associated with the concentration or constraint that could cause a substantial impact have either (1) happened; (2) started to happen; or (3) are more likely than not to start happening within 12 months of the financial statements being issued.

If a government determines the above criteria for disclosure have been met, it should disclose information in notes to financial statements in sufficient detail to enable users of financial statements to understand the nature of the circumstances disclosed and the government's vulnerability to the risk of a substantial impact. Disclosures are required for the government as a whole as well as any opinion unit in the financial statements that includes outstanding revenue debt. Disclosures can be combined to avoid unnecessary duplication (e.g., a subsequent event footnote).

GASB Statement No. 102 is effective for fiscal years beginning after June 15, 2024. Earlier application is encouraged.

Information provided above was obtained from [www.gasb.org](http://www.gasb.org).

**City of Mendota Heights  
Emerging Issues**

**Accounting Standard Update - GASB Statement No. 103 - *Financial Reporting Model Improvements***

The objective of this Statement is to improve key components of the financial reporting model to enhance its effectiveness in providing information that is essential for decision making and assessing a government's accountability. This Statement also addresses certain application issues.

This Statement addresses 5 areas of the financial statements (1) Management's Discussion and Analysis (MD&A), (2) Unusual or Infrequent Items, (3) Presentation of the Proprietary Fund Statement of Revenues, Expenses, and Changes in Fund Net Position, (4) Major Component Unit Information, and (5) Budgetary Comparison Information.

This Statement continues the requirement that the MD&A precede the basic financial statements as part of the Required Supplementary Information (RSI). This Statement requires that the information presented in MD&A be limited to the related topics discussed in five sections: (1) Overview of the Financial Statements, (2) Financial Summary, (3) Detailed Analyses, (4) Significant Capital Asset and Long-Term Financing Activity, and (5) Currently Known Facts, Decisions, or Conditions. The Statement stresses that detailed analyses should explain why balances and results of operations changed, rather than stating amounts and "boilerplate" discussions.

This Statement describes unusual or infrequent items as transactions and other events that are either unusual in nature or infrequent in occurrence. Furthermore, governments are required to display the inflows and outflows related to each unusual or infrequent item separately as the last presented flow(s) of resources prior to the net change in resource flows in the government-wide, governmental fund, and proprietary fund statements of resource flows.

This Statement requires that the proprietary fund statement of revenues, expenses, and changes in fund net position continue to distinguish between operating and nonoperating revenues and expenses. The Statement provides clarification regarding operating and nonoperating revenues and expenses. Also, this Statement requires that a subtotal for operating income (loss) and noncapital subsidies be presented before reporting other nonoperating revenues and expenses.

This Statement requires governments to present each major component unit separately in the reporting entity's statement of net position and statement of activities if it does not reduce the readability of the statements. If the readability of those statements would be reduced, combining statements of major component units should be presented after the fund financial statements.

This Statement requires governments to present budgetary comparison information using a single method of communication - RSI. Governments also are required to present (1) variances between original and final budget amounts and (2) variances between final budget and actual amounts. An explanation of significant variances is required to be presented in notes to RSI.

GASB Statement No. 103 is effective for fiscal years beginning after June 15, 2025. Earlier application is encouraged.

Information provided above was obtained from [www.gasb.org](http://www.gasb.org).

**City of Mendota Heights  
Emerging Issues**

**Accounting Standard Update - GASB Statement No. 104 - *Disclosure of Certain Capital Assets***

The objective of this Statement is to provide users of government financial statements with essential information about certain types of capital assets.

This Statement requires certain types of capital assets continue to be disclosed separately in the capital assets note disclosures including presentation of capital assets by major class and separate disclosure of lease assets, subscription assets, and intangible right-to-use assets.

This Statement requires additional disclosures for capital assets held for sale. A capital asset is held for sale if (a) the government has decided to pursue the sale of the capital asset and (b) it is probable that the sale will be finalized within one year of the financial statement date.

Governments should disclose (1) the ending balance of capital assets held for sale, with separate disclosure for historical cost and accumulated depreciation by major class of asset, and (2) the carrying amount of debt for which the capital assets held for sale are pledged as collateral for each major class of asset.

GASB Statement No. 104 is effective for fiscal years beginning after June 15, 2025. Earlier application is encouraged.

Information provided above was obtained from [www.gasb.org](http://www.gasb.org).



**City of Mendota Heights**

**Annual Report and Basic  
Financial Statements**

**December 31, 2024**

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**City of Mendota Heights  
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**City of Mendota Heights  
Elected Officials and Administration  
December 31, 2024**

Elected Officials	Position	Term Expires
Stephanie Levine	Mayor	December 31, 2026
Joel Paper	Council Member	December 31, 2028
Jay Miller	Council Member	December 31, 2024
Sally Lorberbaum	Council Member	December 31, 2026
John Mazzitello	Council Member	December 31, 2026
<b>Administration</b>		
Cheryl Jacobson	City Administrator	Appointed
Nancy Bauer	City Clerk	Appointed
Kristen Schabacker	Finance Director	Appointed

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## Independent Auditor's Report

Honorable Mayor and Members  
of the City Council  
City of Mendota Heights  
Mendota Heights, Minnesota

### **Report on the Audit of the Financial Statements**

#### **Opinions**

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Mendota Heights, Minnesota, as of and for the year ended December 31, 2024, and the related notes to financial statements, which collectively comprise the City's basic financial statements as listed in the Table of Contents.

In our opinion, the financial statements referred to in the first paragraph present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Mendota Heights, Minnesota, as of December 31, 2024, and the respective changes in financial position and, where applicable, cash flows thereof, and the budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### **Basis for Opinions**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of Mendota Heights and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### **Responsibilities of Management for the Financial Statements**

The City of Mendota Heights' management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Mendota Heights' ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

### **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of City of Mendota Heights' internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about City of Mendota Heights' ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### **Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, which follows this report letter, and Required Supplementary Information as listed in the Table of Contents be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board (GASB), who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the Required Supplementary Information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

**Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Mendota Heights' basic financial statements. The accompanying supplementary information identified in the Table of Contents is presented for purposes of additional analysis and are not a required part of the basic financial statements.

Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the accompanying supplementary information, in all material respects, in relation to the basic financial statements as a whole.

**Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated June 4, 2025, on our consideration of the City of Mendota Heights' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Mendota Heights' internal control over financial reporting and compliance.

BerganKDV, Ltd.

St. Cloud, Minnesota  
June 4, 2025

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## **City of Mendota Heights Management's Discussion and Analysis**

As management of the City of Mendota Heights, Minnesota (the "City"), we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the year ended December 31, 2024.

### **FINANCIAL AND DEVELOPMENT HIGHLIGHTS**

The assets and deferred outflows of resources of the City exceeded liabilities and deferred inflows of resources at the close of the most recent year by \$66,158,700 (net position). Of this amount, \$15,524,356 (unrestricted net position) may be used to meet the City's ongoing obligations to citizens and creditors.

The City's total net position increased by \$6,493,753. Governmental activities resulted in an increase of net position of \$5,784,172. Business-type activities had an increase of net position of \$709,581.

As of the close of the current year, the City's governmental funds reported a combined ending fund balance of \$23,348,587, an increase of \$1,377,452 from the prior year.

At the end of the year the General Fund had an unassigned fund balance of \$13,079,199, or 101.18% of total General Fund expenditures.

### **OVERVIEW OF THE FINANCIAL STATEMENTS**

The discussion and analysis are intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to basic financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

#### **Government-Wide Financial Statements**

The government-wide financial statements on pages 18 and 19 are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The Statement of Net Position presents information on all of the City's assets, deferred outflows of resources, liabilities, and deferred inflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The Statement of Activities presents information showing how the City's net position changed during the most recent year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future periods (e.g., uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) and from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the City include general government, public safety, public works and economic development. The business-type activities of the City include sewer and storm water.

**City of Mendota Heights  
Management's Discussion and Analysis**

**OVERVIEW OF THE FINANCIAL STATEMENTS (CONTINUED)**

**Fund Financial Statements**

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into two categories: Governmental Funds and Proprietary Funds.

**Governmental Funds**

Governmental Funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resource, as well as on balances of spendable resources available at the end of the year. Such information may be useful in evaluating a government's near-term financial requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statement. By doing so, readers may better understand the long-term impact of the City's near-term financial decisions. Both the Governmental Fund Balance Sheet and Governmental Fund Statement of Revenues, Expenditures and Changes in Fund Balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The City maintains three individual major governmental funds. Information is presented separately in the Governmental Fund Balance Sheet and in the Governmental Fund Statement of Revenues, Expenditures, and Changes in Fund Balances for the following major funds:

- General Fund
- Special Assessments Debt Service Fund
- Street Capital Projects Fund

Data from the other governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining statements elsewhere in this report.

The City adopts an annual appropriated budget for its General Fund. A budgetary comparison statement has been provided for those funds to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found on pages 20 through 27 of this report.

**Proprietary Funds**

The City maintains two enterprise funds and two internal service funds as a part of its proprietary fund type. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses enterprise funds to account for its sewer and storm water operations.

**City of Mendota Heights  
Management's Discussion and Analysis**

**OVERVIEW OF THE FINANCIAL STATEMENTS (CONTINUED)**

**Proprietary Funds (Continued)**

Proprietary Funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for the following funds:

Enterprise Funds

- Sewer Utility Fund
- Storm Water Utility Fund

Internal service funds are an accounting device used to accumulate and allocate costs internally among the City's various functions. The City uses internal service funds to account for compensated absences and city hall functions. The internal service funds are combined into a single, aggregated presentation in the proprietary fund financial statements. Individual fund data for the internal service funds is provided in the form of combining statements elsewhere in this report.

The basic proprietary fund financial statements can be found on pages 28 through 30 of this report.

**Notes to Basic Financial Statements**

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to basic financial statements can be found on pages 31 through 63 of this report.

**Other Information**

The combining statements referred to earlier in connection with non-major governmental funds are presented immediately following the required supplementary information on budgetary comparisons. Combining and individual fund statements and schedules can be found on pages 80 through 97 of this report.

**GOVERNMENT-WIDE FINANCIAL ANALYSIS**

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the City, assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$66,158,700 at the close of the most recent year.

**City of Mendota Heights  
Management's Discussion and Analysis**

**GOVERNMENT-WIDE FINANCIAL ANALYSIS (CONTINUED)**

The largest portion of the City's net position (\$40,337,661 or 60.97%) reflects its investment in capital assets (e.g., land, buildings, machinery and equipment, sewer main lines and storm sewers and infrastructure) less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

**Net Position**

City of Mendota Heights, Minnesota's Net Position

	Governmental Activities		Business-Type Activities		Totals	
	2024	2023	2024	2023	2024	2023
<b>Assets</b>						
Current and other assets	\$ 32,128,191	\$ 28,675,972	\$ 4,147,902	\$ 3,603,191	\$ 36,276,093	\$ 32,279,163
Capital assets	48,487,778	43,988,299	14,942,868	14,678,732	63,430,646	58,667,031
Deferred outflows of resources related to pensions and OPEB	6,502,068	5,351,785	17,184	30,966	6,519,252	5,382,751
<b>Total assets and deferred outflows of resources</b>	<b>\$ 87,118,037</b>	<b>\$ 78,016,056</b>	<b>\$ 19,107,954</b>	<b>\$ 18,312,889</b>	<b>\$ 106,225,991</b>	<b>\$ 96,328,945</b>
<b>Liabilities</b>						
Long-term liabilities outstanding	\$ 27,576,208	\$ 25,477,620	\$ 107,043	\$ 124,486	\$ 27,683,251	\$ 25,602,106
Other liabilities	4,997,798	3,699,537	322,680	228,553	5,320,478	3,928,090
Deferred inflows of resources related to pensions, OPEB and leases	7,015,628	7,094,668	47,934	39,134	7,063,562	7,133,802
<b>Total liabilities and deferred inflows of resources</b>	<b>\$ 39,589,634</b>	<b>\$ 36,271,825</b>	<b>\$ 477,657</b>	<b>\$ 392,173</b>	<b>\$ 40,067,291</b>	<b>\$ 36,663,998</b>
<b>Net Position</b>						
Net investment in capital assets	\$ 25,394,793	\$ 21,937,409	\$ 14,942,868	\$ 14,678,732	\$ 40,337,661	\$ 36,616,141
Restricted	10,296,683	8,617,524	-	-	10,296,683	8,617,524
Unrestricted	11,836,927	11,189,298	3,687,429	3,241,984	15,524,356	14,431,282
<b>Total net position</b>	<b>\$ 47,528,403</b>	<b>\$ 41,744,231</b>	<b>\$ 18,630,297</b>	<b>\$ 17,920,716</b>	<b>\$ 66,158,700</b>	<b>\$ 59,664,947</b>

A portion of the of the City's net position (\$10,296,683) represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position (\$15,524,356) may be used to meet the City's ongoing obligations to citizens and creditors.

At the end of the current year, the City is able to report positive balances in all three categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities.

**City of Mendota Heights  
Management's Discussion and Analysis**

**GOVERNMENT-WIDE FINANCIAL ANALYSIS (CONTINUED)**

**Governmental Activities**

Governmental activities increased the City's net position by \$5,784,172. Key elements of this increase are as follows:

**City's Changes in Net Position**

City of Mendota Heights, Minnesota's Net Position

	Governmental Activities		Business-Type Activities		Totals	
	2024	2023	2024	2023	2024	2023
<b>Revenues</b>						
Program revenues						
Charges for services	\$ 4,444,361	\$ 2,001,237	\$ 3,232,235	\$ 3,120,321	\$ 7,676,596	\$ 5,121,558
Operating grants and contributions	1,133,495	1,411,285	31,435	58,219	1,164,930	1,469,504
Capital grants and contributions	2,442,848	920,277	-	-	2,442,848	920,277
General revenues						
Taxes	12,914,941	11,916,771	-	-	12,914,941	11,916,771
Tax increment	323,631	287,493	-	-	323,631	287,493
Unrestricted investment earnings	942,819	876,019	142,879	102,092	1,085,698	978,111
Franchise fees	382,044	-	-	-	382,044	-
Total revenues	<u>22,584,139</u>	<u>17,413,082</u>	<u>3,406,549</u>	<u>3,280,632</u>	<u>25,990,688</u>	<u>20,693,714</u>
<b>Expenses</b>						
General government	2,801,829	2,391,098	-	-	2,801,829	2,391,098
Public safety	6,753,141	6,422,123	-	-	6,753,141	6,422,123
Public works	6,614,732	5,855,615	-	-	6,614,732	5,855,615
Economic development	295,547	266,151	-	-	295,547	266,151
Interest on long-term debt	577,326	561,133	-	-	577,326	561,133
Sewer	-	-	2,056,849	2,030,589	2,056,849	2,030,589
Storm water	-	-	397,511	448,669	397,511	448,669
Total expenses	<u>17,042,575</u>	<u>15,496,120</u>	<u>2,454,360</u>	<u>2,479,258</u>	<u>19,496,935</u>	<u>17,975,378</u>
Increase (decrease) in net position before transfers	5,541,564	1,916,962	952,189	801,374	6,493,753	2,718,336
Transfers	242,608	65,476	(242,608)	(65,476)	-	-
Increase (decrease) in net position	<u>5,784,172</u>	<u>1,982,438</u>	<u>709,581</u>	<u>735,898</u>	<u>6,493,753</u>	<u>2,718,336</u>
Net position - beginning	<u>41,744,231</u>	<u>39,761,793</u>	<u>17,920,716</u>	<u>17,184,818</u>	<u>59,664,947</u>	<u>56,946,611</u>
Net position - ending	<u>\$ 47,528,403</u>	<u>\$ 41,744,231</u>	<u>\$ 18,630,297</u>	<u>\$ 17,920,716</u>	<u>\$ 66,158,700</u>	<u>\$ 59,664,947</u>

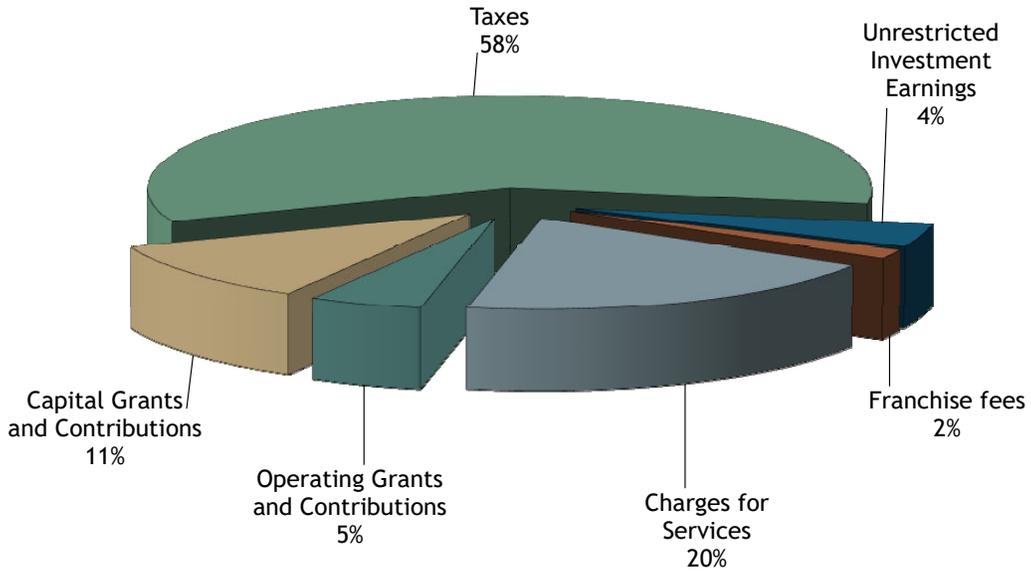
City of Mendota Heights  
Management's Discussion and Analysis

GOVERNMENT-WIDE FINANCIAL ANALYSIS (CONTINUED)

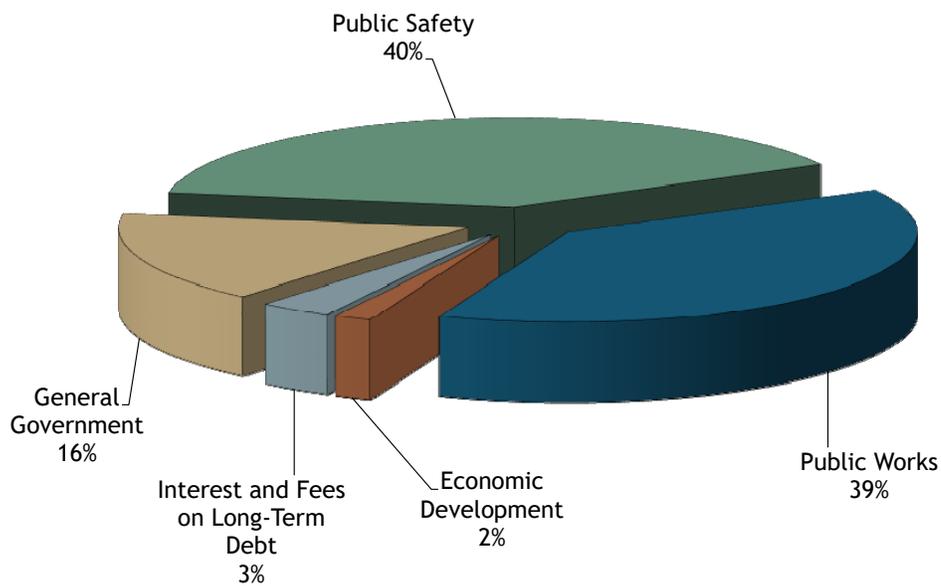
Governmental Activities (Continued)

Below are specific graphs which provide comparisons of the governmental activities revenues and expenditures:

Governmental Activities - Revenues



Governmental Activities - Expenses



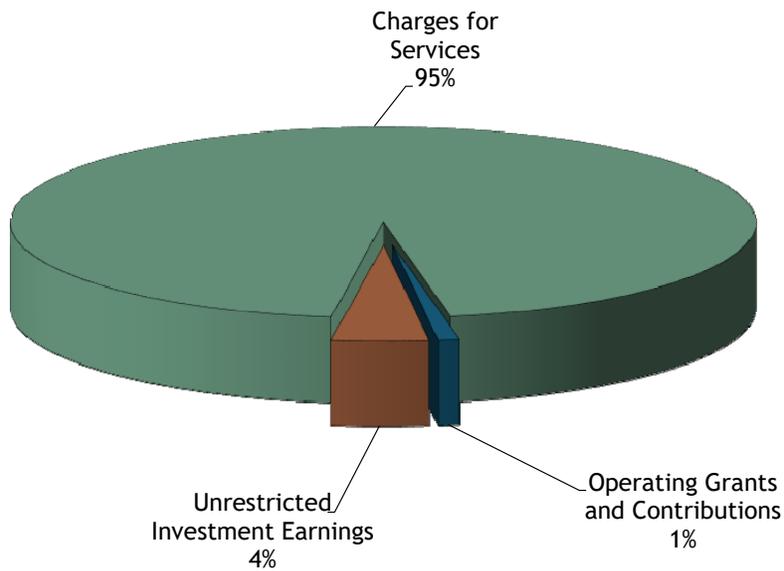
City of Mendota Heights  
Management's Discussion and Analysis

GOVERNMENT-WIDE FINANCIAL ANALYSIS (CONTINUED)

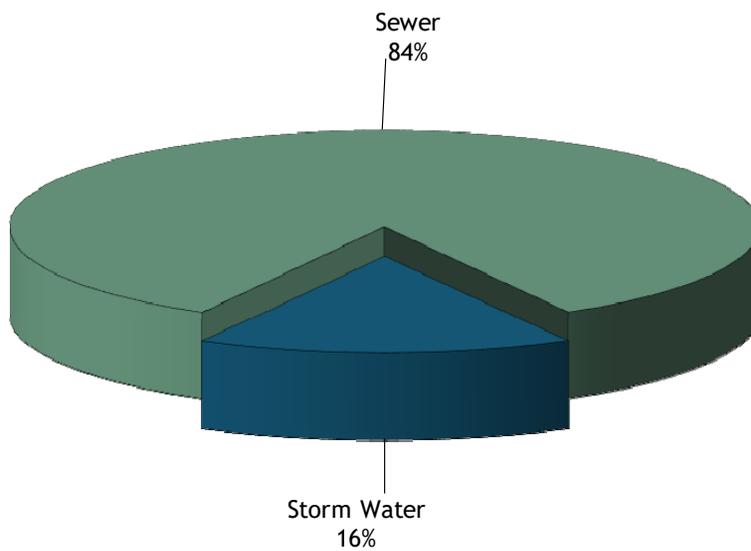
**Business-Type Activities**

Business-type activities increased net position by \$709,581. Below are graphs showing the business-type activities revenue and expense comparisons:

**Business-Type Activities - Revenues**



**Business-Type Activities - Expenses**



**City of Mendota Heights  
Management's Discussion and Analysis**

**FINANCIAL ANALYSIS OF THE GOVERNMENT'S FUNDS**

**Governmental Funds**

The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the year.

At the end of the current year, the City's governmental funds reported combined ending fund balances of \$23,348,587. Nonspendable fund balances are already allocated for prepaid items (\$375,378) and inventory (\$23,271). Approximately 28.96% (\$6,761,312) constitutes restricted fund balance. Restricted fund balance would include Debt Service, Special Park, Street Capital Projects, Police Forfeiture, TIF Districts and Street Light District Funds, all of which have specific uses for the funds they receive. The City also has a committed fund balance of \$1,566,538 (6.71%). This represents fund balance that is to be used for the water system, Par 3 Golf Course, and civil defense needs. The City has assigned fund balance of \$2,157,102 (9.24%). This number represents the fund balances for the various reserve accounts. The remaining category of fund balance is the unassigned fund balance. The City has \$12,464,986 of unassigned fund balance which is approximately 53.39% of the combined governmental fund balance at December 31, 2024.

The General Fund's fund balance increased by \$987,675 in 2024. Revenues were greater than anticipated and operating expenditures were lower than budgeted amounts. The capital outlay expenditures were greater than budgeted due to the new squad leases and subscription liabilities.

The Special Assessments Debt Service Fund increased by \$298,899 in 2024. This fund accounted for debt service payments for prior street improvement projects that were financed through the issuance of bonds.

The Street Capital Project Fund increased by \$459,936. This fund accounted for the costs and resources associated with the Emerson Avenue and Bridgeview Shores street projects.

The nonmajor governmental funds decreased by \$369,058. These funds received revenues from water surcharges, Par 3 Golf Course, and park dedication fees. Nonmajor funds account for the Special Park, Civil Defense, Par 3 Golf Course, and Street Light District activity. The decrease in nonmajor governmental funds relates to the expenditures for upcoming street project work that has not yet had funding issued to cover those expenses. The City also has nonmajor funds for future purchases of equipment, facility needs and minor infrastructure projects.

**Proprietary Funds**

The City's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail. The unrestricted net position in the respective Proprietary Funds are sewer \$2,866,723 and storm water \$820,706. The Sewer Utility Fund had an increase in net position in 2024 of \$587,918 and the Storm Water Utility Fund had an increase in net position in 2024 of \$121,663.

**City of Mendota Heights  
Management's Discussion and Analysis**

**BUDGETARY HIGHLIGHTS**

**General Fund**

The General Fund budget was not amended during 2024.

During the year, revenues exceeded budgeted estimates by \$1,350,150, while expenditures were greater than anticipated by \$217,391. The increased expenditures were in part due to the lease payable expenses associated with our leased squad cars.

The General Fund experienced greater than budgeted revenues in some categories. The City received higher than budgeted amounts for licenses and permits. Intergovernmental revenue was also greater than anticipated. Investment earnings exceeded budgeted amounts. The City takes a conservative approach when budgeting for revenues that are not consistent from year to year.

Overall, the General Fund balance increased by \$987,675, an increase of approximately 7.91%.

**CAPITAL ASSET AND DEBT ADMINISTRATION**

**Capital Assets**

The City's investment in capital assets for its governmental and business type activities as of December 31, 2024, amounts to \$63,430,646 (net of accumulated depreciation/amortization). This investment in capital assets includes land, buildings, machinery and equipment, sewer main lines and storm sewers and infrastructure.

**Capital Assets  
(Net of Depreciation/Amortization)**

	Governmental Activities		Business-Type Activities		Totals	
	2024	2023	2024	2023	2024	2023
Land	\$ 8,790,170	\$ 8,790,170	\$ -	\$ -	\$ 8,790,170	\$ 8,790,170
Construction in progress	7,805,247	5,196,320	-	-	7,805,247	5,196,320
Buildings and structures	7,777,941	8,099,834	-	-	7,777,941	8,099,834
Machinery and equipment	3,496,650	3,478,091	498,856	241,186	3,995,506	3,719,277
Leased equipment	556,048	481,266	-	-	556,048	481,266
Subscription asset	62,164	-	-	-	62,164	-
Other improvements	1,661,101	1,046,036	-	-	1,661,101	1,046,036
Storm sewers	-	-	14,444,012	14,437,546	14,444,012	14,437,546
Infrastructure	18,338,457	16,896,582	-	-	18,338,457	16,896,582
<b>Total capital assets</b>	<b>\$ 48,487,778</b>	<b>\$ 43,988,299</b>	<b>\$ 14,942,868</b>	<b>\$ 14,678,732</b>	<b>\$ 63,430,646</b>	<b>\$ 58,667,031</b>

Additional information on the City's capital assets can be found in Note 6.

**City of Mendota Heights  
Management's Discussion and Analysis**

**CAPITAL ASSET AND DEBT ADMINISTRATION (CONTINUED)**

**Long-Term Debt**

At the end of the current year, the City had total long-term debt outstanding of \$21,290,000, an increase of \$725,000 from 2023. \$21,290,000 for general obligation (G.O.) improvement debt which is supported in part by special assessments.

**Outstanding Debt**

G.O. Improvement Bonds, G.O. Bonds and Revenue Bonds:

	Governmental Activities	
	2024	2023
G.O. Improvement Bonds	\$ 15,820,000	\$ 14,690,000
G.O. Bonds	5,470,000	5,875,000
Total	\$ 21,290,000	\$ 20,565,000

The City maintains a AAA rating from Standard & Poor's.

*Minnesota Statutes* limit the amount of G.O. debt a Minnesota city may issue to 2% of total estimated market value. The current debt limitation for the City is \$62,395,897. Of the City's outstanding debt, \$5,470,000 is counted within the statutory limitation.

Additional information on the City's long-term debt can be found in Note 7.

**Economic Factors and Next Year's Budgets and Rates**

In 2024, the taxable market value for the City was \$3,119,794,846. This represents an increase of 2.74% from 2023. The City is expecting an increase in taxable market value for 2025.

These factors were considered in preparing the City's budget for 2025.

**Requests for Information**

This financial report is designed to provide a general overview of the City's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Director of Finance, 1101 Victoria Curve, Mendota Heights, Minnesota 55118.

## BASIC FINANCIAL STATEMENTS

City of Mendota Heights  
Statement of Net Position  
December 31, 2024

	Governmental Activities	Business-Type Activities	Total
<b>Assets</b>			
Cash and investments (including cash equivalents)	\$ 23,749,700	\$ 3,140,033	\$ 26,889,733
Property tax receivable	100,291	-	100,291
Accounts receivable	163,126	821,348	984,474
Interest receivable	38,891	5,893	44,784
Due from other governments	2,775,286	3,443	2,778,729
Special assessments receivable			
Delinquent	3,866	6,431	10,297
Deferred	2,532,594	35,850	2,568,444
Lease receivable due within one year	27,558	-	27,558
Lease receivable due after one year	2,232,447	-	2,232,447
Inventories	23,271	-	23,271
Prepaid items	385,061	134,904	519,965
Land held for resale	96,100	-	96,100
Capital assets not being depreciated			
Land and improvements	8,790,170	-	8,790,170
Construction in progress	7,805,247	-	7,805,247
Capital assets being depreciated, net of accumulated depreciation/amortization			
Infrastructure	18,338,457	14,444,012	32,782,469
Buildings and structures	7,777,941	-	7,777,941
Other improvements	1,661,100	-	1,661,100
Leased equipment	556,048	-	556,048
Subscription asset	62,164	-	62,164
Machinery and equipment	3,496,651	498,856	3,995,507
<b>Total assets</b>	<b>80,615,969</b>	<b>19,090,770</b>	<b>99,706,739</b>
<b>Deferred Outflows of Resources</b>			
Deferred outflows of resources related to pensions	3,723,530	16,744	3,740,274
Deferred outflows of resources related to OPEB	2,778,538	440	2,778,978
<b>Total deferred outflows of resources</b>	<b>6,502,068</b>	<b>17,184</b>	<b>6,519,252</b>
<b>Total assets and deferred outflows of resources</b>	<b>\$ 87,118,037</b>	<b>\$ 19,107,954</b>	<b>\$ 106,225,991</b>
<b>Liabilities</b>			
Accounts and contracts payable	\$ 1,300,789	\$ 114,565	\$ 1,415,354
Deposits payable	-	163,005	163,005
Due to other governments	66,576	8,258	74,834
Salaries and benefits payable	305,100	10,881	315,981
Interest payable	252,040	-	252,040
Bond principal payable			
Payable within one year	2,255,000	-	2,255,000
Payable after one year	20,182,345	-	20,182,345
Lease payable			
Payable within one year	79,589	-	79,589
Payable after one year	515,164	-	515,164
Subscription payable			
Payable within one year	29,822	-	29,822
Payable after one year	31,065	-	31,065
Compensated absences payable			
Payable within one year	536,510	25,971	562,481
Payable after one year	303,410	21,044	324,454
Other post employment benefits (OPEB) payable			
Payable within one year	172,372	-	172,372
Payable after one year	3,265,484	17,414	3,282,898
Net pension liability	3,278,740	68,585	3,347,325
<b>Total liabilities</b>	<b>32,574,006</b>	<b>429,723</b>	<b>33,003,729</b>
<b>Deferred Inflows of Resources</b>			
Deferred inflows of resources related to pensions	4,701,783	46,402	4,748,185
Deferred inflows of resources related to lease receivable	2,260,005	-	2,260,005
Deferred inflows of resources related to OPEB	53,840	1,532	55,372
<b>Total deferred inflows of resources</b>	<b>7,015,628</b>	<b>47,934</b>	<b>7,063,562</b>
<b>Net Position</b>			
Net investment in capital assets	25,394,793	14,942,868	40,337,661
Restricted for			
Police forfeiture	30,336	-	30,336
Debt service	6,455,423	-	6,455,423
Capital projects	3,443,001	-	3,443,001
Street light maintenance	24,484	-	24,484
Park dedication	215,732	-	215,732
American Rescue Plan Act	862	-	862
Local affordable housing aid	44,636	-	44,636
Tax increment	82,209	-	82,209
Unrestricted	11,836,927	3,687,429	15,524,356
<b>Total net position</b>	<b>47,528,403</b>	<b>18,630,297</b>	<b>66,158,700</b>
<b>Total liabilities, deferred inflows of resources, and net position</b>	<b>\$ 87,118,037</b>	<b>\$ 19,107,954</b>	<b>\$ 106,225,991</b>

See notes to basic financial statements.

**City of Mendota Heights  
Statement of Activities  
Year Ended December 31, 2024**

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenues and Changes in Net Position		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
<b>Governmental activities</b>							
General government	\$ 2,801,829	\$ 228,080	\$ 157,963	\$ 43,876	\$ (2,371,910)	\$ -	\$ (2,371,910)
Public safety	6,753,141	693,566	761,501	-	(5,298,074)	-	(5,298,074)
Public works	6,614,732	3,522,715	214,031	2,398,972	(479,014)	-	(479,014)
Economic development	295,547	-	-	-	(295,547)	-	(295,547)
Interest on long-term debt	577,326	-	-	-	(577,326)	-	(577,326)
Total governmental activities	<u>17,042,575</u>	<u>4,444,361</u>	<u>1,133,495</u>	<u>2,442,848</u>	<u>(9,021,871)</u>	<u>-</u>	<u>(9,021,871)</u>
<b>Business-type activities</b>							
Sewer	2,056,849	2,584,598	-	-	-	527,749	527,749
Storm water	397,511	647,637	31,435	-	-	281,561	281,561
Total business-type activities	<u>2,454,360</u>	<u>3,232,235</u>	<u>31,435</u>	<u>-</u>	<u>-</u>	<u>809,310</u>	<u>809,310</u>
Total governmental and business-type activities	<u>\$ 19,496,935</u>	<u>\$ 7,676,596</u>	<u>\$ 1,164,930</u>	<u>\$ 2,442,848</u>	<u>(9,021,871)</u>	<u>809,310</u>	<u>(8,212,561)</u>
<b>General revenues</b>							
Property taxes					12,914,941	-	12,914,941
Franchise fees					382,044	-	382,044
Tax increments					323,631	-	323,631
Unrestricted investment earnings					942,819	142,879	1,085,698
Total general revenues					<u>14,563,435</u>	<u>142,879</u>	<u>14,706,314</u>
Transfers					242,608	(242,608)	-
Change in net position					5,784,172	709,581	6,493,753
Net position - beginning					<u>41,744,231</u>	<u>17,920,716</u>	<u>59,664,947</u>
Net position - ending					<u>\$ 47,528,403</u>	<u>\$ 18,630,297</u>	<u>\$ 66,158,700</u>

See notes to basic financial statements.

**City of Mendota Heights**  
**Balance Sheet - Governmental Funds**  
**December 31, 2024**

	<u>General Fund</u>	<u>Special Assessments Debt Service</u>	<u>Capital Projects Street Capital Projects</u>
<b>Assets</b>			
Cash and investments (including cash equivalents)	\$ 13,296,420	\$ 3,337,088	\$ 1,762,779
Taxes receivable - delinquent	80,331	13,404	-
Special assessments receivable			
Delinquent	1,712	2,154	-
Deferred	29,077	2,447,502	44,412
Accounts receivable	143,485	-	-
Interest receivable	20,033	6,089	4,150
Due from other funds	-	-	-
Due from other governments	277,934	40,099	2,353,470
Lease receivables	2,260,005	-	-
Inventories	23,271	-	-
Prepaid items	367,567	-	-
Land held for resale	-	-	-
	<u>                    </u>	<u>                    </u>	<u>                    </u>
Total assets	<u>\$ 16,499,835</u>	<u>\$ 5,846,336</u>	<u>\$ 4,164,811</u>
<b>Liabilities</b>			
Accounts and contracts payable	\$ 293,632	\$ 3,000	\$ 721,810
Due to other funds	-	-	-
Due to other governments	65,479	-	-
Salaries and benefits payable	299,562	-	-
Total liabilities	<u>658,673</u>	<u>3,000</u>	<u>721,810</u>
<b>Deferred Inflows of Resources</b>			
Unavailable revenue - property taxes	80,331	13,404	-
Unavailable revenue - state shared tax	-	-	1,273,649
Deferred Inflows of Resources related to lease receivable	2,260,005	-	-
Unavailable revenue - special assessments	30,789	2,449,656	44,412
Total deferred inflows of resources	<u>2,371,125</u>	<u>2,463,060</u>	<u>1,318,061</u>
<b>Fund Balances</b>			
Nonspendable	390,838	-	-
Restricted	-	3,380,276	2,124,940
Committed	-	-	-
Assigned	-	-	-
Unassigned	13,079,199	-	-
Total fund balances	<u>13,470,037</u>	<u>3,380,276</u>	<u>2,124,940</u>
	<u>                    </u>	<u>                    </u>	<u>                    </u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 16,499,835</u>	<u>\$ 5,846,336</u>	<u>\$ 4,164,811</u>

See notes to basic financial statements.

Other Governmental Funds	Total Governmental Funds
\$ 4,430,691	\$ 22,826,978
6,556	100,291
-	3,866
11,603	2,532,594
11,156	154,641
8,238	38,510
630,940	630,940
103,783	2,775,286
-	2,260,005
-	23,271
7,811	375,378
96,100	96,100
<u>\$ 5,306,878</u>	<u>\$ 31,817,860</u>
\$ 282,347	\$ 1,300,789
630,940	630,940
991	66,470
1,107	300,669
<u>915,385</u>	<u>2,298,868</u>
6,556	100,291
-	1,273,649
-	2,260,005
11,603	2,536,460
<u>18,159</u>	<u>6,170,405</u>
7,811	398,649
1,256,096	6,761,312
1,566,538	1,566,538
2,157,102	2,157,102
(614,213)	12,464,986
<u>4,373,334</u>	<u>23,348,587</u>
<u>\$ 5,306,878</u>	<u>\$ 31,817,860</u>

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**City of Mendota Heights**  
**Reconciliation of the Balance Sheet to**  
**the Statement of Net Position - Governmental Funds**  
**December 31, 2024**

Total fund balances - governmental funds	\$ 23,348,587
Amounts reported for governmental activities in the Statement of Net Position are different because:	
Capital assets used in governmental activities are not current financial resources and, therefore, are not reported as assets in governmental funds.	
Cost of capital assets	85,643,581
Less accumulated depreciation/amortization	(37,648,269)
Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported as liabilities in the funds.	
Long-term liabilities at year-end consist of:	
General obligation (G.O.) bond principal payable	(21,290,000)
Lease payable	(594,753)
Subscription payable	(60,887)
Unamortized bond premium	(1,147,345)
OPEB payable	(3,426,487)
Net pension liability	(3,247,741)
Deferred outflows of resources and deferred inflows of resources are created as a result of various differences related to pensions and OPEB that are not recognized in the governmental funds.	
Deferred inflows of resources related to pensions	(4,680,811)
Deferred outflows of resources related to pensions	3,715,962
Deferred outflows of resources related to OPEB	2,778,251
Deferred inflows of resources related to OPEB	(52,840)
Delinquent receivables will be collected in subsequent years, but are not available soon enough to pay for the current period's expenditures and, therefore, are deferred in the funds.	
Property taxes	100,291
Special assessments	3,866
Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds.	
Deferred special assessments	2,532,594
State shared tax	1,273,649
Governmental funds do not report a liability for accrued interest until due and payable.	
	(252,040)
Internal service funds are used by management to charge the cost of engineering, compensated absences and City Hall expenses to individual funds. The net position of the funds are considered governmental and included in the government-wide Statement of Net Position.	
	532,795
Total net position - governmental activities	\$ 47,528,403

**City of Mendota Heights**  
**Statement of Revenues, Expenditures, and**  
**Changes in Fund Balances - Governmental Funds**  
**Year Ended December 31, 2024**

	<u>General Fund</u>	<u>Special Assessments Debt Service</u>	<u>Capital Projects Street Capital Projects</u>
<b>Revenues</b>			
Property taxes	\$ 10,402,220	\$ 1,754,329	\$ -
Tax increments	-	-	-
Franchise fees	382,044	-	-
Special assessments	-	350,448	753,428
Licenses and permits	769,288	-	-
Intergovernmental	886,048	-	-
Charges for services	698,812	-	-
Fines and forfeitures	66,961	1,171	4
Miscellaneous revenue			
Investment income	485,740	147,548	100,644
Refunds and reimbursements	-	-	2,111,457
Other	321,158	-	-
Total revenues	<u>14,012,271</u>	<u>2,253,496</u>	<u>2,965,533</u>
<b>Expenditures</b>			
<b>Current</b>			
General government	2,275,110	-	-
Public safety	6,097,209	-	-
Public works	3,944,090	-	-
Economic development	-	-	-
<b>Debt service</b>			
Principal	133,600	1,625,000	-
Interest and other charges	-	486,560	-
<b>Capital outlay</b>			
General government	-	-	-
Public safety	399,283	-	-
Public works	77,770	-	5,824,958
Total expenditures	<u>12,927,062</u>	<u>2,111,560</u>	<u>5,824,958</u>
Excess of revenues over (under) expenditures	1,085,209	141,936	(2,859,425)
<b>Other Financing Sources (Uses)</b>			
Issuance of debt	-	2,755,000	-
Bond premium	-	337,154	-
Issuance of leases and subscription liabilities	300,919	-	-
Insurance recoveries	97,985	-	-
Transfers in	47,550	-	3,402,488
Transfers out	(543,988)	(2,935,191)	(83,127)
Total other financing sources (uses)	<u>(97,534)</u>	<u>156,963</u>	<u>3,319,361</u>
Net change in fund balances	987,675	298,899	459,936
<b>Fund Balances</b>			
Beginning of year	12,482,362	3,081,377	1,665,004
End of year	<u>\$ 13,470,037</u>	<u>\$ 3,380,276</u>	<u>\$ 2,124,940</u>

See notes to basic financial statements.

Other Governmental Funds	Total Governmental Funds
\$ 730,728	\$ 12,887,277
323,631	323,631
-	382,044
-	1,103,876
-	769,288
217,100	1,103,148
452,088	1,150,900
168	68,304
199,658	933,590
-	2,111,457
67,895	389,053
<u>1,991,268</u>	<u>21,222,568</u>
108,465	2,383,575
8,188	6,105,397
499,559	4,443,649
295,547	295,547
405,000	2,163,600
181,225	667,785
114,405	114,405
148,176	547,459
1,195,259	7,097,987
<u>2,955,824</u>	<u>23,819,404</u>
(964,556)	(2,596,836)
-	2,755,000
-	337,154
-	300,919
-	97,985
780,522	4,230,560
<u>(185,024)</u>	<u>(3,747,330)</u>
<u>595,498</u>	<u>3,974,288</u>
(369,058)	1,377,452
<u>4,742,392</u>	<u>21,971,135</u>
<u>\$ 4,373,334</u>	<u>\$ 23,348,587</u>

**City of Mendota Heights  
Reconciliation of the Statement of Revenues,  
Expenditures, and Changes in Fund Balances to  
the Statement of Activities - Governmental Funds  
Year Ended December 31, 2024**

Net change in fund balances - governmental funds \$ 1,377,452

Amounts reported for governmental activities in the Statement of Activities are different because:

Capital outlays are reported in governmental funds as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over the estimated useful lives as depreciation expense.

Capital outlays	7,713,507
Depreciation expense	(2,882,659)
Loss on disposal of capital assets	(1,603)
Loss on disposal of leased assets	(53,366)
Assets contributed to enterprise funds	(240,622)

Governmental funds recognized pension contributions as expenditures at the time of payment whereas the Statement of Activities factors in items related to pensions on a full accrual perspective. 143,733

OPEB are not reported as expenditures in the governmental funds because they do not require the use of current financial resources; instead, they are expensed in the Statement of Activities. (274,719)

Principal payments on long-term debt are recognized as expenditures in the governmental funds but have no effect on net position in the Statement of Activities. 2,163,600

Premiums on the issuance of long-term debt provide current financial resources to governmental funds and have no effect on net position. These amounts are reported in the governmental funds as an other financing source and constitute long-term liabilities in the Statement of Net Position. (337,154)

Premiums are recognized when debt is issued in the governmental funds but amortized over the life of the debt in the Statement of Activities. 101,042

Interest on long-term debt in the Statement of Activities differs from the amount reported in the governmental funds because interest is recognized as an expenditure in the funds when it is due and thus requires use of current financial resources. In the Statement of Activities, however, interest expense is recognized as the interest accrues, regardless of when it is due. (10,583)

Proceeds from long-term debt are recognized as an other financing source in the governmental funds but have no effect on net position in the Statement of Activities.

Bonds payable	(2,755,000)
Lease payable	(240,032)
Subscription payable	(60,887)

Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds. 1,148,199

Activities of the internal service funds are presented separately from the governmental funds. However, the functions, from a government-wide perspective, are governmental. (6,736)

Change in net position - governmental activities \$ 5,784,172

**City of Mendota Heights  
Budget and Actual - General Fund  
Statement of Revenues, Expenditures, and  
Changes in Fund Balance -  
Budget and Actual - General Fund  
Year Ended December 31, 2024**

	Budgeted Amounts <u>Original and Final</u>	Actual Amounts	Variance with Final Budget - Over (Under)
<b>Revenues</b>			
Property taxes	\$ 10,356,289	\$ 10,402,220	\$ 45,931
Franchise fees	350,000	382,044	32,044
Licenses and permits	410,000	769,288	359,288
Intergovernmental	628,914	886,048	257,134
Charges for services	719,918	698,812	(21,106)
Fines and forfeitures	72,000	66,961	(5,039)
Miscellaneous revenues			
Investment income	20,000	485,740	465,740
Other	105,000	321,158	216,158
Total revenues	<u>12,662,121</u>	<u>14,012,271</u>	<u>1,350,150</u>
<b>Expenditures</b>			
<b>Current</b>			
General government	2,267,018	2,275,110	8,092
Public safety	6,211,559	6,097,209	(114,350)
Public works	4,098,094	3,944,090	(154,004)
<b>Debt service:</b>			
Principal	133,000	133,600	600
<b>Capital outlay</b>			
Public safety	-	399,283	399,283
Public works	-	77,770	77,770
Total expenditures	<u>12,709,671</u>	<u>12,927,062</u>	<u>217,391</u>
Excess of revenues over (under) expenditures	(47,550)	1,085,209	1,132,759
<b>Other Financing Sources (Uses)</b>			
Issuance of leases and subscription liabilities	-	300,919	300,919
Insurance recoveries	-	97,985	97,985
Transfers in	47,550	47,550	-
Transfers out	-	(543,988)	(543,988)
Total other financing sources (uses)	<u>47,550</u>	<u>(97,534)</u>	<u>(145,084)</u>
Net change in fund balance	<u>\$ -</u>	987,675	<u>\$ 987,675</u>
<b>Fund Balance</b>			
Beginning of year		<u>12,482,362</u>	
End of year		<u>\$ 13,470,037</u>	

**City of Mendota Heights**  
**Statement of Net Position - Proprietary Funds**  
**December 31, 2024**

	Sewer Utility	Storm Water Utility	Total	Internal Service Funds
<b>Assets</b>				
<b>Current assets</b>				
Cash and investments	\$ 2,256,542	\$ 883,491	\$ 3,140,033	\$ 922,722
Special assessment receivable				
Delinquent	6,431	-	6,431	-
Deferred	35,850	-	35,850	-
Accounts receivable	655,251	166,097	821,348	8,485
Interest receivable	3,981	1,912	5,893	381
Due from other governments	3,443	-	3,443	-
Prepaid expenses	134,904	-	134,904	9,683
Total current assets	<u>3,096,402</u>	<u>1,051,500</u>	<u>4,147,902</u>	<u>941,271</u>
<b>Noncurrent assets</b>				
<b>Capital assets not being depreciated</b>				
Land	-	-	-	25,000
<b>Capital assets being depreciated</b>				
Buildings	-	-	-	2,279,024
Sewer main lines and storm sewers	15,636,563	5,727,085	21,363,648	-
Improvements other than buildings	-	-	-	40,781
Machinery and equipment	769,265	-	769,265	66,969
Total capital assets	<u>16,405,828</u>	<u>5,727,085</u>	<u>22,132,913</u>	<u>2,411,774</u>
Less accumulated depreciation	<u>(6,372,270)</u>	<u>(817,775)</u>	<u>(7,190,045)</u>	<u>(1,919,308)</u>
Net capital assets	<u>10,033,558</u>	<u>4,909,310</u>	<u>14,942,868</u>	<u>492,466</u>
Total assets	<u>13,129,960</u>	<u>5,960,810</u>	<u>19,090,770</u>	<u>1,433,737</u>
<b>Deferred Outflows of Resources</b>				
Deferred outflows of resources related to pensions	13,983	2,761	16,744	7,568
Deferred outflows of resources related to OPEB	378	62	440	287
Total deferred outflows of resources	<u>14,361</u>	<u>2,823</u>	<u>17,184</u>	<u>7,855</u>
Total assets and deferred outflows of resources	<u>\$ 13,144,321</u>	<u>\$ 5,963,633</u>	<u>\$ 19,107,954</u>	<u>\$ 1,441,592</u>
<b>Liabilities and Net Position</b>				
<b>Current liabilities</b>				
Accounts payable	\$ 68,527	\$ 46,038	\$ 114,565	\$ -
Developers' escrow deposits	-	163,005	163,005	-
Salaries and benefits payable	9,458	1,423	10,881	4,431
Due to other governments	6,738	1,520	8,258	106
Noncurrent liabilities due within one year	25,971	-	25,971	536,510
Total current liabilities	<u>110,694</u>	<u>211,986</u>	<u>322,680</u>	<u>541,047</u>
<b>Noncurrent liabilities</b>				
Compensated absences	47,015	-	47,015	839,920
OPEB payable	14,961	2,453	17,414	11,369
Net pension liability	57,275	11,310	68,585	30,999
Less amount due within one year	<u>(25,971)</u>	<u>-</u>	<u>(25,971)</u>	<u>(536,510)</u>
Total noncurrent liabilities	<u>93,280</u>	<u>13,763</u>	<u>107,043</u>	<u>345,778</u>
Total liabilities	<u>203,974</u>	<u>225,749</u>	<u>429,723</u>	<u>886,825</u>
<b>Deferred Inflows of Resources</b>				
Deferred inflows of resources related to OPEB	1,316	216	1,532	1,000
Deferred inflows of resources related to pensions	38,750	7,652	46,402	20,972
Total deferred inflows of resources	<u>40,066</u>	<u>7,868</u>	<u>47,934</u>	<u>21,972</u>
<b>Net Position</b>				
Investment in capital assets	10,033,558	4,909,310	14,942,868	492,466
Unrestricted	2,866,723	820,706	3,687,429	40,329
Total net position	<u>12,900,281</u>	<u>5,730,016</u>	<u>18,630,297</u>	<u>532,795</u>
Total liabilities, deferred inflows of resources, and net position	<u>\$ 13,144,321</u>	<u>\$ 5,963,633</u>	<u>\$ 19,107,954</u>	<u>\$ 1,441,592</u>

See notes to basic financial statements.

**City of Mendota Heights**  
**Statement of Revenues, Expenses, and Changes**  
**in Fund Net Position - Proprietary Funds**  
**Year Ended December 31, 2024**

	Sewer Utility	Storm Water Utility	Total	Internal Service Funds
<b>Operating Revenues</b>				
Charges for services	\$ 2,547,161	\$ 647,637	\$ 3,194,798	\$ 260,000
<b>Operating Expenses</b>				
Wages and salaries	193,989	27,823	221,812	78,913
Employee benefits	66,472	7,518	73,990	38,651
Materials and supplies	37,012	106	37,118	13,181
Repairs and maintenance	151,238	235,900	387,138	-
Professional services	22,014	32,249	54,263	5,280
Insurance	10,139	-	10,139	7,097
Utilities	18,042	-	18,042	33,798
Depreciation	212,231	57,271	269,502	35,778
Travel	34	-	34	-
Miscellaneous	30,930	36,644	67,574	63,267
Sewer charges - MCES	1,314,748	-	1,314,748	-
Total operating expenses	<u>2,056,849</u>	<u>397,511</u>	<u>2,454,360</u>	<u>275,965</u>
Operating income (loss)	490,312	250,126	740,438	(15,965)
<b>Nonoperating Revenues</b>				
Investment income	96,519	46,360	142,879	9,229
Fines and forfeitures	1,300	-	1,300	-
Special assessments	5,102	-	5,102	-
Intergovernmental revenue	-	31,435	31,435	-
Other income	31,035	-	31,035	-
Total nonoperating revenues	<u>133,956</u>	<u>77,795</u>	<u>211,751</u>	<u>9,229</u>
Change in net position before capital contributions and transfers	624,268	327,921	952,189	(6,736)
Capital contributions	54,264	186,358	240,622	-
Transfers out	<u>(90,614)</u>	<u>(392,616)</u>	<u>(483,230)</u>	<u>-</u>
Change in net position	587,918	121,663	709,581	(6,736)
<b>Net Position</b>				
Beginning of year	<u>12,312,363</u>	<u>5,608,353</u>	<u>17,920,716</u>	<u>539,531</u>
End of year	<u>\$ 12,900,281</u>	<u>\$ 5,730,016</u>	<u>\$ 18,630,297</u>	<u>\$ 532,795</u>

See notes to basic financial statements.

**City of Mendota Heights**  
**Statement of Cash Flows - Proprietary Funds**  
**Year Ended December 31, 2024**

	Sewer Utility	Storm Water Utility	Total	Internal Service Funds
<b>Cash Flows - Operating Activities</b>				
Receipts from customers and users	\$ 2,489,517	\$ 629,475	\$ 3,118,992	\$ 260,000
Payments to suppliers	(1,532,769)	(268,119)	(1,800,888)	(138,872)
Payments to employees	(259,131)	(36,099)	(295,230)	(29,461)
Miscellaneous revenue	47,590	-	47,590	-
Net cash flows - operating activities	<u>745,207</u>	<u>325,257</u>	<u>1,070,464</u>	<u>91,667</u>
<b>Cash Flows - Noncapital Financing Activities</b>				
Transfer to other funds	(90,614)	(392,616)	(483,230)	-
Intergovernmental revenue	-	31,435	31,435	-
Net cash flows - noncapital financing activities	<u>(90,614)</u>	<u>(361,181)</u>	<u>(451,795)</u>	<u>-</u>
<b>Cash Flows - Investing Activities</b>				
Interest and dividends received	94,677	45,717	140,394	9,072
Net change in cash and cash equivalents	456,252	9,793	466,045	100,739
<b>Cash and Cash Equivalents</b>				
Beginning of year	1,800,290	873,698	2,673,988	821,983
End of year	<u>\$ 2,256,542</u>	<u>\$ 883,491</u>	<u>\$ 3,140,033</u>	<u>\$ 922,722</u>
<b>Reconciliation of Operating Income (Loss) to Net Cash Flows - Operating Activities</b>				
Operating income (loss)	\$ 490,312	\$ 250,126	\$ 740,438	\$ (15,965)
Adjustments to reconcile operating income (loss) to net cash flows - operating activities				
Operating activities				
Miscellaneous revenue	47,590	-	47,590	-
Depreciation expense	212,231	57,271	269,502	35,778
Accounts receivable	(58,659)	(18,162)	(76,821)	-
Due from other governments	1,015	-	1,015	-
Prepaid items	(10,526)	-	(10,526)	(67)
Developers' excrow deposits	-	29,100	29,100	-
Accounts and contracts payable	59,518	6,160	65,678	(16,173)
Due to other governmental units	2,396	1,520	3,916	(9)
Salaries payable	1,968	257	2,225	650
OPEB payable	8,390	1,378	9,768	6,257
Pension related items	(15,661)	(2,393)	(18,054)	(9,966)
Compensated absences payable	6,633	-	6,633	91,162
Total adjustments	<u>254,895</u>	<u>75,131</u>	<u>330,026</u>	<u>107,632</u>
Net cash flows - operating activities	<u>\$ 745,207</u>	<u>\$ 325,257</u>	<u>\$ 1,070,464</u>	<u>\$ 91,667</u>

**City of Mendota Heights**  
**Notes to Basic Financial Statements**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Reporting Entity**

The City of Mendota Heights is a statutory city governed by an elected mayor and four council members. The accompanying financial statements present the government entities for which the government is considered to be financially accountable.

The financial statements present the City and its component units. The City includes all funds, organizations, institutions, agencies, departments, and offices that are not legally separate from such. Component units are legally separate organizations for which the elected officials of the City are financially accountable and are included within the basic financial statements of the City because of the significance of their operational or financial relationships with the City.

The City is considered financially accountable for a component unit if it appoints a voting majority of the organization's governing body and it is able to impose its will on the organization by significantly influencing the programs, projects, activities, or level of services performed or provided by the organization, or there is a potential for the organization to provide specific financial benefits to or impose specific financial burdens on, the City.

As a result of applying the component unit definition criteria above, the City has no component units.

**B. Government-Wide and Fund Financial Statements**

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the activities of the City. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Interest on general long-term debt is considered an indirect expense and is reported separately in the Statement of Activities. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues. Internally dedicated revenues are reported as general revenues rather than program revenues.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

The Internal Service Funds are presented in the internal service fund financial statements. Because the principal user of internal services is the City's governmental activities, the financial statements of the Internal Service Fund is consolidated into the governmental column when presented in the government-wide financial statements. The cost of these services is reported in the appropriate functional activity.

**City of Mendota Heights**  
**Notes to Basic Financial Statements**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation**

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment matures.

Property taxes, franchise taxes, licenses, and interest associated with the current period are all considered to be susceptible to accrual and so have been recognized as revenues of the current period. Only the portion of special assessments receivable due within the current period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the City.

**Description of Funds:**

**Major Governmental Funds:**

General Fund - This fund is the general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

Special Assessments Debt Service Fund - This fund receives all special assessment payments and is dedicated for the repayment of debt incurred on a specific project.

Street Capital Projects Fund - This fund is used to account for the proceeds and disbursements of funds for street improvement expenditures.

**Proprietary Funds:**

Sewer Utility Fund - This fund is used to account for the City's sewer utility.

Storm Water Utility Fund - This fund is used to account for the City's storm water utility.

**Additional Fund Types:**

Internal Service Funds - These funds account for the financing of goods or services provided by one department to other departments of the City on a cost-reimbursement basis. The City's Internal Service Funds account for compensated absences and City Hall expenses.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation (Continued)**

**Description of Funds: (Continued)**

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are charges between the City's utility functions and various other functions of the City. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

Proprietary Funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the City's Enterprise Funds and Internal Service Funds are charges to customers for sales and services. Operating expenses for the Enterprise Funds and Internal Service Funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

When both restricted and unrestricted resources are available for use, the City uses restricted resources first, then unrestricted resources as they are needed. Further, the City applies unrestricted funds in this order if various levels of unrestricted fund balances exist: committed, assigned, and unassigned.

**D. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position or Equity**

**1. Deposits and Investments**

The City's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition. Investments for the City are reported at fair value.

*Minnesota Statutes* authorizes the City to invest in obligations of the U.S. Treasury, agencies, and instrumentalities, shares of investment companies whose only investments are in the aforementioned securities, obligations of the State of Minnesota or its municipalities, bankers' acceptances, future contracts, repurchase and reverse repurchase agreements, and commercial paper of the highest quality with a maturity of no longer than 270 days and in the Minnesota Municipal Investment Pool.

*Minnesota Statutes* requires all deposits made by cities with financial institutions to be collateralized in an amount equal to 110% of deposits in excess of Federal Deposit Insurance Corporation (FDIC) insurance.

Certain investments for the City are reported at fair value as disclosed in Note 3. The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**D. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position or Equity  
(Continued)**

**2. Receivables and Payables**

All trade and property tax receivables are shown at a gross amount since both are assessable to the property taxes and are collectible upon the sale of the property.

The City levies its property tax for the subsequent year during the month of December. December 28 is the last day the City can certify a tax levy to the County Auditor for collection the following year. Such taxes become a lien on January 1 and are recorded as receivables by the City at that date. The property tax is recorded as revenue when it becomes measurable and available. Dakota County is the collecting agency for the levy and remits the collections to the City three times a year. The tax levy notice is mailed in March with the first half of the payment due on May 15 and the second half due on October 15. Taxes not collected as of December 31 each year are shown as delinquent taxes receivable.

The County Auditor prepares the tax list for all taxable property in the City, applying the applicable tax rate to the tax capacity of individual properties, to arrive at the actual tax for each property. The County Auditor also collects all special assessments, except for certain prepayments paid directly to the City.

The County Auditor submits the list of taxes and special assessments to be collected on each parcel of property to the County Treasurer in January of each year.

**3. Inventories**

Inventories are valued at cost, which approximates market, using the first in, first out (FIFO) method. Inventory consists of expendable supplies held for consumption. Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased.

Inventory - land held for resale represents land owned by the City with the intent to sell to developers. This land is recorded at the expected net realizable value.

**4. Prepaid Items**

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements. Prepaid items are recorded as an expenditure at the time of consumption.

**5. Capital Assets**

Capital assets, which include property, plant, equipment, intangible, and infrastructure assets (e.g., roads, sidewalks, easements, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than \$25,000, and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**D. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position or Equity  
(Continued)**

**5. Capital Assets (Continued)**

Property, plant, and equipment of the City are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Buildings	15 - 100
Other improvements	10 - 40
Machinery and equipment	3 - 25
Infrastructure	30 - 100

**6. Lease Receivable**

The City is a lessor for numerous noncancellable leases. The City recognizes a lease receivable and a deferred inflow of resources in the government-wide and governmental fund financial statements.

At the commencement of a lease, the City measures the lease receivable at the present value of payments expected to be received during the lease term. Subsequently, the lease receivable is reduced by the principal portion of lease payments received. The deferred inflow of resources is initially measured as the initial amount of the lease receivable, adjusted for lease payments received at or before the lease commencement date.

Subsequently, the deferred inflow of resources is recognized as revenue over the life of the lease term in a systematic and rational manner.

Key estimates and judgments include how the City determines (1) the discount rate, (2) lease term, (3) lease receipts, and (4) amortization.

The City determines the discount rate for leases based on the applicable State and Local Government Securities (SLGS) rate. The lease term includes the noncancellable period of the lease. Lease receipts included in the measurement of the lease receivable is composed of fixed payments from the lessee.

**7. Deferred Outflows/Inflows of Resources**

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element represents a consumption of net assets that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until that time. The City presents deferred outflows of resources on the Statements of Net Position for deferred outflows of resources related to pensions and OPEB for various estimate differences that will be amortized and recognized over future years.

**City of Mendota Heights**  
**Notes to Basic Financial Statements**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**D. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position or Equity  
(Continued)**

**7. Deferred Outflows/Inflows of Resources (Continued)**

In addition to liabilities, the statement of financial position and fund financial statements will sometimes report a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net assets that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The City has four items that qualify for reporting in this category. The governmental funds report unavailable revenues from three sources: property taxes, special assessments, and state shared tax. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available. The City presents deferred inflows of resources on the Statements of Net Position for deferred inflows of resources related to pensions and OPEB for various estimate differences that will be amortized and recognized over future years. Deferred inflows of resources related to lease receivable is reported in both the government-wide Statement of Net Position and the Governmental Funds Balance Sheet.

**8. Compensated Absences\Severance**

The City allows employees to accrue vacation based on years of service to carry over to the next year. Accrued vacation shall be used in the year following the year which said time is earned and any time accrued will be paid out at termination. At the end of the year the vacation balance cannot exceed 200 hours.

All permanent full-time employees accrue personal leave at the rate of 4 hours per month, to a maximum of 320 hours. Any balances in excess of 320 hours will be converted to cash compensation or additional vacation time at a ratio of 50%.

All compensated absences pay is accrued when incurred in the government-wide and proprietary fund financial statements. A liability for these amounts is reported in governmental funds only if they have matured as a result of employee termination or similar circumstances. These liabilities are paid by the governmental fund the employee provided most of its service to. The unused vacation and sick leave of the proprietary funds is included in accrued liabilities of the respective fund.

**9. Long-Term Obligations**

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type Statement of Net Position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**D. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position or Equity  
(Continued)**

**10. Pensions**

For purposes of measuring the net pension liability, deferred outflows/inflows of resources, and pension expense, information about the fiduciary net position of the Public Employees Retirement Association (PERA) and the relief association and additions to/deductions from PERA's and the relief association's fiduciary net position have been determined on the same basis as they are reported by PERA and the relief association except that PERA's fiscal year end is June 30. For this purpose, plan contributions are recognized as of employer payroll paid dates and benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

**11. Fund Equity**

**a. Classification**

In the fund financial statements, governmental funds report fund classifications that comprise a hierarchy based primarily on the extent to which the City is bound to honor constraints on the specific purpose for which amounts in those funds can be spent.

- **Nonspendable Fund Balances** - These are amounts that cannot be spent because they are not in spendable form, or they are legally or contractually required to be maintained intact.
- **Restricted Fund Balances** - These are amounts that are restricted to specific purposes either by a) constraints placed on the use of resources by creditors, grantors, contributors, or laws or regulations of other governments or b) imposed by law through constitutional provisions or enabling legislation.
- **Committed Fund Balances** - These are amounts that can only be used for specific purposes pursuant to constraints imposed by the City Council (highest level of decision making authority) through resolution.
- **Assigned Fund Balances** - These are amounts that are constrained by the City's intent to be used for specific purposes but are neither restricted nor committed. Assignments are made by the City's Administrator or Finance Director based on the City Council's direction.
- **Unassigned Fund Balances** - These are residual amounts in the General Fund not reported in any other classification. The General Fund is the only fund that can report a positive unassigned fund balance. Other funds would report a negative unassigned fund balance should the total of nonspendable, restricted and committed fund balances exceed the total net resources of that fund.

**b. Minimum Fund Balance**

- The City will strive to maintain a General Fund unassigned fund balance of 75% of the following year's budgeted operating expenditures.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**D. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position or Equity  
(Continued)**

**12. Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements. Estimates also affect the reported amounts of revenue and expenditures/expense during the reporting period. Actual results could differ from those estimates.

**E. Budgetary Information**

The City Council adopts an annual budget for the General Fund and certain special revenue and capital project funds. The American Rescue Plan Act special revenue fund is not budgeted for. The amounts shown in the financial statements as "budget" represent the original budgeted amount, and all revisions made during the year. The City follows these procedures in establishing the budgetary data reflected in the financial statements:

1. The City Administrator prepares and presents to the City Council a proposed operating budget for the year commencing the following January 1. The operating budget included proposed expenditures and means of financing them.
2. Public hearings are conducted to obtain taxpayer comments.
3. The City Council deliberates on and adopts the budget on a basis consistent with accounting principles generally accepted in the United States of America and legally enacts the budget by passage of a resolution.
4. Formal budgetary integration is employed as a management control device during the year.
5. The City Council must approve any budget appropriation transfers between departments and any increases in budget appropriations to the extent actual revenues exceed estimated revenues.
6. Reported budget amounts are as originally adopted or as amended by the City Council approved supplemental appropriations and budget transfers.

Annual appropriations lapse at year-end. No revisions were made to the budgets during the year.

**NOTE 2 - STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY**

**A. Deficit Fund Balances**

The following funds had deficit fund balances at December 31, 2024:

Other Nonmajor Capital Projects Fund	
Special Assessment Capital Project	\$ 614,213

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 3 - DEPOSITS AND INVESTMENTS**

Cash balances of the City's funds are combined (pooled) and invested to the extent available in various investments authorized by *Minnesota Statutes*. Each fund's portion of this pool (or pools) is displayed on the financial statements as "cash and cash equivalents" or "investments." For purposes of identifying risk of investing public funds, the balances and related restrictions are summarized below.

**A. Deposits**

In accordance with applicable *Minnesota Statutes*, the City maintains deposits at depository banks authorized by the City Council.

**Custodial Credit Risks - Deposits:** This is the risk that in the event of bank failure, the City's deposits may not be returned to it. The City addresses custodial credit risk by having the authority from the City Council to maintain deposits with various financial institutions that are members of the Federal Reserve System. The City's policy states all deposits must be collateralized in compliance with *Minnesota Statutes* § 118A. As of December 31, 2024, the City's bank balance was not exposed to custodial credit risk because it was insured through the Federal Deposit Insurance Corporation (FDIC) and fully collateralized with securities held by the pledging financial institution's trust department or agent in the City's name.

As of December 31, 2024, the City had deposits as follows:

Checking	\$ 295,556
Certificates of deposit	<u>15,127</u>
Total deposits	<u><u>\$ 310,683</u></u>

**B. Investments**

As of December 31, 2024, the City had the following investments:

Investment Type	Credit Ratings	Fair Value 12/31/24	Investment Maturities	
			Less Than 1 Year	1 - 5 Years
Negotiable CD's	NR	\$ 3,948,909	\$ 487,645	\$ 3,461,264
US Government Securities	AA+	3,300,335	979,569	2,320,766
Money Market Funds	NR	<u>19,329,106</u>	<u>19,329,106</u>	<u>-</u>
Total		<u><u>\$ 26,578,350</u></u>	<u><u>\$ 20,796,320</u></u>	<u><u>\$ 5,782,030</u></u>

**Credit Risk:** This is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. State law limits investments based on type. The City's investment policy addresses credit quality by allowing the City to invest only in instruments permitted by *Minnesota Statutes* § 118A.04-05.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 3 - DEPOSITS AND INVESTMENTS (CONTINUED)**

**B. Investments (Continued)**

**Concentration of Credit Risk:** This is the risk of loss attributed to the magnitude of an investment in a single issuer. The City's policy states the City will attempt to diversify its investments according to type and maturity. The policy states the portfolio will contain both short-term and long-term investments and will attempt to match its investments with anticipated cash flow requirements. The City's investments in FHLB exceeded 5% of the City's portfolio and was therefore subject to concentration of credit risk.

**Custodial Credit Risk - Investments:** This is the risk that in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City's investment policy states that to ensure safety when considering an investment, it is verified to make certain funds in excess of insurance are not made at the same institution. The City's brokers carry SIPC and private insurance to cover the City's investment holdings; however, given the size of the City's portfolio in relation to the insurance, it is unlikely the City would receive the full value of their investments upon default of the counterparty.

**Interest Rate Risk:** This is the risk that market values of securities in a portfolio would decrease due to changes in market interest rates. As a means of limiting its exposure to fair value losses arising from rising interest rates, the City's investment policy states the City will hold investments with laddered maturities so that funds become available on a regular schedule.

The City has the following recurring fair value measurements as of December 31, 2024:

- \$19,329,106 investments are valued using calculated Net Asset Value (Level 1 inputs)
- \$7,249,244 of investments are valued using a matrix pricing model (Level 2 inputs)

**C. Deposits and Investments**

The following is a summary of total deposits and investments:

Deposits (Note 3. A.)	\$ 310,683
Investments (Note 3.B.)	26,578,350
Petty cash	700
Total cash and investments	\$ 26,889,733

Deposits and investments are presented in the December 31, 2024, basic financial statements as follows:

Statement of Net Position	
Cash and investments	\$ 26,889,733

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 4 - INTERFUND ACTIVITIES**

**A. Interfund Receivables and Payable**

The following is a summary of the City's due to/due from other funds at December 31, 2024:

Fund	Due to	Due from	Reason
Other governmental funds	<u>\$ 630,940</u>	<u>\$ 630,940</u>	Cash deficit

The balances above will be repaid as financing becomes available.

**B. Interfund Transfers**

The composition of interfund transfers as of December 31, 2024, was as follows:

	Transfers In			Total
	General	Street Capital Projects	Other Governmental Funds	
Transfers out				
General	\$ -	\$ -	\$ 543,988	\$ 543,988
Special assessments debt service	22,250	2,912,941	-	2,935,191
Street capital projects	-	-	83,127	83,127
Other governmental funds	4,500	27,117	153,407	185,024
Sewer utility	11,150	79,464	-	90,614
Storm Water Utility	9,650	382,966	-	392,616
Total	<u>\$ 47,550</u>	<u>\$ 3,402,488</u>	<u>\$ 780,522</u>	<u>\$ 4,230,560</u>

The purpose of the above transfers is to distribute bond proceeds and to provide funding for capital improvement projects, capital outlay, and operating purposes.

**NOTE 5 - LEASE RECEIVABLE**

The City leases three cell towers. Revenue from these leases for the year ended December 31, 2024, was \$144,990.

**City of Mendota Heights**  
**Notes to Basic Financial Statements**

**NOTE 6 - CAPITAL ASSETS**

Capital asset activity for the year ended December 31, 2024, was as follows:

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
Governmental activities				
Capital assets not being depreciated/amortized				
Land and improvements	\$ 8,790,170	\$ -	\$ -	\$ 8,790,170
Construction in progress	<u>5,196,320</u>	<u>6,653,787</u>	<u>4,044,860</u>	<u>7,805,247</u>
Total capital assets not being depreciated /amortized	<u>13,986,490</u>	<u>6,653,787</u>	<u>4,044,860</u>	<u>16,595,417</u>
Capital assets being depreciated/amortized				
Buildings and structures	12,946,005	-	-	12,946,005
Machinery and equipment	8,166,645	446,136	610,050	8,002,731
Leased equipment	666,314	319,454	100,990	884,778
Subscription asset	-	93,246	-	93,246
Other improvements	3,175,315	750,687	10,424	3,915,578
Infrastructure	<u>42,363,165</u>	<u>3,254,435</u>	<u>-</u>	<u>45,617,600</u>
Total capital assets being depreciated /amortized	<u>67,317,444</u>	<u>4,863,958</u>	<u>721,464</u>	<u>71,459,938</u>
Less accumulated depreciation/ amortization for				
Buildings and structures	4,846,171	321,893	-	5,168,064
Machinery and equipment	4,688,554	425,974	608,447	4,506,081
Leased equipment	185,048	191,306	47,624	328,730
Subscription asset	-	31,082	-	31,082
Other improvements	2,129,279	135,622	10,424	2,254,477
Infrastructure	<u>25,466,583</u>	<u>1,812,560</u>	<u>-</u>	<u>27,279,143</u>
Total accumulated depreciation/amortization	<u>37,315,635</u>	<u>2,918,437</u>	<u>666,495</u>	<u>39,567,577</u>
Total capital assets being depreciated/amortized, net	<u>30,001,809</u>	<u>1,945,521</u>	<u>54,969</u>	<u>31,892,361</u>
Governmental activities capital assets, net	<u>\$ 43,988,299</u>	<u>\$ 8,599,308</u>	<u>\$ 4,099,829</u>	<u>\$ 48,487,778</u>

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 6 - CAPITAL ASSETS (CONTINUED)**

	Beginning Balance	Increases	Decreases	Ending Balance
Business-type activities				
Capital assets being depreciated				
Machinery and equipment	\$ 476,246	\$ 293,019	\$ -	\$ 769,265
Sewer main lines and storm sewers	21,123,028	240,620	-	21,363,648
Total capital assets being depreciated	<u>21,599,274</u>	<u>533,639</u>	<u>-</u>	<u>22,132,913</u>
Less accumulated depreciation for				
Machinery and equipment	235,060	35,349	-	270,409
Sewer main lines and storm sewers	6,685,483	234,153	-	6,919,636
Total accumulated depreciation	<u>6,920,543</u>	<u>269,502</u>	<u>-</u>	<u>7,190,045</u>
Total capital assets being depreciated, net	<u>14,678,731</u>	<u>264,137</u>	<u>-</u>	<u>14,942,868</u>
Business-type activities capital assets, net	<u>\$ 14,678,731</u>	<u>\$ 264,137</u>	<u>\$ -</u>	<u>\$ 14,942,868</u>

Depreciation/amortization expense was charged to functions/programs of the City as follows:

Governmental activities	
General government	\$ 195,051
Public safety	635,762
Public works	2,051,846
Internal service funds	<u>35,778</u>
Total depreciation/amortization expense - governmental activities	<u>\$ 2,918,437</u>
Business-type activities	
Sewer utility	\$ 212,231
Storm water utility	<u>57,271</u>
Total depreciation expense - business-type activities	<u>\$ 269,502</u>

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 7 - LONG-TERM DEBT**

**A. G.O. Bonds**

The City issues G.O. Bonds to provide for financing street improvements, major capital equipment purchases and utility improvements. Debt service is funded through property taxes, special assessments, and utility charges.

G.O. Bonds are direct obligations and pledge the full faith and credit of the City.

**B. Components of Long-Term Liabilities**

	Interest Rates	Original Issue	Final Maturity	Principal Outstanding	Due Within One Year
Long-term liabilities					
Government activities					
G.O. Improvement Bonds, including Refunding Bonds					
G.O. Improvement Bonds, Series 2014A	0.85%-3.40%	\$ 1,030,000	02/01/35	\$ 395,000	\$ 85,000
G.O. Refunding Bond, Series 2014B	1.50%-3.00%	885,000	02/01/27	215,000	70,000
G.O. Improvement Bonds 2015A	.90%-3.00%	1,200,000	02/01/36	665,000	75,000
G.O. Refunding Bond, Series 2015C	2.00%-2.50%	1,995,000	02/01/28	670,000	165,000
G.O. Reconstruction Bonds, Series 2016A	1.00%-2.50%	1,020,000	02/01/37	550,000	80,000
G.O. Improvement Bonds of 2017A	2.00%-2.50%	1,340,000	02/01/30	785,000	130,000
G.O. Improvement Bonds of 2018A	3.00%-4.00%	1,080,000	02/01/30	670,000	110,000
G.O. Improvement Bonds of 2019A	2.00%-3.00%	3,035,000	02/01/31	1,745,000	300,000
G.O. Improvement Bonds of 2020A	1.20%-2.00%	3,295,000	02/01/32	2,480,000	315,000
G.O. Improvement Bonds of 2021A	2.00%-3.00%	2,420,000	02/01/34	1,995,000	320,000
G.O. Improvement Bonds of 2022A	5.00%-4.00%	1,880,000	02/01/33	1,880,000	185,000
G.O. Improvement Bonds of 2023A	4.00%-5.00%	1,015,000	02/01/34	1,015,000	-
G.O. Improvement Bonds of 2024A	5.00%	2,755,000	02/01/35	2,755,000	-
Total improvement bonds				<u>15,820,000</u>	<u>1,835,000</u>
G.O. Bonds, including refunding bonds					
G.O. Capital Improvement Plan Bonds	3.00%-4.00%	7,000,000	02/01/35	<u>5,470,000</u>	<u>420,000</u>
Lease Liability					
Subscription Liability					
Net Premium on Bonds					
Compensated absences payable					
Total governmental activities					
Business-type activities					
Compensated absences payable					
Total all long-term liabilities					
				<u>\$ 23,979,920</u>	<u>\$ 2,926,892</u>

Long-term bonded indebtedness listed above were issued to finance acquisition and construction of capital facilities or to refinance (refund) previous bond issues.

Debt Service Funds will be used to pay general government principal and interest liabilities. The General Fund and Sewer Utility Fund will pay for the corresponding compensated absence liability. The General Fund will pay the lease liability.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 7 - LONG-TERM DEBT (CONTINUED)**

**C. Changes in Long-Term Liabilities**

Long-term liability activity for the year ended December 31, 2024, was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Governmental activities					
Bonds payable					
G.O. Improvements Bonds	\$ 14,690,000	\$ 2,755,000	\$ 1,625,000	\$ 15,820,000	\$ 1,835,000
G.O. Bonds	5,875,000	-	405,000	5,470,000	420,000
Leases Liability	488,321	240,032	133,600	594,753	79,589
Subscription Liability	-	60,887	-	60,887	29,822
Unamortized premium	911,233	337,154	101,042	1,147,345	-
Compensated absences payable	748,758	790,118	698,956	839,920	536,510
Total governmental activities	<u>22,713,312</u>	<u>4,183,191</u>	<u>2,963,598</u>	<u>23,932,905</u>	<u>2,900,921</u>
Business-type activities					
Compensated absences payable	40,382	40,288	33,655	47,015	25,971
Total government	<u>\$ 22,753,694</u>	<u>\$ 4,223,479</u>	<u>\$ 2,997,253</u>	<u>\$ 23,979,920</u>	<u>\$ 2,926,892</u>

**D. Long-Term Debt**

The annual requirements to amortize all bonded debt outstanding follows:

Year Ending December 31,	Governmental Activities					
	Improvement Bonds			G.O. Bonds		
	Principal	Interest	Total	Principal	Interest	Total
2025	\$ 1,835,000	\$ 457,369	\$ 2,292,369	\$ 420,000	\$ 164,250	\$ 584,250
2026	1,860,000	439,018	2,299,018	435,000	147,150	582,150
2027	2,010,000	378,014	2,388,014	455,000	131,625	586,625
2028	1,960,000	313,208	2,273,208	470,000	117,750	587,750
2029	1,760,000	251,970	2,011,970	480,000	103,500	583,500
2030-2034	5,840,000	545,135	6,385,135	2,635,000	288,825	2,923,825
2035-2037	555,000	15,262	570,262	575,000	8,625	583,625
Total	<u>\$ 15,820,000</u>	<u>\$ 2,399,975</u>	<u>\$ 18,219,975</u>	<u>\$ 5,470,000</u>	<u>\$ 961,725</u>	<u>\$ 6,431,725</u>

The City leases 12 squad cars and vehicle and body camera equipment under noncancelable leases. The City also has an agreement with Saint Paul Regional Water Services that the City pays half of the cell tower revenue for those located on the water tower to SPRWS.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 7 - LONG-TERM DEBT (CONTINUED)**

**D. Long-Term Debt (Continued)**

The following is a schedule by years of future minimum payments required under the leases as of December 31, 2024:

<u>Year Ending December 31,</u>	Lease Payable		
	Principal	Interest	Total
2025	\$ 79,589	\$ 16,577	\$ 96,166
2026	131,077	22,607	153,684
2027	105,730	16,711	122,441
2028	56,949	13,086	70,035
2029	18,184	10,666	28,850
2030-2034	131,156	36,229	167,385
2035-2039	72,068	3,723	75,791
Total	\$ 594,753	\$ 119,599	\$ 714,352
<u>Year Ending December 31,</u>	Subscription Payable		
	Principal	Interest	Total
2025	\$ 29,822	\$ 2,537	\$ 32,359
2026	31,065	1,295	32,359
Total	\$ 60,887	\$ 3,832	\$ 64,719

**NOTE 8 - CONDUIT DEBT**

From time-to-time, the City has issued Industrial Development and Housing Mortgage Revenue Bonds in accordance with the Minnesota Municipal Industrial Development Act. These obligations are issued to provide financial assistance to private-sector entities for the acquisition and construction of industrial and commercial facilities deemed to be in the public interest. The obligations are secured by the property financed and are payable solely from payments received on the underlying mortgage loans. Upon repayment of the obligations, ownership of the acquired facilities transfers to the private-sector entity served by the debt issuance. Neither the City, the State of Minnesota, nor any political subdivision thereof, is obligated in any manner for the repayment of the obligations. Accordingly, the Bonds are not reported as liabilities in the accompanying financial statements.

The aggregate amount of all conduit debt obligations outstanding as of December 31, 2024, was \$12,838,700.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 9 - FUND BALANCE DETAIL**

Fund equity balances are classified below to reflect the limitations and restrictions of the respective Funds.

	General Fund	Special Assessment Debt Service	Street Capital Projects	Other Governmental Funds	Total
<b>Nonspendable</b>					
Inventories	\$ 23,271	\$ -	\$ -	\$ -	\$ 23,271
Prepaid items	367,567	-	-	7,811	375,378
<b>Restricted</b>					
Park dedication fees	-	-	-	215,732	215,732
Capital projects	-	-	2,124,940	-	2,124,940
Street light maintenance	-	-	-	23,220	23,220
Police	-	-	-	30,336	30,336
Debt service	-	3,380,276	-	859,101	4,239,377
Grant Funding	-	-	-	45,498	45,498
Tax increment financing	-	-	-	82,209	82,209
<b>Committed</b>					
Water system maintenance	-	-	-	1,265,983	1,265,983
Par 3 golf course	-	-	-	150,020	150,020
Emergency preparedness and civil defense	-	-	-	150,535	150,535
<b>Assigned</b>					
Capital projects	-	-	-	2,157,102	2,157,102
Unassigned	13,079,199	-	-	(614,213)	12,464,986
<b>Total</b>	<u>\$ 13,470,037</u>	<u>\$ 3,380,276</u>	<u>\$ 2,124,940</u>	<u>\$ 4,373,334</u>	<u>\$ 23,348,587</u>

**NOTE 10 - RISK MANAGEMENT**

The City purchases commercial insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT) with other cities in the state which is a public entity risk pool currently operating as a common risk management and insurance program. The City pays an annual premium to the LMCIT for its insurance coverage. The LMCIT is self-sustaining through commercial companies for excess claims. The City is covered through the pool for any claims incurred but unreported, however, retains risk for the deductible portion of its insurance policies. The amount of these deductibles is considered immaterial to the financial statements.

There were no significant reductions in insurance or settlements in excess of insurance coverage for any of the past three years.

Workers compensation coverage is provided through a pooled self-insurance program through the LMCIT. The City pays an annual premium to LMCIT. For workers compensation, the City is not subject to a deductible. The City's workers compensation coverage is not retrospectively rated. However, the actual premium is adjusted based on audited payroll amounts.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS**

The City participates in various pension plans. Total pension expense for the year ended December 31, 2024, was \$559,644. The components of pension expense are noted in the following plan summaries.

The General Fund and Sewer and Stormwater Funds typically liquidate the liability related to the pensions.

**Public Employees' Retirement Association**

**A. Plan Description**

The City participates in the following cost-sharing multiple-employer defined benefit pension plans administered by PERA. PERA's defined benefit pension plans are established and administered in accordance with *Minnesota Statutes* Chapters 353, 353D, 353E, 353G, and 356. *Minnesota Statutes* Chapter 356 defines each plan's financial reporting requirements. PERA's defined benefit pension plans are tax qualified plans under Section 401(a) of the Internal Revenue Code.

**General Employees Retirement Plan**

Membership in the General Plan includes employees of counties, cities, townships, schools in non-certified positions, and other governmental entities whose revenues are derived from taxation, fees, or assessments. Plan membership is required for any employee who is expected to earn more than \$425 in a month, unless the employee meets exclusion criteria.

**Public Employees Police and Fire Plan**

Membership in the Police and Fire Plan includes full-time, licensed police officers and firefighters who meet the membership criteria defined in *Minnesota Statutes* § 353.64 and who are not earning service credit in any other PERA retirement plan or a local relief association for the same service. Employers can provide Police and Fire Plan coverage for part-time positions and certain other public safety positions by submitting a resolution adopted by the [City's] governing body. The resolution must state that the position meets plan requirements.

**B. Benefits Provided**

PERA provides retirement, disability, and death benefits. Benefit provisions are established by state statute and can only be modified by the state Legislature. Vested, terminated employees who are entitled to benefits, but are not receiving them yet, are bound by the provisions in effect at the time they last terminated their public service. When a member is vested, they have earned enough service credit to receive a lifetime monthly benefit after leaving public service and reaching an eligible retirement age. Members who retire at or over their Social Security full retirement age with at least one year of service qualify for a retirement benefit.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**B. Benefits Provided (Continued)**

**General Employees Plan Benefits**

General Employees Plan requires three years of service to vest. Benefits are based on a member's highest average salary for any 5 successive years of allowable service, age, and years of credit at termination of service. Two methods are used to compute benefits for General Plan members. Members hired prior to July 1, 1989, receive the higher of Step or Level formulas. Only the Level formula is used for members hired after June 30, 1989. Under the Step formula, General Plan members receive 1.2% of the highest average salary for each of the first 10 years of service and 1.7% for each additional year. Under the Level formula, General Plan members receive 1.7% of the highest average salary for all years of service. For members hired prior to July 1, 1989, a full retirement benefit is available when age plus years of service equal 90 and normal retirement age is 65. Members can receive a reduced requirement benefit as early as age 55 if they have three or more years of service. Early retirement benefits are reduced by .25% for each month under age 65. Members with 30 or more years of service can retire at any age with a reduction of .25% for each month the member is younger than age 62. The Level formula allows General Plan members to receive a full retirement benefit at age 65 if they were first hired before July 1, 1989, or at age 66 if they were hired on or after July 1, 1989. Early retirement begins at age 55 with an actuarial reduction applied to the benefit.

Benefit increases are provided to benefit recipients each January. The postretirement increase is equal to 50% of the cost-of-living adjustment (COLA) announced by the SSA, with a minimum increase of at least 1% and a maximum of 1.5%. The 2024 annual increase was 1.5%. Recipients that have been receiving the annuity or benefit for at least a full year as of the June 30 before the effective date of the increase will receive the full increase. Recipients receiving the annuity or benefit for at least one month but less than a full year as of the June 30 before the effective date of the increase will receive a reduced prorated increase.

**Police and Fire Plan Benefits**

Benefits for the Police and Fire Plan members hired before July 1, 2010, are vested after three years of service. Members hired on or after July 1, 2010, are 50% vested after five years of service and 100% vested after 10 years. After five years, vesting increase by 10% each full year of service until members are 100% vested after 10 years. Police and Fire Plan members receive 3% of highest average salary for all years of service. Police and Fire Plan members receive a full retirement benefit when they are 55 and vested, or when their age plus their years of service equals 90 or greater if they were first hired before July 1, 1989. Early retirement starts at age 50, and early retirement benefits are reduced by 0.417% each month members are younger than age 55.

Benefit increases are provided to benefit recipients each January. The postretirement increase is fixed at 1%. Recipients that have been receiving the annuity or benefit for at least 36 months as of the June 30 before the effective date of the increase will receive the full increase. Recipients receiving the annuity or benefit for at least 25 months but less than 36 months as of the June 30 before the effective date of the increase will receive a reduced prorated increase.

**City of Mendota Heights**  
**Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**C. Contributions**

*Minnesota Statutes* Chapter 353, 353E, 353G, and 356 sets the rates for employer and employee contributions. Contribution rates can only be modified by the state Legislature.

**General Employees Fund Contributions**

General Plan members were required to contribute 6.5% of their annual covered salary in fiscal year 2024 and the City was required to contribute 7.5% for General Plan members. The City's contributions to the General Employees Fund for the year ended December 31, 2024, were \$226,381. The City's contributions were equal to the required contributions as set by state statute.

**Police and Fire Fund Contributions**

Police and Fire Plan members were required to contribute 11.8% of their annual covered salary in fiscal year 2024 and the City was required to contribute 17.7% for Police and Fire Plan members. The City's contributions to the Police and Fire Fund for the year ended December 31, 2024, were \$394,207. The City's contributions were equal to the required contributions as set by state statute.

**D. Pension Costs**

**General Employees Fund Pension Costs**

At December 31, 2024, the City reported a liability of \$1,221,526 for its proportionate share of the General Employees Fund's net pension liability. The City's net pension liability reflected a reduction due to the State of Minnesota's contribution of \$16 million. The State of Minnesota is considered a non-employer contributing entity and the State's contribution meets the definition of a special funding situation. The State of Minnesota's proportionate share of the net pension liability associated with the City totaled \$31,586.

The net pension liability was measured as of June 30, 2024, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportionate share of the net pension liability was based on the City's contributions received by PERA during the measurement period for employer payroll paid dates from July 1, 2023, through June 30, 2024, relative to the total employer contributions received from all of PERA's participating employers. The City's proportionate share was 0.0330% at the end of the measurement period and 0.0316% for the beginning of the period.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**D. Pension Costs (Continued)**

General Employees Fund Pension Costs (Continued)

City's proportionate share of the net pension liability	\$ 1,221,526
State of Minnesota's proportionate share of the net pension liability associated with the City	<u>31,586</u>
Total	<u><u>\$ 1,253,112</u></u>

For the year ended December 31, 2024, the City recognized pension expense of \$153,504 for its proportionate share of General Employees Plan's pension expense. Included in the amount, the City recognized \$847 as pension expense (and grant revenue) for its proportionate share of the State of Minnesota's contribution of \$16 million to the General Employees Fund.

During the plan year ended June 30, 2024, the State of Minnesota contributed \$170.1 million to the General Employees Fund. The State of Minnesota is not included as a non-employer contributing entity in the General Employees Plan pension allocation schedule for the \$170.1 million in direct state aid because this contribution was not considered to meet the definition of a special funding situation. The City recognized \$56,204 for the year ended December 31, 2024, as revenue and an offsetting reduction of net pension liability for its proportionate share of the State of Minnesota's on-behalf contributions to the General Employees Fund.

At December 31, 2024, the City reported its proportionate share of the General Employees Plan's deferred outflows of resources and deferred inflows of resources, related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 113,373	\$ -
Changes in actuarial assumptions	5,848	447,596
Net difference between projected and actual investment earnings	-	347,151
Changes in proportion	65,800	31,680
Contributions paid to PERA subsequent to the measurement date	<u>113,190</u>	<u>-</u>
Total	<u><u>\$ 298,211</u></u>	<u><u>\$ 826,427</u></u>

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**D. Pension Costs (Continued)**

General Employees Fund Pension Costs (Continued)

The \$113,190 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2025. Other amounts reported as deferred outflows and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ending December 31,</u>	<u>Pension Expense Amount</u>
2025	\$ (361,741)
2026	(58,282)
2027	(127,761)
2028	<u>(93,622)</u>
Total	<u><u>\$ (641,406)</u></u>

At December 31, 2024, the City reported a liability of \$2,125,799 for its proportionate share of the Police and Fire Fund's net pension liability. The net pension liability was measured as of June 30, 2024, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportionate share of the net pension liability was based on the City's contributions received by PERA during the measurement period for employer payroll paid dates from July 1, 2023, through June 30, 2024, relative to the total employer contributions received from all of PERA's participating employers. The City's proportionate share was 0.1616% at the end of the measurement period and 0.1568% for the beginning of the period.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**D. Pension Costs (Continued)**

Police and Fire Fund Pension Costs

The State of Minnesota contributed \$37.4 million to the Police and Fire Fund in the plan fiscal year ended June 30, 2024. The contribution consisted of \$9 million in direct state aid that meets the definition of a special funding situation, additional one-time direct state aid contribution of \$19.4 million, and \$9 million in supplemental state aid that does not meet the definition of a special funding situation. Additionally, \$9 million supplemental state aid was paid on October 1, 2024. Thereafter, by October 1 of each year, the State will pay \$9 million to the Police and Fire Fund until full funding is reached or July 1, 2048, whichever is earlier. The \$9 million in supplemental state aid will continue until the fund is 90% funded, or until the State Patrol Plan (administered by the Minnesota State Retirement System) is 90% funded, whichever occurs later. The State of Minnesota's proportionate share of the net pension liability associated with the City totaled \$81,035.

City's proportionate share of the net pension liability	\$ 2,125,799
State of Minnesota's proportionate share of the net pension liability associated with the City	81,035
Total	\$ 2,206,834

For the year ended December 31, 2024, the City recognized pension expense of \$406,140 for its proportionate share of the Police and Fire Plan's pension expense. Included in this amount, the City recognized \$7,869 as pension expense (and grant revenue) for its proportionate share of the State of Minnesota's contribution of \$9 million to the Police and Fire Fund.

The State of Minnesota is not included as a non-employer contributing entity in the Police and Fire Pension Plan pension allocation schedules for the \$28.4 million in supplemental state aid because this contribution was not considered to meet the definition of a special funding situation. The City also recognized \$14,542 for the year ended December 31, 2024, as revenue and an offsetting reduction of the net pension liability for its proportionate share of the State of Minnesota's on-behalf contributions to the Police and Fire Fund.

At December 31, 2024, the City reported its proportionate share of the Police and Fire Plan's deferred outflows of resources and deferred inflows of resources related to pensions from the sources on the following page.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**D. Pension Costs (Continued)**

Police and Fire Fund Pension Costs (Continued)

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 817,694	\$ -
Changes in actuarial assumptions	2,330,353	3,038,127
Net difference between projected and actual investment earnings	-	660,797
Changes in proportion	96,913	222,834
Contributions paid to PERA subsequent to the measurement date	197,103	-
Total	\$ 3,442,063	\$ 3,921,758

The \$197,103 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2025. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending December 31,	Pension Expense Amount
2025	\$ (106,147)
2026	517,516
2027	(315,732)
2028	(835,185)
2029	62,750
Total	\$ (676,798)

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**D. Pension Costs (Continued)**

Police and Fire Fund Pension Costs (Continued)

**E. Long-Term Expected Return on Investment**

The State Board of Investment, which manages the investments of PERA, prepares an analysis of the reasonableness on a regular basis of the long-term expected rate of return using a building-block method in which best-estimate ranges of expected future rates of return are developed for each major asset class. These ranges are combined to produce an expected long-term rate of return by weighting the expected future rates of return by the target asset allocation percentages. The target allocation and best estimates of geometric real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Domestic equity	33.5 %	5.10 %
International equity	16.5	5.30
Fixed income	25.0	0.75
Private markets	25.0	5.90
Total	100.0 %	

**F. Actuarial Assumptions**

The total pension liability in the June 30, 2024, actuarial valuation was determined using an individual entry-age normal actuarial cost method. The long-term rate of return on pension plan investments used in the determination of the total liability is 7.0%. This assumption is based on a review of inflation and investments return assumptions from a number of national investment consulting firms. The review provided a range of return investment return rates considered to be reasonable by the actuary. An investment return of 7.0% is within range.

Inflation is assumed to be 2.25% for the General Employees Plan and the Police and Fire Plan. Benefit increases after retirement are assumed to be 1.25% for the General Employees Plan and 1% for the Police and Fire Plan.

Salary growth assumptions in the General Employees Plan range in annual increments from 10.25% after one year of service to 3.0% after 27 years of service. In the Police and Fire Plan, salary growth assumptions range from 11.75% after one year of service to 3.0% after 24 years of service.

Mortality rates for the General Employees Plan are based on the Pub-2010 General Employee Mortality Table. Mortality rates for the Police and Fire Plan are based on the Pub-2010 Public Safety Employee Mortality tables. The tables are adjusted slightly to fit PERA's experience.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**F. Actuarial Assumptions (Continued)**

Actuarial assumptions for the General Employees Plan are reviewed every four years. The General Employees Plan was last reviewed in 2022. The assumption changes were adopted by the Board and became effective with the July 1, 2023, actuarial valuation. The Police and Fire Plan was reviewed in 2024. PERA anticipates the experience study will be approved by the Legislative Commission on Pensions and Retirement and become effective with the July 1, 2025, actuarial valuation.

The following changes in actuarial assumptions and plan provisions occurred in 2024:

**General Employees Fund**

**Changes in Actuarial Assumptions**

- Rates of merit and seniority were adjusted, resulting in slightly higher rates.
- Assumed rates of retirement were adjusted as follows: Increase the rate of assumed unreduced retirements, slight adjustments to Rule of 90 retirement rates, and slight adjustments to early retirement rates for Tier 1 and Tier 2 members.
- Minor increase in assumed withdrawals for males and females.
- Lower rates of disability.
- Continued use of Pub-2010 general mortality table with slight rate adjustments as recommended in the most recent experience study.
- Minor changes to form of payment assumptions for male and female retirees.
- Minor changes to assumptions made with respect to missing participant data.

**Changes in Plan Provisions**

- The workers' compensation offset for disability benefits was eliminated. The actuarial equivalent factors updated to reflect the changes in assumptions.

**Police and Fire Fund**

**Changes in Plan Provisions**

- The State contribution of \$9.0 million per year will continue until the earlier of 1) both the Police and Fire Plan and the State Patrol Retirement Fund attain 90% funded status for three consecutive years (on an actuarial value of assets basis) or 2) July 1, 2048. The contribution was previously due to expire after attaining a 90% funded status for one year.
- The additional \$9.0 million contribution will continue until the Police and Fire Plan is fully funded for a minimum of three consecutive years on an actuarial value of assets basis, or July 1, 2048, whichever is earlier. This contribution was previously due to expire upon attainment of fully funded status on an actuarial value of assets basis for one year (or July 1, 2048, if earlier).

**G. Discount Rate**

The discount rate used to measure the total pension liability in 2024 was 7.0%. The projection of cash flows used to determine the discount rate assumed that contributions from Plan members and employers will be made at rates set in *Minnesota Statutes*. Based on these assumptions, the fiduciary net positions of the General Employees and Police and Fire plans were projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Public Employees' Retirement Association (Continued)**

**H. Pension Liability Sensitivity**

The following presents the City's proportionate share of the net pension liability for all plans it participates in, calculated using the discount rate disclosed in the preceding paragraph, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate 1 percentage point lower or 1 percentage point higher than the current discount rate:

	1% Decrease in Discount Rate (6.0%)	Current Discount Rate (7.0%)	1% Increase in Discount Rate (8.0%)
City's proportionate share of the General Employees Fund net pension liability	\$ 2,668,009	\$ 1,221,526	\$ 31,661
	1% Decrease in Discount Rate (6.0%)	Current Discount Rate (7.0%)	1% Increase in Discount Rate (8.0%)
City's proportionate share of the Police and Fire Fund net pension liability	\$ 5,023,674	\$ 2,125,799	\$ (253,966)

**I. Pension Plan Fiduciary Net Position**

Detailed information about each pension plan's fiduciary net position is available in a separately issued PERA financial report that includes financial statements and required supplementary information. That report may be obtained on the internet at [www.mnpera.org](http://www.mnpera.org).

**Defined Contribution Pension Plan - Volunteer Firefighter's Relief Association**

The Mendota Heights Firefighter's Relief Association is the administrator of a single employer defined benefit pension plan established to provide benefits for members of the Mendota Heights Fire Department per *Minnesota State Statutes*.

The Association issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to Mendota Heights Firefighter's Association, 2121 Dodd Road Mendota Heights, Minnesota 55120 or by calling 651-249-7640.

The City contributes to the Mendota Heights Volunteer Fire Department Relief Association (the "Association") that provides pension benefits to its members under a single employer defined contribution plan. Since fire department members are volunteers, contributions to the Association are not based on payroll but rather on years of active service. All active firefighters may apply for membership in the Association and shall become a member immediately upon approval by the Board of Trustees.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 11 - PENSION PLANS (CONTINUED)**

**Defined Contribution Pension Plan - Volunteer Firefighter's Relief Association (Continued)**

Under an Annual Contribution Agreement, the City's contribution to the Association is determined by multiplying \$7,000 by the number of years of active service completed by members of the Association for the plan year, prorated by months for members who did not complete a full year of active service. The City also contributes a portion of the Association's administrative fees each year. For 2024, that contribution was \$239,190. Required and actual employer contributions to the plan during 2024 were \$239,190. In addition, the City passes through state aid allocated to the plan in accordance with state statutes. For 2024, the state aid was \$151,179. Members of the Association are not allowed to make voluntary contributions to the plan.

Members are not vested in their accounts until they attain 10 years of active service, at which time they become 60% vested. Thereafter, the vested portion of their accounts increases by 4% annually until they achieve 100% vesting after having served for 20 years.

Plan provisions were established and may only be amended by amendments to the Association bylaws which require a majority vote by the Board of Trustees.

**NOTE 12 - POST EMPLOYMENT HEALTH CARE PLAN**

**A. Plan Description**

The City provides a single employer defined benefit healthcare plan to eligible retirees (as required by *Minnesota Statute* § 471.61) and police or firefighters disabled in the line of duty (as required by *Minnesota Statute* § 299A.465). The required contributions are based on projected pay-as-you-go financing requirements. As of January 1, 2024, there were 17 retirees participating in the City's healthcare plan.

**B. Benefits Provided**

Retirees and their spouses contribute to the healthcare plan at the same rate as City employees. This results in the retirees receiving an implicit rate subsidy. Contribution requirements are established by the City, based on the contract terms with Blue Cross Blue Shield and Delta Dental.

**C. Contributions**

The City makes direct subsidy payments towards retiree health insurance premiums. For the year 2024, the City contributed \$172,027.

**D. Members**

As of January 1, 2024, the following were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	17
Active employees	43
	<hr/>
Total	60
	<hr/> <hr/>

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 12 - POST EMPLOYMENT HEALTH CARE PLAN (CONTINUED)**

**E. Actuarial Assumptions**

The total OPEB liability was determined by an actuarial valuation as of January 1, 2024, using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified:

Key Methods and Assumptions Used in Valuation of Total OPEB Liability

Inflation	2.50%
Healthcare cost trend increases	6.50% initially, grading to 5% over six years and then to 4.00% over the next 48 years
Mortality assumption	Pub-2010 Public Retirement Plans Headcount-Weighted Mortality Tables (General, Safety) with MP-2021 Generational Improvement Scale

The actuarial assumptions used in the January 1, 2024, valuation were based on the results of an actuarial experience study for the period January 1, 2023, through January 1, 2024.

The discount rate used to measure the total OPEB liability was 3.70% based on 20-year municipal G.O. Bonds.

**F. Total OPEB Liability**

The City's total OPEB liability of \$3,455,270 was measured as of January 1, 2024, and was determined by an actuarial valuation as of January 1, 2024.

	<u>Total OPEB Liability</u>
Balance at January 1, 2023	<u>\$ 1,031,273</u>
Changes for the year	
Service cost	19,961
Interest	38,126
Changes of assumptions	176,395
Differences between expected and actual experience	2,387,617
Benefit payments	<u>(198,102)</u>
Net changes	<u>2,423,997</u>
Balance at January 1, 2024	<u><u>\$ 3,455,270</u></u>

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 12 - POST EMPLOYMENT HEALTH CARE PLAN (CONTINUED)**

**F. Total OPEB Liability (Continued)**

Changes of assumptions and other inputs reflect the following changes:

- The discount rate was changed from 4.00% to 3.70%.

**G. OPEB Liability Sensitivity**

The following presents the City's total OPEB liability calculated using the discount rate of 3.70% as well as the liability measured using 1% lower and 1% higher than the current discount rate.

Total OPEB Liability/(Asset)		
1% Decrease in Discount Rate (2.70%)	Current in Discount Rate (3.70%)	1% Increase in Discount Rate (4.70%)
\$ 3,827,575	\$ 3,455,270	\$ 3,136,552

The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1% lower and 1% higher than the current healthcare cost trend rates.

Total OPEB Liability/(Asset)		
1% Decrease in Trend Rate (5.50% Decreasing to 4.0%)	Current Trend Rate (6.50% Decreasing to 5.0%)	1% Increase in Trend Rate (7.50% Decreasing to 6.0%)
\$ 3,146,897	\$ 3,455,270	\$ 3,809,255

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 12 - POST EMPLOYMENT HEALTH CARE PLAN (CONTINUED)**

**H. OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources  
Related to OPEB**

For the year ended December 31, 2024, the City recognized OPEB expense of \$446,878. At December 31, 2024, the Distract reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Liability losses	\$ 2,435,827	\$ -
Assumption changes	187,019	55,372
Subsequent contributions	156,132	-
Total	\$ 2,778,978	\$ 55,372

The \$156,132 reported as deferred outflows of resources related to post employment benefits resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2025. Other amounts reported as deferred outflows and inflows of resources related to post-employment benefits will be recognized in pension expense as follows:

Year Ending December 31,	OPEB Expense Amount
2025	\$ 388,791
2026	388,794
2027	391,291
2028	384,653
2029	381,342
Thereafter	632,603
Total	\$ 2,567,474

**City of Mendota Heights**  
**Notes to Basic Financial Statements**

**NOTE 13 - JOINT VENTURES**

**A. Dakota 911**

The City is a member of Dakota 911. Dakota 911 was created by a joint powers agreement between Dakota County and several cities. Its purposes include the establishment, operation, and maintenance of joint law enforcement, fire, EMS, and other emergency communications systems. Members are obligated to pay their proportional share of operating and capital expenditures on an annual basis. The City paid \$274,296 for 2024. Members do not maintain an equity interest other than if Dakota 911 were to terminate. Withdrawing members forfeit any interest in Dakota 911. Information regarding Dakota 911 can be obtained at the website [www.dakota911mn.gov](http://www.dakota911mn.gov).

**B. Local Government Information Systems Association (LOGIS)**

The consortium of approximately 30 government entities provides computerized data processing and support services to its members. LOGIS is a legally separate entity; the entities appoint a voting majority of its board, and the consortium is fiscally independent of the City. For 2024, the City paid \$417,257 for computer application support and computer hardware for the City's network. Complete financial statements of the consortium may be obtained at the LOGIS offices located at 5750 Duluth Street, Golden Valley, Minnesota 55422.

**NOTE 14 - CONTINGENCIES**

The City has various claims and litigation that arise in the normal course of business. The City has evaluated the impact of these items for the December 31, 2024, financial statements and determined they do not have a material effect on financial position or changes in financial position.

**NOTE 15 - COMMITTED CONTRACTS**

At December 31, 2024, the City had commitments of \$1,347,780 for uncompleted construction contracts.

**NOTE 16 - TAX INCREMENT FINANCING**

The City has entered into Tax Increment Financing agreements which meet the criteria for disclosure under *Governmental Accounting Standards Board Statement No. 77 Tax Abatement Disclosures*. The City's authority to enter into these agreements comes from *Minnesota Statute § 469*. The City entered into this agreement for the purpose of redevelopment.

Under these agreements, the City and developer agree on an amount of development costs to be reimbursed to the developer by the City through tax revenues from the additional taxable value of the property generated by the development (tax increment). A "pay-as-you-go" note is established for this amount, on which the City makes payments for a fixed period of time with available tax increment revenue after deducting for certain administrative costs.

During the year ended December 31, 2024, the City generated \$323,631 in tax increment revenue and made \$291,268 in payments to developers.

**City of Mendota Heights  
Notes to Basic Financial Statements**

**NOTE 17 - NEW STANDARDS ISSUED BUT NOT YET IMPLEMENTED**

Summary of any GASB Statements if statement will impact client's financial statements.

GASB Statement No. 102, *Certain Risk Disclosures*. The disclosures required by this Statement will provide users with timely information regarding certain concentrations or constraints and related events that have occurred or have begun to occur that make a government vulnerable to a substantial impact. This Statement will be effective for the year ending December 31, 2025.

GASB Statement No. 103, *Financial Reporting Model Improvements*. The changes required by this Statement provide clarity, enhance the relevance of information, provide more useful information for decision-making and provide for greater comparability amongst government entities. This Statement will be effective for the year ending December 31, 2026.

GASB Statement No. 104, *Disclosure of Certain Capital Assets*. The disclosures required by this Statement provide users of the financial statements with essential information about certain types of capital assets. This Statement will be effective for the year ending December 31, 2026.

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**REQUIRED SUPPLEMENTARY INFORMATION**

**City of Mendota Heights**  
**Schedule of Changes in Total OPEB Liability**  
**and Related Ratios**

	December 31, 2024	December 31, 2023	December 31, 2022	December 31, 2021
<b>Total OPEB Liability</b>				
Service cost	\$ 19,961	\$ 18,147	\$ 24,213	\$ 20,191
Interest	38,126	23,338	14,864	23,267
Differences between expected and actual experience	2,387,617	-	540,952	-
Changes of assumptions	176,395	(67,149)	12,919	26,487
Benefit payments	(198,102)	(182,694)	(143,921)	(122,081)
Net change in total OPEB liability	<u>2,423,997</u>	<u>(208,358)</u>	<u>449,027</u>	<u>(52,136)</u>
Beginning of year	<u>1,031,273</u>	<u>1,239,631</u>	<u>790,604</u>	<u>842,740</u>
Total OPEB Liability	<u>\$ 3,455,270</u>	<u>\$ 1,031,273</u>	<u>\$ 1,239,631</u>	<u>\$ 790,604</u>
Covered-employee payroll	\$ 4,167,235	\$ 3,600,817	\$ 3,495,939	\$ 3,469,012
Total OPEB liability as a percentage of covered-employee payroll	82.92%	28.64%	35.46%	22.79%

Note: Schedule is intended to show ten year trend. Additional years will be reported as they become available.

December 31, 2020	December 31, 2019	December 31, 2018
\$ 17,009	\$ 22,733	\$ 24,002
31,249	30,230	31,883
22,848	-	-
30,297	(20,053)	-
<u>(126,784)</u>	<u>(115,317)</u>	<u>(94,257)</u>
<u>(25,381)</u>	<u>(82,407)</u>	<u>(38,372)</u>
<u>868,121</u>	<u>950,528</u>	<u>988,900</u>
<u>\$ 842,740</u>	<u>\$ 868,121</u>	<u>\$ 950,528</u>
\$ 3,359,818	\$ 3,460,084	\$ 3,359,305
25.08%	25.09%	28.30%

**City of Mendota Heights  
Schedule of City's Proportionate Share  
of Net Pension Liability  
General Employees Retirement Fund  
Last Ten Years**

For Fiscal Year Ended June 30,	City's Proportionate Share (Percentage) of the Net Pension Liability (Asset)	City's Proportionate Share (Amount) of the Net Pension Liability (Asset)	State's Proportionate Share (Amount) of the Net Pension Liability Associated with the City	City's Proportionate Share of the Net Pension Liability Associated with the City	City's Covered Payroll	City's Proportionate Share of the Net Pension Liability (Asset) as a Percentage of its Covered Payroll	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
2015	0.0322%	\$ 1,668,771	\$ -	\$ 1,668,771	\$ 1,859,307	89.75%	78.19%
2016	0.0315%	2,557,644	33,392	2,591,036	1,954,600	130.85%	68.91%
2017	0.0290%	1,851,341	23,303	1,874,644	1,870,160	98.99%	75.90%
2018	0.0281%	1,558,873	51,096	1,609,969	1,887,853	82.57%	79.53%
2019	0.0291%	1,608,874	49,998	1,658,872	2,058,880	78.14%	80.23%
2020	0.0296%	1,774,655	54,701	1,829,356	2,113,013	83.99%	79.06%
2021	0.0319%	1,362,273	41,634	1,403,907	2,294,880	59.36%	87.00%
2022	0.0324%	2,566,091	75,343	2,641,434	2,430,307	105.59%	76.67%
2023	0.0316%	1,767,037	48,604	1,815,641	2,509,800	70.41%	83.10%
2024	0.0330%	1,221,526	31,586	1,253,112	2,796,493	43.68%	89.08%

**Schedule of City's Proportionate Share  
of Net Pension Liability  
Public Employees Police and Fire Retirement Fund  
Last Ten Years**

For Fiscal Year Ended June 30,	City's Proportion of the Net Pension Liability (Asset)	City's Proportionate Share of the Net Pension Liability (Asset)	State's Proportionate Share (Amount) of the Net Pension Liability Associated with the City	City's Proportionate Share of the Net Pension Liability Associated with the City	City's Covered Payroll	City's Proportionate Share of the Net Pension Liability (Asset) as a Percentage of its Covered Payroll	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
2015	0.1530%	\$ 1,738,438	N/A	\$ 1,738,438	\$ 1,359,920	127.8%	86.61%
2016	0.1550%	6,220,420	N/A	6,220,420	1,496,272	415.7%	63.88%
2017	0.1500%	2,011,679	N/A	2,011,679	1,543,389	130.3%	85.43%
2018	0.1527%	1,613,882	N/A	1,613,882	1,609,556	100.3%	88.84%
2019	0.1643%	1,726,959	N/A	1,726,959	1,733,152	99.6%	89.26%
2020	0.1686%	2,207,154	\$ 52,363	2,259,517	1,902,465	116.0%	87.19%
2021	0.1575%	1,201,558	54,662	1,256,220	1,902,228	63.2%	93.66%
2022	0.1628%	7,084,413	309,465	7,393,878	1,977,853	358.2%	70.53%
2023	0.1568%	2,707,732	109,059	2,816,791	2,059,107	131.5%	86.47%
2024	0.1616%	2,125,799	81,035	2,206,834	2,237,503	95.0%	90.17%

See notes to required supplementary information.

**City of Mendota Heights  
Schedule of City Contributions -  
General Employees Retirement Fund  
Last Ten Years**

Fiscal Year Ending December 31,	Statutorily Required Contribution	Contributions in Relation to the Statutorily Required Contributions	Contribution Deficiency (Excess)	City's Covered Payroll	Contributions as a Percentage of Covered Payroll
2015	\$ 149,420	\$ 149,420	\$ -	\$ 1,992,267	7.50%
2016	139,806	139,806	-	1,864,080	7.50%
2017	137,806	137,806	-	1,837,413	7.50%
2018	146,272	146,272	-	1,950,293	7.50%
2019	157,416	157,416	-	2,098,880	7.50%
2020	166,196	166,196	-	2,215,947	7.50%
2021	178,657	178,657	-	2,382,093	7.50%
2022	186,921	186,921	-	2,492,280	7.50%
2023	193,712	193,712	-	2,582,827	7.50%
2024	226,381	226,381	-	3,018,413	7.50%

**Schedule of City Contributions -  
Public Employees Police and Fire Retirement Fund  
Last Ten Years**

Fiscal Year Ending December 31,	Statutorily Required Contribution	Contributions in Relation to the Statutorily Required Contributions	Contribution Deficiency (Excess)	City's Covered Payroll	Contributions as a Percentage of Covered Payroll
2015	\$ 237,655	\$ 237,655	\$ -	\$ 1,467,006	16.20%
2016	245,917	245,917	-	1,518,006	16.20%
2017	251,584	251,584	-	1,552,988	16.20%
2018	266,168	266,168	-	1,643,012	16.20%
2019	311,718	311,718	-	1,839,044	16.95%
2020	344,654	344,654	-	1,947,198	17.70%
2021	349,826	349,826	-	1,976,418	17.70%
2022	350,782	350,782	-	1,981,819	17.70%
2023	382,877	382,877	-	2,163,147	17.70%
2024	394,207	394,207	-	2,227,158	17.70%

**City of Mendota Heights  
Notes to Required Supplementary Information**

**General Employees Fund**

**2024 Changes**

Changes in Actuarial Assumptions

- Rates of merit and seniority were adjusted, resulting in slightly higher rates.
- Assumed rates of retirement were adjusted as follows: increase the rate of assumed unreduced retirements, slight adjustments to Rule of 90 retirement rates, and slight adjustments to early retirement rates for Tier 1 and Tier 2 members.
- Minor increase in assumed withdrawals for males and females.
- Lower rates of disability.
- Continued use of Pub-2010 general mortality table with slight rate adjustments as recommended in the most recent experience study.
- Minor changes to form of payment assumptions for male and female retirees.
- Minor changes to assumptions made with respect to missing participant data.

Changes in Plan Provisions

- The workers' compensation offset for disability benefits was eliminated. The actuarial equivalent factors updated to reflect the changes in assumptions.

**2023 Changes**

Changes in Actuarial Assumptions

- The investment return assumption and single discount rate were changed from 6.5% to 7.0%.

Changes in Plan Provisions

- Additional one-time direct state aid contribution of \$170.1 million will be contributed to the Plan on October 1, 2023.
- The vesting period for those hired after June 30, 2010 was changed from five years of allowable service to three years of allowable service.
- The benefit increase delay for early retirements on or after January 1, 2024, was eliminated.
- A one-time non-compounding benefit increase equal to 2.5% minus the actual adjustment will be payable in a lump sum for calendar year 2024 by March 31, 2024.

**2022 Changes**

Changes in Actuarial Assumptions

- The mortality improvement scale was changed from scale MP-2020 to scale MP-2021.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2021 Changes**

Changes in Actuarial Assumptions

- The investment return and single discount rates were changed from 7.5% to 6.5% for financial reporting purposes.
- The mortality improvement scale was changed from scale MP-2019 to scale MP-2020.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2020 Changes**

Changes in Actuarial Assumptions

- The price inflation assumption was decreased from 2.5% to 2.25%.
- The payroll growth assumption was decreased from 3.25% to 3.0%.

**City of Mendota Heights  
Notes to Required Supplementary Information**

**General Employees Fund (Continued)**

**2020 Changes (Continued)**

Changes in Actuarial Assumptions (Continued)

- Assumed salary increase rates were changed as recommended in the June 30, 2019, experience study. The net effect is assumed rates that average 0.25% less than previous rates.
- Assumed rates of retirement were changed as recommended in the June 30, 2019, experience study. The changes result in more unreduced (normal) retirements and slightly fewer Rule of 90 and early retirements.
- Assumed rates of termination were changed as recommended in the June 30, 2019, experience study. The new rates are based on service and are generally lower than the previous rates for years 2-5 and slightly higher thereafter.
- Assumed rates of disability were changed as recommended in the June 30, 2019, experience study. The change results in fewer predicted disability retirements for males and females.
- The base mortality table for healthy annuitants and employees was changed from the RP-2014 table to the Pub-2010 General Mortality table, with adjustments. The base mortality table for disabled annuitants was changed from the RP-2014 disabled annuitant mortality table to the Pub-2010 General/Teacher disabled annuitant mortality table, with adjustments.
- The mortality improvement scale was changed from Scale MP-2018 to Scale MP-2019.
- The assumed spouse age difference was changed from two years older for females to one year older.
- The assumed number of married male new retirees electing the 100% Joint and Survivor option changed from 35% to 45%. The assumed number of married female new retirees electing the 100% Joint and Survivor option changed from 15% to 30%. The corresponding number of married new retirees electing the Life annuity option was adjusted accordingly.

Changes in Plan Provisions

- Augmentation for current privatized members was reduced to 2.0% for the period July 1, 2020 through December 31, 2023, and 0.0% thereafter. Augmentation was eliminated for privatizations occurring after June 30, 2020.

**2019 Changes**

Changes in Actuarial Assumptions

- The mortality projection scale was changed from MP-2017 to MP-2018.

Changes in Plan Provisions

- The employer supplemental contribution was changed prospectively, decreasing from \$31.0 million to \$21.0 million per year. The State's special funding contribution was changed prospectively, requiring \$16.0 million due per year through 2031.

**2018 Changes**

Changes in Actuarial Assumptions

- The mortality projection scale was changed from MP-2015 to MP-2017.
- The assumed benefit increase was changed from 1.0% per year through 2044 and 2.5% per year thereafter to 1.25% per year.

Changes in Plan Provisions

- The augmentation adjustment in early retirement factors is eliminated over a five-year period starting July 1, 2019, resulting in actuarial equivalence after June 30, 2024.
- Interest credited on member contributions decreased from 4.00% to 3.00%, beginning July 1, 2018.

**City of Mendota Heights  
Notes to Required Supplementary Information**

**General Employees Fund (Continued)**

**2018 Changes (Continued)**

Changes in Actuarial Assumptions (Continued)

- Deferred augmentation was changed to 0.00%, effective January 1, 2019. Augmentation that has already accrued for deferred members will still apply.
- Contribution stabilizer provisions were repealed.
- Annual increases were changed from 1.00% per year with a provision to increase to 2.50% upon attainment of 90.00% funding ratio to 50.00% of the Social Security Cost of Living Adjustment, not less than 1.00% and not more than 1.50%, beginning January 1, 2019.
- For retirements on or after January 1, 2024, the first benefit increase is delayed until the retiree reaches normal retirement age. This does not apply to Rule of 90 retirees, disability benefit recipients, or survivors.
- Actuarial equivalent factors were updated to reflect revised mortality and interest assumptions.

**2017 Changes**

Changes in Actuarial Assumptions

- The CSA loads were changed from 0.8% for active members and 60% for vested and non-vested deferred members. The revised CSA loads are now 0.0% for active member liability, 15% for vested deferred member liability and 3% for non-vested deferred member liability.
- The assumed annual increase rate was changed from 1.0% per year for all years to 1.0% per year through 2044 and 2.5% per year thereafter.

Changes in Plan Provisions

- The State's contribution for the Minneapolis Employees Retirement Fund equals \$16,000,000 in 2017 and 2018, and \$6,000,000 thereafter.
- The Employer Supplemental Contribution for the Minneapolis Employees Retirement Fund changed from \$21,000,000 to \$31,000,000 in calendar years 2019 to 2031. The State's contribution changed from \$16,000,000 to \$6,000,000 in calendar years 2019 to 2031.

**2016 Changes**

Changes in Actuarial Assumptions

- The assumed post-retirement benefit increase rate was changed from 1.0% per year through 2035 and 2.5% per year thereafter to 1.0% per year for all future years.
- The assumed investment return was changed from 7.9% to 7.5%. The single discount rate was changed from 7.9% to 7.5%.
- Other assumptions were changed pursuant to the experience study dated June 30, 2015. The assumed future salary increases, payroll growth, the inflation was decreased by 0.25% to 3.25% for payroll growth and 2.50% for inflation.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2015 Changes**

Changes in Actuarial Assumptions

- The assumed post-retirement benefit increase rate was changed from 1.0% per year through 2030 and 2.5% per year thereafter to 1.0% per year through 2035 and 2.5% per year thereafter.

**City of Mendota Heights  
Notes to Required Supplementary Information**

**General Employees Fund (Continued)**

**2015 Changes (Continued)**

Changes in Plan Provisions

- On January 1, 2015, the Minneapolis Employees Retirement Fund was merged into the General Employees Fund, which increased the total pension liability by \$1.1 billion and increased the fiduciary plan net position by \$892 million. Upon consolidation, state and employer contributions were revised; the State's contribution of \$6.0 million, which meets the special funding situation definition, was due September 2015.

**City of Mendota Heights  
Notes to Required Supplementary Information**

**Police and Fire Fund**

**2024 Changes**

Changes in Plan Provisions

- The State contribution of \$9.0 million per year will continue until the earlier of 1) both the Police and Fire Plan and the State Patrol Retirement Fund attain 90% funded status for three consecutive years (on an actuarial value of assets basis) or 2) July 1, 2048. The contribution was previously due to expire after attaining a 90% funded status for one year.
- The additional \$9.0 million contribution will continue until the Police and Fire Plan is fully funded for a minimum of three consecutive years on an actuarial value of assets basis, or July 1, 2048, whichever is earlier. This contribution was previously due to expire upon attainment of fully funded status on an actuarial value of assets basis for one year (or July 1, 2048 if earlier).

**2023 Changes**

Changes in Actuarial Assumptions

- The investment return assumption was changed from 6.5% to 7.0%.
- The single discount rate was changed from 5.4% to 7.0%.

Changes in Plan Provisions

- Additional one-time direct state aid contribution of \$19.4 million will be contributed to the Plan on October 1, 2023.
- Vesting requirement for new hires after June 30, 2014, was changed from a graded 20-year vesting schedule to a graded 10-year vesting schedule, with 50% vesting after five years, increasing incrementally to 100% after 10 years.
- A one-time non-compounding benefit increase of 3.0% will be payable in a lump sum for calendar year 2024 by March 31, 2024.
- Psychological treatment is required effective July 1, 2023, prior to approval for a duty disability benefit for a psychological condition relating to the member's occupation.
- A total and permanent duty disability benefit was added, effective July 1, 2023.

**2022 Changes**

Changes in Actuarial Assumptions

- The mortality improvement scale was changed from scale MP-2020 to scale MP-2021.
- The single discount rate was changed from 6.5% to 5.4%.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2021 Changes**

Changes in Actuarial Assumptions

- The investment return and single discount rates were changed from 7.5% to 6.5% for financial reporting purposes.
- The inflation assumption was changed from 2.5% to 2.25%.
- The payroll growth assumption was changed from 3.25% to 3.0%.
- The base mortality table for healthy annuitants and employees was changed from the RP-2014 table to the Pub-2010 Public Safety mortality table. The mortality improvement scale was changed from MP-2019 to MP-2020.
- The base mortality table for disabled annuitants was changed from the RP-2014 healthy annuitant mortality table (with future mortality improvement according to scale MP-2019) to the Pub-2010 Public Safety disabled annuitant mortality table (with future mortality improvement according to scale MP-2020).

**City of Mendota Heights  
Notes to Required Supplementary Information**

**Police and Fire Fund (Continued)**

**2021 Changes (Continued)**

Changes in Actuarial Assumptions (Continued)

- Assumed rates of salary increase were modified as recommended in the July 14, 2020, experience study. The overall impact is a decrease in gross salary increase rates.
- Assumed rates of retirement were changed as recommended in the July 14, 2020, experience study. The changes resulted in slightly more unreduced retirements and fewer assumed early retirements.
- Assumed rates of withdrawal were changed from select and ultimate rates to service-based rates. The changes resulted in more assumed terminations.
- Assumed rates of disability were increased for ages 25-44 and decreased for ages over 49. Overall, proposed rates resulted in more projected disabilities.
- Assumed percent married for active female members was changed from 60% to 70%. Minor changes to form of payment assumptions were applied.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2020 Changes**

Changes in Actuarial Assumptions

- The mortality projection scale was changed from MP-2018 to MP-2019.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2019 Changes**

Changes in Actuarial Assumptions

- The mortality projection scale was changed from MP-2017 to MP-2018.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2018 Changes**

Changes in Actuarial Assumptions

- The mortality projection scale was changed from MP-2016 to MP-2017.

Changes in Plan Provisions

- Annual increases were changed to 1.00% for all years, with no trigger.
- An end date of July 1, 2048, was added to the existing \$9.0 million state contribution.
- New annual state aid will equal \$4.5 million in fiscal years 2019 and 2020, and \$9.0 million thereafter until the plan reaches 100% funding, or July 1, 2048, if earlier.
- Member contributions were changed from 10.80% to 11.30% of pay, effective January 1, 2019, and 11.80% of pay, effective January 1, 2020.
- Employer contributions were changed from 16.20% to 16.95% of pay, effective January 1, 2019, and 17.70% of pay, effective January 1, 2020.
- Interest credited on member contributions decreased from 4.00% to 3.00%, beginning July 1, 2018.
- Deferred augmentation was changed to 0.00%, effective January 1, 2019. Augmentation that has already accrued for deferred members will still apply.
- Actuarial equivalent factors were updated to reflect revised mortality and interest assumptions.

**City of Mendota Heights  
Notes to Required Supplementary Information**

**Police and Fire Fund (Continued)**

**2017 Changes**

Changes in Actuarial Assumptions

- Assumed salary increases were changed as recommended in the June 30, 2016, experience study. The net effect is proposed rates that average 0.34% lower than the previous rates.
- Assumed rates of retirement were changed, resulting in fewer retirements.
- The CSA load was 30% for vested and non-vested deferred members. The CSA has been changed to 33% for vested members and 2% for non-vested members.
- The base mortality table for healthy annuitants was changed from the RP-2000 fully generational table to the RP-2014 fully generational table (with a base year of 2006), with male rates adjusted by a factor of 0.96. The mortality improvement scale was changed from Scale AA to Scale MP-2016. The base mortality table for disabled annuitants was changed from the RP-2000 disabled mortality table to the mortality tables assumed for healthy retirees.
- Assumed termination rates were decreased to 3% for the first three years of service. Rates beyond the select period of three years were adjusted, resulting in more expected terminations overall.
- Assumed percentage of married female members was decreased from 65% to 60%.
- Assumed age difference was changed from separate assumptions for male members (wives assumed to be three years younger) and female members (husbands assumed to be four years older) to the assumption that males are two years older than females.
- The assumed percentage of female members electing Joint and Survivor annuities was increased.
- The assumed annual increase rate was changed from 1% for all years to 1% per year through 2064 and 2.5% thereafter.
- The single discount rate was changed from 5.6% per annum to 7.5% per annum.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2016 Changes**

Changes in Actuarial Assumptions

- The assumed post-retirement benefit increase rate was changed from 1.0% per year through 2037 and 2.5% thereafter to 1.0% per year for all future years.
- The assumed investment return was changed from 7.9% to 7.5%. The single discount rate changed from 7.9% to 5.6%.
- The single discount rate changed from 7.90% to 5.60%.
- The assumed future salary increases, payroll growth, and inflation was decreased by 0.25% to 3.25% for payroll growth and 2.50% for inflation.

Changes in Plan Provisions

- There have been no changes since the prior valuation.

**2015 Changes**

Changes in Actuarial Assumptions

- The assumed post-retirement benefit increase rate was changed from 1.0% per year through 2030 and 2.5% per year thereafter to 1.0% per year through 2037 and 2.5% per year thereafter.

Changes in Plan Provisions

- The post-retirement benefit increase to be paid after attainment of the 90% funding threshold was changed, from inflation up to 2.5%, to a fixed rate of 2.5%.

**City of Mendota Heights  
Notes to Required Supplementary Information**

**OPEB**

**2024 Changes**

Changes in Actuarial Assumptions

- The discount rate was changed from 4.00% to 3.70%.

**2023 Changes**

Changes in Actuarial Assumptions

- The discount rate was changed from 2.00% to 4.00%.
- The inflation rate was changed from 2.00% to 2.50%.

**2022 Changes**

Changes in Actuarial Assumptions

- The health care trend rates were changed to better anticipate short term and long term medical increases.
- The mortality tables were updated from the Pub-2010 Public Retirement Plans Headcount-Weighted Mortality Tables (General, Safety) with MP-2019 Generational Improvement Scale to the Pub-2010 Public Retirement Plans Headcount-Weighted Mortality Tables (General, Safety) with MP-2021 Generational Improvement Scale.
- The salary increase rates were updated to reflect the latest experience study.
- The retirement and withdrawal rates were updated to reflect the latest experience study.
- The inflation rate was changed from 2.50% to 2.00%.

**2021 Changes**

Changes in Actuarial Assumptions

- The discount rate decreased from 2.90% in 2020 to 2.00% in 2021.

**2020 Changes**

Changes in Actuarial Assumptions

- The discount rate decreased from 3.80% in 2019 to 2.90% in 2020.
- The healthcare trend rates, mortality tables, and salary increase rates were updated.

**2019 Changes**

Changes in Actuarial Assumptions

- The discount rate increased from 3.30% in 2018 to 3.80% in 2019.
- The healthcare trend rates, mortality tables, and salary increase rates were updated.

**2018 Changes**

Changes in Actuarial Assumptions

- The discount rate decreased from 4.00% in 2017 to 3.30% in 2018.

There are no assets accumulated in a trust.

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**SUPPLEMENTARY INFORMATION**

**City of Mendota Heights  
Combining Balance Sheet -  
Nonmajor Governmental Funds  
December 31, 2024**

	Special Revenue			
	Water Revenue	Special Park	Civil Defense	Street Lighting
<b>Assets</b>				
Cash and investments	\$ 1,260,625	\$ 225,079	\$ 149,649	\$ 74,843
Taxes receivable - delinquent	-	-	201	1,264
Special assessments receivable				
Deferred	-	-	-	-
Accounts receivable	-	-	-	-
Interest receivable	2,221	605	328	72
Due from other funds	-	-	-	-
Due from other governments	3,137	-	558	10
Prepaid items	-	-	-	-
Land held for resale	-	-	-	-
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
Total assets	<u>\$ 1,265,983</u>	<u>\$ 225,684</u>	<u>\$ 150,736</u>	<u>\$ 76,189</u>
<b>Liabilities</b>				
Accounts and contracts payable	\$ -	\$ 9,952	\$ -	\$ 51,705
Due to other funds	-	-	-	-
Due to other governments	-	-	-	-
Salaries and benefits payable	-	-	-	-
Total liabilities	<u>-</u>	<u>9,952</u>	<u>-</u>	<u>51,705</u>
<b>Deferred Inflows of Resources</b>				
Unavailable revenue - property taxes	-	-	201	1,264
Unavailable revenue - special assessments	-	-	-	-
Total deferred inflows of resources	<u>-</u>	<u>-</u>	<u>201</u>	<u>1,264</u>
<b>Fund Balances</b>				
Nonspendable	-	-	-	-
Restricted	-	215,732	-	23,220
Committed	1,265,983	-	150,535	-
Assigned	-	-	-	-
Unassigned	-	-	-	-
Total fund balances	<u>1,265,983</u>	<u>215,732</u>	<u>150,535</u>	<u>23,220</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 1,265,983</u>	<u>\$ 225,684</u>	<u>\$ 150,736</u>	<u>\$ 76,189</u>

Special Revenue				Debt Service	
Par 3 Golf Course	Police Forfeiture Fund	American Rescue Plan Act	Local Affordable Housing Aid	Par 3 G.O. Bonds	Equipment Certificates
\$ 158,394	\$ 30,282	\$ 862	\$ 44,605	\$ 127,839	\$ 47,033
-	-	-	-	275	17
-	-	-	-	-	-
124	-	-	-	-	-
215	54	-	31	233	85
-	-	-	-	-	-
-	-	-	-	198	-
7,811	-	-	-	-	-
-	-	-	-	-	-
<u>\$ 166,544</u>	<u>\$ 30,336</u>	<u>\$ 862</u>	<u>\$ 44,636</u>	<u>\$ 128,545</u>	<u>\$ 47,135</u>
\$ 6,615	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	-	-	-	-
991	-	-	-	-	-
1,107	-	-	-	-	-
<u>8,713</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
-	-	-	-	275	17
-	-	-	-	-	-
-	-	-	-	275	17
7,811	-	-	-	-	-
-	30,336	862	44,636	128,270	47,118
150,020	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
<u>157,831</u>	<u>30,336</u>	<u>862</u>	<u>44,636</u>	<u>128,270</u>	<u>47,118</u>
<u>\$ 166,544</u>	<u>\$ 30,336</u>	<u>\$ 862</u>	<u>\$ 44,636</u>	<u>\$ 128,545</u>	<u>\$ 47,135</u>

**City of Mendota Heights  
Combining Balance Sheet -  
Nonmajor Governmental Funds  
December 31, 2024**

	Debt Service	Capital Projects		
	Fire Station Bonds	Equipment Replacement Reserve	Infrastructure Reserve	Facility Reserve
<b>Assets</b>				
Cash and investments	\$ 669,030	\$ 699,618	\$ -	\$ 383,028
Taxes receivable - delinquent	4,734	15	9	-
Special assessments receivable				
Deferred	-	-	-	-
Accounts receivable	-	-	-	-
Interest receivable	610	672	-	703
Due from other funds	-	-	-	-
Due from other governments	14,073	2	84,407	-
Prepaid items	-	-	-	-
Land held for resale	-	-	-	-
	<u>        </u>	<u>        </u>	<u>        </u>	<u>        </u>
Total assets	<u>\$ 688,447</u>	<u>\$ 700,307</u>	<u>\$ 84,416</u>	<u>\$ 383,731</u>
<b>Liabilities</b>				
Accounts and contracts payable	\$ -	\$ 275	\$ -	\$ 1,000
Due to other funds	-	-	71,117	-
Due to other governments	-	-	-	-
Salaries and benefits payable	-	-	-	-
Total liabilities	<u>-</u>	<u>275</u>	<u>71,117</u>	<u>1,000</u>
<b>Deferred Inflows of Resources</b>				
Unavailable revenue - property taxes	4,734	15	9	-
Unavailable revenue - special assessments	-	-	-	-
Total deferred inflows of resources	<u>4,734</u>	<u>15</u>	<u>9</u>	<u>-</u>
<b>Fund Balances</b>				
Nonspendable	-	-	-	-
Restricted	683,713	-	-	-
Committed	-	-	-	-
Assigned	-	700,017	13,290	382,731
Unassigned	-	-	-	-
Total fund balances	<u>683,713</u>	<u>700,017</u>	<u>13,290</u>	<u>382,731</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 688,447</u>	<u>\$ 700,307</u>	<u>\$ 84,416</u>	<u>\$ 383,731</u>

Capital Projects

Water Tower Capital Project	Pilot Knob Improvement	Pre-1998 Non- Increment	Special Assessment Capital Project	TIF District No. 2	Fire Hall Remodel
\$ 89,632	\$ 39,300	\$ 202,788	\$ -	\$ 197,826	\$ 265
-	-	-	-	-	41
-	-	-	11,603	-	-
-	-	-	11,032	-	-
1,276	-	739	215	166	-
559,823	-	71,117	-	-	-
-	-	-	1,374	-	24
-	-	-	-	-	-
-	-	96,100	-	-	-
<u>\$ 650,731</u>	<u>\$ 39,300</u>	<u>\$ 370,744</u>	<u>\$ 24,224</u>	<u>\$ 197,992</u>	<u>\$ 330</u>
\$ -	\$ -	\$ -	\$ 67,011	\$ 119,980	\$ -
-	-	-	559,823	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	626,834	119,980	-
-	-	-	-	-	41
-	-	-	11,603	-	-
-	-	-	11,603	-	41
-	-	-	-	-	-
-	-	-	-	78,012	-
-	-	-	-	-	-
650,731	39,300	370,744	-	-	289
-	-	-	(614,213)	-	-
<u>650,731</u>	<u>39,300</u>	<u>370,744</u>	<u>(614,213)</u>	<u>78,012</u>	<u>289</u>
<u>\$ 650,731</u>	<u>\$ 39,300</u>	<u>\$ 370,744</u>	<u>\$ 24,224</u>	<u>\$ 197,992</u>	<u>\$ 330</u>

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**City of Mendota Heights  
Combining Balance Sheet -  
Nonmajor Governmental Funds  
December 31, 2024**

	<u>Capital Projects</u>	<u>Total Nonmajor Governmental Funds</u>
	TIF District No. 3	Funds
<b>Assets</b>		
Cash and investments	\$ 29,993	\$ 4,430,691
Taxes receivable - delinquent	-	6,556
Special assessments receivable		
Deferred	-	11,603
Accounts receivable	-	11,156
Interest receivable	13	8,238
Due from other funds	-	630,940
Due from other governments	-	103,783
Prepaid items	-	7,811
Land held for resale	-	96,100
	<u>\$ 30,006</u>	<u>\$ 5,306,878</u>
<b>Liabilities</b>		
Accounts and contracts payable	\$ 25,809	\$ 282,347
Due to other funds	-	630,940
Due to other governments	-	991
Salaries and benefits payable	-	1,107
Total liabilities	<u>25,809</u>	<u>915,385</u>
<b>Deferred Inflows of Resources</b>		
Unavailable revenue - property taxes	-	6,556
Unavailable revenue - special assessments	-	11,603
Total deferred inflows of resources	<u>-</u>	<u>18,159</u>
<b>Fund Balances</b>		
Nonspendable	-	7,811
Restricted	4,197	1,256,096
Committed	-	1,566,538
Assigned	-	2,157,102
Unassigned	-	(614,213)
Total fund balances	<u>4,197</u>	<u>4,373,334</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 30,006</u>	<u>\$ 5,306,878</u>

**City of Mendota Heights**  
**Combining Statement of Revenues, Expenditures,**  
**and Changes in Fund Balances - Nonmajor Governmental Funds**  
**Year Ended December 31, 2024**

	Special Revenue			
	Water Revenue	Special Park	Civil Defense	Street Lighting
<b>Revenues</b>				
Property taxes	\$ -	\$ -	\$ 25,073	\$ 81,285
Tax increments	-	-	-	-
Intergovernmental	-	-	-	-
Charges for services	131,390	-	-	-
Fines and forfeitures	-	-	6	-
Miscellaneous				
Investment income	53,849	14,657	7,926	1,738
Other	-	21,400	-	-
Total revenues	<u>185,239</u>	<u>36,057</u>	<u>33,005</u>	<u>83,023</u>
<b>Expenditures</b>				
Current				
General government	-	-	18,353	21,562
Public safety	-	-	-	-
Public works	-	118,006	-	-
Economic development	-	-	-	-
Debt service				
Principal	-	-	-	-
Interest and other charges	-	-	-	-
Capital outlay				
General government	-	-	54,905	59,500
Public safety	-	-	-	-
Public works	-	254,099	-	-
Total expenditures	<u>-</u>	<u>372,105</u>	<u>73,258</u>	<u>81,062</u>
Excess of revenues over (under) expenditures	185,239	(336,048)	(40,253)	1,961
<b>Other Financing Sources (Uses)</b>				
Transfers in	-	-	-	-
Transfers out	(30,117)	(1,500)	-	-
Total other financing sources (uses)	<u>(30,117)</u>	<u>(1,500)</u>	<u>-</u>	<u>-</u>
Net change in fund balances	155,122	(337,548)	(40,253)	1,961
<b>Fund Balances</b>				
Beginning of year	<u>1,110,861</u>	<u>553,280</u>	<u>190,788</u>	<u>21,259</u>
End of year	<u>\$ 1,265,983</u>	<u>\$ 215,732</u>	<u>\$ 150,535</u>	<u>\$ 23,220</u>

Special Revenue				Debt Service		
Par 3 Golf Course	Police Forfeiture Fund	American Rescue Plan Act	Local Affordable Housing Aid	Par 3 G.O. Bonds	Equipment Certificates	Fire Station Bonds
\$ -	\$ -	\$ -	\$ -	\$ 264	\$ -	\$ 624,079
-	-	-	-	-	-	-
-	-	-	43,876	-	-	-
320,698	-	-	-	-	-	-
-	-	-	-	-	-	162
5,211	1,302	-	760	5,645	2,062	14,765
296	-	-	-	-	-	-
<u>326,205</u>	<u>1,302</u>	<u>-</u>	<u>44,636</u>	<u>5,909</u>	<u>2,062</u>	<u>639,006</u>
-	-	-	-	-	-	-
-	-	-	-	-	-	-
292,601	-	-	-	-	-	-
-	-	-	-	-	-	-
-	-	-	-	-	-	405,000
-	-	-	-	-	-	181,225
-	-	-	-	-	-	-
-	-	-	-	-	-	-
-	-	-	-	-	-	-
<u>292,601</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>586,225</u>
33,604	1,302	-	44,636	5,909	2,062	52,781
-	-	-	-	-	-	-
-	-	-	-	-	-	-
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
33,604	1,302	-	44,636	5,909	2,062	52,781
124,227	29,034	862	-	122,361	45,056	630,932
<u>\$ 157,831</u>	<u>\$ 30,336</u>	<u>\$ 862</u>	<u>\$ 44,636</u>	<u>\$ 128,270</u>	<u>\$ 47,118</u>	<u>\$ 683,713</u>

**City of Mendota Heights**  
**Combining Statement of Revenues, Expenditures,**  
**and Changes in Fund Balances - Nonmajor Governmental Funds**  
**Year Ended December 31, 2024**

	Capital Projects			
	Equipment Replacement Reserve	Infrastructure Reserve	Facility Reserve	Water Tower Capital Project
<b>Revenues</b>				
Property taxes	\$ 2	\$ 1	\$ -	\$ -
Tax increments	-	-	-	-
Intergovernmental	-	89,674	-	-
Charges for services	-	-	-	-
Fines and forfeitures	-	-	-	-
Miscellaneous				
Investment income	16,285	-	17,045	30,942
Other	-	-	-	-
Total revenues	<u>16,287</u>	<u>89,675</u>	<u>17,045</u>	<u>30,942</u>
<b>Expenditures</b>				
<b>Current</b>				
General government	-	-	9,000	-
Public safety	8,188	-	-	-
Public works	-	88,227	725	-
Economic development	-	-	-	-
<b>Debt service</b>				
Principal	-	-	-	-
Interest and other charges	-	-	-	-
<b>Capital outlay</b>				
General government	-	-	-	-
Public safety	148,176	-	-	-
Public works	547,086	-	-	75,139
Total expenditures	<u>703,450</u>	<u>88,227</u>	<u>9,725</u>	<u>75,139</u>
Excess of revenues over (under) expenditures	(687,163)	1,448	7,320	(44,197)
<b>Other Financing Sources (Uses)</b>				
Transfers in	697,395	-	-	-
Transfers out	-	-	-	-
Total other financing sources (uses)	<u>697,395</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net change in fund balances	10,232	1,448	7,320	(44,197)
<b>Fund Balances</b>				
Beginning of year	<u>689,785</u>	<u>11,842</u>	<u>375,411</u>	<u>694,928</u>
End of year	<u>\$ 700,017</u>	<u>\$ 13,290</u>	<u>\$ 382,731</u>	<u>\$ 650,731</u>

Capital Projects

Pilot Knob Improvement	Pre-1998 Non-Increment	Special Assessment Capital Project	TIF District No. 2	Fire Hall Remodel
\$ -	\$ -	\$ -	\$ -	\$ 24
-	-	-	266,449	-
83,550	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	17,914	5,213	4,017	-
-	46,199	-	-	-
<u>83,550</u>	<u>64,113</u>	<u>5,213</u>	<u>270,466</u>	<u>24</u>
59,550	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	-	241,959	-
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
-	-	318,935	-	-
<u>59,550</u>	<u>-</u>	<u>318,935</u>	<u>241,959</u>	<u>-</u>
24,000	64,113	(313,722)	28,507	24
-	-	83,127	-	-
-	(153,407)	-	-	-
<u>-</u>	<u>(153,407)</u>	<u>83,127</u>	<u>-</u>	<u>-</u>
24,000	(89,294)	(230,595)	28,507	24
15,300	460,038	(383,618)	49,505	265
<u>\$ 39,300</u>	<u>\$ 370,744</u>	<u>\$ (614,213)</u>	<u>\$ 78,012</u>	<u>\$ 289</u>

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**City of Mendota Heights**  
**Combining Statement of Revenues, Expenditures,**  
**and Changes in Fund Balances - Nonmajor Governmental Funds**  
**Year Ended December 31, 2024**

	<u>Capital Projects</u>	<u>Total Other</u>
	<u>TIF District</u>	<u>Governmental</u>
	<u>No. 3</u>	<u>Funds</u>
<b>Revenues</b>		
Property taxes	\$ -	\$ 730,728
Tax increments	57,182	323,631
Intergovernmental	-	217,100
Charges for services	-	452,088
Fines and forfeitures	-	168
Miscellaneous		
Investment income	327	199,658
Other	-	67,895
Total revenues	57,509	1,991,268
<b>Expenditures</b>		
<b>Current</b>		
General government	-	108,465
Public safety	-	8,188
Public works	-	499,559
Economic development	53,588	295,547
<b>Debt service</b>		
Principal	-	405,000
Interest and other charges	-	181,225
<b>Capital outlay</b>		
General government	-	114,405
Public safety	-	148,176
Public works	-	1,195,259
Total expenditures	53,588	2,955,824
Excess of revenues over (under) expenditures	3,921	(964,556)
<b>Other Financing Sources (Uses)</b>		
Transfers in	-	780,522
Transfers out	-	(185,024)
Total other financing sources (uses)	-	595,498
Net change in fund balances	3,921	(369,058)
<b>Fund Balances</b>		
Beginning of year	276	4,742,392
End of year	\$ 4,197	\$ 4,373,334

**City of Mendota Heights**  
**Combining Statement of Net Position - Internal Service Funds**  
**December 31, 2024**

	Compensated Absences	City Hall Sinking Fund	Total
<b>Assets</b>			
<b>Current assets</b>			
Cash and investments (including cash equivalents)	\$ 821,035	\$ 101,687	\$ 922,722
Accounts receivable	-	8,485	8,485
Interest receivable	-	381	381
Prepaid expenses	-	9,683	9,683
Total current assets	<u>821,035</u>	<u>120,236</u>	<u>941,271</u>
<b>Noncurrent assets</b>			
<b>Capital assets</b>			
Land	-	25,000	25,000
Buildings	-	2,279,024	2,279,024
Improvements other than buildings	-	40,781	40,781
Machinery and equipment	-	66,969	66,969
Total capital assets	<u>-</u>	<u>2,411,774</u>	<u>2,411,774</u>
Less accumulated depreciation	<u>-</u>	<u>(1,919,308)</u>	<u>(1,919,308)</u>
Net capital assets	<u>-</u>	<u>492,466</u>	<u>492,466</u>
Total assets	<u>821,035</u>	<u>612,702</u>	<u>1,433,737</u>
<b>Deferred Outflows of Resources</b>			
Deferred outflows of resources related to OPEB	-	287	287
Deferred outflows of resources related to pensions	-	7,568	7,568
Total deferred outflows of resources	<u>-</u>	<u>7,855</u>	<u>7,855</u>
Total assets and deferred outflows of resources	<u>\$ 821,035</u>	<u>\$ 620,557</u>	<u>\$ 1,441,592</u>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Salaries and benefits payable	-	4,431	4,431
Due to other governments	-	106	106
Noncurrent liabilities due within one year	529,269	7,241	536,510
Total current liabilities	<u>529,269</u>	<u>11,778</u>	<u>541,047</u>
<b>Noncurrent liabilities</b>			
Compensated absences	821,035	18,885	839,920
OPEB payable	-	11,369	11,369
Net pension liability	-	30,999	30,999
Less amount due within one year	<u>(529,269)</u>	<u>(7,241)</u>	<u>(536,510)</u>
Total noncurrent liabilities	<u>291,766</u>	<u>54,012</u>	<u>345,778</u>
Total liabilities	<u>821,035</u>	<u>65,790</u>	<u>886,825</u>
<b>Deferred Inflows of Resources</b>			
Deferred inflows of resources related to OPEB	-	1,000	1,000
Deferred inflows of resources related to pensions	-	20,972	20,972
Total deferred inflows of resources	<u>-</u>	<u>21,972</u>	<u>21,972</u>
<b>Net Position</b>			
Investment in capital assets	-	492,466	492,466
Unrestricted	-	40,329	40,329
Total net position	<u>-</u>	<u>532,795</u>	<u>532,795</u>
Total liabilities, deferred inflows of resources, and net position	<u>\$ 821,035</u>	<u>\$ 620,557</u>	<u>\$ 1,441,592</u>

**City of Mendota Heights**  
**Combining Statement of Revenues, Expenses, and Changes**  
**in Net Position - Internal Service Funds**  
**Year Ended December 31, 2024**

	City Hall Sinking Fund	Total
<b>Operating Revenues</b>		
Charges for services	\$ 260,000	\$ 260,000
<b>Operating Expenses</b>		
Wages and salaries	78,913	78,913
Employee benefits	38,651	38,651
Materials and supplies	13,181	13,181
Professional services	5,280	5,280
Insurance	7,097	7,097
Utilities	33,798	33,798
Depreciation	35,778	35,778
Miscellaneous	63,267	63,267
Total operating expenses	275,965	275,965
Operating loss	(15,965)	(15,965)
<b>Nonoperating Revenues</b>		
Investment income	9,229	9,229
Change in net position	(6,736)	(6,736)
<b>Net Position</b>		
Beginning of year	539,531	539,531
End of year	\$ 532,795	\$ 532,795

**City of Mendota Heights**  
**Combining Statement of Cash Flows - Internal Service Funds**  
**Year Ended December 31, 2024**

	Compensated Absences	City Hall Sinking Fund	Total
<b>Cash Flows - Operating Activities</b>			
Receipts from customers and users	\$ -	\$ 260,000	\$ 260,000
Payments to suppliers	-	(138,872)	(138,872)
Payments to employees	89,688	(119,149)	(29,461)
Net cash flows - operating activities	<u>89,688</u>	<u>1,979</u>	<u>91,667</u>
<b>Cash Flows - Investing Activities</b>			
Interest and dividends received	-	9,072	9,072
Net change in cash and cash equivalents	89,688	11,051	100,739
<b>Cash and Cash Equivalents</b>			
Beginning of year	<u>731,347</u>	<u>90,636</u>	<u>821,983</u>
End of year	<u>\$ 821,035</u>	<u>\$ 101,687</u>	<u>\$ 922,722</u>
<b>Reconciliation of Operating Loss to Net Cash Flows - Operating Activities</b>			
Operating loss	\$ -	\$ (15,965)	\$ (15,965)
Operating activities			
Depreciation expense	-	35,778	35,778
Prepaid items	-	(67)	(67)
Accounts payable	-	(16,173)	(16,173)
Due to other governmental units	-	(9)	(9)
Salaries payable	-	650	650
OPEB payable	-	6,257	6,257
Pension related items	-	(9,966)	(9,966)
Compensated absences payable	89,688	1,474	91,162
Total adjustments	<u>89,688</u>	<u>17,944</u>	<u>107,632</u>
Net cash flows - operating activities	<u>\$ 89,688</u>	<u>\$ 1,979</u>	<u>\$ 91,667</u>

**City of Mendota Heights**  
**Detailed Schedule of Revenues, Expenditures, and**  
**Changes in Fund Balance - Budget and Actual -**  
**General Fund**  
**Year Ended December 31, 2024**

	Budgeted Amounts <u>Original and Final</u>	Actual Amounts	Variance with Final budget - over (under)
<b>Revenues</b>			
Property taxes	\$ 10,356,289	\$ 10,402,220	\$ 45,931
Franchis fees	350,000	382,044	32,044
Licenses and permits	410,000	769,288	359,288
Intergovernmental revenue			
State grants and aids			
Fire aid	126,000	151,179	25,179
Police aid	190,000	239,625	49,625
Other grants and aids	312,914	495,244	182,330
Total intergovernmental revenue	<u>628,914</u>	<u>886,048</u>	<u>257,134</u>
Charges for services	719,918	698,812	(21,106)
Fines and forfeitures	72,000	66,961	(5,039)
Miscellaneous revenues			
Investment income	20,000	485,740	465,740
Other	105,000	321,158	216,158
Total miscellaneous revenues	<u>125,000</u>	<u>806,898</u>	<u>681,898</u>
Total revenues	<u>12,662,121</u>	<u>14,012,271</u>	<u>1,350,150</u>
<b>Expenditures</b>			
General government			
Mayor and council			
Salaries and benefits	24,416	24,595	179
Contracted services	34,550	24,273	(10,277)
Administration and finance			
Salaries and benefits	1,050,169	1,069,357	19,188
Materials and supplies	17,000	14,308	(2,692)
Contracted services	431,700	466,544	34,844



**City of Mendota Heights**  
**Detailed Schedule of Revenues, Expenditures, and**  
**Changes in Fund Balance - Budget and Actual -**  
**General Fund**  
**Year Ended December 31, 2024**  
**(Continued)**

	Budgeted Amounts Original And final	Actual Amounts	Variance with Final budget - Over (under)
<b>Expenditures (Continued)</b>			
Public works			
Code enforcement			
Materials and supplies	\$ 3,250	\$ 4,459	\$ 1,209
Contracted services	331,875	543,000	211,125
Street maintenance			
Salaries and benefits	1,353,366	1,261,946	(91,420)
Materials and supplies	179,050	147,123	(31,927)
Contracted services	496,665	376,193	(120,472)
Parks			
Salaries and benefits	987,538	997,612	10,074
Materials and supplies	230,600	215,827	(14,773)
Contracted services	515,750	397,930	(117,820)
Capital outlay	-	77,770	77,770
Total public works	4,098,094	4,021,860	(76,234)
Total expenditures	12,709,671	12,927,062	217,391
Excess of revenues over (under) expenditures	(47,550)	1,085,209	1,132,759
<b>Other Financing Sources (Uses)</b>			
Issuance of leases and subscription liabilities	-	300,919	300,919
Insurance recoveries	-	97,985	97,985
Transfer in	47,550	47,550	-
Transfer out	-	(543,988)	(543,988)
Total other financing sources (uses)	47,550	(97,534)	(145,084)
Net change in fund balance	\$ -	987,675	\$ 987,675
<b>Fund Balance</b>			
Beginning of year		12,482,362	
End of year		\$ 13,470,037	

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**Report on Internal Control over Financial Reporting  
and on Compliance and Other Matters Based on an Audit of  
Financial Statements Performed in Accordance with  
*Government Auditing Standards***

**Independent Auditor's Report**

Honorable Mayor and Members  
of the City Council  
City of Mendota Heights  
Mendota Heights, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*), the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Mendota Heights, Minnesota as of and for the year ended December 31, 2024, and the related notes to the basic financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated June 4, 2025.

**Report on Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did identify a certain deficiency in internal control, described in the accompanying Schedule of Finding and Response on Internal Control that we consider to be a material weakness as audit finding 2024-001.

### **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **City's Response to the Finding**

*Government Auditing Standards* requires the auditor to perform limited procedures on the City's response to the findings identified in our audit are described in the accompanying Schedule of Findings and Responses on Internal Control. The City's response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

BerganKDV, Ltd.

St. Cloud, Minnesota  
June 4, 2025



## Minnesota Legal Compliance

### Independent Auditor's Report

Honorable Mayor and Members  
of the City Council  
City of Mendota Heights  
Mendota Heights, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the City of Mendota Heights, Minnesota as of and for the year ended December 31, 2024, and the related notes to financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated June 4, 2025.

In connection with our audit, nothing came to our attention that caused us to believe that the City failed to comply with the provisions of the contracting - bid laws, depositories of public funds and public investments, conflicts of interest, public indebtedness, claims and disbursements, miscellaneous provisions, and tax increment financing sections of the *Minnesota Legal Compliance Audit Guide for Cities*, promulgated by the State Auditor pursuant to *Minnesota Statutes* § 6.65, insofar as they relate to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the City's noncompliance with the above referenced provisions, insofar as they relate to accounting matters.

The purpose of this report is solely to describe the scope of our testing of compliance and the results of that testing, and not to provide an opinion on compliance. Accordingly, this communication is not suitable for any other purpose.

*BerganKDV, Ltd.*

St. Cloud, Minnesota  
June 4, 2025

**City of Mendota Heights  
Schedule of Findings and Response on  
Internal Control**

**CURRENT AND PRIOR YEAR INTERNAL CONTROL FINDING:**

**Material Weakness:**

**Audit Finding 2024-001 - Lack of Segregation of Accounting Duties**

The City had a lack of segregation of accounting duties due to a limited number of office employees. The lack of adequate segregation of accounting duties could adversely affect the City's ability to initiate, record, process, and report financial data consistent with the assertions of management in the financial statements. This lack of segregation of accounting duties can be demonstrated in the following areas, which is not intended to be an all-inclusive list:

- The Finance Director has the ability to receipt City service revenue, prepares the deposit receipts, is responsible for coding, and prepares the Treasurer's report for the City Council.
- The Utility Billing Clerk enters consumption into the utility billing system, prepares and reviews utility bills, applies payments to customer accounts, and has the ability to make adjustments to customer accounts.
- The Finance Director performs year-end reconciliations and closing entries without review.

In addition to having responsibilities in the cycles listed above, the City's Finance Director has full general ledger access and the ability to write and post In addition to having responsibilities in the cycles listed above, the City's Finance Director has full general ledger access and the ability to write and post journal entries. While we believe this access is necessary to efficiently perform the financial duties required, this access allows the ability to override many of the controls and segregation the City has in place.

The City has implemented certain controls to mitigate the risk due to the lack of segregation of accounting duties, including but not limited to reviewing adjustments to customer accounts before they are posted, having a non-finance employee prepare bank reconciliations and review of all journal entries. However, due to the number of staff needed to properly segregate all of the accounting duties, the cost of obtaining desirable segregation of accounting duties can often exceed benefits which could be derived. However, management and the City Council must remain aware of this situation and should continually monitor the accounting system, including changes that occur. We recommend that the City review the internal control process over the year-end closing process to ensure segregation or independent review be implemented whenever practical and cost effective.

**City's Response:**

The City is aware of the lack of segregation of duties. There are processes in place to have multiple staff perform duties as to ensure one person is not responsible for all parts of any process. The addition of staff to further segregate duties is not cost effective.

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## REQUEST FOR CITY COUNCIL ACTION

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** City Council Governing Principles

**ITEM TYPE:** New and Unfinished Business

**DEPARTMENT:** Administration

**CONTACT:** Cheryl Jacobson, City  
Administrator

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**ACTION REQUEST:**

Approve Resolution 2025-41 Establishing City Council Governing Principles.

**BACKGROUND:**

Many city councils adopt a set of governing principles or norms to guide their collective behavior, improve communication, and foster effective decision-making. These principles often reflect a shared commitment to transparency, respect, collaboration, and ethical leadership in service to the public.

The Mendota Heights City Council has engaged in discussion and developed a list of governing principles that reflect the values and expectations of the council and the community it serves.

**FISCAL AND RESOURCE IMPACT:**

N/A

**ATTACHMENTS:**

1. Res. 2025-41 Establishing Governing Principles 07012025
2. City Council Norms V4 FINAL

**CITY COUNCIL PRIORITY:**

Inclusive and Responsive Government

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2025-41  
ESTABLISHING CITY COUNCIL GOVERNING PRINCIPLES**

**WHEREAS**, the City Council of Mendota Heights recognizes the importance of effective governance and a shared commitment to ethical, transparent, and collaborative public service; and

**WHEREAS**, governing principles provide a framework for Council conduct, guide interactions among council members, staff, and the public, and support a culture of respect, accountability, and civic leadership; and

**WHEREAS**, many local governments have adopted council governing principles or similar codes of conduct to strengthen public trust, improve council performance, and enhance decision-making processes; and

**WHEREAS**, the City Council has engaged in discussion and developed a list of governing principles that reflect the values and expectations of the elected body and the community it serves (attached as Exhibit A).

**NOW, THEREFORE, BE IT RESOLVED** by the Mendota Heights City Council that it hereby establishes City Council Governing Principles as developed and reviewed by the City Council.

**BE IT FURTHER RESOLVED** that the City Council Governing Principles shall be made available to the public, shared with new council members upon taking office, and reviewed periodically for relevance and effectiveness.

Adopted by the Mendota Heights City Council this 1<sup>st</sup> day of July, 2025.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

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**Stephanie B. Levine, Mayor**

**ATTEST:**

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**Nancy Bauer, City Clerk**

## Mendota Heights City Council Governing Principles

*Mendota Heights City Council members, as elected officials, will:*

### **Act in the Public's Best Interest**

*The City Council welcomes community input and fosters a culture of inclusion, transparency, and participation.*

*The City Council prioritizes the needs and well-being of residents by working collaboratively, seeking common ground, and pursuing solutions that benefit the community.*

### **Respect the Democratic Process**

*The City Council aims to build consensus and respects the outcome of decisions made by the majority.*

*The City Council follows established policies, procedures, and rules of order during meetings and in decision-making.*

### **Act as a Decision Maker, not an Advocate, Administrator, or Staff**

*The City Council makes decisions on behalf of residents, focusing on establishing policy and setting strategic direction for the city. The City Council is entrusted with serving the common good, prioritizing what benefits the city as a whole, rather than advocating for personal, individual, or special interests.*

*When acting in a quasi-judicial capacity, the City Council considers only legally germane information specifically applicable to the agenda item under review.*

*The City Council respects the distinct and vital roles within the city's governance structure, recognizing that while the Council governs, it is the professional responsibility of city staff to carry out the day-to-day operations and implement the policies and directives set forth by the City Council. The City Council honors this division of responsibilities and respects and supports staff as trusted professionals and partners in service to the community.*

### **Maintain Civility and Respect**

*The City Council assumes positive intent, values differing perspectives, and listens to what others have to say.*

*The City Council communicates accurately and responsibly, following the Minnesota Open Meeting Law, including on social media and other public platforms.*

*The City Council fosters collaborative and respectful working relationships, acknowledging staff as an essential part of the city team.*

## **Be Prepared and Informed**

*The City Council comes to meetings well-prepared by thoroughly reviewing materials and background information and participates in discussions, sharing ideas and viewpoints. Council members actively listen to others.*

*The City Council works with the City Administrator and not directly with city staff. The City Council notifies the City Administrator in advance of City Council meetings of questions or requests when possible, so that staff can compile and prepare information.*

*To ensure consistent, accurate, and coordinated responses to community questions and inquiries, the City Council includes the City Administrator in all related communications. This practice supports transparency, aligns messaging, and ensures staff are informed and prepared to provide follow-up or support as needed.*



## REQUEST FOR CITY COUNCIL ACTION

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Resolution 2025-36 Approving a Preliminary Plat of McMillan Estates to subdivide three (3) existing parcels into six (6) single-family residential parcels located at 1707 Delaware Avenue and its adjacent vacant parcels owned in common. (Planning Case 2025-03)

**ITEM TYPE:** New and Unfinished Business

**DEPARTMENT:** Community Development      **CONTACT:** Sarah Madden, Community Development Manager

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### **ACTION REQUEST:**

Adopt Resolution 2025-36 Approving a Preliminary Plat of McMillan Estates

### **BACKGROUND:**

The applicant, Spencer McMillan, is seeking a Preliminary Plat approval of the properties located at 1707 Delaware Avenue and two vacant parcels generally located at the north end of Ridgewood Drive. The subject site consists of 16.63 acres of combined land across three separate parcels. The primary property addressed as 1707 Delaware Avenue is an unplatted parcel consisting of 10.06 acres, measuring 329.18-ft. in width along Delaware Avenue to the east. This parcel contains an existing single-family home. The remaining two parcels are known as Outlots A and B of Grappendorf Addition, which was approved in 1984. The two Outlots are situated at the end of Ridgewood Drive and consist of 4.5 acres (Outlot A) and 2 acres (Outlot B). Both outlots are vacant.

The residential property and the two vacant parcels are all owned in common by Mr. McMillan, who resides at the addressed parcel in the existing single-family home. The proposed plat is titled McMillan Estates and the subdivision would divide and redistribute the existing land within the three parcels into six new lots of record. The resulting subdivision would, if approved, allow for the construction of five (5) new single-family homes. There are not any anticipated developments or improvements on the proposed Lot 4, which contains the existing home.

The Applicant/Owner submitted a previous application in 2024, known as Planning Case No. 2024-01, which subdivided the subject site into three new lots of record. The Planning Commission reviewed that application at public hearings in March-June of 2024, and the City Council reviewed the application at their regular meetings in July-August, 2024. The City

Council was not supportive of the applicant's previous request to defer public improvements. Ultimately, the applicant withdrew the prior application in order to resubmit with greater detail and required information to the City relating to the construction of the cul-de-sac extension of Ridgewood Drive.

In order to establish the required 125-foot of frontage on a city approved street for new platted lots in an R-E District, the applicant is proposing to dedicate 38,158 s.f. (.88 acres) of right-of-way extending north from the existing Ridgewood Drive right-of-way. The dedicated right-of-way would allow for the construction of an extension northward of Ridgewood Drive into the proposed subdivision, ending in a new cul-de-sac bulb. The street extension would be required to be constructed prior to the construction of any of the new single-family homes, and the work would include the removal of the existing cul-de-sac on Ridgewood Drive, to be replaced with a straight street extension. Additionally, 19,751 s.f. (.45 acres) of right-of-way is proposed to be dedicated along Delaware Avenue, to accommodate Dakota County's request for 60-ft of half right-of-way.

The applicant has also submitted a new Joint Water Resources Application to the City to request approval of wetland impacts associated with this development. The administration and enforcement of any WCA Permit, including the Notice of Decision, is designated as the responsibility of the Natural Resources Coordinator and is not subject to City Council review. There is an existing Wetland Delineation Report, dated 06/22/2021, which was reviewed and approved by the City in September 2021 and is valid for five years. The Joint Water Resources Application is required under the Wetland Conservation Act (WCA), and is requesting exemption from wetland mitigation or replacement under the dominus standard, as the applicant is proposing impacts to wetlands totaling 2,178 sq-ft, the maximum allowed under the de minimus exemption rule of the WCA. The City must act on the Joint Water Resources Application by August 19, 2025, under the 60-day rule. The deadline for this Planning Case 2025-03 is also August 19, and any further extension of the application review period will require the written consent of the applicant.

The application under review as part of this planning case is solely for the subdivision to be known as McMillan Estates, as outlined in the applicant's proposal and Preliminary Plat documents attached to this report. If the Preliminary Plat is approved by the City Council and there are not any significant changes to the Final Plat from their approval, then the Final Plat will be reviewed at a later date by the City Council.

The proposed Preliminary Plat and preliminary plans provided by the applicant illustrate outlines of potential building areas on Lots 1, 2, 3, 5, and 6. In reviewing these outlined layouts, setbacks to front, side, and rear lot lines can be met due to the large acreage on all parcels. The building pad sites and associated driveway access points shown on the plans are potential, and final house locations, driveway alignments, individual grading plans and impacts, and construction-level architectural plans for the homes, will be provided at the time of building permit for home construction following approval of this subdivision and construction of the public roadway and utility improvements. The proposed lots each meet or exceed the minimum of 125' of lot width on a City-approved street, and they exceed the

minimum lot size requirements of 30,000 SF. The applicant's revised plans under this current Planning Case application have illustrated an intent to comply with the City's Subdivision Code by providing adequate extension of utilities into the dedicated right-of-way and a construction plan for all required public improvements, including the street extension.

The Planning Commission held a public hearing on this application request at their May 27, 2025, regular meeting, following a presentation of the staff report. Nine residents spoke at the public hearing. Written public comments have also been received for this item and were included as an attachment to the May 27 and June 24 Planning Commission Reports. Some of the public comments were received as part of the open comment period for the WCA Joint Water Resources Application, and those comments were included in the total number of public comments, as many referenced the subdivision request. As of the submittal of this City Council report, there were nine instances of written public comments, and an additional letter to the City Council written by the applicant. All correspondence received prior to June 26 at 2:00pm has been included in this agenda packet. Any additional comments received following the publication of the packet will be provided to the City Council during the July 1 meeting.

Following the verbal comments provided at the May 27 public hearing, the hearing was closed, and the Planning Commission discussed the application amongst themselves and asked questions of staff. The Commission inquired about the WCA process, the Comprehensive Plan policies that apply to this application request, and the Urban Forest Preservation Ordinance. Following their discussion, the Commission voted unanimously (6-0) to table the application request. The application was reviewed again at the June 24, 2025, Planning Commission meeting. Staff provided an update to the Commission on items that they had previously discussed and had questions about. The Commission continued to discuss the McMillan Estates application and asked additional questions of staff. The discussion included the Comprehensive Plan language about the 'superblock' area, the easement dedication for utility purposes which is illustrated at the north boundary of the plat, the timing of the application review period for this planning case and the wetland impacts application's decision, and tree protection standards that would apply to this application. The Commission also commented on public comments received and how they could be addressed through the conditions attached to the Preliminary Plat as proposed by staff. An excerpt from the approved meeting minutes of the May 27 Planning Commission meeting have been included as an attachment to this report, as well as an additional excerpt from the draft/unapproved minutes of the June 24 Planning Commission meeting.

A copy of the 6/24/2025 planning report is attached to this memo. As noted in the attachment, staff recommended approval of the Preliminary Plat with conditions. Ultimately, the Planning Commission determined that two additional conditions should be added to the recommendation to the City Council in addition to the 14 conditions recommended by staff, referencing a desire to see the northern utility easement dedicated as right-of-way, and requiring additional tree damage mitigation for trees on neighboring properties. Following their discussion, the Planning Commission voted unanimously (7-0) to recommend to the City Council approval of the Preliminary Plat, with certain conditions and findings-of-fact recommended by staff and two additional conditions:

15. *There must be a 60-foot right-of-way dedicated to the north boundary of the plat.*
16. *An attempt must be made to mitigate tree damage to adjacent properties.*

City Staff has included suggested language modifying the two added conditions as outlined in the attached [draft] Resolution. The modified language is intended to be consistent with the intent of the Planning Commission's discussion and vote, and is suggested to provide both clarity and specificity to the conditions' language. The City Council may affirm the recommendation from the Planning Commission by adopting Resolution No. 2025-36 as presented by staff. If the City Council chooses, they may also direct staff to return the language of conditions #15-16 to the language recorded in the minutes and listed above, as recommended by the Planning Commission.

**FISCAL AND RESOURCE IMPACT:**

Condition #9 of Resolution 2025-36 calls for a park dedication fee payment of \$24,000. This fee is to be provided into the Special Parks Fund.

**ATTACHMENTS:**

1. Applicant Letter on Right of Way Condition for McMillan Estates, Case No. 2025-03 6-26-25
2. MnDOT Standard Specifications for Construction - Specification 2572
3. Approved Planning Commission Minutes 5-27-25
4. Unapproved Planning Commission Minutes 6-24-25
5. June 24 2025 Planning Commission Staff Report
6. Additional Public Comments Received as of 6-26
7. Res. 2025-36 Approving a Preliminary Plat of McMillan Estates to subdivide three (3) existing parcels into six (6) single-family residential parcels

**CITY COUNCIL PRIORITY:**

Economic Vitality & Community Vibrancy, Premier Public Services & Infrastructure

**From:** [Spencer McMillan](#)  
**To:** [Stephanie Levine](#); [Sally Lorberbaum](#); [John Maczko](#); [John Mazzitello](#); [Joel Paper](#)  
**Cc:** [Sarah Madden](#); [Ryan Ruzek](#)  
**Subject:** Right of Way Condition for McMillan Estates, Case No. 2025-03  
**Date:** Thursday, June 26, 2025 12:04:38 PM  
**Attachments:** [Right of Way Condition- 1707 Delaware Ave, McMillan Estates.docx](#)

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Dear Madam Mayor and Honorable Council Members,

Please find attached my letter regarding the Planning Commission's approval of my subdivision application for 1707 Delaware, which includes a condition requiring a right-of-way dedication to the adjacent Kolar property. I respectfully object to this condition, as it lacks support under city code and state law, and I request its removal to ensure the viability of the proposed development.

I am grateful for the opportunity to work collaboratively with city staff on this project and remain committed to meeting Mendota Heights' standards. Please let me know if you have any questions or if a meeting at your convenience would be helpful to discuss this matter further.

Sincerely,

Spencer McMillan  
1707 Delaware Avenue  
Mendota Heights, MN 55118  
Cell: 651-492-4502

June 26<sup>th</sup>, 2025

Spencer McMillan

Mendota Heights Resident

1707 Delaware Avenue

Mendota Heights, MN 55118

Dear Madam Mayor and Honorable Council Members,

I am writing to raise an objection to the Planning Commission's condition requiring a right-of-way dedication to the adjacent Kolar property, as it is not supported by city code or state law and would adversely impact my proposed subdivision.

By way of introduction, my wife, Breanna, and I have been residents of Mendota Heights since 2018. We also have family that lives in Mendota Heights. With this subdivision, we plan on building a house on one of the newly platted lots and hope to make Mendota Heights our home for many years to come.

I want to express my deep gratitude for the opportunity to work collaboratively with the City of Mendota Heights staff over the past 18 months to develop a proposal for 1707 Delaware that fully complies with all zoning and city code requirements. The support and guidance from city staff, including Sarah Madden and Ryan Ruzek, have been instrumental in shaping this project. My goal remains to deliver a development that meets the city's standards while aligning with our vision for the property.

### **Proposal Iterations**

Our initial proposal involved a right-of-way extension with two private driveways, which faced challenges due to code restrictions on dead-end right-of-way. In response, we proposed a cul-de-sac extension with three lots, requesting that the cul-de-sac be dedicated but not constructed. While this was approved, the requirement to build the cul-de-sac posed significant financial challenges. To address this, we revised our plan to extend the cul-de-sac and maximize the number of buildable lots, ensuring full compliance with all applicable codes.

## Right of Way Dedication Condition

I am pleased that the Planning Commission approved our latest proposal on June 24<sup>th</sup>, 2025. However, I respectfully object to a condition requiring a right-of-way dedication to the northern property line, adjacent to the Kolar property, as I believe this condition is not supported by city code or state law and would significantly harm our development.

To provide context, Section 11-3-3: Streets and Alleys does not authorize the city to require a right-of-way dedication to adjacent unplatted property owned by another party. Section 11-3-3.A.3 addresses future development or resubdivision within the proposed subdivision, not adjacent properties. City staff, in the June 2024 and May 2025 reports, confirmed that our proposal meets all code requirements without requiring a right-of-way dedication to the Kolar property. Please see the comments from the June 2024 and May 2025 Staff Reports below.

Per current City Subdivision Code Section 11-3-3 Streets and Alleys: **June, 2024 Staff Report**

*(A) 3. When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and openings of future streets and appropriate resubdivision, with provision for adequate utility connections for such resubdivision.*

The expectation within the City's review of a subdivision on larger than normal lots or parcels, is that the applicant/developer is responsible for arranging lots and parcels in such a way that would permit future and smaller subdivision of lots, as well as leaving space "open" for a future potential street, and potential future utility connections. **This applies to making those connections only on the subject site, and does not specifically address neighboring land owners.** The City must evaluate the ability for the new parcels to be subdivided again in the future, and evaluate if the infrastructure planned will be able to accommodate that potential future split. The applicant has provided within their Letter of Intent an alternative option which was considered for the subject site which may provide for the creation of

1. 3. *When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and openings of future*

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*streets and appropriate resubdivision, with provision for adequate utility connections for such resubdivision.*

The expectation within the City's review of a subdivision on larger than 'normal' lots or parcels, is that the applicant/developer is responsible for arranging lots and parcels in such a way that would permit future and smaller subdivision of lots, as well as leaving space "open" for a future potential street, and potential future utility connections. This applies to making those connections only on the subject site, and does not specifically address neighboring land owners. The City must evaluate the ability for the new parcels to be subdivided again in the future, and evaluate if the infrastructure planned will be able to accommodate that potential future split. The applicant has provided a subdivision which places potential new single-family homes on the portions of this property that are not encumbered by wetlands, and each lot within the proposed subdivision is able to meet or exceed the required lot size and lot width for the R-E Zoning District. Based on the availability of dry buildable area, staff believes that the proposed lots are likely not able to be subdivided further based on the current requirements of City Code and that the applicant's subdivision request and the layout of building pad sites, street extension, and utility connection complies with this standard.

### **Conflicts with Minnesota Law**

Beyond the city code, Minnesota law prohibits such a dedication. Under Minn. Stat. § 462.358, subd. 2b(e) (2024), any dedication must be reasonably necessary "as a result of the subdivision" and proportionate to the need created by the proposed development. A road to serve a potential future subdivision of adjacent land not owned by the applicant does not meet this standard. Additionally, Minnesota and U.S. constitutional law preclude municipalities from requiring dedications unrelated to the proposed subdivision's impact.

While we value our positive relationship with our neighbors, the Kolars, and offered a utility easement to serve the Kolar property—exceeding code requirements—we respectfully object to the right-of-way dedication condition. This requirement would have a material and adverse effect on the property values of our proposed lots and conflict with our intended use of the land.

## **“Landlocked”**

Furthermore, concerns about the Kolar property being “landlocked” were addressed by Public Works Director Ryan Ruzek during the May 2025 Planning Commission meeting (2-hour, 3-minute, 23-second mark), where he noted that a second cul-de-sac could be constructed off Delaware to provide access to the Kolar and Badar properties. Sarah Madden then expressed her agreement.

## **Removal of Right of Way Condition**

For these reasons, I respectfully request that the City Council remove the condition requiring a right-of-way dedication to the Kolar property. This condition is not supported by city code or state law, as confirmed by staff findings, and its inclusion would significantly undermine the viability of our development. I am committed to continuing our cooperative efforts with the city to ensure this project aligns with Mendota Heights’ standards and enhances our community.

Thank you for your time, consideration, and dedication to serving Mendota Heights. I am happy to provide additional information or meet to discuss this matter further.

Sincerely,

Spencer McMillan

1707 Delaware Avenue

**2572 PROTECTION AND RESTORATION OF VEGETATION**

**2572.1 DESCRIPTION**

This Work consists of protecting and preserving vegetation from damage and restoring vegetation damaged by the Contractor’s operations.

**2572.2 MATERIALS**

**A Plant Materials ..... 2571 and 2574.5C**

**B Temporary Fence**

Provide temporary fence meeting the following characteristics and requirements:

- (1) At least 4 feet
- (2) Conspicuous in color (see Standard Detail Sheet for Protection and Restoration of Vegetation)
- (3) Commercially available snow fence or other fencing Material approved by the Engineer

**C Water**

Provide municipal potable water or harvested ground water for irrigation.

**D Rooting Topsoil Borrow ..... 3877**

**E Tree Growth Retardant (TGR)**

Provide the TGR paclobutrazol or an equal approved by the Engineer.

**2572.3 CONSTRUCTION REQUIREMENTS**

**A Protecting and Preserving**

Protect and preserve the following:

- (1) Specimen Trees
- (2) Threatened and endangered plants listed on the Federal and State threatened and endangered species list
- (3) Vegetation as required by the Contract
- (4) Trees, Brush, and natural scenic elements within the Right-of-way and outside the limits of clearing and grubbing in accordance with 2101.3, “Clearing and Grubbing, Construction Requirements”
- (5) Other vegetation as directed by the Engineer

Do not place temporary Structures, store Material, or conduct unnecessary construction activities within 25.25 feet outside of the dripline of trees designated for preservation, unless otherwise approved by the Engineer.

Do not place temporary Structures or store Material, including common borrow and topsoil, outside of the construction limits in areas designated for preservation, as required by the Contract or as approved by the Engineer.

Do not place or leave waste Material on the Project, including bituminous and concrete waste that would interfere with performing the requirements of 2106.3D, “Preparation of Embankment Foundation,” or 2574.5C, “Establishing Vegetation and Controlling Erosion.” The Department defines concrete waste as excess Material not used on the Project, including Material created from grinding rumble strips. Dispose of excess Material in accordance with 2104.3D, “Disposal of Materials and Debris.”

**A.1 Temporary Fence**

Place temporary fences to protect vegetation before starting construction. Place temporary fence at the construction limits and at other locations adjacent to vegetation designated for preservation as required by the Contract or as approved by the Engineer. The Department will provide tree protection signs. Place tree protection signs in accordance with any of the following:

- (1) Along the temporary fence at 50 foot intervals
- (2) At least 2 signs per fence
- (3) As directed by the Engineer

Do not remove the fence until all Work is completed or until approved by the Engineer.

Ensure the fence prevents traffic movement and the placement of temporary facilities, Equipment, stockpiles, and supplies from harming the vegetation.

**A.2 Clean Root Cutting**

Cleanly cut tree roots at the construction limits as required by the Contract or as directed by the Engineer.

Immediately and cleanly cut damaged and exposed roots. Cut back damaged roots of trees designated for protection to sound healthy tissue and immediately place topsoil over the exposed roots. Immediately cover root ends exposed by excavation activities with 6 inches of topsoil as measured outward from the cut root ends. Immediately (within 5 minutes) treat cut oak roots with a wound dressing Material consisting of latex paint or shellac. Limit cutting to a minimum depth necessary for construction. Use a vibratory plow, or other approved root cutter in accordance with the Standard Detail Sheet for Protection and Restoration of Vegetation, before excavation.

**A.3 Watering**

Water root-damaged trees during the growing season that root damage occurs, and water Specified Trees if required by the Contract or directed by the Engineer. Maintain adequate but not excessive soil moisture by saturating the soil within the undisturbed portion of the dripline of impacted or identified trees to a depth of 20 inches. Use a soil recovery probe to check the soil moisture to a depth of 20 inches, and adjust the intervals and frequency of watering in accordance with prevailing moisture and weather conditions.

**A.4 Rooting Topsoil Borrow**

Place rooting topsoil borrow instead of common topsoil borrow within the dripline of Specimen Trees as required by the Contract or as directed by the Engineer.

Place the topsoil to avoid over-compaction as approved by the Engineer. Establish turf consistent with the adjacent areas as approved by the Engineer.

**A.5 Utility Construction**

Bore under roots of trees designated for preservation for utility installations within the tree protection zone in accordance with the following:

**Table 2572.3-1  
Tree Protection Zone**

<b>Tree diameter at 4.5 feet above ground, inch</b>	<b>Minimum distance from face of tree trunk, feet</b>	<b>Minimum depth of tunnel, feet</b>
<2	2	3
2-4	4	3
>4-9	6	3
>9-14	10	3
>14-19	12	3.25
>19	15	4

Do not perform open trenching within the tree protection zone.

Bore under areas of native prairie and protected plant species as required by the Contract or as directed by the Engineer.

**A.6 Pruning**

Provide an arborist certified by the International Society of Arboriculture to prune trees as required by the Contract or as directed by the Engineer in accordance with 2571.3E.1, "Pruning – Top Growth and Roots." Ensure the arborist removes dead, broken, rubbing branches, and limbs that may interfere with the existing and proposed Structures.

**A.7 Destroyed or Disfigured Vegetation**

Restore vegetation designated on the Plans for preservation that is damaged or disfigured by the Contractor’s operations at no additional cost to the Department. Restore the damaged vegetation to a condition equal to what existed before the damage. The Engineer may assess damages against the Contractor for damage to vegetation not restored to the previous condition. The Engineer will assess the value of damages to trees and landscaping at not less than the appraisal damages as specified in the Council of Tree and Landscape Appraisers *Guide for Plant Appraisal*. The Engineer will determine and assess damages of other vegetation.

**A.8 Oak Trees**

Avoid wounding of oak trees during April, May, June, and July to prevent the spread of oak wilt. If the Engineer determines that Work must take place near oak trees during those months, immediately (within 5 minutes) treat resulting wounds with a wound dressing Material consisting of latex paint or shellac. Blend paint colors with the bark color. Maintain a supply of approved wound dressing on the Project at all times during this period.

**A.9 Tree Growth Retardant (TGR)**

Provide an arborist certified by the International Society of Arboriculture to treat trees with the TGR as required by the Contract or as directed by the Engineer. Ensure the arborist applies the TGR paclobutrazol as a basal drench or soil injection and in accordance with the label directions. Provide the Engineer with the product label and Material Safety Data Sheet for the product used.

**A.10 Other Vegetation Protection Measures**

Provide other vegetation protection measures including root system bridging, compaction reduction, aeration, irrigation systems, J-barriers for Specimen Tree protection, and retaining walls as required by the Contract or as directed by the Engineer.

**B Quarantined Wood..... 2101.3D.4**

**C Plant Installation ..... 2571**

**D Disposal of Material and Debris..... 2104.3D**

**2572.4 METHOD OF MEASUREMENT**

**A Temporary Fence**

The Engineer will measure temporary fence placed, maintained, and removed by length along the bottom of the fence between end posts.

**B Clean Root Cutting**

The Engineer will measure clean root cutting by length along the plow line. The Engineer will determine the beginning and ending points for clean root cutting as the intersection of the construction limit and the dripline of the tree or Brush or in accordance with lines shown on the Plans.

**C Water**

The Engineer will measure water by volume used to protect and restore vegetation. The Engineer will not measure water otherwise used in performing the Work, such as for maintenance of sod.

**D Rooting Topsoil Borrow**

The Engineer will measure rooting topsoil borrow by loose volume as required by the Contract.

**E Pruning**

The Engineer will measure pruning by the hours of actual pruning Work.

**F Tree Growth Retardant (TGR)**

The Engineer will measure TGR by volume of Material applied for the size of the tree treated. The Engineer will determine the volume of TGR required by the diameter at breast height (DBH) of each tree treated. DBH is defined as 4.5 feet above ground level. The Engineer will use a diameter tape measure to measure DBH.

**2572.5 BASIS OF PAYMENT**

The Department will include the cost of the following with other relevant Contract Items:

- (1) Boring under roots in the tree protection zone, dressing of wounds, and disposal of Material and debris
- (2) Pruning made necessary to allow for the Contractor’s operations

The Department will pay for protection and restoration of vegetation based on the following Unit Prices, in the absence of Contract Unit Prices:

**Table 2572.5-1  
Protection and Restoration of Vegetation Items**

<b>Item</b>	<b>Unit Price</b>
Temporary fence	\$2.50 per foot
Clean root cutting	\$3.50 per foot
Water	\$3.00 per 100 gallon
Prune trees	\$75.00 per hour
Tree growth retardant	\$8.00 per diameter inch

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**PLANNING COMMISSION MINUTES  
MAY 27, 2025**

The regular meeting of the Mendota Heights Planning Commission was held on Tuesday, May 27, 2025, in the Council Chambers at City Hall, 1101 Victoria Curve, at 7:00 P.M.

The following Commissioners were present: Acting Chair Patrick Corbett, Commissioners Cindy Johnson (arrived at 7:20 p.m.), Brian Udell, Jason Stone, Jeff Nath, and Steve Goldade. Those absent: Chair Litton Field.

**Election of Planning Commission Vice Chair for 2025**

Acting Chair Corbett commented that he appreciated that the item was tabled at the last meeting in his absence. He stated that while he has enjoyed serving as Vice Chair for the last few years, he would gladly provide the opportunity to someone else to serve.

Commissioner Stone volunteered to serve.

ACTING CHAIR CORBETT MOVED, SECONDED BY COMMISSIONER GOLDADE, TO ELECT JASON STONE AS VICE CHAIR FOR 2025.

AYES: 5  
NAYS: 0

**Approval of Agenda**

The agenda was approved as submitted.

**Approval of March 31, 2025 Minutes**

COMMISSIONER GOLDADE MOVED, SECONDED BY COMMISSIONER NATH, TO APPROVE THE MINUTES OF MARCH 31, 2025.

AYES: 5  
NAYS: 0

**Hearings**

- A) PLANNING CASE 2025-03  
SPENCER MCMILLAN, 1707 DELAWARE AVENUE AND ADJACENT  
VACANT PARCELS – PRELIMINARY PLAT**

Community Development Manager Sarah Madden explained that the applicant is seeking a Preliminary Plat approval of the properties located at 1707 Delaware Avenue and two vacant parcels generally located at the north end of Ridgewood Drive. The residential property and two vacant parcels are all owned by Spencer McMillan, the applicant. The proposed plat is entitled McMillan Estates, and the subdivision would divide and redistribute the existing land within the three parcels into six new lots of record.

Hearing notices were published and mailed to all properties within 350-ft. of the site; seven written comments were provided in the packet, along with two additional written comments provided at the dais.

Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).

Commissioner Johnson arrived.

Staff recommended approval of this application based on the findings and with conditions.

Commissioner Johnson asked for more details on the decision timeline related to the Wetland Conservation Act (WCA).

Community Development Manager Sarah Madden reiterated that the decision is still pending while that review is completed and confirmed that the related condition of approval would address that item.

Acting Chair Corbett stated that much of the feedback received from residents was related to the potential wetland impacts. He clarified that is being reviewed under a separate application and is not part of the discussion tonight.

Community Development Manager Sarah Madden confirmed that is a separate application. She noted that there was a public comment period for the wetland request, which is why many of the comments were related to that topic.

Acting Chair Corbett asked if there is a limit on the amount of wetland that can be impacted without replacement.

Community Development Manager Sarah Madden confirmed that is true.

Acting Chair Corbett stated that while it appears the applicant's request would be just under that maximum disturbance threshold, the narrative also mentions that additional wetland impacts may occur by each lot in the future, and asked for more information.

Community Development Manager Sarah Madden replied that the applicant is requesting the full amount allowed under a de minimis request. She stated that if there were future wetland impacts

as the individual home lots are created, they would need to come forward with new wetland applications, as there would not be any further exemptions allowed.

Acting Chair Corbett commented that he would not want to see three of these lots become unbuildable because of wetland impacts, but it seems that each lot would be buildable as proposed. He also asked for details on who makes the decision related to wetlands and impacts.

Community Development Manager Sarah Madden commented that wetlands two and three are adjacent to the potential driveways and, therefore, those wetland impacts had been accounted for. She explained that staff reviews an exemption request under the WCA Ordinance within the City Code.

Commissioner Stone asked who would pay for the utility connections, roadways, fire hydrants, and stormwater management.

Community Development Manager Sarah Madden replied that the developer/applicant would be responsible for the public improvements associated with the project. She commented that following construction and inspection, the City would take over management of those improvements.

Commissioner Stone asked the definition of a heritage tree.

Natural Resources Coordinator Krista Spreiter replied that a significant tree is six inches or greater, while a heritage tree is 24 inches or greater. She commented that there is more than one heritage tree, but only one is proposed for removal.

Commissioner Stone asked how the residents in the area were made aware that the wetland process was separate from this public hearing.

Natural Resources Coordinator Krista Spreiter replied that the WCA process does not have a notice requirement unless those property owners requested notification. She stated that anyone who expressed interest in this matter ahead of time was sent notice.

Commissioner Stone recognized that many residents in that area are interested in the wetlands portion of the request and asked if they were not notified.

Natural Resources Coordinator Krista Spreiter replied that the WAC notice is only done by request, but it is public information. She stated that the public comment period for the WCA ended on May 13<sup>th</sup>.

Commissioner Udell referenced draft condition 14 and asked for clarification on the order of operations.

Community Development Manager Sarah Madden explained that the street construction and utility installation would be the first step, and as part of that, the applicant would be required to remove the existing cul-de-sac to create a straight street.

Acting Chair Corbett asked if the additional land that is no longer used for the road would be dedicated to the neighbors.

Community Development Manager Sarah Madden replied that the land is not automatically vacated as right-of-way. She stated that if the neighbors wanted to request the right-of-way to be vacated, they would need to make that separate request to the City.

Commissioner Goldade referenced the culvert that would be placed and asked if that water is from Hidden Creek.

Public Works Director Ryan Ruzek replied that staff refer to that drainageway as Marie Creek. He noted that Hidden Creek does not actually exist as it is groundwater.

Commissioner Goldade asked who would document the conditions of the creek over time.

Public Works Director Ryan Ruzek explained the path the water flows prior to reaching this point, noting the water goes through pipes throughout that process until Nature Way, where it goes through a 36-inch culvert.

Commissioner Goldade asked if that is taken into account as part of the wetland application.

Public Works Director Ryan Ruzek commented that there is a stormwater management report, which is in a preliminary stage. He stated that the City is currently objecting to the current stormwater design and is requiring the water to be managed publicly rather than requiring treatment to be provided on individual lots.

Commissioner Stone asked if the City has approved the stormwater management plan.

Public Works Director Ryan Ruzek commented that the Commission is reviewing the plat at this time, and the draft conditions would need to be corrected before a final plat application would be considered.

Commissioner Stone asked if it would make sense for the City to approve that element before the Commission makes its decision.

Public Works Director Ryan Ruzek commented that any approval of the Commission would be contingent upon meeting all the conditions as drafted prior to final plat. He commented that those issues do not need to be resolved prior to preliminary plat.

Acting Chair Corbett asked if the culvert and stormwater management would be part of the wetland decision.

Public Works Director Ryan Ruzek replied that the WCA application only looks at the potential wetland impacts. He commented that the City will review the overall hydrology and stormwater management separately from the WCA request.

Community Development Manager Sarah Madden commented that the culvert construction is included in one of the potential wetland impacts because of the impact that construction would have on the wetland. She stated that the condition related to stormwater management was included for the applicant to address prior to final plat.

Acting Chair Corbett referenced lot six and asked for clarification related to the easement and setback.

Community Development Manager Sarah Madden explained that the driveway is five feet from the property line, which does meet the driveway setback. She stated that the easement width is 15 feet in that location, and therefore, the driveway will be within an easement.

Public Works Director Ryan Ruzek commented that the setback is met, and driveways are allowed within drainage and utility easements.

Acting Chair Corbett stated that it seems like there is bad language within the cul-de-sac ordinance and asked whether that could be addressed or cleaned up, as it seems unenforceable.

Community Development Manager Sarah Madden commented that the language “shall not normally” exists several times in the subdivision ordinance, and perhaps the original intent was to allow flexibility. She stated that staff will be looking at all the subdivision ordinance language with the City Attorney as a separate project, noting that will come before the Planning Commission at a later time. She noted that this request must then be considered under the current ordinance language.

Acting Chair Corbett asked why the language is included if it is not enforceable.

Community Development Manager Sarah Madden stated that it is assumed that the intent is related to turnaround access for a fire truck and related to safety. She stated that the Fire Marshall did review the request and has no concerns with the length or plan as currently drawn.

Acting Chair Corbett opened the public hearing.

Spencer McMillan, applicant, thanked staff for working with him over the past 18 months. He stated that he was told during the first round of review that there cannot be additional wetland impacts after the WCA plan is approved, and everything proposed must occur all at once.

Natural Resources Coordinator Krista Spreiter stated that a future property owner could come in and request a replacement plan, but could not request further exemptions.

Paul Pontinen, 1760 Ridgewood Drive, commented that they share a 320-foot boundary with lot six and therefore have concerns. He wanted a more accurate count of the significant and heritage trees along their property lines, so he measured the trees himself last week. He reported 18 significant trees and six heritage trees. He noted that he did not measure the trees or bushes under six inches, and also did not measure on the McMillan property. He provided information on the

critical root zone for trees and wanted to ensure that the trees, and their root zones, for his property and on the property line would be protected. He was concerned that the potential driveway for lot six could impact the critical root zone for those trees.

Acting Chair Corbett commented that he was unsure where the driveway could be moved by 40 feet, but appreciated the concern.

John Weikert, 1737 Delaware Avenue, stated that his concern is also related to lot six. He asked why anyone would want to put a home on the lowest, wettest, steepest, most environmentally sensitive portion of the property. He proposed that lot six be eliminated and that land be added to one of the other lots. He noted that the other lots have more desirable building areas, and removing lot six would remove a lot of the problems. He stated that area of the property often floods and was unsure why anyone would want to build on that area. He stated that if the City approves this, he believed the City would be setting itself up for problems in the future.

Kris Fischer, 1775 Ridgewood Drive, was unsure of the measurements from Marie Avenue to the proposed new end of Ridgewood Drive and asked if there are any comparable cul-de-sac lengths in the community.

Sean Fahnhorst, 1767 Ridgewood Drive, stated that two years ago, the City introduced a living streets policy that promised engagement with the stakeholders in the design of all streets, and commented that the process did not occur for this project.

Commissioner Goldade asked the resident to share the three commonsense proposals that he included in his email.

Mr. Fahnhorst reviewed his suggestions related to the living streets questionnaire, onsite mitigation for tree replacement should be required, and there should be a no net loss requirement for the wetlands. He commented that the wetland on this property also goes onto all of the adjacent properties, and he did not want to see impacts on any property as a result of this action. He asked the recourse that adjacent properties would have if the changes on this property causes flooding of another home as a result of this development.

Commissioner Johnson asked the document the resident found the no net loss for wetlands.

Mr. Fahnhorst replied that he did not have that information with him but could follow up with an email.

Jonathan Deering, 1759 Ridgewood Drive, commented that his property is south of proposed lot one. He asked for clarification on the proposed routing of the road. He stated that it was mentioned that Ridgewood Drive would be the only access point. He asked if there was consideration made to provide access from Delaware to reduce the wetland impacts and concerns with the cul-de-sac length. He referenced the Orchard Heights case and stated that Judge did not rule against City Code, but found that the variance was met, therefore, he did not believe a Judge would rule against City Code. He stated that routing was approved because they were attempting to avoid wetland impacts. He referenced the intent to develop the Super Block 21 and stated that this could create

a cul-de-sac that is a full city block. He acknowledged the validity of the wetland delineation, but commented that if the date were seven days later, it would no longer be valid. He stated that delineation is as small as it would ever be, noting the dry conditions when it was completed.

Susan Micevych, 1778 Ridgewood Drive, stated that a few years ago, there was a variance requested to build a stadium at Sibley Memorial High School, which brought forward concerns from this neighborhood because of the impacts. She felt that the neighborhood is being placed in a similar situation where it will face impacts. She noted that it took several years to mitigate the noise concerns from the stadium. She asked why this would be approved now if additional wetland impacts are anticipated and would be pushed on future property owners. She asked the Commission to delay the decision until more information is made available. She believed that their property values would be impacted by the construction process and the addition of six homes in the area. She asked who would be responsible for redoing the cul-de-sac and how it would be landscaped. She also noted the increased traffic that would come down the cul-de-sac and how that could increase further if it were extended to Foxwood Lane in the future. She was unaware that the wetland report had to be requested and therefore requested that the eight homes on Ridgewood be provided with that report.

Jill Lipset, 1770 Ridgewood Drive, commented that she just moved to her property two months ago and therefore is still learning and appreciates the input that has been provided by her neighbors. She commented that she previously lived on Dodd Road and moved to her property to have more privacy, which would be impacted by the additional lots and construction. She asked for information on the length and phasing of construction. She stated that lot six would be most impactful to her property and seems to stick out as a sore thumb. She agreed that the lot should be removed.

Jim Kolar, 1695 Delaware, stated that he has appeared before this Commission many times related to requests for the development of this property. He noted that this proposal is significantly different than the previous proposal from Mr. McMillan and this creates a much denser development. He stated that he has supported the requests for development that have been presented for this property with the stipulation that his interests not be adversely harmed nor his property become landlocked, whether intentionally or unintentionally. He stated that he has repeatedly asked the Commission and Council to take a comprehensive approach to the planning of the Super Block, which has not occurred, as he would remain the sole 10-acre owner if this proposal is approved. He stated that he is generally supportive of the request, and while he appreciated that the utility easement would be extended for both water and sewer, he would also want a similar 60-foot nub from the cul-de-sac towards his property. He stated that without that, he would be limited in the potential development of his property. He believed that Ridgewood provided foresight for development that he should be granted as well. He noted that the stub provided by Ridgewood provides access for the McMillan property, and he is asked for the same. He stated that he agreed with the five-acre lots previously proposed for the McMillan property but noted that this is a much denser proposal. He asked that the Commission think forward to allow future development to the north. He stated that the back acreage of his property could accommodate the development of four to five lots and could provide additional opportunity for the Bader property. He stated that if the access that was provided to the McMillans is similarly provided to him, he would then provide similar connectivity to the Bader property. He stated that

if a comprehensive approach is taken, a better public safety solution could be provided, noting that a fire gate could be installed in the future for emergency access at Foxwood.

Acting Chair Corbett asked if the resident has concerns with more density as proposed.

Mr. Kolar replied that he will match whatever density there is of the surrounding development. He stated that in the previous proposal, he would have matched a five-acre lot, but with this density proposed, he would expect to match that as well. He stated that he is not interested in developing in the near future, but does not want to be landlocked.

Max Lipset, 1770 Ridgewood, echoed the comments his wife made related to a desire for privacy. He commented that the neighbors have been extremely welcoming to them as they joined the community. He referenced the renaming of the High School to Two Rivers and believed that wetlands near a school with that name should be preserved. He asked about the impacts that this development would have on the wildlife in the area. He asked if there has been a comprehensive study on potential endangered species that could be going through the property. He commented that he has known Mr. McMillan since high school and has no ill feelings towards him or his property rights, but also believes that there is value in maintaining the wetland.

Mr. McMillan stated that they have been working on this project for about 16 months and have tried every alternative and option. He noted that there is a giant wall of wetland along Delaware, and therefore, providing access from Delaware would have a much greater impact on the wetland. He commented that there were normal precipitation levels during the wetland delineation, as noted in that report. He disagreed that this is similar to Foxwood, as the road in Foxwood is only 50 feet wide with buildings that do not meet the setback requirements. He commented that there were many variances in that proposal, which did not leave much room for future development. He stated that this plan meets the requirements of the City Code, and the request tonight is related only to the plat request and not the wetland request. He stated that there are 5.5 acres of wetland and he is trying to mitigate the impact to the extent possible, noting that there will be a very small impact that falls below the de minimis.

Seeing no one further coming forward wishing to speak, Acting Chair Corbett asked for a motion to close the public hearing.

COMMISSIONER STONE MOVED, SECONDED BY COMMISSIONER NATH, TO CLOSE THE PUBLIC HEARING.

AYES: 6  
NAYS: 0

Commissioner Goldade asked staff to review the implications of the wetland review, the decision tonight, and how those interact.

Community Development Manager Sarah Madden stated that the action tonight is a recommendation from the Commission to the City Council related to the preliminary plat. She stated that the wetland impacts and request for exemption are not the purview of the Planning

Commission. She explained how the WCA review is completed, involving the Technical Evaluation Panel (TEP) and the different agencies involved.

Acting Chair Corbett asked for more information on the living streets policy and whether it should have been followed in this process.

Public Works Director Ryan Ruzek stated that the City developed that policy within the last 12 months. He stated that he reviewed the policy today, and the only element that would seem to apply is that the road width could be reduced. He noted that a narrower roadway could also reduce environmental impacts.

Acting Chair Corbett asked staff for more information on the no net loss policy for wetlands.

Natural Resources Coordinator Krista Spreiter stated that perhaps that is from the Surface Water Management Plan, or a similar document. She stated that it is always the goal of the City to conserve wetlands; however, under WCA, there are impacts allowed for development.

Acting Chair Corbett referenced lot six and the neighboring property. He asked if the placement of that home could be challenged based on a previous decision of the Council that homes should not be placed so far back as to be out of continuity with the neighborhood.

Public Works Director Ryan Ruzek replied that the zoning code has been revised, and the applicant has met the building setback lines. He was unsure if they would need to look at the string lines for lot six, as that is a requirement of R-1, but this is zoned R-E.

Community Development Manager Sarah Madden believed that only applies to R-1, but could find that information prior to the City Council meeting. She also noted the differences in home placement for the adjacent lots.

Acting Chair Corbett stated that it appears that staff finds this request in accord with the Comprehensive Plan.

Community Development Manager Sarah Madden confirmed that to be true.

Commissioner Johnson stated that the Comprehensive Plan speaks of development that does not prohibit or landlock other properties from future development and asked how that would be addressed.

Community Development Manager Sarah Madden stated that the proposal shows an easement extension and that the resident was requesting an extension of the right-of-way as well. She commented that a 60-foot easement width is provided on the current plans, and that condition could be amended to require the 60-foot easement and right-of-way.

Public Works Director Ryan Ruzek commented that a second cul-de-sac could also be added to Delaware to provide access to the northern properties.

Community Development Manager Sarah Madden stated that they did review the option of access from Delaware, but that would require even more wetland impacts along with demolition of the existing home, and therefore, staff found the stub from the Ridgewood Drive cul-de-sac to be the feasible option.

Commissioner Johnson asked how the Tree Preservation Ordinance would relate to the property line of lot six and the proximity to the property line. She stated that perhaps the driveway could curve away from the property line to lessen the impact on the trees.

Community Development Manager Sarah Madden commented that there is a driveway setback from the property line, but there is also a wetland buffer setback requirement that would come into play.

Natural Resources Coordinator Krista Spreiter stated that within the forestry management plan, any trees to be preserved must have protections in place as shown on the plan. She stated that does not address neighboring property trees, but that could be added to the forestry management plan.

ACTING CHAIR CORBETT MOVED, SECONDED BY COMMISSIONER GOLDADE, TO TABLE CASE #2025-03 BASED ON NEW QUESTIONS THAT HAVE COME TO LIGHT, POTENTIAL CONFLICTS WITH THE COMPREHENSIVE PLAN AND THE ABILITY FOR FUTURE DEVELOPMENT, AND THE POSITION OF LOT SIX RELATED TO CONTINUITY IN THE NEIGHBORHOOD BASED ON PREVIOUS RULING OF THE CITY COUNCIL.

Further discussion: Commissioner Goldade stated that he is also interested in knowing the results of the WCA decision before making a decision.

AYES: 6  
NAYS: 0

Acting Chair Corbett commented that he will work with staff to address the concerns he brought forward before the Commission revisits this next month.

**New and Unfinished Business**

**B) PLANNING CASE 2025-06  
CONDOOR CORPORATION, 2320 LEXINGTON AVENUE – CONCEPT PUD**

Community Development Manager Sarah Madden explained that the applicant, Condor Corporation, is seeking a Planned Unit Development – Concept Plan Review for an addition to the Lexington Heights Planned Unit Development located at 2320 Lexington Avenue. The subject site is currently zoned R-3 Multi-Family Residential and was developed as a Planned Unit Development in 1983 for a three-building, 225-unit apartment development. Once a PUD has been approved, it typically serves as a form of zoning category (overlay) on a site, however, the apartment complex properties have remained under the R-3 High Density Residential District since their development, as all current and past zoning maps for the City have identified the sites as R-3 zoning. This does not negate the fact that the City adopted a Resolution for a Conditional Use

**EXCERPT FROM DRAFT/UNAPPROVED 6/24/25 PLANNING  
COMMISSION MINUTES**

A) *TABLED PLANNING CASE 2025-103, SPENCER MCMILLAN – 1707 DELAWARE AVENUE – PRELIMINARY PLAT*

*Chair Field noted that he was not present at the last review, and the statement was made that he might have a conflict of interest as he lives in this area. He stated that after a conversation with the City Attorney, it was determined that he does not have a conflict of interest.*

*Community Development Manager Sarah Madden explained that the applicant is seeking a Preliminary Plat approval of the properties located at 1707 Delaware Avenue and two vacant parcels generally located at the north end of Ridgewood Drive. The residential property and the two vacant parcels are all owned by Spencer McMillan, the applicant in this planning case. The proposed plat is titled McMillan Estates, and the subdivision would divide and redistribute the existing land within the three parcels into six new lots of record.*

*Community Development Director Sarah Madden stated that in 2021, an application was submitted to the City for the subject site (by a different applicant and property owner) with a very similar proposal for subdivision of the existing three parcels into three new lots of record (Planning Case No. 2021-19). That prior application was withdrawn before the public hearing at the Planning Commission. Within the prior applicant's written notice of withdrawal, they indicated that the applicant team was unable to come to an agreement with the seller and property owner regarding a request for dedicated right-of-way along Delaware Avenue for Dakota County. The property sold following this withdrawn application, and the item in this planning case is a separate application by the current applicant and property owner.*

*Community Development Director Sarah Madden stated that this current property owner and applicant submitted a previous application in 2024, known as Planning Case No. 2024-01, which subdivided the subject site into three new lots of record. The Planning Commission reviewed that application at public hearings from March – June of 2024, and the City Council was not supportive of the applicant's prior request to defer public improvements. Ultimately, the applicant withdrew that prior application in order to resubmit with greater detail and required information to the City relating to the construction of the cul-de-sac extension of Ridgewood Drive.*

*Community Development Manager Sarah Madden stated that this item was presented under a fully noticed public hearing process on May 27, 2025, and nine residents spoke at that public hearing. Written comments have also been received for this item and are included in the report. As of the submittal of this report, there were seven instances of public comment and have been included in the public comments.*

*Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).*

*Staff recommended approval of this application based on the findings and with conditions.*

*Commissioner Stone asked if the wetland impacts would not be approved until August 19th.*

*Community Development Manager Sarah Madden replied that she does not have a specific date that the City will act on that. She stated that the TAC has met and recommended approval.*

*Commissioner Stone stated that he would prefer to wait until that approval is gained.*

*Community Development Manager Sarah Madden stated that this is a preliminary plat, and both matters can run concurrently. She stated that one does not have to be approved before the other, and the recommendation on the wetland will be provided to the City Council for consideration. She stated that the City needs to take action on both the preliminary plat and the wetland by August 19th. She stated that tabling this would limit the amount of time the City Council can consider and discuss this item.*

*Commissioner Stone commented that the majority of concern from the neighborhood is related to building on wetlands.*

*Commissioner Corbett stated that things can keep moving in parallel, and if the wetland is not approved as recommended, this would not be approved by the City Council. He stated that he would not want to table again, as that would limit the ability of the City Council to have more than one discussion.*

*Commissioner Stone asked if this decision would be part of the review for the wetland.*

*Community Development Manager Sarah Madden replied that those are separate applications and reviews, noting that the wetland decision is not based on the proposed preliminary plat recommendation and is instead reviewed under specific criteria and involves other agencies with that type of jurisdiction. She confirmed that the recommendation of the Planning Commission on this case has no bearing on the wetland decision.*

*Commissioner Corbett asked and received confirmation that the other agencies involved in the wetland review have already recommended approval.*

*Commissioner Goldade referenced the comments made by a resident at the last meeting related to the Comprehensive Plan and asked if staff believes that there should be a comprehensive plan for the development of this area or whether development can be done piece by piece. He wanted to ensure that the Koehlers could develop their property in the future.*

*Community Development Manager Sarah Madden replied that the Comprehensive Plan of the City mentioned the R-E properties and the ability for future development if streets and utilities are extended. She stated that residents have stated that they would like an overall plan for all potentially developable properties, but individual property owners have the right to develop their property alone. She stated that the applicant has included the preliminary*

*easement to the north for utilities, which abuts the Koehler property. She stated that City staff does not recommend that to be dedicated as right-of-way and prefers the easement option.*

*Commissioner Goldade asked if the tree replacement would be done onsite.*

*Community Development Manager Sarah Madden stated that there is a related condition recommended that addresses that issue. She stated that an attempt must be made to replace trees onsite prior to providing an alternative replacement measure. She stated that the applicant has stated that not all trees can be replaced onsite, and an arborist would make the determination as to whether it is feasible.*

*Commissioner Johnson referenced the issue of right-of-way and stated that it is her understanding that the original cul-de-sac did have a right-of-way and not just easements, which allows for Mr. McMillan to extend the cul-de-sac. She commented that if it were just an easement, it is her understanding that the two adjacent property owners could veto the right-of-way that would be needed. She stated that the new cul-de-sac would be 25 feet and would not provide compliant right-of-way; therefore, adjacent property owners could not use that for future development. She believed that a compliant 60-foot right-of-way should be required to allow the northern property owner to develop in the future.*

*Commissioner Udell stated that there is language in the Comprehensive Plan preventing property from becoming landlocked.*

*Community Development Manager Sarah Madden replied that the preliminary plat in this application shows a 60-foot-wide easement.*

*Commissioner Johnson stated that she would prefer to have this as a right-of-way rather than an easement.*

*Commissioner Corbett agreed it would be reasonable to request that be right-of-way rather than an easement.*

*Commissioner Udell agreed.*

*Commissioner Corbett referenced lot six and stated that he would like the City Council to consider whether the omission of that lot would placate the neighborhood, as that one home seems to impact the residents more than the others.*

*Commissioner Johnson stated that there are forestry requirements to replace trees on the property, but also recognized potential impacts that could occur to trees on adjacent properties if that lot were developed. She stated that there seems to be agreement that the 60-foot right-of-way should be required in place of the easement. She was unsure how to detail the comments related to the potential elimination of lot six and tree impacts.*

*Commissioner Corbett was unsure of how lot six could be denied, as it would be a preference of the neighborhood and not anything violating ordinance or requiring a variance.*

*Commissioner Udell agreed with the concern related to the trees on the existing lot adjacent to lot six, but recognized that some of that is speculative. He stated that a tree could die in five years, but that does not necessarily mean it is a result of development.*

*Commissioner Corbett commented that there are many driveways in the same proximity throughout the city. He stated that if a driveway could not be closer than 40 feet to a big tree, that would be impossible to enforce within the community, and many properties would be out of compliance.*

*Commissioner Stone commented that it seems there are different concerns members have on this request.*

*Commissioner Udell stated that, based on the role of the Planning Commission, he appreciates staff following up on the concerns raised at the last meeting. He agreed that the requirement of right-of-way should be included. He recognized that the wetlands review is outside of the purview of the Commission, and everything else complies. He stated that the City Council has more discretion, but the Commission is where it is, as the request meets the requirements.*

*Commissioner Johnson asked how the language could be worded to ensure protection of the trees on adjacent properties.*

*Community Development Manager Sarah Madden asked if the Commission simply wants it communicated to the Council, as she can do that in her presentation and within the staff report, or whether they were looking to add another condition. She stated that the urban forest preservation ordinance does not speak to impacts on adjacent properties, and therefore, she would not recommend adding language to that condition. She agreed that it would be broad to just state construction impacts, as that could be dust, noise, or other code enforcement items.*

*Public Works Director Ryan Ruzek commented that for street projects, they require roots to be treated and sealed. He stated that there would be difficulty in stating that a driveway could not be constructed that meets the City Code.*

*Commissioner Johnson commented that there will be impacts to those trees on the adjacent property and wanted to ensure that assisting this resident in moving forward does not cause detriment to another resident.*

*Commissioner Corbett suggested making a new condition stating that an attempt must be made to mitigate damage to trees on adjacent properties.*

*Community Development Director Sarah Madden stated that if the condition is added, she would recommend language similar to what Public Works Director Ryan Ruzek suggested. She*

*stated that the procedure for the tree permit does include those protective measures, and it is implied for off-site impacts as well.*

*Commissioner Johnson stated that, in her opinion, there will be no protection that will help those trees, and she would rather require replacement.*

*Commissioner Corbett stated that perhaps the applicant would potentially be liable for tree replacement on the adjacent property.*

*Community Development Manager Sarah Madden noted that would be outside of the scope of authority within preliminary plat. She stated that there may be some wiggle room on where the driveway could be located as long as the property setback of five feet is met, along with the wetland buffer requirement. She stated that a large-scale adjustment could not be made because of the location of the wetland and its required buffer.*

**COMMISSIONER CORBETT MOVED, SECONDED BY COMMISSIONER NATH, TO RECOMMEND APPROVAL OF THE APPLICATION OF SPENCER MCMILLAN FOR THE PRELIMINARY PLAT OF A SIX-LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS MCMILLAN ESTATES, BASED ON THE FINDINGS OF FACT AS INCLUDED HEREIN, WITH THE FOLLOWING CONDITIONS:**

- 1. THE PRELIMINARY PLANS PRESENTED UNDER THIS PLAT REQUEST DO NOT REPRESENT OR PROVIDE APPROVAL OF BUILDING PAD SITES, SETBACKS, ACCESSORY STRUCTURES, OR DRIVEWAY ALIGNMENTS. FINAL LAYOUTS MUST MEET R-E ZONE STANDARDS AND SHALL BE APPROVED UNDER SEPARATE BUILDING PERMITS FOR EACH LOT.**
- 2. A BUILDING PERMIT, INCLUDING ALL NEW GRADING AND DRAINAGE WORK, MUST BE APPROVED BY THE CITY PRIOR TO ANY NEW CONSTRUCTION WORK.**
- 3. THE DEVELOPER/APPLICANT SHALL SUBMIT FINAL GRADING AND UTILITY PLANS AND A DIMENSIONED SITE PLAN WITH ASSOCIATED EASEMENTS, SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING DEPARTMENT AND ENGINEERING DEPARTMENT AS PART OF ANY BUILDING PERMIT APPLICATION.**
- 4. ALL NEW CONSTRUCTION AND GRADING ACTIVITIES THROUGHOUT THIS DEVELOPMENT SITE AND ON EACH NEW BUILDABLE LOT SHALL BE IN COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS AND CODES, AS WELL AS IN COMPLIANCE WITH THE CITY'S LAND DISTURBANCE GUIDANCE DOCUMENT.**
- 5. STORMWATER MANAGEMENT SHALL BE MANAGED FOR THE ENTIRE DEVELOPMENT AND DEDICATED IN A UTILITY EASEMENT AS PART OF THE FINAL PLAT. STORMWATER MANAGEMENT FOR WATER QUALITY MANAGEMENT SHALL NOT BE DEFERRED TO THE INDIVIDUAL SINGLE-FAMILY HOME LOTS.**
- 6. PUBLIC UTILITY EASEMENT LOCATIONS, INCLUDING EASEMENTS FOR STORMWATER MANAGEMENT FACILITIES AND BEST MANAGEMENT PRACTICES (BMP) AREA(S) MUST BE ESTABLISHED, APPROVED BY THE CITY, AND INCLUDED IN THE FINAL PLAT PRIOR TO RELEASE OF THE FINAL PLAT FOR RECORDING WITH DAKOTA COUNTY.**

7. *ALL WETLAND IMPACTS SHALL BE IN COMPLIANCE WITH THE APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS AND CODES, INCLUDING TITLE 12-ZONING, SECTION 12-4A-4: WETLAND REQUIREMENTS AND TITLE 15-ENVIRONMENTAL STANDARDS, CHAPTER 4: WETLAND CONSERVATION.*
8. *THE FOREST MANAGEMENT PLAN SHALL BE UPDATED TO INCLUDE THE REPLACEMENT OF TREE REMOVAL IMPACTS, IN ACCORDANCE WITH TITLE 15-ENVIRONMENTAL STANDARDS, CHAPTER 3: URBAN FOREST PRESERVATION. AN ATTEMPT MUST BE MADE TO MITIGATE TREE REMOVAL IMPACTS ON SITE PRIOR TO PROVIDING AN ALTERNATIVE TREE REPLACEMENT MEASURE TO THE CITY.*
9. *IN LIEU OF LAND DECIATION, THE DEVELOPER/APPLICANT SHALL PAY A PARK DEDICATION FEE IN THE AMOUNT OF \$4,000 PER UNIT (6 LOTS = \$4,000/UNIT, OR \$24,000) IS TO BE COLLECTED AFTER CITY COUNCIL APPROVAL AND BEFORE THE FINAL PLAT IS RELEASED FOR RECORDING WITH DAKOTA COUNTY, AND BEFORE THE ISSUANCE OF ANY PERMITS.*
10. *ANY NEW OR EXISTING SANITARY OR WATER SERVICE LINES MUST BE REVIEWED BY THE PUBLIC WORKS DIRECTOR AND/OR ST. PAUL REGIONAL WATER SERVICES PRIOR TO ISSUANCE OF ANY BUILDING PERMIT.*
11. *THE APPLICANT/DEVELOPER MUST PROVIDE A BEST MANAGEMENT PRACTICES (STORMWATER MANAGEMENT) AGREEMENT TO THE CITY AS PART OF THE BUILDING PERMIT SUBMITTAL AND REVIEW PROCESS FOR EACH NEW HOME AND NEW IMPERVIOUS SURFACE.*
12. *A DEVELOPMENT AGREEMENT FOR THE PUBLIC IMPROVEMENTS AND UTILITIES SHALL BE EXECUTED TO THE SATISFACTION OF THE CITY COUNCIL BEFORE THE FINAL PLAT IS RELEASED FOR RECORDING WITH DAKOTA COUNTY, AND BEFORE THE ISSUANCE OF ANY PERMITS.*
13. *THE APPLICANT/DEVELOPER SHALL INSTALL ALL PUBLIC IMPROVEMENTS, INCLUDING THE EXTENSION OF THE PUBLIC STREET IDENTIFIED ON THE PLAT AT RIDGEWOOD DRIVE AND THE NECESSARY UTILITY INSTALLATIONS, IN COMPLIANCE WITH ALL CITY REQUIREMENTS, PRIOR TO THE APPLICATION OF ANY BUILDING PERMIT FOR PRIVATE CONSTRUCTION OR IMPROVEMENTS WITHIN THE PLAT.*
14. *THE EXISTING CUL-DE-SAC "BULB" OF THE EXISTING RIDGEWOOD DRIVE MUST BE REMOVED AND RECONSTRUCTED TO CITY STREET STANDARDS PRIOR TO APPLYING FOR ANY BUILDING PERMIT FOR PRIVATE CONSTRUCTION OR IMPROVEMENTS WITHIN THE PLAT.*
15. *THERE MUST BE A 60-FOOT RIGHT-OF-WAY DEDICATED TO THE NORTH BOUNDARY OF THE PLAT.*
16. *AN ATTEMPT MUST BE MADE TO MITIGATE TREE DAMAGE TO ADJACENT PROPERTIES.*

*Further discussion: Commissioner Corbett asked that the Council consider lot six and whether it could be eliminated, and the Commission agreed.*

DRAFT/UNAPPROVED MINUTES

*Chair Field commented that this is a much more intense development than what was considered earlier this year, and he would have preferred the previous development proposal. He recognized that there is no way this could be denied because it meets all requirements.*

*Commissioner Corbett commented that the previous application had more errors and therefore did not conform with the City Code.*

*Chair Field commented that the previous application would have been better for the neighbors, noting that he agrees with the right-of-way requirement to support the preservation of development rights for the Koehlers.*

*Commissioner Goldade stated that if he were to vote with his heart, he would vote no, but recognizes that is not his job and the request meets all requirements. He believed that the Commission has done its job in ensuring that all requirements are met.*

*Commissioner Johnson agreed that it is the job of the Commission to ensure consistency with ordinances and the Comprehensive Plan and to protect the rights of those looking to develop and residents surrounding the subject property.*

*AYES: 7*

*NAYS: 0*

*Chair Field advised that the City Council would consider this application at its July 1, 2025, meeting.*



**Meeting Date:** June 24, 2025

**Agenda Item:** **Tabled - CASE No. 2025-03 Preliminary Plat** Application of Spencer McMillan for a Preliminary Plat of three (3) existing parcels into six (6) single-family residential parcels located at 1707 Delaware Avenue and its adjacent vacant parcels.

**Department:** Community Development

**Contact:**

Sarah Madden,  
Community Development  
Manager

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**Introduction:**

The applicant is seeking a Preliminary Plat approval of the properties located at 1707 Delaware Avenue and two vacant parcels generally located at the north end of Ridgewood Drive. The residential property and the two vacant parcels are all owned by Spencer McMillan, the applicant in this Planning Case. The proposed plat is titled McMillan Estates and the subdivision would divide and redistribute the existing land within the three parcels into six new lots of record.

In 2021, an application was submitted to the City for the subject site (by a different applicant and property owner) with a very similar proposal for subdivision of the existing three parcels into three new lots of record (Planning Case No. 2021-19). That prior application was withdrawn before the public hearing at the Planning Commission. Within the prior applicant's written notice of withdrawal, they indicated that the applicant team was unable to come to an agreement with the Seller and property owner regarding a request for dedicated right-of-way along Delaware Avenue for Dakota County. The property sold following this withdrawn application, and the item in this planning case is a separate application by the current applicant and property owner.

This current property owner and applicant submitted a previous application in 2024, known as Planning Case No. 2024-01, which subdivided the subject site into three new lots of record. The Planning Commission reviewed that application at public hearings in March-June of 2024, and the City Council reviewed the application at their regular meetings in July-August, 2024. The City Council was not supportive of the applicant's prior request to defer public improvements. Ultimately, the applicant withdrew the prior application in order to re-submit with greater detail and required information to the City relating to the construction of the cul-de-sac extension of Ridgewood Drive.

This item was presented under a fully noticed public hearing process on May 27, 2025, with notices published in the Pioneer Press newspaper and notice letters mailed to all owners within 350-feet of the subject parcels.

Nine residents spoke at the public hearing. Written public comments have also been received for this item and are included as an attachment to this report. As of the submittal of this report,

there were seven instances of public comment. Some of these public comments were received as part of submitted comments on the Wetland Conservation Act (WCA) Joint Water Resources Application. Those comments have been included in the total instances of public comments. Any additional comments received prior to the meeting will be provided to the Planning Commission and made part of the public record.

Following the verbal comments provided at the May 27th public hearing, the hearing was closed, and the Planning Commission discussed the application amongst themselves and asked questions of staff. The Commission inquired about the Wetland Conservation Act (WCA) process, the Comprehensive Plan policies that apply to this application request, and the Urban Forest Preservation Ordinance. Following their discussion, the Commission voted 6-0 to table the application request.

### **Background:**

The subject site consists of 16.63 acres of combined land across three separate parcels (see *aerial image – right*). The primary property addressed as 1707 Delaware Avenue is a long, rectangular, unplatted parcel consisting of 10.06 acres, measuring 329.18-ft. in width along Delaware Avenue to the east. This parcel contains an existing single-family home. The remaining two parcels are known as Outlots A and B of Grappendorf Addition, which was approved in 1984. The two Outlots are situated at the end of Ridgewood Drive and consist of 4.5 acres (Outlot A) and 2 acres (Outlot B). Both outlots are vacant.



The proposed subdivision requested by the applicant will dedicate new right-of-way for an extension of Ridgewood Avenue, ending in a new cul-de-sac, and create six new lots of record from these parcels. Lots 1, 2, 3, 5, and 6 are intended to be platted for future development of new single-family homes. The proposed Lot 4 would remain as the applicant's residence but would be subdivided into a smaller parcel.

In order to establish the required 125-foot of frontage on a city approved street for new platted lots in an R-E District, the applicant is proposing to dedicate 38,158 s.f. (.88 acres) of right-of-way extending north from the existing Ridgewood Drive right-of-way. The dedicated right-of-way would allow for the construction of an extension northward of Ridgewood Drive into the proposed subdivision, ending in a new cul-de-sac bulb. The street extension would be required to be constructed prior to the construction of any of the new single-family homes, and the work would include the removal of the existing cul-de-sac on Ridgewood Drive, to be replaced with a straight street extension. More information on this design will be provided in the Analysis section of this report. Additionally, 19,751 s.f. (.45 acres) of right-of-way is proposed to be dedicated along Delaware Avenue, to accommodate Dakota County's request

for 60-ft of half right-of-way.

A large portion of the subject site is encumbered by wetlands. Prior to this application, the previous property owner hired an environmental specialist to study, identify, and map out these wetlands on the property; an official Wetland Delineation Report dated 06/22/2021 was submitted to the City for review and was later accepted by the City Council on September 9, 2021. This report is valid for five years. The wetland impacts proposed under that prior application are no longer applicable to the site. The applicant has concurrently submitted a new Joint Water Resources Application to the City to request approval of the wetland impacts associated with this development. This topic is discussed in further detail in the Wetland Impacts section of this report.

The application under review as part of this planning case is solely for the subdivision to be known as McMillan Estates, as outlined in the applicant's proposal and Preliminary Plat documents attached to this report. If the Preliminary Plat is approved by the City Council and there are not any significant changes to the Final Plat from their approval, then the Final Plat will be reviewed at a later date by the City Council.

### **Analysis:**

#### **Comprehensive Plan**

The subject parcel is guided RR-Rural Residential in the *2040 Comprehensive Plan*. The 2040 Plan includes the following general description for said uses in this land use category:

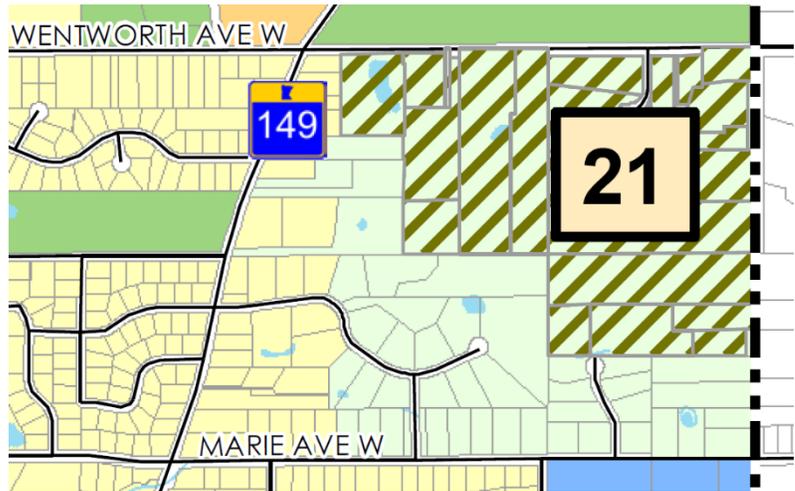
***RR – Rural Residential (0.1 - 1.45 DU/Acre)***

*This land use is generally located in the east central part of the city. This designation is intended for large lot single-family residences and includes properties with and without city sewer. The Rural Residential areas are planned with a density not to exceed **1.45 units per acre**. The corresponding zoning district classification is R-1A (One Family Residential).*

The overall site consists of 16.63 acres, and of that approximately 5.6 acres are encumbered by wetlands, leaving a net acreage value of 11.03 acres. The overall density created by the potential five new residences plus the existing residential unit calculates to a density of 0.54 units/acre, which is within the range outlined within the RR – Rural Residential land use category.

In the 2040 Plan, the city also identified (based upon previous 2030 Plan and others) a number of specific properties in the city that were or are vacant, under-developed, under-utilized or identified as either potential infill or redevelopment areas. These sites or areas are referred to as "Focus Areas". Infill means that the property has the opportunity to develop or redevelop beyond its current level. One of these focus areas is the Somerset Area, or #21 on Map 2-5: Focus Areas with Future Land Use Overlay Map (see map – Pg. 4).

21. **Somerset Area:** This area has been referred to as the “Superblock” due to its collection of large residential lots. It consists of over 20 separate parcels on approximately 90 acres located directly south of Somerset Country Club and Golf Course. The area is developed with single-family homes on large lots with private septic systems. The neighborhood is bounded on the east by Delaware Avenue, the north by Wentworth Avenue, and the south and west by smaller single-family lots. The neighborhood contains significant wetlands and woodlands. The area is guided RR - Rural Residential use. Due to the existing large lot configuration, the area has the potential to be further subdivided, provided public sewer, water and road systems would be extended to the area.



**Plat Standards**

Under Title 11, Subdivision Regulations, the intent and purpose of this section is to “safeguard the best interests of the city, and to assist the subdivider in harmonizing [their] interests with those of the city at large, this title is adopted in order that adherence to same will bring results beneficial to both parties. It is the purpose of this title to make certain regulations and requirements for the platting of land within the city pursuant to the authority contained in Minnesota statutes, which regulations the city council deems necessary for the health, safety and general welfare of this community.”

City Subdivision Code Section 11-3-2 allows the subdivision of parcels, provided that the resulting lots are compliant with the requirements of the applicable zoning district, and meets the following standards:

- A. Lot Area, Width and Depth: The minimum lot area, width and depth shall not be less than that established by the zoning ordinance in effect at the time of adoption of the final plat.
- B. Corner Lots: Corner lots for residential use shall have additional width to permit appropriate building setback from both streets as required in the zoning ordinance.
- C. Side Lot Lines: Side lines of lots shall be approximately at right angles to street lines or radial to curved street lines.
- D. Lot Frontage: Every lot must have the minimum frontage as required in the zoning ordinance on a city approved street other than an alley.
- E. Building Setback: Setback or building lines shall be shown on all lots intended for residential use and shall not be less than the setback required by the Mendota Heights zoning ordinance. On those lots which are intended for business use, the setback shall be at least that required by the zoning ordinance.

For the R-E District, all new lots must have a minimum of 30,000-sf. of lot area. All three lots

significantly exceed the size minimum requirement, as illustrated in the table below.

Proposed Lot 1	158,544 SF	3.64 Acres
Proposed Lot 2	61,652 SF	1.42 Acres
Proposed Lot 3	53,242 SF	1.22 Acres
Proposed Lot 4	153,532 SF	3.52 Acres
Proposed Lot 5	77,002 SF	1.77 Acres
Proposed Lot 6	162,659 SF	3.73 Acres

The proposed Preliminary Plat and preliminary plans provided by the applicant illustrate outlines of potential building areas on Lots 1, 2, 3, 5, and 6. In reviewing these outlined layouts, setbacks to front, side, and rear lot lines can be met due to the large acreage on all parcels.

For the R-E District, all new lots require a minimum of 125-ft of lot width along a city approved street. Lot 4 (existing residence) will maintain its 329+ feet of frontage along Delaware Avenue. The remaining lots are proposed to have frontage and a lot width along the Ridgewood Drive extension of approximately 570-ft, ending in a new constructed cul-de-sac bulb and making the total cul-de-sac length approximately 1,220-ft in length. This dimension of the extension is measured from the existing north curb of the Ridgewood Drive cul-de-sac, to the proposed north curb of the new cul-de-sac. The proposed new single-family lots show compliance with the minimum 125-ft of frontage and lot width on this street and cul-de-sac extension. Lot width is defined as the maximum horizontal distance between the side lot lines of a lot measured within the first 30' of the lot depth. Based on this definition, the proposed Lots 2 and 3 are able to meet the minimum 125-ft lot width standard based on the length of the arc at a 30-ft setback from the proposed cul-de-sac bulb, with the lot width of the proposed Lot 2 measured at 138-ft, and the width of the proposed Lot 3 measured at 126-ft.

### **Dakota County Review**

Because this property fronts on a Dakota County road system (CSAH 63 – Delaware Avenue), this plat requires county review and approval. As mentioned in the “Introduction” section of this report, a previous plat of the subject site was reviewed in 2021, and right-of-way dedication along Delaware Avenue was required by Dakota County at that time. The former application did not move forward and cited the right-of-way dedication as the reason for their withdrawal. The previous iteration of this application was reviewed by the Dakota County Plat Commission in February 2024, and the County is currently reviewing this plat application internally related to the requested and provided right-of-way of 60-ft of half right-of-way, in accordance with their review procedures. The February 2024 memo from the Dakota County Surveyor’s Office is included as an attachment to this report. Dakota County has confirmed that no additional review is required.

### **Street, Utility and Grading Plan**

The applicant has provided a full construction plan set for the grading of the site, as well as street and storm sewer plans, drainage details, and utility plans, attached to this report as Plan Sheets C6-C15.

According to Title 11-3-8-A of the City Code:

*Slope Limitations: Subdivision design shall be consistent with limitations presented by steep slopes. Subdivisions shall be designed so that no construction or grading will be conducted on slopes steeper than twenty five percent (25%) in grade.*

The staff review of the provided grading and contour elevation markings illustrated on the preliminary plans did not identify any steep slopes or bluffs on the property, or slopes over 25% in the areas where the potential dwellings, or driveways are being proposed. The house locations as

shown on the provided plans are preliminary, and final house locations, grading, and impacts will depend on a final design for the respective houses. These future developments will be evaluated at the time that those applications come forward and will be subject to the City's Zoning Ordinance requirements and any other applicable federal, state, and local regulations and codes, as well as in compliance with the City's Land Disturbance Guidance Document. A condition has been included in the staff recommendation section of this report which reflects these requirements.

There is an existing 6-inch watermain underneath Ridgewood Drive that was stubbed at the north end of the cul-de-sac roadway. The plans illustrate that the applicant will extend this watermain line into the proposed Ridgewood Drive right-of-way extension, terminating just north of the new proposed cul-de-sac bulb. The sanitary sewer line will also be extended from the existing manhole north of the existing Ridgewood Drive cul-de-sac, to a new manhole within the proposed cul-de-sac. The proposed sanitary sewer line is 8" within the extended street and will flow by gravity south to connect with the existing manhole and 9" service line installed in the existing Ridgewood Drive cul-de-sac. A new fire hydrant will also be installed in the right-of-way just north of the cul-de-sac extension. The plans show the ability for future service connections to be made into the main line for any future construction of homes on the five new vacant lots.

All new lots will have perimeter drainage and utility easements provided, noted at 5' in width at side and rear lot lines, and 10' in width at front lot lines. The applicant has also provided a wider easement along the southern property line of Lot 6, measuring at 15-ft in width, based on the prior application's recommendations from staff, the Planning Commission, and during the City Council's review, to accommodate appropriate easement width for neighboring properties to petition for sanitary sewer extension to the east, if they so choose. The applicant has also provided a 60-ft utility easement directly north of the new cul-de-sac which could accommodate future utility extension to the north if petitioned by a northern neighboring property owner, or if additional future development north of this development site occurs. This easement area measures approximately 104-ft in length from the northern point of the cul-de-sac right-of-way to the northern edge of this subdivision. Lastly, additional easement width is provided at the shared property line between the proposed Lots 3 and 5, measuring 10-ft on each side, which could accommodate future utility services to 1707 Delaware Ave.

All wetlands will be covered by similar drainage and utility easements, with varying widths. The City's new Zoning Ordinance that went into effect January 1, 2025 references the new Title 15-Environmental Standards and the State of Minnesota Wetland Conservation Act (WCA) rules, but also requires an average buffer depth of 25-ft, with a minimum dimension of 10-ft and a maximum dimension of 50-ft. The applicant has provided a buffer area which meets these requirements, with the shortest dimension of the buffer area located on the proposed Lot 6, where the applicant is proposing 467 SF of wetland impact. The Ordinance does require that any drive aisles must be setback a minimum of 5-ft from any required buffer area, unless otherwise permitted by the Title 15-Environmental Standards. Title 15, Chapter 4: Wetland Conservation permits a Buffer Setback area to be disturbed upon approval of the City. This Wetland Conservation Act (WCA) application is discussed later in this report.

The wetland and wetland buffers' easements, as well as the perimeter drainage and utility easements will be provided and officially dedicated under the final plat approval and recording, if approved.

The building pad sites and associated driveway access points shown on the plans are potential, and final house locations, individual grading plans and impacts, and construction-level architectural plans for the homes, will be provided at the time of building permit for home construction following approval of this subdivision and construction of the public roadway and utility improvements. The proposed driveway of Lot 6 is shown to encroach on the 15-ft drainage and utility easement that the City requested on the south property line during the prior

application's review period. This encroachment will be outlined in the Developer's Agreement between the Applicant/Developer and the City.

The proposed street construction will increase impervious surface by .43 acres overall. An additional acre of impervious surface is estimated for the future home construction improvements. Each of these individual lots will be evaluated for impervious surface requirements at the time of their building permit applications for the new homes. The required maximum impervious surface for the R-E Zoning District is 35%.

The applicant's plans propose that stormwater treatment for individual lot improvements will be provided at the time of construction. The City is not supportive of this request, and staff have provided a condition of approval that the stormwater management not be deferred to the individual single-family lots, and that the City will require stormwater management to be managed for the entire development and dedicated in a utility easement as part of the Final Plat. The single-family lots may be adequate for infiltration at the 1.1 inch BMP requirement, but water quality management would not be feasible for a single homeowner long-term. The stormwater improvements which are currently proposed include an infiltration basin on the proposed Lot 6, just east of the Ridgewood Drive extension. The basin includes a riprap stilling infiltration basin with two inlets, one to the west and one to the south. The applicant plans to seed the filtration basin with MnDot 33-261 seed mixture and to stabilize with appropriate erosion control. The elevations of the basin indicate 12" of planting media with volume for filtration above. The City will require a third-party inspection for compliance with stormwater requirements during construction, which would be outlined in the Developer's Agreement with the City.

### **Wetland Impacts**

The proposed plat identifies a number of large and smaller wetlands throughout the site, which are proposed to be dedicated as drainage and utility easements on the plat. The applicant's plans also indicate a wetland buffer area (illustrated on the plans as hatching around wetlands) which is designed to meet the minimum 25-ft buffer averaging requirement of City Code. The total amount of buffer area which is required for the delineated wetlands on site is 75,504 SF, and the total amount of buffer area which is provided is noted at 75,609 SF. Signs denoting buffer areas will be addressed in the Developer's Agreement with the City.

The Subdivision Title notes that the City shall review the subdivision proposal and design with respect to the limitations presented by wet soils, and that the approval of the subdivision will require an engineering analysis of the delineated areas, and that a permit is required to alter ditches, streams, and associated drainage path. It should be noted that the City Council approved a Joint Water Resources Application for Exemption, submitted by this property's previous Developer/Applicant, on November 3, 2021, whereby approval was granted to remove up to 1,000 SF of wetlands for the driveway and the structure improvements which were proposed at that time.

The extent of the previous structure improvements from the previous property owner's application are not outlined in this planning case. Instead, the applicant is proposing to impact up to 2,170 SF of wetlands for the future driveways and planned Ridgewood Drive extension. The applicant has a new active Joint Water Resources application for exemption under the de minimus rules. Impacts include 1,315 SF of impacts directly north of the existing cul-de-sac, to accommodate the street extension and a culvert which would traverse east-west underneath the street extension connecting the two major wetland areas. Additional wetland impacts of 467 SF are shown on the proposed Lot 6, adjacent to the property's potential driveway. This second impact area, if approved, would add fill to the wetland impact area, which would be altered and presented as the provided wetland buffer area. South of these impacts and designated buffer, the proposed driveway would then be setback approximately 7-ft from the Wetland and Wetland Buffer

alteration, meeting the zoning setback requirements for impervious surface installments such as drive aisles. The remaining wetland impacts are illustrated for driveway impacts on the proposed Lot 5, to accommodate any grading that may be required based on the preliminary building and driveway locations. If any additional wetland impacts are proposed by future property owners, they would be subject to their own future wetland impacts applications under state law. The applicant's Joint Water Resources application under the WCA rules for proposed wetland impacts was submitted to the City in April, and the Notice of Application was sent on April 21, 2025 to the state, regional, and federal regulatory bodies that sit on the required Technical Evaluation Panel (TEP) for WCA rules applications. The comment period for the application ended on May 13, 2025. The City is the Local Government Unit (LGU) for enforcing the WCA rules, and has met with the TEP to evaluate the application and establish recommendations and findings. The members of the TEP are recommending approval of the application. The 60-day decision deadline was June 20<sup>th</sup> for this WCA application, however based on revised application materials the City extended the review period to August 19, 2025. The administration and enforcement of any WCA Permit, including the Notice of Decision, is designated as the responsibility of the Natural Resources Coordinator and is not subject to City Council review.

On the preliminary plans, the five new home sites will be placed in areas in dry, non-wetland areas of each parcel, according to the wetland mapping provided by Jacobson Environmental on the 2021 Wetland Delineation. The applicant does not have a finalized construction and development plan for homes on any of the proposed new single-family development properties, and those plans are not under the review of the City at this time. If the current Joint Water Resources Application is approved, and no work is conducted prior to the expiration of the Wetland Delineation and Notice of Decision, an updated Joint Water Resources Application for Exemption would need to be filed in accordance with state statute.

### **Tree Inventory**

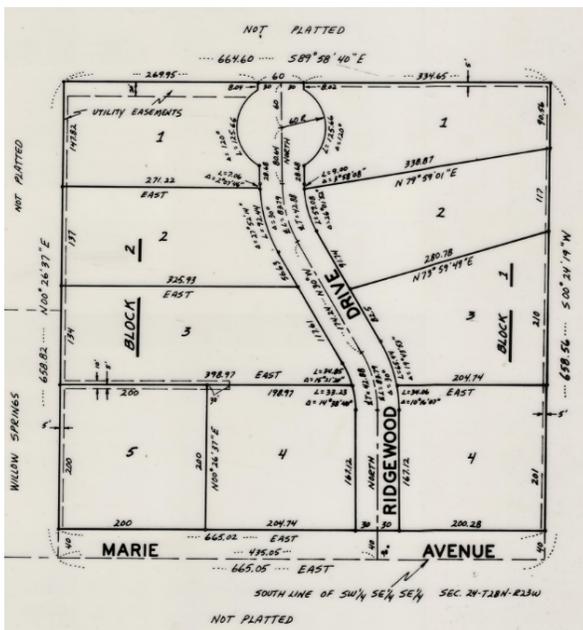
The Developer/Applicant has included a Tree Inventory of the site, which is included as an attachment to this report on Sheets C3-C5. The inventory outlines the species and diameter of the trees within the anticipated development area only, out of approximately 1,900 or more trees which exist on the property today. The anticipated removal of trees is illustrated on the inventory plans which would be removed as part of any construction activities for the street extension and future building and driveway improvements. Final tree impacts on the individual residential lots are to be determined with the full construction and building permit plan sets at the time an application and final site plan design comes forward for review.

The City enacted new requirements in 2025 for a Forest Alteration Permit and Forest Management Plan. The applicant has provided the application materials for a Forest Alteration Permit as part of this subdivision request. The provided Sheet L-101 indicates the tree mitigation plans for the development site. Based on the tables provided by the applicant, 82 trees meeting the definition of a significant or heritage tree are proposed to be removed, amounting to 741 DSH (Diameter at Standard Height). One of the proposed removals is identified as a 'Heritage Tree', meaning it is a native tree, or cultivar of a native tree, which exceeds 24" in diameter. This specific tree to be removed is a 35" Cottonwood tree. Other trees which were in poor condition, were previously removed as part of work prior to the effect of the Urban Forest Preservation Ordinance, and identified Ash trees were removed from forest mitigation plan calculations. 3,774.5 DSH of the remaining surveyed trees are noted to be saved or preserved on the property, including 11 Heritage Trees.

Based on the proposed removals, 555.8 total DSH is required to be replaced. The applicant will also be required to submit a Tree Replacement escrow to the City related to the Forest Management Plan. The applicant is currently proposing to not prepare a replacement landscape plan and has noted their intent to complete an off-site tree replacement agreement with the City.

The applicant cites the difficulty and feasibility of replacing the trees on-site, as the site is fully forested and the cleared areas will be replaced with street improvements. The City is not supportive of the request to not mitigate the removals with any replacement trees. The Urban Forest Preservation ordinance does allow for the City to approve alternative tree replacement measures, including the planning of trees at an alternate site if compliance with the tree replacement requirement is not feasible. City Staff is prepared to work with the applicant to create an alternative tree replacement measure, however the applicant must first attempt to mitigate a portion of the tree replacement on site consecutively with the development. A condition has been added that a Tree Replacement Plan be provided which would illustrate an attempt to comply with tree replacement measures prior to enacting an alternative mitigation plan with the City.

In addition to the requirements of the Urban Forest Preservation Ordinance, all single-family residential uses developed in the City are required to submit a landscaping plan as part of the application for Building Permit indicating the location of existing trees and shrubs, and proposed planting details for new landscape features. A minimum of 25% of the land of each single-family home will be required to be landscaped with grass, ground cover, shrubbery, and trees, and new construction homes are required to plant a minimum of one overstory or deciduous tree per 50-foot of lineal frontage of public street in the front yard of the lot. These required trees may count toward a replacement plan. The landscape plans for each new home will be evaluated at the time of Building Permit for new home construction.



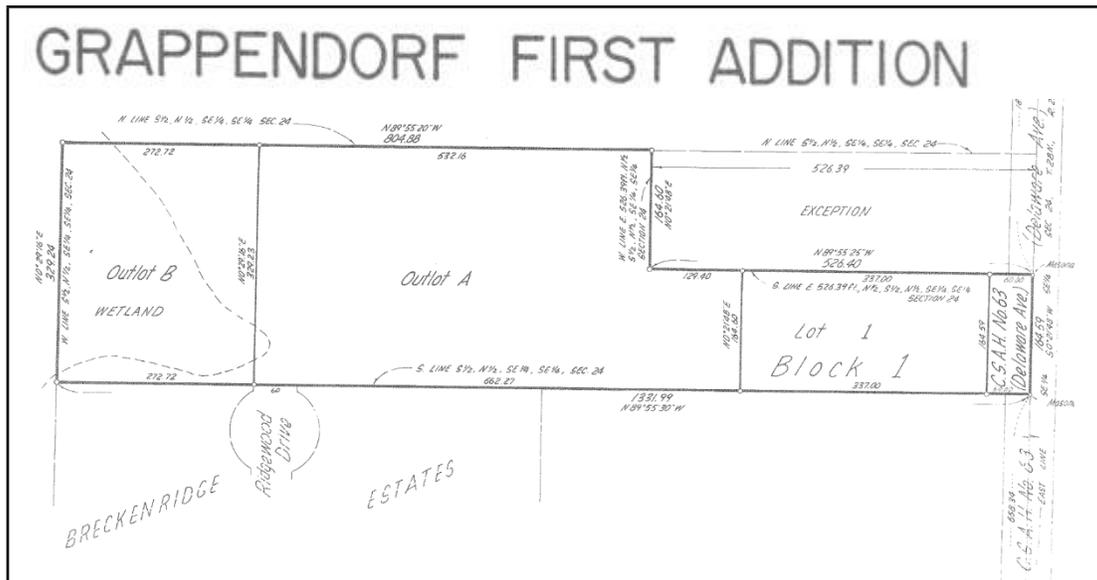
### Street Design

City Code Title 11 – General Subdivision Provision provides for all the required standards related to new subdivisions, including streets, utilities, easements, etc. When Breckenridge Estates, the plat to the south of the subject site, was approved in 1969, it contained a variance request to allow lots less than 40,000-sq. ft. in area (required for R-1A district at that time), but did not include any variance or allowance for an over-length cul-de-sac. The plat was presented with the Ridgewood Drive roadway that exists today, and also included a small “nub” extension of 60-ft in width at the top of the road right-of-way circle (see plat image –left).

This nub was likely created or called for based on the assumption that the properties to the north could be or would be similarly platted, and any future roadway

extension would have likely come off the end of Ridgewood Drive and run northward into these properties. The Subdivision ordinance does require in Section 11-3-3: Streets and Alleys, that a tentative plan of a proposed future street system should be provided when reviewing a new Plat. Specifically, the general requirements provide guidelines for a proposed future street system, and alignment and availability of utilities.

The approved Grappendorf Addition (see plat image – below) did not show or provide any plans for extending Ridgewood Drive into the plat or outlots, nor provided any plans for any other roadway inside this plat as well. However, it was noted within the City Council minutes of the review of that Plat application that access and utility extensions were only available to Outlot A from Ridgewood Drive.



Per current City Subdivision Code Section 11-3-3 Streets and Alleys:

1. 3. *When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and openings of future streets and appropriate resubdivision, with provision for adequate utility connections for such resubdivision.*

The expectation within the City’s review of a subdivision on larger than ‘normal’ lots or parcels, is that the applicant/developer is responsible for arranging lots and parcels in such a way that would permit future and smaller subdivision of lots, as well as leaving space “open” for a future potential street, and potential future utility connections. This applies to making those connections only on the subject site, and does not specifically address neighboring land owners. The City must evaluate the ability for the new parcels to be subdivided again in the future, and evaluate if the infrastructure planned will be able to accommodate that potential future split. The applicant has provided a subdivision which places potential new single-family homes on the portions of this property that are not encumbered by wetlands, and each lot within the proposed subdivision is able to meet or exceed the required lot size and lot width for the R-E Zoning District. Based on the availability of dry buildable area, staff believes that the proposed lots are likely not able to be subdivided further based on the current requirements of City Code and that the applicant’s subdivision request and the layout of building pad sites, street extension, and utility connection complies with this standard.

Under this plat request, the Applicant is seeking to provide an extension of this right-of-way at least 60-ft in width, and approximately 570-ft in length, ending in a new dedicated cul-de-sac bulb. The Developer/Applicant’s previous application in 2024 included a request to defer construction of any public improvements which was not supported by the City Council. The prior application was ultimately withdrawn as the applicant intended to come back with an application which complied with the public improvement standards of the Subdivision Ordinance. The current proposal under this Planning Case shows an intent to develop and construct the full street extension to the new cul-de-sac bulb, to re-construct the street segment at the existing cul-de-sac bulb, and to install public utility improvements in the dedicated right-of-way beneath the new street extension.

Ridgewood Drive measures from the point coming off Marie Avenue to the end of the cul-de-sac as 649.58-feet in total length. From earlier [known] records of the City Code, the Subdivision

Code of 1956 indicated “*dead-end streets shall not be longer than 400-feet...*” while the Code of 1975 included: “*...cul-de-sacs shall normally not be longer than 500-feet...*” as seen today in the current Subdivision Code (noted below).

Per current City Subdivision Code Section 11-3-3 Streets and Alleys:

*D. Dead End and Cul-De-Sac Streets: Dead end streets are prohibited, but cul-de-sacs will be permitted only where topography or other conditions justify their use. Cul-de-sacs shall normally not be longer than five hundred feet (500'), including a terminal turnaround which shall be provided at the closed end, with an outside curb radius of at least forty nine feet (49') and a right of way radius of not less than 60-ft.*

Some of the commissioners may recall giving consideration to a variance related to a cul-de-sac roadway, which was presented under the Orchard Heights plat in 2017. Under that case, the developers requested a variance to exceed the “normally not longer than 500-ft” standard to allow a new cul-de-sac of 950-feet in length. As part of the report on that case, it was noted that the city allowed a number of other subdivision developments throughout the city with over-length dead end and cul-de-sac streets (approximately 19 at that time); and it was unclear from research if the 500-foot standard was in place at the time of these various plat approvals or developments; or if variances were approved for these separate developments. Nevertheless, the city required the developer to submit and request a variance to exceed this 500-ft. standard, and although the planning commission and city council rejected this variance request, the development (and new roadway) was ultimately allowed by a Dakota County District Court ruling.

In that ruling, it is noted that there was dispute on whether or not a Variance was required for the length of the cul-de-sac, as the City’s subdivision ordinance only states that cul-de-sacs “shall normally not” be longer than 500 feet. Existing Minnesota case law states that “Regulatory standards must be sufficiently precise to ensure the application of objective standards to similarly situated property, to adequately inform landowners of the requirements that they must satisfy to gain subdivision approval, and to allow a reviewing court to evaluate noncompliance.” When interpreting language in a zoning ordinance, the plain and ordinary meaning of the terms has generally been more favorable in court procedures. Because of the imprecise language within the subdivision ordinance regarding cul-de-sac length that “shall not normally” be longer than 500-ft, and because the existing length of Ridgewood Drive has already been approved through a prior subdivision, staff did not request the applicant to revise their application and incorporate a Variance request to the cul-de-sac length standard.

The Final Plat will be subject to a Development Agreement between the Owner/Developer and the City, which would outline the timing and details of the installation of required improvements associated with the development. The subdivision ordinance requires that no application for building permits be filed for the private construction associated with this plat until all improvements required have been made or arranged for within the Development Agreement. A condition has been included in the recommendation section of this report that a Development Agreement for the public improvements and utilities be executed to the satisfaction of the City Council before the Final Plat is released for recording with Dakota County, and before the issuance of any permits. This includes the improvements to the street and cul-de-sac, as well as the required utility connections and extensions as outlined in the Utility and Grading Plan section of this report. While the City currently performs street and utility distribution improvements, they do reserve the right to request that developers make all necessary improvements at any time.

## **Conclusion**

The applicant has provided the dedicated right-of-way to the City, and planned a constructed street and utility extension within this Plat to meet the minimum lot width, frontage, and access

requirements of the City Code. The proposed lots each meet or exceed the minimum of 125' of lot width on a City-approved street and they exceed the minimum lot size requirements of 30,000 SF. The applicant's revised plans under this current Planning Case application have illustrated an intent to comply with the City's Subdivision Code by providing adequate extension of utilities into the dedicated right-of-way, and by arranging the lots and street alignment in such a manner that future resubdivision of the overlarge lots is not applicable at this time. The applicant has submitted the required Wetland Conservation Act permits to the City concurrently with this Planning Case application, which is not a factor in the review of this Preliminary Plat request. The Planning Commission should review the technical aspects of the proposed Plat, as it relates to the Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan.

**Alternatives:**

Following the public hearing and discussion, the Planning Commission may consider the following actions:

1. Recommend approval of the Preliminary Plat of McMillan Estates, based on certain findings-of-fact, along with specific conditions of approval as included herein; or
2. Recommend denial of the Preliminary Plat of McMillan Estates, based on revised findings-of-fact and conditions as determined by the Planning Commission and/or City Council; or
3. Table the plat application and request additional information from the applicant or staff. Staff will extend the application review period.

**Staff Recommendation:**

Staff recommends that the Planning Commission recommend to the City Council approval of the application of Spencer McMillan for the Preliminary Plat of a six-lot residential subdivision to be known as McMillan Estates, based on the Findings of Fact as included herein, along with the following conditions:

1. The preliminary plans presented under this plat request do not represent or provide approval of building pad sites, setbacks, accessory structures, or driveway alignments. Final layouts must meet R-E Zone standards and shall be approved under separate building permits for each lot.
2. A building permit, including all new grading and drainage work, must be approved by the City prior to any new construction work.
3. The Developer/Applicant shall submit final grading and utility plans and a dimensioned site plan with associated easements, subject to review and approval by the Planning Department and Engineering Department as part of any building permit application.
4. All new construction and grading activities throughout this development site and on each new buildable lot shall be in compliance with all applicable federal, state, and local regulations and codes, as well as in compliance with the City's Land Disturbance Guidance Document.
5. Stormwater Management shall be managed for the entire development and dedicated in a utility easement as part of the Final Plat. Stormwater management for water quality management shall not be deferred to the individual single-family home lots.
6. Public utility easement locations, including easements for stormwater management facilities and Best Management Practices (BMP) area(S) must be established, approved by the City, and included in the Final Plat prior to release of the Final Plat for recording with Dakota County.
7. All wetland impacts shall be in compliance with the applicable federal, state, and local

regulations and codes, including Title 12-Zoning, Section 12-4A-4: Wetland Requirements and Title 15-Environmental Standards, Chapter 4: Wetland Conservation.

8. The Forest Management Plan shall be updated to include the replacement of tree removal impacts, in accordance with Title 15-Environmental Standards, Chapter 3: Urban Forest reservation. An attempt must be made to mitigate tree removal impacts on site prior to providing an alternative tree replacement measure to the City.
9. In lieu of land dedication, the Developer/Applicant shall pay a park dedication fee in the amount of \$4,000 per unit (6 lots = 6 x \$4,000/unit, or \$24,000) is to be collected after City Council approval and before the Final Plat is released for recording with Dakota County, and before the issuance of any permits.
10. Any new or existing sanitary or water service lines must be reviewed by the Public Works Director and/or St. Paul Regional Water Services prior to issuance of any building permit.
11. The Applicant/Developer must provide a Best Management Practices (Stormwater Management) Agreement to the City as part of the building permit submittal and review process for each new home and new impervious surface.
12. A Development Agreement for the public improvements and utilities shall be executed to the satisfaction of the City Council before the Final Plat is released for recording with Dakota County, and before the issuance of any permits.
13. The Applicant/Developer shall install all public improvements, including the extension of the public street identified on the Plat as Ridgewood Drive and the necessary utility installations, in compliance with all City requirements, prior to the application of any building permit for private construction or improvements within the Plat.
14. The existing cul-de-sac "bulb" of the existing Ridgewood Drive must be removed and reconstructed to City street standards prior to applying for any building permit for private construction or improvements within the Plat.

**Attachments:**

1. Findings of Fact for Approval
2. 1707 Delaware - McMillan Estates - Aerial Site Map
3. Letter of Intent
4. McMillan Estates Preliminary Plat
5. McMillan Estates Construction Plans
6. McMillan Estates Final Plat
7. Public Comments (Received as of the submittal of this report)
8. Joint Water Resources Application 5-22-25
9. BWSR Response - McMillan Estates de minimis application, 5-30-25
10. Army Corps of Engineer Letter, 6-18-25
11. TEP Findings, 5-28-2025
12. Additional Public Comments Received (Packet Addendum 6-24)
13. Living Streets Worksheet McMillan Estates (Packet Addendum 6-24)

## **FINDINGS OF FACT FOR APPROVAL**

### **Preliminary Plat of McMillan Estates 1707 Delaware Avenue**

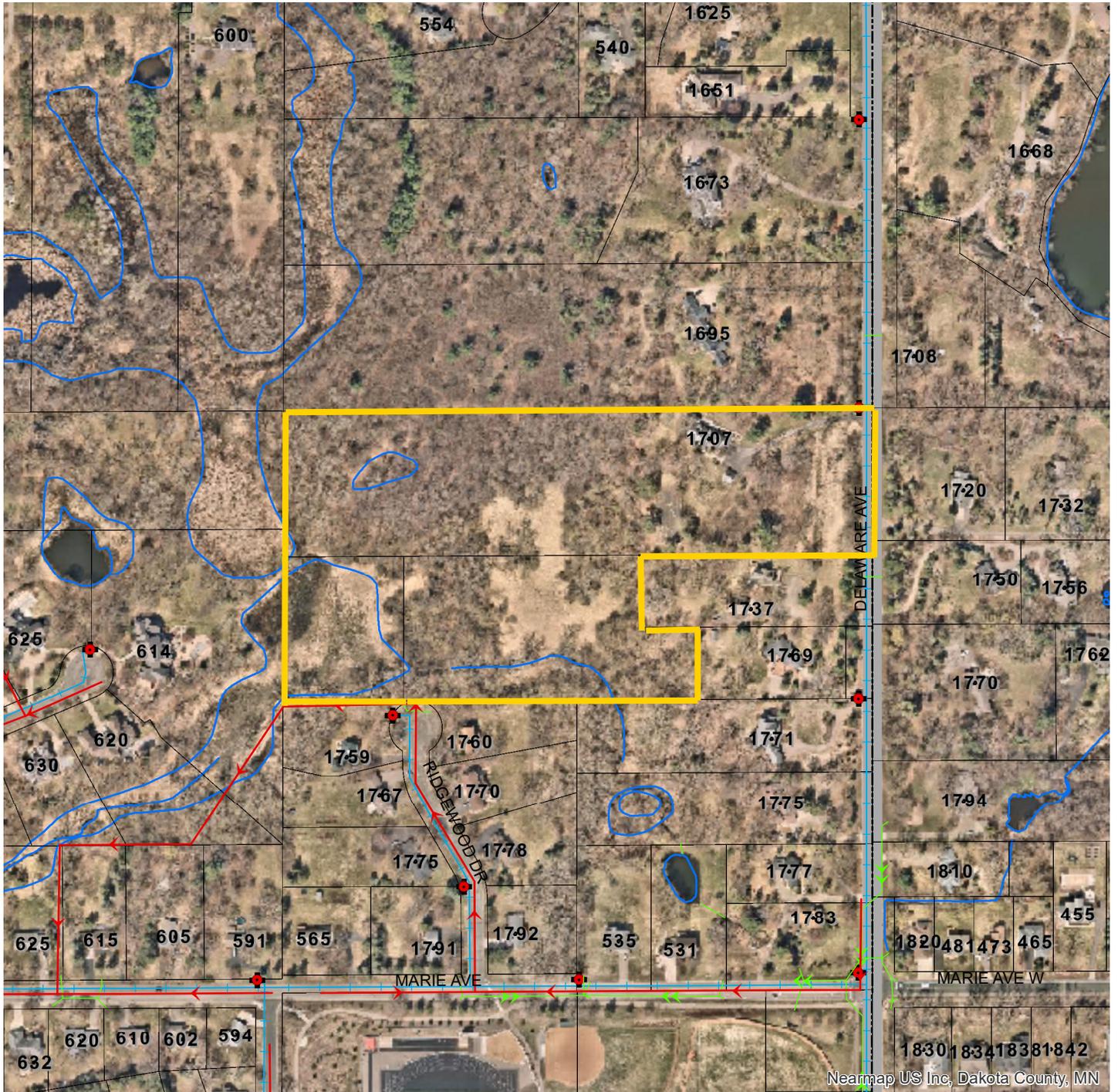
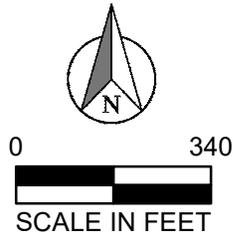
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The following Findings of Fact are made in support of approval of the proposed request:

1. The proposed Preliminary Plat meets the purpose and intent of the Subdivision Ordinance.
2. The proposed Preliminary Plat request meets the purpose and intent of the City Code and is consistent with and supported by a number of goals and policy statements in the 2040 Comprehensive Plan.
3. The proposed lots will meet the minimum standards required under the R-E Residential Estate Zoning District.

# Location Aerial Map 1707 Delaware Ave/McMillan Estates

Date: 3/21/2024



Nearamap US Inc, Dakota County, MN

### GIS Map Disclaimer:

This data is for informational purposes only and should not be substituted for a true title search, property appraisal, plat, survey, or for zoning verification. The City of Mendota Heights assumes no legal responsibility for the information contained in this data. The City of Mendota Heights, or any other entity from which data was obtained, assumes no liability for any errors or omissions herein. If discrepancies are found, please contact the City of Mendota Heights.

Contact "Gopher State One Call" at 651-454-0002 for utility locations, 48 hours prior to any excavation.

March 11<sup>th</sup>, 2025

Dear City of Mendota Heights,

I am writing to inform you of our intent with this preliminary and final plat submission. My wife and I would like to re-plat the 3 parcels shown below.

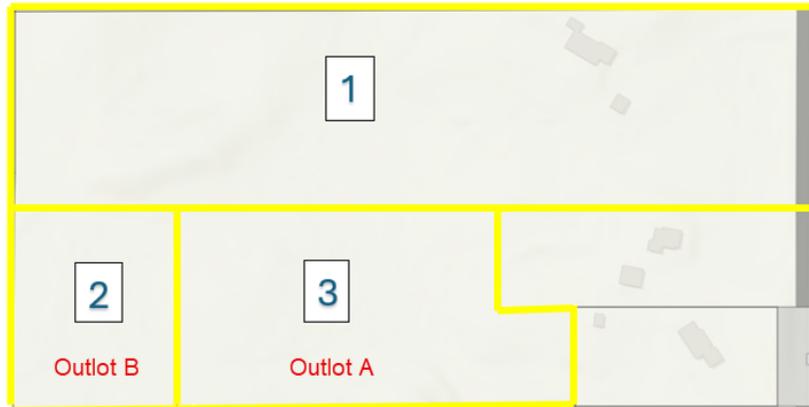
**Current Parcels:**

**Parcel Numbers**

Lot 1: 27-02400-78-010

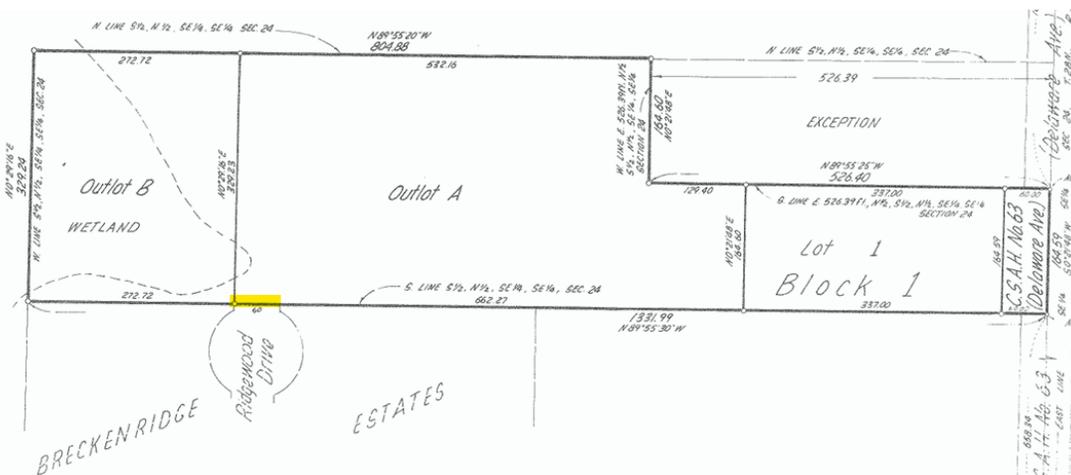
Lot 2: 27-31100-00-020

Lot 3: 27-31100-00-010



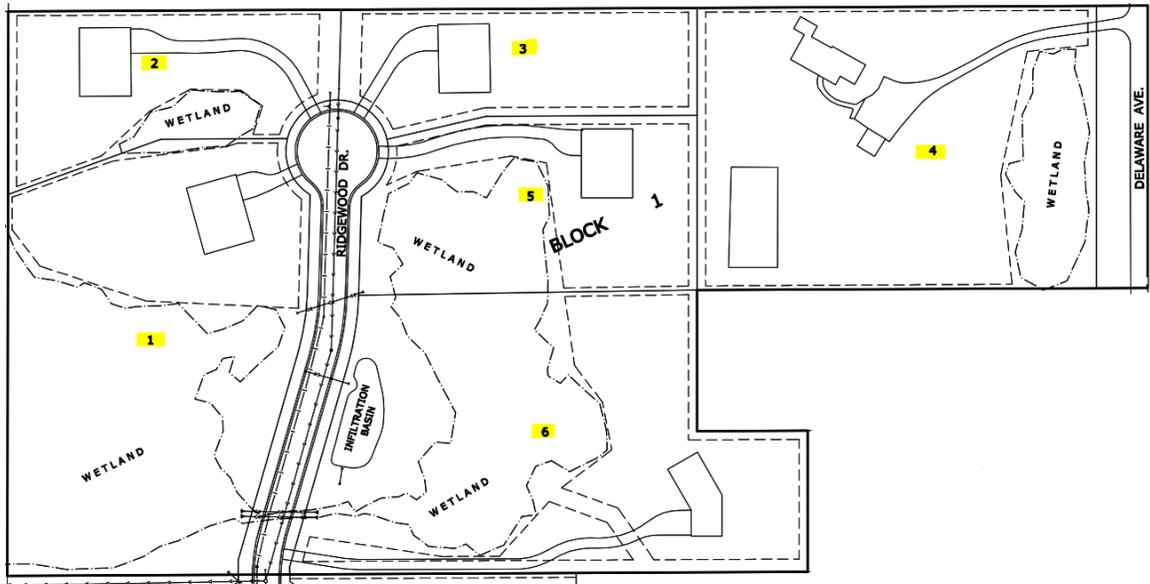
**Background:**

The Ridgewood Drive cul-de-sac butts up to current Lots 2 and 3 (Outlots B and A respectively). The cul-de-sac was dedicated in a plat in 1969 and included a 60 ft wide “nub” extension with frontage to both Outlots. Outlots A and B were approved by the City as part of the Grappendorf First Addition in 1985. Having approved the two Outlots, the city should approve a new subdivision which provides access and utilities for these Outlots. The code disallows a dead-end road extension and the existing 60 ft “nub” does not satisfy the 125 ft lot frontage requirement so the only means of access for these two Outlets is by an extension of Ridgewood Drive in the form of a new cul-de-sac dedication.



**Proposed Plat:**

We would like to replat the 3 parcels into 6 new lots. The new configuration is shown below.



**Dakota County Right of Way Dedication**

With this replatting, we are subject to Dakota County’s Contiguous Plat Ordinance. This ordinance requires us to dedicate a 60 ft of half right of way along Delaware Avenue. This proposal makes this dedication.

**Extended Cul-de-sac**

The current length of the Ridgewood cul-de-sac is roughly 650 ft. We are proposing to extend the cul-de-sac another roughly 570 ft, so the total length becomes roughly 1,220 ft.

Section 11-3-3 of the zoning code states “Cul-de-sacs shall normally not be longer than five hundred feet (500’)”. However, the current cul-de-sac already exceeds 500 ft today, and was approved without any requirement for a variance. In addition, the specific language in the code is “shall normally not”. This language is not explicit in prohibiting cul-de-sacs over 500 ft. In litigation resulting from a request for a 950 ft cul-de-sac in the Orchard Heights plat in 2017, the court determined that this language does not mandate a 500 ft limit for cul-de-sacs. There are already 19 cul-de-sacs in Mendota Heights that exceed 500 feet. For these reasons, we are not requesting a variance for the longer cul-de-sac.

**Expected Outcome and Benefits**

1. This proposal increases the number of available lots in Mendota Heights. Mendota Heights is a desirable place to live and this proposal increases the number of buildable lots from 2 to 6.

2. This proposal extends existing utility stubs on the existing cul-de-sac northward to the end of the new cul-de-sac. Future utility extensions are provided to serve lots to the north. Also, a 15 ft easement is provided for potential future utility services to homes along Delaware Ave to the east.
3. This proposal dedicates right of way along Delaware to Dakota County.
4. The proposal meets all Mendota Heights zoning requirements and does not require variances. It is consistent with the desired zoning of Mendota Heights.

Thank you for your consideration,

Spencer McMillan

# MCMILLAN ESTATES PRELIMINARY PLAT

SEE THE CONSTRUCTION PLANS FOR GRADING, DRAINAGE, STREET,  
SANITARY SEWER, AND WATERMAIN FOR FOR DETAILED IMPROVEMENTS

### LEGAL DESCRIPTION

Outlot A in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota.

And Outlot B in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota.

And the North Quarter of the Southeast Quarter of the Southeast Quarter of Section 24, Township 28, Range 23, Dakota County, Minnesota.

### OWNER/DEVELOPER

SPENCER MCMILLAN  
1707 DELAWARE AVE.  
MENDOTA HEIGHTS, MN 55118  
715-698-7114

### ENGINEER/SURVEYOR

SISU LAND SURVEYING AND ENGINEERING  
2580 CHRISTIAN DR.  
CHASKA, MN 55318  
CONTACT: CURT KALLIO, PE, LS  
612-418-6828

### WETLAND DELINEATOR

JACOBSON ENVIRONMENTAL  
5821 HUMBOLDT AVE. N.  
BROOKLYN CENTER, MN 55430  
CONTACT: WAYNE JACOBSON  
612-802-6619

NOTE: DELINEATOR HAS RETIRED.

### ZONING INFORMATION

EXISTING ZONING = R-1A  
MINIMUM LOT SIZE = 30,000 SQ. FT.  
MINIMUM LOT WIDTH = 125 FEET  
MINIMUM FRONT YARD SETBACK = 40 FEET  
MINIMUM SIDE YARD SETBACK = 15 FEET OR 1/2  
THE HEIGHT OF STRUCTURE CONTIGUOUS TO  
STRUCTURE, WHICHEVER IS GREATER  
MINIMUM REAR YARD SETBACK = 30 FEET OR 20%  
OF AVG. LOT DEPTH, WHICHEVER IS GREATER

### PLAT AREAS

TOTAL PLAT AREA = 16.63 ACRES  
PROPOSED LOT 1, BLOCK 1 = 158,544 SF = 3.64 ACRES  
PROPOSED LOT 2, BLOCK 1 = 61,652 SF = 1.42 ACRES  
PROPOSED LOT 3, BLOCK 1 = 53,242 SF = 1.22 ACRES  
PROPOSED LOT 4, BLOCK 1 = 153,532 SF = 3.52 ACRES  
PROPOSED LOT 5, BLOCK 1 = 77,002 SF = 1.77 ACRES  
PROPOSED LOT 6, BLOCK 1 = 162,659 SF = 3.73 ACRES

### PROPOSED RIGHT OF WAY

RIDGEWOOD DRIVE = 38,158 SF = 0.88 ACRES  
DELAWARE AVE. = 19,751 SF = 0.45 ACRES

### WETLANDS

WETLANDS HAVE BEEN DELINEATED AS SHOWN. 2170 SQ. FT. OF WETLANDS WILL BE IMPACTED FOR THE RIDGEWOOD DR. EXTENSION AND FUTURE DRIVES. PER DEMINIMUS RULES, NO WETLAND MITIGATION IS REQUIRED. A 25 FEET AVERAGE WETLAND BUFFER IS SHOWN WITH A MINIMUM BUFFER WIDTH OF 10 FEET. TOTAL 25 FEET BUFFER REQUIRED = 75,504 SF, TOTAL BUFFER PROVIDED = 75,609 SF.

### PROPOSED IMPROVEMENTS

RIDGEWOOD DRIVE WILL BE EXTENDED TO PROVIDE ACCESS AND UTILITY CONNECTIONS FOR LOTS 1, 2, 3, 5, AND 6. NO IMPROVEMENTS ARE PROPOSED FOR LOT 4. THE EXISTING CUL DE SAC WILL BE REMOVED. SEE THE PROPOSED CONSTRUCTION PLANS FOR DETAILS.

### TREE PRESERVATION

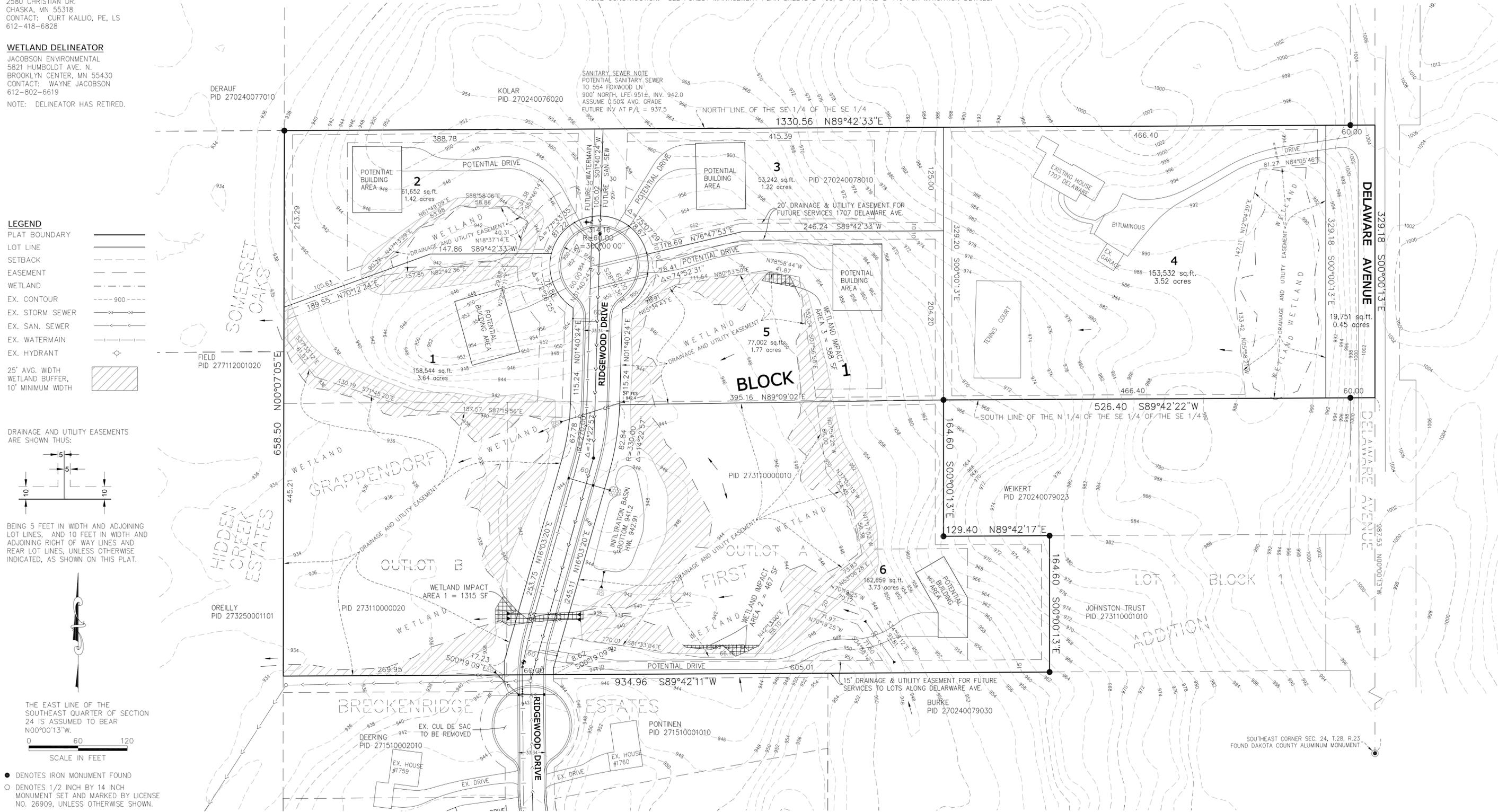
TREES HAVE BEEN INVENTORIED WITHIN THE POTENTIAL IMPROVEMENT AREAS. TREE INVENTORY AND REMOVALS FOR THE PROPOSED IMPROVEMENTS ARE SHOWN IN THE CONSTRUCTION PLANS. TREES HAVE NOT BEEN INVENTORIED FOR ALL OF THE INDIVIDUAL LOT IMPROVEMENTS. IF REQUIRED BY THE CITY, THOSE INVENTORIES WILL BE PROVIDED AT THE TIME OF HOME CONSTRUCTION. SEE FOREST MANAGEMENT PLAN SHEETS L-100, L-101, AND L-110 FOR MITIGATION DETAILS.

### UTILITIES

UTILITIES WILL BE EXTENDED FROM EXISTING STUBS TO NORTH OF THE PROPOSED CUL DE SAC EXISTING TO THE END OF THE NEW CUL DE SAC. POTENTIAL FUTURE UTILITY EXTENSIONS ARE SHOWN TO SERVE LOTS TO THE NORTH. SERVICE TAPS WILL BE PROVIDED FOR 1707 DELAWARE AVE. AND AN EASEMENT WILL BE PROVIDED TO EXTEND SERVICES TO THE EXISTING HOUSE. A 15 FEET EASEMENT WILL BE PROVIDED FOR POTENTIAL FUTURE UTILITY SERVICES TO HOMES ALONG DELAWARE AVE. TO THE EAST.

### STORMWATER

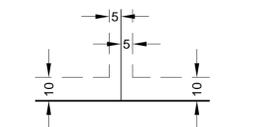
STORMWATER TREATMENT FOR THE INCREASE IN IMPERVIOUS FOR RIDGEWOOD DRIVE WILL BE PROVIDED BY AN INFILTRATION BASIN AS SHOWN. DUE TO THE TOPOGRAPHY OF THE SITE AND LOCATION OF FUTURE HOMES, THE IMPERVIOUS RUNOFF FROM THE INDIVIDUAL LOT IMPROVEMENTS COULD NOT BE CONVEYED TO THE PROPOSED INFILTRATION BASIN. THE INDIVIDUAL LOTS WILL PROVIDE VOLUME REDUCTION AND RATE CONTROL AT THE TIME OF HOME CONSTRUCTION. THE INCREASE IN IMPERVIOUS SURFACE FOR RIDGEWOOD DRIVE IS 0.43 ACRES. THE ESTIMATED INCREASE IN IMPERVIOUS SURFACE FOR LOTS 1, 2, 3, 5, AND 6 IS 0.9 ACRES.



### LEGEND

- PLAT BOUNDARY
- LOT LINE
- SETBACK
- EASEMENT
- WETLAND
- EX. CONTOUR
- EX. STORM SEWER
- EX. SAN. SEWER
- EX. WATERMAIN
- EX. HYDRANT
- 25' AVG. WIDTH WETLAND BUFFER, 10' MINIMUM WIDTH

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES, AND 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES, AND REAR LOT LINES, UNLESS OTHERWISE INDICATED, AS SHOWN ON THIS PLAT.



THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 24 IS ASSUMED TO BEAR N00°00'13"W.



- DENOTES IRON MONUMENT FOUND
- DENOTES 1/2 INCH BY 14 INCH MONUMENT SET AND MARKED BY LICENSE NO. 26909, UNLESS OTHERWISE SHOWN.



Land Surveying & Engineering

2580 Christian Dr.  
Chaska, MN 55318  
612-418-6828

I hereby certify that this plan, report, or specification was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
Curt Kallio  
CURTISS J. KALLIO  
DATE: 5/2/2025 REG. NO. 26909

PREPARED FOR:  
Spencer McMillan  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
Preliminary Plat  
MCMILLAN ESTATES  
Mendota Heights, MN

DATE	REVISION	INCREASED EASE. TO N. TO 60'	CK
5/2/2025			

PROJECT NO:  
202142

SHEET  
1 OF 1  
SHEETS







**SISU**  
Land Surveying  
& Engineering

2580 Christian Dr.  
Chaska, MN 55318  
612-418-6828

I hereby certify that this plan, report, or specification was prepared by me or under my direct supervision and that I am a duly Licensed Engineer under the laws of the State of Minnesota.  
PRELIMINARY — NOT FOR CONSTRUCTION  
CURTISS J. KALLIO  
DATE: 4/17/2025 REG. NO. 28909

PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
**Tree Inventory**  
**MCMILLAN ESTATES**  
Mendota Heights, MN

BY	REVISION	DATE

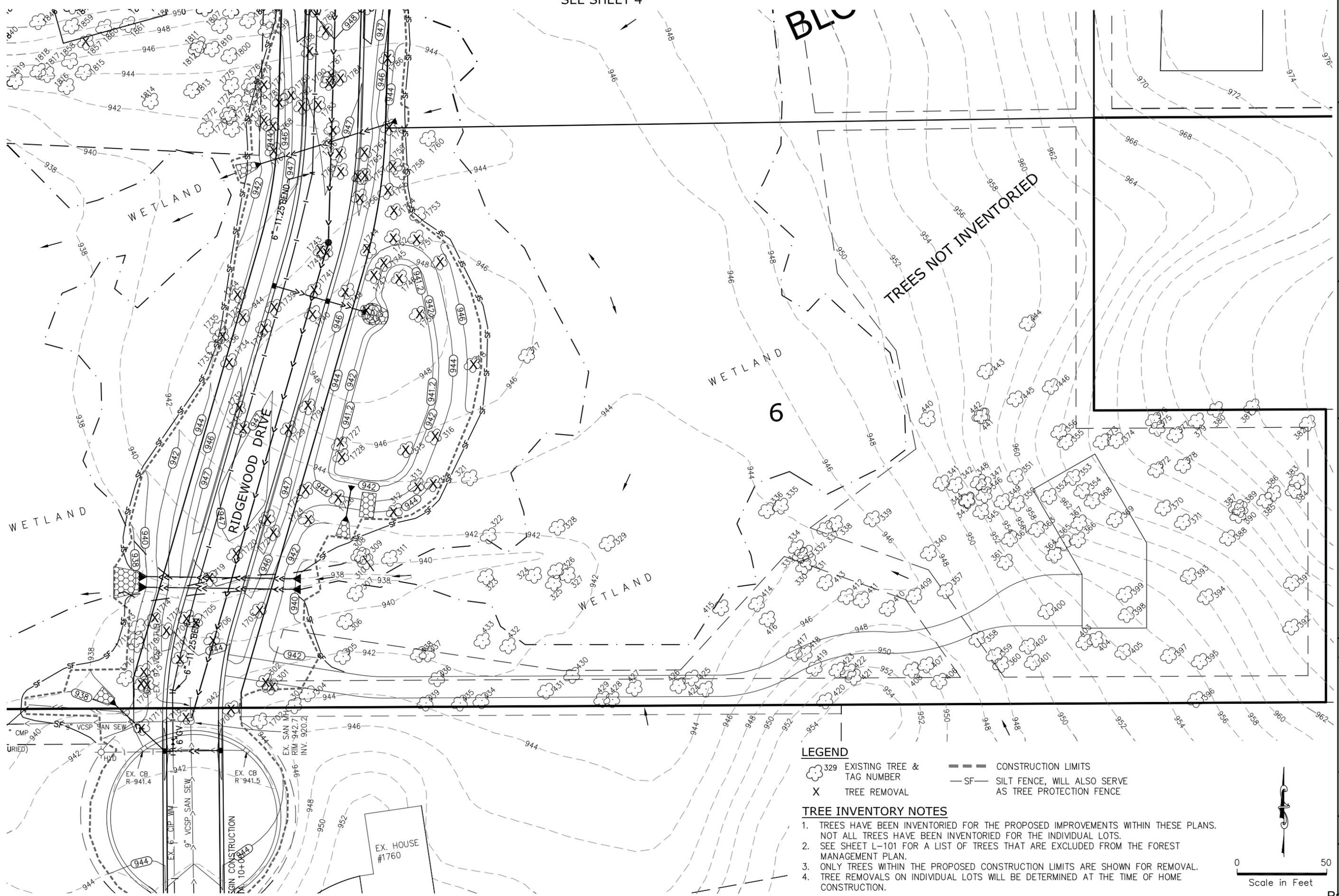
PROJECT NO:  
**202142**

SHEET

**C3**

SEE SHEET 4

BLU

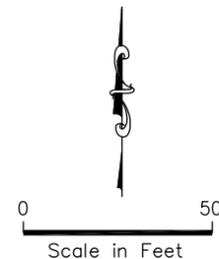


**LEGEND**

- 329 EXISTING TREE & TAG NUMBER
- TREE REMOVAL
- CONSTRUCTION LIMITS
- SILT FENCE, WILL ALSO SERVE AS TREE PROTECTION FENCE

**TREE INVENTORY NOTES**

1. TREES HAVE BEEN INVENTORIED FOR THE PROPOSED IMPROVEMENTS WITHIN THESE PLANS. NOT ALL TREES HAVE BEEN INVENTORIED FOR THE INDIVIDUAL LOTS.
2. SEE SHEET L-101 FOR A LIST OF TREES THAT ARE EXCLUDED FROM THE FOREST MANAGEMENT PLAN.
3. ONLY TREES WITHIN THE PROPOSED CONSTRUCTION LIMITS ARE SHOWN FOR REMOVAL.
4. TREE REMOVALS ON INDIVIDUAL LOTS WILL BE DETERMINED AT THE TIME OF HOME CONSTRUCTION.



EX. HOUSE #1760

WETLAND

RIDGEWOOD DRIVE

WETLAND

6

TREES NOT INVENTORIED

WETLAND

WETLAND

EX. CB R-941.4

EX. CB R-941.5

EX. SAN MH RIM 942.7  
INV. 920.2

EX. P CIP MW

9" VCSP SAN SEW

9" VCSP SAN SEW

EX. 10+0844

CONSTRUCTION

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**Land Surveying & Engineering**

2580 Christian Dr.  
Chaska, MN 55318  
612-418-6828

I hereby certify that this plan, report, or specification was prepared by me or under my direct supervision and that I am a duly Licensed Engineer under the laws of the State of Minnesota.  
PRELIMINARY - NOT FOR CONSTRUCTION  
CURTISS J. KALLIO  
DATE: 4/17/2025 REG. NO. 26909

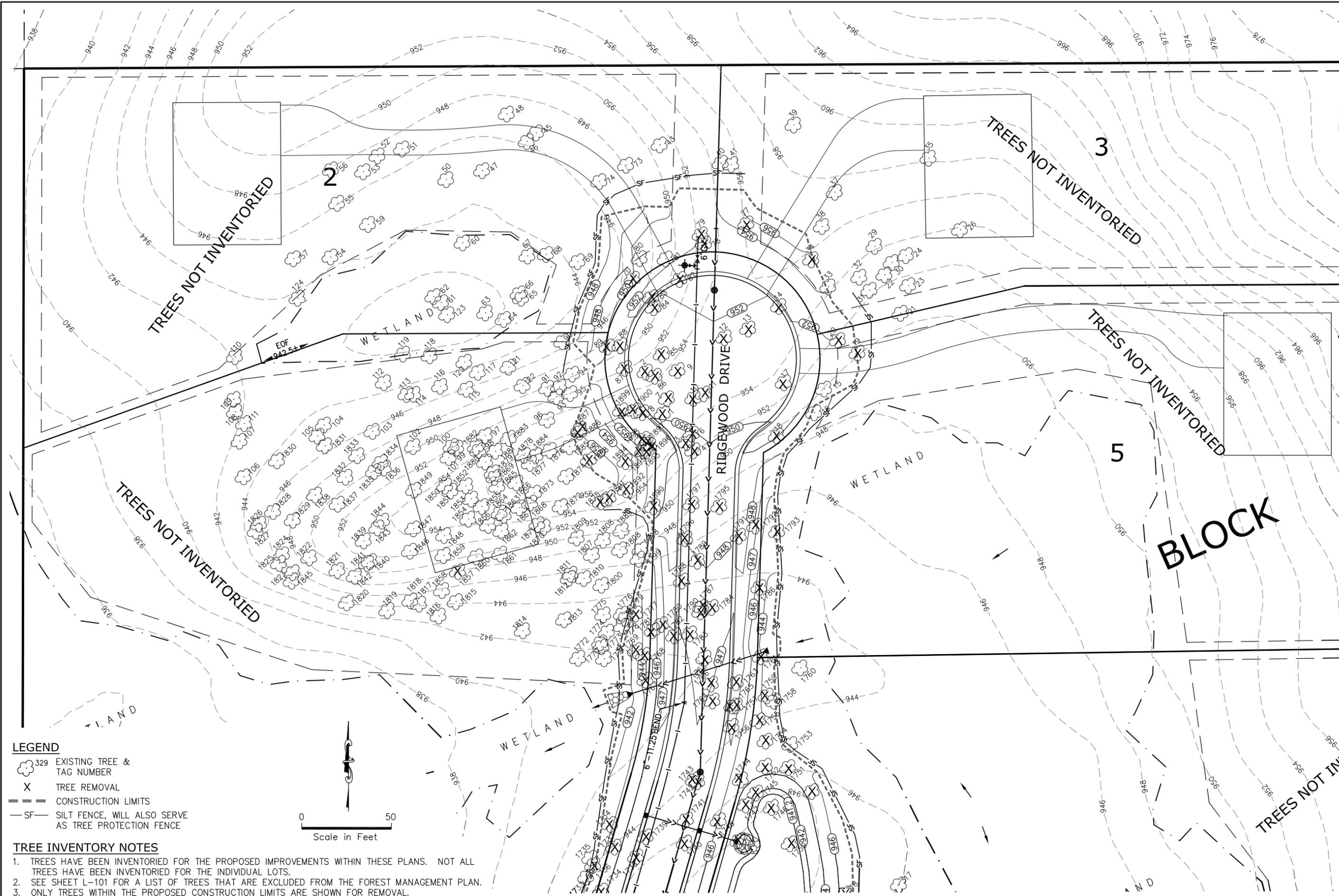
PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
**Tree Inventory**  
**MC MILLAN ESTATES**  
Mendota Heights, MN

DATE	REVISION	BY

PROJECT NO:  
**202142**

SHEET  
**C4**



**LEGEND**

- 329 EXISTING TREE & TAG NUMBER
- TREE REMOVAL
- CONSTRUCTION LIMITS
- SILT FENCE, WILL ALSO SERVE AS TREE PROTECTION FENCE

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SEE SHEET 3



Tag	DBH	Species	Notes	Status
15	12	Apple		Save
16	12	Black Cherry		Save
21	8	Box Elder	poor	Save
22	7	Apple		Save
23	9	Box Elder		Save
24	7	Black Cherry		Save
25	7	Black Cherry	poor	Save
26	8	Black Cherry		Save
27	6	Green Ash		Save
28	6	Green Ash	poor	Save
29	7	Black Cherry		Save
30	8	Box Elder		Save
31	7	Black Cherry		Save
32	8	Black Cherry		Save
33	12	Black Cherry		Save
35	8	Amur Maple		Save
36	6	Amur Maple	poor	Save
37	6	Black Cherry		Save
38	6	American Elm	poor	Save
39	7	Black Cherry	poor	Save
40	8	Black Cherry		Save
41	11	Black Cherry		Save
42	10	American Elm	poor	Save
43	10 (25)	Scotch Pine	poor	Save
44	8	Black Cherry		Save
45	6	Bur Oak		Save
46	4	Green Ash	poor	Save
47	6	Green Ash		Save
48	6	Green Ash		Save
49	6	Green Ash	poor	Save
50	7	Green Ash		Save
51	8	Apple		Save
52	6	Bur Oak		Save
53	6	Black Cherry		Save
54	6	Bur Oak		Save
55	6	Green Ash		Save
56	6	Black Cherry		Save
57	14	Red Oak		Save
58	15	Red Oak		Save
59	14	Red Oak	poor	Save
60	7	Black Willow		Save
61	8	Green Ash		Save
62	10	Green Ash		Save
63	6	Green Ash		Save
64	10	Green Ash		Save
65	8	Green Ash		Save
66	7	Green Ash	poor	Save
67	10	Green Ash		Save
68	10	Green Ash		Save
69	11	Green Ash		Save
71	7	Bur Oak		Save
72	9	Bur Oak		Save
73	7	Apple		Save
74	8	Apple		Save
75	6	Green Ash		Save
76	7	Green Ash		Save
90	15	Red Oak		Save
91	12	Red Oak		Save
92	8	Black Cherry		Save
93	6	American Elm		Save
94	9	Black Cherry		Save
95	9	Black Cherry		Save
96	9	Quaking Aspen		Save
97	8	Quaking Aspen		Save
98	9	Quaking Aspen		Save
99	7	Quaking Aspen		Save
100	7	Black Cherry		Save
101	6	Apple		Save
102	12	Black Cherry		Save
103	8	Amur Maple		Save
104	8	Black Cherry		Save
105	12	Red Oak		Save
106	10	American Elm		Save
107	6	Bur Oak	poor	Save
108	19	Cottonwood		Save
109	7	Red Oak	poor	Save
110	8	Quaking Aspen		Save
111	9	Red Oak		Save
112	13	Red Oak		Save
113	12	Red Oak		Save

Tag	DBH	Species	Notes	Status
114	6	Bur Oak		Save
115	8	American Elm		Save
116	6	Apple		Save
117	19	Red Oak		Save
118	31	Cottonwood		Save
119	6	Green Ash		Save
120	7	Green Ash		Save
121	6	Green Ash		Save
122	6	American Elm		Save
123	7	Green Ash		Save
124	12	Red Oak		Save
125	11	Red Oak		Save
303	20.5	White Ash		Save
304	9	Black Cherry	2 stem	Save
305	9	Black Cherry	2 stem	Save
306	13	Green Ash		Save
307	17.5	Green Ash		Save
308	6	Black Cherry		Save
309	10	American Elm		Save
310	42	Cottonwood		Save
311	77.5	Cottonwood	2 stem	Save
317	14.5	Siberian Elm		Save
318	36	Box Elder	4 stem	Save
319	7	Box Elder		Save
320	9	Quaking Aspen		Save
321	10	Black Cherry		Save
322	14.5	Box Elder		Save
323	10	Box Elder		Save
324	8	Buckthorn	2 stem	Save
325	9	Box Elder		Save
326	8	Box Elder		Save
327	37.5	Black Willow	Half Dead	Save
328	8	Buckthorn		Save
329	54	Cottonwood		Save
330	15	Box Elder		Save
331	8	Box Elder		Save
332	9	Box Elder		Save
333	13	Box Elder		Save
334	9	Box Elder		Save
335	63.5	Cottonwood		Save
336	17	Black Cherry	Mostly Dead	Save
337	13	Box Elder		Save
338	11	Buckthorn	2 stem	Save
339	10	Buckthorn		Save
340	10.5	Buckthorn	2 stem	Save
341	17	Cottonwood		Save
342	16	White Ash		Save
343	6.5	White Ash		Save
344	12	White Ash		Save
345	16.5	Hophornbeam	2 stem - mostly dead	Save
346	13	American Elm		Save
347	8	White Ash		Save
348	6	White Ash		Save
349	10	Box Elder		Save
350	9	Box Elder		Save
351	21	Buckthorn	5 stem	Save
352	9.5	Box Elder		Save
353	12	Box Elder		Save
354	10	Box Elder		Save
355	10	White Ash		Save
356	8	Green Ash		Save
357	14	Black Oak		Save
358	20.5	White Ash		Save
359	22	White Ash	2 stem	Save
360	8	White Ash		Save
361	8	White Ash		Save
362	13.5	White Ash		Save
363	9	White Ash		Save
364	14.5	American Elm		Save
365	12	White Ash		Save
366	8	White Ash		Save
367	11	White Ash		Save
368	10	White Ash		Save
369	6	White Ash		Save
370	10	White Ash		Save
371	6	Green Ash		Save
372	9.5	White Ash		Save
373	15	White Ash		Save
374	15	Green Ash		Save
375	10.5	White Ash		Save

Tag	DBH	Species	Notes	Status
376	12	White Ash		Save
377	8.5	White Ash		Save
378	8.5	White Ash		Save
379	15.5	Green Ash		Save
380	19	White Ash	2 stem	Save
381	11.5	Green Ash		Save
382	14.5	Green Ash		Save
383	16	White Ash		Save
384	23.5	White Ash	3 stem	Save
385	32.5	White Ash	3 stem	Save
386	17.5	White Ash		Save
387	10	White Ash		Save
390	13.5	White Ash		Save
389	7	White Ash		Save
388	25.5	White Ash	2 stem	Save
391	22	White Ash		Save
392	18	White Ash		Save
393	22.5	White Ash		Save
394	30.5	White Ash	2 stem	Save
395	10	White Ash		Save
396	25	White Ash		Save
397	12	Green Ash		Save
398	26	White Ash		Save
399	16.5	White Ash		Save
400	21	White Ash		Save
401	6.5	Buckthorn		Save
402	7.5	Buckthorn		Save
403	7	White Ash		Save
404	12.5	White Ash		Save
405	8.5	White Ash		Save
406	10	Box Elder		Save
407	13.5	Box Elder		Save
408	14	Green Ash		Save
409	15	White Ash		Save
410	8.5	Box Elder		Save
411	7	Amur Cork Tree		Save
412	12	Box Elder		Save
413	9	American Elm		Save
414	8.5	Black Cherry		Save
415	9	Black Cherry		Save
416	13.5	Buckthorn		Save
417	9	Buckthorn		Save
418	11	White Ash		Save
419	23.5	White Ash		Save
420	13	White Ash		Save
421	18	Green Ash		Save
422	12	Green Ash		Save
423	8.5	Green Ash		Save
424	13	White Ash		Save
425	7	Buckthorn		Save
426	6	Swamp White Oak		Save
427	16	White Ash		Save
428	9	White Ash		Save
429	17	White Ash		Save
430	6	Buckthorn		Save
431	16	White Ash		Save
432	13.5	Box Elder	2 stem	Save
433	23	Green Ash		Save
434	31.5	White Ash	2 stem	Save
435	14	Cottonwood		Save
436	18.5	Box Elder		Save
437	13	Box Elder		Save
438	10	White Ash		Save
439	11	Black Cherry		Save
440	38	Buckthorn	10 stem	Save
441	16	Box Elder		Save
442	14	White Ash		Save
443	8	Buckthorn		Save
444	18	White Ash		Save
445	16.5	Hophornbeam		Save
446	9	Green Ash		Save
1702	7	Black Cherry		Save
1710	7	American Elm		Save
1711	30	Cottonwood		Save
1713	6	Box Elder		Save
1725	9	Black Cherry		Save
1730	8	Box Elder		Save
1733	10	Black Cherry		Save
1735	12	Black Cherry		Save
1753	8	Quaking Aspen		Save

Tag	DBH	Species	Notes	Status
1758	9	Quaking Aspen		Save
1760	6	Quaking Aspen		Save
1770	11	Quaking Aspen		Save
1771	10	Quaking Aspen		Save
1772	8	Quaking Aspen		Save
1773	9	Quaking Aspen	dead	Save
1774	8	Quaking Aspen		Save
1775	8	Quaking Aspen	dead	Save
1776	8	Quaking Aspen	dead	Save
1779	10	Quaking Aspen	poor	Save
1792	8	Quaking Aspen	poor	Save
1793	11	Green Ash		Save
1798	12	Red Oak		Save
1799	12	Quaking Aspen		Save
1800	10	Quaking Aspen		Save
1807	10	American Elm	poor	Save
1808	11	Black Cherry	poor	Save
1809	8	Black Cherry	poor	Save
1810	6	Quaking Aspen	poor	Save
1811	12	Quaking Aspen		Save
1812	7	Quaking Aspen	poor	Save
1813	6	Quaking Aspen	dead	Save
1814	28	Red Oak		Save
1815	24	Red Oak		Save
1816	10	Red Oak	poor	Save
1817	6	Red Oak		Save
1818	7	Red Oak	poor	Save
1819	7	Red Oak	poor	Save
1820	14	Red Oak	poor	Save
1821	12	Red Oak		Save
1822	11	Red Oak		Save
1823	6	Red Oak	poor	Save
1824	7	Red Oak	poor	Save
1825	9	Red Oak	poor	Save
1826	7	Black Cherry		Save
1827	6	Black Cherry		Save
1828	9	Black Cherry		Save
1829	8	American Elm	poor	Save
1830	8	Apple		Save
1831	8	Black Cherry		Save
1832	7	Black Cherry		Save
1833	8	Black Cherry		Save
1834	7	Black Cherry		Save
1835	10	Black Cherry		Save
1836	12	Red Oak	poor	Save
1837	12	Red Oak		Save
1838	7	Black Cherry		Save
1839	6	Red Oak		Save
1840	7	Black Cherry		Save
1841	7	Red Oak		Save
1842	6	Red Oak		Save
1843	6	Red Oak	poor	Save
1844	7	Red Oak	poor	Save
1845	7	Red Oak		Save
1846	10	Basswood		Save
1847	10	Red Oak		Save
1848	11	Red Oak		Save
1849	6	Quaking Aspen		Save
1850	8	Quaking Aspen		Save
1851	7	Quaking Aspen		Save
1852	8	Quaking Aspen		Save
1853	6	Quaking Aspen		Save
1854	6	Quaking Aspen		Save
1855	6	Quaking Aspen	poor	Save
1856	7	Quaking Aspen		Save
1857	7	Red Oak		Save
1858	7	Red Oak		Save
1859	8	Red Oak	poor	Save
1860	7	Green Ash	poor	Save
1861	7	Black Cherry	poor	Save
1862	8	Quaking Aspen		Save
1863	6	Quaking Aspen		Save
1864	6	Quaking Aspen		Save
1865	8	Quaking Aspen		Save
1866	7	Quaking Aspen		Save
1867	6	Quaking Aspen		Save
1868				

Tree Removals Excluded From Forest Management Plan

Tag	DBH	Species	Notes	Status
5	6	Green Ash		Remove
11	6	Quaking Aspen	poor	Remove
12	8	Black Cherry	poor	Remove
13	7	Green Ash	poor	Remove
17	6	Green Ash		Remove
83	8	Box Elder	poor	Remove
84	8	Black Cherry	poor	Remove
312	28	Slippery Elm	splitting	Remove
313	6	White Ash		Remove
314	9.5	White Ash		Remove
1703	13	Green Ash		Remove
1704	7	Green Ash		Remove
1705	7	Green Ash		Previously Removed
1706	12	Box Elder		Previously Removed
1707	19	Cottonwood	poor	Remove
1716	12	Box Elder	poor	Remove
1717	10	Siberian Elm		Remove
1718	6	Siberian Elm	poor	Previously Removed
1719	7	Box Elder		Previously Removed
1729	9	Box Elder	poor	Remove
1731	10	Box Elder	poor	Remove
1732	8	Box Elder	poor	Remove
1734	8	Box Elder	poor	Remove
1742	8	Quaking Aspen		Previously Removed
1743	9	Quaking Aspen		Previously Removed
1752	6	Quaking Aspen	poor	Remove
1754	7	Quaking Aspen	poor	Remove
1755	6	Green Ash		Remove
1756	7	Green Ash		Remove
1757	10	Quaking Aspen	poor	Remove
1759	9	Quaking Aspen	poor	Remove
1763	9	Quaking Aspen	poor	Remove
1764	8	Green Ash	dead	Remove
1766	10	Quaking Aspen	dead	Remove
1767	9	Quaking Aspen	poor	Remove
1778	7	Quaking Aspen	poor	Remove
1780	15	Quaking Aspen	poor	Remove
1781	6	Green Ash		Remove
1782	6	Quaking Aspen		Previously Removed
1783	7	Quaking Aspen		Previously Removed
1787	12	Quaking Aspen	poor	Remove
1789	10	Box Elder		Previously Removed
1796	7	Quaking Aspen	poor	Remove
1874	6	Black Cherry	poor	Remove
1876	6	Quaking Aspen	poor	Remove
1877	6	Quaking Aspen	poor	Remove

TOTAL DBH REMOVED - EXCLUDED 406.5

Tree Removals Included in Forest Management Plan

Tag	DBH	Species	Notes	Status
1	6	Quaking Aspen		Remove
2	6	Quaking Aspen		Remove
3	7	Black Cherry		Remove
4	6	Quaking Aspen		Remove
6	6	Quaking Aspen		Remove
7	7	Quaking Aspen		Remove
8	8	Quaking Aspen		Remove
9	6	Quaking Aspen		Remove
10	7	Quaking Aspen		Remove
14	7	Black Cherry		Remove
18	10	Black Cherry		Remove
19	6	Apple		Remove
20	6	Apple		Remove
34	6	Apple		Remove
70	21	Red Oak		Remove
77	6	Black Cherry		Remove
78	8	American Elm		Remove
79	9	Black Cherry		Remove
80	12	Black Cherry		Remove
81	6	Black Cherry		Remove
82	7	Black Cherry		Remove
85	10	Black Cherry		Remove
86	7	Box Elder		Remove
87	7	Black Cherry		Remove
88	6	Bur Oak		Remove
89	8	Black Cherry		Remove
301	8	Bur Oak		Remove
302	16	Cottonwood		Remove
315	22	Cottonwood		Remove
316	7	Black Cherry		Remove
1701	21	Cottonwood		Remove
1708	7	Cottonwood		Remove
1709	6	Cottonwood		Remove
1712	35	Cottonwood		Remove
1714	6	Box Elder		Remove
1715	18	Cottonwood		Remove
1720	6	Black Cherry		Remove
1721	7	Black Cherry		Remove
1722	7	Black Cherry		Remove
1723	13	Box Elder		Remove
1724	7	Black Cherry		Remove
1726	8	Box Elder		Remove
1727	7	Black Cherry		Remove
1728	6	Black Cherry		Remove
1736	6	Box Elder		Remove
1737	14	Black Cherry		Remove
1738	8	Box Elder		Remove
1739	8	Quaking Aspen		Remove
1740	9	Quaking Aspen		Remove
1741	8	Quaking Aspen		Remove
1744	6	Box Elder		Remove
1745	12	American Elm		Remove
1746	8	Quaking Aspen		Remove
1747	9	Black Cherry		Remove
1748	9	Quaking Aspen		Remove
1749	10	Quaking Aspen		Remove
1750	10	Black Cherry		Remove
1751	8	Quaking Aspen		Remove
1761	7	Quaking Aspen		Remove
1762	7	Quaking Aspen		Remove
1765	10	Quaking Aspen		Remove
1768	10	Quaking Aspen		Remove
1769	8	Quaking Aspen		Remove
1777	10	Quaking Aspen		Remove
1784	10	Black Walnut		Remove
1786	8	Box Elder		Remove
1788	10	Quaking Aspen		Remove
1790	10	Quaking Aspen		Remove
1791	10	Quaking Aspen		Remove
1794	11	Black Walnut		Remove
1795	9	Quaking Aspen		Remove
1797	9	Quaking Aspen		Remove
1878	6	Quaking Aspen		Remove
1879	7	Quaking Aspen		Remove
1880	7	Quaking Aspen		Remove
1881	7	Quaking Aspen		Remove
1882	6	Quaking Aspen		Remove

Tag	DBH	Species	Notes	Status
1883	9	Quaking Aspen		Remove
1884	6	Quaking Aspen		Remove
1885	6	Quaking Aspen		Remove
1889	13	Black Cherry		Remove
1891	12	Red Oak		Remove

TOTAL DBH REMOVED - INCLUDED 741.0  
 TOTAL DBH TO BE REPLACED 555.8  
 HERITAGE TREES REMOVED 1

# of replacement 2.5" trees 222

CITY OF MENDOTA HEIGHTS FOREST MITIGATION NOTES

- Significant tree means a healthy tree measuring a minimum of six inches in diameter for deciduous trees, 10 feet in height for conifer trees, and is not considered hazardous.
- Heritage tree means a tree of any native species or cultivar of a native species that is 24 inches in diameter or greater, excluding invasive species.
- The applicant shall post a tree replacement escrow with the City. For every heritage tree preserved on site, the escrow may be reduced by \$250.00.
- If seven (7) or more total significant or heritage trees on the property are removed, the applicant shall mitigate all significant and heritage tree inches measured at DBH at a rate of 75%. Example: 84 DBH inches removed x .75 = 63 DBH inches required to be replaced.
- Trees shall not be planted within 10 feet of property lines without written permission of the affected adjacent property, nor shall trees be planted at lot corners in a way that obstructs a driver's line of sight. If compliance with the tree replacement requirement is not feasible, the City may approve alternative tree replacement measures, including the planting of trees at an alternate site. The alternate site must be public land, and at the choice of the city. The city may require post-construction tree care.
- In order to preserve diversity and provide protection from tree disease and pests; where ten or more replacement trees are required, not more than 20 percent shall be of the same family, not more than 10 percent of the same genus, and not more than 5 percent of the same species, unless approved by the City. Tree species of the genus Acer shall be limited to 10 percent of total replacement trees planted, due to its over-abundance in the City's forest canopy. A minimum of 50 percent of replacement trees must be species native to Minnesota or recommended by the Department of Natural Resources or University of Minnesota Extension.
- When replacement trees are required, replacement trees shall be no less than a one-caliper inch deciduous or six-foot height conifer tree unless approved by the City. No more than three consecutive trees of the same species may be planted in a continuous row, including around corners and in groupings.

FOREST MANAGEMENT PLAN

- Contact responsible for tree preservation during the course of the project:  
 Spencer McMillan  
 1707 Delaware Avenue  
 Mendota Heights, MN 55118  
 (715) 698-7114
- Tree replacement escrow reduction = 11 heritage trees preserved x \$250 = \$2,750
- Onsite replacement of the total DBH to be replaced is not feasible as the remainder of the property is fully forested. We have intentionally not prepared a replacement landscape plan and will complete an off-site tree replacement agreement with the City.

TREE SURVEY NOTES

- Tree removals excluded from forest mitigation plan calculations due to ash and Siberian elm tree species, poor tree condition, or being previously removed since tree survey was complete and forest mitigation plan submittal.
- Poor tree condition denotes that the tree has less than 50% of a healthy crown remaining from diseased or dying tree due to age.

**MIDWEST WETLAND improvements**  
 P.O. BOX 448  
 VICTORIA, MN 55386  
 PHONE: (952) 261-9990  
 WWW.MIDWESTWETLANDS.COM

CERTIFICATION:  
 I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.  
*Lucius Jonett*  
 Lucius Jonett  
 LICENSE NO.: 52856  
 DATE: 04-18-2025

ISSUE NO.: 01

DESCRIPTION: PRELIMINARY PLAN SUBMITTAL

DATE: 04/18/2025

**McMILLAN ESTATES**  
 MENDOTA HEIGHTS, MN

PROJECT TITLE:

CLIENT:

**SPENCER McMILLAN**  
 1707 DELAWARE AVENUE  
 MENDOTA HEIGHTS, MN 55118  
 PHONE: (715) 698-7114

PROJECT NO.: B0029-0001

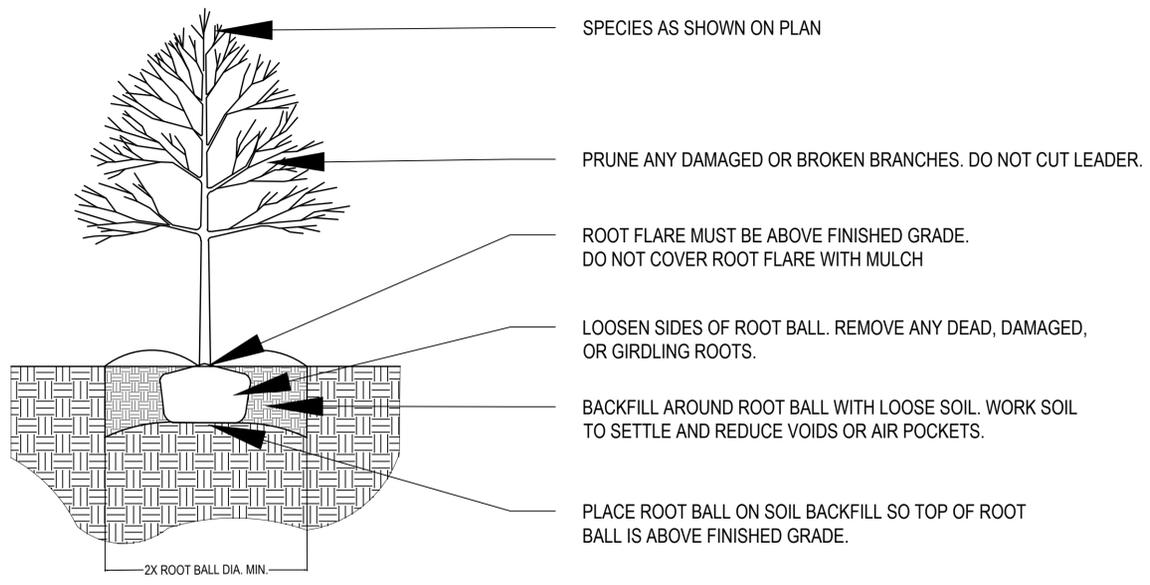
DWN BY: HRM    CHKD BY: LNJ    APPD BY: LNJ

ISSUE DATE: 04-18-2025

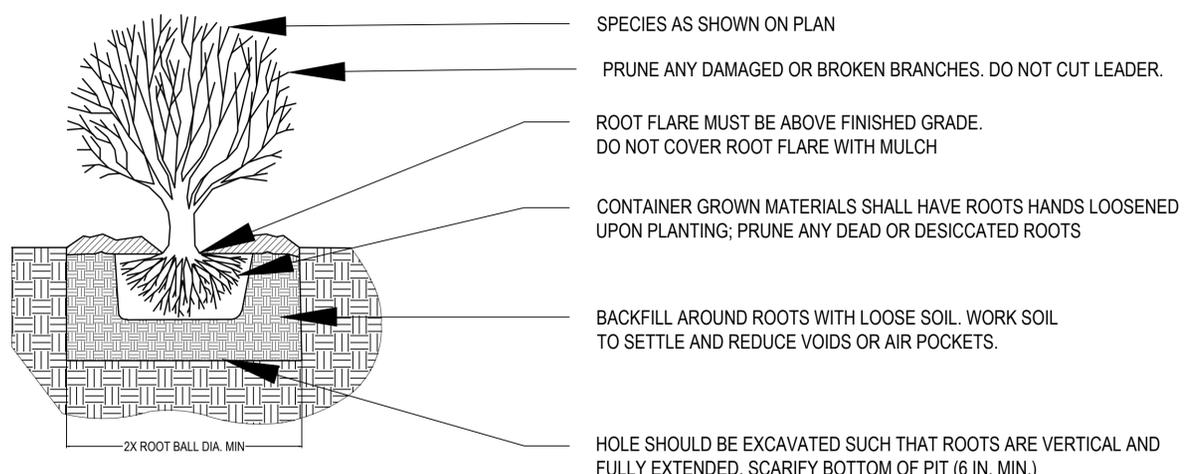
ISSUE NO.: 01

SHEET TITLE:  
 FOREST MITIGATION PLAN - TREES REMOVED

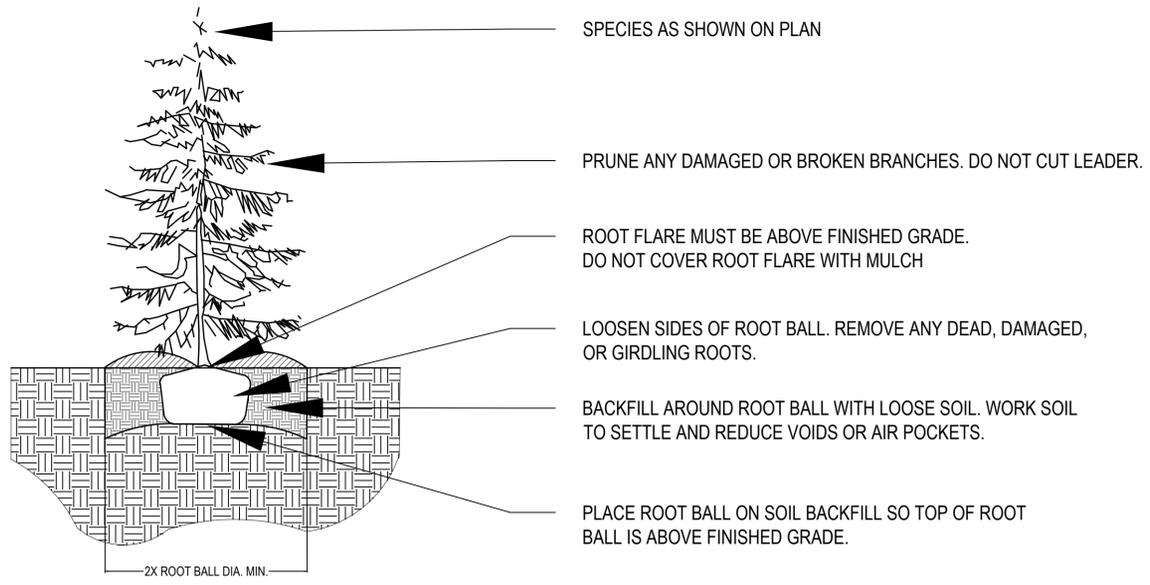
SHEET NO.: **L-101**



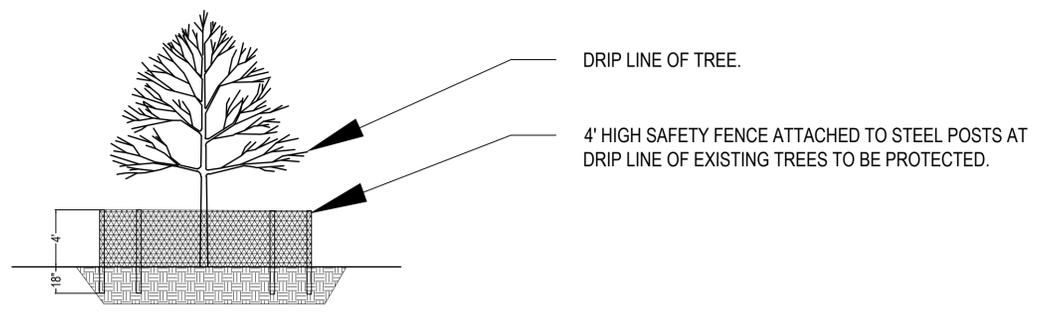
**1** DECIDUOUS TREE PLANTING DETAIL  
L-110 NOT TO SCALE



**2** SHRUB & CONTAINER PLANTING DETAIL  
L-110 NOT TO SCALE



**3** CONIFEROUS TREE PLANTING DETAIL  
L-110 NOT TO SCALE



**4** TREE PROTECTION FENCE DETAIL  
L-110 NOT TO SCALE

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ISSUE NO.:	01
DESCRIPTION:	PRELIMINARY PLAN SUBMITTAL
DATE:	04/18/2025

**McMILLAN ESTATES**  
MENDOTA HEIGHTS, MN

PROJECT TITLE:  
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**SPENCER McMILLAN**  
1707 DELAWARE AVENUE  
MENDOTA HEIGHTS, MN 55118  
PHONE: (715) 698-7114

PROJECT NO.:	B0029-0001				
DWN BY:	HRM	CHKD BY:	LNJ	APPD BY:	LNJ
ISSUE DATE:	04-18-2025				
ISSUE NO.:	01				
SHEET TITLE:	LANDSCAPE DETAILS				
SHEET NO.:	<b>L-110</b>				



**Land Surveying & Engineering**

2580 Christian Dr.  
Chaska, MN 55318  
612-418-6828

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PRELIMINARY - NOT FOR CONSTRUCTION  
CURTISS J. KALLIO  
DATE: 4/17/2025 REG. NO. 26909

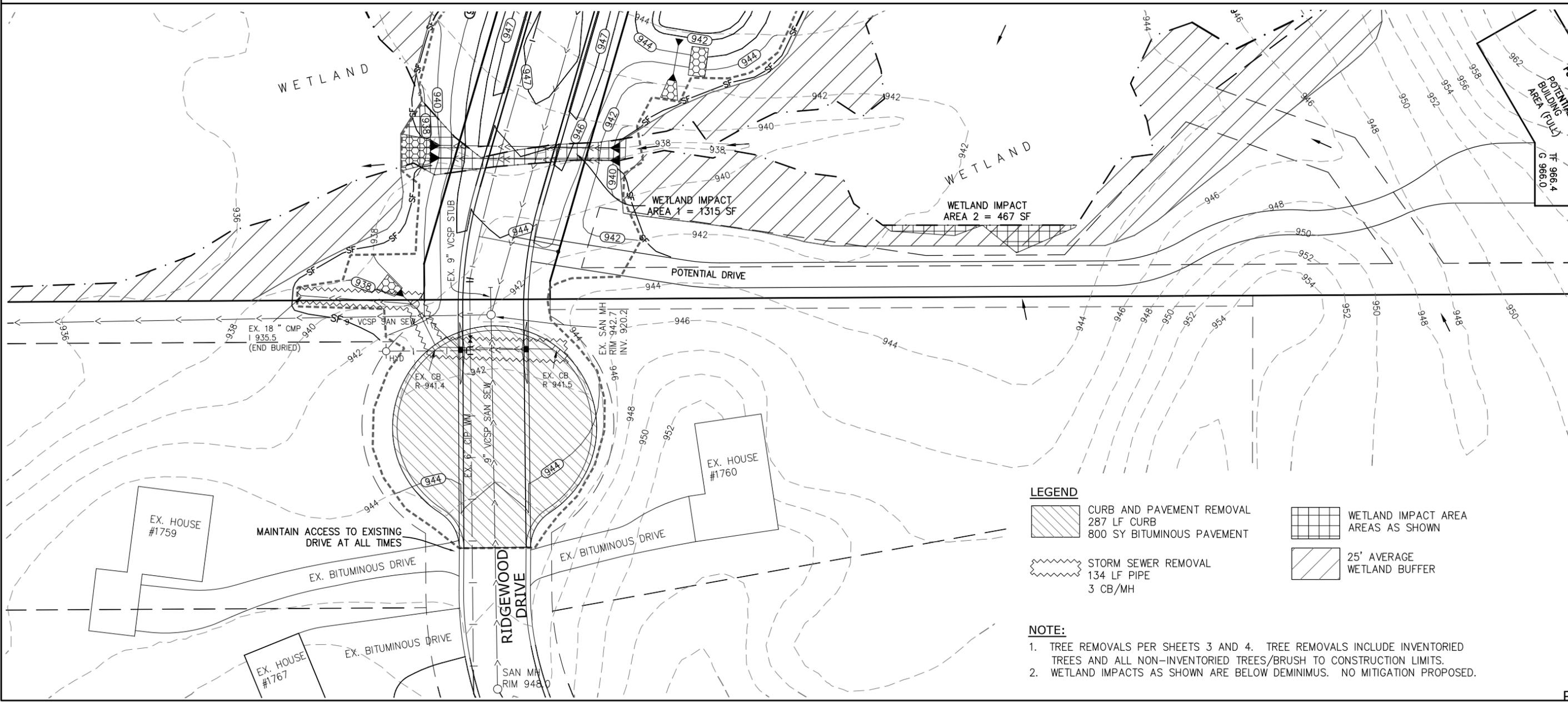
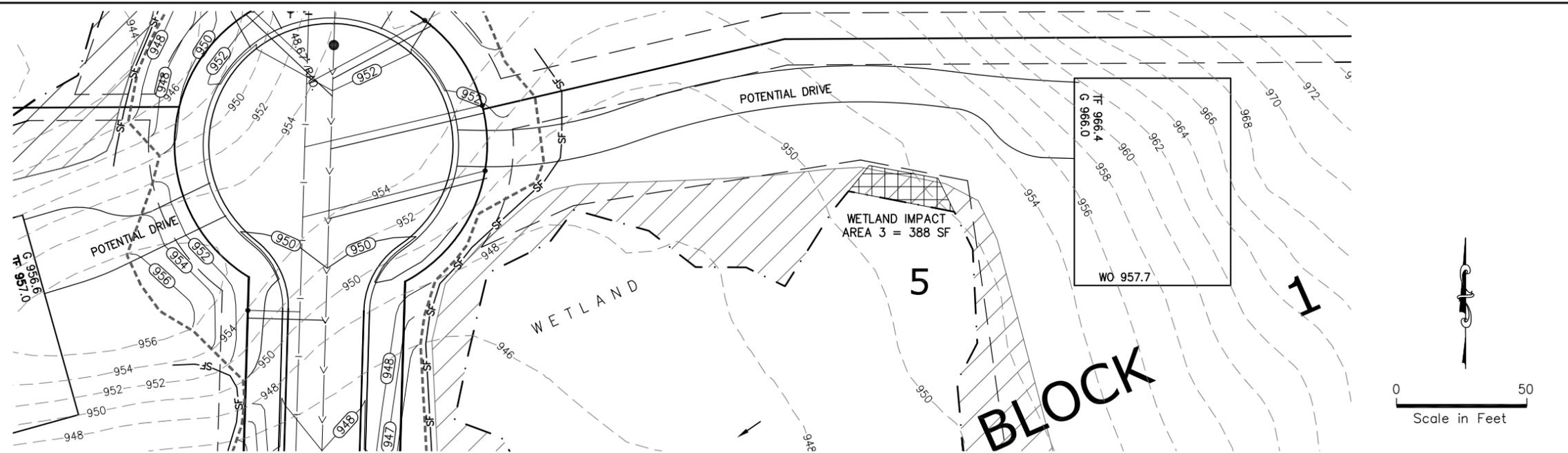
PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
**Removal Plan and Wetland Impacts**  
**MC MILLAN ESTATES**  
Mendota Heights, MN

BY	REVISION	DATE

PROJECT NO:  
**202142**

SHEET  
**C6**



**LEGEND**

- CURB AND PAVEMENT REMOVAL  
287 LF CURB  
800 SY BITUMINOUS PAVEMENT
- STORM SEWER REMOVAL  
134 LF PIPE  
3 CB/MH
- WETLAND IMPACT AREA AS SHOWN
- 25' AVERAGE WETLAND BUFFER

**NOTE:**

1. TREE REMOVALS PER SHEETS 3 AND 4. TREE REMOVALS INCLUDE INVENTORIED TREES AND ALL NON-INVENTORIED TREES/BRUSH TO CONSTRUCTION LIMITS.
2. WETLAND IMPACTS AS SHOWN ARE BELOW DEMINIMUS. NO MITIGATION PROPOSED.





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CURTISS J. KALLIO  
DATE: 4/17/2025 REG. NO. 26909

PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

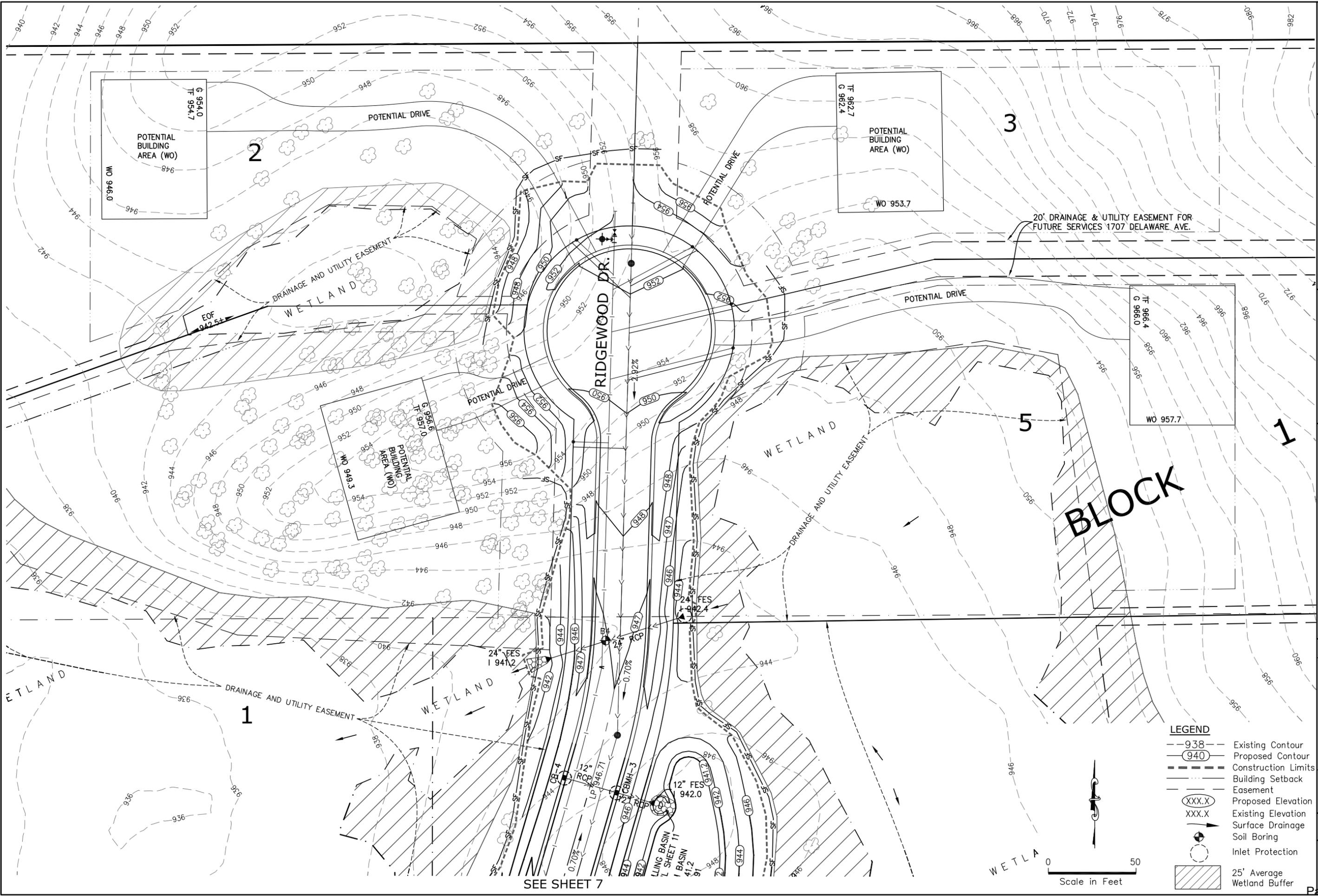
SHEET TITLE & PROJECT:  
**Grading, Drainage, and Erosion Control Plan**  
MCMILLAN ESTATES  
Mendota Heights, MN

BY	REVISION	DATE

PROJECT NO:  
**202142**

SHEET

**C8**



**LEGEND**

	Existing Contour
	Proposed Contour
	Construction Limits
	Building Setback
	Easement
	Proposed Elevation
	Existing Elevation
	Surface Drainage
	Soil Boring
	Inlet Protection
	25' Average Wetland Buffer



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CURTISS J. KALLIO  
DATE: 4/17/2025 REG. NO. 28909

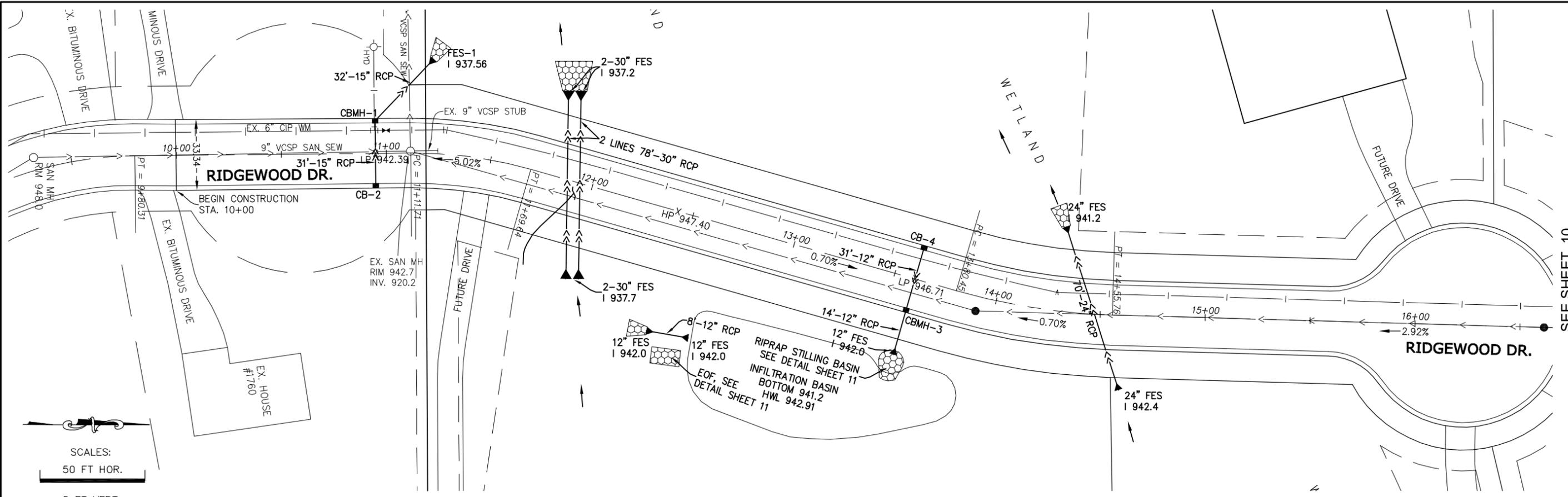
PREPARED FOR:  
Spencer McMillan  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
Street and Storm Sewer Plan  
MCMILLAN ESTATES  
Mendota Heights, MN

DATE	REVISION	BY

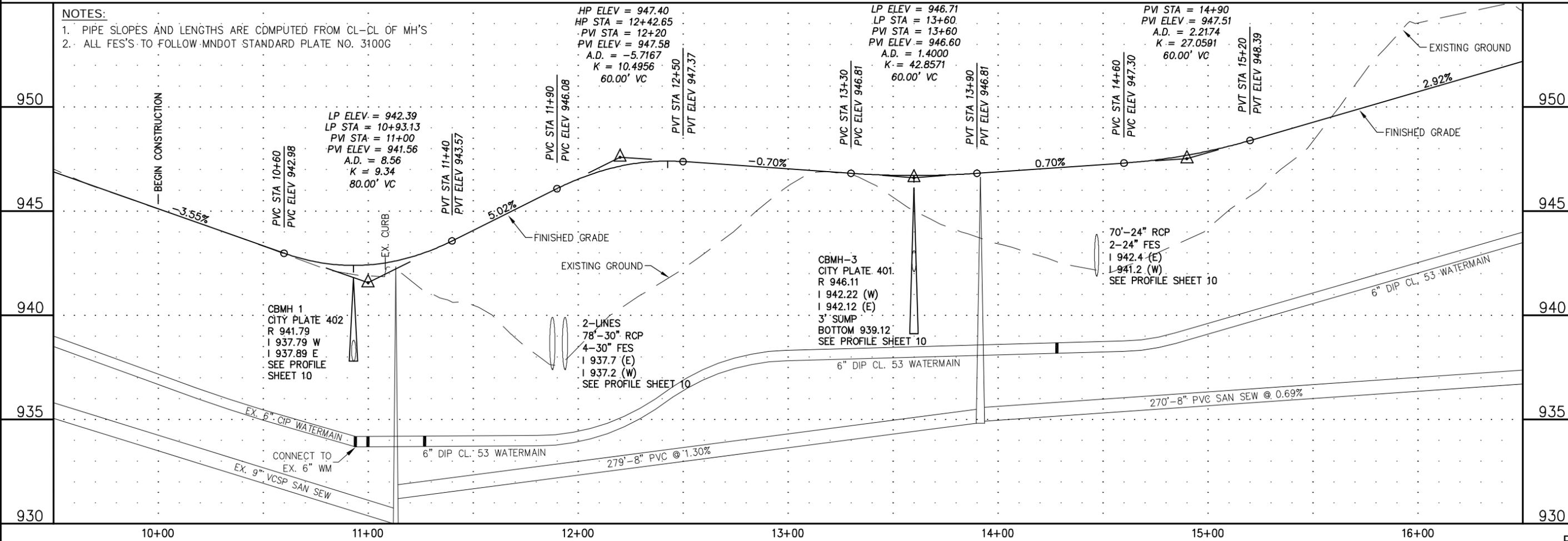
PROJECT NO:  
202142

SHEET  
C9



### RIDGEWOOD DRIVE

- NOTES:
- PIPE SLOPES AND LENGTHS ARE COMPUTED FROM CL-CL OF MH'S
  - ALL FES'S TO FOLLOW MNDOT STANDARD PLATE NO. 3100G







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DATE: 4/17/2025 REG. NO. 26909

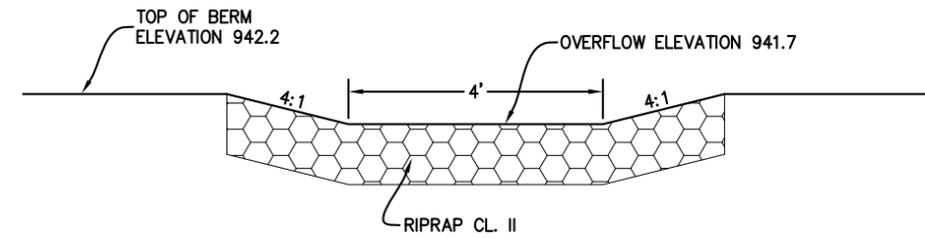
PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
**Infiltration Basin Details**  
**MCMILLAN ESTATES**  
Mendota Heights, MN

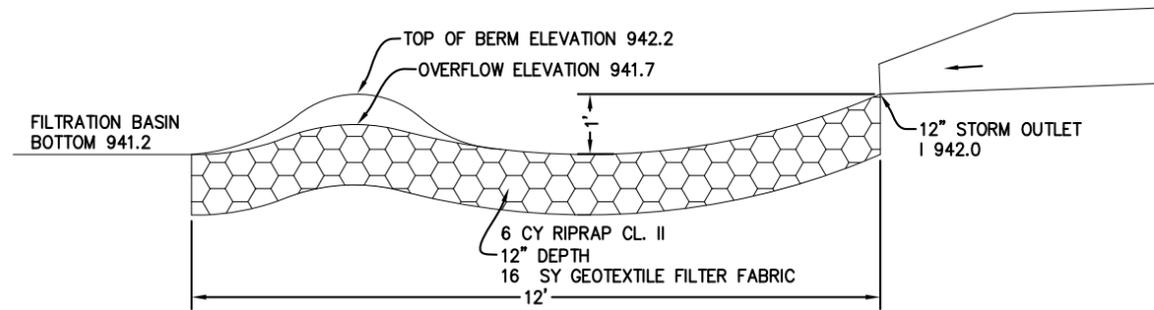
BY	DATE	REVISION

PROJECT NO:  
**202142**

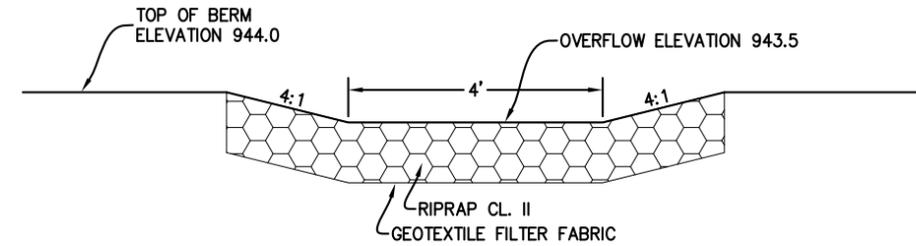
SHEET  
**C11**



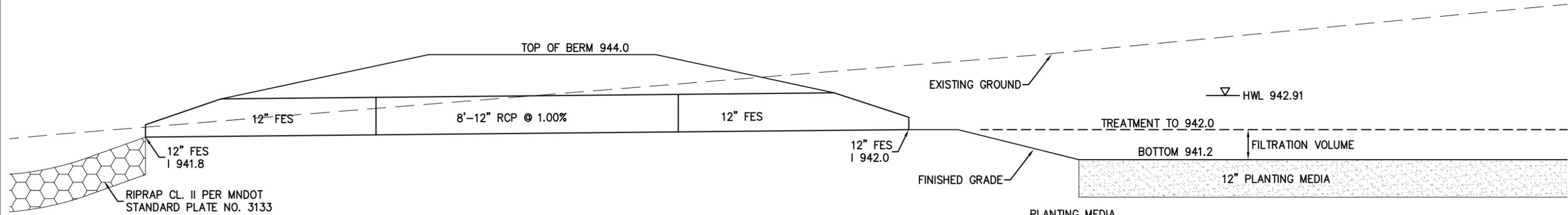
**STILLING BASIN OVERFLOW SECTION**



**STILLING BASIN OVERFLOW PROFILE**



**INFILTRATION BASIN EMERGENCY OVERFLOW**



**PLANTING MEDIA**  
70% WASHED SAND  
30% MNDOT GRADE 2 COMPOST

**CONSTRUCTION NOTES:**

1. AVOID COMPACTION DURING EXCAVATION.
2. ENGINEER TO VERIFY INFILTRATION BASIN BOTTOM PRIOR TO PLACED PLANTING MEDIA.
3. SEED FILTRATION BASIN TO ELEV. 942.0 WITH MNDOT 33-261 SEED MIXTURE AT 35 LB/ACRE. STABILIZE WITH EROSION CONTROL BLANKET CAT. 25 W/NATURAL NETTING

**INFILTRATION BASIN PROFILE AND OUTLET**

**GENERAL NOTE:**

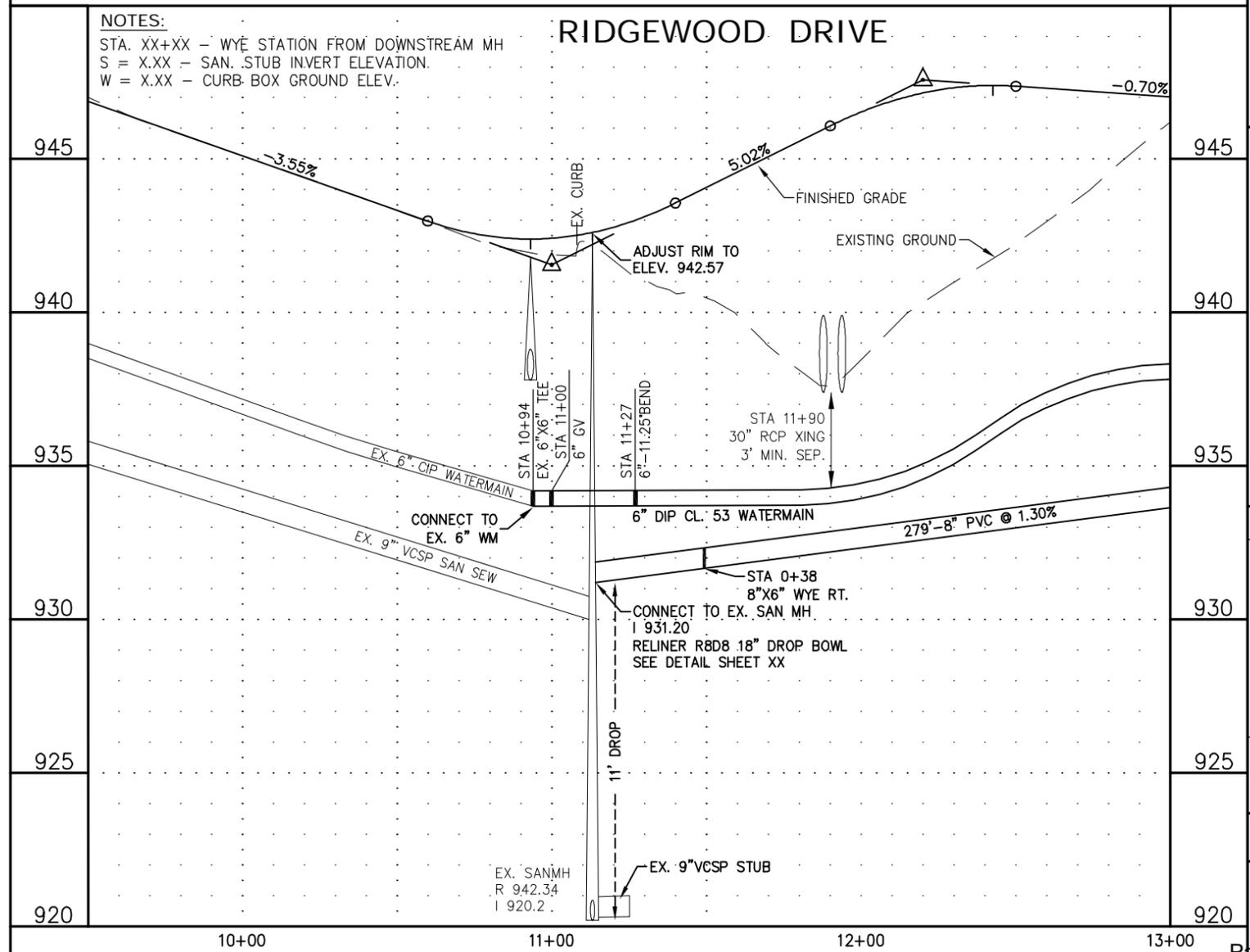
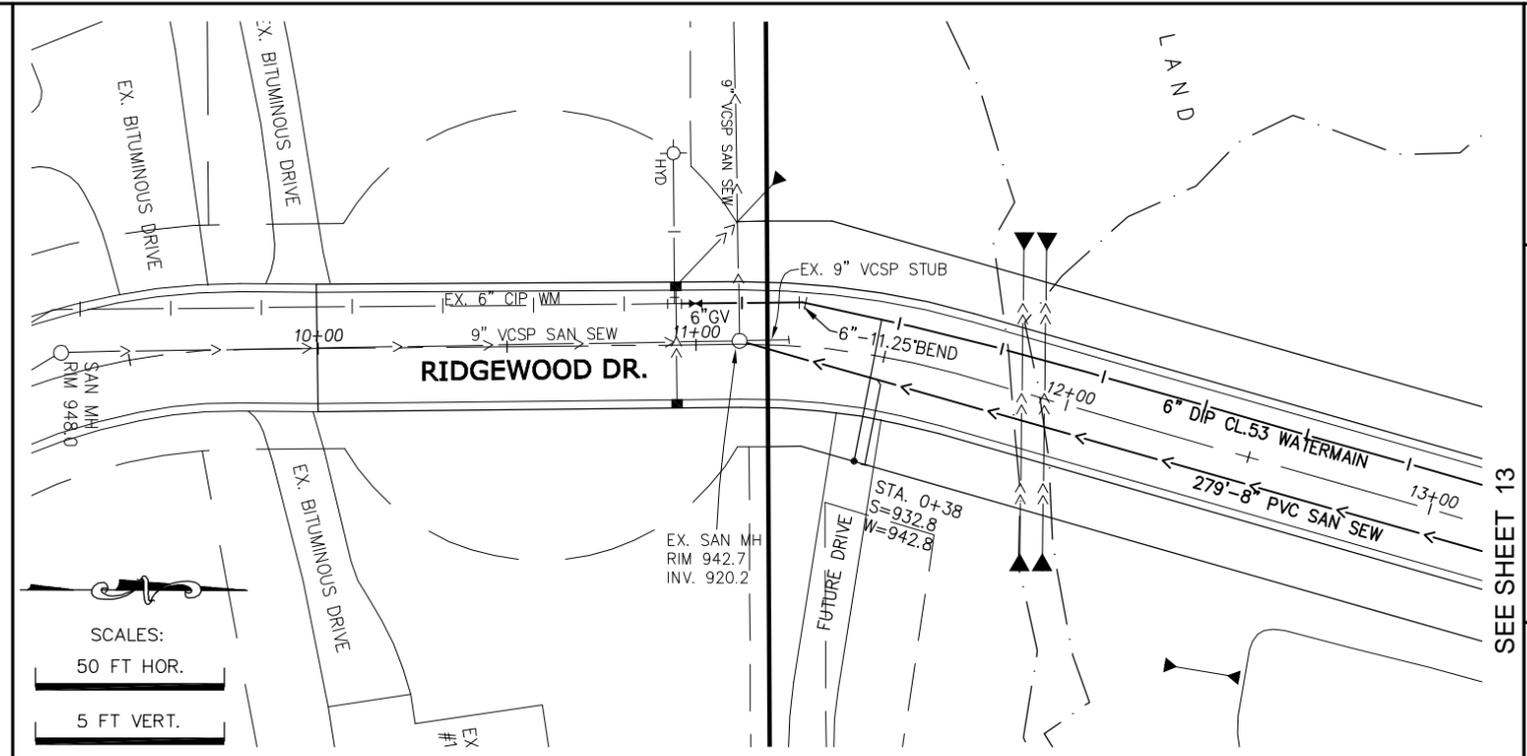
WATER AND SEWER SERVICES WILL BE EXTENDED TO THE PROPOSED HOMES BY OTHERS. POTENTIAL FUTURE CONNECTIONS ARE SHOWN ON SHEETS 14 AND 15.

**SANITARY SEWER NOTES:**

1. ALL MATERIALS AND INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE CITY'S GENERAL SPECIFICATIONS AND STANDARD DETAIL PLATES.
2. SEWER SERVICES WILL BE EXTENDED TO THE RIGHT OF WAY AS SHOWN.
3. SANITARY SERVICES SHALL BE 6" PVC SCHEDULE 40 AT 2% MINIMUM GRADE. SERVICES ARE STATIONED FROM THE DOWNSTREAM MH.
4. DUE TO THE DISTANCE OF THE PROPOSED HOMES FROM THE RIGHT OF WAY, THE SANITARY SEWER DEPTHS AT THE STUBS ELEVATIONS SHALL BE AS SHOWN.
5. SANITARY SERVICE CLEANOUTS WITH RISER ARE REQUIRED AT 100' INTERVALS AS SHOWN IN CITY DETAIL NO. 206.

**ST. PAUL REGIONAL WATER SERVICES (SPRWS) NOTES:**

1. WATER SERVICES TO BE INSTALLED ACCORDING TO SPRWS "STANDARDS FOR THE INSTALLATION OF WATER MAINS.
2. A FOUR-SIDED TRENCH BOX IS REQUIRED ON ALL EXCAVATIONS DEEPER THAN 5 FEET WHERE UNDERGROUND WORK OR INSPECTION IS TO BE PERFORMED BY SPRWS. LADDERS ARE REQUIRED AND MUST EXTEND 3 FEET ABOVE THE SURFACE OF THE TRENCH. SIDEWALKS, PAVEMENTS, DUCTS AND APPURTENANT STRUCTURES SHALL NOT BE UNDERMINED UNLESS A SUPPORT SYSTEM OR ANOTHER METHOD OF PROTECTION IS PROVIDED. TRENCHES IN EXCESS OF 20 FEET IN DEPTH MUST BE SIGNED OFF BY A REGISTERED PROFESSIONAL ENGINEER. EXCAVATED MATERIAL MUST BE KEPT A MINIMUM OF 2 FEET FROM THE EDGE OF THE TRENCH.
3. MAINTAIN 8 FEET OF COVER OVER ALL WATER MAINS AND SERVICES.
4. PIPE MATERIAL FOR 6" AND 4" DUCTILE IRON PIPE MUST BE CLASS 53. THE EXTERIOR OF DUCTILE IRON PIPE SHALL BE COATED WITH A LAYER OF ARC-SPRAYED ZINC PER ISO 8179. THE INTERIOR CEMENT MORTAR LINING SHALL BE APPLIED WITHOUT ASPHALT SEAL COAT.
5. PIPE MUST BE WRAPPED IN V-BIO POLYWRAP ENCASUREMENT.
6. MAINTAIN 3 FEET VERTICAL SEPARATION BETWEEN WATER AND SEWER PIPES OR A 12 INCH SEPARATION WITH 4 INCH HIGH DENSITY INSULATION PER SPRWS STANDARD PLATE D-10 FOR TYPICAL WATER MAIN OFFSETS.
7. REFER TO SPRWS "STANDARDS FOR THE INSTALLATION OF WATER MAINS" STANDARD PLATE D-11 FOR RESTRAINED PIPE REQUIREMENT.
8. ALL WATER SERVICE VALVE BOXES WITHIN CONSTRUCTION AREA MUST BE EXPOSED AND BROUGHT TO GRADE UPON COMPLETION OF CONSTRUCTION. ALL PIPE WORK INSIDE OF PROPERTY TO BE PERFORMED BY A PLUMBER LICENSED BY THE STATE OF MINNESOTA AND CERTIFIED BY THE CITY OF SAINT PAUL. SPRWS REQUIRES SEPARATE OUTSIDE AND INSIDE PLUMBING PERMITS FOR EACH NEW WATER SERVICE.
9. ALL UNUSED EXISTING WATER SERVICES TO BE CUT OFF BY SPRWS. EXCAVATION AND RESTORATION BY OWNER'S CONTRACTOR. NEW WATER SERVICES WILL NOT BE TURNED ON UNTIL REQUIRED CUTOFFS HAVE BEEN PERFORMED.
10. WATER FACILITY PIPEWORK WITHIN RIGHT OF WAY TO BE INSTALLED BY SPRWS. EXCAVATION AND RESTORATION BY OWNER'S CONTRACTOR.
11. THE CONTRACTOR PROVIDING EXCAVATION IS RESPONSIBLE FOR OBTAINING ALL EXCAVATION AND OBSTRUCTION PERMITS REQUIRED BY ANY GOVERNING AUTHORITY.



**NOTES:**  
 STA. XX+XX - WYE STATION FROM DOWNSTREAM MH  
 S = X.XX - SAN. STUB INVERT ELEVATION.  
 W = X.XX - CURB BOX GROUND ELEV.

**SISU**  
 Land Surveying & Engineering  
 2580 Christian Dr.  
 Chaska, MN 55318  
 612-418-6828

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 PRELIMINARY - NOT FOR CONSTRUCTION  
 CURTISS J. KALLIO  
 DATE: 4/17/2025 REG. NO. 28909

PREPARED FOR:  
**Spencer McMillan**  
 1707 Delaware Ave.  
 Mendota Heights, MN 55118  
 715-698-7114

SHEET TITLE & PROJECT:  
**Utility Plan**  
**MCMILLAN ESTATES**  
**Mendota Heights, MN**

DATE	REVISION	BY

PROJECT NO:  
**202142**  
 SHEET  
**C12**



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612-418-6828

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DATE: 4/17/2025 REG. NO. 26909

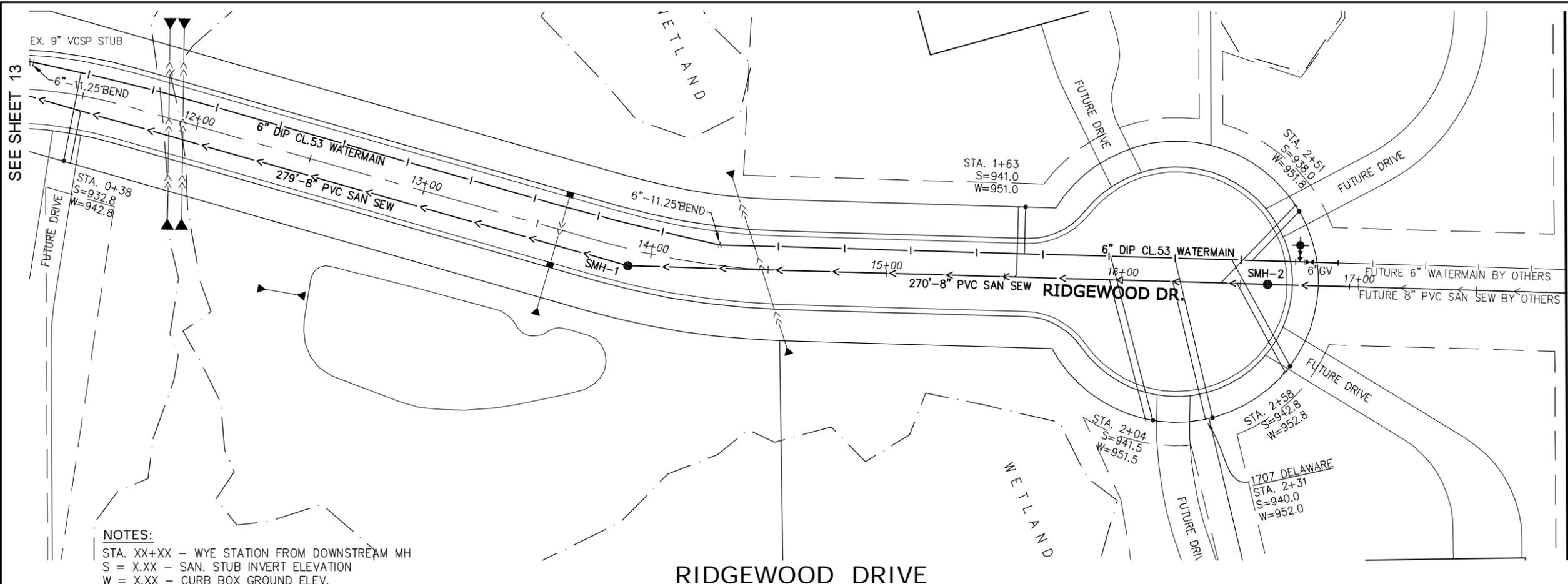
PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
**Utility Plan**  
**MCMILLAN ESTATES**  
**Mendota Heights, MN**

DATE	REVISION	BY

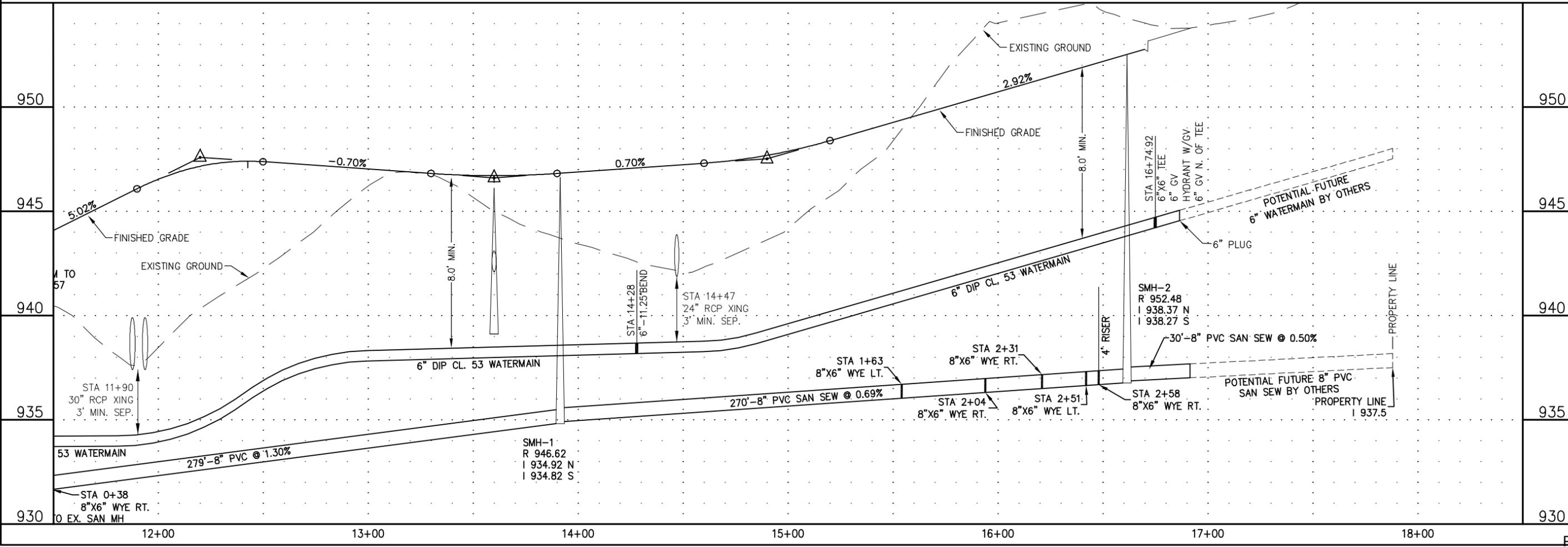
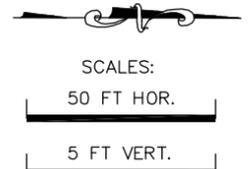
PROJECT NO:  
202142

SHEET  
**C13**



**NOTES:**  
 STA. XX+XX - WYE STATION FROM DOWNSTREAM MH  
 S = X.XX - SAN. STUB INVERT ELEVATION  
 W = X.XX - CURB BOX GROUND ELEV.

**SANITARY SEWER NOTE**  
 POTENTIAL SANITARY SEWER  
 TO 554 FOXWOOD LN  
 900' NORTH, LFE 951±, INV. 942.0  
 ASSUME 0.50% AVG. GRADE  
 INV AT P/L 937.5





**NOTE:**  
 FUTURE WATER AND SEWER SERVICES TO BE EXTENDED BY OTHERS AND SHOWN FOR  
 INFORMATIONAL PURPOSES ONLY.



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 612-418-6828

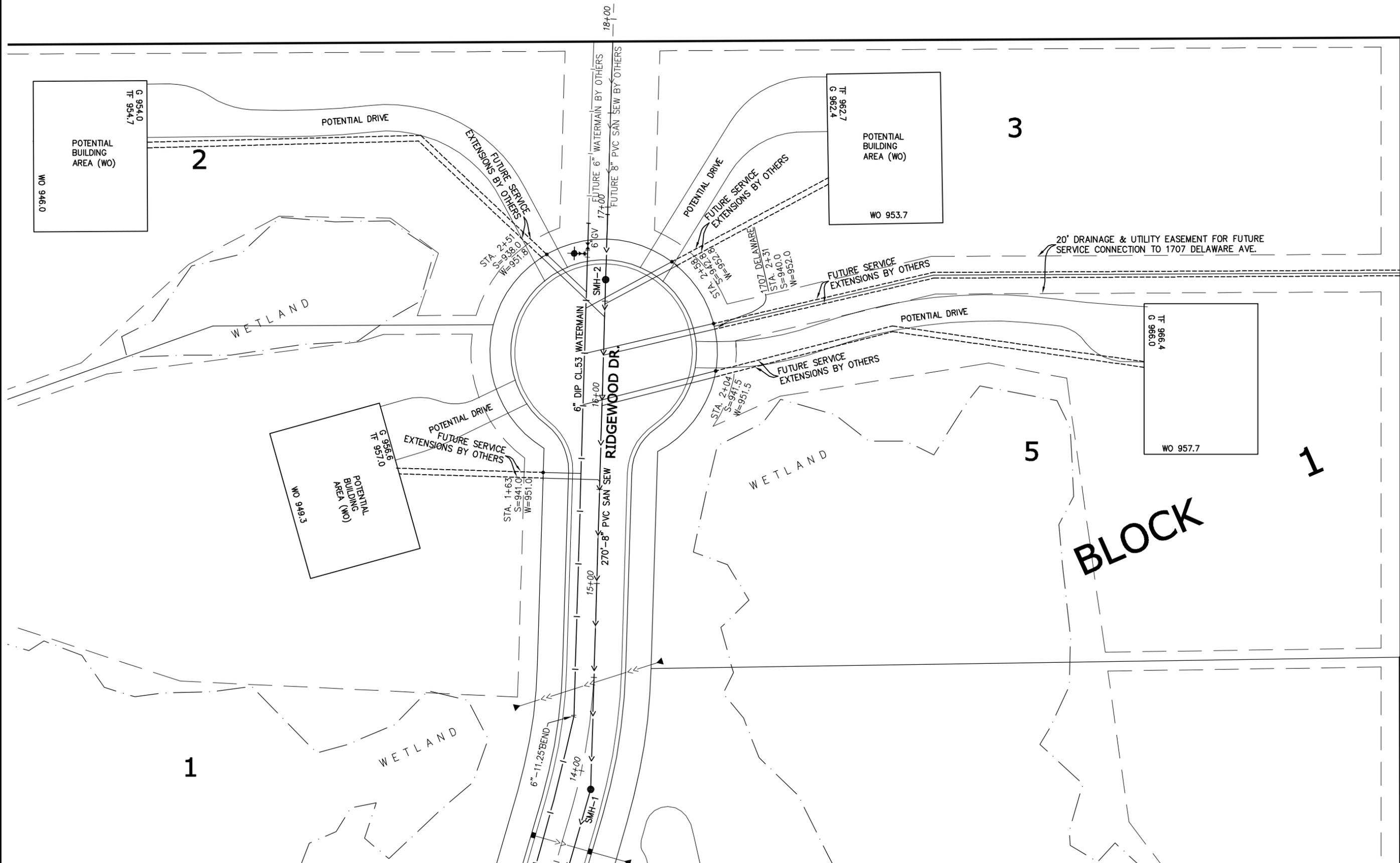
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PREPARED FOR:  
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 715-698-7114

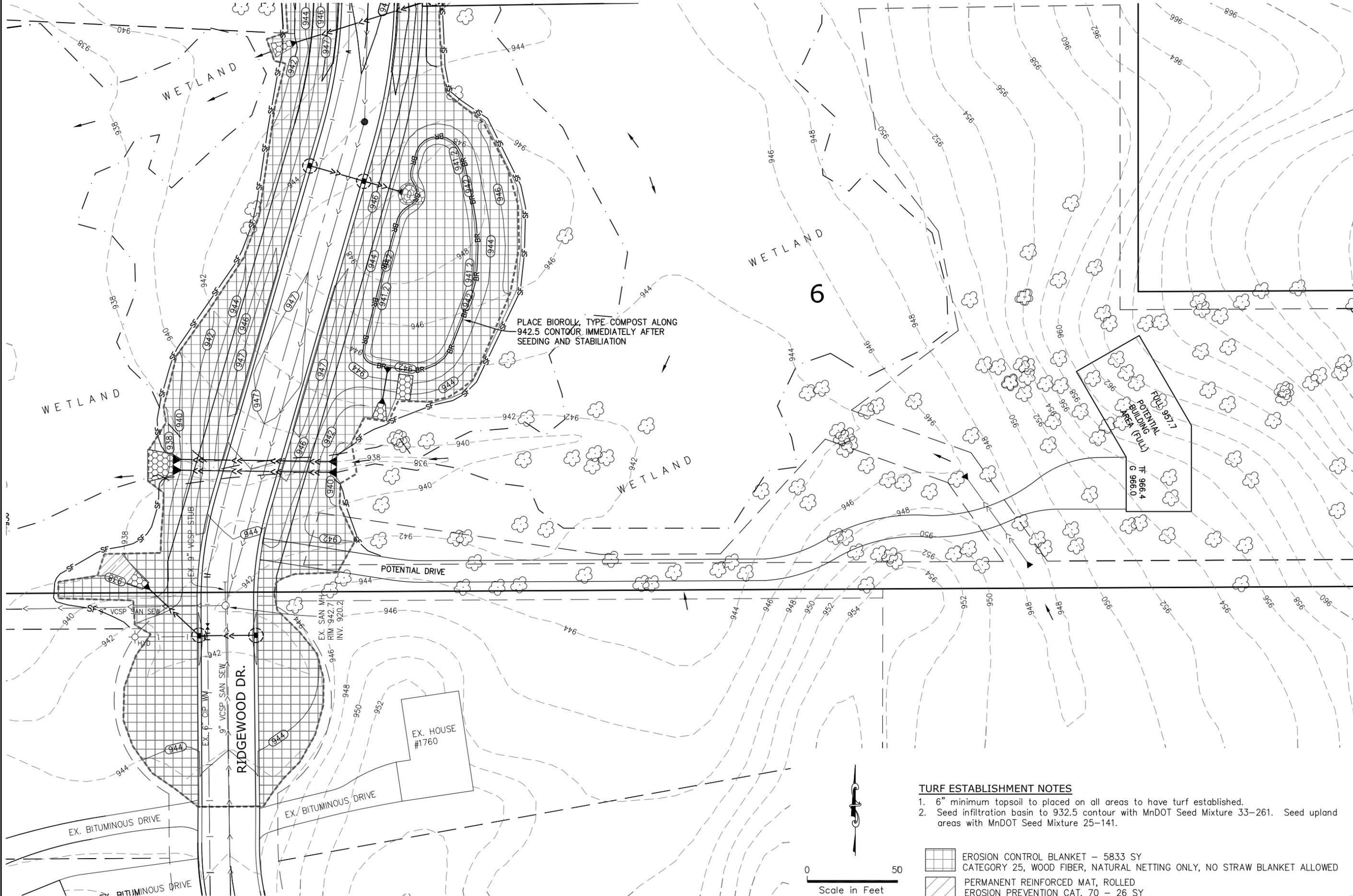
SHEET TITLE & PROJECT:  
**Future Utility  
Services**  
**MCMILLAN ESTATES**  
 Mendota Heights, MN

DATE	REVISION	BY

PROJECT NO:  
**202142**  
 SHEET  
**C15**



SEE SHEET 17



PLACE BIOROLL, TYPE COMPOST ALONG  
942.5 CONTOUR IMMEDIATELY AFTER  
SEEDING AND STABILATION

**TURF ESTABLISHMENT NOTES**

1. 6" minimum topsoil to be placed on all areas to have turf established.
2. Seed infiltration basin to 932.5 contour with MnDOT Seed Mixture 33-261. Seed upland areas with MnDOT Seed Mixture 25-141.

-  EROSION CONTROL BLANKET - 5833 SY  
CATEGORY 25, WOOD FIBER, NATURAL NETTING ONLY, NO STRAW BLANKET ALLOWED
-  PERMANENT REINFORCED MAT, ROLLED  
EROSION PREVENTION CAT. 70 - 26 SY

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Chaska, MN 55318  
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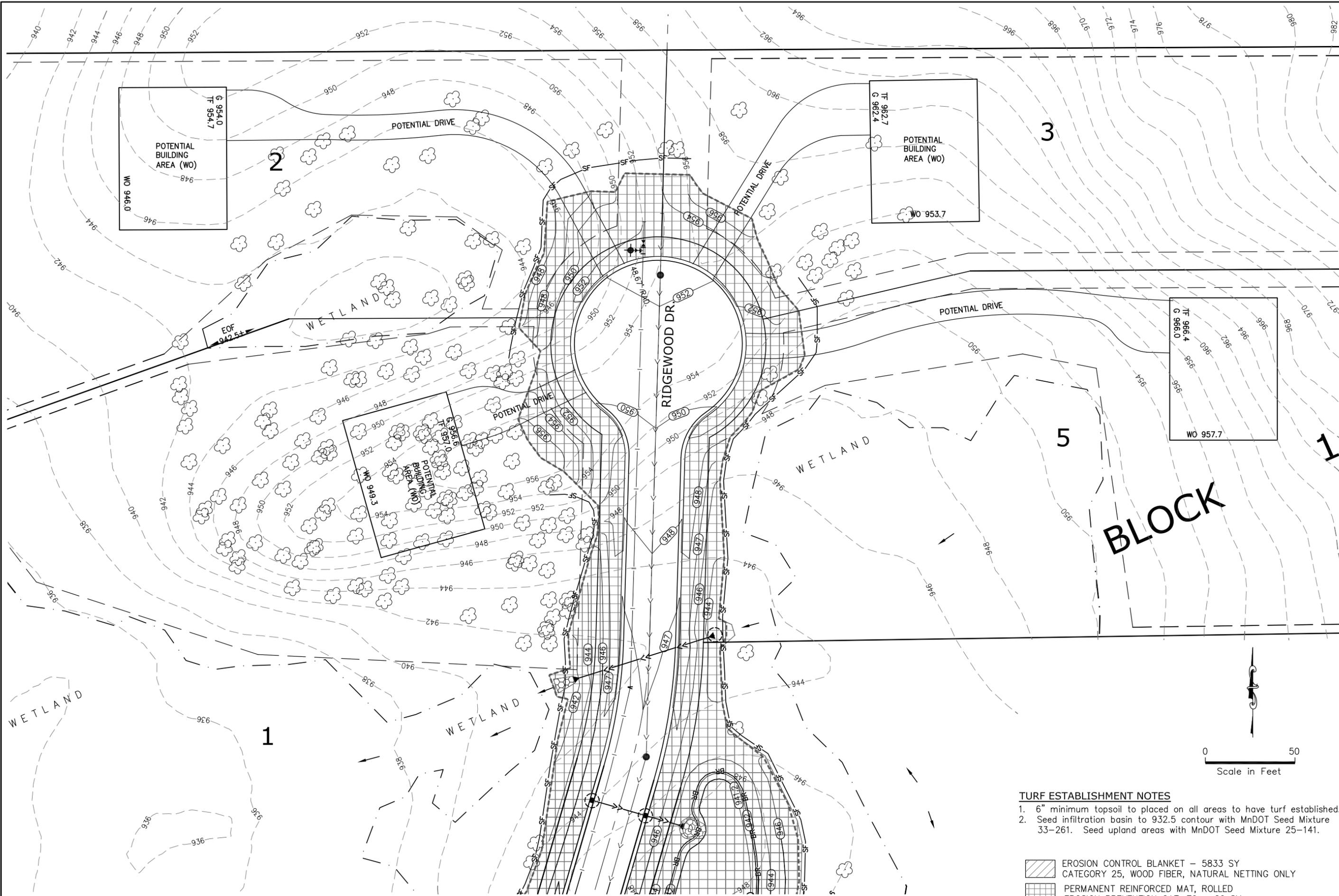
PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
**Turf Establishment Plan**  
**MCMILLAN ESTATES**  
Mendota Heights, MN

DATE	REVISION	BY

PROJECT NO:  
**202142**

SHEET  
**C16**



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DATE: 4/17/2025 REG. NO. 26909

PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
**Turf Establishment Plan**  
**MC MILLAN ESTATES**  
Mendota Heights, MN

DATE	REVISION	BY

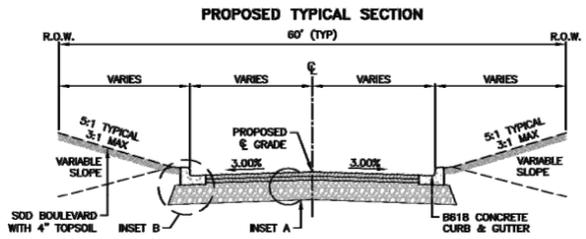
PROJECT NO:  
**202142**

SHEET  
**C17**

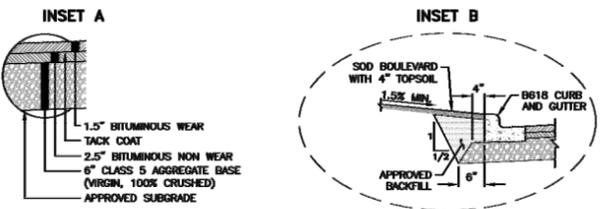
- TURF ESTABLISHMENT NOTES**
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  - Seed infiltration basin to 932.5 contour with MnDOT Seed Mixture 33-261. Seed upland areas with MnDOT Seed Mixture 25-141.

- EROSION CONTROL BLANKET - 5833 SY  
CATEGORY 25, WOOD FIBER, NATURAL NETTING ONLY
- PERMANENT REINFORCED MAT, ROLLED  
EROSION PREVENTION CAT. 70 - 26 SY

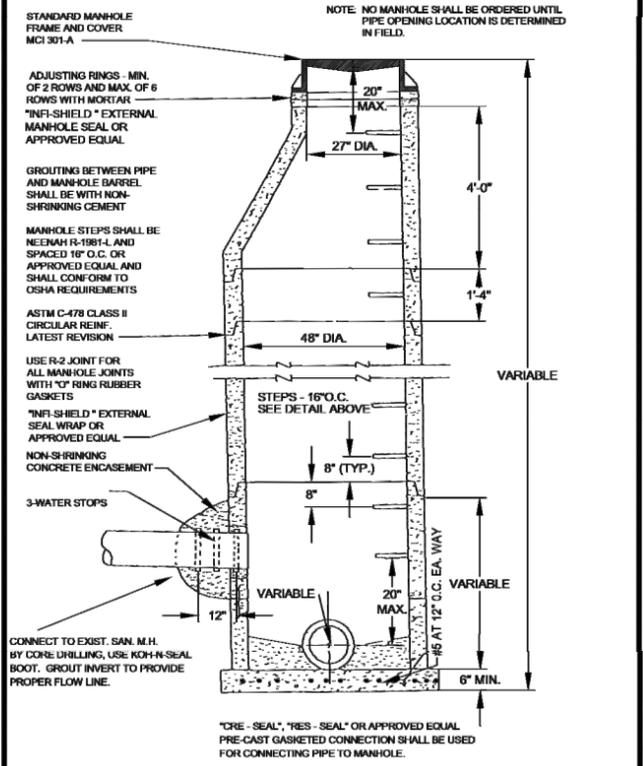
SEE SHEET 16



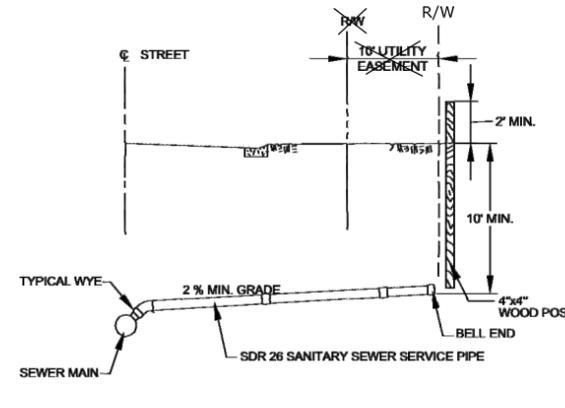
NOTE: SEE TYPICAL SECTION ON SHEET 2 FOR ADDITIONAL DETAILS



	City of <b>Mendota Heights</b>	TYPICAL SECTION 7 TON ROAD DESIGN	DETAIL # 1

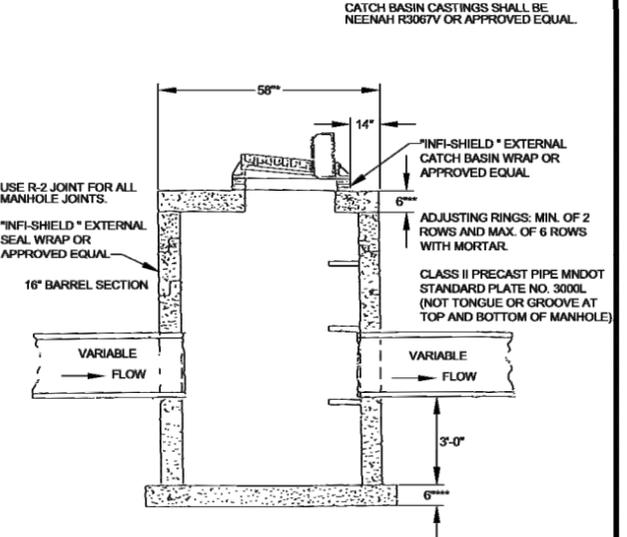


	City of <b>Mendota Heights</b>	STANDARD MANHOLE FOR SANITARY SEWER	PLATE # 200



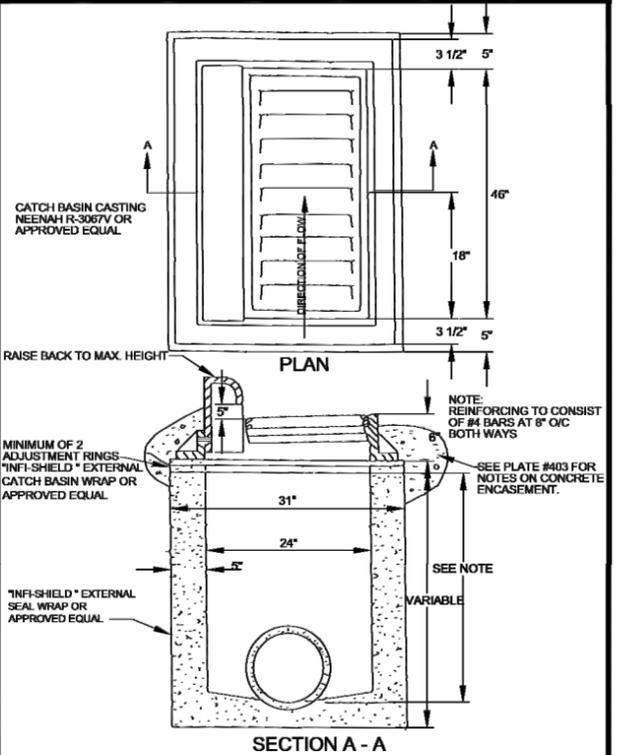
NOTE: SEWER SERVICE CONNECTIONS FROM SDR 26 TO SCHEDULE 40 PVC PIPE WILL REQUIRE A TRANSITION FITTING.

	City of <b>Mendota Heights</b>	SANITARY SERVICE CONNECTION	PLATE # 201

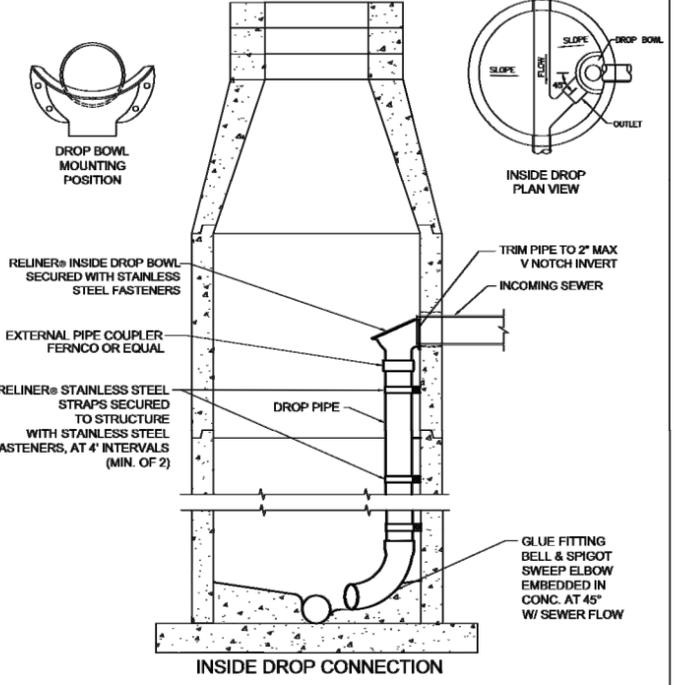


USE 7\"/>

	City of <b>Mendota Heights</b>	ENVIRONMENTAL CONTROL MANHOLE FOR STORM SEWER	PLATE # 401

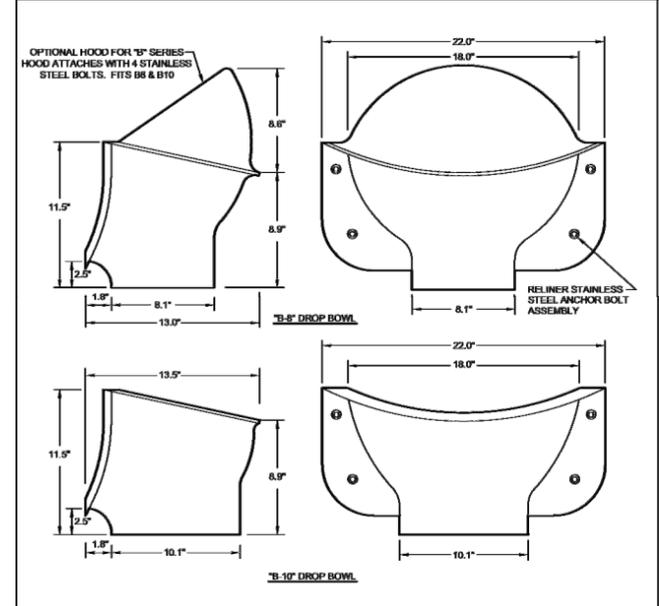


	City of <b>Mendota Heights</b>	STANDARD CATCH BASIN FOR STORM SEWER	PLATE # 402



RELINER / DURAN, INC.  
9 MATTHEWS DRIVE, UNIT A1/A2  
EAST HADDAM, CT 06423  
(800) 508-6001 FAX: (877)434-3197  
WWW.RELINER.COM

DESCRIPTION	DATE	SCALE
DROP CONNECTIONS	2/23/21	NONE
		DRAWING NUMBER DC-1



RELINER / DURAN, INC.  
9 MATTHEWS DRIVE, UNIT A1/A2  
EAST HADDAM, CT 06423  
(800) 508-6001 FAX: (877)434-3197  
WWW.RELINER.COM

DESCRIPTION	DATE	SCALE
B8 & B10 DROP BOWLS FOR ROUND WALLS	2/23/21	NONE
		DRAWING NUMBER B8DB B10DB

**Land Surveying & Engineering**  
2580 Christian Dr.  
Chaska, MN 55318  
612-418-6828

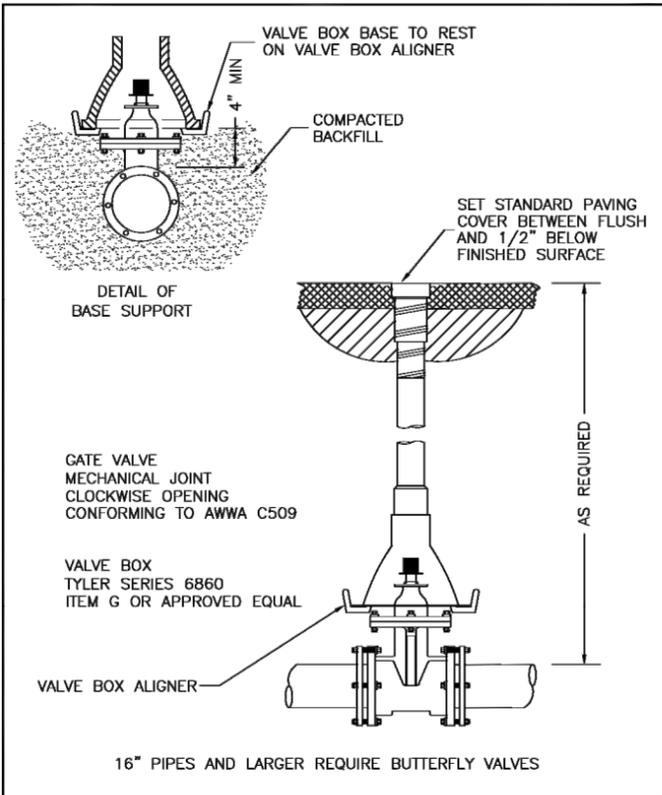
I hereby certify that this plan, report, or specification was prepared by me or under my direct supervision and that I am a duly Licensed Engineer under the laws of the State of Minnesota.  
PRELIMINARY - NOT FOR CONSTRUCTION  
CURTISS J. KALLIO  
DATE: 4/17/2025 REG. NO. 26909

PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

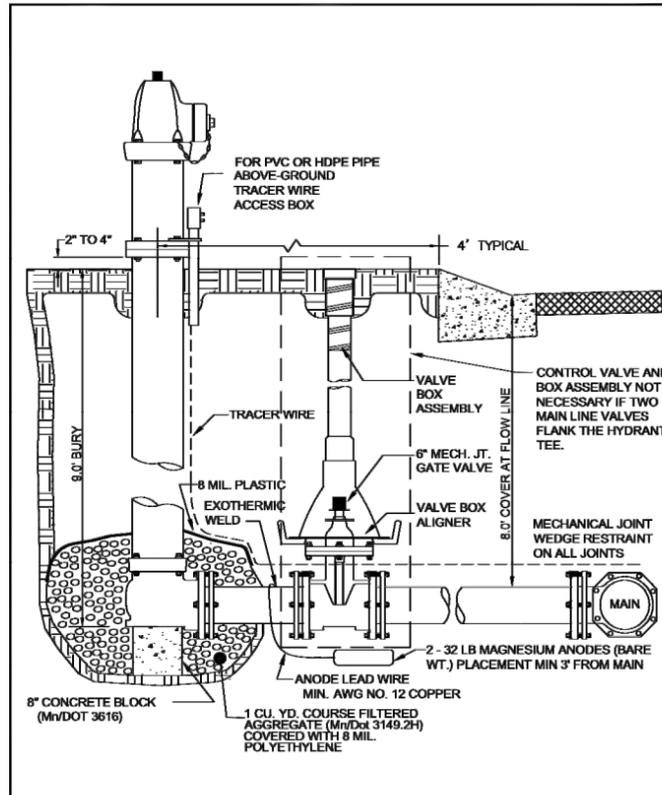
SHEET TITLE & PROJECT:  
**City Details**  
**MCMILLAN ESTATES**  
Mendota Heights, MN

DATE	REVISION	BY

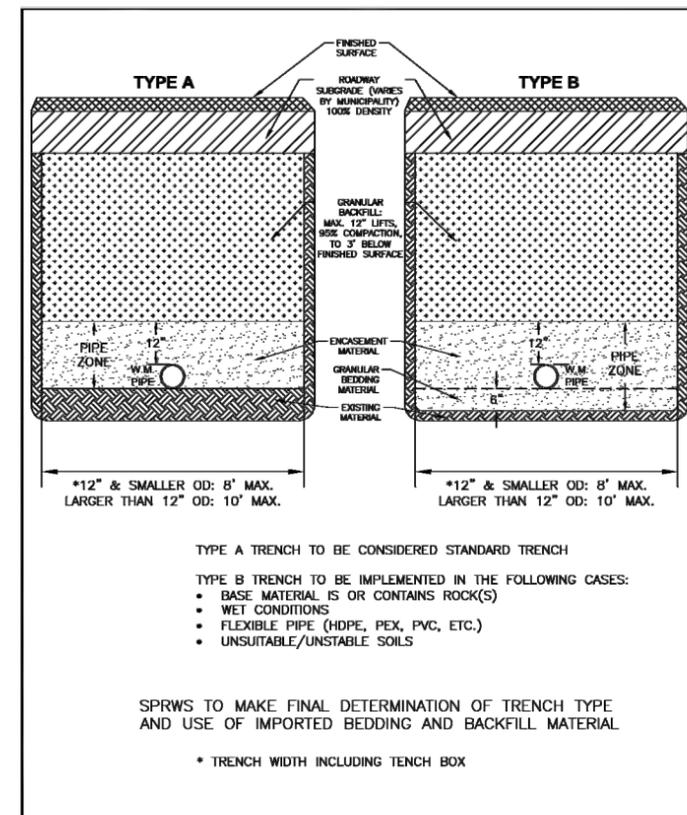
PROJECT NO:  
202142  
SHEET



DR. <i>LJP</i>	DATE. 01/13/2020	SAINT PAUL REGIONAL WATER SERVICES ST. PAUL, MINNESOTA	STANDARD PLATE
CH. <i>TMJ</i>			
APPROVED <i>DJS</i>		<b>VALVE BOX &amp; INSTALLATION</b>	D-2



DR. <i>AMB</i>	DATE. 01/13/2020	SAINT PAUL REGIONAL WATER SERVICES ST. PAUL, MINNESOTA	STANDARD PLATE
CH. <i>TMJ</i>			
APPROVED <i>RWH</i>		<b>HYDRANT INSTALLATION</b>	D-3



DR. <i>AMB</i>	DATE. 02/05/2020	SAINT PAUL REGIONAL WATER SERVICES CITY OF ST. PAUL, MN	STANDARD PLATE
CH. <i>TMJ</i>			
APPROVED <i>RWH</i>		<b>WATER MAIN TRENCH DETAIL</b>	D-5

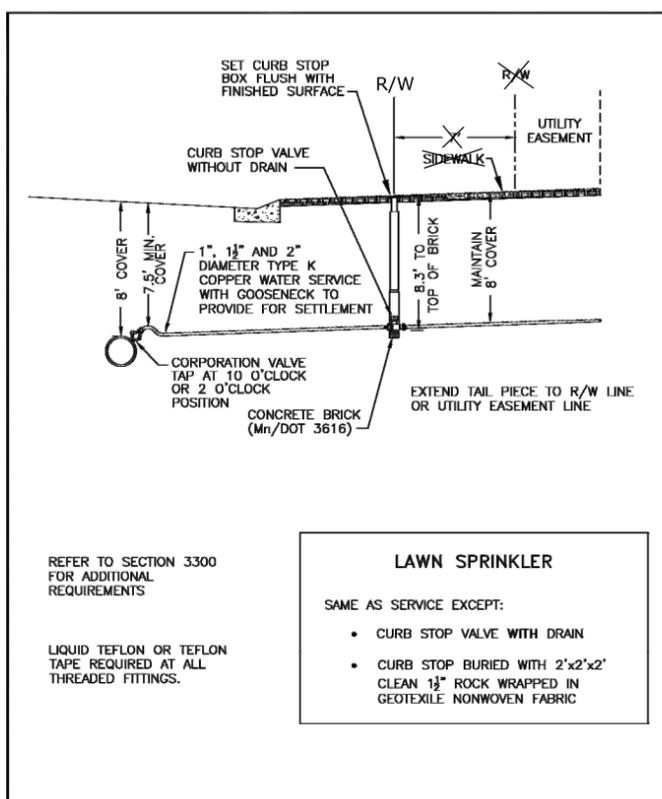
**DUCTILE IRON PIPE (DIP)  
WRAPPED IN POLYETHYLENE**

MINIMUM FEET OF RESTRAINED PIPE REQUIRED

PIPE SIZE	7.0' COVER			8.0' COVER				
	22.5°	45°	90°	22.5°	45°	90°		
4"	2	5	10	29	2	4	9	25
6"	3	6	14	41	3	6	13	36
8"	4	8	19	53	4	7	17	47
12"	6	11	26	76	5	10	23	67
16"	7	14	34	99	6	13	30	87
20"	9	17	41	121	8	16	37	107
24"	10	20	48	142	9	18	43	126
30"	12	24	58	173	11	22	52	154
36"	14	28	68	204	12	25	61	181
42"	16	32	77	232	14	29	69	207
48"	17	36	85	261	16	32	77	233

THE TABLE WAS DEVELOPED FROM CRITERIA IDENTIFIED IN THE **EBBA IRON INC.** RESTRAINED LENGTH CALCULATOR. THE TABLE ASSUMES 150 PSI, MH. GRANULAR SOILS AND TYPE 4

DR. <i>AMB</i>	DATE. 01/13/2020	SAINT PAUL REGIONAL WATER SERVICES CITY OF ST. PAUL, MN	STANDARD PLATE
CH. <i>TMJ</i>			
APPROVED <i>RWH</i>		<b>RESTRAINED PIPE REQUIREMENT</b> DIP 7.0' - 8.0' EARTH COVER	D-11 2 of 4



DR. <i>LJP</i>	DATE. 02/03/2023	SAINT PAUL REGIONAL WATER SERVICES CITY OF ST. PAUL, MN	STANDARD PLATE
CH. <i>MGA</i>			
APPROVED <i>DJS</i>		<b>TYPICAL 1", 1-1/2" AND 2" SERVICE &amp; LAWN SPRINKLER INSTALLATION</b>	D-13



**Land Surveying & Engineering**

2580 Christian Dr.  
Chaska, MN 55318  
612-418-6828

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

PRELIMINARY - NOT FOR CONSTRUCTION  
CURTISS J. KALLIO  
DATE: 4/17/2025 REG. NO. 26909

PREPARED FOR:  
**Spencer McMillan**  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
**City Details**  
**MCMILLAN ESTATES**  
Mendota Heights, MN

DATE	REVISION	BY

PROJECT NO:  
**202142**

SHEET  
**C19**

# MCMILLAN ESTATES

KNOW ALL PERSONS BY THESE PRESENTS: That Spencer McMillan and Breanna McMillan, husband and wife, owners of the following described property:

- Outlot A in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota.
- And Outlot B in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota.
- And the North Quarter of the Southeast Quarter of the Southeast Quarter of Section 24, Township 28, Range 23, Dakota County, Minnesota.

Has caused the same to be surveyed and platted as MCMILLAN ESTATES, and do hereby dedicate to the public for public use forever the public ways and drainage and utility easements as created herewith.

In witness whereof said Spencer McMillan and Breanna McMillan, husband and wife, have hereunto set their hands this day of \_\_\_\_\_, 20\_\_.

Spencer McMillan Breanna McMillan

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by Spencer McMillan and Breanna McMillan.

Signature \_\_\_\_\_  
Printed Name \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

I Curtiss Kallio do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Curtiss Kallio, Licensed Land Surveyor, Minnesota License No. 26909

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by Curtiss Kallio.

Signature \_\_\_\_\_  
Printed Name \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

CITY COUNCIL, CITY OF MENDOTA HEIGHTS, STATE OF MINNESOTA

This plat of MCMILLAN ESTATES was approved and accepted by the City Council of Mendota Heights, Minnesota, at a regular meeting thereof held this day of \_\_\_\_\_, 20\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

By \_\_\_\_\_ Mayor \_\_\_\_\_ Clerk

COUNTY SURVEYOR, COUNTY OF DAKOTA, STATE OF MINNESOTA

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By \_\_\_\_\_  
Todd B. Tollefson, Dakota County Surveyor

BOARD OF COMMISSIONERS, COUNTY OF DAKOTA, STATE OF MINNESOTA

We do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, the Board of Commissioners of Dakota County, Minnesota approved this plat of MCMILLAN ESTATES and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2 and pursuant to the Dakota County Contiguous Plat Ordinance.

Chair, County Board \_\_\_\_\_ Attest \_\_\_\_\_  
County Treasurer - Auditor

DEPARTMENT OF PROPERTY TAXATION AND RECORDS, COUNTY OF DAKOTA, STATE OF MINNESOTA

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20\_\_ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

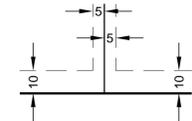
Department of Property Taxation and Records  
Amy A. Koethe, Director

REGISTRAR OF TITLES, COUNTY OF DAKOTA, STATE OF MINNESOTA

I hereby certify that this plat of MCMILLAN ESTATES, was filed in the office of the Registrar of Titles for public record on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly filed in Book \_\_\_\_\_ of Plats, Page \_\_\_\_\_, as Document Number \_\_\_\_\_.

Amy A. Koethe, Registrar of Titles

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



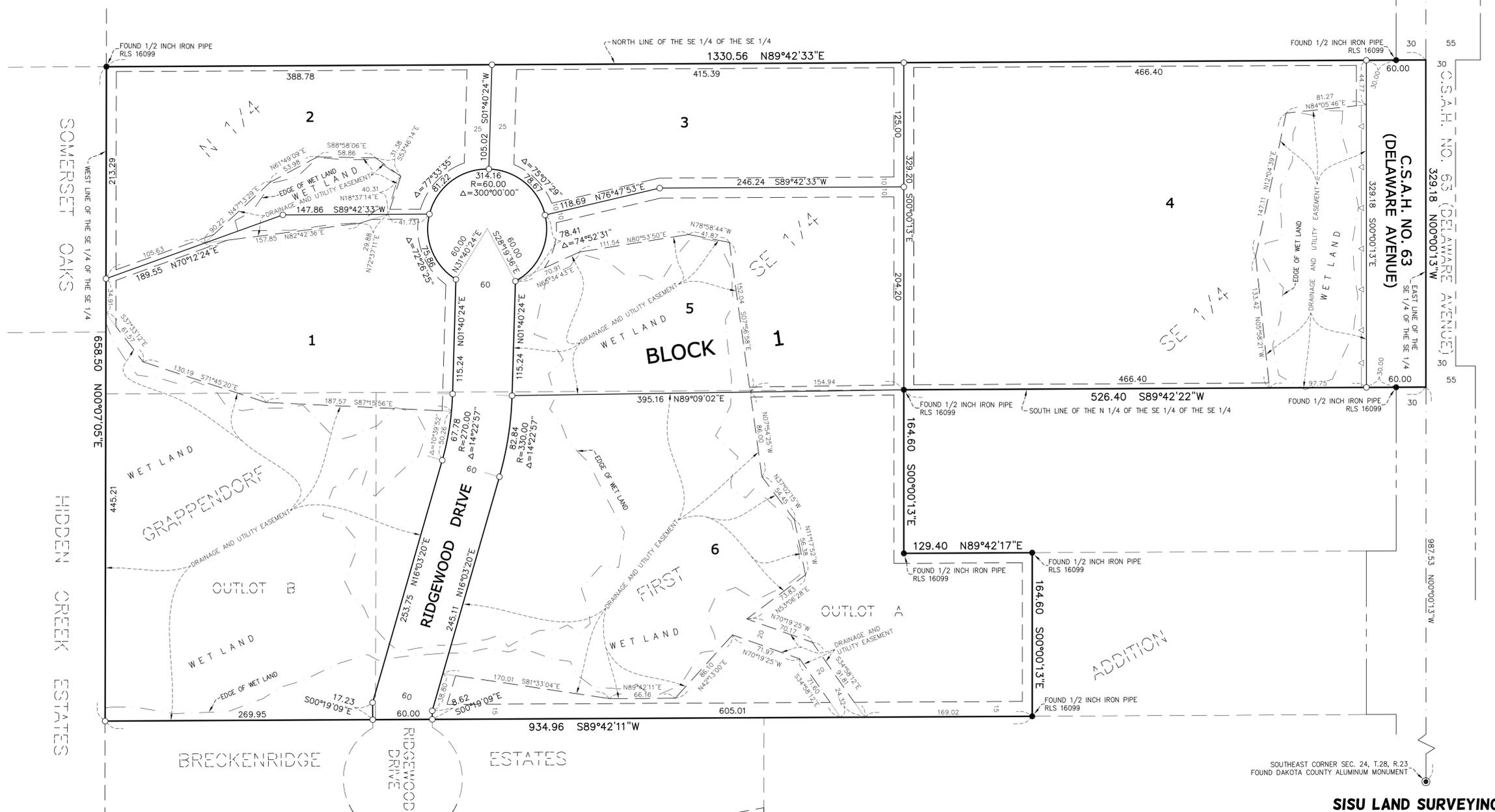
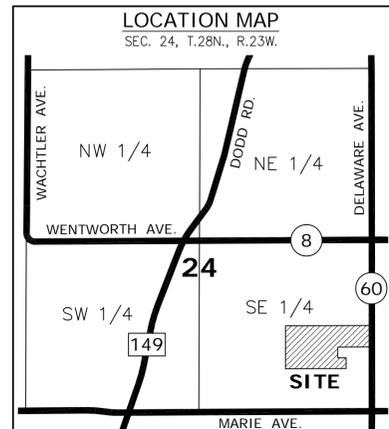
BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES, AND 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES AND REAR LOT LINES, UNLESS OTHERWISE INDICATED, AS SHOWN ON THIS PLAT.



THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 28, RANGE 23, DAKOTA COUNTY, MINNESOTA IS ASSUMED TO BEAR N00°00'13"W.



- DENOTES COUNTY MONUMENT FOUND
- DENOTES MONUMENT FOUND AS SHOWN
- DENOTES 1/2 INCH BY 14 INCH MONUMENT SET AND MARKED BY LICENSE NO. 26909, UNLESS OTHERWISE SHOWN.
- △ DENOTES RESTRICTED ACCESS TO DAKOTA COUNTY PER THE DAKOTA COUNTY CONTIGUOUS PLAT ORDINANCE



SOUTHEAST CORNER SEC. 24, T.28, R.23 FOUND DAKOTA COUNTY ALUMINUM MONUMENT

**From:** [Sean Fahnhorst](#)  
**To:** [Krista Spreiter](#); [Sarah Madden](#)  
**Cc:** [ken.powell@state.mn.us](#); [lewis.brockette@state.mn.us](#); [les.lemm@state.mn.us](#); [stephanie.levine@mendotaheightsmn.gov](#); [sally.lorberbaum@mendotaheightsmn.gov](#); [john.maczko@mendotaheightsmn.gov](#); [john.mazzitello@mendotaheightsmn.gov](#); [joel.paper@mendotaheightsmn.gov](#); [brian.watson@co.dakota.mn.us](#); [environ@co.dakota.mn.us](#); [pat.lynych@state.mn.us](#)  
**Subject:** Re: Notice of Application - Wetland Permit for McMillan Estates  
**Date:** Monday, May 12, 2025 9:30:17 AM  
**Attachments:** [Fahnhorst-Objection\\_DeMinimis\\_Exemption\\_Mendota\\_Heights.pdf](#)  
[2025-04-14\\_Wetland\\_WCA\\_MN\\_joint\\_appl\\_form\\_Signed.pdf](#)  
[McMillan\\_Estates\\_NOA\\_2025\\_4\\_21.pdf](#)

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**RE: Objection to De Minimis Exemption Request for McMillan Estates – Wetland Impact under the Minnesota Wetland Conservation Act**

Dear City Staff,

I am writing to formally object to the applicant's request for a de minimis exemption under the Minnesota Wetland Conservation Act (WCA), Minn. Stat. § 103G.222, in connection with the proposed wetland impact at Parcel ID: 27-31100-00-010, McMillan Estates, in the City of Mendota Heights. Upon review of the project materials and applicable law, I respectfully urge the City, acting as the Local Government Unit, to deny the exemption request for the following reasons:

**1. The Impact of the Wetland Destruction Will Affect Neighboring Property**

A large share of the wetland proposed to be filled is located on neighboring lots, including mine. This request will directly impair others' property without any drainage or environmental analysis provided by the applicant. Unmitigated wetland fill will raise the nearby water table and irreparably change the landscape, harming neighbors. Further, decisions to fill multi-lot wetlands to build a public roadway should be made by the community, not a single landowner.

**2. The Proposed Impact Exceeds De Minimis Thresholds When Viewed Cumulatively**

Under Minn. R. 8420.0420, the de minimis exemption does not apply when the proposed impact is part of a larger project or a pattern of incremental wetland loss. Available site plans and permit history indicate that the applicant's proposed activity is one phase of a larger development (Breckenridge, Grapenndorf, and Hidden Creek projects), and prior wetland impacts on the same parcel and adjacent lots have already contributed to exceeding the allowable exemption threshold.

**3. The Wetland Is Located Within a Regionally Significant Natural Area and Serves High Functional Value**

The wetland in question is part of an interconnected system upstream from the Mississippi River Corridor Critical Area (MRCCA). According to the Lower Mississippi River Watershed Management Organization (LMRWMO) Watershed Management Plan (2021–2030), this area is designated as ecologically significant, supporting stormwater retention, groundwater recharge, and habitat for migratory species. Minn. R. 8420.0420 prohibits de minimis exemptions in wetlands of high functional value, such as those identified in local plans or state inventories.

**4. The Exemption Conflicts with Local Water Management Policies**

The applicant's proposal is inconsistent with the City of Mendota Heights Surface Water Management Plan, which promotes a "no net loss" policy and discourages fill activities in wetlands and buffers. That plan requires applicants to demonstrate full compliance with wetland sequencing and to avoid impacts to

high-value wetlands. Inconsistency with local water management policies precludes granting of the exemption.

#### **5. No Reasonable Alternatives Analysis Has Been Provided**

The applicant has not presented sufficient documentation that the proposed wetland impact is unavoidable. Minn. R. 8420.0515 mandates that wetland impacts be allowed only if there are no feasible and prudent alternatives. Based on review of the submitted site plan, reasonable alternatives appear to exist, such as shifting impervious surfaces or adjusting building footprints. Failure to evaluate and disclose these options is grounds for denial.

#### **Conclusion**

The de minimis exemption is intended for truly minor, unavoidable wetland impacts. In this case, the size, ecological function, cumulative context, and conflict with adopted local and regional plans clearly disqualify the proposed activity. I respectfully urge the City to enforce the Minnesota Wetland Conservation Act in accordance with its conservation purpose and deny the applicant's request for a de minimis exemption.

Sincerely,

Sean Fahnhorst

**From:** [Linda Pontinen](#)  
**To:** [Sarah Madden](#)  
**Subject:** Fwd: McMillan Estates  
**Date:** Monday, May 12, 2025 5:03:51 PM

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Dear Sarah,

We have resided at 1760 Ridgewood Drive in Mendota Heights for 49 years. We have lived and grown with the land and love and truly enjoy its great trees, wetlands, and varied wildlife. The feeling of being one with nature is an unforgettable experience enhanced by miles of hiking and cross country ski trails we had created throughout the McMillan and Ritter (now Hidden Creek) properties. We were a community of neighbors who shared these trails as though they belonged to everyone.

Please note the included wetlands map from  
**national wetlands inventory**

revealing that we share a 320+ foot property line with the McMillan property north of us. Along this line are deer, turkeys, rabbits, foxes plus about 18 large or heritage trees, over 30 medium sized trees, and numerous small trees and bushes. These animals depend upon the veterans to survive. The trees grow on and in close proximity (both sides) to the property line, along its entire length. We invite every city council and planning committee member to hike on our land and observe these beautiful trees, wetland fields, and wildlife!

Although this proposal will not fill our land, it will fill a wetland that extends on to our land.

We are deeply concerned with the impact changes to the soil, trees, wetlands and wildlife just north of us will have on our property. The wetlands obviously dip into our property as can be observed from the map below. We, as many other neighbors, are affected by any changes to the environment.

If the wetlands are filled just north of us, how will that affect the drainage onto our property? Will the tree roots be damaged? If so, trees on our property will die. That will adversely affect the wildlife that in some cases may even cease to exist

Even worse, a potential driveway exists on the plat map a mere five feet from our property line. Building that driveway will cut down many trees and damage the roots of countless others, resulting in their eventual deaths. We've opposed that plan from the beginning and asked the driveway be moved 40-50 feet farther north. That would preserve the roots extending that far and save nearly all of the trees on or near the line, as well as preserving the future, known for years as the Super Block, the largest natural forested and wildlife area in Mendota Heights. A true legacy.

There are other concerns we have such as the creek that runs parallel to our property line that is missing on the map. It is not accurate.

Also, it appears our cul-de-sac will be filled in, reducing neighborhood use for gatherings and games while increasing traffic and the speed of passing cars. It will reduce our property

values and be more dangerous to our young children. We also question how Ridgewood drive can be extended so far north as it already exceeds the maximum allowable length?

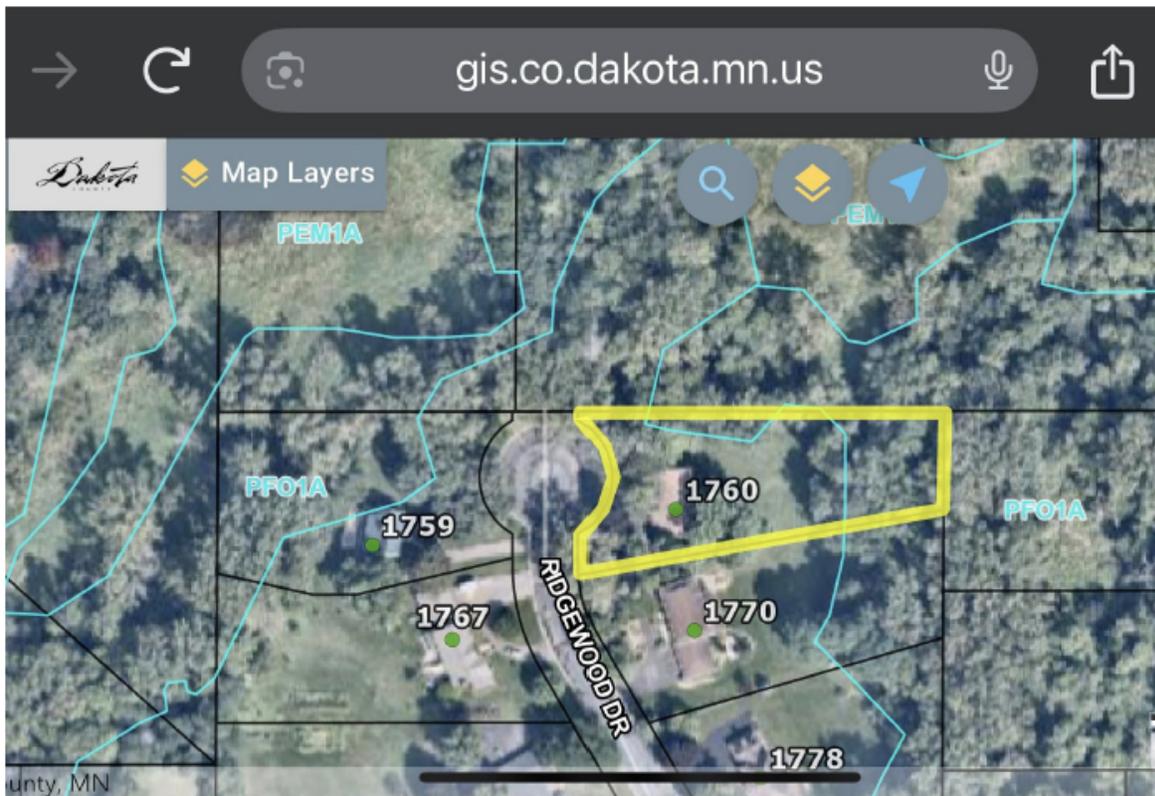
We strongly oppose any variances or exemptions to the ordinances set in place to protect our community of nature and wildlife, especially with regards to the preservation of wetlands, wildlife and heritage trees. Allowing these exemptions are inconsistent with the messages that the city has been giving about the importance of environmental protection and community.

We are grateful for how seriously and diligently our city has fought to preserve the natural environment of Mendota Heights. We sincerely applaud our mayor, council members, city planners and committees as we have observed first hand the energy, wisdom and support they have displayed to promote and preserve the natural resources of our community, which preserves the character of our land!

Please continue to support and protect our natural neighborhoods as you have done in the past.

Sincerely,

Linda and Paul Pontinen



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**From:** Jonathan Deering <deerinjr@gmail.com>  
**Sent:** Monday, May 12, 2025 9:15 PM  
**To:** Krista Spreiter <KSpreiter@mendotaheightsmn.gov>  
**Subject:** Re: Notice of Application - Wetland Permit for McMillan Estates

Good Evening Krista,

I am writing to formally share my concerns regarding the proposed McMillan Estates subdivision, particularly as it relates to potential impacts on the wetland complex located near Ridgewood Drive and Hidden Creek Trail.

### **1. De Minimis Exemption and Hidden Creek Cumulative Impact**

It is my understanding that the neighboring Hidden Creek development, built in 2004, contributed to significant prior impacts on the shared wetland basin of this current proposal. I have not received communications in response to my prior inquiry on this topic, but assuming this is the case, any **cumulative impact analysis** under Minnesota Rule 8420.0420 must account for those effects and would show that the basin has already exceeded allowable thresholds for a de minimis exemption.

If Hidden Creek's impact does not, in your judgment, disqualify the McMillan Estates proposal from seeking a de minimis exemption, then I respectfully request that your office **clearly communicate** to the applicant — and the public — the **required steps** and **contingency plan** if, during construction, even a modest overage occurs (e.g., exceeding the permitted impact buffer, which as proposed sits at <10 square feet). Given the extremely narrow margin proposed, the likelihood of unintended impact seems high, and it is my request that a **full mitigation and sequencing plan should be prepared** rather than handled retroactively.

### **2. Wetland Quality and Functional Integrity**

The wetlands in this area serve as a vital natural resource, providing not only ecological value but also critical regional **water management functions**, including groundwater recharge, stormwater filtration, and flood mitigation. The proposed development risks degrading these functions by introducing additional impervious surface area, altering hydrology, and fragmenting natural systems. As the lowest lying house in the proposed development area, this is of **serious concern** to me. Current proposed plans show stormwater management plans that would release the additional water from the extended cul-de-sac back to the current cul-de-sac, along my property line. The approval of a de minimis exception that negates to fully investigate and appreciate the impact the developer's proposal would have on water management from the proposed impacts on the wetland unnecessarily exposes the city and developer to legal risks if the exception and proposed plan leads to damages to neighboring properties.

### **3. Critical Wildlife Habitat and Corridor Disruption**

The wetland and adjacent wooded areas form an essential **wildlife corridor** supporting a

wide range of species including deer, coyotes, foxes, hawks, eagles, ducks, amphibians, and turkeys. This habitat provides breeding grounds, migration stopover points, and foraging opportunities. Disruption or fragmentation of this space could irreversibly reduce local biodiversity and undermine decades of ecological stewardship in the Mendota Heights area.

**Request for Consideration**

I ask that your office give full consideration to these concerns in any decision-making process and that a formal evaluation of:

- Cumulative impacts from prior adjacent development,
- Risk of buffer overages leading to WCA non-compliance, and
- Wildlife habitat value and wetland functionality

...be conducted and communicated clearly with the applicant and broader community.

Please confirm receipt of this message and let me know how I can stay informed of any upcoming meetings, hearings, or decision timelines related to this proposal.

Sincerely,

**Jonathan Deering**

1759 Ridgewood Drive

## McMillan Estates development



Jill Lipset <jill.lipset@tphmn.com>  
To Sarah Madden  
Cc Max Lipset

🗨️ Reply 🗨️ Reply All ➔ Forward 📧

Tue 5/13/2025 4:12 PM

📌 Follow up. Start by Wednesday, May 14, 2025. Due by Wednesday, May 14, 2025.  
If there are problems with how this message is displayed, click here to view it in a web browser.

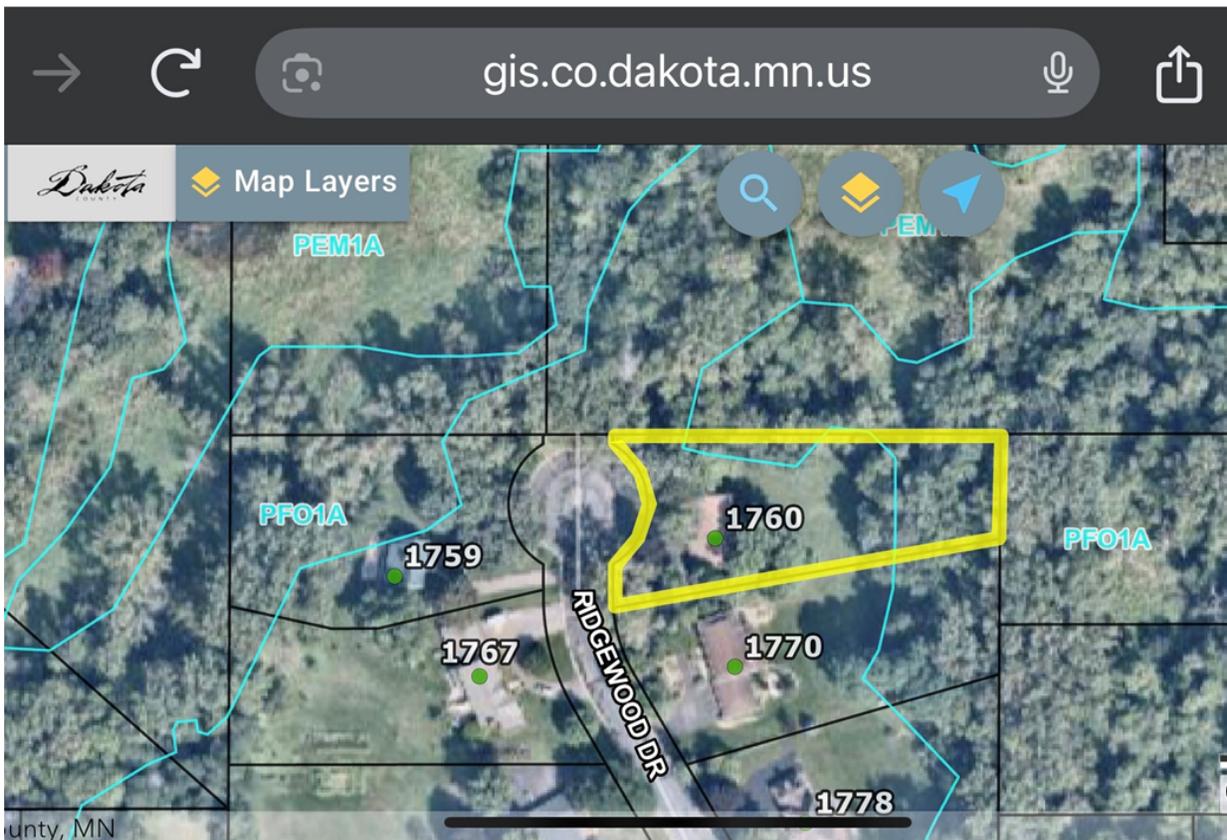
Hi Sarah,

My name is Jill Lipset and my family and I are the new residents at 1770 Ridgewood Drive (closed on March 8, 2025). Prior to that we lived at 1521 Dodd Road for ten years, and I grew up in the Copperfield neighborhood of Mendota Heights, where my mom still resides. We are active and involved community members and have cherished raising our kids and building our lives here.

Upon moving into our new house, we were informed by the neighbors about the ongoing battle regarding the development rights of the wetlands by McMillan properties. Given that the natural lands were an absolute major reason why we bought the property, it was extremely troubling to learn that this was in jeopardy. As a longtime resident of Mendota Heights, I have been proud of commitment to preserving natural land and keeping the city a place where families of different incomes can reside, and trees, fresh air, and animals are valued and respected. This is what has made this place a generational neighborhood that is unique to the Twin Cities. Even prior to learning about the McMillan Estates development plans, I have noticed the trend of new builds in the city that are changing the character of Mendota Heights. Living on/near Dodd & Wentworth for ten years with seeing a handful or so of knock-downs and rebuilds of massive houses happen, there was a recent explosion of these 1-2 million dollar houses in the past year. It sounds like the McMillan Estates plan is on track with this new trend, and it is super disappointing and concerning that this is being allowed to take place. These protected wetlands deserve to be kept for generations to come, rather than turned into another multi-million dollar single family home. Below is some language written by a neighbor that goes into more details about the proposed development and the destruction it would cause.

As one small example...we moved in March and my younger daughter could not yet ride a bike. We lived on busy Dodd road and she wasn't confident yet to try. Within two weeks of us moving to 1770 Ridgewood Drive, she taught herself to bike in the cul de sac with the younger neighbor kids cheering her on. This would never have happened if the cul de sac was filled in and turned into a through road. We were so excited for this to be our forever home with such amazing privacy, and this is such a disappointment. Please do what you can to prevent this development from happening and please be sure to update residents with all news pertaining to this project.

Thank you,  
Jill & Max Lipset  
651-216-1746  
1770 Ridgewood Drive



Please note the included wetlands map from national wetlands inventory revealing that we are one house in from sharing a 320+ foot property line with the McMillan property north of us. Along this line are deer, turkeys, rabbits, foxes plus about 18 large or heritage trees, over 30 medium sized trees, and numerous small trees and bushes. These animals depend upon the veterans to survive. The trees grow on and in close proximity (both sides) to the property line, along its entire length. We invite every city council and planning committee member to hike on our land and observe these beautiful trees, wetland fields, and wildlife!

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We are grateful for how seriously and diligently our city has fought to preserve the natural environment of Mendota Heights. We sincerely applaud our mayor, council members, city planners and committees as we have observed first hand the energy, wisdom and support they have displayed to promote and preserve the natural resources of our community, which preserves the character of our land!

Please continue to support and protect our natural neighborhoods as you have done in the past.

**From:** [Dana Johnston](#)  
**To:** [Sarah Madden](#)  
**Subject:** McMillan Estates planning case No. 2025-03  
**Date:** Thursday, May 22, 2025 1:14:53 PM

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From our home on Delaware Ave, looking to the west, I am saddened to think of how much the character of our neighborhood will change by the impending McMillan Estates development. The integrity of the Super Block could be forever destroyed. Gone will be much of the natural setting with its trees, views, wildlife and privacy that have made our neighborhood unique (and the reason most of us chose to live here). As I think back on the past several years of Planning Commission and City Council meetings, I am struck by the disparity in time, effort, and resources that the city "staff" has devoted to getting Mr McMillan's development approved. I guess that's what they do, they develop. And what was originally 1-2 lots is now 6! But what of all the concerned neighbors who feel they have no voice? Who on "staff" helps us, the many affected homeowners, who desperately wish for this development to be denied? I sincerely hope that it's not too late to change course. Just because an area "can" be developed does not mean that it should be. Hopefully, the Planning Commission and City Council will see the wisdom in denying this proposal (regardless of how much time "staff" has devoted), standing up for homeowners and helping to preserve this natural land and the character of our neighborhood.

Sincerely,  
Will and Dana Johnston  
1769 Delaware Ave.

**From:** [PATRICK WICKER](#)  
**To:** [Sarah Madden](#)  
**Subject:** Notice of Public Hearing - Planning Case No. 2025-03  
**Date:** Sunday, May 25, 2025 6:14:48 PM

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Sarah,

We are writing in reference to Planning Case No. 2025-03. While this new attempt to subdivide the subject properties (Parcel IDs: 27-02400-78-010, 27-31100-00-020, and 27-31100-00-010 [represented as a combined group of 16.63 acres]) located at 1707 Delaware Ave no longer creates a public road which would serve as a private drive to two homes or one home like previous attempts to subdivide this lot (Planning Cases No. 2024-01 and 2021-19 respectively), we again **oppose** the subdivision.

We are also frustrated with this process as clearly the applicants are planning to submit plans until they are approved. While we understand their desire to make money from subdivision and development of their land, many others intentionally purchased land here **BECAUSE** of the nature and wildlife that surround us and which is a hallmark of Mendota Heights. Where is the wildlife supposed to live when we keep developing their homes? Maybe we can start a coyote adoption program?

If the city decides to approve, we have a suggestion - why not simply pave the entire city - that way we can fit as much housing as possible into the city and increase our tax base.

Regards,

Patrick and Jennie Wicker

**From:** [Sean Fahnhorst](#)  
**To:** [Litton Field](#); [Jason Stone](#); [Patrick Corbett](#); [Cindy Johnson](#); [Jeff Nath](#); [Brian Udell](#); [Steve Goldade](#)  
**Subject:** Fahnhorst Public Comment on CASE No. 2025-03 Preliminary Plat Application of Spencer McMillan  
**Date:** Monday, May 26, 2025 10:57:56 PM  
**Attachments:** [Living Streets Worksheet.pdf](#)

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Public Comment on CASE No. 2025-03 Preliminary Plat Application of Spencer McMillan for a Preliminary Plat of three (3) existing parcels into six (6) single-family residential parcels located at 1707 Delaware Avenue and its adjacent vacant parcels

My name is Sean Fahnhorst and I live at 1767 Ridgewood Drive. I'd like to speak in favor of several commonsense conditions that will improve this proposal and make it consistent with city code and policy.

First, this proposal requires city staff to provide an exemption to the state's Wetland Conservation Act. This optional exemption would allow the applicant to fill a wetland shared by many neighboring properties, including my own, without any mitigation or environmental analysis. Filling wetland to build this public road will raise the nearby water table, pushing water into neighboring yards and basements without any recourse. **The planning commission should insist this proposal fully comply with the Wetland Conservation Act without any exemptions.**

Second, this proposal removes 82 significant trees—meaning they are healthy and larger than a foot in diameter—without a plan to replace them. The text of the city's urban forestry ordinance is clear: trees benefit neighborhoods by providing erosion control, wildlife habitat, cooler surface temperatures, increased property values, and aesthetic beauty. **The planning commission should insist that all required tree replacement occur onsite.** Offsite tree replacement does nothing to mitigate the damage the tree removal will cause to this neighborhood.

Third, the city should live up to the commitments it made in its own Living Streets Policy. Two years ago, city staff stood in front of the planning commission, natural resources commission, and city council, and committed to:

- Engage with the community and stakeholders throughout the planning, design, and construction of all streets.
- Identify opportunities to feasibly improve quality of life aspects by reducing environmental impacts or improving sustainability.
- Include safe, convenient, and comfortable travel and access for users of all ages and

abilities, regardless of their mode of transportation.

Despite the City Council passing this policy, none of these factors are present in this proposal.

**The planning commission should insist that city staff complete the engagement worksheet (attached) they created to analyze new road construction projects.** Ignoring this process now will damage the community's trust in its public servants and government.

Thank you for your time.

**From:** [Sean Fahnhorst](#)  
**To:** [Litton Field](#); [Jason Stone](#); [Patrick Corbett](#); [Cindy Johnson](#); [Jeff Nath](#); [Brian Udell](#); [Steve Goldade](#)  
**Cc:** [Stephanie Levine](#); [Sally Lorberbaum](#); [John Maczko](#); [John Mazzitello](#); [Joel Paper](#); [Sarah Madden](#); [Krista Spreiter](#); [Ryan Ruzek](#); [Cheryl Jacobson](#)  
**Subject:** Follow-Up to Planning Commission Request  
**Date:** Thursday, May 29, 2025 2:30:51 PM  
**Attachments:** [Full Living Streets Policy and Worksheet - Adopted by City Council.pdf](#)  
[City-of-Mendota-Heights-Rain-Garden-Brochure-PDF.pdf](#)

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Mendota Heights Planning Commission,

Thank you for the opportunity to share at Tuesday's meeting. I wanted to follow up on your request for more information about the city's policies regarding wetlands. I found several references in the city's Surface Water Management Plan, linked below, to wetland replacement requirements (sometimes known as no-net-loss). I see these requirements as intentionally redundant, appearing in both state law and city policy to ensure they are consistently followed.

[Surface Water Management Plan](#) (PDF)

(Page 34)

5.3. City of Mendota Heights SWMP Goals and Policies

5.3.3.2. Policies 1. The neighborhood and regional benefits of wildlife habitat and aesthetics should be considered in any proposal to alter or eliminate wetlands, understanding that wetland elimination without mitigation is precluded by state law and understanding that even mitigated wetland impacts must meet strict sequencing guidelines.

(Page 36)

5.3.6.2. Policies

2. Discourage wetland disturbance. Wetlands must not be drained or filled, wholly or partially, unless replaced by restoring or creating wetland areas of equal public value, as permitted by the WCA.

(Page 36)

5. Require that a wetland assessment be prepared for any project that includes a wetland. Minnesota Routine Assessment Methodology for evaluating wetland function is the required method of assessment.

Additionally, there was some discussion regarding the city's Living Streets Policy adopted by the City Council in March 2024 (full text attached). While I appreciate staff's consideration of street width, I think there are several more important elements of the policy relevant for the McMillan street proposal. Specifically:

- Guideline 6: Engage with the community and stakeholders throughout the planning, design, and construction of all streets to ensure the needs and concerns of all users are considered and addressed. Concerns about children's safety and environmental damage were consistently voiced last night.
- Guideline 2 and 4: Encourage the use of sustainable modes of transportation, such as walking and biking, by providing safe and convenient infrastructure for those modes. This could include sidewalks or trails safe for children that ideally interconnect with other city paths.

- Guideline 7: Identify any opportunities to feasibly improve quality of life aspects by reducing environmental impacts or improving sustainability. This could include street trees, rain gardens, and wetland restoration.
- Guideline 3: Prioritize the safety of all users. This could include traffic calming improvements like bumpouts or safe places to play like a parklet.

All these elements are well within the scope of this road development. For example, sidewalks and bumpouts are feasible for Ridgewood Drive and recommended in the city's official [Bike and Pedestrian plan](#). Similarly, rain gardens are regularly incorporated in stormwater projects through the city's BLVD Rain Garden Program (details attached). Street trees are a logical way to meet replacement requirements, and wetland restoration on Outlot A could help comply with mitigation/replacement laws. Lastly, because Ridgewood Drive is noted as a "park system gap" on page 62 of the latest [Park System Master Plan](#), it could be more appropriate to re-designate the \$24,000 park improvement fee to neighborhood upgrades, like a multimodal trail or pocket park in the new development.

Thank you for your time,  
Sean Fahnhorst  
952-393-3707

# Joint Application Form for Activities Affecting Water Resources in Minnesota

This joint application form is the accepted means for initiating review of proposals that may affect a water resource (wetland, tributary, lake, etc.) in the State of Minnesota under state and federal regulatory programs. Applicants for Minnesota Department of Natural Resources (DNR) Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. Applicants can use the information entered into MPARS to substitute for completing parts of this joint application form (see the paragraph on MPARS at the end of the joint application form instructions for additional information). This form is only applicable to the water resource aspects of proposed projects under state and federal regulatory programs; other local applications and approvals may be required. Depending on the nature of the project and the location and type of water resources impacted, multiple authorizations may be required as different regulatory programs have different types of jurisdiction over different types of resources.

## Regulatory Review Structure

### Federal

The St. Paul District of the U.S. Army Corps of Engineers (Corps) is the federal agency that regulates discharges of dredged or fill material into waters of the United States (wetlands, tributaries, lakes, etc.) under Section 404 of the Clean Water Act (CWA) and regulates work in navigable waters under Section 10 of the Rivers and Harbors Act. Applications are assigned to Corps project managers who are responsible for implementing the Corps regulatory program within a particular geographic area.

### State

There are three state regulatory programs that regulate activities affecting water resources. The Wetland Conservation Act (WCA) regulates most activities affecting wetlands. It is administered by local government units (LGUs) which can be counties, townships, cities, watershed districts, watershed management organizations or state agencies (on state-owned land). The Minnesota DNR Division of Ecological and Water Resources issues permits for work in specially-designated public waters via the Public Waters Work Permit Program (DNR Public Waters Permits). The Minnesota Pollution Control Agency (MPCA) under Section 401 of the Clean Water Act certifies that discharges of dredged or fill material authorized by a federal permit or license comply with state water quality standards. One or more of these regulatory programs may be applicable to any one project.

## Required Information

Prior to submitting an application, applicants are **strongly encouraged** to seek input from the Corps Project Manager and LGU staff to identify regulatory issues and required application materials for their proposed project. Project proponents can request a pre-application consultation with the Corps and LGU to discuss their proposed project by providing the information required in Sections 1 through 5 of this joint application form to facilitate a meaningful discussion about their project. Many LGUs provide a venue (such as regularly scheduled technical evaluation panel meetings) for potential applicants to discuss their projects with multiple agencies prior to submitting an application. Contact information is provided below.

The following bullets outline the information generally required for several common types of determinations/authorizations.

- For delineation approvals and/or jurisdictional determinations, submit Parts 1, 2 and 5, and Attachment A.
- For activities involving CWA/WCA exemptions, WCA no-loss determinations, and activities not requiring mitigation, submit Parts 1 through 5, and Attachment B.
- For activities requiring compensatory mitigation/replacement plan, submit Parts 1 thru 5, and Attachments C and D.
- For local road authority activities that qualify for the state's local road wetland replacement program, submit Parts 1 through 5, and Attachments C, D (if applicable), and E to both the Corps and the LGU.

## Submission Instructions

Send the completed joint application form and all required attachments to:

**U.S Army Corps of Engineers.** Applications may be sent directly to the appropriate Corps Office. For a current listing of areas of responsibilities and contact information, visit the St. Paul District's website at:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx> and select "Minnesota" from the contact Information box.

Alternatively, applications may be sent directly to the St. Paul District Headquarters and the Corps will forward them to the appropriate field office.

**Section 401 Water Quality Certification:** Applicants do not need to submit the joint application form to the MPCA unless specifically requested. The MPCA will request a copy of the completed joint application form directly from an applicant when they determine an individual 401 water quality certification is required for a proposed project.

**Wetland Conservation Act Local Government Unit:** Send to the appropriate Local Government Unit. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site ([www.bwsr.state.mn.us](http://www.bwsr.state.mn.us)) to determine the appropriate LGU.

**DNR Public Waters Permitting:** In 2014 the DNR will begin using the Minnesota DNR Permitting and Reporting System (MPARS) for submission of Public Waters permit applications (<https://webapps11.dnr.state.mn.us/mpars/public/authentication/login>).

Applicants for Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. To avoid duplication and to streamline the application process among the various resource agencies, applicants can use the information entered into MPARS to substitute for completing parts of this joint application form. The MPARS print/save function will provide the applicant with a copy of the Public Waters permit application which, at a minimum, will satisfy Parts one and two of this joint application. For certain types of activities, the MPARS application may also provide all of the necessary information required under Parts three and four of the joint application. However, it is the responsibility of the Applicant to make sure that the joint application contains all of the required information, including identification of all aquatic resources impacted by the project (see Part four of the joint application). After confirming that the MPARS application contains all of the required information in Parts one and two the Applicant may attach a copy to the joint application and fill in any missing information in the remainder of the joint application.

## PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

**Applicant/Landowner Name:** Spencer McMillan  
**Mailing Address:** 1707 Delaware Avenue, Mendota Heights, MN 55118  
**Phone:** 715-698-7114  
**E-mail Address:** SMcMillan@McMillanElectric.com

**Authorized Contact (do not complete if same as above):**

**Mailing Address:**  
**Phone:**  
**E-mail Address:**

**Agent Name:** Lucius Jonett, Midwest Wetland Improvements  
**Mailing Address:** P.O. Box 448, Victoria, MN 55386  
**Phone:** 952-261-9990  
**E-mail Address:** lucius@midwestwetlands.com

## PART TWO: Site Location Information

**County:** Dakota **City/Township:** Mendota Heights  
**Parcel ID and/or Address:** 27-02400-78-010, 1707 Delaware Avenue, Mendota Heights, MN 55118  
**Legal Description (Section, Township, Range):** SECTION 24 TWN 28 RANGE 23  
**Lat/Long (decimal degrees):** 44.894271/-93.107408  
**Attach a map showing the location of the site in relation to local streets, roads, highways.**  
**Approximate size of site (acres) or if a linear project, length (feet):** 12 acres

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

[http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform\\_4345\\_2012oct.pdf](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf)

## PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted *prior to* this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

**Homeowner is subdividing land for residential lot development. A Wetland Delineation Report was completed on 6/22/2021. A stream feature worksheet was completed on 5/19/2025 for the drainage feature identified in the wetland delineation report. Design plans for preliminary plat, dated 4/07/2025, show project location and proposed wetland and channel impacts. All documents are attached in appendix B.**

## PART FOUR: Aquatic Resource Impact<sup>1</sup> Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) <sup>1</sup>	Size of Impact <sup>2</sup>	Overall Size of Aquatic Resource <sup>3</sup>	Existing Plant Community Type(s) in Impact Area <sup>4</sup>	County, Major Watershed #, and Bank Service Area # of Impact Area <sup>5</sup>
Basin 1 – Area 1	Wetland	Fill	P	1,315 sq ft	3.55 acres	Wet Meadow	Dakota, Watershed 20, BSA 7
Basin 1 – Area 2	Wetland	Fill	P	467 sq ft	3.55 acres	Wet Meadow	Dakota, Watershed 20, BSA 7
Basin 1 – Area 3	Wetland	Fill	P	388 sq ft	3.55 acres	Wet Meadow	Dakota, Watershed 20, BSA 7
Unnamed Stream	Stream tributary	Tier 4 – short length of culvert pipe (fill)	P	60 linear feet, 6' x 60' = 360 sq ft	185 linear feet, 6' x 185' = 1,110 sq ft	Forested stream riparian vegetation.	Dakota, Watershed 20, BSA 7

<sup>1</sup>If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

<sup>2</sup>Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

<sup>3</sup>This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

<sup>4</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.

<sup>5</sup>Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

**No impacts have occurred.**

<sup>1</sup> The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

## PART FIVE: Applicant Signature

Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature:  Date: May 22, 2025  
Spencer McMillan

I hereby authorize Lucius Jonett to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

## Attachment B

# Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation

Complete this part *if* you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR *if* you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

WCA de minimis exemption – MN Rule 8420.0420, Subp. 8

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

The proposed activity involves the permanent fill impact to wetland of approximately 2,170 square feet (0.05 acres) to establish roads, driveways and residential home building sites as part of a subdivision project. The property is situated within Dakota County in Minnesota that is classified as having less than 50% of its pre-settlement wetlands remaining. The project site is not located within a shoreland area as defined by Minnesota Rules.

Pursuant to Minnesota Rule 8420.0420, Subpart 8, (2024 WCA Statute Changes) the activity qualifies for the Wetland Conservation Act (WCA) de minimis exemption. This rule allows up to 2,178 square feet of wetland impact per project in non-shoreland areas within less than 50% wetland counties, provided other eligibility requirements are met.

The following conditions are met for this exemption:

1. Area of Impact: The proposed wetland conversion does not exceed the de minimis exemption in non-shoreland, <50% wetland counties.
2. Cumulative Impact: These proposed wetland impacts account for the cumulative road and utility impacts of the current, proposed subdivision phase of the project. Plus the potential home/driveway construction impacts of future individual homeowner construction phases of the project.

Based on these factors, the activity meets the requirements for the de minimis exemption under the WCA and does not require replacement, sequencing, or additional mitigation measures.

The proposed activity also includes a Severity Tier 4 channel impact for the installation of a short length of culvert pipe for a driveway crossing the unnamed stream channel to a home building site. The linear foot threshold for Tier 4 impacts is 200 LF before mitigation is required.

# Attachment C

## Avoidance and Minimization

**Project Purpose, Need, and Requirements.** Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

**Home owner is subdividing land for residential lot development. A Wetland Delineation Report was completed on 6/22/2021. A stream feature worksheet was completed on 5/19/2025 for the drainage feature identified in the wetland delineation report. Design plans for preliminary plat, dated 4/07/2025, show project location and proposed wetland and channel impacts. All documents are attached in appendix B.**

**Avoidance.** Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

The proposed subdivision site contains wetland basin with a tributary stream channel that flows into it, creating a natural barrier along the south portion of the property between the developable upland areas. In planning access to the remainder of the site, multiple on-site avoidance measures were considered to minimize and avoid impacts to aquatic resources. These included reviewing layout options that concentrate development on the north and east side of the basin and channel while leaving the southern portion undeveloped. However, full avoidance would require forgoing access to the site, making it infeasible given the project's objectives. Two project alternatives that avoid all impacts to aquatic resources were considered: (1) an alternative site layout that clusters all development on the eastern uplands and leaves the southern portion as permanent open space; and (2) the no-build alternative, which would result in no impacts but would also eliminate the proposed housing and associated public infrastructure objectives. While both alternatives avoid direct impacts, they are not prudent for achieving the purpose and need of the project. The selected alternative minimizes impacts by reducing the crossing width and locating it at the narrowest portion of the channel and wetland, combined with construction methods designed to protect hydrology and habitat connectivity.

**Minimization.** Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

To minimize unavoidable impacts to the wetland basins and tributary stream channel located in the southern portion of the subdivision site, the proposed project has incorporated several design modifications. The location of the new cul-de-sac and driveway access crossings were strategically selected at the narrowest points of wetland and channel impact to reduce the width of fill and overall disturbance. The crossings will utilize culvert designs that preserve base flow connectivity and minimize alteration of stream hydrology and aquatic organism passage. Roadway grades and alignments were adjusted to reduce the footprint of the crossing embankment and avoid unnecessary encroachment into adjacent wetland areas. Stormwater from the new road surface will be treated through an infiltration basin before discharge to adjacent aquatic resources, further reducing pollutant loading. Construction will follow best management practices to minimize sedimentation and erosion, and all disturbed areas will be promptly stabilized and restored with native vegetation.

**Off-Site Alternatives.** An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.



Land Surveying & Engineering

2580 Christian Dr. Chaska, MN 55318 612-418-6828

I hereby certify that this plan, report, or specification was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. CURTIS J. KALLIO DATE: 4/17/2025 REG. NO. 26909

PREPARED FOR: Spencer McMillan 1707 Delaware Ave. Mendota Heights, MN 55118 715-698-7114

SHEET TITLE & PROJECT: Preliminary Plat MCMILLAN ESTATES Mendota Heights, MN

Table with columns: DATE, REVISION, BY

PROJECT NO: 202142

SHEET 1 OF 1 SHEETS

# MCMILLAN ESTATES PRELIMINARY PLAT

SEE THE CONSTRUCTION PLANS FOR GRADING, DRAINAGE, STREET, SANITARY SEWER, AND WATERMAIN FOR FOR DETAILED IMPROVEMENTS

### LEGAL DESCRIPTION

Outlot A in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota. And Outlot B in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota. And the North Quarter of the Southeast Quarter of the Southeast Quarter of Section 24, Township 28, Range 23, Dakota County, Minnesota.

### OWNER/DEVELOPER

SPENCER MCMILLAN 1707 DELAWARE AVE. MENDOTA HEIGHTS, MN 55118 715-698-7114

### ENGINEER/SURVEYOR

SISU LAND SURVEYING AND ENGINEERING 2580 CHRISTIAN DR. CHASKA, MN 55318 CONTACT: CURT KALLIO, PE, LS 612-418-6828

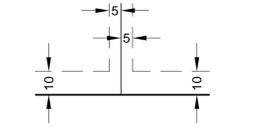
### WETLAND DELINEATOR

JACOBSON ENVIRONMENTAL 5821 HUMBOLDT AVE. N. BROOKLYN CENTER, MN 55430 CONTACT: WAYNE JACOBSON 612-802-6619 NOTE: DELINEATOR HAS RETIRED.

### LEGEND

- PLAT BOUNDARY
LOT LINE
SETBACK
EASEMENT
WETLAND
EX. CONTOUR
EX. STORM SEWER
EX. SAN. SEWER
EX. WATERMAIN
EX. HYDRANT
25' AVG. WIDTH WETLAND BUFFER, 10' MINIMUM WIDTH

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES, AND 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES, AND REAR LOT LINES, UNLESS OTHERWISE INDICATED, AS SHOWN ON THIS PLAT.



THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 24 IS ASSUMED TO BEAR N00°00'13"W.



- DENOTES IRON MONUMENT FOUND
○ DENOTES 1/2 INCH BY 14 INCH MONUMENT SET AND MARKED BY LICENSE NO. 26909, UNLESS OTHERWISE SHOWN.

### WETLANDS

WETLANDS HAVE BEEN DELINEATED AS SHOWN. 2170 SQ. FT. OF WETLANDS WILL BE IMPACTED FOR THE RIDGEWOOD DR. EXTENSION AND FUTURE DRIVES. PER DEMINIMUS RULES, NO WETLAND MITIGATION IS REQUIRED. A 25 FEET AVERAGE WETLAND BUFFER IS SHOWN WITH A MINIMUM BUFFER WIDTH OF 10 FEET. TOTAL 25 FEET BUFFER REQUIRED = 75,504 SF, TOTAL BUFFER PROVIDED = 75,609 SF.

### PROPOSED IMPROVEMENTS

RIDGEWOOD DRIVE WILL BE EXTENDED TO PROVIDE ACCESS AND UTILITY CONNECTIONS FOR LOTS 1, 2, 3, 5, AND 6. NO IMPROVEMENTS ARE PROPOSED FOR LOT 4. THE EXISTING CUL DE SAC WILL BE REMOVED. SEE THE PROPOSED CONSTRUCTION PLANS FOR DETAILS.

### TREE PRESERVATION

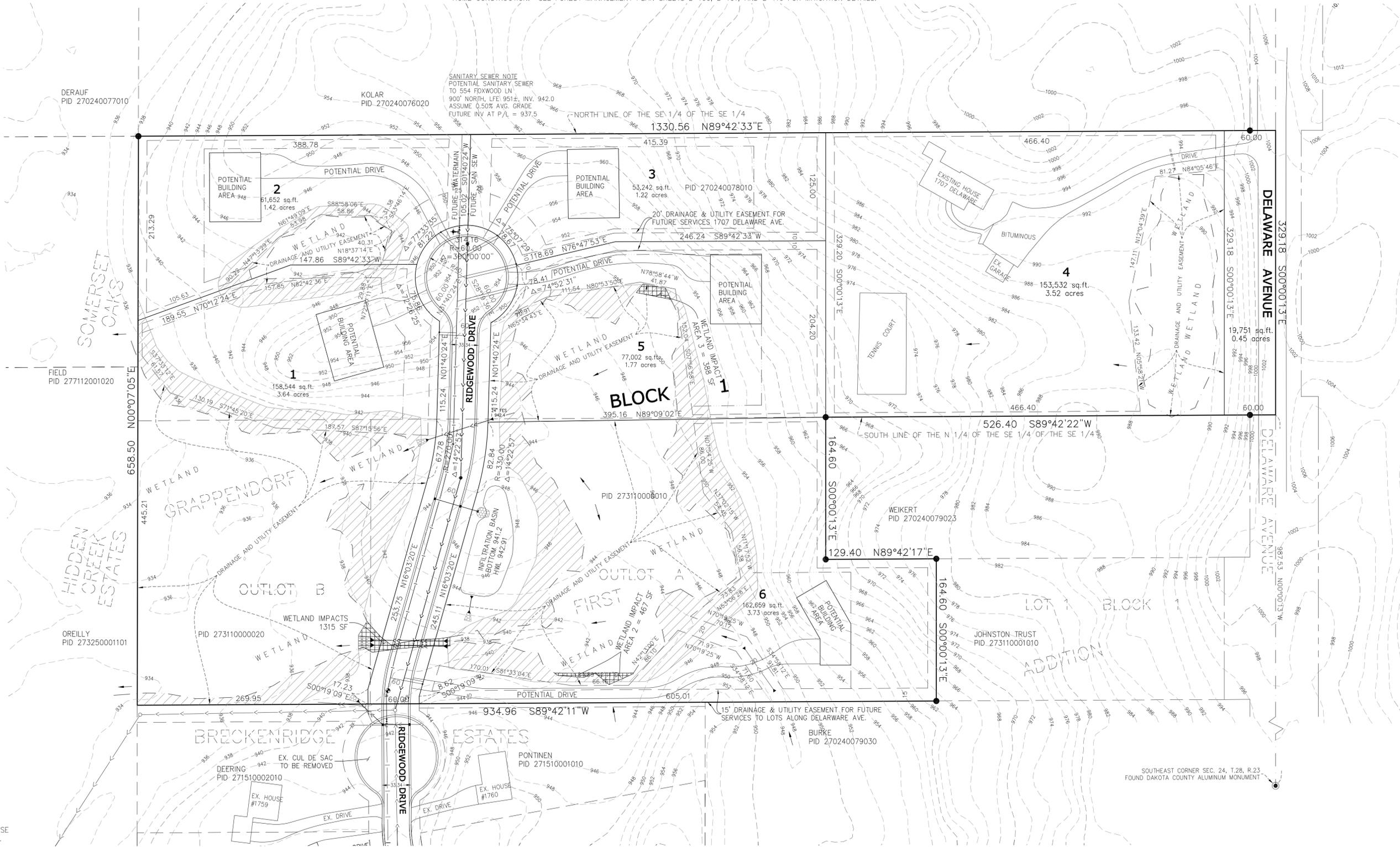
TREES HAVE BEEN INVENTORIED WITHIN THE POTENTIAL IMPROVEMENT AREAS. TREE INVENTORY AND REMOVALS FOR THE PROPOSED IMPROVEMENTS ARE SHOWN IN THE CONSTRUCTION PLANS. TREES HAVE NOT BEEN INVENTORIED FOR ALL OF THE INDIVIDUAL LOT IMPROVEMENTS. IF REQUIRED BY THE CITY, THOSE INVENTORIES WILL BE PROVIDED AT THE TIME OF HOME CONSTRUCTION. SEE FOREST MANAGEMENT PLAN SHEETS L-100, L-101, AND L-110 FOR MITIGATION DETAILS.

### UTILITIES

UTILITIES WILL BE EXTENDED FROM EXISTING STUBS TO NORTH OF THE PROPOSED CUL DE SAC EXISTING TO THE END OF THE NEW CUL DE SAC. POTENTIAL FUTURE UTILITY EXTENSIONS ARE SHOWN TO SERVE LOTS TO THE NORTH. SERVICE TAPS WILL BE PROVIDED FOR 1707 DELAWARE AVE. AND AN EASEMENT WILL BE PROVIDED TO EXTEND SERVICES TO THE EXISTING HOUSE. A 15 FEET EASEMENT WILL BE PROVIDED FOR POTENTIAL FUTURE UTILITY SERVICES TO HOMES ALONG DELAWARE AVE. TO THE EAST.

### STORMWATER

STORMWATER TREATMENT FOR THE INCREASE IN IMPERVIOUS FOR RIDGEWOOD DRIVE WILL BE PROVIDED BY AN INFILTRATION BASIN AS SHOWN. DUE TO THE TOPOGRAPHY OF THE SITE AND LOCATION OF FUTURE HOMES, THE IMPERVIOUS RUNOFF FROM THE INDIVIDUAL LOT IMPROVEMENTS COULD NOT BE CONVEYED TO THE PROPOSED INFILTRATION BASIN. THE INDIVIDUAL LOTS WILL PROVIDE VOLUME REDUCTION AND RATE CONTROL AT THE TIME OF HOME CONSTRUCTION. THE INCREASE IN IMPERVIOUS SURFACE FOR RIDGEWOOD DRIVE IS 0.43 ACRES. THE ESTIMATED INCREASE IN IMPERVIOUS SURFACE FOR LOTS 1, 2, 3, 5, AND 6 IS 0.9 ACRES.



SANITARY SEWER NOTE: POTENTIAL SANITARY SEWER TO 554 FOXWOOD LN 900' NORTH, LFEI 051±, INV. 942.0 ASSUME 0.50% AVG. GRADE FUTURE INV AT P/L = 937.5

NORTH LINE OF THE SE 1/4 OF THE SE 1/4 1330.56 N89°42'33"E

BLOCK 1

LOT 1 BLOCK

SOUTHEAST CORNER SEC. 24, T.28, R.23 FOUND DAKOTA COUNTY ALUMINUM MONUMENT

# WETLAND DELINEATION REPORT

6/22/2021

2021-206  
1707 Delaware Ave Delineation  
Mendota Heights, MN

Jacobson Environmental, PLLC  
jacobsonenv@msn.com

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Wetland Delineation-Mitigation-Permitting-Monitoring-Banking-Functional Analysis-T & E Surveys Phase I Environmental Assessments-EAW's-Soil ID-Soil Analysis & Delineation-Environmental Referrals Pond & Lake Weed Control & Fish Stocking-Tree Surveys-Natural Resource Management Plans	1
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## 1.0 SUMMARY

Jacobson Environmental, PLLC (JE) visited the project site at 1707 Delaware Ave and PID #'s 273110000020 and 273110000010 on 6/17/2021. The site totaled approximately 16.63 acres in size, and was located at Section 24, T28N, R23W, Mendota Heights, Minnesota. See Figure 1 for a Site Location Map.

The purpose of the investigation was to identify areas within the project boundary meeting the technical criteria for wetlands, delineate the jurisdictional extent of the wetland basins, and classify the wetland habitat according to the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation: Midwest Region.

Wetlands are areas that are saturated or inundated with surface and or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in hydric soil conditions. Examples of wetlands include seasonally flooded basins, floodplain forests, wet meadows, shallow and deep marshes, shrub swamps, wooded swamps, fens, and bogs.

Wetland boundaries were determined through a routine analysis of the vegetation, soils and hydrology which must all show wetland characteristics for an area to be delineated as a wetland.

Three wetland basins were delineated within the project area, which are summarized below and shown on Figure 5.

<b>Basin ID</b>	<b>Circular 39</b>	<b>Cowardin</b>	<b>Eggers &amp; Reed</b>	<b>Dominant Vegetation</b>	<b>Size (acres)</b>
1	Type 2	PEMB	Wet meadow	Green Ash, Reed Canary Grass and Jewelweed	3.55
2	Type 1	PEM1A	Seasonally flooded basin	Green Ash, Water Smartweed and Clearweed	0.175
3	Type 2	PEMB	Wet meadow	Green Ash, Reed Canary Grass and Dark Green Bulrush	0.44

All figures and appendices referenced by this report are presented at the end of the text.

This wetland delineation was performed by Jacobson Environmental, PLLC under the direction of Wayne Jacobson, Minnesota Professional Soil Scientist #30611, Society of Wetland Scientists – Professional Wetland Scientist #1000, University of Minnesota / BWSR Wetland Delineator, Certified #1019, American Fisheries Society – Associate Fisheries Scientist #A-171.

## 2.0 METHODS

### 2.1 EXISTING INFORMATION REVIEW

Prior to field delineation, Jacobson Environmental reviewed the following information:

#### 2.1.1 Antecedent Precipitation

The previous three month's precipitation data obtained from the Minnesota State Climatology Office suggest that the sampling period occurred under normal conditions. Antecedent precipitation data can be found in Appendix A. The growing season in this area is approximately from mid-April to mid-October, when the air temperature averages above 28 degrees F. This delineation was completed during the growing season.

#### 2.1.2 National Wetlands Inventory

The National Wetlands Inventory (NWI) identified PEM1A and PFO1A wetland complex within the property boundary (Figure 2).

#### 2.1.3 Web Soil Survey

The National Resource Conservation Service Web Soil Survey (Figure 7) identified the following soils:

<b>Soil</b>	<b>Hydric Rating</b>
Antigo silt loam, 1-8% slopes	0
Chetek sandy loam, 8-15% slopes	0
Quam silt loam	95
Klossner muck, 0-1% slopes	100
Kinglsey-Mahtomedi-Spencer complex, 3-8% slopes	0
Kennebec variant silt loam	10

#### 2.1.4 Public Waters Inventory

The Minnesota Department of Natural Resources Public Waters Inventory shows that no public waters exist on the property (Figure 4).

### 2.1.5 Topographic Map

A topographic map with aerial photo overlay was obtained from MNTPOPO (Figure 6). This map was reviewed for suspected wetland areas based on topography and vegetative cover.

## 2.2 FIELD DELINEATION

The wetlands on the subject property were delineated using the routine determination methodology set forth in the 1987 U.S. Army Corps of Engineers *Wetlands Delineation Manual* and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation: Midwest Region as follows:

- 1) The vegetative community was sampled in all present strata to determine whether 50% of the dominant plant species were hydrophytic using the 50/20 method.
- 2) Soil pits were dug using a Dutch auger to depths of 18"-40", noting soil profiles and any hydric soil characteristics.
- 3) Signs of wetland hydrology were noted and were compared to field criteria such as depth to shallow water table and depth of soil saturation found in the soil pits.

Transects were established in representative areas of each wetland. Each transect consisted of one sample point within the wetland and one sample point in upland. Other areas which have one or more of the wetland vegetation, soils, or hydrologic characteristics present, or where questionable conditions exist may also have been sampled. Data sheets for each sample point are available in Appendix B.

Wetland classifications discussed in the text are set forth in *Wetlands and Deepwater Habitats of the United States* (FWS/OBS Publication 79/31, Cowardin et al. 1979) and *Wetlands of the United States* (USFWS Circular 39, Shaw and Fredine, 1971.) Additionally, plant community types as named by Eggers and Reed (1998) are given.

Wetland edges were marked with orange numbered pin flags. 4-foot wood lath marked with orange "wetland boundary" flagging tape or flagging tied on vegetation may be used if site conditions warrant. Sample points are marked with orange numbered pin flags.

Any wetlands or sample points were mapped using GPS.

### 2.2.1 Vegetation

The plant species within the parcel were cataloged and assigned a wetland indicator status according to: Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin, 2016. *The National Wetland Plant List: 2016 Wetland Ratings*, Phytoneuron 2016-30: 1-17.

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In the text of this report and on the enclosed data forms, the plant indicator status follows the plant's scientific name unless a status has not been assigned. The hydrophytic plant criterion is met when more than 50 percent of the dominant species by the 50/20 rule for each stratum (herb, shrub/sapling, tree, and woody vine) were assigned an obligate (OBL)<sup>1</sup>, facultative wet (FACW), and/or facultative (FAC) wetland status.

With the 50/20 rule, dominants are generally measured by absolute % cover in each stratum which individually or collectively account for more than 50% of total vegetative cover in the stratum, plus any other species which itself accounts for at least 20% of the total vegetative cover.

### 2.2.2 Hydric Soils

A hydric soil is a soil formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part. If a soil exhibits the indicators of a hydric soil or is identified as a hydric soil the hydric soil criterion is met.

The break between hydric and non-hydric soils was determined by excavating soil pits along transects crossing the wetland/upland eco-tone and evaluating the soil colors, textures, and presence or absence of redoximorphic indicators (i.e., mottles, gley or oxidized rhizospheres). Hydric Soil Indicators for the Midwest Region were noted as presented in the National Technical Committee for Hydric Soils *Field Indicators of Hydric Soils in the United States version 8.1* (USDA NRCS 2017) if present at each sample point. Upper soil profiles were also compared to the mapped or inclusionary soil series found in the sample area for soil identification purposes.

### 2.2.3 Cautions Used in Applying the Field Indicators of Hydric Soils

There are hydric soils with morphologies that are difficult to interpret. These include soils with black, gray, or red parent material; soils with high pH; soils high or low in content of organic matter; recently developed hydric soils, and soils high in iron inputs. In some cases, we do not currently have indicators to assist in the identification of hydric soils in these situations. If the soil meets the definition of a hydric soil, the lack of an indicator does not preclude the soil from being hydric. The indicators were developed mostly to identify the boundary of hydric soil areas and generally work best on the margins. Not all the obviously wetter hydric soils will be identified by the indicators. Redoximorphic features are most likely to occur in soils that cycle between anaerobic (reduced) and aerobic (oxidized) conditions.

Morphological features of hydric soils indicate that saturation and anaerobic conditions have existed under either contemporary or former hydrologic regimes. Where soil morphology seems inconsistent with the landscape, vegetation, or observable hydrology, it may be necessary to obtain the assistance of an experienced soil or wetland scientist to determine whether the soil is hydric.

---

<sup>1</sup> OBL=Obligate Wetland, occurs an estimated 99% in wetlands. FACW=Facultative Wetland, has an estimated 67%-99% probability of occurrence in wetlands. FAC=Facultative, is equally likely to occur in wetlands and non-wetlands, 34%-66% probability. FACU=Facultative Upland, occurs in wetlands only occasionally, 1%-23% probability. UPL=Upland, almost never occurs in wetlands, <1% probability. NI= No Indicator, insufficient information available to determine an indicator status. Positive or negative sign previously indicated a frequency toward higher (+) or lower (-) frequency of occurrence within a category.

To clarify, when investigating hydric soils in this area, one must consider the following:

- Many of these soils have black or gray parent materials.
- Many of the soils have a high organic matter content.
- The hydric soil margin is typically higher than the wetland boundary margin on the site.
- Not all the obviously wetter soils will be identified by the indicators.
- Many of the hydric soils are Mollisols which are classic problem hydric soils in many cases.

## 3.0 RESULTS

### 3.1 WETLAND BASIN DESCRIPTIONS

#### **Basin 1**

Basin 1 was an approximately 3.55-acre, Type 2, PEMB, Wet meadow wetland. The basin was dominated by Green Ash, Reed Canary Grass and Jewelweed.

Hydrology indicators included D2 (geomorphic position) and D5 (fac neutral test).

Wetland soils met indicators A12 (thick dark surface) and F3 (depleted matrix).

Adjacent upland was typically dominated by Box Elder, Common Buckthorn and Common Burdock. Primary hydrology indicators were not observed at the upland sample point, and no hydric soil indicators were found in the upland sample point soil.

The wetland boundary followed a change in vegetation from wetland to upland plant communities, as well as a slight change in topography. The basin was shown as a PEM1A wetland on the NWI map (Figure 2) and was located within an area mapped as Quam silt loam (RATING=95) by the Web Soil Survey (Figure 7).

Sample data sheets 1-1UP, 1-1WET, 1-2UP and 1-2WET in Appendix B correspond to this basin.

#### **Basin 2**

Basin 2 was an approximately 0.175-acre, Type 1, PEM1A, Seasonally flooded basin wetland. The basin was dominated by Green Ash, Water Smartweed and Clearweed.

Hydrology indicators included B8 (sparsely vegetated concave surface), D2 (geomorphic position) and D5 (fac neutral test).

Wetland soils met indicator F3 (depleted matrix).

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Adjacent upland was typically dominated by Red Oak, Common Buckthorn, Virginia Creeper and Red Raspberry. Primary hydrology indicators were not observed at the upland sample point, and no hydric soil indicators were found in the upland sample point soil.

The wetland boundary followed a change in vegetation from wetland to upland plant communities, as well as a gradual change in topography. The basin was shown as a PEM1A wetland on the NWI map (Figure 2) and was located within an area mapped as Antigo silt loam (RATING=0) by the Web Soil Survey (Figure 7).

Sample data sheets 2-UP and 2-WET in Appendix B correspond to this basin.

### **Basin 3**

Basin 3 was an approximately 0.44-acre, Type 2, PEMB, Wet meadow wetland. The basin was dominated by Green Ash, Reed Canary Grass and Dark Green Bulrush.

Hydrology indicators included D2 (geomorphic position) and D5 (fac neutral test).

Wetland soils met indicator A12 (thick dark surface).

Adjacent upland was typically dominated by Green Ash, Tall Goldenrod and Kentucky Bluegrass. Primary hydrology indicators were not observed at the upland sample point, and no hydric soil indicators were found in the upland sample point soil.

The wetland boundary followed a change in vegetation from wetland to upland plant communities, as well as a slight in topography. The basin was not shown as a PEMB wetland on the NWI map (Figure 2) and was located within an area mapped as Kennebec variant silt loam (RATING=10) by the Web Soil Survey (Figure 7).

Sample data sheets 3-UP and 3-WET in Appendix B correspond to this basin.

## **4.0 CONFIRMATION OF JURISDICTIONAL STATUS**

Jacobson Environmental is submitting this report to the client and regulatory agencies to request a wetland boundary and type determination. We have enclosed an official WCA Approval of Wetland Type and Boundary form in Appendix D along with a USCOE wetland delineation concurrence request.

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## 5.0 CERTIFICATION

I certify that this wetland delineation meets the standards and criteria described in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation: Midwest Region. This was a Routine On-Site Determination and the results reflect the conditions present at the time of the delineation.

I certify that this report has been prepared in accordance with regulatory standards. Thank you for the opportunity to provide wetland services on this important project.

If any wetland impacts are planned for this project, permits would be necessary from the LGU and other agencies.



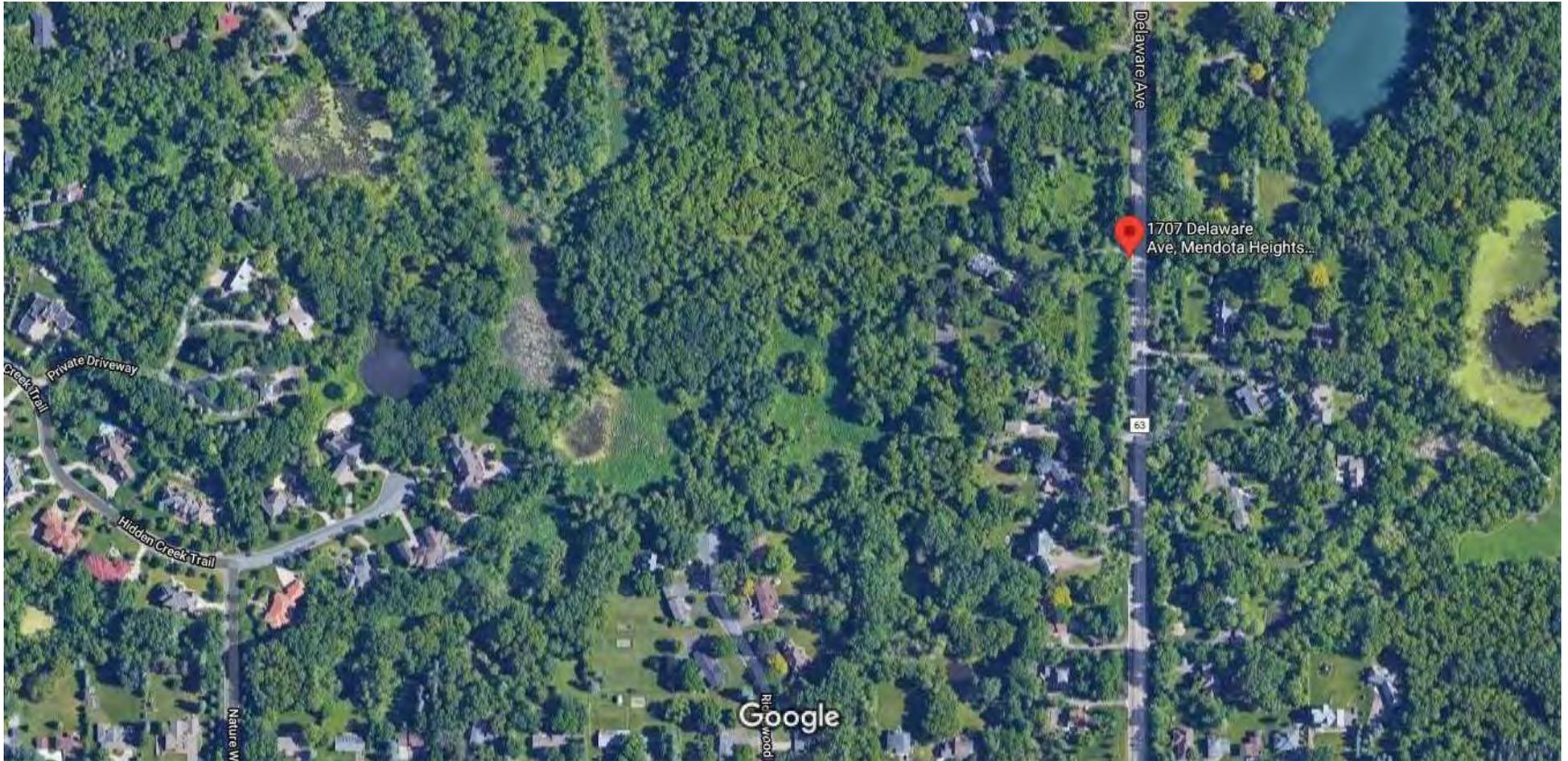
6/22/2021

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Staff Scientist  
Wetland Delineator In-Training #5305  
**Jacobson Environmental, PLLC.**

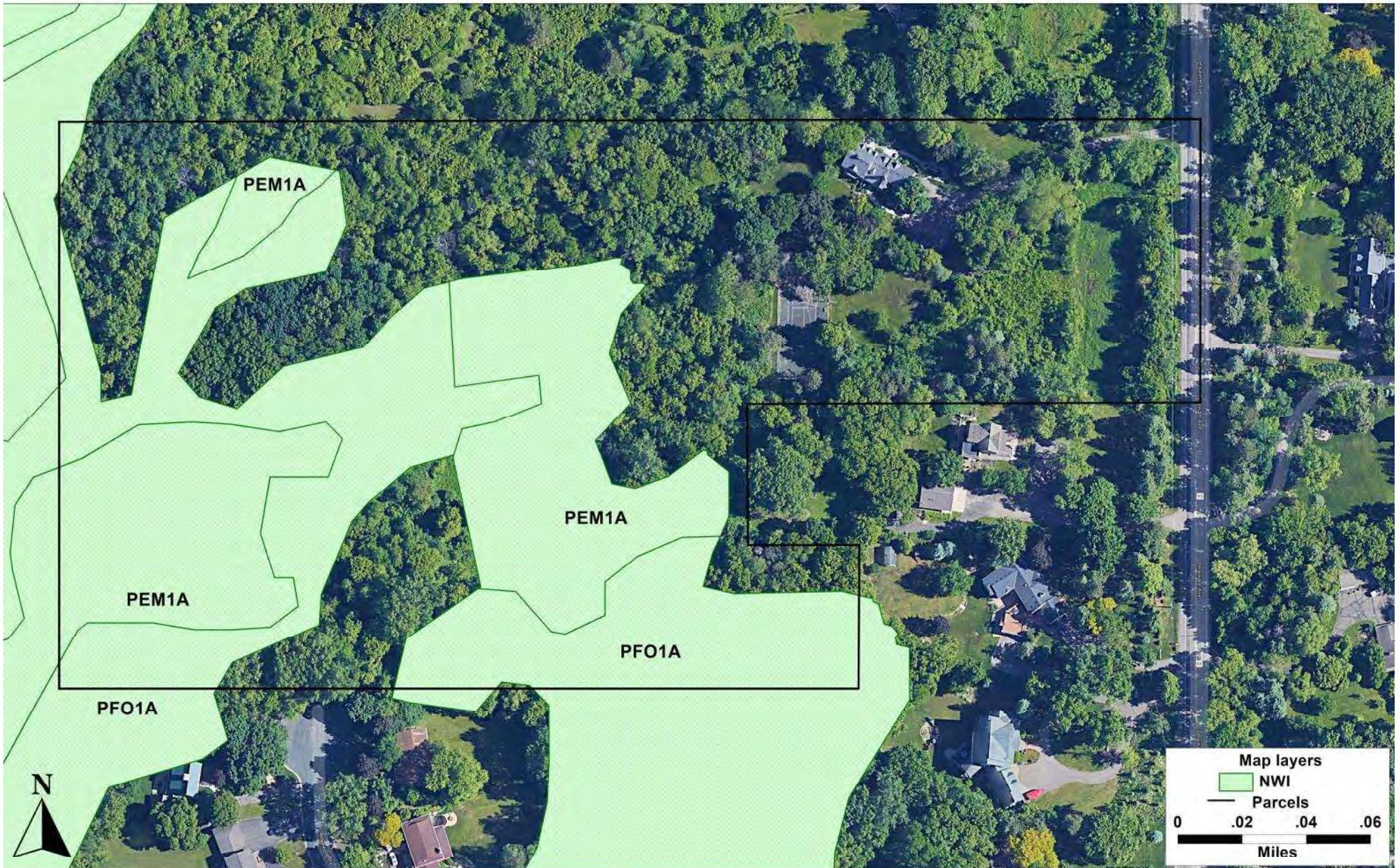
# Figures

Google Maps 1707 Delaware Ave



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 200 ft

Figure 2 NWI Map



Soil Map—Dakota County, Minnesota  
(Figure 3 Soils Map)



Soil Map may not be valid at this scale.

Map Scale: 1:2,170 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
49B	Antigo silt loam, 1 to 8 percent slopes	4.4	26.5%
155C	Chetek sandy loam, 8 to 15 percent slopes	5.9	36.0%
344	Quam silt loam	2.9	17.9%
539	Klossner muck, 0 to 1 percent slopes	1.9	11.4%
895B	Kingsley-Mahtomedi-Spencer complex, 3 to 8 percent slopes	0.0	0.0%
1816	Kennebec variant silt loam	1.4	8.3%
<b>Totals for Area of Interest</b>		<b>16.5</b>	<b>100.0%</b>

Figure 4 PWI Map

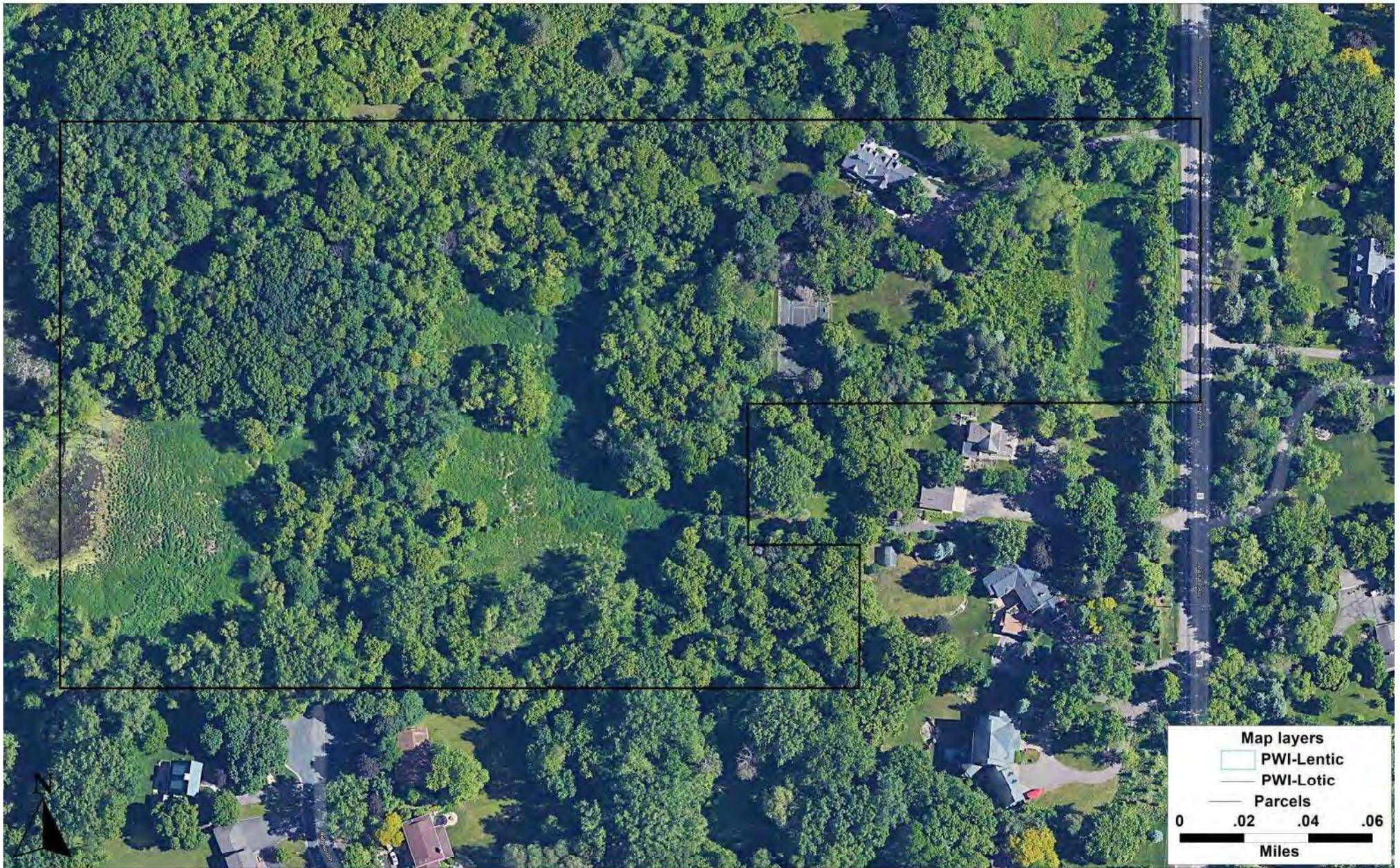


Figure 5 Delineation Map

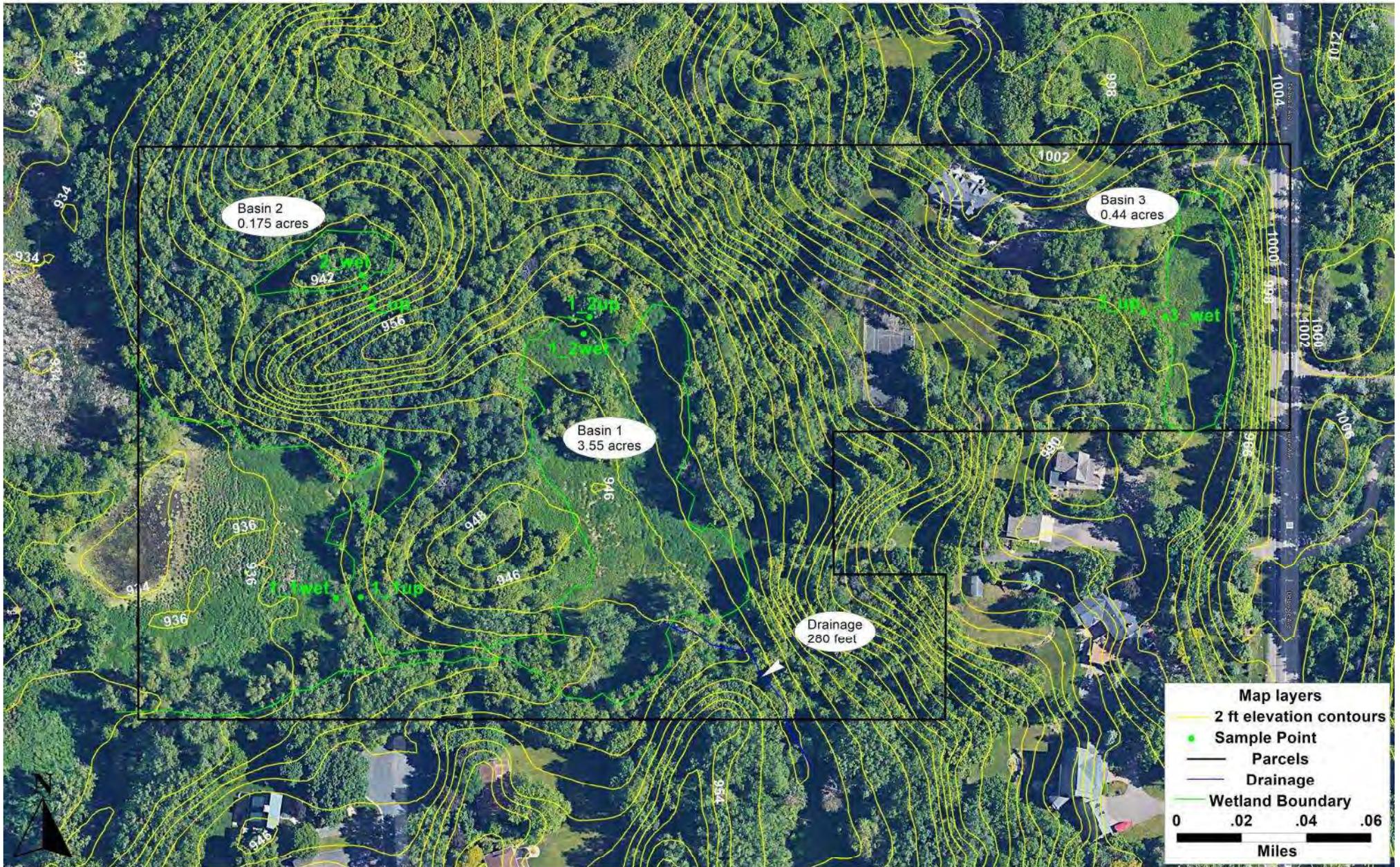
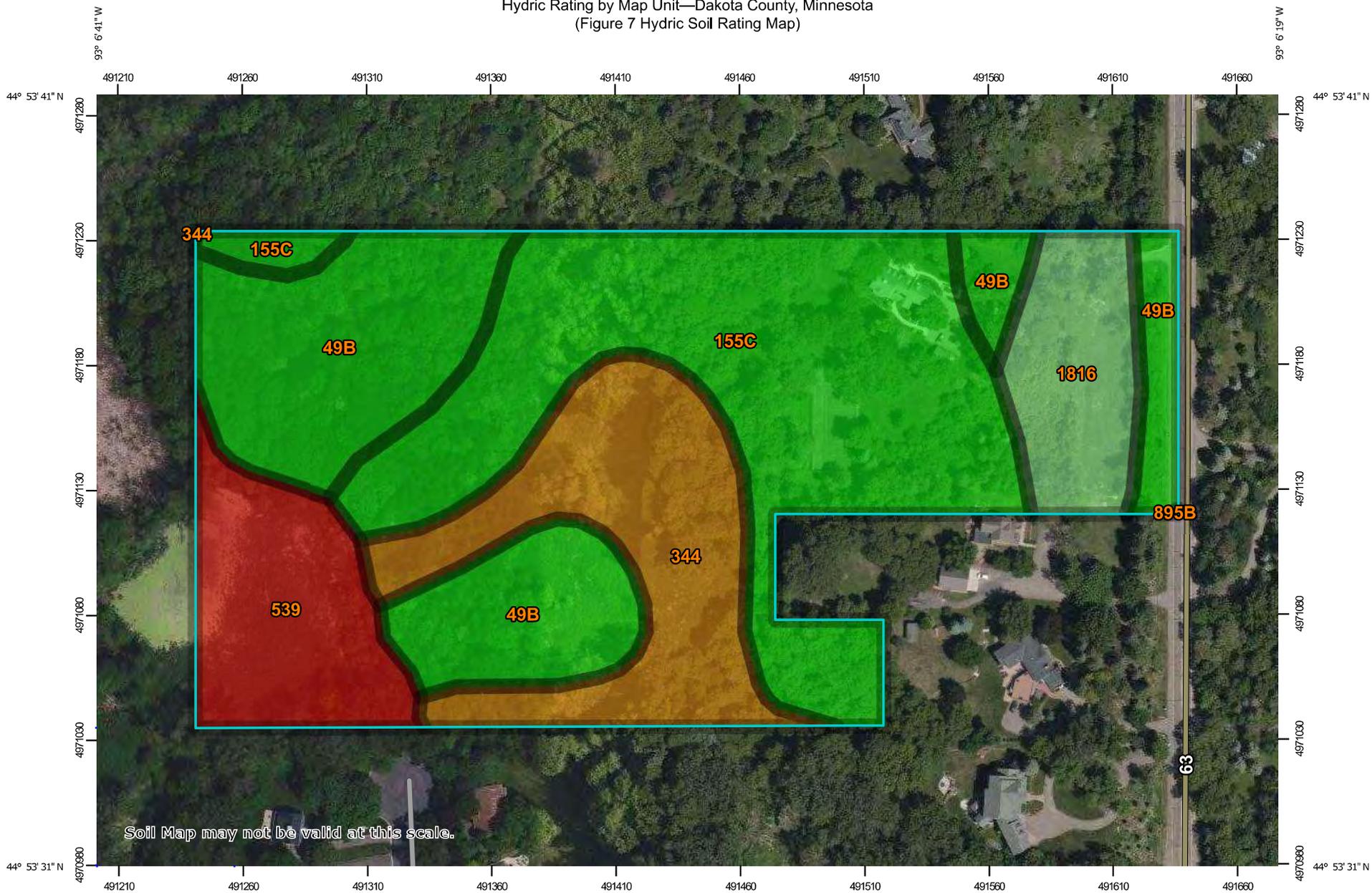


Figure 6 Site Map

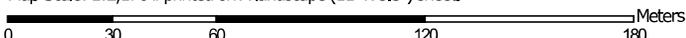


Hydric Rating by Map Unit—Dakota County, Minnesota  
(Figure 7 Hydric Soil Rating Map)



Soil Map may not be valid at this scale.

Map Scale: 1:2,170 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84



## Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
49B	Antigo silt loam, 1 to 8 percent slopes	0	4.4	26.5%
155C	Chetek sandy loam, 8 to 15 percent slopes	0	5.9	36.0%
344	Quam silt loam	95	2.9	17.9%
539	Klossner muck, 0 to 1 percent slopes	100	1.9	11.4%
895B	Kingsley-Mahtomedi-Spencer complex, 3 to 8 percent slopes	0	0.0	0.0%
1816	Kennebec variant silt loam	10	1.4	8.3%
<b>Totals for Area of Interest</b>			<b>16.5</b>	<b>100.0%</b>

### Rating Options

*Aggregation Method: Percent Present*

*Component Percent Cutoff: None Specified*

*Tie-break Rule: Lower*

**Appendix A**  
**Antecedent Precipitation Data**

# Minnesota State Climatology Office

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## Precipitation Worksheet Using Gridded Database

### Precipitation data for target wetland location:

county: **Ramsey** township number: **28N**  
 township name: **unnamed** range number: **23W**  
 nearest community: **Lilydale** section number: **24**

### Aerial photograph or site visit date:

**Thursday, June 17, 2021**

### Score using 1981-2010 normal period

values are in inches A 'R' following a monthly total indicates a provisional value derived from radar-based estimates.	first prior month: <b>May 2021</b>	second prior month: <b>April 2021</b>	third prior month: <b>March 2021</b>
<b>estimated precipitation total for this location:</b>	2.02	<b>2.51R</b>	<b>3.56R</b>
<b>there is a 30% chance this location will have less than:</b>	2.91	2.20	1.40
<b>there is a 30% chance this location will have more than:</b>	4.43	3.48	2.22
<b>type of month:</b> <b>dry</b> <b>normal</b> <b>wet</b>	dry	<b>normal</b>	<b>wet</b>
<b>monthly score</b>	3x1=3	<b>2 * 2 = 4</b>	<b>1 * 3 = 3</b>
<b>multi-month score:</b> 6 to 9 (dry) 10 to 14 (normal) 15 to 18 (wet)	10=normal		

### Other Resources:

- [retrieve daily precipitation data](#)
- [view radar-based precipitation estimates](#)
- [view weekly precipitation maps](#)
- [Evaluating Antecedent Precipitation Conditions](#) (BWSR)

# Minnesota State Climatology Office

State Climatology Office - DNR Division of Ecological and Water Resources

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## Nearest Station Precipitation Data Retrieval

Minnesota's [precipitation data archive](#) is searched for data closest to a selected target location for each month. Values from the site closest to the target location are returned below after clicking the **retrieve monthly data** or **retrieve daily data** buttons. The precipitation data are made up of measured rainfall and the measured liquid content of snowfall.

**Temperature**, **snowfall**, and **snow depth** data from National Weather Service reporting stations are no longer retrieved from this application. To obtain those data, see our newest [data retrieval tool](#) (May 2014). National Weather Service precipitation data continue to be available from this application.

[Obtaining data for legal purposes](#)

[Guide for column headers in the data table](#)

**target location:** Ramsey--Lilydale 28N 23W S24 (latitude: 44.89803 longitude: 93.11627)

**years:** 2021 ▼ to 2021 ▼

number of **missing days** allowed per month:

### results:

Target: T28 R23 S24

mon	year	cc	tttN	rrW	ss	nnnn	oooooooo	pre (inches)	dis
Jan	2021	19	28N	22W	31	SWCD		1.11	2 mi.
Feb	2021	19	28N	22W	31	SWCD		.42	2 mi.
Mar	2021	62	28N	23W	16	SWCD		3.55	3 mi.
Apr	2021	19	28N	22W	31	SWCD		1.84	2 mi.
May	2021	62	28N	22W	6	NWS	STPAULWB	2.02	3 mi.
Jun	2021					m		999 mi.	
Jul	2021					m		999 mi.	
Aug	2021					m		999 mi.	
Sep	2021					m		999 mi.	
Oct	2021					m		999 mi.	
Nov	2021					m		999 mi.	
Dec	2021					m		999 mi.	

Where indicated: Missing values are shown as 'm'. Days on which precip accumulated in the gage are shown as '-'. 'TTTT RR SS' is the 'public land survey(PLS)' or 'legal' location of the observed data. Section values greater 36 are SECTIC 'TIC' locations plus 100. 'NWS ID' the National Weather Service Cooperative station number. Note that the 'PLS' will always be correct for precipitation data while the 'NWS ID' will always be correct for the temperature data. If no PLS info is supplied the the 'NWS ID' number applies to all shown data.

State Climatology Office - MnDNR - Ecological and Water Resources

**Appendix B**  
**Sample Data Sheets**

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 1707 Delaware Ave Delineation City/County: Mendota Heights Sampling Date: 6/17/2021  
 Applicant/Owner: Timothy & Gayle Ober State: MN Sampling Point: 1-1UP  
 Investigator(s): CAM Section, Township, Range: Section 24, T28N, R23W  
 Landform (hillslope, terrace, etc.): backslope Local relief (concave, convex, none): convex  
 Slope (%): 1 Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Chetek sandy loam NWI Classification: none

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>N</u>	<b>Is the sampled area within a wetland?</b> <u>N</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

Tree Stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b> Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>2</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>50.00%</u> (A/B)
1					
2					
3					
4					
5					
		<u>0</u>	= Total Cover		
Sapling/Shrub stratum	(Plot size: <u>15</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1	<u>Rhamnus cathartica</u>	<u>80</u>	<u>Y</u>	<u>FAC</u>	
2					
3					
4					
5					
		<u>80</u>	= Total Cover		
Herb stratum	(Plot size: <u>5</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1	<u>Arctium minus</u>	<u>50</u>	<u>Y</u>	<u>FACU</u>	
2	<u>Rhamnus cathartica</u>	<u>10</u>	<u>N</u>	<u>FAC</u>	
3	<u>Vicia americana</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	
4					
5					
6					
7					
8					
9					
10					
		<u>65</u>	= Total Cover		
Woody vine stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1					
2					
		<u>0</u>	= Total Cover		

**Hydrophytic Vegetation Indicators:**  
 \_\_\_ Rapid test for hydrophytic vegetation  
 \_\_\_ Dominance test is >50%  
 \_\_\_ Prevalence index is ≤3.0\*  
 \_\_\_ Morphological adaptations\* (provide supporting data in Remarks or on a separate sheet)  
 \_\_\_ Problematic hydrophytic vegetation\* (explain)  
 \*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

**Hydrophytic vegetation present?** N

Remarks: (Include photo numbers here or on a separate sheet)  
 35% bare ground

**SOIL**

Sampling Point: 1-1UP

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-16	10YR2/1	100					loam	
16-24	10YR3/1	100					loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p>
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p> <p>Remarks: _____</p>	<p><b>Hydric soil present?</b> <u>  N  </u></p>
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**HYDROLOGY**

<p><b>Wetland Hydrology Indicators:</b></p> <p>Primary Indicators (minimum of one is required; check all that apply)</p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>		<p>Secondary Indicators (minimum of two required)</p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes _____ No <u>  X  </u> Depth (inches): <u>  -  </u></p> <p>Water table present? Yes _____ No <u>  X  </u> Depth (inches): <u>  &gt;24  </u></p> <p>Saturation present? Yes _____ No <u>  X  </u> Depth (inches): <u>  &gt;24  </u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u>  N  </u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: \_\_\_\_\_

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 1707 Delaware Ave Delineation City/County: Mendota Heights Sampling Date: 6/17/2021  
 Applicant/Owner: Timothy & Gayle Ober State: MN Sampling Point: 1-1WET  
 Investigator(s): CAM Section, Township, Range: Section 24, T28N, R23W  
 Landform (hillslope, terrace, etc.): toeslope Local relief (concave, convex, none): convex  
 Slope (%): 1 Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Quam silt loam NWI Classification: PEMB

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>Y</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present? <u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

Tree Stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b> Number of Dominant Species that are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across all Strata: <u>4</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1 _____					
2 _____					
3 _____					
4 _____					
5 _____					
		<u>0</u>	= Total Cover		
Sapling/Shrub stratum	(Plot size: <u>15</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1 <u>Rhamnus cathartica</u>		<u>50</u>	<u>Y</u>	<u>FAC</u>	
2 <u>Ribes cynosbati</u>		<u>10</u>	<u>N</u>	<u>FAC</u>	
3 <u>Lonicera tatarica</u>		<u>10</u>	<u>N</u>	<u>FACU</u>	
4 _____					
5 _____					
		<u>70</u>	= Total Cover		
Herb stratum	(Plot size: <u>5</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1 <u>Phalaris arundinacea</u>		<u>50</u>	<u>Y</u>	<u>FACW</u>	
2 <u>Impatiens capensis</u>		<u>50</u>	<u>Y</u>	<u>FACW</u>	
3 _____					
4 _____					
5 _____					
6 _____					
7 _____					
8 _____					
9 _____					
10 _____					
		<u>100</u>	= Total Cover		
Woody vine stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1 <u>Vitis riparia</u>		<u>10</u>	<u>Y</u>	<u>FACW</u>	
2 _____					
		<u>10</u>	= Total Cover		

**Hydrophytic Vegetation Indicators:**  
 \_\_\_\_\_ Rapid test for hydrophytic vegetation  
 Dominance test is >50%  
 Prevalence index is ≤3.0\*  
 \_\_\_\_\_ Morphological adaptations\* (provide supporting data in Remarks or on a separate sheet)  
 \_\_\_\_\_ Problematic hydrophytic vegetation\* (explain)  
 \*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

**Hydrophytic vegetation present?** Y

Remarks: (Include photo numbers here or on a separate sheet)

**SOIL**

Sampling Point: 1-1WET

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-17	10YR2/1	100					loam	
17-24	10YR4/1	100					clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input checked="" type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p>
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p> <p>Remarks: _____</p>	<p><b>Hydric soil present?</b> <u>Y</u></p>
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**HYDROLOGY**

<p><b>Wetland Hydrology Indicators:</b></p> <p>Primary Indicators (minimum of one is required; check all that apply)</p>			<p>Secondary Indicators (minimum of two required)</p>		
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Surface Soil Cracks (B6)			
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> True Aquatic Plants (B14)	<input type="checkbox"/> Drainage Patterns (B10)			
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Dry-Season Water Table (C2)			
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input type="checkbox"/> Crayfish Burrows (C8)			
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)			
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Stunted or Stressed Plants (D1)			
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)	<input checked="" type="checkbox"/> Geomorphic Position (D2)			
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Gauge or Well Data (D9)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)			
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)				
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)					
<input type="checkbox"/> Water-Stained Leaves (B9)					

<p><b>Field Observations:</b></p> <p>Surface water present? Yes _____ No <u>X</u> Depth (inches): <u>-</u></p> <p>Water table present? Yes _____ No <u>X</u> Depth (inches): <u>&gt;24</u></p> <p>Saturation present? Yes _____ No <u>X</u> Depth (inches): <u>&gt;24</u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u>Y</u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: \_\_\_\_\_

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 1707 Delaware Ave Delineation City/County: Mendota Heights Sampling Date: 6/17/2021  
 Applicant/Owner: Timothy & Gayle Ober State: MN Sampling Point: 1-2UP  
 Investigator(s): CAM Section, Township, Range: Section 24, T28N, R23W  
 Landform (hillslope, terrace, etc.): backslope Local relief (concave, convex, none): convex  
 Slope (%): 1 Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Chetek sandy loam NWI Classification: none

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

Tree Stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Acer negundo</u>		40	Y	FAC	
2 _____					Total Number of Dominant Species Across all Strata: <u>3</u> (B)
3 _____					Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
4 _____					
5 _____					
		40	= Total Cover		
Sapling/Shrub stratum	(Plot size: <u>15</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>		90	Y	FAC	
2 _____					OBL species <u>0</u> x 1 = <u>0</u>
3 _____					FACW species <u>0</u> x 2 = <u>0</u>
4 _____					FAC species <u>176</u> x 3 = <u>528</u>
5 _____					FACU species <u>10</u> x 4 = <u>40</u>
		90	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
					Column totals <u>186</u> (A) <u>568</u> (B)
					Prevalence Index = B/A = <u>3.05</u>
Herb stratum	(Plot size: <u>5</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Rhamnus cathartica</u>		40	Y	FAC	
2 <u>Arctium minus</u>		10	N	FACU	<u>X</u> Dominance test is >50%
3 <u>Amphicarpaea bracteata</u>		5	N	FAC	_____ Prevalence index is ≤3.0*
4 <u>Alliaria petiolata</u>		1	N	FAC	_____ Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 _____					_____ Problematic hydrophytic vegetation* (explain)
6 _____					
7 _____					
8 _____					
9 _____					
10 _____					
		56	= Total Cover		
Woody vine stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1 _____					
2 _____					
		0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 44% bare ground

**SOIL**

Sampling Point: 1-2UP

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-11	10YR4/3	100					loam	
11-24	10YR4/4	100					loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p> <p> </p> <p>*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic</p>
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<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p> <p>Remarks:</p>	<p><b>Hydric soil present?</b> <u>  N  </u></p>
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**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b>	
<p><b>Primary Indicators (minimum of one is required; check all that apply)</b></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><b>Secondary Indicators (minimum of two required)</b></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>

<p><b>Field Observations:</b></p> <p>Surface water present? Yes _____ No <u>  X  </u> Depth (inches): <u>  -  </u></p> <p>Water table present? Yes _____ No <u>  X  </u> Depth (inches): <u>  &gt;24  </u></p> <p>Saturation present? Yes _____ No <u>  X  </u> Depth (inches): <u>  &gt;24  </u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u>  N  </u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:



**SOIL**

Sampling Point: 1-2WET

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-10	10YR4/2	98	7.5YR4/4	2	C	PL	sandy loam	
10-24	10YR4/2	95	7.5YR4/4	5	C	PL	fine sandy loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

**Hydric Soil Indicators:**

- Histisol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- 2 cm Muck (A10)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- 5 cm Mucky Peat or Peat (S3)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

**Indicators for Problematic Hydric Soils:**

- Coast Prairie Redox (A16) (LRR K, L, R)
- Dark Surface (S7) (LRR K, L)
- Iron-Manganese Masses (F12) (LRR K, L, R)
- Very Shallow Dark Surface (TF12)
- Other (explain in remarks)

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if observed):**

Type: \_\_\_\_\_  
 Depth (inches): \_\_\_\_\_

Hydric soil present? Y

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9)

- Aquatic Fauna (B13)
- True Aquatic Plants (B14)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres on Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Thin Muck Surface (C7)
- Gauge or Well Data (D9)
- Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Crayfish Burrows (C8)
- Saturation Visible on Aerial Imagery (C9)
- Stunted or Stressed Plants (D1)
- Geomorphic Position (D2)
- FAC-Neutral Test (D5)

**Field Observations:**

Surface water present? Yes \_\_\_\_\_ No X Depth (inches): -  
 Water table present? Yes \_\_\_\_\_ No X Depth (inches): >24  
 Saturation present? Yes \_\_\_\_\_ No X Depth (inches): >24  
 (includes capillary fringe)

Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 1707 Delaware Ave Delineation City/County: Mendota Heights Sampling Date: 6/17/2021  
 Applicant/Owner: Timothy & Gayle Ober State: MN Sampling Point: 2-UP  
 Investigator(s): CAM Section, Township, Range: Section 24, T28N, R23W  
 Landform (hillslope, terrace, etc.): backslope Local relief (concave, convex, none): convex  
 Slope (%): 1 Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Antigo silt loam NWI Classification: none

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>N</u>	<b>Is the sampled area within a wetland?</b> <u>N</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

Tree Stratum	(Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b> Number of Dominant Species that are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across all Strata: <u>5</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>40.00%</u> (A/B)
1 <u>Quercus rubra</u>	<u>30</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>	
2 _____					
3 _____					
4 _____					
5 _____					
		<u>30</u> = Total Cover			<b>Prevalence Index Worksheet</b> Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>70</u> x 3 = <u>210</u> FACU species <u>50</u> x 4 = <u>200</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>120</u> (A) <u>410</u> (B) Prevalence Index = B/A = <u>3.42</u>
Sapling/Shrub stratum	(Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Status	
1 <u>Rhamnus cathartica</u>	<u>15</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>	
2 _____					
3 _____					
4 _____					
5 _____					
		<u>40</u> = Total Cover			
Herb stratum	(Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Status	
1 <u>Rhamnus cathartica</u>	<u>5</u>	<u>30</u>	<u>Y</u>	<u>FAC</u>	
2 <u>Parthenocissus quinquefolia</u>		<u>10</u>	<u>Y</u>	<u>FACU</u>	
3 <u>Rubus idaeus</u>		<u>10</u>	<u>Y</u>	<u>FACU</u>	
4 _____					
5 _____					
6 _____					
7 _____					
8 _____					
9 _____					
10 _____					
		<u>50</u> = Total Cover			
Woody vine stratum	(Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Status	
1 _____	<u>30</u>				
2 _____					
		<u>0</u> = Total Cover			

**Hydrophytic Vegetation Indicators:**  
 \_\_\_\_\_ Rapid test for hydrophytic vegetation  
 \_\_\_\_\_ Dominance test is >50%  
 \_\_\_\_\_ Prevalence index is ≤3.0\*  
 \_\_\_\_\_ Morphological adaptations\* (provide supporting data in Remarks or on a separate sheet)  
 \_\_\_\_\_ Problematic hydrophytic vegetation\* (explain)  
 \*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

**Hydrophytic vegetation present?** N

Remarks: (Include photo numbers here or on a separate sheet)

50% leaf litter/ bare ground

**SOIL**

Sampling Point: 2-UP

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-24	10YR5/3	100					silt loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<b>Hydric Soil Indicators:</b> <input type="checkbox"/> Histisol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input type="checkbox"/> Sandy Gleyed Matrix (S4) <input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)	<b>Indicators for Problematic Hydric Soils:</b> <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R) <input type="checkbox"/> Dark Surface (S7) (LRR K, L) <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (explain in remarks)
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<b>Restrictive Layer (if observed):</b> Type: _____ Depth (inches): _____ Remarks: _____	<b>Hydric soil present?</b> <u> N </u>
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**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b> Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
<input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> FAC-Neutral Test (D5)	

<b>Field Observations:</b> Surface water present? Yes _____ No <u> X </u> Depth (inches): <u> - </u> Water table present? Yes _____ No <u> X </u> Depth (inches): <u> &gt;24 </u> Saturation present? Yes _____ No <u> X </u> Depth (inches): <u> &gt;24 </u> (includes capillary fringe)	<b>Indicators of wetland hydrology present?</b> <u> N </u>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Remarks: \_\_\_\_\_

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 1707 Delaware Ave Delineation City/County: Mendota Heights Sampling Date: 6/17/2021  
 Applicant/Owner: Timothy & Gayle Ober State: MN Sampling Point: 2-WET  
 Investigator(s): CAM Section, Township, Range: Section 24, T28N, R23W  
 Landform (hillslope, terrace, etc.): depression Local relief (concave, convex, none): concave  
 Slope (%): 1 Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Antigo silt loam NWI Classification: PEM1A

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS**

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>Y</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present? <u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

Tree Stratum (Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>	
1 <u>Fraxinus pennsylvanica</u>	40	Y	FACW	Number of Dominant Species that are OBL, FACW, or FAC: <u>4</u> (A)	
2 _____				Total Number of Dominant Species Across all Strata: <u>4</u> (B)	
3 _____				Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)	
4 _____					
5 _____					
	40 = Total Cover				
Sapling/Shrub stratum (Plot size: <u>15</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>	
1 <u>Fraxinus pennsylvanica</u>	5	Y	FACW	Total % Cover of:	
2 _____				OBL species <u>5</u> x 1 = <u>5</u>	
3 _____				FACW species <u>50</u> x 2 = <u>100</u>	
4 _____				FAC species <u>0</u> x 3 = <u>0</u>	
5 _____				FACU species <u>0</u> x 4 = <u>0</u>	
	5 = Total Cover			UPL species <u>0</u> x 5 = <u>0</u>	
				Column totals <u>55</u> (A) <u>105</u> (B)	
				Prevalence Index = B/A = <u>1.91</u>	
Herb stratum (Plot size: <u>5</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>	
1 <u>Polygonum amphibium</u>	5	Y	OBL	Rapid test for hydrophytic vegetation	
2 <u>Pilea pumila</u>	5	Y	FACW	<input checked="" type="checkbox"/> Dominance test is >50%	
3 _____				<input checked="" type="checkbox"/> Prevalence index is ≤3.0*	
4 _____				Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)	
5 _____				Problematic hydrophytic vegetation* (explain)	
6 _____				*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic	
7 _____					
8 _____					
9 _____					
10 _____					
	10 = Total Cover				
Woody vine stratum (Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>	
1 _____					
2 _____					
	0 = Total Cover				

Remarks: (Include photo numbers here or on a separate sheet)

90% leaf litter/bare ground

**SOIL**

Sampling Point: 2-WET

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-10	10YR4/2	80	7.5YR4/4	20	C	PL	sandy loam	
10-24	10YR5/1	90	7.5YR4.4	10	C	PL	loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<b>Hydric Soil Indicators:</b> <input type="checkbox"/> Histisol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)		<input type="checkbox"/> Sandy Gleyed Matrix (S4) <input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input checked="" type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)		<b>Indicators for Problematic Hydric Soils:</b> <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R) <input type="checkbox"/> Dark Surface (S7) (LRR K, L) <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (explain in remarks)	
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<b>Restrictive Layer (if observed):</b> Type: _____ Depth (inches): _____	<b>Hydric soil present?</b> <u>Y</u>
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Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<b>Primary Indicators (minimum of one is required; check all that apply)</b> <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input checked="" type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Water-Stained Leaves (B9)		<input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks)		<b>Secondary Indicators (minimum of two required)</b> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input checked="" type="checkbox"/> FAC-Neutral Test (D5)	
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<b>Field Observations:</b> Surface water present? Yes _____ No <u>X</u> Depth (inches): <u>-</u> Water table present? Yes _____ No <u>X</u> Depth (inches): <u>&gt;24</u> Saturation present? Yes _____ No <u>X</u> Depth (inches): <u>&gt;24</u> (includes capillary fringe)	<b>Indicators of wetland hydrology present?</b> <u>Y</u>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 1707 Delaware Ave Delineation City/County: Mendota Heights Sampling Date: 6/17/2021  
 Applicant/Owner: Timothy & Gayle Ober State: MN Sampling Point: 3-UP  
 Investigator(s): CAM Section, Township, Range: Section 24, T28N, R23W  
 Landform (hillslope, terrace, etc.): backslope Local relief (concave, convex, none): convex  
 Slope (%): 1 Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Kennebec variant silt loam NWI Classification: none

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

Tree Stratum	(Plot size: <u>30</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b> Number of Dominant Species that are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across all Strata: <u>3</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>66.67%</u> (A/B)
1					
2					
3					
4					
5		<u>0</u>		= Total Cover	
<b>Sapling/Shrub stratum</b> (Plot size: <u>15</u> )					<b>Hydrophytic Vegetation Indicators:</b> Rapid test for hydrophytic vegetation <input checked="" type="checkbox"/> Dominance test is >50% <input checked="" type="checkbox"/> Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<u>Fraxinus pennsylvanica</u>	<u>80</u>	<u>Y</u>	<u>FACW</u>	
2					
3					
4					
5					
		<u>80</u>		= Total Cover	
<b>Herb stratum</b> (Plot size: <u>5</u> )					
1	<u>Solidago altissima</u>	<u>60</u>	<u>Y</u>	<u>FACU</u>	
2	<u>Poa pratensis</u>	<u>30</u>	<u>Y</u>	<u>FAC</u>	
3	<u>Silybum marianum</u>	<u>4</u>	<u>N</u>	<u>FACU</u>	
4	<u>Cirsium arvense</u>	<u>3</u>	<u>N</u>	<u>FACU</u>	
5	<u>Erigeron strigosus</u>	<u>3</u>	<u>N</u>	<u>FACU</u>	
6					
7					
8					
9					
10					
		<u>100</u>		= Total Cover	
<b>Woody vine stratum</b> (Plot size: <u>30</u> )					
1					
2					
		<u>0</u>		= Total Cover	

Remarks: (Include photo numbers here or on a separate sheet)

**SOIL**

Sampling Point: 3-UP

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-7	10YR3/2	100					sandy loam	
7-24	10YR5/4	100					coarse sand	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p>
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p> <p>Remarks: _____</p>	<p><b>Hydric soil present?</b> <u>  N  </u></p>
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**HYDROLOGY**

<p><b>Wetland Hydrology Indicators:</b></p> <p>Primary Indicators (minimum of one is required; check all that apply)</p>			<p>Secondary Indicators (minimum of two required)</p>		
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Surface Soil Cracks (B6)			
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> True Aquatic Plants (B14)	<input type="checkbox"/> Drainage Patterns (B10)			
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Dry-Season Water Table (C2)			
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input type="checkbox"/> Crayfish Burrows (C8)			
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)			
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Stunted or Stressed Plants (D1)			
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> Geomorphic Position (D2)			
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Gauge or Well Data (D9)	<input type="checkbox"/> FAC-Neutral Test (D5)			
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)				
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)					
<input type="checkbox"/> Water-Stained Leaves (B9)					

<p><b>Field Observations:</b></p> <p>Surface water present? Yes _____ No <u>  X  </u> Depth (inches): <u>  -  </u></p> <p>Water table present? Yes _____ No <u>  X  </u> Depth (inches): <u>  &gt;24  </u></p> <p>Saturation present? Yes _____ No <u>  X  </u> Depth (inches): <u>  &gt;24  </u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u>  N  </u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: \_\_\_\_\_

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site 1707 Delaware Ave Delineation City/County: Mendota Heights Sampling Date: 6/17/2021  
 Applicant/Owner: Timothy & Gayle Ober State: MN Sampling Point: 3-WET  
 Investigator(s): CAM Section, Township, Range: Section 24, T28N, R23W  
 Landform (hillslope, terrace, etc.): toeslope Local relief (concave, convex, none): concave  
 Slope (%): 1 Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Kennebec variant silt loam NWI Classification: PEMB

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS**

(If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u> Hydric soil present? <u>Y</u> Indicators of wetland hydrology present? <u>Y</u>	<p align="center"><b>Is the sampled area within a wetland?</b> <u>Y</u></p> If yes, optional wetland site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.)	

**VEGETATION -- Use scientific names of plants.**

Tree Stratum	Plot size:	Absolute % Cover	Dominant Species	Indicator Status	
1 <u>Fraxinus pennsylvanica</u>	<u>30</u>	<u>10</u>	<u>Y</u>	<u>FACW</u>	<b>Dominance Test Worksheet</b> Number of Dominant Species that are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across all Strata: <u>3</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
2 _____					
3 _____					
4 _____					
5 _____					
		<u>10</u>	= Total Cover		<b>Prevalence Index Worksheet</b> Total % Cover of: OBL species <u>15</u> x 1 = <u>15</u> FACW species <u>105</u> x 2 = <u>210</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>120</u> (A) <u>225</u> (B) Prevalence Index = B/A = <u>1.88</u>
<b>Sapling/Shrub stratum</b> (Plot size: <u>15</u> )					
1 <u>Fraxinus pennsylvanica</u>		<u>10</u>	<u>Y</u>	<u>FACW</u>	
2 _____					
3 _____					
4 _____					
5 _____					
		<u>10</u>	= Total Cover		
<b>Herb stratum</b> (Plot size: <u>5</u> )					
1 <u>Phalaris arundinacea</u>		<u>80</u>	<u>Y</u>	<u>FACW</u>	
2 <u>Scirpus atrovirens</u>		<u>15</u>	<u>N</u>	<u>OBL</u>	
3 <u>Fraxinus pennsylvanica</u>		<u>5</u>	<u>N</u>	<u>FACW</u>	
4 _____					
5 _____					
6 _____					
7 _____					
8 _____					
9 _____					
10 _____					
		<u>100</u>	= Total Cover		
<b>Woody vine stratum</b> (Plot size: <u>30</u> )					
1 _____					
2 _____					
		<u>0</u>	= Total Cover		

**Hydrophytic Vegetation Indicators:**  
 \_\_\_\_\_ Rapid test for hydrophytic vegetation  
 Dominance test is >50%  
 Prevalence index is ≤3.0\*  
 \_\_\_\_\_ Morphological adaptations\* (provide supporting data in Remarks or on a separate sheet)  
 \_\_\_\_\_ Problematic hydrophytic vegetation\* (explain)  
 \*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

**Hydrophytic vegetation present?** Y

Remarks: (Include photo numbers here or on a separate sheet)

**SOIL**

Sampling Point: 3-WET

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR2/1	100					loam	
6-24	10YR2/1	100					clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input checked="" type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-Manganese Masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p>
---	---	---

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p> <p>Remarks: _____</p>	<p><b>Hydric soil present?</b> <u>Y</u></p>
--	---

**HYDROLOGY**

<p><b>Wetland Hydrology Indicators:</b></p> <p>Primary Indicators (minimum of one is required; check all that apply)</p>			<p>Secondary Indicators (minimum of two required)</p>		
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Surface Soil Cracks (B6)			
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> True Aquatic Plants (B14)	<input type="checkbox"/> Drainage Patterns (B10)			
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Dry-Season Water Table (C2)			
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input type="checkbox"/> Crayfish Burrows (C8)			
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)			
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Stunted or Stressed Plants (D1)			
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)	<input checked="" type="checkbox"/> Geomorphic Position (D2)			
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Gauge or Well Data (D9)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)			
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)				
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)					
<input type="checkbox"/> Water-Stained Leaves (B9)					

<p><b>Field Observations:</b></p> <p>Surface water present? Yes _____ No <u>X</u> Depth (inches): <u>-</u></p> <p>Water table present? Yes _____ No <u>X</u> Depth (inches): <u>&gt;24</u></p> <p>Saturation present? (includes capillary fringe) Yes _____ No <u>X</u> Depth (inches): <u>&gt;24</u></p>	<p><b>Indicators of wetland hydrology present?</b> <u>Y</u></p>
---	---

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: \_\_\_\_\_

**Appendix C**  
**Site Photographs**



1-1 Representative photo



1-1UP



1-1WET



1-2 Representative photo



1-2UP



1-2WET



2-Representative photo



2-UP



2-WET



3-Representative photo



3-UP



3-WET

## **Appendix D**

### **Wetland Type and Boundary Approval Forms**

## Minnesota Wetland Conservation Act Notice of Decision

<b>Local Government Unit:</b> City of Mendota Heights	<b>County:</b> Dakota
<b>Applicant Name:</b> Mark Sullivan	<b>Applicant Representative:</b> Jacobson Environmental
<b>Project Name:</b> Sullivan Acres - 1707 Delaware Ave	<b>LGU Project No. (if any):</b> 2021-01
<b>Date Complete Application Received by LGU:</b> 8/12/2021	
<b>Date of LGU Decision:</b> 9/09/2021	
<b>Date this Notice was Sent:</b> 9/10/2021	

**WCA Decision Type - check all that apply**

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input type="checkbox"/> Exemption (8420.0420)		
Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H		Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9	

**Replacement Plan Impacts (replacement plan decisions only)**

Total WCA Wetland Impact Area:
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input type="checkbox"/> Bank Credits:
Bank Account Number(s):

**Technical Evaluation Panel Findings and Recommendations (attach if any)**

<input type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input checked="" type="checkbox"/> No TEP Recommendation
--

**LGU Decision**

<input type="checkbox"/> Approved with Conditions (specify below) <sup>1</sup> List Conditions:	<input checked="" type="checkbox"/> Approved <sup>1</sup>	<input type="checkbox"/> Denied
<b>Decision-Maker for this Application:</b> <input type="checkbox"/> Staff <input checked="" type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other:		
<b>Decision is valid for:</b> <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> Other (specify):		

<sup>1</sup> *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

**LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision<sup>1</sup>.**

<input checked="" type="checkbox"/> Attachment(s) (specify): <b>Location Map, Wetland Delineation Report</b>
<input checked="" type="checkbox"/> Summary: Three separate wetland basins were identified and delineated, as called out in the attached delineation report, dated 6/22/2021. Wetland 1 is a Type 2 wetland with a total area of 3.55 acres, Wetland 2 is a Type 1 wetland with a total area of .175 acres, and Wetland 3 is a Type 2 wetland with a total area of .44 acres. Staff reviewed the delineation on-site on August 18, 2021, and concurred with the delineation as submitted in the report. During its regular meeting on September 9, 2021, the Mendota Heights City Council voted to approve and accept the findings of the Wetland Delineation Report, dated 6/22/201. As the Local Government Unit authorized to administer MN Rule 8420 under the Wetland Conservation Act, the City of Mendota Heights approves the Joint Water Resources application for wetland boundary and type, and concurs with the findings within the Delineation Report dated June 22, 2021. This concludes our review.

<sup>1</sup> *Findings must consider any TEP recommendations.*



## Description of Stream Features Worksheet

The Corps encourages applicants to complete this worksheet to aid in the identification of streams within a project area. Provide representative photographs of the stream features outlined in this form in a separate attached document.

<b>Project ID Number:</b>	McMillan Estates	<b>Latitude (DD):</b>	44.8927273 N
<b>Feature ID:</b>	Reach 01	<b>Longitude (DD):</b>	93.10846875 W
<b>Waterbody Name*:</b>	Unnamed Stream	<b>Length of Reach (ft):</b>	185 LF
<b>Investigator (s):</b>	Lucius Jonett	<b>Top of Bank Width (ft):</b>	12'
<b>Inspection Date:</b>	May 19, 2025	<b>OHWM Elevation:</b>	945.4'
<b>County/State:</b>	Dakota/MN	<b>Special Designations:</b>	None

**Site Description and Site History\*:**

Site is a forested suburban lot managed by the landowner to clear brush and buckthorn.

**Associated Wetland(s)?** *If yes, provide a brief description below and attach figures of locations*

Unnamed stream, called out as Drainage in attached wetland delineation, flows into delineated wetland Basin 1, a type 2 wet meadow.

\*Include Historic Aerial photographs and Topographic Maps (historic and current) of stream when appropriate (see instructions).

**Water Regime (check all that apply):**

Perennial                       Intermittent                       Ephemeral

**Explain Reasoning** *(attach all supporting data):*

MN DNR Rivers and Streams GIS dataset  
Kittle Number: MAJ-070129482-B  
Kittle Name: None

**Other Evidence:** *List/describe an additional field evidence and/or lines of reasoning used to support your delineation*

1st order stream is a tributary to additional unnamed channels that ultimately drain to the Mississippi River.

**Ordinary High Water Mark (OHWM) Criteria:**

Check all that apply and provide representative photographs\*\* of each checked criteria in an attachment.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Clear, natural line impressed on bank                    | <input type="checkbox"/> Abrupt change in plant community      | <input type="checkbox"/> Shelving  |
| <input checked="" type="checkbox"/> Vegetation matted down, bent or <u>absent</u> | <input type="checkbox"/> Destruction of terrestrial vegetation | <input type="checkbox"/> Evidence of scouring  |
| <input checked="" type="checkbox"/> Leaf litter disturbed or <u>washed away</u>   | <input type="checkbox"/> Changes in soil characteristics       | <input checked="" type="checkbox"/> Water staining on leaf debris/tree trunks <u>rocks</u> |
|   | <input type="checkbox"/> Sediment deposition                   |  |
|   | <input type="checkbox"/> Sediment sorting                      |  |
|   | <input type="checkbox"/> Presence of litter or debris          |  |

List of Photo ID Numbers:

IMG\_6649, IMG\_6651, IMG\_6652, IMG\_6653, IMG\_6657

**Unique Features:**

Check all that apply and provide representative photographs of each checked criteria in an attachment.

- |   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> Unstable Banks   | <input type="checkbox"/> Gravel Bars/Islands | <input type="checkbox"/> Seeps                                | <input type="checkbox"/> Aquatic fauna (macroinvertebrates, fish etc.) |
| <input type="checkbox"/> Rock Outcrop     | <input type="checkbox"/> Riprap              | <input type="checkbox"/> Dams                                 | <input type="checkbox"/> Submergent Aquatic Vegetation                 |
| <input type="checkbox"/> Riffles/Runs     | <input type="checkbox"/> Diversion/Intake    | <input type="checkbox"/> Pools                                | <input checked="" type="checkbox"/> Undercut Banks                     |
| <input type="checkbox"/> Bridge/culvert   | <input type="checkbox"/> Buildings           | <input checked="" type="checkbox"/> Large Woody Debris        | <b>Left Bank</b>   |
| <input type="checkbox"/> Steep Sideslopes | <input checked="" type="checkbox"/> Erosion  | <input type="checkbox"/> Concentrated Flow Points (e.g. Tile) |  |
| <input type="checkbox"/> Headcutting      | <input type="checkbox"/> Channelization      |   |  |

List of Photo ID Numbers:

IMG\_6658  
IMG\_6659

**Bed Material Characterization:**

Estimate percentages to describe the general sediment texture of the channel, provide representative photographs when conditions allow.

	Clay/Silt <0.05mm	Sand 0.05- 2mm	Gravel 2mm- 1cm	Cobbles 1- 10cm	Boulders >10cm
<b>Bed Material</b>	40%			40%	20%

Notes/Description and Photo ID Numbers:

IMG\_6654

**Vegetation:**

Check boxes of the strata that are present in the reach and provide a brief description of the general vegetation characteristics. List the dominant species of each strata and describe which strata is dominant. Provide representative photographs of vegetation, including riparian buffer.

Tree

Shrub

Herbaceous

Bare

Notes/Description and Photo ID Numbers:

Dominant forest canopy with mature buckthorn tree understory. Not a lot of shrub growth due to landowner management. Dominant spring ephemeral, fern and tree seedling growth on the herbaceous strata. IMG\_6661 and IMG\_6662

**Riparian Area Width:**

Provide a general estimate in feet of the width of the riparian corridor that currently contains riparian vegetation and is free from any soil-disturbing land uses (MNSQT, 2019).

Notes/Description and Photo ID Numbers:

Fully vegetated riparian area width of 70' to 90', to the valley edges (natural hillslope).  
IMG\_6661  
IMG\_6662

**Notes:**

Provide any additional information below, all photographs and maps should be provided in an attached appendix.

Channel cross-section data

Station	Elevation	
0.0'	947.2'	TOB - Left Bank
1.0'	945.5'	OHWL
2.5'	945.2'	WSE
4.75'	945.2'	WSE
7.0'	945.4'	OHWL
8.0'	945.7'	
9.0'	946.0'	
10.0'	946.4'	
12.0'	947.2'	TOB - Right Bank



IMG\_6648  
Channel looking downstream.



IMG\_6649  
OHWL Delineation



IMG\_6651  
OHWL Delineation



IMG\_6652  
Channel looking downstream.  
OHWL Delineation Page 333 of 555



IMG\_6653  
Channel looking downstream.  
OHWL Delineation Page 334 of 555



IMG\_6654  
Bed Material substrate



IMG\_6655  
Channel looking upstream



IMG\_6657  
OHWL Water Staining



IMG\_6658  
Left Bank Erosion



IMG\_6659  
Channel looking downstream.



IMG\_6661  
Left bank riparian area  
vegetation



IMG\_6662  
Right bank riparian area  
vegetation

**From:** [Chesnut, Jed \(BWSR\)](#)  
**To:** [Krista Spreiter](#)  
**Cc:** [Holmen, David](#); [Sarah Madden](#)  
**Subject:** McMillan Estates de minimis application  
**Date:** Friday, May 30, 2025 9:39:08 AM  
**Attachments:** [image001.png](#)

---

Krista,

I have reviewed the McMillan Estates application for a de minimis exemption. I have the following comments:

- Per the 2024 Statute amendment of Section 103G.2241, subdivision 9; wetland impacts of 1/20 acre (2,178 square feet) or less outside of the shoreland wetland protection zone in a less than 50% area of the State do not require replacement. Therefore, the McMillian Estates de minimis application with the proposed wetland impact of 2,170 square feet qualifies for the de minimis exemption per Mn Statute 103G.2241, subdivision 9.
- Wetland impacts that are authorized under a Wetland Conservation Act exemption are not subject to the replacement requirements of Mn Rule 8420.0500 and therefore are not required to meet the sequencing standards of Mn Rule 8420.0520 or the replacement standards per Mn Rule 8420.0522.
- The 2024 Statute amendment of Section 103G.2241, subdivision 9 removed the requirement to consider the cumulative area drained or filled of a landowner's portion of a wetland.
- The Joint Application Form (dated April 14, 2025) that accompanied the Notice of Application (dated 4/21/2025) contained supplemental information including a delineation report from 2021 that was completed by Jacobson Environmental. In that Jacobson Environmental delineation report (dated 6/22/2021), there is an additional application (Appendix D) that includes information related to a replacement plan application for proposed wetland impacts from what appears to be a previous site design and plan. That replacement plan application (dated 8/4/2021) should be removed from the current de minimis application since it is not relevant to the current proposed project. I recommend you request that the applicant revise their document and remove that embedded application and other non-relevant information.

Based on my review of the McMillian Estates de minimis exemption application, I recommend the application be approved subject to the standard exemption approval conditions per Mn Rule 8420.0410.

Thank you,

**Jed Chesnut | Wetland Specialist**

Minnesota Board of Water and Soil Resources  
520 Lafayette Road North | St. Paul, MN | 55155  
Phone: 651-286-9334





**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT  
ST. PAUL DISTRICT OFFICE  
332 MINNESOTA STREET SUITE E1500  
ST. PAUL MINNESOTA 55101

June 18, 2025

Regulatory File No. MVP-2021-01218-SSC

Spencer McMillan  
1707 Delaware Avenue  
Mendota Heights, MN 55118  
SMcMillan@McMillanElectric.com

Dear Spencer McMillan,

We are responding to your request for authorization to discharge fill material in waters of the U.S. associated with the McMillan Estates residential development. The proposed work is located in Section 24, Township 028N, Range 023W, Dakota County, Minnesota.

**Project Authorization:**

The regulated activities associated with this project are detailed on the attached drawings and include:

- Permanent discharge of fill material into 0.05 acre of wetland associated with a roadway to access upland for the residential development.
- Permanent discharge of fill material into 0.01 acre of an unnamed tributary along 60 linear feet associated with the placement of culverted road crossing.

We have determined that these activities are authorized by a Nationwide Permit (NWP) or a Regional General Permit (RGP), specifically, NWP 29, Residential Developments. Your project requires verification prior to starting work. This work is shown on the enclosed figures, labeled MVP-2021-01218-SSC Pages 1-2 of 2.

**Conditions of Your Permit:**

You must ensure the authorized work is performed in accordance with the enclosed applicable terms and conditions.

You are also required to complete and return the enclosed Compliance Certification form within 30 days of completing your project. Please email the completed form to the contact identified in the last paragraph.

A change in location or project plans may require re-evaluation of your project. Proposed changes should be coordinated with this office prior to construction. Failure to comply with all terms and conditions of this permit invalidates this authorization and could result in a violation of Section 301 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. You must also obtain all local, State, Tribal, and other Federal permits that apply to this project.

**Water Quality Certification:**

You must also comply with the enclosed Water Quality Certification conditions associated with this General Permit.

**Permit Expiration:**

The 2021 NWP is valid until March 14, 2026 unless modified, suspended, or revoked. If the work has not been completed by that time, you should contact this office to verify that the permit is still valid. Furthermore, if you commence or are under contract to commence this activity before the date of General Permit expiration, modification, or revocation, you have 12 months to complete the activity under the present terms and conditions of the General Permit.

**Jurisdictional Determination:**

No jurisdictional determination was requested or prepared for this permit decision. While not required for this project, you may contact the Corps representative listed below with any questions concerning jurisdictional determinations.

**Contact Information:**

If you have any questions, please contact Samantha Coungeris of the St. Paul at 651-290-5268 or by email at [Samantha.S.Coungeris@usace.army.mil](mailto:Samantha.S.Coungeris@usace.army.mil).

Sincerely,



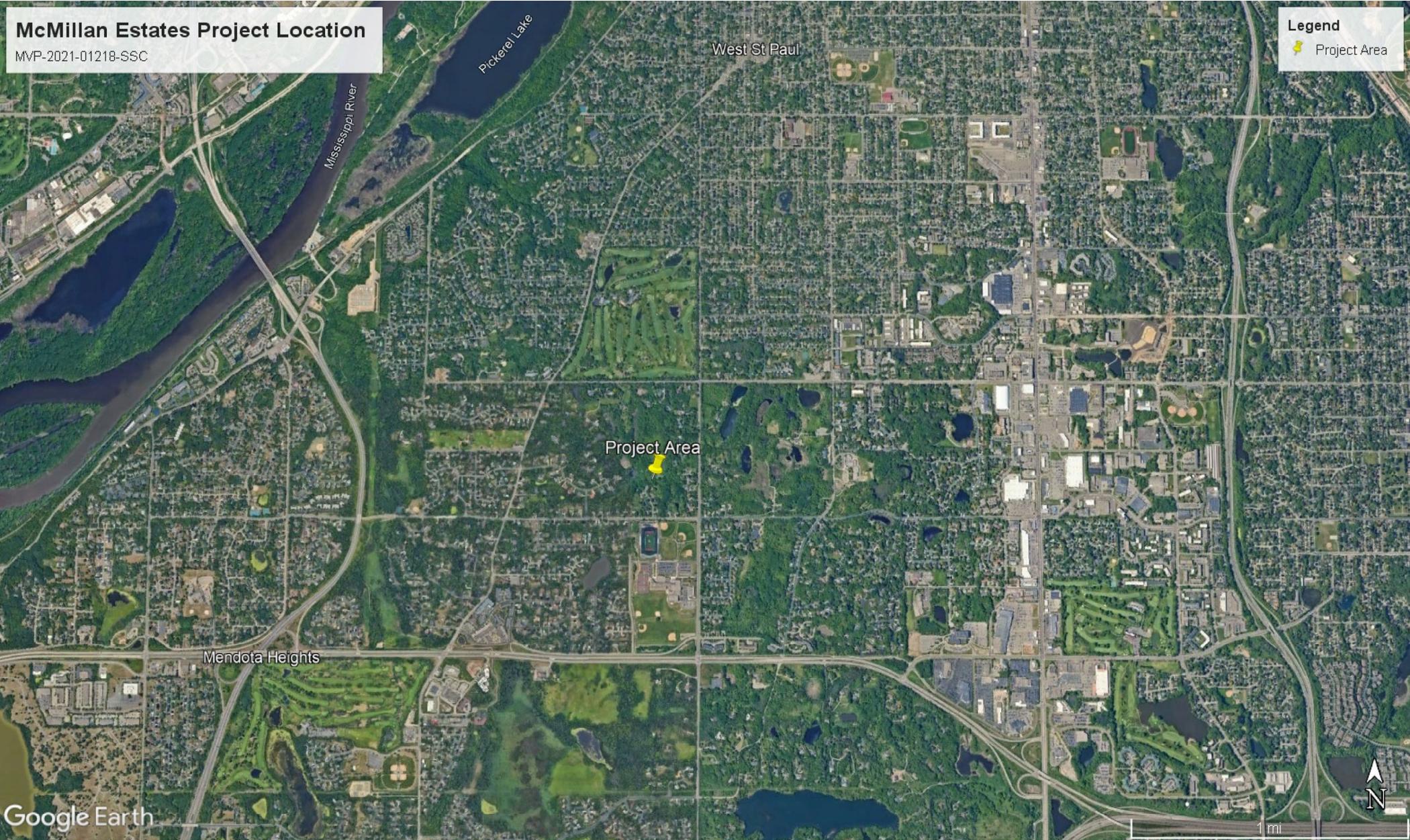
Samantha Coungeris  
Project Manager

**Enclosures**

Project Drawings, GP Conditions, WQC, Compliance Certification Form

**CC:**

Lucius Jonett, Midwest Wetland Improvements, LLC; [Lucius@midwestwetlands.com](mailto:Lucius@midwestwetlands.com)



**McMillan Estates Project Location**  
MVP-2021-01218-SSC

**Legend**  
Project Area

# MCMILLAN ESTATES PRELIMINARY PLAT

SEE THE CONSTRUCTION PLANS FOR GRADING, DRAINAGE, STREET,  
SANITARY SEWER, AND WATERMAIN FOR FOR DETAILED IMPROVEMENTS

**LEGAL DESCRIPTION**  
Outlot A in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota.  
And Outlot B in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota.  
And the North Quarter of the Southeast Quarter of the Southeast Quarter of Section 24, Township 28, Range 23, Dakota County, Minnesota.

**OWNER/DEVELOPER**  
SPENCER MCMILLAN  
1707 DELAWARE AVE.  
MENDOTA HEIGHTS, MN 55118  
715-698-7114

**ENGINEER/SURVEYOR**  
SISU LAND SURVEYING AND ENGINEERING  
2580 CHRISTIAN DR.  
CHASKA, MN 55318  
CONTACT: CURT KALLIO, PE, LS  
612-418-6828

**WETLAND DELINEATOR**  
JACOBSON ENVIRONMENTAL  
5821 HUMBOLDT AVE. N.  
BROOKLYN CENTER, MN 55430  
CONTACT: WAYNE JACOBSON  
612-802-6619  
NOTE: DELINEATOR HAS RETIRED.

**LEGEND**  
PLAT BOUNDARY  
LOT LINE  
SETBACK  
EASEMENT  
WETLAND  
EX. CONTOUR  
EX. STORM SEWER  
EX. SAN. SEWER  
EX. WATERMAIN  
EX. HYDRANT  
25' AVG. WIDTH  
WETLAND BUFFER,  
10' MINIMUM WIDTH

DRAINAGE AND UTILITY EASEMENTS  
ARE SHOWN THUS:

BEING 5 FEET IN WIDTH AND ADJOINING  
LOT LINES, AND 10 FEET IN WIDTH AND  
ADJOINING RIGHT OF WAY LINES, AND  
REAR LOT LINES, UNLESS OTHERWISE  
INDICATED, AS SHOWN ON THIS PLAT.

THE EAST LINE OF THE  
SOUTHEAST QUARTER OF SECTION  
24 IS ASSUMED TO BEAR  
N00°00'13"W.

● DENOTES IRON MONUMENT FOUND  
○ DENOTES 1/2 INCH BY 14 INCH  
MONUMENT SET AND MARKED BY LICENSE  
NO. 26909, UNLESS OTHERWISE SHOWN.

**ZONING INFORMATION**  
EXISTING ZONING = R-1A  
MINIMUM LOT SIZE = 30,000 SQ. FT.  
MINIMUM LOT WIDTH = 125 FEET  
MINIMUM FRONT YARD SETBACK = 40 FEET  
MINIMUM SIDE YARD SETBACK = 15 FEET OR 1/2  
THE HEIGHT OF STRUCTURE CONTIGUOUS TO  
STRUCTURE, WHICHEVER IS GREATER  
MINIMUM REAR YARD SETBACK = 30 FEET OR 20%  
OF AVG. LOT DEPTH, WHICHEVER IS GREATER

**PLAT AREAS**  
TOTAL PLAT AREA = 16.63 ACRES  
PROPOSED LOT 1, BLOCK 1 = 158,544 SF = 3.64 ACRES  
PROPOSED LOT 2, BLOCK 1 = 61,652 SF = 1.42 ACRES  
PROPOSED LOT 3, BLOCK 1 = 53,242 SF = 1.22 ACRES  
PROPOSED LOT 4, BLOCK 1 = 153,532 SF = 3.52 ACRES  
PROPOSED LOT 5, BLOCK 1 = 77,002 SF = 1.77 ACRES  
PROPOSED LOT 6, BLOCK 1 = 162,659 SF = 3.73 ACRES

**PROPOSED RIGHT OF WAY**  
RIDGEWOOD DRIVE = 38,158 SF = 0.88 ACRES  
DELAWARE AVE. = 19,751 SF = 0.45 ACRES

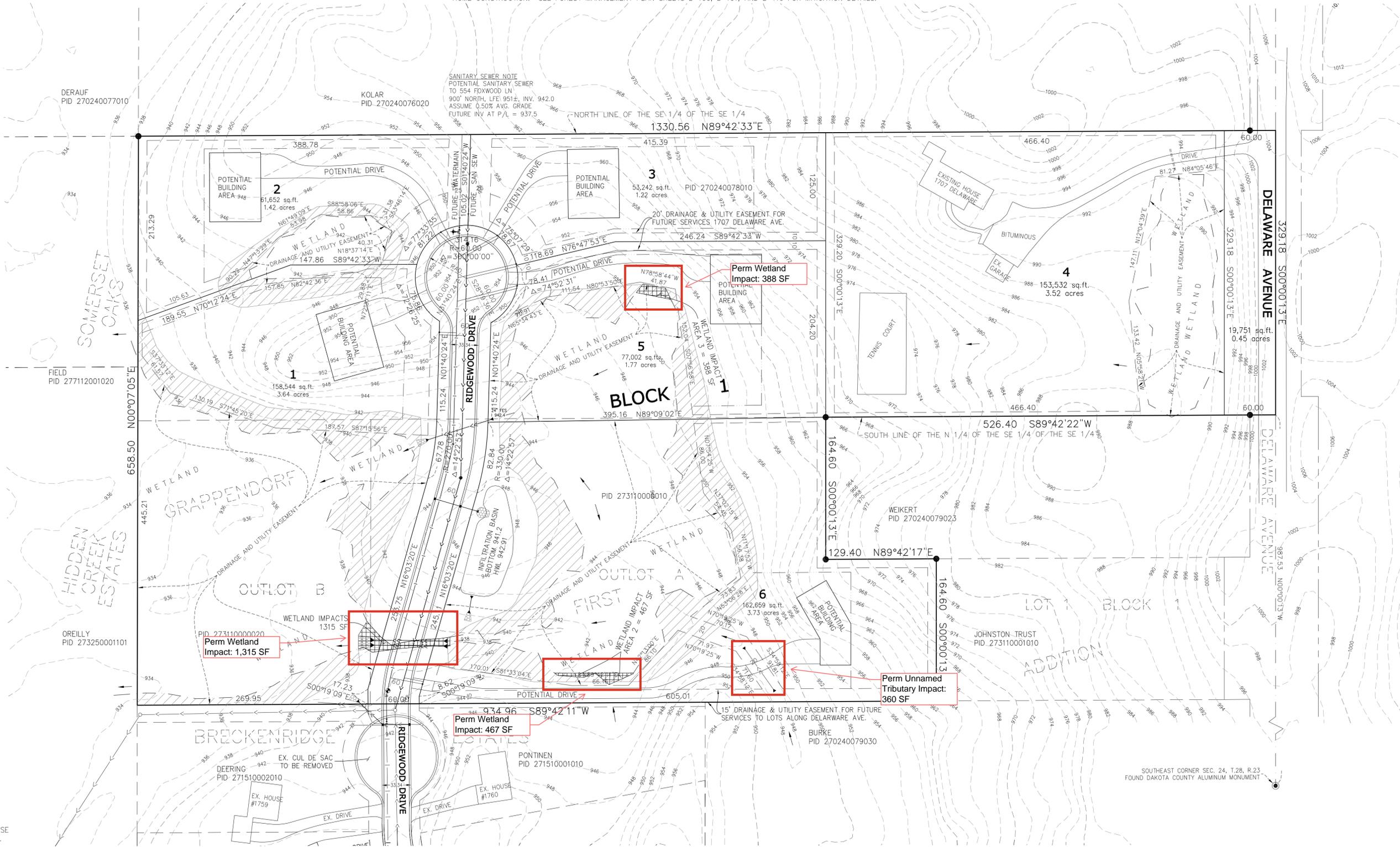
**WETLANDS**  
WETLANDS HAVE BEEN DELINEATED AS SHOWN. 2170 SQ. FT. OF WETLANDS WILL BE IMPACTED FOR THE RIDGEWOOD DR. EXTENSION AND FUTURE DRIVES. PER DEMINIMUS RULES, NO WETLAND MITIGATION IS REQUIRED. A 25 FEET AVERAGE WETLAND BUFFER IS SHOWN WITH A MINIMUM BUFFER WIDTH OF 10 FEET. TOTAL 25 FEET BUFFER REQUIRED = 75,504 SF, TOTAL BUFFER PROVIDED = 75,609 SF.

**PROPOSED IMPROVEMENTS**  
RIDGEWOOD DRIVE WILL BE EXTENDED TO PROVIDE ACCESS AND UTILITY CONNECTIONS FOR LOTS 1, 2, 3, 5, AND 6. NO IMPROVEMENTS ARE PROPOSED FOR LOT 4. THE EXISTING CUL DE SAC WILL BE REMOVED. SEE THE PROPOSED CONSTRUCTION PLANS FOR DETAILS.

**TREE PRESERVATION**  
TREES HAVE BEEN INVENTORIED WITHIN THE POTENTIAL IMPROVEMENT AREAS. TREE INVENTORY AND REMOVALS FOR THE PROPOSED IMPROVEMENTS ARE SHOWN IN THE CONSTRUCTION PLANS. TREES HAVE NOT BEEN INVENTORIED FOR ALL OF THE INDIVIDUAL LOT IMPROVEMENTS. IF REQUIRED BY THE CITY, THOSE INVENTORIES WILL BE PROVIDED AT THE TIME OF HOME CONSTRUCTION. SEE FOREST MANAGEMENT PLAN SHEETS L-100, L-101, AND L-110 FOR MITIGATION DETAILS.

**UTILITIES**  
UTILITIES WILL BE EXTENDED FROM EXISTING STUBS TO NORTH OF THE PROPOSED CUL DE SAC EXISTING TO THE END OF THE NEW CUL DE SAC. POTENTIAL FUTURE UTILITY EXTENSIONS ARE SHOWN TO SERVE LOTS TO THE NORTH. SERVICE TAPS WILL BE PROVIDED FOR 1707 DELAWARE AVE. AND AN EASEMENT WILL BE PROVIDED TO EXTEND SERVICES TO THE EXISTING HOUSE. A 15 FEET EASEMENT WILL BE PROVIDED FOR POTENTIAL FUTURE UTILITY SERVICES TO HOMES ALONG DELAWARE AVE. TO THE EAST.

**STORMWATER**  
STORMWATER TREATMENT FOR THE INCREASE IN IMPERVIOUS FOR RIDGEWOOD DRIVE WILL BE PROVIDED BY AN INFILTRATION BASIN AS SHOWN. DUE TO THE TOPOGRAPHY OF THE SITE AND LOCATION OF FUTURE HOMES, THE IMPERVIOUS RUNOFF FROM THE INDIVIDUAL LOT IMPROVEMENTS COULD NOT BE CONVEYED TO THE PROPOSED INFILTRATION BASIN. THE INDIVIDUAL LOTS WILL PROVIDE VOLUME REDUCTION AND RATE CONTROL AT THE TIME OF HOME CONSTRUCTION. THE INCREASE IN IMPERVIOUS SURFACE FOR RIDGEWOOD DRIVE IS 0.43 ACRES. THE ESTIMATED INCREASE IN IMPERVIOUS SURFACE FOR LOTS 1, 2, 3, 5, AND 6 IS 0.9 ACRES.



**SISU**  
Land Surveying & Engineering  
2580 Christian Dr.  
Chaska, MN 55318  
612-418-6828

I hereby certify that this plan, report, or specification was prepared by me or under my direct supervision and that I am a duly licensed and Surveyor under the laws of the State of Minnesota.  
CURT KALLIO  
DATE: 4/17/2025 REG. NO. 26909

PREPARED FOR:  
Spencer McMillan  
1707 Delaware Ave.  
Mendota Heights, MN 55118  
715-698-7114

SHEET TITLE & PROJECT:  
Preliminary Plat  
MCMILLAN ESTATES  
Mendota Heights, MN

DATE	REVISION	BY

PROJECT NO:  
202142  
SHEET  
1 OF 1  
SHEETS

29. Residential Developments. Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

*Subdivisions*: For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

## 2021 Nationwide Permits (NWP)

### St. Paul District Regional Conditions for Minnesota and Wisconsin

To qualify for NWP authorization, the prospective permittee must comply with the following regional conditions, as applicable, in addition to any case specific conditions imposed by the division engineer. The St. Paul District Regulatory website will provide current information regarding NWPs and the necessary 401 Water Quality Certifications at

<https://www.mvp.usace.army.mil/missions/regulatory/nwp/>. Every person who wishes to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

**The following NWPs have been revoked and are not available for use in St. Paul District: NWPs 8, 12, 14, 15, 21, 23, 24, 34, 48, 49, 50, 55, 56, 57, and 58.**

Information on other permits available for use in St. Paul District can be found at:

<https://www.mvp.usace.army.mil/Missions/Regulatory/Permitting-Process-Procedures/>.

**Any regulated activity eligible for authorization under a St. Paul District Special Area Management Plan (SAMP) general permit is not eligible for authorization by NWPs.**

#### The following regional conditions are applicable to all NWPs:

- A. **Linear Projects**: No linear utility or linear transportation projects are eligible for authorization by NWPs. These projects will be reviewed for authorization under the St. Paul District's regional general permits or an individual permit.
- B. **Temporary Impacts**: All regulated temporary impacts to waters of the U.S. must comply with the following criteria:
  - (1) If the temporary impacts in waters of the U.S., including wetlands, that occur as a result of the regulated activity would remain in place for longer than 90 days between May 15 and November 15, a PCN is required.
  - (2) Any PCN with temporary impacts must specify how long the temporary impact will remain and include a restoration and re-vegetation plan showing how all temporary fills and structures will be removed and the area restored to preconstruction contours and elevations. Native, non-invasive vegetation must be used unless otherwise authorized by a Corps NWP verification.
- C. **PCNs for Apostle Islands National Lakeshore and Madeline Island**: A project proponent must notify the District by submitting a PCN if the regulated activity would result in excavation, fill, or the placement of a new structure within the boundaries of Apostle Islands National Lakeshore and Madeline Island in Wisconsin. Regulated activities authorized under NWP 3 (Maintenance) are not subject to this condition unless they include bank shaping or excavation.
- D. **Calcareous fens**:

**WISCONSIN**: No work in a calcareous fen is authorized by a NWP unless the Wisconsin Department of Natural Resources (WI DNR) has approved a permit for the proposed regulated activity. Project proponents must provide evidence of an approved permit to the District.

**MINNESOTA**: No work in a calcareous fen is authorized by a NWP unless the Minnesota Department of Natural Resources (MN DNR) has approved a calcareous fen management plan specific to a project that otherwise qualifies for authorization by a NWP. Project proponents must provide evidence of an approved fen management plan to the District. A list of known Minnesota calcareous fens can be found at: [http://files.dnr.state.mn.us/eco/wetlands/calcareous\\_fen\\_list.pdf](http://files.dnr.state.mn.us/eco/wetlands/calcareous_fen_list.pdf).

E. **Special Aquatic Resources:** A project proponent must notify the District by submitting a PCN if a regulated activity would occur in any of the following aquatic resources:

- (1) State-designated wild rice waters<sup>1,2</sup>;
- (2) Bog wetland plant communities<sup>1,3</sup>;
- (3) Fens<sup>1,3</sup>;
- (4) Coastal plain marshes<sup>1,4</sup>;
- (5) Interdunal wetlands<sup>1,4</sup>;
- (6) Great Lakes ridge and swale complexes<sup>1,4</sup>;
- (7) Aquatic resources within Lake Superior National Estuarine Research Reserve;
- (8) Ramsar wetland sites, including: the Horicon Marsh, Upper Mississippi River Floodplain Wetland, Kakagon and Bad River Slough, Door Peninsula Coastal Wetlands, Chiwaukee Illinois Beach Lake Plain, and Lower Wisconsin Riverway. The complete up to date Ramsar list is available at <https://rsis.ramsar.org>.

**The following regional conditions are applicable to a specific NWP:**

F. **NWP 52. Water-Based Renewable Energy Generation Pilot Projects:** NWP 52 does not authorize structures or work in Lake Michigan and Lake Superior within the geographic regulatory boundaries of the St. Paul District.

G. **NWP 3, 33, and 41. Aquatic Resource Impacts:** A project proponent must notify the District by submitting a PCN if a regulated activity, including but not limited to, filling, flooding, excavating, or drainage of waters of the U.S., involves:

- (1) A permanent loss of greater than 1/10 acre of waters of the U.S. for NWP 3 and 41; or
- (2) over 1/2 acre of temporary impacts to waters of the U.S. for NWP 3, 33, and 41.

H. **NWP 27. Aquatic Habitat Restoration, Establishment and Enhancement Activities:** NWP 27 does not authorize the permanent conversion of forested, bog, fen, sedge meadow, or shrub-carr wetlands to other plant communities. A project proponent may request, in writing, a waiver from this condition from the District. The waiver will only be issued if it can be demonstrated that the conversion would restore wetland plant communities to the pre-settlement condition or a watershed approach and that the current landscape and hydrologic conditions would sustain the targeted community.

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<sup>1</sup> Information about Wisconsin plant community types for 1-6 above may be obtained from: <http://dnr.wi.gov/topic/EndangeredResources/Communities.asp?mode=group&Type=Wetland>

<sup>2</sup> Information regarding wild rice waters and their extent may be obtained from: <https://www.dnr.state.mn.us/wildlife/shallowlakes/wildrice.html> and <https://gisdata.mn.gov/dataset/biota-wild-rice-lakes-dnr-wld> in Minnesota, <https://dnr.wisconsin.gov/topic/wildlifehabitat/rice.html> in Wisconsin, and an interactive map is provided at: <http://maps.glifwc.org/> (under Treaty Resources – Gathering).

<sup>3</sup> Additional information on bog and fen communities can be found at: <http://www.mvp.usace.army.mil/missions/regulatory.aspx> and in Minnesota at <http://www.dnr.state.mn.us/npc/classification.html>.

<sup>4</sup> Coastal plain marshes, interdunal wetlands, and Great Lakes ridge and swale complexes are specific to Wisconsin

## 2021 Nationwide Permit General Conditions

### 1. Navigation.

(a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Structures and Fills. Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers.

(a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species.

(a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which “may affect” a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of “effects of the action” for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding “activities that are reasonably certain to occur” and “consequences caused by the proposed action.”

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have “no effect” on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties.

(a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she

makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either

some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary,

to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWP.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality.

(a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States

for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

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(Transferee)

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(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a “USACE project”), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification.

(a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

- (1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or
- (2) 45 calendar days have passed from the district engineer’s receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is “no effect” on listed species or “no potential to

cause effects” on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee’s right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4)

(i) A description of the proposed activity; the activity’s purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the

proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river” (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification:* The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) *Agency Coordination:*

(1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity’s compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity’s adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity’s compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies’ concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

December 21, 2020

Chad Konickson  
U.S. Army Corps of Engineers  
Regulatory Branch Chief, St. Paul District  
180 Fifth Street East, Suite 700  
St. Paul, MN 55101-1678

RE: Nationwide Permits – Clean Water Act Section 401 Water Quality Certification

Dear Chad Konickson:

This letter is submitted by the Minnesota Pollution Control Agency (MPCA) under authority of Section 401 of the Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), Minn. Stat. chs. 115 and 116 and Minn. R. chs. 7001.1400-7001.1470, 7050, 7052, and 7053. The MPCA examined the information furnished by the U.S. Army Corps of Engineers (USACE), including the proposed Nationwide Permits (NWP) issued by USACE Headquarters on September 15, 2020, and regional conditions proposed by USACE St. Paul District September 18, 2020, and proposes requiring conditions through the 401 Water Quality Certification (401 Certification or Certification).

### **Exclusion from 401 Certification of NWPs**

#### **1. Physical Alterations of 300 or More Linear Feet of a Stream or River**

The MPCA's antidegradation standard (Minn. R. 7050.0270) requires that the MPCA issue control documents that protect and maintain existing and beneficial uses. For this reason, the MPCA denies certification without prejudice for projects resulting in permanent degradation (impacts longer than 12 months) for projects that will cause a physical alteration of 300 or more linear feet of a stream or river that are not covered under NWP 13, Bank Stabilization or projects that will result in a functional lift of waters impacted by the projects activities. Minn. R. ch. 7050.0255 subp. 30, defines "physical alteration" as "a physical change that degrades surface waters such as the dredging, filling, draining, or permanent inundation of a surface water." *The MPCA Authority: Minn. R. ch. 7050.0255. Physical alterations to smaller streams can potentially have significant impact on overall water quality. The MPCA must individually review these projects for compliance with Water Quality Standards (WQS).*

#### **2. Exceptional Aquatic Life Use Waters (Attachment 1)**

The MPCA's antidegradation standard (Minn. R. 7050.0270) requires that the MPCA issue control documents that protect and maintain existing and beneficial uses. For this reason, the MPCA denies certification without prejudice for projects resulting in permanent degradation (impacts longer than 12 months) for projects that will cause a physical alteration of Exceptional Aquatic Life Use Waters. Exceptional Aquatic Life Use Waters are very susceptible to disturbance. An increase in water temperature or sedimentation can effectively destroy this unique water habitat. Projects that will potentially impact Exceptional Aquatic Life Use Waters directly or indirectly by impacting stream hydrology, connectivity, chemistry and habitat are required to

obtain an individual Certification. *The MPCA Authority: Minn. R. ch. 7050.0222 subps. 2c, 3c and 4c.*

*Because Exceptional Aquatic Life Use Waters are very susceptible to disturbance, the MPCA must individually review projects for compliance with WQS for the following water bodies:*

More information on the water bodies is located at the 401 webpage:

<https://www.pca.state.mn.us/water/clean-water-act-section-401-water-quality-certifications>.

	Water Body Name	Miles	Reach
1	Cross River	14.84	Fourmile Cr. To Lk Superior
2	Greenwood River	7.29	Greenwood Lk to Brule R
3	Irish Creek	7.07	Headwaters to Swamp River Reservoir
4	Kimball Creek	8.98	Headwaters to Lk Superior
5	Manitou River	11.07	S Br Manitou R to Lk Superior
6	Mistletoe Creek	4.56	Halls Pond to Poplar R
7	Two Island River	11.44	Unnamed Cr to Lk Superior
8	Little Devil Track River	2.71	Unnamed Cr to Devil Track R
9	Heartbreak Creek	3.79	Unnamed Cr to Temperance R
10	Houghtaling Creek	1.7	Unnamed Cr to Unnamed Cr
11	Caribou River	5.51	Amenda Cr to Unnamed Cr
12	Caribou River	1.18	Unnamed Cr to Unnamed Cr
13	Crown Creek	1.68	Fry Cr to Unnamed Cr
14	Cascade River	14.46	N Br Cascade R to Lk Superior
15	Spruce Creek (Deer Yard Creek)	3.21	Unnamed Cr (Ward Lk outlet) to Lk Superior
16	Bluff Creek	2.68	East Twin Lk (16-0145-00) to South Brule R
17	Elbow Creek	0.81	Unnamed Cr to Devil Track R
18	Wanless Creek	2.73	Headwaters (Dam Five Lk 38-0053-00) to Houghtaling Cr
19	Lullaby Creek	1.82	Headwaters (Lullaby Lk 16-0100-00) to Brule R
20	Manitou River, South Branch	5.42	Junction Cr to Manitou R
21	Sixmile Creek	3.32	Unnamed Cr to Temperance R
22	Swamp River	1.91	Stevens Lk to T63 R4E S20, east line
23	Brule River	12.58	BWCA boundary to South Brule R
24	Baptism River, West Branch	2.68	-91.3381 47.4702 to Crown Cr
25	Kadunce River (Kadunce Creek)	2.69	-90.1484 47.8261 to Lk Superior
26	Portage Brook	5.85	CSAH 16 to Pigeon R
27	Temperance River	15.05	T61 R4W S4, north line to Sixmile Cr
28	Baptism River, East Branch	3.28	Lk Twenty-three to Blesner Cr
29	Woods Creek	1.84	-90.2650 47.7964 to Devil Track R
30	Devil Track River	6.66	Devil Track Lk to Unnamed cr

31	Humphrey Creek	3.67	Headwaters to Boulder Cr
32	Coyote Creek	1	Unnamed Cr to Pequaywan Lk
33	Cloquet River	13.95	Headwaters (Katherine Lk 38-0538-00) to T57 R10 S32, south line
34	Cloquet River	26.44	T56 R10 S5, north line to W Br Cloquet River
35	Cloquet River	28.82	W Br Cloquet R to Island Lake Reservoir
36	Schoolcraft River	7.78	Frontenac Cr to Plantagenet Lk
37	Prairie River, West Fork	2.31	Hartley Lk to Prairie R
38	Willow River Ditch	3.3	Willow River Flowage to Moose R
39	Tamarack River	7.52	Little Tamarack R to Prairie R
40	Prairie River	11.31	Day Bk to Balsam Cr
41	Bee Creek (Waterloo Creek)	3.45	T101 R6W S29, north line to MN/IA border
42	Tulaby Creek	5.08	Tulaby Lk to McCraney Lk
43	Little Isabella River	11.02	Headwaters to Flat Horn Lk
44	Snake River	1.71	T61 R9W S7, south line to T61 R10W S12, north line
45	Jack Pine Creek	7.24	Headwaters to Mitawan Cr
46	Mitawan Creek	8.18	Kitigan Lk to T61 R9W S13, north line
47	Denley Creek	3.13	Nira Cr to Stony R
48	Cross River	3.79	Ham Lake Outlet to Gunflint Lk
49	Bezhik Creek	0.9	BWCA boundary to Moose R

**3. Prohibited Outstanding Resource Value Waters (Attachment 2)**

The MPCA’s antidegradation standard (Minn. R. 7050.0270) requires that the MPCA issue control documents that “prohibit a net increase in loading or other causes of degradation to prohibited outstanding resource values waters ....” For this reason, the MPCA denies certification without prejudice for projects resulting in permanent degradation (impacts longer than 12 months) to prohibited outstanding resource value waters (ORVWs). The MPCA does not find that NWP authorizations for broad categories of activities, where specific impacts may vary, is appropriate for activities in these waters. Therefore, the MPCA excludes from this general 401 Certification of the NWPs any project taking place in whole or in part in a listed prohibited ORVW in Minnesota, as identified in Minn. R. 7050.0335, subp. 3, and listed below. Such projects, though authorized by the NWPs, require individual 401 Certification from the MPCA. *The MPCA Authority: Minn. R. ch. 7050.0255 – 7050-0335. The MPCA needs to be able to individually review projects for compliance with WQS.*

**Minn. R. 7050.0335 DESIGNATED OUTSTANDING RESOURCE VALUE WATERS.**

Subp. 3. **Prohibited outstanding resource value waters.** For the purposes of parts 7050.0250 to 7050.0335, the following surface waters are prohibited outstanding resource value waters:

More information on the water bodies is located at the 401 webpage:

<https://www.pca.state.mn.us/water/clean-water-act-section-401-water-quality-certifications>.

- A. Waters within the Boundary Waters Canoe Area Wilderness;

- B. Those portions of Lake Superior north of latitude 47 degrees, 57 minutes, 13 seconds, east of Hat Point, south of the Minnesota-Ontario boundary, and west of the Minnesota-Michigan boundary;
- C. Waters within Voyageurs National Park;
- D. The following scientific and natural areas:
  - 1) Boot Lake, Anoka County;
  - 2) Kettle River in Sections 15, 22, 23, T.41, R.20, Pine County;
  - 3) Pennington Bog, Beltrami County;
  - 4) Purvis Lake-Ober Foundation, Saint Louis County;
  - 5) Waters within the borders of Itasca Wilderness Sanctuary, Clearwater County;
  - 6) Iron Springs Bog, Clearwater County;
  - 7) Wolsfeld Woods, Hennepin County;
  - 8) Green Water Lake, Becker County;
  - 9) Black Dog Preserve, Dakota County;
  - 10) Prairie Bush Clover, Jackson County;
  - 11) Black Lake Bog, Pine County;
  - 12) Pembina Trail Preserve, Polk County; and
  - 13) Falls Creek, Washington County; and
- E. The following state and federal designated wild river segments:
  - 1) Kettle River from the site of the former dam at Sandstone to its confluence with the Saint Croix River; and
  - 2) Rum River from Ogechie Lake spillway to the northernmost confluence with Lake Onamia.

**4. Restricted ORVWs (Attachment 2)**

The MPCA's antidegradation standard (Minn. R. 7050.0270) requires that the MPCA issue control documents that "restrict net increases in loading or other causes of degradation as necessary to maintain the exceptional characteristics for which the restricted outstanding resource value waters...were designated." The MPCA does not find that NWP authorizations for broad categories of activities, where specific impacts may vary, is appropriate for activities in these waters. Therefore, the MPCA excludes from this general 401 Certification of the NWPs any project taking place in whole or in part in a listed restricted ORVW in Minnesota, as identified in Minn. R. 7050.0335, subp. 1, and listed below. Such projects, though authorized by the NWPs, require individual 401 Certification from the MPCA. *The MPCA Authority: Minn. R. ch. 7050.0255 – 7050-0335. The MPCA needs to be able to individually review projects for compliance with WQS.*

NOTE: Projects that will potentially impact calcareous fens identified as restricted ORVWs in Minn. R. 7050.0335, subp. 1, are also required to have an approved Fen Management Plan from the Minnesota Department of Natural Resources (DNR) which is sufficient to ensure maintenance of the exceptional characteristics for which the fens were designated as restricted ORVWs.

**Minn. R. 7050.0335 DESIGNATED OUTSTANDING RESOURCE VALUE WATERS.**

Subpart 1. **Restricted outstanding resource value waters.** For the purposes of parts 7050.0250 to 7050.0335, the following surface waters are restricted outstanding resource value waters:

More information on the water bodies is located at the 401 webpage:

<https://www.pca.state.mn.us/water/clean-water-act-section-401-water-quality-certifications>.

- A. Lake Superior, except those portions identified in subpart 3, item B, as a prohibited outstanding resource value waters.
- B. Those portions of the Mississippi River from Lake Itasca to the southerly boundary of Morrison County that are included in the Mississippi Headwaters Board comprehensive plan dated February 12, 1981.
- C. Lake trout lakes, both existing and potential, as determined by the Commissioner in conjunction with the DNR, outside the boundaries of the Boundary Waters Canoe Area Wilderness and Voyageurs National Park and identified in parts 7050.0460 to 7050.0470.
- D. The following state and federal designated scenic or recreational river segments:
  - 1) Saint Croix River, entire length;
  - 2) Cannon River from northern city limits of Faribault to its confluence with the Mississippi River;
  - 3) North Fork of the Crow River from Lake Koronis outlet to the Meeker-Wright county line;
  - 4) Kettle River from north Pine County line to the site of the former dam at Sandstone;
  - 5) Minnesota River from Lac qui Parle dam to Redwood County State-Aid Highway 11; Mississippi River from County State-Aid Highway 7 bridge in Saint Cloud to northwestern city limits of Anoka; and
  - 6) Rum River from State Highway 27 bridge in Onamia to Madison and Rice Streets in Anoka.

**401 Certification of NWP**

The MPCA proposes to certify the referenced general NWPs because there is reasonable assurance that the activities identified within them will be conducted in a manner that will not violate applicable water quality standards provided the work is done in accordance with the following conditions, which shall become conditions of the NWPs:

**Conditions for All NWP Activities**

- 1. Mitigation required by an NWP must comply with Minn. R. ch. 7050.0186. *The MPCA Authority: Minn. R. ch. 7050.0186, Minn. R. 7050.0155. This condition is needed to ensure unavoidable physical alterations are properly mitigated.*
- 2. The applicant must ensure that all surface waters in or bordering the construction areas that are not authorized to be impacted by the project are clearly identified prior to construction. This may be done through demarcation of the construction area on plan sheets or through marking boundaries in the field, for example construction staking, flagging, or the use of silt fences along

boundaries. The applicant must not impact any non-construction areas while conducting activities under this permit. *The MPCA Authority: Minn. R. ch. 7001.0150). This condition is needed to protect surface waters not within the project boundaries.*

3. Applicants must install in-water best management practices (BMPs) necessary to minimize total suspended solids (TSS) and sedimentation for any work conducted below the ordinary high water level (OHWL) as defined in Minn. Stat. 103G.005, subd. 14 of any surface water.
4. The applicant must document the in-water BMPs to be used during the authorized work prior to disturbing any land at the site; this documentation may be stand-alone or part of an Erosion Control Plan, Construction Plan, or other relevant construction document. This documentation is not required to be submitted to the MPCA for the purpose of the 401 Certification, but must be kept on-site during active construction by the applicant or the applicant's contractor until the project is complete. Proper installation of BMPs is required before conducting the authorized in-water activities and properly maintained throughout the duration of the project's in-water work. While conducting the authorized work, the applicant must visually monitor the BMPs to ensure that the BMPs are working as intended to reduce TSS or sedimentation. Visual inspection should occur every seven days and within 24 hours after a rainfall event greater than ½ inch in 24 hours. If the project activities cause an observable increase in TSS or sedimentation as described in Minn. R. ch. 7050.0210, subp. 2 outside or downstream of the authorized defined working area, the project activities must immediately cease and any malfunctioning BMPs must be repaired, or alternative BMPs must be implemented. This Certification does not authorize the violation of applicable water quality standards outside or downstream of the defined work area. *The MPCA Authority: Minnesota water quality standards are defined in Minn. R. ch. 7050 and 7052. BMPs need to be installed function properly in order to ensure compliance with state water quality standards.*

Information on BMPs that may be suitable for in-water work is located in the Minnesota DNR Manual titled *Best Practices for Meeting DNR General Public Waters Work Permit GP 2004-0001*, located at:

[https://www.dnr.state.mn.us/waters/watermgmt\\_section/pwpermits/gp\\_2004\\_0001\\_manual.html](https://www.dnr.state.mn.us/waters/watermgmt_section/pwpermits/gp_2004_0001_manual.html).

*The MPCA is responsible for interpretation of the requirements of this condition, determining compliance with the requirements of this condition, and may enforcement this condition independent of the general permit. The point of contact at the MPCA for questions regarding this condition is: [401Certification.pca@state.mn.us](mailto:401Certification.pca@state.mn.us).*

5. The applicant must ensure that any dewatering activities do not create nuisance conditions as defined in Minn. R. ch. 7050.0210, subp. 2. BMPs must be used that minimize TSS and sedimentation by removing solids in the water before discharging the water. If discharging to an upland area, the discharge must be directed to an onsite sediment basin prior to discharging and the discharge shall not cause erosion, and must not cause inundation, or sedimentation to the receiving water. The applicant must document the in-water BMPs prior to beginning any dewatering, this includes the point of withdrawal and the point of discharge; this documentation may be stand-alone or part of an Erosion Control Plan, Construction Plan, or other relevant construction document. This documentation is not required to be submitted to

the MPCA for the purpose of the 401 Certification. The applicant must ensure that properly installed BMPs are in place before conducting the authorized activities and maintained throughout the duration of the dewatering work. *The MPCA Authority: Minn. R. ch. 7050.0210, subp. 2 and 7050.0150. BMPs need to be installed function properly in order to ensure compliance with state water quality standards.*

*The MPCA is responsible for interpretation of the requirements of this condition, determining compliance with the requirements of this condition, and may enforcement this condition independent of the general permit. The point of contact at the MPCA for questions regarding this condition is: [401Certification.pca@state.mn.us](mailto:401Certification.pca@state.mn.us).*

6. The applicant must ensure any earthen material used to construct or improve temporary or permanent dikes or dams, including cofferdams, or any roads, is contained and stabilized in a manner that will prevent any of the earthen material from eroding. The applicant must completely remove temporary structures and restore original bathymetry, or contours at project completion. *The MPCA Authority: Minn. R. ch. 7050.0270 and 7050.0150. BMPs need to be installed function properly in order to ensure compliance with state water quality standards.*
7. It is the applicant's responsibility to ensure that the authorized activities do not exacerbate any existing impairments of a CWA 303-(d) listed impaired waters. The following MPCA webpages contain more information and search tools available to determine which waters in Minnesota are impaired: <http://www.pca.state.mn.us/lupg1125> and <http://www.pca.state.mn.us/mvri1126>. *The MPCA Authority: Applicable water quality standards are located in Minn. R. ch. 7050. This condition is needed to ensure compliance with state water quality standards.*

*The MPCA is responsible for interpretation of the requirements of this condition, determining compliance with the requirements of this condition, and may enforcement this condition independent of the general permit. The point of contact at the MPCA for questions regarding this condition is: [401Certification.pca@state.mn.us](mailto:401Certification.pca@state.mn.us).*

8. Projects permitted under any NWP must implement planning and prewashing of equipment, prior to entering the site, to minimize the spread of invasive or noxious species. Fill used in any surface water must be clean fill that is free of any solid waste, toxic or hazardous contaminants, and invasive species as defined in Minn. Stat. ch. 84D and Minn. R. ch. 6216, and noxious weeds as defined in Minn. Stats. 18.75-18.91. *The MPCA Authority: Minn. R. ch. 7050.0270 and 7050.0150. This condition is needed to ensure compliance with state water quality standards.*
9. The applicant must provide: a) a copy of this Certification; b) documentation of any required BMPs under condition 3 above; and c) any written demarcation of waters of the United States under condition 2; to any prime contractor responsible for completing the project's authorized activities. The applicant must also ensure that there is a mechanism in place requiring each prime contractor to provide the same information to all subcontractors, at any level, responsible for fabricating or providing any material for the project or performing work at the project site. In addition, copies of these documents and any other relevant regulatory authorizations related to impacts of surface waters, must be available at or near the project site for use by contractors or staff responsible for completing the project work and must be available within 72 hours when

requested by the MPCA staff. *The MPCA Authority: Minn. R. ch. 7050.0270 and 7050.0150. This condition is needed to ensure that all contractor activities meet State water quality standards.*

10. The applicant is responsible for compliance with all applicable conditions of this Certification. *The MPCA Authority: Minn. R. chs. 7050.0270 and 7050.0150. This condition is needed to ensure that all contractor activities meet State water quality standards.*
11. This Certification includes and incorporates by reference the general conditions of Minn. R. 7001.0150, subp.3. *The MPCA Authority: Minn. R. ch. 7001.0150. This condition is needed to ensure the applicant follows state permitting requirements.*

### **Conditions Specific to Individual NWP Activities**

In addition to all other applicable Certification conditions, the following activities must also comply with the activity-specific conditions below. *The MPCA Authority: Minn. R. ch. 7050.0270.*

- **NWP 7, Outfall Structures and Associated Intake Structures**  
The applicant must ensure that impacts associated with outfall and intake structures do not harm aquatic life outside of the permitted project area and do not result in an unauthorized loss of surface waters. *The MPCA Authority: Minn. R. ch. 7001.0150). This condition is needed to protect surface waters not within the project boundaries.*
- **NWP 16, Return Water from Upland Contained Disposal Areas**  
The applicant must ensure that return water from Upland Contained Disposal Areas, that is returned to the original source water, meet the same water quality standards that apply to the original source water. If the return water is discharged into a receiving water that is not the original source water, then the applicant must ensure that the discharge water will meet the more stringent water quality standard of the receiving water and the original source water. *The MPCA Authority: Discharges of return water must not violate the state water quality standard identified in Minn. R. 7050.0210, subp.2. This condition is needed to protect surface water from excess sediment in the form of TSS and any contaminants contained in the TSS.*
- **NWP 19 Minor Dredging**  
Projects exceeding 50 CY of impacts are not certified and require an individual review and 401 Certification. *The MPCA Authority: Minn. R. ch. 7050.0305, and 7050.0270. This condition is needed to protect the beneficial and existing uses of surface waters.*
- **NWP 27 Wetland and Riparian Restoration and Creation Activities**  
For restoration and creation activities, the applicant must meet the following conditions:
  - Manage sediment to minimize downstream effects.
  - Use low-flow and winter construction when appropriate.
  - Provide mitigation for any conversion of surface waters to uplands.*The MPCA Authority: Minn. R. ch. 7050.0305, and 7050.0270. This condition is needed to protect the beneficial and existing uses of surface waters.*
- **NWP 53 Removal of Low-Head Dams**  
Projects involving the removal of low-head dams must meet the following conditions:

- Manage sediment to minimize downstream effects.
- Use low-flow and winter construction when appropriate.

*The MPCA Authority: Minn. R. ch. 7050.0305, and 7050.0270. This condition is needed to protect the beneficial and existing uses of surface waters.*

**NOTIFICATIONS:** The following notifications are not conditions of the MPCA CWA 401 Certification of NWPs. They provide practices that can help reduce the potential environmental impacts or they provide notification to the public in Minnesota, that certain discharges in Waters of the State, as defined in Minn. Stat. § 115.01, subd. 22, or activities associated with discharges into Waters of the State, are also regulated under rules administered by the MPCA:

1. It is the applicant's responsibility to fully comply with all MPCA rules governing waters of the state, including MPCA rules governing wetlands (Minn. R. 7050.0186) which require an applicant to provide compensatory mitigation for the project's unavoidable physical alterations to wetlands, including those not subject to federal jurisdiction under section 404 of the CWA.
2. Minnesota water quality standards found in Minn. R. ch. 7050, apply in all water of the state, defined in Minn. Stats. 115.01 subd. 22, "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.
3. Applicants should review Total Maximum Daily Load (TMDL) / Watershed Restoration and Protection Strategy (WRAPS) projects to determine if they are applicable to their project. A list of WRAPS/TMDL projects is available at: <https://www.pca.state.mn.us/water/total-maximum-daily-load-tmdl-projects>.
4. Any projects in Cold Water Habitat waters, not excluded in Exceptional Aquatic Life Use Waters above and identified as class 2A, 2Ae, or 2Ag in part Minn. R. ch. 7050.0470, are required by the Code of Federal Regulations, title 40, section 131.10, to reflect an existing beneficial use or a feasibly attainable beneficial use, that permits propagating and maintaining a healthy community of cold water aquatic biota and their habitats. Existing beneficial use for cold water habitats means a beneficial use that was attained in a water body on or after November 28, 1975. Any project that impacts a Cold Water Habitat water must ensure that the Beneficial and Existing Uses are maintained.
5. Minn. R. chs. 7001 and 7090 requires any activity that will disturb one acre or more of land must first acquire a National Pollutant Discharge Elimination System Permit (NPDES)/State Disposal System (SDS) General Stormwater Permit from the MPCA for discharging stormwater during construction activity. Both the owners and operators of construction activity disturbing one acre or more of land are responsible for obtaining and complying with the conditions of the NPDES/SDS General Stormwater Permit prior to commencing construction activities. Sites disturbing less than one acre within a larger common plan of development or sale that is more than one acre also need permit coverage. A detailed Stormwater Pollution Prevention Plan (SWPPP), containing both temporary and permanent erosion and sediment control plans, must

be prepared prior to submitting an application for the NPDES/SDS General Stormwater Permit. In addition, any project that will result in over 50 acres of disturbed area and has a discharge point within one mile of a special or impaired water is required to submit their SWPPP to the MPCA for a review at least 30 days prior to the commencement of land disturbing activities. If the SWPPP is out of compliance with the terms and conditions of the NPDES/SDS General Stormwater Permit, further delay may occur. For more information, please visit the following webpage: <https://www.pca.state.mn.us/water/construction-stormwater>.

6. Minn. R. ch. 7001.0030 requires that, prior to testing the structural integrity of any newly installed pipeline or any existing pipeline maintained or repaired that is authorized by NWPs, the applicant must obtain NPDES/SDS Permit coverage from the MPCA. The NPDES/SDS Permit regulates the discharge of water and trench waters associated with this activity.
7. Chloride from winter road salt affects water quality. The MPCA encourages public road authorities pursuing projects under the general permit to consider the use of BMPs to reduce the use of chloride. General information about chloride and water quality, including the Twin Cities Metropolitan Area Chloride Management Plan, is located at: <https://www.pca.state.mn.us/water/salt-applicators>.
8. When riprap is used, the applicant should consider placing riprap in the following manner:
  - a. Use natural rock (average between 6 inches and 30 inches in diameter) that is free of debris that may cause pollution or siltation.
  - b. A filter of crushed rock, gravel, or filter fabric material can be placed underneath the rock.
  - c. The riprap should be no more than 6 feet waterward of the OHWL as defined in Minn. Stat. § ch. 103G.005, subd.14.
  - d. The riprap should conform to the natural alignment of shore and should not obstruct navigation or the flow of water.
  - e. The minimum finished slope waterward of the OHWL should be no steeper than 3 to 1 (horizontal to vertical).
9. Section 401 Certification does not release the applicant from obtaining all necessary federal, state, and local permits. It does not limit any other permit where requirements may be more restrictive. It does not eliminate, waive, or vary the applicant's obligation to comply with all other laws and state water statutes and rules through the construction, installation, and operation of the project. This Certification does not release the applicant from any liability, penalty, or duty imposed by Minnesota or federal statutes, regulations, rules, or local ordinances, and it does not convey a property right or an exclusive privilege.
10. This Certification does not replace or satisfy environmental review requirements, including those under the Minnesota Environmental Policy Act (MEPA). In accordance with MEPA, Minn. Stat. § 116D.04, subd. 2b, and related rules, projects that are required to complete an Environmental Assessment Worksheet (EAW) or an Environmental Impact Statement (EIS), may not be started, and final governmental decisions to grant a permit, approve a project, or begin a project may not be made, until:
  - A petition for an EAW is dismissed.
  - A negative declaration on the need for an EIS has been made.
  - An EIS has been determined to be adequate.

- A variance has been granted by the state Environmental Quality Board.
11. The MPCA reserves the right to modify this Certification or revoke this Certification as provided in Minn. R. 7001.0170.
  12. Pursuant to Minn. R. 7001.1450, failure to comply with any of the conditions in this Certification may result in the MPCA invalidating or revoking this 401 Water Quality Certification on a project-by-project basis.

If you have any questions on this Certification, please contact Jim Brist at [jim.brist@state.mn.us](mailto:jim.brist@state.mn.us) or [401Certification.pca@state.mn.us](mailto:401Certification.pca@state.mn.us).

Sincerely,



Anna Hotz  
Supervisor  
Agency Rules Unit  
Resource Management and Assistance Division

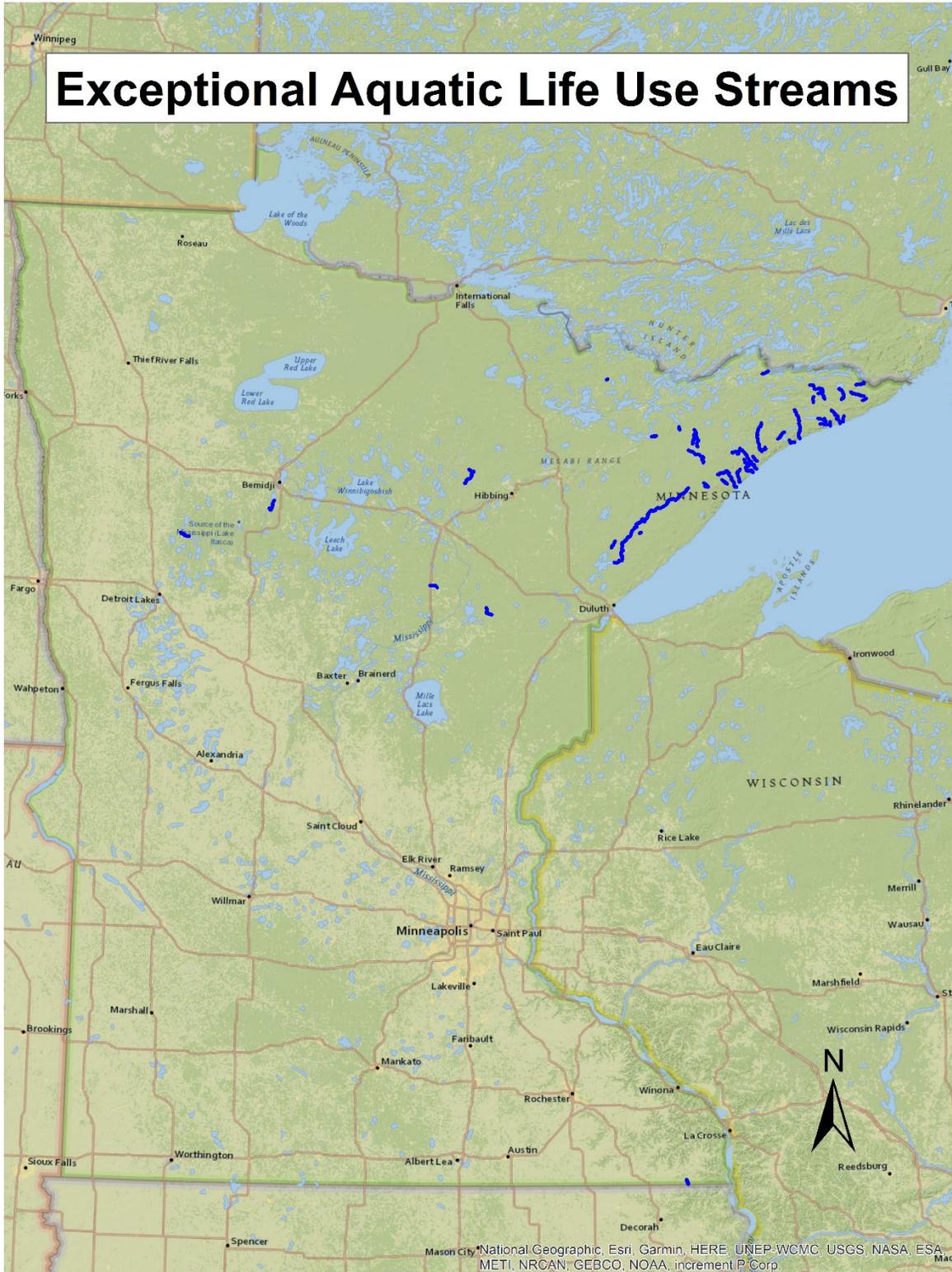
AH/JB:ds

#### Attachments

cc: Melissa Blankenship, EPA  
Dave Pfeifer, EPA  
Dana Rzeznik, EPA  
Dawn Marsh, USFWS  
Sarah Quamme, USFWS  
Tom Hovey, DNR  
Steve Colvin, DNR  
Kerryann Weaver, EPA  
Todd Vesperman, USACE  
Meghan Brown, USACE

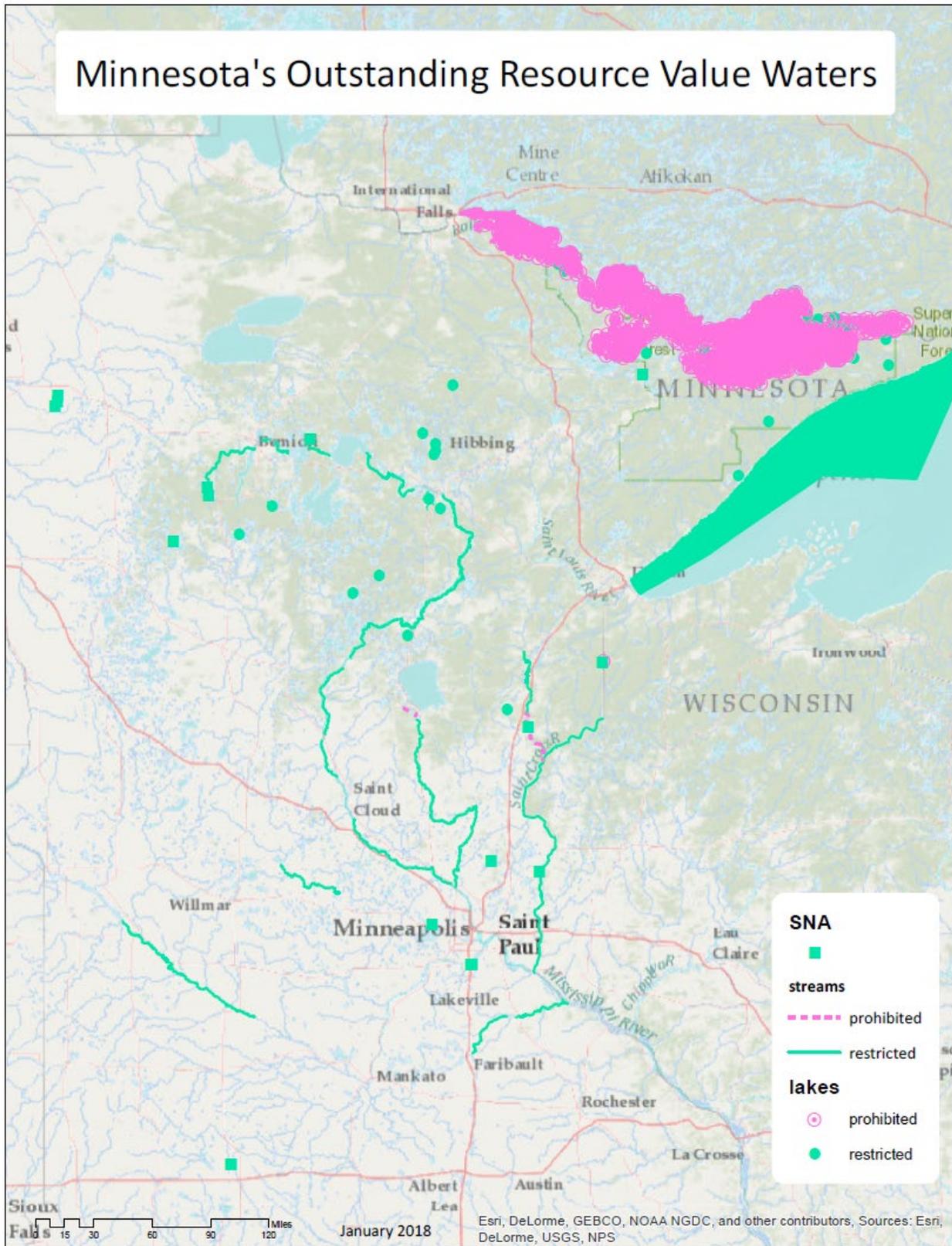
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# Exceptional Aquatic Life Use Streams



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# Minnesota's Outstanding Resource Value Waters





**US Army Corps  
of Engineers®**

St. Paul District

**COMPLIANCE CERTIFICATION**

Regulatory File Number: MVP-2021-01218-SSC  
Name of Permittee: Spencer McMillan  
County/State: Dakota County, Minnesota  
Date of Issuance: 6/18/2025

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the Corps contact identified in your verification letter within 30 days.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

By signing below, the permittee is certifying that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the permit, and any required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
**Signature of Permittee**

\_\_\_\_\_  
**Date**



Attachment(s) (specify):

**DNR Protected Waters and Shoreland Protection Zone**

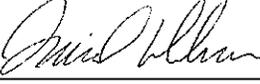
Will the project/activity affect DNR public waters, DNR public waters wetlands or wetlands within the shoreland protection zone?  Yes  No If yes, DNR representative is a member of the TEP.

**Signatures**

LGU TEP Member: Krista Spreiter Agree with Findings & Recommendations:  Yes  No

Signature:  Date: 6/10/25

SWCD TEP Member: David Holmen Agree with Findings & Recommendations:  Yes  No

Signature:  Date:

BWSR TEP Member: Jed Chesnut Agree with Findings & Recommendations:  Yes  No

Signature:  Date: 6/10/25

USACOE TEP Representative: Samantha Coungeris Agree with Findings & Recommendations:  Yes  No

Signature: Date:

June 23, 2025

Mendota Heights Planning Commission

1101 Victoria Curve

Mendota Heights, MN 55118

Via email: [lfield@mendotaheightsmn.gov](mailto:lfield@mendotaheightsmn.gov), [jstone@mendotaheightsmn.gov](mailto:jstone@mendotaheightsmn.gov),  
[pcorbett@mendotaheightsmn.gov](mailto:pcorbett@mendotaheightsmn.gov), [cjohnson2@mendotaheightsmn.gov](mailto:cjohnson2@mendotaheightsmn.gov), [jnath@mendotaheightsmn.gov](mailto:jnath@mendotaheightsmn.gov),  
[budell@mendotaheightsmn.gov](mailto:budell@mendotaheightsmn.gov), [sgoldade@mendotaheightsmn.gov](mailto:sgoldade@mendotaheightsmn.gov), [smadden@mendotaheights.com](mailto:smadden@mendotaheights.com)

Re: McMillan Estates

To the Members of the Commission,

We are writing to you regarding the Macmillan Estates proposal. I appeared before the Planning Commission last month generally in support of the McMillan's plans to subdivide their property which is immediately south of and adjacent to our home at 1695 Delaware Avenue. Our property is 10.05 acres and identical in size and shape to the existing McMillan residence at 1707 Delaware.

At last month's meeting I noted that the current plan is now substantially different than those previously submitted for McMillan Estates and the predecessor Sullivan Acres and that this was the first opportunity for me to address the new plan which has increased to 6 homesites (1 existing, 5 new). At the close of the meeting, it was my understanding that the McMillan proposal was tabled to address two areas for the Commission: 1) environmental, drainage and tree concerns raised by others, and 2) to address the concerns I raised regarding the "landlocking" of the neighbors to the North including us, and to further explain how this plan with its limited access to the North meets the 2040 Comprehensive Plan. I do not see in the current materials how the concerns in (2) above were further developed for the Commission.

In every meeting for previous development proposals before this Commission, We have repeatedly requested that this Commission adopt a comprehensive approach to the long-range plan for development in Mendota Heights and Dakota County, specifically with regard to all properties north of Ridgewood for their future development potential and the benefits to the City of Mendota Heights as the McMillan proposal states regarding that proposal. The McMillan proposal as stated unreasonably and permanently cuts off all access for properties north of the proposed development with the extension of the cul-de-sac "nub" as referred to by the City stopping short of providing access to our property to the north. Said differently, the nub does not extend to our property line.

It should be noted that both the McMillans and the City of Mendota Heights currently enjoy the opportunity for McMillan estates today because the "nub" of Ridgewood was extended to provide access to what is now the McMillan property, and by all arguments the potential and vision for future development. The McMillan proposal has no additional cost or land acquisition required of the property

owners on Ridgewood and in fact allows for restoration of the “nub” and a give back of the circular portion of the property outside of the 60’ road requirements to the adjacent owners. The same planning and foresight should be employed by this Commission to the McMillan proposal to ensure and preserve future potential development opportunities for the benefit of the City as well as the adjacent landowners to the north.

Addressing this access now is critical for both the City and the landowners to the north, to preserve full development opportunities in accordance with the long-range plan. The plat should permit the logical extension of future streets.

The 2040 Plan identifies 22 Focus Areas for future development. Area 21, the Somerset Area encompasses the McMillan property as well as the adjacent properties to the north including ours. “Due to the existing large lot configuration, the area has the potential to be further subdivided, provided public sewer, water and road systems would be extended to the area”.

Future development north of the McMillan property is entirely consistent with the 2040 plan and should be considered in this proposal, with appropriate utility and roadway access, just as Ridgewood provided utilities and access to the McMillan property when Ridgewood was developed. Similarly, each adjacent landowner to the north, including us, should similarly be required to extend the “nub” the full length of their respective properties to abut any adjacent property, to ensure future development opportunities to benefit the City in accordance with the 2040 Plan. One example for future development could be accomplished with future “emergency only access” through a fire gate to Foxwood Lane that would enhance the safety and emergency access for all on Ridgewood, Future Ridgewood extensions and Foxwood Lane, than would be available under the current McMillan plan, thus further serving the public interest.

Additionally, Subdivision Ordinance (Title 11) provisions strongly support preserving future connectivity and road access. The McMillan property at 1707 Delaware is part of the larger “low-density “superblock”. Subdividing only the 1707 Delaware parcel without showing how streets could extend into the 1695 adjacent parcel would seem to conflict with the City Code and the 2040 Plan.

Thank you in advance for your consideration. In the event I can not attend as I am currently out of state for a longstanding obligation, I am respectfully requesting that the body of this letter above, be read aloud at the meeting and entered into the record. Alternatively, if there is a possibility to participate remotely, I would be more than welcome the chance to join electronically.

Lastly I am attaching for reference, a rough transcript of my notes from my prior testimony from the May meeting for incorporation into this record and submission.

In conclusion, I am in support of the proposed plat as long as it provides continuity of access and utilities to properties to the north by extending the right of way and street improvements to the north property line of the project.

Respectfully submitted,

Jim and Michele Kolar

Cc: William Griffith, Larkin Hoffman

Good evening.

My name is Jim Kolar and along with my wife Michele we have resided at 1695 Delaware since 2007 on 10 acres immediately adjacent to the Macmillan's property. We are only the second owners of this property.

I have appeared before this committee many times before with the Bader;s development plans, Sullivan Acres a few years ago (the same property as McMillan's) and now for the second time McMillan Estates with this version being substantially different than the prior proposal. This expansion of lots now to 6, is a more densified development.

I have consistently supported all proposals of my adjacent property owners with the repeated ask that my interests not be adversely harmed nor landlocked either intentionally or unintentionally. In addition, I have repeatedly asked that the Planning Commission AND the City Council take a comprehensive approach to the planning of the "superblock" which largely no longer exists. I will be the sole remaining original 10-acre lot owner if this proposal is granted.

I am generally supportive of this proposal however, while I appreciate that McMillan's have extended the utility easement for both water and sewer at the prior request of this committee, anything short of extending the cul-de-sac with a similar 60' "nub" as referred to in the Planning Commission documents to abut my property will cause undue harm. This will limit future opportunities for our property and the city. This is exactly how Ridgewood was plotted and although there are no clear records to my knowledge it is clear that the cul-de-sac "nub" abutted what is now the McMillan property, providing for this future development opportunity. The developer in that case appeared to be required to fully extend Ridgewood to create the 'nub' and remove future ambiguity or access.

Had the developers of Ridgewood merely provided an easement – some 20 years ago without fully extending the cul-de-sac, there would likely be many more challenges to the McMillan's current access including property improvements, vegetation and tree growth etc. The establishment of the "nub" was essential to providing the access the McMillan's enjoy today.

My request is now also the result of having smaller than 5 acre lots proposed on McMillan estates and I am asking again for the long-term vision of this Commission to allow similar future development to the North. The back acreage of my property could accommodate 4 to 5 additional similar sized lots and further provide opportunity for the Bader property. If such extension is provided for, I would also provide the same “nub” access consideration to the north upon further development of my property to the Baders line no longer than the width of my property, from its starting point., when and should that be desired. In addition, because we and the Bader’s own all adjacent property, I am not aware of any adverse owners to such future development.

*I would similarly agree to provide the same “nub” access to the North if / when a future development was undertaken.*

Form an equity standpoint, each property owner would bear the cost of the roadway over the entirety of their own property subject to development. I would be similarly bound to extend the entire width and ultimately Bader the same. Stopping short puts and undue burden on the end property to the North as I would seek to similarly stop any roadway short of the Bader property of a similar distance as the McMillans to mine. Further a “future roadway easement” provides for less clarity than the current Ridgewood access, and potential future ambiguity and challenge possibly and unintentionally limiting the same opportunity the McMillans are asking for.

Public policy supports the completion and extension of streets. Barring any technical requirements, tonight’s action should not unreasonably land lock me nor reduce my ability to utilize my property in a similar and compatible fashion as the McMillans are requesting. The same benefit rationale to the City as provided by the McMillans (greater tax revenue, infrastructure, etc) would apply to a more comprehensive development plan.

Further – there are simple fixes that would address the Cul-de-sac issue for emergency vehicle limitation if future development occurs. That could be accomplished through the establishment of a future fire / emergency gate only access straight through to Foxwood, whereby through traffic would be prohibited but emergency vehicle access would be readily available. Fire gate access would improve safety for residents of Ridgewood, Foxwood and Emergency responders, over that which is currently proposed, and in the long-term plan, better serving the public interest. That is likely for a

future discussion but should be reasonably accommodated in a Comprehensive plan by the city.

A comprehensive view and approach now will prevent the effective landlocking of properties to the North, particularly our property at 1695 Delaware.

Thank you for your consideration and I am happy to answer any questions. Please accept my apologies for not having this in your packet, however I was only made aware of this full proposal on Sunday



## APPENDIX A: LIVING STREETS WORKSHEET

The Living Streets Worksheet is envisioned to be used as a guide when reviewing any proposed transportation projects. All transportation projects including public and private development with construction impacting the public way shall promote the goals of a Living Street design during all phases of planning, design, and construction. The goals of a Living Street design include enabling safe, convenient, and comfortable travel and access for users of all ages and abilities, regardless of their mode of transportation, with an additional emphasis on quality of life aspects. The purpose of this worksheet is to verify any proposed transportation project meets the goals promoted by the Living Streets Policy and guide implementation of the policy.

All proposed projects shall be designed in accordance with the most recent local, county, state, and federal standards and guidelines. Supporting reference material should be used when completing the worksheet including, but not limited to, any local, county, state, or federal Comprehensive, Transportation, and/or Master Plans.

The Living Streets Worksheet is available in an electronic format as requested.

### PROJECT INFORMATION

Project Name	McMillan Estates
Project Location (Roadway Name, Start, & End Point; Include Map Attachment)	Ridgewood Drive cul-de-sac and 1707 Delaware Avenue
Roadway Classification	Local
Roadway Jurisdiction	Mendota Heights
Project Manager	Spencer McMillan



## SITE AND COMMUNITY CONTEXT

- 1) Describe the existing site conditions or area of study. Include information regarding general land use, traits of the community such as new development or historic corridor, adjacent planned development, as well as existing sociodemographic and health status information.

This is a local road that ends in a cul-de-sac. The current road is roughly 650 long. We are extending the road 570 ft so the total road length becomes roughly 1,220 ft. The lots on the current road are R1 residential. The extension of the road will penetrate land that is zoned RE, residential estate. The extension of the road will allow for 5 new buildable lots, zoned RE, ranging from 1.22-3.7 acres. On the current road, there is a mix of younger families with young children and older couples with no children living at home. I do not have information on health status of the individuals that live on the current street.

- 2) What are the existing on-street and off-street multimodal accommodations within the project corridor? Include all modes within the project vicinity (i.e. trails, sidewalks, transit routes, bicycle lanes, etc.) or how far the nearest facility is.

There are no sidewalks or trails on the current street. There is a school to the south of the current street entrance with a sidewalk and walking paths. See the snapshot below that points out walking paths and sidewalks.

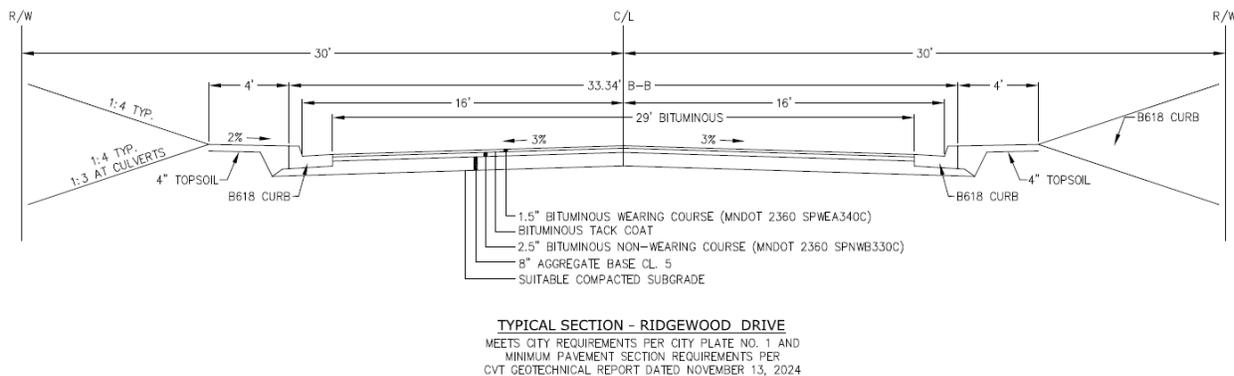


3) Describe the proposed on-street and off-street multimodal accommodations. Identify any proposed connections to adjacent facilities.



We do not have any multimodal accommodations planned since it is a local road that ends in a cul-de-sac. Residents can exit Ridgewood Dr and walk across Marie Avenue to quickly access sidewalks and walking paths. There is currently no bike paths or sidewalks on the current Ridgewood Dr.

- 4) Attach, or sketch, both the existing and proposed cross section for the project corridor. Include multiple sections if site conditions vary and identify all pertinent elements and dimensions.



- 5) Describe the existing stormwater runoff management and drainage patterns within the project corridor. Identify any impaired water bodies within, or adjacent to, the site as identified by the state and any existing pre-treatment devices or methods used for improving rate control, infiltration, or stormwater quality.

Most of the site drains to Marie Creek which intersects the property. Rate control and volume reduction will be provided in multiple infiltration basins. There are no impaired waters within or adjacent to the site.

- 6) Are there any existing quality of life benefits within the project limits (i.e. trees offering shade along a boulevard, Electric Vehicle (EV) charging stations, etc)?

The newly proposed road is entering a very wooded area. We are trying to limit the number of trees impacted to allow for good tree coverage and a serene and natural feel to the roadway.



- 7) Do any adopted local, county, state, or federal plans call for any multimodal improvements to any facilities within the project corridor? If yes, list applicable plan(s) and improvement(s).

I am not aware of any.

Here is the feedback we received from Ryan Ruzek, Public Works Director of Mendota Heights.

“Constructing trails and sidewalks along the cul-de-sac street would not be a standard in Mendota Heights so I do not feel that offstreet pedestrian facilities are warranted.”

- 8) Does the project include any multimodal, stormwater, or sustainability improvements as called for by any local, county, state, or federal policies? If yes, list applicable policy(s) and improvement(s).

Per the City of Mendota Heights land disturbance requirements for stormwater, there must be a volume reduction of 1.1” for proposed new surfaces, no increase in peak runoff for 2, 10, and 100 year storm events, and no net increase in total phosphorous and total suspended solids. No requirements for multimodal or sustainability were found.

## TRANSPORTATION BASIS

- 9) Fill out the table below to describe the corridor’s volume distribution for available information.

There are currently 8 houses that are currently on Ridgewood Drive. I am assuming 8 trips per household per day in my calculations. I am assuming 2 deliveries per day via Amazon, Fedex, or UPS. I am doubling it to 4 after the new road is constructed. I am assuming 2 trips per week for garbage. This will likely remain the same after the new road is constructed.



Description	Existing Volume	Projected Volume (10-year)
Average Daily Traffic	64+2+1=67	104+4+1=109
Passenger Car Volume	64	104
Heavy Vehicle Volume	<3	<5
Pedestrian Count	<10	<20
Bicycle Count	<1	<2

10) Describe the existing and anticipated future trip generators for all users. Include amenities or districts contributing to all users within project limits.

No additional amenities proposed.

11) Identify any known crash data or conflict points within the project corridor. Include any information available pertaining to location, frequency, duration of period covered, and trends between modes. Additional stakeholder and community input may be required to obtain information needed.

The Fire Marshall was consulted for this project and he confirmed there are no safety concerns and no concerns regarding emergency vehicle access or turn around capabilities. I do not know of any accidents occurring on this street.

12) What are the existing vehicle speed conditions? Identify the posted speed limit for the proposed roadway(s) and intersecting streets. Provide any known speed data or location specific speeding issues within the project limits.



Local urban roads are 30 MPH so I believe it is 30 mph. I am not aware of any speeding issues on this road. There is a speed radar along Marie Ave to the east of Ridgewood Dr. It is possible they are concerned about speed at that spot. See snapshot below.



13) List any intersections within the project limits between multiple functional roadway classifications.



14) Identify if there are any other classifications within the project corridor such as an emergency vehicle route, transit route, or any other designated route.

None.

15) Does existing pedestrian infrastructure within the project limits comply with current local, county, state, and federal guidelines?



Yes.

## PROJECT GOALS

16) Identify any known existing or anticipated design deficiencies within the project corridor related to multimodal facilities, stormwater management, or sustainability.

I am not aware of any known existing issues.

Mendota Heights Staff would like the us to manage and implement all the stormwater mitigation and not leave it to the new individual residential lot owners. This is one of the conditions of approval.

No other issues.

17) Develop and describe the goals for the proposed corridor as they relate to the goals of a Living Street.

We want to create a beautiful street to drive on that is surrounded by wooded areas, large lots, and natural elements. We did our best to limit the impact on trees and wetlands. As a result, the road curves with the contour of the land. There will be good tree coverage and low density lots to retain the wooded feel of the neighborhood and the current land.

18) What multimodal facility improvements are proposed to be included within the project corridor? This may include additional trail network, traffic calming efforts, pavement marking changes, etc. Describe all improvements, locations, and decision-making process.



Since this is a short street that does not have a lot of traffic or pedestrian use, we did not include additional improvements to the street. Here is the guidance we received from the Public Works Director for Mendota Heights.

“Constructing trails and sidewalks along the cul-de-sac street would not be a standard in Mendota Heights so I do not feel that offstreet pedestrian facilities are warranted.”

Since one of the goals of the Living Street initiative is a comparable or lower cost, we did not feel it was warranted to add cost to the project for something that will add little value or use (sidewalks, street markings, etc)

19) Describe all considerations made for additional, or alternative, multimodal facilities that are not proposed to be included within the project corridor. Include information as to why each improvement was not included.

We received feedback from Mendota Heights staff that they did not believe off street pedestrian facilities were warranted so we did not include these. We wanted to make the street extension match the design of the current road. We wanted the road extension to match the character of the current road so they did not look disjointed.

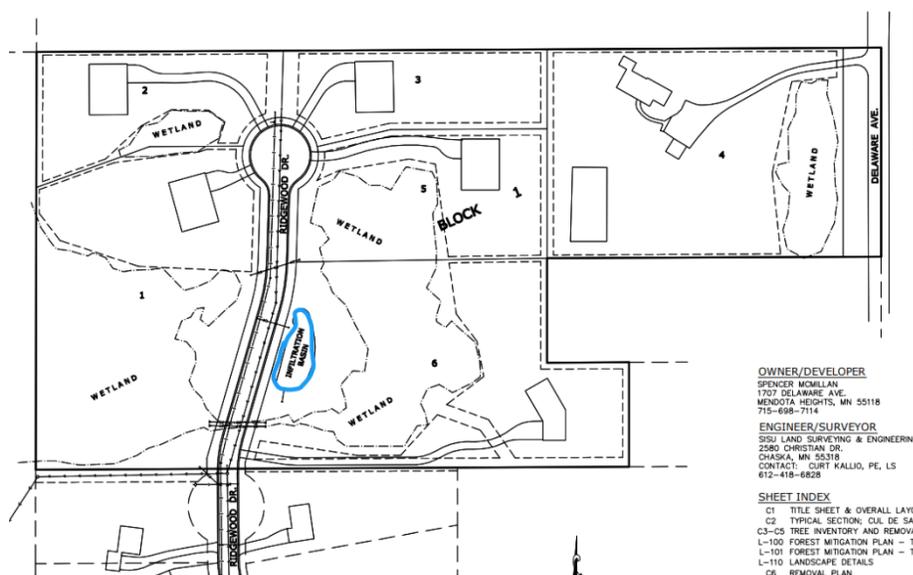
20) What stormwater runoff improvements are proposed to be included within the project corridor? This may include raingardens, sump manholes, or other pre-treatment devices or methods. Describe all improvements, locations, and decision-making process.

There will be multiple infiltration basins to provide volume reduction, treatment, and rate control for the proposed site improvements. Locations were chosen based on the site topography. Infiltration was chosen because the soils are suitable and it is the only method capable of volume reduction.



21) What reductions for environmental impacts or sustainable improvements are proposed to be included within the project corridor? This may include reducing the impervious surface footprint within a project, including an Electric Vehicle (EV) charging station within the corridor, or supporting active transportation to benefit the public health while reducing environmental impacts. Describe all improvements, locations, and decision-making process.

Designed the road to meet Mendota Heights design and construction specifications. It is as narrow as possible while still complying with standards. We are adding an infiltration basin to help with stormwater runoff.



22) Describe all considerations made for additional, or alternative, environmental impact reductions or stormwater and sustainable improvements that are not proposed to be included within the project corridor. Include information as to why each improvement was not included.

Infiltration was chosen because it is the only method capable of meeting all stormwater requirements by the city. No other options were considered.

23) Identify cost savings, benefits, and considerations. What improvements will provide cost savings for long term maintenance or reconstruction?



We are open to reducing the width of the proposed new road to limit stormwater runoff, help save trees, and reduce the cost of construction and maintenance. However, we were trying to design the road to Mendota Heights specification which is 33 ft wide.

## IMPLEMENTATION

24) Who are the key personnel related to the project and what are their responsibilities? Identify the project manager, stakeholders, etc. Include any additional project information related to construction such as maintaining access for all users and project schedule.

Spencer McMillan- Owner and developer

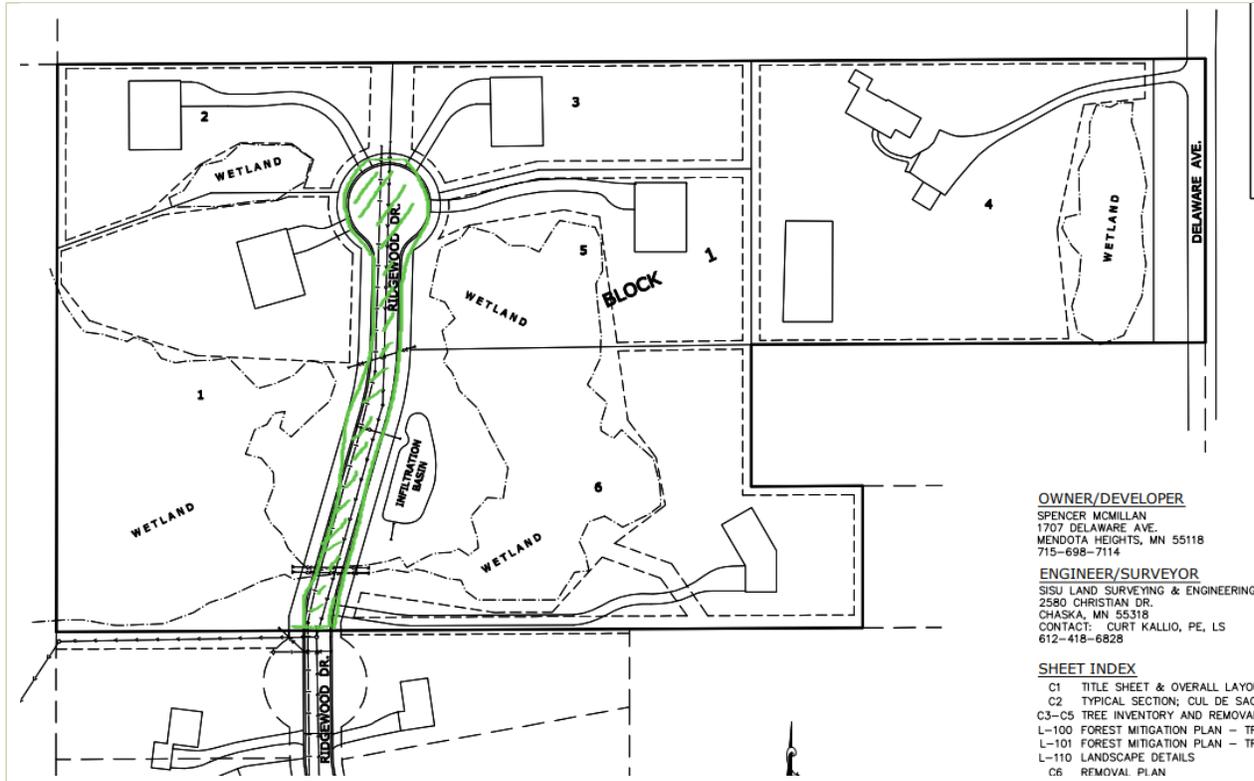
Curt Kallio, Sisu Land Surveying- Surveyor/Engineer

Lucius Jonet, Midwest Wetland Improvements, LLC- Wetland, Environmental, and Landscape

25) Describe the required maintenance routines for all improvements identified within the worksheet. Include information regarding what the maintenance efforts include, how often maintenance will be required, and responsible party(s) for all improvements.

Maintaining the newly constructed city road and cul-de-sac. See section in green below.

The old cul-de-sac wings will be filled in so there will be less asphalt and curb to maintain on the old cul-de-sac.



**From:** Jonathan Deering <[deerinjr@gmail.com](mailto:deerinjr@gmail.com)>

**Date:** June 23, 2025 at 11:05:25 PM CDT

**To:** Litton Field <[LField@mendotaheightsmn.gov](mailto:LField@mendotaheightsmn.gov)>, Jason Stone <[JStone@mendotaheightsmn.gov](mailto:JStone@mendotaheightsmn.gov)>, Patrick Corbett <[PCorbett@mendotaheightsmn.gov](mailto:PCorbett@mendotaheightsmn.gov)>, Cindy Johnson <[CJohnson2@mendotaheightsmn.gov](mailto:CJohnson2@mendotaheightsmn.gov)>, Jeff Nath <[JNath@mendotaheightsmn.gov](mailto:JNath@mendotaheightsmn.gov)>, Brian Udell <[BUdell@mendotaheightsmn.gov](mailto:BUdell@mendotaheightsmn.gov)>, Steve Goldade <[SGoldade@mendotaheightsmn.gov](mailto:SGoldade@mendotaheightsmn.gov)>, Stephanie Levine <[SLevine@mendotaheightsmn.gov](mailto:SLevine@mendotaheightsmn.gov)>, John Mazzitello <[JMazzitello@mendotaheightsmn.gov](mailto:JMazzitello@mendotaheightsmn.gov)>, John Maczko <[JMaczko@mendotaheightsmn.gov](mailto:JMaczko@mendotaheightsmn.gov)>, Joel Paper <[JPaper@mendotaheightsmn.gov](mailto:JPaper@mendotaheightsmn.gov)>, Sally Lorberbaum <[SLorberbaum@mendotaheightsmn.gov](mailto:SLorberbaum@mendotaheightsmn.gov)>

**Subject: Re: McMillan Estates Proposal – Planning Commission Meeting, June 24, 2025**

Dear Council members and Commissioners,

I am writing to provide comments regarding the McMillan Estates development proposal in advance of the Planning Commission meeting on June 24, which I regret I will be unable to attend due to a prior commitment.

At the last Planning Commission meeting, the applicant responded to my previous comments about the possibility of routing access to the proposed development from Delaware Avenue via his existing property. The applicant asserted that all routing options had been considered and that excessive wetland impacts would result from a Delaware connection. However, I believe there are important factors that warrant further examination and offer a reasonable alternative to the current access proposal.

### **1. Living Streets Policy and Roadway Width**

The City's **Living Streets Policy**, states the city will:

“7. Identify any opportunities to feasibly improve quality of life aspects by reducing environmental impacts or improving sustainability...”

As noted by Public Works Director Ryan Ruzek in the May 27th 2025 Planning commission meeting, this policy opens the possibility for a narrower 27-28 ft width public roadway to be built to connect the proposed development sites to existing city roads.

### **2. Routing Access from the North Minimizes Wetland and Neighbor Impacts**

By routing access from Delaware, the applicant could reduce permanent wetland impact. If access were routed from Delaware via the land under the applicant's existing driveway at the northeast corner of the property, which runs north of his previously described "giant wall of wetlands", this would appear to cause less cumulative wetland impact than the current proposal. This land under his driveway already connects to Delaware Avenue without impact to wetlands and appears to be within the applicant's ability to dedicate as public right-of-way. Utilities could still be accessed via extensions from Ridgewood Drive but could be implemented as temporary impacts with a plan to restore the surface ecology that is impacted. Importantly, this northern route would eliminate the need to create a driveway along the property line of Linda and Paul Pontinen, which the current plan shows impacting root systems of established trees on the pontinen's property, the adjacent wetland and avoids turning Ridgewood Drive into an excessively long cul-de-sac, which I still contend requires a new variance to further extend (see section 3).

### **3. Cul-de-Sac Code Enforcement and Legal Interpretation**

I am also concerned with the city's stance on the cul-de-sac length restriction in the city code (11-3-3-D). The applicant and staff have referenced the city attorney's opinion suggesting this code is unenforceable, based on the Orchard Heights case (Dakota County case: 19HA-CV-17-3446). However, it is important to clarify that:

- No judge has ruled the cul-de-sac ordinance unenforceable.
- The Orchard Heights decision compelled the city to grant a variance—not to nullify the length ordinance itself.
- The current McMillan Estates proposal would not meet the criteria for a variance under city code and the criteria used in the Orchard Heights case.

The cul-de-sac ordinance is part of the City's regulatory framework. It remains the city's responsibility to enforce this code unless and until it is formally repealed or found invalid by a court. **I do not seek legal conflict, but if the city fails to enforce the cul-de-sac length ordinance, the natural next step from the community would be to seek an injunction and declaratory judgment on the ordinance's enforceability.**

### **Closing**

In summary, I urge the Planning Commission and City Council to give further consideration to denial of the current proposal in light of the alternative option of access from Delaware Avenue that reduces wetland impact, protects neighboring properties, and complies with existing city code. This approach reflects the kind of thoughtful planning envisioned by both the city's **Comprehensive Plan** and **Living Streets Policy** and ensures equitable application of development standards.

Thank you for your ongoing service and for considering this feedback in your deliberations.

Respectfully,  
Jonathan Deering  
1759 Ridgewood Drive

**From:** Linda Pontinen <[lindapontinen@gmail.com](mailto:lindapontinen@gmail.com)>  
**Date:** June 25, 2025 at 15:02:18 CDT  
**To:** John Maczko <[JMaczko@mendotaheightsmn.gov](mailto:JMaczko@mendotaheightsmn.gov)>  
**Subject:** McMillan Property

Dear Councilman Maczko,

My husband, Paul, and I built our home about 50 years ago at [1760 Ridgewood Drive](#) in Mendota Heights. We love our community and environment, and often share these thoughts with others.

3 generations of our family explored, preserved, protected and learned from our land plus the super block next to us. Our life included belonging to a neighborhood consortium of respecting and preserving this precious property. Neighbors helped each other groom cross country ski trails—enjoyed and cleared hiking trails—and learned to preserve and cherish nature. Being a former Dist 197 public teacher, with experience from grades 1 - 12, plus both of us being church youth leaders and scout leaders, many youth expeditions occurred on that land, exploring creeks, meadows and forests. Maps were created by the children, with created labels of “Deer Meadow,” “Goblin Forest,” and more. Protecting the environment was always stressed. Treasured memories were created. The cooperation and support of everyone was wonderful.

We have faced numerous proposals of developments and challenges over the past 50 years. Challenges to people as well as threatening obstacles to our environment, potentially destroying our wetlands, forests and wildlife.

The new proposal for the property to our north is for 5 homes to be built plus an extension of the cul de sac to be created. The amount of wildlife and tree disruption is unfathomable. We highly praise our city for protecting and preserving the wildlife and environment and rejecting previous active offers.

We contacted Krista Spreiter about a year ago with our concerns about recent land proposals. We are very grateful for her insight, encouragement and advice.

We became very involved with the DNR quite awhile ago, when it was quite evident that our neighborhood, referred to as “The Super Block” for years truly is a super block. It has been preserved and protected, housing innumerable plants and animals that flourish with protection that is provided by our community for these beautiful creatures. This is their home. They thrive here.

This land lays claim to being the largest environmentally natural area that remains in Mendota Heights. We are very fortunate to reside in a community that supports the environment so strongly and with such conviction.

Although we have connected with numerous people at the DNR, the person that has supported and helped us a great deal recently is Erica Hoaglund. Erica’s title is  
Region 3 Nongame Wildlife Specialist,  
MN DNR - Ecological and Water Resources,  
Conservation. Her contact information is [1299 Warner Road, St Paul, Mn 55106](#), [Erica.Hoaglund.state.mn.us](mailto:Erica.Hoaglund.state.mn.us)  
Please feel free to contact her

She offered several valuable resources, websites, and information.

We ask you to review and reflect on these websites and information. Your decision is paramount to the future of Mendota Heights and our complete environment.

Our attention was brought to the Rusty Patch Bee by the DNR as well as neighbors.

We have discovered that this endangered species definitely resides in the Ridgewood Drive/Delaware Avenue area.

The DNR, through their research and inquiries, agreed that the rusty patch bee is prevalent in Mendota Heights and in our area. Several neighbors have reported rusty patch bee sightings on their property. Interestingly, even if there had been no sightings, this area would still remain an endangered species protection area. The law protects the habitat of endangered species.

Federally, **the bee is already legally considered present**. US Fish and Wildlife Service has established what are called “high potential zones” for this species. These zones are the primary locations, geographically, where protections for the bee AND ITS HABITAT are in place. The federal government has enacted safety measures to protect endangered wildlife and their habitats. Habitat loss is tesprctrd as a primary reason of the huge amount of wildlife/plant depletion.

The rusty patched bumble bee (*Bombus affinis*) is endangered. It was listed as federally endangered in 2017 by the U.S. Fish and Wildlife Service, and recently declared and honored as our state bee.

Historically, this bee was broadly distributed across the eastern United States, upper Midwest, and even in southern Quebec and Ontario, Canada. However, over the past two decades, its population has plummeted nearly 90 percent. As pollinators, rusty patched bumble bees play a crucial role in our ecosystems, contributing to food security and native wildflower reproduction. They're also important for crops like blueberries, cranberries, and tomatoes due to their effective "buzz pollination" technique.

Prior to its listing as endangered in 2017, the species experienced a widespread and steep decline. The exact cause of the decline is unknown, but evidence suggests loss of habitat plus a synergistic interaction between an introduced pathogen and exposure to pesticides, specifically insecticides and fungicides, and small population biology.

US Fish and Wildlife Service  
[fws.gov](https://www.fws.gov)

- Mendota Heights remains in the Rusty-patched bumble bee high potential zone, which are the areas on the landscape that USFWS considers occupied by rusty-patched bumble bees.

The maps provided by DNR are so fascinating. There really aren't many of these bees in the entire nation outside of Minnesota and Wisconsin now.

<https://www.arcgis.com/home/webmap/viewer.html?webmap=2716d871f88042a2a56b8001a1f1acae&extent=-100.6667%2c29.7389%2c-48.8551%2c50.9676>

. The bees are very concentrated near the Twin Cities! Please note attached map.

It was so intriguing to find out more about them. They live underground—of course they will be affected by developments and bulldozers—they are very social and are affected a great deal about losing their habitat. They have difficulty moving and often die.

Another endangered species which the DNR encouraged us to be aware of is the Northern Long Eared Bat. DNR feels this species probably is living in our area.

This bat, which is a wide-ranging, federally endangered species, is found in 37 states.

The species typically overwinters in caves and spends the remainder of the year in forested habitats.

There are many threats to this species. Numbers of northern long-eared bats, gathered from hibernacula counts, have declined by 97 to 100% across the species' range. Due to continued and increased population declines and impacts from threats, in 2022, the U.S. Fish and Wildlife Service included the this bat on the Endangered Species List.

The DNR has been extremely helpful in assisting us with recognizing endangered species in our area.

The DNR also stressed the requirement of completing and adhering to compliance forms that are mandatory from the US Federal Government prior to any development procedures. Because these forms are public record, our neighborhood has been encouraged by the DNR to view and absorb the records and compliance plan.

A Natural Heritage Review is required as part of the State of Minnesota's compulsory environmental review process.

Thank you for all of your sincere interest and support of our community. We commend each of for all of your efforts in positively representing us.

We often refer to a recent introduction to our beautiful city, This was copied from a Mendota Heights' website online.

"The City of Mendota Heights is dedicated to restoring its natural areas to native vegetation and ecosystems. The City is fortunate in having numerous natural areas and open spaces that encompass a variety of vegetative communities, including but not limited to: floodplain forest, upland forest, mesic prairie, oak savanna, and wetland communities.

Mendota Heights is dedicated to this goal."

The land on our northern boarder was labeled wetlands over 50 years ago. A section of wetlands cuts through our property and heads south to numerous adjacent properties.

Wetlands sre like are living, changing beings. Wetlands change yearly. Even monthly. A wetlands is unpredictable. Creeks overflow. Basements flood. Boots may be needed to navigate waters. A year later may prove to be much different. No boots may be required to walk the creek.

Some years may reveal an extremely dry creek and water table. Other times the area reveals unbelievable, overflowing water. People change. Life changes. So do the wetlands.

The Mendota Heights Natural Resources Management Plan states that "Natural resources are the basis of Mendota Heights' quality of life, beloved by residents, appreciated by visitors, and stewarded by private landowners. . . most of the city's (natural areas) are on private land."

These areas must be protected. On public parks as well as on private land. This dedication to wildlife and protecting our wetlands is repeated often in the Natural Resources Management Plan.

Striving to protect our environment is paramount for our city.

It is estimated that numerous mature trees will be destroyed if the present proposal for Super Block is accepted. At one time we were informed the number could be 1500. Innumerable animals, water life, plants and birds will be destroyed or lose their homes.

Never to return.

Please join us in striving to protect our beautiful community. Once it is destroyed it will never return. All of us are depending upon you. Please help.

We all feel very indebted to each of you for your wisdom and concern to protect and preserve our community's future and environment to the fullest level possible.

Thank you for all of your efforts and determination to accomplish the best possible outcome for Mendota Heights and our community's environment.

Sincerely,

Linda R. Pontinen  
[1760 Ridgewood Drive](#)  
[Mendota Heights, Minnesota 55118](#)

**From:** Linda Pontinen <[lindapontinen@gmail.com](mailto:lindapontinen@gmail.com)>

**Date:** June 25, 2025 at 20:25:44 CDT

**To:** Stephanie Levine <[SLevine@mendotaheightsmn.gov](mailto:SLevine@mendotaheightsmn.gov)>, John Mazzitello <[JMazzitello@mendotaheightsmn.gov](mailto:JMazzitello@mendotaheightsmn.gov)>, John Maczko <[JMaczko@mendotaheightsmn.gov](mailto:JMaczko@mendotaheightsmn.gov)>, Joel Paper <[JPaper@mendotaheightsmn.gov](mailto:JPaper@mendotaheightsmn.gov)>, Sally Lorberbaum <[SLorberbaum@mendotaheightsmn.gov](mailto:SLorberbaum@mendotaheightsmn.gov)>, Paul Pontinen <[pjpont@msn.com](mailto:pjpont@msn.com)>

**Subject:** McMillan Property

Dear Mayor and Mendota Heights City Council Members,

Have you ever observed a turkey fly to a large branch of an 80-ft tree to roost for the night? Occurred at 7:00pm daily for one summer a couple years ago. Over a dozen turkeys were involved. We watched from our deck. It was amazing. . .

Or a 2-hour mating dance of a male turkey in our yard that ended in rejection?

Or a disappointed hawk that swooped down to grab a duck who narrowly escaped and flew away with determination?

Or 12 deer, 14 turkeys, 12 pheasants, and 50 robins gathered in one place in our backyard?

This is their world. They visit. We see excerpts of their life. And they are at peace. This is their environment. Their trees. Their fields. Their wetlands.

Please preserve them!

Please save the beautiful heritage trees on both, our property as well as the McMillan Property.

A number of young saplings will never replace an 80' 70 year old tree. We have several.

A turkey cannot land on the branches of a sapling that is 6' tall. The sapling would be crushed. Along with the turkeys' environment.

Even though the intentions might be thought to be acceptable, replacing several smaller trees for a destroyed large heritage tree is not appropriate and will not work to truly save the environment and wildlife. Animals, and plants will be destroyed. Most wildlife species has difficulty locating and finding a new habitat. Loss of habitat is the biggest reason many living creatures become endangered and eventually die.

Please save the wetlands, meadows, and trees! Many of the heritage trees are older than most of us! They are truly irreplaceable. . .

We are extremely indebted to each of you for your support and commitment to saving our community's environment. Thank you for protecting our future.

Sincerely,

Linda and Paul Pontinen  
1760 Ridgewood Drive  
Mendota Heights, MN. 55118

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2025-36**

**RESOLUTION APPROVING THE PRELIMINARY PLAT OF MCMILLAN ESTATES  
LOCATED AT 1707 DELAWARE AVENUE AND THE ADJACENT VACANT OUTLOTS  
(PLANNING CASE NO. 2025-03)**

**WHEREAS**, Spencer McMillan (the “Applicant” and “Owner”) submitted under Planning Application Case No. 2025-03, a request of a new subdivision plat to be titled **McMillan Estates**, for the properties located at 1707 Delaware Avenue and the adjoining vacant outlots, identified as Outlots A and B, Grappendorf Addition (the “Subject Property”), and legally described in attached **Exhibit A**; and

**WHEREAS**, the subject property is guided RR-Rural Residential in the 2040 Comprehensive Plan and is situated in the R-E Residential Estate district; and

**WHEREAS**, Title 11-1-1 of the City Code (Subdivision Regulations) allows the subdivision of properties, provided the resulting lots are compliant with the requirements of the applicable zoning district; and

**WHEREAS**, the requested subdivision would encompass three (3) existing parcels of land from the Subject Property to create six (6) single family lots on the Subject Property resulting in five (5) new buildable single family lots, and which also provides for the dedication of new right-of-way extending the cul-de-sac of Ridgewood Drive to provide access for the new buildable lots, the dedication of additional right-of-way along Delaware Avenue for Dakota County, and dedication of drainage and utility easements throughout the plat and over delineated wetlands; and

**WHEREAS**, on May 27, 2025, the Mendota Heights Planning Commission opened, held, and closed a public hearing on the application request at their regular meeting, and whereupon receiving the presented staff report and hearing testimony from nine (9) residents on the application, the Planning Commission recommended unanimously to table the requested subdivision plat application to June 24, 2025; and

**WHEREAS**, on June 24, 2025, the tabled application was presented by staff with follow-up on discussion items from the prior meeting, and following discussion on this item and the agreement to include two additional conditions of approval, the Planning Commission recommended 7-0 to approve the requested Preliminary Plat application on the Subject Property; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mendota Heights City Council that the recommendation from the Planning Commission on Planning Case No. 2025-03 is hereby affirmed, and the proposed Preliminary Plat of MCMILLAN ESTATES may be approved based on the following findings-of-fact:

1. The proposed Preliminary Plat meets the purpose and intent of the Subdivision Ordinance.
2. The proposed Preliminary Plat request meets the purpose and intent of the City Code and is consistent with and supported by a number of goals and policy statements in the 2040

Comprehensive Plan.

3. The proposed lots will meet the minimum standards required under the R-E Residential Estate Zoning District.

**BE IT FURTHER RESOLVED**, by the Mendota Heights City Council that the Preliminary Plat of MCMILLAN ESTATES is hereby approved, with the following conditions:

1. The preliminary plans presented under this plat request do not represent or provide approval of building pad sites, setbacks, accessory structures, or driveway alignments. Final layouts must meet R-E Zone standards and shall be approved under separate building permits for each lot.
2. A building permit, including all new grading and drainage work, must be approved by the City prior to any new construction work.
3. The Developer/Applicant shall submit final grading and utility plans and a dimensioned site plan with associated easements, subject to review and approval by the Planning Department and Engineering Department as part of any building permit application.
4. All new construction and grading activities throughout this development site and on each new buildable lot shall be in compliance with all applicable federal, state, and local regulations and codes, as well as in compliance with the City's Land Disturbance Guidance Document.
5. Stormwater Management shall be managed for the entire development and dedicated in a utility easement as part of the Final Plat. Stormwater management for water quality management shall not be deferred to the individual single-family home lots.
6. Public utility easement locations, including easements for stormwater management facilities and Best Management Practices (BMP) area(S) must be established, approved by the City, and included in the Final Plat prior to release of the Final Plat for recording with Dakota County.
7. All wetland impacts shall be in compliance with the applicable federal, state, and local regulations and codes, including Title 12-Zoning, Section 12-4A-4: Wetland Requirements and Title 15-Environmental Standards, Chapter 4: Wetland Conservation.
8. The Forest Management Plan shall be updated to include the replacement of tree removal impacts, in accordance with Title 15-Environmental Standards, Chapter 3: Urban Forest reservation. An attempt must be made to mitigate tree removal impacts on site prior to providing an alternative tree replacement measure to the City.
9. In lieu of land dedication, the Developer/Applicant shall pay a park dedication fee in the amount of \$4,000 per unit (6 lots = 6 x \$4,000/unit, or \$24,000) is to be collected after City Council approval and before the Final Plat is released for recording with Dakota County, and before the issuance of any permits.
10. Any new or existing sanitary or water service lines must be reviewed by the Public Works Director and/or St. Paul Regional Water Services prior to issuance of any building permit.
11. The Applicant/Developer must provide a Best Management Practices (Stormwater Management) Agreement to the City as part of the building permit submittal and review process for each new home and new impervious surface.

12. A Development Agreement for the public improvements and utilities shall be executed to the satisfaction of the City Council before the Final Plat is released for recording with Dakota County, and before the issuance of any permits.
13. The Applicant/Developer shall install all public improvements, including the extension of the public street identified on the Plat as Ridgewood Drive and the necessary utility installations, in compliance with all City requirements, prior to the application of any building permit for private construction or improvements within the Plat.
14. The existing cul-de-sac "bulb" of the existing Ridgewood Drive must be removed and reconstructed to City street standards prior to applying for any building permit for private construction or improvements within the Plat.
15. The Applicant/Developer shall revise the Preliminary Plat to provide dedicated Right-of-Way at 60-ft in width extending north of the proposed new Ridgewood Drive cul-de-sac bulb to the north boundary of the plat. This area shall be dedicated Right-of-Way rather than an easement for utilities, and is not required to be constructed as a street extension stub with this Development. There must be a 60-foot right-of-way dedicated to the north boundary of the plat.
16. The Applicant/Developer must incorporate tree protection measures into the Forest Management Plan for the site, and aAn attempt must be made to mitigate tree damage to adjacent properties through the use of protection measures in accordance with MnDOT Standard Specifications for Construction, Specification #2572 and additional measures such as deep mulching if root pruning or root compaction cannot be avoided during the construction phase of this Development.

Adopted by the City Council of the City of Mendota Heights on this 1<sup>st</sup> day of July, 2025.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

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**Stephanie B. Levine, Mayor**

**ATTEST:**

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**Nancy Bauer, City Clerk**

Drafted by: City of Mendota Heights  
1101 Victoria Curve  
Mendota Heights, MN 55118

## EXHIBIT A

### Legal Description:

Outlot A in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota.

And Outlot B in Grappendorf First Addition, according to the recorded plat thereof, Dakota County, Minnesota.

And the North Quarter of the Southeast Quarter of the Southeast Quarter of Section 24, Township 28, Range 23, Dakota County, Minnesota

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## REQUEST FOR CITY COUNCIL ACTION

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Resolution 2025-37 Approving a Variance to allow for the construction of a fence exceeding 6-ft in height for the property located at 1341 Cherry Hill Road. (Planning Case 2025-07)

**ITEM TYPE:** New and Unfinished Business

**DEPARTMENT:** Community Development    **CONTACT:** Sarah Madden, Community Development Manager

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### **ACTION REQUEST:**

Adopt Resolution 2025-37 Approving a Variance to allow the construction of a 9-ft fence on the property located at 1341 Cherry Hill Road.

### **BACKGROUND:**

The applicant, Daniel Michel, is requesting a Variance to residential fence height standards for his property located at 1341 Cherry Hill Road. The subject site is located at the end of the Cherry Hill Road cul-de-sac. The property consists of 0.54 acres of land, and contains a 3,416-sf. two-story dwelling, with an in-ground swimming pool in the rear yard.

City Code section 12-4A-10: Fences requires that "The maximum height of a fence erected on interior lot lines behind the front yard setback line and on any rear lot line is six feet (6') in height."The applicant's existing rear-yard fence in 9-ft in height, which was approved by the City in 2019 under a separate Variance request for the prior property owner. The request is to replace the 6-ft segment of fencing on the side property line (north of the existing home) with fencing 9-ft tall consistent with the existing rear-yard segment, and tapering to 6-ft fencing as the fence segment proceeds west.

The applicant has indicated that the requested fence would provide additional privacy from the elevation changes on the property and sightlines from Wachter Avenue, and then would taper down to 6-ft to maintain a consistent appearance with the surrounding residential fences. Staff's recommendation to the Planning Commission added a condition which would dictate that the tapering of the fence from 9-ft to 6-ft must begin at a point 15-ft inward westerly of the rear property line.

At the June 24, 2025, Planning Commission meeting, a full planning report was presented. A duly noticed public hearing was held, and no members of the public spoke to the application

as part of the public hearing in support of the application. The applicant/property owner was in the audience, and was present to speak to the application and to answer questions from the Planning Commissioners.

The Planning Commission discussed the staff recommendation for a tapering of the fence height, and that the element of practical difficulty is not relevant for a fence height at 9-ft on the entirety of the fence segment. The Commission discussed the possibility of modifying the staff recommended condition relating to the specific details of the tapering, but through discussion did not opt to modify the type or point of beginning of the taper.

A copy of the June 24 planning report with attachments and an excerpt from the unapproved minutes are attached to this memo. As noted in the attachment, staff recommended approval of the Variance request. Following their discussion, the Planning Commission determined that the applicant met the conditions set forth in City Code Title 12-5B-7: Variances and affirmed that the Applicant has met the burden of demonstrating the requisite "practical difficulties" in order to justify the granting of the Variance to City Code as it relates to fence height R-1 Low Density Residential District. The Planning Commission voted unanimously (6-0) in support of the Variance request with findings-of-fact and certain conditions, as outlined in the attached [draft] Resolution.

**FISCAL AND RESOURCE IMPACT:**

Not Applicable

**ATTACHMENTS:**

1. Resolution 2025-37
2. Unapproved Planning Commission Minutes 6-24-25
3. June 24 2025 Planning Commission Staff Report
4. Fence Segment Diagram

**CITY COUNCIL PRIORITY:**

Economic Vitality & Community Vibrancy

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2025-37**

**RESOLUTION APPROVING A VARIANCE  
TO ALLOW FOR THE CONSTRUCTION OF A FENCE EXCEEDING 6-FT IN  
HEIGHT FOR THE PROPERTY LOCATED AT 1341 CHERRY HILL ROAD**

**PLANNING CASE 2025-07**

**WHEREAS**, Daniel Michel (the Applicant and Owner) applied for a Variance to allow the construction of a fence 9-ft in height, as proposed under Planning Case No. 2025-07, and as legally described in attached **Exhibit A** (the “Subject Property”); and

**WHEREAS**, the subject property is guided Low Density Residential in the *2040 Comprehensive Plan*, situated in the R-1 Low Density Residential District; and

**WHEREAS**, the Applicant is seeking approval of a Variance request to allow a fence to be constructed at 9-ft in height along the north side yard property line, as opposed to the maximum 6-ft permitted in the R-1 Zoning District, as proposed and presented under Planning Case No. 2025-07; and

**WHEREAS**, Title 12-5B-7 of the City Code (Variances) allows for the Council to grant variances or certain modifications from the strict application of the provisions of the City Code, and impose conditions and safeguards with variances if so needed or granted; and

**WHEREAS**, on June 24, 2025, the Mendota Heights Planning Commission held a public hearing on the proposed Variance, and whereupon closing the hearing, recommended unanimously (6-0 vote) to approve the application for Variances on the subject property, with certain conditions and findings-of-fact to support said approval.

**NOW THEREFORE BE IT RESOLVED** by the Mendota Heights City Council that the recommendation from the Planning Commission on Planning Case No. 2025-07 is hereby affirmed, and the Variance requested for the property located at 1341 Cherry Hill Road is approved based on the following findings-of-fact:

1. Under Title 12-5B-7 of the City Code, the Council may only grant variances from the strict application of the provisions of the Code in cases where there are “practical difficulties” in carrying out the strict letter of the regulations of the Code. “Practical difficulties” consists of a three-part test: (i) the Applicant proposes to use the property in a reasonable manner not otherwise permitted by the Code; (ii) the plight of the Applicant is due to circumstances unique to the property not created by the Applicant; and (iii) the variance, if granted, will not alter the essential character of the neighborhood. Economic considerations alone do not constitute “practical difficulties.”

2. The Applicant has met the burden of demonstrating the requisite “practical difficulties” in order to justify the granting of a Variance to allow a residential fence height increase from 6-ft. to 9-ft. along the northern side lot line, by the following:
  - a. The proposed increased fence height is a reasonable request on the subject property, due to the elevation change in the northeast corner of the property;
  - b. Dakota County has recently removed a boulevard tree which acted as additional screening for the property, and thus created a unique situation for the homeowner to keep and maintain a certain level of privacy and screening measures from the abutting county roadway and trail system;
  - c. The applicant’s request to expand the 9-ft fence from the rear property line to the north side property line would have a lesser impact on the established trees on the subject property than any additional installation of evergreen plantings for screening;
  - d. Due to the grade differences between the existing 9-ft fence location on the east property line, and the northwest side yard of the subject property, approving the Variance for an increased fence height does not change the essential character of the neighborhood, as the residential properties adjacent to the subject site will see a taper in fence height as the grade levels to the west.
  - e. The reason for the Variance request is to permit a reasonable request to extend the privacy fence higher than the 6-ft. height standard in order to retain privacy and screening from the county roadway and northeast corner of the subject property, and for this reason the request is not solely based on economic considerations.
3. The City has considered the factors required by Title 12-5B-7 of the City Code, including but not limited to the effect of the Variance upon the health, safety, and welfare of the community, existing and anticipated traffic conditions, the effect of the Variance on the danger of fire and the risk to public safety, and upon the value of properties in the surrounding area, and upon the Comprehensive Plan, and has determined this Variance will not affect or pose any negative impacts upon the neighborhood or the community in general.
4. Approval of this Variance is for 1341 Cherry Hill Road only, and does not apply or give precedential value to any other properties throughout the City. All variance applicants must apply for and provide a project narrative to the City to justify a variance. All variance requests must be reviewed independently by City staff and legal counsel under the requirements of the City Code.

**BE IT FURTHER RESOLVED**, by the Mendota Heights City Council that the Variance requested for the property located at 1341 Cherry Hill Road is hereby approved, with the following conditions:

1. The proposed higher fence shall require a building permit (instead of zoning permit) as per Minnesota State Building Codes.
2. The proposed fence shall not exceed 9-ft in height, as measured at a point six inches (6") below the top of the supporting posts.
3. The proposed fence shall taper from 9-ft to 6-ft, beginning at the point 15-ft inward to the west from the existing fence boundary adjacent to Wachtler Avenue.

Adopted by the City Council of the City of Mendota Heights this 1<sup>st</sup> day of July 2025.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

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**Stephanie B. Levine, Mayor**

**ATTEST:**

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**Nancy Bauer, City Clerk**

**EXHIBIT A**

**Property Address:** 1341 Cherry Hill Road

**PIN:** 27-17151-03-040

**Legal Description:** Lot 4, Block 3, Cherry Hill 2<sup>nd</sup> Addition

**EXCERPT FROM DRAFT/UNAPPROVED 6/24/25 PLANNING  
COMMISSION MINUTES**

A) *PLANNING CASE 2025-07  
DANIEL MICHEL, 1341 CHERRY HILL ROAD – VARIANCE*

*Community Development Manager Sarah Madden explained that Daniel Michel is requesting a variance to residential fence height standards for his property located at 1341 Cherry Hill Road. The applicant's existing rear yard fence is nine feet in height, and the existing side yard fence is six feet in height. The request is to replace the six-foot segment of fencing on the side property line with fencing nine feet tall, consistent with the existing rear yard segment, and tapering to six-foot fencing as the fence segment proceeds west.*

*Hearing notices were published and mailed to all properties within 350-ft. of the site; no comments or objections to this request were received.*

*Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).*

*Staff recommended approval of this application based on the findings and with conditions.*

*Commissioner Johnson asked if the distance of 15 feet from the property line is referencing the corner of the fence.*

*Community Development Manager Sarah Madden replied that the existing fence is roughly located on the property line; therefore, that distance would be measured from the corner of the fence, which is the property line.*

*Commissioner Corbett asked how the dimensions were decided.*

*Community Development Manager Sarah Madden explained how she created that recommendation, noting that is open to adjustment from the Commission.*

*Commissioner Stone asked if the property owner would be required to maintain the grass on the other side of the fence.*

*Community Development Manager Sarah Madden replied that the property owner would be responsible for mowing their own property. She stated that the boulevard between the trail and the fence is currently maintained by the applicant and would continue to do so.*

*Commissioner Corbett asked for more information on the grade changes between the properties.*

*Community Development Manager Sarah Madden stated that the grade changes are east to west. She stated that the prior approval considered the grade changes between the property line and the trail.*

*Danny Michel, applicant, stated that he likes the recommendation from staff to taper the fence as that would flow more with the contours of the land. He stated that the property behind the fence is the Dakota County right-of-way, noting that he has received permission from the County to maintain that area and plant bushes. He asked for clarification on the degree of the taper for the fence, noting that he cannot receive a quote from a fence company without that information. He stated that they enjoy their backyard and just want the property to be safe for their children. He noted a previous tree that needed to be removed and bushes that did not work, which would have provided the desired privacy. He commented that the fence seems to be the best option.*

*Commissioner Goldade asked if there had been a conversation with the property at 1411 Farmdale, as they would see the taller fence.*

*Mr. Michel replied that he had been told by neighbors that the property owner is not currently in the home, so they were unable to obtain his signature.*

*Chair Field opened the public hearing.*

*Seeing no one coming forward wishing to speak, Chair Field asked for a motion to close the public hearing.*

*COMMISSIONER JOHNSON MOVED, SECONDED BY COMMISSIONER CORBETT, TO CLOSE THE PUBLIC HEARING.*

*AYES: 6*

*NAYS: 0*

*Commissioner Corbett stated that he mostly aligns with the amended recommendation by staff. He stated that his question was related to where the tapering begins. He stated that someone standing on a deck and seeing into someone else's backyard would not be justification alone for a taller fence.*

*Commissioner Johnson agreed with the comment that neighbors standing on a porch and seeing into another yard would not be a practical difficulty. She stated that she could agree with a taller fence at the corner, but was unsure that 15 feet was the right length for the taper. She stated that she would like the fence to meet the six-foot height sooner rather than later, as that is the standard.*

*Community Development Manager Sarah Madden explained how she came to the 15-foot length recommendation. She recognized that the applicant wanted clarification on the type of taper and noted that while she did not specify the method of taper, the Commission could provide input.*

DRAFT/UNAPPROVED MINUTES

*Commissioner Stone commented that he had a similar fence and elevation change, noting that they installed a six-foot fence that ended up being 4.5 feet. He stated that he does not oppose the request.*

*Commissioner Johnson stated that she could support either the terraced or angled taper, but did not want to see the nine-foot extend for a long stretch into the neighbor's yard.*

*Commissioner Corbett agreed that the practical difficulty loses its argument at some point, as the practical difficulty is Wachtler. He stated that he trusts the staff recommendation and that the staff and the applicant could decide on the type of taper.*

*Commissioner Johnson referenced the side property line, which abuts 1411, and asked the distance of the property line.*

*Community Development Manager Sarah Madden replied that the existing fence in that location is 105 or 106 feet.*

*COMMISSIONER STONE MOVED, SECONDED BY COMMISSIONER GOLDADE, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST, WITH CERTAIN CONDITIONS BASED ON CERTAIN FINDINGS OF FACT, AS INCLUDED, ALONG WITH THE FOLLOWING CONDITIONS:*

- 1. THE PROPOSED HIGHER FENCE SHALL REQUIRE A BUILDING PERMIT (INSTEAD OF ZONING PERMIT) AS PER MINNESOTA STATE BUILDING CODES.*
- 2. THE PROPOSED FENCE SHALL NOT EXCEED NINE FEET IN HEIGHT, AS MEASURED AT A POINT SIX INCHES BELOW THE TOP OF THE SUPPORTED POSTS.*
- 3. THE PROPOSED FENCE SHALL TAPER FROM NINE FEET TO SIX FEET, BEGINNING AT THE POINT 15 FEET INWARD TO THE WEST FROM THE EXISTING FENCE BOUNDARY ADJACENT TO WACHTLER AVENUE.*

*AYES: 6*

*NAYS: 0*

*Chair Field advised that the City Council would consider this application at its July 1, 2025, meeting.*



**Meeting Date:** June 24, 2025

**Agenda Item:** **CASE No. 2025-07 Variance** Application of Daniel Michel for a Variance to allow for the construction of a fence exceeding 6-ft in height for the property located at 1341 Cherry Hill Road

**Department:** Community Development

**Contact:**

Sarah Madden,  
Community Development  
Manager

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**Introduction:**

The applicant, Daniel Michel, is requesting a Variance to residential fence height standards for his property located at 1341 Cherry Hill Road. The applicant's existing rear-yard fence is 9-ft in height, and the existing side-yard fence is 6-ft in height. The request is to replace the 6-ft segment of fencing on the side property line (north of the existing home) with fencing 9-ft tall consistent with the existing rear-yard segment, and tapering to 6-ft fencing as the fence segment proceeds west.

This item is being presented under a duly noticed public hearing process. A notice of hearing on this item was published in the Pioneer Press newspaper; and notice letters of this hearing were mailed to all owners within 350-feet of the affected parcels. As of the submittal of this report, the City has received no public comments related to this item. The applicant did seek signatures from some neighboring property owners, which have been attached to this report.

**Background:**

The subject site is located at the end of the Cherry Hill Road cul-de-sac. The property consists of 0.54 acres of land, and contains a 3,416-sf. two-story dwelling, with an in-ground swimming pool in the rear yard.

In 2019, this property received Variance approval for the construction of a fence 9-ft tall on the east, rear property line of the parcel, which abuts Wachtler Avenue and an adjacent trail. This approval was granted based on the request demonstrating practical difficulties and a large aspect of the discussion centered around the grade difference between the trail on Wachtler Avenue and the backyard of the subject site. Resolution 2019-40 approving this Variance has been included as an attachment to this report.

**Analysis:**

City Code section 12-4A-10: Fences requires that "The maximum height of a fence erected on interior lot lines behind the front yard setback line and on any rear lot line is six feet (6') in height."

The proposed fence would replace the existing 6-ft privacy fence on the north side lot line with a new 9-ft privacy fence consistent with the 2019 Variance approval for the segment adjacent to the rear lot line and Wachtler Avenue. The applicant has indicated that the requested fence would provide additional privacy from the elevation changes on the property and sightlines

from Wachter Avenue, and then would taper down to 6-ft to maintain a consistent appearance with the surrounding residential fences.

City Code Section 12-5B-7 governs variance requests. The city must consider a number of variables when recommending or deciding on a variance, which generally fall into two categories: (i) practical difficulties; and (ii) impact to the community.

The “practical difficulties” test contains three parts: (i) the property owner proposes to use the property in a reasonable manner not otherwise permitted by the zoning ordinance; (ii) the plight of the property owner is due to circumstances unique to the property, not created by the property owner; and (iii) the variance, if granted, will not alter the essential character of the locality or neighborhood. It is also noted that economic considerations alone do not constitute practical difficulties. In addition, variances are only to be permitted when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan.

Section 12-5B-7(E)(1) further provides other issues the city may consider when granting or denying a variance, noted as follows:

- a. Practical Difficulties exist that apply to the structure or land in question that are unique to such property or immediately adjoining property; and
- b. Such Practical Difficulties do not apply generally to other land or structures in the Zoning District in which said land is located; and
- c. That the granting of the Variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant; and
- d. That granting the proposed Variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in the public streets, increase the danger of fire, endanger the public safety, unreasonably diminish or impair established property values in the surrounding area; or
- e. That granting the proposed Variance will not in any other way impair health, safety, comfort, or in any other respect be contrary to the intent of this Zoning Ordinance; and
- f. That the granting of such Variance will not merely serve as a convenience to the Applicant but is necessary to alleviate a Practical Difficulty.
- g. If all the conditions are met, then the City Council may grant such Variance and impose conditions and safeguards therein.

When considering a variance request, the Planning Commission must determine if these standards have been met in granting a variance, and provide findings of facts to support such a recommendation to the City Council. If the Planning Commission determines the Applicant has failed to meet these standards, or has not fully demonstrated a reasonableness in the granting of such variance, then findings of fact supporting a recommendation of denial must be determined.

As part of any variance request, Applicants are required to prepare and submit their own responses and findings, which for this case, are noted in the application materials (included in the attachments and noted below in italic text).

**1. Are there any practical difficulties that help support the granting of this Variance?**

**Applicant’s Response:** *In 2019 a Variance was granted for my backyard fence running parallel to Wachter. I’m requesting a similar Variance to my sideyard fence running parallel to Farmdale Avenue. Because of the elevation of the walking path and street people can see into my backyard. I have a pool and children and this is a safety concern.*

**Staff's Response:** A question that must be considered in this case is whether or not the proposed 3-feet of additional fencing (from 6-ft. to 9-ft.) is reasonable on the north property line. The applicant has shown on the site plan that the entire segment of the existing north fence would be replaced with a 9-ft fence, with only the front-side yard segment being installed as a 6-ft fence. The existing fence meets the City Code requirements for at least a 5-foot high fence for security and safety reasons when surrounding a pool, and the side-front fence segment at 6-ft would be consistent with City Code. The location of the existing fence adjacent to Wachtler Avenue is impacted by grade and does provide a consistent look with neighboring fences when viewed from the street level at Wachtler Avenue. Staff is not supportive of the entire segment of north fencing being constructed at a height of 9-ft, as only a portion of the fence area is shown to be impacted by grades or by sight lines from Wachtler Avenue. The taper noted by the applicant, if applied after the first 15-ft of fence segment would be more adequately represented by a practical difficulty or unique circumstance of grade, as opposed to the entire north segment. The city will need to determine if this request is indeed reasonable or justifiable to extend the 9-ft fencing beyond the previously approved segment, or if additional conditions applied would provide a reasonable nexus to the practical difficulty claimed by the applicant.

**2. Are there any circumstances unique to the property (not created by the owner) that support the granting of this Variance?**

**Applicant's Response:** *There is an average 5.8-ft decline from the street and walking path down to the middle of my side yard fence, caused by grading when the neighborhood was built, not giving me enough privacy with a 6-ft fence.*

**Staff's Response:** The city must determine and substantiate if this grade change in the side yard is unique enough to support the granting of this variance. An alternative to the Variance request may exist, if the property owner opts instead to install evergreen trees or shrubs in the northeast corner to accomplish enhanced screening. The applicant has indicated that they have evaluated this option and would prefer not to attempt this type of screening in order to preserve the root zone of their existing established deciduous trees. The applicant has also indicated that a recent tree removal from the boulevard of an ash tree by Dakota County has also impacted the property's privacy within the rear yard from Wachtler Avenue.

**3. The variance will not alter the essential character of the neighborhood; and economic considerations alone do not constitute practical difficulties.**

**Applicant's Response:** *Because of the elevation on the walking path and Wachtler Ave I have an average loss of 5.8-ft of elevation. A 9-ft fence will match my existing fence and blend in with the neighborhood's 6-ft fences.*

**Staff's Response:** The existing neighborhood is residential in character; and there are a few neighboring houses that have similar style fences of 6-feet in height. Staff is unaware if there are any residential fences greater than 6-feet in this neighborhood. Following the prior approval of the 9-ft fence Variance in 2019, the installation of the 9-ft fence at the toe of the slope on the subject property gave the appearance of a smaller fence when viewed from the adjacent road and trail system. However, when viewed from the north or the south, the difference in fence height is noticeable and may seem out of place. The north fence segment replacement, with a taper from 9-ft to 6-ft after the first 15-ft of the property line fence, would give an appearance of a blended fence and soften the change in fence height when viewed from the north. The city will need to determine if the higher fence would alter the essential character of this neighborhood.

## **Conclusion:**

Staff has evaluated the Variance request and finds that, with appropriate conditions relating to the specific dimensions of the taper from 9-ft height to 6-ft height, the applicant's request for a Variance is reasonable, and that the subject property possesses a practical difficulty that impacts the property owner's ability to reasonably enjoy the use of their property without such cause for a Variance, as the alternative option that exists for screening with plantings would impact existing established deciduous trees on site.

## **Alternatives:**

### **1. Recommend approval of the Variance request as proposed by the applicant, based on certain findings of fact as determined by the Planning Commission, with specific conditions of approval, noted as follows:**

1. The proposed higher fence shall require a building permit (instead of zoning permit) as per Minnesota State Building Codes.
2. The proposed fence shall not exceed 9-ft in height, as measured at a point six inches (6") below the top of the supporting posts and as illustrated on the application materials presented in Planning Case 2025-07

### **2. Recommend approval of the Variance request, with certain conditions based on certain findings of fact as included herein, along with the following conditions:**

1. The proposed higher fence shall require a building permit (instead of zoning permit) as per Minnesota State Building Codes.
2. The proposed fence shall not exceed 9-ft in height, as measured at a point six inches (6") below the top of the supporting posts.
3. The proposed fence shall taper from 9-ft to 6-ft, beginning at the point 15-ft inward to the west from the existing fence boundary adjacent to Wachtler Avenue.

### **3. Recommend denial of the Variance request, based on the findings of fact that confirm the Applicant failed to meet the burden(s) of proof or standards in granting of the variance requested herein, noted as follows:**

- A. Under Title 12-5B-7 of the City Code, the City may only grant variances from the strict application of the provisions of the Code in cases where there are "practical difficulties" in carrying out the strict letter of the regulations of the Code. "Practical difficulties" consists of a three-part test: (i) the Applicant proposes to use the property in a reasonable manner not otherwise permitted by the Code; (ii) the plight of the Applicant is due to circumstances unique to the property not created by the Applicant; and (iii) the variance, if granted, will not alter the essential character of the neighborhood.  
Economic considerations alone do not constitute "practical difficulties."
- B. The City hereby determines the Applicant has not met the burden of demonstrating the requisite "practical difficulties" in order to justify the granting of a variance for increased fence height. The proposed higher fence is not essential to the overall enjoyment and continued use of the property; there is an alternative for privacy screening through the use of evergreen trees which would not require a Variance; and the assertion that the need for additional privacy requires a variance from normal fence height standards is not warranted under this case, and is therefore not considered a reasonable use of the property.
- C. Because the City finds that the first prong of the three-part test (reasonable use of the property) is not met by the Applicant, the City need not consider the remaining two

prongs of the test (unique circumstances of the property and essential character of the neighborhood).

**4. Table the request and request additional information from the applicant or staff. Staff will extend the application review period an additional 60 days, in compliance with MN Statute. 15,99.**

**Staff Recommendation:**

Staff recommends that the Planning Commission recommend to the City Council approval of the proposed 9-ft fence height Variance request on the north side property line with certain conditions as noted in Alternative #2, based on the attached findings of fact. As noted in this report, the parameters of the fence tapering in height from east to west is included as a condition of approval in this alternative.

**Attachments:**

1. Findings of Fact for Approval
2. Site Aerial Map
3. Narrative Letter
4. Variance Request - Response Form
5. Fence and Elevation Plans
6. Adjacent Neighbors - Consent
7. Resolution 2019- 40 Variance 1341 Cherry Hill Road

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## FINDINGS OF FACT FOR APPROVAL

### Variance 1341 Cherry Hill Road

The following Findings of Fact are made in support of approval of the proposed request:

- A. Under Title 12-5B-7 of the City Code, the Council may only grant variances from the strict application of the provisions of the Code in cases where there are “practical difficulties” in carrying out the strict letter of the regulations of the Code. “Practical difficulties” consists of a three-part test: (i) the Applicant proposes to use the property in a reasonable manner not otherwise permitted by the Code; (ii) the plight of the Applicant is due to circumstances unique to the property not created by the Applicant; and (iii) the variance, if granted, will not alter the essential character of the neighborhood. Economic considerations alone do not constitute “practical difficulties.”
- B. The Applicant has met the burden of demonstrating the requisite “practical difficulties” in order to justify the granting of a Variance to allow a residential fence height increase from 6-ft. to 9-ft. along the northern side lot line, by the following:
- i.) The proposed increased fence height is a reasonable request on the subject property, due to the elevation change in the northeast corner of the property;
  - ii.) Dakota County has recently removed a boulevard tree which acted as additional screening for the property, and thus created a unique situation for the homeowner to keep and maintain a certain level of privacy and screening measures from the abutting county roadway and trail system;
  - iii.) The applicant’s request to expand the 9-ft fence from the rear property line to the north side property line would have a lesser impact on the established trees on the subject property than any additional installation of evergreen plantings for screening;
  - iv.) Due to the grade differences between the existing 9-ft fence location on the east property line, and the northwest side yard of the subject property, approving the Variance for an increased fence height does not change the essential character of the neighborhood, as the residential properties adjacent to the subject site will see a taper in fence height as the grade levels to the west.
  - v.) The reason for the Variance request is to permit a reasonable request to extend the privacy fence higher than the 6-ft. height standard in order to retain privacy and screening from the county roadway and northeast corner of the subject property, and for this reason the request is not solely based on economic considerations.
- C. The City has considered the factors required by Title 12-1L-5E1 of the City Code, including but not limited to the effect of the Variance upon the health, safety, and welfare of the community, existing and anticipated traffic conditions, the effect of the Variance on the danger of fire and the

risk to public safety, and upon the value of properties in the surrounding area, and upon the Comprehensive Plan, and has determined this Variance will not affect or pose any negative impacts upon the neighborhood or the community in general.

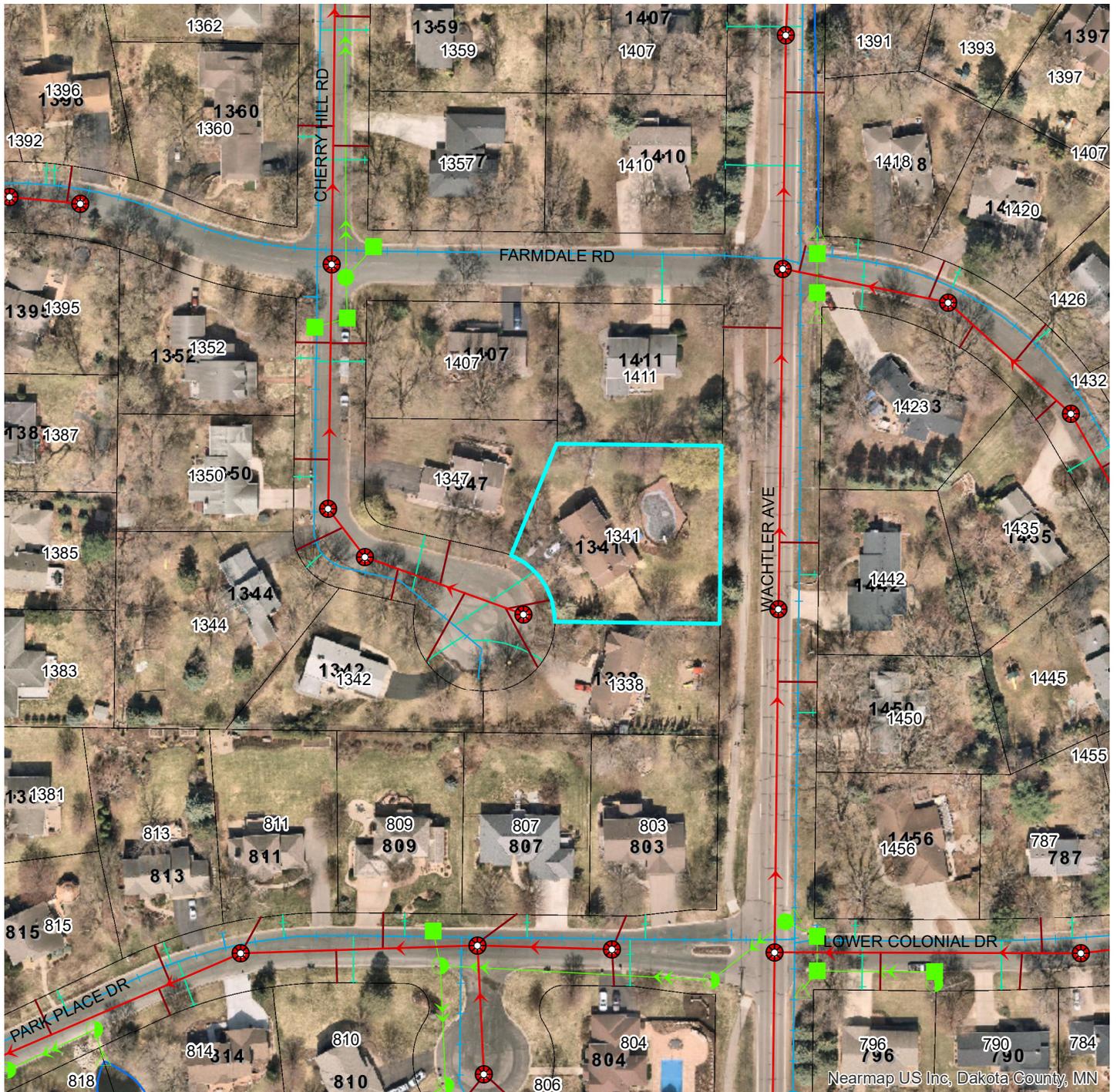
- D. Approval of this Variance is for 1341 Cherry Hill Road only, and does not apply or give precedential value to any other properties throughout the City. All variance applicants must apply for and provide a project narrative to the City to justify a variance. All variance requests must be reviewed independently by City staff and legal counsel under the requirements of the City Code.

# Site Location/Aerial Map 1341 Cherry Hill Road



City of  
Mendota  
Heights

Date: 6/19/2025



### GIS Map Disclaimer:

This data is for informational purposes only and should not be substituted for a true title search, property appraisal, plat, survey, or for zoning verification. The City of Mendota Heights assumes no legal responsibility for the information contained in this data. The City of Mendota Heights, or any other entity from which data was obtained, assumes no liability for any errors or omissions herein. If discrepancies are found, please contact the City of Mendota Heights.

Contact "Gopher State One Call" at 651-454-0002 for utility locations, 48 hours prior to any excavation.

**Fence Variance Request**  
1341 Cherry Hill Road  
Mendota Heights, MN 55118

To the Planning Commission and City Council of Mendota Heights,

I am writing to respectfully request a variance to install a 9-foot solid wood privacy fence along the side of our property that faces Farmdale Avenue.

In 2019, the City approved a variance for a 9-foot fence along the rear of our lot adjacent to Wachtler Avenue. That decision was based on elevation challenges and privacy concerns that arose after Dakota County required the previous fence to be moved out of the right-of-way. Those same conditions still exist today, and we are now seeking to extend that same approved solution along the Farmdale Avenue side of our property.

The existing 6-foot fence along Farmdale is aging and no longer offers adequate privacy. According to USGS elevation measurements (see attached), our home sits on average approximately 5.8 feet below the adjacent sidewalk and street at the lowest point along the fence line. This elevation difference allows pedestrians and passing vehicles to easily see into our backyard, including the pool area and our children's play space.

Based on the elevation measurements we took (6.5 ft, 5.8 ft, 6.1 ft, 6.1 ft, and 5.4 ft), the average elevation drop from the street and sidewalk to our yard is approximately 5.98 feet. Because of this elevation loss, our current 6-foot fence is effectively providing only about one foot of visual privacy from the street level. See USGS Measurements for details.

A 9-foot fence would restore some privacy from the elevation changes. This was the exact reasoning behind the previous variance approval from 2019. The proposed fence would be set back 51 feet from our home, while the rear fence on Wachtler sits 93 feet from our back door. This ensures the fence is well positioned and does not impact neighboring properties.

We plan to follow the same line as the existing fence along Farmdale with the new 9-foot design. Additionally, we would like to extend the fence slightly into our side yard to create more usable outdoor space for our children. As the ground becomes more level along the side of our house, this new section would gradually taper back down to 6 feet to maintain a consistent appearance with the surrounding neighborhood.

As parents of four young children, our primary goal is to create a safe and private backyard. This is important not only for our family's peace of mind but also to ensure that friends and relatives who visit feel secure and comfortable.

Since purchasing our home in August 2022, we have made meaningful investments to maintain and enhance our outdoor space. In 2023, we hired Bartlett Tree Experts, a certified arborist company, to assess, prune, and treat all of the mature trees on our property. They visit my property multiple times per year. Their work has helped preserve the long-term health of our five crabapple trees, one maple tree, and one weeping willow, which run parallel to Farmdale

Avenue. These trees add natural beauty and character to our yard and the neighborhood, and we remain committed to caring for them responsibly.

Last year, Dakota County removed a mature ash tree from the right-of-way along Wachtler Avenue, which increased the visibility into our yard from the trail and road. In response, we considered planting Arborvitae bushes along Farmdale as a natural screen. However, we chose not to proceed with this option due to the extensive root systems of our mature trees in that area. Research from Purdue University Extension and the University of Minnesota Extension notes that digging near established trees can disturb fine roots and reduce oxygen in the root zone, potentially leading to long-term decline or even tree loss.

<https://www.extension.purdue.edu/extmedia/fnr/fnr-463-w.pdf>

<https://extension.umn.edu/planting-and-growing-guides/watering-established-trees-and-shrubs>

According to Section E of the Variance Application Checklist and Response Form, the City Council is asked to consider the effect of the proposed variance on health, safety, welfare, traffic conditions, light and air, fire risk, public safety, surrounding property values, and the City's comprehensive plan.

With that in mind, I respectfully ask the Council to also consider a public safety concern that directly affects our family. A convicted child sex offender lives approximately 90 feet from our rear property line. He admitted to sexually abusing 31 children, including acts involving penetration, and remains in our community. For the safety and well-being of our children, and for the neighborhood children who often swim and play at our home, we ask that this be taken into consideration when reviewing our request to match the height of the existing fence on Wachtler Avenue.

We believe our request fully meets the City's variance criteria. The unique elevation and slope of our lot are factors beyond our control. A 9-foot fence is a practical, reasonable solution that complements the height of the existing approved fence and would not change the character of the neighborhood. Rather, it would help preserve privacy, safety, and the overall appearance of our property.

In Review:

1. **Practical Difficulties:** Our 6ft fence that runs parallel to Farmdale Ave on average has a 5.8 ft elevation change from the sidewalk and street to the middle of our fence. A standard 6-foot fence is ineffective at maintaining privacy from this elevation difference. A 9-foot fence is the only reasonable way to use our backyard for recreation in a manner consistent with other homes on level lots.
2. **Unique Circumstances:** The slope of our lot, the mature tree root systems, and the removal of a street-side ash tree are conditions that were not created by us as homeowners. These factors uniquely limit alternative privacy solutions.
3. **Neighborhood Character:** The fence will match the height of the previously approved 9-foot fence on the rear of our property and will gradually taper as the grade levels out. It will not alter the essential character of the neighborhood but will instead preserve a cohesive and attractive streetscape.

Thank you for your time and thoughtful consideration.

A handwritten signature in black ink, appearing to read "Danny Michel". The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

Sincerely,  
Danny Michel  
1341 Cherry Hill Road  
Mendota Heights, MN 55118  
Cell: 612 819 7376

Please answer the following three questions as they relate to the variance request.  
Responses will be presented to the Planning Commission & City Council.  
(Note: you may fill-in this form or create your own)

1. Are there any practical difficulties that help support the granting of this variance? (Note: "practical difficulties" as used in connection with the granting of a variance, means that the owner proposes to use the property in a reasonable manner not permitted by City Code. Economic considerations alone do not constitute a practical difficulty).

YES       NO

Please describe or identify any practical difficulties and/or how you plan to use the property in a reasonable manner below:

In 2019 a variance was granted for my backyard fence running parallel to Wachtler. I'm requesting a similar variance to my side yard fence running parallel to Farmdale Ave. Because of the elevation of the walking path and street people can see into my backyard. I have a pool and children and this is a safety concern.

2. Are there any circumstances unique to the property (not created by the owner) that support the granting of this variance?

YES       NO

Please describe or identify any unique circumstances below:

There is an average 5.8 ft decline from the street and walking path down to the middle of my side yard fence. Caused by grading when the neighborhood was built. Not giving me enough privacy with a 6ft fence.

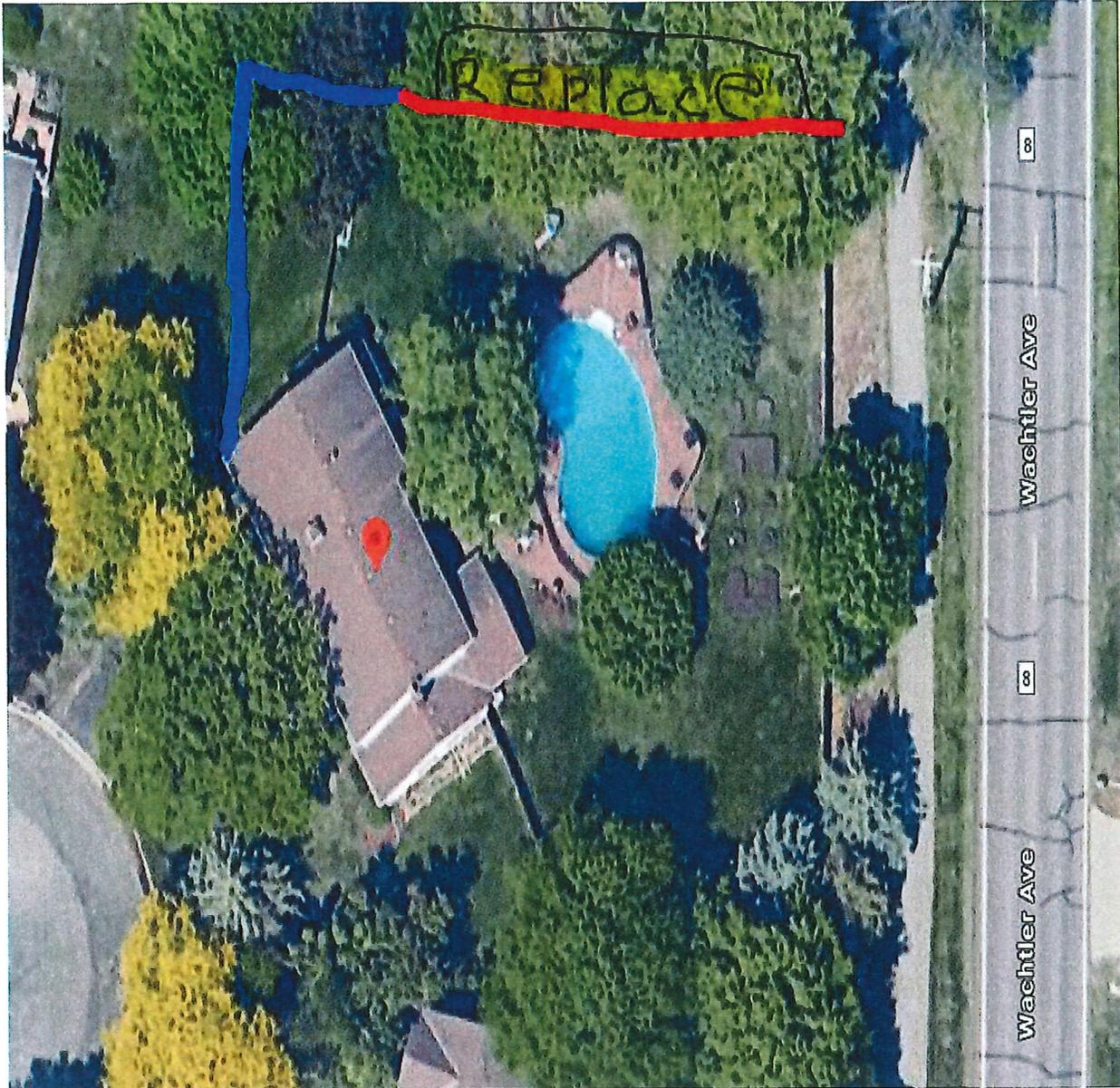
3. If the variance was granted, would it alter the essential character of the neighborhood?

YES       NO

Why or Why Not? Please explain how the request fits with the character of the neighborhood.

Because of the elevation on the walking path and Wachtler Ave I have an average loss of 5.8 ft of elevation. A 9ft fence will match my existing 9ft fence and blend in with the neighborhood's 6ft fences.

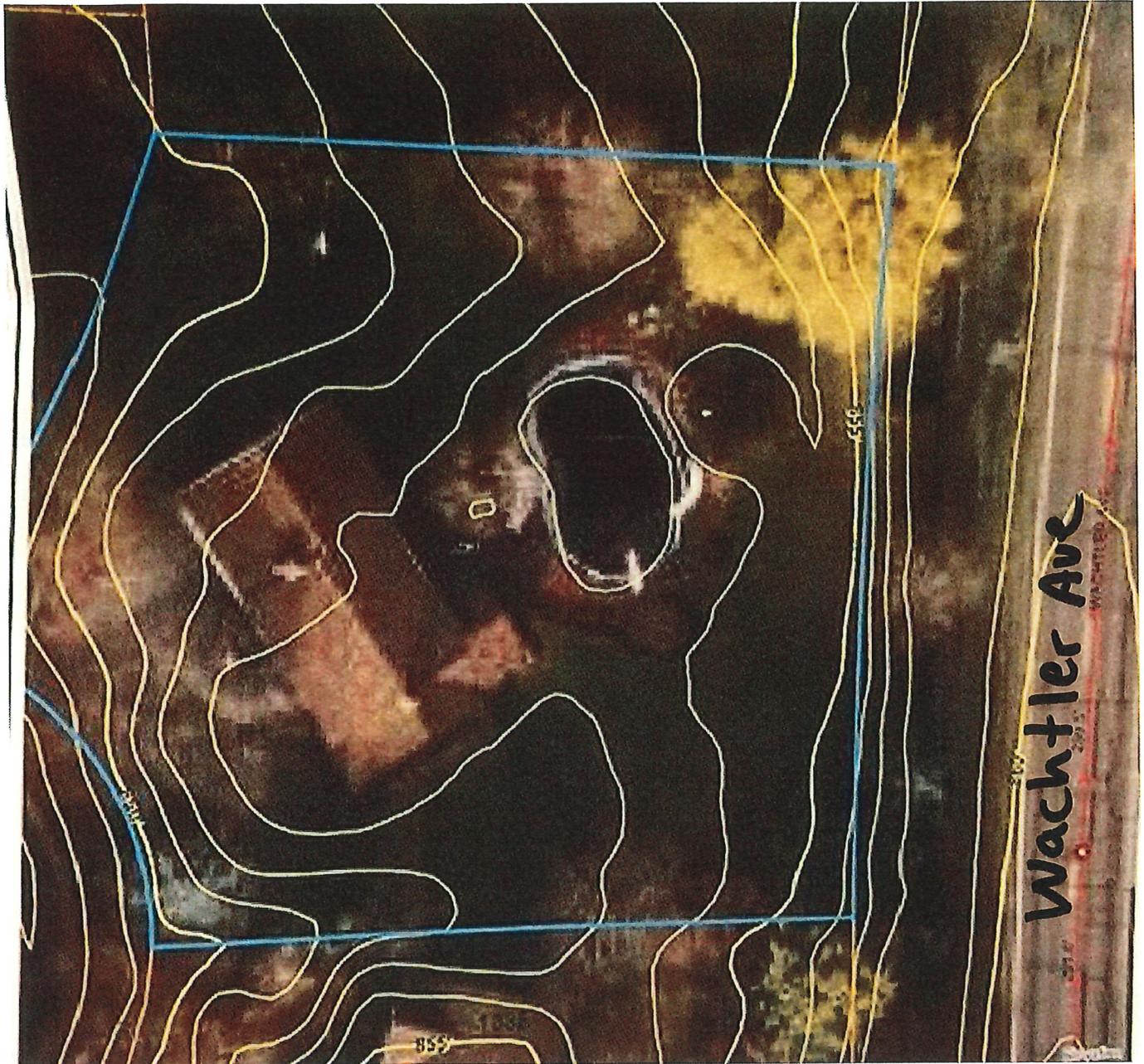
### NEIGHBOR SIGNATURES OF CONSENT



**\*\*\*BLUE = New 6ft foot fence location and addition to side yard**

**\*\*\*RED = Replacement of existing 6ft fence with 9ft variance if approved.**

# Farmdale Ave



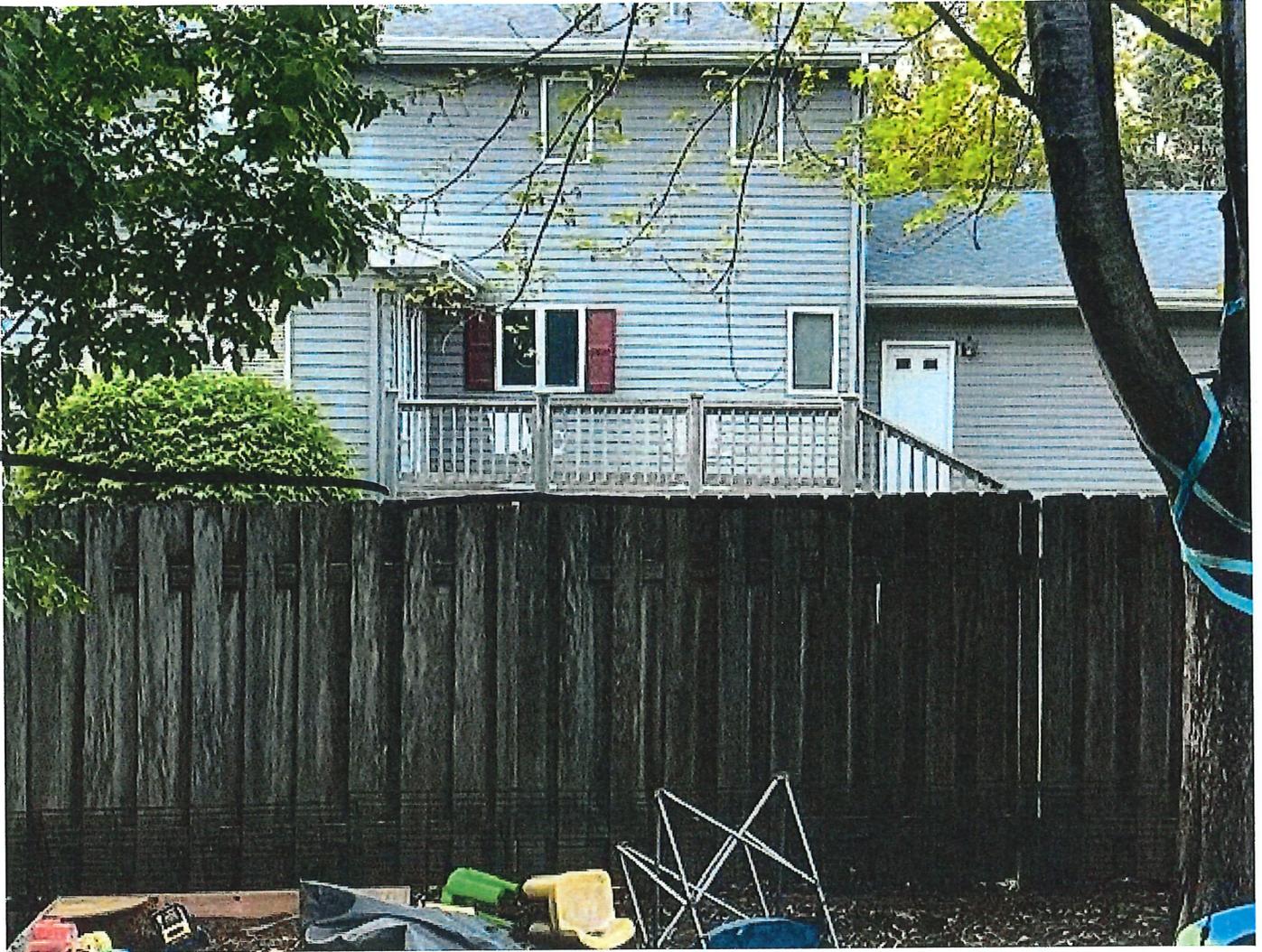


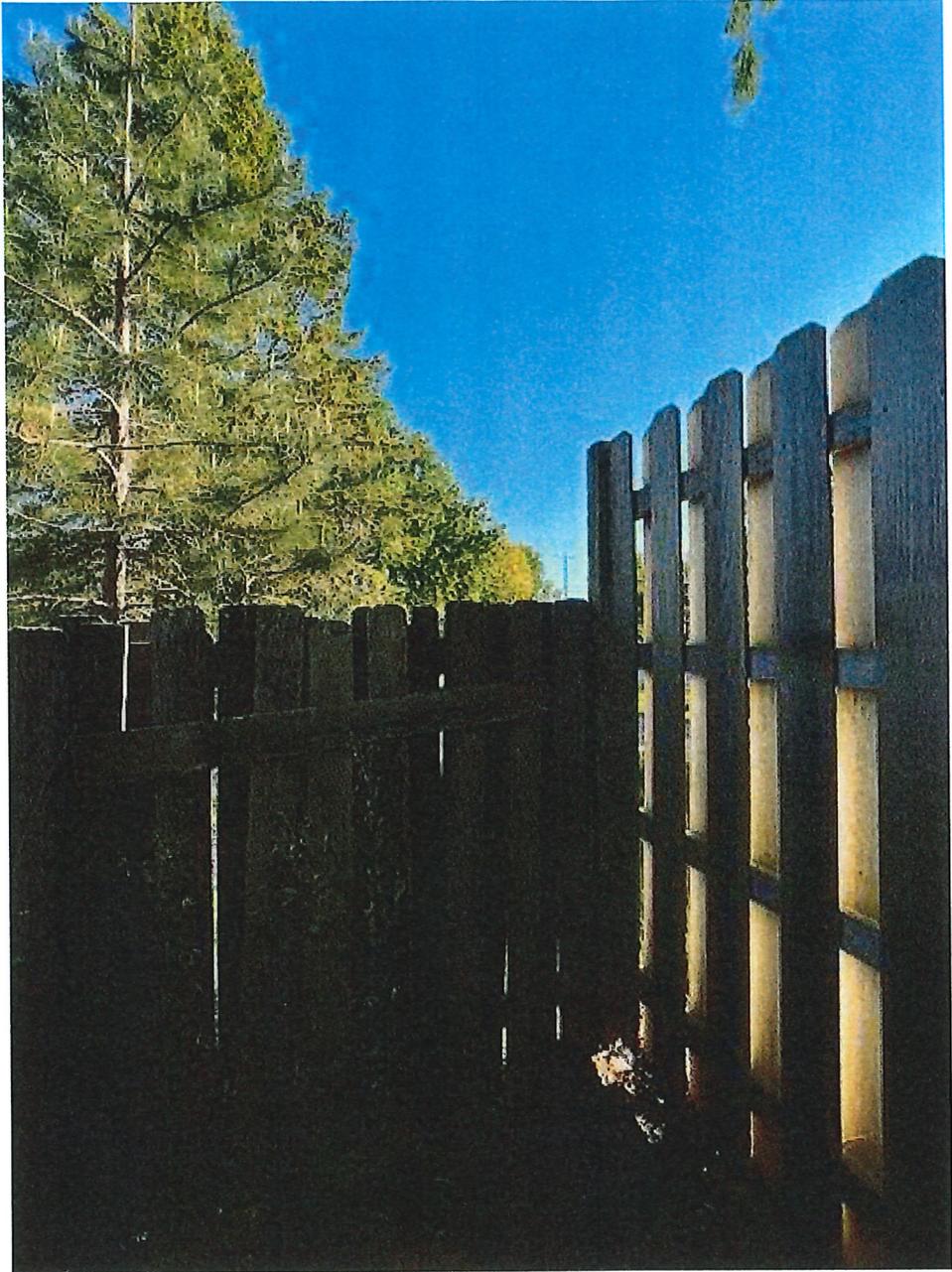


\* Because of the elevation someone could stand on my neighbors porch and look directly into my back yard because of the elevation slope from Wachtler to the middle of my side yard fence.

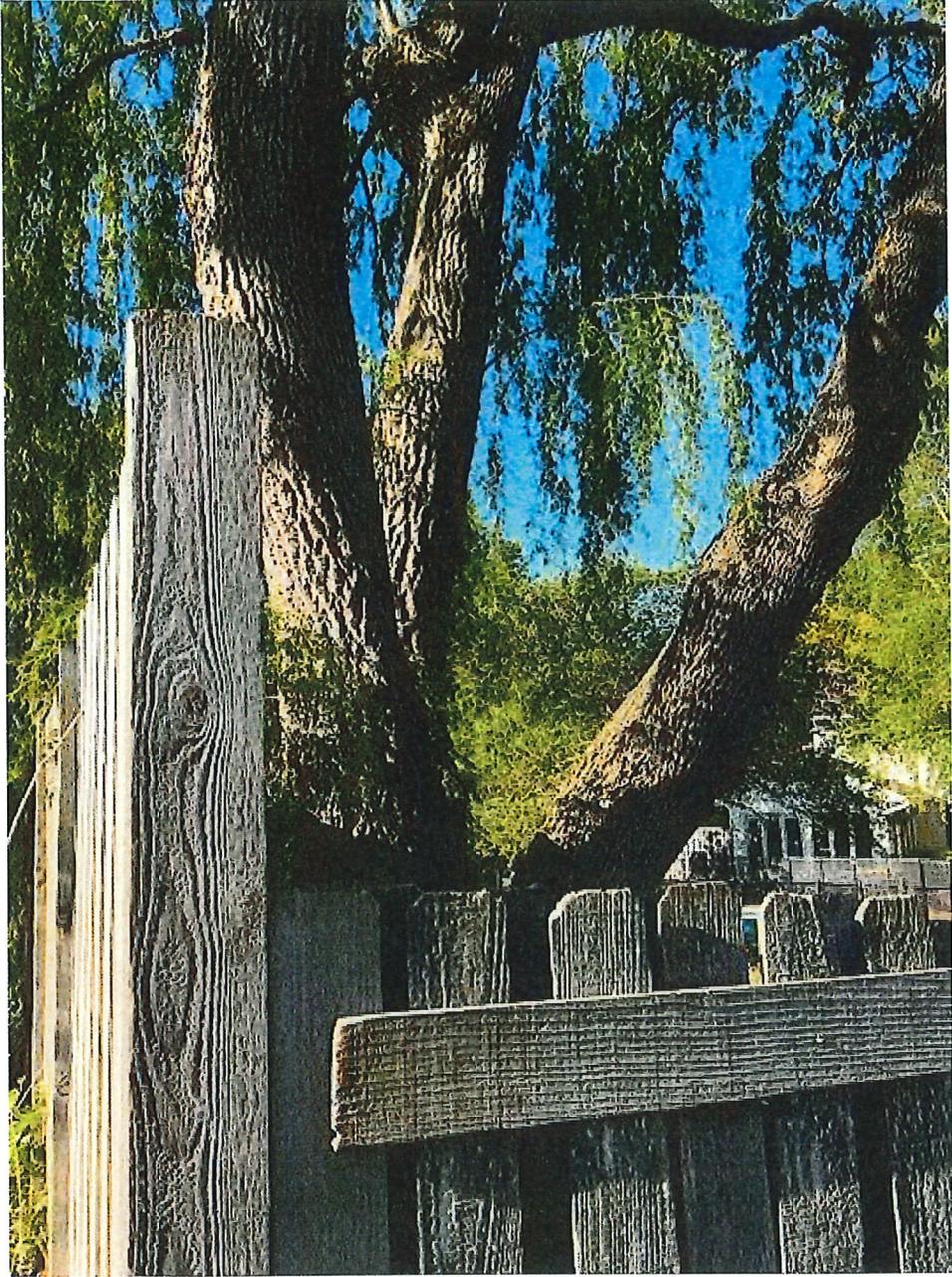
# 1411 Farmdale

6ft Fence  
↑  
HEIGHT  
↑  
1st floor of neighbors  
back porch













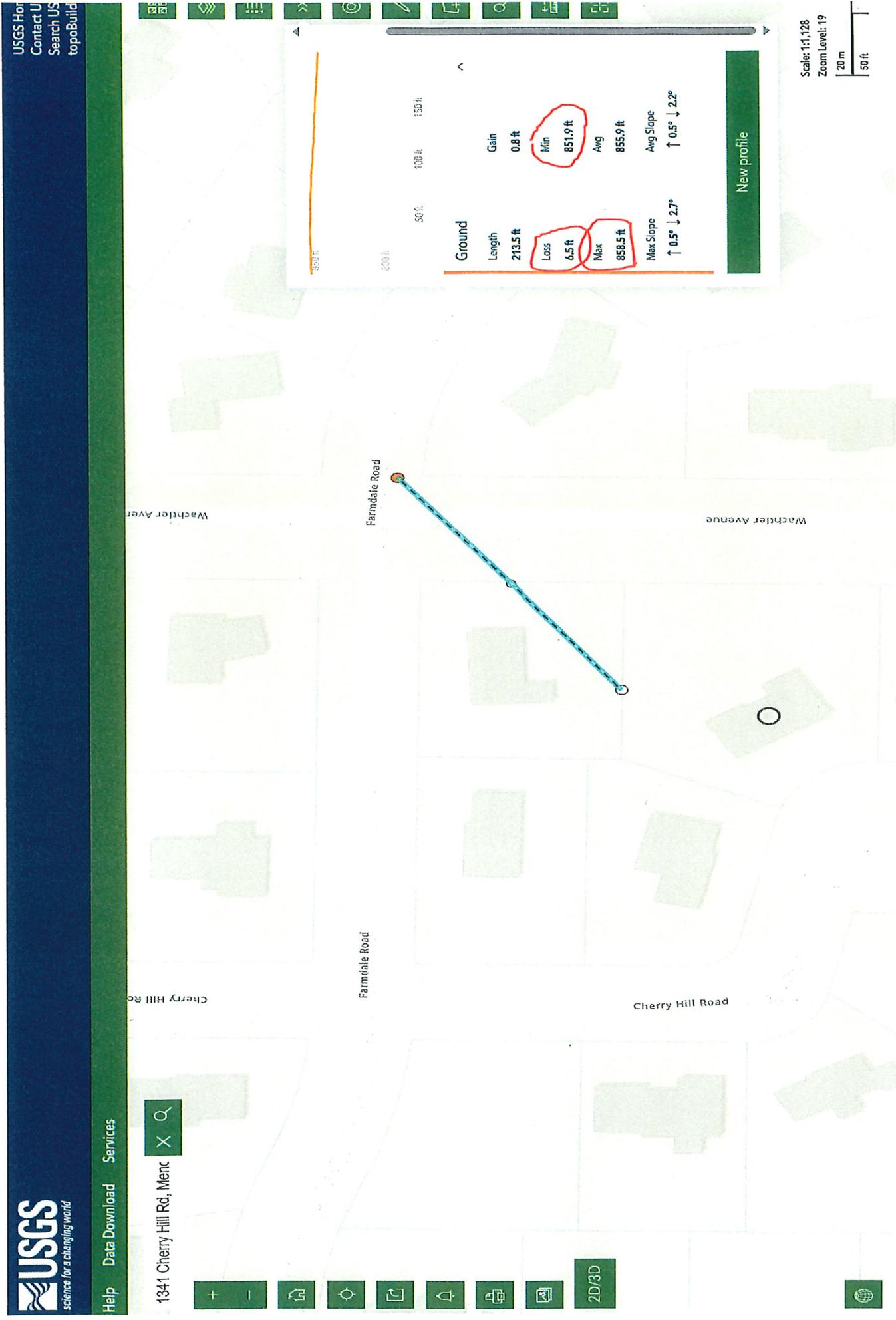
Exposed Roots



## Solid Board Privacy Fence



Elevation from sex offender to middle of my side yard : 858.5ft - 851.9ft = Loss elevation of 6.5ft according to USGS



Elevation from Farmdale Rd and Wachtler Ave to middle of my side yard: 857.6ft - 852.4ft = Loss of elevation of 5.8ft

USGS  
Contact  
Search  
topoB



Help Data Download Services

1341 Cherry Hill Rd, Manc



2D/3D



857.6 ft

Ground

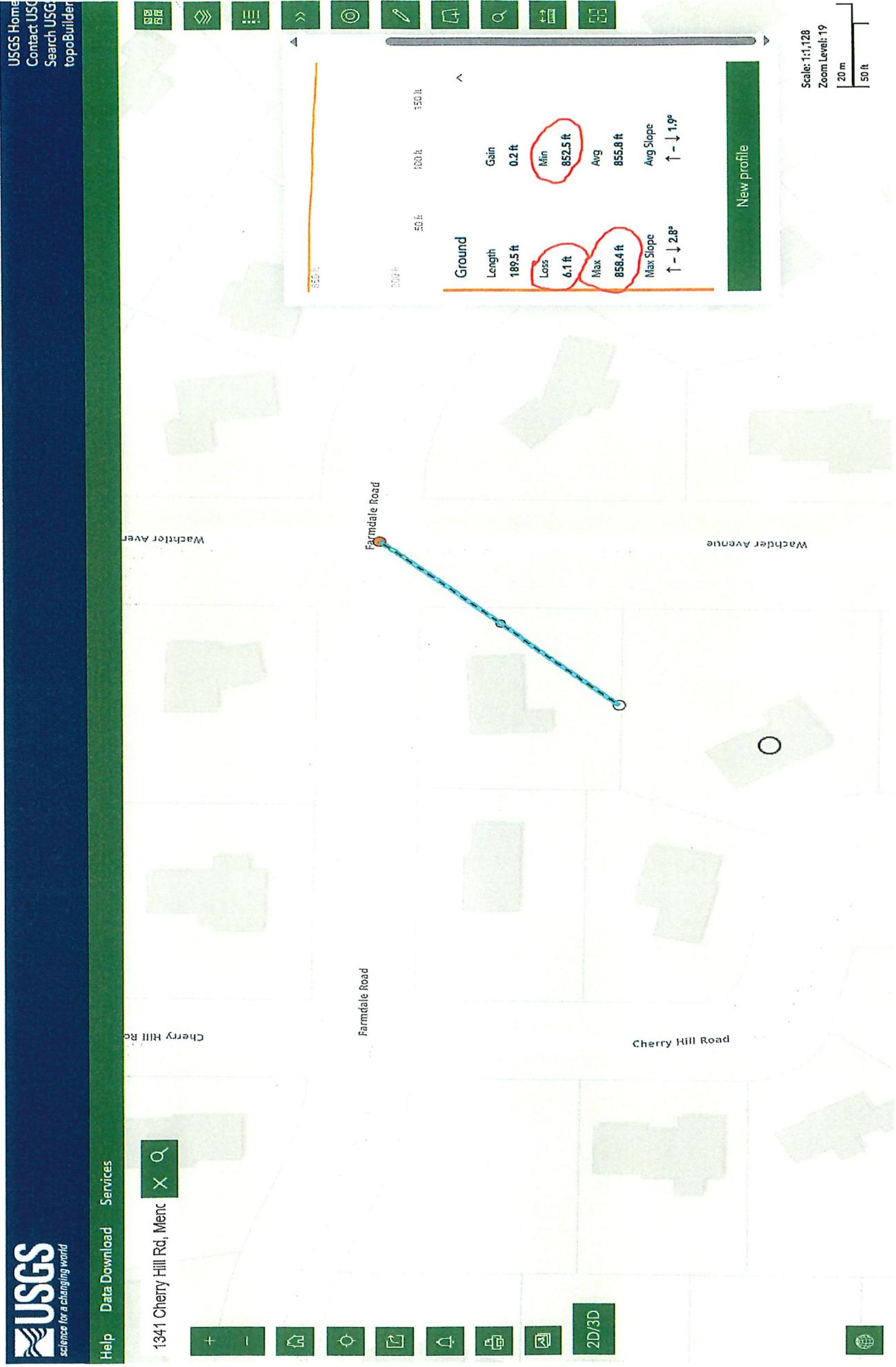
Length 169.9 ft  
Loss 5.8 ft  
Max 857.4 ft  
Max Slope ↑ - ↓ 3.5°

Gain 1.0 ft  
Min 852.4 ft  
Avg 855.3 ft  
Avg Slope ↑ - ↓ 1.7°

New profile

Scale: 1:1,128  
Zoom Level: 15  
20 m  
50 ft

Elevation from Road on Wachtler Ave and Farmdale (Cars driving by elevation. Please note this is ground elevation. Cars/trucks can have a height of 1-3 feet once a person is in the vehicle added to it:  $858.4\text{ft} - 852.5 = 6.1\text{ft}$  of loss elevation to the middle of my side yard.



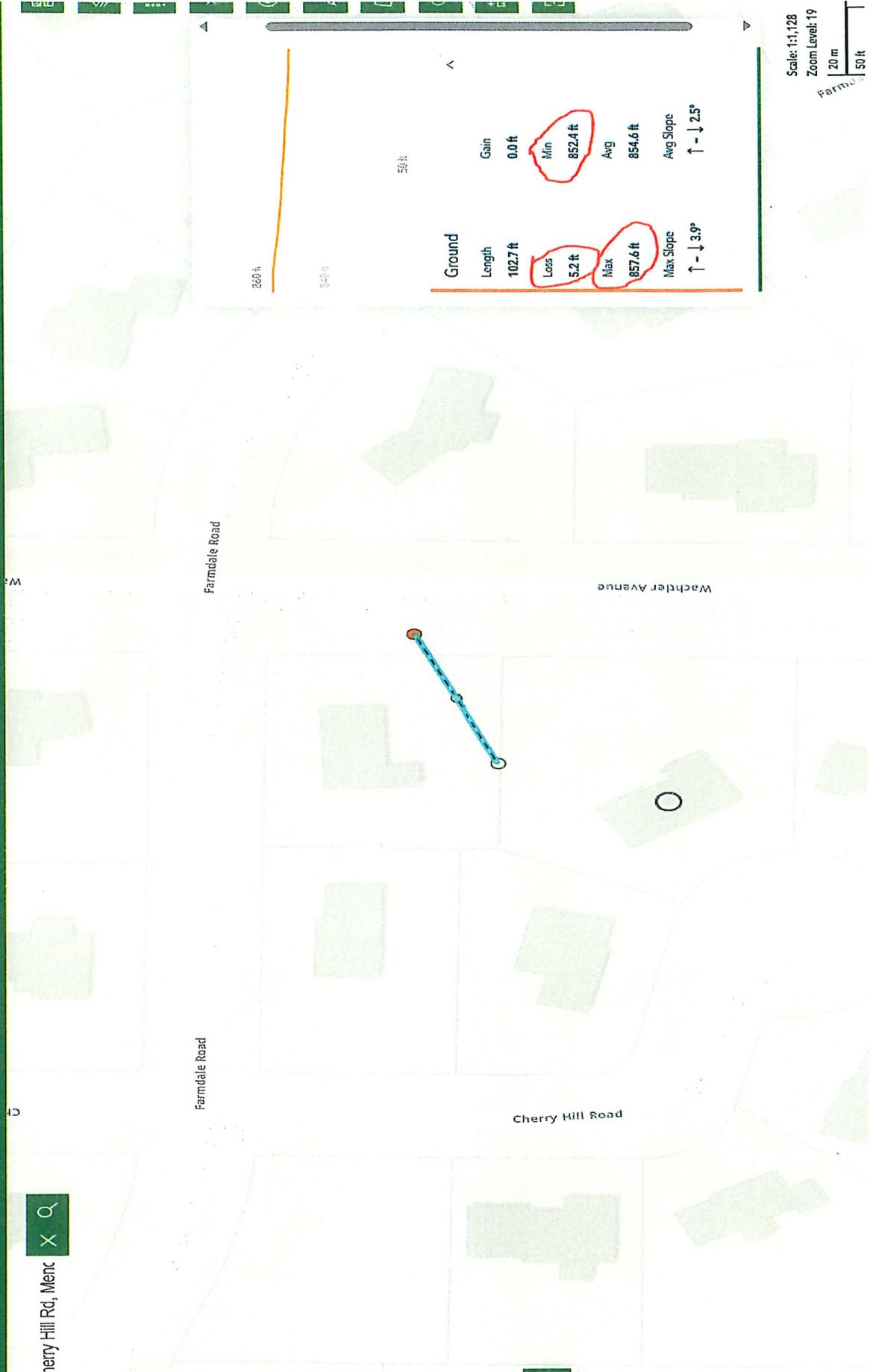
Elevation from Walking path to middle of my side yard fence:  $858.4\text{ft} - 852.5\text{ft} = 6.1\text{ft}$  loss in elevation



USGS Home  
Contact  
Search US  
topoBuilder

Help Data Download Services

1341 Cherry Hill Rd, Meno



Scale: 1:1,128  
Zoom Level: 19  
20 m  
50 ft

Elevation from walking path to my side yard (Strait Line) = 857.98ft – 852.5ft = 5.4ft loss of elevation



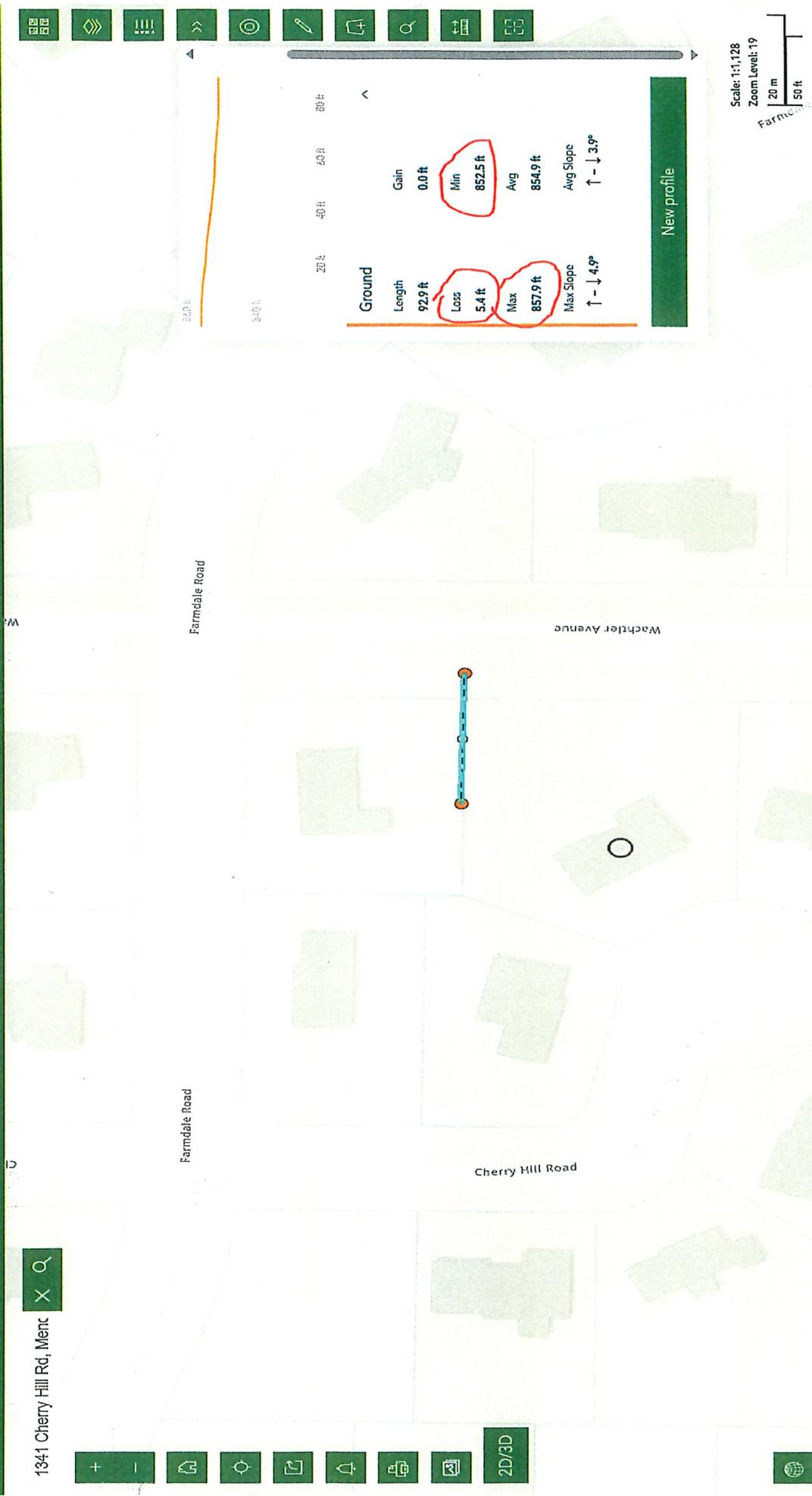
USGS Home  
Contact USGS  
Search USGS  
topoBuilder

Help Data Download Services

1341 Cherry Hill Rd, Menc



2D/3D



Ground	
Length	92.9 ft
Loss	5.4 ft
Max	857.9 ft
Max Slope	↑ - ↓ 4.9°
Gain	0.0 ft
Min	852.5 ft
Avg	854.9 ft
Avg Slope	↑ - ↓ 3.9°

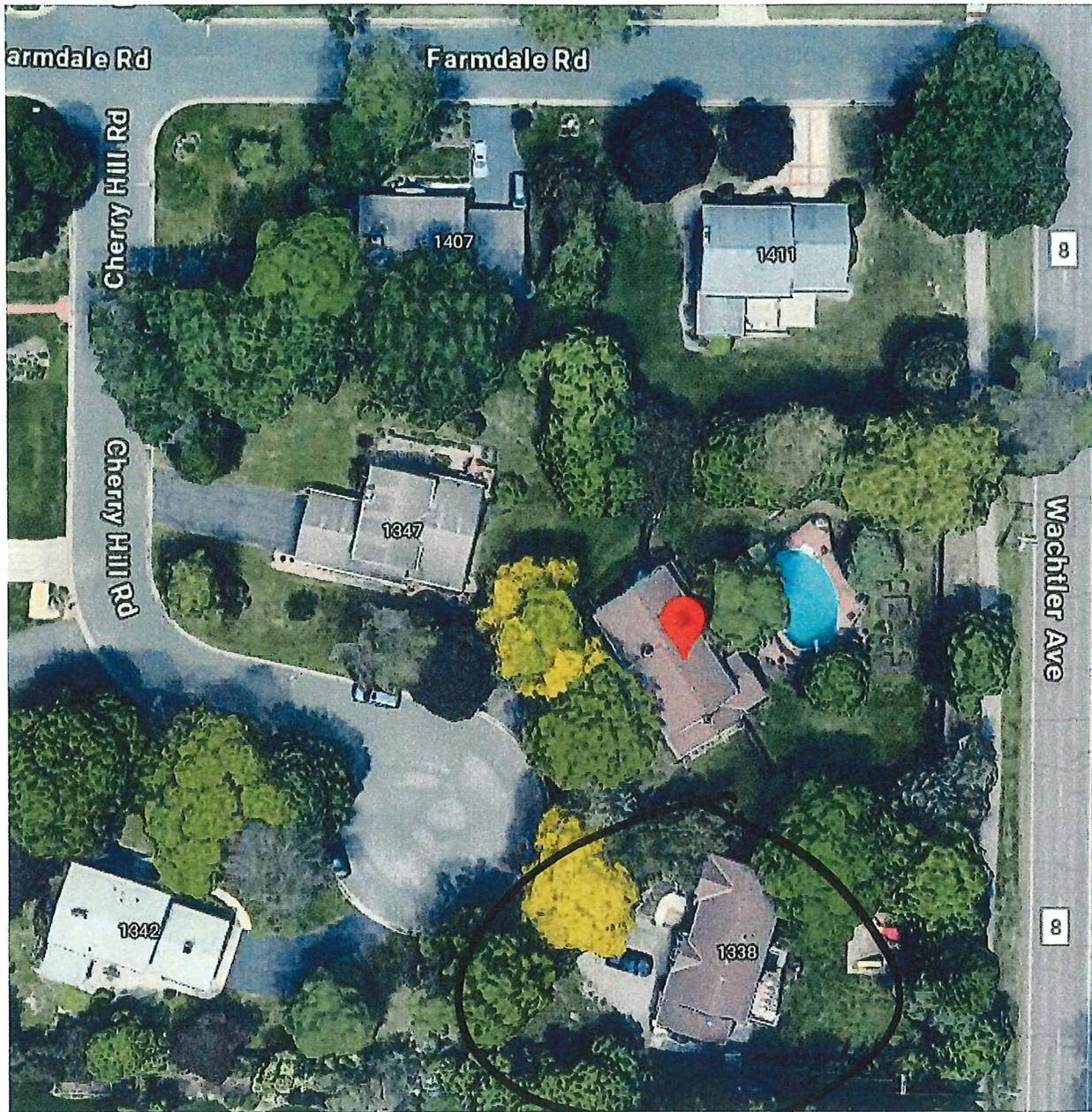
New profile

Scaler: 1:1,128  
Zoom Level: 19  
20 m  
50 ft  
Farmdale Road

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Dakota, Metropolitan Council, MetroGIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, MET/NASA, USGS, EPA, NPS, US Census Bureau, USD... Powered by Esri

Notes: Based on the elevation measurements we took (6.5 ft, 5.8 ft, 6.1 ft, 6.1 ft, and 5.4 ft), the average elevation drop from the street and sidewalk to our yard is approximately 5.98 feet. Because of this elevation loss, our current 6-foot fence is effectively providing only about one foot of visual privacy from the street level.





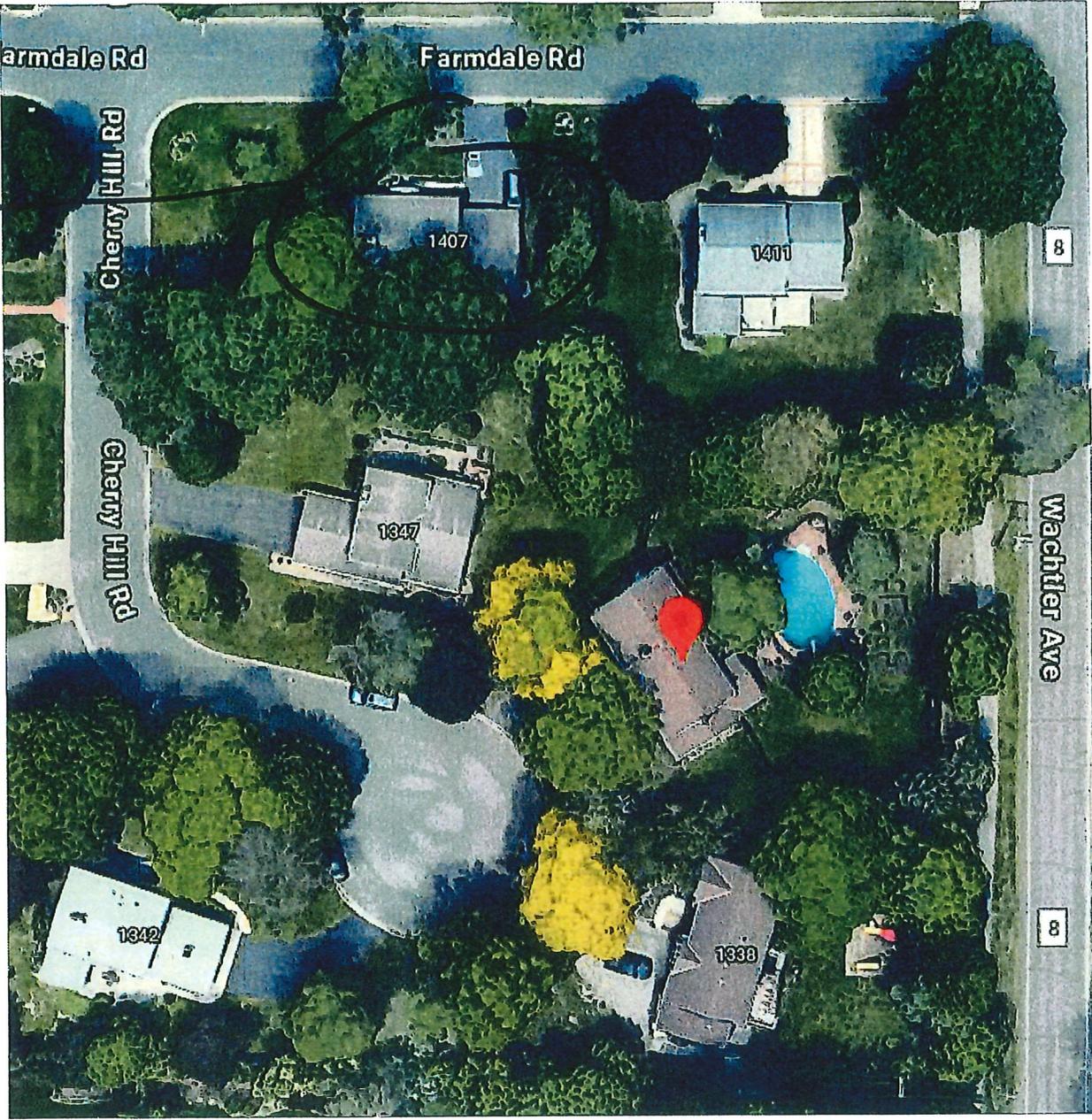
Ben: Amber Post

1338 Cherry Hill Rd

Mendota Heights, MN

55118

\* Signed Variance Petition



\*Mike: Ann Stodolka

Receipt:# 614718

3315767

RES \$46.00



Return to:  
SIMPLIFILE  
5072 NORTH 300 W

Recorded on: 7/19/2019 8:57 AM

By: DRA, Deputy

PROVO UT 84604

Office of the County Recorder  
Dakota County, Minnesota  
Amy A. Koethe, County Recorder

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2019-40**

**RESOLUTION APPROVING A VARIANCE  
FOR PROPERTY LOCATED AT 1341 CHERRY HILL ROAD  
(PLANNING CASE NO. 2019-12)**

**WHEREAS**, Charles “Chuck” Mastel (as “Applicant”) applied for a variance for the property located at 1341 Cherry Hill Road (the “Subject Property”), and legally described on attached **Exhibit A**; and

**WHEREAS**, the Subject Property is guided LR-Low Density Residential in the *2030 Comprehensive Plan* and is located in the R-1 One Family Residential District; and

**WHEREAS**, the Applicant is seeking a variance to allow an oversized privacy fence of 9-feet in height, which would exceed the maximum allowable sized fence height of 6-feet in residential zoned properties, as proposed under Planning Case No. 2019-12; and

**WHEREAS**, Title 12-1L-5 of the City Code (Variances) allows for the City of Mendota Heights (the “City”) to grant variances or certain modifications from the strict application of the provisions of the City Code, and impose conditions and safeguards with variances if so needed or granted: and

**WHEREAS**, on May 28, 2019 the Mendota Heights Planning Commission held a public hearing on this matter, and whereupon closing the hearing and follow-up discussion on this item with staff and the Applicant, the Planning Commission recommended unanimously (by 7-0 vote) to approve the Variance as presented under Planning Case No. 2019-12, with certain findings of fact to support such approval.

**NOW THEREFORE BE IT RESOLVED** by the Mendota Heights City Council that the recommendation from the Planning Commission is hereby affirmed, and the Variance application proposed under Planning Case No. 2019-12 is hereby approved, with the following findings of fact and conditions:

- A. Under Title 12-1L-5A of the City Code, the Council may only grant variances from the strict application of the provisions of the Code in cases where there are “practical difficulties” in carrying out the strict letter of the regulations of the Code. “Practical difficulties” consists of a three-part test: (i) the Applicant proposes to use the property in a reasonable manner not otherwise permitted by the Code; (ii) the plight of the Applicant is due to circumstances unique to the property not created by the Applicant; and (iii) the variance, if granted, will not alter the essential character of the neighborhood. Economic considerations alone do not constitute “practical difficulties.”
- B. The Applicant has met the burden of demonstrating the requisite “practical difficulties” in order to justify the granting of a Variance to allow a residential fence height increase from 6-ft. to 9-ft. along the rear lot line, by the following:
- i.) the proposed increased fence height is a reasonable request on the subject property, due to the need to relocated the fence from an elevated area to a lower level of the property;
  - ii.) Dakota County has ordered the removal of the fence from its current location next to the county trail system (and even after 32 years), and thus created a unique situation for the homeowner to keep and maintain a certain level of privacy and screening measures from the abutting county roadway and trail system;
  - iii.) due to the grade differences from the current fence location to new, approving the Variance for an increased fence height does not change the essential character of the neighborhood, as the subject property abuts residential properties on both sides, and the residential uses on the opposite side of Wachtler Avenue are situated far enough away that they will not be impacted by the higher fence; and
  - iv.) the reason for the Variance request is to permit a reasonable request to extend the privacy fence higher than the 6-ft. height standard in order to retain privacy and screening from the county roadway, and enhances safety for the homeowner.
- C. The City has considered the factors required by Title 12-1L-5E1 of the City Code, including but not limited to the effect of the Variance upon the health, safety, and welfare of the community, existing and anticipated traffic conditions, the effect of the Variance on the danger of fire and the risk to public safety, and upon the value of properties in the surrounding area, and upon the Comprehensive Plan, and has determined this Variance will not affect or pose any negative impacts upon the neighborhood or the community in general.

- D. Approval of this Variance is for 1341 Cherry Hill Road only, and does not apply or give precedential value to any other properties throughout the City. All variance applicants must apply for and provide a project narrative to the City to justify a variance. All variance requests must be reviewed independently by City staff and legal counsel under the requirements of the City Code.
- E. The factual findings and analysis found in the Planning Staff Report for Planning Case No. 2019-12, dated and presented May 28, 2019 (on file with the City of Mendota Heights), is hereby fully incorporated into Resolution No. 2019-40.
- F. The City has the authority to place reasonable conditions upon the property subject to his Variance request. Conditions must be directly related to and roughly proportional to the impact created by the variance. Conditions related to this transaction are as follows:
- i.) The proposed higher fence shall require a building permit (instead of zoning permit) as per Minnesota State Building Codes.
  - ii.) The proposed fence shall not extend more than 9-ft. above the level grade of the rear yard at the property line parallel with Wachtler Avenue; and must match the current shadow-box style or design of the existing residential fence on the subject property.
  - iii.) Within one year of approval by the City Council, the Applicant shall obtain a building permit for construction of the proposed fence.

**BE IT FURTHER RESOLVED**, by the Mendota Heights City Council that the Variance application for the property located at 1341 Cherry Hill Road, as proposed under Planning Case No. 2019-12, is hereby approved.

Adopted by the City Council of the City of Mendota Heights this 4<sup>th</sup> day of June, 2019.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

  
**Neil Garlock, Mayor**

**ATTEST:**

  
**Lorri Smith, City Clerk**

Drafted by: City of Mendota Heights  
1101 Victoria Curve  
Mendota Heights, MN 55118

**Exhibit A**

**PROPERTY ADDRESS:** 1341 Cherry Hill Road  
Mendota Heights, Minnesota 55118

PID No. 27-17151-03-040

**LEGAL DESCRIPTION:**

Lot Four (4), Block Three (3), Cherry Hill 2<sup>nd</sup> Addition, Dakota County, Minnesota

STATE OF MINNESOTA            )  
COUNTY OF DAKOTA            ) s.s.  
CITY OF MENDOTA HEIGHTS    )

I, Lorri Smith, being the duly appointed City Clerk of the City of Mendota Heights, do hereby certify that the attached **Resolution** is an exact copy of the resolution on file in my office adopted by the Mendota Heights City Council.

Signed and sealed by my hand on this 19th day of July, 2019.



  
\_\_\_\_\_  
Lorri Smith, City Clerk

### Fence Segment Diagram

Blue: 15-ft length, of a 9-ft tall fence



Note: At the intersection of the blue and red segments, the fence will begin to taper to the standard 6-ft tall fence



## REQUEST FOR CITY COUNCIL ACTION

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Resolution 2025-38 Approving a Conditional Use Permit Amendment for Glenn Baron (representing The Heights Racquet & Social Club) for the outdoor commercial recreation use located at 1415 Mendota Heights Road. (Planning Case 2025-08)

**ITEM TYPE:** New and Unfinished Business

**DEPARTMENT:** Community Development      **CONTACT:** Sarah Madden, Community Development Manager

---

### **ACTION REQUEST:**

Adopt Resolution 2025-38 Approving a Conditional Use Permit Amendment for the outdoor commercial recreation use located at 1415 Mendota Heights Road

### **BACKGROUND:**

The applicant, Glenn Baron, represents The Heights Social and Raquetball Club in their request to modify their Conditional Use Permit (CUP) approval for outdoor commercial recreation, which was approved by the City in February 2024. Outdoor commercial recreation use is a Conditional Use in the I-Industrial zoning district, when accessory to an approved indoor commercial recreation use.

The subject property is located on the northwestern corner of the intersection of Mendota Heights Road and Pilot Knob Road, within an existing multi-tenant building owned by the applicant. This business previously received CUP approval for the indoor commercial recreation of the Racquet Club in 2022, and opened in late 2023. In 2024, the applicant received City approval for a CUP for the outdoor commercial recreation component. Only some of the approved outdoor improvements were installed in 2024, and this current application request modifies that approval.

The Applicant is proposing to construct outdoor padel courts, which require a glass wall perimeter 10-ft in height. To enhance the club facility's ability to offer outdoor recreation, the applicant is also proposing to install exterior lighting and increase their hours of operation from what was previously identified in their prior Conditional Use Permit approvals. These modifications to the outdoor commercial recreation use necessitate a Conditional Use Permit Amendment. As part of the overall site improvements, the applicant will also be installing a new retaining wall north of the proposed outdoor courts (requiring a separate building

permit), and expanding their paved parking areas. The proposed exterior lighting improvements, and additional parking facilities are consistent with the minimum requirements of the City Code.

At the June 24, 2025, Planning Commission meeting, a planning report was presented. A duly noticed public hearing was held, and no members of the public spoke to the application as part of the public hearing. The applicant was in the audience, and present to speak to the application and to answer questions from the Planning Commissioners.

The Planning Commission discussed the lighting details, seasonal use of the outdoor courts on site, and expressed support for the business and use.

A copy of the 06/24/25 planning report with attachments and an excerpt from the unapproved minutes are attached to this memo. As noted in the attachment, staff recommended approval of the CUP Amendment request. Following their discussion, the Planning Commission determined that the applicant met the conditions set forth in City Code Title 12-3B-4: Business/Commercial Use Specific Regulations and affirmed the staff recommendation, modifying the condition relating to hours of operation to omit the language 'be seasonal'. The Planning Commission voted unanimously (7-0) in support of the Variance request with findings-of-fact and certain conditions, as outlined in the attached [draft] Resolution.

**FISCAL AND RESOURCE IMPACT:**

Not Applicable

**ATTACHMENTS:**

1. Res. 2025-38 Approving a CUP Amendment for Glenn Baron (representing The Heights Racquet & Social Club) for the outdoor commercial
2. Unapproved Planning Commission Minutes 6-24-25
3. June 24 2025, Planning Commission Staff Report

**CITY COUNCIL PRIORITY:**

Economic Vitality & Community Vibrancy

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2025-38**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR  
THE OUTDOOR COMMERCIAL RECREATION USE LOCATED  
AT 1415 MENDOTA HEIGHTS ROAD  
PLANNING CASE 2025-08**

**WHEREAS**, Glenn Baron, (the Applicant and Owners’ representative of Lamar, LLC), requests approval of a Conditional Use Permit (CUP) Amendment under Planning Case No. 2025-08, which would modify the outdoor commercial recreation use approval and approved site plan located at 1415 Mendota Heights Road, and legally described on Exhibit A; and

**WHEREAS**, the subject property is guided Industrial in the *2040 Comprehensive Plan* and situated in the I-Industrial Zoning District, and

**WHEREAS**, Title 12-3B-4 of the City Code allows certain “outdoor commercial recreation” uses by Conditional Use Permit in the Industrial District, and the proposed outdoor Padel courts meet the qualifications and definitions as an outdoor recreational use accessory to an approved indoor recreational use; and

**WHEREAS**, on June 24, 2025 the Mendota Heights Planning Commission held a public hearing on this application request following a presentation of the planning report, and comments from the applicant and public were allowed, and whereupon closing the hearing, the Commission recommended unanimously (7-0 vote) to approve the request from Glenn Baron for the CUP Amendment, which would allow the modifications to the approved outdoor commercial recreation use, located at 1415 Mendota Heights Road, as proposed and presented under Planning Case No. 2025-08, with certain conditions identified herein and specific findings-of-fact to support said approval.

**NOW THEREFORE BE IT RESOLVED** by the Mendota Heights City Council that the recommendation from the Planning Commission on Planning Case No. 2025-08 is hereby affirmed, and the Conditional Use Permit Amendment requested for the property located at 1415 Mendota Heights Road is approved based on the following findings-of-fact.

1. The Proposed outdoor recreation use (padel and pickleball courts) is consistent with the adopted Comprehensive Plan and the Zoning Ordinance for property in the Industrial district.
2. The proposed principal and accessory use are an adaptive reuse of an industrial building which is consistent with the City’s goals for reinvestment and redevelopment with the industrial zoning district.

3. The proposed outdoor padel and pickleball courts are accessory to the principal use of The Heights Racquet and Social Club which is an indoor commercial recreation use.
4. With the conditions included herein, the site will provide adequate parking for the multitenant building. All parking will be accommodated on-site and no adverse impacts off-site are anticipated.
5. The proposed outdoor recreation use of padel courts is consistent with the prior Conditional Use Permit approval, and the surrounding light industrial uses, and will not adversely impact the value of surrounding properties.
6. Parking is adequately provided onsite, and there will not be negative impacts to traffic flow on the surrounding roadway network.

**BE IT FURTHER RESOLVED**, by the Mendota Heights City Council that the Conditional Use Permit Amendment requested for the property located at 1415 Mendota Heights Road is hereby approved, with the following conditions:

1. All parking for the multi-tenant building must be accommodated on site. Any indication that the site is under parked may result in required amendments to the Site Plan and/or the Conditional Use Permit.
2. The hours of operation for the Outdoor Commercial Recreation (Padel and Pickleball Courts) shall be limited to 6:00am to 11:30pm.
3. The exterior lighting shall not exceed a reading of .2 foot-candles when measured at the property lines.
4. Site Grading, Erosion Control, and Stormwater Management plans shall be provided with a building permit application which show existing contours, proposed grading elevations, stormwater management details, and erosion and sediment control.
5. All grading and construction activity must be in compliance with applicable federal, state, and local regulations and codes, as well as in compliance with the City's Land Disturbance Guidance Document.

Adopted by the City Council of the City of Mendota Heights this 1<sup>st</sup> day of July 2025.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

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**Stephanie B. Levine, Mayor**

**ATTEST:**

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**Nancy Bauer, City Clerk**

**EXHIBIT A**

**Address:** 1415 Mendota Heights Road

**PIN:** 270330078070

**Legal Description:** THE NORTH 430.00 FEET OF THE SOUTH 1,750 FEET OF THE EAST 660 FEET OF GOVERNMENT LOT 1 & 2, EXCEPT THE SOUTH 40 FEET, SECTION 33 TOWNSHIP 28 RANGE 23, DAKOTA COUNTY, MINNESOTA; AND EXCLUDING PARCEL NO. 46D OF MINNESOTA DOT R/W MAP 19-93.

[Abstract Property]

**EXCERPT FROM DRAFT/UNAPPROVED 6/24/25 PLANNING  
COMMISSION MINUTES**

B) *PLANNING CASE 2025-08  
GLENN BARON, 1415 MENDOTA HEIGHTS ROAD – CONDITIONAL USE PERMIT  
AMENDMENT*

*Community Development Manager Sarah Madden explained that Glenn Baron represents The Heights Social and Racquetball Club in their request to modify their Conditional Use Permit approval for outdoor commercial recreation, which was approved by the City in February 2024. Outdoor commercial recreation use is a conditional use in the I-Industrial zoning district when accessory to an approved indoor commercial recreation use.*

*Hearing notices were published and mailed to all properties within 350-ft. of the site; no comments or objections to this request were received.*

*Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).*

*Staff recommended approval of this application based on the findings and with conditions.*

*Commissioner Corbett referenced the recommended condition that the activity would be seasonal and asked if that is necessary.*

*Community Development Manager Sarah Madden commented that was a carryover condition from the previous approval, but agreed that could be omitted.*

*Commissioner Johnson appreciated the lighting information that was supplied. She asked if the lighting is downcast.*

*Community Development Manager Sarah Madden confirmed that all exterior lighting in the city is required to be downcast.*

*Glenn Baron, applicant, and Frank Zenk were present to address any questions of the Commission. Mr. Zenk stated that they are very excited to bring this outdoor padel activity to the community. He provided background information on the planning that has been done to properly plan for this use and welcomed any questions.*

*Chair Field commented that the charts provided were amazing.*

*Commissioner Goldade recognized the value that the indoor portion of the business has added to the community. He asked why the business is interested in expanding outdoors for such a short season.*

*Mr. Zenk replied that they would like to provide an exciting venue for their members in the summer, and people like to be outdoors when they can. He stated that padel also benefits from not having the limitation of a roof. He stated that pickleball players might enjoy the indoor environment because of the type of ball used and to avoid the wind, where the wind and outdoor environment add to the enjoyment of padel.*

*Mr. Baron commented that they have also run out of indoor space.*

*Mr. Zenk commented that they would not intend to use the outdoor courts once the snow falls. He agreed that it would be helpful to remove that condition or clarify that the area will not be used during times of snow.*

*Commissioner Johnson commented that this is an allowed use in the industrial district, and there has been no negative impact on residential properties in terms of noise or sound.*

*Commissioner Udell arrived.*

*Chair Field opened the public hearing.*

*Seeing no one coming forward wishing to speak, Chair Field asked for a motion to close the public hearing.*

*COMMISSIONER CORBETT MOVED, SECONDED BY COMMISSIONER STONE, TO CLOSE THE PUBLIC HEARING.*

*AYES: 7*

*NAYS: 0*

*COMMISSIONER CORBETT MOVED, SECONDED BY COMMISSIONER JOHNSON, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AMENDMENT FOR 1415 MENDOTA HEIGHTS ROAD, BASED ON THE FINDINGS OF FACT AND WITH THE FOLLOWING CONDITIONS:*

- 1. ALL PARKING FOR THE MULTI-TENANT BUILDING MUST BE ACCOMMODATED ON SITE. ANY INDICATION THAT THE SITE IS UNDER PARKED MAY RESULT IN REQUIRED AMENDMENT TO THE SITE PLAN AND/OR THE CONDITIONAL USE PERMIT.*
- 2. THE HOURS OF OPERATION FOR THE OUTDOOR COMMERCIAL RECREATION (PADEL AND PICKLEBALL COURTS) SHALL BE LIMITED TO 6 A.M. TO 11:30 P.M.*
- 3. THE EXTERIOR LIGHTING SHALL NOT EXCEED A READING OF .2 FOOT-CANDLES WHEN MEASURED AT THE PROPERTY LINES.*
- 4. SITE GRADING, EROSION CONTROL, AND STORMWATER MANGEMENT PLANS SHALL BE PROVIDED WITH A BUILDING PERMIT APPLICATION WHICH SHOW EXISTING CONTOURS, PROPOSED GRADING ELEVATIONS, STORMWATER MANGEMENT DETAILS, AND EROSION AND SEDIMENT CONTROL.*
- 5. ALL GRADING AND CONSTRUCTION ACTIVITY MUST BE IN COMPLIANCE WITH APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS AND CODES, AS WELL*

DRAFT/UNAPPROVED MINUTES

*AS IN COMPLIANCE WITH THE CITY'S LAND DISTURBANCE GUIDANCE DOCUMENT.*

*AYES: 7*

*NAYS: 0*

*Chair Field advised that the City Council would consider this application at its July 1, 2025, meeting.*



**Meeting Date:** June 24, 2025

**Agenda Item:** **CASE No. 2025-08 Conditional Use Permit Amendment** Application of Glenn Baron requesting an amended Conditional Use Permit (CUP) approval for the outdoor commercial recreation use located at 1415 Mendota Heights Road

**Department:** Community Development

**Contact:**

Sarah Madden,  
Community Development  
Manager

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**Introduction:**

The applicant, Glenn Baron, represents The Heights Social and Raquetball Club in their request to modify their Conditional Use Permit approval for outdoor commercial recreation, which was approved by the City in February 2024. Outdoor commercial recreation use is a Conditional Use in the I-Industrial zoning district, when accessory to an approved indoor commercial recreation use.

A public hearing notice for this planning item was published in the Pioneer Press and notice letters were mailed to all properties within 350-feet of the subject property. The city has not received any comments or objections to this land use request as of the submittal of this report.

**Background:**

The subject property is located on the northwestern corner of the intersection of Mendota Heights Road and Pilot Knob Road. It is also less than a mile from an I-494 onramp, Highway 13, and Highway 55. The site contains three access points off Mendota Heights Road to the south and one access off Pilot Knob Road to the east, with 155 marked or dedicated parking spaces spread throughout the property. The subject site and the adjacent properties on all sides are zoned and guided for Industrial uses.

The Dog Tank (2415 Pilot Knob Rd) and Southview Design are current tenants on the subject property and all tenants share the parking and principal structure on the site addressed collectively with 1415 Mendota Heights Rd.

In October 2022, the Applicant submitted a request for a CUP to construct a new indoor athletic club facility (to become The Heights Racquet & Social Club) inside the then vacant space within the multi-tenant building. The CUP was approved by Resolution 2022-82 (adopted 11/01/2022), and the Applicant obtained a certificate of occupancy in the late fall of 2023, allowing the club to open in December 2023. In February 2024, the City approved a Conditional Use Permit for outdoor commercial recreation, accessory to the permitted club facility. As part of this approval, The Heights could install 3,520 sq-ft of pickleball courts, and 2,178 sq-ft of padel courts. Two pickleball courts were constructed in 2024, but the padel courts were not.

## PROPOSED IMPROVEMENTS

The Applicant is proposing to construct an outdoor padel court, which requires a glass wall perimeter 10-ft in height. To enhance the club facility's ability to offer outdoor recreation, they are also proposing to install exterior lighting and increase their hours of operation from what was previously identified in their prior Conditional Use Permit approvals. These modifications to the outdoor commercial recreation use necessitate a Conditional Use Permit Amendment. As part of the overall site improvements, the applicant will also be installing a new retaining wall north of the proposed outdoor courts (requiring a separate building permit), and expanding their paved parking areas.

### **Analysis:**

Pursuant to Title 12-5B-5, the city recognizes that the development and execution of Zoning Code is based upon the division of the city into districts within which regulations are specified. It is further recognized that there are special or conditional uses which, because of their unique characteristics, cannot be properly classified in any district or districts without consideration, in each case, of the impact of those uses on neighboring land or the public need for the particular location.

To provide for these needs, the city may approve a conditional use for those uses and purposes, and may impose conditions and safeguards in such permits to ensure that the purpose and intent of this chapter is effectively carried out.

Additionally, Per City Code section 12-4A-10: Fences, any fences over 6-ft in height in Business and Industrial Districts require a Conditional Use Permit (CUP). The proposed padel court enclosure is constructed of glass, not typical fencing material, however staff has made the determination that this requirement would include a gated enclosure for recreational sport in this planning case.

The City may grant a conditional use provided the proposed use demonstrates the following:

- 1. Use will not be detrimental to the health, safety or general welfare of the community,*
- 2. Use will not cause serious traffic congestion nor hazards,*
- 3. Use will not seriously depreciate surrounding property value, and*
- 4. Use is in harmony with the general purpose and intent of this chapter and the comprehensive plan.*

**A-C) The proposed use will not be detrimental to the health, safety or general welfare of the community; will not cause serious traffic congestion or hazards; nor depreciate surrounding property value.**

### **Staff Response:**

The existing pickleball courts have not been reported to have any negative impacts on surrounding property owners, and the proposed expansion of the outdoor commercial recreation use is not anticipated to have any negative impacts or effect upon the health, safety, and welfare of occupants (of the multi-tenant building) or surrounding land uses; nor will the use be detrimental to the health, safety or general welfare of the community. The use will provide a nice facility expansion for the Club, and for bettering the health and welfare of the community by allowing expanded year-round athletic or fitness activities for the city's residents. The private club use provides members and participants the ability to stagger their use hours which aids in mitigating potential congestion or parking issues on the site.

Furthermore, the additional court space will be installed in a largely industrial area, so noise generated will not be disruptive to any residential neighborhoods. The proposed outdoor lighting addition is illustrated to produce a foot-candle emission of below .2 at the neighboring property lines, which is within the allowable lighting standards for the I-Industrial District.

4. **The proposed use conforms to the general purpose and intent of the city code and comprehensive plan, including all applicable performance standards, so as not to be in conflict on an on-going basis.**

**Staff Response:**

The subject property is guided I-Industrial in the 2040 Comprehensive Plan. The Plan provides the following goal statement:

*Goal 3: Encourage and support industrial and commercial development in designated area*

s.

1. *The city will use available resources to identify redevelopment needs. This will include cooperation with Dakota County and the Metropolitan Council to achieve redevelopment objectives.*
2. *Transitions between adjoining land uses will be required for adjacent residential uses, and will be encouraged between compatible land uses (e.g. transition between a general manufacturing and retail use will be encouraged).*
3. *Amenities within the industrial and commercial districts will be encouraged to promote a more vibrant and attractive place for workers.*

Staff believes the proposed project is in harmony with the general purpose and intent of the City Code and Comprehensive Plan that encourages redevelopment of the industrial areas. The proposed use also supports an amenity within the industrial park that can be utilized by both residents and patrons/workers in the area. This type of use is compatible with the spirit and intent of the Industrial Zoning District and provides commercial reinvestment in an existing building.

This fence, or wall, height is permitted by Conditional Use Permit in the I-Industrial zoning district, and the proposed exterior lighting addition is also consistent with City Code standards.

Specific to the existing Conditional Use Permit approval, pursuant to Ordinance No. 579, outdoor commercial recreation is permitted in Industrial Districts, provided the following conditions are met:

1. *The outdoor commercial recreation use must be accessory to a permitted or conditionally permitted principal use.*
2. *Outdoor recreation uses must be compatible and consistent with the principal use.*
3. *Adequate parking must be provided on site. The total area used for the outdoor commercial recreation use shall be used to determine the required number of stalls and calculation based on the principal use.*
4. *A site plan must be submitted to show the site layout, type and location of outdoor recreation uses proposed, the parking configuration, any proposed exterior lighting locations, and proposed landscaping.*

5. *An operations plan must be submitted that includes the proposed hours of operation.*

1. **The outdoor commercial recreation use must be accessory to a permitted or conditionally permitted principal use.**

Staff Response:

Staff confirms that this condition is met. The proposed outdoor recreation amenities is accessory to the property's permitted and principal commercial recreation use.

2. **Outdoor recreation uses must be compatible and consistent with the principal use.**

Staff Response:

Staff confirms that this condition is met. The proposed outdoor recreation amenities are in harmony with the property's permitted and principal commercial recreation use. A Conditional Use Permit has been obtained for The Heights Racquet & Social Club indoor and outdoor operations, and this Permit will allow for additional services and expansion of the business consistent with prior approvals.

3. **Adequate parking must be provided on site. The total area used for the outdoor commercial recreation use shall be used to determine the required number of stalls and calculation based on the principal use.**

Prior Conditional Use Permit approvals noted the racquet club facility as having 21,250 sq-ft of floor space for their athletic activities, with staff utilizing both the 'Tennis Club' and 'golf or similar uses' categories in the parking provisions of City Code to determine if adequate parking was available on site.

Staff confirms that with this update to the approved site plan, the addition of the padel courts continues to be consistent with the prior approval and 155 parking spaces on site.

In addition to the 155 spaces noted on the previously approved site plan, the applicant is proposing to add an additional 12 parking spaces on site, recognizing that the expanded outdoor courts will add an additional recreation space for up to 8 players.

However, it should be noted that the prior approval included padel and pickleball courts that were not constructed and which were shown to be adequately served by the existing 155 parking spaces on site.

Based on this, and the private club membership business model, staff confirms that the site can provide sufficient parking for the outdoor commercial recreation use. Staff recommends including a condition that all parking must be handled onsite for the multi-tenant building, including all activities associated with The Heights Racquet and Social Club, similar to what was approved in the 2024 Conditional Use Permit. Any indication that the site is under parked or any change of occupancy within the building which increases the minimum parking standards may result in a required amendment to this Permit, and a reasonable solution to accommodate all parking on site must be provided.

4. **A site plan must be submitted to show the site layout, type and location of outdoor recreation uses proposed, the parking configuration, any proposed exterior lighting**

## **locations, and proposed landscaping.**

Staff confirms that the Applicant provided a site layout plan, which included details about the location of the additional outdoor recreation amenities, which has been modified from the prior approval. The site plan also illustrates an area for additional paved parking, and proposed shrub landscaping.

The previous Conditional Use Permit approval included no exterior lighting, and noted that the hours of operation on site would be from 7:00am to Dusk (for the outdoor component). With this new site plan and expansion of the facility's services, the applicant has provided photometric information for the site, and has illustrated that the foot-candle is expected to be less than .2 when measured at the property lines. With these details, staff can approve the exterior lighting plan as it is within City Code standards.

Following approval of the Conditional Use Permit by the City Council, the applicant must obtain all necessary permits from the City, including but not limited to a Grading Permit and Building Permit, and the applicant will be required to provide fully designed and detailed plans with elevations and stormwater management information. The parking improvements, retaining wall details, and erosion control plan will be reviewed as part of the administrative building permit process. The site will be reviewed for compliance with the Land Disturbance requirements, impervious surface, and any additional landscaping which may be proposed. The application is currently compliant with the impervious surface standard for the I-Industrial zoning district.

### **6. An operations plan must be submitted that includes the proposed hours of operation.**

With this proposal and the inclusion of exterior lighting, the hours of operation are proposed to be changed from the prior approval, which was seasonal and limited to daylight hours from 7:00am to Dusk. The applicant has indicated in their narrative letter that the new hours of operation will be 6:00am to 11:30pm. The subject site is an Industrial zoned and guided property and has no residential neighbors, and staff does not anticipate any concerns with the proposal as presented by the applicant.

Staff believes the proposed project has met the Conditional parameters outlined in Ordinance No. 579, and with the conditions provided herein will not be detrimental to the health, safety or general welfare of the community, nor cause any serious traffic congestion or hazards, nor depreciate surrounding property values.

### **Alternatives:**

1. Recommend approval of the Conditional Use Permit Amendment with certain conditions and based on the findings of fact contained herein; or
2. Recommend denial based on the findings of fact(s) determined by the Planning Commission, that the Conditional Use Permit Amendment requested herein is not consistent with the City Code or Comprehensive Plan and may have negative impact on the surrounding neighborhood and/or properties; or
3. Table the application and request additional information from staff and/or the applicant. Staff will extend the review period an additional 60 days in conformance with Minnesota Statute 15.99

**Staff Recommendation:**

Staff recommends approval of the Conditional Use Permit Amendment for 1415 Mendota Heights Road, based on the attached findings-of-fact and with the following conditionals of approval:

1. All parking for the multi-tenant building must be accommodated on site. Any indication that the site is under parked may result in required amendments to the Site Plan and/or the Conditional Use Permit.
2. The hours of operation for the Outdoor Commercial Recreation (Padel and Pickleball Courts) shall be seasonal and limited to 6:00am to 11:30pm.
3. The exterior lighting shall not exceed a reading of .2 foot-candles when measured at the property lines.
4. Site Grading, Erosion Control, and Stormwater Management plans shall be provided with a building permit application which show existing contours, proposed grading elevations, stormwater management details, and erosion and sediment control.
5. All grading and construction activity must be in compliance with applicable federal, state, and local regulations and codes, as well as in compliance with the City's Land Disturbance Guidance Document.

**Attachments:**

1. Findings of Fact for Approval
2. Site Aerial Map
3. Narrative Letter
4. Existing Conditions
5. Site Plan
6. Site Impacts and Improvements
7. Padel Court Rendering
8. Exterior Lighting Details

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## **FINDINGS-OF-FACT FOR APPROVAL**

### **Planning Case No. 2025-08 Conditional Use Permit for 1415 Mendota Heights Road**

The following Findings-of-Fact are made in support of approval of the proposed Conditional Use Permit Amendment request to install outdoor padel courts:

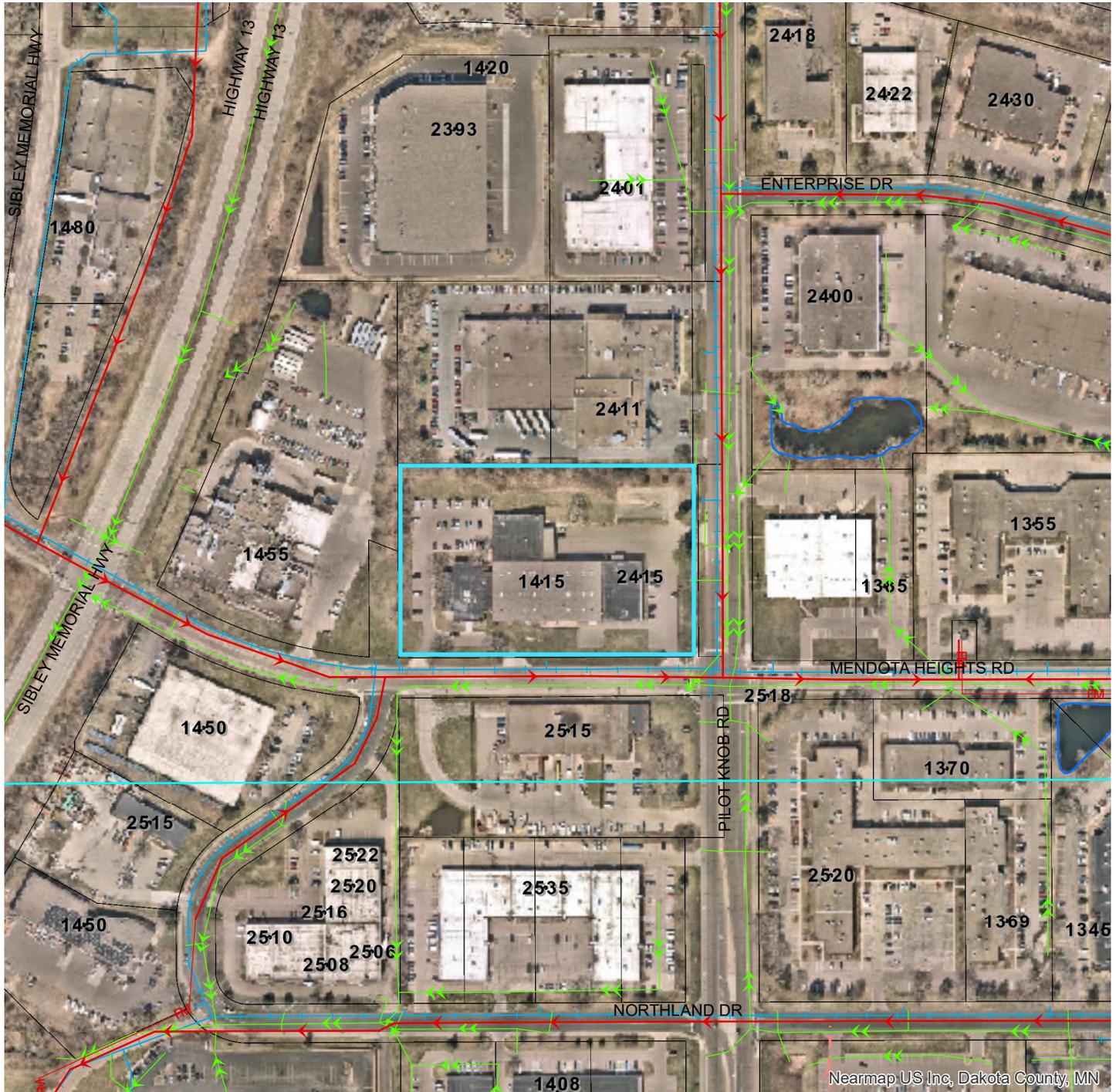
1. The Proposed outdoor recreation use (padel and pickleball courts) is consistent with the adopted Comprehensive Plan and the Zoning Ordinance for property in the Industrial district.
2. The proposed principal and accessory use are an adaptive reuse of an industrial building which is consistent with the City's goals for reinvestment and redevelopment with the industrial zoning district.
3. The proposed outdoor padel and pickleball courts are accessory to the principal use of The Heights Racquet and Social Club which is an indoor commercial recreation use.
4. With the conditions included herein, the site will provide adequate parking for the multi-tenant building. All parking will be accommodated on-site and no adverse impacts off-site are anticipated.
5. The proposed outdoor recreation use of padel courts is consistent with the prior Conditional Use Permit approval, and the surrounding light industrial uses, and will not adversely impact the value of surrounding properties.
6. Parking is adequately provided onsite, and there will not be negative impacts to traffic flow on the surrounding roadway network.

# Location Aerial Map 1415 Mendota Heights Road

Date: 1/23/2024



City of  
Mendota  
Heights



Nearmap US Inc, Dakota County, MN

**GIS Map Disclaimer:**  
This data is for informational purposes only and should not be substituted for a true title search, property appraisal, plat, survey, or for zoning verification. The City of Mendota Heights assumes no legal responsibility for the information contained in this data. The City of Mendota Heights, or any other entity from which data was obtained, assumes no liability for any errors or omissions herein. If discrepancies are found, please contact the City of Mendota Heights.

Contact "Gopher State One Call" at 651-454-0002 for utility locations, 48 hours prior to any excavation.

The Heights Racquet & Social Club  
1415 Mendota Heights Road, Mendota Heights, MN 55120

May 17, 2025

City of Mendota Heights

1101 Victoria Curve

Mendota Heights, MN 55118

RE: Letter of Intent, Conditional Use Permit

To Whom it may Concern:

The Heights Racquet & Social Club opened in December, 2023 with indoor padel, squash and pickleball courts. Soon after we added two outdoor pickleball courts. We now propose to add two outdoor padel courts and expand our parking. We believe the addition of outdoor padel for use during Minnesota's warmer months would be greatly appreciated by the members of the club and would enhance the appeal of this club to the citizens of Mendota Heights.

We have engaged civil engineering, excavation, landscaping, and lighting professionals to design our project and confirm feasibility of the design. Because of the importance of conditional use approval, we are submitting this application while, in parallel, completing design details for all additional required permitting. We are aware that implementation of this project will be contingent on our obtaining all necessary permits, including excavation, building, storm water management, and any other permits deemed applicable.

Herein we provide an overview of padel courts and their installation in the outdoor setting and summarize our proposed installation. We also address issues of interest specific to this conditional use, including parking, storm water management, lighting, and hours of operation. Finally, we provide response statements as required to the four standards as required of conditional use applicants.

**Padel Courts & Our Proposed Outdoor Installation**

Attachment A provides a summary of the structure, size, and use of padel courts in general. In addition, a gallery of representative outdoor installations is included. Padel courts are manufactured to withstand winter weather such as ours in Minnesota.

Attachment B shows our neighborhood and our proposed outdoor installation location, including the area to be excavated and leveled, the installation location of the retaining wall, the storm water mitigation elements, and the expanded, paved parking lot adjacent to the courts.

### **Parking**

Attachment C is a site plan that indicates our existing and proposed additional parking. Our existing parking has been sufficient for our maximum-use episodes. With the addition of two outdoor padel courts, our club court player capacity will increase by 8 players. We propose to add 12 additional parking spots, sufficient to meet the potential additional parking need.

### **Storm Water Management**

We have engaged a civil engineer with expertise in stormwater management and drainage design. Preliminary soil characterization indicates that we will be able to use stormwater management design elements to account for the small increase in impervious surface (parking lot extension). This will be accomplished in a manner consistent with the Mendota Heights Land Disturbance Guidance. Attachment C shows storm water management as well as landscaping elements.

Our proposed outdoor courts will use best-practice foundation design in which drainage will be through the permeable playing surface, such that all surface drainage will flow through permeable pavement (asphalt or concrete) and gravel sub-surface layers, eventually infiltrating into the soil below.

### **Outdoor Lighting**

Our motivation in adding outdoor padel courts is to promote and accommodate our members' interest in outdoor play during the warmer months of our Minnesota climate. To maximize opportunity for play, we propose to light the two outdoor padel courts for night play. We also propose to light our existing two outdoor pickleball courts for night play. Our industrial site has no residential neighbors and there is minimal evening activity among our industrial neighbors.

Our proposed lighting plan makes use of highly efficient LED lighting. These fixtures, mounted on standards approx. 23' above the playing surface (21' for pickleball), have focused lenses to limit the predominate lighting to the playing surface of the respective courts. The retaining wall to be installed within the berm on the north side of our proposed court location will add additional privacy and screening.

We have engaged our padel court manufacturer and lighting professionals to model our outdoor lighting needs and that photometric study is included as Attachment D.

Photometric modeling indicates that very little light from the court lighting system will be detectable at our nearest property border (property line to the north), with no additional light being detectable at our other three property borders. At the northern bordering property line, the added light level will be less than 0.13 fc (foot candle).

### Hours of Operation

In order to maximize opportunity for summer nighttime play, we propose operational hours of 6a to 11:30p. Our indoor facility is well-controlled for member-only access and we will be able to limit nighttime outdoor use as well by control of the lighting itself. We also have an outdoor security camera system with the proposed outdoor padel court locations within view. We have no residential neighbors. Activity & traffic is minimal in the evening hours in our industrial neighborhood.

### Conditional Use Standards

- a) *The proposed use will not be detrimental to the health, safety or general welfare of the community;* As a racquet sports facility, our club is beneficial to the health, safety, and welfare of the community.
- b) *the proposed use will not cause serious traffic congestion nor hazards;* Our club adds very modest traffic to our industrial-zoned neighborhood, which is well-served by two modern roadways, Pilot Knob Road and Mendota Heights Road. Our entry and exit points are well-conceived and do not present a hazard of any kind.
- c) *the proposed use will not seriously depreciate surrounding property value;* We believe our site and its recreational use actually appreciates surrounding property values as we are a low-impact amenity to the neighborhood and community.
- d) *the proposed use is in harmony with the general purpose and intent of the City Code and the comprehensive plan;* It is our understanding that the intent and nature of the comprehensive plan allows and encourages low impact use such ours.

We believe The Heights Racquet & Social club has been a very positive addition to the Mendota Heights community and that our proposed outdoor padel court project will further enhance the experience for our community.

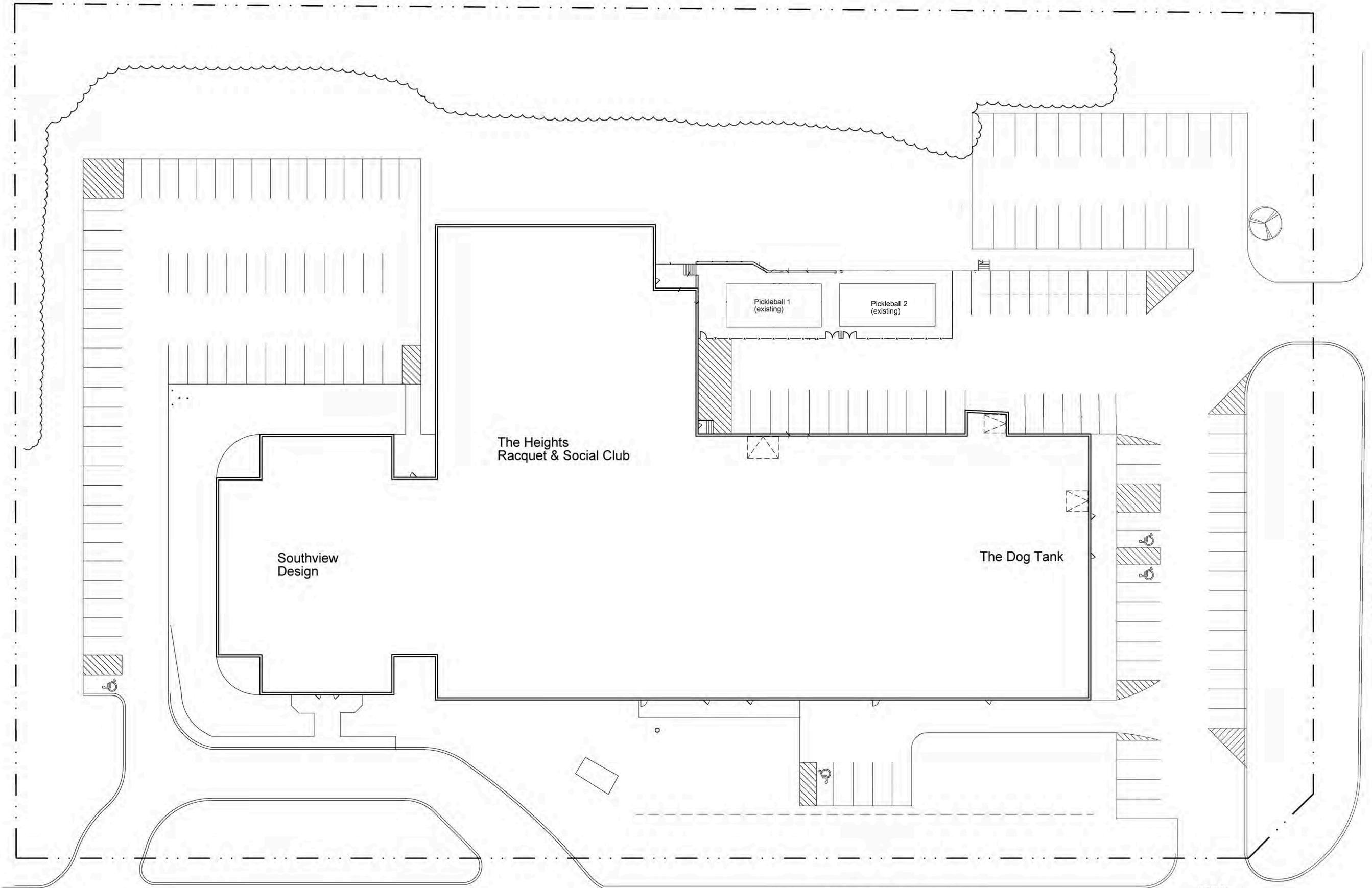
Sincerely,

Glenn Baron



Partner

The Heights Racquet & Social Club



MENDOTA HEIGHTS ROAD  
**THE HEIGHTS RACQUET AND SOCIAL CLUB**

Mendota Heights, Minnesota

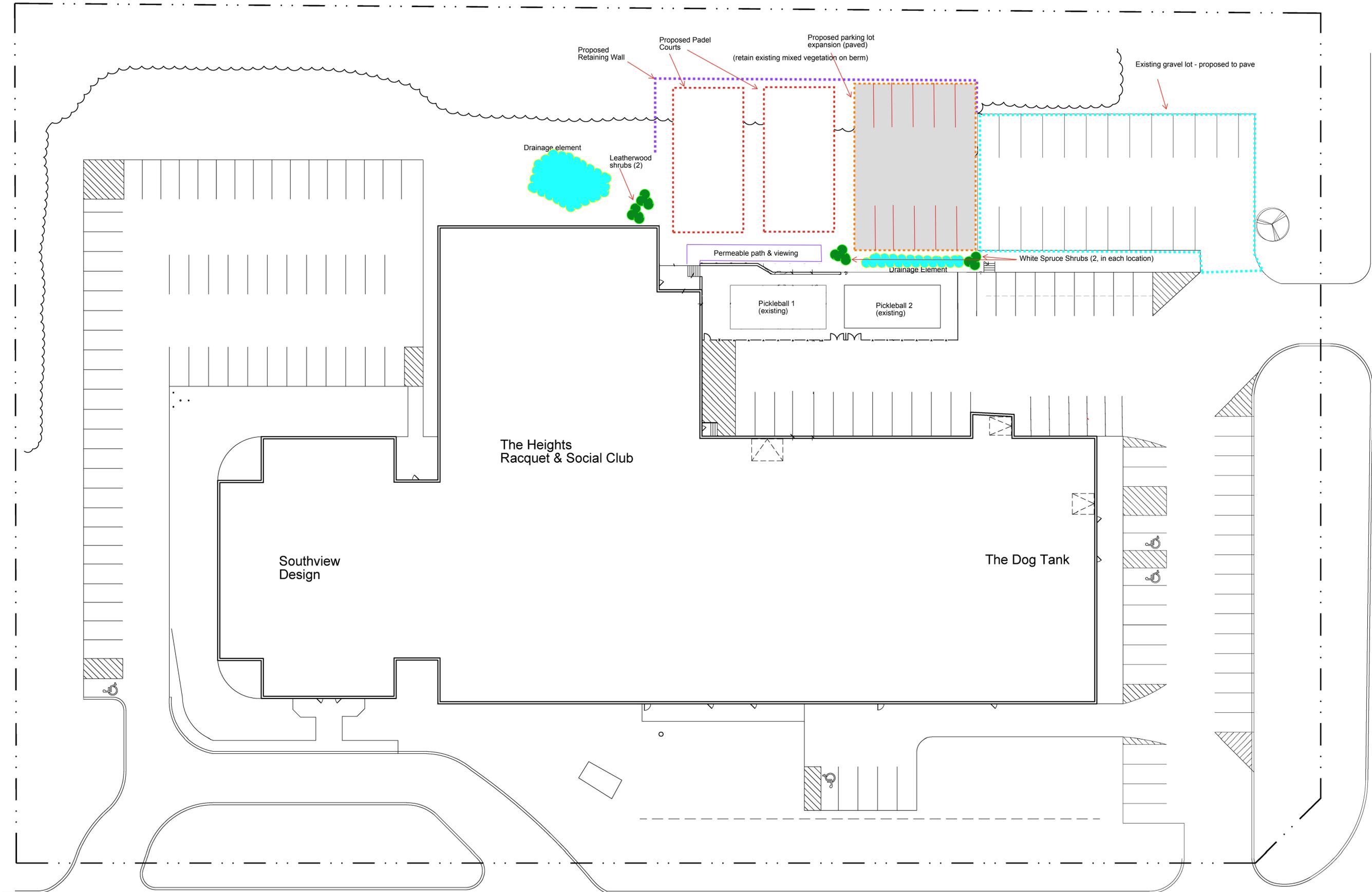


PILOT KNOB ROAD

NOTE: THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL COLORS NEED TO BE FIELD VERIFIED.

# Proposed Site Plan with additional padel courts and expanded parking

(including landscaping element types)



MENDOTA HEIGHTS ROAD  
**THE HEIGHTS RACQUET AND SOCIAL CLUB**

Mendota Heights, Minnesota

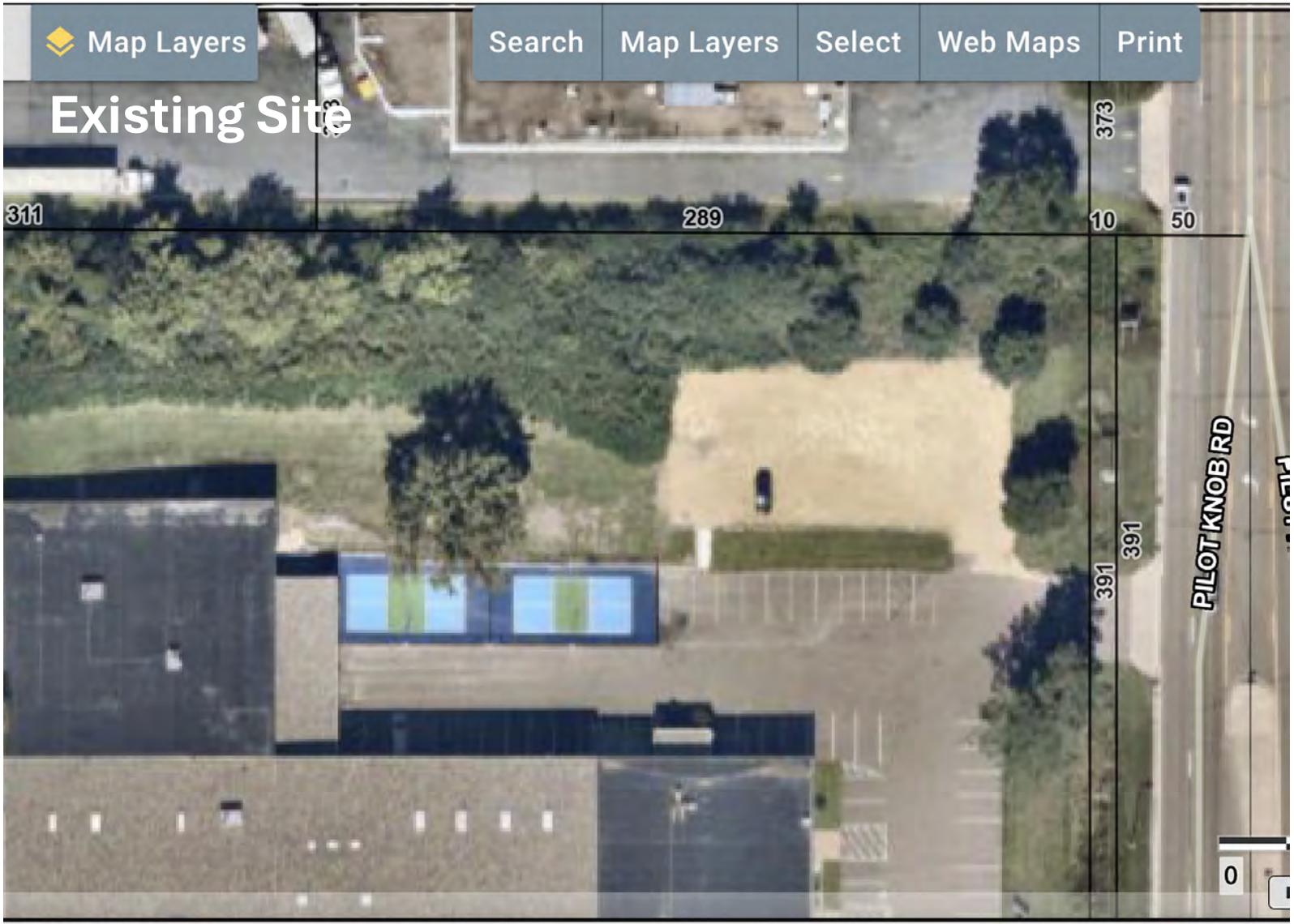
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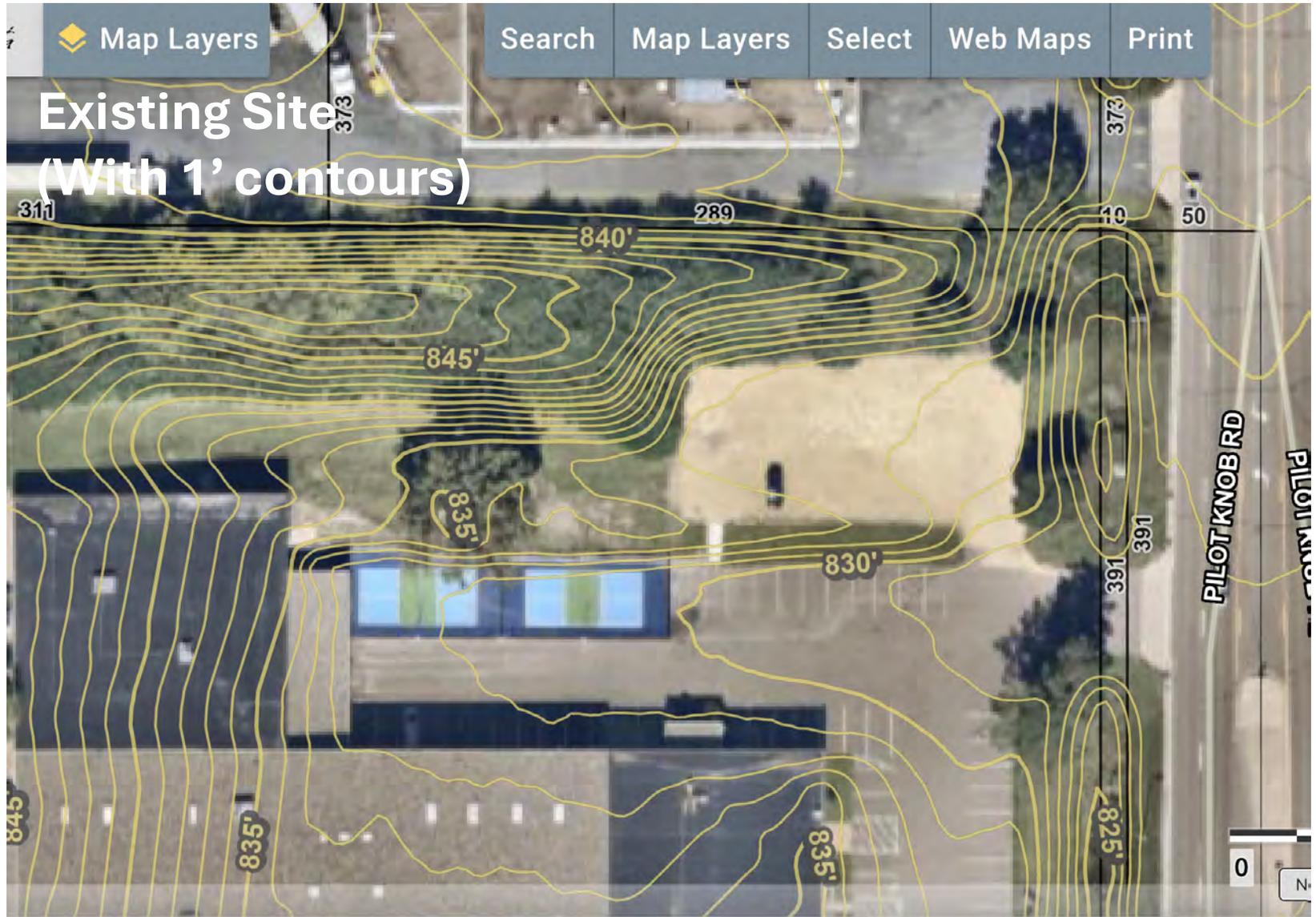
PILOT KNOB ROAD

NOTE: THIS DRAWING IS FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL COLORS NEED TO BE FIELD VERIFIED.



Attachment B  
Existing Site within Industrial Neighborhood





OPC Project Plan

Legend

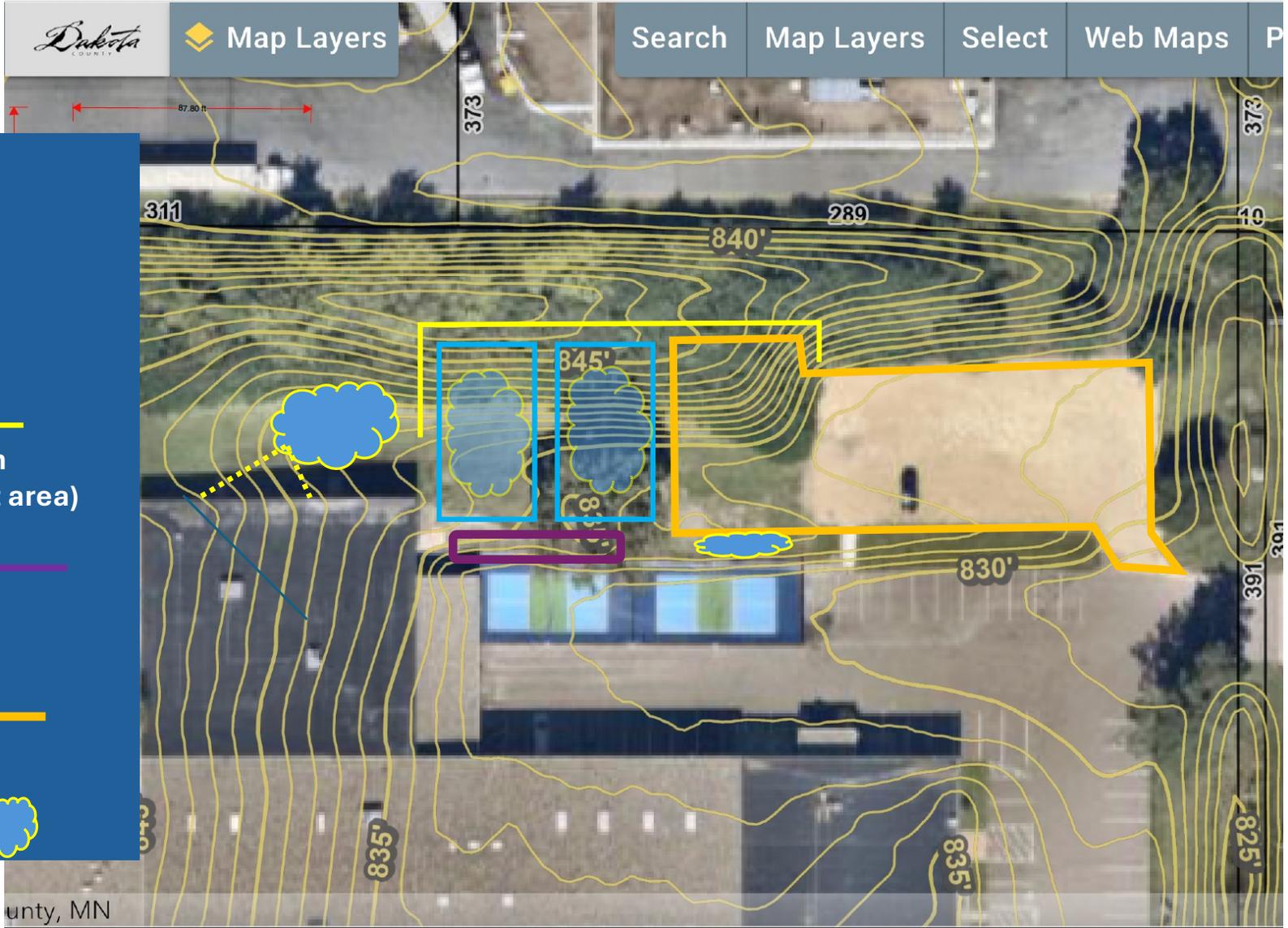
Courts 1&2 

Retaining wall  
(excavate to level within retaining wall and court area) 

Landscaped viewing 

Expanded parking  
and gravel to pave 

Drainage Mitigation 



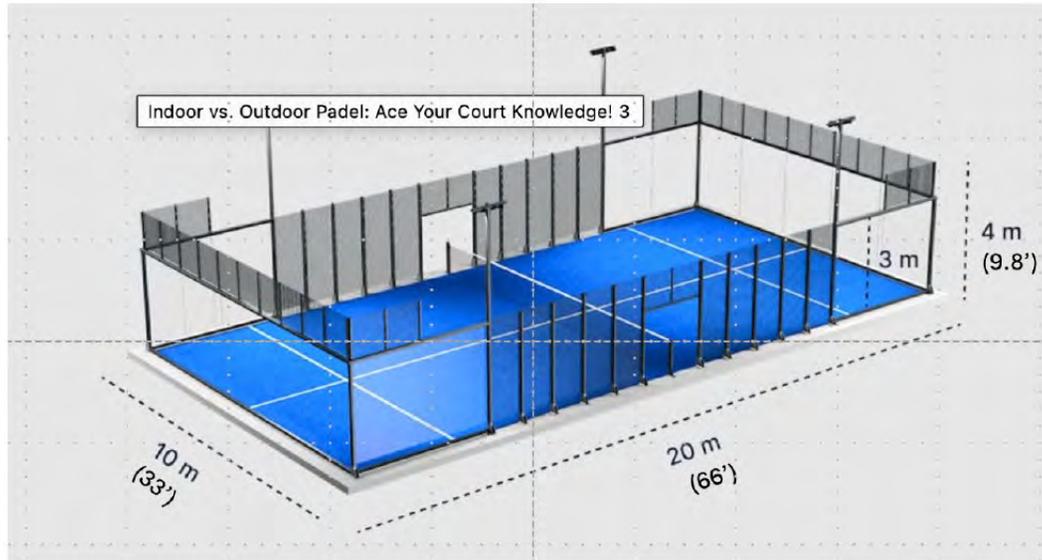
ounty, MN

# Project Simulation Images

- Site pre-construction
- Excavate part of berm to level and install retaining wall (12-13' tall)
- Install courts with permeable foundations, extend gravel parking lot and pave



# Padel court dimensions and structure



Note: The entire court structure (glass, steel framing, fencing) weighs approx. 4 tons. That weight is distributed on the perimeter of the court's foundation.

*A padel court has a base surface and net similar to tennis, but also has back walls, rear side walls, and side fencing that limit the area of play and allow the ball to be played off of a wall or side fence (after bouncing first on the court surface). The playing surface of an outdoor padel court is a permeable, "synthetic grass" carpet with sand infill. Outdoor padel court foundations are based on a reinforced, concrete ring foundation about the perimeter of the court (frost-protected), upon which the fencing, steel framing, and ½" thick tempered glass walls are mounted. LED lighting standards are integrated into the fencing frame.*

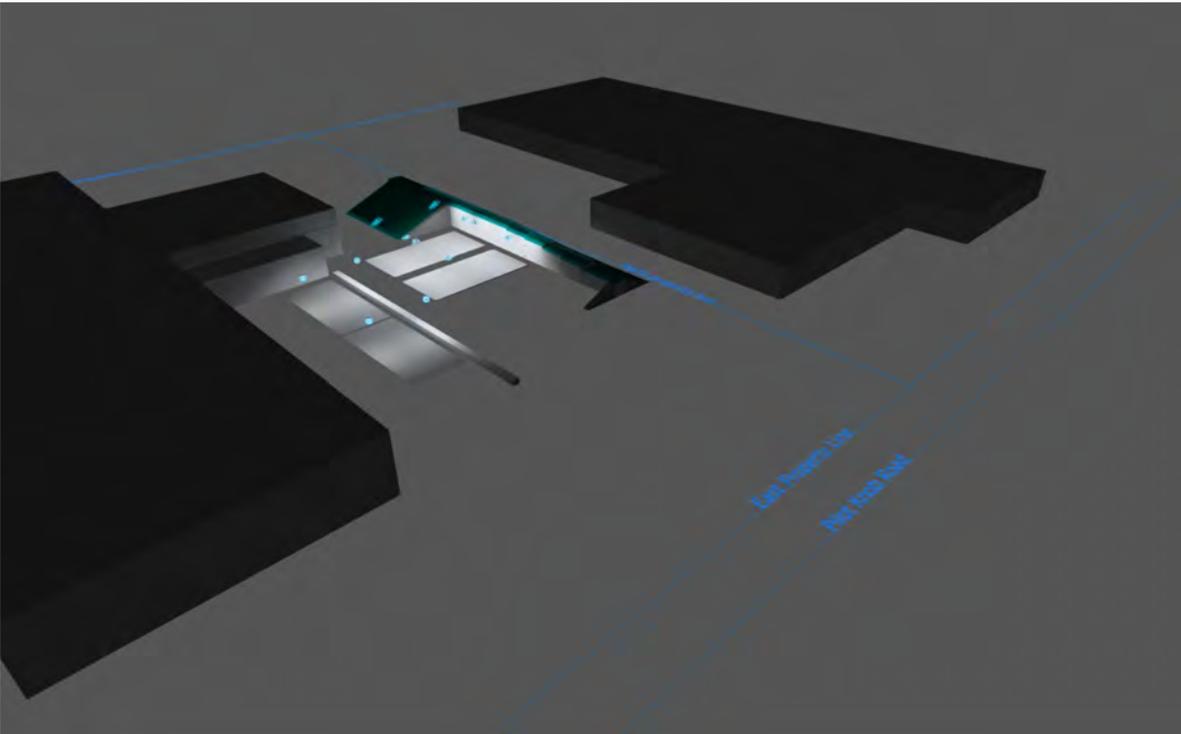
*Padel courts are structurally designed to withstand high winds, inclement weather, and specifically winter weather (with multiple freeze-thaw cycles).*

# Padel Court Outdoor Installation Gallery



Helsinki, Finland





## The Heights Outdoor Padel Court Project

Install two outdoor padel courts while expanding and paving adjacent parking. Install outdoor lights on the two padel courts and the two existing pickleball courts. Utilize high efficiency LED lighting with focused lenses. Model the lighting on courts and stray light distribution beyond the court.

### Object

1415 Mendota Heights Road  
Mendota Heights, MN 55120  
Contact: Glenn Baron  
(Managing Partner); 612-759-  
1278; sgnerb@gmail.com

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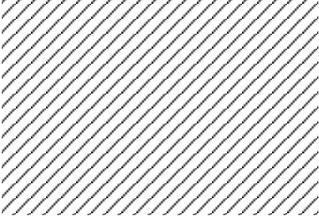
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Heights Outdoor Padel Courts - Building 4

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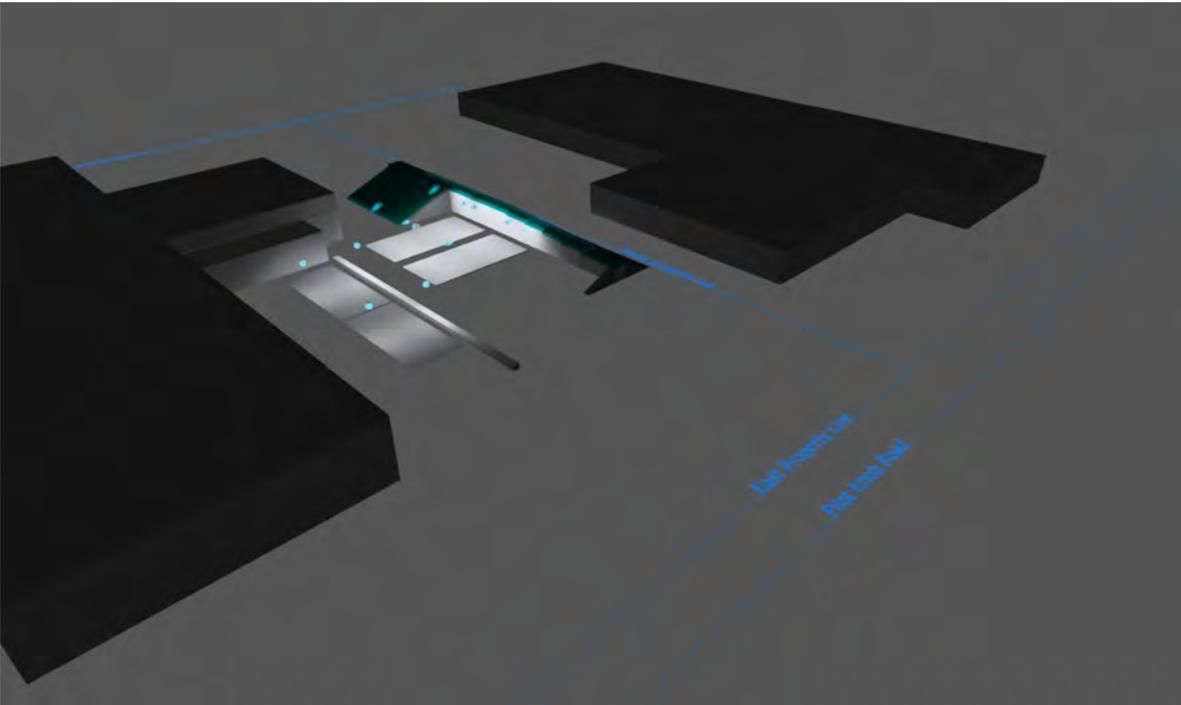
## Contacts



**Managing Partner**  
Glenn Baron

The Heights Racquet & Social Cl  
1415 Mendota Heights Rd  
Mendota Heights, MN 55120

T 612-759-1278  
sgnerb@gmail.com



## Description

Install two outdoor padel courts while expanding and paving adjacent parking. Install outdoor lights on the two padel courts and the two existing pickleball courts. Utilize high efficiency LED lighting with focused lenses. Model the lighting on courts and stray light distribution beyond the court.

### Managing Partner

Glenn Baron

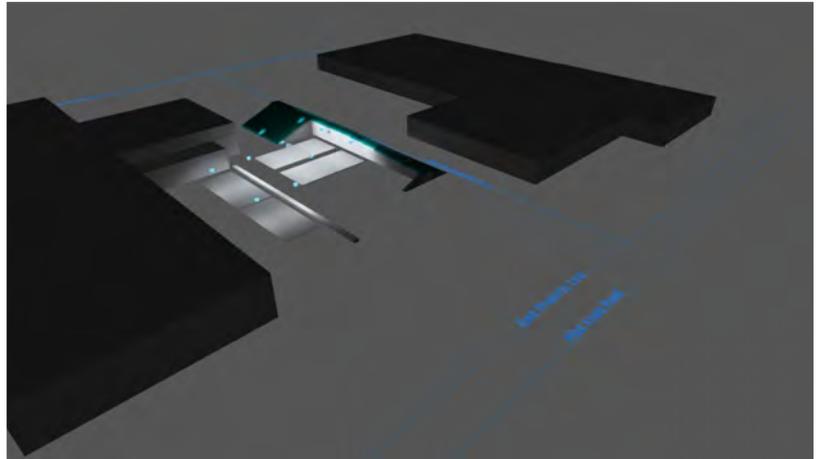
The Heights Racquet & Social Cl  
1415 Mendota Heights Rd  
Mendota Heights, MN 55120

T 612-759-1278

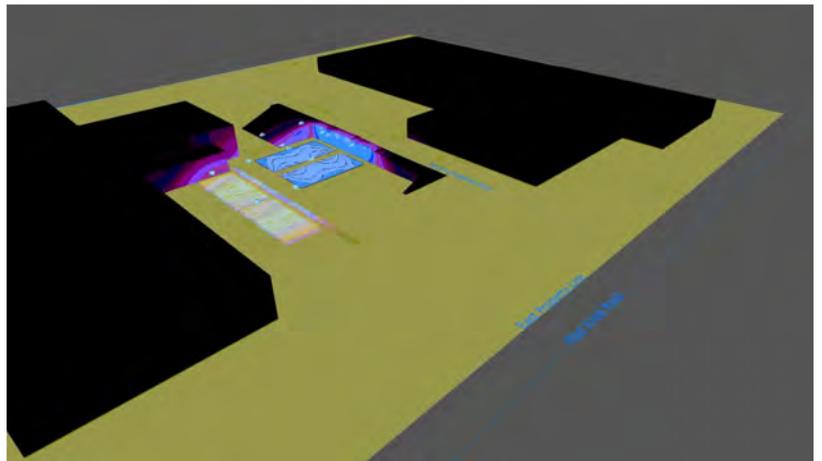
sgnerb@gmail.com

## Images

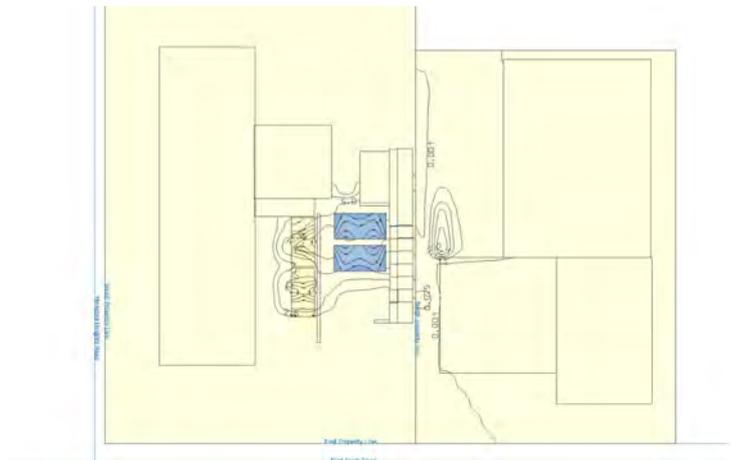
Heights Outdoor Padel Courts 3D Night View



Heights Outdoor Padel Courts False Colors

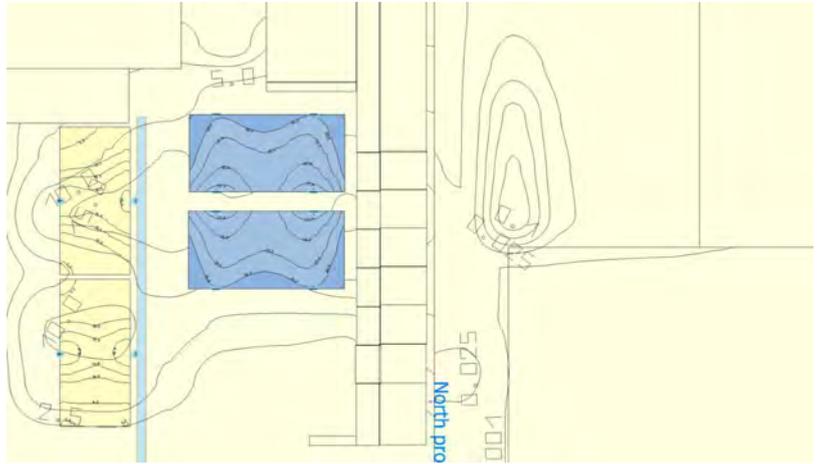


Heights Outdoor Padel Courts Overhead Contours Entire

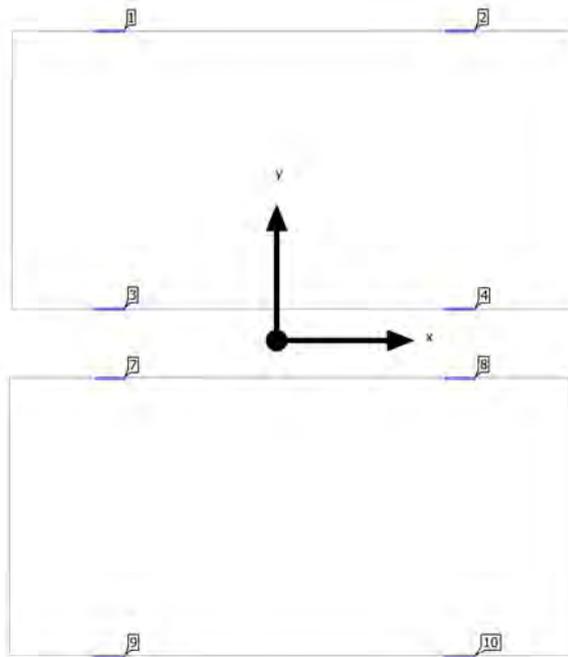


## Images

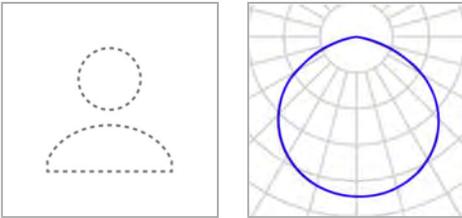
Heights Outdoor Padel Courts Overhead  
Contours Zoomed Quantitative



Heights Outdoor Padel Courts  
**Luminaire layout plan**



Heights Outdoor Padel Courts  
**Luminaire layout plan**

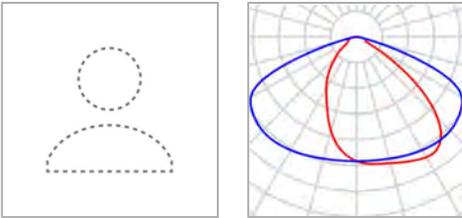


<b>Manufacturer</b>	LED Lighting Supply/DRK - sales@ledlightingsupply.com	<b>P</b>	148.2 W
<b>Article name</b>	2268-MLLG-LED-FLD5-150-CC-PC	$\Phi_{\text{Luminaire}}$	22860 lm
<b>Fitting</b>	1x /		

Individual luminaires

X	Y	Mounting height	Luminaire
-26.130 m	0.000 m	6.500 m	5
-16.265 m	0.000 m	6.500 m	6
-26.128 m	-19.756 m	6.500 m	11
-16.263 m	-19.756 m	6.500 m	12

Heights Outdoor Padel Courts  
**Luminaire layout plan**



Manufacturer	Planet Power Tools	P	197.8 W
Article No.	PR-4x64-P30-200W-5K-70CRI	Φ <sub>Luminaire</sub>	30034 lm
Article name	Projector TABLED 4x64		
Fitting	1x LUXEON 3030		

Individual luminaires

X	Y	Mounting height	Luminaire
-5.950 m	11.132 m	7.000 m	1
6.550 m	11.132 m	7.000 m	2
-5.950 m	1.132 m	7.000 m	3
6.550 m	1.132 m	7.000 m	4
-5.950 m	-1.368 m	7.000 m	7
6.550 m	-1.368 m	7.000 m	8
-5.950 m	-11.368 m	7.000 m	9
6.550 m	-11.368 m	7.000 m	10

Heights Outdoor Padel Courts

**Luminaire list**

$\Phi_{total}$ 331712 lm	$P_{total}$ 2175.2 W	Luminous efficacy 152.5 lm/W
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pcs.	Manufacturer	Article No.	Article name	P	$\Phi$	Luminous efficacy
4	LED Lighting Supply/DRK - sales@ledlightingsupply.com		2268-MLLG-LED-FLD5-150-CC-PC	148.2 W	22860 lm	154.2 lm/W
8	Planet Power Tools	PR-4x64-P30-200W-5K-70CRI	Proyector TABLED 4x64	197.8 W	30034 lm	151.8 lm/W

Heights Outdoor Padel Courts (Light scene 1)  
**Padel Court West**



Properties	$\bar{E}$	$E_{min}$	$E_{max}$	$U_o (g_1)$	$g_2$	Index
Padel Court West Perpendicular illuminance (adaptive) Height: 0.100 m	2.08 fc	14.4 fc	29.3 fc	6.92	0.49	RS1

Utilisation profile: DIALux presetting (5.1.4 Standard (outdoor transportation area))

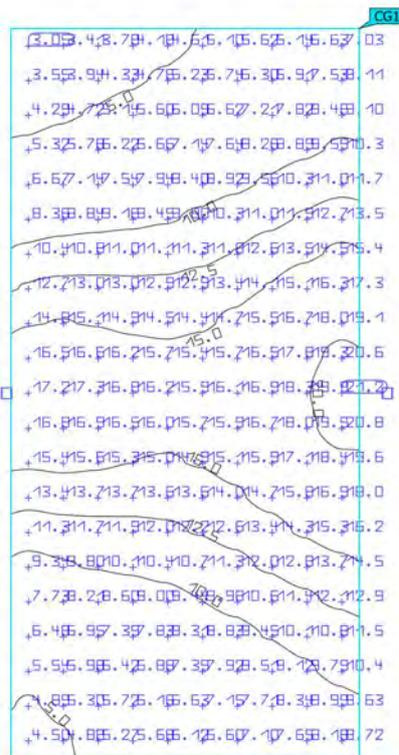
Heights Outdoor Padel Courts (Light scene 1)  
**Padel Court East**



Properties	$\bar{E}$	$E_{min}$	$E_{max}$	$U_o (g_1)$	$g_2$	Index
Padel Court East Perpendicular illuminance (adaptive) Height: 0.100 m	2.09 fc	14.6 fc	29.4 fc	6.96	0.50	RS2

Utilisation profile: DIALux presetting (5.1.4 Standard (outdoor transportation area))

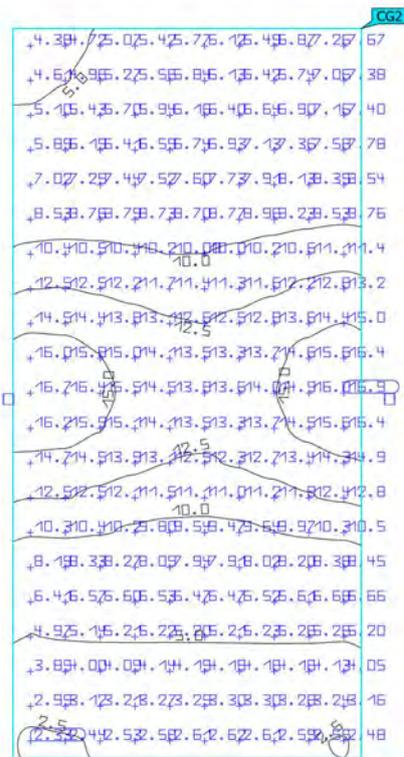
## Heights Outdoor Padel Courts (Light scene 1) PB Court West



Properties	$\bar{E}$	$E_{min}$	$E_{max}$	$U_o (g_1)$	$g_2$	Index
PB Court West Perpendicular illuminance Height: 0.000 m	11.1 fc	3.05 fc	21.2 fc	0.27	0.14	CG1

Utilisation profile: DIALux presetting (5.1.4 Standard (outdoor transportation area))

Heights Outdoor Padel Courts (Light scene 1)  
**PB Court East**

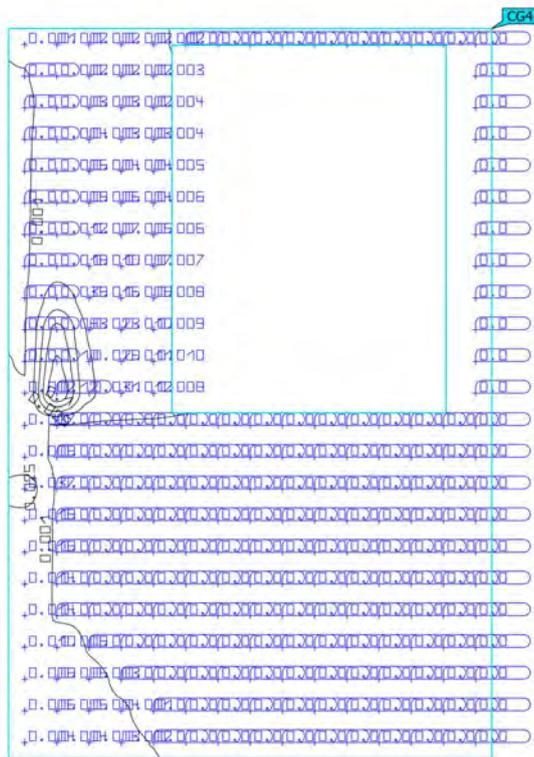
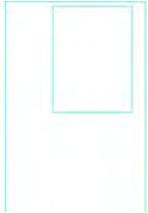


Properties	$\bar{E}$	$E_{min}$	$E_{max}$	$U_0 (g_1)$	$g_2$	Index
PB Court East Perpendicular illuminance Height: 0.000 m	8.97 fc	2.33 fc	16.9 fc	0.26	0.14	CG2

Utilisation profile: DIALux presetting (5.1.4 Standard (outdoor transportation area))



Building 4 · Storey 1 (Light scene 1)  
**Property to North**



Properties	$\bar{E}$	$E_{min}$	$E_{max}$	$U_o (g_1)$	$g_2$	Index
Property to North Perpendicular illuminance Height: 0.000 m	0.004 fc	0.00 fc	0.12 fc	0.00	0.00	CG4

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## REQUEST FOR CITY COUNCIL ACTION

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Resolution 2025-39 Approving a Variance to the rear yard setback to allow for the construction of a new three-season porch addition located at 2150 Aztec Lane (Planning Case 2025-09)

**ITEM TYPE:** New and Unfinished Business

**DEPARTMENT:** Community Development    **CONTACT:** Sarah Madden, Community Development Manager

---

### **ACTION REQUEST:**

Adopt Resolution 2025-39, Approving a Variance request at 2150 Aztec Lane

### **BACKGROUND:**

The applicant, Darrel Tutewohl, is seeking to construct a new three-season porch onto the single-family home located at 2150 Aztec Lane, in the place of a currently existing rear deck. The location of the existing deck is currently non-conforming to the rear yard setback, so this proposal requires a Variance application and approval in order to authorize the construction of a new porch structure at this existing setback.

The subject parcel is approximately 9,582 square feet in size and contains a single-family dwelling. The existing single-family home was built in 1957, and the existing deck is aging and in need of replacement. The applicant intends to construct a new porch in the rear yard, generally in place of the existing rear deck structure. The existing dwelling currently is setback approximately 25-ft from the rear property line at its closest point, with the existing deck located approximately 15-ft from the rear property line. The new three-season porch would be 120 sq-ft in size, and extend 10-ft from the rear of the home. As proposed, the location of the three-season porch within the rear yard requires a Variance from the 30-ft rear yard setback requirement in the R-1 District. The request is for a 15-ft setback Variance to the rear yard structure setback requirement.

At the June 24, 2025, Planning Commission meeting, a full planning report was presented. A duly noticed public hearing was held, and one member of the public spoke to the application as part of the public hearing in support of the application. The applicant was in the audience, and was present to speak to the application and to answer questions from the Planning Commissioners.

The Planning Commission discussed the site and situation of the existing property, the impervious surface on site, noting its compliance with City Code standards, and discussed the different explanations provided in the staff report related to this property's practical difficulty and lot size.

A copy of the June 24th planning report with attachments and an excerpt from the unapproved minutes are attached to this memo. As noted in the attachment, staff recommended approval of the Variance request. Following their discussion, the Planning Commission determined that the applicant met the conditions set forth in City Code Title 12-5B-7: Variances and affirmed that the Applicant has met the burden of demonstrating the requisite "practical difficulties" in order to justify the granting of the Variance to City Code as it relates to the rear yard setback in the R-1 Low Density Residential District. The Planning Commission voted unanimously (7-0) in support of the Variance request with findings-of-fact and certain conditions, as outlined in the attached [draft] Resolution.

**FISCAL AND RESOURCE IMPACT:**

Not Applicable

**ATTACHMENTS:**

1. Res. 2025-39 Approving a Variance to the rear yard setback to allow for the construction of a new three-season porch addition located at 2150 Aztec L
2. Unapproved Planning Commission Minutes 6-24-25
3. June 24 2025, Planning Commission Staff Report

**CITY COUNCIL PRIORITY:**

Economic Vitality & Community Vibrancy

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2025-39**

**RESOLUTION APPROVING A VARIANCE TO THE  
REAR-YARD SETBACK TO ALLOW FOR THE CONSTRUCTION OF A THREE-  
SEASON PORCH ADDITION  
LOCATED AT 2150 AZTEC LANE**

**PLANNING CASE 2025-09**

**WHEREAS**, Darrel Tutewohl (the Applicant and Owner) applied for a Variance to allow the construction of a new three-season porch addition in the rear yard of the property located at 2150 Aztec Lane, as proposed under Planning Case No. 2025-09, and as legally described in attached **Exhibit A** (the “Subject Property”); and

**WHEREAS**, the subject property is guided Low Density Residential in the *2040 Comprehensive Plan*, situated in the R-1 Single Family Residential District; and

**WHEREAS**, the Applicant is seeking approval of a Variance request to allow a new 12’ x 10’ three-season porch which would be setback 15-ft from the rear property line, as opposed to the minimum 30-ft rear yard setback, as proposed and presented under Planning Case No. 2025-09; and

**WHEREAS**, Title 12-5B-7 of the City Code (Variances) allows for the Council to grant variances or certain modifications from the strict application of the provisions of the City Code, and impose conditions and safeguards with variances if so needed or granted; and

**WHEREAS**, on June 24, 2025, the Mendota Heights Planning Commission held a public hearing on the proposed Variance, and whereupon closing the hearing, recommended unanimously (7-0 vote) to approve the application for Variance on the subject property, with certain conditions and findings-of-fact to support said approval.

**NOW THEREFORE BE IT RESOLVED** by the Mendota Heights City Council that the recommendation from the Planning Commission on Planning Case No. 2025-09 is hereby affirmed, and the Variance requested for the property located at 2150 Aztec Lane is approved based on the following findings-of-fact:

1. Under Title 12-5B-7 of the City Code, the Council may only grant variances from the strict application of the provisions of the Code in cases where there are “practical difficulties” in carrying out the strict letter of the regulations of the Code. “Practical difficulties” consists of a three-part test: (i) the Applicant proposes to use the property in a reasonable manner not otherwise permitted by the Code; (ii) the plight of the Applicant is due to circumstances unique to the property not created by the Applicant; and (iii) the variance, if granted, will not alter the essential character of the neighborhood. Economic

considerations alone do not constitute “practical difficulties.”

2. The Applicant has met the burden of demonstrating the requisite “practical difficulties” in order to justify the granting of a Variance to allow a three-season porch to be setback 15-ft from the rear property line, by the following:
  - a. The proposed upgrade from the existing deck to a new three-season porch is a reasonable use of the property consistent with a single-family residential property;
  - b. The subject site is a substandard lot, platted prior to current City Code requirements for minimum lot size and setback dimensions; the existing home and deck encroach into the rear yard setback, and there is no location to construct a porch or other covered structure which would not encroach into the rear yard setback and require a Variance
  - c. The reason for the Variance request is to permit a reasonable request to replace an aging deck structure with a modern enhancement to the property consistent with single-family home development and character, and for this reason the request is not solely based on economic considerations.
3. The City has considered the factors required by Title 12-5B-7 of the City Code, including but not limited to the effect of the Variance upon the health, safety, and welfare of the community, existing and anticipated traffic conditions, the effect of the Variance on the danger of fire and the risk to public safety, and upon the value of properties in the surrounding area, and upon the Comprehensive Plan, and has determined this Variance will not affect or pose any negative impacts upon the neighborhood or the community in general.
4. Approval of this Variance is for 2150 Aztec Lane only, and does not apply or give precedential value to any other properties throughout the City. All variance applicants must apply for and provide a project narrative to the City to justify a variance. All variance requests must be reviewed independently by City staff and legal counsel under the requirements of the City Code.

**BE IT FURTHER RESOLVED**, by the Mendota Heights City Council that the Variance requested for the property located at 2150 Aztec Lane is hereby approved, with the following conditions:

1. The fifteen-foot setback Variance is exclusively for the construction of a 10-ft x 12-ft three-season porch in the rear yard.
2. The Applicant shall not deviate from the porch plan under this application review without first seeking and receiving city approvals, unless City Code provides for certain or allowable improvements to be made without any additional application review process.

3. No work begins on the proposed porch construction until a building permit has been issued by the City.

Adopted by the City Council of the City of Mendota Heights this 1<sup>st</sup> day of July 2025.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

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**Stephanie B. Levine, Mayor**

**ATTEST:**

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**Nancy Bauer, City Clerk**

**EXHIBIT A**

**Property Address:** 2150 Aztec Lane

**PIN:** 27-27800-05-080

**Legal Description:** Lot 8, Block 5, Friendly Hills Rearrangement

**EXCERPT FROM DRAFT/UNAPPROVED 6/24/25 PLANNING  
COMMISSION MINUTES**

C) *PLANNING CASE 2025-09  
DARREL TUTEWOHL, 2150 AZTEC LANE – VARIANCE*

*Community Development Manager Sarah Madden explained that Darrel Tutewohl is seeking to construct a new three-season porch onto the single-family home located at 2150 Aztec Lane, in the place of a currently existing rear deck. The request requires a variance from rear yard setback requirements for such an addition in the R-1 Zoning District.*

*Hearing notices were published and mailed to all properties within 350-ft. of the site; no comments or objections to this request were received.*

*Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).*

*Staff recommended approval of this application based on the findings and with conditions.*

*Commissioner Johnson asked if the impervious surface was calculated for the property.*

*Community Development Manager Sarah Madden replied that the property still meets the impervious surface calculation as the porch is the same size as the deck.*

*Commissioner Corbett asked if there is an overlay for older homes.*

*Community Development Manager Sarah Madden replied that is incorrect, as that was removed in the recent ordinance update.*

*Commissioner Goldade asked for details on the ownership of the rear property and the plans for development.*

*Community Development Manager Sarah Madden replied that the Dakota County Community Development Agency owns that property, and at this time, there is no plan to develop this site.*

*Darrel Tutewohl, applicant, stated that they have been at the property for 53 years. He explained that the deck is starting to deteriorate, and with their age, they would like more protection from the sun and insects. He noted that the porch would be slightly smaller than the deck to be flush with the wall. He stated that they are attempting to obtain to do what they can do on their small lot.*

*Chair Field opened the public hearing.*

DRAFT/UNAPPROVED MINUTES

*Gary Fischbach, 2155 Fox, stated that he also has a three-season patio on his home. He stated that he likes to see people improving their property and enjoying their property. He commented that the neighbors support this project and enjoy the wooded Dakota County property behind this property. He asked that the Commission support the request.*

*Seeing no one further coming forward wishing to speak, Chair Field asked for a motion to close the public hearing.*

*COMMISSIONER CORBETT MOVED, SECONDED BY COMMISSIONER NATH, TO CLOSE THE PUBLIC HEARING.*

*AYES: 7*

*NAYS: 0*

*Commissioner Corbett commented that the justification of the applicant's narrative was off, but noted that the explanation of staff was correct, and therefore, his motion is based on the recommendation and justification provided by staff rather than the applicant.*

*COMMISSIONER CORBETT MOVED, SECONDED BY COMMISSIONER STONE, TO RECOMMEND APPROVAL OF THE 15-FOOT VARIANCE REQUEST FOR CONSTRUCTION OF THE PROPOSED PORCH, BASED ON THE FINDINGS OF FACT AND SPECIFIC CONDITIONS OF APPROVAL AS INCLUDED HEREIN, WITH THE FOLLOWING CONDITIONS:*

- 1. THE 15-FOOT SETBACK VARIANCE IS EXCLUSIVELY FOR THE CONSTRUCTION OF A 10 X 12 THREE-SEASON PORCH IN THE REAR YARD.*
- 2. THE APPLICANT SHALL NOT DEVIATE FROM THE PORCH PLAN UNDER THIS APPLICATION REVIEW WITHOUT FIRST SEEKING AND RECEIVING CITY APPROVALS, UNLESS CITY CODE PROVIDES FOR CERTAIN OR ALLOWABLE IMPROVEMENTS TO BE MADE WITHOUT ANY ADDITIONAL APPLICATION REVIEW PROCESS.*
- 3. NO WORK BEGINS ON THE PROPOSED PORCH CONSTRUCTION UNTIL A BUILDING PERMIT HAS BEEN ISSUED BY THE CITY.*

*Further discussion: Commissioner Johnson stated that even though it is a smaller lot size, the impervious surface maximum is still not exceeded.*

*AYES: 7*

*NAYS: 0*

*Chair Field advised that the City Council would consider this application at its July 1, 2025, meeting.*



**Meeting Date:** June 24, 2025

**Agenda Item:** **CASE No. 2025-09 Variance** Application of Darrel Tutewohl for a Variance to the rear-yard setback to allow for the construction of a three-season porch addition located at 2150 Aztec Lane

**Department:** Community Development

**Contact:** Sarah Madden,  
Community Development  
Manager

---

### Introduction:

The applicant, Darrel Tutewohl, is seeking to construct a new three-season porch onto the single-family home located at 2150 Aztec Lane, in the place of a currently existing rear deck. The request requires a Variance from rear yard setback requirements for such an addition in the R-1 Zoning District.

This item is being presented under a duly noted public hearing process. A notice of hearing on this item was published in the Pioneer Press newspaper; and notice letters of this hearing were mailed to property owners within 350 feet from the subject property. As of the submittal of this report, the City has not received any public comments related to this item, however the applicant did seek signature in support of the Variance request from immediate neighbors, which has been attached to this report.

### Background:

The subject parcel is approximately 9,582 square feet in size and contains a single-family dwelling. The property is zoned R-1 Low Density Residential and guided for low density residential development. The existing single-family home was built in 1957 and is part of the Friendly Hills Rearrangement subdivision. The applicant intends to construct a new porch in the rear yard, generally in place of the existing rear deck structure. The home currently is setback approximately 25-ft from the rear property line, with the existing deck located approximately 15-ft from the rear property line. The new three-season porch would be 120 sq-ft in size, and extend 10-ft from the rear of the home. As proposed, the portion of the three-season porch within the rear yard requires a Variance from the 30-ft rear yard setback requirement in the R-1 District.

### Analysis:

City Code requires structures in the R-1 Low Density Residential District to be setback a minimum of 30-ft from the rear property line. The Code provides flexibility on all lots within the City for some encroachments into the rear yard in cases of decks, stoops, and uncovered porches. However, an enclosed three-season porch would not qualify for this type of allowed encroachment. The applicant's existing deck currently encroaches 15-ft into the required rear-yard setback. The City was not able to locate any permit records for the existing deck, however a deck in this location appears to be visible on historical aerial photos prior to 1991.

The proposed three-season porch would be located in the exact same location as the existing

non-conforming deck. The request is for a 15-ft Variance to the rear yard setback to authorize construction of the new three-season porch as a replacement of this deck structure. The porch is proposed to be a 10x12 covered structure with LP panel siding and screened windows.

City Code Section 12-5B-7 governs variance requests. The city must consider a number of variables when recommending or deciding on a variance, which generally fall into two categories: (i) practical difficulties; and (ii) impact to the community.

The “practical difficulties” test contains three parts: (i) the property owner proposes to use the property in a reasonable manner not otherwise permitted by the zoning ordinance; (ii) the plight of the property owner is due to circumstances unique to the property, not created by the property owner; and (iii) the variance, if granted, will not alter the essential character of the locality or neighborhood. It is also noted that economic considerations alone do not constitute practical difficulties. In addition, variances are only to be permitted when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan.

Section 12-5B-7(E)(1) further provides other issues the city may consider when granting or denying a variance, noted as follows:

- a. Practical Difficulties exist that apply to the structure or land in question that are unique to such property or immediately adjoining property; and
- b. Such Practical Difficulties do not apply generally to other land or structures in the Zoning District in which said land is located; and
- c. That the granting of the Variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant; and
- d. That granting the proposed Variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in the public streets, increase the danger of fire, endanger the public safety, unreasonably diminish or impair established property values in the surrounding area; or
- e. That granting the proposed Variance will not in any other way impair health, safety, comfort, or in any other respect be contrary to the intent of this Zoning Ordinance; and
- f. That the granting of such Variance will not merely serve as a convenience to the Applicant but is necessary to alleviate a Practical Difficulty.
- g. If all the conditions are met, then the City Council may grant such Variance and impose conditions and safeguards therein.

When considering a variance request, the Planning Commission must determine if these standards have been met in granting a variance, and provide findings of facts to support such a recommendation to the City Council. If the Planning Commission determines the Applicant has failed to meet these standards, or has not fully demonstrated a reasonableness in the granting of such variance, then findings of fact supporting a recommendation of denial must be determined.

As part of any variance request, Applicants are required to prepare and submit their own responses and findings, which for this case, are noted in the application materials (included in the attachments and noted below in italic text).

**Are there any practical difficulties that support the granting of the Variance?**

**Applicant's Response:** *The existing deck is rotting away. It has to be replaced by something*

*because of the drop off from house and the enhancement of having a structure there. A three season porch will be an upgrade within the same dimensions of the deck.*

**Staff's Response:** The applicant's desire to construct a three-season porch onto the existing single-family dwelling in place of the existing deck is a reasonable use of the property. The property is an existing lot platted prior to 1982 and is substandard in lot size, at 9,582 sq-ft. The City Code provides some flexibility in side-yard setbacks for existing homes on substandard lots, but does not explicitly address rear-yard setbacks. The City's Comprehensive Plan also addresses flexibility in existing lots for the purposes of enhancements to the City's housing stock. Alternatively, the City Code would allow the reconstruction of a deck of like size and like materials as a replacement of the non-conforming structure. The upgrade of the deck to a covered porch structure necessitates a Variance request.

**The plight of the property owner is due to circumstances unique to the property, not created by the property owner.**

**Applicant's Response:** *The property behind ours has no residential homes, because its owned by CDA. Its woods!*

**Staff's Response:** The subject site abuts land owned by the Dakota County CDA to the rear, which is currently vacant and there are no plans to develop the property. The uniqueness of this property is its substandard lot size and width. The property is 9,582 square feet in size and approximately 88-ft in width. The existing home was constructed in 1957, prior to current City Code standards for minimum lot size and setbacks from property lines. The existing home encroaches at least 5-ft into the rear yard setback. There is no alternative location for this porch structure which would not require a Variance.

**The Variance, if granted will not alter the essential character of the neighborhood.**

**Applicant's Response:** *Not all, but some homes have decks or porches, patios*

**Staff's Response:** The proposed three-season porch extending into the rear yard will not alter the essential character of the neighborhood. There is an existing deck in the same location as this proposed improvement, and a three-season porch is a reasonable upgrade and addition to the home. Based on aerial maps, it appears that nearby dwellings also contain similar improvements to their properties, and also would be considered substandard lots with encroachments into the rear yard setback for the home, porches, or decks.

**Conclusion:**

Staff has evaluated the Variance request and finds that the application does demonstrate practical difficulties in its substandard lot size and existing non-conformance to the rear-yard setback, which would make any porch improvements to the home require a Variance request and approval. The proposed upgrade to the home to install a three-season porch is consistent with neighborhood character, and with the reasonable use of a single-family home property within the City of Mendota Heights.

**Alternatives:**

- 1. Recommend approval of the 15-ft (fifteen-foot) variance request for construction of the proposed porch, based on the attached findings of fact and specific conditions of approval as included herein; or**

2. **Recommend denial of the Variance request, based on the findings of fact that confirm the Applicant failed to meet the burden(s) of proof or standards in granting of the variance requested herein, noted as follows:**
  - A. Under Title 12-1L-5A of the City Code, the City may only grant variances from the strict application of the provisions of the Code in cases where there are “practical difficulties” in carrying out the strict letter of the regulations of the Code. “Practical difficulties” consists of a three-part test: (i) the Applicant proposes to use the property in a reasonable manner not otherwise permitted by the Code; (ii) the plight of the Applicant is due to circumstances unique to the property not created by the Applicant; and (iii) the variance, if granted, will not alter the essential character of the neighborhood. Economic considerations alone do not constitute “practical difficulties.”
  - B. The City hereby determines the Applicant has not met the burden of demonstrating the requisite “practical difficulties” in order to justify the granting of a variance for a 15-ft rear yard setback reduction. The existing deck may be replaced in its location with like materials without the need for a Variance, and the proposed three-season porch as opposed to a deck is not essential to the overall enjoyment and continued use of the property; there is an alternative for replacement of the dilapidated structure without the need for a Variance and the upgraded replacement structure is therefore not considered a reasonable use of the property.
  - C. Because the City finds that the first prong of the three-part test (reasonable use of the property) is not met by the Applicant, the City need not consider the remaining two prongs of the test (unique circumstances of the property and essential character of the neighborhood)
3. **Table the request and request additional information from the applicant or staff. Staff will extend the application review period an additional 60 days, in compliance with MN Statute. 15.99.**

**Staff Recommendation:**

Staff recommends approval (Alternative #1) of the proposed 15-ft (fifteen-foot) rear yard setback variance as proposed by the applicant, based on the Findings of Fact as included herein, along with the following conditions:

1. The fifteen-foot setback Variance is exclusively for the construction of a 10x12 three-season porch in the rear yard.
2. The Applicant shall not deviate from the deck plan under this application review without first seeking and receiving city approvals, unless City Code provides for certain or allowable improvements to be made without any additional application review process.
3. No work begins on the proposed porch construction until a building permit has been issued by the City.

**Attachments:**

1. Findings of Fact for Approval
2. Site Location Map
3. Site Aerial
4. Variance Response Form
5. Deck Plan
6. Neighbor Signatures

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## FINDINGS OF FACT FOR APPROVAL

### Variance 2150 Aztec Lane

The following Findings of Fact are made in support of approval of the proposed request:

- A. Under Title 12-5B-7 of the City Code, the Council may only grant variances from the strict application of the provisions of the Code in cases where there are “practical difficulties” in carrying out the strict letter of the regulations of the Code. “Practical difficulties” consists of a three-part test: (i) the Applicant proposes to use the property in a reasonable manner not otherwise permitted by the Code; (ii) the plight of the Applicant is due to circumstances unique to the property not created by the Applicant; and (iii) the variance, if granted, will not alter the essential character of the neighborhood. Economic considerations alone do not constitute “practical difficulties.”
- B. The Applicant has met the burden of demonstrating the requisite “practical difficulties” in order to justify the granting of a Variance to allow a three-season porch to be setback 15-ft from the rear property line, by the following:
- i.) The proposed upgrade from the existing deck to a new three-season porch is a reasonable use of the property consistent with a single-family residential property;
  - ii.) The subject site is a substandard lot, platted prior to current City Code requirements for minimum lot size and setback dimensions; the existing home and deck encroach into the rear yard setback, and there is no location to construct a porch or other covered structure which would not encroach into the rear yard setback and require a Variance
  - iii.) The reason for the Variance request is to permit a reasonable request to replace an aging deck structure with a modern enhancement to the property consistent with single-family home development and character, and for this reason the request is not solely based on economic considerations.
- C. The City has considered the factors required by Title 12-1L-5E1 of the City Code, including but not limited to the effect of the Variance upon the health, safety, and welfare of the community, existing and anticipated traffic conditions, the effect of the Variance on the danger of fire and the risk to public safety, and upon the value of properties in the surrounding area, and upon the Comprehensive Plan, and has determined this Variance will not affect or pose any negative impacts upon the neighborhood or the community in general.
- D. Approval of this Variance is for 2150 Aztec Lane only, and does not apply or give precedential value to any other properties throughout the City. All variance applicants must apply for and provide a project narrative to the City to justify a variance. All variance requests must be reviewed independently by City staff and legal counsel under the requirements of the City Code.

# Site Location/Aerial Map 2150 Aztec Lane



0 125

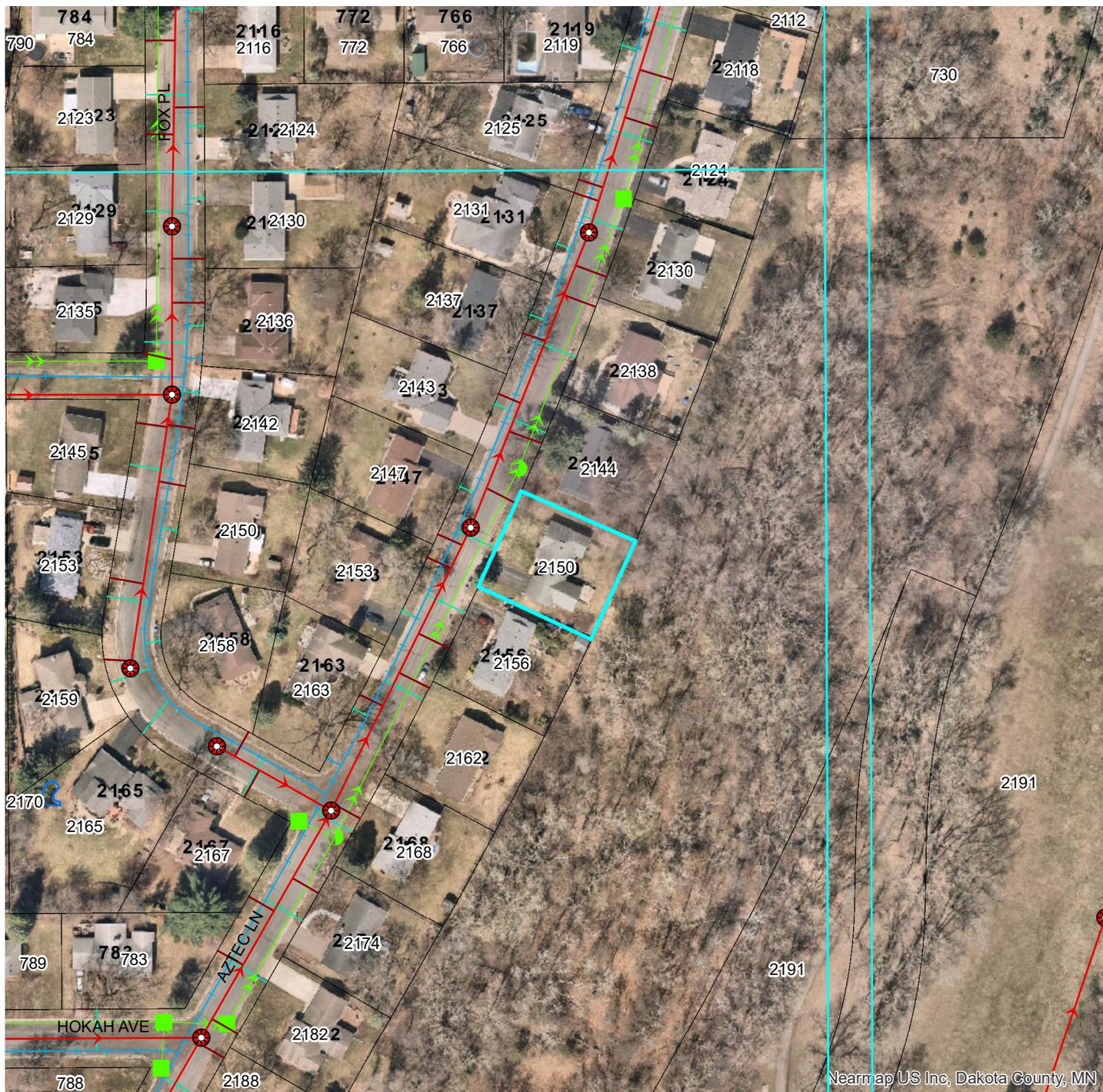


SCALE IN FEET



City of  
Mendota  
Heights

Date: 6/19/2025



Nearmap US Inc, Dakota County, MN

### GIS Map Disclaimer:

This data is for informational purposes only and should not be substituted for a true title search, property appraisal, plat, survey, or for zoning verification. The City of Mendota Heights assumes no legal responsibility for the information contained in this data. The City of Mendota Heights, or any other entity from which data was obtained, assumes no liability for any errors or omissions herein. If discrepancies are found, please contact the City of Mendota Heights.

Contact "Gopher State One Call" at 651-454-0002 for utility locations, 48 hours prior to any excavation.



2150  
Aztec Lane

Please answer the following three questions as they relate to the variance request.  
Responses will be presented to the Planning Commission & City Council.  
(Note: you may fill-in this form or create your own)

1. Are there any practical difficulties that help support the granting of this variance? (Note: "practical difficulties" as used in connection with the granting of a variance, means that the owner proposes to use the property in a reasonable manner not permitted by City Code. Economic considerations alone do not constitute a practical difficulty).

YES       NO

Please describe or identify any practical difficulties and/or how you plan to use the property in a reasonable manner below:

The existing deck is rotting away. It has to be replaced by something because of the drop off from house + the enhancement of having a structure there. A three season porch will be an upgrade within the same dimensions of the deck.

2. Are there any circumstances unique to the property (not created by the owner) that support the granting of this variance?

YES       NO

Please describe or identify any unique circumstances below:

The property behind ours has no residential homes, because its owned by CDA. Its woods.

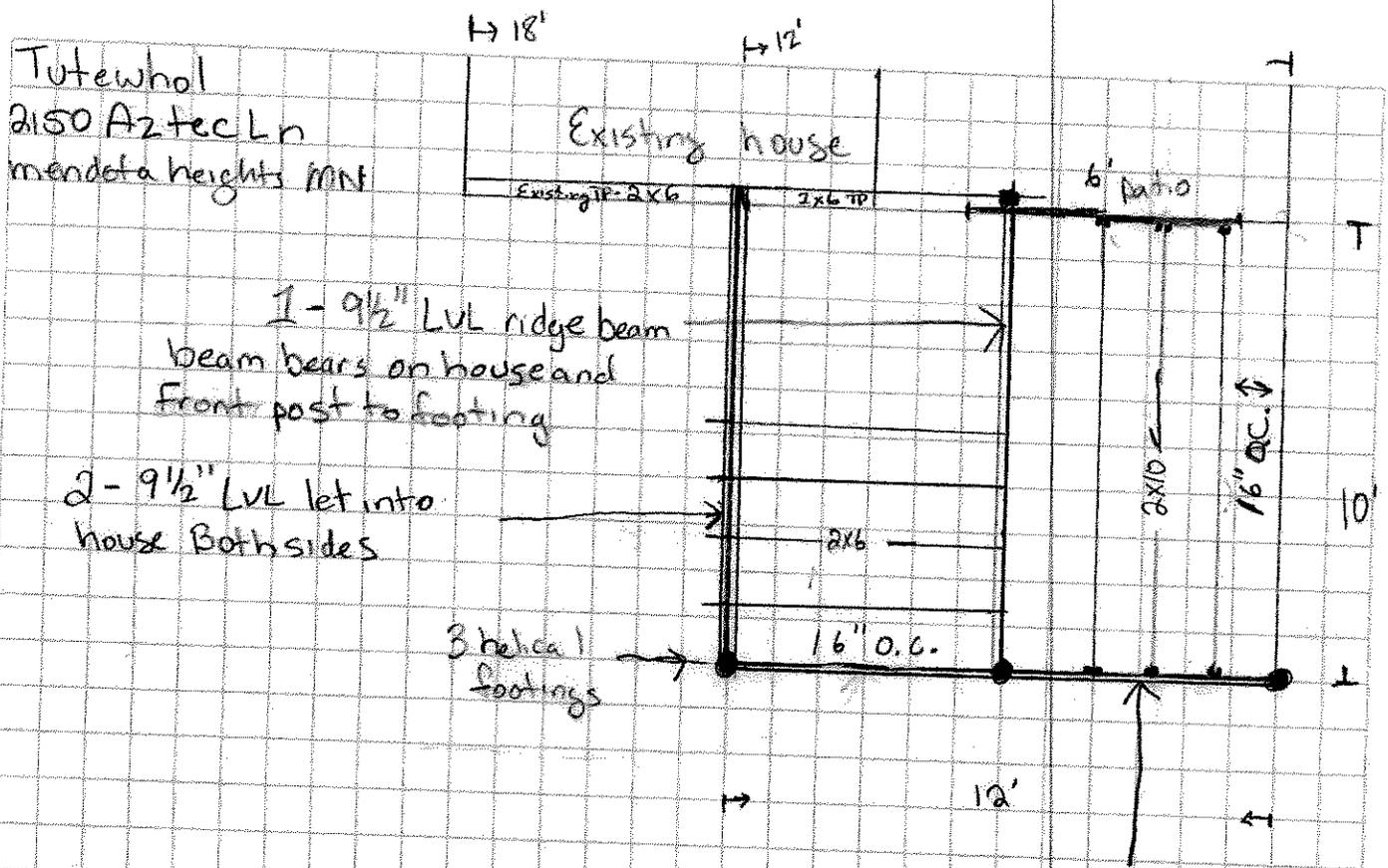
3. If the variance was granted, would it alter the essential character of the neighborhood?

YES       NO

Why or Why Not? Please explain how the request fits with the character of the neighborhood.

Not all, but some homes have decks or porches; patios

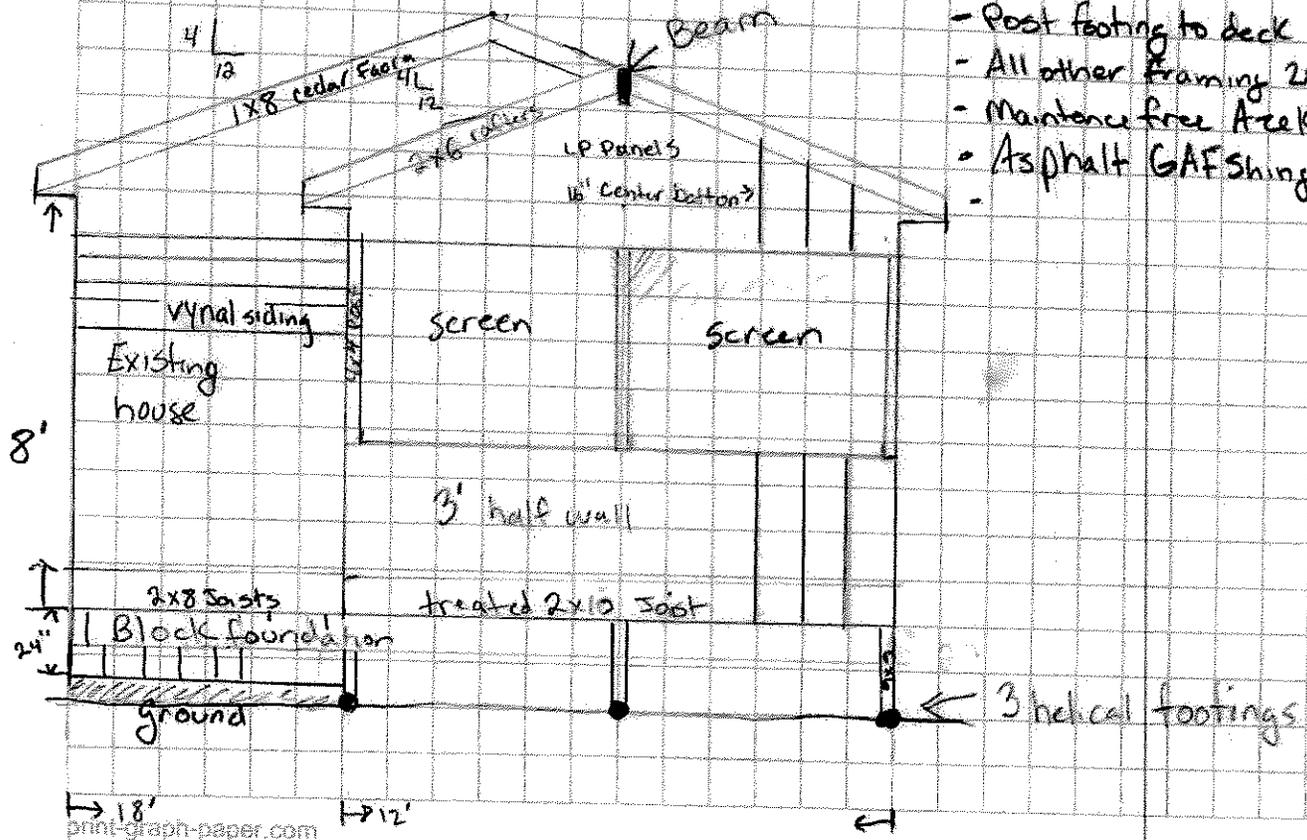
NEIGHBOR SIGNATURES OF CONSENT



Joist to be hangered  
to double front beam and ledger

NOTES:

- Post footing to deck 6x6 w/ bases
- All other framing 2x4 & 4x4 posts
- Maintenance free Azek decking
- Asphalt GAF Shingles









## REQUEST FOR CITY COUNCIL ACTION

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**MEETING DATE:** July 1, 2025

**AGENDA ITEM:** Resolution 2025-40 Approving a MRCCA Permit and Conditional Use Permit Amendment Application for Northern States Power Company (Xcel Energy) to allow for the construction of a new 24-ft x 24-ft concrete pad foundation and prefabricated structure at the property located at 800 Sibley Memorial Highway (Planning Case 2025-10)

**ITEM TYPE:** New and Unfinished Business

**DEPARTMENT:** Community Development      **CONTACT:** Sarah Madden, Community Development Manager

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### **ACTION REQUEST:**

Adopt Resolution 2025-40 Approving a MRCCA Permit and CUP Amendment for Northern States Power Company (Xcel Energy) to allow site improvements at the property located at 800 Sibley Memorial Highway

### **BACKGROUND:**

Xcel Energy (Northern States Power Company) is seeking approval of a Mississippi River Corridor Critical Area (MRCCA) Permit and Conditional Use Permit (CUP), in order to authorize the construction of a new 24x24 electronic control center within the fenced compound area at the Sibley Propane Plant facility, located at 800 Sibley Memorial Highway.

The subject property is located south and east of State Trunk Highway 13, and abuts Valley Park to the south, commercial/office developments to the north, and Park Place and Summit residential neighborhoods to the east. The plant property contains two parcels comprising of approximately 25 total acres, which are all owned and operated by Xcel Energy (formerly Northern States Power Company). The site is open and cleared, containing 37 horizontal laying propane tanks in the rear of the property, and has a perimeter security style fencing, and contains a number of support structures and buildings that house office/work spaces, maintenance areas, and valve/mixing rooms in addition to the primary focus of the propane tanks.

This specific MRCCA Permit and CUP Amendment application is to authorize the completion of a 24x24 concrete slab, which would house a new electronic control center for the property, within the fenced in compound area. The new electronic control center will be a prefabricated building from VP Buildings that will be placed on the concrete pad foundation and will contain

all new life safety upgrades and existing controls for the facility. This new control center will be essential to Xcel's services and work to consolidate equipment and upgrade the existing technology on site. After installation of the new electrical control building, the existing control building will remain as a transfer point and will continue to store physical records.

The maintenance and refurbishment of the facility is ongoing, with work taking place in 2025 that was reviewed as part of the prior land use approvals reviewed by the City in both 2022 and 2024. The work under this current proposal is scheduled to take place this Summer 2025.

At the June 25, 2024, Planning Commission meeting, a planning report was presented. A duly noticed public hearing was held, and no members of the public spoke to the application as part of the public hearing. The applicant's representatives were in the audience, and were present to speak to the application and to answer questions from the Planning Commissioners. The applicant group spoke to clarify the location of the new structure, and add additional technical context on the use and need for the building. The Planning Commission discussed the proximity of the new structure to the site boundary and forested areas, confirming that the proposed impacts are within the fenced-in compound and not impacting the natural features and priority areas within the MRCCA district.

A copy of the 06/24/25 planning report with attachments and an excerpt from the unapproved minutes are attached to this memo. As noted in the attachment, staff recommended approval of the application request. Following their discussion, the Planning Commission affirmed the staff recommendation and voted unanimously (7-0) to recommend to the City Council approval of this MRCCA Permit and amended CUP request with findings-of-fact and certain conditions, as outlined in the attached [draft] Resolution.

**FISCAL AND RESOURCE IMPACT:**

Not Applicable

**ATTACHMENTS:**

1. Res. 2025-40 Approving a MRCCA Permit and CUP Amendment Application for Northern States Power Company (Xcel Energy)
2. Unapproved Planning Commission Minutes 6-24-25
3. June 24 2025, Planning Commission Staff Report

**CITY COUNCIL PRIORITY:**

Economic Vitality & Community Vibrancy, Environmental Sustainability & Stewardship

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 2025-40**

**RESOLUTION APPROVING A MISSISSIPPI RIVER CORRIDOR CRITICAL AREA  
(MRCCA) PERMIT AND AMENDED CONDITIONAL USE PERMIT (CUP) TO XCEL  
ENERGY AND FOR THE PROPERTY LOCATED AT  
800 SIBLEY MEMORIAL HIGHWAY**

**PLANNING CASE 2025-10**

**WHEREAS**, Xcel Energy, (the “Applicant”) made an Application for a Mississippi River Corridor Critical Area (MRCCA) Permit and amended Conditional Use Permit (CUP) to update the approved site plan and install a new 24-ft x 24-ft concrete foundation pad to house a new prefabricated electrical control building at their existing Sibley Propane Gas Plant facility, located at 800 Sibley Memorial Highway (State Trunk Highway 13), and legally described in Exhibit A (the “Subject Property”); and

**WHEREAS**, the Subject Property is guided LB-Limited Business in the *2040 Comprehensive Plan*, zoned B-1 General Business, and is situated in the Mississippi River Corridor Critical Area Overlay District; and

**WHEREAS**, pursuant to City Code Title 12-6A-3: Mississippi River Corridor Critical Area Overlay District, a permit is required to approve any new development activities involving a building permit, land disturbance, vegetation removal, or special zoning approval, and the Applicant is seeking permission to make new safety upgrades and site improvements under the rules and standards established by the B-1 District and the related Mississippi River Corridor Critical Overlay District ordinance and standards; and

**WHEREAS**, on June 24, 2025, the Mendota Heights Planning Commission conducted a public hearing on the proposed MRCCA Permit and amended CUP application, and whereupon closing the hearing, recommended 7-0 to approve the MRCCA Permit and amended CUP, which would allow the site improvements on the subject property, with certain conditions and findings-of-fact to support said approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Mendota Heights City Council that the recommendation from the Planning Commission on Planning Case No. 2025-10 is hereby affirmed, and may be approved based on the following findings-of-fact:

1. The proposed 24x24 concrete slab and prefabricated electrical control building improvements planned for by Xcel Energy on the subject property, meets the general purpose and intent of the Mississippi River Corridor Critical Area (MRCCA) District ordinances and standards.

2. The proposed work to construct the new electrical control building on the subject site is deemed minimally invasive and the proposed site modifications are all reasonable and within the spirit and intent established under the MRCCA Overlay District regulations.
3. The proposed work will not be detrimental to the health, safety or general welfare of the community; should not cause any serious traffic congestion nor hazards; will not seriously depreciate surrounding property value; and also is in harmony with the general purpose and intent of the City Code and the Comprehensive Plan.
4. The overall construction of the building improvement will comply with all standards and regulations of the MRCCA Ordinance and any related Zoning Ordinance, State Building and Fire Codes, and other applicable ordinances; and represents a considerable investment by the Applicants (Xcel Energy) to an important utility service feature in the community.

**BE IT FURTHER RESOLVED**, by the Mendota Heights City Council that the MRCCA Permit and amended CUP requested for the property located at 800 Sibley Memorial Highway is hereby approved, with the following conditions:

1. The new improvements and work described, illustrated and detailed on the “Sibley Propane Plant” plans, dated 05/27/2025, and any other plans related to this project, shall be the only work or improvements allowed and approved under this new MRCCA Permit.
2. Full erosion and sedimentation measures will be put in place prior to and during grading and construction work activities.
3. All grading and construction activity will be in compliance with applicable federal, state, and local regulations and codes, as well as in compliance with the City’s Land Disturbance Guidance Document. The Applicants must submit and receive a SWPPP Permit and NPDES Permit (if necessary) prior to start of any new construction work.
4. All work on site will only be performed between the hours of 7:00 AM and 8:00 PM Monday through Friday; 9:00 AM to 5:00 PM weekends.

Adopted by the City Council of the City of Mendota Heights this 1<sup>st</sup> day of July 2025.

**CITY COUNCIL  
CITY OF MENDOTA HEIGHTS**

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**Stephanie B. Levine, Mayor**

**ATTEST:**

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**Nancy Bauer, City Clerk**

**EXHIBIT A**

**Address:** 800 Sibley Memorial Highway

**PIN:** 27-02300-02-013, 27-01400-75-011

**Legal Description:**

Real property in the County of Dakota, State of Minnesota, described as follows:

**ABSTRACT PARCELS:**

1. LOTS FIVE (5) THROUGH NINE (9), BLOCK TWO (2), CHERRY HILL SECOND ADDITION, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER AND FOR DAKOTA COUNTY, MINNESOTA.

2. THE EAST FORTY (40) RODS OF THE SOUTH FORTY (40) RODS OF GOVERNMENT LOT TWO (2) IN THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), ACCORDING TO THE GOVERNMENT SURVEY THEREOF.

EXCEPT,

THAT PART OF THE EAST FORTY (40) RODS OF THE SOUTH (40) RODS OF GOVERNMENT LOT TWO (2) IN THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), ACCORDING TO THE GOVERNMENT SURVEY THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST FORTY (40) RODS OF THE SOUTH FORTY (40) RODS OF SAID GOVERNMENT LOT TWO (2); THENCE SOUTH ALONG THE WEST LINE THEREOF FOR 409.87 FEET TO AN INTERSECTION WITH LINE "A" WHICH LIES SOUTHEASTERLY AND NORTHWESTERLY AT AN ANGLE OF 54° 30' TO SAID WEST LINE; THENCE SOUTH ALONG SAID WEST LINE TO AN INTERSECTION WITH A LINE WHICH IS PARALLEL WITH AND DISTANT 75 FEET SOUTHWESTERLY OF SAID LINE "A"; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH A CURVED LINE WHICH IS PARALLEL WITH AND DISTANT 150 FEET SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY OF LINE "B" DESCRIBED AS FOLLOWS:

FROM A POINT ON THE WEST LINE OF THE EAST FORTY (40) RODS OF THE SOUTH FORTY (40) RODS OF SAID GOVERNMENT LOT TWO (2), DISTANT 409.87 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTHWESTERLY FROM SAID POINT AT AN ANGLE OF 54° 30' TO SAID WEST LINE FOR 173.25 FEET TO THE POINT OF BEGINNING OF LINE "811 TO BE DESCRIBED; THENCE SOUTHEASTERLY ALONG THE LAST DESCRIBED COURSE FOR 100 FEET; THENCE DEFLECT TO THE LEFT ON A CURVE HAVING A RADIUS OF 150 FEET, (DELTA ANGLE 140°13'44") FOR 367.12 FEET; THENCE DEFLECT TO THE LEFT ON A 7°30' CURVE (DELTA ANGLE 34°00') FOR 453.33 FEET AND THERE TERMINATING;

THENCE ALONG SAID CURVED PARALLEL LINE CURVING TO THE LEFT TO ITS INTERSECTION WITH A LINE WHICH LIES NORTHEASTERLY AT RIGHT ANGLES TO THE TANGENT OF THE 7°30' CURVE DESCRIBED ABOVE TO A POINT ON SAID TANGENT DISTANT 413.57 FEET SOUTHEASTERLY OF THE POINT OF TERMINATION OF SAID LINE "B"; THENCE

SOUTHWESTERLY ALONG SAID RIGHT ANGLED LINE FOR 70 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH IS PARALLEL WITH AND DISTANT 80 FEET NORTHEASTERLY OF SAID LINE "B" TO THE INTERSECTION OF SAID PARALLEL LINE WITH THE NORTH LINE OF THE EAST FORTY (40) RODS OF THE SOUTH FORTY (40) RODS OF SAID GOVERNMENT LOT TW0(2); THENCE WEST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

3. THE WEST 375 FEET OF THE SOUTH 30 ACRES OF THE NE 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 28 NORTH, RANGE 23 WEST, ACCORDING TO THE GOVERNMENT SURVEY THEREOF.

4. THE NORTH TWO HUNDRED EIGHTY AND SIX-TENTHS (280.6) FEET OF THE WEST THREE HUNDRED SEVENTY FIVE (375) FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY THREE (23), TOWNSHIP TWENTY EIGHT (28) NORTH, RANGE TWENTY THREE (23) WEST.

5. A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) OF NORTHEAST QUARTER (NE 1/4), SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-THREE (23) WEST, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION TWENTY-THREE (23), THENCE SOUTH ALONG THE EAST QUARTER-QUARTER (1/4-1/4) LINE OF SAID SECTION TWENTY-THREE (23), A DISTANCE OF TWO HUNDRED EIGHTY AND SIX TENTHS (280.6) FEET; THENCE WESTERLY AT A DEFLECTION ANGLE OF NINETY-THREE DEGREES, THIRTY-FIVE MINUTES (93°35') TO THE RIGHT A DISTANCE OF THIRTY-NINE AND SEVEN-TENTHS (39.7) FEET; THENCE NORTHWESTERLY AT A DEFLECTION ANGLE OF TWENTY-SIX DEGREES, TEN MINUTES (26°10') TO THE RIGHT A DISTANCE OF TWO HUNDRED SIXTY-SIX AND FIVE-TENTHS (266.5) FEET; THENCE NORTHWESTERLY AT A DEFLECTION ANGLE OF THIRTEEN DEGREES, TWENTY-NINE MINUTES (13°29') TO THE RIGHT A DISTANCE OF ONE HUNDRED FORTY-NINE AND SEVEN-TENTHS (149.7) FEET; THENCE NORTHERLY AT A DEFLECTION ANGLE OF FORTY-SIX DEGREES, TWELVE MINUTES (46°12') TO THE RIGHT A DISTANCE OF FORTY-FOUR AND SEVEN-TENTHS (44.7) FEET TO THE NORTH QUARTER-QUARTER (1/4-1/4) LINE OF SAID SECTION TWENTY-THREE (23); THENCE EAST ALONG SAID NORTH QUARTER-QUARTER (1/4-1/4) LINE A DISTANCE OF THREE HUNDRED EIGHTY AND EIGHT-TENTHS (380.8) FEET TO POINT OF BEGINNING.

6. ALL THAT PART OF GOVERNMENT LOT SIX (6), SECTION FOURTEEN (14), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), WHICH LIES SOUTHERLY OF THE CENTER LINE OF SIBLEY MEMORIAL HIGHWAY (SUBJECT TO SAID HIGHWAY) AND ALSO THE NORTH QUARTER (N-1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), SUBJECT TO EASEMENT FOR PUBLIC UTILITY.

EXCEPT,

THE EASTERLY NINE HUNDRED FORTY FIVE (945) FEET OF ALL THAT PART OF GOVERNMENT LOT SIX (6), SECTION FOURTEEN (14), TOWNSHIP TWENTY EIGHT (28), RANGE TWENTY THREE (23), WHICH LIES SOUTHERLY OF THE CENTER LINE OF SIBLEY MEMORIAL HIGHWAY (SUBJECT TO SAID HIGHWAY); AND ALSO THE EASTERLY NINE HUNDRED FORTY FIVE (945) FEET OF THE NORTH QUARTER (N 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION TWENTY THREE (23). TOWNSHIP TWENTY EIGHT (28), RANGE TWENTY THREE (23), SUBJECT TO EASEMENTS OF RECORD.

ALSO EXCEPT,

THAT PART OF TRACT A DESCRIBED BELOW:

TRACT A. THAT PART OF GOVERNMENT LOT 6 OF SECTION 14, TOWNSHIP 28 NORTH, RANGE 23 WEST, DAKOTA COUNTY, MINNESOTA, LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF TRUNK HIGHWAY NO. 13 AS NOW LOCATED AND ESTABLISHED; EXCEPT THE EAST 945 FEET THEREOF; WHICH LIES NORTHWESTERLY OF A LINE PARALLEL WITH AND DISTANT 60 FEET SOUTHEASTERLY OF LINE DESCRIBED BELOW:

LINE 1. BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 14, DISTANT 1323.6 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE RUN SOUTHWESTERLY AT AN ANGLE OF 48 DEGREES 53 MINUTES 50 SECONDS FROM SAID EAST SECTION LINE (MEASURED FROM SOUTH TO WEST) FOR 1174.61 FEET; THENCE DEFLECT TO THE LEFT ON A TANGENTIAL CURVE HAVING A RADIUS OF 5729.58 FEET AND A DELTA ANGLE OF 8 DEGREES 30 MINUTES 22 SECONDS FOR 850.61 FEET AND THERE TERMINATING.

EXCEPT

THAT PART OF GOVERNMENT LOT SIX, SECTION FOURTEEN, TOWNSHIP TWENTY EIGHT NORTH, RANGE TWENTY THREE WEST LYING ADJACENT TO AND WITHIN SIXTY FEET SOUTHEASTERLY OF THE CENTERLINE AS MEASURED AT RIGHT ANGLES OF SIBLEY MEMORIAL HIGHWAY, ALSO KNOWN AS TRUNK HIGHWAY 13, AS TRAVELED ON JULY 17, 1960.

TORRENS PARCEL

1. LOTS 7 AND 8, BLOCK 2, PARK PLACE, DAKOTA COUNTY, MN, ACCORDING TO THE PLAT THEREOF.

CERTIFICATE OF TITLE NO. 119905

**EXCERPT FROM DRAFT/UNAPPROVED 6/24/25 PLANNING  
COMMISSION MINUTES**

*D) PLANNING CASE 2025-10  
NORTHERN STATES POWER COMPANY (XCEL ENERGY), 800 SIBLEY MEMORIAL  
HIGHWAY – MRCCA PERMIT AND CONDITIONAL USE PERMIT*

*Community Development Manager Sarah Madden explained that Xcel Energy (Northern States Power Company) is seeking approval of a Mississippi River Corridor Critical Area (MRCCA) Permit and Conditional Use Permit, in order to authorize the construction of a new 24 x 24 electronic control center within the fenced compound area at the Sibley Propane Plant facility, located at 800 Sibley Memorial Highway.*

*Hearing notices were published and mailed to all properties within 350-ft. of the site; no comments or objections to this request were received.*

*Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).*

*Staff recommended approval of this application based on the findings and with conditions.*

*Commissioner Johnson asked for clarification on the square shown in the overlays and asked if that is the proposed location for the improvement.*

*Community Development Manager Sarah Madden replied that square is a quirk of the Dakota County system and is not a specific part of this request. She confirmed that no tree removal is required.*

*George Wojcicki, Xcel Energy, provided additional details on the proposed structure. He noted that the existing building would remain as file storage.*

*Michael Mohs, Xcel Energy, stated that this plant is a peaking plant and represents a significant load that is required when the coldest weather comes around. He stated that the construction season is very tight.*

*Chair Field opened the public hearing.*

*Seeing no one coming forward wishing to speak, Chair Field asked for a motion to close the public hearing.*

**COMMISSIONER UDELL MOVED, SECONDED BY COMMISSIONER STONE, TO CLOSE  
THE PUBLIC HEARING.**

**AYES: 7**

**NAYS: 0**

*COMMISSIONER STONE MOVED, SECONDED BY COMMISSIONER CORBETT, TO RECOMMEND APPROVAL OF THE PROPOSED MRCCA PERMIT AND AMENDED CONDITIONAL USE PERMIT REQUEST FROM XCEL ENERGY AND FOR THE PROPERTY LOCATED AT 800 SIBLEY MEMORIAL HIGHWAY, WITH THE FOLLOWING CONDITIONS:*

- 1. THE NEW IMPROVEMENTS AND WORK DESCRIBED, ILLUSTRATED, AND DETAILED ON THE "SIBLEY PROPANE PLANT" PLANS, DATED 5-27-2025, AND ANY OTHER PLANS RELATED TO THIS PROJECT, SHALL BE THE ONLY WORK OR IMPROVEMENTS ALLOWED AND APPROVED UNDER THIS NEW MRCCA PERMIT.*
- 2. FULL EROSION AND SEDIMENTATION MEASURES WILL BE PUT IN PLACE PRIOR TO AND DURING GRADING AND CONSTRUCTION WORK ACTIVITIES.*
- 3. ALL GRADING AND CONSTRUCTION ACTIVITIES WILL BE IN COMPLIANCE WITH APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS AND CODES, AS WELL AS IN COMPLIANCE WITH THE CITY'S LAND DISTURBANCE DOCUMENT. THE APPLICANTS MUST SUBMIT AND RECEIVE A SWPPP PERMIT AND NPDES PERMIT (IF NECESSARY) PRIOR TO THE START OF ANY NEW CONSTRUCTION WORK.*
- 4. ALL WORK ON SITE WILL ONLY BE PERFORMED BETWEEN THE HOURS OF 7 A.M. AND 8 P.M. MONDAY THROUGH FRIDAY; 9 A.M. TO 5 P.M. WEEKENDS.*

*AYES: 7*

*NAYS: 0*

*Chair Field advised that the City Council would consider this application at its July 1, 2025, meeting.*



**Meeting Date:** June 24, 2025

**Agenda Item:** **CASE No. 2025-10 MRCCA Permit and Conditional Use Permit Amendment** Application of Northern States Power Company – (Xcel Energy), requesting a Mississippi River Corridor Critical Area (MRCCA) Permit and Amended Conditional Use Permit to allow for the construction of a new 24-ft x 24-ft concrete pad foundation and prefabricated structure at the property located at 800 Sibley Memorial Highway

**Department:** Community Development

**Contact:** Sarah Madden,  
Community Development Manager

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**Introduction:**

Xcel Energy (Northern States Power Company) is seeking approval of a Mississippi River Corridor Critical Area (MRCCA) Permit and Conditional Use Permit, in order to authorize the construction of a new 24x24 electronic control center within the fenced compound area at the Sibley Propane Plant facility, located at 800 Sibley Memorial Highway.

This item is being presented under a duly noticed public hearing process. A notice of hearing was published in the Pioneer Press; and notice letters were mailed to all owners within 350-feet of the subject property. The city has not received any objection or comments related to this application as of the submission of this report.

**Background:**

The subject property is generally known or identified as the Sibley Propane Gas Plant facility, which is located south and east of State Trunk Highway 13, and abuts Valley Park to the south, commercial/office developments to the north, and Park Place and Summit residential neighborhoods to the east. The plant property contains two parcels comprising of approximately 25 total acres, which are all owned and operated by Xcel Energy (formerly Northern States Power Company). According to Xcel representatives, the plant use has existed in its current location since the mid-1950's.

The site is fairly open with security style fencing around its perimeter, and contains a number of support structures and buildings that house office/work spaces, maintenance areas, valve/mixing rooms, and includes 37 horizontal laying propane tanks on the back side of the plant site (referred to as the "Tank Farm")

The plant is used primarily to feed propane into the local natural gas line systems during periodic "spikes" or peak demand events, typically experienced in winter heating season months and only as needed.

In 2016, the City approved a Conditional Use Permit and Critical Area Permit related to improvements to a structure on the Sibley Plant property. 'Essential Services' is a listed Conditional Use in the B-1A zoning district, and prior to that application the site did not have a

record of Conditional Use Permit approval for the use, due to the age and historical use of the property.

In August 2021, Xcel received an Administrative Critical Area Permit, in order to complete some immediate and mandatory infrastructure improvements to this plant. These upgrades included replacing some outdated and worn out valves, pipes and equipment with new modern materials, equipment, pipes, valves and miscellaneous safety measures. Due to the importance of providing continued natural gas service to the community and region, and ensuring that gas is available to local customers when the cold/winter season comes, these equipment upgrades and the work proposed by Xcel were deemed essential to the general public, and the council elected to expedite this work under an Administrative Critical Area Permit approval.

In May 2022, the City reviewed a full MRCCA Permit application for additional improvements to the tank facility, including replacing the propane loading facilities, improvements to the stormwater management on site, and a new fire suppression system. The fire suppression system included a new 12-inch watermain extension coming from the water main line underneath Farmdale Road to the east. At that time, drainage issues on site were also proposed to be addressed through a re-grading of the site, a new detention basin, and a network of concrete stormwater trenches within the tank field.

In October 2024, the City reviewed another full MRCCA Permit application and site plan update under the site's Conditional Use Permit approval to authorize a number of improvements, including a storm shelter, retaining wall, compound perimeter fencing expansion, and grading modifications surrounding the propane tanks as fire suppression.

This specific MRCCA Permit application is to authorize the completion of a 24x24 concrete slab, which would house a new electronic control center for the property, within the fenced in compound area. The new electronic control center will be a prefabricated building from VP Buildings that will be placed on the concrete pad foundation and will contain all new life safety upgrades and existing controls for the facility. This new control center will be essential in consolidating equipment and upgrading the existing technology on site. After installation, the existing building will remain as a transfer point and will continue to store physical records.

The maintenance and refurbishment of the facility is ongoing, with work taking place in 2025 that was reviewed as part of the prior MRCCA Permit. This proposed work is scheduled to take place this Summer 2025.

The review and approval includes an update to their existing Conditional Use Permit (CUP), approved in 2016, which noted that future site alterations would need to be processed as an amendment to the CUP as well as any critical area permits needed. This aspect of the land use approval is coordinated as a site plan review within their MRCCA Permit submittal.

**Analysis:**

A majority of the plant site is situated in the MRCCA Overlay boundary, and is located within the **SR-Separated by River District**.



Along the westerly boundary of the site is where the mapped bluffs are located, identified as the cross-hatched areas – and the related 20-foot buffer or bluff impact zone (BIZ), as noted by orange-hatched areas (see MRCCA map image- above).

Properties located in the **SR District** are characterized or governed by the following principles:

Description. The SR district is characterized by its physical and visual distance from the Mississippi River. The district includes land separated from the river by distance, topography, development, or a transportation corridor. The land in this district is not readily visible from the Mississippi River.

Management Purpose. The SR district provides flexibility in managing development without negatively affecting the key resources and features of the river corridor. Minimizing negative impacts to primary conservation areas and minimizing erosion and the flow of untreated storm water into the river are priorities in the district. In addition, providing public access to and public views of the river, and restoring natural vegetation in riparian areas and tree canopy are also priorities in the district.

Per **Section 12-6A-8. E., Public utilities** must comply with the following standards:

1. High-voltage transmission lines, wind energy conversion systems greater than five (5) megawatts, and pipelines are regulated according to Minnesota Statutes, chapter 216E, 216F, and 216G respectively; and
2. If overhead placement is necessary, utility facility crossings must minimize the visibility of the facility from the river and follow other existing right of ways as much as practicable.
3. The appearance of structures must be as compatible as practicable with the surrounding area in a natural state with regard to height and width, materials used, and color.
4. Wireless communication facilities must comply with Section 12-3-5.B.6.

There are no new high-voltage line, wind energy systems, pipelines or wireless communication systems proposed under this project.

Pursuant to **City Code Section 12-6A-3**, no building permit, zoning approval, or subdivision approval shall be issued for any action or development located in an area covered by this chapter until a site plan has been prepared and approved in accordance with the provisions of this chapter. The new ordinance also provides for new rules and standards for new developments, which may include Land Alteration activities and Vegetation Management (removals and replanting).

The entirety of the work will take place within the fenced compound of the Sibley Plant which has been maintained as an asphalt and gravel surface, and contains no vegetated areas. No work is proposed in any Primary Conservation Areas (PCA's) on the property and all existing vegetation outside the site compound will remain.

The primary focus of the project is dedicated to installing a 24x24 concrete slab foundation, upon which a prefabricated structure will be placed which is planned to house a new electrical control center building. The building will be part of the essential utility service provided on site. The proposed building will be located to the north of the existing tank farm, adjacent to the vaporizer building and other building/utility infrastructure.

The 2022 and 2024 MRCCA approval evaluated changes in containment of stormwater runoff, and the applicant prepared a Storm Water Pollution Prevention (SWPP) plan at that time, which is included as an attachment to this report. The stormwater management plan is not impacted by the proposed improvement of the 24x24 concrete slab and foundation for the new service structure. The new structure will not be within any bluff setback or Bluff Impact Zone and no site impacts are anticipated.

### **CUP/Site Plan Amendment**

The 2016 Conditional Use Permit approval established the 'Essential Services' use as the zoning use existing on the property, encompassing the service and delivery of the propane at the facility. This current proposal does not modify the primary structures or essential services of the site, but does encompass the addition of a small structure for an electrical control building for employee use. The existing approval included a condition that 'future improvements on the subject property that expand, alter, or otherwise change the existing use or site conditions in any manner shall require an amendment to the conditional use permit, including a critical area permit if applicable.' The proposed improvements do constitute a change in the site conditions due to the addition of an additional structure for the operations of the essential service function. No additional performance standards are noted with the essential services use in City Code, apart from the applicable provisions for all Conditional Use Permits within the City.

The City may grant a conditional use provided the proposed use demonstrates the following:

- a) Use will not be detrimental to the health, safety or general welfare of the community,
- b) Use will not cause serious traffic congestion nor hazards,
- c) Use will not seriously depreciate surrounding property value, and
- d) Use is in harmony with the general purpose and intent of this chapter and the comprehensive plan.

The site is enclosed by a 10-foot-high, barbed-wire-topped, chain link security fence. The proposed improvements are within this secure site, and the proposed new electrical control building will not have any adverse effects on adjacent property owners, cause traffic congestion or hazards, and the essential services and public utility use is in harmony with the Zoning Ordinance and Comprehensive Plan. Staff is supportive of this site plan update, as required under the site's existing Conditional Use Permit approval.

The Conditional Use will not negatively affect resources identified in the City's MRCCA Plan, such as PCA's, bluffs, wetlands, river overlooks, and parks and open space. The proposed improvements are consistent with the purpose of the MRCCA district in which it is located, and the provisions related to public facilities and utilities as outlined in 12-6A-8. The site is not visible from the river, and the river is not visible from the site, and the facility maintains its security and separation from neighboring uses through the utilization of fencing and buffered by natural vegetation.

## **INTERAGENCY REVIEW**

The city is required to give Minnesota Dept. of Natural Resources and National Park Service at least 20-day notice of any new MRCCA Permit application request. These notices were emailed directly to the appropriate staff; and no response has been received as of the date of this report.

### **Alternatives:**

1. Approve the MRCCA Permit and amended Conditional Use Permit request to Xcel Energy and for 800 Sibley Memorial Highway, which would allow site improvements to construct a new 24x24 concrete slab and prefabricated electrical control center building, based on certain findings of fact as included herein and with specific conditions; or
2. Deny the MRCCA Permit request to Xcel Energy and for 800 Sibley Memorial Highway, based on the recommendation the application and project does not meet certain policies and standards of the MRCCA Ordinance and City Code, based on revised findings-of-facts determined by the Planning Commission; or
3. Table the application and request additional information from City Staff or the Applicant. Staff will extend the application review period an additional 60 days, in compliance with MN Statute 15.99.

### **Staff Recommendation:**

Staff recommends approval of the proposed MRCCA Permit and amended Conditional Use Permit request from Xcel Energy and for the property located at 800 Sibley Memorial Highway, with the following conditions:

1. The new improvements and work described, illustrated and detailed on the "Sibley Propane Plant" plans, dated 05/27/2025, and any other plans related to this project, shall be the only work or improvements allowed and approved under this new MRCCA Permit.
2. Full erosion and sedimentation measures will be put in place prior to and during grading and construction work activities.
3. All grading and construction activity will be in compliance with applicable federal, state, and local regulations and codes, as well as in compliance with the City's Land Disturbance Guidance Document. The Applicants must submit and receive a SWPPP Permit and NPDES Permit (if necessary) prior to start of any new construction work.
4. All work on site will only be performed between the hours of 7:00 AM and 8:00 PM Monday through Friday; 9:00 AM to 5:00 PM weekends.

### **Attachments:**

1. Findings of Fact for Approval
2. Site Maps
3. Narrative
4. Site and Building Plans
5. SWPPP and Erosion Sediment Control Plan

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## **FINDINGS-OF-FACT FOR APPROVAL**

### **Miss. River Corridor Critical Area Permit and amended Conditional Use Permit for the Xcel Energy Sibley Gas Plant Facility 800 Sibley Memorial Highway**

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The following Findings-of-Fact are made in support of approval of the proposed MRCCA Permit request:

1. The proposed 24x24 concrete slab and prefabricated electrical control building improvements planned for by Xcel Energy on the subject property, meets the general purpose and intent of the Mississippi River Corridor Critical Area (MRCCA) District ordinances and standards.
2. The proposed work to construct the new electrical control building on the subject site is deemed minimally invasive and the proposed site modifications are all reasonable and within the spirit and intent established under the MRCCA Overlay District regulations.
3. The proposed work will not be detrimental to the health, safety or general welfare of the community; should not cause any serious traffic congestion nor hazards; will not seriously depreciate surrounding property value; and also is in harmony with the general purpose and intent of the City Code and the Comprehensive Plan.
4. The overall construction of the building improvement will comply with all standards and regulations of the MRCCA Ordinance and any related Zoning Ordinance, State Building and Fire Codes, and other applicable ordinances; and represents a considerable investment by the Applicants (Xcel Energy) to an important utility service feature in the community.

Xcel - Gas Plant - 800 Sibley Mem. Hwy.



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale  
**1 inch = 300 feet**  
 4/26/2022

# 800 SIBLEY MEMORIAL HWY. NSP / Xcel Energy Gas Plant MRCCA MAP

Date: 4/26/2022



City of  
Mendota  
Heights



**Legend**

- Municipal Boundary
- MRCCA Boundary

**Bluff\_Elem**

- 18% and 75 Degree Bluffs
- 18% over 25 ft Bluffs
- 20 ft bluff buffer
- 75 Degree Bluffs

This imagery is copyrighted and licensed by Nearmap US Inc, which retains ownership of the imagery. It is being provided by Dakota County under the terms of that license. Under that license, Dakota County is allowed to provide access to the "Offline-Copy Add-On for Government", on which this image services is based, at 6-inch resolution, six months after the capture date, provided the user acknowledges that the imagery will be used in their normal course of business and must not be resold or





May 27, 2025

Sarah Madden  
Community Development Director  
City of Mendota Heights  
1101 Victoria Circle  
Mendota Heights, MN 55118

RE: Sibley Plant Improvements  
Conditional Use Permit Amendment & MRCCA Permit

Dear Sarah Madden,

Please find this letter of intent and application materials for the MRCCA Permit and the Conditional Use Permit Amendment for the NSP (Xcel Energy) Sibley Gas Plant located at 800 Sibley Memorial Hwy with Parcel ID numbers of 270140075011, 270230002013, 270230002012, 271715102091, and 275660002081. The plant stores propane which can be inserted into the natural gas system during periods of peak demand in the winter. The plant has been in service since the 1950's prior to the incorporation of the City of Mendota Heights. NSP is currently investing in this site and is seeking the following:

- Amend the existing CUP to allow for the construction of a 24' x 24' concrete pad foundation to situate a prefabricated structure to serve as the facility's new electronic control center within the fenced compound.

The property is in the southeast quadrant of land adjacent to I-35E and US Hwy 13. The site is irregularly shaped and additionally abuts Lilydale Road and Farmdale Road. The property is in the Critical Area Overlay Zone and includes steep slopes to the south and west and forested land surrounding the facility. NSP purchased additional buffer land to the east to help screen the facility from adjacent development. City parkland to the south and east provide additional screening and buffering. The site cannot be seen from the river, nor can the river be seen from the site.

Control Center Foundation:

The existing controls building serving the site is simply too small to accommodate file storage, existing control equipment, and additional upgrades to life safety equipment stored within. Furthermore, the existing building has become outdated and no longer meets the building standards of NSP considering all its current uses. The new electronic control center will be a prefabricated building from VP Buildings that will be placed on a 24' x 24' concrete pad foundation and will house all new life safety upgrades and existing controls for the facility. This new control center will be essential in consolidating equipment and upgrading the existing technology on site. After installation, the existing building will remain as a transfer point and will continue to store physical records.



MRCCA Permit:

NSP's team of designers and engineers worked hard to limit the footprint of the proposed improvements to lessen any impacts on the river and its sensitive ecosystems. As the siting of the project is outside of all PCA's within the property, and with the site fundamentally saying the same, the potential impacts to the river area will be minimal in completing this project.

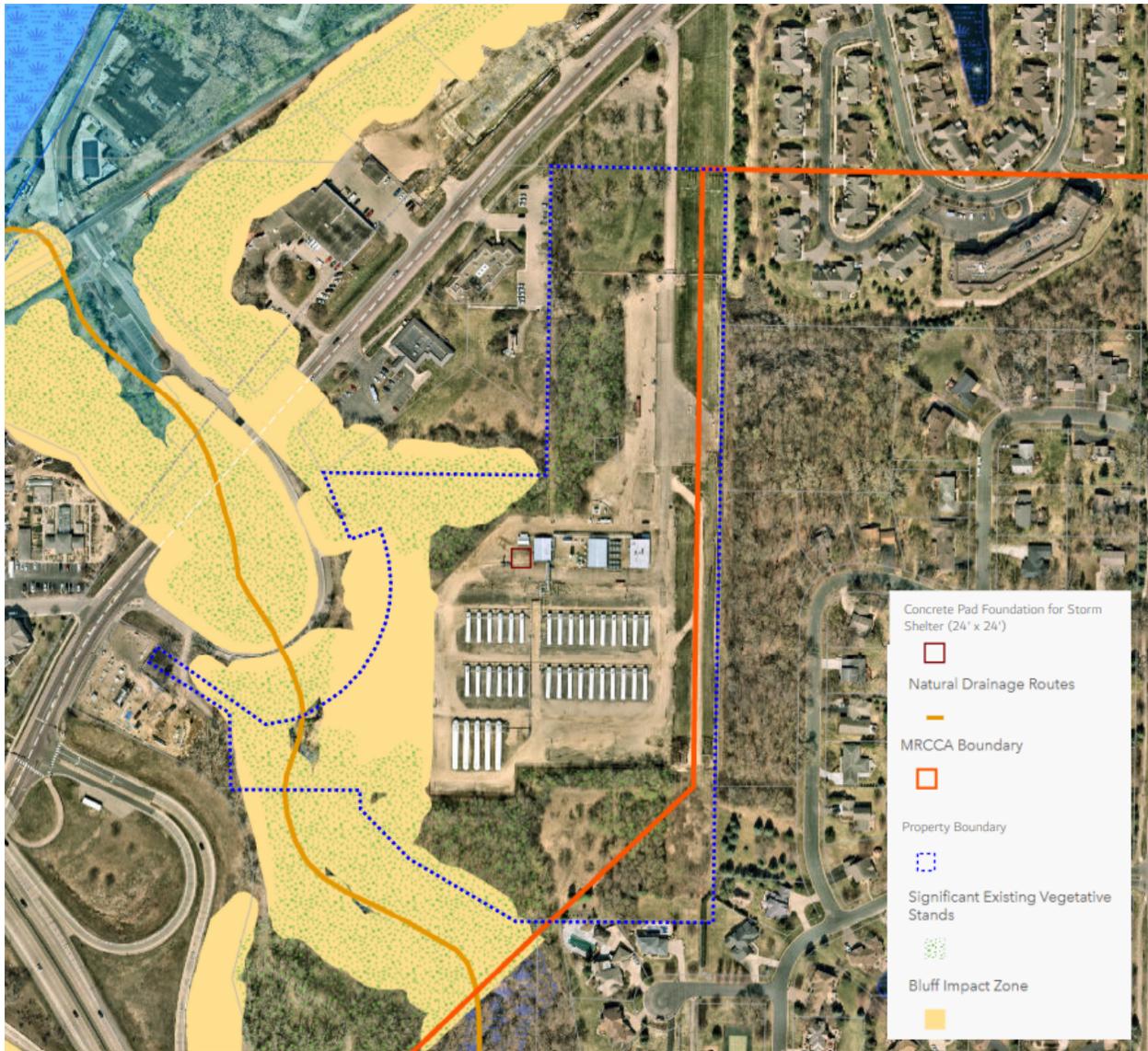
**Construction Timing:** The construction of the concrete pad foundation is expected to occur during the Summer of 2025.

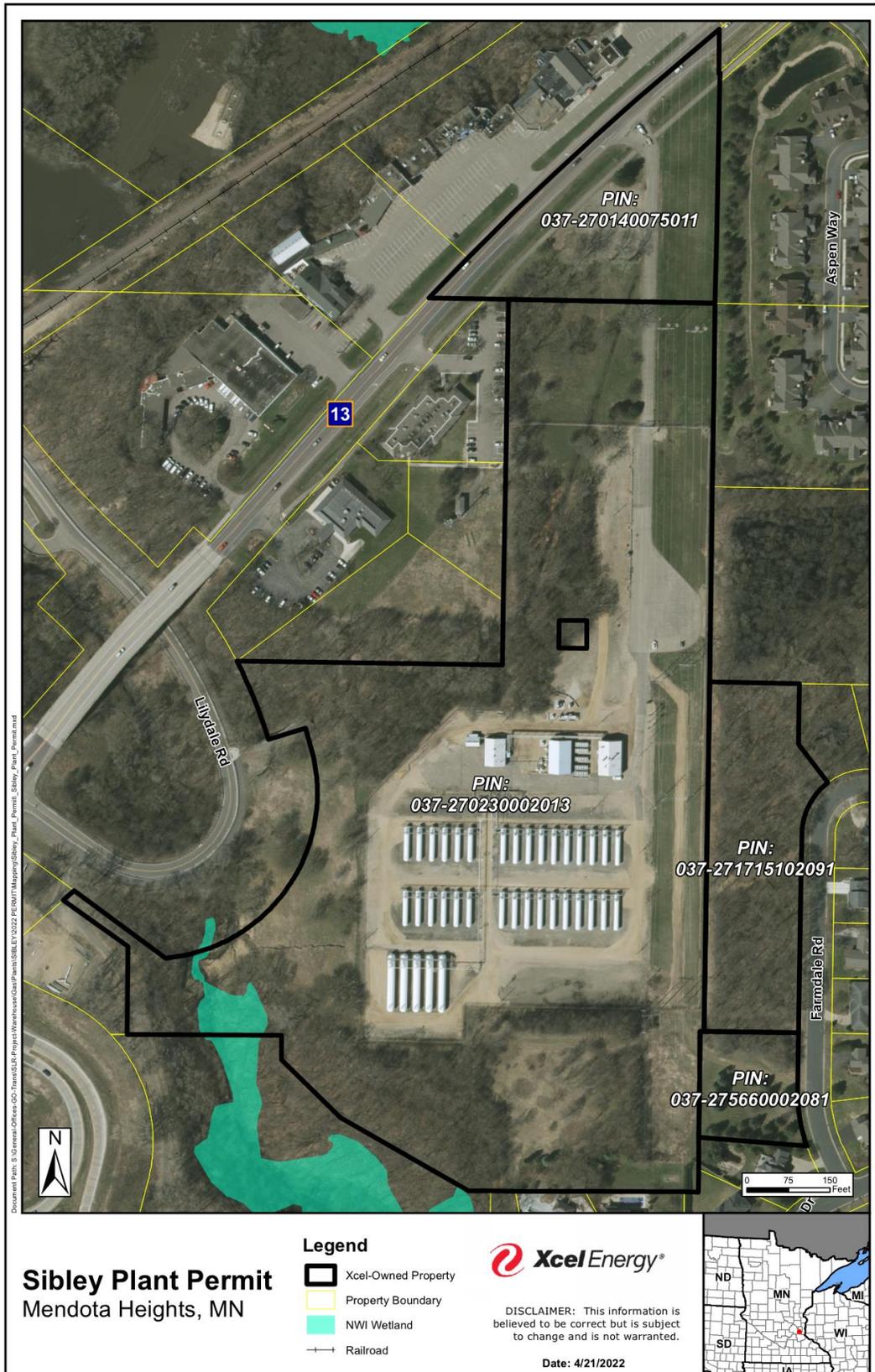
The proposed improvement is an important component for the efficient operation of the Sibley Plant and is a part of our commitment to provide safe and reliable natural gas to our customers and help ensure the safety of NSP employees, contractors, and the neighboring communities. Thank you for your consideration of our request to upgrade the Sibley Plant. The proposed improvement will minimally impact the natural environment and enhance the reliability and safety of the natural gas system in Mendota Heights and surrounding communities.

Regards,

A handwritten signature in black ink that reads 'Brian Sullivan'. The signature is written in a cursive, flowing style.

Brian Sullivan  
Siting and Land Rights  
P: 612.330.5925 | C:612.366.0234 | F: 612.329.3096  
Email: [brian.e.sullivan@xcelenergy.com](mailto:brian.e.sullivan@xcelenergy.com)







## SIBLEY PLANT

### LEGAL DESCRIPTION

1. Name of Insured:  
Northern States Power Company, a Minnesota corporation
2. The estate or interest in the Land that is insured by this policy is:  
Fee Simple

3. Title is vested in:  
Northern States Power Company, a Minnesota corporation

Note: Vesting Instruments into Original NSP Entity: Warranty Deed County Recorder Document No. 226074, in Book 245 of Deeds, Page 510, dated June 29, 1953, recorded August 14, 1953; Warranty Deed County Recorder Document No. 220874 in Book 245 of Deeds, Page 146, dated June 30, 1952, recorded September 5, 1952; Warranty Deed County Recorder Document No. 510789, dated April 13, 1978, recorded April 21, 1978; Quit Claim Deed County Recorder Document No. 356587, dated June 4, 1968, recorded December 30, 1968; Warranty Deed County Recorder Document No. 220875 in Book 245 of Deeds, Page 147, dated July 15, 1952, recorded September 5, 1952; Warranty Deed County Recorder Document No. 285810 in Book 276 of Deeds, Page 635, dated January 12, 1961, recorded November 1, 1961; Warranty Deed County Recorder Document No. 220873 in Book 245 of Deeds, Page 145, dated June 30, 1952, recorded September 5, 1952; and Certificate of Title No. 119905.

4. The Land referred to in this policy is described as follows:  
Real property in the County of Dakota, State of Minnesota, described as follows:

#### ABSTRACT PARCELS:

1. LOTS FIVE (5) THROUGH NINE (9), BLOCK TWO (2), CHERRY HILL SECOND ADDITION, ACCORDING TO THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR DAKOTA COUNTY, MINNESOTA.
2. THE EAST FORTY (40) RODS OF THE SOUTH FORTY (40) RODS OF GOVERNMENT LOT TWO (2) IN THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), ACCORDING TO THE GOVERNMENT SURVEY THEREOF.

EXCEPT,

First American Title Insurance Company



Form No. 1402.06  
ALTA Owner's Policy (6-17-06)

Policy Page 6  
Policy Number: NCS-403000-001

THAT PART OF THE EAST FORTY (40) RODS OF THE SOUTH (40) RODS OF GOVERNMENT LOT TWO (2) IN THE NORTHWEST QUARTER (NW<sup>1</sup>/<sub>4</sub>) OF THE NORTHEAST QUARTER (NE<sup>1</sup>/<sub>4</sub>) OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), ACCORDING TO THE GOVERNMENT SURVEY THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST FORTY (40) RODS OF THE SOUTH FORTY (40) RODS OF SAID GOVERNMENT LOT TWO (2); THENCE SOUTH ALONG THE WEST LINE THEREOF FOR 409.87 FEET TO AN INTERSECTION WITH LINE "A" WHICH LIES SOUTHEASTERLY AND NORTHWESTERLY AT AN ANGLE OF 54°30' TO SAID WEST LINE; THENCE SOUTH ALONG SAID WEST LINE TO AN INTERSECTION WITH A LINE WHICH IS PARALLEL WITH AND DISTANT 75 FEET SOUTHWESTERLY OF SAID LINE "A"; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH A CURVED LINE WHICH IS PARALLEL WITH AND DISTANT 150 FEET SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY OF LINE "B" DESCRIBED AS FOLLOWS:

FROM A POINT ON THE WEST LINE OF THE EAST FORTY (40) RODS OF THE SOUTH FORTY (40) RODS OF SAID GOVERNMENT LOT TWO (2), DISTANT 409.87 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTHWESTERLY FROM SAID POINT AT AN ANGLE OF 54°30' TO SAID WEST LINE FOR 173.25 FEET TO THE POINT OF BEGINNING OF LINE "B" TO BE DESCRIBED; THENCE SOUTHEASTERLY ALONG THE LAST DESCRIBED COURSE FOR 100 FEET; THENCE DEFLECT TO THE LEFT ON A CURVE HAVING A RADIUS OF 150 FEET, (DELTA ANGLE 140°13'44") FOR 367.12 FEET; THENCE DEFLECT TO THE LEFT ON A 7°30' CURVE (DELTA ANGLE 34°00') FOR 453.33 FEET AND THERE TERMINATING;

THENCE ALONG SAID CURVED PARALLEL LINE CURVING TO THE LEFT TO ITS INTERSECTION WITH A LINE WHICH LIES NORTHEASTERLY AT RIGHT ANGLES TO THE TANGENT OF THE 7°30' CURVE DESCRIBED ABOVE TO A POINT ON SAID TANGENT DISTANT 413.57 FEET SOUTHEASTERLY OF THE POINT OF TERMINATION OF SAID LINE "B"; THENCE SOUTHWESTERLY ALONG SAID RIGHT ANGLED LINE FOR 70 FEET; THENCE NORTHWESTERLY ALONG A LINE WHICH IS PARALLEL WITH AND DISTANT 80 FEET NORTHEASTERLY OF SAID LINE "B" TO THE INTERSECTION OF SAID PARALLEL LINE WITH THE NORTH LINE OF THE EAST FORTY (40) RODS OF THE SOUTH FORTY (40) RODS OF SAID GOVERNMENT LOT TWO (2); THENCE WEST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

3. THE WEST 375 FEET OF THE SOUTH 30 ACRES OF THE NE<sup>1</sup>/<sub>4</sub> OF THE NE<sup>1</sup>/<sub>4</sub> OF SECTION 23, TOWNSHIP 28 NORTH, RANGE 23 WEST, ACCORDING TO THE GOVERNMENT SURVEY THEREOF.

4. THE NORTH TWO HUNDRED EIGHTY AND SIX-TENTHS (280.6) FEET OF THE WEST THREE HUNDRED SEVENTY FIVE (375) FEET OF THE SOUTHEAST QUARTER (SE<sup>1</sup>/<sub>4</sub>) OF THE NORTHEAST QUARTER (NE<sup>1</sup>/<sub>4</sub>) OF SECTION TWENTY THREE (23), TOWNSHIP TWENTY EIGHT (28) NORTH, RANGE TWENTY THREE (23) WEST.

5. A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW<sup>1</sup>/<sub>4</sub>) OF NORTHEAST QUARTER (NE<sup>1</sup>/<sub>4</sub>), SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-THREE (23) WEST, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW<sup>1</sup>/<sub>4</sub>) OF THE NORTHEAST QUARTER (NE<sup>1</sup>/<sub>4</sub>) OF SAID SECTION TWENTY-THREE (23), THENCE SOUTH ALONG THE EAST QUARTER-QUARTER (1/4 1/4) LINE OF SAID SECTION TWENTY-THREE (23), A DISTANCE OF TWO HUNDRED EIGHTY AND SIX TENTHS (280.6) FEET; THENCE WESTERLY AT A DEFLECTION ANGLE OF NINETY-THREE DEGREES, THIRTY-FIVE MINUTES (93°35') TO THE RIGHT A DISTANCE OF THIRTY-NINE AND SEVEN-TENTHS (39.7) FEET; THENCE NORTHWESTERLY AT A DEFLECTION ANGLE OF TWENTY-SIX DEGREES, TEN MINUTES (26°10') TO THE RIGHT A DISTANCE OF TWO HUNDRED SIXTY-SIX AND FIVE-TENTHS (266.5) FEET; THENCE NORTHWESTERLY AT A DEFLECTION ANGLE OF THIRTEEN DEGREES, TWENTY-NINE MINUTES (13°29') TO THE RIGHT A DISTANCE OF ONE HUNDRED FORTY-NINE AND SEVEN-TENTHS (149.7) FEET; THENCE NORTHERLY AT A DEFLECTION ANGLE OF FORTY-SIX DEGREES, TWELVE MINUTES (46°12') TO THE RIGHT A DISTANCE OF FORTY-FOUR AND

First American Title Insurance Company



Form No. 1402.06  
ALTA Owner's Policy (6-17-06)

Policy Page 7  
Policy Number: NCS-403000-001

SEVEN-TENTHS (44.7) FEET TO THE NORTH QUARTER-QUARTER (1/4-1/4) LINE OF SAID SECTION TWENTY-THREE (23); THENCE EAST ALONG SAID NORTH QUARTER-QUARTER (1/4-1/4) LINE A DISTANCE OF THREE HUNDRED EIGHTY AND EIGHT-TENTHS (380.8) FEET TO POINT OF BEGINNING.

6. ALL THAT PART OF GOVERNMENT LOT SIX (6), SECTION FOURTEEN (14), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), WHICH LIES SOUTHERLY OF THE CENTER LINE OF SIBLEY MEMORIAL HIGHWAY (SUBJECT TO SAID HIGHWAY) AND ALSO THE NORTH QUARTER (N1/4) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23), SUBJECT TO EASEMENT FOR PUBLIC UTILITY.

EXCEPT,

THE EASTERLY NINE HUNDRED FORTY FIVE (945) FEET OF ALL THAT PART OF GOVERNMENT LOT SIX (6), SECTION FOURTEEN (14), TOWNSHIP TWENTY EIGHT (28), RANGE TWENTY THREE (23), WHICH LIES SOUTHERLY OF THE CENTER LINE OF SIBLEY MEMORIAL HIGHWAY (SUBJECT TO SAID HIGHWAY); AND ALSO THE EASTERLY NINE HUNDRED FORTY FIVE (945) FEET OF THE NORTH QUARTER (N1/4) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY THREE (23), TOWNSHIP TWENTY EIGHT (28), RANGE TWENTY THREE (23), SUBJECT TO EASEMENTS OF RECORD.

ALSO EXCEPT,

THAT PART OF TRACT A DESCRIBED BELOW:

TRACT A. THAT PART OF GOVERNMENT LOT 6 OF SECTION 14, TOWNSHIP 28 NORTH, RANGE 23 WEST, DAKOTA COUNTY, MINNESOTA, LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF TRUNK HIGHWAY NO. 13 AS NOW LOCATED AND ESTABLISHED, EXCEPT THE EAST 945 FEET THEREOF;

WHICH LIES NORTHWESTERLY OF A LINE PARALLEL WITH AND DISTANT 60 FEET SOUTHEASTERLY OF LINE 1 DESCRIBED BELOW:

LINE 1. BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 14, DISTANT 1323.6 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE RUN SOUTHWESTERLY AT AN ANGLE OF 48 DEGREES 53 MINUTES 50 SECONDS FROM SAID EAST SECTION LINE (MEASURED FROM SOUTH TO WEST) FOR 1174.61 FEET; THENCE DEFLECT TO THE LEFT ON A TANGENTIAL CURVE HAVING A RADIUS OF 5729.58 FEET AND A DELTA ANGLE OF 8 DEGREES 30 MINUTES 22 SECONDS FOR 850.61 FEET AND THERE TERMINATING.

EXCEPT

THAT PART OF GOVERNMENT LOT SIX, SECTION FOURTEEN, TOWNSHIP TWENTY EIGHT NORTH, RANGE TWENTY THREE WEST LYING ADJACENT TO AND WITHIN SIXTY FEET SOUTHEASTERLY OF THE CENTERLINE AS MEASURED AT RIGHT ANGLES OF SIBLEY MEMORIAL HIGHWAY, ALSO KNOWN AS TRUNK HIGHWAY 13, AS TRAVELED ON JULY 17, 1960.

TORRENS PARCEL

1. LOTS 7 AND 8, BLOCK 2, PARK PLACE, DAKOTA COUNTY, MN, ACCORDING TO THE PLAT THEREOF.

CERTIFICATE OF TITLE NO. 119905

- REVISION SUMMARY:
0. RETAINING WALL IFC ONLY
  1. BALANCE OF PLANT IFC
  2. UPDATED FOUNDATIONS NEAR RETAINING WALL DUE TO SHORING COORDINATION
  3. UPDATED ANCHOR & BASE PLATE PER STEEL FABRICATION
  - 4A. ADDED WEST ELECTRICAL BUILDING, ISSUED FOR PERMITTING

4A

STRUCTURAL COVER SHEET

DRAWING NUMBER	REV	TITLE	DRAWING NUMBER	REV	TITLE	DRAWING NUMBER	REV	TITLE	DRAWING NUMBER	REV	TITLE
40000	4A	STRUCTURAL COVER / INDEX 4A	42000	0	STRUCTURAL KEY PLAN	44000	0	FOUNDATION DETAILS - TYPICAL DETAILS	4700	0	STEEL DETAIL DIAGRAMS - PIPE BRIDGE ELEVATION
40010	1	STRUCTURAL NOTES	42001	0	STRUCTURAL PLAN - TANK BANK 360	44001	0	FOUNDATION DETAILS - SLAB & SIDEWALK DETAILS	4701	0	STEEL DETAIL DIAGRAMS - PIPE BRIDGE TRUSS PLANS
40011	1	STRUCTURAL NOTES	42006	0	STRUCTURAL PLAN - TANK BANK 360	44002	0	FOUNDATION DETAILS - SLAB & SIDEWALK DETAILS	4702	0	STEEL DETAIL DIAGRAMS - PIPE BRIDGE SECTIONS & DETAILS
41000	3A	FOUNDATION KEY PLAN 4A	42007	0	STRUCTURAL PLAN - TANK BANK 360	44003	1	TYPICAL THRUST BLOCK DETAIL	4703	0	STEEL DETAIL DIAGRAMS - PIPE BRIDGE SECTIONS & DETAILS
41001	0	FOUNDATION PLAN - TANK BANK 360	42011	0	STRUCTURAL PLAN - TANK BANK 350	44004	0	FOUNDATION DETAILS - STAIR SECTIONS & DETAILS	4704	1	STEEL DETAIL DIAGRAMS
41002	0	FOUNDATION PLAN - TANK BANK 360	42012	0	STRUCTURAL PLAN - TANK BANK 350 & 320	44005	0	FOUNDATION DETAILS - STAIR SECTIONS & DETAILS	4705	1	STEEL DETAIL DIAGRAMS
41006	0	FOUNDATION PLAN - TANK BANK 360	42014	0	STRUCTURAL PLAN - TANK BANK 320	44006	0	FOUNDATION DETAILS - STAIR SECTIONS & DETAILS	4706	1	STEEL DETAIL DIAGRAMS
41007	0	FOUNDATION PLAN - TANK BANK 360	42016	0	STRUCTURAL PLAN - TANK BANK 350	44007	0	FOUNDATION DETAILS - STAIR SECTIONS & DETAILS	4707	1	STEEL DETAIL DIAGRAMS
41011	0	FOUNDATION PLAN - TANK BANK 350	42017	0	STRUCTURAL PLAN - TANK BANK 350 & 320	44008	0	FOUNDATION DETAILS - STAIR SECTIONS & DETAILS	4708	1	STEEL DETAIL DIAGRAMS - CABLE TRAY SUPPORT SECTIONS & DETAILS
41012	0	FOUNDATION PLAN - TANK BANK 320 & 350	42018	0	STRUCTURAL PLAN - TANK BANK 320	44009	0	FOUNDATION DETAILS - STAIR SECTIONS & DETAILS	4709	0	STEEL DETAIL DIAGRAMS - CABLE TRAY SUPPORT SECTIONS & DETAILS
41014	0	FOUNDATION PLAN - TANK BANK 320	42019	0	STRUCTURAL PLAN - TANK BANK 320	44010	0	FOUNDATION DETAILS - ELECTRICAL & LIFE SAFETY FOUNDATIONS	4710	0	STEEL DETAIL DIAGRAMS - CABLE TRAY SUPPORT SECTIONS & DETAILS
41016	0	FOUNDATION PLAN - TANK BANK 350	42021	0	STRUCTURAL PLAN - TANK BANK 340	44011	2	FOUNDATION DETAILS - PIPE & TRAY SUPPORT FOUNDATIONS	4711	1	STEEL DETAIL DIAGRAMS - PIPE SUPPORT SECTIONS & DETAILS
41017	0	FOUNDATION PLAN - TANK BANK 350 & 320	42022	0	STRUCTURAL PLAN - TANK BANK 340 & 310	44012	0	FOUNDATION DETAILS - CABLE TRAY FOUNDATION	4712	1	STEEL DETAIL DIAGRAMS - PIPE SUPPORT SECTIONS & DETAILS
41018	0	FOUNDATION PLAN - TANK BANK 320	42023	0	STRUCTURAL PLAN - TANK BANK 310	44013	1	FOUNDATION DETAILS - PIPE & TRAY SUPPORT FOUNDATIONS	4713	1	STEEL DETAIL DIAGRAMS - EAST PIPE BRIDGE ELEVATION
41019	0	FOUNDATION PLAN - TANK BANK 320	42024	0	STRUCTURAL PLAN - TANK BANK 310	44014	0A	FOUNDATION DETAILS - WEST ELECTRICAL BUILDING 4A	4714	1	STEEL DETAIL DIAGRAMS - EAST PIPE BRIDGE TRUSS PLANS
41021	0	FOUNDATION PLAN - TANK BANK 340	42027	0	STRUCTURAL PLAN - MANIFOLD & PUMPS	44015	0A	FOUNDATION DETAILS - WEST ELECTRICAL BUILDING	4715	1	STEEL DETAIL DIAGRAMS - SECTIONS & DETAILS
41022	0	FOUNDATION PLAN - TANK BANK 340 & 310	42028	0	STRUCTURAL PLAN	44016	0A	FOUNDATION DETAILS - WEST ELECTRICAL BUILDING	4716	1	STEEL DETAIL DIAGRAMS - SECTIONS & DETAILS
41023	0	FOUNDATION PLAN - TANK BANK 310	42030	0	STRUCTURAL PLAN	45000	0	STEEL DETAIL DIAGRAMS - TYPICAL CONNECTION DETAILS	4717	1	STEEL DETAIL DIAGRAMS - SECTIONS & DETAILS
41024	0	FOUNDATION PLAN - TANK BANK 310	42031	0	STRUCTURAL PLAN	45001	1	STEEL DETAIL DIAGRAMS - TYPICAL CONNECTION DETAILS	4718	1	STEEL DETAIL DIAGRAMS - TRUCK UNLOADING SKID SECTIONS & DETAILS
41027	2	FOUNDATION PLAN - MANIFOLDS & PUMPS	42035	0	STRUCTURAL PLAN	45002	0	STEEL DETAIL DIAGRAMS - PIPE RACK PLAN & SECTION	4719	1	STEEL DETAIL DIAGRAMS - PIPE SUPPORT SECTIONS & DETAILS
41028	0	FOUNDATION PLAN	4101	2	STRUCTURAL PLAN - VAPORIZER BUILDING	45003	0	STEEL DETAIL DIAGRAMS - PIPE RACK SECTIONS	4720	3	FOUNDATION DETAIL DIAGRAMS - PIPE BRIDGE SECTIONS & DETAILS
41030	0	FOUNDATION PLAN - SALES GAS	4102	2	STRUCTURAL PLAN - CABLE TRAY AND PIPE RACK	45004	0	STEEL DETAIL DIAGRAMS - PIPE RACK SECTIONS	4721	0	FOUNDATION DETAIL DIAGRAMS - CONCRETE SECTIONS & DETAILS
41031	1A	FOUNDATION PLAN 4A	4103	1	STRUCTURAL PLAN - COMPRESSOR BUILDING AND PIPE RACK	45005	0	STEEL DETAIL DIAGRAMS - TANK BANK PIPE SUPPOORT SECTIONS & DETAILS	4722	3	FOUNDATION DETAIL DIAGRAMS - CONCRETE SECTIONS & DETAILS
41035	0	FOUNDATION PLAN	4104	1	STRUCTURAL PLAN - COMPRESSOR BUILDING AND PIPE RACK	45006	0	STEEL DETAIL DIAGRAMS - TANK BANK PIPE SUPPOORT SECTIONS & DETAILS	4723	0	FOUNDATION DETAIL DIAGRAMS - CABLE TRAY SECTIONS & DETAILS
41036	0	FOUNDATION PLAN	4105	1	STRUCTURAL PLAN - BOILER BUILDING AND PIPE RACK	45007	0	STEEL DETAIL DIAGRAMS - TANK BANK PIPE SUPPOORT SECTIONS & DETAILS	4724	0	FOUNDATION DETAIL DIAGRAMS - CONCRETE SECTIONS & DETAILS
4121	1	FOUNDATION PLAN - PIPE BRIDGE	4106	1	STRUCTURAL PLAN - EAST PIPE BRIDGE	45008	0	STEEL DETAIL DIAGRAMS - CABLE TRAY SUPPORT DETAILS & SECTIONS	4725	0	FOUNDATION DETAIL DIAGRAMS - CONCRETE SECTIONS & DETAILS
4122	1	FOUNDATION PLAN - VAPORIZER BUILDING	4107	1	STRUCTURAL PLAN - SLEEPER RACK	45009	0	STEEL DETAIL DIAGRAMS - CABLE TRAY SUPPORT DETAILS & SECTIONS	4726	1	FOUNDATION DETAIL DIAGRAMS - CONCRETE SECTIONS & DETAILS
4123	2	FOUNDATION PLAN - CABLE TRAY AND PIPE RACK	4108	1	STRUCTURAL PLAN - SLEEPER RACK AND TRUCK UNLOADING	45010	0	STEEL DETAIL DIAGRAMS - ELECTRICAL RACK SECTIONS & DETAILS	4727	0	PIPE SUPPORT SECTIONS & DETAILS
4124	1	FOUNDATION PLAN - COMPRESSOR BUILDING AND PIPE RACK	4109	1	STRUCTURAL PLAN - TRANSFER PUMP AREA	45011	0	STEEL DETAIL DIAGRAMS - ELECTRICAL SUPPORT SECTIONS & DETAILS	4728	0	PIPE SUPPORT SECTIONS & DETAILS
4125	1	FOUNDATION PLAN - BOILER BUILDING AND PIPE RACK				45012	0	STEEL DETAIL DIAGRAMS - CROSSOVER PLATFORM DETAILS	4729	0	PAD GAS COMPRESSOR PAD & PIPE SUPPORTS
4126	1	FOUNDATION PLAN - EAST PIPE BRIDGE				45013	0	STEEL DETAIL DIAGRAMS - CROSSOVER PLATFORM SECTIONS & DETAILS	48000	2	RETAINING WALL PLAN & ELEVATION
4127	1	FOUNDATION PLAN - SLEEPER RACK				45014	0	STEEL DETAIL DIAGRAMS - TYPICAL STAIR & PLATFORM DETAILS	48001	2	RETAINING WALL SECTION
4128	1	FOUNDATION PLAN - SLEEPER RACK AND TRUCK UNLOADING							48002	2	RETAINING WALL SECTIONS & DETAILS
4129	1	FOUNDATION PLAN - TRANSFER PUMP AREA									

CAD FILE NAME: D1\_40000\_Sibley Mounding.dwg



PROFESSIONAL ENGINEER  
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the state of Minnesota.  
Signature: *Randy S. Paul*  
Typed or Printed Name: Randy S. Paul  
Date: 05/28/2025 License Number: 56637



HISTORY	DATE	REVISIONS			
DRAWN BY:		NO.	DESCRIPTION	BY	DATE
JMC	04/04/24	1	ISSUED FOR CONSTRUCTION	JMC	10/23/24
RSP	04/04/24	2	RE-ISSUED FOR CONSTRUCTION	JMC	12/19/24
JG	05/24/24	3	RE-IFC-UPDATED ANCHOR LAYOUT	PJM	03/17/25
RSP	12/19/24	4A	ISSUED FOR PERMIT - WEST ELEC BUILDING	JMC	05/27/25

SIBLEY PROPANE PLANT STRUCTURAL COVER / INDEX			
SERVICE CENTER: NORTHERN STATES POWER COMPANY		LOCATION: UNIT 00	
DIVISION: NORTHERN	CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA	TYPE: FACILITY	

DRAWING  
40000  
4A

FLOC: GU-SPG

**STRUCTURAL NOTES**

**A. DESIGN AND CONSTRUCTION**

1. GENERAL SITE INFORMATION: DAKOTA COUNTY, MN (44.90244167, -93.1311555)
2. DESIGN IN ACCORDANCE WITH THE FOLLOWING CODES:
  - a. MINNESOTA BUILDING CODE 2020, INCORPORATING 2018 IBC
  - b. ASCE 7-16
  - c. A.C.I. 318-14
  - d. A.I.S.C. 360-16
3. RISK CATEGORY = IV
4. DESIGN LOADS:
  - a. LIVE LOADS:
    - I. PIPE RACK: PIPING LOADS PER PIPE STRESS
    - II. CABLE TRAY: 75 PLF
  - b. WIND LOADS:
    - I. BASIC WIND SPEED (3-SECOND GUST) = 121 MPH
    - II. EXPOSURE = C
  - c. SEISMIC DESIGN CRITERIA
    - I. SEISMIC IMPORTANCE FACTOR,  $I_E = 1.5$
    - II. SITE CLASS = D
    - III. MAPPED SPECTRAL RESPONSE ACCELERATIONS,  $S_s=0.05$ ,  $S_1=0.03$
    - IV. MAPPED SPECTRAL RESPONSE COEFFICIENTS,  $S_{DS}=0.05$ ,  $S_{D1}=0.05$
    - V. SEISMIC DESIGN CATEGORY (SDC) = A
  - d. LATERAL SOIL LOAD = 35 PCF EQUIV. FLUID PRESSURE

**A. EARTHWORK AND FOUNDATION CONSTRUCTION**

1. FOUNDATIONS SHALL BEAR ON UNDISTURBED, UNFROZEN SUBGRADE, AND ON COMPACTED ENGINEERED-FILL WHERE SPECIFIED ON PLANS.
2. SOIL ENGINEERING DESIGN PARAMETERS: PER SITE SPECIFIC SOIL REPORT NO. 00044.0011.0030 CONDUCTED BY CAMPOS EPC DATED SEPTEMBER 9, 2021
  - a. FROST DEPTH: 42 IN.
  - b. ALLOWABLE BEARING CAPACITY: 3,000 PSF (SHALLOW SPREAD FOOTINGS)
  - c. FOUNDATION SYSTEM: SHALLOW SPREAD FOOTINGS, DEEP FOUNDATIONS.
3. EXCAVATION AND BACKFILL:
  - a. ALL EXCAVATION AND GRADING WORK FOR FOUNDATIONS SHALL CONFORM TO THE SPECIFICATIONS HEREIN AND ALL LOCAL, COUNTY, STATE, AND FEDERAL LAWS AND REGULATIONS. ENTIRE AREA AROUND EACH FOUNDATION MUST BE THOROUGHLY PROBED FOR UNDERGROUND PIPE, CONDUIT, HIGH PRESSURE LINES, ETC. BEFORE ANY EXCAVATION BEGINS.
  - b. WHENEVER POSSIBLE, EXCAVATION FOR CONCRETE FOUNDATION SHALL BE NEATLY CUT TO THE EXACT SIZE SPECIFIED.
  - c. IF THE GROUND WATER LEVEL IS FOUND TO BE ABOVE THE BOTTOM OF THE FOUNDATION EXCAVATION, THE FOLLOWING PROCEDURE SHALL BE FOLLOWED:
    - I. EXCAVATE THE FOUNDATION 1' BELOW THE BOTTOM OF THE CONCRETE FOUNDATION AND 1' BEYOND THE FOUNDATION BASE ON EACH SIDE.
    - II. THE WATER SHALL BE REMOVED FROM THE EXCAVATED FOUNDATION. CONTRACTOR SHALL KEEP EXCAVATED FOUNDATION FREE OF WATER AT ALL TIMES UNTIL THE BASE HAS BEEN PREPARED TO THE FINISHED ELEVATION OF THE FOUNDATION BASE.
    - III. PLACE WOVEN GEOTEXTILE FABRIC MIRAFI 600X OR EQUAL 1' BEYOND THE FOUNDATION BASE ON EACH SIDE.
    - IV. PLACE 12" OF CLASS II AGGREGATE BASE IN TWO SEPARATE 6" LIFTS, COMPACT TO 95% OF THE MAX DRY DENSITY PER ASTM D1557.
    - V. BEFORE PLACING THE FORMS, REBAR AND CONCRETE POUR, THE CONTRACTOR SHALL KEEP THE EXCAVATED FOUNDATION FREE OF WATER.
  - d. DURING AND UPON COMPLETION OF THE INSTALLATION OF ANY FOUNDATION, THE WORK SHALL BE INSPECTED AND APPROVED BY THE OWNER OR THEIR REPRESENTATIVE BEFORE THE EXCAVATION IS BACKFILLED. AFTER SUCH APPROVAL, THE EXCAVATION, UNLESS REQUIRED TO BE LEFT OPEN FOR GOOD CAUSE, SHALL BE PROMPTLY BACKFILLED IN A SATISFACTORY MANNER PROVIDED THE FOUNDATION HAS ATTAINED SUFFICIENT STRENGTH.
  - e. FORMS SHALL NOT BE STRIPPED UNTIL 3 DAYS AFTER THE POUR OR CONCRETE STRENGTH REACHES 75% F'C, WHICHEVER OCCURS LATER.
  - f. STRUCTURAL BACKFILL SHALL CONSIST OF GRANULAR NON-EXPANSIVE SAND, GRAVEL AND SAND-GRAVEL MIXTURES, WITH PLASTICITY INDEX BELOW 15, WITH 100% LESS THAN 3/4" SIZE ROCK AND MAX. 10% PASSING NO. 200 SIEVE PER MN DOT CLASS 5 BASE MATERIAL REQUIREMENTS. IT SHALL BE PLACED IN 8" MAX. LIFTS. BACKFILL SHALL BE COMPACTED TO 95% M.D.D. PER ASTM D1557.
  - g. EXCAVATED SUBGRADE SHALL BE COMPACTED TO MINIMUM 95% OF MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D1557, PRIOR TO STRUCTURAL OR COMMON BACKFILL. MINIMUM 1 (ONE) IN-SITU DENSITY TEST SHALL BE CONDUCTED PER CONCRETE STRUCTURE, UNLESS DEEMED OTHERWISE BY THE FIELD GEOTECHNICAL PROFESSIONAL.
  - h. SUBGRADE CONDITIONS SHALL BE INSPECTED BY A GEOTECHNICAL ENGINEER PROR TO PLACEMENT OF ANY CONCRETE. STRUCTURAL FILL SHALL BE INSPECTED AND TESTED.

**B. DEMOLITION**

1. CONTRACTOR SHALL FIELD-VERIFY ALL CONDITIONS AND DIMENSIONS (INCLUDING UTILITIES AND POSSIBLE PRESENCE OF HAZARDOUS MATERIALS) PRIOR TO STARTING WORK AND SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR ADDITIONAL WORK THAT MAY BE REQUIRED.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SHORING, SHIELDING, TEMPORARY WALLS, WATER SPRAY, ETC., AS NECESSARY TO PROTECT EXISTING WORK TO REMAIN, AND TO PREVENT THE SPREAD OF DUST AND DEBRIS.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGE TO SURROUNDING STRUCTURES AND EQUIPMENT DUE TO DEMOLITION WORK. THIS INCLUDES REQUIRED CLEANUP DUE TO SPREAD OF DUST AND DEBRIS. CONTRACTOR MAY WISH TO DOCUMENT CONDITION OF NEARBY STRUCTURES PRIOR TO BEGINNING DEMOLITION AS A DEFENSE AGAINST DAMAGE CLAIMS.
4. MATERIAL NOTED TO BE SALVAGED SHALL BE REMOVED AND HANDLED SO AS TO PREVENT DAMAGE. ALL MATERIALS FROM DEMOLITION NOT NOTED TO BE SALVAGED SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN A LEGAL MANNER BY THE CONTRACTOR.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL WORKERS, TENANTS, AND THE PUBLIC DURING HIS WORK. BARRICADES, WARNING SIGNS, TRAFFIC CONTROL, ETC. SHALL BE PROVIDED AND MAINTAINED AS REQUIRED.

**D. CONCRETE AND GROUT (CAST-IN-PLACE)**

1. CONCRETE MIX DESIGNS SHALL MEET THE FOLLOWING REQUIREMENTS:
  - a. CONCRETE F'C = 3,000 PSI AFTER 7 DAYS, 4,500 PSI MIN. AFTER 28 DAYS. CEMENT TYPE II.
  - b. MAXIMUM SLUMP SHALL BE 4" (PLUS OR MINUS 1 INCH) BEFORE ADDITION OF SUPERPLASTICIZERS, OR ALL CONCRETE EXCEPT 6" TO 9" FOR DRILLED PIERS.
  - c. ALL CONCRETE EXCEPT USED FOR INTERIOR SLABS, SHALL BE AIR ENTRAINED TO 6% PLUS OR MINUS 1.5%. INTERIOR FLOOR CONCRETE SHALL NOT BE AIR ENTRAINED.
  - d. WATER/CEMENT RATIO SHALL NOT EXCEED 0.45
  - e. WATER USED IN MIXING CONCRETE SHALL CONFORM TO ASTM C1602
  - f. ADMIXTURES SHALL NOT BE USED WITHOUT PRE-APPROVAL BY ENGINEER. ADMIXTURES CONTAINING CHLORIDES SHALL NOT BE USED.
  - g. MAXIMUM RATIO OF FLY-ASH TO TOTAL CEMENTITIOUS MATERIALS SHALL BE 0.15
  - h. AGGREGATES SHALL BE CRUSHED STONE CONFORMING TO ASTM C33
  - i. CONCRETE MIX DESIGNS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL. CONTRACTOR SHALL NOT BEGIN CONCRETE INSTALLATION UNTIL CONCRETE MIX DESIGNS HAVE BEEN APPROVED BY THE ENGINEER.
2. CONCRETE PROTECTION FOR REINFORCEMENT: CLEAR DISTANCE FROM FACE OF CONCRETE TO BAR SHALL BE AS FOLLOWS UNLESS NOTED OTHERWISE.
  - a. CONCRETE DEPOSITED AGAINST GROUND OR VOID FORM: 3"
  - b. CONCRETE SURFACES EXPOSED TO WEATHER OR IN CONTACT WITH GROUND AFTER REMOVAL OF FORMS: 1 1/2" FOR #5 BARS AND SMALLER, 2" FOR #6 THROUGH #18.
3. REINFORCING SHALL BE DEFORMED, INTERMEDIATE GRADE NEW BILLET STEEL CONFORMING TO ASTM A615, GRADE 60 FY = 60,000 PSI (EXCEPT REINFORCEMENT TO BE WELDED SHALL BE ASTM A706). ALL WELDING OF REINFORCEMENT SHALL CONFORM TO THE STRUCTURAL WELDING CODES, REINFORCING STEEL AWS D1.4, CURRENT EDITION.
4. REINFORCEMENT DETAILING REQUIREMENTS
  - a. ALL REINFORCING STEEL IN CONCRETE SHALL BE LAPPED IN ACCORDANCE WITH ACI STANDARD 318. WHERE BARS OF DIFFERENT SIZES ARE LAPPED, THE LAP LENGTH SHALL BE BASED ON THE SMALLER BAR. WHERE BARS ARE SHOWN SPLICED, THEY MAY RUN CONTINUOUS AT CONTRACTOR'S OPTION.
  - b. REINFORCEMENT SHALL BE CONTINUOUS THROUGH CONSTRUCTION JOINTS UNLESS NOTED OTHERWISE.
  - c. PROVIDE BENT CORNER REBAR TO MATCH AND LAP WITH HORIZONTAL REBAR AT CORNERS AND INTERSECTIONS OF WALLS AND GRADE BEAMS.
  - d. SHOP DRAWINGS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL. REBAR FABRICATION SHALL NOT BEGIN UNTIL SHOP DRAWINGS HAVE BEEN APPROVED BY THE ENGINEER. ALL SPLICE LOCATIONS ARE SUBJECT TO ENGINEER'S APPROVAL. PLACE REBAR PER CRSI STANDARDS
  - e. ALL BARS AND DOWELS SHALL BE SUPPORTED AND WIRED IN PLACE. DOWELS SHALL BE WIRED IN PLACE, NOT PUSHED INTO FRESH CONCRETE. WELDED WIRE REINFORCEMENT SHALL BE POSITIVELY SUPPORTED, NOT PULLED UP AFTER CONCRETE PLACEMENT. BAR SUPPORTS IN CONTACT WITH EXPOSED SURFACES SHALL HAVE PLASTIC TIPS.
  - f. IF REINFORCING OR MESH IS FIELD CUT FOR SMALL OPENINGS, CONDUIT, ELECTRICAL BOXES, ETC. CUT REINFORCING SHALL BE REPLACED WITH AN EQUIVALENT AREA OF STEEL. ALL SUCH BARS SHALL EXTEND 24" MINIMUM (OR MESH LAP 2") BEYOND CORNER OR EDGE OF OPENING IF NECESSARY. REINFORCING SHALL BE BENT TO PROVIDE THIS MINIMUM EMBEDMENT. MAKE ALL BARS CONTINUOUS AROUND CORNERS.
5. REBAR NOTED TO BE DRILLED INTO CONCRETE AND SET WITH ADHESIVE TO USE HILTI ADHESIVE HIT-HY 200 V3 ADHESIVE "SAFE SET SYSTEM" AS DOCUMENTED BY CURRENT ICC-ES REPORT ESR-4868. CONTRACTOR MAY SUBMIT ALTERNATE FOR APPROVAL WITH ALLOWABLE LOAD VALUES EQUAL TO OR EXCEEDING THOSE FOR HILTI.
6. CONCRETE PLACEMENT REQUIREMENTS:
  - a. CONCRETE SHALL NOT BE PLACED ON FROZEN GROUND.
  - b. MECHANICALLY VIBRATE ALL CONCRETE WHEN PLACED.
  - c. ALL EXPOSED EDGES SHALL BE CHAMFERED 3/4" UNLESS NOTED OTHERWISE.
7. EXPANSION JOINT MATERIAL FOR EXPANSION OR ISOLATION JOINTS SHALL BE PREMOLDED, BITUMINOUS IMPREGNATED FIBERBOARD. CONFORMING TO ASTM D994. JOINT THICKNESS SHALL BE 1/2" UNLESS NOTED OTHERWISE ON DESIGN DRAWINGS.
8. JOINT SEALANT FOR ALL CONCRETE CONTROL, CONSTRUCTION AND ISOLATION JOINTS SHALL BE SIKAFLEX-1A BY SIKA CORP., OR APPROVED EQUAL.
9. WATERSTOPS SHALL BE TPER MATERIAL. WATER STOPS SHALL BE WIRED TO REINFORCEMENT TO PREVENT FOLDOVER DURING CONCRETE PLACEMENT. ALL JOINTS, EXCEPT STRAIGHT BUTT JOINTS, SHALL BE SHOP MADE BY THE MANUFACTURER. FIELD SPLICES SHALL BE HEAT-WELDED.
10. PER MANUFACTURER'S RECOMMENDATION. GROUT USED FOR VARIOUS APPLICATIONS SHALL BE AS FOLLOWS:
  - a. GROUT USED FOR STRUCTURAL STEEL COLUMN BASE PLATES SHALL BE PREPACKED, HIGH-FLUIDITY NON-SHRINK, NATURAL AGGREGATE GROUT SUCH AS "MASTERFLOW 713 PLUS" BY BASF (FORMERLY MASTER BUILDERS) OR APPROVED EQUAL. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR INSTALLATION. SPACE BETWEEN THE ANCHOR RODS AND OVERSIZED HOLES IN THE BASE PLATE SHALL BE FULLY GROUTED WITH NON-SHRINK GROUT TO ASSURE PROPER SHEAR TRANSFER. GROUTING SHALL BE PERFORMED ONE BOLT AT A TIME, WHILE OTHER BASE PLATE RODS ARE FULLY TIGHTENED.
  - b. GROUT USED FOR GROUTING COMPRESSORS, TURBINES, LARGE PUMPS, AND OTHER RECIPROCATING OR ROTATING EQUIPMENT THAT REQUIRES EPOXY GROUTING AS SHOWN ON DESIGN DRAWINGS SHALL BE "FIVE STAR HP" EPOXY GROUT BY FIVE STAR PRODUCTS, INC. OR APPROVED EQUAL, FOLLOW MANUFACTURER'S INSTRUCTIONS FOR INSTALLATION.
11. VOID FORM SHALL BE "SURE VOID" OR APPROVED EQUAL. KEEP VOID FORM MATERIAL DRY DURING PLACEMENT AND INSTALL IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. VOID FORM SHALL BE BIODEGRADABLE AND CAPABLE OF SUPPORTING THE FLUID WEIGHT OF THE CONCRETE.
12. SIZES AND LOCATIONS OF EQUIPMENT BASES, SUMPS, AND EQUIPMENT ANCHOR BOLTS SHOWN ON DRAWINGS ARE APPROXIMATE; THE GENERAL CONTRACTOR SHALL VERIFY ALL SIZES AND LOCATIONS WITH MECHANICAL AND ELECTRICAL DIVISIONS.

**E. HELICAL PILES**

1. HELICAL PILES SHALL BE INSTALLED WITHIN 1" OF COORDINATE (PLAN) LOCATIONS, AND WITHIN -1/2", +1/8" IN ELEVATION. SHIM AS REQUIRED.
2. IF HELICAL PILES ARE NOT ZINC COATED, DESIGN WALL THICKNESS AND OUTSIDE DIAMETER SHALL ACCOUNT FOR CORROSION LOSS OF 0.018" OF OUTSIDE WALL THICKNESS, AS INDICATED IN SECTION 3.9 OF AC308 "ACCEPTANCE CRITERIA FOR HELICAL PILE SYSTEMS AND DEVICES". ZINC COATINGS, IF USED, SHALL COMPLY WITH ASTM A123, A153, B633, OR B695, AS APPLICABLE.
3. PILES SHALL BE DESIGNED TO LIMIT DEFLECTION UNDER SERVICE LOAD TO 1/2", AND PILE CAPACITY SHALL BE DESIGNED FOR 2X SERVICE LOAD.
4. PILE DESIGN CONTRACTOR SHALL PROVIDE CUT SHEETS ON MATERIALS USED, CONFIGURATION OF SCREW PILES, AND INSTALLATION CRITERIA (TORQUE, DEPTH, ETC.) FOR APPROVAL PRIOR TO FABRICATION.
5. ANY LOAD TESTING SHALL BE PERFORMED PER ASTM 1143 (COMPRESSION), ASTM 3689 (TENSION) AND ASTM 3966 (LATERAL), AS APPLICABLE.
6. CONTINUOUS INSPECTION BY QUALIFIED PERSONNEL IS REQUIRED FOR ALL PILE INSTALLATIONS.

**F. STRUCTURAL STEEL**

1. MATERIAL SPECIFICATIONS, UNLESS NOTED OTHERWISE ON PLAN:
  - a. WIDE FLANGE ASTM A992 (FY = 50KSI)
  - b. CHANNELS, ANGLES, PLATES, AND BARS ASTM A36 (FY = 36 KSI)
  - c. SQUARE AND RECTANGULAR HSS SHAPES ASTM A500 (FY = 46 KSI)
  - d. PIPES ASTM A53 (FY=35 KSI)
2. CONNECTIONS:
  - a. ANCHOR RODS SHALL MEET THE REQUIREMENTS OF ASTM F1554, 36 KSI YIELD STRENGTH. COMMON ROD STOCK BARS SHALL NOT BE USED.
  - b. BOLTED CONNECTIONS SHALL BE FASTENED WITH HIGH STRENGTH A-325 BOLTS DESIGNED FOR THREADS INCLUDED IN SHEAR PLANES (CONNECTION TYPE N) EXCEPT AS NOTED ON THE PLANS.
  - c. WELDING SHALL CONFORM TO THE CURRENT AMERICAN WELDING SOCIETY CODE. WELDING ELECTRODES SHALL BE E70XX, UNLESS NOTED OTHERWISE. ALL WELDING SHALL BE BY AWS CERTIFIED WELDERS. WELDS WHICH ARE FOUND TO BE FAULTY SHALL BE REWORKED BY THE CONTRACTOR AT NO COST.
  - d. ADHESIVE ANCHORS FOR CONCRETE SHALL BE HAS-V-36 RODS (ASTM F1554 36 KSI) WITH HILTI HIT-HY 200 V3 ADHESIVE "SAFE SET SYSTEM" AS DOCUMENTED BY CURRENT ICC-ES REPORT ESR-4868. CONTRACTOR MAY SUBMIT ALTERNATE FOR APPROVAL WITH ALLOWABLE LOAD VALUES EQUAL TO OR EXCEEDING THOSE FOR HILTI. ANCHORS SHALL BE GALVANIZED.
3. FABRICATION:
  - a. SHOP DRAWINGS SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL. STEEL FABRICATION SHALL NOT BEGIN UNTIL SHOP DRAWINGS HAVE BEEN APPROVED BY THE ENGINEER.
  - b. STEEL SHALL BE FABRICATED IN AN A.I.S.C.-CERTIFIED STEEL FABRICATION SHOP UNLESS APPROVED BY THE ENGINEER.
  - c. MILL REPORTS SHALL BE PROVIDED FOR ALL STEEL.
4. COATINGS:
  - a. STRUCTURAL STEEL SHALL BE SHOT BLASTED, PRIMED, AND GALVANIZED.
  - b. ALL STEEL SHALL BE HOT DIP GALVANIZED PER ASTM A123 (3-MIL MIN.)
  - c. IF FIELD MODIFICATIONS REQUIRE REMOVAL OF HDG, THEN UTILIZE ZRC COLD GALVANIZATION PRODUCT TO PERFORM GALVANIZATION TOUCH-UPS.
5. ERECTION
  - a. FIELD CUTTING OF STEEL OR OTHER FIELD MODIFICATIONS ARE PROHIBITED WITHOUT WRITTEN APPROVAL FROM THE ENGINEER.
  - b. FABRICATOR SHALL FURNISH ALL FIELD BOLTS, BOLT SCHEDULE, CLIP ANGLES, AND TEMPORARY FASTENINGS REQUIRED FOR ERECTION.
  - c. THE CONTRACTOR SHALL PROVIDE TEMPORARY SUPPORT AND SAFE LIFTING SCHEMES FOR STEEL MEMBERS AS REQUIRED DURING ALL PHASES OF CONSTRUCTION.
  - d. ALL DAMAGED MATERIAL SHALL BE REPAIRED OR REPLACED AT NO EXTRA COST TO THE OWNER AND SUBJECT TO THE APPROVAL OF THE OWNER OR AUTHORIZED REPRESENTATIVE.

**G. GENERAL CONSTRUCTION**

1. THE STRUCTURAL ENGINEER SHALL NOT HAVE CONTROL OR CHARGE OF, AND SHALL NOT BE RESPONSIBLE FOR: CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES; FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK; FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTORS, OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
2. ANY TEMPORARY FACILITIES PLACED BY THE CONTRACTOR FOR CONSTRUCTION OPERATIONS, SUCH AS CRANE BASES, TRAILERS, SHEET PILING, ETC., SHALL BE LOCATED SO AS NOT TO INTERFERE WITH PERMANENT BUILDING CONSTRUCTION. IF INTERFERENCE OCCURS, THE CONTRACTOR SHALL REMOVE OR RELOCATE HIS TEMPORARY FACILITIES AT HIS OWN EXPENSE.
3. DO NOT BACKFILL AGAINST BUILDING, TANK, OR TUNNEL WALLS BELOW GRADE UNTIL FLOOR (OR ROOF) SLAB HAS BEEN PLACED AND CURED FOR AT LEAST SEVEN DAYS AND WALLS HAVE ATTAINED A STRENGTH OF 3,000 PSI. PLACE BACKFILL EVENLY ON EACH SIDE OF WALLS TO PREVENT ECCENTRIC LOADING ON WALLS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR STABILITY BRACING AND SHORING OF THE STRUCTURE DURING CONSTRUCTION, INCLUDING ALL CONSTRUCTION LOADS. THE CONTRACTOR SHALL COORDINATE THE LOCATION OF ALL FOUNDATION WORK WITH THE LOCATION OF ALL SUBGRADE MECHANICAL AND ELECTRICAL WORK. THE CONTRACTOR SHALL PROVIDE ADDITIONAL REINFORCEMENT AROUND ALL PENETRATIONS IN FOUNDATION WALLS. UNLESS SPECIFICALLY NOTED ON THE DRAWINGS, MECHANICAL AND ELECTRICAL WORK IS NOT PERMITTED TO BE EMBEDDED IN FOUNDATIONS OR PLACED BENEATH FOUNDATION BEARING.
5. THE CONTRACTOR SHALL BE AWARE OF OVERHEAD POWER LINES, SUBFLOOR ELECTRICAL CONDUIT, AND SUBGRADE UTILITIES OR TUNNELS AT THE SITE. VERIFY UTILITY LOCATIONS WITH OWNER, GOPHER STATE ONE-CALL (651-454-0002), AND UTILITY COMPANIES.
6. ANY ENGINEERING DESIGN PROVIDED BY OTHERS SHALL BE SUBMITTED FOR REVIEW AND SHALL BEAR THE SIGNATURE AND VALID REGISTRATION NUMBER OF A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MINNESOTA.
7. CONTRACTOR SHALL FIELD-VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE BUILDING AND/OR SITE.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF ALL WORK PERFORMED BY SUBCONTRACTORS.
9. THE CONTRACTOR SHALL DOCUMENT AS-BUILT INFORMATION AND PROVIDE AS-BUILT DRAWINGS TO THE ENGINEER FOR ALL WORK PERFORMED.
10. SCALES NOTED ON DRAWINGS ARE ACCURATE FOR FULL-SIZE (22x34) DRAWINGS ONLY.

**H. SCHEDULE OF GENERAL AND SPECIAL INSPECTIONS (AS APPLICABLE)**

1. SPECIAL INSPECTION: THE FOLLOWING ITEMS REQUIRE SPECIAL INSPECTION (PER SECTION 1704 OF THE IBC, PROVIDE MINIMUM 24-HOUR NOTICE TO INSPECTOR:
  - a. EARTHWORK
  - b. FOUNDATION CAPACITY
  - c. CONCRETE CYLINDER (7 AND 28 DAY AND SPARE) AND SLUMP
  - d. CONCRETE REINFORCING
  - e. STRUCTURAL STEEL WELDING AND HIGH STRENGTH BOLTING
  - f. EXPANSION AND ADHESIVE ANCHORS
2. INSPECTION AND TESTING REPORTS SHALL BE COMPLETED AND DISTRIBUTED AT THE COMPLETION OF EACH TASK. IF A TASK IS TO TAKE LONGER THAN THREE (3) DAYS, PROVIDE REPORTS FOR EACH DAY. PROVIDE COPIES OF REPORTS TO: CONTRACTOR, OWNER, AND THE ENGINEER OF RECORD. INSPECTOR TO KEEP A NON-COMPLIANCE LIST DOCUMENTING ITEMS INSPECTED NOT MEETING APPROVED CONSTRUCTION DOCUMENTS AND WHEN/HOW RESOLVED.

CAD FILE NAME: D1\_40010\_Sibley Mounding.dwg

	PROFESSIONAL ENGINEER I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the state of Minnesota.  Signature: <i>Randy S. Paul</i> Typed or Printed Name: Randy S. Paul Date: 05/28/2025 License Number: 56637		<b>HISTORY</b>	<b>DATE</b>	<b>REVISIONS</b>			<b>SIBLEY PROPANE PLANT STRUCTURAL NOTES</b>			<b>DRAWING 40010</b>		
			DRAWN BY: JMC	04/04/24	NO.	DESCRIPTION	BY	DATE	SERVICE CENTER: NORTHERN STATES POWER COMPANY			LOCATION: UNIT 00	
			DESIGNED BY: RSP	04/04/24	0	ISSUED FOR CONSTRUCTION - RET. WALL	JMC	10/23/24					
			CHECKED BY: JG	05/24/24	1	ISSUED FOR CONSTRUCTION	JMC	10/23/24					DIVISION: NORTHERN
FLOC: GU-SPG													

INSPECTION AND VERIFICATION OF CONCRETE CONSTRUCTION				
INSPECTION REQUIRED Y/N	VERIFICATION AND INSPECTION TASK	FREQUENCY OF INSPECTION		REFERENCED STANDARD
		CONTINUOUS DURING TASK LISTED	PERIODICALLY DURING TASK LISTED	
Y	1. INSPECTION OF REINFORCING STEEL, INCLUDING PRESTRESSING TENDONS AND PLACEMENT.	---	X	ACI 318: 3.5, 26.6
N	2. INSPECTION OF REINFORCING STEEL WELDING IN ACCORDANCE WITH TABLE 1705.2.2, ITEM 2b.	---	X	AWS D1.4 ACI 318: 26.6.4
Y	3. INSPECTION OF ANCHORS CAST IN CONCRETE.	---	X	ACI 318: 26.7
Y	4. INSPECTION OF ANCHORS POST-INSTALLED IN HARDENED CONCRETE MEMBERS.	---	X	ACI 318: 26.7
Y	5. VERIFICATION OF ANCHOR MATERIAL CERTIFICATIONS.	---	X	AISC 360
Y	6. VERIFYING USE OF REQUIRED DESIGN MIX.	---	X	ACI 318: 26.4
Y	7. AT THE TIME FRESH CONCRETE IS SAMPLED TO FABRICATE SPECIMENS FOR STRENGTH TESTS, PERFORM SLUMP AND AIR CONTENT TESTS AND DETERMINE THE TEMPERATURE OF THE CONCRETE.	X	---	ASTM C 172 ASTM C 31 ACI 318: 26.12,26.13
Y	8. INSPECTION OF CONCRETE AND SHOTCRETE PLACEMENT FOR PROPER APPLICATION TECHNIQUES.	X	---	ACI 318: 26.5
Y	9. INSPECTION FOR MAINTENANCE OF SPECIFIED CURING TEMPERATURE AND TECHNIQUES.	---	X	ACI 318: 26.5.3
Y	10. VERIFICATION OF IN-SITU CONCRETE STRENGTH, PRIOR TO STRESSING OF TENDONS IN POST-TENSIONED CONCRETE AND PRIOR TO REMOVAL OF SHORING AND FORMS FROM BEAMS AND STRUCTURAL SLABS.	---	X	ACI 318: 26.11
Y	11. INSPECT FORMWORK FOR SHAPE, LOCATION AND DIMENSIONS OF THE CONCRETE MEMBER BEING FORMED.	---	X	ACI 318: 26.11

INSPECTION AND VERIFICATION OF SOILS			
INSPECTION REQUIRED Y/N	VERIFICATION AND INSPECTION TASK	FREQUENCY OF INSPECTION	
		CONTINUOUS DURING TASK LISTED	PERIODICALLY DURING TASK LISTED
Y	1. VERIFY MATERIALS BELOW FOOTINGS ARE ADEQUATE TO ACHIEVE DESIRED BEARING CAPACITY.	---	X
Y	2. VERIFY EXCAVATIONS ARE EXTENDED TO PROPER DEPTH AND HAVE REACHED PROPER MATERIAL.	---	X
Y	3. PERFORM CLASSIFICATION AND TESTING OF COMPACTED FILL MATERIALS.	---	X
Y	4. VERIFY USE OF PROPER MATERIALS, DENSITIES AND LIFT THICKNESSES DURING PLACEMENT AND COMPACTION OF COMPACTED FILL.	X	---
Y	5. PRIOR TO PLACEMENT OF COMPACTED FILL, OBSERVE SUBGRADE AND VERIFY THAT SITE HAS BEEN PREPARED PROPERLY.	---	X

INSPECTION AND VERIFICATION OF HELICAL PILE FOUNDATIONS				
INSPECTION REQUIRED Y/N	VERIFICATION AND INSPECTION TASK	FREQUENCY OF INSPECTION		REFERENCED STANDARDS
		CONTINUOUS DURING TASK LISTED	PERIODICALLY DURING TASK LISTED	
Y	1. CONTINUOUS INSPECTION SHALL BE PERFORMED DURING INSTALLATION OF HELICAL PILE FOUNDATIONS. INFORMATION SHALL BE RECORDED INCLUDING INSTALLATION EQUIPMENT USED, PILE DIMENSIONS, TIP ELEVATIONS, FINAL DEPTH, FINAL INSTALLATION TORQUE, AND OTHER PERTINENT INSTALLATION AS REQUIRED BY THE REGISTERED DESIGN PROFESSIONAL RESPONSIBLE IN CHARGE. THE APPROVED GEOTECHNICAL REPORT AND CONSTRUCTION DOCUMENTS PREPARED BY THE REGISTERED DESIGN PROFESSIONAL SHALL BE USED TO DETERMINE COMPLIANCE.	X		IBC SECTION 1705.9

INSPECTION AND VERIFICATION OF STEEL CONSTRUCTION				
INSPECTION REQUIRED Y/N	VERIFICATION AND INSPECTION TASK	FREQUENCY OF INSPECTION		REFERENCED STANDARD
		CONTINUOUS DURING TASK LISTED	PERIODICALLY DURING TASK LISTED	
1. MATERIAL VERIFICATION OF HIGH-STRENGTH BOLTS, NUTS, AND WASHERS:				
Y	A. IDENTIFICATION MARKINGS TO CONFORM TO ASTM STANDARDS SPECIFIED IN THE APPROVED CONSTRUCTION DOCUMENTS.	-	X	AISC 360 SECTION A3.3 AND APPLICABLE ASTM MATERIAL STANDARDS
Y	B. MANUFACTURER'S CERTIFICATE OF COMPLIANCE REQUIRED.	-	X	-
2. INSPECTION OF HIGH-STRENGTH BOLTING:				
Y	A. SNUG TIGHT JOINTS.	-	X	
N	B. PRETENSIONED AND SLIP-CRITICAL JOINTS USING TURN-OF-NUT WITH MATCHMARKING, TWIST-OFF BOLT, OR DIRECT TENSION INDICATOR METHOD OF INSTALLATION.	-	X	AISC 360 SECTION M2.5
N	C. PRETENSIONED AND SLIP-CRITICAL JOINTS USING TURN-OF-NUT WITHOUT MATCHMARKING, OR CALIBRATED WRENCH METHODS OF INSTALLATION.	X	-	
3. MATERIAL VERIFICATION OF STRUCTURAL STEEL AND COLD-FORMED STEEL DECK:				
Y	A. FOR STRUCTURAL STEEL, IDENTIFICATION MARKINGS TO CONFORM TO AISC 360.	-	X	-
Y	B. FOR OTHER STEEL, IDENTIFICATION MARKINGS TO CONFORM TO ASTM STANDARDS SPECIFIED IN THE APPROVED CONSTRUCTION DOCUMENTS.	-	X	APPLICABLE ASTM MATERIAL STANDARDS
Y	C. MANUFACTURER'S CERTIFIED MILL TEST REPORTS.	-	X	-
4. MATERIAL VERIFICATION OF WELD FILLER MATERIALS:				
Y	A. IDENTIFICATION MARKINGS TO CONFORM TO AWS SPECIFICATION IN THE APPROVED CONSTRUCTION DOCUMENTS.	-	X	AISC 360 SECTION A3.5 AND APPLICABLE AWS A5 DOCUMENTS
Y	B. MANUFACTURER'S CERTIFICATE OF COMPLIANCE REQUIRED.	-	X	-
5. INSPECTION OF WELDING:				
A. STRUCTURAL STEEL AND COLD FORMED STEEL DECK:				
N	1) COMPLETE AND PARTIAL PENETRATION GROOVE WELDS.	X	-	AWS D1.1
N	2) MULTIPASS FILLET WELDS.	X	-	
N	3) SINGLE-PASS FILLET WELDS > 5/16".	X	-	
N	4) PLUG AND SLOT WELDS.	X	-	
Y	5) SINGLE-PASS FILLET WELDS ≤ 5/16".	-	X	
N	6) FLOOR AND ROOF DECK WELDS.	-	X	AWS D1.3
B. REINFORCING STEEL:				
Y	1) VERIFICATION OF WELDABILITY OF REINFORCING STEEL OTHER THAN ASTM A706.	-	X	AWS D1.4 ACI 318 SECTION 3.5.2
N	2) REINFORCING STEEL: RESISTING FLEXURAL AND AXIAL FORCES IN INTERMEDIATE AND SPECIAL MOMENT FRAMES, AND BOUNDARY ELEMENTS OF SPECIAL STRUCTURAL WALLS OF CONCRETE AND SHEAR REINFORCEMENT.	X	-	
Y	3) SHEAR REINFORCEMENT.	X	-	
Y	4) OTHER REINFORCING STEEL.	-	X	
6. INSPECTION OF STEEL FRAME JOINT DETAIL FOR COMPLIANCE:				
Y	A. DETAILS SUCH AS BRACING AND STIFFENING.	-	X	
Y	B. MEMBER LOCATIONS.	-	X	
Y	C. APPLICATION OF JOINT DETAILS AT EACH CONNECTION.	-	X	
N	7. SFRS (SEISMIC FORCE RESISTING SYSTEM)	X	-	

**SUBMITTALS:**

- ALL SUBMITTALS SHALL BE SENT TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO PROCUREMENT, FABRICATION, OR CONSTRUCTION.
- REQUIRED SUBMITTALS ARE PROVIDED.
  - STRUCTURAL FILL (A.3.f)
  - CONCRETE MIX DESIGN (4010 D.1.i)
  - REBAR SHOP DRAWINGS (4010 D.4.d)
  - HELICAL PILE DESIGN & SUBMITTAL (4010 E)
  - STRUCTURAL STEEL SHOP DRAWINGS (4010 F.3.a)
  - ENGINEERING COMPLETED BY OTHERS (4010 G. 6)
  - ANY MATERIAL THAT DIFFERS FROM WHAT IS SPECIFIED ON 4010, 4011, OR THE FOLLOWING STRUCTURAL DRAWINGS.

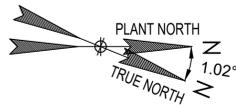
**ABBREVIATIONS:**

- A.B. = ANCHOR BOLT
- B.O.C. = BOTTOM OF CONCRETE
- C.J. = CONSTRUCTION JOINT
- C.L. = CENTERLINE
- C.T. = CONTROL JOINT
- C.V. = COMPACTED VOLUME
- CLR. = CLEAR
- CONC. = CONCRETE
- CONT. = CONTINUOUS
- DET. = DETAIL
- DWGS. = DRAWINGS
- E.F.= EACH FACE
- E.J.= EXPANSION JOINT
- E.W.= EACH WAY
- ELEV. = ELEVATION
- EQUIP. = EQUIPMENT
- FDN. = FOUNDATION
- GALV. = GALVANIZE
- GRTG. = GRATING
- HORIZ. = HORIZONTAL
- I.F. = INSIDE FACE
- MAX. = MAXIMUM
- MFR. = MANUFACTURER
- MIN. = MINIMUM
- N.F.S. = NON-FROST-SUSCEPTIBLE
- O.C. = ON CENTER
- O.D. = OUTSIDE DIAMETER
- O.F. = OUTSIDE FACE
- REINF. = REINFORCEMENT
- REQ'D. = REQUIRED
- S.J. = SEALED JOINT
- S.S. = STAINLESS STEEL
- SPS. = SPACES
- T & B = TOP AND BOTTOM
- T.O.A. = TOP OF CONCRETE
- T.O.S. = TOP OF STEEL
- T.O.W. = TOP OF WALL
- TYP. = TYPICAL
- U.N.O. = UNLESS NOTED OTHERWISE
- VERT. = VERTICAL

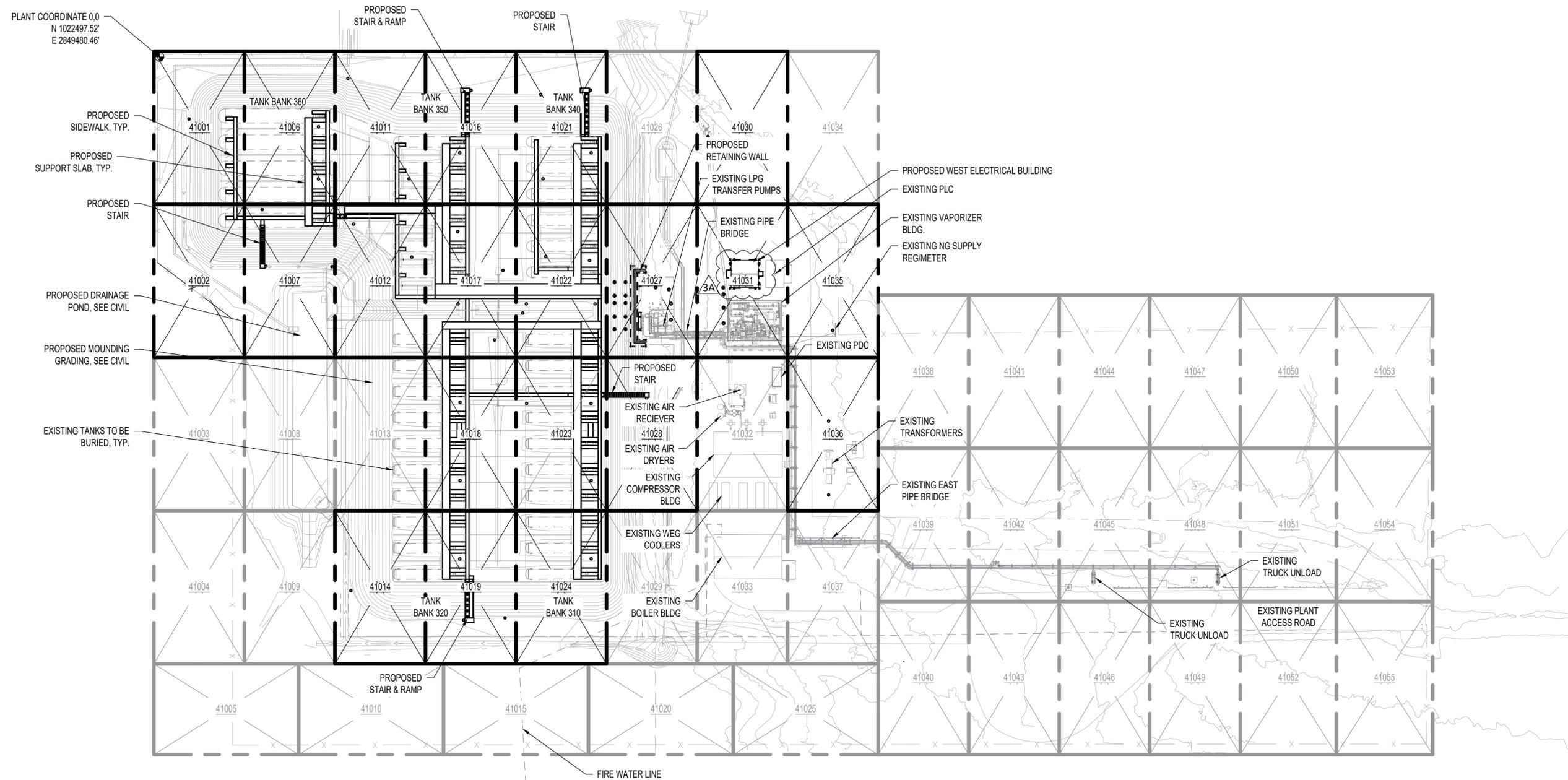
CAD FILE NAME: D1\_40011\_Sibley Mounding.dwg

	<small>PROFESSIONAL ENGINEER</small> I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the state of Minnesota. Signature: <i>Randy Paul</i> Typed or Printed Name: Randy S. Paul Date: 05/26/2025 License Number: 56637		HISTORY	DATE	REVISIONS			<b>SIBLEY PROPANE PLANT STRUCTURAL NOTES</b>			DRAWING <b>40011</b>
			DRAWN BY: JMC	04/04/24	NO.	DESCRIPTION	BY				
			DESIGNED BY: RSP	04/04/24	0	ISSUED FOR CONSTRUCTION - RET. WALL	JMC	05/31/24	SERVICE CENTER: NORTHERN STATES POWER COMPANY    LOCATION: UNIT 00		
			CHECKED BY: JG	05/24/24	1	ISSUED FOR CONSTRUCTION	JMC	10/23/24			
			APPROVED BY: RSP	10/23/24							
			IN SERVICE DATE:								

FLOC: GU-SPG



REVISION SUMMARY:  
3A ADDED WEST ELECTRICAL BUILDING



FOUNDATION KEY PLAN  
SCALE 1" = 50'

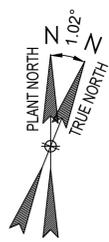
NOTES:  
1. ALL COORDINATES BASED ON NAD83 MINNESOTA STATE PLANE, SOUTH ZONE.  
2. SEE THE FOLLOWING FOR OTHER DISCIPLINE KEY PLANS: 4300 FOR CIVIL, 6100 FOR MECHANICAL & PIPING, 7200 FOR CONDUIT, 7300 FOR ELECTRICAL, & 8000 FOR CONTROLS.

CAD FILE NAME: D1\_41000\_Sibley Mounding.dwg

LEGEND:	
	PROPOSED CONCRETE
	EXISTING FENCE
	EXISTING STEEL/CONCRETE
	EXISTING ABOVE GROUND PIPING & EQUIPMENT
	EXISTING UNDER GROUND PIPING & EQUIPMENT

	PROFESSIONAL ENGINEER I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the state of Minnesota. Signature: <i>Randy S. Paul</i> Typed or Printed Name: Randy S. Paul Date: 05/28/2025 License Number: 56637		HISTORY	DATE	REVISIONS			<b>SIBLEY PROPANE PLANT</b> <b>FOUNDATION KEY PLAN</b>			DRAWING <b>41000</b>
			DRAWN BY: JMC 04/04/24 DESIGNED BY: RSP 04/04/24 CHECKED BY: JG 05/24/24 APPROVED BY: RSP 12/19/24 IN SERVICE DATE:	NO. DESCRIPTION BY DATE 0 ISSUED FOR CONSTRUCTION - RET. WALL JMC 05/31/24 1 ISSUED FOR CONSTRUCTION JMC 10/23/24 2 RE-ISSUED FOR CONSTRUCTION JMC 12/19/24 3A ISSUED FOR PERMIT - WEST ELEC BUILDING JMC 05/27/25	SERVICE CENTER: NORTHERN STATES POWER COMPANY LOCATION: UNIT 00 DIVISION: NORTHERN CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA TYPE: FACILITY						

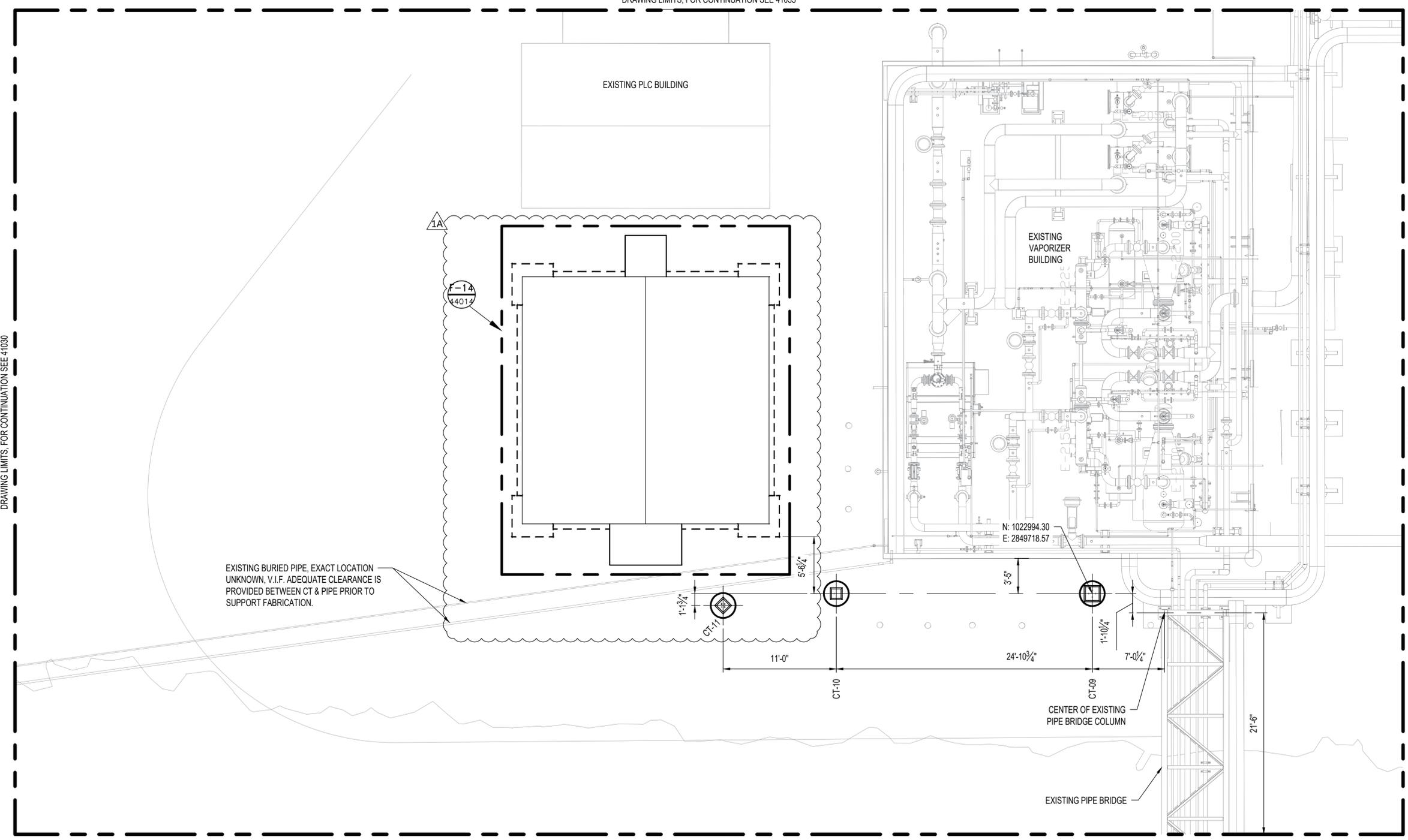
FLOC: GU-SPG



DRAWING LIMITS, FOR CONTINUATION SEE 41035

DRAWING LIMITS, FOR CONTINUATION SEE 41030

DRAWING LIMITS, FOR CONTINUATION SEE 42032



SUPPORT LEGEND:  
SUPPORT FOUNDATION DETAILS:  
CT-9 & 11: F-8/44011  
CT-10: F-9/44011

EXISTING BURIED PIPE, EXACT LOCATION UNKNOWN, V.I.F. ADEQUATE CLEARANCE IS PROVIDED BETWEEN CT & PIPE PRIOR TO SUPPORT FABRICATION.

N: 1022994.30  
E: 2849718.57

SLAB LEGEND:

	4" SLAB
	6" SLAB
	12" SLAB

LEGEND:

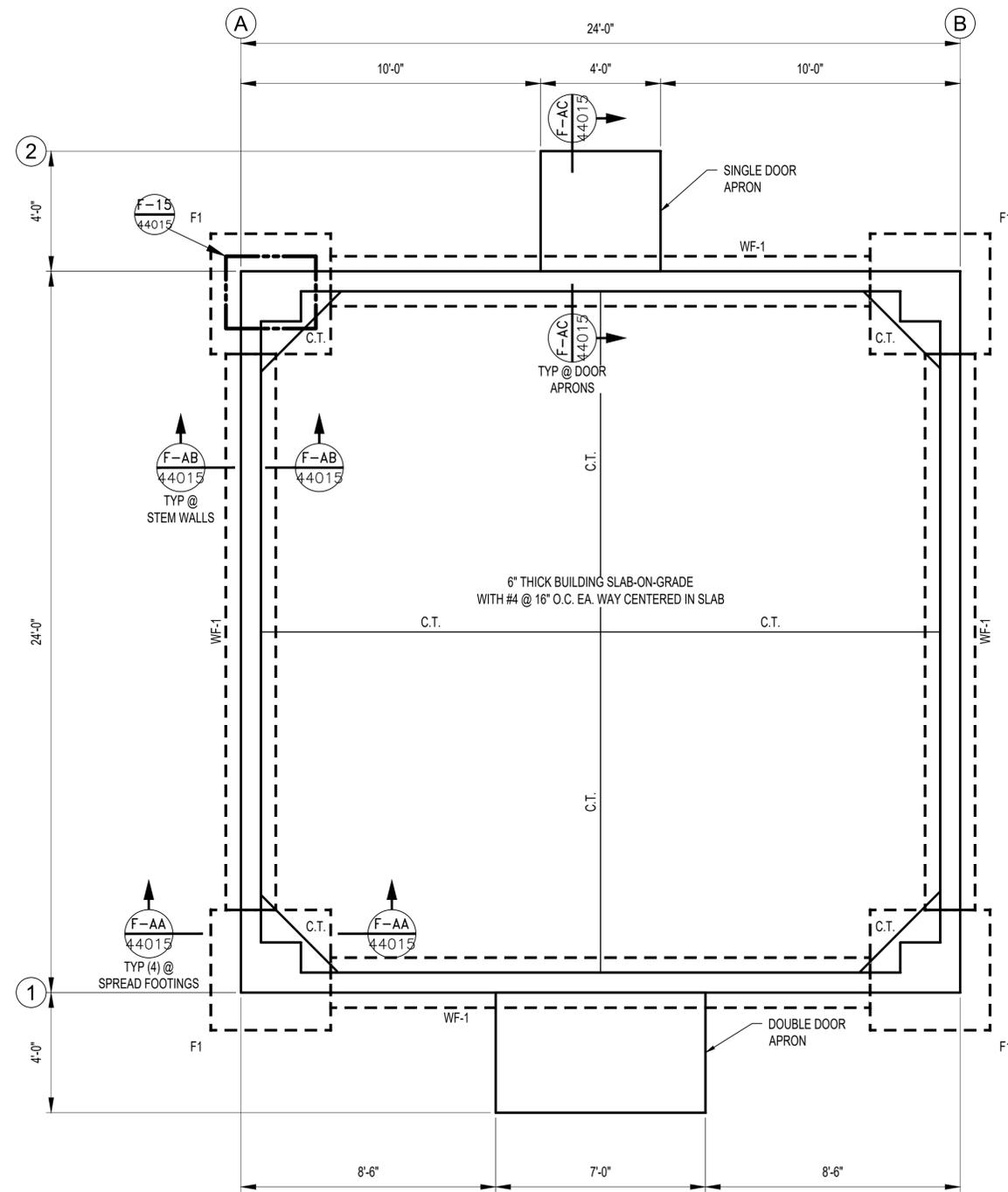
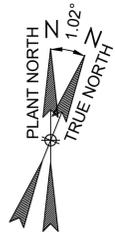
	PROPOSED CONCRETE
	EXISTING FENCE
	EXISTING STEEL/CONCRETE
	EXISTING ABOVE GROUND PIPING & EQUIPMENT
	EXISTING UNDER GROUND PIPING & EQUIPMENT

FOUNDATION PLAN  
SCALE 3/16" = 1'-0"

NOTES:  
1. SEE 41000 FOR FOUNDATION KEY PLAN.  
2. SEE 40010 & 40011 FOR STRUCTURAL NOTES.  
3. ALL DIMENSIONS AND ELEVATIONS SHALL BE VERIFIED WITH EXISTING CONDITIONS PRIOR TO CONSTRUCTION.

CAD FILE NAME: D1\_41031\_Sibley Mounding.dwg

	<p>PROFESSIONAL ENGINEER I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the state of Minnesota. Signature: <i>Randy S. Paul</i> Typed or Printed Name: Randy S. Paul Date: 05/28/2025 License Number: 56637</p>		<table border="1"> <thead> <tr> <th>HISTORY</th> <th>DATE</th> <th>NO.</th> <th>REVISIONS DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>DRAWN BY: JMC</td> <td>04/04/24</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>DESIGNED BY: RSP</td> <td>04/04/24</td> <td>0</td> <td>ISSUED FOR CONSTRUCTION</td> <td>JMC</td> <td>10/23/24</td> </tr> <tr> <td>CHECKED BY: JG</td> <td>05/24/24</td> <td>1A</td> <td>ISSUED FOR PERMIT - WEST ELEC BUILDING</td> <td>JMC</td> <td>05/23/25</td> </tr> <tr> <td>APPROVED BY: RSP</td> <td>10/23/24</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>IN SERVICE DATE:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				HISTORY	DATE	NO.	REVISIONS DESCRIPTION	BY	DATE	DRAWN BY: JMC	04/04/24					DESIGNED BY: RSP	04/04/24	0	ISSUED FOR CONSTRUCTION	JMC	10/23/24	CHECKED BY: JG	05/24/24	1A	ISSUED FOR PERMIT - WEST ELEC BUILDING	JMC	05/23/25	APPROVED BY: RSP	10/23/24					IN SERVICE DATE:						<p>SIBLEY PROPANE PLANT FOUNDATION PLAN</p>		<p>DRAWING 41031</p>	
			HISTORY	DATE	NO.	REVISIONS DESCRIPTION	BY	DATE																																						
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		<p>DIVISION: NORTHERN</p>		<p>CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA</p>			<p>TYPE: FACILITY</p>																																							



WEST ELECTRICAL BUILDING PLAN (F-14)  
 SCALE 3/8" = 1'-0"

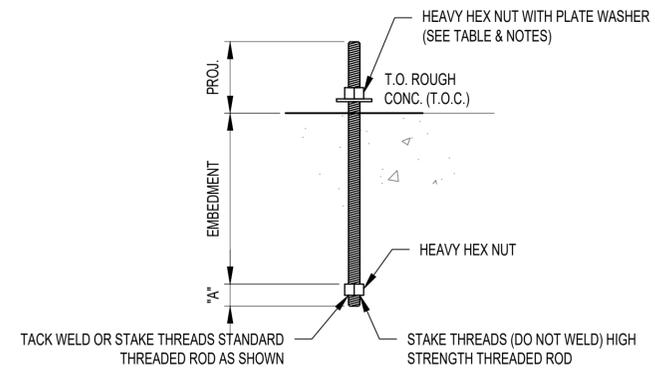
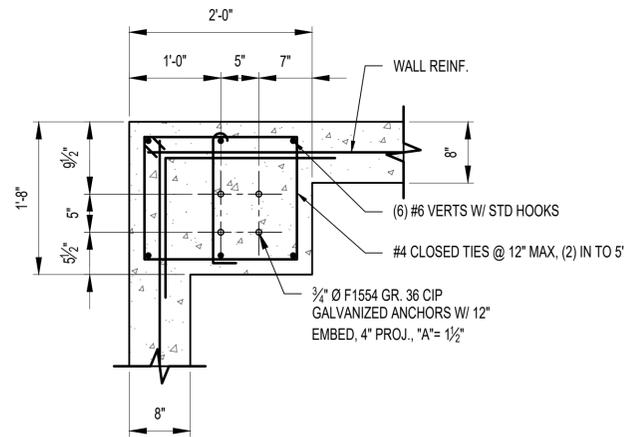
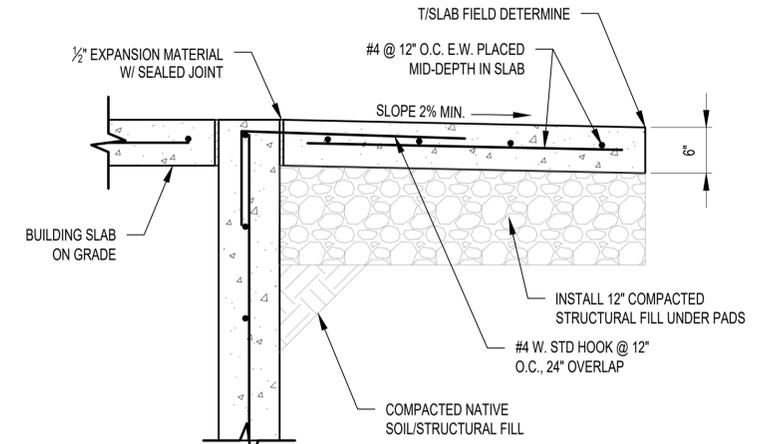
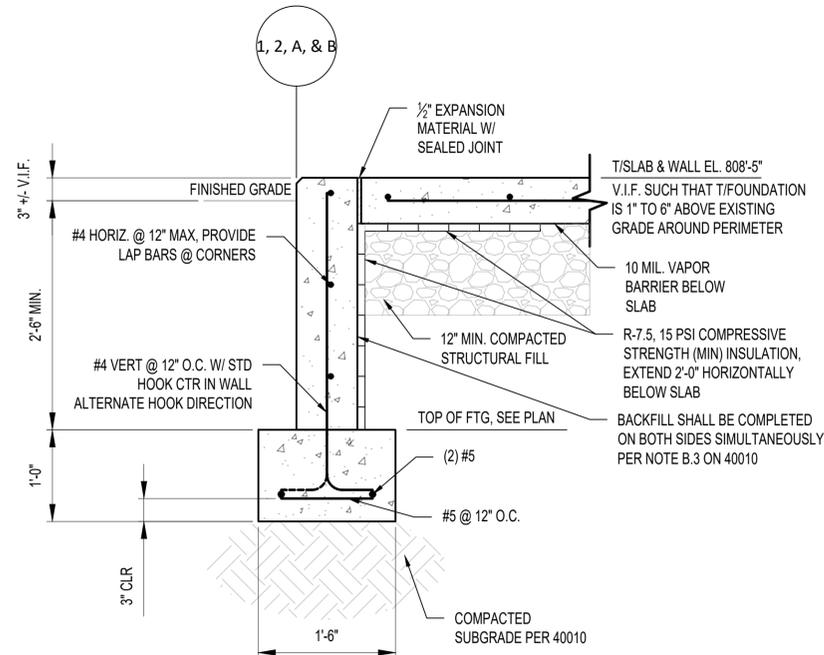
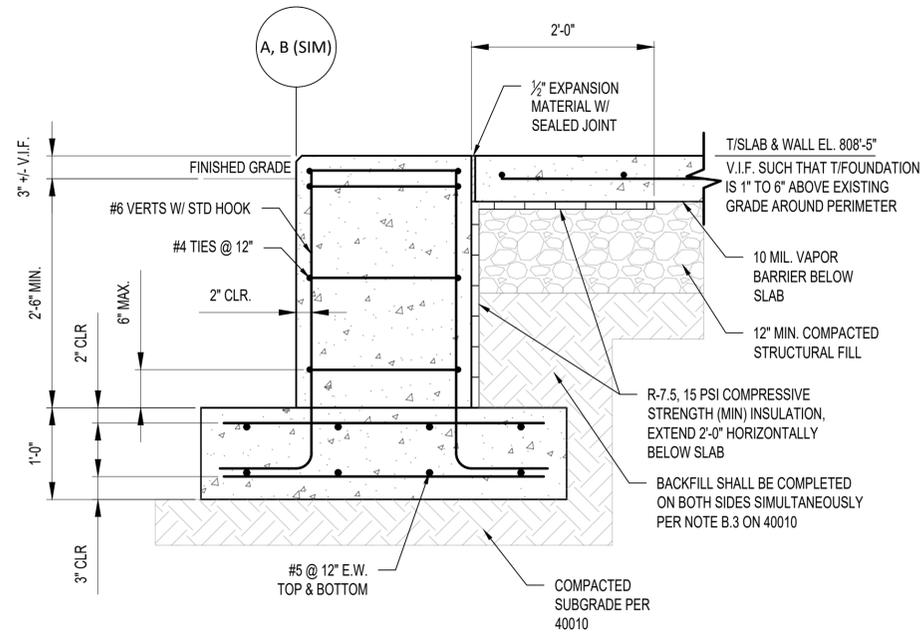
FOUNDATION FOR VARCO PRUDEN BUILDING  
 JOB #25-008413-01

- NOTES:
- SEE 41000 FOR FOUNDATION KEY PLAN.
  - SEE 40010 & 40011 FOR STRUCTURAL NOTES.
  - SEE 44015 FOR FOUNDATION SECTIONS & DETAILS
  - SEE 44016 FOR TYPICAL DETAILS
  - ALL DIMENSIONS AND ELEVATIONS SHALL BE VERIFIED WITH EXISTING CONDITIONS PRIOR TO CONSTRUCTION.

FOOTING SCHEDULE				
FOOTING	LENGTH	WIDTH	DEPTH	REINF.
F1	4'-0"	4'-0"	1'-0"	#5 @ 12" T&B E.W.
WF-1	CONT.	1'-8"	1'-0"	#5 @ 12" T&B E.W.

CAD FILE NAME: D1\_44014\_Sibley Mounding.dwg

	PROFESSIONAL ENGINEER I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the state of Minnesota. Signature: <i>Randy S. Paul</i> Typed or Printed Name: Randy S. Paul Date: 05/26/2025 License Number: 56637		HISTORY	DATE	REVISIONS			SIBLEY PROPANE PLANT FOUNDATION DETAILS ISSUED FOR PERMIT - WEST ELEC BUILDING		DRAWING <b>44014</b>	
			DRAWN BY: JMC	05/27/25	NO.	DESCRIPTION	BY				DATE
FLOC: GU-SPG			DESIGNED BY: RSP	05/27/25	0A	ISSUED FOR PERMIT - WEST ELEC BUILDING	JMC	05/27/25	SERVICE CENTER: NORTHERN STATES POWER COMPANY	LOCATION:	
			CHECKED BY: AT	05/27/25					DIVISION: NORTHERN	CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA	TYPE: FACILITY
			APPROVED BY: RSP	05/27/25							
			IN SERVICE DATE:								



CAD FILE NAME: D1\_44015\_Sibley Mounding.dwg



PROFESSIONAL ENGINEER  
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the state of Minnesota.  
Signature: *Randy S. Paul*  
Typed or Printed Name: Randy S. Paul  
Date: 05/28/2025 License Number: 56637



HISTORY		DATE		REVISIONS			
DRAWN BY:	DESIGNED BY:	CHECKED BY:	APPROVED BY:	NO.	DESCRIPTION	BY	DATE
JMC	RSP	AT	RSP	0A	ISSUED FOR PERMIT - WEST ELEC BUILDING	JMC	05/27/25

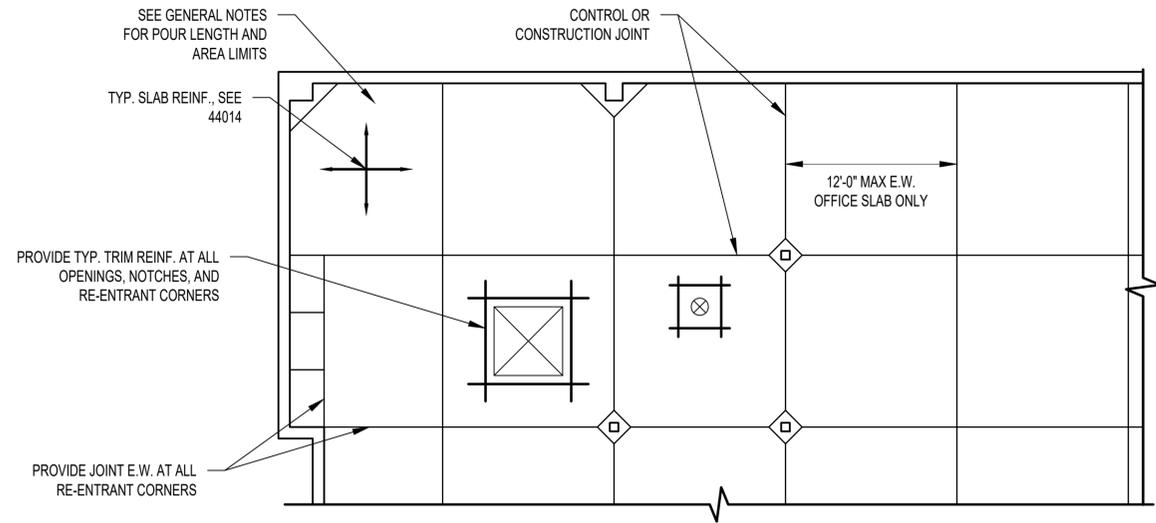
SIBLEY PROPANE PLANT  
FOUNDATION DETAILS  
ISSUED FOR PERMIT - WEST ELEC BUILDING

SERVICE CENTER: NORTHERN STATES POWER COMPANY LOCATION:  
DIVISION: NORTHERN CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA TYPE: FACILITY

DRAWING  
44015

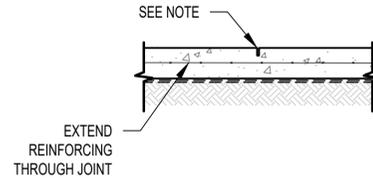


FLOC: GU-SPG



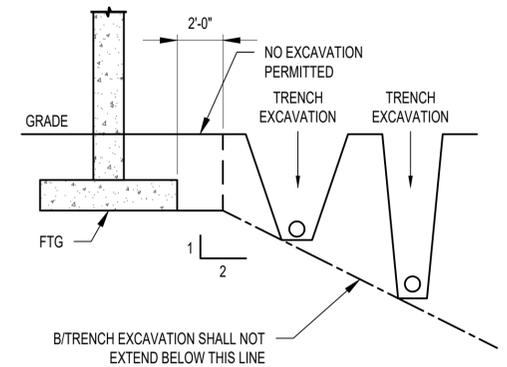
- NOTES:
1. KEY PLANN ILLUSTRATES CONSTRUCTION CONCEPTS ONLY. SEE PLAN FOR ACTUAL DIMENSIONS AND ARRANGEMENT.
  2. PROVIDE ADDITIONAL CONTROL JOINTS AT ABRUPT CHANGES IN THICKNESS AND LOCATIONS PRONE TO CRACKING, COORDINATE LOCATIONS WITH FLOOR FINISHES AND INTERIOR WALLS.

TYPICAL SOG KEY PLAN  
SCALE: NTS

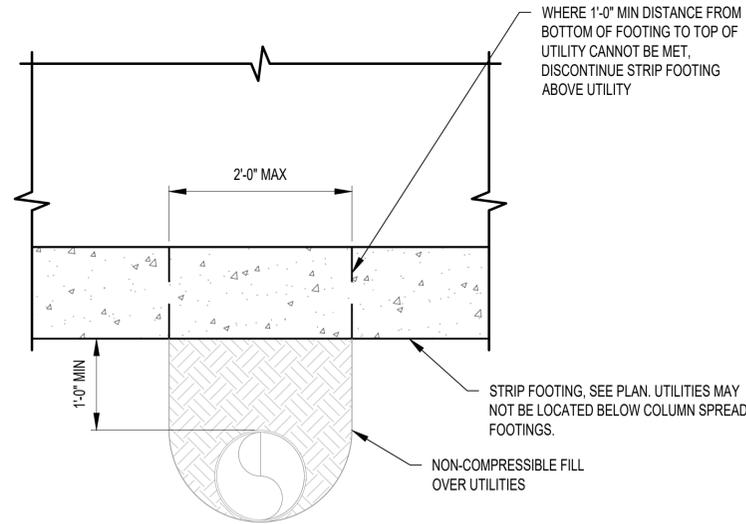


- NOTE:
1. PROVIDE TOOLED JOINT OR SAW CUT AS SOON AS THE CONCRETE HAS HARDENED SUFFICIENTLY TO PERMIT CUTTING WITHOUT CHIPPING, SPALLING, OR TEARING (BUT NOT MORE THAN 12 HOURS AFTER CASTING).

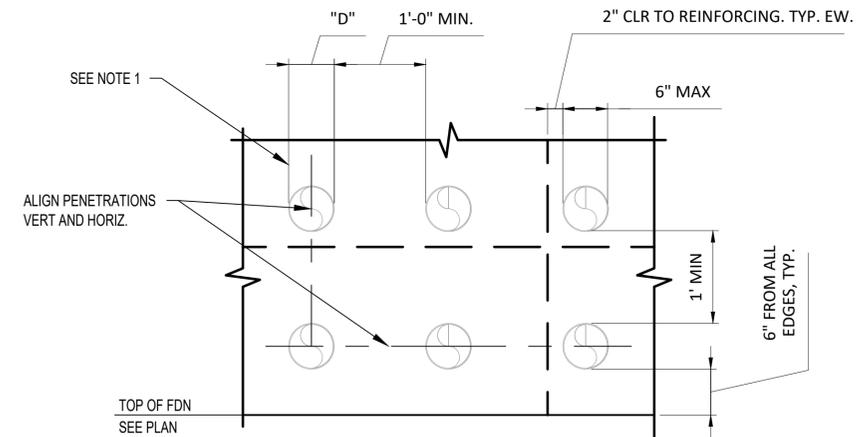
TYPICAL SOG CONTROL JOINT  
SCALE: NTS



TYPICAL FUTURE EXCAVATION AT FOOTING  
SCALE: NTS



TYPICAL UTILITY BELOW WALL FOOTING  
SCALE: NTS



- NOTES:
1. DO NOT CORE OPENINGS. SLEEVE OPENINGS PRIOR TO PLACING CONCRETE.
  2. DO NOT CUT REBAR AT PENETRATION LOCATIONS. REBAR MAY BE MOVED UP TO 8" TO ACCOMMODATE PENETRATIONS
  3. SCH. 40 STEEL SLEEVES SHALL BE UTILIZED IN CRITICAL AREAS OF THE WALL AND SLABS AS DETERMINED BY EOR.
  4. PENETRATIONS MAY NOT BE LOCATED THROUGH PEDESTALS.

TYPICAL PENETRATION THROUGH FOUNDATION WALL (WALL ELEVATION)  
SCALE: NTS

CAD FILE NAME: D1\_44016\_Sibley Mounding.dwg



PROFESSIONAL ENGINEER  
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Laws of the state of Minnesota.  
Signature: *Randy S. Paul*  
Typed or Printed Name: Randy S. Paul  
Date: 05/28/2025 License Number: 56637



HISTORY	DATE	REVISIONS			
DRAWN BY:	DATE	NO.	DESCRIPTION	BY	DATE
JMC	05/27/25				
DESIGNED BY: RSP	05/27/25	0A	ISSUED FOR PERMIT - WEST ELEC BUILDING	JMC	05/27/25
CHECKED BY: AT	05/27/25				
APPROVED BY: RSP	05/27/25				
IN SERVICE DATE:					

SIBLEY PROPANE PLANT  
FOUNDATION DETAILS  
ISSUED FOR PERMIT - WEST ELEC BUILDING

SERVICE CENTER: NORTHERN STATES POWER COMPANY LOCATION:  
DIVISION: NORTHERN CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA TYPE: FACILITY

DRAWING  
44016



FLOC: GU-SPG

**1.0 GENERAL CONSTRUCTION ACTIVITY INFORMATION:**

THIS STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN PREPARED IN COMPLIANCE WITH THE MINNESOTA GENERAL STORMWATER PERMIT FOR CONSTRUCTION ACTIVITY NO. MNR100001 (GENERAL PERMIT), AS REQUIRED BY THE MINNESOTA POLLUTION CONTROL AGENCY (MPCA) UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM/STATE DISPOSAL SYSTEM (NPDES/SDS) PROGRAM.

THE PROJECT IS LOCATED AT 800 SIBLEY MEMORIAL HIGHWAY IN THE CITY OF MENDOTA HEIGHTS, DAKOTA COUNTY, MINNESOTA. PROPOSED CONSTRUCTION ACTIVITIES WILL TAKE PLACE WITHIN SECTION 23 TOWNSHIP 28 NORTH RANGE 23 WEST. THE APPROXIMATE CENTROID OF THE PROJECT HAS A LATITUDE OF 44.906177 AND A LONGITUDE OF -93.130502.

THIS PROJECT INVOLVES NEW WATER LINES FOR FIRE SUPPRESSION, BURYING EXISTING PROPANE TANKS, AND IMPROVEMENTS TO STORMWATER ROUTING, STORAGE, AND DISCHARGE SYSTEMS. THE PROJECT IS NOT A PART OF A LARGER COMMON PLAN OF DEVELOPMENT. THE PROJECT AS PROPOSED HAS A TOTAL DISTURBANCE AREA OF 5.38 ACRES. EROSION PREVENTION AND SEDIMENT CONTROL MEASURES ARE REQUIRED TO MINIMIZE SEDIMENT FROM BEING TRANSPORTED INTO THE MISSISSIPPI RIVER, REFER TO PROJECT DRAWINGS FOR FURTHER DETAILS. (CSW PERMIT PART III.A.1)

**1.1 PROJECT SIZE AND CUMULATIVE IMPERVIOUS SURFACE:**

- THE ANTICIPATED AREA OF DISTURBANCE IS APPROXIMATELY 5.38 ACRES.
- THE TOTAL AREA OF PRE-CONSTRUCTION IMPERVIOUS AREA IS APPROXIMATELY 3.93 ACRES.
- THE TOTAL AREA OF POST-CONSTRUCTION IMPERVIOUS AREA IS APPROXIMATELY 4.53 ACRES.
- THE TOTAL NEW IMPERVIOUS AREA IS APPROXIMATELY 0.60 ACRES.

**1.2 DATES OF CONSTRUCTION:**

- ANTICIPATED START DATE: SEPTEMBER 2024
- ANTICIPATED END DATE: APRIL 2026

**1.3 CONTACT INFORMATION:**

OWNER: XCEL ENERGY  
 MAILING ADDRESS: 10326 S. ROBERT TRAIL, INVER GROVE HEIGHTS, MN 55076  
 CONTACT PERSON: RICHARD HYDE  
 PHONE NUMBER: 651-265-7055

TITLE: SENIOR OPERATIONS MANAGER  
 EMAIL ADDRESS: RICHARD.R.HYDE@XCELENERGY.COM

OPERATOR / GENERAL CONTRACTOR (WILL OVERSEE IMPLEMENTATION OF THE SWPPP): \_\_\_\_\_  
 MAILING ADDRESS: \_\_\_\_\_  
 CONTACT PERSON: \_\_\_\_\_ TITLE: \_\_\_\_\_  
 PHONE NUMBER: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

**PARTY RESPONSIBLE FOR LONG-TERM OPERATION AND MAINTENANCE OF THE PERMANENT STORMWATER MANAGEMENT SYSTEM:**

XCEL ENERGY  
 MAILING ADDRESS: 10326 S. ROBERT TRAIL, INVER GROVE HEIGHTS, MN 55076  
 CONTACT PERSON: RICHARD HYDE  
 TITLE: SENIOR OPERATIONS MANAGER  
 PHONE NUMBER: 651-265-7055  
 EMAIL ADDRESS: RICHARD.R.HYDE@XCELENERGY.COM

**2.0 RECEIVING WATERS:**

WATERS WITHIN ONE MILE (NEAREST STRAIGHT LINE DISTANCE) THAT ARE LIKELY TO RECEIVE STORMWATER RUNOFF FROM THE PROJECT SITE (CSW PERMIT ITEM 5.10) INCLUDE:

NAME OF WATER BODY	TYPE <sup>(1)</sup>	WATER BODY ID <sup>(2)</sup>	SPECIAL WATER? <sup>(3)</sup>	IMPAIRED WATER? <sup>(3)</sup>	PUBLIC WATER WITH WORK IN WATER RESTRICTIONS?
UNNAMED CREEK	CREEK	07010206-542	NO	NO	NO
MISSISSIPPI RIVER	RIVER	07010206-505	NO	YES	NO

- (1) TYPE EXAMPLES: DITCH, POND, WETLAND, CALCAREOUS FEN, LAKE, STREAM, RIVER  
 (2) WATER BODY IDENTIFICATION (ID) MIGHT NOT BE AVAILABLE FOR ALL WATER BODIES. USE THE SPECIAL AND IMPAIRED WATERS SEARCH TOOL AT: [HTTPS://WWW.PCA.STATE.MN.US/WATER/STORMWATER-SPECIAL-AND-IMPAIRED-WATERS-SEARCH](https://www.pca.state.mn.us/water/stormwater-special-and-impaired-waters-search)  
 (3) REFER TO CSW PERMIT SECTION 23. IMPAIRED WATER FOR THE FOLLOWING POLLUTANT(S) OR STRESSOR(S): PHOSPHORUS (NUTRIENT EUTROPHICATION BIOLOGICAL INDICATORS), TURBIDITY, TOTAL SUSPENDED SOLIDS (TSS), DISSOLVED OXYGEN, OR AQUATIC BIOTA (FISH BIOASSESSMENT, AQUATIC PLANT BIOASSESSMENT, AND AQUATIC MACROINVERTEBRATE BIOASSESSMENT)

**2.1 SPECIAL AND IMPAIRED WATERS:**

THE MPCA'S SPECIAL AND IMPAIRED WATERS SEARCH TOOL WAS USED TO LOCATE SPECIAL AND IMPAIRED WATERS WITHIN ONE MILE (AERIAL RADIUS MEASUREMENT) OF THE PROJECT SITE. THIS SEGMENT OF THE MISSISSIPPI RIVER HAS EPA-APPROVED IMPAIRMENTS FOR FECAL COLIFORM, MERCURY IN FISH TISSUE, MERCURY IN WATER COLUMN, NUTRIENTS, PCB IN FISH TISSUE, TOTAL SUSPENDED SOLIDS, AND PERFLUOROOCTANE SULFONATE (PFOS) IN FISH TISSUE. THESE IMPAIRMENTS ARE CONSIDERED CONSTRUCTION RELATED AND DO REQUIRE ADDITIONAL BEST MANAGEMENT PRACTICES (BMPs) OR PLAN REVIEW FOR COMPLIANCE WITH THE GENERAL PERMIT. (CSW PERMIT ITEM 2.7 AND SECTION 23)

ADDITIONAL BMPs OR OTHER SPECIFIC CONSTRUCTION RELATED IMPLEMENTATION ACTIVITIES IDENTIFIED IN AN APPROVED TOTAL MAXIMUM DAILY LOAD (TMDL) INCLUDE NEED TO UPDATE BASED ON TMDL - MIGHT INCLUDE THINGS LIKE IMMEDIATE STABILIZATION OF EXPOSED SOIL AREAS. (CSW PERMIT ITEM 5.19)

**2.2 PUBLIC WATERS WITH WORK IN WATER RESTRICTIONS:**

THIS PROJECT DOES NOT INCLUDE WORK IN PUBLIC WATERS. (CSW PERMIT ITEM 5.11)

**2.3 WETLAND IMPACTS:**

THIS PROJECT DOES NOT INCLUDE WETLAND IMPACTS. (CSW PERMIT ITEMS 2.4 AND 2.10, AND SECTION 22)

**2.4 ENVIRONMENTAL REVIEW AND OTHER REQUIRED REVIEWS:**

STORMWATER MITIGATION MEASURES ARE NOT REQUIRED AS A RESULT OF AN ENVIRONMENTAL REVIEW (E.G., EAW OR EIS), ENDANGERED OR THREATENED SPECIES REVIEW, ARCHEOLOGICAL SITE REVIEW, OR OTHER LOCAL, STATE, OR FEDERAL REVIEW CONDUCTED FOR THE PROJECT. (CSW PERMIT ITEMS 2.8, 2.9, AND 5.16)

**2.5 KARST AREAS OR DRINKING WATER SUPPLY MANAGEMENT AREAS:**

THE PRESENCE OF KARST IN THE VICINITY OF THE SITE RESULTS IN THE PROHIBITION OF INFILTRATION FEATURES FOR STORMWATER MANAGEMENT IN ORDER TO PROTECT GROUNDWATER STANDARDS. (CSW PERMIT ITEMS 16.19, 16.20, AND 18.10)

**3.0 PROJECT PLANS AND SPECIFICATIONS:**

**REQUIRED FEATURE**

REQUIRED FEATURE	SHEET NUMBER
• PROJECT LOCATION AND CONSTRUCTION LIMITS	4152
• EXISTING AND FINAL GRADES, INCLUDING DRAINAGE AREA BOUNDARIES, DIRECTIONS OF FLOW AND ALL DISCHARGE POINTS WHERE STORMWATER IS LEAVING THE SITE OR ENTERING A SURFACE WATER	4152
• SOIL TYPES AT THE SITE	4151
• LOCATIONS OF IMPERVIOUS SURFACES	4152
• LOCATIONS OF AREAS NOT TO BE DISTURBED (E.G., BUFFER ZONES, WETLANDS, ETC.)	4152
• LOCATIONS OF AREAS OF STEEP SLOPES	4152
• LOCATIONS OF AREAS WHERE CONSTRUCTION WILL BE PHASED TO MINIMIZE DURATION OF EXPOSED SOILS	N/A
• PORTIONS OF THE SITE THAT DRAIN TO A PUBLIC WATER WITH DNR WORK IN WATER RESTRICTIONS FOR FISH SPAWNING TIMEFRAMES	4152
• LOCATIONS OF ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL BMPs AS REQUIRED IN PERMIT SECTIONS 8 THROUGH 10 AND 14 THROUGH 19	4152
• BUFFER ZONES AS REQUIRED IN PERMIT ITEMS 9.17 AND 23.11	N/A
• LOCATIONS OF POTENTIAL POLLUTION-GENERATING ACTIVITIES IDENTIFIED IN PERMIT SECTION 12	4152
• STANDARD DETAILS FOR EROSION AND SEDIMENT CONTROL BMPs TO BE INSTALLED AT THE SITE	4153

**4.0 BEST MANAGEMENT PRACTICES (BMPs):**

**4.1 EROSION PREVENTION PRACTICES:**

- BEFORE LAND DISTURBING ACTIVITIES BEGIN, THE LIMITS OF THE AREAS TO BE DISTURBED DURING CONSTRUCTION WILL BE DELINEATED WITH FLAGS, STAKES, SIGNS, SILT FENCE, ETC.
- TEMPORARY STABILIZATION OF SOILS AND SOIL STOCKPILES: (CSW PERMIT ITEMS 8.4, 8.5, AND 23.9)
  - AREAS OF EXPOSED SOIL WILL BE STABILIZED WITH EROSION CONTROL BLANKET OR EQUIVALENT MEASURES.
  - IF PRESENT, SOIL STOCKPILES WILL BE STABILIZED WITH FAST GROWING COVER CORP, MULCH SUCH AS STRAW MULCH OR EQUIVALENT MEASURES.
  - TEMPORARY STOCKPILES WITHOUT SIGNIFICANT SILT, CLAY, OR ORGANIC COMPONENTS (E.G., CLEAN AGGREGATE STOCKPILES, DEMOLITION CONCRETE STOCKPILES, SAND STOCKPILES) AND THE CONSTRUCTED BASE COMPONENTS OF ROADS, PARKING LOTS, AND SIMILAR SURFACES ARE EXEMPT FROM THESE STABILIZATION REQUIREMENTS.
- STABILIZATION OF DITCH AND SWALE WETTED PERIMETERS: (CSW PERMIT ITEMS 8.6 THROUGH 8.8)
  - IF SOILS WITHIN EXISTING STORMWATER DITCHES OR SWALES ARE DISTURBED, THEY WILL BE STABILIZED WITH CHANNEL EROSION CONTROL BLANKET, RIPRAP, TURF REINFORCEMENT MAT OR EQUIVALENT MEASURES.
  - MULCH, HYDROMULCH, TACKIFIER, POLYACRYLAMIDE, OR SIMILAR EROSION PREVENTION PRACTICES WILL NOT BE USED TO STABILIZE ANY PART OF AN EXISTING STORMWATER DITCH OR SWALE WITH A CONTINUOUS SLOPE OF GREATER THAN 2 PERCENT.
  - THE LAST 200 LINEAL FEET OF LENGTH OF THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DITCH OR SWALE THAT DRAINS WATER FROM ANY PORTION OF THE CONSTRUCTION SITE, OR DIVERTS WATER AROUND THE SITE, WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE INTO ANY SURFACE WATER WILL BE STABILIZED WITHIN 24 HOURS AFTER CONNECTING TO A SURFACE WATER OR PROPERTY EDGE.
  - STABILIZATION OF THE REMAINING PORTIONS OF ANY TEMPORARY OR PERMANENT DITCHES OR SWALES WILL BE COMPLETED WITHIN 14 CALENDAR DAYS AFTER CONNECTING TO A SURFACE WATER OR PROPERTY EDGE AND CONSTRUCTION IN THAT PORTION OF THE DITCH HAS TEMPORARILY OR PERMANENTLY CEASED.
- ENERGY DISSIPATION AT PIPE OUTLETS: ENERGY DISSIPATION AT PIPE OUTLETS WILL BE PROVIDED WITH ONE OR MORE OF THE FOLLOW METHODS: RIP RAP, SPLASH PADS, GABIONS, OR EQUIVALENT MEASURES. (CSW PERMIT ITEM 8.9)
- EROSION PREVENTION IMPLEMENTATION TIMELINES: (CSW PERMIT ITEMS 5.4, 8.4 THROUGH 8.6, AND 23.9)
  - SINCE THE SITE DRAINS TO A DISCHARGE POINT THAT IS WITHIN ONE MILE (AERIAL RADIUS MEASUREMENT) OF A SPECIAL OR IMPAIRED WATER (SEE SECTION 2.0), STABILIZATION OF EXPOSED SOIL AREAS (INCLUDING STOCKPILES) WILL BE INITIATED IMMEDIATELY TO LIMIT SOIL EROSION WHENEVER ANY CONSTRUCTION ACTIVITY HAS PERMANENTLY OR TEMPORARILY CEASED ON ANY PORTION OF THE SITE AND WILL NOT RESUME FOR A PERIOD EXCEEDING 7 CALENDAR DAYS.
  - THE FOLLOWING ACTIVITIES CAN BE TAKEN TO INITIATE STABILIZATION: PREPPING THE SOIL FOR VEGETATIVE OR NON-VEGETATIVE STABILIZATION, APPLYING MULCH OR OTHER NON-VEGETATIVE PRODUCT TO THE EXPOSED SOIL AREA, OR SEEDING OR PLANTING THE EXPOSED AREA.
- ADDITIONAL EROSION PREVENTION MEASURES: THE FOLLOWING ADDITIONAL EROSION PREVENTION METHODS WILL BE IMPLEMENTED AT THE SITE DURING CONSTRUCTION: (CSW PERMIT ITEMS 8.2, 8.3, AND 8.10)
  - CONSTRUCTION PHASING WILL BE UTILIZED TO MINIMIZE THE AREA OF SOIL EXPOSED AT ANY ONE TIME.
  - SOIL DISTURBANCE WILL BE MINIMIZED WHEREVER POSSIBLE TO AID IN EROSION PREVENTION.
  - EXISTING VEGETATION WILL BE PRESERVED WHEREVER POSSIBLE TO LIMIT EXPOSED SOIL AND THUS WILL SERVE AS NATURAL VEGETATIVE BUFFERS.
  - EXPOSED SOIL ON STEEP SLOPES (<math>3H:1V</math>) WILL BE STABILIZED USING EROSION CONTROL BLANKETS AND SEEDING.
  - HORIZONTAL SLOPE GRADING WILL BE UTILIZED TO MINIMIZE EROSION POTENTIAL.
  - TERRACING WILL BE USED TO MINIMIZED EROSION POTENTIAL.

**4.2 SEDIMENT CONTROL PRACTICES:**

- DOWNGRADIENT PERIMETER CONTROLS: (CSW PERMIT ITEMS 9.2 THROUGH 9.6)
  - SEDIMENT CONTROL PRACTICES WILL BE ESTABLISHED ON ALL DOWNGRADIENT PERIMETERS AND LOCATED UPGRADIENT OF ANY BUFFER ZONES. PERIMETER SEDIMENT CONTROLS WILL INCLUDE: SILT FENCE, SEDIMENT CONTROL LOGS / BIOROLLS (FILLED WITH COMPOST, WOOD CHIPS, ROCK, ETC.), VEGETATIVE BUFFERS (RETAIN EXISTING VEGETATION WHERE POSSIBLE) OR EQUIVALENT MEASURES.
  - PERIMETER SEDIMENT CONTROL PRACTICES MUST BE INSTALLED BEFORE ANY UPGRADIENT LAND-DISTURBING ACTIVITIES BEGIN AND REMAIN IN PLACE UNTIL PERMANENT COVER HAS BEEN ESTABLISHED.
  - IF SEDIMENT CONTROL PRACTICES HAVE BEEN ADJUSTED OR REMOVED TO ACCOMMODATE SHORT-TERM ACTIVITIES (SUCH AS CLEARING, GRUBBING, OR PASSAGE OF VEHICLES), THE CONTROLS MUST BE RE-INSTALLED IMMEDIATELY AFTER THE SHORT-TERM ACTIVITY HAS BEEN COMPLETED. SEDIMENT CONTROL PRACTICES MUST BE RE-INSTALLED BEFORE THE NEXT PRECIPITATION EVENT, EVEN IF THE SHORT-TERM ACTIVITY IS NOT COMPLETE.
  - IF THE DOWNGRADIENT SEDIMENT CONTROLS ARE OVERLOADED (BASED ON FREQUENT FAILURE OR EXCESSIVE MAINTENANCE REQUIREMENT), INSTALL ADDITIONAL UPGRADIENT SEDIMENT CONTROL PRACTICES OR REDUNDANT BMPs TO ELIMINATE THE OVERLOADING AND AMEND THE SWPPP TO IDENTIFY THESE ADDITIONAL PRACTICES.
- SOIL STOCKPILE PERIMETER CONTROLS: TEMPORARY SOIL STOCKPILES WILL BE SURROUNDED BY: SEDIMENT CONTROL LOGS / BIOROLLS (FILLED WITH COMPOST, WOOD CHIPS, ROCK, ETC.) OR EQUIVALENT MEASURES, AND SHALL NOT BE PLACED IN ANY NATURAL BUFFERS OR SURFACE WATERS. (CSW PERMIT ITEMS 9.9 AND 9.10)
- STORM DRAIN INLET PROTECTION: (CSW PERMIT ITEMS 9.7 AND 9.8)
  - INLET PROTECTION BMPs WILL BE INSTALLED AROUND ALL STORM DRAIN INLETS DOWNGRADIENT OF CONSTRUCTION ACTIVITIES.
  - STORM DRAIN INLETS WILL BE PROTECTED UNTIL ALL SOURCES WITH POTENTIAL FOR DISCHARGING TO THE INLET HAVE BEEN STABILIZED.
  - INLET PROTECTION BMPs WILL BE: SEDIMENT CONTROL LOG, FILTER SACK, ROCK WITH FILTER FABRIC, FILTER FENCE BOX OR EQUIVALENT MEASURES.
- VEHICLE TRACKING BMPs: (CSW PERMIT ITEMS 9.11 AND 9.12)
  - VEHICLE TRACKING BMPs WILL BE INSTALLED TO MINIMIZE THE TRACKING OUT OF SEDIMENT FROM THE CONSTRUCTION AREA AND WILL INCLUDE: ROCK PADS OR AN EQUIVALENT SYSTEM.
  - IF SUCH VEHICLE TRACKING BMPs ARE NOT ADEQUATE TO PREVENT SEDIMENT FROM BEING TRACKED ONTO THE PAVED ROAD, STREET SWEEPING WILL ALSO BE EMPLOYED. SEDIMENT WILL BE REMOVED BY SWEEPING WITHIN 24 HOURS.
- PROTECTION OF INFILTRATION AREAS: IF NECESSARY, ADDITIONAL SEDIMENT CONTROLS (E.G., DIVERSION BERMS) WILL BE INSTALLED TO KEEP RUNOFF AWAY FROM PLANNED INFILTRATION AREAS WHEN EXCAVATED PRIOR TO ESTABLISHING PERMANENT COVER WITHIN THE CONTRIBUTING DRAINAGE AREA. (CSW PERMIT ITEMS 16.4 AND 16.5)
- MINIMIZATION OF SOIL COMPACTION AND PRESERVATION OF TOPSOIL: SOIL COMPACTION WILL BE MINIMIZED AND TOPSOIL WILL BE PRESERVED WHERE POSSIBLE. (CSW PERMIT ITEMS 5.24, 9.14, AND 9.15)
  - PRIORITIZATION OF ONSITE INFILTRATION AND SEDIMENT REMOVAL: (CSW PERMIT ITEM 9.16)
    - PRIOR TO OFFSITE DISCHARGE, INFILTRATION AND SEDIMENT REMOVAL WILL BE IMPLEMENTED ONSITE WHERE POSSIBLE.
    - DISCHARGES FROM BMPs WILL BE DIRECTED TO VEGETATED AREAS OF THE SITE (INCLUDING ANY NATURAL BUFFERS) IN ORDER TO INCREASE SEDIMENT REMOVAL AND MAXIMIZE STORMWATER INFILTRATION. IF EROSION IS NOTED TO OCCUR AS THE RESULT OF SUCH A DISCHARGE, VELOCITY DISSIPATION BMPs WILL BE CONSIDERED AND INSTALLED AS NECESSARY TO PREVENT EROSION.
- BUFFER ZONE OR REDUNDANT SEDIMENT CONTROLS TO PROTECT SURFACE WATERS: (CSW PERMIT ITEM 9.17)
  - A 50-FOOT NATURAL BUFFER WILL BE PRESERVED IN CONSTRUCTION AREAS DISCHARGING TO A NON-SPECIAL/NON-IMPAIRED SURFACE WATER OR WETLAND. IF A NON-SPECIAL/NON-IMPAIRED SURFACE WATER OR WETLAND IS LOCATED WITHIN 50 FEET OF THE PROJECT'S EARTH DISTURBANCES AND STORMWATER FLOWS TO THE SURFACE WATER, OR WHEN A BUFFER IS INFEASIBLE, REDUNDANT SEDIMENT CONTROLS WILL BE PROVIDED.
  - A 100-FOOT NATURAL BUFFER WILL BE PRESERVED IN CONSTRUCTION AREAS DISCHARGING TO A SPECIAL OR IMPAIRED SURFACE WATER. IF A SPECIAL OR IMPAIRED SURFACE WATER IS LOCATED WITHIN 100 FEET OF THE PROJECT'S EARTH DISTURBANCES AND STORMWATER FLOWS TO THE SURFACE WATER, OR WHEN A BUFFER IS INFEASIBLE, REDUNDANT SEDIMENT CONTROLS WILL BE PROVIDED.
  - REDUNDANT PERIMETER CONTROLS WILL BE INSTALLED AT LEAST 5 FEET APART UNLESS LIMITED BY LACK OF AVAILABLE SPACE.
- SEDIMENTATION TREATMENT CHEMICALS: NOT APPLICABLE; USE OF SEDIMENTATION TREATMENT CHEMICALS (E.G., POLYMERS, FLOCCULANTS, ETC.) IS NOT ANTICIPATED AS PART OF THE PROJECT. (CSW PERMIT ITEMS 5.22 AND 9.18)
- TEMPORARY SEDIMENT BASIN(S): THE PROJECT WILL NOT INCLUDE 10 OR MORE ACRES OF DISTURBED SOIL DRAINING TO A COMMON LOCATION OR 5 OR MORE ACRES DRAINING TO A COMMON LOCATION WITHIN 1 MILE OR A SPECIAL OR IMPAIRED WATER THEREFORE TEMPORARY SEDIMENT BASINS ARE NOT REQUIRED. (CSW PERMIT ITEMS 5.6, 9.13, AND 23.10 AND SECTION 14)

**4.3 DEWATERING AND BASIN DRAINING:**

NO DEWATERING OR BASIN DRAINING ARE ANTICIPATED AS PART OF THIS PROJECT. (CSW PERMIT SECTION 10 AND ITEM 10.5)

**4.4 BMP DESIGN FACTORS:**

- THE FOLLOWING BMP DESIGN FACTORS HAVE BEEN CONSIDERED IN DESIGNING THE TEMPORARY EROSION PREVENTION AND SEDIMENT CONTROL BMPs:
- EXPECTED AMOUNT, FREQUENCY, INTENSITY, AND DURATION OF PRECIPITATION:
  - NATURE OF STORMWATER RUNOFF AND RUN-ON AT THE SITE, INCLUDING FACTORS SUCH AS EXPECTED FLOW FROM IMPERVIOUS SURFACES, SLOPES, AND SITE DRAINAGE FEATURES:
  - STORMWATER VOLUME, VELOCITY, AND PEAK FLOW RATES TO MINIMIZE DISCHARGE OF POLLUTANTS IN STORMWATER AND TO MINIMIZE CHANNEL AND STREAMBANK EROSION AND SCOUR IN THE IMMEDIATE VICINITY OF DISCHARGE POINTS:
  - RANGE OF SOIL PARTICLE SIZES EXPECTED TO BE PRESENT:

**4.5 BMP QUANTITIES:**

ROCK CONSTRUCTION ENTRANCE: 1 EA.  
 SINGLE ROW SILT FENCE: 1,860 LF  
 DOUBLE ROW SILT FENCE: 510  
 SEDIMENT CONTROL LOG (SLOPE BREAKS): 200 LF

(SEE PAGE 2 OF 2)

ISSUED FOR REVIEW



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HISTORY	DATE	REVISIONS			
DRAWN BY:	DATE	NO.	DESCRIPTION	BY	DATE
OQR	07/24/2024				
DESIGNED BY: BARR	07/24/2024	A	ISSUED FOR REVIEW	OQR	07/24/2024
CHECKED BY: JPP	07/24/2024	-	-	-	-
APPROVED BY: JPP	07/24/2024	-	-	-	-
IN SERVICE DATE:					

SIBLEY PHASE II FIRE SUPPRESSION STORMWATER POLLUTION PREVENTION PLAN (SWPPP)		DRAWING	
		4150	
SERVICE CENTER: NORTHERN STATES POWER COMPANY	PROJECT: 4501038238		
DIVISION: NORTH	CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA	TYPE:	



CADD USER: OWEN Q. RICKEY FILE: I:\EDD\CADD\DESIGN\2019\460\_00\SIBLEY\23191460\_G-01\_SWPPP.DWG PLOT SCALE: 1/2 PLOT DATE: 7/24/2024 4:02 PM

**5.0 PERMANENT STORMWATER MANAGEMENT SYSTEM:**

A PERMANENT STORMWATER MANAGEMENT SYSTEM IS REQUIRED IF THE PROJECT RESULTS IN ONE ACRE OR MORE OF NEW IMPERVIOUS SURFACES OR RESULTS IN A NET INCREASE OF ONE OR MORE ACRES OF CUMMULATIVE NEW IMPERVIOUS SURFACES IN TOTAL OR IF THE PROJECT IS PART OF A LARGER PLAN OF DEVELOPMENT. (CSW PERMIT ITEM 15.3)

5.1 A PERMANENT STORMWATER TREATMENT SYSTEM IS NOT REQUIRED. (CSW PERMIT ITEMS 5.15, 15.4-15.9, AND 23.14)

5.2 THIS IS NOT A LINEAR PROJECT WITH LACK OF RIGHT OR WAY. (CSW PERMIT ITEM 15.9)

5.3 THIS PROJECT DOES NOT DISCHARGE TO A TROUT STREAM (OR A TRIBUTARY TO A TROUT STREAM). (CSW PERMIT ITEM 23.12)

**6.0 INSPECTION AND MAINTENANCE ACTIVITIES:**

6.1 PERSONS WITH REQUIRED TRAINING: TRAINED INDIVIDUALS INCLUDE THOSE PARTIES RESPONSIBLE FOR INSTALLING, SUPERVISING, REPAIRING, INSPECTING, AND MAINTAINING EROSION PREVENTION AND SEDIMENT CONTROL BMPs AT THE SITE. TRAINED INDIVIDUALS ARE ALSO RESPONSIBLE FOR IMPLEMENTATION OF THE SWPPP AND COMPLIANCE WITH THE GENERAL PERMIT UNTIL THE CONSTRUCTION ACTIVITIES ARE COMPLETE, PERMANENT COVER HAS BEEN ESTABLISHED, AND A NOTICE OF TERMINATION (NOT) HAS BEEN SUBMITTED. (CSW PERMIT ITEMS 5.20, 5.21, AND 11.9 AND SECTION 21)

THESE INDIVIDUALS WILL BE TRAINED IN ACCORDANCE WITH THE REQUIREMENTS OF THE GENERAL PERMIT, INCLUDING THE REQUIREMENT THAT THE CONTENT AND EXTENT OF TRAINING WILL BE COMMENSURATE WITH THE INDIVIDUAL'S JOB DUTIES AND RESPONSIBILITIES.

BELOW IS A LIST OF PEOPLE RESPONSIBLE FOR THIS PROJECT WHO ARE KNOWLEDGEABLE AND EXPERIENCED IN THE APPLICATION OF EROSION PREVENTION AND SEDIMENT CONTROL BMPs.

TRAINED INDIVIDUAL	RESPONSIBILITY	TRAINING ENTITY*	TRAINING DATE
JOSHUA P. PHILLIPS	PREPARATION OF THE SWPPP	UNIVERSITY OF MINNESOTA	MAY 2023
	OVERSIGHT OF SWPPP IMPLEMENTATION, REVISION, AND AMMENDMENT		
	PERFORMANCE OF SWPPP INSPECTIONS		
	PERFORMANCE OR SUPERVISION OF INSTALLATION, MAINTENANCE, AND REPAIR OF BMPs		

\*TRAINING DOCUMENTATION AVAILABLE UPON REQUEST.

6.2 FREQUENCY OF INSPECTIONS: A TRAINED PERSON WILL ROUTINELY INSPECT THE ENTIRE CONSTRUCTION SITE. (CSW PERMIT ITEMS 11.2, 11.10, AND 23.13)

- AT LEAST ONCE EVERY 7 DAYS DURING ACTIVE CONSTRUCTION
- WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS

INSPECTION FREQUENCY MAY BE ADJUSTED UNDER THE FOLLOWING CIRCUMSTANCES:

- WHERE PARTS OF THE CONSTRUCTION AREAS HAVE PERMANENT COVER, BUT WORK REMAINS ON OTHER PARTS OF THE SITE, INSPECTIONS OF THE AREAS WITH PERMANENT COVER MAY BE REDUCED TO ONCE PER MONTH.
- WHERE CONSTRUCTION AREAS HAVE PERMANENT COVER AND NO CONSTRUCTION ACTIVITY IS OCCURRING ON THE SITE, INSPECTIONS CAN BE REDUCED TO ONCE PER MONTH AND, AFTER 12 MONTHS, MAY BE SUSPENDED COMPLETELY UNTIL CONSTRUCTION ACTIVITY RESUMES.
- WHERE CONSTRUCTION ACTIVITY HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, THE INSPECTIONS MAY BE SUSPENDED. THE REQUIRED INSPECTIONS AND MAINTENANCE SCHEDULE MUST BEGIN WITHIN 24 HOURS AFTER RUNOFF OCCURS AT THE SITE OR UPON RESUMING CONSTRUCTION, WHICHEVER COMES FIRST.

6.3 INSPECTION REQUIREMENTS: EACH CONSTRUCTION STORMWATER SITE INSPECTION WILL INCLUDE INSPECTION OF THE FOLLOWING AREAS: (CSW PERMIT ITEMS 11.3 THROUGH 11.8)

- ALL EROSION PREVENTION AND SEDIMENT CONTROL BMPs AND POLLUTION PREVENTION MANAGEMENT MEASURES
- SURFACE WATERS FOR EVIDENCE OF EROSION AND SEDIMENT DEPOSITION
- CONSTRUCTION SITE VEHICLE EXIT LOCATIONS FOR EVIDENCE OF OFFSITE SEDIMENT TRACKING
- STREETS AND OTHER AREAS ADJACENT TO THE PROJECT FOR EVIDENCE OF OFF SITE ACCUMULATIONS OF SEDIMENT

6.4 MAINTENANCE REQUIREMENTS: MAINTENANCE OF THE FOLLOWING AREAS AND BMPs WILL BE PERFORMED AS FOLLOWS: (CSW PERMIT ITEMS 11.3 THROUGH 11.8)

- NONFUNCTIONAL BMPs WILL BE REPAIRED, REPLACED, OR SUPPLEMENTED WITH FUNCTIONAL BMPs BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS.
- PERIMETER CONTROL DEVICES WILL BE REPAIRED, REPLACED, OR SUPPLEMENTED WHEN THEY BECOME NONFUNCTIONAL OR THE SEDIMENT REACHES 1/2 OF THE HEIGHT OF THE DEVICE.
- TEMPORARY AND PERMANENT SEDIMENTATION BASINS WILL BE DRAINED AND THE SEDIMENT REMOVED WHEN THE DEPTH OF SEDIMENT COLLECTED IN THE BASIN REACHES 1/2 THE STORAGE VOLUME.
- DELTA AND SEDIMENT DEPOSITED IN SURFACE WATERS WILL BE REMOVED, AND THE AREAS WHERE SEDIMENT REMOVAL RESULTS IN EXPOSED SOIL WILL BE RE-STABILIZED. THE REMOVAL AND STABILIZATION WILL BE COMPLETED WITHIN 7 CALENDAR DAYS OF DISCOVERY UNLESS PRECLUDED BY LEGAL, REGULATORY, OR PHYSICAL ACCESS CONSTRAINTS. IF PRECLUDED DUE TO ACCESS CONSTRAINTS, REASONABLE EFFORTS TO OBTAIN ACCESS WILL BE USED. REMOVAL AND STABILIZATION WILL TAKE PLACE WITHIN 7 CALENDAR DAYS OF OBTAINING ACCESS.
- TRACKED SEDIMENT ON PAVED SURFACES WILL BE REMOVED WITHIN 1 CALENDAR DAY OF DISCOVERY.
- AREAS UNDERGOING STABILIZATION WILL BE RESTABILIZED AS NECESSARY TO ACHIEVE REQUIRED COVER.

**6.5 RECORDKEEPING REQUIREMENTS: (CSW PERMIT ITEMS 11.11 AND 24.5 AND SECTIONS 6 AND 20)**

- ALL INSPECTIONS AND MAINTENANCE ACTIVITIES WILL BE RECORDED IN WRITING WITHIN 24 HOURS OF BEING CONDUCTED AND THESE RECORDS WILL BE RETAINED WITH THE SWPPP. RECORDS OF EACH INSPECTION AND MAINTENANCE ACTIVITY WILL INCLUDE THE DATE AND TIME; NAME OF INSPECTOR(S); FINDINGS OF INSPECTIONS; CORRECTIVE ACTIONS (INCLUDING DATES, TIMES, AND PARTY COMPLETING MAINTENANCE ACTIVITIES); AND DATE OF ALL RAINFALL EVENTS GREATER THAN 0.5 INCHES IN 24 HOURS AND THE AMOUNT OF RAINFALL FOR EACH EVENT.
  - IF ANY DISCHARGE IS OBSERVED DURING THE INSPECTION, THE LOCATION AND APPEARANCE OF THE DISCHARGE (I.E., COLOR, ODOR, SETTLED OR SUSPENDED SOLIDS, OIL SHEEN, AND OTHER OBVIOUS INDICATORS OF POLLUTANTS) WILL BE DOCUMENTED AND A PHOTOGRAPH WILL BE TAKEN.
- THE SWPPP WILL BE AMENDED TO INCLUDE ADDITIONAL OR MODIFIED BMPs TO CORRECT PROBLEMS OR ADDRESS SITUATIONS WHENEVER THERE IS A CHANGE IN DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, WEATHER, OR SEASONAL CONDITIONS THAT HAS A SIGNIFICANT EFFECT ON THE DISCHARGE OF POLLUTANTS TO SURFACE WATERS OR GROUNDWATER.
  - THE SWPPP WILL BE AMENDED WHEN INSPECTIONS OR INVESTIGATIONS BY THE SITE OWNER, OPERATOR, OR CONTRACTORS OR BY USEPA/MPCA OFFICIALS INDICATE THAT THE SWPPP IS NOT EFFECTIVE IN ELIMINATING OR MINIMIZING THE DISCHARGE OF POLLUTANTS TO SURFACE WATERS OR GROUNDWATER; THE DISCHARGES ARE CAUSING WATER QUALITY STANDARD EXCEEDANCES; OR THE SWPPP IS NOT CONSISTENT WITH A USEPA APPROVED TMDL.
  - ANY AMENDMENTS TO THE SWPPP PROPOSED AS A RESULT OF THE INSPECTION WILL BE DOCUMENTED AS REQUIRED WITHIN 7 CALENDAR DAYS.
  - AMENDMENTS WILL BE COMPLETED BY AN APPROPRIATELY TRAINED INDIVIDUAL. CHANGES INVOLVING THE USE OF A LESS STRINGENT BMP WILL INCLUDE A JUSTIFICATION DESCRIBING HOW THE REPLACEMENT BMP IS EFFECTIVE FOR THE SITE CHARACTERISTICS.
- RECORDS RETENTION: THE SWPPP, INCLUDING ALL CHANGES TO IT, AND INSPECTION AND MAINTENANCE RECORDS WILL BE KEPT AT THE SITE DURING CONSTRUCTION BY THE PERMITTEE WHO HAS OPERATIONAL CONTROL OF THE SITE. THE SWPPP CAN BE KEPT IN EITHER A FIELD OFFICE OR IN AN ON SITE VEHICLE DURING NORMAL WORKING HOURS.
- RECORD AVAILABILITY: THE PERMITTEES WILL MAKE THE SWPPP, INCLUDING INSPECTION REPORTS, MAINTENANCE RECORDS, AND TRAINING RECORDS, AVAILABLE TO FEDERAL, STATE, AND LOCAL OFFICIALS WITHIN THREE DAYS UPON REQUEST FOR THE DURATION OF THE PERMIT COVERAGE AND FOR THREE YEARS FOLLOWING THE NOTICE OF TERMINATION.

**7.0 POLLUTION PREVENTION MEASURES:**

- ANY CONSTRUCTION PRODUCTS AND LANDSCAPE MATERIALS THAT HAVE THE POTENTIAL TO LEACH POLLUTANTS WILL BE STORED UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) TO PREVENT DISCHARGE OF POLLUTANTS THROUGH MINIMIZATION OF CONTACT WITH STORMWATER. STORAGE OF SUCH MATERIALS WITHIN THE PROJECT AREA WILL BE MINIMIZED TO THE EXTENT POSSIBLE. (CSW PERMIT ITEM 12.2)
- PESTICIDES, FERTILIZERS, AND TREATMENT CHEMICALS WILL BE STORED UNDER COVER (E.G., PLASTIC SHEETING, TEMPORARY ROOFS, WITHIN A BUILDING, OR IN WEATHER-PROOF CONTAINERS) TO PREVENT DISCHARGE OF POLLUTANTS THROUGH MINIMIZATION OF CONTACT WITH STORMWATER. STORAGE OF SUCH MATERIALS WITHIN THE PROJECT AREA WILL BE MINIMIZED TO THE EXTENT POSSIBLE. (CSW PERMIT ITEM 12.3)
- HAZARDOUS MATERIALS AND TOXIC WASTE (E.G., OIL, DIESEL FUEL, GASOLINE, HYDRAULIC FLUIDS, PAINT SOLVENTS, PETROLEUM-BASED PRODUCTS, WOOD PRESERVATIVES, ADDITIVES, CURING COMPOUNDS, AND ACIDS) WILL BE STORED AND DISPOSED OF IN COMPLIANCE WITH MINNESOTA RULES CHAPTER 7045, INCLUDING SECONDARY CONTAINMENT (AS APPLICABLE). HAZARDOUS MATERIALS WILL BE PROPERLY STORED IN SEALED CONTAINERS TO PREVENT SPILLS, LEAKS, OR OTHER DISCHARGES AND PREVENT PRECIPITATION FROM FALLING ONTO THE CONTAINERS OR STORED HAZARDOUS MATERIALS. (CSW PERMIT ITEMS 2.3 AND 12.4)
- SOLID WASTE WILL BE COLLECTED, STORED, AND DISPOSED OF PROPERLY IN COMPLIANCE WITH MINNESOTA RULES CHAPTER 7035. THIS INCLUDES STORAGE WITHIN COVERED TRASH CONTAINERS AND DAILY REMOVAL OF LITTER AND DEBRIS. STORAGE OF SOLID WASTE WITHIN THE PROJECT AREA WILL BE MINIMIZED TO THE EXTENT POSSIBLE. (CSW PERMIT ITEM 12.5)
- PORTABLE TOILETS WILL BE LOCATED AWAY FROM SURFACE WATERS AND POSITIONED AND SECURED TO THE GROUND SO THEY WILL NOT BE TIPPED OR KNOCKED OVER. SANITARY WASTE WILL BE DISPOSED OF IN ACCORDANCE WITH MINNESOTA RULES, CHAPTER 7041. PORTABLE TOILETS WILL BE PERIODICALLY EMPTIED AND THE WASTE HAULED OFF-SITE BY A LICENSED HAULER. (CSW PERMIT ITEM 12.6)
- VEHICLE FUELING WILL ONLY OCCUR IN DESIGNATED AREAS. SPILL KITS SIZED APPROPRIATELY FOR THE AMOUNT OF REFUELING TAKING PLACE WILL BE LOCATED. SPILL KITS WILL BE CLEARLY LABELED AND CONTAIN MATERIALS TO ASSIST IN SPILL CLEANUP INCLUDING ABSORBENT PADS, BOOMS FOR CONTAINING SPILLS, AND HEAVY-DUTY PROTECTIVE GLOVES. SPILLS WILL BE REPORTED TO THE MINNESOTA DUTY OFFICER AS REQUIRED BY MINNESOTA STATUTES, SECTION 115.061. (CSW PERMIT ITEMS 2.3 AND 12.7)
  - ANY FUEL TANKS BROUGHT ON-SITE WILL HAVE PROPERLY SIZED CONTAINMENT AND WILL NOT BE TOPPED OFF TO AVOID SPILLS FROM OVERFILLING. FUEL TANKS WILL MEET INDUSTRY STANDARDS (DESIGNED TO HOLD FUEL TYPE, PROPERLY MAINTAINED, NOT ILLEGALLY MODIFIED, NOT MISSING LEAK INDICATOR FLOATS FOR DOUBLE WALLED TANKS, SIGHT GAUGES NOT USED, ETC.) OR BE REMOVED FROM THE WORK AREA.
  - GUIDELINES FOR SPILL PREVENTION AND RESPONSE INCLUDE:
    - TAKE REASONABLE STEPS TO PREVENT THE DISCHARGE OF SPILLED OR LEAKED CHEMICALS, INCLUDING FUEL, FROM ANY AREA WHERE CHEMICALS OR FUEL WILL BE LOADED OR UNLOADED, INCLUDING THE USE OF DRIP PANS OR ABSORBENTS UNLESS INFEASIBLE;
    - PERFORM REGULAR PREVENTATIVE MAINTENANCE ON TANKS AND FUEL LINES;
    - INSPECT PUMPS, CYLINDERS, HOSES, VALVES, AND OTHER MECHANICAL EQUIPMENT ON-SITE FOR DAMAGE OR DETERIORATION;
    - DO NOT WASH OR RINSE FUELING AREAS WITH WATER;
    - MAINTAIN ADEQUATE SUPPLIES TO CLEAN UP DISCHARGED MATERIALS AND PROVIDE AN APPROPRIATE DISPOSAL METHOD FOR RECOVERED SPILLED MATERIALS;
    - REPORT AND CLEAN UP SPILLS IMMEDIATELY AS REQUIRED BY MINNESOTA STATUTES, SECTION 115.061, USING DRY CLEAN UP MEASURES WHERE POSSIBLE; AND
    - MAINTAIN COPIES OF SAFETY DATA SHEETS (SDSS) FOR HAZARDOUS MATERIALS ON-SITE IN LOCATIONS READILY AVAILABLE TO EMERGENCY RESPONDERS.
- IF VEHICLE AND EQUIPMENT WASHING IS NECESSARY, A VEHICLE WASH STATION WILL BE LOCATED IN A DESIGNATED AREA. RUNOFF FROM THE WASHING AREA WILL BE CONTAINED IN A SEDIMENT BASIN AND WASTE FROM THE WASHING ACTIVITY WILL BE PROPERLY DISPOSED OF. ANY SOAPS, DETERGENTS, OR SOLVENTS WILL BE PROPERLY USED AND STORED. ANY DETERGENTS AND OTHER CLEANERS NOT PERMITTED FOR DISCHARGE WILL NOT BE USED. (CSW PERMIT ITEMS 2.3 AND 12.8)
- THE PROJECT WILL NOT RESULT IN CONCRETE OR OTHER WASHOUT ACTIVITIES. IF NECESSARY, A DESCRIPTION OF THE STORAGE AND DISPOSAL OF CONCRETE AND OTHER WASHOUT WASTES SO THAT WASTES DO NOT CONTACT THE GROUND WILL BE ADDED. (CSW PERMIT ITEMS 2.3 AND 12.9)

**8.0 PERMANENT COVER AND PERMIT TERMINATION CONDITIONS:**

- THE AREAS DISTURBED DURING CONSTRUCTION WILL BE STABILIZED WITH PERMANENT COVER UPON COMPLETION OF WORK. PERMANENT COVER MAY BE VEGETATIVE OR NON-VEGETATIVE, AS APPROPRIATE. ESTABLISHMENT OF PERMANENT COVER MAY INCLUDE THE FOLLOWING ACTIVITIES: SEEDING, MULCHING, EROSION CONTROL BLANKETS. (CSW PERMIT ITEM 5.17)
  - FOR A CONSTRUCTION-SITE TO ACHIEVE "PERMANENT COVER", THE FOLLOWING REQUIREMENTS MUST BE COMPLETED PRIOR TO TERMINATION OF PERMIT COVERAGE: (CSW PERMIT SECTIONS 4 AND 13)
    - ALL SOIL DISTURBING CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED AND PERMANENT COVER HAS BEEN INSTALLED OVER ALL AREAS. VEGETATIVE COVER CONSISTS OF A UNIFORM PERENNIAL VEGETATION WITH A DENSITY OF 70% OF ITS EXPECTED FINAL GROWTH. VEGETATION IS NOT REQUIRED WHERE THE FUNCTION OF A SPECIFIC AREA DICTATES NO VEGETATION (SUCH AS IMPERVIOUS SURFACES OR THE BASE OF A SAND FILTER).
    - ALL SEDIMENT HAS BEEN REMOVED FROM CONVEYANCE SYSTEMS, INCLUDING CULVERTS.
    - ALL TEMPORARY SYNTHETIC EROSION PREVENTION AND SEDIMENT CONTROL BMPs HAVE BEEN REMOVED. BMPs DESIGNED TO DECOMPOSE ON-SITE MAY BE LEFT IN PLACE.
- WITHIN 30 DAYS AFTER THE TERMINATION CONDITIONS ARE COMPLETE, A NOTICE OF TERMINATION (NOT) FORM WILL BE SUBMITTED TO THE MPCA.

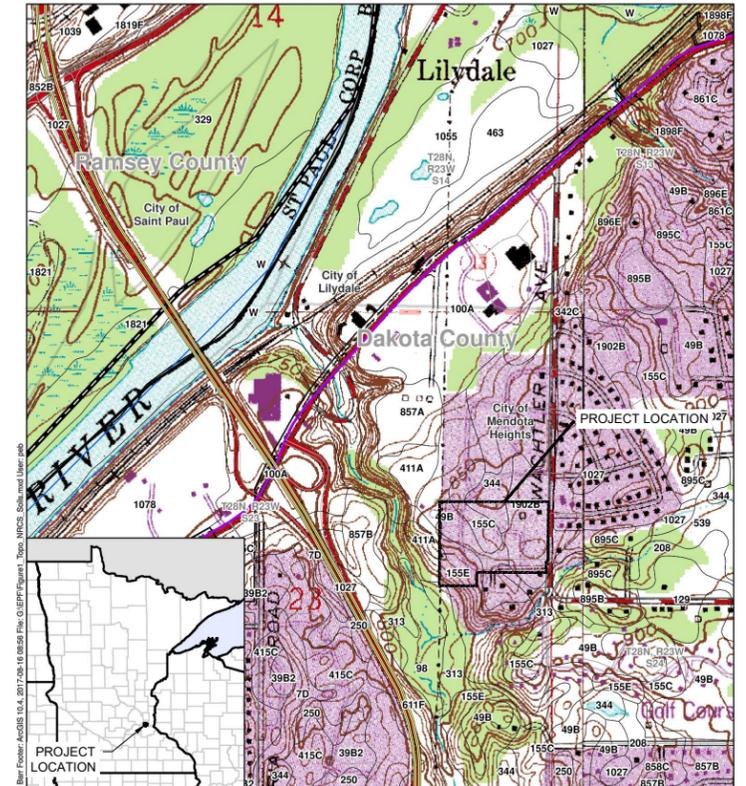


Figure 1  
TOPOGRAPHIC MAP WITH SURFACE WATERS AND SOIL TYPES  
Stormwater Pollution Prevention Plan  
Hennepin County, Minnesota

ISSUED FOR REVIEW



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HISTORY	DATE	REVISIONS			
DRAWN BY:	DATE	NO.	DESCRIPTION	BY	DATE
OQR	07/24/2024				
DESIGNED BY: BARR	07/24/2024	A	ISSUED FOR REVIEW	OQR	07/24/2024
CHECKED BY: JPP	07/24/2024	-	-	-	-
APPROVED BY: JPP	07/24/2024				
IN SERVICE DATE:					

SIBLEY PHASE II FIRE SUPPRESSION		DRAWING
STORMWATER POLLUTION PREVENTION PLAN (SWPPP)		4151
SERVICE CENTER: NORTHERN STATES POWER COMPANY	PROJECT: 4501038238	
DIVISION: NORTH	CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA	TYPE:

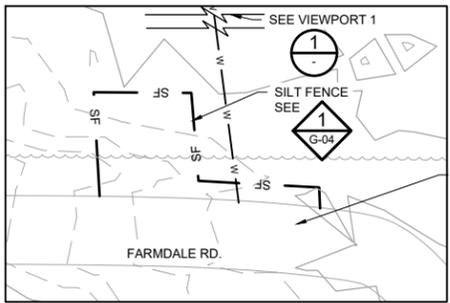
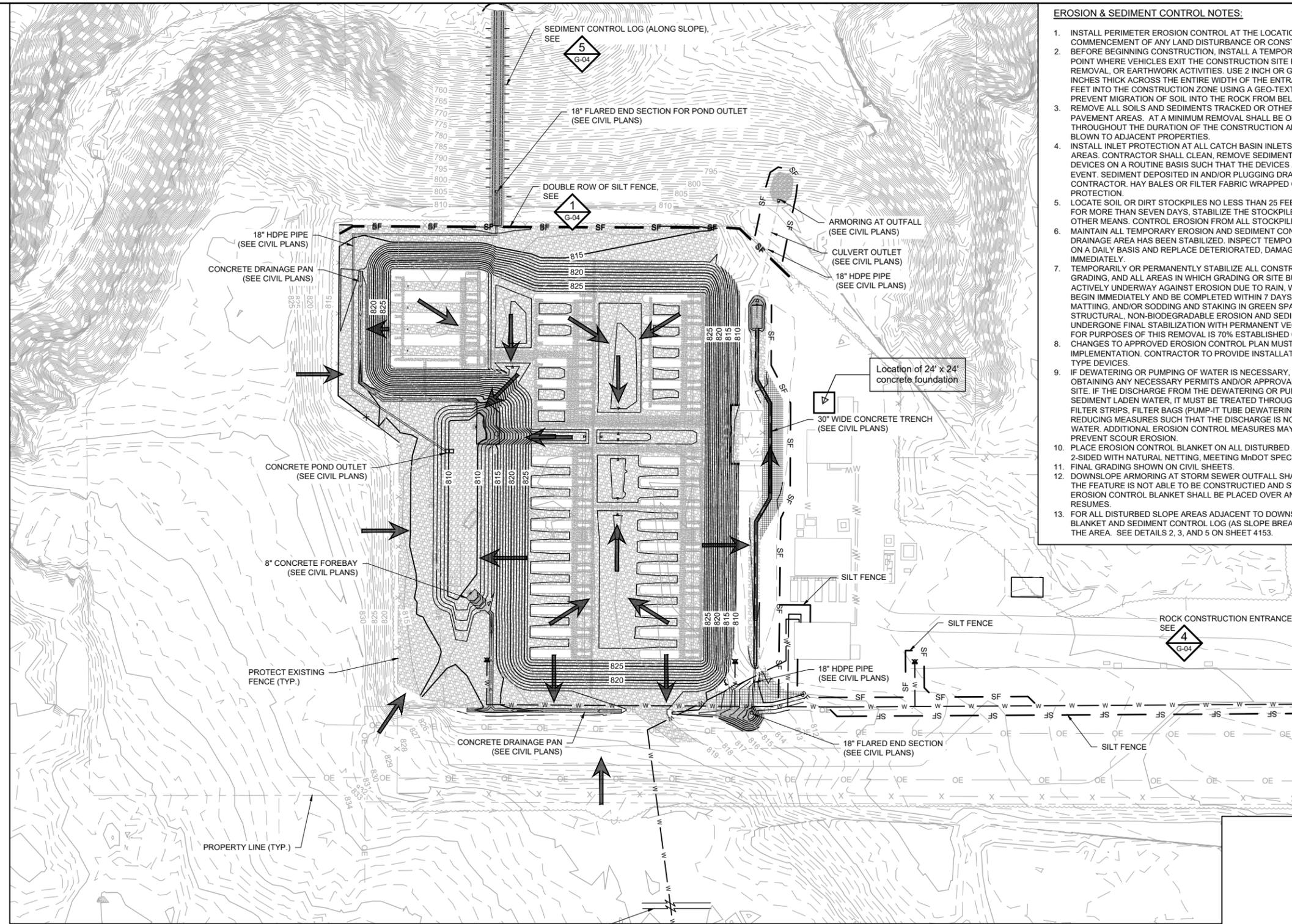


**EROSION & SEDIMENT CONTROL NOTES:**

- INSTALL PERIMETER EROSION CONTROL AT THE LOCATIONS SHOWN ON THE PLANS PRIOR TO THE COMMENCEMENT OF ANY LAND DISTURBANCE OR CONSTRUCTION ACTIVITIES.
- BEFORE BEGINNING CONSTRUCTION, INSTALL A TEMPORARY ROCK CONSTRUCTION ENTRANCE AT EACH POINT WHERE VEHICLES EXIT THE CONSTRUCTION SITE PRIOR TO COMMENCING ANY CLEARING/GRUBBING, REMOVAL, OR EARTHWORK ACTIVITIES. USE 2 INCH OR GREATER DIAMETER ROCK IN A LAYER AT LEAST 6 INCHES THICK ACROSS THE ENTIRE WIDTH OF THE ENTRANCE. EXTEND THE ROCK ENTRANCE AT LEAST 50 FEET INTO THE CONSTRUCTION ZONE USING A GEO-TEXTILE FABRIC BENEATH THE AGGREGATE TO PREVENT MIGRATION OF SOIL INTO THE ROCK FROM BELOW.
- REMOVE ALL SOILS AND SEDIMENTS TRACKED OR OTHERWISE DEPOSITED ONTO PUBLIC AND PRIVATE PAVEMENT AREAS. AT A MINIMUM REMOVAL SHALL BE ONCE DAILY. SWEEPING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE CONSTRUCTION AND DONE IN A MANNER TO PREVENT DUST BEING BLOWN TO ADJACENT PROPERTIES.
- INSTALL INLET PROTECTION AT ALL CATCH BASIN INLETS WHICH RECEIVE RUNOFF FROM THE DISTURBED AREAS. CONTRACTOR SHALL CLEAN, REMOVE SEDIMENT, OR REPLACE STORM DRAIN INLET PROTECTION DEVICES ON A ROUTINE BASIS SUCH THAT THE DEVICES ARE FULLY FUNCTIONAL FOR THE NEXT RAIN EVENT. SEDIMENT DEPOSITED IN AND/OR PLUGGING DRAINAGE SYSTEMS IS THE RESPONSIBILITY OF THE CONTRACTOR. HAY BALES OR FILTER FABRIC WRAPPED GRATES ARE NOT ALLOWED FOR INLET PROTECTION.
- LOCATE SOIL OR DIRT STOCKPILES NO LESS THAN 25 FEET FROM ANY DRAINAGE CHANNEL. IF REMAINING FOR MORE THAN SEVEN DAYS, STABILIZE THE STOCKPILES BY MULCHING, VEGETATIVE COVER, TARPS, OR OTHER MEANS. CONTROL EROSION FROM ALL STOCKPILES BY PLACING SILT BARRIERS AROUND THE PILES.
- MAINTAIN ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES IN PLACE UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN STABILIZED. INSPECT TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES ON A DAILY BASIS AND REPLACE DETERIORATED, DAMAGED, OR ROTTED EROSION CONTROL DEVICES IMMEDIATELY.
- TEMPORARILY OR PERMANENTLY STABILIZE ALL CONSTRUCTION AREAS WHICH HAVE UNDERGONE FINAL GRADING, AND ALL AREAS IN WHICH GRADING OR SITE BUILDING CONSTRUCTION OPERATIONS ARE NOT ACTIVELY UNDERWAY AGAINST EROSION DUE TO RAIN, WIND AND RUNNING WATER. STABILIZATION TO BEGIN IMMEDIATELY AND BE COMPLETED WITHIN 7 DAYS. USE SEED AND MULCH, EROSION CONTROL MATTING, AND/OR SODDING AND STAKING IN GREEN SPACE AREAS. REMOVE ALL TEMPORARY SYNTHETIC, STRUCTURAL, NON-BIODEGRADABLE EROSION AND SEDIMENT CONTROL DEVICES AFTER THE SITE HAS UNDERGONE FINAL STABILIZATION WITH PERMANENT VEGETATION ESTABLISHMENT. FINAL STABILIZATION FOR PURPOSES OF THIS REMOVAL IS 70% ESTABLISHED COVER OVER DENUDED AREA.
- CHANGES TO APPROVED EROSION CONTROL PLAN MUST BE APPROVED BY THE ENGINEER PRIOR TO IMPLEMENTATION. CONTRACTOR TO PROVIDE INSTALLATION AND DETAILS FOR ALL PROPOSED ALTERNATE TYPE DEVICES.
- IF DEWATERING OR PUMPING OF WATER IS NECESSARY, THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND/OR APPROVALS PRIOR TO DISCHARGE OF ANY WATER FROM THE SITE. IF THE DISCHARGE FROM THE DEWATERING OR PUMPING PROCESS IS TURBID OR CONTAINS SEDIMENT LADEN WATER, IT MUST BE TREATED THROUGH THE USE OF SEDIMENT TRAPS, VEGETATIVE FILTER STRIPS, FILTER BAGS (PUMP-IT TUBE DEWATERING BAGS OR EQUAL), OR OTHER SEDIMENT REDUCING MEASURES SUCH THAT THE DISCHARGE IS NOT VISIBLY DIFFERENT FROM THE RECEIVING WATER. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED AT THE DISCHARGE POINT TO PREVENT SCOUR EROSION.
- PLACE EROSION CONTROL BLANKET ON ALL DISTURBED AREAS. EROSION CONTROL BLANKET MUST BE 2-SIDED WITH NATURAL NETTING, MEETING MnDOT SPECIFICATIONS.
- FINAL GRADING SHOWN ON CIVIL SHEETS.
- DOWNSLOPE ARMORING AT STORM SEWER OUTFALL SHALL BE CONSTRUCTED IN SEMI-DRY CONDITIONS. IF THE FEATURE IS NOT ABLE TO BE CONSTRUCTED AND STABILIZED WITH ARMORING IN A SINGLE DAY, EROSION CONTROL BLANKET SHALL BE PLACED OVER ANY DISTURBED CHANNEL AREAS UNTIL WORK RESUMES.
- FOR ALL DISTURBED SLOPE AREAS ADJACENT TO DOWNSLOPE ARMORING, PROVIDE EROSION CONTROL BLANKET AND SEDIMENT CONTROL LOG (AS SLOPE BREAKS) WITHIN 7 DAYS OF COMPLETION OF WORK IN THE AREA. SEE DETAILS 2, 3, AND 5 ON SHEET 4153.

**SYMBOL AND PATTERN LEGEND**

- 996 — EXISTING 10' CONTOUR
- 994 — EXISTING 2' CONTOUR
- --- EXISTING PROPERTY LINE
- OE — EXISTING OVERHEAD ELECTRIC
- W — EXISTING WATERMAIN
- GAS — EXISTING GAS LINE
- X — EXISTING FENCE
- W — WATERMAIN
- SF — SILT FENCE
- SL — SEDIMENT CONTROL LOG
- ← — FLOW DIRECTION
- █ — EROSION CONTROL BLANKET



1 PLAN: EROSION CONTROL  
0 60 120  
SCALE IN FEET

2 PLAN: EROSION CONTROL  
0 40 80  
SCALE IN FEET

PROVIDE TEMPORARY SEDIMENT CONTROLS AROUND ANY WORK IN FARMDALE ROAD.

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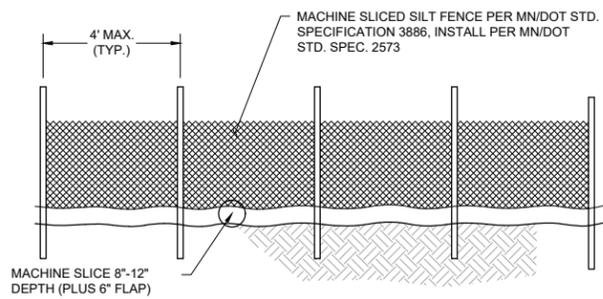


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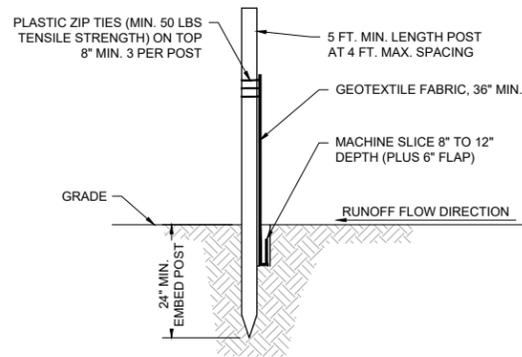
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DRAWN BY:	DESIGNED BY:	CHECKED BY:	APPROVED BY:	NO.	DESCRIPTION	BY	DATE
OQR	BARR	JPP	JPP	A	ISSUED FOR REVIEW	OQR	07/24/2024
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SIBLEY PHASE II FIRE SUPPRESSION		DRAWING	
EROSION CONTROL PLAN		4152	
SERVICE CENTER: NORTHERN STATES POWER COMPANY		PROJECT: 4501038238	
DIVISION: NORTH	CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA	TYPE:	

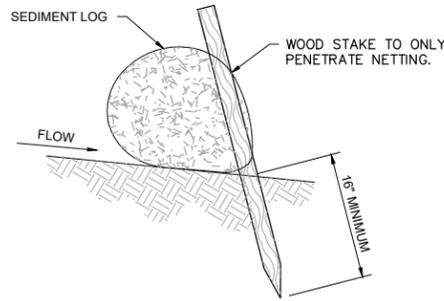
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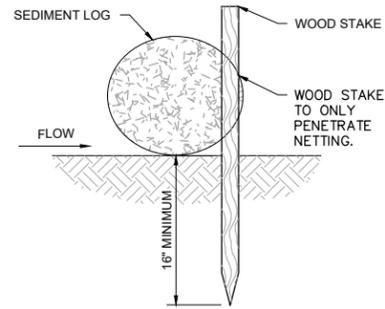
**DOWNSTREAM VIEW**



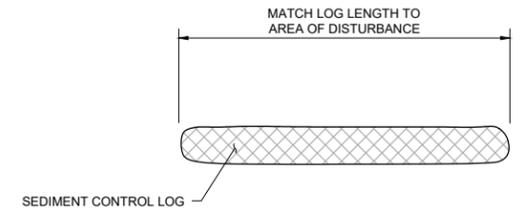
**SECTION VIEW**



**SIDE VIEW ON SLOPE**



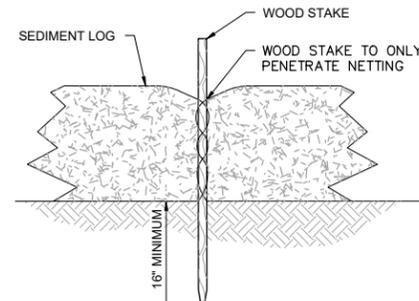
**SIDE VIEW FLAT**



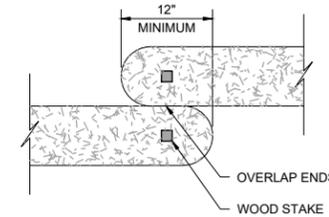
**SECTION: SEDIMENT CONTROL LOG (ALONG SLOPE)**  
NOT TO SCALE

- NOTES:**
- SILT FENCE SHALL BE INSTALLED PRIOR TO ANY GRADING WORK IN THE AREA TO BE PROTECTED AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. SILT FENCE AND ANY ACCUMULATED SEDIMENT SHALL BE REMOVED IN CONJUNCTION WITH THE FINAL GRADING AND SITE STABILIZATION.
  - SILT FENCE INSTALLATION AND MATERIALS SHALL MEET THE REQUIREMENTS OF MN/DOT SPECIFICATIONS 2573 AND 3886.
  - NO HOLES OR GAPS SHALL BE PRESENT IN/UNDER SILT FENCE. PREPARE AREA AS NEEDED TO SMOOTH SURFACE OR REMOVE DEBRIS.
  - WHEN SEDIMENT BUILD UP REACHES 1/2 OF FENCE HEIGHT, THE SILT FENCE SHOULD BE REMOVED OR A SECOND SILT FENCE INSTALLED UPSTREAM OF THE EXISTING FENCE AT A SUITABLE DISTANCE.
  - WHEN SPLICES ARE NECESSARY MAKE SPLICE AT POST ACCORDING TO SPLICE DETAIL. PLACE THE END POST OF THE SECOND FENCE INSIDE THE END POST OF THE FIRST FENCE. ROTATE BOTH POSTS TOGETHER AT LEAST 180 DEGREES TO CREATE A TIGHT SEAL WITH THE FABRIC MATERIAL. CUT THE FABRIC NEAR THE BOTTOM OF THE POSTS TO ACCOMMODATE THE 6 INCH FLAP. THEN DRIVE BOTH POSTS AND BURY THE FLAP. COMPACT BACKFILL.

**1** **DETAIL: SILT FENCE - MACHINE SLICED**  
NOT TO SCALE



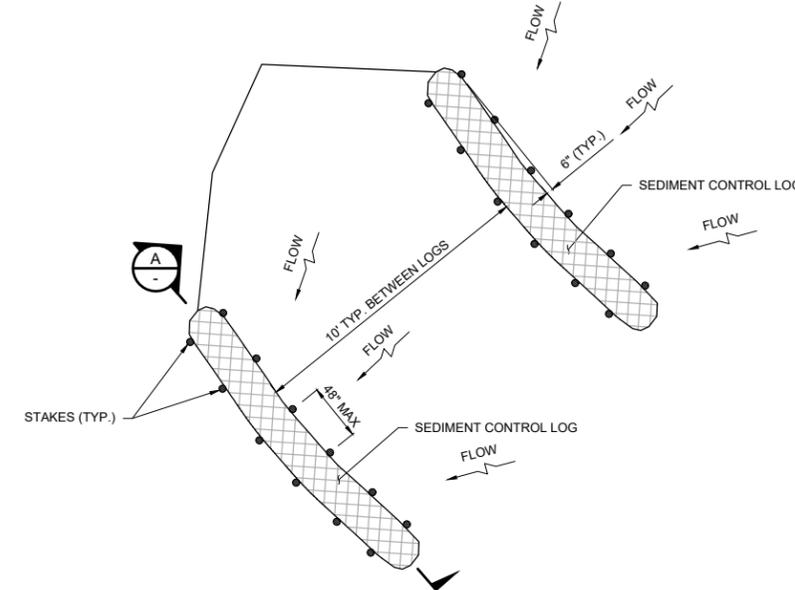
**FRONT VIEW**



**TOP VIEW**

- NOTES:**
- INSTALL SEDIMENT LOG ALONG CONTOURS (CONSTANT ELEVATION).
  - NO GAPS SHALL BE PRESENT UNDER SEDIMENT LOG. PREPARE AREA AS NEEDED TO SMOOTH SURFACE OR REMOVE DEBRIS.
  - REMOVE ACCUMULATED SEDIMENT WHEN REACHING 1/2 OF LOG HEIGHT.
  - MAINTAIN SEDIMENT LOG THROUGHOUT THE CONSTRUCTION PERIOD AND REPAIR OR REPLACED AS REQUIRED.

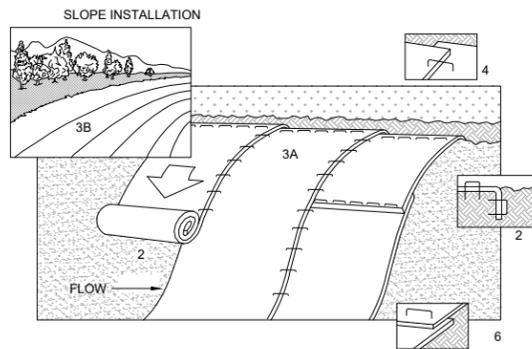
**3** **DETAIL: EROSION LOG - STAKING**  
NOT TO SCALE



**PLAN VIEW**

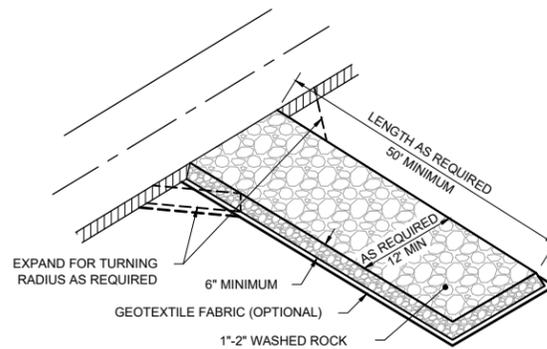
- NOTES:**
- SEDIMENT CONTROL LOG SHALL BE INSTALLED SO THAT MIDDLE OF LOG IS APPROXIMATELY 6" LOWER (DOWNGRADIENT) TO CREATE A NATURAL FUNNELING AND KEEP SEDIMENT OUT OF DOWNSLOPE ARMORING.
  - CORE MATERIAL SHALL BE BIODEGRADABLE OR RECYCLABLE, SUCH AS COCONUT FIBERS. CORE MATERIAL SHALL BE COMPRESSED AND STUFFED INTO A NETTING.
  - CONTAINMENT MESH (NETTING) SHALL BE 100% BIODEGRADABLE MATERIAL SUCH AS BURLAP, TWINE, ETC.
  - SEDIMENT CONTROL LOG SHALL BE PLACED AS INDICATED ON THE PLANS AND WITHIN 24 HOURS OF VEGETATION REMOVAL.
  - SECURE SEDIMENT CONTROL LOG IN A METHOD ADEQUATE TO PREVENT DISPLACEMENT AS A RESULT OF NORMAL RAIN EVENTS, SUCH THAT FLOW IS NOT ALLOWED UNDER THE SEDIMENT CONTROL LOG. ALL MATERIALS USED TO SECURE SEDIMENT CONTROL LOG SHALL BE 100% BIODEGRADABLE.
  - SEDIMENT CONTROL LOG SHALL BE NO LESS THAN 9" IN DIAMETER.
  - FOR SEDIMENT CONTROL LOG STAKING SEE **3** 4153

**5** **DETAIL: SEDIMENT CONTROL LOG (ALONG SLOPE)**  
NOT TO SCALE



- NOTES:**
- REFER TO MANUFACTURER RECOMMENDATIONS FOR STAPLE PATTERNS FOR SLOPE INSTALLATIONS.
  - PREPARE SOIL BY LOOSENING TOP 1-2 INCHES AND APPLY SEED (AND FERTILIZER WHERE REQUIRED) PRIOR TO INSTALLING BLANKETS. GROUND SHOULD BE SMOOTH AND FREE OF DEBRIS.
  - BEGIN (A) AT THE TOP OF THE SLOPE AND ROLL THE BLANKETS DOWN OR (B) AT ONE END OF THE SLOPE AND ROLL THE BLANKETS HORIZONTALLY ACROSS THE SLOPE.
  - THE EDGES OF PARALLEL BLANKETS MUST BE STAPLED WITH APPROXIMATELY 6" OVERLAP, WITH THE UPHILL BLANKET ON TOP.
  - WHEN BLANKETS MUST BE SPLICED DOWN THE SLOPE, PLACE BLANKETS END OVER END (SHINGLE STYLE) WITH APPROXIMATELY 6" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART.
  - BLANKET MATERIALS SHALL BE AS SPECIFIED OR AS APPROVED BY ENGINEER.

**2** **DETAIL: EROSION CONTROL BLANKET - INSTALLATION**  
NOT TO SCALE



- NOTES:**
- MAINTAIN ENTRANCE THROUGHOUT THE CONSTRUCTION PERIOD AND REPAIR OR REPLACE AS REQUIRED TO PREVENT TRACKING OFFSITE.
  - REMOVE ENTRANCE IN CONJUNCTION WITH FINAL GRADING AND SITE STABILIZATION.

**4** **DETAIL: CONSTRUCTION ENTRANCE - ROCK**  
NOT TO SCALE

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SIBLEY PHASE II FIRE SUPPRESSION			DRAWING 4153
EROSION CONTROL DETAILS			
SERVICE CENTER: NORTHERN STATES POWER COMPANY		PROJECT: 4501038238	
DIVISION: NORTH	CITY/COUNTY: MENDOTA HEIGHTS / DAKOTA	TYPE:	

