

## PLANNING COMMISSION STAFF REPORT

Meeting Date May 20, 2025

**REPORT TO:** Michael Sable, City Manager

**REPORT FROM:** Michael Martin, AICP, Assistant Community Development Director

**PRESENTER:** Michael Martin, AICP, Assistant Community Development Director

**AGENDA ITEM:** Conditional Use Permit Resolution, Assisted Living Facility, 2615 Maplewood Drive

**Action Requested:**  Motion  Discussion  Public Hearing

**Form of Action:**  Resolution  Ordinance  Contract/Agreement  Proclamation

### **Policy Issue:**

Matt Frisbie of Frisbie Companies is requesting approval for a new 32-unit memory care facility. This proposal is a change from the previously approved 72-unit multifamily apartment building proposed by Frisbie Companies in 2020. According to Mr. Frisbie, this adjustment is primarily due to current construction costs, limited financing options for apartment complexes, and existing market conditions. The new plans include six one-bedroom and 26 studio units. The applicant is partnering with Ebenezer Care to oversee the facility's operations.

### **Recommended Action:**

Motion to approve a conditional use permit resolution to construct a new 32-unit memory care facility at 2615 Maplewood Drive.

### **Fiscal Impact:**

Is There a Fiscal Impact?  No  Yes, the true or estimated cost is \$0

Financing source(s):  Adopted Budget  Budget Modification  New Revenue Source  
 Use of Reserves  Other: N/A

### **Strategic Plan Relevance:**

Community Inclusiveness  Financial & Asset Mgmt  Environmental Stewardship  
 Integrated Communication  Operational Effectiveness  Targeted Redevelopment

The city deemed the applicant's application complete on May 6, 2025. The initial 60-day review deadline for a decision is July 5, 2025. As stated in Minnesota State Statute 15.99, the city can take an additional 60 days, if necessary, to complete the review and make a decision.

### **Background:**

The applicant is requesting approval for a new 32-unit memory care facility. This proposal is a change from the previously approved 72-unit multifamily apartment building. The building will offer a variety of standard amenities including a commercial kitchen, dining room, living room, sunroom, laundry facilities, a spa room, a beauty salon, nursing offices, a director's office, a staff break room,

a library/family room, activity spaces, and both covered indoor and outdoor patios.

### Conditional Use Permit

The R3 – multiple dwelling zoning district requires a conditional use permit for assisted living uses. This single-story project is designed to have less impact on the site than the previously approved three-story apartment building with underground parking. It requires less surface parking, which allows for a more substantial 50-foot landscape buffer along the northern property line (an increase from the previous 20-foot buffer). The plans also prioritize preserving existing trees and minimizing environmental disruption, resulting in more pervious areas and a larger wetland buffer. Eliminating below-grade parking excavation will also allow for the incorporation of rain gardens.

### Design Review

#### *Site Plan*

The site will be accessed by two drives coming off Maplewood Drive. The proposed building and parking lots are concentrated on the east side of the lot and will be positioned on the site, with setbacks from the street and neighboring residences, and enhanced by landscaping, walkways, and courtyards. The outdoor areas will include additional landscaping, retaining walls, and sidewalks with pond views. The area of land on the west side of the site, which is also west of a wetland, will not be built on. The building and parking lots meet all the required setbacks, including the 50-foot building setback required to the north property line.

#### *Building Elevations*

The exterior of the building will feature predominantly “golden teak” colored siding panels complemented by “manganese ironspot” colored brick facades and a pitched shingled roof. Trash enclosures will be constructed of brick and located on the south side of the property. Mechanical equipment will be situated on the rear or screened on the partially flat roof to minimize visual impact.

### Parking

The city ordinance does not contain specific parking standards for assisted living or nursing home facilities. The applicant proposes 28 parking stalls, including two accessible stalls. The facility employees and guests visiting residents would use the on-site parking. Staff believes this number is adequate given the number of units, possible visitors, and proposed staff on-site at any time.

#### *Landscaping*

Per the applicant’s plans, the property has 143 significant trees, equaling 1,996 diameter inches of trees. The applicant is removing 24 significant trees, equaling 328.5 diameter inches. Based on the City’s tree preservation ordinance tree replacement calculation, no additional replacement trees are required over and above the general landscape requirements. The applicant’s landscape plan includes 38 new trees, for a total of 74 caliper inches. Numerous shrubs and perennials will also be planted around the building.

#### *Floor Area*

City ordinance requires that the minimum habitable floor area for "assisted-living" and "memory-

care" senior housing be at least the minimum required by the Minnesota Department of Health, which is generally 250 square feet for assisted living. Of the 32 units the applicant is proposing, six will be one-bedroom units between 525 and 536 square feet, and the 26 studio units will have either 325 or 415 square feet.

### *Wetlands and Shoreland*

There is a Manage B wetland located in the center of the parcel. The city's wetland ordinance requires a 50-foot minimum and a 75-foot average wetland buffer. The wetland ordinance allows flexibility in instances where, because of the unique physical characteristics of a specific parcel of land, the averaging of buffer width for the entire parcel may be necessary to allow for the reasonable use of the land during a development or construction project. In such cases, decreasing the minimum buffer width will be compensated for by increased buffer widths elsewhere in the same parcel to achieve the required average buffer width. The development will have grading to within 50 feet along the eastern edge of the Manage B wetland. The entire western edge of the wetland will remain undisturbed, allowing for wetland buffer averaging. Wetland buffer averaging is being requested due to the percentage of the parcel covered by wetland and the configuration of the wetland on the parcel.

The Shoreland Overlay District for Kohlman Lake allows for 30 percent impervious surface coverage for an apartment complex. The parcel is 8.96 acres. The impervious surface area, including the building, parking lot, and sidewalks, is proposed to cover 0.96 acres, which meets the Shoreland Overlay District requirements.

### *Lighting*

The applicant's submitted photometric plan meets all city requirements.

### Department Comments

#### *Engineering*

Please see Jon Jarosch's original engineering report, dated May 12, 2025, attached to this report.

#### *Environmental*

Please see Shann Finwall's updated environmental report, dated May 13, 2025, attached to this report.

#### *Building Official – Randy Johnson*

The proposed building is required to meet the minimum requirements of the Minnesota State Building Code.

### Commission Review

#### *Community Design Review Board*

May 20, 2025: The community design review board will review this project.

#### *Planning Commission*

May 20, 2025: The planning commission will review this project and hold a public hearing.

### Citizen Comments

Staff sent notices to the 130 surrounding property owners within 500 feet of the subject site and invited owners to provide their opinions about this proposal. Staff have yet to receive any responses.

### Reference Information

#### *Site Description*

Campus Size: 8.96 acres  
Existing Land Use: Vacant Land

#### *Surrounding Land Uses*

North: Single Family Homes  
East: Maplewood Drive and Highway 61  
South: Town and Country Manufactured Home Park  
West: Kohlman Park and Town and Country Manufactured Home Park

#### *Planning*

Existing Land Use: Medium Density Residential  
Existing Zoning: R3 – Multiple Dwelling

### **Attachments:**

1. Conditional Use Permit Resolution
2. Design Review Resolution
3. Overview Map
4. 2040 Future Land Use Map
5. Zoning Map
6. Wetland Map
7. Shoreland Overlay Map
8. Applicant's Narrative
9. Site Plan
10. Building Elevations
11. Landscape Plan
12. Engineering Report, dated May 12, 2025
13. Environmental Report, dated May 13, 2025
14. Applicant's Plans (separate attachment)

## CONDITIONAL USE PERMIT RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Matt Frisbie of Frisbie Companies has requested approval of a conditional use permit to construct a 32-unit assisted living facility.

1.02 The property is located at 2615 Maplewood Drive and is legally described as:

PIN: 09-29-22-12 -0014. Real property in the City of Maplewood, County of Ramsey, State of Minnesota, described as follows:

Parcel 1:

That part of Lot 8, W.H. Howard's Garden Lots, Ramsey County, Minnesota lying westerly of a line drawn parallel with and distant 50 feet westerly of Line A described below. Except the east 455 feet of the west 715 feet of the north 203 feet of said Lot 8. Also except the west 260 feet of said Lot 8.

Parcel 2:

That part of Lot 7, W.H. Howard's Garden Lots, Ramsey County, Minnesota lying westerly of a line drawn parallel with and distant 50 feet westerly of Line A described below. Except that part thereof lying westerly of a line drawn from a point on the north line of said Lot 7 distant 200.00 feet east of the northwest corner of said Lot 7 to the southwest corner of said Lot 7.

Parcel 3:

That part of Lot 6, W.H. Howard's Garden Lots lying westerly of a line drawn parallel with and distant 50 feet westerly of Line A described below and that lies northerly of a line described as follows: Commencing at a point on the north and south center line of Section 9, Township 29 North, Range 22 West in Ramsey County, Minnesota, 19.7 feet north of the true northwest corner of the South 66 feet of said Lot 6; running thence in a southeasterly direction to a point on the west line of the St. Paul and White Bear Road, 19.7 feet south of the true northeast corner of said south 66 feet of said Lot 6, W.H. Howard's Garden Lots, according to the plat thereof on file and of record in the office of the Register of Deeds, in and for the County of Ramsey.

Line A:

Beginning at a point on the north line of Section 9, Township 29, Range 22, Ramsey County, Minnesota distant 755.6 feet east of the north quarter corner thereof; thence run southerly at an angle of 90 degrees with said north section line for 540.9 feet; thence deflect to the left on a 20 degree 00 minute curve (delta angle 30 degrees 52 minutes 15 seconds) for 154.35 feet; thence on tangent to said curve for 125.26 feet; thence deflect to the right on a 20 degree 00 minute curve (delta angle 31 degrees 36 minutes 04 seconds) for 158.01 feet; thence on tangent to said curve for 93.03 feet; thence deflect to the right on a 02 degree 30 minute curve (delta angle 16 degrees 29 minutes 30 seconds) for 659.67 feet and there terminating.

(Abstract Property).

Section 2. Standards.

2.01 City Ordinance Section 44-46 requires a Conditional Use Permit for assisted living facilities.

2.02 General Conditional Use Permit Standards. City Ordinance Section 44-1097(a) states that the City Council must base approval of a Conditional Use Permit on the following nine standards for approval.

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would not exceed the design standards of any affected street.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Section 3. Findings.

3.01 The proposal meets the specific conditional use permit standards.

Section 4. City Review Process

4.01 The City conducted the following review when considering this conditional use permit request.

1. On May 20, 2025, the planning commission held a public hearing. The city staff published a hearing notice in the Pioneer Press and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission recommended that the city council \_\_\_\_\_ this resolution.

2. On June 9, 2025, the city council discussed this resolution. They considered reports and recommendations from the planning commission and city staff.

Section 5. City Council

5.01 The city council hereby \_\_\_\_\_ the resolution. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. All construction shall follow the approved plans, date-stamped May 6, 2025. The director of community development may approve minor changes.
2. The proposed construction must be substantially started within one year of council approval, or the permit shall become null and void.
3. The city council shall review this permit in one year.
4. A parking waiver is approved. The project will provide 28 surface spaces. If a parking shortage develops, the city council may require the construction of additional parking spaces.

## DESIGN REVIEW RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Matt Frisbie of Frisbie Companies has requested approval of design review to construct a 32-unit assisted living facility.

1.02 The property is located at 2615 Maplewood Drive and is legally described as:

PIN: 09-29-22-12 -0014. Real property in the City of Maplewood, County of Ramsey, State of Minnesota, described as follows:

Parcel 1:

That part of Lot 8, W.H. Howard's Garden Lots, Ramsey County, Minnesota lying westerly of a line drawn parallel with and distant 50 feet westerly of Line A described below. Except the east 455 feet of the west 715 feet of the north 203 feet of said Lot 8. Also except the west 260 feet of said Lot 8.

Parcel 2:

That part of Lot 7, W.H. Howard's Garden Lots, Ramsey County, Minnesota lying westerly of a line drawn parallel with and distant 50 feet westerly of Line A described below. Except that part thereof lying westerly of a line drawn from a point on the north line of said Lot 7 distant 200.00 feet east of the northwest corner of said Lot 7 to the southwest corner of said Lot 7.

Parcel 3:

That part of Lot 6, W.H. Howard's Garden Lots lying westerly of a line drawn parallel with and distant 50 feet westerly of Line A described below and that lies northerly of a line described as follows: Commencing at a point on the north and south center line of Section 9, Township 29 North, Range 22 West in Ramsey County, Minnesota, 19.7 feet north of the true northwest corner of the South 66 feet of said Lot 6; running thence in a southeasterly direction to a point on the west line of the St. Paul and White Bear Road, 19.7 feet south of the true northeast corner of said south 66 feet of said Lot 6, W.H. Howard's Garden Lots, according to the plat thereof on file and of record in the office of the Register of Deeds, in and for the County of Ramsey.

Line A:

Beginning at a point on the north line of Section 9, Township 29, Range 22, Ramsey County, Minnesota distant 755.6 feet east of the north quarter corner thereof; thence run southerly at an angle of 90 degrees with said north section line for 540.9 feet; thence deflect to the left on a 20 degree 00 minute curve (delta angle 30 degrees 52 minutes 15 seconds) for 154.35 feet; thence on tangent to said curve for 125.26 feet; thence deflect to the right on a 20 degree 00 minute curve (delta angle 31 degrees 36 minutes 04 seconds) for 158.01 feet; thence on tangent to said curve for 93.03 feet; thence deflect to the right on a 02 degree 30 minute curve (delta angle 16 degrees 29 minutes 30 seconds) for 659.67 feet and there terminating.

(Abstract Property).

Section 2. Site and Building Plan Standards and Findings.

2.01 City ordinance Section 2-290(b) requires that the community design review board make the following findings to approve plans:

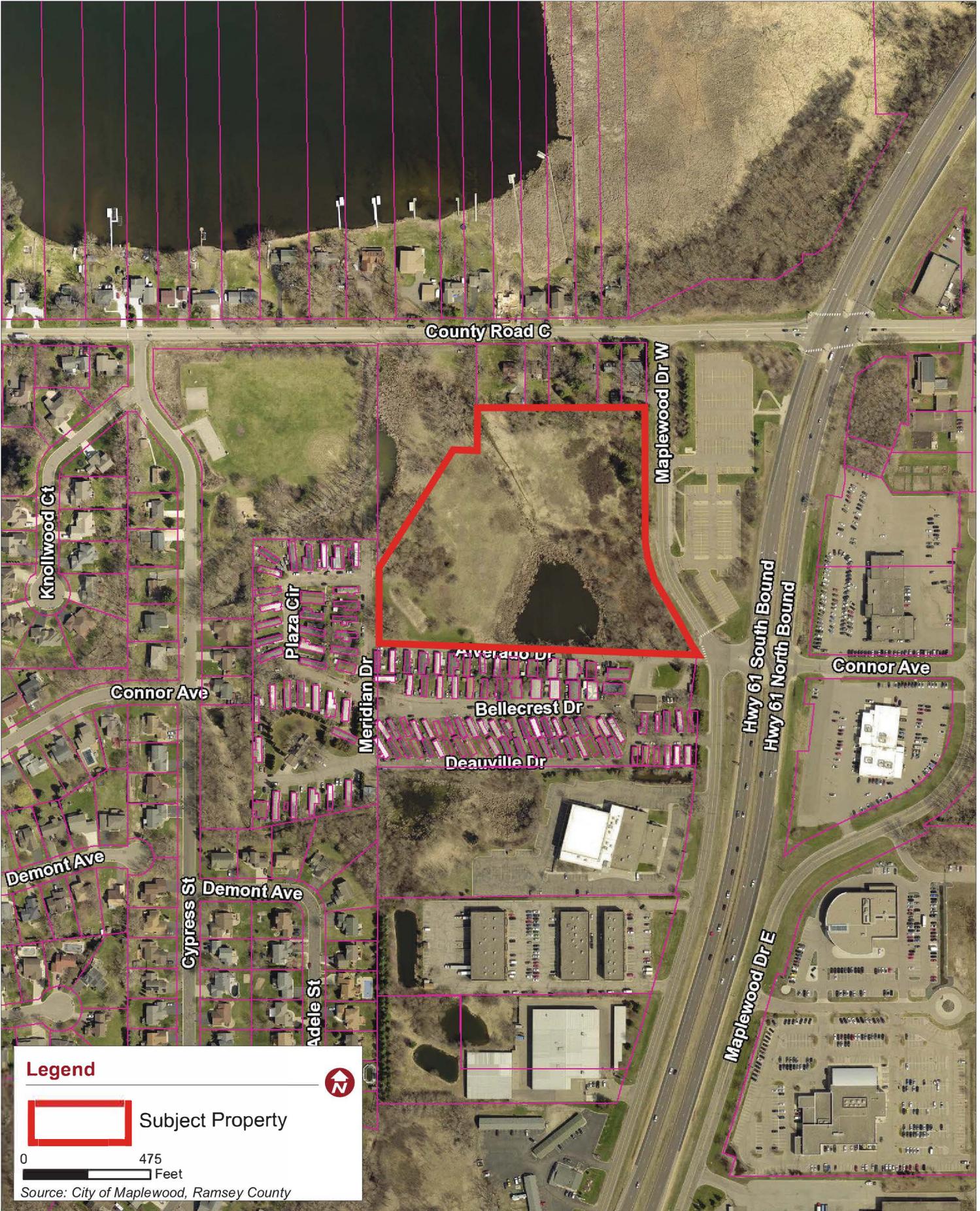
1. That the design and location of the proposed development and its relationship to neighboring, existing or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of neighboring, existing or proposed developments; and that it will not create traffic hazards or congestion.
2. That the design and location of the proposed development are in keeping with the character of the surrounding neighborhood and are not detrimental to the harmonious, orderly and attractive development contemplated by this article and the city's comprehensive municipal plan.
3. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors.

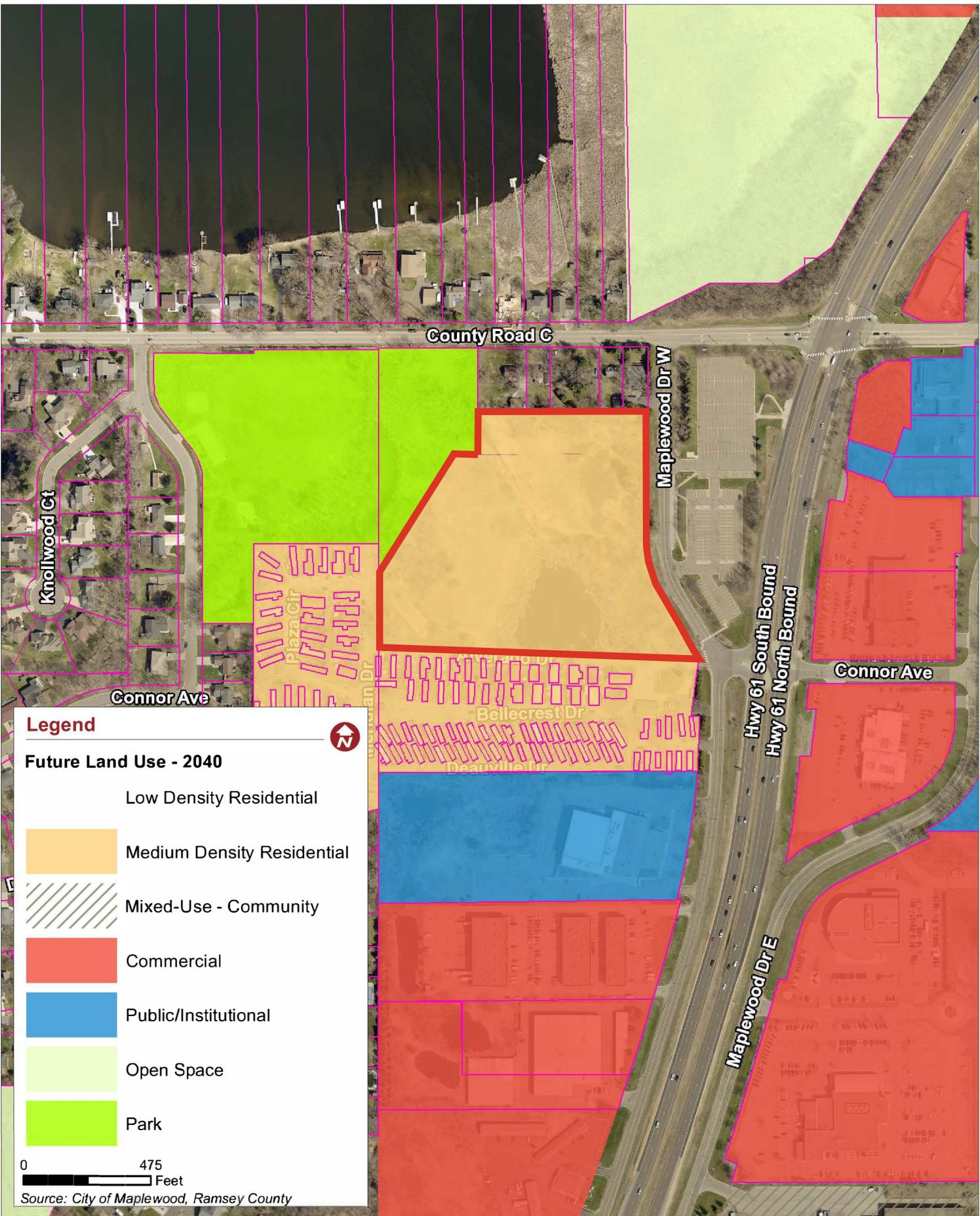
Section 3. City Action

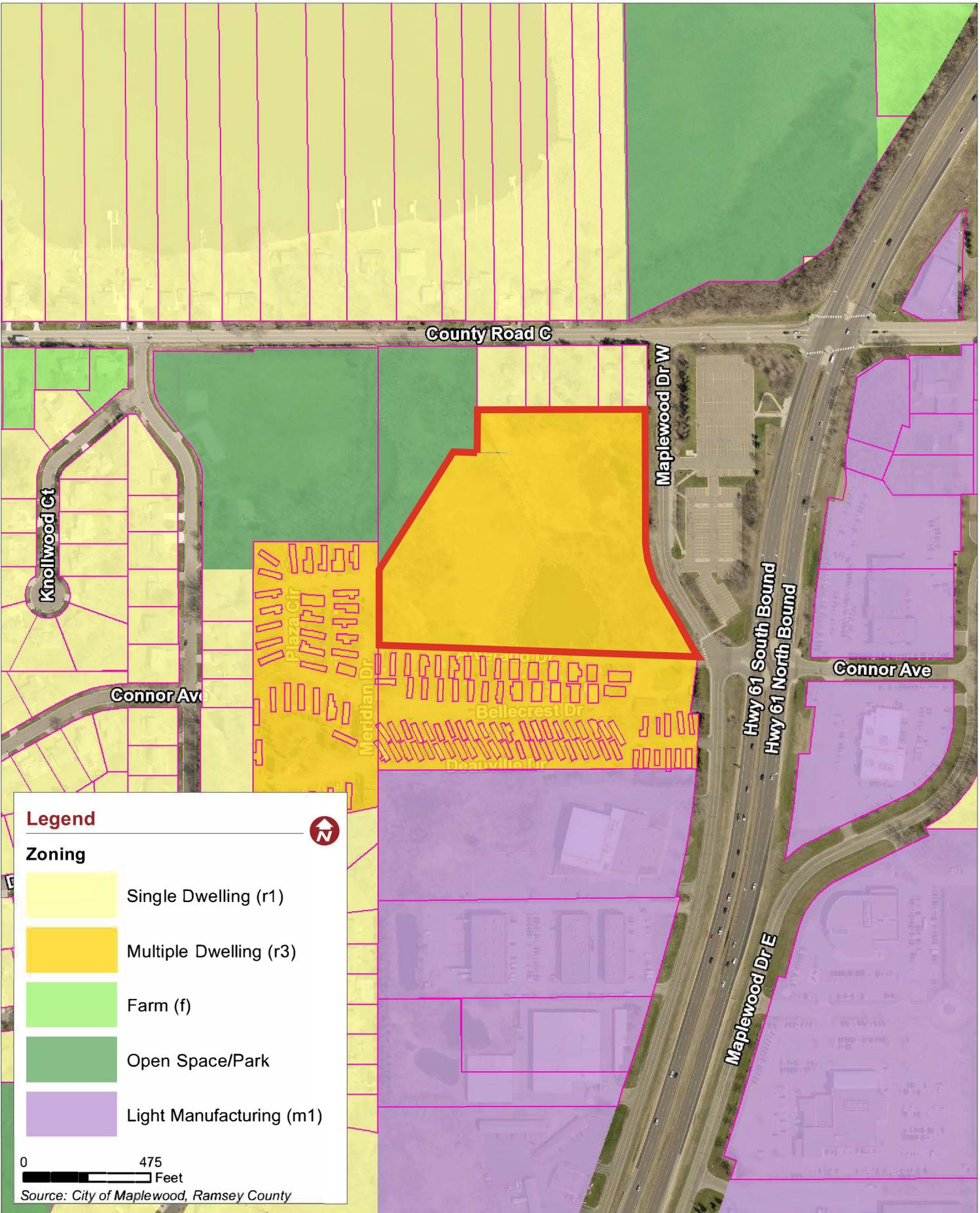
3.01 The above-described site and design plans are hereby approved based on the findings outlined in Section 3 of this resolution. Subject to staff approval, the site must be developed and maintained in substantial conformance with the design plans date-stamped May 6, 2025. Approval is subject to the applicant doing the following:

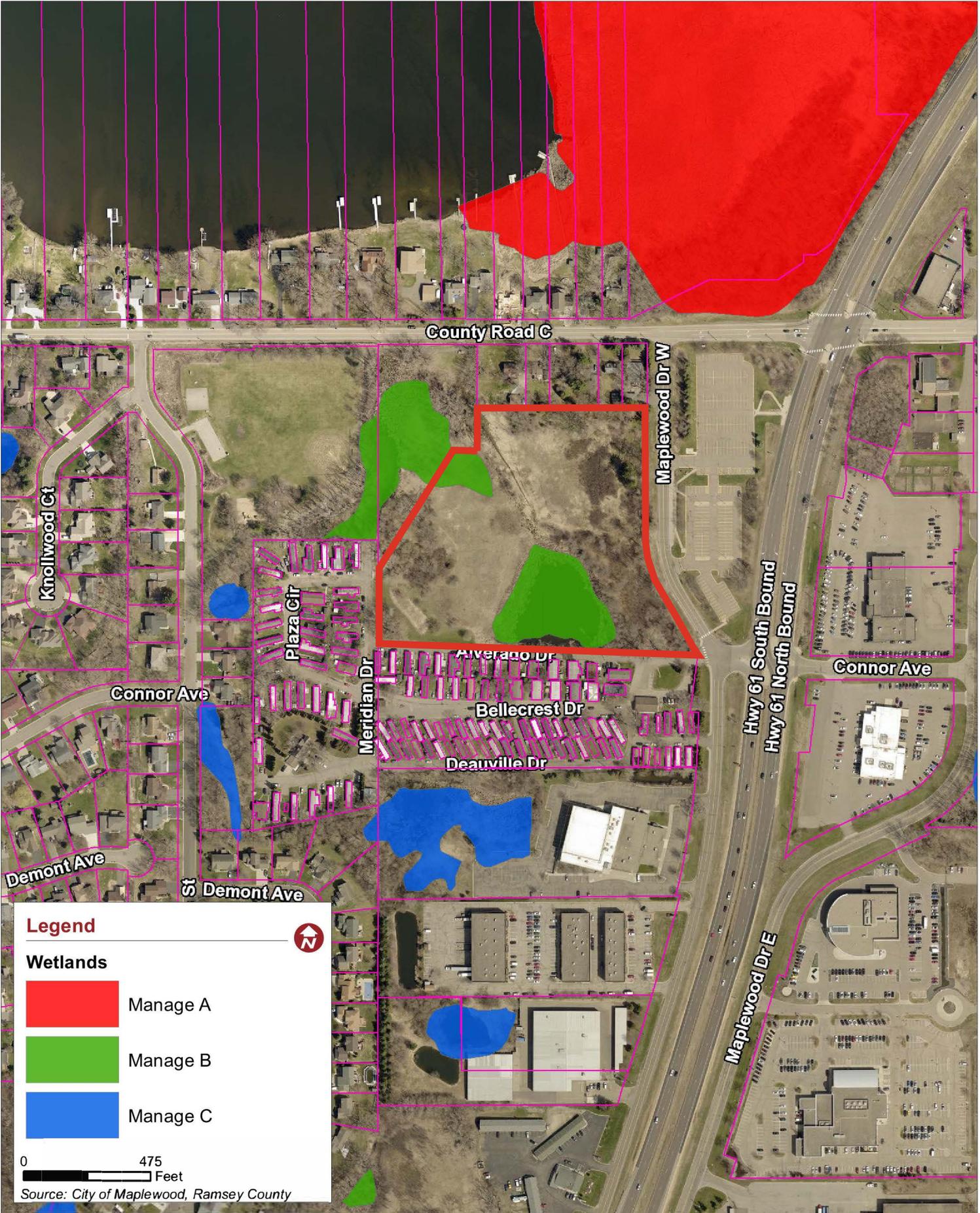
1. If the city has not issued a building permit for this project, repeat this review in two years.
2. All fire marshal and building official requirements must be met.
3. Satisfy the requirements set forth in the engineering review authored by Jon Jarosch, May 12, 2025.
4. Satisfy the requirements set forth in the environmental review authored by Shann Finwall, dated May 13, 2025.
5. The applicant shall obtain all required permits from the Ramsey-Washington Metro Watershed District.
6. All ground-mounted and roof-mounted mechanical equipment shall be screened according to the ordinance.
7. Any identification or monument signs for the project must meet the city's sign ordinance requirements and be designed to be consistent with the project's building materials and colors.
8. Prior to the issuance of a building permit, the applicant shall submit for staff approval the following items:

- a. The applicant shall provide the city with a cash escrow or an irrevocable letter of credit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.
  - b. Submit a revised tree plan that preserves the two maple trees near the north property line.
9. The applicant shall complete the following before occupying the building:
  - a. Replace any property irons that were removed because of this construction.
  - b. Provide continuous concrete curb and gutter around the parking lot and driveways.
  - c. Install all required landscaping and an in-ground lawn irrigation system for all landscaped areas.
  - d. Install all required outdoor lighting.
  - e. Install all required sidewalks and trails.
10. If any required work is not done, the city may allow temporary occupancy if:
  - a. The city determines that the work is not essential to public health, safety or welfare.
  - b. The City of Maplewood holds the above-required letter of credit or cash escrow for all required exterior improvements. If the building is occupied in the fall or winter, the owner or contractor shall complete any unfinished exterior improvements by June 1 of the following year or within six weeks of occupancy if it is occupied in the spring or summer.
11. All work shall follow the approved plans. The director of community development may approve minor changes.











**Legend**



Shoreland Overlay



Project Area



Source: City of Maplewood, Ramsey County



**Date:** 4/18/25  
**To:** City of Maplewood  
**From:** Matt Frisbie, Frisbie Companies, LLC and EF Maplewood, LLC  
**Subject:** Maplewood Senior Living/Memory Care – Condition Use Permit and CDRB Application

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For our site located at 2614 Maplewood Drive North in Maplewood, we are requesting a conditional use permit for a new 32-unit memory care facility. The proposed change in use from the previously-approved 72-unit multifamily apartment building is being driven by the cost of construction, limited financing options for apartments, and the market.

A market study completed on January 17, 2025 shows a strong demand on this site for all types of senior living – independent, assisted living, and memory care. Our focus will be on the memory care market; the study shows current memory care demand in 2024 for 20 market rate units and 43 units for elderly waiver (income based). The 5-year projections show increased demand to 34 market rate units and 53 units for elderly waiver. We are proposing 32 units on the site with a mix of 6 one-bedroom units at 525 -536 s.f. each, 10 studio units at 415 s.f. each, and 16 studio units at 325 s.f. each.

This proposed 32-unit facility has been carefully planned to align with the current market study and demand for senior living, especially for memory care. Ebenezer Care will manage the facility, one of Minnesota’s senior living management companies. We have worked on multiple projects with Ebenezer Care, and have a great history of senior living design and successful operations. The impact of this senior living development to Maplewood is a positive step to continuing to meet the needs of seniors in the community.

The building layout will also incorporate resident common amenities such as a full commercial kitchen, dining room, living room, sun room, laundry, spa room with therapy tub, beauty salon, laundry rooms, nursing offices, director’s office, staff break room, library/private family room, activity spaces, and covered front and outdoor covered patio space.

The exterior of the building will be primarily brick with siding/panels, and a pitched shingled roof. The building will be set back off the adjacent street and residential neighbors with landscaping buffers, walks and courtyards. The outdoor spaces will have extension landscaping, retaining walls, and sidewalks looking over the pond to the east. The trash enclosures will be on the south side and will be

brick to match the building. All mechanical equipment will be on the back side of the building or on the partial flat roof and screened from view.

With this proposed one-story project, we will have less impact on the site than the previously approved 3-story plus underground parking apartment project. We will have a lesser need for surface parking and we will be able to provide a larger landscape buffer to the residents to the north. Previously the north landscape buffer was 20 feet, and with this project it is 50 feet. We would also work to preserve more trees around the new building and create less of an environmental impact on the site. This site layout provides more pervious area and a greater buffer to the existing wetland. Without the excavation for the below-grade parking, we can design more to the natural grading and provide rain gardens that serves as visible amenities.

The project will employ 22 FTE's once it reaches stabilization, which is projected for the end of the second year of being open. Employment opportunities will include resident assistants; registered nurses; other care staff, such as activities and Dimensions manager (Ebenezer's memory care program); dietary staff; housekeeping; maintenance; and administrative positions. Wages will range from \$21/hour to \$65/hour.

As with our previous design, we have kept the immediate neighbors to the north aware of our progress and ideas. We have emailed a site plan showing the idea for the one-story building and we have described the differences from the previously proposed three-story apartment building. The response has been favorable with comments like "I like that idea so I don't have a lot to say. The fence is important to all of us, and trees. The fact that it will be older residents means no worry about noise or smoking or parties, everyone I've talked to is happy about it." We will have an in-person site visit with those neighbors interested in meeting prior to the city meeting

The proposed new building project fits within the zoning, setbacks, height, and all other city and watershed requirements, and we are not requesting any variances. Under the current zoning, senior living is allowed as a conditional use.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Hill", is written in a cursive style.







**Engineering Plan Review**

**PROJECT:** 2614 Maplewood Drive Senior Living  
**PROJECT NO:** 25-18

**COMMENTS BY:** Jon Jarosch, P.E. – Assistant City Engineer

**DATE:** 5-12-2025

**PLAN SET:** Engineering plans dated 4-21-2025

**REPORTS:** Stormwater Management Plan dated 4-21-2025

The applicant is seeking city approval to develop a 32 unit senior living and memory care facility on roughly 9 acres of vacant land at 2614 Maplewood Drive. The applicant is requesting a review of the current design.

The amount of disturbance on this site is greater than ½ acre. As such, the applicant is required to meet the City's stormwater quality, rate control, and other stormwater management requirements. The applicant is proposing to meet these requirements via the use of an iron-enhanced sand filtration basin and wet pond. From the information submitted, it appears that the proposed design meets the City and Watershed District stormwater management requirements.

This review does not constitute a final review of the plans, as the applicant will need to submit construction documents for final review. The following are engineering review comments on the design and act as conditions prior to issuing permits.

**Drainage and Stormwater Management**

- 1) The project shall be submitted to the Ramsey-Washington Metro Watershed District (RWMWD) for review. All conditions of RWMWD shall be met.
- 2) A joint storm water maintenance agreement shall be prepared and signed by the owner for the proposed filtration basin, wet pond, pretreatment devices, and other onsite storm sewer. The Owner shall submit a signed copy of the joint storm-water maintenance agreement with the RWMWD to the City.
- 3) One of the methods being proposed to meet volume reduction requirements is iron-enhanced filtration. While the City is supportive of this method, our stormwater management standards do not currently address iron-enhanced filtration. As such, the City will defer to the RWMWD methodology for calculating volume reduction credits generated through this method.

- 4) Outlet pipes discharging into wetlands and basins shall have minimal slopes to prevent scour at the outlet areas (0.5% Typical).
- 5) While this project lies within the Shoreland Overlay District for Kohlman Lake, the amount of impervious surface coverage falls beneath the 30% maximum coverage allowed by ordinance.
- 6) The wet pond shall include a 10:1 (H:V) safety bench for the first 10 feet from the normal water level (NWL) into the basin. Likewise, the wet pond shall have slopes no greater than 3:1 above the NWL and below the safety bench.

#### Grading and Erosion Control

- 7) All slopes shall be 3H:1V or flatter.
- 8) A double-row of heavy-duty silt fence shall be installed between the disturbed site area and the adjacent wetland to the west.
- 9) Inlet protection devices shall be installed on all existing and proposed onsite storm sewer until all exposed soils onsite are stabilized. This includes storm sewer on adjacent streets that could potentially receive construction related sediment or debris.
- 10) Adjacent streets and parking areas shall be swept as needed to keep the pavement clear of sediment and construction debris.
- 11) All pedestrian facilities shall be ADA compliant.
- 12) The total grading volume (cut/fill) shall be noted on the plans.
- 13) A copy of the project SWPPP and NDPEs Permit shall be submitted prior to the issuance of a grading permit.

#### Sanitary Sewer and Water Service

- 14) The proposed sanitary sewer service line is shown crossing onto the neighboring property to the west. The applicant shall verify that applicable easements are in place to allow for said connection. New easements may be required.
- 15) The applicant shall be responsible for paying any SAC, WAC, or PAC charges related to the improvements proposed with this project.
- 16) All modifications to the water system shall be reviewed by Saint Paul regional Water Services. All requirements of SPRWS shall be met.

- 17) All new sanitary sewer service piping shall be schedule 40 PVC or SDR35.
- 18) The proposed bored sanitary sewer line shall be pressure tested to ensure it is completely sealed to groundwater infiltration.

Other

- 19) The City of Maplewood standard details included in the plans are out of date. The current version of the details shall be utilized. These details are available on the City website on the Engineering landing page.
- 20) The applicant shall provide a self-renewing letter of credit or cash escrow in the amount of 125% of the proposed site improvements including earthwork, grading, erosion control, site vegetation establishment, aggregate base, and paving.

Public Works Permits

The following permits are required by the Maplewood Public Works Department for this project. The applicant should verify the need for other City permits with the Building Department.

- 21) Right-of-way permit
- 22) Grading and erosion control permit
- 23) Storm Sewer Permit
- 24) Sanitary Sewer Permit

- END COMMENTS -

## Environmental Review

<b>Project:</b>	Maplewood Senior Living Memory Care
<b>Location:</b>	2615 Maplewood Drive
<b>Date of Plans:</b>	April 21, 2025
<b>Date of Review:</b>	May 12, 2025
<b>Reviewer:</b>	Shann Finwall, Sustainability Coordinator (651) 249-2304; <a href="mailto:shann.finwall@maplewoodmn.gov">shann.finwall@maplewoodmn.gov</a>

**Background:** The applicant is seeking approval of a 32-unit memory care facility to be constructed at 2615 Maplewood Drive. The lot is located in the Shoreland Overlay District for Kohlman Lake. There is a Manage B wetland and significant trees located on the lot. The proposal must comply with the City's shoreland, wetland, and tree preservation ordinances, and landscape policies.

### Shoreland Overlay District:

The Shoreland Overlay District for Kohlman Lake allows for 30 percent impervious surface coverage for an apartment complex. The lot is 8.96 acres. The impervious surface area including the building, parking lot, and sidewalks will cover 1.12 acres. This equals a 12 percent impervious surface coverage on the lot, which meets the Shoreland Overlay District requirements.

### Trees:

1. Tree Preservation Ordinance:
  - a. Significant Trees: Maplewood's tree preservation ordinance describes a significant tree as a healthy tree as follows - hardwood tree with a minimum of 6 inches in diameter, an evergreen tree with a minimum of 8 inches in diameter, and a softwood tree with a minimum of 12 inches in diameter.
  - b. Specimen Trees: A specimen tree is defined as a healthy tree of any species which is 28 inches in diameter or greater.
  - c. Tree Replacement: Tree replacement is based on a calculation of significant trees located on the parcel and significant trees removed. Credits are given for all specimen trees that are preserved.
2. Tree Impacts and Replacement Requirements: The tree preservation plan shows 143 significant trees equaling 1,996 diameter inches. The applicant is proposing to remove 24 significant trees equaling 328.5 diameter inches. Based on the City's tree preservation ordinance tree replacement calculation, no additional replacement trees are required over and above the general landscape requirements.

3. Tree Replacement: The landscape plan includes 38 new trees, for a total of 74 caliper inches, which exceed the City's tree preservation tree replacement requirements.
4. Tree Recommendations:
  - a. Prior to issuance of a grading permit the applicant must submit the following:
    - 1) Tree Plan: An updated tree plan that reflects the correct size, location, species, and health of all significant trees on the site. The previous plan was complete August 13, 2020, which is five years old and may not accurately portray the trees on the site.

**Wetland:**

1. Wetland Ordinance:

There is a Manage B wetland located in the center of the parcel. The City's wetland ordinance requires a 50-foot minimum and 75-foot average wetland buffer. The wetland ordinance allows flexibility in instances where, because of the unique physical characteristics of a specific parcel of land, the averaging of buffer width for the entire parcel may be necessary to allow for the reasonable use of the land during a development or construction project. In such cases decreasing the minimum buffer width will be compensated for by increased buffer widths elsewhere in the same parcel to achieve the required average buffer width. Averaging is allowed based on an assessment of the following:

- a. Undue hardship would arise from not allowing the average buffer, or would otherwise not be in the public interest.
- b. Size of parcel.
- c. Configuration of existing roads and utilities.
- d. Percentage of parcel covered by wetland.
- e. Configuration of wetlands on the parcel.
- f. Averaging will not cause degradation of the wetland or stream.
- g. Averaging will ensure the protection or enhancement of portions of the buffer which are found to be the most ecologically beneficial to the wetland or stream.
- h. A wetland buffer mitigation plan is required for construction of development projects that will require averaging. In reviewing the mitigation plan, the city may require one or more of the following actions:
  - 1) Reducing or avoiding the impact by limiting the degree or amount of the action, such as by using appropriate technology.

- 2) Rectifying the impact by repairing, rehabilitating, or restoring the buffer.
  - 3) Reducing or eliminating the impact over time by prevention and maintenance operations during the life of the actions.
  - 4) Compensating for the impact by replacing, enhancing, or providing substitute buffer land at a two-to-one ratio.
  - 5) Monitoring the impact and taking appropriate corrective measures.
  - 6) Where the city requires restoration or replacement of a buffer, the owner or contractor shall replant the buffer with native vegetation. A restoration plan must be approved by the city before planting.
  - 7) Any additional conditions required by the applicable watershed district and/or the soil and water conservation district shall apply.
  - 8) A wetland or buffer mitigation surety, such as a cash deposit or letter of credit, of 150 percent of estimated cost for mitigation. The surety will be required based on the size of the project as deemed necessary by the administrator. Funds will be held by the city until successful completion of restoration as determined by the city after a final inspection. Wetland or buffer mitigation surety does not include other sureties required pursuant to any other provision of city ordinance or city directive.
2. Wetland Impacts: The development will have grading to within 50 feet along the eastern edge of the Manage B wetland. The entire western edge of the wetland will remain undisturbed allowing for wetland buffer averaging. Wetland buffer averaging is being requested due to the percentage of parcel covered by wetland and the configuration of the wetland on the parcel.
3. Wetland Buffer Recommendations:
- a. Prior to issuance of a grading permit the applicant must submit the following:
    - 1) Stormwater Plan: The plans identify a stormwater pipe extending from the filtration basin on the south side of the property. Stormwater best management practices are not allowed within the wetland buffer without a variance. Submit a plan which identifies how this stormwater pipe will be installed without impacts to the wetland buffer or wetland.
    - 2) Wetland Buffer Mitigation for Approval of the Wetland Buffer Averaging:
      - a) Buckthorn Removal Plan: Removal of buckthorn within the newly established 50-foot wetland buffer located on the east side of the wetland. The applicant must maintain this

area for three years to ensure no additional buckthorn is established.

- b) Wetland Buffer Averaging Plan: A plan which identifies the location of the increased wetland buffer on the west side of the wetland. The wetland buffer must equal the additional square footage of the wetland encroachment taking place beyond the 75-foot required buffer on the east side of the wetland.
  - c) Wetland Buffer Easement: An easement over the 50-foot wetland buffer on the eastern side of the wetland, and over the increased wetland buffer on the western side of the wetland. The easement will be recorded with the County and will identify that no mowing, grading, or building is allowed within the wetland buffer.
- 3) Utility and Grading Plans: Revised plans that detail impacts of the sanitary sewer line proposed to be bored under the wetland and wetland buffers, and how those impacts will be mitigated.
  - 4) Wetland Buffer Sign Plan: Identify the location of wetland buffer signs to be installed along the approved wetland buffers. The signs should be placed every 100 feet at a minimum. The City of Maplewood supplies wetland buffer signs identifying that no building, mowing, or grading should take place within the buffer. There is a \$35 fee per sign.
  - 5) Wetland Buffer Sign Installation: Install the city wetland buffer signs that specify that no building, mowing, cutting, grading, filling or dumping be allowed within the buffer.
  - 6) Maintenance Agreement: Sign a wetland buffer mitigation agreement with the City requiring that the applicant establish and maintain the required mitigation within the buffer for a three-year period.
  - 7) Surety: A cash escrow or letter of credit to cover 150 percent of the wetland buffer mitigation. The City will retain the surety for up to three years as outlined in the maintenance agreement to ensure the wetland buffer mitigation is established and maintained.

### **Landscape Policies and Recommendation**

Review of the overall landscape plan to ensure nonnative and invasive species are avoided, seed mix is appropriate for use in areas proposed, and plantings are climate resilient. Prior to issuance of a grading permit the City's Natural Resources Coordinator must review and approve of the landscape plan.